UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
FIRST SESSION

VOLUME 113—PART 25

NOVEMBER 22, 1967, TO DECEMBER 4, 1967
(PAGES 33597 TO 34994)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1967

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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, NOVEMBER 22, 1967

(Legislative day of Tuesday, November 21, 1967)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. John E. Huss, minister, Charleston Heights Baptist Church, Charleston, S.C., offered the following prayer:

Our Father in Heaven, we have reason to express profound gratitude to Thee every day of our lives. Whenever we think, there is a desire to thank. During this 1967 Thanksgiving season we wish to express special gratitude. May our thanks be as fervent for mercies received, as our petitions for blessings we seek.

Help us to exalt Thee as did the Psalmist who burst into praise and was constrained to say: "O Lord, our Lord, how excellent is Thy name in all the earth."

We are thankful for America, a nation born in revolution and now engaged in an agonizing struggle to guarantee freedom and prevent the enslavement of a people on the other side of the world. Father, console and comfort those whose minds are filled with precious memories of those who have given their lives for our country.

We pray for the President of these United States and for all the men and women who share the burden of responsibility in high office. Bestow upon this leadership divine guidance in the decisions they constantly make. Give to them a strength equal to the task. Provide for them relaxation that renews. Inspire their thinking so that a trail may be blazed to bring a just and honorable peace that will end the dilemma in Vietnam.

With love for Thee and loyalty to our country we humbly offer this petition in the name of Jesus Christ.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, November 21, 1967, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, and that statements therein be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that in the minute preceding the vote on the pending business at 11 a.m., the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] be recognized to propound questions concerning the schedule for the remainder of the day and next week.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the two nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The legislative clerk read the nomination of Arthur Christopher, Jr., of the District of Columbia, to be associate judge of the District of Columbia court of general sessions.

The PRESIDING OFFICER (Mr. FANNIN in the chair). Without objection, the nomination is considered and confirmed.

DISTRICT OF COLUMBIA LAND AGENCY

The legislative clerk read the nomination of Alfred P. Love to be a member of the District of Columbia Redevelopment Land Agency.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 779 and 780.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATIONS UPON ATTORNEYS' FEES BEFORE U.S. ADMINISTRATIVE AGENCY PROCEEDINGS

The bill (S. 1073) to remove arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the United States, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) to the extent that any provision of law heretofore enacted or any rule or regulation heretofore adopted by any administrative agency (1) imposes upon any attorneys' fees any limitation to a prescribed amount or to a prescribed maximum percentage of any award made in any administrative proceeding, or (2) authorizes an agency in its discretion to determine attorneys' fees or to approve attorneys' fees charged for the rendition of such services in any administrative proceeding; or (3) imposes any penalty or sanction upon any attorney who charges, contracts for, or receives any fee in excess of any such limitation for the rendition of services in connection with any administrative proceedings, such provision of law, rule, or regulation shall have no force or effect after the effective date of this Act.

(b) In any proceedings heretofore subject to any provision of law or rule or regulation referred to in (a) above, an administrative agency may hereafter provide, by published rule or regulation, than an attorney shall, at the conclusion of such proceedings, file with the agency the amount of fee charged in connection with his services rendered in such proceedings.

(c) After the fee information is filed by an attorney under (b) above, an agency may determine, in accordance with such published rules or regulations as it may provide, that such fee charged is excessive. If, after notice to the attorney of this determination, the agency and the attorney fail to agree upon a fee, the agency may, within ninety days after receipt of the information required by (b) above, petition the United States district court in the district in which the attorney maintains an office, and the court shall determine a reasonable fee for the services rendered by the attorney.

(d) As used in this Act—

(1) The term "administrative agency" means any executive department or any agency or instrumentality thereof, any independent administration, board, or commission of the Government, and any wholly owned Government corporation.

(2) The term "administrative proceeding" means any application made to, and any formal or informal proceeding, conference, or meeting conducted by, any administrative agency or any officer or employee thereof for or in connection with the submission, consideration, determination, adjudication, or review of any claim against the United States or any demand or request for any monetary or other benefit or privilege under any statute of the United States.

Sec. 2. This Act shall take effect on the first day of the third month beginning after the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 795), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

This bill was first introduced by Senator McClellan, of Arkansas, on March 15, 1965 (S. 1522) for the purpose of removing arbitrary limitations which are now placed upon attorneys' fees for services rendered before certain administrative agencies of the United States. In a statement on behalf of his bill, Senator McClellan said:

"I introduced this bill (S. 1522) to correct what I consider to be inequities in the allowance of attorneys' fees in proceedings before certain administrative agencies. Many of the existing limitations * * * are a direct outgrowth of the depression years. The maximum amount now allowable reflects the general attitude of that time."

Senator McClellan's bill as amended, passed the Senate on June 13, 1966. (See S. Rept. 1233, 89th Cong., second sess.) In the 90th Congress, on February 26, 1967, Senator McClellan reintroduced his bill (S. 1073) in the identical form as had previously passed the Senate. The bill would repeal all existing statutory and agency limitations on attorneys' fees. It would permit attorneys to enter into fee contracts with their client, subject only to subsequent review by an administrative agency of the United States to determine if the fee charged is excessive.

LEGISLATIVE HISTORY

The general rule followed by American courts is that attorneys' fees "are not ordinarily recoverable in the absence of a statute or enforceable contract providing therefor" (*Arcambel* v. *Wiseman*, 3 Dall. 306 (1796); *Fleischmann Distilling Corporation* v. *Maier Brewing Co.*, 386 U.S. 714 (1967)).

There are today many statutes and agency rules and regulations which now impose limitations on attorneys' fees charged clients for services rendered in connection with administrative proceedings. (See p. 6 for list compiled by the American Bar Foundation.) These limitations can be grouped into three general types:

(1) Fixed dollar limitations—such as a $10 fee for handling certain Veterans' Administration cases;

(2) Fixed percentage limitations—such as the 10-percent limitation for handling claims before the Foreign Claims Settlement Commission; and

(3) Administrative discretion limitations—such as exercised by the Social Security Administration.

The origin of these statutory fee limitations is rooted in the desire of the Congress to protect individual members of the public from unconscionable representatives or agents, whether lawyers or not, and to insure that particular funds made available for special legislative purposes, such as veterans' benefits, social security, or restitution to Indians, are directed toward those purposes with absolute minimum diversion on account of claims of lawyers, agents, or other representatives. Furthermore, the Congress was interested in discouraging champerty. According to Justice Brandeis, "Congress has sought both to prevent the stirring up of unjust claims against the Government and to reduce the temptation to adopt improper methods of prosecution which contracts for large fees contingent upon success have sometimes been supposed to encourage." (*Calhoun* v. *Massie*, 253 U.S. 170, at 173–174, 1920. The Court in this case, and in a series of such cases, held these fee limitation clauses constitutional. It was the opinion of the Court that the Congress has power to attach conditions to the pensions it chooses to award, and thus lawyers were not deprived of due process of law.)

Thus, when Congress enacted a new pension bill early in the Civil War, it included a $5 fee limitation for presentation of a claim. The rationalization for this limitation was on grounds of the rapacity of attorneys and agents, the naivete of the average pensioner, and the simplicity of the administrative procedure involved. Two years later, in 1864, this fee cause was repealed in favor of a provision allowing a maximum fee of $10 for all services rendered in securing a pension.

The legislative history of the various fee limitations which S. 1073 would remove is significant only by the almost total absence of attention given to the problem in congressional hearings and reports. No doubt, many fee limitation clauses were added as an ad hoc response to evils, or imagined evils, which may not necessarily have existed in the bulk of cases to which the clauses apply. The committee is of the opinion that, in too many instances, the fee rider has been automatically added without debate in Congress and with little, if any, protest from the bar.

Hearings on S. 1522 were held on February 28, 1966, before the Subcommittee on Administrative Practice and Procedure. One dominant theme raised by representatives of the bar was that the existing system of arbitrary limitations on attorneys' fees not only is a breach of normal attorney-client relationships, but also is against the best interests of the claimant himself. Indeed, as representatives of the American Bar Association informed the subcommittee, "the right or privilege of being represented by counsel in a Federal administrative proceeding becomes hollow * * * if the private party is prohibited from paying his attorney other than a subnormal fee. Retaining one's own counsel is a private right which deserves safeguarding in fact as well as in theory."

The committee is of the opinion that, in many instances, the existing limitations on attorneys' fees deprive a claimant of counsel of his own choosing. Abraham Lincoln has said that a lawyer's time and advice are his stock in trade. And representatives of the bar were frank to admit that—except for motives of charity—a lawyer cannot afford to take a case where he may not even be reimbursed for his actual, out-of-pocket expenses.

During the course of the hearing, the Veterans' Administration suggested that the bill "presents the basic question as to whether an individual claiming veterans' benefits should be encouraged to obtain an attorney to present his claim, with the resultant expense, or whether he should be encouraged to utilize the representation alternatives now available to him, which involve no cost on his part."

Meritorious as this statement may appear, S. 1073 is not intended to present a claimant with a choice of alternate remedies. The committee is most cognizant of the excellent representation which the many veterans' organizations provide, and S. 1073 would not be interpreted so as to deprive these organizations of any of their activities. In this connection, S. 1073 is intended merely to remove any existing arbitrary limitations on attorneys' fees so that if legal assistance becomes necessary—and if the claimant so desires—competent counsel can be obtained.

It must also be noted that, whereas in the area of veterans' affairs there are many professional veterans' organizations offering claims assistance, no such similar organizations exist in the many other areas to which S. 1073 will apply.

During the course of the subcommittee hearings, representatives of the Social Security Administration and the Department of the Interior opposed enactment of such an attorney fee bill. The committee believes that most objections were met by the addition of the amendments to S. 1522, which are now incorporated into S. 1073. Additionally, the Department of Justice, in a letter dated February 28, 1966, informed the committee that it, "agrees with the general approach of S. 1522, in its abolition of across-the-board limitations on attorneys' fees and services rendered in proceedings before Federal administrative agencies."

The committee accordingly is of the opinion that S. 1073 effects a balancing of the interests of all parties concerned; namely, the individual claimant under a Federal statute, his private lawyer, and the Government itself.

WHAT S. 1073 WOULD DO

S. 1073 would—

1. Abolish fixed dollar amount, maximum percentage of award, and administrative discretion types of limitation on attorneys' fees in administrative proceedings.
2. Allow attorneys' fees for services rendered in administrative proceedings to be set initially in the course of normal attorney-client relationships.
3. Allow agencies in their discretion to establish procedures for the disclosure of attorneys' fees in those cases where existing arbitrary limitations will be abolished.
4. Enable agencies in such cases to challenge any attorney's fee on grounds of its excessiveness and to petition an appropriate Federal district court if agreement on a proper fee within a reasonable time is not reached.
5. Leave unchanged the fee situation in administrative proceedings unaffected by the abolition of arbitrary limitations on attorneys' fees.

PROHIBITING COERCION IN SOLICITATION OF CONTRIBUTIONS

The bill (S. 1036) to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. It shall be unlawful for any commissioned officer, as defined in section 101, title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority to coerce, or attempt to coerce, any member of the Armed Forces to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit any commissioned officer or any member of the Armed Forces acting or purporting to act under his authority from calling meetings or taking any action appropriate to afford to any member of the Armed Forces of the

United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies or voluntarily to make donations to any institution or cause of any kind.

Sec. 2. Any commissioned officer as defined in section 101, title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority who willfully violates any of the provisions of this Act, shall be punished as a court-martial may direct.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 796), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill is intended to prohibit coercive practices that have some times occurred in the Armed Forces during campaigns to sell savings bonds and to solicit charitable donations.

LEGISLATIVE HISTORY

During the past five Congresses the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary has conducted extensive investigations into various types of governmental activity involving invasions of privacy of civilian and military employees of the U.S. Government.

Of the violations of individual rights found by the subcommittee, some of the worst occurred in connection with techniques employed to secure participation in the periodic campaigns to sell Government savings bonds and to solicit contributions to charity drives.

As a result of the abuses discovered during these studies, legislation was introduced in the 89th Congress and again in the 90th Congress to protect Government employees in their basic rights to privacy. S. 1035, which was intended to prevent coercive practices against civilian employees of the Government, was approved by the Senate on September 13 by a vote of 79 to 4. Section 1(h) of that bill is similar to S. 1036, which is a companion bill designed to protect members of the Armed Forces against coercion to participate in bond sales or to donate to charity.

NEED FOR LEGISLATION

The files of the Subcommittee on Constitutional Rights are replete with correspondence from members of the Armed Forces complaining about the pressures used against them to participate in purchasing bonds or in contributing to various causes.

Among the threats, reprisals, and punishment are these: denials of leave to servicemen departing for Vietnam, refusal of weekend passes, detrimental reports that mar a serviceman's record and often impede his advancement, official threats of denial of promotion, and assignment of unpleasant duties or undesirable working hours. The extent of reprisals varies with the ingenuity and imagination of the persons responsible for filling the quotas.

Coercion and pressure tactics are forbidden officially by policies of the Department of Defense. But it is impractical by administrative action to police the violations of the principle of voluntary participation. It is extremely difficult to investigate and correct instances of coercion because most of the pressures are applied orally and thus are impossible to verify conclusively and because most of the complainants ask that their names not be used to avoid punishment by the superiors in the chain of command whose actions were the subject of the complaint.

The committee does not wish to discourage thrift or charitable contributions, and the bill makes clear that there is no prohibition against action to give members of the Armed Forces an opportunity to invest their earnings in bonds voluntarily or to make voluntary contributions. But the committee is convinced that much of the activity in this area is excessive to the point of intimidation. The committee expects that not many members of the Armed Forces will be prosecuted under the authority of this bill, but the bill should act as a deterrent against the kinds of abuses that have been established.

TRIBUTE TO SENATOR LONG OF LOUISIANA

Mr. MANSFIELD. Mr. President, I wish to take this occasion, before the vote on the unfinished business, the social security bill, is concluded, to express my admiration and gratification to the distinguished Senator from Louisiana [Mr. Long], the deputy majority leader and the chairman of the Committee on Finance. The outstanding skill he has shown in managing this most comprehensive, difficult, and technical bill, for the past week will remain as a lasting impression on the minds of all Senators.

He has conducted himself with great dignity, decorum, understanding, and tolerance. He has been able to answer the questions raised with clarity and skill. He is to be commended for conducting, in the highest traditions of the Senate, the type of management which we all admire and appreciate, especially when a bill of this magnitude is before us. Its carefully drawn provisions represent a major achievement for the countless number of Americans who will benefit. But the real achievement today is the one about to occur when the Senate votes to pass H.R. 12080. This will be Senator Long's achievement; one he can add to his already abundant record in the service of the Nation.

I should also like to extend my commendation to the distinguished senior Senator from Delaware [Mr. Williams], the ranking minority member of the Committee on Finance, who, although he had some very strong differences of opinion, did not in any way delay the work of the Senate. He expressed his views with clarity and decisiveness, with deep sincerity and conviction. He made a distinct and enriching contribution. His deep understanding of the many facets of our social security system, his knowledge of the many provisions of this bill were of immense assistance.

There are others who are to be commended. The Senator from Florida [Mr. Smathers], the Senator from New Mexico [Mr. Anderson] and the others on the committee deserve praise for their strong efforts both in committee and here in the Chamber.

The distinguished Senator from Nebraska [Mr. Curtis] is to be singled out for his outstanding contribution. He urged his views with great conviction and sincerity though they differed in many respects from those of a majority of the Senate. The Senator from Vermont [Mr. Prouty] similarly deserves the praise of the Senate for again manifesting his deep and abiding devotion to our elderly citizens.

I particularly wish to note the contribution of the Senator from South Dakota [Mr. McGovern] whose profound interest in and strong support for this vitally important measure has served immensely to assure what I am certain will be an overwhelming success. His cooperation throughout the consideration of the measure was splendid.

The Senator from Oklahoma [Mr. Harris] shares the gratitude of the Senate for his diligence and efforts in behalf of this measure, as do the Senators from Indiana [Mr. Hartke and Mr. Bayh], the Senators from New York [Mr. Javits and Mr. Kennedy] and the Senator from Iowa [Mr. Miller]. They, along with the Senator from New Mexico [Mr. Montoya] and others, urged their views clearly and articulately, offered amendments which often met the approval of the Senate and generally helped to make the discussion and debate on this bill of the highest caliber and in the best traditions of the Senate.

So again, to Senator Russell B. Long, to the committee which he so ably chairs and to the Senate goes the heartfelt thanks of the leadership, and the thanks of a grateful nation for cooperating so magnificently to ready the sweeping improvements of the social security program and the other benefits proposed in H.R. 12080 for final disposition—a disposition, I am confident, that will be highly, highly favorable. It will be a lasting credit to this body.

APPOINTMENTS BY THE VICE PRESIDENT

The **PRESIDING OFFICER**. The Chair, on behalf of the Vice President, under the provisions of Public Law 81–754, appoints the following Senator to the National Historical Publications Commission: Senator Pell.

The Chair, on behalf of the Vice President, under the provisions of Public Law 170 of the 74th Congress, appoints the following Senator to attend the Interparliamentary Union meeting, to be held at Rome, Italy, on December 3–9, 1967: Senator Lausche.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1031) to amend further the Peace Corps Act (75 Stat. 612), as amended.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 1367. An act to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

The message further announced that the House had passed the following bills and joint resolution in which it requested the concurrence of the Senate:

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 3528. An act for the relief of Isaac Chervony, M.D.;

H.R. 4818. An act for the relief of O. P. Becken;

H.R. 4819. An act for the relief of Ralph W. Heneman;

H.R. 4820. An act for the relief of Sylvan H. Miller;

H.R. 4821. An act for the relief of Arnold E. Remmen;

H.R. 6305. An act for the relief of Claud Ferguson;

H.R. 6890. An act for the relief of Lester W. Hein and Sadie Hein;

H.R. 8476. An act to confer U.S. citizenship posthumously upon Pfc. Alfred Sevenski;

H.R. 8481. An act for the relief of Richard Belk;

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes;

H.R. 10864. An act to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes;

H.R. 12019. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; and

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 3528. An act for the relief of Isaac Chervony, M.D.;

H.R. 4818. An act for the relief of O. P. Becken;

H.R. 4819. An act for the relief of Ralph W. Heneman;

H.R. 4820. An act for the relief of Sylvan H. Miller;

H.R. 4821. An act for the relief of Arnold E. Remmen;

H.R. 6305. An act for the relief of Claud Ferguson;

H.R. 6890. An act for the relief of Lester W. Hein and Sadie Hein;

H.R. 8476. An act to confer U.S. citizenship posthumously upon Pfc. Alfred Sevenski; and

H.R. 8481. An act for the relief of Richard Belk; to the Committee on the Judiciary.

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes; to the Committee on Foreign Relations.

H.R. 10864. An act to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 12019. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; to the Committee on the District of Columbia.

PROPOSED CONCESSION CONTRACT FOR PUBLIC SERVICES IN LASSEN VOLCANIC NATIONAL PARK, CALIF.

The PRESIDING OFFICER laid before the Senate a letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract for public services in Lassen Volcanic National Park, Calif., which, with the accompanying papers, was referred to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution adopted by the Legislature of the Trust Territory of the Pacific Islands, endorsing the proposed plan to reestablish military installations in Rota, Tinian, Saipan, and the Northern Islands; to the Committee on Armed Services.

A resolution adopted by the City Council of the City of Cambridge, Mass., praying for the enactment of legislation to eliminate poverty; to the Committee on Labor and Public Welfare.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes (Rept. No. 802).

By Mr. TYDINGS, from the Committee on the District of Columbia, without amendment:

H.R. 2529. An act to amend the act of September 8, 1960, relating to the Washington Channel waterfront (Rept. No. 803).

By Mr. TYDINGS, from the Committee on the District of Columbia, with an amendment:

S. 1629. A bill to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region (Rept. No. 804).

By Mr. TYDINGS, from the Committee on the District of Columbia, with amendments:

S. 1532. A bill to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes (Rept. No. 805).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 2686. A bill to provide workmen's compensation protection to certain individuals who, while employed in, or in connection with, the mining of radioactive material, suffer injury or death from the effects of radiation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. ALLOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE (by request):

S. 2687. A bill to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes; to the Committee on Commerce.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CASE, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. MORSE, Mr. YARBOROUGH, Mr. CLARK, Mr. PELL, and Mr. JAVITS):

S. 2688. A bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 2689. A bill for the relief of Aldo Ferretti; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2690. A bill to settle the land claims of the Indians, Aleuts, and Eskimos of Alaska against the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

RESOLUTION

CONTINUATION OF SPECIAL COMMITTEE OF THE ORGANIZATION OF THE CONGRESS THROUGH JANUARY 31, 1968

Mr. MONRONEY (for himself, Mr. BOGGS, Mr. CASE, Mr. METCALF, Mr. MUNDT, and Mr. SPARKMAN) submitted a resolution (S. Res. 188) continuing the Special Committee on the Organization of the Congress through January 31, 1968, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. MONRONEY, which appears under a separate heading.)

RELIEF OF URANIUM MINERS

Mr. ALLOTT. Mr. President, earlier this year the Nation's attention was directed to a tragic situation regarding the incidence of lung cancer among uranium miners. The news media carried several stories concerning the deaths of uranium miners attributable to lung cancer. Certain members of the medical profession have expressed the opinion that there is a connection between exposure to radon gas and the incidence of lung cancer. Dr. Victor Archer of the Occupational Health Field Station, U.S. Public Health Service, Salt Lake City, Utah, in testifying before the Joint Committee on Atomic Energy on July 26, 1967, made this observation:

> I was pleased to note that in earlier testimony at these hearings, no one challenged the concept that radiation exposure in uranium mines can cause lung cancer among miners. That represents progress; 10, or even 5 years ago, I am sure that that concept would have been challenged.

Despite Dr. Archer's note of "progress," it would appear that the medical panel of the Utah Industrial Commission does not share his opinion. In an August 24, 1967, decision of the Utah Supreme Court, such a finding was apparently sustained.

Mr. President, I ask unanimous consent that the Garner decision of the Utah Supreme Court be inserted in the RECORD at this point.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

[In the Supreme Court of the State of Utah, No. 10667, filed August 24, 1967, L. M. Cummings, clerk]

EOLA MARGARET GARNER, WIDOW, AND JAMES DOUGLAS GARNER AND PAMELA GARNER, MINOR CHILDREN OF DOUGLAS GARNER, DECEASED, PLAINTIFFS, *v.* HECLA MINING COMPANY AND THE INDUSTRIAL COMMISSION OF UTAH, DEFENDANTS

Crockett, Chief Justice:

Plaintiffs, the widow and children of Douglas Garner, attack the findings and order of the Industrial Commission denying benefits for his death which they contend resulted from an occupational disease caused from working as a uranium miner for the defendant Hecla Mining Company.

Mr. Garner had worked in and around uranium mines since 1940; 15 years of it underground. The last eight years had been in Utah, four years of that for the defendant Hecla Mining Company. He became ill and was hospitalized on July 14, 1963. Tests were taken which revealed extensive carcinomatosis (a form of cancer), involving the lungs, bronchus, preaortic nodes, liver, spleen, and adrenal glands. After his death, September 15, 1963, the autopsy report showed that he had severe aortic artherosclerosis and coronary atherosclerosis.

Our occupational disease statutes were enacted as an adjunct to the compensation previously provided for accidental injuries to further implement one of the main policy considerations which underlies workmen's compensation: that industry should bear the burdens of the human casualty it causes.[1] Due largely to the difficulty in ascertaining causal relationships it has proceeded into that field with caution, limiting coverage to certain named diseases and adding: such other diseases or injuries to health which "directly arise as a natural incident of the exposure occasioned by the employment" and only where it is shown there is a "direct and proximate causal connection between the conditions of the work and the occupational disease," and which does not result from a hazard to which the workman would have been equally exposed outside of the employment.[2]

Plaintiffs urge the persuasiveness of statistical data, scientific evidence and medical opinion that there is a much higher than average incidence of lung cancer in uranium miners. The hazardous agent is radon gas. When a man breathes it, it changes in several chemical steps to the end product, known as lead-210. This accumulates in the kidneys, liver, spleen and especially the bones. By autopsy it can be determined to some degree the exposure a person had to the radon gas. Correlating with this, it was shown that Mr. Garner had 34 times as much lead-210 in his bones as the average for a nonminer; and that the Hecla Mine had about 2½ times as much of the radon gas as the "recommended working level" approved by the Federal Government and some states which have regulations on the subject.

The foregoing evidence came from competent sources, including Dr. Victor E. Archer, an apparently well qualified expert who had had large experience and had done investigation and research in this field. He was not the attending physician but upon the basis of the foregoing information was of the opinion that there was a very high possibility that the death of Mr. Garner resulted from lung cancer caused by the radon gas present in uranium mines. This is the foundation of plaintiffs' argument that the Commission was capricious and arbitrary in its refusal to find that the cause of Mr. Garner's death was an occupational disease as defined in our statutes referred to above.

We have no doubt about the propriety of receiving and considering the evidence above referred to, and of scientific data and expert opinions based thereon concerning the high incidence of lung cancer in uranium miners, because they are relevant to the critical problem here. This evidence is indeed somewhat impressive and may well be regarded as calling attention to the question whether lung cancer of uranium miners should be included in the occupational diseases specified by statute as compensable. However, that is a legislative, not a judicial problem.

Under our statutes and long established decisional law there are insuperable obstacles to the granting of the relief sought by plaintiffs on this appeal: it was their burden to show affirmatively and to so persuade the Commission that Mr. Garner's death resulted from a disease caused by his occupation. It is the prerogative of the Commission, and not of any individual witness, or even of the medical panel, to judge the credibility of the evidence, and upon the basis of the whole evidence to determine the facts. The plaintiffs having failed to so persuade the Commission, it is the duty of this court to survey the evidence in the light most favorable to the findings and order; and we cannot reverse and compel an award unless there is credible evidence without substantial contradiction which points so clearly and persuasively in plaintiffs' favor that failure to so find must be regarded as capricious and arbitrary. Conversely, if there is any reasonable basis in the evidence, or from the lack of evidence, which will justify the refusal to so find, we must affirm.[3]

While it seems logical that the unusually high incidence of lung cancer in uranium miners would indicate in the same ratio the higher probability than otherwise that such was the cause of the disease, it nevertheless falls short of compelling a finding that such was the cause in any individual case. For illustration, in a more commonly known field: the fact that the incidence of lung cancer in heavy cigarette smokers is 30% to 50% higher than in nonsmokers does not necessarily compel that conclusion that any individual smoker's case of lung cancer resulted from cigarette smoking. The disease also arises quite independently of and therefore apparently from other causes than cigarette smoking. Incidentally on the subject of cigarettes, it was shown that Mr. Garner himself had smoked a package a day for about 20 years.

The insuperable difficulty in plaintiffs' attack on the Commission's finding is that they improperly attempt to focus consideration of the issues exclusively upon their own view of the evidence and theories of the case. While some aspects of the statistical data and medical theories harmonize with their contention, others failed to do so. For instance, Dr. Saccomanno, the pathologist called by them, acknowledged the well known but unfortunate uncertainty as to the cause of cancer. He readily admitted that, in any given individual, "there are a great many unknown factors as to what might cause cancer" and that ". . . it could be concluded that the radon gas alone didn't cause the problem incident to the death, but it's merely based on a statistical study of a given number of cases."

Consistent with the foregoing and corroborating the existence of unknown factors and uncertainty as to causation, is the report of the medical panel to which this case was referred for examination: "We cannot confirm that the lung carcinoma was caused by exposure to uranium mining occupation." There is thus a reasonable basis in the evidence for the refusal of the Commission to find in accordance with the plaintiffs' contention. Upon the principles stated above it is our duty to affirm the decision.[4] No costs awarded.

We concur:

E. R. CALLISTER, Jr.,
Justice.
F. HENRI HENRIOD,
Justice.
A. H. ELLETT,
Justice.

Tuckett, Justice (Dissenting):

I dissent. It appears from the record that that the Commission based its findings in this matter upon the findings of the medical panel. The Commission in its order stated as follows:

"The Commission concurs that 'Mr. Garner's death was not caused by exposure to uranium or its byproducts.' Further, that the lung carcinoma of Mr. Garner was not caused by the exposure occasioned by his working in the occupation of a uranium miner."

The medical panel to which this matter was referred by the Commission received evidence and medical data from various sources and thereafter concluded that the evidence was insufficient to establish that the cancer from which Mr. Garner died resulted from his exposure to radon gas or other byproducts of uranium ore. There was some evidence before the panel from which it might have concluded that the decedent's cancerous condition resulted from his overexposure to radiation while working in the mines. After objections were filed by the plaintiffs to the report of the medical panel, further proceedings were had before the Commission at which time Dr. Elmer L. Kilpatrick, chairman of the panel, was examined by counsel for the respective parties. In response to questions by counsel for the plaintiffs, Dr. Kilpatrick testified in part as follows:

"Q. (By counsel) I think we have discussed this once. Assuming that it was there, with the exposure to hazards which you have enumerated here, then would you say—assuming that the cancer was there—would you say that probably this exposure lighted it up, or caused it to go ahead and cause his death in a shorter time than it would have if he hadn't worked in the mines?

"A. No, I wouldn't use the word 'probable'. I would use the word 'possible'. And we consider the term 'beyond a reasonable doubt' is a pretty good phrase to use.

"Q. You mean in Utah, in order to recover, you doctors have to say that it is beyond a reasonable doubt? Is this your understanding?

"A. Yes.

"Q. I see. And you are not willing to say that beyond a reasonable doubt Mr. Garner died of lung cancer as a result of overexposure to radiation; is this correct?

"A. Yes.

"Q. And the panel applied that rule in this case; is that right?

"A. Among all the other considerations, of course."

It would appear from the foregoing that

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[1] U.C.A. 1953, 35-2-26, 27, first enacted in 1941 as Ch. 41, Sec. 27, 28.

[2] U.C.A. 1953, 35-2-27(28). This subsection sets out the requirements for other diseases to be included with the diseases enumerated in 35-2-27. They duplicate the requisites for proximate causation of occupational diseases in 35-2-26.

[3] See Kent v. Industrial Commission, 89 Utah 389, 57 P. 2d 724; Kavalinakis v. Industrial Commission, 67 Utah 174, 246 Pac. 698; and for a recent case quite analogous see Vause v. Industrial Commission, 17 Utah 2d 217, 407 P. 2d 1006.

[4] Ibid.: and see also **Edlund v. Industrial** Commission, et al., 122 Utah 238, 248 P. 2d 365.

the medical panel assumed that the plaintiffs had the burden of proving beyond a reasonable doubt the causal connection between the decedent's exposure to radon gas while working in the mines and his cancerous condition from which he died. The Commission by adopting the report of the medical panel and its findings in respect to the claims of the plaintiffs adopted the same standard of proof. Neither the statutes nor the decisions of this court require that a claimant has the burden of proving his claim beyond a reasonable doubt.

I am of the opinion that it was prejudicial error on the part of the Commission to require that the claims of the plaintiffs be established beyond a reasonable doubt. I am in favor of returning the case to the Commission for further proceedings.

Mr. ALLOTT. Mr. President, I am informed that the State of Colorado is the only State which recognizes the inhalation of radon gas as an industrial hazard. For several years Colorado's industrial commission has granted compensation benefits for lung cancer victims who were employed in uranium mining. The first of these cases goes back to October 1958.

Mr. President, I ask unanimous consent that a digest of the lung cancer cases before the Colorado Industrial Commission be inserted in the RECORD at this point.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

DIGEST OF LUNG CANCER CASES FILED WITH THE STATE COMPENSATION INSURANCE FUND

I.C. NO. 1–385–656, S.F. NO. 102554: ROBERT D. JOHNSON *v.* ROBERT D. JOHNSON MINING CO.

This was the first case which was tried formally at a hearing relating to the problem of lung cancer allegedly the result of uranium mining. The claimant, the deceased, filed a claim in October of 1958 alleging that he was suffering from lung cancer due to uranium mining. His disablement began August 22, 1958 and he died November 15, 1958 before the case was determined. Thereafter, his widow filed a claim and the case was heard on the basis of her claim for death benefits. Hearings were had in Denver and in Grand Junction. In Denver, the medical testimony of Dr. Allan Hurst, specialist in chest diseases, was taken, as well as the testimony of Mr. P. W. Jacoe of the State Department of Health and Dr. David Berman, who testified on behalf of the widow that in his opinion exposure to radon gas was the cause of the development of lung cancer; Dr. Allan Hurst, called by the respondents, testified that the exposure to radon gas as a cause of lung cancer should be definitely ruled in in this case.

Following this hearing, the case was continued to Grand Junction and the testimony of Mr. Duncan Holaday and Dr. Victor E. Archer of the U.S. Public Health Laboratory in Salt Lake City was taken. Both of these men testified that in their opinion lung cancer is caused by exposure to radon gas. In this case, the pathologist, Doctor Saccomanno, reported that the type of cell was squamous cell carcinoma. The case was compensated. Total compensation benefits, $11,466; funeral benefits, $500; medical expense paid, $1,553.51.

I.C. NO. 1–309–961, S.F. NO. 96236: THOMAS VAN ARSDALE *v.* THOMAS VAN ARSDALE

In this case, the widow of the deceased filed a claim on August 6, 1957, alleging that her husband became disabled due to occupational disease (lung cancer) September 2, 1956 and died November 19, 1956. The claim was filed August 6, 1957, or more than six months from the date of death. The defense of the statute of limitations was interposed and, without going into detail, the proceedings were long and drawn out and resulted in a final award of the Commission on May 4, 1966 holding that the claim was barred by the statute of limitations. As far as the merits are concerned, there was little doubt but that Van Arsdale died as the result of lung cancer caused by uranium mining. However, his exposure and death occurred long before the 1961 amendment to the Workmen's Compensation Act and there is but little question but that the case was barred by the statute of limitations. This was one of three cases in connection with which a special trip was made by a Referee of the Industrial Commission to take the testimony of Dr. Victor Archer and Mr. Duncan Holaday in Salt Lake City.

I.C. NO. 1–512–811, S.F. NO. 113751: VIRGIL S. NIDIFFER *v.* VIRGIL S. NIDIFFER

In this case, the deceased, both as employer and employee, filed a first report of accident reciting that on August 12, 1960 he was made aware that he had lung cancer. He left work on August 22, 1960. He died February 15, 1961. A claim was filed by the widow in February 1962. The respondents filed a denial of liability, including the question of limitations. However, in the Spring of 1961, the legislature amended the law extending the time of the statute and this was done before the widow's rights expired. It was ruled that the statute of limitations, therefore, did not apply. Many hearings were had in this case and finally a hearing was held in Salt Lake City. Further testimony of Doctor Archer and Duncan Holaday were taken. Doctor Archer was positive in his opinion that the exposure to radon gas caused the lung cancer which resulted in the death of the deceased. The case was compensated. Total compensation, $12,598; funeral benefits, $500; total medical, $1,912.16.

I.C. NO. 1–662–437, S.F. NO. 127307: KERMIT BURBRIDGE *v.* CLIMAX URANIUM CO.

In this case, the employer filed a report reciting that the deceased left work on September 20, 1962 on account of carcinoma, bronchogenic, undifferentiated. Burbridge filed a claim October 19, 1962 with the Industrial Commission alleging in substance the same thing. Before the case could be heard, Burbridge died on October 20, 1962 and his widow proceeded with the claim. The death certificate stated oat cell carcinoma. Autopsy diagnosis by Doctor Saunders was carcinoma undifferentiated. This was another case in which the hearing was had in Salt Lake City, in addition to the two cases just preceding.

Mr. Holaday testified that the man worked 36 months from 1936 to 1939 in the Long Park area in Colorado and then worked at various times up to the date of his final collapse in the Uravan area. He had exposures running from 25 to 15 times the recommended working levels. This man was a member of Doctor Archer's so-called study group. The original study group consisted of 3000 or 4000 men who were examined periodically to determine whether or not they would acquire lung cancer while engaged in uranium mining. He gave it as his opinion that Burbridge's death was due to exposure to radon gas. The case was compensated. Total compensation, $12,598.25; funeral benefits, $500; total medical, $470.48.

(NOTE.—The immediately proceding three cases are of a special interest because at the hearings held in Salt Lake City in conjunction with all three cases a great deal of highly technical testimony was developed which would be of value in other cases. Transcripts of the testimony taken are in the Commission file, and also the Fund has a copy of the transcript of the testimony taken at the hearings.)

I.C. NO. 1–725–994, S.F. NO. 133131; I.C. NO. 1–726–902, S.F. NO. 133607: OSCAR E. JONSON *v.* JONSON MINING CO. AND CLIMAX URANIUM CORP.

These two cases involve the same name. The first case, I.C. No. 1–725–994, S.F. No. 133131, was filed on the basis of injury to the right lung because of the siphoning of gasoline, and fumes. A diagnosis, however, was of metastatic anaplastic carcinoma. Then the second case was opened, which is apparently a duplicate, i.e., I.C. No. 1–726–902, S.F. No. 133607, giving the date of accident as 7–30–63. It also recited damage to the man's lungs from siphoning gasoline. Jonson left work August 6, 1963 and died December 23, 1963. His widow filed a claim alleging lung cancer due to radioactive material. Liability was contested and when the case finally went to hearing on July 22, 1964, the claimant's attorney appeared and stated that he had not been able to get in touch with his client as she had remarried sometime in April of 1964, and that she was the only dependent. Because there was less than a year's compensation due her, apparently she did not desire to proceed with the case. Consequently, the Referee entered an order on July 28, 1964 continuing the case to be redocketed within four months. On March 3, 1965, an order of dismissal, which is apparently applicable to both cases, was entered. Nothing further was heard between the date of the hearing of July 1964 and the dismissal order from the claimant or her attorney.

I.C. NO. 1–633–172, S.F. NO. 124732: GEORGE JEFFERSON MALICK *v.* VANADIUM CORP. OF AMERICA

This case was initiated by the filing of a claim by the widow of the deceased May 23, 1962, wherein she alleged that Malick died as the result of lung cancer on January 13, 1961. Notice of contest was entered raising the statute of limitations. The issue was raised that no claim was filed within one year from the date of the deceased's death. At the time of his death, the limitation for filing a claim was six months from the date of death. In April 1961, however, the law was amended allowing three years from the date of death. Following the filing of briefs, the Referee entered an order denying the claim on the ground that no claim was filed within one year from the date of her husband's death and no reasonable excuse for her failure was provided which could perhaps bring her within the two-year statute.

In retrospect, it may be said that an injustice was done to the widow of the deceased on the question of the statute of limitations for the reason that she was probably allowed three years in which to file a claim from the date of death. The 1961 amendment was passed before the six months period from the date of death had expired, thereby possibly extending the time in which the widow had a right to file. Regrettably, no appeal was taken so that the legal questions could be determined and the file was closed. Since this is an occupational disease case, unfortunately the case cannot be reopened.

I.C. NO. 1–766–175, S.F. NO. 136767: RAY W. HASKILL *v.* UNION CARBIDE CORP.

In this case, the claimant filed a claim in February 1964 alleging that he became disabled on account of lung cancer in his right lung December 17, 1963 as the result of exposure to radon gas in uranium mining. The attending physician filed a report stating that he was suffering from lung cancer due to a combination of radiation and smoking. He died April 12, 1964. The report from the employer showed exposure to radon gas varying from 1.7 to 4.1 times the working level. The company advised that they felt there had not been sufficient exposure in their mine to cause or affect the growth of the lung cancer. Before the Fund could begin an exhaustive investigation, including the attending medical reports, the claimant, through her attorney, elected to withdraw the claim for the reason that they were unable to find any evidence which would support proof of a causal connection between the deceased's employment and his death from cancer. Accordingly, the claim was denied by the Referee on August 12, 1964.

I.C. NO. 1–792–942, S.F. NO. 139240: SHELDON R. HOULE *v.* PINNACLE EXPLORATION, INC.

This case was initiated by the filing of a claim by the deceased's widow on July 2, 1964, alleging that her husband died on November 19, 1963 as the result of lung cancer caused by exposure to radioactive materials and substances. The employer reported that the deceased had worked in the Pitch Mine located ten miles south of Sargents, Colorado in Saguache County, and that to their knowledge this was the only mine in which Mr. Houle had been employed where there was uranium mining. Readings of the working levels of exposure in the mine taken by the State Metal Mining Inspector's office from June 1961 to August 1962 showed working level exposures varying from very small exposure of .45 to exposures as high as 170.0 times the recommended working level. Autopsy was done and tissue was sent to Dr. Geno Saccomanno in Grand Junction who examined the tissue and found that the carcinoma was undifferentiated cells. Doctor Archer reported that tests on the tissue showed 136.02 picocuries per kilogram of fresh bone; the liver showed 33.21; the kidneys showed 173.68.

Examination of the tissue showed the presence of lead-210 in a sample of the rib amounting to 509.54 picocuries per kilogram; 61.18 of the liver; 14.96 in the kidney. We also received a report that the Pitch Mine was one of the hottest mines in the State insofar as radiation is concerned.

Consequently, after full consideration and discussion by the Office Board, it was decided we would admit liability in this case. Total compensation benefit, $13,693.75; funeral, $500; total medical, $2,790.80.

I.C. NO. 1–785–648, S.F. NO. 138467: MATTHEW P. ROWE *v.* LA SALLE MINING CO.

This claim was initially instituted by a report from the company, in which the deceased was a partner, alleging that he left work because of lung cancer acquired in uranium mining on April 1, 1964. It appeared in the file that this man also had done some work in Utah and, with our encouragement, he filed a claim in Utah. Also, there is a question as to where he sustained the last injurious exposure. He died February 22, 1965. His widow continued with the claim. Following his death, the autopsy disclosed, according to Dr. Geno Saccomanno, undifferentiated squamous cell carcinoma. A report from Dr. Oscar Auerbach, Senior Medical Investigator, VA Hospital, East Orange, New Jersey, was to the effect that in his opinion this was carcinoma, oat cell-2A, undifferentiated. There seems to be but little question concerning the type of cancer, as Doctor Saccomanno has used the term "squamous cell, undifferentiated" to describe oat cell carcinoma. Tissue taken from the man's body showed, in most instances, at least twice the amount of lead-210 in his body as compared to that found in a normal body. The claim in Utah was denied by the Utah Industrial Commission on the ground that the disability of the deceased was not due to occupational hazard of uranium mining.

The claimant elected to cross-examine and put on further testimony, and finally, on October 21, 1965, the Utah Commission entered an order denying the claim on the ground that the exposure to radon while employed in Utah was negligible and that the Colorado exposure was exceedingly high. The last part of this order, of course, was correct because he did have exceedingly high exposure in Colorado. In view of this situation, therefore, we decided to accept liability and an admission of liability was filed. Total compensation benefits, $14,789.25; funeral, $500; total medical, $635.12.

I.C. NO. 1–787–693, S.F. NO. 138775: CLYDE ANDRESS *v.* VANADIUM CORP. OF AMERICA

In this case, the employer filed a report stating the above-named claimant became disabled April 3, 1964, and that the company had been requested to report the disease although they had no knowledge of it. In the first report, the employer stated that the man was suffering from silicosis. The deceased died May 18, 1964. The diagnosis was lung cancer and silicosis. A claim was filed by his widow. Autopsy was done by Dr. Geno Saccomanno, Grand Junction, who made a diagnosis, among other things, of small cell carcinoma. Radioanalysis of tissue was done by the laboratory in Salt Lake City, and Doctor Archer reported as follows:

Lead Pb–210 at death as pc/Kg of formalin fixed tissue

Bone (rib)	1,846
Heart muscle	10
Kidney	210
Spleen	26

Doctor Archer stated that one physician reported the type of cell as squamous, and another as undifferentiated carcinoma having the characteristics of an oat cell carcinoma. The work history showed he spent some years in various uranium mines, and reports on the mines in which he worked showed in many instances exposures considerably in excess of one working level. Some of them ranging as high as 32 to 51 working levels.

There were two or three hearings in this case during which lay testimony was chiefly taken to develop the history and the type of exposure. The Fund finally notified the Commission that it did not care to have further hearings or put on any medical evidence. The case was compensated. Total compensation, $14,867.50; funeral, $500; total medical paid, $858.50.

I.C. NO. 1–820–401, S.F. NO. 142886: CAREY N. ATHEY *v.* MERRY WIDOW MINE

This case was initiated by the report from the employer reciting that the deceased became disabled October 22, 1964 when he started spitting blood and he went to the doctor. He filed a claim December 16, 1964, alleging lung tumor due to exposure to radon gas. Reports from the Colorado Bureau of Mines showed that exposure from January 1962 to December 1964 varied from zero working levels to as high as 12.5 working levels. One of the mines in which the deceased worked prior to going to work for the Merry Widow, i.e., the Aztec Mine in the Joe Dandy Group, the tests showed exposures ranging from 90 to 260 working levels. Tests in still another mine varied from 16 to 82 working levels. Dr. J. G. Merrill reported that sputum tests on this claimant showed oat cell carcinoma.

Hearing was had in Grand Junction, Colorado, February 18, 1965, and following the hearing the Referee entered an order granting compensation benefits. This is one of the few cases which was compensated during the employee's lifetime. He died July 5, 1965. Since the case had already been adjudicated, we then filed an admission of liability for death benefits. Total compensation, $16,041.25; funeral, $500; total medical paid, $2,603.36.

I.C. NO. 1–853–347, S.F. NO. 145029: CHARLES EDWARD TRASK *v.* DENVER GOLDEN CORP.-APEX METALS CORP.

This case was initiated by the filing of a claim by the widow of the deceased which alleged that the deceased died March 21, 1965 as the result of lung cancer caused by radiation. Autopsy was done by Dr. R. E. Herrmann, pathologist, Denver, and gave as the cause of death, among other terminal causes, carcinoma undifferentiated (oat cell type).

Doctor Archer reported that the amount of lead-210 in the lungs of Mr. Trask was at least 30 times normal and possibly as much as 70 times normal. The work history showed that he worked from 1956 to 1964 mining uranium in the Schwartzwalder Mine, which is near Golden, Colorado, and was a very "hot" mine. Apparently this was the only uranium mine where the deceased worked.

After completing our investigation and getting in medical reports from various doctors, the Fund admitted liability in this case. Total compensation, $13,693.75; funeral, $500; total medical, $1,712.96.

I.C. NO. 1–856–054, S.F. NO. 145609: DOUGLAS GARNER *v.* VANADIUM CORP. OF AMERICA

The claim in this case was initiated by the filing of a claim on behalf of the widow which recited that the deceased's last injurious exposure was in June 1956, and that he died September 15, 1963. The radioanalysis of the tissues of his body showed as follows with respect to lead–210:

Lead–210 (pc/Kg of formalin fixed tissue)

Bone (rib)	1,852.50
Kidney	224.80
Heart	57.56
Liver	167.90
Spleen	77.04
Pancreas	71.06

This man was likewise a member of Doctor Archer's so-called class. His work history indicated that he worked in the U.S. Vanadium Mill at Uravan from 1940 to 1948 as a roaster and precipitator operator; 1948–1949, for the VCA at Naturita in the mill, mining and leasing; 1949–1953, uranium mining in the Sitton-Dulaney mines (Radium Group near Slick Rock, Colorado) March 1953–June 1954, Grant Mine, Colorado; June to November, 1954, various mines in the Slick Rock area; November 1954–1955, King Incline No. 2, Slick Rock area; 1955–1956, White Mining Company, in the Hideout Saddle, and "W.N." uranium mines in Utah; 1956–1959, Big Buck Uranium Mine in Utah; 1959–1963, Radon Uranium Mine in Utah.

A claim was also filed in Utah, and we interposed a notice of contest in the case in Colorado alleging that the statute of limitations applied because his last exposure here was before the amendment of the Act; also, that his last injurious exposure was in Utah rather than in Colorado. A hearing was had in Utah and compensation was denied after reference by the Industrial Commission of Utah to their medical panel. It has been reported to us that during the cross-examination of the chairman of the medical panel, the chairman made a statement that it had not been proved to him *beyond a reasonable doubt* that there was any connection between uranium mining and lung cancer. The case had been appealed to the Supreme Court in Utah, and Mr. Traylor, the attorney for the widow will seek a reversal inasmuch as in all civil cases, including compensation cases, it is not necessary to prove anything "beyond a reasonable doubt."

It is our feeling that the widow likewise has no remedy in Colorado because very patently the last injurious exposure was in Utah. The case in Colorado is still pending, however, pending the final outcome of the proceedings in Utah.

I.C. NO. 1–858–324, S.F. NO. 145874: LLOYD REED *v.* CLIMAX URANIUM CO.

A claim was initiated in this case by the filing of a claim by the claimant alleging that he left work May 3, 1965 on account of exposure to radioactive materials and silicon dust. Because the man was seriously ill, his deposition was taken. Before the case could be decided, however, he died on June 29, 1965. The claim was originally filed against

Sam Richards who operated in the Monogram Mesa area and for whom the claimant worked from 1959 to May 1965. It developed, however, that Sam Richards was a lessee of Climax Uranium and did not have his own policy but was carried on the Climax policy.

The diagnosis was squamous cell carcinoma, oat cell type, as cause of death. While the bulk of his exposure occurred between 1948 and 1960, he was exposed to levels exceeding the recommended working level while working for the Mineral Joe No. 2 operated by Sam Richards.

The radioanalysis of a rib from the deceased's body showed an average of 3.94 picocuries of lead-210 per gram of formalin of fixed tissue. Five samples from the vertebrae contained an average of 1.92 picocuries of lead-210 per gram of formalin fixed tissue. The average of all eight samples taken was 2.68. Commenting further, Doctor Archer said:

"This value for lead-210 confirms that his occupational exposure was relatively large, and suggests that it may have been considerably more than the 2864 Working Level Months which I had previously estimated."

After receiving the medical information and reviewing the file, the Fund admitted liability. Total compensation, $13,343.75; funeral, $500; total medical paid. $1,365.65.

I.C. NO. 1–879–036, S.F. NO. 149176: MASSIE D. RICE *v.* DENVER-GOLDEN CORP. (SCHWARTZWALDER MINE)

This case was initiated by a claim filed by the claimant alleging that he left work in the mines on December 25, 1964 because the mine was shut down, but that he had lung cancer due to uranium mining. He died before the case could be heard on December 5, 1965. Autopsy was performed and samples from his body were sent to the laboratory in Salt Lake City for analysis. The result was as follows:

Lead-210 in Picocuries/Kg of formalin fixed tissue

Bone (vertebrae)	1, 721
Bone (vertebrae)	1, 804
Bone (rib)	1, 932
Bone (rib)	1, 721
Lung	182
Lung	101

We have a detailed report on the Schwartzwalder Mine where this man worked a good part of the time of his uranium mining showing exposures in excess of the recommended working level.

After receiving all the medical reports and the report of Doctor Archer, the Fund admitted liability. This is the second fatal case on the Schwartzwalder Mine. Total compensation, $15,337; funeral, $500; medical paid, $2,759.05.

I.C. NO. 1–874–854, S.F. NO. 148587: MARVIN MARSHALL *v.* WILLIAMS MINING PARTNERSHIP

A claim was filed by this claimant alleging that he left work on August 6, 1965 on account of lung cancer incurred in uranium mining. An autopsy was done and showed oat cell carcinoma. Samples were sent to Doctor Archer, U.S. Public Health Laboratory, Salt Lake City, and showed the following results with respect to lead-210:

Pb-210 at death in pCi/Kg. of formalin fixed tissue

Bone (rib)	5, 135
Bone (rib)	4, 227
Blood	72
Blood	73
Hair	8, 331

On the basis of this information, the Fund admitted liability. Compensation, $15,337; funeral, $500; medical expense paid, $1,139.96.

I.C. NO. 1–840–002, S.F. NO. 142681: GLENDON W. TAYLOR *v.* ATLAS MILLING AND MINING CO.

This case was initiated by a claim filed by the claimant alleging that he left work September 30, 1964 on account of air containing uncombined silicon dust. Then an amended claim was later filed alleging exposure to radon gas and radioactive materials. This man was not a member of Doctor Archer's so-called class as far as we know.

The claimant was referred to Dr. Allan Hurst for examination who found no evidence of either silicosis or any other pulmonary disease, and no evidence of a developing lung cancer or other chronic radiation poisoning. Information has been received that this man is fearful that he does have, or will get, lung cancer due to uranium mining. However, insofar as our file discloses, there is no evidence of it yet. The case has been kept open and on the docket of the Industrial Commission and has not yet been decided. Our information was that the claimant was seeking further medical examinations and study before he desired to present his case before the Commission.

I.C. NO. 1–753–757, S.F. NO. 135902: ROBERT C. WILLIAMS *v.* UNION CARBIDE NUCLEAR CO. AND/OR R. C. WILLIAMS, C/O ROBERT L. PARENT, EMPLOYER

The deceased, Robert C. Williams, had filed a claim against Union Carbide Nuclear Company alleging that he left work on July 26, 1963 because of lung cancer caused by exposure to radon gas. Williams died January 17, 1964, and his widow filed a claim for dependency benefits. Autopsy revealed oat cell carcinoma of the lungs. Tissue from the deceased's body was sent to Doctor Archer in Salt Lake City for radioanalysis and the results showed the following:

Pb–210 at death (in picocuries/Kg. of formalin fixed tissue)

Bone (rib)	275. 34
Bone (vertebrae)	205. 06
Kidney	8. 96
Liver	18. 00

The case developed that Williams had his own policy as a lessee and, consequently, Union Carbide Nuclear Company was dropped as a party to the proceedings. Autopsy was done and revealed oat cell carcinoma of the right lung. Reports from the State Bureau of Mines showed exposure to radon gas considerably in excess in many instances of the one working level recommended as being safe in the mines.

After receiving full medical and other information, the Fund admitted liability. Total compensation, $14,867.50; funeral, $500; total medical paid, $2,502.

I.C. NO. 1–895–497, S.F. NO. 152050-FREDERICK R. GRAHAM *v.* CHARLES V. WOODARD & CO.

This case was initiated by the report from the employer alleging that the deceased left work September 17, 1965 and shortly thereafter entered the hospital. Nothing further was done with the case until a claim was filed on behalf of his widow, alleging that he died January 13, 1966 of oat cell carcinoma at the VA Hospital in Denver, Colorado. Autopsy was done at the Veterans Administration Hospital and the diagnosis of oat cell carcinoma was made.

He worked in various uranium mines beginning about 1942. Apparently there were intermittent periods when he was not engaged in that type of work. Reports from the Colorado Bureau of Mines showed exposures considerably in excess of the recommended working levels, some of the tests ran as high as 20 in the Gilbert, Rimrock Blue and Thornton Tunnel mines in areas where Mr. Graham worked.

Doctor Archer reported that on the sample submitted for analysis the result was:

218Pb (pCi/Kg.)

Bone (rib)	1690 ± 37
Liver (healthy tissue)	399 ± 11
Lung	1380 ± 23
Tumor from liver	321 ± 5

Doctor Archer estimated that Graham had had a cumulative radiation exposure in uranium mines of approximately 2130 working level months, and gave it as his opinion that his oat cell carcinoma was the result of his exposure to radon gas.

Upon receipt of complete medical and other information, the Fund admitted liability. Total compensation, $15,337; funeral, $500; total medical, $180.86.

I.C. NO. 1–891–465, S.F. NO. 151496: JOE JAVERNICK *v.* JAVERNICK AND JAVERNICK

This case was initiated by a report from the employer which recited that the deceased left work September 20, 1965 as the result of lung cancer caused by exposure to radon gas. Javernick died February 20, 1966 before the merits of his case could be determined. His widow filed a claim. Cause of death was oat cell carcinoma. Dr. Victor Archer sent in a work history of this man as he was a member of his study group, and reported that his exposures were on an annual average between 20 and 44 times the recommended working level.

Doctor Saccomanno reported the man had a epidermoid carcinoma slightly differentiated, but also stated that if one searches enough in an autopsy one can invariably find undifferentiated squamous cell carcinoma in most oat cell tumors.

After final examination of the medical reports and other data, we filed an admission of liability. Total compensation, $15,337; funeral, $500. With respect to medical, there is still a question pending inasmuch as the medical far exceeded the $3,500 limit. We have agreed to assume liability for our statutory liability, but have been unable to obtain an agreement from the widow and her attorney to whom the money should be paid.

I.C. NO. 1–905–297, S.F. NO. 153654: SHIRDEN G. BLOOD *v.* UNION CARBIDE CORP.

This case was initiated by the deceased who had filed a claim alleging that he left work on January 30, 1966 and stating he was disabled by silicon and uranium exposure and had lung cancer. The man had exposure in uranium mining apparently in both Colorado and possibly in Utah, at least he was working in mines in Utah although he later worked in Colorado. The record shows that he had an average exposure of 2.86 working levels over one period of time. The last employment was apparently with Union Carbide Nuclear Company where he worked in the Paradox 5 and 6 uranium mines on Monogram Mesa from 1961 to 1966. He was likewise a member of Doctor Archer's "study class." Tissue taken at the time of a thoracotomy done by Dr. S. P. Christensen showed the presence of oat cell carcinoma.

We had considerable correspondence and also personal conferences in this case with various people, and the case was one of those we discussed while we were in Salt Lake City on October 27, 1966.

In view of the information obtained, it was decided to admit liability. In the meantime, we received word that the deceased died on October 31, 1966. Claim blanks have been sent to the widow, and an appropriate admission of liability will be filed when the same has been received by us and the Commission.

(NOTE.—Claim has since been received and admission filed. Total compensation, $18,858.25; funeral, $500; medical not to exceed $3,500.)

I.C. NO. 1–965–316, S.F. NO. 154453: ROY ANDRESS *v.* UNION CARBIDE CORP.

This case was opened by the filing of a claim by the claimant in which it was stated that he was forced to leave work July 15, 1965 because of lung cancer. Doctor Archer reported that the estimate of his organization was that Andress had received 2850 working level months of exposure during his employment as a uranium miner. However, he only worked for a period of about five or six months for Union Carbide. He did have a long period of employment with the Vanadium Corporation of America.

He died June 30, 1966. An autopsy has been done and the tissue was sent to Doctor Blanchard, In Charge Physics and Bioassay, Radiological Health Research Activities, D.R.H., 4676 Columbia Parkway, Cincinnati, Ohio. Doctor Blanchard is now doing the radioanalysis that used to be performed in the laboratory in Salt Lake City. The results of these tests have not yet been received.

It would appear in this case that one of the difficult problems to decide is what employer will be charged with the loss as it appears that the man had a long period of exposure while working for the Vanadium Corporation of America and a relatively minor one while employed by Union Carbide against whom the claim was filed. These issues will have to be later determined at a hearing.

I.C. NO. 1-898-126, S.F. NO. 152429: GLENN D. NEESHAM *V.* VANADIUM CORP. OF AMERICA

This case was initiated by the filing of a claim for dependency benefits alleging that the deceased died May 22, 1966 as the result of lung cancer caused by uranium mining. The case is still pending. Tissues taken from his body were analyzed by Doctor Archer's laboratory and showed the following:

Pb-210 at death (in picocuries per kilogram of formalin fixed tissue)

Bone (rib)	2,982
Bone (vertebra)	1,282
Liver	220
Kidney	29
Heart Muscle	4
Skeletal Muscle	4

It also appears from information received from Doctor Archer that this man had a total exposure of about 4000 working level months. We also received information that in 1963 he was operated for an epidermoid type of cancer, apparently not related to radon exposure, in one of his lungs and this cancer was removed. Then, two years later he became afflicted with oat cell carcinoma. There are various legal problems involved in the determination of this case, and it may be that other employers will have to be made parties to the proceedings. This case is still pending.

I.C. NO. 1-843-017, S.F. NO. 143291; I.C. NO. 1-886-982, S.F. NO. 150647: JOSEPH G. FRANK *V.* UNION CARBIDE NUCLEAR CORP.

These two cases involve two distinct problems. See file I.C. No. 1-843-017, S.F. No. 143291, which involved a claim for silicosis filed by Mr. Frank, and file I.C. No. 1-886-982, S.F. No. 150647, which involved a claim also filed by him for lung cancer due to uranium mining. The silicosis case was adjudicated on a permanent partial basis and he was awarded $5,000 for permanent partial disability. The lung cancer case was held in abeyance so that further information could be obtained concerning his exposure, the type of cancer from which he was suffering, and certain other data needed before the question of compensability could be decided. He died August 26, 1966. We are informed that specimens taken from his body had been forwarded to Doctor Blanchard in Cincinnati for radioanalysis. We are also informed that there may be a claim for dependency filed by Mr. John W. Overholser who is apparently representing the dependents or relatives of the deceased. Pending the results of the radioanalysis, the final adjudication of the lung cancer aspects of the case will have to be held in abeyance.

If it is ultimately determined that this man did die of oat cell carcinoma due to his contact with radon daughters in uranium mining, there will still be the remaining question of dependency. If it is held that he left dependents within the meaning of the Workmen's Compensation Act, they will be entitled to the benefits prescribed in the Act. On the other hand, if it is held that there are no dependents, there will be a liability to the Subsequent Injury Fund in the sum of $6,250.

GENERAL COMMENTS

Thinking that some general comments will be of value concerning the order of proof and other matters of interest in these cases, I should like to add the following data:

Radon (Rn) gas is a decay product of radium (Ra). The atomic weight of radium is 226.05 and it is No. 88 in the Periodic Table. Radon, the decay product, has an atomic weight of 222 and is No. 86 in the Periodic Table. It is the heaviest known gas. It is very unstable and breaks down into what is better known as daughters of radon. The daughters of radon can be listed as follows:

1. Ra A, which is Po (polonium) with an atomic weight of 218.
2. Ra B, which is Pb (lead) with an atomic weight of 214.
3. Ra C is Po (polonium) with an atomic weight of 214.

The so-called radon daughters are produced by radon transforming itself successively through this chain of elements. Radon has a relatively short half life, about four days. In other words, in about four days half the radon is spontaneously changed to radium A. Radium A has a very short half life of about three minutes. Radium B has a half life of twenty-seven minutes; Radium C has a half life of 19.7 minutes. Consequently, there is a constant changing situation in the mine atmosphere. Radon gas is produced from the ore, from the radium in the ore, and diffuses into any open space and then proceeds to change into this succession of short half life daughters.

The final product of this process of decay is lead-210, which has a half life of 22 years and is, as stated in one of the cases, "the sink." In other words, all these elements are concentrated into the 22 year lead and this is the product which is revealed in the bodies of the deceased miners when radiochemical analysis is made of various sections and specimens taken from their bodies. The concentration of radon gas in the mine is dependent upon several factors: the amount of ore body exposed, area or body exposed, the porosity of the rock, i.e., the ease at which the radon gas can diffuse out of the rock, the amount of uranium and hence the radium in the rock and the rate of removal of radon by ventilation from the mine.

It was further stated at one of the hearings that the so-called 22 year radio lead, which is the common name for lead-210, will behave chemically and biologically exactly the same as normal lead. Consequently, it would tend to concentrate in the bones and to store in the bones. It is also found in soft tissue such as the kidney, liver, spleen and in varying amounts throughout the soft tissues of the body. The large storehouse would probably be in the bones. Furthermore, it was also stated at one of the hearings that the only source of radiolead is from the decay of radon, so that a person can get it into his body only by breathing in radon or radon daughters or the minute quantities of radio lead which are present everywhere, which is in tobacco smoke, dust in the air, etc. (See pages 11 to 15 of the transcript of testimony of Mr. Duncan A. Holaday taken at Salt Lake City May 20, 1964.)

As previously indicated, Dr. Victor Archer and Mr. Duncan Holaday of the Occupational Health Laboratory of the U.S. Public Health Service at Salt Lake City, for some years have been engaged in a research and examination of miners in the five states of Wyoming, Colorado, Utah, New Mexico and Arizona where uranium mining operations are carried on to determine the possibility of the appearance of lung cancer. Inasmuch as lung cancer is not confined entirely to uranium miners by any means, when a claim is filed alleging lung cancer due to exposure to radon gas and radon daughters in uranium mining, various procedures are necessary to determine which claims are valid and which ones are due to natural causes unrelated to the occupation. The matters which have to be determined are:

1. The complete work history of the claimant with particular reference to any periods of time that he worked in uranium mines must be obtained in detail.
2. We should then obtain reports concerning the working level of exposure in the mines where he worked and, if possible, in the places in the mines where he worked. Records of this kind are available in many places. The State Bureau of Mines has many records on the various mines in Colorado. Dr. Victor Archer likewise has records which show the result of tests taken, apparently, by the Occupational Health Section with which he is affiliated.
3. The Colorado State Department of Health has some records inasmuch as the Occupational Health Section made a survey of the mines some years ago and the results of this survey are included in a book issued by the State Legislative Council. In this book there is a listing of the exposure levels in a great many mines throughout Colorado. Also, the employer may have records; in fact, the larger operators do maintain records of the exposure in view of the developments which come in connection with the filing of claims for lung cancer.
4. It is necessary to know as soon as possible what type of lung cancer afflicts the claimant. Sometimes this can be determined prior to death, either by biopsy or sputum tests. If it is not determined, when the man dies an autopsy should be had and samples of his body tissue should be sent to the appropriate Federal Laboratory for radioanalysis. This work used to be done in the laboratory at Salt Lake City, but it is now being done by Doctor Blanchard, whose address is given herein above.

As previously indicated, the amount of lead-210 found in the body of a normal individual is usually between 15 to 54 picocuries per kilogram of bone. When tests come back with a showing of several hundred or several thousand picocuries, then the fact the man was exposed to harmful quantities of radioactive material is pretty well established, and then we have to determine where the man had his last injurious exposure, under the present provisions of the Occupational Disease Disability Act.

Early in the development of uranium mining little, if anything, was known generally about the hazards to be encountered in contact with radon gas. Due to the fact that scientists had received information concerning a high death rate among uranium miners in Europe, studies were commenced in this State. It has been found that adequate ventilation will reduce the hazard in some instances to nothing, but in mines without ventilation there is a very serious hazard. In many instances, the damage has already been done. Most of the miners, according to Doctor Archer, reached a peak of exposure between 1958 and 1959, although, after that date, there are cases, as the above digest will show, where the employee was exposed to more than the recommended standard of one working level.

Diagnosis of the type of lung cancer made is important. We must know whether or not it is oat cell carcinoma. This particular type of cell is ascribed to exposure to radon gas and radon daughters by the doctors and scientists who have been studying the problem. Various doctors use different terms as the above digest will show, some of them use the term "squamous cell undifferentiated" instead of "oat cell undifferentiated." We have been told by the doctors involved that this is a distinction without a difference and they are talking about essentially the same thing. However, when there is a wide difference between many doctors concerning the type of cancer cell found, then naturally further investigation and possibly a hearing and cross-examination of the doctors involved is indicated.

It has also been found, according to the reports in some of these cases above listed, that very often it is not necessary to await the death of the employee to determine the question of compensability. It has been determined, according to Doctor Archer, that radiochemical analysis can be made upon the blood of the employee and also upon his hair. Of course, these two items can be obtained during his lifetime. Also, if sputum tests reveal the presence of oat cell carcinoma and then later a diagnosis of carcinoma is made, this is a pretty good indication that the type of cell is one which supports the view that the condition is the result of exposure to radon gas, particularly if other items in the case, work history, working level tests, etc. do, in fact, show that he was so exposed.

The foregoing is a brief synopsis of information we have thus far received concerning the disease of lung cancer as related to uranium mining. Future developments and research may give us further information which will suggest new procedures or new tests in determining the compensability of individual cases.

HAROLD CLARK THOMPSON,
Counsel.

Mr. ALLOTT. Mr. President, I believe that the information in this digest will be helpful to an understanding of the problem. It should be pointed out that the Douglas Garner, deceased, who filed a claim in Colorado under I. C. docket No. 1–856–054 is the same Douglas Garner whose claim was denied in the Utah Supreme Court decision inserted earlier.

The Garner case is particularly significant for several reasons. First, considering the other Colorado cases enumerated in the digest in which Colorado has granted compensation, one can properly speculate that a different result would have been reached had Mr. Garner remained in Colorado during the last 8 years of his life.

Second, while the causal connection between inhalation of radon gas in uranium mines has been established in the eyes of the Colorado Industrial Commission, it, apparently, is the only State granting disability and death benefits on this basis.

Third, if Colorado is correct in its assumption of liability, and the bulk of the testimony before the Joint Committee on Atomic Energy would seem to support Colorado's position, then Colorado is not only a pioneer in this field, but also has assumed a heavy financial burden.

Fourth, if Colorado is correct, then uranium miners similarly situated in other States are being denied benefits only because they happen not to live and work in Colorado.

And, fifth, if Colorado is correct, then Colorado has assumed this heavy burden with only minimal technical advice and assistance from Federal agencies who were in a position or should have been in a position to render substantial technical advice.

Mr. Garner, according to the Utah Supreme Court decision inserted earlier, had "worked in and around uranium mines since 1940." In this connection, Senators will recall that prior to and during World War II atomic energy and uranium were veiled with the highest degree of secrecy. Many of the mine operators were selling ore to certain mills based upon its vanadium content and were unaware of the fact that uranium was being extracted from the ore. It is likely that many of the mine operators were unaware of the existence of uranium in the ore they were selling. Many years later some payments were made to these vanadium mine operators for uranium in the ores they had previously sold.

This, I believe, adequately demonstrates the point that miners and mine operators in the early days were unaware of any danger from this source. In fact, studies of Radon 222 were only commenced in 1958 at the Argonne National Laboratory and the University of Illinois through a Public Health Research grant. But more specifically, it was the December 1960 Governors' Conference on Health Hazards in Uranium Mines which first focused attention to potential dangers of uranium mining. The State's objectives were reportedly as follows:

(a) Follow up the miners reported to date with cytologically positive sputa tests for more definitive diagnosis and any necessary treatment.

(b) Examine all uranium miners who have not yet received a physical examination.

(c) Increase inspections of mines, in both frequency and intensity. All areas in each mine should be surveyed, and inspections should be made more frequently to compensate for seasonable variations in ventilation and changes in concentration levels caused by mining activity.

(d) Check compliance with control recommendations.

(e) Carry out additional research to evaluate mining exposures and their health effects.

(f) Provide more consultative and educational services to mine personnel directed toward the establishment of effective control measures and self-monitoring programs.

(g) Enforce existing laws and standards and determine if new laws are needed.

(h) Accelerate state training programs and participate in those offered by other agencies.

Colorado has moved ahead aggressively in its efforts to reduce radiation hazards connected with uranium mining. Right after the December 1960 Governors' Conference a supplemental appropriation was granted to Colorado's Bureau of Mines in the later part of fiscal year 1960–61 to launch its program to reduce the concentration of radon daughter products in the atmosphere of Colorado's uranium mines. That program has been continually expanded and refined ever since. I believe I can safely say, without fear of contradiction, that Colorado has been the leader in this field. Commissioner Ramey of the Atomic Energy Commission gives corroboration of this statement in the following exchange with Representative HOLIFIELD on May 23, 1967, during the Joint Committee on Atomic Energy hearing.

Representative HOLIFIELD. Would it be fair to say that Colorado has been in the forefront of the uranium-bearing states in its approach to these problems?

Mr. RAMEY. I would say, Mr. Holifield, that practically they have been.

Representative HOLIFIELD. They have been the leader?

Mr. RAMEY. Yes, sir.

Further substantiation of Colorado's progress is found in a comparison table on the status of uranium mines in Colorado.

Mr. President, I ask unanimous consent that a comparison table prepared by the Colorado Bureau of Mines be inserted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMPARISON OF STATUS OF MINES

[Percent of operating mines]

Range	Dec. 31, 1961	Dec. 31, 1962	Dec. 31, 1963	Dec. 31, 1964	Dec. 31, 1965	Dec. 31, 1966
−1.0 WL or less	45	52	40½	43	52	60
+1.0 WL through 3.0 WL	27½	38	47	41	40½	34½
+3.0 WL through 5.0 WL					6	5
+5.0 WL through 10.0 WL					¾	
+3.0 WL through 10.0 WL	23	10	12½	16		
+10.0 WL and Over	4½				¾	
Total	100	100	100	100	100	100

CORRECTIVE ORDERS ISSUED FOR VENTILATION

[District 4—Uranium mines]

	Number
General	229
Removal of men from area	48
Compliance by specified date	4
Total	281

Mr. ALLOTT. Mr. President, it is apparent that Colorado has been the leader in the two aspects of the problem: One, in providing compensation to the widows or estates of the injured; and two, in an aggressive program directed at control and elimination of hazard. With respect to radon gas reduction, Colorado's progress has been necessarily dependent upon technological progress. But, the States have had to look to the AEC and other Federal agencies for guidance in these matters. Under the Atomic Energy Act of 1954, the AEC is "authorized and directed to cooperate with the States in the formulation of standards for protection against hazards of radiation." And, in order to carry out these responsibilities the Atomic Energy Act established the Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the AEC, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, and such other members as may be designated by the President. Under the provisions of the section establishing the Council, it was mandated to "advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States."

The AEC and the Federal Government were the primary beneficiaries of uranium mining activity, particularly during the period when most of the injuries occurred that are now being compensated by the Colorado Industrial Commission. There is, in my view, a Federal responsibility stemming both from its proprietary function and from the fact that it was the primary repository of all necessary technical information required to set up an appropriate safety program. Commissioner Ramey supported this contention in testimony before the Joint Committee on Atomic Energy on May 23, 1967:

> Mr. RAMEY. We do feel in this case the Federal Government does have some responsibility. The period these miners were exposed was the period when all the uranium was being bought by the Federal Government. So we acknowledge and recognize that there should be some Federal responsibility.

So, from a proprietary standpoint, the AEC recognizes "some Federal responsibility." In my opinion, there is also Federal responsibility stemming from the Government's almost exclusive control over research and the acquisition and accumulation of technical information needed to guard against the hazard. The following exchange between Representative HOLIFIELD and Commissioner Ramey during the Joint Committee hearings underscores this:

> Representative HOLIFIELD. In other words, there has been expertise in the field applied to the problem over these years by the Public Health Service?
>
> Mr. RAMEY. Yes, sir; in that context. I think, also, on the mining side as such, the AEC, again does not have all of the expertise certainly on mining and mine ventilation, and so on. That is why we cooperated with the Bureau of Mines and, of course, with the State people in regard to leased mines. We did and do consider ourselves to have some expertise on the radiation aspects of it.
>
> Representative HOLIFIELD. At least in the interpretation of radiation levels.
>
> Mr. RAMEY. Yes.

Of course, no one expects the AEC to have special expertise in general mine safety. It is, after all, the State bureaus and the Federal Bureau of Mines who have had years of experience in this field. But, in this case the hazard is not one of general mining safety. It was an invisible, tasteless, and odorless gas whose recognizable deleterious effects might not manifest themselves for two decades. The type of expertise necessary to establish protective measures was the kind for which, logically, the States would look to the AEC, the Federal Radiation Council, and/or the Public Health Service to supply.

The question, then, is "did the Federal agencies provide the necessary technical guidance in a timely fashion?" I refer, again, to colloquy between Commissioner Ramey and Representative HOLIFIELD during the Joint Committee hearings.

> Representative HOLIFIELD. But we were accumulating knowledge in this field. I mean, the AEC, as well as the Committee, has been accumulating knowledge in this field, and some of the latest knowledge that has come to us has been in the form of conclusions that have been long in the making.
>
> Mr. RAMEY Yes, sir. The Joint Committee hearings in 1959, in which Mr. Holaday testified. brought up the uranium miner problem. At that time, though, there had only been, as I recall, four deaths. It was not clear from the HEW, Public Health Service epidemiological studies exactly how that trend was going to go. It began to become clearer, I think, in 1962 and 1963, as I recall, that the trend was going to follow the same way that it had done in Europe in the Silesian mines and so on. It was in this period in the mid-1960's where we could have probably moved a little faster. As you know, there were various other problems and factors involved that were being given priority attention; namely, fallout and related criteria.

It is not my purpose to engage in recriminations. Hindsight is always better than foresight. The AEC had its priorities and I have no quarrel with these priorities. In a sense, this is an example of one of the dangers of concentrating control in one office. In this particular case, however, concentration of control is perhaps more justified than in any other. But this does not alter the fact that the States had a right to look to the AEC and other Federal agencies for the necessary technical information. To put it another way, who else would be expected to have the necessary technical information if the AEC, the Federal Radiation Council and the Public Health Service did not? These are the agencies which have the statutory responsibility of acquiring the needed expertise. It is difficult for me to imagine anyone attempting to place that responsibility on the States.

On the other hand, the States do have a responsibility to administer mine safety programs. I cannot speak for the other States, but the evidence clearly indicates that Colorado has discharged this responsibility aggressively within the limits of the technical information available to it.

Colorado has gone even farther and as the industrial commission digest of lung cancer cases shows, Colorado has been providing medical and death benefits to victims of lung cancer in the uranium mining industry. However, in my opinion, this is not a burden that the States should be required to shoulder—at least as far as past injuries are concerned. The Nation as a whole should carry the load. Actuarial studies indicate that in Colorado alone, the potential liability of the State compensation insurance fund may be $8.5 million. Mr. James M. Shaffer, chairman of the Industrial Commission of Colorado makes this point very vividly in his February 10, 1967, memorandum to Gov. John Love. I shall read the salient parts of that memorandum:

> Figures have recently been developed by a Dr. Archer of the United States Public Health Service in the area of radiation-induced lung cancer which have begun to cause us some concern because of their impact on the uranium industry in Colorado and its workmen's compensation insurer, the State Compensation Insurance Fund. As a result of Dr. Archer's projections, the industry has recently had an actuarial study made of the problem as it relates to Colorado. This study indicates that within the next twenty years there is the likelihood of 450 radiation-induced lung cancer deaths in this state, with a potential liability of $8,500,000.00.
>
> This has been a rather sudden presentation of a problem and a volume of risk which had not been foreseen by anyone. This situation, if borne out, would present a reserving problem to the State Compensation Insurance Fund of almost fatal proportions—that is, if we have to set up reserves of that magnitude, our financial statement would immediately indicate that the State Fund was close to insolvency.
>
> Further, this problem has the additional complication that establishing rates for the workmen's compensation insurance of Colorado corporations in the uranium industry to cover this kind of cost is impossible on a retroactive basis because their contracts with the AEC probably are not subject to renegotiation.
>
> In addition to this, the problem is not confined to the boundaries of Colorado, nor are the corporations involved. There is, as you know, uranium activity in Utah, Wyoming, Arizona and New Mexico. It is our feeling that, because of the interstate nature of the situation and because the chief beneficiary of uranium production has been the Atomic Energy Commission, that it should properly bear the costs of these injuries and fatalities as an unforeseen part of the cost of ore production.

Mr. Shaffer makes mention of an actuarial study which was performed by the New York firm of Woodward & Fondiller, Inc., at the instance of the Colorado Mining Industrial Development Board. The full text of that actuarial study may be found in the hearings of the Joint Committee on Atomic Energy on Radiation Exposure of Uranium Miners, May 9 through August 10, 1967, as appendix 7. I shall quote two significant paragraphs from that study dealing with this specific matter:

> Obviously, the economic cost of uranium mined to date includes a large element not considered in the setting of prices charged to the U.S. Atomic Energy Commission for the product. That element, of course, is the subject of calculations made herein.
>
> Its possible magnitude obviously far exceeds the ability of the Colorado State Compensation Insurance Fund to pay out of existing surplus. Hence, if we assume that these claims will be paid, it is evident that the money must be found elsewhere. We think that since the mining of uranium until now has been conducted, almost exclusively for purposes of national defense, the full cost of such mining should be borne by the country as a whole. It follows that we believe the Federal government should assume these costs as they arise. This might be accomplished, for example, through the enactment of special legislation authorizing the reimbursement of state insurance funds (perhaps indirectly through their respective state governments) for payments made on lung cancer cases involving uranium miners. We are not attempting, of course, to recommend this or any other particular procedure but merely urge Federal assumption of these costs in principle.

Mr. President, it would seem that the AEC concurs in the belief that the Federal Government should participate in a program of compensation and medical treatment for uranium miners injured by radiation and the inhalation of radon gas. In response to the rhetorical questions, "What can the Federal Government do?" Commissioner Ramey, in his prepared statement to the Joint Committee, proposed among other things, that—

> A stated objective of assuring that no uranium miner developing lung cancer from exposure to radiation shall go without adequate medical care or compensation. This

program should develop recommendations, including proposed legislation, for the Federal government to participate in achieving this objective.

Mr. President, I agree with the concept that the Federal Government should participate in a compensation, medical treatment, and rehabilitation program for uranium miners injured by radiation. I have consulted with State officials, Federal officials, and officials of some of the producing companies, and I wish to acknowledge the advice and assistance I have received from them in drafting the bill I introduced today. I wish to particularly thank Mr. Donald Ream of the Labor Department, Mr. James Shaffer, chairman of the Industrial Commission of Colorado, Mr. Charles Eason of the AEC, and Mr. Richard Eckles, coordinator of the Colorado Department of Natural Resources, for their many suggestions, as well as Charles Cook of my own staff.

A TEMPORARY FEDERAL PROGRAM

Colorado State officials have expressed to me the willingness of the State industrial commission to assume the liability for radiation hazards in the future; however, during the period prior to the establishment of standards by the Federal Radiation Council, it is unreasonable for the States to be required to assume liability for a hazard that they were unaware of, particularly when the Federal Government was the primary and almost exclusive beneficiary of uranium mining and when the Federal Government was in almost exclusive control of the necessary technical information needed to devise protective measures.

With this in mind, I have drawn a bill which would cut off the liability of the United States for injuries occurring after December 31, 1970, the effect of which would be to return the liability to the States. This date is, of course, somewhat arbitrary; it was selected as being a date which would permit a reasonable time for realistic standards to be established and made operative. Additionally, this date coincides with the termination of the AEC uranium purchase contracts.

Subsequent to 1970, uranium mining will be primarily for the benefit of private industry, and the logic which supports the assumption of liability by the Federal Government during the early period loses much of its persuasiveness after that date. Under present circumstances, the States do not wish the Federal Government to permanently invade this field of workmen's compensation, and I can see no logical reason for the Federal Government to permanently assume this obligation. It is hoped that during the interim period between the effective date of this act, if it becomes law, and the cutoff date, actuarial data can be developed sufficiently to enable State compensation insurance funds, private carriers, and self-insurors to establish appropriate premiums and reserves to defray future potential liabilities.

On the other hand, I wish to make it clear that it is not the intention of section 4 to relieve the United States from liability for a lung cancer case which may have had its origin due to radiation exposure in a uranium mine during the period prior to the December 31, 1970, cutoff date. Testimony has shown that the effects of this kind of injury may not manifest itself for 10, 20, or 25 years after exposure. It is, therefore, my intention that lung cancer cases which have their origin in uranium mining as a result of radiation exposure as defined in section 2 of the bill, should be compensable under the terms of the bill.

STATE ADMINISTRATION

I have received comments to the effect that States which already have machinery established should be permitted to administer the provisions of the bill. This is certainly a reasonable suggestion, and would also effect savings to the Federal Government. It was with this purpose in mind that subsection 3(b) was included in the bill. It was not logical to make the language mandatory since there is such a variance in the workmen's compensation setups in the affected States; hence, the language is permissive. However, it is the intent of the subsection that the Secretary, in exercising his discretion, utilize established State machinery wherever possible.

LEVEL OF BENEFITS

Using the existing precedent of the Longshoremen's and Harbor Workers' Compensation Act, compensation benefits under my bill, except medical benefits, are geared to the established formula of that act. Medical services and rehabilitation will be furnished under the applicable provision of subchapter I, chapter 81 of title 5 of the United States Code.

DOUBLE COMPENSATION PREVENTED

There are included, of course, the usual provisions prohibiting the injured workman, his heirs or estate from receiving compensation from more than one source for the same injury. The right of recovery of any double compensation is provided to the Secretary.

FRAUD; PENALTIES

Provision is made for fraudulent applications for benefits under the bill, and as a misdemeanor, the maximum penalties are set at 1 year imprisonment or $1,000 fine or both.

LEGAL SERVICES

No claim for legal or other services shall be allowed unless approved by the Secretary, and anyone who solicits such employment and receives a fee therefor, shall, upon conviction, be subject to a fine of $1,000 or imprisonment for 1 year or both. While it is the purpose of this section to insure that the benefits provided under this bill would get to the injured workman or his heirs, nevertheless, there are many occasions when the services of legal counsel will be highly beneficial in the interest of making a just award. The Secretary is, therefore, authorized to approve and pay for such services out of the fund without diminishing the benefits to the claimant.

ASSIGNMENT, EXECUTION AND LEVY

Again, in order to insure that the claimant receives these benefits unencumbered, there can be no assignment of rights under this bill. Further, all of the moneys payable under the provisions of the bill shall be exempt from execution, levy, attachments, and garnishment.

REIMBURSEMENT TO STATES

As I pointed out earlier, Colorado has been the leader both in the field of compensation and in the field of preventative controls. The fact that Colorado has been the leader should not be allowed to work against her; if anything, she should be rewarded for her leadership. There has been considerable talk in the Halls of Congress during the past few years concerning incentive payments to States "in order to encourage States to do what they ought to be doing." In this case a State has assumed a liability more properly belonging to the Federal Government. Surely, the least the Federal Government can do is to reimburse a State which has been doing something the United States should have been doing.

Earlier in this introductory speech I quoted from documents which indicated that as a result of recently released information an actuarial study was performed which indicates that Colorado's liability could equal or exceed $8.5 million over the next 15 years or so. The magnitude of that liability is such as to render Colorado's compensation insurance fund insolvent. Section 12 provides for reimbursement to those States which have paid benefits to persons for radiation injuries as defined in the bill prior to the effective date of the bill, January 1, 1968.

EFFECTIVE DATE

If enacted as drawn, the bill would be effective as of January 1, 1968. This date was selected back in the latter part of May of this year when I first drafted the bill. At that time, I had the impression that things would move a little faster than they have. While I have received many comments from interested agencies, organizations, and individuals, many more have deferred comment until after the Joint Committee on Atomic Energy had completed its hearings and deliberations and until after the Federal Radiation Council had held its meetings relating to radiation standards. Therefore, I wish to call to the attention of the committee to which this bill will be referred, the need to review the effective date during executive markup. It may be that the dates in sections 6, 12, and 14 will need to be revised.

Mr. President, the bill I introduce today is the product of many conferences with many people. I have tried to incorporate as many of the desirable features that have been suggested as possible. I do not pretend that this bill is the final and complete answer which cannot be improved upon, but I do believe that it is a good beginning.

It is a beginning upon which the Congress can work its legislative will, and in its wisdom produce a legislative product which will do equity to those who have been injured by radiation, while at the same time reimbursing States which have led the way. It is for this reason that I shall forward to the committee of reference the many letters and memorandums I have received commenting upon the various provisions of the bill, so that the committee may have the benefit of those analyses during deliberation.

I had hoped that we could move toward a resolution of this problem with much more alacrity than has so far been the case. Consequently, while I have not received all of the comments I would have liked to have received, and this is particularly true of labor and industry, I have decided to introduce the bill at this time in order to get things moving in a positive vein.

Mr. President, on behalf of Senator Dominick and myself, I send to the desk for appropriate reference a bill to provide workmen's compensation protection to certain individuals who, while employed in, or in connection with, the mining of radioactive material, suffer injury or death from the effects of radiation.

I ask unanimous consent that the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2686) to provide workmen's compensation protection to certain individuals who, while employed in, or in connection with, the mining of radioactive material, suffer injury or death from the effects of radiation introduced by Mr. Allott (for himself and Mr. Dominick), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "Radiation Hazards Compensation Act".

DEFINITIONS

Sec. 2. For the purposes of this Act—

(a) the term "radioactive material" means any by-product material or any material, solid, liquid, or gas that emits gamma rays or X-rays, alpha or beta particles, high-speed electrons, neutrons, protons, or other nuclear particles or electomagnetic radiation capable of producing ions directly or indirectly in their passage through matter;

(b) the term "United States" when used in a geographic sense means the fifty States and the District of Columbia;

(c) the term "State" includes the District of Columbia;

(d) the term "contractor with the United States" includes any subcontractor or subordinate subcontractor with respect to the contract of such contractor;

(e) the term "Secretary", unless the context indicates otherwise, means the Secretary of Labor.

ADMINISTRATION

Sec. 3. (a) The provisions of this Act shall be administered by the Secretary of Labor, and the Secretary is authorized to make rules and regulations for the administration thereof and to contract with insurance carriers for the use of the service facilities of such carriers for the purpose of facilitating administration of such provisions.

(b) In administering the provisions of this Act the Secretary may enter into agreements or cooperative working arrangements with other agencies of the United States or of any State or political subdivision thereof, and with other public agencies and private persons, agencies, or institutions, to utilize their services and facilities and to compensate them for such use. The Secretary may delegate to any officer or employee, or to any agency, of the United States or of any State, or any political subdivision thereof, such of his powers and duties as he finds necessary for carrying out the purposes of this Act.

(c) The Secretary, in his discretion, may waive the limitation provisions of subchapter I of chapter 81 (relating to compensation for work injuries generally) of title 5, United States Code, with respect to notice of injury and filing of claims under this Act, whenever the Secretary shall find that, because of circumstances beyond the control of an injured person or his beneficiary, compliance with such provisions could not have been accomplished within the time therein specified.

INJURY OR DEATH

Sec. 4. (a) In the case of injury or death resulting from injury—

(1) which occurs within the period which begins January 1, 1941 and ends with the close of December 31, 1970,

(2) which is attributable (wholly or in part) to exposure to radioactive material,

(3) to any individual who, during the period referred to in clause (1) and before such injury occurred, was employed in, or in connection with, the mining (within the United States) of radioactive material,

the provisions of subchapter I of chapter 81 of title 5, United States Code, shall (except as is otherwise provided in this Act) apply with respect thereto in the same manner and to the same extent as if the individual suffering such injury had, at the time such injury was suffered by him, been a civil employee of the United States and were injured while in the performance of his duty, and any compensation found to be due shall be paid from the compensation fund established pursuant to section 8147 of such title 5. This subsection shall not be construed to include any individual who would otherwise come within the purview of subchapter I of chapter 81 of such title 5.

(b) For purposes of subsection (a)(2), any injury which could be attributable to exposure from radioactive material shall be deemed to be attributable to such exposure if the injury arises after the individual suffering the same was employed in, or in connection with, the mining (within the United States) of radioactive material.

LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Sec. 5. (a) In the administration of the provisions of subchapter I of chapter 81 of title 5, United States Code, with respect to cases coming within the purview of section 4(a), the scale of compensation benefits and the provisions for determining the amount of compensation and the payment thereof as provided in sections 8 and 9 of the Longshoremen's and Harbor Workers' Compensation Act (908 and 909 of title 33, U.S.C.), so far as the provisions of such sections can be applied under the terms and conditions set forth therein, shall be payable in lieu of the benefits, except medical benefits, provided under such subchapter I; except that the total compensation payable under this Act shall in no event exceed the limitations upon compensation as fixed in section 14(m) of the Longshoremen's and Harbor Workers' Compensation Act (sec. 914(m) of title 33, U.S.C.).

(b) For purposes of computing compensation with respect to cases coming within the purview of section 4(a), the provisions of sections 6 and 10 of the Longshoremen's and Harbor Workers' Compensation Act (906 and 910 of title 33, U.S.C.) shall be applicable, except that the minimum limit on weekly compensation for disability, established by section 6(b) of such Act, and the minimum limit on the average weekly wages on which death benefits are to be computed, established by section 9(e) of such Act, shall not apply in computing compensation under this Act.

DEEMED DATE OF OCCURRENCE OF INJURY OR DEATH

Sec. 6. Any injury or death within the purview of this Act which occurred prior to January 1, 1968, shall, for purposes of any requirements with respect to the report of such injury or death or with respect to the time for making claim for compensation on account thereof, be deemed to have occurred on January 1, 1968.

RECEIPT OF WORKMEN'S COMPENSATION BENEFITS

Sec. 7. (a) No benefits shall be paid or furnished under the provisions of this Act for any injury or death to any person who recovers or receives workmen's compensation benefits for the same injury or death under any other law of the United States, or under the law of any State, or benefits in the nature of workmen's compensation benefits payable under an agreement approved or authorized by the United States pursuant to which a contractor with the United States has undertaken to provide such benefits.

(b) The Secretary of Labor shall have a lien and a right of recovery, to the extent of any payments made to any person under this Act on account of injury or death, against any compensation payable under any other workmen's compensation law on account of the same injury or death; and any amount recovered under this subsection shall be covered into the fund established under section 8147 of title 5, United States Code.

(c) Where any individual specified in section 4(a), or the dependent, beneficiary, or allottee of such individual, receives or claims wages, payment in lieu of wages, or insurance benefits for disability or loss of life (other than workmen's compensation benefits), and the cost of such wages, payments, or benefits is provided in whole or in part by the United States, the amount of such wages, payments, or benefits shall be credited, in such manner as the Secretary of Labor shall determine, against any payments to which any such individual is entitled under this Act.

(d) Where any individual specified in section 4(a), or any dependent, beneficiary, or allottee of such person, or the legal representative or estate of any such individual (his dependent, beneficiary, or allottee), after having obtained benefits under this Act, seeks through any proceeding, claim, or otherwise, brought or maintained against the employer of such individual, the United States, or any other person, to recover wages, payments in lieu of wages, or any sum claimed for services rendered, or for failure to furnish transportation, or for liquidated or unliquidated damages under the employment contract, or any other benefit, and the right in respect thereto is alleged to have accrued during or as to any period of time in respect to which payments under this Act in such case have been made, and in like cases where a recovery is made or allowed, the Secretary of Labor shall have the right of intervention and a lien and right of recovery to the extent of any payments paid and payable under this Act in such case, provided the cost of such wages, payments in lieu of wages, or other such right, may be directly or indirectly paid by the United States; and any amounts recovered under this subsection shall be covered into the fund established under section 8147 of title 5, United States Code.

(e) If at the time an individual sustains an injury coming within the purview of this Act such individual is receiving workmen's compensation benefits on account of a prior accident or disease, such person shall not be entitled to any benefits under this Act during the period covered by such workmen's compensation benefits unless the injury coming within the purview of this Act increases his disability, and then only to the extent such disability has been so increased.

FRAUD; PENALTIES

SEC. 8. Whoever, for the purpose of causing an increase in any payment authorized to be made under this Act, or for the purpose of causing any payment to be made where no payment is authorized hereunder, shall knowingly make or cause to be made, or aid or abet in the making of any false statement or representation of a material fact in any application for any payment under this Act, or knowingly make or cause to be made, or aid or abet in the making of any false statement, representation, affidavit, or document in connection with such an application, or claim, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

LEGAL SERVICES

SEC. 9. No claim for legal services or for any other services rendered in respect of a claim or award for compensation under this Act to or on account of any person shall be valid unless approved by the Secretary; and any claim so approved shall, in the manner and to the extent fixed by the Secretary, be paid out of the compensation payable to the claimant; and any person who receives any fee, other consideration, or any gratuity on account of services so rendered, unless such consideration or gratuity is so approved, or who solicits employment for another person or for himself in respect of any claim or award for compensation under this Act shall be guilty of a misdemeanor and upon conviction thereof shall, for each offense, be fined not more than $1,000 or imprisoned not more than one year, or both.

FINALITY OF SECRETARY'S DECISIONS

SEC. 10. The action of the Secretary in allowing or denying any payment under this Act shall be final and conclusive on all questions of law and fact and not subject to review by any other official of the United States or by any court by mandamus or otherwise, and the Comptroller General is authorized and directed to allow credit in the accounts of any certifying or disbursing officer for payments in accordance with such action.

ASSIGNMENT OF BENEFITS; EXECUTION, LEVY, ETC., AGAINST BENEFITS

SEC. 11. The right of any person to any benefit under this Act shall not be transferable or assignable at law or in equity except to the United States, and none of the moneys paid or payable (except money paid hereunder as reimbursement for funeral expenses or as reimbursement with respect to payments of workmen's compensation or in the nature of workmen's compensation benefits), or rights existing under this Act, shall be subject to execution, levy, attachment, garnishment, or other legal process or to the operation of any bankruptcy or insolvency law.

REIMBURSEMENT TO STATES

SEC. 12. Where any State or any workmen's compensation fund of any State has prior to January 1, 1968, paid benefits to any person by reason of an injury or death which comes within the purview of section 4 (a), such State, or fund (as the case may be) shall be entitled to reimbursement for all the benefits so paid, including funeral and burial expenses, medical, hospital, or other similar costs for treatment and care, and reasonable and necessary claims expense in connection therewith. Claim for such reimbursement shall be filed with the Secretary under regulations promulgated by him, and such claims, or such part thereof as may be allowed by the Secretary, shall be paid from the compensation fund established pursuant to section 8147 of title 5, United States Code.

AUTHORIZATION OF APPROPRIATION

SEC. 13. There are hereby authorized to be appropriated such funds as may be necessary to carry out the provisions of this Act. From amounts so appropriated, such funds as may be necessary to make the payments provided by this Act from the compensation fund established pursuant to section 8147 of title 5, United States Code, shall be deposited in such fund.

EFFECTIVE DATE PROVISIONS

SEC. 14. No payments of benefits under this Act and no payments under this Act to States or State workmen's compensation funds shall be made prior to January 1, 1968.

EXTENSION AND AMENDMENT OF CERTAIN PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT FOR MIGRANT HEALTH SERVICES

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference today, a bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services. Joining me in sponsoring this measure are Senator CASE, Senator CLARK, Senator JAVITS, Senator KENNEDY of Massachusetts, Senator KENNEDY of New York, Senator MORSE, Senator PELL, and Senator YARBOROUGH.

Mr. President, millions of Americans—migrant farmworkers and their families—traditionally have been excluded from community health services—excluded by distance, cost, their own lack of knowledge, their transiency, and community rejection. Migrants have less access to health care than other members of our population, although they generally have a greater need for health care. The migrant family's transient way of life aggravates the many basic health problems which are associated with their poverty, and poor living and working conditions. They live on the fringes of society, far removed from such fundamental community health services as immunizations and obstetrical care.

The Migrant Health Act, enacted in 1962 as Public Law 89-692 with an appropriation ceiling of $3 million annually for a 3-year period, has started to change this picture. Because of its widely recognized success in upgrading the health of the migrant farm family, the act was extended by Public Law 89-109 for an additional 3 years with increasing appropriations. This extension carries the program through June 30, 1968.

We are far from providing each migrant the minimum standard of health most of us have; they need more than a get-well card. Extending the appropriation of the Migrant Health Act as I am proposing today will bring the Public Health Service programs to a more realistic level.

The Migrant Health Act which amends title III of the Public Health Service Act to authorize grants for improving domestic agricultural migratory workers' health services and conditions helps States and communities to muster the resources needed to extend their services to migrants.

Grants by the Public Health Service pay part of the cost of family clinics held in large labor camps at times when migrant workers and their families can use the service without loss of time from work. Local physicians provide medical treatment for illness or injury at the family clinics. They also provide immunizations, screening for hidden disease, family planning services, and pre- and post-natal care. In addition, they supplement family clinic services by providing care in their own offices between clinic sessions.

Nurses assist the physicians in the clinics, and visit camps on a regular schedule to advise on health matters, identify health problems that require treatment, arrange for the patients to see project physicians, and see that patients understand and follow the doctor's instructions.

Migrant health grants also help to pay for dental care, health education, sanitation services, and other types of health services.

Programs under the act stress flexibility in the scheduling of services so as to make them available at times and places where migrants can effectively be reached. Night clinics are frequently held at points where migrant workers are concentrated and health aides work in migrant labor camps in order to bring service to people ill-accustomed to seeking and using medical care. Through these projects we are making progress in the health status, the personal health practices, and the environment of migrant workers and their families.

During the 1967 fiscal year, one-fourth of the Nation's migrants had access to project services for at least a brief period. Migrant workers and family members made more than 239,000 visits for medical or dental treatment. In addition, nurses made 125,000 visits to migrant families, for casefinding, followup, and health counseling; and sanitarians made 125,000 camp inspections.

However, the demand for migrant health services far exceeds the existing program's resources. Grant funds available for fiscal year 1968 were limited to $7.2 million, about $2 million less than the small authorization. Yet the needs for growth of existing projects—without adding a single new project anywhere in the country—came to more than $13 million. In other words, current needs already exceed available funds by approximately $6 million. New projects will increase the need beyond $6 million. In view of the lack of funds, the Public Health Service has had to notify new applicants that their projects cannot even be considered until additional funding is available.

For the first time in migrants' long history of neglect, the migrant health program provides a mechanism to bring this needy group higher on the priority list of States and communities. The program has demonstrated that the special incentive of project grants stimulates community planning and acceptance of responsibility. Many of the communities where migrants live and work temporarily are themselves below the national average in income. These communities desperately need the financial help which we have already generated.

The program is well started. Loss of the planning and organizational effort to deliver services to migrants would be unfortunate. Loss of services to the people would be tragic. Loss of momentum would be regrettable. To maintain the program's momentum and to realize its potential, it should now be extended. Moreover, the appropriation ceilings should be set at realistic levels that will enable the Public Health Service to increase the geographic coverage of project services; to strengthen and expand medical, dental, health education, and other project services; and to make grant assistance available for full reimbursement of hospital costs.

The Public Health Service has awarded grants to 31 projects serving migrants in 114 counties in 20 States by the end of the program's first operating year. Today, 115 projects provide migrants personal health care in 300 counties in 36 States and Puerto Rico.

Mr. President, I ask unanimous consent that the computation of migrant health projects, the services which they provide, and their directors listed by State be printed in the Record at this point in my remarks.

There being no objection, the computation was ordered to be printed in the Record, as follows:

Appendix B

[From the Department of Health, Education, and Welfare, January 1, 1967]

Projects Receiving Migrant Health Project Grant Assistance

Note.—A. *Personal health services* usually include medical, nursing, health education and, in many cases, at least limited dental or other services; B. *Sanitation services* include housing, camp and field inspection and follow-up; plus work with owners and occupants of housing to improve maintenance of the general environment; C. *Statewide consultation* includes general assistance in program planning, development, and coordination.

ARIZONA

A, B—Catherine C. Le Seney, M.D., Director, Pinal County Migrant Health Protect (MG–94), Pinal County Health Department, Post Office Box 807, Florence, Arizona.

C—Statewide consultation; personal health and sanitation services in counties without county-level projects: Robert C. Martens, Director, Arizona State Migrant Health Program (MG–111), State Department of Health, 1624 West Adams Street, Phoenix, Arizona 85007.

A, B—S. F. Farnsworth, M.D., Director, Maricopa County Migrant Family Health Clinic Project (MG–29), Maricopa County Health Department, 1825 East Roosevelt, Phoenix, Arizona 85006.

A, B—Frederick J. Brady, M.D., Director, Assistance to Pima County Migrants (MG–49), Pima County Health Department, 161 West Alameda Street, Tucson, Arizona.

A, B—Joseph Pinto, M.D., Director, Yuma County Migrant Family Health Clinic (MG–66), Yuma County Health Department, 145 Third Avenue, Yuma, Arizona.

ARKANSAS

A, B—Richard J. Brightwell, M.D., Director, Northwest Arkansas Migrant Committee Project, Washington County Public Health Center (MG–50), 34 West North Street, Fayetteville, Arkansas.

CALIFORNIA

Statewide consultation; personal health and sanitation services through county-level subprojects in cooperating counties: Robert Day, M.D., Director, Health Program for Farm Workers' Families, State Department of Public Health, 2151 Berkeley Way, Berkeley, California.

COLORADO

Statewide consultation and services to supplement those at county-level; personal health services through county-level subprojects in cooperating counties: Dr. Robert A. Downs, D.D.S., Director, State Migrant Plan for Public Health Service (MG–09), Colorado Department of Public Health, 4210 East 11th Avenue, Denver, Colorado 80220.

CONNECTICUT

B—Marvin L. Smith, Director, Improved Migrant Farm Labor Sanitation Program (MG–82), State Department of Health, Hartford, Connecticut 06115.

DELAWARE

A—Rev. Samuel A. Snyder, Jr., Director, Delaware Migrant Health Project (MG–83), Delaware State Council of Churches, 217 North Bradford Street, Dover, Delaware.

FLORIDA

Statewide consultation; personal health and sanitation services through county-level subprojects in cooperating counties: James E. Fulghum, M.D., Acting Director, Statewide Program of Health Services for (MG–18) Migrant Farm Workers and their Dependents, Florida State Board of Health, Post Office Box 210, Jacksonville, Florida 32201.

A, B—T. E. Cato, M.D., Director, Comprehensive Health Care Project for Migrant Farm Workers (MG–34), Dade County Health Department, 1350 Northwest 14th Street, Miami, Florida.

A, B—Donald N. Logsdon, M.D., Director, Improvement of Personal Health and Environmental Sanitation (MG–11), Palm Beach County Health Department, 826 Evernia Street, West Palm Beach, Florida.

IDAHO

B (primary focus)—F. O. Graeber, M.D., Director, Idaho's Migrant Health Services (MG–124), Idaho Department of Health, Statehouse, Boise, Idaho 83701.

ILLINOIS

Statewide consultation; personal health services in process of development in 3 counties: Donaldson F. Rawlings, M.D., Director, An Action Program for Agricultural Migrant Workers and their Families (MG–105), Illinois Department of Public Health, Division of Preventive Medicine, Springfield, Illinois.

INDIANA

Statewide consultation; personal health and sanitation services in cooperating counties. Verne K. Harvey, Jr., M.D., Director, Health Services for Agricultural Migrant Workers and Families (MG–20), Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana.

IOWA

A—Mrs. Richard E. Sandage, Director, Health Services for Migrant Families in the North Iowa Area (MG–116), Migrant Action Program, Inc., Box 717, Mason City, Iowa 50401.

A, B—Mr. Jerry Lange, Director, Muscatine Area Migrant Families Health Service (MG–23), Muscatine Migrant Committee, Post Office Box 683, Muscatine, Iowa 52761.

KANSAS

A, B—N. G. Walker, M.D., M.P.H., Director, Plan to Provide Health Services to Migrants, Kansas City-Wyandotte County Health Department (MG–74), 619 Ann Avenue, Kansas City, Kansas.

A, B—Patricia Schloesser, M.D., Director, Public Health Services to Kansas Migrants (MG–64), Kansas State Department of Health, Topeka, Kansas.

KENTUCKY

A, B—Jorge Deju, M.D., Director, Migrant Worker Health Project (MG–77), Kentucky State Department of Health, 275 East Main Street, Frankfort, Kentucky 40601.

LOUISIANA

A—Mr. Milburn Fletcher, Director, New and Improved Medical, Dental and Nursing Services to Migratory Workers and Families (MG–54), Health Subcommittee, Tangipahoa Migrant Committee, Box 257—Route 2, Ponchatoula, Louisiana.

MARYLAND

A—The Reverend Carroll L. Boyer, Director, Frederick County Migrant Health Project (MG–80), Frederick County Migrant Health Council, Inc., 1415 W. Seventh Street, Frederick, Maryland 21701.

MASSACHUSETTS

A—Leon Sternfeld, M.D., Director, Massachusetts Migrant Health Project (MG–68), Massachusetts Health Research Institute, Inc., 8 Ashburton Place, Boston, Massachusetts 02108.

MICHIGAN

B—Robert L. Maddex, Director, Improving Seasonal Labor Facilities to Benefit Migrant Health and Welfare (MG–76), Agricultural Engineering Department, Michigan State University, East Lansing, Michigan.

A (see MG–91)—Ralph Ten Have, M.D., Director, Cooperative Migrant Project (MG–31), Ottawa County Health Department, Grand Haven, Michigan.

B—Serves all counties in State housing migrants but lacking local sanitation project services: John E. Vogt, Director, Environmental Health Camp Sanitation Project for Migrant Worker and his Family (MG–91), Michigan Department of Health, 3500 North Logan, Lansing, Michigan.

Statewide consultation: Douglas H. Fryer, M.D., Director, Improvement and Expansion of Health Services to Migrant Agricultural Workers, and their Families (MG–30), Michigan Department of Health, 3500 North Logan, Lansing, Michigan.

A, B—Gladys J. Kleinschmidt, M.D., Director, Migrant Family Health Clinic and Hospital Program (MG–131), Manistee-Mason District Health Department, 401 East Ludington Avenue, Ludington, Michigan 49431.

A, B—C. D. Barrett, Sr., M.D., M.P.H., Director, Migrant Family Health Services, Nursing, Sanitation and Dental (MG–79), Monroe County Health Department, Monroe, Michigan 48161.

A, B—Robert P. Locey, M.D., Director, Migrant Health Program (MG–107), Tri-County Associated Health Departments, 505 Pleasant Street, St. Joseph, Michigan.

MINNESOTA

A, B (in cooperating counties)—Statewide consultation: D. S. Fleming, M.D., Director, Migrant Labor Environmental Health, and Nursing Service and Health Education Project (MG–67), Minnesota Department of Health, University Campus Minneapolis, Minnesota 55440.

MISSOURI

A (limited)—David Ragan, Director, Family Health Education Services for Home Based Migrants (MG–104), Delmo Housing Corporation, Lilbourn, Missouri.

NEBRASKA

A, B (in one area of State)—T. R. Dappen, Director, Plan to Provide Health Education and Other Public Health Services for Migrant Families (MG–88), Nebraska State Department of Health, Capital Building, Post Office Box 94757, Lincoln, Nebraska 68509.

NEW JERSEY

A, B (in cooperating counties)—Statewide consultation: Thomas Gilbert, M.P.H., Director, Health Services for Migrant Agricultural Workers (MG–08), New Jersey State Department of Health, 129 East Hanover Street, Trenton, New Jersey 08625.

A, B—William P. Doherty, Director, Migrant

Health Services, Cumberland County (MG–118), Board of Chosen Freeholders of Cumberland County, Cumberland County Court House, Bridgeton, New Jersey.

NEW MEXICO

A, B—Paul C. Cox, Director, Las Cruces Migrant Health Project (MG–15), Las Cruces Committee on Migrant Ministry, 1904 Idaho Avenue, Las Cruces, New Mexico.

A, B—Marion Hotopp, M.D., and Marion S. Morse, M.D., Codirectors, Migrant Health Project-Health Districts 1 and 5 (MG–134), New Mexico Department of Public Health, 408 Galisteo Street, Sante Fe, New Mexico 87501.

NEW YORK

A, B—G. Harold Warnock, M.D., M.P.H., Director, Cayuga County Migrant Health Services Program, Cayuga County Health Department (MG–106), 5 James Street, Box 219, Auburn, New York.

A, B—Bernard S. Bernstein, Director, Orange County Migrant Health Project (MG–135), Orange County Council of Community Services, Box 178, Goshen, New York.

A, B—Vernon B. Link, M.D., Director, New Platz Migrant Health Project (MG–125), Ulster County Department of Health, 244 Fair Street, Kingston, New York 12401.

A, B—Michael D. Buscemi, M.D., Director, Suffolk County Migrant Health Project (MG–60), Suffolk County Department of Health, Suffolk County Center, Riverhead, Long Island, New York.

A—John A. Radebaugh, M.D., Director, Monroe County Migrant Project (MG–103), University of Rochester, River Campus Station, Rochester, New York 14627.

A, B—Evelyn F. H. Rogers, M.D., M.P.H., Director, Family Service Clinics (MG–38), Utica County Department of Health, Utica District Office, 1512 Genessee Street, Utica, New York 13502.

NEVADA

A—Otto Ravenholt, M.D., Director, Moapa Valley Migrant Health Program (MG–133), Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada 89106.

NORTH CAROLINA

A—Caroline H. Callison, M.D., Director, Sampson Migrant Health Service Project (MG–122), Community Action Council, Inc., Clinton, North Carolina.

A, B—Isa C. Grant, M.D., Director, Albermarle Migrant Health Service Project (MG–57), District Health Service Project (MG–57), District Health Department, Elizabeth City, North Carolina.

A. B—Mrs. Frank R. Burson, Director, Henderson County Migrant Family Health Service (MG–28), Henderson County Migrant Council, Inc., 218 Fairground Avenue, Hendersonville, North Carolina.

A—Reverend Mr. Charles L. Kirby, Director, Carteret County Mobile Migrant Clinic (MG–27), Carteret County Migrant Committee, c/o First Presbyterian Church, Morehead City, North Carolina.

Statewide consultation; sanitation services in counties without sanitation services through local projects: W. Burns Jones, M.D., Director, Migrant Health Project (MG–56), North Carolina State Board of Health, Post Office Box 2091, Raleigh, North Carolina.

OHIO

A—Mrs. Ralph McFadden, Director, Migrant Health Study Project and Dental Care Program (MG—263), Hartville Migrant Council, 1812 Frazier Avenue Northwest, Canton, Ohio 44709.

B—(Statewide to supplement services of county-level projects): Ray B. Watts, Director, Enviromental Health Project (Migrants), Ohio Department of Health, 450 East Town Street, Post Office Box 118, Columbus, Ohio.

Statewide consultation; direct services to supplement those through county-level projects: Miss Helen Massengale, Director, Health Aide, Nursing and Nutrition Consultation Project (MG–36), Ohio Department of Health, 450 East Town Street, Post Office Box, 118 Columbus, Ohio.

A—(through cooperating county-level projects): William L. Babeaux, D.D.S., Director, A Program for Provision of Dental Services to Migrants (MG–86), Ohio Department of Health, 65 South Front Street, Columbus 15, Ohio.

A, B—William J. Boswell, M.D., Director, Migrant Health Clinics, Nursing and Sanitation Service Program (MG–21), Sandusky County-Fremont City General Health District, Fremont, Ohio.

A, B—Giles Wolverton, M.D., Director Migrant Health Clinic and Nursing Services Project (MG–78), Darke County General Health District, Courthouse, Greenville, Ohio.

A—Rev. Robert Lamantia, Director Ottawa County Migrant Family Health Service Clinic, Ottawa County Ministry to Migrants, 159 North Church Street, Oak Harbor, Ohio.

A—Milo B. Rice, M.D., Project Director, Migrant Labor Family Care Program (MG–61), Putnam County General Health District, Courthouse, Ottawa, Ohio.

A, B—Dorothy M. Van Ausdal, M.D., Director, Family Health Education Project for Migrants (MG–35), Lucas County Health Department, 416 North Erie Street, Toledo, Ohio 43624.

OKLAHOMA

A, B—Joan M. Levitt, M.D., Director, Project To Improve Health Conditions and Health Services to the Domestic Agricultural Migrants (MG–59), State Department of Health, 3400 North Eastern, Oklahoma City, Oklahoma.

OREGON

A, B—H. Grant Skinner, M.D., Director, Yamhill County Migrant Health Project (MG–63), Yamhill County Health Department, Courthouse, McMinnville, Oregon.

Statewide consultation; direct personal health and sanitation services and services through contacts in cooperating counties. Ralph R. Sullivan, M.D., Director, Clinic Care, Public Health Nursing and Sanitation Services to Migrant Farm Labor (MG–05), Oregon State Board of Health, 1400 Southwest Fifth Avenue, Portland, Oregon 97201.

PENNSYLVANIA

Statewide consultation; direct personal health and sanitation services in cooperating counties. A. L. Chapman, M.D., Director, Health and Medical Services for Migrants (MG–33), Pennsylvania Department of Health, Post Office Box 90, Harrisburg, Pennsylvania.

PUERTO RICO

A, B—Ruben Nazario, M.D., Director, Health Needs of Migrant Workers Project (MG–58), University of Puerto Rico, School of Medicine, San Juan, Puerto Rico 00905.

SOUTH CAROLINA

A, B—H. Parker Jones, M.D., Director, Comprehensive Health Program for Agricultural Migrants—Beaufort County (MG–121), Post Office Box 408,[1] Beaufort, South Carolina 29903.

A, B—E. Kenneth Aycock, M.D., Director, Health Services for Migratory Agricultural Workers and Their Families—Charleston County (MG–26), 334 Calhoun Street,[1] Charleston, South Carolina 29401.

TEXAS

A, B—Gonzalo V. Trevino, Director, Jim Wells County Migrant Health Project (MG–99), Jim Wells County Commissioners Court, Jim Wells County Court House, 200 North Almond Street, Alice, Texas 78332.

Statewide consultation provision of technical and professional assistance to special local projects in establishing and maintaining their migrant programs.

A, B—Carl F. Moore, Jr., M.D., Director, Technical Assistance in Approaches to Health Problems Associated with Migratory Labor (MG–03), Texas State Department of Health, 1100 West 49th Street, Austin, Texas.

A, B—Jack F. Fox, M.D., and Harold R. Stevenson, M.D., Co-Directors, Greenbelt Medical Society Migrant Health Project (Childress and Hall Counties) (MG–109), Greenbelt Medical Society, 306 Third Northeast, Childress, Texas.

A, B—J. M. Barton, M.D., Director, La Salle County Migrant Health Project (MG–120), La Salle Court House, Center at Stewart Street, Cotulla, Texas 78014.

A, B—T. J. Taylor, Director, Crosby County Migrant Health Service Project (MG–108), Crosbyton Clinic Hospital, Post Office Box 248, Crosbyton, Texas.

A, B—B. Oliver Lewis, M.D., Director, Del Rio-Val Verde County Health Department Migrant Health Project (MG–128), Municipal Building, Del Rio, Texas.

A, B—R. D. Newman, Director, Castro County Migratory Health Project (MG–143), Castro County Commissioner's Court, Courthouse, Dimmitt, Texas.

A, B—Dr. John R. Copenhaver, M.D., Director, Hidalgo County Migrant Health Project (MG–117), Hidalgo County Health Department, Room 427, Courthouse, Edinburg, Texas.

A, B—L. W. Chilton, Jr., M.D., Director, Goliad County (Texas) Migrant Health Project (MG–114), Goliad Project for Handicapped Children, Box 53, Goliad, Texas 77963.

A, B—D. M. Shelby, M.D., Director, Gonzales County Migrant Health Project (MG–115), Gonzales County Medical Society, Gonzales, Texas 78629.

A, B—Jose L. Gonzalez, Director, Laredo-Webb County Migrant Family Health Project (MG–42), Laredo-Webb County Health Department, 400 Arkansas Avenue, Laredo, Texas.

A, B—David M. Cowgill, M.D., Director, Technical Assistance in Developing Techniques and Approaches to Health Problems Associated with Seasonal Farm Labor in Public Health Education, Sanitation, and Public Health Nursing, Countywide (MG–46), Lubbock City-County Health Department, 1202 Jarvis, Lubbock, Texas.

A, B—Carl P. Weidenbach, M.D., Director, Hale County Migrant Health Service (MG–37), Plainview-Hale County Health Department, 10th and Ash Streets, Plainview, Texas.

A—Mrs. Helen V. McMahan, Director, Yoakum County Migrant Health Service Project (MG–113), Yoakum County Commissioners, Yoakum County Courthouse, Box 456, Plains, Texas 79355.

A, B—Roy G. Reed, M.D., Director, Calhoun County Migrant Health Services Program (MG–95), Port Lavaca-Calhoun County Health Unit, 131 Hospital Street, Port Lavaca, Texas.

A, B—Dr. John R. Copenhaver, M.D., Director, Cameron County Migrant Health Project (MG–97), Cameron County Health Department, 186 North Sam Houston Boulevard, San Benito, Texas 78586.

A, B—Hon. Tom H. Neely, Director, Hudspeth County-Dell City Migrant, Hudspeth County Commissioners' Court, Hudspeth County Court House, Sierra Blanca, Texas.

A, B—H. A. Rickels, Director, Spur-Dickens County Health Service Project (MG–110), Spur City Aldermen, City, Post Office Box 356, Spur, Texas.

A, B—B. Oliver Lewis, M.D., Director, Southwestern Texas Health Department Migrant Project (MG–44), Southwestern Texas Health Department, Headquarters, Post Office Box 517, Uvalde, Texas.

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[1] Address of the project director is as shown. However, the sponsor in each case is South Carolina State Board of Health, J. Marion Sims Building, Columbia, South Carolina 29201.

A, B—Pedro Ramirez, Jr., Director, Zapata County Migrant Health Project (MG–100), Zapata County Commissioners' Court, Post Office Box 272, Zapata, Texas.

UTAH

A, B—Robert W. Sherwood, M.D., Director, Utah Migrant Health Service (MG–98), Utah State Department of Health, 44 Medical Drive, Salt Lake City, Utah 84113.

VIRGINIA

A, B—J. B. Kenley, M.D., Director, Migrant Health Project—Virginia (MG–41), Division of Local Health Services, State Department of Health, Richmond, Virginia.

WASHINGTON

A, B—Dr. Phillip Jones, Director, Whatcom County Migrant Health Program (MG–132), Bellingham-Whatcom County District Health Department, 509 Girard Street, Bellingham, Washington 98225.

A, B—Ernest Kredel, M.D., Director, Health Services for Migrant Workers in Puyallup-Stuck Valley (MG–19), Tacoma-Pierce County Health Department, 649 County-City Building, Tacoma, Washington 98402.

WEST VIRGINIA

A, B—R. C. Hood, M.D., Director, Migrant Health Project (MG–123), Berkeley-Morgan County Health Department, 209 East King Street, Martinsburg, West Virginia.

WISCONSIN

A, B—Mrs. Clayton S. Mills, Director, Migrant Medical Aid Program (MG–75), Catholic Diocese of Madison, Guadalupe House, Elm Acre, Endeavor, Wisconsin 53939.

A—Mrs. Al Lambrecht, Director, St. Joseph Migrant Family Health Clinic (MG–129), St. Joseph Hospital, 707 South University Avenue, Beaver Dam, Wisconsin 53916.

A—Mrs. Mary Ann Minorik, Director, Waushara County (Wisconsin) Migrant Health Clinic (MG–130), Waushara County Committee for Economic Opportunity, Box 310, Wautoma, Wisconsin.

Mr. WILLIAMS of New Jersey. Mr. President, at present only an estimated one-fourth of the total migrant population has access to Migrant Health Act project services. There is, therefore, an urgent need for increased Federal appropriations if we are to provide for the expansion of present project services to provide adequate coverage for the migrant worker and his family. Such expansion will add to the value of diagnostic service now offered and will make possible the funding of new projects where they are needed now. An increased number of health projects, both in home-base areas and in communities along the migrant stream, are needed so that the migrant family will have the opportunity for uninterrupted clinical service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2688) to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services, introduced by Mr. Williams of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Washington [Mr. Magnuson] I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii [Mr. Fong] be added as a cosponsor of the bill (S. 2661) to amend the Public Health Service Act to provide for the establishment of a National Institute of Marine Medicine and Pharmacology in the National Institutes of Health.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Minnesota [Mr. Mondale], the Senator from Delaware [Mr. Boggs], the Senator from Texas [Mr. Yarborough], and the Senator from Hawaii [Mr. Fong] be added to my bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, this brings to 25 the number of our colleagues that have joined me in cosponsoring this measure. I ask unanimous consent that the names of all the Senators joining me in sponsoring S. 2147 be inserted at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The names of the Senators cosponsoring S. 2147 are as follows:

Senators Anderson, Bartlett, Bennett, Boggs, Brewster, Brooke, Byrd of West Virginia, Clark, Cooper, Fong, Hart, Kennedy of Massachusetts, Kennedy of New York, Lausche, Long of Missouri, McGee, Mondale, Monroney, Morse, Moss, Smith, Tydings, Yarborough, Young of North Dakota, and Young of Ohio.

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from Minnesota [Mr. McCarthy] I ask unanimous consent that, at its next printing, the name of the Senator from Alabama [Mr. Hill] be added as a cosponsor of the joint resolution (S.J. Res. 54) proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOWARD A LASTING PEACE IN THE EASTERN MEDITERRANEAN

Mr. KUCHEL. Mr. President, the world cannot allow another outbreak of conflict in the Near East. Three times in the past generation, Israel and the Arab nations have gone to war. Each time the issue has turned on the survival of one people as a nation. Each time the weaponry has been more sophisticated and deadly, the cataclysm more horrendous. Each time we have called on the United Nations to achieve settlement. And each time, so far, we have failed to achieve a lasting peace.

The next time, and God forbid that it should come to pass, the antagonists will probably have missiles, maybe with nuclear warheads. The instruments of war have been improved—if that is the word—to kill more people with greater rapidity, as they have become more easily available and far easier to operate. The pushbutton generation of nuclear missiles is not far away. Any nation, regardless of its technical ability, will be able to train a man to pull a lever, once a helpful technician from some "advanced country" like the Soviet Union, has tuned the guidance system, armed the warhead and aimed the missile toward the enemy nearby or far away.

Next time, Mr. President, it will be too late. The time is approaching when the fate of the entire world will depend on keeping perennial trouble spots like the Near and Far East from coming to the flashpoint. We now have an opportunity to reach a settlement in the Near East. There at last appears some disposition on the part of the nations of the Eastern Mediterranean to recognize the danger and to seek peace. Moreover, the long experience of the United Nations together with the clear interest of the majority of the world powers in avoiding conflict over the holy land are clear and positive factors.

In the past month, in the course of speaking engagements in the State of California, I have attempted to outline what I believe to be the essential guidelines of settlement. Two elements are clearly necessary. First, a series of agreements providing for diplomatic recognition, defensible frontiers, commercial and cultural relations between Arabs and Israelis, as well as free use of international waterways and, hopefully, cooperation toward economic development. Second, a system of guaranteeing through timely use of neutral force, those agreements, once reached.

Mr. President, I ask unanimous consent that two speeches which I recently gave in California outlining these proposals be placed at the conclusion of my remarks in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KUCHEL. Let me state briefly what I propose. The settlement between the peoples of Israel and the Arab nations must take full advantage of the historic, geographic and spiritually strategic position of the holy city of Jerusalem. The city must continue to remain united as the capital of Israel, providing through international agreement on administration of the holy places, a center of world harmony for all who honor that hallowed ground. Jerusalem offers today, as it did in the time of Our Savior, a unique meeting place for the commerce and culture of Palestine and of the entire eastern Mediterranean. It could provide, by means of a customs-free access to the sea, an open door for Arab commerce, and a meeting point to exchange ideas of all kinds, technical, political and artistic. Reunited and flourishing, it would draw visitors and revenue from the entire Western World.

Any agreement on territory, whatever it may be, will require for some years to come the guarantee of a neutralizing force to prevent major border clashes to assure one side against attack from the other. Decades of hostility will not pass overnight. There is need for a friendly policeman. I suggest it is high time for the creation of an international peacekeeping force under the United Nations to meet this need. Using the increasingly powerful observation capabilities of an artificial satellite this force could gain ample warning of large-scale troop movements. With airborne troops provided by acceptable donors, such a force, under U.N. command, could be based at a nearby, neutral point, like the island of Cyprus where their very presence would be an added boon to stability.

These suggestions might seem fanciful to those who continue to do their thinking in yesterday's world. But tomorrow is too soon and too frightening for our great Nation not to dare to contrive the necessary devices of peace among men. The holy land is the place to start.

EXHIBIT 1

THE VISION OF HOPE: A NEW JERUSALEM

(Partial text of remarks by U.S. Senator Thomas H. Kuchel before the Professions & Finance Group of the City of Hope, Beverly Hilton Hotel, Beverly Hills, Calif., October 22, 1967)

I deem it a great honor to be here this evening. I share your deep concern for the human condition, and I am pleased to have this opportunity to speak briefly with you about the hopes and fears of our world in this era of exploding change and of almost constantly expanding horizons. The persistent advance of the City of Hope, reaching out to increasing numbers of men and women in Southern California, and throughout the world, is testimony of the indomitable good will of its membership and of your determination to put scientific achievement at the service of mankind. Your insistence on the sanctity of the individual, his right to life and freedom, to dignity and to equal treatment, bespeaks the very heart of the American philosophy. The City of Hope has opened its doors to all, regardless of creed, status, origin or pocket book. Your determination to deal equally with rich and poor, the humble and the high, fully expresses the best teachings of our common culture.

The selfless human effort, exemplifies a kind of wisdom that is all too rare in our society today. You dare to hope, when many others, out of fear and cynicism, have despaired.

I have read with deep interest of the achievements of the City of Hope in developing chemical agents which will help in the treatment of epilepsy and other convulsent diseases. These discoveries resulted, in part, from unrelated research connected with protection of workers in our aerospace industry. It is an exciting example of human ingenuity profiting from the increasing interplay among the growing scientific community here in California. It demonstrates in real terms, what we all feel to be true, that, here in our State, the phenomenal growth of human knowledge has put us at the frontier of the modern world. Men and women in California are meeting challenges and finding opportunities which other societies will not experience for years to come. What we do here will have a critical impact on the future of all mankind.

Through its contributions in mass communications, in motion pictures, radio and television, California has changed thought patterns throughout the world. So, too, will its advances in electronics, aero-space, high-energy physics, and medical science. I am proud that the human dimension, as shown in institutions like that which we honor tonight, has been given due emphasis. Never before have men held so much power over nature. This is an awesome force, and we must bring it out of the shadow of fear into the light of human progress. You are not going to stop progress—or change—for that matter. Science is going to continue unlocking doors and making great new discoveries, and the rest of us had better get along with the growing need to improve ourselves and strengthen whatever virtues the human race has been able tenuously to acquire. For all the newly found powers over nature—for good or for evil—are going to be in human hands to utilize.

The work on epilepsy underscores an essential point—advance in the modern world is a product of many minds, many views, and many elements of knowledge all working together in common service to mankind. This joining together of thought in free association is the bedrock of our American system, of our democracy.

Our own traditions of behavior drawn from the teachings of many great religions have helped to build a peculiarly American sense of common values, of individual dignity, human rights, free give and take and fair play. These are a product of our Judeo-Christian culture. They are enshrined in our proudest national documents—in the Declaration of Independence, the Constitution, in the Biblical cadence of Lincoln at Gettysburg. These origins are distant. They reach to the source of what we call Western civilization. They trace back to the stone passages, the Temple walls, the aged olive trees of the still-living, sacred city of Jerusalem.

Last fall, together with my wife and other members of the American delegation to the 1966 session of the Interparliamentary Union in Teheran, I wandered through the teeming, timeless streets of the Old City. I paused, in awe, and for a long time, in the Dome of the Rock, where we are told Abraham brought his son Isaac for sacrifice to the Lord. No American with any sense of history can escape the overwhelming vision of human struggle and aspiration and the inspiring faith in a Supreme Being which remains palpably etched in the ancient stones and holy sites which remain. Our common culture, though drawn from many parts, has a central origin in the teachings of this great mystical, ancient city.

Jerusalem was divided when I visited there. It is not divided today. It must now, I think, remain united—united not merely as the capital of a thriving state of Israel, but as a living joyous center for the celebration of harmony in our Western world. Jerusalem remains the city of hope for Christian, Muslim and Jew. Its division has been, for the past 19 years, a symbol of despair for the establishment of peace on this earth. Its unity now ought to give rise to new possibilities for brotherhood. We all have a stake in that cause.

As a member of the United States Senate and an American, I strongly believe that the continued unification of Jerusalem, both as the capital of Israel and as a world religious center, must be a cardinal objective of the foreign policy of the United States. On June 5, 1967, I was the first member of the Senate in those first anxious hours of this summer's conflict to address the Chamber and call for a settlement recognizing Israel's right to live in peace and freedom. And I pointed out shortly thereafter that any such settlement must recognize the Israeli claim to a unified Jerusalem as its capital.

Reunited, Jerusalem is now, as it was in the time of David, the key to stability in the Holy Land. It lies athwart the rugged Judean hills between the fertile Plain of Sharon and the Valley of the Jordan. Since earliest times, it has stood astride major trade routes to the Arabian hinterland. It has been a meeting ground for the peoples of Palestine. But for the past two decades, it has, alas, represented cleavage and hostility. It is therefore today a proper place to begin to repair the peace of the Near East—to remove that area from conflict between East and West.

For reasons not readily apparent, there has been little definition in America's policy in the Near East. America has, to a large extent, carried water on both shoulders in what Administration leaders have called an "even-handed policy".

The job of a great world power is not to play cat and mouse with the destiny of peoples. The recent conflict has shown that the people of the United States believe overwhelmingly that they have a direct commitment to the safety, integrity and prosperity of the people of Israel. In my opinion, the United States has erred in trying to conceal that point from the Arab nations, friendly or otherwise. We have permitted the so-called Palestine problem to move us, rather than striking the firm position, which the people of the United States insist we take. This has been no service to our diplomacy, to Israel, or even to our few remaining Arab friends. We have, by our unwillingness or our hesitation to proclaim our stand, given unwitting cause to continued Arab emotionalism and hostility.

The time has surely come to make our position unmistakably clear. This is not to imply that America has no role to play among the Arab peoples, nor that they should be abandoned to the socialist camp. In the long run, nothing would be more harmful to the interests of Israel, the United States, and of world peace. Despite the shrill propaganda of some of their leaders, there are some realists in the Arab world. It is to our benefit to encourage them and to bring them to the negotiating table, and most important, to seek assiduously to bring their peoples together with the people of Israel in mutual understanding.

In this cause, the city of Jerusalem will again play a major role. It occupies once again a strategic crossroad. In this Holy City we all have a continuing concern, as communicants and seekers of truth. The Israeli government has announced its interest in working with the Vatican on administration of the Holy Places. It has already signified that it will adhere to its longstanding policy of placing them under international control.

An avowed and accepted international interest in Jerusalem would make it a drawing point for peoples all over the world. The benefits to be derived from this would redound to the whole region. Even before the conflict of last June, the anemic economy of Jordan had learned to profit from the tourist trade, and had done so despite the ridiculous rigamarole associated with the Mandelbaum Gate—now, thankfully, passed into history. With the free movement of people which a real peace would bring to the Near East, that traffic would increase many times. Certainly, there is no question that under the present arrangement more people will be able to visit the Holy Shrines than ever before. An intelligent policy on the part of Jordan, Egypt and Lebanon, if that is not too ephemeral to contemplate, would extend those benefits to the entire Eastern Mediterranean.

But it is not simply a tourist economy that would flourish after a true peace in the Holy Land. Large sections of the Arab world, particularly Jordan and Southern Syria, have been closed off from access to the sea. This folly of Arab intransigence has diverted large quantities of trade through the Port of Beirut which ordinarily would have passed through Haifa, Gaza, and Jaffa. It would be to the advantage of all residents of the Holy Land to establish a free market to Jerusalem for Arab produce, both agricultural products and handicrafts. This would provide immediate advantages of a greater market to both sides. Combined with free access to the sea and a customs zone at one of Israeli's teeming ports, the Arab hinterland would find a strong pull of self-interest toward continued peace and understanding with the people of Israel.

I have long believed that the self-interest of the peoples of the Near East was the principal force that would bring them together in the peaceful existence which we all devoutly desire. Arab produce has an ample market in the growing industrial economy of Israel. Israeli technology has much to offer the Arabs. Such an exchange, incidentally, would redound to the great advantage of the United States. It would not only reduce the need for aid grants but would put Arab development on a long run, self-sustaining basis. Some years ago it was the claim of Tel Aviv that it had more doctors per capita than any other city on earth. No similar statistics come readily to hand from Amman or Jedda, but is evident that the situation is far from the same. Indeed, the Arab need for modern knowledge can be nowhere better filled than by a people whose homage to human wisdom is second to none.

As a Californian, and ranking Republican member of the Senate Interior and Insular Affairs Committee, I am particularly intrigued by the possibilities of the Eisenhower plan for joint development through nuclear energy of the water resources of the area. Religious, racial, and national conflicts in the Middle East are, themselves, a symptom of the staggering difficulties of life in a harsh, desolate and arid portion of the world.

More than ten years ago, President Eisenhower determined to help alleviate these frightful shortages of food and water. He sent his personal emissary, Eric Johnston, to the area to try to bring the Arabs and the Israelis into agreement on a comprehensive plan for the development and allocation of the waters of the Jordan River. Regrettably, that effort failed, but the idea of cooperative water resource development in the Middle East did not die.

This summer, former President Eisenhower and his Atomic Energy Commission Chairman, Admiral Lewis L. Strauss, proposed a daring new approach to bring water to the Middle East. The Eisenhower-Strauss proposal would locate three massive dual-purpose nuclear powered desalting and electric power generating plants in the Middle East. Two plants would be located on the Mediterranean coast of Israel, the other at the northern end of the Gulf of Aqaba in Jordan or Israel.

Earlier this year, both Houses of the Congress approved, and the President signed into law, my bill to allow the Department of the Interior to participate financially in the construction of a 150 million gallon per day desalting plant off the coast of Orange County in Southern California. The Orange County plant is about fifty times larger than any desalting plant operating in the world today.

The first stage of the bold Eisenhower-Strauss proposal will be a 450 million gallon per day plant; three times larger than the one authorized for Orange County. This first plant would produce electric power far in excess of the present needs, but industry and prosperity would quickly follow the availability of abundant water and power.

Technical problems undoubtedly exist, but they should not bar a serious attempt to implement the Eisenhower-Strauss proposal. The Senate Foreign Relations Committee now has pending before it a resolution, of which I am a co-author, to put this plan into action. The Eisenhower-Strauss plan would provide jobs for refugees, would increase the productivity of desert wastelands, and would give Israel and the Arab governments a common basis for cooperation.

Indeed, the possibilities for future development of what once a wandering people called the Land of Milk and Honey are almost boundless. As we who live in the equable, but semi-arid, climes of Southern California know, the soil can produce unbelievably once water is available. All of this requires cooperation and understanding, trust and comprehension. It cannot be done without establishing a deep conviction that the long run interests of Arabs and Jews in the Near East are joined and not antagonistic.

In the effort to achieve understanding the arrangements for Jerusalem are absolutely crucial. To each religion Holy Places of the other are sacred. In Hebron the tombs of Abraham and Isaac are sealed, in the custom of the Muslim tradition. They are patriarchs to Islam as well as to Jews and Christians. At least four Christian churches claim dominion over the Church of the Holy Sepulcher. The rock where Abraham offered to sacrifice Isaac is part of the Mosque of Omar. There are now differences of opinion over the administration of the Wailing Wall. Any one of these problems would be a political hot potato of the first magnitude in our country. The Government of Israel will need help in meeting each problem, and, probably would seek broad support for the administration of these areas. Certainly, it has given every indication that this will be the case.

The peace and security of Israel must remain a major concern of America and her people. In Jerusalem, and its great treasures of history, lies the Holy Grail of this noble cause. If men of all faiths are able to pray together in Jerusalem again, the city will inevitably become the center of understanding in the Near East. With wisdom, foresight and courage, that understanding may bring the peace men have long been seeking, not merely for Israel, but for all the world.

THE PROGRESS OF HUMAN BROTHERHOOD IN THE LAST HALF CENTURY

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL, before the Israel Bonds Organization, northern California area, Fairmont Hotel, San Francisco, Calif., November 5, 1967)

I am deeply honored to accept this high award bearing the name of a great American humanitarian and statesman. The late Herbert Lehman was my friend and colleague. His wit, intelligence and warmth live on and they occupy a special place in my memory. He will long be honored in the history of our country as a crusading Governor of the Empire State, a guiding spirit in the worldwide effort to rebuild devastated Europe at the close of the Second World War, and an undaunted and outspoken member of the United States Senate.

Herbert Lehman was well ahead of his time. He saw the needs of the human heart and the human spirit as the aftermath of global conflict ushered us into a startling new era. Together we served in the United States Senate and fought side by side in many battles where the rights of people were involved, battles to achieve equality of opportunity for all, battles against disease, battles to bring our national resources to bear on the problems of the aging and the aged. He will long be remembered for his deep interest in eradicating the scourge of infantile paralysis from our society. A dozen years ago, he authored the Senate Resolution providing the means by which the Salk vaccine was made available to the people of our nation. And close to his heart, as an American, he was earnestly devoted to the cause of a free and flourishing state of Israel. His was a concern for people, for justice, and for the right.

My fellow Americans, in the past 50 years the earth on which we live has witnessed vast and unbelievable change. There has been a quantum jump in the problems of the human race, including the very problem of survival. Unfortunately, the countervailing increase in added wisdom or new devices to deal with them has not kept pace. Alas, human virtue does not grow as fast as scientific discovery. But we have learned much from men like Herbert Lehman. Our experience has shown us clearly that free nations need each other, that we progress when we act in concert. Conversely, we fail when we seek to withdraw in isolation. For the days of isolation, of living alone on this globe, are gone.

In my early days in the Senate, Herbert Lehman and I served on the Committee on Interior and Insular Affairs. It was added evidence of his interest in conservation, for he was, indeed, an ardent conservationist. He was keenly devoted to the preservation of the resources of this country and of our great natural and aesthetic treasures. My theme tonight concerns the progress of the past half century. There are many important milestones. Next year California will be celebrating the 50th Anniversary of the Save-the-Redwoods League, which brought forth the concept of preserving our majestic groves through private philanthropy. Herbert Lehman staunchly believed in these labors. Were he alive today, he would count as one of the achievements of this year, 1967, the progress made in the Senate, when, last week it overwhelmingly adopted an excellent piece of legislation, from his Interior Committee, establishing a Redwood National Park in Northern California.

This is one of the hopeful signs. The redwoods share with the ancient olive trees of Jerusalem the unique and moving distinction of continuing their existence through all of the past two thousand years, since the time when leaders of the Roman Empire caused the most cruel dispersion of the peoples of Palestine. Through all of the tempestuous, intervening centuries, the trees in Gethsemane and here in California have stood as living sentinels of hope for better times, and for a deeper aprpeciation of the miracle of Creation and of eternity, and for the resurrection of the good name and good deeds of the children of the Lord.

I recall one more half-century celebration. Fifty years ago, on November 2, 1917, the leaders of another far-flung empire proclaimed in a now historic document that it "viewed with favor the establishment in Palestine of a national home for the Jewish people." The Balfour Declaration bore witness to a growing conviction in the Western world that the return of the peoples of Israel to their home in the Holy Land was an article of deep and abiding faith, and an essential element in human progress.

The American people have wholeheartedly supported this movement. In 1891, President Benjamin Harrison received a memorial calling for the creation of the new Israel. In 1922, the Congress of the United States adopted a resolution introduced by Senator Henry Cabot Lodge, Sr., of Massachusetts favoring "the establishment in Palestine of the national home for the Jewish people." In 1944, my own Republican party and the Democratic party incorporated this goal in their national platforms. This has been a bipartisan cause of all of the people, and shall so remain.

The State of Israel was formed in the aftermath of one of the bitterest conflicts in human history. The world has not yet been able to comprehend the full horror of the sufferings of the Jewish people of Europe. The creation of Israel was an act of atonement by those who would build a new world, hopefully created on the principles of equality, brotherhood and the noble freedoms which are at least designed to set man apart from beast, and to give him the chance to vindicate his creation in the image of the Lord. Our relationship to the people of Israel has a deep meaning in the American spirit. The Psalm states:

> "Except the Lord build the house,
> They labor in vain that built it.
> Except the Lord keep the city,
> The watchman waketh but in vain."

So, too, my fellow citizens, it is with the world. The resolutions of the problems of the human race are far more of the spirit than of the flesh. The peace of this earth is ultimately dependent on the divine hope of brotherhood and on its extension as a working principle in the behavior of nation states.

The last 50 years have not all been marked by progress in this quest. The vast surface of Eurasia has been the host of a new doctrinaire and materialistic view of life discounting the force of human initiative, mocking the spirit of equality, and destroying brotherhood among peoples who have long sought freedom. This is the 50th year of the creation of the Soviet Union. There is no freedom for the Jews of that nation today—nor has there even been—for those who in past years have given so much for their motherland. Their religious observances are stifled by administrative decree, and their hope to return to the land of their forefathers has been systematically frustrated and betrayed.

I am not here this evening to exercise the spectre of atheistic Communism. But, I must state frankly, that those who live on this side of the world need to look to friends and to allies not only for mutual protection, but for the necessary energies and inspiration to achieve at least a rudimentary system of world security. This must be made not only of firmness and conviction, but of compassion and understanding. At the end of the Second World War, when the human race had been horrified by the ravages of global conflict, there arose like a phoenix from the ashes, a bright new confidence that peoples could join together in reason and, using the processes of debate and deliberation, amicably settle their differences. Here in the City of San Francisco, this hope gave rise to the Charter of the United Nations. But that great "Town Meeting of the World" was not enough. I am a devoted supporter of the United Nations, but the miracles we hoped it might achieve did not come to pass. The need for collective security among free nations soon called forth the North Atlantic Treaty Organization, a military defensive system against potential Soviet aggression. A new chapter in American foreign policy began to unfold. For the first time in our history, we began to agree, in advance, to come to the aid of a friend. Other agreements were later made across the globe. These arrangements were not only military; they sought to find a basis for arms control agreements, and to advance the cause of peace through economic development, in a lasting solution of the age-old ills of pestilence, famine, and forlorn poverty.

This, too, was a bipartisan effort. I recall with great pride one of my illustrious predecessors, Senator Arthur Vandenberg from Michigan, who spoke out two decades ago to bring to our country a clear understanding that there must be an interdependence among free peoples, that the United States could not—cannot—"go it alone." But the great hopes for world-wide security, so bright in the aftermath of the Second World War under men like Winston Churchill, Dwight D. Eisenhower, and John F. Kennedy, have paled into disillusionment. France's De Gaulle, Egypt's Nasser, and other narrow nationalists, refuse to accept the principle that one people's freedom is in pawn to another's safety.

In this nuclear age no one nation can stand alone against all comers. Ours is an interdependent world.

Once we lived in the secure protection of the dividing oceans, two vast moats separating us from any potential foe. Today, any city on earth can be largely obliterated within moments by the flick of a finger. And logic or reason are not necessarily a part of the process. The order for the flick may come from either a reasoning or unreasoning mind.

Militarily, the United States is more powerful today than at any time in her history, but she has less security than ever before. That is the supreme paradox of the nuclear age. The discoveries of science, and the streaking speeds of transportation and communication with 12,000 mile per hour intercontinental ballistic missiles have effectively and permanently eliminated the idea of living alone. Isolation is all gone and nothing can bring it back. Whether we like it or not, we are all, American and Russian, Chinese and French, Israeli and Arab, ultimately in hock to the reasoning process of a relatively small number of people who control the levels of power in the bastions of the expanding memberships in the nuclear club.

All nations who value their independence have a common interest in and a responsibility for the defense of the free world. But, today the concept of collective security, so hopefully unveiled as a sound deterrent to war, is in a sad state of disrepair.

Not only has that interdependent system been weakened, but the United Nations has far to go to fulfill the promise which attended its birth. There is no area of the world in which the United Nations has more experience than in the Near East. It was the midwife at the birth of the nation of Israel. The United Nations has for nearly two decades maintained supervisory activities along the border of Israel and her neighbors. With substantial American assistance, a United Nations relief and works agency has continued to feed thousands of homeless refugees, whom the Arab nations would not absorb. These issues remain unsolved and seemingly insoluble.

The difficulties which beset the United Nations are a reflection of the disunity among world leaders. In my view, the realistic hope for peace in the Near East depends on a firm commitment of the so-called "Great Powers," the United States, the Soviet Union, and the nations of Western Europe as well. Without this commitment to a stable peace in the Near East by all protagonists in the present precarious balance of world power, that region will continue to be a cat's paw for nationalist adventurism. The Near East remains the crossroads of civilization between Europe and Asia. The Suez Canal is as important to the economy of the Soviet Union as it is to Great Britain—and as it ought by international law to be to Israel. No settlement which permits discrimination in the uses of that waterway or fails to open free communication among all the peoples of that area is likely to endure.

As the ten-year history of conflict between Israeli Defense Forces and those of the Arab states surrounding them has shown, there will be no victory for Arab nations bent on the destruction of Israel. Little groups of willful leaders, putting their hopes on shiny new weapons, readily supplied by Communist Eastern Europe, threaten the world with the horror of global war, without so much as a "by your leave" to the rest of us. But the complete rout of the Arab Army in the deserts of Sinai, for the third straight time, ought to provide a severe and instructive lesson. The Arab leaders must learn that peace will not come to the Near East by recourse to war nor by recurrent demands for the destruction of Israel. Israel is a political, economic and geographical fact of life on earth.

The Arab nations must know too that their aims cannot be achieved simply by acquiring modern arms. The Soviet Union has attempted to turn the Near East into a battleground of the Cold War. But the arithmetic must be equally clear to them. It has cost nearly $2 billion in Soviet arms to the Near East and, with recent shipments, that cost is rapidly going up. Both the Arabs and the Soviet Union surely recognize the failure of their last adventure. Certainly, the Arabs and the Soviets must begin to realize that neither they nor the rest of the world can afford a crisis in the Near East every decade.

The world is growing restive under the continued pressure of the division between the Communist and the Free. But that does not alter the hard fact that no agreement on the Near East can be enforced by the United Nations, or by anyone else, unless all interested nations, and surely the super powers, are committed to such an agreement and take responsibility for its enforcement.

That is not going to be easy to achieve. Old alignments are falling away. Our once gallant ally, France, now views the situation with a combination of glacial indifference and commercial opportunism. The Communists too have their problems. Rumania shows an unaccountable independence. She has rightly refused to join in parroting Moscow's condemnation of Israel. Similar grumblings have been heard in other parts of Eastern Europe.

It is now doubly important that we in the West keep together those of our allies who remain steadfast. The United States has a long-standing tie to the State of Israel. Americans acknowledge a direct commitment to the safety, integrity and prosperity of that country. In this, our people have been ahead of our government. In my opinion, the Administration has erred in trying to conceal that fact from the Arab nations, friendly or otherwise. We have allowed the so-called Palestine problem to manipulate us, rather than sticking to our position which the people of the United States insist we hold. This has been no service to our diplomacy, to Israel, or even to our few remaining Arab friends. We have by our unwillingness, or our hesitation to proclaim our stand, given unwitting cause to the Arab emotionalism and hostility.

The long-term solution to the Near East question requires, in my view, deep candor together with reason and frankness on all sides. It is comparatively easy to draw a balance sheet showing the interests of each protagonist and, by a simple mathematical process, to chart the prospective courses of negotiation. Geography does not change. Twenty years hence the peoples of Israel and of the Arab nations will be living, as now, side by side. It will always be in their common interest to live in peace.

The real Near East question, then, is why doesn't this happen? The United Nations has the experience and most of the necessary means of diplomatic communication and intelligence. The so-called "Great Powers" have every reason to avoid conflict. Finally, there are a few simple steps which could be taken to insure the maintenance of a settlement, once it is reached.

The textbooks today are full of commentaries on "neutralization" as a means of stabilizing crisis areas by taking those regions out of the contest between the so-called "Great Powers" and achieving a fair balance of forces between opposing sides. This solution can only be applied, however, when a mutual interest in settlement can be clearly perceived by all—and, most important, when each side recognizes that the other has more to gain by settlement than by chaos and conflict.

There are many who propose neutralization for Southeast Asia. This could, some years from now, be the final answer. But this possibility is far from reality. Neither the necessary scope of understanding, nor even the intent to communicate, now exist between Hanoi and the rest of the world. And some of the powers of the Orient, notably Red China, have yet to show that they have any interest in arranging a settlement. On the contrary, their determination to persevere on the battlefield is increasingly apparent.

There is also a communication problem in the Near East, but it is not so stubborn. Israel seeks peace and security. She needs defensible frontiers and the recognition of her right to use international waterways.

Finally, she will not, and cannot, be expected to part with the now unified City of Jerusalem. The Arab nations also need peace. They must at last overcome their irrational fears and they must acknowledge a crying need to turn swords into ploughshares in a determined effort to overcome centuries of poverty and ignorance among their own people. The more enlightened Arab leaders know this, but they seem to be afraid of their own propagandists and provocateurs, who for years have made their daily bread out of a steady diet of hopeless, vindictive polemics.

It may be too much to hope that peace might proceed without incident. Visible guarantees will be required. The one element long lacking in the arsenal of the United Nations is a permanent international peacekeeping force. Today, there is a need and an opportunity to create such a force in the Near East. The experience of the United Nations Truce Supervisory Organization, whatever its triumphs or its failings, is common to all concerned. Modern technology and the peculiar terrain of the Levant offer unique opportunities to provide instant intelligence affording a U.N. force the earliest possible warning of military movements.

Earlier this year, I proposed an artificial satellite to watch over the Holy Land to provide intelligence on large scale military movements in the area and to give a genuine advantage in guarding against surprise attack. Such a satellite could be built with the equipment used in our civilian lunar orbiter program. It would give a U.N. peace force and other elements on the side of peace an opportunity to take quick and effective action—in any case, it would be better than the hand wringing around the world which accompanied the outbreak of hostilities last June.

I would add to that proposal the possibility that an international force be created from airborne units assembled from forces of acceptable donor nations and given a permanent base in the Near East. Mobility is essential. A peace force must be able to put itself between opposing forces without delay. Airborne troops would be required. The satellite warning system would be on guard. The peace force would have every opportunity to act rapidly.

I propose that serious consideration be given to using such neutral ground as the Island of Cyprus for this purpose. The Island has long been a base for military activity in the Eastern Mediterranean. A U.N. force is already stationed on Cyprus to help reduce ethnic disturbances. A permanent U.N. presence would be a strong weight toward stability. It would act as a further guarantee of the independence of that strategic Island both in terms of tempests of the Near East and of the larger conflicts of the Cold War. It would bring an added measure of stability to the Eastern Mediterranean, and an opportunity for Cyprus to live in a true neutrality.

It is high time that the United Nations proceeds to the issues it was created to solve. A peacekeeping force in the Near East is essential. In my view, the rational nations on earth must recognize its necessity. The United States must play a leading role. It is vital to the Near East, to the United Nations, and to the entire world that we move now, effectively and with imagination, to build the devices that will guard stability and prevent conflict. The Holy Land ought properly to be the first beneficiary of what ingenuity we can offer to the cause of peace among men. If, in the past fifty years, we have failed to keep up with the proliferation of man's problems, it is because we have failed to apply our creative spirit with full vigor. We have delayed too long. Too many costly battles have been fought and refought without hope of achieving an end to bloodshed. The time to act is now, while the opportunity for settlement is at hand.

The American people believe deeply in peace—no matter what our critics abroad may say to the contrary. We, all of us, Americans and Europeans, the Communists and the Free, must find common ground in forging the implements of international settlement, and making them stronger than weapons of war. Israel and the United States are nations which clearly perceive the importance of that cause; they must now act in concert toward this goal.

There is in the City of Jerusalem, which was divided when I visited it a year ago with my family, a new spirit. That city must now remain united—not merely as a capital of the thriving State of Israel, but as a living and joyous center for the celebration of the harmony of our world. It is a city of hope for Christian, Muslim and Jew. Its division for the past 19 years has been a symbol of despair for peace on this earth. And its unity now as the capital of Israel, and a world center of international religious activity should open a wide door to understanding among all peoples who acknowledge a common legacy from that hallowed place.

We seek harmony among nations as we seek brotherhood among men. The experience of the past 50 years has brought a fuller realization of the frightening problems of our time. But I firmly believe that the maturing relationship between the United States and the people of Israel can stand as a hallmark of international commitment which all peoples must give to one another, if man is to endure and thrive.

SOCIAL SECURITY AMENDMENTS—WELFARE PROGRAMS NEED HUMAN TOUCH

Mr. HARRIS. Mr. President, I rise at this time to complete the legislative history of two amendments to H.R. 12080, which were sponsored by me and other Members of the Senate, and which were adopted in the Committee on Finance. The amendments to which I refer are amendments Nos. 400 and 401.

Mr. President, I wish to incorporate at this point, by reference, excerpts from the Record of previous sessions which show other statements I have made concerning these amendments. Originally, when the amendments were submitted, I made a statement which is contained in the Congressional Record of October 16, statements by me concerning and explaining these amendments are contained in the Congressional Record in the pro- 1967, beginning at page 28920. Other ceedings of October 20, 1967, October 23, 1967, at page 29674, October 26, 1967, at page 30189, and October 31, 1967, at page 30647.

Mr. President, I believe these two amendments will bring about great improvements in the present welfare systems of our country.

Amendment No. 400, which has the endorsement of the National Association of Social Workers, Inc., and also the National Association of Counties, makes provision for the State plan of each State to provide for the recruitment, training, and effective use of community service aides and social service volunteers in their welfare programs.

It is intended that particular effort would be made to use men, and not just women alone, as community service aides. It is intended also that these community service aides would be recruited primarily from the poor and those who would otherwise, except for their salaries under such programs, be recipients of welfare, to work in the communities in which they live. These people will be far better able to communicate with the welfare recipients, better able to explain public assistance and other community programs to them, and better able to help those who administer State public welfare programs make such programs most effective and most helpful.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRIS. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, the amendment also provides for the use of social service volunteers on a nonpaid or partially paid basis. It is intended that these volunteers, in addition to coming from the more affluent segments of American society, would come also from among the poor themselves.

This amendment would be effective January 1, 1969, a date which was changed in committee. I wish to point out that the date was changed only because some legislatures will have to meet in 1968 in order to change their basic law under the State welfare system plan.

It is certainly my intent and the intent of the other sponsors of the amendment that we would not have to wait until that date to implement the program, but that the States and the Department of Health, Education, and Welfare would move rapidly ahead to do so as soon as possible.

JOHN BARRETT DAY PROCLAIMED BY GOVERNOR OF VERMONT

Mr. AIKEN. Mr. President, one of the more important international organizations of which the United States is a member is the Organization of American States. The predecessor of that Western Hemisphere organization was the Pan American Union. The prime mover in the Pan American Union was Dr. John Barrett, who was born and raised in the town of Grafton, Vt., which incidentally happens to be the town in which both of my parents were born and raised.

Mr. President, November 28 will be designated tomorrow by Gov. Philip H. Hoff, of Vermont, as John Barrett Day, and there will be an observance in the town of Grafton, Vt.

I ask unanimous consent to have printed in the Record a paper prepared by Dr. Vernon Reyman, of Grafton, Vt., who is the chairman of John Barrett Day, which sets forth the life of Dr. John Barrett and the story of the organization of the Pan American Union.

There being no objection, the paper was ordered to be printed in the Record, as follows:

A PAPER PREPARED BY DR. VERNON REYMAN, GRAFTON, VT., CHAIRMAN OF JOHN BARRETT DAY

JOHN BARRETT (1866-1938)

November 28 has been designated by Hon. Governor Philip H. Hoff of Vermont as John Barrett Day.

To set aside this day is not only fitting and proper in view of the trip made by President Johnson to Punta Del Este, Uruguay last April, hopefully, to breathe new life into the Alliance For Progress and to promote Latin American economic cooperation, but this day seems even more significant because of the man who had so much to do with the successful beginnings and development of Pan-Americanism.

There stands in Grafton, Vermont opposite the Old Tavern, where the road leads to Townshend and Newfane, a large impressive white house in front of which stands a granite rock on which a plaque silently says:

> John Barrett, Diplomat and Builder of the Pan American Union, born here November 28, 1866.

Hon. John Barrett was not only born in Grafton, Vermont but his deep love and affection which "bound him to family and to place" has always been an integral part of his life. He attended the village school, then Vermont Academy, graduated Worcester Academy in 1884 and received his AB from Dartmouth College in 1889 which college among others later bestowed upon him an honorary LLD degree for his "long and distinguished career".

After college he taught in California only to take up newspaper work and for four years on the Pacific Coast he was convinced that the development of trade with the Orient "was a sure means of prosperity."

Before the age of 30 President Cleveland appointed him Minister to Siam from 1894–98 settling American claims worth millions of dollars by arbitration and "to the satisfaction of all involved."

During the Spanish American War he worked for a chain of American newspapers in the Far East as their foreign correspondent and at the close of the war he accepted an appointment as delegate to the Second International Conference of American States in Mexico City in 1901.

This was followed in 1902–3 by a trip around the world to secure most countries representation and participation in the St. Louis Exposition. After this mission was completed his Latin American interests were aroused. He entered the diplomatic service in 1903–4 serving as Minister to Argentina and then first Minister to Panama (1904–5). Theodore Roosevelt transferred him to Colombia to settle our controversy with that country over the Panama Canal. President Roosevelt at first suggested several others to President Rafael Reyes but the latter wanted Dr. Barrett with whom he had "good relations".

Secretary of State Elihu Root met Dr. Barrett in Rio de Janeiro in 1906 at the Third International Conference of American States, recognizing in him an enthusiastic and extremely able personality. This led to the appointment of Director-general of the Bureau of American Republics. John Barrett tackled this job in 1907 with vision and confidence. This set in motion 14 years of assiduous work among the South American republics culminating not only in the name-change at his initiative to the Pan American Union but it was also through his influence that Andrew Carnegie was persuaded to contribute generously to the building of the beautiful marble structure in Washington, D.C., now occupied by the Union and dedicated on April 26, 1910.

It was at that dedication that Andrew Carnegie praised the Director-General Barrett as "a man whose abilities to meet all emergencies has been truly surprising; nothing could shake his devotion to his mission and heart and brain was one in the cause."

It was Dr. Barrett who had entire charge and responsibility for the construction and maintenance of the building—a center for growing cooperation in the Americas advocating increased understanding for the Pan American cause and dedicated to "peace-friendship and commerce."

John Barrett held many distinguished high posts and in 1899 was commercial commissioner in China, Japan, Korea, Formosa, Siam, Cambodia, Java, India, Borneo and the Philippines.

He later presided over the First and Second Pan American Commercial Conference held in Washington, D.C., in 1911 and in 1919.

As a newspaper man in Manila he met and advised Admiral George Dewey of whom he wrote a glowing biography published in 1899.

Other books Dr. Barrett published include: Latin America, Land Of Opportunity (1909); the Pan American Union (1911); and Panama Canal, What is it, What it means (1913).

Hon. John Barrett resigned his post September 1, 1920 because of "material necessities" and devoting himself to speaking and writing on international topics.

In 1934 he married Mrs. Mary E. Cady of Burlington, Vt., who died in 1937. Dr. Barrett himself died October 17, 1938 at Bellows Falls, Vermont but is buried in the family plot in Grafton, Vermont.

United States Supreme Court Justice Field said of him "his (Barrett's) interpretation of the law and facts of the case reflected greatest credit."

Said Dr. L. S. Rowe, Director General of the Pan American Union "the passing of Dr. Barrett means an irreparable loss to the cause of Pan Americanism; for 30 years he labored to promote close relations between the nations of America; during 14 years as Secretary General he enlarged the functions of the organization and strengthened its usefulness to all republics in the Western Hemisphere; his example will be a constant inspiration to renewed effort in fulfillment of the great purpose to which he devoted his long and useful public career."

On November 2, 1938 the Governing Board of the Pan American Union passed a resolution to the above and transmitting a copy thereof to the United States Government and to the family of Dr. Barrett.

As Vermonters we have every reason to be proud of this man and as Graftonites we pay humble tribute to our native son and visionary.

PROGRESS IN VIETNAM

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the struggle going on in Vietnam, which we have been inclined to overlook in the course of debate as intense as the one we had yesterday on a very different matter, and to the remarkable and most informative speech which we heard yesterday from General Westmoreland, commander of the forces of the United States in Vietnam.

There are two things that he said which are of unique significance to the country. He is the man on the job and what he says is what the United States can do and is doing, and not what others over whom we have no control say we can do. When General Westmoreland speaks of what we are doing and what we can do, it is critically important that we listen.

In his address to the National Press Club, General Westmoreland said that we will "use United States and free world forces to destroy North Vietnamese forays while we assist the Vietnamese to reorganize for territorial security."

The other point he made was that we will "turn a major share of frontline DMZ defense over to the Vietnamese Army."

Mr. President, the one thing irritating the American people most about Vietnam is directly involved in these two aspects of U.S. activities there; namely, what are the Vietnamese doing for themselves? What are the Vietnamese people doing? What is the Vietnamese Government doing? What is the Vietnamese Army doing?

We have been bedeviled for much too long with rumors and some statements of fact by authoritative newspapermen that the Vietnamese Army fights a five-and-a-half-day war, that it takes only safe positions, and that there is an enormous amount of incompetence in their army.

I know that some of them are very brave men, because I saw many of their units myself, a year and a half ago. They stand on a level with anyone's army—including our own. But a general feeling pervades this country that there is real weakness there, that they are not carrying their load, that, unlike the Republic of Korea troops, they are not growing and developing with the situation.

Mr. President, more and more the attention of the United States must be focused on that particular aspect of the subject. The people of this country—whether hawks or doves makes no difference—must insist that the U.S. Government, through its President and Commander in Chief, do all that it humanly can to fix the responsibility where it belongs; namely, upon the Vietnamese people, the Vietnamese Government, and the Vietnamese Army.

One of the most compelling reasons for phasing out in Vietnam, will be if that country does not show any inclination to carry its load.

Upon that question, there can be no dispute. We are not there fighting a colonial war. We are supposed to be helping them. We cannot help anyone who will not try to help himself.

Thus, when General Westmoreland says these two things, he is speaking very importantly in terms of the future interests of the United States and what the people all over this country want to see happen in Vietnam.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent to proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I urge the President of the United States to address the American people in a joint session of Congress and lay out for them in detail exactly what General Westmoreland means. He should spell out to what extent we are going to require performance by the Vietnamese forces themselves, to what extent we are going to condition our continued activities in Vietnam upon that performance. In short, he should tell us what is really meant by the two portentous statements of General Westmoreland which indicate a very material strategic, and perhaps even tactical, realinement of the use of our forces and the use of Vietnamese forces in Vietnam.

No one expects that we can pull out of Vietnam tomorrow, even if all the things we have urged here were to come to pass, even a cessation of the bombing: That would still be a bilateral situation; it is something the other fellow—the enemy—must take hold of and do, too.

Now, Mr. President, this much is within our control, not anyone else's; namely, the performance of the Vietnamese themselves. If we condition our activities there on this performance it could signal the beginning of the end of the war in Vietnam for the American people.

Mr. President, I urge our President—and I certainly urge Congress—to make this the line of policy for the United States. This is one thing we can get an agreement on, if nothing else. We are too sharply divided otherwise. But on this we can get agreement.

Mr. President, I shall speak to this time and time and time again, for as long as my breath will hold, because this is the key to the Vietnamese situation.

We now have the beginning, at the most authoritative level, in the statement of General Westmoreland himself to the National Press Club.

Mr. President, I ask unanimous consent that the remarks of General Westmoreland to the National Press Club be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Nov. 22, 1967]

FINAL PHASE OF WAR IN VIETNAM BLUEPRINTED BY GENERAL

(Excerpts from the text of Gen. William C. Westmoreland's address to the National Press Club)

Let me review with you the enemy's situation and our own, and let me offer my estimate of our relative positions.

Since 1925, when Ho Chi Minh arrived in Canton, China, he had actively sought to gain control of the area known as Indochina. In 1930, the Indochina Communist Party was created with Ho Chi Minh as its chief. However, since that time, the cause and methods have been similar to those of other Asian Communist Parties.

Ho Chi Minh's Party came to power amid the chaotic conditions at the end of World War II. Although the present government of North Vietnam has taken a facade of democracy, it has remained under tight control of the same small, determined group of Communists who served Ho Chi Minh in the Communist Party in the 1930s.

By 1954 it appeared to them that they had overcome the last major obstacle to the original goal. A million people had been displaced from the North, and although they were fleeing communism, they created a burden on the new government of South Vietnam. For the next few years, the Communists believed that South Vietnam would succumb politically. These hopes were dashed by the vigor of the non-Communist government and by U.S. assistance.

REVERTED TO TERROR

In 1957 they reverted to terror, both indiscriminate and selective, with the assassination of teachers and local leaders. This terror rate went up every year. Despite that it did not succeed. So, to guerrilla terror was added the military buildup of Vietcong main force units from 1959. Even this was not enough.

In 1963 and 1964 there started the military invasion from the North, when the first North Vietnamese Regiments entered the South. This almost succeeded. By early 1965, the Vietnamese government found its resolution exhausted by a decade of struggle, and its last resources committed. It was at that point that the intervention of our armed forces restored a future to the long-suffering people of South Vietnam, who grasped the opportunity.

As you know, in the midst of war the South Vietnamese have in the past year held free elections, and have turned out a larger percentage of the vote than we normally do in this country. The Vietcong have tried desperately to stop these elections by terror and intimidation. But the Vietnamese voted despite the Vietcong efforts. This mass disregard of Vietcong initiatives killed the myth that the Vietcong or the National Liberation Front speak for the people.

It is significant that the enemy has not won a major battle in more than a year. In general, he can fight his large forces only at the edges of his sanctuaries, as we have seen recently at Conthien and along the DMZ, at Dakto opposite the Laotian border, at Songbe and Locninh near the Cambodian border. His Vietcong military units can no longer fill their ranks from the South but must depend increasingly on replacements from North Vietnam. His guerrilla force is declining at a steady rate. Morale problems are developing within his ranks.

SEEKS TO PROLONG WAR

Despite this, our enemy seeks to prolong the war, occasionally sallying forth from his sanctuaries, and attempting by his countersweep operations to regain control of the population and to rebuild his guerrilla forces. Of essential importance is his desire to force us politically to stop, unconditionally, the bombing of his support base and his lines of communication. He appears to believe that he can defeat the Vietnamese forces, over 600,000 strong and getting stronger, reinforced by over 50,000 troops from Free World Allies, and our commitment now approaching 500,000 men.

Our common plan with the Vietnamese has involved four distinct phases. In Phase I we came to the aid of South Vietnam, prevented its collapse under the massive Communist thrust, built up our bases and began to deploy our forces. In Phase I we planned and did the following:

Built ports, airfields, and supply and maintenance areas.

Set up a 10,000-mile-long supply pipeline.

Constructed an extensive communication system.

Brought in 400,000 men and several thousand aircraft.

Deployed troops throughout South Vietnam.

Learned to work alongside the Vietnamese army while encouraging development of a representative government.

Equipped and revitalized the Vietnamese armed forces, whose morale was low.

Expanded the armed forces of South Vietnam in quantitative terms.

Defended South Vietnam against defeat and against being cut in half.

Learned to cope with guerrilla tactics.

Set up an intelligence system for this new type of war.

Limited inflation.

Developed our own confidence that we could operate successfully in the environment of Southeast Asia.

BY MIDDLE OF 1966

We did all this by the middle of 1966. It was a tribute to U.S. organization, technology, and concerted diplomatic and military professionalism by many people. At that point, during the summer of 1966, we moved into the second phase of our plan. In Phase II we continued the pattern and did the following:

Drove the enemy divisions back to sanctuary or into hiding.

Trained, expanded and improved the quality of the Vietnamese armed forces.

Assisted Free World forces of the Pacific area to join the battle against Communist aggression.

Entered enemy base areas and destroyed his supplies.

Raised enemy losses beyond his input capability.

Helped train the Vietnamese army as a territorial security force.

Encouraged combined U.S.-Vietnamese operations.

Continued to help the Vietnamese armed forces in professional development.

Completed free elections within South Vietnam.

Saw an elected civilian government installed.

Stabilized prices—opening roads and canals.

Encouraged enemy defection and resettlement.

Discovered and thwarted the enemy's battle plans before they could be executed.

Unified the U.S. pacification assistance effort for better management of widespread resources.

We will complete this second phase by the end of this year. Before leaving my discussion of this phase, there is one other management aspect worthy of mention. Our rapid buildup 10,000 miles away in an undeveloped nation lacking in logistics support facilities has created many problems. Some units brought to Vietnam equipment that has not been needed. Some supplies were shipped automatically based on experience in other wars and have not been consumed in the quantities expected.

At the same time, our magnificent fighting men have received what they needed to do their job. Now, at the end of this second phase, we have been able to intensify logistical management and turn our attention to eliminating any excess items which may have developed. MACV has instituted an efficiency and economy program to which I have given the thrifty sounding name of Project Maconomy.

NOW THE THIRD PHASE

With 1968, a new phase is now starting. We have reached an important point when the end begins to come into view. What is this third phase we are about to enter?

In Phase III, in 1968, we intend to do the following:

Help the Vietnamese armed forces to continue improving their effectiveness.

Decrease our advisers in training centers and other places where the professional competence of Vietnamese officers makes this possible.

Increase our advisory effort with the younger brothers of the Vietnamese army: the Regional Forces and Popular Forces.

Use U.S. and Free World forces to destroy North Vietnamese forays while we assist the Vietnamese to reorganize for territorial security.

Provide the new military equipment to revitalize the Vietnamese army, and prepare it to take on an ever-increasing share of the war.

Continue pressure on North to prevent rebuilding and to make infiltration more costly.

Turn a major share of front-line DMZ defense over to the Vietnamese army.

Increase U.S. support in the rich and populated Delta.

Help the government of Vietnam single out and destroy the Communist Shadow Government.

Continue to isolate the guerrilla from the people.

Help the new Vietnamese government to respond to popular aspirations, and to reduce and eliminate corruption.

Help the Vietnamese strengthen their police forces to enhance law and order.

Open more roads and canals.

Continue to improve the Vietnamese economy and standard of living.

THE FINAL PHASE

Now for Phase IV—the final phase. That period will see the conclusion to our plan to weaken the enemy and strengthen our friends until we become progressively superfluous. The object will be to show the world that guerrilla warfare and invasion do not pay as a new means of Communist aggression.

I see Phase IV happening as follows:

Infiltration will slow.

The Communist infrastructure will be cut up and near collapse.

The Vietnamese government will prove its stability, and the Vietnamese army will show that it can handle Vietcong.

The Regional Forces and Popular Forces will reach a higher level of professional performance.

U.S. units can begin to phase down as the Vietnamese army is modernized and develops its capacity to the fullest.

The military physical assets, bases and ports, will be progressively turned over to the Vietnamese.

The Vietnamese will take charge of the final mopping up of the Vietcong (which will probably last several years). The U.S., at the same time, will continue the developmental help envisaged by the President for the community of Southeast Asia.

You may ask how long Phase III will take, before we reach the final phase. We have already entered parts of Phase III. Looking back on Phases I and II we can conclude that we have come a long way.

I see progress as I travel all over Vietnam.

I see it in the attitudes of the Vietnamese.

I see it in the open roads and canals.

I see it in the new crops and the new purchasing power of the farmer.

I see it in the increased willingness of the Vietnamese Army to fight North Vietnamese units and in the victories they are winning.

Parenthetically, I might say that the U.S. press tends to report U.S. actions; so you may not be as aware as I am of the victories won by South Vietnamese forces.

ENEMY HAS PROBLEMS

The enemy has many problems:

He is losing control of the scattered population under his influence.

He is losing credibility with the population he still controls.

He is alienating the people by his increased demands and taxes where he can impose them.

He sees the strength of his forces steadily declining.

He can no longer recruit in the South to any meaningful extent; he must plug the gap with North Vietnamese.

His monsoon offensives have been failures.

He was dealt a mortal blow by the installation of a freely elected representative government.

And he failed in his desperate effort to take the world's headlines from the inauguration by a military victory.

Lastly, the Vietnamese army is on the road to becoming a competent force. Korean troops in Vietnam provided a good example for the Vietnamese. Fifteen years ago the Koreans themselves had problems now ascribed to the Vietnamese. The Koreans surmounted these problems and so can and will the Vietnamese.

SOME ACCOMPLISHMENTS

The Vietnamese armed forces have accomplished much in a short time. Here are a few examples:

Career management for officers, particularly infantry officers, has been instituted.

Sound promotion procedures have been put into effect.

Discipline and conduct is being stressed.

Increased emphasis is being devoted to small-unit tactics and leadership.

The promotion of enlisted men to the commissioned ranks is now commonplace (2200 in 1966).

Officers candidates must now take basic training and prove that they have the leadership potential to be officers.

An inspector general for the Vietnamese armed forces has been appointed and is now active in detailed inspections.

Corrupt and inefficient officials are being gradually eliminated.

The military school system has been revitalized.

The Military Academy has gone to a four-year curriculum.

A school for battalion commanders has been established.

A ten-month National Defense College has been organized for selected senior officers.

The same personnel management programs which have been installed successfully in the Vietnamese army are being expanded to the Regional Forces and Popular Forces.

We are making progress. We know you want an honorable and early transition to the fourth and last phase.

So do your sons and so do I.

It lies within our grasp—the enemy's hopes are bankrupt. With your support we will give you a success that will impact not only on South Vietnam, but on every emerging nation in the world.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. Mr. President, I ask unanimous consent to proceed for 2 minutes in order to reply to the Senator from Vermont to whom I wish to yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Did the Senator from New York notice General Westmoreland's statement to the effect that the Vietcong were winning the war in 1965?

Mr. JAVITS. That is exactly what he said.

Mr. AIKEN. Was not that rather an indictment of the people who were informing the Congress that winning the war was very near in 1965? I think General Westmoreland's statement is true.

Mr. JAVITS. So do I.

Mr. AIKEN. I think his credibility gap is much narrower than that of certain other official spokesmen for our Government.

Mr. JAVITS. I thank the Senator very much, because he states the facts exactly.

What has caused difficulty in this country is that, at the time it was said the North Vietnamese were winning and the South Vietnamese were going under, we were told we would be home in a couple of years and things were going very well.

Mr. AIKEN. I think we were told in August that we would be coming home for Christmas.

Mr. JAVITS. That is right. That hope has been dashed and other hopes will be dashed unles we pursue this line that, progressively, the Vietnamese are willing to fight and they are willing to die for freedom just as we have done there and that they will take it over more and more. We will arm them. We will support them. We will even leave backup troops there. But we cannot run it as our war.

That is what the American people are thinking, and this is in the line our country must follow. It is the only way to unite America, and it is very sharply divided today on everything else about the Vietnam war.

COMMENDATION OF SENATOR LONG OF LOUISIANA

Mr. BYRD of West Virginia. Mr. President, I want to join the distinguished majority leader [Mr. Mansfield], in complimenting the very able chairman of the Senate Committee on Finance, Mr. Long of Louisiana, on the excellent presentation that he has made of the most difficult and complex bill considered by the Senate during the past few days and upon which we will soon vote.

At all times the floor manager of the bill, the distinguished junior Senator from Louisiana [Mr. Long], has demonstrated a very thorough and impressive grasp of the facts, and such knowledge can only be gained through experience, diligence, hard work, and long hearings.

I compliment Mr. Long, and I thank him for the patience, cooperation, and equanimity which he has consistently shown throughout the long, very arduous, and difficult debate on this important and complicated bill. I believe that the ranking minority member and all the members of the Committee on Finance, as well as the distinguished chairman, are also to be complimented for a job very well done.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. BYRD of West Virginia. I yield.

Mr. RANDOLPH. Mr. President, I wish to supplement the appropriate words just spoken by my colleague, Senator Byrd. Members of this body realize that such a bill is very difficult to understand in its intriciate provisions. I am very frank. I must labor to understand what we are doing. The helpful manner in which the explanations have been made by the distinguished chairman of the Finance Committee has been of vital value to me as we have worked our legislative way through this complicated measure. In a moment, I shall express my approval of the progress made as we came nearer to a vote.

I stress the patience which the Senator from Louisiana [Mr. Long] has shown day after day during the debate.

Mr. BYRD of West Virginia. And the good humor.

Mr. RANDOLPH. Yes, and good humor.

I think there has been general agreement among practically all Members that this is a truly important measure. The expertise of the chairman of the Finance Committee in handling this legislation has been noteworthy.

I recall, Mr. President, that there are two Members in the Senate now who were here on May 13, 1935, and voted then for the original Social Security Act. They are Senators HAYDEN and RUSSELL.

There are five other Senators in this body today who were in the House of Representatives on April 19, 1935, and voted for the first Social Security Act. These men are Senators CARLSON, DIRKSEN, HILL, YOUNG of Ohio, and I.

Mr. President, shortly we will vote on final passage of the Social Security Amendments of 1967. This comprehensive measure provides a substantial increase in social security benefits for the more than 23 million people now on the rolls, as well as substantially improved protection for 86 million current workers—and their families—who are the future beneficiaries.

The 15 percent across-the-board increase provided by the bill is a needed increase. About one-half of our social security beneficiaries have, in terms of a regular income, only their social security. For almost all beneficiaries, social security is their main source of support. It is for these reasons that the level of social security benefits is the all-important factor in determining how well our elderly citizens will be able to live.

Social security benefits are too low. The average benefit for retired workers today is about $85 a month; for aged widows, the average is $74 a month. In a country as prosperous as the United States, there is absolutely no reason why these people should not share in at least a part of the expanding prosperity most of us have come to know and enjoy. Under the bill, benefits that now range from $44 to $142 for retired workers will be increased to a range of $70 to $163.30. A worker receiving a benefit equal to the average benefit now payable—about $85 a month—will receive about $98 a month. The average benefit for an aged retired couple will be increased from $145 a month to $171 a month.

Because the social security program is so basic to the future plans of all workers and their families, we must not permit it to become static. That is why I favor the raise in the amount of annual earnings subject to social security contributions and used in computing benefit amounts. This increase in the base will make possible in the future the payment of social security benefits that will be more closely related to the earnings that the family breadwinner had before he retired, became disabled, or died. Moreover, the increase in the contribution and benefit base will help to finance the more liberal benefits provided under the bill.

I am particularly gratified to note that, in order to finance the increases and the other improvements, the pending bill calls for, along with increases in the contribution rate schedule, a three-step increase in contribution and benefit base—the maximum amount of annual earnings subject to tax and counted for benefit purposes. As a result, the base would be increased from its present level of $6,600 to $8,000 in 1968, $8,800 in 1969, and to $10,800 in 1972. Increases in the base, when compared with increases in the contribution rate, have the advantage that the people who contribute more will receive more protection. When the base is increased, new, higher benefits become payable on the basis of the higher average earnings made possible by the increase in the base. Since the matching employer contributions, when combined with the new employee contributions, are more than sufficient to provide for the increased protection, additional income is available to improve benefits throughout the social security system.

This measure improves the social security program for those now receiving benefits—our older citizens, those who are disabled, their dependents and survivors. And it significantly increases the protection against future loss of earnings for all our citizens who now work in jobs covered by the program.

Another vital provision authorizes retirement benefits, for the first time, as early as age 60 for workers and their spouses, and for aged survivors of deceased insured workers. This amendment was sponsored by my distinguished colleague from West Virginia [Mr. BYRD]. I have consistently supported this provision.

The payment of retirement benefits beginning at age 60 would clearly help lessen the hardships faced by the group of workers who because of ill health, technological unemployment, or other reasons, find it impossible to continue working until they reach age 62. Many of our older workers lack the newer technical skills needed to run new machines; they are the people who employers often let go first. Persons who worked and contributed to the social security program have the right to retirement benefits when they become too old to work. They should receive social security benefits if they can no longer work or find jobs because of their age. These people would rather have reduced social security benefits than no regular income at all.

This is a change that is long overdue. It is a change that was voted on favorably by this body earlier this year.

There can be no question that these benefits and improvements to social security are vitally needed. Nor can there be any question that they are needed now. I enthusiastically support the enactment of this bill without further delay.

Mr. BYRD of West Virginia. Mr. President, I thank my senior colleague for his remarks.

Mr. MORSE. Mr. President, I want to join the majority leader, and the Senators from West Virginia [Mr. BYRD and Mr. RANDOLPH] and others who have so deservedly lauded Senator RUSSELL LONG of Louisiana for the remarkable parliamentary leadership he extended to us in bringing about the third reading of the bill and the passage which will follow in the next hour in the Senate. Credit for the bill is due in no small measure to Senator RUSSELL LONG.

The Senate version of the bill is a good one. It is not a perfect bill in my opinion, as my votes for some amendments that were defeated on the floor of the Senate demonstrate. The bill does not go far enough, in my judgment, to give the economic justice to the elderly people of this country that I think they are entitled to, a justice that we must come to just as rapidly as possible.

May I say to them, this is not the last social security bill we are going to pass in the years immediately ahead. The senior Senator from Oregon will continue to do everything he can to secure passage of some amendments that went down to defeat in this debate.

On the other hand, I say to the beneficiaries of social security, the bill advances your interest more than any legislation Congress has considered on this subject at any time in the past since the original act was passed.

The bill deserves the vote of Senators this morning, and it deserves every effort on the part of the Senate conferees to maintain the Senate amendments in conference with the House, for the Senate bill, in my judgment, is a much better bill than the House bill. It is a bill that ought finally to go on to the law books, recognizing, as I have said, that there will have to be some give and take in conference. I hope, however, that the conferees of the House will recognize the temper and the tempo of the times, as the Government of the United States seeks through legislation to do economic justice to the elderly people by having a social security program that really makes it possible for them to live out their old age in health, decency, and self-respect. It seeks to help them enjoy the happiness that we ought, as a matter of moral recognition, see to it that our elderly are able to enjoy.

Some provisions of the bill embody amendments that I have advocated and supported for several years. I was highly gratified when many of the principles of those amendments were adopted, in the first instance, by the Committee on Finance itself. That made it unnecessary to wage a battle for them in the course of the debate on the bill. Other amendments that I have advocated over the years were adopted in principle on the floor of the Senate. They are not in the exact form that I have urged them, but the principle is there. I am grateful, therefore, to the Senator from Louisiana for the cooperation he extended to me. The bill has my support for these principal reasons:

First. The level of benefits will be raised across the board by 15 percent. That falls short of the 20-percent boost provided in the amendment that I sponsored with the Senator from New York [Mr. KENNEDY]. It falls short of the $100 minimum which the Senator from New York and I and other Senators have advocated for some time past. It is a minimum that I will continue to work for in the Senate.

But this 15-percent boost is better than the 12½ percent approved by the House of Representatives.

Second. The adoption yesterday of the Bayh amendment raises the earnings test to $2,400, thus enabling annuitants to earn up to that amount each year without loss of social security benefits.

I was very much interested in the debate yesterday. I thought the Senator from Oklahoma [Mr. MONRONEY] put it very well.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MORSE. I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. I thought the Senator from Oklahoma put it very well when he made the plea to let these elderly people work. The privilege of working is, in my judgment, essential to the happiness of many of them. Let us not overlook that intangible value implied by the word "happiness." We need to pay attention to the happiness of our people, and particularly we need to pay attention to the happiness of the aged. Nothing was said on this matter in the debate on yesterday; but when we think about what happens to elderly people when they are able to work and earn up to $2,400 a year, and the effect on their families, their sons and daughters, and the other members of the family, one can begin to grasp the significance of the Bayh amendment.

The Bayh amendment was a great step forward in permitting retired persons to earn up to $2,400, and still not suffer loss of social security benefits.

Third. The Prouty amendment was adopted, to exclude from the income test for veterans' pensions the increase in social security benefits carried in this bill.

Fourth. The Finance Committee bill enables employees to choose retirement at age 60 with a reduced annuity.

Fifth. The committee bill further provides coverage of charges for certain of the services of optometrists, podiatrists, chiropractors, and clinical psychologists under the supplementary insurance program.

Sixth. The committee eased the most stringent and punitive sections of the House bill relating to public assistance and aid to dependent children. The adoption on the floor of the Harris amendment, making mandatory aid to the children of unemployed fathers, and the Kennedy amendment, which provides that mothers of dependent children do not have to work outside of the home when the children need their care at home, are great steps forward in our social security program.

I was at a loss to understand the insistence in the House that mothers with small children work and accept training for work in order for those children to receive assistance. The mother of three or four or five children ought to stay in the home, at least when their children come home from school. They are needed to assure at least some parental supervision as well as doing the cleaning, the sewing, the preparations in the home that make it possible for those children to enjoy their home life.

It goes without saying, and we can take judicial notice of the fact, that a mother with children who has to go outside of the home and work every day is not able to give those children a precious heritage we ought to try to provide for all American boys and girls, a happy home life.

Again I thank the Senator from Louisiana for the splendid job he has done in guiding this bill through the Senate, and I hope that the changes this Senate has made will be sustained in conference with the House.

Mr. WILLIAMS of Delaware. Mr. President, it is with regret that I cannot support this bill. I feel that there is a need for a reasonable increase in social security benefits and would gladly have supported a bill in line with the one passed by the House, which provided a 12½-percent increase in such benefits.

Such an increase could have been financed without a prohibitive increase in the taxes on the wage earners, and the many small businessmen who are today struggling to keep their operations going.

But the bill before us has gone far beyond what I think our country can afford, and the wage tax increases provided in the Senate bill represent a staggering increase in wage taxes that will be placed upon the many young workers of America, who today in view of the high cost of living are already having to struggle to support their growing families and provide for their children's education.

The fact that the Senate has delayed these wage tax increases until after the 1968 election does not make them any less regressive or painful.

When H.R. 12080 passed the House its cost was projected as being $3.2 billion in 1968, with this cost rising in 1972 to $3.8 billion. This cost covered an increase in social security benefits of 12½ percent; the House bill raised the minimum benefits for all and raised the earning test limitation to $1,680. To finance these benefits the earning base subject to wage tax was raised from the present $6,600 to $7,600. The House bill likewise made many increases in the medicaid program, bringing its cost into a more realistic range.

But the Senate Finance Committee went on a spending spree and practically doubled both the cost and the tax rates as compared to the House bill.

The bill reported by the Senate Finance Committee added over $3 billion to the cost of the House bill, which brought the full year's cost of the bill to $6.3 billion. In 1972 these costs will be even higher.

To finance these extra benefits in the Senate bill the wage taxes will be raised as much as 100 percent for the middle income wage earners. Under the Senate bill the cost to the $10,000 wage earners will jump from $290.40 to $580 per year. This increased wage tax must be matched by his employer, which means rising costs of the products being manufactured. The $5,000 worker will have a wage tax increase from the present $220 per year to $290. Other comparable increases are placed upon these young workers who today are already having a hard time to meet the expenses of a growing family.

But even this $3 billion increase by the Senate Finance Committee did not seem to be enough, and the Senate yesterday further added another $1½ billion to the cost of this bill by adopting a series of amendments offered on the floor.

The net result is that we have before us today a bill which in its present form will cost over $7.5 billion and a bill which places upon the wage earners of America the largest wage tax increase in our history.

This $7½ billion bill is being advanced at a time when both the administration and the Congress have been shedding a lot of crocodile tears over the dangers of uncontrolled inflation. Both the administration and the Congress have been promising that before any tax increase is considered, a bona fide effort must be made to reduce expenditures.

How can either the administration or the Senate reconcile their remarks of the past 4 days with their support of a bill which adds over $4 billion to a $3 billion bill as passed by the House just a few weeks ago?

If these Senate additions of over $4 billion are just being passed with an understanding that the House will reject the increases and send back a bill from conference more nearly in line with the projected cost of the House bill, then this action represents the height of political hypocracy, and I will have no part of such tactics.

In my opinion our country faces a crisis in that we have reached the point where we cannot continue down this road of ever-expanding deficits.

These mounting deficits and the resulting inflation have destroyed the purchasing power of the pensions upon which these retired people have been depending. Merely to raise social security payments and then do nothing to check the inflationary threat will be of but a short-term benefit, and within 2 years they will be in a worse condition than today.

The value of the savings bonds, the life insurance policies, the private pensions has been destroyed as the result of this uncontrolled inflation.

Eight years ago a small investor bought a series E Government bond for $75, and today he receives $100 as payment of his principal and interest; but through the erosion of the purchasing power of the dollar he cannot buy with $100 what he could have bought with the $75 7 years ago.

Through uncontrolled inflation we have destroyed the security of millions of our retired citizens. The value of their life savings, their insurance policies, their pensions, social security, and savings accounts is getting to be worth less every day as the result of this uncontrolled inflation.

Mr. President, these trust funds represent the security not only of those already on retirement but of the present-day wage earners, who upon reaching retirement age will be expecting their benefits to be paid. It is therefore essential that the integrity of this fund be preserved.

To illustrate just how the present inflationary situation with its accompanying high interest rates, which means

lower bond prices, affects these trust funds I ask unanimous consent to have printed at this point in the RECORD a series of tabulations showing the investment portfolios of various trust funds, including the social security trust fund, the civil service retirement fund, and the railroad retirement trust fund.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, the material will be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
FISCAL SERVICE,
Washington, D.C., October 24, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: In response to your recent telephone request, there are attached schedules showing by issue the face amount, book value (where available) and current market value of marketable investment holdings of the four Social Security Trust Funds, the Civil Service Retirement and Disability Fund and the Railroad Retirement Accounts. There are also attached schedules showing the current investment holdings of Special Treasury Obligations issued to the above funds.

The market value columns shown on the attached schedules are based on current market quotations, as noted. These prices are currently at a very low point. Therefore, the total market value shown for these securities is appreciably less than the book value shown. However, caution should be exercised in attempting to estimate a possible loss, since Special Treasury Obligations, not marketable securities, are redeemed at part for the purpose of meeting current benefit payments or other authorized expenditures. Marketable securities are normally purchased and held to maturity.

You also asked that if special Treasury issues were marketable what would be their estimated current market value. As previously mentioned, special Treasury issues are purchased by the trust funds at par and are redeemed by the Treasury at par when necessary to meet benefit payments and other expenditures. Therefore, there is no market value as such for special issues comparable to the market value at any given time for any marketable public debt obligation.

Your question may relate to the yield on special Treasury issues as compared to marketables. Since specials are issued and redeemed at par, the yield is always equal to the coupon rate established at the time of issue. This interest rate is by law based on the average market yield of all marketable public debt obligations with remaining periods to maturity of four years or more from the end of the calendar month prior to issuance, except for the Railroad Retirement Accounts which are based on all marketable public debt obligations with remaining periods to maturity of three years or more. In the case of marketable securities, the true yield would not only depend on the coupon rate at time of issue, but also on the purchase price and, if sold prior to maturity, the selling price.

Very truly yours,

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

HOLDINGS FOR FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES			
U.S. Treasury bonds:			
2½ percent, June 15, 1964–69	$22,180,000	$21,753,047.06	$21,230,418.75
2½ percent, Dec. 15, 1964–69	33,000,000	32,219,058.67	31,195,312.50
2½ percent, Sept. 15, 1967–72	250	250.00	222.03
3⅞ percent, May 15, 1968	17,450,000	17,450,000.00	17,313,671.88
3¾ percent, Aug. 15, 1968	7,000,000	7,000,000.00	6,910,312.50
4 percent, Feb. 15, 1969	5,000,000	5,000,000.00	4,912,500.00
4 percent, Oct. 1, 1969	57,500,000	57,490,553.52	55,954,687.50
4 percent, Feb. 15, 1970	15,000,000	14,968,281.17	14,498,437.50
4 percent, Aug. 15, 1971	100,000,000	100,697,530.84	94,718,750.00
4 percent, Aug. 15, 1973	38,000,000	37,789,128.85	35,031,250.00
4⅛ percent, Feb. 15, 1974	61,934,000	61,895,580.95	57,095,406.25
4¼ percent, May 15, 1974	6,352,000	6,363,615.84	5,899,420.00
3⅞ percent, Nov. 15, 1974	24,500,000	24,480,272.84	22,157,187.50
4¼ percent, May 15, 1975–85	78,023,000	77,654,044.34	67,538,659.38
3¼ percent, June 15, 1978–83	60,200,000	59,272,764.62	46,354,000.00
4 percent, Feb. 15, 1980	153,100,000	153,040,016.74	132,048,750.00
3½ percent, Nov. 15, 1980	449,450,000	455,156,974.02	366,301,750.00
3¼ percent, May 15, 1985	25,700,000	24,171,356.15	19,724,750.00
4¼ percent, Aug. 15, 1987–92	33,000,000	35,111,119.89	27,616,875.00
4⅛ percent, May 15, 1989–94	91,300,000	90,496,486.77	74,352,437.50
3½ percent, Feb. 15, 1990	556,250,000	546,773,428.71	426,574,218.75
3 percent, Feb. 15, 1995	70,170,000	70,142,012.59	53,373,056.25
3½ percent, Nov. 15, 1998	552,037,000	542,441,418.01	421,618,258.75
Total, public issues	2,457,146,250	2,441,366,941.58	2,002,420,332.04
Agency Issues:			
FICB debentures: 5.15 percent, Nov. 1, 1967	17,000,000	17,000,000.00	17,000,000.00
FHLB bonds:			
6 percent, Oct. 26, 1967	26,000,000	25,998,916.64	26,000,000.00
5⅜ percent, Apr. 25, 1968	25,000,000	25,014,583.36	24,976,562.50
FNMA debentures:			
5⅞ percent, Sept. 10, 1968	10,000,000	9,997,135.46	10,012,500.00
6 percent, Dec. 12, 1969	41,500,000	41,518,732.60	41,551,875.00
5⅛ percent, July 10, 1969	25,000,000	25,048,879.36	24,718,750.00
5¾ percent, Oct. 13, 1970	20,000,000	19,960,000.00	19,937,500.00
FLB bonds: 5⅞ percent, Dec. 20, 1967	15,000,000	15,000,000.00	15,018,750.00
Total, agency issues	179,500,000	179,538,247.42	179,215,937.50
MARKETABLES—Continued			
Participation certificates:			
Falt, FNMA, trustee:			
5.20 percent, January 19, 1982	$100,000,000	$100,000,000.00	$93,000,000.00
5.10 percent Apr. 6, 1987	50,000,000	50,000,000.00	46,000,000.00
5½ percent, June 29, 1972	50,000,000	50,000,000.00	48,875,000.00
Total, participation certificates	200,000,000	200,000,000.00	187,875,000.00
Total, marketables	2,836,646,250	2,820,905,189.00	2,369,511,269.54
SPECIALS			
Certificates of indebtedness:			
5⅛ percent, June 30, 1968	1,872,652,000		
5¼ percent, June 30, 1968	17,074,000		
Notes:			
4⅞ percent, June 30, 1969	1,080,011,000		
4⅞ percent, June 30, 1970	296,526,000		
4⅞ percent, June 30, 1971	1,080,011,000		
4¾ percent, June 30, 1974	2,720,279,000		
Bonds:			
2⅝ percent, June 30, 1970	783,485,000		
2⅝ percent, June 30, 1971	1,080,011,000		
2⅝ percent, June 30, 1972	1,080,011,000		
2⅝ percent, June 30, 1973	1,080,011,000		
2⅝ percent, June 30, 1974	1,080,011,000		
2⅝ percent, June 30, 1975	919,934,000		
3¾ percent, June 30, 1975	160,077,000		
3¾ percent, June 30, 1976	1,080,011,000		
3⅞ percent, June 30, 1977	1,080,011,000		
3⅞ percent, June 30, 1978	658,444,000		
4⅛ percent, June 30, 1978	421,567,000		
4⅛ percent, June 30, 1979	1,080,011,000		
4⅛ percent, June 30, 1980	1,080,011,000		
Total, special issues	18,650,148,000		
U.S. Treasury bonds, nonmarketable:			
2¾ percent, Apr. 1, 1975–80	1,064,902,000		
Grand total	22,551,696,250		

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[1] Book value based on amortization of premium and/or discount on a straight-line basis.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE FEDERAL DISABILITY INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES			
U.S. Treasury bonds:			
3⅞ percent, May 15, 1968	$3,750,000	$3,750,000.00	$3,720,703.13
3¾ percent, Aug. 15, 1968	5,000,000	5,000,000.00	4,935,937.50
3⅞ percent, Nov. 15, 1968	5,000,000	4,992,968.50	4,923,437.50
4 percent, Oct. 1, 1969	26,000,000	25,993,851.79	25,301,250.00
4 percent, Feb. 15, 1970	10,000,000	9,978,515.45	9,665,625.00
4 percent, Aug. 15, 1970	14,000,000	13,957,349.76	13,444,375.00
4 percent, Feb. 15, 1972	2,000,000	1,988,394.64	1,881,250.00
4 percent, Aug. 15, 1972	2,000,000	1,989,851.00	1,872,500.00
4 percent, Aug. 15, 1973	16,500,000	16,360,623.51	15,210,937.50
4⅛ percent, Feb. 15, 1974	10,000,000	10,017,431.12	9,218,750.00
MARKETABLES—Continued			
U.S. Treasury bonds—Continued			
3⅞ percent, Nov. 15, 1974	$5,000,000	$5,000,000.00	$4,521,875.00
4¼ percent, May 15, 1975–85	20,795,000	20,774,628.28	18,000,671.88
4 percent, Feb. 15, 1980	30,250,000	30,240,452.69	26,090,625.00
4¼ percent, Aug. 15, 1987–92	80,800,000	80,979,046.03	2,619,500.00
4⅛ percent, May 15, 1989–94	68,400,000	67,514,591.67	55,703,250.00
3½ percent, Feb. 15, 1990	10,500,000	9,882,092.39	8,052,187.50
3½ percent, Nov. 15, 1998	5,000,000	4,676,514.55	3,818,750.00
Total, public issues	314,995,000	313,096,311.38	273,981,625.01

See footnote at end of table.

HOLDINGS FOR THE FEDERAL DISABILITY INSURANCE TRUST FUND AS OF OCT. 20, 1967—Continued

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES—Continued			
Agency issues:			
FHLB bonds: 6 percent, Oct. 26, 1967	$15,590,000	$15,588,916.64	$15,590,000.00
FNMA debentures:			
5⅞ percent, Sept. 10, 1968	10,000,000	9,997,135.46	10,012,500.00
5⅝ percent, Oct. 13, 1970	20,000,000	19,960,000.00	19,937,500.00
Total agency issues	45,590,000	45,546,052.10	45,540,000.00
Participation certificates—FALT, FNMA, trustee: 5½ percent, June 29, 1972	50,000,000	50,000,000.00	48,875,000.00
Total, marketables	410,585,000	408,642,363.48	368,396,625.01
SPECIALS			
Certificates of indebtedness:			
5⅛ percent, June 30, 1968	87,111,000	--------	--------
5¼ percent, June 30, 1968	520,000	--------	--------
MARKETABLES—Continued			
Notes:			
4⅞ percent, June 30, 1971	$74,799,000	--------	--------
4¾ percent, June 30, 1974	309,178,000	--------	--------
Bonds:			
2⅝ percent, June 30, 1974	77,006,000	--------	--------
3¾ percent, June 30, 1974	20,738,000	--------	--------
2⅝ percent, June 30, 1975	132,894,000	--------	--------
3¾ percent, June 30, 1975	20,738,000	--------	--------
3¾ percent, June 30, 1976	153,632,000	--------	--------
3¾ percent, June 30, 1977	153,632,000	--------	--------
3⅞ percent, June 30, 1978	153,632,000	--------	--------
4⅛ percent, June 30, 1979	153,632,000	--------	--------
4⅛ percent, June 30, 1980	125,606,000	--------	--------
Total, special issues	1,463,118,000	--------	--------
Grand total	1,873,703,000	--------	--------

[1] Book value based on amortization of premium and/or discount on a straight line basis.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE FEDERAL HOSPITAL INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES			
Agency issues:			
FLB bonds: 5⅞ percent, Dec. 20, 1967	$15,000,000	$15,000,000.00	$15,018,750
FNMA debentures: 6 percent, Dec. 12, 1969	41,500,000	41,518,733.60	41,551,875
Total, agency issues	56,500,000	56,518,733.60	56,570,625
Participation certificates—FALT, FNMA, Trustee: 5.20 percent, Jan. 19, 1982	50,000,000	50,000,000.00	46,500,000
Total, marketables	106,500,000	106,518,733.60	103,070,625
SPECIALS			
Certificates of indebtedness: 5⅛ percent, June 30, 1968	$100,745,000	--------	--------
Notes:			
4⅞ percent, June 30, 1971	514,659,000	--------	--------
4¾ percent, June 30, 1972	46,131,000	--------	--------
4¾ percent, June 30, 1973	46,131,000	--------	--------
4¾ percent, June 30, 1974	415,179,000	--------	--------
Total, special issues	1,152,845,000	--------	--------
Grand total	1,259,345,000	--------	--------

[1] Book value basedon amortization of premium and/or discount on a straight line basis.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount
Specials: Certificates of indebtedness, 5¼ percent, maturing June 30, 1968	$57,200,000
Notes:	
4¾ percent, maturing June 30, 1970	1,482,000
4¾ percent, maturing June 30, 1971	31,923,000
4¾ percent, maturing June 30, 1972	$31,923,000
4¾ percent, maturing June 30, 1973	31,923,000
4¾ percent, maturing June 30, 1974	287,311,000
Total, special issues	441,762,000

HOLDINGS FOR THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND [1] AS OF OCT. 20, 1967

Securities	Face amount	Market value [2]
MARKETABLES		
U.S. Treasury notes:		
4¾ percent, May 15, 1968	$4,400,000	$4,387,625.00
5 percent, Nov. 15, 1970	146,400,000	144,204,000.00
5⅜ percent, Feb. 15, 1971	25,000,000	24,875,000.00
5¼ percent, May 15, 1971	19,500,000	19,353,750.00
5⅜ percent, Nov. 15, 1971	25,000,000	24,882,812.50
4¾ percent, Feb. 15, 1972	110,600,000	107,040,062.50
4¾ percent, May 15, 1972	98,700,000	95,430,562.50
U.S. Treasury bonds:		
3⅞ percent, May 15, 1968	12,400,000	12,303,125.00
3¾ percent, Aug. 15, 1968	2,800,000	2,764,125.00
3⅞ percent, Nov. 15 1968	1,600,000	1,575,500.00
4 percent, Feb. 15, 1969	10,000,000	9,825,000.00
2½ percent, June 15, 1969	10,000,000	9,571,875.00
4 percent, Oct. 1, 1969	60,400,000	58,776,750.00
2½ percent, Dec. 15, 1964–69	16,400,000	15,503,125.00
4 percent, Aug. 15, 1970	54,600,000	52,433,062.50
3⅞ percent, Nov. 15, 1971	6,100,000	5,734,000.00
4 percent, Feb. 15, 1972	5,200,000	4,891,250.00
4 percent, Aug. 15, 1972	28,700,000	26,870,375.00
4 percent, Aug. 15, 1973	23,800,000	21,940,625.00
4⅛ percent, Nov. 15, 1973	33,600,000	31,416,000.00
4⅛ percent, Feb. 15, 1974	55,900,000	51,532,812.50
4¼ percent, May 15, 1974	126,060,000	117,078,225.00
3⅞ percent, Nov. 15, 1974	47,650,000	43,093,468.75
4 percent, Feb. 15, 1980	110,394,000	95,214,825.00
3½ percent, Nov. 15, 1980	15,700,000	12,795,500.00
3¼ percent, June 15, 1978–83	16,800,000	12,936,000.00
3¼ percent, May 15, 1985	85,900,000	65,928,250.00
4¼ percent, May 15, 1975–85	53,105,000	45,969,015.63
3½ percent, Feb. 15, 1990	98,600,000	75,613,875.00
4¼ percent, Aug. 15, 1987–92	347,920,000	291,165,550,00
4⅛ percent, May 15, 1989–94	10,750,000	8,754,531.25
3 percent, Feb. 15, 1995	55,205,000	41,990,303.13
3½ percent, Nov. 15, 1998	83,269,000	63,596,698.75
Total, public issues	1,802,453,000	1,599,447,680.01
MARKETABLES—Continued		
Agency issues—FHLB bonds: 5⅝ percent, Apr. 25, 1968	$14,000,000	$13,986,875.00
FICB debentures: 5.15 percent, Nov. 1, 1967	17,000,000	17,000,000.00
FLB bonds: 5⅞ percent, Dec. 20, 1967	15,000,000	15,018,750.00
FNMA debentures:		
5⅞ percent, Sept. 10, 1968	10,000,000	10,012,500.00
5⅛ percent, July 10, 1969	25,000,000	24,718,750.00
6 percent, Dec. 12, 1969	41,500,000	41,551,875.00
5¾ percent, Oct. 13, 1970	20,000,000	19,937,500.00
Total, agency issues	142,500,000	142,226,250.00
FNMA participation certificates:		
5 percent, Jan. 19, 1972	50,000,000	48,000,000.00
5½ percent, June 29, 1972	50,000,000	48,875,000.00
5.20 percent, Jan. 19, 1982	100,000,000	93,000,000.00
Total, participation	200,000,000	189,875,000.00
Total, marketables	2,144,953,000	1,931,548,930.01
Specials—certificates of indebtedness:		
5⅛ percent, 1968	520,580,000	--------
5 percent, 1968	5,451,000	--------
Notes:		
4⅛ percent, 1969	142,474,000	--------
4⅞ percent, 1969	40,692,000	--------
4⅛ percent, 1970	69,699,000	--------
4⅞ percent, 1970	40,692,000	--------
4⅞ percent, 1971	1,785,656,000	--------
4¾ percent, 1974	1,758,171,000	--------
Bonds:		
2½ percent, 1968	200,000,000	--------
2⅝ percent, 1968	415,527,000	--------
2⅞ percent, 1968	69,913,000	--------
2⅝ percent, 1969	615,527,000	--------
2⅞ percent, 1969	69,913,000	--------
3¾ percent, 1969	60,976,000	--------
3⅞ percent, 1969	80,227,000	--------
2⅝ percent, 1970	615,527,000	--------

HOLDINGS FOR THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND[1] AS OF OCT. 20, 1967—Continued

Securities	Face amount	Market value[2]
SPECIALS—Continued		
Bonds—Continued		
2⅞ percent, 1970	$69,913,000	
3¾ percent, 1970	60,976,000	
3⅞ percent, 1970	80,227,000	
4⅛ percent, 1970	72,775,000	
2⅝ percent, 1971	615,527,000	
2⅞ percent, 1971	69,913,000	
3¾ percent, 1971	60,976,000	
3⅞ percent, 1971	80,227,000	
4⅛ percent, 1971	142,474,000	
3¾ percent, 1972	60,976,000	
3⅞ percent, 1972	532,981,000	
4⅛ percent, 1972	375,160,000	
3¾ percent, 1973	60,976,000	
3⅞ percent, 1973	103,448,000	
4⅛ percent, 1973	552,988,000	
2⅝ percent, 1974	270,724,000	
3¾ percent, 1974	60,976,000	
3⅞ percent, 1974	80,227,000	
4⅛ percent, 1974	212,387,000	
SPECIALS—Continued		
Bonds—Continued		
2⅝ percent, 1975	$615,527,000	
3¾ percent, 1975	60,976,000	
3⅞ percent, 1975	80,227,000	
4⅛ percent, 1975	167,167,000	
2⅞ percent, 1976	589,362,000	
3¾ percent, 1976	60,976,000	
3⅞ percent, 1976	80,227,000	
4⅛ percent, 1976	142,474,000	
3¾ percent, 1977	746,416,000	
3⅞ percent, 1977	80,227,000	
4⅛ percent, 1977	142,474,000	
3⅞ percent, 1978	826,643,000	
4⅛ percent, 1978	142,474,000	
4⅛ percent, 1979	969,117,000	
4⅛ percent, 1980	969,117,000	
Total, specials	15,728,280,000	
Grand total	17,873,233,000	

[1] Treasury Department does not maintain administrative accounts for this fund, therefore, book value is not available in the Investments Branch.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE RAILROAD RETIREMENT ACCOUNT[1] AS OF OCT. 20, 1967

Securities	Face amount	Market value[2]
MARKETABLES		
U.S. Treasury notes:		
5 percent, Nov. 15, 1970	$32,000,000	$31,520,000.00
4¾ percent, May 15, 1972	20,000,000	19,337,500.00
4¾ percent, Feb. 15, 1972	18,000,000	17,420,625.00
U.S. Treasury bonds:		
3⅞ percent, May 15, 1968	7,000,000	6,945,312.50
3¾ percent, Aug. 15, 1968	14,000,000	13,820,625.00
4 percent, Feb. 15, 1969	51,000,000	50,107,500.00
4 percent, Oct. 1, 1969	57,000,000	55,468,125.00
4 percent, Aug. 15, 1970	35,000,000	33,610,937.50
4 percent, Aug. 15, 1971	8,500,000	8,051,093.75
3⅞ percent, Nov. 15, 1971	46,500,000	43,710,000.00
4 percent, Feb. 15, 1972	21,000,000	19,753,125.00
4 percent, Aug. 15, 1972	33,500,000	31,364,375.00
3⅞ percent, Nov. 15, 1974	156,700,000	141,715,562.50
4 percent, Feb. 15, 1980	125,550,000	108,243,750.00
3½ percent, Nov. 15, 1980	6,000,000	4,890,000.00
4¼ percent, May 15, 1975–85	47,261,000	40,910,303.13
3¼ percent, May 15, 1985	6,900,000	5,295,750.00
3½ percent, Feb. 15, 1990	38,925,000	29,850,609.38
4¼ percent, Aug. 15, 1987–92	14,000,000	11,716,250.00
4 percent, Feb. 15, 1988–93	6,000,000	4,882,500.00
4⅛ percent, May 15, 1989–94	13,100,000	10,668,312.50
3 percent, Feb. 15, 1995	3,200,000	2,434,000.00
3½ percent, Nov. 15, 1998	31,550,000	24,096,312.50
Total, public issues	792,686,000	715,812,568.76
Agency issues:		
FHLB bonds:		
5⅞ percent, Dec. 20, 1967	15,000,000	15,018,750.00
6 percent, Oct. 26, 1967	26,000,000	26,000,000.00
5⅝ percent, Apr. 25, 1968	25,000,000	24,976,562.50
FNMA debentures:		
5⅞ percent, Sept. 10, 1968	10,000,000	10,012,500.00
6 percent, Dec. 12, 1969	41,500,000	41,551,875.00
5¾ percent, Oct. 13, 1970	20,000,000	19,937,500.00
Total, agency issues	137,500,000	137,497,187.50
MARKETABLES—Continued		
Participation certificates—FALT, FNMA, trustee: 5.20 percent, Jan. 19, 1977	$50,000,000	$46,500,000.00
Total, marketables	980,186,000	899,809,756.26
SPECIALS		
Notes:		
4¾ percent, 1969	146,704,000	
4⅞ percent, 1969	10,257,000	
4⅛ percent, 1970	10,298,000	
4⅞ percent, 1970	10,257,000	
4⅞ percent, 1971	321,044,000	
4¾ percent, 1974	416,402,000	
Bonds:		
4 percent, 1970	185,091,000	
4⅛ percent, 1970	12,812,000	
4 percent, 1971	185,091,000	
4⅛ percent, 1971	23,110,000	
4 percent, 1972	185,091,000	
4⅛ percent, 1972	23,110,000	
4 percent, 1973	185,091,000	
4⅛ percent, 1973	23,110,000	
4 percent, 1974	185,091,000	
4⅛ percent, 1974	23,110,000	
4 percent, 1975	185,091,000	
4⅛ percent, 1975	23,110,000	
4 percent, 1976	185,031,000	
4⅛ percent, 1976	23,110,000	
4 percent, 1977	185,091,000	
4⅛ percent, 1977	23,110,000	
4 percent, 1978	185,091,000	
4⅛ percent, 1978	23,110,000	
4⅛ percent, 1979	208,201,000	
4⅛ percent, 1980	208,201,000	
Total, specials	3,194,875,000	
Grand total	4,175,061,000	

[1] Treasury Department does not maintain administrative accounts for this fund, therefore, book value is not available in the Investments Branch.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE RAILROAD RETIREMENT SUPPLEMENTAL ACCOUNT, AS OF OCT. 20, 1967

Securities	Face amount
Specials—Certificates of indebtedness:	
4¾ percent 1968	$5,764,000
5 percent 1968	4,781,000
5⅛ percent 1968	343,000
5¼ percent 1968	1,691,000
Grand total	12,579,000

HOLDINGS FOR THE RAILROAD RETIREMENT HOLDING ACCOUNT, AS OF OCT. 20, 1967

Securities	Face amount
Specials—Certificates of indebtedness:	
4¾ percent 1968	$4,067,000
5 percent 1968	1,064,000
5⅛ percent 1968	78,000
5¼ percent 1968	376,000
Grand total	5,585,000

Mr. WILLIAMS of Delaware. These trust funds are invested 100 percent in obligations of or obligations guaranteed by the U.S. Government. A small percentage of the investment portfolio is in marketable Government securities, whereby the book value can readily be compared with the present-day market values; for example, in the OASI trust fund there are $2.8 billion invested in Government securities which today have a market value of about $2.3 billion, thus representing a paper loss of approximately $500 million.

At the same time this trust fund has $22.5 billion invested in certificates of indebtedness; that is, nonmarketable securities. These securities bear interest from 2⅝ percent up to 5¼ percent with maturities ranging from 1968 through 1980. Since these are nonmarketable securities their depreciation cannot very readily be accurately computed; however, based upon the current price of similar yields the market value as compared to the cost to the fund would show a potential loss of between $2 billion and $2½ billion.

The investments of other trust funds show similar potential losses based upon present-day market values.

It is true that if these bonds are held until maturity they will be paid at face value; however, in approving increased benefits under the social security system which are not currently financed but which will be paid from this trust fund it means that to the extent any redemptions become mandatory to finance these benefits, either the fund or the Treasury Department will absorb an approximate 20-percent loss.

To the extent this portfolio is liquidated to pay current expenditures somebody has to absorb the difference between the original cost and the present-day markets. This is true of all of the various trust funds which are referred to in the tables included in this report, and this point must be borne in mind by the Senate Finance Committee and the Senate.

Mr. BENNETT. Mr. President, I associate myself with the remarks of the Senator from Delaware [Mr. WILLIAMS], who is my leader in the committee.

I share his concern and will join him and vote against the bill.

I think our action today represents an expression of an attitude of fiscal irresponsibility, particularly in the face of what happened in Britain last weekend.

I was shocked that the Senate, in the face of all that, would have added another billion dollars last night in a move that had not been seriously considered by the committee.

It seems to me that sooner or later we will have to face up to the facts of economic life.

After the President this weekend said he is prepared to move against the deficit, we sat here blithely and increased it.

Mr. President, I cannot join in placing a further burden of inflation on the same elderly people whom the bill is supposed to help.

Mr. HARTKE. Mr. President, I certainly intend to vote for the bill. It is a landmark piece of legislation. It is a real accomplishment for this Congress and an accomplishment in the field of social justice that this Nation can be proud of at this time.

The Senate also owes a deep debt of gratitude to the assistant majority leader, the chairman of the Finance Committee, the junior Senator from Louisiana [Mr. LONG]. He patiently and, sometimes under what appeared to be almost exasperating circumstances, continued to shepherd this bill through heavy waters in the Finance Committee. In an extreme case of dedicated service, he stood on the floor and successfully defended that position and, at times even defended positions which I did not want to have defended.

The Senator from Louisiana was very successful on the floor. I think he should be complimented for his fine work.

I also pay my respects to the ranking minority member, the Senator from Delaware [Mr. WILLIAMS]. He certainly knew his facts and figures. We did agree that what we wanted to do was to have an honest presentation of the differences of opinion. He made that possible.

Our success is also due to the fine work of Wilbur Cohen of the Department of Health, Education, and Welfare, Bob Ball, Robert Myers, Chief Clerk Tom Vail, and others.

In my opinion there are still deficiencies. There is still work to be done in future years. We have still not given enough to these people. We should have given them a minimum of at least $100. We should have increased the amount by 20 percent.

Omitting the changes which took place on the floor, which did not seriously jeopardize this measure, I point out that the bill passed by the Finance Committee will produce a surplus of $2,200 million over the amount needed to be paid out in 1968.

That surplus will increase in 1969 under the Finance Committee bill to $3,600 million. In 1970, it will go to $3,900 million. By 1971, it will go to $6,600 million. In 1972 there will be a surplus of collections of $8,600 million over what is needed to be paid out to these people who receive social security benefits.

If there is anything about the bill that can be criticized in real good conscience, it is the fact that it is overfinanced.

The people who cast aspersions at the actuarial soundness of the social security system, frankly, are filled with emotion and have not looked at the figures. If they take a look at the honest figures as they have been presented in the committee, and at these estimates, they will realize that this is a good program for America.

I congratulate all of those who took part in the action on the bill, and especially those who will vote in favor of it.

Mr. LAUSCHE. Mr. President, yesterday we had before us an amendment proposing the acceptance of the House version of what should be done in this field of social service.

I voted for the acceptance of the Senate version, even though it was 2½ percent higher in cost than the of the House version.

The House bill would result in an added cost of 12.5 percent. The Senate committee bill would result in a 15-percent increase in the cost.

When I voted for the 15-percent increase in cost, I thought that that would be the maximum that would be proposed under the bill. However, we know what happened yesterday. Amendment after amendment was offered, and the cost covering social security and welfare benefit increases amounts to, according to my information, about $1.5 billion.

I voted against those increases. I do so because of the financial problems that are confronting the world.

I said yesterday that this subject of devaluation is one that we are not adequately considering.

I am now, however, faced with the responsibility of either voting for or against the bill. I favored the 15-percent increase. My belief is that the added cost put onto the bill yesterday would bring the cost up to 20 percent.

The question is, shall I vote against the whole item because I am in disagreement with what happened yesterday.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield 1 minute on the bill to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 additional minute.

Mr. LAUSCHE. Mr. President, I have concluded to vote for the bill anticipating that the House conferees will stand firmly by what they proposed and will strike from the bill all of the increases that they were added yesterday.

The PRESIDING OFFICER. All time has expired, and under the previous unanimous-consent agreement, the senior Senator from Illinois is now recognized.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, at this juncture I would like to ask the distinguished majority leader about the schedule so far as the balance of the week, if any, but more particularly so far as next week is concerned.

Mr. MANSFIELD. Mr. President, it is the intention of the leadership, at the conclusion of the vote on the social security legislation, to lay before the Senate S. 2147, the meat inspection bill, which will be the first order of business on Monday, and on which very likely there will be a rollcall vote. That will be followed by the naval vessel loans bill, H.R. 6167. It is my understanding that there may be a rollcall vote on an amendment to that bill.

Then it is anticipated that the Senate will take up the civilian pay raise and postal rate bill, on which there will be a rollcall vote, I am quite sure. That would occur very likely on Tuesday. The military pay raise bill will immediately follow and on that measure there will be a rollcall vote followed by the U.N. resolution pertaining to Vietnam, on which there will be a rollcall vote; foreign aid appropriations, on which there may be a rollcall vote. The elementary and secondary education bill will be called up later that week, though its precise scheduling is not definitive as yet; and, if time permits, other items on the calendar or reported from committee next week, will be considered.

To repeat, Mr. President: For the information of the Senate, very likely there will be rollcall votes on Monday, there will be important legislation all next week; and this colloquy has been conducted for the purpose of informing the Senate of what the actual situation may well be.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. COTTON. Can the distinguished majority leader give us an idea of what time the rollcall vote might occur on Monday?

Mr. MANSFIELD. We have tried to keep in mind the peculiar situation that confronts the Senator from New Hampshire. My guess is that with the number of Senators who may wish to speak on the meat inspection bill, the vote would not come before 3 o'clock.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. Does the Senator from Montana request that rule 12 be suspended?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Can the majority leader advise me whether or not he believes it is probable that we can get to the elementary-secondary education bill either on Wednesday, November 29, or Thursday, November 30, or Friday, December 1? What I am seeking to learn is whether or not we are going to plan to take it up next week or whether it will go over to the week of December 4.

Mr. MANSFIELD. My guess at the moment is that the earliest possible time would be Friday the first, or early the next week. I will discuss the matter with the Senator from Oregon in the meantime.

Mr. MORSE. I thank the majority leader.

AUTHORITY FOR DISTRICT OF COLUMBIA COMMITTEE AND OTHER COMMITTEES TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the District of Columbia, and other committees, be authorized to file reports until midnight tonight during the adjournment of the Senate, with individual, supplemental, and minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

Mr. LONG of Louisiana. Mr. President, Senators have been most cooperative in limiting themselves on the debate so we could reach final passage on this bill. However, certain commitments have been made on this side of the aisle—and perhaps on the other side of the aisle—that have not been kept, and I ask unanimous consent that 4 additional minutes be accorded to the manager of the bill and to the minority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. HICKENLOOPER. Reserving the right to object, I understood that we had an agreement to vote at 11 oclock.

Mr. LONG of Louisiana. I have requested 4 additional minutes on each side.

Mr. HICKENLOOPER. Will it be 4 minutes and 4 minutes and 4 minutes?

Mr. LONG of Louisiana. No.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, the bill which the Senate will pass this morning will directly affect the lives of more people than any legislation we have acted on this year, or are likely to act on next year. We are providing a very substantial benefit increase for the one out of nine Americans who depend upon their social security check each month. We are making hundreds of thousands of people eligible for social security benefits by reducing retirement age to 60 and by protecting disabled widows and widowers. We are making several improvements in the coverage provisions of the program, and we are making many other changes designed to improve and simplify the social security program, including the medicare provisions.

Perhaps the most significant provisions in the bill, however, are those which would set us on a new road for dealing with the problems in the public assistance programs. The work-incentive program which this bill would establish will, I believe, turn out to be the most far-reaching and significant part of the bill we approve today.

I urge that the welfare workers who serve the recipients under the AFDC program examine these provisions in detail and make every effort to implement them for the benefit of all people dependent upon the AFDC program, but most especially for the children in those families.

The bill will restore fiscal responsibility to the medicaid program. It will also provide many important improvements in the way care under that program is delivered and financed. I believe that many older people who must spend their days in the Nation's nursing homes will find their lot much improved as these provisions take effect.

We have made important improvements in the child welfare provisions of the law—increasing Federal responsibility in this area with special emphasis on day care and foster care of minor children.

We are improving the child health provisions of present law, putting more emphasis on the State role in this program, and assuring that the poor would also have family planning services available to them. In terms of money alone, this is a monumental bill. It will provide benefits and services which will total about $6.7 billion in a full year of operation. The great bulk of these benefits will be financed out of our social security and medicare trust funds. Some will be financed out of general revenue. When I made my opening statement on the Finance Committee bill on November 15, I stated:

> All in all, this bill must rank with the greatest of the social security bills ever placed before the Senate. It proves once again that the Social Security Act is dynamic legislation geared responsibly to its clients—the people of the United States.

Mr. President, that statement is equally true of the bill we vote upon today. Senators have conducted themselves responsibly and with great humanity in the consideration of the many amendments offered to the bill. We take to conference a bill which we all can be proud of. I am hopeful we will be able to prevail on many of the new ideas which we have brought forth in this legislation.

I would like to take just a moment to advise the Senate of the cost of the bill we are acting on. The Senate added benefits totaling over $1 billion in the first full year of operation. This is in addition to the benefits provided under the bill we reported from the Committee on Finance. Of this $700 million is attributable to the old-age survivors disability and hospital insurance program, and a large part of the $700 million relates to the Bayh amendment which would increase the earnings exemption for retired workers to $2,400 per year.

We added $60 million of foster care to the bill. By requiring States to have welfare programs for their unemployed parents we increased the Federal commitment under the welfare program by an additional $60 million a year.

The Prouty amendment, to prevent veterans from losing their veterans benefits because of the social security increases, adds another $90 million to the cost.

Finally, the amendment providing more generous tax benefits for aged persons who incur medical expenses added another $110 million.

Whereas, the bill reported by the committee provided new benefits, totaling $5.6 billion in the first full year of operation, the bill as it now stands involves nearly $6.7 billion.

If one looks at the 1969 impact of our bill rather than the first-full-year impact, he will find that the total cost of the new benefits provided by the Senate bill exceed $7.2 billion.

Mr. President, I ask unanimous consent that a memorandum reflecting the costs of various provisions the Senate added to the committee bill and a table comparing the trust fund contribution income and benefit outgo of the House bill and the Senate bill with the existing law be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM

NOVEMBER 22, 1967.

From: Robert J. Myers, Chief Actuary, Social Security Administration.

Subject: Summary of cost effects of social security amendments adopted on Senate floor.

This memorandum will summarize the cost effects of the amendments to the Social Security program that were adopted on the Senate floor during the debate on H.R. 12080. The cost changes will be given in relation to the cost of the Finance Committee Bill.

A. AMENDMENTS TO OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEM

The following amendments were adopted that have a significant cost effect:

(1) *Nelson Amendment.* Mother's and wife's benefits would continue after the last eligible child has attained age 18 (or is disabled) if such child is in secondary school. The estimated level-cost of this amendment is .01% of taxable payroll. The increased benefit outgo as a result of this change is estimated at $20 million in 1968 and $40 million in 1969.

(2) *Hartke Amendment.* This amendment modifies the original amendment of Senator Hartke that provides special disability benefits for persons who meet the definition of industrial blindness. The modification permits payment of these benefits even though the individual engages in substantial employment. The long-range level-cost of the program is increased by .01% of taxable payroll as a result of this amendment. There is no cost effect for 1968 because the effective date is December 1968. Benefit outgo for 1969 would be increased by about $15 million by this change.

(3) *Bayh Amendment.* This amendment increases, effective for 1968, the annual exempt amount in the earnings (or retire-

ment) test to $2,400 (as compared with the figures of $1,680 in 1968 and $2,000 in 1969 and after in the Finance Committee Bill). A corresponding change would be made in the monthly test; the "1-for-2" band would be retained at $1,200 above the annual exempt amount. The long-range cost would be increased by .17% of taxable payroll. The increased benefit outgo in 1968 is estimated at about $600 million, while the corresponding figure for 1969 is about $450 million.

(4) *Metcalf Amendment*. This amendment eliminated the more detailed definition of disability contained in the Finance Committee Bill, including the special definition for the newly-added disabled widow's benefits. No increase in cost is included for this change, although it is recognized that there is a much greater likelihood that the experience actually developing will exceed the intermediate-cost estimate, especially as to disabled widow's benefits.

Summarizing the long-range cost effects, the increased level-cost is .19% of taxable payroll. When this is added to the actuarial balance of −.10% of taxable payroll for the system as it would be modified by the Finance Committee Bill, the result is an actuarial balance of −.29% of taxable payroll. This is well beyond the limit of −.10% of taxable payroll that has been established as a measurement of actuarial soundness.

B. AMENDMENTS TO HOSPITAL INSURANCE SYSTEM

The only amendment adopted that has a significant cost effect is that proposed by Senator Miller. This amendment, effective July 1, 1968, would provide for reimbursement to hospitals and extended care facilities to be on the basis of average per diem costs for persons of all ages (rather than on the basis of actual costs for beneficiaries aged 65 and over). In addition, the legislative history indicated the present 2% increase-factor for otherwise unrecognized costs (1½% for proprietary institutions) would be discontinued. The net cost effect is an increase in the estimated level-cost of the program amounting to .07% of taxable payroll. In 1968, the increased cost would be about $100 million with respect to insured persons and $15 million with respect to non-insured persons, while in 1969 the corresponding figures are $220 million and $30 million, respectively.

The actuarial balance of the HI system under the Senate Finance Committee Bill was estimated at +.11% of taxable payroll. Accordingly, the actuarial balance of the HI program as it would be under the Senate-approved bill would be +.04% of taxable payroll, and so the system would be in an actuarially-sound position.

C. AMENDMENTS TO SUPPLEMENTARY MEDICAL INSURANCE SYSTEM

No amendments were adopted that would have a significant cost effect.

D. OASDHI INCOME-OUTGO DATA FOR 1968–69

The following table compares the contribution income and benefit outgo for the combined OASDI and HI systems (both of which are financed by payroll taxes) for 1968 and 1969 (in billions):

Calendar year	Contribution income	Benefit outgo	Excess of income over outgo
1968	$31.2	$29.7	$1.5
1969	36.3	33.4	2.9

Robert J. Myers.

Mr. STENNIS. Mr. President, I commend the Senator from Louisiana for the manner in which he has handled this bill.

I had hoped very much that I could support a social security bill and that I could support the present one. I would support it, except that, as I understand, the House bill provides for $3.2 billion, the Senate committee bill provides, in round numbers, for $6.3 billion, and the bill as amended on the Senate floor provides for $7.8 billion.

Furthermore, Mr. President, no one has a calculation that is considered to be accurate or nearly accurate with reference to the items which have been added to the bill on the Senate floor. The Senate has a duty to retired people, present and future, to protect the retirement system and keep it sound.

I believe that if this situation continues, those who look forward to their retirement benefits, those who will retire 20 years from now, may have a sore disappointment, because the funds will not be there.

I believe we should stop, look, and listen again, before we pass this bill. If it does pass, I hope that a bill will come back from the committee on conference which I can support, one that in my view would be far better for the beneficiaries and for the country, and one that is sound in fiscal responsibility and integrity. If such a bill is presented by the Senate conferees, I shall certainly support it.

Under the circumstances, I am compelled to oppose the bill in its present form.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HICKENLOOPER. Mr. President, instead of repeating what the Senator from Mississippi has said, I should like to associate myself with his expression.

We are on a most dangerous and disastrous course, if we continue with this irresponsible addition, as we did yesterday, adding $1 billion to the bill.

Mr. STENNIS. I thank the Senator.

Mr. RIBICOFF. Mr. President, this is an historical occasion. The bill upon which we are about to vote provides the largest increase in social security benefits since the inception of the system. It provides new and better directions in our welfare programs. It will help children of America, the old, the aged, and the disabled.

It provides new directions in bringing dignity to the poor, the destitute, and the unemployed.

I want at this time to compliment the chairman of the Finance Committee for his brilliant handling of this bill, both in committee and on the Senate floor.

It is not only one of the most important bills the Senate has considered, it is easily the most complex. Under the guidance and leadership of Chairman Long, the Senate has considered and adopted over 100 amendments to the House-passed bill. Throughout its consideration, he has shown great understanding, patience, and consideration. This social security bill is, indeed, landmark legislation.

Mr. THURMOND. Mr. President, I am compelled to vote against the pending bill, H.R. 12080, on final passage. The bill, in its present form, is unreasonable and unacceptable from many viewpoints. I want to discuss the major problem, as I see it, with the bill as it now stands.

My primary concern with the bill is that it is an attempt to do too much in one fell swoop with apparently little or no regard for the long-range consequences of what is proposed. Certainly, every Member of the Senate is well aware of the need to increase social security benefits to offset the steadily declining purchasing power of the dollar. I strongly favor an increase in social security benefits and was pleased to vote for the level of increases that was contained in the bill as it was passed by the House of Representatives.

Everyone must also be aware of the fact that when benefits are increased, taxes must be increased to pay for the increased benefits. I support the step increases in taxes proposed in the House version of the bill. It is this particular difference in the two versions of the bill that causes me to oppose the measure as it is now pending for final passage. Both the benefit increases and tax increases proposed in the bill as it was adopted by the House of Representatives are more realistic and provide more flexibility for later improvements, financed by the present method, than the pending version. I am not contending that there will not be increases in social security benefits in the future if the pending version of the bill is adopted. I am saying that when benefits are increased in the future, as we all know they will be, it will be exceedingly difficult to finance the increases other than out of general revenues. When normal old-age, survivors, and disability benefits are once financed out of general revenues, the character of the social security system will have been forever destroyed. It will then be impossible to resist further attempts to expand benefits and to finance them out of general revenues rather than out of the trust fund established for the purpose.

H.R. 12080, as it is now drafted, increases both the tax rate and the wage base to the maximum which most experts consider feasible for such a regressive tax as this one unquestionably is. Under the present law the wage base—the maximum amount of wages or self-employed earnings subject to the tax—remains at $6,600 a year. Under present law the employee tax rate will ultimately go up to 4.9 percent in 1969, to 5.4 percent in 1973, to 5.45 percent in 1976, to 5.55 percent in 1980, and to 5.65 percent in 1987.

Under H.R. 12080, as passed by the House of Representatives, the tax rate is increased over the present law. Under the House bill, the employee rate is increased to 4.8 percent for 1969, to 5.2 percent for 1971, to 5.65 percent in 1973 to 5.7 percent in 1976, to 5.8 percent in 1980, and to 5.9 percent in 1987. The wage base is increased to $7,600 for 1968 and thereafter.

Under the bill now pending before the Senate, the tax rate will be the same as the House-passed bill up to 1980 but the wage base is greatly increased. The wage base will be $8,000 in 1968, $8,800 in 1969, and $10,800 in 1972.

Under existing law the maximum in employee tax which will be reached in 1987 amounts to $372.90 annually. Under the provisions of H.R. 12080, as passed by the House, the maximum employee tax which will be reached in 1987 amounts to $448.40, and the maximum employee tax under the Senate version of the bill,, which will be reached in 1980, amounts to $626.40. Similar burdens are carried by employers, and a proportionate increase will follow upon the self-employed.

It is obvious, then, that under the version of this bill, as it is pending before the Senate now, the saturation point has been reached insofar as the possibility of increasing taxes to finance future benefit increases are concerned. I am concerned that the only alternative will be to finance future benefit increases out of general revenue.

In addition to this point, I am concerned that this bill goes a long way toward overloading the social security system to the point that the benefits that future generations will be entitled to will be placed in jeopardy. The first concern of Congress must be to protect the solvency of the social security fund so that the thousands who retired each year will have no concern about their benefits being paid when due.

Mr. President, the Greenville News of Greenville, S.C., published an outstanding editorial on this bill in its edition of Wednesday, November 15. I ask unanimous consent that this editorial, entitled "Senate Social Security Bill Is Big Fraud," be printed in the CONGRESSIONAL RECORD at the conclusion of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATE SOCIAL SECURITY BILL IS BIG FRAUD

The Senate gets to work this week on the expanded Social Security bill, which its Finance Committee has turned into a monstrous vote-buying fraud.

As reported out with amendments by the Committee, the bill would provide huge increases in Social Security payments to elderly people early next year. The equally-large or larger tax increases necessary to finance the benefits won't take effect, however, until just after the national elections next November.

The Democrats who control the Senate by a whopping margin can be expected to ram this bill through without major changes. Since it has the endorsement of the Johnson administration, it probably will prevail in the conference committee named to iron out differences between it and the more honest House bill.

There are many things wrong with the Senate bill. The chief thing is the political immorality involved in its fraudulent nature. The fraud works like this:

Approximately 24,000,000 elderly people will get Social Security increases almost immediately. The Senate bill's increases are higher than those voted by the House. Thus the 24,000,000 beneficiaries naturally can be expected to favor the incumbent administration, Congressmen and Senators with their votes next November. After all, who votes against Santa Claus?

Those who must pay for the increased benefits, the millions of workers and businesses, won't feel the bite in their paychecks and profits, however, until after the voting is over. But then they will get it full force, and will continue getting it, heavier and heavier, for the next five years.

The Senate bill will drastically raise the Social Security tax on most workers and all employers by raising the taxable base. It is now $6,600 a year. It will go to $8,000 next year—with most workers not feeling the increased tax scale until after the election. Then in 1969 the tax base will jump to $8,800. In 1974 it will go to $10,800.

Meanwhile, the tax rate on those earned dollars will rise gradually from the present 4.4 per cent on both worker and employer to 5.65 per cent on each by 1974.

In terms of dollars and cents, the maximums on both workers and employers will rise from the present $290.40 a year to $352 next year, $422.40 in 1969 and $610.20 in 1974. The latter figure is more than double the present maximum rate.

The Senate bill is the biggest and costliest Social Security increase in history—with tremendous built-in inflationary pressures. Inevitably it will cause two things:

—Increased prices resulting from increased costs, thus wiping out the "gains" for the elderly "beneficiaries" of Social Security.

—Further hardship on marginal or unskilled workers, who will lose jobs as businesses and industries lay them off in frantic efforts to cut costs. This alarming trend already has been noted as a result of raising the minimum wage scales. The Social Security employment tax increase will speed it drastically, and may cause more poverty than it cures.

In addition the loss of "take-home" pay by millions of productive workers is another blow to the stability of the American middle class, or working class, which already is carrying an unjustly large part of the tax burden. Coupled with the administration's proposed income tax surcharge, it could be a financial disaster for many families already having to borrow money to meet rising costs of feeding, housing, clothing and educating their children.

Going beyond the hardships imposed on taxpayers, the Senate bill moves the Social Security system still closer to the danger of overloading. Sound fiscal experts long have been pointing out that costly "benefits" can make the system so burdensome it will collapse. Now even some liberal spenders are coming around to this view.

One of them, Wilbur Cohen, regarded as the "architect" of Social Security and an exponent of many Great Society programs, expressed some alarm about this in congressional hearings some months ago.

He is coming around to the view that soon the Social Security system must be divorced from the employment tax structure and financed, either partially or completely, by general tax funds. This, of course, would cost as much, or more, and would end the already-discredited illusion that Social Security is a form of insurance and that workers have vested interests in it.

A great many workers will discover in the months and years ahead that their "vested interests" in Social Security exist only at the whim of Congress—and that there are "vested liabilities" as well.

The Senate bill is clear proof that the politicians still regard the average American worker and taxpayer as an uninformed "sucker" who can be fooled by a policy of giving benefits now and taxing them later to pay for it.

It will be interesting to see how individual Senators debate the issue and how they vote on the important tax angles involved in this measure. It will be interesting to see, too, whether the taxpayers will wake up when their Social Security deductions, from which many of them will never benefit, just about equal their federal income taxes, before imposition of the surtax anyway.

Mr. YARBOROUGH. Mr. President, I wholeheartedly support H.R. 12080, the Social Security Amendments of 1967. This bill will be a major landmark in the 30-year history of social security legislation. Over 95 million insured American workers support this program with their contributions, and more than 23 million aged, disabled, widowed, and orphaned Americans depend on their social security benefits for the very essentials of their existence. This bill clearly states to them that we are aware of the need to keep this vital and basic program of the American people up to date in its provisions and effectiveness.

Since the last benefit increase, there has been a drastic erosion of the purchasing power of benefits. This bill will do more than simply restore that erosion. H.R. 12080 takes a firm step toward moving the Nation's basic program for income maintenance closer to the level required in the growing economy of our very prosperous country.

As the wealth of our country has increased, the plight of our elderly has worsened. Many of our older citizens are retiring each year—and many are forced to retire because of their age—into a state of poverty for the remainder of their lives. Estimates of the number of elderly poor are as high as 7 million persons.

One large reason for this is the current inadequacy of our social security program. Over half of the persons retired depend solely on social security benefits, and they are the major source of income for the vast majority of the other half. Those benefits last year averaged $84 a month for each individual—barely $1,000 for a person to live on for a year. In my own State, which as a low wage State has penalized its fine workers, the benefits averaged $64.31 each month, or only $770 per year.

Increased benefits are our greatest immediate need. That one measure can affect more people who are impoverished than any other piece of legislation we have passed. The benefits in this new bill would raise 2.1 million persons out of the definition of poor into a status where they would have a chance to keep their self-respect. And these recipients have earned that right because the contributions from the salaries they have earned have financed their benefits.

These increased benefits would also lessen the general welfare burden. Social security benefits have been so meager that many recipients must depend on old-age assistance. These new benefits will take 200,000 persons off of those rolls. The new minimum level for benefits will still be only $70 a month. No rich gravy will drip from a recipients lips on $840 a year. This raise is certainly not an unjustified cost.

Even in my home area of east Texas, where the living is easier and the prices lower than in many parts of our Nation, there will not be any turkey and dressing for the old folks tomorrow.

These are hard-working people who retired from a productive and useful job, or laid down their plows, to take a well-earned rest; instead, they find themselves living the bleakest sort of shoestring existence. These old people will not enjoy Thanksgiving tomorrow—with fine hams, a fat turkey, lots of good fruit cake and pie and all the trimmings—thousands of men and women over 65 in my State are going to dine on corn bread, and beans, and rice and chicken necks. These are some of the finest men and women to inhabit the earth, but what have they got to be thankful for if we turn our backs on them? We must approve this bill, and we must do all in our power to see that our view prevails in conference committee meetings, with Members of the House. I would hate to have to eat for a month on the present minimum level of $44, much less feed a family, pay rent, buy clothes, and pay drug bills.

Our system can certainly support such an increase, for it is fiscally sound. There has been a great deal of misunderstanding about the actuarial soundness of social security. Our elderly citizens have been caused unneeded apprehension by misrepresentations in scare articles that periodically appear in magazines. For example, the National Council of Senior Citizens informed me that an article in the October Reader's Digest caused great and unnecessary alarm.

But the facts are clear. The system, under the present law, will provide an estimated surplus of revenue over benefits of $4.1 billion for 1968. No one need fear that he will not receive his full benefits, or that our system cannot withstand this new expansion.

The system would be sounder with an eventual and gradual change to general revenue financing. The tax on payrolls has been so regressive that many of our low-income workers pay more now in social security taxes than they do in income taxes. And as we provide necessary benefits to those who cannot contribute through payroll deductions—for example, the blind and the disabled—general revenue financing becomes a far more equitable means of raising revenue. To establish a really solid floor of protection for our elderly citizens we need to be fair to our productive employees and share the responsibility for finance through general revenue.

But as long as we continue to finance through payroll deductions, a provision was needed to increase the earnings and contributions base. A level of $10,800 would mean that easily 90 percent of our employees would receive benefits based on everything they earn. When social security was initiated, this was intended, but the growth in workers' incomes has left a severe gap in comprehensiveness that must be closed. This provision would mean, for a man of 50, an increase of at least 40 percent in his benefits by the time he retires.

A cost-of-living provision would also add to the soundness of the system by protecting recipients against inflation. The last two increases in benefits that were enacted barely kept our elderly on even ground. When they must live out their lives dependent on social security payments, they can be irreparably crippled by a loss of purchasing power due to inflation. With a built-in cost-of-living provision, the benefits would respond to increases shown in the Consumer Price Index.

The raise in minimum benefits will help all those who are affected by social security or old-age assistance. They were needed to keep our system of social security true to its purpose and responsible to our citizens who ask only that they be able to live out their lives in self-respect.

This significant new bill also includes several amendments relating to public assistance which are a substantial contribution. Coercive aspects have been struck from the House version, particularly as they relate to unemployed mothers, and fathers of dependent children. Schemes for compulsion are not a constructive prospect for public assistance and were rightly struck. Punitive provisions would have been used by many to degrade and demean recipients.

More important, they would continue to weaken our family strength in America. Before these amendments, provisions would have punished unemployed fathers who wanted to live with their families, and would have penalized mothers who wanted to care for their children rather than work. Under this bill, employment, where it is desirable, would be encouraged through positive training programs and work incentives, not compelled through force.

Another provision added by the Senate would provide a constructive means by which welfare recipients can be given needed employment, thus enabling them to get off the welfare rolls. We all know of the critical shortage of social workers and others needed to provide vital services to the poor. We also realize the quantity of services needed. By hiring welfare recipients as subprofessional aides to work on their own problems, we increase the number of persons providing services; we increase the quantity of services provided; we utilize persons who will be most sensitive and responsive to the psychology of the poor; we enable the unemployed to learn a highly transferrable skill; and we provide a constructive and honorable encouragement to many currently on welfare to seek employment.

My enthusiasm for the improvements in social security that would be made by H.R. 12080 is quite obvious. Without detracting from the great value of the bill or from my enthusiasm for it, I would point out that one provision needed under the social security laws is again omitted from the bill. A large group of workers who need to benefit more fully from the social security improvements in the bill are our farm employees.

Many farmworkers have only short-term employment, scattered among several farms, and, because they get relatively low pay, their earnings are not creditable under social security. This happens because the amount earned from any one employer is not enough to meet the farmworker coverage test in present law. We will eventually correct this deficiency.

In summary, the bill provides vitally needed increases in benefits to our retired citizens. And it does it in a way to insure continued fiscal soundness and responsibility. The system provides that those on welfare will not be degraded or demeaned and, in fact, this bill will take many persons out of the definition of poverty and off the old-age assistance rolls. The result of this bill will be that our elderly citizens, who have contributed so much as wage earners and productive citizens, will be given a better chance to live out their retired years with a fair measure of dignity and self-respect.

Mr. KENNEDY of Massachusetts. Mr. President, this bill is landmark legislation. The increase in social security benefits, the largest ever voted, will immediately raise more than 1.5 million senior citizens above poverty level, for the first time. It will mean that more than 200,000 seniors will be taken off the public assistance rolls.

But the raised benefits and broadened coverage of this bill do more than change the lives of the poorest of our senior citizens. The bill will also have an immediate effect on the lives of millions of other Americans—as there are now 23 million Americans receiving benefits under the various provisions of the Social Security Act. As examples, 92 out of every 100 people now reaching age 65 have retirement protection; 87 out of every 100 persons age 25–64 have disability protection; and 95 out of every 100 children and their mothers have survivor protection.

As an example of the wide-ranging nature of the benefit increases, under present law a retired couple's social security benefits, if the average monthly earnings had been $450, is $219. The Senate bill would raise this monthly benefit to $251.90. It would increase the minimum benefit, for a couple, from $66 to $105.

Just as the bill has great importance for all Americans, it has importance to those citizens of Massachusetts who receive benefits under the various provisions of the Social Security Act. The statistics on the number of recipients in Massachusetts give some idea of how great the involvement of social security is in the lives of the people of Massachusetts: 49,700 people receive old-age assistance; 2,300 people receive aid for the blind; 13,300 individuals receive aid for the permanently and totally disabled; 31,900 families with 90,000 children receive aid to families with dependent children; 650 families with 2,500 children receive aid to families with dependent children because one or more of the parents were unemployed; 16,800 individuals receive general assistance; and 2,623 individuals receive work experience and training, which means a great reduction in public assistance expenditures.

I would point out that these figures reflected the status of the programs in May of 1967, but that they are accurate reflections of the extent of overall activity today.

There are a number of provisions in this bill about which I am particularly pleased. One of these is in section 243c, which requires that States establish programs for licensing the administrators of nursing homes if they are to receive title 19 medicaid assistance. This amendment is an outgrowth of a bill I introduced in the 89th Congress, which was the result of extensive investigations we in the Senate Special Committee on Aging made in 1965. In those hearings, we uncovered many abuses in the field; we also learned that the vast majority of the nursing home industry is responsible and concerned. The amendment which appears as section 243c was worked out in consultations between myself, the American Nursing Home Association, and the Department of Health, Education, and Welfare. It is a major step forward in our fight to bring the highest quality of medical care to all our citizens.

As chairman of the Subcommittee on Federal, State, and Community Services of the Special Committee on Aging, I am especially interested in another of the provisions of the bill, one which has not received as much attention as some of the other provisions. It is section 212, which begins at line 20, page 302. This section would permit the purchase of such services as homemaker or rehabilitation services for elderly recipients of public assistance.

The need for such an amendment to our welfare statutes was indicated in a study and hearing conducted by the Services Subcommittee in late 1965 and early 1966. We found that one impediment to the development of services needed by older public assistance recipients was the prohibition in the Public Welfare Amendments of 1962 against the purchase of certain services, such as homemaker services, from nongovernmental sources. We found that, consequently, the State or local welfare agency that wishes to provide a particular type of service to its elderly public assistance clients must either purchase the service from another Government agency, or create its own organization for doing so, even though there is already in existence a competent nongovernmental organization which is rendering the service for a charge.

Where there are insufficient numbers of clients needing such a service to make a public service agency economically feasible, this can mean that the welfare agency must face the dilemma of either refusing to provide the service, no matter how much it might be needed, or providing it at an exorbitant cost.

To solve this problem, our subcommittee recommended that public welfare agencies be permitted to purchase services from private service organizations, when it is most efficient and economical to do so. It is a source of great personal satisfaction to me to see in the bill a provision which would accomplish this desirable objective. If it becomes law, it will enable our State and local welfare agencies to render more and better services to the elderly on public assistance at less cost.

Another amendment, which appears as section 124a, would permit the Secretary of Health, Education, and Welfare to terminate the social security coverage of employees of the Massachusetts Turnpike Authority at the end of any calendar quarter following the filing of notice as required by section 218(g)(1) of the Social Security Act.

This amendment to existing law is the product of amendment No. 423, which I introduced on October 25, 1967, and certain changes suggested during consultations among representatives of Health, Education, and Welfare, the Finance Committee staff, and myself. It is very important to the 950 employees of the Massachusetts Turnpike Authority, and for that reason I was glad to introduce it when it became apparent that only legislation could bring the benefits of the new State retirement system to these employees without imposing a harsh double payroll tax on them for 2 years.

The three provisions I have just mentioned were included in the committee bill. Yesterday, I introduced an amendment on the floor, a modified version of my amendment No. 459, which was accepted by the Senate. It would require the Secretary of Labor to carry out a year-long study of the feasibility of family and child allowances, reporting back to the President and the Congress on January 15, 1969. This can be a very important study for the future of American society, and I sincerely hope that the House conferees will accept it.

Let me close by saying how pleased I am that the Senate has so overwhelmingly accepted the increases provided in this bill. We are a country of uncounted wealth, and we should simply not tolerate those among us who are too old, too young, or too weak, having to live their lives in want and despair. This social security bill is one way their lives can be improved, and I think it is a profound step forward.

Mr. MOSS. Mr. President, the measure we will pass here today in the Senate is indeed landmark legislation. The improvements it makes in the social security system are the most far reaching and realistic we have adopted in many years. The bill fully recognizes the exigencies of the times in which we live, and comes closer to meeting the needs of our elderly, our disabled, our families with dependent children, and all American citizens who must depend on welfare, than any amendments we have passed since the original social security bill was adopted in 1935. I commend the members of the Finance Committee for the painstaking work they have done, and for the sound and comprehensive measure they sent to the floor.

The amendments provide for a 15-percent across-the-board increase in social security benefits. This will mean the difference between simply existing and having a few more of the necessities of life to many of our elderly. There is no doubt that the present level of social security payments is inadequate. The cost of living has gone up considerably since the payment level was established, and many of our old people are suffering. Social security payments to some are as low as $44 a month. Many people have tried to save during their earning years to supplement their social security benefits, but most older people have precious little. Certainly, no one can be expected to live on $44 a month on today's market. The bill we are now considering would provide for a minimum social security benefit of $70 a month—a small raise in terms of dollars, but one which could provide for a couple of extra bags of groceries, or some urgently needed medicine.

The committee has shown its high level of responsibility by fully increasing social security withholding taxes to cover the cost of the raise in benefits, and to keep the social security trust fund on an actuarily sound basis. Many people seem to believe that the country is going into the red to make these extra social security payments. This, of course, is not true. The increase in social security taxes—a gradual increase over several years—will fully cover the cost of the new benefits. I am sorry there has to be any social security tax increase at all, but those who are working now will find that the increases in benefits are most welcome to them when they retire, and will get back the money they have paid into the system within a few years.

I am very much gratified that the level of social security payments adopted by the Finance Committee was the one I recommended in testimony before them. I felt that the House-recommended figure of a raise of 12½ percent was not adequate and that we could well afford the few extra dollars which the 15-percent increase would provide. I urge the Senate conferees to stand firm for this amount in the House-Senate conference committee.

I am also gratified that one other amendment which I suggested to the committee has been adopted. That is my amendment which deals with long-term care, and particularly nursing home care, provided to the aged under title XIX of the Social Security Act. The need for it became apparent in hearings I have held as chairman of the Subcommittee on Long-Term Care of the Senate Special Committee on Aging and in other studies done by the subcommittee.

This amendment provides increased assistance to the elderly who must stay in nursing homes for treatment and care. A substantial part of the amendment was adopted by the committee, and it was strengthened by the inclusion of the reasonable cost feature in the floor amendment offered by the Senator from Iowa [Mr. MILLER] and adopted during the debate on the bill. I also urge the Senate conferees to make every effort to have the House agree to this amendment—only time will prove how very substantially we can use its provisions to help our elderly sick welfare patients who are in nursing homes, and how much more equitably and fairly we can deal with the nursing home proprietors who take these elderly patients into their care.

The measure before us has my strong support, Mr. President, and again I compliment the committee on a job well done.

Mr. KUCHEL. Mr. President, on behalf of the Senator from Vermont [Mr. PROUTY] who is necessarily absent, I ask unanimous consent to have printed in the RECORD a statement prepared by him.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PROUTY

Last week in my opening speech I commended the Finance Committee for its efforts and applauded the result of its work—the Social Security Amendments of 1967. Today I would like to reiterate my praise for all members of the Senate Finance Committee from both sides of the aisle who labored long and diligently to produce legislation of such superior quality.

I am particularly grateful to the distinguished Senator from Louisiana, Mr. Long, for his fair and bipartisan conduct of the debate. The Senator from Louisiana while justifiably proud of the bill his Committee produced, was nevertheless always open to suggestions for improving it. In fact, he accepted several important changes, among which was an amendment I offered allowing veterans to benefit from Social Security increases.

Mr. President, all of us in this body can take pride in the Social Security Amendments of 1967. The provisions contained in these amendments, when enacted into law, will alleviate hardship and suffering among millions of older Americans. This bill will be viewed by our senior citizens as a renewed pledge of commitment to the goal of securing adequate benefits for them during their retirement years.

The debate over the Social Security amendments and the amendments themselves are of historical importance as well as being significant and laudable. I say this for three reasons.

First, Mr. President, we have for the first time in many years provided not only for large across-the-board benefit increases, but we have also substantially increased the minimum base of benefits. I might point out, Mr. President, that the inclusion of these provisions is especially gratifying to me since I have advocated similar action since 1961. In fact, the only difference between bills which I have offered since 1964 and the present bill is that my proposal granted beneficiaries in the lower social security income brackets ($100 and under) proportionately larger increases than those in the higher brackets.

Second, Mr. President, the Finance Committee has demonstrated increased concern for individuals who reached retirement age before their occupations were covered by social security, and who, therefore, have no social security coverage. The precedent for increasing coverage toward universality by "blanketing-in" individuals not, now eligible for benefits was established last year when my amendment extending benefits to retired individuals over age 72 was adopted by the Senate. I was pleased that the Committee not only retained these benefits but acted to increase the amount of benefits.

Third, Mr. President, two matters of vital importance were discussed during the course of the debate on the Social Security Amendments. I refer now to the fact that social security is at present over-financed and to the related issue of financing through the use of general revenues.

In our recognition and concern over the fact that at our present rate of taxation, the Social Security Trust Fund is overfinanced, the distinguished Senator from Louisiana, Mr. Long, and I stand close together. Senator Long agreed with my position the other day when he said:

"Our bill does not underfinance it. If we are subject to any criticism, it would be that of the Senator from Vermont that we are putting too much in; not too little."

Using the recognized indisputable fact that a surplus presently exists in the Social Security Trust Fund as a starting point, I argued that taxes need not be raised a substantial amount in the near future. While the Senator from Louisiana did not concur with this aspect of my reasoning, he kindly gave me an opportunity to enunciate my position.

Although my amendment which would have retained the present rate of taxation and provided for financing out of general revenues in case of deficit in the trust fund garnered only six votes, I felt that it succeeded in another important respect. As a result of the debate on my amendment, a public debate on the question of partial general revenue financing for social security was opened.

Some individuals have asserted and will continue to assert that general revenue financing would mean the destruction of the social security system. I believe that nothing could be further from the truth. As the distinguished Senior Senator from Delaware, Mr. Williams, has pointed out, we must be prepared to pay for any social security benefits which we enact. I for one believe that paying for these benefits out of general revenues is, over the long run, a more equitable and realistic method of financing. I am certain that in the years to come, more and more Senators will come around to my way of thinking as they did with regard to the $70 minimum benefit.

Despite many improvements in the Social Security law, *all* inequities have not been removed, nor have *all* necessary improvements been made. I was disappointed that several of my amendments were not accepted.

Mr. President, the bill we pass today is, I think, a very good one. Basically, it is the fine work of the Committee on Finance, under the able leadership of the Senator from Louisiana.

The membership of that Committee certainly deserves the thanks of the American people for having reported to the Senate such a fine bill. Their work certainly deserves our support.

All of us in this body will be able to take pride in our accomplishments in the field of Social Security if we enact this bill into law. We can be proud that we have done something for many deserving older Americans. But, even more important, we can take pride in the fact that through constructive action and debate we have laid the foundation—perhaps even built a framework for future action.

Again, I congratulate the Finance Committee for its work and pledge my support to the bill.

Mr. BYRD of West Virginia. Mr. President, I have just been advised that our colleague, Senator McGovern, of South Dakota, will be unable to vote on final passage of H.R. 12080, the Social Security Amendments of 1967, because his flight into the city this morning has been delayed by inclement weather. He will be announced in favor.

I think it is appropriate to make reference at this time to Senator McGovern's diligent efforts on behalf of the bill and a number of its specific provisions—in particular the increase in the amount a social security recipient may earn without having his payments reduced.

Mr. McGovern is author of both a separate bill and an amendment to H.R. 12080 to remove the outside earnings limitation completely. The committee raised it from $1,680 in the House bill—compared to $1,500 under existing law—to $2,000, and the Senate last night adopted an amendment offered by Senator Bayh to move it up to $2,400. The energies and persuasive arguments that Senator McGovern has advanced on behalf of this change have unquestionably been a significant factor in its accomplishment.

AFDC CASE OPENINGS

Mr. President, much has been said during the past 2 days about men being forced to desert in order to qualify their families for public assistance.

While one cannot say with assurance that this has never happened or that it does not happen or that it will not happen in the future, I doubt that the true facts, nationwide, would substantiate that the situation is as bad as some people maintain. The Subcommittee on Appropriations for the District of Columbia, of which I am chairman, annually goes into the matter pretty thoroughly, and insofar as the District of Columbia is concerned, the record will show that the number of AFDC case openings based on the absence of a parent has been steadily going downward over the past 10 years.

For example, case openings based on the absence of a parent—due to leaving home and stopping or reducing support and as a result of death or incarceration—have dropped from 52.6 percent of the openings in 1956 to 25.6 percent in 1967.

Case openings due to absence of parents—excluding death—dropped from 50.1 percent in 1956 to 24.3 percent in 1967.

The true picture, of course, is best gleaned from the statistics based on case openings because of the absence of a parent due to his leaving home and stopping or reducing support—with incarceration and death excluded. These statistics have not been kept by the Department of Welfare in the District of Columbia prior to fiscal year 1966. However, the record shows that only 22.9 percent of the AFDC case openings in fiscal year 1966 were based on the absence of a parent—excluding incarceration and death—and this figure dropped to 18.9 percent for fiscal year 1967.

Even in those cases where the parent absented himself by leaving home and stopping or reducing support, it cannot be said that all of such cases resulted from the desire of the absent parent to qualify his family for welfare. Many well-thinking people ascribe the parent's action in absenting himself to the humanitarian motive of providing for his wife and offspring. In other words, he is unable to get a job, and, faced with restrictive welfare regulations, he is forced to leave home and fireside in order to make his loved ones eligible for assistance.

The truth of the matter is that in all too many instances the husband or paramour, whichever the case may be, simply does not want to bear the responsibility of maintaining the woman and children, so he leaves them. Not all of the absenting husbands and fathers are unable to find employment. Many of them are allergic to work and, as the record has often shown, have lost good jobs repeatedly because of absenteeism from work. In many situations, fairly good jobs go begging, and there is no justification for absenting parents not making an honest effort to secure and hold down some of these jobs.

I think it may be helpful, therefore, to place in the record statistics supplied by the District of Columbia Department of Welfare concerning AFDC case openings based on the absence of a parent during the past decade. In this regard, it may be well also to read into the record a brief excerpt from a letter written by the Frederick County, Va., Fruit Growers Association, which was submitted to the Senate Agriculture Committee in 1965. The letter, in part, reads as follows:

> Our association attempted to recruit in Washington, D. C. Cards were sent to over 600 men listed as having previous agricultural experience to report for interviews; 120 men came in and on finding that these jobs were for more than a single day only 22 remained. Of these, 18 accepted bus tickets to the job. Only 17 reported for work. By the end of two weeks only four remained and none completed the season.

Mr. President, Tolstoi may be remembered for many excellent sayings, one of which I shall cite as being pertinent to my subject:

> The more is given, the less the people work for themselves. And the less they work, the more their poverty will increase.

I ask unanimous consent to have printed in the RECORD the table on AFDC case openings to which I have alluded, that table having appeared on page 2308 of the fiscal year 1968 printed hearings of my Subcommittee on the District of Columbia Appropriations.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF PUBLIC WELFARE, DISTRICT OF COLUMBIA—NUMBER OF AFDC CASE OPENINGS BASED ON THE ABSENCE OF A PARENT

Fiscal year	Percent of openings		
	Absence of parent due to leaving home and stopping or reducing support (excludes incarceration and death)	Absence of parent due to leaving home and stopping or reducing support and as a result of incarceration (excludes death)	Absence of parent due to leaving home and stopping or reducing support and as a result of death or incarceration
1956	(1)	50.1	52.6
1957	(1)	50.3	52.5
1958	(1)	46.2	47.9
1959	(1)	44.0	46.1
1960	(1)	38.1	39.6
1961	(1)	33.7	34.9
1962	(1)	29.8	31.4
1963	(1)	29.0	30.3
1964	(1)	30.0	31.7
1965	(1)	29.1	30.5
1966	22.9	26.1	27.9
1967	18.9	24.3	25.6

[1] Not available.

Source: DPW research and statistics; DPW annual reports.

Mr. KENNEDY of New York. Mr. President, in the course of consideration of this legislation (H.R. 12080), I introduced two amendments (No. 412 and No. 466) concerning the cost of medical care. I have not asked for a rollcall vote on either one, for reasons which I shall explain. Nevertheless, I should like to discuss these amendments, because both deal with a problem which is becoming increasingly serious in our Nation: The cost of medical care.

The debate over medicaid in Congress this year has revealed deep and widespread concern over the unexpectedly high costs of the program. I share this concern. We cannot be blind to the question of cost, considering the many demands that are made on the Federal Government's limited resources. Nor can we be deaf to the protests of our citizens against the tax increases that medicaid has necessitated in some areas.

But I do not share what seems to be the view of many that the high cost of medicaid should be dealt with merely by drastically limiting the program. Eloquent testimony to the need for Government supported medical care is provided by the distressingly poor performance of the United States among the nations of the world in reducing infant mortality, increasing life expectancy, controlling controllable forms of cancer, and so on. And the need has grown greater, not less: In 1950, our infant mortality rate was fifth lowest in the world; in 1961, we were 11th; we now rank 15th, behind all of the industrialized nations of Europe.

Moreover I think our people agree with me that we must have such a program; 40 States and jurisdictions containing over two-thirds of our population have had medical assistance plans approved by the Secretary of Health, Education, and Welfare under title XIX.

I believe that substantial reductions in the cost of medicaid to the Federal Government and to the States and counties can be realized by other means than limiting eligibility under title XIX. My conviction is based on the widespread judgment of students of our medical system that that system is characterized by grave inefficiency. In other words, the high cost of medicaid is only an instance of the high cost of medical care generally.

Over the last year and a half, the charges of providers of medical services, which have consistently increased at a rate far steeper than the total consumer price index, have risen more steeply still. The figures are most striking. I am informed by the Bureau of Labor Statistics that its forthcoming index for the third quarter of 1967 will show physicians' fees increasing to a level nearly 8½ percent higher than that of 1966. The recent increases in hospital care costs make even that figure pale by comparison; in the first 9 months of this year, they reached a level 20 percent higher than that of 1966.

The burden that is dramatized by these statistics is being borne by all of our citizens, not just those whose medical expenses come to our attention because we are helping to pay them under title XIX. If we in Congress are shaken by the doctor's bill that has been submitted to the Government, so must our citizens be shaken by the bills that they are receiving.

The question raised by these startling figures is whether such increases in the cost of medical care are warranted. Can we say—or can those responsible for these increases say—that they are justified? Is it inevitable that the provision of health care at current levels should cost what it does? Will the expansion of medical care contemplated by title XIX entail a never-ending series of reports from the Bureau of Labor Statistics describing 8-percent increases in doctors' fees and 20-percent jumps in hospital charges?

The fact is, Mr. President, that unless we establish some limits on Federal reimbursement under title XIX, we will have to contemplate just such a series of reports.

What information we have suggests that the cost increases we have suffered are not justified by gains in productivity of our medical services and institutions. In the words of the recent report by the Department of Health, Education, and Welfare on medical care prices, "at present, hospitals have inadequate incentive to be efficient." The same is true of physicians; since they are not constrained by market pressures in any great degree, they also have little incentive to minimize their charges.

There is also mounting evidence that the impact of title XVIII and title XIX has been to accentuate existing inefficiencies, because they provide for reimbursement of costs—all costs, any costs. To be sure, the statutes speak of "reasonable cost"; but it is an open secret that in practice almost any costs have been deemed reasonable costs. The lack of any meaningful standards governing reimbursement has only intensified the inefficiency of a medical system in which charges have traditionally been determined in a random way. This is not surprising. Hospitals and physicians have historically enjoyed an extraordinary freedom from consumer and governmental scrutiny, and they have not felt impelled in the absence of such scrutiny to devise rational pricing mechanisms.

But we are entering a new era in medical history, in which the consequences of continuing this freedom could prove ruinous to the general public and to the Government.

Mr. President, it is intolerable that the expansion of these vital and humane Federal programs should be the occasion for a massive inflation of medical costs. To prevent this, I offered an amendment to title XIX requiring State medical assistance plans to provide fee schedules for both hospital and physician care. That was amendment No. 412. It would have assured that the spread of medicaid does not produce a further inflation of medical costs.

In the case of hospitals, this amendment would have limited acceptable per diem charges to the level of either the local Blue Cross agreement or applicable medicare rates, whichever is lower. This would place a reasonable ceiling on hospital reimbursement under medicaid.

The second part of this amendment would have attacked the rising cost of outpatient care. In large cities, it is increasingly common for outpatient visits to cost $20 to $30—one-third the charge for inpatient care for a visit that may last only 5 minutes. This amendment would require the State to set a ceiling on payments for such visits, stated as a percentage of the inpatient per diem.

The third party of the amendment dealt with payments to physicians, dentists and allied professions. Its basic requirement was that the fee schedules must be based on the average level of fees charged in the area over the 10 years previous to the adoption of the plan, as weighted by increases in the total consumer price index. This would have prevented rapid increases in response to the adoption of a plan. The standard of customary and usual fees in use under title XVIII has not had this restraining effect—although it may have been intended. I think we must assure, as this provision would have demonstrated continuity between fees charged prior to the plan's adoption and fees charged thereafter.

Mr. President, I believe that this proposed represented a major step forward in controlling the cost of medicaid by other means than a wholesale curtailment of its benefits. However, it was not adopted by the committee, which decided instead that it would investigate the medical cost problem in the coming months. Such a study is badly needed.

Indeed, I had also intended to call for the creation of a Joint Congressional Committee on the Cost of Medical Care. My amendment No. 466 provided for a 12-member committee drawn from the House and Senate to conduct a year's study.

However, Senator HILL and Senator LONG of Louisiana tell me that they are also deeply concerned about the explosion in medical costs, and that their committees intend to examine the matter in a searching way during the coming year. Senator RIBICOFF tells me that he intends a similar inquiry in his Executive Reorganization Subcommittee.

Therefore I did not press for a rollcall on my amendment creating a joint committee.

Mr. President, we desperately need such a wide-ranging demanding and imaginative investigation by the Congress of the problem of medical costs. At its recent annual meeting, the American Public Health Association passed a resolution urging the Congress to make such an investigation. In its report, the Finance Committee expressed its intention to review the reimbursement procedures for medicare and medicaid. Such a review is badly needed. But I hope we shall have a far more extensive inquiry, reaching the underlying question of how the costs that we reimburse are generated.

It is my belief that a thorough inquiry into the delivery of medical services would show that the staggering costs incurred by the public generally and by the Government in paying title XIX bills are not inevitable. I believe it could point the way to reforms that would permit the extension of better, cheaper medical care to all our citizens—including those whose care is supported by the Government.

For the question of costs is bound up with the question of how medical services are provided. Congress' investigation will show that it is not medical care that is expensive, but the system we have for providing it.

Last Sunday, I discussed the inefficiency of our medical system in a speech at the Albert Einstein School of Medicine. Coincidentally, similar views were expressed the next day when a report to the President by the National Advisory Commission on Medical Manpower was released. The Commission's report concluded that—

> Because the present system channels manpower into inefficient . . . activities, added numbers . . . cannot be expected to bring much improvement.

Mr. President, I ask unanimous consent that my remarks on Sunday and two newspaper accounts of the HEW report be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of New York. Mr. President, it is estimated that we are now spending $50 billion a year for health services. We have no idea what this staggering sum is purchasing; we have no idea whether the same amount of care could be provided for less if it were provided in a different fashion, or whether that $50 billion could buy greatly improved care if the system into which it is poured were differently constructed. The various levels of government in this country are contributing an ever-larger share of this $50 billion, a revolutionary fact in our social history, but those governments have taken barely a single step toward assisting the medical system to deal with the implications of that revolution. We should not be astonished if a 19th-century system heaves and strains under the weight of 20th-century needs.

In my judgment we would fail to meet the crisis in medical costs if we contented ourselves with merely restricting eligibility for medicaid, as we have done in this legislation. If, as I believe, the cost of medicaid has merely pointed up the existence of a pervasive problem in our society—if it is a symptom and not the disease—then we are obligated to examine the root causes, and to treat the problem at its center. If the problem is costs, let us look at costs. Let us see if we can control these costs so that we not only redeem our promise to the beneficiaries of medicaid but protect the American people from an inflation they cannot halt, in prices they cannot refuse to pay. That is the task that lies ahead.

EXHIBIT I

[From the Washington Post, Nov. 21, 1967]

NATION IS WARNED OF HEALTH CRISIS

(By Thomas O'Toole)

The Nation is in the midst of a "health crisis," said a presidential commission yesterday—one that will worsen unless the country undertakes a sweeping reform of medical schools, hospitals, health insurers and even the way doctors themselves are licensed to practice.

The crisis we find ourselves in, said the National Advisory Commission on Health Manpower, whose 15 members (eight of them doctors) have studied the status of health services since May, 1966, is one brought on by a lack of leadership and an unwillingness to change within the health establishment.

The results, said the Commission yesterday in a report to President Johnson, are long waits to see a doctor, hurried, impersonal attention once the patient is seen, a shortage of hospital beds and services, uneven distribution of care and costs rising sharply "from levels that already prohibit care for some and create major financial burdens for many more."

To challenge this "crisis of care," the Commission recommended no fewer than 58 major changes in the way the U.S. health care system is to work. And while asking for voluntary acceptance of its proposals, the Commission nonetheless indicated they might have to be enforced.

"Unless these changes are accomplished more quickly than has ever been possible in the past," the Commission warned, "a more serious health crisis is inevitable."

Among its 58 curatives, the Commission prescribed a few sure to stir controversy for years to come:

For doctors and dentists: Back-to-school refresher courses or periodic examinations for renewal of their licenses to maintain their skills and guard against malpractice and "unnecessary or overly expensive tests and treatments" by some.

For hospitals: Financial rewards for efficiency and quality care sufficient enough "to make it unprofitable for a hospital to reduce quality and community service just in order to lower costs."

For health insurance organizations: Encouragement to revise their payment procedures to share savings with hospitals and individual physicians who demonstrate medical ability.

For medical and dental schools: Incentive grants to those who raise their output of doctors and dentists and a denial of funds to those who do not.

For medical and dental students: Direct financial aid over their course of study, internship and residency, with an option to repay the loans over a long term or through direct governmental service, either in the military, Public Health Service or a Poverty Corps for doctors.

While these last two recommendations are clearly to increase the supply of health professionals, the Commission insisted they were made to meet future needs and expansion.

"The crisis at the present time," it said, "is not simply one of numbers," to raise the number of practicing doctors, dentists, nurses and auxiliary personnel. "We must first improve the system through which health care is provided."

One way to improve the health care system, recommended the Commission, would be to draft doctors through the communities where they work instead of through their own home towns.

So outdated is the present method of Selective Service that it has left some towns with overnight doctor shortages. Not long ago, a Commission member said, Vanderbilt University Medical School was left without a Pathology Department, when its seven-man staff (from seven different states) was drafted all at once.

Perhaps the best way of upgrading the health care system, the Commission said, would be through what it calls a "peer review" system, certain to be one of the most controversial of the Commission's proposals.

What the Commission would like to see in the U.S. is a series of review boards, at the city, county and state levels, at the hospital level, and at the health insurance organization level.

In effect, these review boards—made up of prominent physicians and health officials—would demand that doctors and hospitals account for their actions.

Besides peer review, the Commission made other specific recommendations to improve the health care system. Among them:

Gradually disapprove and phase out the Third Preference part of the immigration law that each year admits 7000 new foreign medical graduates into the U.S., where almost 20 per cent of all new medical licenses given each year go to foreign-trained doctors. Not only are these doctors poorly trained by U.S. standards, claims the Commission, their entry into the U.S. represents the "worst kind of brain drain" in the world today.

Give the highest priority to improving health care for the poor and needy. "No clear-cut solution for care of the disadvantaged has been developed," the Commission concluded. "We urge that experimentation be markedly expanded with recognition of the special problems of this segment of the population."

[From the New York Times, Nov. 21, 1967]

BROAD CHANGES IN MEDICAL CARE URGED FOR NATION—PRESIDENTIAL ADVISORY PANEL SAYS ALTERATIONS ARE VITAL IF CRISIS IS TO BE MET—WOULD RETEST DOCTORS—ECONOMIC INCENTIVES ASKED FOR HOSPITAL IMPROVEMENT—PREPAID PLANS PRAISED

(By Harold M. Schmeck, Jr.)

WASHINGTON, November 20.—Basic changes in American medical practice and health care were recommended today in a report submitted to President Johnson.

Economic incentives should be offered hospitals, the report said. Periodic re-licensing of physicians to insure competence and quality should be considered, it said and doctors' performance should be reviewed routinely by panels of their peers. Pre-paid comprehensive health care arrangements received favorable comment.

Mr. Johnson said the report would be required reading for his Cabinet members. He said he hoped the document would also be widely considered outside the Government.

The report, by the National Advisory Commission on Health Manpower, said that there was a crisis in American health care and that vast increases in manpower and money would be of little use unless the system itself was changed.

GOVERNMENT NOT ENOUGH

"Because the present system channels manpower into inefficient and inappropriate activities, added numbers by themselves cannot be expected to bring much improvement," the report declared.

The commission disclaimed any intention of proposing a master Federal plan for health care. On the contrary, it said, government alone is not big enough to solve the problems of health care for the American people.

In its roughly 50 recommendations the commission stressed economic incentives to efficient and high quality health care, with corresponding penalties for inefficiency; widespread use of "peer review" arrangements to gauge and insure the quality of care, and the possibility of requiring periodic re-licensing of doctors to make sure their talents and knowledge remain up to date.

If followed, the recommendations would bring fundamental changes to the manner in which health care is rendered and paid for in the United States.

The economic incentives for efficiency and high quality in health care would take many forms. One possibility worthy of being explored, the report said, is that of giving doctors a financial stake in the operation of hospitals.

The commission also recommended that health insurance plans put greater emphasis on outpatient care to relieve the strain on hospital facilities. At briefings on the report today, spokesmen for the commission mentioned repeatedly the efficiencies achieved by such prepaid care plans as those of the Kaiser Foundation Hospitals in California.

The report stressed the view that there was no time to be lost in making changes and improvements in American medical care.

Until the present decade the nation has had problems to solve, said Irwin Miller, chairman of the commission.

"From here on out we probably have catastrophes to prevent," he said at a briefing for reporters. Mr. Miller is chairman of the board of the Cummins Engine Company, Columbus, Ind. He has headed the commission since it was appointed by the President on May 7, 1966.

At a presentation at the White House today, Dr. Peter S. Bing, executive director of the commission, said the nation faced a paradox in that the numbers of doctors and hospital beds were increasing faster than the population, yet a crisis in medical care loomed.

Greater demand, the increasing complexity of medical and hospital practice and the growing tendency toward medical specialization produce shortages in personal care, he said.

In this pinch between demand and available supply of medical care, costs will rise sharply if changes in practice are not made, the report said.

If current practices continue, the commission estimated, health expenditures for the nation will rise by more than 140 per cent in the decade ending in 1975. Hospital costs it said, will go up 250 per cent. During the same period the general cost of living is expected to increase only about 20 per cent.

ADDRESS BY SENATOR ROBERT F. KENNEDY AT THE YESHIVA UNIVERSITY, ALBERT EINSTEIN COLLEGE OF MEDICINE, BRONX, N.Y., NOVEMBER 19, 1967

This is a place of special meaning for me. For at Yeshiva University the Albert Einstein College of Medicine has begun an important new step in its pioneering urban health program: The Rose Fitzgerald Kennedy Center for Research in Mental Retardation and Human Development. This Center, which will help to salvage the lives of lost citizens, is a testament to your concern—concern which has been a keystone of this great medical school.

But I come here to offer you not congratulations, but a challenge. For in New York and across the nation, the condition of American medical care is grave—in fact, it is critical. We—and you—confront a grim scene of the neglected, the ill, and the dying—the thousands, the millions of victims of our indifference.

"If we believe that men have any personal rights at all", Aristotle said, "then they must have an absolute moral right to such a measure of good health as society alone is able to give them".

Two years ago, the United States began a program to provide this moral right for two parts of our population: those over 65, and the "medically indigent," for whom serious illness means financial catastrophe. We have spent billions of dollars in these programs—yet what they have produced is not achievement, but anxiety. For they have shown us more vividly than ever before—that our Nation's system of health care has failed to meet the most urgent medical needs of millions of Americans.

The cost of health care in America is staggering: more than 6 percent of our gross national product. And with Medicare and Medicaid, these costs have soared. But consider what we have bought with these billions:

In 1950, we ranked fifth in the world in our infant mortality rate. Today, we rank fifteenth—below all of the industrialized nations of Europe. And here in New York, during the last decade, infant mortality *increased*—by 4 percent.

Twelve other nations have higher life expectancy rates at 60 than we do.

Fifteen other nations have higher ratios of hospital beds to patients than we do.

Forty-three percent of our hospital care, according to Columbia's School of Public Health and Administrative Medicine, is only poor to fair.

But these figures—and countless others—cannot measure the full impact of our double standard of medical care. It cannot measure the disappearance of family physician care for poor families—and its replacement by the emergency rooms of huge impersonal municipal hospitals. It cannot measure the long waits, or endless lines, for an often indifferent examination by a doctor the patient has never seen before, and will not see again. It cannot measure the minor illnesses which spawn major diseases—because regular checkups are unknown, and continuing medical care an illusion. It cannot reflect the children whose education is useless—because they are too weak to work, or too ill to listen.

Figures cannot measure the indignities, the inefficiencies, the lost lives, but they at least tell us how much remains to be done, beyond the spending of massive sums of money.

Medicare has told us what we should have known long ago. Our system of health care in the United States is understaffed, overburdened, and as it is presently structured, wholly inadequate to supply decent medical attention for all Americans. This fact was hidden from us—because those who were elderly, those who were poor—simply did not get a minimal amount of medical care. Now, they are beginning to come to hospitals, and to visit physicians. And with them has come the knowledge that our system of health care must change.

There is already a shortage of modern hospital beds and nursing home beds. Medicare and Medicaid have only multiplied the number seeking care in these already overburdened and often inefficient facilities.

The result of providing more money to compete for the same supply of services has been an astronomical increase in the cost of care. Daily rates in hospitals are up over a third in less than two years. Physicians' fees have risen over ten percent, 8.5 percent in the past year alone. Hospital charges of $100 a day will soon be a reality in New York City.

There is no real mystery about why this has happened. Wages are two-thirds of the cost of running a hospital, and there was a huge backlog of wage demands in our hospitals. Nurses and other personnel had worked too long at substandard pay, and now there are funds to offer a more adequate wage.

But there are other matters. Hospitals are run essentially as they were fifty years ago. They have been neither forced nor even encouraged to innovate. Patients are still wheeled from one end of the hospital to the other for surgery. Costly services are maintained for vast numbers of patients not seriously enough ill to need them.

Physician fees have risen so sharply because more dollars cannot by themselves produce more doctors. That, coupled with the fee-for-service approach of Medicare and Medicaid, has allowed some specialists and even some general practitioners to reap exorbitant benefits from these tax-financed programs.

Serious as these matters are, the fundamental problem is one of structure—one which goes to the heart of our system of delivering health care. We are pumping billions of dollars of new money into the health industry—but without the slightest effort to change the existing system, under which people are taken care of in the costliest institution, the hospital, and by the costliest manpower, the doctor. It is no wonder that the cost of health care has risen so sharply.

The first task, in my judgment, is to recognize that our present approach is simply not satisfactory—and to do something about it. We are providing poor quality care at high cost. That is nothing less than a national failure.

Next week I shall propose, as an amendment to the social security bill now before the Senate, the establishment of a joint Congressional committee to study the cost of health care and what we are going to do about it. The committee's mandate would be the full scope of the cost problem—from reimbursement formulas to new technology, from ways to achieve greater efficiency to new ways of delivering health care.

But no committee—no study—can be successful unless it confronts the root cause of spiraling medical costs: the outmoded and rigid structure of health care which simply cannot meet the demands for decent medical attention. What is needed—as a matter of the first priority—is to put our medical resources to work in new ways, to respond more effectively to the ever-growing demand for services.

An effective program of action requires at least four steps:

First: We must tap new sources for recruitment into the health field and develop new health careers for our recruits. We all know we have a grave shortage of medical personnel. We know that each year we educate 2000 fewer doctors than we need just to keep pace with present ratios; and we know we need more nurses of all kinds, and more technical aides.

But even as we provide government assistance to health professional schools—even as we provide scholarships and loans, so that low-income students can attend our medical schools—we know we must develop new jobs in the health field. For the fact is that we will never have enough doctors and nurses to perform all of the tasks we now assign to these costly and scarce professionals. Experience has shown that many of their tasks can be performed by assistants working under their supervision—aides who can be enabled to study on the job in order to acquire greater skill and more on to greater responsibility.

We can find many of these people in the same communities of the poor which most need medical help. We can find—and train—non-professional people, to care for fellow members of their own communities. And this source of employment—a source you have tapped with your health careers program—can find worthy service and increased job opportunity, within the medical profession.

Second: All of our medical resources must be put to work more effectively in the communities themselves. To structure the future of medicine solely around large, impersonal hospitals will not only insure poor quality care, but also guarantee even more excessive demands on these overcrowded institutions—and thus produce higher and higher medical costs.

If we are to use our funds wisely—if we are to deploy our health manpower efficiently—we must decentralize medical care. We must bring health services to the people through a system of community and neighborhood health centers which provide comprehensive family care in a dignified, responsive setting.

Again, you at Albert Einstein have recognized this need, by participating in the Storefront Neighborhood Service Center, serving the Lincoln Hospital Community. Here, non-professionals can be of greatest service—by insuring that neighborhood centers *serve* the poor, instead of using them. Too often, the medical profession has seen the ghetto communities as ideal neighborhoods—not so much for service, as for obtaining teaching material. One doctor told me of a conversation he had with a ghetto resident. He asked her what she thought of a planned new neighborhood health center.

"Oh," she said, "is that another one of those programs where we supply the diseases?"

The neighborhood health centers must not be that kind of program. They must meet the fundamental health needs of our neglected citizens.

Third: The program must go beyond narrowly-defined "health" needs. For all of the energy—all of the commitment—of the medical profession will not be enough, unless we also meet the sources of disease.

It is illusion to think we can cure a sickly child—and ignore his need for nutritious food. It is foolish to pour in funds to minister to the effects of filth-ridden slums—without recognizing the undeniable fact that these slums breed disease. It is profitless to establish community mental health services—if we do not understand that a community of the jobless, the purposeless, the hopeless spawns frustration and agony in the minds of its victims. We will never have enough doctors to cure the children of Mississippi who have not eaten nourishing food since their birth. There will never be enough therapists for all the brain-damaged children of Bedford-Stuyvesant. We will not cure the pathology of individuals, unless we—and you—begin to come to grips with the pathology of these communities.

Education — jobs — housing — community participation—these are essential elements of a healthy neighborhood. And if these goals require the active direct participation of the medical community in matters of public controversy, then this is the work that must be done. It is neither economical, nor compassionate, to care for the consequences of poverty, and ignore its roots.

Fourth: As this is true for the communities of poverty, it is just as true for the whole society. All the cancer research, all the hospitals in the nation may be less important than the single simple step of making sure that fewer children are enticed into becoming cigarette smokers. All our programs for training new doctors may not mean as much to the health of the city of New York as courageous and forceful action to eliminate the pollution of our air. All our emergency rooms will not be adequate to care for the victims of the carnage on our highways, if we do not enforce far more rigid safety standards on the makers of automobiles.

And the same is true for the dozens of health hazards we have allowed to persist, through ignorance and inattention and sloth; the meat packed amid dirt and disease; the drugs sold without adequate testing; the pesticides carelessly sprayed onto our crops.

These are not for the medical profession alone—these are challenges to all of us. But you of the medical profession, the concerned and active doctors and leaders such as are here today, you can take the lead.

Part of the job is securing the enactment of legislation; and whatever legislation is necessary, I can tell you that it will be introduced—and it will be fought for. But another part of the job is education and action, relying on the spontaneous skill and initiative of the American people. Just a few years ago, surveys showed that alarming numbers of our children were overweight, underexercised, simply in poor physical condition. President Kennedy set up a Council on Physical Fitness which, in cooperation with thousands of Councils all over the country, began to set up programs of education and exercise for children and families. The Councils were completely voluntary; they were almost without funds; yet they worked a small revolution. And within two or three years, new surveys showed that the young people of America were far healthier, in far better physical condition, than they had been before the Councils began their work. That kind of effort—whether for better school meals, or against early smoking, or to stimulate forceful action against air pollution—can be made in every community in the country today.

This is a challenging task. It requires help from Washington—for example, funds to help medical schools implement bold changes in education and operation. And it requires help from state capitals and City Halls to replace rigid regulation with creative flexibility.

But most of all, it requires effort by yourselves—members of the medical profession, guided by your obligations, and then by the counsel of Albert Einstein, who said:

"Concern for man himself and his fate must always form the chief interest of all technical endeavors . . . in order that the creations of our mind shall be a blessing and not a curse to mankind."

Now you must find new ways to bring the blessings of medicine to millions who have never been reached. It means the willingness and energy to discard traditional institutions and approaches to better the condition of man himself, and his fate. But you have that willingness—you have that energy—and I know you will succeed.

SENATOR RANDOLPH COMMENDS FINANCE COMMITTEE ACTION ON PROVISION FOR INCREASING INCOME OF OLD-AGE ASSISTANCE RECIPIENTS

Mr. RANDOLPH. Mr. President, as chairman of the Subcommittee on Employment and Retirement Incomes of the Senate Special Committee on Aging, I am particularly interested in one provision in the pending social security amendments. Section 213 requires that States must give their public assistance recipients an average increase of $7.50 in their overall incomes as a result of the increased benefits.

It has been a general practice among the States, when social security increases are approved, to reduce public assistance grants of those who receive both public assistance and social security. This action leaves recipients no better off from the standpoint of their total incomes than they had been before the social security increases. The pending bill provides a means whereby a State's public assistance recipients will benefit from the increases.

The Subcommittee on Employment and Retirement Incomes, which I am privileged to chair, as a result of several days of hearings earlier this year, issued a report entitled "Reduction of Retirement Benefits Due to Social Security Increases." We recommended legislation which would prohibit reduction of old-age assistance grants due to social security increases. To implement this recommendation, I offered amendment No. 375. Although the Finance Committee did not accept my amendment, I believe that the provision which it did adopt substantially accomplishes the purpose our subcommittee was seeking. I am gratified to give the committee's provision my enthusiastic support.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time on the bill has expired. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], and the Senator from Missouri [Mr. LONG] are absent on official business.

I also announce that the Senator from

Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from South Dakota [Mr. McGovern], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Cannon], the Senator from Missouri [Mr. Long], the Senator from South Dakota [Mr. McGovern], the Senator from Connecticut [Mr. Dodd], and the Senator from Georgia [Mr. Talmadge] would each vote “yea.”

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], the Senator from Pennsylvania [Mr. Scott] and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Kentucky [Mr. Cooper], the Senator from Wyoming [Mr. Hansen] and the Senator from South Dakota [Mr. Mundt] are absent on official business.

The Senator from Vermont [Mr. Prouty] is absent because of illness.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Kentucky [Mr. Cooper], the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from Pennsylvania [Mr. Scott] would each vote “yea.”

On this vote, the Senator from Vermont [Mr. Prouty] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Vermont would vote “yea” and the Senator from Texas would vote “nay.”

The result was announced—yeas 78, nays 6, as follows:

[No. 350 Leg.]

YEAS—78

Aiken
Allott
Anderson
Baker
Bayh
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Clark
Cotton
Dirksen
Dominick
Ellender
Ervin
Fannin
Fulbright
Gore
Griffin
Gruening
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Russell
Smathers
Smith
Sparkman
Spong
Symington
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—6

Bennett
Curtis
Holland
Stennis
Thurmond
Williams, Del.

NOT VOTING—16

Bartlett
Cannon
Carlson
Cooper
Dodd
Eastland
Fong
Hansen
Long, Mo.
McGovern
Mundt
Murphy
Prouty
Scott
Talmadge
Tower

So the bill (H.R. 12080) was passed.

Mr. LONG of Louisiana. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate insist on its amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Gore, Mr. Talmadge, Mr. Williams of Delaware, Mr. Carlson, and Mr. Curtis conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the bill (H.R. 12080) be printed with the amendments of the Senate numbered; and that in the engrossment of the amendment of the Senate to the bill the Secretary of the Senate be authorized to make all necessary technical and clerical changes and corrections, including corrections in section, subsection, and so forth, designations, and cross references thereto, and corrections in the table of contents—including appropriate deletions, insertions, and revisions in such table.

PERSONAL STATEMENT—REASON FOR NOT VOTING

Mr. BARTLETT. Mr. President, I desire to make a personal statement. Yesterday I canceled a trip abroad in order that I might be here to vote for passage of the Social Security Act.

When the rollcall is recorded in the Record, my name will be shown as an absentee.

Mr. President, I was in a room in the New Senate Office Building where the bell calling for the vote did not ring. When the word of the vote reached me, I came over but arrived on the floor too late to be recorded.

This is a cause of great sorrow to me because I would like to have been here, and I wanted particularly to have been recorded as voting for the social security bill.

FEDERAL MEAT INSPECTION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 785, S. 2147, the Federal Meat Inspection Act, I do this so that it will be the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 2147), to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, reported from the Committee on Agriculture and Forestry, with amendments, on page 2, line 18, after the word “his” strike out “delegatee” and insert “delegate”; on page 3, line 16, after the word “term” strike out “ ‘territory’ ” and insert “ ‘Territory’ ”; in line 21, after the word “any” strike out “territory” and insert “Territory”; in line 22, after the word “any” where it appears the second time, strike out “territory” and insert “Territory”; on page 4, line 1, after the word “the” where it appears the first time, strike out “territories” and insert “Territories”; in line 12, after the word “to”, strike out “effectuate the purpose of this Act” and insert “assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products.”; on page 8, line 5, after the word “container” insert “unless”; on page 10, line 22, after the word “to” strike out “effectuate the purposes of this Act” and insert “assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.”; on page 11, line 11, after the word “so” strike out “enacted” and insert “entitled”; on page 12, after line 6, insert:

> (v) The term “official device” means any device prescribed or authorized by the Secretary for use in applying any official mark.

On page 13, line 15, after the word “in” strike out “sections 3 through 23 of”; on page 15, line 10, after the word “used” insert “with respect to material required to be incorporated in labeling to avoid false or misleading labeling”; on page 17, line 16, after the word “human” strike out “food,” and insert “food”; on page 20, at the beginning of line 20, strike out “the inspection and other requirements prescribed by regulations of the Secretary to assure that the imported articles have been prepared under requirements substantially equivalent to those applicable to the comparable domestic articles, and otherwise to effectuate the purposes of this Act” and insert “all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States.”; on page 22, line 8, after the word “articles” insert a colon and “*Provided further,* That nothing in this section shall apply to any individual who purchases meat or meat products outside the United States for his own consumption except that the total amount of such meat or meat products shall not exceed fifty pounds.”; on page 22, at the beginning of line 18, strike out “goals” and insert “goats”; in line 24, after the word “not” strike out “buy or sell” and insert “engage in the business of buying or selling”; on page 23, line 2, after the word “food” insert a colon and “*And provided further,* That the authority of the Secretary to issue “Retail Exemption Certificates” under paragraph 21 and 22 of the Meat Inspection Act prior to the enactment of the Wholesome Meat Act shall continue.”; after line 6 strike out:

> (b) The Secretary may, under such sanitary conditions as he may by regulations prescribe, exempt from the inspection requirements of this title the slaughter of animals, and the preparation of carcassses, parts thereof, meat and meat food products, by any person, firm, or corporation in any territory or the District of Columbia solely for distribution within such jurisdiction when the Secretary determines that it is impracticable to provide such inspection within the limits of funds appropriated for admin-

istration of this Act and that such exemption will otherwise facilitate enforcement of this Act. The Secretary may refuse, withdraw or modify any exemption under this paragraph (b) in his discretion whenever he determines such action is necessary to effectuate the purposes of this Act.

At the beginning of line 21, strike out "(c)" and insert "(b)"; on page 25, line 3, after the word "dyes," strike out "chemical" and insert "chemicals,"; on page 26, line 17, after the word "establishment" insert "in any State or organized Territory"; in line 21, after the word "or" where it appears the first time, strike out "territory or the District of Columbia" and insert "Territory"; on page 30, line 10, after the word "to" strike out "effectuate the purposes of this Act" and insert "assure that such animals, or the unwholesome parts or products thereof, will be prevented from being used for human food purposes."; in line 19, after the word "or" where it appears the first time, strike out "territory or the District of Columbia" and insert "organized Territory"; in line 23, after the word "the", strike out "State, territory, or District" and insert "State or Territory"; in line 24, after the word "have" strike out "comparable" and insert "at least equal"; on page 31, after the word "Act" insert "including the State providing for the Secretary or his representatives being afforded access to such places of business and the facilities, inventories, and records thereof, and the taking of reasonable samples, where he determines necessary in carrying out his responsibilities under this Act;"; on page 32, line 3, after the word "are" strike out "consistent with" and insert "at least equal to"; in line 14, after the word "authorities" strike out "comparable" and insert "at least equal"; on page 34, after line 4, insert:

(c) (1) If the Secretary has reason to believe, by thirty days prior to the expiration of two years after enactment of the Wholesome Meat Act, that a State has failed to develop or is not enforcing, with respect to all establishments within its jurisdiction (except those that would be exempted from Federal inspection under subparagraph (2)) at which cattle, sheep, swine, goats, or equines are slaughtered, or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and the products of such establishments, requirements at least equal to those imposed under titles I and IV of this Act, he shall promptly notify the Governor of the State of this fact. If the Secretary determines, after consultation with the Governor of the State, or representative selected by him, that such requirements have not been developed and activated, he shall promptly after the expiration of such two-year period designate such State as one in which the provisions of titles I and IV of this Act shall apply to operations and transactions wholly within such State: *Provided*, That if the Secretary has reason to believe that the State will activate such requirements within one additional year, he may delay such designation for said period, and not designate the State, if he determines at the end of the year that the State then has such requirements in effective operation. The Secretary shall publish any such designation in the Federal Register and, upon the expiration of thirty days after such publication, the provisions of titles I and IV shall apply to operations and transactions and to persons, firms, and corporations engaged therein in the State to the same extent and in the same manner as if such operations and transactions were conducted in or for commerce: *Provided further*, That upon notification by the Governor of any State at any time after the date of enactment of the Wholesome Meat Act, that he waives for such State the periods of time specified herein, and requests the designation of the State under this paragraph (c), the Secretary shall designate such State in accordance with this paragraph. Thereafter, upon request of the Governor, the Secretary shall revoke such designation if the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act: *And provided further*, That, notwithstanding any other provision of this section, if the Secretary determines that any establishment within a State is producing adulterated meat or meat food products for distribution within such State which would clearly endanger the public health he shall notify the Governor of the State and the appropriate Advisory Committee provided by section 301 of the Act of such fact for effective action under State or local law. If the State does not take action to prevent such endangering of the public health within a reasonable time after such notice, as determined by the Secretary, in light of the risk to public health, the Secretary may forthwith designate any such establishment as subject to the provisions of titles I and IV of the Act, and thereupon the establishment and operator thereof shall be subject to such provisions as though engaged in commerce until such time as the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act.

(2) The provisions of this Act requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only under this paragraph (c).

(3) Whenever the Secretary determines that any State designated under this paragraph (c) has developed and will enforce State meat inspection requirements at least equal to those imposed under titles I and IV, with respect to the operations and transactions within such State which are regulated under subparagraph (1), he shall terminate the designation of such State under this paragraph (c), but this shall not preclude the subsequent redesignation of the State at any time upon thirty days notice to the Governor and publication in the Federal Register in accordance with this paragraph, and any State may be designated upon such notice and publication at any time after the period specified in this paragraph whether or not the State has theretofore been designated upon the Secretary determining that it is not effectively enforcing requirements at least equal to those imposed under titles I and IV.

(4) The Secretary shall promptly upon enactment of the Wholesome Meat Act and periodically thereafter, but at least annually, review the requirements, including the enforcement thereof, of the several States not designated under this paragraph (c), with respect to the slaughter, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of such operations, and annually report thereon to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate in the report required under section 17 of the Wholesome Meat Act.

On page 38, at the beginning of line 3, strike out "(c)" and insert "(d)"; at the beginning of line 5, strike out "territory as defined in section 1 of this act; or the District of Columbia" and insert "organized territory."; in line 16, after the word "recipient" strike out "if" and insert "is"; in line 18, after the word "recipient" strike out "has been convicted, in any Federal or State court, of any felony" and insert "or anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State court, of (1) any felony, or (2) more than one violation of any law, other than a felony, based upon the acquiring, handling, or distributing of unwholesome, mislabeled, or deceptively packaged food or upon fraud in connection with transactions in food."; on page 39, after line 4, insert:

For the purpose of this section a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock or employed in a managerial or executive capacity.

The determination and order of the Secretary with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the appropriate court as provided in section 404. Judicial review of any such order shall be upon the record upon which the determination and order are based.

On page 40, at the beginning of line 6, strike out "territory" and insert "Territory"; on page 42, line 16, after the word "other" strike out "territories" and insert "Territories"; on page 44, at the beginning of line 16, strike out "409(1)" and insert "409(s)"; in line 17, after "U.S.C." strike out "409(1)" and insert "409(s))"; on page 45, at the beginning of line 10, strike out "territory" and insert "Territory"; in line 16, after the word "or" where it appears the first time, strike out "territory" and insert "Territory"; in line 19, after the word "or" strike out "territory" and insert "Territory"; on page 46, line 3, after the word "or" strike out "territory" and insert "Territory"; in line 12, after the word "enactment" strike out "hereof" and insert "of the Wholesome Meat Act"; at the top of page 47, insert a new section, as follows:

SEC. 17. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of animals subject to this Act, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of establishments operated in connection therewith, including the operations under and effectiveness of this Act.

On page 47, at the beginning of line 10, change the section number from "17" to "18"; at the beginning of line 21, change the section number from "18" to "19"; on page 48, at the beginning of line 3, change the section number from "19" to "20"; in line 9, after the word "section" strike out "17" and insert "18";

and in line 20, after the word "effective" insert "upon the expiration of"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Wholesome Meat Act and that the provisions appearing under the subheading "FOR MEAT INSPECTION:" under the heading "BUREAU OF ANIMAL INDUSTRY" in the Act approved March 4, 1907, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight" (34 Stat. 1260–1265, as amended; 21 U.S.C. 71–91), are hereby designated as the "Federal Meat Inspection Act"; the first twenty paragraphs thereof are hereby designated, respectively, as sections 3 through 22, and the twenty-first and twenty-second paragraphs thereof as section 23; and said sections 3 through 23 are hereby designated at "TITLE I—INSPECTION REQUIREMENTS; ADULTERATION AND MISBRANDING".

Sec. 2. The Federal Meat Inspection Act is hereby amended by adding, in title I, new sections 1 and 2 reading, respectively, as follows:

"Section 1. As used in this Act, except as otherwise specified, the following terms shall have the meanings stated below:

"(a) The term 'Secretary' means the Secretary of Agriculture of the United States or his delegate.

"(b) The term 'firm' means any partnership, association, or other unincorporated business organization.

"(c) The term 'meat broker' means any person, firm, or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm, or corporation.

"(d) The term 'renderer' means any person, firm, or corporation engaged in the business of rendering carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection or exemption under title I of this Act.

"(e) The term 'animal food manufacturer' means any person, firm, or corporation engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines.

"(f) The term 'State' means any State of the United States and the Commonwealth Puerto Rico.

"(g) The term 'Territory' means Guam, the Virgin Islands of the United States, American Samoa, and any other territory or possession of the United States, excluding the Canal Zone.

"(h) The term 'commerce' means commerce between any State, any Territory, or the District of Columbia, and any place outside thereof; or within any Territory not organized with a legislative body, or the District of Columbia.

"(i) The term 'United States' means the States, the District of Columbia, and the Territories of the United States.

"(j) The term 'meat food product' means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the Secretary under such conditions as he may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products. This term as applied to food products of equines shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

"(k) The term 'capable of use as human food' shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans.

"(l) The term 'prepared' means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

"(m) The term 'adulterated' shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

"(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

"(2)(A) if it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Secretary, make such article unfit for human food;

"(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug, and Cosmetic Act,

"(C) if it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act,

"(D) if it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug, and Cosmetic Act: *Provided,* That an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Secretary in establishments at which inspection is maintained under title I of this Act;

"(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

"(4) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

"(5) if it is, in whole or in part, the product of an animal which has died otherwise than by slaughter;

"(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

"(7) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act;

"(8) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or

"(9) if it is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance.

"(n) The term 'misbranded' shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

"(1) if its labeling is false or misleading in any particular;

"(2) if it is offered for sale under the name of another food;

"(3) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word 'imitation' and immediately thereafter, the name of the food imitated;

"(4) if its container is so made, formed, or filled as to be misleading;

"(5) if in a package or other container unless it bears a label showing (A) the name and place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: *Provided,* That under clause (B) of this subparagraph (5), reasonable variations may be permitted, and exemptions as to small packages may be established, by regulations prescribed by the Secretary;

"(6) if any word, statement, or other information required by or under authority of this Act to appear on the label of other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

"(7) if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by regulations of the Secretary under section 7 of this Act unless (A) it conforms to such definition and standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

"(8) if it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the Secretary under section 7 of this Act, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

"(9) if it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the Secretary, be designated as spices, flavorings, and colorings without naming each: *Provided*, That, to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Secretary;

"(10) if it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Secretary, after consultation with the Secretary of Health, Education, and Welfare, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;

"(11) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: *Provided*, That, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the Secretary; or

"(12) if it fails to bear, directly thereon or on its container, as the Secretary may by regulations prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the Secretary may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

"(o) The term 'label' means a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

"(p) The term 'labeling' means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

"(q) The term 'Federal Food, Drug, and Cosmetic Act' means the Act so entitled, approved June 25, 1938 (52 Stat. 1040), and Acts amendatory thereof or supplementary thereto.

"(r) The terms 'pesticide chemical', 'food additive', 'color additive', and 'raw agricultural commodity' shall have the same meanings for purposes of this Act as under the Federal Food, Drug, and Cosmetic Act.

"(s) The term 'official mark' means the official inspection legend or any other symbol prescribed by regulations of the Secretary to identify the status of any article or animal under this Act.

"(t) The term 'official inspection legend' means any symbol prescribed by regulations of the Secretary showing that an article was inspected and passed in accordance with this Act.

"(u) The term 'official certificate' means any certificate prescribed by regulations of the Secretary for issuance by an inspector or other person performing official functions under this Act.

"(v) The term 'official device' means any device prescribed or authorized by the Secretary for use in applying any official mark.

"SEC. 2. Meat and meat food products are an important source of the Nation's total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded meat or meat food products impair the effective regulation of meat and meat food products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged meat and meat food products, and result in sundry losses to livestock producers and processors of meat and meat food products, as well as injury to consumers. The unwholesome, adulterated, mislabeled, or deceptively packaged articles can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly labeled and packaged articles, to the detriment of consumers and the public generally. It is hereby found that all articles and animals which are regulated under this Act are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary and cooperation by the States and other jurisdictions as contemplated by this Act are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers."

SEC. 3. Said Act is hereby further amended by—

(a) deleting the phrase "interstate or foreign" wherever it appears in sections 3 through 23 of title I of said Act; and

(b) deleting in section 3 of said Act (21 U.S.C. 71) the phrase "the Secretary of Agriculture, at his discretion, may" and inserting in lieu thereof the words "the Secretary shall" and deleting the words "of Agriculture" wherever they appear after the word "Secretary" thereafter in title I of the Act.

SEC. 4. Section 4 of said Act (21 U.S.C. 72) is hereby amended by deleting the phrases "for human consumption" and "for transportation or sale", and by inserting after the word "commerce" the phrase "which are capable of use as human food".

SEC. 5. Section 5 of said Act (21 U.S.C. 73) is hereby amended by adding at the end thereof the following: "The Secretary may limit the entry of carcasses, parts of caracasses, meat and meat food products, and other materials into any establishment at which inspection under this title is maintained, under such conditions as he may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act."

SEC. 6. Section 7 of said Act (21 U.S.C. 75) is hereby amended by—

(a) deleting the provisions thereof reading as follows: ", and no such meat or meat food products shall be sold or offered for sale by any person, firm, or corporation in interstate or foreign commerce under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary are permitted";

(b) designating the remaining provisions as paragraph (a); and

(c) adding at the end of said section the following provisions as paragraphs (b) through (e), respectively:

"(b) All carcasses, parts of carcasses, meat and meat food products inspected at any establishment under the authority of this title and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, directly thereon or on their containers, as the Secretary may require, the information required under paragraph (n) of section 1 of this Act.

"(c) The Secretary, whenever he determines such action is necessary for the protection of the public, may prescribe: (1) the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling in marketing and labeling any articles or animals subject to this title or title II of this Act; (2) definitions and standards of identity or composition for articles subject to this title and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, and there shall be consultation between the Secretary and the Secretary of Health, Education, and Welfare prior to the issuance of such standards under either Act relating to articles subject to this Act to avoid inconsistency in such standards and possible impairment of the coordinated effective administration of these Acts. There shall also be consultation between the Secretary and an appropriate advisory committee provided for in section 301 of this Act, prior to the issuance of such standards under this Act, to avoid, insofar as feasible, inconsistency between Federal and State standards.

"(d) No article subject to this title shall be sold or offered for sale by any person, firm, or corporation, in commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Secretary are permitted.

"(e) If the Secretary has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to this title is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person, firm, or corporation using or proposing to use the marking, labeling or container does not accept the determination of the Secretary, such person, firm, or corporation may request a hearing, but the use of the marking, labeling, or container shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless, within thirty days after receipt of notice of such final determination, the person, firm, or corporation adversely affected thereby appeals to the United States court of appeals for the circuit in which such person, firm, or corporation has its principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act, 1921 (42 Stat. 162, as amended; 7 U.S.C. 194), shall be applicable to appeals taken under this section."

SEC. 7. Section 10 of said Act (21 U.S.C. 78) is hereby amended to read:

"SEC. 10. No person, firm, or corporation shall, with respect to any cattle, sheep, swine, goats, horses, mules, or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals—

"(a) slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing any such articles for commerce, except in compliance with the requirements of this Act;

"(b) sell, transport, offer for sale or transportation, or receive for transportation, in commerce, (1) any such articles which (A) are capable of use as human food and (B) are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or (2) any articles required to be inspected under this title unless they have been so inspected and passed;

"(c) do, with respect to any such articles which are capable of use as human food, any act while they are being transported in commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded."

SEC. 8. Section 11 of said Act (21 U.S.C. 79) is hereby amended to read as follows:

"SEC. 11. (a) No brand manufacturer, printer, or other person, first, or corporation shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Secretary.

"(b) No person, firm, or corporation shall—

"(1) forge any official device, mark, or certificate;

"(2) without authorization from the Secretary use any official device, mark or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

"(3) contrary to the regulations prescribed by the Secetary, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

"(4) knowingly possess, without promptly notifying the Secretary or his representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any animal, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

"(5) knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Secretary; or

"(6) knowingly represent that any article has been inspected and passed, or exempted, under this Act when, in fact, it has, respectively, not been so inspected and passed, or exempted."

SEC. 9. The present provisions of section 19 of said Act (21 U.S.C. 87) are hereby deleted and the following new provisions are substituted therefor:

"SEC. 19. No person, firm, or corporation shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any carcasses of horses, mules, or other equines or parts of such carcasses, or the meat or meat food products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the Secretary to show the kinds of animals from which they were derived. When required by the Secretary, with respect to establishments at which inspection is maintained under this title, such animals and their carcasses, parts thereof, meat and meat food products shall be prepared in establishments separate from those in which cattle, sheep, swine, or goats are slaughtered or their carcasses, parts thereof, meat or meat food products are prepared."

SEC. 10. The present provisions of section 20 of said Act (21 U.S.C. 88) are hereby deleted and the following new provisions are substituted therefor:

"SEC. 20.(a) No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States. All such imported articles shall, upon entry into the United States, be deemed and treated as domestic articles subject to the other provision of this Act and the Federal Food, Drug, and Cosmetic Act: *Provided*, That they shall be marked and labeled as required by such regulations for imported articles: *Provided further*, That nothing in this section shall apply to any individual who purchases meat or meat products outside the United States for his own consumption except that the total amount of such meat or meat products shall not exceed fifty pounds.

"(b) The Secretary may prescribe the terms and conditions for the destruction of all such articles which are imported contrary to this section, unless (1) they are exported by the consignee with the time fixed therefor by the Secretary, or (2) in the case of articles which are not in compliance with the Act solely because of misbranding, such articles are brought into compliance with the Act under supervision of authorized representatives of the Secretary.

"(c) All charges for storage, cartage, and labor with respect to any article which is imported contrary to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against such article and any other article thereafter imported under this Act by or for such owner or consignee.

"(d) The knowing importation of any article contrary to this section is prohibited."

SEC. 11. Section 23 of said Act is hereby amended to read as follows:

"SEC. 23. (a) The provisions of this title requiring inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting such operations for commerce shall not apply to the slaughtering by any person of animals of his own raising, and the preparation by him and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such animals exclusively for use by him and members of his household and his nonpaying guests and employees; nor to the custom slaughter by any person, firm, or corporation of cattle, sheep, swine or goats delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such animals, exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided*, That such custom slaughterer does not engage in the business of buying or selling any carcasses, parts of carcasses, meat or meat food products of any cattle, sheep, swine, goats or equines, capable to use as human food: *And provided further*, That the authority of the Secretary to issue "Retail Exemption Certificates" under paragraphs 21 and 22 of the Meat Inspection Act prior to the enactment of the Wholesome Meat Act shall continue.

"(b) The adulteration and misbranding provisions of this title, other than the requirement of the inspection legend, shall apply to articles which are exempted from inspection or not required to be inspected under this section."

SEC. 12. Said Act is hereby further amended by:

(a) deleting the phrase "cattle, sheep, swine, and goats" and the phrase "cattle, sheep, swine, or goats" wherever they appear in title I of the Act and substituting therefor, respectively, the phrase "cattle, sheep, swine, goats, horses, mules, and other equines" and the phrase "cattle, sheep, swine, goats, horses, mules, or other equines";

(b) in sections 3 and 4 (21 U.S.C. 71, 72), deleting the phrase "unsound, unhealthful, unwholesome, or otherwise unfit for human food" each time it appears and inserting in lieu thereof the word "adulterated";

(c) in section 4 (21 U.S.C. 72), deleting the phrase "sound, healthful, wholesome, and fit for human food" and inserting in lieu thereof the phrase "not adulterated";

(d) in section 4 (21 U.S.C. 72), deleting the phrase "unsound, unhealthful, unwholesome, or in any way unfit for human food" and inserting in lieu thereof the word "adulterated";

(e) in section 6 (21 U.S.C. 74), deleting the phrase "sound, healthful, and wholesome, and which contain no dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food" and inserting in lieu thereof the phrase "not adulterated", and deleting the phrase "unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food" and inserting in lieu thereof the word "adulterated";

(f) in section 8 (21 U.S.C. 76), deleting the phrase "unclean, unsound, unhealthful, unwholesome, or otherwise unfit for human food" and inserting in lieu thereof the word "adulterated";

(g) in section 17 (21 U.S.C. 85), deleting the phrase "or goat meat, being the meat of animals killed after the passage of this Act, or except as hereinbefore provided" and substituting therefor the phrase "goat or equine meat";

(h) in section 18 (21 U.S.C. 86), deleting the phrase "sound and wholesome."; and

(i) in section 21 (21 U.S.C. 89), deleting the phrase "sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food; and to have been prepared under proper sanitary conditions, hereinbefore provided for" and inserting in lieu thereof the phrase "not adulterated".

SEC. 13. Said Act is hereby further amended by adding at the end thereof the following new section in title I:

"SEC. 24. The Secretary may by regulations prescribe conditions under which carcasses, parts of carcasses, meat, and meat food products of cattle, sheep, swine, goats, horses, mules, or other equines, capable of use as human food, shall be stored or otherwise handled by any person, firm, or corporation engaged in the business of buying, selling, freezing, storing, or transporting, in or for commerce, or importing such articles, whenever the Secretary deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited. However, such regulations shall not apply to the storage or handling of such articles at any retail store or other establishment in any State or organized Territory that would be subject to this section only because of purchases in commerce, if the storage and handling of such articles at such establishment is regulated under the laws of the State or Territory in which such establishment is located, in a manner which the Secretary, after consultation with the appropriate advisory committee provided for in section 301 of this Act, determines is adequate to effectuate the purposes of this section."

SEC. 14. Said Act is hereby further amended by adding after title I thereof, the following new sections as:

"TITLE II—MEAT PROCESSORS AND RELATED INDUSTRIES

"SEC. 201. Inspection shall not be provided under title I of this Act at any establishment for the slaughter of cattle, sheep, swine, goats, horses, mules, or other equines, or the preparation of any carcasses or parts or products of such animals, which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in commerce, unless naturally inedible by humans, be denatured or otherwise identified as prescribed by regulations of the Secretary to deter their use for human food. No person, firm, or corporation shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in commerce, or import, any carcasses, parts thereof, meat or meat food products of any such animals, which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Secretary or are naturally inedible by humans.

"SEC. 202. (a) The following classes of persons, firms, and corporations shall keep such records as will fully and correctly disclose all transactions involved in their businesses; and all persons, firms, and corporations subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Secretary, afford such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof, to copy all such records, and to take reasonable samples of their inventory upon payment of the fair market value therefor—

"(1) Any persons, firms, or corporations that engage, for commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules, or other equines, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any such animals, for use as human food or animal food;

"(2) Any persons, firms, or corporations that engage in the business of buying or selling (as meat brokers, wholesalers or otherwise), or transporting, in commerce, or storing in or for commerce, or importing, any carcasses, or parts or products of carcasses, of any such animals;

"(3) Any persons, firms, or corporations that engage in business, in or for commerce, as renderers, or engage in the business of buying, selling, or transporting, in commerce, or importing, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules, or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter.

"(b) Any record required to be maintained by this section shall be maintained for such period of time as the Secretary may by regulations prescribe.

"SEC. 203. No person, firm, or corporation shall engage in business, in or for commerce, as a meat broker, renderer, or animal food manufacturer, or engage in business in commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any cattle, sheep, swine, goats, horses, mules, or other equines, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for commerce, or engage in the business of buying, selling, or transporting in commerce, or importing, any dead, dying, disabled, or diseased animals of the specified kinds, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless, when required by regulations of the Secretary, he has registered with the Secretary his name, and the address of each place of business at which, and all trade names under which, he conducts such business.

"SEC. 204. No person, firm, or corporation engaged in the business of buying, selling, or transporting in commerce, or importing, dead, dying, disabled, or diseased animals, or any parts of the carcasses of any animals that died otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation, in commerce, or import, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless such transaction, transportation or importation is made in accordance with such regulations as the Secretary may prescribe to assure that such animals, or the unwholesome parts or products thereof, will be prevented from being used for human food purposes.

"SEC. 205. The authority conferred on the Secretary by section 202, 203, or 204 of this title with respect to persons, firms, and corporations engaged in the specified kinds of business in or for commerce may be exercised with respect to persons, firms, or corporations engaged, in any State or organized Territory, in such kinds of business but not in or for commerce, whenever the Secretary determines, after consultation with an appropriate advisory committee provided for in section 301 of this Act, that the State or Territory does not have at least equal authority under its laws or such authority is not exercised in a manner to effectuate the purposes of this Act including the State providing for the Secretary or his representative being afforded access to such places of business and the facilities, inventories, and records thereof, and the taking of reasonable samples, where he determines necessary in carrying out his responsibilities under this Act; and in such case the provisions of section 202, 203, or 204, respectively, shall apply to such persons, firms, and corporations to the same extent and in the same manner as if they were engaged in such business in or for commerce and the transactions involved were in commerce."

SEC. 15. Said Act is hereby further amended by adding after title II thereof, the following new section as:

"TITLE III—FEDERAL AND STATE COOPERATION

"SEC. 301. (a) It is the policy of the Congress to protect the consuming public from meat and meat food products that are adulterated or misbranded and to assist in efforts by State and other Government agencies to accomplish this objective. In furtherance of this policy—

"(1) The Secretary is authorized, whenever he determines that it would effectuate the purposes of this Act, to cooperate with the appropriate State agency in developing and administering a State meat inspection program in any State which has enacted a State meat inspection law that imposes mandatory ante mortem and post mortem inspection, reinspection and sanitation requirements that are at least equal to those under title I of this Act, with respect to all or certain classes of persons engaged in the State in slaughtering cattle, sheep, swine, goats, or equines, or preparing the carcasses, parts thereof, meat or meat food products, of any such animals for use as human food solely for distribution within such State.

"(2) The Secretary is further authorized, whenever he determines that it would effectuate the purposes of this Act, to cooperate with appropriate State agencies in developing and administering State programs under State laws containing authorities at least equal to those provided in title II of this Act; and to cooperate with other agencies of the United States in carrying out any provisions of this Act.

"(3) Cooperation with State agencies under this section may include furnishing to the appropriate State agency (i) advisory assistance in planning and otherwise developing an adequate State program under the State law; and (ii) technical and laboratory assistance and training (including necessary curricular and instructional materials and equipment), and financial and other aid for administration of such a program. The amount to be contributed to any State by the Secretary under this section from Federal funds for any year shall not exceed 50 per centum of the estimated total cost of the cooperative program; and the Federal funds shall be allocated among the States desiring to cooperate on an equitable basis. Such cooperation and payment shall be contingent at all times upon the administration of the State program in a manner which the Secretary, in consultation with the appropriate advisory committee appointed under paragraph (4), deems adequate to effectuate the purposes of this section.

"(4) The Secretary may appoint advisory committees consisting of such representatives of appropriate State agencies as the Secretary and the State agencies may designate to consult with him concerning State and Federal programs with respect to meat inspection and other matters within the scope of this Act, including evaluating State programs for purposes of this Act and obtaining better coordination and more uniformity among the State programs and between the Federal and State programs and adequate protection of consumers.

"(b) The appropriate State agency with which the Secretary may cooperate under this Act shall be a single agency in the State which is primarily responsible for the coordination of the State programs having objectives similar to those under this Act. When the State program includes performance of certain functions by a municipality or other subordinate governmental unit, such unit shall be deemed to be a part of the State agency for purposes of this section.

"(c)(1) If the Secretary has reason to believe, by thirty days prior to the expiration of two years after enactment of the Wholesome Meat Act, that a State has failed to develop or is not enforcing, with respect to all establishments within its jurisdiction (except those that would be exempted from Federal inspection under subparagraph (2)) at which cattle, sheep, swine, goats, or equines are slaughtered, or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and the products of such establishments, requirements at least equal to those imposed under titles I and IV of this Act, he shall promptly notify the Governor of the State of this fact. If the Secretary determines, after consultation with the Governor of the State, or representative selected by him, that such requirements have not been developed and activated, he shall promptly after the expiration of such two-year period designate such State as one in which the provisions of titles I and IV of this Act shall apply to operations and transactions wholly within such State: *Provided*, That if the Secretary has reason to believe that the State will activate such requirements within one additional year, he may delay such designation for said period, and not designate the State, if he determines at the end of the year that the State then has such requirements in effective operation. The Secretary shall publish any such designation in the Federal Register and, upon the expiration of thirty days after such publication, the provisions of titles I and IV shall apply to operations and transactions and to persons, firms, and corporations engaged therein in the State to the same extent and in the same manner as if such operations and transactions were conducted in or for commerce: *Provided further*, That upon notification by the Governor of any State at any time after the date of enactment of the Wholesome Meat Act, that he waives for such State the periods of time specified herein, and requests the designation of the State under this paragraph (c), the Secretary shall designate such State in accordance with this paragraph. Thereafter, upon request of the Governor, the Secretary shall revoke such designation if the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act: *And provided further*, That, notwithstanding any other provision of this section, if the Secretary determines that any establishment within a State is producing adulterated meat or meat food products for distribution within such State which would clearly endanger the public health he shall notify the Governor of the State and the appropriate Advisory Committee provided by section 301 of the Act of such fact for effective action under State or local law. If the State does not take action to prevent such endangering of the public health within a reasonable time after such notice, as determined by the Secretary, in light of the risk to public health, the Secretary may forthwith designate any such establishment as subject to the provisions of titles I and IV of the Act, and thereupon the establishment and operator thereof shall be subject to such provisions as though engaged in commerce until such time as the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act.

"(2) The provisions of this Act requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only under this paragraph (c).

"(3) Whenever the Secretary determines that any State designated under this paragraph (c) has developed and will enforce State meat inspection requirements at least equal to those imposed under titles I and IV, with respect to the operations and transactions within such State which are regulated under subparagraph (1), he shall terminate the designation of such State under this paragraph (c), but this shall not preclude the subsequent redesignation of the State at any time upon thirty days notice to the Governor and publication in the Federal Register in accordance with this paragraph, and any State may be designated upon such notice and publication at any time after the period specified in this paragraph whether or not the State has theretofore been designated upon the Secretary determining that it is not effectively enforcing requirements at least equal to those imposed under titles I and IV.

"(4) The Secretary shall promptly upon enactment of the Wholesome Meat Act and periodically thereafter, but at least annually, review the requirements, including the enforcement thereof, of the several States not designated under this paragraph (c), with respect to the slaughter, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of such operations, and annually report thereon to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate in the report required under section 17 of the Wholesome Meat Act.

"(d) As used in this section, the term 'State' means any State (including the Commonwealth of Puerto Rico) or organized territory."

SEC. 16. Said Act is hereby further amended by adding after title III thereof, the following new sections as:

"TITLE IV—AUXILIARY PROVISIONS

"SEC. 401. The Secretary may (for such period, or indefinitely, as he deems necessary to effectuate the purposes of this Act) refuse to provide, or withdraw, inspection service under title I of this Act with respect to any establishment if he determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection under title I because the applicant or recipient or anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State court, of (1) any felony, or (2) more than one violation of any law, other than a felony, based upon the acquiring, handling, or distributing of unwholesome, mislabeled, or deceptively packaged food or upon fraud in connection with transactions in food. This section shall not affect in any way other provisions of this Act for withdrawal of inspection services under title I from establishments failing to maintain sanitary conditions or to destroy condemned carcasses, parts, meat or meat food products.

"For the purpose of this section a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock or employee in a managerial or executive capacity.

"The determination and order of the Secretary with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the appropriate court as provided in section 404. Judicial review of any such order shall be upon the record upon which the determination and order are based.

"SEC. 402. Whenever any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules, or other equines, or any product exempted from the definition of a meat food product, or any dead, dying, disabled, or diseased cattle, sheep, swine, goat, or equine is found by any authorized representative of the Secretary upon any premises where it is held for purposes of, or during or after distribution in, commerce or otherwise subject to title I or II of this Act, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of title I of this Act or of any other Federal law or the laws of any State or Territory, or the District of Columbia, or that such article or animal has been or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty days, pending action under section 403 of this Act or notification of any Federal, State, or other governmental authorities having jurisdiction over such article or animal, and shall not be moved by any person, firm, or corporation from the place at which it is located when so detained, until released by such representative. All official marks may be required by such representative to be removed from such article or animal before it is released unless it appears to the satisfaction of the Secretary that the article or animal is eligible to retain such marks.

"SEC. 403. (a) Any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules or other equines, or any dead, dying, disabled, or diseased cattle, sheep, swine, goat, or equine, that is being transported in commerce or otherwise subject to title I or II of this Act, or is held for sale in the United States after such transportation, and that (1) is or has been prepared, sold, transported, or otherwise distributed or offered or received for distribution in violation of this Act, or (2) is capable of use as human food and is adulterated or misbranded, or (3) in any other way is in violation of this Act, shall be liable to be proceeded against and seized and condemned, at any time, on a libel of information in any United States district court or other proper court as provided in section 404 of this Act within the jurisdiction of which the article or animal is found. If the article or animal is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the Treasury of the United States, but the article or animal shall not be sold contrary to the provisions of this Act, or the laws of the jurisdiction in which it is sold: *Provided,* That upon the execution and delivery of a good and sufficient bond conditioned that the article or animal shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of the jurisdiction in which disposal is made, the court may direct that such article or animal be delivered to the owner thereof subject to such supervision by authorized representatives of the Secretary as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or animal and it is released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article or animal. The proceedings of such libel cases shall conform, as nearly as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

"(b) The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this Act, or other laws.

"SEC. 404. The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other Territories, are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this Act, and shall have jurisdiction in all other kinds of cases arising under this Act, except as provided in section 7(e) of this Act.

"SEC. 405. Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of his official duties under this Act shall be punished as provided under sections 1111 and 1114 of title 18, United States Code.

"SEC. 406. (a) Any person, firm, or corporation who violates any provision of this Act for which no other criminal penalty is provided by this Act shall upon conviction be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both such imprisonment and fine; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in section 1(m)(8) of this Act), such person, firm, or corporation shall be subject to imprisonment for not more than three years or a fine of not more than $10,000, or both: *Provided,* That no person, firm, or corporation, shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this Act if such receipt was made in good faith, unless such person, firm, or corporation refuses to furnish on request of a representative of the Secretary the name and address of the person from whom he received such article or animal, and copies of all documents, if any there be, pertaining to the delivery of the article or animal to him.

"(b) Nothing in this Act shall be construed as requiring the Secretary to report for prosecution or for the institution of libel or injunction proceedings, minor violations of this Act whenever he believes that the public interest will be adequately served by a suitable written notice of warning.

"SEC. 407. For the efficient administration and enforcement of this Act, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Act entitled 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes', approved September 26, 1914 (38 Stat. 721–723, as amended; 15 U.S.C. 46, 48, 49, and 50) (except paragraphs (c) through (h) of section 6 and the last paragraph of section 9), and the provisions of subsection 409(l) of the Communications Act of 1934 (48 Stat. 1096, as amended; 47 U.S.C. 409(l)), are made applicable to the jurisdiction, powers, and duties of the Secretary in administering and enforcing the provisions of this Act and to any person, firm, or corporation with respect to whom such authority is exercised. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this Act in any part of the United States, and the powers conferred by said sections 9 and 10 of the Act of September 26, 1914, as amended, on the district courts of the United States may be exercised for the purposes of this Act by any court designated in section 404 of this Act.

"SEC. 408. Requirements within the scope of this Act with respect to premises, facilities and operations of any establishment at which inspection is provided under title I of this Act, which are in addition to, or different than those made under this Act may not be imposed by any State or Territory or the District of Columbia, except that any such jurisdiction may impose recordkeeping and other requirements within the scope of section 202 of this Act, if consistent therewith, with respect to any such establishment. Marking, labeling, packaging, or ingredient requirements in addition to, or different than, those made under this Act may not be imposed by any State or territory or the District of Columbia with respect to articles prepared at any establishment under inspection in accordance with the requirements under title I of this Act, but any State or Territory or the District of Columbia may, consistent with the requirements under this Act, exercise concurrent jurisdiction with the Secretary over articles required to be inspected under said title, for the purpose of preventing the distribution for human food purposes of any such articles which are adulterated or misbranded and are outside of such an establishment, or, in the case of imported articles which are not at such an establishment, after their entry into the United States. This Act shall not preclude any State or Territory or the District of Columbia from making requirement or taking other action, consistent with this Act, with respect to any other matters regulated under this Act.

"SEC. 409. (a) Notwithstanding any other provisions of law, including section 902(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 392(a)), the provisions of this Act shall not derogate from any authority conferred by the Federal Food, Drug, and Cosmetic Act prior to enactment of the Wholesome Meat Act.

"(b) The detainer authority conferred by section 402 of this Act shall apply to any authorized representative of the Secretary of Health, Education, and Welfare for purposes of the enforcement of the Federal Food, Drug, and Cosmetic Act with respect to any carcass, part thereof, meat, or meat food product of cattle, sheep, swine, goats, or equines that is outside any premises at which inspection is being maintained under this Act, and for such purposes the first reference to the Secretary in section 402 shall be deemed to refer to the Secretary of Health, Education, and Welfare.

"SEC. 410. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

SEC. 17. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of animals subject to this Act, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of establishments operated in connection therewith, including the operations under and effectiveness of this Act.

SEC. 18. The provisions relating to equine meat and meat food products beginning with the phrase "And, hereafter," under the heading "BUREAU OF ANIMAL INDUSTRY" and the subheading "MEAT INSPECTION, BUREAU OF ANIMAL INDUSTRY:" in the Act approved July 24, 1919, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and twenty" (41 Stat. 241; 21 U.S.C. 96), and paragraph (b) of section 306 of the Tariff Act of 1930 (46 Stat. 689, as amended; 19 U.S.C. 1306(b)) are hereby repealed.

SEC. 19. If any provision of this Act or of the amendments made hereby or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the remaining amendments and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 20. This Act shall become effective upon enactment except as provided in paragraphs (a) through (d):

(a) The provisions of paragraph (b)(1) and (c) of section 10 and the provisions of section 20 of the Federal Meat Inspection Act, as amended by sections 7 and 10 of this Act, and the provisions of section 18 of this Act repealing paragraph (b) of section 306 of the Tariff Act of 1930, shall become effective upon the expiration of sixty days after enactment hereof.

(b) The provisions of title I of the Federal Meat Inspection Act, as amended by this Act, shall become effective with respect to equines (other than horses) and their carcasses and parts thereof, meat, and meat food products thereof upon the expiration of sixty days after enactment hereof.

(c) Section 11 of this Act, amending section 23 of the Federal Meat Inspection Act, shall become effective upon the expiration of sixty days after enactment hereof.

(d) Section 204 of the Federal Meat Inspection Act, as added by section 14 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

Mr. MANSFIELD. Mr. President, there will be no further business this afternoon—that is, no voting; but I do wish to reiterate to the Senate that there is a very strong possibility there will be votes on Monday next——

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. GORE. Mr. President, unauthorized personnel are now on the floor of the Senate making for confusion, which makes it impossible to hear what the majority leader just said. Could we not have the Chamber cleared?

The PRESIDING OFFICER. All such personnel will leave the Chamber immediately and the Sergeant at Arms will carry out the order of the Chair.

Mr. MANSFIELD. Mr. President, in order that there will be no confusion as to what I said, the pending business is the so-called Federal Meat Inspection Act, reported unanimously by the Committee on Agriculture and Forestry.

There will be no further voting today, but it is the opinion of the joint leadership that there is a very, very strong possibility of votes on Monday, not only on the pending business, but also on other measures.

Mr. MAGNUSON. Mr. President, when does the Senator expect to bring up the postal rate and pay raise bill?

Mr. MANSFIELD. On Tuesday next, to be followed by the military pay raise.

Mr. MAGNUSON. I thank the Senator.

Mr. DIRKSEN. Mr. President, it is 33 years ago that I voted for the original social security bill in the House of Representatives.

During those intervening years, the program has been improved but, also, a great deal of mischief has been wrought.

I voted for the bill today to commit it to the tender keeping of the conference committee, so that at least some of this mischief can be undone.

Mr. HOLLAND. Mr. President, I would have been glad to vote for the bill today, under other circumstances.

I regret, however, that this "Thanksgiving turkey" had so much stuffing in it that it could not possibly absorb it.

I think that the Senator from Delaware [Mr. WILLIAMS] correctly stated the matter when he said that the benefits under the bill, swollen as it is, may be twice what they should be, to be financed by the financing arrangement provided by the bill.

Mr. President, I regret that the bill got into such shape. I wish my friend, the distinguished Senator from Louisiana [Mr. LONG], well in conference. I hope he will bring back a bill more like the one that was reported by his committee or, hopefully, more like the one that came over to us from the other body. I shall certainly be glad to support it if it is in reasonable proportions and if it is not so swollen by proposed benefits and without appropriate means to finance it. I think that as passed, it is impossible to do that. I hope that the bill will come back in good shape, so that I can support it.

Mr. HARTKE. Mr. President, I do believe that one bit of explanation is due. As I have said repeatedly, the social security bill is a landmark bill. It provides some benefits which are necessary.

With all due respect to the Senator from Florida [Mr. HOLLAND], this turkey is not overstuffed. For some people, it is going to be a pretty thin Thanksgiving, when all they are going to receive is less than $1,000 a year to live on.

Congress has been very meager in taking care of the country's elderly people. At the same time, repeated efforts are made on the floor of the Senate for all kinds of expensive ideas and programs which contribute little to the man on the street and children and the elderly. We voted $70 billion for military appropriations. The total cost of the social security bill will be less than one-half of the year's cost of the war in Vietnam. That puts into proper perspective exactly how much priority we are giving to the old people of America, our own people, and how we are neglecting the business of America while we are preoccupied with a war that is taking place 10,000 miles from home.

I hope and pray that that war will be brought to an end and that we will fulfill the mandate for the Great Society programs, which the country had a chance to vote on in 1964.

The 1964 campaign was very definitely fought and decided on the issue which was decided on the floor of the Senate and voted upon today.

As Senators will recall, there were two great symbols in that campaign. One was the tearing up of the social security cards. Thank goodness we did not tear them up today. We made the social security system stronger. The other symbol was portrayed so vividly upon my memory, that of the little girl picking a daisy, with a background of mushroom clouds. We had the decision to make as to whether or not we were going into a military escalation, a military involvement overseas, taking the young people of America, taking the dollars of America, taking the treasure of America. Were we going to follow the designs of what we and the Democratic Party characterized as a trigger-happy candidate, or were we going to follow peaceful pursuits, a doctrine of the affirmation of life, and not of death, an affirmation of peace, and not of war, an affirmation of hope, and not of despair? And these were questions for the old people, too. And the people of America overwhelmingly said that the issue was clearly drawn, and they voted the greatest mandate for peace that this Nation has ever shown. President Johnson was given a mandate for peaceful pursuits and for the Great Society programs.

Now we are seeing daily the necessity for cutting back on Great Society programs. Thank goodness, we did not cut this social security program back. I was the one who advocated the administration policy. I advocated the policy sent here by President Johnson. I was the one who introduced the amendments in committee for that policy. I introduced those amendments for the President. I am not ashamed of what he had to say. I just wish he had followed through on the full mandate. I want him to continue policies and programs for his announced Great Society. I encourage him in this.

I find it very regrettable when we see posters throughout the Nation asking the people of the Nation to turn over pennies and dimes for retarded children, when this Congress authorized what it did for the benefit of retarded children. But we say now we cannot provide the money for that purpose, because of the Vietnam war. Fifteen million dollars is what we spent last year. We should have spent $30 million by the mandate that was given. That is not very much. That is about what 8 hours of the war in Vietnam costs us. But that is judged to be too expensive, and we cut back for the mental retardation facilities to about a half day's cost of the war.

I think it is very important for the people of the United States to understand what the Senate has done today. It has reaffirmed the mandate for peace made in 1964. Let us show that we want to turn this Christmastide into a pageant for peace, not a theater of war. I would like to have us return to the doctrines of peace.

With due respect for General Westmoreland, more people have been killed in Vietnam while he has been telling us about the great victories in that war. The most serious battle of that war has been going on over there in the meantime. We have given him every dollar he has asked for. We have put no strings on the appropriations. This Congress has not told him in what direction he shall fight the war. He has a right to bomb as he wants. This Congress has not put any strings on its appropriations.

I think this is a time when we should see the true picture. This is a time when a great deal of soul searching must go on. Thank goodness that the Senate did not turn its back on the old people of America.

I hope we will get on with the business of America. We have forgotten Americans. We have forgotten them because of something called Vietnam, because of a man called Ho Chi Minh, as if Ho Chi Minh is going to come to the doors of San Francisco tomorrow morning. They say we have a war with China. There is no war with China that I know of. For 26 years they have been fighting there. Probably there are some Chinese helping them, but we have half a million of our own people there. The populations of North and South Vietnam are about even. We have a half million of the best trained American troops there, all of our technology, all of our planes, all of the money of the greatest, most powerful nation in the world. Yet, some way, we do not seem to be able to win, because it is not that kind of war.

Month after month after month we see the American casualty lists from South Vietnam amounting to more than the casualty lists of the South Vietnamese themselves.

These are questions on which the Secretary of State should come and discuss before the Foreign Relations Committee. I say to you, Mr. Chairman, I do not excuse the Foreign Relations Committee for not demanding that he come and testify publicly before the people who have a vital interest in the security of this country. What excuse is there for him to say, "I cannot tell the Senators of the United States in public session what this war is all about"?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator from Arkansas.

Mr. HOLLAND. Mr. President, I asked the Senator to yield first.

Mr. HARTKE. I will yield to the Senator from Florida. I yield first to the chairman of the Foreign Relations Committee. I made reference to him, and he may want to answer that comment.

Mr. FULBRIGHT. Mr. President, I wish to reply to the Senator's statement with regard to the Committee on Foreign Relations. Since he made a similar request or statement some time ago, the committee itself met in executive session with the Secretary of State and we discussed for nearly 3 hours his coming before the committee in public session. He took it under advisement. He did not want to make a decision at that time. This was about 2 weeks ago. He said he would notify the committee very promptly thereafter as to his decision as to whether he could come or not.

Then he called me again on Sunday night and said he regretted not being able to make a decision as to whether he should come in public session. He said he would need more time to make up his mind and make his decision. He did not make an absolute promise, but he intimated that at the beginning of the next week he would let the committee know if he would come in public session.

I want to state to the Senator from Indiana that, as a constitutional matter, I do not believe my committee can force the Secretary of State to come in public session. He is an official appointed by the President, and I think under the constitutional principle of the division of powers he is immune to subpena to come before the committee.

I have done everything I can. This is the third or fourth time we have asked him to come. At the last meeting, although there are some members of the committee who do not believe he should come, but I believe the majority does; I am confident the majority believes he should come to a public session, as I believe he should, to explain this policy. I believe it would be to his own interest, to the country's interest, and certainly to the committee's interest, if he would come. So I do not think the committee has been delinquent in its efforts to get the Secretary to come before it in public session.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. That is about all I have to say about that.

Let me add this word. I want to associate myself with one idea of the Senator from Indiana, with particular reference to some of the comments that have been made with regard to this bill as if this bill was the reason for the deficit, or a primary reason for a deficit, a disarray, a dislocation of not only our economy but that of Great Britain.

Yesterday afternoon someone made a powerful speech about calling our attention to the collapse, practically, of the economy of Great Britain and intimating the social security bill is one of the principal reasons.

I only wish to agree with the Senator from Indiana that this is not a very accurate sense of perspective. I think the war in Vietnam is the primary cause of the difficulties we are confronting, both social and economic, in this country, and also contributes to the dislocation of the economies of other countries.

This prognostication about Great Britain is very ominous to me, because if we follow the imperial example of Great Britain, it will not be too long before we will be in exactly the same position. It will not be because of social security; it will be because of our stupid policy in Southeast Asia.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HARTKE. Mr. President, in just one moment. Before I yield, I say to the chairman of the Committee on Foreign Relations, I understand the persistence with which he has insisted upon the attention of the Nation being focused on the fact that the Secretary of State has not appeared publicly and explained that high and noble purpose, which the American people have a right to hear explained before they send their young men to die.

I am not a member of the Committee on Foreign Relations, but I do think it is necessary for the Secretary of State to explain, and publicly explain, to this Nation what the war is all about.

We have seen their staged public displays throughout the country, in front of their own klieg lights, on their own platforms. In some cases there are patsy questions, served like a softball so that they can hit it straight out in left field.

I do not care how many appearances like that they make, even at Indiana University; if the Secretary of State wants to come to my State and make statements, he may do so. Whether he wants to answer the questions of students is his own business.

But it is my opinion that good faith requires, if he does that, if he goes out to the highways and byways and speaks to the public, he ought also to appear publicly before that responsible group who have been elected to public office, who want to be able to tell their constituents exactly what the Secretary of State means when he says thus and so. He will testify in public in the presence of everybody else; I think it is only fair to American mothers, wives, and sweethearts, only fair to the people of this Nation, that he appear to shed some light on this definite area of anxiety. They may say as often as they wish that it should be obvious to the country what we are doing there; but I say that all America is asking why, and asking why in increasing numbers.

I yield to my friend from Florida.

Mr. HOLLAND. I thank the Senator for yielding.

Adverting, if I may, to the social security bill—because that is the subject on which the able Senator from Indiana began his remarks—I ask him whether he is of the impression that the financing portion of the bill is anything like adequate to cover the commitments made by the portions of the bill that create benefits with a very lavish hand.

Mr. HARTKE. I certainly do. If the distinguished Senator will look on page 9 of the Social Security Amendments of 1967, if he has any faith in the actuary—who has been here for years, even through the Republican administration—as I pointed out in my remarks earlier, before the passage of the bill, not alone is the financing adequate, but by 1972, will exceed the needed amount by $8.6 billion, with a whole year's payments in reserve.

The prosperity of America has made such an increase possible. All one has to do is look at it. This year alone, as provided by the Finance Committee, we will have contributions of $31.2 billion. How much of that money will be put into people's pockets? We are going to put in their pockets $29 billion. The arithmetic is very simple—a difference of $2.2 billion.

I argued in the committee that it was too much. This bill is overfinanced. There is no question about it. No insurance company could competitively stay in business, if it were managed in the same way this bill is being run, because it would have priced itself out of the market. We are collecting too much in excess of what we need.

There is no reason why a man working on a factory assembly line, or his employer, should be required to pay money into the fund beyond what is necessary to pay for the benefits to be received. That was the original concept of social security, and that is the concept under which it should be operated now. But here, for the first time in the history of the social security law, there is an attempt to make it an instrument of fiscal policy, so that the Treasury could borrow money from the social security fund—which is legal—at a lower interest rate than available in the marketplace, to finance the war in Vietnam.

Whether you approve or disapprove of the war is immaterial; it has to be paid for, and this is one way they seek to do it.

Mr. HOLLAND. May I say that I appreciate the Senator's brief answer, and I must say that so far as I am informed, the machinery to finance social security is inadequate to finance, not the original bill——

Mr. HARTKE. In what year?

Mr. HOLLAND. I am talking about the swollen bill which we have just passed, and which has been inflated by dozens of amendments.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. HOLLAND. There is one more question I wish to ask the Senator, if I may, and I hope he will be at least equally brief in answering that one.

I understand that the distinguished Senator supported ardently the President's bill for the social security improvements. Do I understand the Senator feels that this bill which we have just passed has even the remotest resemblance to the President's request?

Mr. HARTKE. It certainly does. If the Senator wishes to go through the whole measure, I can go through the entire bill. I sat there through most of it; I think my attendance before that committee was as good as anybody else's.

Mr. HOLLAND. It seems to me that anyone who wants to read this bill, and reads the President's request, is bound to come to the conclusion that this bill is no more like the President's bill than day is like night; and that, to the contrary, this is an extremely swollen bill, with numerous provisions in it which cannot be financed, and which I hope will be cut out in conference, so we will have a reasonable approach to this program, because I do not want to see our old people persuaded that they have something they have not got, or that Congress has done something for them which it has not done, because here is a bill which is not properly financed, which could not stand under its own weight, and which I hope will come back, under the able leadership of the Senator from Louisiana, out of conference in a much better form, so that we may support it and say to our elderly friends, "We have given you something that is meaningful, because we have provided for the payment of the additional benefits which we are voting."

I thank the Senator for yielding.

Mr. HARTKE. Mr. President, I just want to say that I am sure the Senator from Florida is persuaded by somebody, some place, that there is a great discrepancy between this bill and the President's message. I know that the President himself would say that this bill, in its main propositions, is identical to the message which he sent.

It calls for a 15-percent increase, across the board, and calls for a minimum benefit of $70 a month, as recommended by the President.

It calls for an increase in benefits for those over the age of 72, as recommended by the President.

It calls for fairness in treatment of retirees for disability, the same over the age of 52 as over the age of 67, as recommended by the President.

The basic provisions of the President's message are incorporated in the Finance Committee bill. The House of Representatives cut it back to 12 percent, and cut the minimum payment to $50.

The House bill was short of what the President had recommended. This, in all substantial respects, is exactly the same as what the President recommended.

As to the financing, the financing provided in this bill, not taking into consideration last night, which is not material in the long run—even though the Senator may think so, it is not——

Mr. HOLLAND. Does the Senator mean that the amendments we passed last night can be brushed off without any consideration?

Mr. HARTKE. In most cases that is right.

Mr. HOLLAND. I thank the Senator.

Mr. HARTKE. The financing, as recommended by the President, called for a surplus of collections over expenditures of $300 million. The financing of this bill, even though I did not approve of it, calls for a surplus of collections over expenditures of $2,100 million—some $1,800 million more in excess than the President recommended.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HARTKE. So if Senators think that is fiscally responsible—which I think is fiscally irresponsible, to collect more than you need in a social security fund—but if that is the Senators' definition of fiscal responsibility, this Finance Committee bill, according to that definition, is $1,800 million more fiscally responsible than the message the President sent down here.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. HOLLAND. Mr. President, what did the Senator mean in his earlier statement when he said: "This bill was too much." Those were the words he used.

Mr. HARTKE. I said there is too much money in the bill. There is too much collection of money. We are taking from the employers and employees more than we should take. We are telling the employers and employees they should put in more money. In the financing of this bill we are to go back to every employer and employee in America and say, "We want to tax you more than is necessary."

That is what this bill has done. However, I could not persuade the Finance Committee or some of the Senators to whom I spoke. However, this is a fact.

By the year 1972 we will have $8.6 billion more in the trust fund than we will be paying out in benefits in that year alone, plus 1 year in reserve.

Mr. FULBRIGHT. Mr. President, the Senator did do a good deal about this particular matter. Did not the bill from the Finance Committee provide for a surplus of over $4 billion?

Mr. HARTKE. This was the original adoption.

Mr. FULBRIGHT. And the Senator did succeed in cutting that.

Mr. HARTKE. It was more than $5 billion in excess.

Mr. FULBRIGHT. The Senator did succeed in cutting down the surplus above the payments of about $2.1 billion.

Mr. HARTKE. The Senator is correct.

Mr. FULBRIGHT. He did cut that in about half.

Mr. HARTKE. The purpose of the Finance Committee was that they were going to put a slush fund in there of $5 billion so that the Treasury could go over and borrow that money. That was the argument. There is no dispute about it. There is no dispute about the fact that we need money to finance the bill.

They said that we needed to take the money out of the economy and that this would be the way to take the money out of the economy.

This was the argument of the ranking minority member, and it was the argument, for a while, even of the administration.

Mr. FULBRIGHT. Will the Senator state the present accumulated surplus in the social security fund?

Mr. HARTKE. The accumulated surplus was $29 billion for last year after payments of $25 billion, which means that there was a surplus of $4 billion.

Mr. FULBRIGHT. Accumulated surplus.

Mr. HARTKE. The Senator is correct.

Mr. FULBRIGHT. That means that over a period that much more has been collected in its accounts than has been paid out.

Mr. HARTKE. The Senator is correct.

Mr. FULBRIGHT. I want the Senator from Florida to be convinced. He seems to intimate that this whole program is spending more in benefits than has been collected either in the past or at the present.

Mr. HARTKE. The Senator is exactly right.

Mr. FULBRIGHT. However, if I understood the experts and the staff and others correctly, that just is not so.

Mr. HARTKE. The Senator from Arkansas is exactly right.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HARTKE. I will be glad to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Arkansas underestimates his friend, the Senator from Florida.

The Senator from Florida knows the entire situation in that pool.

I know that the past and present purpose is to keep in that fund enough to cover a year's payments.

I know that does not approach the degree of safety actuarially that is required of insurance companies and others. This is an insurance program.

Mr. FULBRIGHT. The Senator is correct.

Mr. HOLLAND. And I am well advised about the program. I know that with all of the amendments stuck on the bill, which the distinguished senior Senator from Indiana says can be brushed off, these are amendments that cannot be financed by the bill.

The Senator from Florida is not willing to vote for a bill that has an accumulation of all those amendments. And he cannot see how any other Senator would vote for it.

These were amendments that the Senator from Indiana has admitted have to be brushed off. Well, we cannot brush off the action of a great body like the Senate of the United States in solemnly voting funds which they know cannot be paid and which they know are not going to be paid.

The Senator from Florida is not going to vote for such a bill. When the bill goes to the House, I hope it will brush off—and those were the words of the Senator from Indiana, and they are very accurate words—a lot of the amendments in conference. I will then be glad to vote for that bill. However, I will not be on record as promising the old people something which cannot be done.

The Senator from Arkansas knows that it cannot be done. And the Senator from Indiana knows that it cannot be done.

The Senator from Indiana speaks of these amendments as amendments that will have to be brushed off. Let us brush them off, but we ought to have brushed them off and defeated them before we put them in the bill.

Mr. HARTKE. Mr. President, I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I thank the able Senator for yielding.

I compliment and congratulate the able senior Senator from Indiana for the contribution he has made to the consideration and to the writing of the social security bill which has just passed.

I concur in large part with the statements the able Senator has made with respect to the financing. I believe that the actuarial experts of the Social Security Administration will confirm the statements of the Senator from Indiana.

It is a matter of judgment as to whether it is wise to levy a tax to provide revenue somewhat in excess of anticipated benefit payments.

I leaned toward a resolution of that doubt in favor of a surplus in the social security trust fund.

I wish to add that it is now my feeling that we have levied taxes upon payrolls to the maximum feasible extent. Benefits added hereafter, in my present view, to the extent they cannot be funded by taxes provided in the pending bill, should be financed from the general revenue.

But the primary purpose for which I rose was to make some comments upon the criticism which the Senator has leveled against the Committee on Foreign Relations for not insisting upon the appearance of the Secretary of State in public session with respect to the policy of the U.S. Government in Southeast Asia.

In part, I believe the action of the committee is subject to question; and unless it pursues the issue, it will be subject to criticism. The able chairman of the committee has related to us the repeated efforts which he has made to secure the appearance of the Secretary of State at a public session of the Foreign Relations Committee. This is well and good.

I should like to relate to the Senator that prior to the Secretary's recent appearance in executive session with the committee on this subject, I had introduced a motion in the committee which would have directed the chairman to communicate with President Johnson the committee's concern over this threatened break in communication between the Executive and the U.S. Senate on this critical issue. It was my view then, from expressions around the committee table, that a majority would have voted in favor of my motion.

The distinguished majority leader suggested that Secretary Rusk be invited to appear before the committee in executive session, to discuss the advisability of a public hearing. Thereupon, I withdrew my motion. I thought the suggestion of the distinguished majority leader to be preferable, because it is better that we preserve this comity; and if it can be preserved without one branch pressing its rights and duties and prerogatives on the other, that is good.

The session with the Secretary was very satisfactory, at the conclusion of which, as the chairman of the committee has related, the Secretary said he would advise the committee promptly. There was no definition of that term.

I had intended on Monday of this week to communicate with the chairman, requesting a further meeting of the committee, to renew my motion, the committee not having heard from the Secretary of State. However, as the chairman has related, on Sunday night the Secretary of State communicated with him by telephone, and in effect requested some additional time in which to reach a decision. Therefore, I further withheld the motion.

I wish to say that this is not a decision which is the responsibility of the Secretary of State. This is an issue in which the President of the United States and the U.S. Senate have a constitutional responsibility. The Constitution places the Senate and the President in a position of limited partnership with respect to this Nation's foreign affairs and the conduct of its policy. I need not enumerate the constitutional responsibilities and powers of the Senate—advice and consent, use of Armed Forces, confirmation, ratification, and so forth.

So I should like to say to the able Senator that I would not be satisfied with a negative decision of the Secretary of State. If there is to be a breakdown in public communication—such communication being essential in a democracy—between the President and the U.S. Senate, I want the responsibility placed where it belongs. I do not anticipate an unfavorable reply from the Secretary of State, because I believe President Johnson is fully aware of the responsibility to the people with which not only he, as President, is charged, but also with which the U.S. Senate is charged by the Constitution.

Mr. MORSE. Mr. President, will the Senator yield to permit me to make one comment?

Mr. GORE. I yield.

Mr. MORSE. Does the Senator think that the President of the United States has been unaware of this controversy for weeks? Why has the President remained silent? The American people have been entitled to have President Johnson order the Secretary of State before the Committee on Foreign Relations.

The Senator has put the responsibility where it belongs—on the doorstep of the White House. But I do not share the view of the Senator from Tennessee, if I interpret his remarks correctly, that we should wait any longer for the President. The President should have acted a long time ago in regard to a basic constitutional issue—that is, whether or not a Cabinet officer will be allowed to refuse to come before a legislative committee of Congress and testify in public.

Mr. GORE. Mr. President, as I have said, it has appeared to me that patience on the part of the Senate might be the better part of wisdom. Surely, there must be an end to that practice. But I believe that the ultimate preservation of the equation, preserving the vitality of communication in the public interest, is the most important objective here.

I started to comment about responsibility to the public and President Johnson's awareness of that responsibility. What greater issue is there than that of peace or war? What can be the subject of more vital debate than whether American boys are being sent to fight and die for a cause in which our national security is truly involved?

Now, it is good to communicate to the public on a one-way line, some communication being better than none. It is better to communicate to the public accurately and fully, and this cannot be accomplished by a one-way line—although that is good insofar as it goes—but only by incisive examination of the issues.

Yesterday, General Westmoreland appeared before the National Press Club and outlined the war strategy for all to read. Had a dissenter ventured to outline the military strategy for the next 2 years of the war in Vietnam, I wonder if someone would not have raised the question whether this was an aid to the enemy.

As I understand the general's statement, perhaps inadequately, we are advised now that the plan for 1968 is an undertaking to liquidate the war in the northern part of Vietnam, and to encourage the South Vietnamese Army then to take over the major part of responsibility in that area. Whether this comtemplated role can be described as a holding operation or pacification I am not sure. But then, after 1968, as I read the strategy, it is for the U.S. Army to plunge heavily into the essentially civil war portion of the war in the delta, where we are advised that almost 100 percent of the enemy is not North Vietnamese but indigenous people of South Vietnam who have for years been in strife, or civil war, with the Government in Saigon.

I did not rise to discuss the strategy which General Westmoreland outlined. Whether this is a wise course I do not wish to question at this time. I only make the point that communication is being had with the American people, but it is on a one-way line.

Members of the U.S. Senate, who are versed in the history of the area, of the people involved, who are conversant with the conferences, the background information, who have seen some of the cables, and who have been privy to much of the confidential information, could subject advocates of the policies to an examination of those policies, not contentiously, I hope, but with probity and incisiveness in order to arrive at a wise policy on which the American people could unify.

Mr. President, what this country needs is unity and a policy; unity and a wise policy. How do we achieve that in a democracy? By one-way communication? I do not think so. Unless we can achieve unity through the educational process, through public understanding, through debate, through public analysis of policies and objectives, then that unity is not achievable except by methods which are not consistent with the traditions of America.

Mr. President, a few days ago President Johnson held a press conference in which, in response to a question, he said the United States is resisting aggression in South Vietnam.

The day before, I believe, I was in communication with a high administration official. I inquired as to what is the organized military strength of the North Vietnamese military now in South Vietnam. The answer was 55,000 troops. I asked him if the United States of America did not have approximately 500,000 troops there. That was affirmed.

I asked: Under what circumstances could we have peace there, in light of this aggression which we are resisting? His answer was that if North Vietnam would withdraw its troops there can be peace.

That sounds very well on a one-way communication to the American people. But I asked a second question: If North Vietnam would withdraw her 55,000 troops, would the United States withdraw her 500,000 troops, and permit self-determination by the South Vietnamese. The answer was equivocal.

I asked: If North Vietnam would withdraw her 55,000 troops, what portion of our 500,000 troops, or thereabouts, would we withdraw? Again the answer was equivocal.

So, Mr. President, if 500,000 troops, with the great mobility we have, with our air power, with the overwhelming firepower we have, cannot in some way deal with 55,000 less-equipped, less-mobile troops, then there must be some other element present. There is. That other element is the civil war element; the civil strife that has long existed in South Vietnam, which, indeed, was promoted by the French during their occupation, by the old strategy of dividing in order to rule or conquer.

Mr. President, a statement which sounds plausible and may be accepted without question by many can be made to the American people on a one-way communication. However, there are many persons who will not accept bland statements. There can be no unity in this country until the Government of the United States is willing to discuss freely and openly with representatives of the American people before the American people in public session the great issue of war and peace.

What are our objectives, long-range and intermediate, in Vietnam? Is this a worthy cause? Is it a cause in which our national security is vitally involved? For what lesser cause should we send our young men to fight and die?

So, Mr. President, without making a speech, which I surely had not intended to do, let me say to the distinguished and able senior Senator from Indiana that unless the committee does press the issue his criticism will be well based.

I concur in the patience of the chairman—thus far. But, unless we have an answer next week, in the affirmative, I shall communicate with him, asking for a session of the committee to renew my motion. Once this issue is brought squarely to the attention of the President, I am confident that with his devotion to the principles of democracy, with his dedication to the precepts and the principles of a government of the people, by the people, and for the people, his belief in the people's right to know, this decision will not be left for the Secretary of State to make. I would not leave it just for the President to make. The Senate is not without its powers, just as it is not without its constitutional responsibility and duty.

I close by asking the distinguished and able senior Senator from Indiana to be patient a little longer, but unless this public communication eventuates, then the committee and the Senate is subject to censure unless it presses the performance of its duty which, in my view, is clearly constitutionally fixed.

I thank the able Senator.

Mr. HARTKE. I want to thank the able Senator from Tennessee. I quite concur with his statement that a great constitutional question is involved.

THE SOUTH VIETNAMESE ARMY

Mr. THURMOND. Mr. President, the October 17 issue of the Washington Daily News published an article containing certain charges leveled at the capability of the South Vietnamese Army. This article alleged that a Member of the Senate complained that the United States was saddled with a military white elephant in Vietnam.

Specifically he charged that—

> (1) Some American Intelligence officers estimate that as many as 30 per cent of the soldiers in the South Vietnamese Army are sympathizers or agents of the Viet Cong; (2) the South Vietnamese Army is riddled with corruption and inefficiency.

After reading this piece in the Washington paper I wrote Hon. Ellsworth Bunker, American Ambassador to Vietnam, and asked if he had information to refute the above charges. I have recently received from our Embassy at Saigon a letter signed by the Chargé d'Affaires which indicates that the first charge is unfounded. With regard to the charge of corruption in the South Vietnamese Army, this letter points out that the Vietnamese have organized an inspector general system similar to our own and have recently charged some 50 officers of various ranks with corrupt activities.

Mr. President, I am pleased to have this report from our Embassy and even more pleased to see this defense of the South Vietnamese Army, and I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter

was ordered to be printed in the RECORD, as follows:

SAIGON,
November 14, 1967.

Hon. STROM THURMOND,
U.S. Senate.

DEAR SENATOR THURMOND: In his absence, Ambassador Bunker has asked me to reply to your letter of October 18, 1967, requesting information with which to refute charges against the South Vietnamese Army (ARVN).

The allegation that "as many as 30 percent of the soldiers in the South Vietnamese Army are sympathizers or agents of the Viet Cong" is, in our opinion, unfounded. Our own intelligence and that of the South Vietnamese do not support any such allegation, and we believe that Viet Cong penetration of the ARVN is negligible. In a country with a history like Vietnam covert Viet Cong sympathizers may exist in many sectors, but we believe that the allegation is a gross exaggeration and highly misleading.

As for the effectiveness of the ARVN, I believe their performance has not been accurately reported. American reporters tend to report the activities of American units in much greater detail than of Vietnamese units. A case in point is the recent victory at Loc Ninh, Binh Long Province, The U.S. press reported day after day the repulsion of repeated enemy attacks, and gave the impression that this was done by United States Forces. In fact, the military targets of the attack were the district headquarters and the Civilian Irregular Defense Group camp, both Vietnamese, with only a few American advisors. It was these establishments which repelled the enemy attacks, with heavy enemy casualties.

Major United States Forces were brought into the area to support the Vietnamese and give assurance that the Viet Cong could not gain control. The United States units were engaged in the later stages and inflicted heavy casualties on the enemy. The Vietnamese, however, merit equal credit with our own Forces in the great victory at Loc Ninh.

Loc Ninh is not an isolated incident. The Vietnamese Armed Forces have engaged in many successful operations, and their effectiveness is steadily improving. The number of unit operations has increased 27 percent in the first half of 1967 over the same period in 1966. The desertion rate has been reduced by 50 percent, and they are new capturing weapons at a rate of two for every one captured by the enemy, whereas in the first half of 1966 weapons captured and lost were about even.

As for charges of corruption, we need to find some sound perspective to examine them. Corruption exists to some degree everywhere, even in the United States. If corruption exists in the Vietnamese Armed Forces, it has not prevented the effective military performance of those forces. In any case, the Vietnamese have organized an Inspector General system similar to our own, and have recently charged some 50 officers of various ranks with corrupt activities. They are trying to reduce corruption.

If I can be of further assistance, please do not hesitate to write me.

Sincerely,

EUGENE M. LOCKE,
Chargé d'Affaires ad interim.

EMBARGO OF CHROMITE SHIPMENTS FROM RHODESIA

Mr. THURMOND. Mr. President, I wish to make a few remarks upon a most important subject; namely, the embargo of chromite shipments from Rhodesia.

It has come to my attention that the Foreign Assets Control Division of the Treasury Department on November 14 denied an application by the Foote Mineral Co. for a special license to import chrome ore from the company's mines in Rhodesia. The effect of this denial, which appears to have been issued with the concurrence, even at the insistence, of the State Department, will be to destroy the Rhodesian mines and force us to become dependent upon the only other major supplier, the Soviet Union.

I need hardly point out that the element chromium is cataloged as one of the most important strategic and critical materials. There is no known substitute for chromium in the production of stainless steel and other sophisticated alloys. It is vital not only to our effort in Vietnam, and to military and space programs everywhere, but also to our general technological posture. Chromium is essential to all kinds of research and development. Without it, even peaceful progress would come to a halt.

The only countries capable of supplying in quantity high-grade chromium ore, or chromite as it is called, are Rhodesia and the Soviet Union. The Johnson administration's needless policy of embargoing chromite imports from Rhodesia under Executive Order 11322 means that we must rely more and more upon the Soviet Union for a technological lifeline. The reliability of that lifeline may be judged somewhat by the fact that the Soviet Union has raised its prices for its 1968 contracts by amounts up to and exceeding 20 percent. Chrome ore prices, currently $30.50 to $33 per ton, have gone up to a range of $36.50 to $40 per ton.

The grand absurdity of forcing U.S. suppliers to become dependent upon an enemy out to destroy us has been evident for some time, but it was assumed that the policy was only intended as a temporary pressure tactic adopted pursuant to an error in judgment. However, the denial of the Foote Mineral application introduces some wholly new elements into the situation. These elements are:

First. Foote Mineral is an American-owned company, and its Rhodesian mines are wholly owned by the American company.

Second. Foote asked for a special license to bring in only a nominal amount of ore, that is, 40,000 tons per year.

Third. This tonnage represents the output of minimal caretaker operations at its mines. Such operations are necessary to protect mine shafts and facings, and to hold together work crews and skilled technicians. The cost of keeping the mines open is $900,000 per year.

Fourth. If the mines are abandoned and flooded, it would take 3 years and many millions of dollars to reopen them.

Fifth. The United States has current stockpiles of chromite to last for 6 months, the strategic stockpile has enough for only 2½ years.

Thus it can be seen that the State Department's embargo policy is hurting not only Rhodesia, but also an American company; moreover, it does not take much arithmetic to see that if these mines are forced to close, the United States would become wholly dependent for its supply of chromite for a period of many months, even years, upon its major political and military enemy. Even as long as the embargo lasts, U.S. policy is depleting U.S. monetary reserves to pay increased Soviet prices and windfall profits.

Since 1963, the production of stainless steel in this country has increased from 1 million ingot tons to over 1.6 million ingot tons. Ferrochrome is a basic alloy in the production of stainless steel. Of particular significance in the manufacture of ferrochromium is the chrome-iron ratio in the chromite. As Foote pointed out in its license application, the United States, indeed, the whole Western Hemisphere, produces practically no metallurgical grade chromite. In the Eastern Hemisphere, Turkey and India are the principal producers, besides Rhodesia and the Soviet Union. But neither Turkey nor other small producers can expand production quickly or economically.

Foote Mineral Co. uses the produce of its own mines in its manufacturing processes here in the United States. In applying for an import license, Foote stated:

> Since 1916, the applicant has been engaged in the business of producing, processing and selling lithium minerals and chemicals, electrolytic manganese, lime, silicon metal, ferroalloys (including ferrochrome, ferrosilicon, and ferrovanadium) and metal based chemicals plus the mining of ores and the milling of uranium and vanadium concentrates.

Thus it can be seen that the policy of the State Department will have a direct effect on American industry. Foote, and other chrome producers, will be forced to use lower grade ores, with the attendant increase in costs, or pay ever-increasing prices to the Soviet Union for metallurgical-grade ore for as long as the Soviet Union retains its desire to sell for hard currency. The result will be that our stainless steel industry will face a shortage of high grade alloy, or have to pay higher costs.

The policy of the State Department obviously harms the United States at large more than Rhodesia. Moreover, an American firm will have to face significant losses simply because of State Department zealotry. Foote says in its application:

> The nature of the Company's chromite mining techniques in Rhodesia is such that the closure of the principal mining shafts would be tantamount to the loss of the shafts, drives, and workings themselves.

A key point in the issue is that Foote did not ask for an import license which would make a return to full production possible. Foote asked only to be allowed to import enough ore to keep the mines operating at the lowest possible level. Executive Order 11322 contains authority for such an exception. I believe that the State Department's entire policy on Rhodesia is unreasonable; but its failure to grant even a minor exception for the sake of protecting American investments, vital to U.S. defense, shows that its policy is shortsighted and vindictive.

The State Department is engaged in a vendetta against Rhodesia, and against all the people in Rhodesia, black and white. Its cruelty is again evident in the facts presented by Foote:

> The company currently employs approximately 1200 native employees and 27 Euro-

> pean employees in its operations. The native population directly supported with clinics, schools, housing and food production, is estimated at approximately 5000 people. The major portion of these employees and their families are immigrants to Southern Rhodesia. It is believed that the community under the burden of sanctions cannot re-employ this population, and it is anticipated by our staff that the major portion of them will have to be deported against their will, primarily to Zambia and Malawi.

Mr. President, I would like to point out one more way in which the State Department policy will directly affect American interests. It is already quite evident that the U.N. sanctions are being widely disregarded by the rest of the world, especially when it is in the interest of many nations to do so. I deplore the hypocrisy of these nations. However, at least they are realistic enough to ignore them when their own vital interests are involved. Despite the sanctions, Rhodesia has managed to export one-third of its chrome ore, principally to Japan. When the Japanese refine this ore, they are helping themselves; but if the United States is forced to import Japanese chrome, then American jobs will have gone down the drain. From the standpoint of the American economy, it is far better to import the ore and refine it here, than to import the refined product.

The American company, Foote Mineral, is in a very awkward position. Its operations are keyed to the use of its own foreign assets. If its mining affiliate were to sell to Japanese producers, or any other foreign producers, then its parent company in the United States would be seriously affected.

Moreover, if it were to abandon its mines to the Rhodesian Government for operation, the effect would still be to encourage the production of ferrochrome outside the United States.

Mr. President, the State Department must abandon its incredible policy of making us dependent upon the Soviet Union for high-grade chrome ore. In my view, the Senate Armed Services Preparedness Subcommittee ought to look into this matter, which is so vital to the U.S. defense posture. There comes a time when erroneous policies can no longer be chalked off to poor judgment; this policy must be changed.

EXTENSION OF LIFE OF JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

Mr. MONRONEY. Mr. President, on behalf of myself and Senators Boggs, Case, Metcalf, Mundt, Sparkman, all members of the Joint Committee on the Organization of the Congress, I submit a resolution which will extend the life, through January 31 of next year only, of the Special Committee on Congressional Reorganization, and also will extend the resolution for providing the necessary funds to continue it through that period.

Unless we do this, the committee will be without funds, and for that reason all of the work that has gone into reorganization and the passage of the bill by the Senate would be lost.

Under Senate Concurrent Resolution 2, approved January 31, 1967, as amended by Senate Concurrent Resolution 32, approved June 12, 1967, the Joint Committee on the Organization of the Congress will expire December 31, 1967. Under Senate Resolution 106, approved April 11, 1967, as amended by Senate Resolution 133, approved June 12, 1967, the Special Committee on the Organization of the Congress of the U.S. Senate will expire at the same time.

March 7, 1967, the Senate passed S. 355, the Legislative Reorganization Act of 1967, by a vote of 75 to 9. Passage of S. 355 followed extensive debate of the bill by the Senate in 18 days of sessions covering a period of 6 weeks, during which over 100 amendments were offered and considered.

On March 9, 1967, S. 355 was referred to the Committee on Rules of the House of Representatives, where it is still pending. One day of hearings was held by the Rules Committee, April 11, 1967, at which time the testimony of the Honorable Ray Madden, of Indiana, cochairman of the Joint Committee on the Organization of the Congress, was taken. The members of the Rules Committee had not concluded their interrogation of Cochairman Madden at the time the session of the Rules Committee adjourned. No further hearings have been held and I am told none are scheduled at this time.

I am informed that some 34 Members of the House of Representatives, many of them chairmen of House committees, have requested the Rules Committee to afford them an opportunity to appear and present their views. In addition, the Rules Committee has received a number of communications from Members of the House of Representatives, including rather extensive memorandums prepared by staffs of committees under the direction of the chairmen of House committees or subcommittees.

Also, I am informed that some of the House members of the Joint Committee on the Organization of Congress have sought to meet some of the criticisms and objections raised to S. 355 through informal discussions and through the preparation of drafts and committee prints, with the assistance of the staff of the joint committee.

In addition, I am informed that members of the Rules Committee have studied versions of S. 355 and other reorganization bills with a view to working out satisfactory phraseology in a bill to be reported to the House. I am also informed that some of the members of the Rules Committee feel that further hearings will be necessary before any bill is reported, to hear and consider the objections raised to the provisions of S. 355 in the form it passed the Senate—that, if the Rules Committee is unable to conduct such hearings, the legislation be referred to a special committee of the House to be composed of the House members of the Joint Committee on the Organization of the Congress for the purpose of holding such hearings and reporting a reorganization bill, and to request a resolution from the Rules Committee for its consideration on the floor of the House.

It is quite apparent that there will be no opportunity for such hearings and markup of a bill before the adjournment of the first session of the 90th Congress.

Also, I am informed that Representative Curtis, the ranking minority House member on the Joint Committee on the Organization of the Congress, with the cosponsorship of Representatives Hall and Cleveland, the two other minority House members of the Joint Committee on the Organization of the Congress, on November 8, 1967, introduced House Concurrent Resolution 578 to extend the Joint Committee on the Organization of the Congress through the second session of the 90th Congress.

Representative Curtis made an explanatory statement concerning this action, which appears on page 31847 of the Congressional Record of November 8, 1967. This resolution, I am informed, has been discussed informally on two different occasions by the Rules Committee of the House in executive session, but no action was taken by the committee and it is unlikely that there will be further meetings of the Rules Committee of the House at which this matter could be considered before the adjournment of the first session of the 90th Congress.

Of course, legislative reorganization legislation, including S. 355, will remain pending in the Rules Committee of the House, as will House Concurrent Resolution 578 to extend or reactivate the Joint Committee on the Organization of the Congress.

The Senate members of the Joint Committee on the Organization of the Congress, who also compose the Special Senate Committee on the Organization of the Congress, concur with me that it would adversely affect the cause of congressional reform if we do not do all within our power to maintain the status quo over the adjournment of the first session of the 90th Congress.

The Senate overwhelmingly has expressed itself in favor of congressional reform and should maintain itself in a position to cooperate with the House of Representatives in enacting meaningful legislative reorganization. Reluctantly, therefore, we request that the Special Committee on the Organization of the Congress created by Senate Resolution 293, agreed to August 26, 1966—as amended and supplemented—be continued through January 31, 1968, and be authorized to defray expenses from the contingent fund of the Senate in an amount not to exceed $10,000.

To accomplish this purpose, I have introduced a resolution, cosponsored by my Senate colleagues on the Joint Committee on the Organization of the Congress, on which I urge the favorable consideration of the committee.

In the committee's Report No. 304 to accompany Senate Resolution 133 continuing the Special Committee on the Organization of the Congress, it is stated:

> The continuation of the special committee is being requested primarily for the purpose of possible service by its members as Senate conferees in the event that House-approved amendments to S. 355, the Legislative Reorganization Act of 1967 (passed by Senate on March 7, 1967) should not prove acceptable to the Senate.

This purpose is as valid now as it was when recited in the committee report.

The request is made for extension of

the Special Senate Committee on the Organization of the Congress only until the end of January 1968, because it is my understanding that it is the practice of the committee not to fund special committees for a longer time.

It is, of course, possible that the House of Representatives may not have taken action either on S. 355, the legislative reorganization bill, or on House Concurrent Resolution 578 to continue the Joint Committee on the Organization of the Congress during January of 1968, in which event it may be necessary to request a further extension and additional funds.

During the life of the Joint Committee on the Organization of the Congress, we have consistently returned unused substantial portions of the funds authorized and, at the time of the last extension in June 1967, we had turned back in excess of $90,000. The current funding resolution, Senate Concurrent Resolution 32, authorized the sum of $50,000 from July 1, 1967, to December 31, 1967, and I am informed that in all probability the committe will turn back in excess of $6,000 of this authorization. Since we are now requesting only $10,000 for the month of January and are turning back $6,000 of our current funds, it really means that the Senate will provide only $4,000 in new money if the Senate resolution is agreed to.

Mr. President, this resolution is necessary to salvage the work that the committee has done. Many Members will remember the bill was on the floor for a considerable amount of time, during which it was modified and amended, and all issues were thoroughly discussed. I would dislike to see this work lost by the expiration of the committee, when it needs to be extended at least until January 31 of next year, to give that much time to try to work out some type of agreement with the Rules Committee of the House as to what kind of bill can be brought to the floor of the House.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Montana.

Mr. METCALF. I deem it a privilege to cosponsor this resolution for the continuing of the joint committee. I want to compliment the Senator from Oklahoma for his superb leadership as cochairman of the committee. We had dozens of hours of hearings, heard scores of witnesses, produced page after page of testimony, comprising thousands of pages, and volumes of hearings, from experts, political scientists, historians, Members of Congress, members of bureaus, and administrative agencies downtown.

All of that work will go for naught and will die unless we give the House another chance to pass this bill, which passed the Senate by a substantial majority.

I think it is imperative if the skill and the leadership that both cochairmen have exercised and the amount of work that has been put into this measure by the committee, composed of both Senate and House Members, is not wasted and that there be another opportunity, at least a final one, for the House to pass this bill before we have to say that we will abandon the ship and abandon all the good work, all the compromises, all the steadfast work that the Senator from Oklahoma did in getting the bill through the Senate.

I want to compliment the Senator from Oklahoma for the achievements he has accomplished and for bringing this resolution up today to give us one last chance for the Congress to pass the most significant Reorganization Act since the time when the Senator from Oklahoma, as a Member of the House, participated in the La Follette-Monroney bill, which was the last reorganization bill we had.

Mr. MONRONEY. I thank my distinguished friend for his very kind compliments, and also the junior Senator from Montana for the great service he has rendered throughout this matter. I send the resolution to the desk for appropriate referral.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 188) was referred to the Committee on Rules and Administration, as follows:

S. Res. 188

Resolved, That the Special Committee on the Organization of the Congress, established by Senate Resolution 293, 89th Congress, agreed to August 26, 1966 (as amended and supplemented), is hereby continued through January 31, 1968.

Sec. 2. The special committee is hereby authorized to exercise the powers conferred upon it by section 2 of Senate Resolution 311, 89th Congress, agreed to October 17, 1966, through January 31, 1968. The expenses of the special committee from January 1, 1968, through January 31, 1968, shall not exceed $10,000, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

WHEAT PRODUCTION AND RESERVE INCENTIVES

Mr. MONRONEY. Mr. President, I take the floor to strongly urge that before the year is ended, the distinguished members of the Senate Committee on Agriculture and Forestry take up the bill (S. 2617) of which I have the honor to be a coauthor, together with the Senator from South Dakota [Mr. McGovern].

This bill is very similar to the Purcell bill on wheat. It would set up an emergency reserve on wheat in the amount of 200 million bushels, to be controlled by the farmer, and for the storage of such wheat. This would provide an ever-normal storage situation for this most vital of all crops.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Oregon.

Mr. MORSE. I wish to say I completely share the point of view of the Senator from Oklahoma and the Senator from South Dakota and, the next time the bill is printed, I should like to be included as a cosponsor.

Mr. MONRONEY. I should be very grateful for the great assistance the senior Senator from Oregon could provide on this bill.

This is the cheapest means of assuring the safety of our food supply I have ever had the privilege to support. It will cost us only the amounts that will be required for the storage, at the regular market rate. But the farmer, and not the politician, will be in charge of releasing the wheat if the carryover should drop below the normal annual requirements.

This would keep the wheat supply from moving up and down like a yo-yo. We have been adjusting the wheat acreage upward 1 year and then, through the good fortune of having a bumper crop when other wheat-producing nations also have high yields, we have an oversupply. This tears the price down and requires a reduction of acreage.

This measure, as I have stated, follows closely the Purcell bill, which I regret to say was killed by the minority members of the Agriculture Subcommittee on Grains of the House of Representatives. To have reported that bill instead of killing it would have been a great step forward. I am sorry to say all but two of the votes were strictly along party lines, and the bulk of the influence in killing it was the result of an adamant and, I think, unreasonable minority.

After it was killed, the price of wheat dropped some 10 cents a bushel in price, and the price has remained low, because we have an overhang from the increase of our acreage and the increase of our supply.

I urge hearings by the Committee on Agriculture on this bill, so that we can give some hope to the wheat farmers that they will not, by excess production, suffer the price penalty that endangers the supply of a food vital for human consumption.

An outline of the bill, prepared not by myself but by the National Association of Wheat Growers, strongly supports the McGovern-Monroney bill. The association has summarized and briefed the bill very succinctly, and I ask unanimous consent that the outline, as published in the National Association of Wheat Growers Report From Washington of November 3, 1967, be printed in the Record at this point.

There being no objection, the outline was ordered to be printed in the Record, as follows:

1. The Secretary of Agriculture is authorized to enter into agreements with producers to place not more than 200 million bushels of wheat from the 1967 crop in storage as reserves.

2. The stored reserves would remain in the hands of the producer and in return for entering into the agreement he would receive an interest free loan of 115% of present loan values. In addition, storage costs on the reserves would be paid by the Secretary.

3. If carryover of wheat should drop to 15% of annual requirements (210 mil. bus.), the Secretary could terminate enough of emergency reserve contracts to replenish the supply available to the free market by 5% (70 mil. bus.). If the emergency absorbed that and stocks fell again, he could terminate more contracts, but not more than 5% of a year's supply at a time.

4. Producers could terminate the agreement at the beginning of a marketing year by giving notice of such termination not less than 60 days before the beginning of such marketing year.

5. If the Secretary initiates the termination, the producer could sell the commodity and repay the loan or he could continue to

hold at his own expense (storage and interest). He would have a year to arrange for other credit to repay the advance, to sell and settle, or deliver the grain to the Secretary.

6. If the producer initiates the termination, he must repay the loan at time of sale or deliver the wheat to the Secretary.

7. Provision would be made for stock rotation.

8. Provisions are also included in the bill for feed grains and soybeans.

Mr. MONRONEY. Also, because the bill itself is brief and, strangely enough for an agricultural bill, easily understandable by a lay reader. I ask unanimous consent that it be printed in the RECORD. It provides a clear indication of the great good its passage would do.

Again, I appreciate deeply the endorsement of the bill by the senior Senator from Oregon, and the great help I am sure he can provide toward securing its early passage.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2617

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. It is the policy of the Congress to establish and maintain reserves of storable agricultural commodities adequate to meet any foreseeable food and fiber shortage which might arise in the Nation as a consequence of any natural disaster, adverse food production conditions for one or more years, military actions, or other causes, and to assist other nations of the world in any food emergency. It is further the policy of Congress to establish much reserves in the control of producers in years of surplus production and to assure their segregation from the commercial market so that existence of the reserves will not affect the level of market prices.

SEC. 2. The Secretary of Agriculture is authorized to enter into agreements during fiscal year 1986 with producers of not more than two hundred million bushels of wheat, five hundred million bushels of corn and/or its equivalent in other feed grains, and seventy-five million bushels of soybeans, all from the 1967 crop, to place such commodities in storage under their control until released under the provisions of this Act. To the extent possible, the opportunity to make such agreements shall be extended to producers who are cooperating in the appropriate programs on a pro rata basis. In consideration of the producers' agreement to store such commodities, the Secretary shall make loans to the producers at 115 per centum of the current price-support loan rate on the commodities stored out of funds of the Commodity Credit Corporation, without interest, and shall pay reasonable storage charges each year so long as the commodities are not required for consumption: *Provided,* That when the domestic supply of wheat available to the commercial market at the beginning of a marketing year drops below 15 per centum of the year's requirements, the supply of feed grains drops below 10 per centum of the year's requirements, or the supply of soybeans drops below 5 per centum of the year's requirements, the Secretary of Agriculture may, on sixty days' notice, terminate the payment of storage charges and waiver of interest charges on a sufficient amount of the earliest agreements to restore the commercial market supply of wheat and feed grain to a level 5 per centum of one year's requirements above the level at which the release of such emergency reserve commodities occurs, and of soybeans to a level 3 per centum above the release level. The holder of an agreement thus terminated shall have not less than a year following the termination notice to repay any Government advances against the commodity involved, or until the time of sale of such commodity if it occurs earlier, together with interest at a rate of not more than 5 per centum per annum from the date of termination of the reserve agreement, or to deliver the commodity to the Government, in discharge of any obligation.

SEC. 3. Producers may, under regulations prescribed by the Secretary of Agriculture, rotate commodities to keep the reserve stocks in good condition. A producer may terminate his agreement to carry emergency reserves at the beginning of a marketing year for such commodity by giving the Secretary of Agriculture notice of such termination not less than sixty days before the beginning of such marketing year, and by repaying any loans or advances to the Government at the time of sale, or by delivering the commodity to the Secretary of Agriculture.

SEC. 4. The Secretary of Agriculture is hereby directed to have a study made of national and world food reserve requirements. Such study shall cover (1) wheat; (2) feed grains, including corn, barley, sorghum, oats, and rye; (3) soybeans; (4) upland cotton; (5) rice; and (6) flaxseed. A report of findings of such study shall be filed with the President of the Senate and the Speaker of the House of Representatives as soon as possible but not later than May 1, 1968, and it shall include, but not be limited to:

(1) The average year-to-year yields of each of such commodities since 1900, adjusted for trend, and the differences in annual production such variations in yield might make from an acreage adequate at average yield to meet estimated national requirements in 1968;

(2) The cumulative deficit in supply which might result from a succession of below-average years comparable to any such succession of below average years which has occurred since 1900;

(3) The differences in year-to-year requirements for each commodity domestically, and in foreign trade and use, to reflect upsurges in demand on our supplies of each commodity resulting from natural disasters here or abroad, below average crops here and abroad, wars, or other causes.

THE SOCIAL SECURITY AMENDMENTS OF 1967

Mr. MONRONEY. Mr. President, I wish to say that I consider the Bayh amendment, which was agreed to by a vote of 50 to 23, to raise the limits of what a retiree on social security can earn from $1,500 to a total of $2,400 a year, as being one of the most important steps we have taken in social security matters. I have urged the adoption of this principle over a period of a great many years, as a member of both the House of Representatives and the Senate.

This, I believe, is a great forward step in assuring the dignity of our elderly citizens, insuring that they shall not be penalized because they are industrious enough, their work habits are strong enough, their health good enough, and their desire to be useful great enough to seek employment.

It has always seemed to me a tragedy for a system which has held itself out to the world to be a model for the world to follow to say to a beneficiary of our old age assistance system, "If you earn more than $1,500 a year, you are going to be penalized progressively for the extra work that you do."

We can utilize without hindrance by this amendment a great reservoir of wonderful people. They will pay social security taxes and income taxes on their earnings, and the only way that I can rationalize the costs that are attributed to this amendment by the committee is to say that they will result from reducing the amount of money that would otherwise be taken from those retirees who choose to work.

As the law now stands, if they work hard enough, if they are successful enough to obtain employment despite their age, then the Government will exact a tax that runs up to 50 percent of everything they make, in order to comply with a completely obsolete social security rule. That rule was put into the first social security law, when we were frightened at the number of people in our labor supply.

We know now, from experience, that our labor supply can run short, particularly in many of our highly industrialized areas, and we should seek to use this pool of skills we have. We should not let it deteriorate, and these people become the victims of depressive feelings because they are not allowed to work, or, if they do work, will be forced to forfeit so much of their earnings that they will feel they have been put on the shelf, that the country has passed them by, that their day of usefulness has ended. If they choose to do so, I think they should be permitted to work, and I commend the Senator from Indiana [Mr. BAYH] for his foresight and his able advocacy of this amendment.

I plead with the members of the conference committee, when they go to conference, to insist, as the No. 1 condition of bringing the bill back, upon this long-postponed right which our elderly citizens should have to make themselves useful, when they are healthy enough and when they desire to do so, and can go out and find a job. It has always seemed to me that being over 65 is hard enough without, in addition, having to pay such a penalty. Having to pay back what you earn over $150 is contrary to American traditions, and contrary to the interests of the people who have retired. I commend Senator BAYH for his great insight in conceiving this amendment, and his generalship in having added to the bill something that will long be remembered as a giant stride forward in social security, in fair treatment of the retired, and in preserving the human dignity of our people over 65, who have not grown old—because 65 is no longer old—but who, by the standards of our giant industrial corporations, must be pushed aside on the day they attain that age, and who, under our American system, are apt otherwise to have to spend the rest of their lives in idleness and indignity.

I point to the examples of two leading citizens of Oklahoma to illustrate my point.

The chairman of one of the leading banks in Oklahoma, the Honorable Dan Hogan, passed his 100th birthday last week. The President of the United States sent him a wire of congratulations. He is still active in the bank, and only 2 years ago gave up quail hunting because he had passed the age of 98.

The publisher of two of Oklahoma's outstanding newspapers, also a man who manages not only those, but the Farmers' and Stockmen's Magazine and radio and television stations all over the country, is working actively at the age of 94, and he walks more erectly, more rapidly, and with greater vigor than do I and many of my younger friends in the Senate.

So, I say that there is the value of gold in this change in the social security law. These people must not be wasted by America. America must not allow them to feel cast off and out of society in a Nation that prides itself on work and work habits.

I appreciate again the authorship of the amendment by the distinguished Senator from Indiana [Mr. BAYH] and I thank him for his great ability.

I thank the distinguished Senator from Oregon [Mr. MORSE] for his able support of this very fine amendment that was agreed to by a majority of 50 to 23.

I thank the distinguished senior Senator from Indiana [Mr. HARTKE] who has worked in this field, and I believe he would have offered an even greater opportunity for income had the Senate seen fit to go along with his proposal.

Mr. BAYH. Mr. President, I thank the senior Senator from Oklahoma for his kind remarks and for his support in securing the adoption of this amendment. The Senator from Oklahoma, the distinguished chairman of the Post Office and Civil Service Committee, long has championed the cause of the elderly. He has urged, on numerous occasions, that our civil service laws be revised so that capable senior citizens may continue to contribute to society.

I join with the Senator from Oklahoma in urging the distinguished Chairman of the Finance Committee [Mr. LONG] to press the conferees to accept this needed change in the earnings test. The emphatic endorsement of this amendment, by a vote of 50 to 23, late last evening should indicate to the conference committee that we feel very strongly that the new $2,400 limitation should be retained.

Again, I thank the Senator from Oklahoma.

Mr. MORSE. Mr. President, I commend also the distinguished Senator from Indiana for the legislative record he has been making on the floor of the Senate today in support of the social security bill that we passed earlier this morning.

It is a record that needs to be made in view of the gross misstatements that have appeared in the American press and American periodicals of recent date concerning the soundness of the social security fund.

I think it is most regrettable that as a result of this type of journalism many old people in this country have been instilled with fear and uncertainty concerning the stability of the social security fund, its financial soundness, and its actuarial soundness.

I have two reservations about the bill we passed that I think give us a challenge for correction in the immediate future.

The minimum monthly benefit is raised to $70 a month in the Senate bill compared to $50 a month in the House bill. However, $70 a month, in my judgment, is far short of the monthly support that anyone on social security should receive if we are to carry out our moral and humanitarian obligations to the old people of this country.

Let us not forget that it is the population of America that makes our economic system, not our financiers, except only to the extent that they are part of the population.

I am often amused as I listen to a lot of stuffed shirts in this country tell about what great self-made men they are. However, I have yet to meet the first self-made man, for all of us are the beneficiaries of the environment through which we have lived our lives.

Some have greater opportunities and some have advantages thrust upon them. I, of course, would be the last to deprecate incentive and ambition and hard work and insight. But, there is little support ever received from me on the part of the wealthy who seem to think that what they have they are entitled to keep without any relationship to carrying out their moral obligations to the less fortunate. For what they have is the product not so much of their own efforts, but rather they are the beneficiaries of a great economic system.

So I joined with the Senator from New York [Mr. KENNEDY] in S. 1009, through which we sought to raise the minimum social security benefit to $100. And the senior Senator from Oregon will never lag in that drive to accomplish that legislative goal.

All the people owe it to the elderly. We need to demonstrate that it is because of our system of economic freedom that the entire population produces the goods by varying degrees of efforts and there are contributions on the part of each person to build up this great national economic productive effort.

But I have another reservation with regard to this bill. That relates to the tax provision which calls for a payroll tax of 5.2 percent on employer and employee starting in 1971. It rises to 5.8 percent by 1980.

It is my personal feeling that that payroll tax is scheduled to go entirely too high. It is my personal feeling that it should be leveled off to not more than 5 percent, and then whenever additional revenues are necessary to keep the trust fund sound—and it is sound today—it should not be by way of increased social security taxes on either the worker or the employer. The necessary additional funds should come out of the General Treasury, on the basis of a recognition of a national obligation, through the Federal Treasury, to see that the social security trust fund is kept in an actuarially sound position, so that an adequate amount of monthly benefits can be paid the aged of this country so they can live out their lives in health and decency and happiness.

I hope that this change can be made before the payroll taxes go above 5 percent. That is why I hope another drive will be made next year to see that the tax is brought back to not more than 5 percent.

Now I wish to direct a question or two to the Senator from Indiana.

The tax provisions contained in the Senate bill will mean that the social security trust fund will remain sound financially. Am I correct in that conclusion?

Mr. HARTKE. Not alone sound, but also, a surplus is created each year.

Mr. MORSE. As the Senator pointed out earlier this morning, an attack was made upon the amendments that were adopted in the Senate to this bill, amendments which are long overdue. The attack made on the floor of the Senate sought to leave the impression with the American people that those amendments would leave this fund financially unsound. I ask the Senator from Indiana, is it not true that even the cost of the amendments we have adopted will not leave this trust fund unsound?

Mr. HARTKE. It will leave the fund absolutely sound. The Senator is 100 percent correct in his assessment.

Mr. MORSE. Well, scare articles have appeared in magazines and newspapers. Every Senator has received a quantity of mail from frightened old people who have read a deceptive article in a recent issue of Reader's Digest, giving the American people the impression that the social security trust fund is unsound.

It is most unfortunate that such misleading writings are perpetrated upon the old people of this country, to stir up the fright that that article and others have stirred up.

The money collected from the payroll tax goes into the trust fund and cannot be used for any purpose other than claims for social security benefits. In making our legislative history at this time, I wish to ask the Senator from Indiana, a member of the Committee on Finance, who offered some of the amendments that have been adopted and who took a leading role in writing this bill within the Finance Committee, if it is not true that the payroll tax goes into the trust fund and cannot be used for any purpose other than claims for social security benefits.

Mr. HARTKE. This is the law, and anyone who violates that provision would be violating the law. The Senator is correct.

Mr. MORSE. Yet, if you read the Reader's Digest article, with the shocking journalism that characterizes this article, you get the impression that this money is siphoned away, to be used for other purposes, that it even can be used for some of our foreign aid programs. But the Senator from Indiana has given the answer, and the answer is that this money can be used only to pay social security claims.

That is not to say that all this cash is kept in the trust fund. Whatever is not needed to pay current claims is invested in Government bonds. I suppose that is where the charge originates that it is used for other purposes.

But the Government bond is as sound as the Government currency. The workingman who buys a U.S. savings bond has not spent his money; he has saved it in the soundest form of investment there is.

The same is true of his payroll tax that goes into the social security trust fund.

Mr. HARTKE. This is correct.

I believe it should be clarified that there is authority in the law for the Treasury to borrow money. But if they borrow money from the trust fund, just as they would from any private bank, they have to pay interest to the trust fund for all the money they borrow.

Mr. MORSE. That is my next point, but one does not get this from reading the yellow articles to which I have referred. The trust fund earns money from the interest.

Of course, the trust fund is subject to borrowing by the Government. But what is behind the borrowing? The Treasury of the United States, the wealth of the Nation.

Mr. HARTKE. The Senator is correct.

Mr. MORSE. No stronger security is available in the world.

When these writers give the impression that something tricky, that something unethical, that something shady is being done by their Government in connection with borrowing money from this trust fund, or other trust funds, I believe that the comments I am making on the floor of the Senate this afternoon are called for, because I believe in correcting falsehoods.

Mr. President, it is too bad that such falsehoods have been spread and perpetrated upon innocent old people, to frighten them and cause them to believe that something is being done by their Government that jeopardizes their hope for economic security, to the extent that social security gives them economic security, in their old age.

Is it not true that funds not needed to pay immediate claims are invested in Government bonds?

Mr. HARTKE. That is true.

Mr. MORSE. The Senator being the financial expert he is, will he agree with me that there is not a sounder investment in our country than investment in Federal Government bonds?

Mr. HARTKE. That is absolutely the most sound investment, backed up by the wealth of the United States, the full faith and credit of the United States; and therefore it receives a lower rate of interest than any other instruments of the United States.

Mr. MORSE. Does it not also follow that when an individual worker puts his savings into Government bonds, he really has not spent his money, but he has saved his money and draws interest on this money and helps his Government to make funds available so that it, in turn, can meet the budgetary costs of Government expenses, and that the face amount of the bond is paid back at maturity to the owner of the bond?

Mr. HARTKE. The Senator is correct.

Mr. MORSE. I appreciate the Senator's assistance in making this legislative history; because, as we all know, what is said on the floor of the Senate at the time a bill is passed has much bearing on future interpretations of the bill from the standpoint of the intent of Congress.

I hope we will hear no more about the social security fund being insecure, and I also hope that future Congresses will alleviate what the Senator from Louisiana rightly calls the highly regressive nature of the payroll tax, by leveling it off to 5 percent, and making further contributions to the trust fund out of general revenue.

The Senator from Louisiana, the chairman of the Committee on Finance had hoped to remain in the Chamber in order to participate in this colloquy with the Senator from Indiana and the Senator from Oregon. As always, I tried to accommodate other Senators who had to leave, by waiting to present material of my own until they had been accommodated. The Senator from Louisiana remained in the Chamber as long as he could, but I am privileged to say that he agrees with the observations that the Senator from Indiana and the Senator from Oregon have made concerning the soundness of the social security trust fund. I thank the Senator from Indiana very much.

Mr. HARTKE. Mr. President, I yield the floor.

DEATH OF MRS. NANCY KEFAUVER

Mr. BAKER. Mr. President, on Monday, November 20, 1967, Mrs. Nancy Kefauver, the widow of the late and distinguished Senator Estes Kefauver, died in Washington.

Mrs. Kefauver was a woman of great substance and stature in her own right. She added great stature and luster to the distinguished career of her statesman husband who predeceased her.

It was an extraordinary and unusual thing that on the occasion of this past Monday evening, I had talked with Mrs. Kefauver at some length about her continuing interest in the promotion of American art for distribution among the embassies of this Nation around the world and about matters of common interest in Tennessee and about numerous friends that Mrs. Kefauver, Estes Kefauver, and I have enjoyed over the years in Tennessee.

I felt the loss of Mrs. Kefauver's untimely demise even more keenly for the immediate conversations I had with her some 30 minutes before her death in the banquet hall on the occasion of the awards dinner for the veterans of the Office of Strategic Services.

Nancy Kefauver and Estes Kefauver are survived by a fine family. But more than that, Mrs. Kefauver and her husband are survived by great reputation and by great stature in their native State of Tennessee.

Estes Kefauver's following in Tennessee was in fact and in deed bound up with the admiration and respect that the people of Tennessee held for his wife, Nancy. And she contributed significantly to the building of that Kefauver following which was so distinct and which existed so strongly in the State of Tennessee during his career in the House of Representatives and in the State and does, in fact, still exist in Tennessee.

I first met Estes Kefauver when I was a very young child. My father and the late Estes Kefauver had attended the University of Tennessee together.

I met Mrs. Kefauver shortly after Senator Kefauver and she were married in the midthirties. I have known her since that time and until her untimely death on Monday of this week.

I simply say for the RECORD, Mr. President, that Tennessee, the people of our State, Republicans and Democrats alike, the Nation, the world of the arts, and the entire world have lost a great human being and have witnessed the end of a great legacy of public service with the death now of the widow of the late Senator Kefauver, the two having contributed so much to the fabric and tradition of the political life of this Nation.

STANDARDS OF CREDIBILITY

Mr. MORSE. Mr. President, for some time I have been concerned, as I am sure other Senators have been, about the credibility gap. I have not been one who has been backward about criticizing the administration in its conduct of foreign affairs, especially as it pertains to Southeast Asia.

However, I am concerned that we are developing in this country different standards of credibility and different types of credibility gaps. There appears to be one credibility gap for Republicans, another for Democrats. There appears to be one standard of credibility for Republican Presidents, or would-be Presidents, another standard for Democratic Presidents. There even seem to be two standards of credibility for the east coast and the west coast.

I am reminded of this because of recent developments in California wherein Gov. Ronald Reagan denied that he had dropped two homosexuals from his staff. This is not a pleasant subject to discuss, but it was certain Republicans in the era of McCarthyism who first raised the subject of homosexuals in government, and in 1964 it was Republicans who were highly critical of the fact that one unfortunate man on the staff of the White House was discovered to be in this category.

I am not so much concerned about the question of homosexuality in this particular case as I am in the question of truth. Without truth governing American public life, we are headed for decadence.

I am particularly concerned about the suppression of truth and suppression of news by some Republican newspapers.

I have before me a report by Tom Wicker, published on page 1 of the New York Times of November 5, which states that although Governor Reagan "publicly has denied that Lyn Nofziger, his press secretary, told reporters that two Reagan staff members had been dismissed as homosexuals, the New York Times has learned that Mr. Nofziger did make such a statement on several occasions."

The Times goes on to name three reporters, Paul Hope of the Washington Star, David Broder of the Washington Post, and Carl Flemming of the Los Angeles Bureau of Newsweek, to whom Nofziger had unfolded and confirmed the manner in which the unfortunate members of Reagan's staff were dropped.

The Times also reports that Nofziger "made the same allegation to three west coast reporters, Carl Greenberg of the Los Angeles Times, Jack McDowell of the San Francisco Examiner, and Bill Ames of the Columbia Broadcasting System."

I ask unanimous consent that the article be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, however, what I am concerned about is that very few California newspapers published the original column carrying the account of Reagan's handling of this case. I am particularly concerned about the report that Governor Reagan had an arrangement with California newspapers that they would not publish the "Washington Merry-Go-Round" column of October 30 on this subject. Reagan, in his press conference of October 31, made statements to the effect that some papers had "violated the agreement." This apparently referred to an agreement not to publish.

This would appear to be a strange case of voluntary suppression of the news, censorship if you please, exercised directly or indirectly by the Governor of California. Some of these newspapers on the west coast have been highly critical of the so-called credibility gap in Washington. Practically all of these newspapers are Republican. In fact, I am informed that there are only three Democratic newspapers in the entire state of California.

Recently there has been a move to combine the once many newspapers in San Francisco into only two and the many newspapers which once flourished in Los Angeles into two. I wonder, therefore, whether this trend toward monopoly of the news also means suppression of the news.

In Los Angeles the Los Angeles Times has been involved in an antitrust suit brought by the Federal Government against it and a Federal court has ordered it to divest itself of the San Bernardino Sun. The Los Angeles Times is owned by the Chandler family. Recently there was apparently some kind of an agreement with the Hearst family that one family would monopolize news in the morning field, the other in the evening field.

Does this mean that the Governor of California is able to manipulate the press? Does it mean that there can be a credibility gap on the west coast and the newspapers of California will ignore it? I note that the New York Times report said Carl Greenberg of the Los Angeles Times was aware of the facts in this case but did not report on them and did not comment on the credibility gap after it was published in the East.

There appears to be two different standards for the east coast and the west coast in this case as well as two different standards for a would-be Republican President, Governor Reagan, and a Democratic President, Lyndon Johnson. On the east coast the Washington Star, as well as the New York Times, has spoken out regarding Governor Reagan's attempt to suppress the news. I ask unanimous consent to have printed in the Record an editorial from the Star of November 7.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. Mr. President, I have asked the Library of Congress to research the news treatment given by the California press when a somewhat similar incident occurred in Washington in the fall of 1964 when President Johnson dropped a member of his staff. The contrast is striking in the extreme. There were big headlines in the California newspapers calling attention to the homosexual who was dropped from the White House staff. But President Johnson did not conceal it. President Johnson expressed great sadness, as any of us would, over such a human tragedy; but he did not seek to deny the fact.

In contrast there was a wall of silence in the California press regarding the two homosexuals who were dropped by Governor Reagan. And there was a blackout of the "Washington Merry-Go-Round" column dealing with this subject on October 30, 1967.

Let me quickly point out that the discovery of homosexuals on any staff does not indicate that it reflects upon the employer. That is lost sight of by many persons. The fact that the homosexuals are found in no way reflects upon their boss. I, therefore, from that standpoint, am at a loss to understand why this coverup in this case.

I ask unanimous consent to have printed in the Record the accounts of the White House action in 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MORSE. Mr. President, for some time Representative John Moss, of Sacramento, our distinguished colleague in the other Chamber, has been conducting a very salutary investigation of the suppression of news by the Federal Government. I hope Mr. Moss has also concerned himself with suppression of news by Republican newspapers and the suppression of news in the State of California. I suggest perhaps that this is a subject to which he might give some attention. There appears to be a very definite difference in the treatment of credibility on the west coast as against the east coast.

This has not always been the case. It appears that when a Republican candidate for President or a Republican President is in office that the press is much more lenient with him whether it be the east coast or the west coast.

I recall that during the 1960 election there was revealed an amazing story showing that the brother of the then Vice President, Don Nixon, had borrowed $205,000 from Howard Hughes on rather insignificant security—a loan which had many political ramifications due to the fact that Mr. Hughes, a defense contractor, had various questions and problems before the Federal Government. So big a loan—$205,000—would not have been given to an ordinary individual unless he was very close to a man in a powerful position, such as the Vice President, who was then running for President.

What I am interested in, however, is the news treatment given to this story. Significantly the New England newspapers, concerned over the failing influence of the press, appointed a board of distinguished editors to examine the news treatment of the credibility gap. This board was composed of Norman Isaacs, managing editor of the Louisville Times; Carl E. Lindstrom, former editor of the Hartford Times; and Arthur Edward Rowse, an assistant city editor of the Washington Post. They chose as an illustration of news treatment the $205,000 loan to Vice President Nixon's brother, together with the move of the Roman Catholic bishops in Puerto Rico to influence the election there at a time when John F. Kennedy's religion was a campaign issue in the 1960 election. The latter story was highly embarrassing to the Democratic nominee, yet the editors found that the Puerto Rican Catholic story was played big in the New England press.

The second story regarding Nixon's brother and his loan was embarrassing to the Republican nominee for President, and this was played down in the New England press.

In other words, the editors, appointed to study the credibility gap and the waning influence of the press, found that there was a specifically and definitely different credibility gap regarding a Republican candidate for President of the United States and a Democratic candidate.

This is so serious a charge and is so important to our body politic and to a free press that I ask unanimous consent to insert this study in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. MORSE. Mr. President, a study of its findings will show an amazing blackout by the Republican press of all references to the Howard Hughes loan to Nixon's brother. The Nixon office had issued a denial of the story, and this was given considerable space, even though the original story regarding the loan had not been published.

In other words, we do have two standards of credibility for a Republican as against a Democrat when it comes to our 80-percent Republican press.

I am sure that most Senators will remember that the press carried headlines regarding the hi-fi set given to the then Senator from Texas, Lyndon Johnson, by the then Senate Secretary, Bobby Baker. The revelation of the hi-fi set was made when Mr. Johnson had entered the White House, but the gift occurred when both the donor and the recipient were in the Senate.

I am sure that many of you will recall also that headlines were carried in almost every newspaper in the United States when a Deepfreeze was given to President Truman through his military aide, Gen. Harry Vaughan, from a manufacturer's agent in Wisconsin. The value of the Deepfreeze at that time was stated to be $1,200. The hi-fi set was valued at around $800. These widely publicized stories were regarding Democratic Presidents. However, when a Republican

President, Dwight D. Eisenhower, received many gifts for his Gettysburg farm, ranging from a John Deere tractor with radio, to a completely equipped electric kitchen, various ponies and prize black Angus, landscaping, furniture, and other farm machinery worth more than half a million dollars, there was very little reported in the press. One exception was the Des Moines Register, whose Fletcher Knebel carefully listed the amazing number of gifts presented to the Republican President. But there were no headlines in the rest of the press.

There was an even greater blackout of the news when it was revealed that the President had received a monthly income from three oilmen, W. Alton Jones, then head of Cities Service; Billy Byars of Tyler, Tex.; and George E. Allen, director of about 20 corporations, who had paid the expenses and losses for the Eisenhower farm and maintained a joint bank account for this purpose in the Gettysburg National Bank.

The chief expenditure for the Eisenhower farm had been the construction of a show barn, $20,000; three smaller barns, about $22,000; remodeling of schoolhouse for the home of John Eisenhower, $10,000; remodeling of Eisenhower's main house, $110,000; landscaping of 10 acres around the Eisenhower home, $6,000; salary of Gen. Arthur S. Nevins, farm manager, at $10,000 a year; assistant manager's salary and expenses for 6 years, $60,000; salary for hired hands, a total of about $180,000.

This was a far greater series of gifts than the $1,200 Deepfreeze to Harry Truman or the $800 hi-fi set given to then Senator Lyndon Johnson. However, the credibility gap was such in the American press that the American people still do not know of the gifts to Eisenhower, whereas I am sure they remember the relatively minor gift to Harry Truman and the minor gift to Senator Johnson.

I am not sure that any committee of the Senate has jurisdiction over the suppression of the news as does the committee of the House under Representative Moss, of California. It may be that the Judiciary Committee of the Senate would have jurisdiction over the question of whether California newspapers have violated the Sherman Antitrust Act to a point that they are suppressing the news.

I call this matter to the attention of my senior colleague from Michigan, the distinguished chairman of the subcommittee on monopoly, and suggest that he may care to look into the matter.

Mr. President, the last item to which I want to refer, which I will ask to be printed in the RECORD later, but wish now to read a paragraph or two, is from the November 19, 1967, San Francisco Examiner and Chronicle in an article written by Marianne Means.

It reads in part as follows:

> Political leaders of both parties here are deeply perplexed and disturbed by Governor Reagan's angry denial that he fired two staff members for belonging to a homosexual ring.
>
> His statements were made in bland disregard of the fact that one of his current employees had personally informed reporters about the problem.
>
> Reagan's later protestations that his denial was merely to protect the individuals involved did not explain why he originally did not simply refuse to comment rather than attempt to mislead.

Mr. President, let me make this comment about this rationalization or alibi of Governor Reagan, that he did it to protect the individuals involved. But not a thought, apparently, was given by him to his false charge that the Drew Pearson story was not true. In the story which first brought out the fact that he did dismiss these two men, he referred to the writer of that story, Mr. Pearson, as a liar.

Now I hold no brief for Mr. Pearson. I have had my disagreements with Mr. Pearson but as a lawyer, I always confine myself to the facts of the instant case. Mr. Pearson is known as a journalistic muckraker and probably has no peer in the history of American journalism as a journalistic critic of misconduct by government officials. Sometimes he makes mistakes of fact and mistakes in accusations and he himself doesn't hesitate to admit them. However, it is generally recognized that his courageous journalism has served the country well time and time again as he has carried out in his column his journalistic watchdog activities.

Mr. President, in the instant case, the columnist wrote the truth. Reagan as a potential candidate for a possible Republican nomination to the Office of President of the United States lied when he told the press that the Pearson column was not truthful.

All I want to say, as a lawyer, is that we lawyers know, when we find a witness to be untruthful on one occasion in one respect, that we cannot rely upon him or at least he is under suspicion as to his veracity in other instances.

The fact is, when the heat was on, Reagan lied. The documentation is unanswerable. The witnesses are available. There is no question as to what was told the newspaper reporters about the dismissal of these two unfortunate and tragic individuals from his staff.

Mr. President, I ask unanimous consent to have the entire article written by Marianne Means printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. MORSE. Mr. President, I want to say that the American people are entitled to have the credibility gap closed, on both coasts and in between, in regard to misstatements by Republicans and Democrats alike.

I happen to believe that the viability of our system of Government depends upon those who hold public trust to tell the truth. That is why this voice has been raised in protest so many times in my 22 years of service in the Senate, time and time again, over misrepresentations whenever I have come upon them.

I think that this misrepresentation by the Governor of California is so gross that it needs to be answered. I think that the press had a duty in this case to keep faith with a free press in this country and not squelch the news.

Mr. President, I yield the floor.

EXHIBIT 1

[From the New York Times, Nov. 5, 1967]

REAGAN REBUTTED ON AIDES' OUSTER—HOMOSEXUALITY WAS REASON, PRESS SECRETARY ADMITTED

(By Tom Wicker)

WASHINGTON, November 4.—Although Gov. Ronald Reagan of California publicly has denied that Lyn Nofziger, his press secretary, told reporters that two Reagan staff members had been dismissed as homosexuals, The New York Times has learned that Mr. Nofziger did make such a statement on several occasions.

Mr. Nofziger gave that explanation of the dismissals to at least three reporters aboard the S.S. Independence, as it sailed to the Virgin Islands last month with the 1967 National Governors Conference aboard.

Mr. Nofziger, reached by telephone at the Santa Monica Airport, said:

"This is a closed subject and I don't have any comment to make."

The three reporters were Paul Hope of The Washington Evening Star, David Broder of The Washington Post and Karl Fleming of the Los Angeles bureau of Newsweek magazine.

Before that, Mr. Nofziger made the same allegation to three West Coast reporters Carl Greenberg of The Los Angeles Times Jack McDowell of The San Francisco Examiner and Bill Ames of the Columbia Broadcasting System.

None of them would comment publicly, either.

Mr. Nofziger made his comments to these reporters long after the men in question had left the Reagan staff. Therefore, the reporters considered the incident closed and none of them wrote or broadcast about it.

Last week, however, the columnist Drew Pearson alleged in a syndicated article that two homosexuals had been dismissed from the staff and that Mr. Nofziger had told this to reporters aboard the Independence.

Mr. Reagan then held a news conference at Sacramento last Tuesday.

Of the report that Mr. Nofziger had told reporters aboard the Independence that two aides had been dropped for homosexual activities, the Governor said:

"I'm prepared to say that nothing like that ever happened."

DENIAL BY REAGAN

Later in the news conference, Mr. Reagan said that he had "even heard rumors also that behind closed doors I have made statements to the press and this is just absolutely not true."

"I want to confirm it, Lyn?" he asked.

Mr. Nofziger, who was at the news conference, raised his hand and said "confirmed."

The two statements together constituted apparent denials that either Mr. Nofziger or Mr. Reagan had told reporters aboard the Independence that two staff men had been dismissed as homosexuals.

The New York Times has learned, however, that one reporter asked Mr. Nofziger directly why a former member of the Reagan staff had left. The press secretary replied with the allegation that the man in question was a homosexual.

The reporter asked Mr. Nofziger why he would give out such information.

Mr. Nofziger replied that the deposed aide had been spreading the word that he was still influential with Governor Reagan. Therefore, Mr. Nofziger said, some members of the Governor's staff had decided to give the facts when asked about the former aide.

EXHIBIT 2

[From the Washington Star, Nov. 11, 1967]

THE FALLEN KNIGHT

Ronald Reagan, the white knight of the GOP presidential hopefuls, has just undergone his first major trial in the journalistic lists and has fallen flat on his face. Whether he can ever restore his armor to its original dazzling shine is very much open to question.

The California governor's unhorsing came when he was asked, during a televised press conference, about a syndicated article by columnist Drew Pearson in which it was stated that two homosexuals had been fired from Reagan's staff. Reagan, the article said, had harbored the two men for months after the scandal became known. Pearson added that Lyn Nofziger, Reagan's press secretary, had told a few reporters during the recent governors conference about the firing and the reasons for it.

Up until the moment of the press conference, Reagan had acted with integrity and propriety. When the rumors started, an investigation was carried out. As a result of that investigation, the two men were quietly dropped from Reagan's staff. The governor's insistence on morality in official life and his personal compassion for tragic human frailty were both well served.

When asked about the matter, it would have been simple—and quite legitimate—for Reagan to present himself in a most favorable light, while making Pearson appear as something of a cad for bringing the whole thing up. Instead he denied that the unfortunate affair had happened, and denied that he or his aides had ever told any members of the press any such thing had taken place.

The fact is that Nofziger, during the governor's cruise aboard the S.S. Independence, did tell a handful of newsmen—The Star's political writer Paul Hope among them—that two of Reagan's staff members had been fired for homosexual activity.

The black mark on Reagan's record is not that he hired such men, or that he was slow in firing them. Where he stumbled was in his histrionic denial and in calling Drew Pearson a liar when he must have known that Pearson's article was factually correct. The motivation of this extraordinary performance is not easily discerned.

It was, in any event, a serious error of judgment in Reagan's first real test under pressure. And it must inevitably raise very real doubts about his personal dedication to the truth and his fitness for the high office to which he so obviously aspires.

EXHIBIT 3

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE.

The attached information is forwarded in response to your recent inquiry. We hope it meets your needs in this matter.

Please do not hesitate to call on us for further assistance.

Sincerely,

LESTER S. JAYSON,
Director.

[From the Sacramento (Calif.) Union, Oct. 17, 1964]

FBI CHECKUP: JENKINS' ARREST IN 1959 TOLD IN 1961

WASHINGTON.—The FBI informed the Secret Service in April, 1961, that President Johnson's former aide, Walter W. Jenkins, had been arrested two years earlier, it was learned Friday. The FBI did so on the Secret Service's request for a check on Jenkins. The Secret Service may not have known, however, that the arrest involved a morals charge.

ANY FOLLOWUP?

What followup investigations—if any—were made was not known. Johnson was vice president at the time.

Jenkins resigned Wednesday after public disclosure of his arrests in January, 1959, and last Oct. 7 on morals charges at the Washington YMCA. He is now under treatment for "extreme fatigue" at a Washington hospital.

Neither the FBI nor the Secret Service would comment Friday on reports that Jenkins' arrest record was known.

ASKS INVESTIGATION

Johnson said Thursday night he never had received any information questioning Jenkins' personal conduct before Wednesday. He has asked the FBI for a full investigation.

It was learned Friday that after Jenkins' first arrest in 1959, the Washington metropolitan police asked the FBI to check Jenkins' fingerprints to determine whether he had a previous criminal record.

The FBI reported that the man had no such record.

The police card bore the notation "investigation suspicion." Apparently neither the police nor the FBI realized at the time that Jenkins was Johnson's top aide.

The FBI left the Jenkins fingerprint card in its identification file along with 172 million others.

In April, 1961, at the Secret Service's request for a check on Jenkins, the FBI turned up the "investigation suspicion" notation and informed the Secret Service.

Ironically, Jenkins only last month advised the heads of federal departments and agencies to have the FBI check the backgrounds of prospective appointees.

In a memorandum dated Sept. 10, Jenkins said "it would be unfortunate if undesirable individuals were put on the federal payroll simply because sufficient precautions were not taken prior to their appointment."

[From the Sacramento (Calif.) Union, Oct. 17, 1964]

BRITISH VIEW: JENKINS CASE WILL HURT LBJ

LONDON.—The British press said Friday the morals scandal over White House aide Walter Jenkins is a serious setback to President Johnson in his election campaign.

The Daily Telegraph, the only London morning newspaper with an editorial on the scandal, said, "It is a civilized trait that a people demands to be governed by leaders whose characters command respect. Scandals, real or alleged, have catastrophic impact and may deflect public policy.

"Grasping this new weapon within three weeks of the polls on Nov. 3, Mr. (Barry) Goldwater's Republican forces may be expected to wield it pitilessly. It is to be hoped that, in the inevitably inflamed atmosphere of the campaign, the voters will not lose sight of the greater issues they have to decide."

The Times of London, in a report from Washington, said, "President Johnson's campaign has received a severe setback."

It said, "It matters not that Mr. Jenkins is a Lieutenant-Colonel in the Reserve Air Force Squadron commanded by Sen. Goldwater, or that the disclosures might have been as carefully engineered by the senator's staff as the regimented applause at his political meetings. There are at least grounds for suspicion; apart from last night's first announcement from Republican headquarters. The senator, after fluffing many issues, decided over the weekend to press his charges of immorality and corruption."

The news of the scandal, although extensively reported, was pushed into the inside pages of the London newspapers by the British general election and the end of Nikita Khrushchev's power in Moscow.

The Daily Mail, in its report from Washington, said Johnson's "prospects of a landslide victory were seriously threatened."

The Daily Express said "a great political storm that could lose Lyndon Johnson the November 3 presidential election" had broken over the scandal.

The Daily Mirror said, "it can have a serious effect on the American presidential elections."

The Sun said it had "shaken the presidential election campaign."

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

GOP DEMANDS: L. B. J. EXPLAIN JENKINS CASE

WASHINGTON.—Top Republicans, including vice presidential candidate William E. Miller, insisted Thursday that President Johnson answer publicly questions raised by the morals charge arrests and resignation of his senior White House aide, Walter W. Jenkins.

At the same time, FBI Director J. Edgar Hoover announced that Johnson had asked for an immediate full investigation of the Jenkins case. Hoover said an inquiry was already in progress and a report would be submitted to the President as soon as possible.

Campaigning in the Chicago area, Miller said the two arrests of the long-time Johnson assistant on disorderly charges at the YMCA in Washington, D.C., raised "serious questions."

Johnson himself has said nothing about the scandal surrounding his trusted assistant since 1939. But Mrs. Johnson issued a statement Thursday which said her heart was "aching" for Jenkins.

MEDICAL HELP

"He is now receiving the medical attention which he needs," the First Lady said. "I know our family and all of his friends and I hope all others pray for his recovery."

Republican National Chairman Dean Burch declared that Johnson must explain "why he covered up for five-and-a-half years" the fact that Jenkins had been arrested in 1959 and was permitted to hold a top White House post.

NIXON DEMAND

Former Vice President Richard M. Nixon demanded that Johnson go before a nationwide audience and tell what he knew of "this sick man."

Nixon, appearing in Fort Wayne, Ind., said that the Jenkins disclosure and the Bobby Baker case showed that Johnson's "two closest associates" turned out to be "bad apples."

RESIGN POST

The White House announced that Jenkins had resigned his post Wednesday shortly after it was learned that the 46-year-old special assistant and long-time Johnson aide had been arrested on two occasions by police—once in January, 1959, and again on Oct. 7 of this year.

In both cases, Jenkins was picked up at the Washington YMCA and both times forfeited collateral. The 1959 arrest record showed him charged with "disorderly (pervert)." The arrest record last week carried the notation "disorderly, (indecent gestures)."

Burch told a news conference that the President should make a full public account of the case.

He said: "The Walter Jenkins episode raises grave questions which only the President can—and must—answer. The story up to now is only partially revealed."

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

L. B. J. SAYS JENKINS CASE WAS SURPRISE

WASHINGTON.—President Johnson said Thursday night that he had never received any word questioning the personal conduct of resigned White House aide Walter W. Jenkins until late Wednesday.

The President made his first public comment on the Jenkins' case after flying back to Washington from a two-day campaign tour in New Jersey, Pennsylvania, and New York.

Jenkins resigned as a special assistant to the President Wednesday night after disclosures that he had been arrested twice in Washington on morals charges.

FBI PROBE

The Chief Executive said he had requested Jenkins' resignation and ordered FBI Director J. Edgar Hoover to undertake comprehensive investigation and report promptly to the public on his findings.

Earlier Thursday, Republican National Chairman Dean Burch declared that Johnson must explain "why he covered up for 5½ years" the fact that Jenkins had been arrested in 1959 and allowed him to hold a top White House post.

STATEMENT

Here is Johnson's statement:

"Walter Jenkins has worked with me faithfully for 25 years. No man I know has given more personal dedication, devotion and tireless labor.

"Until late yesterday, no information or report of any kind to me had ever raised a question with respect to his personal conduct. Mr. Jenkins is now in the care of his physician and his many friends will join in praying for his early recovery.

COMPASSION

"For myself and Mrs. Johnson, I want to say that our hearts go out with the deepest compassion for him and for his wife and six children—and they have our love and prayers.

"On this case, as on any such case, the public interest comes before all personal feelings. I have requested and received Mr. Jenkins' resignation.

"Within moments after being notified last night I ordered Director J. Edgar Hoover of the FBI to make an immediate and comprehensive inquiry and report promptly to me and the American people."

SENT TO HOSPITAL

The White House announcement of Jenkins' resignation did not say that the President had requested his senior aide to resign. Jenkins was hospitalized Wednesday for treatment of "extreme fatigue."

The President's statement came after top Republicans, including GOP vice presidential nominee William E. Miller, insisted that Johnson answer publicly questions raised by the resignation of Jenkins.

Republican presidential candidate Barry M. Goldwater refrained from comment on the development. He was understood to be reluctant to let the two arrests of Jenkins become a campaign issue except as they applied to security procedures.

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

Barry Tells Texas: Regime of L. B. J. Scandal Ridden

Houston.—Sen. Barry M. Goldwater charged in President Johnson's home state of Texas Thursday that the White House is "dark with scandal" and marked by official cover-up. The GOP presidential candidate applied his remarks to the Bobby Baker and Billie Sol Estes cases—not to the campaign-jolting resignation of White House aide Walter W. Jenkins.

Texan Jenkins, now hospitalized, resigned Wednesday after disclosure that he had been arrested twice on morals charges.

Goldwater's determination not to publicly discuss the Jenkins case—unless his security clearance becomes an issue—did not extend throughout his campaign hierarchy.

ESTIMATED 10,000 AND 17,000

The Arizona senator spoke to an estimated 10,000 persons at Harlingen and to 17,000 at Beaumont.

Goldwater tackled foreign policy at Houston Thursday night with a charge that the administration's handling of it is a matter of "drift, deception and defeat."

BLASTS JOHNSON

He said in a speech prepared for delivery at Colt Stadium that "Lyndon Baines Johnson has sowed the wind of weakness. He has reaped the whirlwind of war."

"This administration has declared a moratorium on government until after the election is over—and you know it," Goldwater said.

"I charge that this administration has a soft deal for communism—and you know it.

FOREIGN POLICY

"I charge that this administration has a foreign policy of drift, deception and defeat. And you know that, too.

"Drift, deception and defeat—these are the watchwords of my opponent and his curious crew."

At Beaumont, Goldwater said this has been "the most successful week" of his campaign.

"It's coming when we wanted it to come—in the middle of October," he said. "The polls are showing us on the way up. And there are a growing number of undecideds."

COVER UP

At Harlingen, Goldwater charged before more than 10,000 persons that the President is "using every power of his great office . . . to cover up one of the sorriest rumors we ever had in the nation's capital." He said he was referring to the Baker case—not Jenkins.

"The people have looked at the White House and have found it dark with scandal," he said. "The people have looked at the man who now occupies the White House and have found him shadowed by suspicion which no amount of handshaking and hurrah can chase away."

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

Johnson Urges Election of Kennedy

New York.—President Johnson campaigned enthusiastically through upstate New York Thursday, urging the election of Robert F. Kennedy to the Senate. He ordered an investigation into the Walter Jenkins scandal but did not mention the case in his political speeches.

The President and former attorney general, accompanied by top state party leaders, flew to Rochester and Buffalo and were greeted by cheering thousands.

Then they returned to New York for appearances in Brooklyn and at a Liberal party rally Thursday night in Madison Square Garden.

FBI Director J. Edgar Hoover disclosed in Washington that Johnson had ordered a "full and complete investigation" of the Jenkins bombshell.

Pierre Pares Jenkins Case

Upland.—Sen. Pierre Salinger, D-Calif., campaigning to retain his interim senate seat, said Thursday he did not think the Walter W. Jenkins incident would hurt President Johnson's campaign.

"It's most unfortunate about Mr. Jenkins. I think when a person who works in the high levels of government and is subjected to great pressure becomes ill and has a nervous condition and has a breakdown . . . we should all regret it," said Salinger.

Miller Sees Danger Spot

Chicago.—Rep. William E. Miller said Thursday the disclosure of presidential aide Walter W. Jenkins' arrests on morals charges raised "serious questions" that should be answered by President Johnson.

The GOP vice presidential candidate, stumping for the strategically important vote of Chicago and its suburbs, said the President should explain why a man with such a background "should be entrusted with such a high office."

EASY TO ENTRAP

"Such a man could be compromised quickly and dangerously," Miller said.

Miller commented on the Jenkins case during a question period after a luncheon address to the Chicago Executives Club.

In his speeches during a 40-mile sweep across the densely populated metropolitan area, he steered clear of the case of the resigned presidential aide and drummed on the theme that the Republicans will make city streets and parks "safe for our women and children."

[From the Sacramento (Calif.) Union Oct. 15, 1964]

Johnson Aide Out: Exposed as Morals Case—Resigns, Goes to Hospital

New York (UPI)—Walter Jenkins resigned Wednesday night as special assistant to President Johnson, the White House announced, following disclosure he had been arrested Oct. 7 on a disorderly charge involving "indecent gestures."

President Johnson accepted the resignation and appointed Bill D. Moyers to succeed Jenkins, an associate since 1939.

NEWS CONFERENCE

The announcement was made by White House Press Secretary George E. Reedy in an extraordinary news conference in the Waldorf Astoria Hotel.

United Press International reported from Washington Wednesday night that Jenkins was arrested on a disorderly charge involving "indecent gestures, and elected to forfeit $50 collateral.

Reedy assembled reporters in the White House press room on short notice and read this statement:

"As I told some of you earlier today, Walter Jenkins, who has been suffering from fatigue, went into the hospital this afternoon on orders from his doctor.

"Walter Jenkins submitted his resignation this evening as special assistant.

"The resignation was accepted and the President has appointed Bill D. Moyers to succeed him."

SINCE 1939

Jenkins, who has been working with Johnson since 1939, was admitted to George Washington University Hospital in the nation's capital. His doctor said he was hospitalized for "nervous exhaustion and high blood pressure."

Moyers, an ordained Baptist minister, has been deputy director of the Peace Corps and came to the White House when Johnson succeeded the late President John F. Kennedy after Kennedy's assassination.

A White House source said the President first learned about the Jenkins situation when he received queries from newspapers.

The source said the first information came to the President shortly before he visited Mrs. John F. Kennedy Wednesday night.

When the President returned from his visit he "had some inquiries made" about Jenkins' condition, the source said.

A check of District of Columbia police records revealed the incident Wednesday after rumors had been sweeping Washington political circles that Jenkins had been arrested by officers of the D.C. Morals Division.

The record showed that Jenkins, 46, was picked up at the YMCA by two plainclothesmen of the Morals Division Wednesday, Oct. 7, on a charge of "disorderly (indecent gestures)". It said he "elected to forfeit" $50 collateral.

SECOND ARREST

Police refused to go beyond the official record in the case. The record showed that an Andy Choka, 60, a timekeeper at the soldiers home here, was arrested at the same time by the same officers and also elected to forfeit $50 collateral.

Jenkins is one of the men Republicans want summoned as a witness in the resumption of the Bobby Baker investigation by the Senate Rules Committee.

[From the Los Angeles (Calif.) Times, Oct. 16, 1964]

President Comments on Jenkins—Declares Question About Conduct of Aide Never Raised

WASHINGTON.—President Johnson said Thursday night he had never had any information before late Wednesday that "had ever raised a question" about the personal conduct of Walter Jenkins.

The President made this statement as Goldwater forces stepped up their "scandal" accusations against the Johnson administration and said that the Jenkins moral case raises grave issues of national security.

Jenkins, long-time confidant and top aide to Mr. Johnson, resigned suddenly Wednesday. It was disclosed that Jenkins had been arrested on Oct. 7 on a charge of "disorderly conduct (indecent gestures)" and that he had been arrested five years before on a charge of "disorderly conduct (pervert)." In both cases he forfeited collateral.

PUBLIC INTEREST PUT FIRST

The President disclosed he had asked for and received Jenkins' resignation Wednesday. He also said he had asked FBI director J. Edgar Hoover to make an immediate and comprehensive inquiry on the case and report promptly "to me and the American people." The President noted that in any such case, "the public interest comes before all personal feelings."

Jenkins is now in George Washington University Hospital suffering from what his doctor called "extreme fatigue."

The President in his statement Thursday night, issued on his return from a political campaign swing in New York state, said no information or report had ever come to him before Wednesday that would raise a question about Jenkins' personal conduct.

CITES FINE RECORD

Taking cognizance of the 25 years that Jenkins has been in his employ except for military service during World War II and a brief fling in politics on his own, Mr. Johnson said:

"No man I know has given more personal dedication, devotion and tireless labor."

The President said, "For myself and Mrs. Johnson, I want to say that our hearts go out with the deepest compassion for him and for his wife and six children and they have our love and prayers."

The President's statement was, in effect, a reply to an allegation by Dean Burch, chairman of the Republican National Committee, that Mr. Johnson had covered up for Jenkins for five and one-half years—an allegation based on the fact that Jenkins had been arrested on a morals charge in 1959.

Burch said the "Walter Jenkins episode raises grave questions of national security which only the President can—and must—answer. The story up to now is only partially revealed."

Burch said the President must be aware of the "vulnerability of morals offenders to blackmail . . ."

Sen. Barry Goldwater, the Republican nominee, was asked for comment at a campaign stop in Denver and replied:

"I haven't seen an account of it. We just had a report. I don't intend to comment on it at any time."

EXPLANATION ASKED

Here are other reactions:

Rep. William E. Miller, the Republican Vice Presidential nominee in Chicago, called upon Mr. Johnson to explain how "this type of man" could occupy such a high position in the government. Miller said that if Jenkins "had information vital to our survival, it could be compromised very quickly and very dangerously."

Richard M. Nixon in Ft. Wayne, Ind., demanded that President Johnson tell the nation what he knows of morals charges placed against Jenkins. He said Americans would "not stand for immorality in the White House."

Clifton White, chairman of the Citizens Committee for Goldwater-Miller, in Washington—"The effects upon America both nationally and internationally can only be surmised at this time."

"HEART ACHING"

Democratic Vice Presidential nominee Hubert H. Humphrey, on the campaign trail in Pennsylvania, said: "I'm sure the White House will make whatever statement need to be made."

Mrs. Lyndon Johnson, in Washington, issued a statement saying "My heart is aching" for Walter Jenkins, whom she described as "someone who has reached the end point of exhaustion in dedicated service to his country."

Sen. Kenneth B. Keating (R-N.Y.), seeking re-election against Democrat Robert F. Kennedy, said he had no intention of exploiting the case. "It has nothing to do with my opponent."

Sen. Jacob K. Javits (R-N.Y.)—"I think security is an issue and if it turns out that security is at stake, this will become an issue."

W. Averell Harriman, an undersecretary of state and former New York governer, accompanying Mr. Johnson on his New York campaign tour—"I don't think it will hurt. I think it will arouse sympathies for Jenkins."

WAGNER COMMENTS

Mayor Robert F. Wagner of New York City, a Democrat, asked whether the case would hurt the Democratic campaign—"I don't know what the reaction will be. Certainly, people will realize this is just an individual person."

Sen. Karl Mundt (R-S.D.), in Sioux Falls, declined to speculate upon the effect the Jenkins case might have on the election. "This is not unprecedented. It has happened in both political parties as long as I've followed politics," he said.

Meanwhile, it was learned that Mr. Johnson had ordered the FBI to attempt to determine particularly whether the Jenkins case involved any violations of national security procedures or laws.

TO QUIZ ASSOCIATES

The investigative agency also will look into Jenkins' past history and interview associates within the government in an effort to ascertain whether or not anyone in government had reason to believe he had homosexual tendencies, it was said.

Mr. Johnson, it was understood, told the FBI to employ as many agents as necessary in the task.

Once the inquiry is completed, it is expected that the FBI will submit its findings to the White House and that they will be made public by the President.

One high source said it was hoped this report might be available for public release in about a week.

[From the Los Angeles (Calif.) Times, Oct. 16, 1964]

Jenkins Case Poses Questions

The arrest of White House aide Walter Jenkins on a morals charge is a personal tragedy for all concerned. It also comes as a deep shock to the nation.

It is unfortunate that such a scandal should break less than three weeks before a national election in which far greater issues are at stake than the personal behavior of one man.

However, Jenkins has been one of President Johnson's closest associates for 25 years, and it is inescapable that the episode will become a factor in the presidential election.

On the strength of the notorious Bobby Baker case, Sen. Barry Goldwater has already made "morality in the White House" a major issue.

Now Richard Nixon demands to know why two "bad apples" have shown up in Mr. Johnson's immediate entourage. And GOP National Chairman Dean Burch has charged that the President "covered up" for Jenkins on a similar previously undisclosed offense in 1959.

Until further details are available, fair and compassionate men will withhold judgment on all such allegations.

The most troublesome aspect of the case—the question of national security—transcends politics, the Bobby Baker case and elements of personal tragedy.

There is no reason to suppose that Jenkins is other than a loyal American. But it is commonly recognized that persons suspected of deviant conduct are vulnerable to blackmail attempts by the Communists. As a result, they are denied security clearances.

Yet Jenkins apparently had access to secret information both before and after Mr. Johnson moved to the White House. He received an FBI security clearance in 1958, before his first alleged offense. But the FBI conducts such investigations only upon request of executive agencies—and it reportedly received no request from the White House on Jenkins.

President Johnson now has ordered a full FBI investigation of circumstances leading to the Jenkins resignation. The report should be made promptly, and publicly.

In the process, the FBI should answer some questions about its own role, too:

Why, as a result of routine federal-local police co-operation, didn't Jenkins' arrest in 1959 show up in his security file? Or, if it did, why was his security clearance not reconsidered?

The American people deserve assurances that future Presidents—including whoever is elected Nov. 3—obtain security clearances on all their associates, no matter how close.

[From the Los Angeles (Calif.) Times, Oct. 16, 1967]

Rumors Led to Police Blotter in Jenkins Case

WASHINGTON.—The grapevine of rumor and finally the words on a police blotter—all within hours Wednesday—unlocked the story of Walter Jenkins' arrest on morals charges and his resignation as a top White House aide.

Several newsmen received anonymous tips about Jenkins' arrests a short time before Republican National Chairman Dean Burch issued a statement charging:

"The White House is desperately trying to suppress a major news story affecting the national security."

ACCESS TO BOOK

Reporters went to District of Columbia police headquarters, where officers gave them the usual free access to the arrest book of terse reports.

Case No. 2208 gave this report:

"8:35 p.m., Oct. 7. Name: Jenkins, Walter Wilson, 3704 Huntington St., N.W., date of birth 3-23-18. White. Born Jolly, Tex. Occupation: Clerk. Married. Collateral $50 (CCB). Parents: Anna, John. Charge and place arrested: at the YMCA disorderly (indecent gestures). Complainant R. L. Graham. Officer L. P. Drouillard. Disposition: Elects to forfeit."

MISSED BY REPORTERS

The record, however, did not immediately attract the attention of police reporters, who did not connect the name with that of the White House aide. Police normally record the occupation of a person arrested—Jenkins was listed as "clerk"—but do not regularly list his employer.

The tipsters had told of a 1959 charge against Jenkins and reporters checked back on that. Case No. 174 of Jan. 15, 1959 gave this report:

"Time: 10:20 p.m. Name: Jenkins, Walter Wilson, 3704 Huntington St., N.W., Born 3-23-18, Jolly, Tex. Occupation: Clerk, married. Read and write, yes. Male. Collateral: $25, Mother Anna Morgan, father John B., charge disorderly conduct (pervert)."

CHECK ON NAME

Was this the same Walter Jenkins who had been President Johnson's close aide for over 20 years? Reporters had to be sure. The name, the address, the birthplace, the age, the parents' names all matched. Had somebody used his name?

As painstaking checking went on, White House aides announced in New York that Jenkins had been hospitalized for extreme fatigue. Newsmen there tried to check out if the arrested man was Jenkins of the White House staff. Asked about Burch's statement, White House press secretary George E. Reedy said:

"I don't know what he's talking about."

JENKINS RESIGNS

Nearly three hours later, Reedy announced that Jenkins had resigned. Reedy said Mr. Johnson had first learned about it as a result of the reporters' queries.

Meanwhile, Jenkins' doctor, Charles Thompson, verified that Jenkins was ill, with "sky high" blood pressure, insomnia, tensions, agitations and extreme exhaustion. The doctor would not comment on the morals charges.

Security Aspect of Jenkins Case Cited by Miller

CHICAGO.—Rep. William E. Miller said Thursday that the Walter Jenkins incident poses "very, very serious" national security questions that President Johnson should answer for the American people.

The Republican Vice Presidential nominee said Mr. Johnson should explain how a man such as Jenkins could occupy so high a position in the government.

Commenting on Jenkins' arrest on a morals charge and subsequent resignation as a top-ranking White House aide, Miller said:

"If this type of man had information vital to our survival, it could be compromised very quickly and very dangerously."

Among other things, he said, Mr. Johnson should say whether Jenkins ever sat in on meetings of the National Security Council or of the Cabinet.

ANSWER QUESTIONS

Miller discussed the Jenkins case during a question-and-answer period following his speech at a luncheon of the Executive Club of Chicago.

It was one of six speaking appearances during a full day of campaigning here.

Miller had told newsmen previously he would have no comment on the Jenkins affair. But a request for his reaction was among questions read by the toastmaster at the luncheon.

Miller responded by discussing the Jenkins incident in some detail and also bringing up Jenkins' role in the Bobby Baker case. He said Jenkins had been "protected by the White House" in the Baker case.

Jenkins Case Hurts Johnson Drive; Soviet Shakeup May Offset Harm

(By Laurence Burd)

WASHINGTON.—The Walter Jenkins case struck President Johnson's election campaign amidships, with heavy damage, just when it seemed to be cruising smoothly toward victory in November.

Disclosure that Jenkins, long-time top aide and confidant to Mr. Johnson, was twice arrested on morals charges, plays right into the hand of GOP Presidential nominee Barry Goldwater's campaign against "moral decay" in the Johnson administration from the White House down.

Political strategists of every stripe agree that the Jenkins episode, standing alone, would cost the Johnson ticket a good many votes in November.

But, by one of those twists of fate, the damaging impact on Mr. Johnson of the Jenkins case could be offset, at least in part, by a completely unrelated development 5,000 miles away—in Moscow.

The surprise replacement of Russian Premier Nikita S. Khrushchev a day after the Jenkins case erupted Wednesday, poses new global uncertainties.

Although it is too early to tell whether the Moscow shakeup could presage an East-West crisis, its occurrence less than three weeks before the U.S. election is almost sure to have an impact on the voting here.

If the past is any guide, the backlash from Moscow is likely to help Mr. Johnson politically more than Goldwater. The majority of American voters traditionally tend to rally in times of global crisis or uncertainty to the incumbent administration as a safer haven than a new team of leaders.

Republicans will seek to make political capital out of both the Jenkins episode and the Moscow shakeup, but they have a much more salable issue in the Jenkins case.

Former Vice President Richard M. Nixon signaled the Republican line on the Kremlin re-shuffle Thursday when he said that this is "all the more reason Sen. Barry Goldwater should be in the White House."

Nixon said the United States needs Goldwater's "hard line" in dealing with the new Moscow regime, rather than the softer line of accommodation with Russia that President Johnson has taken.

Mr. Johnson can defend publicly, as he has, his foreign policy stewardship, including U.S. dealings with Moscow, but the Jenkins case has left the President politically embarrassed.

Mr. Johnson is deeply vulnerable concerning Jenkins, regardless of any explanation he or his associates may make in the President's defense.

SECURITY RISK ISSUE

The most damaging aspect to the President of the Jenkins case, stems not from Jenkins' arrest last week on "disorderly (indecent gestures)" charges, but his arrest Jan. 15, 1959, on similar charges. Both arrests were made at the Washington YMCA only two blocks from the White House, and in both cases Jenkins forfeited collateral.

The earlier arrest raises, as the Republicans have, the troubling question of how the President could retain as a top aide, with access to top-secret material, a man whose moral background, based on the 1959 incident, could expose him (Jenkins) to blackmail and make him a security risk.

Anonymous White House source have indicated that Mr. Johnson was unaware, until Wednesday, of either the 1959 or the recent arrest of Jenkins. But this leaves the President open to the accusation that he neglected elementary precautions that would have uncovered a potential security risk within his official family.

It is the "security risk" issue that the Republicans are pressing publicly in the Jenkins case, while letting the voters make their own judgment on its moral aspects.

However, Goldwater and his campaigning associates are continuing to press their argument against "scandals" and breakdown of morals against the Johnson administration, without specific mention of Jenkins. Thus, Goldwater said Thursday the President has used "every power . . . to cover up one of the sorriest rumors we have ever had in the nation's capital"—and then explained he referred to the Bobby Baker case, not to Jenkins.

Jenkins himself was a key figure in the Bobby Baker investigation conducted by the Senate Rules Committee earlier this year, but the committee's Democratic majority refused to accede to Republican members' demands Jenkins be called as a witness.

Don B. Reynolds, an insurance agent, told the committee he bought $1,200 of advertising time on a Johnson family television station in Texas after Reynolds sold $100,000 worth of life insurance to Mr. Johnson.

JENKINS IN DEAL

Reynolds swore that arrangements for the purchase of advertising time were made by Jenkins, who denied it in an affidavit to the committee.

In continuing to hammer at the administration for a "cover-up" of the Bobby Baker case, the Republicans can, if they choose, remind the voters that Jenkins was a figure in that controversy.

Some Republicans believe the whole Jenkins episode may give the Goldwater ticket a big enough shot in the arm to carry it to victory in November.

The Democrats and some neutral political analysts doubt the Jenkins' case impact will be that great, particularly in view of the Khrushchev shakeup.

However, even Democratic sources, concede that the party is likely to lose some votes because of Jenkins. They are concerned that the episode could, in possibly cutting down Mr. Johnson's vote, bring defeat of some Democratic Senate and House candidates where the races were close even before the Jenkins' misfortune struck.

FBI Didn't Note Charge in 1959

(By David Kraslow)

WASHINGTON.—Both the FBI and the Secret Service knew in 1961 that Walter W. Jenkins, the resigned White House aide, had been arrested by District of Columbia police in 1959.

But what they did not know, apparently because of a failure to check police records, was that a morals charge was involved.

This was learned Thursday following another arrest on a morals charge last week of Jenkins, 46-year-old father of six.

As a confidant of Mr. Johnson for more than two decades, Jenkins was close to vital government secrets.

TIGHTER CLEARANCE SEEN

Whatever the effect on the Presidential campaign, the Jenkins case seemed certain to result in tighter security clearance procedures for persons employed at the White House.

High administration sources were dismayed, after learning that the FBI and Secret Service knew of the 1959 arrest, that no further investigation was made to determine the circumstances.

Some sources suggested that persons employed in high positions and who work under intense pressures should be subjected to a security investigation every year or so.

There is no such system now for White House personnel. In fact, the FBI which normally acts in such matters only at the request of the executive branch, has not run a security check on Jenkins since early 1958.

Jenkins at that time was the chief aide to Mr. Johnson, then the Senate majority leader.

The FBI security check was made at the request of the Atomic Energy Commission, which then gave Jenkins a "Q clearance," the highest there is.

"I guess everyone figured that once he had received a Q clearance there was no reason to check him out again," a source said.

The FBI and Secret Service declined comment, but it apparently learned of the 1959 arrest this way.

Jenkins was picked up by officers of the District of Columbia's police department's morals division at the downtown YMCA, just a few blocks from the White House.

APPARENTLY NOT NOTIFIED

After receiving the fingerprint card with the "investigation-suspicion" notation, nothing further was heard of the case.

The FBI apparently was not notified of the formal charge finally recorded by the District of Columbia police against Jenkins, that of "disorderly conduct (pervert)." Jenkins forfeited $25 collateral which closed the case as far as the police were concerned.

The fingerprint card on Jenkins went into the files of the FBI's identification division, where some 170,000,000 other fingerprint cards are kept. These records are entirely separate from the FBI's general files.

The D.C. Police Department, as do many others, voluntarily sends to the FBI fingerprint cards on all arrested persons.

In 1961, the Kennedy-Johnson administration took office. As it does routinely with every new administration, the Secret Service fingerprinted all persons on the staffs of Mr. Kennedy and Mr. Johnson prior to issuing White House credentials.

SECRET SERVICE SILENT

The Secret Service sent Jenkins' fingerprint card to the FBI on a routine check.

The FBI sent the Secret Service the information it had on Jenkins' 1959 arrest, which showed only the charge of "investigation-suspicion."

The Secret Service declined to discuss the matter because of the investigation announced Thursday by Hoover, but apparently it did not ask the D.C. police in 1961 what became of the "investigation-suspicion" case against Jenkins.

Last week Jenkins was again picked up at the YMCA by morals division officers. He was charged with "disorderly conduct (indecent gestures)" and forfeited $50 collateral.

The FBI, it was said, would question Jenkins' associates to determine if any suspected him of tendencies such as those that led to his arrests.

President's "Curious Crew" Denounced by Goldwater—Senator Makes No Direct Mention of Jenkins Case

(By Robert E. Thompson)

Houston.—Sen. Barry Goldwater, without making direct reference to Walter Jenkins, heard the name of the deposed White House aide shouted from a fervid crowd Thursday as he denounced President Johnson's "curious crew."

The Republican Presidential nominee, who reportedly has decided to avoid making Jenkins' morals arrest a campaign issue unless he determines that it involves national security, flew across the President's home state lambasting the administration as one of drift, deception and defeat.

SOFT ON COMMUNISM

Standing before 31,000 cheering, placard-waving fans in the Houston Colts' stadium. Goldwater also attacked Mr. Johnson for his association with Bobby Baker for an alleged drift toward socialism and as being soft on communism.

Over and over again, the Arizonan ridiculed what he called the "curious crew" around Mr. Johnson.

He listed among its members Baker, Billie Sol Estes and Matthew McCloskey. Amid tumultous cheers, someone in the crowd asked "What about Walter?"

A number of persons in the crowd shouted derogatory remarks about Jenkins.

KREMLIN SHAKEUP

Goldwater also said that "communism, no matter who speaks for it, will never bury us."

It was the candidate's first statement bearing on the Kremlin shakeup in which Soviet Premier Nikita S. Khrushchev was displaced in a mid-campaign development which jolted both political parties.

Goldwater revised the prepared text of his speech which had read that "Khrushchev will never bury us."

Instead, he took note of the change in Soviet leadership by substituting the words "Communists, no matter who speaks for it, will never bury us."

Goldwater received enthusiastic receptions in Harlingen and Beaumont early in the day. But upon his arrival in Houston, he drew sparse, disappointing crowds as he motorcaded more than 12 miles through the city, Texas' largest.

Although Goldwater has ruled initially that he will not discuss the arrest of Jenkins on a morals charge, he released a statement defining the former Presidential assistant's status in the 9999th Air Force Reserve Squadron, which Goldwater commands.

JENKINS FULL COLONEL

The report, signed by Maj. Gen. Barry Goldwater, USAFR, pointed out that Jenkins is a full colonel and has been a member of the reserve unit since about Jan. 15, 1961.

In reply to a question about Jenkins' efficiency rating, the senator explained that Mr. Johnson's long-time aide is assigned to headquarters command and, therefore, "I was not required to give him an efficiency rating."

The brief Goldwater statement pointed out that Jenkins already had been cleared to receive classified material before he joined the squadron.

During his first three years in the squadron, Goldwater said Jenkins attended 75% of the meetings. But this year, the Presidential nominee added, Jenkins, who resigned Wednesday, has participated in only three sessions.

CLOSE TO WHITE HOUSE

While the Air Force secretary decreed in June that all members not identified with Congress would be forced to transfer from the unit. Goldwater said Jenkins was retained "because of his closeness to the White House."

Under the June decree, Pennsylvania Gov. William W. Scranton, who unsuccessfully sought the GOP Presidential nomination against Goldwater, had to leave the squadron.

Sources close to Goldwater said the senator had determined that he will make no mention of Jenkins' arrest on a morals charge Oct. 7 unless he believes the government was derelict in granting Jenkins clearance for participation in national security affairs.

But Sen. John Tower (R-Tex.), who traveled with Goldwater across the state, indicated to newsmen that the Republicans have a major issue in security questions arising from the Jenkins case.

The Jenkins case reportedly was high on the agenda of a night meeting in Houston between Goldwater and his top compaign advisers. GOP national chairman Dean Burch, campaign director Dennison Kitchel, research director Edward McCabe, and John Greiner, deputy director of the Republican National Committee.

PRESTIGE DECLINE CLAIMED

Goldwater emphasized at all three cities his view that Mr. Johnson is leading the nation toward socialism and is grasping for power.

Stating that no man can "withstand the temptation" of power now vested in the Presidency, Goldwater told an outdoor audience of about 12,000 at Beaumont that his first act in the White House would be "to see that powers are returned to the executive branch."

In Beaumont, where labor is strong, Goldwater also criticized compulsory arbitration between labor and management. He said that as President, he would invoke the law only in strikes where outsiders are hurt.

[From the Los Angeles Times, Oct. 17, 1964]

Attempt To Soft Pedal Jenkins Story Revealed—Top Democratic Lawyers Visited Offices of Capital Papers To Make Requests

Washington—Two prominent Democratic lawyers, both possible candidates for attorney general in a Johnson administration, tried to soft pedal the Walter Jenkins story in Washington newspapers, it was disclosed Friday.

Jenkins, 46, a trusted aide and close friend of Mr. Johnson for 25 years, resigned his White House post Wednesday night after the disclosure that he had been arrested on morals charges in 1959 and again last week.

The two lawyers who visited three Washington newspapers to suggest that the story be withheld or treated "kindly" were Abe Fortas and Clark Clifford, both friends of and advisers to Mr. Johnson.

PUBLISHER'S STORY

Last December Fortas withdrew as defense counsel for Bobby Baker. He said he did it to avoid possible "embarrassment" arising from "certain assignments" he had undertaken for the new Johnson administration. Fortas has been mentioned as the possible choice to succeed Robert F. Kennedy as attorney general.

Clifford was a White House aide to President Harry S. Truman. In 1963 he was named by President John F. Kennedy to head his foreign intelligence advisory board. He also has been mentioned as a possible attorney general.

Newbold Noyes, editor of the Washington Star, said Friday that Fortas and Clifford came to the Star's office Wednesday after the Star began making inquiries at the White House about Jenkins after learning of his arrest.

REQUEST MADE

"About a half hour after that Fortas and Clifford walked into the office," said Noyes. "In all fairness, it was in response to our call that they came."

Noyes said the two lawyers confirmed Jenkins' identity, said he was sick and was entering a hospital. Noyes also said they told him the final decision would be up to the President, but that they were "certain he (Jenkins) was out." Jenkins now is in a hospital.

"They asked us in what seemed to be a very proper and low-key way to consider whether this was a story that we would want to print." Noyes said.

The Star did not publish the story that day.

John T. O'Rourke, editor of the Washington Daily News, said the News had the story in memorandum form when the two Johnson advisers arrived. He quoted them as asking him to "treat it as kindly as you can, and not at all if possible."

Alfred W. Friendly, managing editor of the Washington Post and an acquaintance of both men, said he learned of the arrests from them. He said they told him the "whole story" and did not ask that it not be published. Jenkins earlier had told Fortas the story.

The People Speak: Jenkins Case To Cut Shift of GOP Voters

(By Samuel Lubell)

The arrest of President Johnson's key aide, Walter Jenkins, is likely to reduce somewhat the number of Republican voters who have talked of shifting to Mr. Johnson on Nov. 3.

The arrest will also strengthen the disgust with both candidates that already exists and is particularly strong in the South.

But the "Jenkins scandal" is not likely to defeat Mr. Johnson for election.

These judgments are offered on the basis of my interviews with typical voters all across the country during the past three months.

Those interviews revealed, as I reported previously that the attacks on Mr. Johnson's personal integrity were the one aspect of the Goldwater-Miller campaigning that was having an appreciable impact on the voters.

SWITCH LIMITED

The arrest of Jenkins, who is so intimately linked with the Bobby Baker case, is bound to intensify prevailing suspicions of President Johnson's personal honesty—suspicions which have been mentioned by a steadily increasing number of voters during the past months.

Up to now these suspicions have caused only a limited number of Democratic voters to switch to Sen. Barry Goldwater. I would expect that to continue to be the case, although this is a point I will be checking carefully in future interviewing.

Often Johnson supporters have confessed that they felt "uneasy" or "uncomfortable" about the handling of the Bobby Baker case, but they have suppressed these misgivings because of much stronger fears of what Goldwater would do.

FEELINGS EXPRESSED

A Memphis widow summed up a widely held feeling when she said, "Johnson is out for all he can get, but Goldwater scares me to death."

Distrust of the President has also been a major factor in the indecision of appreciable numbers of Republicans who have talked hesitantly about switching to Mr. Johnson. Many of them have said. 'I'd go for Johnson if I didn't think he was personally involved with Bobby Baker."

These wavering or undecided Republicans are most likely to be affected by the Jenkins development. The "scandal" may also have an important impact on the voters who have been torn between a dislike of both candidates. These voters are quite numerous in the South, where a strong conflict is raging between resentments over civil rights and economic fears stirred by Goldwater's policies.

Jenkins Case Seen as Help for Goldwater

Sioux City, Iowa.—Denison Kitchel, executive director of the Republican Presidential campaign, predicted Friday that the Walter Jenkins affair would have a significant effect on the election.

"I don't see how it can do anything but help Barry," said Kitchel as he rode up the Missouri River with Sen. Barry Goldwater.

Kitchel then told newsmen he did not think "we ought to say anything at all about it (the Jenkins case)."

Kitchel said the high-level GOP strategy conference held Thursday night in Houston did not touch on the resignation of Jenkins as a top aide to President Johnson. Jenkins quit Wednesday after revelations that he had been arrested twice on morals charges.

Kitchel said that most of the conference was devoted to a discussion of Goldwater's schedule in the final two weeks of the campaign. He said it was decided to step up the Senator's television broadcasting in the final weeks of the campaign.

He said that the campaign so far was going on schedule and that they had decided to leave Goldwater's agenda flexible, "so that we can wait until we see where we need a little extra effort."

Kitchel said Goldwater already had scheduled two half-hour nation-wide television appearances next week, two more the following week and one on election eve.

[From the Los Angeles Times, Oct 15, 1964]

Johnson Aide Resigns Following Morals Arrest—Jenkins, President's Longtime Assistant, Accused of Indecency

(By David Kraslow)

Washington.—Walter W. Jenkins, one of President Johnson's principal assistants, was arrested last week on a disorderly conduct charge involving "indecent gestures," it was revealed Wednesday.

In New York, the traveling White House announced within hours that Jenkins had resigned. President Johnson accepted the resignation and appointed another White House assistant, Bill D. Moyers, to take Jenkins' place.

The arrest of Jenkins, who figured prominently in the Bobby Baker investigation, came to light in District of Columbia police records after rumors of the arrest swept Washington during the day.

POLICE RECORDS CITED

The police records show that Jenkins, 46-year-old father of six children, was arrested on Oct. 7 at the downtown YMCA in Washington by officers of the morals division.

The police records also showed that Jenkins was arrested on a similar charge at the YMCA on Jan. 15, 1959. In both cases, Jenkins "elected to forfeit" collateral ($25 in 1959, $50 last week) rather than contest the charges.

The charge last week was "disorderly conduct (indecent gestures)." In 1959, it was "disorderly conduct (pervert)."

The charges against Jenkins were misdemeanors. With the forfeiture of bond, the cases are closed as far as the police are concerned.

An FBI spokesman declined comment when asked if the bureau had known of Jenkins' arrest in 1959.

Security checks on persons appointed to high office by the President usually are made by the FBI. Jenkins started working for Mr. Johnson 20 years ago and had the title of "special assistant" to the President before he resigned.

Jenkins was not available for comment. A secretary in his office said Jenkins' doctors ordered him to a hospital Wednesday for a "checkup" because he was "physically exhausted."

Later, Dr. Charles Thompson, Jenkins' physician, said Jenkins was admitted to George Washington University Hospital suffering from "nervous exhaustion and high blood pressure."

Earlier in the evening, before Jenkins' resignation was announced, newsmen asked White House Press Secretary George Reedy if he knew anything about Jenkins' arrest last week.

"Walter Jenkins has been suffering from extreme fatigue." Reedy replied. "He has been sent to (the) hospital by his physician . . ."

Asked again if he knew anything of the arrest, Reedy said. "I know nothing of any arrest."

The White House statement later on the resignation made no referrence to Jenkins' arrests.

CONTROVERSIAL FIGURE

Shy and mild-mannered, Jenkins was a controversial figure in the Senate Rules Committee's investigation of Baker, the former secretary to Senate Democrats and a chief aide to the President during Mr. Johnson's days as Senate majority leader.

Insurance agent Don B. Reynolds testified before the Rules Committee last spring that at Jenkins' suggestion he purchased $1,208 in advertising time on the Johnson family's television station in Texas. Reynolds said this was done in 1957 after he wrote $100,000 in insurance on the life of Mr. Johnson, then a senator.

Jenkins said in an affidavit to the committee that he had no knowledge of any arrangement by which Reynolds purchased the advertising time.

Democratic members of the committee repeatedly overruled Republican requests that Jenkins be called as a witness.

CHIEF OF STAFF

Jenkins often was referred to by his associates as Mr. Johnson's chief of staff, beginning with Mr. Johnson's service in the House and Senate and continuing on through his days as Vice President and President.

He has been a close family friend as well as a man to whom the President entrusted a variety of confidential chores, political and otherwise. A native Texan, Jenkins once was both an officer and stockholder in the Johnson family broadcasting corporation.

Jenkins' arrest came to light after rumors began circulating in Washington. Police made no attempt to suppress their records when reporters began checking.

Shortly after 6 p.m. Wednesday, Republican National Chairman Dean Burch issued this statement:

"There is a report sweeping Washington that the White House is desperately trying to suppress a major news story affecting national security."

Republican officials apparently knew of Jenkins' arrests, but Burch and GOP press spokesman Lee Edwards declined to elaborate on Burch's statement.

Asked about Burch's statement, Reedy said, "I don't know what he's talking about."

Jenkins periodically has attended meetings of the National Security Council, which deals with the country's most vital secrets.

In 1959 and again last week, Jenkins gave his occupation as "clerk" when booked at police headquarters.

The story did not come to light before now, although it was a public record, because Washington police reporters did not connect Jenkins on the police blotter with the one working in the White House. In listing his occupation as a clerk, Jenkins would have raised no suspicions.

Jenkins was arrested at 8:35 p.m. on Oct. 7. The police records also showed that Andy Choka, 60, a timekeeper at the Soldiers Home in Washington, was arrested at the same time, at the same place, in a men's room of the YMCA, by the same officers and also elected to forfeit $50 collateral. Choka could not be reached late Wednesday.

Jenkins' doctors said he had "just worn himself out" and was expected to remain in the hospital for at least four or five days.

A hospital official said Jenkins' doctors decided it was best to have Jenkins rest up from the "trying time" of the Presidential campaign.

The official said Jenkins' condition is "satisfactory at the moment."

Jenkins' long service with Mr. Johnson was interrupted twice—for service during World War II and when he made an unsuccessful race for Congress in Texas in 1951.

His war service took him to Africa, Corsica and Italy. He was discharged as a major.

While in the Army, he was married to the former Marjorie Whitehill in 1945. They have two daughters and four sons.

Jenkins attended the University of Texas.

Press Secretary Tells Approval of Resignation

(By Don Irwin)

New York.—President Johnson Wednesday night accepted the resignation of White House assistant Walter W. Jenkins three hours after learning of Jenkins' arrest in a Washington morals case.

The resignation of Jenkins, a close Johnson associate for 20 years, was announced at 10:15 p.m. at a briefing hastily called by George Reedy, White House press secretary.

As Reedy met reporters, Mr. Johnson waited in white tie and tails to address an audience at the Alfred E. Smith dinner in the Waldorf-Astoria Hotel. Reedy announced the resignation in the following terse statement:

"As I told some of you earlier today, Walter Jenkins, who has been suffering from fatigue, went into the hospital this afternoon on the orders, of his doctor.

"Walter Jenkins submitted his resignation this afternoon as special assistant. The resignation was accepted and the President has appointed Bill B. Moyers (another special assistant) to succeed him."

In response to a query. Reedy said the resignation had been accepted shortly before he issued his announcement. Before Mr. Johnson went to the dinner, Reedy was closeted with the President for more than an hour in Mr. Johnson's 35th floor suite. The President failed to appear for a reception preceding the dinner but was on hand looking grave when the speaking period began.

NO FURTHER COMMENT

Reedy had no further comment on the embarrassing affair, but a White House source said that the President had first learned of Jenkins' arrest shortly before he left the Waldorf-Astoria at 6:35 p.m. for an unpublicized call on Mrs. Jacqueline Kennedy.

Presidential assistants insisted the first knowledge the White House had received of the matter came from queries put to Reedy by newspapermen. There was no report from District of Columbia police at the time of the arrest, they said.

On his return from the visit to Mrs. Kennedy, the President was said to have directed that inquiries be made about the Jenkins affair. Shortly thereafter, Jenkins' written resignation, effective immediately, was submitted at the White House and the President was advised of its receipt, sources said.

White House associates declined to characterize in any way the President's reaction to the news that led to the resignation of his old associate. They declined to name anyone with whom he had discussed the case.

No White House source accompanying the President on his New York speaking tour was ready to say whether Jenkins had any security clearance. It has been standard practice since the Truman administration to conduct security checks on all policy-level officials on the White House staff.

There was no hint here whether Jenkins' departure from the White House staff would make him more readily available for questioning by the Senate Rules Committee.

The committee has had before it for some months testimony that Jenkins handled the gift of a stereo phonograph to Mr. Johnson from a Washington insurance man. The set was given before Mr. Johnson became Vice President in 1961.

NERVOUS COLLAPSE

White House staff members stood by the report that Jenkins is suffering a nervous collapse, but they said they believed he had been at work at the White House as recently as Tuesday.

Jenkins' White House associates had nothing but praise for his performance of his duties. One of them said his service had been considerably more than "satisfactory" and called Jenkins "one of the finest men I know."

Exhibit 4

News Coverage of Two 1960 Presidential Campaign Stories in 43 New England Daily Newspapers

A. THE STUDY

This report results from a resolution adopted in 1959 by the New England Society of Newspaper Editors authorizing an experimental study of objectivity in the news columns of daily newspapers in the region during the campaign period preceding the Presidential campaign of 1960.

The resolution stipulated that the study "should be conducted exclusively by trained newspapermen" and that their "approach should be frankly professional and even subjective, rather than purely mechanical or 'scientific.'"

Three trained newsmen were prevailed upon to undertake the task. They are Norman E. Isaacs, managing editor of The Louisville Times; Carl E. Lindstrom, former editor of The Hartford Times and a past president of the New England Society; and Arthur Edward Rowse, an assistant city editor of The Washington Post.

Mr. Isaacs, a former president of the Associated Press Managing Editors, was familiar with the problems facing any group about to study newspapers during a campaign period since he had been chosen by Sigma Delta Chi to be chairman of its national Ethics Committee established in 1955 to examine the feasibility of a nation-wide newspaper study.

Mr. Lindstrom has long been familiar with New England journalism and was the first editor of *The American Editor*, established by the Society. He joined the Committee after completing a year as professor in journalism at the University of Michigan.

Before joining The Washington Post, Mr. Rowse had served in New England journalism and he is the author of *Slanted News*, a case study of the Nixon and Stevenson fund stories during the 1952 Presidential campaign.

The three men held a preliminary meeting in Providence to review the prospects and to determine upon a course of action. Since funds were not available to study the entire scope of election coverage during the 1960 campaign, they agreed that it would be wise to wait out the campaign to see what specific situations might arise and decide later upon what to focus.

In the meantime, they decided to obtain a representative sampling of the largest newspapers in each of the New England states. They selected forty-three newspapers to be studied. A list of these papers, indicating their respective circulations and news services in 1960, is appended to this report.

Issues for each of the forty-three newspapers between October 1 and November 9, 1960, were obtained by subscription. In each case, the subscription order was for the particular edition having the largest circulation. Only a very few editions were not received and tabulations indicate that these do not appear to affect the over-all findings. It is possible that newspapers with multiple editions and which are recorded in the study as not publishing certain stories may have carried some material in editions which were not received. The central fact remains that the Committee attempted to concentrate on the prime editions of the newspapers being studied.

The Committee continued to consult, much of it by long-distance telephone. The search had been for a story or stories that might reflect newspaper attitudes in the handling thereof. There was no single story that could be found, but there were two stories, on opposite sides of the political fence.

One story was embarrassing to the Democratic nominee; the other could reflect upon the Republican nominee.

The one which affected the Democratic Party was the direct move of the Roman Catholic bishops in Puerto Rico to influence the election there. With John F. Kennedy's religion already a campaign issue, this could not but be a story which reflected upon the Democratic nominee's affiliation.

The story affecting the Republican nominee concerned the loan of $205,000 to Vice President Richard Nixon's brother, Donald, by Howard Hughes and his Hughes Tool Company. The Committee considered this a story of potential significance because only eight years earlier Mr. Nixon had been the center of the famous $18,000 expense fund in the 1952 campaign.

Before this decision to study the two stories was reached, several universities engaged in journalism research were sounded out about performing the eventual processing work that would be required by the Committee. A final arrangement had been reached with Boston University, an institution with which the Society is associated.

Once the stories to be studied were selected, the newspapers were shipped to Boston University. There, they were processed by graduate students in the School of Communications. This phase of the work was under the supervision of Dr. David Manning White, who has long been active in journalism research and who did the original "gatekeeper" study of telegraphic news handling some years ago.

The processing teams searched through each newspaper for the stories on the Nixon loan and the Puerto Rican issue. Each story located was marked on a tabulating form for page, head size, placement in the page and length. The tear pages were then attached.

This work at the University was financed by voluntary contributions from member newspapers of the Society. This was the only expenditure in connection with the study, since Messrs. Isaacs, Lindstrom and Rowse contributed their services without fee, and also paid their own travel and incidental costs.

When the processing was completed in Boston, the tabulated forms and tear pages were transmitted to each of the three Committee members in turn. Each also was provided the wire files on both stories by The Associated Press and by United Press International.

The newsmen then studied the entire accumulation independently, reporting to the others at the conclusion of their research.

Although the Committee members were in general agreement, a first draft effort resulted in vigorous debate over phrasings and over interpretations. A second draft smoothed out some of these differences, and a final meeting was then held in Washington to review the basic findings and to make a careful recheck of certain of the aspects surrounding the two stories.

This report represents a third and final draft concensus of the Committee members' professional conclusions, reached after thoughtful consideration and debate, and based upon the data obtained from the newspaper editions available, the wire service files and the processing supplied by Boston University.

B. THE NIXON STORY

As has been noted in Section A, the Committee considered the loan to Nixon's brother of potential significance partly because of the Vice President's own difficulties eight years earlier. It will be recalled that more than a few American newspapers reacted extremely slowly to the episode in 1952 involving the Vice President. Some papers were openly accused of bias. There was a tentative supposition on the Committee's part that most newspapers would desire to be swift and comprehensive in the reporting of any new fund story or stories.

Although the two funds (1952 and 1960) each involved possible conflicts of interest, they were different in some important aspects. Whereas the 1952 fund had been set up by 76 constituents for Nixon's use, the 1960 case involved a $205,000 business loan to Nixon's brother, Donald, by Howard Hughes and his Hughes Tool Co.

The first 1960 story to appear in print came not as the result of any independent research, but came direct from the Nixon organization. It was given exclusively to Peter Edson, Washington columnist for the Newspaper Enterprise Association (NEA).

Edson's columns are regularly included in the NEA Service packages, received by member newspapers in advance, normally in printed form. Eleven of the forty-three newspapers studied are listed as subscribers to NEA and therefore presumably received the Edson column. Only three of these newspapers, however, were listed as using the story.

Edson's column led with a statement that Democratic opponents of the Vice President were investigating his brother Donald's business deals in an effort "to publicize these transactions just before the election in some way that will reflect discredit" upon the Vice President.

"In an attempt to offset any such move," continued the Edson column, "the Nixon headquarters in Washington has made available to this reporter a full explanation of all relevant facts in the record, to get the story out in the open and end the gossip."

Robert H. Finch, Nixon's personal campaign manager, was quoted as stating that the Vice President never had any part or investment in his brother's business enterprises and that most of the deals were not known to the Vice President until after their completion.

Edson then described the $205,000 business loan to Donald Nixon, secured in part by a mortagage on a small plot of land owned by the Nixon brothers' mother, Hannah. According to the Edson column, the money came from Frank Waters, described as an attorney and high school friend of Donald Nixon's wife. Waters was then depicted as deeding the property to Frank Reiner, who was identified in the column as a creditor who had threatened to foreclose on Donald Nixon.

Only the Quincy Patriot-Ledger published the Edson column on October 25. The following day, two more newspapers published the column. The Hartford Times carried the headline: "Nixon Makes Clear Brother's Deals Do Not Involve Him." The New Haven Register headline read: "Nixon Family Finances Are Smear Target."

The eight NEA subscribers which did not use the Edson column were the Bangor Daily News, Boston Traveler, Fall River Herald News, Lawrence Eagle-Tribune, Lowell Sun, Manchester Union-Leader, Nashua Telegraph and Springfield Union.

On October 26, there also appeared a Drew Pearson column, in which the assertion was made that the money loaned to Donald Nixon had come from Howard Hughes. In this column, Pearson stated that at the time of the loan in December, 1956, Hughes had "various important matters before the government" and went on to contend that "many of these problems got better treatment after the loan."

According to the Pearson column, the following things happened to Hughes' owned firms after the loan: "A route from St. Louis to Miami was granted TWA. A Justice Department civil antitrust suit against the Hughes Tool Company was settled by a consent decree on April 4, 1958. TWA's Far Eastern route was extended to Manila, January, 1957. And Hughes Aircraft was awarded defense contracts early in 1957 totalling around $16,000,000."

Only three New England papers could be found to have used the Pearson column. The Waterbury American used it on October 26 under the Page 1 headline: "Attempted Backfire Story Bares Nixon Family Loan."

The Springfield Daily News and The Portsmouth Herald used the Pearson column the following day, both also on Page 1. Efforts of the Committee to obtain a list of newspapers to which the Pearson column was available were unsuccessful.

There was no wire service treatment of the loan story until late in the day of October 26. UPI transmitted a story at 4:08 p.m., and the Associated Press followed at 10:26 p.m.

The AP's lead was on a strong denial of the Pearson statements by Finch. He called the story "an obvious political smear," and he denied the loan was from Hughes. He said the Vice President was not involved in any way. UPI also carried Finch's denial, but this was down in the body of the story.

Despite the availability of these two wire service accounts, nothing was found in eight of the morning papers on October 27. These were the Boston Globe, Boston Herald, Burlington Free-Press, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Rutland Herald and Worcester Telegram.

For evening papers of October 27, both wire services cleared stories between 5 and 6 a.m. Both stories led with Finch's statement.

There was no sign of either wire story in twelve of the afternoon newspapers. These were the Barre-Montpelier Times-Argus, Boston Evening Globe, Boston Traveler, Brockton Enterprise, Fall River Herald-News, Hartford Times, Holyoke Transcript, Nashua Telegraph, Salem Evening News, Stamford Advocate and Worcester Gazette. Of these, the Hartford Times had earlier carried the Edson column.

The Committee at this juncture merely notes that of the forty-three newspapers being examined, nineteen, or nearly half, are recorded as passing up a wire-serviced news story with some of the same undertones as marked the fund episode two elections earlier.

Of the twenty-four newspapers that did use the story, nine elected to place it on Page 1. These were the New Britain Herald, both the Waterbury American and the Republican, both the Springfield Union and the News, the Concord Monitor, Lowell Sun, New London Day and Portsmouth Herald. Of these newspapers, the Waterbury American and Springfield News had carried the Pearson column.

A four-column headline on the top right side of the New Britain Herald was the best play the story received. Aside from the Springfield News, no other Page 1 headline was larger than single column in width. The Lowell Sun treated the story without headline, placing it as a run-in to other campaign matter.

Most of those newspapers which put the story on inside pages ran about eight inches of type under one-column headlines varying from 14 points to 24 points in size. The New Bedford Standard-Times put the Finch statement at the end of a long Nixon campaign dispatch on Page 3.

For morning newspapers of October 28, both wire services moved dispatches leading with a Justice Department statement that Pearson's linking of the loan to Donald Nixon with the settlement of the Hughes Tool Company antitrust suit was a "baseless inuendo." The Department asserted that the antitrust action had been filed after the loan was made.

Nothing of this story could be found in twenty-eight of the papers studied on that date. Some of the fifteen newspapers that did use the story cut it sharply and placed small headlines on it. Some of the headlines were questionable. The Providence Bulletin reported in its headline, "Justice Dept. Nails Pearson Charge." The Boston American head said, "Writer Hit In Nixon Smear Try."

A second column by Drew Pearson appeared on October 29. The columnist charged that the Nixons had gone to great lengths to keep the Hughes loan a secret and to avoid paying capital gains taxes. Pearson also asserted that Vice President Nixon's name had appeared on a list of prospective purchasers of Nixon business stock.

This Pearson column could be found in only one New England paper, the Portsmouth Herald, which published it on Page 13 under a two-column head.

Up to this point, it could be debated by professional newsmen as to whether there was actually a solid news story, or not. The Committee takes the position that it definitely became a news story on the night of October 26, after both wire services had transmitted accounts, and that it was one of potential, if as yet unproved, significance.

In the Committee's judgment, the matter passed beyond any debate stage on October 30, when the AP sent a dispatch from Los Angeles at 5:38 p.m., reporting that Donald Nixon had admitted that the $205,000 loan had originated from the Hughes Tool Company.

But nothing of this could be located in nine of the morning newspapers. They were the Bangor Daily News, Boston Herald, Burlington Free-Press, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Portland Press-Herald, Providence Journal and Rutland Herald.

The story, however, did appear prominently on the front page of three morning papers, the Boston Globe, Waterbury Republican and Lewiston Sun. A fourth, the Boston Record, cut the story to six inches and put it on Page 17.

Both wire services sent out rewritten versions of the story early Monday morning, the AP at 4:30 a.m., UPI at 6:59. The AP lead said Donald Nixon "acknowledges" that the loan came from Hughes. UPI, however, treated the story differently. It started out: "Donald Nixon denied last night that his brother Vice President Richard M. Nixon ever had any financial interest in his company, Nixon's Inc., or that he had ever asked his brother for governmental favors." The dispatch went on to say that Donald Nixon accused Drew Pearson of trying to smear the Republican nominee. The first mention of Donald Nixon's admission that the loan came from Hughes appeared in the 70th line of the dispatch. A casual reader could easily have missed it.

Neither AP nor UPI story could be found in ten of the evening papers. These were the Barre-Montpelier Times-Argus, Boston Traveler, Brockton Enterprise, Fall River Herald-News, New Bedford Standard-Times, New Britain Herald, New London Day, Portsmouth Herald, Salem Evening News and Springfield News.

Some of the newspapers that did use the story did not headline Donald Nixon's admission. The Worcester Telegram, for example, based its headline on the second paragraph of the AP story, saying: "Nixon's Brother Denies Loan Won Favors." The Springfield Union's headline came from the fourth paragraph: "GOP Nominee's Brother Flays Pearson Story." The Waterbury American said: "Donald Says Brother Was Not Involved." The admission of the loan appeared in the subheadline. In the Boston American, the headline said: "Donald Nixon Explains Loan." In the Stamford Advocate, the headline phrase was "Reports Details." The Newport Daily News preferred "Explains." The Concord Monitor used this variation: "Brother Of Nixon In Explanation Of Loan." Other newspapers used words like "Admit" and "Concedes."

On the same day, October 30, the AP cleared a story at 6:03 p.m., reporting that Finch admitted he was misinformed when he denied in the beginning that the loan had come from Hughes. Twenty-two minutes later, the AP transmitted a short story that Drew Pearson had asked for a congressional investigation of the loan.

Only two morning papers printed either story. They were the Waterbury Republican and Lewiston Sun.

As to the second story (Pearson's request for investigation), the fact that the vast majority did not use it can easily be justified on the ground that a columnist's request for a congressional investigation is not necessarily a news story.

The Finch story raises a problem, however. On the one hand, the Committee earlier noted that twenty newspapers did not carry the first wire stories in which Finch denounced Pearson's charges. These twenty could reasonably hold that they were not obligated to correct a statement they had never carried.

But what of the twenty-one newspapers which had carried the earlier Finch denials? Giving thoughtful weight to the principle of equity of news treatment, the Committee can find no excuse to justify the omission of the October 30 Finch statement by these twenty-one newspapers.

On November 1, the first edition of the New York Post carried a story from Los Angeles quoting accountant Frank Reiner as saying that "all major decisions concerning a $205,000 Hughes Tool Company loan to Donald Nixon were cleared with his brother, Vice President Richard Nixon."

The AP cleared a report on this at 9:59 a.m. and UPI at 10:51 a.m. However, it could not be found in twenty-one of the twenty-eight New England afternoon papers. Stories were found in seven papers—Boston American, New Bedford Standard-Times, Pawtucket Times, Woonsocket Call, Waterbury American, Springfield News and Lowell Sun. Two of these papers, the Waterbury American and Springfield News, also printed a new Pearson column relating the difficulties encountered in trying to ascertain the truth of stories like the Nixon loan.

The wire services moved night leads on the New York Post story for next day's morning papers, but nothing could be located in nine of the fifteen papers. These were the Boston Herald, Boston Record, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Burlington Free Press, Worcester Telegram, Rutland Herald and Bangor Daily News.

The six morning papers that did print the story were the Boston Globe, Lewiston Sun, Portland Press-Herald, Providence Journal, Springfield Union and Waterbury Republican. The last-named paper was the only one to put it on Page 1.

Box score on this single story: Used by thirteen, omitted by thirty.

Wire dispatches for evening newspapers of November 2 led with ex-President's Truman's jibe that Vice President Nixon needed "a bigger dog," referring to the famous Checkers mentioned in Nixon's television defense of his fund in 1952.

Three of the twenty-eight evening papers used this story, the Quincy Patriot-Ledger, the Springfield News (on Page 1) and the Fall River Herald-News. The Woonsocket Call used a one-column picture of Donald Nixon and a caption based on the New York Post story, which it had published the previous day.

For morning papers of November 3, the wire services moved a story that Nixon's mother supported her son Donald's explanation. A similar dispatch went out for evening papers. This story appeared in four of the forty-three papers. They were the Boston American, New Bedford Standard-Times, Waterbury Republican and Woonsocket Call.

The final news story before the election came on November 3 when Representative Jack Brooks (Texas Democrat) said he had received allegations that the Civil Aeronautics Board was influenced in its decisions on Hughes firms by the Nixon loan. Brooks said he was asking for an investigation. Both AP and UPI moved this report between 6 and 7 p.m. and sent rewritten day leads the next day before 8 a.m.

This story could not be found in twenty-nine of the New England papers. Of the fourteen papers which did use either of these dispatches, three put them on Page 1. They were the Manchester Union-Leader, New Britain Herald and Waterbury Republican.

Summarizing, it must be reported that the remarkable part of the story of the Nixon loan is that it was conspicuous by its absence in most of the New England press.

According to the Boston University processing forms, which were rechecked carefully by the Committee members, a total of nine newspapers never printed a word about the entire affair. These papers were the Barre-Montpelier Times-Argus, Boston Herald, Boston Traveler, Brockton Enterprise, Burlington Free Press, Hartford Courant, Lawrence Eagle-Tribune, Rutland Herald and Salem Evening News.

According to the same raw material, eight other newspapers used the story on only one day. These papers were the Bangor Daily News, Boston Evening Globe, Fall River Herald-News, Manchester Union-Leader, New London Day, Stamford Advocate and both the Worcester Telegram and Worcester Gazette.

Technically, the story could be listed as active on seven days. Only two of the forty-three papers carried an article on each of the seven days. They were the Waterbury Republican and Woonsocket Call. Of the two, the Waterbury morning paper gave much the heavier coverage, putting five of the seven stories on Page 1.

Nine other papers printed four or more stories or columns. These were the Boston American, Berkshire Eagle, Lewiston Sun, Lowell Sun, New Bedford Standard-Times, New Haven Register, Pawtucket Times, the Quincy Patriot-Ledger, Springfield Union and Waterbury American. Many of the articles in these newspapers were short. Some were those which could be classified as of little significance. Many carried small headlines on inside pages.

Outside of the two Waterbury papers, there were only fourteen occasions when any of the Nixon loan developments made the front pages of the papers under study.

Wire dispatches were usually printed without any sign of editing. Cutting of stories invariably was done from the bottom, as if by the scissors-editing method. Some of the questionable headine treatment has already been noted.

The Committee's attitude about the basic news value of the story has already been expressed. Seeking to explain the behavior of the New England press, the Committee finds itself perplexed.

It is a truism that newspaper editors are ambivalent in their attitudes about columns. They purchase them, they publish them, they frequently run them in news space, then contend that they are not news.

Drew Pearson is not the most popular of sources among some editors. The Committee recognizes that these two general attitudes, placed in juxtaposition, could have caused some editors to have decided either that the loan story was being treated out of news proportion or needed confirmation. However, as was stressed earlier, the Committee feels that this line was crossed on October 30 with Donald Nixon's admission about the source of the loan.

It is possible that some papers may have omitted, or played down, the story deliberately because of political reasons, but this will never be possible to prove.

The central fact is that whatever the motives or the news-judgment reasoning, the total coverage of the forty-three New England newspapers being studied on this story was meager and incompetent enough to give critical readers sufficient room to suspect actual political bias.

C. THE PUERTO RICO STORY

The Puerto Rican story burst full-blown on the night of October 21. From San Juan came the wire service news that the three Roman Catholic bishops of that American territory had issued a pastoral letter forbidding Catholics to vote for Gov. Luis Munoz Marin's Popular Democratic Party.

The pastoral letter took issue with Munoz Marin's administration of three issues—religious instructions in schools, a law permitting teaching of birth control and allowing sterilization, and public tolerance of common law marriages.

In New York, Democratic Nominee John F. Kennedy issued an immediate statement, asserting that he considered "wholly improper" any church interference in the voting intentions of its members.

The basic issues in Puerto Rico have from time to time been controversial matters in New England and, therefore, might be expected to receive swift and thorough news coverage.

Extensive coverage on the morning of October 22 was given by both the Boston Globe and the Providence Journal. The morning's major story was the report of the fourth Kennedy-Nixon television debate, and this naturally occupied top position. The Globe gave the Puerto Rico story a two-column head at the bottom right of Page 1, jumping to Page 11. Nominee Kennedy's comment appeared in the shoulder of the story, also jumping to Page 11. On Page 11, the Globe ran a six-column line, with a photo of Munoz Marin. Total space covered, included headlines, ran 33½ inches. The Providence Journal began its two-column headlined story at the top of Page 1, at the side of the TV debate play story. It also jumped to Page 11, under a single-column head. Total space, including headline ran 23½ inches.

Only one other morning paper saw it as Page 1 news—the Springfield Union, which gave the story 10¾ inches, starting under a one-column head in mid-page.

The Rutland Herald gave the story a top head on Page 2, single column, and ran 12¾ inches. Curiously, this was the only story on the subject the Rutland Herald was to carry over the rest of the eighteen-day news period—or sixteen effective news days, as it was to develop.

The Lewiston Daily Sun went to Page 4, the Hartford Courant to Page 6, the Lawrence Eagle-Tribune to Page 9, and the Manchester Union-Leader, Portland Press-Herald and Waterbury Republican to Page 16. Most of these stories were in the 10-to-12 inch range, but Manchester ran shortest—98 words.

No sign of the story could be found in the Boston Daily Record, Boston Herald, Burlington Free-Press or Worcester Telegram. Nor could it be located in the Saturday-Sunday edition of the Bangor Daily News.

By afternoon newspaper time, it was evident that the majority of New England editors recognized Puerto Rico as a major story. Of the twenty-eight evening newspapers being studied, seventeen of them had the story on Page 1, three more had it on Page 2, and one on Page 4. Only seven of the twenty-eight were listed in the blank column.

Strongest play was in the Providence Bulletin with a three-column headline and overall space usage of 22¼ inches. The Waterbury American was only fractionally behind.

Besides these two, the Page 1 brigade included the Berkshire Eagle, Boston Globe, Brockton Enterprise & Times, Concord Monitor, Fall River Herald-News, Holyoke Transcript, New Bedford Standard-Times, New London Day, New Haven Register, Newport Daily News, Pawtucket Times, Quincy Patriot-Ledger, Springfield Daily News, Stamford Advocate and Woonsocket Call.

The three which used the story on Page 2 were the Boston Traveler, Hartford Times and Portsmouth Herald. The Page 4 user was the Boston American.

The seven evening papers in which the story could not be found were the Barre-Montpelier Times-Argus, Lewiston Evening Journal, Lowell Sun, Nashua Telegraph, New Britain Herald, Salem Evening News and Worcester Gazette.

For the Sunday papers of October 23 there was a new angle. Gov. Munoz Marin announced he planned a protest to the Vatican. This was the AP's lead. UPI was leading with the San Juan Star's strong criticism of the bishops.

But only three Sunday papers could be found with either of these stories—the Boston Advertiser with a 10-inch story on Page 12, the Providence Journal on Page 32 with a two-column head, and the Lowell Sun with a six-column head on Page 36.

By Monday, October 24, there was a whole series of stories. In San Juan, a crowd had booed one of the bishops. In New York, Francis Cardinal Spellman declared that Puerto Rican voters would be within their rights in disregarding the pastorial letter. From Vatican City was a statement "issued by an authoritative but not official spokesman" that the Puerto Rican bishops had been within "their episcopal authority."

Nine of the morning papers carried some portion of the stories. These were the Bangor Daily News, Boston Globe, Boston Herald, Hartford Courant, Lawrence Eagle-Tribune, Lewiston Daily Sun, Portland Press-Herald, Providence Journal and Waterbury Republican.

Nothing could be located, however, in the Burlington Free-Press, Manchester Union-Leader, Rutland Herald, Springfield Union or Worcester Telegram.

In the afternoon field, usage was again heavy. Stories appeared in twenty-two of the twenty-eight evenings, five of them on Page 1. These were the Concord Monitor, Lewiston Evening Journal, Pawtucket Times, Quincy Patriot-Ledger, and Waterbury American. Five others chose Page 2—the Berkshire Eagle, Boston American, Hartford Times, Holyoke Transcript and Worcester Gazette. The Gazette's story ran slightly over 13 inches, and it was the first time the story had appeared in Worcester.

The Lowell Sun carried no news story, but devoted a two-column-long editorial on the subject.

Many of the stories, including those used on Page 1, were short. Major space was used by the Boston American and the Boston Globe.

To this point, almost all of the headline treatment had been of a uniform nature. On this day, the majority of the headlines said something to the effect that Puerto Rico was "split" over the pastoral letter, or that the bishop had been jeered. The Committee found itself pausing over the Boston Traveler. On the Saturday previous, the Traveler had carried a two-column headline saying "Bishops' Letter Stirs Puerto Rico." On this Monday, the Traveler preferred an overline, "Puerto Rico Campaign" and then a strong two-column head, "Catholics Told How To Vote." In its Page 2 banner, the Boston American headlined, "Vatican Backs Vote Order," which may not have been precisely accurate, but which could be so interpreted by some copy editors.

The five evening papers of October 24 in which no story could be found were the Barre-Montpelier Times-Argus, the Brockton Enterprise, Nashua Telegraph, Portsmouth Herald, and Salem Evening News.

The story continued to swirl in many directions on October 25. One of the Puerto Rican bishops asserted that those defying the pastoral letter "would commit the sin of disobedience," a position at variance with that expressed by one of the other three bishops involved. The bishops were attacked by the Puerto Rican newspaper El Mundo. The San Juan Bar Association voted to study the matter. Robert Kennedy, in the United States, criticized the letter.

Eleven of the morning papers carried stories, ranging all the way from the Lewiston Sun's 4¼ inches on Page 14 to the Boston Globe's extensive coverage on Page 8, with art, running to 35 inches of space. Others covering the story were the Boston Daily Record, Burlington Free-Press, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Portland Press-Herald, Providence Journal, Springfield Union and Waterbury Republican. Waterbury and Burlington played the story on Page 1.

So had the Manchester Union-Leader, in what the Committee considers one of the most unusual news treatments of the whole run of the story. On Saturday morning, October 22, the Union-Leader had carried the 98-word story previously mentioned. Nothing thereafter appeared on Sunday or Monday, but on this Tuesday, the Manchester paper appeared with an eight-column 72-point banner line above its masthead, reading, "Puerto Rican Church-State Rift Widens." Above the fold, there was the one-column head tie-in "Puerto Rico" and "Catholics Told How To Vote: People Divided." Total space: Just short of 30 inches.

No sign of the story appeared for the Bangor Daily News, Boston Herald, Rutland Herald or Lawrence Eagle-Tribune.

The afternoon newspapers of October 25 continued their heavy play of the Puerto Rican story. Twenty-two evenings were represented with stories or columns. The six missing were the Boston Globe, Brockton Enterprise, Concord Monitor, Holyoke Transcript, Salem Evening News and Springfield Daily News.

David Lawrence's column appeared that day in seven of the afternoon newspapers. This column took the position that the Puerto Rican bishops' action was something not confined to the Catholic clergy; that "advice to voters is given constantly by clergymen of all faiths." No news story appeared in two of the papers on the October 25 that the Lawrence column appeared. These were the Lowell Sun and Stamford Advocate, both of which carried the column on inside pages.

The New Bedford Standard-Times carried three paragraphs on the San Juan developments deep in the heart of a political story.

Puerto Rican developments made Page 1 news in four newspapers, the Barre-Montpelier Times-Argus, the Lewiston Evening Journal, New London Day and Portsmouth Herald. The Barre-Montpelier paper gave the story 5½ inches. It was the only time during the entire period that it was to touch upon the story.

October 26 and 27 saw a lull in coverage. Eight morning papers carried nothing that could be found. Three of the mornings, the Providence Journal, Manchester Union-Leader and Portland Press, carried extensive news stories. The Providence paper's coverage included a New York Times Service background story. Four other mornings, the Burlington Free-Press, Lewiston Sun, Lawrence Eagle-Tribune and Springfield Union, carried only the Lawrence columns.

Among the afternoon newspapers on October 26, only five of the twenty-eight evening papers carried news stories, all very brief. These were the Holyoke Transcript, New Britain Herald, Quincy Patriot-Ledger, Springfield News and Waterbury American. The Nashua Telegraph published the Lawrence column.

On October 27, news coverage in three of the morning papers—Providence Journal, Waterbury Republican and Worcester Telegram—was modest. A fourth, the Springfield Union, carried a story less than three inches long in its "World News" roundup. The Providence Journal also carried an editorial examining the hierarchy's position. The Lewiston Sun carried only an expository editorial. This innocuous presentation, however, was headlined: "Puerto Rico Bishops Inflame Religious Row."

In the afternoon of October 27, only three newspapers carried stories, the Fall River Herald-News, Quincy Patriot-Ledger and Waterbury American.

On October 28, the story burst into major proportions again, and this was to continue over until the 29th. It was to be the last major attention given the story by the New England press.

In Boston, Cardinal Cushing issued a statement saying that church leaders in the United States who would try to tell Americans how to vote would be "totally out of step with the American tradition." In Mobile, Archbishop Egidio Vagnozzi, the apostolic delegate, expressed himself as "confident no such action would ever be taken by the hierarchy in this country." In South Bend, one of the Puerto Rican bishops (James Davis) defended his position. There were lesser developments in San Juan.

Cardinal Cushing held the news attention in the morning papers of October 28. Four of the papers placed the story on Page 1, the Boston Globe, Manchester Union-Leader, Portland Press-Herald and Waterbury Republican. Also carrying stories on inside pages were the Boston Daily Record, Boston Herald, Hartford Courant, Providence Journal and Springfield Union. Major space was given by Waterbury, Springfield, The Boston Globe and Providence. The Bangor Daily News carried only the Lawrence column.

Nothing could be found in five of the mornings—Burlington Free-Press, Lawrence Eagle-Tribune, Lewiston Daily Sun, Rutland Herald and Worcester Telegram.

The afternoon field on October 28 found six newspapers in which nothing could be found. These were the Barre-Montpelier Times-Argus, New Britain Herald, New London Day, Newport Daily News, Stamford Advocate and Waterbury American.

All twenty-two other afternoon newspapers carried stories. Most of the articles were datelined from Mobile. The AP roundup included Cardinal Cushing's statement. There was a separate story, reporting the (liberal Catholic) weekly *Commonweal's* position against the bishops. Three of the afternoon papers, Berkshire Eagle, New Haven Register and Woonsocket Call, gave Page 1 space to the stories. The others all ran on inside pages. The New Bedford Standard-Times included its story as part of a general political roundup.

By Saturday, October 29, the Puerto Rican bishops had stiffened their stand. Some newspapers were catching up with Bishop Davis' comments at South Bend. There was one story from Vatican City that received variable treatment. It was a lengthy report detailing how the Vatican was avoiding involvement in the United States election. The last three paragraphs dealt with Puerto Rico. Two newspapers ran the story in full. At least four others ran it with the Puerto Rican material dropped. One paper also carried a Milburn Akers column on the Puerto Rican issue.

In any event, there was coverage in ten of the mornings on October 29. Only the Boston Globe and Providence Journal carried the stories on Page 1, both strongly.

Nothing could be found in four of the mornings, the Boston Herald, Burlington Free-Press, Rutland Herald and Manchester Union-Leader.

In the afternoon field, nothing could be found in eleven of the papers, the Barre-Montpelier Times-Argus, Boston American, Boston Globe, Boston Traveler, Brockton Enterprise, Concord Monitor, Lowell Sun, New Britain Herald, Newport News, Salem News or Worcester Gazette.

Of the seventeen papers that did use stories, ten did so on Page 1. These were the Berkshire Eagle, Fall River Herald News, Holyoke Transcript, Lewiston Journal, New London Day, Newport News, Pawtucket Times, Springfield News, Stamford Advocate and Waterbury American.

By this time, the story, for all purposes, had run its major course. Although the news was occasionally to be of some eye-catching appeal—the silent parade of protest in San Juan, the second pastoral letter from the bishops, and the attack on the bishops by the San Juan Bar Association—coverage in the New England press turned sporadic and spotty. A few newspapers continued their interest in the story over the rest of the period, but they were a distinct minority.

The most thorough coverage over the whole range of the story's life was given by the Providence Journal. On thirteen publishing days, the Journal gave what was usually effective and thorough treatment to the story. Close behind was the Waterbury Republican, which had a record of ten days of similar coverage. Tied with nine days of coverage were the Hartford Courant, Providence Bulletin and Quincy Patriot-Ledger. The Boston morning Globe was attentive to the story eight days.

At the other end of the scale, only one four-inch story was found in the pages of the Salem Evening News, that having to do with Cardinal Cushing's comment. As reported earlier, the Barre-Montpelier Times-Argus carried only one story, that 5½ inches long. The Rutland Herald carried only the first-day story, then nothing thereafter. On October 29, Rutland also published the Vatican story, but the Puerto Rico paragraphs were edited out.

The Brockton Enterprise found it a story on only two days—on the first day and again when Cardinal Cushing spoke up.

The Burlington Free-Press was interested only three days, and this includes one day when all that appeared was the Lawrence column. For the New Britain Herald, the story held only a three-day appeal—October 24, 25 and 26. The Boston Herald also found only three days of news interest, one of these including a Sunday edition.

Surveying the scene, the Committee finds the New England performance an erratic one.

Obviously, there were more than a few newspapers which gave competent, consistent, fair and adequate coverage of the Puerto Rican episode.

The Committee is astounded by the slowness with which some of the New England press responded to the story. Unlike the Nixon story, this one of the Puerto Rican bishops carried a direct regional interest. It was related to the religious affiliation of the candidate who represented the New England area; it touched on the issue of church vs. state, and few areas in the nation are more sensitive to this issue than New England. For newspapers with circulations running above 20,000 daily to as high as over 300,000 to react so casually to a story of this nature casts a cloud upon the professional competence of editors and staff members. Almost a dozen of the area's newspapers acted unaware of the proportions and significance of the story for entirely too long a news period.

Even among those newspapers which endeavored to give full coverage there were a few examples of headline carelessness. The Waterbury Republican, one of the top ranking papers in coverage, slipped in this regard on the first day when its headline gave this misleading information: "Catholic Bishops Protest Pastoral Letter On Voting." General carelessness showed in the Concord Monitor's treatment October 22, when it headlined "Pope Urged To Shift Bishops," but the story neglected to tell what the bishops were protesting in Puerto Rico.

The final verdict on the Puerto Rican story must read: No indicated bias.

But the Committee is compelled to repeat that there are clear indications of poor judgment and neglect on wire desks.

D. GENERAL CONCLUSIONS

The Committee would emphasize that there is no reason to believe that a similar study in other sections of the country would have produced different results. The Committee also stresses that this particular study, confined to New England, should not be misinterpreted to draw invidious regional comparisons.

Instead, the New England Society of Newspaper Editors deserves praise for subjecting its member newspapers to study and critical examination. It is believed to be the first time that any group of American newspapers has volunteered to have itself examined for bias, and it is a pioneering effort worthy of the nation's pioneer group of newspapers.

This report comes at a time when there is restiveness about self-criticism in journalism. More than one current leader in American newspapering has spoken up against criticism and asked that the spotlight be placed on the constructive. The Committee believes that the two go hand in hand. As Erwin Canham, the distinguished editor of the Christian Science Monitor and former president of the United States Chamber of Commerce, has said: "American newspapers must live up to and fulfill their high professions of news objectivity. And, somehow or other, their job must be critically analyzed. Through such rigorous self-examination, newspapers can become and remain worthy of their urgent responsibilities."

In doing such an analysis of the New England press, the Committee has been perfectly conscious that there is no norm in American journalism. Each editor's judgment must dictate the kind of newspaper he presents. News judgments vary from newspaper to newspaper, and properly so.

Professional goals do exist, however. American editors are agreed that among the most important of these goals is the fullest possible dissemination of news so that the citizen-readers of the American society are informed citizens. With rare exceptions, American editors are also agreed that news should be presented as fairly as possible, and that all sides deserve representation in matters where there is controversy. And there is likewise general agreement that at no time are these goals more important of striving for than when the American electorate is weighing the choices for public office.

As to the two stories studied in this context, they were clearly of different news proportions.

Obviously, the action of the Puerto Rican bishops received far more thorough and competent coverage than the study of the Nixon loan. In view of the distinct regional interest, the Committee agrees without reservation that the Puerto Rican story deserved the more thorough treatment.

It cannot be disputed that there was a greater reluctance on the part of the New England press to handle the Nixon loan story. True, there were extenuating circumstances to some degree, but the Committee feels that the goal of full and fair news dissemination was not achieved by a continuing overlooking of the Nixon story on the part of some newspapers.

The Committee has already commented that the handling of the Nixon story was meager and incompetent enough to give perhaps some readers the suspicion of bias. However, it needs to be stressed at this point that some of those newspapers which seemed reluctant to handle the Nixon story also came up with sorry, or erratic, records on the Puerto Rican episode.

There are some newspapers, of course, which could see nothing in the Nixon story and a great deal in the Puerto Rican case. In itself this is not conclusive.

There were those, as recorded, which had excellent records on both stories. Some were competent. Some were merely passing fair.

Then there were those which handled both stories in a manner that can only be described variously as slow, sporadic or slapdash.

One might be tempted to find excuses for a smaller newspaper which is often operated with a very few, overburdened staff members. No such excuse can hold for the large newspaper with big, well-staffed desk operations and adequate facilities.

The Committee finds no proof of bias on the part of the majority of the New England press.

It is compelled to report however (and sadly) that the New England Society's next objective might well be one directed toward a raising of professional standards.

PAPERS IN THE STUDY

Paper	AP	UPI	NYT	Other	Circulation
CONNECTICUT					
Bridgeport Herald		Yes			[1] 71,838
Hartford Courant	Yes	Yes			[2] 113,846
Hartford Times	Yes	Yes		NEA	[3] 124,088
New Britain Herald	Yes	Yes			[3] 31,209
New Haven Register	Yes	Yes		NANA, NEA	[3] 99,236
New London Day	Yes				[3] 28,084
Stamford Advocate	Yes				[3] 25,538
Waterbury Republican	Yes	Yes			[2] 22,546
Waterbury American	Yes	Yes			[3] 40,709
State total					557,094
State total excluding Sunday					485,256
MAINE					
Bangor News	Yes	Yes	Yes	NEA	[2] 76,277
Lewiston Sun	Yes				[2] 31,613
Lewiston Journal	Yes				[3] 14,105
Portland Press-Herald	Yes	Yes			[2] 53,599
State total					175,554
MASSACHUSETTS					
Boston American	Yes	Yes			[3] 165,763
Boston Daily Record	Yes	Yes			[2] 371,393
Boston Globe, morning	Yes	Yes		CDN, DJ, RN, NANA, NYHT.	[2] 191,991
Boston Globe, evening	Yes	Yes		CDN, DJ, RN, NANA, NYHT.	[3] 143,950
Boston Herald	Yes	Yes	Yes		[2] 177,105
Boston Traveler	Yes	Yes	Yes	NEA	[2] 169,783
Brocton Enterprise & Times	Yes	Yes			[3] 43,669
Fall River Herald-News	Yes	Yes		NEA	[3] 40,493
Holyoke Transcript-Telegram	Yes	Yes			[3] 25,955
Lawrence Eagle Lawrence Tribune	Yes	Yes		NEA	[4] 40,409
Lowell Sun	Yes	Yes		NEA	43,185
New Bedford Standard-Times	Yes	Yes			[3] 63,288
Pittsfield Berkshire Eagle	Yes	Yes			[3] 28,931
Quincy Patriot-Ledger	Yes	Yes		RN, NEA	[3] 47,164
MASSACHUSETTS—Continued					
Salem News	Yes				[3] 24,872
Springfield News	Yes	Yes		DJ, NANA, CT, NYN.	[3] 99,973
Springfield Union	Yes	Yes		CT, NYN and NEA	[2] 82,263
Worcester Gazette	Yes	Yes		WWP	[3] 92,860
Worcester Telegram	Yes	Yes		RN	[2] 57,783
State total					1,910,380
NEW HAMPSHIRE					
Concord Monitor	Yes				12,512
Manchester Union Leader	Yes	Yes		NANA, NEA	[4] 48,824
Nashua Telegraph	Yes			NEA	[3] 11,955
Portsmouth Herald	Yes				[3] 14,179
State total					87,470
RHODE ISLAND					
Newport News	Yes				[3] 11,969
Pawtucket Times	Yes				[3] 38,133
Providence Journal	Yes	Yes	Yes	RN, WWP	[2] 61,175
Providence Bulletin	Yes	Yes	Yes	RN, WWP	[3] 143,529
Woonsocket Call	Yes				[3] 25,742
State total					280,548
VERMONT					
Barre Times-Argus	Yes				[3] 10,445
Burlington Free-Press	Yes				[2] 32,549
Rutland Herald	Yes				[2] 20,138
State total					63,132
Total of all papers in survey					3,074,628
Total, excluding Sunday Bridgeport Herald					3,002,790
Total of all New England papers					6,211,986
Total of all papers excluding Sundays					3,933,355

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[1] Sunday. [2] Morning. [3] Evening. [4] All day.

EXHIBIT 5

POLITICIANS BEWILDERED BY REAGAN

(By Marianne Means)

WASHINGTON.—Political leaders of both parties here are deeply perplexed and disturbed by Governor Reagan's angry denial that he fired two staff members for belonging to a homosexual ring.

His statements were made in bland disregard of the fact that one of his current employes had personally informed reporters about the problem.

Reagan's later protestations that his denial was merely to protect the individuals involved did not explain why he originally did not simply refuse to comment rather than attempt to mislead.

For more than two weeks congressional figures, financial giants, and administration officials have discussed little else at dinner parties and luncheons here except Reagan's questionable veracity at a time of personal crisis. Most just cannot understand why he reacted as he did.

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The private tragedies involved in the situation are not a proper matter for public discussion. But Reagan's conduct is definitely a legitimate object of public scrutiny. The nation has a vital stake in ascertaining all the mental, physical, and spiritual strengths and weaknesses of any man being seriously considered as a possible presidential nominee.

Savvy Democratic and GOP politicians regard the Governor's performance in this instance as an index to his ability to stand up under pressure. And many of them have concluded that in this area Reagan leaves something to be desired.

One Republican predicted that a large number of conservatives who had been flirting with the prospect of supporting a Reagan candidacy would react to his blunder by rushing into the familiar embrace of the new, imperturbable Richard Nixon.

The ability to stand up under pressure is a prime qualification voters seek in the man they trust with the atomic button and their very lives.

Can they feel confident that a man who blows up when in an embarrassing political position will remain calm and judicious if faced with an urgent international crisis as President?

Both admirers and detractors of Reagan have been groping for an explanation that would clarify his peculiar lack of credibility on an issue in which he could easily be proven less than truthful.

Some politicians feel that Reagan's mistake relates to the difference between the performance expected of a person in a position of public accountability and that expected of a public person of only private accountability.

This interpretation reaches back to Reagan's career as a Hollywood actor. When some unflattering aspect of a Hollywood celebrity's private life is reported in a newspaper, the celebrity simply denies it. Nobody knows—or cares—whether it is the celebrity or the reporter who is telling the truth. Such conflicting accounts of an actor's private life seldom adversely affect his public career—in fact, intrigue and controversy have occasionally helped the box office of some stars.

NOT ACCOUNTABLE

The movie celebrity is responsible only to his own conscience on the question of truthfulness; he is not held to public account for his actions and words as a private individual.

Perhaps Reagan has had difficulty in adjusting to the public obligations required of presidental aspirants. Or perhaps his recent performance can merely be attributed to inexperience.

Presidential candidates are judged by tougher, more complicated standards than are local officials, even governors. And Reagan has around him today no professional advisers practiced in the fine art of national politics.

ALLEGED PRICE FIXING OF LIBRARY BOOKS

Mr. HART. Mr. President, last year the Subcommittee on Antitrust and Monopoly held hearings on alleged price fixing of library books. Information compiled through our investigation and hearings spotlighted a conspiracy between publishers and wholesalers to fix prices on library editions of children's books.

As a result of our hearings, numerous city, county, and State governments have filed treble damage actions against these publishers and wholesalers as provided for under the Sherman Act. For instance, suits have been filed by the States of Alaska, Michigan, West Virginia, Massachusetts, Illinois, Texas, and Wisconsin, as well as the cities of Los Angeles, Philadelphia, and New York. Dade County, Fla., has filed an action along with many other governmental bodies.

Additionally, the Department of Justice brought civil action under the Sherman Act accusing 18 publishers and wholesalers of fixing prices at high and artificial levels, depriving schools, libraries, and Government agencies of the benefits of competitive bidding. And here is where the problem comes into focus.

The Government on October 25, 1967, filed proposed consent judgments to become final in 30 days. Under the proposed judgments the defendants do not admit violations of law. Therefore, injured parties may not use these judgments as prima facie evidence of conspiracy for purposes of treble damage action. They will also be denied use of documents which the Government has gathered, this for the reason that the consent judgments will put them in a state of limbo not to be unlocked for these or subsequent plaintiffs. This means that the cities, counties and States will have to start from the beginning and prove those facts which the Department of Justice probably now has in its files.

The Department could decline to enter into a consent decree unless the defendants agreed to the inclusion of an injunction against contesting antitrust liability in a suit by a city, county, or State to collect damages. This procedure has been used in *United States* v. *Lake Asphalt and Petroleum Co.*, 1960 Trade Cases 69, 835 (D. Mass., 1960).

However, the Department believes, and probably quite correctly, that the defendants will not accept a judgment containing such an injunction. The Department would then be faced with trying these cases which would tie up certain of their personnel for an indefinite period.

Although I can understand the Government's reluctance to have to try these cases, I nevertheless still have reservations about this approach. Let us examine the facts. The Department charges—and from our hearings, I believe they can sustain the charges—that the defendants conspired to fix and maintain high and artificial prices to school and public libraries for children's books. The dollar volume of these books is at least $40 million per year and from our hearings we know that the practice was in effect as far back as 1954. Overcharges are estimated at between 25 and 40 percent. It should shock the conscience that at a time when we are so eagerly attempting to encourage and aid our youth in their educational endeavors that private firms would attempt to take advantage of the public funds to increase their profits illegally.

What will the consent decrees do? They will prohibit these defendants from violating the law again. This may have some advantages but certainly it does not accomplish as much as a money payment to those public agencies which have been injured by violations of law.

It seems to me, especially in view of the fact that public moneys are involved, that the Department of Justice should carefully consider the possibility of withdrawing present consent decrees and insist on an admission of liability if such a decree is to be agreed to. I am advised that many of the governmental agencies involved in the suits have already urged the Attorney General to take such action. Certainly such action would be a great benefit to those who have been damaged by this conspiracy.

On August 30 of this year the National Association of Attorneys General passed a resolution calling for more effective cooperation between the Department of Justice and the States in antitrust matters. Certainly because of the high degree of interest by the States in these cases, it would appear that this would be a good starting point for more meaningful cooperation.

Along this line, I would urge the Department to consider in future consent proceedings the establishment of a practice of filing with the consent decree a memorandum of fact setting forth such information acquired during the investigation which is not privileged material. For instance, information identifying the parties, the place and date of suspect meetings, the general character of documents acquired and such other facts upon which the complaint was based could be included in such a memorandum. This would be of immeasurable value to the injured parties since they could use this information for their investigation and preparation for trial. At the same time, it would not deprive the defendants of any legal rights since they could still offer any defenses or mitigating circumstances available to them.

I ask unanimous consent that a letter from the attorney general of the State of Michigan to the Attorney General of the United States on this subject be printed in the RECORD.

There being no objection, the letter ordered to be printed in the RECORD, is as follows:

Re Price Fixing Conspiracies Relative to Library Books.

Hon. RAMSEY CLARK,
Attorney General, Department of Justice,
Washington, D.C.

DEAR GENERAL CLARK: It has come to my attention that the Department is completing prosecutions of eighteen publishers of library books and that consent decrees against those publishers are now being considered. (*U.S. v. Harper and Row Publishers, Inc.*, U.S.D.C., N.D. Ill., Eastern Division, #67 C 612 et seq.) I am one of several Attorneys General representing states which have filed treble damage suits against substantially the same defendants. In fact, Michigan, along with West Virginia, Massachusetts, Texas, and Wisconsin, now has pending in the Chicago court a motion for leave to intervene in the Department's civil suits against the library book publishers, for the purpose of objecting to entry of consent judgments in the form presented to the court, and to protect the interest of the public as represented in the treble damage actions pending on behalf of our states' taxpayers. Michigan is particularly interested in protecting the work product of the Department's suit, since it was in substantial part developed by Senator Philip A. Hart, of Michigan, in hearings of the Antitrust Committee of the Senate, and made available to the federal grand jury.

The result of the conspiracy or conspiracies involved consisted of substituting library editions for trade editions sold to libraries and schools, and by this and other means eliminating previous trade discounts ranging from ten to forty percent. (Some of us who have been investigating this feel that the average loss of discount approximates 33⅓%, but we cannot state from our present knowledge how close this comes to the actual damages resulting therefrom.)

The practices which are the subject of your prosecutions and of your civil action significantly affect a substantial portion of school districts and public libraries in states throughout the nation. As you know, under Title II of the Elementary and Secondary Education Act of 1965, more than one hundred million dollars of federal money is made available to the states each year for improving school libraries, and this is only one source of funds allegedly overcharged by the conspiracy which is the subject of the litigation. Substantially all of these, and other public funds such as federal library funds, are affected by the conspiratorial diminution or elimination of trade discounts to public schools and libraries. The effectiveness of at least two major federal programs was, therefore, diminished.

In addition to the five states and numerous local municipalities which have already filed treble damage suits based on the above alleged conspiracy, other states contemplate filing similar actions. Therefore, I feel that the federal government has a significant interest in seeing that as many public agencies as possible, including the states, recover overcharges to their taxpayers resulting from the conspiratorial practices referred to. I therefore urge you to give all appropriate aid to any interested state to achieve this end.

It is appropriate in this connection that I call your attention to a resolution adopted by the National Association of Attorneys General, of which I am currently president, at its annual meeting on August 30, 1967, relative to the increasing public need for more effective antitrust enforcement by the states, and the necessity of developing better cooperation between the Department of Justice and the states as well as among the states. I write this letter as Attorney General of the State of Michigan rather than as President of the Association, of course, but forward for your attention a copy of the resolution referred to as germane to the subject being discussed.

Specifically, I request that you consider the following actions:

1. Insist on including in the consent decrees an "asphalt clause" which would protect the interests of the public money purchasers injured by the conspiracies.

2. Conducting in the Department of Justice a seminar or symposium for attorneys representing the Attorneys General of the several states and other units of government to give them the benefit of the know how and work product of these employees of the Department of Justice who have worked on this matter.

We realize that the filing of these cases was preceded by a grand jury investigation and that the transcript of grand jury proceedings or any part of it cannot be revealed without a court order. However, except for this, the know how and work product of your attorneys and economists can be made available and it seems to us it should. Especially with costs of government and taxes rising to a point of national emergency, we can see no reason why legal and economic work already completed by federal employees should be needlessly duplicated by state employees, which will be the case if the federal work product is not made available to the states. It is in the common interest of the federal and state governments to avoid such waste.

Your earnest consideration of these proposals will be greatly appreciated.

Yours sincerely,

FRANK J. KELLEY,
Attorney General of Michigan.

A PERSPECTIVE ON VIETNAM

Mr. MONDALE. Mr. President, recently I was asked to appear at an issues conference of the Young Democratic-Farmer-Labor Party of Minnesota. The issue, not surprisingly, was Vietnam.

In preparing for that session, I tried to come to grips with the dissent over the war. I wanted to describe my own position with regard to Vietnam policy as well as I could, and I wanted to try to put the war into a broader perspective of America's responsibilities abroad and at home. I also wanted to speak to Minnesota's young Democrats about political power and political parties and their responsibilities toward both.

My remarks offered a number of conclusions:

First. The differences in position among responsible people who discuss Vietnam policy are smaller in fact than they are made to seem through the polarization of views that is taking place.

Second. The courses open to us in Vietnam have implications far beyond Saigon, Hanoi, and Washington.

Third. The debate over Vietnam is drawing our attention from some other vital concerns of America—world hunger and development problems, the need for an effective international organization that will keep us from destroying ourselves, the crisis of missing opportunity for millions of Americans, the appalling ignorance in which we deal with our domestic problems.

Fourth. We badly need the idealism and devotion of our young people if we are to keep growing in America, and our growth is always likely to be less than we want—often accompanied by failure and disappointment.

Mr. President, this was a partisan group and I gave a partisan speech. But there was nothing partisan in my attempt to discuss Vietnam; one discusses that issue only as an American.

I desire to share these remarks with Senators, so I ask unanimous consent that they be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

YOUNG DEMOCRATIC-FARMER-LABOR ISSUES CONFERENCE ON VIETNAM

(Remarks of Senator WALTER F. MONDALE, Macalester College, St. Paul, Minn., November 11, 1967)

Student political activity—your participation in the Young Democratic-Farmer-Labor Party and this kind of issues conference—really matters, because there is a critical relevance between your activity as a student in politics and the opportunity for involvement in American political life.

My own case is not unusual. In Minnesota, young men and young women who believe in their principles and are willing to exert themselves in the political structure are quickly accepted and given access to the corridors of power in American government. This is exciting.

But more than that, it ought to be sobering. As students you cannot, any more than I, be flippant in your view of American problems. Nor can you be irresponsible in your outlook, or permit others to assume responsibilities that you are unwilling to assume.

We cannot avoid debate; we cannot avoid controversy; we cannot avoid dissent. As Americans we must choose which courses we will take. As Democrats we have the additional problem of determining the best strategy, because that is a part of politics as well.

It is impossible to deal with the issue of Vietnam in a few words, and especially not in slogans. It is enormously complex. It involves analysis of many factors and many features. But I have tried to set down, as best I can, where I stand on Vietnam, why I stand there, and why I think you should stand there, too.

Some disagree with me—there is another Senator from Minnesota who takes a different view, and I respect him as a sincere and effective public servant. In our party and in our state we have generally been right on the great issues that face mankind, whether justice, or opportunity, or human rights, or foreign aid, or free trade, or the responsibility of this nation to improve the possibilities for a stable and peaceful world. Our party has gone beyond that, and its public leaders have put meat on those bare bones. Searching for new insights, eager to seize new leadership opportunities, impatient with mediocrity—we have shaped this party to the highest standard in the nation on issues, ethics, and the competence and dedication of its officeholders.

We have often disagreed. In fact, we have a party composed of such conviction that it is becoming increasingly difficult to hold it together. When we finished last year's battle, we had proved that we really believe that there are more important things than winning. And only this year, you Young Democrats have told the National Young Democrats to chuck it and some of you have organized to defeat the incumbent President and Vice President of the United States. That includes Hubert H. Humphrey of Minnesota—whom I believe to be one of America's greatest citizens.

It may be that factionalism is the price of superiority. And yet the unique function of a political party is to translate ideas into political power and to legislate that power into administrative reality. You can't do that when you are out of office. We are out of office in Minnesota, and some of you, reluctantly, and some eagerly, would have us out of office in Washington.

I just can't believe that makes sense. Nor can I join those who would withdraw from Vietnam or pursue other policies that amount to the same thing.

It would be wonderful to see that great issue more clearly, to speak out more eloquently, to couple my deep distress over the Vietnam tragedy with a plea or demand for a single dramatic act that would bring it to an end. But there is no way to wave a magic wand and have the issue disappear. There is no way to talk it, or shout it, or march it out of existence.

I am all too conscious that my position is not a popular one here. But there are two kinds of crusaders in this debate, and I just can't join either kind.

Just as I cannot subscribe to a domino theory or a monolithic communism theory, I cannot subscribe either to a demon theory or a dupe theory. Furthermore, I fear the passion which assigns broad significance to narrow distinction. As a young Democrat I watched another crusade—over loyalty. Like that one, though more intensely because there are two kinds of crusaders this time, I feel that this debate is on the verge of running away with us—of taking on a life of its own and sweeping us before it.

As I try to tell you what I think about Vietnam, I also want to try to put that struggle into a larger perspective. Our involvement in Vietnam is only one of our problems, and some of our others are at least as important to America and to those of us—to those of you—who must lead it. For whether we lead well or badly, it is tomorrow that we shape with whatever we do today.

First of all, I am terribly concerned about our involvement in Vietnam. I don't like the killing and destruction, the slowness of political improvement, and the colossal inflation.

Nor does anybody else. That is the first important consideration I must suggest to you. You may have to judge our policy in Vietnam as mistaken. You may have to call it ineffective. But it is not morbid, and character assassination only limits the possibility of sensible discussion.

Next, there can be little doubt that we have made some mistakes in Vietnam. I happen to think that two of them have been our gradual Americanization of the military effort and our decision to bomb beyond supply routes that directly affect our own forces. We have made errors before in domestic and international affairs, however. But the history of our involvement and the errors we have made in Vietnam have become an obsession for far too many.

Of course we need to be concerned about how we got there, what our commitments were, what better alternatives there might have been. But even if we could agree on answers to those questions, they are not worth our most serious consideration.

We must examine our presence in Vietnam in other terms than the past. Even if it be assumed that we could have done something else, something better, let us look at our present involvement and consider what we might do now.

Vietnam will end sometime. What will begin?

Some of our mistakes in Vietnam were made while we fought in Korea. What mistakes are we making elsewhere in the world as we fight in Vietnam?

We have half a million men in Vietnam today, fighting a live war. A newly elected government is threatened by the National Liberation Front, which desires to take control of South Vietnam. It is also threatened by a North Vietnamese government which is bringing troops and supplies to the South. The troops are North Vietnamese. The supplies are not.

The United States is carrying the brunt of the military struggle against both the NLF and the North Vietnamese. The United States alone is carrying on an aerial war intended to diminish the movement of troops and supplies to the South.

The South Vietnamese government has not been very successful in mobilizing an effective military effort, although there have been some very fine South Vietnamese forces involved in the fighting and I think they should be pushed far harder. The South Vietnamese government has also not been very successful in mobilizing popular public support in the areas under their control.

A massive U.S. presence has economic effects, as well as military and political effects. Remembering that we have made mistakes, seeking some improvement, what can we do? The questions of policy affect South Vietnam, North Vietnam, Asia, and the rest of our world.

One of the major dissenting groups in this country suggests the kind of escalation of military effort that will bring the North Vietnamese and NLF to their knees in some sort of abject surrender. The Administration does not seek such unlimited escalation, so this is a dissenting view.

The policy suggestions of these dissenters are dangerous, I believe. For the Chinese and the Russians cannot accept such an end to the war, and broadening it beyond Vietnam is unthinkable. Yet there are Americans who strongly favor this approach—a policy that seems to me to be an attempt to end the war in Vietnam by starting World War III.

A second major dissenting group calls just as vocally for immediate and unilateral withdrawal of our military presence in Vietnam. It goes without saying that this implies withdrawal of our economic and political presence as well. As Edwin Reischauer says in his new book, *Beyond Vietnam*, such a step, though more debatable than escalation, is not much more attractive. He considers it to be a minor disadvantage that all of Vietnam would probably fall under the control of the Viet Cong and eventually the North Vietnamese. He considers it insignificant that the United States would lose face and even suggests that we might be better off in our relations with other nations if we were not so powerful and prestigious.

But Reischauer, whose years of study and experience in Asia provide some reason for us to take him seriously, says that there could be disastrous political and psychological consequences of withdrawal. It would, he says, "send a massive psychological tremor through all of these countries (of South and Southeast Asia), further threatening their stability and perhaps sharply shifting their present international orientation."

In addition, he says, it increases the likelihood of "wars of national liberation" in the less developed countries in the world. He points out: that these unstable nations of Asia, almost uniformly, are fearful that they too might be visited by guerrilla warfare or wars of national liberation; that they continue to be concerned about what the enormous nation of China may have in mind so close to their borders; that if we were to withdraw from South Vietnam the Viet Cong and the NLF, at this point, when the stakes are this high, would be successful in causing us to withdraw; that the "high risk" politicians in the Communist world would have proved their case and the now nearly forgotten theory that communism is the "Wave of the Future" would be revived; and the prudent politicians in the Communist apparatus would lose much of their influence because they would be proved wrong.

Reischauer points out that there is something to the domino theory, though not in the simple mechanical sense in which it is typically put. In the countries closest to Vietnam, he says, there is some strong approval of our Vietnam policy and "a considerable degree of quiet support, masked either by discreet silence or by an official stance of mild condemnation."

These nations, because of internal instability or apprehension about China's intentions or the loyalties of substantial Chinese populations within their own borders, "would feel much less secure if the United States, after having committed itself to the fight, were forced to admit defeat at the hands of Communist insurgents."

In addition, Reischauer points out, the seekers for Communist control in underdeveloped countries throughout the world would see this as proof that "wars of national liberation" are irresistible. Reischauer suggests that "it would be far better proof than Ho Chi Minh's victory over the French in North Vietnam, or the Communist triumph in China, or the sweep of Communism in the wake of the Soviet army in North Korea and East Europe, because in none of these cases was the military power of the United States directly involved."

Successful Communist insurgency, Reischauer says, would depend mostly on conditions within these countries, "but a clearcut defeat of the United States in the Vietnam war would certainly be one external factor that could have a seriously adverse influence on this situation."

Reischauer also maintains that shifting American military power elsewhere, as some have suggested, would have doubtful consequences. We would be spreading military power "into areas where the Vietnam war had just shown that our type of military power was relatively ineffective."

He questions whether less developed countries would still want close alliances with us after having seen that we could not guarantee "security from the threats that menace them most—namely, internal subversion and guerrilla warfare." A new defense line might simply pave the way for more disasters like Vietnam, he says, and rejection by Asian nations of such an approach "would probably further reduce our ability to play a helpful role in Asia, even in fields other than the military."

Reischauer sums up:

"The net results of our withdrawal from the war in Vietnam, however skillfully we might try to conceal the withdrawal, would probably be an increase in instability in much of Asia and a decrease in the influence of the United States and in our ability to contribute to the healthy growth of Asia. These adverse consequences might be felt in much of Asia for years to come."

Besides changing the political climate of Asia for the worse, Reischauer speculates, withdrawal from an American commitment for whatever reasons—political, strategic or moral—could encourage doubts in such nations as Japan and our European Allies about the reliability of commitments there, and might even encourage nuclear proliferation. What is involved here, he says, is not the loss of face, but the loss of faith.

Nuclear proliferation happens to be very much a central concern of peace in our world community. We hope and pray that the recently submitted draft treaty to the proliferation of nuclear power will receive the support of nations which are now not a part of the nuclear community. If our commitments that we have made in Vietnam over and over again—despite what may have been the wisdom of those commitments—prove to be commitments that we are willing to forget, how can these nations, India and the rest, believe us when we say we will protect them from nuclear attacks?

Furthermore, Reischauer suggests, the effect at home might be even worse. Along with those who would take renewed strength from a moral stand and those who would see it as a strategic cutting of losses, there might come a kind of racist isolationism that could damage our relationship everywhere in the world. I quote him when he says "in our eagerness to (save American lives and stop the carnage in Vietnam) we might help produce such instability in Asia and such impotence in ourselves that the development of a stable, prosperous and peaceful Asia might be delayed for decades."

Now all of this is speculation, as Reischauer admits, but it is the kind of speculation that looks to the future rather than the past. And it recognizes, it seems to me, two vital points.

First, our involvement in Vietnam is not a matter strictly between us, Saigon, the NLF, and Hanoi. What we do makes a difference elsewhere. Any major action must be considered in terms of possible consequences—both those which are obvious and those which are not.

Second, there are other considerations in addition to history and morality which may be important to the policy of a nation involved in a tremendously complex network of relationships throughout the world. Just as we cannot think only of our pride and our prestige in discussing the war in Vietnam, we cannot think only of our errors and our guilt.

No doubt this is one reason for the gap between the real differences and the imagined differences in position on Vietnam among public figures in America. A few weeks ago, in the Sunday New York Times Magazine, one of the analysts reported that the emotional gap in Vietnam seemed to be far broader than the factual gap in differences of point of view. I think there is indeed an emotion gap, one that stems from assigning broad significance to narrow distinctions.

For example, one universal point of view ties the Senate critics of Vietnam to the Administration. No U.S. Senator, to my knowledge, has publicly advocated immediate unilateral withdrawal from Vietnam. When pressed, every Senate critic of our policy in Vietnam accepts the fact that our presence will be required for the foreseeable future.

There is no great joy among Administration critics over this fact of life, but they all know what precipitous action would mean in Vietnam, Asia, and the world. They know that the United States cannot act without considering all of these consequences. They know we cannot undo the past and the present, that there are no magic wands.

Their suggestions are limited to lesser steps which they believe can be taken with lesser consequence. But the passionate read their recommendations otherwise, with far too little serious analysis of differing positions and far too much wish—fulfillment. Let me use myself as an example.

I consider myself a supporter of the Administration policy, but I feel free to criticize, and I have done so when I felt our policy was wrong.

I've said publicly that I think we were wrong to go beyond bombing supply lines,, railroads, and infiltration routes, and targets of that nature. I believe that we should stay away from targets which raise the risk of striking Russian shipping or that needlessly endanger civilian lives. Moreover, I would gladly suspend bombing, if a reasonable opportunity for meaningful talks arose.

I have said publicly that negotiations must include all parties, including the NLF.

I have said publicly that the United Nations, any other international group, any single nation, or any individual, should be used to bring about negotiations. I supported Senator Mansfield's Resolution introduced a few days ago, which 57 Senators signed, asking that this matter be brought before the Security Council and, hopefully, that there be a reconvening of the Geneva Conference.

I have said publicly that the war should be fought as much as possible by the South Vietnamese—that it is the responsibility of the new government to improve its army and reduce the manifest corruption in the military, political and business structures in South Vietnam.

I have called publicly for more emphasis on real achievement and pacification and more concern about the really sad and pathetic aftereffects of the war in the villages and upon the refugees.

All of these statements, I believe, fall within the limits of support of the Administration in Vietnam. They fall there because they recognize the reality and the necessity of continued U.S. presence there. And they support the Administration's goals of a negotiated political solution to that tragic conflict.

Where, then, does the dramatic difference lie between my position and the positions of those considered critics of Administration policy? There appears to be one hard distinction.

Some of these critics—not all of them—are calling for an unconditional and complete end to the bombing of North Vietnam. That difference appears to be judged by substantial numbers of protestors as a major difference of policy. Particularly in light of the restrictions I would impose on North Vietnamese air strikes, my opinion is that this is a narrow distinction to loom so large.

Unconditional cessation of bombing might speed talks. It might also increase the flow of supplies to the South, increase American and South Vietnamese casualties, and weaken our defensive position to the point where the chances of negotiating would be substantially reduced. I think we must be willing to take a chance to get to the bargaining table, but I would like to see a hint of better accommodation by the North Vietnamese before I take that chance. It is instructive to read the article written by Wilfred Burchett, who has traditionally been used by the Hanoi government to disclose its position, about ten days ago. He pointed out that even if we cease bombing at this time, Hanoi is not interested—I think he put it—even in *contacts*, let alone *talks*, until the bombing of North Vietnam stops finally and completely. The only steps that would lead to *talks*—not *negotiations*—would be for us to stop bombing North Vietnam, cease all military activity, and withdraw our troops from South Vietnam. Then they would begin talks, Burchett suggests. Negotiations might follow.

I don't know for sure whether stopping the bombing is better than continuing, and neither does anyone else. But as I said, I would like to see a stronger hint on the part of the North Vietnamese and the NLF that they will negotiate.

That desire for negotiation does not separate supporters of the Administration from opponents of the Administration, except in the eyes of those who seek to oversimplify the debate. There *is* a group that is not in favor of negotiations now or any time, but they are the dissenters who believe in complete military victory.

Those who would discuss the war must be certain to make the real distinctions. They must be careful not to magnify differences or create them where they do not exist.

There is much more than Vietnam policy involved in this debate. I am concerned about the climate I see, that polarizes gradual differences in views on Vietnam and focuses on that subject to the exclusion of all other problems. Tom Wicker described it recently in the New York Times as an "agony" that has overtaken the nation. "Perhaps," he said, "it was summed up in a picture widely printed in the European press—the contorted face of the young American pacifist screaming with hatred, the veins of a passionate contempt outlined in his neck, his fists clutched under a policeman's riot mask. In what manner could a pacifism so fierce and so despising differ from the violence and cruelty of men in iron helmets?"

Wicker went on to say that perhaps if the war in Vietnam hadn't existed, it might have had to be invented. "Something," he said, "was needed to symbolize, and thus to give focus and energy to, a profound but voiceless discontent with the land of the free and the home of the brave—to a deep sense that something was wrong, some failure was distorting and perverting the idea of America."

As Wicker went on to say, this is nothing new in America, this disillusionment over contradiction. Righting the wrongs of past and present, whatever they are, is fundamental to the development and leadership of our nation. But as Wicker said, "there is something repugnant in it, too, in the intolerance and ferocity of disaffections, as if human failure were evil, as if a sort of inquisition were needed to scourge the money changers from the American temple."

We have failed in Vietnam, as we have often failed in one way or another to achieve the ideals we have set for ourselves. Such failures have troubled us from the beginning—they troubled Jefferson and Lincoln and Bryan and Roosevelt, Truman, Kennedy and Johnson. Our present failures go beyond Vietnam, and the danger is that in the dissent over Vietnam we will lose sight of their magnitude.

Vietnam is such an obsessive, emotional struggle that it is making us incapable of preserving ourselves in the corridors of power. I cannot see a world with only one issue and one position that can be taken on that.

Despite my deep frustration over Vietnam, my despair over the destruction of war, my concern for the dying—all the dying, I feel deeply that in all of its tragedy, our present course is the best that we have to pursue. And I cannot bring myself to magnify my reservations to the point where they would be seen—incorrectly, but probably enthusiastically—as a fundamental objection to our policy in Vietnam.

I would ask you, instead, to devote some of your attention to our other problems, where you are desperately needed, where the fragile coalition for progress is in danger of breaking down in the face of the Vietnam debate.

There are not enough of us in Congress who want to increase economic assistance to poorer countries of this world. That is our first failure of effort, the growing gap between the rich and the poor nations of this world. It is not just growing, it is exploding. And our response has been a shrug.

One of the most frustrating things a liberal can do is to try to come to grips with this issue, to mount the kind of lobby that will reconcile and implement the great ideas which have been advanced to deal with this problem.

I don't have to tell you that nearly two-thirds of the people of this world are incredibly poor—and that the population burst is making them poorer. I don't have to tell you that millions of people are continuously so hungry that they are stunted in body and mind, that well over 10,000 human beings will die today from hunger. Unless we can turn the corner on the hunger explosion, Vietnam will look like a tea party.

Meanwhile, the percentage of our Gross National Product devoted to foreign economic aid has dropped from two and one-half per cent in 1949 to six-tenths of one per cent last year. Before we are through this year we will probably have dropped it to four-tenths of one per cent, far below the average one per cent effort which experts feel the developed nations must make if there is to be steady international development. This was to be the Decade of Development; it is going to be, I fear, the Decade of Disappointment.

We promised the underdeveloped nations of the world that we would permit them to trade with us. But we have fallen miserably short of that promise, too. And today powerful Senators are proposing protectionist legislation that rivals the Smoot-Hawley tariffs of the 1920's in its restrictiveness.

Beyond that, we are stripping the underdeveloped nations of their skilled talents—their doctors and engineers and that thin veneer of professional leadership that is absolutely indispensable to them if they are to have any chance for growth.

There is, however, one area of trade where we have willingly entered into development efforts, along with every other developed country in the world. We have welcomed the underdeveloped nations of the world to the international arms race.

Since 1962 this nation has increased its grants and sales of arms to developing countries from $404.8 million in that year to $866.5 million in 1967, and almost all of the increase has been in sales, which are now more than six times as great as in 1962. The crush of the world's annual arms burden now approaches $175 billion. And in this country we are threatened by an imminent anti-ballistic missile race that could cost $50 billion by itself, to say nothing of what it will bring in reaction investment in other nations.

Some of us in the Congress have not only been concerned about these universally dangerous signs, but have worked on them. We've voted to try to change the trend. We've tried to recruit active participants for the attempt to help developing nations stand on their own feet and grow toward peace and stability. Developing an impetus for international development is as fundamental an issue as any of us face.

A second great failure, as least as important as the first, is our inability to develop the kind of workable international institution which can keep the peace. You know the history of the League of Nations, one of the truly tragic stories in American history. We are coming very close to repeating it in the United Nations.

We must do far more to strengthen that institution, to contribute our resources and our faith to it, to call upon this organization to deal with the broad, fundamental issues which this world faces. Without an international institution that has some potential for keeping the peace, the chances of preventing Armageddon are dim indeed.

Nor are all our problems confined to international affairs. We face domestic problems of fantastic proportions for which we have yet to develop solutions or even to allocate the necessary resources. This despite the fact that we are in the 81st month of the longest, most vibrant period of economic growth in this nation's history, war or no war.

We now have a Gross National Product nearing $800 billion. All of India with 500 million people has only $43 billion; all of South Asia only about $50 billion. Last year the economy of the United States grew by $10 billion *more* than the full economies of all the nations of Africa produced, excluding South Africa.

Yet we still deserve Gunnar Myrdal's judgment in *Challenge to Affluence* that "There is an ugly smell rising from the basement of the stately American mansion." That smell is in the air. It mingles with the bitter odors of gunpowder and charred ruins in American cities across the land.

We are now dimly perceiving the fact that our domestic mistakes of the past have reaped racial bitterness, human frustration and failure, and the alienation of millions of American citizens who are trapped in American ghettoes. Like the solution to the Vietnam crisis, a solution to the urban crisis defies simple identification.

Racial patterns of living are more deeply entrenched than ever before, and they are nationwide. As the chief author of the federal Fair Housing bill, I find nothing more difficult, nothing more frustrating than trying to raise this issue—which for the first time involves Northerners, not just Southerners—and call upon this nation to declare the principle that we are going to live together and not separately. Until we do so the chances of solving the maladies of this country are very bleak indeed.

I am proud as a Democrat, and I think you should be proud as Young Democrats that this week the first Negro was elected mayor of a major city in this country—and he bears our party label. And we can be proud of the election of Andrew Hatcher too. But there is a darker side of those elections that none of us can ignore.

In Cleveland only one out of four white Democrats voted for Stokes. The other three jumped over to the Republicans. In Gary, Indiana, only 17 per cent of white voters voted for Mr. Hatcher. Those ought to be sobering statistics.

There is not only a question of substance. We have a profound moral issue in this country, the question of whether we really believe in each other as people regardless of color. It is fundamental and basic and far from resolved.

Millions of Americans have educational systems hardly worthy of the word.

Insensitive law enforcement officers, inadequate public services, and an apathetic American public have created a new generation of bitterness and cynicism and hate, with leaders who see violence as an accepted method of settling grievances.

What has been our response? Too often there has been too little sympathy and too little help, and too much inclination toward suppression; a reverse violence which could make this nation even more divided.

Now, we must insist upon order, but I don't believe you can have order unless you have justice. And the objective of a liberal, objective of a decent American, must be the accomplishment of both objectives.

Yet this is a country where the poverty program is being virtually dismantled. We will be fortunate to save the structure of these programs, and we are almost certain to see only minimal increases in funding. A profoundly wealthy country, after it has made promise after promise of greater opportunity, after it has gone through one explosion after another, after the injustices have been laid out for all of us to see, may yet turn its back on the poverty program.

We have salvaged only $10 million for rent supplements, $13.5 million for the Teacher Corps, and about half of what the President asked for Model Cities.

Our effort to create an emergency public jobs program lost in the Senate by 54 to 28. A program to fight rats in American cities was laughed down in the House of Representatives. Though we now know that children are starving in Mississippi, a remedy has been stifled in the House Agriculture Committee.

It's not that we lack money. A supersonic transport made it through the Congress, $142 million and sonic booms and all. We found $4.5 billion for space and $4.7 billion for public works. Yet we could not find the resources for more than the most modest beginning attack on the problem of American cities. And that, it seems to me, is as important as any issue facing our nation—or indeed, our world.

Finally, while it may seem strange to say it, one of our biggest problems, in my opinion, is that we know so little about American society, just as we know so little about Vietnam and Asia.

When our cities exploded, public officials were astonished. Why would New Haven and Detroit—model communities under creative, sophisticated leadership—explode? Where had we failed? What could be done about it?

This past summer doctors found children, thousands of them, starving in America just as they do in India. No one in the federal government knew it was happening.

We still don't know what to do to educate the children of blighted areas. Some say the only way is full integration; others call for massive and expensive compensatory education.

But the frightening thing to me is that after generation after generation has denied charity in this country, the American educational establishment has yet to agree on what is needed to achieve something as minimal and fundamental as giving children a fair chance.

Because we do not have the knowledge we need, some of us believe that the structure at the national and local levels must be changed to bring sophisticated social scientists to the highest executive and legislative levels. We must undertake the development of social indicators that will keep us informed of human progress and failure. We must search for answers deliberately and institutionally in the pursuit of full opportunity. Otherwise change will smother us and despair will be our watchword.

Even if we could simply stop the war right now—and I don't believe we can—we would not be assured of the resources we must have.

Even in present circumstances we could have commenced significant new efforts with only the most marginal kinds of sacrifice. As I have said, we found money this year for the SST, space programs, and expanded arms credit sales to poor nations. But we barely saved new and beginning innovative programs for the cities.

There is no perfect correlation between attitudes toward the war in Vietnam and attitudes toward social programs. Some of those who have made the argument that we can't afford both guns and social programs have always voted against those same social programs. What is basic in dealing with problems at home and abroad is not the question of resources going to Vietnam, although that clearly complicates it. There is a fundamental problem of the will to see it through, to design programs and appropriate funds to alleviate human problems at home and abroad.

To do that will require your effort, your involvement in this political party, your success at the polls.

Our need is not to burn flags or draft cards, or to convert decent human beings into demons and seek to destroy them. Hating is easy and self-righteousness is satisfying, but this course destroys more than it builds. It steers people from the forces of progress and further weights the balance in favor of the reactionary, insensitive, and selfish, who already have the upper hand.

If we are to generate full opportunity for all Americans, we will need resources in unprecedented proportions.

This will require a political coalition that can obtain greatly expanded support in Congress and at all levels of government. Where will the moral, intellectual and material resources be found to remake our America? What hope is there that we can accomplish this goal of full opportunity?

I think it rests with you. Much has been said about the Generation Gap. I personally believe there *is* a difference in your generation—deeper commitment to more honest, personal, moral and intellectual standards. If my appraisal is correct, I hope you never grow up—never adjust to the apathetic compromises that deprive the nation of the committed idealism that we must have.

Our party cannot continue to translate ideas into power and action unless there is a continuing infusion of creative and inspired and selfless young leadership—prodding and pushing us, but prodding and pushing themselves toward leadership in party and government that ultimately achieves a society that fulfills the larger purposes of a humane and compassionate people.

We have been torn by a bitter fight here in Minnesota. We could be torn by an equally bitter fight over Vietnam. I fully respect and honor those who disagree with me on Vietnam, but my plea here today is that we see, despite this disagreement, that there is a larger objective. It could be shattered and paralyzed if we let our differences destroy the effectiveness of our party, if our great movement toward human improvement is further divided, split and shattered.

The party and its ultimate success are the only hope for millions of people in this country and in the world who hope for opportunity. This is our cause and this must be our effort, despite our mistakes. We can't succeed without you.

You are here on the specific issue of Vietnam. And you must deal with it as best you can. We all must. But I would ask that you consider two things:

First, make your decisions about Vietnam with full knowledge of the present and as much insight into the future possibilities as you can generate. Do not be deaf to the multitude of voices. See the distinctions as they are, not as you'd like them to be.

Second, pass your judgments as citizens of the world. Place Vietnam in the context of the unfinished work before us—the battle against starvation, the fight to build workable international institutions, the struggle to avert hatred and violence in our own society, the absolute demand that we plan for the kind of world and nation we want. Knowing what must be done, which party do you want to place in power? For you can't get out of the world, and it's not a pastoral symphony. And 1968 will make a difference to America and the world.

Tom Wicker concluded his New York Times article by saying:

"From reality man reaches toward promise, fails, and in an agony of failure finds his greatness by reaching again."

The fundamental requirement for trying in agony to reach and succeed next time is young leadership, unwilling to compromise where compromise is dishonest, working with energy and understanding, infusing our party and government with the idealism that we need. Not withdrawing from the process because of inevitable disappointment, but in those disappointments and in the agony of the failure of our society, reaching and trying again.

Those of us in public life certainly cannot argue that we've even approached perfection. But I think it makes an awful lot of difference whether you are willing to try; whether your dreams are still important enough to make a special effort. It is an attitude, it is a commitment, it is a willingness to be involved that's at stake here.

I see precious little chance that it is going to come from the other political party. If it comes at all, it will almost invariably come from our own. That's why what we do with this instituiton, what you do as young Democrats is not, as some would say, irrelevant to the power structure of this country. It is fundamental and it is important.

Recently I received a letter from a student in California about a speech that I had given on the generation gap. He wrote specifically about what he considered to be my thesis—that if you disagree with the system, then fight it, or reform it, from within.

"Although I am a devoted follower of the New Left (he said), I do take issue with their surprising naievete on the political system and how to change it. I heartily agree with your example of recent California gubernatorial contest and how the apathy of the New Light in that race may hold potentially tragic results. Indeed the tragic result has partially taken effect.

"You are almost totally correct in your insights into the thoughts and goals of my generation in your impression that many of us regard national politics as being largely irrelevant."

Then he suggests some reasons, some compelling ones, for this attitude.

"One of the reasons," he suggested, "is the ancient theory that you can't legislate against hate which much of today's young activists at least subconsciously believe. I take issue with this, for there is no better argument against that statement than the record of liberal legislation in America. I believe that one can legislate against evil and I further believe that one must, for I am completely assured that if one does not fight evil at the top, then its pressures will permeate our existence.

"A handful of young radicals ignoring the structure will not produce the results that we want, but it will leave that much more room for the enemy to run free, crowding the hills with billboards, clouding the air with pollution and ravaging our forests with the exploitation of packaging.

"A political system must be radically changed. But it must be internal. Obviously we can't exist without government as of yet. Nor, can we of the new left muster enough people to totally ignore the system.

"We shall show ourselves shortly around Washington. Rest assured that we make our pressures strongly felt. I myself hope to be in the front lines."

My message to you as young Democrats is that I hope you know what this young man knows. I hope you too will be in the front lines, in Washington and in St. Paul.

Maybe one of you will have to push me out to get there someday. I won't like it if that happens, but I'll have to take it. And I say better one of you within the Young Democrats than one of them.

For they'll be after me, too, and they'll be doing it inside the system, inside one of the best organized and politically powerful state Republican parties in the nation. Is that what you want? That could be what you get, if you abandon the party as a vehicle for a change in government and policy.

I hope you've thought about it carefully and deeply.

KOREA AND VIETNAM

Mr. FULBRIGHT. Mr. President, Mr. Y. J. Rhee, of Uniondale, N.Y., sent me a copy of an informative letter he wrote on November 1 to Under Secretary of State Katzenbach. In the letter Mr. Rhee makes a number of interesting comments in rebuttal to Secretary Katzenbach's analogy, in a recent speech, between the Korean war and the war in Vietnam. I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Uniondale, Long Island, N.Y.,
November 1, 1967.

Hon. Nicholas deB. Katzenbach,
Under Secretary of State, U.S. Department of State, Washington, D.C.

Dear Sir: As a Korean-born American citizen, I was intrigued by your unsubstantiated analogy between the Korean War and the Vietnamese War, which you presented in your recent speech at Fairfield University, Fairfield, Connecticut.

I should like to cite several significant differences between these two wars. First of all, Korea had been a nation-state for many centuries until Japan annexed her in 1909. Vietnam, on the other hand, is a geography which has never developed into nationhood. In Korea, the North Korean troops commenced an unprovoked attack on June 25, 1950 against the government which was established under the supervision of the United Nations. The United Nations General Assembly recognized the government in Seoul as the only lawful government on the peninsula. As you are aware, none of the South Vietnamese governments have enjoyed similar recognition by the United Nations.

Secondly, the aggression from the north in Korea was an external attack, whereas, the hostilities in Vietnam are largely guerrilla type operations by the South Vietnamese against the South Vietnamese government. In other words, a military victory over the aggressors was possible in Korea, but in Vietnam the ultimate victory must be a political one, for which the United States military power can not determine its final outcome.

Thirdly, you stated that there were criticisms against the Korean government led by Dr. Syngman Rhee that it was not really representative. I regret to inform you that your information and knowledge of the Korean government before the Korean War are totally inaccurate. The pre-Korean War government under Syngman Rhee was truly representative. In fact, Rhee's Minister of Agriculture was a communist. The election which was supervised by the United Nations Commission on Korea was completely honest and a group of powerful opposition parties were in operation. Of course, during and after the War, Syngman Rhee used the American-equipped and American-advised forces of organized violence to crush his political enemies. In the end, as you are well aware, Koreans now have a war lord government which rules the country with American tanks and guns.

Lastly, your statement in connection with the complaints that the Koreans were not doing enough for themselves during the Korean War is callous. Please allow me to cite my own personal account of how much sacrifice Koreans made to repell the aggressors in cooperation with fighting men from eighteen member nations of the United Nations. I have two brothers; all three of us actively served throughout the War. My younger brother then was in tenth grade and I was in the second year of college. Like many friends of mine, we did not claim student deferments but chose to fight. When I graduated from a boys' high school in Seoul in 1949, I was one of the one hundred fifty graduates and all of us advanced to colleges. At the end of the War, I found more than a half of my high school classmates were killed in action and many more were maimed. I am familiar with your military service during the World War II and subsequent captivity in Germany. I am proud to say that my brothers and my friends served during the Korean War with the same dedication as you did for the United States.

In conclusion, I do not believe that your strained analogy of the two wars would serve any purpose in defending the dubious Vietnam policy of the Johnson Administration.

With highest esteem,

Sincerely yours,

Y. J. Rhee.

ERVIN CONSTITUTIONAL CONVENTION BILL DRAWS FIRE FROM ST. LOUIS POST-DISPATCH, CONSTITUTIONAL LAW EXPERT

Mr. PROXMIRE. Mr. President, some weeks ago the Subcommittee on Separation of Powers of the Senate Judiciary Committee held hearings on legislation introduced by Senator Ervin to define the ground rules for the calling of a constitutional convention under article V of our Constitution. It was my privilege to testify on this significant proposal.

Two thought-provoking commentaries on the Ervin bill have since come to my attention. The first is an editorial from the St. Louis Post-Dispatch, the second, an article by Prof. Charles L. Black, Jr., Luce professor of jurisprudence at Yale Law School. Both commentaries are sharply critical of the Ervin proposal, although Professor Black feels it should be "sunk without a trace" while the Post-Dispatch calls it a "tentative basis for hearings," feeling "it is better for Congress to decide the issue now rather than wait for an emergency."

These critiques of S. 2307 bear a striking similarity, however, in arguing forcefully that the bill completely omits the people from the convention process and substitutes State legislatures at every step of the proposal and ratification process. For example, State legislatures, not the U.S. Congress or the courts, would be the final arbiter of the validity of a State call for a constitutional convention. The Governor, the only representative at the State level of all of the people of a State, would not have a chance to veto such a convention call. State legislatures could appoint convention delegates if they so wished, bypassing the right of the people to elect those delegates.

Each State would have but a single vote in a constitutional convention, thus contravening the principle of proportional representation. As a result a convention could be submitted to State legislatures for ratification even though delegates representing 85 or 90 percent of the people in the United States objected. Finally, although Congress could decide to have any proposed amendments ratified by individual State conventions, S. 2307 would give the State legislatures the authority to set the rules of procedure for these conventions.

Mr. President, we have been told for some time now in connection with State calls for a constitutional convention on reapportionment that we should let the people decide. Senator Ervin's bill as it is presently drafted, would let the State legislatures decide, thus bypassing the checks and balances of our Federal system. Every constitutional traditionalist should be seriously concerned about such a possibility.

I ask unanimous consent that Professor Black's article and the St. Louis Post-Dispatch editorial be inserted in the Record at this point.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

Latest Move in the "Convention" Game

(By Professor Charles L. Black, Jr., Luce Professor of Jurisprudence, Yale Law School, New Haven, Conn.)

S. 2307, introduced by Senator Ervin on August 17, is scheduled soon for hearings. The bill is compounded of futility, multiple unconstitutionality, and reckless foolishness. Its introduction is the latest move in the "Constitutional Convention" game; some background is necessary, if you have not been following the earlier innings.

Article V of the Constitution provides that amendments may go through in two ways. First (and this is the procedure invariably followed up to now) Congress may, by two-thirds majorities in each House, submit an Amendment to the state legislatures, or (at Congress' own election) to conventions in the states, three-fourths of whom must ratify. Secondly, it is provided that "Congress . . . on the Application of the Legislatures of two-thirds of the several States . . . shall call a Convention for proposing Amendments . . .," which are then to be submitted to one of the same ratification procedures (again at Congress' election) as are those originating in Congress.

In recent decades, a good many of the state legislatures have decided—if "decision" is the right name for the mindless, discussionless whooping-through which has characterized some of their proceedings—that this language empowers them to force the calling, not of a "Convention for proposing Amendments," in the sense of a convention to consider national problems and to fashion such proposals as the convention thinks ought to be made, but rather of a "convention" to vote aye or nay on a text actually proposed by the legislatures themselves. The only authority behind this reading of the text of Article V is the self-serving authority of twentieth-century state legislatures.

Between them and their goal stands Congress, with its power to decide upon the validity of their "applications," and to set such rules for representation at the "convention" as to Congress may seem to be in the national interest. S. 2307 seeks, in brief, to disarm Congress in advance, and to put the country entirely at the mercy of the state legislatures, by setting up a well-greased "standard operating procedure" for dealing with these applications, so that it would be impossible for the contemporaneous and focussed judgment of Congress to act on them as issues arise.

It is hard to strike a balance between the futility and the over-all foolishness of this proposal. I think I will start with the futility.

The measure is utterly futile because it tries to do what neither the Ninetieth nor any other Congress can do—to bind future Congresses to exercise their discretion and responsibility in a certain way. After specifying what the state applications are to contain—and in doing so resolving, probably wrongly, several crucial constitutional questions—S. 2307 reaches its bottleneck:

"If either House of the Congress determines, upon a consideration of any such report or of a concurrent resolution agreed to by the other House of the Congress, that there are in effect applications made by two-thirds or more of the States for the calling of a constitutional convention upon the same subject, it shall be the duty of that House to agree to a concurrent resolution calling for the convening of a Federal constitutional convention upon that subject."

It is entirely clear that this Congress cannot bind its succesors either by its attempted resolution of the thorny constitution problems entailed in the decision whether state applications are valid, or by its policy-judgments (embodied in the rest of the bill) as to the sort of "convention" to be called, when and if one is to be called. No Senator or Representative in any subsequent Congress could warrantedly think himself estopped to reconsider all these problems from the ground up—indeed, he would be under a p[illegible]in duty to do so, and to cast his vote in accordance with his own and not his predecessors' conscience. The bill is therefore a *brutum fulmen*. Yet it is introduced for an effect—the effect of producing a momentum, an appearance of consensus. It is therefore worth talking about more fully, for it is important not only that it not pass, but also that it not make a good showing.

As to the foolishness, the most conspicuous unwisdom, as I have implied, is over-all. The entire conception of a "standard operating procedure," in respect of the discharge of this critically important Congressional function, never up to now invoked, and sure to be very rarely invoked, if at all, in future, is absurd. The amendment of the Constitution is hardly a thing to be reduced as nearly to the automatic as may be. Calling a Constitutional Convention is the last thing one would wish to see routinized.

More detailed comment on S. 2307 may usefully focus on particular sections.

Section 3(b) performs an astonishing initial act of abdication:

"Questions concerning the State legislative procedure and the validity of the adoption of a State resolution cognizable under this Act shall be determinable by the State legislature and its decisions thereon shall be binding on all others, including State and Federal courts, and the Congress of the United States."

Neither on this nor on any other matter, as I have pointed out, can the Ninetieth Congress effectively abdicate for its successors, and the provision therefore classifies easily under the futility heading, but it also would seem to be unconstitutional, in that it at least seeks to withdraw from Congress and the courts such responsibility as they might constitutionally have to determine whether the state applications are valid, and it is foolish, for it leaves to local interest to determine the "validity" of an attempted exercise of a function of vital concern to the nation.

Sections 3(c) and 13(b), which may conveniently be grouped together, provide that the state governors shall have no voice either in the state legislative decision to apply for a "convention" or in the ratification by the state legislature of such proposals as come out of the "convention." Except on the (rather questionable) assumption that Congress has power to fix the law on these matters, these provisions are nullities. On that assumption, the provisions embody strange policy choices indeed. The amendment process is the most solemn one in our government; in it we discern ultimate power. Why should Congress elect positively to ordain that each state is to take two crucial steps in that process without a safeguard—submission to the governor for possible veto—which would be necessary in the case of a bill regulating the working-hours of intrastate dog-catchers? The answer is simple, and not creditable to the draftsmen of the bill. Governors are elected statewide; no gerrymandering or other finagling can prevent their being responsible to the whole people of the state. Something roughly—though only very roughly—like the democratic principle would be introduced if the governor had to approve. Governors, too, are likely to be people of relatively high intelligence and prestige. Their actions are visible. What is wanted, obviously, is to make the Constitution of the United States amendable by the all-but-anonymous sole action of the membership of the state legislatures, with no check of any kind. Do the state legislatures, as we know them, really deserve such confidence?

I have already pointed out the futility of Section 6(a), where the attempt is made to make it the "duty" of the Houses of Congress to call a convention of a prescribed form, whatever the current judgment of Congress may be as to the obligation resting on Congress, or as to the wise manner of constituting such a convention. One other thing needs to be mentioned about this section: it provides for issuance of a convention call by "concurrent" resolution, eliminating the step of submission to the President and possible veto. Now if anything is absolutely clear, on the face of a constitutional text (Article 1, § 7) not calling for interpretation, it is that "*every* Order, Resolution, or Vote to which the concurrence of the Senate and the House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill." The excuse, presumably, for this bypassing of the President would be the 1798 case of *Hollingsworth v. Virginia*, where (in an opinion which can be seen, by anyone who cares to look at the report, to be inadequately reasoned), the Court held that a constitutional amendment, originating in Congress, *and passed by the same two-thirds as is needed to override a veto*, need not go to the President. Whatever reason can be given for this decision obviously has no application to the calling of a convention by *simple majorities* in both Houses: there is not the shakiest ground for holding such a measure unamenable to Presidential veto, under the plain language of Article I, § 7. It is astounding—or, I should rather say, it ought to be astounding—that people who dress themselves up as strict-construction constitutional textualists are without shame in putting forward such a proposal.

When we reach Section 7, we are startled to find that "a convention called under this Act shall be composed of as many delegates from each State as it is entitled to Representatives in Congress."

Can it be that the popular principle is actually to be represented—that some precaution at some stage is to be taken to ensure that amendments are supported by at least a majority of the people? No, we should have given Senator Ervin more credit than that. Section 9(a) clears up the puzzle:

"In voting on any question before the convention each State shall have one vote which shall be cast as the majority of the delegates from the State, present at the time, shall agree. If the delegates from any State present are evenly divided on any question before the convention, the vote of that State shall not be cast on the question."

So, on *both* proposal *and* ratification, California and Alaska have an equal voice. California gets more expense-paid junkets; that is the only genuflection the bill makes to democracy. The arithmetical effect is utterly startling; even if no populous states lost their votes by a tie among their delegates, an amendment could be proposed by delegates representing perhaps 15% of the American people!

Section 7(a) goes on to provide, "Each delegate shall be elected or appointed in the manner provided by State law." The state legislatures, having procured the summoning of the "convention," are to fix the manner of selecting delegates to it. No limits are set. They may be "elected," or, perchance, "appointed," by somebody unspecified. Nothing would prevent the state legislatures from quite dominating *this* phase of the process.

Sections 12 and 13(a), together, create a puzzle. Section 12 flatly provides for ratification by the state legislatures. Section 13, belatedly, refers to Congress' option to provide for ratification by conventions in the states—but puts their "rules of procedure" under the State legislatures:

"For the purpose of ratifying proposed amendments transmitted by the States pursuant to this Act the State legislatures shall adopt their own rules of procedure except that the acts of ratification shall be by convention or by State legislative action as the Congress may direct. All questions concerning the validity of State legislative procedure shall be determined by the legislatures and their decisions shall be binding on all others."

It would undoubtedly be contended that this means that the mode of selection of the conventions is in the legislatures' hands. It is the foolishness of this that is its most conspicuous characteristic. Why hold conventions if they are to be under the domination of the very legislatures to which they are the constitutional alternative? The same question, rephrased, seems to settle the connected constitutional issue: why should Article V have given Congress the option of providing for ratification by conventions, if the legislatures thus to be bypassed were to control the conventions? Such an absurd reading of Article V cannot be right.

Summarily, what this bill tries to do is to strap the Constitution down for such operations as the state legislatures, acting alone and without any check by anybody representing the nation as a whole, might wish to perform. It would make it possible for national constitutional amendments simply to steal upon us, by local votes cast on local considerations. The bill is anti-national to the core. It traduces every sound theory of federalism. It carelessly jettisons all thought of checks and balances. The fact that it is in the end a futility—that subsequent Congresses need not and could not think themselves bound by it—should not blind us to its dangers. If it were to pass, it would constitute a symbolic victory for the ultra-right, which can still make a kind of showing in the state legislatures that it cannot make anywhere else. And it might be used to make it appear, though falsely, that some Congress of the future, exercising its own judgment as it would be duty-bound to do, was violating the standing law.

Let us hope that S. 2307 is sunk without a trace.

[From the St. Louis Post-Dispatch, Oct. 30, 1967]

OMITTING THE PEOPLE

A Senate Judiciary subcommittee begins hearings this week on one of the most important yet neglected aspects of constitutional law. The question is how Congress shall create a Constitutional Convention if the states require one.

At the moment nobody knows the answer, because there has never been such a convention, nor any ground-rules for one. But the matter is urgent because 32 states have asked for a convention to upset the Supreme Court's one man, one vote rule for state legislative apportionment. This states' rights drive seems at stalemate, yet if only two more states petition Congress, that body will be faced with the demands of establishing immediate precedent.

Senator Ervin, chairman of the subcommittee on separation of powers, rightly argues that it is better for Congress to decide the issue now rather than to wait for an emergency. The North Carolinian has introduced his own bill as a tentative basis for hearings. His purpose is praiseworthy but his bill should, we think, be no more than tentative. It would give the states, rather than the people, full control of the amending process.

The Ervin bill, S. 2307, contains some sound provisions. Principally, it forestalls the dangerous possibility that a convention summoned by the states could attempt to rewrite the entire Constitution. The bill does this by requiring the states to propose particular goals for amendments, and by permitting Congress to disapprove the results if they exceed these purposes.

Moreover, the measure allows states to rescind petitions once adopted. The authority to do this has never been clear. This proposal would deprive the reapportioned Missouri Legislature of an excuse for failing to rescind the malapportionment petition adopted by the malapportioned 1965 Legislature.

However, the Ervin bill does not require a Governor's signature on state petitions; it leaves these to the legislatures alone. In short, the rules for seeking to amend the Federal Constitution would be weaker than the rules for passing a state traffic law. The Governor, as the one state official representing a state-wide majority of the public, would be left out of the picture and so, very likely, would majority opinion.

But the most serious error of the bill, from the standpoint of popular government, is the plan to give each state one vote in the Constitutional Convention—regardless of the state's population. Nevada would have as much to say about the nature of the convention's work as New York. In theory, at least, the 26 smallest states could determine the results, though they represent only 17 per cent of the American people.

The Ervin bill leaves the whole amending process to the states or, more specifically, the state legislatures. Under the Constitution, two thirds of the states may invoke a Constitutional Convention (though they, indeed, might have less than a third of the national population), and three fourths of the states may ratify a proposed amendment.

If the individual states, through their legislatures, also dominate the convention, then the legislatures are in full control of the initiation, the deliberation and the final ratification of changes in the Constitution. We doubt that state legislatures are held in such high regard that the general public would entrust them with tampering with the rules of national government, the Bill of Rights or anything else in the basic charter of the Union.

Somewhere in the amending process there must be a voice for the people based on fair representation. Congress has represented that voice in the amending process in the past. If a convention is called, it must be fairly apportioned. The reasonable way to do it is to apportion convention delegates to the states on the basis of population, and to give each delegate, not each state, one vote.

The Ervin bill omits the people. While Senator Ervin called the hearings to establish a needed precedent, the need is grave enough to demand a sound and lasting one.

THE NATIONAL HEALTH CRISIS AND THE MEDICAL BRAIN DRAIN

Mr. MONDALE. Mr. President, Tuesday's Washington Post contains a story, "Nation Is Warned of Health Crisis," which deserves the attention of every Senator.

This report by Thomas O'Toole summarizes a report to President Johnson by the National Advisory Commission on Health Manpower. It describes a national health crisis that, according to Mr. O'Toole's report, will worsen unless there is a sweeping reform of our national health effort.

One portion of the story, Mr. President, deals with a problem in which I have a special interest. According to Mr. O'Toole, one of the recommendations of the Commission is that the Nation should—

> Gradually disapprove and phase out the Third Preference part of the immigration law that each year admits 7,000 new foreign medical graduates into the U.S., where almost 20 percent of all new medical licenses given each year go to foreign-trained doctors. Not only are these doctors poorly trained by U.S. standards, claims the Commission, their entry into the U.S. represents the "worst kind of brain drain" in the world today.

For 2 years, Mr. President, I have tried to focus attention on this deplorable aspect of the brain drain from developing countries. The opportunities for health and even life leave many of the developing nations of the world along with medical personnel who migrate to the United States. The richest nation in the world is not providing enough physicians for its people.

I cannot believe it must be this way, and I cannot believe we can tolerate this continual theft of critical medical talent from nations where chances for health and growth depend on that talent. The brain drain from developing countries in medicine is a national disgrace.

Mr. President, I ask unanimous consent that this timely article from the

Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATION IS WARNED OF HEALTH CRISIS

(By Thomas O'Toole)

The Nation is in the midst of a "health crisis," said a presidential commission yesterday—one that will worsen unless the country undertakes a sweeping reform of medical schools, hospitals, heath insurers and even the way doctors themselves are licensed to practice.

The crisis we find ourselves in, said the National Advisory Commission on Health Manpower, whose 15 members (eight of them doctors) have studied the status of health services since May, 1966, is one brought on by a lack of leadership and an unwillingness to change within the health establishment.

The results, said the Commision yesterday in a report to President Johnson, are long waits to see a doctor, hurried, impersonal attention once the patient is seen, a shortage of hospital beds and services, uneven distribution of care and costs rising sharply "from levels that already prohibit care for some and create major financial burdens for many more."

To challenge this "crisis of care," the Commission recommended no fewer than 58 major changes in the way the U.S. health care system is to work. And while asking for voluntary acceptance of its proposals, the Commission nonetheless indicated they might have to be enforced

"Unless these changes are accomplished more quickly than has ever been possible in the past," the Commission warned, "a more serious health crisis is inevitable."

Among its 58 curatives, the Commission prescribed a few sure to stir controversy for years to come:

For doctors and dentists: Back-to-school refresher courses or periodic examinations for renewal of their licenses to maintain their skills and guard against malpractice and "unnecessary or overly expensive tests and treatments" by some.

For hospitals: Financial rewards for efficiency and quality care sufficient enough "to make it unprofitable for a hospital to reduce quality and community service just in order to lower costs."

For health insurance organizations: Encouragement to revise their payment procedures to share savings with hospitals and individual physicians who demonstrate medical ability.

For medical and dental schools: Incentive grants to those who raise their output of doctors and dentists and a denial of funds to those who do not.

For medical and dental students: direct financial aid over their course of study, internship and residency, with an option to repay the loans over a long term or through direct governmental service, either in the military, Public Health Service or a Poverty Corps for doctors

While these last two recommendations are clearly to increase the supply of health professionals, the Commission insisted they were made to meet future needs and expansion.

"The crisis at the present time," it said, "is not simply one of numbers," to raise the number of practicing doctors, dentists, nurses and auxiliary personnel. "We must first improve the system through which health care is provided."

One way to improve the health care system, recommended the Commission, would be to draft doctors through the communities where they work instead of through their own home towns.

So outdated is the present method of Selective Service that it has left some towns with overnight doctor shortages. Not long ago, a Commission member said, Vanderbilt University Medical School was left without a Pathology Department, when its seven-man staff (from seven different states) was drafted all at once.

Perhaps the best way of upgrading the health care system, the Commission said, would be through what it calls a "peer review" system, certain to be one of the most controversial of the Commission's proposals.

What the Commission would like to see in the U.S. is a series of review boards, at the city, county and state levels, at the hospital level, and at the health insurance organization level.

In effect, these review boards—made up of prominent physicians and health officials—would demand that doctors and hospitals account for their actions.

Besides peer review, the Commission made other specific recommendations to improve the health care system. Among them:

Gradually disapprove and phase out the Third Preference part of the immigration law that each year admits 7000 new foreign medical graduates into the U.S., where almost 20 per cent of all new medical licenses given each year go to foreign-trained doctors. Not only are these doctors poorly trained by U.S. standards, claims the Commission, their entry into the U.S. represents the "worst kind of brain drain" in the world today.

Give the highest priority to improving health care for the poor and needy. "No clear-cut solution for care of the disadvantaged has been developed," the Commission concluded. "We urge that experimentation be markedly expanded with recognition of the special problems of this segment of the population."

THE GREAT SALT LAKE

Mr. MOSS. Mr. President, in late October, Mr. Tom Tiede wrote a most derogatory article concerning Great Salt Lake which is perhaps the most famous physiographic feature of the State of Utah. Mr. Tiede is a feature writer of the Newspaper Enterprise Association, a Scripps-Howard Service, and he is based in New York.

Mr. Tiede has been described to me as a competent, even distinguished, writer, so I can conclude only that he was grossly misinformed.

Among the things which he said about Great Salt Lake are "it stinks," and "the shore, thousands of irregular miles long, is littered with garbage, carcasses, inner-tubing, rusting castaways and several million other objects which give off a sort of rotting stench."

He further said:

> The water, what there is of it, is polluted with as much as 30 million gallons of sewage a day and, according to experienced natives, "it's like swimming in a septic tank."

Unquestionably, this is an extreme and prejudiced view based, I am sure, on gossip rather than personal observation. However, there is just enough truth in it that it cannot be branded total falsehood. Let me briefly comment on several of his allegations.

The Utah Water Pollution Committee states that there are 19 plants in 41 communities in the Great Salt Lake watershed now providing secondary treatment and effluent chlorination to serve a 638,000 population equivalent. These 19 plants discharge 110 million gallons per day of effluent into tributary streams of the lake such as the Jordan River, the Bear River, and the Weber River, or into irrigation and drainage channels, or, in the case of Salt Lake City, directly into the Great Salt Lake. This water is not "polluted."

There are five small communities providing no waste water treatment, serving a population equivalent of 1,160. These villages discharge approximately 100,000 gallons per day of untreated waste water into the Bear River and the Weber River, streams which flow into Great Salt Lake.

We can measure the progress made in recent years in combating the pollution problem by referring to the reconnaissance investigation of Great Salt Lake which was made by the National Park Service in 1959. I have referred to this investigation before in discussions of the proposed Great Salt Lake National Monument. The investigation team was sent from the Park Service regional office in Sante Fe.

Its report, published in November 1960, mentioned pollution as one of the difficult problems impeding development of the lake area. Here is a paragraph from that report:

> During recent years, Great Salt Lake has been seriously affected by such activities as disposal of municipal wastes, industrial uses, and major construction projects. This presents a great problem in management and development if the maximum benefits from this great natural resource are to be realized.

The report also states that "pollution by both raw sewage and industrial wastes is one of the most serious difficulties."

Since that survey was made, 10 sewage treatment plants have been built. They are: Sandy, 1962; Salt Lake City, 1965; South Davis Sewer District, two plants, 1962; Central Davis Improvement District, 1961; Garland-Tremonton, 1963; Park City, 1966; Coalville, 1965; Magna, 1962; Tooele, 1967. Further, Logan is constructing a plant which will be completed in 1968.

Therefore, the pollution has been greatly reduced. But, since Great Salt Lake has no outlet, it is difficult totally to eliminate the problem, but untreated waste water is now down to about 100 thousand gallons per day discharged into tributary streams of the lake.

As to the statements concerning unsightly debris, it can be said authoritatively that none of this exists around Antelope Island or in sight of it.

It is also apparent from a National Geographic article of August 1967, that at least many areas of the other islands are clean. To say the shore is "littered with garbage" is not true. The beaches are clean and bare.

Frequent trips to Antelope Island this year have confirmed the fact that there is no pollution stink apparent around the island. Near the water, one is conscious of a somewhat acrid odor, which is unusual but not too unpleasant. This is thought to be caused by the brine fly, and is known to all Utahans as "the smell of the lake." I do not find this faintly pungent odor offensive. Nor did the hundreds of thousands of people who visited Saltair in its prime.

Any native Utahans who described swimming in the lake as being akin to immersion in a septic tank did not speak from personal experience or knowledge.

Today, the waters of the lake are clear, although salt laden, and are less polluted than they were when thousands daily swam from the bathing piers of Saltair, the area's most celebrated resort. The lake is cleaner; not more polluted. Shortly, we may be able to say that no untreated waste water flows into the lake.

Getting back to the 1959 Park Service investigation, it was noted that the falling water level has left famed Saltair high and dry. And the report said:

> The beaches and boat harbor were unattractive and an atmosphere of apathy and decay prevails over much of the area.

But nowhere did it state that the beaches were littered with foreign objects. Moreover, the report also said this:

> An excellent overall impression of the area was gained from an airplane flight over the lake.

The report identifies the areas which the reconnaissance team visited on the ground as: Stansbury Island, the two bathing beaches, Garfield boat harbor, Saltair, Farmington Bay and Ogden Bay State Bird Refuges, Bear River Migratory Bird Refuge, Promontory Point, Willard Bay, and Antelope Island.

It is true that a large smelting operation is located along a portion of the south shore of the lake, and that noxious odors sometimes emerge from that. And large quantities of smelter slag are piled not far from the shore. Moreover, on other portions of the shore, extensive developments are proceeding which will make it possible to take great tonnages of metals and chemicals from the brines. But such industrial development is hardly new to important bodies of water in the United States. Moreover, it is not unsightly or malodorous and it is remote from Antelope Island. It must be recognized that on a lake of the size of this one, the shores will be utilized for many purposes. The significant point is that there has been rapid progress in improving the area in the past decade. The lake is not only both scenic and interesting but affords potential industrial development.

It is regrettable that Mr. Tiede did not have an opportunity to study the facts and personally to observe more of the shoreline and surrounding areas.

FIREARMS LEGISLATION

Mr. DOMINICK. Mr. President, recently an article on the subject of the pending firearms legislation was published in the Denver Post. The article, written by Mr. Dick Thomas, is entitled "Gun Laws Challenged—Debate Heated on Congressional Firearms Control Measures."

The article is a good example and, I believe, is representative of the seriousness with which the citizens of my own State view proposed tight Federal Government restrictions on firearms.

Mr. Thomas questions, as did I in my testimony before the subcommittee earlier this year, the overemphasis on the part of the strong gun control advocates of a direct causal relationship between gun control and crime reduction.

In writing of the abuses by some of the use of firearms, he points out

> These misused firearms total four-tenths of 1 per cent of all privately owned firearms in the United States if one assumes the total is 30 million, and that is probably low.
>
> So the federal legislation is aimed equally at 99.6 per cent of the guns owned by people who respect the law as well as that fraction of 1 per cent that are used by criminals.

One of the things that have concerned me the most about the administration and Dodd proposals is well brought out by his statement that:

> The disturbing thing about the bills is that they put virtually the same restrictions on sporting rifles and shotguns that they do on pistols and revolvers—the most common type of firearms used in crime.

Mr. President, this is one of the finer and more equitable newspaper presentations of the firearms picture that I have seen. It serves also to place in perspective some of the "guns are bad" philosophy of the administration and Dodd bills. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUNS LAWS CHALLENGED—DEBATE HEATED ON CONGRESSIONAL FIREARMS CONTROL MEASURES

(By Dick Thomas)

An estimated 100,000 deer and elk hunters swarmed into the Colorado Rockies two weeks ago in an annual pilgrimage that pumps millions of dollars into the state's economy.

These men and women, engaged in the most common lawful use of firearms, tote a variety of ordnance that ranges from junk military rifles hardly safe to fire to expensive $300–$400 outfits that cost their owners another 40 cents every time they pull the trigger.

And some of them—usually through what amounts to criminal negligence—shoot other hunters. At the time this was written six such deaths had already been recorded.

This year's hunting season came at a time when the Johnson administration and a gaggle of Eastern lawmakers are making a concerted effort to enact one of the most all-encompassing firearms control bills ever before Congress.

President Lyndon B. Johnson, a deer hunter himself, observed recently that the pending legislation would "reach into every home in the land."

Like most politicians he probably overstated his case, but the basic idea is there.

President Johnson, appearing at the 74th annual meeting of the International Association of Chiefs of Police, was urging support for Senate Bill 1, which Sen. Thomas Dodd, D-Conn., has been trying to steer through Congress in one form or another for seven years.

Its cosponsors and most vocal proponents include two brothers of a slain president, Sens. Robert F. Kennedy, D-N.Y., and Edward M. Kennedy, D-Mass. Practically all the sponsors come from areas of heavy populations and high crime rates—New York, Miami, Boston, Philadelphia, Honolulu.

Ten state legislatures have gone on record as opposing the Dodd bill. They include Pennsylvania, Louisiana, Arkansas, Alabama, Michigan, Montana, Alaska, Kansas and two states that Lyndon Johnson knows well—Oklahoma and Texas.

It has been estimated that 30 million to 50 million Americans own one or more firearms, and a great many of them look upon that ownership as a part of American tradition dating back to pre-revolutionary times.

Frequently one of these gun-owning Americans shoots himself or another, accidentally or with criminal intent.

There were 2,600 accidental deaths in the United States last year from careless use of firearms and explosives, the National Safety Council said. About 800 victims were hunters, and more than 400 of them were killed by shotguns while in pursuit of small game.

There were 53,000 automobile deaths in the same period, 20,000 in falls, 7,900 in fires and 7,000 by drowning. Firearms and explosives death, meantime, were at the same level they were in the period 1913–1922, when the country's population was about half what it is today.

Thus the death rate rate per 100,000 Americans from careless firearms handling has shrunk from 2.5 then to 1.1 in several recent years. The 1962 total of 2,092 was the lowest in a half century.

There has been a marked decline in such deaths since the early 1930s, the National Safety Council said, with the most dramatic downturn coming in the years since World War II when millions of American men have been trained in firearms use.

More than 100,000 Americans a year use their own gun or someone else's in the commission of a crime. Some of them, Charles Whitman's shooting spree from the bell tower on the University of Texas campus at Austin, for instance, are dramatic proof of what a hunting rifle can do in criminal hands.

For reasons such as this, Justice Department officials and many police administrators support the Dodd bill and its counterpart in the House sponsored by Rep. Emanuel Celler, D-N.Y.

But this writer, for one, wonders whether the sponsoring officials really have a legitimate case against the guns themselves.

This writer is a gun owner, a hunter, a target shooter and a member of the National Rifle Association (NRA), but does not speak for the NRA in any capacity.

This organization, with 805,000 members, has been damned by some congressmen, newspaper and magazine editorialists and television commentators as a Minuteman-style outfit opposed to any meaningful firearms controls.

BOTH SIDES EXTREME

It has lately borne the brunt of criticism from the Dodd bill supporters, one of whom, an aide to Senator Dodd, likes to refer to "the apes in the NRA."

There are extremists on both sides of the issue, however.

Despite its denials, the NRA does constitute a very powerful lobby in Congress. Thirty congressmen are members. And two of its timeworn arguments against what it feels are harmful firearms controls are just that—time worn.

One is that the U.S. Constitution guarantees the right to keep and bear arms. This is true up to a point, but reasonable restrictions on individual ownership have been upheld in many court decisions.

Another is that registration laws lead to situations where authorities could seize every gun in the land. Action by authorities following the recent military coup in Greece and the Nazi armies' seizures in occupied countries during World War II are cited as proof.

These arguments aside, NRA policy on firearms controls, which many opinionmakers have never bothered to read or choose to ignore, can be found on page 17 of the May 1967 issue of its official publication:

"1. Amend the National Firearms Act by banning so-called 'destructive devices' such as antitank guns, bazookas and rockets.

"2. Strengthen state firearms regulations by providing federal cooperation at the interstate level.

"3. Increase penalties for crimes in which firearms are used.

"4. Ban all handgun sales to minors and require sworn statements of eligibility to buy and own pistols from buyers seeking handguns by mail order."

Those principles seem pretty clear. To the NRA's critics they are not nearly enough.

Robert Sherrill, a reporter for The Nation who had an article in the New York Times three weeks ago, urges that every firearm buyer be investigated down to finding out whether he or she is involved in a "passionate divorce case," and adds, in what the trade calls a sweeping generalization:

"The police chiefs of most of the nation's major cities would approve safeguards of this type."

CRIME IN STREETS

Even though he supports something a lot stronger than the Dodd bill, Sherrill opines that President Johnson is trying to draw attention away from the increasingly embarrassing Vietnam war with his domestic "crime in the streets" issue and:

"Nothing would please him more than to be able to sweep into the 1968 campaign waving a gun-control law, approved by Congress, to show he means business."

The Atlanta Constitution editorialized in September that "during the 13 months since this legislation was (most recently) introduced, guns were involved in 6,500 murders in this country, 10,000 suicides, 2,600 accidental deaths, 43,500 aggravated assaults and 50,000 robberies."

These figures, supplied by President Johnson, total 122,600.

In other words, firearms during those 13 months were used in 122,600 crimes—an amount equal to 3.77 per cent of all major crimes reported in 1966 by the FBI in its Uniform Crime Report.

These misused firearms total four-tenths of 1 per cent of all privately owned firearms in the United States if one assumes the total is 30 million, and that is probably low.

So the federal legislation is aimed equally at 99.6 per cent of the guns owned by people who respect the law as well as that fraction of 1 per cent that are used by criminals.

There are any number of scare tactics used by supporters of the Dodd-Celler bills to make what they call the "easy availability of guns" seem the dominant factor in the nation's rising crime rate.

LIST OF FACTORS

No such conclusion was drawn in the FBI's Uniform Crime Report last year.

Among the factors it listed as affecting the amount and types of crimes committed were population density, composition and stability; climate and seasons; economic, educational, recreational and religious factors; public attitudes toward law enforcement; the strength, standards and efficiency of local police departments; and policies of prosecuting attorneys and courts in local jurisdictions.

If guns were that important the FBI surely would have mentioned them.

The FBI report does note that "the over-all crime rate increase in 1966 was attributable for the most part to the continuing upward climb of crimes against property"—categories in which weapons of any kind are rarely involved.

The reported 10 per cent increase in murders includes justifiable homicides and all cases filed by police in which "willful killing without due process" was involved. It doesn't take into account those cases dismissed for lack of prosecution or those which ended in acquittal.

This particular statistic led to a Look magazine article entitled "The Shocking Rise in Murders" which again hit at the "easy availability of guns."

The NRA and its allies in Congress have always taken the view that firearms controls should be enacted that would impose stiffer penalties for the criminal use of guns.

The organization supported, in 1934, passage of the National Firearms Act which prohibits machineguns, sawed-off shotguns and other weapons that were then in the arsenals of Depression-era gangsters.

It also supported enactment in 1938 of the Federal Firearms Act, which regulates interstate shipment and importation of all firearms and ammunition.

The Dodd-Celler bills state that there is "a causal relationship between the easy availability of firearms and criminal behavior." This absurd statement is not even borne out by the figures supplied by President Johnson and FBI Director J. Edgar Hoover.

According to testimony before congressional committees, scores of shooting clubs, wildlife and sportsmen's associations and state game and fish departments feel Dodd and Celler are trying to swat a fly with a sledgehammer.

RESTRICTIONS RATED SEVERE

The disturbing thing about the bills is that they put virtually the same restrictions on sporting rifles and shotguns that they do on pistols and revolvers—the most common type of firearms used in crime.

Severe restrictions would be placed on surplus military weapons, thousands of which are used as is or converted to sporting rifles by hunters.

This certainly couldn't hurt Senators Dodd and the Kennedys with some of their more powerful constituents. Every major firearms manufacturer in the United States, save two, is located in Massachusetts, Connecticut and New York.

Yet the New England armsmakers also oppose the Dodd-Celler bills as too restrictive.

The State and Defense Departments, under the Mutual Security Act of 1954, may limit imports of arms, ammunition and "destructive devices"—the bazookas, anti-tank guns and other heavy ordnance items that NBC-TV made such a big thing of in a program titled "Whose Right to Bear Arms?"

Congress now is being asked to do legislatively what the administration has failed to do administratively. One Democratic congressman who doesn't like that aspect of the bills is Rep. Robert Casey of Houston, Tex.

DENVER INCIDENT CITED

"I—for one—am getting just a bit tired of this Congress being made the whipping boy for failure of these departments to act under the ample authority granted in existing law," he told the House Judiciary Committee.

A textbook example of such failures to enforce existing law occurred in Denver five years ago.

There is a city ordinance that requires any gun purchaser to fill out an information form provided by the dealer, which is then turned over to police for an after-the-fact background check of the buyer.

One man who provided that information was Michael John Bell, then 26, and now on death row at the State Penitentiary in Canon City.

Like most felons who wind up killing a policeman, Bell had a long criminal history.

Twice a parolee from the Kansas State Industrial Reformatory at Hutchinson and once an escapee from the Kansas Penitentiary at Lansing, he was returned to Lansing in late 1958 on concurrent sentences of 5–15 and 1–5 years for auto theft and escape.

Officials at the prison rated his chance for rehabilitation as "very doubtful." But he was a good conduct prisoner and won his parole on May 3, 1962. This was 13 years after his first trouble with the law.

In Denver the following August Bell bought an Italian-made .32 automatic and signed his own name to the dealer's information form. Two weeks went by before Denver police came across the information.

The following day, Sept. 7, the State Parole Division was notified. At this point Bell had already violated Colorado law regarding possession of firearms by felons and the terms of his Kansas parole.

He was reporting regularly to a Colorado parole officer, John D. Stanley, under the terms of the Interstate Parole Compact. It was three days, however, before Bell's regular visit to Stanley was due. He wasn't brought in sooner even though it was now known he had a gun.

On Sept. 10 Stanley questioned him about it. Bell said he had sent it to a sister in Kansas.

If that were true, it would have been a clear violation of the Federal Firearms Act. Nevertheless Stanley let Bell go.

Two days later Bell pumped four bullets from a .38 revolver into Patrolman Carl Bernard Knobbe, 39, when the officer caught up with him after a Colorado Blvd. service station robbery. Bell had bought the .38 after his visit to the parole office.

KILLERS HAVE RECORDS

A seven-year analysis of 335 police murders by the FBI shows 76 per cent of the 442 suspects arrested in the killings had been previously arrested on criminal charges.

Thirty per cent—Bell was one of them—were on parole at the time they killed policemen.

"The problem, gentlemen," said Representative Casey, "is crime—and the criminal. It is particularly the repeat offender who uses firearms to rob, rape, assault and murder."

The Dodd-Celler bills would:

Ban all mail-order sales of pistols, rifles and shotguns to individuals. Rural Americans for instance, would no longer be allowed to buy a shotgun out of the Sears or Montgomery Ward catalog. Nor could a Lee Harvey Oswald buy an assassination rifle from Klein's in Chicago.

Severely limit imports, including a man's right to bring back into this country a rifle he had previously taken out. He would have to establish to the satisfaction of the Treasury Department that it is, in fact, the same gun. This raises endless possibilities for a person who drives out of the United States into Canada, then into Alaska to hunt, and back through Canada to the contiguous states after the hunt.

Make it a federal crime to go into another state, buy a gun and bring it back home. If there is a law in your own state or a local ordinance at home that prohibits such imports. Thus if a Cheyenne resident came to Denver to buy a gun not available at home and there was a Cheyenne ordinance against his buying it, he would be subject to a federal charge whether or not he was aware of the local ordinance. No one would be able to buy a handgun except in his own state.

Give the Treasury Department broad discretionary powers in formulating regulations to implement the act.

End all sales of surplus U.S. government small arms and ammunition to members of NRA-affiliated shooting clubs. (More than 500 of these clubs are exclusively for policemen and law enforcement officers.)

MANY BILLS OFFERED

The National Rifle Association is on record many times in support of federal legislation to cover such men as the Appalachian mobsters or a Michael John Bell.

There is no question that an illegal firearms traffic exists and that it contributes to crime, but not nearly in the proportions that Dodd-Celler bill supporters would like us to believe.

There is no question either, if recent opinion polls are accurate, that many present gun owners would not object to reasonable controls. But the kind of controls is the governing factor.

Organized sportmen's groups and the NRA don't want the kind that New York has, or that New Jersey recently enacted or that Philadelphia recently passed in ordinance form.

Anyone lucky enough to get a gun permit in New York—it takes months of time and a $20 application fee—subjects himself to periodic police visits to his home to "inspect" the firearm. He pays a $10 annual renewal fee for the license.

And if he wants to hang grandpa's old shotgun over the mantel in the den, he better do it while grandpa's still alive. When he dies his guns will be seized and dumped in the ocean. They are forbidden to become part of his estate.

Advocates of the Dodd-Celler bills like to say a gun's primary purpose is to kill (true) and the implication is there that its only purpose is to kill people (false). Millions of them are never used that way.

The whole issue has gotten out of perspective.

ADDRESS BY SENATOR SMATHERS BEFORE ALUMNI OF UNIVERSITY OF MIAMI LAW SCHOOL

Mr. HOLLAND. Mr. President, there has been much public controversy over our role in the Vietnam war. Indeed, we have seen the dissent over our conduct of the war reach unprecedented heights in this country.

My colleague, the distinguished junior Senator from Florida [Mr. SMATHERS], addressed himself to the problem of dissent in a speech he delivered to the alumni of the University of Miami Law School. Appropriately, his remarks were made on November 11, 1967, Veterans Day, which we used to call Armistice Day.

Because I believe that my colleague's exceedingly capable comments on that occasion are of value to this body, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR GEORGE A. SMATHERS TO UNIVERSITY OF MIAMI LAW SCHOOL ALUMNI, NOVEMBER 11, 1967

The serious problem that dissenters present to American society should concern all of us as lawyers and as American citizens.

One distinguished lawyer, Lewis F. Powell, Jr., of Richmond, former president of the American Bar Association, thinks that the epidemic of dissent today is almost a prelude to revolution.

I concur that dissent has reached ridiculous proportions and that many people are unaware of the consequences of their actions.

Some clergymen today are openly counseling young people to ignore the draft laws.

Some professors have come out for the preposterous stand that it is *permissible* to ignore or disobey what they believe "unjust laws."

Fortunately, even the Supreme Court has recognized the folly of this kind of conduct.

As Justice Black pointed out in 1966, "The crowd moved by noble ideals *today*, can be the *mob* ruled by hate and passion, and greed and violence tomorrow . . ."

In other words, dissenters have forgotten that this is a Nation built upon the rule of law.

And they forget all too conveniently that the law is their protection and shield. They are unwilling to realize that when they tolerate a growing atmosphere of lawlessness, they endanger that prospective bulwark, which shields them.

But, the law does not now—and should never—proscribe peoples' right to discuss, cuss, criticize, or dissent, and today we see these rights being exercised to the fullest.

There is raging throughout our land an acrimonious debate as to whether this Nation's stand in Vietnam is the right one.

And, as the bombing escalates, as an ever-increasing number of targets are hit, as more and more of our jet planes are shot down, as the casualties mount, and as the unpleasant threat of a tax increase to finance the war crowds around us, the anguished cries of doubt and dissent grow louder.

Criticism of policy, and even personal abuse, is being directed at those, who, under our constitution bear the clear and final responsibility for our actions in foreign policy, *generally*, and in Vietnam, *specifically*.

And, yet, those who disagree with our policies and express their dissents have an unquestioned *right* to speak out, to criticize, to disagree; for that is guaranteed under article I of the Constitution of the United States.

It is axiomatic that freedom of speech is one of the basic rights of free men, and it should always be.

But, as I see it, the question facing Americans today is not whether one has the right and the privilege to dissent, but *rather*, whether those who exercise that right, with respect to our policies in Vietnam, help or hurt the national interests of their country.

The Constitution clearly sets forth all of our fundamental rights but for every one of those rights, there is, I believe, a concurrent duty to exercise that right as responsible, intelligent and prudent citizens.

All lawyers remember the classic remark of Justice Holmes when he said that freedom of speech does not confer upon a man the right to walk into a crowded theater and scream fire. For to do so would obviously endanger the lives and rights of *others* and would be an act of irresponsibility.

In this same vein, those who exercise the right of dissent with respect to Vietnam must ask themselves as responsible citizens several questions.

Is this criticism and dissent contributing to the best interest of our Nation?

Is this dissent directly or indirectly endangering the lives and well-being of others? For example does it help or hurt our soldiers, airmen, and Marines, who are in Vietnam, performing a duty thrust upon them by the requirements of their Government?

In trying to analyze where one's rights of dissent should be self-curtailed, by an equally well developed sense of responsibility and prudence, it might be helpful to examine briefly the facts regarding our involvement in Vietnam.

It is accurate to say that we are in Vietnam because of a program and policy first outlined by President Harry Truman in 1947 when he said, and I quote, "I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities, or by outside pressures."

That policy came to be known as the policy of containment—containment of aggressive communism.

That policy has been upheld by every President of the United States since 1947 and by at least 95% of the Members of the United States Congress.

I recall vividly, as I am sure many of you do, that President Kennedy, speaking on the Capitol steps in his inaugural address in 1961 said, and I quote, "America is willing to pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and success of liberty."

That announcement on *that* day was *applauded* and *approved* by all; including those who are today vociferously criticizing that same policy.

It was the beginning of the policy of containment that led us to send General Van Fleet of Bartow, Florida, and many of our men, to fight shoulder-to-shoulder with Greek patriots in order to save Greece from encroaching communism.

It was that policy which put our men, our power, our money, into Turkey and thereby saved Turkey from communism.

It was that policy which gave birth to the Marshall plan by which we committed over $60 billion of American money to save Europe from communism.

It was that policy which nurtured the NATO treaty which today requires us to keep over a quarter million troops in Europe at an annual cost to American taxpayers of over $7 billion, all for the purpose of guaranteeing the freedom of Europe, against the 90 divisions of *Communist* troops which are quartered just inside the Iron Curtain.

It was that policy of containing aggressive and expanding communism—(which has worked out so well in Europe—) *that* led us into a *defense of Korea in 1950*.

And, even when the armistice was signed in that war, the then President, General Eisenhower, pledged this country to a mutual security treaty which required us to defend Korea against further aggression. *Remember* the United States Congress ratified overwhelmingly that pledge of security with only one no vote. We have today over 50,000 of our soldiers in Korea, and it is that 50,000, which restrains the Red Chinese from plunging across the 38th parallel to take all of Korea.

In 1954, when the French were driven out of what was then known as French Indochina and suffered a defeat at Dienbienphu, it became clear to those who were "Asia watchers" that without the French in the area, the Chinese Communists would move eastward and southward, and inexorably, take over all of that vast area of the world, with some 300 million people—if they were allowed to move unchecked.

John Foster Dulles, our then Secretary of State, believed as did President Eisenhower and practically all of the Members of Congress in the validity of the policy of containment.

And, so, we entered into a treaty in 1954 with seven other countries in Southeast Asia, the terms of which provided that if any one of the countries needed help from any one of the other countries that help must be provided. This came to be known as the SEATO pact.

It was ratified by the U.S. Senate by a vote of 82 to 1. Again, I remind you that some who speak out most vehemently against our actions in Vietnam today were the leaders in getting the SEATO treaty with its contracts and commitments accepted by the U. S. Senate.

The then Government of South Vietnam was under control of a Catholic monarch by the name of Diem. He called upon this government for assistance in his fight against, not only communism within his own country, but that from North Vietnam. It was President Eisenhower's decision—once again approved by the leaders of the Congress—that we should send assistance and aid and provide military advisors.

In 1961, when President Kennedy came into power, there were less than 2,000 military advisors in South Vietnam, but because of the increasing pressures of the Communists, Diem asked for additional assistance—and President Kennedy, with the approval of the Congress, upped the number of military advisors to well over 19,000.

Thereafter, when President Johnson came in in 1963, it is only fair to state that he inherited an already sticky, messy and unwanted problem.

As the stakes have been raised and the pressure built-up by the Communists, we have responded with the necessary men and materials.

In 1964, when our ships were operating in the Gulf of Tonkin and fired upon by North Vietnamese PT boats, our people were so outraged that the Senate Foreign Relations Committee brought out the Tonkin Resolution which not only recommitted our Nation to the principle of providing assistance to small countries who asked for assistance, but it also authorized the President of the United States to *use such forces* as he deemed necessary in order to protect the integrity of South Vietnam, and advance our own national interest.

This resolution was adopted by a vote of 88 to 2, it was applauded by the press and the people of the Nation.

And, so, in 1966 and 1967, war goes on—it has gotten difficult.

It has begun to cost more in money and lives than we thought, and it is *now* that some—upon further reflection—think we should adopt other courses and policies.

Thus, we have criticism and dissent. Some from the left—some from the right—most from general frustrations.

Disraeli once said—"It is easier to be critical than to be correct."

Those who have the responsibility of *decision making* cannot afford to be critical. They *must be* constructive."

The proposed solutions by those who do not have responsibility range all the way from dropping the atomic bomb, on the one hand, to abject total withdrawal on the other.

I don't have time here this morning to go into these various proposals, but suffice it to say that there is no man in the United States, and possibly none in the world, who has as much desire to see us get out of South Vietnam as does the President of the United States.

For this President knows one thing above all else, that his reputation as a President, that his mark in history will be made, on how well or how satisfactorily, he can bring the war in Vietnam to an honorable solution.

And, it has been because of his desire for this type of honorable, negotiated settlement that we have seen five bombing pauses, none of which resulted in anything other than a build-up by the other side; 28 direct approaches to negotiate; at least one personal letter to Ho Chi Minh from our President—rejected out-of-hand efforts by the British to reconvene the Geneva Conference; efforts to get the U.N. to act—an unbelievable variety of other approaches—none of which have succeeded.

The old expression used to be "it takes two to tango."

I might add it also takes two to negotiate. It takes some willingness on both sides to sit down and talk, *if*, there is to be a conference.

But not we, nor our allies, can get any cooperation in this field of negotiation.

Why? Because they say they are going to win. Yes win.

Yet at this point, the Communists *know* they cannot win a *military* victory.

But they remember how they beat the French in 1954.

They remember that they actually won *back home;* when the French people, tired of the exertions; the loss of lives; the expenditures of money; and then the battle of Dienbienphu; allowed all the resolve to drain out of them, and they simply quit.

I don't know of any responsible person in America who wants that to happen to us—and, I am here today to say it won't.

We have now unmistakenly proven they cannot win militarily, and by the same token that we can.

However, our policy is not to beat anybody. We don't want anyone else's land, or to capture any peoples or to increase our obligations anywhere. We merely want to live up to our commitment and to save South Vietnam for whatever course it chooses to follow.

Therefore, we have a policy of limited warfare; limited in order not to provide the Soviet Union or Red China with any easy excuse to become participants in Vietnam. But at the same time to keep pressure mounting on the Communists—to where they will see no future in fighting—only choice to negotiate.

So what does the hue and cry of the dissenters here at home do?

Well, frankly, it hits a devastating blow at our policy.

The news media invariably give wide ventilation and publicity to those who criticize their country's leadership and its policies.

Each dissent is quickly disseminated to the Communist capitals throughout the world.

I wish I had time to show you recent clippings from the Communist press commenting upon speeches by Members of Congress who have criticized our Nation's policy.

This criticism—this dissent, and the manner in which it is *misrepresented* and *manipulated* by the Communist propagandists, encourages the North Vietnamese to think that they are winning.

Just last week, Radio Hanoi announced it was forming a "peoples' committee" to work with Americans in demanding that the United States Government put an end to its "aggressive war in Vietnam."

All during the same week, statements from Hanoi and Peking paid glowing tribute to riots and demonstrations in American cities.

During the march on Washington, the China News Agency commented that "Johnson himself was so seized with fear that he stayed in the White House all day. . . ."

Hardly a speech is made or an editorial written that is not picked up by the Communist propaganda mill.

For instance, the Hanoi radio has misquoted both Senator McCarthy and Senator Case to claim that there was open and widespread revolt on all college campuses throughout the U.S.

This encourages Ho Chi Minh to state publicly and repeatedly that there will be no settlement in Vietnam; that the only solution is a complete and total capitulation by U.S. and our allies.

He believes that our people are rapidly losing patience; that we are divided; that we are losing heart—and we will withdraw and surrender—one way or another—if they just keep fighting. General Giap said "Americans have no patience. Their morale is lower than the grass."

A few weeks ago, Premier Pham Van Dong of North Vietnam described American antiwar demonstrators "as companions in arms. The Vietnamese people thank their friends in America and wish them great success in their mounting movement." And so it goes!

I was heartened two weeks ago when a new group entered into the debate, President Eisenhower, President Truman, General Omar Bradley, Lewis Strauss, Senator Paul Douglas, and many other distinguished Americans, to counterbalance, as they said, the voices of dissent. They were disturbed by the fact that the Communists were *misreading,* and *misrepresenting* our dissenters.

So, surely we have the right to dissent and we will protect that right even to the extent that it becomes a march on the Pentagon, or burning draftcards or spitting on the flag.

The question each individual must decide for himself is where does his individual right to dissent come in conflict with his responsibility to not hurt the long-range best interests of his country?

In the State of North Carolina, they have a sign on their highways, on which is printed only a five-letter word. Its letters spell "Think."

The State Bureau of Roads in North Carolina tells me that these signs have reduced to a significant degree the number of accidents; the numbers of speeders; and the number of mistakes in judgment by motorists.

That word "think" is a good word for many occasions.

It seems to me it is a particularly appropriate word for the situation in which we now find ourselves.

For we Americans are an impetuous and impatient people. We have never been known to sit back and wait, for we like action. We are outspoken; we are spontaneous. We want solutions to all of our problems and we want them now.

Yet, I know of no citizen who wants to directly or indirectly make the job that our leaders, and our boys are doing in Vietnam more difficult. I know that our citizens are loyal and patriotic to the core, *but,* it does seem to me that in this critical and difficult situation in which we, as a Nation, find ourselves, the time has come for us *before speaking,* in criticism or dissent—to stop—to pause—and remember this phrase: "think."

ADDRESS BY SENATOR TYDINGS ON INTERGOVERNMENTAL RELATIONS BEFORE SOUTHERN GOVERNORS CONFERENCE

Mr. MUSKIE. Mr. President, there is growing awareness of the need for States to regain their position of more equal and responsible partners in our Federal system of government.

The distinguished junior Senator from Maryland recently discussed the role and problems of the States in a speech to the Southern Governors Conference.

I wish to commend Senator TYDINGS for his interest in Federal-State relations, and his concern for the future performance of State governments.

In his remarks, Senator TYDINGS refuted the popular myths that the Federal Government has stolen power from State governments, and that Federal taxes have dried up the financial resources of the States.

He went on to describe the need for modernization of State government administrative structures and of outdated restraints on the performance of the Governors, as well as the need for revision of State constitutions, improved pay for State employees, and other improvements.

Senator TYDINGS' remarks were of special interest to me because of our continuing review of the Federal system in the Subcommittee on Intergovernmental Relations. I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATES AT THE CROSSROADS: THEIR FUTURE IN OUR FEDERAL SYSTEM

(Address by Senator JOSEPH D. TYDINGS to the Opening Session of the Southern Governors Conference, Asheville, N.C., September 11, 1967)

DECLINE OF THE STATES

I am pleased to have been asked to address this conference session on "Federal-State Relations," because I believe we are at a critical crossroads in the development of our national governmental structures. We have experienced a long period of growth in the importance of the federal government and a decline in the influence of the states in our political system. Senator Dirksen suggested a few years ago that we might soon see the day when "the only people interested in state boundaries will be Rand-McNally."

I believe that the decline of the states in our federal system is very dangerous, but completely unnecessary.

The decline in the role of the states is dangerous because it violates the sound principle of our Constitution that state government should stand as a shield between the citizen and the central government.

The decline of the states as effective governmental units also jeopardizes quick and flexible government action to provide the services needed at the community level. This country is simply too big and too complex to be administered at the local level from Washington.

But the decline of the states need not continue if states will take advantage of the means readily at hand to rebuild their role as responsive and responsible units of government. In fact, the great movement toward redressing the state-federal balance has already begun in some of our states: not by enacting sterile writs attempting to annul the changes time brings in our national life, but by the much more difficult and infinitely more productive route of modernizing the machinery and methods of state government to meet the challenges of this closing third of the twentieth century.

Because I ardently believe the states can save themselves if only they will modernize, I want to talk to you briefly about what one U.S. Senator, who spent six years in his own state legislature, thinks the states can and must do to regain their place in the federal system.

MYTHS ABOUT FEDERAL-STATE RELATIONS

Let us at the outset dispense with two popular myths which can only obstruct a rational and effective revival of the state role in the federal system.

The first, phoniest, yet most frequently perpetuated myth is that the federal government in Washington has somehow "stolen" state government powers. If only the federal government would dismantle itself, this myth has it, the states will rise again.

The truth is that the states have ceased to function as effective partners in the federal system primarily because too many states too frequently have simply refused to function at all to meet the increasingly complex and costly public problems of their citizens. As the British learned during our own Colonial history, when a government ceases to respond to the needs of those it governs, those citizens will sooner or later simply shove it aside.

There is no inescapable logic of history or economics which makes education, air and water pollution, urban renewal, mass transit, housing, medical care, or adequate law enforcement the concern of the federal government. But in the first year I served in the Senate, Congress enacted programs in all these areas. We did not vote for these measures because we covet more power for Washington. The hard fact is that our constituents—who are your constituents too—were demanding action to meet these problems; and the states, for the most part, had failed to act.

Those who criticize "Washington" for interfering with "States rights" should first consider whether the federal government would have acted at all if the states had fulfilled their own responsibilities in these and other areas of proper state concern.

There do remain corners of America in which demagogues can gain office simply by playing on fears of "Big Government" and "Washington Bureaucrats," but there are few places where it is a liability to have voted for the federal Elementary and Secondary Education Act, the federal Air and Water Pollution Control Act, or any of the rest of the score of programs the federal Congress has recently enacted to meet problems most states have simply refused to face up to.

Political leaders in a healthy democratic system will always disagree on details and sometimes on programs, but the basic constant in American democratic life continues to be that the people must be served. And if the people of this country must by-pass the states and go to Washington for help, history has abundantly demonstrated that they will.

The federal government did not "steal" state power. In most cases, the states just gave it away.

A second myth which precludes rational discussion of the balance of power in the federal system is the notion that federal government has preempted all the tax dollars. The hobgoblin of the federal money-hoarder is frequently and falsely cited as an excuse for state inaction on problems their citizens then bring to Washington.

The fact is that the burden of federal taxation is no excuse for state inaction. The federal budget and taxing power simply have not preempted either the tax resources of the country in general or the income tax resources in particular. Even with the enormous defense budget—swollen $30 billion a year by the war in Vietnam—federal reserve receipts from all sources represent a scarcely greater percentage of the gross national product today than at any time since World War II. Although social security taxes have increased, federal excise taxes have been cut, and federal income taxes were reduced just three years ago by an average of 19% on personal incomes and 7.7% on corporate profits. Federal personal income tax rates are lower today than at any time since World War II, and corporate tax rates are lower than at any time during the past 15 years.

No doubt many states are raising all the local revenues the tax base in use will bear. But the tax base in too many states is predominantly property or sales, rather than income. Thus the basic state tax structure in many states is both regressive—hitting especially hard those on fixed or low income who can least afford increased taxation—and neglectful of the most fruitful tax base—income. Seventeen of our states impose no state income taxation at all. Many of the rest impose one which is either a flat rate or so inadequately graduated as to be consistent with neither the "ability-to-pay" theory of taxation or actual state financial needs.

I do not mean to say that the states have all the revenue potential they need to meet the pressing problems—some even more expensive being long neglected—they face. Because I believe in decentralized government and recognize its costs, I am an advocate of federal tax sharing with the states and have introduced a tax sharing bill in Congress. But tax sharing should supplement, not reduce, a state's own revenue effort and, in my view, should encourage more enlightened state taxation systems than presently exist in many states.

I am particularly impressed with the idea of a federal tax credit for graduated state income taxes. Such a tax sharing formula would not only make state revenue efforts easier, but would also encourage states to tap the greatest and fairest tax base in the state—the generally growing income levels America can reasonably anticipate for the indefinite future.

STATE GOVERNMENT REFORM

But merely finding the money will not shake off the lethargy which has paralized state action and fertilized the growth of federal power. To restore their role in the federal system, the states must shed the antiquated administrative structures and outdated restraints which have frequently made urgent state governmental action unlikely, if not impossible.

The greatest barrier to effective state government—malapportioned rotten-borough state legislatures—has already been eliminated. It is unfortunately symptomatic of the abdication of state power by those entrusted to exercise it that reapportionment had to come through the courts, rather than through the state action which most state constitutions required and every citizen deserved.

Reapportionment is now nearly complete. As Governor Agnew can tell you about Maryland's fully reapportioned legislature, having a legislature which accurately and equally represents the people of a state makes life a lot easier for a Governor who wants to meet the needs of his state.

The second critical step toward revival of state government is state constitutional reform. Too many state constitutions were first drafted a century or more ago under Tom Paine's theory that the government which governs least governs best. These constitutions straitjacket state legislative and executive authority. As a result, many states must try to make do with horse and buggy governments in the nuclear age.

The states cannot hope to deal with modern problems when their legislatures are constitutionally limited to short meetings, more than half of which occur only every two years. The states cannot hope to have the administrative flexibility to adapt to changing conditions as long as the state executive power is hamstrung with constitutional and legislative provisions designed to inhibit rather than enhance the executive's ability to move decisively to answer state problems.

Wholesale revision of state constitutions is essential to revival of state influence in the federal system. The states can never effectively compete with the federal government as long as their state governments deny themselves the legislative and executive flexibility the federal Constitution has always provided for the national government.

The states must also eliminate the non-constitutional handicaps under which they labor, such as non-competitive salary scales and inadequate facilities for legislators and state officers and employees. If industry pay scales draw off the best talent from the public service, the public business, like any business, will suffer for it. Many highly motivated civil servants have labored long and hard in the public's vineyard at the inadequate levels of pay. But as they retire, and as the demands on state government require an increase in its size, the calibre of state officials and employees will be reflected in the salary scales paid.

Furthermore, the cobwebs of archaic administrative and legislative organization should be swept away. Most states are encumbered with great numbers of boards, commissions and agencies which were either ill-conceived to begin with or have outlived their useful function. The states should seek the best modern management advice to introduce maximum efficiency into their governmental structures. The place to start saving tax dollars is not by cutting essential public programs, but by the streamlining of the dusty administrative structures with which, too frequently, the states try to administer these programs.

TOWARD A NEW FEDERAL PARTNERSHIP

I recognize the practical problems which inhibit state governmental reform. But the crisis in state government is so serious, and the survival of the state role so essential, that the challenge of change must be met.

As Governor Daniel Evan of Washington has said:

"State Governments are unquestionably on trial today. If we are not willing to pay the price, if we cannot change where change is required, then we have only one recourse. And that is to prepare for an orderly transfer of our remaining responsibilities to the federal government."

In large part, revitalization of state government depends upon the will of the public and its elected officials to make the necessary changes. Too frequently today, state candidates run on platforms of negativism and defeat, blaming most state problems on the federal government, rather than pledging initiative and imagination to make the changes necessary for the states to regain their place in the federal system. Too frequently too, critics of state government reinforce this defeatism by sneering at the states and writing them off as effective participants in the federal system.

I think both these groups are wrong, dangerously wrong. I believe we can make a breakthrough to new effective federal-state partnership in which the states play a vital and—in most domestic matters—equal role.

The completion of legislative reapportionment and the movement toward major state constitutional reform presage a hopeful new day for the states. But the path toward a new federal-state partnership will not be easy. It will require the continuing hard work and good will of both state and federal officials and legislators. But we can, if we will, form a new federal-state partnership in order to better serve those whom we both represent—the American people.

Let us replace both spiteful sniping at the federal government and sophisticated sneering at the states with a new spirit of constructive cooperation. Let us get on with the revitalization of the states as effective partners in the federal system.

RUSSIAN SOURCE SUPPORTS DOMINO THEORY

Mr. **BENNETT.** Mr. President, it is an unfortunate fact of time that men of vision must often await the passage of years before their vision and understanding of events is vindicated. In the years since the passing of John Foster Dulles there has been a great debate in this country about two concepts which he advocated and on which he made foundations for U.S. foreign policy. They were, of course, the domino theory in Southeast Asia and massive retaliation.

Regardless of the merits or wisdom of massive retaliation, that concept was successful simply because our potential attackers never really knew whether John Foster Dulles meant what he said or not.

The domino theory has been ridiculed on its merits and because it had been advocated by the Secretary of State who was a favorite target of partisan critics. The domino theory has been explained by many people, and consequently has many interpretations. Regardless of its precise meaning, it is very interesting to note that the theory is held and understood by some very interesting parties and governments.

In a recent speech in the Senate, I pointed out the efficacy of the domino theory and offered very persuasive statements from Southeast Asian leaders, men on the scene, who have clearly and without hesitation explained to the world that China intends to pick them off one at a time unless Red China is stopped by a coalition of American and Southeast Asian nations. Thus the people of Asia believe in the domino theory.

The Chinese in various statements and by various acts have proven that they not only believe in the domino theory, but they are pursuing it. Recently one of the most influential news commentators in the Soviet Union wrote that since 1950 Mao Tse-Tung has been pursuing a course based almost exclusively on the domino theory.

Mr. President, I ask unanimous consent that an article from the British Information Service and published in the Salt Lake Tribune of October 23 be printed in the RECORD at the conclusion of my remarks. Whether certain skeptics in the United States believe in the domino theory or not, the article clearly shows that China does. The article, coupled with the actions of Red China, certainly repudiates the attacks and questions raised by American opponents of the domino theory.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A BRITISH VIEWPOINT: RUSSIAN SOURCE SUPPORTS "DOMINO" THEORY

The "domino" theory—the idea that the fall of Vietnam to the Communists would cause other Southeast Asian states to topple—is discussed by the London Sunday Telegraph (Conservative). Perhaps no other political concept of our time has aroused such derision among "progressive" thinkers, the Telegraph says, then writes:

"But last week the domino theory received powerful support from a rather unexpected quarter: in an article by the most influential of Soviet news commentators, Mr. Rostovsky, widely known in the West under the pseudonym of 'Ernst Henri.' Writing in the Soviet newspaper Literaturnaya Gazeta, he reveals the existence since the 1950s of what he calls Mao Tse Tung's great strategic plan which aims at no less than the conquest of the whole of Asia, and perhaps even beyond, by gradual stages, and the establishment of a colossal 'Asiatic Reich.'

"The first step would be the incorporation of Korea and Mongolia, and of southeast Asia in the following order: Vietnam, Cambodia, Laos, Indonesia, Malaysia, Burma and so on. After that the Chinese-Communists would turn their attention to India, Soviet Central Asia, the Middle East . . . and even farther afield. This is exactly what President Johnson, Dean Rusk and their advisers have been saying for so long. Would it be too much to hope that this entirely unsolicited testimony, coming from such an unimpeachable Communist source, might make our 'progressive' pundits hesitate, and at least consider the possibility that the United States may be right?"

FEDERAL-STATE TAX SHARING

Mr. **BENNETT.** Mr. President, one of the great hopes for revitalizing State governments and cutting through the problems presented by the alarmingly increasing profusion of Federal programs is the proposal for Federal-State tax sharing.

This proposal, embodied in S. 694 which I am cosponsoring, would establish a fund of an amount equal to one percent of the aggregate taxable income reported on individual income tax returns for the preceding calendar year, or the amount appropriated to the tax-sharing fund for the preceding fiscal year, whichever is the greater. States will be apportioned amounts from this fund according to their population. Except for obvious prohibitions against the use of these funds for highway programs, state payments in lieu of property taxes, debt service or administrative expenses for State or local governments, there will be no strings attached to these funds.

Mr. President, my support for this measure stems from a deep concern that the Federal Government is usurping functions best handled by the States and their political subdivisions. One of the reasons for this usurpation is that the Federal Government is in a better position to obtain revenue than are State governments.

This more advantageous position of the Federal Government is traceable to several causes. First, the Federal Government's heavy entry into income tax collection has made it difficult for States to use this method of revenue gathering. Since income tax receipts increase much more with an expanding economy than do the traditional State methods of sales and property taxes, the relative position of the States is weakened as our economy continues to expand. Second, in their desire to attract and hold industry, States have become involved in mutually destructive low tax rate competition. Consequently, all the States are hurt by their need to compete with one another in providing favorable tax climates.

This problem of an increasing gap between the tax base of the Federal Government and that of the State is made even more alarming when we realize that the needs which have been traditionally and best served by the States and constitutionally delegated to the States are accelerating at a greater rate than are those served by the Federal Government.

Mr. President, our problem is quite simply stated. How do we get the money from the Federal level, where it is gathered, to the State level, where it is needed.

Over the past two decades, Congress has attempted to move this money from the Federal receipts to the needs of the States and their subdivisions via grants-in-aid. This approach has some very real problems.

One problem arises from the administration of grants-in-aid. William G. Colman, Executive Director of the Advisory Commission on Intergovernmental Relations, states:

> The number and variety of grant-in-aid programs has now reached the point that increasing difficulty is being encountered at the federal level in avoiding duplication and overlapping among or between programs with corresponding difficulties at the level of state or local government. (William G. Colman, "The Role of the Federal Government in the Design and Administration of Intergovernmental Programs," *The Annals of the American Academy of Political and Social Science*, May, 1965, p. 29).

Grants-in-aid suffer from the immense redtape generated by overcentralization. Consequently, we have the unfortunate situation where an area's grants are frequently not so much determined by its needs as by the ability of one of its administrators, a man frequently hired for this very purpose, to find his way through the bureaucracy and return home with the money.

Another problem which arises from grants-in-aid greatly alarms me. This is the ability of grants to alter the priorities of problems which State governments and their political subdivisions feel to be important. Dr. Charles Adrian, a widely recognized authority on State and local government, alludes to this problem. He states:

> By reducing the marginal cost of a new or an expanded program, a grant alters the political agenda by increasing the priority that that particular activity enjoys in that particular unit of government. Not only is the function expanded beyond what would be the case without the grant, but it is possible the amount spent by the recipient unit of government will be greater than would have been the case without the grant. The result of this may, in some cases, be the curtailing of other activities at the level of government. (Charles R. Adrian, "State and Local Government Participation in the Design and Administration of Intergovernmental Programs," *Annals of American Academy of Political and Social Science*, May, 1965, p. 39.)

Tax sharing meets the major problems presented by grants-in-aid. It gets money most effectively to the areas of greatest need. It eliminates the proliferation of the maze of redtape. It leaves priority setting to the governments closest to the people served rather than arbitrarily and unilaterally setting them in Washington, D.C.

Mr. President, I feel that a basic philosophical issue is involved. In a free society, we are committed to the concept that the people should have the final say. It logically follows that people can have their say most effectively in the governmental units nearest to them. This tax-sharing proposal brings the money to units of government which the people can act their will upon much more effectively than upon the Federal Government.

Some of the opposition to this proposal shows an unreasoning fear of the potential of the States and their subdivisions and an unreasoning faith in the wisdom of policymakers in Washington. Many of those opposed to this proposal applauded reapportionment, claiming that this would dramatically improve the State governments. Since reapportionment of most States is now a fact, I cannot understand how these people can now say that these reapportioned State governments are incapable of wisely spending money gained through tax sharing.

Mr. President, I am optimistic about the future of our States. Even now a number of them are showing great vigor in attacking their needs. Witness the efforts of Michigan, California, New York, and Pennsylvania. These and other States are illustrating the capacity of State governments to deal imaginatively and effectively with the problems which confront them.

Congress has the opportunity and the responsibility of helping to put State governments into a situation where they can deal with their problems without being penalized for the Federal Government's great advantage in taxing power. Federal-State tax sharing will be a momentous step in this direction.

MANY ARE CONCERNED

Mr. BYRD of West Virginia. Mr. President, the subject of the increasing involvement of activist clergymen in political affairs is a matter of great concern to many persons. In this connection, U.S. News & World Report for November 27 contains a significant article entitled "Militant Clergy—Critics Fire Back," which I believe will be of interest to Senators and other Members of Congress. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MILITANT CLERGY—CRITICS FIRE BACK

Disquiet is deepening in U.S. churches over the role of clergymen in the turmoil and rebellion unfolding across the nation.

This concern was highlighted November 12 in Williamsburg, Va., when an Episcopal minister questioned the war in Vietnam—with President Johnson and his family sitting in the congregation. Said the Rev. Cotesworth Pinckney Lewis:

"We are appalled that apparently this is the only war in our history which has had three times as many civilian as military casualties. It is particularly regrettable that to most nations of the world the struggle's purpose appears to be neocolonialism."

Laymen and authorities of the restored eighteenth-century village immediately disavowed support of the clergyman's views.

One official described the sermon as being in "exquisite bad taste," and Governor Mills E. Godwin, Jr., of Virginia apologized to the President.

Later, Mr. Lewis said he had been "grossly misunderstood."

Developing "backlash." This incident is only the latest of many now being reported in city after city, as a "backlash" develops among worshipers and clergy against the activities of radically minded men of the cloth.

In Milwaukee, Roman Catholic laymen are up in arms over the activities of the Rev. James E. Groppi, who is leading Negroes in an open-housing drive that has brought violence—condoned by the priest—to that city.

Two Detroit pastors dismayed their congregations by offering their churches as "sanctuaries" for draft evaders.

Even more startling was an "invasion" of draft offices in Baltimore by four men, including the Rev. Philip Berrigan, a Catholic priest, and the Rev. James Mengel, a Protestant minister. They poured vials of blood over draft records—to "illustrate that, with these files, begins the pitiful waste of American and Vietnamese blood."

In Englewood, N.J., a Conservative rabbi created a stir in his congregation when he recently "forbade" the members to vote Republican because that party, he said, was using "racist" tactics.

"Made us suffer." The leading role of clergymen in a vineyard strike prompted this comment from an officer of the Southern California Council of Churches:

"Many persons have withdrawn their membership in the churches because of our participation; some have withdrawn financial support. You could say that our involvement has made us suffer."

Similar rebellion is developing over church support being given in some cities to Saul Alinsky, self-styled "professional agitator" among the poor neighborhoods. The editor of the Episcopal magazine "Living Church" wrote: "I don't want one nickel of my church offering ever to find its way to anything that this man Alinsky administers or even comes near."

A top official of the United Church of Christ proclaimed that "revolution is our business." And that revolution is cutting through the whole fabric of American society.

An article in a Protestant magazine, "The Christian Century," urged churches not merely to condone, but to promote interracial marriage.

Clergymen wander through "hippie" colonies in San Francisco and elsewhere, praising teen-age "pot" users as the 1967 version of the early Christians.

"New morality." Becoming fashionable in seminaries is the doctrine of "situation ethics" which downgrades moral systems based on firm notions of right and wrong. Typical of the "new morality" being preached by some churchmen is this statement by Anglican Bishop John A. T. Robinson in his best-selling book, "Honest to God":

"Nothing can of itself be labeled as wrong. One cannot, for instance, start from the position that sex relations before marriage are wrong or sinful in themselves. The only intrinsic evil is lack of love."

One religious-news editor commented: "It seems you can get away with any kind of behavior if you call that behavior love."

Such views represent a broad swing away from the traditional view of the churches' role as ministering to the individual's spiritual needs.

Secular movement. Today, many traditionalists are coming to see individual and social needs as interwoven. The Rev. Dr. Billy Graham, for instance, stated recently, "There is one Gospel only . . . the dynamic of God to change the individual and, through the individual, society."

Other clergymen, going further, are stating that it is the churches' job to stir members into discussing moral aspects of social issues and into reaching broad conclusions of their own.

Developing is a "new breed" of clergymen seeking to plunge their congregations wholeheartedly into social and even political revolution. Said the Rev. Cecil Williams, of the Glide Memorial Methodist Church in San Francisco:

"We go where the action is, listen with all our might, with our guts, interpret and articulate what it is that people are trying to say, and make darn sure we can translate what they want into action."

Such men were the backbone of the nationwide Conference on Church and Society held in Detroit in recent weeks under auspices of the National Council of Churches.

Delegates urged that not only should churches become "sanctuaries" for draft evaders, but that they should sponsor a 24-hour general strike across the United States should the Vietnam war be escalated sharply.

Turning to urban problems, the conference's goal appeared to be that of defining a "theology of revolution" as called for by their best-known spokesman, Prof. Harvey Cox, of the Harvard divinity school, who wrote the influential book, "The Secular City."

While deploring violence in Vietnam, delegates held it to be justified in "redressing wrongs" at home. Some churchmen felt that the "complete restructuring" of U.S. society might justify the arming of snipers and incitement to riot. Said a working paper:

"Detailed mobilization of church resources must be developed to respond to confrontation between the police-military arm of the state and subjugated, robbed and excluded populations."

Such statements prompted this comment from "The Christian Century," even though it has often sided with "activist" clergymen:

"To say, as these double-minded absolutists did, that as Christians we must oppose violence in Vietnam but use violence in the United States, that Christians must support the oppressed in *any* conflict with the government, that violence can be baptized in the name of Jesus Christ, that nothing will save our society short of total revolution, is to indulge in loose and irresponsible talk that is not only unchristian, but politically stupid."

The magazine also was critical of another highlight of the Detroit conference—a show arranged by the arts director of the National Council of Churches. The show included a film depicting, in sequence, the profile of a couple engaged in sexual intercourse, a strip-per removing her clothes, and the gyrations of a topless dancer.

Way of the prophets? Today's revolutionaries in the pulpit sometimes are being compared with the prophets of ancient Israel who thundered against the religious and secular authorities of their day. Unlike those prophets, however, the present-day Jeremiahs are described as anything but lonely outcasts from the society that stirs their wrath.

Religious observers estimate their "hard core" at no more than a few thousands. But it is the boast of Professor Cox and others that they are moving into key posts in churches, seminaries and interreligious groups.

Often their views are getting support from the religious bodies they claim to represent.

The Community Church of New York, for instance, unloaded its stock holding in a chemical company because that firm made napalm used in Vietnam.

Several Protestant clergymen brandished denominational holdings of stock in a camera company as a weapon of pressure while attacking the firm's policies on the hiring of Negroes.

Catholics, Jews and Protestants in many cities are working together in "Project Equality," which asks church members to use their buying power to "pressure" suppliers into hiring more Negroes.

"Activist" officeholders strongly influence statements being published under religious auspices.

As one example, the World Council of Churches, which claims a membership of about 230 Protestant and Orthodox churches, last year denounced the U.S. position in Vietnam.

As a follow-up, the Rev. Eugene Carson Blake, secretary-general of the World Council, recently suggested that a vote of free Asian nations decide whether American forces should remain there or pull out.

Similarly, the National Council of Churches has come out in favor of open housing, legislative reapportionment, the rights of labor, and an end to the bombing of North Vietnam, to mention only a few of its proposed solutions to world dilemmas.

Such agencies, as well as individual clergymen, are maintaining that they speak for themselves and not "for" their denominations. But complaints are being heard increasingly about the validity of this claim. It is pointed out that the headquarters of the United Church of Christ officially released the statement of a number of its high officials who criticized the ouster of Representative Adam Clayton Powell from Congress—although the officials claimed to be speaking for themselves, not their church.

GROWING RESISTANCE

It is against that background of growing power among the activists that strong resistance is developing in many congregations across the nation.

Rank-and-file delegates to the general assembly of the United Presbyterian Church in the U.S.A. not long ago overrode a committee report that sought to put the church on record as approving "selective" conscientious objection.

In Philadelphia, where a staff member of the Episcopal archdiocese had been urging young men to burn their draft cards, there was picketing by irate churchgoers until the bishop issued an order forbidding further acts of civil disobedience by his staff.

The Episcopal bishop in St. Louis asked for the resignation of two priests active in the "militant" wing of the civil-rights movement. A Roman Catholic priest in Detroit was relieved of his duties after 10 parishioners walked out in protest against his sermons on race relations and Vietnam.

A team of sociologists from Columbia University and the University of California at Berkeley questioned 100 Episcopal bishops, 259 clergymen and 1,530 laymen. They concluded:

"Past experience has shown that, when the church has taken a strong and unequivocal position on an issue, it has alienated members whose nonreligious interests are threatened.

"There is no evidence that taking an unpopular stand has changed the thinking of many parishioners."

In like vein was the conclusion of a Methodist study group that the churches had "overextended" themselves "by so broad and superficial involvement in so many diverse aspects of society that it fails to make an impact."

What results may be. Many churchmen believe that open ruptures of the kind which has occurred in Milwaukee are developing.

There Father Groppi's militant campaign for open housing has brought decline in church contributions, and some Catholics are talking of boycotting the archdiocesan charities drive next year. Name-calling has become commonplace when Father Groppi makes a public appearance. The split among Roman Catholics in Milwaukee has been widened by what some critics have described as his tolerance of young Negro "commandos" who vandalized the mayor's office.

A parallel case is seen in Chicago's South Side where the white pastor of a Presbyterian church continues to defend a Negro gang of youths against what he calls "police harassment"—despite the unearthing of three rifles, a shotgun and 22 sabers in the church last year.

As most observers see it, U.S. religion is embroiled in controversy striking at its very roots. Dr. Franklin Littell, president of Iowa Wesleyan College, said:

"If the sixteenth century is remembered for the Protestant and Catholic reformations, if the nineteenth century is remembered as the great century of Christian missions, the twentieth century will stand out as the century of the church struggle. And, brethren, it's going to get worse before it gets better."

SOVIET UNION UNABLE TO RATIFY CONVENTION ON FORCED LABOR—ALL THE MORE REASON FOR UNITED STATES TO ACT NOW

Mr. PROXMIRE. Mr. President, the Foreign Relations Committee has had before it for a long time the Conventions on Forced Labor, the Political Rights of Women, Freedom of Association, and Genocide, the last two since 1949.

Today, I speak of the forced labor treaty which is certainly constructed in the interests of humanity. In good conscience it would seem that we should approve it by automatic reaction.

Soviet Russia has not ratified this agreement. The terrible fact is that that nation has subjected countless numbers of Baltic States peoples and others to forced labor. Soviet ratification of the Forced Labor Convention would have constituted an exercise in hypocrisy.

Our Nation, by great contrast, serves as a beacon of freedom, demonstrating for all mankind that the dignity of man must always be preserved. It is time we made this dramatic difference between our system and all forms of tyranny crystal clear for all to see by ratifying the Convention on Forced Labor.

I once again urge our attention and support to the remaining Conventions on Genocide, Political Rights of Women, Forced Labor, and Freedom of Association. Affirming these treaties would advance the cause of humanity throughout the world.

POLLUTION OF LAKE MICHIGAN

Mr. PERCY. Mr. President, the Chicago Daily News has made a solid contribution to the discussion of the growing danger facing Lake Michigan. In a long article, the News outlined the problems of easing the pollution crisis and of starting the long road back to a clean and living lake. The heart of the presentation is a nine-point program to save the lake.

We are hopeful for broad citizen support for the efforts already underway and those that can be taken in the future to save Lake Michigan. Such efforts can succeed only through the cooperation of industry and local, State, and Federal Government working effectively together with a maximum of support from an enlightened, informed people, who are the ultimate beneficiaries.

I commend the efforts of the Chicago Daily News and of Rob Warden and M. W. Newman for their contribution to the effort and for taking these steps toward offering a meaningful program to combat the threat of lake pollution.

I ask unanimous consent that the nine points be printed in the RECORD.

There being no objection, the nine-point plan to save Lake Michigan was ordered to be printed in the RECORD, as follows:

THE NINE-POINT PLAN TO SAVE LAKE MICHIGAN

(By Rob Warden and M. W. Newman)

1. Cities and towns: Start now to improve treatment of wastes fouling the lake. Set a 5-to-10-year timetable for completion.
2. Industries: Take immediate steps to stop polluting. Cleanup deadline: 5 to 10 years, or sooner.
3. Ships and pleasure boats: Stop emptying sewage into the lake by next spring.
4. No more dumping. Ban deposits of river dredgings or any other material that decays, feeds harmful plant growth and discolors or fouls the water.
5. Danger: Farm chemicals. Cut down on pollution from fertilizers and insecticides washed into the lake by rain.
6. Watch for violators. Make regular inspections to detect polluters and bring them to court.
7. Control alewife and lamprey eel menaces, restore balanced fish life.
8. Expand research to develop better antipollution methods.
9. Financing. Substantially increase Federal aid and tax incentives to encourage installation of pollution control equipment by local agencies and by industry.

BILINGUAL EDUCATION PROGRAM PROVES TREMENDOUS SUCCESS

Mr. YARBOROUGH. Mr. President, one of the most successful programs of bilingual education has been that practiced by the Coral Way Elementary School in Dade County, Fla. This school district, because of the large number of Cuban refugees, was faced with the same problem that many of our Southwestern States face. The school population contained a large proportion of Spanish-speaking students.

In a real exhibition of educational innovation, the entire school was transformed into a model school of bilingual education, with very successful results. Not only has the students' learning ability been enhanced, but also by the sixth grade, both formerly English-speaking and Spanish-speaking children, are fluent in both languages.

To illustrate what a successful program of bilingual education can mean, I ask unanimous consent that the article entitled "Bilingual Teaching Works, or Se Aprenden en Dos Idiomas," published in the Miami Herald of November 19, 1967, be printed in the Record. The article describes how an educational problem can become an educational advantage for all students. This is what we are trying to accomplish with my Bilingual Education Act which has been incorporated as an amendment in the Elementary and Secondary Education Act Amendments of 1967 which we will consider soon in the Senate. This one successful example of bilingual education proves the worthiness of concentrated effort in this area.

There being no objection, the article was ordered to be printed in the Record, as follows:

Coral Way Elementary Experiment: Bilingual Teaching Works, or Se Aprenden en Dos Idiomas

(By Georgia Marsh)

Take a group of Cuban youngsters who speak only Spanish and a group of North American children who speak only English, and put them in the same classes.

The result, at Coral Way Elementary, is not confusion but a model school teaching in both languages that:

Recently drew praise from a top U.S. education official.

Has drawn visitors from almost every part of the world.

Has a principal, Joseph Logan, whose original reluctance has been converted to all-out enthusiasm. He now recommends bilingual teaching go "countywide."

Five years and some controversy later, Carol Way's experiment in total pupil bilingualism is registering as a success. It recently won praise from U.S. Education Commissioner Harold Howe.

Under the bilingual program all students spend part of the day learning in Spanish and part learning in English.

Three years ago a group of Coral Way parents objected to a combination fifth and sixth grade class formed for students who did not want to participate in the bilingual plan. The parents wanted separate classes for the two grades but the size of the individual classes did not justify hiring two fulltime teachers. The students have since gone on to Junior high.

Logan said about a dozen parents also transferred their children out of the school when it went bilingual but said these resulted from "individual problems."

Coral Way's entry into the bilingual education field is but one of several new educational programs which are the result of the huge influx of Cuban school children here.

The influx started out as a "crisis" in the early 1960s but is now viewed as a "blessing," by Paul W. Bell, supervisor of bilingual education.

Faced with the "fantastic educational challenge of absorbing thousands of Spanish-speaking children, Dade schools responded by providing significant new educational programs.

In addition to Coral Way, Dade's projects include a native language curriculum for Spanish-speaking children. Under this program, about 10,000 Spanish-speaking students study Spanish just as North American students are required to study English every year.

The influx also led to the development of special first and second grade reading books for non-English speaking pupils known as the Miami Linguistic Readers. It is now used nationally.

Dade's school population of 212,000 includes 22,500 Cuban children and another 7,500 from other countries where the native language is Spanish.

In 25 of Dade's 213 schools, the native Spanish-speaking pupils make up half, or more than half, the total school enrollment.

And the number of Cuban children increases by 300 each month as daily flights bring refugees to Miami.

"The influx was the catalyst for developing new programs," Bell said. "The needs were not new but the crisis and federal assistance made it both imperative and possible to meet those needs."

Federal aid this year is $10 million, given so Dade can provide without higher taxes the same education for refugees as is provided for children who are permanent residents.

The money goes into the school system's general operating budget.

Bell said it costs an additional $25 a pupil to operate a bilingual school. The funds are needed for special materials and teacher aides.

But, Bell continued, the purpose of the bilingual program is "not to help Cuban children keep up. The purpose is to prove that children can learn a second language."

Proof it can be done is evident at Coral Way where native Spanish-speaking students and native North American students converse so easily in either tongue that it is difficult to determine a child's native language.

Studying in a second language has not hampered the student's learning ability either, Bell and Logan say.

Mrs. Josephine Sanchez, a bilingual teacher, said test grades show a normal curve following the ratio of five Cuban students to every two North Americans enrolled at the school. "For every five poor Cuban students we have two poor North Americans," she explained.

Coral Way starts its bilingual program in first grade. As the pupils progress they spend more and more time learning in the second language so that this year's sixth graders are working equally in both languages.

Bilingual teaching does present some problems. Teachers work in teams of three and sometimes find their schedule forces them to move to next subject though they would prefer pounding home a particular lesson a few minutes longer.

Principal Logan said students don't sacrifice anything but "busy work" the nonessential material often used just to fill out the school day.

Logan, who originally was apprehensive about the bilingual plan, now is convinced that "any child can learn a second language."

Coral Way's program has been adopted in modified forms in schools throughout the nation.

In Dade, bilingual education has spread to Feinberg and Mae E. Walters Elementary Schools. Shenandoah Junior High now offers two hours of bilingual teaching to students coming from Coral Way.

At Feinberg, Principal Bernard Nissman is sold on the idea but cites "lack of space and materials" as some of bilingual teaching's special problems.

"We have to adapt rather than adopt materials," Nissman said.

Still another need is inservice training for teachers. "With 13 per cent of our school population speaking Spanish, more of our teachers should at least be aware of the instructional needs of the bilingual student so they can help with regular classroom work," said Bell.

Bell considers money spent on the bilingual program "a good investment . . ." One of the fascinating things we are discovering is that the total spectrum of education can be bilingual. Anything we can do in one language we can do in two."

ADDRESS BY SENATOR ROBERT KENNEDY ON HEALTH CARE

Mr. RIBICOFF. Mr. President, last Sunday the Senator from New York [Mr. Kennedy] delivered a timely and important address on the subject of health care in the United States. In his address, Senator Kennedy offered a challenge to the medical profession to meet the health needs of millions of Americans; and he offered several provocative and challenging suggestions as to how these needs can be met.

From my experience as Secretary of Health, Education, and Welfare, I can testify that the United States must do more to provide adequate health care for those Americans who are not now receiving it. I am proud to have helped author the medicare proposal, and proud of the achievements it has brought. At the same time, I recognize that the task has only begun. Because I believe that Senator Kennedy's statement merits serious study, and ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Robert F. Kennedy, Yeshiva University, Albert Einstein College of Medicine, Bronx, N.Y., November 19, 1967

This is a place of special meaning for me. For at Yeshiva University the Albert Einstein College of Medicine has begun an important new step in its pioneering urban health program: The Rose Fitzgerald Kennedy Center for Research in Mental Retardation and Human Development. This Center, which will help to salvage the lives of lost citizens, is a testament to your concern—concern which has been a keystone of this great medical school.

But I come here to offer you not congratulations, but a challenge. For in New York and across the nation, the condition of American medical care is grave—in fact, it is critical. We—and you—confront a grim scene of the neglected, the ill, and the dying—the thousands, the millions of victims of our indifference.

"If we believe that men have any personal rights at all," Aristotle said, "then they must have an absolute moral right to such a measure of good health as society alone is able to give them."

Two years ago, the United States began a program to provide this moral right for two parts of our population: those over 65, and the "medically indigent," for whom serious illness means financial catastrophe. We have spent billions of dollars in these programs—yet what they have produced is not achievement, but anxiety. For they have shown us more vividly than ever before—that our Nation's system of health care has failed to meet the most urgent medical needs of millions of Americans.

The cost of health care in America is staggering: more than 6 percent of our gross national product. And with Medicare and Medicaid, these costs have soared. But consider what we have bought with these billions:

In 1950, we ranked fifth in the world in our infant mortality rate. Today, we rank fifteenth—below all of the industrialized nations of Europe. And here in New York, during the last decade, infant mortality *increased*—by 4 percent.

Twelve other nations have higher life expectancy rates at 60 than we do.

Fifteen other nations have higher ratios of hospital beds to patients than we do.

Forty-three percent of our hospital care, according to Columbia's School of Public Health and Administrative Medicine, is only poor to fair.

But these figures—and countless others—cannot measure the full impact of our double standard of medical care. It cannot measure the disappearance of family physician care for poor families—and its replacement by the emergency rooms of huge impersonal municipal hospitals. It cannot measure the long waits, on endless lines, for an often indifferent examination by a doctor the patient has never seen before, and will not see again. It cannot measure the minor illnesses which spawn major diseases—because regular checkups are unknown, and continuing medical care an illusion. It cannot reflect the children whose education is useless—because they are too weak to work, or too ill to listen.

Figures cannot measure the indignities, the inefficiencies, the lost lives, but they at least tell us how much remains to be done, beyond the spending of massive sums of money.

Medicare has told us what we should have known long ago. Our system of health care in the United States is understaffed, overburdened, and as it is presently structured, wholly inadequate to supply decent medical attention for all Americans. This fact was hidden from us—because those who were elderly, those who were poor—simply did not get a minimal amount of medical care. Now, they are beginning to come to hospitals, and to visit physicians. And with them has come the knowledge that our system of health care must change.

There is already a shortage of modern hospital beds and nursing home beds. Medicare and Medicaid have only multiplied the number seeking care in these already overburdened and often inefficient facilities.

The result of providing more money to compete for the same supply of services has been an astronomical increase in the cost of care. Daily rates in hospitals are up over a third in less than two years. Physicians' fees have risen over ten percent, 8.5 percent in the past year alone. Hospital charges of $100 a day will soon be a reality in New York City.

There is no real mystery about why this has happened. Wages are two-thirds of the cost of running a hospital, and there was a huge backlog of wage demands in our hospitals. Nurses and other personnel had worked too long at substandard pay, and now there are funds to offer a more adequate wage.

But there are other matters. Hospitals are run essentially as they were fifty years ago. They have been neither forced nor even encouraged to innovate. Patients are still wheeled from one end of the hospital to the other for surgery. Costly services are maintained for vast numbers of patients not seriously enough ill to need them.

Physician fees have risen so sharply because more dollars cannot by themselves produce more doctors. That, coupled with the fee-for-service approach of Medicare and Medicaid, has allowed some specialists and even some general practitioners to reap exorbitant benefits from these tax-financed programs.

Serious as these matters are, the fundamental problem is one of structure—one which goes to the heart of our system of delivering health care. We are pumping billions of dollars of new money into the health industry—but without the slightest effort to change the existing system, under which people are taken care of in the costliest institution, the hospital, and by the costliest manpower, the doctor. It is no wonder that the cost of health care has risen so sharply.

The first task, in my judgment, is to recognize that our present approach is simply not satisfactory—and to do something about it. We are providing poor quality care at high cost. That is nothing less than a national failure.

Next week I shall propose, as an amendment to the social security bill now before the Senate, the establishment of a joint Congressional committee to study the cost of health care and what we are going to do about it. The committee's mandate would be the full scope of the cost problem—from reimbursement formulas to new technology, from ways to achieve gerater efficiency to new ways of delivering health care.

But no committee—no study—can be successful unless it confronts the root cause of spiraling medical costs: the outmoded and rigid structure of health care which simply cannot meet the demands for decent medical attention. What is needed—as a matter of the first priority—is to put our medical resources to work in new ways, to respond more effectively to the ever-growing demand for services.

An effective program of action requires at least four steps:

First: We must tap new sources for recruitment into the health field and develop new health careers for our recruits. We all know we have a grave shortage of medical personnel. We know that each year we educate 2000 fewer doctors than we need just to keep pace with present ratios; and we know we need more nurses of all kinds, and more technical aides.

But even as we provide government assistance to health professional schools—even as we provide scholarships and loans, so that low-income students can attend our medical schools—we know we must develop new jobs in the health field. For the fact is that we will never have enough doctors and nurses to perform all of the tasks we now assign to these costly and scarce professionals. Experience has shown that many of their tasks can be performed by assistants working under their supervision—aides who can be enabled to study on the job in order to acquire greater skill and move on to greater responsibility.

We can find many of these people in the same communities of the poor which most need medical help. We can find—and train—non-professional people, to care for fellow members of their own communities. And this source of employment—a source you have tapped with your health careers program—can find worthy service and increased job opportunity, within the medical profession.

Second: All of our medical resources must be put to work more effectively in the communities themselves. To structure the future of medicine solely around large, impersonal hospitals will not only insure poor quality care, but also guarantee even more excessive demands on these overcrowded institutions—and thus produce higher and higher medical costs.

If we are to use our funds wisely—if we are to deploy our health manpower efficiently—we must decentralize medical care. We must bring health services to the people through a system of community and neighborhood health centers which provide comprehensive family care in a dignified, responsive setting.

Again, you at Albert Einstein have recognized this need, by participating in the Storefront Neighborhood Service Center, serving the Lincoln Hospital Community. Here, nonprofessionals can be of greatest service—by insuring that neighborhood centers *serve* the poor, instead of using them. Too often, the medical profession has seen the ghetto communities as ideal neighborhoods—not so much for service, as for obtaining teaching material. One doctor told me of a conversation he had with a ghetto resident. He asked her what she thought of a planned new neighborhood health center.

"Oh," she said, "is that another one of those programs where we supply the diseases?"

The neighborhood health centers must not be that kind of program. They must meet the fundamental health needs of our neglected citizens.

Third: The program must go beyond narrowly-defined "health" needs. For all of the energy—all of the commitment—of the medical profession will not be enough, unless we also meet the sources of disease.

It is illusion to think we can cure a sickly child—and ignore his need for nutritious food. It is foolish to pour in funds to minister to the effects of filth-ridden slums—without recognizing the undeniable fact that these slums breed disease. It is profitless to establish community mental health services—if we do not understand that a community of the jobless, the purposeless, the hopeless spawns frustration and agony in the minds of its victims. We will never have enough doctors to cure the children of Mississippi who have not eaten nourishing food since their birth. There will never be enough therapists for all the brain-damaged children of Bedford-Stuyvesant. We will not cure the pathology of individuals, unless we—and you—begin to come to grips with the pathology of these communities.

Education—jobs, housing, community participation—these are essential elements of a healthy neighborhood, And if these goals require the active direct participation of the medical community in matters of public controversy, then this is the work that must be done. It is neither economical, nor compassionate, to care for the consequences of poverty, and ignore its roots.

Fourth: As this is true for the communities of poverty, it is just as true for the whole society. All the cancer research, all the hospitals in the nation may be less important than the single simple step of making sure that fewer children are enticed into becoming cigarette smokers. All our programs for training new doctors may not mean as much to the health of the city of New York as courageous and forceful action to eliminate the pollution of our air. All our emergency rooms will not be adequate to care for the victims of the carnage on our highways, if we do not enforce far more rigid safety standards on the makers of automobiles.

And the same is true for the dozens of health hazards we have allowed to persist, through ignorance and inattention and sloth: the meat packed amid dirt and disease; the drugs sold without adequate testing; the pesticides carelessly sprayed onto our crops.

These are not for the medical profession alone—these are challenges to all of us. But you of the medical profession, the concerned and active doctors and leaders such as are here today, you can take the lead.

Part of the job is securing the enactment of legislation; and whatever legislation is necessary, I can tell you that it will be introduced—and it will be fought for. But another part of the job is education and action, relying on the spontaneous skill and initiative of the American people. Just a few years ago, surveys showed that alarming numbers of our children were overweight, underexercised, simply in poor physical condition. President Kennedy set up a Council on Physical Fitness which, in cooperation with thousands of Councils all over the country, began to set up programs of education and exercise for children and families. The Councils were completely voluntary; they were almost without funds; yet they worked a small revolution. And within two or three years, new surveys showed that the young people of America were far healthier, in far better physical condition, than they had been before the Councils began their work. That kind of effort—whether for better school meals, or against early smoking, or to stimulate forceful action against air pollution—can be made in every community in the country today.

This is a challenging task. It requires help from Washington—for example, funds to help medical schools implement bold changes in education and operation. And it requires help from state capitals and City Halls to replace rigid regulation with creative flexibility.

But most of all, it requires effort by yourselves—members of the medical profession, guided by your obligations, and by the counsel of Albert Einstein, who said:

"Concern for man himself and his fate must always form the chief interest of all technical endeavors . . . in order that the creations of our mind shall be a blessing and not a curse to mankind."

Now you must find new ways to bring the blessings of medicine to millions who have never been reached. It means the willingness and energy to discard traditional institutions and approaches to better the condition of man himself, and his fate. But you have that willingness—you have that energy—and I know you will succeed.

FARMERS HOME ADMINISTRATION COMBATS POVERTY IN MAINE

Mr. **MUSKIE**. Mr. President, one of the most effective lines of direct action in the war on poverty is the program of small loans to rural families who ask only for a chance to work and earn their way.

Rural Americans boxed in by poverty frequently have little to hope for except a better opportunity for self-employment. Industrial and business jobs they can perform may be scarce or nonexistent in their rural communiites. The farm, or some small nonfarm enterprise, offers their best hope for a decent living.

The rural American caught in these circumstances can never make a start as an independent entrepreneur unless he can obtain tools, supplies and a place to work. He has no savings, nor extra income or conventional credit for staking himself to what it takes for a beginning.

This is the need fulfilled by economic opportunity loans administered in rural areas by the Farmers Home Administration for the Office of Economic Opportunity.

We have far to go before we reach all the people we must among the 15 million disadvantaged in rural America. However, this program has reached more than 52,000 low-income rural families since it began in January 1965.

Individual loans not exceeding $3,500 each have been made to 44,500 families, to help them make a better living on small farms or go into nonagricultural enterprises that can yield them a better living in their home communities.

Families served through the economic opportunity loan program have taken up and made a success of more than 350 different types of occupations.

Groups of low-income people, totaling another 7,500 families, have formed cooperatives to acquire and operate expensive farm machinery that no one family can afford, or supply other goods, services, and working facilities the members can use in order to earn a better family income.

There are numerous examples I could cite of the successes individuals have made with economic opportunity loans, but permit me to give this example of a lobster fisherman in Penobscot, Maine. Married, with two teenage children, he had worked as a share fisherman for 37 years, using another man's gear for 25 percent of the net profit and ekeing out a bare living of about $2,000 a year.

In 1965 this fisherman qualified for a $2,500 economic opportunity loan from the Farmers Home Administration to get his own lobster boat, small truck, and other equipment. Now, as an independent lobster fisherman, he can net more in 6 months than he did working on shares the entire year. Last year he earned about $4,500 or more than $2,500 above what he earned the year before.

This is but one example of some 300 loans to fishermen in the coastal areas of the State, and 1,000 loans in rural Maine that have enabled low-income families to make immediate headway with loans that have given people the opportunity to do so.

Mr. President, every family who is able to start moving through this program may be subtracted from the distress rolls of rural America.

THE STRATEGIC BALANCE

Mr. **BYRD** of West Virginia. Mr. President, an interesting article, entitled "The Strategic Balance," appeared in the November–December 1967 issue of Ordnance. The author of the article, Dr. James D. Atkinson, suggests that the United States use its technological resources to develop a variety of offensive and defensive systems to limit an enemy's capabilities.

Dr. Atkinson, a native of Weston, Lewis County, W. Va., is professor of government at Georgetown University, research associate in the Georgetown Center for Strategic Studies, and a member of the British Institute for Strategic Studies. He is author of numerous books and articles in the field of defense analysis and national security affairs and recently served as a member of a special committee of the American Security Council headed by Gen. Bernard A. Schriever, which prepared a study for the House Armed Services Committee entitled "The Changing Strategic Military Balance: U.S.A. Versus U.S.S.R."

I ask unanimous consent to insert the article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE STRATEGIC BALANCE: RATHER THAN SEEK MERE NUCLEAR PARITY WITH THE SOVIETS, THE UNITED STATES SHOULD USE ITS TECHNOLOGICAL RESOURCES TO DEVELOP A VARIETY OF OFFENSIVE AND DEFENSIVE SYSTEMS TO LIMIT AN ENEMY'S CAPABILITIES

(Dr. James D. Atkinson)

It has been said that U.S. military-technological progress forces the Soviet Union to react to a particular development. But is this, in fact, correct? Do our strategic patterns set the pace for Soviet developments, or do the Soviets pursue their own strategic goals quite independent of us?

It can be argued that in some areas we may be able to influence Soviet policy. We of the United States might be able to convince the U.S.S.R. that we can and will maintain superiority in the production of long-range missiles.

But it is unlikely in the extreme that the Soviets can be convinced that *they* are precluded from achieving scientific and technological breakthroughs in particular areas—such as reentry vehicles or advanced antiballistic missile (ABM) systems—which might lead to a high level of weaponry and give them superiority over the United States at a given moment in time.

Indeed, authoritative Soviet spokesmen and military journals bluntly indicate that the Soviet effort is directed toward the attainment of superiority. Thus *Communist of the Armed Forces* (No. 3, 1966) has stated that "winning and maintaining technical superiority over any probable enemy while there is still peace is today of decisive importance."

Especially under the impact of long lead times, the essence of strategy today is not so much the now; it is, rather, the *5 years* from now—and the *10 years* from now.

It is important, of course, whether or not we now have over-all strategic superiority over the Soviet Union. But it is even more important to understand the trends in the military-technological competition, for upon these depends our future security.

The July 1967 study of a special subcommittee of the National Strategy Committee of the American Security Council, "The Changing Strategic Military Balance: U.S.A. vs. U.S.S.R.," gives a blunt warning with reference to trends in the power equilibrium. The study states:

". . . For 1971 it appears that a massive megatonnage gap will have developed. U.S. delivery capability is estimated to range between 6,000 megatons and 15,000 megatons, whereas the estimated high for the Soviet delivery capability is 50,000 megatons, and the projection of the established Soviet range-curve indicates a low figure for the Soviets of approximately 30,000 megatons. On the basis of this projection, the U.S. and the U.S.S.R. will have reversed their roles in a 10-year period."

This study also points out a continuing strategic problem for the United States—the high yield of Soviet ICBM's and the resulting possibility of electromagnetic pulse or other unexpected weapons effects that might neutralize an entire U.S. ICBM complex however we might harden or shield it.

Allied to this is the possibility of a complete blackout of communications and the consequent transmission failure of a retaliatory order by the President. This is so since, as a result of the Nuclear Test Ban Treaty, "the United States can only guess at what unique effects might occur when very high-yield weapons are exploded. But the Soviets *know*."

Because of these and other serious questions raised, the study has received wide attention in the American press. *The New York Times*, for example, in a front-page story on July 12, 1967, stated that "the Defense Department did not directly contradict the study's findings, but argues that deliverable megatonnage was not an accurate indicator of 'true military capability.'"

The Christian Science Monitor—in an extensive analytical article on July 20, 1967—stated that "there is growing concern that the Soviet capability may exceed, now or soon, that of the United States. Allied with that is a concern that the United States is taking insufficient steps to maintain its position."

In an important public address in San

Francisco on September 18, 1967, Secretary of Defense Robert S. McNamara announced "a light deployment of U.S. ABM's" against the possibility that, in future, the Chinese Communist "might miscalculate" and launch a nuclear attack against the United States.

The Secretary of Defense rejected large-scale ABM deployment by arguing that this would be directed against the Soviet Union and that the Soviet response would be a step-up in its offensive capabilities which would "cancel out our defensive advantage."

Although Mr. McNamara stated that "there is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offense," the Joint Chiefs of Staff—as well as a number of informed Senators and Congressmen on the Senate and House Armed Services Committees—believe that a large-scale missile defense is a requirement in view of the rising Soviet military-technological threat.

Furthermore, it is by no means clear that the Soviet economy is capable of reacting fully to a large-scale U.S. deployment of ABM systems; for example, one which would include both land-based *and* sea-based missile-defense systems.

The evidence of more than two decades following the Second World War suggests that it has been the stabilizing factor of U.S. military-technological superiority which has prevented a general nuclear war. Today, primarily under the impact of the Soviet military-technological thrust—but to some extent from Chinese Communist efforts—that stability appears to be threatened.

If, for example, the Soviet strategists can achieve, or believe they have a very high percentage of achieving, an area-kill factor of incoming missiles (so that there is no problem of discrimination with reference to decoys and live warheads), they may at some point in time be tempted to launch a surprise nuclear strike upon the United States.

The deployment of a large-scale American ABM system or systems is one answer to the stabilization of power in the world. But it is not an end in itself.

If the military-technological revolution of our times teaches us anything, it is that there are no permanent plateaus in military technology. Instead there is constant change and rapid development.

To avoid a nuclear war and to safeguard the national security, therefore, we need to move forward with a mixture of both defensive and offensive weapon systems and to consider, for example, new types of air and sea-based strike systems made feasible by technological advances. The variety of our possible choices of action adds immeasurably to an enemy's planning problems if he attempts to prepare responses to a broad spectrum of capabilities.

A mixture of options—not reliance on one or two—compounds the task of the enemy and makes deterrence meaningful to him. There are many uncertainties and unknown factors in working out the problems of offense and defense alike, since the acid test is—and only is—actual war.

Those things—such as too great reliance on fixed missile systems—which simplify the problem, also reduce the uncertainties and unknown factors posed to the opponent. Simplification of our options may, in fact, tempt the enemy to consider a surprise attack.

Most of all, however, a "mix" of options is significant in the load factor which it places on a potential enemy's military structure. The Soviet Union is faced with a number of constraints. If we make the Soviet leaders consider a new option, it tends to limit their capabilities—as well as blunting their desires—for playing the game of strategic blackmail in world politics.

SOCIAL SECURITY COVERAGE OF EMPLOYEES OF MASSACHUSETTS TURNPIKE AUTHORITY

Mr. KENNEDY of Massachusetts. Mr. President, section 124a of the Senate committee bill would permit the Secretary of Health, Education, and Welfare to terminate the social security coverage of employees of the Massachusetts Turnpike Authority at the end of any calendar quarter following the filing of notice, as required by section 218(g)(1) of the Social Security Act.

This amendment to existing law is the product of amendment number 423, which I submitted on October 25, 1967, and certain changes suggested during consultations among representatives of the Department of Health, Education, and Welfare, the Finance Committee staff, and myself. It is very important to the 950 employees of the Massachusetts Turnpike Authority, and for that reason I was glad to submit it, when it became apparent that only legislation could bring the benefits of the new State retirement system to these employees without imposing a harsh double payroll tax on them for two years.

Mr. President, I have a series of letters to and from various individuals, including the Governor of the Commonwealth, which make clear the need for this provision in the committee bill. Since they speak for themselves, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MASSACHUSETTS TURNPIKE AUTHORITY,
Boston, Mass., September 21, 1967.

Hon. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: This is to bring to your official attention the desire of 950 employees of the Massachusetts Turnpike Authority, and the Authority as well, for termination within a reasonable time of an agreement under section 418 of title 42, U.S.C.A., whereby social security benefits are extended to such employees. Adherence to the requirement of a two year notice for such termination, as provided in section 418(g)(1b), would work such a hardship upon these employees that it would appear to be entirely inconsistent with the manifest purpose of the social security legislation.

It was at the instigation of the labor union representing operating employees that the Massachusetts Turnpike Authority appointed a staff committee to investigate and recommend a suitable pension plan for its employees. The committee was assisted in its work by Martin E. Segal Company, Inc., a nationally recognized consultant on welfare, health and pension programs. After a comprehensive review of numerous public and private pension plans, many of which were combined with social security benefits, the committee recommended adoption of a pension system under Chapter 32 of the Massachusetts General Laws which governs contributory retirement systems for public employees in the Commonwealth; and termination of the existing social security participation. This recommendation was approved by the Authority and accepted by the vast majority of union members voting by secret ballot.

Necessary legislation to enable the Authority to establish a pension system within the framework of the State's retirement plan was recently enacted by the Massachusetts legislature and approved by His Excellency, Governor John A. Volpe. It was only then that it was discovered that a two year notice would be required before the social security plan for Authority employees could be terminated. Since the cost of the State pension system in addition to social security payments would impose an intolerable burden upon both employees and the Authority, the only alternative would be to defer operation of the State system for two years.

Delay for such a long period would work a serious hardship upon employees of the Authority who would thereby be deprived of the liberal retirement, disability and death benefits of the State system.

Because a two year notice requirement for termination of social security participation seems to be grossly in excess of any apparent necessity and because such notice will unnecessarily delay, and may even deprive, many employees of the Authority of the substantial benefits to which they would be entitled under the new pension system, I urge you to exercise whatever power or discretion you may have to relieve this unconscionable situation.

Your sympathetic consideration of the problem is sincerely apreciated.

Very truly yours,

JOHN T. DRISCOLL,
Chairman.

THE COMMONWEALTH
OF MASSACHUSETTS,
Boston, September 25, 1967.

JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As Treasurer and Receiver-General for Massachusetts, I am Chairman of the State Board of Retirement which is the agency of this Commonwealth through which the insurance system established by Title II of the Social Security Act is extended to services performed by employees of certain instrumentalities of the State, including the Massachusetts Turnpike Authority.

Recently the Legislature enacted Chapter 597 of the Acts of 1967 which provides for establishment of the Massachusetts Turnpike Authority Employees' Retirement System. This system would operate under the same statutory provisions as the 99 State, County and Municipal pension systems throughout the Commonwealth and would give employees of the Authority the same contributory retirement rights that are now enjoyed by other public employees.

But, because of the substantial expense involved, the Authority must terminate the participation of its employees under Social Security before the State pension system can be made applicable to them. A federal requirement of two years' notice for such termination would deprive Authority employees of the substantial benefits under the state retirement law until 1970.

It may be helpful to you, in determining what action is appropriate to assist the Authority's personnel, to know something of the benefits provided under Chapter 32 of the Massachusetts General Laws, the State's contributory retirement statute.

The basic benefit under this law for an employee retiring at or after age 65 is computed as 2½ per cent of average salary over the three highest consecutive years times the number of years of employment. Thus, a thirty years employee retires at 75 per cent at his highest three-year average salary; a twenty-year man retires at 50 per cent; and the twenty-five year man at 62½ per cent.

In addition, the law provides significant benefits for retirement on account of ordinary disability and on account of occupational disability; as well as for ordinary or accidental death before retirement. To illustrate—if an employee becomes permanently disabled as a result of an injury, in the course of his employment, he receives an annual pension of

1. Two-thirds of his final salary; plus
2. $312 for each child under eighteen; plus
3. A supplemental pension that is equal to the actuarial value of his accumulated contributions;
4. To a maximum of 100% of his final salary.

As you would expect, this comprehensive, liberal retirement program is expensive. After allowing for the employee contributions, which are 5 per cent of salary, the estimated cost to the employer-Authority will average 14 per cent of payroll over the next thirty-five years.

The State Board of Retirement, as contracting agency for the Commonwealth is prepared to take whatever action is required on its part to terminate the "Plan" submitted by the Massachusetts Turnpike Authority for extending the benefits of Title II of the Social Security Act to Authority personnel. It is my earnest hope that you can find the means to terminate the "Plan" on the part of the federal government within a reasonably short time.

Very truly yours,

ROBERT Q. CRANE.

MASSACHUSETTS GENERAL COURT,
Boston, September 26, 1967.

JOHN W. GARDNER,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: During the past several sessions of the Massachusetts General Court, the Committee on Pensions and Old Age assistance, of which I am Chairman, has considered petitions for legislation to extend the benefits of the State's retirement law to employees of the Massachusetts Turnpike Authority.

Each time the matter was considered, the Committee was sympathetic with the desires of employees of the Authority to have the same liberal retirement allowances that other public employees enjoy, but the bill had to be rejected because the means for paying the substantial cost could not be provided.

This year, the Massachusetts Turnpike Authority expressed its willingness to bear the expense of the retirement law for its employees and legislation was readily enacted to enable the Authority to establish a system providing contributory retirement benefits for Authority personnel according to the State Retirement Plan. An emergency preamble was affixed to the Act so that it would be put into effect without any delay.

Quite frankly, I was shocked and disappointed to learn that the new retirement system may have to be postponed until 1970 because the federal government requires a two-year notice of termination of the Social Security Plan for Turnpike employees.

You would be performing a real service to the employees of the Massachusetts Turnpike Authority, their families and dependents if you can devise some means whereby the two-year notice can be waived.

Very truly yours,

HARRY DELLA RUSSO,
State Senator.

THE COMMONWEALTH
OF MASSACHUSETTS,
Boston, September 28, 1967.

Hon. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: Massachusetts is proud of the liberal retirement, disability and death benefits that have been provided for the public employees of this Commonwealth and its counties, cities and towns. These benefits are the equal, and in many cases are far superior, to those of any state in the union. As Governor of the Commonwealth, I was pleased to sign into law recently a bill providing for the establishment of the Massachusetts Turnpike Authority employees' retirement system which would give more than 900 employees of this quasi public agency the same pension rights that are enjoyed by thousands of other public workers. A copy of this bill is enclosed for your convenience.

In this matter where both labor and management are completely satisfied, I am disturbed to learn that their agreement cannot be brought to fruition because of a requirement for two years' notice to terminate an existing agreement with the federal government under which social security protection has been afforded to Massachusetts Turnpike Authority personnel.

My purpose, therefore, is to enlist your good offices to relieve the impasse that has developed so that employees of the Authority may enjoy, without an extended delay, the benefits and protection that were provided for them in the recently enacted law. Some indication of the urgency of this matter is evident from the emergency preamble adopted by the Legislature so that the new pension system could be made immediately available by the Authority.

I would be sincerely grateful for whatever you can accomplish in behalf of the public employees of the Commonwealth who are affected by the recent act.

Sincerely,

JOHN A. VOLPE,
Governor.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Baltimore, Md., October 2, 1967.

Mr. ROBERT Q. CRANE,
State Social Security Administrator, State Board of Retirement, State House, Boston, Mass.

DEAR MR. CRANE: Commissioner Ball has asked me to reply to your letter of September 6, 1967, concerning the termination of the State's social security coverage agreement with respect to the services of employees of the Massachusetts Turnpike Authority. You requested information as to whether termination is necessary because of recent legislation providing for the establishment of a retirement system for the Authority's employees and the earliest date the termination may be made effective.

Subsection 218(d) of the Social Security Act (section 418(d)(1), United States Code, Annotated) provides that no agreement with any State may be made applicable, either in the original agreement or by any modification thereof, to services performed by employees as members of any coverage group in positions covered by a retirement system either (A) on the date such agreement is made applicable to such coverage group, or (B) on the date of enactment of paragraph (2) of subsection 218(d). The agreement between the State of Massachusetts and the Secretary of Health, Education, and Welfare was made applicable to the coverage group composed of employees of the Massachusetts Turnpike Authority by a modification executed on April 19, 1954. Paragraph (2) of Subsection 218(d)(1) of the Social Security Act was enacted on September 1, 1954. Because the employees of the Authority were not in positions under a retirement system on either date the provision of subsection 218(d)(1) of the act did not constitute a bar to the coverage of their services under the Massachusetts social security coverage agreement.

There is no provision in the act prohibiting the continuation of social security coverage with respect to the services of employees whose positions become impressed with a retirement system after the State's agreement has been made applicable to them. Consequently, even though the positions of the employees of the Massachusetts Turnpike Authority may become impressed with a retirement system at a future date, their services will continue to be covered under the Massachusetts social security coverage agreement until such time as the coverage is terminated. A State's coverage agreement may be terminated in its entirety or with respect to any coverage group only as provided in subsection 218(g) of the act.

Under subsection 218(g)(1) of the act, upon giving at least two years advance written notice to the Secretary, the State may terminate its agreement in its entirely or with respect to any coverage group effective at the end of a calendar quarter specified in the notice, provided the coverage to be terminated has been in effect for 5 years prior to the receipt of the notice. Therefore, since the coverage for the group composed of the employees of the Massachusetts Turnpike Authority has been in effect since January 1, 1954 (the effective date of Modification No. 1 to the State's agreement) we could, if the State wishes, consider your letter a notice of intention to terminate that group's coverage effective at the earliest possible date; i.e., at the end of the calendar quarter ending September 30, 1969.

Under subsection 218(g)(2) of the act, the Secretary may terminate the agreement in its entirety or with respect to any coverage group designated by him if he finds that the State has failed or is no longer legally able to comply substantially with any provision of its agreement or of section 218 of the act. Before the Secretary may terminate, he must give the State notice and an opportunity for a hearing. The termination would become effective at any time deemed appropriate by the Secretary within 2 years from the date of his notice, unless prior to that time he finds that there no longer is any such failure or that the cause for such legal inability has been removed. When a political subdivision has been legally dissolved, or otherwise ceases to exist as an employer, the Secretary may make a finding of inability to comply and terminate upon request of the State, and a waiver by the State of the notice of hearing. In such cases the termination is effective as of the date the entity ceased to exist.

Once an agreement is terminated in its entirety, the State and the Secretary may not again enter into a social security coverage agreement. If the agreement is terminated with respect to the Massachusetts Turnpike Authority, the Secretary and the State may not thereafter modify the agreement to again make it applicable with respect to the coverage group composed of Massachusetts Turnpike Authority employees. If the State wishes that we consider your letter as constituting the required written notice to the Secretary by the State, we would appreciate a letter to this effect over the signature of the appropriate State official. As indicated above, this would enable the State to terminate coverage of the Massachusetts Turnpike Authority, effective as of the end of the calendar quarter ending September 30, 1969.

Sincerely,

HUGH F. MCKENNA,
Director, Bureau of Retirement and Survivors Insurance.

EMPLOYEES OF TOLL ROADS, BRIDGES AND TUNNELS, STATE OF MASSACHUSETTS,
Boston, Mass., October 26, 1967.

Hon. EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: As already you are aware, our Union vigorously supports and is grateful for your efforts to expedite transfer of employees of the Massachusetts Turnpike

Authority from the Federal Social Security System to the Massachusetts Contributory Retirement System.

We are the duly certified exclusive collective bargaining representative of those employees. The pending transfer was initiated by us, and agreed to in collective bargaining with the Authority, after long and careful consideration of an exhaustive anaylsis of the respective benefits of the Federal and Massachusetts Systems made at the joint behest of the Authority and ourselves by Martin E. Segal Company, Incorporated, of New York and Boston, nationally known consultants on health, welfare, and pension programs.

We are satisfied that the State's "fringe benefit package"—including pension and disability benefits and life, medical, and hospitalization insurance—is in the aggregate more generous than that of the Social Security Act. Furthermore, many of the Authority's employees have already established under the Social Security Act retirement benefits which will supplement the State benefits available to them upon their transfer from the Federal to the State System.

Chapter 597 of the Acts of 1967 was enacted by the General Court and signed by Governor Volpe expressly to make it possible for employees of the Turnpike Authority to join the State Retirement System. If I may say so, our Union takes equal credit with the Authorty for passage of that legislation; it was a common effort to which the Legislature and Governor responded quickly and willingly.

We—and the employees we represent—will be adversely affected if the two-year waiting period provision in the Social Security Act is not amended so that the Turnpike Authority may be allowed to withdraw promptly from the Federal System and achieve the purpose of Chapter 597 by placing its employees under the State System.

Yours sincerely,

JOHN A. MCGRATH,
Secretary-Treasurer,
Teamsters Union Local 127.

COTTON DISASTER IN THE SOUTHEAST

Mr. SPARKMAN. Mr. President, floods, earthquakes, hurricanes, and other natural disasters have dramatic impact. We are horrified at the damage which they wreak. Our sympathies are aroused, and we do those things which are necessary to relieve the suffering which has resulted from the disaster, and to assist the people of the region to recover from the economic damages which they have sustained.

Similarly we are concerned about hunger and joblessness and the economic plight of urban people who cannot make it on their own. We do something about those people, and this is as it should be.

I want you to think with me about a current natural disaster, less dramatic than tornado or earthquake but equally terrible in its economic consequences, which has befallen a large area of the South within the last few weeks. This disaster has extended from the Carolinas westward across Georgia, Alabama, Mississippi, and Tennessee, and it has resulted in the threatened bankruptcy of thousands of farmers and other thousands of small merchants, ginners, and others who serve the cotton-growing community.

And this is a disaster. Let no one look upon it as anything less than a disaster, for it has resulted in a total crop loss in hundreds of counties throughout these States.

Let me tell you what happened.

It began, really, in 1966, when cotton yield fell 50 percent from 1965.

The cotton farmers thus began the 1967 season already saddled with debt and loss incurred in 1966. They began hopefully, however, and the cotton was planted. Late cold and other factors caused many of these farmers to plant the second, the third, and, in many instances, the fourth time before they could get a stand of cotton. As a result, the cotton began to mature late.

Finally, an early freeze hit the cotton on two successive nights, and the crop, some of it almost ready to open, was ruined. To give you some idea of the extent of the loss, I have recent figures from some North Alabama counties on the extent of the damage. In Lawrence County, which ginned 56,000 bales in 1965, only 1,678 bales had been ginned at the end of last week, and I am told that the maximum estimate for the county is 3,000 bales—a little more than 5 percent of 1966 production. In Limestone County, where 68,000 bales were ginned in 1965, they will be lucky if they reach 5,000 bales for 1967. In Lauderdale County, where the 1965 ginning was 29,800 bales, a recent report said that 356 bales had been ginned, but that the county might reach 2,000 bales for the year.

My own county, Madison, ginned 74,000 bales in 1966. This year it may gin 2,500 bales.

I could go on from county to county and from State to State, reciting similar figures. I would like to note that 1966 was a bad year, and that production was low, so low that many farmers did not break even on that year. Now they face what amounts to an almost total loss.

I have heard of 50-percent crop failures, and our farmers have survived but this blow to cotton in the Southeast is almost unprecedented.

It hits farmers the hardest, for they have worked this year only to end it heavily in debt and unable to finance themselves. But it strikes at the whole economy of the area, especially that segment which we call agribusiness, the people who sell fertilizers, insecticides, farm equipment and so forth. They are creditors who cannot collect, and some of them face bankruptcy. Ginners are in an even worse predicament, with no cotton to gin.

There are programs which will be of some assistance to the farm economy of the Southeast. The Farmers Home Administration has moved into the situation, and is beginning to process applications for disaster loans to enable farmers to operate in 1968. The Small Business Administration has a program of low-interest loans which may help some ginners and other small business operators affected by the crop failure.

The truth is that these programs, while helpful, are not enough. This is an emergency situation which calls for emergency action.

What is needed is long-term financing at low interest rates. These farmers have received a body blow, and they cannot recover in a single year. In addition, the laws provide safeguards for Farmers Home Administration loans and Small Business Administration loans which will prevent these agencies from making needed loans in some instances. Some of these people simply will not have the kind of collateral or the amount of collateral which these agencies must, under the law, require of them.

I ask the Senators, all of them, to join with those of us who represent the States which have suffered this disaster, in thinking toward some adequate remedy for what could be the death blow for cotton farming in the Southeast. Already many young men are turning away from farm life as too hard and too uncertain to join the urban trend. Some of those who have elected to stick with agriculture must be wondering today if they have not taken the wrong course.

I want to save the farm economy of my home county, my State and the Southeast. I believe that all of us want to keep a strong and productive agriculture. I hope, within the next few days, to offer some proposals designed to assist in this present disaster and in other similar total failures which may strike in other areas and other crops in future years.

MARINES NEED GEAR

Mr. HATFIELD. Mr. President, we have heard numerous complaints from time to time about the frequent and sometimes tragic failure of the M-16 automatic rifle to perform as it ought to perform; and we have heard numerous explanations and excuses by the Department of Defense about the M-16. But time after time here in the U.S. Senate and elsewhere in this land I have learned of specific instances where the M-16 jammed, failed to fire properly, and was, therefore, in some measure responsible for the death of American fighting men in Vietnam. Now today in the morning mail I received a letter from a man in Indiana. This letter included a copy of a letter—a tragic letter in retrospect—from a Marine captain who recently was killed in Vietnam. The Marine was Capt. Milton G. Kelsey. Captain Kelsey was killed on November 13—just 3 days after he wrote this letter. He was killed while he served as pilot for Gen. Bruno Hochmuth, who also was killed.

Captain Kelsey wrote his uncle that 60 percent of the choppers in his vicinity were grounded because of a shortage of parts. I repeat: A shortage of parts. As a matter of fact, the captain wrote 3 days before his death, and I quote:

> We have about 60 per cent of our choppers down cuz we can't get the parts to fix them. Kinda makes me sick to see them just sitting there. With the bad weather approaching us now we're also going to have problems navigating since the primary navigation system in a Marine chopper is called Tacan and we're all real short on parts to fix them. Guess we'll have to fly without them even tho it will make things more dangerous than they are already. I really can't understand why we can't get parts.

As a frequent critic of the Johnson administration's policy in Vietnam, Mr. President, I feel that I have a special obligation to make sure that I do everything which I can to assure that our troops in Vietnam have the best hardware possible under the circumstances. I have said this time and time again. I believe this is the duty of responsible opposition.

So I want to ask at this time: What does the Johnson administration say to the family of Captain Kelsey and to the chopper pilots in Vietnam? Secretary McNamara spends an estimated $75 million a day in Vietnam to keep our war machine going and yet—apparently—this machine fails to deliver a satisfactory M-16 rifle or sufficient parts for the choppers. The Johnson administration speaks of the need for American soldiers in Vietnam but evidently fails again to deliver the goods in sufficient quantity and quality to do the job. First, the M-16 rifle and now a shortage of parts for helicopters.

Mr. President, I ask unanimous consent to have a copy of Capt. Milton Kelsey's letter printed in the RECORD. I also ask to have a copy of 1st Lt. M. P. Chervenak's letter about the M-16 rifle, as published in the Washington Post on October 29, 1967, be printed in the RECORD. And I ask, finally, that my distinguished colleagues in the U.S. Senate Armed Services Committee examine Captain Kelsey's allegations with the utmost care and speed to make sure that the administration delivers the gear—and enough of it—to the men on the fighting line who need it.

This matter of satisfactory military equipment is a matter which should not divide us in any way; and it is a matter in which I am sure all Americans are concerned.

I have opposed our presence in Vietnam for 3 years.

I oppose it now.

I have supported our fighting men for 3 years in Vietnam.

I support them now.

I repeat: The United States should and must give its troops the armor, the bullets, the guns and the planes and, choppers which they need.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. MARINE CORPS,
FLEET MARINE FORCE, VIETNAM,
November 10, 1967.

UNCLE BILL AND AUNT EILEEN: Guess it's about time I got off my rear and get a letter off. Thanks much for the package. All arrived in good condition and the fudge was outstanding again.

After I returned from Australia from R. & R., they put me to work again in short order. Lately we haven't been able to do much flying although the weather has really been clement. We have about 60% of our choppers down and we can't get the parts to fix them. Kinda makes me sick to see them just sitting there. With the bad weather approaching us now we're also going to have problems navigating since the primary navigation system in a Marine chopper is called Tacan, and we're all real short on parts to fix them. Guess we'll have to fly without them, even tho it will make things more dangerous than they are already. I really can't understand why we can't get parts.

We had a beauty of an accident here yesterday. One of our own fighter bombers was returning to Da Nang from a mission up north. It seems he hadn't dropped all his bombs where he was supposed to—one was hanging on which he didn't know about and it fell as he flew over Phu Boi—a 500 pounder. It really tore up the aircraft parking line and wrecked one chopper. Somehow no one was hurt, but there sure could have been lots hurt. I pity the poor pilot when they get hold of him.

We had one of our pilots shot down on Sunday over by Laos, with we think a 37mm Anti-Air gun which has a range of 20,000 ft.! He managed to put it down safely and the crew all got out unscratched. It went down in such an unsecure area (50 yds. from Laos!) that we had to get in some bombers and blow it up.

Haven't heard much for details as to when and if I go down to Da Nang to fly Gen. Cushman. It would be boring as I hate flying VIP's (more trouble than they're worth and sometimes very unreasonable) but it would be pretty safe.

Guess that's about it for now. Thanks again for the box of goodies.

MILT.

[From the Washington Post, Oct. 29, 1967]

THE M-16 IN COMBAT

I am a Marine first lieutenant and have been serving in a rifle company in Vietnam since the 15th of May. Ever since my arrival, immediately following the battle of Hill 881, one controversy has loomed above all else—that of the M-16 rifle. I feel that it is my duty and responsibility to report the truth about this rifle as I have seen it. My conscience will not let me rest any longer.

The idea of a lightweight, automatic weapon is a fine idea and I do not categorically reject the M-16 rifle as being useless. I do believe, however, that there is a basic mechanical deficiency within the weapon which causes a failure to extract. This failure to extract a spent casing from the chamber allows another round to be fed in behind the unextracted casing causing the rifle to jam. When this occurs, a cleaning rod and precious seconds are needed to clear the chamber. A Marine in a firefight does not have those precious seconds.

We are constantly told that improper cleaning and unfamiliarity with the weapon cause any malfunction which may occur. Any rifle that requires cleaning to the degree they speak of has no place as a combat weapon.

I believe that the cold, hard facts about the M-16 are clouded over by a fabrication of the truth for political and financial considerations. I have seen too many Marines hiding behind a paddy dike trying to clear their rifles to accept these explanations any longer.

Our battalion has fired these rifles on numerous occasions, aboard the ship and in the field, to try and find a solution for this problem. All rifles were cleaned and inspected prior to these tests. Having supervised several of these tests, I will swear to the fact that at least 25 to 40 per cent of the rifles malfunctioned at least once under these optimum conditions.

During a recent firefight on the 21st of July, no fewer than 40 men in my company reported to me that their rifles had malfunctioned because of failures to extract. Because of these inoperative rifles, we were severely hampered in our efforts to extract a platoon which had been pinned down. Lack of sufficient firepower also caused us great difficulty in getting our casualties out. Having 40 rifles malfunction in any rifle company is a serious matter, and in an understrengthened company such as ours, the gravity of the situation is greatly increased.

This problem is increasing in its seriousness and I know that it is the major morale problem in the company. Unfortunately, all our complaints and the results of our tests never seem to reach willing ears. I do not mean for this letter to be a slap at my battalion, the Marine Corps, the Colt Manufacturing Co., the Defense Department or anyone else concerned. It is written out of concern for the safety of the men in my company and of the great morale problem that the M-16 causes. I will stand and stake my reputation on the fact that we have had men wounded and perhaps killed because of inoperative rifles. The men in the company have absolutely no confidence in the weapon they carry, and yet, they will be asked to go on another operation in the very near future carrying this very same weapon. Word will come down from higher up, however, stating that no one will take a negative attitude about the M-16, nor will they speak of the weapon in a derogatory manner to any newsman.

I can only hope that men such as yourself, who are in a position to do something, will do something. The search for truth is paramount in all of us, and I ask you to look into this problem and search for the truth there. I will stand behind every word that I have written. I think that this problem has been overlooked too long and too many attempts have been made to gloss over a situation that endangers the lives of men.

M. P. CHERVENAK,
Executive Officer, Hotel Company, 2d Battalion, 3d Marine, FPO, San Francisco, Calif.
SOUTH VIETNAM.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, during October 1967, a total of 3,777 crime index offenses were reported in the District of Columbia. This was an increase of 867 offenses, or 29.8 percent, over October 1966.

I ask unanimous consent to insert in the RECORD Metropolitan Police Department statistics concerning this rise in crime.

There being no objection, the material was ordered to be printed in the RECORD as follows:

CRIME IN THE DISTRICT OF COLUMBIA,
OCTOBER 1967

During October 1967, a total of 3,777 Crime Index Offenses were reported in the District, an increase of 867 offenses or 29.8% from October 1966.

During the month increases occurred in the classifications of Homicide, up 8 offenses or 61.5%; Rape, up 4 offenses or 44.4%; Robbery, up 153 offenses or 42.5%; Housebreaking, up 364 offenses or 36.5%; Larceny ($50 & Over), up 229 offenses or 43.8%; and Auto Theft, up 121 offenses or 16.4%.

A decrease occurred in the classification of Aggravated Assault, down 12 offenses or 4.5%.

The increases for this month brought the trend of Crime Index Offenses (total offenses for the past twelve months) to 37,364, an increase of 9,451 offenses or 33.8% from the trend of October 1966, and an increase of 278.6% from the low point of April 1957.

Clearance of Crime Index Offenses for the twelve month period ending with October 1967, were down to 24.6% as compared with 27.1% for the twelve month period ending with October 1966.

METROPOLITAN POLICE DEPARTMENT

CRIME INDEX OFFENSES, OCTOBER 1967

Classification	October		Change		Cumulative to date		Percent change	Total 12 months ending October 1967
	1966	1967	Amount	Percent	Fiscal year 1967	Fiscal year 1968		
Criminal homicide	13	21	+8	+61.5	46	61	+32.6	172
Rape	9	13	+4	+44.4	46	59	+28.3	163
Robbery	360	513	+153	+42.5	1,378	1.938	+40.6	5,463
Aggravated assault	269	257	−12	−4.5	1,216	1,148	−5.6	3,169
Burglary	997	1,361	+364	+36.5	3,857	4,829	+25.2	13,761
Larceny ($50 and over)	523	752	+229	+43.8	1,942	2,563	+32.0	6,549
Auto theft	739	860	+121	+16.4	2,699	3,170	+17.5	8,065
Total	2,910	3,777	−867	+29.8	11,184	13,768	+23.1	37,342

CRIME INDEX OFFENSES REPORTED

Precinct	October		Change	
	1966	1967	Amount	Percent
1	214	218	+4	+1.9
2	344	378	+34	+9.9
3	289	323	+34	+11.8
4	46	101	+55	+119.6
5	201	183	−18	−8.9
6	131	163	+32	+24.4
7	69	55	−14	−20.3
8	86	135	+49	+57.0
9	287	386	+99	+34.5
10	298	463	+165	+55.4
11	344	469	+125	+36.3
12	142	197	+55	+38.7
13	286	364	+78	+27.3
14	168	340	+172	+102.4
Harbor	5	2	−3	−60.0
Total	2,910	3,777	+867	+29.8

CRIME INDEX OFFENSES REPORTED, OCTOBER 1967

Precinct	Total	Criminal homicide	Rape	Robbery	Aggravated assault	Housebreaking	Larceny ($50 and over)	Auto theft
1	218	--------	----	35	11	33	95	44
2	378	9	----	69	43	101	73	83
3	323	1	----	26	12	95	150	39
4	101	--------	1	18	5	30	23	24
5	183	1	----	37	17	62	23	43
6	163	--------	----	23	4	63	30	43
7	55	1	----	6	---------	21	11	16
8	135	1	1	5	3	36	63	26
9	386	4	2	60	40	169	50	61
10	463	--------	2	77	38	182	55	109
11	469	2	3	49	33	183	55	144
12	197	--------	1	16	6	89	34	51
13	364	2	----	49	34	150	72	57
14	340	--------	3	43	11	146	17	120
Harbor	2	--------	----	-----	---------	1	1	------
Total	3,777	21	13	513	257	1,361	752	860

PROHIBITION OF GAMBLING ACTIVITIES BY BANKS AND SAVINGS AND LOAN ASSOCIATIONS

Mr. SPARKMAN. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House of Representatives on H.R. 10595.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SPARKMAN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPARKMAN, Mr. PROXMIRE, Mr. MUSKIE, Mr. BENNETT, and Mr. HICKENLOOPER conferees on the part of the Senate.

ONE-YEAR EXTENSION OF THE EMERGENCY PROVISIONS OF THE URBAN MASS TRANSPORTATION PROGRAM

Mr. SPARKMAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 859.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 859, extending for 1 year the emergency provisions of the urban mass transportation program, which was read twice by its title.

Mr. SPARKMAN. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 859).

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 859) was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the provisions of Senate Concurrent Resolution 51, that the Senate stand in adjournment until next Monday, November 27, at 12 o'clock noon.

The motion was agreed to; and (at 1 o'clock and 30 minutes p.m.) the Senate adjourned until Monday, November 27, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 22, 1967:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Arthur Christopher, Jr., of the District of Columbia, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Pursuant to the provisions of section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended, the following-named person for appointment as a member of the District of Columbia Redevelopment Land Agency:

Alfred P. Love, to fill the unexpired term of Richard R. Atkinson, resigned, whose term expires March 3, 1968.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 22, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O give thanks unto the Lord; for He is good: for His mercy endureth forever.—Psalm 106: 1.

Eternal God, our Father, creator of the world and the ruler of men, on this Thanksgiving Eve we come to Thee with humble and grateful hearts. Thou hast been wonderfully good to us, Thy presence has guided us, Thy power has made us strong, and Thy providence has surrounded us all our days. We pray that Thou wouldst make us ever mindful of Thy spirit, ever eager to do Thy will, and ever grateful for Thy goodness.

We thank Thee for our country—for the freedom we enjoy, for the rights which are ours, and for the future which beckons us to higher aspirations. We thank Thee for those who fight that the flag of freedom may fly gloriously in this day. Bless them with courage and strength and give them to know that we are with them and that they do not struggle alone.

We thank Thee for our homes and for the love and understanding they provide for us. Keep us from being impatient, impersonal, and impertinent. Make our hearts happy, our words good, and our hands ready to help. By Thy spirit may we be kind to those we love.

Accept our gratitude and make us worthy of Thy blessings; through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13606) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 1, 3, 10, 11, and 12 to the foregoing bill.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10805) entitled "An act to extend the life of the Civil Rights Commission," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Eastland, Mr. McClellan, Mr. Ervin, Mr. Dirksen, and Mr. Hruska to be the conferees on the part of the Senate.

PERSONAL PRIVILEGE

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House on a point of personal privilege.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, there was an article in this morning's Washington Post by Mr. Drew Pearson, discussing the devaluation of the pound. I would like to read just the part that pertains to me. On page B–11 of the Washington "Merry-Go-Round," Mr. Pearson says:

> Factor No. 4—The life of the Export-Import Bank is jeopardized by the hamstringing amendments of Representative Paul Fino (R.-N.Y.) one of the few Italian-American undesirables in Congress. He would cramp the power of the executive to make loans, by delegating much of the power to Congress. It's another isolationist move similar to the Hoover crackdown on trade which contributed to the great depression.

Mr. Pearson—and I am sure that the English Government will be duly grateful—blames the devaluation of the pound on the Republican Party right here in the United States.

Among the factors which menace international financial stability, Mr. Pearson says, is the jeopardy in which the Export-Import Bank has been placed by the—and I quote—"hamstring amendments of Representative Paul A. Fino." Evidently Mr. Pearson has not been down to the Export-Import Bank recently; if their affluence and wholesale loanmaking constitutes a state of jeopardy, I wish my financial affairs were so jeopardized.

But I am not rising today to argue with Mr. Pearson's conceptions of international finance. Frankly, I doubt that he knows enough to sign a traveler's check in the right place, but that is not the point I wish to make.

In referring to me, Mr. Pearson said that I was—and I quote—"one of the few Italian American undesirables in Congress." Now it is possible to interpret this sentence two ways. He may have meant that of the Italo-American Members of Congress, I am one of the few whom he deems undesirable. On the other hand, he may have meant that I am one of the few—and there are 14 of us—"Italian American undesirables in Congress." Construed this latter way, Mr. Pearson has uttered what is legally known as a group libel, a defamatory reference to Italian Americans as undesirables.

Whatever interpretation you put on Mr. Pearson's remarks, it is obvious that he indulged his desire to make a gratuitous anti-Italian slur. If he does not like me or my politics, nothing requires him to refer to Italian American undesirables. I suggest that he knew full well what he was doing, however, and that his phrase was carefully put together to insult Italian Americans.

I do not believe in tit for tat, so I am not going to call Mr. Pearson an Anglo-Saxon undesirable. I recognize that his personal offensiveness transcends ethnic origins. He is a unique species of vermin, parading as a liberal and yet indulging in ethnic and many other varieties of smear.

As I am sure the Members of this House are aware, Mr. Pearson operates a manure and fertilizer sales operation in nearby Maryland. He delights in this, realizing that his reputation as a peddler of dirt is thus increased.

May I suggest, however, that this manure serves a more spiritual purpose for Mr. Pearson? By his daily proximity to it, Mr. Pearson keeps up his journalistic metabolism. I am sure that he has received many an inspiration for a column downwind from his manure bins. Perhaps this is the reason why many Members of this House have been known to say of Mr. Pearson—and I will say it today—that he has an offensive odor. He smells of his product.

SPEAKER JOHN McCORMACK—ARCHITECT OF THE DECADE OF DECISION FOR AMERICA

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, 2,000 years ago a philosopher said, "Difficulties are things that show what men are."

In the past few weeks we have watched and read and heard with amazement rumors of a move to replace the Speaker of the House of Representatives. I think it high time this House takes a moment or two to review the brilliant record of our Speaker since he assumed the office on January 10, 1962, and why America needs his confirmed leadership as Speaker of the House.

The bills that have passed the House of Representatives under Speaker McCormack's active, progressive, and inspiring leadership are the core of what I believe history will record as the decade of decision for America, both in foreign policy and domestic programs at home.

With Speaker McCormack at the helm, the Congress has written legislation unprecedented in our history, undreamed of even 10 short years ago, and undeniable in its awesome impact on American history.

Those of us who have served under Speaker McCormack's leadership are proud to have been part of this legislative miracle.

Critics may carp and journalists may cant, but we who were here writing this legislation know what happened.

John McCormack, of Massachusetts, ranks with the foremost Speakers of our history. His is the guiding force, his the hand that molds, his the words that encourage, challenge, and persuade an overwhelming majority of his colleagues to support this farsighted legislation.

John McCormack has established a benchmark of excellence that will challenge any man who follows him in this enormously trying position.

He is a Speaker, not only for his political party, or his President, but for all of us and for the entire Nation. For more than 40 years he has served this House proudly and with distinction rarely equaled, and never surpassed, by the hundreds of men and women who labored here before we arrived on the scene.

Speaker McCormack deserved the honor bestowed on him by the 87th Congress when he was elected Speaker. He deserves it more today, having worked so tirelessly to render exceptional service to all Americans.

The bills we have passed, the precedents shattered, the vision of the future we have shared with America and the world are, in large measure, the work of Speaker John McCormack.

I am proud to have served with him in this House in these tumulous, exciting years. And I believe the overwhelming majority of our countrymen, in their wisdom, share the view that Speaker McCormack is a man who has never hesitated to put America first, and ambition second.

It is an honor to remind our critics of some of the bills we have enacted in the past 6 years under the leadership of Speaker McCormack. In these years, the Congress has enacted programs that reach to every corner of the globe.

Congress made major revisions in the immigration laws; it tackled the problem of the low-income families with the far-reaching war on poverty; it recognized the need for training of the unemployed with the Manpower Development and Training Act. It boosted the national economy with one of the largest tax reductions in history, and enacted the Trade Expansion Act to seek foreign markets abroad for the products of our industrial genius.

We improved the administration of our Government with the creation of the Cabinet offices of the Department of Housing and Urban Development and the Department of Transportation.

Special attention has been given to the problems of the elderly by adoption of the medicare program, the first of its kind in this Nation for providing low-cost medical assistance for persons under the social security system.

Education has received perhaps the greatest attention it has ever been paid with the enactment of legislation ranging from the Vocational Education Act of 1963, the Elementary and Secondary Education Act, the Teachers Corps, the Higher Education Facilities Act, the Library Services and Construction Act, the cold war GI bill, and the Mental Retardation Facilities and Community Mental Health Centers Construction Act.

The only legislation in the field of civil rights to be adopted since the Civil War was approved by Congress in 1964 and 1965.

Following my remarks is a partial list, by Congress, of some of the more important landmark measures adopted by a concerned, active House of Representatives under the leadership and counsel of Speaker John McCormack.

To those who ask where is the leadership in the House, I say it is indelibly inscribed across the exacting pages of John McCormack's record. I doubt if these historic bills could have been enacted without his leadership.

That dynamic leadership continues to be evident to this day. We need only look to his spectacular leadership in nursing through the House a poverty bill no one expected to survive.

Those who criticize Speaker McCormack disclose a woeful lack of understanding for our complex system of representative government. Speaker McCormack must deal with 434 of his colleagues of varying political views; with diverse interests reflecting the needs of their respective districts; and with the same mandate from their constituencies enjoyed by the Speaker himself.

In my judgment, his nobility of fairness has made him a leader without precedence.

Following is a partial list of the honor roll of Speaker McCormack's leadership:

FIRST SESSION OF 90TH CONGRESS

1. Safe Streets and Crime Control Act (House passage).
2. Juvenile Delinquency Prevention and Control Act (House passage).
3. Social Security Amendments of 1967 (House passage).
4. Public Broadcast Act of 1967.
5. Congressional Redistricting Standards.
6. Reauthorization of the war on poverty.
7. District of Columbia reorganization.
8. Commission on obscenity and Pornography.
9. The college work study program.
10. Reauthorization of the Teacher Corps.
11. Library Services and Construction Act Amendments.
12. Vocational Rehabilitation Amendments of 1967.
13. Older American Act Amendments of 1967.
14. Elementary and Secondary Education Act Amendments.
15. Adult basic education reauthorization.
16. Impact of imports on American industries and labor (House passage).
17. Fair Labor Standards Foreign Trade Act (House passage).
18. Postal rate increase and Federal employee pay raise.
19. Mental Retardation Amendments of 1967.
20. Federal Meat Inspection Act (House passage).
21. The rat extermination program.
22. The Antiriot Act (House passage).
23. Penalties for interfering with civil rights programs (House passage).
24. Reserve Forces Bill of Rights and Vitalization Act.
25. Armed Forces Dependents' Allowances for Schooling Act (House passage).
26. Armed services disability severance pay (House passage).
27. Milk program for the Armed Forces and veterans' hospitals.
28. Armed Forces, Uniformed Services Pay Act of 1967 (House passage).

THE 89TH CONGRESS

1. Immigration law changes abolishing the national origin quota system.
2. Creating a Cabinet Department of Housing and Urban Development.
3. Creating a Cabinet Department of Transportation.
4. Authorizing medicare under the Social Security Administration.
5. The Elementary and Secondary Education Act of 1965.
6. The model cities program.
7. The cold war GI bill of rights.
8. Establishing the Administration on the Aging.
9. The National Foundation on the Arts and Humanities.
10. The Community Mental Health Centers Act.
11. Cigarette package labeling.
12. Automobile safety standards.
13. The Highway Safety Act.
14. The Highway Beautification Act.
15. Bank deposit insurance increase.
16. Reduction in excise taxes.
17. Social security benefits for persons over 72 years, not previously covered.
18. An extension of the Federal Airport Assistance Act.
19. Increases in the minimum wage for work conducted in interstate commerce.
20. Emergency food assistance program to India.
21. Authorization to distribute books and other material to handicapped persons.

THE 88TH CONGRESS

1. Higher Education Facilities Act of 1963.
2. Vocational Education Act of 1963.
3. Health Professions Assistance Act of 1963.
4. Mental Retardation Facilities and Community Mental Health Centers Construction Act.
5. The Clean Air Act.
6. Railroad Retirement and Unemployment Insurance Act.
7. The Equal Pay Act of 1963.
8. The Civil Rights Act of 1964.
9. Universal military training extension.
10. Tax reduction.
11. The Nurse Training Act of 1964.
12. Earthquake disaster relief to Alaska.

THE 87TH CONGRESS

1. Manpower Development and Training Act.
2. Trade Expansion Act of 1962.
3. Poll tax constitutional amendment.
4. Senior Citizen Housing Act.
5. Mass Transit Loan Act—2-year extension.
6. Repeal of transportation tax.
7. Air Pollution Control Act extension.
8. Migratory Labor Act of 1962.
9. Berlin resolution expressing the sense of Congress to assist West Berlin.
10. President's defense discretionary authority to call military Reserve Forces.
11. Alliance for Progress foreign aid program.
12. Cuban Refugee Act of 1962.
13. Public Works Coordination and Acceleration Act of 1962.
14. Public Welfare Amendments of 1962.
15. Disaster Tax Relief.
16. Educational Television Assistance Act.
17. School Lunch Revision Act.
18. Pensions for self-employed persons.
19. Veterans' disability increases.
20. Federal pay raise and pension increase.
21. War Claims Act of 1962.

A TRIBUTE TO JOHN McCORMACK

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I commend the gentleman from Illinois [Mr. Pucinski] on the very fine statement that he has made with reference to one of the great men of our country. I have had the pleasure and the privilege of working with the Speaker in the passage of legislation in positions of leadership and also of working with him since I first came here over a quarter of a century ago. I know of no man more dedicated to this House and to this country than John McCormack. Nor do I know of any man more effective in leadership than the

Speaker of this body. When I read some of these carping critics say that he has no contact with and does not communicate with Members of this body, I think that nothing could be further from the truth. There is no Member of this body on either side of the aisle that John McCormack cannot pick up the phone and talk to as a friend. There is no Democratic Member, regardless of the difference in political or economic philosophy, with whom he does not have the closest relationship.

I am proud indeed to have been actively associated with him. I reiterate the statement made here last week by the distinguished majority leader, the Honorable Carl Albert, of Oklahoma, who gives great leadership in this body. Incidentally, I commend Mr. Albert on the wonderful speech he made in Atlanta, Ga., last evening. I wish to reiterate the statement he made here last week in saying that his candidate for the Speaker of the House of Representatives as long as he has anything to say about it will be John McCormack.

A THANKSGIVING TRIBUTE TO JOHN McCORMACK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, my distinguished and beloved colleagues have somewhat preempted me by getting recognized ahead of me. I had hoped to be the first today to compliment our great Speaker upon the magnificent record he has made in the House. At this time I want to extend on my own behalf and on the behalf of all the Members of the House our best wishes to the greatest living legislator for a happy Thanksgiving Day.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I will be delighted to yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, let me reiterate and reemphasize that we on our side of the aisle join with the gentleman from Oklahoma in wishing for the Speaker a most happy and enjoyable Thanksgiving weekend. I do not think we can go quite as far as to say that the Speaker is our candidate for Speaker, but let me assure you that we join with all of you on your side of the aisle in saying that John McCormack is one of the finest gentlemen who has ever served in the House.

Mr. Speaker, the distinguished gentleman from Massachusetts has our admiration and affection. We hope and trust that he continues this fine record of service in the House of Representatives as long as the people from the Commonwealth of Massachusetts want him to continue to serve. Outside of the speakership, we hope that service will be indefinite.

Mr. ALBERT. Mr. Speaker, whether we measure the record of the distinguished Presiding Officer of this House of Representatives in terms of legislative accomplishments or on any other basis, we still know and appreciate him as one of the greatest Speakers of all time and as one of God's noblemen. No legislature body of national importance in the history of any country has produced more far-reaching legislation, as the gentleman from Illinois has pointed out, than has been produced in this House under the leadership of the distinguished gentleman from Massachusetts, John McCormack.

Mr. Speaker, if we measured our Speaker by the yardstick of humanitarianism we would have to say that he is one of the kindest, most considerate men who ever lived. If we judged him by his conduct, both in public and in private life, we would all say that he is a practicing Christian and man of God.

Mr. Speaker, after wishing the best of the Thanksgiving season to the Speaker and Mrs. McCormack, I also desire to wish the best for all my colleagues who have worked so patiently and so hard with us through the hard and difficult months behind us.

Mr. Speaker, all of us, as Members of the House of Representatives realize and know that we are constantly in debate. Democrat against Republican, and liberal against conservative, trying by that means to determine the proper policy and the wisest course we should pursue in the development of a legislative program to improve the lot and better the lives of the American people.

However, there is one thing concerning which we never have need to debate, nor find it necessary to dispute—that is our unanimous and mutual devotion, love, and loyalty to this, the greatest republic mankind has ever known, the greatest democracy ever existing in the annals of the ages. In my judgment, William Jennings Bryan eloquently described it, when he said:

> Behold a Republic increasing in wealth, in strength, in influence, solving the problems of civilization and hastening the coming of a universal brotherhood—a Republic whose history like the path of the just "is as a shining light that shineth more and more into the perfect day."

Mr. Speaker, we have on this Thanksgiving Day every good reason to thank the Father and Creator of all for the rich privilege of being citizens of such a Republic. No man in all the world has the opportunities, the freedom, the liberty, and the pursuit of happiness as does the citizen of the United States of America. This Thanksgiving Day, in our prayers, we should thank God that the pioneers in the Colonies, so long ago, preserved and passed on to us a spiritual and religious heritage through which we know that there is a just God who presides over the fate of nations and the destiny of mankind. We should thank our Father in Heaven that we are not bereft of belief in a divine Creator which is the unfortunate fate of the subjects of a Communist state. Mr. Speaker, on this Thanksgiving, we must be grateful to our Nation's forefathers who had the courage to fight and to die for individual liberty and freedom, for the establishment of a government founded and existing upon the broad base of the people's will. In my judgment, as long as the American people cling to those ideals, and preserve them in the hearts of the Nation, domestic wolves of discord nor foreign foes will ever prevail against this great Republic—the United States of America.

MIDDLE EAST SITUATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, on November 15, Ambassador Goldberg made a strong speech at a meeting of the U.N. Security Council on the Middle East situation. In this address Ambassador Goldberg reviewed our efforts to achieve peace, efforts which began even before the outbreak of hostilities last June. He set forth specific proposals which we hope, if adopted, will lead to a just and lasting peace between Israel and her neighbors. Because of the importance of the Goldberg speech, I have requested unanimous consent for it to be printed in the Record. I hope that every Member of the Congress will read this statement, which follows:

Statement on the Middle East by Ambassador Arthur J. Goldberg in the U.N. Security Council, November 15, 1967

Inasmuch as the United States has tabled a resolution in this Council and since several delegations have commented on our resolution, it is only appropriate that I now reply to these comments.

More than six months ago, even before the fighting began last June, some governments represented in this Council, including my own, sought to avert the war and to begin to seek new ways to open at long last a road towards real, stable, enduring peace in that region which has known no peace—genuine peace—for a generation.

Mr. President, in this connection, there is one point of fact which must be set straight, as a result of comments that have been made in our present series of meetings. There have been truly Orwellian efforts by the Communist members on this Council to rewrite history. And it is exceedingly ironic that those who charge the United States with delay have been from the very beginnings of this conflict the prime instruments of delay in our proceedings and of effective Security Council action.

A charge like this was made on the 13th of November by my friend, the distinguished representative of Bulgaria, Ambassador Tarabanov. He said that the responsibility for delay in dealing with the matter before the conflict rests on governments, presumably including my own, because it was "they"—now I quote him—"who did not want to act in the matter."

Mr. President, how this can be said by my distinguished colleague is beyond me. It was he at the height of the crisis who said on May 24 when we in this Council pleaded the need for action—urgent action—that this would be—and I quote him—"an exercise in futility". And then the Representative of Bulgaria went so far as to tell this Council that—and I quote him again—"we are not available for consultations on this draft resolution or on anything else that may be planned." That's the end of the quotation.

Similar efforts were made by the Soviet Representative who in a phrase well-remembered in this Council said that we were attempting to dramatize the situation.

The efforts of the United States throughout this crisis have been to prevent the conflict before it started, and after the conflict commenced, to bring it to a speedy end and to start the process of making peace in the area. I have only to refer you to the resolution offered by the United States on the 1st of June in which we proposed that—and I read:

"*Noting* that the Secretary General has in his report expressed the view that "a peaceful outcome to the present crisis will depend upon a breathing spell which will allow tension to subside from its present explosive level", and that he therefore urged "all the parties concerned to exercise special restraint, to forego belligerence and to avoid all other actions which could increase tension, to allow the Council to deal with the underlying causes of the present crisis and to seek solutions,"

"1. *Calls on* all the parties concerned as a first step to comply with the Secretary General's appeal,

"2. *Encourages* the immediate pursuit of international diplomacy in the interests of pacifying the situation and seeking reasonable, peaceful and just solutions,

"3. *Decides* to keep the issue under urgent and continuous review so that the Council may determine what further steps it might take in the exercise of its responsibilities for the maintenance of international peace and security."

That resolution foundered on the opposition of those who now seek to ascribe responsibility for delay to others. And every member of this Council knows that when the conflict broke out on June 5 it was the United States along with some other members of the Council which were the principal proponents, initiators and supporters of action by this Council calling for an immediate cease-fire. Here, too, Mr. President, it was the opposition of certain members which made it impossible for the Council to act urgently and without debate in the interest of peace and stopping the fighting before it developed as it subsequently did.

Now, there were two opportunities before the Council at that time. One arose from an initiative by the Governments of Canada and Denmark, and that was to send a special representative to the area. And the other arose from the resolution that we offered.

I ask you, the members of the Council, to think of where we would be today had it, the Council, endorsed proposals made by Canada and Denmark, supported by the United States, in the interest of accelerating the peace-making process. We could have had a UN representative in the area since last June, working on the complicated task of restoring peace. Several precious months have been lost, and the question recurs—How much more time is to be wasted arguing over rhetoric when what is needed is reconciliation?

While there have been rumors spread in the corridors that the United States is now seeking delay, nothing could be farther from the truth. We have sought immediate action throughout, we seek immediate action today, and I mean action not words.

Mr. President, these are the facts. What we need is a truce in the Security Council against recrimination. And let us have an end to this ceaselessly repeated use of old and discredited charges to sow new hostility. As far as we are concerned, let there be no more delay. Let there be no more attempts to pervert this Council, this instrument of peace, into a center of defamation and incendiary charges. For such abuse of the United Nations instrumentalities simply compounds the difficulties of the peace-making process which are already formidable enough.

I do not intend in this spirit to make any detailed reply, for example, to the statement made by the distinguished Representative of Syria. I have previously had occasion in this Council to state that the internal affairs of the United States, its leaders and its policies, are not the subject of legitimate comment by representatives in this Council. In no statement made by the United States during the many meetings of the past few months have we ever ever commented on any utterances made by the leaders of Syria or attempted to characterize those utterances as has been done by the Representative of Syria with respect today to the political leaders of the United States. I do not intend to depart from this practice despite the provocation which has been offered. It is a legitimate matter of discussion in this Council to deal with the substance of the problem before us. A statement has been made by the Representative of Syria that the United States has been inconsistent in its positions with respect to the Middle East crisis. I have before me, Mr. President, a document which I shall make available to you, to the members of the Council, and to the representatives of the parties immediately concerned, containing every policy statement made by the United States since this crisis first broke out, before the conflict, during the Security Council considerations, and up to the present time. I am content to rest on the record of our statements which demonstrates that our statements have been consistent throughout. We adhere to the statements that have been made; we do not depart from them.

Illustrative of the double standard which the Representative of Syria applies in his discussion of the grave issues before us, is his reference to the arms situation. It is interesting that on commenting upon a recent decision of our Government to meet prior commitments with respect to military armaments, he does not refer to the fact that our decision was designed to meet commitments not only to the State of Israel but to several Arab countries. Nor does he talk about the outpouring of military armaments to the countries of the Middle East, including Syria, which has gone on for years and which continues to this day. If the Representative of Syria is genuinely interested in seeking limits placed on the wasteful and dangerous arms race, which has gone on in the Middle East for years, one would have expected him to express support for the idea contained in the draft resolution we have placed before the Council, which calls upon the Council to consider the necessity for limiting the wasteful and destructive arms race in the area. No such word of support was forthcoming.

Now, Mr. President, we don't need words of the character that have been uttered. The words that are now needed are words that clearly point to practical action for a just and durable peace that shall be fair and equitable to all parties. It is for such a peace that my delegation, despite all difficulties, continues to strive.

To this end, last month while the non-permanent members of the Council were actively seeking an acceptable formula for action by this Council, my delegation at the specific request of some of the parties concerned, deferred to their efforts. When their efforts did not succeed, you, Mr. President, quite appropriately in your capacity as President of the Security Council, and with the agreement of the non-permanent members, turned to the permanent members of the Council to ask that they join fully and actively in the search. My delegation responded promptly to your call, and as soon as possible formulated its concept of appropriate and attainable Council action. And we so reported to you, Sir. On an urgent basis we likewise proceeded to discuss our concept with other members, permanent and non-permanent, and with the parties on both sides. We were guided throughout by certain axioms of negotiation—axioms which stemmed in part from the unanimous view that the Council should act under Chapter VI of the Charter.

First, only the parties themselves through mutual accommodation and compromise and peaceful means of their own choice, can make peace. An imposed peace, whether imposed by one side on the other or on both sides by any outside authority, including this Council, cannot endure.

Second, members of this Council, both individually and collectively, by virtue of their very great influence, individual or combined, and by virtue of the Council's responsibility under the Charter, can and must assist the process of accommodation between the parties.

Third, to serve this purpose, the Council must find a formula which will not prejudice the known positions of the parties of either side and which will not preclude the acceptance by either side of the assistance, encouragement, help and guidance the United Nations can properly offer.

Fourth, to arrive at such a formulation, it is essential that consultations be held with the parties on both sides, as well as with the members of the Council.

The process of consultations we had initiated had not run its course when the request for the convening of the Council made it necessary to circulate the product of our efforts on November 7. While we would have preferred to hold back our draft resolution until the final result of our consultations were in, I have no hesitation in stating that our draft resolution in our view is the only resolution now before the Council which conforms to the axioms set forth both in content and in the procedures used in drawing it up.

Moreover, even since its circulation, we have remained intensively engaged in the search for the right formula for Council action—"right" in terms of the balance it strikes between conflicting views and emotions, and in terms of the cooperation it will elicit from all involved in the peace-making process it would put in train. Even since the Council was convened, we have continued our efforts—and let me make explicitly clear that our interest is not in having an American label on the successful formula. If it would in any way facilitate the search we are all engaged in, that label can be rapidly dispensed with. Pride of authorship has no place in the serious business at hand.

Mr. President, in my statement on November 9, last Thursday, I pointed out that we of the United States have sought to stay within these requirements by basing the substance of our resolution on a set of principles: namely, the five principles enunciated by President Johnson in his address on June 19.

We did so as I pointed out not merely because our President had set them forth but because both parties had in various statements indicated that those principles were an acceptable basis for Security Council action. And I have not heard a repudiation on the part of those who have spoken that those principles still do not constitute an acceptable basis for progress in the interest of peace in the area.

I briefly recall those principles, namely:

1. the recognition of national life;
2. justice for the refugees;
3. innocent maritime passage;
4. limits on the arms race; and
5. political independence and territorial integrity for all.

We have sought to embody these five principles in our draft resolution in a way which would be fairly and prudently balanced, and would, as I have said, not prejudice the vital interests or the stated positions of either side. We have taken into account the known differences between the parties in regard both to the goals sought and to the means toward those goals. We have sought to develop and express, as well as we knew how, the maximum of common ground as a starting point for the peace-making process that should have commenced—with the blessing of this Council—months ago.

In my statement in the Council last Thursday I outlined the general considerations underlying this draft resolution. Let me now add certain specific comments on particular provisions in the hopes of clarifying their meaning and intent in light of the comments made with respect to these clauses in the course of our debate.

In paragraph 1, among the elements embraced in the concept of "a state of just and lasting peace," is "withdrawal of armed forces from occupied territories." Let me be quite clear about the meaning which we attach to this language. In the first place, it obviously refers and was always intended to refer to the armed forces of Israel; let me also state and make clear that this is completely on a par with the other essentials listed in the same statement: termination of claims or states of belligerence—which of course refers primarily to the Arab states. It also embraces a necessary ingredient for peace in the area: mutual termination by Israel and the Arab states of the state of war which unhappily still persists in the area and mutual recognition of, and respect for, the right of every state in the area to sovereign existence, territorial integrity, political independence, secure and recognized boundaries, and freedom from the threat or use of force.

Mr. President, we thought that this concept was very clear in the Resolution we offered but since doubts have been expressed on this point we have clarified them, I think explicitly, in our statements today.

Now, Mr. President, we believe that the language of paragraph 1 as stated in the Resolution and as amplified by me here today is both intrinsically sound and carefully balanced in what it requires of the respective parties. And I should like to repeat them for emphasis.

Israel must withdraw; the Arab States must renounce the state of belligerence and claim of belligerence which they have claimed for many years and the states on both sides must terminate the present state of War and must mutually recognize each other's rights, which are set forth explicitly in Article II of the Charter. And, lest there be any ambiguity, let me also make clear despite the references that have been made to this sentence that by the word "recognition" we do not mean diplomatic recognition, although we do not also mean to exclude it. This is a matter for the parties concerned to settle between themselves. We mean recognition of what the Charter provides—recognition of the sovereign existence of all nations to which all states in the area are committed by the Charter. We mean respect for the territorial integrity, political independence and freedom from the threat or use of force; and we mean that the parties should determine that in order to be free from the threat or use of force secure and recognized boundaries should be fixed.

Now I cannot emphasize too strongly that these principles are interdependent. There is nothing artificial about this interdependence; we did not manufacture it; it is in the nature of the situation and of the history of this conflict. To seek withdrawal without secure and recognized boundaries, for example, would be just as fruitless as to seek secure and recognized boundaries without withdrawal.

Historically, there have never been any secure or recognized boundaries in the area. Neither the armistice lines of 1949 nor the cease-fire lines of 1967 have answered this description. The armistice agreements explicitly recognize the necessity to proceed to permanent peace, which necessarily entails the recognition of boundaries between the parties. Now, such boundaries have yet to be agreed upon—and agreement on this point is an absolute essential to a just and lasting peace, just as withdrawal is. Secure boundaries cannot be determined by force; they cannot be determined by unilateral action of any of the States; and they cannot be imposed from the outside. For history shows that imposed boundaries are not secure—that secure boundaries must be mutually worked out and recognized by the parties themselves, as part of the peacemaking process.

I would add one further observation as to timing. Clearly the timing of steps to be taken by the parties in fulfillment of the objectives set forth in the resolution we have tabled would need to be carefully worked out with the assistance of the Special Representative. It is not our conception that any one step or provision should be relegated to the end of the process.

In short, Mr. President, our resolution reflects the conviction that progress toward peace can only be made if there is a careful and just balance of obligations among the parties. Such a balance must take account of the just aspirations of all without harming the vital interest of any. It must recognize and seek to relieve the legitimate grievances of all without creating new grievances for any. It must be a balance which all will have a strong interest in maintaining. Only thus can it provide the foundation for a durable peace.

Let me turn briefly to paragraph 2 of the resolution since I have been speaking of paragraph 1. In our view the provisions of this paragraph are no less vital to a durable solution than those of paragraph 1. Those relating to guarantees for freedom of navigation for all nations through international waterways in the area and to the refugee problem deal with grievances of the first order of importance which clearly could not be left out of a peace settlement. The other two provisions are designed chiefly to ensure that a peace settlement shall be, as it clearly must be, insulated from violence and from excessive competition in the means of violence.

As to freedom of navigation in international waterways for all nations it is a matter of historical record that the principal factor which precipitated the conflict in early June was the UAR decision not to permit ships of all states to pass through the Straits of Tiran with equal freedom. It has been a plain fact of life that a return to peace will require guarantees concerning freedom of navigation in the Straits as well as in the Suez Canal for their closure has been inconsistent with the state of peace that has been recognized by past decisions of this Council.

I should like also to comment on the refugee problem, for it is far more than merely a political grievance. It is a profoundly humanitarian problem, and it must at long last be solved. Those who are homeless or displaced because of both the recent and the previous conflicts have a desperate need for help and for justice. The nations of the area, with the help of the world community, must act with new determination and new energy to achieve that end. And in the solution of the problem my Government is prepared to do its share and to do more than its share just as throughout the years it has been doing in relieving the distress of the refugees in the area.

But it is not merely continuance of temporary relief, to which we have largely contributed, that is needed. More than ever before this problem cries out for a permanent and a humane solution. Such a solution must be a part of the framework of the peace settlement. The needs of the refugees and the needs of peace in the Middle East are not in conflict; they are inseparable from each other. They must be attended to together. Freedom of navigation in international waterways and the needs of peace in the Middle East are not in conflict; they are inseparable from each other. They must be attended to together.

Such, Mr. President, are my main comments concerning the provision of the United States draft resolution. Before concluding, let me only add three general observations which I hope may prove constructive.

First, an observation about the Special Representative and his role. I have no hesitation in saying that the key provision in the entire Resolution is the appointment of the Special Representative. The principles in paragraph 1 will be useful only to the extent that they may help him in working out with the parties solutions that will lead to a just and lasting peace in the area.

I have already mentioned that six months ago a resolution was introduced by Canada and Denmark in the Council asking the Secretary General to seek solutions of the dangerous tensions then prevailing. It was a good resolution. It was criticized at the time because it contained no detailed principles to guide the Secretary General.

Now, let us look back upon the history in this particular area. We may well recall the resolutions of the Security Council under which the Armistice Agreements of 1949 were negotiated by Dr. Bunche—agreements which, despite the later tragic course of events, helped at that time to stop war. But these resolutions likewise contained no detailed principles to guide the negotiations.

Our Resolution goes far beyond the resolutions of the Security Council under which Dr. Bunche so successfully operated. Our Resolution proposes a far more specific mandate. But, it seems to us that what is far more important than a list of written principles is the existence on both sides of a sufficient practical will to make peace. The peacemaking process is not quick or easy. Nor is it a kind of magic which enables each side to realize its maximum demands. The only magic in peacemaking is the awareness of each side that the benefits of peace and tranquility are valuable enough to justify very great efforts in search of it, and acceptance of compromise and accommodation by both sides on the actual terms. And, Mr. President, the terms cannot be spelled out in advance. They must be spelled out on the ground.

The crucial role which the Special Representative can play is to foster on both sides the frame of mind essential to peacemaking—the pragmatic will to peace which can face and overcome the undeniable difficulties in defining mutually acceptable terms.

Mr. President, greater and more complicated conflicts even than this grave and complicated conflict have been resolved at the peace table. Peace is indeed difficult, but it is not impossible where a genuine will exists on both sides—and where the necessary support and encouragement are afforded by third parties, including this great Organization.

This leads me to my second major observation. In our consultations on possible action by the Security Council, the question we encountered most frequently from the parties concerned on both sides, was not about any particular provision of a proposed resolution, but rather about what the United States would be prepared to do in the interest of bringing about peace in the area. Would the United States—it has been put to me very explicitly—place its influence and political support behind a just and durable peace in the area, and the steps necessary to achieve such a peace?

Let me give here in public, in this Council, the same answer we have given in private to this question. We are committed to the achievement of a just and lasting peace in the area. From this commitment there flows a willingness to do our full share toward achieving that goal. As President Johnson said on June 19:

"I offer assurance to all that this Government of ours, the Government of the United States, will do its part for peace in every forum, at every level, at every hour."

On behalf of my Government, I now renew the pledge I made to the Council and to the parties themselves when I introduced the United States draft resolution on November 9. Under the terms of that resolution—and this includes every portion of the text—the United States could and will exert its full diplomatic and political influences in support of the efforts of the United Nations representative to achieve a fair and equitable settlement.

Finally, Mr. President, I would stress once again the spirit in which the United States will approach the question of peace in the Middle East. As the President of the United States emphasized at the very outset of the crisis last May, "The United States has consistently sought to have good relations with all the states of the Middle East." And he added this has not always been possible, and indeed it has not proved to be possible even to this day. But today, six months later, our resolve to seek such good relations remains undimmed, despite the tragic events of June and all that has taken place in the aftermath.

We are well aware that neither side in the dispute—judging by their expressions in and out of this Council—is likely to be well pleased with all aspects of our position. But this is inevitable considering that they are the parties involved. And for us it is a small price to pay if we can thereby contribute to the progress toward peace which the peoples of the Middle East and indeed, all the world so sadly need.

PRESIDENT PLEDGES AID TO AMERICAN FARMERS IN REMARKS TO NATIONAL GRANGE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, President Johnson's message to the National Grange Convention demonstrates the depth of his administration's desire to improve the lot of the American farmer.

As the President noted, we owe much to the hard-working farmers of America:

They have made us the best-fed people in the history of the world at a cost the average citizen could easily afford.

They have provided food and fiber for our Nation and its allies during time of international conflict and world war.

And their crop has fed hungry millions the world over.

Yet, while the farmer has given much to his Nation, we have returned too little to him. As the President made clear to the National Grange, he has committed himself to end generations of deprivation and give American farmers their just reward.

The Johnson administration has seen its farm program pay rewarding dividends. Farm income has risen over 50 percent since 1960, costly surpluses have been reduced, and the resources of the Federal Government have been marshaled to insure increased prosperity for every farmer in America.

The President has pledged "to preserve a good healthy condition for the American farmer." A grateful Nation must do no less for those who have bestowed the bounty of their labor at our doorsteps.

I insert at this point in the RECORD the President's remarks to the National Grange convention:

REMARKS BY THE PRESIDENT TO THE NATIONAL GRANGE CONVENTION, BY TELEPHONE FROM THE WHITE HOUSE

I am pleased and honored to be privileged to take part in your Centennial convention.

Your organization has a great leader—my close friend, Herschel Newsom. It does not matter whether the issue is our commitment in Vietnam, a tax increase to head off costly tax inflation, or import quotas that threaten our agricultural exports—Herschel Newsom and the great National Grange organization have always chosen the course of responsibility. And for this I am profoundly grateful.

This has been the history of the Grange through all its hundred years of responsible citizenship, of constructive, affirmative leadership. The Grange belongs to the class of people I call builders in America. It is easy enough to complain and be critical of what others do, especially with the benefit of hindsight. It's much more difficult to help find a true course through all the problems that beset us. The Grange has traditionally sought to attain its ends through the vigorous pursuit of affirmative goals. In fact, it has been my observation that you have always been so busy building, you have not had much time to waste on quarreling with those whose stock in trade seems to be hating and tearing down. Yours is the blessed way—and the world is far better for having people like you among us.

I like to think that you and I have many things in common—a love of the soil and the open sky, an urge to make things grow, a fascination of the challenge of wind and weather, a spiritual sustenance from the wonders of nature as they are revealed to us upon our farms. I must confess that I envy you—and at some times more than others—because you can spend more time on your farms than I can spend on mine. At least, that's the way it is just now.

Another thing we have in common is a concern about farm income, and my concern about that is perhaps even greater than yours; because as President I cannot help but be deeply concerned about the millions of people on farms who are not able to earn a decent living. I'm glad to be able to say I believe this situation should be improved and I hope is improving, but it is not improving fast enough.

We all know the pattern of the continuing revolution in American agriculture—a technological revolution—where the ability to produce continues to out run our ability to consume. It has been this way most of the time for more than forty years. The result has been all too often depressed prices and financial distress. No way has been found to cope with this problem except through programs of the Federal Government.

Some of you are old enough to remember, as I remember, the long, hard fight it took to gain acceptance of this Federal responsibility. Indeed, there are those in our country today who don't accept this as a Federal responsibility even yet—and there are far too many that wish we had no Federal farm program of any kind.

I wish it to be clear that I fully accept the Federal responsibility to help maintain farm income at reasonable and stable levels. The Federal Government cannot do the whole job. The farmer must do his part. But the programs required are of such large size that they cannot be successfully operated unless the strong Federal Government makes available the machinery through which the farmers can operate the programs.

Having accepted this responsibility, how well have we done in meeting it? Not nearly as well as I would like—because the average farmer still finds himself earning only two-thirds as much as city people earn. And many of you know from your own experience that it is still quite a struggle to make ends meet—to keep expenses from outrunning income. Yet the record shows creditable progress.

Average net income per farm in 1967 is running 56 percent above 1960. It is somewhat less than in 1966 when net income per farm reached an all-time high in our nation's history, and this setback is disappointing to all of us. I hope and believe that this setback is only temporary. I shall do my best to make it temporary and hope you will help me in that effort.

The record since 1960 does prove that progress can be made—that surpluses can be eliminated—that farm income can be increased. But this progress can be continued only if our programs are continued. These programs are under constant daily attack. In the present Congress, no less than 21 bills have been introduced that would kill, that would terminate existing farm programs. I shall be counting upon your strong support to see that these attacks do not prevail. I want you to keep the farmers in business—at least until I can join you full-time.

I am proud of what you are doing to make America strong and to feed the hungry people of the world. This country owes a lot to the farmer:

American agriculture is the envy of all nations.

You have provided food and fiber to this nation and to its allies through world war and international conflict.

You have saved the lives of millions around the world who would have starved in the absence of American food aid.

You have made Americans the healthiest, best-fed people in the history of the world and you have done it at a cost that the average person could easily afford.

You have provided the largest single contribution to world trade of any single segment of our economy.

I point these things out so that you know that we care about you and what happens to you. At the same time I salute you for these accomplishments and I thank you for all that you have done.

Most of all I ask your continued help in the tasks that lie ahead in the job that all of us have to do—a job that will give us better prices and better income, that will try to hold our costs where people can have an incentive to stay on the farm.

Our biggest problem today is that people have left the farms to go to the cities without any skills to use in the cities, and we are spending hundreds of millions of dollars trying to deal with that problem. How happier we would probably all be if we could have spent the money in preventive medicine before they left the farm.

So I am going to be here trying to correct some of the mistakes that have been made. I am going to be here trying to preserve our farm program and to preserve a good healthy condition for the American farmer. With your help and with your support I believe we can succeed.

CHAMBER OF COMMERCE MEMBERS PARTICIPATE IN GOOD WILL TOUR TO WASHINGTON, D.C., AND ALEXANDRIA, VA.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, as you are aware, it was my pleasure last week to welcome and help entertain here in our Nation's Capital a delegation of Bethlehem, Pa., Chamber of Commerce members who were participating in a good will tour to Washington, D.C., and Alexandria, Va.

For the benefit of my colleagues, I should point out that our distinguished Speaker is aware of this group's visit because he very graciously greeted the delegation in his office.

Primary purpose of this year's chamber tour was to inspect the fine community renewal projects which have been carried out in the city of Alexandria. Mayor Charles Beatly, of Alexandria, as well as the president of the Alexandria chamber, Robert Rotroff, and their colleagues, warmly received the Pennsylvania delegation and provided them an informative look at the strides being made in their community.

My constituents derived a great deal of benefit from this primary objective of their tour. They returned to Bethlehem, however, with two other events of their tour foremost in their thoughts and conversations. These were the greeting by our Speaker and a very unique and most personal visit with our President.

Last Thursday, while General Westmoreland was a White House guest, President Johnson greeted and spoke intimately and frankly with the Bethlehem Chamber of Commerce in the oval room. His true greatness, as reflected by his sincerity, his warm personality, his obviously deep concern, and his firm determination was strikingly evident to the Bethlehem chamber members as they heard from our President, himself, a review and assessment of national and world affairs.

The tremendous impact of this meeting with the President will remain clearly impressed in the minds of these men for a lifetime. I wish every American could experience the personal reassurance provided by that visit, that our Nation's leadership is of the very highest order.

I respectfully include in the RECORD an editorial which appeared in the Bethlehem Globe-Times editions of yesterday commenting on this visit and the true image of the President which emanated from his press conference of last Friday:

FIGHTING PRESIDENT

> President Johnson has made it plain to his country that he intends to take on critics of his domestic and foreign policy with vigor. It is as though he has awakened to evidences of his waning popularity and decided to fight for his political life.
>
> By a happy coincidence, 36 Bethlehem businessmen who toured the Washington area last week in a Chamber of Commerce trip can report first hand on the new fighting President. He met with them for 25 minutes in a White House conference arranged by Congressman Rooney and gave them a preview of his new style. "No matter what all the king's horses and all the king's men and teachers and preachers say or do, I intend to see this thing through," he declared in reference to his Vietnam policy and in an obvious reply to the Episcopalian preacher who on the previous Sunday directed some cutting questions about the U.S. presence in Vietnam as the President sat in the front pew.
>
> The nation received a similar impression of the President's renewed determination in a press conference televised on Friday. Gone were the bland preliminary announcements. Discarded was the uncomfortable stance behind the podium. The look of the kindly squire patiently lecturing on the troubles of the times was replaced by a new image. The President moved from behind the podium. He pounded his fists, used his hands to make points, and moved about in a conference room manner. Wearing a microphone around his neck for the first time, he used the new mobility to get closer to the public.
>
> It is unlikely that the new Presidential manner will win back serious dissenters of the White House policy in Vietnam. But local businessmen who saw him can testify that the vigor of his readiness to accept responsibility is impressive and his insisting that he uses the most competent advisers in the nation is reassuring. He is clearly a man who isn't going down without a fight.

SHOULD AMERICANS START DRIVING ON THE LEFT-HAND SIDE OF THE ROAD?

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I was quite impressed by an advertisement that I saw recently in a national magazine. With the Thanksgiving weekend approaching, a time when millions of Americans will be traveling, I think that the ad had a particular message for each of us. Last year there were 13 million automobile accidents and 53,000 deaths in the United States.

The advertisement noted that Sweden recently changed over from driving on the left-hand side of the road to driving on the right-hand side of the road. Experts predicted murder as a result, but they were wrong. Highway fatalities dropped over 50 percent. What happened? The Swedes started driving as if their lives depended on it. They drove slow and easy, kept both hands on the wheel, their eyes on the road, and their minds on what they were doing.

Some experts feel that the same beneficial results would occur in the United States if we started driving on the left-hand side of the road. Now I am not advocating such a change. I do say however that driving an automobile is a privilege and not a right. We can take a lesson from the Swedes and that is to drive as if our lives depended on it.

PRESIDENT JOHN F. KENNEDY

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, at this hour, 4 years ago this afternoon, President John F. Kennedy, who had been a Member of this House, lost his young life while in the midst of a brilliant career in the service of his country.

I have asked for these few moments today to bring to our memory the life of John Kennedy and the lives of all of the brave, young men who in response to his call to service of country have since followed in his course. The lives of these young men, President and soldiers, silently demand that we display again the strength and resolution that is so much a part of our national character. Only by emulating their courage and youthful wisdom will we be allowed to find the lasting peace that they so resolutely sought to forge.

HANOI'S REJECTION OF THE PRESIDENT'S PEACE OVERTURE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, as the Chicago Daily News has noted, North Vietnam has again misjudged the American temperament by its contemptuous rejection of President Johnson's offer to talk peace aboard a "neutral ship in a neutral sea."

North Vietnam's leadership has wrongly interpreted American peace demonstrations as a nationwide desire for a peace-at-any-price administration in 1968.

They could not be more mistaken. As the Daily News points out, the noisy demonstrators who favor unilateral American surrender are a tiny and powerless minority.

Hanoi would do well to ponder the pages of American history. They illustrate a resolute people who have become free world leaders by resisting—not retreating from—brazen aggression. They show that discussion in a free society does not imply dissent on basic objectives.

Regardless of who occupies the Presidency in 1968—no matter what his politics or his party—our national commitment to a beleaguered ally will be honored.

Hanoi must take this lesson to heart—or be sadly disillusioned. As the Chicago Daily News states:

> Ours has always been a nation to debate furiously and at the top of our lungs—and then to do what must be done. He can discover that the hard way if he insists.

Under permission granted, I insert into the RECORD the thoughtful editorial in the Chicago Daily News calling the regime in North Vietnam to task:

HO'S LONG-ODDS BET

> Hanoi's contemptuous rejection of President Johnson's offer to talk peace aboard "a

neutral ship in a neutral sea" must have surprised no one, including Mr. Johnson.

But there was evidence of persistent miscalculation in the official Hanoi restatement of its own unequivocal demands for unconditional cessation of bombing and withdrawal of all U.S. and "satellite" troops from South Vietnam, presumably as conditions for negotiations.

There has been increasing evidence that Premier Ho Chi Minh has interpreted peace demonstrations and demands for a bombing pause as reason to believe he has only to wait until next November, when President Johnson will be overthrown and a peace-at-any-price regime installed in Washington.

Ho's study of American history should teach him better than that. This is not a nation of faint hearts. No matter who is chosen President next year, the national commitment will be honored.

There are a few noisy demonstrators who favor an unconditional pullout leaving the South Vietnamese to the mercy of the Reds. But they are not many and their views are spurned by the vast majority of those in the United States who dispute Mr. Johnson's policies.

The majority of those calling for a halt in the bombing do so because there has been much talk around the world, some of it in high and authoritative places, that if the bombing of North Vietnam is halted unconditionally, Ho will come to the bargaining table.

The sentiment is to find out if this is true, and incidentally demonstrate our reasonableness to those who regard us as war-lovers.

But the sentiment is also to do what is necessary, whichever way Ho reacts to such a pause. If his reaction, after a reasonable interval, were disdainful and negative, we are confident the overwhelming sentiment in the United States would be to press the war to the point necessary to persuade Ho of our determination to secure an equitable peace.

Perhaps Ho should not be blamed too much for holding a different notion of America's lasting qualities; he would not be the first to infer that economic success had weakened our stomachs for distasteful chores. Ours has always been a nation to debate furiously and at the top of our lungs—and then to do what must be done. Ho can discover that the hard way if he insists.

STANDARDS, PRINCIPLES, ETHICS NECESSARY TO HAPPY LIFE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, Southern Illinois University, at Edwardsville, Ill., recently held its commencement exercises. The commencement speaker, Prof. Stanley B. Kimball, gave a particularly noteworthy speech concerning his philosophy of life and his advice to those who are beginning a new chapter in their lives. I am including professor Kimball's speech in the Record and I commend it to the attention of my colleagues:

Now To Commence What?

(Commencement Address, Southern Illinois University, Edwardsville campus, by Prof. Stanley B. Kimball)

President Morris, Vice-Presidents MacVicar, Ruffner, and Tenney, Congressman Price, and other platform guests, fellow faculty members, parents and friends, and above all you graduating students, I am honored and pleased to be given the opportunity of addressing you.

Recently so much effort has gone into the streamlining of our commencement exercises that I almost feel like the Rabbi in one of Harry Golden's stories who, after being admonished several times to be brief at a wedding ceremony, simply asked the couple if they took each other for husband and wife and then pronounced them man and wife. I will not be quite that brief, but I can assure you that this speech is timed to fifteen minutes.

Since I am not an imported speaker, but rather a pioneer of this campus for the past eight years and the teacher of many of you present, I believe that my few comments this evening can and should be of a less formal nature than if I were a guest speaker. Therefore my parting advice to you graduates, my final attempt to inspire you will consist of the same simple and unsophisticated material I have been giving you in classes for the past four years. I will be more flattered and successful if you remember and utilize some of what I have to say than if you were to be impressed momentarily, but not motivated by a string of pearls of sophisticated wisdom.

We have a tendency to try to chop the flowing stream of life and time into pieces of wood, to mark beginnings and ends. One such conventional beginning was for most of you I suppose about four years ago. Now you have reached another conventional end—graduation. But since there can be no end without a new beginning we do not traditionally consider graduation as an end, but as a new beginning—a commencement. Hence the title for my remarks—"Now to commence what?"

Among the many things that you will be commencing soon are various kinds of work including teaching, military service, families, and/or graduate study.

Hopefully, you have learned two fundamental things at SIU: (1) what it is that you thoroughly enjoy doing and (2) how to do it well. Assuming you have learned these two things—and the pile of graduation certificates behind me attests that you have—it is now expected that you will commence applying what you have acquired. My advice is simply to get out and do the best you can, to make a contribution and to become the best, whatever it is you wish to become. You have had the privilege of several years of expensive education and training, now show your appreciation for these opportunities by magnifying your talents. Do not slop your way through life doing the least, taking the most.

I fully realize that if I were to tell you that the world owes you a living, to get out and get yours while the getting's good, that this would be the most memorable commencement address on record. Since that is not my personal philosophy of life, I could not, in any case, be convincing.

If you commence teaching look on it as an honorable and noble calling. One in which you will probably never realize much wealth or fame, but a calling in which you may find great satisfaction. Most of us can recall at least one teacher who had great influence for good upon us. I would like to think you present and future teachers may so inspire others. If for some reason you find you do not like teaching or find yourself teaching by rote, please do the world a favor and quit the profession. In my field of history, if—as is too often the case—it is offered as names, dates, and places rather than cause and effect, if the "what" of past human activity is taught to the exclusion of the "why", it is best untaught and unlearned. It is the junk of history, if history at all.

If you go on to graduate study get the best even if you have to go borrow money. Graduate study is an investment in yourself. Years ago at Columbia University I had a colleague, also a family man, who was enormously proud that he owed no one a dime. Since I had contracted considerable debts I was a bit uncomfortable in his presence when this subject came up. But I am sad to say he is still working for his degree. Had he been willing to have borrowed some money, or to have accepted some help, he may have finished when I did, long since repaid the debts, and have been productive in his field. As it is he will now be so old when he finally does get his degree that he may have difficulty obtaining a good position. Develop a professional attitude, be willing to pay the price of being a pro. Don't slop your way through graduate school any more than through life.

I hope you will not be offended if I also suggest that you commence to augment your efforts to make this world a better place because you are in it. I hope you will not only reject, but actively combat the current malaise of "hippism"—an ism without anything at all to say and a thousand exhibitionist and puerile ways of saying it. If you must reject certain values in our society which to you are base, do not do it in the negative childish manner of hippies, beats, ultra-liberals, and arch-conservatives. There are positive ways. Unselfish service to your community is one. Dedication to a worthwhile cause is another. Combating racial prejudice is still another, and I am square enough to believe in the Peace Corps and similar organizations.

If you don't like the world you were born into, don't bawl about it. Don't become a vacuous hedonist. It may be good for you to reflect upon the fact that no one ever created or was responsible for the world he was born into.

If you are called to serve your country, wear your uniform proudly and serve well. I do not doubt that you may have serious arguments and that you dissent with some aspects of our current foreign-policy. My advice to you is to be grateful that you have the right to dissent. But I do not believe that the right to dissent includes the right to burn draft cards and to refuse to serve. Surely our country has never gone into battle that one portion or another of the populous did not seriously disagree. If some of you have religious misgivings about bearing arms, I would draw your attention to the fact that many have served as medics and noncombatants and not felt that they compromised their God, themselves, or their country. Surely it is more manly to respond to the call of duty than to throw temper tantrums.

In conclusion, as your teacher, I am going to take this final opportunity to pass on to you my philosophy of life, my own concept of what the *summum bonum* is all about. It is embarrassingly simple and unacademic. To me the greatest object, purpose, and end to life is to find happiness for one's self and to help others find it for themselves. By happiness I do not mean the mindless pursuit of pleasure or pie-in-the-face burlesque, but what is sometimes called peace of mind, tranquillity, or self-fulfillment.

There are, I believe, three essential ingredients for a happy life: an individual must love—perhaps some will prefer the term respect—his work, his fellowman, and some philosophical or religious way of life.

Most of us earn or will commence to earn our bread by the sweat of our brow—there are relatively few unfortunates who do not have to work for a living. Since most of us spend a good part of our life at work it is obvious that if we do not love our work and cannot take pride in what we do, we will not be happy while engaged in that activity.

You graduates have just had a good opportunity of preparing yourself well for your chosen profession. If you should now, for some reason such as mere money, or prestige, turn from the diligent and industrious pursuit of your chosen field, you may find that you have sold yourself too cheaply. I do not wish to imply that one should never alter his course in life, but one should do it for some good reason. (For example, I started out as director of an Arts Center and Council in a very wealthy city in the south which boasted of 100 millionaires, but after three years I found out this was not satisfying to me, so I put my wife, two children and all my earthly possessions in a 1952 Studebaker and an 8 by 10 "U-Haul Trailer" and headed north for the Ivied Halls of Columbia University, and now, while I am not exactly rich, wealthy, or famous, I am as happy in my life's work as anyone has a right to be.)

It is not only possible to love our fellowmen, but is imperative that we do so if we are to achieve any significant degree of personal happiness. This is not Sunday and I am not standing in front of a pulpit, of this I am aware. Still I would like to mention this Sunday School type topic, especially would I like to emphasize the necessity of a reasonably happy homelife in the totality of a happy existence. A deep love for one's spouse and children is one of the surest guarantees for a happy life. It is extremely unlikely anyone will ever find a satisfactory substitute for homelife outside the home. I presume what I am implying is obvious enough to require no further comment.

My third and last point pertains to religion, philosophy, or simply a way of life. Whether this be the faith of your fathers or something you have found on your own does not matter. What does matter is that you respect it enough to abide its tenets. Many of you will remember in class that I advised you that if you were not content with whatever philosophy of life you had inherited or adopted, that if you did not love or respect it enough to follow it, you should get rid of it and find a better one. In this respect may I suggest you follow the admonition of St. Paul who counseled men to "prove all things, and to hold fast that which is good." (A fine credo, incidentally, for the whole academic profession.)

Standards, principles, ethics are necessary to the happy life, and while it is true that standards, principles, and ethics vary from individual to individual, it is easier to build a happy life if one follows some religion or some philosophy rather than playing life by ear. It is easier to build on solid rock than upon shifting sand.

My final comment is about one of the great personalities of history—Napoleon. He was probably the most highly endowed with energy and intellect of all men. Yet he squandered his gifts and talents on the most worthless of all human aspirations—self-glory and aggrandizement. He is, therefore, also one of the most tragic characters of history. Think what such a man could have done for the good of mankind. Better yet, think what you yourself can do for the good of mankind.

VICE ADM. CHARLES B. MARTELL, U.S. NAVY, RETIRED

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, on November 1 Vice Adm. Charles B. Martell retired as chief of the antisubmarine warfare programs in the Navy. I had known Admiral Martell for some time, but have had the honor and pleasure of working especially closely with him in the past year and a half since formation of the Antisubmarine Warfare Subcommittee of the Armed Services Committee, of which I am chairman.

In all of his dealings with our subcommittee I found Admiral Martell to have an exceptionally fine grasp of the needs in this important field and a tremendous drive to see that these needs are met. Unlike any other program in the Navy, antisubmarine warfare operations involve lines of command and responsibility that involve a number of different officers. Admiral Martell's unique assignment some 4 years ago was to bring closer order and coordination out of these diverse lines of command, so that important antisubmarine work did not suffer because of any lack of glamor and because of this diversity of responsibilities. This, as our subcommittee found out, is precisely what Admiral Martell accomplished in his post as a kind of antisubmarine "czar." He did it by the sheer force of his personality and the incisiveness of his mind.

Each member of our subcommittee has developed a tremendous respect, admiration, and affection for Admiral Martell. We are frankly sorry to see him retire from active duty, but we do wish him the best of happiness, success, and health in his new career in private life, where his abilities and energies will certainly continue to be utilized.

Mr. Speaker, I insert his full record of distinguished naval service at this point in the Record:

Vice Adm. Charles Bowling Martell, U.S. Navy

Charles Bowling Martell was born in Dorchester, Massachusetts, on October 7, 1909, son of Charles Joseph and Helen Frances (Contee) Martell. He graduated from the Naval Academy with distinction, fifteenth in a class of 405 members on June 5, 1930.

In June 1930, he was assigned to the USS *Chester* and the USS *Hull* until April 1936. In June 1936 he began instruction in Ordnance Engineering at the Navy Postgraduate School and Carnegie Institute of Technology. He received the degree of Master of Science in Metallurgy in June 1938, and in June 1939 joined the USS *New Mexico*.

He was awarded the Legion of Merit "For exceptionally meritorious conduct . . . while serving in the Readiness Division of the Headquarters of the Commander in Chief, United States Fleet, from May 1943 to August 1945 . . . Working tirelessly toward the perfection of defensive warfare tactics for the Fleet, (he) contributed materially to the successful prosecution of the war."

He commanded the USS *Union* (AKA–106) and USS *Aucilla* (AO–56). In February 1948 he was appointed Assistant Director, Atomic Energy Division, with additional duties in the Armed Forces Special Weapons Project. Between August 1951 and July 1953 he served as Fleet Operations Officer on the Staff of Commander in Chief, U.S. Pacific Fleet. He is a graduate of the National War College. In July 1954 he reported as Commanding Officer of the USS *Mississippi* (EAG–128). In August 1955 he assumed command of the USS *Boston* (CAG–1), the world's first guided missile cruiser.

Promoted to the rank of Rear Admiral on July 1, 1956, he served as Deputy Director of Naval Intelligence. He was Commander Cruiser Division Four from April 4, 1958 until April 1959. He was then assigned as Director of a Special Planning Group supervising the merger of the Bureau of Aeronautics and the Bureau of Ordnance into the Bureau of Naval Weapons. Following this duty, he was appointed Assistant Chief of Naval Operations (Development).

On March 9, 1961, he became Deputy Director of Defense Research and Engineering (Administration and Management) and was promoted to Vice Admiral, effective March 1, 1961. "For exceptionally meritorious conduct . . . (in that capacity) from March 9, 1961 to July 19, 1963 . . ." he was awarded a Gold Star in lieu of the Second Legion of Merit. On August 2, 1963 he assumed command of the Second Fleet and in April 1964 was ordered detached for duty as the first Director of Antisubmarine Warfare Programs—a new top-level Navy post in the Office of the Chief of Naval Operations.

In addition to the Legion of Merit with Gold Star, Vice Admiral Martell has the American Defense Service Medal, Fleet Clasp; American Campaign Medal; Asiatic-Pacific Campaign Medal; World War II Victory Medal; China Service Medal; Navy Occupation Service Medal, Asia Clasp; National Defense Service Medal; Korean Service Medal; and the United Nations Service Medal.

He is married to the former Miss Mary Elizabeth Adams of Decatur, Illinois, and has two daughters, Mrs. Ritchie Lynn (Martell) Perna of Ridgewood, N.J., and Mrs. R. C. (Martell) Ward of El Paso, Texas.

CALIFORNIA RECEIVES NEW WEIGHTS AND MEASURES STANDARDS

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, on Wednesday, November 22, Dr. Allen V. Astin, distinguished Director of the National Bureau of Standards, will present a new set of weights and measures standards to the State of California. With this presentation, California will become the fifth State to receive a new set of standards, in a program which will ultimately include all the States. As chairman of the Committee on Science and Astronautics, I have come to appreciate the role that measurement plays in all aspects of our lives. There is a tendency to take commercial weights and measures for granted, but measurement in the supermarket is as important to our economic life as measurement in the research laboratory is to our vital research and development programs in military defense, space exploration, and atomic energy. Some of the standards now in use around the country were provided to the States more than a century ago, and it is important to upgrade the uniformity and accuracy of our national measurement system in the field of commercial weights and measures. The ceremony which will take place in Sacramento this week is one step in that direction. For the information of all members, I insert in the Record the announcement from the U.S. Department of Commerce concerning the new standards for California:

National Bureau of Standards News Release

On Wednesday, November 22, California will become the fifth State to receive new weights and measures standards under a program to replace the standards of all 50 States.

Dr. Allen V. Astin, Director of the U.S. Department of Commerce's National Bureau of Standards, will present one new set of weights and measures standards to officials of the State of California at 10:00 A.M. in a ceremony at the California Department of Agriculture in Sacramento.

Many of the standards and instruments used by the States in weights and measures administration were provided by the Federal Government 100 years ago or more. The National Bureau of Standards is supervising replacement of the State standards to update and extend measurement competence throughout the Nation, as required by scientific and technological advances. Standards have previously been presented to Ohio, Illinois, Oregon, and Utah. Within the next few months sets will be presented to Connecticut, Delaware, Kentucky, New Mexico, and Tennessee.

It is expected that new standards and instruments will be provided to about 10 States per year until all State standards facilities have been modernized.

Each new set includes standards of mass (weight), length, and volume and necessary laboratory instruments, including high precision balances, all specially designed to meet State weights and measures requirements. Each set costs the Federal Government about $70,000, including calibration, installation, and training of laboratory personnel. The State contribution to the program, in the form of new or expanded laboratory facilities and better qualified personnel, will be considerably more than the Federal cost.

Measurement uniformity among the States began in 1836 when Congress authorized the Federal Government to supply each State with ". . . a complete set of weights and measures adopted as standards—to the end that a uniform standard of weights and measures may be established throughout the United States."

In the United States, the actual regulation of weighing and measuring equipment in commerce is retained largely by the States. The National Bureau of Standards is the principal technical resource for the States in this area.

IMPROVEMENT AND EXPANSION IN LIBRARY SERVICES

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MLLER of California. Mr. Speaker, Congress has long recognized the need for improvement and expansion in library services. In 1956 the Library Services Act was enacted to improve and expand library services for more than 72 million Americans. The benefits of the 1965 act were extended by authority of the Library Services and Construction Act of 1964 to include urban and suburban as well as rural areas. Further, the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 included authorization for the Office of Education to provide library services and resources to elementary and secondary schools and to institutions of higher education.

Under the Higher Education Act of 1965, Congress provided, for the first time, authorization for research in the field of library and information science. Until this time there was no single Federal program to provide support for the generation of new knowledge in the field of library and information sciences. The research and development program was requested, and Congress supported the request, because it was recognized that funds for support of library and information programs alone were not sufficient to insure the development of required services. It was recognized that support for intelligent planning and tested knowledge from which guidelines for the expenditures of millions of Federal, State, local, and private funds being invested in library programs could be developed must be specifically provided. From such research efforts would come the tested knowledge that would insure more effective uses of library services resources.

The library and information science research program should be considered in the context of our national effort for strengthening education and improving access to information. Access for all of our citizens to the results of $16 billion invested in research and development projects by the Federal Government is, in fact, provided primarily through library and information science information programs. The library and information science program has already demonstrated its value. In September 1966, President Johnson announced the establishment of the National Library Commission to recommend future directions for development of library programs and services in the United States. One of the first grants made under the library and information science program was to the National Commission to enable it to initiate its studies. Other projects supported under the program promise to provide assistance in planning library programs.

If the National Library Commission and local, State, and Federal administrators are to have the information upon which to plan for needed changes and improvements in the services of libraries and information systems, tested knowledge is required. Research programs are the best sources for continuing information. Research is being conducted on the following topics, identified by specialists in the field of library information science as important:

First. Manpower for libraries and information systems: To provide a base from which changes in manpower recruitment and training can be made. Topics under study are: currently available manpower; projections of types and numbers of librarians and information scientists required in the future; current training opportunities and programs and their relevance to anticipated role changes; new types of training required; and characteristics of the manpower pool from which new librarians and library trainees may be recruited. Such basic studies will permit the development, evaluation, and pilot operation of new training programs responsive to emerging needs.

Second. Uses of libraries: To meet the need for an assessment of current users of libraries and the types of services they require and receive. Also, to meet the need for identification of those persons who are either not now using or are unable to receive information services. Because of wide variations in services, practices, and needs throughout the country, such research must be carried out in a way which will determine the influence of geographic, economic, educational, and other factors on such uses.

Third. Organization of library and information science services: To consider how to establish effective management procedures and structures which will permit library and information science operations to be carried out in an effective and economically efficient manner. This requires research and evaluation of differing administrative and management patterns, of manpower utilization, staffing, and recruitment, and finance.

Fourth. Relationship of libraries and information services to other agencies: To initiate a study aimed at the continuing refinement of the unique role of libraries and other information systems, how they relate to, serve, and draw from these other agencies. Such study and experimentation will permit reduction of confusion with resultant savings in public funds.

Fifth. Integration of library services in schools: To determine how library services can be of most value in advancing formal education.

Sixth. Control of resources: To enable libraries to draw upon new knowledge of organization of information, information analysis, and related questions so that rapid and accurate intellectual and physical access to information is available to everyone. As information expands and is encoded in forms other than books—films, tapes, microforms, and digital information—the problems of storage and retrieval increase.

Seventh. Technology: To develop improved means of preserving library materials, of reproduction, and of increasing physical access by such diverse means as computer usage, telecommunications technology, and new storage techniques. The application of these basic results to library and information science services remains yet to be done.

The value of the projects described should be viewed within the foregoing context. Specifically, information about what these projects are and what they hope to attain is contained in the following brief descriptions of each project:

DEVELOPMENT OF THE CONCEPT OF AN EXPERIMENTING AND EXTENDED COLLEGE LIBRARY, HAMPSHIRE COLLEGE, $64,408

New approaches are required to allow for expanded opportunities for quality education at the college level. One such approach is under development at Hampshire College. The activity is being funded in part under a three million dollar grant from the Ford Foundation. This was the largest grant to an individual college and the first one made to a college not yet in operation. When it opens its doors in 1969, Hampshire will provide a new, varied, and exciting opportunity for learning. The instructional program will require major changes in the way library services and programs are provided for faculty and students.

As the college began its planning it turned to library services as a critical area for intensive study and development. The proposal submitted to the Office of Education for this activity was supported. The project will allow not only for planning of needed services at Hampshire College but will allow for careful coordination of library services among five institutions, including Amherst, Mount Holyoke and Smith Colleges and the University of Massachusetts. The grant will allow Hampshire College to bring together some of the best talent in the United States to design a program of library services that will allow for integration of instructional and library goals and programs, will permit an extended concept of the library and allow for access to materials and other resources by faculty and students of the five institutions. It will allow for orderly incorporation of new technological advances such as remote terminals, direct dial access, and new informational processing systems to speed access and help alleviate the difficulties encountered in utilizing the massive quantities of continually increasing educational information resources. It will permit for continued and expanded integration of the library into the total learning processes. Other expected accomplishments of this project are tests of ways in which institutional cooperation can be developed and used by several colleges. If such aproaches are successful, colleges may be able to share resources, use one another's library collections, and make efficient applications of emerging technology.

The Office of Education supported the Hampshire College project not only because the results would be useful in developing programs for a new and experimental approach to higher education, but more importantly, because the results could well become a proto-type for development of library programs in other colleges, universities and in the schools of the United States. The results could well provide guidelines for more effective use in channeling of a large part of the six hundred million dollars provided by the federal government for support of library services and programs throughout the nation.

"The Image of the Public Library in the Mind of the Rural Citizen," Educational Development Associates, $33,169

The Library Services Act was passed in 1956 to improve and expand library services for rural Americans. Since then, funds have been provided each year for support of improved library services in rural areas. Yet, there is little information available on the purposes for which rural persons use their public libraries or about the kinds of library services which they would find most useful and desirable. The project supported by the Office of Education, through Educational Development Associates, is one of the first to investigate the role of the rural library in the rural community.

This project will be conducted in three Northern New England States and will be based upon interviews conducted with citizens in three towns in each of the following states; Maine, New Hampshire, and Vermont. In each town persons will be asked to present their views on available library services and the kind of services they feel they need. The interviews will also attempt to determine why people use or fail to use libraries as they now exist. The study will allow for the first time collection of information that can be used in helping the townships and other governmental bodies prepare plans for support of needed library services. The plan for this project also includes careful participation by the state librarians together with local librarians. This involvement will insure that the results obtained will be applied in a maximum way for improvement of local services.

The importance of the project, however, extends far beyond the three states in which it will be conducted. There are few guidelines for development or evaluation of library services in the many thousands of communities included in rural America. The results of this study are expected to be useful to librarians as well as government officials in other parts of rural United States. Furthermore, the results may be useful at the national level in reviewing present support provided for rural library services. It may be expected that results can suggest ways in which more effective service can be provided.

"An Exploratory Study of the Occupation of Teacher of Librarianship," Western Reserve University, $10,983

Expansion of library services in the United States rests upon the capacity of the graduate library schools to train the needed staff. At the present time there are approximately 340 full-time faculty in the accredited library schools in the United States. All of these schools have critical shortages in their staff and each is seeking desperately to attract new staff and to expand their training capacity. However, the continuing shortage of full-time graduate faculty members has continued.

Improved policies and procedures for recruiting faculty and for retraining competent faculty are being pursued by professional organizations and all of the schools involved. In addition, factual and detailed information about present faculties would be helpful in development of additional programs for recruitment and retention of competent faculty.

The project being undertaken at Western Reserve is expected to provide such information. Information will be obtained from all full-time faculty members of accredited library schools. The data will include information about the educational preparation, career choice, career patterns, professional activities, and career aspirations of the faculty.

With the information obtained reports can be prepared which can assist professional organizations and schools to develop more effective training programs for librarians and to improve recruitment and staff policies of the present schools. The study would also provide important information that will assist in further development of the library training program, administered by the Office of Education.

Library Materials in Service to the New Adult Reader, University of Wisconsin, $50,000

The Adult Basic Education Programs, begun in 1964, represent efforts to teach illiterate people to read and write English and to improve their ability to participate in occupational training programs. As advances have been made under this program, it has become clear that new materials for reading by the new adult reader must be prepared so that the person can exercise and apply his newly won skill. Failure to provide reading materials appropriate to the interest level and maturity of the new adult readers has often led to frustration and arrested reading skills. For schools, libraries, and other groups responsible for providing adult basic programs, one of the major problems has been that of finding reading materials for the age levels, limited reading ability, and interest of the under-educated adult. The project under development by the University of Wisconsin is designed to identify materials which are currently available for this population and to suggest additional materials that are required. The project also will try to identify the types of reading situations in which such materials can be used to maximum advantage. Programs of public libraries will be examined to determine the best ways in which local libraries services can be used to help semi-literate adults to further advance their reading skills.

By assisting libraries to develop collections of materials which the under educated readily accepts as important and useful, the project can go a long way toward providing guidelines for extending the benefits of the Adult Basic Education and related programs. The project can be expected as well, therefore, to contribute to improved reading skills and consequently, to the employability of many of the presently under educated adults who are included among the ranks of the unemployed.

A Program of Research Into the Identification of Manpower Requirements and the Educational Preparation and the Utilization of Manpower in the Library and Information Profession: University of Maryland, $235,190

Shortages of trained personnel continue to remain one of the most serious impediments to the development of required and efficient library programs in the United States. New technologies for processing information are rapidly changing the roles of persons previously trained for library activities. New patterns of relationships between instructional programs in schools and colleges and use of library resources requires retraining of many existing library staff. Finally, development of the information sciences themselves, not yet a decade old, has required reconsideration of the traditional ways of organizing library services and, consequently has led to new training requirements for librarians.

Interest in new approaches to library training to meet current and future manpower needs is expressed in the project now supported at the University of Maryland. Three federal agencies have provided the funds required for this project.

The Office of Education because of the obvious need for examining library curricula and for providing guidance that can be used to help apply funds provided under the Library and Information Training Program more effectively; the National Science Foundation because the availability of better trained librarians will lead to more effective access to the results of the $16 billion spent for research and development by the Federal Government; and the National Library of Medicine because medical library services also will benefit from the opportunity to hire staff with improved training for library activities.

The University of Maryland has provided the leadership for developing the research program with the assistance of an advisory board composed of distinguished administrators, educators, librarians and government representatives.

The results from the project can be expected to lead to major and important curriculum innovations and improvements for college-level training of librarians and information scientists. The nation will benefit from the manpower pool which will receive the benefits of improved training.

COOPERATION IN WATER PROBLEMS BETWEEN STATES

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, It has often been noted that water problems do not honor State boundaries. Hence, it seems to me that water resource planning and development requires the highest type of cooperation between States with common interests in such development.

The Chickasaw-Metropolitan River Basin study now being carried out by the Department of Agriculture is a splendid example of cooperation between the

States of Tennessee and Mississippi. The Soil Conservation Service of the U.S. Department of Agriculture is assigned the USDA leadership on this 1,237,000-acre basin study. The Tennessee Department of Conservation and the Mississippi Board of Water Commissioners are cosponsors, representing their respective States. The Shelby County, Tenn. Conservation Board and the nine soil conservation districts in the basin are also among the sponsors. These units of local government will make, I am sure, a major contribution to the basin study.

My colleague, the gentleman from Mississippi the Honorable JAMIE L. WHITTEN, who ably serves as chairman of the Subcommittee on Department of Agriculture and Related Agencies Appropriations, deserves much credit for initiating this basin study that can mean so much to both Tennessee and Mississippi. I am pleased that this study covers portions of three counties that I have the honor to represent. I congratulate Mr. WHITTEN and the States of Tennessee and Mississippi for their foresight in setting up this study.

Mr. Speaker, so that others may know of the details of this study and the high type of cooperation that prevails, I am inserting in the RECORD a story entitled "Tennessee River Basins" that appeared in the August issue of the Mississippi Water News, the official organ of the Mississippi Board of Water Commissioners:

TENNESSEE RIVER BASINS

CHICKASAW-METROPOLITAN RIVER BASIN

The above basin includes all the drainage area of the Loosahatchie River, Wolf River, Nonconnah Creek, and Horn Lake Creek. All these streams discharge into the Mississippi River at Memphis, Tennessee, and three rise in Mississippi. All of Shelby County, Tennessee and portions of Tennessee counties Tipton, Fayette, Haywood, and Hardeman as well as *Mississippi counties* DeSoto, Marshall, Benton, and Tippah are included.

RIVER BASIN STUDY

In 1965 the Shelby County Conservation Board and the Shelby County Soil Conservation District asked the U.S. Department of Agriculture to participate in making a study of the major streams of the Chicakasaw-Metropolitan area. Congress appropriated funds for a River Basin type survey in July, 1966.

The Secretary of Agriculture has assigned overall leadership to the Soil Conservation Service and a River Basin Survey staff has been established at Memphis. The U.S. Forest Service and the Economic Research Service will participate in the comprehensive study. Those state agency cooperators are The Tennessee Department of Conservation, The Shelby County Conservation Board, The Shelby County Soil Conservation District, and the Mississippi Board of Water Commissioners.

OBJECTIVES

The Chickasaw-Metropolitan River Basin Survey is an inventory of the basin's water and related land resources, problems and needs. The information collected will be utilized in the development of a comprehensive basin plan.

The sponsors believe that a comprehensive, coordinated plan for the basin should provide for (1) the sound development and use of Flood plains for parks or greenstrips, agricultural purposes or Urban and Industrial uses (2) development of additional recreational facilities to meet present and emerging demands (3) development of adequate water supplies for agricultural, industrial, and municipal use (4) conservation and development of the land and water resource base.

AREA PROBLEMS AND NEEDS

Flood prevention

Flooding is a major problem on the larger streams and most of the upstream tributaries throughout the basin. Floods damage crops, land, property, utilities and services. The threat of high flood damages has prevented industrial and urban development along the flood plains of the larger streams. Croplands located on the flood plains, of major importance to the economic development of the area, are subjected to severe flooding resulting in loss and damages to crops.

The runoff is irregular, most of it occuring during the late winter, early spring and during local high intensity storms in the summer. In the upper watersheds of the basin there are long periods of low flow, usually at times of greatest need for water.

Erosion and sediment

Erosion and resulting sedimentation create severe problems in many areas of the Basin. Average annual soil losses of 50 tons or more per acre are not unusual on upland fields cropped continuously to cotton and without conservation measures. Steep bare roadbanks have annual soil losses of from 5 to 7 times as much. Watersheds having urban development such as new housing usually have aggravated runoff, erosion and sedimentation problems. Raw gullies throughout the area also contribute to the sediment load, choking main and tributary stream channels.

It is estimated that for every acre of sloping upland in farms in the area, there is an average annual soil loss of about 8 to 12 tons per acre. In the western and central part of the area, the soil losses consist dominantly of silt. In the eastern one-third of the area, large quantities of sand and silt are being eroded from the uplands. This eroded sediment has filled many of the stream channels and in places is covering the fertile bottom land with sand. Since many of the stream channels are filled, flooding is more common and many acres of once productive bottom land are no longer in cultivation. Many areas have grown up with undesirable trees or are idle. In some areas, the erosional debris and flooding has caused some of the trees to die and "swampy" areas are forming. The damaging effects of upland erosion will continue to increase unless action is taken to reduce erosion on uplands. Erosion, therefore, is a two-fold hazard in that it threatens production potentials of uplands soils increasing future costs of crop production and creates off-site problems that reduce potentials for development without costly remedial measures.

Erosion washes some 2,600,000 tons of earth into the basin waterways. This figure represents enough earth to fill a string of boxcars which stretch from Memphis to Little Rock, Arkansas.

Water management

A major problem of the basin is the management and control of surface water to reduce erosion, sedimentation and overland flow. Irregular stream flow ranges from none in dry seasons when there are needs for irrigation to heavy flooding during periods of intense precipitation. There are some problems of pollution due both to sediment and the use of agricultural chemicals. There are needs for clear unpolluted lakes and streams with adjacent areas of natural beauty for outdoor recreation such as water sports, hunting, and fishing. Irrigation water for high-value specialty crops such as vegetables and ornamentals is needed to allow maximum economic development.

Watershed protection

Row crops of cotton, corn, and soybeans occupy a sizeable acreage of sloping cropland in the Chickasaw Basin. Much or this acreage is cropped continuously without adequate conservation measures. Preliminary results of an unpublished soil-loss survey for similar land use and cropping pattern in an area of West Tennessee show an average annual soil loss of 54 tons per acre. Information gathered in the Yazoo River watershed over a 2-year period shows that cotton fields planted in straight rows across the slope lost 58 percent of the rainfall and 195 tons of soil per acre.

Sedimentation resulting from such heavy soil losses causes many off-site damages. Drainage ditches and canals for removing surface water from highways, agricultural land, residential and industrial areas become clogged with silt bars thereby reducing their usefulness and requiring expensive maintenance. Reservoirs for all uses receive this sediment, causing them to fill and stay muddy. This reduces their value for recreation and sources of clean water. Thus, soil losses from sloping unprotected cropland becomes a public problem of great proportion.

Losses to the individual and the total economy of the Basin caused by excessive erosion can be illustrated as follows: Grenada, an extensive sloping upland soil in the Basin, could be changed from a slightly eroded phase to a severely eroded phase in about 18 years if losses continue at the 50 plus tons per acre rate indicated above. This would result in an annual yield reduction of 14 bushels of soybeans, 250 pounds of lint cotton or 30 bushels of corn per acre. At present prices, this amounts to $43.00, $75.00, and $42.00 respectively per acre in lost income caused by excessive erosion.

Land use changes are needed for some areas now used for row crops. Such changes would be to pasture, hay, and woodland. But economic restraints are against such shifts in land use. Absentee ownership and farms owned by elderly persons comprise a large number of the farming units. Many of these farms are rented to individuals that own farm machinery. Leases are on a short-term basis—often year-to-year. Row cropping offers the highest short-term income under this type of leasing arrangement. Too, banks are generally more interested in making short-term loans. This further discourages landowners from making land use shifts to pasture, hay, or timber production.

There are areas of poorly managed and low quality stands of grass and forest land in the Chickasaw Basin. These lands are not contributing their full potential to the economic welfare of the area.

Forest land patterns in the Basin consist of small scattered tracts in the lower reaches and flood plain areas with larger, more extensive tracts in the uplands and headwater areas. The forest areas are almost universally in need of improved management practices to replace deteriorated forests with productive stands of high-value species. Many acres of forest land presently being cleared for soybean production are unsuited for long term crop use. The use of sound land management principles and soil survey data is needed to guide clearing of forest land for row crops or pasture. The present hydrologic condition of upland forest land is far below its potential to infiltrate, percolate, and retain precipitation and must be built up through management techniques.

Many small tracts of privately owned forest land in the lower Basin contribute to the scenic beauty of the Memphis areas. Strategically located tracts selected for management as wildlife, recreation, or forested park areas would maintain some of the rustic natural beauty of the area.

GENERAL PROCEDURE

The survey staff will develop and follow a work outline which includes (1) compiling available basic data, (2) obtaining additional needed data through field surveys or interviews, (3) liaison with cooperating agencies and local sponsors and groups, (4) developing a Basin plan, (5) preparing reports, and (6) the scheduling of activities to complete the survey within the alloted time which is January to June, 1969.

The survey staff will select upstream watersheds, and then develop a plan for each. It will also develop an overall Basin plan, of which upstream watershed work plans will be integral parts. As of this date all potential watersheds have been delineated. Fourteen watersheds are near study operations now.

COORDINATION

Every effort has been made to fully coordinate all activities in carrying out the studies. The USDA Field Advisory Committee will be directly responsible for this important function. In addition to assured cooperation between all Federal, State, and local interests, further efforts will be made to adequately inform the general public as to the purposes and objectives of the basin survey. In this manner a favorable attitude toward these surveys by land owners and other organizations and groups which may be affected may be accomplished.

Any questions which any of our readers may have concerning the work being carried out in the Chickasaw-Metropolitan River Basin may be directed to Soil Conservation Service, 5119 Summer Avenue, Memphis, Tennessee, 38122.

WHY, MR. WEAVER?

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, last week's rejection of Waterbury as the only city in Connecticut to be excluded from the demonstration cities program of HUD has aroused a predictable and strong reaction among interested civic groups in my home city. These people who are bent upon the improvement of this major municipality have been unable to understand the reason for the discrimination practiced in this case.

As an example of the reaction which I have described, I append to my remarks a copy of a letter which the Greater Waterbury Chamber of Commerce has sent to Secretary Weaver on this subject. I also add a news article from the Waterbury Republican of November 18, 1967, describing the action and reaction of this representative civic organization:

GREATER WATERBURY CHAMBER OF COMMERCE,
Waterbury, Conn., November 20, 1967.

Hon. ROBERT C. WEAVER,
Secretary, Department of Housing and Urban Development, Washington, D.C.

DEAR SIR: The announcement from the Department of Housing and Urban Renewal last Thursday came as a real shock to the people of Waterbury. Inclusion of the cities of New Haven, Hartford and Bridgeport and the exclusion of Waterbury seems to point to some basic error in evaluation of our application or in our presentation of it. The records will show that this city has not shared in urban renewal funds to any degree that the cities mentioned above have.

We strongly believe that a reexamination of the facts in our case is in order, and we urge that your office make a second examination.

The people of this community have supported wholeheartedly the idea of the Model Cities program and have demonstrated this support by full community participation in the development of material and facts for the application submitted to your office. However, it is possible that we have not provided precisely the information sought or that we have not properly documented that which we have placed before HUD officials.

We would like to know from your office where we have failed and why our application was not accepted. Were we lacking in details or specific explanations? Did we fail to enclose enough supplemental material to prove the case of Waterbury's need for these funds?

Since we know intimately of the crying needs of this community for participation in the Model Cities program, we must conclude that for some reason we did not communicate this information properly to your Department.

May we hear from you at your earliest possible convenience with information as to where we failed to measure up?

Respectfully yours,

REX BROWN,
First Vice President.

[From the Waterbury Republican, Nov. 18, 1967]

CHAMBERS "DISMAYED" BY HUD

Expressing dismay at the decision of the Department of Housing and Urban Development, which omitted Waterbury from those cities to receive model cities funds, the board of directors of the Greater Waterbury Chamber of Commerce promised "an aggressive effort" to get federal funds for the model cities effort Friday.

In specific action, the board expressed "its dismay at the announcement by HUD and Secretary Robert C. Weaver to the effect that Waterbury is not to share in model cities funds.

"The elimination of Waterbury in the first phase of model cities allocation, nothwithstanding its relatively limited urban renewal grants of the past, represents a form of discrimination which is difficult indeed for us to accept—especially in the light of the inclusion of the other major population centers of Connecticut," the board said.

"We commend the City Administration, U.S. Rep. John S. Monagan, Sens. Abraham Ribicoff and Thomas J. Dodd, for their efforts in Waterbury's behalf. At the same time we resolve, beginning immediately, to carry on an aggressive effort toward restoration of this community to its rightful place of participation in model cities fund allocations."

RED FLEET MOVES INTO MEDITERRANEAN

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, it is undoubtedly human that in connection with recent events in Europe and the Near East we have centered our attention more upon the critical outburst of force itself than the strategic situations which result. This is especially true with this summer's Arab-Israel war. The United Nations is now working to resolve the military and diplomatic differences of that war, and we hope that a successful result will be achieved.

However, the significant fact for our consideration is the influence which the Soviet Union has gained in that troubled area during the past few months. For the first time in history the Russians have established themselves as a maritime power in the Mediterranean. They even practice a gunboat diplomacy which had been considered outdated. Their increased influence and physical presence will be more important than the outcome of this June's 6-day war, and could well create new issues in the continuing conflict between East and West. In the opinion of many, the presence of the Red fleet in the Mediterranean represents an unparalleled deterioration of Western Europe's strategic situation. With this opinion in mind, I commend to the attention of my colleagues an article entitled "Red Fleet in Med Is the Event of the Year," which appeared in the November 3, 1967, issue of the German newspaper, Christ und Welt:

RED FLEET IN MED IS THE EVENT OF THE YEAR

(By Peter Meyer-Ranke)

Kremlin leaders have given the celebrations of the fiftieth anniversary of the Russian Revolution a markedly military note in view of the international situation. This has been done to encourage friends and deter enemies.

The Soviet Union's sabre-rattling preparedness is being demonstrated all over the Eastern Bloc in a monster show of parading soldiers, tanks and remote-controlled weaponry. The launching of fresh satellites underscores the technological claims of a space power.

This unpeaceful picture of ostentatious strength on the part of the Euro-Asian continental power is accompanied by revolutionary events off the southern shores of Europe.

For the first time in history the Russians have established themselves as a maritime power in the Mediterranean, and not just for show—the new Red maritime might is most active. This factor adds completely new dimensions still frequently underestimated in the West to the dangerously smouldering Middle East conflict.

Only five years ago, in the Cuban crisis, Moscow's first attempt to act as a maritime power in distant oceans, foundered on the maritime predominance of the United States.

Today, in contrast, with Soviet watchdog fishing fleets at home in all waters a Soviet fleet squadron is despatched to the Mediterranean as a political and military shield for the Arab states.

For the second time since the war last June Soviet warships have dropped anchor in Alexandria and Port Said, an example of classic gunboat diplomacy, which had been thought outdated.

The despatch of these warships and the securing of bases are but part of Moscow's maritime policy and complemented by copious arms shipments and the demonstrative Egyptian sinking of the Israeli destroyer *Eilat* using Soviet missiles.

The permanent presence of the Soviet Mediterranean fleet in Egyptian ports is interpreted a little too self-confidently in the West as a move designed to restrain Nasser's Egypt.

There can be no denying its defensive, protective role but one day this could develop into offensive cover fire against Israel and above all against the Mediterranean-based United States Sixth Fleet.

The forebodings of Western naval commands have developed into genuine concern. Since Mediterranean power France is leaving its last remaining North African base, Mers el Kebir in Algeria next year, the Soviet Union has grasped the opportunity to set up new bases of its own on the North African coast.

The two Egyptian ports are not full-scale bases but they suffice for overhauling warships and supplying ammunition, fuel and food.

While the U.S. Sixth Fleet in the eastern Mediterranean has not even been able to dock in Beirut since the June crisis and was barred from all North African ports beforehand Moscow is demonstrating its protective power role in respect of North Africa and the Arab socialist states in the very countries from which, 25 years ago, the Allies began to close in on continental Europe—Egypt and Algeria.

The continued presence of the Red Fleet in the Mediterranean consequently represents an unparalleled deterioration of Western Europe's strategic situation, particularly as it will in the foreseeable future be joined by Soviet aircraft carriers and landing craft.

The operational conditions of the Sixth Fleet, the role of which is not only to brandish the nuclear deterrent but also to cover transport and landing operations, have thus worsened, its freedom to move and operate in the eastern Mediterranean and off North Africa is now limited, its role as a policeman and provider of protection for Western friends in the Middle East paralysed.

The renewed worsening of the Arab-Israeli situation bears this assertion out. While Israel is increasingly coming to see the Soviet Union as the enemy, calculatedly stirring up unrest for political ends, with the failure of fresh United Nations efforts to send a neutral mediator on the Arab side the call for vengeance for the June defeat is gaining in volume.

In Cairo Nasser too is deserting ideas of a negotiated solution for extremism again. No longer is there talk of the urgent need to end the state of war with Israel. The direct peace talks demanded by Jerusalem grow increasingly unlikely. The sole exception to the trend away from talks is King Hussein but for how long will this be the case?

More emphatically than ever before the Arabs are demanding unconditional withdrawal by the Israelis. Under the cover of Soviet naval gunsights they, like the Viet Cong, reject both compromises and the conference table. A second Vietnam is in the making.

While King Hussein is travelling around in the West and in Bonn too imploringly pointing out that increasing pressure is being brought to bear on him at home by extremists and that his country's situation is desperate as he neither can nor will make peace with the Israeli nation he recognized, Nasser by sending his deputy Ali Sabri and a military delegation to Moscow and holding fresh talks with Syria and Algeria is forging fresh and firmer links with the other Arab clients of the Soviet Union.

Captured Soviet shells, fired by the Israelis from captured Soviet guns, have proved able to bring virtually to a standstill Egypt's production of artificial fertilizers and the Suez refineries, which accounted for 75 per cent of Egypt's domestic fuel oil production.

The Israelis have shown that after dealing the Egyptian army a savage blow they are still able to do the same to the Egyptian economy, a tactic to which they did not resort in June. But this threat is now offset by the fear of provoking Soviet missile counterattacks on Haifa and Tel Aviv.

The deterioration of the Middle East crisis thus coincides with the demonstrative acts of the new Soviet maritime power in the Mediterranean. What happens today off North Africa and Israel can tomorrow occur off Cyprus or Greece.

The appearance of the Red Fleet on Europe's southern doorstep in Moscow's anniversary year can justly be described as the event of the year—and not a very gratifying one for the West, either.

VIETNAM AN OBJECT LESSON

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, it comes as good news that Gen. William C. Westmoreland has recently announced that the end of the war in Vietnam is in view and that, according to a war master plan, there is an intention to shift a large share of the military load in that area over to the South Vietnamese.

I have—as Members of this House know—consistently urged that the South Vietnamese and their Asian associates take on an ever-increasing share of the military burden in this area. I have also urged that we do everything possible to help in bringing about certain civil reforms in South Vietnam.

Our good position in the war, we are told by General Westmoreland, comes about because of the successes of our military forces in Vietnam operating under some highly difficult conditions. Every one of us has just cause to be proud of the fact that our American boys have once again proved to be unbeatable on the battlefield.

It is also encouraging to note that efforts are being made to bring about certain social and economic reforms, with the newly elected Government in South Vietnam having drawn up broad plans toward this end. American advisers and assistance will prove very valuable in attaining these goals, helping the social and economic achievements to coincide with the successes on the battlefield and bringing South Vietnam closer to being a stable and unmolested country.

We should, of course, guard against being overoptimistic about our successes in Vietnam, for although we have come a long way, there apparently remains a long way to go. It is not a usual type of war that is being fought in that area, for the terrain is difficult to negotiate and the enemy is imponderable and constantly relies on unorthodox tactics on the battlefield. With respect to this war, it was General Westmoreland who said that "it is difficult to conceive of a total military victory in the classic sense."

In any event, it is encouraging to receive this advice on our situation in Vietnam from an authority who has firsthand familiarity with the matter. If we can push forward to a successful conclusion in this area, it will mean that free men will have been spared from aggression and that our American boys who have fallen on the field of battle will not have died in vain.

We should consider our involvement in Vietnam as an object lesson, using it as a guideline for our international relations of the future. We should not let ourselves become what is, in effect, a "policeman of the world," committing our men and money wherever trouble crops out on this globe. Instead, we should stand ready to aid free men wherever they are oppressed by providing assistance that will help them to help themselves, as we are now doing successfully in Vietnam.

If we will do this, then free men the world over will become self-sufficient and clear of oppression, and both the character and image of America will be strong and convincing.

AMERICAN PUBLIC SHOULD BE ADVISED IF HANOI IS BEHIND PEACE DEMONSTRATIONS

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, the distinguished majority leader of the House, the gentleman from Oklahoma [Mr. Albert], charged Monday night in Atlanta, Ga., that the massive anti-Vietnam demonstration staged at the Pentagon October 21 was "basically organized by international communism" and that "the marchers included every Communist and Communist sympathizer in the United States who was able to make the trip."

Mr. Speaker, this statement apparently is based on the kind of information given orally to Republican leaders of the House by the President at a White House meeting after the Pentagon demonstration. I presume the same information was made available to the Democratic leaders. I subsequently urged that the White House make public the information it has on the true nature of the so-called peace demonstration at the Pentagon. As a result, the Attorney General of the United States visited me in my office and argued against release of the information.

I believed then and I believe now that the American people should be given full information on the degree of Communist participation in the anti-American policy demonstration so that the people may judge just how deep or widespread anti-Vietnam war sentiment is in this country.

If the evidence in the hands of the executive branch of our government indicates manipulation of the peace movement in this country by Hanoi, then the propaganda impact of such demonstrations will be lessened and perhaps destroyed. This would be a highly beneficial result, indeed.

Mr. Speaker, one of the national news magazines has quoted the Secretary of State as saying that the release of this information would trigger a new wave of McCarthyism in this country. I dislike taking issue with the distinguished Secretary of State, but I believe the American people are now mature enough to receive such information and to react without hysteria.

Mr. Speaker, in view of the fact that the distinguished majority leader of the House has made charges of a most serious nature regarding the Communist role in the demonstration at the Pentagon, I urge that the President order a full report made to the American people on the extent of Communist participation in organizing, planning, and directing the disgraceful display which took place at the Pentagon last October 21. Such a report will be most helpful and constructive to all Americans. In addition, such a disclosure would be beneficial to the well-intentioned Americans who participated in this demonstration not knowing who had organized the demonstrations at the Pentagon and elsewhere throughout the free world.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. HALEY. Why limit it to just this one instance? Why do we not cover the whole waterfront, so to speak? I am sure you will find the same agitators and the same Communist influences in many of these so-called demonstrations where we have seen cities destroyed and lives lost.

Mr. GERALD R. FORD. I am sure that the release of this information by the President would cover more than these worldwide demonstrations that occurred on October 21.

I repeat and reiterate—I think this information which is in the hands of the President and in the hands of the executive branch of the Government should be made available promptly to all Americans.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time in order to inquire of the distinguished majority leader about the program for the remainder of this week and the agenda for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. In response to the inquiry of the distinguished minority leader, there is no further legislative business for this week. Of course, under the resolution heretofore adopted, the House will adjourn over until Monday next upon adjournment today.

The program for next week is as follows:

For Monday the following bills:

H.R. 12603, National Visitor Center Facilities Act of 1967—open rule, 2 hours of debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment;

H.R. 10337, to amend District of Columbia Minimum Wage Act;

H.R. 14098, to authorize inspection of foreign-registered vehicles in the District of Columbia;

Senate Concurrent Resolution 49, to extend congratulations on the 50th anniversary of Finland's independence;

S. 1003, Flammable Fabrics Act Amendments—open rule, 1 hour of debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment;

H.R. 13489, Credit Union Act Amendments—open rule, 1 hour of debate;

House Resolution 960, to authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study; and

House Resolution 971, to authorize the Committee on Post Office and Civil Service to conduct studies and investigations.

For Tuesday and the balance of the week:

H.R. 2275, for the relief of Dr. Samala and to provide for congressional redistricting—agree to Senate amendment with an amendment;

H.R. 12601, Internal Security Act of 1950 Amendments—open rule, 2 hours of debate;

H.R. 13706, to amend the Federal Farm Loan Act and the Farm Credit Act of 1933—open rule, 1 hour of debate;

H.R. 13934, Atomic Energy Act Amendments—open rule, 1 hour of debate;

H.R. 5754, relating to interstate shipments of intoxicating liquors—open rule, 1 hour of debate;

S. 862, Small Reclamation Projects Act Amendments—open rule, 1 hour of debate; and

H.R. 13094, to amend the Commodity Exchange Act—open rule, 1 hour of debate.

Conference reports may be brought up at any time and any further program will be announced later.

DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if the distinguished majority leader can give us any information as to when we might expect the sine die adjournment of this session of the Congress, now that we are rapidly approaching the month of December?

Mr. ALBERT. I am not in a position to give the gentleman any more information than the full and valid information that I have heretofore given him on numerous occasions.

Mr. GROSS. I hope that those occasions will not be too numerous in the future.

Mr. ALBERT. I share the gentleman's hope.

Mr. GROSS. The gentleman has no information as to whether we will be meeting between Christmas and New Year's?

Mr. ALBERT. I have no information. I would be surprised if we did meet between Christmas and New Years.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REPORT OF REPUBLICAN TASK FORCE ON CRIME

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks I include three statements prepared by the Republican task force on crime. The first, entitled "GOP Crime Task Force Asks L. B. J. To Disavow Goddard 'Marijuana' Statement," was issued on October 20. The second, dated October 2, concerns the support by the Judicial Conference of the United States the use of court-approved electronic surveillance.

The third, issued on September 27, is captioned "GOP Crime Group Scores Clark as Negative, Obstinate."

The statements follow:

GOP Crime Task Force Asks L. B. J. To Disavow Goddard "Marijuana" Statement

According to a UPI story: "Marijuana is no more dangerous than alcohol, Dr. James L. Goddard, Commissioner of the Food and Drug Administration, said yesterday."

Members of the House Republican Task Force on Crime are profoundly disturbed and deeply distressed by the pronouncement reportedly made by Dr. Goddard. His statement concerning the possession and use of marijuana was ill-advised and imprudent.

His office is one of high public trust. His responsibility is to stand between the people and the threats which impure foods and dangerous drugs pose to the well-being of the American society. The mischief of his remarks is chiefly that, if not clearly understood, they tend to legitimize, glamorize, and popularize the possession and use of an unlawful commodity by our nation's youth. Today's parents have problems enough.

Dr. Goddard's remarks are more consequential than those of a private citizen. They tend to assume the authority and the expertise of the office he holds. Whatever his private, personal views may be, the man who holds such an important public responsibility has some duty to refrain from expressing them publicly, particularly when his views are at odds with the statutory law of the land. It is not his function to crusade against laws he may not like but rather to enforce laws Congress may enact.

We believe the President, as a concerned parent himself, will disavow the Goddard statement.

End Debate, Withdraw Opposition, GOP Task Force on Crime Urges

The House Republican Task Force on Crime today introduced legislation which would amend the McCulloch Electronic Surveillance Act to bring it within the framework outlined by the Supreme Court in the *Berger* case, and recently supported by the Judicial Conference of the United States. The Task Force credited Notre Dame University Professor G. Robert Blakey with drafting the amendments.

The GOP crime group called upon the President to instruct the Attorney General "to withdraw his opposition" to use of court *approved electronic surveillance in the investigation of organized crime by federal and state law enforcement officers.* Calling the Judicial Conference of the United States support for wiretap legislation "most significant", they stated, "There is no longer a basis for reasonable controversy over the necessity or Constitutionality of this legislation.

"The time has come to end the debate. Now it is time for action," the Task Force declared.

With respect to the Judicial Conference, the Task Force noted that it "is a body of unparalleled prestige" headed by the Chief Justice of the United States Supreme Court. Judicial Conference membership includes the chief judges of all the Federal Circuit Courts and selected judges of certain Federal District Courts. Their report "represents the considered judgment of a purely judicial body" whose members are "in no way spokesmen for law enforcement."

The GOP statement continued, "Their stated position, volunteered and unsolicited, can only be interpreted in one way. *They recognize the need for electronic surveillance in order to effectively fight crime.* Moreover, they recognize that law enforcement can be given this tool within the limitations of the Constitution."

On Tuesday, September 26, the Judicial Conference of the United States formally proclaimed its approval of legislation which would authorize court-approved electronic surveillance during both Federal and State criminal investigations involving organized crime.

The House Republican Task Force on Crime believes that this is one of the most significant statements that has ever been issued on the subject during the many years that it has been debated. The Conference is a body of unparalleled prestige. It is headed by the Chief Justice of the United States Supreme Court. Its membership includes the chief judges of all the Federal Circuit Courts and selected judges of certain federal Districts Courts.

The Conference report represents the considered judgment of a purely judicial body. The members are in no way spokesmen for law enforcement. Their stated position, volunteered and unsolicited, can only be interpreted in one way. They recognize the need for electronic surveillance in order effectively to fight crime. Moreover, they recognize that law enforcement can be given this vital tool within the limitations of the Constitution.

The impact of this report is staggering. As the totally voluntary act of an eminently responsible group, it undoubtedly reflects the deep concern with which its members view the menace of organized crime and the problems of combatting it. It utterly destroys whatever was left of the Administration's position against the court supervised use of electronic surveillance. It underscores anew the virtual unanimity of knowledgeable opposition to that position.

It is our understanding that the Judicial Conference had some reservations about some of the technical aspects of bills that have already been introduced. The point to be made is simply that they are clearly in accord with the spirit and purpose of such legislation.

Early in this session of Congress, Rep. William McCulloch (R.-Ohio) introduced legislation designed to strike the delicate balance between the individual right to privacy and the legitimate need for society as a whole to be protected from criminal acts. The McCulloch bill was essentially prohibitory; yet at the same time it preserved to law enforcement carefully limited authority to employ effective and proven investigative techniques with court approval and supervision. This Task Force has been more active in urging the enactment of this legislation.

In June, the Supreme Court decided the now famous case of *Berger* v. *New York.* At the time we felt the language of *Berger* was a blueprint for a statute which would meet Constitutional demands and an invitation to the Congress to fashion such a statute. It appears that we were correct.

It is the suggestion of the Judicial Conference that such electronic surveillance legislation be drafted with a specific eye towards the *Berger* decision. This has been done. Today Rep. McCulloch and Rep. Richard H. Poff (R.-Va.), Chairman of this Task Force, introduced in the House legislation incorporating amendments to the McCulloch bill which we feel accomplish precisely what the Judicial Conference suggests is Constitutionally attainable.

In large part, the amendments are the work product of a highly qualified and respected legal scholar, Professor G. Robert Blakey of the faculty of Notre Dame University Law School. Professor Blakey's credentials in this field of the law are unquestioned. He was a consultant on organized crime to the President's Crime Commission. He has practical knowledge of the legitimate needs of law enforcement; he is nonetheless abundantly sensitive to individual rights and liberties.

There is no longer a basis for reasonable controversy over the necessity or Constitutionality of this legislation. The time has come to end the debate. Now is time for action. We call upon the President to instruct the Attorney General to withdraw his opposition. It is not too late for this. If that is done, there will be no basis for partisan conflict and we predict that Republicans and Democrats alike, in both Houses of Congress, will unite to speedily enact legislation which is both eminently reasonable and vitally necessary.

GOP Crime Group Scores Clark as Negative, Obstinate

Rep. Richard H. Poff (R.-Va.) and Rep. Barber B. Conable (R.-N.Y.) Tuesday called it "incredible" that the Attorney General continues to stymie the fight against organized crime.

Poff, Chairman of the House Republican Task Force on Crime, claimed the Judicial Conference's support for legislation authorizing court approved electronic surveillance in the investigation of organized crime by federal and state law enforcement officers "should dispel any uncertainty about the consequence and effect of the Supreme Court decision in the *Berger* case. He checked off support already given the Republican sponsored bill—"the Association of Federal Investigators, the National Association of Attorneys General, the National District Attorneys Association, a majority of the President's own Commission on Crime, and the three previous Attorneys General of the United States." Faced with overwhelming support from the chief law enforcement officers of the states, and from responsible authorities in the Executive, Legislative, and Judicial Branches of the Federal government, Poff stated, *"It is difficult to understand how Attorney General Ramsey Clark can persist in the posture he has assumed.*

"It is one thing to be firm and steadfast, it is another to be negative and obstinate," Poff charged.

Rep. Conable, Task Force member, exclaimed, "The federal government should have a major role in fighting organized crime, and the Attorney General should be the leader, marshalling our forces to do battle." Conable noted that "sophisticated and hardened criminals cannot be controlled without sophisticated weapons" and the legal use of court approved electronic surveillance by federal and state law enforcement officers in the investigation of organized crime could be one of those weapons.

LUIS A. FERRÉ AND THE NEW PARTY—THE PROGRESSIVE PARTY OF PUERTO RICO

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, my colleagues interested in politics and government will be intrigued and stimulated with the knowledge that a new political party has been organized in Puerto Rico dedicated to the cause of statehood. It is known as the New Party or Progressive Party and is free of national affiliation.

This took place on Sunday, November 19, in San Juan.

The bipartisan, nonpartisan nature of the occasion was emphasized by the attendance at that time of both the gentleman from Florida, Congressman Fascell, and myself.

My colleagues will remember that Hon. Luis A. Ferré led the statehood group to a substantial minority in the plebescite on July 23 of this year. It is only fitting, therefore, that he should help organize this new party.

The program of the meeting as well as the address of my friend, Hon. Luis A. Ferré, and the front-page article from the San Juan Star of Monday, November 20, 1967, all follow:

Partido Nuevo Progresista—Banquete en Honor a Don Luis A. Ferré, Hotel San Juan, Noviembre 19, 1967

A nombre del Comite Organizador y en el mio propio, deseo expresar a usted nuestro profundo agradecimiento por haber asistido a este acto en honor a Don Luis A. Ferré.

Mario F. Gaztambide,
Presidente, Comite Organizador.

Programa

1. Himnos.
2. Apertura: Mario F. Gaztambide, Pres. Banquete.
3. Invocacion: Lcdo. José M. Menendez Monroig.
4. Presentación de la Mesa Presidencial.

INTERMEDIO MUSICAL

5. Dedicatoria: Ing. Carlos A. Romero.
6. Presentación del Hon. Dante B. Fascell, Congresista de Miami, Fla., Lcdo. Carlos Romero Barceló.
7. Discurso: Hon. Dante B. Fascell.
8. Presentación del Hon. Theodore R. Kupferman, Congresista de Nueva York, Dr. Hernán Padilla.
9. Discurso: Hon. Theodore R. Kupferman.
10. Discurso: Lcdo. Jorge L. Córdova Díaz.
11. Discurso: Ing. Justo A. Mendez.
12. Clausura: Hon. Luis A. Ferré.

Discurso de Hon. Luis A. Ferré

Compatriotas y amigos, Es una significativa coincidencia que este banquete de la Victoria, que celebra el triunfo de la aspiración de nuestro pueblo a gozar de una verdadera, auténtica y limpia democracia, así como a ocupar el puesto de dignidad que le corresponde dentro de la Unión Americana como estado de esta gran República, sea el día del descubrimiento de Puerto Rico. Porque el 23 de julio, el pueblo de Puerto

Rico descubrió con el plebiscito, su verdadero derrotero de redención.

Descubrió que necesitaba un instrumento político nuevo para lograr su propósito. Que frente a un partido de gobierno decrépito, ineficiente y reaccionario, victima del caudillismo y engreído por el continuismo después de 27 años en el poder, un partido nuevo, joven y dedicado a promover al bienestar común, era el único remedio. Que para acabar con una burocracia engreída y desatenta a los urgentes reclamos del pueblo, hacía falta un partido nuevo que sirviera de punto de apoyo a las legítimas aspiraciones de un pueblo sufrido. Que para combatir la explotación de un liderato en el poder, que utiliza su poder político para legislarse pensiones lujosas que amenazan el retiro honroso de miles de fieles servidores públicos humildes, en lo que de hoy en adelante se conocerá como la Ley del Festín Popular, había que crear un nuevo partido que no respondiera a estos intereses egoístas y reaccionarios. Que para la *agricultura*, proteger el pequeño comercio, mejorar le educación y la salud pública, hacer completa justicia al obrero y al empleado público, suspender la persecución a la clase choferil, acabar con la delincuencia, y asegurar el progreso económico de Puerto Rico sobre bases firmes, se necesitaban hombres bien preparados en las distintas disciplinas del saber con sentido de responsabilidad social y con espíritu de dedicación al servicio público.

El pueblo comprendió además que para lograr la estadidad, no bastaba con decir que se quería para mañana, mientras se dejaba el ideal abandonado en el momento crucial del plebiscito, expuesto a una derrota que hubiera retrasado por muchas generaciones, o quizás para siempre, el ideal de estadidad. Que hacía falta enfoques prácticos y realistas, que pusieran en marcha el movimiento hacia la estadidad, en la forma reconocida y exitosa en que lo habían hecho territorios anteriores, y en particular Alaska y Hawaii.

El primer paso para lograr la estadidad, es obtener en un plebiscito una votación mayoritaria para la estadidad. Mientras el Congreso de Estados Unidos no reciba la petición de Puerto Rico de ser admitido como estado, a través del único medio reconocido bajo nuestra forma democrática de gobierno, o sea en un plebiscito celebrado exclusivamente para este propósito, el Congreso no actuará en el sentido de admitir a Puerto Rico como estado. El Congreso y el pueblo de Estados Unidos han dicho repetidamente al pueblo de Puerto Rico, que ellos respetan el derecho nuestro a la *autodeterminación*. Quien asegure que el Congreso va a *imponerle* a Puerto Rico un plebiscito o que va a aprobar un proyecto de estadidad para Puerto Rico sin que medie la petición de una mayoría de puertorriqueños, claramente expresada en un plebiscito celebrado a iniciativa de nuestra propia legislatura, como ocurrió en Hawaii y Alasks, está desorientando a nuestro pueblo y le está haciendo un grave daño al ideal de estadidad.

El segundo paso para lograr la estadidad, es conseguir el endoso bi-partidista de la estadidad para Puerto Rico.

El Senador BARTLETT de Alaska, acaba de expresar hace unos días que Alaska logró la estadidad porque ambos partidos nacionales, el Republicano y el Demócrata propulsaron la admisión de dicho territorio como estado. Por eso el Partido Nuevo Progresista ha decidido mantenerse libre de afiliación a los partidos nacionales, de manera que estemos en condiciones de obtener el respaldo de ambos partidos para lograr nuestro propósito. Simbolizando este propósito nuestro, tenemos hoy como huéspedes de honor, dos distinguidos Miembros del Congreso, uno Demócrata y otro Republicano, como paso efectivo para ir logrando un respaldo bi-partita para la estadidad en el Congreso.

El Partido Nuevo Progresista nace pues, después del plebiscito, como el *único y verdadero* campeón de la estadidad para Puerto Rico, y se prepara para lograrla a la *mayor brevedad posible*. Para nosotros, la estadidad está y estará en "issue" todos los días de nuestra vida hasta que Puerto Rico se convierta en estado. Pero reconocemos que no es suficiente con que una minoría piense así. Necesitamos que la gran mayoría del pueblo de Puerto Rico comprenda que este es su mejor destino político y se decida a demandar la estadidad. Para lograr este propósito hay que llevar al poder un gobierno que simpatice con nuestro ideal. Hay que derrotar al Partido Popular cuyo liderato se opone a que Puerto Rico pueda ocupar como estado, el lugar de igual dignidad e igual derecho que le corresponde por razón de su ciudadanía americana. En el pasado plebiscito el PPD violó los principios básicos de toda consulta al pueblo, que debe ser la imparcialidad del gobierno. El Partido Nuevo Progresista se compromete desde ahora a la celebración de un plebiscito fuera de lineas de partido imparcial y sin coacción en el que nuestro pueblo exprese sue verdadera voluntad.

La debilidad de los argumentos económicos contra la estadidad que ha utilizado el Partido Popular Democrático se ha visto recientemente demonstrada. La tesis del libre comercio, que garantiza el desarrollo de nuestra industrialización, se ha visto refutada por **la reciente legislación sobre cuotas de petróleo en el Congreso.** Por el momento parece salvado el peligro ¿pero quién puede predecir lo que puede ocurrir en el futuro? ¿Por qué no se puede limitar por cuota en el futuro nuestra exportación de televisores o de zapatos, o de cualquier otro producto? Ya lo dijo el 15 de noviembre el Senador BARTLETT: "Uno de los problemas más graves que la condición territorial o lo de Estado Libre Asociado es que el Congreso funciona como una Asamblea Municipal en relación a dicho territorio, que puede ser beneficiosa si uno tiene un amigo poderoso, o que por el contrario puede colocar al Estado Libre Associado en una condición mala de *subordinación*."

La negación de los beneficios completos de la Ley de Bienestar Público y los beneficios de Medicare solicitados por nuestro Comisonado Residente, es la mejor prueba de esta subordinación. Poco a poco se va abriendo una brecha politica, cada día más grande entre Puerto Rico y los cincuenta estados, condición que le niega a nuestro pueblo los instrumentos effectivos para resolver nuestros graves problemas, de desempleo, salud, educación, communicaciones, etc . . . que como estado estarían a nuestra disposicón bajo, entre otras, las múltiples leyes de Ayuda Regional y para Eliminación de la Pobreza.

No nos dejemos engañar. El problema de Puerto Rico es más serio de lo que se nos quiere hacer creer por el partido de gobierno. Y la gente humilde, que siente el dolor y el sufrimiento de estos problemas, que tiene que abandonar sus familias para buscar trabajo en los cincuenta estados, lo sabe. Y lo sabe también todo el que no se deja engañar por las estadísticas acomodaticias que publica nuestro gobierno. Lo acaba de señalar la renombrada columnista económica Sylvia Porter, a quien el gobierno de Puerto Rico quiso deslumbrar mostrándole un Puerto Rico de éxito inigualada en el mundo, que está muy lejos de la verdad. La Srta. Porter, acostumbrada a utilizar su ojo escudriñador, rápidamente vió la realidad que se vive en Puerrto Rico. Apuntó, entre otras cosas, que nustro desempleo es de un 20% no de un 11%—y que el empleo de mujeres está peligrosamente desproporcionado. Que nuestro presupuesto de educación por estudiante está muy por debajo del presupuesto del estado más pobre, y que el número de estudiantes que abandona las escuelas—antes de graduarse de alta escuela, es un desastroso 75%.

El reciente informe Heald sobre la Universidad es aún más alarmante. El por ciento de nuestro presupuesto dedicado a la educación superior, es la mitad del promedio nacional. Cuando se considera que las universidades privadas en Puerto Rico absorben un por ciento mucho menor del estudiantado que en Estados Unidos, la situación resulta aún más trágica. Y empeora la situación la administración ineficiente de nuestra Universidad, que permite el desperdicio de su capacidad educativa, asignando tan sólo un promedio de diez estudiantes por profesor frente al promedio de dieziocho estudiantes en las universidades americanas. Es este un problema que exige seria meditación.

¿Qué porvenir tiene un niño puertorriqueño ante este grave problema de educación, en un mundo en el que la preparación científica es cada vez un requisito más exigente?

En Estados Unidos continentales el porciento de estudiantes que obtienen preparación científia en el nivel universitario es cada vez mayor. Se estima que para 1975, 14 milliones de personas se clasificarán en Estados Unidos como empleados profesionales y técnicos.

Esto es necessario, porque en la era post-industrial del mañana predominarán las industrias con base científica, en sustitución a la era industrial de nuestro tiempo, en donde los requisitos son en parte de carácter práctico que requieren tan sólo destreza en oficios. Pero desgraciadamente, mientras hay la necesidad de elevar el nivel y la calidad de nuestro sistema Educativo, la Universidad, que es la forja de nuestro talento, se desangra intelectualmente convertida en campo de batalla de solapado y esteril adoctrinamiento político.

Si como resultado los jóvenes puertorriqueños no pueden disponer de las iguales oportunidades de estudios científicos avanzados de que disponen los jóvenes de los cincuenta estados, los puertorriqueños se irán quedando razagados, y se convertirán en una población de sub-empleados relegados a *funciones de segunda clase* en la sociedad del futuro.

El Partido Nuevo Progresista está consciente de todos estos problemas y mantiene que es con los recursos que puede poner a la disposición la estadidad para Puerto Rico, que se puede hacer frente a este enorme reto. Por eso es urgente la estadidad para Puerto Rico. Para asegurar el verdadero desarrollo de Puerto Rico hace falta un sistema educativo de alta calidad y de suficiente amplitud, para que no se quede un solo niño puertorriqueño, sin la oportunidad de desarrollar sus aptitudes hasta el máximo, no importa su condición económica o social, no empece que sea pobre o que sea rico, que viva en el campo o en la ciudad. El capital del mañana está en el desarrollo máximo del potencial intelectual del pueblo. Este es el objetivo de la nación americana y para lograr este propósito se está aprobando amplia legislación por el Congreso. Puerto Rico se está quedando a la zaga, porque no es un estado con derecho a participar de toda esta legislación a sus necesidades, que son superiores a las de todos los estados.

No basta con mirar el problema solamente en sus aspectos económicos y materiales. Hay algo más que el pueblo de Puerto Rico ansía, y que no ha logrado bajo su presente gobierno. Es paz espiritual, sentido de dignidad, sensación de haber logrado su emancipación política. Nuestra condición ambigua de no saber hacia donde vamos, el sentido de subordinación a una autoridad que reside en un cuerpo en el que la voluntad de nuestro pueblo no está representada, el enfocar nuestros problemas únicamente desde un punto materialista e interesado, nos condena a un estado de continua zozobra e inseguridad, nos hace sentir inferiores y no nos permite desarrollar los valores espirituales que enriquecen la vida del hombre a plenitud. Nuestro pueblo ha ganado en promedio de ingreso per

capita, pero ha perdido en su capacidad para gozar de la riqueza estética de la vida, de su sentido de trascendencia, de sus nobles motivaciones morales.

El hombre no se satisface solamente llenando sus necesidades materiales. Hay en él una chispa de lo divino que lo hace aspirar a goces más elevados, que dan sentido a la vida dentro del misterio de la eternidad. Hay un impulso que lo dirige hacia el enriquecimiento de su espíritu a través del esfuerzo creador en el arte, hacia un concepto moral de la vida que le permita ejercitar la bondad de su corazón. Pero para lograr este propósito, el hombre tiene que sentirse libre y respetado en su dignidad. Hacia esa vida, de igualdad en la dignidad y goce amplio de nuestras libertades políticas, se dirigen los esfuerzos del Partido Nuevo Progresista. Es un nuevo instrumento de redención de nuestro pueblo en el orden económico, en el orden político y en el orden moral y espiritual. Por eso ha calado profundamente en la conciencia de nuestro pueblo. Por eso en menos de dos meses hemos radicado 60,024 peticiones para inscribir este nuevo partido en 83 de los 87 precintos, en una demostración que no tiene paralelo en la historia política de Puerto Rico.

No dudamos que ante la pujanza de nuestro movimiento, y no empece los obstáculos que se han querido poner en nuestro camino, nuestro partido quedará reconocido dentro de un breve plazo, en justo reconocimiento al derecho del pueblo a escoger los instrumentos adecuados para su redención bajo un régimen democrático. Y ahora compañeros en este patriótico esfuerzo, a trabajar en unión perfecta, con espíritu de sacrificio que Puerto Rico necesita de un nuevo amanecer político y un nuevo derrotero espiritual.

El hombre no realiza la plenitud de su existencia, no se identifica con los valores trascendentes del espíritu que le dan sentido a la vida, hasta que no ha aprendido a dar de sí con generosidad.

Ferre Presses for Another Plebiscite

Luis A. Ferre said Sunday that statehood is necessary for the "political emancipation" of Puerto Rico and called for a new plebiscite that is "impartial and without coercion."

Ferre, the leader of the New Party, spoke at a testimonial luncheon in his honor at El San Juan Hotel. Approximately 650 people paid $25 each to attend.

Other speakers were Congressmen Dante Fascell, a Florida Democrat, and Theodore Kupferman, a New York Republican.

Ferre was the speaker the people wanted to hear, however, and he pledged the New Party to "the spiritual peace, dignity and political emancipation of the people."

Ferre said there is a lack of direction in Puerto Rico because the island does not have full status as a state.

He explained that:

"Our ambiguous position of not knowing where we are headed, the sense of being subordinate to an authority in which the will of our people is not represented, and focusing on our problems from a position of materialism and self-interest; all this, condemns us to a prolonged state of worry and insecurity, which makes us feel inferior and does not permit us to develop the spiritual values that enrich man's life."

Ferre added that the July 23 plebiscite indicated the need for a new "political instrument" to achieve statehood.

He said that to fight "a decrepit government party, inefficient and reactionary, a victim of one-man rule and full of conceit after being 27 years continuously in power, the only means was a new party, young and dedicated to promote the public good."

"The New Party pledges from this moment," Ferre said, "to hold a plebiscite outside party lines, impartial and without coercion, so our people can express their true feelings."

He said the first step to achieving statehood is to obtain a majority vote in a new plebiscite.

The second step, he said, is to achieve bipartisan support for statehood. For this reason, Ferre said, the New Party has decided not do affiliate with either of the national political parties.

In his remarks, Congressman Fascell said Puerto Rico has earned the right to statehood and "can and will be co-equal with other U.S. states if it wants to be."

Congressman Kupferman said it was clear to him that the new party was—as he put it—"the party of the people that is making the world of tomorrow for Puerto Rico."

THE FISCAL CRISIS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VANDER JAGT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. VANDER JAGT. Mr. Speaker, for the past several months the Congress has repeatedly been told by administration spokesmen and other advocates of ever higher spending that America—the richest Nation on earth—can afford to have its Federal Government spend billions of taxpayer dollars for foreign aid, billions of taxpayer dollars for poverty, billions of taxpayer dollars for aid to education, billions of taxpayer dollars for health programs, billions of taxpayer dollars for public works, billions of taxpayer dollars for science and research, billions of taxpayer dollars for any other nondefense program that our Federal bureaucracy can dream up. In a general sense I agree we can "afford" each of these programs by itself. What the spending advocates fail to realize or refuse to admit is that while we may be able to afford anything, we cannot afford everything.

Recently the Executive in a press conference acknowledged that in the current fiscal year our Federal Government is confronted with a budgetary deficit in the magnitude of between $30 to $35 billion. His proposed remedy was higher taxes on the American people at the same time he was steadfastly refusing to cooperate with the Congress in achieving economy. In fact, the record of his administration is a clear dedication to higher spending—ever onward, ever upward. He has chided the Congress for its economy efforts and pressured the Congress to approve more and more spending legislation. He has refused to establish any priorities in governmental programs so that in this war period, only those programs of absolute essentiality would go forward and those that were less essential could be deferred. The true cost of spending pressures for multibillion-dollar programs has been obscured from the American people by the administration practice of starting a program amid great fanfare with a relatively few million dollars in initial spending request without revealing the billions of dollars in annual cost that must certainly follow if the program is instituted.

The credibility gap in fiscal affairs is more than just a dollar gap. The credibility gap includes a willfulness to spend that is devoid of any semblance of fiscal responsibility and is wanton in its absence of fiscal discipline.

While up to now the President has been refusing to cooperate in Congress efforts to achieve some economy so that his $30 to $35 billion deficit can be reduced to more manageable proportions, he has been criticizing Congress for its failure to "cooperate" in enacting his tax increase bill. He urges a tax increase in the range of $7 to $10 billion—without affirmative action on reducing spending—as a preventative of inflation, as a safeguard against aggravation of our balance-of-payments problems, and as a "prudent" procedure for dealing with our fiscal problems. That is the essence of his incredible credibility gap. He feints and flirts with the fringes and shuns the hard policy decisions that are so urgently necessary at this time of fiscal crisis.

Mr. Speaker, it is my judgment that the Congress has made abundantly clear its willingness to cooperate with the administration in dealing with these urgent matters. The chairman and ranking Republican member of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON] and the gentleman from Ohio [Mr. BOW], and other members of the Appropriations Committee have worked diligently to achieve the essential economy in Government. Oftentimes their efforts have encountered active administration opposition. Our distinguished and dedicated minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], has been outstanding in the able work and leadership he has brought to efforts to provide solutions to our fiscal crisis. But, Mr. Speaker, no individual nor group deserves greater credit for a sound, prudent, and courageous bipartisan stand on this difficult issue than the membership of the Committee on Ways and Means under the leadership of the gentleman from Arkansas, Chairman MILLS, and the gentleman from Wisconsin, Congressman JOHN BYRNES, the ranking Republican member of the committee. These able legislators have clearly delineated the danger and futility of a tax increase without a spending decrease. They have repeatedly called on the administration for cooperation in developing an effective and realistic approach for coping with our fiscal problems.

Recently Mr. MILLS made a statement concerning the fiscal impasse that has arisen from the administration's refusal to heed the demands of Congress that something must be done about spending as a condition precedent to action increasing the tax burdens imposed on the American people and business community. The thoughtful views expressed by Mr. MILLS merit careful consideration by every citizen. I will at this point include as a part of these remarks the text of Chairman MILLS' speech before the Arkansas Farm Bureau Federation:

Expenditures and Taxes in the Context of Today's Problems

(Address of Congressman WILBUR D. MILLS at a convention of the Arkansas Farm Bureau Federation, Hot Springs, Ark., November 20, 1967)

I had thought my views on expenditures and taxes and those of the majority of the

Committee on Ways and Means were spelled out quite clearly around the first of October. But, since nearly two months have elapsed since the Committee expressed its views, with no action having been taken meanwhile, and in the light of some statements that I have read coming from Governmental as well as private sources, it seems to me appropriate that this position be restated since our position is either misunderstood or intentionally overlooked.

On October 3 of this year of the Committee on Ways and Means by a vote of 20 to 5 adopted a resolution temporarily laying aside the President's proposal for a 10 percent surcharge. At that time it was indicated that further consideration of the tax increase was deferred until such time as the President and Congress reached an understanding on a means of implementing significant expenditure reductions and more effective controls as an essential corollary to the further consideration of a tax increase. Upon such an understanding the resolution indicated that the Committee would again give priority in the Committee's order of business to the President's proposals with respect to taxes.

Shortly after the Committee adopted this resolution, I released a statement making clear my opposition to the consideration of any tax increase without first obtaining a specific commitment for a significant and meaningful expenditure reduction.

Following the Ways and Means Committee public hearings we called the Administration witnesses before us in executive session and explored at length with them possibilities for expenditure reduction. However, the only commitment for expenditure reduction the Administration witnesses were prepared to make was a $2 billion reduction in nondefense spending for the fiscal year 1968. Even in the case of this reduction it was not clear how much of this simply would represent a deferral of expenditures until the fiscal year 1969. I believe that the Committee made it clear in its consideration of this proposal, and I have tried to make it clear since that time, that token reductions are not enough—not nearly enough.

The fact that the Committee in taking these views really reflected the views of the Members of the House—and through them I believe the people they represent—has been indicated by the House action since that time on the continuing resolution for those Departments whose budgets have not yet been provided for by the Congress. You will recall that in these actions the House, by a majority of 238 to 164, went on record as favoring an expenditure reduction of from $5 to $7 billion for the fiscal year 1968. Incidentally, the Administration opposed this effort on the part of the House.

With these views so clearly expressed by both the Committee on Ways and Means and the House of Representatives, I would have expected the Administration to have reached an understanding with the Committee and the House on expenditure reduction. Let me point again to the fact that the resolution adopted by the Committee indicated that the Committee was *temporarily* laying this matter on the table and that further consideration of the tax increase was being *deferred* until the President and Congress reached an understanding on means of implementing significant expenditure reduction and more effective controls. The resolution also made it clear that this matter would again be given priority in the Committee's order of business when such an understanding was reached.

To show its sincerity in the position it took, the Committee has kept its calendar free of all business since the time of the passage of that resolution so that it could promptly consider any proposals of the Administration to implement the expenditure control request of the Committee.

Although I have had a few very friendly and useful discussions with the Secretary of the Treasury and the Director of the Bureau of the Budget since the passage of the resolution, and although I am willing to have additional discussions at any time the Administration would like, I have yet to receive a single specific acceptable proposal from the Administration as to how to implement the expenditure control request made by the Committee.

Reality makes it necessary for me to point out that the time the Administration has already waited in this regard makes action this year impossible. However, this in no way lessens the need for an understanding between the Congress and the Administration for imposing expenditure controls, not limited to fiscal year 1968 but for the duration of the proposed tax increase. Even though the deficit now contemplated is at least three times that predicted in January this year, there has been no real evidences so far in spending in this fiscal year of any change of attitude.

NO EXPENDITURE REDUCTIONS ARE YET VISIBLE

As of this date we have expenditure totals only for the first three months of this fiscal year, or through September 30. The expenditures in these three months under administrative budget concepts amount to $36.7 billion or under the cash budget concept, $47.0 billion. In each case the expenditures amount to approximately 111 percent of the expenditures made in the corresponding three months of last year. Should this relationship to last year's expenditures continue for the remainder of the fiscal year, the administrative budget expenditures would be $139.1 billion as contrasted to the $136.5 billion estimated by the Administration and in terms of the cash budget would be $178.5 billion as contrasted to the $173.9 billion estimated earlier in the year by the Administration. Certainly this gives no suggestion of any real effort to cut expenditures this year despite all of the talk heard to the contrary. Let us hope that when the October figures are published the record will be better. A substantial improvement is required even to hold the expenditure totals down to the totals the Administration has already committed itself to, especially when the $2-billion expenditure reduction it promised is taken into account.

The increase in expenditures which has occurred so far in this fiscal year is, of course, greatest in the area of military expenditures. Here the increase so far this year is 121 percent although we have no assurance that all of this is spending required by Vietnam. Even apart from this, however, administrative budget expenditures through September of this fiscal year are slightly above expenditures in the nonmilitary categories for last year and the increase in trust fund expenditures rivals that of the military. It is 114 percent.

What this demonstrates is that we are still following the policy of guns and butter. To date at least there has been no real belt tightening on the part of the government to match what the Administration is asking of taxpayers generally. Let us hope the 1969 Budget will change all this by setting forth the policy required by present conditions. If it doesn't, notice should be taken now that the present debt ceiling may have to be adjusted upward before the next election if the Secretary of the Treasury is to pay all the bills handed to him. I have my doubts now that the House would readily raise this ceiling before the election.

THE NATURE OF EXPENDITURE CONTROL

Expenditure control in my opinion must be viewed both as a short-term and as a long-term problem. Obviously reductions in the 1968 budget which represents mere deferrals of expenditures until 1969 represent no real economy—although I do not by that mean that I oppose deferring expenditures to the maximum extent possible. On the other hand, promising to reduce appropriations in the future while doing nothing about present expenditure levels could turn out to be the will-of-the-wisp.

I believe that the best way to deal with this problem is to provide for a specific expenditure reduction in the current fiscal year of significant proportions. With the appropriation process having gone as far as it has, and taking into account the fact that we are already into the fifth month of the fiscal year, I see no realistic way of achieving the essential expenditure reductions except by administrative action.

I do not by this in any sense of the word mean to undercut the general Congressional demand for long-term expenditure reduction as well. This, too, I consider essential if we are to continue to take the free enterprise road to an expanding economy—the goal we set in 1963 when the House passed the Revenue Act of 1964, which entailed the largest tax reduction of any Act in our history.

I believe it is vital to reach an understanding that the non-Vietnam portion of our budget, at least to the extent the expenditures are controllable, should be held to the 1967 levels for the duration of the emergency in Vietnam. I might add that I take a broad view of what is controllable since I know that one way to control expenditures is for Congress to change some laws.

In addition, as I have said before, I believe it would be desirable to establish a commission to review Government expenditure programs—both present and proposed, both old and new—to see whether the expenditures involved in the various programs can be justified on the basis of their costs relative to the benefits to be derived from the programs. I believe it is also necessary to evaluate these programs in terms of the priority of their importance. This, however, is a long-range project, and action in this regard must not be confused with the need to act also for expenditure control in the immediate future.

At the same time that we are looking at long-term expenditure commitments we need also to review our budgetary and accounting procedures to find more effective ways of controlling expenditures. In the past we have usually said that the way to control expenditures is by controlling appropriations. But there are practical difficulties in this procedure. First of all, appropriations originating in several prior years can give rise to expenditures in a given year, and appropriations passed when the budget for one year is being considered may not have their major impact until two or three years hence.

In addition, what often happens is that while a substantial effort is made *initially* to control the appropriation totals, supplementals come along later and are adopted—after the attention is largely directed to controlling expenditures in the following year.

All of these problems in translating appropriation control into expenditure control have led me to the conclusion that the Congress, as well as the Administration, should begin to analyze the budget from the standpoint of what is necessary to obtain expenditure control, as distinct from mere appropriation control. It seems to me that only in this manner will we obtain real control over the expenditure side of the budget.

EXPENDITURE REDUCTIONS SHOULD ACCOMPANY CONSIDERATION OF TAX INCREASES

There are several reasons why I—and I believe the majority of the Members of the Committee on Ways and Means as well as the House—believe that expenditure reductions should accompany any considerations of a tax increase. Let me briefly run through the reasons as I see them:

First, if the government is going to ask every consumer and every businessman in this country to cut back his spending or investment by adding 10 percent to his tax bill, or anything like the Administration proposal, it is difficult for us to see why the government should continue on its "spending-as-usual" program in the area of non-Vietnam spending. There seems to us to be a sense of simple justice in calling upon the government to tighten its belt, at least to the extent that taxpayers are called upon to tighten theirs.

Second, the level of government spending over the years has become increasingly difficult to control. I touched on that before when I suggested that we need to evaluate expenditures programs and establish priorities. What happens is that one program is piled on top of another. New programs are brought in by every new administration while existing programs, in part because of their antiquity, in part because they often mean so much to the beneficiaries, and in part because they are difficult to ferret out, are seldom dislodged. As a result, we not only have increases in expenditures occurring because of population growth or because of demands for new programs, but also because these new programs are piled on top of existing programs, rather than replacing them. When we considered the Revenue Act of 1964, we indicated then and there that we were taking the road of expenditure reduction, the road which maximizes the effort of the private economy and minimizes the expenditures made by the public sector. What many of us fear is that tax increases now make more revenue available for expenditure programs in the future. We fear that tax increases not accompanied with very real expenditure control can divert us from this free enterprise road. This is a diversion in which I am unwilling to be a participant.

Third, for those who are concerned with the size of the deficit—and I am certainly in that category—matching expenditure reduction with tax increases should be highly desirable: it doubles the reduction in the deficit. Not only are the additional revenues picked up, but expenditures are reduced by at least a like amount. Fiscal responsibility is served by such expenditure reductions at least to the same extent as by a tax increase.

Fourth, it is also worth noting that if it is consumer spending that is feared from the standpoint of the inflationary pressures generated, a dollar of expenditure reduction is likely to have a greater impact than a dollar of tax increase. I say this because the tax increase is much more likely, in part, to be offset by a decrease in savings than is true of the dollar decrease in government expenditures.

THE CURRENT ECONOMIC SITUATION

So far this fall many of the economic indicators which the Administration economists had expected to show increased inflationary pressures in fact have not done so. Unemployment, for example, has increased from 3.6 percent in March to 4.3 percent in October. Industrial production declined in September following two months of advances. Plant capacity utilization in the third quarter fell to 83.8 percent, the lowest level this year. Retail sales in October were off a significant 2 percent. Plant and equipment spending next year is expected to increase by only about 5 percent in dollars, as contrasted to 15 percent in 1966, and in real terms no increase is now expected.

Despite these factors, which do not appear to reflect the inflationary pressures previously forecast, we have experienced very substantial price rises. The consumer price index, for example, has risen 2.4 index points from the first of this year through September with substantially more rises to come in the last three months. This can be contrasted with a rise of only 3.1 points all of last year and 1.8 points in the year before. To a substantial degree, however, these price rises reflect what the economists call a "cost-push" inflation and as such tend to reflect increased costs more than increased demands. To the extent this is true, they mirror increases occurring in prior periods rather than in the current period.

MONETARY PROBLEMS

The latest argument for the tax increase proposal is that if taxes are not increased, the Federal Reserve will apply monetary constraints so vigorously as to produce "soaring interest rates and a financial pinch." This is like the small boy who, finding that his own threats don't persuade his playmates, threatens to call upon his big brother.

It may not be an idle threat. Early last year, after a long and strong increase in the money supply the monetary authorities jammed on the brakes. The result was the well-known monetary "crunch" of 1966 which sent interest rates soaring. Instead of attempting to persuade the monetary authorities to resume a moderate growth in the money supply, the Administration came scurrying to the Congress for suspension of the investment credit in order to reduce business demand for funds.

The monetary authorities would be well advised to avoid a repetition of last year's "crunch". The hectic pace of monetary expansion of recent months cannot, of course, continue, but moderating the growth of the money stock, not stopping it altogether, is the course to follow. A repetition of the crunch this year or early next year will indeed have unfortunate consequences in the financial markets, but it will not produce a tax increase. What is causing the trouble we may be in is excessive spending. What has delayed further consideration of a tax increase is continued excessive spending. The Congress will be watching the course of monetary developments and will not again be maneuvered into the position of having to raise taxes to offset the excessive swings of monetary policy.

Whenever the going gets tough for a public economic policy proposal, its supporters call in the balance of payments and "protecting the dollar and international monetary system". We now hear, from persons both inside and outside the Government, that a tax increase is necessary not only to reduce *our* balance of payments deficit but also to support the pound sterling. The fanciful notion that a tax increase of the sort proposed will have any significant effect on our balance of payments in the reasonably near future and that it might contribute to the strengthening of the pound is completely without support of facts.

CONCLUSION

As I have indicated, the Committee on Ways and Means stands ready to consider tax measures proposed by the Administration in relation to all then existing conditions and facts whenever the Administration is ready to consider the expenditure controls we view as essential. This does not mean Congress would automatically pass a tax increase when such expenditure controls are established. Rather it means the Committee on Ways and Means will not further consider tax increases until they are established.

To grant tax increases without the assurance of expenditure controls would in my estimation represent a departure from the program to which I am dedicated; namely, tax reductions over a period of time, made out of the so-called fiscal dividends or normal growth in revenues. I feel that tax increases now—not accompanied by real and significant expenditure reductions and firmer controls—would have a serious long-range impact upon the direction of our economy. I fear it would mean bigger and bigger government with a smaller and smaller range of freedom of activity for the private sector. I do not intend to be a party to this kind of a program.

LATVIAN INDEPENDENCE DAY

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Saturday, November 18, was Latvian Independence Day, the 50th anniversary of the post-World War I freedom of that little Baltic nation.

Unfortunately, the people of Latvia could not legitimately celebrate the day since they are now held in bondage by the Soviet Union, which claims to have absorbed the three Baltic States as permanent republics of the U.S.S.R.

It is especially significant, Mr. Speaker, that we keep in mind the fact that the people of Latvia continue to suffer under an alien Communist control. The Soviet Union is today the world's only major colonial power holding in bondage the people of Latvia and the other Baltic States, the Ukraine, Armenia, and other non-Russian peoples within the present boundaries of the U.S.S.R.

Since the independence of the Baltic States was relatively short, and Soviet propaganda is attempting to submerge the existence of Latvia, I add as a continuation of my remarks an article published by the Latvian Information Bulletin which is very properly entitled "Latvians Are Not Russians":

LATVIANS ARE NOT RUSSIANS

(By Dr. B. Kalnins)

Denationalization, in other words Russification, is today a great menace to the future of the Latvian nation, said Dr. Kalnins. Foreign invaders have come and gone, and yet the Baltic peoples survived (emerging in 1918 as free Republics of Latvia, Estonia and Lithuania). But since the second Soviet occupation the Moscow regime is sparing no efforts to convert them into Russian subjects not only in political, but also in cultural and linguistic respect.

Dr. Kalnins' analysis of this procedure in Latvia is based on thorough study of Soviet statistics, as well as information from other sources. The Russianization policy conducted by the Kremlin expresses itself first and foremost in constant infiltration with immigrants from the Soviet Union. In view of the fact that the politically most important executive posts are occupied by Russians, the Russian tongue has virtually become the official language in all administrative branches of the Soviet Latvian Republic. This trend is, deplorably, supported by the leading communists of Latvian origin who are nominally in charge, with A. Pelse at the head. Gradual Russianization of the minor Soviet "federative" nations was proclaimed an official doctrine in the program of the twenty-second Moscow Party Congress of 1961. There it says that it is the task of the Party to liquidate national differences among the Soviet peoples by promoting a unified Soviet culture based on a single (Russian) language to replace minority tongues. According to the Soviet Census of 1959, 10.2 million, or approximately 5 per cent of the non-Russian inhabitants of the Soviet Union have reported their home conversation to be Russian. Generally, the minority nations are advised to adopt the Russian language as their "second mother tongue." Since today a great percentage of the inhabitants of the federal Republics are Russians, or of Soviet origin, resistance to a unified Soviet culture (i.e., Russian) is unreasonable, if not criminal, according to Kremlin philosophy.

The Soviet Census of 1959 and its further evaluation provide some significant information on how far Russianization has progressed during the twenty years since the second Soviet occupation. The results of the census for Latvia were published by Moscow in a separate book issued in 1962. It is characteristic that no Latvian translation of this has been published in Riga. According to this source, there are at present 556,000 Russians living in Latvia. If to this are added Byelorussians, Ukrainians and other immigrants from the east, the total amounts to 640,000, or 30.9% of the population. Members of other nationalities, such as Poles, Lithuanians, Estonians and Jews, constitute 7.1%. Instead of the 93,000 Jews who lived in Latvia before the war (most of whom were murdered or deported during the war by the Nazis, but also by the Bolsheviks), there are today 36,000 Jews, of whom about half are not of Latvian origin. The Russians have settled mainly in towns, where their number now amounts to an average of 48.4%, but in Riga to 54.4%. Only in the rural districts are Latvians still in the majority, though even there non-Latvians amount to 24.8%. The number of Latvians in their homeland has decreased from 1,472,000 in 1935 to 1,297,000 in 1959, or from 75.5% to 62%. According to latest Soviet statistical data, the population of Latvia amounts today to 2.5 million.

The figures here presented severe evidence of a determined Russification policy on the part of Moscow. It expresses itself in various ways: Imposing ever increasing numbers of Russian officials on the administration of the Latvian Communist Party and Government. Today the number of functionaries with high school education in administrative jobs amounts to approximately 22,500 Latvians and 18,200 Russians. Of the members of the Latvian Communist Party 61% are Russians and other non-Latvians. The precipitate industrialization of Latvia under Soviet rule, accompanied by unprecedented urbanization, has attracted a great many Russian industrial workers who then settle permanently with their families. In regard to profession, industrial workers today constitute 51% of the population; 26.1% are occupied in agriculture, and 21.9% in administration. In Riga, where 75% of industry is concentrated, Latvian workers today amount to only half of the labor force. Latvia, and Riga in particular, attract Russians in excessive numbers because of its western outlook. Many members of the Soviet armed forces elect to settle in Latvia after demobilization. Russian families are generally larger than Latvian. Russianization is also promoted by mixed marriages. Furthermore, assets in favor of Russification are invested in the Soviet educational policy of late. Beginning 1958, Latvian students are no longer obliged to attend Latvian language schools, while the study of Russian is obligatory for all. There are still schools based on either Latvian or Russian language of instruction. But parents of Latvian children are now free to send their offspring to Russian schools. Russianization is also promoted in kindergartens and mixed schools with parallel classes in Russian and Latvian where children are encouraged to befriend each other in the Russian tongue.

However, asserts the author, Latvian resistance to Moscow's pressure for Russification is equally strong, the young generation not excluded. In institutions of higher education Latvian students still hold a majority of 64.4%, despite favorite treatment bestowed by the regime on Russians. Dr. Kalnins concludes that the next two decades (provided Soviet Russian domination will last that long) will show whether the Latvian people will be able to maintain their slim majority on their ancient native soil. However, regardless of what the future holds in store, no mass conversion of the Latvian nation to Soviet Russian belief will ever occur, as long as a breath of national spirit prevails. The Red Muscovites of today will hardly succeed where their equally reactionary Czarist predecessors failed: namely, to bend the subjected nations of Holy Russia under the reign of one ruler, one creed, and one people.

Mr. Speaker, as I have indicated to the Members, I will continue to emphasize the cause of Latvia and other victims of communism, since the foreign policy of the United States remains dedicated to legitimate self-determination of peoples. We will not give legal sanction to Soviet colonial rule of Latvia and its neighbor states of Lithuania and Estonia.

THE STATE DEPARTMENT—SOME ABUSES AND RECOMMENDATIONS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in his recently published book, "Memoirs, 1925–1950," George F. Kennan, whose credentials in the academic, the foreign affairs, and the liberal community can hardly be questioned and whose present view toward the U.S.S.R. hews to the "mellowing" line, refers to the purge in mid-1937 in which the realistic "hardliners" in the State Department's Russian division were shunted aside by pro-Soviet replacements:

> For here, if ever, was a point at which there was indeed the smell of Soviet influence, or strongly pro-Soviet influences somewhere in the higher reaches of the government.

In view of the nature of the following remarks this illustration is not meant to infer that the same conditions obtain at State today, but merely serves to indicate that cliques and coteries are nothing new in that Department. However, considering the revelations of the past month or so concerning the Runge and the Philby-Burgess-Maclean spy cases, lax security practices in an agency as sensitive as State warrant review and corrective action. Because some of the outrageous abuses that have been perpetrated at State over the last few years have not received adequate attention or publicity, I think it is advisable to comment on the situation and offer possible recommendations. The unparalleled successes of Soviet espionage over the years should have resulted in a highly refined security system at State, but recent experiences indicate that coverups of security violations and purges of qualified security personnel have provided a possible fertile field for Communist penetration. A brief review of the Philby-Burgess-Maclean case will provide a background against which our own security problems at State should be evaluated.

PHILBY, BURGESS, AND MACLEAN

The vital need for unbreachable security procedures has been pointed up during the past two decades by many cases of defections, disappearances, suicides, arrests, scandals and the like, but nowhere, not even in the phenomenal Richard Sorge case, have there been situations to rival those of Harold (Kim) Philby, Guy Burgess, and Don Maclean.

These three men managed to accumulate well over 50 years of communism and aim their spying efforts at the heart of both British and American security. All three were members of the British Foreign Service and all three managed to defect to the Soviet Union, the land of their allegiance.

Donald D. Maclean first entered the British Foreign Service in 1935, shortly after he left Trinity College, Cambridge, where he had a "distinguished academic record." He was stationed in Cairo. Guy F. Burgess entered the Foreign Service as a temporary employee in 1947. His record at Trinity College was described as "brilliant."

For years the damage done by these men has been either hushed or minimized and their backgrounds said to be clear of Communist leanings, at least in the eyes of the security office responsible for their activities.

To the Communists, however, they were picked up early, doubtless well indoctrinated, and used to their fullest extent. While British security did not know of the Communist sympathies of Burgess and Maclean, the Communists latched on to them at Cambridge.

Vladimir M. Petrov, a Soviet MVD agent in Australia who defected to the west on April 3, 1954, clarified the backgrounds and activities of the two spies in these excerpted statements of sworn testimony:

> Burgess and Maclean were long term agents who had each been independently recruited to work for Soviet intelligence in their student days at Cambridge University.
>
> Their flight was planned and directed from Moscow.
>
> (During a period in London after the War) Burgess was bringing out briefcases full of Foreign Office documents, which were photographed in the Soviet Embassy and quickly returned to him.

Petrov stated that he received this information directly from an assistant in the Embassy, Filipp Kislitsyn, who was involved with receiving the stolen documents. In fact, Kislitsyn was an MVD cipher clerk in the Soviet Embassy in London and, Petrov stated:

> Kislitsyn used to encipher the more urgent information and cable it to Moscow; the rest he prepared for despatch by courier in the diplomatic bag.

This same Kislitsyn was later recalled to Moscow and trained to handle a special one-man section of the top-secret archives.

Petrov continues:

> This section was devoted solely to the great quantity of material supplied by Maclean and Burgess. Much of it had not even been translated or distributed to the Ministries concerned, but Kislitsyn used to show particular files and documents to high-ranking officials who visited his section for the purpose.

This testimony reveals the vast amount of information which the informers passed on. The next question is, of course, What information was involved and what damage did it do?

The cost of the security breaches through which Burgess and Maclean moved is indicated not only by their positions in the respective senior and junior service corps, but by their connections with another British traitor, Harold Philby.

"Kim" Philby's exploits over 30 years as a Soviet agent can be compared only with the celebrated Japan-based spy, Richard Sorge. Philby came to Washington as temporary first secretary a few months before Burgess, an old friend—all three were acquainted from Cambridge. From this vantage point he became the third man in the defection plot. Philby, too, had been thoroughly immersed in communism during his Cambridge days, and like the other two, it took. After leaving Cambridge he took years fashioning an elaborate coverup of his leanings toward communism which included pro-Nazi associations and journalistic service in Franco's Spain. He was so successful that Franco gave him a state decoration which he was known to display.

Philby managed to gain access to British security—the lifetime task given him by the Communists—in the summer of 1941 and was assigned to head up counterespionage in the Iberian section. Philby later became the link between British Secret Intelligence Service and the U.S. Central Intelligence Agency.

It was in this position that Philby had access to a secret report from MI5—the counterespionage section—naming Maclean as the principal suspect in a 2-year-old security leak investigation. The logical chain then had Philby relating the secret information to Burgess and Burgess passing it on to Maclean.

Philby was asked to resign from the British Foreign Service in July of 1951 and the "third man" case, according to Prime Minister MacMillan some time later, was both denied and closed.

Thirteen years later Philby defected to the Soviet Union from his post as journalist in the Middle East with the Economist and the Observer, a position taken after the reported separation mentioned above. But it was at the time of the defection, and now generally believed as common knowledge, that Philby had still maintained working connections with British security and had never been taken off the payroll. This would extend his stint as a traitor to a full 30 years: 1933 to 1963, many of them in the Foreign Service.

I will make a more complete presentation of the backgrounds and associations of Philby, Burgess, and Maclean at a later date. At this point it is more important to examine the effects which lax, or nonexistent, security had upon the history of the world.

There is little doubt that these men not only passed on to their Communist superiors a great quantity of information but information of great value. The full nature and impact of secret documents revealed to the Soviets will never be known even though hushed investigations still ferret out facets of the traitor's work. Nevertheless, it should be emphasized that their actions ultimately involved not only Britain but the United States and directly or indirectly many American citizens.

MAC ARTHUR AND KOREA

To the average American citizen concerned with the problems of everyday life, the subject of espionage is as far removed from his area of responsibilities as putting a man on the moon. To be sure, the CIA, the FBI, and other governmental agencies are directly concerned with problems of this nature, but in the long run John Doe can be severely affected by weak security procedures. The case of Gen. Douglas MacArthur and the Korean war is an excellent case in point.

It will be remembered that some months after the North Koreans had invaded South Korea in June 1950, the U.N. forces under MacArthur smashed the advance of the Communists with the brilliant Inchon maneuver. The invaders were chased back to the Yalu River in disarray and the end of the conflict was clearly in sight. Then the buildup of Chinese Communist troops north of the Yalu brought up the question of bombing the Yalu bridges if the Chinese Reds entered the fray. As history has recorded, MacArthur was denied by Washington the permission to bomb the Yalu bridges and the Chinese communication lines in Manchuria in case of necessity. General MacArthur in his book "Reminiscences" states on page 370:

> For the first time in military history, a commander has been denied the use of his military power to safeguard the lives of his soldiers and safety of his army. To me it clearly foreshadows a future tragic situation in the Far East and leaves me with a sense of inexpressible shock. It will cost the lives of thousands of American soldiers and place in jeopardy the entire army. By some means the enemy commander must have known of this decision to protect his lines of communication into North Korea, or he never would have dared to cross those bridges in force.

Again on page 374 MacArthur referred to the apparent leak in intelligence:

> That there was some leak in intelligence was evident to everyone. Walker continually complained to me that his operations were known to the enemy in advance through sources in Washington. I will always believe that if the United States had issued a warning to the effect that any entry of the Chinese Communist in force into Korea would be considered as an act of international war against the United States, that the Korean War would have terminated with our advance north. I feel that the Reds would have stayed on their side of the Yalu. Instead, information must have been relayed to them, assuring that the Yalu bridges would continue to enjoy sanctuary and that their bases would be left intact. They knew they could swarm down across the Yalu River without having to worry about bombers hitting their Manchurian supply lines.

On page 375 MacArthur quotes Chinese Communist Gen. Lin Piao as later stating in an official Chinese leaflet:

> I would never have made the attack and risked my men and military reputation if I had not been assured that Washington would restrain General MacArthur from taking adequate retaliatory measures against my lines of supply and communication.

With recent disclosures in the British press there can remain little doubt as to who was responsible for the intelligence leak in Washington which so benefited the Chinese Reds. Philby arrived in Washington as British liaison to the FBI and CIA and in November 1950, Maclean came to Washington as head of the Foreign Office's American department. The Washington Post of October 16, 1967, excerpted material from the London Sunday Times relating to Maclean's role in the Korean affair. It stated:

> The State Department has compiled an analysis of Maclean's role at the time which credits him with knowledge of the U.S.-Japanese treaty negotiations and the Korean War strategy.
>
> The State Department accounts says that Maclean was aware of the critical American decision to "localize" the Korean conflict.

Instead of the Korean war ending up as a short and ill-advised fiasco for the Reds, it turned into a long-drawn-out stalemate so costly in American lives. Because of the invaluable information relayed to the Chinese Reds, the Korean war was extended to July of 1953 when the armistice was signed. American losses over the 3-year period amounted to 33,629 battle deaths, 20,617 other deaths, 103,284 nonmortal wounds suffered for a total of 157,530 American casualties. The Korean war is an excellent case in point, as I have stated, of the enormous penalties exacted because of weak and inadequate security procedures when dealing with a clever international adversary, the Communist conspiracy.

OTHER SUCCESSES

Although Korean war information is probably the most graphic of any involving these three Communist agents, Philby, Burgess and Maclean, they were also active in other vital areas.

In 1949, on the occasion of the first U.S.S.R. atomic bomb explosion, Philby and staff reportedly spent 4 days and nights coding and decoding messages between the United States and Britain.

Burgess, in 1946, served as assistant private secretary to an under secretary of the Foreign Secretary.

In contrast and not to be outdone, Maclean served as secretary of the United States-British Combined Policy Committee on Atomic Development. This position gave him nearly unlimited access to the tightly guarded Atomic Energy Commission files in Washington. This access, the London Sunday Times reported, "gave Maclean access to the greatest storehouse of atomic knowledge that there is." Maclean could have, and probably did, leak to the Russians the where and how much concerning Allied purchases of uranium. At this time the United States was engaged in preemptive purchase of uranium since it was thought the supply was limited. He also could have—he certainly had the access—told the Communists that the United States had perfected a method of concerting low-grade ore into high-grade, a fact of certain interest to Soviet scientists.

The same congressional committee

which received the testimony of defector Petrov also reported what might be a totally unpublicized area of Donald Maclean.

The committee reported that it heard in closed session a number of Americans who testified to the activities of Burgess and Maclean. These hearings were "designed to determine the possible involvement of our people here":

> [The investigators have] the identity of a long series of individuals who were intimates of the pair here. In this connection, we obtained the desk pad of Alger Hiss which revealed that Hiss had had a date at the British Embassy with Maclean on September 14, 1946.

Should evidence of continued association, direct or indirect, between Hiss and Maclean be found, it would greatly broaden the area to which Maclean had access and also provide multiple channels for passing on information.

It is absurd that security procedures should allow three Communists to function year after year after year, especially when one considers that their university days would certainly make them more suspect than had they not been Communist oriented. But, even being generous and granting that this would have been difficult to trace, security violations of other types should have forced their removal from any position in the Government.

Astoundingly, British security kept no tabs on possible homosexuals, although sexual deviates are prime targets for blackmail. If British security had been concerned with this area, Burgess and Maclean might have been routed from service earlier.

Early in 1950 security authorities informed the Foreign Office that in late 1949 while on a vacation abroad, Burgess had been guilty of "indiscreet talk" about secret matters which he knew. Action against this breach consisted only of a reprimand, and evidently security officers did not followup to determine whether this was an isolated incident.

In addition, both Maclean and Burgess had drinking problems and Burgess ran amuck of the police in Virginia three times in 1 day for traffic offenses. The third time the Burgess car was involved in an accident, police found out the man driving had been picked up along the road, had no license, and was a homosexual with a police record.

Assuming that security missed the fact that Philby became a solid Communist during his Cambridge days, investigation and disclosure of the activities of Burgess would have exposed Philby also, since Burgess lived in the Washington home of Philby from August 1950 to April 1951.

Former CIA Chief Allen Dulles summed up the security violations in these words:

> Neither a Burgess nor a Maclean should ever have been allowed to have anything to do with classified matters. Even a reasonably casual review of their activities during the years before their defection should have resulted in their dismissal, and Burgess never should have been hired in the first place.

U.S. INFILTRATION

Circumstances do not permit an extensive treatment of difficulties arising from lax security procedures in our own Government during the war years and into the fifties. Several references, however, should suffice to briefly outline the situation during this period. On August 28, 1953, the U.S. News & World Report carried the full text of a report by the Internal Security Subcommittee of the Senate Judiciary Committee concerning Soviet spy rings inside the U.S. Government. Here is what this highly respected national magazine stated in its preface to the text:

> A Senate subcommittee of eight—Republicans and Democrats—in a unanimous report declares that the Soviet Government "has carried on a successful and important penetration of the United States Government and this penetration has not been fully exposed."
>
> Giving details of two Soviet spy rings and intimating that there were two other rings, the subcommittee traces the whole web of espionage involving Alger Hiss and others.
>
> Pointing to a confidential memorandum from the FBI in 1945 which warned President Truman and other officials of the existence of these spy rings with names of persons involved, the committee says that despite the FBI reports "little was done by the executive branch to interrupt the Soviet operatives in their ascent in Government until congressional committees brought forth to public light the facts of the conspiracy.

One of the conclusions reached by the subcommittee stated:

> In general, the Communists who infiltrated our Government worked behind the scenes—guiding research and preparing memoranda on which basic American policies were set, writing speeches for Cabinet officers, influencing congressional investigations, drafting laws, manipulating administrative reorganizations—always serving the interest of their Soviet superiors.

At another point the subcommittee observed:

> Thousands of diplomatic, political, military, scientific, and economic secrets of the United States have been stolen by Soviet agents in our Government and other persons closely connected with the Communists.

In view of our past experiences in the field of internal security, it is only prudent that all necessary steps are taken to put into effect the strictest security measures. Security risks are not confined to Communist agents or sympathizers alone. In addition, questions concerning false statements, immoral conduct, homosexuality, intoxication, mental defects, and so forth, which are covered by Executive Order No. 10450 are criteria for security judgments. It is not just a question of loyalty but of suitability which is important in security evaluations. Although it is important to determine what degree of Communist infiltration there is in Government, it is equally imperative that we know who is doing what the Communists want done, for whatever reason.

Of course, the Burgess-Maclean-Philby case is just one of many examples here and abroad of the extensive intelligence and spy network which the Soviets have perfected over the years. The New York Times of November 10 carried an article, "Structure of Soviet Intelligence Unit Is Outlined," in which it is stated:

> The Soviet Union's State Security Committee, which is the nation's principal intelligence agency, employs 600,000 to 1 million people inside and outside the Soviet Union, according to Western estimates.

I do not wish to belabor the point, but it would seem prudent that all necessary measures would be effected to protect this Nation from the Soviet Union's efforts, and those of the other Communist regimes, to penetrate our security defenses. Unfortunately, indications are that such is not the case.

THE OTEPKA CASE

In September 1966, the American Legion passed resolution No. 150 which dealt with the Otto Otepka case. As is generally known, Otepka was, and still is, nominally Chief of the Division of Evaluations, Department of State Office of Security. State accused Otepka of furnishing certain classified documents to the Senate Internal Security Subcommittee. Otepka asked for a hearing and, almost 4 years later, the case has yet to be resolved.

The American Legion resolution stated:

> The American Legion deplores the treatment which Mr. Otto F. Otepka has received at the hands of his superiors in the U.S. Department of State, and commends the action of the Senate Internal Security Subcommittee in its thorough investigation of the Otepka case and related matters, and in its bringing to the attention of the public the true circumstances surrounding Mr. Otepka's dismissal from his important position in the Department of State.

More recently, on November 12, 1967, the Sigma Delta Chi, the professional journalism society, through its advancement of freedom of information committee referred to the Otepka case. One passage from the report states:

> A study of this entire case makes it obvious that the State Department was misusing a claim of national security for purposes of hiding or obscuring the record. The record of this case discloses a disgraceful pattern of inaccurate and misleading testimony by high State Department officials. These officials gave inaccurate misleading testimony in connection with security cases. When Otepka gave testimony and produced records proving that superiors had lied under oath, the superiors used unauthorized eavesdropping and wiretapping as well as other police state methods to try to obtain grounds for firing Otepka.

The report went on to state that:

> For the four years that this case has been pending before the State Department, the Department press office has engaged in a broad pattern of inaccurate and misleading statements to reporters and interested citizens in an effort to smear Otepka. That outrageous pattern of deception has continued at least through August 1967.

The Otepka case is extremely important from the standpoint of national security. Otepka, an experienced officer in the field of security, firmly and consistently refused to give the OK on certain persons with questionable backgrounds. This is the crux of the Otepka case. In direct contrast to the British security officials in accepting Burgess and Maclean, Otepka placed our national security above possible recriminations from highly placed Government officials. In the face of the estimable danger presented by the Soviet intelligence network, the State Department, instead of strengthening our security forces, has gone to great length to try to remove an experienced and dedicated employee.

The statements by the two national organizations mentioned above is an indication of the resentment felt by many American citizens concerning the Otepka case. The American Defense Fund of Wood Dale, Ill., has been collecting contributions for some time now to help defray the costs of Otepka's defense. It is estimated that over $20,000 has been spent to date by Otto Otepka in defending himself which would not have been possible except for the help of the American Defense Fund. If the case finally goes to court, three times this amount will probably be needed. And who underwrites the expenses of the State Department? Why the American taxpayer, of course.

There are a number of aspects of the case which will eventually be drawn to public attention. The two State Department emloyees who resigned in the face of possible perjury charges, John Reilly and Elmer Hill, have not been brought to account for their possible perjurious testimony before the Senate Internal Security Subcommittee. On August 8, 1967, the Assistant Secretary for Congressional Relations, William Macomber, Jr., stated in a letter in answer to a congressional inquiry:

> I have been informed that the transcript of testimony given before the Senate Internal Security Subcommittee by Messrs. John F. Reilly and Elmer Hill has been forwarded to the Department of Justice for review and recommendation on possible perjury charges against these witnesses.

When I inquired of the Department of Justice as to how the case was progressing, I received this reply from Assistant Attorney General Fred M. Vinson, Jr.:

> In response to your letter of October 27, 1967, this is to advise you that no perjury charges against former State Department employees John Reilly and Elmer Hill have been referred to the Department of Justice for possible prosecution.

In all fairness, I cannot speculate on the apparent inconsistency in the two replies, but you can be sure that a satisfactory explanation will be forthcoming. It appears to be a typical deceptive case of semantics. My reply to Mr. Vinson was as follows:

> DEAR MR. VINSON: Regarding your letter of November 8 and your statement regarding perjury charges against former State Department employees John Reilly and Elmer Hill, I feel there is some inconsistency. Possibly it is based on your statement that "no perjury charges . . . have been referred to the Department of Justice for possible prosecution."
>
> This may be truthful as far as it goes, but it does not answer the question. On a letter over the signature of Mr. William B. Macomber, Jr., Assistant Secretary for Congressional Relations, The State Department, he makes the following statement:
>
> "I have been informed that the transcript of testimony given before the Senate Internal Security Subcommittee by Messrs. John F. Reilly and Elmer Hill has been forwarded to the Department of Justice for review and recommendation on possible perjury charges against these witnesses. Since enforcement of the criminal statutes of the United States is the responsibility of that Department, I am taking the liberty of forwarding this portion of your inquiry to Honorable Fred Vinson, Jr., Assistant Attorney General for the Criminal Division, Department of Justice, for further comment."
>
> It does appear that what you say is factually correct, but it does not tell the whole truth. While it is true that no perjury charges have been referred to you, it is my understanding that the entire transcript has been sent to you, "for review and recommendation on possible perjury charges against these witnesses."
>
> Would you please give me an indication of the disposition of your office regarding the factual situation which has been presented to you regarding possible perjury and your proposed action, if indeed any action has been determined.
>
> Sincerely,
> JOHN M. ASHBROOK,
> *Representative to Congress,*
> *17th District.*

Another aspect of the Otepka case which demands attention is the classification of the transcript of the hearings which the State Department claims is not a public record. I am still awaiting a reply as to what classification marking appears on the transcript and under what regulation the transcript classification falls.

Still another matter in the case calls for further clarification. The State Department originally levied 13 charges against Otepka, some of which concerned the mutilation of documents, a Federal offense. At the outset of the hearings, State dropped the mutilation charges against Otepka. One explanation of State's sudden change of mind was supplied by the Government Employees Exchange, a publication which has done excellent work on the Otepka case, in its May 31, 1967 issue:

> The informant added that the reason for the recommendation is Mr. Jaffe's fear that Mr. Otepka obtained positive information regarding the identity of the person actually involved in the "mutilations" and, in the event the charges are maintained in their present form, he will be able to expose the persons at the hearings. In this event, the Department of Justice will have no choice but to bring criminal proceedings against the persons so exposed.

The Exchange continues with its very interesting account:

> In turn, these persons have already indicated they will reveal the identities of the "top persons" in the Department of State who had instructed them to "mutilate" the documents and to "plant them" in Mr. Otepka's burn bags in such a way as to make it appear that Mr. Otepka had carried out the mutilations.

The question naturally arises as to who actually committed the mutilations. If Otepka is guilty of this Federal offense, then why has the case not been referred to the Justice Department? Or, if Otepka is innocent, why have charges not been preferred against the real culprits? Here again, this is another aspect of the case, which will bear exploring.

The case of Otto Otepka is most important for another reason. As a civil service employee, Otepka is but one of hundreds of thousands of American citizens in the employ of the Federal Government. If Otepka can be subjected to such disgraceful treatment with impunity, what chance has any civil service worker for fair and honest treatment? How many Federal workers will be willing to endure the anguish of a possible 4-year contest with the Federal Government with the expenditure of thousands of dollars at their own expense?

In addition, what other atrocious vendettas will State Department people be encouraged to try on recalcitrant fellow employees, if the Otepka case is not accorded a fair and equitable solution? Plainly, the virtues of individual responsibility, integrity, and loyalty to the Nation will suffer inestimably.

THE KOCZAK CASE

It is not a secret that the challenge of "cleaning up the State Department" has been avoided by a long succession of Presidents. And it is equally disturbing that an equal number of Congresses have also shunned this needed job.

When it happens, and it must eventually, the housecleaning of the State Department must, of course, begin in personnel procedures. It is this area where the cliques infiltrate, control, and survive. It is here that dissenters can be excluded and followers promoted; mistakes covered up, and injustices hushed.

It is no mere coincidence that a British system that brought Burgess, Philby, and Maclean into its Foreign Service because they were of the right family, school, and club, also has a counterpart within the citadel of Foggy Bottom. Their purposes, too, are the same: to promote "insiders" and provide a firm basis of self-support.

The system is such that the heart of the State Department, the Foreign Service personnel, can be subjected to gross injustices, fired—State's term is "selected out"—and be excluded from their chosen job without recourse to any type of just appeal. The threat of such adverse action hangs daily over the heads of each FSO, and is undeniably more tenuously supported over the heads of conscientious, dedicated men who are, nevertheless, outside the ruling groups.

Right to appeal would seriously hinder the ruthless and unwarranted "selection out" weapon used in the State Department. Without appeal there is a deplorable tendency to "follow along," "not rock the boat," and in effect, subordinate one's better judgment for the sake of one's position.

As stated by John F. Griner, president of the American Federation of Government Employees before the Pell subcommittee studying appeals procedures:

> There has always been a problem in the Foreign Service that individual foreign service officers subject to and threatened by "selection out", without any procedures for formal appeal, might conclude that for their own survival in the service it was more to their advantage to approve the policies indicated by their superiors rather than to make recommendations which are the result of trained investigation and careful analysis.

Mr. Griner also quoted Gov. W. Averell Harriman on "selection out" procedures:

> Here again, in the process of "selection out," the application of the system can be more fairly applied. I have noted that men have been given low ratings because they haven't gotten along with one individual when others have given them high ratings. If a man happens to be judged at a time when he has worked for a man who doesn't under-

> stand him or disagrees with his view he may be "selected out" for reasons which are not sound.
>
> As a matter of fact, I think more consideration should be given to who writes the efficiency reports on Foreign Service Officers. I went over some of them a while ago, and in one case, I found that in recent years, one man had been put in the lowest 25 percentile during two years, and in another two years, he had been put in the top 10 percentile. It was the same man, a man who had been in the Service a considerable period of time, and he had not changed his ways or his judgments, but he worked for a different boss.

Mr. Griner also quotes a report prepared by Yale professor, Chris Argyris, which must have bubbled the mire in Foggy Bottom. It is even more blunt. Here is another selection from that presented to the Senate subcommittee containing comments from the Argyris report.

A report prepared by a Yale University professor, Dr. Chris Argyris, based on a series of conferences in 1965 with 60 senior Foreign Service Officers—many of them ambassadors or deputy chiefs of mission, that is, the "cream of the Foreign Service"—also confirms our views about the harmful professional impact which "selection out" without an appeals procedure has on Foreign Service officers. In his study, entitled, "Some Causes of Organizational Ineffectiveness Within the Department of State," Professor Argyris stated that after officers had been in the foreign service for a few years, they "soon came to write careful and innocuous memos"; to "round the sharp corners off the telegrams"; they also "learn not to make waves"; they "minimize risk taking"; they "fear taking responsibility"; they "play the game."

One officer told Professor Argyris the following:

> All this talk on being open and leveling is nice—and I'm for motherhood, too. But, I can tell you, if you get the reputation of having lost some important battles—no one wants a loser. The word gets around and you have been ruled off the promotion lists. Soon you learn. If you want to get back on, be less open and less candid.

Pressures to fall into line, pressure from the top of the clique, will ultimately affect both foreign policy and security. The most well known, and, probably the most important from the standpoint of publicity and effect, is the case of Stephen A. Koczak. In selecting out Koczak the State Department uncovered a case of both loose security and poor policy management.

In outlining the Koczak case it will be helpful to work from the present into the past.

Stephen Koczak is today a "selected out" Foreign Service officer who knows he has been wronged, and is doing his level best to gain vindication. In other words, he is putting up a fight against the State Department establishment. One can only guess at how many good men do not fight.

Koczak was "selected out" of the State Department in 1966 after 19 years as a veteran FSO. An honor graduate of Harvard, Trenton-born Koczak gained a measure of international fame in 1949 when he was expelled from Hungary by the Communists after they charged that he served as the intermediary between Hungarian Cardinal Mindszenty and the U.S. Minister to Budapest.

Koczak began to have his $18,000 a year job pulled out from under him while serving as head of the political section reporting on Communist East Germany in Berlin in 1960–61. Involved against Koczak are persons directly connected with the notorious "Warsaw sex and spy cases" including the celebrated Scarbeck-Discher scandal. Scarbeck, it will be remembered, was second secretary of the U.S. Embassy in Warsaw, Poland. After being surprised in bed with his mistress, Scarbeck agreed to collaborate with the Polish Government. It was here, too, that the marine guard was compromised by female, Communist intelligence officers and the Embassy thoroughly bugged by the Communists.

Koczak came to Berlin in 1960 following a promotion and assignment for the State Department after "brilliant" work in Israel where he was stationed during the Suez crisis of 1955. He was made head of the political section as well as Deputy Chief of Eastern Affairs at the U.S. mission in Berlin.

Koczak's immediate superior was Thomas A. Donovan, who was reportedly transferred to Berlin in September of 1960 because of allegations made by U.S. marine guards who implicated him in illicit associations with Polish women suspected of being Polish agents. Ranking as head of the U.S. mission and the superior of both men was E. Allan Lightner, later Ambassador of Libya and now Deputy Commandant of the National War College. In between Lightner and Donovan was Howard Trivers.

Following his sudden transfer, Donovan still kept ties with Warsaw. Koczak frequently traveled from West Berlin into East Berlin on official trips. His boss, Donovan, would go with him. From East Berlin, Koczak discovered that Donovan would place calls to Communists in Warsaw. These calls were never reported by Donovan to colleagues in West Berlin, nor were they reported to Ambassador Jacob Beam in Warsaw, the receiving end.

Koczak's career as a Foreign Service officer started toward its end when, in addition to the phone calls, Donovan made an unauthorized trip to Warsaw at the exact time when Khrushchev aided by the Polish Government, launched his drive to expel the United States from Berlin. This was too much for Koczak who reported the breaches of security and of orders to Howard Trivers, deputy chief of the mission in West Berlin and Donovan's superior.

By asking Trivers to bring to the attention of Ambassador Beam the phone calls and the unauthorized trip of Donovan, what Koczak termed the "exceptional circumstances of my superior's—Donovan's—telephone calls and his unauthorized trip to Warsaw," Koczak was rewarded with an exceptionally low efficiency rating.

Koczak has stated that he chose going over his boss' head with the problem after facing this dilemma: if he kept silent about the clandestine trip and phone calls, he might be party to a security risk; if he chose to talk with Trivers, he would be a "squealer." Ironically, nothing happened. There was no reaction from Trivers, so Koczak decided to go even one higher, to Lightner. But, to his dismay, both Trivers and Lightner advanced the argument that Donovan had taken advantage of lower telephone rates in East Berlin. Presumably, there was no justification advanced for the unauthorized trip and this item was merely suppressed.

Characteristically, Koczak learned that Trivers had not informed Ambassador Beam of Donovan's activities, and had even failed to inform Lightner.

Information compiled in the years since have indicated that Koczak was definitely up against one of the cliques within the State Department and it was probably futile to attempt to maintain good security if it meant danger to an "insider."

Although Koczak had been in the top 10 percent of the personnel, Donovan gave him the low rating in 1961 and an even lower rating in 1962. Koczak was told in March 1963 that he had been "selected out", in his case, retired. Although he fought for and gained reinstatement, the State Department came back in 1964 with another, and final decree which even letters to the President could not overrule.

The security involved in Donovan's calls and visits to Warsaw, and the fact that nothing was done about the breach, indicates the overriding considerations which insiders can use to shore up the failings of one of their boys.

While Koczak was retired, Donovan was given a good assignment in the Department's Bureau of Intelligence Research, even in the face of serious charges that he was implicated in the Warsaw scandal—and therefore shipped to Berlin—and subsequently continued his contacts with the Polish Communists. It has been reported also that while in Warsaw, Donovan's apartment was "bugged" by Polish intelligence, Soviet intelligence, and even the CIA.

In addition to Donovan's continuation in State positions, Trivers and Lightner are also going their merry ways; Trivers is now the consul general in Zurich and Lightner Deputy Commandant at the National War College.

The reasons why Donovan was not fired after his Warsaw escapades, and why Trivers, Lightner, and Ambassador Beam run such similarly loose ships, can only be that they are a few of the insiders. It has been pointed out that Beam, Lightner, and Trivers all graduated from Princeton within a year of each other. In fact, common usage has come to identify one of the cliques in the State Department as the "Henderson-Princeton pack." The Henderson here is the former Under Secretary for Administration, Loy Henderson, who is supposed to have engineered the reassignment of Donovan from Warsaw to Berlin following a request to this effect from Trivers and Lightner.

Although Koczak has come up against the power of this inside group, he also appears to have caused another faction dire concern; this group having the title of the "Macy-Crockett camp."

The security problems posed by these self-promoting groups are obvious. Less obvious is the problem of poor policy judgments which can be fostered by excluding some officers or, at the least, disregarding their individual judgments. Again, the case of Stephen Koczak as an example.

Koczak, in his position as political officer, predicted that the Berlin wall was going to be built, and presumably passed his predictions—with justifications—on to his superiors. On August 12 Koczak was talking with a news correspondent and stated that he would not be surprised if the Communists began the wall the next day. It would seem that while the administration was shocked when the wall did go up the next day, Koczak's information should have mediated this blow. Granted, luck was involved but there was also sound judgment and efficient, if not brilliant, work behind the statement. One can only assume that the clique did not approve in some way and the information was never passed on or properly examined.

Few will ever know what action might have been taken had the Berlin wall been planned for and an effective countermeasure ready.

At the center of the Koczak case is the misuse of the efficiency report system, now expanded to include the so-called development appraisal report. In the past it has been a secret item, and in Koczak's case he charges that his records were manipulated to such an extent—in attempts to justify his selection out after years of service in the top 10 percent—that its contents were in part destroyed, forgeries made and backdated and then substituted for originals. In addition, Koczak charges that his file contained a statement that he had read the full report when, in fact, he had not.

The newer development appraisal report has been made available to the individual concerned only since June 1967, and this action by the State Department came only after pressure from the American Federation of Government Employees which stated more than a year and a half ago that the report was startling, dangerous and secretive. But even now the report can be seen only in Washington and even at that, the writer cannot be confronted by the person who may be charged. For the Foreign Service officer overseas, it may be years before he even sees his report. This assumes that State will continue to allow officers to read the report even under these highly limited conditions.

Add to this the fact that the development appraisal report is today the principal criterion on which promotion or selection out is based. Here again are Mr. Griner's statements, this time on the report and the selection boards which pass judgment. As can be seen, not only is the report an atrocious weapon, but the horror is compounded by the built-in inadequacies of the selection board:

> We have also carefully examined the methods, procedures, and composition of the Selection Boards which rate officers for "selection out" as well as promotion. At the outset we wish to call attention to the fact that the Boards are primarily composed of Foreign Service Officers whose own future assignments, careers and promotions may very well depend on the way they perform on these Selection Panels. This alone is itself already a situation which needs safeguards through an appeals procedure to prevent bias and favoritism. Not only is the composition of the Panels a matter of criticism, but the Board's procedures are unsystematic, haphazard, and we believe, unenlightened. We are told that hundreds of efficiency records, each containing up to as many as twenty individual annual and other reports, are assembled for each Panel. To these are added further hundreds of so-called Development Appraisal Reports, whose illegal institution we have already condemned in the past. Moreover, none of the Development Appraisal Reports written in the past three years were seen, we wish to note, at the time of writing by the Officers; many have not been seen in the interval. Some may never be seen by the officers being rated.
>
> All this vast assemblage of unseen, unsystematic material is given to the respective Panel for each class; each of the five or six Panel members then proceeds to ⅕ or ⅙ of these heaps of records, sorting them into three piles—one pile, usually approximately ten per cent, is accumulated for persons tentatively considered for promotion; one pile, also usually approximately ten per cent, is for Officers tentatively considered for "selection out." And a third pile, usually seventy five to eighty per cent, is put away not to be read again unless some special message comes from the personnel office suggesting the rereading of certain files. These will be neither promoted nor "selected out" that year.
>
> Comments we have received from Panel members indicate that dreariness, boredom, and fatigue soon overtakes them. None of the persons being rated ever appears individually—the names thus are faceless. No one knows for sure whether the reports themselves are accurate or not. No one can even meaningfully ask whether the reports are authentic, or, as one person has publicly charged, whether they sometimes contain even forgeries.

It is important that Stephen Koczak have his day in court against his accusers, but his case points up more than just one man fighting the establishment. It also reveals the "system." It is this system within the State Department which must be the target of Congress, and it is through elimination of this system that the Government and the people served will gain better foreign policy, tighter security, surer personnel practices, all through better men allowed to work in a clean, competitive environment.

OTHER U.S. CASES

If the State Department would expend as much energy in ridding its ranks of security risks as it has in the Otepka and Koczak cases, the Philbys and Macleans might not be of such importance. Clark Mollenhoff, the Pulitzer Prize winning reporter for the Des Moines, Iowa, Register and one of America's most fearless reporters, listed 14 cases in the Register of October 4, 1967, wherein violations of security procedures were charged. Here again it must be stressed that security risks are not confined to Communist affiliations or sympathies alone. Issuing of false statements, immoral conduct, homosexuality, intoxication, and mental defects are bases for adverse security judgments. Among the violations mentioned by Mollenhoff are these:

> 1. A security officer stationed in Athens, Greece, who failed to report a large number of security violations yet was appointed deputy chief of the Division of Security Evaluations at the State Department.
>
> 2. A security officer who withheld information from his superiors concerning the loss of classified documents by an American ambassador. The officer was not censured and was promoted to be a top lieutenant of Reilly.
>
> 3. A security officer stationed in Moscow who permitted himself to be enticed into the apartment of a Russian woman, an agent for the secret police. The secret police used concealed cameras to photograph the American and his nude companion and tried to get him to spy for the Soviet Union. He never was criticized or disciplined.
>
> 4. A foreign service officer who admitted to security officers and State Department medical authorities that he had engaged in homosexual acts. The medical officers found him unfit to serve abroad because in their judgment his homosexual tendencies made him a potential security risk. He was sent abroad, however, and was assigned to a critical post behind the Iron Curtain.
>
> 5. A foreign service officer stationed in Mexico and Caracas, Venezuela, who was guilty of a series of incidents of sexual misconduct, including an affair with the wife of the ambassador of another nation. His conduct was excused by State Department politicians.
>
> 6. A man dismissed as a security risk by the Mutual Security Agency and characterized as having "a rotten file," who was appointed to a State Department position and given full security clearance.
>
> 7. A foreign service officer who admitted he furnished 18 documents, some of them classified "secret" to Philip Jaffe, the publisher of Amerasia magazine and on whom there was a considerable record of Communist activities and affiliation. The officer was permitted to take an honorable retirement and pension.

In two other cases mentioned by Mollenhoff the subjects are still with the State Department. In one case the Foreign Service officer concealed the fact that he had been a member of the Young Communist League and the Communist Party. In the other case a Foreign Service officer stationed in an eastern European post admitted homosexual tendencies and other personal misconduct but was given responsibility for supervising the Marine guard personnel and protecting all safe combinations at the American Embassy. His negligence permitted foreign agents to have access to classified reports at the Embassy. He was not disciplined, received normal promotions, and, like the other case listed above, he is still with the State Department.

In connection with security risks at the State Department it is only fair to state that each year this subject is reviewed by the House Appropriations Subcommittee which reviews State's appropriations requests. Each year State provides the number of employees who have departed from the Department for security reasons of various types. However, the testimony before the subcommittee is briefly dealt with, as it must be, because of the very large volume of work handled by the subcommittee. The number of risks per year is not the prime consideration here, for how can one measure the value of one Philby or Maclean in terms of lesser security risks. What is important is the nature of the present security system with its downgrading of strict security precautions, the waiving of security checks for questionable persons, and the elimination of hardheaded employees who place national security above Department pressures.

Concerning the above-mentioned subcommittee and its annual inquiry into the security risks in the State Department, the Government Employees' Exchange reported in its issue of July 26 of this year that reference to one "admitted homosexual" was omitted in testimony before the subcommittee earlier this year. This officer was included on the 1967 Foreign Service promotion list and his promotion to a FSO-1 was confirmed by the U.S. Senate.

Another account of this case was placed in the CONGRESSIONAL RECORD on November 3 by the gentleman from Iowa, Congressman H. R. GROSS. This account by Clark Mollenhoff, of the Des Moines Register, reports that the officer had admitted his deviations to security officers and that a State Department medical team warned that as a "latent homosexual" he should not be placed in any position where sensitive security matters are handled. In answer to a congressional inquiry State replied that the man had "a valid clearance, and is not currently under investigation." According to the Government Employees' Exchange, this case has been referred to the appropriate committee, and I am hopeful the the circumstances surrounding this case will be brought to public attention and corrective action taken.

THE ROSTOW CASE

Another case which has a direct bearing on security matters is that of Walt W. Rostow, now a special assistant to the President on national security affairs. According to various press accounts just recently, Rostow was refused a security clearance three times in tne 1950's. Rostow, in turn, stated, according to the Washington Post and Evening Star that:

> From 1951 onward, I had continuous security clearance from various agencies of the Federal Government.

Senator STROM THURMOND noted in the CONGRESSIONAL RECORD of October 19 that Rostow's reply was not "responsive to the allegations presented by Mr. Otto Otepka in his brief filed recently before a State Department hearing." It is claimed that Rostow was initially rejected for a high-level clearance by the Department of the Air Force; and again in 1955 by Herbert Hoover, Jr., then Under Secretary of State; and again in 1957 by Roderick O'Connor, then Administrator of the State Department Bureau of Security. Senator THURMOND pointed out:

> Anyone who knows anything about security clearances knows they are granted for various degrees of accessibility and by various agencies. The standards of each agency may be, and frequently are, entirely different; and they may be bypassed completely by high-level command.

Senator THURMOND further observed that:

> Whatever level of clearance he may have had, the fact is that he has been denied strict high-level clearance on the three occasions mentioned. For example: under the Hoover action of 1955, Rostow was disapproved to attend meetings of a psychological warfare panel of the Operations Coordinating Board—OCB—which operates directly under the jurisdiction of the National Security Council. This is, of course, a very high level, critical clearance.

This is not the first time that Rostow's clearance has been questioned. In June 1962, Everett S. Allen, staff writer for the New Bedford, Mass., Standard-Times and winner of a National Headliners Award for outstanding achievement in journalism in 1959, had a series of eight articles, entitled "What's Wrong With the State Department?" published in the Standard-Times. The series was the result of 18 months of investigation and interview and was shortly thereafter inserted in the CONGRESSIONAL RECORD by the gentleman from Massachusetts, Congressman HASTINGS KEITH. Concerning Rostow, Allen stated in article No. 7:

> A well-informed former State Department official, with more than a quarter-century's experience with the Federal Government, made certain statements to me regarding the professional qualifications of Walt W. Rostow.

Allen went to the State Department and placed these statements before them in the form of questions. The substance of State's reply was, in Allen's words:

> There is no record of any denial of security clearance by the State Department security office or by an undersecretary in a previous Administration. The department felt it was not appropriate to comment further on what happened in a previous Administration.

As was mentioned above, Herbert Hoover, Jr., was Under Secretary of State in 1955, and it was he, according to the Otepka brief, that denied to Rostow the high level security clearance to attend OCB meetings. It would appear then that if the charges of three security rejections against Rostow are true, then "an undersecretary in a previous administration" was definitely involved, contrary to the above statement by the State Department.

WHAT'S TO BE DONE

It is quite evident that the task of enforcing strict security regulations on executive agencies is primarily one for Congress. By means of investigation and legislation changes can be made as in the case of the National Security Agency several years ago. It will be recalled that when two NSA employees, Bernon Mitchell and William Martin, turned up in Moscow as traitors, the House Committee on Un-American Activities uncovered evidence that far more was involved than just the fact that two NSA employees had defected to the U.S.S.R. With the purpose of strengthening security laws and in performance of its legislative oversight authority, the committee launched an investigation of NSA security practices which consumed 2,000 man-hours of its investigators' time, and which covered 15 States, resulting in a total of 16 separate executive hearings. The outcome of the committee's effort was the initiation of 22 corrective security steps on the part of NSA. Legislation was drawn up based on the committee's recommendations and is now Public Law 88-290. NSA's Director of Personnel, who had falsified information on his form 57 and then covered it up, resigned and the dismissal of 26 individuals because of sexual deviation was effected. The committee's annual report for 1961 stated in part:

> Former investigators for agencies which conduct background inquiries of NSA employees told of homosexuals and sex deviates within the Agency. They related how difficult it was to check on some NSA personnel because often the only references given by employees were personal friends or fellow employees.

The report then cited a condition which could well be applied to cases in the State Department:

> The most outspoken complaint against NSA by former investigators, however, was that occasionally, prior to the committee's investigation, when derogatory information was uncovered during background investigations, responsible officials in the Office of Security Services ignored it.

The similarity to the State Department lies in the fact that security precautions were ignored, both here and abroad. Worse still, some of those who undertook to enforce strict security procedures were subject to various devices calculated to remove them from their positions.

The most recent and comprehensive investigation of security at the State Department was carried out by the Senate Internal Security Subcommittee, a subcommittee of the Senate Judiciary Committee. Had it not been for the persistent efforts of this body, and Otepka's refusal to make a "deal" with State, much of the information now made public would have gone uncovered. On November 6 of last year, after the subcommittee had released the 20th part of its hearings on State Department Security, Willard Edwards, the Chicago Tribune's experienced Washington reporter, stated:

> The subcommittee, it was learned, is now working on a report which will draw conclusions and make recommendations based on the 1,500,000 words of testimony it took in the Otepka case. The task is enormous and will take months. The eventual report will be from 50,000 to 100,000 words in length. All indications point to a historic paper, an account of intrigue designed to destroy a government official and a high-level administration conspiracy to frustrate a Senate subcommittee's investigation of the affair.

A number of months before the subcommittee had completed its hearings, Senator JAMES EASTLAND introduced S. 3388 which was designed to correct a number of security problems at the State Department which were revealed during the hearings. Cosponsoring the bill were Senators DODD, DIRKSEN and HRUSKA, indicating the bipartisan nature of this issue. Here are the nine provisions of the legislation:

First. Guarantee continued existence of the Passport Office and Visa Office, and provide against abolition of the position of Director of either Office.

Second. Assure the Office of Security will be staffed by professional security officers, under civil service. Foreign Service officers will not investigate or evaluate each other for security purpose.

Third. Guarantee that all evaluative functions in personnel security will be performed by professional security officers trained in evaluations, within Evaluations Division of the Office of Security.

Fourth. Require that a copy of any document transmitted to the State Department by the FBI or CIA and marked for the attention of the Secretary, must be transmitted immediately and directly to the Secretary's office, flagged for his personal attention.

Fifth. Provide that no Foreign Service officer or other employee of the State Department having any responsibility to, or subject to any orders or instructions from, any other agency of Government may be concerned in any way with (a) policymaking, or (b) administration of any function of the Bureau of Security and Consular Affairs or the Office of Security, or any other security function of the Department of State.

Sixth. Direct that all field investigations in State Department personnel security cases are to be conducted by an agency other than State—except that interrogations may continue to be made by State Department officers abroad.

Seventh. Assure that no State Department employee shall be prohibited from communicating directly or indirectly, orally or in writing, with Members or committees of the Congress.

Eighth. Establish legal requirement for security clearances of all U.S. nationals for employment with international organizations.

Ninth. Write into law the present provision of State Department Security Regulations prohibiting reinstatement or reemployment of a Foreign Service officer or other officer or employee of the Department discharged for security reasons.

There can be no doubt that the Congress alone must act to improve security and personnel policies in Government agencies such as the Department of State. The need for congressional action exists but alongside this need are the duty and mandate deriving from the investigative and legislative functions. As in the NSA case mentioned above, Congress can do the job. The machinery for doing it exists through presently constituted committees and subcommittees of both the House and the Senate.

A beginning must be made and I believe that Senator EASTLAND's bill, S. 3388, is that beginning. Although it is only the first step it does state nine demanding points which should be covered. To this same end I have introduced complimentary legislation, the same bill, on the House side. Investigation and disclosure are helpful and necessary but they are merely a demand for legislation; they can serve as diagnosis but only legislation can effect a cure.

HALLUCINOGENIC DRUGS MUST BE CONTROLLED

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, Congress has an excellent record of providing Federal enforcement agencies with whatever authority is needed to protect the American people—and particularly our youth—from the consequences of drug abuse.

History shows that there always has been a small element in our midst which will fight for the individual "right" of self-corruption by drug use. Opium had its champions, and so have heroin and marihuana.

Fortunately for our Nation, this lobby of permissiveness, which seems to be made up of both the vicious and the misguided, has made little headway in Congress. We have stood firm against repeated demands that penalties for illicit drug sales and use be softened or repealed.

But, unfortunately for our Nation, the development of new and potent mind-warping drugs has made our laws obsolete. LSD has become a part of our national lexicon and apparently usage is increasing.

Scientists and academicians are engaged in extended investigations into just how harmful LSD and other hallucinogenic drugs may be to the human mind and genetic structure.

And while they are engaged in this very necessary investigation, the lobby of permissiveness is counseling us to do nothing until we can precisely measure the worst effects of these drugs.

I have read a great deal of testimony and background information on this subject in recent weeks, and it seems evident that we can today demonstrate that tangible damage to individuals and society results from the promiscuous use of hallucinogenic drugs, and no definable benefits result.

I can cite heinous crimes committed under the influence of LSD. I can quote statistics about temporary and permanent mind damage which is associated with LSD.

The time has come, Mr. Speaker, to at least move ahead with minimum penalties so that our law-enforcement agencies can begin a positive control program.

It may well be that we will want to modify these laws, once all of the scientific and medical evidence is in, but to hold the matter in abeyance until that time would be a disservice to the Nation.

Mr. Speaker, I am today introducing a bill which would, for the first time, give our enforcement agencies the legal tools they need to prosecute those who illicitly sell hallucinogenic drugs.

My bill also would make it unlawful to possess LSD and similar drugs except under carefully specified conditions. While I am mindful of the fact that the users should perhaps be treated more as medical patients than as lawbreakers, there clearly is a requirement for possession penalties in order to effectively control traffic in these drugs.

SUPPORT FOR ACCURACY IN BUSINESS ACT

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, last May 15 I was pleased to join two of my colleagues, the gentleman from Nebraska [Mr. DENNEY] and the gentleman from New Jersey [Mr. HUNT] in introducing H.R. 9966, the Accuracy in Business Act, and a companion resolution, House Resolution 476. Subsequently, the gentleman from Oklahoma [Mr. SMITH] introduced similar legislation in November.

Recently, we joined together in asking the chairman of the Committee on Government Operations and the chairman of the Rules Committee to hold hearings early in 1968 on these measures. These measures are designed to give the Congress better information on the inflationary impact of appropriations which we are called upon to enact.

Mr. Speaker, this proposal has attracted nationwide attention. Recently the Omaha World-Herald and the Shelbyville Indiana News carried editorials supporting this measure and Mr. DENNY's continuing battle against the forces of inflation. I am inserting these editorials in the RECORD in the hope that other Members will take the time to read these comments and lend their support to this important proposal.

[From the Omaha World-Herald, Nov. 17, 1967]

A BUSINESSLIKE IDEA

Congressman Robert V. Denney of Nebraska is sponsoring a resolution requiring that every proposal submitted to the House of Representatives include an estimate of its cost for the next two fiscal years.

Cumulative totals would be published twice a month.

The National Federation of Independent Business reports that 82 percent of its 241 thousand members voted to support the Denney resolution. Ninety-two per cent of the Nebraska members favored it. The federation said that if every piece of legislation carried a price tag, Congressmen might vote with more concern for economy.

Mr. Denney's proposal would introduce a measure of business judgment into the deliberations of Congress. It's so sensible that we wonder why it wasn't enacted long ago.

[From the Shelbyville (Ind.) News, Oct. 31, 1967]

HOW ABOUT THE COST?

If "truth in packaging" and "truth in lending" are valid national objectives—and many people believe that they are—then it would seem that "truth in pricing legislation" is also desirable.

At least a majority—82 percent to be exact—of members of the National Federation of Independent Business, Inc., believe that if every measure introduced before the House of Representatives contained a "price tag" showing its cost to the taxpayers, then congressmen might vote with more concern for economy.

This novel approach to legislative bookkeeping was proposed by Congressman Robert Denney of Nebraska. He would like to see twice-a-month tabulations on the cumulative cost of all bills and resolutions introduced, and a similar total for all legislation passed by the House.

The proposal was put to a vote of independent business proprietors by the National Federation of Independent Business, and 82 percent of the respondents registered approval of the idea, 12 percent were opposed and 6 percent were undecided.

Businessmen, usually outspoken on the subject of government spending, apparently believe the Denney proposal would be a worthwhile step toward money management during the complex legislative process.

Aside from appropriation bills, many measures presented to Congress authorize government services and projects without any

mention of costs which will result. The costs usually show up later in department appropriation bills.

Congressman Denney's measure would require that estimates of the cost for both current fiscal year and the next fiscal year be written into each piece of proposed legislation. The Clerk of the House would publish in the Congressional Record the cumulative cost figures for (1) bills and resolutions introduced, and (2) legislation passed, on the 1st and 15th of each month.

While some deficiencies may be acknowledged—an "estimate" might be far off the actual cost, and amendments could drastically alter expenditures—most businessmen would like to see the innovation.

CALIFORNIA'S MASSIVE WATER CONSERVATION PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. TUNNEY] is recognized for 15 minutes.

Mr. TUNNEY. Mr. Speaker, there is hardly a single Member of this body who is not in some way concerned with a water resource problem of one sort or another, be it pollution, drought, or overabundance.

In the past year or more a considerable amount of our time and attention has been focused on these nagging problems and as a result we have passed some impressive milestone legislation to combat the threat to our rivers, streams, and watersheds. These legislative efforts have been reported widely, and justifiably so, by all the news media and they, equally concerned, have done a remarkable job of arousing the public to the need for better water management practices.

Now, however, I would like to take this opportunity to speak about a relatively small, and definitely less publicized, project which is nearing completion in Hemet, Calif. With an unglamourous title of "Reverse Osmosis To Remove Dissolved Solids From Reclaimed Water Used in Ground Water Recharge Program," it may be understandable that it has received scant public attention outside California's 38th Congressional District but it has a significant purpose which should interest every one of our colleagues.

The twofold purpose of this $300,000 research project is to find out whether, first, large flows of brackish water can be made usable continuously without tremendous waste problems, and second, the unit cost can be made reasonable. According to the scientists in charge, the capacity of the reverse osmosis desalting facility will be 50,000 gallons per day by next January.

If this pilot demineralizing plant proves efficient and economical, its lessons can not only be applied to neighboring water reclamation plants but to other communities in similar straits.

That is not the entire Hemet story, either. The Eastern Municipal Water District, which serves the Hemet area, has been at work the last 3 years searching for an answer to a question which faces orbiting astronauts: Can we completely clean the water we have and recycle it in a closed system? This experimental research study, now in its third and final year, is a special aspect of a modern waste-water reclamation facility that presently salvages 1.5 million gallons a day and will be expanded to 15 million gallons a day as necessary to meet future demands.

To the 30,000 Hemet citizens who voted a $6.85 million bond issue to finance the system, this can mean that they will be as independent of rain as men in a space capsule.

Although the Hemet project has some unusual characteristics, it serves as one fine illustration of the fact that in no comparable region of the world is more money spent on more projects to conserve water and salvage waste water than in the southern California counties that are dependent on the sadly imbalanced Colorado River for their water supplies. More than 60 reclamation plants are in operation in this area and they are salvaging more than 350,000 acre-feet of waste water a year.

To accomplish this, the municipal, industrial, and agricultural water users in southern California are spending many, many millions of their own dollars. For example, the Imperial Irrigation District has for several years expended more than $1 million annually on a program of lining canals to prevent seepage.

Investment in land leveling to maximize water penetration to crop roots and additional spending for tile drains to keep the soil sweet add even more to the annual total. To prevent seepage from the main All-American canal, Imperial already has buried a half mile of 14-inch, open-joint piping along its East Highline Canal to collect what water leaks from the main ditch there. Data are being collected on salvage costs and quantities, and, if hopes are realized, the system will be expanded in order to raise the district's amazing 85.6-percent conveyance efficiency rating even higher.

Water conservation programs in Riverside County are designed to cope with both municipal and agricultural water salvage, which have inherent differences. Urban water conservators must solve problems largely of organic and toxic chemical contamination. Rural husbanders of water supplies must cope primarily with dissolved mineral degradation. It is easier to disinfect water so that people will not get sick than it is to get the minerals out of solution so that crops will grow better. One domestic use of water adds about 300 parts per million of minerals in solution. One irrigation use adds three to five times as much salinity.

In the service area of the Western Municipal Water District around the city of Riverside, the people are examining the question of how best to spend from $20 million to $34 million on a system to dispose of unreclaimable waste water.

Other Riverside County reclamation projects are operating, or planned to start soon, at Beaumont, Banning, Perris, Corona, Elsinore, Twentynine Palms, Palm Springs, Palm Desert, Indio, La Sierra College, and March Air Force Base.

Irrigators of the Coachella Valley County Water District near Indio, and those of the Palo Verde Irrigation District surrounding Blythe, are already employing all applicable practices for conserving farm water. The Whitewater River drainage basin in the Coachella District has six water reclamation projects in operation. These are distributed along the waste disposal conduit as near as possible to each point of water re-use to save conveyance costs. The treatment plants are scaled for size to meet each varying water demand.

The State department of water resources estimates that the Coachella Valley is already reclaiming, by direct and indirect means, more than 75 percent of the 4.8 million gallons of domestic waste water discharged daily.

The foregoing has concerned conservation of water from the Colorado River after it is diverted to irrigation districts. The Federal Bureau of Reclamation also has invested heavily in river management improvements to save water before it is diverted. Some $18,500,000 of a $42,500,000 Federal program has been expended on tailoring the lower river channel by dredging and filling to reduce silting problems as well as to a Federal program to reduce losses from backwater evaporation and trash growth transportation which will save an average 254,000 acre-feet annually.

The amount of water which can be reclaimed in southern California for subsequent use, however, cannot possibly represent a quantity large enough to solve the deficiency problem of the Colorado River. When future development of the river occurs under legal rights now unimplemented, California's allotment will be limited to 4.4 million acre-feet a year instead of the 5.1 million acre-feet taken now because other potential users are not yet equipped to divert their allocations. The quantity of water which might be reclaimed after one domestic use in southern California obviously would not replace the lost 700,000 acre-feet by a wide margin even with its massive conservation effort.

Some proponents of the central Arizona project, striving by any means possible to convince Congress of its feasibility, allege that water wasted in the Colorado River Basin is six times that amount. But they should confess now, as they have in the past, that the Colorado cannot be made whole by circulating absurd claims or by pushing shortages around. It must be obvious that the only remedy for the Colorado River's deficiencies is a water augmentation program.

REACTION OF JOHNSON ADMINISTRATION TO DEVALUATION OF BRITISH POUND STERLING

The SPEAKER. Under a previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 5 minutes.

Mr. GROSS. Mr. Speaker, the hysteria with which the Johnson administration reacted to the news of the devaluation of the British pound sterling shows again the complete ineptitude of the President and his associates to manage the affairs of our Nation.

The conclusion of the President that

this action by Great Britain compels an increase in income taxes for the people of the United States is ridiculous.

We in America have carried Great Britain on our backs for some time. Since World War II, we have given or loaned Great Britain billions of dollars. She has been no more than a cheering section in helping us in Vietnam. She continues to trade with Communist Cuba and the Communist enemy in North Vietnam.

Yet, the President seems to believe that the American people should make greater sacrifices to pay for the devaluation of the British pound sterling, the result of which will be to increase sales of British products in the United States with a corresponding loss in sales of American goods.

It might be wise for the President to learn some lessons in economics from Prime Minister Wilson. Great Britain has, within the past months, drastically cut government spending and inaugurated an austerity program. It appears that it was too little and too late.

The action which has now been taken will increase British exports by lowering the prices of British goods on foreign markets. The action of Mr. Wilson in raising the British official bank lending rate from 6.5 percent to 8 percent will drain capital from other nations including the United States which will seriously affect our gold flow position in the world.

All of this leaves the United States at a complete disadvantage. While the Communist bloc countries sap our economic strength by wars and rumors of wars which require interminable and excessive expenditures of wealth and materials with incalculable loss of American lives, our so-called allies aid and abet by the above-described policies which we hope are unavoidable but nevertheless weaken us.

And the only solution the President can offer is higher taxes for the American people.

We have not yet reached the stage in our economy where devaluation of the dollar is necessary. But I caution the "brain trust" in the White House that unless we reduce Federal spending by at least $10 billion this year we will be headed for the disaster which has now reached Great Britain.

No less so than any individual citizen, when a government lives beyond its means, spends wildly beyond its income, goes head over heels into debt to provide what it cannot afford, it is headed for the poorhouse.

We are, Mr. Speaker, rapidly approaching the doors of that poorhouse. We have spent ourselves into the most colossal debt in all the history of civilization. Our national debt now exceeds, by a huge margin, the combined debts of all the nations of this earth.

For years now we have been borrowing money to give away to others, spewing out our wealth in a torrent, trying to be everything to everybody everywhere.

We are no longer trying to keep up with the Joneses. We are the Joneses—trying to stay ahead of the rest of the world.

Utopia, Mr. Speaker, does not lie in this direction.

MEMORY OF PRESIDENT JOHN F. KENNEDY'S ASSASSINATION

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GILBERT. Mr. Speaker, this season of the year, with the chill in the air and the leaves on the ground, inevitably evokes for all of us the baleful memory of John F. Kennedy's assassination. The bullets fired in Dallas were a traumatic experience for all of us and they left a deep scar on each of our minds. We cannot, we should not, forget that terrible day 4 years ago.

John F. Kennedy meant something different to every American. He was intelligence and decency and beauty and courage. I most like to remember him for his audacity in challenging the cliches of our time. He rejected the idea that we had to have periods of recession to alternate with periods of prosperity; he rejected the view that the cold war was permanent; he rejected the contention that the Nation must necessarily have, because it has always had, two classes of citizens. I join my colleagues in mourning John F. Kennedy's death as I dwell for a moment on the values that he imparted to us in life.

A DETROIT WOMAN SPEAKS

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. Griffiths] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, at this time, I would like to insert in the Record a letter I received from a Negro woman in my district. As we desperately search for answers in the aftermath of the summer's riots, I think it would do well for each of us to read her words. She voices the innumerable frustrations faced by the Negro in everyday life. She looks to the children of this country and the future they hold. She asks why we continue to nurture the seed of anger and hate rather than love. This woman speaks with meaning. She is a poet.

> You will probably want to destroy this letter, and never remember its contents, but it is a letter that must be written for it explains anger or madness that no one who considers himself sane wants to face.
>
> In order to understand someone else's anger you must have experienced this feeling yourself. I intend to go back a few years and relate some incidents or facts that have aroused my anger over the years.
>
> In the year of 1960 I was forced to move from Royal Oak Township because of urban renewal. I found what I considered a satisfactory house for my six children and myself. We were happy and thankful for this blessing of a home of our own. We had never noticed that the house needed immediate repairs, but the Home Improvement Companies hammered away at me for three consecutive years. I would have been iron if I had not visualized their sales pitch about the location and how this house would be a show place when completed. Yes I had the siding put on. A new roof was added, because the old one leaked. Wrought iron columns replaced the wooden ones. The patio was screened in with cheap screening; for the entire job I was charged over $3,000.00 including financing. They didn't even trim the house. I took it for granted that this was part of the job. They explained that the terms had to be FHA because this was the only terms I could get because of my poor credit rating. The deal was financed through a bank. After I foolishly signed the contract I realized that this would not pass the credit because I was loaned to the hilt. These guys had a way to get things done. I immediately became upset and contacted FHA for my house would be in jeopardy if I failed to pay.
>
> FHA answered and assured me that no one from their office had OK'd such a loan. But when the bank failed, FHA picked up the tab. They are now collecting the money. And if I don't pay I lose my home.
>
> The next angry moment in my life came in 1966. My son who was twenty years old at the time was employed at Chrysler Corp. He decided to buy a car for transportation. When he found a 1965 Mustang for $2098.00 I signed for the car. The car was to be serviced and the salesman agreed that if my son returned the car at a certain time the repairs would be done immediately. But when he returned the car, he was given the run around so badly that I returned the car myself. I was not treated any better. This thing struck me so intensely that I wrote to Henry Ford II, who in turn contacted the head man over the used car division, who contacted the head man at the dealer's who contacted me, with the sugared conversation that he was very sorry, and please bring the car for servicing.
>
> At the time I wrote to Henry Ford II, I also wrote Governor Romney complaining of the shabby treatment and the reluctance on the part of the dealer to service the car. In both letters I said something like this. "Why is it if I had approached this establishment as a rowdy, threatening to tear the place apart, I would have gotten the very best service the first day. But because I did exercise self-control and tried to be a civilized intelligent person they walked all over me?" I also stated that the madness I felt is what infests riots. I even asked Governor Romney about a law to protect the used-car buyer.
>
> I have also reserved an angry moment for the telephone company. It mainly lies in the fact that I was late paying an overdue bill of $91.92, but I did pay the bill. When my son who is home from college went to have a phone turned on in his name they accepted his $25.00 deposit, but when they found out he lived at home they demanded a $100.00 deposit. They told him that if the rest of us were going to use the phone he had to pay $100.00. Suppose at this time now that this civil disturbance has come about, something drastic happened in or around my home and I could not telephone for help. Who would be at fault? The bill has been paid for several months but I am not allowed another telephone unless I deposit $100.00. The phones were removed after the bill was paid.
>
> Who really cares about the Negro? If they find out you're colored all kinds of dirty tricks are played on you. Oh, I have a complex all right, who hasn't. I know that the Negro is made to suffer untold agonies for no reason at all except that the color of his skin is black. In the past he hasn't complained too much. But do you know what? I wouldn't have it any other way. I'm proud that I'm a Negro.

You know, I've been weighing this situation out, about this civil disturbance. It's pretty bad I realize, but I also realize that the people who started the riot may not be as angry as a lot of Negroes have been in the past. They may be just mercenaries, enjoying the adventure, violence, chaos and death. This must be the pattern for they are striking in too many different places creating the same destruction. What you must realize is that although they have started it, the angry people are carrying it on. They have been down-trodden, and their burdens have been terribly heavy. They have been shunned and mistreated wherever they have gone. If their resistance had not been worn down they would not have rampaged. Remember, they were already angry, and this explosive situation has intensified that anger.

Many of these people and especially their children are hungry. They have been deprived of the finer things of life or why would so many risk their lives to loot? Their homes are shabby and inferior. To most of them there is hopelessness in the slum existence they live in. Rats and filth and no one seeming to care about their predicament. The absence of love for fellow human beings lowers their resistance to such an extent that whatsoever comes their way they are susceptible to it. The hate that has cropped up over the last few years could only develop into riots, looting, arson and murder.

I remember a few years ago when my second husband and I separated over a very severe domestic problem, I contacted Aid to Dependent Children to get support for my six children. I was first referred to the Welfare Department who sent me to Recorders Court to get a warrant for personal support from my husband. At the court I was told, because I had no children by my second husband I was not entitled to support. I was sent back to ADC and was investigated repeatedly. The situation at home worsened. Although I was employed, I had no other compensation. The social worker gave me such a run-around that I wrote to Mayor Cavanagh who in turn referred me to the Welfare Department who referred me to ADC. Finally, my grant was approved. My social worker harassed me so that I did not receive my grant for several weeks thereafter. I again contacted the Mayor who again contacted the welfare, who in turn contacted ADC. By then my social worker was quite belligerent and he cut my transportation allowance. He seemed reluctant to give me aid for my children. This man destroyed a great deal of my self-confidence. I felt so depressed that when my husband asked me to accept him back even though I preferred not to, I did so in order to give my children and myself a little self-respect.

When I think of the many ordeals that other mothers less fortunate than myself have gone through I shudder, for I can understand their "anger". You can put people to task so very often when their only intentions are to do good toward their fellowman and their family, until their spirit is broken. This in my opinion is what is wrong in Detroit.

There was a time that children were really cared for even if there was a new father in the home. Because of this security the woman and her children were not plagued with the fact, if this doesn't work we'll go to the dogs. Many irate taxpayers complained, why should we care for the poor, the fatherless? For nearly 25 years or more the city did care, the state cared, the nation cared. The community had a backbone. Little children were not deprived of food or clothing, the poor got by. There was plenty of milk and food.

Your children whether you realize it or not are the backbone of your nation.

You were all mad a few years ago because of the high rate of illegitimacy and now you're irate over the high rate of crime. But have you or the government asked the young men that have been drafted into the armed services to fight for their country what manner of birth they had? Have you inquired whether they are illegitimate or whether they had sufficient food and clothing as they grew up? Do you divide them up and decide that they can't fight because their birth record is not what you call proper? No you don't, but these same youngsters are throttled and embarrassed by the news media and put to shame. The little money their mothers receive for support was cut and their mothers left home to seek employment while the children roamed the streets with bitterness in their hearts because they had been exploited. I can understand their "anger".

We little people are always thinking about our problems and how they can be solved. We're right down front and center with the issues of the day. Some times it would pay the city fathers and the important people of the community to listen to them.

Do you believe the poor Negro as you call him wants to be cared for by the City or State? Do you believe that he is content to let you run his life? This is most assuredly not true. You spend millions for education, but you also allow your teachers to undermine the Negro students until they are so disgusted they drop out of school and then you spend millions more creating a "no drop out program". What is wrong with your thinking anyhow?

When the school system realized that there were pupils and teachers that had not been exposed to one another before, certain rules should have been set up to protect both student and teacher. The teacher in particular should have been introduced to psychology in order to ease any tensions prevalent. It doesn't take very much harrassment to discourage a Negro child for most of them have been discouraged from the start. Why do you continually close your eyes to this situation?

In 1964, one of my letters suggested bringing the jobs to children right in their classrooms so that they would realize that it is honorable to be a public servant, and not a disgrace. What has this country done to the children of our race that they project venomous hate for policemen. When I was a child my best friend was a cop.

The police force should be the best friend everyone has instead of the most feared. Why do you wait for race relations to break down before you decide that you need a few more Negro policemen? The police department should be a part of the education system for all school children also the fire department. Why do these departments hold so much terror for so many? Wake up America this is 1967 not 1863. While you are doing your darnest to clean up overseas, your filth is swelling out of the gutters and sewers and you're finding it almost impossible to contain it.

Well now just what do you intend doing about this very vile situation. My solution is to care for the young, the children that is, the fatherless, the motherless, the proper births and the illegitimate ones. God made all races from one blood. Why should you sift them as wheat? Who gave you the authority? I still contend that children are the backbone of a nation.

China is training her very young for war and hate. Russia is training hers to further communism. Now America and especially Detroit what will you train your children for or should I say what will you drive them to? Black Power, Muslims, Ku Klux Klan, etc., or will you train them to love God first and their neighbor as themselves? Train the child in the way he should go and when he is old he will not depart from it. Don't make a distinction between them. Teach them all love; give them food; give them security. Build your backbone strong with the love you have for your children.

A year or so ago there was a young Negro girl who lived in the ghetto in Detroit who wrote a poem. To me the poem expressed her hatred for white people. Her poem was printed in the Detroit News. You understood her hate. I did not understand her hate then but am beginning to understand it now, at this point. I've written many poems starting at the age of ten and I have yet to form a poem that expresses hate. It just doesn't come out. To me this is one of your basic reasons for the turmoil and strife in Detroit. You understood why a young girl hated, but what did you do to plant the seed of love? If it was too late to help her did you investigate to see if you could save some other child from such a horrible burden?

The child and her family needed money desperately. Most low-income families need money. Money may be the root of all evil, but it is also the root of all security. It is difficult to love if you are hungry, poorly housed and clothed.

Would Detroit be riot-torn today if most of her inhabitants were well provided for? If the color of your skin did not make the difference? My answer is simply no, it would not be. If the homeowner had known when the robber would strike he would not have left his home unprotected. The same holds true to you Detroit. If you had realized years ago that depriving the Negro of his just rights and weakening his resistance to the disease of hate you too would have fortified him rather than defeat him.

Yes I understand their "anger" and I condone it, because I have a faith in God that tells me in his own time he will right all wrongs. I'm not impatient. I'm willing to wait.

Plant the seed of anger, nurture it, and you will spring forth a tree of hate. Hate is blind, it recognizes no race, no color, no creed.

Build your future Detroit on love. Love for God, love for your fellowman, but above all love for your innocent children. They only learn hate when you teach it to them. Love your children Detroit and the backbone of your city your state your nation will be strong and mighty.

Suffer the little children to come unto me and forbid them not for such as they shall enter the Kingdom of Heaven, Amen.

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AMERICA LOST A GREAT AND BELOVED PRESIDENT

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ADDABBO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ADDABBO. Mr. Speaker, today America grieves again at the tragic death of our late President John F. Kennedy. It was on this date 4 years ago that our young President was shot down in the streets of Dallas.

John F. Kennedy was a man who had everything: brilliance, wealth, dignity, a beautiful wife, and wonderful family. He is a man who could have lived a life of elegance, of luxury and ease. Instead, Kennedy chose public service, and for 17 years—as a Member of the House, the other body, and finally as President—he tried to do for his country those things he thought were right.

Mr. Speaker, not everyone agreed with President Kennedy, but even his most ardent political foes were shocked and sickened by the events in Dallas. It was a time when the American people shuddered at the idea of violence and completely repudiated it as a means to an end.

That America lost a great and beloved President in a moment of insane violence just 4 years ago should be remembered by those who have taken it upon themselves to preach a philosophy of violence today. Hate and violence are ends in themselves, and they have no place in American democracy.

Mr. Speaker, I want to again associate myself with the tributes being paid to the late John F. Kennedy.

THE CLOCK TURNED BACK IN MARYLAND

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RARICK. Mr. Speaker, against the emotional, sugar-coated ballyhoo of progress and reform anything can be put over the American people today.

Maryland, situated in the dark shadow of the nonelected Supreme Court, where its citizens behold firsthand the evil dictates of a gang of politically appointed, nonelected judges, has now been "educated" to submit to appointed judges—not chosen by the democratic vote nor selected by the people—in its new State constitution.

The lessons of history dating back to the colonial days before the American Revolution have been forgotten. Again, our leaders choose to tamper with liberties won by blood—the basic structure of justice which has contributed so greatly to our individual liberties and local government of, by, and for the people.

Why must the so-called intellectual leaders shut their eyes and ignore our products of trial and error? Who do these false intellectuals fear? Their people or the possibility of losing their power and image.

Once we were sold the great story of full equality. Then came the one-man, one-vote theory with a guaranteed right to vote. This we were given to understand would result in the purest form of government—a democracy.

Now the same heretics who must perpetually be against something or other refute last year's style and in effect are telling the people in Maryland, they can not be trusted to select by ballot their own judge—a blue-ribbon committee of intellectuals who know best must make the selection for the good of the people.

A guaranteed right to vote for everyone, but since the people are too stupid to know how to select their judge—the right to vote is cleverly denied.

What happens to the theory of equality when some profess to be above the common herd and usurp the power of the people to rule themselves.

Many times the well-meaning beady-eyed liberal, in his shortsighted, emotion-stampeded desire to right some minor wrong, tramples underfoot the same basic rights he sought to improve. Democracy in Maryland is lost to the citizens. Is the evil of appointed judges not given in the Declaration of Independence as one of the indictments against the King of England which provoked the Revolutionary War by our ancestors? Can anyone deny the responsibility of the unelected Federal judiciary for the present crime increase, moral breakdown, increased Communist influence and destruction of our people to govern themselves.

Can anyone seriously doubt that the nonelected Federal judges are politicians and render politically motivated decisions? Nor that better men could not have been selected by the American people if the positions were filled by election rather than political appointment?

Our people should be moving forward to liberate our children from the greed, graft, and personal dictates of the unelected judiciary instead of turning the clock back by allowing the politicians to take over our State courts.

Our great, great grandfathers and early ancestors who gave us our philosophy of elected officials were not much different from our present people. Except, of course, they did not have television, radio, and twisted newspapers which are sociologically oriented to think for our people.

In fact, our generation is better educated and own more worldly possessions than the old folks. The main difference between our generations seems to be that we lack their guts and ability to think for ourselves.

Progress and reforms? How? The same old lines and trials, just different actors and scenery. Discounting the emotion-packed expressions of progress and reality—and applying the terms to reality—how can they be distinguished from slavery and serfdom?

Poor Maryland. The clock is turned backward and Maryland becomes another experimental laboratory. Take notice, my friends. You are forewarned.

Mr. Speaker, I include the news account from the November 21 Washington Evening Star article to follow my remarks so our colleagues can be on the alert for this erosion of constitutional government in their States:

Delegates OK Key Reform for Judiciary

(By James B. Rowland)

Annapolis. — Constitutional Convention delegates yesterday approved the key part of a plan to remove the direct selection of judges from the voters.

Seven hours of bitter debate on the subject were sparked by changes that judicial aspirants can "buy" their nominations in Baltimore City, and that support of the plan from Montgomery County was based on a dislike for one of its judges.

The deciding vote came on a 95 to 42 ballot to defeat an amendment that would have, in effect, scuttled the plan whereby all judges would be picked by the governors from names submitted by lawyer-layman nomination commissions.

The judges would run for 10-year terms on their records without opposition in the next election on a "yes" and "no" ballot. Judges rejected by the voters would be replaced by another round of gubernatorial appointments.

The procedure is the backbone of a report by the committee on the judicial branch calling for a drastic conversion of the present fragmented court system into a standardized and unified four-tier judiciary.

Known in Maryland as the Niles plan, it repeatedly has been rejected in recent years by the General Assembly although pushed by the state bar association.

Strong minority opposition to the plan is reflected in the debate that already has taken 3½ days to cover the first 15 sections of the 31-part committee proposal. Delegates yesterday spent seven hours arguing over 14 amendments to three sections. Two riders were adopted.

Backers of the plan contend it would abolish political influences in the selection of judges and eliminate the "evil mess" now found in the judiciary.

Opponents of the committee report maintained the Niles plan removes judicial selection from the voters, and neatly places it in the hands of politically oriented bar associations.

Under the present system the governor seeks the advice of bar associations and fills most judicial vacancies by interim appointment. The judges then run in the next open election and can be opposed by any candidate meeting the legal requirements.

Sitting judges are seldom ousted by the voters. Judges of Peoples and Trial Magistrates courts are named by heads of their respective counties or by the governor, subject to Senate confirmation.

POSTMASTERS SAY THIRD-CLASS MAIL SHOULD PAY ITS WAY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Hechler] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, next week the other body is scheduled to take up the postal rates and pay bill, which has already passed the House. I was very pleased to note that the November 1967 issue of the Postmasters Advocate contains a strong editorial supporting the concept that third-class mail should pay its way.

Under the House bill, which set a rate of 3.8 cents for bulk third-class mailing, this class of mail would pay only 82 percent of its way, taking into consideration ZIP code savings and also the effects of the pay raise. The Senate committee bill raises third-class rates in two stages, to reach 4 cents in 1969. Even after the higher rate becomes fully effective in 1969, the Senate committee bill would provide only 85-percent cost coverage.

Mr. Speaker, I hope that the eventual outcome will be a 4.5-cent rate passed by the other body and this Congress. This will bring in $370 million more income from third-class mail than the present rates, and it will be close to 100-percent cost coverage. Under unanimous consent I include the editorial from the November 1967 issue of the Postmasters Advocate:

That Third-Class Mail Again

We believe in Third Class Mail. We have nothing against it, whatsoever.

And, ever since we wrote that editorial in the Advocate a couple of months ago praising it, we've sworn off calling it by the shorter, four-letter name used by many.

But, while we readily admit that 3rd Class Mail creates jobs, helps the economy, and disseminates information about products and services, we have to admit that we think it should pay its own way.

The 3rd Class Mail users might counter that the Post Office Department subsidized the airlines in their infancy, or that the United States subsidizes the farmers now.

Well, of course, the airlines don't get those big, fat subsidies now nor do they need them; and we're no expert on the farming problem so we cannot comment on the feasibility of continuing those subsidies.

But we do feel that commercial enterprises using the postal service should pay their way 100%. And we're close enough to the "grassroots" of the nation that we think our opinion is generally shared by all Americans.

The third Class Mail users have a very powerful lobby in Washington—they make themselves heard!

Here is a statement made by Representative Clarence D. Long of Maryland taken from page 28613 of the CONGRESSIONAL RECORD of October 11, 1967. He was reporting to the House of Representatives on some lobbying about 3rd Class Mail that was "unique in my experience in Congress." Representative Long had this to say:

"My legislative assistant got a call yesterday from a Harry Maginnis who, I believe is President of the Associated Third-Class Mail Users, who said his only contact with me was in connection with a solicitation to attend a fund-raising dinner, but that he wanted the Congressman—meaning me—to vote against this Hechler of West Virginia amendment (to raise rates on 3rd Class mail). My legislative assistant said she would be glad to tell the Congressman this and he would certainly consider it. He said that he did not want me just to consider it. He said, 'I want his warm body over there to vote against it.' Now, this is the kind of lobbying we can do without. The Members of this body know the type of pressure that Congressmen are up against . . . . But this kind of lobbying predisposes me at the moment to vote for the Hechler of West Virginia amendment."

The people of the United States don't have such lobby to protect their interests in the halls of Congress. They do have the ballot, however, which can be exercized from time to time.

We hope that the Congress, in its wisdom, seeks out, and tries to reflect, the views of the majority of the electorate as regards rates for Third Class Mail.

Unless we miss our guess—and our study was very thorough—the citizenry wants this type of mail to pay its own way.

JOHN F. KENNEDY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, today we recall a tragic event which shocked the entire world and inflicted a profound loss upon our Nation. On November 22, 1963, our beloved President John F. Kennedy was cruelly taken from us. His passing diminished many of the hopes and expectations that his spirit, valor, and freshness of vision had engendered in us.

This is a day for mourning but it is also a day of thanksgiving. For John Kennedy left an indelible impression upon our society. He impressed upon us a new awareness of the cultural, economic, and educational inequities that surround us and he challenged us to do something about these shortcomings. Fortunately this challenge has been reechoed by the late President's successor and many of John Kennedy's dreams have become realities under the leadership of President Johnson. But much remains to be done.

We can best honor the memory of John F. Kennedy today by rededicating ourselves to meeting his challenge, "Ask not what your country can do for you—ask what you can do for your country."

OBSERVE MAY 29 AS PRESIDENT KENNEDY'S BIRTHDAY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the 4 years which have elapsed since the assassination of our beloved President, John Fitzgerald Kennedy, have not assuaged the profound sadness with which this day is tinged.

Perhaps in the late autumn of the year we feel more poignantly the loss of this young leader whose life, words, and deeds are indelibly etched in our minds and hearts as the symbol of a new age for mankind.

Better, perhaps, that we should invoke his memory—as with our other great and martyred President—Abraham Lincoln—on the anniversary of his birth. Better it would be that generations to come will remember not that November day of unspeakable horror, but will honor the day in May when this vibrant spirit was born in a State which has contributed so richly to our Nation's heritage.

Our 35th President embarked upon a crusade against the ancient injustices plaguing mankind with an illumined vision and vigor which continues to inspire our people and our Government. Lost to the world in the prime of manhood, the memory of John Fitzgerald Kennedy remains ever fresh in our minds, as do those shining and stirring years when he championed the cause of peace and the elevation of human dignity throughout the world.

This sad anniversary should be a time of rededication to the ideals of John Fitzgerald Kennedy, so that our deeds may be measured by his dreams for a greater and better America in a greater and better world.

A MODEL CITY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, on Friday, November 17, the Wilkes-Barre Record published an editorial entitled "A Model City." This editorial concluded that—

> The Model Cities program is a creative and imaginative undertaking aimed at making life in the cities not just bearable, but rewarding. Wilkes-Barre can be proud that it is to participate in a program whose potential for influencing urban living in the United States is unlimited.

As representative of the people of Wilkes-Barre, I was particularly delighted to learn that their application had met the program requirements and thus been selected a model city. I agree with the Record in its assessment of the excellent local leadership that made this possible. It will give Wilkes-Barre an opportunity to work with our local problems and to show cities across the country that solutions are not impossible.

Secretary Robert C. Weaver, in announcing these grant recipients, said:

> The neighborhoods that have been selected for the first round of the program represent every section of the country. They are in communities of all sizes. They have an incredible diversity and complexity of problems. They represent the hard core both of need and of opportunity in meeting our urban problems. They are on the cutting edge of American life. For in them we shall start now to transform blight and decay into health and hope.

I can assure Secretary Weaver that Wilkes-Barre will respond to this call to "transform blight and decay into health and hope." It is a city that is not afraid to take a hard look at its problems and plan the most effective measures to deal with its problems. And we have the dynamic local leadership necessary to carry forth this pledge.

So that my colleagues might read this interesting editorial appearing in the Wilkes-Barre Record I would like to include it in the CONGRESSIONAL RECORD:

A MODEL CITY

The possibility that Wilkes-Barre might become a "model city," that is, a city to which other communities might one day look for inspiration in solving some of America's pressing urban problems, seemed remote when the formal application was filed earlier this year. The City was, after all, but one of perhaps two hundred which might seek to be included in a program for which funds had yet to be voted and were likely to be limited. That Wilkes-Barre was one of those chosen is due primarily to the leadership of Mayor Frank P. Slattery and members of Council, those whose knowledge, skill, and inspiration were evident in the application itself, and the influence in Washington of Representative Daniel J. Flood.

The program was originally called the "demonstration cities" program, which is more descriptive of its purpose, for the chosen cities are ultimately to demonstrate to the rest of the nation what can be done to eradicate some of the evils which are at the root of many social ills. The expression "demonstration cities" was dropped, however, because some persons thought its purpose was to give money to cities in which demonstrations had taken place.

Under the model cities program, resources of federal, State, and local governments, together with private efforts, are to be coordinated to develop "model" neighborhoods. In contrast with earlier redevelopment efforts, the model cities program is designed to consider every aspect of the environment of the area in which it functions. Actual physical rehabilitation is to be carried out with as little relocation of families and businesses as possible so that the essential character of the area will not be markedly changed. Moreover, residents of the neighborhood—the Heights, in this case—will be involved in planning and carrying out the changes in their area, and community facilities for health, education, transportation, shopping, recreation, and culture are to be included in the plan.

The model cities program is a creative and imaginative undertaking aimed at making life in the cities not just bearable, but rewarding. Wilkes-Barre can be proud that it is to participate in a program whose potential for influencing urban living in the United States is unlimited.

FUTURE NEEDS OF PANAMA CANAL: A WISE AND EFFECTIVE SOLUTION BY H.R. 13834

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, the January 1964 Panamanian Red-led mob assaults on the Canal Zone, which required the use of the U.S. Army to protect the lives of our citizens and the Panama Canal itself, dramatized the interoceanic canal problem to a greater extent than any event since the 1898 dash during the Spanish-American War of the U.S.S. *Oregon* from the Pacific coast around Cape Horn to join our fleet off Santiago. Unfortunately, the real significance of this assault was not presented to our people at the time as it should have been and required a long period for clarification. A comprehensive summary of this attack on the Canal Zone will be found in the CONGRESSIONAL RECORD of March 9, 1964, in my address, "Panama Canal: Focus of Power Politics," which address was reprinted in House Document No. 474, 89th Congress.

There were two direct consequences in 1964 of the Panamanian assault: First, agreement by the executive branch of our Government to renegotiate the 1903 treaty with Panama that had granted the United States sovereignty over the Canal Zone in perpetuity for the construction, maintenance, operation, sanitation, and protection of the Panama Canal; and the enactment, as the result of administration pressure, of Public Law 88–609, 88th Congress, providing for an investigation to determine the feasibility of one predetermined type of canal to replace the existing waterway.

In two addresses to the Congress on April 1 and July 29, 1965, on the subject of "Interoceanic Canal Problem: Inquiry or Cover Up?" which also are reprinted in House Document No. 474, 89th Congress, I gave the legislative history of Public Law 88–609, summarized the key canal issues, supplied much essential information, and outlined a program of action for our Government based upon the realities of the situation and not theoretical hypotheses.

Mr. Speaker, the program adopted by our Government was not one for realistic, constructive action but one that linked the surrender of U.S. sovereignty over the existing canal with the old dream idea of a canal at sea level, and with some person acting as our chief negotiator and chairman of the sea level canal study group.

Despite the efforts to keep the texts of the treaties secret and to prevent discussions in the Senate, English versions of them, though not yet signed, were published in Panama and sold on the streets there for $1.25. They have been quoted in statements to the Senate by the distinguished senior Senator from South Carolina [Mr. THURMOND] in the RECORDS of July 17, 21, and 27, 1967, following the outstanding exposé of the proposed treaty texts by the Chicago Tribune.

The reactions to the terms of the proposed treaties have been violent. In Panama, despite the support of its Government, they have been the target for sharp attack on the ground that they do not give Panama enough; in the United States, they are opposed because of their surrender of U.S. sovereignty over the Canal Zone and the Panama Canal, and some 150 Members of this House specifically joined in introducing resolutions opposing the fatal concessions that our negotiators had accepted and supported in this connection.

The Subcommittee on Inter-American Affairs of the House Committee on Foreign Affairs, before which a number of Representatives including myself testified, has held lengthy hearings on the indicated resolutions but has not authorized their printing.

Mr. Speaker, these hearings contain much that is pertinent in the formulation of our Isthmian policy and they should be printed without delay and not held up as is being done, for Members of the Congress and the Nation should have them for study now and not be kept uninformed until faced with a fait accompli.

The opposition, both in Panama and the United States, in blocking the proposed treaties has now cleared the way for long overdue remedial legislation as regards the increase of capacity and the major operational improvement of the existing Panama Canal. To this end, I introduced, on November 2, 1967, a bill providing for the major modernization of the Panama Canal, which will be quoted later.

In these connections, Mr. Speaker, I would invite the attention of all Members of the Congress to the following facts:

First. In 1939, the Congress, in Public Law No. 391, 76th Congress, authorized the construction of a third set of locks for the Panama Canal at a cost not to exceed $277,000,000.

Second. Construction started in 1940 on a rush basis but was suspended, because of alleged more urgent war needs, in May 1942.

Third. The total expenditure on this project was $76,357,405, including excavations of new lock sites at Gatun and Miraflores, which are yet usable for third locks purposes.

Fourth. No excavation was started at Pedro Miguel.

Fifth. During World War II, the operations of the canal were comprehensively studied in the canal organization as a natural result of war experience.

Sixth. Out of these studies there was developed a plan for the elimination of Pedro Miguel locks, which plan was recommended by Gov. Glen E. Edgerton to the Secretary of War for "thorough investigation," and which won the support of the Secretary of the Navy, and the approval of the President of the United States as a postwar project.

Seventh. In making his recommendation to the Secretary of War, Governor Edgerton warned him that advocates of the sea level type would oppose "unjustifiably" any major improvement of the existing canal on the ground that it would delay the time when authorization of a sea level canal might otherwise be obtained.

Eighth. As predicted by Governor Edgerton, the 1945–48 canal studies were directed toward securing authorization of a sea level project in the Canal Zone territory on the fallacious assumption of its greater security against atomic attack, but it failed to receive Presidential approval and was ignored by the Congress.

Ninth. The 1964–67 investigation still in progress, as previously indicated, was directed under an inadequately considered statute toward one predetermined objective that has served to exclude consideration of what many informed and experienced engineers, navigators, and other experts consider the best and most economical solution when the problem is evaluated from all angles.

Tenth. The current enlargement of Gaillard cut scheduled for completion in 1971 at a total estimated cost of $81,257,097 is a second important step for the modernization of the existing high level lake and lock canal of greater magnitude than the excavations for the third locks project.

Eleventh. The plan proposed in the bill enables the maximum utilization of all work so far accomplished on the Panama Canal, including that on the third locks project and the later Gaillard cut enlargement.

Twelfth. The plan is also covered under existing treaty provisions and does not require the negotiation of a new one, which fact is a paramount consideration.

Thirteenth. It will also serve the best economic interests of Panama, the United States, and the world at large by supplying the best operational canal practicable of achievement at the least cost.

Mr. Speaker, what is needed for increased transit capacity at Panama is both obvious and simple: a two-way ship channel between the Atlantic and Pacific locks with ample and logically arranged lock capacity at each end of the summit level. The enlargement of Gaillard cut will supply the two-way ship channel. The additional lock capacity can be provided by the construction of a third set of larger locks at Gatun and the consolidation of all Pacific locks south of Miraflores to correspond with the capacity and lock layout at the Atlantic end. Moreover, any lock plan that does not provide for the elimination of the Pedro Miguel locks is not worthy of the least consideration whatever, and no tax money should be wasted on it. In the opinion of competent engineers, navigators, and other experts, the indicated plan is not only best for engineering but also best for navigation.

Since, as previously stated, the way has been cleared by the blocking of the three ill-advised proposed treaties, the time has come for positive, constructive action by the Congress. To that end, I introduced, on November 2, 1967, a bill to modernize our long-neglected waterway and adequately meet the present and future needs of the canal for the indefinite future.

The text of the indicated bill, a letter of the Panama Canal Company giving the status of Public Law No. 391, 76th Congress, and another giving the total estimated cost of the enlargement of Gaillard cut, follow:

H.R. 13834

A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Panama Canal Modernization Act of 1968".

Sec. 2. (a) The Governor of the Canal Zone, under the supervision of the Secretary of the Army, is authorized and directed to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the Third Locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, Seventy-sixth Congress), and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), with usable lock dimensions of one hundred and forty feet by one thousand two hundred feet by forty-five feet, and including the following: elimination of the Pedro Miguel Locks, and consolidation of all Pacific locks near Miraflores in new lock structures to correspond with the locks arrangements at Gatun, raise the summit water level to approximately ninety-two feet, and provide a summit-level lake anchorage at the Pacific end of the canal, together with such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities, as may be deemed necessary, at a total cost not to exceed $850,000,000.

(b) The provisions of the second sentence and the second paragraph of the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), shall apply with respect to the work authorized by subsection (a) of this section. As used in such Act, the terms "Governor of the Panama Canal", "Secretary of War", and "Panama Railroad Company" shall be held and considered to refer to the "Governor of the Canal Zone", "Secretary of the Army", and "Panama Canal Company", respectively, for the purposes of this Act.

Sec. 3. (a) There is hereby established a board, to be known as the "Panama Canal Advisory and Inspection Board" (hereinafter referred to as the "Board").

(b) The Board shall be composed of five members who are citizens of the United States of America. Members of the Board shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) one member from private life, experienced and skilled in private business (including engineering);

(2) two members from private life, experienced and skilled in the science of engineering;

(3) one member who is a commissioned officer of the Corps of Engineers, United States Army (retired); and

(4) one member who is a commissioned officer of the line, United States Navy (retired).

(c) The President shall designate as Chairman of the Board one of the members experienced and skilled in the science of engineering.

(d) The President shall fill each vacancy on the Board in the same manner as the original appointment.

(e) The Board shall cease to exist on that date designated by the President as the date on which its work under this Act is completed.

(f) The Chairman of the Board shall be paid basic pay at the rate provided for level II of the Executive Schedule in section 5313 of title 5, United States Code. The other members of the Board appointed from private life shall be paid basic pay at a per annum rate which is $500 less than the rate of basic pay of the Chairman. The members of the Board who are retired officers of the United States Army and the United States Navy each shall be paid at a rate of basic pay which, when added to his pay and allowances as a retired officer, will establish his total rate of pay from the United States at a per annum rate which is $500 less than the rate of basic pay of the Chairman.

(g) The Board shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, a Secretary and such other personnel as may be necessary to carry out its functions and activities and shall fix their rates of basic pay in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates. The Secretary and other personnel of the Board shall serve at the pleasure of the Board.

Sec. 4. (a) The Board is authorized and directed to study and review all plans and designs for the Third Locks project referred to in section 2(a) of this Act, to make on-the-site studies and inspections of the Third Locks project, and to obtain current information on all phases of planning and construction with respect to such project. The Governor of the Canal Zone shall furnish and make available to the Board at all times current information with respect to such plans, designs, and construction. No construction work shall be commenced at any stage of the Third Locks project unless the plans and designs for such work, and all changes and modifications of such plans and designs, have been submitted by the Governor of the Canal Zone to, and have had the prior approval of, the Board. The Board shall report promptly to the Governor of the Canal Zone the results of its studies and reviews of all plans and designs, including changes and modifications thereof, which have been submitted to the Board by the Governor of the Canal Zone, together with its approval of disapproval thereof, or its recommendations for changes or modifications thereof, and its reasons therefor.

(b) The Board shall submit to the President and to the Congress an annual report covering its activities and functions under this Act and the progress of the work on the Third Locks project and may submit, in its discretion, interim reports to the President and to the Congress with respect to these matters.

Sec. 5. For the purpose of conducting all studies, reviews, inquiries, and investigations deemed necessary by the Board in carrying out its functions and activities under this Act, the Board is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Board is given power to designate and authorize any member, or other personnel, of the Board, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Board may deem relevant or material to the performance of the functions and activities of the Board. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

Sec. 6. In carrying out its functions and activities under this Act, the Board is authorized to obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code, at rates not in excess of $200 per diem.

Sec. 7. Upon request of the Board, the head of any department, agency, or establishment in the executive branch of the Federal Government is authorized to detail, on a reimbursable or nonreimbursable basis, for such period or periods as may be agreed upon by the Board and the head of the department, agency, or establishment concerned, any of the personnel of such department, agency, or establishment to assist the Board in carrying out its functions and activities under this Act.

Sec. 8. The Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

Sec. 9. The Administrator of General Services shall provide, on a reimbursable basis, such administrative support services for the Board as the Board may request.

Sec. 10. The Board may make expenditures for travel and subsistence expenses of members and personnel of the Board in accordance with chapter 57 of title 5, United States Code, for rent of quarters at the seat of government and in the Canal Zone, and for such printing and binding as the Board deems necessary to carry out effectively its functions and activities under this Act.

Sec. 11. All expenses of the Board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Board or by such other member or employee of the Board as the Chairman may designate.

Sec. 12. There are hereby authorized to be appropriated to the Board each fiscal year such sums as may be necessary to carry out its functions and activities under this Act.

PANAMA CANAL COMPANY,
Washington, D.C., October 2, 1967.

Hon. DANIEL J. FLOOD,
House of Representatives.

DEAR MR. FLOOD: This is in response to your letter of September 29, 1967, inquiring as to the status of Public Law 391, 76th Congress, approved August 11, 1939 (53 Stat. 1409), authorizing the construction of a third set of locks at the Panama Canal, and the appropriations and expenditures made under the Act.

The Act of August 11, 1939 has never been repealed or directly amended.

As enacted, the Act of August 11, 1939 contained this proviso:

"Provided, however, that all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States."

Section 2 of the War Department Civil Appropriation Act of 1941, Public Law 653, 76th Congress, approved June 24, 1940, which contained appropriations for the Panama Canal, included a similar provision limiting employment in the Canal Zone in the enumerated categories of jobs to citizens of the United States or of Panama, with the following proviso:

"Provided, however, that notwithstanding the provisions of the Act approved August 11, 1939 (53 Stat. 1409) limiting employment in the above mentioned positions to citizens of the United States from and after the date of approval of said Act, citizens of Pamana may be employed in such positions."

The same provision in regard to Canal Zone employment, with the same proviso referring to the Act of August 11, 1939, was incorporated in each succeeding appropriation act for the Panama Canal through fiscal year 1959 and in the military appropriation acts for fiscal year 1941 and each year thereafter through fiscal year 1959.

At that time special provision in the appropriation acts for employment of Panamanian citizens in the Canal Zone had been made unnecessary by the provisions of Item 1 of the Memorandum of Understandings Reached, accompanying the 1955 treaty with Panama, (TIAS 3297) and implementing permanent legislation adopted in 1958 extending to citizens of Panama full equality of employment opportunity in the Canal Zone. (Public Law 85-550, approved July 25, 1958, 72 Stat. 405).

Appropriations for the third locks project in a total amount of $106,758,800 were provided in the War Department Civil Appropriation Acts of 1941, 1942 and 1943.

In 1942, the project was modified to provide for completion of contracts for excavation of new Gotun locks, partial completion of the excavations for the new Miraflores and Pedro Miguel locks, completion of designs and specifications, completion of the bridge over the existing Miraflores Locks, relocation of various utilities, and construction of emergency power plants.

In 1944, the funds previously appropriated appeared to be more than sufficient to complete the modified program and the War Department Civil Appropriation Act, 1945 (58 Stat. 332) returned $30,257,572 of those funds to the Treasury.

However, an additional appropriation of $810,600 was provided for the project under the War Department Civil Appropriation Act, 1946, and appropriations were made in subsequent appropriation acts for completion of the project and for studies of improving the capacity of the Canal under Public Law 280, approved December 28, 1945, as follows:

War Department Civil Appropriation Act, 1947	$2,618,000
War Department Civil Appropriation Act, 1948	750,000
Civil Functions Appropriation Act, 1949	100,000

The total expenditure on the third locks project was $76,357,405.

Sincerely,

W. M. WHITMAN,
Secretary.

PANAMA CANAL COMPANY,
Washington, D.C., November 8, 1967.

Hon. DANIEL J. FLOOD,
House of Representatives.

DEAR MR. FLOOD: This is in response to your request for information concerning the project to widen Gaillard Cut in the Panama Canal.

The widening of about one and one-third miles of the Cut (Culebra Reach) was accomplished between 1935 and 1955 with Panama Canal personnel and equipment working on this project when not otherwise engaged in maintenance operations. In 1958 the Company commenced the present program to improve the channel and increase capacity of the canal by a series of related projects that included completion of the widening of the Cut throughout its remaining length of approximately eight miles.

Total expenditures on the project from 1935 to 1967 were $65,187,897. The 1968 budget program of the Company contemplates completion of the project in 1971 at an additional cost of $16,069,200. On completion of this program, the total cost of widening the Cut would be $81,257,097.

The Board of Directors is currently considering modifications of the program which would include completion of the program early in 1970 and deepening by six feet the widened portion of the part of the Cut being widened. The additional cost of this modification is estimated at $900,000, which would bring the total cost of the whole project to $82,157,097.

In addition to the widening project between 1915 and 1951 miscellaneous channel improvements, principally consisting of improvements in alignment of the channel in Gaillard Cut, were made at a total cost of $20,093,700.

A tabulation of the cost of widening the Cut by fiscal years is attached for convenient reference.

Sincerely,

W. M. WHITMAN,
Secretary.

Expenditures for widening Gaillard cut, Panama Canal

Actual expenditures, fiscal years 1935–67:	
1935–55	$15, 654, 700
1957	19, 554
1958	333, 746
1959	1, 421, 600
1960	8, 135, 226
1961	6, 830, 918
1962	6, 481, 792
1963	3, 673, 825
1964	1, 847, 387
1965	227, 680
1966	3, 276
1967	1, 320, 806
Total actual	65, 187, 897
Estimated expenditures, fiscal years 1968–71:	
1968	5, 279, 200
1969	4, 500, 000
1970	4, 000, 000
1971	2, 900, 000
Total estimated	16, 069, 200
Grand total	81, 257, 097

COLOMBIA ASSERTS ITS TREATY RIGHTS IN PANAMA CANAL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, in my discussions in this Chamber of the fatal consequences that would be involved should the pending proposed treaties with Panama be ratified, I have often mentioned the failure of our treatymaking authorities to consider the treaty obligations of the United States with Colombia with respect to the use of the Panama Canal and Railroad. These rights are set forth in the Thomson-Urrutia Treaty of April 6, 1914, proclaimed on March 30, 1922.

In this treaty, Colombia, as the sovereign of the isthmus prior to the independence of Panama, recognized the title to the Panama Canal and Railroad as "vested entirely and absolutely in the United States." In response, the United States granted Colombia rights comparable to those of Panama, including the transit of ships of war and troops without charge. Except for this treaty, Colombia would never have recognized the independence of Panama.

It is, indeed, interesting that my predictions as regards the stand that Colombia would take have been fully verified by recent formal actions of the Colombian Government in notifying our own Government that Colombia expects its treaty rights in these connections to be observed by Panama and the United States although the proposed treaties with Panama contain no mention of these rights.

Thus the treaty negotiators, both of Panama and the United States, appear to have wholly ignored the solemn treaty rights of Colombia in this connection; and such treatment is illustrative of the ruthless course pursued in the treaty negotiations.

Recently, the Colombian Government served notice on our Government that its treaty rights as to the use of the canal would be maintained by Colombia and that it expected Panama and the United States to respect these rights. Up to this time, apparently, our Government has made no response to Colombia's demands.

Recent issues of the Spanish-language press of Panama have featured these developments in Colombia. Résumés of them, published in the Daily Digest by the Panama Canal Information Office, follow as part of my remarks:

[From the Panama Canal Information Office Daily Digest, Nov. 13, 1967]

(NOTE.—This Digest is an informal résumé of items selected from Isthmus newspapers and broadcasts as being of interest to Canal Zone officials. It does not purport in any sense to summarize the full content of the press or to translate in detail any articles therein.)

LA ESTRELLA, NOVEMBER 10

In the news columns:

" 'Colombia declares it will not renounce transit rights through the canal,' says an eight-column headline across the top of the front page over an Associated Press Bogota datelined story. Colombia has notified the United States government that it will not give up its rights and toll exemptions on transits through the Panama Canal granted under treaty of 1914, says the story. The same story appears in the English edition of La Estrella."

EL MUNDO, NOVEMBER 11

In the news columns:

"A AFP Washington dateline story on the front page refers to the problem of Colombia's special privileges in the Panama Canal and says that both the U.S. and Panama are opposed to any special privilege extended to a third country but have made no decision on the matter. Persons in the know think there are several solutions to the problem without hurting Colombia's privileges. says the story."

PANAMA AMERICA, NOVEMBER 11

In the news columns:

"The Colombian government has expressed certainty that its rights through the Panama Canal will be maintained in the new treaties between the U.S. and Panama, says a UPI Bogota dateline story on the front page. According to a Colombian government communique, this position was presented to the government of Panama and the U.S. and no objection has been received from either one at the present time, says the story."

COMMUNIST PLANS FOR PANAMA CANAL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, during the present session of the Congress distinguished Members of the Congress, in both Senate and House, have commented on Communist plans for the Panama Canal but none more effectively than the distinguished Senator from South Carolina [Mr. THURMOND].

In two notable addresses over the "Manion Forum" on October 8 and 15, 1967, Senator THURMOND discusses the proposed canal treaties with Panama and shows how they support the Communist program. Because of the new light that the indicated addresses show, I quote them as part of my remarks, as follows, and urge that they be read by all Members of the Congress:

COMMUNIST PLANS FOR THE PANAMA CANAL—PROPOSED TREATIES WOULD GIVE AWAY U.S. JURISDICTION, SOVEREIGNTY, LAND, AND PROPERTY

Dean MANION: As most of you undoubtedly know, President Johnson is proposing to dispose of our Panama Canal. He will ask the United States Senate to ratify treaties with the Panamanian Government which would voluntarily relinquish a large part of the valuable investment that American taxpayers have made in this vital waterway and expose our commerce and our military security to the tender mercies of unpredictable Panamanian politics.

Our Presidential Administration has told the American people little or nothing about this startling project, but through the vigilance of the Chicago Tribune and the patriotic efforts of certain able Senators and Congressmen, the truth about the amazing Panama proposal has finally broken into the news.

In the forefront of the courageous group now fighting to retain and protect our sovereign interest in the Canal Zone is United States Senator Strom Thurmond, of South Carolina. I want you to hear this distinguished man's statement of the American people's case against the proposed surrender in Panama.

Senator Thurmond, I am grateful for your appearance here. Welcome back to the Manion Forum.

Senator THURMOND: Thank you, Dean Manion. Last June President Johnson and President Marco Robles announced that the United States and the Republic of Panama had completed negotiations on three new treaties regarding the Panama Canal. Although the official texts of these treaties have never been released, the details are fully known.

From the American point of view, there is only one way to describe their contents. These treaties are the greatest give-away since God gave man the world for his dominion. They give away U.S. jurisdiction and sovereignty. They give away U.S. land, property, operating facilities and engineering works. In short, they give away the entire U.S. Canal—and indeed any new canal that the U.S. might build in Panama—to a dubious operating authority whose sole strength is the slender reed of promises by the Republic of Panama.

The first and most important treaty is the basic renegotiated Panama Canal Treaty. It sets up an organization described as an "International Juridical Entity" which would be the administrative agency for operating the Canal. All property that now belongs to the United States Government there would be turned over free of charge to the operating agency. The present Canal Zone would be diminished from the 10-mile wide strip to an area approximately one mile wide. The Canal administration would operate its own court system and its own police forces in the Canal area.

So you can see that it will be very crucial for the safety of the Canal to make sure that the United States has control. Ultimate control of the Canal is in a governing board of nine men. The U.S. has a one-man majority on this board, but Congress will relinquish all control over the appointment of these men and will have no recourse if even one of them should turn out to be incompetent or acts against the best interests of the country.

Furthermore, the executive control is in the hands of a Director General and his deputy. The terms of office of these men alternate between the United States citizens and Panamanian citizens. At the present time, the President of the United States can assume direct control instantaneously if dangerous conditions are warranted. Under the five-four board, control would be so diluted that it would be impossible to be sure that effective action could be taken in time.

Another aspect of this treaty is that the formula for payments are strongly biased against the United States. Panama's share is based on $0.17 per long ton, going up to $0.22 year by year. After these payments are made, estimated to be about $20 million per year, then all other expenses of the Canal are to be paid, including overhead, capital improvement, and operating funds. The last priority is held out for the United States payment, which is only $0.08 per long ton and going up to $0.10. These increased payments will undoubtedly result in increased tolls which could easily be as high as 25 per cent.

The second treaty is the proposed status of forces treaty, which defines the rights and privileges of our military forces stationed to defend the Canal. One of the most serious drawbacks of this treaty is that it provides for a committee to confer when any special action is necessary to defend outbreaks of insurrection or enemy attack. It stipulates that in the event the committee fails to come to agreement on what measure can be taken, the controversy will be directed toward the respective governments through proper channels. This is an extremely cumbersome arrangement.

Another feature of this treaty is a provision that the Panamanian flag shall fly over all United States bases on Panamanian soil. The U.S. flag cannot fly unless Panama gives special permission.

The third treaty gives us an option to build a so-called sea level canal somewhere in Panama. At this point we do not know whether a sea level canal is technically or economically feasible. Congress currently has authorized a study which will take at least three years to complete. At the very least, these treaties should be held up until the study is complete.

But in spite of this give-away, recent dispatches from Panama report that there is tremendous opposition growing within the ranks of Panamanian politics to approval of the treaties. We hear that President Marcos Robles is being attacked on all sides.

When the treaty negotiators sat down two years ago, the United States held almost all the cards. We had, first of all, sovereignty—operating sovereignty in the Canal Zone. Secondly, we had won independence for Panama and furnished her with the main source of development and support. Thirdly, we have had a history of generous concessions and easy relations with Panama since the first treaty was signed in 1903.

The only card that Panama held was the somewhat dubious power of blackmail, a power growing out of extreme Nationalist activities. There was absolutely no reason why a strong powerful nation like the United States should give in to the petty blackmail on the fluctuating Panamanian political scene. Yet, when the negotiation game was over, Panama got up with the whole pot. We played as though we wanted to lose. Many of our United States liberals, particularly those who are most liberal with the taxpayers' investments, have been genuinely puzzled by the ominous turn which events have taken in recent days, with the stirring up of opposition to the treaties.

However, those who have been watching the Panamanian scene closely were not surprised. From statements in the Spanish language press in Panama, it was clear that the Nationalists were prepared to urge extreme measures. Among their objectives were: First, that Panama aspires to have the same relation to the Panama Canal that Egypt has to the Suez Canal and proposes to nationalize it. Second, that Panama repudiates the idea of internationalization. Third, that Panama is determined to have complete sovereignty over the Canal Zone. Fourth, that Panama is considering closing its territorial waters around the Canal Zone—a jurisdiction not recognized by the United States—as a trap to get its demands.

From these and other objectives, it was soon to be clear that the contents of the proposed treaties would not satisfy the demands of Panamanian politics. Insofar as the United States maintained any kind of indirect control at all, or retained any power, however bridled, to protect the Canal and its installations—to that extent the Panamanian nationalists would remain dissatisfied.

The latest word is that even the most responsible of the forces opposing the treaty are demanding that President Robles renegotiate four principle items which give minimum safeguards for the extensive U.S. interests in the Canal. As a matter of fact actual U.S. control exerted through these four points is so weak as to be extremely dangerous to our interests.

The special Canal courts would be employing a new body of law which would not necessarily have the same protection as U.S. law. The police force would be under the control of a weak authority which would have difficulty coping with unexpected or large disturbances. The five to four margin on the governing body of the administration depends entirely upon the character and ability and inclination of the men who are appointed to the United States seats by the United States President.

Finally the provisions for the United States defense bases in Panama are weakened by the giving of priority to Panamanian uses. Although the Panamanians want more than this these protections are ridiculously weak when compared to the firm position which we now enjoy and seem intent upon abandoning. The question then is, why is Panamanian Nationalism intent upon rejecting the United States give-away?

The answer is that in terms of political action Panamanian Nationalism is nearly impossible to distinguish from Communism. Now I grant that the motives of many Nationalists may be quite different from those of the Communists. I grant that many Panamanian politicians are not looking beyond their shores. On the other hand, the Communists have had their eye on the Panama Canal from the very first days when Communism seized power in the Soviet Union.

In the famous memoirs of John Reed, "Ten Days That Shook the World," this American observer of the Bolshevik Revolution reported that the Soviet representative to the Paris Peace Conference in 1919, Comrade Skobelev, was instructed by the Soviet Executive Committee to demand that "all straits opening into inland seas as well as the Suez and Panama Canals be neutralized." This grand strategy of the Communists has endured down to the most recent days when, during the Suez crisis in June, the Soviets once more demanded that all great waterways be internationalized.

It is easy to see why the Soviets have their eye on the Panama Canal. This is, of course, an important waterway in world trade, but it is even more important as a vital artery to American trade. Those who wish to bury the United States must begin by blocking the Panama Canal.

And in time of war, the Canal takes on an entirely new significance. During the Second World War, 5,300 combat vessels used the Canal and 8,500 other ships carried troops or military cargo through it. Similarly, during the Korean War over 1,000 U.S. Government vessels transited the Canal to carry troops, supplies and war materiel to U.S. troops in Korea. Despite the fact that there are those who say the Canal is outmoded in an age of nuclear warfare, it continues to be an important supply line to Viet Nam.

If the Canal were blocked now, a large part of the U.S. railroad capacity would have to be used to shuttle troops and supplies from Atlantic to Pacific. And even if the Canal were closed in peace time, the cost to the United States would be great. Millions of dollars would be added to U.S. shipping costs, and as much as two weeks time in ocean shipments.

Japan, one of the largest buyers of U.S. coal, would probably have to seek other sources of supply. California and other West Coast states would begin to feel an almost instantaneous blight. Steel shortages would quickly begin to affect almost all West Coast manufacturing. It is no wonder, then, that the Communists have given the Canal the No. 1 long-range priority.

Americans have difficulty in imagining how a fiercely Nationalist country like Panama could become the tool of Communist policy. A recent publication of the Senate Internal Security Subcommittee chose Panama as a hypothetical case in the study of Soviet propaganda techniques. Allow me to quote:

"On the day the government of Panama falls under the control of some Popular-National-Progressive Anti-imperialist Front of Liberation, the United States could be maneuvered into relinquishment of the Panama Canal without using a single missile from its billion dollar armament. This is a very real and possible imminent development. The Front might consist of 500 students, 60 Sergeants, 50 professors, 40 journalists, 30 lawyers and 20 longshoremen, gathered from the back rooms of a dozen cafes, and united around 10 Soviet agents at a cost to Moscow of some half million dollars."

Now let us turn to another study published in a theoretical periodical, the *World Marxist Review*, which is, of course, a public organ of the international Communist conspiracy. The *World Marxist Review* laid forth the Communist strategy for the takeover of Panama in an article published in March, 1965. Let me quote:

"The People's Party of Panama (the Communist Party) has charted the road along which revolution can be carried out. The only solution seen at present is the transfer of the power to the people—workers, peasants, forward-looking intellectuals in the middle sections, and groups of the bourgeoisie who want radical reforms. Considering the realities of the present situation, it is doubtful if these reforms can be achieved the parliamentary way.

"In the opinion of our party, the national liberation revolution in Panama will pass through *two* stages. In the first stage, the task will be to set up a national, democratic, peoples-government which will consistently carry out an agrarian reform, pursue an independent foreign policy, do away with corruption, take vigorous steps to develop the national industry, and embark on deep-going economic and social reforms.

"It is extremely important in the first stage to pursue a policy of unity, an alliance with all the forces interested in these changes (irrespective of their ideology). The party resolutions state that only a revolutionary peoples government, uniting all segments of the nation opposed to the oligarchy will be able in the second stage of the revolution to combat the U.S. and its monopolies, to remove the imperialist ulcer and pave the way to nationalization of the Canal.

"The immediate aim of this struggle is to deflate the oligarchy, compel it to show itself in its true colors as the direct agent of U.S. imperialism, and thus shorten its days. The ultimate aim is to achieve the complete liberation of the country. To this end, the Communists will use all forms of activity."

This article explains clearly why the Nationalist agitation in Panama has grown so intense. According to the rules of Communist strategy, President Robles represents the so-called "oligarchy." Therefore, the Communists are attacking him and his treaty. In the first stage of the Communist plan, it is clear that they will ally themselves with the Nationalists so closely that it will be impossible to distinguish one from the other. Insofar as we assist the plans of the Nationalists, we are advancing the first stage of the Communist strategy.

It is my belief that the present treaties play into the hands of this Communist strategy. The treaty terms are framed in such a way as to give the Communists their rallying point. They will press for a government, to quote the *World Marxist Review*, "uniting all segments of the nation opposed to the oligarchy." This means the downfall of the Robles regime according to the Communist plan.

This is the stage we are witnessing now in the vicious attacks against the treaties in the Robles government. We must not forget that the second stage of the plan is "to combat the U.S. and its monopolies . . . and pave the way to nationalization of the Canal."

The impossibility of distinguishing true Nationalist aims from issues which the Communists can use to agitate their two-part plan should make us wary of any arrangement in the Canal Zone which would weaken our control.

If we accept these treaties in the hope of solidifying a fairly moderate government in Panama, the only thing we will accomplish is to make that government the target of increasing strong Communist pressures. By throwing upon a small nation a responsibility which it doesn't have the capability to exercise, we are endangering the freedom and independence of that government.

I do believe that any arrangement under which the United States gives up its effective sovereignty can be made to work for the benefit of the United States. There cannot possibly be any better way of protecting the Canal than to protect it ourselves.

We have the sovereignty and jurisdiction over the Canal by treaty. We own the land by separate purchase. We are twice owners of the Canal by treaty and purchase. There is no compelling reason to turn over its administration to a complicated international administration under the direct sovereignty of a weak country.

If we accept the blackmail of Panamanian politics, then we will be following a policy which accurately complements the two-stage Communist plan outlined in the *World Marxist Review*. We see that plan already operating, and if we are to avoid a stunning defeat, we must immediately change course.

DEAN MANION. Thank you, Senator Strom Thurmond for this wise counsel and sound patriotic advice.

Ladies and gentlemen, for the sake of the national security of the United States these treaties should not and must not be confirmed. Send this discussion by Senator Thurmond to your Senators and help develop a tide of patriotic public opinion that will prevent a give-away of this most valuable property of your country.

TRIBUTE TO JOHN F. KENNEDY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. KYROS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KYROS. Mr. Speaker, although I realize no eulogy can fully recall the greatness of spirit of John F. Kennedy in his dedication to mankind, I nevertheless would like to offer the following brief statement in tribute to our late President on this anniversary of his untimely death:

Beloved by his countrymen and respected throughout the world, John F. Kennedy inspired those who knew him to emulate his dedication to ideals and resourcefulness of purpose.

I shall always remember the weekend of November 22, 1963, as the longest weekend of my life. The impact of the sudden death of our great President, as it was felt throughout the world, was perhaps best described by Ferdinand E. Marcos, President of the Senate of the Philippines. He said:

> In a few moments of shock, on the report of his death, the whole of mankind glimpsed the life and purpose of John F. Kennedy. The hearts of men pounded in unison their cadence of sorrow; great chords of sympathy seemed to arise all over the world as from a universal cathedral.

The eternal flame which now marks his gravesite in Arlington Memorial Cemetery is a symbol of the fire which John F. Kennedy kindled in the minds and hearts of his fellow man.

Many words have been written in an effort to describe the human qualities and spirit of this great man. I should like to repeat those of Theodore C. Sorenson, when he said of John Kennedy that:

> He was eloquent but never pompous, tough but always gentle, an idealist but still a realist. He knew when to reflect and when to act. He was a student of the past and a prophet of the future, a thinker and doer who both studied history and changed it. He always saw the larger picture while demanding all details. He thought of the next generation as well as his own—and he understood the difference between patience and hesitation.

John F. Kennedy was a remarkable man. His service to his country will endure long after his death as others take up the challenge of what they can do for their country, rather than asking what their country can do for them.

OUR APPROACHING ECONOMIC CRISIS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr.

Wyatt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WYATT. Mr. Speaker, the United States is heading rapidly toward a real economic crisis. The situation is of such serious magnitude that I am devoting this entire issue of the "Washington Spotlight" to its discussion.

The present fiscal trend in this Nation poses a more severe threat to us in the Pacific Northwest than elsewhere in the country because home building and construction will be the first industries to feel the bite of runaway inflation. The wood products industry will be immediately affected.

Instead of the $8.9 billion deficit forecast by the President for the next fiscal year, it now appears that our real deficit gap will be in the neighborhood of an outrageous $29 billion for fiscal 1967–68. Next year's promises to be at least as large. Combined, the 2 years' deficits spell very real fiscal problems.

When the Government enters the money market at the multibillion-dollar level to finance the deficit and pay for its operations, interest rates, already at a 40-year high, will skyrocket even higher. Inflation can run rampant.

THE RESPONSIBILITY

The imprudent fiscal policies of this administration have created the awful situation we now face. Why the President's economic and financial experts could not anticipate this crisis is hard to understand. President Johnson made the decision that we could have both guns and butter. Since then the rubberstamp Congress in 1965 and 1966 has passed an overwhelming number and variety of new programs.

Most of these programs were begun with modest appropriations, but with huge, built-in increases. Last January Mr. Johnson proposed 16 new programs alone, in the middle of a wartime economy. In the past 7 years 70 new programs have been launched, 46 of these in 1965.

The Government payroll has increased by 479,650 persons during this period. Over 149,900 have been added within the past year. Many of us have warned that these hasty actions would create serious fiscal problems and fan the fires of inflation.

The gross miscalculation of costs for the Vietnam war is unbelievable and unpardonable. Gimmicks have been used by the administration to make past deficits look smaller than they actually are.

These one-shot fiscal manipulations are now used up. The high finance levels of the new programs are unavoidably with us. So, unhappily, are the irresponsible policies which have brought the fiscal chickens home to roost.

APPROPRIATIONS AND EXPENDITURES

The news media have been critical of Congress in its impasse this year with the administration over a tax increase and a reduction of Federal spending. Many people do not understand the mechanics of this spending.

After programs have been authorized by Congress, the Appropriations Committee recommends the amount of money for each program in a separate bill. The Congress then votes separately on the funds for each program.

However, this money that has been appropriated frequently is not spent. It may be held up by the Bureau of the Budget, or because the money, for some special reason, cannot be spent in the fiscal year for which is was approved.

These dollars accumulate, and can be spent on the authority of the President at any time thereafter. He has thus taken over the real "spending" authority of the Government.

At present there are nearly $125 billion in this "pipeline", appropriated but unspent. All or part of this money may be spent by the President at any time, through order of the Bureau of the Budget. Thus, reductions in appropriations by the Congress in any given fiscal year do not necessarily control in any way the actual amount of money spent by the Government in that fiscal year.

The amount of actual spending is controlled, therefore, directly by the President. It is this spending which determines if there is a deficit for a fiscal year and, if so, how much of one.

The House of Representatives this year has reduced appropriations below Johnson administration requests by over $6 billion. This is more than $1 billion less than was allocated by the Congress for the previous fiscal year.

In spite of the Congressional cutbacks, the President has authorized expenditures totaling $11 billion more than the previous fiscal year, thus completely disregarding the general demand for a reduction in Government spending.

THE ANSWER

I agree fully with Congressman Wilbur Mills, chairman of the House Ways and Means Committee. The administration must make an absolutely firm commitment to achieve a substantial reduction in expenditures. Only after this is accomplished can we even consider the necessity for and possible effects of a tax increase. Any other course of action would be sheer hypocrisy and folly on the part of the Congress.

What the President has failed to tell anyone is that even with a substantial reduction in spending, and even with a tax increase, under his proposed spending program we will still have a whopping deficit. This can force interest rates higher and spiral inflation upward at a very fast rate. As a result, the deficit and the total national debt will be increasingly difficult to finance and manage.

The President did not submit a specific tax proposal to the Congress until August of this year. It was November 20 before he showed any interest at all in even considering reduced expenditures. In the meantime, the Johnson administration has all year fought vigorously against a determined congressional effort to reduce appropriations and to force a reduction in expenditures.

Major spending cutbacks are called for. Efforts must be made immediately to work toward a balanced budget and sound fiscal policy. Our eventual goal must be to hold our annual expenditures within our annual income.

With our Nation now involved in a major armed conflict in Southeast Asia, we cannot have "guns and butter." We certainly cannot have them to the extent proposed by the administration. To continue on this course leaves the country wide open for financial disaster.

To fully fund scores of new programs at home and abroad while carrying on a vast war effort, all through borrowing and increasing the annual deficit, can only have the most dire effects on our economy and the soundness of the U.S. dollar. The administration must take steps to cut expenditures now if we are to avoid the terrible fiscal crisis now facing this country.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Gross, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Roybal.

(The following Member (at the request of Mr. Edwards of Alabama) and to include extraneous matter:)

Mr. Robison.

(The following Member (at the request of Mr. Tunney) and to include extraneous matter:)

Mr. Roush.

ADJOURNMENT TO MONDAY, NOVEMBER 27, 1967

Mr. TUNNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with Senate Concurrent Resolution 51, the Chair declares the House adjourned until 12 o'clock noon on Monday, November 27, 1967.

Thereupon (at 12 o'clock and 45 minutes p.m.), pursuant to Senate Concurrent Resolution 51, the House adjourned until Monday, November 27, 1967, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H.R. 4282. A bill to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries (Rept. No. 984). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., with amendment (Rept. No. 985). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 2195. An act to amend the marketing quota provisions of the Agriculture Adjustment Act of 1938, as amended (Rept. No. 986). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 14143. A bill to amend Public Law 89–214 in order to liberalize the payment of death gratuities under section 3 thereof; to the Committee on Veterans' Affairs.

By Mr. WILLIS:

H.R. 14144. A bill to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 14145. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of depressant, stimulant, and hallucinogenic drugs by unauthorized persons, to increase penalties for the unauthorized sale, delivery, or disposition of such drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL (by request):

H.R. 14146. A bill to amend the Federal Aviation Act of 1958 to authorize the establishment of aircraft noise standards and the use of such standards in aircraft type certification, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON:

H.R. 14147. A bill to amend the act of June 8, 1906, to direct the Secretary of the Interior to permit the limited removal of fossil fish by anyone from public lands designated by the Secretary; to the Committee on Interior and Insular Affairs.

H.R. 14148. A bill to authorize the distribution of certain funds on deposit in the Treasury of the United States to the credit of the Arapahoe Tribe of the Wind River Reservation; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

209. Mr. FRASER presented a petition of the City Council of Minneapolis, relative to flying the United Nations flag with the flag of the United States from the city hall tower in Minneapolis, Minn., which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

The President Vigorously Defends an Enviable Record

EXTENSION OF REMARKS
OF
HON. EDWARD R. ROYBAL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 22, 1967

Mr. ROYBAL. Mr. Speaker, in what James Reston, of the New York Times, called "as effective a performance as has been seen at a White House news conference in years," President Johnson vigorously defended the record of his administration before the eyes of the Nation and the press.

What came through was the essential Lyndon Johnson: the man Reston said:

> . . . has extended the Negro's franchise . . . raised the standard of education and of living . . . and . . . has presided over the most spectacular peacetime economic boom in the history of the United States.

That record alone would entitle any President to be called a great leader. But what Reston cited was only part of the remarkable Johnson record of accomplishment in 4 years.

Mr. Speaker, President Johnson was highly effective in his press conference on Friday not because of some new technique, as some seem to think, but because he was defending one of the finest records ever compiled by any President of the United States.

More has been done in the last 4 years for the education of our children, for the improved health of the population, for the revival of our cities, for the raising up of the Negro and other minorities, for the general good and wellbeing of this Nation than had been done by some Presidents in a century.

President Johnson's own words are in place here:

> We have made revolutionary strides in education and health and conservation. . . . We feel we have brought a degree of stability in our international relations in this hemisphere through the Alliance for Progress . . . we think we have, working with other nations, made material advances in helping underdeveloped nations in Africa. . . .
>
> We're happy that nine million more people have good paying jobs today than had when I came into this office. . . .

Any man would be proud of a record like that. Any man would be proud to bring it to the American people as President Johnson did last week in the White House.

I hope the American people will not be confused by false rhetoric and glittering personalities in the days ahead.

We do not elect a personality as President of the United States. We do not vote for a face or a name. We vote for a man and his record, and Lyndon B. Johnson has that record.

Support Our Men in Vietnam

EXTENSION OF REMARKS
OF
HON. J. EDWARD ROUSH
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 22, 1967

Mr. ROUSH. Mr. Speaker, at a time when those who oppose our policy in Vietnam seem to get all of the headlines, it is heartwarming to know that there are a great many people who are offering encouragement to those men who are serving and sacrificing in far places. I received a real thrill when I learned of a project in my own District designed to support and encourage the men in Vietnam. The project was conceived by Miss JoAnn Cowgill, a secretary in the St. Regis Paper Co. plant in Marion, Ind. The project caught the imagination of other employees who generously contributed both time and gifts to the project. Approximately 200 men from Grant County, Ind., who are now serving in Vietnam received boxes from home containing homemade cookies, candy, cigarettes, fruitcake, pocketbooks, Koolaid, and soap. The company donated the postage and purchased several items to complete the well-rounded gift boxes. What a source of encouragement it must be to those men, who after reading some of the headlines here at home must believe that they are fighting a lonely battle, to know that there are people like Miss Cowgill and her coworkers who believe in them and appreciate their sacrifice. We cannot give those who participated in this project enough credit but we can give them our heartfelt thanks.

Missing Priorities

EXTENSION OF REMARKS
OF
HON. HOWARD W. ROBISON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 22, 1967

Mr. ROBISON. Mr. Speaker, one of the more interesting statements made by the President at that recent press conference of his that has attracted so much attention was this charge—and indictment:

> I feel that one of our failures in the Administration has been our inability to convince the Congress of the wisdom of fiscal responsibility.

Well, of course, the President is entitled to his point of view in this respect but, even so, I would be tempted to take up the cudgel in defense of this House—that in recent months has been trying to walk a tortuous path toward its own but dimly-perceived goal of fiscal responsibility—except for the fact that the Nation has probably already had its fill of pot-versus-kettle type arguments over this particular issue.

Of far more value to all of us, it seems to me, would be an attempt to pursue the basic reasons why neither President nor Congress has, of late, been able to demonstrate much other than lipservice to the idea of fiscal responsibility; and every time I get to thinking about this problem, as I suppose most of us are again in connection with the President's about-face in favor of some sort of attempt at spending restraint, I get back to what has to be the key word toward understanding our problem—which word is "priorities."

In today's Wall Street Journal, Alan L. Otten has a useful column on this which, under leave to do so, I now include with these remarks for the consideration of my colleagues:

Missing Priorities

> Washington.—President Johnson has taken to attacking Congress of late for applying "a disordered sense of priorities" to domestic spending programs, and almost surely the nation will be hearing more of this as the Presidential campaign heats up.
>
> Yet the President has poor grounds for his protest, because the Congressional actions are the natural and quite expectable product of a vacuum created by Mr. Johnson himself: His own reluctance to set forth clearly, and advocate firmly, some very definite spending priorities of his own.
>
> Given this vacuum, Congress was bound to make its own decisions, and almost inevitably it has favored older, firmly established, better-lobbied programs over newer, more controversial ones.
>
> For a long while after the Vietnam war began consuming so much Federal revenue, the President continued to argue that the nation could afford all the guns it needed and all the butter it wanted, too. Gradually, though, he began to admit that perhaps the nation couldn't have quite all that butter but certainly it could afford to give a little more to practically every Federal program, old and new.
>
> Now, with his notice to the House Ways and Means Committee that he's willing to propose some sizable spending cuts, he finally seems ready to concede the butter portions must be reduced—but all signs are that he'll still try to accomplish this simply by taking a little away from each.
>
> Mr. Johnson, in short, doesn't yet seem willing to acknowledge that the times and the Government's money squeeze require a very different approach: The setting of definite priorities among domestic programs, with perhaps large increases for top-priority items and level spending or even sharp cutback for less urgent ones.
>
> There really is no evidence—in the budget or any other Administration pro, nouncement—that Mr. Johnson has indeed confronted more than the most superficial problems of priority-setting. Where is the evidence that the White House has weighed whether to switch moon-landing money into the reconstruction of rotting central cities, divert dam and dredging dollars into slum children's education and Negro job creation, spend highway and airplane millions on pure air and water instead?
>
> It's possible that the spending cuts the President proposes to Congress next week may seem to deal with a few of these questions, but chances are that any effort in this direction will, at this late date be more sham than real. And the Presidential proposals will almost certainly avoid tackling such other basic questions as whether the Administration is spending too much to help older people and too little to help younger ones or too much to help teenagers and too little on pre-schoolers or too much on medical research and too little on building medical schools.
>
> The President has clearly been ducking these and dozens of other tough decisions. Presumably motivated by a politician's desire to keep everyone as happy as possible (or at least to make everyone as little unhappy as possible) he has encouraged all programs almost equally—model cities and supersonic transports, aid to old folks and aid to young education and pork-barrel projects. First they were increased together. Then the increases were scaled back together. This may all be good politics (although some would argue it's not even that) but it certainly is poor leadership.
>
> It's easy to understand the President's reluctance. The choices are indeed difficult, the competing claims convincing. Politically, it's almost impossible to make the "right" decision, to avoid enraging somebody. And the views of key lawmakers aggravate an already complex chore.
>
> Moreover, the President had an unhappy experience last year when he tried just a mild priority-setting. He proposed cutbacks in school-lunch funds, in aid to land-grant colleges and in a few other programs—and the howls were deafening. First lawmakers accused him of trying to pull a fast one, proposing cuts he knew Congress would reject. Then they proceeded to reject the cuts.
>
> The Congressional system, indeed, almost guarantees fragmented and often erroneous decisions. Long-established programs—such as farm price supports, highway building, health research or aid to aviation—tend to build up widespread, almost unquestioning support. Voting for them becomes a habit with many lawmakers; to convince others, advocates can tick off evidence of accomplishment and progress. In contrast, new programs like model cities have to be taken on faith, or develop early snags that create antagonisms (the war on poverty is an example).
>
> Lobbyists for the older programs tend to be the more influential. Mayors hunting massive Federal aid aren't yet as experienced as Government workers seeking a fat pay raise. People wanting cleaner air and water aren't as well organized as veterans. Little children don't have the political clout of old folks. And so on.
>
> Somehow, too, the Congressional committees handling the older programs push them with more unity and conviction than the committees handling newer ones display; in part, this results from the differences in lobbying impact. The seniority system provides the top members of committees handling older programs more prestige and following among their colleagues. Not too facetiously, one observer suggests that perhaps the surest way to obtain a more intelligent Congressional assessment of competing national needs is to switch committee jurisdictions every year—letting the space committee pass on the farm budget, the education committee on the space budget, for example.
>
> Shortcomings inherent in the Congressional approach make it imperative that the President fix the priorities—not only making the hard choices between competing claims but also dramatizing the decisions and rallying the nation behind them.
>
> The President can take a small step in this direction in the spending cuts he's to propose next week, and a bigger step in the budget he's to send Congress in January. If he ducks again, he must expect that Congress again will fix its own priorities—and that these will be no more to his liking than this year's.

Disregarding, for the moment, the special failings of this particular Congress, Mr. Otten's major point that shortcomings in the present congressional approach to the funding process make it imperative that the President fix priorities—making "the hard choices between competing claims and also dramatizing the decisions and rallying the Nation behind them"—is, I believe, well taken.

At the same time, merely to rest on that point is too much like saying—which is another matter of some division between us—that, in this difficult and dangerous day and age, only the President is qualified to deliberate and determine such foreign policy courses as our Nation is to pursue; and I, for one, would hope that a responsible Congress would reject both such assumptions.

If, therefore, Congress is to regain better control over Federal spending processes—as I would hope we can agree it should—it must find better tools than it now has at hand for doing so. A modernized, and hopefully more realistic, budgetary concept will help—as would some updating of the appropriation process, itself, for the same is no longer adequate to meet the challenges posed by the multibillion-dollar budgets of today.

But, in the end, I suspect Congress will have to reach outside itself for help, doing so perhaps along the lines suggested by H.R. 10520 as introduced by the distinguished and able gentleman from Arkansas [Mr. Mills]. Under this proposal—which is not altogether dissimilar from my own bill, H.R. 82, to establish a Commission on the Organization of the Executive Branch of Government—a Commission to be known as the Government Program Evaluation Commission would be created. As envisioned by the gentleman from Arkansas [Mr. Mills], the latter would be an independent, bipartisan Commission whose job would be to determine the effectiveness of all old, new, and proposed Federal programs, weighing their relative priorities and recommending their continuation—or discontinuation—and, if the former, their level of funding.

The President, I understand, has indicated he is not averse to having such a task force—as he put it—especially since, I assume, he would have some say in selecting its members, but the critics of this proposal have said, or will say, that this is something the administration is already doing, now, through its programing, planning, and budgeting system—PPBS—and is something Congress, for its part, ought to be able to adequately do through its committee system. But such critics of the Mills proposal—and of its several variations—fail to address themselves, as the gentleman from Arkansas [Mr. Mills] did, to the fact that, in his words:

> Congress has far too little time to review and evaluate what is already done . . . (because it is always being) called upon to do something more.

Or to the validity of the warning made by Daniel P. Moynihan, former Assistant Secretary of Labor, that it may not be altogether wise for the executive branch to have—now in his words—"a virtual monopoly on evaluation research."

As Mr. Moynihan further said, in commenting on this "monopoly":

> Congress, the State legislatures, the City Councils, are simply told what have been the supposed results of such research. They do not have to agree; but they are hard put to disagree.
>
> There is nothing sinister about this state of affairs. Serious evaluation research is only just approaching the state of a developed, as against an experimental, technique. Inevitably it has been sponsored in the first instance by executive departments. However, precisely because the findings of such re-

search are not neutral, it would be dangerous to permit this imbalance to persist. Too often, the executive is exposed to the temptation to release only those findings that suit its purposes, (and) there is no one to keep them honest.

Therefore, Mr. Speaker, the Mills-Moynihan idea—or should it be the other way around?—makes a good deal of sense to me, in that—to borrow another Moynihan phrase—Congress should have a program outside the executive branch to "evaluate the evaluators," and I should think this would remain true no matter how well the PPB system that the Bureau of the Budget has initiated works out, for the challenges of tomorrow are so great as to demand the utmost in vision and informed objectivity of all of us if they are to be surmounted.

I would therefore, Mr. Speaker, urge our early consideration of Mr. MILLS' bill—H.R. 10520—along with its several variations, and also our consideration of bills such as H.R. 131 as introduced by myself, along with numerous of my colleagues, which would create a National Commission on Public Management that would study into and recommend methods by which both the executive branch and the Congress could begin to make better application than we have of our newer technological capabilities—as embodied in the so-called systems analysis approach—for finding comprehensive solution to our manifold domestic problems. I am certain that this tool, which private industry has developed and used with such success, could be adapted to our needs here—and I further believe it is a tool we badly need.

Mr. Speaker, there are undoubtedly several routes leading to fiscal responsibility, but the one we have been following this year does not go in that direction.

HOUSE OF REPRESENTATIVES

MONDAY, NOVEMBER 27, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If ye fulfill the royal law according to the scripture, thou shalt love thy neighbor as thyself, ye do well.—James 2: 8.

O God, our Father, whose light is above us, whose love is about us, and whose life is within us, grant unto us a joy of spirit and a courage of heart as we enter upon the tasks of another week. Give us to feel that we can meet every demand made upon us and manage every duty which comes our way because Thy spirit lives in our hearts. With Thee may we face our work in the high mood of integrity and the upward moving spirit of good will.

In this land we love with all our hearts may there be a greater unity of purpose as we seek to remove discrimination and poverty and as we endeavor to promote liberty and justice for all. In the Master's name we offer this our morning prayer. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, November 22, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On November 15, 1967:

H.R. 5091. An act to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States.

On November 17, 1967:

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland; and

H.R. 13165. An act to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President.

On November 18, 1967:

H.R. 4538. An act for the relief of Dr. John E. Yannakakis.

On November 20, 1967:

H.R. 11641. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes.

On November 22, 1967:

H.R. 2757. An act for the relief of Comdr. Albert G. Berry, Jr.; and

H.R. 6692. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12080. An act to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12080) entitled "An act to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. GORE, Mr. TALMADGE, Mr. WILLIAMS of Delaware, Mr. CARLSON, and Mr. CURTIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10595) entitled "An act to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. MUSKIE, Mr. BENNETT, and Mr. HICKENLOOPER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1036. An act to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities; and

S. 1073. An act to remove arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the United States, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 170, 74th Congress, appointed Mr. LAUSCHE to be a delegate, on the part of the Senate, to attend the Interparliamentary Union meeting to be held in Rome, Italy, December 3 through December 9, 1967.

The message also announced that the Vice President, pursuant to Public Law 81–754, appointed Mr. PELL to be a member, on the part of the Senate, of the National Historical Publications Commission.

APPROVAL OF CONSTRUCTION AND ALTERATION OF PUBLIC BUILDINGS

The **SPEAKER** laid before the House the following communication from the chairman of the Committee on Public Works, which was referred to the Committee on Appropriations:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON PUBLIC WORKS,
Washington, D.C., November 13, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
The Capitol,
Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959 for the construction and alteration of public buildings, the Committee on Public Works of the House of Representatives on November 9, 1967, approved modifications and increases in previously approved prospectuses as follows:

NEW HAVEN, CONN.

Post Office, Courthouse and Federal Office Building (to provide expanded court facilities in the converted Post Office and Courthouse and provide space in an adjacent Post Office and Federal Office Building to permit consolidation of Federal activities):

Estimated cost	Approved project	Revised project	
		PO-FOB	PO-CT (alt.)
Site, design, engineering, etc.	$535,000	$952,000	$390,000
Improvements	7,005,000	5,858,000	2,780,000
Total	7,540,000	6,810,000	3,170,000

WATERVILLE, MAINE

Post Office and Federal Office Building (to provide for increase in postal space requirements):

Estimated cost	Approved project	Revised project
Site, design, engineering, etc.	$433,000	$665,000
Improvements	987,000	1,459,000
Total	1,420,000	2,124,000

FITCHBURG, MASS.

Post Office and Federal Office Building (to provide for increase in the postal requirements):

Estimated cost	Approved project	Revised project
Site, design, engineering, etc.	$504,000	$764,000
Improvements	1,268,000	2,692,000
Total	1,772,000	3,456,000

DETROIT, MICH.

Internal Revenue Service Data Center (to provide for increase in space requirements):

Estimated cost	Approved project	Revised project
Site, design, engineering, etc.	$595,000	$1,072,000
Improvements	3,250,000	6,783,000
Total	3,845,000	7,855,000

GRAND RAPIDS, MICH.

Courthouse and Federal Office Building (to provide an underground parking garage):

Estimated cost	Approved project	Revised project
Site, design, engineering, etc.	$1,783,000	$1,281,000
Improvements	4,419,000	7,467,000
Total	6,202,000	8,748,000

RAPID CITY, S. DAK.

Federal Office Building (to provide space for the U.S. Courts):

Estimated cost	Approved project	Revised project
Site, design, engineering, etc.	$491,000	$757,000
Improvements	1,516,000	2,460,000
Total	2,007,000	3,217,000

Total: Six projects.

Sincerely yours,

GEORGE H. FALLON,
Chairman.

PRESIDENT OF SENEGAL VOICES FRIENDSHIP FOR THE UNITED STATES

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as all the world knows, the past decade has seen an emergence of new nation-states without parallel in recorded history. While these young nations, their citizens and their leaders, struggle with the formidable problems of nation building, new political concepts inevitably appear on the horizon. One such concept—nonalinement—is not as yet sharply defined, nor does it carry the same meaning in every country.

One of Africa's most remarkable men, Leopold Sedar Senghor—President of the Republic of Senegal, poet, philosopher, educator, and statesman—recently gave a press interview in which he explained his conception of nonalinement. In the process, he painted a gratifying picture of his appreciation of Americans and of the qualities of our people which he would like to transmit to his own young nation. I am inserting in the RECORD a translation of this statement by President Senghor as published in the Senegalese newspaper, Dakar Matin, of November 15, 1967:

> Our policy is one of non-alinement. We are faithful to our traditional friendships and are looking for new friendships. We continue to preserve the best relations with our former Metropole, France. We were among the first in OCAM (the Organisation Commune Africaine et Malgache) to recognize the USSR. But we have always had very good relations with the United States. English has become obligatory in our secondary schools. We take from Socialist countries what is good from their system—the idea of social justice. What is good among Americans is less in the technical and scientific domain than in the realm of creative imagination. The Americans are not enclosed in castes of literary, philosophical and scientific traditions. They have a youthfulness, a mobility of spirit and of imagination that makes them the best managers of industrial civilization. Having decided to organize our public administration and work in a scientific, rational, and efficient manner, we intend to follow the example of Americans and we are actually sending our best economists to study in the United States.

UNITED STATES SHOULD FREEZE ALL FRENCH ASSETS HERE

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, attendant with the devaluation of the British pound, French President de Gaulle has attempted to undermine the U.S. dollar by leading a raid on our gold reserves. He stated today the dollar will follow the pound.

Because of his previous actions and because of this current raid, the United States should immediately demand full payment and interest, about $6 billion, on France's World War I 50-year-old debt. If this debt is not paid in full, or a payment plan worked out immediately, the United States should freeze all French assets in this country.

De Gaulle's convenient memory has closed his mind to the debt owed this country since World War I. He must be reminded of this debt and required to begin payment.

I ask that the moratorium on French indebtedness must be ended, and all French assets in this country frozen.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER. The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I understand that this message from the President deals with the Reciprocal Trade and Tariff Agreements Act, and it is my opinion that all Members of the House should be given the opportunity to hear it.

Therefore, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 409]

Abbitt
Annunzio
Arends
Ashley
Ashmore
Bates
Bell
Berry
Blanton
Blatnik
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Byrnes, Wis.
Cederberg
Celler
Clark
Clawson, Del
Conyers
Corman
Cowger
Culver
Curtis
Dent
Dickinson
Diggs
Edmondson
Evins, Tenn.
Findley
Flynt
Fountain
Frelinghuysen
Galifianakis
Green, Oreg.
Gurney
Hagan
Halleck
Halpern
Hansen, Wash.
Hardy
Hays
Hébert
Heckler, Mass.
Helstoski
Hosmer
Jarman
Johnson, Pa.
Jonas
Kornegay
Landrum
Long, La.
Lukens
Macdonald, Mass.
Madden
Mathias, Md.
Matsunaga
Mills
Moore
Morgan
Morse, Mass.
Moss
O'Hara, Mich.
Pickle
Pool
Rarick
Resnick
Rivers
Roberts
Rodino
Roush
Roybal
St. Onge
Saylor
Schweiker
Sikes
Smith, Calif.
Smith, N.Y.
Stanton
Steed
Stephens
Stratton
Stubblefield
Stuckey
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Udall
Williams, Miss.
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall 335 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TRADE EXPANSION ACT OF 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 184)

The SPEAKER. The Clerk will read the message from the President of the United States.

The following message from the President of the United States was read and, together with the accompanying papers, referrred to the Committee on Ways and Means, and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to section 226 of the Trade Expansion Act of 1962, a copy of the multilateral trade agreement signed in Geneva on June 30, 1967.

The agreement brings to a successful conclusion what we all know as the Kennedy round of trade negotiations. It fulfills the purposes and high hopes of the Trade Expansion Act passed by the Congress in 1962.

The documents contain a mass of detail. On paper those details appear dry and technical. In reality they represent new factories, more jobs, lower prices to consumers, and higher incomes for American workers and for our trading partners throughout the world.

These decisions recorded in these documents rest on solid experience. The remarkable postwar expansion of international trade brought strength and growth to the free world economy. It enriched the lives of people everywhere—and thus it served the cause of peace. We and our trading partners had an enormous stake in the further removal of trade barriers. Trade expansion would continue to benefit us all—the more so because of our growing prosperity. Protectionism and trade wars would hurt us all—the more so because of our growing interdependence.

This report celebrates the wisdom of these decisions and the success of this tremendous effort. As a consequence, international trade can continue to be the world's biggest growth industry. We must continue to provide leadership in international trade policy to realize its vast potentialities and share fully in its benefits.

The results of the trade negotiations are of unprecedented scale. We received tariff concessions from other countries on between $7½ to $8 billion of our industrial and agricultural exports. We reduced duties on about the same volume of our imports. The gains will be even greater in future years as world trade grows.

In approaching the trade negotiations, two fundamental standards governed our actions.

First, we sought—and achieved—reciprocity in trade concessions. Our consumers will benefit by lower import costs. Our export industries will benefit by greater market opportunities abroad.

Second, we sought to safeguard domestic industries that were especially vulnerable to import competition. We accomplished this through procedures worked out in accordance with guidelines wisely established by Congress in the Trade Expansion Act.

On October 21, 1963, we issued the first of a series of public notices of our intention to negotiate. Public hearings were held by the Tariff Commission and by the interagency Trade Information Committee. From these hearings, and from special studies carried out by the Office of Emergency Planning, we were given advice on each article under review for possible concession. When this export examination revealed that a particular industrial and agricultural product was exceptionally vulnerable to import competition, it was withheld from negotiation. These background studies also guided our negotiators in determining how large a concession we could reasonably make on each item.

Because of the care exercised in these preparations, the selectivity with which reductions were made, and the fact that most of these reductions will come into effect gradually over a 5-year period, we can be assured that the vital interests of American labor, agriculture, and industry have been safeguarded.

Throughout the negotiations my special representative for trade negotiations worked closely with the bipartisan congressional advisers.

The thoroughness of our preparation has borne fruit. As we made many concessions, so did our leading trading partners—the West European nations, Canada, and Japan. The major features of the basic agreement illustrate its depth and potential benefits:

Tariff cuts of 30 to 50 percent on a very broad range of industrial goods. For example:

Canada reduced tariffs on a wide range of machinery from 22.5 to 15 percent, on metal furniture from 25 to 17.5 percent, and on coal from 10 percent to zero.

Japan cut tariffs on bearings and parts from 25 to 12.5 percent, and various types of radio transmission apparatus and parts from 20 to 10 percent.

Great Britain cut its tariffs on American electric typewriters from 16 to 7.5 percent, on circuit breakers from 16 to 8 percent, and on air conditioners from 12 to 7.5 percent.

The nations of the European Economic Community cut tariffs on U.S. pumps and compressors from 12 to 6 percent, on refrigerating equipment from 10 to 5 percent, and on automobiles from 22 to 11 percent.

Agricultural concessions that will open new trading opportunities for our farmers and set a valuable precedent for bringing the benefits to competition to world agricultural trade. For example:

Canada eliminated all tariffs on American apples, halved its tariff on orange and grapefruit juice from 10 to 5 percent, reduced its tariff on tallow from 17.5 to 10 percent.

Japan reduced its tariff on soybeans from 13 to 6 percent, on turkey from 20 to 15 percent, and on prunes from 15 to 10 percent.

The European Economic Community cut tariffs on dried peas and beans from 9 to 4.5 percent, on variety meats from 20 to 14 percent, and on unmanufactured tobacco from 28 to 23 percent.

Great Britain cut duties on soybeans from 5 percent to zero, on variety meats from 20 to 10 percent, and on raisins from 7.5 to 3.5 percent.

We gave comparable concessions on a wide range of products that we import. From them, we will gain the opportunity to choose from a wider variety of consumer goods, industrial materials, and capital equipment at lower prices.

Other parts of the Geneva agreement will also promote trade and encourage economic growth in all free world nations. These are:

The basic elements of a world grains arrangement. This understanding provides for higher minimum trading prices and a program under which other nations will join us in the task of supplying food aid to the undernourished people in many of the developing nations.

A significant accord on antidumping procedures. This accord—consistent with existing American law—binds our trading partners to insure fair procedures to American exporters, while safeguarding American industry.

Progress in dealing with particular commodity groups. A 3-year extension of the Long Term Cotton Textile Arrangement was concluded. Useful approaches were developed in negotiating tariffs for steel, aluminum, chemicals, pulp, and paper.

A separate bargain on the American selling price issue. The United States stands to gain additional tariff concessions on chemical exports and liberalization of some European nontariff barriers in exchange for abolishing the American selling price system of valuating certain chemicals. This package will require special legislation.

Significant benefits to the developing countries. These countries will get help from the food aid provision of the grains arrangement and from concessions they received from all industrial countries on export products of particular interest to them.

Each Member of the Congress has already received a copy of the "Report on United States Negotiations." This report summarizes the concessions granted by other countries and the results of special multilateral negotiations in the Kennedy round. It also lists all tariff concessions granted by the United States in the Kennedy round. An additional report will soon be transmitted showing the tariff concessions each of the major Kennedy round participants granted on the principal commodity groups in the negotiations.

I expect to issue a proclamation shortly making the reductions in the U.S. tariffs effective beginning on January 1, 1968. I shall seek the advice and consent of the Senate regarding U.S. participation in the world grains arrangement. International agreement on this arrangement was recently reached in Rome as a consequence of the understanding on grains negotiated in the Kennedy round.

Finally, I shall submit to the Congress a trade bill to make effective the American selling price agreement in the Kennedy round, to revise the adjustment assistance program for firms and workers, and to provide authority that will enable us to make further progress in promoting world trade.

The Geneva Conference set a solid record of achievement, unmatched in world trade history for its constructive and beneficial results. The results represent a monument not only to our late President who gave the negotiations his name, but also to another great American, the late Gov. Christian A. Herter, whose inspiration and leadership guided us through the difficult first 3 years of the negotiations.

I commend this agreement and these reports to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 27, 1967.*

AIRLINES SUSPENSION OF SPECIAL RATES FOR SERVICEMEN DURING HOLIDAY PERIODS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, it is distressing to learn that the airlines of this country suspend their special rates for servicemen during the holiday periods.

Apparently the airlines have been successful in securing Civil Aeronautics Board approval of tariff agreements which permit them to eliminate the customary one-third-off discount for men in uniform at Christmastime. Standby rates remain in effect, which is of some help to those who have the time to wait at airports in the hope of getting on an airplane if a regular passenger fails to show up. These available seats are reduced however, by the practice of some airlines in overselling holiday flights.

It seems to me that the airlines of this Nation, many of which are renting equipment to the Military Transport Service and others who have benefited from military cargos, could permit men in uniform the special rate at Christmastime that they allow other times of the year.

Airlines are among the most profitable business in America today. Christmastime is one of their peak seasons. Surely it would not burden these companies to permit a few servicemen to make reservations on flights home at the reduced rate. They would still be paying two-thirds of the regular fair. Many of these boys may not be able to return home at all if they do not travel by air. Many have just served in Vietnam. Others will soon be assigned there. It is distressing to think that this fare increase is so important to the airlines.

PROVIDING FOR CONSIDERATION OF H.R. 12603, NATIONAL VISITOR CENTER FACILITIES ACT OF 1967

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 962 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 962

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12603) to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases, with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Public Works now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill, and read by titles instead of by sections. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitue. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA]; and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 962 provides an open rule with 2 hours of debate for consideration of H.R. 12603, the National Visitor Center Facilities Act of 1967. The resolution further provides that it shall be in order to consider without the intervention of any point of order the committee substitute as an original bill for the purpose of amendment.

Not only is Washington, D.C., a world capital, but the growth of the Metropolitan Washington area has been fantastic. Simultaneously, there has been an increase in the number of visitors from all over the United States and from all corners of the earth who come to the city for either business or pleasure. These visitors, whatever the purpose of their visit to Washington, are anxious to get a glimpse of this great Government in action and to visit the many historic sites in the area. Visitors come to enjoy a few hours or a few days and, in most cases, have no real knowledge of what to see or where to go.

An orientation center is greatly needed, which would become the visitors first stop in Washington. Here he could receive an overall view of the operations of the Government, the historic monuments and museums to be seen, and the Federal City, to allow him to apportion his time to the greatest advantage. In addition to information and direction, the visitor should also be provided with ample parking facilities, restaurants, rest areas, and visual and written aids to better understand the Nation's story.

H.R. 12603 would set up a National Visitor Center which would provide visitors with all the necessary information they would need, as well as various facilities such as parking space.

Mr. Speaker, I urge the adoption of House Resolution 962 in order that H.R. 12063 may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding so that I may ask him, in order to establish the usual record, as to the waiver of points of order.

As I understand from page 2, line 2, the Committee on Rules is recommending to the House that—

> It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Public Works now printed in the bill, * * *

That, of course, is also subject to the 5-minute rule.

That is why the gentleman claims that this is an open rule.

Would the gentleman tell us what is in the committee substitute that needs to have a waiver of points of order?

Mr. SISK. It is my understanding that there are a couple of items in the bill that could possibly be subject to points of order. One provision provides for the continuation of the 21-man Commission, and as I understand it a question could arise as to the committee's jurisdiction in connection with that.

Also, there is one other provision in the bill, of course, dealing with the visitor center in the Nation's Capital which could be considered to fall under the jurisdiction, for example, of the Committee on House Administration. So a question could be raised there. That is my understanding of the reason why the Committee on Public Works asked that the Committee on Rules waive points of order.

Mr. HALL. It was the Committee on Public Works that made the request of the Committee on Rules?

Mr. SISK. That is correct.

Mr. HALL. Would individual amendments, that might come spontaneously from any individual Member, amendments to the committee substitute as printed in the bill, be subject to points of order or would they also be waived under this language, in the opinion of the gentleman?

Mr. SISK. I am informed that points of order as to any amendments that might be offered would not be waived under the provisions of the resolution.

Mr. HALL. In other words, a point of order may be raised against any amendment offered by any Member and this is not a mass waiver of all points of order?

Mr. SISK. Yes; that is what I was trying to say.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. GROSS. As I understand the gentleman, this Visitor Center is alleged to be necessary because of the increased number of tourists and visitors to Washington, D.C.?

Mr. SISK. Let me say to my friend from Iowa—and I have discussed this with him before; we have had some discussions about the cost—I have long thought that Washington should have some kind of visitors center. I think my friend from Iowa would agree with me. He has had constituents who have come here and have been rather dissatisfied at the lack of some central agency for information purposes so that they could more adequately plan what normally is a brief stay, and to give them an opportunity to determine, in a central location, what they would like to see and apportion their time accordingly.

I believe a visitors center along the

lines proposed here is in order and would be a good thing for Washington.

Of course, the thing that makes me feel constrained to support this approach is the fact that apparently this committee has been very persuasive in their discussions and have sold a couple of these railroad companies on putting up around $19 or $20 million of their money. This is somewhat different, as I am sure my friend from Iowa would agree, from the normal bill coming out of legislative committees which normally calls upon the American taxpayers to put up all the money. So I want to commend the Committee on Public Works and the members of the Commission who have made this study for their ingenuity and their ability to find a way to finance this project without calling upon the American taxpayer.

I would think my good friend from Iowa would be 100 percent for this project. I would be glad to yield to the gentleman for any comment that he would like to make.

Mr. GROSS. I appreciate the gentleman's yielding. Does not the gentleman believe that the tourist traffic into Chicago, for example, has been greatly increased in recent years by virtue of modern transportation and highways?

Mr. SISK. I am sure it has.

Mr. GROSS. Is the Federal Government about to build a visitors center in Chicago? What is the difference between Chicago and Washington when you are using the taxpayers' money as a guarantee, in effect? What is the difference?

Mr. SISK. I would say there is a good deal of difference. I believe my friend from Iowa would agree that there is a great deal of difference between the city of Chicago and the city of Washington in that Washington is the Capital of our Nation. It is an historic shrine. The constituents of the gentleman and my constituents and the constituents of every Member come here to visit. This is the center of America. It is almost a world capital. People come from everywhere to see the operations of what I believe is the greatest government that has ever functioned or ever devised by the mind of man. I say it is far different from the city of Chicago—and I am not downgrading Chicago—Cleveland, Philadelphia, or New York.

Mr. GROSS. Or Los Angeles.

Mr. SISK. Or Los Angeles or Fresno. Some of my friends are leading me a little bit here. I do think that this places Washington, D.C., in a completely different category and does indicate some responsibility on the part of the Congress, the Federal Congress, to meet this need.

Mr. GROSS. Does not the Federal Government guarantee the bonds issued on the District of Columbia Stadium.

Mr. SISK. I might say to my friend from Iowa it is my understanding that they do, and I am quite disturbed about some of the things with reference to the stadium. In fact, just recently I discussed with the chairman of the District Committee the idea of perhaps looking into the stadium situation, because I think it is a shame that the American taxpayers have to pick up the tab on that stadium out there.

This is a wholly different matter, and one in which I think some of us have some interest, and I am hoping we can take a look at it.

Here we are talking about a matter dealing specificially with all American people, as my friend knows. Visits by millions of boys and girls, college students, high school students, as well as their parents, are increasing year by year. It seems to me that if we have private enterprise willing to make the investment, we ought to permit them to do so. We are not guaranteeing, as I understand it, this investment in that sense, in that we are guaranteeing $20 million. We are providing for leasing facilities and operation by the National Park Service. But if they are willing to put that kind of money into the project and believe in it to that extent, I think we should take advantage of their business ability and, I think, ingenuity.

Mr. GROSS. My good friend from California knows the story that was given to the House when the stadium was erected—that it was not going to cost the taxpayers of the country any money at any time, any place, or anywhere; and bonds were sold privately, were they not?

Mr. SISK. That is right.

Mr. GROSS. Still we live in fear of the day when someone comes in with a bill and tries to ramrod it through the House—as the original bill was—to turn it over to the Federal Government, in other words to nick the taxpayers of all the country for this $20 million "white elephant" stadium. This has many of the earmarks of the same kind of proposition. I hope the gentleman is right that this is not going to cost the taxpayers any money, but doubt the gentleman would bet a plugged nickel on it.

Mr. SISK. I appreciate the opinion of my good friend from Iowa, but I do say this is in a completely different category than the stadium. I am concerned, as the gentleman is, about how we are going to finance the stadium, and I hope we can work that out.

Mr. Speaker, I urge the adoption of the resolution and reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I agree with the statement of my good friend from California [Mr. Sisk].

I wish to add that one of the reasons for waiving points of order is to make in order the consideration of the substitute as an orginal bill for the purpose of amendment.

The Rules Committee explored the question as to whether or not the Federal Government or the people of this Nation were going to be obligated under the provisions of this bill. We were assured by the Committee on Public Works that neither the Federal Government nor the people were going to be obligated now or at some time in the future.

I compliment the Committee on Public Works for all the labor it has put into this particular piece of legislation. They seemingly have done a tremendous job. Since there is a need for a visitor center in our Nation's Capital, I support the rule and intend to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I strongly support the National Vistor Center Facilities Act of 1967 and urge its adoption.

For many years some of us have been privileged to watch the success that colonial Williamsburg has enjoyed with a similar facility. Though far more modest an undertaking, I think a valid comparison can be drawn, and that we can hope for the same excellent results here in the Nation's Capital.

Such a facility as can be established in the Union Station and its environs truly excites the imagination. Although such a center is long overdue, perhaps we are fortunate that it is only now being established so that the splendid potential of the Union Station property can be realized.

I also applaud the proposed location of heliport facilities for the District of Columbia at the Visitor Center. For years prior to the passage of Public Law 89-759, I sponsored legislation to create an airport at a suitable location in the District of Columbia for the accommodation of vertical-takeoff aircraft. I could not be more gratified with the provision of this legislation that directs that the heliport be established at the Visitor Center.

We all agree that the keystone of any such facility should be an adequate parking facility. This facility is the heart of the Visitor Center, and upon it will depend the success of the entire venture. I commend our colleagues of the Public Works Committee for their wisdom in providing so well for this important contingency.

Also, recognition of the visitors' needs here on the Hill, I believe, is most forward looking. I sincerely hope we will spare nothing in planning for and providing these facilities in the Capitol. It is here, after all, that we would hope every American and every foreign visitor will come. We would hope also that he would be inspired by what he finds here and would want to return.

Mr. Speaker, I urge passage of this legislation and look forward to its enactment.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. 1003, FLAMMABLE FABRICS ACT AMENDMENTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, and on behalf of my colleague the gentleman from Indiana [Mr. Madden], I call up House Resolution 989 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 989

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1003) to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 989 provides an open rule with 1 hour of debate for consideration of S. 1003 to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

As now in effect, the Flammable Fabrics Act is limited in its application to articles of wearing apparel which are made subject to standards of flammability established by the act. S. 1003 would extend the coverage of the act to interior furnishings made in whole or in part of fabric or related materials and to fabrics and related materials intended for use in articles of wearing apparel or interior furnishings. Greater flexibility is achieved under the bill by authorizing the Secretary of Commerce to issue standards of flammability or regulations—including labeling—for such articles, furnishings, fabrics, and materials.

After observing certain procedural requirements, the Secretary of Commerce would issue standards and regulations. The bill provides also for the appointment of a National Advisory Committee for the Flammable Fabrics Act consisting of not less than nine members. The Committee would be fairly representative of manufacturers, distributors, and the consuming public, and the Secretary of Commerce is required to consult with it before prescribing standards or other regulations under the act.

The bill replaces the present unlimited authorization of appropriations with specific authorizations of $1.5 million for the present fiscal year and $2.25 million for each of the next 2 fiscal years.

S. 1003 authorizes the Federal Trade Commission to make provision through rules and regulations for maintenance of records relating to matters subject to the act; provides for a more effective means of enforcement for imported goods which are subject to the act; make clear that the act does not apply to exported goods which are intended for foreign consumption; and supersedes the laws of any State or political subdivision thereof, which are inconsistent with the provisions of the act.

Mr. Speaker, I urge the adoption of House Resolution 989 in order that S. 1003 may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the able gentleman from California has said, House Resolution 989 provides for the consideration of S. 1003, the Flammable Fabrics Act amendments, under an open rule with 1 hour of general debate. A committee substitute is printed in the bill as the bill reported by the Committee on Interstate and Foreign Commerce. This substitute will be considered as an original bill under the 5-minute rule when the bill is open to amendment.

The bill was on the Suspension Calendar last Monday. Before it could be called up, the Members handling it were called into a conference with the other body and therefore the bill was not taken up. The chairman, the gentleman from West Virginia [Mr. STAGGERS], immediately asked the chairman of the Rules Committee for a hearing. At that meeting Mr. STAGGERS told the committee why the bill had been removed from the Suspension Calendar and that there was no opposition to any of its provisions; it had been reported unanimously by the Interstate and Foreign Commerce Committee.

I know of no opposition to either the rule or the bill, Mr. Speaker. I urge the adoption of the rule and reserve the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 13489, CREDIT UNION ACT AMENDMENTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the gentleman from Mississippi [Mr. COLMER] I call up House Resolution 986 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 986

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13489) to amend the Federal Credit Union Act to modernize the loan, investment, and dividend provisions, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 986 provides an open rule with 1 hour of debate for consideration of H.R. 13489, to amend the Federal Credit Union Act to modernize the loan, investment, and dividend provisions, and for other purposes.

Under present law, the credit committee of Federal credit unions can delegate only a limited amount of its authority to a loan officer. Loan officers can approve only loans up to the legal unsecured loan limit of $750 or loans that are fully secured by the shares of the borrowing member on shares pledged on his behalf.

As modern lending practices have arisen, this practice has severely handicapped many credit unions, and it is felt that the loan officer can handle increased responsibility without the credit union losing any of its safety or liquidity controls. H.R. 13489 would relieve much of the physical burden from the credit committee by giving it authority to delegate any of its functions to a loan officer.

A serviceman overseas wishing to borrow more than $750 from his credit union, under present law, would have to have his loan application sent to the United States for approval by the loan committee. This would, of course, be time consuming and might force the serviceman to seek other loan arrangements at much higher cost. By delegating loan authority to a loan officer, the serviceman's loan could be approved on the spot and by a person who could easily check on the loan application's credit background.

The Department of Defense recently approved on-post credit union facilities for U.S. servicemen stationed in Germany and expects to extend this service to our servicemen throughout the world. The overseas military credit unions will actually be suboffices of existing U.S. military credit unions. Unless H.R. 13489 is enacted, these overseas military credit unions will be severely handicapped in their attempt to serve military members and the loan sharking and high interest rates that plague our overseas servicemen will continue.

Mr. Speaker, I urge the adoption of House Resolution 986 in order that H.R. 13489 may be considered.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the able gentleman from California has stated, House Resolution 986 provides for the consideration of H.R. 13489, to amend the Federal Credit Union Act, under an open rule with 1 hour of general debate.

Several changes are to be made in existing law. Chief among these are provisions which will implement the use of credit unions by our servicemen overseas. The Department of Defense has recently approved on-post credit unions for our military in Germany. Now a serviceman who wants to borrow more than $750 has to have it approved by a loan committee in the United States. The bill will make it possible for a local loan officer to approve such loans, using the same information available to the loan committee.

Several other changes in the act are to be made by the bill. In the interest of time, I will let the Banking and Currency Committee discuss these.

The bill was reported unanimously by that committee. I know of no objection to the rule or the bill. I urge adoption of the rule and reserve the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL VISITOR CENTER FACILITIES ACT OF 1967

Mr. GRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12603) to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a National Visitor Center, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12603, with Mr. Adams in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois [Mr. Gray] will be recognized for 1 hour, and the gentleman from Florida [Mr. Cramer] will be recognized for 1 hour.

The Chair now recognizes the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, your Committee on Public Works is pleased to present for your consideration a historic piece of legislation reported unanimously by both the subcommittee and full Committee on Public Works.

The legislation before you will authorize the Secretary of the Interior, in consultation with the General Services Administrator, to enter into a lease arrangement with the Washington Terminal Co. for use of the Union Station as a National Visitors Center.

Mr. Chairman, there are more than 15 million foreign and American visitors coming to Washington each year with a projected visitation of 35 million persons annually by 1980. Washington, D.C., has become not only the Capital of the United States of America but the world capital as well. These visitors, whatever the purpose of their visit to Washington, are anxious to get a glimpse of this great Government in action and to visit the many historical sites in the area. In most cases, especially the schoolchildren, this is their first visit to the Nation's Capital. Most of them have no real knowledge of what to see or where to go. The city is strange to them and yet when they come to Washington to take in its treasures, they find no organized program to provide them with information about the Nation's Capital. As an example, 7 million people visited here in the Capitol Building last year and only 30 percent bought, I repeat—bought, a guided tour. The other 70 percent wandered through the halls on their own and left as confused and ill-informed as when they came.

To date, no plan has been developed which will make a visitor's stay in this city easier and which will enable him to get the most out of his trip to Washington.

The Committee on Public Works held extensive hearings last year and again this year on the need for a National Visitors Center and not one single witness appeared in person or submitted a statement against the pending proposal. To the contrary, a large chorus of voices, including the President and the Vice President of the United States, numerous Members of Congress, Government officials, newspapers, and others, have joined in the cry for immediate action to solve this problem.

I would like to repeat what President Johnson said about the need for this Center in February 1966:

> The unique educational opportunity which Washington should offer to American and foreign visitors alike is largely lost without perspective on the historic, political and symbolic significance of the places and institutions to be visited.
>
> This is particularly a Federal concern. The prime attraction of Washington is the presence here of the Federal Government. Here one can observe its immediate day-to-day workings, can visit its buildings and shrines, and can examine the records of its past. As a nation, we are properly interested in fostering through visitors to our National Capital, a better appreciation of our democracy.

I would like to repeat the words of Vice President Hubert H. Humphrey in March of 1966 when he said:

> Visitors to Washington cannot find a place to park, there is no place for large groups to get a meal in the Capitol area, there is no orientation space for large groups, particularly school children, and in some of the congressional office buildings, one cannot even find a drink of water.

The Vice President went on to say that:

> There is no official or designated place where they may get information on how to visit our most revered national shrines. What they do get very often are parking tickets, a feeling of being strangers and intruders, and, above all, shabby, cold indifference to their coming here on what truly is a pilgrimage for themselves and their children. The time has come in Washington when we must meet our common obligations to common courtesy.

Mr. Chairman, I could talk all day concerning the need for a National Visitors Center in Washington but I am sure every Member of Congress hears these complaints about inadequate parking space, no place to handle large groups of people, and other common complaints, so I will spend most of my time in informing the House as to what H.R. 12603, if enacted into law, will do to correct this critical problem.

First, I would like to point out that Congress enacted last year Public Law 89–790, which established a 21-member commission to study the needs and sites for a National Visitors Center or centers. The 21-member commission was composed of the following: The distinguished Secretary of the Interior, Hon. Stewart L. Udall. Citizens named by the President were: Mr. Carlisle H. Humelsine, president of Colonial Williamsburg, Rev. Walter E. Fauntroy and Mrs. Jack Coopersmith, of the District of Columbia.

The Vice President appointed: Senator Alan Bible, of Nevada; Senator Gaylord Nelson, of Wisconsin; Senator Joseph D. Tydings, of Maryland; Senator Hugh Scott, of Pennsylvania; Senator Strom Thurmond, of South Carolina; and Senator Howard H. Baker, Jr., of Tennessee.

The Speaker named: Representative Kenneth J. Gray, of Illinois; Representative John C. Kluczynski, of Illinois; Representative J. J. Pickle, of Texas; Representative William C. Cramer, of Florida; Representative Fred D. Schwengel, of Iowa; and Representative George V. Hansen, of Idaho.

Also named on the Commission were the Administrator of the General Services Administration, Mr. Lawson B. Knott, Jr.; Secretary of the Smithsonian Institution and Chairman of the Council on Arts and Humanities, Dr. S. Dillon Ripley; the Chairman of the National Capital Planning Commission, Mrs. James H. Rowe, Jr., and the Chairman of the Commission on Fine Arts, Mr. William Walton.

The officials of the National Park Service and the Department of the Interior rendered outstanding assistance to the Commission.

After 1 full year of work, the Commission reported unanimously to Congress the recommendations embodied in H.R. 12603 that is now before you. A score of House and Senate Members on both sides of the aisle have introduced companion measures to H.R. 12603. Mr. Chairman, this is truly a bipartisan bill and I want to pay special tribute to the House Members who served on the Commission, Mr. Kluczynski of Illinois, Mr. Pickle of Texas, Mr. Cramer of Florida, Mr. Schwengel of Iowa, and Mr. Hansen of Idaho. I know the House joins me in paying tribute to these outstanding Members of Congress who joined the Members of the other body and the other members of the 21-member Commission in working out a multitude of details to bring us where we are today with this proposal.

I also want to thank the distinguished chairman of the full Committee on Public Works, the gentleman from Maryland [Mr. Fallon], and the other members of the Public Works Committee for their valuable contribution to this project.

The Study Commission considered four major proposals. One was to buy Union Station, to lease Union Station, use existing Government buildings in the city of Washington, or construct a facility from the ground up in the vicinity of the Mall. All of these plans except the one before you would have involved from $25 to $50 million of the taxpayers' funds during a time when Government expenditures must be held to a minimum. Therefore, we are pleased to announce to the House that the proposal we bring to you today will not require 1 cent of taxpayers' money in the renovation of Union Station, construction of parking, or the construction of a new railroad passenger station to replace Union Station as a train terminal. The Washington Terminal Co., owned 50 percent each by the Pennsylvania Railroad and the Baltimore & Ohio Railroad, has agreed to spend approximately $19½ million of their own money for this work. They will renovate the Union Station at a maximum cost of $5 million and construct a 4,000-car parking garage immediately behind the station over the tracks at a cost not to exceed $11 million and build a $3½ million passanger station on the ground level of the parking facility.

The Secretary of the Interior is authorized to enter into a lease arrangement with the owners of Union Station to take over all of these facilities as a visitors center on an annual lease basis, not to exceed $3 million. The first rental payment will not be due until the facility is ready for public use. Therefore, the day we start paying rent, we start receiving revenues from parking fees and the sale of goods and services, plus untold economic and social fringe benefits.

Mr. Chairman, this legislation will have 10 major benefits and points:

First. More than 15 million visitors coming to Washington annually will be able to enjoy an orientation-reception area capable of serving about 6,000 persons per hour; visit any one of four theaters for the main program, seating no less than 2,000 every 15 minutes; view exhibits, publication, and information services, capable of handling about 1,600 persons at one time; see rooms set aside for special exhibits; facilities for service organizations such as Ivis, Travelers Aid, USO, and NATO—National Association of Travel Organizations, sponsors of "Discover America" program; offices and desk space for commercial tours, reservations, and monetary exchange services; restaurants, cafeterias, and kitchen facilities for 1,000 persons; relaxing lounges and some outdoor seating space in the esplanade; rest rooms serving several hundred persons; checkroom and rental lockers; babysitting service and many other needed services.

Second. Adequate off-street parking over the tracks will be provided for visitors and employees in the Capitol Hill area at a modest rate not to exceed $1 for 24-hour parking.

Third. With scheduled helicopter service on the roof of the parking garage, subway in the basement, eight lanes of ingress and egress around the Visitors Center for vehicular traffic and a new train station to accommodate high-speed passenger trains, we will be tying together all four modes of transportation in one place, making it very convenient for all travelers.

Fourth. Several million dollars annually in additional revenues will accrue to the District of Columbia through sales tax revenues from visitors, thereby reducing the annual Federal payment to the city.

Fifth. Traffic congestion on the streets of Washington will be relieved considerably by separating the visitor from his automobile and providing him with bus service to the Capitol and areas around the Mall.

Sixth. The bill provides for the establishment of a Capitol Visitors Center to orient visitors in the Capitol Building.

Seventh. The $19½ million to be spent by the railroads in the vicinity of Union Station will be of great impetus for new motels, hotels, and other facilities to be constructed in an area of our city that is very unsightly. This will bring millions of dollars in additional taxes to the District of Columbia.

Eighth. The Union Station is a historical landmark and if it is not used as a Visitors Center, it will eventually be torn down.

Ninth. Expanded USO facilities with overnight accommodations for servicemen.

Section 108 of the reported bill which repeals existing laws or parts thereof inconsistent with this act to the extent of that inconsistency is a statement of what is generally true as a matter of statutory construction. The committee included this provision out of caution and to point up problems that will arise under certain provisions of law which obviously are inconsistent with this act. For example, the acts of February 2, 1901, and February 28, 1903, both impose certain restrictions and limitations on the use by the owners of the terminal properties and give certain rights therein to other parties. Obviously, portions of these properties must be withdrawn from the use contemplated by these earlier acts in order for this act to be carried out, and section 108 provides the general statutory language to make this result clear.

I want to yield to any Member for questions and comments. Therefore, I will close with excerpts from two recent editorials appearing in the Washington Evening Star and the Washington Post. The Star recently said in a Monday, October 30 editorial:

> There is a great inadequacy of tourist facilities in Washington. There will be a splendid opportunity to do something about it when the House takes up the bill authorizing the conversion of Union Station into a national visitors center. The legislative package put together with great care over a long period of time, is an extremely attractive bargain and it is recognized as such by a unanimous approval voted by the House Public Works Committee.

The Washington Post recently said:

> Washington's inability to provide adequately for its growing number of tourists under the present conditions grows more apparent year by year. It is obvious that Union Station is the logical location for the national visitors center. The key element in the new proposal is a practical partnership between government and private enterprise.

Mr. Chairman, we are indeed pleased to report for your consideration this important piece of legislation that we believe will bring untold benefits to millions of Americans, foreign visitors, and generations yet unborn, who will be visiting the Nation's Capital. I hope the legislation can be passed unanimously so we will show that this great Nation's Capital really does have a heart and a conscience. Thank you.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I am glad to yield to my friend from Texas.

Mr. WRIGHT. Mr. Chairman, I rise to congratulate my distinguished colleague from Illinois, not only upon his excellent, eloquent, and compelling statement here today, but primarily upon the enormous amount of work on his part which has produced this magnificent plan.

The program presented to us today by our colleague from Illinois is the result of many, many months of intense research, long investigation, many, many hours of conferences, many hard sessions of bargaining by the gentleman from Illinois on behalf of the Government of the United States and this Congress with other people in the Department of the Interior and representing the railroads. I think it is one of the greatest things that has been proposed.

I predict that the House will go along unanimously, or nearly unanimously, with the gentleman.

I want also to say that this program is a tribute to the work, the earnest perspicacity, the foresight, and the determination of the gentleman from Illinois [Mr. GRAY], and when it is built, it will be a monument to Mr. GRAY and to his dedication to his country.

I want to congratulate him on all the work that has gone into it.

Mr. GRAY. I certainly appreciate those kind remarks, but I would not want to leave the impression that the full 21-member Commission did not work very zealously for this plan.

I want to share with them these kind remarks of the gentleman from Texas.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to my distinguished chairman, the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I, too, congratulate the gentleman from Illinois for his part and for the work he has put into bringing this proposition before the House today.

I congratulate the committee and the Commission which has put all the thought and work into this presentation.

I think it is a much needed project. For years I have noticed hundreds and hundreds of children coming into this building with no preparation for food or drink or for other facilities. Certainly it is one of the most needed projects. I ask House approval of the bill today.

Mr. GRAY. Mr. Chairman, I thank my distinguished chairman for his kind remarks and for his help.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Chairman, I would like to say that I have heard many bills presented to this House. I cannot recall a single instance when I have heard a bill presented in a more knowledgeable and effective manner than that which has just been presented by the gentleman from Illinois. I congratulate the gentleman. He has done a fine job and we are grateful for his work.

Certainly there is a great need for this project. I assure the gentleman he will have my support.

Mr. KEE. Mr. Chairman, will the gentleman yield?

Mr. GRAY. Mr. Chairman, I yield to the gentleman from West Virginia.

Mr. KEE. Mr. Chairman, I had intended to compliment the distinguished gentleman in the well, the gentleman from Illinois [Mr. GRAY], for his foresight and leadership and dedication to duty. However, I find our beloved colleague from Texas [Mr. WRIGHT] was so eloquent, I am going to have to skip over that point and just merely second what the gentleman from Texas had to say.

Mr. Chairman, I do wish to point out that this measure the gentleman has brought before the House today had bipartisan support and came out of our committee with members on both sides of the aisle all in favor of it. There was not one single vote cast against it.

Mr. Chairman, I do want to reemphasize what the gentleman in the well has said. This bill is to provide for the convenience and information of the American people. It is a real service to the citizens of America, and all those who come to our Nation's Capital. I highly commend the bill and thank the gentleman for his unselfish devotion to duty.

Mr. GRAY. Mr. Chairman, I thank my distinguished friend, the gentleman from West Virginia, for his kind comments and his very valuable help on this important project.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, is there anything in this legislation under consideration which in any way, directly or indirectly, deals with the National Industrial Exhibition and Transportation Center, Incorporated?

Mr. GRAY. Mr. Chairman, that is a very good question. The answer is, "No."

We had several groups before our committee who felt this was such a great plan they wanted to be a part of it. I stated we did not want to encumber this legislation with a lot of proposals in this legislation, without detailed study.

I might briefly point out that several groups would like to take some of the area behind Union Station and put in additional parking and provide for exhibits for the various States and industrial exhibits. These plans have some merit but we did not want, as I said, to encumber this legislation with these plans, so the answer is negative. This legislation has nothing to do with the group the gentleman mentioned.

Mr. KYL. Mr. Chairman, will the gentleman yield further?

Mr. GRAY. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, since the gentleman in the well has said some of these plans have merit, I would like to nail this factor down once more. Is there anything in the bill or in the report which makes a recommendation for any proposal except the one which is being considered by the bill itself?

Mr. GRAY. None whatsoever. I would say to my distinguished friend from Iowa that the plan he has mentioned here would require additional congressional legislation.

Mr. KYL. Mr. Chairman, I thank the gentleman for yielding.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to my friend, the gentleman from New York.

Mr. PIRNIE. Mr. Chairman, I, too, commend the gentleman from Illinois, the committee, and the Commission on this proposal.

This Visitor Center can provide a very inspiring introduction to our National Capital for the millions of Americans and foreign tourists who yearly visit this great city. This endeavor is not without precedent. The visitor center in colonial Williamsburg can well serve as a model for our National Visitor Center. An outstanding feature of the Williamsburg project, and one which should be incorporated here, is the orientation film aptly entitled "The Patriot." This emotion-packed, half-hour film is an inspiration to all who view it and provides a proper background for glimpsing that great restoration. Any film we provide should offer the same type of inspirational approach, with the same historical objectivity as the Williamsburg film.

Knowing, as I do, how many millions of young people come here to this Nation's Capital, I believe that part of the project which is designed to afford a background of information and inspiration prior to their seeing their Nation's Capital will do much to stimulate ideals of good citizenship.

I feel that, irrespective of the economics, we cannot afford to pass up this opportunity to present this picture. I hope the bill will receive the support and the guidance required to carry the project through to a very successful conclusion. If so, I know we will have rendered this Nation a great service.

Mr. GRAY. I deeply appreciate the comments of the gentleman from New York.

Since the gentleman has further mentioned Williamsburg, I should like to urge any Members here who have not been to Williamsburg to go down to see this operation. Williamsburg had 750,000 visitors last year. We had 15 million. Look at Williamsburg and then multiply the the problem there by 20 to get some idea of what we are trying to do here.

It all started at Williamsburg. The Government is continuing here. It is really ironic that we can talk about and explain our early beginnings, that we can go down and learn about Thomas Jefferson and Patrick Henry and how all these people went through the wilderness to create this great Government, and yet when we come to the modern 20th century it is nearly all lost and we cannot find out what is going on here at the seat of our Government.

I believe we should continue what was started in Williamsburg almost 200 years ago.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to my colleague from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. I should like to congratulate the distinguished chairman of the subcommittee for bringing this bill to the floor. It is a very important piece of legislation.

I thank the gentleman on behalf of the constituents of the 11th Congressional District of Illinois, who are coming to Washington, D.C., in ever-increasing numbers to visit our Nation's Capital.

I cannot think of anything which would make their stay more pleasant, more educational, and more informative than the bill before us today. The gentleman is performing a service for all Americans. I am sure that as the years go by and millions and millions of people visit this Center, they will be grateful that there was a man named GRAY who pushed this legislation so hard in his committee and in the House to get it through the Congress.

I congratulate the gentleman. I am proud he is from Illinois.

Mr. GRAY. I thank my distinguished friend.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Virginia.

Mr. SCOTT. As a Member who has visited in Williamsburg and has had an interest in Williamsburg, and now has a continuing interest in the Nation's Capital in Washington, D.C., I should like to add my comments.

I realize that this is a National Visitors Center for the people throughout the country. Since I represent the people who live nearby, in what way will this help the Government employee with his parking problem, if at all?

Mr. GRAY. That is a very important question. I hope the gentleman will allow me to refer to a chart. I believe I can better show the answer.

As the gentleman knows, parking is a terrible problem in the District of Columbia. That is putting it very mildly.

This chart shows the parking requirement for 1965. We do not have the current estimates that are up. We can see that in 1965, during the peak tourist season, from cherry blossom time in April to school time in September, we had a need for at least 13,000 parking spaces in the District of Columbia. That is 13,000.

This facility at Union Station will encompass 1.4 million square feet, or for 4,000 vehicles. So this will not even take care of the requirement that we had in 1965.

I believe that if anyone is fearful we are building a "white elephant" here, which will not be used, all he needs to do is look at the National Park Service statistics, which show that right now we need 13,000 parking spaces.

In a direct answer to your question, as to how this will help the Government employees starting, let us say, in January and running up through April, the need will be for only 3,000 or 4,000 spaces. The people who work in the Mall area or in the Capitol area can utilize this parking facility at $1 a day. After September they can utilize it again until April again.

This will allow us to have a full return from the revenues from the parking and at the same time accommodate Government workers. That is point No. 1.

Point No. 2, as I stated earlier—and the gentleman may not have caught the remark—is that the studies by the Park Service show that 78 percent of the people coming to Washington each year come by car. On an average day during the summer months there are 50,000 vehicles running on the streets of Washington.

If we could get these cars off the streets and divorce the driver from his automobile, letting him park in this nice parking facility, we will certainly enhance the flow of traffic through the city. We will allow people to get to work quicker and get home quicker by allowing the tourist who is now cluttering up the street, to park in this facility. There are untold benefits to the people in Washington and in the entire metropolitan area, and additional revenues will result, as well as less taxes, because of the new hotels and other facilities that will be constructed as a result. This will have a tremendous impact on your people, I assure you.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. As I understand it, under title I the General Services Administrator is authorized to enter into a contract with the Washington Terminal Co. Is that correct?

Mr. GRAY. That is exactly right.

Mr. ROGERS of Colorado. And under section 102 you put in certain limitations. One of them is, as it states on page 6, on line 24:

The United States shall have the option to purchase all of the property leased under this title for an "amount not in excess of the fair market value of such property any time after the first year of the lease on 1 year's written notice and on such terms and conditions including credit toward such purchase price of any portions of rentals paid by the United States as may be mutually agreed upon."

Do I understand that it becomes the duty of the Secretary of the Interior and the General Services Administrator to put that provision in the contract?

Mr. GRAY. That is a permissive proviso and is certainly not mandatory. We merely felt that in 10 or 15 or 20 years from now, if this facility got so large that it needed to be expanded and we felt that it should be a permanent one, we would have the authority to go in and say to the Washington Terminal Co., "We want to purchase this facility. Some of the amount of money we have paid you in rent, or a portion of it, shall be used toward the purchase price." It was added in as a proviso in case we saw fit later on to purchase the property.

Mr. ROGERS of Colorado. In this subsection (5) which I just read there is a provision that states "not in excess of the fair market value of such property." I direct your attention to the next section, 105 (a), which says:

> SEC. 105. (a) The District of Columbia shall not, during the term of any lease entered into by the United States pursuant to this title, include in the assessed valuation for tax purposes of the properties now owned by the Washington Terminal Company in the District of Columbia any increase in valuation by reason of the agreements, leases or improvements made pursuant to this title on behalf of the Federal Government.

Mr. GRAY. I am glad the gentleman brought that up. It is a very important point.

Mr. ROGERS of Colorado. Let me ask you the question.

Mr. GRAY. Yes.

Mr. ROGERS of Colorado. The question is this: There is an assessed valuation of this property at the present time. Does this provision prohibit the increased valuation at any time for tax purposes by the District of Columbia?

Mr. GRAY. No. Here is what we want to do. We want to continue charging real estate taxes on what we call the monument, that is, the existing Union Station building. Last year they paid the District of Columbia a total aggregate sum of $350,000 in taxes. That taxation will continue. I am coming to the gentleman's question now. They will go back 80 feet with the park and then will build a brand new station to be used for railroad purposes only. The station will be ultramodern with escalators running right to the trains. That new station will be subject to taxation also.

The only moratorium which we are placing upon it is the improvements made for the Federal Government and that includes this parking facility, movie theaters, restaurants, and other facilities.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will yield further, on the improvements alone? In other words, if it depreciates and, if in fact, it crumbles down, then you will have to improve it in order to bring it back up to normal use, would you not?

Mr. GRAY. I cannot visualize their spending $5 million upon a building which would depreciate in value over this period of time to any extent.

We will spend $250,000 alone on the appearances outside and in cleaning it up. Of course, the inside will require new restrooms, new restaurants, other facilities such as orientation rooms for school groups attending the Nation's Capital, and there will also be translation centers for foreign visitors who will be able to hear the true facts about our Government and its operations in their own language.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will yield further, what I am trying to visualize is this situation: Suppose that I am the assessor for the District of Columbia and I run into this provision as contained in section 105 here. The gentleman from Illinois talks about improvements and so forth that are made to this particular piece of property.

However, how am I, as the assessor, to assess this in the future when you cannot raise the value thereof, according to this provision, because of the improvements that may be made by the U.S. Government?

In other words, if that is true, then, what is going to be my guide as to the assessed valuation of this property in the future, if I am the assessor.

Mr. GRAY. Let me give the gentleman an example. If an assessor comes to your house, and if you have a beautiful home that cost $30,000, and if you have $5,000 worth of new furniture in it, all we are saying to you as the assessor is this: You go ahead and assess that $30,000 home, but you overlook the $5,000 cost of the furniture, because it represents improvements.

Mr. Chairman, the gentleman from Colorado is overlooking the fact that a new train station will be constructed. This old site will be vacated and the new train station will be 100 percent assessed as to its evaluation. In addition, the assessed evaluation goes upon the old building as we know it now, but not the improvements. It is very simple.

Mr. ROGERS of Colorado. You say that you are going to construct a new station there. When you place a new station there——

Mr. GRAY. Right.

Mr ROGERS of Colorado. What happens to the old station?

Mr. GRAY. The old station remains as a building that is worth so many dollars, and that is the manner in which the assessed evaluation operates.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will yield further, that statement appears to be inconsistent. The gentleman's statement appears to be inconsistent with section 105, in particular when one turns to line 14 thereof wherein it says:

> The District of Columbia shall not, during the term of any lease entered into by the United States pursuant to this title, include in the assessed valuation for tax purposes of the properties now owned by the Washington Terminal Company in the District of Columbia any increase in valuation by reason of the agreements, leases or improvements made pursuant to this title on behalf of the Federal Government.

Now, if the Federal Government's contribution helps to improve the property——

Mr. GRAY. If the gentleman will refer to line 19 on page 8, he will be able to answer his own question where it says "—valuation by reason of the agreements,".

This includes the new parking facility, the $5 million modernization of the existing facilities, the rest of it stays as it is, what they had before the agreement will be taxed, plus the new station. That seems very simple to me.

Mr. ROGERS of Colorado. Whenever the Federal Government takes it over, it is not subject to taxation by the District of Columbia, any more than the Capitol is. So that is the thing that confuses me when the gentleman makes reference to the improvements in this other part, because the Federal Government does not pay taxes on its own property in the District of Columbia other than we make a contribution to them.

Mr. GRAY. That is true, but we

wanted to spell this out so that it would not be a matter for confusion. I am sorry the gentleman does not understand, because we mean without question to point out that we expect increased taxes for the District of Columbia, and we expect the railroads to pay taxes to the District of Columbia for the old and new buildings but all we are saying is that the Government should not pay taxes on the new improvements we are getting for our own use. To do otherwise would merely raise the cost of the lease payments.

Mr. CRAMER. Mr. Chairman, if the gentleman will yield?

Mr. GRAY. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, in further answer to the question posed by the gentleman from Colorado, these facilities will remain right where they are, they will be leased by the Federal Government, and this is all taxable, and the provision was necessary to make certain that the taxes would relate only to the present property, and not the improved property, therefore the improvements themselves will not be taxable, but the property will continue to be in the title of private enterprise, and the private enterprise, will put up the money.

Mr. FALLON. Mr. Chairman, the Visitors Center is the first real step forward in providing for the annual millions of visitors to Washington.

It was once said that all roads led to Rome, then the capital of the known world. This is even more true today of Washington, the Capital of our Nation and of the free world. With the population growth and modern transportation, the number of our visitors now exceeds 12 million yearly and is expected to double in the next decade.

Heretofore, we have treated our guests very casually. While Congress, the White House, the Government agencies, the art museums, and many others have certainly made them welcome, there has been no central facility provided for their convenience. This is remedied by the bill now before the House. It establishes at the Union Station a center, for all of the citizens of the United States as well as our many foreign visitors, where the history of the Nation's Capital, its functions and its many attractions can be explained in advance. This will add greatly to the interest and understanding of our tourists on their tours throughout the city. Four thousand off-street parking spaces, provision for new modern rail terminals, chartered buses, and school buses are included. All of this will be done by agreement with the railroads whereby they provide the funds for the extensive alterations that will be necessary and therefore no Government outlay of funds will be required.

This highly advantageous improvement to our Capital has its counterpart in another great project which complements the Visitors Center without any duplication of facilities.

A group of the most prominent citizens and civic organizations of Washington propose a great underground bus transportation terminal and passenger interchange immediately south of Mount Vernon Square. The two major interstate bus companies now carry over 9 million passengers annually to and from Washington and this volume increases each year. This requires about 800 buses daily for their regularly scheduled runs. Their present inadequate and obsolete terminals have already passed the saturation point and these buses add greatly to the downtown traffic congestion. The Mount Vernon Square proposal provides modern terminal facilities completely adequate for many years to come. These will connect by underground access to the neighboring center leg of the inner loop which can absorb this traffic without difficulty. This will remove much of the congestion from the downtown city streets and is most heartily endorsed by these bus companies. Also included is a terminal for suburban buses thereby eliminating use of the downtown streets as terminals and providing for the first time modern facilities and protection from inclement weather for the commuters from Maryland and Virginia. Express commuter buses using the center leg can materially reduce the time of their running schedules. Other provisions include 3,500-car parking, a direct connection to the subway station at Eighth and G Streets and passenger interchange between all of the above and local buses on the city streets. These will be of major convenience to our visitors and but 3 minutes away by subway from the Visitors Center. It seems highly advisable that these two great traffic generators be in separate locations.

Above ground the Mount Vernon Square project consists of a great permanent national industrial exposition. Such an exhibit of the skill and ingenuity of our free enterprise system demonstrates the strength and depth of our democracy and appears to be a desirable adjunct to the Visitors Center. The Mount Vernon Square project requires no subsidy from the Government and the millions of additional tax revenues will be of decided benefit to the District and Federal Governments.

While no legislation is required for this project, it decidedly enhances the Visitors Center by providing a practical solution to a pressing transportation problem. Therefore, I feel it should be given every encouragement so that its development and that of the Visitors Center may go forward together.

Mr. GRAY. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Illinois has consumed 45 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this legislation. I do not intend to duplicate, if it can be avoided, what the gentleman from Illinois has said and the facts that he has brought out; however, there are several matters which I would like to point out.

The provisions of H.R. 12603, as reported, embody a constructive, bipartisan attempt to meet the demands placed upon the Nation's Capital to adequately accommodate the orientation needs of the millions of visitors to the area annually.

The provisions of this bill are the product of encompassing hearings by the Subcommittee on Public Buildings and Grounds of the House Committee on Public Works, on the final report of the Study Commission on a National Visitor Center, which Study Commission was established by statute in November of last year, and on certain other alternative proposals.

The Study Commission, composed of 21 members, representing practically every conceivable interest in a national visitor center project, made its report to the Congress on September 15, 1967.

As a member of that Study Commission, along with five other Members of this body and six Members of the other body, representing the legislative branch in the formulation of the Study Commission's proposals, I think those proposals constitute a realistic approach to the needs of the Nation's Capital to meet the demands of tourists to the area.

The work of the Study Commission is one of the most cooperative and productive efforts, accomplished within a relatively short period of time, which I have seen in my 14 years of experience in Washington. The cooperation on the Study Commission on a bipartisan basis indicates to me the interest on all sides for finding a solution to the very perplexing problem of what to do to provide necessary information and services to visitors to the Nation's Capital—the Capital, after all, being representative of the people themselves, they being properly entitled to see what is going on here and to see how their Government functions, thus, hopefully, becoming more interested in the affairs of Government.

The solutions embodied and envisioned in the reported bill to this problem is a very fine one, and one which makes sense, certainly, to this Member of the House. It has the valuable aspect of preserving the Union Station complex and of providing facilities close to the Capitol and the rest of Washington.

Mr. Chairman, the minority was pleased to have a constructive voice in the formulation of the proposal which was overwhelmingly reported by the committee and recommended for enactment. The bill, as it is presently written, embodies a proposal which was the product of cooperation among the majority and minority members of the subcommittee and full committee, not in a spirit of compromise, but rather in a spirit of agreeing to all aspects of the legislation, before reporting it to the House for consideration.

The chairman of the Subcommittee on Public Buildings and Grounds, the gentleman from Illinois [Mr. Gray], spent tireless and endless hours and efforts to try to pull this proposal together in a form which would be reasonable and feasible in a fiscal year when spending cuts and economy moves are necessarily having to be made in many areas of the Federal Government's activities and which would possibly attract the support of the Congress. In my opinion, the provisions of this bill, as reported, have met these worthy objectives. I think the bill is deserving of the support of Members from both sides of the aisle. Actual spending is a few years away when the building is available for occupancy anyway. At that time it will have a substantial earning capacity in concessions and rentals that could recoup most of the U.S. cost.

Title I of the bill before us establishes the procedures for the making of agreements and leases with the Washington Terminal Co. for the use of its Union Station property in the District of Columbia for a National Visitor Center and a parking facility for the center. Section 101 of the bill would authorize the Secretary of the Interior, in consultation with the Administrator of General Services, to make such agreements and leases on behalf of the United States.

Section 102 of the legislation provides that such agreements and leases will be subject to the following terms and conditions:

First. The company will alter the Union Station building to provide adequate visitor facilities, construct a 4,000-vehicle parking facility in the air space immediately northerly of the building, and lease the building and the parking facility to the United States for a term not to exceed 20 years.

Second. The total cost of such alterations may not exceed $5 million, and the total cost of such alteration and construction may not exceed $16 million.

Third. The rentals paid by the United States may not exceed the fair rental value of the property, and the aggregate annual cost to the United States of these leases may not exceed $3 million.

Fourth. After the first year of the leases, the United States will have an option to purchase the leased property from the company on 1 year's written notice at not more than fair market value, and on such terms and conditions, including credit toward the purchase price of rentals paid by the United States, as are mutually agreed upon.

Fifth. The company will construct a new railroad passenger station in the area beneath or adjacent to the National Visitor Center parking facility.

And sixth. The agreements and leases will be subject to such other terms and conditions as the Secretary of the Interior and the Administrator of General Services jointly prescribe.

Mr. Chairman, I hasten to add, at this point, that under this bill, there will be no expenditure of any money by the United States until such time as the facilities of the Visitor Center are available for public use. Thus, the operating cost to the United States will begin at a time when revenue derived from the operation of the Visitor Center will be available to the United States to pay for such costs. It is the expectation of the committee, and detailed in committee report on this legislation, that operation costs of the Center will be equal to the revenues derived from it as nearly as possible.

At a time when the national economic picture is very uncertain, yet at a time when the number of visitors to the Capital area is increasing at never-before-heard-of rates, the committee, wisely in my opinion, decided to authorize the lease of facilities for a National Visitor Center, the operational cost of which could be substantially offset by revenues, rather than to authorize the outright purchase or construction of such facilities at this time. Furthermore, as I have pointed out, the legislation reserves the right of the United States, through the Secretary of the Interior, to negotiate for an option to purchase the properties used as a National Visitor Center at some future time, so as to provide for recouping our rental payments. I also point out that investments and expenditures through property purchased, however, without such option cannot be exercised and the subsequent authorization by law.

Title I also details certain requirements for the administration of the leased properties, for a study on the problems of transportation in certain areas of Washington densely populated with tourists at certain times of the year, for certain tax assessment changes with respect only to the leased property, for the providing of certain real property for vehicular access to public roads and highways in the immediate area of the National Visitor Center, for a continuing study of the needs of visitors to the Washington metropolitan area, and for certain other matters.

Title II of the bill would continue the former Study Commission under a new designation as a "National Visitor Facilities Advisory Commission," plus one additional public member. The responsibilities of the Commission have been revised to meet the expanded requirements embodied in this legislation.

Title III would direct the Architect of the Capitol, in consultation with the Senate and House Office Building Commission, to provide adequate space and facilities in the Capitol Building for an educational and informational center and information and distribution stations for the benefit of visitors to the Capitol Building. The section requires that all materials distributed by such center and stations be approved by the Architect of the Capitol, after consultation with the House Committee on House Administration, the Senate Committee on Rules and Administration, the U.S. Capitol Historical Society, and such other educational and historical groups as the Architect of the Capitol deems appropriate.

The gentleman from Iowa [Mr. SCHWENGEL] was the sponsor of this provision, for years having sought to provide the people of America with enlightening information on their Capitol and the history and operations of past and present Congresses.

Title IV of the bill before us would amend the Public Buildings Act of 1949, by adding a new section 18 which provides that whenever the Secretary of the Interior determines there is a need for the acquisition or construction of any facility for visitors to the Nation's Capital, other than those specifically authorized by title I of the bill, or a need to alter any existing visitor facility, he shall recommend such action to the Administrator of General Services who shall transmit to Congress a prospectus of the proposed project. The section provides that no appropriation will be made to construct, alter, or acquire any additional visitor facility under this title if such construction, alteration, or acquisition has not been approved by resolutions adopted by the Senate and House Committees on Public Works, and that if the appropriation has not been made within 1 year after such approval, the approval may thereafter be rescinded at any time before the appropriation is made.

Mr. Chairman, I think the bill before us is worthy of our support. Every Member is personally aware of the problems which confront visitors to the Nation's Capital when they come here to visit. We are aware of the need for facilities to orient these visitors as to what to do while here in the area at the smallest inconvenience to them and to the Federal Government. The bill embodies a scheme whereby rental payments will not be made until revenues begin coming in from the operation of the National Visitor Center. The revenue to be produced by the 4,000-vehicle parking facility and concessions should meet the expenditures required by the Federal Government. At the same time, the Federal Government reserves unto itself the right to negotiate for an option to purchase, thus recouping our expenditures.

The bill is, Mr. Chairman, one which the Congress can enact in good faith and with a clear conscience at a time when expenditures must be held down. The plan embodied in this bill eliminates or circumvents the problems which would be posed by a scheme to purchase or construct such a facility at this time.

I would like to address myself to several particular matters which have arisen.

Mr. Chairman, I am not a "spender" in this House, as everyone knows, advocating nothing beyond our ability to pay, within reason, particularly at times of grave national emergency and at times of war.

The question has been asked me, and I intend to answer it in keeping with my own conscience, as to how I can support this legislation. The answers are very simple. There will be no payment by the Federal Government due under this legislation until the building and improvements—the improvements on the buildings and the parking facilities—are constructed and available for use.

We are talking about 6 months to a year for the architectural designing, approval by the Federal Government, and approval by the continuing commission, and then we are talking further about actual construction and about opening it for occupancy before Federal payment of a maximum of $3 million a year rental becomes due.

Therefore, we are talking about 2 or 3 years before any Federal payment is due under this legislation.

If we can believe what General Westmoreland said last weekend, and I am sure it is the hope of every American as well as people throughout the world, that by that time we will be beginning to see the light of victory in South Vietnam, and that victory will be at hand, and that expenditures in Vietnam will be decreased, then this delay before Federal payments are made becomes more meaningful.

It is contemplated, as the gentleman

from Illinois has said, that substantial earnings will accrue to the Federal Government. The facility will remain in the title of private enterprise, the Washington Terminal Co. They will procure the capital to be invested, the $16 million for improvements, consisting of the $5 million for improving the Union Station and the $11 million for improving or building the parking facilities for approximately 4,000 vehicles.

It is expected that the income from parking and the income from concessions, the latter which presently run about $375,000 a year with the small number of persons going through Union Station now, will substantially cover every cost in any event.

For these reasons and for the further reason that I am not one to stand up on the floor at this time, and I so serve notice as a member of the Commission on Visitor Facilities, in support of any proposal that would cost substantial taxpayers' money for a capital outlay at this time. For this reason and others, I could not support a $40 million proposal on the Mall and other proposals which were made.

This proposal before us is the one that makes the most sense.

I am further persuaded that visitors to this Capital are entitled to receive some facilities and some information and some parking facilities which are not now available. There is no place in Washington today where visitors can come and find out about all phases of Government.

Nowhere is there provided a kaleidoscope of Government in action.

Nowhere is there provided a view of history in the making which is America today.

Nowhere is there provided a view of our American heritage and its preservation.

I happen to believe that this Government was divinely inspired and our constitutional form of government is the greatest ever conceived by man and that it will last longer than any government ever conceived by man and it will last only so long as we continue to let the American people know how this Government operates and how it preserves its freedoms, the freedoms of the people of this great Nation and further why all the nations, the free nations of the world, look to this Nation for leadership now and will in the future.

If we are to preserve this heritage, we have to accept some responsibility to show here in Washington that which is now not being exhibited, and that is providing a well rounded view of Government in action, of the preservation of freedom and of the leadership that this Government gives to the world and also our form of government and the separation of Federal, State, and local governments, the executive, legislative, and judicial.

Nowhere in Washington is there provided such a kaleidoscopic view of Government in action. This is needed and this will provide it.

Not only that—but how many times have you had a constituent complain that he does not have a place to park? There is no place to park on Capitol Hill to amount to anything. There is no place to park in Washington for the visitors. I think the Congress has the responsibility, and this is the way to accept the responsibility at a minimum cost and get on with the job that must be done, to provide such facilities.

The Commission gave lengthy consideration to the problem, and I think it has come up with the best answer at the least cost and one that will do the job.

In addition to that, this bill provides for an educational and information center in the Capitol itself. This is not now available, relating to the Capitol. I, for one, am proud that the answer is a visitor center closely located to the Capitol and serviceable to the Capitol, and I was one who insisted on the retention of the Commission because on that Commission there are congressional representatives. I am one who believes in the legislative branch of Government having proper representation and a proper indication of services rendered by the legislative as well as by the executive and judicial branches. I think this goes the furthest.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. I would disagree with my friend, the gentleman from Florida, when he speaks of this Republic. I would say to him that at the rate we are going we could well be one of the shortest lived republics known to mankind. But, of course, that is not the subject here today except as a subsidiary issue.

Mr. CRAMER. I will say to the gentleman, if I may reply to him very briefly, that we do not instill in the young people of this Nation and to those visiting this Capital a feeling really of our Government in action and how our freedoms can be preserved by their actions as citizens, as it is. But you may well be right. I want to make certain that we do a good job in letting them know what is going on here in Washington, D.C.

Mr. GROSS. I hope that when they do come to the Capital, wherever a visitor center may be located, that they are afforded the protection that is necessary to see that they are able to enjoy all of this indoctrination in Washington.

I would like to ask the gentleman this question. If this is such a good financial bargain, why does not the Washington Terminal Co. operate it as a visitor center?

Mr. CRAMER. The Federal Government wants to have absolute and complete control over the facility. I agree that the Government should, through its congressional actions, have control over it, over what is to be included in it, and over the changes to be made in the day-to-day administration. The only way to accomplish that, rather than to have the Federal Government build a facility itself which it will control, would be for private enterprise to build it and then lease it to the Federal Government. I favor the latter rather than the former, and that is embodied in this legislation.

Mr. GROSS. Who will provide the police protection for this Center?

Mr. CRAMER. I presume the police protection in the Center and on the immediate facilities and grounds will be provided by the Park Police of the Department of the Interior and that the protection in the surrounding vicinity will be provided by the District of Columbia Police.

Mr. GROSS. Will the District of Columbia be reimbursed for the protection that it gives to this Center? It is supposed to be a moneymaking Center.

Mr. CRAMER. No more so than any other facility that is protected by the District of Columbia Police Department.

Mr. GROSS. This will be quite a bill of expense, located where it is proposed to locate this visitors center. Would not the gentleman agree with me?

Mr. CRAMER. In addition to that, the Department of the Interior will have the necessary personnel, which they do now have for park services and through the Park Police, to make certain that whatever police facilities are needed will be made available. That expense should come out of the rental and the administrative expenses of operation.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further——

Mr. CRAMER. I yield further to the gentleman from Iowa.

Mr. GROSS. What is the valuation placed on the property by the Washington Terminal Co.?

Mr. CRAMER. As I recall, it is $19.5 million at the present time.

Mr. GROSS. That is the land value, is it not?

Mr. CRAMER. That is the land and the building.

Mr. GROSS. I thought representatives of the terminal company testified before your committee that the value of the building was "incalculable."

Mr. CRAMER. We went over their testimony rather carefully in trying to arrive at the maximum figure. They indicated $19.5 as their valuation. This does not mean that should we decide to purchase under the lease with option-to-purchase agreement that we would agree to the $19.5 million figure. But that was their estimate. The figure has to be the reasonable market value at that time, and it could be less. But their estimate is $19.5 million.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. GRAY. In that connection I would like to point out for the benefit of the Committee that the president of the Washington Terminal Co. testified that if this plan does not go through, it will be only a matter of time until this national historic landmark will be torn down. It is too large for a railroad station. It is perfect for a Visitors Center. And the $19.5 million estimate of the value is for land only. As the president of the Washington Terminal Co. pointed out, he is not putting any value whatsoever on the building facility, because he feels the land is worth what he is asking the Government in the valuation.

The point I want to make to the gentleman from Florida is the fact that this historical landmark—and it has been so designated by the National Park Service—will eventually be lost to the city and to the world if this plan does not go through.

While I am on my feet, and if the

gentleman will yield further, I would like the Record to show that the gentleman from Florida has rendered a yeoman's service in behalf of this project that we have before us. As the ranking minority member of the Committee on Public Works and as a member of the Commission he attended all the Commission meetings, and I cannot praise him highly enough for the outstanding service he has performed.

Mr. CRAMER. I thank the gentleman, but I believe the yeoman's service was rendered by the gentleman from Illinois and the gentleman from Iowa [Mr. Schwengel], who served as chairman of one of the subcommittees.

The gentleman's answer to the question is the same as mine; that is, that no money was added to the valuation because of the building.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I should like to ask the gentleman about the information that is to be given the people who visit the proposed Center. Who is going to say what kind of information will be given to them? There is so much false information going over all media of communications now; how can we protect the public from the wrong kind of information?

Mr. CRAMER. I will say to the distinguished gentlewoman that this was of concern to me. I tried to evidence that concern in my opening remarks. I wanted to make certain—and that is why I insisted on a continuation of the Commission—that Congress would continue to have representatives on the Commission with an oversight function, a constant oversight function in determining what facilities should be there and what information should be provided, to make certain that the legislative branch of the Government in its functions was properly represented.

So, in addition to the Secretary of the Interior and the General Services Administration, there will be the Commission, on which Congress will have substantial membership. I can assure the gentlewoman that I, for one, will try to make certain, should I be on that Commission, there will be something of greater substance that we will have than we had at the World's Fair and some other experiences.

Mrs. BOLTON. Not only that, but the very core of information that is given—for instance, as I put in the Record this morning, there are pornographic records that are being heard everywhere today. There are so many things that have a nasty taste that give a very false impression, contrary to what America really fundamentally is, that I should think it might be quite a dangerous thing unless the work the Commission has done it will continue to do. It would have to be really awfully effective, and they would have to be really awfully stern. I trust the gentleman will see, if this goes through, that such supervision and power to act really take place.

Mr. CRAMER. In addition to the supervision of the Commission, the committee will have a constant oversight function.

Mrs. BOLTON. They do not really do very well with radio and TV, so I question this.

Mr. CRAMER. Mr. Chairman, I thank the gentlewoman. The gentlewoman has expressed concern which I, myself, have expressed often. I am confident that the committee will prevent any such occurrence.

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. KLUCZYNSKI. Mr. Chairman, I thank the gentleman from Florida for yielding.

I congratulate the great chairman of our Subcommittee on Public Buildings, the gentleman from Illinois [Mr. Gray], and also my chairman on the Visitors Commission, of which the gentleman from Florida is also a member. The gentleman from Illinois [Mr. Gray] has done a splendid job. He has worked for weeks on this, and I am happy that we have gotten it to the floor at this time, and that we will be able to vote on it today.

I know that once this Visitors Center is completed, I will be very happy to see my constituents, the people of the Fifth Congressional District of Illinois, come to Washington and enjoy that wonderful Visitors Center.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I assume that the gentleman recalls that the U.S. Supreme Court has been trying to find a parking lot in close proximity to the Supreme Court Building. The Chief Justice says this is necessary because women employees of the Court are not safe in leaving their offices, particularly in the winter season, after dark. The Supreme Court is in a much more favorable location from the standpoint of safety than the Union Station.

Does the gentleman think that visitors coming to Washington will be properly protected if they are walking after dark—and I assume this parking lot will operate after daylight hours—in going into that area to get to their automobiles, or in going to the Capitol from that area?

Mr. CRAMER. I would say to the gentleman from Iowa I would contemplate that adequate police protection would be made available by both the Department of the Interior and the District of Columbia, each in their proper spheres.

It is possible that consideration might be given to including this leased facility under the bill that recently passed and became law with respect to administration of the Capitol itself.

There is not any question but that adequate protection should be provided. I trust it will be.

Many of the buildings in that area that are substandard, and the apartment houses, will be torn down, and the area is becoming more of a commercial area. In fact, a three- or four-block area to the west will be torn down, and most of the rest of the area will be rehabilitated. I would contemplate the situation would not be as serious as it has been in the past.

Mr. GROSS. Mr. Chairman, the gentleman would not think this Visitors Center would become a haven and sanctuary for "visitors" such as those who came to Washington not long ago and tried to take over the Pentagon. The gentleman would not think it would become a sanctuary for such visitors, would he?

Mr. CRAMER. I will say to the gentleman, if the bill I sponsored ever passes this House, the antiriot bill, there will not be any building in this country that will be a haven for such people.

I hope that it will become law.

I hope that the Capitol legislation recently passed, on antiriots and antidemonstrations, also will be applicable to it some time in the future.

Mr. GROSS. The committee did have quite a discussion and a difficult time deciding the site for this facility, according to the hearings.

Mr. CRAMER. The gentleman is absolutely correct. If we had gone to the Mall it would have been a $40 million immediate expenditure. For certain other locations the expenditure would have been far greater.

This was the way to do the job close in proximity to the Capitol for the least amount of money, in my opinion.

Mr. GROSS. If convinced it is needed at this time of staggering expenditures and debt.

Mr. CRAMER. I am convinced that visitors to this Capitol are entitled to receive services and information and parking facilities as taxpayers, constituents, and citizens of this great Nation.

Mr. GROVER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New York.

Mr. GROVER. Is it not true that there was another independent study which we did not request, calling for a very extensive facility, which was suggested to us, which would have cost $300 million in its inception?

Mr. CRAMER. The gentleman is correct.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I thank the gentleman for yielding. As a member of the Committee on Public Works, I enthusiastically support this legislation to create the long overdue National Visitor's Center here on Capitol Hill. I believe the House is deeply in debt to the gentleman in the well, the gentleman from Florida [Mr. Cramer], and the gentleman from Illinois [Mr. Gray], and also to the gentleman from Iowa [Mr. Schwengel], who has been working on this particular project for many years. The work of these three gentlemen, in particular, has been outstanding.

I believe our committee has done an excellent job to come up with this comprehensive recommendation, developing this proposal, and for shepherding it through the legislative process. I am pleased to have had a part in this effort.

This type of facility has been desperately needed to handle the volume of tourists, vacationers, students, and conventioners that visit Washington to see its sights or to study its history. We have a definite obligation to make certain this type of facility is available to assist these people so that they may obtain the greatest possible information during their brief visit here.

There is so much to see and do in Washington that it is essential there be some one place a person might go to obtain information as to what is available for him. Enactment of this legislation will enable us to establish such a place and I trust the House will approve this measure overwhelmingly.

One of the more gratifying factors about this legislative proposal is that the private sector will finance the very substantial portion of the facilities required. I urge my colleagues to support this very constructive piece of legislation.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New York.

Mr. PIRNIE. I thank the gentleman for yielding.

I should like to compliment the gentleman for his explanation of the economics involved and the general policy kept in mind during the study.

With further reference to the type of information which might be given at the Center, I trust that it will be sufficiently controlled so that it will have historical significance instead of assuming any role of current propaganda, irrespective of the administration which might be in power. This should be an opportunity for the people to become aware of the Nation's past while at the same time, of course, viewing their Government in operation.

I want to express my approval of the statement by the gentleman in the well that the influence of this Commission will be continuing long after this legislation is enacted.

Mr. CRAMER. I thank the gentleman. I say to the gentleman that the Commission which was established—which will continue, I hope—through its substantial House and Senate membership, will make certain that proper information is made available, historical and otherwise.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Jersey.

Mr. JOELSON. I understand, in view of our terrible fiscal crisis today, this type of arrangement may be necessary, but I believe we should face the fact that if a private concern can make a profit out of this under the lease, in the long run it must cost the U.S. taxpayer more than it would if the Government had financed it from the beginning. Is that not true?

Mr. CRAMER. If the gentleman believes that this money would be spent without the Federal Government borrowing money and spending interest costs on it, the gentleman is not correct. We have to pay interest, too, and it is getting to be substantial. I believe it pretty well balances out.

Mr. JOELSON. If the gentleman will yield further, I understand that the Government has to pay interest, but I also understand that this private company, although it may be very patriotic, is in this for a profit. The Government will pay more than if we finance it ourselves.

I understand that the fiscal pressures are such that we must do it, but I believe the RECORD should make it clear that in the long run it will cost us more than if we had constructed this Center with taxpayers' funds from the very beginning.

Mr. CRAMER. I realize that the gentleman probably would like to have a $40 million or $60 million immediate Federal expenditure authorization for this, as is the gentleman's customary approach to these problems, but I disagree with the gentleman.

Mr. JOELSON. If the gentleman will yield, to straighten out the RECORD, I did not say I wanted that.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Florida.

Mr. HALEY. The gentleman is worried about the money that we do not have to go into this project. We have been borrowing money we do not have for many, many years now.

The gentleman does not seem to worry too much about that, I might say. Is that correct?

Mr. CRAMER. The gentleman from Florida is correct.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. A moment ago it was stated that this was based on the free enterprise system and the Federal Government did not have any part in connection with it. Was that your statement, or that it was considered that the Secretary of the Interior and the Administrator of GSA are the ones that enter into these on behalf of the Government in this case? Is that correct?

Mr. CRAMER. That is correct.

Mr. ROGERS of Colorado. And in that they are authorized to enter into a lease of this property in question. After they lease it, then does the Federal Government operate it, or does free enterprise operate it?

Mr. CRAMER. If the gentleman had been here earlier, he would have heard my explanation that the Federal Government will operate it and will receive income from the parking and the concessions. Free enterprise will put up the risk capital and lease it to the Federal Government.

Mr. ROGERS of Colorado. Will the gentleman yield further at that point?

Mr. CRAMER. I am sorry, but there are a number of other Members who want to be heard on this legislation. I think I should yield the floor.

Mr. Chairman, I urge enactment of this legislation.

Mr. KLUCZYNSKI. Mr. Chairman, I suppose it is not news to the Members of the House that we Americans have an almost universal reputation for bragging about ourselves and our great country. Most of us have visited other countries and I am sure we have all heard this old charge. It does not bother me and I do not imagine it causes much pain for other Americans who have heard the same accusation. The plain fact is that we have a lot to brag about.

Even so, every nation, no matter how effective and brilliant, has some cultural lag and is guilty of some grave oversight. We are no different. One of ours is that Washington, our Nation's Capital City, is probably a leader in the indifferent and cold treatment it affords to its visitors. I hope that I am not giving our friends abroad some ammunition to fire at us by saying this.

It is lamentably true, however, that for over a hundred years, we have treated not only foreign visitors and tourists to Washington, but our own citizens, with something approaching indifference. We ought to be treating them with our warmest hospitality.

We have at least 5 million visitors to Washington every year, and the number grows every year. They come here to see the sights and sounds of our metropolitan area, a living museum of our own history from colonial times to now. We surely want more and more to come here. Only the most insensitive can leave here without having national pride and old-fashioned patriotism strengthened. We all want that happy result, and we are also not adverse to having their substantial contribution to the local economy. The tourist business here is the leading industry.

By passing this well-written and well-thought-out National Visitors Center bill, we are offered several splendid opportunities. One is to correct a grevious oversight that dates back to post-civil War times and has grown worse year by year. We can make a genuine, lasting contribution to our national culture, to patriotism, to educational, historical, and political development, we can help make Washington just what it should be.

But also we are being offered a genuine bargain here and it would be folly to spurn it. This needed and long-awaited Visitors' Center will come about without cost of the Federal Government and almost guarantees a continuing profit. What it can do for the local economy can hardly be calculated at this time.

Mr. Chairman, there is every valid and sound reason why we should pass this legislation by a thumping majority.

Mr. SCHWENGEL. Mr. Chairman, first I want to join my colleagues in paying tribute to the chairman of the study committee and the chairman of the subcommittee of the Committee on Public Works concerned with this matter, the gentleman from Illinois [Mr. GRAY]. My friends, he has been a fine negotiator, he has been a tough negotiator, and he has represented the interests of our Government in his project always excellently as he dealt on this question with the business interests and he led with acumen as we considered the proposition which is now before you. As you already know, he is a knowledgeable leader, the most knowledgeable of our group in this field, and has presented his case superbly. Throughout this entire consideration both as a member of the special subcommittee which dealt with this subject and as a member of the regular Subcommittee on Public Works, he proved to be a superb leader. Therefore, I want to join all of those who paid such high tribute to him and say to him in the future America will be thankful for the great and fine leadership you have given to this great project.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I am glad to yield to the distinguished gentleman from Illinois.

Mr. GRAY. I certainly would not let this occasion pass without telling the membership and stating for the RECORD that the gentleman from Iowa, who is now in the well, had the idea of a National Visitor Center many years ago. He was persistent in his views not only before our committee but with other Members of Congress and the Commission. He along with the gentleman from Florida [Mr. CRAMER] and others have been of tremendous value both to the Commission in its long study and to the Committee on Public Works in its deliberations on this proposal. I want to join others in commending him for his outstanding work and thank him for the kind remarks he made about me.

Mr. SCHWENGEL. I thank the gentleman from Illinois very much for those kind remarks.

Mr. Chairman and my friends, what we are doing here is recognizing a great need. I have sensed this because I have a feel for the history of this Nation. I speak also as president of the U.S. Capitol Historical Society, which is a very young organization but already a very successful one which in its own way has made a contribution to history. With this help and this kind of encouragement we will be able to make a greater contribution to a better understanding of our heritage. The historical society which I head made a small sum of money from the sale of our book which is dedicated to the further evaluation and writing of history in cooperation with the projects which will have for their purpose the better understanding of history. We have dedicated a substantial amount of money already to engage talent and to help to produce a film to be shown in the film center when it is shown in the National Visitor Center. And, one also to be available to the classroom teachers as they attempt to teach history and, especially for those who prepare the students for a visit to Washington, D.C.

Mr. Chairman, there was a great American historian who said—and I paraphrase for brevity:

> Whenever a nation or a people forget their hard beginnings, they are beginning to decay.

Mr. Chairman, there are evidences of decay in America. One positive way to deal with this is this proposition which we are presenting to the House of Representatives today.

So, Mr. Chairman, I join with those who have supported this project and lend my enthusiastic support to this project.

Mr. Chairman, I have before me some prepared remarks that deal with specific areas that we are going to influence and help with when this project comes into being and as we develop a plan for the people to better understand what they see here when they come to the Nation's Capital.

Mr. Chairman, I served as chairman of the Subcommittee for Information and Interpretive Program.

The work of the subcommittee and the committee was to agree upon a statement of objectives to be achieved by means of services offered through visitor facilities. To assist the visitor in meeting his own objectives in visiting the Nation's Capital is the major purpose of these facilities.

In addition to this major purpose, the following objectives were agreed upon:

First, to assist the visitor to acquire a better understanding of the heritage of the Nation, through visits to the monuments, museums, churches, homes, parks, and public buildings.

Second, to provide the visitor with a clearer overall understanding of the Federal Government; to help him relate the information acquired in visiting the many places of government.

Third, to assist student groups to achieve their education objectives in visiting Washington; these groups deserve special attention for they are highly motivated, impressionable, and are forming lifelong understandings and attitudes about their Government.

Fourth, to inspire the visitor to a greater appreciation of his Government, its age, strength, and flexibility; Federal employees—many people are performing the jobs necessary in government and such jobs offer worthwhile and satisfying careers; his own importance as a citizen—the foundation and strength of all government is the individual; sound government requires a well-informed citizenry—self-disciplined, fully responsible, and concerned about the welfare of all.

Fifth, to provide the visitor with an understanding of the origin and development of the Nation's Capital, a city founded and designed to be the seat of government; the several plans and some of the problems of the "living" city.

In other words, we see these visitor facilities as a means to an end for the visitor and not as destination points or as additional attractions. However, the success of these facilities will depend upon the implementation of a program of information and orientation that gains sufficient repute to attract the visitor for the services offered.

The subcommittee and the committee has dealt specifically with the information and interpretive programs to be incorporated into the National Visitor Center. Our recommendations are proposed in the following categories:

I. Information and orientation.

II. Special services.

III. Highway information stations.

IV. Specialized orientation centers.

I. Information and orientation—

This type of general information and orientation was needed in 1965 by 10,000,000 visitors. Visitation in the city should exceed 18,000,000 by 1976 and over 22,000,000 by 1985. This means that on a peak day in 1965 there were approximately 80,000 visitors in Washington, and on a peak day in 1976, there may be as many as 150,000 visitors. A suitable program providing general information and orientation for these visitors is needed to help each achieve his purposes in visiting Washington and to eliminate visitor confusion and loss of valuable time.

A. General visitors—

First, information receptionists: Assistance should be provided the visitor in planning how he shall use his time. Of the many opportunities, which shall he select? How long will each take? In what sequence should he proceed? What buildings or events are available in the evening? Where is each place located? How shall he get from place to place? Walk? Ride the shuttle? These kinds of questions can best be handled by means of personal services.

Second, exhibits: Visual materials of all types should be used to indicate the many places of interest in central and greater Washington, the nature of each place, its location, hours of operation, and how to get to it.

Exhibits should be utilized to illustrate the several plans for the development of Washington, projects currently under development, and some of the problems and accomplishments of the "living" city. Exhibit space should be made available for timely subjects of general interest such as events associated with the bicentennial of the signing of the Declaration of Independence.

If exhibit space is available, we feel that visitors would derive a sense of familiarity from seeing a display area in which their State would be featured. Material and pictures of each State could be shown. As well as instilling a feeling of pride in the State, it would also serve to attract business and tourism.

Third, theater programs: A close study of this problem revealed that at least two types of programs will be required; the first, an orientation program showing the places to visit; the second, a longer, inspirational film designed to impress the visitor with the individual contributions and sacrifices that have combined to shape this Nation.

The subcommittee strongly recommends an orientation program such as the three-screen slide presentation "Welcome to Washington," produced by the National Park Service. The requirement is for an excellent fast-paced and flexible means of informing the visitor of the attractions in Washington and persuading him to spend his time intelligently and with regard for his particular interests.

The inspirational film presents more of a problem, since the scope and breadth of the history and guiding forces dealing with Washington are of tremendous range. Further, this film will, or must, provide "the occasion" for virtually all to visit the Center.

The U.S. Capitol Historical Society is currently arranging to produce such a film, and is seeking the advice of this subcommittee as well as a number of other sources. The film will be made available, of course, to the National Visitor Center, and it is envisioned that the impact of this film will drive home to the visitor a sense of involvement and pride in his Government and his Capital. The U.S. Capitol Historical Society might wish to feature the film at the Capitol, should visitor facilities be made available there.

At least four theaters should be constructed, as we feel it will be advantageous to have the showing of the films beginning at short intervals to prevent long waiting periods and large masses of people emerging simultaneously. Upon advance notice, a theater could be made available for special showings to student groups or any large specialized audience. Special programs could be scheduled each evening—films, lectures, demonstrations, music or limited dramatic productions.

The size and number of theaters will, of course, be dependent upon the size of the audience to be served each hour, the length of the theater programs, and the space available at the Center. If the Union Station is to be the first center developed, theater seating capacity of approximately 2,000 should be planned. This would provide an hourly capacity of 4,000 for a theater program presented twice each hour. The daily maximum capacity would be approximately 30,000, a significant portion of the present daily audience or the expected audience arriving by commercial carrier in 1976 on peak days.

Fourth, publications: The Nation's Capital, more than any other place in America, has a responsibility to educate, inform, and stimulate its visitors to an understanding and knowledge of its functions and heritage. The sale and distribution of publications explaining these achievements will serve to provide the visitor with the facts and pertinent information, and it is of the utmost importance that these publications be presented in an interesting and articulate manner.

With this in mind, we recommend that the three factors in the compiling of any publication be considered with an eye to attracting and holding the interest of the tourist; the dialectic, or literary platform; the graphic aspect of color photography and reporting; and the cartographic, or the presentation of maps. The basic information about the city with brief narratives and descriptions should, of course, be free; but it is our intention to expand on this elementary approach with a wide variety of specialized and detailed publications which may be sold at a nominal price. We further suggest that the publications already in existence be screened as to suitability and offered to the visitors along with any new pamphlets and books.

Studies have been made which show that information handed to a visitor by a staff member will be read and studied more than one picked up from a display case, but necessity demands that both distribution outlets be established. We visualize a section of the center devoted to the presentation of publications, with personnel present to handle sales and to direct inquiries on specific subjects to the appropriate material.

A need is indicated for similar facilities at the many points of interest around Washington, for example the U.S. Capitol, the Library of Congress, the Supreme Court Building, and other focal points for the visitor. Each place could provide specialized material dealing with the specific location, a service that is sorely needed.

Fifth, personal conveniences: Restrooms, drinking fountains, and lounges where one can rest should be provided at the Visitor Center.

B. Special visitors and groups—

First, student groups: It is recommended that a full-time staff be assigned to coordinate and arrange itineraries for school groups.

This staff would provide advance material to teachers and others in the form of publications, films, and other pertinent information so that the student would have a good idea of what he will see in Washington.

The youth of the Nation are more receptive to learning than any other group, and it is to this group that we must direct a large part of our resources and energies.

Second, international visitors: A specific area should be planned for international visitors and it should be staffed by multilingual personnel. Steps should be taken to maintain a staff of highly qualified personnel competent to speak the most frequently used languages. All orientation publications should be available in the most frequently used languages. The International Visitor Information Service here in Washington has already done a magnificent job meeting this need. Additionally, the U.S. Travel Service has indicated a willingness to assist with the implementation of these services.

As it would be prohibitively expensive to provide informational and orientational publications in every language, we recommend that prototype publications, in English, be made available to the remaining embassies to be translated for their nationals if they wish. All theaters should be equipped with translation facilities to assist international visitors in the most frequently requested languages.

Third, special interest groups: Assistance should be available to help groups, or individuals, plan itineraries for specific purposes—gardens, art, architecture, historic furnishings, and other similar subjects. Specialized literature should be published to supplement the material which is currently available.

Audiovisual materials available in many of these subject areas may provide rich material for these groups and for evening programs.

C. Staff space requirements: Offices, locker rooms, lounge, and restrooms must be provided for the operational staff. Adequate storage space must be provided for publications inventory, exhibit storage and other operational supplies and equipment.

II. Special services—

A. Reservation facilities: A facility should be established in the Visitor Center enabling visitors to make reservations for overnight lodging, meals and perhaps some type of entertainment (tickets for plays, concerts and similar activities). This service should be provided by the commercial interest served and should meet standards of operation set by the management of the Visitor Center.

B. Commercial tours: Space should be provided for the licensed commercial tour companies and the licensed guides operating in Washington to make their services known and available to the visitors.

C. Travelers Aid Society.—The Travelers Aid Society in Washington has requested that space be provided to establish a travelers aid station in the Center. This proposal has met with the full approval of the subcommittee, as we think such a service worthwhile and, indeed, mandatory.

D. United Service Organization.—The USO facilities at Union Station presently attract thousands of military personnel each year. If a Visitor Center should be established at Union Station, the USO should remain as a supplemental visitor center service.

III. Highway information stations—

We recommend the construction of small information stations along the five or six principal highways entering Washington just beyond the Beltway. Here the visitor may receive needed assistance as he nears his destination. Desirable locations would be at, or in settings similar to, the rest stops located along the interstate highways. Highway signs should note the location of the facility and its operation by an agency such as the National Park Service—not a commercial service. There should be deceleration lanes into, and acceleration lanes from, the stations. A nominal amount of parking space will be required, 15 to 20. Experiments have shown the need for only a brief stop for the needed information.

The amount of enclosed space in the station need not be large but should be designed for operation any time during the year. At the outset such stations should be staffed approximately 5 months each year—spring and summer—and operated as self-service stations during the remaining months. The stations could be staffed weekends or holidays when necessary.

This would be the first step in separating the visitor from his car. Here the overnight visitor could be directed to his accommodations and encouraged to leave his car there and to use public transportation to reach the central area and the interpretive shuttle service. The 1-day visitor could be directed to central or fringe parking, according to available space, with an explanation of how to get about the city without using a private automobile.

For the visitor desiring overnight accommodations, direct telephone connection with a commercial reservation service should be provided. Ease in locating suitable lodging is an important factor in increasing the percentage of visitors staying overnight.

IV. Specialized orientation centers—

We recognize the need for such facilities and note their complimentary relation to the National Visitor Center facilities and services. Three such centers are currently under discussion; at the Capitol, at Arlington National Cemetery, and at the National Aquarium.

Valuable service can be offered the visitor at each site. For example, such a facility at the Capitol can offer information in depth on the legislative branch of Government; the organization of the current Congress, current matters under consideration, an explanation of how a bill becomes a law, and a historical perspective. Here, Senators and Representatives could meet and address small or large groups. Special public presentations and briefings could be offered. All tours of the Capitol might begin here. Space would be needed for exhibits, small meetings, and audiovisual presentations.

The Members of Congress have an acute need for such a facility. This need is sufficiently great as to preclude any other significant use of the space, except the possible distribution of general literature on what to see and do in Washington. Approximately 7,000,000 people visited the Capitol in 1965.

DESIGN AND DEVELOPMENT PHASE

The general physical layout of the Center will have to be planned by architects and other specialists, following the Study Commission's recommendations.

It is our recommendation that this subcommittee, or a comparable body, be of a continuing nature to work with the architects in the development of the above plans. Further, as the Center progresses toward completion, and even after it is functioning, such a body could act in an advisory manner recommending guidelines and policies to the administering agency.

The members of this subcommittee: Congressman FRED SCHWENGEL, chairman; Senator ALAN BIBLE, alternate, Mr. Roy Whitacre; Senator GAYLORD NELSON, alternate, Mr. Fred Madison; Senator HUGH SCOTT, alternate Mr. Martin Hamburger; Senator STROM THURMOND, alternate, Miss Dee Workman; Rev. Walter Fauntroy; Dr. S. Dillon Ripley, alternate Mr. Charles Blitzer; Mr. John W. Harbour, Jr., coordinator.

Mr. GUDE. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I shall be glad to yield to the gentleman from Maryland.

Mr. GUDE. Mr. Chairman, I would like to associate myself with the fine remarks of the gentleman from Iowa, a gentleman who has such a great insight into the history of our Nation's Capital and, indeed, the history of our Nation itself. Further, the gentleman from Iowa has done a great service in this area to make available the history of the Capital and the Nation known throughout the land to so many of our citizens.

Mr. Chairman, I would like today to express my strong endorsement of H.R. 12603 which provides a National Visitors Center for the District of Columbia. Such a center would make an important cultural and educational contribution to the Nation. The need for such a center is great and therefore I urge prompt passage of this legislation. Such a center would serve the masses of tourists that flock into the Nation's Capital daily. More than 80 percent of the area tourists arrive here in unorganized groups without a schedule and with little hope of securing reliable guidance. It is these visitors for whom the Center will furnish such valuable assistance. The National Capital which offers so many great attractions to its citizens as well as to world travelers can and should provide appropriate direction to and interpretation of the historic and cultural points of the area in a manner of dignity and reliability worthy of the name of Washington, D.C.

Our guests will understand better the fabric of history and government which they observe. With a warm reception, they will wish to stay longer or to return again. There are many attractions in my neighboring State of Maryland and in Virginia and West Virginia which are as much a part of visits to the Washington area as are the Capital landmarks themselves. The great natural beauty found at Great Falls and the C. & O. Canal with its panorama of history provide much pleasure for many of our visitors. Virginia's Williamsburg, Stratford, and Fredericksburg; and Maryland's Annapolis and Fort McHenry; and Harpers Ferry in West Virginia should all be included as part of the documented tourist information which will be featured at the visitors center.

The historic attractions of the surrounding States, which form the cradle of democracy, and their fine restaurants and lodging facilities, will only increase the enjoyment and extend the stay of all visitors.

This opportunity for the updated utilization of the refurbished Union Station, so long a part of the Capital Plaza and its plan, is a logical and practical development because of its central location for transit and rail facilities, freeway accessibility, and the frequency of bus service. These facilities, the planned 4,000 parking spaces, and the related planning will provide the area with a system of sensible traffic patterns for tourists.

Mr. Speaker, I believe that this legislation, which has the support of a special 21-member Commission established by the Congress last year to study such a center, should be passed by the House today.

Mr. MILLER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I shall be glad to yield to the gentleman from Ohio.

Mr. MILLER of Ohio. Mr. Chairman, I thank the distinguished gentleman from Iowa for yielding. However, I do have a question to put to the gentleman from Iowa.

I am not sure that it has been covered, but for the purposes of legislative history, as I understand the lease, it would be $3 million a year; is that correct?

Mr. SCHWENGEL. Yes.

Mr. MILLER of Ohio. It would also cost a certain amount for personnel to operate and maintain this center. There would be insurance costs and there would also be costs for police protection, costs for utilities, and so forth.

Does the gentleman from Iowa have the facts and figures to indicate just what amount we are talking about? For instance, what would be the net cost per year to the Federal Government?

Mr. SCHWENGEL. We have those figures, but I do not have them right here at my fingertips. I am sure that the chairman of the subcommittee has them.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Illinois.

Mr. GRAY. The best estimate which we have on operating the parking facilities, all of the orientation centers, and everything in the entire complex, would be between $1 million and $1.5 million a year. If we have to pay the maximum of $3 million—we hope that as a result of the negotiations it will be less than $3 million a year—but if we have to pay the full maximum, the total package will be between $4 million and $4.5 million for the entire facility. However, we receive all of the revenues, and as I pointed out earlier, this could run up into the millions of dollars.

However, the answer is, from $1 million to $1.5 million per year to operate this entire facility, including the movies and other things which we propose to offer the public free of charge.

Mr. MILLER of Ohio. Mr. Chairman, if the gentleman will yield further, in other words we are saying that there is no net cost to the Federal Government for this project?

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, there is no net cost in the way of capital expenditures. There will not be any operating costs until that entire complex is finished and ready to be used for public use.

In other words, the day upon which we start paying rent, we start recouping revenues. It is our fervent and sincere hope that the revenues will be sufficient to pay all of the costs of the operation of the facility.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Iowa.

Mr. GROSS. The question is not one of capital improvements. It is a question of what this is going to cost the taxpayers of the country, in addition to the parking fees.

Mr. GRAY. Mr. Chairman, will the gentleman yield further?

Mr. SCHWENGEL. I yield further to the gentleman from Illinois.

Mr. GRAY. I just pointed out the fact that the entire package cannot exceed $4 million to $4.5 million a year. The revenues, certainly, from parking alone, should be around $2 million a year. If we just charge the sum of $1 for a 24-hour parking period for the car and all of its occupants, that would represent the cheapest parking rate which exists in the District of Columbia.

Last year the Union Station brought in $385,000 from concessionaires with less than 5 percent of the traveling public going in there. So you can see we are actually being modest as to the potential revenue we will have from the sale of food and other goods and services.

Mr. SCHWENGEL. And that money will be taken out of the money received from the parking facilities and the other income derived from the other facilities there.

Mr. GROSS. Mr. Chairman, do I understandther e is a possible cost to the Federal Government of $4 million to $5 million a year over a period of 60 years—the possibility of it?

Mr. SCHWENGEL. There is only a possibility of that if the people stop coming to Washington, D.C., to visit, and I do not believe there is any possibility of that. And with these kinds of facilities available, the possibilities are that more people will come. In fact, all of our reports indicate that the trend in visiting Washington is up. And, as I say, as we make these facilities available and make it easier for people to visit here in comfort, then there will be even more people coming, so naturally the income from these facilities will be up.

Mr. GRAY. Mr. Chairman, if the gentleman will yield further, I am sure the gentleman from Iowa did not mean 60 years, but he meant 20 years. The gentleman said 60 years, but it is a 20-year lease.

I also want to point out that if the visitors do not fill these parking facilities, we certainly can fill the facilities with Government workers who now are crying for places to park. So there will be no problem on this parking facility paying off.

Mr. SCHWENGEL. I am sure that is true, and is it not also true that we might even need to extend these parking facilities so as to make room for several thousand more cars, and that will be determined on the number of visitors as this thing moves along?

Mr. GRAY. That is correct.

Mr. GROSS. I am sure the gentleman is aware of what happened with respect to the District of Columbia Stadium; is he not?

Mr. SCHWENGEL. I certainly am.

Mr. GROSS. That also was not going to cost the taxpayers of the rest of the Nation any money. Congress was assured there would not be a dollar contributed by all the taxpayers to the District of Columbia Stadium, but they are now helping pay interest on the bonds, and not one dollar of the principal of $20 million has ever been paid off.

Mr. GRAY. Mr. Chairman, will the gentleman yield further?

Mr. SCHWENGEL. I have a suggestion on that, but first I will yield to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. I thank the gentleman for yielding.

Mr. Chairman, I have heard the argument three or four times today, and I would like to lay it to rest once and for all.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GRAY. Mr. Chairman, I yield 2 additional minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. I thank the gentleman.

Mr. GRAY. If the gentleman will yield further?

Mr. SCHWENGEL. I yield to the gentleman.

Mr. GRAY. Mr. Chairman, we all know that the stadium is used principally for activities involving sports, such as baseball and football, and we also know that we have crowds of only 2,000 or 3,000 to 30,000 people attending some of those games, and, also, they may go only once a month. So that there is no comparison between the 15 million persons who visited Washington last year and the number of people who may have attended games at the District of Columbia Stadium. I believe that is a wholly unfair comparison, and I am sure the gentleman from Iowa would not expect to make such a comparison between the number of visitors to Washington every day, and the number of people who go out here to the District of Columbia Stadium to see a game possibly once every month.

Mr. GROSS. There is nothing unfair about the truth, either. When the District of Columbia Stadium came to the House we were assured that it would not cost the Nation's taxpayers any money. I wish we might have assurances from the gentlemen supporting this deal that it will not become a burden on the taxpayers across the country.

Mr. GRAY. Mr. Chairman, will the gentleman yield further?

Mr. SCHWENGEL. I yield further to the gentleman.

Mr. GRAY. First of all, the gentleman who guided the District of Columbia Stadium bill was the distinguished gentleman from Arkansas who is now a Federal judge, Mr. Harris, and I am sure that he obtained his information from seemingly reliable sources.

I am also aware that the District of Columbia Stadium was about a $35 million capital improvement project. That is a sizable investment. There is absolutely no comparison at all between the District of Columbia Stadium program and this program. As the gentleman knows, $35 million worth of bonds is a big project to amortize. We are not talking about $35 million, we are talking about zero expenditures on the part of the Federal Government.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I have a few questions for information only.

The first question is who determines the fair cash market value of the property involved?

Mr. SCHWENGEL. We will follow the same rules and regulations that the General Services Administration has provided through the years in obtaining that figure.

Mr. HALL. That has not always been exemplary.

But then who determines the fair rental value as set forth on page 5 of the report, the fair rental cost of the improved property after GSA has acquired or leased the property?

Mr. SCHWENGEL. We had the representative of the GSA there and they gave assurances on that point based upon experience and examples that they indicated to us.

Mr. HALL. I know of the distinguished gentleman's interest in the Nation's Capital and especially with reference to its historical value.

Last August under suspension we voted down a visitor center involving the Botanical Gardens which later passed on a voice vote. Will the adoption of this proposal here today involving the Union Station lay to rest for the foreseeable future the involvement of the Botanical Gardens or the west side of the Capitol as an additional visitor center?

Mr. SCHWENGEL. No, I am not sure it is going to relate at all to the Botanical Gardens project. That is a separate consideration so far as I know. We have no opinions, or we are not making any judgments on the west side or the west front development.

Mr. HALL. The gentleman does not mean to imply to the Members of the Committee of the Whole House on the State of the Union that in the foreseeable future we might also be asked to make a visitor center out of these other two areas by voting for this one today, does he?

Mr. SCHWENGEL. No, I do not.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GRAY. Mr. Chairman, I yield myself 30 seconds in order to answer the distinguished gentleman from Missouri. He has asked a very important question.

The Botanical Gardens was one of the early sites considered as a visitor center. This legislation would preempt any possibility of it being used for that purpose.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, congratulations and commendations are indeed in order and I should like to add mine to those previously expressed by my colleagues to the gentleman from Illinois for his fine presentation and the excellent job that he and his commission and committee did in bringing this legislation before us.

Certainly, when we consider the problems of the war in Vietnam, of deficit financing, of unemployment and poverty, we cannot consider this as our No. 1 problem. But it is certainly one of our most aggravating problems and it is getting worse all the time. It is going to continue to get worse unless we do something about it. I think we can do something about it by approving this legislation here today.

We cannot ignore the fact that this is the Nation's Capital as well as the capital of the world.

The biggest business in this community, other than that of the Federal Government, is the tourist business. As pointed out by the gentleman from Illinois [Mr. GRAY], we have up to 15 million people visiting Washington every year and that number may go up as high as 24 million people by 1970 and up to 35 million people by 1980.

The visitors to the Nation's Capital come for different reasons than the reasons for which they visit other American cities. They do not come here for business reasons. They come to visit the heart of their Government.

Mr. Chairman, I have here a very interesting description of why people come to Washington, which is included in a letter I received from one of my constituents on a matter other than the proposed National Visitor Center.

Here is what this person said:

> When Americans come here, they're not vacationing in just another city. New York and Chicago are more entertaining; Miami and Phoenix are more healthful; Los Angeles is more glamorous.

> They come because this is the city that symbolizes the workability and the greatness of representative government. They come because this is the city whose streets have been walked by 36 Presidents. They come because every sidewalk and every building rings with the names of greatness: La Follette, Taft, Calhoun, Clay, Webster, Marshall, Norris, and a hundred others.
>
> Washington visitors come to stand outside the gates of the Executive Mansion—and to wish its occupant well, even though they may have voted against him. And that is why they come: Not to visit a city, but to experience government.

Mr. Chairman, we have spent millions of dollars in the construction of historic shrines and monuments. We have exercised great care regarding the architectural design of our buildings in the Nation's Capital. We have had many commissions and organizations seeking ways to protect the esthetic values of the Nation's Capital. But we have done very little to assure that these 15 to 20 million American citizens who visit Washington every year will fully enjoy these many benefits. We do not even provide them with adequate parking, not even sufficient parking for those people who wish to visit their Congressman. I think that is a national disgrace.

Why not provide these millions of people with a center for orientation, particularly around the Capitol area, and with eating places so they will not add congestion to the already congested and inadequate eating places here in the Capitol Building? Certainly it is very little to ask in this year of our Lord, 1967, to provide adequate comfort stations for visitors to the capital of the world. The legislation we have before us is a terrific answer to the tourist problem with which we are confronted, and I think it is amazing, Mr. Chairman, that legislation this far reaching can be enacted at a cost which is practically negligible.

As has been pointed out, this proposal will pay its own way. And it will pay its own way, as we have said time and time again. The tourist business here in Washington is big business, and it should pay its own way. But if not—then so what? The Congress can well afford to provide a facility like this for 15 to 20 million American people to visit Washington. So I say let us get on with the job.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Illinois.

Mr. GRAY. I just wish to take a minute to commend the gentleman for his foresight and the very tremendous speech he has made on this subject today. I thank the gentleman very much.

The CHAIRMAN. The Chair will state that the gentleman from Florida has 20 minutes remaining and the gentleman from Illinois has 11 minutes remaining. The Chairman recognizes the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Chairman, as a member of the National Visitors Center Commission, which studied for nearly a year the problems encountered by tourists in the Nation's Capital, I commend the gentleman from Illinois for his efforts and sincerely encourage my colleagues here in the House to act favorably on our recommendation for a National Visitors Center. I trust that the other body will also give speedy consideration and approval.

In recent years visitors have found it difficult, if not impossible, to find eating places, a place to park and proper orientation—particularly in the Capitol Hill area.

Enactment of this bill, providing, among other things, for use of Union Station as a Visitors Center, will go a long way toward solving these problems and of making the tourists' stay here more enjoyable.

Mr. GRAY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. Scheuer].

Mr. SCHEUER. Mr. Chairman, I would like to take this opportunity to commend my colleague from Illinois for his distinguished leadership on this bill, not only during the last few weeks, but also, over many months—indeed, during the several years which I have been in Congress.

I do not know of a single piece of legislation that has had the benefit of more tender, loving care in its leadership than the measure that is before us. The 15 million people who come to Washington every year to renew their wellsprings of faith and love of their country will all be in the debt of the gentleman from Illinois, Congressman Gray.

Later I shall offer an amendment which will emphasize the goal of excellence in architecture and design, which I have had the greatest of cooperation in drafting, both by Congressman Gray and his staff. At this time I would merely like to clarify the record on congressional intent by asking my colleague, the gentleman from Illinois [Mr. Gray] the following question: Is it the congressional intent to provide outstanding architecture and design up to the standards of our foreign embassy construction program, and the splendid U.S. exhibits at the Brussels and Montreal Fairs?

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I gladly yield to the gentleman from Illinois.

Mr. GRAY. Although this will be done by private capital, I am sure that they will consult with the authorities and that an outstanding firm will be selected to do this work.

Mr. SCHEUER. Is it the intention of the Congress that the terms and conditions of agreements and leases entered into by the Secretary may insure selection of an architect and design team of proven distinction, and to prescribe for the entire complex—that is, the Visitors' Center and garage—competitive bidding for construction under Federal regulations?

Mr. GRAY. Mr. Chairman, in the hearings I asked that question, and so did the gentleman from Florida, of the owner of the Washington terminal company, and he assured us that construction of this facility would be on competitive bidding.

Mr. SCHEUER. Right.

While we all hope and expect that the project will enjoy substantial revenues when it is completed, is it the congressional intent that there will be strict regulation of all vendors by the Department of Interior Park Service, to prevent overcommercialism and exploitation of the Center, both inside and out, by large-scale commercial advertising and displays of the kind we now see at Union Station and some airports?

Mr. GRAY. The answer is unequivocally "yes." The Park Service will watch this very closely.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. Machen].

Mr. MACHEN. Mr. Chairman, I rise in support of this legislation. Being a resident of the area all my life, I wish to compliment the members of this subcommittee on both sides of the aisle. This is something that has been long overdue. I certainly hope it will be passed overwhelmingly.

Mr. Chairman, I am very pleased to add my voice to the support that H.R. 12603 is getting to provide the Nation's Capital with first-class facilities for the millions of Americans who visit here annually.

This legislation, which evolved over a period of time under the leadership of the gentleman from Illinois [Mr. Gray], is long overdue. For too many years millions of Americans have been experiencing endless frustrations, delays, and inconveniences from Capitol Hill to the Jefferson Memorial in their attempts to pay homage to our Nation's Capital, to learn from the institutions here in Washington and to be able to move within this city in a comfortable and efficient manner. For too many years the Capitol Grounds have looked like a bus terminal during the summer, a sight which is not pleasing to me, nor do I feel it to be pleasing to my colleagues.

I believe that enactment of this legislation would certainly relieve an enormous amount of congestion and eyesore not only from the Capitol Grounds but from many other places of particular beauty in Washington. I would hope that the National Visitor Center, to be located at what is now Union Station, in conjunction with our airports, bus terminals, and highways, would become a funnel for the millions of Americans who visit Washington the year round. It could bring some harmony and direction to their visits here and certainly, if it works the way we would hope it will, the National Visitor Center would be a boon to the engendering of good will among those who visit here by permitting them a more convenient and memorable stay.

I strongly urge my colleagues to support H.R. 12603 and I wish to commend the Subcommittee on Public Buildings for its fine work on this legislation.

Mr. ERLENBORN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ERLENBORN. Mr. Chairman, I rise in support of H.R. 12603.

It is anticipated that 15 million tourists will visit our Nation's Capital during 1967—an average of more than 40,000 a day.

They come—Americans and visitors from foreign countries alike—to gain inspiration we have felt in viewing our country's memorials to Lincoln, Washington, and Jefferson; to see our Government at work; to seek a better understanding of the meaning of the American dream, of what makes America. And I think most experience what they seek; but along with it, they experience a nightmare of frustrations: Where to park? Where to get a sandwich on Capitol Hill? How to make the most of their limited funds and time and still see all there is to see? Hardly a visitor to my office—and some days it seems that all 40,000 of our Capital City's visitors stop at my office—fails to utter these frustrations in one way or another.

I do not blame them. For most, it is a once-in-a-lifetime event, a family affair planned months in advance, with a breathless countdown to the day of arriving here. They find a beautiful city, built to be the seat of our National Government, and I suspect that many have contemplated, as have you and I, that the men who planned it and who have seen it grow during the past 18 decades must have had prophetic vision of the greatness which was to come to these United States; but how sad that so few along the way had the foresight to envision the 20th century invasion—which I highly recommend—of American families and visitors from afar intent upon seeing our Nation's Capital. From almost my first day in Congress, it has been a source of embarrassment and a thorn in my side that we allow the enthusiasm of our guests to be dimmed and thwarted by what are sheer frustrations and not mere petty annoyances.

I was heartened last year when Congress wisely enacted legislation creating a Commission to study the need for a National Capital Visitor's Center. The findings of that study are embodied in the legislation being considered today. Enactment of this legislation will go a long way toward eliminating these frustrations and making a visit to Washington the memorable experience it should be.

With enactment of the National Visitor Center Act of 1967, the conveniently located Union Station will be converted by its owners, the Washington Terminal Co., into a visitor's center which will be leased to the Administrator of the General Services Administration and the Secretary of the Interior on behalf of the United States. The Center will contain needed restaurant facilities. It will contain movie theaters where our visitors will be able to view a documentary film that will assist them in planning to see the sights in an orderly, comfortable, all-inclusive fashion.

The Washington Terminal Co. will provide 4,000 parking places. These, combined with a bus service from the Center to the Capitol and around the Mall, will solve the where-to-park dilemma of our visitors and relieve the traffic congestion that affects us all, be we visitors, residents, or commuters.

The railroad terminal of Union Station will be replaced by the WTC with a rapid rail train station to be constructed underneath the new garage.

Thus we see this plan serving many worthwhile purposes: It will bring to our visitors the service they deserve, the welcome feeling we want them to know. It will bring millions of dollars more income to our Capital City. It will reduce the amount of our Federal payment to the city. It will do all this and yet it will not add to the already strained budget of our Federal Government—no Federal funds are involved in the $19½ million estimated cost for the renovation of the Union Station and the construction of facilities in the Center, the 4,000 parking space garage, and the new train and rapid rail station under the garage. The $19½ million will be spent by the Washington Terminal Co., and the lease payment of $2.9 million the U.S. Government will make to the WTC will be recouped from parking fees and the sale of services and goods.

I am convinced that H.R. 12603 is a necessary, sound, and realistic approach for meeting our responsibility to the millions of people who we want to know the wonder and marvel of our Nation's Capital. I believe this Committee and the Congress will agree.

Mr. **EILBERG**. Mr. Chairman, each year, especially in the summer months, thousands upon thousands of visitors make the pilgrimage to the Nation's Capital. They come from every State and nearly every country of the world. Although most Congressmen and Senators maintain a large supply of literature and maps to help these visitors find their way around the city and surrounding areas, it is impossible for our offices to perform tasks such as helping visitors to find a place to stay or to make arrangements for commercial tours or transportation.

To a stranger in a large city, these and many other problems present themselves. Most areas and cities which have great numbers of tourists arriving each day provide a visitor center where a wide variety of material and literature is available, as well as assistance with lodging, travel, and tours. As anyone who has traveled to a city where such facilities are provided can tell, a single center for visitors is a great help to the weary and confused tourist.

Washington, D.C., however, has no such public facility. Certainly if any city needs a visitor center it is Washington.

There has been much discussion concerning a site to house such a service, but of all the proposals advanced, it is my feeling that Union Station provides the best location. In the first place, it is close to Capitol Hill, one of the main attractions for tourists. Second, if the tourist is driving in Washington, the Capitol Building provides a landmark by which the center may be readily found. Of course, the many visitors who arrive by rail will be right at the center as they step off the train.

In addition to the location and its convenience, the Union Station building itself is one of the finest in Washington. Its art work and architectural features are among the outstanding examples of its era in the city. It certainly provides an impressive and appropriate welcome to the Nation's Capital.

I have introduced H.R. 12823 to establish such a visitor center in Union Station. I was prompted to do this after talking with a number of my constituents who were in my office this summer. They pointed out to me the lack of facilities for tourists in Washington. Several of them compared Washington to nearby Williamsburg, where one of the finest visitor centers they had seen is located. They were surprised that Washington, a far larger and more confusing city to visit, was without such a center.

I am hopeful that this legislation will receive prompt and favorable consideration by the House of Representatives, so that the National Visitor Center may be in operation by the beginning of the heavy tourist season next summer.

Mr. **DONOHUE**. Mr. Chairman, I most earnestly urge and hope that the House will promptly and overwhelmingly approve this bill before us to establish a National Visitor Center here in the Capital of the United States of America.

As one who has observed, through these several years, the enormous increase in the number of visitors coming here from my home district in Massachusetts, from all over the United States, and from all corners of the earth, I must emphatically say, without any reservation whatsoever, that this Center is an essential facility for the convenience of and service to all visitors coming to this historic city and the only reflection we might have is why it was not established long ago.

This city, is, in actuality, very close to being the capital of the world as well as the United States, and the great majority of all the visitors coming here have no real knowledge of what to see, where to go, or how to get there and, at the moment, there is no organized facility or program to provide them with this essential information.

We vitally need, here, an orientation center much like what has been established in most other prominent cities of the Nation and the world where the visitor can make his first stop and obtain all the advice and material he must have in order to make his stay a memorable and enjoyable one, whether he is here for only a few hours, in connection with business, or whether he is here with his family to see and enjoy the historic sights and the scenic beauty of a capital city beyond compare.

I consider it a basic obligation and duty of the Congress to respond to the guidance needs of our own citizens and international guests and visitors when they come to this magnificent Capital City. I should also like to emphasize, especially in this turbulent economic adjustment period, that the provisions of this bill will not require any Government expenditures until such time as the Visitor Center facilities are available for public use. Thus, the operating cost to the United States will begin at a time when revenue derived from the operation of the Visitor Center will be available to the Government to pay for such costs. It is authoritatively expected that the operation costs of the Center will be very nearly equal, if not entirely equal, to the revenue derived from it.

Mr. Chairman, from all the evidence and testimony revealed here this afternoon I think it is obvious that the objectives of this bill are unquestionably in the national interest, and I hope the measure will be approved without further delay.

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 12603, the National Visitor Center Facilities Act of 1967.

Washington is not only the Capital of the United States, but has become a world capital as well. An increasing number of visitors are coming here from all over the United States and from all over the earth for either business or pleasure. More than 15 million visitors annually come to Washington. The estimate for 1970 is 24 million and by 1980 it may reach 35 million visitors.

Visitors now coming to Washington find it very difficult to locate automobile parking spaces, eating facilities, and obtain proper guidance and orientation, particularly in the Capitol Hill area. This legislation will allow the Secretary of the Interior to lease Union Station as a National Visitors Center, with major parking accommodations.

The tourists who come to their Nation's Capital will be able to see and hear through movies a complete orientation about their Government in action, and how and when to see it. Traffic congestion on the streets of Washington will be relieved considerably by separating the visitor from his automobile and providing tourists with bus service to the Capitol, Mall, and Monument areas.

The National Visitors Center is needed and desirable because it will enable tourists to see more in whatever time they may be able to spend in Washington, and will provide a central place for information about the Capital City, places of interest to see and historical background. Moreover, it will provide a central starting point from which the visitor can get suitable guidance and directions.

Mr. Chairman, Americans have a right to expect to see their Nation's Capital with a fair amount of ease. They should be encouraged to visit the seat of their Federal Government. I am sure the establishment of a National Visitors Center will provide this encouragement to come to Washington to gain a deeper appreciation and knowledge of the past, and an insight into the present operations of the Government.

Mr. RYAN. Mr. Chairman, improved facilities for the thousands of citizens who visit our Capital annually are important, and I shall support this legislation. Nevertheless, the ease with which this legislation is expected to pass is one more occasion for reflection on the state of our national priorities.

I suppose there is a demonstrated need for a National Visitors Center. There is also a demonstrated need for a realistic budget for the District government, yet the House reduced the President's request by $86 million.

The elegance of Washington's public buildings and promenades is heightened by the contrast with the squalor of other American cities and with the squalor of much of Washington itself.

I understand the need for providing greater comfort to those Americans who visit their Capital, but I am also concerned that millions of Americans, who cannot afford a trip to Washington, have decent housing and decent education.

Sixteen million dollars may not be an exorbitant sum, but $10 million seemed excessive when we were deciding the fate of the rent supplement program and the thousands of families who were to benefit.

It is interesting to note how the Congress often views urgent social necessities as budgetary luxuries and luxuries such as a renovated Union Station as critical necessities.

Mr. GRAY. Mr. Chairman, at this point in the RECORD, I insert a statement by Hon. J. J. PICKLE concerning the National Visitors Center Act. Mr. PICKLE served on the National Visitors Center Study Commission and has long had an active interest in this subject:

REMARKS OF CONGRESSMAN J. J. PICKLE IN THE HOUSE OF REPRESENTATIVES, MONDAY, NOVEMBER 27, 1967

Mr. PICKLE. Mr. Speaker, after many months of hard work, and after many proposals and counterproposals have been hashed over, I am glad to see that the House has before it today a good, comprehensive plan by which the visitors in our Nation's capital will no longer be subjected to the kind of confusion and anxiety that has prevailed in the past.

The National Visitors Center Facilities Act of 1967, H.R. 12603, at last proposes a system to take care of our visitors and, at the same time, to cut drastically the disruption caused on the surrounding government offices and businesses.

With more than 15 million American and foreign visitors coming to Washington this year, and with that total to increase to 30 million by 1980, I believe we can ignore the problem no longer. As a member of the National Visitors Center Study Commission, I met with my colleagues many times in the past year to review the problems. The plan set out in the National Visitors Center Facilities Act is good both for the government and for the tourist, and I am glad to have sponsored a companion bill, H.R. 12693.

The proposal calls for the present Union Station, which is located only a few blocks north of the Capitol, to be converted to a reception center where tourists can park, receive briefings, and see movies on the near-by tourist attractions, and on area hotels, restaurants, and other accommodations. The new train station will adjoin the Visitors Center and scheduled helicopter service will be available from the roof of the parking garage which is to be constructed. Five-minute local bus service is to be available to all points on the Mall, and for those who wish to see the major points of interest, the Visitors Center would provide a one-stop means of doing just that.

On the question of the location of the central visitors center for the entire city, I personally prefer a location between 14th Street and the Washington Monument. This was recommended by some of the prominent architectural firms, and it was a point I raised in my testimony on H.R. 12603 before the House Subcommittee on Public Buildings and Grounds. Still, I must be realistic, and in light of our current financial problems, I know that we cannot undertake to build an entirely new facility involving large sums of money. I still maintain, however, that a major facility is needed in the location I mentioned, since that area is in fact and in truth the hub of tourists' Washington. It is within easy walking distance not only of all major points along the Mall, but also of the White House.

The Union Station proposal is the best possible alternative at this time. It will satisfy a need that has been growing steadily over the past years. Many times, I have visitors from my own district complain that the parking, traffic, and congestion is so bad around the Capitol and Mall that they were unable to see nearly all that is offered. I think this denial to our citizens is a disgrace, and I say we must act quickly. It is for this reason that I endorse the bill before us.

As I have said, the Union Station proposal will be an aid to the tourist. But it is also good from the government's point of view. The present owners of Union Station have agreed to make all improvements necessary to convert it to the proposed center, and the rents to be paid by the government will almost entirely be recouped from parking fees, and sales and services provided in the center.

Many people have worked hard on this project. But I believe a special word of commendation is due to some who have been particularly imaginative. Representative Ken Gray, the leader of the House delegation to the Study Commission, and the chairman of the House Subcommittee on Public Buildings and Grounds, has been especially effective in securing the consensus needed to secure the the endorsement of the Commission. Also, Representative Fred D. Schwengel served on the commission, and on the Subcommittee, and was another moving force behind the bill.

Secretary of the Interior Stewart Udall, and the Administrator of the General Services Administration, Mr. Lawson B. Knott, Jr., are to be commended for their success in obtaining agreement to the proposed lease on the renovated Union Station, on terms which are fair and workable both for the government and for the station owners.

Mr. Speaker, I believe my voice was one of the first raised on the Hill for better tourist facilities. When I first came to Congress, I was amazed and shocked at the inadequate facilities offered in the Capitol Building itself, and I made several speeches to my colleagues and other groups on the deplorable situation. I would like to see some kind of visitors center in the Capitol Building itself, since it is the single largest attraction, and since it now offers virtually nothing in the way of restrooms, water fountains, and restaurants.

Even if the bill before us is passed, I believe the problems in the Capitol are the most urgent we face. With the Visitors Center well on its way, I would hope that this will be the next item for consideration.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

Mr. GRAY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read by titles the substitute committee amendment as an original bill for purposes of amendment.

The Clerk read as follows:

That this Act may be cited as the "National Visitor Center Facilities Act of 1967".

TITLE I—NATIONAL VISITOR CENTER

SEC. 101. The Secretary of the Interior (hereafter in this Act referred to as the "Secretary"), in consultation with the Administrator of General Services (hereafter in this Act referred to as the "Administrator"), is authorized to negotiate and enter into agreements and leases with The Washington Terminal Company, its successors or assigns (hereafter in this Act referred to as the

"Company"), the owner of the property in the District of Columbia known as Union Station, for use of all or a part of such property for a national visitor center to be known as the National Visitor Center and a parking facility in connection therewith.

Sec. 102. (a) The agreements and leases authorized by section 101 of this Act shall be subject to the following terms and conditions:

(1) the Company shall agree to make such alterations of the Union Station Building as the Secretary determines necessary to provide adequate facilities for visitors;

(2) the lease of the Union Station Building shall commence on a date to be mutually agreed upon contingent upon when such facilities are available for public use, and shall not be for a term of more than twenty years;

(3) the Company, in consultation with the Secretary, shall construct a parking facility, including necessary approaches and ramps, to accommodate as nearly as possible four thousand motor vehicles in the air space immediately northerly of the existing Union Station Building, and such facility shall, upon completion, be leased to the United States for a term not to exceed twenty years;

(4) the Company shall, and it is hereby authorized to, construct a new railroad passenger station in the area beneath or adjacent to the parking facility referred to in paragraph (3);

(5) the United States shall have the option to purchase all the property leased under this title for an amount not in excess of the fair market value of such property any time after the first year of the lease on one year's written notice and on such terms and conditions including credit toward such purchase price of any portions of rentals paid by the United States as may be mutually agreed upon;

(6) rentals paid by the United States shall not exceed the fair rental value of the property as mutually determined by the Administrator and the Lessor;

(7) the aggregate annual cost to the United States of all leases entered into under this title shall not exceed $3,000,000;

(8) the total cost of all alterations referred to in paragraph (1) and all construction referred to in paragraph (3) shall not exceed $16,000,000, except that total cost of such alterations shall not exceed $5,000,000.

(b) In addition to the terms and conditions set forth in subsection (a) of this section, agreements and leases entered into under authority of this title shall include such other terms and conditions as the Secretary and the Administrator jointly shall prescribe.

Sec. 103. The Secretary shall administer any property leased under this title, or acquired, altered, or constructed under section 18 of the Public Buildings Act of 1959, in accordance with those provisions of the Act of August 25, 1916 (16 U.S.C. 1 et seq.), as amended and supplemented, applicable to the administration of the national park system.

Sec. 104. On or before January 15, 1968, the Secretary shall report to Congress the results of a full and complete investigation and study of the problems of transporting visitors along the Mall and its vicinity in the District of Columbia, on the United States Capitol Grounds, and to and from the National Visitor Center, including but not limited to, types of transportation to be utilized, the operation of any such transportation system, the feasibility of providing free transportation for visitors on all or any portion of such system, and proposed legislation to carry out his recommendations.

Sec. 105. (a) The District of Columbia shall not, during the term of any lease entered into by the United States pursuant to this title, include in the assessed valuation for tax purposes of the properties now owned by the Washington Terminal Company in the District of Columbia any increase in valuation by reason of the agreements, leases or improvements made pursuant to thi stitle on behalf of the Federal Government.

(b) In the case of any real property acquired or constructed by the Company in the District of Columbia, after the date of enactment of this Act, other than property leased to the United States under this title, including, but not limited, to the new railroad passenger station to be constructed pursuant to section 102(a)(4) of this title, nothing in this Act shall be construed to authorize or require any reduction or exemption from taxes applicable in the District of Columbia to such property.

Sec. 106. (a) In connection with the construction of the parking facility to be constructed pursuant to section 102(a)(3) of this title, the District of Columbia shall, upon the request of the Secretary, transfer to the Secretary any real property under its jurisdiction which may be necessary to provide vehicular access to public roads and highways in the immediate area of such facility.

(b) Any alteration in the existing traffic pattern in Union Station Plaza necessitated or made desirable by reason of such parking facility shall be made only after consultation with the Architect of the Capitol.

Sec. 107. (a) Notwithstanding the execution of any agreement or lease pursuant to this title, the Secretary, in consultation with the National Visitor Facilities Advisory Commission established under title II of this Act, is directed (1) to make a continuing study of the needs of visitors to the Washington metropolitan area, including the necessity and desirability of different or additional visitor facilities, and of altering existing visitor facilities, and (2) to recommend that the Administrator acquire, alter, or construct such facilities in accordance with section 18 of the Public Buildings Act of 1959.

(b) The Secretary shall submit annually a report to Congress on the National Visitor Center authorized by this title and on all other visitor facilities authorized in accordance with this Act, including the amendments made by this Act.

Sec. 108. All existing laws or parts of laws inconsistent with the provisions of this Act are hereby repealed to the extent to which they are so inconsistent, but to no further or other extent.

Sec. 109. The first section of the Act approved November 5, 1966 (Public Law 89–759) is amended by inserting "and directed" immediately following "authorized" and by amending paragraph (1) to read as follows:

"(1) select as the site of a permanent heliport, the parking facility referred to in section 102(a)(3) of the National Visitor Center Facilities Act of 1967;".

Sec. 110. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Sec. 111. The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the alterations referred to in section 102(a)(1), and the parking facility referred to in section 102 (a)(3), of this title shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. 276a—276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent that further reading of title I be dispensed with, that it be printed in the Record, and that the title be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENTS OFFERED BY MR. GRAY

Mr. GRAY. Mr. Chairman, I offer three technical amendments.

The Clerk read as follows:

Amendments offered by Mr. Gray: On page 6, line 16, strike out "immediately northerly of" and insert in lieu thereof "northerly of and adjacent to".

On page 8, line 17, strike out "by the" and insert in lieu thereof "by The".

On page 8, line 20, strike out "thi stitle" and in lieu thereof "this title".

Mr. GRAY. Mr. Chairman, these are purely clarifying and technical amendments. The first amendment, that strikes out "immediately northerly of" and inserts in lieu thereof "northerly of and adjacent to" gives the Washington Terminal Co. authority to vacate the existing Union Station and go immediately north of Union Station to construct a new one. We left that out, and this is merely a clarifying amendment.

The second and third amendments are correcting misspellings and typographical errors.

I ask unanimous consent that the amendments to be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. SCHEUER

Mr. SCHEUER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Scheuer: On page 6, line 6, strike out the semicolon and insert in lieu thereof a comma and the following: "which facilities, including the parking facility under paragraph (3), shall be representative of the highest standards of excellence of design and function;".

Mr. SCHEUER. Mr. Chairman, I believe the amendment is self-explanatory. The gentleman from Illinois [Mr. Gray] and his colleagues have helped me develop this language and I believe it is noncontroversial.

Congress in the past several years has made a number of legislative statements emphasizing the high priority which we put on first-class architecture and design for federally assisted projects. We have done that in respect to virtually every piece of school and college construction legislation passed by this House.

There is virtually no piece of legislation we have handled before the House which will have the national impact on the millions of American people or on the multitude of visitors from overseas as will this Center.

I am sure the House will feel this amendment appropriate.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to the gentleman from Illinois.

Mr. GRAY. Certainly the National Park Service in developing this plan wants to attain the highest standards of excellence of design and function of this new facility.

We accept the amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to my colleague from Florida.

Mr. CRAMER. Could the gentleman indicate who shall determine these high standards—is it of excellence of design?

Mr. SCHEUER. Excellence of design and function.

Mr. CRAMER. Excellence of design and function. Will the gentleman indicate who shall determine what is that high standard of excellence of design and function?

Mr. SCHEUER. I believe the Secretary will. Under the clear authority this bill gives him.

Mr. CRAMER. I, for one, would not support a proposal that would result in building a Government momument type of building or improvements, which all of the Federal facilities are getting away from now, going more to a functional basis. The gentleman does not intend that objective, does he?

Mr. SCHEUER. Absolutely not. To the contrary, the purpose of this amendment is to get away from the all too typical Government architecture, some of it right here on Captol Hill, which has been the subject of such widespread criticism for the lack of architectural and design excellence, lack of artistic and aesthetic amenities, lack of pleasing human scale which dignifies—and does not diminish the individual.

I believe the Secretary will have the full power under the leases and various other documents to assure that there will be that kind of architecture and design excellence.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHEUER].

The amendment was agreed to.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

I do this for the purpose of trying to get some clarification as to how this operation will take place.

As I read page 6 of the bill, first the company, which is the terminal company, shall enter into a contract, to make such alterations as the Secretary—which means the Secretary of the Interior, I take it—shall determine necessary. That is point No. 1.

After that is done, after they arrive at that conclusion, then they will enter into a lease with the Federal Government for Union Station, for a period not to exceed 20 years. That is one phase of the operation.

The second phase that after they have consulted as to the construction of the automobile air space, so to speak, north of the present Union Station, which they set forth as a possible 4,000-motor vehicle place in which to store automobiles, after that is determined, then there will be a lease for a period of not to exceed 20 years.

Is that a correct interpretation of those two sections?

Mr. GRAY. Mr. Chairman, will the gentleman from Colorado yield to me?

Mr. ROGERS of Colorado. I yield to the gentleman from Illinois.

Mr. GRAY. The gentleman is eminently correct. We broke it down into two leases mainly because the new parking facility will require the outlay of all new money by the railroads. The railroads own Union Station as it now exists.

There will be two separate leases.

Mr. ROGERS of Colorado. I thank the gentleman for the answer.

Then, as I understand it, the two separate leases thus made cannot exceed in the aggregate $3 million a year for 20 years.

Mr. GRAY. The gentleman is correct.

Mr. ROGERS of Colorado. If that is true and we have a responsible terminal agency here who own the Union Station, then why is it necessary for us to place in section 102(a), subsection (8), of title I of this legislation, a limitation on the cost of the authorization? It says here, on page 7, line 13:

> The total cost of all alterations referred to in paragraph (1) and all construction referred to in paragraph (3) shall not exceed $16,000,000, except that total cost of such alterations shall not exceed $5,000,000.

To me that means $21 million. If we have free enterprise moving in here, as the gentleman from Florida says is what is happening, then why do we place a limitation of $21 million in here on this alteration and the construction? If you do, are you then to take the valuation in determining what is a fair rental price less the $3 million authorized each year? How are you or the Secretary of the Interior who enters into the fair rental value going to equate this, and how is he going to consider this construction cost of $21 million? How is he going to consider all of the value of the present land in connection therewith?

Mr. GRAY. Will the gentleman yield to me?

Mr. ROGERS of Colorado. Yes.

Mr. GRAY. First of all, the gentleman has misread the bills.

Mr. ROGERS of Colorado. Now, wait a minute. I beg your pardon. I did not misread the bill, because what I have read to you——

Mr. GRAY. Let me explain.

Mr. ROGERS of Colorado. Just a moment. What I have read to you about the $16 million and the $5 million appears on page 7 of the bill, starting on line 13, section 102(a), subsection (8) thereof. What I read to you I think is clear in its implication that the total cost of the alterations referred to in paragraph (1) dealing with Union Station and all construction referred to in paragraph (3) shall not exceed $16 million. Does the gentleman say it is limited to $16 million?

Mr. GRAY. Will the gentleman yield to me? I can explain it very briefly.

Mr. ROGERS of Colorado. Yes. I yield to the gentleman.

Mr. GRAY. $5 million is the maximum that can be spent under title I on the existing Union Station for alterations. Under this second lease, $11 million is the maximum that can be spent for parking. What we did is put a maximum on the two leases of $16 million so that we can allow commingling.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. GRAY. Mr. Chairman, will the gentleman yield to me further?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. GRAY. When we go out for bids, if the bids on the improvements are only $4 million, it means we can throw the additional $1 million into the parking facility and get that many more parking spaces. So we allowed the commingling of the $5 million and the $11 million here, which is the $16 million total figure that the gentleman refers to. It is not in addition to the $5 million, but it includes the $5 million.

Mr. ROGERS of Colorado. Then, would the gentleman tell me this: If that is the true explanation of what he has to say, would you have any objection to an amendment which would strike the comma after the $16 million and add a period and say "Except" and strike the balance of line 15 and all of line 16? Then you come within the $16 million. What you do here is say the total cost of all alterations as referred to in paragraph (1) and all construction referred to in paragraph (3) shall not exceed $16 million. If that is what you mean——

Mr. GRAY. That is what we mean.

Mr. ROGERS of Colorado. Then why not strike the balance of it?

Mr. GRAY. Would the gentleman from Colorado read the balance of that paragraph to which he has objection?

Mr. ROGERS of Colorado. The gentleman from Illinois has explained the fact that it is $16 million and that you have no intention of any further expenditure.

Mr. GRAY. That is exactly right.

Mr. ROGERS of Colorado. But you say in paragraph 1 and in paragraph 3, "Shall not exceed $16 million."

All right, if that is what you mean, then the balance of that language, "Except that the total cost of such alterations shall not exceed $5 million," is surplus, because you can use it back and forth as the gentleman talks about.

So, let us just strike the figure of $5 million.

Prior to the time that the lease is finally consummated will the Congress or any committee of the Congress have an opportunity to look at it again?

Mr. GRAY. We establish in title II of this act a 22-member Commission. We had 21 members before. We added a member from the District of Columbia government, thereby making it a 22-member Commission. They will work with the Secretary, not only now, but during the negotiations and after the construction and during the actual operation of the Center. Out of the 22-member Commission we have 12 members from the Congress.

Mr. ROGERS of Colorado. But the Congress itself will not have an opportunity to pass upon the fair value that the Secretary may determine as compared with the rental value each year?

Mr. GRAY. We are giving that authority to the General Services Administration and to the Secretary, similar authority is given with reference to the construction and operation of other public buildings. Once Congress authorizes them, we depend upon the GSA and the various governmental agencies to work together to see that our interests are protected. This is exactly the same way we operate with reference to all of our public buildings all over the country.

Mr. ROGERS of Colorado. In other words, the gentleman's answer is that Congress will not have an opportunity, once this is approved, to reevaluate the lease that may be entered into?

Mr. GRAY. I am saying we are doing this the same way we handle all public buildings.

Mr. ROGERS of Colorado. In other words, under the present setup?

Mr. GRAY. If we built or leased a project in your district in Colorado, we would use the same type of procedure as is involved here, depending upon the GSA and the agency that would occupy the building to keep the Congress informed. This procedure is exactly the same procedure as followed in those cases.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, I would like to ask the gentleman from Illinois [Mr. GRAY] this question: If the bill provides that the lease cannot exceed $3 million a year, that is fixed. Why do we limit this private company as to the amount they can expend? I do not quite understand the purpose of it.

Mr. GRAY. Mr. Chairman, if the gentleman from Colorado will yield furthem, first of all, the $3 million is a maximum and we hope the figure will be less when we sit down at the conference table and negotiate this lease. We want to avoid the criticism that has been directed at other projects such as the Rayburn House Office Building as well as others, by setting guidelines as to what we expect to do.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. SCHEUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask my colleague, the distinguished gentleman from Illinois [Mr. GRAY], whether it is the intent of the Congress, following the conclusion of the feasibility study, that the Secretary of the Department of the Interior will engage in the study to identify his total program needs which will include architecture and planning, experts in industrial design, graphics, displays and exhibits, multimedia presentations, transportation, recreation, theater, and the like, and that the study will include the needs of family groups; grade school, high school, and college students, foreign visitors, mothers with infants, the infirm, the disabled, and elderly, as well as the different requirements of the casual visitor and the expert visitor to the Nation's Capital, and the like?

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from Illinois.

Mr. GRAY. I would hope that the National Park Service and the Secretary, also, would be doing this simultaneously during the construction period in order that these orientation programs would be ready to be implemented when it is finished.

Furthermore, title II sets up this Advisory Commission which will help the Secretary and the National Park Service in order to make certain that this facility is ready to be occupied by the type of programs that the gentleman refers to.

Mr. SCHEUER. And is not the design certainly a prerequisite to the final production program of the architectural plans and specs? Should not the Secretary first analyze what his needs are, before the production of the plans and specifications, that precedes construction?

Mr. GRAY. That is the thing I pointed out. I hope this will go forward now, after the bill is passed, simultaneously up through and including construction.

Mr. SCHEUER. I thank the gentleman.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROGERS of Colorado: On page 7, line 15, after "$16,000,000" add a period and strike the balance of line 15, and all of line 16.

Mr. ROGERS of Colorado. Mr. Chairman, this would accomplish the thing the gentleman from Illinois stated, that they intended, therefore limit it only to the $16 million, and would remove the $5 million so that there would be no question about it, and would not cost $21 million, as I was accused of misinterpreting. I hope the amendment will be adopted.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if the purpose of the distinguished gentleman from Colorado is simply to limit the total cost for construction and alterations to $16 million, the amendment is not necessary. Subparagraph 8 quite clearly sets forth that the total cost of all alterations and all construction shall not exceed $16 million. But then it further restricts the total cost of alterations per se to $5 million of that $16 million.

In other words, while we restrict the total cost of all alterations to the existing building and all construction of the new facility to a total of $16 million, we certainly do not want to risk robbing the new facility which includes the parking area that is so desperately needed and which will be a revenue-providing facility of any of the amount that is allocated to it.

Therefore within the $16 million, subparagraph 8 clearly restricts the amount that may be spent on alterations within the existing facility to not more than $5 million. This preserves a minimum of $11 million for the new construction.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield on that point?

Mr. WRIGHT. Of course, I would be delighted to yield to my friend from Colorado.

Mr. ROGERS of Colorado. As the gentleman points out, the total cost of all alterations in paragraphs 1 and 3 for said Union Station shall not exceed $16 million.

Mr. WRIGHT. Precisely.

Mr. ROGERS of Colorado. The gentleman has heard the explanation of the chairman, the gentleman from Illinois [Mr. GRAY], who said that the only reason for adding the $5 million was so that you could alternate back and forth.

Now, if that is true, why can we not alternate back and forth on the $16 million and accomplish the same thing that you talk about?

Mr. WRIGHT. I fully understand the gentleman's question, and I believe I can clarify it with this answer, if the gentleman will listen carefully. We want the freedom to use any overage that is left after we have completed the alterations to the existing building to expand our work on the new building, if that is possible.

Mr. ROGERS of Colorado. If the gentleman will yield further——

Mr. WRIGHT. If the gentleman will withhold his question for a moment, I am trying to answer both parts of his inquiry.

We do not desire, however, to rob the new structure of the $11 million that is allocated to it in order that some of that might be spent on alterations of the existing structure. In other words, we limit them in total to not more than $16 million, but within that $16 million—not as an oversight, but as deliberate intent—we limit the amount that can be spent on refurbishing the old building to not more than $5 million.

That is what the committee wants to do. This is what the Commission desired to do. I believe that the gentleman from Iowa [Mr. SCHWENGEL], a member of the Commission, will agree that this was the clear purpose and intent.

I am sure the Chairman of the Commission, and the chairman of the subcommittee who brought the bill to us, the gentleman from Illinois [Mr. GRAY], will agree that this was the purpose and intent.

I am sure that the gentleman from Florida [Mr. CRAMER], who participated in all of the discussions, acknowledges and recognizes that this is the intent.

So if the gentleman from Colorado simply wants to limit the total to $16 million, the amendment that he has offered is not necessary because said paragraph (8) does this.

But the gentleman's amendment, if adopted, would make it possible to spend more than $5 million on alterations to the existing building and thus reduce the amount available for the new building. This could be potentially harmful to the purposes of the bill. The committee desires and we believe the Congress desires to limit the amount that can be spent on refurbishing the old existing structure to not more than $5 million, so that we may have the maximum potential amount of $11 million available to develop the new structure.

That is what is sought to be done, and

that is what the bill does. It is what the committee wants to do and what the Commission wants to do, and it is what I believe the Congress will desire to do and therefore will vote "no" on the amendment offered by the gentleman from Colorado.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman.

Mr. CRAMER. I would like to say I agree with the gentleman from Texas in opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. Rogers].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is legislation and authority for a multimillion-dollar expenditure that ought to have been put on the shelf at least until the war is ended and this Nation can see daylight ahead in the serious financial situation that confronts it.

I again ask the question for which no satisfactory answer had been given: if this is such a good financial deal, why do the railroads, the present owners of this old union depot, not operate it as a visitor center?

Of course, the answer is that it is not a bargain for the Federal Government. It is an opportunity for the railroads to unload an obsolete and unwanted structure in a location that no one should select for a visitor center.

I am under no illusion as to the fate of this legislation. The bill will pass and I predict it will haunt some of those who vote for it. Let the record show, should there not be a rollcall, that I am unalterably opposed to it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—ADVISORY COMMISSION

Sec. 201. There is hereby created a National Visitor Facilities Advisory Commission (hereafter in this Act referred to as the "Commission") which shall (1) conduct a continuing review of the National Visitor Center established pursuant to title I of this Act, (2) conduct continuing investigations and studies of sites and plans to provide additional facilities and services for visitors and students coming to the Nation's Capital, and (3) advise the Secretary and the Administrator with respect to the planning, construction, acquisition, and operation of all such visitor facilities.

Sec. 202. (a) The Commission shall be composed of the Secretary, the Administrator, the Secretary of the Smithsonian Institution, the Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and four members appointed by the President, at least two of whom shall not be officers of the Federal Government, and one member of whom shall be a representative of the District of Columbia government. Non-Federal members shall serve at the pleasure of the President. The Secretary shall be the Chairman of the Commission. The Commission shall meet at the call of the Chairman.

(b) Members of the Commission who are not officers or employees of the Federal Government or the government of the District of Columbia shall be entitled to receive compensation in accordance with section 3109 of title 5, United States Code, and travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the government service employed intermittently.

(c) The Director of the National Park Service, in consultation with the Administrator, shall provide the necessary staff and facilities to assist the Commission in carrying out its duties under this title.

Sec. 203. The Commission shall, from time to time, report to the Secretary and the Administrator the results of its reviews, studies, and investigations. In the case of any report recommending additional facilities for visitors, such report shall include the Commission's recommendations as to a site or sites for the facilities to be provided, together with preliminary plans, specifications, and architectural drawings for such facilities as well as the estimated cost of the recommended sites and facilities.

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. If there are no amendments to title II, the Clerk will read.

The Clerk read as follows:

TITLE III—CAPITOL VISITOR CENTER

Sec. 301. Notwithstanding any other provision of law, the Architect of the Capitol, in consultation with the House Office Building Commission and the Senate Office Building Commission, is hereby authorized and directed to provide adequate space and facilities in the Capitol Building for an educational and informational center and information and distribution stations to afford visitors to the Capitol Building an opportunity to acquire (1) information relative to Congressional offices, (2) assistance relative to their visit to the Capitol, (3) pamphlets, books, drawings, slides and photographs, and related materials, and (4) information about the Capitol and the history of the Capitol Building and past and present Congresses. All materials distributed by such educational and informational center and such stations shall first be approved by the Architect of the Capitol, after consultation with the House Committee on House Administration, the Senate Committee on Rules and Administration, the United States Capitol Historical Society, and such other educational and historical groups as the Architect of the Capitol deems appropriate. The Architect of the Capitol is hereby authorized to enter into such agreements as may be reasonably necessary to operate such educational and informational center and stations.

TITLE IV—ADDITIONAL VISITOR FACILITIES

Sec. 401. The Public Buildings Act of 1959 (73 Stat. 479; 40 U.S.C. 601 et seq.) is amended by adding at the end thereof the following new section:

"Sec. 18. (a) Whenever, under authority of section 107(a) of the National Visitor Facilities Act of 1967 the Secretary of the Interior determines that there is a need for the acquisition or construction of any facility for visitors to the Nation's Capital in addition to those specifically authorized by title I of such Act, or a need to alter any existing visitor facility, he shall recommend such action to the Administrator who shall transmit to Congress the prospectus of the proposed project including, but not limited to—

"(1) a brief description of any building to be constructed, altered, or acquired;

"(2) location of the project and an estimate of the maximum cost of the project;

"(3) a statement of justification for the necessity and desirability of such facility.

"(b) No appropriation shall be made to construct, alter, or acquire any additional visitor facility under this section if such construction, alteration, or acquisition has not been approved by resolution to be adopted by the Committee on Public Works in the Senate and House of Representatives, respectively, and such approval has not been rescinded as provided in subsection (c) of this section.

"(c) In the case of any project for a visitor facility approved for construction, alteration, or acquisition by the Committee on Public Works of the Senate and House of Representatives, respectively, in accordance with subsections (a) and (b) of this section, if such an appropriation has not been made within one year after the date of such approval by either the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives may rescind, by resolution, its approval of such project at any time thereafter before such appropriation has been made.

"(d) To the extent applicable, all other provisions of this Act shall apply with respect to the construction, alteration, or acquisition of any visitor facility in the same manner and to the same extent as such provisions apply in the case of construction, alteration, or acquisition of other public buildings under this Act."

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent that title III and the remainder of the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. The gentleman from Illinois [Mr. Gray] asks unanimous consent that the remainder of the bill, including title III, be considered as read, and printed in the Record, and open to amendment at any point.

Mr. CRAMER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAMER. The Chair stated title III. The balance of the bill is title III and title IV; is that not correct?

The CHAIRMAN. That is correct. The gentleman from Illinois asks unanimous consent that title III, and also title IV, which is the remainder of the bill, be considered as read and open for amendment at any point.

Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. Are there any amendments to be offered at this point?

Mr. GRAY. There are no amendments on this side, Mr. Chairman.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Adams, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 12603), to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes, pursuant to House Resolution 962, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment? If not, the question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 317, nays 34, not voting 81, as follows:

[Roll No. 410]

YEAS—317

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Ashley
Aspinall
Ayres
Baring
Barrett
Battin
Belcher
Bell
Betts
Bevill
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carey
Carter
Casey
Celler
Chamberlain
Clausen, Don H.
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Dent
Derwinski
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Fraser
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Pa.
Griffiths
Grover
Gubser
Gude
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morris, N. Mex.
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
St Germain
Schadeberg
Scheuer
Schneebeli
Schwengel
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Tiernan
Tuck
Tunney
Ullman
Van Deerlin
Vander Jagt
Vanik
Waggonner
Waldie
Walker
Wampler
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Yates
Young
Zablocki
Zion
Zwach

NAYS—34

Ashbrook
Bennett
Bow
Brinkley
Brown, Mich.
Clancy
Cleveland
Curtis
Davis, Wis.
Devine
Dowdy
Fulton, Tenn.
Gathings
Goodling
Gross
Hagan
Haley
Hall
Harrison
Harsha
McMillan
Miller, Ohio
O'Konski
Passman
Rogers, Colo.
Roth
Scherle
Utt
Vigorito
Watkins
Watson
Wolff
Wylie
Wyman

NOT VOTING—81

Abbitt
Annunzio
Arends
Ashmore
Bates
Berry
Blackburn
Blatnik
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Byrnes, Wis.
Cederberg
Clark
Clawson, Del
Conyers
Corman
Cowger
Dellenback
Dickinson
Diggs
Evins, Tenn.
Findley
Flynt
Ford, William D.
Fountain
Frelinghuysen
Green, Oreg.
Gurney
Halleck
Halpern
Hansen, Wash.
Hardy
Hays
Hébert
Heckler, Mass.
Helstoski
Hosmer
Johnson, Pa.
Jones, Mo.
Landrum
Lukens
Macdonald, Mass.
Madden
Mathias, Md.
Matsunaga
Mills
Moore
Morgan
Morse, Mass.
Moss
Pickle
Pool
Rarick
Resnick
Rivers
Roberts
Rodino
Roush
Roybal
St. Onge
Saylor
Schweiker
Scott
Sikes
Smith, Calif.
Stanton
Steed
Stephens
Stratton
Stubblefield
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Williams, Miss.
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.

Mr. Morgan with Mr. Byrnes of Wisconsin.

Mr. Madden with Mr. Halleck.

Mr. Rivers with Mr. Morse of Massachusetts.

Mr. St. Onge with Mr. Saylor.

Mr. Rodino with Mr. Bates.

Mr. Brooks with Mr. Lukens.

Mr. Annunzio with Mr. Cederberg.

Mr. Fountain with Mr. Berry.

Mr. Evins of Tennessee with Mrs. Heckler of Massachusetts.

Mr. Moss with Mr. Frelinghuysen.

Mr. Charles H. Wilson with Mr. Broomfield.

Mr. Teague of Texas with Mr. Gurney.

Mr. Thompson of New Jersey with Mr. Hosmer.

Mr. Sikes with Mr. Moore.

Mr. Matsunaga with Mr. Johnson of Pennsylvania.

Mr. Ashmore with Mr. Dickinson.

Mr. Stratton with Mr. Mathias of Maryland.

Mr. Roberts with Mr. Del Clawson.

Mr. Corman with Mr. Schweiker.

Mr. Mills with Mr. Smith of California.

Mr. Brown of California with Mr. Brown of Ohio.

Mr. Abbitt with Mr. Stanton.

Mr. Clark with Mr. Dellenback.

Mr. Blatnik with Mr. Thomson of Wisconsin.

Mr. Landrum with Mr. Brotzman.

Mr. Flynt with Mr. Scott.

Mr. Hardy with Mr. Thompson of Georgia.

Mr. Hays with Mr. Blackburn.

Mr. Steed with Mr. Cowger.

Mr. Stephens with Mr. Roybal.

Mr. Roush with Mr. Resnick.

Mr. Pickle with Mr. Rarick.

Mr. Macdonald of Massachusetts with Mr. Diggs.

Mr. Willis with Mr. Udall.

Mrs. Hansen of Washington with Mr. William D. Ford.

Mr. Helstoski with Mrs. Green of Oregon.

Mr. Stubblefield with Mr. Pool.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from Texas [Mr. Dowdy].

AUTHORIZE DISTRICT OF COLUMBIA INSPECTION OF MOTOR VEHICLES NOT REGISTERED IN THE DISTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 14098) to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14098

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938 (D.C. Code, sec. 40-201), is amended by adding at the end thereof the following new sentence: "The District of Columbia Council may provide by regulation for the inspection of motor vehicles or trailers which, at the time of inspection, are not required to be registered in the District of Columbia, and to fix the fee for such inspection in such amount as, in its judgment, will be commensurate with the cost to the District of Columbia of such inspection."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the first section of the Act entitled 'An Act to provide for the annual inspection of all motor vehicles in the District of Columbia', approved February 18, 1938 (D.C. Code, sec. 40-201), is amended by adding at the end thereof the following new sentences: 'The District of Columbia Council may prescribe regulations to permit a person who owns a motor vehicle or trailer not required to be registered in the District of Columbia to have such motor vehicle or trailer inspected in the District of Columbia. Such regulations shall fix the fee for such inspection in such amount as, in the Council's judgment, will be commensurate with the cost to the District of Columbia of such inspection.' "

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 14098 is to authorize the District of Columbia Council to provide by regulation to permit District inspection of motor vehicles and trailers, on a voluntary basis, which at the time of such inspection are not required to be registered in the District of Columbia. The bill provides further that the District of Columbia Council may fix fees for these inspections, commensurate with the cost to the District in providing such service.

DISTRICT OF COLUMBIA INSPECTION SYSTEM

The District of Columbia Department of Motor Vehicles presently operates two stations for the mandatory annual inspection of all motor vehicles registered in the District of Columbia. One of these stations is in the southwest section of the city, and the other is located in the northwest. These stations do not handle any cash. Rather, the inspection fee of $1 is paid by the District motorist at the time he registers his vehicle, as a part of the overall charge. A windshield sticker, indicating that the vehicle passed District of Columbia inspection within the preceding 12 months, is a prerequisite for obtaining District of Columbia tags for the vehicle in March of each year.

REASONS FOR LEGISLATION

The motor vehicle inspection in the District of Columbia is quite strict, with standards for approval considerably more rigid than those in Virginia and Maryland.

For this reason, the District of Columbia has received numerous requests from trucking operators and automobile dealers in the suburbs of both Maryland and Virginia, asking that their vehicles be permitted inspection in the District of Columbia, as a means of improving their motor vehicles and assuring increased safety in their operation.

At a public hearing conducted on October 20, 1967, a spokesman for the Washington, D.C., Area Trucking Association expressed that organization's support for this proposed legislation. He stated that the local association, which is affiliated with the American Trucking Associations, represents more than 200 member companies in the Washington metropolitan area. He testified further that they recognize the District of Columbia motor vehicle inspection system as one of the best in the country, better than is available to them in the outlying districts, and that many of these companies would like very much to be able to take advantage of this District of Columbia inspection facility, even though their vehicles are not registered in the District, as a means of increasing the efficiency of their maintenance and safety programs. They feel that the fee which they would pay for this service would be an excellent investment in their own interest.

The Director of the District of Columbia Department of Motor Vehicles expressed the Department's support for this bill, stating that they will be more than pleased to cooperate in any measure which conceivably will improve the mechanical condition of the motor vehicles operating in the Washington, D.C., area, as a contribution toward increased safety and a lessening of the motor vehicle accident rate.

The Director stated that they can easily set up a system whereby fees can be collected at the inspection stations from those who wish inspection of their foreign-registered vehicles, and also that they have adequate capacity at the city's present two inspection stations to take care of the increased volume that would result from the enactment of the proposed legislation.

CONCLUSION

It is the opinion of our committee that this proposed legislation, which was requested by the Board of Commissioners of the District of Columbia and which will authorize a system for the District of Columbia inspection of motor vehicles not registered in the District, on a voluntary basis, may well make a contribution toward increased safety on the streets and highways of the entire metropolitan area, and at the same time will afford a source of increased revenue for the District of Columbia.

For these reasons, your committee feels that the bill as amended is definitely in the public interest.

COMMISSIONERS' LETTER

The following is the letter from the President of the former Board of Commissioners of the District of Columbia, requesting this legislation:

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, EXECUTIVE OFFICE,
January 11, 1967.

The Honorable the SPEAKER,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners have the honor to submit herewith a draft of a bill "To amend the Act entitled 'An Act to provide for the annual inspection of all motor vehicles in the District of Columbia', approved February 18, 1938, as amended."

The purpose of the bill is to authorize the Commissioners to provide for the inspection of motor vehicles not registered in the District of Columbia. The Director, Department of Motor Vehicles, frequently has requests from nonresident and resident firms engaged in the business of buying and selling motor vehicles to inspect such nonregistered vehicles. The Commissioners believe that inspection of these vehicles by the District of Columbia will not only be an aid to local motor vehicle dealers but also will result in improving the safety condition of many vehicles which will be operated in the Washington Metropolitan area. The Commissioners provide in the proposed legislation that the fee for such inspections will be fixed in such amount as will be commensurate with the cost to the District of such inspections.

The Commissioners urge enactment of this proposed legislation.

Sincerely yours,
WALTER N. TOBRINER,
President,
Board of Commissioners, D.C.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

May I ask the gentleman from Texas if this will in any way load up the inspection service and cause delays in the inspection service of the District of Columbia?

Mr. DOWDY. It should not. The District of Columbia Commissioners requested legislation which would make it possible for them to require inspection of all motor vehicles here in the District of Columbia, apparently as I read the request. However, our committee amended it to make it permissible for the District of Columbia to provide inspection service for out-of-the-District automobiles and trucks for a fee.

Then the bill, as we wrote it, goes further and makes it permissible. In other words, it is a voluntary matter and anybody who owns a car can go down, if they want to, to have it inspected but they cannot be required to have their car inspected.

I see no reason why this should cause any problems because there is no requirement that the District of Columbia provide this service, but if they do provide it they have to charge a fee.

Mr. GROSS. Would this inspection be acceptable in the States of Virginia and Maryland in lieu of inspections in those States?

Mr. DOWDY. No; I do not believe so. I do not believe we could make it so. This simply has to do with the situation where somebody here in the District of Columbia wants an additional inspection of his car.

Mr. GROSS. This is only for convenience for those who live outside of the District to get their cars inspected if they so desire and pay a fee for such inspection? It is the gentleman's opinion that this will not clog the inspection stations in the District of Columbia which, of course, are designed to serve the residents of the District of Columbia primarily.

Mr. DOWDY. From the testimony brought out before our committee, the inspection stations are not being adequately used and they want to sell some more service. It would be a convenience to some and, as I understand it, they claim or at least the testimony before us was to the effect that the District of Columbia has a more thorough inspection service than some of the surrounding States. Actually, people who would be having their car inspected would be paying twice if they use the District of Columbia inspection service, for it would not replace, but would be an additional inspection to the inspection that is or may be required in the State of registration.

Mr. VANIK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I would like to ask the gentleman from Texas some questions concerning this legislation. Does this provide for the inspection of trucks in the District of Columbia? I am not concerned so much about the question of automobiles, but I am concerned about truckers coming into the District of Columbia and getting an inspection in the District in lieu of an inspection in another State where they are obligated to have such an inspection, and then claim compliance with the inspection laws of another State on the basis of reciprocity?

Mr. DOWDY. They would not get such an inspection in lieu of any other inspection. In most of the States I know anything about, you have to have an inspection in the State in which you have your car or truck licensed. This inspection in the District of Columbia would be an additional inspection which anybody could get if they want it and it would not be in lieu of any other inspection.

Mr. VANIK. I would like to ask the gentleman from Texas this further question: Is there any precedent under which any other State in the United States voluntarily accepts for inspection the vehicles, automobiles or trucks, that are registered in another State?

Mr. DOWDY. The bill does not provide for the accepting of trucks of another State for inspection. It is not a service rendered for another State. It is a service rendered for the owners of motor vehicles, whether they be trucks or cars, who wish an additional inspection in the District of Columbia because they do business here and because they can find out whether they need to do anything to their cars.

Mr. VANIK. I wonder if the gentleman from South Carolina, the distinguished chairman of the District Committee, will answer the question I asked: Is there any other State in the United States which provides a voluntary inspection service for nonresident trucks or trucks or other vehicles registered in another State for a fee?

Mr. McMILLAN. I think there is if the people are willing to pay for the service.

Mr. VANIK. What States make such provision?

Mr. McMILLAN. Let me give you an example of what we are trying to do here. Truckers appeared before our committee and asked that they be privileged to have their trucks inspected here for a fee. If a truckdriver traveling from Miami, Fla., to New York thinks his truck is not driving right, he can drive it into the inspection station here and have it inspected in order to be on the safe side when he goes into Maryland. We see nothing wrong with that.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. VANIK. My question remains unanswered.

Mr. DOWDY. I will attempt to answer it if you will yield to me.

Mr. VANIK. I am happy to yield to the gentleman from Texas.

Mr. DOWDY. You can take your car into the State of Texas and get it inspected at any inspection station there.

Mr. McMILLAN. The same thing applies in South Carolina.

Mr. VANIK. That is on a fee basis.

Mr. DOWDY. Sure, it is on a fee basis. I imagine they could do it in your State.

Mr. VANIK. I am not familiar with the law of my State on this point. My concern is that this inspection might be used by truckers to clear through an inspection here and use it on a reciprocity basis for an inspection that they ought to have in some other State through which they pass in the course of their interstate travel. The District inspection may be less stringent than that of other States. I do not think the District of Columbia should undertake that responsibility for other States. The voluntary District inspection could be used as a defense in accident claims arising from defective equipment hazards in other States.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from South Carolina.

Mr. McMILLAN. I think it is commendable on the part of the truck owners to have their trucks in a good condition before driving on the highways. If they are willing to pay a fee as they pass through the District of Columbia to have their trucks reinspected, I think we ought to permit them to do so.

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Florida.

Mr. FUQUA. In answer to the gentleman's question, the Florida Legislature recently passed a mandatory inspection law in compliance with the Federal law. Many Members of Congress are receiving inquiries from the States: Can we have our automobiles inspected in the city of Washington and pay for it in reciprocity with the State of Florida? I think this bill contains what the law provides in Ohio and other States. Most any State will give reciprocity to another State so far as inspecting vehicles that must necessarily remain in that State for a period.

Mr. VANIK. How will the fee in the District of Columbia compare with the inspection fee in the State of Florida for the inspection of a large truck?

Mr. FUQUA. This I am not aware of, but I think it would be in line with what other States would charge.

Mr. VANIK. Can the gentleman assure me that this measure will not create a situation where inspections here in the District of Columbia will be delayed to permit nonresidents to take advantage of low subsidized inspection rates?

Mr. FUQUA. That is not the intention of the legislation.

Mr. VANIK. The gentleman can assure me that that will not be the result?

Mr. FUQUA. I cannot give you my personal assurance. I do not know. Maybe other members of the committee can answer the question. That is not the intention.

Mr. McMILLAN. Other States would not take the inspection service of the District of Columbia. The vehicles would also have to be inspected in the State in which the trucks are registered. This is just an added inspection for the benefit of truckers who only want to have the additional inspection for their own protection.

Mr. VANIK. Mr. Speaker, I am not overwhelmed with the information or the evidence I have received on this proposal. On the basis of this information I am inclined to vote against the bill.

Mr. NELSEN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I would like to point out that the bill does provide that such regulation as the District of Columbia may establish shall fix the fee for such inspection in such amount as in the Council's judgment will be commensurate with the cost to the District of Columbia.

In my judgment one thing should be emphasized and that is the safety factor that is involved. There has been some inspection done of vehicles licensed outside the District of Columbia at the present time and in the past, but this proposal merely sets forth in the language of the bill authority for the Council to inspect these vehicles, and make a charge for it. This in the judgment of the committee would contribute to safety on the highways within the District of Columbia.

I believe this is a good measure and one that will result in good regulations as far as the District of Columbia is concerned in dealing with the traffic situation here.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. This concludes the business for District of Columbia day.

EXTENDING CONGRATULATIONS TO THE PARLIAMENT OF FINLAND ON THE 50TH ANNIVERSARY OF FINLAND'S INDEPENDENCE

Mrs. KELLY. Mr. Speaker, I call up Senate Concurrent Resolution 49 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 49

Whereas the year 1967 marks the fiftieth anniversary of the independence of Finland; and

Whereas these fifty years have been marked by close ties of friendship and association between Finland and the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the Untied States extends its congratulations and best wishes to the Parliament of Finland on the occasion of the fiftieth anniversary of the independence of Finland and in affirmation of the affection and friendship of the people of the United States for the people of Finland.

The SPEAKER. The gentlewoman from New York is recognized for 1 hour.

Mrs. KELLY. Mr. Speaker, on December 6 of this year, the Republic of Finland will celebrate the 50th anniversary of its independence.

On that important occasion, Finland's friends throughout the world will join in wishing her good fortune and continued success in affording her people the opportunity to realize their aspirations within the framework of free and independent national existence.

I know that the Congress of the United States will want to add its own sentiments on that happy occasion. For this reason, I was happy to join with a bipartisan group of Members of both Houses in sponsoring legislation directed to this end and I urge immediate approval of the resolution before us.

Mr. Speaker, although 50 years of national existence may not be a very long time, the forthcoming anniversary has a special meaning to the people of Finland.

In the first place, in spite of their ancient culture and civilization, the Finns have had only limited opportunity to enjoy freedom and independence. For centuries, their larger neighbors—Sweden and Russia—dominated their existence. It took a long time, a considerable effort, and a fortuitous convergence of circumstances, for the Finns to achieve independent national status in 1917.

Second, the task of preserving that independence proved even more demanding. Finland had her own civil war, and then had to fight Russia twice to preserve her freedom. But preserve that freedom she did, even at the time when many other states of central Europe fell under Moscow's hegemony right after World War II.

The commitment to independence resulting from this national experience has been reflected in Finland's internal policies and in the course which that country has pursued in international relations.

On the domestic front, Finland's agricultural policies have featured some highly inventive concepts. Similarly, Finnish achievements in architecture, design and fashion, and in other fields, have been marked by a high degree of originality and individualism.

On the international front, Finland has been an active and a constructive member of the United Nations, of the Nordic Council and of the European Free Trade Association. Her initiatives in such important areas as United Nations peacekeeping have won her respect among her friends and neighbors abroad.

Mr. Speaker, I should like to add that during the past 50 years, our country's relations with Finland have been marked by cordiality and mutual respect.

We have found the Finns to be not only individualistic and independent but also extremely responsible and responsive to the needs of others.

I am certain that I express the sentiments of the House when I say that Finland has every right to be proud of her half century of independence. We are delighted to honor her on this occasion.

Mr. DERWINSKI. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, I am very pleased to speak as a cosponsor of the House Resolution expressing the congratulations and best wishes of the Congress of the United States on the occasion of the 50th anniversary of the independence of Finland.

The Finnish Declaration of Independence in December 1917 threw off the yoke of czarist foreign domination. We in America also appreciate the vigorous efforts of the Finns to maintain their independence in the face of Communist Russia's attempt to conquer them before World War II.

Since World War II the Finns, although under constant pressure from their Soviet neighbors, have maintained a vigorous parliamentary life and have energetically progressed, firmly resolved to maintain their independence.

The Finnish Constitution, the 50th anniversary of which will be commemorated on December 6, is an outstanding document, providing individual rights, property rights, and freedom of worship and speech in a fashion uniquely similar to our American Constitution.

Along with my colleagues on the Foreign Affairs Committee, I respect and admire Finns for their great contributions to history and we very properly give endorsement to this resolution, reemphasizing the great friendship that exists between the people of the United States and Finland.

Mrs. BOLTON. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, I express my deep appreciation for the opportunity given us by the gentlewoman from New York.

Mr. ADAIR. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I, too, join in support of this resolution.

It is a pleasure to join in saluting Finland on the occasion of the 50th anniversary of its independence and to reaffirm the affection and friendship of the people of the United States for the people of Finland.

This small, free, and democratic country is an inspiration to all. Finland has maintained its independence while living next door to the world's largest Communist country. It has demonstrated that, despite adversity, Finland keeps its word. Finland has continued over the years to make payments on its World War I debt, which will be completed in 1984. Since 1949, by act of Congress, Finland's payments of principal and interest have been used for educational and cultural exchange programs between our two nations.

Finland has continued its policy of hard work and fiscal honesty since World War II. During the 1946–66 period, it received $134 million in economic assistance from the United States. Of this amount, it returned $104 million in repayments and interest during this period. One can only wish that all friends of the United States would follow the example of little Finland.

It is also worthy of note that there are now about 400,000 Americans of Finnish descent living in this country, many of them in the North-Central States. They bring to American life the characteristics of hard work, thrift, and integrity that have helped to make Finland a great nation.

Mr. MONAGAN. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I rise in support of this resolution.

Mr. ZABLOCKI. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Speaker, I want to congratulate the gentlewoman from New York [Mrs. KELLY] for bringing this resolution before the House and I want to associate myself with her in urging its prompt approval.

At a time when international conflicts and threats of war occupy much of our attention, we sometimes tend not to notice the less spectacular but certainly more constructive actions of some nations in trying to promote the cause of peace and international order in the world.

This is unfortunate—and I am glad that today we have the opportunity to rectify some of those omissions.

During its 50 years of independent national existence, Finland has been in the forefront of civilized mankind's struggle to create conditions which would allow all nations to exist in peace and freedom, and to pursue the legitimate aspirations of their people.

In the United Nations, in other international forums, and through bilateral contacts, Finland has tried to advance the achievement of those objectives.

And she has done so in a mature responsible way, while trying to stay out of the conflicts which frequently engage the energies of the larger powers.

I believe that all of us will be delighted to join in congratulating the Finns on this 50th anniversary of their independence. We know that they are proud of that achievement. And we wish them well for the future.

Mr. Speaker, I desire to join my distinguished and able colleague, the gentlewoman from New York [Mrs.

KELLY] in extending greetings to the country of Finland.

Mr. McCORMACK. Mr. Speaker, the Finns declared their independence 50 years ago and have maintained it by their fighting spirit. They have proved their fighting ability on more than one occasion, and especially during the winter war of 1939–40 against the entire armed might of the Soviet Union. In that war these gallant, gifted, and patriotic Finns, numbering no more than 4 million held firm for many months against the large Soviet forces facing them. While they finally were forced to yield to the sheer numerical superiority of the Red Army, they managed to maintain their independence.

These sturdy descendants of part-Asiatic and part-European tribes have been living in the northeastern part of Europe for centuries. The frigid cold of their homeland and their hard-working habits have inured them to hardship and have endowed them with an uncommon toughness. Throughout their long and turbulent history they have guarded their tribal-national traditions and their freedom. Early in the 19th century their homeland was made part of czarist Russia's empire, but they managed to secure something of a privileged position in that sprawling empire. And when the czarist regime was overthrown in 1917, the Finns were among the first to assert their full freedom and proclaimed their national independence in November of that year.

Thenceforth in the course of a few decades the Finns made their homeland a truly model democracy, and a safe abode for themselves. They guarded their national heritage with due vigilance while on the lookout for their foes lurking not far from their frontiers. Their principal foe of course was the Soviet Union.

At the outbreak of the last war Stalin took full advantage of Finland's weakness and was determined to crush the Finns in an undeclared and unjust war. The unhappy Finns suffered much in that war, and also during the entire course of World War II. In the end they lost some important and strategic territory to the Soviet Union, and for a while it looked as though Finland's independence was about to vanish. Fortunately patriotic, astute, and tactful Finnish leaders succeeded in maintaining their absolute neutrality between East and West, thereby also maintaining their much cherished and richly deserved national freedom.

During the last two decades the Finns have proved to the world the soundness of their political institutions their ability to develop and progress in time of peace complements their magnificent fighting qualities in time of war. Today, on the 50th anniversary of their independence day they are rightly proud of their country and live in uneasy peace with their implacable foes. The free world is indebted to these gallant and gifted Finns for many heroic deeds, above all for their indomitable will to fight for democracy even under most unfavorable circumstances and against forbidding odds. On the 50th anniversary of their independence day I salute the Finns for their success in maintaining with honor a strong and progressive state.

Mr. MONAGAN. Mr. Speaker, I am honored to rise in support of this resolution which commemorates the 50th anniversary of Finland.

Over the years the character of the Finnish people has made Americans fervant admirers of this small but proud and honorable Baltic nation.

The Finnish people have displayed their courage in time of armed invasion and never has greater international honor been displayed than in the manner in which the Finnish people alone of all the beneficiaries have performed their promise to pay to the United States debts incurred in the First World War.

May Finland long continue to be an inspiration for the people of the world.

Mrs. BOLTON. Mr. Speaker, on Wednesday of next week the people of Finland will celebrate the 50th year of nationhood. December 6 marks the day in 1917 when the stalwart Finns freed themselves from domination of the czarists.

The history of the Finns goes back to ancient times and contains large chapters of foreign oppression. Yet the responsible individualism of this people never waned and has manifested itself in these last 50 years in both the internal and international development of the country.

Finland, "the land of a thousand lakes," is known for its hard work, its efforts to assure individual rights, and its fiscal responsibility. Those characteristics have been continued in this country by the thousands of Finns who emigrated to the United States.

During and since World War II Finland has experienced renewed pressure from Russia. Nevertheless, her policy has been one of neutrality and friendship with all peoples, and she has succeeded in maintaining her independence and cordial relations with others. It is fitting that we should recognize Finland's excellent record as a nation and wish her many more illustrious anniversaries. I am happy to support Senate Concurrent Resolution 49.

Mr. PHILBIN. Mr. Speaker, next week the people of Finland will celebrate the 50th anniversary of the independence of their great country, and I am very proud, honored, and pleased to hail and salute them, and to extend my heartiest congratulations and best wishes for the future to these great citizens of the free world.

Finland is a superb nation of hardy, resourceful, courageous people who through long centuries have battled oppressors seeking the spoils of war, trampling upon their rights, and shackling their freedoms.

A nation of less than 5 million people bordering for 800 miles on the boundaries of the colossus of the north, Communist Russia, the brave Finns have successfully protected their freedom through very trying periods of war, social unrest, and the threat of conquest.

Long-continued domination by other nations never was able to quench the love of personal liberty and the determination to be free of the Finnish people. Not even the Soviet Union, with its mighty power marshaled at the gateways of Finland, was able or willing to try to deprive Finland of its democratic rights and its independence.

Not even the changing power structure of northeastern Europe was equal to the task of discouraging the Finns, breaking their determination to retain their birthright, and overcoming their free and independent government.

We are happy now to know that, at this time, peaceful relations with one time enemies, including Soviet Russia, have apparently been firmly established.

While they are strong, self-respecting and zealous in defending their rights, the Finns are not actually a warlike people. Yet they are unalterably committed to peace, justice, and friendly relations with their neighbors and all other Nations, provided their own moral and democratic rights are respected.

It is gratifying to note that at present the Finns appear to be free of the threat of any serious attack of aggression or conquest, and their government is able to concentrate on domestic, economic, and social problems which, notwithstanding the relatively small size of the country, have presented serious political problems to the leaders of Finland.

There seems to be a new era of good feeling, however, the absence of rancor and sincere efforts to achieve cordial relations with other peoples, particularly their neighbors.

The spirit of enterprise, that abides in the Finnish people, their strong adherence to personal freedom, their many gifts of innovation, creativity and culture have resulted in increasing business relations with the West, and their beautiful land, and its talented, gallant people, seem to be on the pathway to progress, advancement, and steadily increasing and improving conditions, standards of wages, and living, and general national well-being.

The Finns are a vital, strong, energetic people, and our own country is very fortunate to have them as friends and citizens, and to have so many people of Finnish blood living in this country, and contributing in war and in peace to our security, the strengthening of our freedoms, and the fabulous growth we have enjoyed in social and economic progress. Such loyal citizens and trusted friends could never be excelled.

I am very fortunate, in that respect, to have so many people of Finnish blood living in my district whom I can call my strong, loyal friends and respected and beloved constituents.

They have contributed immeasurably to the life of our Nation in all its facets and ramifications. Their industry and love of hard work, wholesome family life, patriotism and love of independence, of freedom, their strong spirit of individualism and bounding courage make them not only outstanding citizens, but neighbors, companions, and friends of whom all of us may be very proud.

Many happy returns on Finland's birthday of independence. May their beloved northland continue to grow in the arts of peace, and the satisfactions of freedom, in the joys of free enterprise and honest labor, in the incentives that nourish success, in so many worthy undertakings, and in the indomitable spirit of determination to protect and preserve the sacred birthright the people of Finnish blood have won through centuries of struggle and travail. May Heaven protect Finland and its proud, wonderful people.

Mr. CAREY. Mr. Speaker, I send greetings today to all peoples of Finnish descent as they celebrate the 50th anniversary of Finland's independence. It is a most gratifying and joyful occasion, for in contrast to the many other peoples under Russian domination who declared themselves free during the turmoil following the Bolshevik revolution only to be once again conquered by Russia and denied their rights to self-determination, the Finns succeeded in their resolve to make their country a free democracy.

The previous special status of Finland as a semiautonomous grand duchy united with the Russian Empire had given her the experience and governmental framework which facilitated her transformation into a sovereign nation. Thus, when the Soviet Union challenged the Finn's independence in 1940 and again in 1944, it was a well-disciplined army and citizenry, inspired by their cherished ideal of freedom, which enabled them to struggle against overwhelming odds to preserve this long-sought freedom.

Today Finland is a highly admirable example of a progressive parliamentary republic. Though precariously adjacent to the Soviet Union, it has managed to remain consistently and effectively neutral during conflicts between the great powers. In honor of the glorious accomplishments of the proud Finnish people, I extend my congratulations and best wishes to all people who call Finland their homeland.

GENERAL LEAVE TO EXTEND

Mrs. KELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Senate concurrent resolution.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, I have no more requests for time.

The SPEAKER. The question is on the Senate concurrent resolution.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

FLAMMABLE FABRICS ACT AMENDMENTS

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1003) to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1003, with Mr. Fraser in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. Staggers] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. Springer] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, no death can be more terrible and no injury can be more painful than that caused by fire. A recent newspaper article concerning this legislation pointed out that 150,000 Americans are seriously burned each year, and as many as 3,000 of them die.

Those who survive undergo physical suffering and long, costly medical treatment, averaging $6,000. Often they are disfigured for life, to endure emotional suffering as well.

Today, we bring to this House a bill that holds the promise for the people of this country that many such deaths and injuries will be prevented in the future.

This legislation amends the Flammable Fabrics Act which was enacted in 1953 and has remained substantially unchanged to this day. That law was enacted to put off the market "torch" sweaters and children's cowboy chaps which almost exploded because they burned so fast. The act applies only to wearing apparel and has fixed statutory standards of flammability which require amendment by law in order that they be changed. Furthermore, those flammability standards only apply to articles of wearing apparel which are an extreme hazard to the wearer.

The bill would extend the Flammable Fabrics Act to cover interior furnishings, bringing under it such things as blankets, bedding, draperies, carpets, and upholstered furniture.

The bill would also make the act more flexible by authorizing the Secretary of Commerce to issue flammability standards and other regulations after making well defined findings and observing certain procedural requirements. The standards and regulations would be based on a continuing study and investigation and research which would be carried out by the Secretaries of Commerce, and Health, Education, and Welfare. These, also, are provided for in the bill.

In addition, the bill provides for a national advisory committee fairly representative of industry and the consuming public which must be consulted before standards or regulations are prescribed.

Because of the great expansion in the scope of this legislation and in order to assure that its promise is being realized, the committee has replaced the existing open-end authorization of funds with limited authorizations for 3 years—$1½ million for this fiscal year and $2¼ million for each of the next 2 years.

Mr. Chairman, this is good legislation. It was considered long and carefully by the committee. It is favored by the departments and agency which will administer it and by the industry which will be affected by it. I hope that each Member of this House will vote for this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am very happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Does this bill permit the export to other countries of flammable fabrics?

Mr. STAGGERS. I will say that we do not in any way interfere with exports to other countries.

The legislation being considered would only apply to articles of wearing apparel, interior furnishings, and fabrics, and related materials used therein which are used here at home or sold in our American installations abroad.

Mr. GROSS. But our manufacturers are permitted to ship flammable fabrics abroad. Is that right?

Mr. STAGGERS. If it meets the standards of the countries; yes. We do not intend by this legislation to put American manufacturers or processors under any disadvantage when competing in foreign markets.

Mr. SPRINGER. Mr. Chairman, I yield as much time as he may consume to the gentleman from Massachusetts [Mr. Keith].

Mr. KEITH. Mr. Chairman, as the chairman of the Commerce Committee has said, death and injury by fire is a nationwide problem. The Congress first debated the hazard of fabric flammability in 1953—when the Flammable Fabrics Act was originally passed. That act was in response to the tragic, torch-sweater fires which took the lives of several Americans in the early 1950's.

Even though torch sweaters have been outlawed—and even though we enacted the Flammable Fabrics Act in 1953—many more Americans are still burned—some 3,000 fatally each year.

Mr. Chairman, with the expanding use of fabrics, particularly man-made fabrics for clothing purposes and also interior furnishings, it has become evident that the standards presently in the law will not suffice. It should also be pointed out, however, that no bill which could be brought before this House, regardless of its title or its provisions, could hope to eliminate completely flammability in fabrics.

The bill before us today provides for study and investigation of those fabrics and other materials which might be used for clothing or interior decoration and which might, by reason of their flammability, constitute an unreasonable risk to the consumer. When it is found as a result of these studies and investigations that a standard of flammability is needed, the secretary will proceed under the machinery provided in the bill, and subject to all the protection of the Administrative Procedures Act and the courts, to set a standard which is feasible and practical and which will add to the protections of the public. Once these standards have been established, the manufacturers of materials covered thereby will be required to give certifications to wholesalers and retailers that those standards have been met. It is the intention of this bill to provide administrative machinery which is flexible enough to meet new situations while not imposing impossible conditions upon the industries involved.

Imported goods intended for American customers must meet the same standards as similar goods produced in this country. This does not apply to materials imported into the country for processing only and intended thereafter to be shipped on to a foreign market.

On the other hand, American goods intended for U.S. installations abroad must meet American standards, and under the provisions of this bill so, too, must foreign materials if they are sold to or through U.S. installations abroad.

May I say, as to the cost of implementing this legislation, that general safety legislation has not included specific authorizations for its administration and enforcement. In the case of the auto safety legislation, however, this was done. Included in this bill, as amended by the committee, are authorizations of $1.5 million for 1968 and $2.25 million for each of the next 2 fiscal years. This is merely an authorization based upon the estimate of the administrative costs involved. It also gives the committee a reason for evaluating performance under this legislation after it has had a chance to make some measurable progress.

Mr. Chairman, just 25 years ago tomorrow, on November 28, 1942, the Coconut Grove Nightclub fire in Boston took almost 500 lives, the worst such tragedy in our Nation's history. Obviously, there were many causes for such an incredibly high death toll. One of these—the flammability of interior decorations—contributed greatly to the speed with which the fire spread. This bill, as the chairman has said, recognizes and deals with this hazard.

And so Mr. Chairman, this bill, while not a cure-all and an end-all in the matter of flammability of wearing apparel and interior furnishings, is, nevertheless, a very sensible arrangement. It provides new and reasonable standards for the protection of the American public. I recommend that the House accept the committee's proposal—now known as S. 1003—and pass the legislation.

Mr. SPRINGER. Mr. Chairman, I yield such time as she may consume to the distinguished gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I rise in support of this legislation and wish to commend the Committee on Banking and Currency for bringing it to the floor of the House for a vote. It is my hope that it will receive the unanimous approval of the Committee of the Whole House on the State of the Union.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, many Members present here have asked the steps which this legislation takes. That is an important question.

First of all, there is provided in the machinery contained in this bill a study and investigation of fabrics and other materials used for clothing and interior decorations as to the need for standards of flammability.

Once the study has been completed and it is found by the Secretary that standards on flammability are needed, the Secretary proceeds under the machinery of the act, subject, may I say, to all of the protections of the Administrative Procedures Act and the courts. Standards are then set for flammability.

After standards are thus set, and published in the Register, the manufacturer must give certifications to wholesalers and retailers that the standards have been met so that the retailer and the wholesaler are protected if they rely upon the certification which is so given.

There is a third matter which I believe ought to be called to the attention of the House. Many of us know that articles and goods of all kinds are being imported from abroad from many of the underdeveloped countries, and countries as highly technical, we will say, as Japan, England, and Western Europe. These imported goods must meet the standards just as the standards are met by domestic manufacturers who put goods on the American market.

There is a fourth matter which I believe is also important. Goods meant for any U.S. installation abroad which we operate must meet these standards. Now, this is in two parts. First, all of the domestic goods that are put on sale at any U.S. installation abroad must meet these standards. Second, anyone in any other country seeking to sell into a U.S. installation as a domestic seller must also meet these standards so that it is not at all possible for U.S. installations abroad in any way to evade the law as it is applicable to this country and our dependents, soldiers, and others who serve abroad, may rely upon these goods for standards of flammability just as if they were in this country.

There is a fifth matter which is of importance. We do authorize not a munificent sum, but we believe after all the evidence an adequate amount. We authorize $1.5 million for 1967 to carry out the act, and we authorize $2.25 million for 1969 and also for 1970.

May I say that these five parts to the legislation tie all the ends together so that we believe that all of our people, either within this country or in installations abroad, are protected by this law. At the same time, we provide that no goods may be imported into this country which are in competition with our own domestic goods which do not meet the certification of standards. We are therefore safeguarded by those manufacturers abroad who seek to sell to the domestic market.

With these five matters which are outlined in the bill we believe that we bring to the Members a piece of legislation which is good and which is in the public interest, and which will meet the problem involved in the flammability of fabrics. So we have tried to bring to you a well-rounded bill that we believe is easily understandable, so that the Members in imparting it to their own constituents can easily explain what the Flammable Fabrics Act of 1967 is. We believe it is a good bill. We believe it is necessary. We believe it is in the public interest.

For these reasons, Mr. Chairman, I recommend that the legislation do pass.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Chairman, I rise in support of the bill S. 1003.

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of this bill. The legislation follows an objective I have advocated for many years. My bill at this session (H.R. 12903) is very similar to the Senate bill before us, S. 1003, the Senate-approved bill, would amend the Flammable Fabrics Act of 1953, making it a more flexible, useful, and up-to-date law. The original act of 1953 was passed after public indignation swept the country on the heels of repeated incidents of people being burned by fabrics which flashed into fire from a flame, a glowing cigarette, or a spark.

The act surely served its purpose at that time—the problem, however, is that it is no longer that time. Fourteen years has seen an explosion of textile technology. New fabrics are being created, and new raw materials are being converted to textile uses each year. The 1953 act, fixed and inflexible, is limited in coverage to fabrics used specifically in clothing. It is tragically ironic to note that this resulted in halting the sale of flammable bridal veils, but did not apply to baby blankets capable of flaring into a flash fire.

Under the terms of the present act, a fabric which cannot be sold for the manufacture of bathrobes, could be made into drapes, bedspreads, or wall hangings, and offered freely on the market. These items, still offering just as much of a hazard to safety, would then find their way into homes. Even in the area of fabrics used for clothing, no standards set in 1953 can be considered sufficiently effective in 1967, without constant study and reevaluation.

The actual existence of the 1953 act gives another dimension to this dangerous situation. Since there is an act covering flammable fabrics, our citizens are given a false sense of security, believing that anything now manufactured is free from the dangers of flash flammability. This, unfortunately, is just not so.

The proposed amendments would give the Secretary of Commerce the right to increase the standards as changing circumstances require. Thus, people could be assured of continuing protection againt materials which burn at a dangerously rapid rate.

The additional safeguards needed in the home and in public places are also established by the wider scope provided in the admendments, which would extend the act's control to all fabrics and related products, whether or not they are used for articles of clothing.

While giving the Secretary of Commerce the duty of maintaining flexible standards to meet changing circumstances, we must also provide the means of maintaining accurate and up-to-date information on which to base changing regulations.

Data on the number and type of injuries are rare, in fact virtually nonexistent. The proposed amendments would provide a means of gathering, collating and studying such information so as to establish a guide for the setting of new standards.

Under the provisions of the amendments to the act, the Secretary of Health, Education, and Welfare is directed to work with the Department of Commerce in conducting studies, in depth, and investigating the occurrence and recurrence of fabric fires. Such studies would establish reliable, significant statistics on the number and causes of death, and injuries, and the economic costs of fabric fires.

Thus, through the flexibility written into the act, and the new powers provided, the safeguards for the people of this country would be kept constantly up to date, and in step with textile developments.

Mr. Chairman, it is not necessary for me to labor the point of the importance of any measure which can prevent death, injury, and economic loss. Were this bill designed to protect only a few of our citizens, I would argue just as forcefully for its enactment, but the fact that these amendments are designed to protect tens of thousands of people compels me to argue forcefully not only for enactment—but enactment now. We can no longer run the risk that injury or death will result from our inaction.

Mr. Chairman, I urge overwhelming approval of the bill before us.

Mr. QUIE. Mr. Chairman, I rise in support of S. 1003, the Flammable Fabrics Act amendments. On February 15, of this year, I introduced in the House H.R. 5474, a bill to make bedding subject to the provisions of the Flammable Fabrics Act, and I am certainly pleased to note its inclusion in this bill we are considering today.

The Flammable Fabrics Act originated back in the early 1950's as a reaction to the tragic consequences of clothing catching fire, especially in the well-known cases of the so-called "torch" sweaters and children's cowboy chaps. At that time, our attention was naturally drawn to these particular instances, and thus the legislation written was directed primarily at clothing fabrics.

Today we have an opportunity to extend the protection we initiated in 1953, extend it into the area of interior household furnishing. As we stand in debate here today, millions of homes are being filled with many fabrics which are potentially dangeorus to the user because of the speed and the intensity of flame with which they burn and their ease of ignition. This situation is even more critical than it seems on the surface because the public is generally under the impression that the Flammable Fabrics Act protects them against all significant flammable fabrics. In many cases the impression of protection is an illusion, one that is abruptly dispelled seemingly only through the medium of tragedy. Our opportunity now is to bring the present law into line with not only the protection the Americans believe they are receiving, but rightfully deserve. The extension of this act into the area of interior household furnishing deserves the support of the House, and I sincerely urge my colleagues to join me in voting for S. 1003.

Mr. STAGGERS. Mr. Chairman, we have no further requests for time on this side.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time on this side.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Flammable Fabrics Act (15 U.S.C. 1191; 67 Stat. 111) is amended by—

(1) amending paragraph (b) to read as follows:

"(b) The term 'commerce' means commerce among the several States or with foreign nations or in any territory of the United States or in the District of Columbia or between any such territory and another, or between any such territory and any State or foreign nation, or between the District of Columbia or the Commonwealth of Puerto Rico and any State or territory or foreign nation, or between the Commonwealth of Puerto Rico and any State or territory or foreign nation or the District of Columbia."

(2) amending paragraph (c) to read as follows:

"(c) The term 'territory' includes the insular possessions of the United States and also any territory of the United States."

(3) repealing paragraph (f);

(4) redesignating paragraphs (e), (g), and (h) as paragraphs (f), (i), and (j), respectively;

(5) inserting therein, immediately after paragraph (d), the following new paragraph:

"(e) The term 'interior furnishing' means any type of furnishing made in whole or in part of fabric or related material and intended for use or which may reasonably be expected to be used, in homes, offices, or other places of assembly or accommodation."

(6) amending redesignated paragraph (f) to read as follows:

"(f) The term 'fabric' means any material (except fiber, filament, or yarn for other than retail sale) woven, knitted, felted, or otherwise produced from or in combination with any natural or synthetic fiber, film, or substitute therefor which is intended for use or which may reasonably be expected to be used, in any product as defined in subsection (h)."

(7) inserting therein, immediately after redesignated paragraph (f), the following new paragraphs:

"(g) the term 'related material' means paper, plastic, rubber, synthetic film, or synthetic foam which is intended for use or which may reasonably be expected to be used in any product as defined in subsection (h).

"(h) The term 'product' means any article of wearing apparel or interior furnishing."

SEC. 2. Section 3 of the Flammable Fabrics Act is amended to read as follows:

"PROHIBITION TRANSACTIONS

"SEC. 3. (a) The manufacture for sale, the sale, or the offering for sale, in commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported, in commerce, or the sale or delivery after a sale or shipment in commerce, of any product, fabric, or related material which fails to conform to an applicable standard or regulation issued or amended under the provisions of section 4 of this Act, shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

"(b) The manufacture for sale, the sale, or the offering for sale, of any product made of fabric or related material which fails to conform to an applicable standard or regulation issued or amended under section 4 of this Act, and which has been shipped or received in commerce shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act."

SEC. 3. Section 4 of the Flammable Fabrics Act is amended to read as follows:

"REGULATION OF FLAMMABLE FABRICS

"SEC. 4. (a) Whenever the Secretary of Commerce finds on the basis of the investigations or research conducted pursuant to section 14 of this Act that a new or amended flammability standard or other regulation, including labeling, for a fabric, related material, or product may be needed to protect the public against unreasonable risk of the occurrence of fire leading to death or personal injury, or significant property damage, he shall institute proceedings for the determination of an appropriate flammability standard (including conditions and manner of testing) or other regulation or amendment thereto for such fabric, related material, or product.

"(b) Each standard, regulation, or amendment thereto promulgated pursuant to this section shall be based on findings that such standard, regulation, or amendment thereto is needed to adequately protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage, is reasonable, technologically practicable, and appropriate, is limited to such fabrics, related materials, or products which have been determined to present such unreasonable risks, and shall be stated in objective terms. Each such standard, regulation, or amendment thereto, shall become effective twelve months from the date on which such standard, regulation, or amendment is promulgated, unless the Secretary of Commerce finds for good cause shown that an earlier or later effective date is in the public interest and publishes the reason for such finding. Each such standard or regulation or amendment thereto shall exempt fabrics, related materials, or products in inventory or with the trade as of the date on which the standard, regulation, or amendment thereto, becomes effective except that, if the Secretary finds that any such fabric, related material, or product is so highly flammable as to be dangerous when used by consumers for the purpose for which it is intended, he may under such conditions as the Secretary may prescribe, withdraw, or limit the exemption for such fabric, related material, or product.

"(c) The Secretary of Commerce may obtain from any person by regulation or subpena issued pursuant thereto such information in the form of testimony, books, records, or other writings as is pertinent to the findings or determinations which he is required or authorized to make pursuant to this Act. All information reported to or otherwise obtained by the Secretary or his representative pursuant to this subsection which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"(d) the provisions of sections 551 through 559 of title 5, United States Code, shall apply to the issuance of all standards or regulations or amendments thereto under this section.

"(e)(1) Any person who will be adversely affected by any such standard or regulation or amendment thereto when it is effective may at any time prior to the sixtieth day after such standard or regulation or amendment thereto is issued file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review thereof. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based the standard or regulation, as provided in section 2112 of title 28 of the United States Code.

"(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original standard or regulation or amendment thereto, with the return of such additional evidence.

"(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the standard or regulation in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.

"(4) The judgment of the court affirming or setting aside, in whole or in part, any such standard or regulation of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

"(5) Any action instituted under this subsection shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

"(6) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

"(f) A certified copy of the transcript of the record and proceedings under subsection (e) shall be furnished by the Secretary to any interested party at his request, and payment of the costs thereof, and shall be admissible in any criminal, exclusion of imports, or other proceeding arising under or in respect of this Act, irrespective of whether proceedings with respect to the standard or regulation or amendment thereto have previously been initiated or become final under subsection (e)."

SEC. 4. (a) Subsection (c) of section 5 of the Flammable Fabrics Act is amended to read as follows:

"(c) The Commission is authorized and directed to prescribe such rules and regulations, including provisions for maintenance of records relating to fabrics, related materials, and products, as may be necessary and proper for administration and enforcement of this Act. The violation of such rules and regulations shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice, in commerce, under the Federal Trade Commission Act."

(b) Subsection (d) of section 5 of the Act is amended by substituting "product," for "article of wearing apparel or" and by inserting "or related material" immediately after "fabric" in paragraph (1) thereof; and by striking out ", Territory, or possession or with the District of Columbia" and inserting in lieu thereof "or territory or with the District of Columbia or the Commonwealth of Puerto Rico" in paragraph (2) thereof.

SEC. 5. (a) Subsection (a) of section 6 of the Flammable Fabrics Act is amended by inserting ", or a rule or regulation prescribed under section 5(c)," immediately after "section 3"; and by striking out "or in United States court of any territory for the district or territory in which such person resides or transacts business" and inserting in lieu thereof the following: "for the district in which such person resides or transacts business, or, if such person resides or transacts business in Guam or the Virgin Islands, then in the District Court of Guam or in the District Court of the Virgin Islands (as the case may be)".

(b) Subsections (b), (c), and (d) of section 6 of the Flammable Fabrics Act are amended to read as follows:

"(b) Whenever the Commission has reason to believe that any product has been manufactured or introduced into commerce or any fabric or related material has been introduced in commerce in violation of section 3 of this Act, it may institute proceedings by process of libel for the seizure and confiscation of such product, fabric, or related material in any district court of the United States within the jurisdiction of which such product, fabric, or related material is found. Proceedings in cases instituted under the authority of this section shall conform as nearly as may be to proceedings in rem in admiralty, except that on demand of either party and in the discretion of the court, any issue of fact shall be tried by jury. Whenever such proceedings involving identical products, fabrics, or related materials are pending in two or more jurisdictions, they may be consolidated for trial by order of any such court upon application seasonably made by any party in interest upon notice to all other parties in interest. Any court granting an order of consolidation shall cause prompt notification thereof to be given to other courts having jurisdiction in the cases covered thereby and the clerks of such other courts shall transmit all pertinent records and papers to the court designated for the trial of such consolidated proceedings.

"(c) In any such action the court, upon application seasonably made before trial, shall by order allow any party in interest, his attorney or agent, to obtain a representative sample of the product, fabric, or related material seized.

"(d) If such products, fabrics, or related materials are condemned by the court they shall be disposed of by destruction, by delivery to the owner or claimant thereof upon payment of court costs and fees and storage and other proper expenses and upon execution of good and sufficient bond to the effect that such products, fabrics, or related materials will not be disposed of until properly and adequately treated or processed so as to render them lawful for introduction into commerce, or by sale upon execution of good and sufficient bond to the effect that such products, fabrics, or related materials will not be disposed of until properly and adequately treated or processed so as to render them lawful for introduction into commerce. If such products, fabrics, or related materials are disposed of by sale the proceeds, less costs and charges, shall be paid into the Treasury of the United States.

SEC. 6. Section 8 of the Flammable Fabrics Act is amended to read as follows:

"GUARANTY

"SEC. 8. (a) No person shall be subject to prosecution under section 7 of this Act for a violation of section 3 of this Act if such person (1) establishes a guaranty received in good faith signed by and containing the name and address of the person by whom the product, fabric, or related material guaranteed was manufactured or from whom it was received, to the effect that reasonable and representative tests made in accordance with standards issued or amended under the provisions of section 4 of this Act show that the fabric or related material covered by the guaranty, or used in the product covered by the guaranty, conforms with applicable flammability standards issued or amended under the provisions of section 4 of this Act, and (2) has not, by further processing, affected the flammability of the fabric, related material, or product covered by the guaranty which he received. Such guaranty shall be either (1) a separate guaranty specifically designating the product, fabric, or related material guaranteed, in which case it may be on the invoice or other paper relating to such product, fabric, or related material; (2) a continuing guaranty given by seller to buyer applicable to any product, fabric, or related material sold or to be sold to buyer by seller in a form as the Commission by rules and regulations may prescribe; or (3) a continuing guaranty filed with the Commission applicable to any product, fabric, or related material handled by a guarantor, in such form as the Commission by rules or regulations may prescribe.

"(b) It shall be unlawful for any person to furnish, with respect to any products, fabric, or related material, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person by whom the product, fabric, or related material guaranteed was manufactured or from whom it was received) with reason to believe the product, fabric, or related material falsely guaranteed may be introduced, sold, or transported in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act."

SEC. 7. Section 9 of the Flammable Fabrics Act is amended to read as follows:

"SHIPMENTS FROM FOREIGN COUNTRIES

"SEC. 9. An imported product, fabric, or related material to which flammability standards under this Act are applicable shall not be delivered from customs custody except as provided in section 499 of the Tariff Act of 1930, as amended. In the event an imported product, fabric, or related material is delivered from customs custody under bond, as provided in section 499 of the Tariff Act of 1930, as amended, and fails to conform with an applicable flammability standard in effect on the date of entry of such merchandise, the Secretary of the Treasury shall demand redelivery and in the absence thereof shall assert a claim for liquidated damages for breach of a condition of the bond arising out of such failure to conform or redeliver in accordance with regulations merchandise, the Secretary of the Treasury or his delegate. When asserting a claim for liquidated damages against an importer for failure to redeliver such nonconforming goods, the liquidated damages shall be not less than 10 per centum of the value of the nonconforming merchandise if, within five years prior thereto, the importer has previously been assessed liquidated damages for failure to redeliver nonconforming goods in response to a demand from the Secretary of the Treasury as set forth above."

SEC. 8. Section 11 of the Flammable Fabrics Act is amended to read as follows:

"EXCLUSIONS

"SEC. 11. The provisions of this Act shall not apply (a) to any common carrier, contract carrier, or freight forwarder in transporting a product, fabric, or related material shipped or delivered for shipment into commerce in the ordinary course of its business; (b) to any converter, processor, or finisher in performing a contract or commission service for the account of a person subject to the provisions of this Act: *Provided*, That said converter, processor, or finisher does not cause any product, fabric, or related material to become subject to this Act contrary to the terms of the contract or commission service; or (c) to any product, fabric, or related material shipped or delivered for shipment into commerce for the purpose of finishing or processing such product, fabric, or related material so that it conforms with applicable flammability standards issued or amended under the provisions of section 4 of this Act."

SEC. 9. Section 13 of the Flammable Fabrics Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 13. There are hereby authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1968, and $2,250,000 each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970, to carry out the provisions of this Act."

SEC. 10. The Flammable Fabrics Act is further amended by adding at the end thereof the following new sections:

"INVESTIGATIONS

"SEC. 14. (a) The Secretary of Health, Education, and Welfare in cooperation with the Secretary of Commerce shall conduct a continuing study and investigation of the deaths, injuries, and economic losses resulting from accidental burning of products, fabrics, or related materials. The Secretary of Health, Education, and Welfare shall submit annually a report to the President and to the Congress containing the results of the study and investigation.

"(b) In cooperation with appropriate public and private agencies, the Secretary of Commerce is authorized to—

"(1) conduct research into the flammability of products, fabrics, and materials;

"(2) conduct feasibility studies on reduction of flammability of products, fabrics, and materials;

"(3) develop flammability test methods and testing devices; and

"(4) offer appropriate training in the use of flammability test methods and testing devices.

The Secretary shall annually report the results of these activities to the Congress.

"EXPORTS

"SEC. 15. (a) This Act shall not apply to any fabric, related material, or product which is to be exported from the United States, if such fabric, related material, or product, and any container in which it is enclosed, bears a stamp or label stating that such fabric, related material, or product is intended for export and such fabric, related material, or product is in fact exported from the United States; except that this Act shall apply to any fabric, related material, or product manufactured for sale, offered for sale, or intended for shipment to any installation of the United States located outside of the United States.

"(b) This Act shall not apply to any fabric, related material, or product which is imported into the United States for dyeing, finishing, other processing, or storage in bond, and export from the United States, if such fabric, related material, or product, and any container in which it is enclosed, bears a stamp or label stating that such fabric, related material, or product is intended for export, and such fabric, related material, or product is in fact exported from the United States; except that this Act shall apply to any such imported fabric, related material, or product manufactured for sale, offered for sale, or intended for shipment to any installation of the United States located outside of the United States.

"PREEMPTION

"SEC. 16. This Act is intended to supersede any law of any State or political subdivision thereof inconsistent with its provisions.

"NATIONAL ADVISORY COMMITTEE FOR THE FLAMMABLE FABRICS ACT

"SEC. 17. (a) The Secretary of Commerce shall appoint a National Advisory Committee for the Flammable Fabrics Act, composed of not less than nine members, fairly representative of manufacturers, distributors, and the consuming public. Each member appointed by the Secretary shall hold office for not more than two years, except that any member may be reappointed.

"(b) Members of the Committee who are not officers or employees of the United States shall, while attending meetings or conferences of such Committee or otherwise engaged in the business of such Committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

"(c) The Secretary shall consult with the National Advisory Committee before prescribing flammability standards or other regulations established under this Act."

SEC. 11. Notwithstanding the provisions of this Act, the standards of flammability in effect under the provisions of the Flammable Fabrics Act, as amended, on the day preceding the date of enactment of this Act, shall continue in effect for the fabrics and articles of wearing apparel to which they are applicable until superseded or modified by the Secretary of Commerce pursuant to the authority conferred by the amendments made by this Act.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the substitute committee amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia [Mr. STAGGERS]?

There was no objection.

AMENDMENT OFFERED BY MR. VAN DEERLIN

Mr. VAN DEERLIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN DEERLIN: On page 18, after line 20, insert the following:

"(3) amending paragraph (d) to read as follows:

"'(d) The term "article of wearing apparel" means any costume or article of clothing worn or intended to be worn by individuals.'"

On page 18, line 21, strike out "(3)" and insert in lieu thereof "(4)".

On page 18, line 22 strike out "(4)" and insert in lieu thereof "(5)".

On page 18, line 24, strike out "(5)" and insert in lieu thereof "(6)".

On page 19, line 6, strike out "(6)" and insert in lieu thereof "(7)".

On page 19, line 15 strike out "(7)" and insert in lieu thereof "(8)".

Mr. VAN DEERLIN. Mr. Chairman, my amendment would bring hats, shoes, and gloves under coverage of the Flammable Fabrics Act. If adopted, it would make the legislation the same, as far as coverage is concerned, as the legislation passed by the other body.

These provisions were dropped in committee when other provisions were in the legislation that are not now included in it. With those other provisions omitted, I know of no objection to my amendments.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. VAN DEERLIN. Mr. Chairman, I yield to my chairman.

Mr. STAGGERS. I think the amendment is all right and we are willing to accept it on this side. There is language in the bill which makes this part unnecessary so we are willing to accept it on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. VAN DEERLIN].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer several amendments; ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. O'HARA]?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. O'HARA of Michigan: On page 18, line 23, strike out all of line 23 and insert: "as paragraphs (g), (j), and (k), respectively;".

On page 19, line 14 after the period insert:

"(7) inserting therein immediately after new paragraph (e), the following new paragraph:

"'(f) the term "toys" means any object made of any substance intended to be used by children at play inside or outside of the home or at any other place.'"

And redesignate the succeeding provisions accordingly.

On page 19, line 22, after "interior furnishing", strike out the period and insert a comma and the following: "or any article classified as a toy."

Mr. KEITH. Mr. Chairman, I make a point of order against the consideration of this matter at this point.

Mr. O'HARA of Michigan. Will the gentleman from Massachusetts reserve his point of order until I have had a chance to explain the amendments.

The CHAIRMAN. So the Chair will understand, does the gentleman from Massachusetts [Mr. KEITH] object to the consideration of the amendments en bloc?

Mr. KEITH. Mr. Chairman, my objection is to the consideration of the subject matter of the proposed amendments as not being pertinent and as not being germane to this legislation, and I make a point of order against the amendments on that ground.

The CHAIRMAN. The gentleman from Michigan [Mr. O'Hara] has asked the gentleman from Massachusetts if he would reserve his point of order.

Mr. KEITH. Yes, Mr. Chairman, I will reserve my point of order.

The CHAIRMAN. The gentleman from Massachusetts [Mr. Keith] reserves the point of order against the amendments.

The gentleman from Michigan [Mr. O'Hara] is recognized for 5 minutes.

Mr. O'HARA of Michigan. I thank the gentleman from Massachusetts for reserving his point of order. I will speak to the point of order in a moment.

Let me first explain the purpose of this amendment.

The amendment is a very simple one, intended to include within the Flammable Fabrics Act and the terms and conditions of the proposed amendments children's toys made of any substance whatsoever.

As was pointed our during the hearings on this legislation, the gravest danger in terms of the number of instances of serious injury from the burning of clothing originally covered by this act was to children. Children were the principal sufferers from the sale and use of flammable articles of wearing apparel. And I think probably the same thing is true of other flammable items.

From time to time the newspapers report on children's toys that have been found to be flammable, and, therefore, especially dangerous to their users, because children lack the judgment to avoid situations that might cause a flammable article to ignite.

I am aware of the fact that we passed a Child Safety Act in the last Congress. I was very strongly in favor of that legislation. But the Child Safety Act does not really relate to this problem of flammable materials used in children's toys.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Children's toys and wearing apparel were intended to be included in the Child Safety Act that we passed last year, 1966. I believe this proposed amendment ought to go in that measure. There have been no hearings on this subject whatsoever. That act ought to be brought up and hearings had on it in order that it can be amended, not this measure. I know what the gentleman from Michigan is trying to do, and it is admirable. I am sure that all members of the committee would say that his proposal is good if he would bring it up in its proper place and put it in its right category.

Mr. O'HARA of Michigan. If I may direct my remarks to the distinguished——

Mr. KEITH. Mr. Speaker, a point of order. I reserved my point of order in order that we might identify further the subject matter of the amendment which is being proposed. It seems to me that now the subject matter has been identified and its intent known—with which we all may be in accord—it is now proper to discuss the point of order before we get into the merits of the amendment.

Mr. O'HARA of Michigan. Mr. Chairman, after the gentleman reserved his point of order I was recognized for 5 minutes.

The CHAIRMAN. The gentleman is correct. The gentleman may proceed to the conclusion of his 5 minutes.

Mr. O'HARA of Michigan. The Child Safety Act, which was given to the Food and Drug Administration to administer, has been considered by those who administer it to deal primarily with children's toys containing toxic substances. The most recent publicized action of the Food and Drug Administration under that act had to do with banning the sale of toys that contained polluted water. The toys came from Hong Kong. I checked with the Food and Drug Administration. They have no standards of flammability for toys. They do not believe that the act has authorized them to set any standards of flammability for toys, and they have none. They said that if the toy was so flammable as to be considered explosive, then perhaps it would be included within the prohibitions of the Child Safety Act.

All I am suggesting is that the same standards that we apply to interior furnishings and wearing apparel, ought to be applied to children's toys. I hope the gentleman will recognize that no harm would be done by such an amendment and would withdraw his point of order. This is a subject that was touched upon in the hearings. I wrote the committee a letter. I sent the committee a statement. It was testified to in the Senate hearings. I hope that the point of order will be withdrawn and that the amendment will be accepted by both sides.

Mr. KEITH. Mr. Chairman, I ask for the ruling of the Chair on my point of order.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. KEITH. I would like a ruling; yes.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. O'HARA of Michigan. Mr. Chairman, I would like to be heard.

Mr. Chairman, this is an amendment to the Flammable Fabrics Act. The Flammable Fabrics Act is rather extensively amended by the bill before us. The Flammable Fabrics Act is amended to include interior furnishings "made in whole or in part of fabric or related material" and so on.

Then, "fabric" is defined to mean "any material—except fiber, filament, or yarn for other than retail sale—woven, knitted, felted, or otherwise produced from or in combination with any natural or synthetic fiber, film, or substitute therefor," and so on.

Then we get to "related material" which is defined to mean "paper, plastic, rubber, synthetic film, or synthetic foam" and so on.

Then the term "product" means "any article of wearing apparel or interior furnishing."

Mr. Chairman, I would submit that under the provisions of this particular legislation we are simply adding a new category, made of fabric and related material, a new category of items. Therefore, it would be germane to this legislation.

The CHAIRMAN. Does the gentleman from Massachusetts wish to be heard on the point of order?

Mr. KEITH. Mr. Chairman, I would like to say to the chairman it is my understanding that Public Law 89-756, of last year, dealing with this subject is the proper vehicle to amend, to bring in the amendment to which the speaker in the well has referred.

It would appear to me that in the orderly legislative process, if we wanted to achieve the objectives of the gentleman in the well, there should have been more discussion on this subject within the committee. It is late in the session, and this bill has been very carefully worked out by the Committee on Interstate and Foreign Commerce and closely coordinated with the industries involved. We are hopeful that this law can be passed substantially in its present form, so that it can become effective with the least practicable delay.

By amending it in this way, we would not in any way take care of the problem that concerns the speaker in the well, because this year's Christmas toys are in the marketplace, and during the intervening months we could get to the subject which the gentleman wants to have us discuss and amend, and on which there should be fuller hearings.

The CHAIRMAN (Mr. Fraser). The Chair is prepared to rule.

The bill which the Committee has under consideration is designed to protect the public against undue risk of fire leading to death, injury of property, and damage, arising out of the condition of articles of wearing apparel and interior or household furnishings.

This is the language of the bill which the Committee of the Whole has under consideration, which deals with two classes of subjects. The amendment which is proposed by the gentleman from Michigan would seek to add a third class. It would appear that the addition of a third class is a proper amendment and, therefore, would be germane.

There is the general proposition that a proposition dealing with a number of subjects may be amended by the addition of another subject of the same class.

The Chair, therefore, overrules the point of order.

Mr. KEITH. Mr. Chairman, I thank the Chair for the ruling, and I move to strike the last word.

Mr. Chairman, obviously, this comes as something of a surprise to me, as one who shares the concern of the gentleman from Michigan in this very serious problem which he has highlighted. It is a problem which the Committee on Interstate and Foreign Commerce would be willing to discuss in its sessions and reach a conclusion that I am sure would meet with the approval of the gentleman from Michigan.

But it does seem to me that if we are going to get this legislation on the books, in response to the request of the President—who only the other day at the White House talked about the flammable products legislation and asked for our speedy consideration of it—we ought to put this bill high on the agenda for the concluding hours of this session and put high on the agenda for the opening hours of the next session the proposal of the gentleman from Michigan.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendments.

We on this side feel that the way the amendments were drawn might create problems for the rest of the legislation. Also, we believe toys are already covered by the Child Protection Act of 1966. Further, the gentleman's amendment has not been considered by the committee.

I hope the gentleman from Michigan will withdraw his amendment with the understanding that the committee will consult with HEW to see if toys are not already covered by the Child Protection Act of 1966. If they are not, we will hold hearings and put them in their proper legislative place at the earliest possible time in the next session.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am glad to yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. I thank the gentleman for his expression of serious intent with regard to this problem. I personally feel that the Child Protection Act could be interpreted to include this, but I know as a matter of fact it has not been.

I certainly would be encouraged if the chairman of the committee would signify to the administrators of the Child Protection Act what he has said here, that he believes they ought to have standards of flammability for the protection of children under that act.

Mr. STAGGERS. We would be happy to do that. If they come back with the answer that they do not or cannot, we would hold hearings to put it in a proper place.

Mr. O'HARA of Michigan. Under those circumstances—and I believe the chairman of the committee has been very generous—if the chairman of the committee will yield, with those assurances I would like to ask unanimous consent to withdraw the amendment.

Mr. Chairman, I ask unanimous consent that I may withdraw my amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENTS OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Chairman, I offer two clarifying amendments at this time.

The Clerk read as follows:

Amendments offered by Mr. STAGGERS: On page 20, line 13, strike out "manufacturer" and insert in lieu thereof "manufacture".

On page 23, line 4, strike out "the" and insert in lieu thereof "The".

The CHAIRMAN. The question is on the amendments offered by the gentleman from West Virginia.

The amendments were agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FRASER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1003) to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics, pursuant to House Resolution 989, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment? If not, the question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 345, nays 0, not voting 87, as follows:

[Roll No. 411]

YEAS—345

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Ashley
Aspinall
Ayres
Baring
Barrett
Battin
Belcher
Bell
Bennett
Betts
Bevill
Biester
Bingham
Blanton
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carey
Carter
Casey
Celler
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conte
Corbett
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Denney
Dent
Derwinski
Devine
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Henderson
Herlong
Hicks
Holifield
Horton
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morris, N. Mex.
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
St Germain
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Tiernan
Tuck
Tunney
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—87

Abbitt
Annunzio
Arends
Ashbrook
Ashmore
Bates
Berry
Blackburn
Blatnik
Boggs
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Byrnes, Wis.
Cederberg
Clark
Clawson, Del
Conable
Conyers
Corman
Cowger
Dellenback
Dickinson
Diggs
Dingell
Evins, Tenn.
Fallon
Findley
Flynt
Fountain
Frelinghuysen
Green, Oreg.
Gurney
Halleck
Hansen, Wash.
Hardy
Hays
Hébert
Heckler, Mass.
Helstoski
Holland
Hosmer
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Landrum
Macdonald, Mass.
Madden
Mathias, Md.
Matsunaga
Mills
Moore
Morgan
Morse, Mass.
Moss
Passman
Pickle
Poage
Pool
Rarick
Rees
Resnick
Rivers
Roberts
Rodino
Roush
Roybal
St. Onge
Saylor
Schweiker
Sikes
Smith, Calif.
Stanton
Steed
Stephens
Stratton
Stubblefield
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Williams, Miss.
Willis
Wilson, Charles H.
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.

Mr. Morgan with Mr. Byrnes of Wisconsin.

Mr. Madden with Mr. Halleck.

Mr. Rivers with Mr. Morse of Massachusetts.

Mr. St. Onge with Mr. Saylor.

Mr. Rodino with Mr. Bates.

Mr. Brooks with Mr. Cederberg.

Mr. Annunzio with Mr. Berry.

Mr. Fountain with Mrs. Heckler of Massachusetts.

Mr. Evins of Tennessee with Mr. Frelinghuysen.

Mr. Moss with Mr. Broomfield.

Mr. Charles H. Wilson with Mr. Gurney.

Mr. Thompson of New Jersey with Mr. Hosmer.

Mr. Sikes with Mr. Moore.

Mr. Matsunaga with Mr. Johnson of Pennsylvania.

Mr. Ashmore with Mr. Dickinson.

Mr. Stratton with Mr. Mathias of Maryland.

Mr. Roberts with Mr. Del Clawson.

Mr. Corman with Mr. Schweiker.

Mr. Mills with Mr. Smith of California.

Mr. Brown of California with Mr. Brown of Ohio.

Mr. Abbitt with Mr. Stanton.

Mr. Clark with Mr. Thomson of Wisconsin.

Mr. Blatnik with Mr. Brotzman.

Mr. Landrum with Mr. Blackburn.

Mr. Flynt with Mr. Cowger.

Mr. Hardy with Mr. Roybal.

Mr. Hays with Mr. Resnick.

Mr. Stephens with Mr. Rarick.

Mr. Pickle with Mr. Udall.

Mr. Macdonald of Massachusetts with Mr. Conable.

Mr. Willis with Mrs. Green of Oregon.

Mrs. Hansen of Washington with Mr. Dellenback.

Mr. Helstoski with Mr. Diggs.

Mr. Jones of Alabama with Mr. Dickinson.

Mr. Boggs with Mr. Wyatt.

Mr. Holland with Mr. Conyers.

Mr. Passman with Mr. Thompson of Georgia.

Mr. Rees with Mr. Findley.

Mr. Steed with Mr. Ashbrook.

Mr. Stubblefield with Mr. Roush.

Mr. Dingell with Mr. Fallon.

Mr. Pool with Mr. Williams of Mississippi.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. HOLIFIELD). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

CREDIT UNION ACT AMENDMENTS

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13489) to amend the Federal Credit Union Act to modernize the loan, investment, and dividend provisions, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13489, with Mr. FRASER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 30 minutes, and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I shall be very brief.

Mr. Chairman, the legislation before the House today, H.R. 13489, is designed to modernize the lending and savings procedures of Federal credit unions. There is nothing complex in this legislation and, as you will note, the bill is extremely short.

H.R. 13489 would modernize credit union procedures in three areas. First, it would allow the credit committee of a Federal credit union to delegate any of its functions to a loan officer. Under present law, the loan officer can approve loans only up to the unsecured loan limit of $750 or loans that are fully secured by the shares of the borrower.

The legislation would further provide that Federal credit unions be allowed to pay dividends on a quarterly basis. And, finally, the legislation would permit Federal credit unions to credit shares received during the first 10 days of the month for the entire month in computing dividends. Present law restricts such computation of dividends to shares received during the first 5 days of the month. I do not want to take a great deal of time to cover the two saving features of this legislation. They simply put credit unions on a more competitive basis with other financial institutions. Some financial institutions even grant a 22-day dividend grace period on savings, so it can clearly be seen that credit unions have not been allowed to compete on anything close to an equal basis for savings. The same situation is true on paying quarterly dividends.

I would like to take a few minutes to discuss the provision of the legislation extending the authority of loan officers.

I want to make it crystal clear that this provision would in no way affect the safety or the liquidity of a credit union, and this bill still retains all of the safeguards contained in the Federal Credit Union Act. However, this change in loan officer authority is needed for several important reasons.

In the past 10 days, the Department of Defense has announced the establishment of credit union facilities for all of our troops stationed in Germany. It is my hope that shortly we will be able to have credit union service for our military men throughout the world. The credit unions operating in Germany are suboffices of existing U.S.-based credit unions. The credit unions in Germany will be operated by a loan officer since the loan committee of the credit union, by necessities sake, must be based at the home office credit union in the United States. Under present law, the loan officer could only approve loans up to $750. Any loan over that amount would have to be sent to the United States for approval and the delay could mean that the serviceman might seek funds from other sources at much higher rates. In addition, the loan officer would have firsthand credit information and could easily check the background of the serviceman. Our credit unions serving the military in Germany will not be able to operate effectively unless this legislation is passed.

This legislation is also needed by many of our larger credit unions whose credit committee must meet daily to approve loans because of the volume of loan applications. It must be remembered that the loan committee members are all volunteers and in many cases give up hundreds of hours a month to credit union work. By relieving them of some of their routine responsibilities, it will free them for more important jobs such as credit counseling while, at the same time, allowing the credit committee to retain all of its reviewing power under the operations of the loan officer. And, finally, it should be pointed out that under the present law, there is a paradox in the power of the loan officer. The loan officer can approve an unsecured loan of up to $750. However, if the credit union member wishes to puchase a $3,000 automobile and has a downpayment of $2,000, the lending officer cannot approve a loan for the additional $1,000, even though it would be fully secured by a chattel mortgage on an automobile that has been two-thirds paid for. Thus, the loan officer can approve a loan that is far riskier than a loan which he is denied under the law from approving.

Mr. Chairman, I urge passage of H.R. 13489.

Mr. WIDNALL. Mr. Chairman, very briefly I should like to reiterate what our chairman [Mr. PATMAN] has said.

This bill came out of the committee unanimously. We believe the type of service which can be afforded by this bill is long overdue. It is an effort to bring the credit union practices up to date to more clearly fulfill their obligations to members of credit unions and other citizens.

We are wholeheartedly for this legislation.

Mr. PATMAN. Mr. Chairman, I have a request for only 2 minutes. I yield 2 minutes to the gentleman from New York [Mr. MURPHY].

Mr. MURPHY of New York. Mr. Chairman, it is natural, I suppose, for the Lindsay administration in New York City to look for a scapegoat for its failure to provide an adequate housing program for New York City. The failure in this field is so obvious that any scapegoat would serve its purpose. In this morning's New York Times, Jason R. Nathan, administrator of the city's housing and redevelopment administration, and a former employee of the Federal Government, charged that the Johnson administration showed "an outright lack of awareness and lack of commitment" to meet the critical housing shortage.

Mr. HALL. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. HALL. Is the gentleman speaking out of order?

Mr. MURPHY of New York. Yes, I am, Mr. Hall.

Mr. HALL. Was there a request for the gentleman to speak out of order?

Mr. MURPHY of New York. I would like to address the Chair, that the request was made to speak out of order.

The CHAIRMAN. The Chair was not following as closely as the Chair might have. Does the gentleman make the point of order that the gentleman is speaking out of order?

Mr. HALL. Mr. Chairman, I make the point of order that the gentleman is speaking out of order and there was no unanimous consent request to that effect.

Mr. MURPHY of New York. Mr. Chairman, the unanimous-consent request was made by the chairman of the full committee for me to proceed to speak out of order for 2 minutes and there was no objection.

The CHAIRMAN. The Chair did not hear that part of the request. The Chair understood that the gentleman from Texas was simply yielding 2 minutes to the gentleman from New York.

Mr. MURPHY of New York. Mr. Chairman, I now make a unanimous-consent request that I be permitted to proceed out of order for 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Chairman, I object.

Mr. PATMAN. Mr. Chairman, I have no further requests for time.

Mr. WIDNALL. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 13489

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (7) of section 8 of the Federal Credit Union Act (12 U.S.C. 1757) is amended (1) by striking out the word "or" before the letter "(F)" and by adding at the end thereof the following: "or (G) in an aggregate amount not exceeding 25 per centum of its regular reserve in any one or more incorporated or unincorporated organizations which are controlled by credit unions or credit union associations and which funds so invested for purposes of establishing and maintaining the liquidity, solvency, and security of credit unions."; and (2) by striking out the word "and" after the semicolon in subsection (12) and by adding the following:

"(13) to purchase from liquidating credit unions notes of any individual members of such liquidating credit unions at such figure as may be established by the board of directors of both the liquidating and the purchasing credit unions;"

and (3) by renumbering the present subsection (13) as subsection (14).

Sec. 2. Section 15 of the Federal Credit Union Act (12 U.S.C. 1761c) is amended by striking out the words "up to the unsecured limit, or in excess of such limit if such excess is fully secured by unpledged shares".

Sec. 3. Section 18 of the Federal Credit Union Act (12 U.S.C. 1763) is amended (1) by striking out the word "or" and inserting a comma in lieu thereof between "Annually" and "semiannually" and by adding the words "or quarterly" after the word "semiannually"; and (2) by striking out the word "five" and inserting in lieu thereof the word "ten".

With the following committee amendments:

On page 1, strike out line 3 and all that follows down to and including line 11 on page 2.

On page 2, line 12, strike out "Sec. 2." and insert "Section 1.".

On page 2, line 16, strike out "3" and insert "2".

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Holifield) having resumed the chair, Mr. Fraser, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13489) to amend the Federal Credit Union Act to modernize the loan, investment, and dividend provisions, and for other purposes, pursuant to House Resolution 986, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 1085) to amend the Federal Credit Union Act to modernize the loan and dividend provisions.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. Holifield). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 15 of the Federal Credit Union Act (12 U.S.C. 1761c.) is amended by striking out "up to the unsecured limit, or in excess of such limit if such excess is fully secured by unpledged shares".

Sec. 2. Section 18 of the Federal Credit Union Act (12 U.S.C. 1763) is amended—

(1) by striking out "Annually or semiannually" and inserting in lieu thereof "Annually, semiannually, or quarterly"; and

(2) by striking out "five" in the last sentence and inserting in lieu thereof "ten".

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Patman of Texas: Strike out all after the enacting clause of S. 1085 and insert the provisions of H.R. 13489, as passed, as follows:

"Section 1. Section 15 of the Federal Credit Union Act (12 U.S.C. 1761c) is amended by striking out the words 'up to the unsecured limit, or in excess of such limit if such excess is fully secured by unpledged shares'.

"Sec. 2. Section 18 of the Federal Credit Union Act (12 U.S.C. 1763) is amended (1) by striking out the word 'or' and inserting a comma in lieu thereof between 'Annually' and 'semiannually' and by adding the words 'or quarterly' after the word 'semiannually'; and (2) by striking out the word 'five' and inserting in lieu thereof the word 'ten.' "

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13489) was laid on the table.

CREDIT UNIONS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it is easier to understand the impact that credit unions have on the American way of life when a few credit union statistics are placed in the record.

There are more than 23,000 Federal and State-chartered credit unions in operation in this country embracing more than 18 million members. These credit unions have total assets of more than $12 billion. Thus, it can easily be seen that there are more credit unions in this country than all other financial institutions combined. And, not only do credit unions comprise our largest group of financial institutions, but they are also the fastest growing, with hundreds of new credit unions being chartered each month.

I have said a number of times, and I have consistently seen this proved, that next to the church, the credit union accomplishes more good for the community than any other institution. In fact, I think it is interesting to note that there are thousands of churches in our country that sponsor credit unions and the number of church credit unions continues to grow at a rapid pace.

I mentioned earlier during the debate on H.R. 13489 that the legislation would have a great impact on the establishment of oversea credit unions on military installations. During the 89th Congress the Domestic Finance Subcommittee of the House Banking and Currency Committee conducted a detailed investigation of the problems that servicemen face in obtaining credit. We were shocked by the number of abuses of servicemen's trust that were uncovered. In too many cases the serviceman was fair game when he attempted to obtain a loan or credit. The subcommittee, for example, learned of instances where servicemen were being charged rates of interest as high as 100 percent a year while at the same time being charged for a number of extras, such as phony insurance policies that they never received.

It must be noted, however, that we found no serious problems around any military installations that had a strong credit union. By educating their servicemen and providing loans at a reasonable cost without trying to bilk the servicemen, these credit unions were not only able to help our men in uniform, but at the same time to provide a great service to this country, because as we so vividly learned, a serviceman who is free of debt problems performs at a much higher efficiency level than one who is constantly harassed by bill collectors.

An overlooked fact in the history of credit unions is that while they have performed a much-needed service for our country their efforts have not cost our Government one penny. Even the operations of the Bureau of Federal Credit Unions, the supervisory and regulatory branch of the Federal Government, are paid for by direct assessments of credit unions.

By unanimously adopting this credit union legislation today, the House of Representatives has paid a fitting tribute to a group of institutions who are dedicated to helping the little man.

THEY NEED TO LISTEN

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, it has always been my opinion, and I am sure it is a belief held by many in this body, that one of the prime constitutional responsibilities of those who are elected to represent the people in the Federal Congress is to visit with those people in his home district in such a manner and over such a period of time that he will be able to accurately assess the thinking of his constituents and thus more truly represent them.

I am well aware that the legislative burden is growing to such proportions today that we cannot always have a convenient schedule of work here in the Nation's Capitol. Indeed, I would go one step further in stating the very obvious but too often forgotten fact that we are not here for our convenience at all, but for the convenience of the citizens of this Nation.

With all of the modern avenues of communication that are open to us, the contact between constituent and elected representative is far more effective than our Founding Fathers dreamed possible but this should not and does not eliminate the need for the personal contact with the people at home. It is true that the number of paid round trips home for the Members have been increased, but no weekend trip, or series of weekend trips, can ever be considered a response to this obligation when the size of the congressional district is calculated in thousands of square miles rather than the number of square blocks. A recent editorial in the Loveland, Colo., Reporter-Herald focuses attention on this problem and I recommend it to my colleagues:

They Need To Listen

The favorite indoor sport of many newspaper columnists, radio and tv commentators is to belittle the United States Congress. To these people, Congress constantly does either too little or too much and always the wrong way.

We have always felt that the members of Congress were generally talented, capable and dedicated men, most of whom had a firm grasp of the theory of what makes the United States work.

As Congressmen and Senators they must fulfill a dual roll of reflecting the thinking of the people of their district and at the same time of participating in the leadership of the entire nation.

Until now the synthesis of the minds of Congress which reflected the needs, aspirations and philosophies of their districts and states has almost always given a forward thrust to the policies of the country. The result has been that the majority of Americans have lived ever improving lives.

The unfortunate situation which is before us now is that Congress is not acting in response to the people. Probably a major cause for this predicament is that Congress is never at home anymore.

Also, during their almost continuous sessions, they spend far more time representing their people as ambassadors to our monolithic central government than they do as representatives of the people in setting policy for the same central government.

The greatest delight many Congressmen have is in garnering yet another grant for some local college, road or welfare setup. It would be far better if their time were spent in finding out what is going on in the minds of their constituents and behind the walls of federal agencies.

This country obviously needs a tax raise and a spending cut to keep from disastrous inflation. Next to obtaining peace, the thing the American people want most is protection against inflation and their money's worth for the already fantastic taxes they pay.

So what does the House do? They are refusing to dig into the problem of finding places to cut appropriations and then turn around and set up a gimmicky commission to save themselves from the blame when they raise their own pay.

Generally Colorado is fortunate in the caliber of its men in Washington. The fact remains though, that Congress as a whole has not been listening to the people. They are letting a spend-all, cure-all, fight-all philosophy continue to dominate the central government long after the people have been ready to search for more imaginative answers.

INSPECTION OF MEATPACKING PLANTS

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, during recent weeks Congress has been debating various proposals relating to the inspection of meatpacking plants. During this time there has come to light the activities of Mr. L. Blaine Liljenquist, who is currently registered as a lobbyist for the Western States Meat Packers Association.

Mr. Liljenquist has by letter admitted that since 1964 contributions were made to candidates for Federal office under the name "Congressional Campaign Fund." A copy of the letter I refer to can be found on page 31124 of the Congressional Record for November 3, 1967.

I have checked with the Clerk's office to see if the report of the activities of the "congressional campaign fund" was filed as would appear to be required by law. I am informed that no such report has been filed.

The purpose of the Federal Corrupt Practices Act was to provide public information about the activities of those who seek to influence elections. These activities are not necessarily wrong, but the public is by law entitled to know about them. Accordingly, I have today written the Clerk of the House about this matter. The copy of my letter follows:

Congress of the United States,
House of Representatives,
Washington, D.C., November 26, 1967.

Hon. W. Pat Jennings,
Clerk, House of Representatives,
Washington, D.C.

Dear Mr. Jennings: Recently I inquired of you whether or not there has been filed with your office in recent years any report by the "Congressional Campaign Fund." You answered that there had been no filing under that name.

As you may be aware, the "Congressional Campaign Fund" is administered by Mr. L. Blaine Liljenquist. The Board of Directors includes three members of the meat-packing industry. The "Fund" has made a number of contributions to candidates for federal office since 1964. I am enclosing a copy of the Congressional Record in which Mr. Liljenquist himself admits that such contributions have been made.

Under the Federal Corrupt Practices Act, it appears that the "Congressional Campaign Fund" should have filed a report of its activities with you.

The purpose of this letter is to ask that you contact Mr. Liljenquist to determine whether or not he claims to have filed such a report. If he has not filed, I assume that your office would wish to take further steps to see that the law is complied with.

I am sending a copy of this letter to the Attorney General.

With best wishes.

Sincerely,

Donald M. Fraser.

ANNOUNCEMENT BY THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE IN DENVER, COLO.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, I am pleased that Secretary of Agriculture Orville L. Freeman chose the city of Denver this week to make an announcement of great importance to American farmers. I commend the Secretary for convening in Denver a meeting of his Department's western representatives, to outline a most vital new undertaking aimed at solving the problems of small farmers.

In announcing that he will seek information from small farmers about their problems, and receive suggestions about how to resolve these problems, Mr. Freeman is taking an important step forward. By scheduling a series of meetings in rural America at which Department of Agriculture specialists will listen to the views of small farmers and promptly transmit them to the Secretary, he is making a reality of the phrase "democracy in action."

To provide food for thought at these meetings, Mr. Freeman has provided a preliminary draft of 30 tentative proposals on which he will seek the reactions and comments of small farmers. Supplemented by additional ideas which those attending the meetings will originate, the Secretary will develop an action program designed to help small farmers improve their standard of living and remain in farming.

Mr. Speaker, this is a most constructive approach to the problem. I know that my colleagues in the House will give their full support to the Department of Agriculture in its continuing quest for solutions to the problems of small farmers.

I would like to include at this point in the Record Secretary Freeman's Denver remarks:

Every farmer in America is important.

No matter how you classify him—by commodity, by geography, by size, or by productivity—he's important.

He's important because he contributes individually and in total to that diversity of American agriculture that gives it its great strength, its flexibility, and its efficiency.

There is ample room in our vast agricultural plant for farmers of all types and sizes, and it is important that we keep it that way . . . just as it is important to the national economy that we sustain and maintain a great diversity of large and small business enterprises.

While productivity and efficiency are important in our agriculture in order to provide an abundance of food and fiber, they are not the only criteria of who should farm and who should not.

Our agricultural policies and the approach we take to solving agriculture's problems must take into account *all* farmers . . . not just those who have already demonstrated the ability to maintain and operate a highly efficient unit.

I am well aware that there are some observers who look at farming through a maze of statistical tables and computer tape and suggest that all agricultural production could be better handled by half a million giant operators.

I strongly disagree.

In the first place, I am not at all convinced that size automatically equates with efficiency in agriculture. Studies of economies of scale show that if family farms take advantage of available technology they can more than compete with giant corporate farms. There are, of course, exceptions to this. And we must at all times be concerned with the threat to American agriculture posed by huge, diversified corporations which can misuse their great economic power to drive family farms out of existence.

Despite this threat, family farms are more than holding their own. In the period between the last two agricultural censuses the percentage of food and fiber produced by family farms (defined as farms using not more than 1½ man-years of outside labor) *increased* from 69 to 73 percent.

Family farm agriculture has withstood the test of time and competition. It has made this country the envy of the world and American farm production the greatest production miracle in the history of mankind.

Furthermore, and of equal importance, the family farm system must be preserved as the base upon which we rebuild and revitalize the countryside in order to achieve the kind of rural-urban balance necessary if this great nation is to avoid committing national suicide by crowding more and more people into less and less space.

Today we do not have that kind of balance. In the past 25 years no less than 20 million Americans have migrated from country to city, and the exodus continues at a rate of 500,000 to 600,000 a year.

I think it is safe to say that a majority, perhaps an overwhelming majority, of these people *did not want to leave the countryside.* They were pushed out by technological advance, economic pressures and lack of opportunity. I think it is also safe to say that both countryside and city have suffered because of this migration . . . the countryside because it was drained of human energy . . . the city because each new body jammed into already stifling congestion adds to the myriad problems and burdens of today's metropolis.

Is this mass movement from country to city inevitable? Or can we do something about it? Can we slow the exodus? Can we build new opportunity in the countryside to hold the people there who want to stay there . . . and perhaps attract back to it those who left it so unwillingly?

I say we can. I say we are already doing it. But I also say much more remains to be done.

I'm here today to discuss with you what might be done to help a particular segment of the rural population—small farmers as farmers—remain on the land, improve their incomes, and raise their standard of living. If we can do this—and I think we can—we will make a tremendous contribution to building the kind of rural-urban balance so essential for our nation's future.

President Johnson is deeply concerned about town and country America, the small family farmer, and the maldistribution of people, opportunity, and space in this nation.

A year ago in Dallastown, Pennsylvania, he put it this way:

"Not just sentiment demands we do more to help our farms and rural communities. The welfare of our country demands it. And strange as it may seem, the future of our cities demands it. . . . If we can begin to stem the migration (from countryside to city) in our own land, we will make our mark on history."

The purpose of our regional training session here today, and of five other similar sessions scheduled around the country, is to explore means to stem the exodus of small farmers from the land.

We want to start a national dialogue in rural America, in Congress, in our farm organizations and among all people who are concerned with agriculture in order to generate every possible idea and suggestion that can be used to help some one million small or low income farmers stay on the land they love.

Through the years, many programs of the USDA—REA, conservation, extension, farm credit, commodity and price support programs, to name just a few—have benefited small farmers. But rapid advances in agricultural technology since World War II have left increasing numbers farther and farther behind in the struggle to be competitive in production efficiency.

For those with limited land resources, and sometimes handicapped by age, physical disabilities, or the lack of management skills, price programs have not been the answer.

We must come up with new ideas and new programs to help these farmers and, when possible, make better use of existing programs and authorities by applying them specifically to the needs of small farmers.

And we're not interested in just token efforts and token programs that would merely freeze these million farmers into an economic class that is only slightly better than what they now have. We want programs and ideas that offer real opportunity for small farm operators with the ability and desire to advance steadily up the economic ladder.

Some of these farmers will always remain small farmers. That's all right. We need them. They make their contribution to agriculture and to the rural society. But let them be financially secure and sociologically healthy!

There are also thousands of small and low-income farmers—particularly those under 45 years of age—who have the management potential to become highly productive and prosperous operators if given the opportunity. The Farmers Home Administration has proved this can be done. FHA has helped tens of thousands of borrowers dramatically increase their incomes.

Let me give you one example:

A Negro tenant farmer in Adair County, Kentucky received a $12,600 farm ownership loan in 1957 and another loan of $6,500 in 1963. By 1965 this dairy farmer had increased his income from $3,024 a year to more than $21,000 and his net worth had increased from $6,000 to more than $27,000.

This is no isolated case. A recent survey of FHA's farm ownership borrowers shows that on the average, over a five-year period, these borrowers nearly doubled their gross incomes and made substantial gains in their net worth.

These are results we need to help these small low-income farmers—results that develop the potential of these people, results that match their aspirations and their hopes.

To get this national small farmer dialogue started I set up a task force some months ago and directed its members to come up with some practical ideas and suggestions—to help small farmers who want to stay on the land boost their income and level of living.

The task force developed some 30 tentative programs or projects which are all set forth in this book. They are *program ideas* to improve small farm income, including financial and technical help in improving farm enterprises, aid in acquiring needed resources, training in the organization and management of farm cooperatives, assistance in making more effective use of forest resources, and many others.

There has been no attempt to specifically define the economic boundaries of what constitutes a small or low-income farmer. The tentative proposals were deliberately made flexible so that the broadest spectrum of American farmers could be involved.

Nor should anyone get the idea that these proposals have exhausted the field of ideas and suggestions that might be useable. This is only a start of a national discussion that will, I hope, provoke and generate even better programs and projects than those outlined here.

And there is nothing sacrosanct about the proposals as they are outlined here in this report. Your job here, as it will be in the other five regional meetings, is to study these proposals, discuss them thoroughly, evaluate them. In short, prepare yourselves to take these proposals out to local rural meetings and present them to the farmers themselves.

And there, at those meetings, get their reactions and their ideas and their recommendations for changes and refinements of these and other proposals that might be offered.

Any programs that will effectively assist small farmers must be *their* programs. They must be acceptable to farmers—not just to us. For without their acceptance and cooperation, then no program or programs we can devise, however good they seem to us, are worth a tinker's dam.

Then, after you have conducted your meetings at the local level, we will take all the ideas, all the refinements that have been suggested, and all the specific recommendations and evaluate them carefully.

Where legislation may be needed to put some of the programs into effect, we will consider proposing it to Congress. Where only administrative action or emphasis is needed, then this will be done.

But we *are* going to do more to help small farmers who, for the most part, are a voiceless segment in our agriculture. We are going to give them a voice. We are going to listen to their ideas. We are going to be sympathetic to their problems and their aspirations. A democratic government can do no less.

We need these people in rural America and we are going to see to it that they become a viable part of our rural economy and our rural society.

How well we accomplish this objective will, in large part, depend on how well you do your job here and later in your local meetings with the farmers themselves.

The President of the United States has asked us to work out means of providing parity of opportunity for all people in rural America.

To develop effective programs for small farmers is an important part of that assignment.

Let us then get on with the job.

THE MEAT INSPECTION BILL

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include newspaper articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, the Senate today is taking up the meat inspection bill which passed the House a few weeks ago. They are proposing some substantial amendments which should do, over a 3-year period, about what the Smith-Foley amendments would have done if they had passed in the House.

One of the questions that has constantly arisen in the discussion of these amendments is whether the bad practices have been taking place in small plants or large plants that are not subject to Federal inspection. The argument was made in the House that the large plants have not been engaging in these practices and that it is just the small plants that have been doing so. Evidence has been developed that this simply is not the case and that the large plants with big volume have been engaged in these kind of practices also. Recent newspaper articles have covered this point and I ask unanimous consent that they be inserted in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The newspaper articles referred to follow:

[From the Des Moines Register, Nov. 23, 1967]

Filth in Big Meat Plants—U.S. Surveys Rebut Foes of Tough Bill—Opponents Blamed Small Operators

(By Nick Kotz)

Washington, D.C.—Agriculture Department investigators have reported improper conditions in 50 nonfederally inspected plants operated by meat packing companies that are members of the American Meat Institute (A.M.I.), the trade association representing the nation's largest packers.

The investigators cited 40 A.M.I. member companies in a 1962 investigation of about 1,000 plants selected at random, and 10 A.M.I. member companies in a briefer 1967 investigation of about 180 plants.

REPORTS EXAMINED

The Register pinpointed the A.M.I. members by examining the 1962 and 1967 reports, and ascertaining which are members of the trade association.

The A.M.I. the most influential meat packer lobbying group in Washington, at first opposed any meat inspection legislation, but this week endorsed the Mondale-Montoya bill, which consumer advocates believe would represent strong legislation.

Some opponents of strong legislation have contended in the past that improper conditions in packing plants mostly were confined to small, fringe operators and to those operated by criminal elements.

A survey of the 1962 and 1967 reports, however, confirms the statements of Senator Walter Mondale (Dem., Minn.) and Representative Neal Smith (Dem., Ia.), that many large plants are also guilty of improper practices.

The Senate is scheduled to act Monday on the meat inspection bill, with speedy passage predicted. The key factor then will be whether the House will accept the Mondale-Montoya bill or will demand a conference to argue for its far weaker bill. Supporters of strong legislation hope for A.M.I. support to get the House to accept the Senate bill.

The A.M.I. declined to make available its list of members on grounds that such information is private business. The names of firms reported to be A.M.I. members who were mentioned in the USDA reports were obtained from other sources.

Informed of the contents of this story, Aled P. Davies, A.M.I. vice-president, referred first to his statement of Nov. 16, at which time he said:

"We do not condone or defend any commercial meat slaughterer or processor who deliberately violates any law whether federal, state, county or municipal pertaining to wholesomeness or sanitary handling of meat products.

"Regardless of charges and countercharges the vast majority of meat offered for sale in the United States is safe and wholesome."

Davies added the following statement Wednesday:

"It seems to me the issue before us now is to get legislation passed which will strengthen meat inspection at all levels of government. We have endorsed the Montoya bill in the Senate, including the agreement and amendments adopted by the Senate committee. We are pleased that the Senate Committee on Agriculture has adopted the 'rule of reason' on the building requirements.

WANTS LAW

"I personally, and I am certain the membership of the American Meat Institute, does not share the seeming desire of some to have the issue unresolved. We want the legislation passed and not to talk about it. Some people want the issue and not the law. Let's get on with the job of getting the law."

HALF UNDER UNITED STATES

Collectively, A.M.I.'s 375 members produce a majority of American meat. The association has said that about one half of its members are under federal inspection while the others are exempt because they do not sell meat across a state line.

The Register disclosed two weeks ago that Agriculture Department investigators had reported improper conditions in seven intrastate plants operated by Swift & Co., the nation's largest firm, and in one plant operated by Armour & Co., the second-largest firm. Both are prominent A.M.I. members.

Further scrutiny of USDA records reveals that Wilson & Co., the nation's third-largest firm, has been cited for unsanitary conditions in one of its intrastate plants, as have more than 40 other plants owned by A.M.I. members.

In a 1962 report on conditions in a nonfederally inspected Wilson plant located in the St. Petersburg-Tampa area of Florida, USDA investigators reported:

"Evidence of rats and mice were present on the second floor in the dry storage area."

UNCLEAN EQUIPMENT

Investigators also reported on lack of proper sanitary conditions in the plant and on equipment that was not cleaned regularly.

USDA investigators praised conditions in two A.M.I.-member firms investigated in 1962. These were the Beavers Packing Co., Inc., Newnan, Ga.; and Copeland Sausage Co., Alachua, Fla.

The 1967 report included the following description of a non-federally inspected Armour & Co. plant located in the stockyards area of Chicago, Ill.: "Old and poorly maintained building. Poor sanitation. Plant received letter of warning in 1962 concerning use of containers bearing inspection legends."

The 1967 report criticized the Gus Glaser Meat Co., Wilber, Neb., for improper control of flies, for "dirty floors," and for "filthy and corroded trucks" which are used to carry meat.

IOWA PLANT

The 1962 report criticized conditions in this same plant, and also criticized conditions in a Fort Dodge, Ia., plant operated by the Glaser firm.

The 1967 report included the following comments about the John McKenzie Packing Co., Burlington, Vt., which was described as the state's largest meat processor:

"Many meat handling trucks rusty and corroded. Boning room congested, cluttered and untidy. Ice machine blades rusty and pitted."

The 1967 report criticized the Meyer Provision Co., Iron River, Mich., for improper fly control and for storing inedible material in the same cooler with edible meat.

Of the Winchester Packing Co., Hutchinson, Kan., the 1967 investigators said: "No sterilizers were seen in operation. The plant is very congested. Sausage sticks were very dirty. There appeared to be no control whatsoever in the pumping of hams (with water)."

NO SCREENS

The 1967 investigators criticized K. Monkiewicz, Inc., a sausage manufacturer at Chelsea, Mass., for having no window screens and thus permitting entry of flies.

Referring to the Elkhart Packing Co., Elkhart, Kan., federal investigators reported in 1967 that rails used to carry beef were greasy and rusty, that floors, walls, and cooling units were dirty and rusty, and that rack trucks used to carry meat were heavily contaminated.

The 1962 reports criticized the A.M.I. member firms for a variety of improper conditions ranging from poor housekeeping and unclean equipment to dirty meat and improper control over chemicals added to processed meat.

The following list summarizes some of the conditions reported by USDA investigators in inspecting plants operated by A.M.I. member firms, including some in both Iowa and Minnesota:

Gus Glaser Meats, Inc., Fort Dodge, Ia.—Plant and equipment were generally in good condition but "flies were prevalent in most areas," "housekeeping was poor," and "beef quarters suspended from rail were touching floor."

Gus Glaser Meats, Inc., Wilber, Neb.—Housekeeping and sanitation in the plant were generally not acceptable.

Nissen & Son Packing Co., Webster City, Ia.—Inadequate inspection of lymph glands and viscera.

Marshall Packing Co., Marshalltown, Ia.—Inspection procedures were improper. Cutting boards were old and split thus preventing proper cleaning.

Caldwell Packing Co., Windom, Minn.—Plant clean but inadequate inspection with inspector spending most of his time performing duties other than inspection.

Peters Packing Co., St. Paul, Minn.—Plant clean, but meat grinder inadequately cleaned. Waste paper splashed on ice used in product. Numerous flies. Tables cracked and not conducive to good sanitation.

Ziegler & Co., Bessemer, Ala.—Sanitation only fair and below that which would be permitted in federally-inspected plant.

Webb & Co., West Helena, Ark.—Sanitation very much lacking in all departments. In one cooler an offal rack contained several contaminated heads with most of the hide still intact.

Little Rock Packing Co., Little Rock, Ark.—A large plant of haphazard construction. Many of the floors were covered with dirty sawdust mixed with trash and meat scraps.

Connecticut Packing Co., Inc., Bloomfield, Conn.—Floor cracked. The walls filthy; coolers filthy.

A.Y.O. Company, New Britain, Conn.—Ceilings of coolers covered with growing mold. The spice room was dirty.

Armour & Co., Orlando, Fla.—An old branch house with poor housekeeping and poor sanitation.

Turner and Gee, Inc , Orlando, Fla.—The killing floor was filthy.

Wilson & Co., Miami, Fla.—Dirty sawdust was on the floors of the boning cooler. The cooler doors were dirty and the plant did not have proper drainage for cleanup.

R. H. McEver Packing Co., Talmo, Ga.—Storerooms show definite evidence of rodent infestation.

Bloomington Packing Co., Bloomington, Ind.—Very bad sanitation, lack of screens on windows, numerous flies.

Hoosier Abattoir, Indianapolis, Ind.—The kill floor was small, congested and had inadequate equipment.

Elkhart Packing Co., Elkhart, Ind.—Sanitation was satisfactory but killing floor facilities were inadequate to meet federal standards.

Leon's Sausage Co., Chicago, Ill.—No effort was made to maintain product identity on products through various stages of production.

Bert Packing Co., Chicago, Ill.—Smoke stacks were cracked and unclean, general lack of sanitation throughout plants, a cracked table was "grossly unclean."

Carolina Packers Inc., Smithfield, N.C.—Floors were inadequately drained and inspection procedures were inadequate.

Central Packing Co., Inc., Cape Girardeau, Mo.—Sterilizers were not hot. No apparent effort to insure trichina control. Inspectors appeared not to inspect all parts.

Dreher Packing Co., Columbia, S.C.—New plant but sanitation is not being maintained. No control exercised over amount of water and extenders put in products.

Edwards Sausage Co., Lawrenceburg, Ky.—The ice-making machine contained old, or fungus growth which could drop in ice and be mixed with sausage products.

Flannery Sausage Co., Inc., Milbank, S.D.—General sanitation of the plant was "inexcuseably dirty."

Hatfield Packing Co., Hatfield Pa.—There was no inspectional control over processing.

John Krauss, Inc., Jamaica, N.Y. (now under federal inspection)—Hogs being cut were contaminated with grease. Dirty pigs feet were being packed in shipping containers.

Kress Packing Co., Waterloo, Wis.—There was no trichina control or control of flies. Parts of decomposed rotted wood were observed on the edible meat.

S. S. Logan Co., Huntington, W. Va.—Improper cutting of the head meat with dirty cleaver with work done on dirty table.

John McKenzie Packing Co., Burlington, Vt.—A dirty truck used to convey fat. Poor clean up. Lack of inspection.

Owen Brothers Packing Co., Meridian, Miss.—There was no inspection control over use of additives and extenders, and no trichina control. Cattle slaughtered without regard for sanitary practices.

Peters Meat Products Inc., Eau Claire, Wis.—Lack of control over trichina and chemicals. Filthy, creosote-encrusted smoketrees dripping filth and creosote upon fresh meat.

George Wimmer and Sons, West Point, Nebr.—Lack of inspection. All-meat weiners contained 6.1 per cent non-fat-dry milk.

Stoppenbach Sausage Co., Jefferson, Wis.—Equipment was rusty and not properly cleaned. Condensation from rusted, corroded equipment was observed falling directly onto meat products.

South Side Sausage Co., Milwaukee, Wis.—No control over excessive use of chemicals. Dirty barrel cover placed directly in contact with meat.

Smith Packing Co., Nashville, Tenn.—General sanitation was very poor. Bacon pressing and slicing machine was rusty and dirty.

Martin Rosol's Inc., Waterbury, Conn.—Excessive number of fies in plant. Accumulation of junk on windowsills.

Plymouth Rock Provision Co., New York City—Packing department floor was full of litter. Twenty per cent water was being pumped into hams.

[From the Washington (D.C.) Evening Star, Nov. 24, 1967]

One Hundred One-State Meat Plants Operated by Five Big Packers

(By Robert Walters)

Five of the nation's largest meat packing firms operate more than 100 processing and slaughtering plants which are not subject to federal inspection because they serve only one state, a check of available records showed today.

Disclosure of the figures came as the Senate prepared to consider next Monday a bill designed to require that virtually all the nation's meat plants meet federal inspection standards within the next two or three years.

The measure, approved unanimously earlier this week by the Senate Agriculture Committee, would require that all states match federal inspection standards by 1970. Only 29 states now have mandatory meat inspection.

States making progress toward that goal would be granted an additional year's extension, but the Agriculture Department would then take over the meat inspection function in those states whose standards were not equivalent to the federal government's by 1971.

The statistics on the intrastate operations of the major meat packing firms confirmed Agriculture Committee testimony that a housewife's purchase of nationally known brand-name meat products does not guarantee her a product which meets federal standards.

In addition, Agriculture Department reports on inspections made as recently as last July confirmed that health and sanitation deficiencies exist not only at small meat plants, but also at those intrastate facilities owned by the major meat packers.

Information made available by the meat companies, the House and Senate Agriculture committees and the Agriculture Department showed this pattern of nonfederally inspected plants:

Swift & Co., the nation's largest meat packing firm, revealed under prodding by the Senate committee that it operates two slaughtering houses and 10 processing plants which are not under federal inspection.

Swift did not furnish the committee with the number or location of its intrastate meat fabricating plants, but government sources said at least 20 or 30 such facilities were involved. Fabricating plants are those where meat is cut from large units and packaged for retail sales.

The Swift slaughtering plants in question are located at San Antonio, Tex., and Albany, Ore. The processing plants are located at Pittsburgh, Pa.; Tulsa, Okla.; Phoenix, Ariz.; Atlanta, Ga.; Tampa, Fla.; Birmingham, Ala.; Winston-Salem, N.C.; Detroit, Mich.; Houston, Tex.; and New Orleans, La.

Armour & Co., the country's second largest meat company, has disclosed that it operates 13 processing plants and seven fabricating facilities which are not subject to federal inspection because they deal only in intrastate commerce.

The processing plants are located at Bluefield, W. Va.; Garland, Tex.; Providence, R.I.; Waterbury, Conn.; Charleston, W. Va.; Jacksonville, Fla.; Roanoke, Va.; Utica, N.Y., West Palm Beach, Fla.; Johnstown, Pa.; New Orleans, La.; San Antonio, Tex., and Wilkes-Barre, Pa.

The fabricating plants are located at Honolulu, Hawaii; Los Angeles, Calif.; San Francisco, Calif.; Phoenix, Ariz.; Saginaw, Mich.; Detroit, Mich., and Pittsburgh, Pa.

Wilson & Co., the nation's third biggest meat firm, operates 15 processing and 32 fabricating plants which are not federally inspected. The George A. Hormel Co. and the Cudahy Co. each operate five nonfederally inspected processing plants.

MEMBERS OF MEAT INSTITUTE

All the firms are members of the American Meat Institute, whose approximately 300 members include the nation's largest meat packing companies.

AMI, the industry's most influential lobbying organization in Washington, has privately opposed most proposals to tighten federal meat inspection laws, but has publicly endorsed a succession of stronger bills as pressure for reform has mounted in recent months.

Agriculture Department surveys of nonfederally inspected plants last summer disclosed improper conditions in 10 plants operated by AMI members. A similar survey in 1962 showed unsanitary conditions at 40 facilities owned by AMI-member firms. Among those cited were plants operated by Swift, Armour and Wilson.

A sampling of 162 meat products in supermarkets last summer by Agriculture Department inspectors showed that only 39 met all federal standards pertaining to ingredients and labeling.

The unsatisfactory products were packaged, in a number of instances, by the large firms and sold in such major chain stores as Safeway, A&P, Piggly Wiggly, Kroger and First National Stores.

Two pork products purchased by federal inspectors at a Safeway store in suburban Rockville, then tested in an Agriculture Department laboratory, were found to contain ascorbate, an artificial coloring agent which can disguise meat which is no longer fresh.

Federal regulations prohibit the use of ascorbate in fresh meat. "It's kind of a healthy formaldehyde. It makes stale meat look healthy," said Sen. Walter F. Mondale, D-Minn., one of the most outspoken advocates of a stronger meat inspection law.

The unsatisfactory pork products purchased at the Montgomery County store were found to have been processed by the Rialto Food Supply Co. of Baltimore, also an AMI member.

Citing that case and similar disclosures, Mondale said consumers cannot rely on protection from adulterated meat merely by purchasing nationally advertised products at well-known stores.

[From the Des Moines Sunday Register, Nov. 26, 1967]

BARE SALE OF BAD MEAT TO RESTAURANTS—SOURCE WAS PLANT IN DUBUQUE

(By Nick Kotz)

WASHINGTON, D.C.—Diseased and dead animals from a rendering plant in Dubuque, Ia., and farms in Wisconsin were being sold in Chicago, Ill., restaurants and groceries until the Agriculture Department's "Operation Dragnet" stopped the practice.

Details of the case became public last week after the sentencing of Orest Deligiannis of Chicago to a two-year prison term and $15,000 fine for transporting meat across state lines without federal inspection.

In denying Deligiannis a suspended sentence, U.S. District Judge Julius Hoffman said: "It would appear he was transporting meat from dead, dying, and diseased animals."

TWO HUNDRED THOUSAND POUNDS

Federal officials said he transported to Chicago about 200,000 pounds of unwholesome meat.

According to federal investigators, Deligiannis' principal sources of meat were from the Frith Rendering Co. in Dubuque and directly from farms in Wisconsin.

The Frith firm was sold two years ago. The plant had no dealings with Deligiannis after it changed ownership.

Deligiannis operated out of Wisconsin by pretending to be a mink rancher at Little Suamico. He bought dead, dying and diseased animals osensibly to feed mink, but then shipped the meat to Chicago.

According to informed sources, Deligiannis bought freshly killed meat from the Dubuque rendering firm at a cost of five cents per pound. He boned the beef in Dubuque, packed it in 50-pound boxes, froze it, and then shipped it to Chicago for sale.

Several Chicago newspapers have implied that Deligiannis might have been connected with Chicago gang leaders, but Agriculture Department sources say there is no evidence to confirm this.

Deligiannis' operations came to light last year when U.S. Department of Agriculture (USDA) Inspector General Lester Condon initiated a program termed "Operation Dragnet."

TRACK CLUES

Condon and his staff sought to track down all possible clues leading to dealers in so-called "4-D" meat (meat from diseased, disabled, dying and dead animals).

In combing through old department records, they came upon a notation indicating that a Mr. Deligiannis was believed to be buying 4-D animals from a Dubuque rendering plant.

When Deligiannis was first questioned by USDA investigators, he reportedly told them he was buying the meat for dog food. He later reportedly confessed his full range of activities, and then pleaded guilty to charges against him.

USDA officials say the Deligiannis case emphasizes the need for enactment of meat inspection legislation now pending before Congress.

At present, the USDA has no authority to enter rendering plants or to check records of these and other firms such as pet food manufacturers which deal with meat unfit for human consumption.

In addition, the USDA has no authority to stop or detain meat in transit which is suspected of being unwholesome meat destined for interstate shipment. The department now only has authority over meat within federally inspected plants.

OPEN TO INSPECTION

Under provisions of the proposed law, USDA could detain and examine suspect meat. Renderers, pet food manufacturers and other dealers in meat would be required to keep records of purchases and sales. These records would be open to federal inspection.

Had such a law been in effect several years ago, Agriculture Department investigators would have been able to do more than worry and wonder about Deligiannis's transactions. They quickly could have established that he was buying 4-D meat from rendering plants and then transporting this meat across state lines.

The meat inspection bill will be debated on the Senate floor on Monday.

RICHARD HOOKER

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, Mr. Richard Hooker, former editor of the Springfield Republican and a director of the Associated Press from 1927 to 1934, died at the age of 89 years Saturday at his home in Longmeadow, Mass. He was the newspaper's Washington correspondent from 1904 to 1911.

Mr. Hooker was one of the long line of great editors of the Springfield Republican before and after the turn of the century, including Samuel Bowles and Waldo Cook, whose profound comments on national and world affairs in the daily newspaper had considerable influence throughout this country. His mother, Sarah Bowles Hooker, was the eldest child of Samuel Bowles, second editor of the Springfield Republican.

It was my privilege to know Mr. Hooker well, and my good fortune to consult with him on the many problems affecting our community, the Nation, and the world. His advice was uncanny and persuasive. His fantastic knowledge of government, issues, and people impressed me deeply. I want to express my deep sympathy to Mr. Hooker's widow, Mrs. Winifred Hooker, and his sons and daughters on their great loss.

Mr. Speaker, I include with my remarks an editorial on Mr. Hooker from the Sunday Republican of November 26:

RICHARD HOOKER

Richard Hooker, a former editor of The Springfield Republican, who died yesterday at the age of 89, was one of the last of a long line of distinguished New England newspaper leaders who from the early days of the United States made this part of the country most effective in the formulation of national political, economic and ethical policies.

Mr. Hooker was the son of Thomas Hooker and of Sarah (Bowles) Hooker, his mother being a daughter of Samuel Bowles II, the second editor of The Republican. After graduation from Yale and post-graduate study in France and Germany, Mr. Hooker in 1900 began his association with The Republican, as a writer and editor.

During the first years of the century he was the paper's correspondent in Washington and was well known by the nation's Presidents and other high officials in those times. He was offered important appointive positions in the national government, but declined, preferring to serve his country through the newspaper business, where he felt that he could contribute the most of value.

After his duty in Washington, Mr. Hooker served The Republican as editorial writer and literary editor, as editor and publisher of the Republican, and as president of The Republican Co.

He retired from full-time newspaper work in 1946, but for another 20 years he continued to contribute editorials, book reviews and other occasional material to The Sunday Republican.

Mr. Hooker was highly regarded by all who knew him, not only as a man of exceptional intellectual attainments but also as a true gentleman of the old school, whose high standards of probity and conduct were as notable as his editorial achievements.

PRESIDENT'S MESSAGE ON MULTILATERAL TRADE

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Speaker, I wish to applaud the President's message on the multilateral trade agreement signed in Geneva pursuant to what is known as the Kennedy round of trade negotiations. This is the fruition of the Trade Expansion Act of 1962. It is of vital importance to the port of Houston whose turning basin lies wholly in my district, and therefore it is of especial interest to me.

I have often wished that the turning basin had been right downtown at Allen's Landing where Houstonians could see the masts of the ships from Main Street so that they would always be reminded that the great central artery of Harris County's commerce is the port. And this port extends right through the county, through North Shore and Baytown to Morgan's Point.

Therefore, free trade is more important to Harris County than any selective protectionism could possibly be. It is important to steelworkers that Canada's tariffs on metal furniture were reduced from 25 to 17.5 percent, that the European Economic Community's tariffs on automobiles, made of steel, were reduced from 22 to 11 percent.

It is important to the workers and to the fabricating plants of Houston that Great Britain cut tariffs on air conditioners from 12 to 7.5 percent, that Canada reduced tariffs on a wide range of machinery from 22.5 to 15 percent, and that Japan cut tariffs on bearings and parts from 25 to 12.5 percent. It is important to our electronics technicians and manufacturers that Japan cut tariffs on radio transmission apparatus and parts from 20 to 10 percent.

The cuts directly affected the many longshoremen, seamen, masters, mates, and pilots who live and work in my district. In addition, the entire community of Houston-Harris County is benefited: laborers, railroad men, workers in chemical plants and refineries, all businesses related to commerce and banking.

In addition, professional men, like

lawyers processing the claims of the waterfront people; industrial workers, manufacturing the goods that flow through the port; accountants, servicing the stevedoring firms; and the manufacturers supplying the goods for export and servicing the import companies are all benefited. But broader than this, consumers have a wider selection at competitive prices, and thus every housewife is benefited by these downward adjustments in tariffs.

In hailing these salutary developments, I wish to sound a note of caution. The negotiations that brought about such a wide range of benefits to the United States and to Harris County were well-balanced. We gave a little in our trading with other nations to achieve this great general gain. The negotiations were sensitive to safeguarding the domestic industries that were especially vulnerable to import competition. But this reasonable protection was accomplished through procedures worked out in accordance with carefully established legislative guidelines and sensitive negotiations with other nations. We are now threatened by a number of special interests that are not approaching the problem with the same sensitivity and precision.

There has been increasing discussion and support in the Halls of Congress for general and specific increases in quota restrictions on foreign imports. There are two reasons given to justify stiffer trade barriers: first, that such is a broad economic prescription to cure our balance-of-payments difficulties; and, second, that we should give relief to specific industries under pressure from rising foreign imports competition.

I challenge both of these arguments. The most beneficial international economic policy for the United States is essentially one of free trade in the spirit of the Trade Expansion Act and the Kennedy round, the subject matter of the President's message.

When we consider this message, on the one hand, and the plea for special protectionism as expressed in piecemeal legislation, on the other, we must keep in mind these facts: The balance-of-payments account is made up of two separate components, the actual flow of goods and services and the other flow of investments and Government transactions—loans, foreign aid, military expenditures, and so forth. The flow of goods and services has always been well in our favor. The balance of trade, as this is commonly known in 1966 was over $5,000,000,000. The balance-of-payments problems are then seen to arise from the other nontrade flows.

The protectionist's reasoning is that, by cutting down on foreign imports, our balance of trade will increase in our favor and this in turn will reduce the balance-of-payments deficit. The flaw in this proposition is this: While imports to this Nation would be reduced by the stiffer quotas, American exports would similarly decline. There is no doubt that other nations, whose economies would suffer due to the reduction of the American market for their goods, would retaliate in kind. Most of our trading partners have clearly and emphatically stated that import barriers to American goods would be erected as soon as protectionist policies were implemented here. It follows then, that an equal percentage decrease in our imports and exports would increase the deficit in the balance-of-payments account. More restrictive import quotas would hurt, not help, our balance-of-payments difficulties.

This would be particularly damaging to a great port like the port of Houston, and no small, individual advantage to certain manufacturers of steel, fabricators of consumer goods, or manufacturers of component parts, suppliers of chemicals and other basic materials, would offset this damage to an appreciable extent.

Certainly, I sympathize with those employed in certain industries whose livelihoods are threatened by "cheap" foreign imports, but safeguards have been built into the Kennedy round trade negotiations to help industries especially vulnerable to import competition. And most industries in the United States can no longer be called "infant industries."

Generally speaking, the industry in our area is quite mature and sound because it is based on our natural advantages and upon the peculiar vitality of American enterprise and ingenuity. The Coastal Bend area has many natural advantages. It produces the major chemical components: sulphur, hydrocarbons, salt, and calcium. And Houston is the closest port to the greatest American supply of potash. We can generate electric power as cheaply as any place on earth by engines fueled by conveniently located natural gas. Our technology is second to none in the world, and we have great educational institutions keeping us abreast of the times.

Therefore, when we choose to produce that which we can produce cheapest and best, we are not very much limited. We can sell these goods and purchase certain cheap consumer goods, component parts, and ingredients for manufacture from other countries with less sophisticated economies and industries and be the net gainer.

We have on our side higher productivity of the American worker and many natural resources readily available, which are not available in other geographic areas. Other countries have incomparable economic conditions. They can and do produce many outputs which we can buy cheaper than we can make. It would cost us in valuable production potential to divert our efforts from producing, say, an oil drilling bit, to produce a handsaw.

I believe that the Government has the responsibility to look after the well-being of any workers hurt because of its refusal to follow a policy of protectionism. This may require retraining or some sort of unemployment insurance. We must face up to the fact that some do suffer from foreign competition. The answer, though, is not to stifle competition and continue less efficient, less appropriate enterprise for our type of economy.

We should take full advantage of the benefits from free trade for the consumer, too. Were import quotas made more restrictive, and hence conditions made less competitive for American businessmen, there would be less pressure on prices. Less competition and a reduced supply of goods are concomitants to high prices. Competition from abroad forces American industry to innovate more and to become more efficient. Foreign trade broadens the spectrum of goods available, increases variety, lowers prices and the wage earner's pay goes further. It can be seen, then, that the primary benefactor of free trade is the American consumer, which is to say the American people at large. Whatever short run gains a particular industry might gain from a protectionist policy is thus at the expense of the American people.

One more consideration: America has been in the forefront of the march toward liberalizing international trade. We were the inspiration behind GATT; we were the inspiration behind the Kennedy round; we inspired the great postwar international economic cooperation. The mere talk of protectionism angers those, who through our quest for liberal free trade, became dependent upon our markets. Protectionism, if enacted into law, would repudiate that which we ourselves stimulated. Quotas are very arbitrary and selective weapons. Those nations who are singled out to come under stricter quotas, seeing others that are not, will surely take it as an indication of the arbitrariness of the American foreign policy.

Thus, legislation to reverse the course that we have taken toward free trade is bad economics, bad foreign policy, and is bad for the people. I suggest to my colleagues that, when its ramifications are understood, it is bad politics.

PORNOGRAPH RECORDS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I would like very much to have the attention of all the Members of the House. I do not know how many of the Members are aware of the filth that is put on the airwaves through the playing of pornograph records by the various stations. Not only just radio but every means of possible communication is filled with this material.

Mr. Speaker, there was an article in the Cleveland Press of October 27, 1967, by Harriet Peters that points out that not all air pollution emanates from chimneys or factories.

A new variety stems from the so-called "pop" records.

Mr. Speaker, the article written by Miss Harriet Peters should be of interest and concern to all of us; therefore I am asking unanimous consent to include it with my remarks.

The article referred to follows:

PORNOGRAPH RECORDS

(By Harriet Peters)

There's another kind of air pollution. It stems from pop music.

Recently there has been such a rash of recordings with double entendre lyrics having to do with drugs and sex that it has caused concern among radio stations, including the two local rockers—WKYC and WIXY.

"I decided something had to be done when my 10-year-old daughter asked me to bring home the latest Rolling Stones' record, 'Let's Spend the Night Together'," said Bill Stewart, until recently with the Dallas-based McLendon radio station chain.

That chain now bans many tunes that are national top sellers.

"When groups record they have the attitude: 'Let's see how far we can go,'" said Stewart, who is now program consultant for KTSA-Radio, San Antonio, which also is careful about what it plays.

KLIF-Radio of Dallas (McLendon) cracked down by requesting lyric sheets with every new record about six months ago. As a result they have banned: "Let's Spend the Night, etc." and:

Aretha Franklin's "Respect," the Beatles' "Penny Lane," Mitch Ryder's "Sock It to Me, Baby" and the Hombres' "Let It All Hang Out."

All of these have been heard in Cleveland.

"We feel we have a responsibility to broadcast in good taste and not violate community standards and morality, but standards are always changing," said Norman Wain, WIXY general manager. "Years ago you couldn't say the word 'broad' on radio. Now you hear it on TV.

"We held off playing 'Sock It to Me, Baby' for a month after it was a hit because the title sounded so wild, but now it is a widely used term," Wain said.

"About songs alluding to drugs, some of the lingo is so new that we might be playing a record about drugs and not be aware of it. If we find out about a word on a record which is used by dope pushers, we garble it."

Station managers and music directors say they are not familiar with drug slang. Innocent-sounding lyrics sometimes turn out to be plugs for dope or LSD.

"Along Comes Mary," "Acapulco Gold" and "Lucy in the Sky with Diamonds" all sound innocent enough until the broadcasters learn that "Mary" is short for Marijuana and "Acapulco Gold" is a grade of that weed and the initials of the "Lucy" tune are LSD.

"You can listen to anything and if you want to find something wrong with the words you can do it," said Dick Weber, WKYC-Radio music director.

"We won't play a song if the dirty lyrics stick out like a sore thumb or if we believe the recording artists planned the song to be dirty."

He said WKYC didn't play "Sock It to Me, Baby" when it was a hit earlier this year, but it is playing "Let It All Hang Out."

"That song simply means, let yourself go," said Weber.

The National Association of Broadcasters sent out questionnaires to radio stations asking if they would approve of a central censoring office, Broadcasting magazine reports.

Almost all of the 900 who answered said they have adequate pre-screening procedures of their own and feel the decision on whether to air a record or not should be left to them.

In the past these decisions have led to broadcasting other records accused of advocating sex and drugs. They include:

"I Can't Get No Satisfaction" by the Stones (sex); "Hey, Mr. Tambourine Man" and "Rainy Day Women 12 & 35," Bob Dylan (drugs); "Eight Miles High," the Byrds (drugs); "Try It," the Standells (sex); "A Day in the Life," Beatles (drugs).

And so the beat goes on, wilder and wilder.

CRITICAL IMPORTANCE OF AN EFFICIENT, BALANCED TRANSPORTATION SYSTEM FOR WASHINGTON AREA

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, there has been considerable discussion of the war on poverty here in recent weeks. I have long had an interest in the economic opportunities of all the residents of the Metropolitan Washington area, and in filling the job requirements of the expanding industrial and commercial complex of suburban Maryland. In repeated statements since joining this body, I have specifically emphasized the critical importance of the relationship of an efficient, balanced transportation system to employment.

In testimony to the National Capital Planning Commission hearings on the transportation section of the comprehensive plan for the National Capital area at the State Department Auditorium, on June 14, 1967, I stated:

> Isolation from jobs is a problem in the District of Columbia, where the working poor are isolated from the growing suburban job market by travel time, cost and inadequacy of public transportation—including buses. This has been told me repeatedly by antipoverty workers and since confirmed by Labor Department studies. And it is reasonable to assume that some of this job dispersal results from development patterns in turn caused by downtown congestion. It would be a triple blow to the District work force and to the community at large if a deteriorating transportation situation had the effect of choking off job opportunities here in the District, diverting employment to scattered areas of the suburbs and depriving workers of access to those jobs.

In my remarks on the floor of October 9, 1967, supporting modifications in the regional rapid transit system, I referred to my letter to Gen. Jackson Graham, General Manager of the Washington Metropolitan Transit Authority, on September 1, 1967, in which I urged the Authority "to give serious consideration to a maximum-service line connecting north central Washington with downtown, while providing equally direct access to the suburbs where many jobs are located."

I am pleased to note that responsible regional organizations have recently spoken out in further support of these positions endorsing the vital relationship of jobs and transportation. Mr. Speaker, I am inserting in the RECORD today, the article by Mr. William Raspberry from today's Washington Post, "A Plan To Find Jobs Beyond the Fringe," and the statement by the North Bethesda Congress of Citizens Associations. Both the Metropolitan Council of Governments, and the North Bethesda Congress represent enlightened attitudes toward transportation planning, and the importance of implementation of such planning to the economic well-being of the entire region.

The article and statement follow:

A PLAN TO FIND JOBS BEYOND THE FRINGE

(By William Raspberry)

Up to now, the chief beneficiaries of express bus service from fringe parking lots have been suburbanites who work in downtown Washington.

A committee of the Metropolitan Washington Council of Governments (COG) proposes to transform the one-way express service into a two-way benefit.

As it now works, express buses deadhead out to fringe parking areas in the morning, pick up suburban commuters, deposit them downtown, then deadhead back for another load of suburbanites. In the afternoon, the procedure is reversed.

The COG committee recommends that the service be expanded to transport Washington residents, particularly the inner-city poor, to jobs in suburban industrial centers.

The proposal takes into account the fact that one of the barriers between poor people and work is the lack of transportation to the outlying areas where more and more workers are needed as more and more employers shun the central city.

It also considers, says Albert A. Grant, head of COG's Transportation Planning Board, the fact that deadheading is costly to the bus companies and, therefore, to the riders.

If inner-city workers could be transported to and from suburban jobs on express return trips, it would help ease their employment problems, eliminate deadheading and simultaneously make possible fare reductions for all riders, the committee reasons.

"One reason some of the unemployed poor in the city haven't been able to take unskilled jobs in the suburbs is that transportation costs too much in money and time," Grant said. "If you've got to spend maybe four hours and $2 a day in transportation, it may not be worthwhile to take a low-paying job."

The same conclusion has been reached by the United Planning Organization, which is cooperating in the committee study.

The proposal recommends that express buses begin downtown in the mornings (because unskilled workers often have to start work earlier), swing by a pickup route in a center city low-income residential area, then head for the suburbs.

Once there, the bus will take the inner-city workers to suburban employment centers or—if shuttle services can be installed to serve that function—simply pick up suburbanites at the fringe lots and bring them nonstop downtown.

The trip from the fringe parking areas to the suburban industrial clusters almost certainly will have to be done with shuttles if the recommendation of committee member Richmond M. Keeney is adopted.

Keeney, a member of the Montgomery County Council, wants to extend the service to residents of such suburban poverty pockets as Scotland and Toby Town.

Residents of these areas, Keeney points out, often are kept out of work by the lack of transportation either to the center city or to suburban employment centers.

He wants shuttle buses to transport these people from their homes to suburban centers or to fringe parking areas where they can take express buses downtown.

The COG committee has asked that the proposals be refined by a group composed of representatives of Federal agencies, private industry, local governments, regional highway departments, regional bus companies and the Washington Metropolitan Area Transit Authority.

Specific suggestions will be heard at the January meeting of the Transportation Planning Board. Certain to be considered are proposals for additional fringe parking areas, perhaps at suburban shopping centers.

Other proposals may include subsidies from suburban employers to help reduce transportation costs to unskilled and semiskilled workers.

One of the more significant aspects of the COG proposal is that it recognizes the regional nature of what appears to be a merely local problem.

NORTH BETHESDA CONGRESS
OF CITIZENS ASSOCIATIONS,
Bethesda, Md., November 22, 1967.

MEMORANDUM

From: The Congress (The Congress is a federation of twelve citizens associations representing approximately 10,000 families in this area)

To: (1) Congressman GILBERT GUDE, House Office Building, Washington, D.C., (2) Senator JOSEPH D. TYDINGS, Senate Office Building, Washington, D.C., (3) Senator DANIEL B. BREWSTER, Senate Office Building, Washington, D.C., (4) Sec'y of Transp. Alan S. Boyd, Dept. of Transportation, Washington, D.C., (5) President Lyndon B. Johnson, White House, Washington, D.C., (6) Montgomery County Council, County Office Building, Rockville, Maryland, (7) State Roads Commission, 300 W. Preston Street, Baltimore, Maryland, (8) Honorable Carlton R. Sickles, Chairman, Washington Suburban Transit Comm'n, 11315 Lockwood Drive, Silver Spring, Maryland, (9) Congressman WILLIAM H. NATCHER, House Office Building, Washington, D.C.

Subject: Metropolitan Washington Highway Program—news reports that Department of Transportation intends to eliminate Three Sisters Bridge, the North Central Freeway, and other routes.

1. The Congress wishes to advise you of its deep concern over the subject news reports.

2. Growing congestion between this area and downtown Washington imperatively demands that the long-planned and thoroughly studied highway program go forward, including the Three Sisters Bridge, the North Central Freeway, and other links in the plan. The North Bethesda Congress supports current rail transit plans as a supplement to, but not as a substitute for, the area's highway program, and does not support funding for rail transit unless highway plans are being implemented at the same time.

3. Subject news reports suggest a breakdown of metropolitan area planning and cooperation. Today, suburban population exceeds that of the District, and suburbanites desperately need these highways. However, despite certain vocal objections within the District, the highway program is vital to the District too, in order to enable its residents to reach jobs in the suburbs, to prevent destruction of communities in the District by through traffic which is forced to use residential streets, and to arrest the loss of employment opportunities by movement of business to suburban locations with better access and parking.

JAMES F. BROMLEY,
President.

LINDSAY ADMINISTRATION IN NEW YORK CITY LOOKS FOR A SCAPEGOAT FOR ITS FAILURE TO PROVIDE ADEQUATE HOUSING PROGRAM

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, it is natural, I suppose, for the Lindsay administration in New York City to look for a scapegoat for its failure to provide an adequate housing program for New York City. Its failure in this field is so obvious that any scapegoat would serve its purpose. In this morning's New York Times, Jason R. Nathan, administrator of the city's housing and redevelopment administration, charged that the Johnson administration showed an "outright lack of awareness and lack of commitment" to meet the critical housing shortage. The fact that this accusation follows by only a few days the designation of approved model cities' applications, in which New York City has three approved projects, makes this charge rather absurd. The Johnson administration has made and carried out a stronger commitment to our Nation's cities than any other administration in history.

In this session of Congress, the Department of Housing and Urban Development had three important legislative objectives. One, the funding of the model cities program, the rent supplement program, and the neighborhood facilities program, has been approved, although each program was cut back by the hatchet wielded by members of Mr. Lindsay's own Republican Party in the House. I might add that the bill creating the Department of Housing and Urban Development was opposed by 93 percent of the House Republicans and 66 percent of the Senate Republicans.

The second legislative objective was rat control legislation, which House Republicans thought was a laughing matter. This was finally included in an HEW program. The third objective was flood insurance, which is now pending.

In short, Mr. Speaker, this administration's commitment to the solution of the Nation's housing shortage has never been stronger. If Mr. Lindsay is so interested in finding fault with his housing program, I suggest he take a good look at his own administration. If he could match the efforts made by the Johnson administration in the field of housing, New York City would be a much better place to live.

DMSO: STILL THE PERSECUTED DRUG—PART I

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. WYATT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WYATT. Mr. Speaker, in March of this year I presented a series of articles in the CONGRESSIONAL RECORD. The articles pointed out in clear terms the vague, restrictive and contradictory manner in which the Food and Drug Administration has handled the drug DMSO.

Dr. James Goddard of the FDA has continually and deliberately shown a blatant disregard for the public welfare by placing prohibitive regulations on clinical testing of this drug, even after its efficacy has been proven time and time again. Let me illustrate this with some background.

After 2 years of successful, almost miraculous clinical and laboratory testing of DMSO, several drug companies in this Nation announced DMSO was ready to be distributed as a commercial prescription drug providing symptomatic and therapeutic relief in such painful diseases as arthritis, scleroderma, bursitis, and many other skin and joint ailments. Further testing was indicated in other areas, where the remarkable penetrating powers of DMSO indicated its use with other drugs might go so far as to place it in the realm of an entirely new therapeutic principal, rather than simply another new drug.

Abruptly, on November 25, 1965, the FDA terminated all clinical testing of DMSO. Dr. Goddard gave as his reason the fact that, in his words, "half-baked" testing was being carried out haphazardly with the drug.

In cutting off the use of this drug, Dr. Goddard withdrew DMSO from thousands of patients who had gained from it relief from pain and suffering.

Later the FDA came up with the charges that insufficient data had been compiled in laboratory testing, and that lens changes in dogs, rabbits, and in one monkey given massive doses of the drug warranted further laboratory testing before clinical testing could resume.

Let me state once again that in 2 full years of clinical testing not one serious side effect of the drug had been observed in humans. In fact, by present medical standards, it has been noted that DMSO is a drug remarkably free from serious adverse side effects.

After over 1 year with no clinical testing of this drug, the FDA ostensibly lifted the ban. In effect, however, the order of December 23, 1966 which allowed clinical testing to resume provided such stringent requirements for doctors and drug companies that none could possibly comply. In effect, the ban on clinical testing is still on.

In April of this year, Dr. Goddard announced that the FDA would relax its ban on testing somewhat so that sufferers might receive some relief. In July, again, further promises of a lifting of the restrictions were given. Despite his promises, in the seven months since his original statement no new order has been forthcoming from Dr. Goddard and the FDA.

In June of this year, however, DMSO was released on the market as a full prescription drug in Germany and Austria.

Dr. Goddard has established his own credibility gap. Based on his record in the DMSO case alone something must be done. People in this country, the most technologically advanced in the world, are suffering from crippling diseases while the means for their relief is being unjustly tied up in the bureaucratic redtape of the Food and Drug Administration.

I present here newspaper articles relating the unfulfilled promises of Dr. Goddard of the FDA and articles detailing the release of this drug in Germany and Austria as a prescription item:

[From the Portland (Oreg.) Oregonian, Apr. 9, 1967]

FEDERAL FOOD, DRUG AGENCY TO EASE TIGHT CONTROL OF DMSO TESTS

(By Ann Sullivan)

PALM BEACH.—The U.S. Food and Drug Administration soon will permit more clinical testing of the drug dimethyl sulfoxide.

The slight relaxing of the clinical ban was announced here by the FDA commissioner, Dr. James L. Goddard, in closing session of the ninth annual science writers' seminar of the American Cancer Society. It was attended by more than 50 news and magazine reporters, who listened to a week of some 50 reports on medical research, particularly as it relates to cancer.

Dr. Goddard, in answer to questions, announced the DMSO relaxation thus:

"Careful review and evaluation of all data available to us, indicate that it is reasonable to allow, to consider permitting, short term studies of topical use in relatively minor conditions." Topical is on-the-skin-only. He explained short term to mean seven to 14 days. The minor conditions are of what he called self-limiting nature. For instance minor ailments that eventually would get well by themselves. He included such conditions as sprains, myositis (muscle inflammation) and acute herpes zoster (cold sores).

ORDER SOUGHT

He said FDA is seeking "properly based scientific methods" and "not some of the half baked things that went on."

He was referring to the widespread dissemination and multiplicity of testing that followed first knowledge of DMSO from about December of 1963 until it was banned in November of 1965.

Barraged by reporters' questionings, Dr. Goddard forcefully emphasized that the investigators did not obey the law (through FDA regulations), did not report for prior clearance of additional investigators, and used DMSO illegally.

Of drug research in general, not specifically for DMSO, he said that FDA is greatly concerned over failure to report bad side effects.

He had said that more than 100,000 persons at the heights of the DMSO interest had been using it. Did he know of serious, bad effects from DMSO? He had none to report.

He emphasized that the special handling FDA now requires for DMSO research—the prior and careful clearance of requests for investigation—was necessitated because the drug got so badly out of control. Users of other drugs do not have to have this.

"It was more enthusiasm than science," he said. "If we change the policy and permit use in acute conditions, there needs to be well documented studies, well carried out. When you don't have that, you have confusion."

STUDIES STARTED

At the present time, there are some 25 clinical studies in progress, said Dr. Goddard, but he did not know how many patients these included. One of the studies is by Dr. Arthur Scherbel of the Cleveland clinic, where scleroderma (a hardening and thickening skin disease for which there is little or no treatment and discouraging outlook) is being treated with beneficial results by DMSO.

Dr. Goddard said FDA investigators still are woring on the problem of bringing to some form of justice, those investigators who did not follow the rules. Is he going to have some form of prosecution? He declined to say, only that investigations are continuing.

Scientists have complained in the United States that FDA is putting impossible red tape roadblocks to their further work with DMSO, and Goddard was asked about this.

He again emphasized FDA's role of policeman, that it has to be there for the overall protection of the public good, and that if the people are good investigators, prepare proper data and requests, they will be considered.

Dr. Goddard indicated that DMSO will come to prescription some day in the United States and pointed out that it was indeed a very interesting drug because of its remarkable penetration powers.

He felt the drop in numbers of new drug releases in the U.S. in recent years (and steep rise abroad) was simply a natural lull of cyclic origin.

KNOWLEDGE ASKED

He said the public, physicians and legislators should have greater understanding of the principles involved in the FDA surveillance. If they do not, he said, they could weaken the fundamental structure of drug evaluation.

Dr. Goddard suggested that the medical profession might look into the question of whether all physicians should have available to them for use on their patients all drugs that may be developed and released on prescription.

The increasing sophistication and the great potency of the drugs, particularly some of the anti-cancer drugs, suggests, he said, that not all physicians are qualified to handle them. He was asked if he felt FDA should have that power of deciding, but he backed away from that, pointing out that the doctors themselves already often defer to those among them who have done the most work with a particular drug in question.

Dr. Goddard emphasized repeatedly in questioning and interviews that the question of the single patient, the single ailment, even in terminal cases, is not so important as the proper and orderly development of safe and efficacious drug products.

ERRORS NOTED

He expressed horror that DMSO had been instilled directly into eyes and into bladders. (This had been done in a number of cases. One ophthalmologist reported at the New York Academy of Sciences meeting on DMSO in March of 1966, that it had beneficial results in some very stubborn eye ailments. Likewise physicians have so reported in some very painful and troublesome bladder infections.)

The investigators, said Goddard, shipping DMSO interstate illegally, to investigators not previously approved and contrary to FDA warnings. "Failure to go slow actually retarded the establishment of DMSO in its proper role."

[From the Oregon Journal, Portland, Oreg., Apr. 11, 1967]

LIMITS REMAIN ON DMSO TESTING

The Federal Drug Administration's planned relaxation of restrictions on dimethyl sulfoxide (DMSO), announced by Commissioner James Goddard at a science writers' seminar in Florida last week, is good news—as far as it goes.

Goddard told the writers, as reported by The Journal's Marge Davenport, that present limitations would be lifted within a month to permit acute "short term" usage of DMSO in treatment of sprains, muscle inflammations, shingles, acute bursitis, and a few other ailments.

This should be good news to many of those who have been writing Rep. Wendell Wyatt, R-Oreg., complaining that the FDA's previous freeze on testing of the drug had deprived them of relief from their sufferings.

The new action as described falls short, however, of permitting full clinical testing of the miracle drug, under the care of physicians, which Rep. Wyatt has been urging and which, he has assured The Journal, he will continue to seek.

Wyatt has criticized Goddard's announcement, as reported, as having been phrased in "glittering generalities" likely to arouse false hopes among those who might be aided by availability of the drug.

DMSO has been widely termed a "miracle drug," because of unusual properties potentially of a high medical value and of the wide variety of conditions which, apparently, responded favorably to its use.

Commissioner Goddard has been quoted as explaining the ban on the testing of DMSO on the ground that it was "out of control" and that 100,000 persons were using the drug illegally.

None will quarrel with the FDA's determination to control the testing of new drugs, as long as a question of possible dangerous side effects remains.

It follows, though, from Goddard's own statement that the amounts of data available on the effects of DMSO, based on actual experience, must be considerable. Public testimony from scientists, physicians and patients alike so far has indicated benefits far outweighing any parranent dangers involved in its controlled usage.

If DMSO now is officially deemed to be safe for short-term treatment of a limited list of afflictions, Rep. Wyatt's demand for full clinical testing, under the control of physicians, certainly seems justified.

[From the Oregon Journal, Portland, Oreg., June 1, 1967]

DMSO RELEASED IN GERMANY, AUSTRIA

(By Marge Davenport)

If you need DMSO, you can get it in Austria or Germany after mid-June.

The drug DMSO—dimethyl sulfoxide—will be released as a prescription item, available if prescribed by a physican on June 12 in Austria and on June 15 in Germany.

DMSO still is banned and unavailable in the United States by order of Dr. James Goddard's Food and Drug Administration. Early in April, Goddard told science writers attending an American Cancer Society Seminar in Palm Beach, Fla., that DMSO would be released in this country for treating acute conditions, but his promise has not been fulfilled.

It will be available abroad for treatment of acute conditions including injuries, sprains, neuralgia, neuritis, herpes zoster (shingles), bursitis, periarthritis, and other similar ailments, according to Dr. Gerhard Laudahn, director of clinical research for Sherring A.G., the German company that supplies DMOS.

Laudahn told The Journal during a telephone interview Thursday that German and Austrian health authorities have released the drug for topical use (external) in a 90 per cent solution or jel. The maximum daily dose is 10 grams per day, or about two teaspoonsful, and the maximum time of application is 14 days.

Dr. Gerhard says he expects that DMSO will be released soon for other conditions in the European countries. The drug used in Europe is a synthetic product, not made from wood pulp, but has the same properties as its American counterpart, which is a by product of pulp manufacturing.

Crown Zellerbach Corp. and the University of Oregon Medical School hold the U.S. patents on DMSO, because the medical properties of the chemical were discovered by a UOMS investigator, Dr. Stanley Jacob. The FDA banned DMSO in 1965 shortly after three U.S. drug companies had requested that it be released here as a prescription drug. Goddard charged "illegal" investigations and said necessary reports were not made to the government agency.

He also cited several reports of eye damage in animals given large doses of the drug. Subsequent investigations have failed to reveal any damage to eyes of humans using the drug for as long as two years, according to reports at a recent international conference.

[From the Oregonian, Portland, Oreg., June 2, 1967]

DRUG DMSO SLATED FOR JUNE SALE IN EUROPE

The drug DMSO (dimethylsulfoxide) will go on sale as a prescription item in Austria on June 12 and in Germany, June 14, representatives of a large international pharmaceutical firm, Schering A.G., announced Thursday.

The drug discovered in Portland in 1963 to have unusual penetrating and therapeutic medical properties, still remains in scientific limbo in the United States, with physicians and scientists unable to even use it for clinical testing on humans.

The U.S. Food and Drug Administration removed DMSO from clinical testing already under way in hundreds of laboratories, doctors' offices and institutions in November, 1965, citing fears of possible eye damage.

WIDELY USED

Hundreds of thousands of persons have used DMSO in this country and Europe, and no serious untoward effect has yet been substantiated, Gerhard Laudahn, director of clinical research for Schering, said in Cleveland, Ohio, Thursday.

Laudahn was in Cleveland to consult with Dr. Arthur Scherbel, who has discontinued his work at the Cleveland Clinic with scleroderma patients because of what he called red tape difficulties with FDA.

German scientists in three large institutions are continuing clinical testing on scleroderma with DMSO and are using methods developed by Scherbel. The skin and muscle-tightening disease, for which there is no cure, had no remedy at all before DMSO.

The prescription sale of DMSO in Austria is its first public availability in that country. It had been on prescription in Germany before, from October until November, 1965, when the American FDA ban caused the German firms to call it back for further testing.

It will be available for topical (on the skin) treatment of such acute ailments as musculo-skeletal injuries and inflammations, tendonitis, frozen shoulder, bursitis, epicondylitis (acute inflammation of elbow), neuritis herpes zoster (cold scores) and torticollis (shortened neck muscle on one side), other muscle distortions and sprains and strains.

It is not yet available for such chronic conditions as arthritis, "but we are quite sure," said Laudahn, "that DMSO will also prove valuable in chronic conditions. Before we are recommending its widespread use in such, we will follow the request of the German health authories that we wait for the outcome of the treatments of the acute conditions.

"But, of course, we are continuing our clinical research on the chronic conditions, especially scleroderma. We are doing the same studies now and following the exact methods of Dr. Scherbel at three main centers, with a great number of investigators."

DOSE RESTRICTED

Restrictions on the prescription use of DMSO, he said, are that it not exceed maximum dose of 10 grams for each application, and not exceed maximum time period of two weeks. Most of the ailments, however, for which it is being recommended are usually cleared up in a matter of days, he said.

"We do feel completely satisfied," said Dr. Laudahn about the drug's safety. "I think topical application of DMSO as we are using it at the moment is only the beginning. Because we think that DMSO together with other substances will be proved valuable in the treatment of other diseases later on. It might go together with the corticosteroids and especially with anti-cancer drugs in such instances that the cancer or tumor may be reached by topical application to skin or mucous membrane."

EXPERIMENT SUCCESSFUL

He said that animal experiments reported at the November, 1966, international symposium on DMSO in Vienna already showed beneficial results on animal tumors with DMSO and other drug combinations.

Originally, when DMSO was on prescription in Germany, it was distributed by five companies: Schering; Gruenental, related to the American Syntex; Heyden related to the American Squibb; Merck, Sharp and Dohme, and Mack. All five voluntarily withdrew it when the FDA restricted it here.

In early April, Dr. James L. Goddard, commissioner of FDA, promised that DMSO would be returned under very strict conditions for limited clinical testing in the United States within "a few weeks." But there has been no further action. It has never been on prescription in this country.

[From the Oregon Journal, Portland, Oreg., June 8, 1967]

DMSO TESTING BOTTLENECK EASES—MAJOR DRUG FIRM MAY EXPERIMENT

WASHINGTON.—The U.S. Food and Drug Administration (FDA) thinks it may have found a drug manufacturer interested in testing DMSO as a potential drug for human use.

If it has, this could break a bottleneck in experimentation with the chemical dimethyl sulfoxide, for which remarkable medical qualities have been claimed.

W. B. Rankin, deputy FDA administrator, said major drug companies which once wanted to test the chemical had lost interest in the last few months.

Rankin cited "various reasons" for this reluctance, but indicated that one was that DMSO did not have the therapeutic advantages claimed for it.

"They didn't see that potential gains would justify their efforts," he said.

Rankin agreed that testing was slowed, almost stopped, after the FDA cracked down in the fall of 1965 against what he said was widespread, uncontrolled experimentation that "got out of hand." But he did not agree that FDA restrictions caused drug firms to lose interest.

Nor would he agree with Oregon Rep. Wendel Wyatt's description of DSMO as a "persecuted drug."

He said the FDA itself is interested in further tests with DMSO to determine conclusively whether the chemical has a human medical use.

If a situation developed in which nobody would test DMSO, he said, the FDA might consider contracting for tests itself. "But we don't see that need now," he said. "There is one company that has expressed interest as a sponsor, and we have had some inquiries from academic institutions."

Rankin acknowledged that some believe DMSO now has a place in human medicine—it is touted as a potential cure for skin diseases, arthritis and even cancer—but the FDA does not think so yet.

Tests have been continuing, Rankin said, and have been extended cautiously. One result, he said, was that further tests with dogs have produced further changes in the eyes—a reason the FDA cracked down on DMSO experiments in the first place.

The prospect, he said, is that DMSO tests will continue "on a rather slow basis to determine whether it has or does not have a place in human medicine."

And then the followup article, same paper, same date:

[From the Oregon Journal, Portland, Oreg., June 8, 1967]

DMSO RESEARCHER SLAPS FDA REPORT

(By Marge Davenport)

The Food and Drug Administration's statement on DMSO, issued this week, was branded "a sick attempt to justify an FDA position" by several Oregon investigators familiar with facts and the history of this pulp by-product drug.

Dr. Stanley Jacob of the University of Oregon Medical School, who is the discoverer of the medical properties of DMSO, says there seems to be a significant "difference of opinion between the scientific community and the FDA on the merits of DMSO."

"An overwhelming majority of published reports in the medical literature indicates both the safety and efficacy of DMSO," Dr. Jacobs pointed out.

He noted that DMSO becomes a prescription drug in both Germany and Austria next week and said this release is based on scientific evidence from around the world that DMSO is effective.

Dr. Jacobs was quoted in the Congressional Record of Sept. 8, 1966, as pointing out at that time that "the FDA is more interested in defending its position than in determining the truth about DMSO." Jacobs said the FDA statement this week indicates the agency is still using the same tactics.

"The truth is that three large American drug companies submitted applications in the spring of 1965 stating that DMSO was ready to become a prescription drug in the United States," Jacobs declared. "When the FDA stopped testing, these drug companies were thoroughly harassed and threatened with criminal prosecution. Of course they became reluctant to test DMSO under the strict restrictions of the FDA and the threat that further testing might bring about FDA retaliation."

Rep. Wendell Wyatt, R-Ore., has called DMSO a "persecuted drug," and Dr. Jacobs says this is true because no drug has ever been submitted to more thorough scientific analysis, nor been more shamefully treated than this compound.

Dr. Don Wood, head of research at Providence Hospital in Portland, who has also done extensive investigation of DMSO, says he feels that America is in "an unfavorable situation when we find ourselves in a land of great progress potential, but handcuffed by federal bureaucracy."

"The development of DMSO and a number of other compounds seems to have hit a bottleneck at FDA level," Dr. Wood says.

The Portland investigator was in Cleveland this week conferring with Dr. Gerhard Laudahn of Scherring AG, and says this leading German drug company is enthusiastically pursuing several potential uses of DMSO besides its use in short-term acute conditions, for which it is already being marketed in Austria and Germany.

Dr. Wood says large doses of DMSO do produce eye changes in small animals, but that no such changes are evident in extensive studies on monkeys, burros and many thousands of human beings.

"There is a definite species variation of effects, as one finds in many other drugs," Dr. Wood points out.

[From the Eugene (Oreg.) Register Guard, July 5, 1967]

FDA MAY APPROVE CONTROVERSIAL DRUG TESTING

(By A. Robert Smith)

WASHINGTON.—The Food and Drug Administration has decided to permit wider experimentation with dimethyl sulfoxide (DMSO)—the highly touted compound that Representative Wendell Wyatt has branded "the persecuted drug."

Informed sources report that FDA officials are working on a new order lifting some of the tight restrictions slapped on DMSO in 1965.

DMSO, regarded in some medical circles as the wonder drug of the sixties, is a by-product of paper manufacturing developed by the University of Oregon Medical School and Crown Zellerbach scientists. It has been demonstrated to relieve bursitis, arthritis, sinusitis, tendonitis and miscellaneous other ailments.

FDA's ban on further use on humans was instigated by reports of eye damage in some cases, according to FDA, reports which proponents of DMSO have denied.

Last December FDA Commissioner James L. Goddard announced that DMSO could be used once again on humans suffering from serious conditions such as scleroderma for which there is no known effective therapy.

This slight easing of the ban came only after a review by FDA officials of DMSO experimentation and results to that date, a review urged by then-Congressman Robert B. Duncan and Wyatt, both of Oregon.

Wyatt has since been highly critical of FDA for what he considered an "inconsequential" lifting of restrictions. He said no one in this country will ever know how useful DMSO can be unless the government allows clinical experimentation on a wider scale.

In April Commissioner Goddard announced that some further easing was contemplated, but nothing has happened as yet.

The latest order governing this controversial drug is expected to be issued within the next two weeks. One informed source said it would permit resumption of DMSO topical application in cases of arthritis and bursitis and related conditions for which it showed early promise.

W. B. Rankin, deputy FDA commissioner, meanwhile said FDA has received an informal indication that one major drug company plans to apply for permission to test DMSO.

If the company follows through, Rankin said the significance would be mostly in terms of assuring a sufficient supply of clinically pure DSMO for research clinics, hospitals, universities and others engaged in testing the drug.

Rankin claimed that the drug companies had largely lost interest in DMSO because they didn't think it had the therapeutic benefits attributed to it by its boosters.

The lack of interest on the part of drug companies, he said, caused a problem in making available adequate supplies of clinically pure DMSO.

Critics of FDA say tight restriction on testing are to blame for the diminution of research on this drug. They note the contrasting attitude in Europe, where DMSO has become a prescription drug in several countries because it has demonstrated its therapeutic value.

Then, after 4 more months with no action by the FDA, despite its promises:

[From the Oregonian, Portland, Oreg., November 9, 1967]

Two Cleveland Clinic Physicians Strongly Protest Removal of DSMO From Testing

(By Ann Sullivan)

A member of the famed Cleveland Clinic, Dr. Charles L. Hudson, immediate past president of the American Medical Association, said in Portland Tuesday that two of his fellow staff members are unhappy with the Food and Drug Administration edict which removed dimethyl sulfoxide (DMSO) from clinical testing.

They are Dr. Arthur Scherbel, a rheumatologist who was among the first physicians to find definite improvements in a painful and disabling disease called scleroderma, for which before DMSO there had been no effective therapy; and Dr. Bruce Stewart, a urologist who found for the first time a method of relief for a painful bladder ailment called interstitial cystitis.

WOMEN USUALLY HIT

Scleroderma is a collagen-hardening disease which dries up and distorts skin and muscles, proving fatal when it reaches lung tissue.

The bladder disease is a chronic and severe inflammation of the urinary bladder, usually striking women. It does not respond well to medications other than DMSO.

Both physicians had to stop treating patients with DMSO, and have made vigorous appeals on behalf of their patients to FDA and to Congress.

Dr. Hudson has been visiting with a University of Michigan classmate, Dr. Sam Diack, and is making a number of speeches here.

He talked at Woodlawn Park Hospital and David Douglas High School Tuesday and also at a dinner meeting of the Multnomah County Medical Society.

AMA president during the inauguration of Medicare, Dr. Hudson today feels it is getting along reasonably well.

"The physicians' part of it is to take care of the patients, and I think they are doing it. I don't hear much talk about out-and-out nonparticipation. I'm not really surprised. I have a great deal of confidence in the physicians.

POTENTIAL GREAT

"Title 19 has a great potential, I think. We like it because it does have that element of requiring a determination of need for financial support, and it has a broader base, you might say. It really provides for all kinds of services for people who need help."

Dr. Diack was attempting to hide a cigarette from his fellow doctor, and Dr. Hudson laughed that he himself had quit long ago, long before the surgeon-general's report on health dangers from smoking.

"I quit smoking," he said mildly, "at a time when I thought it was harmful as far as the circulation of the blood is concerned.

"As you know, cigarette smoking causes constriction of the blood vessels, and everybody is worried about keeping the blood flowing freely through the vessels. Smoking produces an undesirable effect."

Both physicians noted that exact details of cause and effect have not been proved, but many physicians and laymen know of the statistics which show much heavier circulation troubles and earlier heart attacks among heavy smokers.

OUR OBSOLETE WELFARE STATE

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have long felt that the best way to attack poverty in the United States is to train people for jobs that are waiting to be filled, jobs that only industry can create. In line with this thesis, the major burden for waging a successful war on poverty in this country falls on business and not on government. Support for this view recently was voiced by George Champion, chairman of the board of the Chase Manhattan Bank, in a speech at Grinnell College, Grinnell, Iowa. The primary thrust of Mr. Champion's speech is that the war on poverty should emphasize private participation, rather than total government participation, with private entities such as the business community shouldering the biggest load in helping individuals to help themselves. I suggest all House Members read Mr. Champion's speech, which follows:

Our Obsolete Welfare State

(Address by George Champion, chairman of the board, the Chase Manhattan Bank, N.A., at Grinnell College Convocation, Grinnell, Iowa, Oct. 29, 1967)

In the course of this remarkable Convocation, you have heard from distinguished men of science and letters, and from leaders prominent in the nation's political, social and cultural activities.

Since I myself claim no expertise in these areas, I can only assume that President Leggett included me on the program to provide a dash of local color.

I stand before you as a fugitive from the neighboring state of Illinois. In fact, if you were offering a prize for the speaker who had come the shortest distance from his birthplace, I, as a native of Normal, Illinois, would be very much in the running.

For those of you who are not familiar with the great American landmarks, Normal is situated half-way between Heyworth and Minonk!

It's about twice the size of Hubert Humphrey's birthplace, Wallace, South Dakota, and roughly as big as Johnson City, Texas, before the President turned up all those new kinfolks!

I was born in Illinois, went to high school in California, to college in New Hampshire, to work in Louisiana and New York, and to live in Connecticut. Now this may not seem an impressive traveling record to someone like your vigilant Iowa Congressman, H. R. Gross, who is always checking up on his junketing colleagues in Washington!

But I can tell you it has certainly kept the bank examiners in a quandary and the sheriff at bay!

In my frequent visits to this great Midwest heartland of our country, I've noted many far-reaching changes over the years. But I'm happy to say one thing that has not changed since my boyhood is the people's preference for plain talk. Today, I'd like to take advantage of this refreshing spirit of candor to discuss a subject that is of growing significance in the wake of this past summer's violence in our cities—the subject of "Our Obsolete Welfare State."

An ironic and baffling aspect of the recent riots is that many of the cities hardest hit had the most active anti-poverty programs. They had received larger-than-average shares of the billions of dollars dispensed each year by the Federal Government to aid the underprivileged:

Detroit has been allotted $100 million in Federal funds for urban renewal since 1960, and is spending $30 million this year alone on its poverty programs.

Newark has received more than $25 million in Federal anti-poverty funds in the past three years, and is spending about a half million dollars a month on welfare programs.

New Haven has been granted Federal urban-renewal funds amounting to about $800 for every man, woman and child—a figure almost twenty times greater than New York City's.

How did it happen, then, that some of the worst riots occurred in cities where the most money had been spent?

"Because," reply some theorists, "not *enough* money was spent."

They seem to be saying that if huge doses of a medicine fail, we should try more of the same and maybe the patient will eventually recover.

Considering the history of our Welfare State, though, one is inclined to doubt that it would be wise to count on stimulating the lagging heartbeat of our cities with still further massive transfusions of Federal money. I am strongly persuaded that money alone is not the answer.

To help the poor at home, Americans are now putting up $15 billion a year in Federal taxes. To help the poorer nations of the world, they are putting up another $5 billion. And this, of course, is wholly apart from the money spent on waging the war in Vietnam and maintaining U.S. troops in Europe and elsewhere. The net result is that this year we face a budget deficit approaching $30 billion—a deficit unprecedented except for the years of World War II.

Even as prosperous a nation as ours cannot do everything at once. We must inevitably make choices. The riots this past summer underscored the fact that a reappraisal of national priorities is long overdue. Our Welfare State, based largely on the priorities of thirty years ago, is hopelessly obsolete. We need new imaginative, result-oriented approaches to welfare—approaches designed to take full advantage of the strengths of private business and to give every individual a stake in our society. The eminent Negro psychologist, Dr. Kenneth Clark, expressed it well when he said: "People who have something to lose don't riot."

Let's look for a moment at some of the changes that have taken place since the Welfare State's priorities were first established. None is more significant than the enormous upward shift in family income. Thirty years ago, scarcely 20 per cent of U.S. families had annual incomes of $6,000 or more. Ten years ago, this figure had risen to 40 per cent. Today, well over half our families are above $6,000, and by 1975 more than two-thirds will be in this category.

Yet many government programs are still geared to an earlier era when incomes were lower and needs were greatly different. Public funds are being used to subsidize private endeavors where the majority of participants now have average or above-average incomes. For example, urban renewal programs have chiefly aided Americans in the middle-income ranges.

The farm program is a prime case in point. It is hardly an exaggeration to say that the more successful a farmer becomes, the more he stands to receive from the government. Over the years, the Agriculture Department has increased its costs, its personnel and its services—but it has done little about trying progressively to lower price supports and reduce controls so as to promote the kind of freer competition that would be most beneficial to the farmer himself, the consumer and the nation at large. If we assume depression as a normal condition—as the farm program does—then the farmer will always need help and so will almost everybody else.

Regrettably, very little thought has been given to whether existing programs for farmers and others might be modified, reduced or eliminated to make way for new ones that rate higher today on the national priority scale. It has been well said that if a monument were erected in Washington to every government program that has been discontinued in the past three decades, the landscape of the nation's capital would not be perceptibly altered!

This phenomenon moved The Washington Post to comment recently that "Obsolete Federal programs, like old soldiers, never seem to die."

Yet the significant economies in government are likely to come, not from turning off the lights in the East Room, but from intelligent review of goals and the programs designed to meet them. This is the essence of the "Programming-Planning-Budgeting" system which is frequently talked about in Washington these days and which many private corporations have been following for some time. Surely no area is more urgently in need of review than public welfare.

To the authors of our Constitution who designed the matrix of democracy, promoting the "general welfare" was an inspiring ideal. Today, "welfare" has become a dirty word. The average citizen never expects to rely on welfare and does not have much respect for those who do. The sprawling Federal welfare empire and the layers of local and state relief operations are regarded as the "enemy" by many of the very people they have been trying to help. Welfare recipients have organized into unions to press their "rights," and have even staged protest demonstrations against the system.

Many of the programs, techniques and theories of our present approach to welfare have turned out to have exactly the opposite effect from what was intended. This has often been the case with the attempt to abolish poverty through building new apartment houses for the poor. Unfortunately, it has proved much easier to rehabilitate housing than to change people. New high-rise apartment developments may go up in an area, yet, after several years, the neighborhood will have reverted to the old slum conditions.

What has happened is that we have tried to enclose the problem of the poor in brick and steel, rather than working from the inside out and concerning ourselves primarily with the nature and goals of the individual. Admission to low-rent housing projects has been determined by income—the lowest income. As a result, families with the greatest potential for fighting their way clear of poverty have been denied entrance to the new apartments. With their homes torn down, they have been forced to live elsewhere. The neighborhood thus levels out economically at its lowest common denominator and becomes a permanent slum.

The same lack of consideration for the individual exists at many levels of our present welfare system. Family patterns among the poor have been crumbling as a result of the rule that only fatherless families can qualify for the Aid to Dependent Children program. The program thus has encouraged fathers to leave home because the government will pay a fatherless family more money than the fathers could earn at their unskilled jobs.

In New York City, more than three-fourths of the 700,000 people on welfare are mothers and their dependent children. A pattern of community-supported illegitimacy has resulted from a situation in which fathers have found it economically beneficial to desert their families. Three out of four children born onto the relief rolls are illegitimate. Last year in New York, 63 unwed mothers had their tenth, eleventh or twelfth child on relief.

Our present impersonal mass approach to welfare fails to take into account the potential ambition and economic vigor of the average individual. Instead, it "writes off" the individual as being indolent, incompetent or unworthy of development.

Personally, I believe we cannot afford to write off anybody. I am deeply convinced that if we are to make significant strides in the war on poverty, we must gear our efforts to realize the great potential of the individual. We must concentrate on the development of his fullest capabilities as an independent being, rather than a ward of the Federal Government. Above all, we must emphasize private participation, as opposed to total government participation, with private entities such as the business community shouldering the major burden of helping individuals to help themselves.

The approach I'm suggesting might be called "incentive welfare," and involves three primary elements: motivation, training and job opportunity.

The "incentive" approach to welfare puts great stock in those old-fashioned—but today largely neglected—ideas of individual responsibility, personal character, and the belief that every man is, in fact, his "brother's keeper." This basic philosophy is well expressed, I think, in former President Eisenhower's description of how he and his brothers worked their way off a Kansas farm to careers of achievement.

The former chief executive writes in his new book, "At Ease":

"All the younger brothers sent Edgar funds on occasion, but he worked at the University of Michigan and essentially financed his own education. My appointment to West Point assured an education for me with no drain on household finances. Ed, remembering the help he received, financed Earl's education at the University of Washington. Milton, by writing for magazines, correcting English papers, and playing in a dance band, was able to pay his costs at Kansas State University. . . . This willingness of brothers to aid each other was one consequence of the guidance we received as youngsters."

Most of those trapped in our city slums lack the elements that were present in the Eisenhower success equation as well as the vital, family stability that provided the foundation for their success. However, the fact that these things are lacking does not mean they cannot be supplied. It does not mean that those in the private sector cannot do something, well beyond what the bureaucratic state has been able to accomplish, toward filling out this formula for improving the lot of our underprivileged groups.

As I see it, motivation is the indispensable first step.

Not long ago, a European newspaper correspondent, interviewing residents of a Chicago slum, asked one teen-age girl what she wanted to do when she grew up.

"To draw," she replied.

The newsman, pleasantly surprised to find artistic interests in such unlikely surroundings, pursued his inquiry: "What kind of pictures do you like to draw?"

"Not pictures," replied the girl. "Drawing welfare like mother does."

To break this mold of chronic dependency, private business must reach out imaginatively to the inexperienced teen-ager and the unemployed adult, and persuade them that it can offer a path to a better life. It must give them an incentive to leave the "security" of their isolated but familiar neighborhood for the gains that will follow upon fitting themselves into society at large.

This may mean setting up mobile employment offices within walking distance of disadvantaged areas. It may mean providing extensive counseling services to ease the difficulties of entering the working world. Whatever it means, business must be willing to make contact with members of minority groups and encourage them to acquire marketable skills.

This is the second step in "incentive welfare"—education and training. And it is inextricably linked up with the third—job opportunity. We have to look upon training and jobs as two aspects of the same problem.

The thing ghetto people want most is a job.

Mayor Lindsay found this in Harlem. Mayor Yorty found it in Watts. Mayor Cavanaugh found it in Detroit.

And there are jobs going begging today.

Of the 10,000 job openings listed each month by the New York State Labor Department, six out of ten go unfilled.

Across the nation, there are more than one million job openings—at the very time when almost three million people are unemployed.

This highlights our predicament: no skills for available jobs, and no jobs for available skills.

To qualify for existing jobs and those that will become available in the future, the unemployed need training. The answer does not lie with the nation's public schools although their improvement is greatly needed.

The answer, in my judgment, lies with business and industry.

This area of training is one where business is uniquely equipped to make an effective contribution. More than that, it is one where business cannot afford *not* to contribute. For beyond the social needs so obvious in today's atmosphere of tension are the economic imperatives of providing a continuous and growing supply of trained manpower and womanpower to meet the requirements of the future.

Business is already doing a great deal. In Philadelphia, some 600 companies are working with the Reverend Leon Sullivan's Opportunities Industrialization Center which, in the past three years, has trained more than 3,500 disadvantaged young men and women for responsible jobs. In St. Louis, the McDonnell Douglas Corporation has demonstrated that in just four months, people with no high school diploma or special skills can be prepared for work in a production system that demands high accuracy and precise workmanship. In our own bank, we have well over fifty separate training programs, including one for high school students from high "dropout" areas which provides part-time jobs as long as they continue their studies and then permanent employment if they make the grade.

Effective as these individual programs are, I believe that the ultimate promise of vocational training can be realized only from an overall approach. Groups of businessmen in New York and Chicago and Des Moines and elsewhere should combine their resources and take the initiative in citywide cooperative ventures in basic education.

In its initial stage, such a program would aim at bringing job applicants up to required levels of "employability" by improving their reading, spelling and calculating skills and their work habits.

In its next stage, this program would provide even more on-the-job training than is being done now so that all workers would have greater opportunity to advance to higher positions.

Finally, this program would include a continuing research effort to devise means of using more effectively in vocational training the programmed learning techniques, teaching machines and audio-visual aids that are being developed mainly for elementary and secondary schools.

Such a blueprint, responsibly and creatively carried out, would have the great advantage of linking the varied elements of vocational training in a planned program of growth.

Training is an essential part of any job-creation program, but it is futile if there are no jobs at the end of the line. And in each of the next ten years, we must find jobs for some 1½ million persons who will enter the labor force—an increase of 50 per cent in the rate over the past decade. How these jobs must be created is no secret. Under our free-opportunity system, jobs come into being because somebody sees an opportunity to earn a profit and is willing to make a capital investment. They are not free. They cost between $15,000 and $20,000 apiece in capital investment.

Our ability to provide more jobs in the years ahead will depend decisively on our capacity as a nation to form capital—both human and material capital. Any society can add to its stock of capital only through savings. Thus, to satisfy the mounting demand for jobs, we must provide adequate incentives to savers and see to it that the government does not drain off savings in the form of wasteful Federal spending and taxes so high they smother incentive.

The trends in this decade of the Sixties are illuminating. While the population of the United States has grown 10%, the Federal civilian bureaucracy has increased 25%, overall Federal spending 83%, and non-defense expenditures almost 100%.

Among these non-defense items are several that certainly don't strike the layman as essential. For example, I am thinking about the use of Federal grants to beautify Berkeley, California, with a municipal putting green; to landscape the city hall at Overland Park, Kansas; to construct a two-acre lagoon at El Centro, California. I am thinking about tax funds appropriated in the name of poor children in such high-income communities as Grosse Pointe, Michigan, and Beverly Hills, California.

As a banker, I'm very much concerned that unless we bring government expenditures under control through an intelligent ordering of national priorities, we face a continuing budget crisis with periodic tax increases and persistent inflation. We cannot solve our fiscal problems by preaching economy and practicing extravagance. Instead of trying to prod Congress into action on raising taxes and continuing heavy spending, the Administration should be proposing new formulas for reducing non-essential expenditures that will bring the budget—and the economy—under some semblance of control.

There are many areas where reductions and postponements could be made. Medical research, a recent investigation disclosed, is wasting a vast amount and as a result is an especially inviting target for a cutback. So is the space program with its expenditures of over $5 billion. So, too, is the broad range of government subsidies, both direct and indirect. At a time when the nation is so heavily committed abroad and at home, there is no conceivable justification for the kind of wasteful spending associated with the business-as-usual approach. Yet, all too often, this is what we get from our obsolete Welfare State, dedicated as it is to the proposition that the nation, particularly the cities, can be run from Washington if Congress will only authorize bigger and bigger appropriations.

Perhaps the disadvantaged of a half century ago were more fortunate than those of today. On our own Illinois farm, we did not have any bureaucrats telling us that the government was going to take care of all our needs. We realized that we had to make it pretty much on our own, so we did the best we could and things seemed to work out all right.

There is more than a casual connection, I suspect, between the lack of individual incentive characteristic of our present welfare approach and the tottering superstructure of our welfare system. The relationship underscores one of the fundamental questions of our time: Whether the individual will be able to maintain his identity and purpose in an age which, through rapid technological progress, has created awesomely large and impersonal institutions in all areas of society?

It is essential to our way of life that the individual not only survive but strengthen his control over his own destiny. Even as technology has seemed at times to overwhelm him, it is also offering opportunities for human progress eclipsing those of any other time. At the same time, it has raised the level of personal aspirations—and this is no less important.

For the strength of a nation is a compound of the aspirations, abilities, energies and character of its people. Any program of foreign or domestic economic aid, or rehabilitation, or stimulation or whatever one chooses to call it, that does not take this into account must be considered obsolete. It cannot help but prove more of a burden than a benefit to the people it is intended to serve.

That's why I suggest that the "incentive welfare" approach—concentrating on motivation, training and jobs—offers our best hope for helping people to realize their opportunities more vividly and to pursue them more consciously. Through this approach, I believe we *can* deal more effectively with the problems of our cities. For the sake of our nation, I am convinced that we *must* do so.

FEDERAL CRIME FIGHTERS JOIN PUSH FOR WIRETAP ACT

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks, I include a statement released on September 21, 1967, by the Republican task force on crime entitled "Federal Crime Fighters Join Push for Wiretap Act," and a statement of September 18 which was part of a release entitled "Take Wraps Off Organized Crime Data."

FEDERAL CRIME FIGHTERS JOIN PUSH FOR WIRETAP ACT

WASHINGTON, D.C.—An organization of over 1,000 Federal career employees, all active in law enforcement, today broke with the Johnson Administration on the question of court-authorized electronic surveillance. The group voiced support for legislation which would permit court-supervised wiretapping and bugging in the investigation of certain major crimes.

Rep. Richard H. Poff (R.-Va.), Chairman of the House Republican Task Force on Crime, today released the text of a statement by the Association of Federal Investigators on electronic surveillance. "It is enormously significant that this Association support legislation" which would give law enforcement a vital investigative tool under strict court control and that, at the same time, they "deplore the Attorney General's obstructionism towards federal investigations," Rep. Poff told his House colleagues.

"Until now the only federal spokesman on this issue has been Attorney General Clark," Poff explained. "But now, a group of more than 1,000 federal career employees active in law enforcement has spoken out in direct opposition to his view." Rep. John Erlenborn (R.–Ill.), a Crime Task Force member, later stated, "The statement of the federal investigators is plain, clear, and unequivocal. Evidently when the Attorney General speaks on this issue he speaks for himself and himself alone. To me, the federal investigators have utterly destroyed any basis for the Administration's position," he concluded.

John P. Diuguid, counsel to the Association, told Rep. Poff, "From the experience of the membership" electronic surveillance "devices are necessary, useful and effective investigative weapons particularly where organized crime cases are concerned." The Association's statement called the Republican-sponsored Electronic Surveillance Control Act of 1967 "a major step" in the war on organized crime.

In a related matter, Rep. Louis C. Wyman (R.–N.H.), also a Crime Task Force member, told the House that the National Association of State Attorneys General had also recently adopted a formal resolution supporting eavesdropping legislation conforming to Republican proposals. He urged the House to enact this legislation as a matter of priority and before the end of the current session.

"TAKE WRAPS OFF ORGANIZED CRIME DATA," GOP TASK FORCE TELLS JUSTICE DEPARTMENT

WASHINGTON, D.C.—The House Republican Task Force on Crime today called upon the Department of Justice to make available to the Congress in executive or closed session the "tape recordings, log entries and internal communications" resulting from electronic surveillance against organized crime between 1961 and 1965.

They noted that Attorney General Ramsey Clark has called organized crime a "tiny part of the entire crime picture" but that just about everybody else disagrees with him. "The time has come to resolve the conflict . . . to get all of the available evidence out in the open . . . to discharge the most fundamental of duties to the American public—that of informing them, one way or another but once and for all, as to just what organized crime is all about," the prepared statement continued.

The Task Force revealed that they had "become aware in recent months that during the period from 1961 to 1965 the Department of Justice conducted an intelligence gathering program of unparalleled proportions concerning organized crime" and that in it they utilized electronic eavesdropping devices. They charged that, in substantial part, the material for a recent series of articles in Life Magazine "spectacularly demonstrating" the menace of organized crime, "could not have been obtained other than by electronic surveillance."

The report continued: "From time to time the product of these devices—what was actually overheard from the very mouths of the hoodlums and racketeers themselves—has been made known to persons outside the Department of Justice for other purposes." "We see no reason why they would not similarly make this available to the Congress." "The people have an absolute right to know they are being told the truth about organized crime."

The Task Force proposed examination of these materials in closed session of Congress followed by a case-by-case report to the American people. There is no danger of invading anybody's rights by this, they pointed out, "neither the names of the innocent, nor for that matter, those of the guilty, need be published."

A Task Force spokesman also noted that inspection of these materials will doubtless serve to end another controversy—that concerning the effectiveness of electronic surveillance. "If these devices are useless, these materials will show it; if organized crime is a tiny problem, these materials will show it." "To us at any rate," the report concluded, "this seems like such a simple solution that we wonder why the Attorney General has not himself suggested it."

STATEMENT OF HOUSE REPUBLICAN TASK FORCE ON CRIME

The Republican Task Force on Crime urges that certain data concerning organized crime now in the custody of the Department of Justice be made available to the Congress in executive session.

In May of this year, Attorney General Ramsey Clark called organized crime a "tiny part of the entire crime picture." Not everyone agrees. His three immediate predecessors in office—Attorneys General Katzenbach, Kennedy and Rogers—have stated quite the contrary. Since the early 1950's Congressional committees of both Houses have studied, investigated and grappled with organized crime in all its forms. None have reported it a "tiny" problem. The President's own Crime Commission stated that "in many ways organized crime is the most sadistic kind of crime in America." And this Task Force has said that organized crime "poses a threat of the gravest dimensions to the whole fabric of American society."

The time has come to resolve the conflict. The time has come to get all of the available evidence out in the open. The time has come for someone to discharge the most fundamental of duties to the American public—that of informing them, one way or the other but once and for all, as to just what organized crime is all about.

We have become aware in recent months that during the period from 1961 to 1965 the Department of Justice conducted an intelligence gathering program of unparalleled proportions concerning organized crime. In it they utilized electronic eavesdropping devices. From time to time the product of these devices—what was actually overheard from the very mouths of the hoodlums and racketeers themselves—has been made known to persons outside the Department, usually for the purpose of determining whether the privacy of a particular organized crime defendant has been invaded.

Very little of what was overheard has been put into the public domain, however; yet from the little that has been made public, this Task Force has come to a view that the program was successful beyond the wildest imagination of those who conceived it. Life Magazine, for example, has recently concluded a series of articles which spectacularly demonstrates the menace of organized crime; the material for these, in substantial part, could not have been obtained other than by electronic surveillance.

It is a matter of record where some of the electronic coverage was. It is a matter of record that the tape recordings, log entries and internal communications concerning that coverage still exist. In the past this Task Force has proposed the creation of a bipartisan Joint Congressional Committee on Organized Crime. We here reiterate the proposal and call upon the Congress to act with great dispatch in this regard. We suggest, moreover, that the first act of the Joint Committee be to call for Justice Department materials concerning their electronic surveillance of organized crime.

Since there seems to be no reluctance on the part of the Department of Justice to making some of this information available to some people in order to insure fairness to a criminal defendant, we see no reason why they would not similarly make it available to the Congress in its law-making function in order to insure the same fairness to the law-abiding American people. The people have an absolute right to know they are being told the truth about organized crime.

We further propose that these materials be examined in executive session and that, thereafter, the Committee publish a case-by-case report of its findings to the whole Congress and to the American people. Neither the names of the innocent, nor for that matter, those of the guilty, need be published; thus, there would be no danger of invading anybody's rights.

Quite incidentally, inspection of these materials will doubtless serve to end another controversy—that concerning the effectiveness of lawful electronic surveillance. This Task Force is on the side of those who believe that under appropriate court supervision and sanction, it can be both fair and effective. We are quite willing to have our views subjected to scrutiny. If these devices are useless, these materials will show it; if organized crime is a tiny problem, these materials will show it. To us, at any rate, this seems like such a simple solution to all the controversy that we wonder why the Attorney General has not himself suggested it.

SPECIAL REPORT ON HOUSE ACTION ON THE AIR QUALITY ACT OF 1967

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REINECKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REINECKE. Mr. Speaker, this report is prompted by many questions received concerning California's recent victory in the passage of the Air Quality Act of 1967 by the Congress of the United States.

This was the situation on the floor of the House when the act was considered on November 2. The Congress had two alternatives. Members could—

First. Approve the bill as passed by the House Interstate and Foreign Commerce Committee which included the Dingell amendment. The Dingell amendment—introduced in the House by the gentleman from Michigan, Representative JOHN DINGELL, to replace the Murphy amendment, and prompted by Michigan's auto manufacturing industry—would have forced California to confine itself to the national standards of automotive exhaust pollutants as established by the Secretary of Health, Education, and Welfare, unless the Secretary allowed California to set more stringent standards after a special hearing. As I told my colleagues on the day of the debate:

> I do not think any appointed official should have the veto power over the health of the citizens of any state for reasons of political expediency. (CONGRESSIONAL RECORD, vol. 113, pt. 23, p. 30956.)

Second. Approve the Murphy amendment—added to the Senate-passed measure by California Senator GEORGE MURPHY—which would permit California to exceed the nationwide air standards as outlined by the Federal Government and to enforce these more stringent standards. The Murphy amendment makes lots of sense to the Californians who live in smog; who know that our problem, as a State, must demand stricter controls than are needed in less-polluted areas.

Several weeks before the bill was to be debated on the floor, a meeting of all California Members was called to discuss the problem with Mr. Eric Grant—Governor Reagan's director of motor vehicle pollution control board—and Mr. Louis Fuller—chief of the Los Angeles County Air Pollution Control Board. Our support for the Murphy amendment was unanimous. At that meeting, I volunteered to lead the effort for the Republicans, and Representative LIONEL VAN DEERLIN, of San Diego, pledged his efforts to secure the support of California's Democrats.

The next step was to amass and digest all pertinent data. This included scanning the 900 pages of hearings in addition to hundreds of pages of other information.

One very significant report—which negated a principal argument of the Dingell proponents—was gained through the help of Assemblyman Newton R. Russell—Republican, 62d AD—who provided copies of the hearings before the California Assembly committee wherein representatives of auto manufacturers admitted in two instances that they could—and were willing to—live with a separate standard for California, and that the language of the Dingell amendment had been supplied by Mr. Mann, of the Manufacturers Association.

Another significant letter was that which I obtained from the Automobile Manufacturers Association here in Washington, D.C. Proponents of the Dingell amendment argued that should special safeguards be mandatory for any new car sold in California, it would destroy the whole concept of mass production. I felt this was a defeatable argument, so I questioned the AMA to determine all the various options available in automobiles today.

The reply, which became an important document in our quest for votes in California's favor, provided absolutely conclusive evidence that there is actually in excess of a full year's production of available purchase options without making two cars alike. Parts are manufactured in mass production, but assembly is on a custom basis for wide sales appeal.

The third significant argument of the proponents was that the Secretary of Health, Education, and Welfare admitted California's special problem and admitted that special treatment would probably be necessary. It seemed inconceivable that the Secretary would decide against California, but to be sure, I wrote a letter to the Secretary, asking:

> In view of the vast research and longstanding technical efforts in California on the problem of automobile exhaust emission, can you at this time give me your assurance that without further hearings, California will qualify to establish standards more stringent than those which will be set by your office for the nation as a whole?

After no response for a week, I phoned the Secretary. His office assured me that the reply would be received in time. No reply the next day, so I phoned again. My call was returned by one of the assistants to the Secretary. He attempted to assure me in glowing terms that the Secretary would decide in favor of California, but I insisted on the answer in writing. He assured me that I would have it. The reply had not been received as we were called to the floor of the House to debate the bill.

A fourth significant piece of evidence for "our side" resulted from a similar letter which I addressed to the Secretary of Commerce, Mr. Trowbridge.

The Secretary's reply said in part:

> National diversity in this critical area demands that state and local governments be allowed to maintain control over policies which may be needed to assure a habitable environment.

Here was an example of one Federal agency—familiar with air pollution problems—fully agreeing with California.

To acquire the necessary votes, the strategy adopted was to ask each California Congressman to personally contact the members of his own party on his own committees.

The gentleman from California [Mr. Van Deerlin] and I made several short speeches in the House to alert the Members and to arouse interest in our position.

A significant publicity operation was that of the delivery of more than 300,000 letters by radio station KLAC to the entire California delegation. A great deal of news coverage was generated and a large measure of gratitude is due to the Metromedia station KLAC. Numerous meetings were held with the California delegation leaders resulting in several letters which were sent to every Member of the House.

Several times, I had the opportunity to explain California's needs before the cameras of NBC, Mutual, and Metromedia.

Wording of the amendment to be offered by the gentleman from California [Mr. Moss], a member of the House Interstate and Foreign Commerce Committee, became a most important part of our strategy. In my contact with Representative William Springer, of Illinois, the senior Republican on the committee, he advised me that although he was not in favor of our California amendment, he would not speak against it if only California were involved, but if the amendment opened up the bill to other States, he would actively oppose us. The gentleman from Illinois [Mr. Springer] is highly respected and I felt we could not risk his opposition. At my request, the language of the California amendment was made identical to the Senate language first, to satisfy the gentleman from Illinois [Mr. Springer], and second, to prevent any further tampering with the bill when it went to the House-Senate conference—two extremely important points.

A few days before the bill came up for debate, the House Rules Committee held hearings, and thanks to a strong plea from Congressmen Smith and Sisk, of California, we were assured that we could offer our amendment on the floor and that we would be allowed 2 hours of debate.

During the week of the debate, the manufacturers were lobbying furiously, and the entire California delegation was making all possible personal contacts. California's congressional delegation faced a test in salesmanship that would be watched by the entire Nation. Results of our leadership and our predebate personal salesmanship would soon be determined.

Things went as expected when the gentleman from California [Mr. Moss] offered the California amendment until the gentleman from New Jersey [Mr. Joelson] offered a further amendment which would have opened the bill to other States. The gentleman from Illinois [Mr. Springer] immediately got into the debate and argued against all amendments, including California. Fortunately, the New Jersey amendment was narrowly defeated, and the vote came to the California amendment.

California won 152 to 58, a wide margin.

One final act of this story took place after all debate had closed. The Secretary of Health, Education, and Welfare delivered, by messenger, the answer to my letter mentioned earlier. The reply was unfavorable to California and yet the Secretary actually withheld the reply from me while delivering a carbon copy to our opposition early in the day. The Secretary obviously knew that if I had the letter in my possession in time to make the point in debate, the result would have been a larger vote for California. This is a prime example of compromising the health of the people of California for the sake of bureaucratic expediency. Since that time, I have written the Secretary asking for an explanation of this unbelievable action, but have received no response at this printing.

My sincere appreciation goes to all members of the California delegation who worked very hard and cooperated 100 percent with the leadership—Congressmen Lipscomb, Holifield, as well as Van Deerlin and myself.

As passed by the Congress, the Air Quality Act of 1967 firmly allows our State to go above and beyond the national level of air pollution control standards. The State, our country, and the cities in my district have my pledge that I will continue to do anything I can to aid in helping California—and Los Angeles in particular—to rid our skies of smog.

ASSEMBLY OF CAPTIVE NATIONS RECOGNIZES 50 YEARS OF COMMUNIST IMPERIALISM—II

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, in the Congressional Record, volume 113, part 23, page 31473, I detailed part of the proceedings at the Assembly of Captive Nations in New York City on Saturday, November 4, acknowledging the 50th anniversary of Communist imperialism.

To complete the record, attached is the analysis by the Assembly of Captive European Nations press, as well as the speeches of the various participants and the covering letters from Feliks Gadomski, the acting secretary general of the Assembly of Captive European Nations.

The material referred to follows:

Assembly of Captive European Nations,
New York, N.Y., November 6, 1967.

Hon. Theodore R. Kupferman,
House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: The ACEN truly appreciated your appearance at our special meetings to protest 50 years of Communist aggression. We realize that you have a busy schedule and are, therefore, grateful that you found time to be with us. Please find enclosed here with a copy of our news release on the meeting for your information.

By paying tribute to the victims of communism you help inspire the captive peoples of East-Central Europe not to lose hope in one day regaining personal freedoms and national independence.

With best regards, I remain,
Sincerely yours,
Feliks Gadomski,
Acting Secretary General.

[From ACEN Press, Nov. 4, 1967]

Representative Kupferman Scores Communist Rule

Congressman *Theodore R. Kupferman* (R.-N.Y.) today charged that the Soviet Union used doubletalk to cover her failures in competing with the democracies. Rep. *Kupferman* was the featured speaker at a special plenary session of the Assembly of Captive European Nations (ACEN), convened on the eve of the 50th anniversary of the Bolshevik Revolution to protest Communist imperialism in Eastern Europe.

Addressing a capacity audience at the Carnegie Endowment International Center in New York, the Congressman said:

"I will continue to make my voice felt to help put an end to Soviet imperialism."

Other distinguished speakers at the meeting included *Christopher Emmet*, Chairman of the American Friends of the Captive Nations; *Francis Wazeter*, President of the Polish American Congress, New York Division; *Ferenc Nagy*, former Prime Minister of Hungary; and *Vaclovas Sidzikauskas*, Chairman of the Committee for a Free Lithuania.

George M. Dimitrov, Chairman of ACEN, which consists of exiled leaders from Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, opened the meeting with brief introductory remarks.

Dr. *Dimitrov* said, in part: ". . . We must use this occasion to renew our appeal to the free world to acknowledge the fundamental right to national self-determination of our peoples and to aid them in their quest for its restoration."

Mr. Emmet, who has long been active in the struggle for freedom, refuted the myth that the "welcome changes in Eastern Europe" were so fundamental and far-reaching that there were no more captive nations in the area.

He also said: Europe, including Eastern Europe, is still the main theater of the East-West confrontation, and . . . the victory or defeat of freedom will ultimately be decided there . . . "

Former Hungarian Prime Minister Nagy brought into sharp focus the extent of the forces and circumstances that had played a key role in bringing the USSR to its present international status.

Mr. Nagy asserted that "one must take advantage of the political as well as the economic difficulties of communism."

"The prevailing dissatisfaction among the peoples of East-Central Europe must also be exploited, along with the increasing intellectual unrest in the Communist world," he said.

Mr. Wazeter, an American of Polish descent, stressed that the peoples of East-Central Europe had long been steeped in democratic traditions, but that these traditions and the people's aspirations had been thwarted by the Communist regimes.

"Life in America," he said, "is so good that few people today take an interest in the outside world . . . The example of Eastern Europe should be a reminder to us to be on the alert."

Mr. Sidzikauskas, who followed Mr. Wazeter to the rostrum, analyzed the situation on behalf of the Baltic States.

He said:

"The problem of the Baltic States is an international problem. The restoration of their independence is one of the main elements of the all-European settlement, which is—as U.S. President Lyndon B. Johnson stated in his October 7, 1966 address—to "make Europe whole again."

Prof. Vratislav Busek, President of the Federation of Former Political Prisoners, also delivered a short address, pointing out that concentration camps in the USSR were still in existence today.

At the conclusion of the addresses, Josef Lettrich of Czechoslovakia introduced an ACEN declaration, which the plenary session adopted unanimously.

The Declaration's operative part said:

"1. The Assembly asks for the restoration of freedom and independence to Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, as a prerequisite for establishing a durable peace in Europe.

2. This can be only achieved by:

(a) Putting an end to interference by the Soviet Union in the internal and external affairs of the East-Central European countries;

(b) Withdrawing Soviet troops and bases and agents from the territories of the captive nations;

(c) Re-establishing democratic institutions through free elections of governments responsive to the will of the people."

The meeting, which had opened with an Invocation delivered by Msgr. John Balkunas, President of the Conference of Americans of Central and Eastern European Descent, was attended by a number of distinguished guests. Among the special messages, letters, and cables received were those from the Minority Leader of the U.S. Senate, Everett McKinley Dirksen (R.-Ill.); Sen. Peter H. Dominick (R.-Colo.); Sen. Charles H. Percy (R.-Ill.); House Minority Leader Gerald R. Ford (R.-Mich.); Rep. Frances P. Bolton (R.-O.); Rep. John H. Buchanan (R.-Ala.); Rep. John D. Dingell (D.-Mich.); Rep. Michael A. Feighan (D.-O.); Rep. Samuel N. Friedel (D.-Md.); Rep. Frank Horton (R.-N.Y.); Rep. Edna F. Kelly (D.-N.Y.); Rep. John O. Marsh, Jr. (D.-Va.); Rep. Thomas G. Morris (D.-N. Mex.); Rep. Ed Reinecke (R.-Calif.); and Rep. Henry C. Schadeberg (R.-Wisc.).

COMMITTEE FOR A FREE LITHUANIA,
New York, N.Y., November 13, 1967.

Hon. TED KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR MR. KUPFERMAN: I thank you very much for having put in the Congressional Record the recent deliberations of the Assembly of Captive European Nations, including my address, and for your thoughtfulness in sending me the pertinent excerpt. By doing this you have rendered a great service to the cause of captive nations of East-Central Europe.

With warmest regards,
Sincerely yours,
V. SIDZIKAUSKAS,
Chairman.

ASSEMBLY OF CAPTIVE EUROPEAN NATIONS,
New York, N.Y., November 8, 1967.

Hon. THEODORE R. KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: The ACEN is grateful to you for coming to our meeting at November 4th, in spite of a busy schedule and many commitments. Your keen and penetrating analysis of the record of communism contributed to the success of our special meeting to protest 50 years of communism. Your timely and frank remarks were truly appreciated by the participants. We are truly honored to number you among our friends.

On behalf of the ACEN and myself I would like to thank you for demonstrating once again your support for our cause.

With warm regards, I remain,
Sincerely yours,
GEORGE M. DIMITROV,
Chairman.

ASSEMBLY OF CAPTIVE EUROPEAN NATIONS,
New York, N.Y., November 22, 1967.

Hon. THEODORE R. KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: Thank you so much for your kind letter of November 9. We were delighted to see the addresses and the Declaration on the 50th Anniversary of the Bolshevik Revolution inserted by you in the *Congressional Record* of November 7, 1967, and we are most grateful for the support you are so effectively showing to the cause of the captive European nations.

The reason for my delay in acknowledging your letter is that I was waiting for the speeches of Messrs. Wazeter, Emmet and Nagy which you so very kindly promised to place in the Congressional Record as well. I am enclosing the speeches herewith. As you will notice Mr. Wazeter's speech is included in the press release of the Radio Free Europe which had broadcast the proceedings of the ACEN meeting in various languages to the countries behind the Iron Curtain.

Your generous gesture of coming to our meeting and delivering your most interesting address was very much appreciated by our members and we feel deeply indebted to you. I am taking this opportunity to enclose herewith your pictures taken at the meeting as a momento of this event.

With renewed thanks and kindest regards, I am,
Sincerely yours,
FELIKS GADOMSKI,
Acting Secretary General.

SPEECH OF FRANCIS WAZETER AS REPORTED BY RADIO FREE EUROPE

Francis Wazeter, a New York corporation lawyer of Polish ancestry who is president of the New York division of the Polish American Congress, told the meeting that while "less than one percent of the holders of good jobs in the Soviet or satellite regimes—those who have good apartments, cars, country places, and don't have to queue"—are celebrating the Soviet 50th anniversary," people in the Soviet empire and in the satellites who have to work two jobs to make half of one living . . . live in crowded quarters, wait in long lines, can't criticize the government in loud tones . . . realize they have nothing to celebrate.

"They can't openly gather and say we disagree," Wazeter added.

"For every alleged step the Soviets have taken forward," he continued, "we in the free world have taken 1,000 steps forward". During the last 50 years in the Soviet Union he said, they have found "new ways of murdering people . . . starving them as in the Ukraine, suppressing free speech . . . (hampering and sometimes crushing) churches, Protestant and Catholic, in all nations.

"Bishops have been murdered and Cardinals imprisoned," Wazeter continued. They turned a Lithuanian church into a museum of atheism, he said and "we have seen denunciations of great artists because the tenets of art don't conform with communism." The free world has learned from "the alleged progress of Soviet Russian that we can't trust them," Wazeter asserted. "Whenever they make a treaty they will never keep it if it is more practical to break it. They will subjugate any people, take over any country they can."

"We have seen 100 million people suffering since 1945," Wazeter declared. "They have been deprived of their natural rights given them by God—the right of self determination, the right to possession of their rightful frontier, and the right to become part of the free world."

"However," he concluded "we may be sure that the Soviet empire will meet the (same) fate of the Hitler empire that looked invincible in 1941," and ended four years later with Hitler dying "ignominiously."

ADDRESS BY FERENC NAGY, FORMER PRIME MINISTER OF HUNGARY, DELIVERED ON THE OCCASION OF THE SPECIAL MEETING OF THE ACEN TO PROTEST 50 YEARS OF COMMUNISM, ON NOVEMBER 4, 1967, IN NEW YORK CITY

Today's plenary session of the Assembly of Captive European Nations was convened to assess and evaluate the accomplishments, the shortcomings and the conditions of communism during the past 50 years. Many people in the political, diplomatic and scientific circles of the free world are also studying this subject. Experts examine all aspects of the historical events which have taken place during the past fifty years and will establish their findings on the basis of their national, political or ideological concepts. Therefore, it is just natural if we, East Central European exiles, look back on the 50 years of communism through the fate of our peoples. We, as the representatives of nations which have suffered historic injustice not only have this right but the duty, also, since the fate of our nations is directly connected with the status and the present international standing of the Soviet Union.

Studies dealing with the foreign policy advancement of the Soviet Union differ from one another only in the details, but almost all agree on one question. They agree that the successes or failures of Soviet actions are attributable almost completely to the clever and forcible foreign policy of the Soviet Union or its mistakes and weakness. Too few people note that in the international political field various forces face one another and the standpoints and actions taken by the opposing side can help or hinder the aspirations of the other. Experts relate how it was possible that a backward nation encumbered by a devastating civil war could become a world power in the span of 50 years.

They describe how a formerly insignificant but aggressive small group could expand the territory of the Soviet Union by 250,000 square miles; how its power spread to engulf all of East-Central Europe and how the Soviet Union became the second largest military power of the world. This is related as if this were due solely to Soviet will and ability and as if she had not been faced with other great powers who contributed to Soviet achievements with their weakness in part was diplomacy. Similarly, when the experts establish that Soviet foreign policy could not achieve successes particularly in those areas where communism—because of its revolutionary nature could have expected more results—in the underdeveloped nations—they consider this failure the outcome of lack of will or weakness of Soviet diplomacy, not as the result of resistance on part of the West, primarily that of the United States. Thus, if we try to account for the accomplishments and the failures of communism in foreign policy during the past 50 years we must establish not only how clever this Soviet diplomacy has been, but how and to what degree the lack of experience of the western great powers, their diplomatic weakness and naive faith contributed to the conquests of the Soviet Union, and to what degree resistance of the western powers checked Soviet aims since the beginning of the cold war. In history from time immemorial few statesmen or military leaders believed in peaceful coexistence of the great powers. For this reason from back in ancient times a rule was created stating: "I cannot permit even a friendly nation to be as strong as to endanger my position." This principle could not always be realized by certain great powers but the one which neglected to enforce it always came to grief.

The Soviet Union began to play its role as a great power in 1939 with the conclusions in the Ribbentrop-Molotov Pact. This pact and Soviet foreign policy which followed made it clear that the Soviet Union was led by ambitions to acquire new territory, to extend her political influence over European as well as Asian countries. When the war between Germany and the Soviet Union was raging on Soviet soil, would it not have been possible for the western powers to make it clear to the Soviet Union before the alliance was established that a victory could not be utilized by either power for territorial gains or to expand its influence over other countries? What would have happened to the Soviet Union if Britain had concentrated only on defending her own territory and America would have similarly concentrated her efforts only to the war against Japan during the years of the German-Soviet war without aiding the Soviet Union by many ways?

The Soviet Union won the war with the military and economic aid of the West. Following the war the West permitted the Soviet Union to make demands and create jet bombers as if it had been Soviet aid which saved the West.

The Soviet Union became a world power through its conquest of East-Central Europe. When the West yielded Poland—in whose defense Western Europe entered the war—the fate of East-Central Europe was decided. The Baltic nations after twenty years of wonderful progressive and independent existence became republics in the Soviet Union, deprived even from the appearance of independent statehood while the other nations became unfortunate colonies. By 1955 the Soviet Union already ruling more than a dozen countries carried on a destructive crisis-creating policy in the United Nations.

Neither objective diplomats nor historians can deny that neglecting to protect the independence of the East-Central European nations was instrumental in encouraging the Soviet Union to expand its conquests to Asia and other continents. This is the manner in which the Soviet Union became a world power which now can influence international politics and create crises all over the world. It was not the superiority of Soviet diplomacy which was the main factor in achieving successes, but also the amateurish credulity and unpreparedness of Western diplomacy that contributed to the fact that world public opinion considers Soviet foreign policy successful now—fifty years after the Bolshevik counterrevolution and 22 years after the end of the second world war.

It was not only the Ribbentrop-Molotov pact which warned about Soviet plans for conquest. 115 years ago, a great Hungarian exile, Louis Kossuth, predicted in several speeches made in the United States that if Russian conquests are expanded the United States will finally be faced with the Russian threat.

At the beginning of the century, McKinder, the father of geopolitics stated that: "who rules East Europe commands the heartland; who rules the heartland commands the world island."

One must recognize the fact that western diplomacy learned a lesson from the Central-Eastern European tragedy. The Marshall Plan, The Truman Doctrine and the policy of containment effectively checked further communist expansion.

These foreign policy decisions were instrumental in saving Iran, Greece, Turkey, South Korea and Berlin, but they came too late to save Central-Eastern Europe.

Soviet diplomacy was neither better nor worse after 1947 than it had been before. It was American diplomacy which became more decisive and therefore more effective. This strengthening of American diplomacy and its increases indicated that the Soviet Union respects only strength and decisiveness.

Soviet conquests and a general communist expansion could have been ended only by demonstrating power.

Many aspects of the war in Viet Nam are presently being debated by American public opinion, but little is said about its most important aspect. And this is the fact that since the war has been fought in Viet Nam there has been no communist expansion not only in Southeast Asia but nowhere else in the world. On the contrary. The second strongest communist party in Asia, that in Indonesia is "out of business". Not one of the African nations became communist. Cambodia and Singapore are turning more and more toward the West. The policy of strength is understood equally well by Moscow and Peking. It was this strong American policy which prevented the Soviet Union from adding new gains to those of the past 50 years.

There is no doubt that the Soviet Union is making plans for another 50 years in this Jubilee year. But Soviet plans can not be the only ones which are made for the future in the field of international politics. The western world must also make its own plans. These plans must deal not only with the problem of preventing further communist expansion but should also plan how to remedy the injustices of the past 50 years.

If we take into consideration that the conquest of Central-Eastern Europe is the greatest success of the past 50 years of communism; if we do not forget that the cold war was a consequence of this conquest, then it must be realized that the policy of the West toward Central-Eastern Europe must be a positive one. The end of the cold war and a peace based on justice must be sought in Central-Eastern Europe.

The Moscow celebrations are not without shadows.

One must take advantage of the political as well as economic difficulties of communism. The prevailing dissatisfaction among the peoples of Central-Eastern Europe must also be exploited along with the increasing intellectual unrest in the communist world. It is not only the peoples of Central-Eastern Europe who stand in need of a postive western policy but entire mankind, also, which is yearning for peace and justice.

ACEN Speech by Christopher Emmet

It is always an honor to speak to members of this Assembly because of the convictions I share with you, and because of your authority to speak for those convictions as the only free representatives of the Captive peoples.

Ever since the formation of the Assembly in 1953, you have filled a vital role, but never has your work been so lonely, or so necessary, as in the last few years. You have been lonely because two myths became more and more widely accepted in the free world.

The first myth is that the welcome changes in Eastern Europe are so fundamental and far-reaching there are no Captive Nations anymore.

The second myth is that there is a growing detente between the United States and the Soviet Union, *partly* as a result of changes in the Soviet Union, but *mostly* as a result of the split between Moscow and Peking.

In regards to this detente illusion the fiftieth anniversary of the Bolshevik Revolution offers a unique opportunity to put the past and present policies of the Soviet Union in perspective; and to remind the world that while Communism is no longer monolithic, the main center is still in Moscow and its basic foreign policies remain unchanged. This means that Europe, including Eastern Europe, is still the main theater of the East-West confrontation, and that the victory or defeat of freedom will ultimately be decided there, even though the confrontation is on a global scale.

It is the long-arm of Moscow, not of Peking, which creates this global confrontation. It links the war in Vietnam, the crisis in the Near East, and the guerrilla war in Latin America with the continued Communist division of half of Europe.

The wild excesses of the Red Guards in China, the terrible costs of the Vietnam war, and the hope that the Soviet Union will help the United States to end that war have all served to encourage the detente illusion.

But there have been four new developments which will serve to undermine both myths I mentioned—the detente illusion and the belief that there are no longer any Captive Nations.

The first development is the exposure by the Arab-Israel war, and its aftermath, of the growing Soviet control of the Arab world, with its vital strategic importance and invaluable oil resources for Europe. Without the vast Soviet arms shipments and encouragement of the most militant Arab nations, the conquest of Israel would never have seemed possible to the Arabs. Hence the Soviets are mainly responsible for the war, and they have successfully exploited the increased Arab hatred of Israel resulting from the defeat to gain even greater control, because the weakness of defeat has made the Arabs even more dependent.

The second development is the Soviet policy of greatly increased military aid to Vietnam, and firmer demands for a total American retreat. This makes a mockery of the widespread belief that the Soviets have had a common interest with the U.S. in ending the Vietnam War, and are only restrained by the wicked Chinese.

I quote from an editorial in the October 7 issue of the *Economist*, probably the most widely respected weekly magazine in the world:

"The Russians, whose aid to North Vietnam was recently estimated by the Americans to be running at the level of a billion dollars a year, have now agreed to send a great deal more: maybe twice as much. It has been argued by this paper among others, that North Vietnam's growing dependence on Russian supplies ought to increase Russia's leverage in Hanoi. So it ought: but there is no evidence that the lever is being pulled."

* * * * *

"The Russians, while gaining from the West's willingness to abide by the dividing line in Europe, are increasing their support for an armed assault on the dividing line in Asia."

The third startling new development is the launching of the Soviet anti-ballistics missile program, and their refusal even to negotiate with the United States to prevent this new arms race, or to limit the arms race in the Near East.

The fourth new development has been the new Eastern policy of the West German coalition government which began in December a year ago. As the *Economist* says in the same significant article:

"Herr Kiesinger's letter to the East German prime minister, with its offer of a high-level official to talk over the problems of partition, shows how far the West Germans have moved towards accepting the division of their country."

The German government has offered high level direct negotiations with the Ulbricht regime, has abandoned the Hallstein Doctrine, which forbade German diplomatic relations with countries recognizing that regime, and has sought diplomatic relations with *all* the Communist governments of Eastern Europe. It has granted government guaranteed credits for trade with those Communist countries, besides building factories and delivering highly sophisticated machines, etc. It even abandoned the escape clause which formerly permitted West Germany to suspend trade agreements with East Germany, *if* there is a new threat to Berlin!

While offering all these concessions to the East European Communist governments, Bonn made every effort also to conciliate the Soviet Union itself. It accepted and proclaimed the Doctrine that the reunification of Germany depends on the goodwill of the Soviet Union and that a relaxation of tensions on the basis of the status quo must *precede* reunification—abandoning its previous stand that no meaningful relaxation of tensions is possible as long as Germany and Europe remain forcibly divided!

What was the response of the Soviet and satellite governments to these concessions? With the exception of Rumania, the response was increased vilification of the "militarists and revanchists" in Bonn, and a demand for new conditions before they would accept diplomatic relations. They established a Hallstein Doctrine *in reverse*, stating that West Germany must recognize the independence of the Ulbricht regime before diplomatic relations could be resumed.

Why should the Soviets and their Communist allies fail to encourage such German concessions, which tend to strengthen the status quo in East Germany and in Eastern Europe? Does this not indicate continued Soviet hopes of expanding their influence into Western Europe, if NATO weakens further and U.S. troops are withdrawn.

If the present Soviet leaders really wanted peaceful coexistence on the basis of the status quo, why did they not only refuse these German offers but refuse to support U.S. offers to leave and neutralize South Vietnam, if only the people there are guaranteed the right to decide their own fate? Why should they spend billions to gain control of the Arabs and their oil, when they have more oil than they need themselves—unless they want the power to pressure or blackmail European nations, like Britain, which depend on that oil? As well as gain a foothold, for the first time, in the Mediterranean?

The Communist reaction not only confirms the continued aggressive aims of the U.S.S.R. but its continued domination of the Communist governments of Eastern Europe, with the partial exception of Rumania. The solidarity of the satellite governments with the Soviets Communists in the Arab-Israel War as well as on Vietnam is further confirmation.

Few of the facts and conclusions I have just recited may be new to *you*. But the encouraging thought I want to leave with you is that these facts about Soviet policy, and the obviously expansionist *pattern* which they reveal, are becoming more obvious to others, also, and harder even for wishful thinkers to evade. When a magazine of the international standing and liberal orientation, of the *Economist* openly draws some of these conclusions, a new event has occurred.

However, I have held the most sensational *Economist* bombshell for the end.

In concluding that article, it says something I have not read, or heard except in the circles of the Assembly, for many years. The Economist points out that the Soviets still have an Achilles heel in Eastern Europe, and that the free world still has an unused bargaining power exploit that weakness, if the Soviets persist in refusing to reciprocate western concessions.

I quote: "If political forces were allowed to take effect in anything like a normal way, the government of East Germany would not last a minute, and one or two other East European governments might not last much longer. This is the place where the advantage is with the West. There are many ways in which this advantage can be used without resorting to arms."

In conclusion, let me remind you that this tragic fiftieth anniversary of the Bolshevik Revolution has been commemorated in a book which is worthy of that tremendous subject—"Workers Paradise Lost" by Eugene Lyons, a great authority on the Soviet Union and a great friend of the Captive peoples, including the Russian people. The truth the book reveals, often by quotes from official Soviet government statistics and from the mouths of Bolshevik leaders themselves, shows that the propaganda of the Communists has been their only great success; and that even most anti-Communists in the world today still believe some of the myths created by that propaganda.

ALBANIAN INDEPENDENCE

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today is the 55th anniversary of the acquisition of autonomy by the people of Albania with the proclamation of their independence from Turkish domination.

The Albanians were developing a steadily progressing state in the period between World Wars I and II, but fell to the Fascist forces of Mussolini in April 1939. In the period brought to a close by World War II, Communist forces seized control and in a series of unprecedented terrorist assaults, wiped out legitimate leaders of the Albanian people and thus converted Albania into a Communist state.

To compound the problems of the Albanian people, the Communist government of this small country has plunged into the center of the Russian-Chinese Communist debate as a pro-Peking force, thus isolating itself from its Communist neighbors, imposing hardships on the Albanian people.

We must keep in mind, Mr. Speaker, that Albania has a long and proud history, dating back to the pre-Roman times and they have survived numerous foreign invasions and have maintained their spirit of independence.

Unfortunately, because of its size and its policy of deliberate isolation, Albania is all but forgotten in present day political discussions and its people, therefore, are locked into a Communist dictatorship with scant attention payed to them. Therefore, Mr. Speaker, my purpose in calling this historic day to the attention of the House is to remind the Members of the legitimate aspirations of the people of Albania who suffer under a cruel Communist regime and struggle to maintain their identity and faith in the eventual restoration of freedom to their long-suffering land.

PENNSYLVANIA COUNCIL, JEWISH NATIONAL FUND, CALLS FOR U.S. SUPPORT OF ISRAEL

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, the newly formed Pennsylvania Council of the Jewish National Fund held its inaugural meeting in Harrisburg on Sunday, November 19. Composed of outstanding Jewish leaders from more than 20 communities in all parts of the Commonwealth of Pennsylvania, this council has been formed to accomplish two extremely worthwhile aims.

One of these aims is to arouse widespread public support for the State of Israel as the Jewish homeland faces a renewed struggle for its very survival.

The other aim is to continue and strengthen the important work the Jewish National Fund has done in the Holy Land since 1902. The Jewish National Fund has planted more than 100 million trees on formerly barren, rocky slopes in Israel. It has drained swamplands, built roads, and reclaimed unproductive soil for agricultural development. By doing so the Jewish National Fund has contributed mightily to Israel's domestic progress and well-being. It has pioneered in a program of land reclamation and forestation that should become a model to other nations of the Middle East.

Mr. Speaker, the Pennsylvania Council of the Jewish National Fund has honored the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. Morgan], and myself by appointing us honorary chairmen of the council.

In that capacity, we serve with the Honorable Raymond P. Shafer, Governor of the Commonwealth of Pennsylvania; the Honorable George M. Leader, former Governor of the Commonwealth, and the Honorable Henry Ellenbogen, of Pittsburgh, president judge of the court of common pleas of Allegheny County.

It was my privilege to meet with the new council members November 19 in Harrisburg and to address the group on the role that Members of Congress are playing to insure the future security of the State of Israel in today's troubled Middle East.

The council at that meeting took its first official action, adopting a resolution which calls on the President to declare this Nation's determination that Israel shall be able to live in security and peace with her neighbors.

The text of the resolution follows:

Resolution of Pennsylvania Council, Jewish National Fund

Whereas the Jewish People and the Sovereign nations of the world have for a half century accepted the promise of Jewish Statehood set forth in the Balfour Declaration, and

Whereas in fulfillment of the promise therein set forth, the Jewish People did declare the State of Israel in being as of May 14, 1948, and

Whereas in less than two decades the people of Israel have had to do battle in defense of their homeland against an enemy bent upon their total destruction, and

Whereas men of good will in the nations of the world do recognize the inherent right of a people to live in peace with their neighbors without fear of assault, and

Whereas the American people and the Government of the United States of America have recognized the right of the Jewish People to live in peace in their homeland.

Now, therefore, be it resolved that we, the members of the Pennsylvania Council of the Jewish National Fund in executive session assembled in Harrisburg on November 19, 1967, as representatives of the Jewish Communities of the Commonwealth of Pennsylvania do hereby severally and individually call upon the President of the United States to declare in forthright terms the determination of the American Government and its people that the people of Israel shall, with their help, henceforth and forever more be secure within their borders and live in peace.

Be it further resolved that copies of this resolution be sent to members of Congress of the United States from Pennsylvania and State legislative and political leaders, and

Be it further resolved that this resolution be adopted.

Adopted November 19, 1967.

Lewis A. Trotzky,
Chairman, Wilkes-Barre.
Reuben H. Miller,
Chairman, Resolutions Committee, Harrisburg.

NEW YORK TIMES URGES RESPONSIBLE FISCAL POLICY

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Wyman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WYMAN. Mr. Speaker, the New York Times, issue of Sunday, November 26, points out in a masthead editorial the need for seeing to it that excessive amounts of dollars do not get into the hands of foreigners. It stresses that the British failed to take this fundamental precaution—with respect to pounds—and that U.S. policy must insist on it if it is to protect the dollar against a fate similar to that of the pound.

Putting first things first, it is absolutely essential that a schedule of priorities in Federal spending be established in which, at least until the Vietnam war is ended, all nonessential Government spending is eliminated. Additional controls over foreign investment are needed too, for it would be immeasurably harmful to every citizen of the United States if the dollar were to be sacrificed to a continuing lack of fiscal restraint on the part of the Great Society.

We cannot have guns and butter and jam. While the definition of "jam" may be arguable, the urgency of the funding of guns to support American lives abroad is undeniable. This alone causes vast injections of American dollars overseas and while this is going on reasonable restraints on American tourist expenditures are advisable.

I commend the Times editorial to the reading of all Members of Congress:

The Defense of the Dollar

The gold rush that has developed since sterling's devaluation represents a dangerous new challenge to the dollar and to the existing monetary system that is based on cooperation between the United States and other industrial powers.

Heightened demand for gold was to be expected in the wake of devaluation in Britain. But it has assumed feverish proportions with the news that France was unwilling to come to sterling's rescue and had opted out of the gold pool that was designed to share the costs of moderating speculative fever. Now that the pound has fallen, the speculators are declaring that the dollar is next.

However, the fall of the pound and the weakness of the dollar cannot be blamed entirely on French skepticism or on the actions of the gnomes of Zurich or on weaknesses in international cooperation, although all these factors have played an important part. It is Washington and London that have the chief responsibility for maintaining confidence in the two key currencies by seeing to it that there are not excessive amounts of dollars and pound in the hands of foreigners.

The British failed to take this fundamental precaution. They had bought more abroad than they sold abroad, continuing to live beyond their means through the strategem of international borrowings. Their creditors bailed out the British over and over again. That was the most that international cooperation could do. It could not—and cannot—effect a cure.

The United States has also allowed too many dollars to flow abroad. Unlike Britain, this country has been able to compete effectively in trade. But it has a staggering deficit in its tourist account, in foreign plant investment and in spending for the war in Vietnam. There is a good deal of truth in the French view that Europe is underwriting American industry's invasion of Europe and the United States war in Vietnam by helping to finance the chronic deficit in the nation's balance of payments.

Washington can no longer go on applying inadequate tourniquets to its hemorrhages of dollars. It was justifiable to move slowly and moderately when the nation had ample reserves of gold and when foreign confidence in the dollar was strong. But there is a limit to the resources of even the richest and most powerful economy.

The Administration can overcome complacency and uncertainty with a comprehensive and coherent program to regain control over the domestic economy and to put an end to the drains on the dollar. To meet the first objective, moderate curbs on credit and on nonessential, non-poverty Government spending are required. To meet the second, what is needed is direct and effective action to replace the present hodgepodge of makeshifts that are intended to defend the dollar. Mandatory controls over corporate investment and bank loans abroad are called for, as well as increased incentives to repatriate foreign profits and possibly a tax on tourism.

Such a course will make plain that the Administration is determined to fulfill its repeated pledges. It may involve some drying up of international liquidity, which the devaluation of sterling has already reduced by the stroke of a pen. But if the world is to avoid the kind of fiscal chaos that prevailed in the late 1920's and early 1930's, the United States must put its accounts in order while it still has time.

NEW ATTEMPT ON TAXES

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, this week the Johnson administration is trying to breathe new life into the L. B. J. effort for a tax increase. They are presenting to Congress what they say is a new plan for cutting back on Federal spending.

The move is designed to meet the firm feeling within Congress that no tax increase should even be considered without a substantial cutback on Federal expenditures.

If the new L. B. J. plan seems convincing, then many of our colleagues will likely be more inclined to go along with the tax increase idea.

On the other hand, if the new plan appears to be vague or otherwise insufficient, then we will be right back where we have been since late summer, with nearly all Members opposed to raising taxes.

The reason for this is that a tax increase without big cuts in Government spending would be useless, or worse. The root cause of today's fiscal problems is not the level of taxes, after all, but Government spending which over the past 5 years has skyrocketed to irresponsibly high levels.

President Johnson did not help his argument for a tax increase any when he said a few days ago that the British devaluation of the pound was another reason why we should increase taxes.

His argument had some merit in terms of the results of the British move. But he missed the great opportunity to show how conditions which led to the devaluation have real meaning for this country and for L. B. J.'s own fiscal policies.

The devaluation of any currency in the international money market is a complicated action involving many things. But basically, the reason why a country has to put a lower official exchange rate on its currency is that the demand for that currency has already decreased in relation to other currencies.

When the basic economic position of a nation declines then general confidence in that nation's currency is also damaged.

There are basically two reasons why Britain's economic position has declined. First, Britain is buying too much from other countries in relation to what it sells.

The British economy depends heavily on selling manufactured goods abroad to get the money to buy food and raw materials she must have.

Recently Britain has been falling behind in producing goods at prices attractive enough to compete successfully with goods from Germany, Japan, France, Sweden, and many others.

So Britain is spending more money abroad than she is earning, and this means a balance-of-payments problem.

Second, the British have set up a high welfare system for its citizens on borrowed money. They have run up huge budget deficits to pay for these welfare schemes. The politicians have tried to tell the voters that they can get something for nothing.

The political appeal was successful, and the welfare-promising politicians got elected, but now they are in trouble and so is their nation's fiscal situation.

Mr. Speaker, if this sounds familiar, there is a reason, and this is what L. B. J. missed telling us. There is a real parallel between what has already happened in Britain and what is beginning to happen here.

Our Government has set up expensive welfare schemes on borrowed money at the same time we are financing a costly war. Budget deficits, which were already far too big when L. B. J. came into office 4 years ago, have more than tripled since then.

We also have a serious balance-of-payments problem which the Johnson administration has allowed to continue and worsen.

The British experience gives us reason to buckle down and start running our Government on a responsible financial basis: reason to cut Federal spending down to the bare bones level and to solve the balance-of-payments problem.

The economic future of our country is very much at stake right now on this issue and we all must concern ourselves with it.

THE UNITED STATES SHOULD PROPOSE THE ADMISSION OF BOTH SOUTH AND NORTH VIETNAM TO THE UNITED NATIONS

The SPEAKER pro tempore (Mr. HOLIFIELD). Under previous order of the House the gentleman from Illinois [Mr. PUCINSKI] is recognized for 15 minutes

Mr. PUCINSKI. Mr. Speaker, it is becoming more and more evident from press reports that the U.S. Armed Forces are scoring overwhelming victories over the Communists in Vietnam, and it is now generally agreed that North Vietnam cannot win the war.

Even the most bitter critics of President Johnson's determination to preserve freedom in Southeast Asia against Communist aggression are now agreed that the military strength of both our own forces and those of our allies will mean ever-increasing losses to the North Vietnamese.

I believe history will show that President Johnson was right—as were his two predecessors, President Eisenhower and the late President Kennedy, in deciding to make a firm military stand against Communist aggression in South Vietnam, and it is my intention to continue supporting the President's efforts.

However, having said this, it is clear to me that in the wake of our spectacular military victories we must create a political instrument which will hasten the day when the two factions of Vietnam can be persuaded to commence negotiations for an end to these hostilities.

It is quite evident to me that until such a political vehicle is designed, military action will have to continue and with it the very tragic loss of American lives.

I proposed yesterday in a speech in Chicago that the United States take the lead to create the necessary political machinery for ending this conflict by suggesting that both South Vietnam and North Vietnam be admitted to the United Nations.

There is a substantial school of opinion in America which believes that the United Nations should be the vehicle for ending the dispute in Vietnam.

In my own congressional district, we have obtained more than 10,000 signatures in just a few days urging the United Nations to accept President Johnson's proposal that the United Nations negotiate a cease-fire agreement and then work out a permanent peace formula for Vietnam.

It occurs to me, Mr. Speaker, that prospects for the United Nations becoming the vehicle for ending hostilities in Vietnam would be substantially increased if both South and North Vietnam were members of the international organization.

There is no question in my mind that the United Nations finds itself in a difficult position to intervene when neither of the two warring factions are members of the United Nations.

Both South and North Vietnam have asked for membership in the United Nations and I shall—at the end of my remarks—include an extensive memorandum on this matter.

South Vietnam submitted its application in 1956 and again in 1958. The resolution sponsored by the United States for recognition of South Vietnam was approved in December of 1958 by a vote of eight to one, but was subsequently vetoed by the Soviet Union.

North Vietnam originally applied on November 22, 1948, and in a letter to the United Nations asking for membership, pledged to accept the provisions of the United Nations Charter including a renunciation of war. No official action was taken on this resolution until September 16, 1952, when the North Vietnamese renewed their request and the request was rejected by the Security Council by a vote of 10 to 1.

Only the Soviet Union voted for admission of North Vietnam.

It appears to me, Mr. Speaker, that the cause of peace will best be served if both the United States and the Soviet Union—along with the other members of the Security Council—agree at this point to admit both North and South Vietnam.

The Soviet Union already is on record as favoring the admission of North Vietnam. The United States is on record in favor of admitting South Vietnam.

It would be my hope that the United States would lead the way in bringing this entire matter before the United Nations. If the Soviet Union insists on blocking admission of South Vietnam even after being assured that we will not object to the admission of North Vietnam, then it would appear to me that world opinion will be able to accurately fix the blame on those obstructionists in the United Nations who do not want to resolve the Vietnam conflict in an orderly manner. The Soviet Union's veto of South Vietnam would clearly indicate to the world that it is the Soviet Union and not the United States which wants to see the conflict in Vietnam prolonged.

There are those who would ask if we should also admit Red China into the United Nations at this time.

My own answer is a firm "No" and the reason is very justified.

North Vietnam has agreed to accept the provisions of the United Nations charter, whereas Red China has bluntly stated that while it will accept membership in the United Nations, it will not accept the conditions of the charter and will not renounce war and aggression as a means of settling disputes.

The tremendous military victories being scored by our own soldiers and our allies against North Vietnam might very well have staged the setting under which North Vietnamese leaders may find a suggestion by the United States that both nations be admitted to the United Nations an acceptable solution at this time.

It is quite clear to me, Mr. Speaker, that until such a move is made, it will be difficult to bring the armed conflict to an end and General Westmoreland's prediction that our troops will be needed in South Vietnam for at least another 2 years may be proven correct.

I firmly believe that while we must continue to support President Johnson's firm determination to preserve freedom and justice in South Vietnam, we must at the same time use every resource at our command to help end these hostilities. It is for this reason that I believe the United States should lead the way in proposing admission of both North and South Vietnam to United Nations membership.

The memorandum on the history of this subject follows:

Chronology of Applications by the GVN (Government of Vietnam—Saigon) and the DRV (Democratic Republic of Viet-Nam—Hanoi) for Membership in the United Nations

1. On November 22, 1948, the "Chairman of the DRV in Paris" sent a letter to the Secretary-General requesting admission of the DRV to the United Nations and transmitting a declaration by which the DRV would accept and respect the obligations of the United Nations Charter once admitted to membership. The Secretariat appears not to have considered this letter a valid application, since it was not circulated as a United Nations document until September 17, 1952, in response to a Soviet request at the September 16 meeting of the Security Council mentioned in paragraph 3 below.

2. The DRV's application in 1949 for ECAFE membership was rejected by ECAFE in October 1949, on the ground that the DRV did not yet conduct its own international relations. Following this decision, ECAFE admitted the State of Viet-Nam as an associate member.

3. On December 29, 1951, the DRV Foreign Minister renewed his request for admission to the United Nations. This communication to the Secretary-General was circulated as a United Nations document, considered at a Security Council meeting on September 16, 1952, and rejected by a 1(USSR)-10 vote.

4. The State of Viet-Nam submitted an application to the United Nations on December 17, 1951, which was vetoed by the USSR in the Security Council on September 19, 1952. Nevertheless, in 1952 the Seventh General Assembly found that "Viet-Nam" was qualified for admission and should be admitted.

5. Viet-Nam's (the "State of") application was again vetoed by the USSR in December, 1955).

6. On November 12, 1956, the Republic of Viet-Nam renewed its application for membership in a letter to the Secretary-General. No action was taken by the Security Council at that time.

7. The 11th General Assembly, at its resumed session in 1957, considered two resolutions:

a) a 13-power (Western) draft in which the General Assembly would reaffirm its findings that "Viet-Nam" is fully qualified for membership and request the Security Council to reconsider the Vietnamese application;

b) a Soviet draft in which the General Assembly would request the Security Council to reconsider the applications of the DRV and North Korea, as well as the Republic of Korea and "South Viet-Nam," with a view towards recommending the simultaneous admission of all four.

On January 30, 1957, the 13-power draft was adopted by a substantial majority while the Soviet draft was defeated in Committee by a vote of 35 to 1, with 35 abstentions.

8. On January 25, 1957, and March 13, 1957, in cables to the Secretary-General and Security Council President respectively, the DRV protested the General Assembly's consideration of the South Vietnamese application and claimed that it was at variance with the spirit of the 1954 Geneva Agreements and was aimed at the permanent partition of Viet-Nam.

9. On April 4, 1957, the Republic of Viet-Nam, in a telegram to the Secretary-General, asserted that the GVN legally represented the entire territory of Viet-Nam, including the areas occupied *de facto* by the Viet-Minh authorities, and pointed out that the General Assembly had requested the Security Council to reconsider the application of "Viet-Nam" and not just "South Viet-Nam."

10. The Security Council met on September 9, 1957, again to consider the applications of the Republic of Korea and the Republic of Viet-Nam. The USSR proposed the admission of both Koreas but suggested that consideration of Viet-Nam's membership be postponed until it had been unified. The Soviet proposal was rejected by the Security Council 1 (USSR) to 10, while the Soviets again vetoed the Republic of Viet-Nam's application.

11. In October 1957, the General Assembly again called for the admission of "Viet-Nam," by a vote of 49–9 (Soviet Bloc) with 23 abstentions. However, a resolution requesting the Security Council to consider "all applications" (thus including North and South Viet-Nam and North and South Korea) for membership was rejected by a vote of only 37 to 33, with 10 abstentions.

12. On October 24, 1958, the DRV reiterated that the United States draft resolution in the General Assembly was in conflict with the Geneva Accords of 1954 and sought to perpetuate the division of Viet-Nam.

13. In December 1958, the United States again raised in the Security Council the application of the Republic of Viet-Nam. The vote on the resolution was 8 to 1 (USSR), with 2 abstentions (Canada and Iraq). The USSR again asserted that Viet-Nam should not be admitted until it was unified.

14. There has been no further United Nations consideration of the admission of either Viet-Nam or the Republic of Korea.

15. The GVN maintains a Permanent Observer Mission to the United Nations in New York. It is also a member of IAEA and the following Specialized Agencies: ILO, FAO, UNESCO, WHO, IMF, IBRD, IDA, ICAO, UPU, ITU, and WMO.

16. The DRV is not represented in any capacity in any of the organs of the United Nations or Specialized Agencies.

DOUBLETALK EXPOSES GOP WEAKNESS ON ISSUES

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, over the years, many of our Republican colleagues have mastered the art of talking out of both sides of their mouth on the issues of the day.

Recently, Mr. Speaker, this art has reached startling levels, even for Republicans.

Last Tuesday, the ranking Republican on the House Space Committee said the country was making a "big mistake" not to put more resources into the development of a nuclear spacecraft.

He said this knowing that it would cost billions of dollars to develop a nuclear-powered rocket that could be kept in space.

And on this same day, his Republican colleagues on the House and Senate Joint Economic Committee issued a report saying that "our economy is suffering from excessive budgetary and monetary expansion."

These Republican economy experts declare in their report that—

> We are encouraged . . . that the President is reported to have recognized the need to accompany a tax increase with expenditure reductions of the same order of magnitude.

Apparently, they had not checked in with their man on the Space Committee. He wants the United States to spend billions more to pay for floating bombs and nuclear-powered rockets.

In short, Mr. Speaker, on the same day we had one group of Republicans issuing a critical report accusing the President of being an excessive spender, and at the very same time, we read that another leading Republican accused the President of endangering the national security for not spending enough to develop Buck Rogers-style defense systems.

Most Americans confronted with this double talk, Mr. Speaker, will go along with the man who has led this country through 81 consecutive months of economic expansion—without a single Republican-style recession.

And most Americans will also place their faith in that same man's conclusion that the antiballistic missile defenses planned by the Nation's leading military experts are adequate to protect the Nation, now and in the future.

In the showdown, most Americans, Mr. Speaker, will go along with Lyndon B. Johnson, a President who has proved himself to be worthy of our trust and confidence, in a time of unprecedented challenge and danger.

In the meantime, the Republican doubletalkers are exposed for what they are. I think the country stopped listening to them a century ago.

CALL UPON THE CONGRESS OF THE UNITED STATES TO ACT EXPEDITIOUSLY TO PROVIDE OUR CITIZENS WITH JOBS, HOUSING, AND EDUCATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I have today been presented with a group of petitions bearing 200,000 signatures which call upon the Congress of the United States to act expeditiously to provide our citizens with "jobs, housing, education."

These petitions were presented to me, in my office, by President Joseph Beirne of the Communications Workers of America, AFL–CIO, and a number of his colleagues in the leadership of that trade union of representing more than nearly 420,000 workers throughout this Nation.

The Communications Workers of America has long been recognized as a "community minded union," in the words of its slogan. These CWA people have once again indicated, it seems to me, their deeply felt citizenship concern for the problem of the least fortunate people in our American society.

While many trade unions, through their exercise of collective bargaining procedure, have been able to make most substantial economic progress for their own members, it is heartening indeed to see that CWA and other labor organizations continue to be vitally concerned about those other millions of people who at the present time still live in a state of poverty.

The petitions which CWA circulated among its members and the public at large, make these points:

First. Jobs: "We must find a way to put every American who is able and willing to work, into a job."

Second. Housing: "Slum housing must go."

Third. Education: "Free public education must be provided from kindergarten to the doctorate level."

In reminding Congress of these needs, and in developing discussion about solutions to these problems, CWA has carried out a most constructive campaign—typical of what we have come to expect from this responsible trade union organization led by Mr. Beirne.

I include in my remarks the statement made by the president of the Communications Workers of America, Joseph Beirne. I also include a copy of the petition signed by the thousands of citizens and presented to me today:

REMARKS BY CWA PRESIDENT BEIRNE

Mr. Speaker: I have the honor, on behalf of the men and women of the Communications Workers of America, to present you with petitions calling for a program of "jobs, housing, education." These petitions carry hundreds of thousands of signatures. Many thousands of signatures are on other CWA petition sheets which were sent directly to a number of members of the House, even though we had hoped to symbolize our effort by putting all of the stacks of signatures together and bring them to you this day.

Hundreds of CWA officers and members volunteered many thousands of hours of work to circulate these petitions. They did so because CWA people, like the American public generally, felt the need for a constructive and citizenlike reaction to the great disturbances which shook our cities last summer.

Mr. Speaker, these petitions and their signatures attest to the fact that a great mass of Americans feels strongly that we must work for jobs, housing and education. We must fight poverty with every weapon available. We must not appease the forces of unemployment, illness, ignorance and evil. As Americans, we must win a total victory in the war against poverty.

That, sir, is what I believe these petitions are expressing for the hundreds of thousands of our fellow citizens who put their signatures to these documents.

I would hope that you will convey, through your high office, our sentiments to your colleagues in the House of Representatives.

Jobs, housing, education, in our mind represent the key to the better America which all of us wish . . . for ourselves, and for the generations to come.

PETITION TO THE CONGRESS OF THE UNITED STATES OF AMERICA: YOU DON'T LIKE RIOTS?—WELL, NEITHER DO WE

Americans everywhere agree that action must be taken now to eliminate the causes which lead to rioting and civil disturbances in our nation.

The recent lives lost and property damaged in riots that ravaged our cities proved that the cities and states cannot carry the burden alone.

Only the Congress of the United States has both the responsibility and authority to pass the laws and appropriate the funds for jobs, housing and education needed now by the millions of impoverished Americans.

History itself has taught us that where these three basic needs are left unmet, all races are trapped in filthy, rat-infested ghettos ripe for rioting or in deplorable conditions which are "dead-end." The answer is a creative, constructive, practical program that will benefit *all* Americans directly or indirectly—not a giveaway!

Therefore, we, the undersigned, believe Congress must act by providing:

1. Jobs: Put people to work. As recommended by the President's Commission on Technology, Automation and Economic Progress, the government should become "the employer of last resort" by providing public service employment opportunities for workers who are unsuccessful in competing for jobs in private industry. This would put every American who is able and willing to work on a job.

2. Housing: Slum housing in this nation must go; unsafe, infested buildings must be cleaned up or closed down and decent shelter must be built. Money appropriated for this purpose must be spent carefully and efficiently, and new funds must be appropriated as needed.

3. Education: A policy should be adopted and implemented to provide free public education from pre-kindergarten up to and including the doctorate level for all, with only ability and motivation serving as qualifying factors.

By means of this petition, we make known to you that the American public demands the action that is needed now to solve the problems of the cities.

This petition sponsored by members of the Communications Workers of America, AFL-CIO—The Community-Minded Union.

YOU DON'T LIKE RIOTS?—WELL, NEITHER DO WE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the ugly shadow that riots have cast across our land has prompted the Communications Workers of America, a very community-minded union, to disseminate a petition memorializing the Congress to strike at the root causes of these riots.

The petition, which has been signed by many of my constituents, cites education, housing, and jobs as the three areas which must be emphasized by the Congress in its effort to remove the root causes of these deplorable riots that have shaken our Nation.

Only the Congress of the United States has both the responsibility and authority to pass the laws and appropriate the funds for jobs, housing and education needed now by the millions of impoverished Americans—

States the petition which is aptly entitled "You Don't Like Riots? Well, Neither Do We."

I commend it to the attention of all my colleagues and congratulate the CWA for its exemplary efforts:

PETITION TO THE CONGRESS OF THE UNITED STATES OF AMERICA: YOU DON'T LIKE RIOTS?—WELL, NEITHER DO WE

Americans everywhere agree that action must be taken now to eliminate the causes which lead to rioting and civil disturbances in our nation.

The recent lives lost and property damaged in riots that ravaged our cities proved that the cities and states cannot carry the burden alone.

Only the Congress of the United States has both the responsibility and authority to pass the laws and appropriate the funds for jobs, housing and education needed now by the millions of impoverished Americans.

History itself has taught us that where these basic needs are left unmet, all races are trapped in filthy, rat-infested ghettos ripe for rioting or in deplorable conditions which are "deadend." The answer is a creative, constructive, practical program that will benefit *all* Americans directly or indirectly—not a giveaway!

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2. Housing: Slum housing in this nation must go; unsafe, infested buildings must be cleaned up or closed down and decent shelter must be built. Money appropriated for this purpose must be spent carefully and efficiently, and new funds must be appropriated as needed.

3. Education: A policy should be adopted and implemented to provide free public education from pre-kindergarten up to and including the doctorate level for all, with only ability and motivation serving as qualifying factors.

By means of this petition, we make known to you that the American public demands the action that is needed now to solve the problems of the cities.

This petition sponsored by members of the Communications Workers of America, AFL-CIO. *The Community-Minded Union.*

CONGRESSMAN HÉBERT DEFENDS FEDERAL JUDGE JAMES A. COMISKEY OF THE EASTERN DISTRICT OF LOUISIANA

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. HÉBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I was very much disturbed when I heard the remarks of my colleague, the gentlewoman from Michigan, MARTHA W. GRIFFITHS, concerning one of the Federal judges in New Orleans, James A. Comiskey of the Eastern District of Louisiana.

Knowing my colleague as a just and fair individual, I have great admiration and respect for her. I feel certain she would not have made the observations she did about Judge Comiskey had she read in full the opinion as related to the case.

I can well imagine the gentlewoman's concern if her conclusions had been based on a fact and an attitude of a Federal judge.

Certainly I must agree with her that a Federal judge or any judge who makes a decision contrary to legislative intent does great damage to constitutional government.

For a long time I have had the feeling, and have expressed that feeling, that in some cases, particularly civil rights, our Federal judges, including members of the Supreme Court, have preconceived ideas and hand down decisions not based on legislative intent or what the facts really are.

I condemn this action, and have consistently done so.

In the case of Judge Comiskey, I know of no finer individual or conscientious judge, who is one of the youngest Federal judges in the United States at this time.

It is refreshing to note, and I am concerned about this aspect, the extent to which he went before handing down his decision. I wonder how many Federal judges do investigate and ascertain when legislative hearings were held on an amendment adopted on the floor of the House.

Of course this amendment to which the gentlewoman refers is a valid amendment. Certainly it cannot be denied that it was adopted in a carnival atmosphere.

I recall well the discussion when the amendment was on the floor of the House. I recall the amusing remarks made, and I recall the delightful colloquy between our former colleague Howard Smith and the dean of the House Emanuel Celler, of New York.

To say the least, it was a spirit of merriment when the amendment was discussed.

Although the gentlewoman from Michigan was vital in passing this amendment, she certainly displayed her understanding statesmanship at that time.

I am inclined to believe if the gentlewoman from Michigan had read the entire opinion, she would not have been as harsh on Judge Comiskey nor would she have used the word "impeachment" in connection with her observations.

If the gentlewoman reads the opinion of Judge Comiskey, she will learn that the case turned on the point of the marital status and not the sex of an individual.

In order that all may know the decision, I am inserting here a copy of that decision, which speaks for itself. I feel that the gentlewoman from Michigan, who is so gracious and fair, will better understand why I rise to defend Judge Comiskey, who cannot defend himself on this floor.

The decision follows:

[In the U.S. District Court, Eastern District of Louisiana, New Orleans Division—No. 67-477, Civil Action Section G]

Eulalie E. Cooper, Plaintiff *v.* Delta Air Lines, Inc., Defendant

James F. Quaid, Jr., Baldwin and Quaid, New Orleans, Louisiana; Sidney Bach, New Orleans, Louisiana, attorneys for plaintiff.

Bernard Marcus, Charles K. Reasonover, of Deutsch, Kerrigan & Stiles, New Orleans, Louisiana; G. Dean Booth, Jr., Atlanta, Georgia, attorneys for defendant.

Comiskey, District Judge.

Delta fired stewardess, Eulalie E. Cooper, plaintiff, on April 1, 1966 because she had gotten married on October 17, 1964. Delta's policy was to employ only single women as stewardesses and plaintiff got the job knowing this when she signed the following agreement:

DELTA AIR LINES, INC.

Employment Termination in the Event of Marriage

(Stewardess)

As a further consideration for employment I hereby certify that I have never been married and that I shall terminate automatically and voluntarily my employment with Delta Air Lines prior to the event of my entry into a contract of marriage any time during the Stewardess Training Course, after successfully completing the stewardess training class and prior to the assignment of regular stewardess duties or after assignment to regular stewardess duties. I understand and further agree that my employment as a stewardess will not be continued beyond the end of the month during which my thirty-fifth (35th) birthday occurs.

Plaintiff charged Delta with discrimination in violation of 42 USC 2000 et seq. before the Equal Employment Opportunity Commission, which wrote plaintiff a statutory letter advising her to file this suit if she wanted. The letter from E.E.O.C. admitted it had not "made a determination" as to the legal validity of her case under the 1964 Civil Rights Law. The plaintiff's suit complains that Delta's policy of limiting her job to single women is an unlawful employment practice.

"§ 2000e–2. Unlawful employment practices—Employer practices

"(a) It shall be an unlawful employment practice for an employer—

"(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

"(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin."

Delta admits that it applies this "single woman rule" to only its stewardesses and not to any of its other employees, male or female. Delta urges, however, that its "single woman rule" is "reasonably necessary to the normal operation of its" business and comes within the legal exception of the Civil Rights Law, 42 USC 2000e–2(e), known as a "bona fide occupational qualification";

". . . , (1) it shall not be an unlawful employment practice for an employer to hire . . . employees, . . . , on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business . . . ,"

After numerous defense motions which were denied with reasons, this case was tried on the merits with plaintiff seeking reinstatement, back wages, and injunctive relief, all of which we deny and we dismiss the plaintiff's suit.

The plaintiff invokes the jurisdiction of this Court under Title VII of the Civil Rights Act of 1964, 42 USC 2000e–5(f), which, while we have jurisdiction under this act, the plaintiff has no remedy under it.

Congress branded as illegal almost every employment practice which discriminates against an individual because of her race, color, religion, sex, or national origin. But Congress did not outlaw Delta's discretion to hire only stewardesses who are single and young, 20 to 26 years of age, average height, 5′2″ to 5′6″, slim, not more than 135 pounds, educated, at least two years of college. These qualities, Delta's witness testified, are requirements before we employ a stewardess, or keep her afterwards, along with the requirements that Delta's stewardesses must have "good complexions", must be "neat", must be "attractive", and their "family background" and "moral character" must be "good". Finally, Delta proved that it does not hire males to be stewards, only females, and finally Delta's experience shows that "single women" are better stewardesses than "married women" for various reasons *viz:* better passenger acceptance, change flight schedules easier, less likelihood of pregnancy.

As far as we can see, this is the first case on this point and legislative history is silent on this point and many others. The addition of "sex" to the prohibition against discrimination based on race, religion or national origin just sort of found its way into the equal employment opportunities section of the Civil Rights Bill. It is notably omitted from the public accommodations section. Congressional hearings on the sex amendment were never held and therefore any clear legislative history is absent. The only congressional debate that touched on the subject centered on the exception based on a bona fide employment qualification. Actually, the U. S. Department of Labor went on record in a letter to Congressman Celler (D., N.Y.) "that to attempt (to add sex) would not be to the best advantage to women at this time". Judicial precedent in state jurisprudence is likewise barren since "only two states, Wisconsin and Hawaii, include sex discrimination as an unlawful practice in fair employment laws", 50 Iowa Law Review 778, 791 (1965); Hawaii Rev. Laws Section 90A–1 (Shupp. 1963); Wis. Stat. Ann. § 111.31–.32 (5), .36(3)–(4) (Supp. 1964). New York recognizes as a civil right the opportunity to obtain employment without serious discrimination. New York Executive Law, Section 291.

But the absence of legislative intent or the shortage of judicial precedent among the states is no real problem in this case. By reading the act it is plain that Congress did not ban discrimination in employment due to one's marital status and that is the issue in this case. Delta has a right to employ single females and to refuse to employ married females, and this discretion is in no way limited by the Civil Rights Law from a plain reading of the above quoted sections.

The plaintiff argues that no such unmarried status is required of Delta's male employees and therefore this is discrimination against the plaintiff because she is female. But that reasoning is faulty. The discrimination lies in the fact that the plaintiff is married—and the law does not prevent discrimination against married people in favor of the single ones. Perhaps if this were a suit by a prospective male steward who was refused employment because he is a male, our answer might be different, but then the "bona fide occupational qualification" would have to be considered.

The only case cited by defendant is *Bowe v. Colgate Palmolive Co.*, 56 L.C. 6763 —F. Supp. ——— 1967 from the (S.D. Ind., 1967), but the case concerns itself exclusively with the refusal of Colgate to employ females in jobs which require lifting of heavy weights and the case goes off on the bona fide occupational qualification exception which is inapplicable in the instant case.

Under the circumstances, the plaintiff's suit is dismissed at her costs and the Clerk will accordingly prepare a judgment.

James A. Comiskey,
U.S. District Judge.

New Orleans, La., *October 19, 1967.*

A HOUSING PROGRAM—NOW

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. REUSS. Mr. Speaker, on Monday night, November 20, I was privileged to address the National Conference on Development Funds and Non-Profit Housing Development Corporations sponsored by Urban America in Chicago.

My remarks on that occasion follow:

A Housing Program—Now

(Remarks of Representative Henry S. Reuss, of Wisconsin, before the National Conference on Development Funds and Non-Profit Housing Development Corporations of Urban America, Chicago, November 20, 1967)

I am delighted to be here with Urban America.

Every movement has its heroes. You are particularly blessed with two of the noblest and best—the late Mr. and Mrs. Stephen Currier.

It's good to know that their work is being carried on by an old friend of mine, who cut his eyeteeth years ago in Milwaukee City Hall, your Executive Vice President Bill Slayton.

The subject of your deliberations here is the non-profit corporation. As a young lawyer, I formed a good many corporations which inadvertently turned out to be non-profit. Yours are meant to be, and a better device for engaging the efforts of the total community in an attack on our slums I can't imagine.

The non-profit housing corporation brings grass roots people into the picture. It stakes out a position independent of City Hall. It can provide for a broad spectrum of services.

In Milwaukee, as in scores of other cities, we are doing some useful experimenting with the non-profit. We have our Northside Citizens' Neighborhood Conservation Corporation, busily engaged in rehabilitating homes. We have the Small Business Opportunity Center, to grubstake and counsel minority group businessmen. We have an Opportunities Industrial Center, providing pre-job training.

These are but drops in the bucket compared to what is needed. The neighborhood corporation principle should be extended to health centers, day care units, recreation facilities, libraries, and schools. The corporations should be encouraged to grow into little subgovernments, ultimately endowed by city or county with limited home rule powers.

Neither our slums nor the rest of our cities are going to enjoy the blessings of tranquility until slum dwellers are given some voice in self-government—at least the beginnings of what Thomas Jefferson called "ward republics."

The brute events of the last few months have demonstrated two truths which should have been self-evident all along. First, the total community, which is mostly white, wants law and order. Second, the core community, which is mostly black, wants jobs, decent housing, health, education—and most of all, it wants a taste of home rule and neighborhood democracy.

I can tell you a couple of ways that are sometimes suggested to cure our sickness that *won't* work. We can do nothing, and move in troops to repress the riots when they start. Or we can flutter around with last minute gimmicks in slum clearance, health, or compensatory education, all layed down by Washington or City Hall.

Neither way will work, because they ignore man's desire for political and social expression. That is why we need the neighborhood non-profit corporations as the foot soldier in our war against slums.

But without a massive underlying federally-supported low and moderate income housing program, your non-profit footsoldiers will be doing little more than marching around the parade ground with broomsticks on their shoulders.

In the war on slums, I put it to you, we should *all* be hawks. We need to put the most sophisticated weapons, not just broomsticks, on the shoulders of our non-profit footsoldiers.

This brings me to my nitty-gritty—we don't have an effective national housing program, and we need one *now*. Back in 1949 our basic housing law sought to guarantee to all Americans a decent home in a suitable living environment.

Yet today, 18 years after, we still have about as many crummy, run-down, slum and substandard dwellings as we did at the start—an estimated 10 million units that are deteriorated or substandard. I have seen them in my walks through my city, as you have seen them in your walks through yours. I have seen 22 human beings living in a three-room shack. I have seen homes without any plumbing, where a galvanized iron bucket had to do the job. I have seen dirt floors criss-crossed by the tracks of hundreds of rats.

The plain fact is that our present housing programs are simply not doing the job.

For the last two years, our public housing program has produced only 35,000 units a year, most of them not in our large cities. The turnkey variation is excellent, and there is talk of expanding the public housing program. But the difficulty of finding land, and other troubles, prevent our placing primary reliance on public housing.

Then we have the section 221(d)(3) program for housing construction by non-profits and cooperatives—a good program again, but severely limited. The market-interest rate portion of 221(d)(3) suffers because low and moderate income people just can't afford the kind of housing that flows from six or seven percent interest rates. Rent supplements add a touch of humanity to the market rate 221(d)(3)'s. But rent supplements suffer not only from anemic congressional appropriations, since they are hitched to hign-interest projects and public-housing income families, one wonders how many high interest projects can really be built.

The three percent below-market interest rate portion of 221(d)(3) comes closer to the point. But this too is hobbled by niggardly funding, and most of all by the inability of non-profits to acquire seed money with which to get started.

Then there is the model city program, an excellent thing in itself, and an adjunct to the war against poverty. But model cities, no matter how many neighborhood City Halls and open spaces and educational parks they build, aren't going to build much low and moderate income housing until the underlying housing programs are improved. And model cities is simply a demonstration program, affecting a handful of cities—63 in the first go-round. At this late stage of the game, a demonstration grant demonstrates primarily that cities that don't get the grant can't do the things they ought to be doing.

Another program is section 221(h) for enabling non-profits to rehabilitate old homes and sell them, with a 3 percent mortgage, to would-be low-income homeowners. This could be wonderful, but as always there's a worm in the apple: in this case, prospective low-income homeowners are defined as people with such low incomes—around $5,000 a year—that any one financially able to own a home tends to find himself cut out by the low-income limitation.

If the present low and moderate income housing program isn't working, what is needed to improve it?

Urban America from its first breath has recognized that we need action. *Newsweek*, in its excellent November 20 issue "What Must Be Done," blocked out an exciting program covering not just housing but education, health, and having the federal government act as employer of the last resort for one million of our urban unemployed right now—the Urban Coalition's own recommendation.

Both Democrats and Republicans on both Senate and House Housing Subcommittees recognize the need, and are at work on comprehensive new legislation. With your help, the Department of Housing and Urban Development will come to recognize it too.

Now let me set forth what needs to be done, in terms of the provisions of draft bills now before the Congress:

1. *Set a goal.* We need to produce at least 500,000 units a year of low and moderate income homes. We are now producing barely one-tenth that number. Every January along with the President's Annual Economic Report, HUD should report to the Congress how this 500,000 home goal is to be achieved that year—how much by public housing and how much by private and non-profit builders. If the war in Viet Nam, or the need to get to the moon by 1970, or the need to construct a supersonic transport to take you to Paris in three hours instead of six, are considered higher national priorities, so that the 500,000 home goal cannot be achieved, let the Congress and the people be so informed.

2. *Provide seed money for non-profits.* They need operating funds to pay the secretary and to acquire the options, to make feasibility studies and architectural drawings. Unless this seed money is supplied, it will be another case of the war being lost for want of a two-penny nail.

3. *Having fortified the non-profits with seed money, overhaul our 221(d)(3) and 221(h) programs so that they can do the job.* A non-profit ought to be able to sell its homes and condominiums to prospective homeowners, not merely rent them, as at present. The present income limitations on 221(h) rehabilitated homes for sale should be raised sufficiently to take care of the hundreds of thousands of low income people anxious to become homeowners if they are given the chance. The present below market interest rate for both 221(d)(3) and 221(h)—3 percent—should be scaled down, down, down—right down to zero if need be—to take care of families above the public housing level, but whose incomes simply cannot meet the rents or mortgage payments required by higher interest rates. Provision can readily be made to adjust interest payments upward as the occupant starts earning more money. This is important, because there is no point to ejecting from non-profit projects those who are able to improve themselves.

4. *Rehabilitation.* This should be geared in with what the non-profits are doing by permitting non-profit corporations to administer the existing section 115 rehabilitation grants and section 312 rehabilitation loans, now limited to public administration in urban renewal and concentrated code enforcement areas. The amount of the section 115 grants should be raised from its present $1500 to at least $2000.

5. *Funding.* In order to finance this greatly increased effort by non-profit corporations to provide decent housing, FNMA funds presently available need to be increased. Congress should be asked to make annual appropriations of the difference between market interest rates and the much lower interest rates that I have suggested are needed in order to get low-income housing built.

6. *New towns.* They need to be built both on the outskirts and within our central cities wherever there is land available. President Johnson's recent directive to the General Services Administration to make available surplus federal land was a great move forward. It gives a real opportunity for non-profits to plan comprehensive communities that include parks, schools, shops, and industries.

The present new town legislation now on the books expresses the hope that federally aided new towns will have a proper share of low and moderate income housing, and will not be just high income enclaves. An amendment is needed to transform this hope into a firm requirement: no balanced housing, no money.

7. *Lower mortgage interest rates.* Housing across the board thrives on low interest rates. But with the current tight money, mortgage interest rates keep going up and up. I have urged the Federal Reserve and the other financial agencies to be giving thought to how to create an interest rate structure for the housing industry that is somewhat lower than that for the rest of our lending operations. Whether this should be done by directly channeling more appropriated funds into housing credit; by a broader secondary mortgage market support program; or by requiring banking institutions to devote a certain minimum of their lending power to the housing industry—these are questions of style and technique. What we need to do is to recognize that housing should not forever be left to the mercies of an overall meat-axe monetary policy.

8. *Reduce the cost of housing construction.* If we had an adequate basic housing program going, I am confident that we could interest large-scale industry in entering the housing field, using the systems approach which has worked so well in space. To do this, local building codes, with their rigid requirements and infinite variety, must be rationalized somehow, perhaps by a national model code with regional variations.

9. *Fair housing laws must be enacted at all levels of government—federal, state, and local.* The Alfonse and Gaston act was amusing for a while, but it should now be replaced by action. Fair housing laws, God knows, are not by themselves going to come to grips with our slum problems. But they are essential to alleviate the psychological suffocation suffered by ghetto dwellers. Furthermore, they can relieve the excessive demand for housing in the inner core, an excessive demand which exorbitantly increases the cost of housing.

10. *Build low and moderate income housing throughout the entire metropolitan area, not just in the central core.* Nonprofit corporations must be permitted to operate in the suburbs, and throughout the metropolitan area, in constructing low and moderate income housing. Localities which attempt to keep out balanced housing should not get the benefits of federal grants for open space, sewer and water, urban renewal, and FHA insurance.

There is a ten-point program for you. We must not let it intimidate us, because I can assure you that nothing less is going to do the job.

And who, you ask, is going to get this program moving through the Halls of Congress and on to the President's desk and out into the cities and neighborhoods of America? I can't think of a better group than you have assembled here tonight!

A SERVICEMAN WRITES FROM VIETNAM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I cannot help but feel deeply concerned whenever I receive a letter from a young man serving in Vietnam. Invariably, these letters reflect strong support for American presence in that conflict and cry out for equal understanding and strong support from Americans at home.

The members of our armed services in Southeast Asia are maintaining their firm determination and their high morale in spite of those elements of our society which choose to play upon honest dissent and to depict the United States as a nation shaken with internal chaos.

Last week, Mr. Speaker, I had occasion to read in a column which appears regularly in one of my district's newspapers, an excerpt from the letter of a Lehigh Valley serviceman in Vietnam.

I insert this excerpt from the "Little Chronicles" column by John T. Cathers, which appeared in the November 17, 1967, edition of the Allentown, Pa., Evening Chronicle, in the Record at this point. This American serviceman has a message all of us here at home should read.

Little Chronicles

(By John T. Cathers)

A local GI in Vietnam writes—

"Take a man, then put him alone—put him 12,000 miles from home; empty his heart of all but blood, make him live in sweat and blood. This is the life I have to live, and why my soul to the devil I give; you 'peace' boys rant from your easy chair, but you don't know what it's like over here . . . You have a ball without near trying, while over here your boys are dying; you burn your draft cards, march at dawn, plant your signs on the White House lawn. You all want to ban the bomb, 'there's no war,' you say, 'in Vietnam.' . . . Use your drugs and have your fun, then refuse to lift a gun. There's nothing else for you to do. And I'm supposed to die for you? . . . I'll hate you till the day I die, you made me hear my buddy cry; I saw his arm, a bloody shred, I heard them say, 'this one is dead.' It's quite a price he had to pay—not to live another day . . . He had the guts to fight and die; he paid the price, but what'd he buy? He bought your life by losing his, but who gives a damn what a soldier gives? . . . His wife does, and maybe his sons, but they're about the only ones!"

PEACE CORPS VOLUNTEERS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, these days we are all asking ourselves what has gotten into our young people. The answer to that depends on whether you are an optimist or a pessimist. I do not have any figures on the total population of hippies in the United States, but I do believe that their presence is more than offset by the good work that our 12,000 Peace Corps volunteers are doing abroad. In a recent radio commentary, Mr. Daniel Schorr, a CBS news correspondent, called the Peace Corps a constructive way to drop out of American society—not an escape route but a positive opportunity to find the sense of purpose in life that all young people seem to be looking for today. Mr. Schorr cited encouraging statistics on the growing popularity of the Peace Corps, and I respectfully include his comments in the Record.

The transcript follows:

Dimension

(By Daniel Schorr)

Remember those idealistic Kennedy days back in 1961 when the Peace Corps was formed . . . when going overseas for your country to help less fortunate people and share their life seemed the thing for college kids to do?

Lots of things have happened since then. President Kennedy is gone, and the country is changed. The Viet Nam war has had its effect on this generation of college students. There have come the beatniks, and the hippies, and the beards, and the draft-card burners, and a general impression that young people no longer cared about anything so square as volunteering for the Peace Corps.

And so it came as something of a surprise to us to find that the Peace Corps is bigger than ever on the American campus. A Louis Harris poll shows that two out of three college seniors give some thought to joining and that in the past year 23,000 of 362,000 seniors—3½ per cent—made formal application for overseas service. This year the Peace Corps hopes to attract 4 per cent of the graduating class.

That's not to say there's no opposition. Recruiters find a vocal minority on campuses who jeer at the Peace Corps either because they think it square or because it's part of "the establishment," which is the enemy. But they are a minority. At one small college, Maryhurst in Oregon, an astounding 25 per cent of the senior class applied for the Peace Corps . . . at Swarthmore in Pennsylvania more than 20 per cent . . . at Stanford, 17 per cent

Why do they do it? To beat the draft? Probably not, for after two years of Peace Corps service they are still subject to military service. And the ratio of men and women applicants continues to be the same as the ratio of men and women in the general population, which would not be true if an unduly large number of young men were applying.

No, say those who go out to the campuses to do the recruiting, it is something else. It is partly that the Peace Corps has become an accepted part of American life. It is partly that, for many, it provides a sense of meaning and purpose that they don't find in our affluent society. It is thus a way of cutting out . . . but in a constructive way.

The Peace Corps itself has changed in these six years. It's a tighter ship, more business-like, more careful to look before it leaps. Few Volunteers think anymore they can change the world or transform a backward country in two years. The 11,900 Volunteers in 52 countries today have less of a sense than their predecessors of six years ago that they are going out on a lark or some wild adventure. But still they go . . . almost 12,000 this year, an expected 17,000 next year, and no trouble finding recruits. Four out of five applicants are rejected, and still the Peace Corps is the biggest single employer of new college graduates, not including the Army.

Not all are happy about their experiences. Some have uncomfortable times in foreign countries discussing Viet Nam, and feel that Peace Corps restrictions limit their freedom. Some get involved in protests about their conditions—as happened in Nigeria. Many bridle about the ban on getting involved in local politics. But, with all this, a survey shows that 94 per cent of returned Volunteers say they would do it again.

The Peace Corps is no longer in the public eye as much as five and six years ago when it was the great American novelty. And I have at times been asked, "What ever happened to the Peace Corps?" The answer is—it's there, still growing, still kindling some spark in the American student. No longer a novelty, but just part of America.

CLEBURNE'S EXAMPLE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NICHOLS. Mr. Speaker, most of our communities throughout America are presently engaged in their annual united fund drive. These annual drives go by many different names, depending on the locality, but all are dedicated to making the lives of many of our less-privileged citizens better. I would like to bring to the attention of my colleagues an article which recently appeared in three of my State's newspapers concerning the United Givers Fund drive in Cleburne County, which is located in my district. The article first appeared in the Decatur Daily, then the Birmingham News, and finally, in the Cleburne News.

CLEBURNE'S EXAMPLE

(EDITOR'S NOTE.—The following was an editorial in the Decatur, Ala., Daily of last week. The editors of the Decatur Daily lauded the Cleburne County United Givers Fund Drive which was a resounding success. The Birmingham News republished the editorial in its Saturday edition thus giving more attention and praise to the many persons who were responsible for the record setting united appeal for 1967:)

Cleburne County is a small Alabama county over on the Georgia line. The folks there recognize community responsibility. Starting out this year with a United Fund goal of $10,600, the goal has been exceeded by $2,000, a record for the county.

How did they do it? Well, more than 200 people were active in the campaign which included several unusual projects—airplane rides and two benefit football games.

Now let us say this. Morgan County has a United Fund goal of some $268,000 and the last report made public indicated we were a little more than 60 percent toward the goal. We have far more economic muscle, it is true, but we do wonder whether the people of Cleburne are not just a bit more generous, a bit more concerned with the success of the agencies included in the United Fund, agencies which serve a whole lot of people directly and all the people indirectly. In Morgan County we need to do a little more thinking about the welfare of our fellowman and how he is served through United Fund.

LEGISLATION DESIGNATING 1968 AS THE NATIONAL HELIUM CENTENNIAL YEAR

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, almost a hundred years ago, while making observations on the composition of the sun, the English scientist, Sir Joseph N. Lockyer, discovered the presence of an element which was not known to exist before. In honor of the place where it was first observed the new element was named helium, after the Greek word for sun. Following its initial discovery, almost 30 years passed before traces of this gas were found on earth. Since that time helium has made contributions to science, national security, and human welfare. In commemorating its discovery and the role which it plays in our lives, I call upon my colleagues in the House for support of Joint Resolution 917. This bill designates the year 1968 as the National Helium Centennial Year and requests the President of the United States to issue an appropriate proclamation to this effect.

What is helium and what makes it so unique that our Nation should designate an entire year to observing the 100th anniversary of its discovery. Helium possesses a rare combination of unique properties not found in any other substance, either natural or man made. These permit a wide range of vital uses. It is the second lightest element known to man, but unlike the lightest element, hydrogen, it is completely inert, it does not react with any other substance.

Before the Second World War this rare gas was of interest as a scientific curiosity, but due to the combination of lightness and nonflammability it was soon found to have major practical application in inflation of lighter-than-air blimps and weather balloons. Another small but significant use for the gas was to be found in hospitals. However, it was not until the end of the war that helium became an irreplaceable item that finds use in our national technological efforts from the depths of the oceans to the far reaches of outer space. Indeed, the increased use of this gas has been such that our yearly production has jumped almost a thousandfold since the days of its initial large-scale production over 40 years ago.

I cite only a few of its more important scientific, industrial, and defense uses to illustrate the far-ranging application to which helium is put. All of you, I am sure, took pride in the recent successful launching of the Saturn V rocket which forms such an important element of our effort to land the first American on the moon. You may recall the announcer describing one of the last steps before the countdown reached zero—that of pressurizing the propellant tanks with helium. The development, testing, and launching of this space vehicle and others have involved helium in many critical ways where only its unique combination of properties would do. Indeed, today it is our missile program which is the principal helium user.

Another interesting pair of properties, that of high heat conductivity and the inability to become radioactive, has made the use of this gas indispensible to our atomic energy program. Its inert properties have made it indispensible as a gas shield for welding of aluminum, titanium, stainless steel, and other metals. Helium finds direct use in the production of titanium and zirconium, in the growth of germanium and silicon crystals for transistors, and many other special applications of modern technology.

The substitution of helium for nitrogen in breathing gas has helped man to avoid the dreaded decompression bends associated with deep-sea diving, and thus aids our Nation's effort to permit man to live and work in the ocean's depths. Likewise, helium-oxygen mixtures find application in the oxygen therapy for asthma patients to ease their difficulty in breathing.

Cryogenic research is a relatively new field of science; and yet it has already uncovered many exciting and practical developments requiring the use of helium at temperatures near absolute zero. Such developments offer, for example, the promise of electronic computers the size of shoeboxes, as well as many other potential technological developments to benefit mankind. The examples are endless and the list is growing every day.

At the present time, over 95 percent of our country's known helium resources are mixed in the natural gases from a few well fields in the Southwestern United States. Helium is extracted from these natural gas supplies by plants owned and operated by the Department of the Interior's Bureau of Mines and by independent private plants. These facilities, together with a small operation in Canada, are the only helium extraction plants in the entire free world. Projections have been made which indicate that the helium remaining in natural gas would not be able to fill the expected needs of the country if the increasing rates of use continued; and if we allowed the natural gas to be marketed before the helium was extracted.

The production of high-purity helium needed for our progress and security poses a concentrated problem in conservation technology. Of all the helium produced, 85 percent is used directly by the Federal Government and its contractors, and suitable measures must be taken to insure its supply.

Its vital importance to the national interest, as a unique natural resource, was recognized at an early date. The Congress first passed enabling legislation for long-range helium conservation in 1925. The Helium Act of 1925 was amended in 1937, and the most recent amendment, Public Law 86-777, became effective in 1961. Under the terms of this latest legislation, helium conservation has been made possible by authorizing long-term contracts for the purchase of the gas by the Government from private producers. Helium thus acquired is stored underground for later withdrawal and sale to augment the remaining supplies. The cooperative conservation policy which has resulted is a tribute to the response and interest of the various Federal agencies, the Congress, and the natural gas companies, working to their mutual benefit and that of the Nation as a whole. This combination of public and private institutions should serve as an example in dealing with many other of our country's conservation problems.

In the forthcoming 100th anniversary of the discovery of helium, I feel that the public, the Government, industry, and our scientific community should make a greater effort to understand and appreciate the past, present, and future contributions of helium to our national goals. I urge the Congress to take the first step in recognizing the enormous value of this rare and unique gas by enacting Joint Resolution 917. The designation of 1968 as the National Helium Centennial Year will point up the need for further conservation efforts. Hopefully, it will also stimulate scientists to devise improved utilization techniques while at the same time discovering further beneficial applications of this rare and irreplaceable gas. Following this resolution's enactment, I call upon our Government, industry, and the scientific community to respond with special events and meetings which will highlight the interesting history and promising future of helium.

ABOLISH THE ELECTORAL COLLEGE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, with our national elections less than a year away, I think it is time that we again consider the problem of the electoral college and its potentially negative role in determining the outcome of these races.

I am, therefore, today introducing a constitutional amendment to abolish the electoral college. Under my proposal, Presidents would be elected just like Senators or city councilmen—by direct popular vote.

Under the existing system, the leading Presidential votegetter in a State usually gets all the State's electoral votes, regardless of the narrowness of his margin of victory. It thus has been possible for the candidate with the greatest number of popular votes nationally to lose the election in the electoral college.

Three Presidents—John Quincy Adams in 1824, Rutherford B. Hayes in 1876, and Benjamin Harrison in 1888—were installed in the Nation's highest office after trailing in the popular vote.

Besides providing for the direct election of Presidents and Vice Presidents, my bill also calls for a national runoff election if no candidate receives at least 40 percent of the votes cast in the regular election.

However, the chances are remote that a runoff would ever be needed. For not since 1860 has the leading votegetter in a presidential race wound up with less than 40 percent of the vote. In that year, Abraham Lincoln, running for his first term against three major opponents, was elected with a skimpy plurality of 39.79 percent.

Faced with a three-way major party split in 1912, Woodrow Wilson did better, finishing with a 41.85-percent plurality. The incumbent President, William Howard Taft, drew only 23.15 percent to finish a distant third in the balloting. And even though he received far less than half of the popular votes, Wilson collected 435 of the 531 electoral votes.

I recently received a letter signed by 30 U.S. history students at Castle Park High School in my congressional district. The students criticized the present machinery for choosing Presidents as "a very weak link in today's Government," and suggested the electoral college be modified before the 1968 elections.

I agree with these perceptive students, only I think we should go even further.

For it is my opinion that the electoral college is an anachronism which no longer serves any useful purpose. It should be done away with.

DEMOCRATIC NATIONAL COMMITTEE DEPUTY CHAIRMAN ADDRESS TO MISSISSIPPI YOUNG DEMOCRATS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CONYERS. Mr. Speaker, my good friend, the able and distinguished deputy chairman of the Democratic National Committee, Mr. Louis Martin, recently addressed a group of Young Democrats in Mississippi.

Mr. Martin's political skill coupled with a lifelong concern with the rights of Negroes and other minorities in America is well known in the ranks of the Democratic Party. His speech in Mississippi centered on the very important matter of giving all minorities both the equal right and full opportunity to participate in Democratic politics throughout the country.

Under unanimous consent I insert into the Record Mr. Martin's very timely address to the Mississippi Young Democrats, and urge that it be heeded by all Democrats, of all ages, throughout these United States:

Remarks by Louis Martin, Deputy Chairman, Democratic National Committee, at the Young Democratic Clubs of Mississippi, Jackson, Miss., September 29, 1967

It is a great honor for me to be invited to participate in your deliberations. I am happy to be here and to bring you greetings from the Chairman of the Democratic National Committee, John Bailey, and his associates in Washington.

We have been thrilled and excited by what we have heard of the work of the Young Democrats of Mississippi in recent months. You are not only dreaming about a new and better day—and dreaming is important—but you are coming to grips with realities. You are hard at work—working to make democracy and the true American way of life meaningful to all citizens without regard to race or color.

The American genius is being tested today as it was in the middle of the last century by the problem of the relationship between the races. This testing is not sectional but nation-wide. I do not need to review the events of this summer nor dwell on the depth and magnitude of the problems we face.

Despite all the storm-clouds and pessimism, I believe that if I as a Negro could choose a time to be born, this is the most promising and propitious moment. We have a national Government under the leadership of the greatest Southerner in American history, President Lyndon Baines Johnson. Lincoln emancipated Negroes by proclamation but Johnson is emancipating Negroes and Whites in fact from the enslavement of dead ideas, dead concepts and a dead past.

Last Friday in the White House, President Johnson told a group of nationality leaders that all our efforts have been toward one end: "To free men from tyrants who seek to control them. Some tyrants are political; and we take up arms against them. But there are other tyrants: ignorance—ill health—poverty—and discrimination. Each of these has the power to enslave. Each must be fought by a decent society. Each can and will be overcome. We have a tremendous confidence in ourselves—in our capacity to surmount any obstacles—remove any injustice, settle any issue."

Let us focus for a moment on one issue which touches us directly as Democrats and which we must settle. The headline story of the 1964 Convention in Atlantic City revolved around the seating of delegates from Mississippi. As a result of that contest the Democratic National Committee was given a clear mandate, racial barriers to full participation in party affairs at every level must be abolished.

To this end on July 26 this year Governor Richard Hughes, Chairman of our Special Equal Rights Committee, addressed a letter and memorandum to all party chairmen in all the states. The Governor wrote: "The Committee interprets its mandate as insuring an equal opportunity to participate in Party affairs for all Democrats of all States regardless of race, color, creed or national origin. While the Committee has agreed that a quota system for delegations is not feasible in practice, it is determined to make certain that all delegations to the 1968 Democratic National Convention are broadly representative of the Democrats of the State. In the event that there should be violation of the 1964 resolution by the Party of any State, this Committee will recommend that the Credentials Committee declare the seats to be vacant and fill those seats with a delegation broadly representative of the Democrats of that State."

Attached to the letter, Governor Hughes sent the following memorandum which he described as, "Some basic elements in enabling voter participation in Party affairs."

"1. All public meetings at all levels of the Democratic Party in each State should be open to all members of the Democratic Party regardless of race, color, creed, or national origin.

"2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in any State should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of race, color, creed, or national origin.

"3. The time and place for all public meetings of the Democratic Party on all levels should be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested parties.

"4. The Democratic Party, on all levels, should support the broadest possible registration without discrimination on grounds of race, color, creed or national origin.

"5. The Democratic Party in each state should publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels.

Publication of these procedures should be done in such fashion that all prospective and current members of each state Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization.

"6. The Democratic Party in each State should publicize fully and in such manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office."

We intend to carry out the mandate of the 1964 Convention.

We cannot, however, perform the most important function of all—the participation of citizens in the Democratic process—because that is up to you. No matter how many committees are set up—no matter how many guide-lines are established—and no matter how many statements are issued and well-intentioned pronouncements are made—it will all be to no avail if you fail to meet the most important challenge of all—participation and organization. It is here—in Mississippi—that the fight to end injustice, discrimination, and oppression must be won —and you are the only people that can win it.

The time has come when the black man can no longer tolerate and endure the yoke of second class citizenship—and the white man who dares to speak out against injustice will no longer suffer the scorn and intimidation of bigots and racists. Together you can bring a new day to Mississippi—a day in which all men—regardless of race, creed, color or station in life—can enjoy the sunshine of freedom—and you can take pride in the role you have played in the realization of that day.

I have followed with great interest the activities of the Young Democratic Clubs of Mississippi—and helped when and where I could. I am greatly encouraged by what I have seen here today. I can remember the day, not too long ago, when men like Aaron Henry, Medgar Evers, Charles Evers, James Silver and Hodding Carter stood virtually alone—and now—to see what you are doing —brings a feeling of pride and hope beyond my fondest dreams.

I know that you will be equal to the great challenge that is yours—and I know that your accomplishments will light the way and open the door for many generations to come in Mississippi and throughout the South. I only hope that you will keep your eyes and your hearts and your minds on the larger goals which are so important to the future of not only your State and your region, but indeed to the entire nation.

Do not let internal strife split your ranks and dampen your spirits—and don't substitute the politics of personalities for the politics of reason and conviction. You will find that forces of all kinds, both internal and external, will seek to divide you, to dissuade you, to buy you, to intimidate you, and to diminish your effectiveness. The next few years, will be a time of testing for all of you, both individually and as a political organization. You must meet that test with resolution and dedication—always remembering that in unity there is strength. You must seek to expand your numbers—to attract new voices to your cause—and to keep your doors open to all those who see that great new day dawning in Mississippi—and who want to be part of it. Black men have had the door to the councils of leadership and decision too long closed in their face, to indulge in the same kind of thing. You are organizing in order to open that door—or, if necessary—to kick it down—for all time to come. Let no man—Black or White—ever close that door again. Serve notice on your fellow citizens that all men are welcome in the councils of this Party—and that the criteria upon which all will be judged and leadership chosen—will be on the basis of ability and reason and conviction and justice. What you are building must be a lasting thing—built on a solid foundation—not on prejudice or greed or revenge or fear or intimidations. When you leave this convention—leave it with a sense of pride and unity—keeping in mind the larger goal—the establishment of a new political system which will endure and in which and through which the voices of all the people—Black *and* White—can and will be heard and heeded.

Speak with one voice, one heart, and one mind—and tell your brothers and sisters—Black *and* White—in the Delta and on the Gulf Coast—in the Piney Woods and in the cities and towns—that a new day is coming in Mississippi—and the time has come to join up, sign up, register, and vote—and the time has come to be heard.

THE FLIMSY FLAG-BURNING BILL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CONYERS. Mr. Speaker, in the heat of a long hot summer in our cities and the confusion over how it could best stifle the growing dissent to the war in Vietnam, the House passed a so-called flag-burning bill which forgot to outlaw burning flags. I fought this bill at the time it was passed, and I only raise the subject now because I wish to insert an excellent editorial on this legislation into the Record.

No doubt some of my colleagues would like to forget the entire "flag-burning folly," but I feel that it is just as important, if not more important, to remind ourselves of our errors, as it is our achievements. Hopefully, we will not have to deal with such measures, aimed only at stifling the dissent of perhaps overzealous demonstrators, in the future. As the Life editorial reminds us, there are laws in each of the 50 States which deal adequately with this problem, and there was, and is, no necessity for the this kind of emotionalism to be brought into the Halls of Congress.

The Life magazine editorial of July 7, 1967, follows:

Oratorical Overkill on the Flag Bill

The House of Representatives, in rushing to the defense of the American flag, reached heights of confusion and depths of platitudinous bombast. The congressmen were outraged—as were most Americans—by the antiwar types who have lately burned or desecrated the American flag to draw attention to themselves.

But after five hours of oratorical splendor, the House passed a bill that forgot to mention "burning"; that is no improvement over the flag-desecration laws now existing in all 50 states; and that is so poorly worded it will surely be challenged in the courts. New York's Emanuel Celler, chairman of the Judiciary Committee that produced the bill, had serious reservations about it. But Celler is a realist and explains, "Who can vote against something like this? It's like motherhood."

The House bill provides that "whoever casts contempt upon any flag of the United States by publicly mutilating, defacing, defiling, or trampling upon it shall be fined not more than $1,000 or imprisoned for not more than one year, or both." The law applies to "pictures or representations" as well as actual flags.

Everybody wanted to get in the act. James Haley of Florida even suggested taking protesters "about 500 miles out in the ocean and handcuff them, chain the anchor around their neck and throw them overboard." The hours of debate made heavy demands on recalled bits of poetry and quotations from Oliver Wendell Holmes, Henry Ward Beecher, George Washington and Little Orphan Annie.

As it stands, the bill does not make clear whether "casting contempt" must be done with intent—or whether it can simply be construed that way by a bystander. But the bill passed by 385 to 16. Nearly lost in the oratorical overkill, the words of two congressmen made sense.

James Scheuer (D.-N.Y.) told the House, "We are not in the business of legislating honor, dignity, good taste or good sense. I do not believe we have to rise to meet the bait of every irresponsible who finds a new way of making a bloody fool out of himself." We agree—and we strongly support the suggestion of Cornelius Gallagher (D.-N.J.) that "perhaps we could best resolve the confusion by having a 'bill burning' and then taking a new look at this legislation."

GENERAL MOTORS HIRES "FORGOTTEN LABOR FORCE"

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CONYERS. Mr. Speaker, I would like to bring to the attention of my colleagues the announcement of General Motors, under a new liberalized employment program to hire and train thousands of the unskilled and the other so-called hard-core unemployed residents of Detroit's inner city.

This program is one of the first examples of a large company, in Detroit or anywhere else in the country, attempting to cope on a large scale with the problems of the unskilled unemployed in the urban slums of America. They should be commended for their initiative and commitment. I particularly want to commend Mr. James M. Roche, the new chairman of the board of directors of the General Motors Co., for the personal leadership he has given this effort.

A recent editorial from the Detroit Free Press praising this program should be of interest to the House:

Good for General Motors!

What's good for General Motors . . . General Motors Chairman James M. Roche, one of Detroit's more progressive citizens, has for many years quietly emphasized the importance of non-discriminatory hiring practices at GM plants. In the wake of this city's rioting, he accepted membership on the New Detroit committee and has fully participated in its fine work. At one point he made a personal lobbying visit to Lansing to support committee recommendations and to try to influence lethargic state legislators to move positively on problems.

Now, GM has announced that its Chevrolet Gear and Axle plant in Detroit will begin hiring unskilled, hard-core unemployed residents of this city. These people will be referred to GM by the Detroit Urban League.

And beyond hiring these residents, GM will set up a special 11-man job counseling and training staff to work with them once they report for work. The hard-core unemployed virtually always lack job skills and motivation, and experience has shown that this sort of intensified program is essential to their eventually making it in the productive workaday world.

The GM effort, of course, is worth it. It means that those formerly on relief and suffering financial hardship can begin to take care of themselves and their families. It strikes to the root of many urban problems. Government job training programs cannot really match an intensified effort on the part of private industry.

So it is good for General Motors to become involved and to begin to play an even larger part in rebuilding a city and rehabilitating a segment of its citizens. And what's good for General Motors here is certainly good for the country.

ROBERT T. STEVENS WARNS OF TEXTILE INDUSTRY THREAT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. TUCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TUCK. Mr. Speaker, in recent weeks numerous Members of the House, including myself, have introduced legislation which seeks, through imposition of a quota system, to alleviate the fierce pressures on the U.S. textile industry caused by cheap foreign imports. These pressures have substantially weakened the productive capacity of the domestic industry and have caused a continuing state of virtual crisis in U.S. textile production.

One of the most incisive statements on the plight of the textile industry was made by Mr. Robert T. Stevens before the U.S. Tariff Commission on November 14 of this year. Mr. Stevens is president of J. P. Stevens & Co., the Nation's second largest textile manufacturer.

Mr. Stevens emphasized two points in his presentation. First, present reserve capacity of the textile industry to meet emergency military needs has already been severely weakened, and, if imports continue at the present rate, this country may well become dependent on foreign production to meet military requirements.

Second, the Government and the industry have an obligation to protect the jobs of 4 million workers directly or indirectly involved in textile production. Mr. Stevens stated that, despite the economic benefits that might accrue to J. P. Stevens & Co., it has met this obligation to its 44,000 employees by refusing to import textiles or textile products of any kind.

I insert in the RECORD at this point the full text of the testimony by Robert T. Stevens before the U.S. Tariff Commission. Mr. Stevens, as many of you know, is an outstanding American citizen and executive.

The statement is as follows:

My name is Robert T. Stevens. I am President of J. P. Stevens & Co., Inc., manufacturers and distributors of textiles made from cotton, wool and man-made fibers. We have been in business since 1813. My appearance here today is on behalf of the Stevens Company and our 44,000 employees in 71 plants. My special concern involves the American textile industry in its relation to national security.

In announcing his seven-point textile-apparel program on May 2, 1961, President Kennedy said: "Two years ago (that is, in 1959) the Director of the Office of Defense Mobilization testified that it was one of the industries essential to our national security. It is of vital importance in peacetime and it has a direct effect upon our total economy." President Johnson has also endorsed the Kennedy textile-apparel program. Furthermore, he has voiced his concern, especially with regard to the continued liquidation of the woolen and worsted sector of the industry.

My concern is the result of experiences I have been honored to have as Deputy Director for Textile and Apparel Procurement during World War II and as Secretary of the Army during the latter portion of the Korean War. These experiences indelibly impressed upon me the essential role of textile products in military requirements. Even in peacetime textile products are consumed in large volume by our Armed Forces but, during any military buildup or other military emergency tremendous quantities of textiles are required.

These requirements place heavy responsibilities on the American textile and apparel industries and the logistical problems of filling supply lines to distant fronts, such as South Vietnam, only increases the strain. In addition, conditions of warfare use impose such vastly greater wear and tear than occur in normal civilian usage, that very much higher product specifications are generally required for most products used.

In 1961 the industry reviewed the basics of textile availability under conditions of major war by updating our World War II experience to the atomic age and under conditions of lesser conflicts, with Korea as the example. This was done in a petition to the Office of Civil and Defense Mobilization, now the Office of Emergency Planning. No decision has yet been rendered on this petition.

It is an interesting and sobering fact that just ten days after our petition was filed, President Kennedy warned, in his May 21, 1961 message to the Congress, of the possibility of "a war of escalation in which the stakes by each side gradually increase to the point of maximum danger which cannot be either foreseen or deterred." We have been in a war of escalation since 1965 and this escalation has been testing our industry's ability to meet emergency demands, after being confronted with a vastly greater textile-apparel import problem than we faced six years ago.

The sudden demand for goods for South Vietnam in which some $60 million worth was bought in the month of July, 1965, with an average of $95 million monthly over the next 24 months, brought about great difficulties for the industry. Textile companies equipped to serve the military had to operate around-the-clock and with a great lack of reserve capacity on which to draw.

Even these requirements could not have been accomplished if the theatre of operations was located in a temperate or cold climate such as Korea. Above the semi-tropical zone worsted uniforms and other wool products become factors of survival for military forces. In my considered opinion, the American woolen and worsted industry, as presently constituted, is incapable of producing the huge quantities of fabric for military, medical and essential civilian use that would be required during any all-out emergency. I have testified more than once to this effect before committees of Congress.

I would illustrate the problem with the following example: It involves the worsted segment of the industry, the hardest hit by imports. To put this in perspective, let us consider two large military contracts, one in 1951, during the Korean War, and the other about a year and a half ago.

In 1951 the government invited bids on nine million yards of worsted serge uniform fabric. Fifty-four producers bid on that contract. Of those fifty-four, thirty-nine are now, sixteen years later, completely out of the business. This is a shocking fact and a further significant fact is that, among the fifty-four bidders, 80% of the total yardage awarded was given to the thirty-nine who are no longer in the picture.

Now, as to the second contract. Early last year, the government invited bids on three million yards of worsted or worsted blend tropical fabrics. It is a sad statement of fact that just two firms responded with bids. The American worsted industry, once ready, able and willing to bid on large worsted military contracts, had been so tragically reduced in capacity that only two companies, including Stevens, submitted bids.

What is behind the deterioration of this once massive woolen industry? The answer, strangely enough, lies largely with the government itself. After the Korean conflict, and continuing up to the present time, the industry repeatedly warned and pleaded with our government to institute a well thought out, realistic policy to hold within reasonable bounds the flow of unneeded and unnecessary cheap wool textile and apparel imports into the United States. Tragically, appropriate action was not taken. Spindles and looms and combs continued to be scrapped. U.S. production went steadily down, while imports went steadily up.

Studies and surveys of the wool textile import problem have gone about as far as they can go. There isn't much more, if anything, further we can learn about it. Industry missions to Europe have been many. Some progress toward a solution with the major European wool textile exporters seemed to be possible. Not so with the Japanese, by far the largest exporters of worsted textiles to the United States.

In June 1965, a joint Government-Industry delegation travelled the 7,629 miles from Washington to Tokyo to talk things over. It was not an easy trip to arrange. Prior to the actual meeting, much time and effort were spent and many trans-Pacific cables were initiated. The Japanese, clearly, did not want to discuss the possibility of a multi-nation meeting, even to ascertain whether a problem did, in fact, actually exist. In any event, after much pleading, and on the insistence of the White House, our State Department finally arranged a meeting in Tokyo.

From the outset it was obvious that the stiff, formal tone of the first confrontation, as reported by Americans present, presaged that the meeting would end in failure. According to the trade press, one Japanese delegate, despite the conciliatory attitude of the U.S. delegation, said, "We are not North Vietnam, you can't come here making demands. We will not be intimidated." In fairness to the diplomat who was Chairman of the Japanese delegation, that remark was later expunged from the official record after the meeting concluded, but the words remained indelible in the minds of the Americans who were there. And the 7,629 miles back to Washington were sad indeed. Thus, still another honest and sincere effort to harmonize wool textile relations with the Japanese came to naught. The situation remains the same now.

This is what has actually happened regarding the decimation of the worsted portion of the industry. In 1951 there was a total of 33,935 woolen and worsted looms in place. By 1965, the latest available, the figure dropped to 12,784. As regards worsted spindles, in 1951 there was a total of 1,792,000 in place. As of 1966, this figure dropped to 739,000. Worsted combs in place in 1951 were 2,807 and by 1966 the figure dropped to 1,522.

In 1966 the ratio of worsted imports to domestic production shot up to more than 50% and with the domestic industry virtually halved since 1951, is it any wonder that alarms should be sounded? In 1966 importers brought into the United States 44,865,000 square yards of worsted broadwoven fabrics. Of this total, 33,954,000 yards, or more than 75% came from Japan. Is there no end to it?

Important segments of cotton textiles can be pointed out here and I can do so readily by describing a recent military procurement of cotton fabric of 5½ oz. wind-resistant oxford. This cloth has remained virtually unchanged since the early part of World War II. It has proved its worth to the Armed Services in many end uses. It is made of 184 ends of 72/2 ply yarn and 90 picks of 40/1 yarn. Extra long staple cotton—Supima®—is mandatory to meet the high specification requirements.

On July 12, 1967, a formal invitation to bid opened for 3,060,000 yards. There were a total of five bidders, who offered a total of 7,310,000 yards. To an uninformed person, this would seem like ample coverage, but, on closer examination, the bidding disclosed that only two mills were manufacturers of this type of goods.

Other mills that offered this fabric and similar fine yarn, high count fabrics, had offered their goods from converters and, in most cases, the mill was completely unfamiliar with this high quality type of manufacture. We know that of those who were successful in receiving an award, some were unable to make the subsequent required delivery. Now, what does all this mean?

During World War II there were quite a number of mills in New England and the Southeast that could make this type of cloth. When the foreign imports of this general character of goods, typified by the fine, high count, plied yarn shirting broadcloths, came into the United States in large quantities, without question it hastened the demise of a great number of plants capable of weaving these fabrics so that today only a handful capable of spinning yarn as fine as 70/2 or 80/2, and capable of weaving high sley fabric out of this yarn, remain available to the military.

So, once again, we are experiencing a severe contraction of an entire segment of the industry and, if this trend continues, the United States may become dependent on imports to satisfy military requirements. If they knew these facts, I don't think the American people would ever let this happen.

The Special Senate Subcommittee on Textiles, chaired by Senator Pastore, in its report to the Senate in February, 1959, said, "Textile mill products have a high military priority. The Department of Defense has ranked the textile industry second only to steel in terms of military essentiality. It would be the height of folly in a world where we must realistically recognize the necessity for military preparedness, however much we hope for and work toward the elimination of war, to allow the domestic textile industry to contract to the point where it could not satisfy our basic civilian and military needs in the event of an all-out emergency."

That was in 1959. Today, eight years and billions of imported yards later, we have reached the danger point where, in my considered opinion, there are vitally important parts of the textile industry that could not possibly supply the country's basic needs of war. Subsequent reports of the Pastore Committee urged haste in applying reasonable quotas to textile and apparel imports.

Until our government establishes quotas, by country and by category, the sword of Damocles will continue to hang over the industry's head. Increased textile and apparel imports will find their way to the United States from every corner of the earth and there will continue to be an erosion of our national security base.

Equally tragic will be the loss of additional textile and apparel jobs, plus the loss of jobs in cotton, wool and man-made fiber production. Allowed to go unchecked, there is little reason to believe that imports will not, in general, follow the same pattern of increase in the next five years as they have in the past five years. It must not be forgotten that two million textile and apparel jobs are hanging in the balance and that two million more jobs in back-up industries are involved.

Congress, in passing the Wool Act of 1954, did so as, "a measure of National Security" and declared that wool is an "essential and strategic commodity." Congress acted wisely, but let us bear in mind that, before raw wool actually acquires strategic value, it must be fabricated into wool products for military and essential civilian demand. Without adequate wool manufacturing facilities in the United States and the necessary skills available in time of over-riding national need, of what value is raw wool? There is only one market for the American wool grower. If wool textile manufacturing in the United States goes by the boards, so, too, will American wool growing. It is impossible to export either American raw wool or wool textiles.

Woolen equipment, processing and skills are greatly different from the machinery processes and skills prevailing in other segments of the textile industry. The average cotton manufacturing plant, for example, cannot possibly produce the wool goods needed by the military. Since Congress really passed judgment on the combined wool situation in 1954, it seems ironic that, thirteen years and scores of mill liquidations later, there still has not been one single major action to control the devastating growth and impact of imported wool products made from cheap labor in foreign countries.

At this point, I would like the members of the Commission to know that we, of the Stevens Company, do not believe in working both sides of the street. We believe we have an obligation to our 44,000 employees generally equal to the obligation we have to the 16,000 owners of our Company. For this reason, we do not import any textile or textile products whatever. How can we help our employees save their jobs from the inroads of excessive textile imports, based solely on cheap labor, on the one hand, yet, at the same time, import goods for further processing and profit on the other hand?

Our profit and loss sheet might look better if we imported cheap labor textiles and shifted some of our manufacturing processes overseas. But our management has never been willing, and does not now accept the proposition that our obligations are limited only to making a profit. Preserving American jobs and increasing their number is part of our responsibility to our country.

Turning now to projected military textile requirements, not even the best estimates seem to prove correct when an emergency arises. An experience I had may be of interest on this point.

You will recall that, in 1940, with the collapse of the Low Countries, President Roosevelt re-activated the National Defense Advisory Commission. In June 1940, a year and a half before Pearl Harbor, I was asked to come to Washington to assist in whatever way I could and to review the situation with respect to textile industry capabilities, both in manufacturing and from the standpoint of availability of raw materials.

One of the many items of deep concern to me was the inadequate supply of fabric for parachutes. They were made at that time of silk cloth, and the sources of raw silk were largely Japan and a smaller supply from Italy. Dupont's first nylon plant was just coming onstream. Our country was stockpiling silk to the best of its ability but the requirements, in my opinion, went way beyond both then existing supplies and our estimate of needs in case of war.

In a meeting with representatives of all the military services, we discussed future needs. The estimate was that 9,000 parachutes would be adequate for our needs during the fiscal year 1941. It was my belief that this would fall far short of minimum requirements. I pointed out that the previous week President Roosevelt had sent a message to the Congress in which he called for the production of 50,000 planes annually. Assuming four parachutes per plane, on the average, which was the Air Corps rule of thumb at the time, this would total about 200,000. This was the figure I set. And, I stuck to it. I, too, was partly wrong in that our requirements finally went way beyond even that figure.

This illustration presents an object lesson that we, in America, should not have to learn again. When an all-out emergency breaks loose, will we have the productive capacity to supply the military and essential civilian demands for clothing, shelter and medical supplies that will be needed? We should not gamble unnecessarily when life and liberty are at stake.

I would like to give you a concrete example of how concerned we, in Stevens, were with respect to an adequate supply of military fabrics for our increasing forces in South Vietnam. On December 22nd 1965, we offered, in writing, to the military, with no strings attached, to build at our expense a brand new facility, designed to produce whatever fabrics the Armed Forces needed the most.

We estimated that we could bring this new facility onstream in twelve months and stated that we would run it exclusively for the military, as long as needed. Thereafter, we would try to figure out what we could do with the plant. If facilities had been available in the industry comfortably to supply these military fabrics, do you think we would have made such an offer? Of course not. It was the shortage of facilities for military fabrics that caused us to step up and offer to do something really constructive.

Our country's needs and progress have brought about important changes within our progressive industry. Glass fabrics are a good example of relatively new development. Much of the production of glass fabrics goes into home furnishings and various industrial end uses. However, a great deal of this production also finds its way into military and semi-military applications. Its uses are practically unlimited. Boat hulls, protective clothing, airplane parts, missile nose cones, and other missile components are among these.

The Stevens Company makes, from manmade fibers, some sixty separate fabrics for parachute uses alone. These have to perform very differently in the varied functions, from bringing fighting men down safely, to showing space capsules that are returning to earth, and even to floating flares over a battlefield.

I cite another example of a vital military fabric and the demands on the industry to produce it when the need accelerates. During the South Vietnam build-up, cotton duck provided a major problem in military supply. A production of 474 million yards had been achieved in World War II, with 16,200 looms running. As of 1965 there were only 6,440 duck looms and production was 248 million yards.

Initial duck needs for Vietnam were for tentage. The so-called duck pool, set up after Korea by the military, in view of the chronic shortage of these goods in all wars, had been liquidated before Vietnam, and current supplies and nearby production of the duck mills was insufficent to meet the need. Furthermore, normal non-military uses for the fabric are mainly in essential industry, which also had to be supplied. The result was that all available production of the duck mills was provided to the military, other mills with heavy enough looms went into production and finally, single yarn tentage fabric substitutes were developed and accepted by the military from other plants. Mills on work and sportswear, drapery and upholstery fabrics, and others, contributed to the all-out effort. Duck production edged up to 285 million yards in 1966.

Subsequently, military needs broadened to include heavy numbered duck, requiring ply yarns and necessitating further loom changes and more extensive tentage production in non-duck mills. Meantime, the industry's position is hardly enviable. While it has devoted itself to meeting military needs, the government tolerantly permits countries overseas to ship more and more duck into the United States for civilian markets. If the war accelerates, the industry's military supply problem will be that much greater. When the war ends, the industry will find its government contracts terminated and much of the existing civilian business preempted by its importer competitors. Overseas producers are taking advantage of America's effort to defend the free world in order to grab off more of our domestic market. Is this fair?

This segment of the industry should be encouraged to expand in order to allow it to serve both military and civilian needs. Meantime, with the capacity to produce duck so greatly curtailed, it is apparent that any substantial acceleration of the present war or the incidence of other conflicts, could find the military sadly lacking in needed duck. Only import controls can, in the long run, restore the necessary confidence and expand duck potential sufficiently to protect the national defense interest.

The American textile and apparel industries have played, and continue to play, vital roles in American defense and scientific projects. Since the industry is essential to the defense and survival of our country, it seems clear that we should now stop dismantling it through excessive imports and, instead, encourage its return to the vital role in a dynamic American economy that it should occupy.

Last Wednesday, there was a very interesting article in the *Wall Street Journal* indicating that steel imports were declining at the moment and might even show a slight reduction for the year. I hope, Members of the Commission, that this old technique on the part of importers will not mislead you, either in the case of textiles or steel. We have seen this before. When the Congress gets really interested in the matter of excessive imports of a given type, then it can be shown that imports of that kind will temporarily not increase, or even, on occasion, will decline.

I stress the word, "temporarily" because you may be sure the upward trend of textile imports will continue in the future, when the pressure is off, just as it has in the past, as reflected in the figures now before you. I hope the future health of the great American textile industry will not be adversely affected by such opportunistic moves on the part of foreign producers and the importers.

This eminent Commission has a unique opportunity before it to make a wise finding affecting the fate of this major American industry, with its close relationship to national security. The combined textile-apparel industry and its two million employees is clearly carrying more than its fair share of the burden of foreign imports as an instrument of foreign policy. Isn't it, at long last, time to institute a rule of reason policy and establish fair quotas, by category and by country, on all imported textiles and textile products?

Thank you.

IF NOTHING BEATS SUCCESS LIKE SUCCESS—WHY CHANGE A FREE TRADE POLICY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. LEGGETT. Mr. Speaker, these United States have now favored a policy of free trade for more than three decades. Although we have always had some limitations on trade, there has been a definite trend toward removing them. Beginning in 1934 with the Reciprocal Trade Agreement Act, we have reduced average tariff rates—with homologous reductions by other major nations—from the 60-percent level under the Smoot-Hawley Tariff Act to a 7.7-percent level which will result from the Kennedy Round Trade Expansion Act cuts effective the first of the year.

Now Congress is moving toward a reversal of this 30-year program.

The position in favor of such a move is today receiving a big play by many lobbyist, constituents, and special interest groups. They present the argument which points out that U.S. producers' products for domestic markets are, for various reasons, unable to compete with the products being imported from foreign countries. American manufacturers are thus being prevented from achieving maximum profits. They argue that steps must be taken to artifically limit the foreign producer's accessibility to U.S. markets by use of quota or tariff mechanisms.

This argument ignores the fact that the imposition of an additional limit on foreign products entering the United States will generate a retaliatory quota and tax on U.S. exports abroad thus having a stultifying effect. With more foreign limits, less American products can be sold abroad; therefore, less will be produced, again reducing profits.

Very simply stated, then, the battle is between the protectionists on the one hand who favor American industries who produce primarily for a domestic market; and the free traders on the other hand who favor American industries who produce primarily for a foreign market. The task of Congress is to decide which group of American manufacturers should be protected.

As the interests have been presented above, it should be clear that both groups of producers cannot achieve maximum profits. Rather than attempting to satisfy one group or another, limitations should be placed at a level which will give us the greatest market—domestic and foreign combined. It would be irresponsible, except where justified by some external policy, for Congress to impose a limitation for the sake of one industry when the end result of that action will be detrimental to our overall market—domestic and foreign combined.

This is precisely what may occur should we allow ourselves to approach this issue on an industry-by-industry basis or commodity-by-commodity basis. To attempt to handle this issue in piecemeal fashion would be to ignore the realities of foreign international trade.

Every industry is entitled to consideration as it is a part of our overall market. But it is as a part of an overall market that it should be considered.

An industry which overproduces its product thus depressing its market cannot expect a government to attempt to correct the effects of this error of judgment by import quotas which would adversely affect the markets of other U.S. producers. In the same way the producer who is unable to compete because of his own refusal to improve the quality of his product or the efficiency of his production methods should be forced to correct these misjudgments himself. For Congress to act otherwise would: First, merely perpetuate an unhealthy market situation; second, detrimentally affect foreign producers' ability to allow the American buying public to make the choice as to which product is best; third, encourage a reaction by the exporting country which will detrimentally affect other American producers.

I spoke of external policies earlier. Let me focus on one example of such a policy. America has spent billions of dollars to further the economic growth of developing nations around the globe. This is done partly through our foreign aid program, through our Peace Corps, and by encouraging private industry investment abroad. It makes little sense to encourage foreign production and development on the one hand and to close down the world's best international market for that production on the other—to wit, the American market. This matter was more thoroughly discussed earlier in my statements on the economic stability of Malaysia—see the daily CONGRESSIONAL RECORD, pages A5113–A5114, October 17, 1967, "The Problems of Developing Countries a Fair Deal Rather Than Charity".

In a statement before the Senate Committee on Finance Hearings on Import Quota Legislation—October 18, 1967—Secretary of Agriculture Orville L. Freeman, made clear the importance of anticipating the response of foreign nations to the actions Congress is now considering. A portion of the Secretary's statement follows:

> Thank you for the opportunity to talk with your Committee on this vital matter of foreign trade. I use the term "foreign trade" deliberately. We cannot talk about further restricting imports without talking about restricting exports. Moreover, we cannot talk about industrial trade and agricultural trade separately. In this context, they are not separable. What happens in one sector too often has a direct impact on the other.
>
> From where I sit, I see this regularly. Just the other day we were reminded by another government that what the United States does on watch imports will have a direct impact on whether we will be able to export

poultry parts. It gets that specific. And the United States does some reminding of this kind also, in its fight to keep U.S. exports high.

That's why I have always taken a keen interest in all our trade actions, across the board. That's why I'm alarmed at the quota proposals before us. We seem to be losing sight of the importance of our exports.

For seven years now, I've worked hard to expand our agricultural exports, and I've had the satisfaction of seeing them grow from $4.5 billion in fiscal year 1960—the year before I took office—to a new record of $6.8 billion in the 1967 fiscal year that ended last June. Exports for dollars climbed from $3.2 billion to $5.4 billion in that period.

These agricultural dollar export earnings are important:

To the country as a whole. Only a few months ago, when we were talking about the U.S. balance of payments, Secretary Fowler told me that we would long since have faced a national economic crisis of grave proportions—that the value of the dollar would have been seriously undermined—were it not for the substantial flow of dollars into our accounts from agricultural exports;

To industry and commerce. Without them, farmers would not have maintained industrial farm inputs at their high levels; transport, banking, insurance and port activities would have been at lower levels;

And to farmers most especially. Without these export dollars, farm income would have suffered severely.

The exports facts should by now be well known by all farmers. But let me repeat them.

Production of 1 out of every 4 cropland acres harvested is exported.

Exports provide employment for 1 out of every 8 farm workers; they account for 17 cents out of the farmer's market dollar.

Farm exports have been increasing at a rate substantially higher than domestic consumption of farm products. An increasing percentage of many farm products is being exported. For 5 major farm products, exports exceed 40 percent of the value of farm sales.

And when commercial farm exports for dollars are compared to farm imports, the farmer clearly comes out ahead. Out of our total agricultural exports, well over $5 billion are commercial sales. These are dollars earned. Against this we have around $2.5 billion of agricultural imports that are more or less directly competitive with our agriculture (meat, wool, dairy products, sugar, and so on). We could say these are dollars spent. Thus, for every $2.50 imported, we export $5.00 commercially. We have a good business. And a lot to lose.

A continuing climb in U.S. exports is more important to American farmers than to any other major segment of our economy. If farmers support protectionism, they are making a serious mistake, because they are endangering their own export market.

These facts have been repeated over and over. Perhaps that is the trouble. Perhaps we've said them too often—have talked ourselves into believing that ever-increasing exports will come to us as a matter of course.

Well—they won't.

Exports haven't just grown. We have worked at it—hard. We have invested money and time in market development, in product promotion, and in reducing foreign barriers to trade so that we can sell more. We continue to work hard on all fronts to export more and more. The level of effort on these fronts is—up—up and up.

We mustn't be fooled by the idea that countries buy from us, and will keep buying from us, simply because they need our products. That's bad reasoning. There are very few of our export products that other countries can't produce for themselves, or buy elsewhere, or do without if they really want to. We fight a daily battle against restrictionist forces in these countries all the time. Sometimes progress is slow, but we are making progress—witness the steady climb in agricultural exports.

If other nations conclude that we are acting in an unreasonable and protectionist manner—that we are shutting them out of our markets unfairly and without justification—they are not only perfectly willing and capable of shutting us out from theirs, they are likely to do so.

I've spoken at some length on the problem of exports and the need for expanding trade, because it is absolutely crucial for us in agriculture. We must never overlook the impact on exports when we consider imposing import controls.

Agriculture everywhere has special problems. Generally speaking, all over the world farm incomes are only half those in other sectors of the country's economy. To help meet such problems, virtually every government has stepped in with price and income and other support programs. These in turn can have severe repercussions on trade. To deal with these repercussions, the U.S. sometimes has to control imports.

But we should be certain before we act to put on controls:

That there is a clear and present need for additional protection;

That the protective instrument chosen fits the need;

And that the dollars and cents cost of our action in lost exports will not be way out of proportion to the benefit it confers on some of our producers.

These are sensible, pragmatic tests.

As a Congressman from one of our Nation's most important agricultural areas, considering the multitude of agricultural commodity interests which I have represented, these words were of unique significance to me. However, I point out that once the producer has been significantly affected, it is merely a matter of time until our consumers will be asked to correct the imbalance.

Perhaps our trading partners know our needs and limitations better than we do. On November 3, 1967, the Daily American News, published in Rome, Italy, and read in the United States, Europe, North Africa, Jordan, Lebanon, Syria, Israel, Turkey, Morocco, Saudi Arabia, Iran, and Iraq included the following:

IMPORT QUOTAS CONTROVERSY

The wave of protectionist sentiment now sweeping industries and businesses throughout the United States is being roundly condemned from many quarters. But one of the most outspoken and energetic attacks against this campaign, which threatens to lead the U.S. into a kind of disturbing economic isolation, has just been made by the Council of American Chambers of Commerce in Europe.

This particular criticism is important in that it comes from "men in the field" overseas who realize, perhaps far better than most people back home, the negative repercussions which could follow the adoption of the import quota bills. And consequently their views are certainly deserving of a respectful hearing.

The Council represents more than 10,000 American Chamber of Commerce members in Italy, Britain, France, Germany, Spain, Switzerland, Belgium and Holland. In telegrams to Sen. Russell Long and Rep. Wilbur Mills, the council expressed its unanimous concern and consternation over the various protectionist bills now pending before Congress. And its move, significantly, has been warmly applauded by the Chamber of Commerce of the United States in Washington.

Businessmen and industrialists who want the creation of new trade barriers are certainly not acting on a lightly-taken decision in demanding such legislation. Since the end of World War II, they have, generally, taken the rosy view that the entire free world should be considered as one market.

It is to be wondered, however, whether import-quotas would really solve present difficulties—indeed if they might not actually prove to be a short-lived palliative which could eventually create more problems than it solves.

The American Chambers of Commerce in Europe have already put their finger on a very real peril—that the approval of the import quota requests will lead to retaliatory measures by the foreign countries affected. There is every reason to believe that these nations—understandably, too—will simply hit back by barring the import of U.S. products. And this act of reprisal, in turn, could further aggravate the American balance of payments position.

In that sense, the demand for import-quotas would not only put the clock back; it could also harm the position of the U.S. as undisputed leader of world commerce.

The present reasonably healthy climate in which international trade and investment is allowed to expand would be hit by a series of squalls which threatens to harm not only U.S. commerce but also that of the entire free world.

The world developing as it is today, the continuing affluence of our people will certainly be better insured through a healthy worldwide market than through the American market alone. A policy of free trade will give us that insurance as well as aid in the economic development of the rest of the world.

BOB BYRNES—REPORTER AND GENTLEMAN

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, my fellow Members of the Connecticut delegation and I—as well as many Members from other States—will surely notice the absence of a distinguished member of the press corps in the days and years ahead. Robert D. Byrnes, the Washington correspondent for the Hartford Courant, is retiring after 24 years of service.

Over the years Mr. Byrnes has been a careful and conscientious reporter and analyst of events and trends in the Capital, and has earned a reputation for accuracy and skill which few journalists can match. We have all learned a great deal from his columns, and have enjoyed his good company and kind advice.

The Courant's new correspondent, Robert Waters, has described a recent interview which I had with Mr. Byrnes, and I am pleased to commend this article to the attention of my colleagues:

TABLES TURNED: ROBERT BYRNES INTERROGATED BY CONGRESSMAN MONAGAN

(By Robert Waters)

WASHINGTON.—Robert D. Byrnes, Washington correspondent for The Courant who is ending 24 years' service here, found the tables were turned on him last week:

Byrnes was interviewed by member of Congress.

U.S. Rep. John S. Monagan, in a radio interview for Connecticut stations, asked Byrnes to reflect on the Washington scene.

Said the veteran reporter:

"I think that one of the fortunate things is that sometime early in life, or early in my educational career. I got the idea that among the three co-equal branches of government, the legislative branch ought to be just a little bit more co-equal than the others because it is closest to the people. And much of my work has been with the lawmaking process, which I think is tremendously important and very fascinating," Byrnes said.

Reflecting on the changes that have taken place since he first came to Washington, Byrnes told Monagan that one of the most noticeable was the role of Congress.

JOB HAS CHANGED

"Certainly the job of Congress is different," he said. "If you think back over approximately 25 years, in your own field of foreign affairs, for example, before World War II, there wasn't much in the way of foreign affairs matter on the Hill except for treaties. Now you almost never hear of a treaty, whereas the shift to the economic impact on world affairs has made your foreign affairs committee in the House and the foreign aid bill which controls the money that goes abroad, very important.

"It's approximately since World War II that Congress discovered science," Byrnes continued. "You had atomic energy, space, and are now moving into oceanography. The welfare state has also developed in that time. And the fact that Congress is still here in the middle of November is one illustration of how the job—how the field—has expanded."

After being graduated from Trinity College, Byrnes served as The Hartford Courant's General Assembly correspondent from 1923 to 1943, and then came to Washington. He noted a number of changes in the trade of the gallery reporter over the years. "The mechanics has changed a great deal; we've got much faster transmission now," he said. "I feel that it's regrettable that speeches are not reported to the extent they were. I'll leave it to you as to whether the debates now are as worthy of being reported as they used to be or not, but the fact is that the people don't get as much of the give-and-take of debate as they used to."

MONAGAN ADDS VIEWS

Adding his own reflections on the press in Washington, Rep. Monagan said: "In our free society, there is no role that is more important than that of the newspaper columnist or newspaper reporter . . . and it goes without saying that with Washington the center of the world as it is today, the newspaper correspondent or reporter who carries on his role in Washington is filling a position of top responsibility in today's world.

"Connecticut has been very fortunate in the last 24 years in having Mr. Byrnes as one of its correspondents." Monagan said, "He has been a careful and vivid reporter of the national scene, and of the activities particularly of the Connecticut delegation here. . . . We have found your reporting of our activities complete—sometimes we may have felt that it was a bit too complete—but we have respected you for your fairness and for the dedication that you have brought to the job."

"I think I've been fortunate in being able to cover the Connecticut delegation," Byrnes concluded. "It's been a lot of fun and a great experience."

ORDEAL BY DIESEL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, technological and industrial development are indeed fine things, and the history of our country would be far less illustrious without the particular forms of Yankee ingenuity and achievement which the world has come to accept as uniquely American.

But our conquest of this continent's wilderness must now be reconciled with necessary human values. How much of the cleanliness of our air and streams, and the peace of our countryside and neighborhoods, will we allow to be lost in the name of "progress"?

An essay, by Stuart Chase, in the Redding, Conn., Pilot, explores this question in an eloquent and thoughtful manner, and I commend it to my colleagues' attention:

ORDEAL BY DIESEL

(By Stuart Chase)

The New York Times in a recent editorial asks: "Is transportation convenience such an overriding goal that it must enjoy priority, even over the need for a humane, livable environment?" The Times cites the sad case of Scarsdale, where a lovely area called Butler Woods is being torn apart by bulldozers to make way for a high-speed parkway. "Must the automobile win over trees every time?" Even if it wins over trees, how about people?

We can bring this question right home to Redding. Nearly every morning, for months past, I have been wakened by a low rumble, coming up Route 107 from the Saugatuck River crossing, and growing louder and louder. The low rumble is succeeded by breathless snorts like a wounded elephant, roaring crescendo, roaring fortissimo, up and up from the valley, past the Mark Twain place, past the Taylors and the Hermes, past the Rumls, past the Edwards, roaring to a stupendous climax at our mailbox, with every intention of battering in the side of the house. Peering out we see a diesel trailer truck the size of a freight car, flaming red, with black smoke pouring from its vertical exhaust, hauling 40 tons of sand, more or less, to a construction job in Stamford. All the way down to Georgetown we hear its thunder recede.

Well, that's over. One glances at the clock—6:30 a.m.—turns restlessly on his pillow, utterly awake. Or is it over? Hark! the low rumble of diesel number two down at the river crossing. Building up and up to the crack of doom. And so on, every fifteen minutes all day, sometimes in chains of three or four trucks, till after dark. Six days a week, all summer, all fall. Will it be all winter? There is something about a diesel at full throttle, laboring up a grade, which excites and agitates the listener, stirring him to the depths of his nervous system. The monster throbs, grunts, halts, and starts again in another key, with a force to split the eardrums, split the chest and throat. Any conversation, indoors or outdoors, comes to a halt, engulfed in a tornado of sound. "What did you say?" One has no idea, his memory too is shattered.

MOUNTING PROTEST

Noise is now being classed with carbon dioxide as an air pollutant. Three states, California, Oregon and Washington, have already passed laws to restrain the decibel count under specified conditions. Britain, West Germany, Switzerland, Norway, Denmark and Sweden have stringent ordinances against noise. Sixteen million Americans are estimated to be exposed now to noise sources that threaten to impair their hearing permanently.

One industrial survey has put 85 decibels as an allowable limit. Studies show a quiet conversation at 25 decibels, a noisy home at 50, a noisy factory at 90, a New York subway train at 110, jet planes at 120 and up. (One of our sand trucks on Route 107, I would estimate conservatively, must clock around 150!) Speaking of jets, M. C. Mackey, Assistant Secretary of Transportation, says: "The demand for a livable environment is a new dimension in airport planning." Speaking of decibels in general, R. A. Baron, vice president of Citizens for a Quieter City (New York) says: "Noise abatement is a problem of astronomical size involving all of us."

Coming back to 107 we have not only noise to wake the dead and excite the professional envy of Lexington Avenue truckers. We also have carbon dioxide-laden smoke, streaming upward in a black column. We have a continuing all-day traffic hazard, as cars back up behind the Leviathans—three cars, five cars, ten cars creeping uphill. At least one exasperated driver will be determined to pass, no matter what the hospital bills. Suppose he meets one of the same trucks returning empty, rattling along at 60 miles an hour (legal limit 35) as the driver, paid by the trip, tries to increase his earnings. With the traffic hazard added to the noise, more than one householder has threatened to sell his property on 53 or 107; purchasers hesitate to buy, and real estate values are wavering. Thus we have four separate attacks on a "humane, livable environment" in our once peaceful rural town. One might be more comfortable in a second-story apartment on 42nd Street.

Let us grant that sand is going to be moved, and that it cannot be done in a wheelbarrow. But could it not be done at reasonable hours through residential areas, using say five-ton trucks, with quieter engines? Is it necessary to tear civilization apart to save a few cents a yard? Apparently this particular sand comes from a pit in Bethel—which looks like something back of the moon—and goes to a factory in Stamford, with Redding taking the lumps in between. Students of regional planning can use this situation to illustrate a thesis or two. Bethel gets more taxes, Stamford gets a new industry, we get nothing but hell and damnation in four categories.

It is about time for Connecticut to join California, Washington and Oregon in putting a legal limit on noise pollution—to say nothing of the collateral traffic hazard. How long must a livable environment yield to the gods of noise, size, speed and cost per cubic yard?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA, for November 27 through December 1, 1967, on account of official business in the district.

Mr. MATSUNAGA (at the request of Mr. ALBERT), for November 27 through December 5, on account of official business.

Mr. HELSTOSKI (at the request of Mr.

Albert), for today, on account of official business in the District.

Mr. Hardy (at the request of Mr. Marsh), indefinitely, on account of official business.

Mr. Halleck (at the request of Mr. Gerald R. Ford), through December 18, on account of official business as a member of House Committee on Armed Services on official inspection of Vietnam area.

Mr. Dickinson (at the request of Mr. Gerald R. Ford), through December 18, on account of official business as member of House Committee on Armed Services on official inspection of Vietnam military areas.

Mr. Mathias of Maryland (at the request of Mr. Gerald R. Ford), through December 15, on account of surgery for correction of back injury.

Mr. Stanton (at the request of Mr. Gerald R. Ford), for today, November 27, 1967, on account of illness.

Mr. Flynt (at the request of Mr. Boggs), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Whalen (at the request of Mr. McEwen), for 60 minutes, on Monday, December 4; to revise and extend his remarks and to include extraneous matter.

Mr. Pucinski, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. McEwen) and to include extraneous matter:)

Mr. Broomfield.

Mr. Kleppe.

Mr. Kupferman.

Mr. Robison.

(The following Members (at the request of Mr. Pryor) and to include extraneous matter:)

Mr. O'Hara of Michigan.

Mr. Burke of Massachusetts.

Mr. Pucinski in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1036. An act to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities; to the Committee on Armed Services.

S. 1073. An act to remove arbitrary limitations upon attorneys' fees for service rendered in proceedings before administrative agencies of the United States, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements;

H.R. 169. An act to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees;

H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes;

H.R. 13606. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes; and

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 287. An act for the relief of Wen Shi Yu;

S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended; and

S. 1781. An act for the relief of Kyong Hwan Chang.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.) the House adjourned until tomorrow, Tuesday, November 28, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1233. A letter from the national adjutant, Disabled American Veterans, transmitting the proceedings of the national convention including a report of the proceedings of the Disabled American Veterans for the year ending June 30, 1967, and a report of receipts and expenditures as of December 31, 1966, pursuant to Public Law 249, 77th Congress, approved September 18, 1941, and section 9, Public Law 668, approved July 15, 1942 (H. Doc. No. 185); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1234. A letter from the Secretary of Transportation, transmitting a report that the U.S. Coast Guard made no procurements or contracts during the period May 1 to October 31, 1967, pursuant to the provisions of section 2304(e) of title 10, United States Code; to the Committee on Armed Services.

1235. A letter from the Administrator, Small Business Administration, transmitting the Annual Report of the Small Business Administration for 1966, pursuant to the provisions of the Small Business Act; to the Committee on Banking and Currency.

1236. A letter from the Comptroller General of the United States, transmitting a report of savings in use of commercial air service for transportation of cargo to Southeast Asia and Europe, Military Airlift Command, Department of the Air Force; to the Committee on Government Operations.

1237. A letter from the Comptroller General of the United States, transmitting a report of the need for improvements in controls over Government-owned property in contractors' plants, Department of Defense; to the Committee on Government Operations.

1238. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 18, 1967, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Peachtree and Nancy Creeks at and in the vicinity of Atlanta, Ga., requested by resolutions of the Committees on Public Works of the U.S. Senate and House of Representatives, both adopted on July 18, 1963; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GARMATZ:

H.R. 14149. A bill to provide for withholding from the compensation of Federal employees for purposes of certain local income taxes which are administered and collected by the State; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 14150. A bill to amend the Internal Revenue Code of 1954 to provide that a person using distilled spirits in the manufacture of nonbeverage products, presently eligible for drawback at the time such spirits are so used, shall also be eligible for drawback if such spirits are lost or destroyed before being so used; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 14151. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROONEY of Pennsylvania:

H.R. 14152. A bill to amend the Internal Revenue Code of 1954 to provide for the suspension of interest on late payments of estate tax in certain cases; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 14153. A bill to amend the Federal Water Pollution Control Act, as amended, to authorize a program of research and demonstration for the control of pollution in lakes; to the Committee on Public Works.

By Mr. WINN:

H.R. 14154. A bill to provide that the judicial district of Kansas shall have four permanent judgeships; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 14155. A bill to amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions as an alternative form of assistance to the direct college housing loans presently provided for; to the Committee on Banking and Currently.

By Mr. HALPERN:

H.R. 14156. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 14157. A bill to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes; to the Committee on Agriculture.

By Mr. FOLEY:

H.R. 14158. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture.

By Mr. MAILLIARD:

H.R. 14159. A bill to authorize the establishment of the site of the discovery of San Francisco Bay as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 14160. A bill to authorize the Secretary of the Interior to designate the Skyline National Parkway in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Colorado:

H.J. Res. 933. Joint resolution to proclaim National Jewish Hospital Save Your Breath Month; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.J. Res. 934. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H. Con. Res. 589. Concurrent resolution seeking U.S. initiative to assure United Nations Security Council consideration of Vietnam conflict; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

293. The SPEAKER presented a memorial of the Legislature of the State of California, relative to providing encouragement and support to research leading to the development of aircraft capable of vertical landing and takeoff with minimal noise and vibration and greatest reliability, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolution were introduced and severally referred as follows:

By Mr. FINO:

H.R. 14161. A bill for the relief of Rosario Pallavicino; to the Committee on the Judiciary.

H.R. 14162. A bill for the relief of Michele Grech and his wife, Concetta Grech; to the Committee on the Judiciary.

H.R. 14163. A bill for the relief of Filippo Gambino and daughter, Maria A. Gambino; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 14164. A bill for the relief of Giuseppa DiMaria; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 14165. A bill for the relief of Rafaelle De Padova; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 14166. A bill for the relief of Aurora Castell (also known as Aurora Villanueva); to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 14167. A bill for the relief of Lydia M. Parsley; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 14168. A bill for the relief of Silverio Conte, his wife, Lucia Conte, their son, Aniello Conte, and their daughter, Silvanna Conte; to the Committee on the Judiciary.

H.R. 14169. A bill for the relief of Camola Pulicono; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 14170. A bill for the relief of Giuseppa Immé; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

210. By Mr. ST GERMAIN: Petition of the Communications Workers of America, AFL–CIO, relative to the elimination of the causes which lead to rioting and civil disturbances in our Nation; to the Committee on Education and Labor.

211. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to the editing of the Daily Digest in the Congressional Record; to the Committee on House Administration.

SENATE

MONDAY, NOVEMBER 27, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who dost speak to us in the quietness, with minds burdened for the Nation and for the world, we turn to Thee in this baffling hour, praying that in this fear-haunted earth the flame of our faith may not grow dim. Unworthy though we are, Thou hast made us keepers for our day of the holy torch of freedom the Founding Fathers kindled with their lives.

We would share that sacred fire until tyranny everywhere is consumed and thus all the nations of the earth be blessed.

By a vision of Thy eternal kingdom whose sun never sets, give us the inner strength to serve the present age—

To be true to all truth the world denies,
Not tongue-tied by its gilded lies,
Not always right in all men's eyes,
But faithful to the light within.

For Thine is the kingdom and the power and the glory. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 22, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MULTILATERAL TRADE AGREEMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 184)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was referred to the Committee on Finance:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to section 226 of the Trade Expansion Act of 1962, a copy of the multilateral trade agreement signed in Geneva on June 30, 1967.

The agreement brings to a successful conclusion what we all know as the Kennedy round of trade negotiations. It fulfills the purposes and high hopes of the Trade Expansion Act passed by the Congress in 1962.

The documents contain a mass of detail. On paper those details appear dry and technical. In reality they represent new factories, more jobs, lower prices to consumers, and higher incomes for American workers and for our trading partners throughout the world.

These decisions recorded in these documents rest on solid experience. The remarkable postwar expansion of international trade brought strength and growth to the free world economy. It enriched the lives of people everywhere—and thus it served the cause of peace. We and our trading partners had an enormous stake in the future removal of trade barriers. Trade expansion would continue to benefit us all—the more so because of our growing prosperity. Protectionism and trade wars would hurt us all—the more so because of our growing interdependence.

This report celebrates the wisdom of these decisions and the success of this tremendous effort. As a consequence, international trade can continue to be the world's biggest growth industry. We must continue to provide leadership in international trade policy to realize its vast potentialities and share fully in its benefits.

The results of the trade negotiations are of unprecedented scale. We received tariff concessions from other countries on between $7½ to $8 billion of our industrial and agricultural exports. We reduced duties on about the same volume of our imports. The gains will be even greater in future years as world trade grows.

In approaching the trade negotiations, two fundamental standards governed our actions.

First, we sought—and achieved—reciprocity in trade concessions. Our consumers will benefit by lower import costs. Our export industries will benefit by greater market opportunities abroad.

Second, we sought to safeguard domestic industries that were especially vulnerable to import competition. We accomplished this through procedures worked out in accordance with guidelines wisely established by Congress in the Trade Expansion Act.

On October 21, 1963, we issued the first of a series of public notices of our intention to negotiate. Public hearings were held by the Tariff Commission and by the interagency Trade Information Committee. From these hearings, and from special studies carried out by the Office of Emergency Planning, we were given advice on each article under review for possible concession. When this expert examination revealed that a particular industrial and agricultural product was exceptionally vulnerable to import competition, it was withheld from negotiation. These background studies also guided our negotiators in determining how large a concession we could reasonably make on each item.

Because of the care exercised in these preparations, the selectivity with which reductions were made, and the fact that most of these reductions will come into effect gradually over a 5-year period, we can be assured that the vital interests of American labor, agriculture, and industry have been safeguarded.

Throughout the negotiations my special representative for trade negotiations worked closely with the bipartisan congressional advisers.

The thoroughness of our preparation has borne fruit. As we made many concessions, so did our leading trading partners—the West European nations, Canada, and Japan. The major features of the basic agreement illustrate its depth and potential benefits.

Tariff cuts of 30 to 50 percent on a very broad range of industrial goods. For example:

Canada reduced tariffs on a wide range of machinery from 22.5 to 15 percent, on metal furniture from 25 to 17.5 percent, and on coal from 10 percent to zero.

Japan cut tariffs on bearings and parts from 25 to 12.5 percent and various types of radio transmission apparatus and parts from 20 to 10 percent.

Great Britain cut its tariffs on American electric typewriters from 16 to 7.5 percent, on circuit breakers from 16 to 8 percent, and on air conditioners from 12 to 7.5 percent.

The nations of the European Economic Community cut tariffs on U.S. pumps and compressors from 12 to 6 percent, on refrigerating equipment from 10 to 5 percent, and on automobiles from 22 to 11 percent.

Agricultural concessions that will open new trading opportunities for our farmers and set a valuable precedent for bringing the benefits of competition to world agricultural trade. For example:

Canada eliminated all tariffs on American apples, halved its tariff on orange and grapefruit juice from 10 to 5 percent, reduced its tariff on tallow from 17.5 to 10 percent.

Japan reduced its tariff on soybeans from 13 percent to 6 percent, on turkey from 20 percent to 15 percent, and on prunes from 15 percent to 10 percent.

The European Economic Community cut tariffs on dried peas and beans from 9 percent to 4.5 percent, on variety meats from 20 percent to 14 percent, and on unmanufactured tobacco from 28 percent to 23 percent.

Great Britain cut duties on soybeans from 5 percent to zero, on variety meats from 20 percent to 10 percent, and on raisins from 7.5 percent to 3.5 percent.

We gave comparable concessions on a wide range of products that we import. From them, we will gain the opportunity to choose from a wider variety of consumer goods, industrial materials, and capital equipment at lower prices.

Other parts of the Geneva agreement will also promote trade and encourage economic growth in all free world nations. These are:

The basic elements of a world grains arrangement. This understanding provides for higher minimum trading prices and a program under which other nations will join us in the task of supplying food aid to the undernourished people in many of the developing nations;

A significant accord on antidumping procedures. This accord—consistent with existing American law—binds our trading partners to insure fair procedures to American exporters, while safeguarding American industry;

Progress in dealing with particular commodity groups. A 3-year extension of the Long Term Cotton Textile Arrangement was concluded. Useful approaches were developed in negotiating tariffs for steel, aluminum, chemicals, pulp and paper;

A separate bargain on the American selling price issue. The United States stands to gain additional tariff concessions on chemical exports and liberalization of some European nontariff barriers in exchange for abolishing the American selling price system of valuating certain chemicals. This package will require special legislation.

Significant benefits to the developing countries. These countries will get help from the food aid provision of the grains arrangement and from concessions they received from all industrial countries on export products of particular interest to them.

Each Member of the Congress has already received a copy of the "Report on United States Negotiations." This report summarizes the concessions granted by other countries and the results of special multilateral negotiations in the Kennedy round. It also lists all tariff concessions granted by the United States in the Kennedy round. An additional report will soon be transmitted showing the tariff concessions each of the major Kennedy round participants granted on the principal commodity groups in the negotiations.

I expect to issue a proclamation shortly making the reductions in the U.S. tariffs effective beginning on January 1, 1968. I shall seek the advice and consent of the Senate regarding U.S. participation in the world grains arrangement. International agreement on this arrangement was recently reached in Rome as a consequence of the understanding on grains negotiated in the Kennedy round.

Finally, I shall submit to the Congress a trade bill to make effective the American selling price agreement in the Kennedy round, to revise the adjustment assistance program for firms and workers, and to provide authority that will enable us to make further progress in promoting world trade.

The Geneva Conference set a solid record of achievement, unmatched in world trade history for its constructive and beneficial results. The results represent a monument not only to our late President who gave the negotiations his name, but also to another great American, the late Gov. Christian A. Herter, whose inspiration and leadership guided us through the difficult first 3 years of the negotiations.

I commend this agreement and these reports to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 27, 1967.*

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On November 17, 1967:

S. 62. An act for the relief of Dr. Pablo E. Tabio;

S. 808. An act for the relief of Dr. Menelio Segundo Diaz Padron;

S. 863. An act for the relief of Dr. Cesar Abad Lugones;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1109. An act for the relief of Dr. Ramon E. Oyarzun;

S. 2167. An act for the relief of Dr. Rolando Pozo y Jimenez; and

S. 2192. An act for the relief of Dr. Rafael de la Portilla Lavastida.

On November 18, 1967:

S. 2168. An act for the relief of Dr. Pedro Pina y Gil.

On November 20, 1967:

S.J. Res. 33. Joint resolution to establish a National Commission on Product Safety.

On November 21, 1967:

S. 780. An act to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes.

On November 24, 1967:

S. 1552. An act to amend the Highway Safety Act of 1966; and

S. 1556. An act for the relief of Dr. Orlando O. Lopez.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rule VIII, the call of the calendar of unobjected-to bills be waived.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, November 27, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 706. An act to amend section 27 of the Shipping Act, 1916;

S. 764. An act to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath;

S. 770. An act to amend an act to provide for the establishment of a public crematorium in the District of Columbia;

S. 2428. An act to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes;

H.R. 168. An act to amend the act of June 20, 1918, relating to the retirement age requirements of certain personnel of the Coast Guard;

H.R. 1006. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 3351. An act to amend the act of August 19, 1950, to provide annuity benefits for an additional number of widows of employees of the Lighthouse Service;

H.R. 6430. An act to amend the public health laws relating to mental retardation, to extend, expand, and improve them, and for other purposes;

H.R. 10442. An act to facilitate exchanges of land under the act of March 20, 1922 (42 Stat. 465), for use for public schools, and for other purposes; and

H.R. 12910. An act to establish a Judge Advocate General's Corps in the Navy, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 287. An act for the relief of Wen Shi Yu;

S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended;

S. 1781. An act for the relief of Kyong Hwan Chang;

H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements;

H.R. 169. An act to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees;

H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes;

H.R. 13606. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes; and

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

THE 1966 REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, transmitting, pursuant to law, the 1966 Annual Report of the Small Business Commission (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF DEPARTMENT OF TRANSPORTATION

A letter from the Assistant Secretary for Administration, Department of Transportation, reporting, pursuant to law, that the U.S. Coast Guard made no procurements or contracts under clauses 11 or 16 of section 2304(a) of title 10 during the period May 1, 1967, to October 31, 1967; to the Committee on Commerce.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings in use of commercial air service for transportation of cargo to Southeast Asia and Europe, Military Airlift Command, Department of the Air Force, dated November 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvements in controls over Government-owned property in contractors' plants, Department of Defense, dated November 24, 1967 (with an accompanying report); to the Committee on Government Operations.

DELIVERY OF WATER FROM NAVAJO RESERVOIR

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF CIVIL RIGHTS COMMISSION

A letter from the Chairman, U.S. Civil Rights Commission, transmitting, pursuant to law, a report entitled "A Time To Listen, a Time To Act: Voices from the Ghettos of the Nation's Cities," dated November 1967, with an accompanying report; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution of the Legislature of the State of California; to the Committee on Commerce:

"SENATE RESOLUTION 26

"(By Senators Kennick and Deukmejian relative to aircraft noise)

"Whereas, The trend in both civil and military air transportation is toward higher speed; and

"Whereas, The achievement of high speed is accompanied by longer low-altitude flight paths during landing and take-off maneuvers and 'sonic booms'; and

"Whereas, The noise and vibration during landing and take-off are of increasing annoyance to those in the vicinity of the flight path; now, therefore, be it

"Resolved by the Senate of the State of California, That the Senate respectfully memorializes the President and the Congress of the United States to provide encouragement and support to research leading to the development of aircraft capable of vertical landing and take-off with minimal noise and vibration and greatest reliability and that encouragement and support be provided for research and development leading to the abatement of noise and the overpressure associated with supersonic flight; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

"I hereby certify, That the above resolution was adopted by the Senate on November 21st, at the 1967 2nd Extraordinary Session of the Legislature.

"J. A. BEEK,
"Secretary of the Senate."

A resolution adopted by the Kiwanis Club of Miami Shores, Fla., praying for the enactment of legislation to control crime; to the Committee on the Judiciary.

A resolution adopted by the city council of the city of Coachella, Calif., urging congressional approval for funding the Economic Opportunity program to allow the continuation of all programs at the current level; to the Committee on Labor and Public Welfare.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. RUSSELL, from the Committee on Armed Services, with an amendment:

S. 2634. A bill to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes (Rept. No. 806).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 2691. A bill for the relief of Julia Insausti; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2692. A bill for the relief of Gilmer County, Ga.; to the Committee on the Judiciary.

By Mr. METCALF:

S. 2693. A bill to amend the Federal Aid in Wildlife Restoration Act, as amended, to make the revenues from the excise tax on pistols and revolvers available to the Federal aid in wildlife restoration fund, and for other purposes; to the Committee on Finance.

By Mr. RIBICOFF:

S. 2694. A bill for the relief of Nick Norbert Reis; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. MONTOYA):

S.J. Res. 123. Joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

AUTHORIZATION OF CERTAIN ADDITIONAL STUDIES BY THE COMMITTEE ON PUBLIC WORKS

Mr. RANDOLPH submitted the following resolution (S. Res. 189); which was referred to the Committee on Public Works:

S. RES. 189

Resolved, That S. Res. 23 as considered, amended, and agreed to, is amended by adding the following new paragraph at the end of Section 1 thereof:

"In furtherance of the understanding of matters coming within its jurisdiction, the Committee on Public Works is authorized to contract with public and private agencies, institutions and organizations and with individuals for the purpose of conducting a study or studies relating to the movement of commuter traffic into and out of the Washington, D.C. Metropolitan Area, to test the relationship between highway facilities and other modes of commuter services in the movement of people at peak hours, especially from those areas beyond the range of projected mass transit and urban freeway facilities, to the disposal of solid waste originating in the Washington, D.C. Metropolitan Area by such manner and means as will obviate air and water pollution in the Washington, D.C. Metropolitan Area; and to test the feasibility of creating satellite communities within a reasonable radius of the Washington, D.C. Metropolitan Area, all designed to test the impact of proposals which will affect various programs authorized by the Committee on Public Works pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, solid waste disposal, public buildings and all features of water resource development and economic growth."

Section 4 of S. Res. 23 as considered, amended, and agreed to by the Senate on February 7, 1967, is further amended by striking the words, "$165 thousand", and inserting in lieu thereof, "$185 thousand".

LONG-TERM CONTRACTS FOR DELIVERY OF WATER FROM NAVAJO RESERVOIR, N. MEX.

Mr. ANDERSON. Mr. President, on behalf of my junior colleague [Mr. MONTOYA] and myself, I introduce a joint resolution to grant congressional approval to long-term contracts for delivery of water from the Navajo Reservoir in the State of New Mexico and for other purposes. This measure was submitted and recommended by the Department of the Interior as an executive communication.

The necessity for congressional approval of such a repayment contract stems from the requirement found in section 11(a) of the act of June 13, 1962, Public Law 87-483, which authorized the Navajo Indian Irrigation project and the San Juan-Chama project as participating projects of the Colorado River Storage project.

A determination has been made that sufficient water is reasonably likely to be available to fulfill contracts that involve water depletions up to 100,000 acre-feet annually from this reservoir through the year 2005. The present resolution contains two contracts which have been approved by the Secretary of the Interior. Others are under active consideration by the Department and undoubtedly will be submitted subsequently to the Congress for approval.

I ask unanimous consent that the letter and the data on the hydrologic determinations accompanying the joint resolution be included at this point in my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the letter and data will be printed in the RECORD.

The joint resolution (S.J. Res. 123) to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes, introduced by Mr. ANDERSON (for himself and Mr. MONTOYA), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter and data, presented by Mr. ANDERSON, are as follows:

U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY,
Washington, D.C., November 21, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed joint resolution, "To approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes."

We recommend that this joint resolution be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Act of June 13, 1962 (76 Stat. 96, Public Law 87-483), authorized the construction and operation of the Navajo Indian Irrigation Project and the San Juan-Chama Project as participating projects of the Colorado River Storage Project. The Act also authorized the Secretary to market water from Navajo Reservoir for other municipal and industrial uses in New Mexico if he determines on the basis of hydrologic investigation that such water is reasonably likely to be available. Section 11(a) of the Act provides in part that:

"No long-term contract, except contracts for the benefit of the lands and for the purposes specified in sections 2 [Navajo Indian Irrigation Project] and 8 [San Juan-Chama Project] of this Act, shall be entered into for the delivery of water stored in Navajo Reservoir or of any other waters of the San Juan River and its tributaries, as aforesaid, until the Secretary has determined by hydrologic investigation that sufficient water to fulfill said contract is reasonably likely to be available for use in the State of New Mexico during the term thereof under the allocations made in Articles III and XIV of the Upper Colorado River Basin Compact, and has submitted such determination to the Congress of the United States and the Congress has approved such contracts."

I hereby determine that sufficient water is reasonably likely to be available under the provisions of section 11(a) to fulfill contracts that involve water depletions up to 100,000 acre-feet annually through the year 2005. The basis for this determination is explained in the enclosure entitled "Hydrologic Determinations".

Also enclosed with this letter are copies of the following two contracts which have been negotiated for the delivery of water from Navajo Reservoir for municipal and industrial use in the Four Corners area of New Mexico. They involve an estimated water depletion of 16,250 acre-feet annually, and are within the preceding determination.

	Water diversion (acre-feet)	Estimated water depletion (acre-feet)	Proposed uses
Public Service Co. of New Mexico.	20,200	16,200	Thermal-electric generation.
Southern Union Gas Co.	50	50	Pump cooling.
Total	20,250	16,250	

A summary of the contract provisions is enclosed.

The purpose of the proposed legislation is to approve the execution of these contracts. Other contracts within the 100,000 acre-feet total will be submitted for approval after they are processed within the Department.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

HYDROLOGIC DETERMINATIONS

Determinations as to the availability of water under long-term service contracts for municipal and industrial uses from Navajo Reservoir involve a projection into the future of estimated water uses and water supplies. On the basis of such hydrologic studies, water depletions under municipal and industrial contracts could reasonably be allowed to rise to 100,000 acre-feet annually through the year 2005.

To avoid a critical compact interpretation, we assume that the Upper Basin will be obligated to deliver 75 million acre-feet of water every 10 years at Lee Ferry, plus 750,000 acre-feet annually toward Mexican Treaty deliveries. This would require an average annual water delivery at Lee Ferry of at least 8,250,000 acre-feet. This assumption is not to be considered as an interpretation of the Upper Basin obligation for water delivery at Lee Ferry under the Colorado River Compact. It represents, rather, a practical and conservative approach for the purposes of the present determination required by section 11(a).

In August 1965, we provided the Congress with the following water data in connection with the proposed Lower Colorado River Project:

	Year of development	
	2000	2030
Estimated normal annual depletion in in upper basin (acre-feet)	5,430,000	5,800,000
Estimated annual Lee Ferry regulated delivery (acre-feet)	8,600,000	8,250,000

Water deliveries at Lee Ferry, in the absence of depletions under proposed long-term municipal and industrial contracts, would in all probability be at least 8,500,000 acre-feet annually through year 2005. Contracts involving a depletion of up to 100,000 acre-feet would leave more than enough water to meet the 8,250,000 acre-feet estimated annual delivery requirement even in year 2030. On this basis, we conclude that the expansion of water uses now envisioned in the Upper Basin by 2005, including deliveries under long-term contracts involving 100,000 acre-feet depletions, would not impair the Upper Basin's ability to meet its water delivery obligation at Lee Ferry.

As to water use in the Upper Basin, subsection (b) of article III of the Upper Colorado River Basin Compact permits New Mexico or any other Upper Basin State to use waters in excess of its percentage allotment, provided such excess use does not prohibit any of the remaining States from utilizing its respective allotment. Thus, the availability of Navajo Reservoir water for municipal and industrial purposes in New Mexico through year 2005 depends upon the extent of water use in the entire Upper Basin during that period as well as upon the physical availability of water in Navajo Reservoir.

Hydrologic studies based on repetition of the 1928–65 water runoff period, which includes the severest drought period of record, and with water depletions anticipated during the 38 years prior to the year 2005, indicate with reasonable certainty the availability of a sufficient amount of water from Navajo Reservoir for the proposed municipal and industrial water delivery contracts, with reasonable shortages to be borne at times by all diverters from Navajo Reservoir. Pertinent data from the operation study on the shortages are summarized below:

	Navajo Indian irrigation project	Hammond project	M. & I. contracts
Number of years of study	38	38	38
Number of years of full supply	35	35	35
Assigned shortage (percent of normal diversion requirement):			
1955	10	10	10
1956	40	40	40
1964	26	26	26
Average for 38 years	2	2	2

We therefore conclude that water deliveries specified in the proposed municipal and industrial contracts can be provided from Navajo Reservoir with reasonable shortages.

SUMMARY OF CONTRACT TERMS

Each of the proposed contracts provides for:

1. Termination in year 2005, and subject to renewal or extension only if such is authorized by law;

2. A sharing of shortages in accordance with law, compact, and treaty;

3. Advance payment for the water to be delivered at an annual rate of $7 per acre-foot;

4. Water pollution control provisions on return flows; and

5. Standard provisions for penalties for delinquency in payment, water measurement, and responsibility for distribution, water quality, record keeping, conflict of interest, equal employment opportunity, etc.

II. The proposed contract with Public Service Company of New Mexico also provides for:

1. Termination of the contract for nonuse of the water after January 1, 1977;

2. Advance approval by the Secretary of contractor's designs, plans, and specifications for facilities or major modifications thereof which will utilize the contracted water;

3. Air pollution control standards, with provision for review of these standards not less often than each 10 years, and with the further condition that in case agreement cannot be reached between the contractor and the United States on designs, plans, or equipment, the matter shall be submitted to arbitration;

4. Coordination of Federal and non-Federal generating and transmission facilities as a precedent to the delivery of water for thermal-electric generation.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 468 THROUGH 471

Mr. WILLIAMS of Delaware. Mr. President, I submit four amendments intended to be proposed by me to H.R. 7977.

The first amendment deals with the requirement that any unused stationery allowance for Members of the Congress shall automatically revert to the Federal Treasury.

The second amendment deals with the Executive order issued by President Johnson on September 20, 1966, at which time he announced a freeze on Federal civilian employment as of July 1, 1966. Since that time 185,393 employees have been added to the Federal civilian payroll.

The second amendment provides that that Executive order would be implemented by filling one of every four vacancies occurring in any quarter beginning with the quarter ending March 31, 1968. As employees resign and retire, this would automatically reduce the number of employees until the July 1966 level was reached, and it would accomplish this objective without discharging any employees.

The third amendment closes a loophole in the law as it relates to travel allowance for staff members of Members of the Senate. Under existing law the Members of the Senate themselves are reimbursed on the basis of so many trips, but they are reimbursed only on the basis of receipts for actual expenditures. The same restriction does not apply to staff members. In instances it is possible for them to draw twice the amount expended on travel. This amendment would restrict staff members to the same reimbursement basis as applies to Members of the Senate; that is, they could collect only for proven expenditures on travel.

The fourth amendment strikes out eight lines of the bill which in effect is a special private section dealing with increased retirement for just one former Member of Congress, Mr. Paul J. Kilday. Under this section this former Member of Congress would automatically have his retirement boosted by $8,400 over and beyond what is provided by existing law. Based on normal life expectancy this has a value of about $100,000. I do not think this special treatment can be justified.

Under existing law this former Member of Congress will upon retirement in May 1976 be eligible for retirement benefits of $18,000 per year. This special section would raise his benefits to $26,400. Why?

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

AMENDMENT NO. 472

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 473

Mr. McGEE submitted an amendment, intended to be proposed by him, to House bill 7977, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Mr. McGOVERN. Mr. President, I ask unanimous consent that, at its next printing, the names of the senior Senator from Texas [Mr. YARBOROUGH] and the senior Senator from Idaho [Mr. CHURCH] be added as cosponsors of the bill (S. 2617) to establish producer owned and controlled emergency reserves of wheat, feed grains, soybeans, rice, cotton, and flaxseed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the concurrent resolution (S. Con. Res. 47) relative to the establishment of a United Nations peacekeeping force.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEAT INSPECTION

Mr. TALMADGE. Mr. President, I am at a loss to understand the attitude of the executive branch of the Government regarding S. 2147, the so-called meat inspection bill, which is the unfinished business. In the House, the administration supported the so-called Purcell bill. When the bill came to the Senate, the administration apparently supported the Montoya bill and then switched to the Mondale bill. It is difficult to understand exactly what the position of the administration is.

I have a copy of a telegram which Georgia's distinguished commissioner of agriculture sent to Secretary of Agriculture Freeman. I quote from the telegram:

> ATLANTA, GA.,
> *November 21, 1967.*
>
> Senator HERMAN E. TALMADGE,
> *Washington, D.C.:*
>
> Attached is copy of my wire to Secretary Freeman. It is inconceivable to me that committees of Congress approve efforts by lower bureaucrats in Federal departments to prevent State officials from testifying before congressional committees with threats of smears in retaliation. Carbon copy of msg. sent Hon. Orville Freeman, Secretary, U.S. Department of Agriculture, Washington, D.C. Quote many times prior to my testimony before the Senate committee in support of the original administration House passed Purcell bill, I and other Commissioners of Agriculture over the United States, received long distance telephone calls from personnel of the USDA threatening us with a smear campaign and stating that things would get very nasty if we testified for the original administration Purcell bill. Mr. Secretary, you know me well enough to know that regardless of the consequences, I cannot be blackmailed. I am certain you are unaware of some of the activities of your personnel. Within two days after my testi-

mony on November 15 Federal personnel of the USDA meat inspection staff in Atlanta received orders to find something wrong in non-federally inspected Georgia plants. I presume they are now making an effort to follow these orders. Mr. Secretary, you know as well as I, that a close inspection of federally inspected plants would certainly find something wrong in some of these plants. I send you this telegram for information purposes only as all matters pertaining to the Georgia Department of Agriculture are open to the Georgia public at all times and I fear no activities of your personnel.

Mr. President, I feel certain that some meat inspections in some States would not come up to the standards I prefer. I likewise am certain that some inspections at the Federal level would not come up to the standards I prefer. I feel certain that the educational systems and the police protection systems of some States are not all that is to be desired. But I do not think that is any reason or any excuse to dispossess State operations within their constitutional sphere of influence and delegate them to Federal agencies.

I am at a complete loss to understand the attitude of the U.S. Department of Agriculture in this instance. Georgia's commissioner of agriculture, Phil Campbell, is doing an outstanding job, not only in meat inspection but in every other sphere of the operations of the Department of Agriculture. He is a man of outstanding ability.

I think it is high time that Secretary Freeman called a halt to the coercive tactics used by the U.S. Department of Agriculture against State departments of agriculture.

Mr. President, I ask unanimous consent that the text of Commissioner Campbell's telegram to me, which includes the text of the telegram he sent to Secretary of Agriculture Freeman, be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ATLANTA, GA.,
November 21, 1967.

Senator HERMAN E. TALMADGE,
Washington, D.C.:

Attached is a copy of my wire to Secretary Freeman. It is inconceivable to me that committees of Congress approve efforts by lower bureaucrats in Federal Departments to prevent State officials from testifying before Congressional Committees with threats of smears in retaliation. Carbon copy of message sent Hon. Orville Freeman, Secretary, U.S. Department of Agriculture, Washington, D.C. Quote many times prior to my testimony before the Senate committee in support of the original administration House passed Purcell bill, I and other commissioners of agriculture over the United States, received long distance telephone calls from personnel of the USDA threatening us with a smear campaign and stating that things would get very nasty if we testified for the original administration Purcell bill. Mr. Secretary, you know me well enough to know that regardless of the consequences, I cannot be blackmailed. I am certain you are unaware of some of the activities of your personnel. Within two days after my testimony on November 15, federal personnel of the USDA meat inspection staff in Atlanta received orders to find something wrong in non-federally inspected Georgia plants. I presume they are now making an effort to follow these orders. Mr. Secretary, you know as well as I, that a close inspection of federally inspected plants would certainly find something wrong in some of these plants. I send you this telegram for information purposes only as all matters pertaining to the Georgia Department of Agriculture are open to the Georgia public at all times and I fear no activities of your personnel.

Carbon copy to: Senator Allen J. Ellender, Washington, D.C.; Senator John L. McClellan, Washington, D.C.; Senator Harry F. Byrd, Washington, D.C.; Senator Richard B. Russell, Washington, D.C.; Senator Herman E. Talmadge, Washington, D.C.; Congressman W. R. Poage, Washington, D.C.; Congressman Graham Purcell, Washington, D.C.; Congressman Robert G. Stephens, Washington, D.C.; Congressman John Flynt, Washington, D.C.; Congressman Phila Landrum, Washington, D.C.; Congressman Ben Blackburn, Washington, D.C.; Congressman Maston O'Neal, Washington, D.C.; Congressman G. Elliott Hagan, Washington, D.C.; Congressman Jack Brinkley, Washington, D.C.; Congressman S. Fletcher Thompson, Washington, D.C.; Congressman John W. Davis, Washington, D.C.; Congressman W. S. Stuckey, Jr., Washington, D.C.; Editor, the New York Times, New York, N.Y.; Editor, the Washington Post, Washington, D.C.; Editor, the Chicago Tribune, Chicago, Ill.; Editor, the Wall Street Journal, New York, N.Y.; Editor, the Los Angeles Times, Los Angeles, Calif.; Editor, the Christian Science Monitor, Boston, Mass.; Editor, the Atlanta Journal, Atlanta, Ga.; Editor, the Atlanta Constitution, Atlanta, Ga.; each State commissioner of agriculture.

PHIL CAMPBELL,
Commissioner, Georgia Department of Agriculture.

THE DOLLAR, THE POUND, AND U.S. FOREIGN TRADE

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may proceed for 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, there are additional disturbing aspects of the position of the dollar in its relationship to the now devalued pound sterling.

The deficit in the U.S. balance of payments has worsened. For the first three quarters of this year that deficit stood at $1.75 billion, nearly double the $938 million of the first three quarters of last year.

This development points toward a possible 1967 deficit of between $2.2 and $2.5 billion, the greatest deficit since 1964; and presumably as a result, the Government has recently announced new programs which are designed to limit the outflow of American investment and banking funds during 1968.

As our own position so deteriorates, that of the pound grows even more precarious. The British trade deficit in October was the largest since January 1964. This created fear of another "sterling crisis" throughout the world, causing the pound to be under severe pressure in foreign exchange markets. On Saturday, November 18, that pressure was too much and the British were forced to devalue. As of last Friday, 16 other countries, plus 15 small political units associated with the United Kingdom—such as Hong Kong—have since followed suit. These actions will increase the cost of our exports as well as cheapen our imports, obviously with further adverse effect on our balance of payments.

It is now clear that the steady deficits in the balance of payments of the two reserve currency countries, the United States and the United Kingdom, have continued far too long. If unchecked, these continuing deficits could trigger a major financial crisis throughout the free world.

It would appear that we have fooled around with palliatives long enough; and that the time is now here for basic assessment.

It would also appear that much careless thinking has been expressed about this problem. As but one example, many believe that proposed arrangements to expand world liquidity will provide a fundamental solution to this problem; but as presented many times, this is merely wishful thinking.

In the first place, the agreement reached at Rio during the annual meeting of the IMF, hailed by some as a great success, nevertheless provided the Common Market countries with an effective veto over the activation of the new liquidity plan; and as long as these countries continue to have a surplus of reserves, there is no assurance they would vote for the activation of the new liquidity plan—so-called special drawing rights—even though they had ratified the agreement which establishes the basic machinery for such activation.

To say that we must wait until the end of the Vietnam conflict—which is not in sight—before deciding to eliminate this continuing unfavorable balance, is but another rationalization against taking any meaningful action now.

Another subject has come to the forefront in recent months, a subject also related to the position of the dollar; namely, the subject of trade policy. One of the principal arguments used to promote the passage of the Trade Expansion Act of 1962 was that it would not only help our balance of payments, but would also provide guaranteed access to the European Common Market. It would appear, however, that actual events will prove the United States has not benefited in this connection so far as its balance of payments is concerned.

In the first place, we did not gain access to the important agricultural market of the EEC. In fact, we did not even preserve the status quo. In the area of feed grains, for example, of which the United States exports approximately one-half billion dollars per year to the Common Market, we find that those European countries have already increased their protectionism: because variable levies on feed grains will be increased by approximately 4.5 percent from their already shockingly high levels.

In most European Common Market countries, tentative agreements have been reached to increase the border taxes from about 5 percent to approximately 15 percent; and the export subsidies on many products will also increase. As but one example, the European Common Market has adopted an export subsidy on canned hams equivalent to about 50 cents for a 2-pound can.

The point I want to make is that protectionism is already present, and growing, now, in many countries, particularly those in Europe; whereas these same countries now threaten retaliation against anything we may do here in the United States to assist our own industries and employees.

Some over here who are responsible for trade negotiations have warned of possible retaliation against anything we might do to protect our own industries and workers; but these people say little if anything about the rampant protectionism which is now characteristic of the operations in so many foreign countries. It is an attitude I do not understand.

It is for such reasons that U.S. trade policy needs review and reappraisal. Tariffs are no longer the major obstacle to international trade. The so-called nontariff barriers, far more prevalent abroad than in this country, loom much larger as impediments to trade than do tariffs.

The Senate Finance Committee is to be commended for its legislative review of the foreign trade policies of the United States. It is time to take stock of where we are, where we are going, and how we can bargain to eliminate the discriminatory practices of foreign nations in this vitally important area.

Let us hope also that during the next session, the Foreign Relations Committee and the Congress will undertake a thorough review of our trade and balance of payments policies. The recent devaluation of the pound sterling, with the subsequent "run" on gold, emphasizes the importance of such studies.

I yield the floor.

THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the call of the calendar of business under general orders, beginning with Calendar No. 787 and proceeding in sequence through Calendar No. 790.

The **PRESIDING OFFICER**. Without objection, it is so ordered. The clerk will state the first measure.

INCREASING THE NUMBER OF ASSOCIATE JUDGES ON THE DISTRICT OF COLUMBIA COURT OF APPEALS

The bill (H.R. 8582) to amend chapter 7 of title II of the District of Columbia Code to increase the number of associate judges on the District of Columbia Court of Appeals from two to five, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 802), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 8582 is to authorize the appointment of three additional associate judges to the District of Columbia Court of Appeals, thus increasing the number of such associate judges from two to five. This expanded court is to be separated into divisions consisting of three judges each, for hearing and determining cases and controversies, except when a hearing or a rehearing is ordered before the court in banc. Two judges shall constitute a quorum of a division of the court, and four judges a quorum of the court sitting in banc.

BACKGROUND

Prior to 1942, there existed in the District of Columbia two local courts, the municipal court with jurisdiction in civil cases where the amount involved did not exceed $1,000, and the police court with jurisdiction over misdemeanors and violations of municipal regulations. There was no right of appeal from either of these courts, although applications for writs of error could be made to the U.S. Court of Appeals.

By act of Congress of April 1, 1942, the municipal court and the police court were combined into one court, the municipal court for the District of Columbia, and the jurisdictional limitation in civil cases was increased to $3,000. The same act created the municipal court of appeals with judisdiction to hear appeals, civil and criminal, from the new municipal court. The new municipal court had 10 judges and the municipal court of appeals three judges.

In 1949, three additional judges were added to the municipal court, giving it a total of 13 judges. However, the number of judges on the municipal court of appeals was not increased.

In 1956, exclusive jurisdiction of all domestic relations cases was transferred from the U.S. District Court for the District of Columbia to the municipal court. Three additional judges were appointed for the domestic relations branch of the municipal court, giving this court a new total of 16 judges.

In 1962, the civil jurisdiction of the municipal court was increased to include cases involving not more than $10,000. The act giving this increased jurisdiction changed the name of the municipal court to the District of Columbia court of general sessions, and changed the name of the municipal court of appeals to the District of Columbia Court of Appeals.

In 1966, five more judges were added to the court of general sessions, giving it a total of 21 judges. Again, however, there was no increase in the number of judges for the court of appeals.

Thus, over a period of 25 years since its inception as the municipal court of appeals, the present District of Columbia Court of Appeals has handled all the cases of appeal, both civil and criminal, from a lower court whose judicial personnel has grown from 13 to 22 judges and whose jurisdictional limitation in civil cases has expanded from $3,000 to $10,000—with no increase whatever in its own judicial manpower, which has remained at one chief judge and two associate judges.

INCREASE IN APPEALS CASES

Over this period of time, the increase in the jurisdiction of the court of general sessions, and the increase in the number of its judges, have naturally led to an increase in the number of appeals from that court. The following tabulation shows the increase in the appeals in the District of Columbia Court of Appeals:

Cases filed in fiscal year ending June 30—	
1944	141
1949	159
1954	167
1959	217
1964	211
1965	241
1966	295

In the 10 months of the present fiscal year, 262 appeals have been filed, and the indications are that more than 300 appeals will be filed in this fiscal year.

Another case for the increase in appeals has been the rulings of higher courts relating to the rights of indigent defendants in criminal cases to appeal, to have counsel appointed, and to have transcripts of testimony at Government expenses. In the year 1964, the District of Columbia Court of Appeals had 56 criminal appeals. In 1966, there were 112 criminal appeals. In the first 10 months of the current fiscal year, there have been 140 criminal appeals.

The foregoing figures relate only to the general docket of the District of Columbia Court of Appeals. In addition, there is an original docket on which are filed many special matters, such as applications for appeals from the small claims branch of the court of general sessions and in criminal cases where a fine of less than $50 is imposed, motions for reduction of bail bonds and supersedes bonds, motions to stay, motions seeking special relief such as writs of mandamus, motions to proceed in forma pauperis, and motions to dismiss. All such motions, applications and petitions, are time consuming.

Although the court of general sessions furnishes the bulk of appeals, the District of Columbia Court of Appeals has had jurisdiction since 1942 of appeals from the juvenile court, and over the years has been given jurisdiction of appeals from a dozen or more of administrative agencies of the District of Columbia government, such as the Director of Motor Vehicles, the Real Estate Commission, the Architect's Board, Board of Pharmacy, the District of Columbia Physical Therapists Examining Board, and the Public Service Commission in its administration of the District of Columbia Securities Act.

PRESENT BACKLOG OF COURT

Until recent years, the three judges of the District of Columbia Court of Appeals have been able to maintain the work of the court on a current basis. However, the workload of the court has now reached such a level that this is no longer possible.

As of April 30, 1967, the court had 196 cases pending and unheard. Of these cases, 128 were civil and 68 were criminal. The court has given preference to criminal appeals, which accounts for the disproportionate number of civil cases unheard. Criminal cases are being heard approximately 4 months after ready for hearing but civil cases are not heard until approximately 10 months after ready for hearing.

With the five new judges recently added to the court of general sessions, it is anticipated there will be more trials in that court, resulting in more appeals. Furthermore, it is reported that the trial court will soon seek five additional judges.

NEED FOR LEGISLATION

With the exception of the Tax Court of the District of Columbia, the District of Columbia Court of appeals is now the only court in the District which has not had an increase in the number of its judges since 1942. Meanwhile, the volume of business reaching the District of Columbia Court of Appeals has become so great that three judges are simply unable to dispose of the appeals with reasonable promptness.

For this reason, the committee feels strongly that prompt enactment of this proposed legislation is imperative. The increase in the number of judges from three to six, and the authority to have appeals heard by three-judge divisions of the court will do much to enable the District of Columbia Court of Appeals to eliminate its present backlog and to keep its docket current. The U.S. Courts of Appeal now use the division system to keep up with their work, and the U.S. Court of Claims has recently been authorized also to sit in divisions.

HEARING

At a public hearing conduct on October 17, 1967, by the Subcommittee on the Judiciary, spokesmen for the Board of Commissioners of the District of Columbia, the

District of Columbia Court of Appeals, the District of Columbia Bar Association, and the District of Columbia Judicial Council testified in favor of this bill. No testimony was offered in opposition to its enactment. The added annual cost of the bill for judicial salaries and supporting clerical services is estimated to be $117,792.

REPORT OF PRESIDENT'S COMMISSION ON CRIME IN THE DISTRICT OF COLUMBIA

The jurisdiction of the District of Columbia Court of Appeals and its increasing workload is extensively discussed in the Report of the President's Commission on Crime in the District of Columbia at pages 289 through 298. The discussion concludes with this sentence: "As recent developments have an accelerating effect on the cases filed, we suggest that the District of Columbia Court of Appeals document its increasing workload and begin planning for whatever additional judges or supporting staff may be needed."

CONCLUSION

The case for the proposed increase in the judicial strength of the District of Columbia Court of Appeals has been well documented, and is a compelling one. The court seriously needs three additional associates judges, and the committee commends H.R. 8582 to the Senate for prompt enactment.

WASHINGTON CHANNEL WATERFRONT

The bill (H.R. 2529) to amend the act of September 8, 1960, relating to the Washington Channel waterfront was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 803), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill, H.R. 2529, is to amend the act of September 8, 1960 (74 Stat. 871, D.C. Code, title 5, sec. 720–726), relating to the Washington Channel waterfront, by providing supplementary directives to the Redevelopment Land Agency of the District of Columbia for the relocation of displaced businesses in conformity with the urban renewal development plans for the waterfront portion of area C, urban renewal project in Southwest Washington. A hearing was held before Subcommittee on Business and Commerce on August 17, 1967.

HISTORY OF THE LEGISLATION

The Washington Channel waterfront of the Potomac River, title to which area was in the United States, was included within the boundaries of the project area C of the urban renewal redevelopment plan for Southwest Washington. This area, owned by the Federal Government, had, for a long period of years, been under the jurisdiction and control of the government of the District of Columbia. In 1913, on part of the waterfront area, the District of Columbia erected a fish market building and leased the market stalls to the fish dealers and to restaurant operators.

As a part of the redevelopment program for Southwest Washington, the Southwest Freeway was to run through the project area, and one of the approaches to the freeway was to pass over Maine Avenue at 11th and 12th Streets and part of the supporting structures would have to be located on the land occupied by the market building.

To facilitate this redevelopment, legislation was introduced and passed in the 85th Congress (72 Stat. 983) to authorize the use of the land and the removal of the market facilities.

Following the enactment of this legislation in 1958, the construction of the approaches to the Southwest Freeway began and the Redevelopment Land Agency thereafter undertook the demolition and removal of the facilities in the project area.

In order to exercise full authority over the Washington Channel waterfront and to redevelop it according to the urban renewal plan, it was necessary for the Redevelopment Land Agency to secure authority transferring title to the waterfront area from the Federal Government to the Agency before it could legally proceed with redevelopment.

Accordingly, legislation was passed by the 86th Congress authorizing the Commissioners of the District of Columbia, acting for the U.S. Government, to transfer and donate to the Redevelopment Land Agency all right, title, and interest to so much of the area as was necessary to carry out the urban renewal plan (74 Stat. 871).

That bill, S. 3648, as amended and enacted, provided that displaced businesses would receive priority of opportunity to lease land either individually or as a development company solely owned by the owner or owners of one or more of such business concerns. The displaced businesses were to be entitled to facilities at least substantially equal to the facilities from which they were displaced and to be in conformity with the urban renewal plan for the area. The Redevelopment Land Agency was to notify each of the displaced business concerns of an opportunity to lease a parcel of land within the waterfront area. Each business was to be allowed 180 days within which to indicate its intent to relocate in the area and to demonstrate its capability to establish facilities in accordance with the redevelopment plan.

The purpose of directing the Agency to provide such priorities was to make effective the previous pledges of the Redevelopment Land Agency, and the acceptance of those pledges by the Congress that those businesses displaced from the area would have a reasonable and first opportunity to reestablish their businesses. The priority right was provided to enable displaced businesses to return to the waterfront, and it was not the purpose of the act to create a salable right.

Development of urban renewal plans for the Washington Channel waterfront dates from the original commitment in 1954 of the waterfront area to a real estate developer, which later completely defaulted in its performance. In 1963, a plan for the waterfront was approved by the National Capital Planning Commission and the District of Columbia Commissioners. The execution of the plan then became the obligation of the Redevelopment Land Agency.

In February 1964, the District of Columbia Redevelopment Land Agency issued notice to business displacees having priority for relocation. This notice advised the holders of priorities that they would have a period of 180 days within which to indicate their purpose to exercise their priority and to demonstrate their capacity to reestablish their businesses and construct facilities in accordance with the waterfront redevelopment plan. Priority holders were also notified concerning the terms of leases and other performances to be required of them by the Agency.

On examining the terms of the leases offered, the priority holders found themselves presented with an economic impossibility The leaseholds offered to displacees were essentially "air rights." They were required to construct parking facilities underneath the business area, and such parking facilities were to be available to the public. Thus, individual businesses, while providing parking space, could not reserve such space, limited as it was, for its own customers. The building, which must conform to the waterfront plan, had to be financed and built by the owner and was to be occupied for a limited period of years, at the end of which time the property right in the building rested with the Redevelopment Land Agency. The nature of the use of any structure was strictly limited to the purposes of the displaced business. Substantial setbacks from the boundaries of each parcel were required. The height of the building was limited to two floors.

The land values established by the Agency, as a basis for determining the lease rental rates to priority holders, was set by the Agency at a level far exceeding that set for most other parcels in the Southwest urban renewal project area. When this land cost was added to other charges placed on a priority holder, it appeared conclusive that no displaced business, regardless of its financial strength, could hope to operate at a profit.

After a record on these matters had been established with the Agency, the Agency reduced the land costs to the displacees by approximately 10 percent. This action proved to be a gesture since most, if not all, the displacees found the Agency's proposal economically impossible, regardless of the financial abilities of the displaced businesses.

During the 180-day period beginning in February 1964, displacees who were interested in relocation on the waterfront so notified the Agency. Thereafter, conferences and discussions between priority holders and the Agency were held. At the expiration of the 180-day period, no lease contracts had been executed, and, in fact, the priority holders had not been offered any specific parcels for relocation.

Since the 180-day period provided by statute had run out and no contracts had been completed, some question appeared as to whether priority rights might be extinguished or otherwise lost in the event the Agency were to make a change in the waterfront plans or a change in the land price or conditions of lease. To avoid such possibility and to further supplement the already abundantly expressed intent of Congress as to the relocation of displaced waterfront businesses, H.R. 11428 was introduced in the 89th Congress. H.R. 11428 was approved by the House of Representatives.

Following hearings by your committee, the bill was amended to permit the Redevelopment Land Agency, at its option, to reappraise the value of the land and increase the lease rental rates to such levels as the Agency deemed appropriate. The bill, as amended by your committee, was reported favorably to the Senate, where it was approved and returned to the House. Amendments were made in the House and the amended bill was returned to the Senate. In the brief time remaining at the end of the 89th Congress, the Senate did not conclude action on the bill.

WHAT THE BILL PROVIDES

The bill provides for equal priority rights to all businesses displaced from the waterfront area, some of which were inadvertently not included in Public Law 86–736. Those previously not entitled to notice are to receive notice of an opportunity to exercise a priority right for the reestablishment of their businesses. The bill extends the priority of opportunity to all 43 businesses displaced from the Southwest waterfront between Fort McNair and 14th Street and south of Maine Avenue.

Further, in the event of any change in the waterfront plan or in the land price or other matters which affect the economic values of a lease, each priority holder must be notified and given at least 60 days within which to exercise his priority rights.

In section 4 of the bill, the Agency is directed to use specific procedures for the establishment of land values in the waterfront area, and it must take into account the limitations and make proper allowances for improvements and any public charges placed upon the land which must be assumed by the priority holder. Further, it is provided that any valuation placed upon the land shall not exceed the maximum fair use value which is economically feasible and which will permit the reestablishment of the business. These elements are essentially those used by competent appraisers. The principles are found in standard appraisal reference publications under the heading of residual appraisals. (Real Estate Appraisal and Investment, Kahn, Case, and Schimmel, p. 146; McMichaels Appraising Manual, 4th edition, 11th printing, p. 42–43.)

Residual appraisals have been used elsewhere by the District of Columbia Redevelopment Land Agency in its disposition of urban renewal lands. It is felt that such appraisal methods, if not the only suitable methods, are certainly one of the best and fully justifiable in connection with relocation of small businesses on land on the Washington Channel waterfront.

The bill provides that the lessee shall be charged an annual rent not less than 6 percent of the fair reuse value of the land as established by the Agency. In the event the money cost or interest which the Agency must pay in order to finance the land and improvements exceeds 6 percent, the lease rental charged to the priority holder will be such amount above 6 percent as is necessary to finance the land and improvement costs incurred by the Agency. Further, if the gross income derived by the business exceeds the estimated income used as a basis in establishing the residual value of the land as a basis for the original lease, the bill provides that the priority holder and the Agency shall receive equal shares of any increased income resulting from increased gross sales.

In addition, the bill provides that at the end of the first 25 years of any lease, the land under lease may be reappraised and a new value set on the basis of which the lease rental may be redetermined. This appraisal may occur at the option of the Agency or must be made by the Agency if the lessee so requests. Either the Agency or the lessee may request a new appraisal at the end of each 10 year interval following the 25th year of lease.

HEARINGS

At a public hearing before the Subcommittee on Business and Commerce on August 17, 1967, representatives of the District Commissioners, District of Columbia Redevelopment Land Agency, and Waterfront Displacees appeared and endorsed enactment of this legislation. No one appeared in opposition.

CONCLUSION

Your committee believes that enactment of this legislation is necessary in order to carry out the expressed intent of Congress that the Washington Channel waterfront be redeveloped and that business establishments displaced from the area shall have an opportunity to return as part of any new development plan for the area.

SUPPLY AND SERVICE CONTRACTS ON BEHALF OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1629) to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region which had been reported from the Committee on the District of Columbia, with an amendment on page 2, after line 16, insert a new section, as follows:

SEC. 3. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan Numbered 3 of 1967, whichever is later, the function vested in the Commissioners of the District of Columbia by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

So as to make the bill read:

S. 1629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and empowered to include in contracts for the procurement of supplies and services for the government of the District of Columbia the requirements for like supplies and services of any political division or subdivision in the National Capital region, possessing legal authority to have its supplies and services procured in such manner, upon a request therefor from an official who is authorized to and does thereby obligate such political division or subdivision to perform all liabilities or obligations which may result from the granting of such request or from action taken pursuant thereto, and after such political division or subdivision shall have paid or agreed to pay its fair share of any increase in District of Columbia procurement costs which, in the judgment of the Commissioners, is attributable to the operation of the joint procurement program.

SEC. 2. As used in this Act, "National Capital region" means the District of Columbia; Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities, municipalities, and other political divisions and subdivisions now or hereafter existing within the geographic area bounded by the outer boundaries of the combined area of said counties.

SEC. 3. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan Numbered 3 of 1967, whichever is later, the function vested in the Commissioners of the District of Columbia by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 804), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill is to permit the Commissioner of the District of Columbia to enter into joint contracts with other jurisdictions of the National Capital region for the procurement of supplies and services for the use of the District, as well as for the use of those other jurisdictions.

Under the bill, participation in a joint contracting program would be voluntary. The participating members would include, besides the District of Columbia, the counties of Montgomery and Prince Georges in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities, and municipalities now or hereafter existing in the National Captal region.

Any jurisdiction electing to participate would place a request for the purchase of supplies or services with the District procurement officer, who would thereupon undertake a joint contract for the acquisition of the needed items.

Under the terms of this bill, before any jurisdiction would participate in this program it would have to possess legal authority to procure its supplies and services in such a manner; likewise, it would have to be able to obligate itself to perform all the liabilities or obligations which might result from a joint procurement contract or any action taken pursuant thereto. Additionally, such political division or subdivision must be able and willing to pay or agree to pay its fair share of any increase in the District of Columbia's procurement costs which, in the judgment of the Commissioner, is attributable to the operation of the joint procurement program.

The preparation of specifications, contract terms, conditions, advertising, and awards would essentially be the responsibility of the contracting agent—the District of Columbia. Participants in the program would have to agree not to withdraw from participation after solicitation of bids and would further agree to meet all obligations arising under joint contracts.

The procurement officer for the District of Columbia would reserve the right to refuse a request for participation in a joint contract if, in his opinion, pooling resources would not be workable or advantageous in that situation.

HEARING

The Business and Commerce Subcommittee held hearings on this legislation on August 17, 1967, at which time the procurement officer for the District of Columbia government, and the assistant executive director of the Metropolitan Washington Council of Governments appeared in support of the measure.

According to the Council of Governments, a program of joint contracting for supplies and services would be of considerable benefit to all participants. Using the District of Columbia's Procurement Office as buying agent for the District of Columbia, as well as for the participating cities or counties, would result in savings to all parties by virtue of lower prices obtained through the purchase of larger quantities of goods, Additional savings would be effected through elimination of duplicate administrative and clerical costs and by participation in the District's supply cataloging and standardization programs.

The Commissioners informed the committee that they were unable to make an initial estimate as to the increased expenses to the District such a program might incur, but assured the committee that, as the program develops and the workload becomes measurable, they intend to call upon the participants to contribute toward meeting operating expenses (either through cash payments or the furnishing of clerical assistance and supplies). There was no opposition to the bill. An identical bill (S. 1316) passed the Senate on October 1, 1965.

AMENDMENT

The amendment approved by the committee will transfer functions vested in the Board of Commissioners of the District of Columbia in accordance with Reorganization Plan No. 3 of 1967.

PERFORMANCE BOND PROTECTION ON CERTAIN CONTRACTS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1532) to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 11, after the word "to", strike out "final execution and judgment" and insert "final judgment and execution"; and on page 6, after line 12, insert a new section, as follows:

SEC. 9. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan No. 3 of 1967, whichever is later, the functions vested in the Board of Commissioners by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

So as to make the bill read:

S. 1532

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) before any contract, exceeding $2,000 in amount, for the construction, alteration, or repair of any public building or public work of the District of Columbia is awarded to any person, such person shall furnish to the District of Columbia the following bonds, which shall become binding upon the award of the contract to such person, who is hereinafter designated as "contractor":

(1) A performance bond with a surety or sureties satisfactory to the Commissioners of the District of Columbia, and in such amount as they shall deem adequate, for the protection of the District of Columbia.

(2) A payment bond with a surety or sureties satisfactory to the Commissioners for the protection of all persons supplying labor and material in the prosecution of the work provided for in said contract for the use of each such person. Whenever the total amount payable by the terms of the contract shall be not more than $1,000,000 the payment bond shall be in a sum equal to one-half the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than $1,000,000 and not more than $5,000,000, the said payment bond shall be in a sum equal to 40 per centum of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than $5,000,000 the payment bond shall be in the sum of $2,500,000.

(b) Nothing in this section shall be construed to limit the authority of the Commissioners to require a performance bond or other security in addition to those, or in cases other than the cases specified in subsection (a) of this section.

SEC. 2. (a) Every person who has furnished labor or material in the prosecution of the work provided for in such contract, in respect of which a payment bond is furnished under this Act and who has not been paid in full therefor before the expiration of a period of ninety days after the day on which the last of the labor was done or performed by him or material was furnished or supplied by him for which such claim is made, shall have the right to sue on such payment bond for the amount, or the balance thereof, unpaid at the time of institution of such suit and to prosecute said action to final judgment and execution for the sum or sums justly due him: *Provided*, That any person having direct contractual relationship with a subcontractor but no contractual relationship, express or implied, with the contractor furnishing the payment bond, shall have a right of action upon the payment bond upon giving written notice to the contractor within ninety days from the date on which such person did or performed the last of the labor, or furnished or supplied the last of the material for which such claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the material was furnished or supplied or for whom the labor was done or performed. Such notice shall be served by mailing the same by registered mail, postage prepaid, in an envelope addressed to the contractor at any place he maintains an office or conducts his business, or his residence, or in any manner in which the United States marshal for the District of Columbia is authorized by law to serve summons.

(b) Every suit instituted under this section shall be brought in the name of the District of Columbia for the use of the person suing, in the United States District Court for the District of Columbia, irrespective of the amount in controversy in such suit, but no such suit shall be commenced after the expiration of one year after the day on which the last of the labor was performed or material was supplied by him. The District of Columbia shall not be liable for the payment of any costs or expenses of any such suit.

SEC. 3. The Commissioners are authorized and directed to furnish, to any person making application therefor who submits an affidavit that he has supplied labor or materials for such work and payment therefor has not been made or that he is being sued on any such bond, a certified copy of such bond and the contract for which it was given, which copy shall be prima facie evidence of the contents, execution, and delivery of the original. Applicants shall pay for such certified copies such fees as the Commissioners fix to cover the cost of preparation thereof.

SEC. 4. The Act entitled "An Act in relation to contracts with the District of Columbia", approved June 28, 1906 (34 Stat. 546), as amended by the Act approved June 26, 1912 (37 Stat. 168; D.C. Code, secs. 1–805 and 1–806) is amended by striking "$1,000" therefrom, and inserting in lieu thereof "$2,000".

SEC. 5. Section 1 of the Act entitled "An Act regulating the retent on contracts with the District of Columbia" approved March 31, 1906 (34 Stat. 94), as amended (D.C. Code, sec. 1–807), is amended by inserting immediately before the semicolon the following: ", and whenever the work is substantially complete, the Commissioners, if they consider the amount retained to be in excess of the amount adequate for the protection of the District of Columbia, at their discretion may release to the contractor all or a portion of such excess amount".

SEC. 6. As used in this Act, the term "person" and the masculine pronoun shall include all persons whether individuals, associations, copartnerships, or corporations, and the terms "Commissioners of the District of Columbia" and "Commissioners" mean the Board of Commissioners of the District of Columbia or their designated agents.

SEC. 7. The Act entitled "An Act to require a contractor to whom is awarded any contract for public buildings or other public works or for repairs or impovements thereon for the District of Columbia to give bond for the faithful performance of the contract, for the protection of persons furnished labor and materials, and for other purposes", approved July 7, 1932 (47 Stat. 608), as amended (D.C. Code, sec. 1–804), is repealed, except that such Act shall remain in force with respect to contracts for which invitations for bids have been issued on or before the effective date of this Act, and to persons or bonds in respect of such contracts.

SEC. 8. This Act shall take effect upon the expiration of sixty days after the date of its enactment, but shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the date it takes effect, or to any person or bond in respect of any such contract.

SEC. 9. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan No. 3 of 1967, whichever is later, the functions vested in the Board of Commissioners by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 805), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 1532, which is requested by the District of Columbia government, is to modernize persent legislation relating to District of Columbia government public works contracts to conform it more closely to statutes, regulations, and practices, relating to U.S. Government public works contracts. The bill provides that District of Columbia government contracts for the construction, alteration, or repair of public buildings or works exceeding $2,000 in amount must be accompanied by both a performance bond to protect the District and a payment bond for the protection of subcontractors and others who supply labor or material for the contract work, and modifies present statutory requirements respecting the portion of contract payments that must be retained by the District pending completion and acceptance of work under construction contracts.

BACKGROUND

Bonding requirements

The present statute governing the bonding requirements of District of Columbia contracts exceeding $1,000 in amount for construction, alteration, and repair of public buildings and works was enacted in 1932 (D.C. Code, sec. 1–804). Contractors are required to furnish one bond. The purpose of the bond is to protect the District from loss due to nonperformance by the contractor, and to obligate the contractor to make prompt payment for labor and materials supplied by third parties for prosecution of the contract work. To recover payment for services and materials subcontractors and others have the right to intervene and be made parties to any action instituted by the District government on the contractor's bond. The claim and judgment of the District in any such action take priority over such other claims. Payment is made first to the District government, and if the amount of liability under the bond is insufficient to cover all other adjudicated claims of intervenors, the balance is distributed pro rata among them. In the event no suit on the bond is brought by the District within 6 months following completion and final settlement of the contract, unpaid subcontractors and others who supplied labor or materials may bring a single action on the bond in the name of the District for their use and benefit. Such an action must include all known creditors of the contractor, may be instituted until 6 months following completion and final settlement of the contract, and must be initiated within 1 year after contract settlement.

The bonding requirements of Federal Government construction contracts exceeding $2,000 in amount are governed by the so-called Miller Act of August 24, 1935 (40 U.S.C. 270 a–d). The Miller Act requires a contractor to furnish not only a performance bond to protect the Government, but a payment bond for the protection of persons supplying labor or material for the work. Persons supplying labor or materials need not await completion of the contract, but may bring suit on the payment bond 90 days after their labor or material was furnished.

Retention of payments

Existing District of Columbia law provides for retention by the District government of not less than 5 percent of the total amount of payments under a construction contract until completion and acceptance of the work. Federal Procurement Regulations governing Federal Government construction contracts permit the contracting officer, if he considers the sum retained to be in excess of the amount deemed adequate for the protection of the Government, to release to the contractor all or a portion of such excess amount.

PROVISIONS OF THE BILL

Sections 1 to 3 of S. 1532 rewrite existing law to conform the bonding requirements for District of Columbia construction contracts with the requirements applicable to Federal construction contracts under the Miller Act of August 24, 1935 (40 U.S.C. 270a–c).

Section 1 provides that a contractor under any District of Columbia contract exceeding $2,000 in amount for the construction, alteration, or repair of any public building or work must furnish both a performance bond for the protection of the District and a payment bond for the protection of persons supplying labor and materials for the contract work, with surety or sureties satisfactory to the District government. Performance bonds would be in amounts deemed adequate by the District. The amount of a payment bond would depend upon the total amount payable under the contract. Under contracts up to $1 million a payment bond of 50 percent of the amount payable would be required. Contracts from $1 to $5 million would require a 40-percent payment bond, and those in excess of $5 million would have to be accompanied by a $2.5 million payment bond. Section 1(b) provides that section 1 shall not be construed to limit the authority of the District government to require additional security from a contractor if such is deemed necessary.

Section 2 provides that every person who furnished labor or material for contract work covered by a payment bond, and who has not been paid in full for 90 days after his labor or material was furnished may sue on the payment bond for the amount unpaid at the date of suit, and prosecute the action to final judgment and execution for the sum due. Persons having a contractual relationship with a subcontractor, but not with the contractor, are given a right of action on the payment bond upon giving written notice to the contractor within 90 days after the date such person furnished the last of the labor or material for which the claim is made. Such notice must describe the claim with substantial accuracy, and would be servable on the contractor by prepaid registered mail.

The bill requires that suits on the payment bond be brought in the name of the District of Columbia for the use of the party suing within 1 year after the date on which the last of the labor or material was furnished. The U.S. District Court for the District of Columbia is given jurisdiction over such actions irrespective of the amount in controversy. The District of Columbia shall not be liable for the costs or expenses of any such suit.

Section 3 directs the District government to furnish certified copies of the payment bond and contract involved to persons suing or being sued on such bond. The copy furnished is made prima facie evidence of the contents, execution, and delivery of the original. The District is authorized to fix and collect fees for copies designed to cover the cost of their preparation.

Section 4 amends existing law so as to make it unnecessary for the District government to require bonds and a formal written contract in cases where the District contracts for work, materials, or supplies involving a sum not exceeding $2,000. Present law provides their formal written contracts with bond are not required in cases where the contract cost does not exceed $1,000.

Section 5 amends the act regulating the retent on contracts with the District of Columbia to permit the District government, when it considers the amount retained under a contract to be in excess of the amount deemed adequate to protect the interest of the District of Columbia, in its discretion to release all or a portion of such excess retainage to the contractor.

Section 6 defines the terms "person" and "Commissioners of the District of Columbia" and "Commissoners" as used in the bill.

Section 7 repeals the present statute governing the bonding requirements of District of Columbia government contracts for the construction, alteration, or repair of public buildings and works, but provides for the continued application of that statute to contracts for which invitations for bids have been issued on or before the effective date of this legislation, and to persons or bonds in respect of such contacts.

Section 8 provides that the legislation shall be effective upon the expiration of 60 days after the date of its enactment, and shall not apply to any contract awarded pursuant to any invitation for bids issued on or before such effective date, or to any person or bond in respect of any such contract.

HEARING

S. 1532 was the subject of a public hearing conducted by the Subcommittee on Business and Commerce on August 17, 1967. Representatives of the District of Columbia Commissioners testified that substitution of the bond provisions of the Miller Act for the bond requirements now applicable to District construction contracts and the proposed modification of the District's present contract payment retention statute to incorporate the Federal practice will be of substantial benefit to contractors with the District government and to their subcontractors. Under the proposed change, the parties to District contracts will have the benefit of a substantial body of interpretive case law that has developed under the Miller Act. The D.C. Metropolitan Subcontractors Association, Inc., and the Greater Washington Central Labor Council, AFL–CIO, support the bill.

AMENDMENTS

One amendment approved by the committee will transfer functions vested in the Board of Commissioners of the District of Columbia in accordance with Reorganization Plan No. 3 of 1967. The other is a technical amendment and substitutes "judgment and execution" for the expression "execution and judgment" at page 3, line 11, of the bill.

CONCLUSION

Many construction contractors do business with both the District and Federal Governments. S. 1532 will provide uniformity in the bonding requirements and payment retent practices under construction contracts let by the two governments. The committee deems such uniformity desirable, and recommends that S. 1532 be enacted.

WHEAT ACREAGE ALLOTMENTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 784.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1722) to amend the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 1, line 8, after the colon strike out "'or (2) to increase the allotment for any county on the basis of its relative need for such increase if there is a substantial area in the county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is substantially less than such average ratio on old wheat farms in surrounding areas and counties due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which because of adverse weather conditions, plant disease, or loss of markets may no longer be produced at a fair profit, and there is no other alternative income-producing crop suitable for production in the area. The increase in the county allotment under clause (2) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in surrounding areas and counties, as determined by the Secretary."; and insert "or (2) to increase the allotment for any county, in which wheat is the principal grain crop produced, on the basis of its relative need for such increase if the average ratio of wheat acreage allotment to cropland on old wheat farms in such county is less by at least 20 per centum than such average ratio on old wheat farms in an adjoining county or counties in which wheat is the principal grain crop produced or if there is a definable contiguous area consisting of at least 10 per centum of the cropland acreage in such county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is less by at least 20 per centum than such average ratio on the remaining old wheat farms in such county, provided that such low ratio of wheat acreage allotment to cropland is due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which, because of plant disease or sustained loss of markets, may no longer be produced at a fair profit and there is no other alternative income-producing crop suitable for production in the area or county. The increase in the county allotment under clause (2) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in adjoining areas or counties but the average ratio of increased allotments to cropland on such farms shall not exceed the average ratio of wheat acreage allotment to cropland on old wheat farms in the adjoining areas or counties.'";

So as to make the bill read:

S. 1722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 334(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1334(a)), be amended by inserting the language "(1)" between the words "used" and "to", and by striking out the period at the end of the sentence and inserting in lieu thereof a comma and the following language: "or (2) to increase the allotment for any county, in which wheat is the principal grain crop produced, on the basis of its relative need for such increase if the average ratio of wheat acreage allotment to cropland on old wheat farms in such county is less by at least 20 per centum than such average ratio on old wheat farms in an adjoining county or counties in which wheat is the principal grain crop produced or if there is a definable contiguous area consisting of at least 10 per centum of the cropland acreage in such county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is less by at least 20 per centum than such average ratio on the remaining old wheat farms in such county, provided that such low ratio of wheat acreage allotment to cropland is due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which, because of plant disease or sustained loss of markets, may no longer be produced at a fair profit and there is no other alternative income-producing crop suitable for production in the area or county. The increase in the county allotment under clause (2) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in adjoining areas or counties but the average ratio of increased allotments to cropland on such farms shall not exceed the average ratio of wheat acreage allotment to cropland on old wheat farms in the adjoining areas or counties."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Without objection, the amendment is agreed to.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and was passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 800), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

This bill, with the committee amendment, provides for adjustment of wheat allotments in counties where wheat is the principal grain crop and where allotments are low in relation to cropland because farmers shifted prior to 1951 from wheat to an alternative crop or crops which have proved unprofitable because of plant disease or sustained loss of markets.

At present section 334(a) of the Agricultural Adjustment Act of 1938 provides for reserving not to exceed 1 percent of the national wheat acreage allotment for apportionment to countries on the basis of relative need because of reclamation and other new areas coming into production of wheat. The bill, with the committee amendment, would provide an additional use for this reserve. The new use would be limited to counties in which—

(1) Wheat is the principal grain crop;

(2) The average ratio of wheat acreage allotment to cropland on old wheat farms is at least 20 percent below that in an adjoining county (or such average ratio for a contiguous area comprising at least 10 percent of the county's cropland is similarly below that for the remainder of the county's old wheat farms);

(3) Such low ratio is due to a shift prior to 1951 from wheat to an alternative crop or crops which have become unprofitable because of plant disease or sustained loss of markets;

(4) There is no alternative income-producing crop.

Apportionment from the reserve for this new purpose would be based on relative need, and amounts apportioned to counties would be used to increase allotments of old wheat farms to make them comparable to those on similar farms in adjoining areas or counties. The average allotment to cropland ratio after such increase could not exceed that on old wheat farms in the adjoining areas and counties.

It is contemplated that only a small acreage, not exceeding 10,000 acres in any year, would be used to make the adjustments provided by the bill.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. MONTOYA. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

The Senator from New Mexico is recognized.

WHO IS PROTECTING NASSER'S INTERESTS IN THE UNITED STATES?

Mr. MONTOYA. Mr. President, a mystifying situation exists regarding trade between this country and Nasser's Egypt. It affects American workers, farmers and business. It is my understanding that Egypt is conducting a profitable trade with our country in extra-long staple cotton and cotton textiles.

For these products Nasser receives cold American cash, all at the expense of American wage earners of one kind or another. It is my belief, founded upon trade figures, that it is the actual policy of our State Department to allow the Nasser government access to our domestic markets with its cotton and textiles.

The long record of virulent hostility and vituperation on the part of Nasser toward our country is too well known to require further documentation. There is not a Senator here whose indignation has not been aroused by Egypt's epithets, mistreatment of American citizens and cavalier attitude toward American property.

Nasser's severing of diplomatic relations with us because of Israel's smashing defeat of his dictatorial ambitions was one of the most childish, gross and self-defeating international acts in recent memory.

His abuse of American nationals trapped in Egypt when the war took place was appalling. Most recently, he has defaulted on a $2 million installment on a $56.5 million loan. Yet somehow he has retained a powerful benefactor or benefactors within our foreign policy establishment.

In the 4 months since the break in official relations between Egypt and the United States, we have allowed importation of more than 12,000 bales of Egyptian extra-long staple cotton. This handed Nasser some $3 million in desperately neded foreign exchange. None of this is disputed by our State Department.

Further, responsible people in the administration have allowed shipment of millions of square yards of Egyptian cotton textiles into this country. Nor is this a subject for disagreement on the part of the State Department.

Detailed figures on these imports are as yet unavailable. But one can discern certain aspects of the transactions. Commerce Department records show that 1 million yards of Egyptian textiles entered the United States in July. This total mounted to 3.5 million yards in August. This is a gain of 350 percent in 1 month, enriching Nasser's bare coffers to the tune of another $300,000. Our Department of State has not argued this fact, either.

Despite the breach between the two countries, our State Department late last month extended until January an expiring trade treaty under which Egypt can dump in our country up to 51 million square yards of cotton textiles annually.

The Government of India, which strongly backs any of Nasser's actions, no matter what they are, acted for Egypt in this backstage arrangement.

If this was done, why was it not made public knowledge? Why were the Senate and House not informed as they have a right to be? Why was this done in secret? Why were the representatives of and the people themselves not informed of what was being done in their name with the government of Egypt?

But there is still more to this, Mr. President. Several months ago, when Nasser had to buy wheat, he turned to, of all countries, France. There is a strong possibility that he paid the French with dollars earned from his undisturbed sales of extra-long-staple cotton and textiles in our Nation. The facts speak for themselves.

Mr. President, these dealings have all been held in what I choose to call kindly—concealment. No hint has emanated from our State Department regarding UAR cotton shipments and extension of the textile agreement. Even Members of Congress with a direct interest in these matters have been kept in the dark. For one, I vehemently resent this. Our Nation is wholly self-sufficient in extra-long-staple cotton. It grows this type of cotton equal in quality to any in the world. This crop is grown in four States—my own home State of New Mexico, Arizona, California, and Texas. Our Government has a stockpile of 232,000 bales of this cotton. Domestic consumption is approximately 150,000 bales annually.

Under this trade pact I have described, Nasser has been able to unload his cotton in our country at a few cents under the Government's support price.

Since 1959, he has exported more than $200 million of this cotton to the United States. Last year, Egyptian shipments exceeded 44,000 bales, and indications are that they will be about the same this year. Already these imports exceed 30,000 bales.

Mr. President, the Agriculture Committee of the other body approved a bill to prohibit the importation of this cotton into our country by a vote of 22 to 2. The other body itself recently voted overwhelmingly in favor of this legislation. I am a cosponsor of a similar bill here in this body.

I simply do not see why American fiber producers must be penalized to help a dictator who openly despises and obstructs America. Nor is he going to change. Are we to continue to aid a man who openly seeks to expand Russian influence in that part of the world? The possible use of American money to buy French grain is but salt in the open wound.

Extending the expired trade agreement with this avowed enemy passes beyond my poor comprehension. How could this have been done when there are no formal relations between the two countries? Without legal communications, how could the agreement have been formally extended? And again I ask, Why was the Senate not informed?

The recent Middle East crisis should have taught us a valuable lesson. Although our diplomatic establishment seems to have ignored the lesson to be learned, I am sure Members of this body are aware of it. For defense reasons alone we should not rely upon a nation so unstable and unfriendly as Egypt for supply of an important product. Especially when we can obtain it right here at home.

Mr. President, I wish to see this body act on S. 1975 exactly as the other body did on its version of the measure. I wish to see an end to imports of extra-long staple Egyptian cotton. I wish to see the money we are spending on it go to American fiber producers.

These fiber producers have seen their share of our market for this product shrink steadily. Were they to receive a fairer share at Nasser's expense, our balance of payments would immediately improve. Our gold supply would gain. These are simple economic facts.

Mr. President, there is legal ground for us to stand on in doing this. In specific cases, we have acted against countries that have shown hostility to us in overt or covert forms. Cuba is one such instance. There we acted on her imports under a specific provision of the Foreign Assistance Act of 1961, as reflected in title 22 of the United States Code—section 2370 (2 U.S.C. 2370 (1964 ed.)).

We have recently acted against Rhodesia under title 22, section 287C of the United States Code. By this act, we excluded certain articles imported from Rhodesia. If we moved against that nation, why in the name of Heaven have we not acted against Nasser?

Action has been taken in the past under the Trading With the Enemy Act of 1917. This act has been used for a variety of purposes. F. D. R. used it to declare a bank holiday in 1933. We have used it to enforce trade restrictions against North Korea and Communist China. It is interesting to note that we do not have to be engaged in hostilities to implement these restrictions under this law.

There is another provision of this act that has never been invoked. Under title 19 of section 1338 of the United States Code, the President may impose additional duties of up to 50 percent on imports of a nation placing any burden or disadvantage upon the commerce of this country. He may exclude their products if they do not desist from their negative actions. The citation here is 40 Stat. 411. It seems that our State Department, with their unique logic, has already concluded that this cannot be made to apply in the case of Egypt.

Title 19, section 181 has never been used either. Under it, the President can satisfy himself whether or not unjust discriminations are made by or under the authority of any foreign state against importation to or sale in such foreign states, of any product of the United States. In such a case he may direct that such products of such a foreign state shall be excluded from importation into our country. In such a case, he shall make proclamation of this act.

No international agreement is absolutely enforceable. We could break any agreement on imports as easily as Nasser arbitrarily broke his relations with us. Our Government can simply denounce the agreement. This is the right of political power.

As far as the textile agreement is concerned, we have a similar right. The Department of Commerce administers it, seeking agreement with other nations on how much of a given cotton textile will be admitted to the United States. If an agreement is unreachable, we have the right to set the quota unilaterally. As a sovereign state we have the right to cut off that quota by administrative action.

Extra-long-staple cotton enters our country under section 22 of the Agricultural Adjustment Act. The Secretary of Agriculture determines the quota to protect our domestic programs.

It seems we have an autonomous right as a sovereign state to change any quota. The textile agreement is not a treaty, but simply an agreement. In a case of abnormal relations it would seem that we have the right and privilege to retaliate in our national interest.

Mr. President, I believe the Senate wants to act on this bill to cut off Egyptian extra-long-staple cotton imports to our country.

It is my feeling that the other body accurately reflected the mood of the overwhelming majority of the American people when it voted to cut off these imports.

Nor is this a passing mood on the part of our people. I believe the American public is absolutely, utterly and permanently disgusted with Nasser and what he stands for. No amount of rationalizing can change this mood and the fact that it exists.

If the State Department persists in opposing the expressed will of the American people, then we here in the Senate have to take action. We must also inform the public of what is being done in their name.

I am astounded by the almost slavish desire on the part of certain elements in our Government to lick Nasser's boots after he has been thoroughly trounced and shown up to be a papier mache Napoleon of the Nile.

I am disgusted to see us fawn upon him, when he so obviously hates us and shows it. What must he do to make us act? He loathes us all the more for our abject appeasement of his acts.

Better an honest enemy than a false friend. I do not believe that one American in 10,000 would give even a second thought, much less object, if this Chamber acted to deprive him of his markets here.

I believe the country at large would cheer our actions, especially those American producers and workers who would gain directly from our action.

His recent intransigent stand is all the more reason for us to act to bring him to his senses.

Nor will I accept the argument sure to be advanced by Nasser's apologists that we must not be "protectionist." There is a difference between protectionism and proper retaliatory action against a sworn, obvious enemy of our country.

I shall further do my utmost to see to it that this body acts before this session of Congress comes to an end. Let us act and give this man the back of our hand he has asked for for so long.

REPRESENTATIVE HORACE R. KORNEGAY, OF THE SIXTH CONGRESSIONAL DISTRICT OF NORTH CAROLINA

Mr. ERVIN. Mr. President, while it is certainly understandable to those of us who know by personal experience that service in the Congress is more drudgery than glamour, I am nevertheless compelled to regret most deeply the decision of Representative HORACE R. KORNEGAY, of the Sixth Congressional District of North Carolina, to retire from the House of Representatives at the end of his present term.

HORACE KORNEGAY has exhibited on all occasions during his service in the Congress his abiding conviction that a public office is a public trust.

He has given to the performance of his official duties untiring industry, a strong and well-disciplined mind, unswerving integrity, and a complete devotion to fundamental principles. As a consequence, he has reached informed, intelligent, and sound conclusions in respect to the public issues confronting the Congress during his tenure in office. After reaching such informed, intelligent and sound conclusions in respect to the issues, he has had the courage to stand up and fight for them at all times. Of him, it can truly be said that he has never sold the truth to serve the political hour.

For these reasons, I deeply regret that his wisdom and courage will not be available to the Congress after the expiration of his present term. He will carry with him, however, into his retirement the deep affection and profound admiration of those of us who have been privileged to know him best.

VICE PRESIDENT HUMPHREY OUTLINES PROGRAM TO AID FARMERS

Mr. McGOVERN. Mr. President, the Farmers Union Grain Terminal Association convention in St. Paul, Minn., is one of the biggest annual agricultural events in the Midwest and also is one of the most important, for it is regularly addressed by leading officials in the field of agriculture.

More than 10,000 persons were present at the St. Paul Auditorium on November 16 when Vice President HUBERT HUM-

PHREY addressed the convention this year, outlining ways in which we can help farmers to attain parity of income with other citizens of the land.

Briefly, the Vice President proposed to escalate the war against hunger and pay farmers fair prices for the food and fiber they produce for that war. He also proposed increased rural development efforts, protection and improvement of existing farm programs, and, finally, the establishment of farm bargaining power comparable with that of organized labor and industry.

I ask unanimous consent that the text of the Vice President's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Remarks of Vice President Hubert Humphrey at the Grain Terminal Association Convention, Minneapolis, Minn., November 16, 1967

My friend, Bill Thatcher, members of the Farmers' Union G.T.A., ladies and gentlemen, it has been my privilege to take part in the annual conventions of this great and respected American farm organization for the last 18 years—but I am especially pleased and relieved to be here this year. The farm belt polls being what they are, I was not sure my invitation was still good.

I was beginning to feel like the industrialist who suddenly became ill and went to the hospital. He lay there for weeks. No visitors came. No messages were delivered. And then one day he got a card—from the labor union that represented his employees.

The card read: The Central Executive Committee of Local 246 wishes you a speedy recovery . . . by a vote of 8 to 7.

Well, I'm not here to poll your convention. When I do, I'll do it "outside the gate" in the time-honored tradition of the Farmers' Union.

Nor am I here to ask for your support on the historic issues of our times—although that support has never been lacking.

I *am* here today to talk about the problem of greatest personal concern to you and your organization—the future of the American farmer.

American agriculture ranks among mankind's proudest achievements—and most Americans don't know it.

If you look at America from abroad, as I have recently, you see one thing above all others in your mind's eye—not only tall cities, not only broad highways, not just shiny appliances, not rockets, not laboratories . . . but broad, fertile fields, pouring forth their production through modern American agriculture.

You see farms which produce plenty in a world where most people do not have enough to eat.

You see space-age agriculture in a world where many cultivators still rely on the wooden plow.

You see an America that depends on agricultural exports for half of its favorable balance of trade.

You know that America, because of its agriculture, can foster world peace and relieve human suffering by providing sustenance to hundreds of millions of people around the world, while it exports the know-how that poorer nations need in order to better feed themselves.

Then you return home. The picture is different.

You hear that the average American farmer's income still lags behind the American norm.

You see Americans leaving our farms and rural areas at the rate of half-a-million or more a year—not because they *want* to live in crowded and congested cities, but because they think they have to, in order to find economic opportunities that will provide a future for themselves and their children.

True, there has recently been some progress for the American farmer.

The mammoth surpluses of the fifties, which glutted the market and threatened to scuttle support for any constructive farm program, have been eliminated.

Gross farm income and net income per farm have risen to unprecedented heights. Net per farm income was 70 per cent higher in 1966 than in 1960 and total net income last year was second only to 1947.

And we have today some basic tools—the Food and Agriculture Act of 1965 and the Food for Freedom Act of 1966—that protect the farmer and enable us to meet our objectives at home and abroad. Those programs prevent the painful market fluctuations that have hurt so much this summer and fall from becoming an unmanageable cycle of boom and bust.

But that is not enough for me; and I know it is not enough for you.

The American farmer is still too often a second-class citizen amidst the abundance he has helped create. He is first-class in output, too often second-class in income; first-class in service to the nation and the world, too often second-class in the benefits modern America provides for its citizens.

The American farmer deserves equity.

May I suggest at least four ways in which we can help assure the American farmer first-class citizenship in every area of life? They add up to an Honest Deal for Rural America.

First, we must continue to escalate the War on Hunger.

Food is a powerful instrument for constructive foreign policy in this hungry world—and it is an instrument that is almost exclusively American.

Moreover, we no longer have to depend only on what is left over in the historic struggle to feed this world's exploding population. The Food for Freedom Act gives us a virtually open-ended authority to assist nations that are willing to help themselves.

We are now sending American food to more than a hundred nations under Food for Freedom. I am happy to say that food shipments to Indonesia, a brave and growing nation which I have just visited, will now receive a new, higher priority.

But the opportunities and the challenge of the War on Hunger are going to grow steadily in the foreseeable future, and this nation must be ready.

We are ready to make full use of our abundance and we must be ready to pay the American farmers—the soldiers of the soil Bill Thatcher refers to—a fair price for their contribution to world peace and stability.

This country has an effective Food for Freedom program and it can afford a bigger one in the future.

Food for Freedom is good politics. "A hungry people listens not to reason, nor cares for justice, nor is bent by prayers" says an ancient text.

There can be no peace, no stability, nor safety in this nuclear age until the ancient enemy of hunger has been banished from the earth.

Food for Freedom is good economics. It means substantially more income for the American farmer. It means that the American taxpayers will stop paying to keep valuable agricultural resources idle. It can mean prosperous nations abroad that will be an expanding market for American food and factory production in the future.

And Food for Freedom is good morals. When a child starves because the world's elders cannot figure out how to feed him, each of us bears the burden of guilt.

Here is point two in my Honest Deal for Rural America:

It is true—and as a small town boy I hate to say it—that rural America is still behind.

More than twice as many farm families as city families live below the poverty level.

Less than half of our farm families have a decent house, a good car, hot and cold running water, and a telephone; in the city, three out of four have these advantages.

These deficiencies are especially important to rural youngsters who are about to choose a career and a place to live.

For every 175 rural youngsters who reach working age, there are fewer than 100 jobs.

About 200 thousand of the young Americans living in rural areas today will leave and go into the city this year.

Their departure will make rural America a poorer place. Their leaving will not only separate them from their families but weaken our rural communities—weaken them culturally as well as economically.

And for what? . . . What is waiting for them? Some will find fame and fortune. Many more of them will find themselves confined to slums . . . doomed to low-paying jobs . . . isolated, lonesome and hopeless.

America is caught in the Urbanization Trap in the last third of the twentieth century.

Seventy per cent of us already live on one per cent of the land.

We are going to have another 100 million Americans by the end of this century, and *all* of them will live in the cities if present trends continue.

Our cities are starved for space, fresh air, recreation; our rural areas are starved for jobs and opportunity.

This society is rich enough and creative enough to achieve a balance of growth and opportunity between rural and urban areas.

In the 1930's, modernization meant rural electrification and movie theatres in every town.

In the 1940's it meant many well-paved roads.

Now, it means airports capable of handling short-hop jets, community colleges, modern hospitals and good doctors. The very best in elementary and secondary education. It means golf courses and ballparks. It means drama groups and art classes in addition to church socials.

And it means economic viability—new investment, new job opportunities, a growing tax base. It means modern America in your town—your country.

That kind of modernization is occurring in many parts of rural America today.

Where it happens, it is the result of aggressive local initiative, cooperation from private industries, and better use of federal programs that are already available.

It happens because rural people and city people alike are discovering that the good life can be found in the countryside.

I saw a poll taken right here in Minnesota just the other day. Eighty-eight per cent of those questioned favored special measures to encourage farm families to stay on the farm. Eighty-four per cent supported programs to encourage industry to move out to the small towns.

A majority said they would prefer to live on a farm rather than in the city.

I say, let's all do our part to give them a choice!

But the countryside cannot grow without prosperous farms.

So point three is this: Protect and improve our existing commodity program. It is the best we have ever had.

As we gain experience in the sophisticated supply-management techniques required by elimination of surpluses, the program will prove its value over and over again.

Government payments are already providing the thin margin between profit and loss for many producers.

This year the program is paying the producer an additional 48 cents a bushel on wheat, 12 cents a bushel on corn, and 15 cents for each pound of cotton.

Until we develop a weather-proof acreage allotment system we are going to experience crops that exceed our expectations and we are going to need protection. I think we have it.

It is true that prices are down this year. After steady progress since 1960, we are in a "lag" year, largely because of phenomenal growing weather that brought unprecedented harvests in almost every nation. Here in the United States grain harvests were 94 percent higher this year than the average for the past five years.

I know that some interpret this as proof of a fatal flaw in the system.

Let me only say this to you: Progress is seldom smooth. It usually comes in a series of forward thrusts followed by temporary lapses. Today, while the farmer *is* being short-changed, he still has something to protect.

And protect he must. For the programs that have given us progress in the past and promise more in the future are under attack. No fewer than 21 bills have been introduced in Congress which would, for all practical purposes, terminate existing farm programs.

Don't think those calls for retreat will be stilled by the time this program we all fought so hard for back in 1965 runs out in 1969.

We got a taste of what can happen two weeks ago when legislation to establish a strategic grain reserve was killed in subcommittee.

That bill would have let us withdraw overabundant grain stocks from the commercial market when prices were low. It would have protected the consumer in times of scarcity. It would have helped the producer by substantially increasing wheat, corn and soybean prices.

I can tell you that it was not killed by people who had the farmers' interest at heart.

This country *needs* reserves of key agricultural commodities. It *needs* a program that will keep those reserves at commonsense, clearly defined levels . . . that specifies how and when they can be released so that they do not interfere with the normal market.

It *needs* a program that will depend on private sector inventories for normal business operations, but at the same time protect both consumer and producer.

The harsh truth is, my friends, that there are people in this country today who want the kind of totally unrestrained production that could destroy the farm economy. The experts tell us that without our present programs, prices would fall by a third.

I don't have to spell out the likely consequence—not only for individual farm families, but for the prospects of rural America and for America's agricultural leadership in the world.

It would be tempting to say that extension and better management of our existing programs will solve all the farmer's problems. But it won't.

That brings me to point four—bargaining power.

Even the general public understands that farmers are not now in a position to decide the prices they get for their products.

Look at the language of commerce: We say the hardware store *charges* 39 cents for a pound of nails, General Motors *charges* 3 thousand dollars for a car.

But the farmer, who also produces and sells things, *gets* five dollars and sixty-one cents, blend, for his milk, or *gets* 29 dollars for his fat cattle.

The farmer deserves the right to *charge* for his products instead of *getting* what the buyer decides he should have.

Moreover, most economic power in America is organized. Labor is organized, business is organized, and farmers pay more because industry's bargaining power is organized.

Industrial workers deserve the gains that they have won with concentrated economic power—but the farmer deserves parallel gains. He deserves more. He deserves to catch up.

The farmer is tired of being whipsawed by the organized elements in the rest of the economy.

The plain facts are that farmers need bargaining power. They have the desire—and they should have the right—to get firm control of their own economic destiny.

Competition is a great American tradition—but so is equity. If American farmers are going to get equity, they are going to have to bargain.

President Johnson, Secretary Freeman and I are going to do our best to see that you have the *right* to bargain. President Johnson has asked Bill Thatcher to come to Washington to discuss his bargaining proposals with him in detail, including a National Agricultural Relations Act.

It will not be easy for thousands of independent producers to bargain effectively, but organized labor had its own catalogue of so-called impossibilities, most of which have been realized.

And you will have one important asset working for you—the experience and accomplishments of the great American cooperative movement. The Farmers' Union, G.T.A., the Central Exchange, and the other farm cooperatives of this country have long been a powerful force for economic justice in America—justice for the farmer, justice for the country.

Your achievements have been an example to cooperative movements in the developing countries of Asia and Latin America which are now bringing political freedom and economic justice to millions for the first time.

I am confident that successful bargaining will be your next great victory.

Today I have given you the plain facts as I see them.

Our debt to the American farmer is great—and it has not been repaid.

Our progress in recent years has been substantial—but much remains to be done.

Our government and its programs now provide the farmer with an essential margin of protection—although it does not guarantee him prosperity.

The farmer is entitled to the bargaining power enjoyed by others in our economy no more and no less.

The problems of our cities and those of rural America are in reality a single national problem that demands the attention of us all.

Food power used in the War on Hunger is America's special weapon in the quest for peace.

Let's raise the banner here and now: An honest deal for rural America.

Let's close the Prosperity Gap once and for all.

Let this be one America, under God, with liberty, justice, and a fair share for all.

Thomas Jefferson wrote, "Those who labor in the earth are chosen people of God, if ever He had a chosen people."

If ever there were a chosen farmer, it is the American farmer. May this nation honor him accordingly.

NEW YORK TIMES SUGGESTIONS FOR DEFENSE OF THE DOLLAR

Mr. PROXMIRE. Mr. President, I invite attention to a wise, moderate, and effective proposal for meeting the challenge to the dollar that develops from the British devaluation. The proposal appears in an editorial published in the New York Times of Sunday, November 26, 1967. The Times suggests:

> Moderate curbs on credit and on nonessential, non-poverty Government spending . . . (and) direct and effective action to replace the present hodgepodge of makeshifts that are intended to defend the dollar.

The Times also suggests mandatory controls over corporate investment and bank loans abroad as well as increased incentives to repatriate foreign profits and possibly a tax on tourism.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Defense of the Dollar

The gold rush that has developed since sterling's devaluation represents a dangerous new challenge to the dollar and to the existing monetary system that is based on cooperation between the United States and other industrial powers.

Heightened demand for gold was to be expected in the wake of devaluation in Britain. But it has assumed feverish proportions with the news that France was unwilling to come to sterling's rescue and had opted out of the gold pool that was designed to share the costs of moderating speculative fever. Now that the pound has fallen, the speculators are declaring that the dollar is next.

However, the fall of the pound and the weakness of the dollar cannot be blamed entirely on French skepticism or on the actions of the gnomes of Zurich, or on weaknesses in international cooperation, although all these factors have played an important part. It is Washington and London that have the chief responsibility for maintaining confidence in the two key currencies by seeing to it that there are not excessive amounts of dollars and pounds in the hands of foreigners.

The British failed to take this fundamental precaution. They had bought more abroad than they sold abroad, continuing to live beyond their means through the stratagem in international borrowings. Their creditors bailed out the British over and over again. That was the most that international cooperation could do. It could not—and cannot—effect a cure.

The United States has also allowed too many dollars to flow abroad. Unlike Britain, this country has been able to compete effectively in trade. But it has a staggering deficit in its tourist account, in foreign plant investment and in spending for the war in Vietnam. There is a good deal of truth in the French view that Europe is underwriting American industry's invasion of Europe and the United States war in Vietnam by helping to finance the chronic deficit in the nation's balance of payments.

Washington can no longer go on applying inadequate tourniquets to its hemorrhages of dollars. It was justifiable to move slowly and moderately when the nation had ample reserves of gold and when foreign confidence in the dollar was strong. But there is a limit to the resources of even the richest and most powerful economy.

The Administration can overcome complacency and uncertainty with a comprehensive and coherent program to regain control over the domestic economy and to put an end to the drains on the dollar. To meet the first objective, moderate curbs on credit and on nonessential, non-poverty Government spending are required. To meet the second, what is needed is direct and effective action to replace the present hodgepodge of makeshifts that are intended to defend the dollar. Mandatory controls over corporate investment and bank loans abroad are called for, as well as increased incentives to repatriate foreign profits and possibly a tax on tourism.

Such a course will make plain that the

Administration is determined to fulfill its repeated pledges. It may involve some drying up of international liquidity, which the devaluation of sterling has already reduced by the stroke of a pen. But if the world is to avoid the kind of fiscal chaos that prevailed in the late 1920's and early 1930's, the United States must put its accounts in order while it still has time.

OIL SHALE

Mr. METCALF. Mr. President, the Frederick, Colo., Farmer and Miner for Thursday, November 16, 1967, contained an article announcing the formation of an oil shale watchdog committee to give the public greater information about this great national resource. The cochairmen are ex-Senator Paul Douglas, whose concern about our oil shale was demonstrated by the introduction of legislation to preserve it for the American people; and Dr. John Kenneth Galbraith, a member of Secretary Udall's Oil Shale Advisory Board. Under the leadership of these eminent men and a group of distinguished citizens of Colorado the new organization will attempt to achieve the objectives outlined below.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Oil Shale Watchdog Committee Forming

The formation of an oil shale watchdog and study committee, to be known as the Public Resources Association, was announced this week to study the economic and political aspects of the vast multi-trillion-dollar public domain oil shale reserves located in Colorado, Wyoming and Utah.

Former Illinois Senator Paul Douglas and Dr. John Kenneth Galbraith of Harvard University, a member of Secretary of Interior Stewart Udall's Oil Shale Advisory Board, will head the new organization as honorary co-chairmen, both men announced today in a prepared statement.

All of the information developed by the association will become public information, they stressed.

In a prepared list of objectives to result from its study, the association included the extent and value of oil shale reserves which are publicly owned; how Federal agencies determine the future of the reserves; attention to mistakes of the past and how recurrences can be avoided; protection of the public interest; and the orderly planning for needs of the U.S. for oil from all sources.

In a letter made public today to the PRA, Dr. Galbraith said that he much applauded the initiative of the distinguished and public-spirited group of citizens on the committee. "From my services on the Oil Shale Advisory Board I can testify that the people who would like to alienate these resources for private purposes are both numerous and well supplied with funds. We must all join to see that the public, as opposed to the selfish and speculative interest is protected."

Sen. Douglas emphasized that now is the time to make plans to preserve and develop the oil shale lands of the U.S. in the best interest of everyone.

"Every man, woman and child of our country owns a share of the vast resources of recoverable oil, and the value to each in terms of total sales value is at least $25,000," Douglas said.

"Millions of acres of public lands contain deposits of oil shale, and many millions of these acres have been claimed by private parties under placer mining procedures, and their titles are thus necessarily clouded and the public may lose them unless their rights are adequately defended. The issue is one of the most important in the nation," Douglas continued. "The Public Resources Association has been incorporated as a nonprofit organization to thoroughly study public domain oil shale lands in respect to their development or disposition, and make this information available to everybody," the former Illinois Democrat who introduced a bill in the 89th Congress to pay off the National debt from oil shale royalties, said.

The basic Colorado organization, which filed incorporation papers last Sept. 15, has elected as its president Colorado University Regent and Denver attorney Daniel F. Lynch.

The success of the organization will be determined by the amount of funds raised for the comprehensive and detailed study, its members said. The organization is now in the process of raising $115,000, which it said would be needed for the first year's research.

The board of directors of the new organization includes besides Lynch, James P. Johnson, a Fort Collins, Colo. attorney; Dr. Cinrad McBride, a professor of political science at Colo. University; Thomas Croak, a Denver attorney; Fred M. Betz, Sr., a CU Regent, and publisher of the Lamar, Colo., Daily News; Dr. Morris Garnsey, a CU economics professor and mineral resource authority; the Rev. John Graham, pastor of the First Universalist Church of Denver; and Dr. Byron Johnson, an economics professor at CU, and a former members of Congress.

In the prepared statement, Sen. Douglas strongly urged public support o' the association. "This (oil shale) is the most submerged issue in American domestic politics, involving the greatest scandal in the history of our Republic."

DE GAULLE TAKES AIM AT THE DOLLAR

Mr. PROXMIRE. Mr. President, once again France has worked behind the scenes to bring on a crisis in the international monetary system. An article published in the London Economist of November 25, 1967, outlines the French activities leading to the devaluation of the British pound.

Although the French Government vehemently denies that it is now attempting to cause a run on the dollar, all of its actions indicate that this is exactly what France is attempting to bring about. The more France denies it is attempting to force a devaluation of the dollar, the more encouragement it gives to international speculators who would hope to profit from a devaluation of the dollar.

Fortunately, our gold reserves are more than adequate to withstand any French onslaught. France has less than $500 million in U.S. dollars, whereas U.S. gold reserves are nearly $13 billion. Thus, the United States is more than equipped to defend the dollar and to maintain the historic price of gold at $35 an ounce.

If France persists in its efforts to undermine the stability of the dollar, I suggest that the U.S. Government forcefully press its claims against France for war debts which were never repaid. At the present time, France owes the United States approximately $6 billion in unpaid World War I loans. Of this amount, principal matured and due accounts for approximately $2 billion and interest due accounts for approximately $2.5 billion. If France seriously questions the ability of the United States to discharge its international obligations, I suggest that the unpaid debts of France be called to the attention of Mr. de Gaulle.

Mr. President, I also suggest the administration once again review the advisability of maintaining in Western Europe six infantry divisions whose primary mission is to defend France and other European countries against a Communist attack.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

France: Rejoicing in the Ruins

The official French version of the past fortnight's events is distinctly different from London's. The government here is making only the most perfunctory attempt to conceal its glee, and it intends to exploit devaluation to the full, in line with known Gaullist monetary and foreign policy. Officials here therefore take the view that devaluation is not the end of a downhill road for Britain's balance of payments, but the beginning of an acute crisis in the international monetary system, of which the pound is doubtless the weakest pillar but in which the other pillar—the dollar—is now in for a rough time.

It may seem surprising that the French government should hold this view after the agreement at Rio this autumn to create a new international money. The French, however, believe they scored a decisive point over the Americans in the liquidity negotiations when they prevented any decision being taken on the implementation of the famous contingency plan once the new scheme has been ratified. The feeling in Paris (or perhaps one should say, the hope) is that this uncertainty could now be fatal for the gold exchange standard.

This view determined France's behaviour in the weeks before the devaluation. According to official sources here, the Governor of the Bank of England went to Basle on November 12th to ask, not for the $250 million which he got that day through the BIS, but for at least $1,000 million. This sum was refused to him, and even the $250 million had a gold guarantee and was not lent directly by the central banks themselves.

All during the following week Britain tried to get the $1,000 million it had asked for at Basle. But the central banks hesitated because according to official sources in Paris, the loan previously granted at Basle in May 1966 was given on condition that Britain keeps an equal amount of its credit with the IMF intact. As everyone knew Britain was likely to re-draw from the Fund after repayment on December 2nd, everyone wondered what would become of the guarantee which was supposed to cover between $800 million and $1,000 million of credit which was already outstanding.

Just before the weekend, it is said here, the Bank of England asked M. Schweitzer, the managing director of the IMF, if the Fund could lend Britain, in addition to the $1.4 billion already requested, a further $600 million in accordance with an emergency procedure foreseen in the articles of the Fund but which has never yet been used. It is said that M. Schweitzer refused point blank—an attitude which was appreciated in Paris, but which was not enough to wipe out the resentment which the French government feels against him. Immediately, the Bank of England raised its request to the central banks to $1,600 million instead of the $1,000 million for which it originally asked. But by Saturday only the Bundesbank had agreed to grant an unconditional loan.

The Bank of France had let it be known during the week that if it was asked to participate in a loan operation it would require, as a guarantee, that a corresponding part of

Britain's drawing rights in the IMF should be frozen. Knowing this, the Bank of England did not approach the Bank of France, which was presumably what the French wanted: as with Britain's application to join the common market, they wanted to oppose without having to say no.

Since, according to sources in Paris, the Bank of England has had to spend at least $3,000 million supporting the pound in the foreign exchange market since June, the fact that it was unable in a few days to borrow $3,000 million to fund its short-term obligations made the position untenable. By Thursday, November 16th, if not sooner, the French authorities were more or less sure that the Bank of England would resign itself to devaluation: the alternative was much too expensive to contemplate.

Even those French officials who are most sympathetic to Britain (and there are a few) now think that the devaluation has not much chance of success, because—

1. they doubt if the British, after more than two years of austerity, are ready to put up with a new dose of deflation without striking for higher wages; and

2. they doubt even more whether the Bank of England will be able to maintain Bank rate at 8 per cent for more than a few weeks, or perhaps two or three months at the outside. Without this rate of interest, they ask, is it not likely that holders of sterling will try to convert it into other currencies, or even in some cases into gold? Already in the last few weeks the sterling balances have probably been run down heavily. It would be astonishing if the money were to return to London. Indeed, in two or three months a new outflow could begin.

It looks as if the French government may have laid plans some time ago to profit from the pound's embarrassment. The Middle East crisis gave it its first opening. Since there was no firm agreement in the Group of Ten actually to create new liquidity, and since the Arabs were likely to pull capital out of London, gold seemed bound to be in demand as the one sure value—to use President de Gaulle's words of two years ago—and as the refuge of nervous speculators. It appears it was only a few days before the Israeli attack that France decided to exercise its right of opting out of the gold pool: it told its partners that it would not share in any further extensions of the pool's endowment. According to sources in Paris, the pool has had to ask since then for 14 separate $50 million injections of gold so as to meet its commitments. It appears from this that the demand for gold rose sharply on the day the Middle East crisis broke out, and has been strong ever since. (But the French figures are hotly disputed by other central bankers—see page 867.)

Needless to say, these facts only strengthened the determination of the French government to fight the British application to join the common market. The calculation in Paris seems to be that Europe would lose the whole benefit of its strong financial position (common market gold reserves total $15,000 million) if Britain succeeded in opening negotiations, since the outcome might well be that the common market would have to take up the burden of the sterling balances in one way or another. It would be too much to suggest that the French government is opposed for all time to the idea of a European backing for the sterling balances. But the authorities appear to believe that the longer they delay, the more power the Six will have to impose their conditions on Britain, and that eventually they will be able to make agreements directly with the holders of sterling balances, by-passing the Bank of England.

Meanwhile the French government is watching closely the effects of the devaluation on the French balance of payments and on particular industries. The government did not hesitate a few days ago to ask the European Commission once again for permission to put quotas on imports of domestic appliances from Italy. This decision shows that the government is not prepared to sacrifice any important sector of industry to foreign competition in the present circumstances, when the economy is still sluggish and there are 400,000 unemployed. And there is no reason to think that France would treat British exports better than Italian.

Mr. Michel Debré, the finance minister, presided over a meeting of the common market finance ministers in Paris on the evening of Sunday, November 19th. Officials here attach great importance to a paragraph of the communique published after the meeting which speaks of the need to keep a close eye on the development of the economic situation. This, as it is seen in Paris, means that France will, if necessary, call on its partners to take measures to prevent any excessively strong foreign competition from making things worse in the community. And M. Debré told the council of ministers on Wednesday this week that he saw little immediate prospects of faster expansion.

France therefore intends to raise the problem of Britain's export rebate when the Group of Ten meets on Monday to discuss Britain's new drawing from the International Monetary Fund. The French will maintain that these rebates must be abolished immediately and not next April, as Mr. Wilson proposes. France will also probably insist that the IMF should finance $400 million of Britain's new drawing by selling gold. The Fund's gold reserves are deposited with the United States Treasury against gold certificates, a procedure which has always been criticised in Paris. Another point now being considered in Paris is whether France should demand immediate repayment of the $40 million which it lent Britain through the BIS 12 days ago as soon as Britain has made its new drawing on the Fund. All in all, Paris is showing no reluctance to fish in troubled waters.

NO REAL ALTERNATIVE TO PRESENT U.S. POLICY IN VIETNAM

Mr. McGEE. Mr. President, the Star-Tribune, of Casper, Wyo., has observed editorially that no real alternative is offered in Vietnam. Its lead editorial on November 15, 1967, states:

> To pull out of Vietnam would be to adopt an isolationist policy which would be contrary to American history in this century. To retire to Australia or even farther perimeters, would be an invitation to China or its satellite governments to swallow those countries which depend on U.S. support.

These are simple facts, the editor wrote, and cannot be ignored. The only tenable suggestions to come from the critics of present policy are variations which they believe may offer some hope. In short, they are not true alternatives, says the Star-Tribune, adding that some credit must be given those who propose abandoning the battle because "they at least have a definite, solid idea."

I ask unanimous consent that the Star-Tribune editorial, entitled "No Real Alternative," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

No Real Alternative

Discussion of the war in Vietnam becomes an exercise in redundancy.

This is unfortunate because of the implications of American policy and the debate on the domestic front. One need not be an advocate of Lyndon B. Johnson—we could have preferred other men—to recognize that he is following a course which is as logical as the alternatives which have been suggested.

We shall disagree with the President on those issues where we find his policies and views open to challenge. We shall, in the meantime, assume that he is doing a fair job in a very difficult military situation.

There is only one real choice—either press forward with the war or pull out of Vietnam. Some credit must be given to the pacifists, because they at least have a definite, solid idea. While we do not care to buy it, we find it as palatable as many in-between suggestions regarding strategy and tactics.

There is a great deal of debate at the moment on whether the United States should discontinue bombings in North Vietnam. That becomes a humanitarian as well as a military question, but war is not very humanitarian, and the issue is a kind of Hobson's choice.

The weakness of the opposition to U.S. policy lies in the fact that none of the spokesmen have come forward with specific courses of action for which they can offer any kind of guarantee. The best they can do is suggest variations which may offer some hope.

This was particularly evident last Sunday when Lt. General James M. Gavin answered questions on a Meet the Press panel. General Gavin has received public attention because of his enclave theory and later because of his statement that, although a Democrat, he could no longer support President Johnson. He is talked of, perhaps not too seriously, as a Republican presidential candidate. He disavows any such ambitions.

General Gavin made a trip to Vietnam. He appears to believe we are doing reasonably well under the circumstances but that it may take many years, perhaps five or ten, to get the situation in order. He talks much of the hopeful benefits of a bombing pause, but in the same breath he voices doubt that Ho Chi Minh will be willing to talk peace until after the 1968 elections. This is the general tenor of most of the statements which question the war strategy—that some other course might be "hopeful."

There is no need here to argue for or against a cessation in the bombing. There is reason to question, however whether we have not known all along, at least in a general way, what we are fighting for in Southeast Asia. The domino theory is not newly introduced to the international scene.

American participation in Far East affairs is not new. Including Vietnam, this country has fought five wars in that part of the globe in less than 70 years. Starting with the Spanish-American War of 1898, these have cost more than 158,000 American lives.

To pull out of Vietnam would be to adopt an isolationist policy which would be contrary to American history in this century. To retire to Australia or even farther perimeters, would be an invitation to China or its satellite governments to swallow those countries which depend on U.S. support.

Although it has seemed fairly evident, the Administration may have been remiss in not making this clear. Sen. Gale McGee, who has long supported the war effort despite some differences with his Democratic colleagues, quotes in a recent newsletter a statement by President Marcos of the Philippines to the effect that, "If America is tired of war and pulls out, every country in Southeast Asia would have to give in to China."

This is the fateful decision that America must face today. We may find the stakes higher than we bargained for, but we cannot much longer ignore the simple facts.

THE FEDERAL RESERVE SYSTEM: A MONUMENT TO WOODROW WILSON

Mr. WILLIAMS of New Jersey. Mr. President, the rise in the Federal Reserve rate comes, by chance, on the heels of a ceremony last Friday honoring the birth of the Federal Reserve Act. The ceremony, which took place at the Woodrow Wilson Birthplace Foundation in Staunton, Va., was the occasion of a speech by former Senator A. Willis Robertson, on the merits of both the Federal Reserve System and its founder, President Woodrow Wilson.

In his inaugural address, Mr. Wilson proposed a cautious study of the Nation's economic system and promised "step by step we shall make it what it should be." This promise was later realized, becoming a revolutionary concept in economic planning: a concept which to this date has required no basic modification.

The Federal Reserve System has since developed into one of the great strengths of our Nation's economic organization. President Wilson's dedicated commitment to a goal of fiscal and monetary security is one which will long be held as a plus in the historical scrutiny of his administration.

I, for one, have long had a profound admiration for Mr. Wilson, not only as a dynamic President and Governor, but also as a brilliant educator. New Jersey will always boast its pride in his achievements.

I believe Senator Robertson's remarks at Staunton pay great tribute to both President Wilson and the Federal Reserve Act; therefore, I ask unanimous consent that the speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Federal Reserve Act

(Remarks by Former U.S. Senator A. Willis Robertson at Woodrow Wilson Birthplace Foundation, Staunton, Va., November 17, 1967)

In accepting on behalf of the Foundation a painting which depicts the signing of the Federal Reserve Act, I wish to express to the heirs of Senator Glass our deep appreciation of their generosity. This painting features two of the greatest statesmen I have ever known—President Woodrow Wilson and Senator Carter Glass.

In college I studied Wilson's book on State Government and my first entry into politics was as a Wilson delegate to our State Democratic Convention in Norfolk in 1912. A letter which I prize more highly than any I have ever received contained only this one line: "When I retire from the Senate I hope that you will succeed me." It was signed Carter Glass.

In the main entrance to the Federal Reserve Building there are inscribed, below the handsome bronze plaque of Woodrow Wilson, these words from his first inaugural address, the delivery of which I was privileged to hear:

"We shall deal with our economic system as it is and as it may be modified, not as it might be if we had a clean sheet of paper to write upon. And step by step we shall make it what it should be."

The keystone of the arch of an economic system that would be controlled by government of the people, by the people and for the people, and not the private bankers of Wall Street, was the Federal Reserve System. It was proposed by a President whose scholarship and devotion to the people equaled that of Thomas Jefferson and it was sponsored in the House by a member destined to become one of Virginia's all-time great Senators. The Congress of the United States, with the whole hearted endorsement of Woodrow Wilson, created a unique organization in which there was participation by the government, by the banking system, and by the public—the Federal Reserve System. The Congress delegated to this system the power to manage our money—the power to carry out our monetary policy—and gave the system a large degree of independence—independence from the Executive Branch and from the Congress, and from financial interests—to free it from short-run business and political pressures.

The progress of our economy over the years attests to the fact that the Federal Reserve has served the country well. During the last 54 years our gross national product has expanded 20-fold, from $40 billion in 1913 to $790 billion today, and our money supply has expanded from $11 billion in 1913 to $180 billion today. We have gone through two world wars and a world-wide depression, and our economy and our dollar have over this time become the strongest in the world.

The genius of the framers of the Federal Reserve System is evidenced by the fact that the system was so soundly conceived that it has needed no basic change since its creation. What it has needed most in the past, and what it will need most in the future, is defense of its independence.

Based upon 34 years of service in Congress, in which I devoted much study to the fiscal and monetary affairs of our government, I am convinced that the Federal Reserve System will be a monument to Wilson and to Glass which will "teach men to remember not where they died but where they lived." May generations yet unborn visit Wilson's birthplace and draw added insight and inspiration from this picture of the birth of our Central Banking System.

NEEDED: A SPOKESMAN FOR MANKIND

Mr. PROXMIRE. Mr. President, an intriguing and constructive suggestion with great potential was recently made by a vice president of the Center for the study of democratic institutions, Frank K. Kelly, in a guest editorial published in the November 18 edition of the Saturday Review.

Mr. Kelly proposed in the editorial that the United Nations take upon itself the obligation to give humanity a full report each year on the state of mankind. He suggested that the Secretary General be designated to deliver such a report annually to the U.N. General Assembly.

An annual state of mankind address by the Secretary General could rivet the attention of hundreds of millions of human beings, as Mr. Kelly points out, upon "the great issues that confront all men and women."

The achievements of the U.N. in the social and economic fields, now largely unknown, would be brought home to people on a new scale. The issues would be analyzed calmly and reviewed comprehensively by a man with enormous resources of information and wisdom from advisers of many nations.

The Secretary General could stand before the world, Mr. Kelly suggests, as a "Citizen of Humanity," seeing the planet as a whole just as the astronauts see the unity of the globe when they fly around it.

The state of mankind address would deal with universal social problems that saddle all mankind.

An annual statement of this kind could be an enormous force for good in the world for it could serve to mobilize widespread support for identified solutions to problems that continue to plague men simply because it has been impossible to galvanize sufficient numbers to take action.

I urge other Senators to read Mr. Kelly's imaginative essay. I think his proposal is worthy of congressional endorsement. I ask unanimous consent that Mr. Kelly's article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Spokesman For Mankind

(Editor's Note.—The author of the following guest editorial is a vice president of the Center for the Study of Democratic Institutions.)

Ours is the first age in which men everywhere can see one another and hear one another. The faces and voices of Africa, Asia, Europe, and America are known now. Men can learn together, grow together—or die together.

We are moving toward the moon and the stars. We can build one world or set the earth on fire. But who speaks for mankind directly, person-to-person?

The United Nations Charter begins: "We, the peoples. . . ." That statement does not mention governments or delegates. It implies that the ultimate authority of the U.N. comes from humanity as a whole.

I propose that it should be an obligation of the United Nations to give humanity a full report each year on the state of mankind. The person who could give such a report is the Secretary General, U Thant. The Secretary General now submits an annual report to the General Assembly. But this is largely a summary of the activities of U.N. agencies and a review of questions examined by delegates and experts. It does not contain a general statement addressed to the people of the world.

My proposal is this:

Once a year—perhaps on the last Sunday in January—the Secretary General would be given one hour of prime time on all the broadcasting networks. His State of Mankind Address would be carried by communications satellites to all nations. It would be translated into every language. It would be illustrated by films and photographs produced by the U.N. information service.

Every country would be asked to provide several hours of prime-time broadcasts, for three or four weeks after the report, for commentaries, criticisms, and suggestions for revisions. Newspapers and leading magazines in all nations would be asked to carry the text or extensive summaries of the State of Mankind Address, perhaps with comments from educators, political leaders, appointed and elected officials, heads of women's organizations, church groups and noted citizens.

The report would be published as a paperback book, with illustrations, and would be distributed to schools and libraries in all the member-nations. Copies would also be offered to countries not belonging to the United Nations. The people of the world would be invited to write to the Secretary General, in care of broadcasting stations, newspapers, magazines, schools, and libraries, giving their views on his report and their ideas for speeding the development of a world civilization.

With the aid of the new communications devices and the use of all the old methods of communication, the Secretary General could reach across the national and cultural barriers that now divide humanity. He would bring to the attention of hundreds of millions of human beings the great issues that confront all men and women. The achievements of the U.N. in the social and economic fields, now largely unknown, would be brought home to people on a new scale. The issues would be analyzed calmly and reviewed comprehensively by a man with enormous resources of information and wisdom from advisers of many nations. But the Secretary General would speak primarily as a person—as a human being chosen by his fellows to stand before the world as a Citizen of Humanity, seeing the planet as a whole, just as the astronauts see the unity of the globe when they fly around it.

The late Pope John spoke to all men of goodwill as a person—and the message went far beyond the walls of the Roman Catholic church. He reached the people of the world. As a spokesman for mankind, the Secretary General could gain a universal hearing, perhaps larger than the attention given to Pope John.

In the annual Report on the State of Mankind, the Secretary General would describe what he had learned from others in the world community and would present the problems of mankind from many points of view. But he could go on to voice his own views as a person concerned about mankind as a whole.

Last June, the first global television program, *Our World*, was presented to a potential audience of 600 million persons. Five Communist countries—the Soviet Union, East Germany, Hungary, Poland, and Czechoslovakia—withdrew from the project shortly before the program went on the air. The three major American commercial networks did not participate. But the program was carried to millions of Americans by the National Educational Television network.

Although the deficiencies of this program were pointed out by critics, the fact that such a broadcast did reach many parts of the earth indicated that the facilities could be assembled and coordinated. Technically, this experience showed that a State of Mankind broadcast on an annual basis could certainly be carried out.

Whether such a report can become a reality depends upon the willingness of people in many nations to work together on such a project. The United World Federalists and other groups with chapters in many countries might make it possible to provide the support which the Secretary General would need. The potential benefits for humanity are clear.

Mankind needs a spokesman. U Thant could be the first one to speak for the Community of Man.

JOHN DAVIS LODGE CRITICIZES L. B. J. FOR TRADING WITH RUSSIA

Mr. MUNDT. Mr. President, for the information of Congress and the country, I ask unanimous consent to have printed at this point in the body of the RECORD some interesting and informative newsstories recently published in newspapers in the State of Montana. They comment upon addresses delivered a week ago in Great Falls and Missoula, Mont., and an accompanying press conference by former Ambassador John Davis Lodge. They allude to some of the more discouraging and disillusioning aspects of our war in Vietnam.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Nov. 18, 1967]

ADMINISTRATION CRITICIZED FOR TRADING WITH RUSSIA

John Davis Lodge said here Friday night the national administration is attempting to build bridges with the Soviet Union while we are engaged in a war in which Russia is supplying our enemies in North Vietnam and the Viet Cong with 80 per cent of their arms and equipment.

Lodge, former ambassador to Spain, former member of Congress and former governor of Connecticut, spoke at Hotel Rainbow at the inaugural dinner of the new Metropolitan Dinner Club of Great Falls.

"All the petroleum, all the MIGs, all the SAM missiles, all the other aircraft artillery, and the sophisticated weapons systems" being used against United States forces in Vietnam are coming from Russia, Lodge charged.

TRADE GROWS

On the other hand, he continued, U.S. trade with Russia and the Soviet block of nations in Eastern Europe amounted to $376.7 million in 1966, an increase of 40 per cent over 1965.

"This trade has been interpreted as 'aid' by the State Department. It seems to me intolerable that the United States should be granting this kind of aid to the Soviet Union while they are killing our fighting men by proxy," Lodge declared.

"I support the essential purpose of the war in Vietnam, but I think that we should bring all elements of our foreign policy in line with this commitment," the former diplomat explained.

Earlier, in an interview, Lodge was asked if his views might appear somewhat at variance with the position of his brother, Henry Cabot Lodge, as former ambassador to Vietnam and a member of the Johnson administration's State Department.

"I never speak for my brother," he replied.

He added, however, he thought his brother had done "a splendid job," and that he supports what his brother did.

VIEWS ON RUSSIA

Elaborating on his views about Russia, Lodge continued:

"If peaceful co-existence were not a tactic for the Russians, rather than an objective, they could achieve it by calling off their aid to our enemies in Vietnam, and also by stopping fomenting trouble all over the world, as for instance in the Middle East where they granted massive support to the Arabs."

Noting he is a former national president of Junior Achievement, which seeks to ground young persons in the principles of free enterprise, Lodge said:

"Our young people should be taught the most important freedom is the freedom to choose. In recent years there has been a kind of attempt to substitute freedom from necessity of choice for freedom to choose.

"Since free enterprise built this country, I think we should want to see our young people, and older people, too, receive adequate education in the advantages of the private property, profit-and-loss, free enterprise system."

CAMPAIGN COMMENT

Asked for comment about the 1968 election campaign outlook, Lodge said "I'm for Richard Nixon," and added: "The safest thing for us Republicans is to assume there is going to be a tough struggle, and we'd better behave like the underdog."

"I think we have a good opportunity," he said, "and we should unite behind whomever is nominated.

"I am a firm believer in the eleventh commandment—'Thou shalt not speak ill of any other Republican,' " he grinned.

Since this would be President Johnson's last campaign, "I don't think they could prevent" his nomination again, Lodge commented.

"Lyndon Johnson is highly competitive by nature" he observed adding "We can't avoid a struggle."

Turning for a moment to discuss internal affairs Lodge referred to lawlessness as perhaps the most serious problem confronting the nation.

"The great question is how much lawlessness a society can withstand without being destroyed" he said.

W. E. Wendt presided at the dinner which was attended by 391 persons. Robert A. Schuster introduced the speaker and Robert D. Warden presented the newly elected board of governors to the club.

[From the Missoula (Mont.) Missoulian, Nov. 20, 1967]

TAKE OFF THE WRAPS IN VIETNAM, LODGE URGES IN INTERVIEW HERE

(By Gary Langley)

John Davis Lodge, former U.S. ambassador to Spain and brother of 1960 Republican vice presidential nominee Henry Cabot Lodge, told the Missoulian Sunday night that he basically favors President Johnson's policy in Vietnam, but the United States should "take the wraps off" possible military targets.

The former Connecticut governor, who is here to speak before the Metropolitan Dinner Club of Greater Missoula tonight at 7:30, said that instead of putting pilots in the air to destroy MIGS, "we should be destroying them on the docks of Haiphong Harbor."

Lodge, who was twice elected to Congress from Connecticut, said that the present position of the United States in Vietnam is "more dangerous than to escalate."

Lodge warned that the United States should stop trading with the Soviet Union, a country that is furnishing the Viet Cong with 80 per cent of their arms and equipment, until "they stop causing trouble for us" throughout the world. He pointed to the Middle East and Cuba.

"Russians are killing Americans by proxy," Lodge said.

He said America should not ask men to risk their lives when we "help our enemies."

He cited that United States trade with Russia amounted to $376.7 billion in 1966, a 40 per cent increase over the previous year.

Anticipating next year's presidential election, Lodge described former Vice President Richard Nixon as the most likely Republican to defeat President Johnson.

He described Nixon as having the most experience in foreign affairs of any of the Republican contenders.

Lodge said he thinks Nixon also could unite the Republican party better than the other potential candidates.

"I am for Nixon, strongly and actively," said Lodge, a charter member of the Nixon for President committee.

He described California Gov. Ronald Reagan as a natural heir to Sen. Barry Goldwater, but "liberal elements have reservations about him."

Lodge predicted that Michigan Gov. George Romney probably will lose the support of the GOP conservative element because of his refusal to support Goldwater in the 1964 election. Romney officially announced his candidacy for the GOP presidential nomination Saturday.

Lodge has been connected with motion pictures in Hollywood, Rome, Paris and London. He said he once played Shirley Temple's father in a movie.

He was elected to the House of Representatives in 1946 from Connecticut's 4th district, and was re-elected in 1948. He was elected Connecticut's chief executive in 1950.

He was Pres. Eisenhower's special ambassador on presidential missions to Panama, Costa Rica and Puerto Rico, and was appointed ambassador to Spain in 1955. He served in that post six years, the longest term of any U.S. ambassador to that country.

Mr. MUNDT. Mr. President, these press reports speak for themselves. We are all aware, of course, of the great public record of former Ambassador Lodge. He served for several years in our National Congress as a Member of the

House of Representatives; he is a former Governor of the State of Connecticut; and in addition to being a former American Ambassador to Spain he has performed a number of other diplomatic missions for the American Government. A noted speaker and writer, Mr. Lodge spends a great deal of time communicating with our fellow American citizens about the trends of our times.

Additionally, of course, it is well known that John Davis Lodge is the national chairman of CEASE—the Committee To End Aid to the Soviet Enemy. From its national headquarters at suite 1061, National Press Building, Washington, D.C., CEASE is making steady and important progress toward its goal of gathering 10 million signatures to petitions demanding that President Lyndon B. Johnson rescind his Executive orders providing for the unrestricted sale to Russia of some 450 American products—many of them highly strategic in military importance—at the very time Russia and her Communist satellites in Europe are supplying all of the petroleum, all of the sophisticated weapons, and 90 percent of all supplies and military equipment required by the Communists of Hanoi to keep their armies in the field, to prolong this bloody war, to maintain their stubborn refusal to come to the negotiating table, and to expand steadily and startlingly our American casualties in far-off Asia.

Many Americans are now sending contributions to CEASE to help finance newspaper advertisements opposing the Johnson formula of feeding and fighting our enemy at the same time and asking for petitions to circulate to mobilize American public opinion against this inconsistent and self-defeating wartime policy. As CEASE gathers new members and new funds, more and more Americans are wiring or writing their Representatives in Congress, their Senators, and the President and Vice President that they bitterly resent having their Armed Forces in Vietnam shot and killed by weapons which our wartime trade policies with Communist Russia help put into the hands of her Communist allies in North Vietnam.

As Ambassador Lodge so succinctly puts it, "Russians are killing Americans by proxy."

Even worse, it could fairly be said that Americans selling and shipping supplies to Russia now that she and her Communist allies have become the sole military support of Hanoi are in fact, "shooting their own fellow citizens and the flower of American youth by proxy."

It is indeed high time that President Johnson admits the futility and the failure of his "kiss and kill trade policy" with the Communists and puts an end to this wartime trade with the enemy. How else, indeed, can we ever end or win this cruel war short of undergoing a humiliating defeat?

ASIAN NATIONS IDENTIFY WITH UNITED STATES IN VIETNAM

Mr. McGEE. Mr. President, the recent visit to Washington by Japanese Prime Minister Eisaku Sato underscored again the important fact that the leaders of the independent Asian states understand and support America's action in Vietnam. Columnist Richard Wilson observed in the Washington Star, November 20:

> Sato blasted the myth that no major nation identifies with the United States in Vietnam.

Indeed, it was a myth, Mr. President, for the record clearly shows that Asian nations are with us. Mr. Wilson's column, one by Carl Rowan in the Washington Star of November 22, and an excellent editorial entitled "Vietnam and Asia Alignment," published in the Los Angeles Times of November 19, 1967, make this point very clear. I ask unanimous consent that they be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Nov. 20, 1967]

SATO VISIT TO UNITED STATES ENHANCES VISION OF PACIFIC ERA

It is no exaggeration to say that President Johnson and Japanese Prime Minister Eisaku Sato got along well. This marks a maturity of Japanese-American postwar relations which unquestionably will prove to be of great significance in what some people at the White House call the Pacific era.

Our relations with Japan are probably better than with England. We are becoming closer associated in Asia with a nation which will soon become the world's third greatest industrial power, exceeded only by the United States and the Soviet Union.

Sato blasted the myth that no major nation identifies with the United States in Vietnam. Japan's material aid to Vietnam will be increased. Japan will take greater risks in the operations of the Asian bank. Sato could act with confidence in these matters because the government's measure of opinion in Japan shows 70 percent back America's actions in Vietnam.

Japan has a noisy, headline-grabbing minority just like the United States, and just as prone to violence. But the underlying support for what Sato represents is strong. Japan has a way to go yet in raising its standard of living to the American and Western European level, but it is on its way.

Japan also will have to mature more in the ways of the real world before Okinawa and the Ryukyus can be returned to her. This involves recognizing the necessity of U.S.-controlled nuclear weapons on Japanese bases, as is the case in West Germany.

The atomic-powered aircraft carrier, Enterprise, will soon make a journey to Japan to illustrate that nuclear energy has other purposes than to obliterate Hiroshima and Nagasaki. But it will be some years before the constitutional changes can be made and the public attitude altered to fit the realities of modern Japan confronted by Chinese nuclear rockets.

Few people in America yet have Johnson's vision of the Pacific era. The country as a whole was not responsive to his Asian trip last year. Korea's spurt forward arouses little interest in this country. Japan's steady climb to industrial eminence is more visible here in the form of the Sony electronic products and the new Japanese automobiles.

Japan is interested not only in America but in cooperation with the Soviet Union in the industrial development of Siberia.

All these matters are more real at the White House than with the American public at large. Australia's political reorientation toward America, rather than England, as illustrated by Prime Minister Holt's frequent intimate visits with Johnson, is another factor in the White House vision of the Pacific era. Australia for the first time considers herself a part of Asia. Her trade with Japan is now greater than with England.

The alignment with Johnson's aims of the scrappy prime minister of Singapore, the new found compatibility with Indonesia, the modification in the attitude of Prince Sihanouk in Cambodia—all these things, too, are part of the vision of the Pacific era.

In that vision the war in Vietnam appears crucial. Without the protection of a freely chosen government in South Vietnam the Pacific vision fades into rhetoric. Johnson's critics would like to have it remain there. They do not believe in the Pacific vision. They consider it quixotic and unreal.

The rest of the country does not even understand it. The fighting in Vietnam is far off and limited in scope, and supported as stopping the advance of communism. The war is not seen in its true frame as guaranteeing eventual Asian regional cooperation, with the United States playing a leading, fraternal and profitable part.

Johnson's vision races some years into the future and beyond the final settlement of the Vietnam war to the time when a more tractable China can play its part in regional Asian cooperation along with North Vietnam.

The Sato visit did nothing to destroy the Pacific vision but enhanced it greatly. The Japanese have much to gain from the Pacific vision and so does South Vietnam and North Vietnam as well.

[From the Washington (D.C.) Star, Nov. 22, 1967]

MANY ASIAN CHIEFS NOW SUPPORTING JOHNSON

"President Johnson is a political genius on domestic matters, but when it comes to foreign policy he's at a total loss."

That has come to be accepted as a truism by Americans of all political and economic circles. How Johnson must wish, these days, that it was somewhat closer to the truth!

The truth is that the President has been doing remarkably well with his foreign clients. It is only with the homefolk that he now seems unable to do anything right.

Never was this more obvious than when Prime Minister Eisaku Sato came here and gave a surprisingly strong endorsement of Johnson's policies in Vietnam and Southeast Asia.

The newspapers were full of stories and photographs of bearded, brazen American protesters acting like fascists around a New York hotel where Secretary of State Dean Rusk spoke. But this politically sensitive Japanese leader, who must be delicately sure of his ground before speaking on issues like the Vietnam War, was telling newamen:

—That the Japanese and other Asians support Johnson's policies and the American military presence in Southeast Asia.

—That the Japanese do not want a U.S. withdrawal until a lasting peace can be negotiated.

A fair observer would have to say that Johnson was a pretty good foreign policy operator to get this kind of support from Sato, and to handle the touchy issue of the Bonin and Ryukyu islands in such a way as to permit the Japanese leader to return home reasonably happy.

On Vietnam, Johnson has convinced Sato of what he has been unable to convince Americans: that LBJ is a man of peace—but a man who knows that peace is never found at the end of a flight from responsibility and commitments.

As much as we all hate to let facts interfere with our prejudices, it is hard to ignore the fact that Sato is only one of a string of Asians who give solid backing to Johnson's Vietnam and other Asian policies.

A half dozen Asian chiefs have come here recently making statements that sound as though they either think Johnson is a great and gutty American, or they are living evidence that he is the greatest persuader ever to dabble in foreign policy.

Lee Kuan Yew of Singapore, Souvanna Phouma of Laos, Tunku Abdul Rahman of Malaysia and even Ne Win of Burma have pleaded with Johnson privately to see the struggle through.

It is significant that South Vietnam's neighbors—whether neutralist like Burma or hawkish like Thailand, hostile toward America like Cambodia or almost an extension of America like the Philippines—all express genuine fear of Communist China. And most of these neighbors believe the U.S. military is the shield that permits them to retain their independence.

A major Communist goal has been to isolate the United States in terms of world opinion on Vietnam. They have had some success in Europe, mostly through the simple tactic of quoting American critics of Johnson's Asian policies.

But the Communists have not been able to isolate the United States from the people most directly involved—the Asians who have the most to lose in the Vietnam conflict.

One reason is that, contrary to popular notions, Johnson has been a lot more effective in talks with foreigners like Sato and Ne Win than in discussions with U.S. congressional leaders, or with some of the powers in his own Democratic party.

It would seem that the cliche ought to be: "If Johnson could only deal with Americans the way he talks turkey with those foreigners."

[From the Los Angeles (Calif.) Times, Nov. 19, 1967]

VIETNAM AND ASIAN ALIGNMENT

In Washington last week Japan's Premier Eisaku Sato praised President Johnson for his efforts "to bring peace and stability to the world, particularly in Asia at this moment." Lest anyone question the point of this statement, the Japanese Embassy made it clear that Sato's remarks were to be understood as an "expression of direct support" for U.S. policy in Vietnam.

Like other East Asian leaders Sato knows that American interests and responsibilities in Asia extend far beyond Vietnam, and that Asian interests are intimately connected with the U.S. effort. For the inescapable and ever clearer fact is that what happens in Vietnam—and what has already happened—is of vital relevance to the stability, development and order of all the nations of the region.

Wars are either the direct cause or the catalyst for political change. The Vietnam war is no different. Far from being an end in itself, the conflict has had and promises to continue having a profound effect on the course of events in Asia.

Singapore's Premier Lee Kuan Yew, who just a few years ago was outspokenly anti-American, gave perhaps the most succinct explanation of the benefit to Asians of the U.S. presence in Vietnam. What the United States has done, said Lee, is give the rest of Asia time to prevent other Vietnams. And that is no little accomplishment.

Any doubters need only recall the situation in Asia as it existed in January, 1965, before the United States entered Vietnam in strength.

The Viet Cong was in clear sight of victory. Coup was following coup in Saigon, and the South Vietnamese army was losing a battalion of men a week. Peking and Hanoi were saying loudly that Thailand would be facing "guerrilla operations within the year."

Farther south, as Southeast Asian specialist Arnold Brackman recently recalled, Sukarno's Indonesia was stepping up its "confrontation" with Malaysia, and exerting pressure on northern Borneo and Singapore—with Ho Chi Minh's expressed "unreserved support." A Jakarta-Peking axis—a "hammer and anvil"—was emerging.

The object was to drive all American and British military power from the area, leaving no protection for the weak new states.

It would be overstating the case to say that what has happened in East Asia over the last three years was due solely to the American effort in Vietnam. But the influence of this effort—in the testimony of some Asian leaders themselves—is plain.

The tangible presence of American power, the demonstrated willingness to pursue a difficult cause, have answered what many were saying and believing just a few years ago, that China was inarguably the dominant power in Asia, and that Chinese and North Vietnamese-supported insurrections were inevitable throughout the area.

Most East Asian countries are militarily weak. Nearly all in Southeast Asia have social and economic problems which are potentially exploitable by Communist-led insurrection movements. All, for valid historical reasons, fear Chinese domination.

It is hardly unreasonable, then, that the leaders of these countries should welcome the American effort in Vietnam, and respond to it with a confidence that was lacking in early 1965. Their declarations of support for the American effort are perhaps less important than the political and economic transformations that have taken place, in good part as a result of this effort, ranging from serious moves toward internal improvement to the creation of a number of important regional organizations aimed at greater mutual social and economic development.

This is not to say that these countries desire a permanent American military presence in Asia, or a dependence on the United States. Most of the lands in question achieved and have maintained their independence by nationalism. They do not want either internal Communist takeovers, or subservience to China, or reliance on the United States.

What we are fighting in Vietnam—and the other Asians know this—is the idea that a minority movement can take advantage of weaknesses in the underdeveloped lands and bring itself to power by armed force, terrorism and subversion. Just as there is an exemplary dynamism to aggression, with one success encouraging further efforts, so too, quite probably, would the thwarting of the Communists' effort in Vietnam discourage similar efforts elsewhere in Asia.

At the same time we must realize that the support we are getting from other Asian states is not necessarily irrevocable.

For one thing other leaders could attain power, by the ballot box or by force, and change national policies. The time may also come—we all hope—when Communist militancy in Asia will subside, lessening the need and the welcome for the American military presence.

We are talking now, however, about the present. And the record of the present shows that the leaders of the independent East Asian states understand and support what we are doing.

ALLIGATOR VERGING ON EXTINCTION AS FASHION DEMAND GROWS

Mr. YARBOROUGH. Mr. President, this month has turned up some promising signs that the American public is becoming aware that the alligator hide, long a luxury item in shoes, pocketbooks, belts, and luggage, is a luxury because the animal that gives the hide is fast becoming rare and is threatened with extinction. Recently, the Dallas Times Herald and the Washington Post published articles expressing concern about the fast-disappearing species, quoting an old poacher of the animals, that "they'll kill until they get the last of them."

Although the Dallas editorial noted that nobody will "hold the unlovable reptile in nostalgic affection," he is obviously winning friends among the concerned news media of our country. I commend writer Ben Funk, of the Associated Press; the Washington Post; and the Dallas Times Herald for this concern over the possible disappearance of a distinctive American species.

The plight of the 'gator is becoming worse every day, and there is a distinct possibility—a probability if such legislation as the bill (S. 735) introduced by the Senator from Florida [Mr. SMATHERS] is not soon passed to prevent this destruction—that the alligator will be killed out in this country. I urge favorable action before the tragedy occurs.

It is to prevent such wiping out of species, as is now happening in the case of the alligator, that I submitted in August of this year Senate Concurrent Resolution 41, to convene an International Conference on the Conservation of Wildlife. It is necessary for all the nations of the world to join in concerted action against the unchecked exploitation of wildlife that has caused the extirpation of an average of one species a year since 1900. Such international study must be brought to bear on this problem, which has worldwide dimensions and worldwide repercussions. Man's progress must not be marred by the decimation of the animal species of the world.

Mr. President, I ask unanimous consent that the article entitled "Alligator Goes Way of Buffalo," published in the Washington Post of November 5, and the editorial entitled "Getting the 'Gator," published in the Dallas Times Herald of November 2, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 5, 1967]

ALLIGATOR GOES WAY OF BUFFALO

(By Ben Funk)

MIAMI, FLA.—In the swamplands of the southeastern states, an army of illegal hunters is adding another chapter to the old story of wanton destruction of American wildlife.

The alligator is rapidly going the way of the buffalo.

"I wouldn't give the 'gator more than three or four years," says a retired poacher who once played a role in the slaughter.

"There are 1000 professional hunters in Florida alone and the laws are so weak they laugh at them."

The alligator is a victim of the world of fashion.

"So long as it's stylish for a woman to pay $200 for an alligator bag and a man $70 for alligator shoes, the hunters will go on killing," the old poacher said. "They'll kill until they get the last of them.

"With today's laws, why should a man stop poaching? I used to make up to $400 a week, working three or four nights in the swamp. I've known of hunters working together killing 100 in a night and making $1500. That's how the money is racked up."

In the Miami market, alone, the trade in hides is estimated at $1 million a year. In less than 10 years, the alligator population has been reduced by three-fourths in some areas.

Alarmed by the rapid decline of a treasured tourist attraction, Florida outlawed all alligator hunting in 1961. Georgia, Louisiana and Alabama also have taken protective measures, including closed seasons.

But the Florida poacher says state game laws are not strong enough and penalties are not stiff enough to stem the massacre.

"A warden has got to cover hundreds of square miles of wilderness," he said. "No man could do that."

"Even when a poacher is caught, the fine is so small a night's kill will cover it. The judge fines him $200 and makes him promise to stay out of the swamp. That same night, he goes out again."

Twenty-one wardens patrol the 5000-square miles of the Everglades. Asked how many poachers work the glades, Dr. O. E. Frye, director of the Game and Fresh Water Fish Commission, says, "I couldn't guess. How many motorists run red lights?"

Alligators once numbered in the millions in the Southeastern states.

Gradually, development projects and land drainage crowded them back deeper and deeper into the wilderness. In their few remaining refuges, the hunters have them backed to the wall.

Sen. George Smathers (D. Fla.) has introduced a bill making it a felony to transport alligator hides across state lines and prohibiting interstate transportation of articles made from the hides.

Such a law, combined with stronger state enforcement, could turn the tide of extinction, the poacher said.

"If they pass this law and the Game Commission gets more wardens to get in with the poachers as undercover men, they can stop it," he said.

Everglades National Park, a vast sub-tropical wilderness in south Florida, is one of the last big refuges of the alligator—and a favorite hunting ground for the poachers. Sneaking across the park boundaries at night, poachers kill hundreds each week.

If the alligator is wiped out in the park, the balance of nature will be badly upset. He devours predators such as rattlesnakes and garfish, and alligator pools provide a water source for marine and animal life during severe droughts.

"A poacher never uses a gun at night," the poacher said. "I put a gig like a spear on a cord attached to the end of a pole and work from a boat.

"When you run up to a gator, he usually just lays there. You stick the gig in his neck, let him run out to the end of the cord, then pull him in and smack him over the head with a hatchet. There's no noise, whatever."

Young alligators about four feet long are the most prized catches. Bootleg buyers pay an average of $4 a foot for their hides.

"I've taken a few big ones," the poacher said, "but gators nine feet or longer only bring about half price. Their hides are calloused from sliding over rocks and the bulls are battle-scarred.

"But when a poacher kills a young female, he is cutting his own throat. A five foot gator is at the breeding age. The gators will be gone that much quicker."

How are the illegal hides disposed of? The poacher said wholesalers buy them.

"Some of the hides are flown up north in private planes," he said. "Others are shipped in refrigerated trucks right along with fish and beef. Once the hides reach New York, there are no rules or regulations, so it becomes a legitimate business up there."

[From the Dallas (Tex.) Times Herald, Nov. 2, 1967]

GETTING THE 'GATOR

While nobody is likely to form a "Society to Save the Alligator," or hold the unlovable reptile in nostalgic affection as the public has done with, for example, the graceful whooping crane, nevertheless the 'gator is going the way of the whooper and needs help.

The story of the wanton destruction of the alligator in southern swamps, especially in Florida, at the hands of illegal hunters is one of the sadder recent examples of the triumph of human greed over nature. The simple fact is that the alligator is being slaughtered because his armor-coated hide, coveted in the world of fashion, has become too valuable. Alligator bags for ladies and alligator shoes for men have become not only handsome items of attire but status symbols bringing fancy prices. Sheer greed has brought such an influx of poachers flaunting weak protective laws that the mass hunt for highly saleable hides has become, or is fast becoming, a mass extermination. "They'll kill," one old poacher told The Associated Press, "until they get the last of them." The evidence supports his pessimism. In less than 10 years the 'gator population has been reduced by an estimated three-fourths in some areas.

It is ironic for the alligator to have survived all the formidable enemies of his natural environment for centuries only to appear doomed to extinction now by the economic vagaries of a "civilized" society. States with 'gator populations should act quickly to put more teeth in the protective laws to stop the slaughter which is upsetting the balance of nature in the swamps and robbing our remaining wilderness of its most distinctive survivor of the prehistoric past.

ARMS SUPPLIERS USE GOVERNMENT PROPERTY FOR COMMERCIAL GAIN

Mr. PROXMIRE. Mr. President, a well-researched article in this morning's Wall Street Journal by Noel Epstein focuses attention on the shocking misuse of Government-owned property by private contractors for their own commercial gain.

One example documented by Epstein concerns the use of a $1.4 million forge press owned by the Defense Department. The press was to be used to turn out jet-engine parts for the military. It was installed at the contractor's plant because a smaller Government-owned press at the same plant was considered inefficient for the production of the military jet-engine midspan blades that the Pentagon wanted. But over a 3-year period, from late 1961 through 1965, 78 percent of the time the contractor used the larger press for its own commercial production work rather than Government work. And it relegated the military contract work to the older and smaller press whose inefficiency was the reason for putting in the bigger press in the first place. Thus, the contractor was brazenly awarding itself an enormous, though unintended Federal subsidy.

Mr. Epstein's article was an excellent summary of findings that have been made and reported by the General Accounting Office.

At a hearing this morning conducted by the Subcommittee on Economy in Government of the Joint Economic Committee, we spent much of our time on the subject dealt with in Mr. Epstein's article and in the GAO reports.

The Comptroller General of the United States, Mr. Elmer B. Staats, who was our witness on this opening day of a planned 4-day inquiry into Defense Department buying practices and property management, went into this area in some detail in his testimony.

The shocking mismanagement of Government-owned equipment reported by Mr. Epstein was confirmed by Mr. Staats. Equipment is being used by private contractors in their commercial operations, he said, without appropriate Government approval and without equitable compensation to the Government. He also reported that some of the equipment lies totally idle at some plants when there is an urgent need for that same equipment elsewhere. Utilization data is not adequately maintained by some contractors, Mr. Staats reported. The Defense Industrial Plant Equipment Center, which is responsible for managing idle industrial plant equipment, has permitted the purchase of equipment without screening to determine whether similar equipment was idle at other locations. Mr. Staats reported a lack of uniformity in rentals charged for use of Government equipment.

A number of methods for correcting these abuses were suggested by Mr. Staats in his testimony which would require changes in Pentagon regulations. I asked the Comptroller General to supply me with alternative recommendations for dealing with these abuses legislatively.

One suggested remedy is a requirement that contractors furnish machine by machine utilization data and obtain prior Office of Emergency Planning approval on an item-by-item basis for the commercial use of industrial plant equipment.

Another remedy suggested is the strengthening of controls over special tooling and special test equipment through the use of financial accounting controls, quarterly reports, and so forth.

Mr. President, this is an area of great concern now for the Congress for it involves the inefficient and therefore costly use of the taxpayers' resources. I ask unanimous consent that Mr. Epstein's illuminating and very helpful report be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

ARMS SUPPLIERS' WINDFALL: GAO STUDY CHARGES FIRMS MISUSE U.S. PROPERTY FOR COMMERCIAL GAIN

(By Noel Epstein)

WASHINGTON.—The Defense Department supplies a $1.4 million forge press to a contractor to turn out jet-engine parts for the military. But over three years the company runs the press 78% of the time for its own commercial production.

Another concern gets $6.1 million of various Pentagon equipment to do Air Force work. In a six-month period, however, it uses the equipment 58.5% of the time to fill its non-Government orders.

A nice windfall if you can get it? It certainly is, says the General Accounting Office, and because of the way the Defense Department manages—the GAO would say mismanages—its property stockpile, such unintended Federal subsidies are precisely what some businesses are getting.

There are more than $11 billion of Defense Department-owned buildings, machine tools, dies, electronic gear, test devices and other equipment in contractors' possession, so this inadvertent handout to industry potentially is vast. Under some circumstances, companies have long received Government permission to lease Federal property to grind out their commercial wares. But the GAO, Congress' watchdog agency, found during a 1½-year investigation that "generally prior approval hadn't been obtained" and that "Government property was improperly being used in a significant number of such cases" without equitable payment to the Government.

The Pentagon says it already is starting some actions and considering others to outflank abusers, but the GAO contends the generals' strategy doesn't go far enough to win the battle.

HAVEN'T FULLY REPLIED TO CHARGES

The list of 21 companies and two universities investigated by the GAO is being closely guarded by top GAO officials, who remember well some past Congressional and industry howls when the agency named names in certain reports. In preparing the current report, which will be made available today, GAO officials say they kept the identities secret because the contractors haven't yet fully replied to the charges.

There's a chance, though, that Comptroller General Elmer B. Staats will have to disclose the list today anyway. He is scheduled to testify this mornnig at the start of hearings by a Joint Economic subcommittee looking into Pentagon buying practices, and would almost surely turn the list over if the subcommittee asks for it.

While the 91-page report doesn't identify offenders, it does say that those investigated included both "large and small prime contractors and subcontractors" doing military work on airframes, aircraft engines, electronic apparatus and ordnance. Together, they had in their hands Pentagon equipment costing about $1 billion.

MAJORITY PROCESSED ON OLDER PRESS

For a look at how some contractors reap unusual dividends from this Government-supplied treasure, consider the operator of the double-duty forge press. The GAO tells the tale as follows:

In late 1961, the 8,000-ton mechanical press was installed at the contractor's plant because a less-efficient, 4,000-ton press, also Government owned, supposedly couldn't handle all of the Pentagon's orders for jet-engine midspan blades. In the three years through Dec. 31, 1965, though, the larger press was used mostly to turn out midspan blades for non-Government customers without Government approval.

What about the Pentagon blades? The majority of them were processed on the older and smaller press whose inefficiency was the reason for installing the bigger model in the first place.

The contractor didn't stop there, though. He also used 10 more Government-owned machines, costing $29,000 to $141,000 each, "100% of the time for commercial work without advance . . . approval."

Contractors aren't taking much risk in such cases. If the misdeed is discovered, Pentagon regulations provide that the company must pay full rent for the equipment even if it wasn't used improperly all the time. But this penalty can be assessed only if the concern fails to "exercise reasonable care to prevent such unauthorized use."

In practice, the GAO found that full monthly rent wasn't charged "because it couldn't be shown that contractors didn't use reasonable care to prevent such use." So abusers only paid the rent they normally would have been charged by the Government to use the equipment commercially.

UNAUTHORIZED COMMERCIAL USE ROSE

Offenders don't seem to be discouraged very much by this system. In one instance, a contractor was "advised" in March 1965 that it had used Pentagon equipment improperly 7.5% of the time in the preceding six months. Although corrective action was promised, the GAO says, the contractor's unauthorized commercial use of the apparatus increased to 10% in all 1965 and to 13.5% in the first nine months of 1966.

The Pentagon has told the GAO that, among other things, it "will consider the need for stronger language" in its regulations to help eliminate such abuses.

But the larger target in this battle is just to find the abusers in the first place. Their elusiveness results from the fact that the contractors themselves are required to maintain the official records of how Government property in their hands is used. And, says the GAO, "utilization data maintained by some contractors aren't adequate to indicate the extent and manner of use."

The GAO's supporting evidence indicates this may well be an understatement. Early in its report, for example, the agency explains that it was "unable to determine the manner of use of many items of equipment at a number of contractor plants we visited because such utilization records weren't maintained."

The Pentagon's main force for finding abusers is its troop of 450 property administrators, who must approve company record-keeping systems. But the GAO found their work doesn't always put the desired information in Government hands.

The agency cites, for example, a case where a contractor's system was first disapproved in July 1962, and then found still to be "sadly lacking detail" in January 1965. "Since approval . . . had already been withheld," though, no further action was taken.

Its investigation, the GAO says, had to be conducted mainly by checking records kept by contractors to compute rentals on equipment they were using, with permission, for commercial work. Authority to use Government equipment as much as 25% for private output is given in some contracts when the apparatus otherwise would be idle and isn't needed for defense work elsewhere.

For more than 25% commercial usage, contractors are supposed to get further approval from the Office of Emergency Planning. But the GAO found that since last December, only five such requests had been submitted. "Generally," the agency says, "contracting officers weren't requiring contractors to request and contractors weren't requesting advance approval for commercial work in excess of the 25% restriction."

Partly to blame here, the GAO states, is that it's unclear whether the 25% criterion applies to "total planned use" or "to a certain number of days a week," and whether it means 25% of all equipment in a contractor's hands or 25% of each item.

A major help in finding offenders, the GAO says, would be for the Pentagon to require that contractors keep machine-by-machine records and get approval from the Office of Emergency Planning on the same basis.

REVISION IN REGULATIONS

The Defense Department, however, isn't contemplating going this far. It is revising its regulations so that companies will be required "contractually" to "establish and maintain a written system for controlling" use of Government property, the GAO says. The department also has "indicated" to the GAO that there will be surveys of contractor bookkeeping "to ensure the effectiveness of such a system."

The department further says it intends to meet with officials of the Office of Emergency Planning to more clearly define "25% non-Government use."

While the Pentagon plans to study further the machine-by-machine recommendation, it argues that to maintain such records for "commingled Government and contractor-owned plant equipment on a contract-by-contract basis is impractical because it would be very time consuming, disrupt the contractor's production planning process and result in the addition of costly administrative burden for both Government and industry."

The GAO, however, disagrees. Some contractors, it says, already keep such records, and others are installing electronic data-collection equipment that can do the job. While the Government would share the expense of these company investments in final prices to the Pentagon, the GAO says, it "doesn't seem unreasonable" to require contractors to keep books distinguishing between Government and commercial use.

The GAO says one contractor that already breaks down its usage figures by machine told the agency that it cost the company $7,400 a year to do this on 880 pieces of equipment. With the help of this company's figures, the GAO estimates that a similar machine-by-machine computing of "the rent at this contractor would increase the contractor's annual rent payment by about $582,600."

It "seems reasonable to expect that, if the Government provides (equipment) to contractors, the contractors should furnish the Government data as to how they are using it," the agency contends.

Such data, it suggests, wouldn't only help the military reduce unauthorized commercial use of its equipment, but also would aid in curbing other cases it found where companies had received permission to use Government property for commercial work while the same equipment was needed for defense jobs elsewhere.

L. B. J.'S RECORD

Mr. BREWSTER. Mr. President, last week marked the end of the first 4 years of Lyndon B. Johnson's service as President of the United States. That service is a matter of public record.

An examination of that record was contained in the Washington Post on Sunday, November 26, in an article by Adolfe Berle, one of the country's foremost professors of law.

I found Mr. Berle's observations too distinguished by their clarity and forthrightness. The article is an honest appraisal of President Johnson's record that deserves to receive serious attention. I ask unanimous consent that it be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

L. B. J.'s RECORD WILL SHOW HE DID HIS DAMNEDEST

(By Adolfe Berle)

(NOTE.—A retired Columbia University law professor, Berle was an adviser to Franklin D. Roosevelt in the 1932 campaign and an Assistant Secretary of State under Roosevelt. He also served President Kennedy as head of his inter-American task force.)

When John F. Kennedy was assassinated Nov. 22, 1963, Lyndon B. Johnson was catapulted into the White House and thereby into world power. After four years as a historical figure, his record will be passed on and his position determined by next year's election.

Owing him nothing and being beyond the age of political ambition, I think I can offer an objective view. Overcoming my rage at the abuse leveled at him by propaganda and his enemies, and forgetting personal friendship for some of his Republican opponents, here it is.

BOTH FLANKS EXPOSED

The 1968 race will be President Johnson's first real campaign; the real issues were not presented in 1964. He goes into it with both flanks exposed. The left wing hates his foreign policy and blames him (as it blamed Franklin D. Roosevelt) for not reforming overnight. The right wing opposes the whole social program. Votes of the American center will make the decision.

Mr. Johnson's 1964 majority represented not consensus but his heirship to the tragic drama of his brilliant predecessor, to a deep American feeling that a man so placed should have a chance to speak his piece and to temporary seizure of the Republican Party by a reactionary wing whose program and attitudes had been obsolete for 30 years.

A more normal balance appeared in 1966 as Southern Democrats and Northern conservatives combined against him in Congress. But in the two intervening years, he had carried through two unrealized Kennedy programs: civil rights for Negroes and stimulation of the economy by tax reduction.

More importantly, he had also added a powerful new conception to American politics, giving it a new dimension and direction. This was the Great Society. He had pushed through some bills giving it a measure of reality. In domestic affairs, his 1968 campaign will seek a solid mandate to carry this conception forward.

In foreign affairs, Mr. Johnson inherited and for four years has traversed as dangerous and difficult a period as America has ever encountered. As public opinion is running, the liberals support his domestic policy and oppose his foreign policy; the conservatives support his foreign policy and oppose the Great Society. On this combination he must make his campaign.

SUBSTANCE FOR A DECADE

The current low level of American political debate cannot obscure the historial significance of the positions President Johnson has taken or the fact that his forward policies will be the grist of American campaigns for a decade to come.

Civil rights became statutory law in 1964. But law alone cannot bring the American Negro population into economic and social equality. President Johnson tackled the rest of the problem by proposing all-out war on poverty, black and white alike.

One factor in poverty is the city, where poverty is most concentrated. Reorganization of urban life was seen to be essential—not merely for "the poor" but for all city dwellers. If in process of reconstruction the sheer ugliness of its towns could be conquered, American civilization might be put on the road to a great expression.

So remodeling of cities was thrown into the political arena, bringing direct Federal aid to endless projects for urban reconstruction. The beginnings of these programs are in effect and no city in the country will tolerate their discontinuance. Controversy there will be, but the odds against abandonment are enormous.

A STATE OF MOTION

Foreign affairs have presented a vaster issue. In 1963, the United States was in the throes of a virulent cold war. President Kennedy had checked it in the Western Hemisphere by going to the verge of nuclear war in the Cuban missile crisis of 1962. He had maneuvered with it in the Far East, relinquishing Laos and Cambodia but resolving to resist in Vietnam, where he sent 25,000 American troops. In the unresolved Arab-Israeli conflict, Mr. Kennedy's answer had been to work with NATO and keep the Sixth Fleet near Suez.

President Johnson in 1963 found the whole scene in a state of motion. Mr. Johnson's basic problem was whether the United States should attempt to maintain a world balance or should withdraw from difficult areas, leaving the Communists to guide the course of events.

His decision was to attempt to maintain the balance. He met the threat to Vietnam by escalation to the scale of North Vietnamese attack. He responded to the threat to the Dominican Republic when that country fell into chaos by swift action, establishment of a popularly based Dominican government and prompt withdrawal of the inter-American force.

CONFRONTATION AVERTED

His least recognized exploit was in the Arab-Israeli war last June. Soviet arms and diplomacy had engineered a shaky Arab unity and a Soviet flotilla moved through the Dardanelles to the fighting front. At that point, Mr. Johnson used the "hot line" to Moscow to reach agreement with the Soviet leaders that neither the Russians nor the Americans would participate in the conflict. A confrontation carrying the possibility of a world war was avoided.

Mr. Johnson's political troubles stem more from his foreign policy than from any other part of his program. Most Americans are inherently pacifist and many are latently isolationist. Many advocates and beneficiaries of his social programs joined in reviling him for his actions in Santo Domingo, in Vietnam, in the Congo and, though in less measure, in the Mediterranean.

AN HONORABLE RESULT

Nevertheless, the possibility of bringing the world disarray under at least temporary control has been preserved. Power-political probes to determine the steadfastness of the American President seem to have ceased. Despite all the shouting against him, this is an honorable result.

Mr. Johnson's limitations are obvious. He is not the young, appealing, liberal-aristocratic, dramatic youth ideal that President Kennedy was. He has not the golden gift of laughter of FDR. He is not the darling of the press. Especially in foreign affairs, his case has been badly stated and worse pleaded.

He has not constructed in his government a close-knit team of personal friends. He is not a faithful supporter of his political allies outside Washington. He has thought in the simplest terms, a dogged, roughhewn Texas politician who nevertheless apprehended the problems of America at home and abroad. He simply did his damndest to see her through on all fronts.

The man may have been wrong in some of his decisions. One may dislike him, or like someone else better. But it would be nonsense not to assign him historical status of the first importance.

WAR EAGLE AND THE PEACE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, as the Peace Corps enters its 7th year, and more than 30,000 Americans are numbered among those who have served or are serving overseas, it seems fitting to recognize the men in charge of steering programs within this agency.

Peace Corps staff members are drawn from all walks of life. Motivated by the same ideals as those who volunteer, they come to this noncareer agency for a few years only to contribute their talents in administration and planning.

Ross Pritchard, a native of Paterson, N.J., for example, heads the Peace Corps East Asia and Pacific Region. Dr. Pritchard is a political scientists who was a member of the faculty at Southwestern College in Memphis and served on special faculties at the U.S. Military Academy, the Air Force, and Texas A. & M.

During the administrations of both President Eisenhower and President Kennedy he served as cochairman of the Regional Export Expansion Committee. He was also a member of President Kennedy's Committee on Foreign Aid.

His pre-Peace Corps career also included the management of two successful campaigns—one for the mayor of Memphis and one for the late Senator Estes Kefauver.

Since 1963 he has served the Peace Corps, both overseas as the country director in Turkey and in Washington headquarters as the director of expanding programs in East Asia and in the Pacific

Dr. Pritchard's qualifications uniquely qualify him to reflect upon the significance of the Peace Corps in the context of our global society. Recently, speaking to the Foreign Relations Association in New Orleans, he stressed that in terms of function and spirit the Peace Corps is the most constructive and relevant presence that the United States can provide overseas and at home and that it offers American society a vehicle for preventing the disengagement of our young people today.

I ask unanimous consent that Dr. Pritchard's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WAR EAGLE AND THE PEACE CORPS

(Remarks by Ross Pritchard, Peace Corps regional director for East Asia and Pacific, before the Foreign Relations Association, New Orleans, Louisiana, September 28, 1967)

Of course, I have come to talk about the Peace Corps.

In search of a theme, this assignment usually involves a review and selection of some appropriate phase of our growth and development during the past six years. Appropriate to the group, you then add a proper proportion of statistics and anecdotes. Mixed well with the exuberance and enthusiasm most of us still possess for the Peace Corps, a speech comes to be.

Tonight, I would like to depart from this time-honored approach. It is not that statistics are unimportant. It is useful to know that since March 1961 more than 30,000 Americans have served. It is helpful to know that today 15,000 Volunteers are hard at work or on their way to projects in 55 countries. There is some significance in knowing that the Volunteers average 24 years of age, that more than 85% are college graduates, and that 36% are women.

Nor are the anecdotes insignificant. In a hundred different and warm and human ways we can tell you that the girl next door, who always seemed a little thoughtful and concerned, is making a significant contribution to the people of Malaysia. Or that your nephew, who majored in history at Oberlin and had a restless curiousity for faraway places, has found *his place* in the Marshall Islands of the Pacific. Nor are the anecdotes inconsequential, for no matter how large the Peace Corps becomes, its magic will always be the story of the individual Volunteer bringing help and hope where it can be best applied and absorbed.

Yet as important and interesting as trends of growth, statistics and anecdotes may be, I would like to move into a new direction tonight and talk more abstractly about the Peace Corps. Instead of discussing where we are and have been, I would like to comment on where we might possibly go.

For the first time in more than five years, I have just spent a month away from the Peace Corps. Removed from the traffic of day to day operations, I have come to see it in something of a new light. Free from the demands for immediate action, I have lingered a while over some old thoughts and experiences, and have come to sense what I believe to be the deeper meaning of the

Peace Corps and the more central significance of the Volunteers to our time.

I would like to share these with you and in arranging my thoughts I have given them the improbable title, "War Eagle and the Peace Corps."

War Eagle is a small mountain river in the Ozarks of northwest Arkansas. The stream springs up near Hindsville and runs its course for six or seven miles through mountain meadows and between rugged bluffs until it joins the White River near Rogers.

At this time of year it is just right. For the most part it runs clear and not too swift, here and there riffling into white-water rapids; now and again settling down between the bluffs to form deep pools and swimming holes. With tennis shoes and old khakis a fisherman can wade most of the river working the banks and overhanging trees for black bass and blue gills. Less energetically, particularly in the full sun of the afternoon, you fish "deep water" and let the catfish catch themselves, of course insisting that they do as little as possible to disturb the after-lunch tranquility. There is always a place for a cold swim and a warm gravel bar for a doze in the sun. War Eagle is one of those faraway places where one comes closest to understanding more clearly the things that are important to him. War Eagle is a place where you are secure enough to lay aside the protection and armor of easy answers and stereotypes and dare to look at new and bolder thoughts.

I have discovered two or three which I would like to summarize and defend.

War Eagle thought Number One—given the problems and needs in the developing world, the Peace Corps Volunteer, in terms of function and spirit, is the most constructive and relevant presence the United States can provide overseas.

War Eagle thought Number Two—given the problems and need in the urban ghettos of America, the returned Volunteer, in terms of function and spirit, is the most constructive and relevant presence the United States Government can provide at home.

And finally, War Eagle thought Number Three—given the problems and needs among our young people today, who perhaps for good reason find in American society something corrosive and disaffiliating, Volunteer service, and the meaningful responsibility that results, is the most constructive and relevant response we can make to prevent their disengagement.

The defense of my first contention that the Volunteers are the most appropriate U.S. presence in the developing world today, involves two things—first, an analysis of the principal needs for foreign assistance in the developing world, and second, an appraisal of the competence of the Volunteer to respond to these needs.

Foreign assistance has commanded our attention, not to mention our pocketbooks, for almost twenty-five years, and, of course, has taken many forms. As a general proposition of United States foreign policy, it seems to me that aid to other nations is compatible both with the high ideals and principles of this country as well as with practical requirements of national security. In my view, it has always made sense to support foreign aid at least in principle. But on the other hand, it seems to me that the twenty-five year history of foreign assistance is a mixed record of success and failure. More especially, it seems to me in the last decade our foreign aid has become increasingly more irrelevant. With a fixed eye upon the past, we have lost our ability to shift our emphasis and innovate. To some extent, a certain irony is involved in the fact that we have become the captive of our past successes.

Perhaps I can illustrate. From 1947 to 1951, via the Marshall Plan, we allocated and spent in the neighborhood of $20 billion to support the economic recovery and development of Western Europe. By most every standard of measurement the Marshall Plan was a success, so much so that for twenty years or more in the face of almost any problem requiring assistance it is still in vogue to use Marshall Plan litany and incantation. Lost sight of, however, is the fundamental fact that the Marshall Plan was a specific response to a specific problem. In the devastated postwar world of Western Europe the need essentially was for capital and the infrastructure of roads, rolling stock and heavy equipment. The important but now forgotten fact was that Western Europe had a manpower and institutional base that could readily assimilate large doses of capital. In short, our response was relevant to the principal need.

However, in the developing world today the situation is much different, and much of the Marshall Plan experience is irrelevant. While a certain amount of capital is important, it is important to note that the ability of these countries to assimilate capital is limited. Yet for a quarter of a century we have continued to focus on capital intensive programs often placing heavy emphasis on the development of infrastructure which has little relevance to the most basic needs of the people. Often ignored is the important consideration that in an underdeveloped country the important task is to provide technical assistance at the grass and rice roots level where it can benefit the people. For unless aggravated and persistent social ills are dealt with, there can be no political stability, no unity of purpose and, subsequently, no development.

Despair, hunger and poverty, stoke the fires of insurrection and revolt. Viet Nam is a nagging daily reminder of what can happen when the people are neglected. In this context, the principal requirement for foreign assistance is to provide adequately trained manpower in sufficient numbers to promulgate programs and distribute the full impact of capital assistance at the local level. We have been a very long time in recognizing this fact of life. Time and again, one sees throughout the world elaborate projects that bear little relationship to the basic needs of the people. Time and again, one hears discouraging reports of dollar glut in the capital, enriching the status quo elite, deepening the rift between the people at the grass roots and their government. Time and again, one finds in the capital city carefully worked out plans, a tribute to someone's hard work and concern, that lay dormant because there is no manpower available to activate programs at the local level. Dollars as we have provided them are not the answers to the most persistent problems in the underdeveloped world.

We are the captives of history in another sense. In 1949, the pressures of the Cold War generated a need for military assistance. NATO was constructed. Here again, the rather apparent success of a specific response to a specific need led to a worldwide adaptation of regional alliances. The rather modest burgeoning programs of technical assistance, such as Point IV, were soon lost in the shuffle and our assistance dollars were channelled mainly into military support. Whatever the rationale for military alliances may have been and however appropriate, military assistance did not respond to the critical and growing needs for technical assistance that would benefit the people of these countries. In terms of improving health, education, and employment among the masses of people, these programs had only a marginal effect.

Thus, at a time when the forces of social change engulf the developing world, when the most compelling order of business is to lift the burdens of disease, illiteracy and apathy from the backs of the people and to provide them with the self help incentive and technical skills necessary to raise their productivity beyond the subsistence level, we have responded with out of focus and out of date programs.

As one analyzes this dilemma more closely, it becomes apparent that the fundamental requirement for assistance programs is to raise the functioning level of the people in these countries and to set loose within them the dynamic of self help. The key to wide-scale successful programming of this sort among the people of a country is large numbers of people who have the time and competence to transmit needed skills, and the motivation and understanding to convey a sense of hope and belief in the future.

The developing countries themselves do not have adequate numbers of trained manpower for this purpose. It must be supplied. In the past six years, the Peace Corps has thus emerged as the primary supplier of this kind of manpower. Volunteers competent enough to learn and carry the skills into the countryside, committed enough to live and work at local levels have come forward by the thousands. They serve in a wide variety of programs, and as time goes by, through trial and error, but mainly as a result of their energy, intelligence, and ability to innovate the Peace Corps is able to analyze overseas opportunities more clearly and respond more effectively. As a case in point, I'd like to outline some recent Peace Corps developments in the field of rural public health.

While there are always local variations in health problems among individual countries, there also exists from country to country a basic similarity. In terms of health and physical well-being, the people of most underdeveloped countries are on a hopeless treadmill with disease and debilitation rendering them unproductive, afflicted, and hopeless. Invariably, these people run the cycle of high birth rates, widespread mother and infant mortality, runaway childhood diseases which destroy and deenergize the children. Those who survive and live to school age are afflicted with poor hearing, impaired eyesight, and low energy. These afflictions are compounded by poor nutrition. Those who complete school have a life expectancy of less than four decades, a cut-off that falls far short of full human productivity. Cognizant of this hopeless arithmetic of death, disease and debilitation, and knowing that it takes many births to achieve a fully productive human being, the rural person places a high emphasis on fertility. This premium on reproduction thus elevates the birth rate, and the treadmill trip begins again for a new generation. Against these most persistent and aggravated problems, Western technology is essentially irrelevant.

Western medical technology is basically doctor-intensive, and drug-intensive, and institution-intensive medicine with heavy emphasis on curative treatment and care. Given the magnitude of the problem and the vast dispersion of the people, techniques which require doctors, drugs and institutional care are beyond the means and even the expectations of these countries. On the other hand, widespread preventive techniques and educational programs which require little in terms of doctors, drugs and equipment are most appropriate to the task.

I must say this concept of preventive care and health education which seeks to change both the health environment and the daily practices of the people is not either a recent phenomena nor one exclusive to the foreign setting. If one were to investigate improvements in health in New York City for a twenty-year period at the turn of the 20th Century, one would see dramatic improvements in life expectancy, disease curtailment, as well as in other indications of general well-being. These improvements did not result from a sudden increase in the number of doctors nor from the introduction of drugs, nor in spectacular increases in institutional care. The improvements resulted from increased emphasis on social services, better control of water and milk, improved environmental sanitation. Most of these programs were implemented through extensive health education, and most of them relied on middle-skilled manpower.

The key, therefore, to extensive programming and significant improvements in public health is adequately trained middle-level manpower, supported by rather modest amounts of capital and a small number of skilled technicians.

Over the past two or three years we have seen in the Peace Corps situations where properly trained Volunteers can intervene and rupture this traditional cycle of disease and debilitation. Where there is high infant mortality, female Volunteers working in rural maternal and child care clinics can provide both prenatal and postnatal care. Where there is a high incidence of disease, much of it due to intestinal disorders arising from impure water and unsanitary waste disposal, male Volunteers can implement village water and environmental sanitation programs. Volunteers working at the local level, speaking the language of the people can introduce improvements in nutrition. At another point in the cycle, responding to the request of the host country, Volunteers can assist in population control and family planning.

In this way, the girl next door or your nephew from Oberlin, properly trained, becomes an integral part of the solution to some of the most difficult problems in the underdeveloped world.

But beyond this function, there is another important Volunteer contribution. Living and working with the people, the Volunteer by his presence sets the first example of individual self-help. Accepted by the people, and attacking problems jointly with them, the Volunteer activates the first experiments in community action which often sponsors first awareness among the people that, cooperatively, they themselves can deal consequentially with their problems. An awakened sense of community action soon seeks out or attracts support from higher levels of Government. People who first grow aware of their own potential, who then identify with the community, and then as a community seek identity with their nation have taken the first step forward toward meaningful national development. It is with this broader contribution of example and principle that the Peace Corps Volunteer provides a unique and exclusive service.

What can be said specifically of the Volunteer's functional contribution in the field of health can be said of other problem areas as well. For example, in the field of education there is a prevailing need among the underdeveloped nations to find classroom teachers who can provide skills in areas which will assist these countries in moving toward the technological development of the future. Specifically, Volunteers are especially well-qualified to teach English as a second language, science and math, particularly new math, and industrial arts. In the broader sense, Peace Corps Volunteer teachers, coming in direct day-to-day contact with the young people of a country, also are a potent example stimulating the trend away from mechanical rote learning into the more productive areas of deductive thought and reasoning. If these countries are to fully utilize their human resources, these resources must be geared to imaginative and innovative thinking and action rather than to the rote rituals of the more traditional systems.

In the fields of economic development, Volunteers are able to promulgate very basic skills in agricultural production, credit unions and cooperatives, and a whole host of other specific activities related to productivity. Here again in the broader sense, the Volunteer, invoking his own example of initiative, demonstrates in effective and tangible terms the benefits of individual initiative and productivity. His day to day living example is much more relevant than sterile lectures on capitalism.

Thus in many significant areas the Volunteer provides a useful skill and a tangible illustration that man can be the master of his environment. I, therefore, say again, given the needs of the underdeveloped world, the Volunteer is the most relevant presence America can provide.

I have lingered a little too long on War Eagle thought Number One. But much of what I have said supports the other two points as well, and I can cover them more briefly.

War Eagle thought Number Two—the returned Volunteer is the most relevant and constructive presence in the urban ghettos.

At first glance it appears that the urban ghettos of America are a world removed from the rural villages of the developing world. A closer, harder look, however, reveals otherwise. Overseas, say in Thailand, the people speak a different language but so is the language of Harlem different from the language of New York City and the rest of the nation. In Tonga, people are committed to a different culture; but the culture of 12th Street in Detroit is different from the culture of Grosse Pointe. In the rural barrios of the Philippines, the peasant in terms of skill and employment is out of step with his time; but it is no different on 41st Street in Chicago. Where the rural worker in the developing world needs grassroots assistance and training, where he requires empathy and understanding, where there is a need for him to sense his own individual integrity, to become aware of a community identity and to sense his oneness with a nation, the needs of Chicago, Detroit, New York, and San Francisco are the same.

More precisely, where there are needs in education, health, and economic development, the urban areas require the same sort of manpower component to implement plans that have been generated and to activate capital that is being provided. Where there is a need to decentralize activity away from the capital cities in the underdeveloped world to benefit the people, so is there a need to decentralize programs away from Washington and make program responses more relevant to the communities and the people they serve.

The Volunteer trained in speaking another language, sensitive to the needs of the community in which he lives, functionally skilled, and deeply committed is the central component here at home for community improvement just as he is overseas. Without the manpower component, programs proliferate ineffectively; without the manpower component, capital can never be fully utilized. The returned Volunteer who has learned to speak another language will quickly learn to "speak the language" of the slums. The Volunteer who has gained experience in organizing a community will quickly find the levers of community organization in the ghettos.

The Volunteer will find that his skill, his experience, and his commitment are transferrable. For these reasons, the experienced returned Volunteer is, therefore, the most relevant and constructive presence this Government can offer. But on the whole, however, the returned Volunteer is a neglected resource which we cannot in good sense continue to ignore.

War Eagle thought Number Three.

Concurrent with the problems we face overseas and those we face at home, we find disquieting evidence that too many of our young people are being alienated from life in America—at least life in America as we know and cherish it. In my view, present criticism is a little bit out of focus. First of all, we see singled out, both in the press and on television, a very narrow sector of American youth. By far, it is the minority. I share the views of Clark Kerr, the ex-Chancellor of the University of California, who recently pointed out that for every hippie in Haight-Ashbury, there are a hundred undergraduates at the University of California who volunteer their efforts in slum work, tutoring among the deprived, and working in a wide range of other programs. Beyond that, I am not especially alarmed for another reason. However disaffiliated and dissatisfied the young may be, I do think they have some very sound bases for their disenchantment.

Among the growing affluent middle class, where Depression induced insecurity no longer holds sway, less premium is placed on material goods. As the beneficiaries of readily available education and, more especially, having the time to take advantage of it, they have turned for attention to probing the quality of American life. Since, for the most part, they are serious, honest, and intelligent, they ask difficult questions. Since they are direct, energetic, and independent, they are sometimes hard to handle.

There can be no doubt, however, that our future depends on our ability to fully use their power and potency and our willingness to help channel their intelligence and commitment toward responsible, meaningful tasks. I must say if you have been around the Peace Corps for any period of time, neither the prospect nor the problem of doing this alarms you.

In fact, quite the contrary. The secret of of the success of the Peace Corps has been a fundamental belief that young people under thirty could handle the toughest challenges we face abroad. The willingness of the Peace Corps to give maximum range to their freedom, both of work and expression, has stood the test of time. Against the phony folklore of experts and amid the skeptical, if not outraged, speculations of the professional diplomat, we took the faith John Kennedy had in these young people and organized it into an innovative and exciting overseas experiment. Our strength has been our willingness to turn the Volunteer loose. Our failures, and I hope they are few, have usually resulted from situations where we did not fully grasp what the Volunteer was talking about or trying to do. In other words, it seems to me that in a very complicated world abroad we have been able to fuse freedom and responsibility and release them through the Volunteer. For the curious and committed young people of today who are looking for the same opportunity the Peace Corps beckons. It seems to me that either the Peace Corps or similar opportunities for volunteer service provide the answer to many of the questions young America is asking itself today. So much for War Eagle thought Number Three.

I have one final point. If you are an activist, even an aging activist such as I, it is hard to think these things without moving to action oriented questions.

For example:

If the things I have said are true, has not the time come to take fuller advantage of the Peace Corps' experience by expanding our understanding and grasp and utilization of National Service? In times past, confronted by certain problems, we have been farsighted and competent enough to initiate programs that have long since become an established pattern of our way of life. Examples of this are universal education, labor unions, and Land-Grant Colleges, to mention a few. Could not National Service become a regular, accepted, and admired part of American life as well?

If these things are true and if the problems at home and abroad are as grave as we say they are, is it not important enough for us to advocate and make available to more young people opportunities for four years of National Service, two of which would be spent overseas and two at home in the slums and ghettos?

Would not this four-year service be significant enough in terms of human and national interest that it might be considered as an alternate to military service?

Has the time not come for businessman and teacher, for journalist and lawyer, and especially for your group to get into the mainstream of considering this important question and invoking others to do the same?

To sum up, has the time not come to recognize that the Peace Corps has come of age and that National Service, whether it be focused at home or abroad, is an integral part of our way of life?

These are the questions that flow from the summer days at War Eagle. The excitement of those days and all that they involved is not only that you come away thinking the thoughts I have talked about and asking the questions I have asked, but also in believing that in some small way, as an individual, you can be part of the answer.

BAN ON AT-LARGE ELECTIONS SHOULD HAVE NO EXCEPTIONS

Mr. BAKER. Mr. President, the Senate, on November 8, passed a measure which would permanently and immediately ban at-large elections for Members of the House of Representatives from States with more than one Congressman.

Tomorrow the House is scheduled to consider an amendment to that measure which would exempt New Mexico and Hawaii from the ban on at-large elections for the 1968 election.

The Washington Post, in an editorial last Wednesday, November 22, urged the House to defeat the proposed amendment and urged the Senate to "stick to its guns" in the event the House adopts the proposed amendment which would exempt New Mexico and Hawaii.

I have not changed my position on this matter. And I would submit that it would be wrong for House Members who are concerned about the possibility of running at large in 1968 to think that the full Senate will lightly alter a position which it affirmed by a vote of 55 to 28 in June and by a voice vote on November 8.

I think it is fair to say that most Members of both the House and the Senate want to see an immediate and effective prohibition of at-large elections for Congressmen. But as long as the Senate has responsibility in this important area, and it does, I submit that it should stand firm for a general application of the ban and not permit any unjustifiable exemption for one or two States.

I ask unanimous consent that the excellent editorial in the Post be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

THE NEW GERRYMANDER

The House has left itself in a curious predicament by failing to pass the Senate-approved bill to forbid at-large elections. It is the Congressmen themselves who most fear running with statewide constituencies, because many of the incumbents would be defeated by votes outside their present districts. Yet some are insisting on amendment of the Senate bill passed for their special benefit, so as to exempt Hawaii and New Mexico.

The proposed exemption of the two states is merely a political gimmick. The Democratic majority in the House hopes to keep all four of these seats in the Democratic column if the elections are at large. Division of Hawaii and New Mexico into districts might enable the Republicans to pick up one seat in each state. The tail of partisan advantage is thus seeking to wag the dog of principle.

In our view, the election of Representatives from districts is sound in both principle and practice. They are supposed to represent the people—not the states. The Supreme Court has ruled that when a state has no valid districts, or when it is entitled to more seats in the House than the number of its districts, it may elect Representatives at large. But this is a means of meeting an emergency. Routine elections at large for the sake of partisan advantage are something very different.

The only excuse for the bill before the House is to lay down sound principles for the states in choosing their Congressmen. Unfortunately, the comprehensive bill for this purpose was scuttled, and the at-large prohibition is all that is left to take its place. But even a limited declaration of policy in this area ought to be sound in principle, which the version being cooked up in the House is not.

The Senate should stick to its guns. If the House wants a rule forbidding at-large elections, let it be general in its application. The elimination of congressional district lines or failure to create districts out of partisan motives is a particularly offensive form of gerrymandering which should not be tolerated, much less written into law.

GUN CONTROL LEGISLATION

Mr. BREWSTER. Mr. President, an editorial in the Baltimore Sun last Wednesday, makes a good point. The Congress should act, and act now, on gun control legislation.

Four years ago President John F. Kennedy was assassinated with a bullet from a mail-order rifle. The Nation was shocked and saddened. At the same time, people were outraged at the apparent ease with which firearms could be purchased.

Despite that deep tragedy and the mountains of favorable evidence presented by law enforcement officials and others, the Congress has failed to act.

Last February, I urged the Senate to act on legislation recommended by the National Crime Commission. The Commission proposed the registration of all handguns, rifles, and shotguns; banning the sale of weapons to potentially dangerous persons; regulation of mail-order gun sales; and barring the sale of handguns to a person residing in another State.

I recognize that gun control legislation by itself will not reduce crime in America. But it is an indispensable first step. Available statistics clearly indicate that a gun control law would prevent many violent crimes, thus saving many lives.

Mr. President, I ask unanimous consent to place this timely reminder from the Sun in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

GUN LAW

Four years ago today an assassin with a mail-order rifle killed President John F. Kennedy. Attempts since then to write Federal law designed to make it less easy for people like Lee Harvey Oswald to get such weapons have all come to nought. Despite efforts by such men as Senator Dodd and Senator Edward Kennedy, Congress continues to be held at bay by the National Rifle Association lobby. Every national poll of repute shows great public support for such a law. Yet because the citizens who do support such a law are less demonstrative than those who oppose it, and because many members of Congress are ultra-sensitive to special interests, there has been no law. Last year's auto safety law and this year's meat inspection bills prove special interests can be overcome. Congress and the people ought to overcome the N.R.A.

RISING ATTACKS FROM THE EXTREME RIGHTWING

Mr. McGEE. Mr. President, for 7 or 8 years, some of us have been deeply disturbed by the rising attacks from the extreme rightwing. As one who has sought to keep the extremist elements above ground and out in the open, I believe that recent events reflect the wisdom of the policy of publicizing the activities of the John Birch Society and its splinter groups.

People who at first could not believe that the extremes advocated by some of these organizations were serious, or would dare to be advocated in our modern, enlightened world, have since learned that the rightwing extremists are serious, organized, and well financed.

From the very beginning, I have argued that the rightwing does not discredit the liberals; rather, it tends to silence the voices of the respectable and constructive conservatives.

I have also contended that the conservatives of our country must unite in destroying the united front and the misleading panaceas represented by the extremist groups.

One of those conservative voices has consistently spoken out against the "Birchers." Mr. William Buckley, Jr., a most articulate conservative, has recently taken them on again. I believe that Senators who may not have seen Mr. Buckley's column will derive new insights from it.

I ask unanimous consent that a column entitled "Birchers a Drag on Conservatism," written by William F. Buckley, Jr., and published in the Washington Evening Star of November 15, 1967, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

BIRCHERS A DRAG ON CONSERVATISM

(By William F. Buckley, Jr.)

It has been two years since I have alluded to the John Birch Society, which has been slipping gradually from the sight of observers, liberal and conservative—it is only the Communists who continue to dwell on it, for the most obvious reason, to discredit the anti-Communist right. But two recent episodes demand comment, one of them Robert Welch's official abandonment of his original and most distinctive campaign, namely the campaign to impeach Earl Warren. The other, the matter of The Wall Street Journal story.

Welch has called off a campaign which once he considered absolutely crucial to the success of his general enterprise. It remains for a lot of conservatives the bitterest pill of recent years that the prestige of Warren increased in direct ratio to the intensity of Welch's campaign against him. Not so many years ago just before Welch decided to impeach the Chief Justice, the reputation of the Warren Court had sunk so low as to have provoked the explicit censure of the majority of the justices of the supreme courts of individual states, and of such learned scholars as Edward Corwin and Learned Hand.

But the proposal that Warren be impeached struck so many people as so patently inappropriate that his critics found themselves muting their criticism lest by association they be linked with the fanatic from Belmont who believed that poor old Eisenhower was of all things a Communist agent ("Eisenhower isn't a Communist,"—Russell Kirk's rejoinder is still the classic—"he is a golfer").

When one thinks of all that energy spent, all those dollars squandered on speeches, and prizes, and literature, and billboards, it is a special irony that the situation contributed not to the weakening of the influence of Earl Warren, but to the consolidation of his power and prestige! If one were to proceed to analyze the whole episode by Birchite logic, one would conclude that the movement to impeach Earl Warren, which after nine years' effort was unable to enlist the support of a single Congressman, was a Communist plot intended to discredit the opposition to Warren.

And then the story of The Wall Street Journal, which appeared a few weeks ago and spoke about the decline of the John Birch Society, the spectacular apostrophes of some of the most conspicuous adherents, the lapsed members—most of all the general indifference of the public. Robert Welch countered The Wall Street Journal story by a routine denunciation . . . "the current monstrosity is . . . no worse (in) its errors, half truths, omissions of important facts, biased innuendoes, misinterpretations and misunderstandings than hundreds of articles which have appeared about us in dozens of major periodicals during the last five or six years."

Characteristically, Welch does not explain what might have been the motives of the conservative Wall Street Journal in misinterpreting him and his society; the only explanation is that The Wall Street Journal, like so many others has been taken over by the Communists, in which case it is indeed truly lost.

Welch reacted further to the general drift of public opinion that the society has been pretty well immobilized by sending out an urgent appeal for funds, in a circular entitled "This Is IT!" The response, to judge from Welch's most recent communication, has been gratifying. "Fortunately," he quotes from one letter, "my bank balance is unusually high just now and I am able to help myself out by forwarding the enclosed check for $1,000. For I realize as well as anyone that you are doing us the favor." Others who responded do not have bank balances so unusually high, but they have contributed sacrificially.

It is testimony to many things, among them the charismatic nature of Welch's leadership, which his detractors must not underrate. And testimony, too, to the talent for self-sacrifice of so many of Welch's followers who, apparently undeterred by the fiasco involving Earl Warren, are prepared to put their savings into yet another billboard demanding, say, the withdrawal of the United States from the United Nations, an achievement as unlikely as the impeachment of Earl Warren.

The John Birch Society, judged objectively, above all things is a drag on the conservative movement in America, which it continues, though decreasingly, to embarrass. But it is a significant measure of the failure of other conservative organizations to provide emotionally satisfactory means of serving many Americans concerned for their country's future.

SOUTH SLOPE COOPERATIVE TELEPHONE CO., NORWAY, IOWA, TO BEGIN ALL ONE-PARTY TELEPHONE SERVICE

Mr. MILLER. Mr. President, on December 7, 1967, the North Liberty Exchange of the South Slope Cooperative Telephone Co. in Norway, Iowa, will begin all one-party telephone service for its rural subscribers.

For many people, particularly urbanites, who have enjoyed such service for some years, the significance of this occasion might not be apparent. But for those rural families who still have from four to 25 other families on their lines, and for the 3½ million rural people with no telephone service at all, one-party service is a particular milestone.

The South Slope Cooperative began serving rural subscribers in 1959 with the help of a $654,000 loan from the Rural Electrification Administration of the U.S. Department of Agriculture. It has grown now to the point where its three exchanges serve almost 1,500 subscribers in Johnson, Benton, Iowa, and Linn Counties. South Slope has applied for a new REA loan to serve a hospital, a new trailer court, and other developments in this active rural area.

There really is no need to dwell on the importance of the telephone in modern living. Anyone with an emergency on his hands and no telephone to call a doctor or policeman or someone else to assist knows how necessary a telephone can be. And for rural people, living in isolated areas, a telephone, even with multiparty service conditions, is even more necessary.

This is why I view with much pleasure the tremendous strides which REA and its borrower cooperatives are taking to provide rural people with modern telephone service.

The North Liberty Exchange is a good example of the joint efforts being made by REA and local cooperative phone companies to assist the rural residents of our Nation.

YOUNG DEMOCRATS ENDORSE BILINGUAL EDUCATION BILL AT 1967 NATIONAL CONVENTION

Mr. YARBOROUGH. Mr. President, at their national convention held this month in Miami, Fla., the Young Democratic Clubs of America passed a resolution which unanimously endorsed the bilingual education bill, S. 428, which I introduced in the Senate.

The resolution takes notice of the inequitable achievement of the Mexican-American citizen of this Nation in both educational levels and income. Because language is a main impediment to progress in either education or ability to increase income, the resolution urges Congress to enact this legislation.

The bilingual education bill which is referred to in the resolution has been incorporated into the Elementary and Secondary Education Act Amendments of 1967, which has been favorably reported from the Committee on Labor and Public Welfare. The bill will be considered in the near future, hopefully this week. To illustrate the importance of the bilingual education portion of that bill, I ask unanimous consent that the resolution passed by the Young Democratic Clubs of America be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

BILINGUAL EDUCATIONAL BILL

The Young Democratic Clubs of America notes that those persons of Mexican-American origin who reside in the five Southwestern states have a median educational level of 8.1 years as compared to 9.5 years for Negroes and 12.0 years for other Caucasian. Income per person in these Mexican-American families is $896 per year according to the 1960 census.

Since there is a direct relationship between education and economic status, it is clear that the usual methods of education have not benefited these Mexican-Americans. Their language has been an obstacle to their education in English-speaking schools.

Therefore, the YDCA supports the Bilingual Educational Bill introduced by Sen. Ralph Yarborough of Texas in order to insure equal opportunity for these Mexican-Americans, and urges Congress to enact that bill.

Adopted by the Young Democratic Clubs of America in Convention assembled November 18, 1967.

ADDRESS BY DR. ALVIN M. WEINBERG AT SEVENTH ATOMS FOR PEACE AWARDS CEREMONIES

Mr. BAKER. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Dr. Alvin M. Weinberg, on November 14, 1967, at the Seventh Atoms for Peace Awards Ceremonies at Rockfeller University, New York.

Dr. Weinberg affords a brilliant insight into the sociopolitical impact of the accelerating pace of our incipient new industrial revolution which is heralded by the rapid development of peaceful uses of atomic energy. He also provides a startling reevaluation of the anatomy and functions of the existing balance of terror between superpowers of the world, each holding the entire population of the other hostage against the threat of thermonuclear destruction. Dr. Weinberg's conclusion about the value of antiballistic-missile systems and civil defense and the attendant implications for disarmament are both startling and vital to our examination of the next 50 years.

That Dr. Weinberg should draw together the promises of the peaceful use of the atom and the prospect of destressing the belligerent posture of the world powers, and relate both to the vision of an orderly future development of our cities, is a concept and a vision of such extraordinary value that I commend his remarks to everyone who feels that the future holds something more than incineration.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Let Us Prepare for Peace[1]

(By Alvin M. Weinberg)

The distinguished English economist Barbara Ward, in her book *Spaceship Earth,* suggests that the material abundance made possible by the new technologies will change qualitatively the relations between nations. "May not the scientific and technological revolutions of our day produce a yet unguessed mutation in human attitudes? We have lived through the millennia on the basis of shortage. How will mankind react if relative plenty becomes the norm? In the past, conquest and imperialism, war and violence have had their roots deep in the fact of absolute shortage. The desire to take your neighbor's land, to lay hold of his resources, to overcome your inadequacies by making his life more inadequate still—have not these been, again and again, the bitter causes of aggression? And insofar as nations recognize the dearth and feel beset by the need for 'living space', they almost instinctively choose for leaders men who articulate these violent needs and envies. Prosperous people very rarely choose lunatics for rulers."[2]

Most nuclear scientists, by and large, believe in Professor Ward's optimism; they are sustained in their endeavors by her vision of an abundant, and hopefully a peaceful, world. The developments in nuclear energy, notably those of the past few years, seem to be fulfilling Professor Ward's vision. Nuclear power, in 1952, was written off by a distinguished scientist with the prediction that in the 1960's the effort toward developing nuclear power would be abandoned.[3] Today in Canada, in France, in the United States, in the United Kingdom nuclear power is a competitive source of energy. For example, in the United States we now have on order, in operation, or under construction close to 60 million kilowatts of nuclear power. This represents almost a quarter of all central electric power capacity in the United States, and this conversion to the atom shows no sign of abating.

But we are only at the beginning; we have still not fully exploited either the ubiquity or the intrinsic cheapness of nuclear energy. Because nuclear energy is not tied to cheap indigenous fossil fuels or to swiftly flowing rivers, it can be placed wherever energy is needed. Thus, for example, we can visualize large nuclear plants springing up in arid coastal deserts to energize large desalting plants. The technology for large-scale desalting is here, and the costs are reasonable even when the evaporators are energized by conventional reactors. The by-product electricity can be used to manufacture fertilizer and reduce metal ores and to light cities. Altogether we see this ubiquity and mobility of nuclear energy making possible a kind of nuclear powered agro-industrial complex that could give practical embodiment to Barbara Ward's notion of materials autarky throughout the world. This general line of thinking underlies the proposal now before the United States Senate to deploy such nuclear complexes in the Middle East, and, in effect, provide a new framework of physical resources in which to seek a resolution for that region's desperate animosities.

This is not all. When highly advanced breeders are developed, then we can expect the cost of nuclear energy to fall significantly—perhaps to 1.5 mills/kwh, to 1 mill/kwh, and, with reactors of extremely large size, possibly to even less. At these prices we shall begin to substitute electrical energy for other raw materials. At 2 mills/kwh electrolytic magnesium from sea water will compete with aluminum from bauxite. At 1.5 mills/kwh iron ore will be reduced with electrolytic hydrogen, rather than with coke. Below 1 mill/kwh we shall perform massive heavy chemical processes electrically—such as converting coal to gasoline.

Thus, eventually, when the advanced breeders are developed, many, if not most, of our material wants will be satisfied by energy from fission. And, insofar as low-grade thorium and uranium ores are available everywhere, each region of the globe and each country will have its sources of very cheap, abundant energy. This energy will be converted into the water and the fertilizer and the food and the metals on which civilization depends. The world should become immeasurably richer than it is today. Neighbors would no longer scramble for each other's green pastures, and there would be a general easing of tension once want is eliminated.

THE PRECONDITIONS FOR PEACE

This vision of a Pax Atomica, of a world in which tensions have relaxed because scarcities of raw materials are no longer rational bases for conflict, is a golden vision, one to which all of us in the nuclear business are dedicated. And yet it is an incomplete picture of the peaceful world of the future. It neglects those sources of strife that are not rooted in geographic inequities or disparities in natural endowments. There remains the strife that comes from ideological conflict and conflicts of interest, the strife that comes from the all but universal human ambition for influence or power. Our atomic powered utopia needs more than material well being, important as that may be, to stabilize the Pax Atomica and to prevent war.

But, even more, this vision ignores the present incredible nuclear confrontation between the super-powers. It has been customary to look to the hydrogen bomb and mutual deterrence as the means for prevention of war, for curbing the largely emotional drives that impel men in power to seek to maintain their positions or to extend their influence. And, a little surprisingly, the balance of terror has worked—not perfectly but still tolerably well. We have had wars since the atomic bomb was used in Hiroshima; but we have avoided all-out world war and we have avoided the thermonuclear holocaust.

Yet most of us are acutely uncomfortable with this balance of terror wherein the two super-powers hold as hostages 100,000,0000 of each other's citizens. It is unprecedented in world history that the citizens of the strongest powers in the world can no longer be guaranteed by their state some measure of personal security, except insofar as the balance of terror dissuades the other side from striking. Somehow, one is appalled by the possible fragility of this metastable balance.

It is largely on this account, this nervousness about the stability of the balance of terror, that the world has wrestled mightily with arms control and disarmament. Moreover, the nuclear world of plenty is inconsistent with a world in which ever increasing pieces of the gross national product might go into maintaining the deterrent. It seems apparent that we must ultimately disarm; but how can we both disarm and maintain the deterrent; how can we get from here—a world filled with mutual apprehension, with ICBM's, with megaton warheads—to a world based on energy self-sufficiency, mutual respect, and peace? How can we, as Amrom Katz of the RAND Corporation says, make the world safe for disarmament?[4]

I believe, paradoxically, that a way may have been opened by the failure of the negotiations over deployment of anti-ballistic missiles. The deployment of ABM's on both sides has been deplored as the first step in the unending arms spiral that eventually will consume everything, including our vision of abundance. But suppose ABM's and other defensive measures turn out to be effective, and at the same time there is no escalation of offense in unending spira. The knife-edge of delicately balanced terror would then be blunted. Perhaps then, as D. G. Brennan of the Hudson Institute has stressed so persuasively, we should not be so disturbed if the threat of ultimate, absolute, and total mutual destruction is not forever to be the basis for our world order.[5]

If there is even a remote possibility of achieving effective defense and at the same time limiting offense, should we not examine very much more carefully than we have the possibilities of an essentially defensive posture? Granted that active defense systems today are not perfect, they nevertheless seem to be much more effective than they were thought to be five years ago. And, by virtue of the development of the admittedly imperfect and light anti-ballistic missile system, we have already achieved a kind of de facto disarmament. Because space and weight in offensive rockets must be allocated to penetration aids, the total number of megatons each side can throw at the other ought to be reduced by the anti-ballistic missile. In this sense, the ABM has caused a kind of arms limitation, one of the few real arms limitations that we have achieved.

Moreover, passive defense, a subject about which we hear very little, may be much less impractical than is commonly believed to be the case. We at the Oak Ridge National Laboratory have been studying the question of civil defense for the past three years under the guidance of Dr. J. C. Bresee and Professor E. P. Wigner, a former winner of the Atoms for Peace Award. The result of our studies suggests that underground, interconnected tunnels if used as shelters could significantly reduce the casualties caused by thermonuclear weapons. In this connection, I remind you that at least one distinguished city planner—Constantinos A. Doxiadis—holds that the mega-city of the future can survive only if it puts its transportation (including automobiles) and utilities underground. The mega-city will therefore, according to Doxiadis, be honeycombed with tunnels. Such tunnels would be the main elements of a passive defense system: that they might come rather as a matter of course as the city develops should not make them less useful for dual use as shelters.

But we are told all this is transitory: anti-ballistic missiles and civil defense will be followed by more ICBM's which will be followed by more ABM's and more civil defense in unending spiral. We shall go from 3000 megatons to 30,000 megatons to 3,000,000 megatons—where does the crazy spiral stop? It is here that Dr. Brennan has injected a beautiful fully new and elegant idea into the discussion: Should not the world, in negotiating the next perilous stage of arms control, focus primarily on limiting offensive weapons, and at the same time encourage defensive systems? All the predictions about deployment of anti-ballistic missiles and civil defense leading to unending escalation assume that offense will escalate indefinitely. But if the world agreed to, and enforced, a limit on the number of ICBM's we would stop the spiral of escalation. Such limitation on primary instruments of offense are not unprecedented. In the post World War I era capital ships of the three great naval powers were limited. Moreover, if defensive systems continue to improve, the capacity of the world to destroy its people and its lands will gradually deteriorate; and the number of hostages held on each side will be reduced—though certainly never to zero—so that nuclear war, even in a defensively oriented world, could never be regarded as a rational instrument of policy.

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[1] For presentation at the Seventh Atoms for Peace Award Ceremony, Rockefeller University, New York (November 14, 1967).

[2] *Spaceship Earth,* pp. 50–51, Columbia University Press, New York (1966).

[3] As stated in a report by the Joint Committee on Atomic Energy, "Atomic Power and Private Enterprise", p. 330, U.S. Government Printing Office, Washington, D.C. (December 1952).

[4] "Make the World Safe for Disarmament", *War/Peace Report* (September 1962).

[5] "New Thoughts on Missile Defense", *Bulletin of the Atomic Scientists XXIII*, 10–15 (June 1967).

The difficulties of such a posture and such an agreement—to limit offense but leave defense unlimited—are formidable. Can one police a freeze on offense unless secrecy is relaxed? Will such an arrangement withstand pressure for abrogation by those who underestimate their own offense and overestimate the opposition's defense? Will strong defense tend to make each side more aggressive in the conduct of its foreign policy? But one must remember that the present balance of terror is not a lovely thing to contemplate nor is it a perfect antidote against thermonuclear war. As L. B. Sohn of Harvard told me, an existent posture need be only 50% foolproof; a newly proposed posture must be 98% effective. If we addressed as much time and energy to developing the details of a defensive posture in arms control as we have devoted either to developing offensive armaments, or even toward present arms control doctrines, is it not at least possible that we would be able to work out credible answers to many of the difficulties we now see in limiting offensive weapons?

There are two overriding reasons why we must eventually come to some such position. The first is that, much as some deplore it, both of the super-powers have decided to deploy anti-ballistic missiles. We are in grave danger of entering an unending arms spiral unless we enter into agreements to chop off the arms of the spiral at the top. This implies some limitation, possibly tacit, but preferably explicit, on, say, the total number of offensive missiles or on the total expenditure for offensive missiles.

There is another reason that seems to me even more compelling. Can we ever hope to achieve real arms control or disarmament from the present position of overwhelming offensive power and almost non-existent defense? Does anyone really believe, in the kind of hard untrusting world we live in, and that we shall have to live in during the next several decades, that either side will agree to a disarmed world unless it feels secure in its defensive systems? Can we realistically contemplate disarmament, with the possibility of clandestine sequestering of a few missiles without being reasonably certain that our defenses can handle sporadic and secret attacks.

But, in the main, our military technology has emphasized offense rather than defense, and our arms limitation technology has emphasized defense rather than offense, especially in the most recent discussions of the anti-ballistic missile. I submit that both postures may have been in error, and that the cause of peace will be better served by developing ways to strengthen defense and to limit offense.

I would therefore urge that the military communities of the world Prepare for Peace by developing defensive systems, rather than continuing to exert themselves primarily to improving offensive systeme.

And I would urge that the arms limitation communities of the world Prepare for Peace by developing doctrines for limiting offense and techniques for enforcing such limitations rather than continuing to exert themselves primarily to limiting defensive systems.

It seems that herein we may find the missing elements in the world described by Barbara Ward. We shall have our cheap nuclear power and our agro-industrial complexes and our energy autarkies. But we shall need something other than the balance of terror to keep the peace in the long run. World government, or general and complete disarmament—these are mere words unless we see credible ways to go there from here. The energy-rich world, even with most of its material wants provided for it, will still be a world of nation-states, each with its own imperatives and traditions and glorious history—and its habits of violence. And this world will for a long time have its military establishment. Does not common sense dictate that a world whose military is preoccupied with defense rather than with offense is more rational than the bizarre and precarious world we now have, and that we would be contemplating with horror if we were not so tired of its grim countenance?

So it may be time for us, in the tradition established by the creators of the Atoms for Peace Awards, to rethink our fundamental premises concerning the way to permanent peace. The men we honor today have served notably in establishing both the technology of nuclear abundance and the international climate for its exploitation. We pray that the kind of wisdom and ingenuity they and their colleagues have displayed will be equal to the task of devising the substitute for our present balance of terror that can carry man safely into his nuclear utopia before nuclear catastrophe demolishes his hopes and aspirations.

THE PLIGHT OF JEWS IN RUSSIA

Mr. BREWSTER. Mr. President, the Baltimore Jewish Times of November 10, 1967, contains a "Capital Spotlight" column by its Washington correspondent, Milton Friedman, about a Baltimore couple, Mr. and Mrs. Fabian Kolker.

Mr. and Mrs. Kolker recently returned from a trip to Israel and the Soviet Union. I believe that their experiences and observations, as reported in Mr. Friedman's column, are of widespread interest. I, therefore, ask unanimous consent that Mr. Friedman's column be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore Jewish Times, Nov. 10, 1967]

THE JEWISH PEOPLE LIVES

(By Milton Friedman)

WASHINGTON.—Despite 50 years of Soviet Communism, climaxed by an intense anti-Israel and anti-Jewish campaign, the message of "Am Yisroel Chai" (The Jewish People Lives) has reached America from the Jews of Moscow.

This communication was conveyed by an American Jewish couple who were so moved by the Six-Day War that they flew to Jerusalem to spend Rosh Hashanah at the Western (Wailing) Wall, Yom Kippur in Moscow, and Simchat Torah in Riga.

Mr. and Mrs. Fabian Kolker, of Baltimore, Md., have returned to report that a Yom Kippur crowd, estimated at 10,000, surged around them at the Moscow Synagogue, thrilled by the contact—however tenuous and symbolic—with free Jewry.

Moscow's Jews had listened nervously since last May to their radios. They eagerly tuned to BBC, Kol Yisroel, and the Voice of America. They wanted reassurance from the Kolkers on one topic alone—the survival and safety of Israel.

The Jews knew of their government's Goebbels-like slanders against Israel and world Jewry. They approached the USSR's 50th Anniversary with sadness. The 1917 Bolshevik promise of freedom for Jews had lost all meaning. The Kremlin was now arming those who would liquidate the Jewish survivors of what the Russians call "the great fatherland war" of the early 1940's. Jewish soldiers lay maimed by Soviet shrapnel.

Kolker, a businessman, speaks both Hebrew and Yiddish. When it was learned that they came to Moscow directly from Israel, excited questions erupted. Was Israel safe? Would Israel survive? Had peace really come?

The Kolkers, typical of attractive young Americans who cherish their Jewish heritage, became for an historic moment a link with the saving remnant. Their presence in Moscow came at a time when exit visas had been cancelled, anti-Semitic propaganda intensified, and Russian Jewry sealed off from the world. "It's hard to be a Jew," they were told time and again.

Tension and tears marked the Kol Nidre. The aged rabbi and the cantor somehow managed to convey the spirit of their people. No word was spoken to justify reprisals by the authorities. Nevertheless, the spirit of Klal Yisroel—the Jewish people and the continuity of Judaism—emanated from that synagogue.

Thousands packed the streets outside. They wanted merely to assert their identity as Jews. The crowd included whole families—children, university youths, the middle-aged, and the elderly. It was their answer to their government's brutal attacks on Israel and the biased Soviet policies.

A few miserable police informers, themselves of Jewish origin, sneaked through the crowd. In spite of the pall of fear, the Americans who came from Israel were warmly embraced by total strangers. It was "Sholom Aleichem" and "Baruch Haba".

People listened with moistened eyes to the Kolkers' account of Rosh Hashanah at the Wall in Jerusalem.

Of Moscow's 500,000 Jews about 10,000 came to the largest synagogue on Yom Kippur. There is another, smaller synagogue in Moscow.

On Simchat Torah 25,000 Jews, mainly teen-agers, danced joyously and defiantly clapped hands in unison, shouted whatever Hebrew words they knew. They proudly asserted their Jewishness. With the fervor of sincere peace demonstrators, the brave youth of Moscow sought the right of Jews and all peoples to live with human dignity and personal freedom.

Moscow authorities permit no Jewish institutions other than the two synagogues (one a showcase for Western tourists). Jewish cultural organizations, newspapers, institutions, or even contacts with outside Jews are prohibited.

But after four months' of intensive anti-Jewish propaganda, a defiant remnant was ready to proudly demonstrate as Jews. This said much for the Jewish will to survive as a people. Many cringed and concealed their identities. Others, however, stood up to the totalitarian state and insisted on being individuals.

In Riga, the Kolkers found only one pathetic synagogue remaining from the 50 that existed before World War Two. Although the building was shabby, it housed a rich spirit. No rabbi was available to officiate because of Soviet government restrictions. A cantor conducted services.

Grown men wept without shame upon learning that the Kolkers had prayed at the Western Wall. Kolker was called to the Torah.

In Riga, once a dynamic center of Judaism, the Russians were finishing the Nazis "final solution of the Jewish problem." The Communists were not liquidating peoples' bodies—just their individuality, their culture, and their religion. No child in Riga could celebrate his Bar Mitzvah. Circumcisions are against the law. Other pressures are exerted to destroy the Jews as a people.

Reneging on promises, the Kremlin arbitrarily cancelled exit visas for all Jews on June 5, the day the Mideast War started.

Russia's Jews were held hostage, apparently, for the behavior of the Israelis. People had relinquished jobs, gave away possessions, surrendered apartments. They had valid exit visas. At the last moment, the visas were arbitrarily cancelled.

The Kolkers plan to return to Russia next year for the Holy Days. They are haunted by the plight of their fellow Jews. They cannot understand why a nation so mighty that its space rockets can reach distant planets and its missiles can blow up ships, is terrified lest the survivors of Hitler go on being Jewish.

THE F-111, A REVOLUTIONARY NEW AIRCRAFT

Mr. CANNON. Mr. President, there have been many reports about the F-111, some praising this revolutionary new aircraft, others saying that it will never work.

Recently, deliveries have begun of the Air Force version to Tactical Air Command units at Nellis Air Force Base. Since this is in my own backyard, I recently had the opportunity to fly it. I can personally confirm the enthusiastic reports by the Tactical Air Command crews.

In the F-111, a tactical pilot has a weapon system with the firepower and flexibility of a truly multipurpose aircraft. He can deploy overseas without external tanks or air refueling. He has combat ranges and payload capabilities several times those of current tactical aircraft. He has advanced avionics carried internally for all-weather navigation, bombing, and electronic countering of enemy defenses. He has an integral rapid-firing cannon and missiles for attack and defense. He has a speed advantage at all altitudes.

For the first time in my flying experience, which goes back to pre-World War II days, I have had the experience of flying "hands-off" on automatic pilot at tree-top level over rough terrain. The F-111's on-the-deck capabilities represent a significant military breakthrough, particularly in penetrating sophisticated enemy defenses at night and in bad weather.

The mission I flew together with Lt. Col. James Randall, operations officer for the F-111 project, included a practice bombing run, and I am pleased to report that we were right on the target. I understand that my experience is typical and that the F-111 consistently outscores other tactical aircraft in bombing accuracy tests.

Its flying qualities are such that when we swept the wings, the effect was virtually imperceptible. No pilot could fail to be impressed.

As we entered the approach pattern and touched down, it was hard to believe that I was in the same aircraft that had earlier been dashing at speeds on the order of 1,000 miles an hour. The F-111 with its movable wing makes normal landings at conventional speeds possible.

It is an outstanding aircraft with no more than the normal teething problems. I believe that once the political flareup centering on development of the F-111 subsides, the aircraft will be recognized as the matchless weapons system it is, one which I am confident will soon be proving its worthiness in Vietnam.

HUMAN RIGHTS CONVENTION ON POLITICAL RIGHTS OF WOMEN PRESENTS UNITED STATES WITH GREAT OPPORTUNITY FOR LEADERSHIP

Mr. PROXMIRE. Mr. President, the very fact that our Constitution and Federal statutes guarantee the political rights of American women does not entitle us to stand aloof from international treaties which reflect our own national heritage.

The political rights of women are not by any criterion universally secure. Women everywhere do not have the right to vote, to hold office, and to seek office.

The Human Rights Convention on Political Rights of Women represents a conscientious attempt to eradicate an ancient practice of discrimination: the systematic exclusion of women from any nation's political process solely on the basis of sex.

Already 54 nations have ratified the Convention on Political Rights of Women. But the Senate has held up the United States from becoming a party to this Convention for almost 4½ years. I brand the Senate's failure to act affirmatively on this convention a disgrace.

As I promised a little over 3 weeks ago when the Senate voted on the Slavery Convention, the Senate will have the chance to go on record on this human rights convention. The Senate will have the chance to put the United States squarely on record, once and for all, on the vital question of political rights of women. I am confident that the Senate will overwhelmingly grant its advice and consent to the Convention on Political Rights of Women and ultimately will do the same to all the human rights conventions before us.

SOCIAL SECURITY AMENDMENTS

Mr. CANNON. Mr. President, having been away from Washington on official business for the Committee on Armed Services, I missed the opportunity to vote for the passage of the social security amendments last week. I would therefore at this time like to commend the Committee on Finance for its excellent work on an extremely complex bill. I also want to applaud Senators for their support of landmark legislation that will relieve the poverty of more than 2 million older Americans and lift some 200,000 from the welfare rolls. Raising the monthly minimum benefit and liberalizing the earnings exemption will enable those who have contributed much to our economy as wage earners to achieve a dignified retirement previously beyond their grasp.

Improving benefits for needy and dependent children, the blind, and the disabled will similarly ameliorate the deprivation suffered by many unfortunate Americans.

It is my hope that the Senate will prevail on a substantial number of its provisions during the conference on this important measure. I anticipate early consideration of the conference report, which I hope to support as a means of improving the quality of the lives of more than 23 million social security beneficiaries.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

FEDERAL MEAT INSPECTION ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 785, Senate bill 2147, which is the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate resumed the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, 60 years ago America thought she had laid to rest the specter of unwholesome meat and meat products. Recent evidence has taught us that this is not yet true. Intrastate plants dealing in dead, dying, diseased, and disabled animals have endangered the American consumer.

It is obvious that this situation must be dealt with summarily and forthwith. The Congress must act now, and without further delay. Consumers all over the Nation await our next action. They do not expect vacillation or hesitation.

We must extend first-class inspection procedures in such a manner as to close every loophole through which now seeps unwholesome meat and meat products. My bill, S. 2147, as amended, does this.

Mr. President, we are all well aware of the controversy that has been raging throughout the Nation on the question of updating meat inspection procedures all over our country.

The Subcommittee on Agricultural Research and General Legislation of the Senate Committee on Agriculture and Forestry, under the excellent leadership of its acting chairman, Senator HARRY F. BYRD, of Virginia, has concluded 4 days of full, complete hearings into problems plaguing our meat inspection programs, both Federal and State. These hearings were held amidst wide press coverage, arousing and informing the public, with revelations on inadequacy of some State meat inspection programs in protecting the public from unwholesome meat. The Committee on Agriculture, therefore, had under advisement a subject of primary national concern.

Our hearings were most constructive, and the committee has thus informed itself on the major, urgent need to modernize our meat inspection programs on behalf of our consumers. During the course of our hearings, the Agriculture Committee determined that about 15 percent of commercially slaughtered animals are not prepared for distribution in interstate or foreign commerce. Therefore, under present law, these are subject to State, but not to Federal inspection at time of slaughter.

Approximately 25 percent of commercially processed meat food products are prepared without Federal inspection, and to a significant degree are not subject to adequate State or local inspection. The U.S. Department of Agriculture testified that only 29 States have statutes imposing mandatory ante and post mortem inspection. Twelve States have voluntary meat inspection statutes. Two States have limited laws regulating meatpacking. Seven States have no meat inspection statutes at all.

The Department of Agriculture further testified that, in their opinion, no State has an adequate enforcement program. The need for modernizing our meat inspection and enforcement procedures is a foregone conclusion. How best to accomplish this consumer protection was the question on which your committee labored longest.

The committee had before it three bills, each differing in their approach, but each with the same objective in mind. H.R. 12144, S. 2147, which I introduced and which is before you for consideration today, and S. 2218 introduced by my distinguished colleague on the committee, Senator MONDALE.

Senator MONDALE's bill, S. 2218, would have provided for immediate Federal inspection of all intrastate operations. States would have been provided with the option of excepting themselves from Federal inspection upon their instituting meat inspection programs at least equal to Federal standards. Like the other two bills before the committee, S. 2218 would have updated and combined present statutes relating to meat inspection, and would have given the Secretary of Agriculture additional needed authority in various related areas.

During the course of our hearings, much testimony was heard on desirability of immediate Federal inspection to provide our consumers with the protection from unwholesome meat which they certainly deserve. Your committee, however, has not chosen outright Federal inspection, and instead has unanimously reported out S. 2147, as amended, which retains the Federal-State relationship of the House-passed measure. As reported out, S. 2147 will, in your committee's opinion, provide our Nation's consumers with the best possible protection. It does so without destroying State initiative, and without infringing on essential State prerogatives.

Mr. AIKEN. Mr. President, will the Senator yield at that point?

Mr. MONTOYA. I yield to the Senator from Vermont.

Mr. AIKEN. I just heard the Senator from New Mexico say that this bill does not destroy State initiative.

I received a complaint this morning from one of the more conscientious States on the grounds that the measure does penalize the States that try to do a good job, in that if they have a good law—and my own State does—and they undertake to enforce that law, the Federal Government will pay half the cost of the program, whereas if they do not have a good law, or if they have a law and do not undertake to enforce it through proper inspection, then the Federal Government will pay all the costs.

Is my informant correct?

Mr. MONTOYA. Well, that is correct; but I might state to the Senator that the chances for that kind of situation happening are very remote, because if a particular State has mandatory inspection, it stands to reason that that State is vitally interested in providing upgraded enforcement. I do not think that that State could be said to be penalized. It would receive Federal assistance.

Mr. AIKEN. Then is it the Senator's position that if a State has an adequate inspection law, the assumption is that it is already enforcing that law? Is that correct? The Department, I believe, told the committee that no State was enforcing such laws adequately—which seemed to me to be a rather far-reaching statement.

Mr. MONTOYA. The Department has stated, if the Senator did not hear it in the committee, that while 29 States have mandatory inspection laws, not all of those States have enforcement standards or procedures equivalent to the Federal standards; and it was also stated by the Government witnesses that once there is a focus placed upon whether or not the States are adhering to proper enforcement procedures, those States, whether or not their inspection procedures fall within the Federal orbit, will be able to provide means and methods whereby to improve their enforcement. The Federal participation in the picture will enable them to obtain proper training for their employees from the Federal level, so that proper enforcement of the State law may ensue.

Mr. AIKEN. Let us get this clarified a little bit more. If a State has a plant which is engaged in interstate business, that State already has Federal inspection; is that correct?

Mr. MONTOYA. That is correct.

Mr. AIKEN. And the State can judge what the standards of the Federal Government would be for intrastate inspection by ascertaining what standards are set up for the inspection of the interstate plants; would that be correct?

Mr. MONTOYA. Not only that——

Mr. AIKEN. Would the standards be identical? Is it assumed that they would be identical?

Mr. MONTOYA. It is hoped that the State would advance its standards so that they would be equal to the Federal standards with respect to interstate plants. But there is also the additional benefit that the Secretary of Agriculture, immediately upon the enactment of this act, will appoint a State advisory committee at the State level in every State, and be in constant communication and consultation with those committees, to impart advice to them, and so that the committees may seek advice from the Secretary of Agriculture, to the end that there will be an upgrading of local enforcement if it is deficient from the standpoint of Federal inspection standards.

Mr. AIKEN. Then State officials would be advised without delay of the Federal standards they would be required to meet for the inspection of intrastate plants.

Mr. MONTOYA. The Senator is correct, and most of those State people already know the deficiencies.

Mr. AIKEN. I just wanted to make that clear for the RECORD, because it was called to my attention again this morning. And the feeling of my informant was that a State that is now attempting to do a conscientious job would be penalized because a State that was not attempting to do even a mediocre job would get the benefit of the full Federal payment.

Mr. MONTOYA. I say further to my good friend, the Senator from Vermont, who has been interested in the concept of the pending bill, that it was the desire of the Committee on Agriculture and Forestry to try to formulate through the medium of this law a genuine partnership in this particular field between the Federal and State governments.

There has been no desire on our part to impose the arm of the Federal Government over the jurisdiction of an area that appertains to the State. There is no desire whatsoever, but the paramount consideration and the guiding light of every action we take is the protection of the consumers against unwholesome and unhealthy meat and meat products.

Once we travel on that road, within that glaring light and that objective, I think we can formulate a good partnership, a good common approach, and a good mutuality between the Federal and State government for the protection of the consumer.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MONDALE. Mr. President, I have one further point to add. I think it would be a curious argument to say that by trying to help the States finally to attain an adequate meat inspection system, we were thereby raising an argument in opposition to the pending legislation.

It occurred to us that there might be some States who do not have enough pride in the federal system or have enough sense of responsibility for their own interstate problems, and that those States would forfeit that responsibility and just tell the Federal Government to come in and do what they should be doing.

We do not anticipate that will be the case. We have checked with some States and have asked them what they would do if the bill in its present form were to pass.

I think it is fair to say that all of those States have indicated that this legislation would give them the financial assistance and the extra prod they need to obtain an adequate system through the State legislature.

Speaking for myself, as we find out down the road, the effect of penalizing some of those States that will not do the job themselves, we might take another look at the situation.

Mr. AIKEN. I thought it important to

have this colloquy for the Record because, as the Senator from Minnesota says, some States might not be too anxious to do a perfect job—assuming either a State or the Federal Government can do a perfect job.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. YOUNG of North Dakota. Mr. President, does the pending legislation impose upon the Governor of a State the sole discretion as to whether the Federal Government should go into a State and take over jurisdiction, or would the Secretary of Agriculture have something to say about the matter?

Mr. MONTOYA. In the first place, further amplifying my answer to the query of the Senator from Vermont, what we envisaged as a possibility with respect to the States electing to come under the Federal system was a situation whereby a Governor had submitted to the legislature by appropriate message a request to enact mandatory inspection laws or the implementation of deficient inspection laws and the legislature had refused. We merely provided a vehicle in the pending bill whereby, if the Governor in his exercise of prudence asked the Federal Government to come in, the Secretary of Agriculture could accept the invitation and go into that particular State with Federal jurisdiction.

Mr. YOUNG of North Dakota. If a State has a good inspection system now, or it is at least considered to have by the State, but complaints have been registered and the Governor has asked the Federal Government to come in and take over inspection, would the State then be absolved from paying all of the costs? Would all of the costs be borne by the Federal Government?

Mr. MONTOYA. The Senator is correct. If the Federal Government were to go into that particular State, the Federal Government would then assume all of the costs. However, in the example the Senator cited, I do not think that would happen, because if the State has some kind of mandatory inspection system, the matter of inspection under the Secretary of Agriculture pursuant to the pending bill would have to go to an advisory committee and also to the Governor on a consultation basis.

We would have to try to point out to them that they should correct the situation because the Secretary would be hesitant to come in under any circumstances. And the chances are that the Governor, with the aid of the Secretary and his enforcement staff, would provide that remedial action.

Mr. YOUNG of North Dakota. As the distinguished Senator from New Mexico knows, from time to time we have had recommendations or requests from the Department of Agriculture and the Bureau of the Budget that we transfer all of the costs of the Federal meat inspection system to the packers themselves. We have never done that to my knowledge, but if a sizable deficit were incurred by reason of the Federal Government taking over more of these inspection responsibilities in the various States, who would make up the deficit?

Mr. MONTOYA. If the Secretary of Agriculture, under the triggering provisions of the pending bill, were to go into a State, the Federal Government would have to assume this cost.

With respect to that school of thought which holds out that the packers should assume part of the cost, I think that concept has been disapproved by virtue of the fact that Congress has refused to approve that concept in bills that have been presented to Congress in prior years. There has been a belief on the part of Congress that if the slaughterers are made to bear part of the cost, we are, in effect, paying the policemen, and that is not a very good concept in enforcement.

Mr. YOUNG of North Dakota. In view of the exorbitant costs that could be involved here, does the Senator agree with me that the Secretary of Agriculture should not go into a State until he has made sure through a careful examination of the situation that the inspection system is not adequate?

Mr. MONTOYA. I think that the legislative history this measure has gone through and the dialog between the Secretary of Agriculture and his people and the committee merely reflects that the Secretary of Agriculture has to be very judicious and very contemplative and consultative before he goes in and takes over intrastate inspection within any State.

That would apply not only with respect to the economic factors involved, but also to the factors of comity, because this particular enforcement is strictly a police power function reserved to the States by our Constitution. And we do not intend to derogate from the responsibility on the part of the State.

But it is the interest of the consumers and their entitlement to wholesome meat and to be protected against unhealthy situations which motivates us in saying to a State, "You are to assume the true police powers which are reserved to you as a State. You are to assume the responsibility of protecting the consumers within the State. But if you do not, the Federal Government will have to step in so as to protect the consumers of the country."

That, in effect, is what we are saying.

Mr. YOUNG of North Dakota. If the act were properly administered, I think it would work all right. But I am a bit fearful of reposing all of this authority in the Governor of a State. Many Governors might well ask the Federal Government to take over all this responsibility and pay all the costs.

Mr. MONTOYA. If I were the Governor of a State and had this law hovering over the capitol, I would certainly go before the legislature and say, "I do not want the people of the State to accuse me of irresponsibility. I do not want the people of the State to accuse the legislature of irresponsibility. It is our responsibility to provide mandatory inspection for the protection of the consumers."

So it would be a rare instance when a Governor would ask the U.S. Secretary of Agriculture to take over the control of meat inspection within a State. I should think that such a situation would be confined to an instance when a Governor had exhausted all his approaches to a State legislature and the State legislature had refused to enact a proper law. I think it would be a rare occasion when the Secretary of Agriculture would step in.

Mr. YOUNG of North Dakota. I thank the Senator from New Mexico for his answers. I think the legislative history established here will help greatly in the administration of the program in the best possible way.

Mr. MONTOYA. Mr. President, as originally introduced, my bill, S. 2147, was almost identical to H.R. 12144. H.R. 12144 would have provided for Federal assistance to States to institute their raw meat inspection programs. It would have updated present meat inspection statutes, and given the Secretary of Agriculture additional needed authority in this area.

I recognize the weakness in my bill as originally introduced, however, and moved to amend it to insure that consumers in States that were laggard would receive the protection they deserved against the unscrupulous operators.

During the past few days, I have worked in the closest possible manner with the distinguished Senator from Minnesota [Mr. Mondale] who, like the other members of the committee, had only the public's interest in mind and who also wished to see the soundest bill reported.

With his close cooperation and original ideas, we have been able to agree upon a series of amendments that further strengthen the Montoya bill, S. 2147, measurably. I believe it to be the best possible piece of legislation.

The Committee on Agriculture and Forestry has unanimously reported the bill to the Senate as swiftly as it possibly could. This can be attributed to the dedication of our chairman, the distinguished Senator from Louisiana [Mr. Ellender], who saw what was needed, aided us in delineating proper solutions, and expedited action on this measure.

There has been no partisanship in the consideration of this measure. I wish to give just and due credit to the Republican members of the committee who worked diligently in trying to devise a plausible approach to this vexing problem.

Now it is up to the entire membership of this body to take action without delay in the interest of the American consumer. We must not wait. The public health is threatened if we fail to act. This is a situation that transcends any party lines. Unwholesome meat does not make distinction between Republican and Democrat.

We have before us a fair, constructive bill that will do what it is intended to do. If we pass it, we will have taken a major step toward closing the loopholes that have been shown to exist. I would like to outline to this Chamber what the major provisions of the Montoya bill, as amended, will do.

Retaining the Federal-State relationship and 2-year time limitation within which States could act to set up their own meat inspection programs with Federal assistance, the Montoya bill has been strengthened to provide further consumer protection during the 2-year interim period. This would be done without violating the States' prerogative to act on their own within such a 2-year period.

My bill provides for a basic Federal-State relationship. It provides, as does the House-passed Purcell bill, for technical and financial assistance to individual States to permit them to upgrade their own meat inspection programs.

The major provisions of the Montoya bill, as amended, include:

First. Broaden the present meat inspection program by establishing a Federal-State cooperative arrangement under which the Federal Government would provide scientific, technical, and financial assistance to State agencies in order to improve the quality of State meat inspection services. This financial aid could amount to as much as half the cost of a State program.

Second. Would modernize and combine present statutes relating to meat inspection.

Third. Would give the Secretary of Agriculture needed authority over wholesalers, truckers, warehousemen, brokers, renderers, and animal food manufacturers in order to control traffic in unfit meat and meat products. This would provide additional insurance against the possibility of these products being sold to unsuspecting consumers for use as human food.

Fourth. Imports would be required to comply with Federal standards required of domestic meat and meat products.

Fifth. Would give States 2 years from enactment of the act to set up their own meat inspection programs at least equal to Federal standards, and a third year if the Secretary of Agriculture determines that the State in question will, at the end of the third year, have such standards in operation.

At the end of such period, if the Secretary determines, after consultation with the Governor, that the State has failed to provide such standards, he shall promptly designate it as one in which the Secretary of Agriculture shall have jurisdiction, and apply Federal standards until such State institutes its own meat inspection program, at least equal to Federal standards.

The Secretary shall have authority, after notice to the Governor, to designate any State subsequent to the 2-year period, whether or not it has theretofore been designated, upon the Secretary determining it is not effectively enforcing a State meat inspection program at least equal to Federal standards.

Sixth. A Governor may, if he chooses, at any time after the date of the enactment of the legislation, waive the 2-year period and request immediate Federal assistance. Once the State's meat inspection program meets requirements of the act, the Governor can request the Federal presence to come to an end.

Seventh. It would eliminate the possibility of unwholesome meat finding its way into consumer hands. It would provide further protection for consumers during the 2-year period in which States would be given the opportunity, with Federal financial and technical assistance, to institute their own meat inspection programs.

If the Secretary of Agriculture determines any establishment within a State is producing adulterated meat or meat food products for distribution within such State, which would clearly endanger public health, he shall notify the Governor and appropriate advisory committee, which is provided for by the act, of such fact for effective action under State or local law.

If the State does not take action to prevent such endangering of public health within a reasonable time after such notice, as determined by the Secretary of Agriculture, in light of risk to public health, the Secretary may forthwith designate any such establishment as subject to Federal jurisdiction.

Eighth. Reporting procedures have been clarified, with the Secretary of Agriculture being given the duty to make annual public reports to Congress on the operation and effectiveness of Federal and State inspection systems.

Mr. President, there we have it. The interests of the public are strongly defended and provided for. Industry is offered the best possible solution to a situation that is causing it significant distress. The State-Federal relationship is constructively maintained and extended, to the benefit of all. Loopholes are closed and the evil corrected. Extenuating circumstances are taken into fair consideration.

Some few elements of our national community will oppose this measure. But the overwhelming support from all quarters that has greeted the work of the past few days surely is indicative of the strength and fairness of the bill.

Mr. President, I would be remiss in not reporting to the Senate that never before in my experience as a legislator have I witnessed such a feeling of cooperation and dedication on the part of all concerned. Representatives of the Secretary of Agriculture, led by the able Rodney Leonard, Deputy Assistant Secretary of Agriculture, and Counsel Charles Bucy, have been most instrumental in this endeavor, which has received Secretary Freeman's endorsement.

The industry, likewise, has been most helpful and cooperative. Mr. Aled P. Davies, vice president of the American Meat Institute, has been most valuable in his suggestions, guidance, and constructive criticism. Through his labors we have forged a measure which provides for the strongest possible protection for our consumers, and which has the full endorsement of the American Meat Institute.

The measure also has the strong backing of the President's Adviser on Consumer Affairs. It has been endorsed by the American National Cattlemen's Association and by the National Independent Meat Packers' Association. The National Farmers Union, the AFL–CIO, Amalgamated Meat Cutters & Butchers Workmen of North America, United Packinghouse Food and Allied Workers, and others have all testified in support of strong and meaningful legislation.

Communications have been received from scores of organizations and individuals, including various State departments of agriculture, urging prompt action on meat inspection legislation. It is not often that we see such an aroused, well-informed, and interested public.

One final word of praise is in order here, and again I wish to bring up the name of the Senator from Minnesota [Mr. MONDALE]. His ability, character, ideals, and sense of public service were exhibited to the full in my work with him. Rarely has the public interest been served any better.

Mr. President, we worked day and night trying to develop a bill that would meet with the approval of all sources that were addressed to the subject of meat inspection in this country. I think we have come up with the best possible solution, one that is, above all, protective of the consumer and which also bears a good relationship with all those affected by its provisions.

Mr. President, I thank my colleagues for their indulgence here today. I ordinarily would not take up such a portion of time were it not for the pressing urgency of this matter before us. This body is never dilatory when a question of national necessity is placed before it. It is on that basis, then, that I ask each of my colleagues to vote this bill into law as quickly as possible.

CONCLUSION

Mr. President, we have before us the clearest delineation of the problem confronting us and the solutions available to us. There can be no hesitation regarding the public health. Millions of people have been placed in jeopardy, and they have a right to the protection it is now within our power to grant them. Let us act as we must and should. Let us close these loopholes and put the consumer interest first.

Mr. MONDALE. Mr. President, I commend the distinguished Senator from New Mexico [Mr. MONTOYA] for his most able and forceful presentation on behalf of the Committee on Agriculture and Forestry. Naturally, I am flattered by his kind comments about my role in this effort. I think the Senator does himself an injustice in so doing because we are now reporting the Montoya bill with the Montoya amendments from the Committee on Agriculture and Forestry. If it were not for the commitment of the Senator from New Mexico to the principle that there can be no compromise on the protection of the American consumer, this bill in its present sound and substantial form could not be reported. The ability and the devotion of the Senator from New Mexico to the public interest has guided this legislation to the point where hopefully it will become the law of the land. Every consumer in the country owes a debt to the brilliant leadership of the Senator from New Mexico in connection with this matter.

Mr. President, the measure we are considering today is based on the premise that the American consumer has a right to expect that all meat and meat products offered for sale in this country are safe and clean.

Unfortunately, as we have learned in recent weeks, this is not the case. Sixty years after publication of Upton Sinclair's expose of the packing industry and enactment of the Federal Meat Inspection Act, Americans have learned that substantial quantities of meat and meat products escape Federal inspection, and that they are still in daily danger of eating filthy or diseased meat.

They have learned that Federal inspection applies only to meat which is sold across a State line and that some 13 billion pounds—15 percent of all slaughtered meat and 25 percent of all processed meat—escapes Federal inspection and is subject only to lax State inspection—if at all. Eight States have no inspection law whatsoever, while most of the remainder have either voluntary inspection laws or mandatory laws which are not adequately enforced. Thus, of the 19 million cattle slaughtered outside Federal inspection each year, more than 10 million head go without any inspection on any level of government. Of the 8.75 billion pounds of meat which is processed outside of Federal inspection, nearly 5 billion pounds receives no inspection whatsoever.

The significance of these facts has been brought home in recent weeks with the release of two U.S. Department of Agriculture surveys which revealed filthy conditions and parasite-infested meat in many packinghouses not covered by Federal inspection, and by testimony from Federal inspection officials that there is a thriving business in so-called "four-D" meat—meat derived from dead, dying, diseased, or disabled animals—which is processed through intrastate packinghouses because it would be rejected by Federal inspectors.

Most of these facts have become publicly known over the past 4 months, and as a result we have progressed in that time from no legislation whatsoever to what I regard as a very strong and comprehensive bill to correct this deplorable situation. The measure before us today includes important segments and features of the House-passed Purcell bill and the legislation introduced in the Senate by Senator MONTOYA, as well as some of the concepts embodied in a measure which I introduced.

It is a strong bill, and I am proud to have played a role in shaping it. And its progress and development over the past 4 months should stand as a warning to those who dismiss the growing strength of the consumer lobby—especially when that strength is reinforced by the voice of a free press.

Mr. President, I have already commented on the magnificent work and the performance of the Senator from New Mexico, whose hard work and energy played such a vital role in enabling us to reach this point. Nor can we overlook the Committee on Agriculture and Forestry, which responded under the leadership of its chairman, the Senator from Louisiana [Mr. ELLENDER], to the legitimate concerns of American consumers by recommending a bill that is effective and responsible.

Special praise is deserved by the acting chairman of the subcommittee, the Senator from Virginia [Mr. BYRD], who is now the presiding officer, who with such patience and maturity permitted the committee to explore all aspects of this problem so that we might develop a measure responsive to the public interest.

Nor can I pass without commending the statements and support of the President on this issue. His strong support was absolutely essential. His special assistant, Miss Furness, was an effective and forceful advocate for strong legislation.

The bill pending before us updates and improves the existing law covering meat inspection in the some 2,000 plants under Federal jurisdiction today. In addition, it guarantees that within 2 or 3 years, the remaining 15,000 plants in the country will be inspected by the Department of Agriculture, or by a State system whose standards are at least equal to Federal standards.

And finally, during the next 2 or 3 years, when the States are attempting to bring their own meat inspection systems up to par with the Federal system, we have incorporated important protections for the consumer in the bill. There is a provision which will permit the Secretary of Agriculture to take action against plants which endanger public health. In addition, the bill opens the door for any Governor to bring Federal meat inspection into his State, even though the State may later reassert its jurisdiction over intrastate plants. And finally, there is provision in the bill for constant supervision by the Secretary over all plants, with a right of access, a right to examine pertinent records, and a right to take reasonable samples, in order to guarantee a high degree of protection for consumers. The Secretary must make annual, detailed public reports to the Agriculture Committees of the Senate and House, reporting on the overall operation of the Wholesome Meat Act. It is specifically required that this report contain detailed information on State inspection systems and conditions in State plants not subject to Federal inspection. At this point I ask unanimous consent that two letters commenting on the authority of the Secretary to carry out these requirements of reviewing and reporting be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MONDALE. Mr. President, we have taken the time in the Senate Agriculture Committee to do a good job on this bill. It is a good bill. We have not compromised on the public health, and have not turned our backs on the consumer. Nor have we acted irresponsibly with respect to the States and the industry.

It was the overriding concern of the committee that the consumer be protected against filthy and diseased meat, against meats adulterated by poisonous or dangerous additives, and against mislabeled products, or meat stuffed with cheap fillers such as water, cereals, nonfat dry milk, or the like.

As things now stand, the consumer simply cannot protect himself. He can be confident in a supermarket that the meat he is buying was slaughtered and processed under Federal standards or the equivalent only if he can find the USDA "inspected and passed" label. He does not have even that possibility in a restaurant.

We learned during the Senate hearings that the normal rules of consumer self-help are of no value whatsoever in the absence of the Federal stamp of approval. First, modern chemicals and drugs completely nullify the usual tests of sight and smell with respect to meat. Injections of antibiotics, sulfites and nitrites, and ascorbate—which I call a sort of healthy formaldehyde—cancel out the smell and appearance of decaying or unhealthy meat.

Second, it is no guarantee that meat is federally inspected to shop only in large, nationally known retail chain stores. A 1967 USDA survey of intrastate meat products purchased in regular grocery stores and supermarkets—including such national chains as Kroger, Safeway, and A. & P.—showed that only 39 of 162 meat products tested met all Federal meat inspection requirements. The remaining 123 samples showed a total of 259 violations of Federal standards is due to excessive water, excess nonmeat fillers and use of various additives such as ascorbate, phosphates and nitrites in products where they are prohibited by Federal standards.

Third, brand names and labels provide no protection. The largest meat packing companies in the Nation have established plants doing business only within a State and therefore escape the stringent requirements of Federal meat inspection which products from their other operations must undergo. For example, the meat industry's big three—Swift & Co., Wilson & Co., and Armour & Co.—have admitted operating more than 100 intrastate meat plants which slaughter, process, and prepare millions of pounds of meat each year without Federal inspection. And some of these operations were among those cited for unsanitary conditions in USDA's 1962 and 1967 surveys of intrastate plants. Further, USDA officials testified before the Senate Agriculture Committee that the same brand names and labels are used for meat products processed in an intrastate plant as are used for the same item emanating from a federally inspected plant. Thus, even with nationally advertised brand name items, the consumer must look for a Federal inspection stamp.

At this point, Mr. President, I think we must ask why major packing companies establish intrastate operations and why intrastate operators are so opposed to Federal inspection and go to such lengths to preserve their intrastate status as to ignore large segments of their national markets. For example, Federal inspectors advised us of one intrastate plant which only sold its products in part of the city where it was located because the community in question straddled a State line and the rest of the city was in another State. Another plant located in the corner of a western State, ignored markets in three other States less than 25 miles away, but did substantial business 450 miles away still inside its own State boundaries. In addition to giving up sizable segments of their natural markets, intrastate concerns are also deprived of other important business such as selling to the Armed Forces, to Federal agencies or to federally supported programs such as the school lunch program, because of their lack of Federal inspection.

It was made clear during the hearings that this practice is supported by economic advantage. The intrastate meat operator has a distinct economic advantage over his interstate competitor who must meet Federal standards regarding ante mortem and post mortem inspection, plant sanitation, use of additives or cheap fillers, and false or deceptive labeling, because the intrastate operator can buy inferior animals, dress up bad meat with chemicals, and use cheap fillers with impunity.

As one newspaper put it in a November 15, 1967, editorial:

> The obvious answer is that its more profitable to sell substandard meat from unsanitary plants than to meet federal requirements for cleanliness and quality.

Ralph Nader, to whom the Nation's consumers owe another debt for his efforts in behalf of clean meat, put it even more succinctly with the comment:

> Bad meat is good business.

Mr. President, the economic advantage which makes "bad meat good business" was created by Congress in 1907 when it passed the Meat Inspection Act requiring compliance with Federal standards for all meat sold across State lines.

The consumers of America are now demanding that Congress eliminate this economic advantage by requiring that all meat sold in this country is safe and clean.

The revelations of the last few weeks, and the information received in the hearings, have provoked a deep sense of outrage on the part of consumers. A Minnesota poll taken a month ago showed that 87 percent of all Minnesotans—and 93 percent of all housewives in the State—favor immediate inspection of all meat by the Federal Government. The strong demand for Federal inspection to assure clean meat which this newspaper poll represents is supported by other polls, newspaper editorials, and letters from consumers themselves. For example, in the past 2 weeks alone, I have received letters from across the Nation overwhelmingly demanding strong Federal meat inspection legislation. Also within the past 2 weeks, a surge of editorials and two other polls which have come to my attention show the same intensity of feeling. A telephone poll by KSTP radio-TV in Minneapolis-St. Paul showed that 75 percent favor Federal inspection of all meat while a similar poll conducted by WGN-TV in Chicago indicated that 82 percent favor Federal inspection while only 4 percent opposed. That represents a margin of better than 20 to 1 for Federal inspection of all meat and meat products. I ask unanimous consent that the Minnesota poll on meat inspection and several of the many newspaper editorials demanding strong legislation be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MONDALE. Mr. President, well might we insist upon immediate federalization. The States have had nearly 60 years to shoulder their responsibility for the health and protection of their citizens and have nearly nothing to show for it. Consumers in the States are left to the mercies of a hodgepodge of inadequate, voluntary, or nonexistent meat inspection systems, none of which fully matches the Federal system.

This measure was unanimously agreed to by the Committee on Agriculture and Forestry composed of Republicans and Democrats. The proposal is now endorsed by the American Meat Institute, although my own Governor of the State of Minnesota has come out strongly opposed to effective meat inspection. Therefore, it is essential that the pending measure be adopted.

Surveys by the Federal meat inspectors in 1962 and again in 1967 revealed horrifying and revolting examples of the conditions under which billions of pounds of meat are slaughtered and processed, and thereafter sold to unsuspecting consumers. In order that the Congress have some idea of the conditions in some nonfederally inspected plants, I ask unanimous consent that the so-called Clarkson report, January 1963, together with excerpts from the USDA State surveys in 1962 and 1967 be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MONDALE. Mr. President, but the committee decided that we ought to give one more chance to maintain a joint Federal-State system. I agree with that judgment. Even if my bill had become law—and it provided for immediate federalization of meat inspection—we would have had a 1- or 2-year lag until sufficient personnel were hired and trained to do the painstaking task that is required of them. In this bill, we have provided both a carrot and a stick to the States. It was not our intent to punish the States or arbitrarily decide that they are now incompetent to do the job. Our objective is to insure that the meat the consumer buys is clean and wholesome—and it makes little difference who does the inspection as long as we are absolutely sure that it is done in an adequate and comprehensive fashion.

In short, this measure will assure the American public of protection for all meat and meat products sold in this country as quickly as can possibly be done—but only if it is enacted into law immediately—only if it is enacted without weakening those provisions designed to protect the public health during the 2- to 3-year period when States are bringing in systems at least equal with the Federal system, and only if adequate funds are appropriated.

While I believe this bill is very strong and substantial, it is in an important sense a bare minimum. As it stands before the Senate now, it can be weakened only at the risk of jeopardizing the public health. We must stand firm and insist that there be no compromise on the issue of the public health.

The very worst thing the Congress can do in meat inspection is to pass a nominal or "showpiece" bill, which will mislead the consumer into believing that his health and that of his family is protected. It would be quite as wrong to pass a good bill, and then fail to appropriate the funds necessary to carry it out. If by failing to insist upon effective legislation and adequate funds we induce an unjustified sense of complacency in the consumer, it would be far better to have no legislation at all so that the consumer would be on guard.

Mr. President, before I close, I would like to make a comment about the support of the American Meat Institute for this proposal. There are many provisions of this bill which the Institute opposed and fought vigorously against, but realizing that legislation must be passed to assure clean meat for the consumers of this country, the Institute nevertheless is willing to stand up and support this measure. While I have had my difficulties with the industry and while we have had many differences of opinion, I must nevertheless express my admiration to them for coming out, despite their reservations, and asking that this measure, in its present form, be passed. We have had our arguments, but I think we must pay proper deference and respect to an industry which, even though reluctantly in some respects with regard to this legislation, stands up and asks the Congress to support it.

With these comments, I strongly urge that the Senate pass this legislation and resist any attempts to weaken it.

EXHIBIT 1

DEPARTMENT OF AGRICULTURE,
Washington, November 18, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I am writing in response to your inquiry as to the Department's interpretation of the nature of the report contemplated by Section 17 of H.R. 12144, as passed by the House of Representatives.

It is our view that the report would be a detailed public document, covering a cross section of intrastate plants in sufficient numbers so that a continuing picture of the effectiveness of state programs can be obtained for the benefit of Congress, the states, the Department and the consumer.

These reports would include, among other things:

The location of the plant and its ownership.

The procedures and conditions of the plant under local standards and whether these practices would not be allowed under federal standards.

The results of tests made from sampling the products of the plant.

Where the products of the plants are sold.

These reports would be analogous to the reports of our 1962 surveys of intrastate plants. These reports, as you know, have already been made public.

In addition, the reports would provide information regarding—

The activities of the Federal Inspection Program.

Cooperative activities with the states under Title III of H.R. 12144 in developing effective state programs, as well as progress made thereunder.

Sincerely yours,
RODNEY E. LEONARD,
Deputy Assistant Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, November 18, 1967.
Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I am writing in response to your inquiry relating to the administration of a proposed amendment to Senator Montoya's amendment to S. 2147.

This amendment would provide in substance that when the Secretary had knowledge of an intrastate plant in the state distributing unwholesome meat which would endanger the public health, he must notify the Governor and the State Advisory Committee so that state action can be taken to prevent such conditions. If the state failed to take such action within a reasonable time, the Secretary, under the proposed amendment, would designate the plant as subject to the Federal Inspection Program.

We read the amendment to mean that the Secretary is vested with power to determine the reasonableness of the time in which the state must take action, with such determination to take into account the seriousness of the danger to public health.

The point raised was how would the Department have knowledge of such a situation. This could come about in any one or more of the following ways:

Through the process of continuing surveillance by the Secretary over intrastate plants, as contemplated by Section 17 of HR 12144,

Through his new power of access to intrastate plants, including the examination of records and taking of appropriate samples,

Through information furnished by a State advisory committee,

Under Title III of this bill providing effective Federal cooperation with State programs, and

Furthermore under present law when brought to the attention of the Department in the course of investigations needed to protect the integrity of the Federal meat inspection system, and by complaints investigated under the assumption the Department has jurisdiction over such situations.

We believe that through these various means, both under existing and new law, we will be able to provide effective and adequate protection against the danger to public health and the consumer arising out of unwholesome and diseased meat.

It is my hope that this furnishes you with the information requested. If you desire any further information in this connection, please feel free to call upon us.

Sincerely yours,

RODNEY E. LEONARD,
Deputy Assistant Secretary.

EXHIBIT 2

[From the Minneapolis (Minn.) Tribune, Oct. 22, 1967]

MORE INSPECTION OF MEAT FAVORED

Almost nine out of 10 Minnesotans (87 per cent) favor expanded federal inspection of meat-packing plants, according to a statewide survey conducted by The Minneapolis Tribune's Minnesota Poll.

Opposition to stronger meat inspection laws was expressed by 9 per cent of the state residents interviewed. Four per cent offered qualified answers or had no opinion.

More than half of the people questioned (53 per cent) said it is their impression that most of the meat sold in stores is as wholesome as it should be, but a contrary opinion is held by 38 per cent.

A recently completed nationwide investigation by the Agriculture Department found unsanitary conditions in many packing plants, including some in Minnesota, North Dakota, Iowa, Wisconsin and Nebraska.

Federal meat inspection laws, which now apply only to plants which ship meat across state lines, exempt about 25 per cent of meat processing and 15 per cent of meat slaughtering. Many of the 25 states requiring inspection of all meat-packing plants acknowledge they do not have enough personnel for thorough inspection.

Expansion of federal legislation is opposed by the American Meat Institute, which represents the largest meat-packers. It is their position that more federal controls are not needed and that state inspection can be improved.

This is the question which was asked of a cross-section of voting-age Minnesotans from all parts of the state:

"An investigation of the meat industry has revealed unsanitary conditions in some meat-packing plants. Would you favor or oppose more federal inspection of meat-packing plants?"

The responses:

[In percent]

	Total	Men	Women
Favor more Federal meat inspection	87	82	93
Oppose	9	13	5
Other answers	1	1	------
No opinion	3	4	2
Total	100	100	100

"I'm in favor of stricter controls, but not necessarily federal laws," said a 30-year-old Minneapolis man.

The first survey question was:

"Is it your impression that most of the meat sold in stores is or is not as wholesome as it should be?"

The replies:

[In percent]

	Total	Men	Women
Is as wholesome as it should be	53	54	52
Is not	38	36	40
Other answers	1	1	1
No opinion	8	9	7
Total	100	100	100

Twin Cities area residents are more critical of the meat they buy than are people from other parts of the state. Forty-seven per cent indicated a belief that most meat is wholesome and 45 per cent expressed a doubt about it.

"The wholesomeness of the meat depends on the grocery store," a Minneapolis housewife commented.

[From the St. Paul (Minn.) Dispatch, Nov. 23, 1967]

TWO-PRONGED MEAT PROBLEM

After much prodding, Congress now seems moving definitely toward stronger meat inspection laws which will give consumers better protection against unwholesome and adulterated products. Senator Mondale of Minnesota deserves much credit for his leadership on this issue.

A conference committee must resolve differences between the strong Senate bill and a weak, ineffective House bill. Prospects are that the House will yield to public demand and accept most or all of the Senate measure. It should by all means do so. There is no justification for hanging back on a matter where public health is involved.

While the wholesomeness of meat sold the public is the chief consideration in the current controversy, there is another important issue which is not as well understood. This concerns the use of chemical preservatives and coloring agents and employment of additives such as water, cereal "fillers" and excess fats.

While federal inspections assure wholesomeness, they also set certain standards of quality limiting use of chemicals and other additives. There are labeling requirements to inform consumers. Intrastate packing and processing plants not only escape the federal checks against diseased or unsanitary meats, but also are exempt from the federal rules regarding adulteration and additives.

Thus in Minnesota some of the large intrastate operators buy all federally inspected meats, but the processed products they sell to the public may still fall below the other federal standards. A federal spot check made here in July included retail purchase of samples from five intrastate companies. In all cases the meats contained ascorbate, a chemical used to make meat look fresher than it really is. Such use of ascorbate is forbidden in federally inspected products.

In addition the water content of some intrastate products was found to run from 50 to 63 per cent. The federal maximum is 10 percent. Consumers were in effect buying water at meat prices.

These Minnesota results were typical of findings of a national check in which intrastate retail samples were analyzed. Out of 162 samples, only 23 were found in full compliance with federal standards.

The common faults were excess water, "fillers" of various kinds, phosphates, nitrites excess fats and improper labeling. Meats included in the check were wieners, bologna, sausage, luncheon meats, ham, steak patties and other processed items.

Under the Senate bill, the states are given two years in which to establish their own inspection systems which must be "at least equal to federal standards." If they fail to do so, their intrastate plants would automatically come under the federal inspection service.

When the congressional bill emerges in its final form, it is important that it include not only the provisions for wholesome meats, but also that it require states to meet the other federal standards on additives and adulteration.

[From the New York Times, Nov. 16, 1967]

STILL A JUNGLE

Sixty years after publication of Upton Sinclair's startling book "The Jungle," which prompted enactment of the present Federal meat-inspection law, it is nauseating to learn that Americans are still in daily danger of eating filthy meat.

One-quarter of all hamburgers, frankfurters and other processed meats are sold within state boundaries and are thus free from Federal inspection. Testimony before Senate and House committees has made it horrifyingly clear that state inspection laws are inadequate in nearly half the nation. Eight states have no inspection statutes at all.

One result has been a wide trade in so-called "4-D meat" derived from dead, dying, diseased or disabled animals. Even in states with mandatory inspection laws, Federal investigators found dirty plants and contaminated meat. The House has passed a bill that would provide some improvement, but it is grossly insufficient to assure full consumer protection.

The chief effect of the House measure, which was endorsed by the meat industry, would be to institute a cooperative Federal-state program for raising state standards to the Federal level. Half the cost would be borne by Washington, but there would be no obligation on any state to join the upgrading effort.

Two stronger bills are before a Senate Agriculture subcommittee. One, introduced by Senator Montoya of New Mexico and backed by the Administration, would give the states three years in which to bring their standards up to the Federal level. It would also provide Federal help in the manner of the House bill.

The second bill, submitted by Senator Mondale of Minnesota, provides a surer and more direct answer. It would extend Federal inspection to all meat plants. That is the best way to guard Americans against the unsuspecting consumption of dogmeat, horsemeat or other meat that does not qualify for the Federal blue stamp of approval.

[From the Chicago (Ill.) Sun-Times, Nov. 19, 1967]

Strong Pure Meat Bill Needed

Most people believe that when they buy meat for their table at the store that it is government-inspected, clean and pure. It is not always so. Three U.S. Agriculture Department food inspectors told a Senate subcommittee that diseased and unclean meat is sold to the public in many areas, including Chicago.

Not all meat prepared or processed for sale is inspected by the government. Only meat sold across state lines is subject to federal inspection. The remainder—about 25 per cent of all the meat sold, or about 9 billion pounds annually—it is prepared or processed within the state where it is sold and is not subject to federal inspection.

Many states have their own laws to govern the processing and preparation of meat. Illinois has such laws and the State Department of Agriculture says it has moved to close 75 substandard establishments since mid-summer, when the government inspectors made their report.

Chicago, which feels that state regulations are not sufficiently strict, has its own-regulations. The Chicago Board of Health disagrees with the charges made by the federal inspectors and says Chicagoans are assured of the highest sort of inspection service. However, filthy meat has been coming into Chicago from at least one Downstate plant, as The Sun-Times revealed Friday.

Moreover, an official of a meat-packing union showed the Senate subcommittee pictures of grossly unsanitary meat-preparing and processing conditions in Chicago's Fulton Market. The Sun-Times printed some of those pictures on Thursday. The pictorial evidence should be sufficient to make Chicago redouble its efforts to protect its citizens from unclean meat.

The federal inspectors did not single out Illinois or Chicago as the chief offenders. About 95 per cent of the meat in Chicago is federally inspected. Conditions in many other cities and states are infinitely worse—even sickening.

Sen. Walter F. Mondale (D-Minn.) has introduced a bill (SB 2213) that would require *all* meat processed or prepared to be federally inspected. President Johnson endorses the Mondale bill. The U.S. Agriculture Department prefers another Senate bill that is much weaker and would give the states another two years in which to set up safeguards to protect the public from filthy or diseased meat. The House has passed a bill that would accomplish nothing and has sent its bill on to the Senate for approval.

We believe the Mondale bill should be passed by Congress. It would safeguard the public's health. The record shows, all too clearly, that many states have failed to pass adequate pure-food laws and where such laws have been passed, too often they are inadequately enforced.

A strong federal law, such as Sen. Mondale has drawn, is needed to protect the public. The food we buy must be fit to eat.

[From the Chicago (Ill.) American, Nov. 17, 1967]

Compromise on Health

When a direct clash occurs between the interests of the public at large and the interests of a big industry, it is remarkable how quickly Congress starts talking about a "reasonable compromise." Public health, we're sure is important to congressmen; it just isn't quite as important as the public thinks, and may have to wait on other considerations.

Talk of "compromise" is now widely heard about efforts to tighten up regulation of the meat packing industry. Two bills with that purpose are now before the Senate. One of them is mild and accommodating, and is favored by the meat industry and its allies. The other would crack down immediately on substandard plants by subjecting them to strict federal standards, and is favored by everybody who thinks American consumers are entitled to healthy and sanitary food—and entitled to it right now, not when it's convenient for the industry to give it to them.

Whatever compromise is possible between these two bills it is a compromise at the public's expense. Congress, however, seems ready to arrange that. The House has already passed the weaker bill. Now Senate supporters of the stronger one, sponsored by Sen. Walter F. Mondale [D., Minn.], have been showing a resigned willingness to go along with the weak one if that's the only version the House will accept.

The House refusal to pass a strict bill is partly the result of pressure from state agriculture departments, which apparently see the Mondale bill as a threat to state authority. Meat plants that do only intrastate business are now subject only to state regulations and inspection, and do not have to meet federal standards; the content seems to be that the federal government, by imposing its own rules, would be usurping a state function.

That is nonsense. The Mondale bill provides that the takeover need not be permanent; the states may take back the job of meat inspection, once they have proved their ability and willingness to do it. But they've got to prove it first—and they certainly should.

For 60 years, since the federal meat inspection law was enacted, state governments have had the job of inspecting and regulating intrastate meat plants. The kind of job they've done has been described in revolting detail in testimony before the Senate agriculture subcommittee. Why should the American public have to wait 2 more years—as the milder bill provides—for assurance that the meat it's buying is fit to eat?

[From the St. Paul (Minn.) Pioneer Press, July 19, 1967]

Unfit Meat for Sale

Public confidence in the wholesomeness of meat products will be reduced by continued opposition to federal legislation which would increase the effectiveness of present inadequate inspection procedures.

Hearings by a House Agriculture subcommittee have focused attention on dangerous loopholes in laws affecting packing and processing plants in Minnesota, Wisconsin and most of the other states.

It is disappointing to find important segments of the meat industry, along with the American Farm Bureau Federation and the National Association of State Departments of Agriculture, taking a negative and backward attitude on moderate proposals for improving conditions.

The big packers which ship their meat in interstate commerce are subject to continuous federal inspection to assure consumer protection against sale of meats unfit for human consumption or processed under unsanitary conditions.

Similar protection is not provided in the case of meats not moving from one state to another.

Pioneer Press and Dispatch Columnist Drew Pearson noted results of a Department of Agriculture investigation of intrastate meat processing made a few years ago. There is no reason to believe the shortcomings have been overcome. Meats from diseased animals have been sold. Human health has been jeopardized. Trichinosis, salmonellosis and other diseases have been spread. Meats intended for cat and dog foods have been diverted into retail shops for household use.

Two years ago the Agriculture department proposed legislation to compel the states to provide proper inspection services or let the federal government do the job. It got nowhere. This year Congressman Neil Smith of Iowa and the Johnson Administration are supporting a more moderate proposal, but this too is being strongly opposed.

The record over the years is that federal inspection is effective and protects the public where it prevails. The state legislatures, on the other hand, have consistently failed to provide adequate controls for intrastate packing and processing.

State departments of agriculture, including Minnesota's, fight extension of federal controls. Minnesota has 401 packing plants without federal inspection and 46 with it. Russel Schwandt, the state agriculture commissioner, admits the inadequacies of Minnesota procedures, but hopes they will be improved some time in the future. This same attitude has prevailed here for many years. The undeniable fact is that state legislators here and throughout the country have not met the responsibility for protecting the public interest.

Consumers everywhere are entitled to full protection on all meats, and the argument of "states' rights" is not a sufficient excuse lack of such services. Federal legislation is needed, and should be enacted at this session of Congress.

[From the New York Times, Nov. 21, 1967]

Compromised Meat

The compromise meat inspection bill slated for approval by the Senate Agriculture Committee this week is a vast improvement over the bill passed by the House, but it still represents a victory for political expediency over full consumer protection.

The compromise measure will give the Secretary of Agriculture more specific authority to act against health hazards in packing houses that sell all their products within a state. Reports by Federal investigators have provided vivid evidence of the need for such an extension of authority. The bill also will require the Secretary to make public reports at least once a year on the adequacy of state systems.

Beneficial as these and other changes should prove, they are a poor substitute for the proposal originally made by Senator Mondale of Minnesota, under which Federal inspection would be extended immediately to all meat plants, intrastate as well as interstate. The compromise bill would give the states two to three years to bring their inspection standards up to the Federal level.

Unfortunately, the revised bill is the strongest that seems to have any realistic chance of passage at this session of Congress. Once again the consumer finds his voice on Capitol Hill too weak to command full protection.

[From the Washington (D.C.) Evening Star, Nov. 22, 1967]

Clean Meat

Out of a welter of shifting endorsements by the administration, the Senate now seems headed in the right direction with a proposed new meat-inspection law. If enacted, it will go a long way toward bringing state-inspected meat up to federal standards.

The compromise agreed upon by Senator Montoya of New Mexico and Senator Mondale of Minnesota provides for a federal cost-sharing program with the states to help them set up adequate inspection systems. It gives the states two years to do this or face federal intervention if the systems do not measure up to federal standards. And if the government finds any plant endangers public health, it can step in immediately to destroy unwholesome meat and seek injunction to close plants.

One of the complaints during recent hearings was that Agriculture Department reports on filthy and diseased meat were not being made public. Ralph Nader complained that Agriculture actually withheld reports from him.

The new bill will remedy this by ordering Agriculture to report details publicly to Congress on state systems.

By this insistence on a bill that would launch states upon stricter meat inspection procedures now, rather than two years hence, Senator Mondale has earned high marks in this legislative battle. His credentials in the consumer-protection movement already were well-established, for he authored the "fair warning amendment" to the National Traffic Safety Act that already has resulted in callbacks of 4 million cars in 14 months by auto manufacturers to correct defects.

The clean meat war is not ended. The Senate must not only pass this bill but win acceptance by the House, which earlier defeated a milder amendment seeking to extend federal controls.

But Senate hearings have rallied public support for safer meat. Too many states have fallen down on the job of protecting consumers. This is "must" legislation for the 90th Congress.

[From the Chicago (Ill.) American, Nov. 13, 1967]

Meat Industry's Reply

Spokesmen for the meat packing industry have come up with a rebuttal to the horrifying stories of filth and neglect presented to Senate investigators last week: They say the stories are greatly exaggerated. Somehow this answer fails to soothe us, and we hope the senators are no less skeptical.

The industry officials were commenting on testimony by federal inspectors for the department of agriculture, who told of finding revolting conditions in many packing plants that do only intrastate business and so do not come under federal regulation. The federal men described plants infested with vermin, where meat—often from crippled or diseased animals—was processed by workers in filthy clothes under "primitive" conditions. The testimony was given before a Senate agriculture subcommittee, which is holding hearings on two bills designed to tighten up regulations on intrastate packing plants.

A much different story is told by the industry spokesmen, according to our Washington correspondent Tom Leach. They described the inspectors' reports as "gross exaggerations" and "horror stories."

No doubt some plants need improvement, said the officials, but after all you can find a little dirt anywhere if you look hard enough.

These answers would be more reassuring if they didn't bring up further questions. What reason would a federal inspector have for telling "horror stories" if they're not true? Are we to understand the inspectors gave false testimony to a congressional body? If so, why doesn't industry expose and denounce them?

Until those mysteries are cleared up we'll stick to our previous conclusion: That tighter regulation is needed now, and that the tough bill by Sen. Walter F. Mondale (D., Minn.) is likelier to provide it than the "compromise" measure by Sen. Joseph M. Montoya (D., N.M.). Why, in any case, should congress look for compromises between the convenience of industry and the health of consumers?

[From the Minneapolis Tribune, Oct. 29, 1967]

Support for Federal Meat Inspections

The Minnesota poll last Sunday showed overwhelming public support for an expansion of federal inspection over meat slaughtering. Nearly 9 out of 10 Minnesotans said they favor it. And nearly 4 of 10 said it is their impression that meat sold in the stores is not as wholesome as it should be.

Minnesota is one of nine states that do not require inspection of the slaughtering of meat destined for sale within the state. Some cities—such as Minneapolis—carry out these inspections, but in cities or rural areas without this protection, the public has no assurance about the quality of meat at the counter.

Congress now is considering bills that would attack the problem with varying approaches. One measure would provide federal aid to strengthen state and local inspection programs. Another bill would extend federal inspection to all plants doing more than $250,000 annual business. A third—by Sen. Mondale of Minnesota—would require federal inspection of all plants if the states failed to do so.

The Mondale bill seems to be the best of the bunch. It would guarantee inspection of all meat. It would not impose federal programs if the states set up their own inspections meeting federal standards.

Federal inspectors recently were credited with stopping meat with a deadly anthrax disease from reaching the market from a plant in Pennsylvania. Without mandatory inspections, however, 25 per cent of the processed meat and 15 per cent of the slaughtered meat nationally may or may not be safe from such diseases.

Once again, failure of the states to act makes it necessary for the federal government to take the initiative.

[From the Chicago (Ill.) American, Nov. 10, 1967]

A Shock for the Senate

Three inspectors for the federal department of agriculture have supplied what seems to be a necessary part of any drive for reform: Shock. What they disclosed yesterday about conditions in many of the nation's meat packing plants was revolting, and it should supply the jolt needed to get a strong meat inspection bill through Congress.

The packing plants that would be affected are those that do business only within their own states, and so do not have to meet federal inspection standards. To judge from the testimony before a Senate agriculture subcommittee yesterday, many of these plants would not meet the standards of a hobo jungle. The inspectors told of finding vermin-infested buildings, filthy floors, heads of cattle left to decay, diseased meat. Said Reuben Baumgart, who headed a survey of packing plants in a 6-state area including Illinois:

"The slaughtering was done under primitive conditions. The workmen were dressed in filthy clothes. Much of the meat was rancid or diseased, and there were vermin droppings on the floor."

Another inspector told of talking to a cattle buyer who made a speciality of purchasing crippled or diseased animals and selling them to plants that came under either state inspection or no inspection at all. Said Stephen Kota: "He told me there was one meat packing plant that would accept an animal in any condition. They never turned down anything."

The subcommittee is considering two bills that would tighten up inspection of meat packing houses that currently do not come under federal controls, and which supply about 9 billion pounds of meat each year to American consumers. Sen. Walter F. Mondale [D., Minn.], sponsor of the stronger measure of the two, charges that many larger meat processing firms have been forming smaller, intrastate packing houses so as to dodge the strict federal standards, thus saving immense sums.

Lobby pressures against Mondale's bill are extremely powerful. They seem to have defeated a similar bill in the House; representatives last week voted 140 to 98 in favor of a milder bill authorizing the agriculture department to provide technical aid for states developing their own inspection programs.

In our view, what is needed are stringent rules and tough enforcement, not a series of open-end studies on ways to meet the problem. The Senate should pass Mondale's bill and kick it back to the House—by which time the nation's most powerful lobby, its housewives, will be having their say.

[From the Washington (D.C.) Daily News, Nov. 2, 1967]

For Clean Meat

A curious solicitude for "small" meat packers has defeated in the House the bill to clean up the nation's meat supplies.

We have had Federal meat inspection since 1907, passed after Upton Sinclair's crusading book, "The Jungle," exposed conditions of almost unbelievable filth in Chicago's meat packing industry. Since then the purple-ink stamp of the Federal inspectors has been a reliable guaranty against filth and disease.

But this inspection covers only meat in interstate commerce. The rest is up to the states, eight of which have no inspection laws at all and 12 more of which have only voluntary inspection. It probably is a fair statement that in no state is there inspection as rigid as the Federal.

As passed by the House the "clean meat" bill is a toothless measure which merely authorizes the states to apply for Federal grants to set up inspection systems, There is no insurance, under this proposal, that conditions will be improved. And evidence before a House committee included "horror stories" indicating conditions in some uninspected plants are little if any improved since Upton Sinclair's days in Chicago.

Sen. Walter Mondale (D., Minn.) is author of a bill in the Senate which would bring all meat processors under the Federal system. It would protect the consumer against such hideous things as rat hair in the sausage, and the legitimate processor, small and large, against suspicion. We hope Sen. Mondale can get prompt action on his bill.

[From the Chicago (Ill.) American, Nov. 15, 1967]

Test on Meat Bill

In considering the two meat inspection bills before it, the United States Senate has a fairly simple choice. It can vote either to protect the public's health, or to support the interests of the meat industry and its allied lobbyists [which include, oddly enough, the Illinois department of agriculture]. This test would seem simple enough, but the House flunked it, and there is no guarantee that the Senate will do better.

One of the bills is sponsored by Sen. Walter F. Mondale [D., Minn.]. It would impose federal inspection standards on all big meat plants, including those that now avoid them by doing business only within their own states. Testimony given in current hearings before the Senate agricultural research subcommittee has described the filthy surroundings in which meat is processed in some intrastate plants and the revolting condition of some of the meat accepted for processing.

The second bill, by Sen. Joseph Montoya [D., N. M.], would allow meat inspection to remain in state hands, and would merely encourage the states to improve their own inspection programs by offering them federal funds. This measure has been toughened to the extent of requiring states to establish satisfactory inspection programs within 2 years; if they don't the federal government may do it for them.

Montoya's bill, however, remains by far the weaker of the two. By no coincidence, it is the one supported by the meat industry, and immense pressure was put on House members to get the House version of this bill passed. One lobbying group, in fact, used a gimmick close to an outright payoff: The Western Meat Packers association, it was revealed, sought to establish a political campaign fund for "friendly congressmen"—meaning those who would vote against the stronger bill.

On Oct. 30, telegrams were sent to Illinois congressmen by Robert N. Schneider, director of the state agricultural department, urging them to support the weaker bill. The following day the House went along with the pressure; after defeating the stronger measure 140 to 98 on a nonrecorded "teller" vote, congressmen approved the weaker one 403 to 1.

It is logical to ask why the meat industry opposes federal inspection so strongly. Without such inspections; a meat packing concern is deprived of important business; it cannot sell to federal agencies or federal supported programs—the armed forces or school lunch programs, for example—and cannot do business across state lines. The Mondale bill would greatly broaden business possibilities for many plants. So why has the industry fought it to a standstill?

The obvious answer is that it's more profitable to sell substandard meat from unsanitary plants than to meet federal requirements for cleanliness and quality. If there is a better explanation for the meat industry's stand we'll be glad to hear it.

We would also like to hear why our congressmen caved in so readily under pressure; why Schneider and the state agriculture department took such extraordinary steps to influence them; and how effective that "campaign fund" gimmick was in swinging votes. Apparently it isn't only meat that needs inspection.

[From the St. Paul (Minn.) Pioneer Press, Nov. 19, 1967]

Strong Meat Inspection Bill Urged

Minnesota state officials and representatives of the meat industry are showing more interest now in providing effective inspection service to protect consumers against sale of unwholesome products.

The new attitudes coincide with widespread publicity given congressional testimony regarding unsanitary conditions in plants not subject to federal checking, and with other testimony that even national food chains legally sell meat products which do not meet federal standards. As a result of such disclosures, Congress is preparing to pass new legislation intended to improve conditions.

Russel Schwandt, Minnesota Commissioner of Agriculture, says a bill for mandatory state inspection of slaughter animals and plants not federally supervised will be introduced in the 1969 Legislature. If it passes he says another two years will be required to make a state system effective. That means a delay of three to four years.

Sen. Walter Mondale of Minnesota is backing a plan in the Senate which would assure federal inspection of all commercial slaughtering operations in all states immediately. States could later take over their own supervision of intrastate plants if they so desire and if they bring their inspection services up to federal standards. This is one of several proposals the Senate Agriculture Committee is considering in efforts to strengthen a much weaker bill already passed by the House of Representatives.

Minnesota does have provision for inspection of sanitary conditions at intrastate slaughter and processing plants, but not of the meat animals, either before slaughter or of the carcass after slaughter.

Americans deserve the full assurance that all meat products they buy, in Minnesota or anywhere else, should be wholesome, and unadulterated. There is no such assurance today in this state or in most of the other states.

For generations most state legislatures have dragged their heels on meat inspection, while consumers have had the soothing false impression that they enjoyed adequate protection under federal laws.

The Mondale plan would put an end to pussyfooting in the legislatures and assure wholesome meat products for all American families. It still would leave the door open for state governments to accept their responsibilities. But there would be no four-year delay.

Congress should end the shilly-shallying, which permits evasion of proper meat controls to continue. The Mondale bill is sound and offers a practical, effective solution to present troubles. It should be passed by the Senate and approved by the House.

[From the Los Angeles (Calif.) Times, Nov. 17, 1967]

The Wholesome Meat Laws

The alarmingly substandard conditions that some states permit in meat plants have shocked housewives more than the House of Representatives.

Although most meat sold is subject to rigid federal inspection standards, 15% of all slaughtered animals and 25% of all processed meat come under widely varying state inspection laws.

Only 28 states, including California, have mandatory inspection of meat. Eight states have no inspection laws at all.

But in the Los Angeles area, according to one spokesman, virtually all the meat sold by supermarket chains and well-known independent firms is federally inspected.

Elsewhere in the nation far too many slaughterhouses and packing plants are so poorly supervised that federal officials have found meat being prepared in filthy and insect-infested buildings.

House members nevertheless decided that they would encourage rather than require the high federal standards for all meat production. As enacted, the "Wholesome Meat Act of 1967" would offer every state matching federal aid to upgrade its inspection program—but only if the state chose to do so.

The Times considers the House action too weak a response to a threat to public health.

With belated Administration support, stronger efforts are being made in the Senate for the passage of legislation that would impose federal inspection upon all intra-state as well as inter-state meat production unless a state had equivalent standards and enforcement.

The bill, introduced by Sen. Walter Mondale (D-Minn.), provides that states meeting those requirements could receive a waiver, subject to review after two years.

Tough enforcement is no less essential than high standards in protecting the public.

California's standards are virtually identical to the federal regulations and in some instances more stringent. U.S. Department of Agriculture officials, however, contend that this state's inspection service lacks sufficient funds and manpower.

The USDA study indicated that 20 of 21 state-inspected plants chosen at random failed to meet federal standards. Dr. R. W. McFarland, chief of the State Meat Inspection Bureau, differed with the findings and insisted his inspectors do "just as good" a job as the federal inspectors.

This may be, but Dr. McFarland has only 140 inspectors who must make a daily check of 352 meat plants on a total annual budget of $1.8 million. State officials must make certain that his staff is equal to the task.

Whether enforced by the state or the federal government, high standards of meat inspection are too important to be denied to any American.

[From the United Mine Workers of America District 50 News, Nov. 10, 1967]

Speak Up for a Strong Meat Inspection Bill

Last week the House of Representatives passed and sent to the Senate a bill (HR 12144) which for the first time in more than 60 years feebly attempts to improve the federal meat inspection system. The bill reflects to some degree a strong public demand for the elimination of "dirty" meat.

Long overdue as it is, the House measure does not, in the opinion of many experts, go nearly far enough toward policing the meat packing industry by bringing under Federal inspection those plants which operate within state boundaries and produce 25 percent of all processed meat consumed in this country—nearly eight billion pounds.

In passing the bill the House voted down an amendment which was designed to extend Federal inspection to more than 5,800 meat processing plants whose products are sold entirely within the state in which they operate. At the same time, the measure would extend Federal aid to state inspection systems in line with Federal standards.

At hearings held by the House Agriculture subcommittee on various meat inspection bills, the results from surveys of intrastate plants by the U.S. Department of Agriculture (finally made public after four years of privacy) made clear the reasons why the House bill does not go nearly far enough:

INDESCRIBABLE CONDITIONS

"Examination of these meats revealed a mouldy and slimy condition with a putrid odor. Several dead flies were seen on the surface and mixed with the meat. These items were to be used in the manufacture of sausage items and hamburger . . ." (In a state where a voluntary meat inspection program is in effect.)

"In addition to the very grave and urgent problems posed by the distribution of food derived from diseased animals, the attached report details . . . dirty food handling methods without any regard for rudimentary sanitation . . . Rodents and insects, in fact any vermin, had free access to stored meats and meat products ingredients . . ." (In a plant which has no inspection whatsoever.)

"A complete breakdown of sanitary requirements appeared evident where an open wooden plank ramp extended away from the back of the slaughtering establishment for about 60 feet and all blood, hog hair, stomach contents and considerable offal was dumped off the edge of the ramp and allowed to accumulate . . ." (In a plant which *has* mandatory state inspection.)

These USDA state surveys covered 48 states. It did not matter very much whether mandatory, voluntary or no inspection laws prevailed for intrastate plants. The conditions described by USDA inspectors were repeated with revolting consistency in state after state.

The Department of Agriculture's survey included reports of conditions at plants owned by Swift & Company, Armour, Wilson and Company which also operate and sell within state boundaries. Yet, with few exceptions, the large meat packers and their associations are against extending federal inspection.

The near unanimous opposition by industry and state officials to a strong Federal meat inspection law was certainly reflected in the passage by the House of HR 12144 rather than of an alternative bill, HR 12145, which would have brought all intrastate plants with gross sales of $250,000 under Federal inspection.

As noted above, the House bill now is in the hands of the Senate. There, if enough citizens make their wishes known, the members could improve the House bill by writing in a time limit during which the state would have to act. If any state should fail to provide for inspection of all processing plants, complete Federal inspection would be provided in that state.

Or the Senate could act favorably on a bill introduced by Sen. Walter F. Mondale, (D., Minn.) which would extend Federal inspection to the state plants.

This is the show-down time for "clean" meat. Unless there is an outpouring of mail and large show of support by labor unions, consumer groups and the general public, another wishy-washy bill will become law, to the satisfaction of a rich and strong lobbying group.

Meanwhile, when you buy your meat and meat products, look for those which have on their label a little circle with the words "U.S. Inspected."

[From the Minneapolis (Minn.) Tribune, July 18, 1967]

Those Abuses in the Slaughterhouse

"It makes me sick," was the reaction of a Minneapolis housewife upon reading in the Sunday Tribune about filthy meat slaughtering practices found in some Minnesota plants. She and other consumers have a right to be sickened and shocked over the lack of enough inspections to insure a safe total meat supply in this state.

Minnesota Agriculture Commissioner Russell G. Schwandt says the state does inspect meat plants twice a year or more for sanitary conditions. The state also runs tests of meat products to protect against adulteration. But Minnesota is one of nine states that do not require the crucial before and after slaughter inspections needed to keep out diseased animals, and to maintain a continuous check on slaughtering practices. Only the federal government does this here on meat bound for interstate channels.

In Minnesota, only 46 plants are federally inspected; 401 plants are not. The plant comparison exaggerates the problem because the large federally inspected establishments turn out the bulk of the meat products. The uninspected plants are mostly small operations. But this should not minimize the need for regular inspection of all plants. All meat should be safe.

A U.S. Department of Agriculture investigation showed what can happen from lack of regular inspections. Equipment was found to be unclean; pus, manure and urine had been splashed onto animal carcasses.

The shuddering result of such shoddy practices can be the spread of disease, such as salmonellosis—the increasingly prevalent cause of stomach aches often erroneously attributed to influenza.

The Minnesota Agriculture Department asked the 1967 legislature for $200,000 to increase its meat plant inspection program. It failed to win approval.

Congress and federal officials are prodding the states to act, possibly with the encouragement of federal aid. The Minnesota Legislature dropped the ball this year; it should not repeat the mistake in 1969.

[From the St. Paul (Minn.) Pioneer Press, Sept. 3, 1967]

Meat Inspection Bill Pushed

Members of Congress have been hearing from voters back home on the subject of improved meat inspection laws. The message getting through to Washington is: We want more protection against unwholesome products.

As a result efforts will be made on the House floor to improve and strengthen the weak inspection bill recommended by the Agriculture Committee. This measure is due to come up for action sometime in September.

Congressmen Neal Smith of Iowa and Thomas Foley of Washington believe there is now a good chance they will get enough support to substitute their own stronger bill for the committee plan.

The committee bill is good as far as it goes, but it does not go far enough. It would give the federal inspection service some needed new authority, but still would not reach directly the large flow of uninspected meats which reach butcher shops and consumer tables. These products are from packing houses and processors which do not ship across state lines. This exempts them from federal inspection. Billions of pounds of this unchecked meat are sold annually. The committee bill would offer incentives to states to inspect such products, a remedy of doubtful effectiveness.

Instead, the Smith-Foley measure would extend federal inspection to all meat plants with more than $250,000 annual sales, regardless of whether their products are sold within one state or in many. This would reach nearly all of the meats now being sold without proper inspection.

Among backers of the stronger approach is the Amalgamated Meat Cutters and Butcher Workmen of North America, a union whose members have first-hand knowledge of packing and processing practices. It says: "Most consumers believe they are fully protected concerning the sanitation and wholesomeness of meat and meat products. Unfortunately, this is not the case. Some 16 per cent (5.3 billion pounds) of meat slaughtered in the United States annually, and some 26 per cent (7.3 billion pounds) of meat processed into sausages and other products are outside the protective framework of federal meat inspection. We consider the committee bill a weak, ineffective measure. We support the stronger Smith-Foley bill."

[From the Chicago (Ill.) Daily News, Nov. 18, 1967]

To Assure Clean Meat

Two facts stand out above all others in the current meat scandal:

In this day and age everyone is entitled to expect that the meat he buys will be clean.

People in Chicago, Illinois and elsewhere in the United States have not had that assurance.

The fact that a federal compliance officer reports numerous instances in Chicago of filthy conditions and unsanitary practices in meat plants does not, of course, indict the whole industry. Chicagoans are entitled to assume that meat processing and handling conform to acceptable standards.

But neither does the contention that conditions cited in the federal report have been corrected provide all the reassurance needed by the consumers.

Presumably, if federal inspection standards and practices applied throughout Illinois, neither the currently charged bad practices nor the horsemeat scandal of the Stevenson administration would have happened. But federal inspection presently prevails only at plants involved in interstate operations. That takes in 95 per cent of Chicago's plants, and a smaller percentage Downstate.

We believe that both the city and state would benefit from being brought totally under federal standards.

This is the object of legislation now in Congress, and the question is, how tough should the new law be?

A bill by Sen. Joseph M. Montoya of New Mexico would give states two years to meet federal standards or come under federal inspection. Another bill by Sen. Walter F. Mondale of Minnesota would impose federal inspection right now.

Either bill should do the job, but we like the one that would get it done now. A substantial saving to taxpayers should result from elimination of the redundant inspection systems now maintained by the city and state.

[From the Des Moines (Iowa) Register, Nov. 4, 1967]

Meat Inspection

Late support from the Johnson Administration wasn't enough to save a House amendment to the proposed Wholesome Meat Act which would have extended federal inspection to many packing plants that sell only within their own states. The House adopted the bill Tuesday after defeating the amendment 140 to 98.

The measure would update and clarify the original meat inspection law, which has remained almost unchanged for 60 years, and provide grants to state inspection agencies to meet federal standards. The amendment would have extended federal inspection to some 6,000 intrastate plants doing more than $250,000 worth of business a year.

The House vote preceded revelation by The Register's Washington Bureau that the head of an organization of 600 western states packers had launched a campaign fund drive for "friendly" congressmen while the inspection amendment was still before the House. The drive was halted by the conservative congressmen who recognized that public disclosure of the fund would hurt the packers' cause. That the fund-raising effort was made, however, stands as evidence of the intrastate packers' financial interest in avoiding the expense of meeting adequate health and sanitation standards.

The House measure now goes to the Senate, where a bill has already been introduced by Senator Walter Mondale (Dem., Minn.) which incorporates provisions of the defeated amendment. Passage of the stronger version seems more likely in the Senate, but it would still have to face conference sessions with House members.

Debate in the House became a basically partisan argument between conservatives and liberals over states' rights. Republicans said the amendment "could virtually eliminate state inspection programs" by taking away part of their jurisdiction. And, they claimed, it would assign a state and local responsibility to the federal government.

Actual conditions within states do not support this argument. Twelve states have only voluntary inspection of packing plants, and 10 have no inspection systems at all. Even many states with mandatory inspection have understaffed agencies with insufficient budgets which are unable to do an adequate job of assuring consumers pure meat. Putting the larger packing plants under federal inspection would bring needed relief to state agencies, allowing them to do a better job with the smaller plants and lockers.

It is significant that virtually all House members now agree that action to improve state inspection systems is needed. In 1965, the 89th Congress ignored an Administration bill on this subject. Now, passage of at least the weaker proposal seems assured.

However, that is not enough, in our opinion. We hope the Senate will pass the full extension of federal meat inspection and press the issue with the House. It is absurd to defend state regulation as some fundamental principle of the division of governmental powers. Public health is a nationwide matter, and there is no logic to a system which tolerates no inspection for a large percentage of the meat consumed in many states. The arguments in favor of state regulation are sheer sophistry for permitting unscrupulous meat and poultry processors to foist off unclean and insanitary food products on the public.

[From the Baltimore (Md.) Sun, Nov. 23, 1967]

MEAT INSPECTION

Senators Mondale and Montoya have agreed to a wise compromise meat inspection bill. Mondale wanted immediate Federal inspection of plants producing meat for use within a single state. Montoya wanted states coerced to improve their own inspecting, with Federal agencies coming in only if after two years there was state default. The compromise bill calls for state-Federal cooperation, but allows the United States Department of Agriculture to intervene immediately if it finds in intra-state plants conditions that threaten the public's health. A Senate committee has approved this compromise.

There is an excellent chance that this bill will win Senate, then full congressional approval, even though the bill already passed by the House of Representatives is a very weak measure. The reason for this is that in just recent weeks public support for "guaranteed" meat has mushroomed. The general interest usually prevails over the special, when the public is informed of the issue and the issue is one pertinent enough to one's day-to-day living to cause enthusiasm.

When the bill becomes law, much credit should go to Representative Neal Smith, of Iowa, who has been fignting for greater control of intra-state meats since the beginning of the decade.

[From the Houston (Tex.) Post, Nov. 20, 1967]

MANDATORY MEAT INSPECTION

It is probable that when most consumers buy meat they assume that it has been inspected by some governmental agency somewhere to determine that the animal was not diseased and that the meat was processed and packaged under sanitary conditions.

Yet it is an assumption that may not be true. Texas is one of 22 states that do not now have mandatory meat inspection laws. It only has a voluntary law. As a result, it is possible for a housewife to buy meat in the state that has not been inspected by any governmental agency.

If there is any area in which the doctrine of let the buyer beware should not apply, it is that of public health. In today's highly complex and impersonal society, the responsibility for seeing that all foods and drugs are safe for human consumption is an especially important one. Every person should be able to buy any food or drug item offered for sale anywhere and be certain that it is safe, that it has been checked and approved by some public authority.

Proposals now are being considered in Washington to make federal meat inspection mandatory and extend it to cover meat produced and sold within the states. It is another case of the federal government being forced to do what the states themselves have not done adequately despite a need for regulatory action.

The Johnson administration originally proposed a co-operative federal-state inspection program, offering federal aid to the states willing to participate, but it would not have been mandatory. Later, the Department of Agriculture endorsed a proposal by Sen. Joseph M. Montoya of New Mexico that would give the states three years in which to set up satisfactory inspection programs. If a state did not act, then the federal government would step in with its inspection system.

More recently, the White House has thrown its support to a meat inspection bill sponsored by Sen. Walter F. Mondale of Minnesota, to make federal inspection mandatory within the states.

About 60 Texas cities, including Houston, have their own meat inspection systems, under the general supervision of the State Health Department. State inspectors and veterinarians also keep a watch on 42 plants that requested inspection. But the inspection is not required. The slaughter houses and packing plants pay the costs of the program.

But much uninspected meat still is sold in the state. Nobody has the slightest idea how much. Plants that do not sell meat outside the state are not now required to submit to inspection. Most of the uninspected meat is sold locally. Purchasers are protected only by the conscience of the processor.

It would appear that, one way or another, there is going to be mandatory inspection for all meat marketed in the state, and if the state does not act to give the public maximum protection, the federal government will.

[From the St. Louis (Mo.) Post-Dispatch, Nov. 21, 1967]

A STRONGER MEAT BILL

A Senate compromise holds better hope than a House-approved bill of assuring public protection against impure meat.

The compromise is the work of Senators Mondale of Minnesota and Montoya of New Mexico. Originally, the latter Senator wanted to give the states two years to bring their own inspection procedures up to federal standards. Senator Mondale proposed immediate federal inspection of all packing plants, allowing the states to take over when they met federal standards.

Now the two Senators have agreed to give the states two years to develop adequate meat inspection, but the Secretary of Agriculture could act immediately against any plant whose products endangered public health.

Citizens under the impression that they already are protected from impure meat may be confused by all this. But the fact is that Congress has hardly changed meat inspection since it was adopted 60 years ago, applying only federal inspection and that only to meat in interstate commerce. Some 14,000 packing plants selling inside particular states have escaped federal inspection; only 28 states have mandatory inspection laws and these vary. The results, as congressional committees have been hearing, can be frightening for the consumer.

A few weeks ago the House overwhelmingly passed a bill for federal aid to encourage states to develop inspection programs to federal standards. This promised some help for the public, but the fact is that many states are not eager for federal money with federal standards attached unless it is for something like highways, which nobody opposes. Meat inspection has had far less priority in state capitals. The Senate compromise would give the states the aid but compel results. In the areas of a nutritional hazard it is the results which interest the public.

[From the St. Paul (Minn.) Pioneer Press, Nov. 26, 1967]

STATE MEAT LAW NOT ENOUGH

State officials maintained for some time that there were no serious problems with regard to sanitation in intrastate meat plants not subject to federal inspection. This attitude is now changed. The state Agriculture Commissioner has ordered a crack-down on processors not in strict compliance with the law.

In an "ultimatum memorandum" Commissioner Russell Schwandt said: "Some plants have failed to comply with orders from this Department to provide the facilities required to legally operate a slaughter-process plant in Minnesota."

State and Federal inspectors also have begun a joint check on intrastate operations.

These developments result from disclosures of undesirable conditions in some Minnesota plants which do not have to meet federal standards because they do not ship their products across state lines. The disclosures came out of Washington in connection with Senator Walter Mondale's efforts to expand federal inspection services and standards to intrastate plants. His proposals have been opposed by Governor Levander.

While most meats sold in Minnesota are undoubtedly wholesome and processed under sanitary conditions, this is no excuse for permitting bad conditions to prevail in those plants which are below par. The public interest calls for complete compliance. State officials are in a far better position in their new attitude of vigorous enforcement than they were previously in their efforts to paper over the weaknesses of the situation.

Even 100% enforcement of state law, however, would not provide complete protection for the public. Minnesota's regulatory statutes are weak and the inspection system is under-manned. State controls apply to sanitary conditions of processing and slaughter plants, not to the condition of livestock before slaughter nor to the carcasses after slaughter.

Another grave weakness permits intrastate plants to process and sell meat products which contain more water, chemical additives, and "fillers" than are permitted by federal standards. In effect, this encourages legal sale of substandard products even though they may be made from wholesome meats under sanitary conditions.

The need for stronger federal laws to bring all meats up to acceptable standards remains. The Senate should pass the Mondale-Montoya Bill to achieve this result, and the House should do the same.

EXHIBIT 3

A REVIEW OF CERTAIN ASPECTS OF STATE AND FEDERAL MEAT INSPECTION SERVICES AND PROCEDURES

(By the Agricultural Research Service, U.S. Department of Agriculture, January 1963)

CONGRESSIONAL DIRECTIVE

House Report No. 2024 to accompany H.R. 12648 (87th Congress, 2nd Session), Department of Agriculture and Related Agencies Appropriation Bill, 1963, states:

"The Committee wishes to express again its concern that, though meat has already been officially inspected and passed for wholesomeness, public funds are also being expended for inspecting processed food products which contain portions of such inspected meat. This inspection deals primarily with such things as composition and ingredients of prepared meat products and is of primary value to the trade in the form of 'government inspected' labels. The Committee points this up since the cost of meat inspection has increased from $9 million in 1947 to over $24 million in 1962, an increase of nearly 170 percent in 15 years. Unless some changes in inspection procedures and coverage are made, the potential cost of meat inspection will soon expand far beyond reason. In this connection, the Department is requested to make a special study to determine to what extent it can certify State meat inspection services and license them to inspect meat which moves in interstate commerce."

A REVIEW OF CERTAIN ASPECTS OF STATE AND FEDERAL MEAT INSPECTION SERVICES AND PROCEDURES

This report has been prepared in response to a request from the House and the Senate Committees on Approximations for a special study to determine to what extent the Department of Agriculture could certify State meat inspection services and license them to inspect meat moving in interstate commerce.

The Department has brought together and reviewed existing State laws covering inspection of meat, and sent trained personnel to observe practices and procedures for meat inspection in non-Federally inspected plants.

The Federal Meat Inspection Act and its

administration have provided a model of meat inspection by which many other countries have patterned their systems. Most States with legislation on meat inspection have used the Federal law as a basis for State laws. Thirty-four of the 50 States have statutes providing varying types of inspection services; 31 are actually carrying out some type of meat inspection activity.

A review of the State laws reveals a lack of uniformity in requirements from one State to another. The laws vary widely with regard to scope and the extent to which they are implemented in actual practice. Some States have comprehensive laws, others provide only for ante-mortem and post-mortem inspection, and still others provide only for licensing.

Comparison of Federal and State requirements for meat inspection

Federal	State
Pre-slaughter inspection of every animal.	17 States have ante-mortem inspection.
Examination of all carcasses and viscera.	18 States have similar provisions.
Supervision of sanitation of plant and equipment at all times.	25 States have varying sanitary requirements.
Mark of inspection on meat products.	27 States require marking inspected products.
Reinspection of meats that may have deteriorated during handling.	6 States provide for reinspection.
Examination of all meat during processing.	16 States have somewhat similar provisions.
Prohibition of false or deceptive labels.	16 States have somewhat similar provisions.
Criminal penalties for violations.	28 States provide some penalties.
Authority to withdraw or deny inspection for noncompliance.	27 States—in varying degrees.
Under supervision unfit meats and meat products condemned and destroyed for food purposes.	21 States include some provision for control of condemned meats.
Inspection financed by appropriated funds, except for overtime. Industry reimburses USDA for overtime.	9 States appropriate funds for entire cost of inspection. 8 States require industry to pay entire cost. 17 States share cost with industry.

Having a statute on the books does not in itself mean that a comprehensive meat inspection program exists. The degree to which such statutes are implemented varies from State to State, and from time to time within a State.

Observations in nonfederally inspected plants

The cooperation of State meat inspection officials paved the way for first-hand observations in non-federally inspected plants.

The Department's observations covered a cross-section of slaughtering and meat processing establishments. These varied in size from small operations, employing one or two persons, to large establishments employing many persons. USDA representatives visited these plants, sometimes in the company of State officials, sometimes alone. Visits were made to establishments in every State, except Alaska, whether or not the State provided for meat inspection.

The observations covered some very fine plants, with good construction, practicing modern principles of sanitation, and using trained inspectors who were doing a good job.

However, in other establishments the reverse was true—plants were poorly constructed for maintenance of adequate sanitation and operating without proper regard for sanitation and inspection. The observations revealed the presence of conditions and practices not acceptable under Federal meat inspection standards. Such conditions and practices were found in establishments operating in States with no inspectional controls of any kind; in some States where inspectional controls were weak; and in still others where inspection covered slaughtering operations but not the preparation of processed meats.

Some of the worst conditions observed included:

1. Allowing edible portions of carcasses to come in contact with manure, pus, and other sources of contamination during the dressing operations.

2. Allowing meat food products during preparation to become contaminated with filth from improperly cleaned equipment and facilities.

3. Use of chemical additives and preservatives that would not have been permitted under Federal meat inspection.

4. Failing to use procedures to detect or control parasites transmissible to man that would lead to diseases, such as trichinosis and cysticercosis.

5. Use of inspection and operating controls that were not sufficient to prevent possible adulteration of meat food products during their preparation, with substances such as water, gum, cereals, or sodium caseinate.

6. The use of false or deceptive labels and packaging materials.

7. Failing to supervise destruction of obviously diseased tissues and spoiled, putrid, or filthy materials.

8. Working without any inspector, or with unqualified and poorly trained inspectors, without adequate supervision.

Observers reported meat from sick or unfit animals set aside in some plants for use in preparing human food.

Extent to which department can certify State services

Federal standards are the minimum to assure the public a meat supply that is safe, wholesome, and truthfully represented. In cooperating with the States in providing meat inspection services, the Department has determined, as a result of these findings, that it can recognize those establishments that meet Federal standards for sanitation in plant operations, wholesomeness of product, and accuracy of labeling.

In order for the Secretary to recognize and certify an establishment, that establishment will have to accept and use Federal standards, which are the minimum for the public interest. A number of establishments not now Federally inspected could qualify for certification with appropriate authorization on the part of the Secretary. Public Law 87-718 provides for cooperation with States in administration and enforcement of certain Federal laws.

When the proposal for this law was reported out of committee, the House Committee on Agriculture stated: "By granting authority to the Secretary of Agriculture to cooperate with the States, Congress does not thereby authorize the Secretary to establish Federal policy in accordance with State policy nor to modify Federal policy or statutory provisions. For example, should the Secretary enter into an agreement to cooperate with a State in carrying out Federal meat inspection, the eligibility and sanitation requirements of such inspection would be those of the Federal statute; the inspection would be Federal inspection, not State inspection, even though it might be carried out by a State employee; and the Federal policy that meat inspection may be done only by an employee paid with public funds would be controlling."

Since the enactment of P.L. 87-718, the Secretary has designated a joint task force to consider such cooperative arrangements. The task force includes Department personnel and representatives of the National Association of State Departments of Agriculture.

The Department already has strengthened its co-operation with States by providing technical counsel, when requested, for guidance to the States in improving their meat inspection services. In addition, collaborators have been appointed in 47 States to work with the Meat Inspection Division. These specialists, who are State employees and designated by their own State agencies, are appointed by the Secretary and without pay by the Department. They are invited to meetings with Meat Inspection Division personnel for exchanges of professional and technical information and views. Federal meat inspection officials also maintain liaison with the State collaborators at other times.

APPENDIX I—ADMINISTRATION AND COST OF FEDERAL MEAT INSPECTION

Adequate administration of the Federal Meat Inspection Act calls for the use of trained inspectors to perform specific duties in carrying out the requirements of the law. Of the 3,300 Federal meat inspectors, nearly 800 are veterinarians—graduates from schools and colleges of veterinary medicine. Their qualifications for this demanding work include professional training in pathology, chemistry, bacteriology, public health, clinical medicine, and related fields. This training provides background and experience for making an informed judgment on conditions of animal health, meat wholesomeness, and their effects on human health.

The assurance of safe, wholesome meats as provided by the Meat Inspection Act costs each consumer an average of 13 cents a year. If all inspection costs were charged against the number of animals slaughtered, the average would be only 22½ cents per animal for the 107 million animals slaughtered last year under Federal inspection.

Appropriated funds increased from $9,160,000 in 1947, to $24,216,000 in 1962. Of this $15 million increase, $10.1 million was used to cover Pay Act increases, and fringe benefits such as costs for employee health insurance and increases in retirement, as well as Civil Service Commission reclassification of positions.

Increases in per diem and mileage allowances, increases in costs for equipment and rentals, and the general increases in pay were taken from funds provided for increased program activities. Increased output per man enabled the Meat Inspection Division to function with a minimum increase in staff during the past 15 years. With an actual increase of only about eight percent in man-years, the Division increased the number of establishments served by 58 percent, and cities and towns by 39 percent. During this time the number of animals slaughtered under Federal inspection increased by 27 percent and the pounds of meat processed by 63 percent.

The decentralization of the meat packing and processing industry is one of the most significant factors in cost increases. During this period, the Department added 246 different cities and towns and extended service to 558 additional establishments. The number of added plants coming under Federal inspection in fiscal years 1957-1962 averaged 53 a year. In fiscal year 1963, the rate is about 30 percent greater. Plant production went up between 1947 and 1962. The number of animals slaughtered under Federal inspection increased from 84 million to 107 million, and processed meat and meat food products **from 11 billion to 18 billion pounds.**

Another significant change in the industry is the accelerated trend to convenience foods. These include the ready-to-eat and ready-to-heat-and-serve items, such as frozen dinners, meat pies, pizzas, and other specialty dishes. As the industry widens the range of foods offered in this category, it increases the number of processing procedures and ingredients for meat inspectors to know, and check.

Inspection coverage for such a rapidly expanding and changing industry has been through:

1. Improvement in plant design at the blueprint stage for new or remodeled facilities to provide for the maximum use of personnel.
2. Improvement of inspectional procedures and sampling techniques.
3. Provision of inspection coverage of plant operations after an 8-hour day and for third shifts on an over-time basis, for which time the Government is reimbursed by the packer.

APPENDIX II—WHY INSPECTION OF PROCESSING?

The Federal Meat Inspection Act is explicit in its requirements covering: (1) the inspection and examination of meat food products *during preparation* to assure fitness for human food; (2) the elimination of unfit products from human food channels; and (3) the prior approval of trade names to assure that meat and meat food products are not sold under false or deceptive names. Federal inspection is required at any slaughtering or meat processing plant that prepares product for interstate or foreign commerce, with only limited exceptions for retailers and farm prepared products.

Processing is the area of greatest potential for adulteration, contamination, and use of meat that has become unsound through improper handling. Once processing is completed, certain types of adulteration and deterioration are almost impossible to detect. This also is the area in which industry faces its greatest pressures of competition. Short cuts in procedures tend to accentuate the potentials in meat and meat food products for the use of practices and existence of conditions that may not be wholly acceptable from the standpoint of sanitation, wholesomeness, and safety that the public has a right to expect.

Meat inspection procedures for activities other than ante-mortem and post-mortem inspection have specific purposes. Here are selected examples of these activities under Federal inspection:

A. Prevention of diseases or parasitic conditions transmissible to man from meat or meat food products

Trichinosis: Trichinosis is an age-old disease caused by a parasite of carnivorous animals (including man). It is transmitted to man generally through the consumption of raw or improperly cooked pork muscle tissue. This nematode is microscopic in size and cannot be detected by gross visual examination during post-mortem inspection operations.

While only a small percentage of the hogs produced in the United States are affected with this parasite, any relaxation of trichinae controls could expose large numbers of the consuming public to this pain-producing and sometime death-producing parasite. This becomes increasingly important as consumer demands turn to the use of convenience foods, such as frozen meat dinners and ready-to-eat sausages that are served in the home after short periods of cooking at relatively low temperatures.

B. Prevention of adulteration with uninspected meat

Ante-mortem and post-mortem inspection assure that the meat for food is derived from healthy animals and is sound and wholesome. All meats used in processed food products in Federally inspected establishments must originate from: (1) carcasses inspected and passed by USDA veterinarians within a given establishment's premises; (2) carcasses from other Federally inspected establishments; and (3) imported meat that has passed U.S. inspection.

Federal inspection controls prevent the use of unclean and unwholesome meat in the processing operations. Inspection at this stage is essential because certain adulteration cannot be detected once the processing is completed.

Last year, 22.2 million pounds of meat that had been passed on ante-mortem and post-mortem inspection were condemned on reinspection because of later deterioration, and destroyed:

Tainted	9, 214, 424
Rancid	336, 557
Molds or foreign odors	1, 524, 398
Unsound canned goods	495, 834
Unclean or contaminated	10, 324, 132
Miscellaneous	379, 852
Total	22, 275, 197

C. Prevention of adulteration with unsafe and unfit additives

Every year, new chemicals are developed that will preserve, emulsify, soften, color, increase water-binding power or inhibit rancidity of meat, and in many other ways alter the natural properties of meat. These are being offered to the food industry in ever increasing numbers. Some of these are good and represent progress in food technology. However, some are known to be unsafe and the safety of many others has not been established.

Normally, meat and non-sterile meat products contain bacteria that enter or may be deposited on meat through air, water, or handling. Generally, they are of the spoilage type; but toxin-formers or disease-producing bacteria may also be present. Meats that are prepared under good sanitary operating conditions, receive proper handling, and are adequately refrigerated will remain wholesome for several days. Improper handling of products, use of poor storage facilities for products, or use of excessively old meat ingredients produce changes in meat that are usually detectable by the consumer. These changes are brought about by an over-growth of spoilage organisms. Their presence in meat in large numbers can be detected by their products of growth, such as odor, change in flavor, and change in meat color.

Normally, the spoilage bacteria grow more abundantly and more rapidly than toxin or disease-producing bacteria. Usually, their products of growth delay or prevent normal development of toxin and disease formers. Therefore, whenever the normal growth of spoilage organisms is altered with chemical preservatives or antibiotics, the usual indications of spoilage may be absent. In this way, meat products may appear to have normal color, normal odor and flavor—yet these products, with preservatives but without evidence of spoilage, may contain toxins or disease-producing organisms.

Meat color can be improved by the use of dyes or the addition of chemicals such as sodium sulfite. Other chemicals, such as benzoate compounds, would serve to act as preservatives. These and other harmful practices deceive the consumer by making the product appear better than it really is. The use of harmful or otherwise unacceptable additives can be successfully prevented only by actions of trained inspectors having at their disposal competent laboratory facilities, such as those provided under the Federal system.

Antibiotics, such as aureomycin (chlortetracycline), can be used as a substitute for good sanitation and to mask spoilage.

Other reasons for excluding antibiotics from Federally inspected establishments are:

(1) Antibiotics inhibit some spoilage organisms while not inhibiting others that might be harmful to consumers. This deprives the consumer of normal spoilage characteristics for judging product that is aged, that has been grossly mishandled, or held without proper refrigeration.

(2) The use of antibiotics in foods could encourage the development of resistant organisms in establishment personnel and on product. (Some hospitals have had similar experiences resulting from widespread use of penicillin.)

(3) The use of antibiotics in foods presents the possibility of sensitizing or rendering large segments of the population tolerant to them so that their use for serious medical needs would be nullified.

(4) Antibiotics, such as aureomycin, in food could damage normal bacterial flora in consumers.

D. Prevention of adulteration with filth

Federal inspectors, trained in principles of meat hygiene, supply supervision of overall plant operations to prevent the contamination of processed meats with filth and unsanitary practices. Relaxing, thinning, or removing processing inspection control, such as provided under Federal meat inspection, would set the stage for contamination of our meat supply with many kinds of filth.

E. Prevention of use of adulterants that reduce nutritional value

Federal inspection prevents the substitution of inexpensive materials such as gums, alginates, and cereals to cut costs of production. Water, as an extender, is the one we have to watch most carefully. Laboratory analysis is not a substitute for effective inspection that prevents deception from taking place.

F. Prevention of false or deceptive labeling

Label inspection control is essential for effective application of composition standards and to assure that the consumer receives a meat or meat food product accurately identified.

ALABAMA

Plant No. 1

On July 28, 1967, during a visit to the above named plant, the following was observed:

The cooler floor was dirty and had been partially covered with brown paper to catch blood drippings. The cooler contained a dressed hog with a sore on the side which had not been trimmed and several hogs with excess hair. Boxed product was stored on the floor.

The cutting table and curing bins for curing dry salt meat were wooden, making it impossible to properly clean them.

The dressing room had been cleaned and was ready for use, but the hog de-hairer was dirty as well as the cow skinning knife and saws.

Plant No. 2

On July 28, 1967, the following was observed at the above named plant:

This small plant had dirty floors in the processing room, dirty meat cases where most of their meat was stored, and the boning table had dirty sides and legs. Water pipes covered with brown paper were used to smoke link sausage, and the ends of the pipe not covered by paper showed an excessive amount of buildup.

The door was opened to the killing room and I observed a dirty wall and a dirty wooden table used in hog dressing.

ALASKA

Plant No. 1

While in Alaska recently I visited the subject plant which operates a meat fabricating and sausage manufacturing business without any inspection. This is a beautiful plant built since the earthquake with all modern stainless steel equipment. The plant looks like it hadn't been cleaned properly since they started. The working areas are congested because of storage of cartons, spices, etc. The employees were dressed in street clothes and some of them were pretty dirty.

ARIZONA

Plant No. 1

This plant is a beef slaughtering house operating under the Arizona inspection system. The building is in need of repair, especially where walls, doors, etc., have been damaged. Meat handling procedures and sanitation should be improved. Slight odors of sewer gas were noted.

Plant No. 2

This plant is a wholesale meat jobber as well as a retailer (has outlet connected to plant). Operates under the State of Arizona meat inspection system. Building fairly new but overcrowded. Cluttered with cans, pans, equipment, etc. A great deal of room for improvement on their sanitation.

Plant No. 3

This plant is a wholesale meat jobber and conducts smoking of hams. It is under the State of Arizona Meat Inspection system. This building is new, but facilities are inadequate. Working areas are crowded. General sanitation is poor throughout. Smokehouse area is cluttered with storage of boxes, paper, bags, etc. Overall sanitation could be greatly improved. No sterilizers in the working areas. Wooden tables are in use. Equipment is inadequately sanitized.

ARKANSAS

1. On August 1, 1967, I contacted ——— owner of the above firm. This firm is not under inspection. It conducts a small operation and custom slaughtering, a wholesale and retail business. The daily volume capacity is 35 head cows, and 20 head of hogs. The owner claims all inedible products are hauled out and burned.

Plant facilities

1. No fly control measures instituted.

2. Small drain in slaughtering room floor drainage clogged.

3. Cement floor with cracks ½ inch deep and approximately ½ inch wide filled with blood and manure.

4. Open ceiling in kill floor, cobwebs hanging from roof.

5. Lighting system not adequate.

6. No hand washing facilities in killing room.

7. Employees not provided with sterilizing equipment for use when working on diseased or contaminated carcasses.

8. Killing room not properly ventilated.

9. House employees' aprons were dirty. It appeared that blood was caked on their aprons and had never been washed. Also their boots were filthy covered with blood and manure.

10. Toilets were not equipped with ventilation; trash was accumulating on the floor. The toilets and urinal was dirty and malodorous. They led directly to the boning room.

2. On this date I contacted Mr. ———, owner. This firm has sanitation inspection only and it is conducted by the City Health Department. The owner offered to take me through the slaughtering plant. During this tour the following observations were made:

All doors, windows and entry-ways were not screened and were completely open to the outside, the butchers were just opening a cow. This cow had not been skinned before making the opening. When the employee or butcher had removed the viscera, he "pitched" the liver over onto a wooden table where 5 or 6 other livers were lying. When it hit the table swarms of flies flew up from the table. Mr. ——— showed me the hog dehairing machine. When he turned it on the flies were so thick I had to move back away from it. The machine had not been sanitized and emitted a very foul odor.

The slaughtering room was not equipped with hand washing facilities. Also no facilities were provided to sterilize equipment when employees were working on diseased or contaminated carcasses. All equipment in slaughtering room constructed of wood and was covered with dried blood and manure. There was only one small drain located in the slaughtering room and it was clogged with blood and manure. Employees were dressed in plain work clothing wearing dirty aprons and boots. One employee was chewing tobacco and expectorating frequently on the floor.

All tables in the boning room were also constructed of wood. The surface of these tables was worn. Grease, blood and particles of meat were present. A strong offensive odor was given off.

All meat trimmings were packed in waxed poultry boxes that bore the Federal mark of inspection and the U.S.D.A. Grade A mark. I called this to Mr. ———'s attention and explained to him that this is a violation of the Poultry Products Inspection Act and the Agriculture Marketing Act. We then went to the holding freezer. We observed that all of the boxes were labeled as noted above. Mr. ——— then instructed one of his employees to remove all labeling from the boxes in the cooler.

3. On this date I contacted ——— owner of the above firm. I was informed by ——— that they do not operate under City, State or Federal inspection. This firm also has attached to the slaughtering operation a wholesale and retail store. Their daily slaughtering consists of 15 head of cattle and 10 hogs.

——— did not invite me into his slaughtering operations. Actually, when I asked him if I could see how they killed their cattle he said that he did not care to take me back to the slaughtering room but said some other time I came through he would gladly show me his plant. After I left him I went outside ———. I noticed two butchers or employees driving cattle to the kill. These employees were wading in mud and were wearing very dirty aprons and dirty clothing.

CALIFORNIA

Limited progress has been made in improvement of California State Meat Inspection since 1963. Some of the points important to subject are as follows:

1. Legislation to extend mandatory inspection to counties with population of less than 28,000 has been enacted. However, to this date, additional funds are not available to provide for the extra inspectional coverage.

2. Numerous plants located around the state regularly slaughter 4–D animals not for human consumption. These plants operate with little or no supervision and are an ever present possible source of unwholesome meat for human food in that there are no requirements which provide for the decharacterization of the product produced.

3. Canned meat food product is produced without any semblance of inspection on the part of California State Meat Inspection. A review of retort charts is made by the cannery division of California Food & Drug but no control is maintained over formulation nor daily handling of product.

4. There is a real problem in California with plants which fabricate, bone or otherwise handle meat product in such a manner as to not constitute "processing". These plants are chiefly engaged in supplying hotels, restaurants, ship's stores, and institutions. There is no meat inspection supervision provided for such plants nor for "locker plants." Sanitation and product handling in such plants is often very poor.

5. The City of San Francisco is the last remaining City Inspection (state approved). This so called "inspection" is done by the City Health Department and leaves much to be desired.

In our opinion, California State Meat Inspection personnel do a very creditable job considering inadequate laws, insufficient personnel and money.

No real progress has been made since 1963.

Plant No. 1

This subject plant is a wholesale jobber with a retail outlet located on the side. The only inspection furnished is "sanitation" furnished by the Los Angeles County Health Department which is not on a day-to-day basis. The building is fairly new and in good condition. The coolers could stand some cleaning. The working area was covered with sawdust. Under the working tables was an assortment of "junk". Equipment was dirty and the area lacked sterilizers for the men's knives.

Plant No. 2

Subject canning company operates with normal business permit, inspection furnished by the Los Angeles County Health Department. The operation is located in a building that is falling apart. It is infested with flies, cockroaches, and rodents since there are many openings located around the structure. Storage facilities are lacking, everything is out in the open. The cutting table where the tripe is cut is an old board, splinters are visible. The cooler is small, product is stacked on top of open containers, the whole place smells bad, the stench is terrible. There is nothing to help keep the operation clean, no semblance of sanitation.

Plant No. 3

Subject meat company operates under the supervision of the State of California Meat Inspection Bureau, their number is ——— and they are a wholesale jobber.

The walls and floors of the building are in need of repair. There are wooden top tables used in the cutting and boning rooms. There are no sterilizers located in the working area for the employees. Procedures in handling the meat are not correct. Cooler doors were left open allowing the cooler to get warm. Equipment needs to be cleaned. Edible and inedible receptacles need to be clearly marked and identified.

Plant No. 4

This canning company operates with a regular business permit. Inspection is furnished by the Los Angeles County Health Department. The operation is located in a building that is falling apart. It is infested with flies, cockroaches, and rodents. There are many openings located around the structure. Storage facilities are lacking and everything is out in the open. The cutting table where the tripe is cut is an old board with splinters that are visible. The cooler is too small; product is stacked on top of open containers. The stench is terrible. There is nothing to help keep the operation clean, no semblance of sanitation.

COLORADO

Plant No. 1

On the morning of July 29, 1967, I visited subject firm which is a processing plant only. The man at the chopper had a cigarette in one hand and was picking his nose with the other. Without washing his hands he [put] his hand into the comminuted product. felt the texture, and then added more ice into the mixture without any effort to weigh the ice. There is no processing inspection conducted in the city visited although their labels bear legends stating the plant is state approved and inspected.

The cooler ceilings and walls were covered with dirt, blood, fat, and black mold. The cutting tables in the beef cooler had big cracks and were sour smelling. A man was wrapping up pork shoulder picnics, dropped one in the sawdust on the floor, picked it up and wiped it off with a dirty sour rag.

He then placed the picnic in a used poultry box which still bore the marks of federal inspection and grading.

I demonstrated to management how these marks must be removed or obliterated, and advised them of the violation involved and the penalty involved for such misuse of the marks of federal inspection and grading.

Hams and frankfurters were being removed from the smokehouse and I did not witness any one taking temperatures of these products.

Plant No. 2

On July 25, 1967 I reviewed subject firm while checking on an alleged violation the Meat Inspection Act by one of subject firm's distributors.

Since this plant does not slaughter, only processes and fabricates meats, it is not subject to inspection and consequently sanitary conditions are very poor. Beef was being broken on an open dock by a dirt road in 95° weather. There were flies on the meat and there was no attempt to keep flies out of the plant. Drums of bones and meat scrap were covered with maggots. I picked up a used meat box and a large cockroach flew right into my face. Mr. Davis admitted using used meat and poultry boxes and was surprised when I advised him that the marks of federal inspection and or grading must be removed or obliterated before these boxes are acceptable for use.

I saw water being added to pork sausage and ground beef. The men lugging beef wore no protective covering over their street clothes.

Plant No. 3

On July 28, 1967, I surveyed subject plant. This plant slaughters and processes meat. The slaughtering is inspected but the processing part of the business is not inspected. I talked with one of the owners who at first was non cooperative and resentful of my presence in the plant. When I noticed he was reusing a meat box bearing the marks of inspection of a federally inspected plant, I called his attention to section 8 of the Meat Inspection Act and advised him of the possible penalty for such violation of the Meat Inspection Act. Upon receipt of this information Mr. Stauffer became a little more cooperative.

Meat being processed into sausage items such as frankfurters, and braunschweiger was not clean. Some of the pork trimmings contained skin with hog hair still on them. The coolers were dirty and the ceiling was covered with mould. The odor of the place upset my stomach. Cereal and nonfat dry milk was being added to product grease, due to a faulty gasket directly into comminuted product. The entire plant had more of the appearance of an inedible plant than an edible producing plant.

Plant No. 4

On the evening of July 28, 1967, at subject plant I noticed three cows in the holding pens. One cow, a Holstein, had a large swollen udder with what appeared to be infected with mastitis. The second cow appeared to be emaciated, and the third was a "cancer eye" with part of the skull around the eye eaten away with cancer and infection. Outside of the killing floor there lay a large Hereford bull with a broken leg.

On the morning of July 29, 1967, I visited subject plant and the cancer eyed cow, and the cow with the infected udder had already been slaughtered and were hanging on the rail in front of the cooler. They had just killed the emaciated looking cow and it was laying on the floor. The bull with the broken leg was still laying outside the killing floor. The plant was a former wooden army barracks, converted. It was in very bad condition. The walls and ceilings were of a porous type of material similar to celotex, but was so crusted with blood and filth that it was difficult to ascertain what the material actually was.

Plant No. 5

This plant is very old and rundown. Sanitary conditions are far from adequate. Trucks and drums had the appearance of being reused over and over without ever cleaning them. Pipes were flaking rust into meat product. The walls and ceilings were dirty and mouldy. The floors were dirty with poor drainage. There was no effort to control the fly problem and there was strong evidence of vermin and roaches. This company too was advised of the requirements for re-using cartons bearing the marks of Federal Meat inspection.

Plant No. 6

On July 28, 1967 review of subject firm disclosed a small slaughtering and fabricating plant. The premises outside and the rooms inside could only be described as utterly filthy. Evidence of roaches and vermin was quite prevalent. There was no attempt made to control flies from entering the building. Water supply appeared to be from a well and the plant is located in a slum area where outside toilets are prevalent.

Although subject firm was not slaughtering at the time of my visit, the state livestock inspector at Pueblo, Colorado, stated that subject often slaughters 4–D type cattle.

Plant No. 7

During the evening of July 28, 1967, I observed the exterior premises of subject firm. To the rear of the building there was a dirt driveway. There were puddles of bloody, manure filled, stagnant water. Drums which appeared to be for use of inedible material were stacked near the rear of the building. Rats were working in the drums, and trash incinerator. As I watched I noticed a rat enter the part of the building which appeared to be the killing floor. The exterior of the building was wood and tin.

On the morning of July 29, 1967, I visited subject firm. It was more than evident that there had been no attempt to clean the place up from the previous day's business. The employee showing me through the plant attempted to explain that they never clean up until the beginning of the new day. The floor in the slaughtering room was rough broken cement, with very poor drainage. There were pools of rancid water, blood and manure on the floor. In the fabricating room they were breaking beef, grinding, and cutting steaks. The band saw had not been cleaned for several days and the bone dust in the bottom of the saw was filled with maggots. In the assembly room, I noticed rat droppings and tracks on boxes and wrapping paper and in the sawdust on the floor. They were not slaughtering at the time of my visit and management informed me that their meat inspector (city) only came around when they slaughtered.

I noticed that they were re-using meat and poultry boxes to pack their meat in. Closer observation disclosed that they were not removing the marks of federal inspection. I demonstrated to management how these marks must be removed or obliterated, and advised them of the violation and penalty involved for such misuse of the marks of federal inspection.

Plant No. 8

This plant has very poor drainage, sanitary conditions are deplorable, and the place can be smelled long before you get near it.

Rats, roaches, and flies have the run of the place. Hosing down of the killing floor was being done with cold water. No means available for sterilizing equipment and tools.

FLORIDA

Plant No. 1

This establishment produces most of its meat for human food. It operates with 3 men and 2 standby girls.

Average dog food meat produced is only 300 to 400 lbs. per month—about 5,000 lbs. per year. Also slaughters (in addition to cattle) 6 to 10 goats and sheep per year.

Obtains 4D cattle from farms (20 mile limit) and from the . . . says he will not take *old* deads—must be able to bleed. Limits pick-ups to about 20 miles because he can not use meat that has started to deteriorate. Does not pay for 4D animals.

He sells 4D meat in the form of ground beef. It appears edible—very nice looking hamburger. Does not decharacterize.

Plant No. 2

We asked ——— to present us to the inspector, and he told us the inspector was not in—they come and go unannounced. I inquired when an inspector had last visited the plant. ——— was sure one had come to the plant Wednesday (6 days ago), and thought one might have visited the plant the previous day. His 4D meat sells for 15¢ lb.

Labeling of his ground meat for dog food does not comply with Florida law—"Dog Food" in longhand on the packages is the only labeling.

IDAHO

Inspection of N.F.I. meat product in the state of Idaho is at a low ebb. Due to the recent dismissal of the former Chief, ——— it is reported that morale is at an all time low and little or nothing is being done.

It is our information that meat inspection in Idaho has regressed since 1963.

Plant No. 1

Unclean beef in cooler. Sanitation on killing floor poor. Inadequate lighting in slaughter area. Laminated boards in use on boning tables. Ceiling and loose paint throughout plant. Flies in and around loading dock and shipping area.

Plant No. 2

Scaling and loose paint throughout plant. Inadequate lighting in some areas. Cooler doors and jambs badly in need of repair. Beef carcasses rubbing wall with loose paint. Unclean beef (ingesta and hair) in cooler. Sausage material cooler badly in need of cleaning. Laminated boards used on boning tables. Flies on loading dock and shipping area.

Plant No. 3

Cattle being washed before hide removed. Head meat contained large amounts of hair and manure. Water pressure not adequate. Wash basin inoperative—no soap or towels. Walls throughout plant with block mold loose and scaling paint. Condemned stamped carcass in cooler not decharacterized. Calf carcasses in cooler very dirty. Beef carcasses in cooler dragging in sawdust. Meat being processed on broken plywood edible lard stored in basement in sump pump area. No doors on tank room from killing floors. Sour musty smell throughout plant. Sanitation very poor. Meat gondolas and tubs broken rusty. Hog heads in cooler awaiting boning very dirty.

INDIANA

Plant No. 1

Pork and beef cutting room—Here again the equipment was contaminated and rusty. Walls and overhead ceiling needed repair—cutting boards were slivered, etc. The kill floors, both cattle and swine, were old. The equipment badly in need of repair. The equipment, such as splitting saws, the hog viscera table and all the associated equipment on the floors were badly in need of cleaning. Again no hand washing facilities or sterilizers were to be found in the work areas.

Plant No. 2

Boning room—greasy meat scraps everywhere—saws, knives, steels very dirty. Table tops filthy. Walls in bad shape. Construction and sanitation poor.

Killing area in need of cleaning, rust and grease.

In all of the above areas no hand washing facilities or sterilizers were observed.

IOWA

Plant No. 1

Made the following observations at this plant:

Poor sanitation and housekeeping.

Some wooden floors and equipment.

Believed to slaughter cripples and downers at times.

Plant No. 2

I made the following observations at this plant:

Old and poorly maintained building.

Poor sanitation, especially floors.

Walls difficult to clean.

Overcrowded conditions.

Plant No. 3

Hog slaughtering, curing, smoking, sausage making.

Processing is performed on second floor of farm building.

I observed the following during two visits to this farm:

Overcrowded conditions for all operations.

Some wooden tables used.

Equipment difficult to clean.

Improper handling of inedible material.

Low rails.

Poor sanitation evident.

KANSAS

Plant No. 1

This plant operates with Grading Service. Cattle are slaughtered primarily with a few hogs being killed each week. This plant is clean, has good facilities, and adequate fly protection. At the time of my visit cattle were being killed but no Veterinary or Lay Inspector was evident. The plant operates under Kansas State Inspection. Federal Meat Inspection officials have been contacted regarding future Federal Inspection.

The lack of adequate post mortem was about the only undesirable feature of this plant.

Plant No. 2

This plant operates under Kansas State Inspection. I was conducted on a tour of the plant by owner. This plant slaughters only cattle, with a beef boning operation. The kill was not in operation at the time of my visit. No sterilizers were found on the filling floor or in the beef boning room. Rails were so low that many cattle were dragging the floor. Walls and ceilings were dirty. In the boning room equipment needed sanitation in the very worst way. The cutting boards were very dirty with accumulated blood and grease. Flies were in great abundance because the door from the cooler to the dock was not screened, or with any other adequate fly protection. This plant would never meet Federal requirements.

Plant No. 3

This plant has both an edible and inedible operation. The edible side operates under the Kansas State Health Department. The inedible operation is licensed by the Kansas State Livestock Sanitary Commission. This means that dead animals are picked up and boned for dog food. When I visited the plant I found the edible side not in operation. Flies were numerous with no provision made to keep them out. The edible and inedible operations are conducted in separate buildings which are only a few feet apart. On the outside of the inedible building I found lying on the ground the viscera and hide from an earlier slaughtering operation. I could not tell if the viscera and hide were from a dead animal or not.

It is hard for me to understand the approval from the state for operations such as this in such close proximity.

Plant No. 4

This plant has a complete operation except canning. It operates under Kansas State Inspection. I visited with ——— one of the brothers who operates the plant and he agreed to conduct me on a tour of the premises. I found the cutting boards in the boning room filthy—food with accumulated grease and blood. No sterilizers were observed. The walls and ceilings recently painted showed evidence of fat and blood on them. The killing floor ally rails and overheads were dirty with accumulated dirt and grease. Only one sterilizer was seen for the entire kill floor. The kill was not in operation at the time.

In the sausage formulating room no provision for refrigeration. The floor was cracked and pitted. The smokehouses were dirty with accumulated carbons and grease. Sausage racks and sticks were very dirty.

Outside areas were graveled and dusty. A great deal of work is necessary before this plant would meet Federal standards.

KENTUCKY

Plant No. 1

This firm operates under the inspection program of the State of Kentucky. Able to slaughter 100 head of cattle or 300 head of hogs but not on the same day. Plant manager ——— conducted the plant tour.

Shipping and receiving.—The area was infested with flies, meat scraps, and accumulated grease covered the floors. The ceiling and the covers for the rolling doors facing the street had been painted, was peeling and badly needed scraping and cleaning. The rollers with hooks for the shipping and receiving of cattle carcasses were greasy and rust covered and hung on an old barrel for storage. A saw and meat cleaver used to cut and chop the sides of beef was hanging on hooks that probably had not been cleaned since hung on the wall.

Coolers were in a slightly better condition, loose paint, greasy rusty rails, and the floor grease packed. The break-up area, equipment, tables, grinders, saw and under the saw table rusty and contaminated. Ante mortem and inedible rendering areas were in a filthy condition. Apparently it is accepted by the plant that since they are as such, little or no clean up is necessary to make these areas sanitary. Both areas lead out to the street and the city and state should be more interested in a more positive control to keep flies, odors and vermin to minimum.

Plant No. 2

This firm operates under the inspection program of the State of Kentucky. ———, Foreman, conducted the tour.

Shipping and receiving.—Small docks with porch like structure overhead, exposed to the elements. The walls, floors, pillars, and the immediate area on and around the dock were littered with paper, meat scraps, etc. There were containers stacked on the dock for use in the plant. These were encrusted with grease and filth from previous use; swarms of flies were everywhere. No refuse barrels were present and by the looks of the immediate area they do not use them. The area around the livestock yards; receiving and shipping docks had pot holes filled with water. Little is done to keep this area free from contamination. Sausage cooler small room, low overhead, poorly lighted, floor badly needed cleaning, dirty ceiling with loose paint hanging. The containers holding meat and the rack trucks located in the room were in need of cleaning. No refuse barrels or containers were present for the disposal of contaminated product.

Kill beef and swine.—This area was observed after the normal cleaning was conducted from the previous kill. The room is a small, poorly lighted, poorly ventilated, overly crowded room. The equipment, scalding tub, dehairing machine, etc., outdated, rusty, highly contaminated. The walls, ceiling, floors, were filthy, fly covered; in fact, everything visible was badly in need of a thorough cleaning. This area, like the previous ones, had no sterilizers or hand washing facilities. This plant, without a doubt, is in need of some type of an inspection program that will assure the consumer some protection against a product manufactured under such unsanitary conditions.

This plant was recommended as part of this survey by USDA Meat Inspector, ——— who with 40 years of meat inspection claimed "the dirtiest plant I've seen in 40 years."

LOUISIANA

Plant No. 1

Throughout the plant very unsanitary practices in handling meat or meat product were noticed. Accumulation of rubbish was evident in the box storage area and corridors. The entire plant had a very unpleasant musty odor. Numerous flies were seen in the kill floor. In the back of the building there was a collection of dented, filthy, foul smelling drums.

Plant No. 2

The above is a pork curing and salting operation.

Observations: Procedures employed by the persons handling these pork products was very unsanitary. Fresh hams that are being salted are stacked against the walls in the cooler. Four inch high tile brick is used as a "container" for these hams. The first row of hams were being contaminated with the water splashed from the floor. The floor is very uneven, four or five water (muddy) puddles were noticed in this cooler.

Wooden barrels (originally containers for olives) are used to hold the pickled hams. The nine or ten barrels in this room were observed to be thick with slime, inside and out. The steelbands could not be seen for the rust that covered them.

The shovels, scales, metal meat trucks, and all the equipment used at this plant is rusty and filthy. Condensation prevails throughout this establishment.

Plant No. 3

This is a Louisiana State inspected establishment, ———. The kill floor equipment and layout appear to be acceptable, with the exception of the lighting which was very poor.

The rest of the plant is old and visibly filthy. All of the walls are stained with greenish slime caused by humidity and condensation. The sausage manufacturing room has a very low ceiling (approx. 6½ feet high) partly covered with plywood. Unprotected light bulbs were observed in all working departments. The grinder, chopper, mixer and all other utensils used in the manufacture of meat products is old, rusty, and dirty and appears repulsive. Contamination of the food products produced at this plant is inevitable.

Beef lungs and condemned beef livers were being loaded into the bed of an open pick-up truck. No decharacterization of this material was performed. It was stated that these products were going to a mink farm to be used as feed for minks.

MASSACHUSETTS

All the above mentioned plants are located in Massachusetts, a State that does not have a meat inspection program. None of the plants mentioned receive any regulatory supervision. As far as I know, visits are made to the plants by State Inspectors only occasionally, and then only to advise them of the labeling requirements.

The owners and operators of the plants are placed on their honor to supervise the manufacturing processes, and the heating of pork products to arrest the action of trichina.

Products from all the plants mentioned, have been observed in most markets and supermarkets in the Eastern half of Massachusetts.

On the 2 days that I observed these plants the weather was hot and humid, and flies were prevalent at all locations.

MICHIGAN

Plant No. 1

A State of Michigan meat inspection program has been in effect for nearly two years. Slaughtering operations are supervised by the State of Michigan Livestock Division while processing operations are under the jurisdiction of the Food Inspection Service. State officials are quick to point out that Michigan requirements are "tougher than federal." They refer to state stipulations for Michigan Grade 1 sausage products and fat content of ground beef.

Surveys of state supervised plants reveal an abundance of wooden equipment, rusted galvanized containers and frequent direct contamination of product. Michigan places edible and inedible material in the same cooler not susceptible of being cleaned and hardly suitable for inedible product storage. Flies infest the shipping area and excessive wooden equipment remains in use. The last survey at ——— in ——— revealed he had no supply of hot water for cleanup operations. Thomasma Sausage Company in Grand Rapids and ——— Michigan used 4-D beef supplied by ——— for a long period of time until the raid by the State Attorney General in September, 1966.

——— operate under a unique system. The firm slaughters and prepares a limited number of comminuted products in quarters at the front of the premises. Just a few feet to the rear a 4-D operation is conducted. Advertisements for 4-D animals may be found in all local papers—except the town in which the operation is conducted. State authorities seem aware of the 4-D operation and its proximity to areas reserved for human food production. No diversion of unwholesome meat from the 4-D operation is suggested. It is suggested that the operation is highly susceptible to diversion and certainly not desirable. A slaughterer at ——— Michigan uses lime as a dehairing agent in his hog dressing operation.

In July, 1965, ——— faced trial at Marquette, Michigan on charges of having offered non-federally inspected meats for interstate movement from Michigan to Wisconsin. The presiding judge permitted testimony by company officials informing the jury that the new State of Michigan meat inspection law enforced regulations more stringent than those of the federal government and that under this state law meat products prepared by Vollwerth would be permitted to move in interstate commerce. Examination of the facts, examination of sanitary conditions and processing controls under State of Michigan meat inspection programs hardly bears out this court testimony.

MINNESOTA

Plant No. 1

In the sausage packing room there were many tables of wood construction exhibiting large cracks which were not conclusive to good sanitation.

It was also noted that flies were quite numerous in the plant, especially in the chopping and grinding area. With the number present it is quite logical to assume the possibility that a few could find their way into the product.

Plant No. 2

There was no examination of live animals prior to slaughter. Neither was there any post-mortem inspection. The lymph nodes were not examined and the animals were eviscerated without any indication of inspection.

Swine were being slaughtered at the time of my visit. They were not made free from dirt, hair, or scurf during the scalding and dehairing operation. The toe nails were not removed but left on the carcass.

The viscera was dropped on the floor. The liver and the heart was then separated and washed in a barrel of water. They were then hung on a metal rack. The rack had been painted and was peeling badly. There was an accumulation of dried blood on the rack of probably several weeks duration.

Hand washing facilities were present on the killing floor and I noted that they were being used. There was an adjacent toilet room which opened directly to the killing floor and the door was standing open. Openings into the plant were adequately screened and no flies were present on the kill.

Plant No. 3

I ascertained that only a small percentage of animals received antemortem inspection; the inspector examined only those animals which were in the holding pens prior to the beginning of slaughtering operations. As a result the inspector did not have the benefit of antemortem findings or observations to assist in making proper post-mortem dispositions in many cases.

Plant No. 4

Ante-mortem examination was not being conducted. It is my understanding that any animals which can leave the South St. Paul Stockyards will be received and slaughtered without an ante-mortem inspection at the time of slaughter. At the time of my visit the animals in the holding pens did not show any evidence of disease. Dead animals are picked up by outside rendering facilities.

The room in which the viscera was separated and the heads boned was littered with extraneous material such as several cass of empty soft drink bottles, empty grease cans, etc. There was no evidence of vermin or flies, however, the doors were not adequately screened.

Boning operations were being performed on three butcher blocks which were fastened together. They were not, nor could they have been, properly cleaned. The meat band saw and meat grinder were both dirty and hadn't been properly cleaned for some time. They were both located in the beef cooler which had at least one inch of sawdust on the floor and no drain.

A very small amount of sausage is produced. It is all sold in the retail market in connection with this building. There was none being made the day of my visit, but the area in which the operation took place was also cluttered and in a very unsanitary condition. The inspector informed me that as none of the sausage was sold in Minneapolis they did not inspect that part of the plant.

The butchers in the slaughtering department impressed me as being the type who with the proper direction would have performed in an acceptable manner. It appeared to be a case of not being informed of proper dressing procedure.

Plant No. 5

This market also makes sausage for retail. The slaughtering room was small and cluttered with unusable articles. The sanitation was very bad, all the equipment was filthy dirty and rusty. The processing room was cluttered with boxes and the floor was dirty with old sawdust. In general, this establishment should not have been operating for human consumption.

This establishment is state licensed.

Plant No. 6

This plant is operated by ——— and he in turn does contract work for a restaurant chain in the area, which consists of cutting up fryers for use in restaurants.

This work is performed in an adjoining building and in a room, very warm room, which has no refrigeration. The flies were thick in the place, the poultry boxes were dripping wet and the table and other equipment filthy. Mr. ——— stated he had no room in the locker plant itself and had to do the cutting up of fryers in the adjoining room.

The Slaughter room was dirty as was the equipment. Flies were present and there were no sterilizing facilities.

The Establishment is State Licensed.

Plant No. 7

This market also slaughters under the State of Minnesota License and is inspected periodically by the state inspector. Processing and sausage making is done at this place in Montgomery, Minnesota.

This establishment has given the State Authorities a considerable amount of trouble in the past. The owner is in the habit of going out to auction markets and to farmers and buying distressed animals for slaughter.

The slaughtering place burned out last winter and he now kills in a neighboring town.

The processing is done in the rear of the store and this is perhaps one of the filthiest places in which meat products are made.

The cooler is absolutely filthy, pans, tubs, and other containers have meat for cure, all in filthy condition. Two large wooden barrels are filled with meat in cure for sausage and are just plain filthy. A grinder was observed hanging in the cooler and this had not been cleaned at all.

The room for making the sausage was cluttered with all kinds of boxes and other empty containers. Ceilings were dirty and shelves were full of unused materials not for sausage making. The equipment was in very filthy condition. Nothing was done to keep flies or rodents out.

Yet, people buy the product from the retail store out front.

MISSISSIPPI

Plant No. 1

This plant slaughters and processes.

Facilities: Overcrowded. Hanging product bumped by vehicles. Dry storage needed racks. Some outside openings were not screened. Plant old and in poor repair. Lighting inadequate.

Equipment: Cutting and boning tables rusty and dirty. Storage racks of wood and in bad repair. Product transfer trucks in poor condition. Curing facilities made of wood and in bad condition.

Sanitation: Sanitation was not good. Obviously, congestion hampered clean-up. Some employees working with product without head covering. Employee clothing was not clean. One employee smoking in product room.

Premises: Considerable debris around. Fly breeding material in some places.

MISSOURI

Plant No. 1

This plant is operated by Herb Gorin and operates under the Kansas City Missouri Health Department Inspections. Cattle slaughter and boning operations are conducted here on a small scale. He is well known in the Kansas City Missouri Stock Yards for his purchases of Cancer eyed and other distressed cattle. I have visited this plant on previous occasions and have never seen a Veterinary Inspector or Lay Inspector present during killing operations. Containers for meat appear to be reused constantly without the benefit of being cleaned. On one occasion boneless meat from this plant was condemned at the Allied Meat Company, Kansas City, Missouri for filth and contamination. Allied Meats operates with a Certificate of Exemption. This condemnation was made by the Kansas City Missouri Health Department after it was called to their attention by a Federal Meat Inspector. No refrigeration was provided for the boning room. Equipment, including boning tables was filthy. Poor housekeeping is evident. Floors are accumulated with grease and blood. The area outside the building is unpaved with loose gravel and dusty areas.

This plant would never meet the requirements for Federal Inspection.

Plant No. 2

I visited this plant recently, and noted the following:

Very old building and equipment; reasonable sanitation is next to impossible. Suspect that cripples and downers are sometimes slaughtered here. Low rails. No inspection of any kind.

Plant No. 3

Observed the following at this plant:

Very low rails, slaughterhouse and cooler.

Overcrowded conditions.

No inspection of any kind.

Large dressed hog hanging from rail in cooler had shoulders touching floor. Carcass had not bled properly, indicating possible dying condition at time of slaughter. Carcass also had strong odor. I notified the Sanitarian of the Pulaski County Health Unit at Crocker, Missouri, who handled disposition of the carcass.

Plant No. 4

I visited this plant recently. Noted vile odors, surrounding the premises. Some deterioration of building and equipment. Some wooden equipment. Low rails; poor sanitation.

Plant No. 5

In many areas screens were not in place and the flies were very much in evidence. Most equipment was rusty and in need of maintenance. Several wooden tierces used for curing hams were very dirty and many splinters were seen on the inside. In one area several employees were seen reworking fat trimming. The odor from the trimmings which were sour was noticeable from several feet away. When I questioned one of the employees about their use, he said they were just about right for product.

This is one of the filthiest plants I have ever been in.

Plant No. 6

This plant has a complete operation except canning. It operates under Joplin, Missouri, Health Dept. inspection. I met Howard Qualls, manager, and he agreed to take me on a tour of the plant. Floors are cracked and pitted. Rails in the kill and coolers are not high enough to prevent long carcasses from dragging. Beef were being killed and the veterinary inspector was present in his street clothing. He did no incising of glands or palpating. I never did see him touch a carcass or any viscera. No sterilizers were visible. Walls and ceilings were reasonably clean.

This plant has grading services. The lack of adequate post mortem inspection seemed to be the most glaring fault.

Plant No. 7

This firm does no slaughtering. It is a sausage and ham processing plant, and operates under the Kansas City, Missouri, Health Department. I was conducted on a tour of the plant. The ceilings, walls and floors are dirty, with flaking paint in many places including overheads. Cement floors of many holes and cracks and poor housekeeping is the rule rather than the exception. Wooden barrels used for ham storage are dirty both inside and out. The coolers are conjested and very dirty with an accumulation of fat, blood and mold. This firm has a history of previous retail sampling which analysis revealed extenders and binders in excess of 8% and a considerable amount of added water in excess of Federal regulation. The sausage formulating room has an extremely high temperature and smoke houses were extremely dirty.

MONTANA

Plant No. 1

The general appearance of premises, badly in need of cleanup. A lot of junk equipment and old lumber around the outbuildings and livestock pens.

Cutting and processing room, with wood tables and benches in need of cleaning, one particular bench used for cutting was water sodden and very dirty giving off a foul odor. Accumulation of junk, used boxes, and old material in room. Some flies in evidence in room. Cement floor in need of thorough cleaning, due to grease spots and dirt accumulation. Meat slicer not cleaned thoroughly for some time.

The smoke and curing room and vestibule was really filthy dirty, with accumulated junk and equipment. A small wooden wall and ceiling cooler used for smoked products in very bad shape, with some mold showing. Wooden shelves in this room, rotten and very dirty—is used to store cured hams and bacons.

Three carcasses of beef and two carcasses of hogs hanging in aging cooler appeared satisfactory. The room had old dirty sawdust on cement floor, which showed an accumulation of blood drippings. Wood walls and ceilings water sodden and gave off a stale odor.

NEBRASKA

Plant No. 1

During the time that ——— were operating the firm, it was issued a letter of warning regarding the misuse of some labeling material bearing marks of federal meat inspection. The firm was also a supplier of uninspected frankfurters bearing an "all meat" label, which frankfurters were being sold to a holder of a certificate of exemption in ———, and upon a sample being submitted to a Meat Inspection Laboratory, it was found to contain a percentage of extenders.

Within the last several years, the plant has inquired at the ——— meat inspection office relative to obtaining a certificate of exemption from federal meat inspection, and has also been fined $50.00 in the Federal court in ——— as a result of a plea of nolo contendere to an allegation of having removed required labeling material from a product subject to the Meat Inspection Act, and having unlawfully substituted in lieu, a tag label of their own making, which also upgraded the product to discerning buyers.

I know for a fact that the firm maintains a meat buyer in the area at least two days a week, and that several of their refrigerated transports pick up various meat and product at official establishments in ——— this being a return trip after bringing sausage items from ——— to ——— for ——— based route trucks.

Various deficiencies noted during the tour included:

A "pile" of beef plates tipped over, and slid onto the floor of the room in which they were being boned. The workmen made no attempt to pick up the meat, and were working away at their usual chores when ——— and I entered the room.

Employees apparently not required to wear head coverings, neither male nor female employees, although some were covered. Other clothing acceptably clean, and in all cases white.

The freezer was a "mess". Gross disorder, and countless part packages, or boxes of various products, including some product identified by——as "rework." One container of this rework was filled with ends of various sausage from the slicing operation, and included the metal clips, and portions of casings at the time viewed.

A coffee pot was in business in the sausage packing room, and although the employees do have a welfare and lunch room, it was apparent that "lunching" on the job was allowed, although none of this was actually witnessed.

The warehouse or box storage room was in considerable disarray with there seeming to be a lack of system, and all portions of this floor showed very clearly an accumulation of "walked in" fat and grease, from scraps of products, etc.

The stuffing area seemed to be not unusual for this kind of and operation.

The formulating area was perhaps a little more crowded than would be allowed under federal inspection, and a little more accumulation of fat, meat, and various debris, such as paper sacks etc. was such would not be allowed in a federal plant.

A number of window panes were noted to be in a cracked or broken condition in the manufacturing and stuffing areas, and also several between departments in swinging doors.

Plant No. 2

All floors throughout the plant were "dirty". Tub trucks were in some cases filthy, and in others liberally coated with a type of corrosion peculiar to those used for curing, and one such tub was noted, with a quantity of pork jowls in cure, in which the corrosion was from ¼ to ½ inch thick. Fragments of paper and other debris were noted in this truck, as though it had been used as a wastebasket as well as a curing receptacle.

Rework of various kinds was noted in a truck of the tub type, with the varieties being separated in the truck by means of ordinary butcher type wrapping paper. Smoke sticks were also on top of this load, and a bucket which obviously had been on the floor, was also placed on top of the other product, in direct contact, as was also a paper box, which appeared to be quite soiled, and perhaps had been on the floor.

A night man does the cleaning up for the firm.

One of the firm's catch lines on advertising and labeling, was "Sausage products with that old world taste."

Products are also brought to the plant from some stores, for such as curing and smoking, and then returned to the stores. This is done on a per pound fee basis, and such a proposal was being discussed by phone as I entered the firm's office.

NEVADA

Plant No. 1

General sanitation very poor. Equipment in bad shape rusty and cracked seams. Water pressure not adequate and small water tank does not provide enough hot water. Loose and scaling paint in operating area. Flies in operating area. Fresh pork sausage being produced in non-refrigerated room. Sheep casings used to stuff product unclean. Reused soiled containers utilized for packing product. No hand wash basins in plant.

Plant No. 2

Meat inspection is virtually non-existent in Nevada. There is no continuous coverage by inspectors of meat plant operations. So-called meat inspection consists of Health Department scrutiny of products offered for sale and could be compared to the casual scrutiny given to any product coming under their jurisdiction.

The State Legislature has recently enacted a new law which will become effective July 1, 1968. What the provisions of the new law will accomplish is unknown to us at this time. The new law has not been printed for distribution as of this date.

No real progress has been made since 1963 to date.

Plant No. 3

Some equipment body in need of repair. No hand wash basin soap or towels available in plant. Beef plates being used in the manufacture of product slick and slimy and their soundness questionable. Excessive extenders and water being used in "beef steaks." Hot water and water pressure inadequate for cleaning up. Finished product not properly labeled. Product labeled "veal steaks" contained mostly beef.

NEW JERSEY

Plant No. 1

All rooms operating or storage had wooden walls and wooden ceilings.

Approximately ⅛ inch water over most of the floors, indicating poor sewage and drainage if any.

No evidence of sterilizers where meat cutters worked.

Meat in unlined wooden slack barrels.

Shipping and receiving areas had no doors—6 ft. open areas. No fly and pest control.

This observed on meats within the plant.

Meats in wet cartons on wet floors in preparation of use.

Poor lighting.

Live cats around loading platform.

No ingredient statement or labels indicating type of product.

NEW HAMPSHIRE

Plant No. 1

Slaughters about twenty-five cattle daily—6 days per week.

Establishment visited at start of days operations (7:00 a.m.)

No cleanup from previous operations (or for many days), all rooms (boning, processing, slaughtering) were dirty, cluttered, caked with blood, grease, filth. Men with dirty clothing were boning dirty meat on dirty tables. A partially used roll of meat tying string remained lying on the floor where it had apparently fallen some time earlier.

Lower extremities of beef quarters were in contact with the floor and dragged when moved.

For greater convenience in working on skinned and split beef carcass being processed, butcher on killing floor dropped the entire carcass until the complete forequarters were lying on the floor.

Three cartons of moldy (green) smoked pork shoulder picnics were stacked on floor under the beef boning table.

All drums in use for holding bones and fat were rusty, dented and filthy.

Metal barrels containing boneless beef were corroded, greasy and filthy. Partially collapsed cartons containing meat were lying across the tops of barrels of meat.

Empty glass soda bottles and dirty clothing were scattered around the boning room (on tables, in corners, etc.)

Rear dock piled with bones and strewn with manure and paunch contents.

Boning tables, grinder, walls, ceilings caked with blood and grease.

Congested, cluttered area throughout with no evidence of any attempt at cleanup for many months.

The inspector was not present. Killing, boning and processing operations were being conducted.

NORTH DAKOTA

Plant No. 1

Upon entering the combination office and processing room I observed 2 men working with meat products, and another person who apparently was a visitor. The people working were dressed in work type clothing, and appeared very dirty. After waiting a few moments I asked if the manager was present, and said that he was sometimes called one. Stated he was ——— and the other workman was ———, partners in the business. I presented my card as an introduction, saying my name and that I wished to become acquainted; also to review their operations. Right away, both persons appeared indignant and became obstinate. ——— remarked, "Oh, I know of your kind, you are one of those snoopy bureacrats looking for bad things, so you can tell the newspaper people how crummy we meat processors are, just like the Minneapolis paper done three weeks ago." It became quite difficult to even explain the purpose of my visit and more apparent would not even listen. ——— said, "No. I don't want to listen, I would rather that you would leave." Therefore, I excused myself, leaving as they desired.

This plant is a slaughtering plant, doing custom work for local patrons. Buying live animals, slaughtering, cutting up, making hamburger for sale to institutions and some retail stores in area. Operates under City and State Inspection program, with cost of veterinarian expenses paid by the plant.

OHIO

Plant No. 1

Kill Floor is a small room poorly lighted, located in the basement of the building. The doors and the ceilings are constructed of wood, no metal covering of any kind. All the equipment, dehairing machine, scalding tub, floors, etc. were filthy, grease and blood covered. There was no hot water facility for cleaning the equipment, no hand washing facility or sterilizers present. No container for meat products either edible or inedible.

Coolers were filthy, the walks, walls, ceilings, in bad need of washing. Hooks used for the hanging of offal products, such as liver, hearts, spleens, lungs, etc. filthy contaminated. Containers filled with offal products were setting on the floor; the product covered with filth.

Plant No. 2

Hog kill all the equipment the walls and ceilings were covered with loose fat, blood, and accumulated filth. The walls and ceiling had loose paint which was peeling. They had covered the ceiling with tar to keep down the condensation. Containers and racks used to hold livers and the head meat were rusty and contaminated. No sterilizers, hand washing facilities, refuse barrels, marked edible or marked inedible containers were to be found in the kill area.

Pork cut dripping from the ceiling, dirty tables and meat containers were observed. The power saw was covered with accumulated filth. Containers being used for meat products to make deliveries to retail stores were rusty and filth covered. Outside the Pork Cut a floor drain was stopped up, water had filled the alley; nothing was being done to correct this situation. Also, two coolers located off the sausage room were filled with offal products in tub containers. Dripping from the ceiling was falling into these containers, no effort on the company's part to alleviate this condition.

OKLAHOMA

Plant No. 1

On this date I surveyed subject plant in the company of ———, I asked Mr. Boyd what he did with condemned carcasses, and his answer was, "I don't know. I've never had one. I have had some retained for the Veterinarian, but he has passed them for food."

The exterior of the building was in good repair and made a good appearance. The interior however was another story. The floors were rough and cracked; the walls and ceiling were peeling paint. The lighting for inspection was very poor. Meat was piled high in trucks and falling onto the floor. The smoke house doors were on an open run way and meat preparatory to going into the smoke house was on cages on an open rail outdoors. It was early morning but the temperature outside was already 80°. Flies were on the meat, the big blow type fly. I asked Mr. Boyd if he temperatured the meat and he said no, they usually pulled the smoked pork meat when he wasn't there.

In the processing room I noted that they were adding pork hearts to their ground beef patties.

Generally speaking the sanitation in this plant was very poor.

Plant No. 2

This company slaughters and processes a full line of sausage and smoked meat products in a building which isn't fit to be a dog food plant.

Sewage water was backing up in one room. A dead mouse was laying in the corner of one cooler. There was putrid water standing in a hole where a scale had previously set. The floors were not only cracked, in some places there were holes where the cement had sluffed away as big as a grapefruit. These too contained bloody stinking water.

Doors into the building stood wide open with no attempt to screen out flies.

There is a Hide Company and a Rendering Plant within a stone's throw from subject company and the entire area stinks.

Plant No. 3

——— stated that this plant only slaughtered junk. I asked him what he meant and he said, you know old cows and bulls.

He said that occasionally they killed cancer eye and lump jaw cattle.

Review of the plant was revolting. Stagnant water stood in bloody puddles all over the place. The walls were covered with grime grease and mould. One beef carcass had an infected brisket and another had a large knee joint which appeared to be arthritic.

A butcher was boning out a beef round which had sour bone and the meat near the bone was greenish colored.

Plant No. 4

I tried to survey this plant at two different times. Once on 7/29/67 and again on 7/31/67. Both times the place was locked up.

When I was at subject plant on 7/29/67, I went around to the back of the building and found an alley which dead ended at the plant. The exterior of the premises was filthy and stinking. I moved a meat barrel containing meat scrap and a rat jumped out and nearly knocked my hat off. I noticed that the rat entered the rear of subject plant.

This plant has no holding pens for livestock so it was apparent that the livestock is unloaded directly from trucks into the plant.

OREGON

Plant No. 1

Subject plant operates under Oregon State inspection and has been approved for grading. There is a threat of withdrawing grading as general sanitation is poor, inedible materials, slinks and animal food not properly decharacterization, inadequate fly control, exterior premises very untidy, unusually large collection of rubbish, inedible and condemned, room dirty. Doors, walls paint scaling off, lighting inadequate on kill and in boning room employees wear dirty clothes.

Plant No. 2

I visited the subject plant at 10:00 a.m., Monday morning, July 31. The walls were splattered with emulsion from grinders and stuffers, there was water ankle-deep on the floor and employees were wading around like it was a normal condition. The lighting was poor and the ceilings were dirty. The concrete floor was cracked in a good many places, the smoke trees were evidently not cleaned. The plant operates under Portland City inspection. I was told the inspector comes in every day.

PENNSYLVANIA

Plant No. 1

Meat in holding cooler in direct contact with dirty standing water on floor. Ninety per cent of beef quarters on hand showed evidence of bruises, sores, etc. General sanitation of entire establishment was very poor.

Plant No. 2

Packinghouse located at Pennsylvania was visited and a tour of the premises was conducted by ———. Cattle and swine are slaughtered and sausage products are manufactured. Country-style smoked hams are aged for six months on the premises. All areas visited had a disagreeable odor. ——— said this was because his septic tank was too small.

Plant No. 3

Flies were prevalent in processing area. Large door with no screen was open at rear of building. Live animals are unloaded and enter at this door. No separation between this area and a packaging department.

Sausage processing room was piled with debris under racks and tables. Walls are of tile construction but needed repair and cleaning.

Plant No. 4

Racks for storing product in freezer were rusty. Trays used in the racks were rusty and badly in need of cleaning. Cardboard dividers were used to separate the meat product. This cardboard was being picked up from the floor after being walked on by the employees. Some of it was covered with blood from the floor. Dirt was prevalent on window sills behind table where product was being packaged.

Accumulation of filth in corners and along walls in processing room.

Nonfederally inspected beef was being sliced on a dirty piece of equipment.

Floors and walls in all areas needed cleaning.

Plant No. 5

Medium sized slaughter and processing company. Conducts edible rendering.

Two inch long paint scales hanging directly over exposed meat product in shipping room.

Doors, walls, floors, work tables and other equipment encrusted with grease and dirt.

Welfare room sewer plugged and water was pouring down stairway to two processing floors below.

Walls in all departments cracked and crumbling.

General sanitation very poor.

Plant No. 6

I visited plant while in operation. The place was very dirty. Personnel was dirty, working in street clothes, one was smoking. Equipment was in bad need of cleaning, there was a build up of grease and dirt that was not from the days operation. Mold was prevalent on the walls in the cooler where meat product was stored.

Entrance to the processing room was piled high with debris. All floors were covered with fats and particles of meats from days of accumulation. This plant processes a large quantity of beef products such as steak patties, wafer steaks, hamburger, and etc. The compliance staff recently reported a violation of the Meat Inspection Act by this firm.

Plant No. 7

Slaughter and boning. Sanitation very poor. Employees handling product with filthy clothing. Floors, doors, tables etc. encrusted with grease and dirt. Meat hooks and rails dirty and rusty. Dirty rusty metal drums for bones and fat.

SOUTH CAROLINA

Plant No. 1

Rusty equipment racks, tables, meat trucks, hooks, etc., in use in all areas.

Most floors covered with heavy deposits of saw dust.

Unclean pork fat being used in products.

Heavy deposits of tar on smoke house doors.

Dirty smoke sticks in use.

Evidence of overhead leak and condensation drips in product working areas.

Products in freezer covered with dirty ice from refrigeration coils.

Paint peeling from walls and painted equipment.

Deep cuts and cracks in wood boning boards.

Low hanging, unprotected light bulbs in work area.

Plant No. 2

Dirty wood racks used for storing products.

Floor in bad repair.

Tin roof over slaughtering and dressing area not rain proof (Many nail holes).

Plant No. 3

Killing and dressing area heavy with flies.

Floors throughout plant in bad repair—poor drainage many puddles.

Rusty equipment—meat trucks, tables, saws, hooks, in use in the plant.

Boning boards rough and cracked.

Employee washing floor in cooler with strong detergent containing a disinfector—splashing low hanging and low stored products.

Off condition livers stored loose in some area with other loose products.

Paint peeling off most walls.

Low hanging unprotected light bulbs in working areas.

Plant No. 4

Inspector—examining viscera during dressing operation in a community pan containing several sets of viscera.

Rusty rails, meat trucks, and hooks in use in the plant.

Floors throughout the plant in bad repair, many puddles.

Chopping table made of rough 6′ x 6′ many deep chips (app. 1 inch deep) cut out.

Paint peeling off walls.

Evidence of refrigeration ducts blowing particles of dirt on product.

TENNESSEE

Plant No. 1

Facilities: All departments badly crowded. Meat trucks, floats, etc. hauling meat came in contact with product because of congestion. Dry storage was inadequate. Knocked down boxes and cartons stored on floor in packing departments. Handwashing facilities not noted in some departments. Some outside openings were not screened.

Equipment: Metal product equipment was in poor state of sanitation. Some wooden cutting and boning boards were in need of replacement because of splinters. Wooden racks were in use for storage of product.

Sanitation: Sanitation was generally poor. Floors, walls, ceilings, rails and the main office were dirty.

Premises: Considerable debris around the outside of the building. Fly breeding places were noted.

TEXAS

Plant No. 1

"Sanitary practices are not considered in handling carcasses or meat. The equipment in the kill floor is rusty, and dirty with old accumulated filth. Evidence of rats can easily be found inside and out of the building. City water is used, but all drainage from this plant is piped into a creek located approximately 100 yards east of the building. Flies were seen by the thousands outside and of course inside on the meat. Dogs and chickens were running around loose in the yard of this establishment. The pens are about two feet high in accumulated stock manure."

Plant No. 2

Sanitary practices are not considered in handling carcasses or meat. The equipment in the kill floor is rusty, and dirty with old accumulated filth. Evidence of rats can easily be found inside & out of the building. City water is used, but all drainage from this plant is piped into a creek located approx. 100 yards east of the building. Flies were seen by the thousands outside and of course inside on the meat. Dogs and chickens were running around loose in the yard of this establishment. The pens are about two feet high in accumulated stock manure.

Plant No. 3

Smokehouse combined with a retail meat business and killing plant is located about five miles out of town. The surrounding environment is very unsanitary. The inside of this plant is as dirty and filthy as any place can get. Well water is used and the drainage from said plant is piped to a creek approximately 100 feet from the plant. Inedible material is picked up by the company of Texas. About 20 to 25 head of cattle are slaughtered per week.

This plant operates under no inspection, Mr. ——— indicated to me that he has been in business for seven years and has never been visited by a State health official. Further stated that a county officer from ——— checks his premises for sanitation occasionally. Observations: Flies, birds nests, cobwebs, weeds, manure, dried blood, causing very unpleasant odors welcomes any visitor to this plant.

Plant No. 4

This is a city inspected establishment, manned by two city inspectors, ———. During my visit thru this plant I asked Mr. ——— what agent was being used to decharacterize inedible product that is being packed by this establishment. He did not know. Mr. ——— answered by saying powdered charcoal. Upon observation of the packing of said product I noted that very minute amounts of charcoal is being used per box. This product was being packed in used boxes still bearing the Federal Poultry Inspection legend and grade mark; ——— stated that the legends are removed as the product is being packed.

Edible meat drums were very dirty, contaminated with rust and the inside showed a very poor job of washing. Some of the lips were broken with meat embedded in. The paint on all walls is flaking off, some was evident on hanging beef fore shanks. Hair, bruises, and kill dirt was also noticed on these carcasses. Flies were swarming on the back dock. Spitting on the floor by an employee was noted. Several wore clothing that appeared to have been worn more than one day and was very dirty. The inedible drums in the boning room had an offensive odor. These were full of bones and others in the tank room were not being washed properly after they were emptied. The rails and trolleys were rusty.

UTAH

Inspection of N.F.I. meat product in Utah is rather ineffective. For some months there has been a vacancy in the top position. Dr. Versluis reached the mandatory retirement age and to our knowledge has not been replaced.

Historically political and religious interference in Utah has been prevalent. The result has been little accomplished in state meat inspection which affords consumer protection.

In our opinion no real progress has been made in Utah meat inspection since 1963.

VERMONT

Plant No. 1

July 28, 1967. Vermont's largest meat processor—operated for many years under the local (city) health department inspection. Recently came under the state program.

Old three story building—cement floors and walls. Many cracks and broken areas in both. Cooler doors wooden and watersoaked. Many meat handling trucks rusty and corroded.

No separation between sausage stuffing room and refrigerating equipment area with result that the entire area is stifling hot. Employee's lunch room, with coffee urn, is one corner of a processing room. Prevalent use of wood racks and equipment in processing room, coolers and shipping area.

Old hardwood barrels with rusted hoops used for holding product in curing room.

Boning room congested, cluttered and untidy, dented rusty barrels used for bones and fat.

Ice machine blades rusty and pitted.

A recent attempt has been made to "spruce up" the place with a heavy coat of paint on walls and some metal equipment.

Many openings between floors, with open stairways and storage beneath. A couple of these floor openings are used to drop partially processed meat from one floor to another. Only protection is a metal lining of the hole.

No restriction on storage of Nitrites.

VIRGINIA

Plant No. 1

No light bulbs, incandescent or fluorescent tubes, had protected devices on them. The killing floor equipment was rather primitive and rusty. The beef rail is not sufficiently high to prevent the beef carcass necks from dragging the floor. When I mentioned the low beef rail in the beef chill room and the kill floor to ——— he stated they were giving some thought to renovating the beef kill floor and raising the rails in the beef chill room.

The livestock receiving and holding area was paved with badly cracked concrete and poorly drained. The wooden pens were badly in need of repair.

All storage of containers in all operation rooms were on wooden truck type pallets or were placed directly on the floor. Sanitation in this plant was lacking. Approximately three-fourths of all work tables in the plant were of non-approved wood construction.

This firm employs approximately 15 regular employees. They do not have a dressing room or an eating area for the employees.

WASHINGTON

Plant No. 1

I recently visited the subject plant which operates under Washington State inspection. It is an old wood and concrete structure. Killing of cattle done in a small area. Sanitation and lighting very poor. Inedible material hauled way to a rendering plant without decharacterizing. Fabricating on wooden tables and sawdust on the floor. Exterior premises dirty with barrels of inedible material sitting around.

WEST VIRGINIA

Plant No. 1

Exhibit 1 shows in the foreground the sewage settling lagoon and two windows near the roof of the main building. At the time of my visit these windows were propped open and not screened.

Exhibit 2 shows on the right end of building two rooms approximately 6 x 8 feet each. In the lefthand room is the refrigeration compressor equipment. The righthand room is storage for unopened containers of spices but both rooms also have miscellaneous odds and ends, rubbish, etc. in them. Each room has a double door constructed of wood, which in the summer is generally left open, making the rooms excellent harbors for rodents and vermin.

Exhibit 3 shows the livestock receiving area and unloading gate at the left end of the building together with a double door, both of which have openings where rodents may enter. Also note in this exhibit ruts in drive area and unused odds and ends of wood and equipment littering area.

Plant No. 2

The killing floor is approximately 20 x 50 feet and has a wooden knocking pen of undressed lumber with an open beam and ceiling constructed of wood. The floor is of rough concrete with only one three inch drain, with a minimum amount of necessary killing floor equipment, including a partially painted rusty metal table used to trim beef, head meat, lips and heart which are then dropped into an unsanitary battered lard type drum of approximately 50-gallon capacity which is half filled with water that is contaminated with ingesta material, hair, etc. for a community bath. When the killing is over this drum is moved into the chill room.

On a liver rack truck I observed two beef livers that had small abscesses on them; also one abscessed and one parasitic pork liver. Pointing this out to Mr. Thompson, he remarked that they were going to recheck the livers and indicated a wire-bound wooden poultry type shook box which was half filled with badly abscessed liver and other offal, saying that there was where the inedible products go and the boxes marked with a felt oil type pencil "Fish Feed".

Of four windows, each approximately 18" square, which were screened, two of the screens had holes approximately the size of a small grapefruit. In my opinion, this killing floor is a very primitive type operation. Each week they slaughter approximately 40 cattle of the grade previously mentioned, 8 hogs of the type mentioned and on the average 5 calves and sheep.

WISCONSIN

Plant No. 1

City of Milwaukee ordinances do not require continuous inspection of calves and lamb. ———, operating under City of Milwaukee Health Department regulations, slaughters approximately 1,000 calves per week. No inspector is present during slaughtering operations. Each morning a non-veterinarian employee of the City of Milwaukee examines and stamps calf and lamb carcasses slaughtered the previous day so each carcass, though having received neither ante mortem nor post mortem inspection, proudly bears Milwaukee Health Department marks of inspection.

Plant No. 2

——— operating under City of Milwaukee Inspection, had been a prime recipient of cancer eye and diseased cattle shipped from Montana. These diseased cattle had been approved for interstate movement to approved slaughtering establishments by Montana authorities but had been "shortstopped" by an enterprising cattle dealer and diverted to a more lucrative market—often ———.

Present requirements within the state include only token surveys at six month intervals. Utilization of by products as a substitute for meat ingredients in comminuted products is still commonplace. Ham loaf rarely includes ham; pork trimmings and veal with appropriate amounts of cereal would be more likely. Trichina controls have been voluntarily subscribed to by many sausage manufacturers out of fear that a "Brownsville incident" will ruin their business. The old die hard German sausage maker still remains outside this mainstream of nebulous compliance. He still contends frozen pork or heating to 137 deg. F "ist nicht gut fur die wurst" and very difficult to convince otherwise.

Packers operating within small communities such as——demand inspection from local authorities to lend that aura of respectability to their products. These inspectors are responsible to the packer. As an example, the inspector, a layman, assigned to——conducts swine and cattle post mortem inspection without ever having had training for disposition determination. Sausage, ham, and bacon produced by the company bears the marks of city inspection yet the inspector has no knowledge of restricted additives, formulations, processing etc. and admittedly exercises no control over comminuted product production.

Startling improvements in sanitation have occurred within recent months. Much still remains undone. Certainly the steady hand and influence of some impartial government agency is mandatory if realistic and meaningful sanitation and product control is to become effective and replace haphazard and nebulous current inspectional systems.

Recently enacted legislation has provided a State of Wisconsin meat inspection program. Though initial portions of the program are scheduled for implementation January 1, 1968, effects are already apparent.

In 1963, I had been requested by the Inspector in Charge at Milwaukee, Wisconsin to survey sanitary conditions and processing controls at the nonfederally inspected plants throughout Wisconsin. The 1963 survey revealed deplorable sanitary conditions and an almost lack of processing controls. Excessive use of cereal extenders, substitution of meat byproducts for meat ingredients, minimal or no control over restricted additives, deceptive labeling, rotted wooden equipment, rusted containers, frequent and direct contamination of product, token cleanup methods, all were generally accepted and commonplace.

Subsequent surveys of exempted establishments and sausage manufacturers supplying the exempted establishments has revealed gradual improvement. Within the past 18 months this improvement has been accelerated and has become startling. Undoubtedly apprehension over requirements of the impending state program has been largely responsible. Many local meat packers speak of "going federal" and accordingly modify processing methods, obtain new equipment and improve existing structures.

Events such as the Brownville incident in which 38 people became ill with trichinosis and the ease with which ———, et al. could move undeterred about the state fostered a general awareness that some governmental sanction was vital and necessary to provide and mirror a favorable meat production image in Wisconsin.

Current surveys still reveal many discrepancies at variance with U.S. requirements. Page after page would be required to enumerate specific examples in specific plants. Common discrepancies generalized to most plants include excessive use of wood not susceptible of adequate sanitation, rusty galvanized equipment, direct contamination of product from overhead structures and ineffective cleanups. Little control exists over formulation and ingredients.

Mr. YOUNG of Ohio. Mr. President, it is my hope that later today we, without even one negative vote, will pass this much-needed bill that was reported unanimously by the Senate Committee on Agriculture and Forestry.

May I at the outset express my congratulations to and admiration for those Senators who have participated in bringing this fine measure out of the Agriculture and Forestry Committee.

The present Presiding Officer (Mr. BYRD of Virginia), as a member of the Committee on Agriculture and Forestry, I am told, worked very hard in committee, over a number of days, and assisted greatly in perfecting the bill which we are considering. I know, except for the fact that the Senator from Virginia is occupying the seat of the President of the Senate, he would like to add his voice to the remarks that have been made here.

Perhaps I should not say a word in support of this measure. As a former trial lawyer in Ohio, I know the danger of overtrying a case. We have listened here to magnificent arguments made by the distinguished Senator from New Mexico [Mr. MONTOYA] and the distinguished Senator from Minnesota [Mr. MONDALE], both of whom worked hard in committee and who have presented fine arguments for the passage of this needed legislation. They are doing something today for the housewives and families of America.

Mr. President, American housewives should never have to take a chance on purchasing dirty or unwholesome meat. For the most part, Americans are receiving the finest and most wholesome meat of any people in the world. However, the fact is that there are some unscrupulous meat producers and processors who peddle meat which does not conform to Federal standards. In short, too often contaminated or unclean meat is sold to unsuspecting consumers.

The outmoded Federal meat inspection law has been on the statute books with little change for more than 60 years. Times have changed. The slaughter of livestock is no longer concentrated in Chicago and in other large meatpacking centers. In recent years slaughterhouses have become much more numerous and have moved closer to livestock feeding areas. At the same time, plants manufacturing meat products tend to be located near the large consumer markets.

Under present law Federal inspection is limited to meat transported in interstate and foreign commerce. However, much of the meat produced and processed in the Nation today never crosses a State line. Only about one-half of the States today provide mandatory inspection of meat and meat products that move within State boundaries. Eight States have no meat inspection laws whatever, although all of them do have general food or sanitation statutes. This is an unconscionable situation. Many of the States simply are not doing their job in protecting their citizens from unhealthy or unwholesome meat.

The need to update our present national system of meat inspection is urgent. Despite the attempts of the States to do so, many have not been able to accomplish this task on their own. One reason is lack of money to finance State programs.

Mr. President, when it comes to a question of the cleanliness of the meat we eat, frankly, it is no time to quibble unduly about States' rights or costs. We need the strongest possible meat inspection bill. A watered-down measure is not good enough. One estimate of the cost of good consumer protection of meat sets the cost at less than one-sixth of a cent per pound of meat. Contaminated meat, dirty meat, meat from sick animals, and meat not good enough for dog or cat food must under no circumstances be permitted to be sold for human consumption.

Adequate protection can be accomplished within the framework of our Federal system. However, the bill passed by the House of Representatives does not go far enough. It lacks the power to move States that might be laggard in establishing and enforcing meat inspection laws to take steps to protect the well-being of consumers within their jurisdiction.

The distinguished junior Senator from New Mexico [Mr. MONTOYA] and the distinguished junior Senator from Minnesota [Mr. MONDALE] are to be commended on their efforts to strengthen, update, and reinforce meat inspection procedures throughout the Nation. Many of their proposals have been incorporated in the pending bill, S. 2147, which is certainly a great improvement over the bill passed in the other body.

The legislative proposal under consideration will preserve the basic Federal-State cooperative relationship. It provides for Federal technical and financial assistance to individual States to assist them in development of State standards at least equal to Federal standards. This financial aid could amount to as much as one-half of the cost of a State program. States would be given 2 years to establish such a system, unless the Governor elected to come under the Federal system immediately. Also, the Secretary of Agriculture would be empowered to inspect intrastate meat plants during the 2-year interim period and to take immediate action against any such plant that endangers public health if State officials failed to eliminate the health hazard. If within 2 years a State failed to provide adequate meat inspection for meat produced and processed within its borders, complete Federal inspection service would be provided in that State.

This proposal allows States that choose to expand their programs to do so. If a State failed to put its own house in order, Federal inspection would be extended to all slaughter and meat-processing plants in that State without regard for whether or not the meat moved in interstate commerce.

Mr. President, I am happy to report that the new Ohio meat inspection law which becomes effective next July 1 provides regulations which are the same as Federal rules applicable to meat sold in interstate commerce. Ohio consumers will be protected against adulterated meat regardless of what meat inspection bill is passed by Congress. But we need this bill, and we need it very much. The people of the Nation need it, and, as I said at the outset, it is my hope that there will be not one dissenting vote cast when the Senate votes later today. My State of Ohio is counting on the Federal Government to pay for one-half the cost of the State program, estimated at $1.7 million a year. I am happy to report that my home city of Cleveland has had an inspection program based on the Federal system since 1908. I am hopeful that with enactment of a meaningful Federal meat inspection law, citizens of all the States can enjoy the same protection as all citizens of Ohio will soon be afforded.

Mr. President, the States should have one more chance, with Federal aid, to do what many have neglected in the past. If any State should fail to take advantage of that opportunity within 2 or 3 years, there is no rational alternative to Federal inspection of all meat plants within its borders.

The health of the people of the United States is certainly one of our primary concerns. We must without delay pass this meat inspection bill to correct once and for all abominable conditions which exist in many States under existing outmoded legislation.

President Johnson is to be highly praised for speaking out urging that we in the Congress, before adjournment, pass pending bills providing consumer protection. The meat inspection bill which we are presently debating is greatly needed in all sections of the United States. This was the first consumer protection bill referred to by our President when he recently listed various bills to protect consumers that he hoped Congress would pass before adjourning. Our colleagues who in committee rewrote the bill from the other body and sent from committee to the Senate this greatly amended and strengthened bill, deserve our praise.

It is my hope that before adjournment next month we in the Senate will enact strong bills requiring safety regulations for the building of pipelines.

That is another needed legislative proposal that the President said he hoped Congress would enact before adjournment. Also, we Americans may expect there are likely to be some tragedies at Christmastime due to the delay in enacting into law legislation now pending in Congress to provide adequate protection against flammable fabrics. Such a measure is also on the President's list.

We read daily in Washington newspapers of citizens having been swindled in real estate deals and deceived by sharp operators who make extravagant claims as to what they will do and then secure signatures on the dotted line contradictory to promises they have made. This swindling in the real estate and home repair fields must be ended by enactment of pending legislative proposals. That is another of the proposals for the protection of our citizens to which President Johnson referred.

Finally, Mr. President, I am hopeful the House of Representatives will soon act on a really strong and effective truth-in-lending bill. I have spoken out in favor of that measure before, supporting the position of the distinguished Senator from Wisconsin [Mr. PROXMIRE]. Many Senators who are now present in the Chamber supported truth in lending when it was introduced by that great former Senator from the State of Illinois, Mr. Douglas. Truth in lending is another proposal which the President urged Congress to enact before adjournment. We in the Senate, of course, passed such legislation earlier this year.

The hour is late. We should proceed to pass legislation to protect the consuming public of our Nation.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. MONDALE. I should like to take a moment to commend the Senator from Ohio for his characteristic courage and brilliance on this important issue of adequate meat inspection for the protection of the American consumer.

It was recently my privilege to speak in Ohio, and I was delighted to find that the citizens of the Senator's State have the same high impression of his performance as do we. They are delighted with and proud of their Senator from Ohio [Mr. YOUNG].

The Senator's speech today is characteristic of the reasons why his constituents hold him in such high esteem. I was particularly grateful to see the Senator place this issue in perspective, first by pointing out its primary importance, and the fact that the President has listed it as No. 1, but also indicating that there are also a number of other consumer-related issues pending before the Senate and the House of Representatives which also need to be acted upon, if we are to fulfill our responsibilities for the protection of the American consumer.

I congratulate the Senator for his fine speech, and am proud to serve in the Senate with him.

Mr. YOUNG of Ohio. I thank the Senator from Minnesota for his very flattering remarks.

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. Yes. In fact, I am about to yield the floor.

Mr. MONTOYA. Mr. President, I too, commend the distinguished Senator from Ohio for his great contribution here this afternoon. His wisdom in seeking to protect the general public has always been evident at least since I have been here.

I commend the Senator from Ohio for his splendid statement today with respect to the American consumer, and the responsibility that we should assume for his protection. Certainly, the Senator's constituency is to be congratulated, because he has always been present in this Chamber, fighting in behalf of every important issue affecting his constituency and the American people, and has always lifted his voice with fervor to try to articulate his views, which are indeed the product of great wisdom and good reasoning.

I commend the Senator from Ohio for his contribution.

Mr. YOUNG of Ohio. Mr. President, I thank the distinguished Senator from New Mexico for his very fine statement regarding me. It makes me feel very good, indeed.

I yield the floor.

Mr. MONTOYA. Mr. President, I do not want to let this moment pass without commenting on the statement made by the distinguished Senator from Minnesota.

The Senator from Minnesota made a very forthright and excellent statement which will contribute to the debate and the legislative history of the pending legislation.

As I said before in my principal statement, the Senator from Minnesota has given of his time, energy, wisdom, and good judgment in an effort to reach what we consider to be the best possible approach to the problem facing us with respect to the American consumer. I also thank the Senator for the kind words which he expressed in my behalf.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MONDALE. Mr. President, the nature of the proceedings by which we arrived at what some have, I think, mistakenly referred to as a compromise requires some explanation to be made here. I do not regard the proposal that we have unanimously recommended from the Committee on Agriculture and Forestry to be a compromise in any sense whatsoever. It is an agreement which men of good will have reached in an effort to achieve the objective of wholesome meat for the American consumer. This was not a question concerning whether such protection would be afforded. It was a question of how such protection would be afforded.

It was a highly complicated, technical, and difficult matter to achieve a proposal which would move us along toward that objective as quickly as possible.

At all points during this effort the Senator from New Mexico showed not only his devotion to the objective of this legislation but also the brilliance and craftsmanship of an outstanding lawyer in the development of a law which I think will be a landmark of careful, practical, and effective legislation designed to protect the American consumer and to show proper deference and devotion to our Federal system and an understanding which the industry is entitled to, as well. I think we blended all of these things together without in any way compromising public health.

Our efforts could not have been successful had it not been for the singular devotion of the Senator from New Mexico.

Mr. MONTOYA. Mr. President, I thank my good friend, the Senator from Minnesota, for his kind remarks.

Mr. MONDALE. Mr. President, in my remarks I neglected to point out that two organizations which represent the broad cross section of employees working in the slaughtering and processing fields across the Nation, both Federal and intrastate—the Amalgamated Meat Cutters and Butcher Workmen of North America, represented by Mr. Lloyd, their president, and Patrick Gorman, their secretary-treasurer, and the United Packinghouse Food and Allied Workers, under a Minnesotan, Ralph Helstein—are to be given great commendation for their leadership and for speaking out in the interest of the American consumer. And they did so from a special vantage point. They are the people who work in these plants. They are the people who, day in and day out, know perhaps more about the condition of meat slaughtering and processing than do any other people in the country.

Mr. MONTOYA. Mr. President, I share the opinion of my good friend, the Senator from Minnesota, with reference to these devoted people who came here primarily to protect the consumers and to lend of their experience with respect to a provision for helping the consumers in this country.

At all times while the distinguished Senator from Minnesota and I worked on the pending bill, we had the bill on top of the table, and we invited everybody to come before us.

We wanted to eliminate opposition, and the only thing we told them was that uppermost in our minds was the knowledge that we had to have some good, effective legislation for the protection of the consumers.

These people came in and consulted with us, whether they represented the consumer groups or industry groups or anybody else. We gave them all a hearing in our office sanctuaries or wherever the Senator and I would meet with respect to the amendments that have been appended to the pending legislation.

We had nothing to hide, and we have nothing to hide now. We feel that the package—if one wants to call it that—that we have presented here to the Senate represents the best blueprint for action that we could conceive.

We also had in mind the divergence of opinion expressed by the other House when it considered the Purcell bill and the Smith-Foley bill.

Our approach was designed to meet the objective of the consumer first and then to meet the philosophical differences that existed in the different approaches that came before this legislative forum or the other legislative forum in the House of Representatives.

With that in mind, and without derogating the consumer interest and the consumer objective, we put together the amendments which we think are salutary improvements in the approach that we both had in mind to accomplish the objective that we desired.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MONDALE. Mr. President, I think in our discussions and in the public reporting of our deliberations before the committee, it was quite right to observe that, by the amendment of the Senator and by my proposal, we felt that the House-passed proposal was deficient in that it failed to deal with the problem of the State that would not on its own establish a system to accord at least with the Federal inspection system.

Having said that, there was much good in the House bill with respect to assistance to the States. Some of the other provisions found in the House measure were sound and good. And we built on that proposal.

I think the Senator from New Mexico would agree with me that we believe we have a stronger bill, and that in no sense do we intend to diminish our respect for the proposal which the House passed.

In that respect, I note the distinguished Representative from Iowa, Mr. NEAL SMITH, entering the Chamber.

Representative SMITH has been a pioneer in this field. Since the beginning of his distinguished career in the House of Representatives, he has firmly and courageously and ably led the fight in Congress after Congress.

I am sure, assuming that we are able to effectuate the passage of strong legislation, that it will be a great fulfillment for him and will reflect his able and effective leadership through the years.

The distinguished Representative from Washington, Mr. THOMAS FOLEY, has spoken out effectively for the consumer interest on this issue.

Mr. MONTOYA. Mr. President, we were in touch with Representative SMITH and Representative FOLEY concerning what was unfolding with respect to the legislation pending in the Senate.

My office was in touch with the office of Representative PURCELL during the deliberations and during the periods of consultation between the Senator from Minnesota and me.

All this was done with the ardent hope that the divergent views would reach a confluence so that concerted action could take place with respect to a vehicle to meet the challenges we face here in Congress. That vehicle is the pending bill. And it is my earnest hope that if the pending bill is approved as presented to the Senate, the House of Representatives will immediately take affirmative action so that the consumer will have an effective law before too long.

Mr. President, I yield the floor.

Mr. BOGGS. Mr. President, my overriding concern in supporting the Wholesome Meat Act, S. 2147, is that the consumers of our Nation be assured as soon as possible that any meat they buy is perfectly safe to eat. That situation does not now exist.

While I support the whole bill, I would like to mention in particular the provision that a Governor of a State may waive the 2-year period in the bill and request immediate Federal inspection. At my suggestion, this provision was added to the bill which Senators MONTOYA and MONDALE worked out. These two Senators deserve great credit for the leadership and hard work they have demonstrated in bringing this legislation before the Senate.

Without this provision concerning the Governor, the 2-year period would run its course and, in the case of those States which did not take action, the Secretary of Agriculture would find that the State was not inspecting meat in line with Federal standards. Federal inspection would then follow.

With this provision in the bill, a State is given a graceful way to come under Federal inspection standards.

The possibility is increased of faster protection for the consumer.

Meat businesses in a State are spared possible adverse consumer reaction concerning the fact that inadequate State laws made Federal inspection necessary.

The Federal-State relationship is preserved in the pattern of Federal-State cooperation which has worked well in other legislation.

The circumstances under which a Governor requests immediate Federal meat inspection would vary according to the powers of the Governors in the different States. If the Governor were not empowered by his State constitution and laws to make such a request, then he would have to seek authority for his action from his State legislature.

To repeat, Mr. President, the primary concern is that the citizens of our Nation be assured that whenever and wherever they buy meat, they are getting wholesome food which is not a threat to their health.

The urgency of achieving this goal has been emphasized in the hearings before the Agriculture Committee's Subcommittee on Agricultural Research and General Legislation, which has been considering the bill. As a member of this subcommittee, and as a Senator who is convinced that we can delay no longer in meeting our responsibility in this field, I urge passage by the Senate of this bill.

Mr. HRUSKA. Mr. President, this bill deals with a very vital and important subject. That is an understatement, if we take into consideration some of the more elaborate descriptions that we have heard in the Senate, in the other body, and the language contained in the report.

It is regrettable that this Senator has not been able to devote more study to this vital measure, but this was not possible with the undue haste with which the proposed legislation is being considered.

It will be said that this subject has been discussed for a long time, and therefore there is no undue haste. But I should like to recite the chronology of this particular bill and the report upon which it is based.

This body received copies of the bill and of the report last Wednesday. Immediately upon their becoming available, I sent out copies of those documents to those people who indicated interest to my office and to me in legislation of this nature. So far, I have received only one response to the several inquiries, which were made.

The bill is quite complex and confers much power and many prerogatives upon regulatory bodies which do not now exist in this field—and perhaps they are all to the good. However, the more certain we are of that, the more happy we would be to allow a sufficient time for the consideration of the specifics of this bill. We would not want to overlook something that would be harmful to producers, processors, merchants, and all those covered in the bill, but particularly, to the consumers, in whom all of us have an abiding interest.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield to the distinguished Senator from Colorado.

Mr. ALLOTT. I should like to add the additional comment that, so far as I am concerned, I was able to procure a copy of the report and the bill on last Wednesday and had an opportunity to talk with the distinguished Senator from New Mexico, the manager of the bill, that day, and also to discuss it with the staff. But when I attempted to get additional copies of the report and the bill, I found none were available. So I was put in the position of sending the only copy of the report and bill I could get on Wednesday to constituents of mine in Colorado. As a result, I do not believe that most of the people in Colorado who are interested in this bill, and who have inquired about it, have had an opportunity to get copies of the bill and the report. I know that this situation does not rest upon the shoulders of the manager of the bill, the distinguished Senator from New Mexico, because he does not run the Government Printing Office. At least, I do not believe he does. Nevertheless, this was the situation.

The distinguished Senator from Nebraska has performed a valuable service. When we get proposed legislation such as that now before us, I believe we should have a more reasonable time in which to communicate the reports and information about the proposed legislation to the people who will be most intimately involved with it, to find out whether it is workable, to find out whether it is practicable, and to find out whether it will accomplish the desired purpose, from their standpoint.

I thought that perhaps this comment as to the shortage of copies of the report and of the bill last Wednesday would fortify what the distinguished Senator from Nebraska has said already.

Mr. HRUSKA. I am sure the Senator's comments have done so, and I appreciate his comments.

I repeat, Mr. President, that none of this comment as to the timing of the measure is to be imputed to the sincerity and conscientiousness of those who have piloted this bill to its present point.

Certainly, the Senator from New Mexico and the Senator from Minnesota are to be complimented for their desire to lead us to legislation which will be meaningful, workable, and significant. However, the practical situation is a difficult one. I shall soon ask a question or two of the Senator from New Mexico which will illustrate that questions and considerations of this nature are not an effort to avoid or prevent meat inspection as it properly should be made with regard to wholesomeness, sanitation, proper labeling, and so on. But when we have a bill which contains such criminal sanctions as we find in section 16 for offenses which have not been scrutinized by the bulk of the Senators, some of whom might have thoughts and ideas about the matter, we reach a point at which we are compelled to say that this is an unduly hasty consideration of a very important and far-reaching bill.

One other factor complicates the matter. I know that virtually every provision in the pending bill has been in one place or another in the three bills that have been considered and discussed in the debate that has occurred in the other body and in the Senate from time to time, or in the testimony of witnesses.

However, from all these component sources are taken certain sections, and certain sections are deleted, and we have a brandnew product. We have something upon which our eyes have never been cast before. And the arrangement is different.

It is of interest that on pages 19 and following, the report contains the Department of Agriculture views, dated February 23. Obviously, those views could not relate to this bill. They could not possibly relate to it. Besides, the President's Special Assistant for Consumers Affairs testified in direct and diametric opposition to some of the testimony that was given only the day before by the Department of Agriculture.

That is an example of what I am attempting to explain—namely, that the product we have before us is brand new, as a bill, as of last Wednesday afternoon. Of course, the language in the report is in the same category.

With that preliminary statement, I should like to ask a question or two, of the Senator from New Mexico, whom I again salute and commend for his diligence, sincerity, and dedication. I have learned that he spent most of the past weekend familiarizing himself with this material, so that he could put it forth today for the edification of the Senate and others in the most attractive fashion possible. For that, I congratulate him.

I am concerned about certain language in section 14 of this bill which would add a new section, section 202(a) pertaining to recordkeeping and record inspection.

Section 202(a) would require that the classes of persons and organizations specified by the bill "keep such records as willfully and correctly disclose all transactions involved in their business," and that such records may be made available for inspection and copying "at all reasonable times, upon notice by a duly authorized representative of the Secretary."

My concern relates particularly to two aspects of the new section: first, the unnecessarily broad language of this provision, and, secondly, the rather vague wording as to the requirements for giving Department of Agriculture representatives access to such records.

Read literally, the language of the bill might require record keeping and permitting inspection by Department of Agriculture representatives of every document relating to "all transactions involved in their business" by anyone engaged in the manufacturing, processing, or distribution of meat or meat products. Perhaps this would even extend to records in every portion of a regulated business beyond the handling of meat and meat products, such as corporate data, personnel records, financial records, and research data.

I ask my distinguished colleague, the Senator from New Mexico, if he can clarify these provisions in order to assure that only those direct records must be kept and disclosed which are necessary for the effective enforcement of the bill with respect to insuring wholesome meat products for the American consumer, without getting into every conceivable business record not directly related to meat inspection.

Mr. MONTOYA. I am glad that my distinguished friend from Nebraska asked this particular question because, in reading the full text of the section it is my feeling, although the Senator from Nebraska does not agree with me, that there is a confinement of objective in the particular section and it necessarily follows that the inspecting authority is limited to that objective.

However, in order to establish a clear legislative objective, I wish to say that it is clearly not our intent that the scope of section 202(a) should extend beyond those records applicable to meat and meat products which would properly be necessary for effective enforcement of this section of the act.

Furthermore, it is our assumption that the Secretary of Agriculture shall issue regulations setting forth specifically what records shall be kept and under what circumstances they are made available to duly authorized representatives of the Secretary.

In this regard I would like to call attention to a provision on page 16 of the Senate Committee on Agriculture and Forestry report stating that section 202 would require persons subject to the act to give representatives of the Secretary "under reasonable terms and conditions, access to their places of business, an opportunity to examine records, facilities, and inventories and to take samples of their inventories upon payment therefor."

We feel it would be appropriate for the Secretary to spell out in further detail such reasonable terms and conditions and recommendations for the guidance of industry after notice and hearings. Certainly he cannot exert any extended action or assume any extended action which is clearly not subservient to the objectives of the act. I think that is a matter of judicial interpretation and judicial confinement.

Mr. HRUSKA. I suppose that there is something to what the Senator from New Mexico has said and I know he would give every fair interpretation toward that result.

The reference to that additional language in section 202, to which the Senator has called attention, is very helpful. It is my recollection that in the hearings there was some consideration given to the two Supreme Court cases which deal with the proposition whether a statute can confer upon any governmental employee the right to go into a business establishment, and that he can exert that right in a summary fashion on the provisions in a statute and no more.

The Supreme Court in two cases said, "No, you cannot do this." One of the officials involved was a fire inspector and the man in charge of the house had said, "I choose to believe in the old maxim that my house is my castle, and I am not going to let you in."

The Supreme Court agreed with that, and yet we find in section 202(a) of the bill the granting of this power from which most people would assume, "Since the law says so, therefore, they have a right to come in here, and if I do not let them in, they will send me to Siberia or some other place for a long time, and I do not want to do that."

These bills are not drawn for the purpose of allowing the employees and officials of the Government to ride rough shod over any part of the citizenry.

Does the Senator have comment on those two decisions of the Supreme Court?

Mr. MONTOYA. Yes.

Mr. MONDALE. Mr. President, will the Senator yield to me briefly?

Mr. MONTOYA. I yield.

Mr. MONDALE. I would like to comment that the language which appears on page 31 of the committee print was prepared by Mr. Bucy of the Department of Agriculture, who did so, in light of the decisions in Camara and See, to fulfill as far as possible the legal requirements laid down by the Supreme Court. He seeks to provide access to intrastate records, wherever possible, through the State officials.

I believe the Senator from New Mexico has more information to add in that connection.

Mr. MONTOYA. I thank the Senator. When this problem came up in the hearings it disturbed me as to whether or not we could do this. I wanted to be convinced that what we provided in the bill would be within the realm of constitutional authority and that it would be proper so far as any constitutional provision was concerned in light of the decisions.

I referred the matter for study to the Legislative Reference Service of the Library of Congress. The subject of inquiry which I made of the Library of Congress was the validity of section 202(a) in H.R. 12144, which is identical to the provisions in the Senate bill which we are now considering.

I shall quote the pertinent answer from the Library of Congress, which states as follows:

> We have examined section 202(a) in light of the foregoing principles and have concluded that it may be distinguished from the *Camara* and *See* cases in a number of vital particulars. Like the ordinances in these cases, section 202(a) requires inspections to be made at "reasonable times". Additionally, however, the federal proposal requires inspectors to notify companies in advance of any actual investgation. Briefly, then, the investigation must be made at a reasonable time. "Here was no midnight knock on the door, but an orderly visit in the middle of the afternoon with no suggestion that the hour was inconvenient." *Frank* v. *Maryland*, 359 U.S. 366. More significantly, the requirement of notice affords the parties adequate time to prepare, thus lessening the likelihood of undue inconvenience.
>
> It is interesting, indeed significant, that included among various situations pictured by the majority as falling without the mandate of these cases were those involving "seizure of unwholesome food" and "summary destruction of tubercular cattle". *Camara* v. *Municipal Court*, 387 U.S. 539. The potential widespread danger to public health from adulterated food is worlds apart from the more localized fire and/or building inspections involved in the cases as was evidenced by the recent tragic deaths of children who had consumed contaminated bread.
>
> Also not without significance is the Supreme Court's observation in the *See* decision that it did not reach the question of how the Fourth Amendment prohibition should be applied in those instances where routine inspection is required as a prerequisite to engaging in a particular business. ". . . nor do we question such accepted regulatory techniques as licensing programs which require inspections prior to operating a business or marketing a product." 387 U.S. 546.
>
> The consistency of these remarks with the practice extant in the meat inspection field needs little elaboration.

I hope that answers the question of my good friend from Nebraska, from the standpoint of constitutional sanction.

Mr. HRUSKA. It answers it in part, yet the language of 202(a), which was read from the counsel's opinion would get away from the basic proposition.

That section starts out by saying:

> The following classes of persons firms, and corporations shall keep such records as will fully and correctly disclose all transactions involved in their businesses.

Then it goes on to say who they are. Subsections (1) and (2) say who they are. Many of them handle meats and meat products on a very incidental basis or at a low level compared to gross activities, yet they are supposed to lay their heads on the chopping block for everything in which they are engaged.

For that reason, it is well to have the comfort of the two Supreme Court decisions which declare that when there is a denial of access, the authorities must go to court and lay forth what they will want and the court must decide whether they can have that information and whether it is pertinent to the purposes which they declare are those they seek to subserve. I think that is all to the good. As to the reference there to contaminated meat and the necessity for prompt action, the statutes are full of authority to the agencies, including the Federal Trade Commission, the Department of Agriculture, and all the rest, to go in summary fashion and take the action necessary to head off further distribution or further processing of objectionable material. No one will quarrel with that. But under the statutory obligation to make records available upon request, even if it is on notice, that is cloth of a different fabric.

Mr. MONTOYA. That kind of authority exists in section 9 of the Perishable Agricultural and Commodities Act.

Mr. HRUSKA. Surely.

Mr. MONTOYA. It reads as follows:

"SEC. 9. Every commission merchant, dealer, and broker shall keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business, including the true ownership of such business by stock-holding or otherwise. If such accounts, records, and memoranda are not so kept, the Secretary may publish the facts and circumstances and/or, by order, suspend the license of the offender for a period not to exceed ninety days."

Section 8d of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608d), provides:

"§ 608d. *Books and records; disclosure of information.*

"(1) All parties to any marketing agreement, and all handlers subject to an order, shall severally, from time to time, upon the request of the Secretary, furnish him with such information as he finds to be necessary to enable him to ascertain and determine the extent to which such agreement or order has been . . .

Mr. President, I might also add that in the Food, Drug, and Cosmetic Act, this power also exists on the part of the Secretary of Department of Health, Education and Welfare. Thus, this is not a novel concept we are incorporating into the bill. The approach and the authority are patterned after existing authority which has been exercised by the Secretary of Agriculture and, I might say, has been exercised wisely without imperiling the rights of those at whom it was directed.

Mr. HRUSKA. It is not a novel situation in so far as statutory precedent is concerned, but I would call the Senator's attention to the fact that all the statutes to which he has referred were written before the Supreme Court decision. The Supreme Court decisions do not make any exceptions. The two decisions, according to the hearings and one of the witnesses, overruled prior holding. Thus, I do not make an exception for certain kinds of situation without knowing that the decision was taken after the statutes to which the Senator has referred were written had been on the books. Let them try to make an exercise of that power without having a good foundation which they can produce in court, to get the necessary warrant, and they will find they will be up against a stone wall.

But I am glad the Senator has that in mind. Certainly, this colloquy will serve the purpose of indicating that the matter is not governed by statute alone. So that I can be grateful, certainly, again, that there is no desire on the part of anyone I know of to protect someone from a disclosure of the proper and pertinent records and information in his possession where it will subserve the declared objective of this bill. But, unfortunately, sometimes our officials get a little carried away with a sense of their own importance. They become so enthusiastically imbued with the importance of their duties that they go beyond that or they try to go beyond that. Instances are legion. I do not think that we should encourage them any more than is necessary. We can start by putting that in the statute. While no language is found in the bill, I trust that the appellate procedure or reference to the courts on these matters is certainly something that probably should be said either in the court or in the bill itself which would indicate that.

Mr. President, I hold in my hand a copy of a letter which was addressed to the Senator from Louisiana [Mr. ELLENDER], from the Grocery Manufacturers Association, signed by George W. Cook, president. It has for its purpose calling attention to the very point we have been discussing with the Senator from New Mexico. It would be useful, it seems to me, to indicate that the point was duly raised and considered in the hearings as well as in the draftsmanship of the bill.

Unfortunately, the letter arrived too late to be included in the printed hearings on the subject bill.

Mr. President, I ask unanimous consent that the letter of November 20, 1967, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 20, 1967.

Re H.R. 12144, the Wholesome Meat Act.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Old Senate Office Building, Washington, D.C.

DEAR SENATOR ELLENDER: Grocery Manufacturers of America, Inc. is a national association of the manufacturers and processors of foods and other grocery products whose membership will, either directly or indirectly, be affected by this important regulatory measure.

Our association has traditionally supported enactment, both on the state and federal level, of sound and effective legislation regulating the manufacture and distribution of food.

We support the current effort to modernize existing legislation on the subject of meat inspection.

However, we believe that the above bill, as reported by the House Committee on Agriculture on September 21, 1967 and passed by the House on October 31, has one deficiency, perhaps unintended by its proponents, which we urge the Subcommittee on Agricultural Research and General Legislation to remedy.

Section 14 of the above bill would add Section 202(a) to the Meat Inspection Act. That section would require that the classes of persons and organizations specified by the bill "keep such records as will fully and correctly disclose *all transactions involved in their businesses*." (Italic supplied)

The broad class of business firms subject to this requirement is described in the following language:

"Any persons, firms or corporations that engage, for commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules or other equines, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any such animals, for use as human food or animal food."

The bill defines the term "prepared" as "slaughtered, canned, salted, rendered, boned, cut-up or otherwise manufactured or processed."

In addition, Section 202(a) of the bill would require members of the industry, on request, to afford representatives of the Secretary of Agriculture access to "such records."

The Grocery Manufacturers of America wish to call the attention of the subcommittee to the unnecessarily inclusive nature of the language of Section 202(a) quoted above.

Read literally, this language might require keeping and permit inspection by representatives of the Department of Agriculture of every document relating to "all transactions involved in their businesses," by anyone engaged in the manufacture, processing or distribution of meat or meat products, perhaps even extending to records in other parts of their business beyond the handling of meat and meat products. Thus, corporate data, personnel records, financial records, and research data are only a few examples of the type of material which the bill, as now drafted, could require to be kept.

Section 2 of H.R. 12144 recites that the health and welfare of consumers should be protected "by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled and packaged."

We fully share and support this laudable legislative objective.

However, in view of the sweeping and perhaps unintentionally broad reach of the record keeping and inspection provision, Section 202, we strongly urge that the language of proposed Section 202(a) quoted above is unnecessary to accomplish the stated statutory purpose and could inflict serious, yet needless burdens on many members of our industry.

In addition, we have been advised that the present broad language of this provision of the bill may raise substantial constitutional questions in light of recent Supreme Court decisions.

We recommend, therefore, that the subcommittee give serious consideration to an amendment of Section 14 of H.R. 12144 which would clarify proposed Section 202(a) by ensuring that only such records as are necessary to the proper enforcement of the provisions of the Act must be kept, and clarifying the circumstances under which such records must be made available to representatives of the Department of Agriculture.

Furthermore, in our view, this would best be accomplished by regulations issued by the Secretary of Agriculture in conformity with rule making procedures like those used for packaging regulations under the Fair Packaging and Labeling Act of 1966.

It is our belief that the bill, as so amended, would provide the Secretary with the administrative flexibility required to make the meat inspection program effective, but would at the same time provide our members with needed procedural safeguards.

We would appreciate the inclusion of this letter in the record of the Subcommittee's hearings, and take the liberty of sending copies to all members of the Subcommittee for their consideration.

Very truly yours,
GEORGE W. KOCH,
President.

Mr. HRUSKA. Mr. President, if I may engage the attention of the Senator from New Mexico once more, I refer to page 7 of the report with the comment as to the proviso being added to allow the Secretary of Agriculture to impose more stringent restrictions for pesticides, chemicals, food and color additives, and so on. These restrictions are more severe than those presently imposed by the Secretary of Health, Education, and Welfare under the Food, Drug, and Cosmetic Act.

This proviso is on page 6, lines 5 through 11, of the bill. Would the Senator from New Mexico give us the background of that language and the reasons why the committee was impelled to include this particular language which goes far beyond present statutory authority vested in other Government agencies in this same field?

Mr. MONTOYA. I might say to the Senator from Nebraska that the hearings do not disclose any particular reason for it. I assume that the reason the power of regulation was broadened was the recent experiences we have had not only in this country but also in other parts of the world with respect to infected food from pesticides. I presume that. It is the only thing I can ascribe it to because, certainly, in the hearings, we did not go into that particular genesis.

Mr. HRUSKA. I was informed—I did not make a personal perusal of the hearings—but I was informed that there did not seem to be any development in the testimony of any such extension of statutory authority to this particular field which is not vested in any other governmental agency in a similar field. That was the reason I put the question and I draw attention to it in that fashion.

Mr. MONTOYA. The main purpose of this provision is to insure that the meat will be wholesome. It gives to the Secretary of Agriculture the authority to check into pesticide content so as to determine whether meat is actually wholesome.

I think, in order to put our discussion in proper context, I should read into the RECORD at this point subparagraph (D), which appears on page 6 of the bill and which reads as follows:

> (D) if it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug, and Cosmetic Act: *Provided*, That an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Secretary in establishments at which inspection is maintained under title I of this Act;

Mr. HRUSKA. I am sure that is a fine declaration, and it goes to a general principle with which we cannot quarrel; but certainly Congress on previous occasions, after having held extended hearings on this point in particular and conferences and discussions, extended the authority just so far. Now, without such hearings, we have the authority extended far beyond what it has been for any other agency. It would seem to me very appropriate that there would be good, sound reason, with justification existent, before we would take such action.

Mr. President, frankly, I repeat what I said at the opening of this statement. I greatly regret my lack of whatever it takes to have made timely objection to what I call undue haste in consideration of this very important and highly needed bill. It has had a controversial career so far. There was a reversal by one of our major departments of Government as to its official position on it. It had extended debate in the other House, not enough here, and certainly not enough consideration. It is for this reason that I have made these inquiries.

I want to repeat that I make this statement without one iota of argument against the necessity for a bill in this area. There is not to be any suggestion or intimation from what I have said that I believe there is anything but the highest intentions and sincerity on the part of the manager of the bill and the coauthors of it, but it is still not the most desirable way of legislating on a very vital subject.

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MONTOYA. I may say that it never entered my mind that the Senator was articulating any bad intentions here. On the contrary, he has added to the legislative history of this bill and by his inquiry has improved the effectiveness of this legislation. I am sure he has contributed greatly to the kind of dialog that would lend itself to giving this bill a better legislative history than it had before he assumed the floor, and I certainly want to thank him for it.

Mr. HRUSKA. I thank the Senator for his kind remarks.

I now turn to another point, the application of Federal standards to approximately 15,000 plants not now under Federal standards or equal State standards. The question was raised—and I understand from the explanation of the Senator from Iowa that the situation is covered in the report in the last paragraph on page 3, extending over to the subtitle on page 4—that it was felt there would be thrust upon some 15,000 intrastate plants brandnew Federal standards pertaining to and relating to construction.

Obviously, many of these businesses which have been in existence for many years would be called upon to virtually tear out the insides of their plants or demolish the buildings and rebuild them in order to comply with the Federal construction standards.

That does not mean that the Senator from Nebraska would like to have them retain their own construction standards or that the construction standards should in any way militate against the building of their plants to produce wholesome and sanitary products that are properly labeled. That question was raised, and I am glad attention was paid to it and that it solicited an answer to this practical problem in the fashion in which it was done.

Mr. MONTOYA. Mr. President, if the Senator will yield, that was a concern of mine when we were considering the bill. Even after the close of the hearings, we called in personnel from the Department of Agriculture to look into this particular question.

I might also say that my good friend the senior Senator from Colorado [Mr. ALLOTT] called this matter to my attention on Wednesday, and I told him we had taken care of this provision in the committee report. I have gone into this a little further.

If the Senator will yield to me to amplify my statement——

Mr. HRUSKA. I am happy to yield.

Mr. MONTOYA. Even though this was taken care of in the committee report—and certainly the wording in the committee report should allay the fears the other concerned persons have had—I called officials in the Department of Agriculture and asked them specific questions on the architectural requirements. This is the answer they gave me. First, the specific question was asked them: What if a certain plant has a height of 8 feet and your require 10 or 11 feet so the carcass will not drag?

The Department of Agriculture advises me that they have not adhered to such stringent requirements even in their interstate inspections; that where they have made specifications with respect to construction, it has been merely to offer advice and to offer a sort of followable blueprint to those who wish to construct, but those who do not have that type of ceiling may continue to operate with the facilities they have, provided the overall, primary objective of sanitation and wholesome meat is realized through that practice. So that right now, in Federal inspection, with respect to architectural requirements, there is merely advice and counsel by the Department of Agriculture to those who want to update their plants.

Mr. HRUSKA. But the fact is that Federal construction standards do exist and they can be enforced. I am mindful that the Senator believes and reports accurately the information he receives. Some years ago an increase in funds was made available by Congress for the purposes of meat inspection. The result of that was that many plants were inspected that had not been inspected up to that time. I do not recall the experience of other Senators in whose States independent packers may be located which were not inspected before; but several applications were made to my office for intervention with the Department of Agriculture. These complaints were to the effect that if the Department insisted on these construction standards the packers could not comply with them. They would have to build new plants if they wanted to stay in business. Perhaps through complaints made to Members of the House and the Senate, and the commonsense of the Secretary of Agriculture, that situation was corrected.

Mr. MONTOYA. May I also state that even if persons wanted to rebuild their plants, the Secretary of Agriculture does not impose on them new construction specifications, about which I have spoken, except as guides.

Mr. HRUSKA. Unfortunately, I would have to disagree with the Senator as to what I have encountered. Perhaps the Secretary did not do it, but some of his officials did, because I have files in my office from a number of plants in my States where that actually happened. We were able to get it straightened out. Thank goodness, we did.

What is contained in the report is good policy, I am sure.

Mr. MONTOYA. If the Senator will yield, I would like to ask unanimous consent that that part of the report from the last paragraph on page 3 up to the subheading "Committee Amendments" on page 4, be inserted in the Record.

Mr. HRUSKA. I join in that request.

There being no objection, the extract from the report was ordered to be printed in the Record, as follows:

Under this new bill Federal standards will be applied to approximately 15,000 plants not now under Federal standards or equal State standards. Many of these plants are smaller facilities, some located in remote areas, which produce small quantities of meat and meat food products. The committee feels that Federal standards must be required of all meat and meat food products sold for human consumption in this country. It is understood, however, that some of the Federal standards for plant construction may sometimes be unrealistic, and it would be unreasonable to arbitrarily apply them when the operational practices of a smaller facility enables them to meet Federal or equal State standards. In this regard the committee expects the Secretary to approach this problem in the spirit reflected in the testimony of the Department's witness:

There appears to be some misunderstanding of physical structure requirements for intrastate establishments thus made subject to Federal inspection. However, the facts are that the eligibility of an establishment for Federal inspection is based upon a combined evaluation of the operating procedures used by the establishment and the building construction and physical facilities rather than upon a separate evaluation of these factors. Thus, if the operating procedures are patterned so as to insure the sanitary handling of product within the establishment and result in wholesome food, the establishment could be declared eligible for Federal inspection.

However, the committee wants it clearly understood that the requirements on wholesomeness, additives, labeling, and the other Federal regulations are not to be compromised and must be at least equal to Federal standards.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MONTOYA. The Senator from Nebraska has the floor.

Mr. HRUSKA. I am happy to yield to the Senator from Minnesota.

Mr. MONDALE. I am pleased that the Senator from New Mexico has included this language appearing in the report at pages 3 and 4, because I believe it spells out the intention of the committee that construction standards shall be approached in the spirit reflected in the testimony of the Department, which made it very clear that, as to some of the 15,000 plants not now within Federal regulation, many of them smaller facilities or located in remote areas, and producing small quantities of meat and meat food products, to attempt to apply a highly technical series of Federal regulations to such plants might, in the light of particular circumstances, be a wholly impractical and useless exercise, and could bring about a result completely disproportionate to the purpose and spirit of the act.

It is the intention of the committee, which I think we have clearly spelled out, that the objective of this act is to assure wholesomeness and establish standards relating to additives and labeling, and that is the primary function of the application of Federal standards; and that the arbitrary application of highly technical construction standards is not what we have in mind.

I believe that the testimony of the Secretary's representative, as set out on page 4, very clearly expresses not only the intention of the committee, but the policy which the Department will pursue with respect to such plants. Thus I think it overcomes many of the fears we might otherwise have of a highly technical, arbitrary application of those standards.

Mr. HRUSKA. I fully concur with the construction which the Senator from Minnesota has placed upon the matter. I do believe that that is a clear statement of legislative intent, contained, as it properly should be, in the committee report, which is the effective way to do it.

I ask unanimous consent, however, to have printed in the Record at this point an amendment which would be usable to supplant this report language into statutory form, if it were felt desirable and necessary to have it included in the bill.

The PRESIDING OFFICER (Mr. Muskie in the chair). Without objection, it is so ordered.

The amendment ordered to be printed in the Record, is as follows:

On page 38, between lines 2 and 3, insert the following:

"(d) Nothwithstanding any other provision of this Act, the requirements of this Act and rules and regulations issued thereunder relating to building construction standards shall not apply for a period of three years after the date of enactment of this subsection in the case of any plant or building in which the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products were being conducted on the date of enactment of this subsection if such operations were not subject to Federal meat inspection on the day prior to the date of enactment of this subsection. The provisions of this subsection shall not be construed to exempt any plant or building from complying with any building construction standards prescribed under this Act or under any rule or regulation thereof if at any time after the date of enactment of this subsection the operations of any such plant or building are conducted in commerce; nor shall the provisions of this subsection be construed to exempt any plant or building from complying with standards for wholesomeness and sanitation of animals, carcasses, parts thereof, meat and meat food products handled in any such plant or building."

On page 38, line 3, strike out "(d)" and insert in lieu thereof "(e)".

Mr. HRUSKA. I have asked that my suggested amendment be printed in the Record, as I say, for the purpose of reemphasizing the legislative intent, as now spelled out in the committee report.

I would be happier if such language were included in the statute. Then every lawyer in the land who meets with a case of this kind would have it available, and would know immediately what the statute means. This way, those privileged few who think they can learn anything from Senate or House committee reports will be, perhaps, benefited by the knowledge of the legislative intent which has been spelled out in the report.

Mr. President, I yield the floor.

Mr. CURTIS. Mr. President, I rise to ask some questions of the manager of the bill, if he will be so kind as to respond. I realize he has worked long and hard on this measure; and it is a measure of great importance to many people.

My first question is this: Is it the feeling of the committee that the Governor of a State might avail himself of the opportunity or the right to invoke Federal inspection at Federal expense for budgetary reasons?

Mr. MONTOYA. In a colloquy with the Senator from North Dakota a few minutes ago, he asked a similar question. My answer was substantially this: that I did not feel that any Governor would summarily, without any justifiable reason, ask the Federal Government to step in, and certainly would not do it only because of fiscal considerations.

Mr. CURTIS. Could our present inspection service and its personnel handle what is proposed in the pending bill, plus the additional duties which might come about in a number of States which might turn to the Federal Government to perform the service?

Mr. MONTOYA. No; if there are additional plants or additional State inspection systems turned over to the Federal Government, then that necessarily would require additional manpower. But there is no requirement for additional manpower under the interim investigative authority given the Secretary of Agriculture over plants that might produce unwholesome meat.

I do not know whether I have made myself entirely clear. There are two categories here: one where the State turns all of its inspection over to the Federal Government, and the other where the Secretary of Agriculture goes into a State which already has inspection, and where, in a circuit-riding fashion, he investigates some of the plants to determine whether they are producing unwholesome meat.

In the latter category, there is no requirement for additional personnel; but if a State should cast upon the Federal Government its whole State inspection program, then there would be a requirement for additional manpower.

Mr. CURTIS. Then there is the additional provision that they could have a cooperative plan, if the Federal Government shares the cost.

Mr. MONTOYA. Yes.

Mr. CURTIS. Who furnishes the personnel in such case?

Mr. MONTOYA. With the Federal-State cooperative plan, there will be no need for additional employees, but there would be a need for additional money, so as to fund the extension of aid to the States in providing the training, the inspection, and the other requirements for an adequate inspection service at the State level.

Mr. CURTIS. Are rendering plants subject to Federal inspection now, under the present act?

Mr. MONTOYA. The rendering plants which render edible food are under Federal inspection at the present time, but those that render inedible products and wastes are not under Federal inspection. This bill would bring them within the purview of the legislation.

Mr. CURTIS. What foods are manufactured by rendering plants?

Mr. MONTOYA. Well, there are the remnants of fat. There is the grinding of carcasses and skins, and——

Mr. CURTIS. Is that from slaughtered animals?

Mr. MONTOYA. Yes; from slaughtered animals and the wastes.

Mr. CURTIS. Are rendering plants that deal primarily with animals which have not been slaughtered presently federally inspected?

Mr. MONTOYA. I do not understand the Senator's question.

Mr. CURTIS. I am referring to animals that die from natural causes, and a rendering plant picks up the carcass.

Mr. MONTOYA. They are not subject to inspection at the present time unless that meat starts moving in interstate commerce. Then the Federal Government will step in.

Mr. CURTIS. What is done about rendering plants in this proposal?

Mr. MONTOYA. It would subject them all to the licensing functions of the Secretary of Agriculture.

Mr. CURTIS. Every rendering plant would have to be licensed.

Mr. MONTOYA. If they are in the interstate commerce category, they would automatically come under the Federal inspection service.

Mr. CURTIS. In the pending bill?

Mr. MONTOYA. The Senator is correct.

Mr. CURTIS. On page 1 of the report, near the bottom of the page, it says:

> Add a new Title II(A) prohibiting commerce in animal products not intended for human use unless denatured, properly identified as not intended for human use, or naturally inedible.

Would the Senator elaborate a little on the meaning of that statement?

Mr. MONTOYA. If, for instance, we have a diseased animal in a slaughtering house and the owner of the slaughtering house intends to process the animal, there is a requirement under the pending legislation that one is supposed to denature it. That means that one is supposed to color it green or purple or some other discernable color that will be indicated as the Secretary may prescribe, to show that it is not an edible commodity. That is what the term denature means, to take it out of its proper, natural appearance.

Mr. CURTIS. Does that language refer to pet foods?

Mr. MONTOYA. It could refer to pet foods, however, if the meat or meat product is clearly labeled as pet food it would not necessarily have to be denatured.

Mr. CURTIS. What products would be covered by those lines which I read from page 1 of the report?

Mr. MONTOYA. This is determined by applying the test of what products are not capable of use for human consumption.

If a diseased animal has been brought into a plant, that is naturally not an animal that is capable of being used for human consumption. Therefore, the product has to be denatured immediately. If the plant does not do this, the plant is then in violation of the Federal law.

Mr. CURTIS. What plants are referred to by this language?

Mr. MONTOYA. The language refers to all plants under the Federal inspection system and to all new plants that might come under Federal inspection.

Mr. CURTIS. What is the definition of a plant?

Mr. MONTOYA. A plant is any person, firm, or corporation engaged in the slaughtering of animals—cattle, swine, goats, and equines—for the manufacture of products for human consumption. That is the purpose of the legislation.

Mr. CURTIS. It must be the intent of the processor that the product be for human consumption.

Mr. MONTOYA. It is the intent that governs under the existing Federal inspection system. We have now switched that around to say "any product which is capable of being consumed by a human being." That is the test now, instead of what is in the mind of a processor.

Mr. CURTIS. The test is whether it is capable of being consumed.

Mr. MONTOYA. The Senator is correct.

Mr. CURTIS. How does one determine that?

Mr. MONTOYA. I think it is perfectly natural for any human being to determine whether meat is edible and whether it meets the requirements of wholesomeness. I think that is something that is very natural.

I do not think it requires even the establishment of any formal criteria for that. However, the Secretary of Agriculture will probably establish criteria.

Mr. CURTIS. Suppose a product is manufactured and processed with the intention of being used for animal food, but contrary to the knowledge and intent of the processor, some of that product is eaten by humans. Would that be covered by the pending legislation?

Mr. MONTOYA. Yes, it would be. Page 4 of the bill, subdivision (k) reads as follows:

> The term "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans.

That would cover any of these products without the matter having to go through a stage of definition.

Mr. CURTIS. Inedible, I assume, would perhaps mean the hair that is processed.

Mr. MONTOYA. The hair, the hide, and the horns of an animal. They are naturally inedible.

Mr. CURTIS. What additional requirements will be placed upon a slaughtering plant that is presently covered under the Federal law and is, we will assume, conducting itself satisfactorily? What additional requirement should that businessman look forward to having to meet under the pending legislation?

Mr. MONTOYA. I would say by way of a fair answer to that question that there is no substantial, additional imposition upon the plants that are now federally inspected.

There are clarifications in the pending legislation with respect to misbranding, labeling, and packaging. The Secretary of Agriculture is given clear authority which was previously exercised by the Food, Drug, and Cosmetic Administration.

They now complement each other under the pending legislation with respect to labeling, packaging, and other authorities which heretofore existed with both agencies.

Mr. CURTIS. Suppose a plant is not federally inspected and the State Governor does not elect to have all of the plants come under Federal inspection, is there a cooperative plan in issue? How much time does the individual plant that is not now federally inspected, if it is engaged in interstate commerce, have in which to comply?

Mr. MONTOYA. Under the pending legislation, the Secretary of Agriculture does not have any authority, within a 2 year period, to impose Federal inspection on a State presently until he finds out on a plant-by-plant basis that a certain plant is producing an unwholesome product.

If that is the case, the Secretary of Agriculture shall advise the Governor that plant A is producing an unwholesome product intrastate. The Secretary will ask the Governor to try to do something under its State inspection system to see that that plant does not continue to follow this practice.

If the Governor refuses to act in behalf of the consumer in this instance, or if the Governor says to the Secretary of Agriculture, "I have no facilities under my State law to act," then the Secretary of Agriculture, under the pending legislation, immediately would bring the violating plant under his jurisdiction under the Federal inspection system. However, it is done on a plant-by-plant basis during the 2-year period.

Mr. CURTIS. I understand that if the pending legislation is enacted into law, it will bring approximately 15,000 plants under the Federal inspection system that are not now subject to the Federal inspection system.

Mr. MONTOYA. The Senator is correct. There are now 15,000 plants engaged in intrastate commerce which are not covered under the Federal inspection system. These plants slaughter approximately 19 million animals a year, and they are responsible for the production of 15 percent of the meat and 25 percent of the processed meat products.

Mr. CURTIS. If those nonfederally inspected plants exist in a State and a spotcheck by the Secretary of Agriculture fails to find any violation of the law, they are then permitted to continue in their status quo.

Mr. MONTOYA. That is correct.

Mr. CURTIS. No plants not now covered will be covered until the Secretary of Agriculture seeks them out and so advises the Governor?

Mr. MONTOYA. Yes. That was the

purpose of our amendment—to be able to say to the States, within a 2-year period, "All right, you exercise your police power over these intrastate plants; but if you do not do it, we have a responsibility to the consumer to come in and do it. But we will let you know first. We will let you, the Governor, know, and we will let the advisory committee know, that such violations exist, and we want you to do something about it; and if you do not, we will do it on a plant-by-plant basis; we will take them into the Federal system."

Mr. CURTIS. Suppose someone—an individual, perhaps—is engaged in slaughtering and selling direct to the consuming customer, which would naturally be on a rather small scale, would he be subject to the new act?

Mr. MONTOYA. No.

Mr. CURTIS. In other words, the individual, or the farmer himself, who slaughters and sells direct to consuming customers is not affected by the new bill?

Mr. MONTOYA. No.

Mr. CURTIS. What does the Senator anticipate to be the additional Federal cost of this bill?

Mr. MONTOYA. Depending upon how many States come into the Federal system, the cost would start at $4 million and go up to $15 million—the cost of my bill. The cost of the Mondale bill, if it had been enacted, would have been $45 million. The cost of the Smith-Foley bill would have been approximately $35 million additional.

Mr. CURTIS. What is anticipated to be the additional cost of the pending bill, if it should become law?

Mr. MONTOYA. It will start at $4 million and go up to $15 million.

Mr. CURTIS. Now a question concerning the slaughtering plant that is now under Federal inspection and meets the requirements, has never been involved in any violation of consequence, and has a long record of law observance: What additional bookkeeping burdens will be placed upon such a plant?

Mr. MONTOYA. They have to keep certain records which are required by the Secretary of Agriculture to carry on the objectives of this bill—namely, inspection, and to assure the Secretary of Agriculture that unwholesome meat is not being produced by the particular individual.

For example, if the slaughterer buys a diseased or dying animal, he must keep a record that he received it on a certain day and that he disposed of it in some way. He must keep a record as to how he disposed of it.

Mr. CURTIS. Such records are not required now?

Mr. MONTOYA. Well, the Secretary has imposed by regulation certain requirements, but there has always been a question as to whether the Secretary had the authority to go as far as he did. To illustrate the authority under which he is acting, it was an acorn of legislation planted on a silver dollar, so to speak, because it was a rider on an appropriation bill. And from this acorn grew the mighty oak of Federal inspection and inspection by regulation, and that is what is presently on the statute books. There has been no substantial amendment to the original act, which was passed in 1907.

Mr. CURTIS. With respect to the 15,000 processors who will come under the jurisdiction of Federal inspection, who are not now under that jurisdiction, did any witness give an indication of how many of them were producing unwholesome meat?

Mr. MONTOYA. There have been quite a few investigations. In 1962 and, I believe, in 1967 the Department of Agriculture conducted some investigations, and they were able to show that there have been quite a few violations of the consumer's interest in this field. In Chicago——

Mr. CURTIS. I do not dispute that there are violations. I do not dispute that some very unwholesome meat may reach some consumers. My question is this: Is it believed that all of the 15,000 who will for the first time come under Federal inspection, or any substantial number of them, have been guilty of delivering to consumers, or causing to be delivered to consumers, unwholesome meat?

Mr. MONTOYA. There have been quite a few violations; but the Department of Agriculture has no control over them, and some States have very lax laws or refused to prosecute.

I will give the Senator the most glaring example which occurred in the last few days. In the city of Chicago there was a recent conviction, with indications that this particular case had ramifications which stemmed from activity on the part of gangland figures, on the part of the Mafia.

I read the headline from Chicago's American, dated Tuesday, November 21, 1967: "Sells Bad Meat, Goes To Prison—Gets 2 Years for Diseased Cattle Deals."

These cases did not originate in Illinois, which has a mandatory inspection system. They originated in Iowa and one other State and then the meat was transported into Illinois; and that is where the Federal service got into the picture and caught them. But had these been intrastate sales, within a State, perhaps these people would not have been caught.

Mr. CURTIS. Do not misunderstand. I certainly am not rising in defense of anyone guilty of selling unwholesome food of any type.

I will state my question in another fashion: Can it also be said that many of the 15,000 plants that heretofore have not been subject to Federal inspection, and must now be subject to that inspection, no doubt have a good record on sanitation and wholesome processing?

Mr. MONTOYA. Oh, yes. I do not wish my remarks to be misinterpreted. I believe that, on the whole, many of these intrastate plants have been giving the consumer sanitary and wholesome food. They are not to be condemned for what a few violators have done.

Mr. CURTIS. And some of them have been very conscientious, in the absence of any inspection or in the absence of any anticipated inspection. Is that correct?

Mr. MONTOYA. Well, I do not know. I assume that they are reputable business people and that they want to give their clientele the best food they can produce, under the most sanitary conditions.

Mr. CURTIS. I am sure we agree upon that.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the newspaper articles to which I have referred be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago American, Nov. 21, 1967]

SELLS BAD MEAT, GOES TO PRISON—GETS 2 YEARS FOR DISEASED CATTLE DEALS

A man who shipped the meat of diseased cattle to the Chicago market was sentenced today in federal District court to 2 years in prison and fined $15,000.

He is Orest Deligiannis, 52, of 7118 Kedvale av., Lincolnwood, who operated the Janis Livestock company from his home.

He pleaded guilty before Judge Julius J. Hoffman last month to 6 counts of a 12-count indictment accusing him of interstate transportation of 78,000 pounds of uninspected beef between Sept. 10, 1964, and May 5, 1965.

The government dismissed the remaining six counts. Under all 12 counts, Deligiannis could have been sentenced to 24 years and fined $120,000.

TELLS TRUE TOTAL

Hoffman said a report by the United States department of agriculture said the true total of the uninspected beef handled by Deligiannis was 226,733 pounds between January, 1964, and May, 1965.

Hoffman rejected a plea for probation by the probation department and another by a psychiatrist.

He criticized the probation department over its recommendation, chiefly because a psychiatrist was assigned to examine the defendant at the request of the defense lawyer, Jack Marcus.

WENT TO WHOLESALERS

The meat was obtained in the Appleton, Wis., and Dubuque, Ia., areas, according to the government, but the indictment did not name the sources.

The department of agriculture report said Deligiannis placed the beef in cold storage and that an undetermined quantity of it went to four food wholesalers, who were not named in the indictment or the court proceeding.

Deligiannis also operates a wholesale grocery at 766 W. Jackson blvd., but the indictment did not charge that he disposed of any of the meat there.

CITE TAX RETURN

The department of agriculture report read by the court said that Deligiannis' 1964 income tax return showed his gross sales as $61,417.

In imposing sentence, Hoffman specified that Deligiannis is to be held without bond and must pay the fine and court costs before being released from prison.

The case is the first of its kind in federal District court within memory.

Marcus produced the communication from the psychiatrist, who reported that Deligiannis is "passive-aggressive reactive and has an impulsive life style."

The attorney described Deligiannis as "a religious, honest, reliable man," at which Hoffman interrupted to say:

"What's a wonderful man like that been indicted for? And he pleaded guilty, but you didn't say that."

"I meant he was," said Marcus.

[From the Chicago Daily News, Nov. 21, 1967]

BAD-MEAT HAULER GETS 2 YEARS

(By Ed Kandlik)

A suburban Lincolnwood man with crime syndicate connections was sentenced to two years in prison and fined $15,000 Tuesday for transporting uninspected meat across state lines.

Orest Deligiannis, 51, of 7118 Kedvale, had pleaded guilty to 6 counts of a 12-count indictment. He was charged with transporting 78,000 pounds of uninspected meat to Chicago from Wisconsin and Iowa.

U.S. District Judge Julius J. Hoffman, who passed the sentence, said much of the meat was from diseased cattle.

Deligiannis could have been sentenced to 24 years in prison, Hoffman said.

The judge said Deligiannis dealt with Victor Champagne, who is a brother of and lives with attorney Anthony V. Champagne, 5679 W. Madison.

Anthony Champagne has appeared several times as attorney for Sam Giancana, reputed crime syndicate boss.

During the trial, the prosecution produced Agriculture Department figures that showed Deligiannis had placed 226,733 pounds of uninspected meat in cold storage at Chicago, and had sold additional meat without placing it in storage.

The indictment, returned May 11, 1967, involved only 78,000 pounds of meat transported to Chicago between September, 1964, and May, 1965.

[From the Chicago Sun-Times, Nov. 22, 1967]

Dealer Gets 2 Years for Shipping Unfit Beef Into Chicago

(By Max Sonderby)

Accused of shipping more than 100 tons of unfit-to-eat meat into Chicago, Orest Deligiannis, 53, was sentenced Tuesday to two years in prison and fined $15,000.

U.S. District Court Judge Julius J. Hoffman, in denying probation for Deligiannis, of 7118 Kedvale, Lincolnwood, said:

"It would appear that he was transporting meat from dead, disabled and diseased cattle."

The judge noted that some bank checks involved in the meat deals were signed by Victor Champagne, brother of attorney Anthony V. Champagne, whose clients have included top Mafia gangsters.

PLEADED GUILTY

Deligiannis had pleaded guilty earlier to six charges of transporting uninspected meat across a state line, from Wisconsin to Chicago.

Asst. U.S. Atty. John J. McDonnell said in court that the defendant first told investigating agents he was handling meat for use as dog and mink food.

Deligiannis later admitted that the meat was for human consumption, the prosecutor said.

Records showed that Deligiannis did business, as Janice Meat Co., from his Lincolnwood home and also was interested in Deligiannis Brothers Inc., a wholesale food firm at 766 W. Jackson.

McDonnell told the judge the defendant had a farm near Little Suamico, Wis., shipping meat from there and from Appleton, Wis. Other shipments were made from Dubuque, Iowa, McDonnell said.

ONE HUNDRED TONS INCLUDED

Deligiannis pleaded guilty to handling 70,025 pounds of uninspected meat from Sept. 10, 1964, to May 6, 1965. However, Judge Hoffman observed that 226,733 pounds, or more than 100 tons, were placed in cold storage for him.

Deligiannis was indicted May 12 after two years of investigation by government agents. The prosecution dropped six of 12 counts in the indictment.

In asking for leniency, defense attorney Jack Marcus said of his client:

"He is a religious man. He doesn't drink, His life has been devoted to honest and legitimate work in the meat business all of his life."

Judge Hoffman replied:

"Then why was he indicted? There are things about this case I don't like. If you want, I will tell you about them."

Marcus refrained from asking.

Mr. CURTIS. The individual or the concern that is intentionally guilty of practices that result in unwholesome food, of course, must be dealt with. I believe it is also important for the consuming public to realize that the great army of producers and processors of meat are well intentioned and do a good job. Any case that occurs is bad and should not be defended, but the entire industry should not be condemned, whether they be small or large concerns.

Mr. MONTOYA. The Senator is correct.

I thank the Senator for the questions he has asked. I believe that the colloquy has provided further amplification of the objectives of this bill.

Mr. CURTIS. I thank the Senator for his helpfulness in replying to my questions.

Mr. HOLLAND. Mr. President, as the Senator from New Mexico knows, the Senator from Florida was not able to attend the markup in committee because he was transacting other Senate business elsewhere. For that reason I would like to address some general questions to the Senator from New Mexico.

As the Senator from Florida understood, there were three bills considered by our committee: the bill that came over from the House of Representatives, H.R. 12144, which is known as the Purcell bill, and the two bills that had been introduced by Members of the Senate, the Montoya bill, S. 2147, which, as amended, is before us now, and the Mondale bill, which was S. 2218. Is that correct?

Mr. MONTOYA. The Senator is correct.

Mr. HOLLAND. The Senator from Florida first had assurances from the industry in his own State and the appropriate officials of their general approval of the Purcell bill, the House bill; and later, when the Senate hearings were underway, he had the same kind of assurances with reference to their general approval of the Montoya bill, sponsored and introduced by the distinguished Senator from New Mexico.

The Senator from Florida understands, however, that certain amendments were made in the Montoya bill and are in the bill as now reported from the committee. The Senator from Florida wants to understand whether or not the Senate and the general public can rely upon the recital of committee amendments to the Montoya bill found on page 4 of the committee report, at about the middle of the page, the amendments being Nos. 1, 2, 3, 4, and 5.

Are those the amendments made and all of the amendments made in the Montoya bill?

Mr. MONTOYA. The Senator is correct, with the exception of one amendment I am going to offer, which is for clarification only. It would strike out language that is surplusage in the bill, through a misprint.

Mr. HOLLAND. The amendment to which the Senator refers will not make a substantial change in the bill?

Mr. MONTOYA. It would not change the substance.

Mr. HOLLAND. Mr. President, I ask at this time that there be printed in the Record that portion of the committee report beginning with the words "Committee Amendments" appearing on page 4, and extending through the listing of those five amendments, for the information of the public and the industry.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

COMMITTEE AMENDMENTS

The Committee amendments would—

(1) provide for extension of Federal inspection to intrastate operations in any State upon request of the Governor, or upon a finding that the State has not within 2 or 3 years after enactment of the bill developed an inspection system at least equal to the Federal system;

(2) provide for extension of Federal inspection to particular intrastate plants found to be distributing adulterated products dangerous to the public health;

(3) preserve the Secretary's existing authority to exempt retail butchers and retail dealers in appropriate cases;

(4) strike out the provision giving the Secretary authority to make additional exemptions in the District of Columbia and unorganized territories; and

(5) make a number of changes designed to conform the provisions to those contained in H.R. 12144 as passed by the House of Representatives, to correct typographical errors, or to make other technical corrections.

Mr. HOLLAND. Mr. President, since there is a listing in the report of the differences between the Montoya bill, as amended, and the Purcell bill, I ask if the Senate can rely upon the recital of those differences, as stated in the paragraph appearing on page 4 of the committee report which is entitled "Comparison of S. 2147 With H.R. 12144."

Mr. MONTOYA. Yes. I believe reliance can be had on that difference stated therein.

Mr. HOLLAND. I thank the Senator.

Mr. President, at this time I ask that there be printed in the Record that particular paragraph on page 4 of the committee report entitled "Comparison of S. 2147 With H.R. 12144."

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

COMPARISON OF S. 2147 WITH H.R. 12144

The major differences between S. 2147, as reported, and H.R. 12144, as passed by the House of Representatives, are the committee amendments described in paragraphs (1), (2), (3), and (4) above. In addition, S. 2147 in section 17 would require the Secretary to submit more detailed reports regularly on the operations and products covered by the act. The only other differences are nonsubstantive technical corrections.

Mr. HOLLAND. Mr. President, I have listened with a great deal of interest to the colloquy on the floor of the Senate between the distinguished Senator from New Mexico and the two distinguished Senators from Nebraska, in which other Senators have participated from time to time, particularly the Senator from Minnesota [Mr. Mondale].

I think I understand the situation, and I believe that the public generally and the industries affected will understand the situation better by the inclusion of these excerpts of the committee report.

I think that a good many States, like my own State, are reluctant to have their own inspection services interfered with. We have an antemortem inspection and a postmortem inspection that are mandatory. We have processing inspection that is mandatory. I understand we are also willing to see that any insufficiency in State inspection be repaired and perfected so that the public will be better assured of getting wholesome products.

So far as the Senator from Florida is concerned, he does not think that Governors need to be feared, because I do not think they will ask for federalization of their services unless intolerable enforcement prevails in their States.

Mr. MONTOYA. Unless they are running for a second term.

Mr. HOLLAND. Fortunately, up until now, the governors of my State cannot run for a second term. I think they would not be persuaded to do such a foolish act. They might be planning to run for higher office and it might militate against them to take that action.

I thank the Senator for his answers and I thank Senators who participated in the colloquy. I think they have made this bill reasonably clear for the RECORD. As far as I am concerned, not having had any protest at all to the committee bill, although there were some protests to the earlier bill, the Senator from Florida would expect to support the bill of the Senator from New Mexico, as amended.

Mr. PASTORE. Mr. President, I merely wish to congratulate the distinguished manager of the bill and to tell him that when this bill came to consideration by the Senate, I communicated with Dr. Cannon, who is the director of health in the State of Rhode Island, to determine the situation in Rhode Island.

As a predicate to asking a question of my colleague who is managing the bill, I ask unanimous consent to have printed in the RECORD the letter which I received from Dr. Joseph E. Cannon, director of health, to the State of Rhode Island, dated November 17, 1967, together with the statement of Dr. T. J. Grennan, which is referred to therein.

There being no objection, the letter and enclosures were ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF HEALTH,
Providence, November 17, 1967.

Hon. JOHN O. PASTORE,
U.S. Senate,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PASTORE: The Rhode Island meat inspection program is based upon a Rhode Island statute requiring compulsory inspection of all meat, meat products, and meat animals intended to be used or sold for food.

The United States Department of Agriculture "Manual of Meat Inspection Procedures"; and the United States Department of Agriculture "Regulations Governing the Meat Inspection" are used in determining compliance under the current program.

Chapter 80, Public Laws, 1962, Rhode Island, provided for the transfer of the Division of Animal Industry from the former Department of Agriculture and Conservation to the Department of Health. In 1963, a reorganization of the Rhode Island Department of Health was effected. A result of this reorganization was the creation of the Division of Animal and Dairy Industry. One of the activities assigned to this division is the enforcement of the "Rhode Island Slaughter Act", and the assignment to serve as consultants to the Rhode Island Division of Food and Drug Control in all matters pertaining to the preparation and processing of foods of animal origin.

Since July, 1963, meat inspection activities in Rhode Island have been under the direct supervision of a full-time Public Health Veterinarian. The incumbent, formerly employed by the United States Department of Agriculture Meat Inspection Division has been certified by the Rhode Island Division of Personnel as a result of open competitive examination.

Thus, the program in force in this state parallels that of the United States Department of Agriculture in the use of the same manual and regulations; in the use of full-time personnel to provide ante- and post-mortem inspection; and in providing qualified, professional supervision.

I do not intend to detract in any way from the excellence and dedication of the federal meat inspection service. The reputation of this organization is well-deserved. Many statements, however, made during the current Washington hearings have created a widespread doubt concerning the disposition of so-called 4-D animals (dead, dying, diseased, disabled). I want to assure you that no such animal has been presented to any Rhode Island slaughter house in recent years; nor have such animals been purchased by a Rhode Island buyer at neighboring livestock auction sales.

I am enclosing a copy of a statement presented by Dr. Thomas J. Grennan of our department to the United States Department of Agriculture Budget Review Committee on April 26, 1960 relative to appropriation requests for the Meat Inspection Division. I would direct your particular attention to paragraph four and to the last paragraph on page 2 of his statement. It was not intended to have carte blanche approval granted to any state service. The intention was to provide for acceptance by the United States Department of Agriculture of an over-all state program; to establish qualifications for state employed plant inspectors and to certify them. It is my understanding that this 1960 proposal is very similar to the contents of the present bill by Senator Joseph M. Montoya. At this time, however, I would extend the original suggestion to provide for federal inspection in any state whose service was not approved by a given date, and the expense of such service to be paid for by the state.

Miss Betty Furness, in support of the bill by Senator Walter F. Mondale, stated that the consumer should not have to wait for two years or three years for protection. Such statements imply that federal supervision is available immediately. This may or may not be true. The United States Department of Agriculture is presently attempting to recruit veterinarians for the Meat Inspection Division which must be assumed to meet present demands. Employees in our Division of Animal and Dairy Industry have recently been contacted by mail. Advertisements appear in such non-professional publications as "The National Provisioner." To imply that federal meat inspection can be provided overnight may not be in the public interest.

Much of the evidence presented during the current hearings was based upon investigations made in 1962. Since that time, many states have made a definite and conscientious effort to establish or to improve acceptable meat inspection services. Rhode Island can certainly be included in this latter category. The present program offers a professional service to the extent of available personnel and financial support.

There is no doubt that those states with similar programs, aided by legislation providing for a federal-state cooperative program and supported by federal funds, would provide a service equal to that of the Meat Inspection Division of the United States Department of Agriculture.

Sincerely,
JOSEPH E. CANNON, M.D., M.P.H.

STATEMENT OF DR. T. J. GRENNAN ON THE MEAT INSPECTION DIVISION

The importance of, and the necessity for, the Federal Meat Inspection program is well known; and it is imperative that this program be in a position to keep pace with the needs of the industry which it serves, and of the public. The size of this division, and the services provided, are directly determined by the needs of the industry.

While the Federal Meat Inspection program is basically designed for the protection of the consumer health, it also serves as an adjunct to livestock disease control. It serves as an index of livestock health, and many times can call to the attention of livestock health personnel, conditions that otherwise might have gone undetected.

In addition to the above, it is a most important link, through the provisions of the original Meat Inspection Act, in the chain of livestock marketing.

The change in public buying habits has been markedly demonstrated in the marketing of meats and allied products. The small business merchant, who heretofore was able to provide an outlet for non-inspected products, is regularly being replaced by the large chain operator. This change in merchandising is directly affecting the needs of Federal meat inspection services, as inspected meats are increasing in demand.

The processed meat inspection program is daily assuming more and more attention. Its importance in the over-all inspection picture has been highlighted through the problems brought about by chemical additives to foods, as well as residues of chemicals ingested by livestock.

In common with all other service and business operations, operating costs have continued to rise. Increases in administrative costs should not deter the expansion of such an important service.

At the present time, inspection services are being granted to new plants at a higher rate than services are being withdrawn. The list of applicants requesting plant services continues to grow. In 1960, there are 3,274 people employed in 1,380 plants located in 571 cities and towns. By using current figures for grants, and applications, as well as estimated withdrawals, it can be assumed that in 1962 there should be a requirement for 3,366 persons in 1,474 plants located in 624 cities and towns.

The Meat Inspection Division is presently faced with the added responsibility of the provisions of the Humane Slaughter Act, and with the necessity of continuous residue investigations.

In order to meet the present requirements of industry, there is a need of 5½ men per month as a constant increase in personnel. This increase is in keeping with the normal growth and the requests of industry.

This committee requests that the possibility of acceptance of selected State meat inspection services be explored. Meat appears to be the only agricultural commodity restricted to Federal inspection to qualify for interstate and foreign commerce. It is not recommended that this be attempted on a state-wide basis, but rather that it be by selected approval.

In conclusion, the added responsibility of enforcing the Humane Slaughter Act; the

> addition of a minimum of 5½ men per month, will, no doubt, result in a demand for increased funds. This committee urges that these adequate funds be provided.

Mr. PASTORE. Mr. President, does the Senator from New Mexico recall any testimony in his hearings contrary to the presentation made in the letter written by Dr. Cannon?

Mr. MONTOYA. I think the statement that Dr. Cannon made coincides with what we have discovered in the hearings. Rhode Island is one of the States which have good mandatory inspection laws.

Mr. PASTORE. I understand that under the program Rhode Island will still conduct its own inspections for 2 years, with a grace period of 1 year within the discretion of the Secretary of Agriculture, and that the Federal Government will make certain provisions in money grants in order to bring about a more cooperative effort.

Mr. MONTOYA. I am willing to go further in my answer. The State of Rhode Island, so long as it continues to enforce its mandatory provisions with respect to intrastate plants, may continue permanently to do so. That is provided in my bill.

Mr. PASTORE. But will Rhode Island be a beneficiary of the largesse which is being peddled out to the other 49 States?

Mr. MONTOYA. The Senator is correct. Each State will be entitled to financial and technical assistance from the Federal Government for aid in the inspection of meat.

Mr. PASTORE. My last question is: In Rhode Island, there are many independent butchers. They cut their own meat, all done within federally inspected meat conditions as a rule, but then they make sausages on their own. They buy the pork, add the condiments, and make the sausage. Would the small butcher shop come under the purview of this law?

Mr. MONTOYA. I refer the Senator to page 36, subsection 2 of the bill which reads as follows:

> The provisions of this Act requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only under this paragraph (c).

Mr. PASTORE. I thank the Senator. I commend him for the excellent job he has done on behalf of the citizens of the country, particularly the consumers, and for the excellent job being done on the floor of the Senate today to protect the health of our people.

Mr. MONTOYA. I thank the Senator from Rhode Island.

Mr. President, I yield the floor.

Mr. CLARK. Mr. President, as a cosponsor of the original Montoya bill and as a supporter of the bill introduced somewhat later by the Senator from Minnesota [Mr. MONDALE], I should like to congratulate both Senators on their wisdom in coming to an agreement on the amendments which have resulted in bringing to the Senate the present bill, S. 2147.

In my judgment, this Federal meat inspection bill, as revised and strengthened, will give to the housewives who shop for meat at the local supermarket, the millions of children who buy school lunches, and anyone who has ever ordered a meat dish in a restaurant, the assurance that their Government has done all it can to guarantee the purity and wholesomeness of the meat they eat.

This is a matter of particular concern to the Commonwealth of Pennsylvania because of the inadequacy of our State inspection program. Unfortunately our Governor has not requested, and our legislature has not appropriated sufficient funds to support an adequate State inspection program. On the whole, our meat inspection law has not been adequately enforced. Our meat inspection procedures have been haphazard at best.

Of the 1,263 meat processing or slaughtering plants in Pennsylvania, more than 1,000 receive no inspection other than for purposes of licensing. The result is that fully 25 percent of the fresh meat and 50 percent of the processed meat in the State of Pennsylvania comes from plants which are not inspected. Conditions in some of these plants, if they were known to the consumers of the meat they process, would be shocking news indeed.

With the passage of the bill now being considered, we shall set in motion new Federal procedures which will put an end, once and for all, to these distressing conditions. Although the States will be given 2 years to establish an adequate State inspection system, the consumers will not be left unprotected during that period. The bill, as amended, specifically authorizes the Secretary of Agriculture to take immediate action against any intrastate plant which endangers public health, by placing such a plant under Federal jurisdiction and inspection if the State, after notice, fails to eliminate such health hazards. I join in the judgment of President Johnson's consumer affairs adviser, Miss Betty Furness, that the bill, as amended, is a "strong, realistic, and practical bill that will assure the Nation's housewives that the meat they serve their families will be pure."

Mr. MONDALE. Mr. President, will the Senator from Pennsylvania yield–

Mr. CLARK. I yield.

Mr. MONDALE. I wish to congratulate the distinguished Senator from Pennsylvania for his courage and leadership on this issue. The conditions which he cites in Pennsylvania can be found in most States of the Union. As the Senator from Pennsylvania knows, a survey was made of intrastate plants in the so-called Clarkson report of 1962, and another survey was made in 1967. They showed that intrastate plants are being inspected in varying degrees depending on the State.

Eight States have no inspection system whatsoever. Others are in virtually the same situation. But the Department concluded that although many States, by the terms of their legislation, have adequate laws, in no State is the administration of the program up to Federal standards. In all States, specific examples of practices of all kinds were found that would never be permitted in federally inspected plants.

Mr. CLARK. I thank the Senator from Minnesota for that information. I should like to ask him, as a comanager of the bill, a question. On page 4 of the committee report, I note a series of committee amendments which, as I read the more important ones, would—

> (1) provide for extension of Federal inspection to intrastate operations in any State upon request of the Governor, or upon a finding that the State has not within 2 or 3 years after enactment of the bill developed an inspection system at least equal to the Federal system;
>
> (2) provide for extension of Federal inspection to particular intrastate plants found to be distributing adulterated products dangerous to the public health;
>
> (3) preserve the Secretary's existing authority to exempt retail butchers and retail dealers in appropriate cases;
>
> (4) strike out the provision giving the Secretary authority to make additional exemptions in the District of Columbia and unorganized territories.

Do not those committee amendments substantially strengthen the bill which the House passed, known, I believe, as the Purcell bill?

Mr. MONDALE. I do not think there is any question about it. The House-passed bill, known as the Purcell bill, contains many fine features. But there was one omission, in my opinion, that had to be corrected; namely, what could be required of a State which, despite the fact that, under the House bill, financial assistance was offered, nevertheless refused to establish a system which was adequate to protect the public from unwholesome meat, from the use of cheap fillers, from misleading labeling, and from color additives that concealed the true nature of the meat of the sausage? The answer was "nothing." We found not only that the States faced an economic problem, but that the entire mechanical function of intrastate regulation that had developed over the years had created tremendous economic problems for States within the Federal system, because of the powerful economic forces at work in all States. For that reason, we needed not only a carrot, but a stick, and that is supplied in the bill before the Senate.

Mr. CLARK. I congratulate the Senator from Minnesota and the Senator from New Mexico upon agreeing to insert these provisions in the bill. I hope very much that when the bills go to conference, as I assume they will, the Senate conferees will insist on these more rigorous standards.

Mr. ALLOTT. Mr. President, I have been on the floor now for over 2 hours in an attempt to be recognized by the various occupants of the chair, and have been unsuccessful up to now. Some 1 hour and 15 minutes ago I assured the leadership that I would do all in my power to try to get to a vote on this question by 3:30 p.m. It is now 3:32, and while I have no intention of talking at any great length, neither do I intend to quit until I have acquired all the information I wanted to elicit for the Senate.

First of all, I want to say that I concur—wholeheartedly in the remarks of the distinguished Senator from Nebraska [Mr. HRUSKA]. It had been my intention to ask some questions along the same lines that he has propounded. However, I think some of the questions he has asked might stand further exploration.

As a preliminary remark, let me say that no one here holds any brief for anybody who produces meats that are of an inferior quality or which are not wholly fit for human consumption. However, many things can happen with Federal legislation. The distinguished manager of the bill mentioned a while ago, in reading from a Library of Congress report, that a great number of people were poisoned from bread which had become infected by insecticides. I do not know whether that is the recent case I read or not, which resulted in some 76 deaths, and which was a very tragic affair, since most of victims were children. The situation, as the Senate may know, involved a trucker, who was transporting bread, also put some insecticides of a very poisonous nature in the truck bed with the bread. The insecticide sacks became broken, and in being transported, blew around an infected the bread. A great number of people lost their lives unnecessarily. The truckdriver later made the statement that he did not know it was poison.

So the only point that can be made out of this very sad affair is that even if there had been an inspector at every stage of the processing of the bread, even up to the time it left the bakery for delivery, it would not have avoided this tragic mistake. If the reference in the Library of Congress note refers to this same incident—it really has nothing to do with the subject we are discussing today.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HRUSKA. Was that the incident that happened in Bogotá, Colombia, which was reported in the press in the past few days?

Mr. ALLOTT. Yes.

Mr. HRUSKA. It is my recollection that it was not in the report, but was simply a statement of the Senator from New Mexico.

Mr. MONTOYA. Yes.

Mr. ALLOTT. Very well.

None of us is going to bring home putrid or impure meat or food for our families or ourselves, but incidents like the one in Bogotá can occur in a very peculiar way, and at least one of those incidents should be documented on the Senate floor.

We have a very enterprising farmer in the San Luis Valley in Colorado, who, over the years, has developed a brandnew type of spinach. Because of outstanding climatic conditions, and because of the strain which had been developed, this spinach brought a premium price wherever it was shipped. It happened that most of the spinach went to an eastern market.

Some 4 years ago, the Pure Food and Drug unit of the Department of Health, Education, and Welfare received an anonymous phone call from someone in the east. On the basis of that telephone call alone, and acting under what we ordinarily call the pure food and drug law, the former Administrator tied up several carloads of spinach in the east. The farmer immediately lost that spinach. Worse than that, however, word got around the wholesale trade that this man might be shipping spinach which contained a very highly toxic form of drug used for the suppression of various bugs. After I had run it down it turned out that this company had sold this particular drug to only two people in the United States. Both of them were over 1,000 miles away, from Colorado.

The Pure Food and Drug Administration sequestered several carloads of this spinach. But then the word got around among the wholesale trade that this man's spinach was afflicted with this very highly toxic drug—when it was not—and his sales for that year were ruined. As a matter of fact, it took the farmer 3 or 4 years to rebuild his business. The actual loss to that one farmer was $400,000. In order to get any relief for him, it was even necessary to get a special bill enacted by Congress permitting him to sue the United States in the courts. His suit against the United States was developed because of a telephone call to the Pure Food and Drug Administration from a competitor, causing him a loss of $400,000. He does not know to this day whether he will be able to recover from the United States.

There can be no doubt about two things. The first is that the action was instituted as a result of a call from a competitor, or an agent of the competitor. Second, after examination or reexamination of the spinach which had been sequestered, the officials could not find one single trace of that particular drug in any of the spinach which they had sequestered.

So the concern of some of us for small businesses and how they may be affected by legislation such as this is a legitimate one.

I want to say, first of all, with respect to the merits of this legislation, that I am very appreciative to the manager of the bill for his help and assistance.

I understand also that there is a fever for adjournment in the air, and these bills have to be moved as rapidly as they can. I do not intend to imply anything except extreme good faith and cooperation on the part of the manager of the bill, who is the only member of that committee with whom I have discussed the matter.

I should like to address a question to him, if he will turn to page 44 of the bill, under section 407, which begins as follows:

> SEC. 407. For the efficient administration and enforcement of this Act, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914—

And the language which follows.

I do not know whether the Senator is aware of what the inclusion under the Federal Trade Commission provisions has done to this bill or not; but I refer him to title 15 of the United States Code. I shall read from section 48 of that act, on page 2626. Here is what article 48 says:

> § 48. Information and assistance from departments.
>
> The several departments and bureaus of the Government when directed by the President shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any corporation subject to any of the provisions of sections 41–46 and 47–58 of this title, and shall detail from time to time such officials and employees to the commission as he may direct.

It seems to me that what we have done here, by incorporating the provisions of article 48 of the Federal Trade Commission Act into this act, is to give the Department of Agriculture the right to call upon the Federal Trade Commission, Internal Revenue Service, or even, perhaps, other departments of Government for assistance with regard to the enforcement of this act. These agencies will, by the terms of the bill which incorporate these provisions, be required to furnish the Department of Agriculture whatever information is requested. Was the Senator aware of the implications of that provision?

Mr. MONTOYA. No, I was not aware of the implications of which the Senator speaks. As of the moment, I stand on the explanation given on page 18 of the committee report with respect to section 407, which reads as follows:

> Section 407 incorporates, by reference, provisions (including penalties) of the Federal Trade Commission Act and the Communications Act of 1934, as amended, authorizing requirement of reports, authorizing administrative subpenas, and conferring other investigative and hearing powers.

I am not aware that the quoted provision, by virtue of incorporation, would extend the powers of the Secretary of Agriculture beyond this concept.

Mr. ALLOTT. The measure under consideration very definitely includes this part of the Federal Trade Commission Act, under which other departments of the Government are required to furnish information to the Trade Commission. As a matter of fact, the distinguished Senator from Washington [Mr. MAGNUSON], who is chairman of the Subcommittee on Independent Offices Appropriations, of which I am the ranking minority member, and I discovered in our examination of the Federal Trade Commission 2 or 3 years ago that they not only had access to all of our income tax records, but they were actually keeping a staff of from 30 to 35 people in the Internal Revenue Service for the purpose of perusing the income tax returns of various individuals and corporations throughout the country, the secrecy of which we had always thought was sacred.

I think we succeeded in stopping that practice, unless they have renewed it since we have relaxed our vigilance this year.

So it can readily be seen how long the fingers of the Department of Agriculture grow by virtue of this seemingly innocuous inclusion, even though it is explained by the paragraph concerning section 407 on page 18 of the committee report. It illustrates how far we bring the Federal bureaucracy into this measure.

I must say that when I consider the penal provisions found in the latter part of the bill, as in section 406, which provides for an imprisonment of not more than 1 year or a fine of $1,000——

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. ALLOTT. May I finish with this point?

Mr. MONTOYA. Yes.

Mr. ALLOTT. In case it involves an intent to defraud, or distribution of an article that is adulterated—imprisonment of not more than 3 years, or a fine of not more than $10,000, or both—I can see very little justification for including criminal provisions of other statutes in the pending bill also.

I yield now to the distinguished Senator from New Mexico.

Mr. MONTOYA. I say to my good friend from Colorado that it is not uncommon to make reference to that provision in other legislation. We already have, with respect to packers, under the Packers and Stockyards Act, a similar reference to the provision to which the Senator refers. I call the attention of the Senator to the cross-reference appearing under the specific provision which he has quoted and which we have been discussing, which reads as follows:

> Jurisdiction, powers and duties of Secretary of Agriculture in enforcing the provisions of the Packers and Stockyards Act, application of this section to, see section 222 of Title 7, Agriculture.

I have that particular section here; namely, title 7, section 222. For the RECORD, it reads as follows:

> § 222. Federal Trade Commission powers adopted for enforcement of chapter.
>
> For the efficient execution of the provisions of this chapter, and in order to provide information for the use of Congress, the provisions (including penalties) of sections 46 and 48–50 of Title 15, are made applicable to the jurisdiction, powers, and duties of the Secretary in enforcing the provisions of this chapter and to any person subject to the provisions of this chapter, whether or not a corporation. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this chapter in any part of the United States.

Mr. ALLOTT. Mr. President, I hope that I can at least get the assurance of the manager of the bill that it was not the intent that the Department of Agriculture under the color of this authority—and it is not merely under the color of authority, but it is an actual grant of authority in the bill to which I have just referred—would be given the right to go fishing all over the Government for every kind of information they can get about a particular plant, except as it relates to the primary purpose of the act, which is to see that only pure and wholesome meat products get into the hands of the people of this country.

Mr. MONTOYA. If my good friend, the Senator from Colorado, will yield a little further, I do not think that situation will ever occur because under the present system of Federal inspection, the Federal inspection personnel have been taxed to the gills, and they will not be able to have any excursion into these particular areas about which the Senator has any apprehension.

They certainly must have power to go into an investigation of unwholesome food. The usual case comes about because the Federal Government actually knows where the unwholesome food is being produced. These Federal inspectors have a way of finding out in what plants these practices can and do occur.

Mr. ALLOTT. That is true. However, the distinguished Senator has based it upon the idea that the inspectors are busy, and they are. I happen to know a little about this personally. However, that does not mean that everybody in the Department of Agriculture is busy. And anybody else, even outside of the inspection bureau, could get a bee in his bonnet and decide he would rather like to zero in on some person and utilize this measure.

I want the record to be clear that the powers that are being written into the pending bill, by giving expressly to the Department of Agriculture the powers contained in the Federal Trade Commission Act, are restricted to the primary function of the bill which is to see that only pure and unadulterated meat products get into the hands of our public.

Mr. MONTOYA. That would certainly be my intention and certainly the intention of the committee. We would certainly expect the Secretary of Agriculture to exercise reasonable prudence in availing himself of this power because the premise upon which this power is granted to him is for the efficient administration and enforcement of this act. That is the premise upon which this power is given to him.

Mr. ALLOTT. I thank the Senator for his statements. I am sure they will be valuable in the interpretation of this matter.

I should like to return now to one of the first questions asked by the distinguished Senator from Nebraska relative to section 202. This relates to the keeping of records.

It reads:

> Such records as will fully and correctly disclose all transactions involved in their businesses; and all persons, firms, and corporations subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Secretary, afford such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof . . .

I think we ought to clear up the legislative record. What bothers me about this is the meaning of "keep such records."

Does that language mean, for example, that essentially a one-man shop, a small slaughtering house run by one man with perhaps three, five, six, or 10 employees under him, having kept books for a number of years in a certain way, can have a bookkeeping system imposed upon him by the Department of Agriculture? As long as his books show and disclose fully and correctly all transactions involved in his business, would the Secretary have any power then to compel a change in the bookkeeping of that particular business?

Mr. MONTOYA. I would say to the Senator from Colorado that the objective of this provision is to authorize the Secretary to promulgate such regulations with respect to the keeping of records as will subserve the objective of the bill.

I will give the Senator one example which comes to my mind. It was certainly discussed in the hearings. If one of the individuals coming within the provisions of the act should buy a deceased animal, he must have a record. The Secretary will certainly require him to have a record of when he bought this particular animal and what disposition he has made of it.

Mr. ALLOTT. I agree that all of that is proper.

Mr. MONTOYA. This would follow a pattern which the Secretary has outlined in actual practice with respect to the Federal inspection system. He has promulgated relations requiring this kind of recordkeeping under the Federal inspection system. And I certainly would not expect him to go beyond the present exercise of authority unless it would subserve, and only subserve, the objectives of the act—wholesome food and deterring the movement of unwholesome food into the consumer market.

Mr. ALLOTT. The language I have referred to appears on pages 27 and 28 of the bill. The question that I have asked concerns the meaning of "keep such records."

While I agree and would be the first to agree that if a man through inadvertence were to bring a deceased animal into his yard for slaughter and some disposition were made of the animal, his records should show what that disposition was.

If a man kills 20 or 100 head of beef in a month, his records should show where the beef came from, when the beef arrived, what was paid for the beef, and where it was sold.

What I am concerned about, however, is when the Senator says that they shall keep such records as will fully and correctly disclose all transactions involved in their business, does that language confer upon the Secretary the right to impose upon a particular person engaged in the slaughtering of meat animals a particular type of bookkeeping if this persons records already fully disclose all of the things of which the Senator has spoken.

Mr. MONTOYA. I do not think the Secretary would impose a special bookkeeping system which would force an individual to divert his operation from the usual practice that he has been adhering to.

With respect to the fear that the Senator from Colorado might have as to whether this authority may be abused, I would like to call his attention to section 401 of the Packers and Stockyards Act from which this provision was taken, cited in 7 United States Code, section 221, and it reads as follows, insofar as the pertinent provision of that section concerns us today:

> SEC. 401. Every packer or any live poultry dealer or handler, stockyard owner, market agency, and dealer shall keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business, including the true ownership

> of such business by stockholding or otherwise.

So that he has that authority already, and he has been exercising it. I do not know of any abuse of authority to which he has resorted.

Mr. ALLOTT. I am not concerned about the information. I am concerned about the imposition of a uniform system of accounts or bookkeeping upon these people. As I understand the Senator, he has said there is no such intention, so long as the books accurately reflect the complete transactions of the business, including diseased animals, what was done with them, what is done with the good animals, and where they were sold. Is that correct?

Mr. MONTOYA. I believe there are certain other aspects of the operation.

Mr. ALLOTT. There are other aspects, also.

Mr. MONTOYA. Which would be within the purview of this authority.

Mr. ALLOTT. But this is the main point: There is no intention in this bill to impose or to give the Secretary of Agriculture an opportunity to impose upon individuals a uniform system of accounting or keeping books?

Mr. MONTOYA. No, not so far as I can see.

Mr. ALLOTT. I believe the Senator perhaps answered this question very well on page 108 of the hearings, when he said:

> Senator MONTOYA. I am assuming that the Secretary will only require the inspection of such records as may be germane to his main objective; namely, seeing that sanitary conditions and all other conditions under the law are adhered to by the licensee. And I would have no objection to establishing that and contributing the interpretation of the particular provisions to that objective and establishing it as legislative history.

So that I believe the Senator's remark in the record is as clear upon this matter as anything can be—namely, in seeing that sanitary conditions and all other conditions under the law are adhered to by the licensee. The Senator sees no reason to change his language in the hearing, does he?

Mr. MONTOYA. No, I do not.

Mr. ALLOTT. Another matter to which I wish to refer concerns the last paragraph on page 3 of the report down to the paragraph entitled "Committee Amendments" on page 4. This is an item that has concerned most people in this area, particularly the people with whom I have spoken. I have had time to communicate with only three of them. They all happen to be in the Arkansas Valley; they have all been east of Pueblo, in Colorado; they have all been in business many years. I have done business with one of them for at least 37 years. I have never heard of anybody being poisoned by a meat product from that plant nor from any of the others.

But one of the matters that concerns these people is that they are afraid that this bill would require physical standards which would cause them to reconstruct plants and all of their equipment in conformity with some formula or concept that was developed in the Department of Agriculture.

The manager of the bill and the Senator from Nebraska covered this matter pretty well, but I believe that the point that is basic with respect to this matter is contained in the portion of the report which reads:

> However, the facts are that the eligibility of an establishment for Federal inspection is based upon a combined evaluation of the operating procedures used by the establishment and the building construction and physical facilities rather than upon a separate evaluation of these factors. Thus, if the operating procedures are patterned so as to insure the sanitary handling of product within the establishment and result in wholesome food, the establishment could be declared eligible for Federal inspection.

This language was part of the report that the distinguished Senator was kind enough to call to my attention last Wednesday when we first learned this bill was coming to the floor. As I read it the key words are "combined evaluation" and the test is whether all of the physical facilities and the operation, the combined evaluation of operating procedures, produces wholesome food which can be placed in the hands of retailers and in the hands of the consuming public. So that while a given plant might not conform to even the man's idea of what he would like to have in his own plant, let alone the Department of Agriculture, if his entire handling of the food, from the time of the slaughter to the time it is put in a truck and delivered to a grocer counter or meat counter, is such that it produces a wholesome and pure food, this is the criteria that would govern the combined evaluation, rather than the absence of a single feature or the lack of a single feature in the particular plant. Is that correct?

Mr. MONTOYA. That is my understanding—plus the information which I submitted in my colloquy with the Senator from Nebraska—namely, that the Department has not, as a matter of practice, exacted strict adherence to architectural requirements and does not intend to do so.

Mr. ALLOTT. I have one final question, and it arises from page 3 of the bill, subsection (h):

> (h) The term "commerce" means commerce between any State, any Territory, or the District of Columbia, and any place outside thereof; or within any Territory not organized with a legislative body, or the District of Columbia.

At a later place, on page 13 of the bill, appears this language:

> It is hereby found that all articles and animals which are regulated under this Act are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary and cooperation by the States and other jurisdictions as contemplated by this Act are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers.

The words "substantially affect such commerce," with the exception of the exemption in the bill which exempts custom slaughterhouses—and there is such an exemption—is there not?

Mr. MONTOYA. Yes; there is.

Mr. ALLOTT. With that exception, the purview of these two together, as I interpret it, is to throw every small slaughter plant under the purview of this bill, whether or not it actually sells in interstate commerce.

Mr. MONTOYA. Well, I would not say it so literally. I would say "as contemplated by the provisions of this act."

Mr. ALLOTT. Well, there is a limitation, and I cannot find it.

Mr. MONTOYA. On page 13, as contemplated by the provisions of this act—namely, that the act assumes jurisdiction of intrastate shipments only under special circumstances—that is, under the triggering provisions by which the Federal Government can step in and take over a plant which is strictly engaged in processing or sales in intrastate commerce, but is violating the standards of wholesomeness and what is expected for the protection of the consumer if the State fails to act after the Secretary of Agriculture calls it to the attention of the State authorities.

That is the area which is contemplated by the embracing provision of this section.

Mr. ALLOTT. Mr. President, the State of Colorado, as the Senator knows, has an inspection act. I believe I can quote the Senator. He said that the State of Colorado had standards equal at least to the Federal Government in this respect.

Mr. MONTOYA. Unless they have done it lately, the State of Colorado is one of those States which has no mandatory inspection.

Mr. ALLOTT. Colorado only has voluntary inspection, and not mandatory inspection provisions.

Mr. MONTOYA. That is right, it does not come within those 29 States that have mandatory inspection.

Mr. ALLOTT. That do have mandatory inspection?

Mr. MONTOYA. That is right.

Mr. ALLOTT. I think the picture is clear. I conclude by saying to the Senator that I appreciate his clearing up various points for me. However, more than that, I wish to compliment the Senator for devoting his effort, great energy, and ability to this bill, which is much preferable to some of those which have preceded it and which I think is more realistic in terms of what our country actually needs and how food products are made and distributed.

Mr. MONTOYA. I thank the Senator for his valuable contribution and his kind words.

Mr. ALLOTT. I yield the floor.

Mr. MILLER. Mr. President, I wish to ask the Senator from New Mexico a question about the provision found on page 20 of the bill which reads:

> SEC. 20. (a) No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States.

I take it from the language I have just quoted that our intention is that the consuming public in the United States receive equal protection with respect to both imported and domestically produced meat and meat products. Is that correct?

Mr. MONTOYA. The Senator is correct. We are placing a provision in here which would enable the Secretary of Agriculture to impose equal rigidity, so to speak, upon the producer of meat that is imported for the consumers here in the United States.

The way in which this would work would be that the Secretary of Agriculture would not license for importation purposes or export to this country any plant which does not pass the test that would satisfy the maximum Federal standards.

In addition to licensing such plant for the purposes of exporting into this country, there is the additional requirement practiced on the part of the Secretary of Agriculture that he would take possession of these meat products the minute that he had the port of destination in the United States and there conduct another inspection to see that the meat was wholesome, and that it satisfied all requirements set out in the Federal inspection manuals and inspection laws.

Mr. MILLER. We have a twofold objective by this provision: To assure the consumers in the United States of equal protection as far as wholesomeness, quality, sanitation, and all other desirable features covered by the bill are concerned, with respect to not only domestically produced, but also foreign imported meat and meat products.

Mr. MONTOYA. The Senator is correct.

I wish to say to the Senator from Iowa, who worked very assiduously with us on most of these amendments and whose advice was most valuable, that heretofore the only regulation authority with respect to imports existed in a very fine and limited provision in the Tariff Act. That is the genesis of the regulation for imported meat that existed.

Now we have brought it under the Federal Meat Inspection Act with complete, comprehensive, and elaborate authority so that he can deal with this question and put imported meat on the same par with domestic meat in this country.

Mr. MILLER. I appreciate the background material which has been given by the Senator. It reemphasizes the intention behind the language, namely, as I have said and the Senator agrees, that we furnish to our consumers here equal protection, whether it be from domestically produced meat and meat products, or whether it be from foreign produced meat and meat products; and second, it would show that we would assure our domestic producers that they will not be undercut by foreign competition that does not meet equal standards. Is that correct?

Mr. MONTOYA. The Senator is correct.

Mr. MILLER. There is one thing that is bothering me and that is in the committee report on this point. I refer the Senator to page 12, the second paragraph from the bottom, where the legislative intention is somewhat spelled out on this point by stating:

> It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country but it is intended that the Foreign country enforce inspection and other requirement with respect to the preparation of the products at least equal to those applicable to preparation of like products at federally inspected establishments in the United States.

The question is: How are we going to make sure of our intention that these foreign brands live up to this specification and all of these regulations we talk about if we cannot put a Federal inspector in over there at least on an export checking basis? I understand how we can check meat and meat products for quality when they come into the United States, but we cannot inspect plants to see that they live up to the standards for quality or in the slaughtering process.

I am wondering if we could not say with validity that the intention is that there be a means of control, even though it might not include a Federal Department of Agriculture meat inspector personally going into a foreign plant; that there be evidence that is most satisfactory to the Department of Agriculture that that particular foreign plant is, indeed, living up to the construction specifications, the slaughtering controls, and the sanitary requirements which our plants in this country must live up to.

Mr. MONTOYA. I think that the acting majority leader has a request to propound. Will the Senator yield?

Mr. MILLER. I yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rule XII, the vote on final passage of the bill then pending, namely, H.R. 12144, with the Senate text substituted, occur on tomorrow afternoon at 2 o'clock; that all time on amendments be limited to 30 minutes, the time to be equally divided between the mover of the amendment and the distinguished Senator from New Mexico [Mr. MONTOYA]; and that the agreement be printed in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. HRUSKA. Mr. President, reserving the right to object, as far as this Senator knows, no amendments will be proposed that are in readiness for submission. However, we have the Senator from Iowa [Mr. MILLER] propounding very important questions on imports. The Senator from Wyoming wishes to be heard, and perhaps other Senators wish to be heard, with requests for yielding on the part of other Senators.

I am wondering what assurance there will be that there will not be foreclosure of discussion of the bill prior to the time we are called upon to vote. We are really conducting a committee hearing on the floor of the Senate, a procedure which I deplore greatly, but it is one forced upon us. What assurance can the acting majority leader give us in that regard?

Mr. BYRD of West Virginia. It was the intention of the leadership to come in on tomorrow at 11 a.m. It was the thought that this would give those who wish to discuss the bill approximately 3 hours for such discussion.

If it is felt that this is not sufficient time, perhaps we can change the unanimous consent agreement to allow for a vote at 3 o'clock?

Mr. HRUSKA. Well, so often, respecting last-minute discussion, someone will get up on a very important aspect of pending legislation and we find ourselves cut off at a given hour, and we have to act not with deliberation and wisdom but because of the clock, and not in pursuance of the commonsense and wisdom we might be able to summon.

Mr. BYRD of West Virginia. Mr. President, I change my unanimous-consent request to read 4 o'clock for final passage instead of 2 p.m., with a half-hour on each amendment to be equally divided between each side.

Mr. MONTOYA. Why not make it not later than 4 o'clock?

Mr. BYRD of West Virginia. Mr. President, let me repeat my request:

I ask unanimous consent that, notwithstanding rule XII, the vote on final passage of the House bill, with the Senate text substituted, take place not later than 4 o'clock tomorrow afternoon, and that all time on each amendment, if any be offered, be limited to 30 minutes, the time to be equally divided between the mover of the amendment and the distinguished junior Senator from New Mexico [Mr. MONTOYA]; further, that the agreement be printed in its usual form, including the consideration of the House bill (H.R. 12144).

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent to amend the previous unanimous-consent agreement on the meat inspection bill to include the following: that if no amendment is pending, the time on the debate on final passage be equally divided and controlled by the majority and the minority leaders, or whomever they may designate.

The PRESIDING OFFICER. Is there objection? Without objection——

Mr. MILLER. Mr. President, reserving the right to object, do I understand that there is a time limitation on final passage?

Mr. BYRD of West Virginia. Yes.

Mr. MILLER. May I ask how much time?

Mr. BYRD of West Virginia. The Senate has agreed to vote on final passage no later than 4 o'clock tomorrow afternoon. It has agreed to limit time on all amendments to 30 minutes, but it is possible that at some point, no amendment will be pending, and, consequently, the request I am now propounding is to take care of that situation, so that the time on debate on final passage would be divided equally between the majority and minority leaders or whomever they may wish to designate.

Mr. MILLER. With the time for debate being left open within the framework of the previous agreement?

Mr. BYRD of West Virginia. Yes.

Mr. MILLER. I have no objection. I thank my colleague.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

The unanimous-consent request, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Tuesday, November 28, 1967, at the conclusion of routine morning business, during the further consideration of the bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the junior Senator from New Mexico [Mr. MONTOYA]: *Provided*, That in the event the junior Senator from New Mexico [Mr. MONTOYA] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received: *Provided further*, That after the third reading of S. 2147, the Committee on Agriculture and Forestry be discharged from further consideration of H.R. 12144 and that the Senate proceed to its consideration, at which time the language of S. 2147, as amended, be offered as a substitute amendment for the House-passed language of H.R. 12144.

Ordered further, That the vote on final passage of H.R. 12144 shall take place at not later than 4 p.m., provided that if at that hour any amendment is pending to S. 2147, a vote be taken on the amendment before proceeding to the consideration and final passage of H.R. 12144.

Ordered further, That when no amendment is pending debate on the question of final passage shall be equally divided and controlled, respectively, by the majority and minority leaders or someone designated by them.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees may be permitted to meet during the session of the Senate tomorrow.

Mr. HRUSKA. Mr. President, reserving the right to object, does that mean beyond conclusion of the morning hour? That would put some of us in a pretty big box on a lot of these things.

Mr. BYRD of West Virginia. Very well, Mr. President, I ask unanimous consent that all committees may be permitted to meet tomorrow until the conclusion of the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 49) extending congratulations to the Parliament of Finland on the 50th anniversary of Finland's independence.

FEDERAL MEAT INSPECTION ACT

The Senate resumed the consideration of the bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

Mr. MILLER. Mr. President, in referring to the question I asked of my colleague before I yielded to the acting majority leader, what I am getting at is, would it not be proper to expect that the Department of Agriculture, in implementing this part of the bill, for example, require that a proposed exporter of meat and meat products into the United States have on file with the Department a document setting forth the construction, specifications, quality, sanitary control, and operating procedures, so that the Secretary could determine whether they measured up; this, in turn, to be reinforced by a copy of the regulations under which the foreign country's plants are inspected, plus some assurance, say, from the minister of agriculture of the country concerned to the effect that the standards are being enforced. Would this not be what we would be expecting the Department to obtain?

Mr. MONTOYA. In answer to the inquiry of my good friend from Iowa, let me state that that is the practice now being adhered to by the Secretary of Agriculture. The reason we cannot provide for carcass by carcass inspection by Federal inspectors is that it would be most impractical. Right now, there are establishments in 38 countries licensed to export to this country by the Federal authorities here. The way this inspection has been supervised by the United States is in part through a sort of circuit-rider kind of inspection, where we have veterinary review officers who visit these foreign countries and the plants which have been properly licensed by the Secretary of Agriculture.

They go through a very rigid inspection by our Federal veterinary officers who ascertain that the plant is being operated under inspection conditions equivalent to the Federal inspection standards. In addition to such inspection by our officials, the foreign plant must be operating under continuous carcass by carcass inspection by inspectors of the foreign country. That is one of the basic requirements. A periodic review is made by our veterinary officers. There is sample checking, to see that there is no plant which says today that it is sanitary and tomorrow it practices methods which bring about unwholesome meat.

It is the opinion of the Secretary of Agriculture that the present inspection methods which are resorted to are adequate to guarantee wholesome food to the American consumer when it is brought into this country.

In addition, I am told by the Department of Agriculture people that if the bill passes, with the new provisions we have inserted in the bill, they will implement the inspection service a little more and improve on it.

The point I want to make clear is that the Department of Agriculture does not license every applicant who wants to export meat to this country. The Secretary of Agriculture is very choosy about licensing establishments. The Department must satisfy itself that inspection standards equivalent to our Federal standards are adhered to in the processing or slaughtering of meat destined for export to the United States.

Mr. MILLER. Well, I appreciate that response from my colleague. Might I not say, not only should the Department of Agriculture be satisfied, but I certainly believe that Congress and the consuming public in this country should also be satisfied on it, too.

I am very much interested in the fact that it is proposed not only to continue but also to expand on the circuit kind of inspection of foreign plants to which my colleague made reference.

That clarifies the position I read in the committee report where it recited it is not intended that imported products be inspected by U.S. inspectors during their preparation in a foreign country. What we do intend, however, is that while each and every one of the carcasses, for example is not to be inspected, we will have some quality and sanitation control by having the Federal Government's veterinarians, or any other kind of qualified officer, make periodic visits to these plants, to satisfy themselves that they are well operated and constructed properly in accordance with the same standards that our own domestic plants have to meet.

I understand that is what the Senator's response was.

It seems to me, in order to satisfy Congress and the general consuming public, it would be expected that the Department of Agriculture would also have in its files in Washington some assurance, for example, that the foreign exporting plant is maintaining its standards at least of equal quality and sanitation control to our own Federal Government standards. We should have assurance from the exporter to that effect, plus a copy of the regulations of the country concerned and a statement from the minister of agriculture of that country of some comparable order, that they are enforcing those standards.

Mr. MONTOYA. It is my understanding that information is required by the Secretary of Agriculture at the present time, that there must not only be an inspection report by our own inspectors but there must also be proof of the stringency of the inspection on the part of the law in the exporting country; and there must also be some kind of certificate by that government that it will certainly enforce the provisions of the act, and that it is doing so.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. MILLER. I am happy to yield to the Senator from Nebraska.

Mr. HRUSKA. Perhaps I do not understand this correctly, but it indicates to me, as a result of this colloquy, that there is a double standard here. On the one hand we are satisfied that there is a compliance with the inspection, building construction standards, and all other provisions of this act and regulations issued thereunder insofar as foreign plants are concerned, but we waive carcass-by-carcass inspection for them——

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. HRUSKA. Not until I complete my sentence, because I may lose sight of my question.

That is one thing with respect to foreign plants, that we will have no carcass-by-carcass inspection; but here in this country we do not believe in the certificates given by the processer or the State departments within the United States certifying that these standards are being met. We say, "No; we are going to have carcass-by-carcass inspection of all the plants within the United States. We do not believe, when they give a certificate in Iowa, Nebraska, or New Mexico, that they are strictly complying with those standards which are provided for within a statute or by regulation. We are going to have a man standing by, stamping every carcass 'Passed, inspected, and approved' or 'Inspected and disapproved.' "

The trouble is that much of the import volume comes into this country as ground, boneless meat.

I cannot understand this point of double standard. Why do we accord all the satisfaction of heart and mind of the Secretary of Agriculture to foreign countries on the basis of certificate of a circuit rider, and yet in this country, when we deal with our own people and our own companies, why are they so suspect that we must have an inspector at the elbow of every worker, at every carcass, and at every step of the meat processing business?

Mr. MONTOYA. Mr. President, may I interject?

Mr. HRUSKA. I yield for a comment by either Senator.

Mr. MONTOYA. Will the Senator yield for that purpose?

Mr. MILLER. I yield.

Mr. MONTOYA. I might say to the distinguished Senator from Nebraska that I gave expression to that kind of reaction in the committee hearings. I made the same kind of reaction as to why there was a preference in enforcement given to foreign countries. There is information in the record now which I think adequately mitigates the fault or guilt or concession made by the Department of Agriculture to foreign producers.

We have to bear in mind that presently there are 1,800 foreign plants licensed to produce meats and meat products for export to the United States.

Mr. HRUSKA. In 38 nations.

Mr. MILLER. How many did the Senator say?

Mr. MONTOYA. 1,800 foreign plants. To adhere to a carcass-by-carcass inspection by U.S. inspectors would entail a tremendous expenditure on the part of this Government.

Mr. HRUSKA. More than for 15,000 plants in the States of this country?

Mr. MONTOYA. Yes, when the expense of travel is considered.

Mr. HRUSKA. Shall we say, let us sacrifice wholesomeness and purity because it would cost too much to enforce wholesomeness and purity abroad, but not in the United States?

Mr. MONTOYA. I asked for an answer why.

Mr. HRUSKA. If it is only for the expense, this is one Senator who will not be happy with the explanation.

Mr. MONTOYA. The answer I received from the Department of Agriculture, appears on page 290 of the hearings.

Mr. HRUSKA. Mr. President, will the Senator yield further?

Mr. MILLER. I yield.

Mr. HRUSKA. I find no reference in that letter of November 16, 1967, which appears on page 290 of the hearings, to expense as being the reason why we should dispense with carcass-by-carcass inspection.

Mr. MONTOYA. I did not so state, and if I gave the Senator that impression, I am sorry I did. That was not my intention. I was merely citing page 290 as indicating that the Department has six veterinary review officers visiting these 38 foreign countries which have approval from the Secretary for meat exports to this country, with approximately 1,800 foreign plants being identified as eligible for shipment to the United States. I did not mean to convey any other impression.

Mr. HRUSKA. As far as the letter is concerned, the observation was a personal one with the Senator from New Mexico that the expense of a carcass-by-carcass inspection would be very large?

Mr. MONTOYA. Yes. It stands to reason that if inspectors are to go from country to country and try to spread out in 38 countries, it is going to be a very expensive operation.

Mr. HRUSKA. If the Senator will yield further, I read one sentence from the communication of the Department of Agriculture, contained on page 290 of the hearings:

> Physical structure requirement acceptability of the plants is based on a combined evaluation of the building construction and facilities along with the actual operating procedures used by the establishment—with final judgment based on the assurance that product is handled in a sanitary manner so as to result in wholesome food.

Then a reference is made to the Purcell bill, in which the procedures are the same, but the Purcell bill is not before us.

I still ask why a double standard of wholesomeness is imposed upon the consumers of the Nation, one being on the basis of assurances by 38 foreign governments involving 1,800 plants. We accept their assurances. But in this country we will not accept the assurance of a sovereign State. We say, "No, we are not going to accept your assurance. We are going to have a Federal inspector stand by every time an animal is slaughtered and during the process of breaking up the carcass. Federal inspectors will inspect the carcasses and approve them, and they will approve all the byproducts of the carcasses, regardless of the boneless beef or other meat that comes into this country from abroad. Although we do not know what is contained in the foreign packages, we know that the foreign governments have given their assurances of wholesomeness."

I know that the consumers of this country will happily receive the assurances of 38 nations that theirs is wholesome food.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. HRUSKA. The Senator from Iowa has the floor. However, I should like to continue.

Why a double standard if we are possessed of such great concern for sanitary conditions and a guarantee of wholesomeness? Why a double standard?

Mr. MILLER. Mr. President, I shall be happy to yield to the Senator from Wyoming in a moment.

I think it only fair to say to the Senator from Nebraska that in light of a colloquy I had with the manager of the bill, the distinguished Senator from New Mexico [Mr. MONTOYA], I do not believe that the standards set forth in the letter set forth on page 290 of the hearings would satisfy the requirements of the bill or the committee report. In order to meet the test of the language in the bill, starting at page 20, which I quoted at the beginning of the colloquy, it is provided:

> No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States.

It is intended that this actually be enforced by the Department of Agriculture, to insure our domestic consumers of equality of protection as between imported meats and domestically produced meats, and our domestic producers of equality of competition.

The Senator from New Mexico has pointed out that this is a new leaf in our law books; that heretofore the only handle we had on it was through some kind of tariff regulation, which has been implemented down through the years by provisions for USDA regulations and inspections, as set forth on page 290.

Mr. MONTOYA. Mr. President, will the Senator yield at this point?

Mr. MILLER. Yes, indeed.

Mr. MONTOYA. I am grateful to the Senator from Iowa for going into a discussion of this aspect, but I point out that the pending measure shows no discrimination in favor of importers or in favor of exporters. It is intended to apply equally to all concerned. If there is any discrimination, it might be enforcement of the provisions of the act, but the law specifically, as we have proposed it here, says that foreign meat must adhere to standards equal to domestic Federal inspection requirements.

Mr. MILLER. Will the Senator permit me to interject a thought at that point!

Mr. MONTOYA. Yes.

Mr. MILLER. That being so, the policy set forth in the Department of Agriculture letter appearing on page 290, from which the Senator from Nebraska has quoted, which relates to final judgment based on the assurance that the product is handled in a sanitary manner, so as to result in wholesome food, is not the same as that.

It is very nice to say it is handled in a sanitary manner, and is wholesome food, but that is not the standard which we have set forth in this legislation, supported by the colloquy we have had; because our intention is that these standards be equal, and not just merely wholesome, and not just merely sanitary. We require the standards to be equal.

Mr. HRUSKA. I refer the Senator to the last full paragraph on page 12 of the committee report. That says—and this is the legislative intent, Mr. President—

> It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country.

Then it goes on to state, in substance, "as is required in this country."

It is not intended that there be any inspection of the foreign product while it is being processed. That is required in this country. Therein lies the double standard.

Mr. MONTOYA. Mr. President, will the Senator yield further?

Mr. MILLER. I am happy to yield.

Mr. MONTOYA. Perhaps a little more legislative history will throw some light into the darkness that is setting in here. I might start by stating the genesis of this particular provision.

The committee adopted this provision from the Purcell bill, which the House passed and sent over to the Senate.

What is the legislative history of the Purcell provision?

I read from page 10 of the House committee report, which recites the provision with respect to importation, and then goes on to explain what the purpose of that provision is.

It reads as follows:

> As can be seen by this comparison of the original and revised language, the committee intends to apply to foreigners the *same* high standards for meat inspection required of domestic firms. The committee does not intend to continue the present "substantially equivalent" policy in regard to foreign meat slaughtering and processing. The committee realizes that this provision will to some extent place an additional administrative burden on the Secretary but feels that U.S. consumers should be assured that foreign-produced meat, which in many cases is not readily identifiable, has been prepared under conditions as sanitary as meat produced in this country.
>
> The committee is aware that sovereign foreign nations may not in some cases wish to conform their slaughtering and processing facilities to U.S. standards. This legislation does not force them to do so, but in the interest of American consumers, it simply establishes a standard that must be met in order to market foreign-produced meat in the United States.

Mr. HRUSKA. How is it determined whether there is such compliance? The report says they are not going to resort to having U.S. inspectors go into a foreign country to hold inspections during the course of preparation. Such inspections are required in this country. You can change it in the law if you want to, but here we complain that the States have not undertaken their share of the burden, and if they will not measure up to Federal regulation standards, we are going to go in there, and we will have a Federal inspector. But who will stand at the elbow of those foreign processors and slaughterers, and see that there is compliance?

That is not so in foreign countries. We will say to Australia, to New Zealand, to Ireland, or any other country that sends to this country, in quantity, boneless ground meat, "We trust you to comply with our standards."

Several Senators addressed the Chair.

Mr. MILLER. I had previously agreed to yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I wish to call attention to what I think is clear evidence that a double standard is being applied. Let me refer to the committee hearings, at page 290, in this letter from the Department of Agriculture. I refer to the third paragraph, which reads as follows:

> Approximately 1,800 foreign plants have been identified to the Department as eligible for shipment to the United States. The reviewers have surveyed 612 of these plants and have had 42 plants removed from the accepted list because they were found not to be complying with the U.S. inspection program standards.

Mind you, there are only six people. I refer to the second paragraph of the letter, which reads:

> Six veterinary review officers visit those foreign countries approved for the exportation of meats to the United States. There are currently 38 countries with this approval.

In other words, we have six people covering some 1,800 plants in 38 countries, which export to the United States, and we expect them to assure that the quality of their product coming into the the United States will be equal to that processed in this country.

Now, in this country, in 29 of the States—of which Wyoming is one—we have antemortem and postmortem examinations; and 27 of the States—of which Wyoming is one—have processing inspections that take place continuously, to assure that all of the processes shall meet the high, rigid standards we expect, which can assure us of the wholesomeness of the product.

Yet we are turning around and saying to 38 other countries, with 1,800 plants, that we will depend upon six people—six people, mind you—to assure that the foreign imported meat coming to this country—and, as the Senator from Nebraska has pointed out, much of it is ground, and we do not know how it is handled—will be equal in quality and wholesomeness to that produced here.

I think it demonstrates very clearly that a double standard is applied.

Mr. MILLER. Mr. President, I want to add a footnote to what my colleagues, the Senators from Nebraska and Wyoming, have pointed out.

It is quite apparent that under the present proposals of the Department of Agriculture, there just cannot physically be very much assurance regarding the quality of the plants in which foreign meat is being produced to be shipped to this country. We do have quality control at this end of the pipeline, but not at the other.

It is for this very reason that I wanted to bring this matter out in my colloquy with the manager of the bill so as to point out that what has been the case is no longer going to be valid under the pending bill. What they have been doing before is not what they will be doing after the pending bill becomes law. This is ancient history.

It is very interesting reading on page 290, but as far as our intention is concerned, that is ancient history because we are starting out with a new act. We never had an act like this before. We have provided here that this will apply to the importation of meat.

We said in the committee report that it is not intended that we have Federal inspectors at each of these plants to look at the carcasses. However, we have said that it is intended that the foreign country will be enforcing standards of equal level and quality control, and that is our intention.

Beyond that we can have an issue as to whether something more should be done. However, I want to make it very clear that nobody overlooks the intention behind this legislation, that what has been done by way of quality control overseas, to which the Senator from Wyoming referred, is going to continue because it just cannot do so and meet our standards.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MONDALE. Mr. President, it seems to me that the Senators from the opposite side of the aisle are arguing both ways.

They are arguing first that the presently prescribed practices which are not embodied in the pending bill will be continued, and second that the practices will not be followed by the Department of Agriculture once the bill is passed.

I think we ought to have some decision on which the case should rest. The truth is that in the pending bill, which is a part of the House bill, we have adopted sweeping, sound, and substantial proposals.

We have provided that there will be equal and fair standards with reference to meat and meat products intended to be sold in this country.

We have given the Secretary an absolute standard that he can impose upon foreign meats before they can be admitted into this country.

The Secretary can require that animals be given antemortem and postmortem examinations to make sure that they meet our standards. The same requirement can be imposed on foreign products.

We do not intend to impose on the Federal taxpayers the cost of having inspectors go overseas to perform these examinations.

This measure intends to save money for the American taxpayers. It was not intended to reduce one iota the standards on foreign plants.

The Secretary has a very practical advantage with respect to those foreign plants. He can make them wait until they have convinced him beyond any doubt that they have reached the standards required under the law. So, instead of an exemption and an exception, we have written in strong provisions with respect to foreign and interstate plants. And the implication that we are trying to establish and adopt some kind of double standard to permit a foreign plant to have an easier time than a domestic plant is not consistent with this substantially new innovation in American law.

The emphasis, in my opinion, ought to be to make it clear that that is what we intended. And the real significance of this provision is not that it is an exception, but that it is a wholly new and substantial imposition. Up until today, if the Purcell bill had been passed, the only way to be sure of having wholesome meat would have been to buy meat with the inspection stamp on, whether it be foreign meat or interstate meat.

We are trying to establish a standard which is at least identical or equal on all meat sold for human consumption in this country.

That is what we propose to do. The suggestion that we are trying to open up a big floodgate for foreign meats through which they could escape these standards does not reflect the realities of the situation. It is obvious that the Secretary has been given the duty of protecting the American consumer from unwholesome meat. And he has the biggest stick of all. He can refuse to permit meat to come into this country until he is satisfied that it meets our standards.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. MILLER. I think that the Senator has been saying exactly what I was saying and was attempting to elicit from the manager of the bill as to the legislative intent.

I think the Senator intended to say, although he did not, that it is not our intention that the Secretary of Agriculture can do these things, but that it is our intention that the Secretary will do them. Unless it is our intention that he will do these things to assure equality of standards, I do not think the pending bill would be worth anything.

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MONTOYA. Mr. President, when I was reading the testimony of the Secretary from page 290, I was relating the present practice and not what he was going to do.

Mr. MILLER. That is my understanding.

Mr. MONTOYA. I did state that the Secretary had told me he was going to have to implement his force for overseas inspection. I have no details about that. However, I want to bring out also the fact that this inspection of imported meat really started taking place in the year 1966 in the manner it is conducted in now. This is a novel approach by way of inspection. It started in 1966. That is why we do not have a complete history on the inspection of foreign products. I wish we did. However, the point I want to emphasize also is that the bill as written creates mandatory inspection at least equal to Federal standards on foreign plants that wish to import meat into this country.

No advantage is given to the foreign plants in the pending bill. If any advantage is to be given to the foreign plant, it will arise from the administration of the provisions of the bill. However, if the Secretary of Agriculture gives such advantage to a foreign plant, he will certainly be violating the mandate in the provisions of the act.

Mr. MILLER. Mr. President, I appreciate very much the Senator's statement. And he is quite correct in saying that the standard set forth in the law is very firm. However, what caused me to raise the question was the language in the committee report which is a part of the legislative history, saying:

> It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country.

As the Senator from Minnesota has just pointed out, the cost of having inspectors over there to do this would be quite excessive.

Mr. HRUSKA. Mr. President, we must save money. We cannot spend a large amount of money to assure the wholesomeness and purity and sanitation of plants abroad; however, we can do so in this country.

Mr. MILLER. Mr. President, I know that the Senator from Nebraska feels strongly on that point. However, I want to get the legislative history clear concerning what we have pending before us.

It may be that some language should be written into the pending bill along the line of the comments of the Senator from Nebraska and the Senator from Wyoming. However, whether it is written in the bill or not, I want to make sure that the legislative history of the pending bill is complete, so that when we say in the committee report, "it is intended that the foreign country enforce inspection and other requirements with respect to the preparation of the product at least equal to those applicable to the preparation of like products at federally inspected establishments in the United States," we intend not that the Secretary of Agriculture can put a good control on this, but that he will put a good control on this.

Mr. MONTOYA. Not only that, but we also have adopted the legislative history of the provision in the House bill, and it is already in the RECORD here.

Mr. HRUSKA. In the report?

Mr. MONTOYA. In the report, too. But, also, in the RECORD here. I read it a few minutes ago.

Mr. HRUSKA. But not in the report?

Mr. MONTOYA. Yes, in the House Committee on Agriculture report on H.R. 12144, Report No. 653.

Mr. HRUSKA. This is the legislative history. A letter from the Department of Agriculture is not legislative history. This is legislative history.

With the Senator's permission, I should like to ask the Senator in charge of the bill whether it would be appropriate for the committee to reconvene and to say, "We take out of this report the last full paragraph on page 12 and substitute something else."

Certainly, so long as a U.S. inspector is not present during the preparation of meat products in foreign countries, there is a different standard applied than is applied to domestic meat producers and packers; because you are saying, "We do not require U.S. inspectors to be present at that time in foreign countries. We will take the certificate of the foreign nation that that has been done." That is not what we do here.

Mr. MILLER. Mr. President, let me say, in response to my colleague, the Senator from Nebraska, that I, for one, do not intend this to be a once-over-lightly deal, for the Department of Agriculture to just willy-nilly accept some certificate from another country. That is why I began this colloquy with the manager of the bill by saying that we intend that the exporting plant itself have on file a certificate setting forth the various manners in which it is meeting not only the construction specifications but also the operating requirements; that the foreign country itself have on file assurance from, say, its administrator of agriculture.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MONDALE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). May we establish who has the floor?

Mr. MILLER. I believe I have the floor, Mr. President.

There should be some assurance from the minister of agriculture or a comparable public official, so that we will have it in our files and it will be available to the Senate or the House or the American people, not just that the Department of Agriculture be satisfied with respect to this matter. Otherwise, this bill will not mean anything.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I do not believe we are in disagreement at all as to what we intend. I know that the Senator intends just as sincerely as we do that we bring about food as wholesome as possible in the United States for the American consumer. We are misunderstood if the Senator assumes that we are trying to be argumentative or that we are trying to take two sides of an issue and seemingly, in the Senator's interpretation, are arguing on both sides of it.

I wish to make this observation. I said earlier that I believe we are applying a double standard, and in support of that contention I call attention to page 233 of the hearings before the subcommittee. At the top of the page is a letter addressed to the Honorable Betty Furness, written by Rodney E. Leonard. His first paragraph reads:

> In response to your question as to the number of inspectors needed under the Mondale Bill—our estimates are that about 4,000 additional inspectors would be required to staff the approximately 15,000 plants brought under the Federal inspection program.

These are plants in the United States. These are plants now operating. These are plants that at the present time have no Federal inspection or any State inspection, I assume. In order to give these plants the type of inspection the Department of Agriculture believes will be required, they say it will take approximately 4,000 additional employees.

Mr. HRUSKA. One for every 3½ plants.

Mr. HANSEN. One for every 3½ plants. Yet, we are trying to inspect some 1,800 foreign plants in 38 countries with six veterinary officers. Now, if that is not a double standard, I do not know how one would go about arriving at a double standard. They will be lucky to get there once a month, if they travel all the time, just as the Senator and I were traveling all the time during the past week. I do not see how they can do it.

I call attention to the fact that of the some 612 plants inspected under this system, just a hit-and-miss system—the inspectors are not there every day; they just drop in—approximately 7 percent have not measured up to the standards that were imposed by the Department of Agriculture and, as a consequence, have been denied their licenses to export.

So I suggest that it will take much more. I know it will be expensive. But if it is important that the people of the United States have wholesome meat, I believe we should be realists, as I am sure the Senator from Nebraska wants to be. We must see that we do a better job of insuring that these foreign plants comply with the proper standards which we chose to set in this country.

Just a few years ago, 11 percent of all the red meat that was consumed in the United States was imported into this country. We must insure that the Secretary has sufficient directive to strictly enforce the standards as set out in this bill, or we will not assure the high standards of excellence for our domestic consumers that I know the distinguished Senator from Minnesota desires just as much as I desire.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield to the Senator from Minnesota.

Mr. MONDALE. In the first place, the figure of 4,000 inspectors, which was supplied by the administration, was with respect to my proposal, which was not recommended by the committee. This was a proposal that would extend Federal inspection by Federal inspectors to all meat slaughtered and processed in the United States. In one sense, the figure is misleading. More than that, we believe it is inflated. But that is irrelevant to today's debate.

Second, the letter to which the Senator from Wyoming referred refers to the present administrative practice of the Department of Agriculture in inspecting foreign meat slaughtering and processing plants, which is now being undertaken before the present bill, which calls for adequate Federal standards on foreign meat, has been imposed. It is a highly informal system that began in 1966. It does not relate to and is not relevant to the type of system the Secretary would have to establish if the present bill were passed. There has been some suggestion that it is within his discretion. It is not. The Secretary, under this bill, is required to assure himself that all meat imported into this country is slaughtered, processed, refrigerated, and all the rest, in accordance with standards at least equal to the Federal system. The only difference is that we impose the cost of that inspection upon the foreign country. We do not impose it upon the American taxpayer.

I would contemplate that the Secretary, who has a duty, which he cannot waive, to protect the American consumer, would have supervisory personnel in Europe and elsewhere who would have to be satisfied that the inspectors paid by the foreign government were in fact doing an adequate job—antemortem and postmortem inspection, supervision over additives, and the rest. If the Secretary did not do that, he would not be discharging his responsibility under this bill.

I repeat that the suggestion that something in this act is weak in regard to foreign imports is illusory. It is not discretionary. The Secretary must satisfy himself, without any doubt, that the meat that comes into the United States, whether it is raw or processed meat, is of standards equal to Federal standards. Beyond that, he would have the ultimate weapon that he does not now have with respect to an intrastate plant. He could close the door on imports until he was satisfied.

Until he opens the door again no meat would be sold with respect to plant A, plant B, or plant C in a foreign land. Thus, it seems to me that we are really raising an issue that does not exist.

Mr. HANSEN. Will the Senator yield further for a question?

Mr. MONDALE. I will be glad to yield to the Senator.

Mr. HANSEN. I wish to raise two questions. My first question is: How many foreign countries have standards at least equal to ours at the present time?

Mr. MONDALE. Frankly, I do not have the slightest idea.

Mr. HANSEN. Do any countries have standards at least equal to ours at the present time?

Mr. MONDALE. Under this bill they would all have to or they could not send a pound of meat to this country.

Mr. HANSEN. Second, may I assume or infer from the Senator's response to my first question, namely, that he does not have the slightest idea how many foreign countries have standards at least equal to ours at the present time, that until it can be adequately demonstrated that they are equal to ours, the Secretary of Agriculture will permit no imports?

Mr. MONDALE. I gather from the report that no discretion is lodged in the Secretary to diminish standards applied to plants with respect to meat or meat products imported into this country.

Further, I say that I gather from this, not only is that standard not compromised, but the Secretary has an implied duty to assure that those standards are being met before allowing the meat to come into this country.

Mr. HANSEN. I think my question is still germane. In our discussion here we have failed to identify a single foreign country that has standards equal to ours. That does not mean to say that there are none but the Senator from Minnesota did not respond to my question with respect to identifying a single country having standards at least equal to ours. I suggest that if the Senator cannot do that how do we know there are standards at least as high as our Federal standards, without having people over there on the job daily to watch what goes on so they can say to the Secretary, with the knowledge of having seen it firsthand, that the standards in foreign country A are equal to ours. Unless and until that can be done it would seem to follow that if it cannot be demonstrated that a foreign country has standards equal to ours, under this bill the Secretary would have no choice but to say to all 38 foreign countries, "Do not bring in any meat until you can prove your standards are equal to ours."

Mr. MILLER. I pointed out earlier in my colloquy with the manager of the bill the kind of evidence that should be required and which we intended to be required by the Secretary of Agriculture on this very point. That is why I included among the evidentiary items a certified copy from the country concerned of its regulations, along with a certificate from its Secretary of Agriculture or a comparable official, that these regulations are being enforced satisfactorily, because without that I do not see how the Secretary of Agriculture could comply with the bill.

Mr. MONDALE. Yes. I would expect that the Secretary's duty under this bill is greater. I think the Secretary might require a certificate of adequacy or some document of evidence of foreign plants. As I read the bill the Secretary has no discretion. He must be sure that the standards in foreign plants are at least as high as domestic plants. I would contemplate under this measure that he would have to have personnel in Europe and elsewhere to see that that is the case. It also requires that the inspector must inspect the meat under the same standard. The only difference is that we impose an additional restriction on foreign countries, that if they do not do it, the Secretary has the ultimate weapon which is slamming the door shut on meat imports. So we have more protection here than in any other category of meat inspection, Federal or State.

Mr. MILLER. I think the Senator from Minnesota has underscored what the manager of the bill said previously. I think we can conclude from what has been said that if any of these foreign countries do not have equal standards, the exports to the United States are going to stop right there and not to be resumed until they do have equal standards. It is the same level we are providing our own States must live up to. If our States do not live up to them they are going to have Federal inspection. If we cannot control plants of foreign countries by sending Federal inspectors over there and demanding that they be permitted to look at the plant, we can say to them to let one of our inspectors in there on occasion, but, as the Senator from Minnesota pointed out, to do this on a comparable scale would involve an inordinate cost to the American taxpayer. However, the Secretary of Agriculture can provide evidence so that he can come here and look us in the eye and say, "I am satisfied that imported meat coming here from that plant and this plant is of equal quality and slaughtered under equal conditions." If he cannot do that he allows this meat to come in at his peril.

Mr. HRUSKA. It would not be at his peril, but at the peril of the consumer. It is not at his peril.

I ask the Senator from Iowa upon what proof will the Secretary depend to establish that there has been compliance with not only the existence of like standards as domestically produced and packed meat, but compliance with inspection and other requirements to assure their freedom from adulteration and misbranding at the time of entry. What proof will there be?

Mr. MILLER. I cannot answer that question. I am not a member of the subcommittee that prepared the bill.

Mr. HRUSKA. I would like to ask the Senator from Minnesota what proof can he offer?

Mr. MONDALE. The Secretary must satisfy himself and there must be evidence sufficient to satisfy him that the American consumer is protected from meat slaughtered and produced in foreign countries and imported to this country. He must establish a system that satisfies him of that.

The burden of proof is on the concern wishing to import the meat. Other than that it calls for inspection, ante mortem and post mortem that deals with preparation and additives, that are at least equal to the Federal system. I would contemplate he must have personnel in Europe overseeing inspectors appointed by foreign countries and that that personnel would report to the Secretary, so that they were certain the standards were reached. I think we are chasing a strawman here today.

Mr. HRUSKA. I see no strawman. The bill, on page 20, states there will be no such importation unless they comply with all inspection standards and provisions of the act.

We do not intend that the imported products be inspected by U.S. inspectors during their preparation in the foreign country. This is what the intention will be. It is not what the Senator from Minnesota, in all good conscience, said. I do not intend he shall have inhibitions on him, but the committee report said to the Secretary, "Do not send inspectors there like you require in America but do something," and I do not know what, to prove these imports are in compliance with all of these standards.

What proof will he be allowed to accept?

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MONDALE. The Senator from Nebraska has a good point if one assumes that he cannot exercise some commonsense and some standards of implementation, and cannot act without our detailing every comma, semicolon, and exclamation point.

It is clear that the Secretary of Agriculture is being directed by a mandatory requirement that before foreign meat can be sold to consumers in the United States he must assure himself that the meat is produced, slaughtered, and processed according to standards equal to those imposed upon domestic plants operating under Federal standards. The Senator from Nebraska assumes that the Secretary of Agriculture would take false information and would settle for foreign standards.

Mr. HRUSKA. The Senator from Nebraska assumes no such thing and said no such thing. I asked a question, if the Senator from Minnesota will permit one.

Mr. MONDALE. I am answering it, if the Senator from Nebraska will permit me to.

Mr. HRUSKA. What kind of proof would the Secretary of Agriculture have?

Mr. MONDALE. If I were the Secretary of Agriculture, I would take the language to mean that a mandatory responsibility was imposed upon me. I would take it in that way, because that is what the language says. I am not dreaming up anything. The language is, "He shall."

Mr. HRUSKA. I do not see anything about "He shall."

Mr. MONDALE. Will the Senator show me the words "He may"?

Mr. HRUSKA. The bill provides, on page 20, line 15:

> SEC. 20. (a) No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States.

That language does not say that the Secretary of Agriculture must satisfy himself. It says that these articles shall not come into the United States unless they comply with these standards.

Mr. MONDALE. Is it the position of the Senator from Nebraska that that provision is discretionary with the Secretary?

Mr. HRUSKA. No, it is not discretionary. The bill provides that these goods shall not be eligible for importation unless they comply with the standards set forth. I ask the manager of the bill, what is considered proof of compliance with the standards?

Mr. MONDALE. There is only one difference: Under the bill, the same standards are imposed upon every foreign plant as are imposed upon any domestic plant. The only difference is that the cost of inspection in foreign countries is imposed upon the foreign governments, and the Secretary is not only possessed of responsibility but is also required to see to it that the foreign meat is slaughtered and processed according to U.S. standards.

The Senator from Nebraska apparently seeks to write a bill that would set forth everything in great detail, and not assume that the Secretary has a sense of responsibility to fulfill what is clearly required of him in the bill. I think we are chasing a straw man.

Mr. HRUSKA. Not at all.

Mr. MILLER. Mr. President, I do not think we are chasing a strawman, either. I do not think there is any discretion given to the Secretary at all. What got us off the track, I am afraid, and I will take the responsibility for, is that I raised the point originally of the language in the committee report on page 12 which, without being explained, without having the colloquy I had with the Senator in charge of the bill, could possibly dilute the mandatory language in the bill which the Senator from Nebraska has been so concerned about.

No one is arguing about the language in the bill. That is perfectly acceptable to everyone. What has caused us some concern is when the committee report states:

> It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country but it is intended that the foreign country enforce inspection and other requirements with respect to the preparation of the products at least equal to those applicable to preparation of like products at federally inspected establishments in the United States.

That sounds fine, but while we intend that some foreign government is going to do this, that does not mean that it will. What we want to know is how are we going to satisfy ourselves, not just the Secretary of Agriculture, but Congress and the people of this country, that that foreign government is doing it?

We have made enough of a record here tonight, at least between the Senator in charge of the bill and myself, supplemented by the rest of us here, so that there should not be any doubt in the mind of the Secretary of Agriculture that we expect him to get very good evidence on this to satisfy not only himself but also Congress and the people of this country; otherwise, the bill will not be worth a tinker's dam.

About the same amount of meat is imported into this country as is produced by the 15,000 plants here. If we are going to nail down coverage on the 15,000 plants in this country and leave the floodgates open to the foreign importer, it is no use. We do not intend to leave the floodgates open. I hope that the legislative history made here tonight will make it abundantly clear that there will be no loopholes, that if necessary, all foreign meat imports are off—off for 6 months, 6 years—ad infinitum, perhaps, until the standards are met and in each and every one of the plants in the foreign country which wishes to export meat to the United States.

Mr. President, I yield the floor.

Mr. MONTOYA. Mr. President, at this juncture, I should like to ask for consideration of the committee amendments and ask that they——

The PRESIDING OFFICER. Is the Senator asking unanimous consent for the amendments to be considered en bloc?

Mr. MONTOYA. Yes; that was my next request as soon as they were brought up, and I ask that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See CONGRESSIONAL RECORD of Nov. 22, 1967, pp. 33647–33644.)

Mr. MONTOYA. Mr. President, I ask that the committee amendments be considered en bloc and agreed to en bloc, and that the bill as amended be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc, and the bill as amended will be treated as original text for the purpose of further amendment.

Mr. MONTOYA. Now, Mr. President, I have a technical amendment to offer which does not change the substance of the bill. In its printing as reported by the committee, a typographical error was made on page 44 concerning language in the bill as reported by the committee.

In order to correct this, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 44, lines 21 and 22, strike out "The Secretary, in person or by such authority is exercised."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico.

The amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I rise to speak in support of a bill which if passed will have a great impact on the health and satisfaction of people in all parts of our Nation.

The proposed legislation of which I have the honor to be a cosponsor is the Montoya-Mondale wholesome meat bill, S. 2147. Under the provisions of this bill, States will have 2 years to establish a meat inspection system, but can waive the waiting period and be subject immediately to the Federal inspection system. The Secretary of Agriculture can take immediate action against plants, including those operating only intrastate, if they endanger public health—and if after notice the State fails to eliminate the hazard. Furthermore the Secretary of Agriculture is authorized to conduct continuous review of State meat inspection procedures before and after the Federal inspections standards are in effect; he can assert jurisdiction if the State fails to maintain Federal standards.

The passage of this bill will be especially important to the 10.7 million people of my State since we are one of the 22 States without a mandatory meat inspection law. Texas law makes meat inspection purely voluntary with packing and slaughtering houses paying the costs. Some 60 Texas cities have their own inspectors operating under the general supervision of the State health department. Forty-six State inspectors and seven veterinarians maintain surveillance over the 42 plants that requested inspectors.

Yet in Texas it is possible for a housewife to buy meat packed at a plant that is never examined for disease or unsanitary conditions by a Federal, State, or city inspector.

Mr. President, I ask unanimous consent that three newspaper articles be inserted in the RECORD at the close of my remarks. These articles from the Dallas Times Herald of November 16, 1967, the Fort Worth Star Telegram of November 16, 1967, and the Houston Post of November 16, 1967, write dramatic examples of health hazards facing the consumer in Texas under existing conditions.

In these articles it is reported that staff evaluators of the Department of Agriculture have made several spot checks of Texas plants. Such health hazards were uncovered as employees wearing dirty clothes and the existence of rats, flies, dirt, and rust on the butchering floors.

I support protection of the consuming public who pay their dollars for safe food. Likewise, Mr. President, Texas is one of the largest meat producing States. Passage of this bill will have a beneficial effect on this large Texas industry as it will tend to strengthen confidence in red meat as a safe food, and increase the consumption of meat.

Mr. President, I applaud the efforts of Senator MONTOYA and Senator MONDALE in working to close the void in our meat inspection law; and I strongly urge passage of S. 2147 because it is necessary for the well-being of consumers and meat producers everywhere.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Dallas Times Herald, Nov. 16, 1967]

TEXAS MEAT INSPECTION LAW LACKING

AUSTIN.—Texas is one of the 22 states without a mandatory meat inspection law, and it is possible for a housewife to buy meat that has never been seen by a government inspector.

The U.S. Senate Agriculture Committee is holding hearings on proposed legislation, to tighten meat inspection laws, including one that would extend federal inspection to all plants not covered by state regulations satisfactory to the U.S. Department of Agriculture.

Texas law makes meat inspections purely voluntary, with the packing plants and slaughter houses paying the costs of inspection.

In August, the compliance and evaluation staff of the U.S. Department of Agriculture's Dallas office made a spot check of nine plants—two each under city and state regulation and five that receive no inspection.

"Flies by the thousands outside and seen inside on meat," said the federal inspection report of its check of one plant not covered by any government regulations.

Forty-six state inspectors, supervised by seven veterinarians, maintain constant, day-to-day surveillance over the 42 plants that requested inspection. About 60 cities, including Dallas, Fort Worth, Houston and San Antonio, have their own inspectors who use checklists prepared by the state and who are supervised by the state health department.

The federal report also found things wrong with the plants covered by state or city inspection.

A state-inspected plant in South Texas has paint peeling from the boning room walls and ceiling, paint flecks were found on the boning table; rust flakes were found on meat, apparently from rusty hooks and trolleys; rat droppings and maggots were observed on the drain board where tripe was fed from the kill floor.

[From the Fort Worth Star-Telegram, Nov. 16, 1967]

TEXAS MEAT CHECK EYED BY CONGRESS

AUSTIN.—In Texas, it's possible for a housewife to buy meat packed at a plant that is never examined for disease or unsanitary conditions by a state, federal or city inspector.

Texas is one of the 22 states without mandatory meat inspection laws that witnesses referred to in testimony this week before the U.S. Senate Agriculture Committee.

Congress is considering several bills to tighten meat inspection laws, including one that would extend federal inspection to all plants except those covered by state regulations satisfactory to the U.S. Department of Agriculture.

Since 1945, the state has had a voluntary meat inspection law. Owners of packing plants and slaughter houses pay the costs. About 60 cities—including Dallas, Fort Worth, Houston and San Antonio—have their own inspectors, operating under general supervision from the State Health Department. Forty-six state inspectors and seven veterinarians maintain constant, day-to-day surveillance over the 42 plants that requested inspection.

But there's a void, and according to a spot check by federal inspectors the conditions in the unregulated plants are bad.

Dr. George F. Kutch, Texas A&M-educated veterinarian who heads the Health Department's meat inspection division, says these are "small places, by and large, selling only locally. How many there are, we have no way of knowing."

Kutch said a few uninspected plants sell their products in more than one town. According to Kutch, even the small, uninspected plants are big businesses.

"Virtually all meat packers do $250,000 or more business annually," he said.

"Anybody that kills an appreciable amount of meat is under some kind of inspection by the U.S. Department of Agriculture."

In August, the compliance and evaluation staff of the U.S. Department of Agriculture's Dallas office made a spot check of nine plants—five of them uninspected.

"Flies by the thousands outside and seen inside on meat," the report said of one uninspected plant. The report also said there was evidence of rats. Similar conditions were reported at other uninspected plants.

State and city inspected plants also were checked.

The report said a city-inspected plant in San Antonio had inedible meats packed in boxes with federal inspection markings, employes with dirty clothing, dirt and rust on edible meat drums, and flaked paint, hair, bruises and kill floor dirt on hanging beef fore shanks. At a state-inspected plant in South Texas, the report said, paint was peeling off the boning room walls and ceiling and flecks of paint were seen on the boning table; rust flakes were found on meat, apparently from rusty hooks and trolleys; rat droppings and maggots were observed on the drain board where tripe was fed from the kill floor.

"The deficiencies in state plants were corrected immediately," Kutch said.

Kutch expressed irritation that the report did not designate which plants were uninspected and which were under state inspection (two) or city regulation (two).

"The fallacy of the survey is that state inspected plants were listed with non-inspected plants, which made the slant of the whole survey unfair to the state inspection program," said Kutch, a soft-spoken, slightly built man who wears glasses and smokes a pipe.

"Everybody in the meat industry was perturbed about this inspection because of the unfairness of it."

Kutch said the state follows federal standards in its inspections, and provides checklists for city inspectors that also follow federal regulations.

[From the Houston Post, Nov. 16, 1967]

VOLUNTARY BASIS NOW—MANDATORY TEXAS MEAT LAW URGED

AUSTIN.—In Texas, it's possible for a housewife to buy meat packed at a plant that is never examined for disease or unsanitary conditions by a state, federal or city inspector.

Texas is one of the 22 states without mandatory meat inspection laws that witnesses referred to in testimony this week before the U.S. Senate Agriculture Committee.

Congress is considering bills to tighten inspection laws, including one that would extend federal inspection to all plants except those covered by state regulations satisfactory to the U.S. Department of Agriculture.

Since 1945, the state has had a voluntary meat inspection law. Owners of packing plants and slaughter houses pay the costs. About 60 cities—including Houston, Dallas, Fort Worth, and San Antonio—have their own inspectors, under general supervision of the State Health Department. Forty-six state inspectors and seven veterinarians maintain constant surveillance over 42 plants that requested inspection.

But there's a void, and a spot check by federal inspectors shows the conditions in the unregulated plants are bad.

Dr. George F. Kutch, Texas A&M-educated veterinarian who heads the health department's meat inspection division, says these are "small places, by and large, selling only locally. How many there are, we have no way of knowing."

Kutch said a few uninspected plants sell their products in more than one town. Kutch says even the small plants are big businesses.

"Virtually all meat packers do $250,000 or more business annually," he said.

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"Flies by the thousands outside and seen inside on the meat," the report said of one uninspected plant. It also said there was evidence of rats. Similar conditions were reported at other uninspected plants.

State and city inspected plants also were checked.

The report said a city-inspected plant in San Antonio had inedible meats packed in boxes with federal inspection markings, employees with dirty clothing, dirt and rust on edible meat drums, and flaked paint, hair, bruises and kill floor dirt on hanging beef fore shanks.

"The deficiencies in state plants were corrected immediately," Kutch said.

"The fallacy of the survey is that state-inspected plants were listed with non-inspected plants, which made the slant of the whole survey unfair to the state inspection program," said Kutch.

Kutch said the state follows federal standards and provides checklists for city inspectors that also follow federal regulations.

There are several differences. One, of course, is that a Texas plant that does not produce any meat for sale outside the state does not have to be inspected. Another is that the state will inspect plants that are substandard and work to bring them up to par, while the federal agency requirements before it will stamp their meat. The reason for this is that a "grandfather clause" was written into Texas law.

Federal inspection is withdrawn from plants that have substandard conditions that cannot be corrected immediately, Andrew M. Scheidt of the USDA Dallas office said.

"We need a mandatory meat law—that is what it boils down to," he said. "We are one of 11 states with a voluntary meat program."

Mr. MONTOYA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. MONTOYA. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 28 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, November 28, 1967, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate November 27, 1967:

FOREIGN CLAIMS SETTLEMENT COMMISSION

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years from October 22, 1967 (reappointment).

IN THE COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of lieutenant commander:

Irving G. Sauer
Jan R. Dazey
Robert F. Melsheimer
Karl F. Wassenberg
Theodore E. Deming
Robert W. Davis
Lloyd R. Lomer
Robert A. Ingalls
Paul D. Russell
Leroy G. Krumm
Jack W. Lewis
Robert J. Finan
Terry L. Lucas
Robert A. Burt
Ian S. Cruickshank
Michael R. Johnson
Roderick Y. Edwards, Jr.
Allen J. Taylor
Harry E. Obedin
Neal F. Herbert
Kenneth M. Rappolt
Robert J. Cheney, Jr.
Gerald F. Corcoran
Robert A. Creighton
Robert A. Schwartz
James T. Leigh
William T. Troutman
Richard E. Haas
John T. McKean
David H. Freese, Jr.
Robert A. Ginn
Robert E. Isherwood
David S. Smith
Ralph E. Giffin
Joseph S. Blackett, Jr.
John R. Sproat
James G. Williams
Alfred D. Utara
Eugene J. Hickey, Jr.
Edwin J. Roland, Jr.
John A. Schmidt
Richard W. Zins
John E. McCarty
Martin J. Moynihan
Charles L. Keller
Merlin G. Nygren
James D. Partin
Jerome M. Myers
Hugh D. Williams
James W. Haugen
Manuel Josephs, Jr.
Michael B. Dunn
William H. Hall, Jr.
Robert G. Williams
Paul R. Lewis
James F. Butler
Merrill C. Louks
Donald A. Naples
David F. Cunningham
William H. Hayes, Jr.
Leon E. Beaudin
Lawrence A. Kidd
Daniel F. Bobeck
James H. Parent
Jerome P. Foley
William E. Ecker, Jr.
Eugene M. Kelly
Carl M. Brothers
Kenneth C. Cutler
Robert S. Bates
Alexander E. Tanos
Charles F. Reid
Gerald F. Hotchkiss
William E. Neal
Charles H. King, Jr.
John N. Faigle
John H. Hill
Richard W. Long
Jan D. Long
Richard O. Buttrick
James E. Margeson, Jr
Donald R. Casey
John F. Otranto, Jr.
George F. Ireland
Gary F. Crosby
Walter T. Leland
William C. Park III
Ronald C. Pickup
David L. Parr
Thomas B. Irish, Jr.
Kyle A. Shaw
David E. Ciancaglini
Thomas Y. Lawrence, Jr.
William J. Campbell
William J. Ecker
Gregory A. Penington
Gary J. Boyle
Keith P. Pensom
Leo N. Schowengerdt Jr.
Arthur C. Foster
Robert A. Burjoice
John M. Deaver
Louis C. Snell
Cecil M. Morris
Frederick H. Muesse
Robert W. Talley
Andrew L. Holeman
Warren H. Madson
Herman J. Jacobs, Jr.
John I. Yagerline
George E. Jackman
Thomas J. Vento
Loren D. Gordon
Richard E. Somers
Allen R. Turner
Richard A. Lenassi
Ralph W. Lawrence
Robert L. Phelps
Kenneth R. Ball
Kenneth R. Gard
George J. Seney
Lafayette J. Harbison
William H. Wilson, Jr.
Robert P. Jamerson
Karl E. Stansell, Sr.
Robert E. Peterson
Dale R. Schmidt
Joseph A. Underwood
George M. Simpson
Robert G. Rugur
Anthony J. Nigro, Jr.
James F. Ronan
Richard N. Howard
Harry J. Cougan
Richard H. Graham
Richard E. Ahrens
David W. Reineke
Arthur E. Sharkey
Charles B. Pitcock
Glenn B. Littlefield
Walter R. Glenning
Clayton D. Morrison
William H. Tydings
Glen M. Larsen
Donald A. Feldman
David A. Sandell
Keith C. Edgecomb
Aylmer R. Trivers
Robert E. Ettle
Kenneth H. Carey, Jr.
John L. Linnon, Jr.

The following-named officers of the Coast Guard for promotion to the grade of captain:

Arthur A. Fontaine
Leo M. Bracken
Louis N. Donohoe
Robert N. Rea
Marc Welliver II
Theodore L. Roberge
Robert P. Chirnside
Stanley L. Waitzfelder
Harold D. Muth
Rubin E. Young, Jr.
Wesley J. Quamme
Donald D. Davison
Franklin J. Miller
James G. Norman
Russell W. Lentner
Robert D. Parkhurst
Otto F. Unsinn
Verne D. Finks
William L. Aitkenhead
James P. Stewart
Shirl J. Stephany
Leslie D. High
G. H. Patrick Bursley
William F. Tighe, Jr.
Roy K. Angell
William J. Kirkley
Robert W. Johnson
Charles S. Marple
Randolph Ross, Jr.
David E. Perkins
Robertson P. Dinsmore
Alfred J. Tatman
Malcolm E. Clark
Charles M. Mayes
Donald C. Davis
John H. Bruce
James H. MacDonald
Donald R. Vaughn
Thomas W. Powers
Archibald B. How
Michael B. Lemly
Glenn M. Loboudger
Vincent A. Bogucki
Robert A. Lee
Lloyd W. Goddu, Jr.
Donald J. McCann
John B. Hayes
Clarence S. Hall
Walter F. Guy
Carroll T. Newman
Walton D. Alley, Jr.
George W. Hardy, Jr.
William A. Mayberry
Philip A. Hogue
Edwin L. Knowles

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Wood B. Kyle
Joseph O. Butcher
Norman J. Anderson
Keith B. McCutcheon
William K. Jones
Raymond G. Davis
Charles J. Quilter

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

Earl E. Anderson
Michael P. Ryan
Frank E. Garretson
George E. Dooley
Regan Fuller
John R. Chaisson
Oscar F. Peatross
Edwin B. Wheeler
James E. Herbold, Jr.
Webb D. Sawyer
Robert P. Keller
Alan J. Armstrong

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

CAPTAIN TO MAJOR

Line of the Air Force

Abell, John T., 0047613.
Abolia, Paul A., 0031300.
Adamcik, Frank J., 0053683.
Adams, John A., 0047240.
Adams, Leland L., 0053625.
Adams, Robert L., 0047090.
Adams, Robert N., 0060436.
Adams, Roderick B., 0032145.
Addington, Vernal E., 0031476.
Addison, Belmer J., 0053532.
Addison, James M., 0047459.
Ahls, William L., 0032177.
Ahmann, James H., 0025949.
Albach, John S., Jr., 0053734.
Albright, William F., Jr., 0025950.
Alcock, Nolan C., 0065069.
Alewine, Martin A., Jr., 0060502.
Alexander, Frank G., 0047698.
Alker, Philip R., 0047771.
Allen, Fred R., 0028814.
Allen, Lawrence C., Jr., 0047365.
Allen, Owen W., Jr., 0028863.
Allred, Elmer G., 0025951.
Alm, David C., 0031571.
Alsperger, Eugene J., 0025952.
Amelio, Gilbert N., 0065097.
Andersen, Stanley A., 0047077.
Anderson, Alvord V. P. III, 0028924.
Anderson, Jack R., 0025956.
Anderson, Marlan G., 0047495.
Anderson, Robert B., Jr., 0032126.
Anderson, Sidney E., 0056754.
Anderson, Theodore G., 0060378.
Anderson, Theodore M., 0032120.
Anderson, William D., 0047496.
Anderson, William G., Jr., 0047701.
Anderson, William J., 3022614.
Andreae, Cornelius T., 0032847.
Anonsen, Charles E., 0053623.
Anstine, Gale B., 0053626.
Antoszek, Henry T., 0028818.
Archibald, Robert G., 0047514.
Arias, Roger F. A., 0074136.
Armer, Samuel F., 0032807.
Armstead, Claude F., 0047119.
Arnet, John E., 0025958.
Arnold, Raymond L., 0053622.
Arnold, William B., 0053549.
Arthur, Harold F., 0047535.
Artman, Joseph T., Jr., 0025959.
Askenasy, Eugene K., 0032781.
Asseff, Sam E., 0047467.
Aufdemorte, Lewis G., Jr., 3036412.
Auld, Harry E., 0032785.
Aurand, Kenneth F., 0031446.
Austin, Ronald R., 0059508.
Avallon, Donald J., 0053566.
Ayres, Don, 0025960.
Backa, Ralph W., 0053556.
Bacon, Merle D., 0056670.
Baginski, James I., 0065060.
Bailey, James E., 0074140.
Bain, Hubert L., 0028806.
Baker, Jack T., 0053567.
Baker, James E., 0025961.
Baker, Jay E., 0047123.
Baker, Kendall J., 0053470.
Bal, Eugene, Jr., 0065053.
Balden, Harold A., 0053787.
Balderston, Robert E., 0032146.
Ball, George A., 0053597.
Ballard, William L., 0074142.
Balogh, John C., 0025962.
Barber, Paul A., 0047371.
Barfknecht, Harold A., 0047069.
Barinowski, Robert E., Jr., 0060340.
Barnett, Warren W., 0053643.
Barnicoat, William J., Jr., 0053753.
Barrett, Lowell A., 0031442.
Barrows, Ralph E., 0047669.
Barth, Marvin J., 0025964.
Basham, Robert R., 0031971.
Bass, Donald C., 0053480.
Bass, Williamson G., 0053713.
Bassett, William W., 0032804.
Bates, Robert L., 0059507.
Bathurst ,William D., 0026317.
Battaglia, Joseph H., 0060457.
Baugh, David S., 0028959.
Bayless, Ovid L., 0047247.
Beals, Gordon A., 0032182.
Beard, Harry R., 0060415.
Beaver, William G., 0074148.
Beck, Edward M., 0053448.
Beck, Stanley C., 0025965.
Beckwith, Charles A., Jr., 0028968.
Beckwith, Wayne K., 0047605.
Beene, Reagan H., Jr., 0028919.
Beggs, Conrad L., 0056645.
Belford, Willis A., Jr., 0028848.
Bell, Edward J., III, 0028849.
Bell, Kenneth H., 0025966.
Bell, Robert K., 0047169.
Belmonte, Francis J., Jr., 0056647.
Bennett, Arthur C., 0053692.
Bennett, James B., 0053681.
Benson, Frederick J. R., 0032765.
Benson, Kenneth A., 0053561.
Benson, Vernell C., 0047381.
Bentz, Richard H., 0026319.
Berg, Waldo G., 0060385.
Berkowitz, Jerry G., 0056770.
Berman, Leonard J., 0047066.
Berretta, Robert E., 3037228.
Berry, Charles W., 0047399.
Bethany, Glenn A., 0047621.
Beynon, Glenn E., Jr., 0032798.
Billingsley, Franklin A., 0074150.
Bills, Walter B., 0031612.
Bina, Melvin J., 0056683.
Binford, Donald D., 0032142.
Bingham, William A., Jr., 0060388.
Birch, Charles P., 0032059.
Bissell, Evert R., 0047731.
Bivona, Charles S., 0031445.
Bjorneby, Walter E., 0047228.
Black, James D., 0032822.
Black, Walter A., 0074151.
Blair, James A., 0060440.
Blaisdell, Charles F., 0053568.
Blake, Charles R., 0065066.
Blevins, Thomas E., 0031394.
Bloodworth, James O., III, 0031541.
Blunck, Kurt G., 0060414.
Boardman, Henry W., 0047338.
Bodenhausen, Max G., 0047691.
Boehm, John A., 0053472.
Bohne, Derwin L., 0031987.
Bohren, Joseph F., 0053776.
Bohrer, Ronald R., 0074154.
Boiko, William, 0025973.
Bolls, Dillard D., 0060382.
Bonadies, Alphonse G., 0031614.
Bones, James R., 0047282.
Bonham, John L., 0025974.
Boning, William J., 0032047.
Bonner Otis L., Jr., 0060420.
Bond, Richard J., 0053565.
Boone, George T., 0028963.
Boren, J. Donald, 0047264.
Borgen, William D., 0031993.
Bornstein, Joseph B., 0025004.
Boibyl, George W., 0025977.
Bott, Donald H., 0047575.
Bouchard, Richard M., 0028947.
Boucher, William A., 0025978.
Bounds, Lowery K., 0053499.
Boverie, Richard T., 0025979.
Bowden, William P., 0047593.
Bowen, Joseph A., Jr., 0047220.
Bowen, Ralph K., 0053754.
Bowling, Melvin G., 0053781.
Boyd, William P., 0025980.
Boyer, Joe C., 0028936.
Boyer, Ronald J., 0047607.
Boyette, Robert T., 0056709.
Bozik, Edward F., 0032160.
Bradberry, Harold E., 0056620.
Bradbury, Robert J., 0047603.
Bradley, Charles W., 0053551.
Bradley, Thomas B., 0053647.
Bradshaw, Robert D., 0032826.
Brady, Perry B., 0053576.
Bramlett, James D., Jr., 0031429.
Branch, William E., Jr., 0026921.
Brandon, William W., II, 0053741.
Brandt, David D., Jr., 0047212.
Brant, Kenneth E., 0072250.
Brantley, Milton L., 0028930.
Branz, Michael H., 0028825.
Brashear, John A., 0025981.
Bratcher, Wayne R., 0031565.
Braun, Richard J., 0031391.
Brazell, Leroy A., 0053736.
Brazile, Floyd J., 0046791.
Brendel, Jo, 0025982.
Bresee, Don K., 0053613.
Brevard, William N., 0074157.
Brewer, James E., 0025983.
Brewster, Philip L., 0025984.
Bricker, John C., 0025985.
Briggs, James E., Jr., 0032104.
Bright, Boris E., 0028928.
Bristow, Billy E., 0074158.
Brittain, Charles J., 0027970.
Broderick, George T., 0060450.
Bromley, Robert D., 0031975.
Broom Phillip W., 0053525.
Brougher, John D., 0047451.
Broughton, Robert N., 0053635.
Broussard, Whitney J., 0032043.
Brown, Alfred D., Jr., 0032073.
Brown, Bill V., 0028850.
Brown, Curtiss E., 0031572.
Brown, Francis J., 0060470.
Brown, Ivan D., 0031463.
Brown, James T., 0025987.
Brown, Joseph R., 0053462.
Brown, Larry H., 0031478.
Brown, Lawrence A., 0032045.
Brown, Robert M., 0047408.
Brown, Sheldon L., 0047545.
Brown, Thomas C., Jr., 0071883.
Brown, Thomas S., 0065093.
Brown, Van L., Jr., 0053684.
Browning, Bob D., 3018572.
Brubaker, Richard E., 0025988.
Brubaker, Robert D., 0056617.
Bruder, Alvin H., 0056675.
Bruha, Harlan L., 0047103.
Brundage, Harold L., Jr., 0053440.
Bruno, America P., 0074159.
Bruns, Willis J., 0046157.
Brunson, James E., 0053451.
Brusini, Andrew R., 0056654.
Bryant, Herbert M., 0053760.
Bryant, Louis L., 0025990.
Bryant, Ray H., 0047600.
Bublitz, Robert W., 3037044.
Buchanan, John E., 0032130.
Buck, Theodore R., 0031462.
Buckingham, Jack L., 0047263.
Buckman, Louis C., 0056610.
Buechele, Charles L., 0065072.
Buechley, Jay F., Jr., 0032208.
Bullington, Robert J., 0025992.
Bulloch, Fulton G., Jr., 0047306.
Bullock, Jerry M., 0032072.
Bulmer, Ronald L., 0053516.
Bunting, Joseph O., Jr., 0047511.
Burgert, Colin R., 0032119.
Burke, Walter J., Jr., 0031546.
Burnett, Chester E., 0031610.
Burney, William J., 0065077.
Burns, Kenneth D., 0025994.
Burns, Robert C., 0031386.
Burns, Samuel T., III, 0031477.
Burris, Thomas A., 0031973.
Burton, Harold B., 0060304.
Buster, Gerald O., 0047448.
Butcher, Paul C., 0065079.
Buzard, Lyman F., 0060359.
Calbert, Bobby R., 0053670.
Caldwell, Jimmie D., 0074164.
Caleb, Phillip I., Jr., 0028665.
Callas, Nicholas P., 0025997.
Callihan, Andrew J., Jr., 0032127.
Cameron, James S., 0047269.
Cameron, Paul A., Jr., 0053578.
Cammack, Luther S., Jr., 0053685.
Camp, William A., 0031573.
Campbell, Edward, J., 0053599.
Campbell, Herbert G., 0031384.
Cannon, James A., 0060331.
Cantelou, Louis W., Jr., 0047746.
Cappelli, Charles E., 0047699.
Cargile, Vinson G., 0053322.
Carlson, Kenneth D., 0060376.
Carnes, James R., 0047510.
Carr, Virgil H., Jr., 0047675.

Carr, William S., 0053767.
Carroll, Dolph T., Jr., 0053553.
Carroll, John H., 0047554.
Carter, Frank P., 0032093.
Carter, William E., 0060435.
Carver, Richard C., 0047616.
Case, Charles W., 0047479.
Casey, Aloysius G., 0026002.
Casey, Thomas A., 0060346.
Cash, Eugene G., 0047470.
Cashman, Gerald A., 0047335.
Casillas, Eleas, 0060303.
Cassidy, Duane H., 0053794.
Cates, Charles W., 0047978.
Catlett, Albert W., 0028851.
Caudell, Colven E., Jr., 0031554.
Chafey, Frank D., 0060400.
Chalker, Marion P., Jr., 0053586.
Chapman, James C., 0056655.
Chapman, Robert E., 0026004.
Charles, William M., Jr., 0026005.
Chase, Donald J., 0047438.
Chasse, Albert J., 0028844.
Chavanu, Donald E., 0053463.
Cherry, Richard E., Jr., 0026006.
Chipman, Richard A., 0047471.
Choate, Stanley F., 0026008.
Chovanec, Albin E., 0056045.
Christian, Daniel R., 0028953.
Christianson, Howard L., 0060482.
Christner, Alan S., Jr., 0026009.
Christophersen, Edwynn J., 0047272.
Chur, Lester R., 0053458.
Cipra, Donald J., 0032772.
Circe, Robert J., 0053725.
Clapp, John N., 0047285.
Clark, Francis J., Jr., 0032011.
Clark, Richard E., 0053807.
Clarke, Melvin P., 3023883.
Clarke, William H., 0026014.
Clay, James T., 0053572.
Clune, John J., 0026015.
Cobb, Francis C., 0026016.
Cobble, Billy G., 0053633.
Cocchiarella, Joseph V., 0047071.
Cocke, William F., 0074175.
Cockes, Elbert D., 0047547.
Coffland, Richard A., 0056701.
Cohn, Sanford L., 0032827.
Colbath, Thomas N., 0031574.
Cole, James G., 0053476.
Coleman, Marvin L., 0060364.
Colleran, Joseph A., Jr., 0060467.
Collier, Robert M., 3026260.
Collins, Wesley B., 0047254.
Colver, William S., 0053529.
Comfort, Norman D., 0056596.
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Conn, Henry L., 0047450.
Connelly, Thomas L., 0031497.
Connet, Robert K., 0053718.
Conors, Robert W., 0047724.
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Conway, James E., 0047506.
Conway, Oscar C., 0028896.
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Cook, William H., 0047105.
Coon, David B., 0032842.
Cooper, Fred M., 0047584.
Coopland, Victor D., 0053719.
Coppedge, Charles A., 0047097.
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Cordner, Floyd B., 0060408.
Corley, John C., 0032763.
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Cornwell, Jimmy L., 0053449.
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Costello, Earl S., 0065049.
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Cottrell, Samuel S., 0031537.
Couch, Charles W., 0046473.
Couch, William E., 0028898.
Courtaney, Dennis E., 0028944.
Couvillion, Donald D., 0046151.
Covert, James E., 0047160.
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Craig, Leo L., Jr., 0047292.
Cram, Deryl L., 0047542.
Crawford Cyril J., 0060863.
Crawford, Jack C., 0056589.
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Cribb, Vance N., 0047260.
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Cross, Vernon L., 0074182.
Cross, William B., 0047333.
Crowe, Robert F., 0031389.
Crowther, Walter E., 0060474.
Cruts, Robert E., 0047484.
Cummings, Gerald R., 0047642.
Currie, Julian M., 0060500.
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Cutler, John B., 0047286.
Dagwell, Harry R., 0056607.
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Dale, Walter M., 0047353.
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Deines, Hilmere J., 0032762.
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Delmar, Robert A., 0028882.
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Dillon, Somervill E., 0047672.
Dillow, Billy G., 0030869.
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Fox, Loren J., 0047314.
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Fratt, Merlyn D., Jr., 0032759.
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Freeland, Darrell E., 0047549.
Freeman, Byron J., 0032796.
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Freer, Albert P., Jr., 0026055.
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Gable, Stewart R., 0032767.
Gaffney, John T., 0031521.
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Gallagher, Gorge R., 0047322.
Gallardo, Edward F., 0047299.
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Goetze, Edward D., 0047402.
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Green, Ray G., Jr., 0053543.
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Ham, Oran C., 0053641.
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Proctor, Lowell T. L., 0028872.
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Weiland, David W., 0053618.
Weiler, John N., 0026296.
Weingarz, William E., Jr., 0056667.
Weis, Carl G., 0060273.
Weiss, Jerald E., 0047136.
Welch, James D., 0047311.
Welch, Thaddeus B., Jr., 0047541.
Welsh, Jerome F., 0047107.
Wencel, Frank E., 0031466.
Wendt, Phillip J., 0032179.
Wesner, John A., 0026297.
West, James H., 0056758.

Westby, Kenneth L., 0028877.
Wetmore, Bruce B., 0047639.
Wetzel, Emery S., Jr., 0026345.
Wharton, John F., 0047276.
Whatley, James C., Jr., 0026298.
Wheeler, Lyman E., 0031377.
Wheeler, Raymond D., 0047114.
Wheeler, Roy M., 0053560.
Wheeless, Robert A., Jr., 0047556.
Whelan, Robert E., 0053679.
Whinery, Clarence E., 0047125.
Whipps, Ted G., 0047727.
Whitacre, Roger L., 0054129.
White, Dawson N., 0060294.
White, Joe M., 0053584.
White, Otis P., Jr., 0047633.
White, Robert B., 0047458.
White, Roy T., 0032207.
Whitener, Robert P., 0047442.
Whitmore, Joe I., Jr., 0060491.
Whitney, Lloyd D., 0047382.
Whitney, Richard A., 0056644.
Wicks, Oliver G., 0047583.
Wiemann, Alfred H., Jr., 0031967.
Wiggins, Jesse P., 0032002.
Wigington, John H., 0047401.
Wilde, Rodney C., 0056773.
Wilfong, Charles E., 0046358.
Wilhelm, John A., 0060389.
Wilkinson, Charles T., 0031405.
Willard, William K., 0047527.
Williams, Bill C., 0060343.
Williams, Billy J., 0047163.
Williams, Clark E., 0047512.
Williams, Donald R., 0031992.
Williams, Ernest W., 0028955.
Williams, Robert W., 0056622.
Williams, Roger L., 0028833.
Williams, Zeke D., 0047126.
Williford, Mitchell L., 0047151.
Williford, Richard E., 0047737.
Willis, Giles W., Jr., 0032144.
Wilson, Charles E., 0026347.
Wilson, Conrad L., 0047444.
Wilson, Donald F., 0053763.
Wilson, Dwight V., 0047618.
Wilson, Herbert G., Jr., 0028880.
Wilson, Jack W., 0047106.
Wilson, Kenneth E., 0030434.
Wilson, Lewis R., Sr., 0028843.
Wilson, Mac F., 0047504.
Wilson, William K., 0031461.
Wilson, William R., 0047475.
Wilson, William T., 0032809.
Wilt, Darrel E., 0056737.
Wiltgen, Joseph N., 0056437.
Windle, Edward W., Jr., 0026302.
Windrath, Donald C., 0031570.
Wingate, Douglas W., 0060314.
Winkeler, William W., 0032152.
Winkelman, Arnold H., 0026303.
Winkle, Davy L., 0047480.
Winn, Robert M., 0060280.
Winslow, Joe G., 0056761.
Winstead, Guy H., Jr., 0047348.
Winstead, Jack A., 0047709.
Winter, Malcolm D., 0056628.
Winters, Robert C., 0060256.
Wish, George V., 0074304.
Wisneski, Frank R., 0047617.
Wizoreck, Thomas E., 0074305.
Wolf, Raymond E., 0060381.
Wolfgang, Stephen W., 0026305.
Wolfsberger, Richard F., 0028906.
Wood, Carl E., 0060392.
Wood, Charles M., 0060262.
Wood, Ernest M., 0060369.
Wood, Richard W., 0047768.
Woodard, Reagan N., 0032843.
Woodbury, John B., 0031339.
Woodruff, Robin M., 0047626.
Woodruff, Wesley D., 0047238.
Woodward, Seabrook W., Jr., 0047303.
Woody, Jack D., 0053702.
Woolington, Gerald L., 3034062.
Wootton, Robert J., 0047281.
Worden, Roy F., Jr., 0053705.
Workman, Theodore E., 0028846.
Worsech, Delmar G., 0047719.
Wotring, John T., 0031514.
Wright, Alan J., 0060274.
Wright, Dade M., 0056583.
Wright, Harley D., 0047395.
Wright, Joseph W., 0065084.
Wright, Kenneth D., 0026307.
Wundermann, Charles R., 0060397.
Wustner, Lorenz F., 0047304.
Wyrick, Donald M., 3037181.
Wyrick, Doyal L., 0047133.
Yacobi, James R., 0047597.
Yahanda, Alfred M., 0053524.
Yannacone, Clement A., Jr., 0032078.
Yantis, Richard P. 0026308.
Yanuzzi, Nicholas, 0060498.
Yarbrough, Robert L., 0047774.
Yates, Douglas B., 0060479.
Yelton, Frank M., 0047526.
Youatt, Don W., 0032118.
Young Charles G., 0047463.
Young, Richard J.,0065057.
Young, Wayne C., 0060327.
Youngflesh, Richard D., 0026310.
Yunk, Robert J., 0056648.
Zahm, John E., 0047505.
Zalewski, Leonard A., 0047190.
Zambenini, Robert L., 0032001.
Zander, Frank H., 0060282.
Zar, Allan G., 0053528.
Zartman, John R., 0026311.
Zeiler, Burton D., Jr., 0032802.
Zieg, James E., 0060461.
Ziehe, Gerald D., 0060383.
Zink, H. Jay, 0065045.
Zinke, Henry, 0047354.
Zook, David H., Jr., 0047101.
Zuber, Albert J., 0047629.
Zulauf, Elmer J., 0047586.
Zumwalt, James T., 0047274.
Zvetina, Edmund J., 0060380.

CHAPLAINS

Auer, Robert F., 0060003.
Bartone, Donald E., 0070896.
Branham, Mack C., Jr., 0064348.
Cain, James J., 0055206.
Chapman, James W., 0064349.
Cole, Newton V., 0056424.
Fetherston, Richard J., 0064347.
Grimmett, Philip E., Jr., 0060004.
Haley, William J., 0070983.
Hall, William S., 3046071.
Hemkens, Edward B., 0070984.
Howard, John L., 0064350.
Jacobs, William H., 0048697.
McConnell, Francis P., 0055200.
McGrory, John R., Jr., 0060002.
Meade, Henry J., 0064346.
Narron, John B., 0055203.
Ward, Lawrence E., 0055205.

DENTAL CORPS

Abrams, Herbert, 0080975.
Andrews, Roy W., 0077280.
Aronovitz, Robert, 0051023.
Best, Harvey T., Jr., 0031964.
Binzer, William C., 0051020.
Boyd, Russell C., II, 0071123.
Brendlinger, Darwin L., 0059493.
Crosthwaite, Harold J., 0056556.
Davis, Earl W., 0069749.
Delorimier, Jacques A., 0051029.
Derricotte, Eugene A., 0082056.
Dubois, Robert M., 0051017.
Giertych, Henry A., Jr., 0056555.
Gust, Richard S., 0075305.
Hall, Paul C., 0079993.
Hawkins, Benny F., 0082101.
Helder, John C., 0059560.
Hendon, Gene E., 0069621.
Jewson, Leonard G., 0051019.
Kramer, Donald C., 0064234.
Lambert, Ralph L., 0069751.
Leinweber, Alfred D., 0069747.
Mary, George G., 0082154.
Metzger, Donald E., 0063480.
Nadeau, James E., 0051012.
Nichol, Harold W., 3089137.
Norwood, Ralph F., Jr., 0082191.
Powell, Joseph M., 0069748.
Richardson, James E., 0051016.
Schell, Jerome, 0075307.
Shaw, Fred A., Jr., 0059960.
Shell, Jack A., 0082243.
Taylor, Carroll G., 0061157.
Testa, William J., 0082262.
Turner, Donald C., 0069750.
Wardle, William L., 0078085.
Westin, Richard P., 0051028.
Wettlaufer, Robert K., 0059722.
Willis, Samuel R., 0059492.
Wilson, Brice N., 0056554.
Zwick, Harold H., 0076441.

MEDICAL CORPS

Alexander, John H., 0063408.
Armstrong, Raymond G., 0055813.
Ashby, Richard H., 0066024.
Barber, Dennis D., 0062920.
Bauer, Charles R., 0064222.
Beering, Steven C., 0056053.
Bonner, Robert H., 0055865.
Brandt, Robert J., 0061147.
Brekken, Alvin L., 0066023.
Camp, Frank A., 0055769.
Collins, Calvin J., 0069734.
Conley, Russell R., 0069732.
Costin, Ronald E., 0055863.
Cristian, Albert R., 0063062.
Curtis, Sidney H., 3075061.
Daniel, Thomas G., 0064217.
Derby, Dennis R., 0059952.
Deverell, William F., 0055922.
Evangelist, Felix A., 0080970.
Finney, Billy A., 0059479.
Fite, Fulton W., 0055814.
Fitzrandolph, Raymond H., 0062816.
Fuqua, William R., 0076574.
Gills, Raymond E., 0069736.
Graves, Raphael K., 0055768.
Griffin, Robert P., 0055817.
Griggs, George A., 0078106.
Hale, Albert S., Jr., 0076228.
Harris, Richard C., 0055818.
Hayden, Gould D., 0064221.
Healy, Francis E., Jr., 0076231.
Henneberger, George M., 0055766.
Herrington, Alan G., 0055919.
Hightower, James D., Jr., 0063407.
Hill, Richard P., 0075299.
Hoffman, James F., Jr., 0078107.
Holl, Carl W., Jr., 0078108.
Jackson, Francis M., 0078110.
Johnson, John A., Jr., 0063018.
Jones, David R., 0062817.
Jones, Frederic G., 0071066.
Jones, Frederick R., 0071120.
Kandel, George E., 0069733.
Keeler, George E., III, 0078270.
Key, Frederick M., Jr., 0061146.
Kiplin, Lydell C., 0069735.
Kremchek, Edward J., 0079959.
Laman, Muryl L., 0076507.
Landew, Melvin, 3110709.
McGowan, Ronald L., 0078272.
Meader, Willard L., 0070882.
Moralespereira, Antonio, 0064216.
Neisler, James W., 0071121.
Ordiway M. V., 0069806.
Perry, Carlos J. G., 0055866.
Peterson, Emil W., 0056051.
Pollard, Richard A., 0080200.
Pollock, Joseph J., 0070878.
Preator, Richard F., 0076366.
Pryor, Boyce B., Jr., 0079620.
Ramos, Edwin D., 0078113.
Randall, George E., 0062819.
Reinbold, William B., 0075317.
Richardson, Jesse F., 0076241.
Richmond, Lewis H., 0063061.
Roberts, Perry T., 0062818.
Savage, Hilbert B., Jr., 0076432.
Schultz, R. J. Black, 0056397.
Secrest, Charles R., 0063063.
Shallow, James T., 0070881.
Shepherd, Virgil J., 0063406.
Shortley, Howard F., Jr., 0055869.
Speicher, Carl E., 0055816.
Spencer, Herbert B., 0055920.
Spinelli, Francis R., Jr., 0075756.
Stecker, Raymond H., 0063019.
Stowe, Fred R., Jr., 0055864.
Thomas, Charles N., 0056052.
Thurston, Charles S., 0062815.
Tilles, Jerome, 0076246.
Wachs, Theodore J., 0078116.
Wahle, William M., 0055767.
Warren, Bruce H., 0055923.
Wolfe, Richard D., 0076728.

NURSE CORPS

Beaton, Frances A., 0066031.
Borgwardt, Doris I., 0076284.
Bourquein, Rita C., 0032604.
Bruno, Helen, 0051384.
Carey, Eleanor M., 0032609.
Carson, Rita D., 0082297.
Coombs, Bertha L., 0082302.
Delaney, Shirley J., 0070389.
Donahue, Shirley M., 0082307.
Duffy, Edna L., 0076517.
Felder, Alice E., 0056056.
Gajan, Thressa L., 0082320.
Glasgow, Mary J., 0077293.
Holmok, Eleanor J., 0064253.
Hutton, Sallie M., 0082336.
Johnson, Betty L., 0059971.
Kidd, Jane, 0066033.
Kneer, Lillian F., 0055388.
Krause, Patricia L., 0063414.
Lacharite, Rose Y., 0082344.
Legalle, Barbara L., 0056398.
McGuirk, Mary D., 0066032.
Meredith, Helen M., 0032599.
Morgan, Lois J., 0032610.
Nelson, Joan L., 0082353.
Noble, Nell, 0055387.
Noel, Mary J., 0082354.
O'Toole, Joann B., 0056564.
Owens, Ruth M., 0069817.
Paddock, Helen L., 0082356.
Patnychuk, Irene, 0051383.
Pavilkey, Mary H., 0032607.
Peek, Lilith J., 0051385.
Pratt, Ruth A., 0028019.
Pulliam, Gladys C., 0076386.
Reid, Mary L., 0076610.
Richardson, Marinel, 0064252.
Richardson, Rosemary, 0032469.
Studer, Joan R., 0051597.
Taketa, Happy S., 0032470.
Wilhite, Mary F., 0076581.

MEDICAL SERVICE CORPS

Barfield, Aaron H., 0049085.
Barfield, Acie C., 0049086.
Bellor, James R., 0032492.
Blakeney, Joe F., 0028011.
Carter, Jackie D., 0076445.
Christianson, James D., 0032491.
Currie, William D., 0049074.
Deramus, Charles E., Jr., 0056449.
Finn, Joseph J., 0028006.
Fisher, Jackie V., 0028007.
Flaugher, Earl W., 0055356.
Frezza, John, 0055351.
Holman, Dean S., 0049084.
Illsley, David B., 0049078.
Insley, Richard L., 0056445.
Jackson, Thames F., Jr., 0049087.
Kehoe, Francis J., 0032496.
Koehler, John W., 0055359.
Leduc, Robert W., 0049077.
Marcotte, Victor H., 0049090.
Marschall, Barton R., 0032490.
Martin, Everett E., 0049058.
Martino, Charles W., 0056441.
Mayhugh, Thomas R., 0055350.
McIntyre, Robert T., Jr., 0056450.
Mullen, Paul E., 0032493.
Myers, Charles G., 0028009.
Newton, Richard W., 0049076.
Newton, William H., 0029339.
Peterson, Dean L., 0029512.
Podkin, Albert, 0056442.
Rolfs, Robert R., 0076447.
Rutten, James M., 0055357.
Schiefer, Alfred C., 0028008.
Seal, Daniel H., 0056444.
Shelton, Jack L., 0056448.
Simmons, Billy F., 0032495.
Skinner, John A., 0056447.
Soto, Carlos A., 0049079.
Thomas, Paul V., 0049073.
Wedding, James R., 0056446.
Williams, Benjamin H., 0027656.
Williams, Walter H., 0029340.
Wood, James F., 0049089.
Zimmerman, Rodney J., 0055352.

VETERINARY CORPS

Cable, John W., 0061205.
Dixon, Dock F., Jr., 9965984.
Jensen, James P., 0055208.
King, Charles C., Jr., 0056485.
Pace, William E., 0061203.
Page, Norbert P., 0061206.
Richardson, Ted M., 3043592.
West, Joe E., 0056486.

BIOMEDICAL SCIENCES CORPS

Aroud, Ellis G., 0055358.
Baldwin, Bart A., 3003120.
Bousser, James E., 0029338.
Curry, Charles J., 0055355.
Ebbers, Robert W., 0032589.
Fisher, Elwood E.,, 0029341.
Hodges, James M., 0028010.
Jacobsen, William G., 0056443.
Jones, Lauris T., 0049082.
Kinsley, Earl L., 0049071.
Kittilstad, Owen H., 0049083.
Louis, Arthur, 0055354.
Lucchesi, Rudolph A., 0032494.
Page, James T., Jr., 3000014.
Penikas, Vincent T., 0029513.
Reardon, Joan A., 0032612.
Rooney, Patricia J., 0056174.
Wexler, Seymour, 0055353.

SECOND LIEUTENANT TO FIRST LIEUTENANT

Line of the Air Force

Aarni, John C., Jr., 0080201.
Abbott, Robert A., 0081453.
Adams, Ralph W., Jr., 0081307.
Adams, Robert D., 3153062.
Adams, Stanley L., 0080202.
Aicale, Ronald R. J., 0080203.
Alexander, Jon R.,3152643.
Alldredge, Charles H. S., 0080205.
Allen, Charles C., 0080206.
Allgood, George L., 0080207.
Alme, Marvin L., 0080208.
Almquist, David W., 0080209.
Alsobrook, James E., Jr., 0080210.
Alton, Stuart L., 0080211.
Amdor, Stephen L., 0080213.
Anderson, James R., 3155187.
Anderson, Maxwell L., 0080212.
Anderson, Norman S., 3161130.
Anderson, Tim G., 0080214.
Angell, John E., Jr., 0080215.
Archey, Walter J., Jr., 3163540.
Armstrong, Edwin L., 0081308.
Armstrong, Henry M., 0080218.
Arnold, Larry A., 0080217.
Arnold, Wayne F., 0080219.
Arthur, Ernest R., 3133712.
Ashcraft, Boyd L., 3134096.
Askew, Alvin C., Jr., 0080220.
Astor, Wally G., 3168941.
Atwood, Argyle P., Jr., 3148836.
Auer, Bernard J., 0080949.
Austin, Charles D., 3148607.
Bagwell, Dennis P., 0080223.
Bain, James D., 0080224.
Balch, Henry J., Jr., 0081382.
Ball, James A., 3161598.
Ballard, Michael A., 0081399.
Banks, William M., Jr., 3162112.
Barker, John K., 3152991.
Barker, Ralph E., 3168943.
Barkman, Larry R., 3149531.
Barnes, Albert M., 3159819.
Barnes, Peter A., 3161548.
Barnett, Louis R., Jr., 0081454.
Bartlett, Dennis R., 3152141.
Barton, Richard Jr., 0080225.
Basheer, Baheeje W., 0080226.
Bass, Davy M., 0080227.
Bates, Gaylon M., 3152287.
Baucom, Robert W., III, 0081455.
Bayer, Richard D., 0081387.
Bearry, Tommy B., 3153086.
Beavers, James L., III, 0080229.
Becking, Frederick A., Jr., 0080950.
Bedell, Robert L., 0081309.
Belden, William J., 3160062.
Bell, John A., 0081310.
Beller, Billy W., 0080230.
Benham, Lewis G., 0080231.
Bennett, David S., 0080232.
Benson, Richard A., 0080233.
Berberek, Edward, Jr., 0080234.
Beresfordwood, Jeffery, W., 0080235.
Berg, Bradley B., 0080236.
Berg, John A., 3152762.
Bergeron, Howard P., 3159296.
Berka, James N., 3160037.
Berry, Dennis H., 0081429.
Best, Donald, L., 3172912.
Bettis, Jerry D., 3152414.
Bettis, Jerry R., 3161344.
Bevivino, Raymond C. Jr., 0080237.
Bickham, Jonathan C., 0080238.
Birke, Theodore S., 0080240.
Blackford, Charles W. Jr., 3168946.
Blackman, Barry A., 0080241.
Blackmar, John C., 0080242.
Blacksten, Joseph O. II, 0080243.
Blaha, John E., 0080244.
Bleymaier, Joseph S. Jr., 0080245.
Blomquist, Graham W. Jr., 3152293.
Bluford, Guion S. Jr., 3161602.
Boli, Fred C., 0080246.
Bondaruk, Henry A. Jr., 0080248.
Bonds, John W. Jr., 0080249.
Boozer, Gordon L., 0080251.
Borchert, William R., 3163125.
Boston, William E. III, 3152587.
Bowen, Brent L., 0080252.
Bowers, William T. M., 0080253.
Bowler, Patrick E., 3152361.
Bracci, Peter G., 0080254.
Bradburn, William J., 0081311.
Bradley, Roger C., 3153047.
Brandt, William M., 0080255.
Brauer, Richard F. Jr., 3159551.
Brennan, Martin J. Jr., 0080257.
Bridges, Roy D. Jr., 0080258.
Brill, Ray S. Jr., 0080259.
Brimmer, Kirk R., 0081430.
Bristow, Vincent L., 0080261.
Britan, Joseph K., 0080262.
Browder, Thomas M. Jr., 0080264.
Brown, Barry L., 3158599.
Brown, Daniel F. III, 3162189.
Brown, Donald E., 0080265.
Brown, Peter A., 0080267.
Brown, Richard D., 0080269.
Brown, Timothy J., 0080271.
Brown, Wayne D., 0080273.
Brown, Wayne G., 0080275.
Brustad, Wesley O., 3153004.
Buckosky, Gerald A., 0081312.
Buescher, Daniel M., 0081242.
Bukauskas, Louis J. Jr., 3168926.
Bumpass, Thomas M. Jr., 0081313.
Burgin, Charles W., 3157310.
Burney, Willard T., 0080274.
Bussey, William H. Jr., 0080277.
Butler, Viggo M., 3152646.
Cable, Hobart S. II, 0080278.
Caldwell, Stephen D., 0080280.
Callies, Tommy L., 0080281.
Camburn, Gilbert L., 3168950.
Canavan, Gregory H., 0080282.
Cantrell, Richard R., 3149791.
Cantwell, John L., 3158664.
Cardea, George C., 0080263.
Carini, Robert M., 0081314.
Carlburg, Richard E., 0080284.
Carlson, Bruce F., 3152300.
Carter, Steven S., 0080285.
Casper, Paul W., 3158219.
Cassidy, Paul J., 0081431.
Castro, Bennie H., 0080286.
Cathey, William H., 0080287.
Cayes, Larry M., 0081243.
Chapman, Buddy W., 3168930.
Chepolis, William M., 3152452.
Chojnacki, Raymond, 0080289.
Chorvat, Michael F., 0080290.
Clanton, Jess B., Jr., 0081432.
Clark, Clyde H, Jr., 0080985.
Clark, James C, 3157311.
Clark, James I., 3157724.
Clark, Kenneth H., II, 0080291.
Clark, Richard D., 0081433.
Cliver, Jeffrey G., 3160188.

Close, Gary A, 0080292.
Coblentz, John E., 0080293.
Codling, James G., 0080294.
Cole, William L, 0080296.
Coleman, Charles B., III, 0080295.
Coleman, William L., 0080297.
Colligan, James M., 3160973.
Collins, Christopher M, 0081244.
Commander, John B., Jr., 3161966.
Compton, Charles T C., 0080298.
Concannon, Milburn K., Jr., 0081315.
Conklin, James J., 3160260.
Conn, John C., Jr., 0080299.
Connaughton, David M., 0080300.
Constable, William P., III, 3158221.
Cook, Robert F., 0081388.
Cook, Sidney A., 0080301.
Cooney, Michael F., III, 0081367.
Cooper, David R., 0080302.
Corman, John W., 0080303.
Cosgrove, Michael J., 3152629.
Cowan, John C, 0080305.
Cox, Barry L., 0080304.
Cox, Fred J., III, 0080306.
Cox, Harvey B., III, 0080308..
Crawford, Robert K., 3152463.
Creamer, Max A., 0080307.
Crew, James A., 0080309.
Cronenwett, Stephen P., 0080310.
Cross, James R., 0081456.
Crowell, Gary A., 3152354.
Crowell, Lorenzo M., Jr., 0080311.
Crumpler, Walter M., 0081368.
Currie, Christopher C., 0080312.
Daffron, Thomas C., 0080314.
Dahlberg, Charles W., II, 0080315.
Davenport, Robert D., 0080317.
Davies, Robert R., 0080319.
Davis, Joseph P., 0080318.
Davis, Ralph S., Jr., 0080320.
Dayton, Hugh K., Jr., 3148980.
Deacon, Walter E., II, 0080322.
Deatherage, Fred S., 3163403.
Degrott, Frederick J., 0080321.
Dejonckheere, Eric T., Jr., 0081316.
Delaporte, Chris T., 3163419.
Demchak, Michael T., 3168956.
Democko, Gerald P. J., 0080323.
Desantis, Dominic A., Jr., 0081317.
Dewing, Richard M., 0080324.
Dick, David A., 0080325.
Dickey, Paul B., 0080326.
Dillon, John P., 3148559.
Dingman, Steven K., 0080327.
Distelzweig, Louis V., Jr., 3149818.
Dixon, Wesley B., 0080328.
Dodd, John F., 3152367.
Dodrill, Reginald M., 3152310.
Doerer, Harry T., 0080329.
Donald, Myron L., 0080331.
Dorris, Gary A., 3158607.
Dougan, John W., 3152559.
Doughty, Glenn R., Jr., 0081318.
Douglas, Donald M., 0080330.
Douglas, William G., 0080332.
Druckenmiller, Arthur E., 3168959.
Duff, Edward A., 0080334.
Dufour, Jerome P., Jr., 0081319.
Duncan, Stewart S., 0080336.
Dunkelberg, George H., Jr., 0080337.
Dunlap, Gary J., 3163088.
Duresky, Neil L., 3152343.
Dye, David L., 0080338.
East, Willie J., 0081466.
Edelstein, Charles S., 3149479.
Edney, Frederick M., 3173087.
Edwards, James C., 0080340.
Egea, Louis R., 00815434.
Eiff, Arthur D., 3152667.
Elder, Jerry L., 0080342.
Ellsworth, Roger W., 3158708.
Elwood, Lawrence D., 0081369.
Emmons, Richard D., 0081411.
Endicott, Richard E., 3147480.
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Tigue, Dennis H., 3168939.
Tiley, Paul L., 0081464.
Tindall, Robert R., 0080697.
Titmas, Gary W., 0080699.
Tober, Zoltan J., Jr., 0080700.
Torrez, Dennis C., 0081465.
Traynor, Patrick J., 3153018.
Treadon, Thomas A., 0080703.
Treuhaft, Martin B., 0080704.
Turinetti, James D., III, 0080705.
Turner, Armond A., 0080706.
Turnley, Thomas E., Jr., 3152427.
Tutchings, Terrence R., 0081362.
Twitchell, Larry M., 0080707.
Umbarger, Richard L., 0080709.
Valente, George A., Jr., 3161683.
Valentine, Dennis E., 0080708.
Valentine, Jeffrey H., 0080710.
Vanderpool, Travis E., 3162767.
Vendetti, Jeffrey F., 0080711.
Verdict, Malcolm E., 0080712.
Vicente, Frank R., 3161684.
Vick, James L., 0080713.
Vickery, John M., 0080714.
Vinson, William T., 0080715.
Viviano, Joseph L., Jr., 3159289.
Vrettos, John D., 0080716.
Vrooman, Roger M., 0080717.
Wages, Brian E., 0080718.
Wagner, John C., 0080719.
Wall, Steven E., 3168808.
Wall, William F., 0080720.
Wallace, Bruce A., 0080721.
Wallace, Stephen L., 3133397.
Wallach, Steven E., 0080722.
Walsh, Robert E., 0080723.
Walton, Jerry T., 0080724.
Warden, John A., III, 0080725.
Warren, Gray D., 0080726.
Waterman, Robert K., 0080727.
Waterstraat, Craig K., 0080728.
Watts, Barry D., 0080730.
Wayne, William T., 0080731.
Weathers, Morris E., 3153033.
Webb, Michael S., 3152776.
Webber, Edward E., Jr., 0080732.
Weida, William J., 0080733.
Weidner, Douglas T., 0080734.
Wendt, Glenn W., 3148780.
Weston, Dale E., 3161204.
Wheeler, Timothy T., 0080736.
White, John F., 0080735.
White, Michael B., 0080737.
Whitehorn, Michael A., 0080738.
Wick, James R., 3163120.
Wilburn, Robert C., 0080739.
Wiley, Fletcher H., 0080740.
Wilke, Paul L., 0080741.
Wilkowski, Jerome S., 0080743.
Williams, Charles H., 0080742.
Williams, David M., Jr., 3161796.
Williams, Ronald W., 3163003.
Willis, Albert H., 3152710.
Wilson, Alexander G., 3157529.
Wilson, James S., 0080745.
Winchester, Robert D., 3168999.
Winter, James W., 3163409.
Wirth, Richard G., 0081364.
Wittel, Charles R., Jr., 3152518.
Witten, James P., 3152447.
Witty, Bruce A., 0080747.
Wodstrchill, Daniel L., 3158926.
Wolfe, Curtis L., 0080746.
Wolfe, Timothy R., 0080749.
Wood, Charles P., Jr., 0080748.
Wood, James W., 0080750.
Wood, Ronald L., 3152635.
Wood, Wendell B., 0080752.
Woods, Paul T., 3152144.
Wortham, George E., 0081476.
Wright, Grady A., 0080751.
Wycoff, Earl N., 3146921.
Yabui, Alan E., 3130503.
Yonker, Dale B., 3152713.
Young, George O. III, 0080753.
Zabka, Adolph H., 0081365.
Zaleski, Andre A. II, 0081366.
Zebley, Frederick L., Jr., 3160868.
Zeller, Karl F., 3177041.
Zepecki, Robert G., 0080754.
Zimmy, Edwin T., Jr., 0080755.
Zucker, Richard A., 0080757.

MEDICAL SERVICE CORPS

Anderson, James G., 3167408.
Boyd, Thomas D., 3168590.
Buscher, John R., 0080276.
Covey, Richard W., 3162794.
Dressler, Forrest G., Jr., 3166169.
Gainer, Philip W., 3183930.
Hamako, Herbert M., 3167429.

Healy, Keith E., 3167511.
Johnson, Gerald A., 3156543.
Lombardo, Raymond B., 3166216.
Lyons, John J., Jr., 3167476.
McClean, Raymond R., 3165621.
Mootz, John R., 0080539.
Nugent, Jerry J., 3167723.
Oatley, Theodore W., 3166413.
Phillips, Preston, Jr., 3168163.
Sarbach, Douglas L., 3167105.
Schuknecht, Lowell A., Jr., 0080644.
Schumann, Thomas R., 3166396.
Squires, Darrell R., 3184323.
Stephenson, Robert L. II., 3159467.
Templeton, David W., 3167823.
Wiegand, Edwin E., 3167933.
Zurbrugg, Eric B., 0080758.

BIOMEDICAL SCIENCES CORPS

Bullock, Charles W., 3160773.
Cumuze, Antonio G., Jr., 3168955.
Riccardi, Richard M., 3160315.
Rouland, Donald L., 3169005.
Smothermon, Sharo A., 3167446.
Trittschuh, John C., 3167943.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonels

Aaron, Harold R., O26207.
Abel, Carl M., O79720.
Abernathy, William, O37308.
Alexander, George L., O26021.
Allan, John C., O37298.
Althaus, Kenneth G., O41121.
Amacher, Aaron G., O27040.
Ancker, Jack P., O37217.
Anderson, Arnold V., O37666.
Anderson, Jonathan, O25820.
Anido, Victor M., Jr., O79727.
Antonioli, Virginio, O25663.
Armstrong, John W., O25686.
Arnold, Edwin Y., O84045.
Atkinson, Quintus C., O26317.
Aud, James E., O27051.
Avery, Philip S., O36241.
Baatz, David C., O41048.
Baccus, George W., O35670.
Baden, Robert E., O25671.
Baen, Spencer R., O27005.
Baldwin, Clarke T., O26037.
Barber, Henry A., III, O25568.
Barbour, Alfred E., O37787.
Batson, Richard T., O25434.
Beightler, Robert S., O25642.
Belford, Jack F., O55279.
Bell, Benjamin C., O48708.
Bell, John C., O25937.
Bennett, Edward E., O25463.
Benson, Charles E., O26263.
Berenzweig, Marvin, O25811.
Bergsagel, Ralph M., O79739.
Berte, Samuel C., O48711.
Betts, James A., O79741.
Betts, James A., O25891.
Bielecki, Edward J., O25465.
Bishop, Raymond C., O79743.
Blake, Robert T., O25837.
Blewett, Rex R., O38030.
Blount, Leverne E., O25939.
Boatner, Mark M., III, O26248.
Bogan, Lucian D., Jr., O25810.
Bohannon, Frederick, O27057.
Bohnak, Joseph A., O27036.
Bolling, Alexander, O26066.
Bond, John B., O26077.
Booth, Reed A., O79748.
Bott, Fredric C., O79750.
Boyle, Harry F., O39258.
Boyle, Joseph F., O26347.
Brandt, Roland A., O25901.
Brier, John K., O26185.
Brooks, Waldo W., Jr., O54679.
Broudy, Harold, O24134.
Brown, Stephen O., O26105.
Brust, Robert P., O79759.
Buell, Kenneth E., O25772.
Buerger, Kenneth G., O80377.
Burdell, Frank E., Jr., O79760.
Burdett, Allen M., Jr., O26048.
Burgess, John F., Jr., O79761.
Burke, James T., O34575.
Burlin, Robert B., O25484.
Burr, Charles H., Jr., O25758.
Buser, George W., O79764.
Byrne, David B., O23181.
Cain, James W., O26208.
Call, William T., Jr., O37896.
Calnan, William M., O26120.
Camp, Eugene C., O37072.
Campbell, Elden C., O40817.
Cann, Richard T., O37799.
Cantlay, George G., O25979.
Carne, William B., O38011.
Carroll, Benjamin L., O37321.
Carter, John H., O33174.
Carter, William C., O37290.
Carter, William C., O54761.
Case, Frank B., O78689.
Chapin, Neil M., O55006.
Charles, Alvin K., O79771.
Chase, David M., O26212.
Chegin, Thomas E., O79772.
Chilk, Samuel J., O53777.
Chmar, Paul, O37640.
Churchwell, Alvin M., O41055.
Cleary, Edward R., O26304.
Coachman, Francis G., O49618.
Coates, Harry R., O36067.
Cobb James J., O25629.
Cobb, John H., Jr., O26233.
Cobey, Earl J., O54909.
Cochran, John H., Jr., O54787.
Cochran, John H., Jr., O26115.
Coffman, Howard B., O25941.
Coggins, Samuel M., O37861.
Cole, Caleb A., O26171.
Cole, Charles B., Jr., O39304.
Cole, Jack N., O79775.
Collins, John W., III, O26079.
Collins, Rodney J., O55519.
Conard, David B., O25885.
Conarty, Roger L., O26067.
Conmy, Joseph B., Jr., O25645.
Conway, Marion L., O80388.
Cook, Harvey J., O79778.
Cook, Robert M., O25690.
Cooksey, Howard H., O37690.
Cover, William W., O26287.
Crawley, James J., O49218.
Croonquist, Arvid P., O25639.
Crumlish, William S., O45536.
Cullen, Joe C., O79786.
Cullinane, Daniel B., O26145.
Cumbie, Walter P., O54718.
Cunningham, Hubert, O39303.
Cunningham, Robert, O37120.
Curtis, Wesley J., O25792.
Dale, Joseph W., Jr., O36144.
Dallam, Robert N., O49607.
Dalton, Charles H., O37943.
Danforth, Robert D., O26081.
Daulton, James O., O79792.
Davenport, Robert J., O26089.
Davis, Dan R., O40629.
DeBrocke, William, O25986.
Deaver, John Q., O54765.
Dennis, William J., O36151.
Dennison, Robert C., O49010.
Dettmar, Henry G., O37117.
Dexter, Robert B., O33838.
Dinsmore, Oliver R., O37806.
Dittmer, Robert E., O79798.
Donahue, Franklyn W., O41071.
Donaldson, Thomas Q., O25480.
Doran, Edward A., O25782.
Douglass, John J., O49602.
Drackett, Ferris J., O49474.
Dring, John P., O37734.
Duke, Thomas A., Jr., O37062.
Dunn, James E., O36137.
Dunwoody, Harold H., O26197.
Durand, William H., O80401.
Dwan, Robert D., O26052.
Dyer, Joseph C., O79807.
Dysinger, William C., O54976.
Eaton, Robert L., O55596.
Eddy, George G., Jr., O54991.
Eddy, John H., O80404.
Edler, William C., O33725.
Edmond, Emil V. B., O34234.
Elliott, Dale T., O25022.
Elliott, Howard D., O25445.
Ellis, Rodney C., O34872.
Emerson, Edwin W., O49152.
English, Keith H., O55422.
Erdman, George W., O37350.
Ernst, Russell W., O37256.
Everton, Theme T., O41103.
Falck, William D., O25893.
Farley, Clare F., O25915.
Farnsworth, Frank A., O37216.
Fausset, Louis R., O34421.
Faust, Edmond L., Jr., O25450.
Fechtman, Robert H., O46262.
Ferriter, Richard H., O76837.
Finlayson, Harold C., O41028.
Finney, Perry S., Jr., O48263.
Fischgrund, Harold, O37183.
Fishback, Jesse L., O25858.
Fisken, Archibald D., O24868.
Fiss, Robert E., O25511.
Fitzgerald, Charles, O41098.
Flatley, Thomas W., O25638.
Flint, Brilsford P., O34146.
Francis, Gus C., O79815.
Fraser, Bruce H., O37276.
Frauenheim, Walter, O48978.
Frazier, Frank W., O37085.
French, Jack S., O48380.
Frost, Thomas G., O80411.
Fuller, Ellis L., O37366.
Fye, John H., III, O37715.
Gardner, Hamilton B., O36838.
Garten, Melvin, O48990.
Gates, Quinten L., O80413.
Gausman, Willis F., O79821.
Gendron, Thomas J., O45776.
Gibb, Edward F., Jr., O45769.
Gibson, Henry W., O80414.
Gibson, James M., O48730.
Giddings, Ralph L., O81900.
Glasgow, William M., O25905.
Glick, John R., O48877.
Glisson, Roy, Jr., O37078.
Glotzbach, Edgar N., O27011.
Godfrey, Hampton J., O37822.
Goforth, Robert C., O37670.
Goldenberg, Joseph, O80415.
Goldenthal, Mitchel, O25482.
Goodell, Henry W., O79832.
Goodman, Jess L., O47795.
Gordy, Stephen E., O26125.
Gorman, Vincent J., O41019.
Gottlieb, Arthur A., O44972.
Goudreau, Albert D., O46744.
Grady, Roman C., Jr., O25985.
Grant, Wilburn E., O35789.
Green, Charles W., O37744.
Greene, James F., Jr., O25900.
Greenwalt, William, O25998.
Gregg, Frank A., O37864.
Griffin, Bobbie A., O25908.
Grimm, Henry F., Jr., O25519.
Groom, Kenneth G., O54786.
Gunn, Arthur W., O24241.
Hahn, William R., O25566.
Hakala, Robert W., O48852.
Halin, Paul J., O55597.
Hamblen, Archelaus, O26187.
Hames, William E., Jr., O79839.
Hamilton, Howard E., O79841.
Hamlin, Jack I., O38004.
Hamlin, John I., O81903.
Handley, George E., O37294.
Hansard, Frederic E., O45303.
Hansen, Richard A., O79843.
Harding, Leslie B., O25512.
Hardy, Leslie B., O26003.
Harps, Joseph F., O53692.
Hatcher, Robert P., O53259.
Hawkins, Wallace E., O40969.
Hazam, Mitchell J., O83583.
Heltzel, Charles L., O25746.
Henry Gregg, O25574.
Herres, Fred W., Jr., O25996.
Heske, Richard F., O35641.
Hill, James A., O88735.
Hill, Ralph J., O26127.
Hillard, James R., O80420.

Hipp, Macon A., O84047.
Hixon, Robert C., O37892.
Hoffman, Edgar F., O78666.
Hoffmeister, Donald, O33942.
Hoffmann, Ralph M., O25495.
Holder, Leonard D., O37267.
Holm, George P., O79858.
Holt, John B., Jr., O48996.
Hood, Burton F., Jr., O25729.
Hopkins, Truman A., O36057.
Howard, Charles E., O39153.
Hranicka, Joseph G., O80424.
Hughes, Algin J., O25630.
Hughes, Thomas K., O24449.
Hulsey, Alvin, O79861.
Hulsey, David D., O24411.
Humphrey, James B., O49620.
Hunt, Jay, O32789.
Hunt, Milton T., Jr., O33057.
Hunt, Paul E., O36910.
Hunter, William L., O49016.
Hyde, Radford D., O35949.
Hyle, Archie R., O37271.
Ingwersen, Glenn P., O25993.
Ireland, Thornton E., O37325.
Isaacs Alvin C., O48816.
Ivan Garbriel A., O25865.
Jemmott Arthur H., O37043.
Johnson Earle A., Jr., O26211.
Jones Alan W., Jr., O25868.
Jones Dearl F., O48423.
Jones Harry L., Jr., O48397.
Jones Ralph K., O26123.
Jones Randolph L., O35477.
Jones Robert E., O79872.
Jones, Russell G., O37213.
Jordan George B., O34644.
Jordan, William K., O55586.
Kalergis, James G., O79873.
Kampschroer, Felix, O80432.
Kapp, Ronald A. O37070.
Karrick Samuel N., O25446.
Kellogg Dimitri A., O25433.
Kendall, Maurice W., O27003.
Kennedy, Richard T., O48390.
Kennedy, Stanley Y., O37179.
Kenworthy, Max R., O76841.
Kidder, James D., O26227.
Kirchner, Alfred W., O36559.
Kittrell, Williams S., O49082.
Knight, Hale H., O55247.
Krueger, Herbert W., O39207.
Kyle, Edward H., O22981.
Lacouture, Arthur J., O26240.
Ladd, Jonathan F., O27041.
Lafield, William C., O37894.
Lail, James G., O79884.
Lance, John E., Jr., O38026.
Lang, Francis E., O45628.
Langstaff, James D., O26314.
Langston, Alex T., Jr., O55069.
LeClair, Joseph A., O79888.
LeFebvre, Henry E., O36358.
Leach, James H., O48718.
Lehman, Arthur M., O79890.
Lewis, Herbert S., O25734.
Lewis, Norman F., O48701.
Libby, Jack P., O37932.
Ligon, Lawrence R., O35154.
Linton, William M., O23728.
Longacre, David R., O33378.
Lothrop, James N., Jr., 26057.
Loughran, Joseph P., O37167.
Lucas, John P., Jr., O26159.
Lundberg, George B., O25679.
Lundelius, Maurice, O54864.
Lutz, George A., O37296.
MacVeigh, Charles, O25496.
Magathan, Wallace C., O25861.
Magruder, Lawson W., O36711.
Mahan, James J., O48988.
Maher, Thomas L., O84386.
Mahone, Nelson A., Jr., O38003.
Malone, William F., O80445.
Marshall, Ben F., O80448.
Masenga, Robert C., O54101.
Mathe, Robert E., O25878.
Mathews, Stanley R., O37737.
Mayer, Edward E., O79914.
McAdams, James O., O80449.
McBane, Robert B., O48890.
McCabe, Edward F., O25926.
McCabe, John T., O37126.
McCartin, George J., O79638.
McCoid, Chester B., O36251.
McDonnell, Patrick, O84391.
McGee, Dale E., Jr., O26253.
McGinnis, Norris D., O37232.
McIlwain, Bob A., O55346.
McKee, Henry H., O36190.
McKenzie, Donald, O80147.
McKenzie, William, O25929.
McLain, John V., O37662.
McLendon, George P., O37133.
McLeod, Charles A., O27047.
McMahan, Jack E., O37300.
McNeil, Samuel F., O49354.
McRae, John R., O55582.
Medinger, John N., O80453.
Mercer, Oliver L., O39382.
Merlo, William J., O80457.
Merrill, Clifford R., O79927.
Merritt, Charles A., O80459.
Metts, Albert C., Jr. O26091.
Miller, Adelbert E., O41085.
Miller, James C., Jr., O25961.
Miller, Maurice G., O23914.
Miller, Robert E., O37356.
Millhouse, Felix G., O36609.
Mitchell, John R., O25665.
Mitro, Michael P., O54862.
Mixon, Sidney T., O34281.
Moberg, Wesley O., O44973.
Mohl, John L., O37815.
Montesclaros, Melec, O79934.
Moore, Clayton H., Jr., 48625.
Moore, Robert L., O79936.
Moore, Roy. Jr., O37063.
Moran, James J., O79937.
Morris, Charles A., O37730.
Morris, John W., O25992.
Motes, Marshall M., O46627.
Mowery, Lawrence L., O38023.
Murday, Stanley J., O79940.
Murray, Charles P., O41057.
Murray, Douglas B., O80466.
Murray, William H., O85396.
Myers, John W., O84824.
Nabors, George A., O80467.
Nash, Albert M., O33727.
Neale, William D., O25755.
Nechanicky, William, O33910.
Nelson, Oliver W., O37084.
Nett, Robert B., O41070.
Netterblad, Alvin T., 33971.
Newlands, George, O40606.
Newman, George E., O26015.
Newman, James W., O37751.
Norris, John J., O25713.
Oberg, Vincent G., O79944.
Ocallaghan, James P., O81919.
Odom, Robert E., O49363.
Odonnell, Charles F., O81920.
Ohalloran, John T., O55106.
Oldham, Leo G., O85227.
Osullivan, Michael, O37162.
Ott, Edward S., Jr., O25860.
Palos, Stuart J., O52797.
Parfitt, Harold R., O25914.
Parham, Douglas F., O26226.
Parker, Nicholson, O26193.
Parr, William R., O80473.
Patch, Lloyd E., O81921.
Patchin, John W., O40537.
Pavick, Pete D., O25699.
Peak, William O., III, O26025.
Pearson, Robert A., O79946.
Pehrson, Norman E., O25912.
Perkins, Del S., 026016.
Peyer, Gustave A., Jr., O37207.
Pfeiffer, Dewey T., O38031.
Phillips, James W., O26236.
Pickell, Wayne F., O46670.
Pigue, Paul E., O23990.
Pinnell, Samuel W., O25880.
Plett, Robert E., O25924.
Plunkett, Hubbard T., O36991.
Porter, Ray E., Jr., O37741.
Prince, Altus E., O25714.
Proctor, Fred B., 025990.
Pryor, Frank D., Jr., O33316.
Pumphrey, A., T., O79960.
Quante, Frank Jr., O79961.
Raaen, John C., Jr., O25486.
Rael, Zacarias F., O79962.
Rantz, Richard C., O55168.
Rashid, Ralph J., O81924.
Rasper, Arthur H., Jr., O26121.
Rawls, Louie T., O55581.
Ray, Roger, O26035.
Ray, William J., O26139.
Reberry, Gerald V., O37359.
Redheffer, George E., O35672.
Reed, Charles S., Jr., O25944.
Reeder, Harry L., Jr., O26214.
Reid, Raymond T., O37925.
Reinert, Albert C., O24936.
Reiter, Nathan I., Jr., O80483.
Rhea, Frank W., O25876.
Richardson, Donald, O37160.
Ried, George H., O27032.
Riffe, James L., O54861.
Riggins, Jack F., O79967.
Riley, William T., Jr., O79969.
Ripley, Richard M., O37760.
Roach, Harold K., O25626.
Roberts, Robert A., O80485.
Roemer, William A., O37665.
Rogers, Bernard W., O25867.
Rogers, George, O79970.
Romanek, Henry, O25911.
Romstedt, Gerhart O., O55056.
Roos, William F., O25982.
Rowan, John V., Jr., O47374.
Royal, George S., O55598.
Roye, Herbert F., O79977.
Russell, Earl L., Jr., O37829.
Rust, Clayton A., O22916.
Ruyffelaere, Raymon, O25814.
Ryan, Albert J., O40631.
Sabel, August J., O79979.
Sawyer, Kenneth T., O25957.
Schockner, Lester F., O23182.
Schraeder, Gordon A., O25896.
Schroeder, Henry J., O26028.
Seaman, Harold D., O36616.
Seidel, Richard L., O39355.
Senior, William G., O46632.
Sewell, Donald M., O80491.
Sharp, John D., Jr., O46693.
Shaw, John M., O49362.
Sheffield, Paul R., O35569.
Short, James H., O26242.
Shultz, John J., Jr., O25550.
Sickler, Robert L., O37231.
Smith, Daugherty M., O25717.
Smith, Irvin D., Jr., O39399.
Smith, James F., O37046.
Smith, Vincent P., O36499.
Snead, George M., Jr., O27028.
Soler, Eduardo M., O26020.
Sommer, Harry A., O80192.
Sonstelie, Robert D., O26141.
Spahr, William J., O26177.
Spalding, Basil D., O26341.
Spann, Frederick C., O25561.
Spiece, Donald C., O25989.
Spinney, Lewis C., O44357.
St. John, Adrian, II, O25583.
St. Sauver, Richard, O37658.
Stabler, Joseph P., O25647.
Stephens, Joel B., O24913.
Stevens, Wilmer B., O37079.
Stewart, John A., Jr., O37800.
Stewart, Lewis M., O46789.
Stiles, Robert B., O27000.
Strong, LeRoy, O48417.
Sullivan, Alden P., O41069.
Surkamp, Arthur T., O25935.
Sweers, Peter C., Jr., O39371.
Talbot, Max V., Jr., O26322.
Tansey, Hubert E., O26031.
Taylor, Carlisle C., O40150.
Taylor, Harry J., Jr., O80013.
Taylor, Leonard B., O83589.
Taylor, Warren L., O26068.
Taylor, William D., O81930.
Tenney, Duane P., O26000.
Terrel, Mark H., O24826.
Thebaud, Charles C., O38008.
Thompson, Howell B., O33385.
Thompson, Milton R., O49532.
Thompson, Shelden L., O35687.

Thomure, Richard F., O49440.
Tinari, Emanuel J., O80018.
Tomlinson, William, O26333.
Torgersen, Maxwell, O37083.
Townsend, Delbert L., O41062.
Townsend, Robert T., O48913.
Traver, Paul C., O80505.
Trevathan, Louis B., O86869.
Truog, John E., O55415.
Tucker, William O., O48880.
Turner, Julian, O40697.
Turner, Walter M., O37963.
Ulanowicz, Emil M., O80507.
Ursano, James J., O37890.
Vail, Robert E., O80508.
Vaughn, Clarke S., O48868.
Veach, Fletcher R., O26301.
Via, Harold F., O34635.
Vogt, Elaine O., O54699.
Wade, Arthur P., O25666.
Wade, Richard E., O32824.
Wade, William D., O83590.
Wadsworth, William O80515.
Walker, Charles S., O48299.
Walters, Gene A., O37805.
Ward, Ben H., O80516.
Watson, Foster B., O35665.
Weaver, Earl J., O80517.
Webster, Robert A., O55579.
Welsh, William J., Jr., O26339.
Wendel, Edmund, Jr., O36220.
Westbrook, Robert L., O37049.
Welrick, Joseph W., O26294.
Wheeler, Jesse L., Jr., O49154.
Wheeler, John P. Jr., O25824.
White, Arthur B., O54886.
White, Fred R., O49616.
Whitt, Ralph L., O80521.
Wild, Edward W., O39142.
Wiley, Harlon R., O37082.
Wilhelmy, John F., Jr., O37233.
Wilkins, Wallace W., O80522.
Wilkinson, Reading, O26257.
Williams Frank S., O34649.
Williams, Harry O., O37184.
Williams, Harry R., O84442.
Williamson, Joseph, O24476.
Willmann, William G., O81936.
Wilson, Charles A., O25907.
Wimert, Paul M., Jr., O48914.
Windsor, Thomas B., O25670.
Winfield, Richard M., O26117.
Wood, Carroll H., O27024.
Wood, Darrell G., O54196.
Wood, John S., Jr., O25655.
Woodard, Robert L., O34031.
Wright, Lucius F., Jr., O25966.
Young, Crawford, O25984.
Young, Curtis F., O37305.
Young, James R., O37365.
Young, Leilyn M., O80528.
Young, Maurice, L., O36794.
Young, Ralph E., O26331.
Young, Robert M., O37803.
Yount, Harold W., O54875.
Zacharias, George A., O88536.

To be colonels, Chaplain

Goss, Charles A., O81862.
Hutchins, Gordon, Jr., O31291.
Krug, Clement, P. J., O76793.
O'Connor, William V., O78631.
Waldie, Thomas E., O80354.

To be colonels, Medical Corps

Aronstam, Elmore M., O56211.
Audet, Harold H., O85124.
Baker, Hinton J., O56897.
Beach, Prince D., O58753.
Bell, Robert F., O63470.
Bisaccia, Leonard J., O43238.
Clausen, Roy E., Jr., O57385.
Fairchild, John P., O57936.
Fitzpatrick, Jack C., O63832.
Hamilton, Longstree, O60742.
Hamit, Harold F., O57980.
Hannum, William Y. C., O71798.
Hayes, George J., O57388.
Henderson, Warren S., O60739.
Hughes, Carl W., O58018.
Lindsey, Douglas, O43248.
Lockwood, Robert S., O37626.
Lukeman, John M., O61061.
Metz, Charles W., Jr., O49934.
Moncrief, William H., O37637.
Neel, Spurgeon H., Jr., O58688.
Neuman, Frank A., O52077.
Parmley, Loren F., Jr., O52087.
Pfotenhauer, Martin, O61066.
Richey, Carl B., Jr., O63147.
Rumer, George F., O43234.
Sheedy, John A., O59675.
Simmons, Ingalls H., O56857.
Tumbusch, Wilfred T., O58755.
Van Buskirk, Kryder, O57889.
White, John W., O58248.

To be colonels, Dental Corps

Bhaskar, Surindar N., O78570.
Boyer, Lea M., O43241.
Frost, John R., O56870.
Love, William D., O39325.
Mosgrove, Richard L., O38880.

To be colonel, Veterinary Corps

Davies, Frank J., O40126.

To be colonels, Medical Service Corps

Beaudry, Stephen J., O37503.
Blaskeslee, Theodore, O56970.
Carr, Martin J., O83549.
Chitwood, Douglas C., O56248.
Cook, Dudley P., O38552.
Crosby, Leonard A., O49967.
Devolites, Milton C., O79650.
Epperson, Jordan L., O38550.
Erb, John J., Jr., O38538.
Foley, Joseph S., O38539.
Gwin, Jack W., O37598.
Holloman, Chester C., O41159.
Julian, Russell E., O37590.
Kaplan, Clarence, O79653.
Keating, Edward J., O37611.
Keenan, James W., O49972.
Knoblock, Edward C., O41158.
Lyons, Russell J., O84311.
Mathis, John E. O56251.
McCall, Robert G., O80277.
Morse, Warren C., O79657.
Piercy, Clarence H., O37603.
Prettyman, William, O38549.
Redmond, John Jr., O38542.
Snider, Albert H., O37493.
Strobel, Edward M., O37584.
Thompson, Elmer L., O37513.
Urbine, Anthony W., O80278.
Van Gilder, Robert, O80279.
Walsh, Glen M., O41156.
Williams, John R., O38533.
Youngs, Edward R., O83552.

To be colonels, Army Nurse Corps

Hays, Anna-Mae M., N905.
Johnson, Gladys E., N2201.

To be colonel, Army Medical Specialist Corps

Manchester, Katharine E., R10016.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be majors

Burghardt, Charles A., O76971.
Kirk, Harry G., OF110304.
Kramer, Stanley H., O89395.
LaFon, Leslie C., OF110579.
McMurray, Thomas, OF109228.
Meggison, Robert H., O69205.
Morano, Frank T., O67196.

To be captains

Breit, William M., OF110160.
Cruz-Casado, Hector, O91202.
Hoffmann, Ludwig C., O92552.

EXTENSIONS OF REMARKS

The Political Future of the Family of Man

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, November 27, 1967

Mr. PUCINSKI. Mr. Speaker, last week Secretary of State Dean Rusk delivered one of the truly great speeches of our times.

Mr. Rusk bravely and boldly put into proper perspective the great challenge that lies ahead for civilization and how our involvement in Vietnam is helping us meet that challenge.

History will show that Secretary Rusk is one of the most prophetic people in the world today. We as Americans are fortunate that at this critical juncture in our own history, we have had the good fortune of having a man like Dean Rusk carry the heavy burden of Secretary of State of the United States. His counsel and his wisdom are helping this Nation chart a course for man which will lead us to that magnificent day when hopefully we will war no more.

Dean Rusk carries a heavy burden and it would be my hope that this Nation someday will be able to fully appreciate the enormity of his contribution and personal sacrifice so that man will live in freedom.

I hope this speech which I am putting in the RECORD today will be carefully read by every American, for only then can he understand the immensity of the challenge which confronts America and the world and what our own Nation is doing to meet that challenge.

The Secretary's speech follows:

THE POLITICAL FUTURE OF THE FAMILY OF MAN

(Excerpts and address by the Hon. Dean Rusk, Secretary of State, before the 50th anniversary celebration of the Foreign Policy Association, New York City, November 14, 1967)

It is a great personal privilege for me to return to the Foreign Policy Association and to be with you in marking the beginning of your Fiftieth year. For a half century you have earned the appreciation and respect of all of our Presidents and Secretaries of State because of your dedicated and imaginative efforts to bring about a better understanding of world affairs. Yours has been a public service of profound importance both to our own people and to the world beyond our borders. But "what is past is prologue"; I wish you strength, resources and resourcefulness as you prepare yourself for the decades ahead.

It is my hope this evening to reflect a bit upon the tasks which are in front of us. But, before doing so, it might be worth asking ourselves a question about your first fifty years. What have we learned since 1918? In your anniversary booklet you said "Today the American people act on behalf of a world-wide constituency. For good or ill, we have it in our power as no other people before us to determine the course of man's history." And you pose two questions: "Shall we bear this burden with wisdom and understanding? In a world cluttered with big problems can we summon up the effort to inform ourselves and make our decisions wisely?"

Your emphasis was upon wisdom—and properly so. Surely wisdom includes a sober assessment of the lessons of experience adjusted to the imperatives of change—both the changes which *do* occur and the changes which *must* occur if the story of man is to be worth the telling.

Have we, as a people, learned very much about world affairs since 1918? I think we have learned a great deal, but it is a more complicated question than many might think. It may be interesting for you, during your Fiftieth Anniversary Year, to examine it in considerable detail.

Have we really learned that we are an inseparable part of the human race and that we cannot hope to live our own lives apart from the other peoples of the same planet?

Have we learned that peace must be organized and enforced so long as there are those who would impose their ambitions and their appetites upon their neighbors?

Have we learned that the acceptance of law and agreed rules of conduct, which restricts our "sovereignty", can in fact liberate us through the ability to rely with greater assurance upon what other nations are going to do?

Have we learned that the wealthiest nation on earth has both a selfish national interest and a simple human obligation to assist those who are trying to substitute hope for despair in dealing with the miseries which afflict the great majority of the peoples of the world?

Have we learned that aid does not buy vassals and that power to destroy is not the right to command?

Have we remembered enough of our own history to have a measure of patience and compassion for those who are trying to build new nations under pressures of time and rising expectations?

These are only a few of the many dozens of questions we might be asking ourselves about our experience. The answers will not be easy and the application of the lessons we might have learned to the problems of today and tomorrow will be very complex, but the effort would surely be worthwhile. There are such things as forgetting too much, repeating the same old mistakes, and failing to build upon past effort and sacrifices.

An understanding of world affairs in the years ahead will require us to come to terms with breathtaking change and with growing complexity. Nostalgia for simpler and more leisurely days will give us little help. Communications, science and technology will force a pace to which we are only beginning to become accustomed. The explosion of the number of states members of the international community and the growing interdependence of peoples on a shrinking planet will provide the complexity. If I have invited you to reflect upon our experience, I must also invite you to turn your minds to the problems of tomorrow. The simple fact is that, because of the pace of events, unless we aim for tomorrow, we are unlikely to be able to comprehend the problems of today. Theodore Roosevelt once said that "nine-tenths of wisdom consists of being wise in time."

I would also suggest that the foreign relations of the American people involves almost every aspect of our national life. Foreign policy is more than a painful crisis which dominates the news and more than the disagreements which it is more fashionable to record. It also includes the endless detail involved in a thousand cables a day from the Department of State, the more than twelve thousand primary votes to be cast in the present session of the General Assembly, the adjustments and agreements which go largely unnoticed because serenity is not news. It includes the crises prevented and the continual smoothing out of the jagged edges of relations across national frontiers.

This year of 1967, for example, is a year of pain and violence in Southeast Asia, in the Middle East and in certain other situations of violence with which you are familiar. But it is also a year in which the Kennedy Round was completed, the International Monetary Fund reached agreement on long-term arrangements for international liquidity, the Space Treaty came into operation, the Consular Treaty with the Soviet Union was approved, the Presidents of Latin America decided to move to a common market in the coming decade, the Asian Development Bank became a going institution. It is a year of progress for most of the non-Communist nations of East Asia and the Western Pacific—economic, social, and political progress internally, and progress in regional and subregional cooperation. It is the year in which the Soviet Union and the United States tabled a joint draft of a Non-Proliferation Treaty in Geneva, a year in which President Johnson convened a highly successful international conference on Water for Peace and gave new impetus to the War on Hunger. Of course your President is earnestly involved with the problem of peace in Southeast Asia and in the Middle East. But he also commits long hours and dedicated effort to build a more solid basis for peace across the broad range of human affairs.

Pace and complexity mean restlessness and turbulence. If these are to be kept within tolerable limits, we need compass bearings and central organizing ideas. These should be relatively simple because they must be widely understood. Hopefully they can increase the elements of reliability and predictability in the conduct of nations. I have emphasized the need for the United States to remain steady on course because we ourselves must be reasonably predictable both by our friends and by those who might be our adversaries. Were our power, wealth and influence used fitfully and whimsically, present turbulence could easily become chaos.

It seems to me that we can find some of these organizing ideas for the decades ahead by asking ourselves a very simple question: What are the genuine common interests of the members of the family of man—homo sapiens? What binds us together as a single species inhabiting this speck of dust in a vast universe?

We might note in passing that we are rapidly becoming a rather large family. It is not unreasonable to suppose that there will be something like seven billion of us by the end of the century.

Most of this increase seems likely to occur in the countries which are less developed economically, thus aggravating the difficulties of increasing per capita income. If present trends continue, the gap in living standards between the developed nations and most of the less developed nations will widen over the next decades. By one calculation, the average citizen in the economically advanced nations is now approximately twelve times as well off as the average citizen in the less developed nations—and, if present trends continue, he will be eighteen times better off by the year 2000. A world in which three-fourths of the population, even though it makes some economic gains, is left further and further behind by the other fourth, is not a very reassuring prospect. One might expect it to be torn by resentments, social turbulence and outbursts of international violence.

One of the most critical aspects of this ominous trend is the danger of serious famines in some countries within the next decade or two. Population growth is outrunning increases in food supplies. Only a few nations are producing more food than they consume. Only the most energetic attacks on both sides of the food-population problem on the part of the developing nations with massive help from the more advantaged can prevent widespread starvation.

If this is the family we are about to become, are there common interests which tend to unite rather than to divide—despite differences of political ideology, race, religion or cultural tradition? The question needs more exploration than time permits this evening, but I might suggest where some of the answers might be found.

First, the family of a man must surely recognize a common interest in preventing the holocaust of a nuclear war. To save succeeding generations from the scourge of war, the UN Charter puts it, has become the human problem number one. The power of destruction now resting in the hands of frail humans beings converts an age old dream into an urgent and practical necessity. I am concerned, now that we are twenty years beyond World War II, that the question of organizing a reliable peace recedes into the background and that we become negligent and careless about it. Surely we can agree that it is the central question, even though we may differ among ourselves about exactly how to bring it about—and then commit ourselves to a sober and sustained examination of ways and means.

Has it now become old-fashioned to start with the formula as set forth in Article I of the United Nations Charter? The world paid a terrible price for the chance to write that formula, which encompasses effective collective measures for the prevention or removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, the settlement of international disputes by peaceful means, respect for the principle of equal rights and self-determination of peoples, international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms? Surely it makes little sense to scrap that formula without something better to put in its place.

To strengthen these rules of conduct required for a reliable peace and the institutional arrangemetns for making them effective must be a consuming commitment of all who understand the stakes involved.

A second common interest ought to be found in limiting and reducing the burden of armaments. Disarmament is postponed because of unsolved political differences; but arms races makes political differences more difficult to resolve. This vicious cycle applies to great powers and smaller nations alike—and the diversion of resources away from urgent human tasks is a mounting burden for all. Limited progress is being made but a major breakthrough has not occurred. One could hope that one major obstacle could be removed—objections to international systems of inspection and verification. The reduction of armaments cannot wait for a condition of full trust and confidence among nations. It should be possible to allow arms reductions to proceed despite mistrust and suspicion—and reliable information holds the key.

A third common interest excites the mind and opens up vast horizons of great hope. In many fields of human endeavor, nature itself makes allies of us all. There is no communist wheat rust, no capitalist potato blight. Viruses cross national and ideological boundaries without political inhibition.

One of man's indispensable needs is fresh water. In many parts of the world, including large sections of our own country, his needs for it are outrunning the supply. This stark reality led President Johnson to convene the International Water for Peace Conference, held in Washington earlier this year. As President Johnson said in his welcoming address, water resource management is made for cooperation. Neither the evaporation of water from the oceans nor its fall from the skies shows the least interest in boundaries. Many of its surface carriers, the great rivers, traverse two or more nations. Equally international is the demand. This first international conference on Water for Peace has set in motion or given new impetus to international cooperation in a wide range of study and planning.

One important means of increasing supplies of fresh water is of course the desalting of sea water.

As you know, the United States is extensively engaged in cooperative studies of desalting water with scientists of other countries, including the Soviet Union.

We can take certain satisfaction from the progress made thus far in the peaceful exploration and uses of outer space. A basic treaty brings man's activities in outer space under a regime of law within ten years of the launching of the first Sputnik. It is our hope that cooperation in space can rapidly expand and there is some reason to believe that much more is possible than we have yet achieved. Cooperation in space has many possibilities both in pushing back the frontiers of knowledge and in using space for the practical needs of all mankind.

The World Weather Watch proposed by President Johnson is moving rapidly in the World Meteorological Organization. More than sixty nations, including the Soviet Union, have agreed to participate. Comprehensive observations, on earth and from outer space, harnessed to automatic transmission, information storage and cooperative prediction will add greatly to man's understanding of his environment. A further stage of cooperation will be opened up as the techniques of weather modification advance and work is now going forward in anticipation of that possibility.

Earth sciences, the peaceful applications of nuclear energy, the common war on hunger, family planning—there are many fields which lend themselves to common action on behalf of the family of man.

There is so much more to be done in enlarging the capacity of man to benefit from the dissemination of knowledge and the enrichment of his cultural life. Here are resources which grow with sharing, about which men do not have to compete because of scarcity. Here is a field in which all of us can be enriched by drawing upon the great diversities within the human family.

I spoke earlier of those common interests which cut across ideological and national boundaries. You should know, for example, that in recent years we have tried to engage the authorities in Peking in the exchange of scientists and doctors and scholars, in the exchange of weather information and in the exchange of plant materials involved in basic food crops. We have been disappointed that the answer invariably has been that there is nothing to discuss until the people of Taiwan are surrendered. I mention this merely to let you know that we take seriously this concept of the family of man and are trying to find ways to apply it, despite the most far-reaching and intractable differences among nations.

As we look ahead we can well reflect upon the main alternatives which are open to us in our relations with the rest of the world. We could attempt to withdraw unto ourselves, pretending that the rest of the world is not there. Such a course would be futile and suicidal. Whatever temporary comfort we think we might get from telling the rest of the world just to go away, it will be with us, and the environment outside will be crucial to the chances of American freedom to survive and flourish.

We could embark upon an attempt to use our fantastic power to impose our own picture of the world upon our fellow human beings—to reach for a Pax Americana. This, too, would be suicidal. We ourselves have no taste for such an undertaking and the rest of the world has not elected us to such a task. We are not the world's policemen even though we have deliberately chosen to accept, as our appropriate share, a portion of the total task of preserving peace.

Thirdly, we could be content to let things rock along more or less as they are and hope that the turbulence will not become too stormy. I do not believe that this course would meet either our aspirations or our necessities.

What is required is an increasing and sustained effort by our own nation, working closely with other nations, in support of the common interests of the human family. This means that there are burdens to be borne. It means that we not reduce the President's request for foreign aid by a billion dollars. It means that we give strong support to the Alliance for Progress and encouragement to the Latin American Common Market. It means that we support constructive regional institutions in other areas. It means that we keep the doors of our universities and our research institutions open for all who wish to come. It means that we give strong support, both in funds and in talent, to the specialized agencies of the United Nations. It means that we do whatever we can, quietly and without ostentation, to help find the peaceful solutions to the disputes which divide nation from nation and produce tensions which block the path to a reliable peace. It means that we set aside our glandular reactions and try to find points of agreement even with those who consider themselves our principal adversaries—on large matters or on small—in order, as Raymond Fosdick said, to spin "the infinity of threads which bind peace together."

You have emphasized the search for wisdom in this your Fiftieth Year. Surely wisdom requires that we try to think about major issues with as much precision and clarity as we can muster. I have not talked about Viet-Nam this evening but I do urge that we search for the essence of the problem. It does not clarify the issue to call Viet-Nam "just a civil war" when more than twenty regiments of North Vietnamese forces are attempting to impose their will upon the South. Of course both sides are Vietnamese but it should be clear that the problems of the divided states—Germany, Korea, and Viet-Nam—are to be solved not by force but by peaceful means. It does not clarify the issue to speak of "unconditional surrender" when all that is being asked of North Viet-Nam is that they get their troops out of South Viet-Nam and Laos and stop training guerrillas for Thailand. Those who would "negotiate now" should know that if a representative of Hanoi would make himself available anywhere to discuss peace I would be there. We will negotiate today without condition or about conditions. Those who deplore the violence, as do I, should know that all the violence could end within hours with minimum cooperation from the authorities in Hanoi. Those who are concerned about escalation should know that we have tried over and over again, through diplomacy and by practical actions on the ground, to start the process of deescalation—only to face a categorical rejection from the other side. Those who would brush aside a security treaty as a scrap of paper should reflect soberly on the dangers which would arise if it should be discovered that our security treaties do not mean what they say.

Government Spending and Taxes

EXTENSION OF REMARKS

OF

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. KLEPPE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter which I am mailing today to the people of North Dakota's Second Congressional District:

KLEPPE COMMENTS: A REPORT FROM WASHINGTON

(By Congressman TOM KLEPPE, Second District, North Dakota)

GOVERNMENT SPENDING AND TAXES

Government spending, inflation, and proposed tax increases dominated the news in Washington last week, while abroad attention was focused on fiscal policy, too, with the devaluation of the British pound. Monetary affairs don't make the most interesting reading in the world, but I sincerely believe that several decisions which will have to be made by the President and the Congress within the next few weeks will seriously affect the future of every American.

The "great debate" on taxes and government spending has been underway most of the year but the issues have by no means been finally resolved. Last month the House Ways and Means Committee temporarily laid aside the President's proposal for a 10 per cent surcharge on individual and corporate incomes. That seemed to dispose of the plan for this year. Now the President has proposed a plan under which he would cut government spending by one dollar for every new tax dollar voted by Congress. Ways and Means begins hearings on this November 28.

Meanwhile, the House has voted cuts totaling approximately $6 billion in the President's recommended budget. Most of these reductions I have supported because I do not believe this Nation can fight a major war and at the same time keep pushing non-defense spending higher and higher. Some of the House cuts were restored in the Senate but savings of about $5 billion have been achieved.

The long-range trend toward bigger and bigger Federal spending has not been checked, however. During the first three months of the new fiscal year which began July 1, government expenditures were 11 per cent larger than for the same period last year. I have yet to see any concrete evidence that the Administration really wants to reduce spending now or in the year ahead.

What many Members of Congress, myself included, fear is that tax increase now would only serve to make more revenues available for increased spending in future years. It would be possible for the President to show substantial savings now by postponing some expenditures and using large amounts already in the pipelines for such programs as foreign aid. But these would not be real savings at all. What Congress wants is not bookkeeping "savings" but sharp meaningful cuts in actual spending.

The argument by some Administration aides that the British pound devaluation makes a U.S. tax increase even more vital is nonsense. The argument that such a tax increase would halt inflation also needs some examination.

The fact that the U.S. is not experiencing the classic kind of inflation which comes from too many dollars chasing a scarcity of goods. You don't need a ration ticket to buy a tire, a tank of gas or a steak. What we have, I believe, is inflation threatened by massive, expanding government spending, with the government bidding against the private economy for manpower and services. This opens the door to inflationary wage settlements.

In fact, if it is unrestrained consumer spending the Administration fears, a reduction of one dollar in government spending would have more effect in checking inflationary pressures than a one dollar tax boost. This is true because a tax increase would be offset, in part, by a decrease in personal savings rather than a decrease in consumer spending.

In my opinion, the Administration has failed to make a convincing case for tax increases.

"OUTDOORS USA"

This is the title of the 1967 Yearbook of Agriculture published annually by USDA. I have a limited supply for distribution—free, upon request, while they last.

HOW I VOTED

For a recommittal motion to send the Continuing Appropriations bill back to the Appropriations Committee. (Passed). This was one step in the continuing controversy between the Congress and the President over cuts in Federal spending and the tax increases. It was a very real way for a Congressman to show his opposition to some of the huge non-defense spending programs the President is now pushing, while a war is going on. After going through a number of continuing appropriation fights, a resolution was passed and sent to the Senate, where substantial changes were made. The matter then went to Conference, where it still rests. However, an extended date for these appropriations was attached to the D.C. Appropriation bill when that bill was reported out of Conference, and that passed. The remaining appropriation bills were rushed through the House, and the only major one to act on yet is the OEO bill. The Foreign Aid bill is presently in the Senate. *For* the Conference Report on the 1968 Military Construction Authorization bill. (Passed). *For* motion to recommit the Conference Report on the Labor, and Health, Education and Welfare Appropriation bill to insist on cutting Senate amendments which exceed the budget requests. (Agreed to). *For* the Conference Report making appropriations to the Department of Agriculture for 1968. (Passed by a voice vote). *For* the Postal Revenue and Federal Salary Act of 1967. (Passed). This was consistent with my earlier vote on Social Security increases. I think persons on fixed incomes must have increased benefits or pay to offset inflation and increased costs. *For* the Conference Report on the Department of Transportation appropriation bill. (Passed). *For* the resolution making continuing appropriations for fiscal year 1968. (Passed). I voted for this only after severe spending limitations were placed in the resolution. *For* the Conference Report on the Independent Offices and Housing and Urban Development Appropriation bill for 1968. (Agreed to). I had earlier voted to recommit this bill. (Rejected). *For* a bill to increase the basic pay for members of the armed services. (Passed). *For* a bill to reduce extra-long staple cotton quotas. (Passed). The bill was similar to a bill I had earlier introduced. *For* a Meat Inspection Act. (Passed). The purpose of this bill was to insure the wholesomeness and cleanliness of our meat supply. (I believe the bill will accomplish that purpose. I earlier opposed an amendment designed to extend Federal inspection to meat which did not move across state lines. This was defeated on the House floor as it had been in the Agriculture Committee). *Against* the Conference Report on the Foreign Assistance Authorization Act of 1967. (Agreed to). I voted against this $2.6 billion bill on final passage after a motion to recommit the bill had been defeated. I voted *for* that motion to recommit. *Against* making appropriations for Foreign Assistance and related agencies for 1968. ($2.2 billion). (Passed). *For* amendments to the Economic Opportunity Amendments of 1967 which would have redirected the poverty program to well-established agencies, instead of the wasteful Office of Economic Opportunity, and which would limit the program to 1 year. Although the 1 year limitation was agreed upon, the other amendments were not, and I therefore voted *against* final passage of the bill authorizing an additional $1.6 billion. (Passed).

BILLS INTRODUCED

H.R. 13287, making it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while acting under orders of the President. There is presently no penalty under Federal law for these crimes against Federal troops while suppressing civil disturbances. This bill covers that gap. *H.R. 13363*, to reduce imports of all textiles, including wool and woolen goods. From 1961 to last year, the U.S. market for wool declined while imports nearly doubled. My bill would act to reverse that trend.

BUSY CONGRESS

With the first Session of the 90th Congress now certain to run into December, it will be one of the longest in history and also among the busiest. Last week the House had its 400th roll call vote, breaking the previous record set last year. The constant work load here has made it impossible for me to return to North Dakota nearly as often as I would have liked, or to accept more invitations to meetings there. Although I have had to decline many invitations because of the legislative schedule, I have made 14 trips back to the state this year. Even with jet travel, you cannot be in two places at once. It is impossible to know very far in advance when a major bill or conference report will be brought up for consideration. This is due mainly to the way bills are scheduled for debate. I have always considered it my primary responsibility to be here to vote when Congress has important business before it. Up to now, I have been present to vote more than 90 per cent of the time.

OUR GROWING DEBT

This month the U.S. national debt reached $340.8 billion—up $14 billion in the last year. It now costs $15 billion a year just to pay the interest on this enormous and fast-growing debt. I have carefully looked through the $169 billion budget submitted by the President to Congress. Not even one penny is earmarked for retirement of the debt itself. Perhaps the plan is to pay it off later—with 2-cent dollars.

Test Program To Create New Job Opportunities

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. BURKE of Massachusetts. Mr. Speaker, some weeks ago President Johnson announced that the Government would embark on a test program to help create new job opportunities in central city areas for the hard-core poor.

Today, that pilot program is off to a flying start.

Secretary of Commerce Trowbridge announced the signing of a $1.2 million Government contract with the Avco Corp. to build a printing plant in Boston which will eventually employ more than 200 hard-core unemployed in productive and well-paying jobs.

Under the new agreement, Avco becomes the first major American corporation to join the Johnson administration in this new cooperative venture to raise the standard of living of unemployed city residents, and at the same time infuse new economic resources into the great city of Boston.

The Federal Government will defray part of the cost of training these new employees, in line with President Johnson's program to cooperate with American industry across the board in a great new program of urban economic renewal.

President Johnson's test job development program has now moved past the point of talk into the arena of action.

It is a remarkable start for a remarkable program. And it represents the energy and vision of the Johnson administration in its attempt to develop productive jobs for those who seek them.

We in Massachusetts are proud that an American company has chosen our State to initiate this project of hope and vision.

We look for many more American firms to do the same throughout our cities in the days ahead.

The President is to be commended and applauded for having launched this program. I know that the Congress wishes the President the greatest success in its future development.

What we do for the unemployed, we do for our society. What we do for the cities, we do for our country.

New Rights for Women

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. PUCINSKI. Mr. Speaker, it is a fact of our times that equal opportunity must be made available to every American citizen, regardless of sex, age, race, or religion. Legislation we have enacted has already gone a long way toward creating a climate of true equality.

Now it is time to consider vocational skills that will enrich our society, as well as expand it. New emphasis is being placed on educating students in "marketable" skills—skills they will need to find employment and skills that will help them maintain a high degree of competency at home.

Because the women in our society are increasingly called upon to fill dual roles as breadwinners and homemakers, it is vitally important they receive the vocational education and training they need to excel in these diverse areas.

Mr. Speaker, in view of our awakened national concern with this problem, I would like to call the attention of my colleagues to an article I wrote which appeared in the October issue of the American Vocational Journal.

The article follows:

NEW RIGHTS FOR WOMEN

(By ROMAN C. PUCINSKI)

I believe today's young women will have acquired a new "Bill of Rights" in the legislation which broadens the Vocational Education Act of 1963. It will help them to be better wives and mothers. It will also give them a marketable skill to use in emergencies.

The first "right" should be to abolish the term "housewife" and replace it with something more realistic—like "Domestic Engineer."

Young women deserve recognition as specialists because it takes just about all the technical know-how of an engineer to be the woman of today's home. Cooking involves a myriad of electrical appliances and gadgets which must be kept in working order. Family meals are a combination of foods and recipes. Family health demands some familiarity with sciences, and keeping the home operating on an even keel requires more than an instruction handbook.

It all adds up to a fact long known to women—that considerably more training and skills are needed by a young bride of 1967 than ever before.

The American Vocational Association has been highly effective in its support of the move to broaden the legislation before my House General Subcommittee on Education. The legislation which I sponsored and which I expect Congress to approve will boost from $225 million to $400 million annually, the authorized federal assistance to local school districts to offer important vocational training for young people.

Assistance under the Vocational Education Act of 1963 is available for all types of job training, but I must agree with the American Vocational Association that homemaking education for young girls is one of the important innovations needed in the program under the Act.

I was impressed by the statements of Prof. Elizabeth J. Simpson, chairman of the Home Economics Education Division of the University of Illinois and past president of the AVA, when she said:

"Home economics, through providing a coordinated program in job preparation and homemaking, can help the individual prepare for the many challenges of a dual role. Eight out of 10 women are in paid employment outside the home at some time during their lives, and many of these, and others as well, engage in unpaid work as volunteers.

"Most women who work are married. The figure in 1962 was more than 60 percent."

I might add to this picture some facts gathered by the Bureau of Labor Statistics which increase my concern about the ability of American women to face emergencies. They are:

In 1966, a year of nearly full employment, the jobless rate for women in the 16- to 19-year age group was 14.1 percent. This figure represents the highest jobless rate for any age group for both men and women.

In March 1966, there were 2.6 million women in the labor force who were heads of families. Of this group of family breadwinners, the jobless rate was 5.0 percent, only a slight decline from the 6.1 percent rate of unemployment for the same group in 1960.

The hardships faced by families headed by women can be seen in the inadequate $4,600 annual average income they received. They had to live within budgets which were 58 percent below those families headed by men.

Finally, families headed by women who are part-time workers had average annual incomes of only $3,300.

It has always been my ambition to provide "marketable" skills to each person who must at some time enter the labor market. I consider this type of education an investment in the community because it may ultimately represent the difference between a family that can live independently and one that must rely upon a public agency for its support.

A recent graduate study at the University of Illinois uncovered some 350 new occupationally oriented home economics programs being offered in schools in 1965–66. In 1966–67 this number was more than doubled. The classes in the high schools of one large city range from food science and child development to nursing arts, merchandising of clothing, laundry-pressing, home institutional management, cosmetology, tailoring and power sewing machine operation, to mention just a few.

A pilot program at the Sikeston, Missouri, high school is entitled, "Housekeeping Technology." Students are placed in selected homes as training stations to learn the skills of housekeeping and how to become an employable person, and to prepare for the dual role of homemaker and wage earner.

It is regrettable that vocational schools have suffered from the emphasis placed on federal aid to higher education in recent years. Too often these schools that teach skills vitally needed by our society are improperly rated as second-class institutions. Not only is this judgment unfounded, but it is also unfair. Vocational schools must meet the same state requirements for a high school education as high schools offering diplomas in academic subjects.

Perhaps one of the least known achievements of our national educational system is the growing number of college and university scholarships awarded to outstanding students of vocational schools.

I believe the need for this type of training—homemaking and other skills to make an individual useful to his community—can be seen best in the estimate that by 1970 one out of every two teenagers will seek some type of vocational study. That is only 30 months away. I hope we will be ready for that day.

Pan Am Employees Promote Airline Safety

EXTENSION OF REMARKS

OF

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. KUPFERMAN. Mr. Speaker, my colleagues who share my concern for airline safety will be interested in the fact that the industry is emphasizing this aspect.

Awards for achievement in the field of airline avionics have recently been presented to three Pan American World Airways' pilots and four Pan Am electronics engineers. These men have been cited by the Airline Avionics Institute for their outstanding contributions and their "promotion of advanced airline avionics technology with the fundamental aim of increasing safety, reliability and maintainability."

Robert M. Richerdson, chairman of the AAI board of directors, presented AAI's first annual Volare Award to Capt. Samuel H. Miller, vice president, flight operations; Ben F. McLeod, director, electronic engineering; Harry L. Samuelson, superintendent, communications engineering services; John H. Olds, assistant director, electronic engineering; Capt. Francis L. Wallace, project director, all-weather program; Capt. W. Ross, project director, self-contained navigation systems; and Robert R. Bohannon, project electronic engineer.

The awards were presented in Rome recently at the annual fall meeting of the Airlines Electronic Engineering Committee, a committee of Aeronautical Radio, Inc., of Annapolis, Md.

AAI, based at Dulles International Airport near Washington, D.C., is an informal organization made up of representatives of 17 U.S. airline avionics manufacturing firms.

The Pan Am recipients were among 60 electronics engineers and pilots selected by the AAI board of directors to receive the inaugural Volare Awards.

The Volare Award consists of a trophy and certificate of achievement. The Italian word "volare" means "to fly."

Parent Appreciation Day

EXTENSION OF REMARKS

OF

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. O'HARA of Michigan. Mr. Speaker, every Member of Congress is accustomed to receiving stacks and stacks of petitions. Many are responsible; others rail at us to support some proposal and threaten to condemn us to eternal fire if we fail to support their position, no matter how unreasonable.

The other day, however, a very heartening petition arrived on my desk.

The inch-thick stack of papers was signed by 874 members of the student body and faculty of Paul K. Cousino Senior High School, Warren, Mich., which I am proud to say is in my district.

The petition asked President Johnson to proclaim the week of December 10 through 16 "Parent Appreciation Day." I sent the petitions on to the President, and wrote:

> As a parent myself, I appreciate their effort, and give it my unqualified endorsement.

The letter I wrote to the President expresses my feelings about the students' proposal. I submit it to be printed in the RECORD.

I further suggest that it would be appropriate for parents to sponsor a "Teenagers Appreciation Week" to express our appreciation to fine young people such as the 800-plus who signed the petition.

NOVEMBER 22, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It is not often today that teenagers publicly demonstrate their regard and respect for their parents. In fact, we all too frequently read of rebellious acts that tend to indicate youthful disdain for traditional family unity and mutual respect.

Recently, however, the students of Paul K. Cousino Senior High School, Warren, Michigan, in my district, demonstrated that they do indeed think highly of their parents.

A total of 874 students and some faculty members at the school signed petitions, Mr. President, asking that you proclaim the week of December 10 through 16 as Parent Appreciation Week throughout America.

It is true that we do have separate one-day tributes to both Mother and Father. But the students feel that there should be a longer tribute to both parents reflecting the united efforts of both parents to provide for and rear their children.

It is also true that many teenagers, and I am certain this includes all those who signed the petition—try to show their appreciation every day of the year.

Yet, I think it inspiring that these students have publicly demonstrated their devotion to their parents by framing this proposal, gathering this impressive number of signatures, and sending them to me to forward to you.

As a parent myself, I can only say that I deeply appreciate their effort, and give it my unqualified endorsement.

I know that you will give the enclosed petitions every consideration.

Very truly yours,
JAMES G. O'HARA,
Member of Congress.

Counting the Days

EXTENSION OF REMARKS
OF

HON. HOWARD W. ROBISON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, November 27, 1967

Mr. ROBISON. Mr. Speaker, this House was adjourned over the past Thanksgiving Day weekend but, as others have pointed out before, the war in Vietnam is not subject to such periodic pauses, and those brave Americans who have been called upon to fight in it cannot look forward—as we now do—to the further luxury of an adjournment respite over the forthcoming holiday season.

All that those who so serve can do is to count the days until they are due—if providence wills it—to return home and to their loved ones.

But, as all of us are so keenly aware, not all of them make it, and each time one of us here in this body learns of the death in Vietnam of one of the boys from our districts our common burden grows heavier.

Mr. Speaker, I announce with sorrow—and with a deepening sense of the human tragedy that surrounds us—the death, in Vietnam on Friday, November 17, of Sp4c. William C. Bulman, 20 years old, the only child of Mr. and Mrs. Paul W. Bulman, of 11 Taber Street, Johnson City, N.Y.

Specialist Bulman, a graduate of Johnson City High School in 1965, is the 29th man from the southern tier area of New York, and the northern Pennsylvania region around Binghamton, N.Y., to be killed in service in Vietnam. He had been in the Army about 17 months, and in Vietnam for about a year and, last February, was hospitalized there for a time after being hit in the leg by a sniper's bullet. He was a member of Company B, 864th Engineer Battalion, in the Engineer Command, and was apparently killed when a loaded ammunition truck he was driving plunged over the side of a mountain and exploded.

So far, I suppose, there is nothing here to mark William C. Bulman as any different, or set him apart from the thousands of other young Americans who have given their lives in Vietnam for a cause they often seemed to understand and appreciate better than many of us back here at home. But, Mr. Speaker, there were some unusual factors in Specialist Bulman's case. One of those was the fact that, although already once wounded, he had recently signed up for a 6-month extension of his Vietnam tour of duty, which period of extended service would have begun after, as planned, he had come home on leave to be with his family and friends over Christmas and the New Year.

Second, there was a poem he wrote, last June, and sent home to his father and mother. Perhaps, as poetry, it would never have won any prizes, but coming from his heart—such a typical heart of those who, throughout our Nation's history, have stood fast to duty, with courage and high honor—it gives me a better insight into the motivation and the spirit of the American servicemen in Vietnam than any carefully phrased and polished official report could ever do; and, Mr. Speaker, I would like my colleagues to share that poem with me:

COUNTING THE DAYS

(By Pfc. William Bulman)

Counting the days seems the thing to do;
For when you can once again come home to start anew
A life away from war and fear,
A life at home with ones so dear.
Counting the days until you are on your way;
To a land of freedom so far away
A land so far and yet so near,
A land you have missed for a year.
Counting the days left to serve
In this land where men need nerves.
Yes, a lot of nerves, sweat and blood
To protect what we cherish and love.
Yes, counting the days before you are home
Among the loved ones you left alone:
To ones who have worried for your sake.
Yes, waiting and praying for that date.
Counting the days when we finally leave
And say goodbye to this land of grief.
Wishing the people luck with all our hearts
And knowing we have done our part,
Protecting the land we love so dear.
Yes, we will return to the heart
Of our loved ones so dear.

I deeply regret—as I know all of us here do—the fact that young Bill Bulman did not "return"; and my heart goes out to his parents in their great loss.

Meanwhile, the war goes on in Vietnam, and there are those who say nothing can be done about it—and that, barring some unforeseen event, there will be no change in the policy or strategy we have been following there, at least until after next year's presidential election. These people may well be right, Mr. Speaker; none of us really knows. But I do know that this Congress has not done all it could have—and should have—to inquire into that policy and that strategy; to seek to determine if, in fact as well as in theory, there is no realistic alternative to the present war of attrition both sides are engaged in, waiting for the other to break.

In this Chamber, on October 30, the gentleman from Illinois [Mr. FINDLEY] suggested that this Congress should not adjourn—for the year—until it had dealt squarely with the unanswered questions we all have concerning Vietnam. The vehicle for our doing so is at hand in House Concurrent Resolution 508, which I have cosponsored along with Mr. FINDLEY and others, though my name is on the companion measure, House Concurrent Resolution 509. This is a bipartisan proposal offered, the last time I checked, by 66 of us—49 Republicans and 17 Democrats—and it simply calls for consideration by the appropriate committees of both House and Senate as to whether or not "further congressional action is desirable in respect to policies in Southeast Asia." But, in so doing, it opens the door to our consideration—as Mr. FINDLEY pointed out—of a rather wide-ranging variety of proposals that have been made, here, from time to time on the part of many of us respecting Vietnam, some of which have not been considered by the administration, so far as I know. The gentleman from Illinois listed, in his remarks on October 30, some 27 such proposals which I shall not attempt to repeat at this time.

But, my point is that, while we now wait for the antipoverty bill, the social security bill, and the like, why could we not—with most of our committees having finished their annual tasks or completed their agenda for this session—begin reconsideration of the one most pressing issue before us, fulfilling our responsibility in that respect in a manner we have not yet done? That issue is, of course, Vietnam—and the broader issue is peace—and we should no more adjourn in the absence of a solution to the former than, during our lifetimes, we could dare postpone our drive to achieve the latter. This much we owe, Mr. Speaker, and a great, great deal more, to Americans like William C. Bulman.

Statement of Congressman L. H. Fountain Before United Nations General Assembly

EXTENSION OF REMARKS
OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, November 27, 1967

Mr. BROOMFIELD. Mr. Speaker, it is my privilege, along with my very able colleague, the Honorable L. H. FOUNTAIN, of the Second Congressional District of North Carolina, to serve as a member of the congressional delegation to the 22d General Assembly of the United Nations.

On Tuesday, November 21, my colleague delivered a major address to the United Nations General Assembly rebuffing an attempt by Albania and several cosponsors to expel the Republic of China from the United Nations and seat Communist China in its place. He descriptively, emphatically, and clearly points out the reasons the Communist

Chinese have no place in the United Nations.

Congressman FOUNTAIN's speech was an excellent record of the Peking regime's conduct in international affairs as well as its attitude toward the United Nations itself.

I commend it to every Member of this body:

STATEMENT BY CONGRESSMAN L. H. FOUNTAIN, U.S. REPRESENTATIVE IN PLENARY ON CHINESE REPRESENTATION, NOVEMBER 21, 1967

Mr. President, distinguished delegates: Once again, as for many years past, the question of the representation of China in the United Nations has been brought before the General Assembly. We of the United States Delegation, while disagreeing strongly with those who have raised this question, welcome the opportunity to state our position on it again.

In this statement I shall direct my remarks primarily to two proposals which now lie before the Assembly.

The first of these is the "important question" resolution of which 14 members, including my country, are co-sponsors. By this resolution the Assembly would affirm again that the decision it took in 1961 remains valid—that is, that any proposal to change the representation of China is an important question within the meaning of Article 18 of the Charter. The United States will vote in favor of this resolution.

The second proposal I shall discuss is the resolution of which 11 members, led by Albania, are co-sponsors. This resolution calls for the expulsion of the Republic of China from the United Nations and the seating of Communist China. It is essentially the same as those which the Assembly has consistently rejected in past years. It is totally unacceptable to my Government and the United States will vote against it.

Let me now set forth the considerations which continue to guide my Government on these issues.

THE "IMPORTANT QUESTION" RESOLUTION

The "important question" resolution is cosponsored by 14 members—Australia, Belgium, Bolivia, Brazil, Colombia, Gabon, Japan, Madagascar, New Zealand, Nicaragua, Philippines, Thailand, Togo and the United States.

This resolution begins by recalling the Assembly's previous recommendation that, whenever more than one authority claims to be the government entitled to represent a member state in the United Nations, this question should be considered in the light of the purposes and principles of the Charter of the United Nations and the circumstances in each case. The resolution then recalls, and affirms as remaining valid, the decision of the Assembly in 1961 that any proposal to change the representation of China is an important question within the meaning of Article 18 of the Charter.

Let me make clear the significance of Article 18 in this connection. It provides that "decisions of the General Assembly on important questions shall be made by a two-thirds majority of those members present and voting."

My Delegation's co-sponsorship of the "important question" resolution, now as in the past, stems from a profound conviction that any proposal to change the representation of China in this Organization is a question of momentous political importance; and that such a proposal, consequently, can only be decided in conformity with the two-thirds rule.

The previous history of the debates and votes on this matter clearly demonstrates that this conviction is widely shared—even by some whose attitude toward the Albanian resolution is diametrically opposed to ours. Members whose views differ widely on the substance of the Chinese representation question are very much in accord in recognizing that we are dealing here with a question which has the most serious implications for the rights and privileges of membership; for the functioning of the United Nations; and for the maintenance of international peace and security.

This can easily be grasped by any one of us, I think, if we imagine our own countries subjected to such a challenge. Just suppose any other member represented here, whether small or large, found its membership in the United Nations called into question. What member among us, Mr. President, could conceivably dismiss such a challenge as unimportant?

Surely, in this Organization of sovereign equals, we cannot fail to accord to another member the treatment which we would most certainly claim for ourselves in a like situation.

Mr. President, this indisputable fact—that any proposal to change the representation of China raises an important question—is the premise of the 14-power "important question" resolution. Proceeding from that factual premise, our resolution reaffirms the inescapable procedural conclusion under Article 18 of the Charter.

Let me remind the Assembly that the position taken in this "Important question" resolution is not new. In 1961, the very first time the Assembly held a substantive debate on Chinese representation, it adopted a resolution to the same effect. On two subsequent occasions, in 1965 and again in 1966, the Assembly found that this decision of 1961 was still valid. Thus the importance of the Chinese representation question, and the consequent two-thirds voting requirement, have been affirmed or reaffirmed by the General Assembly on three occasions. The present resolution simply reaffirms once again this vital procedural point.

Mr. President, as I stated at the outset, the United States will vote for the "important question" resolution. We hope that it will again be adopted by a large majority. And let me stress to all members—including particularly those who may differ with my country on the substance of the Chinese representation question—that the issue raised by this resolution is not a political issue but an issue of fidelity to the procedure laid down in the Charter. It asks only that whatever our respective positions may be on the substance, our decision should be taken in accordance with the proper procedure—for only thus can it be of unchallengeable validity. I hope all members will bear this in mind in determining their votes on this resolution.

THE ALBANIAN RESOLUTION

I turn now to the resolution submitted once again this year, as for some years past, by Albania and other co-sponsors. Like its predecessors, this resolution would expel the representatives of the Republic of China and replace them with representatives of Peking.

It is truly ironic that this proposal is put forward, year after year, in the name of universality of membership. Yet the immediate step which the Albanian resolution proposes is a direct affront to the idea of universality; namely, the summary expulsion of a member of the United Nations.

However it may be disguised by tendentious words, that is the clear intent. Under this resolution the Republic of China—a founding member of the United Nations, a member in good standing whose rights in this Organization are clear, and against whose conduct as a member no serious complaint has ever been made—would be thrown out bag and baggage.

The sponsors of this proposal have referred to the Republic of China, their intended victim, as a "myth." Mr. President, the Republic of China is far from being a myth; it is a very lively and highly impressive reality.

Its government effectively governs some 13 million people—a population exceeding that of most of the members represented in this body.

It has achieved one of the highest standards of living in Asia.

It is recognized diplomatically by a majority of the membership of the United Nations.

And for 22 years it has contributed faithfully to the work of the United Nations, including the specialized agencies and other constructive UN programs.

Yet this, Mr. President, is the member of the United Nations which is nominated for expulsion. That is the penalty which the Charter reserves for persistent violators of its principles. It has never been imposed upon any member in the entire history of this Organization.

No wonder the Assembly has refused so many times in past years to take this step of expelling the Republic of China. Such a step would be a flagrant injustice and an indelible blot of shame on the record of the United Nations.

It would violate the Charter which we are all solemnly bound to uphold, and which contains no grounds whatever for such an arbitrary act of expulsion.

Moreover, it would set an evil precedent which might one day be involved against other members here present—even those who perhaps today may be inclined to support it.

For all these reasons, and in the interest of us all, the rights of the Republic of China in the United Nations must be preserved.

On this ground alone the Albanian resolution should be rejected. Indeed, any delegation that does not wish to expel the Republic of China has no choice but to vote against the Albanian resolution.

The other step which the Albanian resolution contemplates is the seating of representatives of Peking in the United Nations.

In view of this proposal, it seems proper that we should consider, first, the conduct of the Peking regime in the light of the purposes and principles of the Charter; and, second, the declared attitude of Peking toward the United Nations itself.

As regards conduct, there cannot be any more widely known fact in international affairs today than the warlike and aggressive manner in which the Peking regime has conducted itself all around its periphery from Tibet to Korea. If there is a political authority in the world today more hostile to international peace and security—more diametrically opposed to the purposes and principles of the United Nations Charter—more contemptuous of elementary diplomatic usage—my Government does not know one.

Of course, as might be expected, the sponsors of the Albanian resolution have painted quite a different picture. It is a picture which bears little relation to reality—and let me add some of the sponsors know this fact from direct experience. I refer particularly to the explanatory memorandum which they submitted last September 8 in support of this agenda item.

Let me quote a few of the assertions in that memorandum to see how they compare with the facts.

Take, for example, the assertion that the Peking regime "has always followed a policy aimed at settling by peaceful means all disputes which may exist or arise between independent states."

Can this possibly be said of the regime that intervened massively in the aggression against South Korea? That has repeatedly launched armed attacks on Indian territory along the Himalayan mountain borders? And that has been deeply involved in the aggression against the Kingdom of Laos and the Republic of Vietnam? And that has intervened to promote subversion as far away as Africa and Latin America?

The behavior of Communist China toward those independent states which have sought its friendship—not just in Asia but in every region—has been characterized time and time again by provocation and insult.

Apparently, to continue in the favor of Peking it is no longer enough to maintain a friendly attitude. Nations whose friendship for Communist China is of long standing—and whose leaders in former years were received in Peking with much pomp and circumstance—now find themselves accused of serving as "puppets of American imperialism."

Physical attacks on diplomatic personnel and installations in Peking have recently become widespread. Abuses of diplomatic privileges by emissaries of Peking have created serious incidents in the capitals of many countries.

These incidents have been front-page news all over the world for many months. Even some of those who exert themselves annually to plead Peking's cause in this Assembly are not exempt from such treatment. It is puzzling indeed how it can be asserted, as the explanatory memorandum asserts, that "the People's Republic of China has always displayed full respect for the independence and dignity of other countries." The burning of embassies, the physical beating of diplomats, and the abuse of diplomatic immunity for propaganda and subversion, are exceedingly strange ways of showing respect.

I would cite only one statement from the memorandum submitted in behalf of Peking's admission. This is the assertion that "no important international problem can be solved without the participation of that country."

This is a strange observation to make about a regime which has long since made clear that it is opposed to international efforts to solve most of the major problems of the day, including those of great concern to the United Nations.

For example, Peking has taken the most extreme possible position on the troubles of Southeast Asia, including Vietnam in particular, in the apparent hope of preventing a reasonable peace settlement in that area.

It has rejected out of hand the partial nuclear test ban treaty, the treaty on outer space, the projected treaty to prevent the proliferation of nuclear weapons; and in fact has shown itself generally hostile to the whole concept of arms control.

In its deeds as in its words, Peking has remained faithful to Mao Tse-tung's dogma that "all political power grows out of the barrel of a gun."

I leave it to all my fellow delegates to judge for themselves whether the presence in the United Nations of this rigidly fanatical and violence-prone regime would increase the probability of the solution of any international problem.

Let me emphasize, Mr. President, that the United States does not rejoice in Peking's hostility, nor have we sought to provoke it. On the contrary, for more than a decade my Government has made efforts in the diplomatic, arms control, technical, journalistic, humanitarian, and other fields, to find points of common interest and cooperation, however modest, that might penetrate that solid wall of hostility and self-isolation which Peking has erected.

Our efforts thus far have been almost totally unavailing.

Nonetheless we do not cease to hope for a better future. Only last week, on November 15, the President of the United States joined with the Prime Minister of Japan in a communique which said:

"Looking toward an enduring peace in Asia, they further expressed the hope that Communist China would ultimately cast aside its present intransigent attitude and seek to live in peace and prosper alongside other nations in the international community."

But in all realism, such a change still seems remote.

Against this background I now turn to a more specific question, and one which is especially relevant to this debate: namely, the attitude of the Peking regime toward the United Nations.

There is abundant evidence on this subject. Peking has made no secret of its contempt—its utter contempt—for this Organization. It does not seek to enter the United Nations; rather, it arrogantly and blatantly proclaims conditions upon which it would consent to join.

As Premier Chou En-lai said as recently as last June 24: "The United Nations must correct all of its mistakes of the past, must be thoroughly reorganized and transformed." And he went on to say: "If this goal is not reached, then the possibility will increase that a new, revolutionary United Nations will be set up."

Such statements, in almost the same words, have been made by the authorities in Peking numerous times in the past. In addition, these authorities have given some details on what they mean by the "transformation" that must take place, and the so-called "mistakes" which the United Nations must correct, before they will consent to enter this great body.

For example, in a speech in Peking on September 29, 1965, Foreign Minister Chen Yi said that all the states which he classifies as "imperialist puppet states" should be driven out of the UN.

And similarly, in an interview with the Philippine journalist J. V. Cruz on May 9, 1966, the same Mr. Chen Yi was quoted as emphatically asserting that his regime—and I quote Mr. Cruz—"will never go into the United Nations, even if invited by the Organization, unless and until certain conditions set forth by her will have been met first."

Among these conditions were included, and again I quote from the interview, "expulsion of the Taiwan delegation, and a thoroughgoing revision of the United Nations Charter."

As for the expulsion of the Republic of China, as we have seen, this demand is far from new. Peking has made clear many times its refusal to sit in the United Nations unless the Republic of China is first expelled. And it is, of course, in obedience to this demand that the Albanian resolution proposes precisely this step—a step of abject surrender by the United Nations to a stipulation that is monumentally unjust.

Let me again remind my fellow delegates that whatever your views may be for or against the seating of Peking, you cannot vote for the Albanian resolution without thereby voting to expel the Republic of China. And consequently any delegation which opposes such expulsion has only one way in my opinion to give effect to its opposition: and that is to vote against the Albanian resolution.

And in conclusion, Mr. President, the United States did not raise this issue, but since it has been raised it must be faced. And in order to face this issue, we must first recognize it for what it is.

The issue raised here is not the reconciliation of mainland China with the world. That even lies outside our present control, for the key to it is a change of heart and a new spirit in Peking. Unpromising though the prospects may now appear, my country, together with many others, wholeheartedly hopes for a change.

But the issue we face today is something altogether different. It is whether the United Nations should, on the peremptory demand of Peking, commit a gross injustice against one of the founding members and against its own Charter.

This is the road not to reconciliation with Communist China but to disaster for the United Nations. For the sake of the future of this Organization and of all for which it stands, and of all who stand for the cause of peace and human dignity, let us again decisively refuse to follow that road. And let us all, individually and collectively, hope and work and pray for the day when a more constructive road may be opened toward enduring peace and security both in Asia and throughout the world.

Vocational Education: A Hope for the Future

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. PUCINSKI. Mr. Speaker, in my position as chairman of the General Education Subcommittee, I have seen many fine education journals. Recently, I had the privilege of writing an article on vocational education for one of these journals, Illinois Teacher of Home Economics. This is a publication of the Division of Home Economics Education of the College of Education at the University of Illinois in Urbana, Ill.

I would like to commend Dr. Elizabeth Simpson, acting department chairman, and Mrs. Jean Payne, the business manager of the journal, and all the other fine educators who are responsible for the Illinois Teacher.

Vocational education legislation is now before my subcommittee. I consider this to be among the most significant pieces of legislation before the entire Congress. And so, I was pleased to write an article, "Vocational Education: A Hope for the Future" setting out what the Vocational Education Act of 1967 will accomplish.

Mr. Speaker, my article follows:

VOCATIONAL EDUCATION: A HOPE FOR THE FUTURE

(By U.S. Representative ROMAN C. PUCINSKI, of Illinois)

Now that the smoke and flames have cleared from the riot cities of the summer, one tragic fact stands out as a possible cause for the destruction in all areas—the rate of high school "dropouts" and unemployment among young people.

We can see now how strange it is that we allow about one million young people to leave high schools each year, untrained and uneducated, and yet expect them to find jobs.

Congress will act this fall on a program to help end the steady flow of school "dropouts" and to train youngsters for meaningful jobs.

The program is the Vocational Education Improvement Act of 1967 which may well prove to be the "sleeper" bill of the 90th Congress.

It will boost Federal aid to vocational schools around the country to dissuade teenagers from becoming an "unemployment" statistic and to fit them into the country's economic pattern. It will also attract former students who left schools before graduation and who now know the difficulty of finding employment without adequate education or training.

America is faced with the strange dilemma of enjoying its 7th year of continuous prosperity and at the same time registering an alarmingly high rate of unemployment among young people—unemployment not because they are too lazy to work but because they do not have the skills of modern technology.

Testimony before my House General Subcommittee on Education indicates that average unemployment rates among young people in the U.S. stand at 22 percent for young men and 24 percent for young women. But among young Negroes, the rates are 31 percent for young men and a staggering 46 percent for young women.

Compare these unemployment figures with the rate of school "dropouts" in the riot cities and a pattern begins to develop. The rate of "dropouts" for riot cities, according to figures supplied to the U.S. Office of Education is:

Detroit.—Total high school enrollment of 72,719 for the 1966–67 school year dropped by 9,281 students for a loss rate of 12.8 percent. Boy students dropped out at a rate of 14.5 percent.

Newark.—Students left high schools before graduation at rates of 7 to 9 percent between 1961 and 1967. Last year Newark schools lost 1,355 students for a 7 percent "dropout" rate.

New York.—Of a total junior and senior high school enrollment of nearly 480,000, the loss rate was slightly more than 7 percent.

The irony of this situation is that the Labor Department's U.S. Employment Service reports that it had 233,861 unfilled job requests on file at its offices on June 1. It estimates that only about one-third of the available jobs in the country are reported to USES offices, thus making about 700,000 as the estimated jobs available in June.

They ranged from medical technicians, repairmen, clerical, to machine shop workers and construction helpers.

Each of these positions requires some practical training, but the many requests for Federal Manpower Development and Training programs cannot be filled because of the demands on the available funds. The obvious answer is that such occupations should have been taught to the thousands of jobless young people at vocational schools. We now recognize this failure and Congress hopes to remedy it in this legislation.

The Vocational Improvement Act of 1967, which I introduced into the House in March and on which public hearings have been concluded, will provide:

1. An increase in the maximum authorized annual Federal aid for vocational education from $225 million to $400 million.

2. An effort to keep students from "quitting" school before they graduate by including a $30 million annual authorization for work-study programs to help youngsters find part-time jobs while they study.

3. An initial $10 million authorization of matching funds to help states establish residential vocational schools to attract past "dropouts" to schools where they can live and undergo vocational training.

4. A $10 million expenditure for teacher training.

5. Another $1.5 million for fellowships for vocational education teachers, educators, researchers and administrators.

Hindsight can be useful at times to pinpoint past errors and to prevent them from recurring. In this case, I believe, as do many outstanding educators, that our country over-reacted to the lack of college-trained engineers and scientists. For too many years, we have concentrated our greatest Federal efforts to improving higher education and assisting students to receive one or several college degrees.

There was general recognition that a technological revolution was under way, but little provision was made to give the necessary training in skills and trades to youngsters who will not enter the professions.

I am certain this legislation would go far to improve the conditions which have touched off the disturbances and help avoid conditions which spawn riots in the future.

By 1970—just two years from now—one out of every two youngsters attending school in America will be seeking some form of vocational training. We will have more than 9 million youngsters seeking vocational education.

The legislation is designed to provide facilities and teachers to meet this need.

It is my hope that the Vocational Education Improvement Act of 1967 will be a major step toward assuring that every American youngster graduates from high school with a "marketable skill." Those who go on to college can use such a skill to help defray the cost of higher education. Those who do not go to college will be prepared for gainful employment the day they leave high school.

SENATE

TUESDAY, NOVEMBER 28, 1967

The Senate met at 11 a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Hon. WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in Heaven, as we resume our work today, we pray for a continuation of Thy inspiration and a continuation of dedication to the responsibilities that we have accepted. Bless us this day, that it may be marked by some accomplishment, that we may move closer to the time when our work for this year will have been resolved. Bless us, too, in our search for answers to the great problems of the world, particularly the problem of peace. Help us to understand that no peace can last for any length of time that has a basis of insecurity.

Help us especially to find the inner peace which comes from Thee, and without which no national or international peace can be built. Help us to realize that peace must be built on faith and on adherence to the basic principles of human relationship which Thou hast set up for us as ideals.

We thank Thee for the opportunity to serve our country, and pray for the strength to make our service effective.

In the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, November 27, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS—REMOVAL OF INJUNCTION OF SECRECY—PRESIDENT'S MESSAGE

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive P, 90th Congress, first session, the convention relating to international exhibitions signed at Paris on November 22, 1928, together with two protocols, signed on May 10, 1948, and November 16, 1966, modifying the convention, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to accession, I transmit herewith a certified copy, in the authentic French text with an English translation, of the convention relating to international exhibitions signed at Paris on November 22, 1928, together with two protocols, signed on May 10, 1948, and November 16, 1966, modifying the convention. The convention and protocols were signed in behalf of certain States but not the United States of America.

The convention established the Bureau of International Expositions, the "BIE," the purpose of which is to provide basic rules regarding international expositions.

The United States has never become a member of the BIE mainly because of a concept that international expositions, or "world fairs" as they are popularly termed in this country, should be left to the initiative of private groups with the principal support coming from the city and State governments, and more limited support and endorsement by the Federal Government. However, the more the organization of these complex undertakings is studied the more the responsibility of the Federal Government to play an active role in scheduling their appearance and in defining their basic character is appreciated.

The subject of international expositions and the role of the BIE is one that has been carefully reviewed in recent years. In 1959 the Senate Foreign Relations Committee sponsored a resolution (S. Res. 169) seeking a study to determine, among other things, whether the United States should consider membership in the BIE. This was at a time when several cities in this country were contemplating a major exposition in the mid-1960's.

In May 1963 the President directed the Secretary of Commerce to develop criteria for an exposition's policy in view of the fact that the number of cities in the United States with exposition plans under consideration had grown to 16.

In May 1964, as a result of interdepartmental study, the President sent letters to the Secretaries of Commerce and State in which he emphasized the need to leave 1975–76 open for a possible Bicentennial Exposition to commemorate American independence. In these letters he instructed the Secretary of State, in attempting to protect the 1975–76 dates with the BIE, to determine whether a realistic framework existed for U.S. participation in that organization.

In October 1964 the Department of Commerce published in the Federal Register rules governing official U.S. assistance to sponsors of international expositions in the United States. These rules were designed as a further means of clearing the horizon for the bicentennial. They also clearly identified the role of the BIE, and the importance of its sanction, in the organization of international expositions.

During the past 3 years, discussions have been held with representatives of the BIE on all aspects of the 1928 convention and the role of the Bureau. These discussions indicate quite clearly that there are no barriers to effective U.S. participation in the BIE. In addition, senior BIE officials visited Washington in September 1966 for informal discussions with officials of the executive branch and several Members of Congress.

Following careful review of this matter since 1963 and for the reasons expressed by the Secretary of State, it has been concluded that membership in the BIE would be in the best interests of the United States. That conclusion is confirmed by the example of Canada, a BIE member, in staging Montreal's magnificent Expo '67.

I, therefore, recommend that the Senate give early and favorable consideration to the convention, and the two protocols.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 28, 1967.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Public Health, Education, Welfare, and Safety of the Committee on the District of Columbia be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONSENT OF CONGRESS TO WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT COMPACT

Mr. RANDOLPH. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 2514.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2514) to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District Compact which was, strike out all after the enacting clause and insert:

That the consent of Congress is given to the interstate compact relating to the Wheeling Creek Watershed Protection and Flood Prevention District between the Commonwealth of Pennsylvania and the State of West Virginia, ratified by the Commonwealth of Pennsylvania in an Act approved by the Governor of such Commonwealth on August 2, 1967, and by the State of West Virginia in an Act approved by the Governor of such State on March 1, 1967. Such compact reads as follows:

"WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT COMPACT

"ARTICLE I. RECITATION OF REASONS FOR COMPACT.

"Whereas, Wheeling Creek, a tributary of the Ohio River, arises in Pennsylvania, flows through Washington and Greene Counties of that commonwealth, enters the State of West Virginia, flows through Marshall and Ohio Counties, West Virginia, and empties into the Ohio River at Wheeling, West Virginia; and

"Whereas, The inhabitants of Marshall and Ohio Counties, West Virginia, and, also, but to a much lesser degree, the inhabitants of Washington and Greene Counties, Pennsylvania, living along Wheeling Creek have over the years experienced loss of life and property from flooding of that stream; and

"Whereas, Surveys made by the Soil Conservation Service of the United States Department of Agriculture indicate that the inhabitants of the four counties named can best be protected from the flooding of Wheeling Creek by flood prevention dams constructed thereon with some of the dams being located on the upper reaches of the stream and its tributaries in the Commonwealth of Pennsylvania; and

"Whereas, The federal Watershed Protection and Flood Prevention Act of 1954, as amended, authorizes, under certain circumstances, federal assistance to local organizations in preparing and carrying out undertakings for flood prevention and the conservation, development, utilization and disposal of water in watershed or subwatershed areas; and

"Whereas, No local organization within the meaning of the federal act aforesaid established by or organized under the laws of West Virginia is competent under state laws to acquire land for, construct, and operate with or without federal assistance flood prevention facilities in the Commonwealth of Pennsylvania, and it appears that no such local organization established by or organized under the laws of the Commonwealth of Pennsylvania can justify the expenditure of locally raised funds to construct and operate flood prevention facilities which will benefit primarily the inhabitants of the neighboring State of West Virginia; and

"Whereas, Facilities erected on the upper reaches of Wheeling Creek and its tributaries for flood control and prevention can nevertheless have a recreational value for the citizens of both West Virginia and Pennsylvania and particularly the citizens of Ohio and Marshall Counties, West Virginia, and Washington and Greene Counties, Pennsylvania; accordingly, for purposes of promoting that potential, as well as providing a vehicle or means whereby federal assistance may be enlisted for the protection of citizens of her neighboring State of West Virginia from the flooding of Wheeling Creek, the Commonwealth of Pennsylvania joins with the State of West Virginia in negotiating and ratifying this compact; now therefore,

"ARTICLE II. WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT CREATED

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as an agency and instrumentality of the governments thereof a district to be known as the 'Wheeling Creek Watershed Protection and Flood Prevention District,' hereinafter called the district, which shall embrace all territory in the Commonwealth of Pennsylvania and the State of West Virginia, the water in which flows ultimately into Wheeling Creek or its tributaries.

"ARTICLE III. WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION COMMISSION CREATED.

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as the governing body of the district the 'Wheeling Creek Watershed Protection and Flood Prevention Commission,' hereinafter called the commission, which shall be a body corporate, with the powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent concurrent action of the General Assembly of Pennsylvania and the Legislature of West Virginia or by act or acts of the Congress of the United States.

"ARTICLE IV. COMPOSITION OF COMMISSION.

"The commission shall consist of five commissioners from Pennsylvania and five commissioners from West Virginia, each of whom shall be a citizen of the commonwealth or state from which he is appointed. The commissioners from the commonwealth and from the state shall be chosen in the manner and for the terms provided by the laws of the commonwealth or state from which they shall be appointed, and any commissioner may be removed or suspended from office as provided by the law of the commonwealth or state from which he shall be appointed. Vacancies on the commission shall be filled in the manner provided by the laws of the commonwealth or state among whose representation on the commission the vacancy occurs.

"The commissioners shall serve without compensation from the commission, but they shall be paid by the commission their actual expenses incurred and incident to the performance of their duties.

"ARTICLE V. ORGANIZATION OF COMMISSION.

"The commission shall meet and organize within sixty days after the effective date of this compact, shall elect from its number a chairman and vice chairman, and shall appoint, and at its pleasure remove or discharge, such officers and legal, clerical, expert and other assistants as may be required to carry the provisions of this compact into effect, and shall determine their qualifications and fix their duties and compensation. It shall adopt a seal and suitable bylaws, and shall adopt and promulgate rules and regulations for its management and control. It may establish and maintain one or more offices within the district for the transaction of its business, and may meet at any time or place. The presence of three commissioners from the Commonwealth of Pennsylvania and three commissioners from the State of West Virginia shall constitute a quorum, and a majority vote of the quorum shall be necessary to pass upon matters before the commission.

"ARTICLE VI. POWERS AND DUTIES.

"The commission is hereby authorized and empowered:

"(a) To be and serve in the capacity of a local organization within the meaning of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session, (Public Law 566), approved August 4, 1954, as from time to time amended, and in that capacity the commission shall have the following authority and powers:

"(1) To apply for and receive federal financial and other assistance in preparing and carrying out plans for works of improvement as that term is defined in said federal act, as from time to time amended, hereinafter referred to as works of improvement, and to apply for and receive federal financial and other assistance under the aforementioned or other federal acts in preparing and carrying out plans for public fish and wildlife or recreational development in connection with works of improvement, including the construction and operation of all facilities which may be necessary or incident to such works of improvement and public fish and wildlife or recreational development in connection therewith.

"(2) To acquire, or with respect to interests in land to be acquired by condemnation, provide assurances satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States that the commission will acquire such land, easements, or rights-of-way as will be needed in connection with works of improvement, and public fish and wildlife or recreational development and facilities in connection with works of improvement, installed with federal assistance.

"(3) To agree to operate and maintain any reservoir or other area included in a plan for works of improvement or public fish and wildlife or recreational development and facilities.

"(4) To assume all or such proportionate share, as is determined by the secretary of agriculture of the United States or other agent or agency of the United States, of the costs of installing any works of improvements, involving federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife or recreational development and facilities or to purposes other than flood prevention and features relating thereto.

"(5) To make arrangements satisfactory to the secretary of agriculture of the United States or other agent or agencies of the United States for defraying costs of operating and maintaining works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement: *Provided*, That such arrangements shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(6) To acquire, or provide assurance that landowners or water users have acquired such water rights, pursuant to the law of the commonwealth or state applicable thereto, as may be needed in the installation and operation of the works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement.

"(7) To cooperate with soil conservation districts in obtaining agreements to carry out recommended soil conservation measures and proper farm plans from owners of land situated in the drainage area above each retention reservoir to be installed with or without federal assistance.

"(8) To apply for and receive federal loans or advancements to finance the local share of costs of carrying out works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement, and to submit a plan of repayment satisfactory to the secretary of agriculture or other agent or agency of the United States for any loan or advancement: *Provided*, That such plan of repayment shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(9) To cooperate, and enter into agreements with, the secretary of agriculture of the United States or other agent or agency of the United States, and to do all other things required, not inconsistent with the provisions of this compact and the laws of the Commonwealth of Pennsylvania and the State of West Virginia, to obtain maximum federal financial assistance for works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(b) To acquire within the district, land, easements, rights-of-way and other property rights as may be needed in connection with works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement and to make studies respecting, and to plan, construct, maintain and operate, works of improvement within the district and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(c) To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, eminent domain, or otherwise, any property, real or personal, or rights therein, for any of the purposes specified in this article of the compact: *Provided*, That eminent domain proceedings shall be instituted and prosecuted in the manner and forums provided by the laws of the commonwealth or state in which the property or property rights proceeded against are situate: *Provided, however*, That no property now or hereafter vested in or held by the Commonwealth of Pennsylvania or the State of West Virginia, or by any county, city, town, village, district, township, municipality or other political subdivision thereof shall be taken by the district without the consent of the commonwealth, state or political subdivision which owns the same.

"(d) To maintain, administer and improve any properties acquired, to charge fees for use of, and receive income from, such properties and to expend such income in carrying out the purposes and provisions of this compact, and to lease any of its property or interests therein in accordance with the following provisions and requirements: The board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall each have the option of leasing from the commission for such period as the lessee may specify all or any part of the works of improvement and the public fish and wildlife and recreational development and facilities in connection with works of improvement located within their respective counties upon the following terms and conditions: (a) That in each such lease the lessee in consideration thereof pay to the lessor the sum of one dollar and agree to fully maintain at its (the lessee's) expense all works of improvement and all such development and facilities in connection therewith located within the county of the lessee in accordance with the requirements of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session, (Public Law 566), approved August 4, 1954, as from time to time amended, and all agreements and work plans made or formulated thereunder with respect to such works of improvement and such development and facilities in connection therewith located within the county of the lessee, and that for failure of the lessee to comply with such agreement, the lessor shall be given the right in the lease agreement to cancel the lease upon thirty days written notice to the lessee; (b) that any such lease not be inconsistent with the provisions, or impair the purposes, of this compact; and (c) that any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and works plan made or formulated thereunder. In the event the board of commissioners or county court of any one of the four counties named does not, within six months from the completion of the works of improvement and all such development and facilities in connection therewith located in such county, elect in writing transmitted to the commission to exercise the option given to it by the foregoing provisions, or in the event such option is exercised and the lease to such board of commissioners or county court is subsequently cancelled because of violation of the provision of the lease by the lessee, or in the event such option is exercised and the board of commissioners or county court subsequently chooses not to renew its lease, the commissioners may lease all or any part of the works of improvement and all such development and facilities in connection therewith located within such county to any other lessee which the commission may choose, and upon such terms as may be agreed upon, provided (a) that any such lease be approved by the board of commissioners or county court of the county in which any part or all of the works of improvement and all such development and facilities in connection therewith are located; (b) that any such lease not be inconsistent with the provisions, or impair the purposes of this compact; (c) that any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and work plans made or formulated thereunder; and the option of leasing in the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall include the right to sublease on the same terms and conditions set out in this paragraph designated (d) to any individual, corporation, municipal subdivision or municipal authority without the approval of the Wheeling Creek Watershed Protection and Flood Prevention Commission.

"(e) To enter into contracts and other arrangements with agencies of the United States, with persons, firms or corporations, including both public and private corporations, with the government of the state and the government of the commonwealth, or any department or agency of the United States, the state or the commonwealth, with governmental divisions, with soil conservation, drainage, flood control, soil erosion or other improvement districts in the state or the commonwealth, for cooperation or assistance in constructing, improving, operating or maintaining works of improvement within the district, and public fish and wildlife or recreational development and facilities in connection with works of improvement, or in preventing floods, damage from sediment deposited by floodwaters, or in clearance of stream beds, or in conserving, developing, utilizing and disposing of water in the district, or for making surveys, investigations or reports thereof.

"(f) To apply for, receive and use grants-in-aid, donations and contributions from any source or sources, and to accept and use, consistent with the purposes of this compact, bequests, devises, gifts and donations from any person, firm, corporation, state, commonwealth or agency or political subdivision thereof.

"(g) To do any and all things necessary or convenient for the purpose of promoting, developing and advancing the purposes of said district herein set forth, and in promoting, developing and advancing the recreational development and facilities incidental to the works of improvement that shall be constructed to achieve said purposes.

"(h) To delegate any authority given to it by law to any of its agents or employees, and to exceed its funds in the execution of the powers and authority herein given.

"ARTICLE VII. FISCAL AFFAIRS.

"The commission shall submit at the appropriate or designated time to the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, an annual budget of its estimated expenditure, which budget shall contain specific recommendations of the amount or amounts to be appropriated by each of the named governing bodies.

"The commission shall not incur any obligation prior to the commitment or allotment of funds by the named governing bodies or by other sources adequate to meet the same.

"The commission shall keep accurate accounts of all receipts and disbursements, which accounts shall be open for inspection at any reasonable time and shall be subject to audit by representatives of contributing political subdivisions and of the Commonwealth of Pennsylvania and State of West Virginia. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its by-laws: *Provided*, That all receipts and disbursements of the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be transmitted to each contributor of funds to the district or commission.

"ARTICLE VIII. EXEMPTION FROM TAXES AND FEES.

"The district and the property belonging to the district shall be exempt from the payment of all taxes or fees imposed by the Commonwealth of Pennsylvania or the State of West Virginia and by any agency and political subdivision thereof.

"ARTICLE IX. EFFECTIVE DATE OF COMPACT.

"This compact shall become effective upon ratification by the General Assembly of the Commonwealth of Pennsylvania and the Legislature of the State of West Virginia and upon approval by the Congress of the United States."

SEC. 2. (a) The consent granted by this Act does not include advance consent for any additional powers that may hereafter be conferred upon the Wheeling Creek Watershed Protection and Flood Prevention Commission by the General Assembly of Pennsylvania and the Legislature of West Virginia.

(b) The Congress and any of its committees shall have the right to require the disclosure and furnishing of such information by the Wheeling Creek Watershed Protection and Flood Prevention Commission as they may deem appropriate and shall have access to all books, records, and papers of the Commission.

(c) The right to alter, amend, or repeal this Act is expressly reserved.

Mr. RANDOLPH. Mr. President, I move that the Senate concur in the amendment of the House.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

U.S. COURT OF MILITARY APPEALS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 791.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2634) to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment on page 3, line 13, after the word "pay", strike out "shall become a senior judge, shall occupy offices in a Federal building, shall be provided with a staff assistant," and insert "may become a senior judge, may occupy offices in a Federal building, may be provided with a staff assistant whose compensation shall not exceed the rate prescribed for GS–9 in the General Schedule under section 4332 of title 5,"; so as to make the bill read:

S. 2634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 867 (a) (article 67(a)) of title 10, United States Code, is amended to read as follows:

"(a)(1) There is a United States Court of Military Appeals established under article I of the Constitution of the United States and located for administrative purposes only in the Department of Defense. The court consists of three judges appointed from civil life by the President, by and with the advice and consent of the Senate, for a term of fifteen years. The terms of office of all successors of the judges serving on the effective date of this Act shall expire fifteen years after the expiration of the terms for which their predecessors were appointed, but any judge appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. Not more than two of the judges of the court may be appointed from the same political party, nor is any person eligible for appointment to the court who is not a member of the bar of a Federal court or the highest court of a State. Each judge is entitled to the same salary and travel allowances as are, and from time to time may be, provided for judges of the United States Court of Appeals, and is eligible for reappointment. The President shall designate from time to time one of the judges to act as chief judge. The chief judge of the court shall have precedence and preside at any session which he attends. The other judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age. The court may prescribe its own rules of procedure and determine the number of judges required to constitute a quorum. A vacancy in the court does not impair the right of the remaining judges to exercise the powers of the court.

"(2) Judges of the United States Court of Military Appeals may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, or for mental or physical disability, but for no other cause.

"(3) If a judge of the United States Court of Military Appeals is temporarily unable to perform his duties because of illness or other disability, the President may designate a judge of the United States Court of Appeals for the District of Columbia to fill the office for the period of disability.

"(4) Any judge of the United States Court of Military Appeals who is receiving retired pay may become a senior judge, may occupy offices in a Federal building, may be provided with a staff assistant whose compensation shall not exceed the rate prescribed for GS–9 in the General Schedule under section 4332 of title 5, and, with his consent, may be called upon by the chief judge of said court to perform judicial duties with said court for any period or periods specified by such chief judge. A senior judge who is performing judicial duties pursuant to this subsection shall be paid the same compensation (in lieu of retired pay) and allowances for travel and other expenses as a judge.

"SEC. 2. United States Court of Military Appeals established under this Act is a continuation of the Court of Military Appeals as it existed prior to the effective date of this Act, and no less of rights or powers, interruption or jurisdiction, or prejudice to matters pending in the Court of Military Appeals before the effective date of this Act shall result. A judge of the Court of Military Appeals so serving on the day before the effective date of this Act shall, for all purposes, be a judge of the United States Court of Military Appeals under this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 806), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM REPORT No. 806

EXPLANATION OF THE AMENDMENT

The amendment provides a maximum compensation for a staff assistant to a retired judge of the U.S. Court of Military Appeals and changes the provisions covering the use of Federal offices by such judges and their being provided a staff assistant from mandatory to permissive ones.

PURPOSE

The Court of Military Appeals was established by Public Law 81–506, the Uniform Code of Military Justice. The Uniform Code of Military Justice covers both the substantive and procedural law governing military justice and its administration in all the Armed Forces of the United States. The code was designed to provide for uniformity in the administration of military justice, to assure the accused a fair trial, and to prevent undue control or interference with the administration of military justice.

As a result of the inadequacies, deficiencies, and injustices of the court-martial system as it existed before and during World War II, the Congress created the Court of Military Appeals as the civilian interpreter of military law and as the overseer of the court-martial system.

The congressional intent was that the Court of Military Appeals be a court in every significant respect. Despite this clear intent, there have been contentions that the court is not a court at all but is an instrumentality of the executive branch or an administrative agency within the Department of Defense. Such a contention may have been inadvertently supported by a provision in the law that the Court of Military Appeals is "located for administrative purposes in the Department of Defense." This provision was adopted only to reduce expenditures for the administration of the relatively small staff of the court. The phrase "for administrative purposes" was meant merely to authorize the Department of Defense to furnish such things as telephone services, transportation facilities, and to purchase supplies. The court justifies its own budget and funds are appropriated for its operations with no control exercised by the Department of Defense.

The judges of the court are appointed for terms of 15 years and may be removed by the President "for neglect of duty or malfeasance in office, or for mental or physical disability but for no other cause." The judges are eligible to participate in the Federal civil service retirement system. The bill proposes no change in either the term of office or the retirement benefits of the judges.

Redesignation of the Court of Military Appeals as the U.S. Court of Military Appeals and the declaration in law that the court is established under article I of the Constitution are intended to reaffirm the congressional intent that the court be the civilian supervisor of the administration of military justice and the final interpreter of the requirements of military law.

WHAT THE BILL DOES

As mentioned above, the bill provides that the present Court of Military Appeals be redesignated the U.S. Court of Military Appeals. It makes no change in the basic structure or functions of the court. The change in name and the declaration that the court is established under article I of the Constitution, which gives the Congress the power to make rules for the government and regulation of the land and naval forces, are intended to counter contentions that the court is an instrumentality of the executive branch or that it is an administrative agency within the Department of Defense.

The salary and travel allowance of the judges of the U.S. Court of Military Appeals would be assimilated to those of judges of the U.S. courts of appeals. Since the establishment of the Court of Military Appeals in 1950, the salary of the judges has been the same as the salary of judges of the U.S. courts of appeals but the basic law establishing the Court of Military Appeals provides a specific salary and travel allowances for judges of the Court of Military Appeals. To avoid a multiplicity of legislation when judicial salaries and allowances are changed, the assimilation provision in the bill will permit judges of the U.S. Court of Military Appeals to continue to receive the same salary as judges of the U.S. courts of appeals.

In the event of a temporary disability by one of the judges, the bill would permit the President to designate a judge of the District of Columbia circuit of the U.S. Court of Appeals to fill the office during the period of such temporary disability. Since judges of the District of Columbia may be given functions under article I and article III of the Constitution, this specific designation authority should resolve any possible question about whether a purely article III judge may be designated to perform the duties of a judge of a legislative court under article I.

The bill provides that retired judges of the U.S. Court of Military Appeals may perform judicial duties with their consent and upon the request by the chief judge of the court. Retired judges would be called senior judges and they could occupy offices in a Federal building. They could be provided a staff assistant in a grade not higher than that of the equivalent of GS–9. Since the court is a three-judge court, this provision would make available a retired judge if an active judge becomes disabled or dies or if an increase in workload causes the court's docket not to be current. This provision should also serve to limit the occasions for assignment of a judge of the U.S. Court of Appeals for the District of Columbia to serve during a period of disability.

COST

Enactment of this bill will not result in any immediate cost to the United States. At such time as there may be a retired judge of the U.S. Court of Military Appeals, the cost would not exceed that of the salary of a staff assistant (a maximum of $9,425 a year) and the cost of his occupying an office in a Federal office building.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized, in the engrossment of the bill (S. 2634), to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes, which was passed today, to make any corrections in typographical errors, including section numbers.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR MANSFIELD INTERVIEWED ON "MEET THE PRESS"

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a transcript of my appearance on "Meet the Press" on Sunday, October 29, 1967, be printed at this point in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

[Presented by the National Broadcasting Co., Oct. 29, 1967]

Meet the Press: America's Press Conference of the Air

Produced by Lawrence E. Spivak.

Guest: Senator Mike Mansfield (D. Mont.), Senate Majority Leader.

Panel: Warren Rogers, Look magazine; Rowland Evans, Chicago Sun-Times; Chalmers Roberts, Washington Post; Nancy Dickerson, NBC News.

Moderator: Lawrence E. Spivak.

Mr. Spivak. Our guest today on Meet the Press is the Majority Leader of the U.S. Senate, Mike Mansfield of Montana.

We will have the first questions for Senator Mansfield now from Nancy Dickerson of NBC News.

Mrs. Dickerson. Senator Mansfield, your Senate resolution calling for U.N. action on Vietnam is virtually assured of approval because you already have enough signatures on the bill.

Do you have any reason to believe that when it goes to President Johnson he is going to take any action on it?

Senator Mansfield. I think President Johnson has already taken action, dating as far back as January 30th of 1966. I know that he is interested in the United Nations taking cognizance of the resolution, which he requested Ambassador Goldberg to present at that time.

I know also that on five different occasions since then he has personally indicated to me a very intense and deep interest in this matter being settled. It is another way, among the many, which he has sought, to try and bring the Vietnamese situation to the negotiating table and a possible honorable settlement.

Mrs. Dickerson. Do you have reason to believe though that he is going to take a further step after this resolution is approved or voted on?

Senator Mansfield. No reason, just a hope, but a strong hope.

Mrs. Dickerson. You suggest that the President, as you say, is very personally interested in this. Some people have inferred from what you said that he has more or less asked you, indeed, encouraged you to take this step, to give him another option. Is that the case?

Senator Mansfield. No, he did not ask me to introduce this resolution. It is entirely my own initiative, but it has been introduced on the basis of conversations which have been held with him, the resolution apart.

Mrs. Dickerson. In the speech which you made introducing this resolution, you asked the question—or rather, in the letter you sent out with it—saying, "What are we waiting for? Why don't we take action?"

Why do you think the State Department, or our administration, hasn't taken any further steps more recently? I know you pointed out the five instances, but why can't they do, now, more?

Senator Mansfield. That I can't answer because it is up to the State Department and the administration to come up with the answer to your question, but I do know that as far as the President himself is concerned there is no lack of interest or desire.

Mrs. Dickerson. Do you think he will go back to the U.N.?

Senator Mansfield. I don't know that he will, but I think very strongly that he will, and I would hope that he would.

Mr. Evans. Senator Mansfield, you have been in elected politics now, sir, for 20 years. Have you ever known a time of such great hostility between the party leader—in this case, today, President Johnson—and the rank and file of the Democratic Party?

Senator Mansfield. There is a certain amount of dissatisfaction, but there was dissatisfaction at the time that Mr. Truman was President as well.

Mr. Evans. How would you compare those two periods in terms of the President's prestige within his own party?

Senator Mansfield. I would say that they might be somewhat similar. I would put Mr. Truman at a lower level than I would President Johnson today, but I would also call to your attention the fact that this nation is going through an agony and a sadness which it has never before encountered in the history of the Republic. These things have to be taken into consideration, when you consider the situation in Vietnam, the discontent and unrest in our urban cities, the possibility of a tax increase and other matters which are all interrelated.

Mr. Evans. Senator Mansfield, right now one of your colleagues, from Minnesota, the Senator from Minnesota, is thinking of running for President this fall, next fall. One of your leaders in the House, Congressman Udall of Arizona, has criticized the President for Vietnam within the last week. A leading Democrat in Massachusetts, Tip O'Neill, has come out against the President's policy in Vietnam.

If you put these things together—particularly Senator McCarthy in Minnesota—how far can this go?

Senator Mansfield. That is hard to say because you are asking me to project myself into the future, and I have never been a prophet, but it would appear to me that there is no serious interest at this time on the part of the Senator to run for the Presidency, and as far as Messrs. Udall and O'Neill are concerned, they are expressing opinions which they have come to feel, after assessing the situation and after going home and visiting with their folks.

Mr. Evans. How far can that go, Senator Mansfield, in the terms of the breaking up of a Democratic Party consensus on this basic issue?

Senator Mansfield. There never has been a Democratic consensus because there have been difficulties all along. That is as it should be, because after all we do live in a democracy and the right of dissent should be upheld, provided it is constructive.

Mr. Roberts. Senator, I would like to go back to your U.N. Resolution. Considering the fact that this issue has been before the U.N., that the U.N. is terribly reluctant to seize it, that the Secretary General says it is not a U.N. issue, at least at this point, that the Russians will not agree to anything that we want, and we won't agree to anything that the Russians want, what do you expect to gain if you get the President to go back? Do you know something we don't know?

Senator Mansfield. No, I don't expect a resolution of this by the U.N., but I do expect an initiation of this question before the U.N. I would point out that about 50 nations this year have discussed the bombing of North Vietnam, through their chiefs of state or their Foreign Ministers, before the General Assembly. I would point out that 104, at least, of the 130, approximately, members of the United Nations have brought up the question at the U.N. in their speeches.

I think that if they are that interested in that question—and they should be—that they ought to take up the responsibility which is theirs under the first article of the Charter, and that is, to maintain, to preserve, to try to keep the peace, and I believe that despite the heroic efforts of the Secretary General the United Nations has been dodging its responsibilities all the way through this issue.

Mr. Roberts. Senator, you have got over 50 sponsors—more than half of the membership of the Senate. You have hawks and doves. You seem to have people backing your resolution for totally different reasons. Some of the hawks apparently want to see the U.N. try and fail, so that they can then argue for escalation. Some of the doves want to see the U.N. take this thing up so we can just get it off our hands. How do you account for this motley collection of views?

Senator Mansfield. Let me go back to answer part of your first question, and then I will answer the second question, if I can.

You mentioned the fact that the Soviet Union was against such a proposal and so was France. They have both indicated that this matter ought to be settled through a reconvening of the Geneva Conference.

The United Kingdom, one of the two cochairmen, has agreed to a reconvening, but the Soviet Union, the other co-chairman, has not.

If this is what is stopping them, why doesn't the United Nations through the Security Council come forth with a resolution asking for a reconvening of the Geneva Conference, and President Johnson would be more than glad to attend such a meeting and to accept such a resolution.

Now in so far as your second question is concerned, I think we have used the words hawks and doves entirely too much. To me a hawk is someone who wants to go all the way, into China if need be, and I know of no Senator who has advocated that up to this time. A dove is one who wants to withdraw unilaterally, and I know of no Senator who has advocated that, so I think the terms are misleading.

The reason why people of different views have gotten together on this particular resolution is because they all, regardless of how you designate them, would like to see an honorable peace and so would the President of the United States and so would the American people.

Mr. Rogers. Senator, to follow up that idea, what good would it do if you go to the United Nations and the Russians exercise a veto or otherwise block what you are trying to do to get the United Nations involved here?

Senator Mansfield. In the first place, as far as the first two steps are concerned, they cannot exercise the veto. It would take nine nations to bring these matters up for discussion and consideration. Only when you come to the matter of a resolution could the veto be applied. I think that we ought to, to use a colloquialism, say to the United Nations, "It is time for you to face up to this issue which does contain dangers for the entire world."

In other words, "Fish or cut bait. Justify your existence. Get on the ball and get busy and see what you can do, because all other attempts have failed."

Mr. Rogers. Exactly what would you have the United Nations do, Senator?

Senator Mansfield. It would be up to them. The only thing I know that these people on the Security Council of any significance—France and the Soviet Union—have indicated is that they would like to see this settled in a reconvened Geneva Conference. So would we. Why don't they come up with a resolution to that effect?

Mr. Rogers. Senator, on a related subject, the Tonkin Gulf Resolution has been passed. We have all heard a lot of comment that the President has abused this by doing more in Vietnam than the Senate intended. Do you agree with that?

Senator Mansfield. No, I do not, though I must admit in all candor that no one, when this resolution was before us, saw far enough ahead to realize that we would be in the position we are in today.

Mr. Rogers. Do you think it might be wise then to revise the resolution perhaps?

Senator Mansfield. No, because I think it would be hopeless; it would be an exercise in futility.

Mr. Spivak. Senator, may I ask you a question? Do you think a halt in the bombing is a necessary step for the U.N. action on the Vietnam War?

Senator Mansfield. That, of course, is a question for the President himself to decide. I do not think a pause in the bombing would be worth considering, because if there was no reaction, then I fear that the reaction which would follow that kind of a reaction would be such as to make the war more open-ended than it is.

If there is to be a halt in the bombing, it ought to be a halt, period.

I have advocated, among other things, serious consideration being given to the proposal made by John Sherman Cooper, the distinguished Senator from Kentucky, to the end that the bombing be confined to the 17th Parallel between North and South Vietnam and the Ho Chi Minh trails, which come down along the Laotian panhandle to the west of the Vietnamese frontiers.

Mr. Spivak. Senator, have you any indication that the President will agree to another bombing halt for U.N. action?

Senator Mansfield. None at all.

Mrs. Dickerson. Have you any indication that the President is going to halt bombing whether we go to the U.N. or not

Senator Mansfield. None at all.

Mrs. Dickerson. One question about you in your role as the administration spokesman, really, in the Senate. Some time ago—in September, I believe—in Kansas City you made a speech saying you didn't think peace would come by greater inputs of forces and additional bombing. Yet in the past ten days we have added fresh forces, and we have certainly intensified the bombing.

Isn't this somewhat difficult, for you to be an administration spokesman and at the same time speak for an administration which does what you think won't bring peace?

Senator Mansfield. Well, Nancy, let me put it this way: I am, first of all, a Senator from the State of Montana. That is my primary responsibility here, and I intend to adhere to that responsibility as long as I am in the Senate of the United States.

Secondly, I am the Majority Leader of the Senate, and I feel that I have a responsibility, which the President recognizes. The President has a responsibility, greater than mine, which I recognize, and the final responsibility. I do not feel that I am there to parrot any kind of a line, but to express my convictions as I see them, regardless of the consequences. That I have done; that I will do.

Mr. Evans. Senator Mansfield, despite your comment about President Truman and President Johnson, it seems to me in Congress you face an unprecedented stalemate today. The President can't get his tax bill through. His East-West trade bill is stalled. His big cities program has been reduced by at least fifty per cent. His contributions for political campaigns—that bill seems to be dead. There is a terrible mess on the budget between the House and the Senate.

How do you explain this morass that seems to be developing in the congressional government?

Senator Mansfield. I think it is all tied more or less in some fashion to the situation in Vietnam, and I think also it is a letdown after three extraordinarily successful years on the part of the last two congresses. During those years the President was responsible for the greatest amount of important and constructive legislation which the nation has ever seen. Now we are faced with the contretemps, which you have mentioned. There seems to be no possibility of a tax bill at this time. I am sorry because I feel that a tax bill is necessary.

I know it isn't popular and a person who advocates it will be criticized, but facts are facts. We face a $29 to $30 billion deficit this year, and if we do not impose a tax increase on the American people, they are going to pay far more in the way of increased prices.

As far as the appropriations are concerned, the President has been hamstrung because the Congress has been reluctant to send down in time bills to him so that he could use the scalpel to dissect and to cut wherever possible.

I think also that in view of the situation that we are in, the Congress by and large has done a pretty good job in reducing appropriations by somewhere on the order of five billion. I think the President, when he gets all the tax bills, will do just about the same thing, but even this, plus a possible tax increase, will only put a dent in the inflationary process, and the difference between what we face in the way of a deficit this fiscal year is the cost of the war in Vietnam.

Mr. Evans. Senator Mansfield, you say the tax cut is dead for this year——

Senator Mansfield. No, I hope it isn't dead.

Mr. Evans. I thought you said that you thought it was dead this year.

Senator Mansfield. It doesn't look encouraging. I hope——

Mr. Evans. Do you think the Democratic

Party will pass that tax cut next year in an election year when it wouldn't pass it this year? Tax increase, excuse me.

Senator Mansfield. If we don't do this this year, we will be faced with it next year, and next year it will be more politically unhappy for us, but I think we ought to forget the politics in view of the situation which confronts the nation as a whole and do what we think is best for the country and the people and not for the party, because the party should become secondary to the welfare of the Republic.

Mr. Roberts. Senator, the Vietnam War seems to permeate everything in this country at this point.

If you look back historically at the period since World War II, it is beginning to look as though this is the end of our whole adventure in international relations that began with joining the U.N. and so on; all the things we did.

Is this the way it looks to you? Is the United States now in a position where it is beginning to pull in its horns? Are we going neo-isolationist?

Senator Mansfield. I would hope that it would not be the beginning of the end, but I would hope it would be the beginning of a constriction, because we have been overextended in too many parts of the world. We have signed too many mutual security treaties and defense agreements. If we were ever called on to honor more than one at a time, I am afraid that this nation would be in deep trouble. We have gone too far. We have taken unto ourselves too much responsibility.

We ought to constrict those responsibilities and do what we are capable of doing and not what we think should be done or what other people think we should do.

Mr. Roberts. If I remember correctly, you went to Manila in 1954 with Secretary Dulles, yourself, to sign the SEATO Treaty on behalf of the United States.

Senator Mansfield. That is correct, and I signed it unhappily.

Mr. Roberts. What did you think you were getting us into when you signed that?

Senator Mansfield. Not what we are in today because, after all, the States of Indo-China were taken as protocol states. I never thought that the SEATO Treaty, despite the fact that I was one of the three signatories, was a very strong document. I don't think it is today.

Mr. Rogers. Senator, in view of the fact that we have had several pauses in the bombing in the past, including one that lasted for 37 days, precisely what leads you to believe a halt in the bombing now might bring about some sort of successful resolution of the Vietnam War?

Senator Mansfield. I don't know whether it will or not, but so many of our friends in the United Nations, as well as those who are not so friendly, have indicated that that would be a first step, and so I believe have some of the senior North Vietnamese officials, though they have made no commitment that anything would come of it.

I think that we should not have started the bombing in the first place, and we have gone to such a stage now that we have very few military targets left after the bombing of the big airfield at Phuc Yen last week.

There is, if course, the Gia Lam military-commercial airfield three miles outside of Hanoi. There is Hanoi, there is Haiphong, and there are the dikes in the Red River. And, as our targets have become less, so have our alternatives.

Mr. Rogers. Is it possible that this trying to stop the bombing has become simply an empty slogan and has no relationship to results that one would expect——

Senator Mansfield. No one would know unless the attempt is made.

Mr. Rogers. Even though many attempts have already been made and no results have been achieved?

Senator Mansfield. Pauses are not the answer.

Mr. Spivak. Senator, what effect do you think President Johnson's policy in Vietnam will have on his chances for election? Can he win if the war continues as at the present time?

Senator Mansfield. Johnson and Humphrey will be the nominees of the Democratic Party, and I think when you think of those whom the Republicans are pushing at this time that he can defeat them, because many of them, most of them, are evidently more eager to expand the war than is the present administration, which is trying to guide a middle course.

Mr. Spivak. Senator, there are many Republicans who are saying now that a Republican President would be in a better position to end the war in Vietnam than a Democratic President. Would you give us your judgment on that?

Senator Mansfield. I doubt it.

Mrs. Dickerson. Senator, in your discussion of a tax increase before, you mentioned the problem of possible inflation, growing inflation. Do you think there should be controls, wage and price controls?

Senator Mansfield. Oh, yes, indeed, and I have advocated that to the President for over a year now, because when you figure that this war is bigger in many respects than the Korean War and is going to get bigger before it gets lesser, we ought to face up to the realities of the situation, pull our heads out of the sand and recognize that as long as this war continues, certain sacrifices are going to be necessary.

These men who are in Vietnam are not there by choice. They are there because they are carrying out the policy of their government, and they are fulfilling their duty and their obligation.

I believe there ought to be wage and price controls. I believe there ought to be a tax increase, and I think this matter of the investment tax credit ought to be looked into again and restored.

Mrs. Dickerson. When you mentioned the matter of controls to the President, did you get much support for your idea?

Senator Mansfield. None.

Mr. Evans. Senator Mansfield, I want to get this perfectly straight here. You are against a pause in the bombing, that is what you are saying?

Senator Mansfield. Yes, because of the reaction that would follow if it was unsuccessful, and I do not want to see the war become more open-ended than it is. It is too open-ended now.

Mr. Evans. So you give the President two choices, either no bombing at all from now on out or a continuation of bombing?

Senator Mansfield. I give the President no choices. He is charged under the Constitution with the conduct of our foreign policy. He is the Commander in Chief of the Army; he has to make the choice, and whatever choice he makes, I will support him. But if it is going to be in the bombing, it had better be permanently.

Mr. Evans. In other words, you would be against a pause?

Senator Mansfield. Yes, indeed.

Mr. Roberts. Do I take it from what you have said in answer to Mr. Spivak's question that you think the Republicans are liable to nominate someone like either former Vice President Nixon or Governor Reagan and that in effect the President then would be the peace candidate next year?

Senator Mansfield. I wouldn't put it quite that way, but Governor Reagan seems to be coming up quite strong in the heart of the Republican country. Mr. Nixon has plowed the Republican delegate vineyard for the last three years. It isn't the people who will nominate a President; it is the delegates, and I would guess that as of now, he probably has the lead, with Reagan coming up strong and Romney somewhere off in the distance?

Mr. Rogers. Senator, a moment ago you said the Vietnam war would get bigger before it gets lesser. Can you expand a little bit on that? How much bigger? In what way?

Senator Mansfield. No one can tell in what way except that it is an established fact that on the basis of reports issued by Secretary of Defense McNamara there will be 525,000 troops in South Vietnam in the middle of next year, July of 1968. I would point out that in addition you have got 35 to 40,000 Thailand, you have got 50 to 60,000 in the Seventh Fleet, you have probably got 40,000 in Okinawa, and you have got backup forces in the Philippines and Guam and in this country as well. There is no sign at all that this war is coming anywhere near a conclusion. There is no glimmer of hope in the tunnel at the end, and we have to face up to this and be realistic about it.

Mr. Spivak. Gentlemen, and Mrs. Dickerson, we have less than three minutes.

Senator Mansfield, you were a former college professor. There are many people who think these student demonstrations have gone far beyond the right of peaceful demonstration. Would you give us your opinion on them?

Senator Mansfield. Yes. I believe in these demonstrations. I believe in the right of dissent providing it is constructive, but I do not believe in license. I believe in the guarantees of the Constitution. I do not believe in a very small minority of the group that met in Washington over the last weekend throwing lighted torches into the faces of troopers, cursing them, swearing at them, pushing them, trying to create incidents, because I think this small violent minority took away the good which the overwhelming majority, 99½ percent, tried to do in a constructive way to show to their government just how they felt, because the right of petition, free speech and assembly must be maintained, but it must be constructive. The right of license and the right of breaking the law must not be allowed.

Mrs. Dickerson. Senator Mansfield, you said there wasn't any light at the end of the tunnel as far as the war was concerned in Vietnam. Your colleague, Senator McCarthy, suggested that the first thing to solve the war might be the quiet resignation of Secretary Rusk. What do you say to that?

Senator Mansfield. I would disagree.

Mr. Evans. Senator Mansfield, following up Nancy's question, you see no hope today in the war. What would you do to solve this war?

Senator Mansfield. I would do what the President is doing, exploring every avenue, many of which have been publicized, many unpublicized, and I would really push on this UN resolution to see if the UN, which is supposed to have a function which certainly encompasses the difficulty in which we find ourselves, would take up the cudgel and face up to its responsibility.

Mr. Roberts. Senator, what is going to be the big issue next year: the war in Vietnam or the racial problem at home?

Senator Mansfield. Vietnam, urban disturbances or disturbances in the urban areas and, very likely, taxes. And that combination is going to be a most difficult one to face up to.

Mr. Rogers. Senator, what is your reaction to the current speculation of the possibility of dropping Mr. McNamara from the Cabinet?

Senator Mansfield. I think it would be a mistake. I think he is the best man in the Cabinet, the best man that the Defense Department has had in a long, long—the best man ever. A most serious mistake.

Mr. Spivak. I am sorry to interrupt, but our time is up. Thank you, Senator Mansfield, for being with us on Meet the Press.

FOURTH ANNIVERSARY OF PRESIDENCY OF LYNDON B. JOHNSON

The ACTING PRESIDENT pro tem-week Lyndon B. Johnson completed 4 years of service as President of the United States. The anniversary finds the Nation confronted by what sometimes must seem to be a mountain of difficulties. The conflict in Vietnam goes on in spite of a great desire to bring it to a close on an honorable basis. The divisive and ominous problems of the cities seem to accumulate more rapidly than we are able to disperse them or even to cover them with makeshift. Americans with modest incomes already feel the pressures of the inflation which the cost of the war in Vietnam has generated. Curbs far more irksome than a tax increase may lie ahead for all of us if the conflict is not brought to a conclusion in the near future. The devaluation of the British pound has brought obscure but nonetheless discomforting concerns for our overall international financial situation.

These difficulties combine to produce a valid national anxiety. It is an anxiety which is not going to be dispelled either by exhortations to be of good cheer or by personal villification of the President. What may help to introduce a measure of balance with regard to these anxieties, however, is a look back, to the beginning of the first year, at the end of the fourth year of Mr. Johnson's service as President of the Nation. That, too, was a time of grave concern which was also overlain with an immense national grief. The leadership of President Johnson was decisive at that critical moment. By the strength of his fierce dedication as well as by his humble acceptance of the massive responsibilities which had been thrust upon him, he coaxed the Nation from the pit of despair and confusion into which it had been plunged by the assassination of President Kennedy.

We went on from there, Mr. President. The Nation went on from there and Congress went on from there. In the Senate we took up the President's first appeal to us when he said: "Let us continue." We did continue. Under President Johnson we joined with the House to write into the statute books one of the most extensive social and economic advances in our history. We strengthened the legal foundation for an American nation attuned to the contemporary needs and the full potentialities of all of its people. That kind of America was John F. Kennedy's great vision, and President Johnson's administration worked without partisanship with Congress to build a statutory house to accommodate the vision. In civil rights, in medical and hospital care of the aged, in education, in the preservation and improvement of the physical environment, and in a hundred other aspects of the life of the Nation, the machinery is now largely in place for doing what needs to be done. And that it is there is due largely to the leadership of the President.

So I would remind the Senate at the beginning of the fifth year of Mr. Johnson's Presidency that we have come a long way. The extent of the achievements may be obscured by Vietnam but they will be there working for the people of the United States long after the cloud of that conflict has lifted.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION—AMENDMENT OF ACT OF JULY 4, 1966 (PUBLIC LAW 89-491)—CONFERENCE REPORT

Mr. DIRKSEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491). I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

CONFERENCE REPORT (H. REPT. NO. 987)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8629) to amend the Act of July 4, 1966 (Public Law 89-491) having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendment.

EVERETT M. DIRKSEN,
JOHN L. MCCLELLAN,
Managers on the Part of Senate.
BYRON G. ROGERS,
BASIL L. WHITENER,
ANDREW JACOBS, JR.,
RICHARD H. POFF,
CHARLES E. WIGGINS,
Managers on the Part of the House.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DIRKSEN. Mr. President, H.R. 8629, as passed by the House, extended the time within which the American Revolution Bicentennial Commission shall report to the President to July 4, 1969; authorized the appropriation of funds to finance the work of the Commission; and added the Secretary of Commerce as an ex officio member of the Commission.

The Senate amended the House-passed bill by adding a provision which increased from four to six members each the House and Senate representatives on the Commission.

The conference report recommends that the Senate recede from its amendment.

Mr. President, I move the adoption of the conference report.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. DIRKSEN. Mr. President, I move that the Senate recede from its amendment.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1003. An act to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; and

S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12603. An act to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; and

H.R. 14098. An act to amend the act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, as amended.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 12603. An act to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

H.R. 14098. An act to amend the act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, as amended; to the Committee on the District of Columbia.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Secretary of Defense, transmitting, pursuant to law, reports on overobligations of expenditures within the Department of Defense (with accompanying reports); to the Committee on Appropriations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on use of contractor personnel to perform research functions within facilities of the Air Force Cambridge Research Laboratories, Department of the Air Force, dated November 1967 (with an accompanying report); to the Committee on Governmental Operations.

CANCELLATIONS AND ADJUSTMENTS OF DEBTS AGAINST CERTAIN INDIANS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the cancellations and adjustments of debts against individual Indians and tribes of Indians, covering the fiscal year 1967 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF NATIONAL ACADEMY OF SCIENCES

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the President, National Academy of Sciences, Washington, D.C., transmitting, pursuant to law, a report of that Academy for the fiscal year ended June 30, 1965, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare and ordered to be printed as a Senate document.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Interior and Insular Affairs, as follows:

ASSEMBLY JOINT RESOLUTION 32

Enrolled joint resolution memorializing the United States Congress to consider the establishment of a Mining Research and Products Laboratory in Platteville, Wisconsin

Whereas, basic research in expanded uses of this country's mineral reserves has been ignored for too long, leaving a national need unfulfilled; and

Whereas, the state university of Platteville, Wisconsin, has the only centrally located mining school in the United States; and

Whereas, the close proximity of the lead and zinc deposits in southwestern Wisconsin and the iron ore deposits in northern Wisconsin and Minnesota makes Platteville an ideal site for a mining research laboratory; and

Whereas, the optimum economic utilization of the zinc and lead deposits in this area would be considerably enhanced by such a facility; and

Whereas, the laboratory would have the same relationship with the mining industry as the successful Forest Products Laboratory in Madison, Wisconsin, has with the lumber industry; now, therefore, be it

Resolved by the assembly, the Senate concurring, That the legislature of the State of Wisconsin respectfully memorializes the United States Congress to consider the establishment of a Mining Research and Products Laboratory in Platteville, Wisconsin; and, be it further

Resolved, That duly attested copies of this resolution be transmitted to the Secretary of the U.S. Senate, to the Chief Clerk of the U.S. House of Representatives and to every member of the Congressional delegation from Wisconsin.

WILMER H. STRUEBY,
Assembly Chief Clerk.
HAROLD V. FROEHLICH,
Speaker of the Assembly.
WILLIAM P. NUGENT,
Senate Chief Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 13893. An act making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 807).

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

H.R. 13510. An act to increase the basic pay for members of the uniformed services, and for other purposes (Rept. No. 808).

HOUSING AND URBAN DEVELOPMENT ACT OF 1967—REPORT OF A COMMITTEE—INDIVIDUAL AND ADDITIONAL VIEWS (S. REPT. NO. 809)

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report an original bill (S. 2700) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, and I submit a report thereon. I ask unanimous consent that the report be printed, together with individual and additional views.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alabama.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROUTY (for himself and Mr. CLARK):

S. 2695. A bill to extend title II of the Manpower Development and Training Act of 1962 through 1972; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 2696. A bill to designate the New Poe Lock at Sault Sainte Marie, Mich., as the Father Marquette Lock; to the Committee on Public Works.

S. 2697. A bill for the relief of Edward Regan; to the Committee on the Judiciary.

(See the remarks of Mr. GRIFFIN when he introduced the first above mentioned bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2698. A bill for the relief of Dr. Carlos T. Toledo; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 2699. A bill to amend the Tariff Schedules of the United States to reduce the rate of duty on rods of molybdenum disilicide; to the Committee on Finance.

By Mr. SPARKMAN:

S. 2700. A bill to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development; placed on the calendar.

(See reference to the above bill when reported by Mr. SPARKMAN, which appears under a separate heading.)

By Mr. BENNETT:

S.J. Res. 124. A joint resolution to designate April 22–28, 1968, as "National Conservation and Natural Beauty Week"; to the Committee on the Judiciary.

TO EXTEND MDTA TITLE II AUTHORITY FOR A 3-YEAR PERIOD—TO JUNE 30, 1972

Mr. PROUTY. Mr. President, on behalf of myself and the senior Senator from Pennsylvania [Mr. CLARK] I introduce for appropriate reference, a bill to amend the Manpower Development and Training Act of 1962, in order to extend the training provisions under title II of the act. Section 310 now provides that all authority conferred under title II of the act shall terminate at the close of June 30, 1969, and that no disbursements shall be made pursuant to the authority conferred under title II of the act after December 30, 1969.

The ACTING PRESIDENT pro tempore. Without objection the bill will be received and appropriately referred.

The bill (S. 2695) to extend title II of the Manpower Development and Training Act of 1962 through 1972, introduced by Mr. PROUTY [for himself and Mr. CLARK] was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. PROUTY. Mr. President, this proposal permits, as quickly as possible, extension of the authority under title II for another 3-year period, in order to assure that the work under way and projects in the developmental stage can be continued at an uninterrupted pace. A potential discontinuance in funding authority will bring on an unfortunate but necessary slowdown in commitments by State agencies to provide training facilities and instructors. There is, of course, a resulting disruption in the flow of benefits to the trainees.

With respect to MDTA funding, administrative policies have been adopted to assure that MDTA moneys are working as rapidly and continuously as possible. These policies require that MDTA projects begin within 60 days after approval date, and that the last section of any project start within 1 calendar year from the date the first group of trainees begin training.

Under the present provisions of section 310 of the MDTA, title II training authority will expire on June 30, 1969, and all disbursements must be made prior to December 30, 1969. But, of course, fiscal year 1969 begins on July 1, 1968, which leaves almost no time to initiate multiple projects from appropriations from that fiscal year—the year in which title II authority will terminate. Because of the nature of these projects, which make up most of the title II effort, it will be necessary to start the phaseout even before fiscal year 1968 ends to make certain that all funds are disbursed before December 30, 1969. Thus, very few multioccupational projects can be approved after July 1, 1968. Many such projects will start as late as September 1, 1968. The basic education phase will require approximately 3 more months on the average. Occupational training would begin on the average about January 1, 1969, and the training will have to be completed within 6 months or less.

Under these circumstances, it would not be feasible to try to carry on a realistic program. Beginning January 1, 1968, there will be little alternative for the administering agencies except to start phasing out the program in order to keep within the present statutory limitation.

It is important to mention that training station capacity has been created in over 100 skill centers for an average daily attendance of about 70,000 MDTA institutional trainees. If title II authority is not extended, it will be necessary gradually to vacate these stations beginning

January 1, 1968, in order to complete all projects now approved for the centers.

The MDTA has an influence in bringing innovations and change to educational and vocational programs. The skill centers idea, is just beginning to prove its worth for training the disadvantaged. It has been reported to me that the Office of Education has had many calls from school officials, both public and private, indicating apprehension over whether to continue multiple occupational projects, because of their concern over the possible discontinuance of funds. It is this type of apprehension which I want to eliminate by this bill.

From the time the MDTA was first being considered in the Senate, I have been a strong supporter of the act and of the amendments in 1963, 1965, and 1966 which have strengthened its basic provisions. However, I have viewed it as an experiment which should be tested before meriting the Senate's full commitment, as I stated on the floor of the Senate in 1961. It seems to me the program has demonstrated an effectiveness and should move along to the maturing stage.

The Secretary of Labor and the Secretary of Health, Education, and Welfare have reported to the Congress some pertinent facts about MDTA which include the following data for the period August 1962 through June 1967: approximately 750,000 individuals have been enrolled in MDTA training: almost 580,000 for institutional training and over 170,000 for on-the-job training; almost $1.2 billion total Federal funds were authorized for this training effort; 75 percent of the institutional completers and 89 percent of the OJT completers were employed when last contacted. Of these placements, 77 percent of trainees from institutional programs and 92 percent from OJT were employed in training-related jobs.

Placement of unemployed persons in a job is certainly one of the acid tests in measuring accomplishments under the Manpower Development and Training Act.

Accomplishments viewed from the examination of national totals are impressive, indeed. But, I am more persuaded that the act has merit when I view it from its impact on a small State—the State of Vermont. There, some 3,000 training opportunities were authorized at a total Federal funding of almost $4.2 million between August 1962 and June 1967.

Small though the numbers may be, persons are being reached and assisted. Take a very small project in Vermont for MDTA training in Christmas tree production and wreath making. This is tailored to the needs of the people. The initial project in this field was developed in the fall of 1966 and operated in two concurrent sections from October 10, 1966, to November 4, 1966. The second project in Christmas tree production is currently operating. The project was developed with a two-fold purpose: first, to upgrade those persons presently engaged in the production of Christmas tree and wreaths but earning a substandard income because of a lack of knowledge in production methods and marketing; second, to train the low income farm families—less than $1,200 net annual income—who need a diversified occupation to utilize the resources and to add to their submarginal income.

The course was developed by the Vermont Department of Employment Security in cooperation with the extension service and with the support of the Vermont Department of Forest and Parks and the Vermont Department of Agriculture. The seasonal pattern is not a factor in this occupation since the product to be harvested in the winter must be cultivated throughout the year. Practices such as planting, weeding, fertilizing and shearing are necessary to produce a salable project; this requires year-round activity by resident labor.

An influential factor in this expanding industry is the increased demand from Pennsylvania and New Jersey for wreaths in excess of 75,000 above the present market. Training residents to produce quality wreaths at reasonable cost will take advantage of this market demand.

Twenty-five percent of the 1966 course participants were contacted prior to January 1967 for comments on their estimated financial gain and commentary on plans, work done, and the effectiveness of the course. The commentary presents an important picture of the value of the course.

Excerpts include:

> "I sold 30 tons of brush at $37 per ton—this was extra income above what I usually sell."
>
> "Want to discuss cedar oil market prospects from what was taught in class."
>
> "I never was interested in the Christmas Tree Grower's Association before, but now I have joined it because they can help me. They also go over other farm problems with me."
>
> "I shaped 200 trees since I finished the course, and my wife and I made and sold 1,000 wreaths this year, that's about 300 more than we ever did. I got 15 to 20 cents more per wreath than last year."
>
> "I cut brush, shape trees, and get wreath material in one operation, a real time-saver."
>
> "I made and sold seven dozen wreaths this year and secured a market in Massachusetts for more next year. Also shaped 700 trees since the course finished."
>
> "If I had to sell my cows, I could make a very good living from the woods. All this is because of my training in the project."

This sample, representative of about 25 percent of those trainees in the Christmas tree project, indicates that initially there was an average increase of about $400 income per person above their efforts prior to training. Over longer period of time, participants will be able to use their skills to produce a better crop on a year-round basis and substantially increase their annual earnings. These Vermonters have been able to retain their residence and their way of life, and have gained greater financial independence.

The MDTA is a conveyor of benefits to unemployed and underemployed individuals in our society. As such, it must be able to meet the needs of the individuals, and it is in this respect that the act has shown that it is an instrument adaptable to changes in these needs.

When the Manpower Development and Training Act of 1962 was being first considered by the Congress, our primary concern was to cope with the problem of experienced and, generally, skilled workers, heads of households, who had been displaced by automation. It was clear that manpower retraining was called for. Early in the administration of the act, however, it became apparent that numbered among the unemployed were persons unable to benefit from available skill training because they lacked basic education. These unemployed were indeed disadvantaged persons who needed many supportive services as well as occupational training, in order to get and hold a job.

Adapting the MDTA to meet these needs has been accomplished both by administrative redirection of the thrust of manpower training programs and by additional statutory provisions in 1963, 1965, and 1966 to facilitate this redirection. These substantive amendments to the MDTA have included authority to provide for basic education and supportive services and to use private schools and training facilities, plus a range of amendments to the allowance provisions to permit increased dollar amounts of assistance for trainees during their course of instruction. The act provides benefits for the youth and the adult, the uneducated-unskilled and the skilled, the new entrant to the work force and the long-term unemployed. This bill simply provides for an additional period of time for the act to come of age through additional experience gained from administration of its provisions. One way for the maturing process to progress is to permit techniques undertaken on a small scale and/or experimental basis to catch hold.

I think I can speak for the Committee on Labor and Public Welfare to assure you that the committee will continue to observe the administration of the MDTA in the next 3 years with the same thoroughness it has shown during the past 5 years. In introducing this bill, today, I am also confident that the program's quality of excellence through its experimental phase will be exceeded during the next 3-year period.

FATHER MARQUETTE LOCK

Mr. GRIFFIN. Mr. President, the great locks at Sault Ste. Marie, Mich., which link Lake Superior with the other Great Lakes and the St. Lawrence Seaway system, are world famous.

The giant lock system, capable of transiting the largest of the vessels plying the Great Lakes route, are the busiest in the world, accounting for more tonnage than the Suez and Panama Canals combined. The locks are not only vital to the commercial and economic development of the upper Great Lakes region, but they are among the most popular tourist attractions in the world.

Mr. President, in 1968, two important events will take place at Sault Ste. Marie.

In the first place, a new lock which is referred to as the "New Poe lock," will be dedicated in June. Constructed by the Army Corps of Engineers, this new lock will be one of the largest in the world.

Second, 1968 will mark the tercentennial anniversary of the founding of

Sault Ste. Marie by Father Jacques Marquette, the French missionary whose explorations brought civilization to the heartland of America, and opened the way to early French settlement of vast areas of the North American Continent.

It happens that the new lock will be located at almost the same spot where Father Marquette first set foot on our land.

Mr. President, along with my colleague from Michigan, Representative RUPPE, I believe these two historic events should be recognized in an appropriate manner.

Accordingly, Mr. President, I introduce for appropriate reference, a bill which would designate the new lock at Sault Ste. Marie as the "Father Marquette lock."

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2696) to designate the New Poe lock at Sault Ste. Marie, Mich., as the Father Marquette lock, introduced by Mr. GRIFFIN, was received, read twice by its title, and referred to the Committee on Public Works.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENT

AMENDMENT NO. 474

Mr. CARLSON. Mr. President, on behalf of myself, the senior Senator from Indiana [Mr. HARTKE], and the junior Senator from Indiana [Mr. BAYH], I submit an amendment, intended to be proposed by us, jointly, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes. I ask that the amendment be printed and lie at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed and will lie on the table.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO FOREIGN ASSISTANCE APPROPRIATION BILL, 1968

AMENDMENT NO. 475

Mr. PASTORE submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 13893) making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes, the following amendment, namely: Page 23, after line 5, insert the following:

"SEC. 404. The joint resolution of October 5, 1967 (Public Law 90–102), is hereby amended by striking out 'December 2, 1967' and inserting in lieu thereof 'December 18, 1967'."

Mr. PASTORE also submitted an amendment, intended to be proposed by him, to House bill 13893, making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 476

Mrs. SMITH submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 13893) making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes, the following amendment, namely: Page 15, after line 16, insert the following:

"SEC. 119. Hereafter, none of the funds obtained or authorized to be obtained from the sale of notes under authority of paragraph 111(c)(2) of the Economic Cooperation Act of 1948 or paragraph 413(b)(4)(F) of the Mutual Security Act of 1954 may be used for the purposes of discharging liabilities under any guaranties (exclusive of informational media guaranties) issued under sections 221(b) and 224 of the Foreign Assistance Act of 1961, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, and section 111(b)(3) of the Economic Cooperation Act of 1948. Any portion of the funds in the reserve established pursuant to section 222(e) of the Foreign Assistance Act of 1961 which are attributable to the funds realized from the sale of notes specified in the preceding sentence shall be transferred to the general fund of the Treasury. The Secretary of the Treasury shall cancel all such notes and sums owing and unpaid thereon, including interest to date of cancellation."

Mrs. SMITH also submitted an amendment, intended to be proposed by her, to House bill 13893, supra, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENTS

AMENDMENT NO. 477

Mr. BREWSTER submitted an amendment, intended to be proposed by him, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 478

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to House bill 7977, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 479

Mr. YARBOROUGH submitted an amendment, intended to be proposed by him, to House bill 7977, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New York [Mr. KENNEDY] I ask unanimous consent that, at its next printing, the name of the senior Senator from Texas [Mr. YARBOROUGH] be added as a cosponsor of the bill (S. 2395) to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New York [Mr. KENNEDY] I ask unanimous consent that, at its next printing, the names of the Senator from Montana [Mr. MANSFIELD], the Senator from Michigan [Mr. HART], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], and the Senator from Vermont [Mr. PROUTY] be added as cosponsors of the bill (S. 2614) to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States, for a term of 3 years from October 22, 1967—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, December 5, 1967, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 28, 1967, he presented to the President of the United States the following enrolled bills:

S. 287. An act for the relief of Wen Shi Yu;

S. 706. An act to amend section 27 of the Shipping Act, 1916;

S. 764. An act to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath;

S. 770. An act to amend an act to provide for the establishment of a public crematorium in the District of Columbia;

S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended;

S. 1781. An act for the relief of Kyong Hwan Chang; and

S. 2428. An act to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of

Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes.

"THE GENESIS OF THE CONTRACTUAL THEORY AND THE INSTALLATION OF THE DUKES OF CARINTHIA"—BOOK BY PROF. JOSEPH FELICIJAN

Mr. LAUSCHE. Mr. President, recently a book entitled "The Genesis of the Contractual Theory and the Installation of the Dukes of Carinthia," was published by Prof. Joseph Felicijan a member of the teaching staff of St. Johns College, Cleveland. In this work Dr. Felicijan explores the impact of Bodin's famous "Republic" upon the formulation of the contractual theory of government in general, and in particular, its impact upon Thomas Jefferson and the drafting of the Declaration of Independence.

In Jefferson's copy of Bodin's work Professor Felicijan discovered that Jefferson had initialed two pages. On one page was Bodin's definition and characterization of a tyrant, which was quite similar in concept to phrases used in the Declaration of Independence. On the other initialed page was a description of the installation of the Dukes of Carinthia, a Slovenian ritual which may have contributed greatly to the founding of our own great country. According to Dr. Felicijan:

> Jefferson evidently considered the ancient ritual of the Installation of the Dukes of Carinthia a common law precedent and the confirmation of the Contractual Theory upon which he based his claim for the American Independence.

These remarkable conclusions of Dr. Felicijan, based upon his extensive study in the area, are worthy of note both because of their historical importance and the practical lessons which we can learn from them.

Now the contractual theory of government has been used by many philosophers as a conceptual tool by which they could explain the relation between the governing and those governed. The theory begins with several assumptions, one being that all men are equal in a political sense, and from this the conclusion that no one person has a natural right to rule another. But we all know that a society has to have some form of government.

Based upon these counterpoised assumptions—the denial of the natural right to govern and the need for government—there developed the theory that there is a contract between those who are to rule and those who are to be ruled, and each party has rights and obligations under this contract. This, Mr. President, is the contractual theory stated in its most basic terms. It is a useful concept in that one can describe governmental problems and powers by describing the terms of the contract.

Many objected to the theory, including those who lived during the time of the American Revolution. They claimed that while the theory was interesting it was, nevertheless, a part of the philosophers' dream world. No society ever made such a contract with those who ruled it, they contended. Indeed, Jefferson may have felt that way himself at one time. But he found historical evidence to the contrary.

When Jefferson read Bodin's "Republic," he learned of the ancient Slovenian ritual known as the installation of the Duke of Carinthia. This custom, which was still being practiced during the time of the American Revolution, was living proof that the social contract did, in fact, exist, at least among the Slovenians.

Mr. President, I shall read from Dr. Felicijan's book where he quotes Bodin's description of this unique Slovenian custom:

> There is nothing to compare with this custom observed in Carinthia, where even today in the vicinity of the town of Saint Vitus one can see a stone of marble in a meadow. Surrounded by the people and holding a black cow with his right hand and an emaciated mare with his left, a peasant mounted this stone. This duty belonged to him by right of succession. He who was all garbed in red, with banners carried in front of the duke. All were proper in dress except the duke who walked dressed as a poor shepherd with a shepherd's crook in his hand. The peasant sitting on the stone cried out in Slovenian: "Who comes forward so boldly?" The people answered that this was the prince. Then the peasant asked again; "Can he be a judge? Is he concerned with the well-being of the country? Was he born a free man? Does he observe the true religion?" They answered: "He is and he will be." Then the peasant slapped the duke gently. After having promised the peasant he would be exempt from public burdens, the duke mounted the stone and brandishing the sword he promised the people to be a righteous judge. He attended the mass still clad in the same vestments. Then he donned the ducal vestments and returned to the stone, where homage and the oath of fealty were rendered him.

Notice the strong elements of democracy and the American attitude toward government reflected in this custom of the Slovenian people living in Carinthia. The duke-to-be did not wear fancy clothes; he was dressed as a man of the people. The peasant on the stone assumed an indifferent attitude toward his future leader until the agreement between the parties had been reached.

Also notice, if you will, the questions asked of the duke. "Can he be a judge? Is he concerned with the well-being of the country?" He was not asked whether he was a nobleman, whether he was wealthy or famous, nor was he asked whether any interest group would receive special consideration. Notice also, Mr. President, who promised first. It was the duke. He had to promise to be a righteous judge before the people swore allegiance.

The Slovenians believed that the power to govern rested with the people who were to be governed, not those who were governing. They believed that their rulers should be men of the people, of all the people. They believed that the true qualities of those in government should be competency and concern. They believed that their leaders had a solemn duty to the people to be righteous. And we Americans believe in these same principles today. So did Thomas Jefferson during the time of the Revolution.

Perhaps Jefferson's convictions were confirmed when he read Bodin's description of this beautiful Slovenian custom, a custom which lasted for over 1,000 years. Maybe the American form of government was reaffirmed because of Jefferson's reading about the installation of the Dukes of Carinthia. We are grateful, Mr. President, to Professor Felicijan of St. John College of Cleveland for his exploration into these possibilities.

VIETNAM—A NEW REASON FOR U.S. INVOLVEMENT

Mr. BYRD of Virginia. Mr. President, various reasons at various times have been advanced by the administration to explain U.S. involvement in the Vietnam war. To these, a new one has been added by Walt Rostow, Special Assistant to the President for National Security Affairs, and one of the President's most trusted advisers on Vietnam.

Mr. Rostow is quoted by Look magazine's foreign editor, J. Robert Moskin, in the issue of December 12, 1967, as suggesting that American involvement in Vietnam is helping Hanoi maintain its independence from Communist China.

I would like to quote Mr. Rostow directly from that article:

> I have no doubt the men in Hanoi cherish their independence. I do not regard them in any simple way as puppets. On the other hand, if we left the Asian mainland, they would themselves be hard put to maintain their independence. . . . What made Tito possible? There was very close to him American power in Europe.

Mr. President, I find this statement almost unbelievable.

Mr. Rostow seems to be saying that we are fighting in Vietnam to preserve the independence of North Vietnam. This will surely come as a shock to the parents of those Americans fighting in South Vietnam against the armies of North Vietnam.

There is understandable confusion about the war in Vietnam—about our reasons for becoming involved in the first place; and about the way in which the war is being conducted.

Mr. Rostow has done no service for the administration in suggesting this new rationale for the American commitment in Southeast Asia. He is adding confusion to an already confused situation.

TRIBUTE TO SENATOR DIRKSEN FOR REMARKS ON SUPREME COURT'S NULLIFICATION OF THE CONSTITUTION

Mr. LAUSCHE. Mr. President, I wish to speak briefly regarding a statement made in this Chamber some time ago by the minority leader, the distinguished senior Senator from Illinois [Mr. DIRKSEN]. I did not know the Senator was present this morning.

Mr. DIRKSEN. I am always here.

Mr. LAUSCHE. Probably the Senator will be pleased with what I have to say.

Mr. DIRKSEN. I thank the Senator.

Mr. LAUSCHE. Mr. President, the Senator from Illinois made this statement during the course of his remarks on the Supreme Court's attack on our constitutional separation of powers among the executive, the legislative, and the judicial.

At the time he made his statement,

there were few who paid heed, but even then I felt his words were portentous and predicted they would go down in history along with the utterances of two other great champions of liberty, Edmund Burke and Lord Acton.

Edmund Burke said:

> Every age has its own politics and the same attempts will not be made against a constitution fully formed and matured, that were used to destroy it in its cradle.

Lord Acton's aphorism, "Power corrupts, absolute power absolutely corrupts," fits neatly into the distinguished minority leader's rationale in defense of liberty and in the means of changing the Constitution.

A happy combination of Burke, Acton, and Dirksen is made in Lowell Mason's newly published history of the U.S. Supreme Court—of Moovalia.

I deeply believe that the statement of the distinguished minority leader will come true. I shall read a paragraph or two from Lowell's book, "The Bull on the Bench," published this week. What a great title—"The Bull on the Bench."

The book describes a conference between a college professor and one of his students who wants to become a dictator by nonviolent means. In other words, he wants it to appear that he is following lawful precedent.

Professor Bellows advised his pupil, Tom Bullock, as they sat lunching together in the faculty dining room:

> The President can't give you dictatorial powers "contrary to the expressed will of the people in every State of the Union"—but, as the Supreme Court showed, there is more than one way to skin a Constitution!

Professor Bellows reached into his briefcase and pulled out the Congressional Record for the second session of the 88th Congress—1964.

> Let me read you what Everett Dirksen had to say. Many statesmen were as erudite and informed but I cite Dirksen because his seniority in years made truth more important to him than expediency; and his position as Minority Leader of the U.S. Senate saved him from the arrogance of power:
>
> "On June 16, 1964, the U.S. Supreme Court took what may prove to be the longest step toward creating a judicial dictatorship in this country. It constituted itself a supreme authority contrary to the expressed will of the people in every state of the Union."
>
> In a later statement Dirksen said, "To prove this, let these facts be submitted to a candid world. It has refused its assent to laws, the most wholesome and necessary for the public good. It has forbidden governors to pass laws of immediate and pressing nature, unless suspended till its assent should be obtained."

Professor Bellows paused, and added:

> I won't bother to catalog his other specifications, but if you will read Dirksen's analysis of the Supreme Court, you will find it quite similar to Thomas Jefferson's appraisal of King George in the Declaration of Independence.

Professor Bellows stuck the Congressional Record back in his briefcase and turned to Tom.

> You don't need the President, or Congress, just take the appointment on the Court the President offered you. That'll put you on the way to do all the things you want to do.

Mr. President, on the matter of "skinning a Constitution," those who wrote our Constitution recognized that it should be, in effect, an eternal and unchanging document except as changed by massive support of the people to meet particular circumstances which necessitated change. The writers of our Constitution so wrote it that to make any change would be a laborious and practically insurmountable problem. They never realized what was to come—that is, the changing of the Constitution by the Supreme Court.

I concur wholeheartedly in the statement of the distinguished Senator from Illinois [Mr. Dirksen] that the date of June 16, 1964, would be a day to live long and lamentably in the minds of the people of the Nation who recognize the significance of the power the Supreme Court has arrogated to itself.

Mr. DIRKSEN. I thank the Senator from Ohio.

HIGH INTEREST RATES

Mr. WILLIAMS of Delaware. Mr. President, yesterday interest rates under the Johnson administration established a new high with a $35 million triple-A bond of Houston Lighting & Power Co. being sold to yield 6¾ percent.

According to the Wall Street Journal, this is the highest interest rate on record for a comparable bond since the 1865–73 reconstruction period.

Unfortunately, the Johnson administration has still not faced up to the problem of exercising a greater degree of control over Government expenditures action which would eliminate one of the major causes of the present high interest rates.

I ask unanimous consent that notice of this historic achievement of the Johnson Great Society as published in the Wall Street Journal of November 28, 1967, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Financing Business: Houston Lighting Takes 6.73-Percent Annual Cost for $35 Million Bonds With Triple-A Rating

New York.—Interest rates have soared to further new heights for public utility companies borrowing on bonds to finance their construction programs.

Houston Lighting & Power Co. accepted a 6.73% annual net interest cost in selling its $35 million of triple-A rated first mortgage bonds, 6¾% series due Nov. 1, 1997.

Investment specialists said that rate is the highest on record for a comparable bond since the 1865–73 Reconstruction period. It tops by a wide margin the 6.152% that Philadelphia Electric Co. is paying annually for the $75 million it raised Oct. 9 on triple-A rated 30-year 6⅛% bonds.

HIGHER EDUCATION

Mr. PROUTY. Mr. President, my good friend and distinguished senior Senator from Oregon recently delivered an address to the joint convention of the National Association of State Universities and Land-Grant Colleges and the Association of State Colleges and Universities at Columbus, Ohio. Senator Morse spoke to over 1,000 principal administrative officers representing 330 public colleges and universities enrolling over half the students currently studying in American institutions of higher learning.

Senator Morse spoke on the subject "What Will Be Our Higher Education Legacy for 2000 A.D." He used as a subtitle for his speech a quotation from the American Educational Philosopher John Dewey, a distinguished Vermonter, "Questions as Big as the World and as Enduring as Eternity."

The senior Senator from Oregon broadly outlined the guidelines of a program to help solve some of these problems.

> As a consequence of the benefits such a program would bring to the nation and to the world—

He told his audience—

> it would be my hope they could answer Dewey with the ringing affirmative that in our time we had not failed to put the eternal questions strongly and matched them with our appropriate and compassionate answers.

As ranking minority member on the Subcommittee on Education, my colleagues' eminence in the field of education is well known to me as it is to most educators in our country. Mr. President, I ask unanimous consent that the text of Senator Morse's speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Questions as Big as the World and as Enduring as Eternity

(An address of Senator Wayne Morse, Democrat of Oregon, Chairman, Education Subcommittee, Senate Committee on Labor and Public Welfare, to the general session of the joint convention of the National Association of State Universities and Land-Grant Colleges Association of State Colleges and Universities, Columbus, Ohio, Nov. 14, 1967)

President Jensen, Distinguished Guests, Members of the Associations, and friends:

We live it seems in the decade of the centennial observance. So many advances made in the past 100 years are being reviewed, as in area after area courses are chartered for the next moves forward.

This is as it should be. We can gain a perspective, if we pause to look back from where we started, so that we can gain for the time that it takes to breathe, a respite from the pressure to move onward to our dimly seen goals.

This great audience of distinguished men and women who are dedicated to understanding and transmitting the knowledge of the past, and through that understanding transmitting it and minting it anew for each generation of students, is visible proof that an idea can become reality through faith and works.

For it took both to bring into being the great institutions of learning which comprise your Associations. You are a great national treasure and a unique national resource whose value increases each year to all of our citizens. You are a national treasure, because from your laboratories, your libraries and classrooms come the men and women who serve all of their fellow citizens, in industry, government, labor, business and agriculture. Surely these products of your teaching are the only lasting treasure that a nation can have.

You are a unique resource, because of your origins. You carry on proudly the American tradition of democracy. You are not ashamed to stem from the colleges of the mechanic arts of your founding, for you realize that the dream of the architect must be based upon engineering principles, that the voice of the advocate or the hand of the surgeon is to be used in the service of the client, unstintingly, and regardless of ability to pay.

This is the goldsmith hallmark of the professional. That he performs his service to meet and answer human needs. It is a sign of the discipline you have accepted that you do not measure the quality of your offering by the monetary reward you receive.

So I salute you for the past services each of you, and each of your associations has rendered to the common good. I thank you as the representative of the people of the United States for the contributions you have made in every area and discipline. I am confident that in more than full measure you will fulfill the tasks and obligations that the century ahead will bring.

It is fitting that a prophetic voice of forty years ago should again be heard on an occasion such as this: Does the metal of it still ring true?

"Secondary education is asleep. It is dreaming of I.Q.'s, of discipline as against supervision, of conformity to the requirements for college, of methodologies, of pedagogies, of the isness of many inconsequential whys—but for questions as big as the world and as enduring as eternity, she has neither eye nor ear. Human relationships, the struggle against war, the economic chaos of the world, hate between races and religions, the moral delapidation of mankind, the disintegration of the fireside, the apparent triumph of the material over the spiritual—all these receive but a passing glance."

John Dewey spoke of secondary education, but in a sense, it applies, or should apply, to all educational endeavor. These larger questions are your grist for milling. Your primary function is to equip each generation of your students with the intellectual tools they need to fashion their answers based upon principle, to these eternal questions.

So although I recognize the necessity of setting forth on a value free basis, that which is, I regard this only as a prerequisite for the more vital measurement, the assessment of the existing against the model of what ought to be.

We can take comfort, some comfort at least, that the 1960's have, as never before, reflected the concern of the American people for the need to expand at every level educational opportunities for all of our young people.

More young Americans now are attending better schools and are being exposed to more information at every level from pre-kindergarten through post-graduate study than any predecessor generation. But this is not enough.

Despite more than a billion dollars of Federal aid which was added to the elementary and secondary school budgets of a few of our schools, urban and rural, who needed it most, as a Senator, I feel my efforts have been inadequate when I am told in our hearings:

"In one community, for example, a principal received ESEA funds to provide free school lunches for 100 children for each day of the school year. But there were 300 eligible children in the school. In order to distribute the school lunches equally, the principal decided to feed all 300 children once every three days rather than feeding 100 children every day. There was considerable concern in the community because the Negro parents could not understand why their children did not get fed every day. This is fairly typical of the lack of communication between the school and the community and it is indeed unfortunate."

It is very hard to see how a remedial reading program can get started and work well unless first the physiological need of the child for food is met. Obviously in that school system, the greatest improvement they could hope for would follow from the installation of what most of us thought was a standard program since the 1930s. I have been voting for school lunch programs every Congress since I entered the Senate, and I am appalled that we have not yet managed to provide sufficient resources from the agricultural abundance your schools have brought into being through the work you have done with the American farmer, to clear from the learning path of some of our children this unnecessary and morally indefensible obstruction.

What relevance has this for you? Ask yourself what you did when the appropriations bill for agriculture was up? You supported, I am sure, the school lunch program, but were you not more concerned with items more immediately related to your operations?

In the second century of your service to the American people do you not have an enlarged responsibility to make better known to the Congress and to your State legislatures the findings of your research in urban and rural sociology, the results of your interdisciplinary studies, so that effective programs can be developed to meet these human needs?

If you enlarge your horizons to reach into and criticize constructively the ways things are being done, if you develop and advocate sound solutions to these problems, using as tools the authorities such as those contained in Title I of the Higher Education Act of 1965 relating to community service and university extension programs, then you will help to create for your many other concerns the climate of opinion which can assist you in solving your institutional financial problems.

I have spoken of your institutions as being a national resource, well aware that a national resource whether it be timber, waterpower, ore or oil, can be harvested and conserved or it can be willfully and shockingly wasted through exploitation.

To discharge the responsibilities I am suggesting will require an additional commitment of money and talent, if other areas of equal validity are not be cut back or ignored. I propose to help you in every way that I can to develop new sources of financing through additions to existing legislative authorities, not because of your institutions per se, but because I am convinced that it is in the interest of all of our citizens that we develop better ways of providing a full range of educational opportunity to our young people.

But I put to you the necessity of your effort with your Senators and Congressmen to obtain the full appropriation of the presently authorized programs as well.

Let us first take a look at the specifics.

TITLE IV NDEA FELLOWSHIPS

Currently 7500 NDEA fellowships are authorized, that is to say that budget estimates sufficient to support that number can be submitted.

The President asked only for 5,460 new fellowships for fiscal 1968, the current fiscal year at a cost, for these and for funding the second and third year costs of the 12,000 fellowships previously awarded, of $96.6 million.

The signed appropriations bill carried only $86.6 million.

What are the results? You know them only too well.

The answer I received when I asked the question of the Office of Education was:

"Should the requested appropriation of $96,000,000 be reduced by $10,000,000 to $86,000,000 for Fiscal Year 1968, the number of students who could enter the first year of the three-year period of college teacher training in September, 1968 would be reduced from 5,460 to 3,325 (since the second and third year commitments to 12,000 students already in tenure represent a continuing prior obligation of the NDEA Title IV program).

"The practical effect would be to reduce by 45 percent of the level of first year support available to the universities and graduate colleges of the United States in the training of future college and university teachers. Every one of the 193 leading graduate schools of the 50 States would find their level of support for first year fellows reduced by approximately 45 percent in 1968–69 as compared with 1967–68 should the requested appropriation for FY 1968 be reduced from $96,000,000 to $86,000,000.

"The impact of this sharp reduction in the first year support for the training of college and university teachers comes at a time of sharply increasing need for teachers trained at the doctoral level in our rapidly expanding national network of junior colleges, four year colleges, senior colleges, and public and private universities. The proposed 45 percent reduction in first year NDEA Title IV fellowships comes at the same time as projected reductions in most other Federal programs for pre-doctoral training of scientists and scholars to meet our rising national need for specialists trained at the doctoral level."

ACADEMIC FACILITIES CONSTRUCTION

The Higher Education Facilities Act of 1963 has helped to build many libraries and classrooms. It is authorized at $728 million for this year. The appropriation for fiscal year 1968 was $459.7 million. Testimony on construction needs for academic facilities from college and university witnesses suggests a total capital investment need of about $4.375 billion each year, if we are to admit the students who apply under current standards of acceptability.

The contrast between the provision made and the model of what ought to be provided is pretty clear.

Yet you and your colleagues are the only ones who can make clear to the Congress that curtailment in this area is surely penny-wise pound-foolish economy.

Your boards of trustees ought to be pointing this out too, to the newspaper editors of this country and to the banking community. For education is a good investment of the public funds. It returns a higher dividend than almost anything else to our economy.

OTHER AREAS OF UNDERFUNDING

The International Education Act is the prime example of a program of promise and potentiality which has been birth-strangled through non-funding. Your Congress would not even give the Act seed money to start its operations.

The Teacher Corps received $13.5 million rather than the $33 million asked for by the President.

Only half of the $2.4 billion appropriations for the Elementary and Secondary Education Act authorization was funded.

These are examples of areas where you could, and in my view should have a great concern. Your students are those who come from the nation's public schools. Unless the quality of their preparation is high, you are saddled with the cost of remedial work.

So I would counsel you to watch the budget that is submitted in January for next year. Analyze the implications contained in it early and make known vigorously your views upon the adequacy of the funding proposed. In your meetings adopt measures which will let your professional staff who are very able and dedicated keep you informed so that you can act at each key point in the process with maximum effect.

But beyond this, and for the future, for the long haul as we leave this century and enter the next, I believe that the national interest calls for a new departure for meeting more adequately the operational as well as the capital costs of higher education.

We shall soon be in hearings on the Higher Education Amendments of 1967. If your deliberations at this meeting produce recommendations for a beginning in this area of future financial assistance, I shall be delighted to hear your witnesses in the course of those hearings.

Let me share with you some of the policy considerations which such proposals should contain if, in my judgment, they are to command effective support in the Senate.

First, the aid proposed should encompass both public and private institutions of higher education.

Second, it should recognize the advisability of support being extended to all institutions of higher education whether they be 2 year, 4 year, or university level including those aggregates of 4 year undergraduate institutions which have ties with a common graduate center.

Third, provision should be made for equitable distribution of the aid given in terms of the students each serves to all geographical areas of this country, with particular stress in building graduate capacity in those areas which now have limited capabilities in this area.

Fourth, recognition should be given to the costly nature of research activities and additional levels of compensation should be awarded for this function.

Sixth, because of the historic development of higher education in this country certain of our institutions along the eastern seaboard and on the Pacific Coast have attained a preeminence which has resulted in their becoming in recent years the prime receivers of Federal funds from our defense and space agencies and from the National Science Foundation. This is understandable and by no means, in my judgment, improper. But one of the attributes of a politician is the ability to count legislative and appropriations noses. I would strongly urge that for adoption of a program and the initial and continued funding of a program, it would be well to incorporate into the formula a maximum ceiling for funding in any one year, to any one institution.

I have been reviewing draft legislation of this character. It would be my hope that the uses to which such funds as are generated under the formula approach I have briefly sketched could be put would be of a broadly permissive nature, one patterned after the operation and maintenance language which governs the present use of P.L. 874 funds to local school districts in our Federally impacted areas programs, but I would also hope that it would contain a recognition that the land-grant college concept, so successful in agriculture, could be itself transmuted into an equivalent ideal of service to the metropolitan areas which house an ever increasing proportion of our population.

If with your help, we can evolve a new program of broadly based support for our colleges, your successors who meet here or elsewhere in the year 2067 will have cause to sing your praises.

And as a consequence of the benefits such a program would bring to the nation and to the world it would be my hope that they could answer Dewey with the ringing affirmation that in our time we had not failed to put the eternal questions strongly and matched them with our appropriate and compassionate answers.

PRESIDENT JOHNSON RECOMMENDS ELIMINATION OF FINANCIAL BARRIERS IN HIGHER EDUCATION

Mr. YARBOROUGH. Mr. President, in a telephone address to the joint convention of the Association of State Colleges and Universities and the National Association of State Universities and Land-Grant Colleges held at Columbus, Ohio, on November 15, 1967, President Lyndon Johnson issued three challenges to the Nation to be met between now and 1976.

Among these challenges was a central theme of improving the higher educational system of this Nation. In doing so, the President said:

> By 1976, let us strike down the last financial barriers to higher education. Let us make it a national policy that you don't have to be born rich to acquire training in this country, to acquire educational resources and to get a college education. Let the father of a child who is born in a poor cabin with a purple vine growing around the door have an opportunity to get a college education just as the son of America's richest philanthropist.

It pleases me, Mr. President, to note these comments by the President of the United States. I have introduced an amendment to the Higher Education Act which would declare it to be the intent of Congress that universal educational opportunity be provided in this country without regard to financial needs of students. This amendment would authorize a study of all the alternate financial means of providing such universal education so that we might better be able to meet the challenge of the President when he says, "Let us strike down the last financial barriers."

I ask unanimous consent that the speech of the President to which I have referred be printed at this point in the Record to set forth the challenge which he has placed before this Nation.

There being no objection, the address was ordered to be printed in the Record, as follows:

Convention of Educational Leaders

(The President's telephone remarks to the joint convention of the Association of State Colleges and Universities and the National Association of State Universities and Land-Grant Colleges at Columbus, Ohio, Nov. 15, 1967)

Doctor Cornette, Doctor Jensen, college presidents and leaders of higher education, I want to thank you very much for your kind words and the citation you just referred to. I wish I could be there with you this morning, but I do have a busy day here. That is impossible.

Eric Hoffer said not long ago: "America is the only new thing in history." He touched on a theme that has been sounded by many observers, both native and foreign. But what really makes America new? That is what we want to find out. What makes America new? What makes America different?

The answers range far afield—and sometimes far astray: Skyscrapers are something different about America. Supermarkets and superhighways; mass production and mass consumption; the melting pot; rock-and-roll; chewing gum and soft drinks.

But a better answer to what makes America new or what makes us different it seems to me, lies there with you this morning in your meeting; and in the purpose to which you leaders of our education are dedicated.

In England, 5 percent of the young men and women go to college.

In Germany, 8 percent. In France, 16 percent.

In the Soviet Union, 24 percent.

In America, 43 percent—compared to 5 percent in England, 8 in Germany, 16 in France, 24 in the Soviet Union. In the different America, 43 percent and it is still climbing.

Seven percentage points it has climbed in the last 4 years of which I am very, very proud.

For the first time in history, for the first time anywhere on earth, here in this different America is a land where the young person can set his sights on college with the real hope and expectation of getting there.

There is a world of social change summed up in this one sentence: More than half of the young Americans in college today—more than half of them—are the sons and daughters of men who never went to college.

No slogan of democracy, no battle cry of freedom is more stirring than the American parent's simple statement which all of you have heard so many times: "I want my child to go to college."

The workingman wants his son to be a doctor; the salesman wants his daughter to be a teacher; the teacher wants her child to be a reporter; the housewife wants her boy to be President. She had better think twice about that one.

That rising ambition is one of the great stories of America today. In recent years the Federal Government has made many major commitments—I am glad to say—to help fulfill those ambitions which I have just recounted:

In the last 2 years, our Federal assistance to colleges and universities has doubled: from $2 billion to $4 billion in 2 years. The Federal budget was just a little over $4 billion—the entire Federal budget—when I came to Washington in Herbert Hoover's administration. But it is up from $2 billion to $4 billion in the last 2 years.

Federal programs to help college students have increased by 1,000 percent—scholarships, loans, and work-study grants: from $147 million in 1965—$147 million 2 years ago—to $1.5 billion this year—$1.5 billion to help college students.

Our commitment, therefore, is reasonably clear, I said shortly after I took the oath of President that one of my first goals would be to see that every boy and girl in this country got all the education that he or she could take.

We want every young man and woman to have all the education they can absorb.

But that commitment goes with a very high price tag:

For today, more than 5 million young people already are enrolled in colleges and universities.

In 10 years, there are going to be twice that 5 million—or 10 million.

This is equivalent to increasing enrollments by 50 percent in every single one of our existing colleges and universities—increasing them by 50 percent in 10 years—and then establishing 1,000 new colleges with 2,500 students each.

Even as the students crowd into the colleges and universities, the cost of educating them is still growing.

In these days in Washington, that is one thing that is giving us a lot of trouble: the increased costs of the things we are doing.

By 1975, unless we can ease this financial pinch some way, the annual gap—the gap I am speaking of, between income and expenses in higher education, will be as much as $9 billion.

Yet, as we weigh these costs, we will still hear ringing in our ears all the time the demand of the American parent: "I want my child to go to college."

Then I think, as leaders, you and I must ask ourselves, "What kind of a college do I want my child to go to?"

Even if we meet the challenge of quantity, what about quality?

Will that child be taught by an experienced qualified professor—or by an untrained assistant?

Will most of the professors be Ph. D's—or only a minority that have that training?

Will college offer a challenge to the student—or will it simply be a way to pass the time while waiting to grow up?

The decisions must come first from you who are leaders of higher education. You must do the planning and the deciding. That is one reason why I want to talk to you so much today.

College leaders must decide how to use resources more wisely: And that decision may—and I think will—upset some of the cherished old traditions:

Therefore as one who wants our era to be remembered as the education era, this morning I would urge you education leaders to:

One, experiment with new ways to extend the reach of the teacher without shortchanging the student.

If this Congress does nothing else but pass the public television bill and if we can concentrate in this country and around the world the interest of educators in educational television, there will not only be reform but there will be real revolution in education.

Again, I think you ought to seek more support from private sources—and here I would say especially business because business benefits so directly from higher education; and the better the education generally the better the profits.

Second, we talk a lot about States' rights. This is a right and an obligation as well. The States must make some hard—and courageous—decisions. They don't like to make them. But they must make them.

In the last 10 years, the Federal share of total spending for education has already jumped from 16 percent to 24 percent—not quite doubled, but almost. But the share of support from State and local government has remained virtually unchanged and hasn't jumped a bit.

So some States and communities are carrying only a part of the burden that they must bear. The courage to tax for education should not be limited to lawmakers at the national level. It does take courage to tax.

You look at the polls on any fellow who recommends, who has enough courage to recommend that you do increase taxes in order to avoid inflation, and you will see what happens to that fellow if he takes the courage to recommend it.

A man more interested in his poll than he is in his people is not going to recommend the taxes for education.

So you must pick your leaders with courage and they must do what is right in the knowledge that ultimately the people will sustain them.

Finally, higher education in the next 10 years I think will call for decisions from the Federal Government: momentous decisions—decisions from the President and from the Congress.

We are already—I think in the last 4 years—committed to do our part and a great deal more than anyone ever felt we would be doing 4 years ago. But what will be the size and what will be the shape of the Federal commitment for the future?

We are going to have to find answers to some of these difficult questions. You are going to have to help us provide the leadership to find the answers and the resolutions to those answers.

First: How can the Federal Government best build on the existing programs we already have to help students pay their way, to help colleges build facilities, to help pay the bills for research and graduate education? That is one of the difficult questions.

The second one: How can we find better ways to develop excellence in higher education? Dr. Gardner, who is in my Cabinet, is constantly talking about developing excellence. I am saying if that is high on your agenda of difficult questions to be answered, how can you—you leaders of higher education—find better ways to develop excellence in higher education?

Third: and I think really quite important: How can we find ways to help colleges and universities with the basic costs of higher education?

The time to begin looking at these difficult questions is yesterday. It is now, not tomorrow. I hope that before you leave there today you will enlist as an active participant in trying to help us answer some of these difficult questions.

Just down the road in 1976—it will be 200 years from 1776—we will mark the 200th anniversary of our American Revolution.

I have just gone through historic Virginia. I don't know whether you read about my being at Yorktown or not. I am sure you observed I attended church Sunday.

But as I went through this revolutionary country, I was thinking about not the 200 years since 1776, but the next 100 years—the third century.

I am already asking some of America's most thoughtful men and women to draw up a blueprint for our third century—for the next 100 years—and this is going to be an important mammoth undertaking. I am going to ask them to give us a list of specific goals for the years to come—and an accounting of what they will cost.

So let us declare today three goals to be achieved before we even begin our third century in 1976:

By 1976, let us raise from half—from 50 percent—to two-thirds—66⅔ percent—the proportion of high school graduates who enter college. That is a goal we can reach; not just half of the high school graduates going to college, let us make a step and take on a program of seeing that two-thirds of them get to college.

By 1976, let us strike down the last financial barriers to higher education. Let us make it a national policy that you don't have to be born rich to acquire training in this country, to acquire educational resources and to get a college education.

Let the father of a child who is born in a poor cabin with a purple vine growing around the door have an opportunity to get a college education just as the son of America's richest philanthropist.

By 1976, let us do these things—without any decline in the quality, or as Dr. Gardner would say, in the excellence of higher education.

And let us say to each other today and to the Nation: we have only begun to show mankind how broad our vision is—and how far we plan to go.

So let us get answers to these difficult questions:

How can the Government build on existing programs?

How can we find better ways to develop excellence in higher education?

How can we find ways to help colleges and universities with the costs of higher education?

And between now and 1976 let us raise from half to two-thirds the proportion of high school graduates who enter college.

Let us strike down the last financial barriers.

And let us do these things without any decline in the quality of higher education.

Those are goals worth embracing because as a leader in education—and as a leader in government in the early days of my State—one of our great men said that, "Education is the guardian genius of democracy. It is the only dictator that free men recognize and it is the only ruler that free men will accept."

So those of you who are the leaders in the educational field have some goals and have some objectives. I want you to work with me and I want to work with you, not to get another plaque or another award, but to get these goals that I have just outlined realized in the time alloted to us.

I am sorry I cannot be there with you today. I am seeing Ambassador Bunker and General Westmoreland, and am having a lunch with Secretary Rusk and others.

I do have engagements that made that impossible. But I am happy that you are interested and I am grateful for your help.

Thank you very much.

"YOU AND YOUTH AND THE LAW," ADDRESS BY QUINN TAMM

Mr. BYRD of West Virginia. Mr. President, last Tuesday Mr. Quinn Tamm, executive director of the International Association of Chiefs of Police, gave a speech before a special dinner meeting of the Capital District branch of Kiwanis International.

Mr. Tamm spoke on the subject: "You and Youth and the Law." The substance of his address was that we must increase our efforts to fight juvenile delinquency and juvenile crime.

Mr. Tamm said:

> Every part of the criminal justice system is undernourished. . . . To lament the increase in crime and at the same time to starve the agencies of law and justice is to whistle in the wind.

I believe that this speech is of concern to all of us who care about the rising crime rate, especially among our young people.

I ask unanimous consent that Mr. Tamm's speech, entitled "You and Youth and the Law," be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

YOU AND YOUTH AND THE LAW

(An address by Quinn Tamm, executive director, International Association of Chiefs of Police, before a special dinner meeting of the Capital District, Kiwanis International, Washington, D.C., Nov. 21, 1967)

The single most pressing and threatening aspect of the crime problem in the United States is juvenile criminality.

I assure you that this finding by the President's Commission on Law Enforcement and Administration of Justice came as no surprise to the police of our Nation.

As the representatives of the one agency in our society concerned with the maintenance of social order twenty-four hours a day—three hundred sixty-five days a year—the police are usually the first to be involved when youth actions are contrary to public welfare.

It is the police who have to contain the ghetto gangs from senseless killings and the burning of stores and residences.

It is the police who have to endure the abuse of the "hippie"; it is they who have to inhale the "fragrance" of the "flower children" while attempting to reduce the incidence of drug addiction in our youth population.

It is the police who have the sad and painful duty of informing parents that their children have been apprehended in the commission of a crime.

And it is they who must endure the accusatory pleas of some of these parents that "Our child is not really bad—and don't the police have better things to do than harass children?"

Because the police are on this front line in the war against crime—they are often mistakenly identified as having the responsibility for the total criminal justice system.

I think it should be made clear exactly what the police job is in our democratic system.

Their sworn trust is to enforce the law—to protect the lives, liberties and properties of all citizens;

To prevent crime and to provide certain

limited direction and control for behavior that is not criminal.

When a crime is committed, the police are expected to find the offender—charge him with the offense, and present him to the court—together with the evidence to prove that a crime was, in fact, committed—and specifically by the accused.

There is nothing in these mandates that exempts juveniles from enforcement of the law.

They, too, must be held to answer for the offenses against society.

Immaturity and irresponsibility are not excuses for vandalism, theft, or violence.

Traditionally, the police role in the case of juvenile offenders is to stop the offending behavior and/or take control of the offender so that he will ultimately be required to answer for his transgressions.

The policeman functions as a public agent of discipline and order.

He performs police functions—functions which must be carried out regardless of the age of the offender.

The difference is in method rather than objective so far as juvenile offenders are concerned.

It is part of the policeman's responsibility to make clear to the juvenile that what he has done is in violation of the law—and that he has come under the official sanction of the people.

The policeman initiates action on behalf of society designed to correct the erring behavior of the child.

It is not his function to punish—to scold—or to threaten.

His job is to decide when and for what reason it is necessary to intervene—either on behalf of society or on behalf of the child—to exercise the authority with which he is invested for initiating sanctions to control conduct prescribed by law.

He is expected to inform the person against whom sanctions are invoked exactly why he is taking action.

In some instances—especially with juveniles—he has discretion as to whether to hold the child for disposition by the court—or to advise, counsel, and make final disposition himself.

His is the first step and—in many cases—the last in the program devised by society for handling the cases of juveniles who violate the law or engage in other behavior detrimental or dangerous to their own welfare.

That this approach is followed conscientiously is verified by the fact that more than fifty percent of the cases involving juveniles are resolved at the police level rather than through formal juvenile court procedures.

The efforts of the police to better equip themselves to handle this major criminal justice problem is reflected in the work of our organization—the International Association of Chiefs of Police.

Since 1962, members of our staff have been working on this problem under the auspices of the Office of Juvenile Delinquency and Youth Development, now of the U.S. Department of Health, Education, and Welfare.

The original thrust of this effort was to define the police role in handling youthful offenders.

This examination resulted in a definitive text on the subject which I summarized in my preceding remarks.

In 1964, this project was re-oriented to placing the concepts evolved into practice in police departments across the country with, I believe, notable success.

Based on the results of the first two phases, we have now entered on the third phase that is focused on developing improved relations between the police and youth communities.

In other words, we are placing increased emphasis on the crime prevention phase of law enforcement.

This is true—not only in the juvenile area—but in all police activities.

Crime prevention has always been a primary objective of law enforcement.

While many leading police executives have long understood the importance of this objective—it has often been relegated to secondary importance because of the commitment of available police resources to detection and apprehension of criminals.

The interest of our citizens has been centered primarily on the detection and apprehension phases of law enforcement rather than that of crime prevention.

In addition, there has been—traditionally—a demarcation between social welfare service and police service.

Today, the police and the citizens they serve are coming to the realization that in the attainment of the crime prevention objective lies our greatest hope for law enforcement.

Both the police and the citizen now recognize that crime and the conditions that breed crime—poverty, ignorance, congestion of the disadvantaged, social and economic inequalities—are inseparable.

It is to the credit of many police leaders that they have exercised their initiative in this area by establishing comprehensive programs in such communities to forestall crime.

It is a fact that as much as fifty percent or more of the police man-hours are now utilized in what can be classified as social work to deter crime—including juvenile criminality.

The growing significance of the police role in juvenile criminality is clearly evidenced by the fact that over fifty percent of the persons arrested for burglary, larceny, auto theft, arson and vandalism during 1966 were under eighteen years of age.

The President's Crime Commission report notes that one out of every nine children will be referred to juvenile courts for acts of delinquency before reaching the age of eighteen.

The chairman of the Commission—Nicholas deB. Katzenbach—was quoted recently as saying that the crime rate will continue to rise even if every proposal of the Commission is adopted.

He explained that the major reason for this prediction is that a very large percentage of crime is committed by young people twenty-four years of age and under—

The proportion of young people in society is growing steadily—consequently, a continuing increase of crime can be expected even after the adoption of the commission's proposals.

But it must be appreciated that—without minimizing the importance of our efforts in alleviating juvenile criminality—this problem cannot be the sole focus of police attention.

Every facet of criminal activity in our Nation is increasing.

The police—by the very nature of their duty—must be concerned with the entire spectrum of crime.

This workload has increased tremendously in the past three years as a result of the civil demonstrations and civil disobedience activities that have escalated into civil riots and civil war.

And while the police workload has been compounded, there has been no parallel increase in police resources.

For many years, despite the dedicated efforts of far-sighted police executives, their capabilities have remained largely static.

It is no exaggeration to say that in comparison to the scientific and technological advances so prevalent in other national endeavors, law enforcement is forced to operate with the resources of frontier days.

The police—as a symbol of the restraints required to maintain social order—have suffered from a sociological standpoint.

The militant leaders of minority groups and self-appointed idealists have made the police a special target for their venom and hate—and for publicity purposes.

They have led their deluded followers into massive criminal actions against law and order that in the past three years have resulted in the deaths of one hundred thirty people—twelve of them policemen—

Over three thousand injured—property damage over two hundred million dollars—and an estimated economic loss of over one-half billion dollars.

Many of the participants in these protests have been young people.

Their immaturity, lack of responsibility, and, yes, even misguided idealism in some cases, has made them willing followers in these social disasters.

They have been receptive to the exciting challenges offered them by leaders who would achieve their ends by revolution rather than by due process of law.

In the case of the ghetto youth, any change from their present conditions has been a welcome one.

They have felt that they have had nothing to lose by criminal acts.

Their false messiahs have convinced them that only by violence can justice and equality be achieved.

Young people are the natural recruiting targets for extremists of every ilk.

Groups such as the Ku Klux Klan and the American Nazi Party enlist the unsophisticated under the banner of white supremacy.

The black power advocates—through their revolutionary action movement—recruit for their black guard—a paramilitary group dedicated to the supremacy of black power and black unity.

I want to emphasize that the youth of our Nation who commit these offenses against society are definitely in the minority.

The great majority of our young people are studying and working to provide a better future for themselves and our Nation.

A great majority are serving willingly and with distinction in our Armed Forces.

One of the few favorable aspects in the civil disorders that threatened our cities this past summer was the work of many young people in preventing disasters through cool-headed liaison with the potentially dissident.

It is a heartening fact that great majorities of our young people are living according to the precepts of our social code of ethics and morality.

This fact we should never lose sight of.

However, even if the misguided and malcontents among our Nation's youth are in the minority—the old adage of "one bad apple" cannot be disregarded.

Are we in danger that this disrespect for the law—this contempt for social order—will pervade our society like a cancerous growth?

I think we would be remiss indeed if we did not give our most serious consideration to this possibility.

Youthful rebellion is not unique with the present generation of young people—but it has never, to my mind, been as pervasive as it is today.

We know that there are many contributing factors to juvenile criminality.

We are well aware that our central cities are in serious trouble because of the influx of the disadvantaged and the exodus of the more affluent.

It is not difficult to understand that a child reared in poverty and ignorance without proper parental guidance and with little hope for any satisfactory social and economic status, channels his rebellion against these conditions into criminal outlets.

I say we can understand this—but we condone and disregard it only at our Nation's peril.

Somewhat more difficult to understand is the divergence from expected standards of conduct by the youth who come from the more affluent portion of our society.

We find it difficult to understand—and impossible to condone—deliberate actions of criminality by these youths.

We are told that these acts are rooted in a desire to be recognized—the desire to be taken seriously—and to have their say in the decisions that affect our society.

I believe you will agree with me that there is nothing wrong—in principle—in striving for such results.

But I know you will agree with me that the fulfillment of these desires by acts of criminal violence is totally unacceptable.

We cannot accept the dictates of a Malcolm X—a Stokely Carmichael—or a Rap Brown—that our cities be burned to achieve these results.

We cannot accept the precepts of Marxist-oriented groups—such as the W.E.B. DuBois clubs in many of our colleges—that the overthrow of established social order is a justified means to the desired ends.

We cannot believe that retreat to the "flower world" of Haight-Ashbury is the answer.

We cannot countenance the belief that escape into the marijuana and LSD worlds of Allen Ginsburg and Dr. Leary is the answer.

Retreat and escape are not solutions.

They are only evasions of reality.

It is easy to say what we cannot do—the difficult thing is to determine what we can do—and then do it.

One fact is unmistakable—no single segment of our society can accomplish this task—certainly not the police alone.

They have only one facet of the multifaceted responsibility.

It is their job to enforce the law— regardless of the age, color, creed or social status of the offender.

But this task can be accomplished only with the concerted support of all law-abiding citizens.

The police serve as agents for the citizens in insuring that our society functions within the framework of law and order.

We are endowed with certain inherent freedoms—thanks to the foresight of the founders of our Nation.

But these freedoms are contingent upon equally inherent responsibilities—respect for the law and support of law enforcement.

Today, our Nation faces a crisis in law enforcement.

Some of the youth of our Nation are morally and spiritually crippled because of their social and economic status.

Others of them are troubled because they feel that they are being called upon to sacrifice unduly in shouldering responsibilities not of their making.

In the slums of our cities we find—as was stated in the November 20, 1967, issue of *Newsweek* magazine—"That life is quickly reduced to familiar terms: The degradation of the slums—the desperate search for work—and the final dependence on the mercies of the welfare department."

The cycle tends to be a vicious one—particularly for the youth.

An improvement in living conditions won't help unless there are jobs—

Jobs won't help unless the people have the training for them—and they cannot be trained without the basic convictions that there is a chance to succeed.

So it would appear to me that the first thing that has to be provided for our youth—and particularly the children of the ghetto—is hope.

Carl T. Rowan, the distinguished Negro journalist—a former ambassador and head of the United States Information Service—explained this graphically in his November ten *Evening Star* newspaper column.

He quoted Stokely Carmichael as saying that: "It is only when people lose all hope that you can get them to turn to violence."

He continued: "Thus did Carmichael put his finger on the critical factor in the violence that has plagued American cities these last few summers—loss of hope.

"He has exploited the frustrations of the alienated and hopeless, arousing hatreds and even the urge to kill."

He closed by writing: "Unintentionally . . . Carmichael has told us what the best defense is against the upheaval he advocates.

"Spare no effort to give hope, hope, hope."

We must face up to the fact that broad-scale alleviation of the factors that contribute to crime will require massive funding.

It is an ironical fact of our times that as our affluence grows, the pockets of poverty become more deeply imbedded and those who inhabit them find it increasingly difficult to escape them or to understand why this disparity exists.

Thirdly—we must have a rebirth of responsibility in our Nation and must inculcate it into our young people.

Every parent who disregards the law makes it that much easier for his youngsters to do the same.

Children need models more than they need impersonal punishment.

We can hardly expect them to accept responsibilities that we are not prepared to accept ourselves.

The trend of permissiveness in our society today is—I think—responsible for the retreat from reality that many of our young people are making into the psychedelic world.

As Senator Robert C. Byrd told a conference of police executives some time ago: "All too often I believe crime springs from lack of parental discipline.

"Young men borrow a car and go for a joy ride—'just for kicks'.

"They rob for a drug habit started 'just for kicks.'

"Probably early application of the parental hand to the area usually reserved for kicks would have nipped this problem in the bud."

The solution I have outlined to the problem of youthful criminality are obviously long-range ones.

The problem facing us is an immediate one.

Until these solutions can be achieved, the practical answer would appear to be increasingly efficient law enforcement.

In an article in the *Parade* magazine of November 5, 1967, Attorney General Ramsey Clark is quoted as stating:

"Never have good police been so important to people."

Further, he is quoted as saying:

"As long as the public is willing to spend four point two billion dollars for police, prisons and prosecutions—as contrasted with twelve billion dollars for alcohol, the streets and parks will continue to remain unsafe at night."

As was pointed out in the report of the President's Commission on Law Enforcement and Administration of Justice, every part of the criminal justice system is undernourished.

There is insufficient manpower and what there is is not well enough trained or well enough paid.

Facilities and equipment are inadequate.

Research programs that could lead to greater knowledge about crime and justice—and therefore to more effective operations—are almost non-existent.

To lament the increase in crime and at the same time to starve the agencies of law and justice is to whistle in the wind.

The police of our Nation are fully aware of these inadequacies—and aware of the problems they face.

They have been greatly encouraged by the concern and interest in these problems by the President and the Congress of the United States.

Legislation has been enacted—and more is pending—that will go a long way to alleviate these deficiencies.

Even more heartening, however, is the surge in public understanding and public determination to support law enforcement and alleviate its inadequacies.

This determination is most outstandingly exemplified by the project you gentlemen of Kiwanis International are undertaking.

Your program to motivate youth to respect and obey the law gets to the root of the problem.

The fact that so many other civic organizations in our Nation are cooperating in the project—or conducting similar ones—is a source of deep gratification to the police of our Nation.

It has been said that a journey of a thousand miles begins with a single step.

I think that the members of the Kiwanis and other citizens who are instilling respect for the law and support of law enforcement in our youth have gone far past that first step.

You have taken giant strides in fulfilling the responsibility all Americans share in achieving respect for the law and support for those who are charged with enforcing it.

Our Nation's founders laid the foundation for a government of laws with equal justice for all.

Our predecessors—our fathers—built upon that foundation to achieve a nation that stands as an exemplar for all those who strive for this goal.

I would hope that you and I of our generation would do no less for our posterity.

TRIBUTES TO GENERAL MARSHALL ON 20TH ANNIVERSARY OF THE MARSHALL PLAN

Mr. SPONG. Mr. President, recent ceremonies honoring General of the Army George Catlett Marshall were held in Lexington, Va., and marked the 20th anniversary of an historic speech made by General Marshall at Harvard University when he outlined the European recovery program, later to be known as the Marshall plan.

These ceremonies were held at the George C. Marshall Research Library, located at the Virginia Military Institute, of which General Marshall was an alumnus. In conjunction with the ceremonies, the Post Office Department issued, as one of its "Prominent Americans" series, a permanent-issue stamp featuring General Marshall, and a mural commissioned by the National Academy of Design was formally presented to the Library.

Among those participating in the ceremonies were a number of people closely associated with the development of the Marshall plan, including General of the Army Omar N. Bradley, who, as president of the George C. Marshall Research Foundation, presided throughout the program; the Honorable W. Averell Harriman, U.S. Ambassador at Large and former U.S. representative in Europe for the Marshall plan; the Honorable Paul G. Hoffman, managing director of the United Nations development program and former administrator of the Marshall plan; and the Honorable Roger Ockrent, permanent Belgian representative to the Organization for Economic Cooperation and Development and present chairman of its executive committee.

Other distinguished participants were Dr. Frank W. Price, former moderator of the Presbyterian Church, United States; the Right Reverend Lloyd R. Craighill, retired Episcopal bishop of Anking, China; Dr. Forrest C. Pogue, director of the Marshall Library at Lexington; and the Honorable Edgar I. Williams, former president of the National Academy of Design and chairman of its Edwin Austin Abbey Mural Committee; and the Honorable Lawrence F. O'Brien, Postmaster General of the United States, who was a featured speaker of the program.

Mr. President, these ceremonies in Lexington, as General Bradley indicated at the time, constituted an historical gathering together of people who were prominent in the Marshall plan program. Their remarks are significant as tributes to a great American.

Previously, I had occasion to ask that the address of the Postmaster General be included in the Record. I believe that other of the remarks made in Lexington, now available in corrected versions, are similarly of great interest and value.

I ask unanimous consent that these remarks be printed in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

CEREMONIES COMMEMORATING THE 20TH ANNIVERSARY OF THE MARSHALL PLAN AT THE GEORGE C. MARSHALL RESEARCH LIBRARY, IN LEXINGTON, VA., OCTOBER 24, 1967

INTRODUCTION

Gen. Bradley. Three years ago, I was privileged to preside at the dedication of this building which honors the memory of General George C. Marshall. I have been pleased, as I'm sure you are, at the progress we have made since that time. Today I welcome you to an important joint program. In addition to the issuance of a new stamp by the Postmaster General in the Prominent American series honoring General Marshall, we are celebrating the twentieth anniversary of General Marshall's Harvard speech by opening what we believe to be one of the few permanent exhibits on the development of the European Recovery Program, better known as the Marshall Plan. We are also unveiling a new mural in that room.

Although there have been a number of important meetings in Europe and in the United States this year celebrating this 20th anniversary, I believe that more of the principal participants in the Marshall Plan program have gathered here than at any other one meeting. We are gratified that they chose to join us in these ceremonies.

At this time I should like to present Major General George R. E. Shell, Superintendent of the Virginia Military Institute, to welcome you to Virginia and to Lexington. General Shell and his staff have been of tremendous assistance to our program here and I wish to express our deep appreciation to them for their support. General Shell.

WELCOMING REMARKS

Gen. Shell. It was on May 23, 1964, when we paid tribute to General George Catlett Marshall in dedicating this Research Library to his memory. Today, on United Nations day, three and one half years later, it is fitting that we again recognize the efforts of General Marshall, whose distinguished career began upon his graduation at the Virginia Military Institute in the Class of 1901. The contributions he made during his lifetime of service to his country are exemplified in the Marshall Plan he proposed in June twenty years ago.

So today, as we take note of this, it is my special privilege to welcome you to Virginia on behalf of our Governor, the Honorable Mills E. Godwin, who unfortunately could not be with us. His interest in the development of this facility and his recognition of the importance of this new Library to the field of education was immediate from the outset. Governor Godwin and his predecessor, Governor Harrison, both have played significant roles in helping to fund the construction of this privately owned center.

I also wish to extend a most cordial welcome on behalf of the citizens of the community and the Virginia Military Institute as well as nearby Washington and Lee.

The Marshall Library, built on land once a part of the Institute, was given by the State of Virginia to the Marshall Foundation in 1963. And though not part of VMI, it is closely tied to the hopes and dreams of the Institute and the growing academic community here in Lexington. We hope that the lessons of our recent past which are being studied here will provide new light for the generations to come and that the day is only a short way off when the Library will be a fully functioning research institution.

You could not be more welcome than you are and we hope this visit will mean that you will return to see us, specifically to visit the Marshall Library.

Gen. Bradley. In June of this year, the Director of the Marshall Library was a member of the American delegation in Bonn, headed by Mr. Paul Hoffman, invited to attend ceremonies honoring General Marshall. A few days later he took part in a Conference at Brussels in which Mr. Hoffman and Ambassador Harriman had leading roles. Dr. Forrest Pogue will give excerpts from his Brussels speech on General Marshall. Dr. Pogue.

GEORGE C. MARSHALL: SOLDIER-STATESMAN

Dr. Pogue. George C. Marshall's fifty years of public service coincided almost exactly with the first fifty tempestuous years of the 20th century. During these five decades, he and his country grew in their thinking from provincial concern with purely national interests to a global concern for humanity. All of his service, military and civilian, during his first forty years seemed to provide a preparation for his best known proposal—the Harvard speech of June 5, 1947.

In late November 1945, as he left the office of Chief of Staff of the United States Army that he had brilliantly directed for six difficult years, General Marshall was moved by evidence that destruction and hunger threatened the future of the world. He declared to those who had worked with him through the years of conflict:

"The world of suffering people looks to us for . . . leadership. Their thoughts, however, are not concentrated alone on this problem; they have the more immediate and terribly pressing concerns—where their next mouthful of food will come from, where they will find shelter tonight and where they will find warmth from the cold of winter. Along with the great problem of maintaining the peace, we must solve the problem of the pittance of food, of clothing and coal and homes. Neither of these problems can be solved alone. They are directly related, one to the other."

Some fourteen months later, in a speech at Princeton, he sounded much the same note. "We have had a cessation of hostilities," he declared, "but we have no genuine peace. Here at home we are in a state of transition between a war and peace economy. In Europe and Asia fear and famine still prevail. Power relationships are in a state of flux. Order has yet to be brought out of confusion. Peace has yet to be secured. And how this is accomplished will depend very much upon the American people."

Disillusionment with Russia

Between the Princeton speech on Washington's birthday and the fifth of June at Harvard lay many important developments. A bitter winter in Europe and coal shortages, coupled with the violent convulsions in European life that the war had brought, foreshadowed an economic breakdown of which Marshall was warned in various reports. Confirming these statements were his own observations during his travels to and from the Council of Foreign Ministers Meeting in Moscow in March, 1947, a disillusioning conference in which the General concluded that the Soviet Union wished to profit from Europe's disorder rather than to seek a program of healing and reconstruction. He returned to tell the nation that while the doctors argued the patient was sinking fast.

Cures for the European sickness

Meanwhile, members of his State Department staff and many students of the international scene were separately seeking cures to the sickness of Europe. Undersecretary of State Acheson was studying the situation which he was soon to discuss in his speech at Cleveland, Mississippi. Undersecretary of State for Economic Affairs Will Clayton was pleading for economic assistance to Western Europe. Marshall, himself, assigned to the newly created Policy Planning Group of the State Department—which he had brought into being—the task of recommending a program for the future. George Kennan, still at the National War College, set his group to work on a study, which drew on earlier suggestions by various individuals and groups. In time Marshall would ask both Kennan and Charles Bohlen to incorporate various suggestions into a speech which he would deliver on some favorable occasion.

Of the many ideas that were spread abroad—all of them indicating that Europe must have economic aid and the United States was the only country capable of giving—he emphasized two points and made them his own—one, that Europe must act first and, two, that the offer of help would be open to all.

The speech at Harvard

As the speech was being developed, the question arose of a proper place to make the pronouncement. The University of Wisconsin had offered him an honorary degree and Madison seemed to be a possible place for the address. But the date was too early. Marshall had also agreed to accept a degree at Amherst in mid-June, but that date seemed too late. At length, the General was reminded of his tentative acceptance of a degree from Harvard on June 5—a date which seemed to be just right. By May 28th his decision to go to Harvard was firm. His letter of that date to President Conant, stating his plans, is startling as we read it now: "As I wrote you on May 9th, I will not be able to make a formal address, but would be pleased to make a few remarks in appreciation of the honor and perhaps a little more."

That "little more" proved to be short and pointed. He repeated his statement of 1945 that for the next three or four years Europe must have "substantial additional help," mainly from the United States, "or face economic, social, and political deterioration of a very grave character." He deemed it logical "that the United States should do whatever it is able to do to assist in the return of normal economic health in the world, without which there can be no political stability and no assured peace."

His appeal was put on a broad base. "Our policy," he declared, "is directed not against any country or doctrine but against hunger, poverty, desperation, and chaos." It is not to be something imposed by the United States. "The initiative, I think, must come from Europe. The role of this country should consist of friendly aid in the drafting of a European program and of later support of such a program so far as it may be practical for us to do so. The program should be a joint one, agreed to by a number, if not all, European nations."

It is not my task today to tell how these words were seized upon by Ernest Bevin of Great Britain and Georges Bidault of France and how, at length, sixteen European nations took the step towards self-help which filled the conditions he had laid down.

Selling the plan to the public

Marshall's greatest work in the Marshall Plan fight came in the months that followed. With the aid of many men in the fields of government, education, and industry, he helped to sell Congress and the people of the United States on his program. Never a politician, General Marshall had nonetheless learned the necessity of educating the public and Congress to the program he wanted enacted. President Truman helped decisively by setting up committees under Averell Harriman, Julius Krug, and Edwin Nourse. A special subcommittee in Congress under Representative Christian Herter amassed information for the legislators. The various committees not only provided ammunition for the campaign; they helped provide a pool of informed leaders from which the President could draw later for administrators in the European Recovery Program.

During the strenuous campaign in 1947, General Marshall worked before the committees of Congress, in private discussions with congressional leaders, particularly with the powerful Republican senatorial leader, Senator Arthur Vandenberg. Almost as if he were a presidential candidate, General Marshall stumped the country, appearing before captains of industry, labor groups, farm federations, men's clubs, and ladies organizations. Assessing his own role in later years, General Marshall thought that this work of educating the public was the most important contribution he made to the European Recovery Program.

I lack time today to tell you of the European initiative in which 16 countries responded to Marshall's invitation and of the organization headed by Paul Hoffman, with Averell Harriman as the U.S. representative abroad, which was established. All Western Europe today gives visible evidence of the great program of reconstruction.

Nobel Peace Prize

In 1953, General Marshall received the Nobel Prize for Peace in recognition of his contribution to international cooperation. Many world leaders have spoken eloquently of his leadership. Perhaps no one has put it better than the great English leader, Sir Winston Churchill. At the time that we started our drive for funds, the Marshall Foundation president, the late John C. Hagan, wrote Mr. Churchill for a statement. In welcoming our attempts to commemorate the eminent services of General Marshall, the English leader said:

"During my long and close association with successive United States administrations, there are few men whose qualities of mind and character have impressed me so deeply as those of General Marshall. He is a great American, but he is far more than that. In war he was as wise and understanding in counsel as he was resolute in action. In peace he was the architect who planned the restoration of our battered European economy and, at the same time, labored tirelessly to establish a system of Western Defense. He has always fought victoriously against defeatism, discouragement, and disillusion. Succeeding generations must not be allowed to forget his achievements and his example."

Gen. BRADLEY. Among the guests invited today was former President Harry S. Truman, whose strong backing of the European Recovery Program made possible the success of the Marshall Plan. In response to my invitation, he replied in his usual forthright manner. He wrote:

"DEAR GENERAL BRADLEY: I am very sorry that it will not be possible for me to attend the Twentieth Anniversary of the European Recovery Program—better known, and more properly so, as the Marshall Plan.

"I rate General Marshall as one of the great American leaders of all time. His genius spans the vast area ranging from war to peace. Both give him a place of eminence in the history of this nation. Sincerely yours, Harry S. Truman."

Our next speaker served as chairman of a special committee appointed by President Truman in 1947 to study General Marshall's proposal. Later, the President selected him as U.S. representative in Europe to supervise administration of the European Recovery Program. Holder of many other key positions at the request of President Roosevelt, President Truman, President Kennedy, and President Johnson—as Ambassador to the Soviet Union, Ambassador to Great Britain, Secretary of Commerce, Director of the Mutual Security Agency, Under Secretary of State, Ambassador-at-Large—and as Governor of New York, W. Averell Harriman has ably served his country in many capacities. I am delighted to present Governor Harriman.

REMARKS BY GOVERNOR HARRIMAN

President's message

Gov. HARRIMAN. I was with the President last Saturday. I told him I was coming to this celebration today and he asked me to convey to you all a message:

"I have asked our Ambassador-at-Large Averell Harriman to deliver my greetings to you who are gathered at the George C. Marshall Library to commemorate the Marshall Plan. Today this plan is acknowledged as the principal agent in the miracle of European Recovery from the ravages of World War II, and it has been the means of construction of a new Western Europe more prosperous and vigorous than ever. To us Americans it marks the recognition of our own self interests and our own responsibilities as the strongest of nations to join in assisting world-wide cooperation to lay the foundations of a prosperous and peaceful world. I salute all of you who are in Lexington today joining in paying tribute to the memory of a great American, George C. Marshall, and to commemorate this ceremony by the issuance of the stamp in his honor.

"LYNDON B. JOHNSON."

The personal character of Marshall

Now it was my great privilege to have known General Marshall during the war. I didn't have the advantage of some of you of knowing him throughout his military career, but I do rejoice with you on this twentieth anniversary of the proposal that he made which changed the course of history. It is perhaps the most creative and imaginative that has ever been made. I feel that it was, in fact, an expression of his own personal character. He was one of the most selfless and objective men with whom I have had the privilege to be associated. He thought of the results that were necessary for his country, and not about himself or the inconvenience that he might be caused.

Then, too, he recognized perhaps as much as any man I have ever known—probably with only one exception who I think had an equal understanding of it and that was General Bradley—the difference between a military judgment and a political judgment. And those two cannot be confused—they both must be considered—and, they can only be considered and settled by the Commander-in-Chief himself, the President. General Marshall was always, in my association with him, pointing out to the President the military considerations and, wherever he thought necessary, suggesting that the political aspects of the problem be given equal thought.

All those who worked with him during the war had enormous regard for him. I found in my notes an expression from Winston Churchill. In September, 1943, he was staying at the White House—President Roosevelt had gone to Hyde Park—and he and I were there together talking—I think Harry Hopkins came in—and in my notes I found that he had expressed great enthusiasm for General Marshall in his leadership. He said, as I recorded it, that he and General Marshall saw things alike. General Marshall's mind moved quickly and forcefully under changing conditions.

Stalin's view

And then, Marshal Stalin spoke to me of him. As you know, particularly from the recent biography of his daughter, extraordinary suspicions went through this man's mind. He was accusing us of collaborating with the Polish underground which he alleged was opposing the Red Army in Poland. I said that you cannot accuse General Marshall, who is the commander of our forces. He said, "No, but the General doesn't know what's going on in Italy." And I again insisted that this was an accusation against General Marshall. He said, "No, I do not accuse General Marshall. I trust General Marshall as I would myself." These are strange words coming from this man who was most suspicious.

At Tehran Stalin was insisting that there be appointed a Commander-in-Chief of the Allied forces to undertake the invasion of Europe. He felt that until a Commander-in-Chief was appointed there was no guarantee the operation would take place. There was discussion at the time as to whom the President would appoint. As I recall it, Marshal Stalin thought it was going to be General Marshall and, in fact, he congratulated him. Possibly President Roosevelt had made that suggestion.

The story is well known that President Roosevelt asked General Marshall whether he wanted this appointment or whether he preferred to stay in Washington, and General Marshall said with his typical selflessness, "It is for you to decide." When I was informed that the President had selected General Eisenhower I was somewhat concerned. I got the message in Moscow to deliver to Stalin. I explained that President Roosevelt had thought that General Marshall was more necessary in Washington at his side, and to my relief Marshal Stalin said, "I have watched General Eisenhower. He is an able officer experienced in amphibious warfare."

The American "revisionists"

Now there is another aspect of the part General Marshall played in the postwar period which I would like to refer to. There is a growing group of those who consider themselves historians whom we might call revisionists. These are not revisionists in terms that are used in Peking. This is an American term. A current historian has pointed to the fact that after every war and every important action there are exercises in reappraisal which don't always make very much sense. Lincoln was accused of having maneuvered the rebels into attacking at Fort Sumter in order to bring on the Civil War. And then, we remember of course, the cases in the more recent period when the House of Morgan was accused of bringing America into the First World War. And Franklin Roosevelt was accused of scheming to produce the attack on Pearl Harbor.

But now these revisionists tell us that it was not the Soviet Union but it was the United States which was the cause of the Cold War. Dear old Uncle Joe Stalin would have been delighted to have cooperated with us if it hadn't been for the failure of the United States to cooperate. And they try to bring out all sorts of evidence—or partial evidence—that we should have given Russia a big loan after the war. Russia refused to negotiate such a loan. It is also said that we ended Lend Lease rather abruptly. That's not true; we sent hundreds of millions of dollars of additional equipment on, and we also permitted the Soviet Union to participate in UNRRA when it was quite clear that she had plenty of gold to pay for the food we sent her. In other ways we cooperated.

But General Marshall was a special case and I think his record is one that we should bear in mind. I know this for a fact because he thought that I was too suspicious of the Soviets. He did not believe my reports. He felt that if we tried hard enough, it was so obviously in the interests of the people of the Soviet Union that Stalin would agree eventually to work with us for world reconstruction and peace. And he continued that belief until April, 1947—a year after Winston Churchill had spoken at Fulton in his famous pronouncement that an Iron Curtain had come down across Europe. But in April, 1947, General Marshall, as Secretary of State, went to Moscow and found the Russians were still entirely unwilling to cooperate. So on his return he undertook the development of the proposal which is now called the Marshall Plan. Dean Acheson, of course, was one of the leading spirits. It is interesting that Acheson, as early as May, spoke of the need for the achievement of a coordinated Europe with a cooperative economy, and this remained the fundamental objective of our European policy.

General Marshall insisted, of course that we could not take—and these were, I think, his words spoken to a colleague—"the responsibility for dividing Europe." The offer must be to all the nations of Europe that would cooperate, including the Soviet Union. He recognized that this was a calculated risk that we would have to take both in the Soviet Union and in the Congress.

It is interesting that, on the other end, Bevin took the lead—the Foreign Secretary of Britain—and Bidault of France. They called together a meeting in Paris of all the foreign ministers of all European countries who wished to participate, and Molotov was there in full strength with 80 economic advisers. After some discussion it was found that the Soviet Union was not willing to do what General Marshall had outlined and that was to work together on a cooperative program. In General Marshall's speech you will recall that he insisted upon cooperation among the countries and stated that any government that was willing to assist in the task of recovery would find full cooperation on the part of the United States. Any country that maneuvered to block the recovery of other countries could not expect help from us. Furthermore, governments, political parties, or groups that sought to perpetuate human misery in order to profit therefrom, politically or otherwise, would encounter the opposition of the United States. These are some of the phrases that are not generally known of the Harvard speech. He was quite ready to point out to the Soviet Union quietly, in this manner, that cooperation was necessary.

But in any event, it was Molotov who left Paris. In addition it was Stalin who prevented Czechoslovakia and Poland from joining the plan, although both had indicated that they wished to join. He refused to permit these two countries to participate. And, then, shortly thereafter, there was organized the Cominform, which in its pronouncements declared war on the Marshall Plan and called it an American device to enslave Western Europe. The Cold War then started in full earnest, and it was General Marshall's last effort to bring cooperation, and nothing can belie the revisionists of today so greatly as the record of General Marshall's own endeavors.

The Marshall plan spirit lives on

Now we are going to have the privilege of hearing from Mr. Ockrent who is the Chairman of the OECD, which is a continuation of the Marshall Plan, and I think it is fair to say that we are not here to commemorate the Marshall Plan but to celebrate the anniversary of the inception of European cooperation. The spirit of the Marshall Plan lives on. It lives on in the cooperation which Europe is achieving in many ways. Today is not the time to recite them all. Specifically, Mr. Ockrent's presence indicates the continuation of the organization of Europe in the OECD and the cooperation which we are together giving to our present tasks. The work for a unified Europe continues—work to bring the divided Europe together continues—and I would like to note a few phrases from a speech by President Johnson in which he spoke of looking forward to expansion and further strengthening of the European Community in a unified Europe, equal partners in helping to build a peaceful and just order. A year ago he said "We must turn to one of the great unfinished tasks of our generation—making Europe whole again."

Building bridges to the East

This is the meaning that is back of his request to Congress to cooperate in building bridges to the East, building bridges to the Soviet Union and building bridges to Eastern Europe. I am reminded of some comments that the then Senator John F. Kennedy made in paying tribute to President Roosevelt at a ceremony at Hyde Park. I think it particularly apt today. He said, "It is essential from time to time that we pay tribute to past greatness and historic achievement, but we would betray the very cause we honor if we did not now look to the future as well. We would be unfaithful to the man we honor if we did not look beyond his work to the new challenges and the new problems and the new work that lies ahead." Now what could be more appropriate as we honor the Marshall Plan—and General Marshall's leadership—than to recognize that his work must carry on the effort to bring Europe together, to lay the foundations of a prosperous and a peaceful world? And so with that, my friends, I ask that we dedicate ourselves to a full understanding of General Marshall's objectives and the application of his wisdom, determination and selflessness to the problems that our country faces today.

Gen. BRADLEY. Our next speaker was president of the Studebaker Corporation when he served as a member of Mr. Harriman's special committee to study the Marshall proposal. On enactment of the European Recovery Program legislation, he was named by President Truman to head the Economic Cooperation Administration in Washington. Later he served as President of the Ford Foundation. At present he is director of the United Nations Development Program. This year, in addition to his regular duties, he—like Governor Harriman—has been busy participating in programs in this country and Europe honoring General Marshall and the European Recovery Program. Because of his role as head of the Marshall Plan Program in its most crucial years, we have asked Mr. Hoffman to present the principal speech pertaining to the formal opening of the Marshall Plan room. It is a pleasure to present Paul Hoffman.

PERSONAL FEELINGS ABOUT GEORGE MARSHALL AND HIS PHILOSOPHY

Mr. HOFFMAN. This is for me a happy, nostalgic and sentimental occasion—happy, because it provides the opportunity for a reunion with old and valued friends; nostalgic, because it recalls one of the most exciting periods of my life; and sentimental because my wife Anna, long before she became my wife, shared with me a common enthusiasm and deep affection for General Marshall.

Thus, instead of making any formal remarks, I would simply like to speak of my personal feelings about George Marshall and his philosophy. I would like to do this not because I have any startling new insights to reveal, but because—as with all truly historical figures—his achievements were so monumental that they may tend, with the passage of time, to overshadow our memories of the man himself and what he meant to other human beings. I don't think General Marshall would have cared for this; he was not that kind of a man.

Impact on my life

For whatever it's worth, General Marshall had a decisive impact on my own life. Shortly after his famous address at Harvard University on June 5, 1947, I was asked by Averell Harriman to serve on the Committee he was organizing to review the program for European recovery that had been suggested by a group of distinguished European economists. Later on, and partly as a result of my having worked on that committee, President Truman drafted me as the first Administrator of the Marshall Plan. I use the word "drafted" advisedly because this was *not* a summons I welcomed. I was enjoying a very comfortable life as a high salaried business executive and had no urge whatsoever for public service. President Truman, however, as many people both in this country and abroad have discovered, was not a man to whom one could easily say "no" and make it stick. What's more, he couldn't imagine anyone saying "no" to any project conceived by General Marshall. It was fortunate for me that President Truman would not take "no" as an answer, because in drafting me for the job of Marshall Plan Administrator he did me as great a favor as one man could do for another. I was projected into a new and extremely interesting world.

General Marshall's impact on my personal career is not, of course, a matter of any great significance, nor the reason for his enduring place in history. That place was won by what his thinking and actions did to change the whole course of history for three hundred million Europeans and for all of his own countrymen as well. Indeed, the entire world has yet to see the end of the enormous process of change initiated by General Marshall 20 years ago. For the revolutionary philosophy he set forth in his Harvard address is as relevant to today's needs as it was to the needs of that time, and it continues to be a motivating force for good in the actions of governments and individuals all over the world.

Marshall's philosophy

That philosophy was set forth in the clearest and most precise terms when General Marshall said: "Our policy is directed not against any country or doctrine but against hunger, poverty, desperation and chaos." This was a policy of reconciliation, not revenge, and it was a policy that called for constructive action. It is difficult to remember now just how revolutionary that policy was when it was proposed by General Marshall some 20 years ago. It marked a totally new departure in international thinking and set in motion, both in Europe and America, the search for radically new solutions to international problems. Moreover, not only was General Marshall's philosophy a brilliantly creative one; it was also, as summed up in the words I have just quoted, simple to grasp yet profound in its implications. These qualities of creativity, constructiveness, clarity and depth of meaning are, I submit, the unfailing signs of that rarest of all events in human history, the birth of a truly great idea.

There is no need to elaborate on the results of General Marshall's initiative. How it helped to save Europe from chaos, how it gave new hope to that Continent's despairing millions and inspired in them a new sense of responsibility for working out their own salvation, how it awakened America from the fatal illusion that our country could prosper in an impoverished world, and how it provided guidelines for the greater war on global want that must be waged today—all this, and much much more, is on the record.

Marshall's personality

What perhaps does need to be emphasized is the fact that General Marshall's philosophy was not simply the product of a brilliant mind but of an understanding heart. There were three facets of George Marshall's personality that I find truly unforgettable. First of all, he was the most *selfless* man I have ever known. I don't mean that in any arid or "plaster-saint" kind of way. I mean that he was so genuinely concerned about his country, about his world, and about the individual men and women with whom he came in contact that these interests completely dominated any narrower self-interests. In fact, I don't believe he ever made a single decision in which he was influenced by the effect which that decision might have upon him personally.

Secondly, he knew how to discipline his concern for others into effective practical channels. He was a tough-minded leader who never accepted good intentions as a substitute for results. He was, in short, a kindly man but not a soft one.

Finally, he embodied in his own career the same forward look that was so evident in his thinking. For General Marshall was the soldier-turned-statesman, the builder of armies who became a great architect of peace. For him, this was a natural evolution because, though a soldier by profession, he was never a warrior by inclination. Thus, he clearly grasped the one overriding fact of the atomic age—that the survival of the human race depends on its ability to devote far more thought, far more energy, and far more of its natural assets to the task of building a better world than it has ever done before. In this, his thinking ran ahead not only of many of his contemporaries but of some present-day thinking as well.

And for this he deserves something more than our gratitude—a reward with which, in any case, he was never greatly concerned. He deserves, I think, that we remember the kind of man he was, how he saw the world, and what he did about it—and try to pattern some part of our lives, our thinking, and our actions along no less constructive lines.

Gen. BRADLEY. On the tenth anniversary of General Marshall's Harvard address the Organization for European Economic Cooperation, representing the nations participating in the Marshall Plan program, presented to General Marshall a medal struck in honor of that plan. Today, we have a representative of the Organization of European Cooperation and Development, the successor of OEEC, to present to our Library a replica of that medal and a collection of papers pertaining to the European cooperative program. Representing the member countries of the OECD, we have the dean of the heads of delegations to OECD. I am glad to welcome Ambassador Roger Ockrent, permanent representative from Belgium to the OECD, to make this presentation. Ambassador Ockrent.

A HERITAGE OF 20 YEARS OF COOPERATION

Ambassador OCKRENT. It is altogether a pleasure and a privilege for me to associate myself and the OECD as a whole to the tribute being paid today to the memory of General Marshall.

Grandchild of General Marshall

As you know, the OECD is in many ways the grandchild of General Marshall. We, who work in the OECD sometimes have the impression that the Marshall Plan bears to the last twenty years—and surely more to come—the same importance as the Ark of Noah to the rest of history. In fact, this is hardly an overstatement for the Marshall Plan did not only save us from evil, but laid the cornerstone upon which has been gradually built the whole apparatus of modern international economic cooperation, which in turn has produced unprecedented degrees of prosperity.

I have said this several times and people in Europe are keenly aware of it: the Marshall Plan is at the root of all progress that has been made later in broadening the economic horizons in our countries and in gaining acceptance of the fact that our nations can no longer act in isolation if they are to achieve their goals of economic growth and social justice.

Initial circumstances

It is incumbent on me to recall the circumstances under which the Marshall Plan came to existence. Other distinguished speakers have done it before me. Nevertheless, it seems appropriate to remember the day when the U.S. government decided to bring to a halt all bilateral negotiations about the amount and allocation of aid and invited the European governments to formulate their needs and policies in a multilateral framework, in agreement with each other. Both Governor Harriman and Mr. Hoffman who are with us today were instrumental in securing this decision, which, I believe, contributed immensely to the success of the Marshall Plan.

It is an amusing point of history that before this decision was announced, some European governments had taken great care to send their very best diplomats to Washington, hoping to present their case forcefully to the United States government, while the second best were reaching for Paris. But it turned out that the United States government was acting symmetrically, and it is by virtue of these combined movements that I found myself in Paris and Governor Harriman too, sitting around the same table, and I may say, the right table, where "things did happen," largely thanks to him.

I am convinced that the refusal of the United States government to deal bilaterally with each European country was the decisive fact which translated the Marshall idea into facts by forcing national interests to merge in a wider common interest.

This is not only the point at which the trend towards the unification of Europe started; it is also the point at which we began to learn the benefits of economic cooperation as the means of attaining economic objectives.

Economic cooperation today

OECD has taken over the tradition in the field of economic cooperation. It is conscious of its heritage and the responsibility which rests on its shoulders. If one looks back at the progress made in twenty years in the member countries on the road to prosperity, one concludes that we have moved forward a long way. Yet, the tasks of OECD are more formidable than ever, for it is the collective responsibility of this limited group of nations to raise the economic level of people throughout the whole world, and it is now one of the objectives of OECD to strive for more efficient action in this field. It may be that we have proved too shy so far in this respect and that we need to remember the lessons of boldness which we received at the time of the Marshall Plan.

In concluding, I would like to say that the OECD Council is glad to take its share in today's ceremonies. It is particularly grateful to the George Marshall Research Foundation and to General Omar Bradley for the initiative which they have taken on the opportunity of the twentieth anniversary of the Marshall Plan. The OECD Council has decided to bring its own contribution to the new display opened here today. I am happy to present to the Foundation a replica of the medal which was given to General Marshall on the 5th of June, 1957. May this serve to perpetuate the memory of a great man and a great cause.

Gen. BRADLEY. I wish to thank you for myself and our directors for this replica and for the papers which have been deposited here. We hope to develop here at the Marshall Library a large collection of documents dealing with the Marshall Plan and the programs which grew out of the initial proposal. We welcome the effective backing that you and your organization have given.

One of the high points of this busy day is opening to the public a mural depicting symbolically the meaning of the Marshall Plan. This mural was made possible by a special gift from the National Academy of Design. It was provided from the same fund which helped provide murals in such buildings as the Eisenhower and Truman Libraries and the MacArthur Museum. I am glad to announce that the artist is also with us. At this time I am happy to present the former President of the National Academy of Design, Mr. Edgar I. Williams.

PRESENTATION OF THE MURAL

Mr. WILLIAMS. It is an honor and a pleasure to participate in the ceremonies which are taking place today to mark the commemoration of the twentieth anniversary of the Marshall Plan.

There have been recollections of events which recall important decisions and deeds of General Marshall, there have been statements of significance to testify before the world to the accomplishments of this illustrious American man. But although he was a military man, the imprint of his character upon his time could not be described in terms of military genius or factual triumphs alone.

My part in these ceremonies is that of an emissary. I come to you as the representative of the National Academy of Design which is itself honored by the privilege of providing the mural painting in the Marshall Plan room executed by a distinguished painter, a member himself of the National Academy of Design.

About the Academy

A few words about the Academy and about the Abbey Memorial bequest might be of interest: the National Academy of Design was founded in New York City in 1825 having succeeded the American Academy of Fine Arts which was organized in 1802. Along with the Philadelphia Academy of Fine Arts it is the oldest organization for the arts in the United States. No institution in our land can muster a list of great American artists to compare with that of the Academy. The Academy belongs to its artist members; it is owned and directed exclusively by them. There are eight officers and six Council members who make up the Council which manages the Academy affairs. Over the years many prizes, scholarships and honors have been created or accepted by them.

Among its most prized benefactions is the Abbey Mural Award named after Edwin Austin Abbey, one of the most distinguished American mural painters who died in 1911.

Abbey Mural Award

In 1931 his widow, Mary Gertrude Abbey, bequeathed to the Academy a legacy left by her husband the proceeds of which were to make possible "the awarding of commissions to distinguished artists to execute murals for buildings devoted to public service." This legacy is called "the Edwin Austin Abbey Trust Fund for Mural Painting in the United States of America." The fund is administered by the Officers and Council of the Academy which delegates its powers to a Committee—the Abbey Mural Committee of which the President of the Academy is ex officio a member.

In this instance of the General George C. Marshall mural, the Abbey Mural Committee of 1966 decided they would select five possible artists for the work, commission them to present sketches and select one to be the author. The winner of this competitive venture was Henrik Mayer of Essex, Connecticut, who is here today and whom I would like to introduce to you now. He will be on hand later to comment on his noble concept in summarizing the contributions of General Marshall to his country.

For us of the National Academy of Design we are, as I have already said, honored to have been able to add the dimension of the fine arts to this distinguished ceremony.

Gen. Bradley. I wish to thank Mr. Williams and the organization that he represents for the gift which made possible the painting of this mural. I also wish to congratulate the artist, Mr. Mayer, on his fine work.

At this time, I also wish to declare open the new Marshall Plan room. Its furnishings and exhibits were made possible by a generous grant from the Alfred P. Sloan Foundation. We are sorry that Doctor Case, president of the Foundation, cannot be here today. We are delighted, however, to have present his representative, Mr. Larkin H. Farinholt, former professor at nearby Washington and Lee.

I also wish to acknowledge the fact that Lees Carpets, Division of Burlington Industries, whose plant is located here in Rockbridge County, gave the handsome carpet for the room.

The British Embassy in Washington has constructed a special panel display describing the Marshall Scholarships in Britain and has presented it to the Library for today's occasion.

I cannot conclude this part of the program without complimenting Doctor Pogue and his fine staff for their work in preparing the Marshall Plan room, in organizing today's program, and making all the extensive arrangements for this day. Doctor Pogue has asked me to emphasize that the chief credit for planning and designing the Marshall Plan room, for planning and arranging the exhibits, and for organizing today's program goes to Mr. Royster Lyle, Jr., his chief assistant and the Curator of the Museum, to whom he delegated responsibility for the project many months ago. Mr. Lyle, in turn, has depended heavily on his chief assistant, Mrs. Boyd Stuart. He has received enthusiastic support from the Archivist-Librarian, Miss Eugenia Lejeune, and from all members of the staffs of the Marshall Foundation in Lexington and the Arlington area and from my secretary, Mrs. McGhee. I believe you will agree with me that a great addition has been made to the Library, enabling it to explain further the work of General Marshall and his contemporaries in building international cooperation and peace. We hope to continue to expand our program of education and research on General Marshall and his times. This will not be possible without the generous support of General Marshall's friends and admirers.

We come now to the second part of our program, the issuance of the Marshall stamp.

A year after General Marshall's death, the West German Government issued a stamp in his honor. Some months later I wrote Secretary of State Dean Rusk, who had served under General Marshall as an Army officer and as Assistant Secretary of State, suggesting that he support my proposal that a commemorative stamp be issued in General Marshall's honor. He gave his enthusiastic support. After some consideration, the Post Office Department decided that instead of issuing a commemorative stamp, it would include a Marshall stamp in the permanent Prominent American series. On the recommendation of his special advisory committee, Postmaster General O'Brien selected this year, the twentieth anniversary of the Marshall Plan, to issue a twenty-cent stamp in honor of General Marshall. His office selected United Nations Day for this occasion and accepted my request, heartily backed by Senator A. Willis Robertson and Representative John Marsh, to issue the stamp here. Our initial program was based on this ceremony and the Postmaster General was invited to give the principal address. Later, when we received a grant which made possible the opening of a Marshall Plan room, Mr. O'Brien graciously agreed to combine the two ceremonies. I am honored to present the Honorable Lawrence O'Brien for the main address.

DEDICATION OF THE MARSHALL STAMP

Postmaster General O'Brien. I am very pleased to join with so many distinguished Americans here today in honoring General Marshall.

(Postmaster General O'Brien's remarks have previously been included in the Record and are omitted here.)

Gen. Bradley. Thank you, Mr. O'Brien, for this book of stamps which I shall preserve as a treasured souvenir. We thank you also for a fine address. We appreciate your tribute to General Marshall and your compliments on our work intended to honor him. We are delighted that you chose to issue this stamp in the Prominent American series at this Library facing the parade ground of General Marshall's Alma Mater. This shall be a day to remember.

WILLARD DEASON, COMMISSIONER OF ICC, SPEAKS TIMELY ON "WHAT'S RIGHT WITH AMERICA"

Mr. YARBOROUGH. Mr. President, I have recently obtained a copy of remarks made by the Honorable Willard Deason, a distinguished Commissioner of the Interstate Commerce Commission. These remarks delivered before the Association of ICC Practitioners at San Francisco, on June 22 of this year, focus for a change on some of the positive aspects of American life—in short, Mr. Deason tells "what's right with America."

It is undeniable, Mr. President, that the "noble democratic experiment" initiated by the founders in Philadelphia over 178 years ago, has become the vibrant Nation which we know today, offering more to its citizens than any other nation in history.

Mr. Deason acknowledges that ours is still a society with glaring shortcomings, but he stresses that if we maintain confidence in ourselves we can move rapidly toward universal fulfillment of the American promise. I commend Mr. Deason's optimistic statement to my colleagues and ask unanimous consent that it be printed in the Record for them to see.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Let's Cuss the Government, or, What's Right With America

(Remarks by Willard Deason, Commissioner, Interstate Commerce Commission, before the Association of ICC Practitioners, San Francisco, Calif., June 22, 1967)

As a schoolboy in south Texas, I was taught to love and honor our country, to respect its flag, to believe in its greatness. I imagine you were too.

Today, it seems that some people have lost sight of that greatness. They have embarked on a path of negative thinking; of downgrading or berating their own government. For them, every day in every way, things are getting worse and worse.

The "hawks" tell us that we should escalate our foreign involvements.

The "doves" cry that we should deescalate.

Some critics decry big government and cuss the government's welfare programs.

Others believe the programs should be enlarged.

Labor wants higher salaries.

Business grouses about too much regulation.

Some critics believe that our high schools are inadequate.

Others believe our colleges are teaching the wrong things.

Teachers claim they are underpaid.

And college professors want more academic freedom.

Housewives complain that food prices are too high.

The farmer complains that farm prices are too low.

Too many journalists would have us believe America is on her last social, economic, and moral legs.

And *everyone* cusses taxes.

With all these tales of doom and gloom, I was mildly surprised to learn of the thousands of scientists, doctors, and engineers from other countries who are pouring into the United States each year. This so-called "brain drain" annually involves as many foreign doctors as 30 medical schools can graduate. Five thousand foreign engineers and scientists come to America annually. And nearly 40% of the physicists who received their Ph. Ds abroad end up in the U.S.A.

What lures these people to American shores? Higher incomes? Better living standards? Professional opportunities based on ability alone?—There *must* be something right with America.

In my own mind, I've attempted to reconcile the position of those who would cuss America with the position of the educated immigrant who would like to adopt this country as his home. Is it that people in foreign lands just haven't gotten the word on how bad things are here? Or is it that things are not so bad as some would have us imagine? I think the answer is obvious. Most of us are simply too busy complaining and cussing to sit down and count our blessings.

On the occasion of Herbert Hoover's 90th birthday, he said these things: "The critics say we seem to be in a very, very bad way, and engaged in our decline and fall. Criticism is no doubt good for the soul, but we must beware *that it does not upset our confidence in ourselves*. So perhaps the time has come for Americans to take stock and to *think something good* about themselves."

That's what my talk is about today. What's *right* with America.

For the next few minutes let's count our blessings. Let's compare for the cussers some of our present day conditions with the "good old days," or in relation to conditions found in other countries.

First, let's look at our educational system:

Fifty years ago, only 10% of our young people finished high school. Today, that figure is nearly 75%—more than double that of France, West Germany, Italy, or Great Britain.

Fifty years ago, about 4% of our young people went on to college. Today, that figure is nearly 40%.

Only 10% of the young people of Great Britain and France go on to institutions of higher learning.

Now let's look at the protesters and marchers.

During the second week of May, our daily newspapers and TV news programs gave us a full dose of the "peaceniks" who invaded the Pentagon, stomped on its tulips, and slept in its halls. The sleep-ins numbered 12. A bare dozen.

During the same week, over 10,000 young Americans walked into military enlistment centers and offered their services, and perhaps their lives, for our country. Let me repeat the figure—over 10,000 first term enlistments in one week. Unfortunately, one student carrying a sign—wearing a beard and protesting about something, or burning a draft card gets the front page billing. Yet, how much have you read or seen on TV about these 10,000 youngsters who volunteer each week?

In the past year or so the State of California and the City of San Francisco have been over-exposed to hippies, teeny-boppers, and dissident college students. They take turns at cussing their university, cussing their state, or cussing their National Government. In the meantime, not enough has been said about California's institutions of higher learning where 60,000 serious-minded young men and women will graduate this year.

Now a word about the economy:

Inflation and the proverbial shrinking dollar are favorite targets for the cussers. But let's translate these criticisms into comparisons in buying power.

The International Labor Office of the United Nations reports that the average Russian labors *four* times as long as the average American to buy a pound of beef. *Six times* as long for a pound of butter. And *eleven times* as long for a dozen of eggs. In China, these items are not available to the average worker at any price, no matter how long he labors. And how about the farmer? The value of farm property has increased 3 fold in the last 50 years—and total farm income has increased every year since 1931.

Americans are the *best fed, best paid,* and *best educated* people in the world—that's what's right with America.

How about our health conditions?

Deaths from once dread causes have been cut in half in the last 50 years.

Life expectancy has nearly doubled in the last 100 years.

Infant mortality rates have been cut in half in just the last 30 years.

Artificial kidneys now in use soon will be joined by the artificial heart.

Measles are being retired to the pages of history.

Medicare has recently forged an extraordinary partnership involving 19 million elderly persons and a quarter of a million doctors.

Under the medicare program, 5.5 million Americans already have received physicians' services and 3 million have received hospital care.

I do not suggest to you, however, that all is perfect. We still have many problems including unemployment and poverty. And even though America's poorest housing is in a luxury class for the masses of other nations, by our standards, we still have slums. In 1960, however, the Federal Government declared war on these problems.

Today, there are 7 million fewer people living in poverty than there were seven years ago.

The unemployment rate has dropped from 5.7% to less than 4%.

The actual number out of work has been cut by 1½ million.

Operation head start has given three quarters of a million children from poor families a leg up on eduaction.

More than one million persons are receiving job training under Federal programs, compared to *none* seven years ago.

Of this progress, President Johnson has said: "We may never live to see an America without poverty, but we may see an America where a lifetime of poverty is not the inevitable fate of a child born into it."

Those of us here today are immediately interested in transportation—let's examine it.

The transportation industry is far from immune from criticism. But I find it difficult to determine exactly what position the cussers occupy. On the one hand, we read and hear that there is too much regulation, that public policies and regulations are outmoded, or that the Federal Government has its fingers in too many pies. Many of these same cussers seem to be the first to cry foul when the word "deregulation" is mentioned or when a change of policy is hinted. Some of the most vocal would be left holding the bag if the government were to withdraw its interest in transportation.

Let's just see how the transportation industry, in partnership with the Federal Government, has progressed under regulation—or as some cussers would say—in spite of it.

Today, 15 million trucks serve the American public.

In both quality and quantity, America's interstate highways and secondary roads exceed those of any other nation in the world.

The rate of revenue growth for motor carriers in 1966 approached 10%. This exceeds the gross national product growth rate.

The number of passengers carried by the bus industry has increased steadily since 1960.

By standards of the dismal past, railroads appear to be well on the way to recovery.

For the fifth consecutive year, railroad freight volume has grown by better than 5%.

The rate of return on investment for railroads reached a 10-year high last year.

Rail mileage in the United States exceeds that of any other nation in the world.

With assistance from the Federal Government, highspeed rail transportation will become a reality this fall.

Airline passenger miles have more than doubled in the last 10 years.

United States scheduled airline industry has recorded an annual growth rate of 13.5% over the last 15 years.

America exceeds all nations of the world in passenger miles flown.

With the aid of the Federal Government, the supersonic transport soon will be a reality.

What do all these figures mean? Simply that while America's population has grown by less than 50% since 1939, the volume of passenger travel and freight traffic has tripled.

Looking around me today, I feel safe in saying that the Practitioners' Association does not look as though it has suffered as a result of regulation by the Federal Government.

Now let's summarize:

What's right with America?

Our educational system is second to none.

We are the most prosperous nation in the world.

Our standard of living is the highest in the world.

We produce more goods—consume more goods—transport more goods than any nation in the world.

We own 29% of the world's railroad mileage.

We own 60% of its automobiles (and there's no 3-year waiting period to buy one).

We own 47% of its trucks.

We own 43% of its radios.

We own 35% of its electric power output.

We own 25% of its steel.

Our health conditions rank favorably with those of all other countries.

Although we account for *only 6%* of the world's population, we own *almost 50%* of its wealth.

What's right with America?

Last, and perhaps most important—America is a nation whose citizens are *free* to cuss the government—without fear and without recrimination.

If I could wave a magic wand and stop the cussing, I would not do so. But in closing, I would like to paraphrase President Hoover with this thought, *"Let's not cuss so loud and long that we upset our confidence in ourselves."*

SENATE MUST RATIFY HUMAN RIGHTS CONVENTIONS AND FULFILL CONSTITUTIONAL RESPONSIBILITY

Mr. PROXMIRE. Mr. President, I rise today to once again express my disappointment over the failure of the Senate to ratify the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, and the Political Rights of Women.

Although this body, on November 2 1967, gave approval to the Supplementary Convention on the Abolition of Slavery, I view, with concern, the Senate's inaction to fulfill our constitutional responsibility of ratifying these treaties.

Ratification, I say, does not require any implementing legislation by the Senate. It would, however, be looked upon as a direct and clear message of our hopes to universalize the rights we enjoy today.

I feel that the U.S. Senate should accept the opportunity history offers and thereby exert a very positive international influence and ratify these conventions.

Our failure on these matters is a source of embarrassment to our friends abroad who look to us for leadership.

This Nation's position is under scrutiny by both friend and foe in respect to the sincerity with which it makes commitments and adheres to them on matters involving human rights.

Therefore, Mr. President, I urge the Senate, without further delay, to ratify the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, and the Political Rights of Women.

DEVELOPMENT—THE NEED FOR NEW DIRECTIONS

Mr. KENNEDY of New York. Mr. President, on October 27, 1967, Mr. George D. Woods, president of the World Bank, delivered an exceptional address to the Swedish Bankers Association in Stockholm.

In this speech, Mr. Woods analyzes with honesty and clarity the difficulties facing the developing nations—the poor countries which starve while we diet, which cannot secure the $10 to $15 billion of capital they need for development while more fortunate nations spend 10 times that amount on the armaments and trappings of war. He sets forth a bold and broad challenge to those of us who live in luxury: To erase these monstrous disproportions between men; to acknowledge that our common humanity will not and cannot allow us to stand idle while the lives of our fellow human beings are "poor, nasty, brutish, and short."

His words are a reproach to today and a challenge to tomorrow. I ask unanimous consent that this eloquent and forceful statement be printed in the Record at the close of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Development: The Need for New Directions

(Address to the Swedish Bankers Association, Stockholm, October 27, 1967, by Mr. George D. Woods, President of the World Bank, the International Finance Corporation and the International Development Association)

I am particularly happy to be with your Association today and to be able to tell you how much we appreciate the splendid support and encouragement we receive from the Swedish community. You may possibly think I am only producing the courteous common-places of an occasion such as this. The American essayist Alexander Woollcott used to say: "I can stand any amount of flattery, provided it is fulsome enough." But this is *not* flattery. This is not the formal compliment of a graceful occasion. I do believe we have special grounds for being pleased with the remarkable relationship that exists between the World Bank and Sweden. And I would like to give you my reasons for believing that these good relations are not only themselves useful, profitable and firmly based but that they demonstrate some very important facts about our general world economy.

As you know, Sweden has been a member of the Bank since 1951. It has subscribed $240 million, or just over 1 per cent of the Bank's capital, and, like other member governments, has paid up one-tenth of its subscription for the Bank's active lending. The Bank can call on the rest if unable otherwise to meet its obligations, and the uncalled subscription of Sweden and other members therefore is in the nature of a guarantee to the holders of the Bank's bonds.

Just 11 days ago, we reached an important milestone in the history of Sweden's association with the Bank: for the first time, we made a public offering here of World Bank bonds. We are grateful to you bankers for the successful sale of this issue of 75 million Swedish Kronur 25-Year Bonds. Proceeds from issues of this nature are used in the general operations of the Bank, and they are important to us. But of equal importance is the clear indication of your confidence in the strength and integrity of the Bank and of your continuing faith in its objectives.

At the same time, I think we can fairly claim that Sweden's association with the Bank's activities has been useful and profitable to the Swedish community. With the proceeds of loans made by the Bank, borrowers in 53 countries have spent $146 million in Sweden, an amount more than five times greater than the paid-up Swedish investment in the Bank. Three-quarters of this has been spent here during the 1960s, a great part of it on electric power and communications equipment. But Swedish industries have also been winning sizable contracts for machinery and tools, iron and steel products, and construction engineering and consulting services. These earnings have been achieved not by a small handful of big corporations, but by more than 100 different firms.

In a number of our projects we have had the valuable participation of Swedish firms in a consulting role. We have worked together on telecommunications in Ethiopia, roads in Finland, railways in Nigeria, electric power in Venezuela and water supply in Jordan. Recently we selected a Swedish firm to undertake a study financed by the United Nations Development Programme (UNDP), of Ghana's highway needs.

Let me also mention the mutual cooperation which exists between Sweden and the International Finance Corporation (IFC), the Bank's affiliate working in the private sector of the developing countries. Sweden was a founder member in 1956 of IFC, and IFC has joined Swedish industrial interests in helping to establish a superphosphate fertilizer plant in Tunisia and a packaging enterprise in Pakistan. Furthermore, Swedish financial institutions have participated in IFC investments in four countries and are shareholders in two of the development finance companies in Africa in which IFC also holds shares.

I am aware, of course, that Sweden's motives for participating in the Bank and other international organizations are not primarily commercial. But work on this scale, carrying Swedish goods and the evidence of Swedish expertise all around the world, is not unimportant to a nation immersed in the complexities and opportunities of international trade.

I rejoice in the solid, valuable "bread and butter" aspect of the relationship between Sweden and the Bank. I am certain that it promises even greater cooperation and even greater accomplishments in the future. But I do not think it exhausts the value of the relationship. On the contrary, I believe that at this uncertain and not altogether promising moment in world economic development, yet another aspect of our relations—and that is Sweden's exemplary support for the International Development Association (IDA)—has an importance and significance beyond the actual capital sums that it has made available. For I believe that the plight of the developing peoples—of the two-thirds of humanity who are striving to cross the threshold of modernization—is *the* central drama of our times. Not all the success and skill and accumulated wealth of the minority of developed peoples can right the balance of our unstable and lopsided world unless part of these resources are effectively used, over the next 20 or 30 years, to help the developing peoples to achieve a steady advance toward their goals of modern productivity, appropriate modern education and self-reliant growth.

As you probably know, IDA is par excellence an instrument for stimulating economic growth in developing lands. It normally operates only in countries where annual per capita income is $250 or less. Its loans are repayable in 50 years, with a grace period of 10 years. They are interest free, save for a service charge of three-quarters of 1 per cent on amounts outstanding. Apart from grants, they are thus the most concessionary, the "softest" development finance available. But they are not otherwise "soft". They are all for high priority developmental purposes and are tested and scrutinized for economic viability and use with just the same rigor as is applied to lending by the World Bank itself.

The terms on which Sweden provides finance to the less developed countries give support to precisely those objectives that IDA pursues. This identity of objectives has enabled the Swedish International Development Authority (SIDA) and IDA to join together in a number of operations. In 1966, for example, they jointly provided the equivalent of $24 million on very favorable terms to help finance a grain storage project in East Pakistan. Last May—again in Pakistan—Sweden and IDA, going fifty-fifty, put up $3.5 million toward the cost of expanding the city of Lahore's water supply. In both instances, IDA extended her credits on her usual terms, and the Swedish Government offered generous terms of 20 years at 2 per cent interest. We are now discussing a third joint operation in Pakistan, a fourth in Ethiopia and still others elsewhere in Africa.

Sweden's support for IDA goes beyond a sharing of objectives and a working relationship in the field. Since IDA's establishment in 1960, your country has given most welcome financial support to the Association. Sweden's original contribution of just over $10 million equaled 1.3 per cent of IDA's usable funds. These resources were later virtually doubled when the richer members agreed on a general replenishment, of which Sweden's share was $15 million, or 2 per cent. But Sweden has also, *alone* among IDA's 98 members, given a further $28 million in special annual contributions.

IDA's funds are now within sight of exhaustion. We are currently engaged in negotiations amongst the countries that have provided IDA with the bulk of its resources, and I am cautiously hopeful that our talks will result soon in a substantial replenishment of the Association's funds, enabling it to go about its business on a considerably expanded scale. Certainly there has never been a time when the calls of her poorer members on IDA have been so urgent and so justified.

To my mind, Sweden's generous and positive support of IDA shows two things. It shows a belief that development is possible, that present policies should be pursued and expanded and that they promise a reasonable hope of success. But at the same time, it underlines the fact that ordinary commercial lending on a "business as usual" basis is not adequate to meet the enormous problems which developing nations must confront. Although historical analogues must be used with caution, today, in 1967, just 20 years after the first framing of the Marshall Plan, we may perhaps recall that in that strained and exhausted summer, no ordinary measures or policies would have been enough to get Europe moving again. Our worldwide crisis today may seem less acute, but, I assure you, it is vaster and deeper and even more complex. Certainly it cannot be resolved by pretending it is not there or by admitting it exists but assuming that in one way or another it will simply take itself off. Left alone, it can only grow worse. And at the back of that possible deterioration lies the risk of stark crises—in food, in work, in hope—for over half the human race. If this is not a serious challenge, I am at a loss to know what is.

Let us look at two factors a little more closely—the reasonable hope of development on the one hand and the need for exceptional policies to promote it on the other.

It is no secret that we are living through a time of disillusion and distaste for economic assistance. Although the developed nations have added some $300 billion to their combined gross national product from 1961 through 1966, the flow of official aid net of amortization has not increased much above the $6 billion a year reached in 1961. As a share of national income, it has fallen below six-tenths of 1 percent. The flow of private capital, it is true, rose from $2.4 billion net of amortization in 1963 to nearly $4 billion in 1965. But it fell back to $3.4 billion in 1966. Furthermore, the bulk of these private funds tends to be concentrated on only a handful of the developing countries, mostly those that possess marketable mineral resources.

The reason behind this slackening of effort is not only the normal pressure of domestic priorities on governments and peoples. It is also a belief that waste, inefficiency and even dishonesty have all too often deflected resources from development; to give more aid now, it is said, would simply send good money after bad. There are few parliamentarians who do not have a favorite story of hair-raising waste—fertilizer left out in monsoon rain, grain devoured by rats, paved roads leading only to the president's country villa, foreign exchange stashed away in bank accounts abroad. Even some of the kinder critics question whether there is skill and administrative capacity enough in developing countries to absorb more capital, even if aid *were* to be increased.

It is important, therefore, to try to disperse some of this gray fog of suspicion and discouragement by constant repetition of the actual facts. The average annual rate of economic growth of the poorer countries since the early 1950s has, in fact, surpassed 4.5 percent—a rate that can stand comparison with the pace achieved in the 19th century by the countries that were then pioneering the industrial revolution in Western Europe and North America. In at least 25 countries, many of them what one might call the "middle income states" with per capita gross national product between $200 and $600 per annum, GNP grew during 1966 at a rate between 5 and 10 percent. Among these 25 fast-growing nations, to name but a few, were Israel, Korea, Malaysia, Mexico, the Republic of China, Thailand and Venezuela. These relatively rapid growth rates have been due, without exception, to increased investment—the average percentage of GNP applied to investment in the developing countries has risen to 15 percent; 80 percent of all this effort has been achieved with capital provided by the developing nations themselves. The picture of pervasive waste and failure is simply not borne out by the facts. One must suspect that the impact of good news is relatively slight on our strange human psyche, and that disasters and failures alone stay vividly in our minds. Perhaps, as King Lear suggested, we need not only to know the facts but to "sweeten our imagination," if we are to see the development effort in its proper perspective.

It is precisely because this relatively rapid growth has been going on now for up to two decades that the absorptive capacity of the developing countries is steadily increasing. When we at the Bank ask that IDA's resources can be increased to a billion dollars a year, when we state that in the remainder of the 1960s the developing countries could effectively use several billion dollars a year more than they are now receiving in development finance, we are not taking numbers out of a hat. They are the result of careful and continuing investigation. Like anyone else we can be wrong. But the Bank's record at least suggests that we take reasonable care. And these investigations convince us not only that the flow of assistance on concessionary terms must be greatly increased, but also that the developing economies will be able, technically, managerially and administratively to absorb that flow. Equally, we are certain that the risk of serious trouble lies ahead if today's drift is allowed to continue.

The reason for this risk, I can only repeat, is *not* the developing nations' poor performance. The fact is that for good and poor performers alike, the problems of development at this stage of the world's economic history cannot be resolved by relying on the "normal" methods of international trade and investment. Many of today's problems did not confront the developing countries of earlier days when the ground rules of the international economy were being established. To develop in the midnineteenth century was in a number of ways an essentially different problem from trying to develop in the last third of the twentieth. The most important and dramatic contrast is the trend in population growth during the two development periods, and the profoundly different consequences arising from it.

In the 19th century, the major developed powers experienced their greatest expansion of population only *after* the processes of modernization had set in. One thinks of Britain with six million people in the middle of the 18th century and, even more astonishingly, America with only five million and a virtually empty continent in 1789. The first spurt of rapid population growth provided a new mass of laborers in industry, new markets for food and helped to populate the new industrial cities. Later on, public health began to lengthen life and lessen infant mortality. Later still a more sophisticated work force became necessary to man increasingly labor-saving machines. But by that time, family size had shrunk and, in farm or town, population growth had slowed down. The pioneer nations were trebly fortunate. On the whole, their trends of population growth, urbanization and mechanization helped and reinforced each other.

For present-day developers the opposite is the case. All the various elements—population, patterns of technology, urban expansion—contradict and impede the others. A measure of public health activity has preceded modernization in developing lands. The spurt of population is taking place *ahead* of the means of feeding and absorbing it—at a time when farming is still insufficiently modernized to provide increasing food for the whole population and at a time when the trend in industry is to need fewer but more highly skilled workers. A refinery at Port Harcourt in Nigeria may cost $12 million. But it will only employ 350 men. These unlucky disproportions are due not to vice or incompetence or perversity. They are due to a certain historical timing, to a certain place, if you like, in the queue of world development, in which newcomers cannot follow the favorable patterns of the pioneers simply because the world has moved on, conditions have changed, and the same advantages are no longer there to be seized.

Admittedly, there are countervailing benefits. Industrial technologies have already been invented and can now be borrowed. A vast network of world commerce exists to which economies can plug themselves in. These facts give us hope of the possibility of rapid advance in the future.

But there are difficulties here, too. First of all, modern technology just cannot be superimposed wholesale on the delicate fabric of traditional ways of life. You do not, after all, erect a 10-story building on the aging foundations of a centuries-old house. Preparation by the developing countries, psychologically as well as structurally, to bear the weight and pressures of modernization can be a delicate and time-consuming exercise.

Secondly, the technologies of modernization—the skills, the machines, the infrastructure—all demand capital. To save massively in the face of bounding population increases, to check the aspirations of peoples exposed to, and more than ever aware of, the increasing affluence of the rich countries—this takes a really dogged effort. Mobilizing the capital needed to expand the economy and get ahead of population growth will continue to demand the hardest domestic discipline.

Much of the capital needed will also have to be in the form of foreign exchange, since developing countries cannot be expected to provide all the required materials from their domestic production. It is difficult enough to raise domestic capital; but it is even more difficult to obtain sufficient foreign exchange, especially if the effort has to be conducted through the traditional means of investment and trade. Private investment has, of course, a vital role to play in development. It assists in all the tasks of modernization and its disciplines give admirable training in efficiency and in the most rewarding use of resources. But the international flow of private capital, as I have mentioned before, tends to by-pass most of the very poor. The countries with annual incomes of $250 per capita or less—the IDA countries—account for two-thirds at least of the number of developing countries. Yet they receive only 15 per cent of all private investment. In any case, developing countries are already confronted with massive problems of repayment. Amortization, interest and dividends take today around $7 billion in reverse flows from developing to developed countries. This is about half the gross flow of all financial resources from rich to poor lands in 1965. To give a specific example, nearly one-third of the gross inflow of official capital called for in India's Fourth Plan would be needed to service loans.

We also have to recognize that international trade is not yet the resource that it clearly could become. The exports of the developing countries rose in 1959 through 1966 from $27 billion to $42 billion, and in a sense this was an encouraging step forward. At the same time, however, their share in world exports fell from 27 to 23 per cent; and income from exports, in the case of individual countries, continues to fluctuate from causes that lie largely beyond their control. These facts, I know, are particularly well understood here in Sweden; it was your Government, at the first United Nations Conference on Trade and Development in 1964, which with Great Britain instigated a study, since completed by the World Bank staff, of measures for defending the poor countries against the disruptions to development caused by unforeseen short-falls in their export earnings.

In some measure, the developing countries today, like the nations of Europe in 1947, are caught in a series of interlocking contradictions and bottlenecks which cannot be broken by purely conventional means. The need is for exceptional action on a sufficient scale. The need is to launch a contrary movement in which growth feeds saving, saving generates more growth and both together help two-thirds of humanity over the next two critical decades—critical because, although population increase will only begin to slacken over the next 20 years, the groundwork can nonetheless be laid for successful modernization and greater stability later on, say by the turn of the century, now not much more than three decades ahead.

The alternative—of stagnation, frustration and disappointed hopes—will leave the great majority of our fellow men hungry, restless and reduced to a sort of delinquent despair. I, for one, do not believe that our small planet can survive half-sated and half-starved. I believe the case for exceptional responses and exceptional measures to be unanswerable.

Despite the encouraging attitude of Sweden and a few other governments, including the United States and Canada, the more prosperous countries as a group have yet to agree on new initiatives which the world situation demands. We may be back to a sort of 1947, a time of decision in which we may either turn toward our problems or away from them. Let us be clear, however, that we are not confronted by a question of fundamental resources. After nearly two decades of uninterrupted growth, the developed nations enjoy an economic elbowroom and a freedom of maneuver never before even dreamed of in human history.

In the countries of the Development Assistance Committee of the Organization for Economic Cooperation and Development, combined gross product grows by some $60 billion a year, a sum corresponding to approximately two-thirds of the entire income of Latin America. The United States alone, growing by between 5 and 6 per cent a year, adds over $40 billion to an annual GNP which is now over $730 billion, thereby acquiring each year, as an extra, almost as much as the entire GNP of India or Africa. This order of resource generation gives the developed nations the capacity to act on a completely unprecedented scale.

It is true that they confront particular difficulties—pressure in domestic budgets or vexing problems with their balance of payments. But on the budgetary aspect, it is surely not impossible to give economic assistance a somewhat higher priority when one recalls that arms spending, in the world at large, has passed the $160 billion a year mark and when, in any case, an annual rise in national income at 3 to 4 per cent is now the norm. As far as balance of payments considerations are concerned, it seems to me that the richer countries have to decide whether or not they are going to accept the earmarking of a definite, adequate percentage of their increasing resources for development assistance as an immutable fact of life. The balance of payments effects of the transfer of such resources is at most very, very small in the over-all picture of external payments and receipts of the developed countries. In no case would they be anything except a minor factor in any serious balance of payments deficit which may be experienced—well within the capabilities of mechanisms for the relief of balance of payments difficulties that from time to time afflict the wealthier countries.

But I have the impression that the tardiness in confronting the scale and nature of the world's economic crisis springs not so much from these difficulties as from discouragement and skepticism about the general effectiveness of aid to development. I have already told you of my conviction that in fact the record of the developing nations is far better than the popular image suggests, and I have tried to outline the special difficulties and deadlocks which impede more speedy and obvious success. But it may be that ten angels swearing would not, at this minute, alter the bias of opinion among the rich nations or convince them of facts they have become unaccustomed to hearing.

What can be done? I would like to suggest that the governments of the developed countries—on whose support and resources any more ambitious strategy for the 1970s will depend—decide to get away from rumor and innuendo and half facts and half truths and put themselves in the position to learn the real facts. I suggest that they invite the dozen or more leading world experts in the field of development to meet together, study the consequences of 20 years of development assistance, assess the results, clarify the errors and propose the policies which will work better in the future. In 1947, before Europe and America could enter wholeheartedly into the experiment of the Marshall Plan, an official body of experts under the leadership of Lord Franks, drawn from the participating nations, studied the whole range of programs and policies required to achieve European recovery. Today, it is high time to work out a similar perspective of the problems of growth in the less developed countries, and to draw, for all to see, a genuinely comprehensive, objective and expert picture of where we are and where we can go from here.

We are ready at the World Bank, together with interested governments, to help to select and finance such a group of experts. I am ready to put at their disposal all the information and statistical material the Bank has accumulated and, if requested, to second staff to their service. Such a "grand assize"—judging the world's record and prospects of growth—should in any case precede any attempt to round off our faltering "Decade of Development" with a genuine reformulation of policy.

But our present crisis of overpopulation and undernourishment, of bounding hopes and flagging performance, of vast wealth and desperate poverty, is much too urgent for this re-examination to be delayed. I hope that we can start at once to set the machinery of consultation in motion and to ensure that by the end of 1968, the essential groundwork for policy in the seventies has been laid.

I have faith both in the good sense of governments and the generosity of peoples. I believe that if a strategy for growth is presented to them by experts of unimpeachable objectivity and honesty, based upon an entirely unbiased examination of the facts, failures and achievements of the last 20 years, and giving a reasonable guarantee of hope and progress, their response will be to accept the implications of that strategy and to provide the resources, in capital and manpower, necessary for success.

For many years after World War II, differences between nations of the East and West were the most divisive force on the world political scene. But these differences have been diminishing perceptibly, and the most ominous force that divides us today is the wide disparity between the living standards of the rich countries of the North and the poor countries of the South. It is this economic gulf—proving so difficult to bridge—which, in my judgment, represents the basic threat to our world. Today we have the resources, the experience and the knowledge to narrow the separation between the rich and the poor. But we are held back by lack of direction and lack of will. We may have stolen the Promethean fire but at present we do little more than complain that it is burning our fingers.

Humanity really can do better than this. Twenty years ago, a way was shown in the rebuilding of Europe. We had a demonstration of what an unprecedented response to an unprecedented challenge can achieve in the recovery of confidence and hope. Today, the challenge lies even further beyond the reach of normal responses. Let us therefore have the audacity to seek new ways of recovering our sense of mastery and surer ways of securing our threatened future.

NEW YORK SCHOOLS BOOST BILINGUAL EDUCATION PROGRAMS

Mr. YARBOROUGH. Mr. President, with 100,000 non-English-speaking youngsters in the public school system of New York and 227,000 pupils of Puerto Rican background, the New York City Board of Education has taken action to strengthen programs of bilingual education to improve the opportunity of these young people to receive an equal education.

In this particular instance, the pupils at early grade levels will be taught in Spanish, which is their mother tongue, until they become familiar with English. This program is important, because it emphasizes the need for support in developing good bilingual education programs. The Bilingual Education Act, which is a new title VII of the Elementary and Secondary Education Act Amendments of 1967, would provide that needed support. I ask unanimous consent that the article from the New York Times of November 27, 1967, entitled "Young Puerto Ricans To Be Taught in Spanish" be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUNG PUERTO RICANS TO BE TAUGHT IN SPANISH: BOARD OF EDUCATION SEEKS TO AID 100,000 CLASSIFIED AS NON-ENGLISH-SPEAKING

(By Peter Kihss)

The Board of Education is acting to use Spanish as much as possible in early-childhood teaching of Puerto Rican youngsters. Of 227,000 pupils of Puerto Rican background in the public schools, 100,000 are classified as non-English-speaking.

The board's move has been set forth in its first comprehensive statement of policy to guide 60,000 teachers and supervisors in helping Puerto Rican children. The 3,000-word document is printed in the current issue of the board's staff bulletin.

The new document has been endorsed by Louis Alvarez, as chairman of the Puerto Rican Committee on Educational Policies, a group made up of seven Puerto Rican parent, teacher and civic organizations.

"Children of Puerto Rican background," the board policy statement said, "may be helped by the use of as much Spanish as is feasible as early as possible. Teachers are being trained now for wider use of new methods in using Spanish in early childhood education."

OTHER MEASURES NOTED

The board noted it had already moved to strengthen kindergarten, first-grade and second-grade programs in disadvantaged areas by smaller class size and other measures "to prevent retardation at the beginning for all pupils." This, it held, "should be particularly helpful to children accustomed to another language."

Experiments already under way, the board said, include "teaching the kindergarten and first-grade children to sing songs both in Spanish and in English" and increasing the use of books and audio-visual materials in Spanish and English on Puerto Rican history and culture.

"An intensive program is being developed to ready and place more Puerto Rican pupils into college preparatory courses and reduce the high percentage of dropouts and children in the general courses," the statement went on.

The board said it was "determined that all children, regardless of their vocational choice, will receive in the high schools a basic academic education." Parents were urged to "help their children become bilingual by using both languages in the home."

To enable effective evaluation of its efforts—which it said should generally be conducted by outside agencies—the board said it wanted to learn "how many children of different backgrounds graduate with academic, general or vocational diplomas" and the dropout rate for different groups.

Borough President Herman Badillo of the Bronx expressed concern yesterday that "total power" for community school boards, as proposed in a report by the McGeorge Bundy committee to Mayor Lindsay, would cause ethnic friction among Negro, Puerto Rican and other groups.

Mr. Badillo, himself a Puerto Rican, said Negro and Puerto Rican clashes had contributed to "the disaster of the poverty program," which he said was "not working anywhere" in the city. In a WABC "Radio Press Conference" interview, Mr. Badillo suggested the school proposal might be tried out first in a poverty area and in a middle-class area.

Dr. Eugene S. Callender, executive director of the New York Urban League, said yesterday that a plan by the league and the Harlem Congress of Racial Equality for a separate Harlem school district would be introduced in the Legislature next January. In a WCBS-TV "Newsmakers" interview, Dr. Callender said such a set-up would be consistent with the Bundy proposals.

THE SPIRIT OF THANKSGIVING

Mr. HRUSKA. Mr. President, this Nation's formal observance of Thanksgiving Day is past and the last of the turkey hash has been consumed, along with the final vestiges of the cranberry sauce.

This morning, as I returned to my office after a thoroughly pleasant Thanksgiving weekend with our children and our grandchildren, I found on my desk a copy of the Omaha World-Herald in which was printed the winning letters in that newspaper's Thanksgiving letter contest.

The letters started me to wondering why it should be that Thanksgiving is a sometime thing.

The first-place letter in the World-Herald contest was written by the wife of the minister of a small church in Cozad, Nebr., the Reverend Richard J. Mitschelen. It tells in simple yet eloquent language the gratitude this splendid couple has for the opportunity to serve as the foster parents for six youngsters of racially mixed parentage.

The second-place letter is equally inspiring. It was written by an Omaha teenager, Walter Johnson, who expresses his appreciation for his parents.

Mr. President, in a time when hate and violence have reached new heights in America, one can draw comfort and assurance from the realization that the old-fashioned virtues of love and compassion still run strong.

I ask unanimous consent to have printed in the Record the two letters to which I have referrèd, along with a news story concerning the Mitschelen family.

There being no objection, the letters and article were ordered to be printed in the Record, as follows:

[From the Omaha (Nebr.) World Herald]

On Thanksgiving Day: A Privilege To Share Our Blessings

(By Mrs. Richard Mitschelen)

On this Thanksgiving Day we feel we have much to be thankful for. We have been led by our Heavenly Father to share our home with mixed race children, and children that need love and care.

In the 20 years we have been married we have opened our hearts and home to 16 children and have adopted eight, with the ninth now being adopted. We count this a wonderful privilege to be able to share our blessings.

Our little daughter took her place in our home at the age of three months and nine days. With her she brought so much joy for we feel she is a precious jewel, sent to share our blessings. For this we all are most thankful.

We also are thankful for the wonderful way our congregation, friends, neighbors and community have accepted her. Their acceptance makes it easier to do what we knew the Lord wanted us to do.

You see, she is part Negro and it is real hard to say whether we are most thankful for her or for the understanding of all those around us who have shared their church and community with her. For this we are so very thankful on this Thankgiving Day.

Rare Insight in Church Is Son's Finest Hour

(By Walter Johnson)

It was crowded in church Sunday and by chance I had to sit behind my parents.

This may well have been one of my finest hours. I realized how quality is evidenced in faith and startled myself with pride while deep in thought.

I looked at my father in prayer and saw how strong and handsome a 40-year-old man can be. An ex-marine who told me once he wept and prayed when he saw Hiroshima, a big man who just last week carried home a sick, broken-leg pup and paid the vet's bill for a real under-dog.

The same man grounded his three teenagers last night for being late. He is anchored to principle at home, the office and church. This gives me strength.

I looked at my mother in prayer and understood what caught Dad's eye. I noticed the small wrinkles where she smiles funny. My mother is 39 (honest) and, being of the girlworld with my sisters, hard to understand.

She sat on the basement steps and cried unashamed with them when their pet hamster died of old age. She gets goosepimples upon hearing a beautiful song. She laughs harder and talks more than any one and seem to nourish me with a feeling for all of life.

Chance happens to all and for an hour I turned it to account and realized a blessing given to few—parents such as mine.

Ever-Growing Family Is Blessing

(By Gary Newman)

Cozad, Nebr.—On December 25, 1948, a young couple took a dirty, emaciated 18-month-old boy from the arms of a Red Cross worker and started back to their nearby mountain cabin in Kentucky.

Almost simultaneously, they said to each other: "Wouldn't it be wonderful if we could keep him?"

This young midlands couple, doing home missionary work for the Church of God in the backwoods of Kentucky, did get to keep the boy, who was of Syrian extraction. This was the beginning of a family that hasn't stopped growing.

When the Rev. and Mrs. Richard J. Mitschelen sit down at dinner today, they and their six children still at home will bow their heads in a prayer of thanksgiving.

TEN OTHERS

Around the table will be three Korean children, two who are part Puerto Rican, and a 4-month-old girl who is part Negro.

Many of the family's thoughts will be of 10 other children who have shared the Mitschelen home since 1948.

Their thoughts may also go out to a 3-year-old, part-Negro girl they hope will be within the family circle by Christmas.

It's a big and unusual family by any standards. Mrs. Mitschelen is unable to bear children because of a polio attack suffered as a child.

"PRIVILEGE"

Eight of the children have been adopted and a ninth soon will be. The Mitschelens cared for the other children—for periods up to several years—because of difficulties in the homes of the children.

"We count this a wonderful privilege to be able to share our blessings," Mrs. Mitschelen wrote in her entry in The World-Herald's Thanksgiving letter contest.

"We've just come to feel this is part of our mission on Earth and I guess there is always room for one more," she said. Her husband, who lost an arm in a train accident 17 years ago, agreed.

The Mitschelens, both ordained ministers, have served Cozad's Church of God for two years, coming here from Iowa Falls, Ia.

CROWDED

The family lives in the three-bedroom parsonage just west of the church along broad, quiet Fourteenth Street.

"It would be nice to have more bedrooms," said the Rev. Mr. Mitschelen. But he recently urged his congregation to use available funds to provide church classroom space.

"Most people we have come in contact with have been so helpful and so understanding," said Mrs. Mitschelen, "especially our congregations."

The Church of God, one of Cozad's 16 churches, has a congregation of about 70, the Rev. Mr. Mitschelen said.

MOTTO

"I don't suppose we have any more trouble from day to day around the house than the average family," Mrs. Mitschelen said.

"The board of education has to be applied to the seat of learning every once in a while," she said.

In the kitchen hangs a motto: "My house is clean enough to be healthy and dirty enough to be happy."

Throughout the home are portraits and snapshots of the children.

Things have been rough at times for the family. Food and fuel have been scarce, clothes sometimes have been few. But the Mitschelens make no excuses.

"We haven't given the children things—we've given them love and care," they said.

EDITORIAL SUPPORT FOR ADMINISTRATION'S POSITION ON PROTECTIONIST LEGISLATION

Mr. KENNEDY of New York. Mr. President, since the first Reciprocal Trade Agreements Act of 1934, the United States has consistently pursued a liberal trade policy. Thanks to this policy, our trade—and world trade—has prospered mightily. Our exports today are running at an annual rate of $31 billion. Ten years ago they were $19 billion. And, of course, our imports have grown too. Currently they are at an annual rate of $26 billion, compared with $13 billion in 1957.

Only a few months ago the most successful trade negotiation in history—the Kennedy round—was completed. These negotiations were a milestone in the difficult struggle toward greater international cooperation and the continuing efforts toward greater mutual prosperity and economic development. Now we must act to be sure that we safeguard what was gained in the Kennedy round. This will not be simple. There are those who want to protect not what we gained at Geneva, but far narrower interests which seem to have some shortrun benefit for one industry or product.

Broader, longer range interests must guide us now. We protect our Nation by continuing to increase productivity, by stimulating competition, and by insuring that productivity gains are shared with workers. And the achievement of all of these ends is complemented and enhanced by the constructive trade policy which we have had for the past 30 years.

Fortunately, many people in this country feel strongly that our liberal trade policy must be continued—that there must be no return to protectionism with all the tragic consequences that would have for our country and for the rest of the world.

The Nation's press, I am happy to say, is fully alive to this issue. I ask unanimous consent to insert in the Record a number of editorials which clearly reflect the growing concern that the Congress might nullify a successful trade policy through misguided and self-defeating restrictive trade measures.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Boston (Mass.) Herald Traveler, Oct. 16, 1967]

The Ghost of Protectionism

Other nations must be wondering if Washington's right hand knows what its left hand is doing. With the Kennedy Round of tariff negotiations ended just five months ago, resulting in agreements skillfully negotiated by the Administration's trade specialists and approved by President Johnson, Congress has suddenly embarked on a course that would take our nation back to a position of protectionism.

After four years of talks, the 50 nations that are party to the General Agreement on Tariffs and Trade (GATT) settled on tariff cuts averaging about 33 per cent and involving four-fifth of the world trade. World-wide, the agreements were hailed as a step toward increased trade, lower prices, stepped-up economic activity, and greater co-operation and peace among nations, with the United States, as a major exporter, in line for considerable benefits.

Congress was not required to pass on the Kennedy Round pacts, save for one area involving chemical imports, but this has not stopped the lawmakers from entering the picture. The protectionists among them are not seeking to reverse the decline of tariff barriers. Instead they are trying to replace them with import quotas. A quota can discourage trade as effectively as a high tariff. More than half the Senate membership reportedly is behind one import quota bill or another, involving such products as steel, meat and dairy items, textiles, and petroleum. The Senate Finance Committee will hold public hearings this week on the measures, and Sen. Everett Dirksen (R-Ill.) predicts an effort will be made to attach an omnibus quota bill to the Administration's Social Security bill as a rider, or extraneous amendment, a dubious though not unprecedented tactic.

These moves by the lawmakers are probably well-intentioned, aimed at protecting certain U.S. industries against stiff competition from imports. But the fact is that other U.S. industries would be harmed, because other nations, limited by quotas on their exports to the U.S., would retaliate with measures directed at U.S. exports. In all likelihood, the U.S. would be harmed more than other countries, because it exports more than it imports. Further, consumers here would be denied the wider choices and lower prices that derive from imports. Inflation could result, and the U.S. balance of payments could be adversely affected.

The greatest damage, however, might be to the unity of the free world. The U.S. was a leader in the Kennedy Round, and the tariff cuts it agreed to were a demonstration to the GATT nations that America stood for liberalized trade policies and greater cooperation among nations. Quota legislation could undo all this. Congress should halt its backward flight toward protectionism, lest the U.S. commitment to free trade stand as an empty one in the world's eyes.

[From the Cleveland (Ohio) Plain Dealer, Oct. 17, 1967]

Lobbies Endanger Free Trade

All the gains of the Kennedy Round of tariff reductions could be lost unless free trade forces rush to the barricades on Capital Hill. Consumers, exporters and progressives, beware!

The high-tariff protectionist lobbyists are wearing war paint, brandishing tomahawks, circling the Senate Finance Committee.

Once they close in, it could be a rout. They could start turning back the clock to the Smoot-Hawley tariff system of the miserable, depression-haunted '30s.

The dairy lobby already won a limit on foreign milk products in June, a ceiling of 1.11 billion pounds a year.

Now the chemical, the petroleum, the textile, the meat, the steel and the stone, clay and glass producers all want high tariff walls to protect them against foreign competition.

U.S. Sen. Everett M. Dirksen, R-Ill., said last week that he would try to attach these special restrictions on foreign trade—as a rider—to the Social Security bill.

Dirksen has used this trick before. He ties a log-rolling rider onto an urgently wanted major piece of legislation, like a nasty-tasting drop of bitters embedded in a meatball, hoping the hungry customer will swallow it.

All this old-style protectionism is bad for the country, even though it seems to be good for the individual industries.

True, Americans are buying more foreign goods. In some lines, other countries are gobbling up big chunks of the American market. This is indeed hard on some American producers.

But if they get tariffs to protect them against overseas competitors, those other countries too will raise tariff walls in retaliation. And this would hurt other American producers. America is also selling far more these days to foreign consumers.

On balance, America exports more than it imports, so more Americans will get hurt by high tariff walls all over the world.

Besides, foreign countries cannot buy American goods if they cannot sell their products over here. That is their only way to earn the funds with which to shop for U.S. products.

The housewife, the shopper over here, too, gets hurt. With a tariff wall to protect him from lower-priced competition, an American producer is freer to raise his prices.

So protectionism threatens to add inflationary pressure besides threatening to reduce U.S. exports—which means shrinking production, fewer jobs and a backward turn toward one of the saddest eras in American history.

This Congress is a mixed up, wayward crowd. The conservative victories of last November's elections produced enough votes to stand off the White House regulars and the liberals.

President Johnson's leaders had better whip together a free trade task force in a hurry. Otherwise, all its bellows of triumph over the Kennedy Round of tariff cuts will turn into cries of mourning.

[From the Los Angeles (Calif.) Times, Oct. 31, 1967]

Pro-Trade Forces Finally Wake Up

Those who propose new barriers against the import of foreign goods won't admit it, but they are really lobbying for higher living costs and fewer jobs for American workers.

It is fortunate, therefore, that a backlash at last seems to be developing against the protectionist drive which has threatened to stampede Congress into voting new restrictions on imports.

The protectionists—whose ranks include domestic producers of items ranging from steel to dolls, and from textiles to pottery—like to talk about the loss of business (and jobs) which results from the import of lower-priced goods from abroad.

They ignore the facts that a much larger volume of business, and a much larger number of jobs, depends upon the maintenance of America's huge export markets—which amount to about $31 billion a year.

They also forget to mention that it is the American consumer who pays, in the form of higher prices, for the privileged position in the market place which is sought by the protectionist industries.

Common sense should tell anybody that the United States cannot reduce the access of foreign goods to the U.S. market without inviting retaliation against our own exports.

Mexican President Gustavo Diaz Ordaz, during his visit to Washington last week, expressed concern over the "adverse impact" that trade restrictions would have on his country.

"Every one of this country's major trading partners has delivered a note of protest to our government concerning import quota proposals pending in Congress," Ambassador William M. Roth, the chief U.S. trade negotiator, told a Los Angeles audience.

Roth estimated that $6 to $12 billion worth of U.S. exports—including a half-billion dollars worth of California agricultural output, among other things—is at stake. (The California Council for International Trade estimates that $5 billion a year of this state's personal income is related to foreign trade.)

In light of the facts, it is incredible that a large majority of both House and Senate members have introduced protectionist bills of one sort or another.

Many are beginning to have second thoughts, though, as pro-foreign trade forces begin to exert counter-pressure.

Sen. Charles Percy (R-Ill.) and Rep. Thomas Curtis (R-Mo.) made excellent speeches last week reminding their colleagues where the nation's true interest lies.

Companies with big sales abroad are reported organizing a lobbying effort to counter the protectionists. In a country where the squeaking wheel gets the grease, it's about time.

[From the Atlanta (Ga.) Constitution, Oct. 14, 1967]

Turning Back the Clock

One of the most concerted efforts for trade protectionism in many years is taking shape in Congress this week, and the import quotas proposed are being packaged in such a way as to forestall reasonable debate on the issues involved and the consequences.

Led by Senate Republican Leader Everett Dirksen of Illinois and Vance Hartke, D.-Ind., the protectionist forces plan to attach an omnibus quota rider to the administration's Social Security bill. The Senate Finance Committee has agreed to suspend consideration of the Social Security bill for hearings next week on the various quotas, paving the way for the rider maneuver.

Dirksen and Hartke are particularly interested in mandatory steel import quotas, but predict an omnibus measure that will include not only steel but oil, textiles, meat, lead and zinc dairy products, watches and mink. Lumping them all together certainly would strengthen the protectionists' chances.

But the dangerous consequences of these maneuvers are readily apparent. Such wholesale quotas on imports would bring massive retaliation from other countries against our exports. Administration foreign trade spokesman William M. Roth predicted that the immediate victims would be our export of cotton, rice, soybeans, production machinery, farm machinery and automobiles. Roth also predicted that the proposed quotas, estimated at $3.6 billion of our annual imports at least, would undermine the Kennedy Round of tariff cuts and play havoc with our whole foreign trade policy.

We have come a long way from the high tariffs that played havoc with world trade and created world tensions in the 20s and 30s. Our policy has been toward freer trade in the world with carefully and reasonably negotiated tariffs and quotas where protection is warranted.

But the wholesale quotas now proposed, and the maneuvers contemplated for forcing them through, threaten to turn back the clock and set off another acrimonious tariff war between this country and the rest of the world.

[From the San Francisco (Calif.) Chronicle, Oct. 29, 1967]

The Trade War

The United States is likely to touch off the biggest trade war in 30 years, if the current drive of protectionists to slap import quotas on almost one-fourth of our total imports is successful.

Ambassador William M. Roth of San Francisco, head of the U.S. team that painstakingly negotiated the Kennedy Round of trade agreements at Geneva this summer, is leading the Administration effort to block restrictive trade legislation in the Senate.

The strength of the new threat is clearly apparent in the 340 to 29 vote by which the House of Representatives approved the so-called Dent Bill late last month. This bill would reverse the liberal trade policies of the past five years, that have helped the American economy reach unprecedented heights. It would place quotas or higher tariffs on a wide range of commodities.

Senator Charles Percy (Rep-Ill.) an outstanding businessman, agrees that the fight to save free trade policies must succeed against an alarmingly strong protectionist movement in Congress. "It is the consumer who pays for the protectionist successes of the producers," Senator Percy points out. "Imports in recent years have served to keep relentless pressure on U.S. costs and prices."

This is an especially crucial issue for California. Quotas already requested affect over $6.4 billion of U.S. imports. As Ambassador Roth pointed out last week in a talk to the California Council for International Trade, a prime target for retaliation by America's trading partners would be U.S. agriculture, by far our largest export industry. California alone exported last year more than $500 million of agricultural products.

Moreover, some of our major Pacific trading partners would be hit especially hard. Some

43 per cent of imports from Japan would be affected and 60 per cent of imports from Australia.

An estimated $5 billion of California's personal income is related to foreign trade. Legislative dismemberment of this thriving world trade, besides constituting a flagrant breach of good international manners, would be downright absurd.

[From the El Paso (Tex.) Herald-Post, Nov. 1, 1967]

INVITING A TRADE WAR

The United States imports no coal but exports more than $450 million worth a year and the volume is increasing steadily.

These figures, included in a survey by Rep. Thomas B. Curtis, St. Louis Republican, are symbolic of those that should remind the growing protectionist element in Congress of the bobby traps in the road they currently pursue.

There are, at the moment, a few dozen bills before the Congress seeking to limit foreign competition with U.S. goods by new or tightened import quotas.

Among the commodities claimed to need protection are steel, textiles, meat, dairy products, petroleum, fish, shoes, even mink furs and TV sets. Though many of the sponsors still assert their dedication to Free World trade they ask exception for some product or other, produced in their home districts, on the grounds it is having trouble meeting foreign price competition. They oppose all tariff walls except the ones they want to build around their own constituents.

This pressure for new tariffs sabotages the spirit of the Trade Expansion Act of 1962—hailed as the supreme achievement of the Kennedy Administration—and of the Kennedy round of trade negotiations just concluded under it. Under this law our government is empowered to reduce import duties by as much as 50 per cent provided other governments make similar concessions.

The world will correctly view any retreat into protectionism by the U.S. Congress as repudiation of the free trade cause.

What these misguided members of Congress are asking for is, in effect, renewal of a worldwide trade war.

The bulk of our exported coal originates in Pennsylvania, West Virginia, Kentucky and Tennessee. Economies of these areas would suffer from retaliatory measures which are bound to follow any new barriers to trade erected by the United States. At best this amounts to robbing Peter to pay Paul.

Coal is just one commodity we export to the world. Actually our exports exceed our imports by approximately $5 billion a year. Our nagging deficit in balance of world payments is due mainly to foreign aid and military expenditures.

The price squeeze on U.S. industry is one of the evil effects of inflation. The remedy is better cost control plus renewed effort to balance the federal budget, thus protecting the buying power of the dollar. And not the provocation of a new trade war with its inevitable assault on the living standards of the whole western world.

[From the Milwaukee (Wis.) Journal, Oct. 29, 1967]

RETURN TO PROTECTIONISM SURE WAY TO RUIN ECONOMY

Every American who draws a paycheck, shops in a store and worries about peace on earth has a large stake in the fierce world trade fight that has broken out in congress.

Massive reversal of American trade policy, carefully built over three decades and climaxed in the mutual concessions of the Kennedy round last May, may seem unthinkable. But with 90 out of 100 senators sponsoring one or more of a score of import quota bills, the danger is clear and present. If all the quota bills were passed, United States imports would be reduced by roughly two-fifths.

Obviously other countries would not docilely abide such injuries. They would strike back with similar restrictions and because we sell more abroad than we buy—about $5 billion more this year—we have more to lose. The loss would be felt in shrunken plant production and unemployment; in rising prices unrestrained by sharp foreign competition; in harsh reprisals against American investment abroad; in a critical cut-off of agricultural exports; in a deepening of our balance of payments problem.

It should also be noted that the delicately balanced results of the arduous Kennedy round are not yet fully ratified by major trading nations. A congressional act of bad faith at this pivotal moment would do more than alter the agreement. It could easily cause the whole deal to collapse.

Milwaukeeans need look no farther than their own port to witness the importance of world commerce to American well-being. In 1966, the port moved more than three times as much export tonnage as it did import tonnage, with outbound shipments embracing nearly every kind of commodity made or grown in the midwest. If congress slapped quotas on, say, steel imports, a nation like Japan could switch many of its American purchases to Canada.

There is no denying that some domestic industries are hurt by imports. While this is often due to inefficiency, the President has indicated he will soon propose adjustment aids for plants or workers truly harmed. There also is need for a vigorous bargaining table assault on nontariff devices in other countries.

These are positive approaches that can consolidate the gains of our trade policy. The protectionist impulse is to tear it—and the world economy—to shreds.

[From the Cincinnati (Ohio) Enquirer, Oct. 20, 1967]

WILL CONGRESS TREAD ON FREE TRADE?

The Congress seems dangerously close to enacting new limitations on imports to the United States. To the voters back home the senators and representatives sponsoring the bills are posing as defenders of American producers and American workers.

In fact, if these bills covering more than $3 billion of U.S. annual imports were to become law, they would give the United States one tremendous headache. For they would undermine confidence in the word of the United States among our allies and friends around the world, and in the end it would be the American consumer and producer who would pay the bill, not foreign exporters.

The immediate danger is to foreign confidence in the trustworthiness of the United States. It was only five months ago that our government and the other 52 major trading nations of the free world signed an agreement in Geneva to reduce tariffs on most industrial products by about one third. This was the so-called Kennedy Round. The United States proposed it; Congress approved it, and it led to mutual concessions that should benefit every participant by increasing everybody's exports.

The seriousness with which the other nations who signed the agreement take the proposed import quotas is eloquently clear in the diplomatic notes presented in Washington in recent days by the six nations of the European Common Market, all the nations of Latin America, Japan, Austria and Britain. This covers most of the Geneva participants. The others will be heard from soon.

If import quota legislation were enacted and enforced, it would inevitably lead to retribution by these nations. For every dollar that the United States cuts its imports they could cut our exports to them by the same amount. The roughly $4 billion annual surplus in our trade, a vital surplus in the struggle to end the deficit in the U.S. balance of payments, could quickly disappear. Moreover, under the rules the United States has solemnly agreed to follow in international trade our government could do very little to protect our exporters from this retribution.

Finally, restrictions on such imports as meat, dairy products and textiles would mean higher prices here that the American consumer would pay very directly.

It does not seem to us that the game being played in Congress is worth the briefly flaming candle of votes it is intended to light.

[From the Miami (Fla.) Herald, Oct. 23, 1967]

FOREIGN TRADE FLOW VITAL TO U.S. ECONOMY

Every few years a spasm of protectionism seizes Congress. The last such fit in 1962 was overcome by the late President Kennedy's Trade Expansion Act of that year. But now it is another year.

The congressional hopper is full of bills which would fully outdo what the act of 1962 did in part.

Legislation which President Johnson's special trade negotiator, William M. Roth, calls "horrifying" would bounce import duties up and cause retaliation against our exports of tobacco, cotton, rice, citrus products, grains, industrial and farm machinery and the thriving new business machine industry.

The loss is estimated at $3.5 billion, which is slightly more than the present favorable gap (in dollars) between exports and imports.

Mr. Roth is no political scarehead. He has represented the United States in Geneva at the Kennedy Round talks on tariff cutting. "Never in recent memory," he vows, "has there been such a concerted protectionist drive as we are now seeing in Congress."

In the sense that it is the trend of a national mood, protectionism mirrors the growth of political isolationism which recurs periodically and which represents dissatisfaction with the Vietnam war.

It reflects also the slow but subtle turn of Great Britain, our traditional ally, away from North America and toward Europe. It is occasioned as well by the anti-American antics of Gen. de Gaulle.

If an understanding of the peril can be made simple, it lies in this simple rule: To sell, you must buy. For some reason, the lesson never reaches protectionists.

Without a fairly free flow of foreign trade this country would be in instant economic difficulty. Foreign trade not only accounts for millions of jobs on farms, in factories and at seaports, providing markets for 15 per cent of total farm production alone, but it also brings in vital commodities without which the American industrial complex would grind to a halt.

For instance, 39 minerals are vital to U.S. industrial production. All or part of about 30 of them come from abroad. The communications industry, for specific illustration, needs 48 imported materials from at least 18 free world countries to make a telephone.

U.S. exports total twice the factory sales of the entire auto industry. Civilian aircraft manufacturers sell four out of every 10 planes abroad. Even the textile industry, which tends to be protectionist, relates its economy to the 20 per cent of America textile machinery sold overseas.

So it is that foreign trade is a two-way street which has usually carried the margin of profit—6 to 8 per cent—of our economic complex.

Political meddling with it is just as the man said: Horrifying. It ought not to be countenanced in a mature nation.

[From the Christian Science Monitor, Oct. 21, 1967]

NEW PROTECTIONIST SENTIMENT

It is not easy to gauge the power of the current tide of protectionism in America—the agitation of those who would newly raise quotas and other barriers against foreign trade. But the sentiment is sufficiently visible to cause the Washington administration to begin mobilizing its top cabinet personnel to testify to the lasting virtues of trade liberalization.

Four months ago the United States was hailing the successful completion of the "Kennedy round" of trade-freeing. But the battle against unwise degrees of protectionism has to be fought over and over. This year, the protectionist lobbies seem to be combining tactics.

Yet the United States, as a foremost exporter, is not living in the years of the Smoot-Hawley tariff. The fact of America's trade surplus is known today. Last year the United States exported $3.8 billion more than it imported; this year the figure may be $4.5 billion. If American import quotas are established other countries are in a position, and of a determination, to retaliate.

The Trade Expansion Act of 1962 provided procedure for Tariff Commission examination of complaints by industries claiming injury from foreign competition. But the evidence must be of actual, not potential, damage. Today the industries arguing for greater protection, such as steel, oil, textiles, meat, are not in depressed circumstances. But among proposals being advocated are the establishment of quotas against imports which reach more than a given percentage of American consumption.

The administration's job right now is to mobilize support for holding the remarkable gains already made on the trade liberation front. Retail businessmen are warned that import restrictions would limit consumer choices. Consumers are advised that quotas and tariffs raise prices. Farmers are asked whether they favor protecting high-cost industries if this risks jeopardizing farm exports.

[From the Hartford (Conn.) Courant, Oct. 8, 1967]

THE INTENSIFIED DRIVE FOR TRADE RESTRICTIONS

Efforts to prevent the Kennedy Round of trade negotiations from having their intended effect are being intensified in Congress. The purpose of the Geneva talks was to increase world trade for the benefit of all nations. Important tariff reductions were agreed upon, but they can be circumvented by quotas and such devices as health regulations. The campaign now gathering strength in Congress seeks to promote protectionism by adopting quotas for imports.

Protectionist sentiment in Congress is building up to a new crisis, said William M. Roth, the Administration's foreign trade negotiator, in a recent Detroit address. He said the drive for legislation to make it harder for imports to enter the United States threatens to turn the clock back to the Smoot-Hawley Tariff Act of 1930. This was the most restrictive law ever adopted by Congress.

Mr. Roth said industries that seek new trade barriers may not be the ones to suffer when other countries retaliate against American exports. Bills are now pending in Congress to restrict imports of textiles, watches, petroleum, meat, dairy products, lead and zinc. One bill already adopted by the House would permit the President to restrict imports on any foreign product produced abroad under labor standards below those of the United States. Few foreign products would be allowed in under such conditions. Another bill in the Senate would establish mandatory quotas if imports contribute to the economic problems of domestic producers.

In general, lower trade barriers promote the interests of all countries by enabling them to exchange goods they produce most efficiently. They help keep prices down at home by forcing domestic firms to meet competition. Trade also sends money abroad for the purchase of American products. The United States has an opportunity to sell more as the world becomes prosperous and industrialized.

Restrictions that benefit a small number of industries that cannot compete hurt the country as a whole. Higher prices and inflationary pressures are only a part of the price of protectionism carried as far as some would like to see it go.

[From the Milwaukee (Wis.) Journal, Oct. 12, 1967]

BILLS TO CURB IMPORTS THREATEN TRADE AGREEMENTS

Waves of shortsighted selfishness are breaking against Capitol Hill, threatening to drown three decades of sustained United States effort to lower senseless barriers to world trade and prosperity.

The largest wave makers are the steel, chemical and textile industries and some elements of agriculture, but lead, zinc, electronics, glass and oil lobbyists are at work, too.

The target is the so-called Kennedy round of tariff cutting negotiations, a four year long struggle that culminated in May with the United States and other trading nations agreeing to reduce tariffs by an average of 35%—the biggest trade liberalization in history. Congress in recent weeks has been swamped with bills to frustrate tariff cuts by placing import quotas on a wide range of goods.

Sen. Dirksen (R-Ill.) and Sen. Hartke (D-Ind.), both strong backers of the domestic steel industry, are supporting a particularly insidious measure that will attach quotas for steel and other products to the Johnson administration's urgent social security bill pending in the senate. The perverse hope is that Johnson, not daring to veto the whole package, will swallow the quotas. This is reckless legislating. It would force the White House, and the nation, to accept all or nothing on two vital but unrelated matters.

The Dirksen-Hartke ploy is made all the worse by the fact that quotas are far more pernicious than tariffs, because goods can at least be imported over tariff walls and the cost of protectionism slapped on the public can be eased by tariff revenue. Under quotas the protectionist is king and the public be damned.

To be sure, in the short run, it may be tempting to coddle a domestic industry. But world trade is implacably a two way street. History is littered with cases in which the protectionism of one nation is swiftly matched by the protectionism of others in a sorrowful enactment of mutual strangulation.

Trade liberalization over the last 20 years has produced a threefold increase in world commerce and greatly improved global understanding. Certainly the United States has prospered accordingly. In 1966 we bought $26 billion in goods overseas and sold $30 billion. It would be one of the great tragedies of our era if this edifice of mutual benefit were brought to ruin.

U.N. DELIBERATIONS ON ARAB-ISRAEL CONFLICT

Mr. CLARK. Mr. President, there are grounds for genuine satisfaction in the progress of the U.N. deliberations on the Arab-Israel conflict. With rare unanimity, the Security Council has adopted a resolution calling for the dispatch of an envoy to the Near East.

The administration should be commended for the way in which it has resisted Arab-Soviet pressures calling on Israel to withdraw its forces from occupied territory in advance of a peace settlement.

But optimism on these matters is qualified by the extraordinary reaction in Cairo following the adoption of the U.N. resolution. Once again, President Nasser has exhibited an uncompromising belligerence. His speech last Thursday was a repudiation of peace with Israel. When he speaks of political solutions, he is speaking of Israel's surrender. Much more ominous is his disclosure that Egypt has restored its military strength and is determined upon military action against Israel if it fails to force Israel's retreat by diplomatic pressures.

This speech by President Nasser has been sharply criticized in the press. I ask unanimous consent that two editorials, one of which appeared in the New York Times on November 25, 1967, and the other in the Washington Post on the same date, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, it seems to me that there is a need for a swift and effective answer to Nasser's speech. We must now make it clear to the Egyptian dictator that we are not prepared to let him mobilize his forces in preparation for a new assault against Israel. There is one answer—and that is to make certain that Israel has the deterrent capacity to resist attack.

I would like to raise the issue here, Mr. President: Is the administration prepared to provide Israel with the weapons it must have to give it deterrent military capacity to prevent another war?

I also ask unanimous consent to have printed in the Record a resolution adopted in November by the Council of Jewish Federations and Welfare Funds, meeting in Cleveland. The resolution reflects growing alarm over developments in the Middle East and the view of many Americans that it is crucial that Israel be enabled to maintain her capacity to uphold the peace and to deter further aggression.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

PEACE IN THE MIDDLE EAST

(Resolution on peace in the Middle East, adopted in Cleveland, by the Council of Jewish Federations and Welfare Funds)

Twenty years ago this month, the delegates of the United States and Canada to the United Nations strongly supported the historic United Nations General Assembly resolution which led to the establishment and recognition of the State of Israel. This year, at tragic costs in lives, Israel has again repelled Arab armies poised for its annihilation.

We commend our governments' position that the Middle East cannot return to the intolerable conditions which provoked conflicts in the past, and that makeshift measures, which President Lyndon B. Johnson has characterized as "prescriptions for renewed hostilities", must be replaced by a permanent peace.

Only the parties to the conflict can, through direct negotiations, determine the nature of a peace settlement and commit themselves to its fulfillment. Thus we urge our governments to continue to work for policies which would bring Arabs and Israelis face-to-face at the peace table.

Until peace is achieved, and to meet the new threat brought about by the re-arming of the Arab states, it is crucial that Israel be enabled to maintain its capacity to uphold the peace and to deter further aggression. We, therefore, urge the United States government to continue and to take such steps as will help make possible this essential deterrent.

It is only through peace that the welfare of all the peoples in the region can be advanced. Peace in the Middle East will be a significant step forward toward the realization of peace throughout the world.

Exhibit 1

[From the New York Times, Nov 25, 1967]

Nasser Versus the U.N.

Evoking a spirit of bravado that Egypt's situation does not justify, President Nasser has now retreated to a position of beligerent intransigence that seriously compromises the recently brightened prospects for peace in the Middle East.

Nasser's speech to the opening session of the Egyptian Parliament was a rude affront to the fifteen members of the Security Council who had just voted unanimously a resolution pointing toward a just settlement of the long-standing Arab-Israeli dispute. His vow not to recognize Israel nor to allow her ships to use the Suez Canal defies the spirit and the letter of that resolution.

This was the Egyptian President's first public appearance in four months. It would serve the cause of peace if it were his last for at least four more. In fact, it would help if all the area's national leaders who are prone to intemperate language refrained from public pronouncements for a while to give the United Nation's special envoy, Gunnar Jarring, a fighting chance for success on his mission of reconciliation.

[From the Washington (D.C.) Post, Nov. 25, 1967]

Siege in Cairo

President Nasser, giving his first public speech in four months, set back the cause of peace so recently advanced by the Security Council's resolution on the Middle East. He retreated from the moderation he has evidenced privately into a tough, irresponsible play for the Cairo crowds. One can understand, without excusing, why an insecure politician might lapse from the cool of diplomacy to the heat of the mob. The danger is that having recommitted himself publicly to an extreme position, Mr. Nasser will have extra trouble easing back toward the compromises necessary in the real world.

A case in point was his unqualified vow never to let Israeli ships pass through the Suez Canal. Previously he had said the ships could pass after a Pelestine settlement. It was reckless of Mr. Nasser to make such a vow. It can only harden Israel's hold on the Canal. He can scarcely expect Western countries to help him open an international water way which he has warned in advance will be open only to users of his choice.

President Nasser's speech was pitched to using international diplomacy as a lever to pry Israeli troops out of every inch of occupied soil. This is quite different from the Western intention to use diplomacy as a channel to a general settlement. Mr. Nasser does not thereby doom United Nations peace moves. It may be that this speech amounted to his maximum bargaining demand, not to the fallback position which Egypt will have to move to in any settlement. Nonetheless, it is disturbing to find him so unreasonable. It raises questions about his political stability. If he stays in that stance Israel will surely reciprocate his unreasonableness. Meanwhile, he will forfeit available Western sympathy and the pressure on Israel which is that sympathy's political form.

Mr. Nasser showed greater realism in addressing himself to Egypt's domestic situation. He revealed that the toll of Egyptian war dead was 11,500—almost as heavy a loss in six days, as the United States has suffered over as many years in Vietnam. In claiming that Egypt's army is now stronger than in June, he made clear that the gains flow from postwar military personnel changes, not from arms. The thrust of his speech was that the Egyptian people are in for a long seige. He should realize that, the more flexible his diplomacy, the shorter the siege.

SENATOR RANDOLPH SUPPORTS BALANCED ECONOMIC DEVELOPMENT PROPOSAL

Mr. MUNDT. Mr. President, much has been said and written in recent months about the need to reverse the population flow from the rural to urban areas. Recently, the Senate passed Senate Joint Resolution 64, which would establish a bipartisan commission to promote balanced economic development.

One of the cosponsors of that resolution was Senator JENNINGS RANDOLPH, of West Virginia. In fact, I believe Senator RANDOLPH was the first of my colleagues to call me and ask to be listed as a cosponsor. He also offered to provide any assistance necessary in steering it through the Senate, an offer which I was glad to accept.

The senior Senator from West Virginia has long demonstrated his concern over this problem. A recent article by Vera Glaser for the North American Newspaper Alliance pointed out Senator RANDOLPH's leadership in this regard. As the article claims, JENNINGS RANDOLPH is indeed "a prime activist" in this crusade.

Mr. President, I ask unanimous consent that the article entitled "Back-to-Land Plan Urged by Senator RANDOLPH To Reverse Rural Exodus" appear in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Back-to-Land Plan Urged by Senator Randolph To Reverse Rural Exodus

(By Vera Glaser, North American Newspaper Alliance writer)

The cure for riots, crime and filth in America's cities may lie in making rural areas liveable and attractive enough to reverse the current population surge to congested urban centers.

A prime activist in what appears to be a growing "Back-to-the Land" cadre in Congress is Senator Jennings Randolph, Chairman of the Public Works Committee, whose folksy ways belie the power he wields over billions in Federal expenditures.

"I have a feeling the people of America need to walk on earth rather than cement," Randolph said in an interview.

It was shortly after he had taken the Floor of the Senate to deplore the dollars-and-cents cost of crime in the U.S. to victims, offenders and society as a whole, which he estimated at $21 billion a year.

As a Senator from West Virginia, classified as a rural State whose largest city is Charleston (Pop. 86,000), Randolph has a stake in reversing the exodus which has been under way for a decade.

TAX INCENTIVES

But he is not alone. Agriculture Secretary Orville Freeman has been talking up the idea for a long time. Recently 25 Senators of both parties, led by Republican James B. Pearson of Kansas and Democrat Fred R. Harris of Oklahoma, introduced a bill to provide tax incentives to encourage development of new jobs in rural areas, citing it as a means of reducing population pressures in the cities.

Interestingly, the sponors included such urban-oriented lawmakers as Connecticut's Abraham Ribicoff, Pennsylvania's Hugh Scott and Illinois' Charles Percy.

At least nine similar bills have been introduced in the House of Representatives.

Randolph, however, is going a step farther. So convinced is he of the Nation's need to utilize its open spaces, that he will soon take his plea to President Johnson. Since LBJ has requested his staff to produce his fresh ideas for next year's legislative program, it is possible he will decide to push Randolph's "Back-to-the-Land" effort.

Population dispersal, Randolph admits, is a long-haul effort. Currently 70 percent of the people and 80 per cent of the Nation's commerce and industry are packed into one per cent of the land area, a situation which Randolph predicts could bring disaster.

GOOD LIFE

Given the necessities of the good life, he believes rural residents will not only remain where they are but will encourage hundreds of thousands of others to migrate to the country. As a starter, he believes four vital components—water, education, roads, and jobs—must be made available in deprived areas.

Randolph drew a standing ovation in Denver recently when he suggested using new techniques to identify regions which, with water resources development, could support large population increases.

But he was more moved by the reaction of one individual, an old lady in the hamlet of Hepzibah, W. Va., when water was piped into the area:

"She had tears in her eyes when she told me she had until then never been able to take a shower or bathe in a tub," Randolph recalled.

In West Virginia, he estimated, loan-and-grant programs of the Farmers Home Administration (FHA) have had an impact on the lives of some 75,000 people by providing water, housing and jobs.

CITY'S PRESSURES

Word of the improvements is getting around. He said a man telephoned from Detroit to say he had lived there five years, was earning good wages in an automobile plant, but could no longer take the city's pressures. He told Randolph he was selling his home and bringing his family to resettle in West Virginia.

To motivate any large number of people in that fashion, however, will require the funneling, at heavy expense, of a long list of amenities into deprived areas. Among the most important will be roads.

Randolph sees the current U.S. Highway Program, under which more than half of an approved 41,000-mile network has been constructed, as a mere beginning.

"Some time between now and 1975, when the current road program is completed, I expect we will authorize another 40,000 to 50,000 miles," he predicted. That could bring the Nation's expenditures for highways to about $100 billion over a period of four decades.

Randolph does not seem to worry about the availability of education in rural areas, pointing out that his State has 25 colleges located within a few hours' bus ride of even the most remote areas.

JOB LURE

He admits one of the most difficult parts of the effort will be luring jobs to the country, but insists it is not impossible, particularly with the tax incentives proposed in his bill. Two major shoe companies are building plants in rural areas of West Virginia where Randolph believes the labor supply is the drawing card.

Randolph also believes some are so fed up with big-city pressures that they may even be willing to change their means of livelihood for a crack at a life in the open spaces.

"We can't expect miracles and we can't expect upheavals, but I believe if we set ourselves to this task, we can rebuild a better America. It is going to take real thinking," he said.

Randolph is used to uphill fights. He pioneered in the rural electrification and airport programs. He has a fund of patience and good humor and, perhaps most important, the conviction that America's uncongested areas, where life is pleasant and free of tension, are a reservoir of strength.

THE STEWARDSHIP OF PRESIDENT JOHNSON

Mr. McGEE. Mr. President, last Sunday's Washington Post contains an article by Prof. Adolfe Berle which served, or should have served, to remind all of us that an objective view of the stewardship of President Lyndon B. Johnson up to this point in history has to conclude with the realization that the President grasped the problems of America at home and abroad and "simply did his damnedest to see her through on all fronts."

If our President has detractors, we should not be surprised. In this century, the most reviled Chief Executives have been Woodrow Wilson, Franklin D. Roosevelt, and Harry S. Truman. To that list of strong Presidents we can now add the name of Lyndon B. Johnson. In each case, of course, the criticism which was heaped on these men—which is still being heaped upon the head of Lyndon Johnson by some—stems from the fact that they were strong Presidents, determined to deal with the problems of their time. And deal with them they did.

When John F. Kennedy was assassinated in 1963, Lyndon B. Johnson was catapulted into the White House, into world power, and into the vortex of swirling change both here in the United States and in foreign affairs. In a very real sense, the task which faced Lyndon B. Johnson was not one that many men could have faced up to. Damocles had but one sword hanging over his head, but the President of these United States in these days has many. As Professor Berle has observed, using another metaphor, President Johnson today is opposed on the left by those who are critical of his foreign policy and who are contentious as well because he has not reformed America overnight. On the right he is beset by those who think reform has been carried too far, who oppose the entire social program of the Great Society.

Here at home, our President carried through on the program of his predecessor, particularly in improving the civil rights of our minority groups, notably the Negro, and in getting America's economy stimulated once again. Laws, though, do not bring true economic and social equality, so the President launched a war on poverty. Controversy, of course, did not stop. It goes on and on, but the odds against abandonment of this great project are enormous because the case has been well defined for a basic improvement of life in America—reorganization of urban life and revitalization of rural life as well.

But it is in the field of foreign affairs where the issues have been even greater. Many Americans are inherently isolationist and basically pacifist. They would rather not be involved. Yet their country is the only power capable of bringing to bear the type of force necessary to maintain a world balance. In 1963, upon his ascendancy to the White House, President Johnson faced a fundamental option. He had to choose whether to attempt to maintain this balance or whether to withdraw from the more difficult areas of the world and leave the Communists as the guiding force. His decision to attempt maintenance of the balance is well known. It has meant meeting increased commitment in Vietnam. It meant response to another threat in the Dominican Republic. And it meant straightforward action to avert a confrontation during the Arab-Israel war of the past summer.

The results have been honorable, just as the decision was responsible. There is an increased measure of order in world affairs today, though the warring continues in Vietnam. Nevertheless, a possible world confrontation was avoided in the Mediterranean, European confrontations now take place in areas other than the military area, and in Asia there is ample evidence—even proof, I would say—that the free nations of that continent are considerably relieved of the pressures of living alongside an aggressive China because of America's actions in Vietnam.

These, then, are the accomplishments of our President as he faces 1968. They are of first-rate importance historically, as Professor Berle states.

Berle, who served both Presidents Roosevelt and Kennedy, has no ax to grind and, indeed, points out in his article that he owes our President nothing personally and is beyond the age of political ambition. His view, then, is objective—as objective as an excellent scholar can be. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

L. B. J.'s RECORD WILL SHOW HE DID HIS DAMNEDEST

(By Adolfe Berle)

(NOTE.—A retired Columbia University law professor, Berle was an adviser to Franklin D. Roosevelt in the 1932 campaign and an Assistant Secretary of State under Roosevelt. He also served President Kennedy as head of his inter-American task force.)

When John F. Kennedy was assassinated Nov. 22, 1963, Lyndon B. Johnson was catapulted into the White House and thereby into world power. After four years as a historical figure, his record will be passed on and his position determined by next year's election.

Owing him nothing and being beyond the age of political ambition, I think I can offer an objective view. Overcoming my rage at the abuse leveled at him by propaganda and his enemies, and forgetting personal friendship for some of his Republican opponents, here it is.

BOTH FLANKS EXPOSED

The 1968 race will be President Johnson's first real campaign; the real issues were not presented in 1964. He goes into it with both flanks exposed. The left wing hates his foreign policy and blames him (as it blamed Franklin D. Roosevelt) for not reforming overnight. The right wing opposes the whole social program. Votes of the American center will make the decision.

Mr. Johnson's 1964 majority represented not consensus but his heirship to the tragic drama of his brilliant predecessor, to a deep American feeling that a man so placed should have a chance to speak his piece and to temporary seizure of the Republican Party by a reactionary wing whose program and attitudes had been obsolete for 30 years.

A more normal balance appeared in 1966 as Southern Democrats and Northern conservatives combined against him in Congress. But in the two intervening years, he had carried through two unrealized Kennedy programs: civil rights for Negroes and stimulation of the economy by tax reduction.

More importantly, he had also added a powerful new conception to American politics, giving it a new dimension and direction. This was the Great Society. He had pushed through some bills giving it a measure of reality. In domestic affairs, his 1968 campaign will seek a solid mandate to carry this conception forward.

In foreign affairs, Mr. Johnson inherited and for four years has traversed as dangerous and difficult a period as America has ever encountered. As public opinion is running, the liberals support his domestic policy and oppose his foreign policy; the conservatives support his foreign policy and oppose the Great Society. On this combination he must make his campaign.

SUBSTANCE FOR A DECADE

The current low level of American political debate cannot obscure the historical significance of the positions President Johnson has taken or the fact that his forward policies will be the grist of American campaigns for a decade to come.

Civil rights became statutory law in 1964. But law alone cannot bring the American Negro population into economic and social equality. President Johnson tackled the rest of the problem by proposing all-out war on poverty, black and white alike.

One factor in poverty is the city, where poverty is most concentrated. Reorganization of urban life was seen to be essential—not merely for "the poor" but for all city dwellers. If in process of reconstruction the sheer ugliness of its towns could be conquered, American civilization might be put on the road to a great expression.

So remodeling of cities was thrown into the political arena, bringing direct Federal aid to endless projects for urban reconstruction. The beginnings of these programs are in effect and no city in the country will tolerate their discontinuance. Controversy there will be, but the odds against abandonment are enormous.

A STATE OF MOTION

Foreign affairs have presented a vaster issue. In 1963, the United States was in the throes of a virulent cold war. President Kennedy had checked it in the Western Hemisphere by going to the verge of nuclear war in the Cuban missile crisis of 1962. He had maneuvered with it in the Far East, relinquishing Laos and Cambodia but resolving to resist in Vietnam, where he sent 25,000 American troops. In the unresolved Arab-Israeli conflict, Mr. Kennedy's answer had been to work with NATO and keep the Sixth Fleet near Suez.

President Johnson in 1963 found the whole scene in a state of motion. Mr. Johnson's basic problem was whether the United States should attempt to maintain a world balance or should withdraw from difficult areas, leaving the Communists to guide the course of events.

His decision was to attempt to maintain the balance. He met the threat to Vietnam by escalation to the scale of North Vietnamese attack. He responded to the threat to the Dominican Republic when that country fell into chaos by swift action, establishment of a popularly based Dominican government and prompt withdrawal of the inter-American force.

CONFRONTATION AVERTED

His least recognized exploit was in the Arab-Israeli war last June. Soviet arms and diplomacy had engineered a shaky Arab unity and a Soviet flotilla moved through the Dardanelles to the fighting front. At that point, Mr. Johnson used the "hot line" to Moscow to reach agreement with the Soviet leaders that neither the Russians nor the Americans would participate in the conflict. A confrontation carrying the possibility of a world war was avoided.

Mr. Johnson's political troubles stem more from his foreign policy than from any other part of his program. Most Americans are inherently pacifist and many are latently isolationist. Many advocates and beneficiaries of his social programs joined in reviling him for his actions in Santo Domingo, in Vietnam, in the Congo and, though in less measure, in the Mediterranean.

AN HONORABLE RESULT

Nevertheless, the possibility of bringing the world disarray under at least temporary control has been preserved. Power-political probes to determine the steadfastness of the American President seem to have ceased. Despite all the shouting against him, this is an honorable result.

Mr. Johnson's limitations are obvious. He is not the young, appealing, liberal-aristocratic, dramatic youth ideal that President Kennedy was. He has not the golden gift of laughter of FDR. He is not the darling of the press. Especially in foreign affairs, his case has been badly stated and worse pleaded.

He has not constructed in his government a close-knit team of personal friends. He is not a faithful supporter of his political allies outside Washington. He has thought in the simplest terms, a dogged, roughhewn Texas politician who nevertheless apprehended the problems of America at home and abroad. He simply did his damndest to see her through on all fronts.

The man may have been wrong in some of his decisions. One may dislike him, or like someone else better. But it would be nonsense not to assign him historical status of the first importance.

GERALD PHILLIPPE, GE BOARD CHAIRMAN, URGES MORE PRIVATE INITIATIVE TO MEET URBAN PROBLEMS

Mr. RIBICOFF. Mr. President, last year when the Subcommittee on Executive Reorganization held hearings on the Federal role in urban affairs, we also sought to determine what role the private sector of our economy could play in solving these problems.

One witness who gave us valuable and provocative insights was Gerald L. Phillippe, board chairman of the General Electric Co. Mr. Phillippe's interest in these problems began long before our hearings and has continued long after them.

In a recent issue of the GE Community and Government Relations Bulletin, which is circulated among GE managers, Mr. Phillippe urged GE "as a company and as private individuals to set an increasingly progressive example" in meeting the crisis of the cities.

Mr. Phillippe said:

> This is a problem we can't just walk away from and leave to the federal government to struggle with. All citizens and segments of our society must do what they can to help. . . .
>
> We have already demonstrated our capabilities in applying technology to the physical problems of the city. . . . But even more pressing are the problems that will not respond to technological solutions: the problems of unemployment and discrimination that have driven the people of the slums to the point of desperation.
>
> Here, General Electric and other private enterprises can and must take more direct and effective action.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PHILLIPPE ASKS NEW DEDICATION IN MEETING CRISIS OF THE CITIES—ASSERTS MORE LOCAL AND PRIVATE INITIATIVES NEEDED IN TACKLING DISCRIMINATION, HARD-CORE UNEMPLOYMENT; SURVEY OF COMPANY JOB-TRAINING PROGRAMS UNDERWAY; NEW COMPONENT TO STUDY URBAN MARKETS, PROBLEMS

(A statement to General Electric employees by Gerald L. Phillippe, chairman of the board)

The problems of America's cities, long neglected, are mounting up to crisis proportions.

Air and water pollution, strangled traffic, dilapidated housing, declining economic vitality, danger on the streets—the litany of woes in our city centers is long and discouragingly familiar.

Even worse than this physical and economic deterioration is the social disintegration represented by the slums. Increasingly, our city centers are becoming ghettos of the poor, peopled by Negroes and other minority groups who live in poverty and hopelessness.

The frustrations of the poor are piling up into a stack of social dynamite, and it is beginning to explode. In 1965, we saw rioting in Harlem and the disaster of Watts. In 1966, it was the Hough area of Cleveland, Omaha, Atlanta, Dayton, San Francisco, and 24 other cities. This summer, Newark and Detroit were only the most tragic of 80 explosions of violence in the streets. General Electric has plants in many of these cities, and so we have had direct experience and real concern with these tragic events.

No American can view such disorders with complacency. Law and order must be maintained, but even more importantly, we must recognize the terrible urgency of the problems of the poor.

Their frustrations are rising to such a point that none of us can consider himself, his family, or his country safe until we can restore hope and dignity to the disadvantaged people. We must get more constructive action started to keep our society from being torn apart. This is a problem we can't just walk away from and leave to the federal government to struggle with. All citizens and segments of our society must do what they can to help.

COMPANY MUST DO ITS SHARE

The crisis of the cities calls for still more local and private initiatives, and General Electric, as one of the country's most important private institutions, has to carry its share of the load.

We have already demonstrated our capabilities in applying technology to the physical problems of the city: electric transit to relieve traffic congestion and air pollution; street lighting and police communications systems to reduce crime and accidents on the street; and many other products that make cities cleaner, healthier, safer places to live in.

But even more pressing are the problems that will not respond to technological solutions: the problems of unemployment and discrimination that have driven the people of the slums to the point of desperation.

Here, General Electric and other private enterprises can and must take more direct and effective action.

Basically, what the people of the slums want are useful jobs, decent housing, a good education for their children, an end to harassment, and an opportunity to share in the American way of life. That certainly is not unreasonable. But a lot of changes will have to be made, obstacles and barriers will have to be removed, people in all walks of life will have to pitch in and help, to bring about the changes needed in the shortest possible time.

I recently agreed to serve on the Steering Committee of a nationwide organization called the Urban Coalition. It is an organization of about 1,000 leaders in business, religion, labor, civil rights, and local government who have united to generate more local and private-sector action toward solving the problems of the cities.

The Urban Coalition has a Task Force on Private Employment, and I have agreed to serve as its co-chairman. It is aimed primarily at stimulating programs to develop the attitudes and skills required for productive employment, and find jobs in commerce and industry for the hard-core unemployed. This will involve enlargement of the many programs already underway by companies, volunteer groups, and business associations. It will involve getting action started in communities where little or nothing has been done. It will require the enlistment of cooperation from the five million business firms, large and small, that make up the American business community.

I want to be sure that we in General Electric, as a company and as private individuals, set an increasingly progressive example. As you well know, we have been among the leaders in reducing the formal and informal barriers of discrimination, and have pursued progressive employment policies. But we must do even more, as a pacesetter, because of our almost unique position as an employer with factories in some 129 American cities, and sales and service facilities in hundreds of other cities.

TAKING STOCK OF JOB-TRAINING PROGRAMS IN THE COMPANY

Our Employee Relations Service is preparing inventories of what we have underway in terms of training and qualifying disadvantaged people for industrial work. By sharing the experiences of one location with another, we can find out what works, what problems arise, and how to cope with the inevitable difficulties. A preliminary survey indicates that components of the Company are already participating in 64 local programs of this sort, and have hired more than 3,000 graduates of anti-poverty training programs.

One of the most common approaches is through cooperation with institutional training programs established under the Manpower Development and Training Act. The Job Corps has been another source of qualified personnel. I have been a strong supporter of the Job Corps, and when I have visited the Job Corps Center that's operated by our affiliate, General Learning Corporation, in Clinton, Iowa, I have seen what fine human rehabilitation work is being done there.

Still other approaches with growing acceptance in General Electric are the Neighborhood Youth Corps, and other local operations like the Opportunities Industrialization Centers under the leadership of Reverend Leon Sullivan. Many of our components are providing financial aid, equipment, and personal assistance in setting up these training centers in the neighborhoods where they are needed.

LOCAL MANAGEMENT HAS ROLE TO PLAY IN JOBS FOR NEGROES

In many locations, General Electric people have taken leadership in forwarding the work of such organizations as Whitney Young's Urban League, which has a long and solid record of opening up employment opportunities for Negroes. More and more, we are learning that General Electric serves best where local management joins local programs of community action in a realistic manner.

We have been making very fine progress in the general task of making equal employment opportunity a live reality in our factories, laboratories, and offices in every part of the country, and I know you are all proud of that. But we must keep everlastingly at it, with continued in-Company training, moving up the promotion ladder those who qualify for advancement so that still more jobs will be available for those who are just entering the industrial labor force.

Nor does the work end with training and jobs for the unskilled. We must step up our efforts to help Negro higher education and bring other companies and associations into greater action on this front, so that we will have a larger body of qualified Negroes for professional and managerial work. And the same goes for other disadvantaged minorities—the Indians, the Puerto Ricans, the Mexican-Americans, and any other ethnic group that has experienced discrimination in education and employment in this country.

ALL EMPLOYEES CAN HELP THROUGH PERSONAL EXAMPLE

This is not just a management problem. We can all help. General Electric employees can help through their personal example: their own attitude of tolerance and helpfulness; their patience with difficulties; their citizenship in voting for constructive leadership, and resisting the demagogues who appeal to prejudice rather than reason. The deepest problem is the problem of personal indifference. Most of us would prefer that somebody else take on the involvement. That will not get the job done. We are called upon, as citizens concerned for our country and our community, to commit our hearts and minds to this task.

I have been stressing the immediate problems of the underprivileged people, but the needs of the cities go beyond that—and herein lies a long-range opportunity for General Electric both to serve and to grow as a business. Our Company has expanded over the years by serving the needs of society: lifting standards of living, increasing industrial productivity, serving the national defense. We know that the problems of the cities—slums, crime, air and water pollution, traffic congestion—are building up a huge need for many of the products and services that this Company can provide.

Now we will have to organize ourselves to turn these needs into broader markets, and serve them on a much more creative basis than we have to date. We are establishing in Services in New York a clearinghouse and consulting group to help energize the Company's approach to urban problems and urban markets. One of its early tasks will be to determine what more General Electric can and should be doing to provide useful jobs for the people of the disadvantaged minorities. But it will also take a longer look at the whole range of metropolitan problems to see how our technology can be applied, on a constructive and business-like basis, to the challenge of improving life in the cities.

SERVING THE PUBLIC INTEREST

For the Company, there has never been a greater opportunity to serve the public interest and the interests of General Electric people at the same time. For more than 300,000 employees of General Electric, there is an opportunity to demonstrate the kind of leadership and citizenship that will add vitality to our cities and tremendous satisfaction to our personal lives.

Our response will have lasting effect on the kind of country we live in and hand on to our children.

MASSACHUSETTS BAY TRANSIT AUTHORITY—TRANSIT BY DESIGN

Mr. BROOKE. Mr. President, public transportation which is efficient, attractive, and economical is a problem which has increasingly demanded the best efforts and attention of urban planners. Of all the various types of transportation available in this country, none has been the object of more criticism than our subways.

Boston, Mass., has the oldest subway system in the Nation. In 1963, the trustees of the then MTA awakened to the fact that their archaic, inefficient subway system would have to "modernize or perish." They chose to modernize. The result of their decision was recently described in an article, entitled "Transit by Design: It Works," published in the New Englander magazine.

In the belief that the experiences of the new Massachusetts Bay Transit Authority may be of interest to others, I ask unanimous consent that the entire article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRANSIT BY DESIGN: IT WORKS

As the nation's oldest (1897) and now fifth-largest subway system, Boston's squeaking, deficit-ridden MBTA seemed hardly a fitting subject on which to build a modern art exhibition. Its rolling stock is hopelessly antiquated; its stations strike many as subterranean horizontal latrines; and like most urban transit systems throughout the country, it takes passengers from where they don't happen to be to where they don't want to go.

Yet, says Sue M. Thurman, the indefatigable spark-plug behind Boston's avant-garde Institute of Contemporary Art, "the minute they announced plans to embark on a $400 million expansion program involving architectural and graphic planning, I became an avid underground sidewalk superintendent." Mrs. Thurman, who doesn't discourage easily, haunted the MBTA's Arlington Street station in Back Bay during its year-long reconstruction—the results of which prompted *Time* magazine to call it Boston's "sparkling . . . showcase"—and for about 18 months, she used all her feminine wiles coaxing the political powers at the Massachusetts Bay Transportation Authority into letting her stage her "subway show."

The exhibit, titled "Design In Transit," has been playing now at the ICA to sizeable pedestrian traffic since its gala opening Sept. 30. Public attention has led ICA to extend the show through November, although admittedly, it's a money-loser. Mrs. Thurman says the transit exhibition cost $10,000 more than it did to mount Andy Warhol's pop-mop.

What's all the excitement about the "new" MBTA, and why? After all, for most people, travel by transit has become an unpleasant experience—to tolerate or, if possible, to avoid in favor of the car. Traditionally, there's been an air of hopelessness permeating subway transportation.

ICA's show defies tradition. It successfully proves that "alternatives are available . . . transit systems *can* focus on the environmental needs of people, and travel can become an enjoyable experience."

To find these alternatives, the Civic Design Committee of the Boston Society of Architects in 1963 approached the then-Metropolitan Transit Authority with a suggestion that read like an ultimatum: modernize or perish. Then-general manager Thomas J. McLernon and his aide, Robert A. Keith, concurred. They knew that on January 10th, 1964, the MTA would be transformed into the MBTA, its coverage extended from 14 to 78 cities and towns—most of them balkanized in their outlook at and relationship with the core city of Boston. Clearly, Boston's transit wasn't a system but a mosaic that somehow proved operable within city limits. Pushing outwards without developing a system that was truly systemized would be folly if the MBTA had any hope of enticing suburbanites back onto transit.

"Modernization," thus, was clearly an understated, incomplete proposition. Messrs. McLernon, Keith & staff took a good, hard look at their "system" to see what might be done to provide those two most vital ingredients for use-success: clarity and orientation. The new MBTA, quite a mouthful, would have to have a recognizable symbol; the addition of 64 communities would require new mapping, etc. Still, the biggest challenge confronting the preliminary planners was how to put an end to passenger disorientation. Part of their research bore out what psychologists have long known: people won't take a trip unless they have a mental image of their route in advance. In Boston, with its chaotic up-and-down-the-staircase routing, such mental images were impossible to arrive at, much less depart from.

A year after the MTA had become the MBTA, and after spirited competition between a number of New England architectural and design consultancies, Gen. James McCormack of MIT (now COMSAT) and his four fellow MBTA trustees selected the then-virtually unknown Cambridge Seven Associates Inc.

Cambridge Seven, headquartered midway between MIT and Harvard Square in Cambridge, is typical of an emerging new breed of environmental specialist: articulate advocates of the "urban experience." They number architects, graphics designers, economists, researchers, sociologists and psychologists and they share a common trait—impatience with the status quo. The C7A numbers over 50, with five partners working out of New England, two out of New York City (which specializes in corporate symbolism for such blue-chips as Chase-Manhattan, Burlington Industries, Mobil, etc.) At the time C7A got the MBTA nod, it was best known for its design work on the Boston Aquarium (due to open in 1968). It had yet to make its big splash with the interiors of the U.S. Pavilion at Expo 67 or, as things soon turned out, with its radical but practical scheme for Boston's not-so-rapid transit.

The movement of people is uppermost in C7A's collective mind. Now also involved in advising the U.S. Fine Arts Commission on how to best utilize the classic but choked grid plan of Washington D.C., or designing the interiors of the new Douglas-McDonnell DC–10 jet skybus, the Cambridge group back then got to the heart of the matter. A city's transit system, according to partner Louis J. Bakanowsky, who is also associate professor of architecture at the Harvard Graduate School of Design, forms the urban structure. If that structure were to survive, its transit system would have to become understandable to those using it, especially to the point of finding their way in and out of it.

Bakanowsky isn't just talking about Boston but about any other city—even Montreal, where traffic in its spanking-new Metro is running 50% ahead of expectations, but where the true test won't come until it pushes beyond the core. Even New York City, with its general north-south-east-west transit grid, is facing the problem: prompted by a task force that found Manhattan's subway to be "the most squalid public environment of the U.S.," Mayor John Lindsay's Transit Authority recently announced an experimental $5.8 million renovation program—for just *six* stations! Elsewhere in Megalopolis—Washington and Atlanta, for instance—as well as beyond, in Seattle and Los Angeles, they are planning new subway systems, from scratch.

While the cost of starting anew seems staggering, the problems of rebuilding an existing system are far greater. Smarting under criticism hurled at the $900,000 Arlington Street station—where costs admittedly ran 30% over estimates—MBTA trustee Robert P. Springer mounted a ringing defense of design at a recent ICA symposium. Referring to the $15 million modernization program approved for 40 existing MBTA stations, and particularly to charges that the MBTA had spent only $1.5 million on actual construction and over $8 million on "planning," Springer lashed back. The critics "are all too quick to want to pay for nuts, bolts and even completed stations but not for plans or prototypes that tell us how to use those nuts and bolts to avoid costly errors in future applications."

For example, the expedient thing to do might have been to buy existing "off-shelf" turnstiles or exit gates; the ones installed at Arlington Street and exhibited at ICA were custom-designed by C7A because "the criteria had nothing to do with the 'prettiness.' We were more concerned with passengers fumbling for change or struggling with suitcases or just plain maintenance." The hardware at Arlington Street will be refined, and mass-produced at far less cost for installation in the 39 other stations.

Hardware aside, the C7A design program embraced the big T symbol (easily recognizable even within the worst of above-ground urban clutter-vision), the very naming of the various above and below-ground subway, bus and trackless trolley lines, and integration of these lines into an easy-to-read, color-coded linear map frankly inspired by the London system. A deft feature of the program are those porcelainized photo murals that instantaneously tell the underground passenger where he is: Arlington Street, as a name may be meaningless to the out-of-town visitor, but a near-vandal-proof mural showing the swan boats in the Public Garden leaves no doubt of his location at that moment. The cost: 1/5 of 1% of the total station cost.

A complete alphabet was set up, based on the highly-visible Swiss Helvetica typeface; for disciplined application, C7A compiled a four volume Manual of Guidelines and Standards for use by the various other architectural and engineering firms who have been and will be hired to complete the resystemization over the next ten years.

Although the initial MBTA–C7A contract expired on May 31st, the firm is still actively engaged, working as a review board in conjunction with other design groups, continuing to amplify the MBTA's graphics program. The momentum of the program is such that it cannot be undone by even the most rapacious politician—for a fact of transit life is the very uneasy truce that exists between the planners and the pols.

To understand this Cold War requires a dubious appreciation of the automobile as a "low cost" competitor to transit. Daniel P. Moynihan of the MIT-Harvard Joint Center for Urban Studies, speaking at one recent ICA seminar, pointed out that one-fifth of the total U.S. labor force is somehow involved with the automobile industry—whose members he terms "oligopolies." So pervasive is Detroit's influence that, Moynihan observes, "about one-half of the fees of the American bar are earned in traffic accidents, and in some jurisdictions, about as much as two-thirds of our court-cases are linked to the automobile . . . one out of every three cars produced this year is scheduled to end up with blood on it."

The trouble, Moynihan feels, is that the automobile is not just a competitor, but one that is heavily subsidized. He points to the 41,000 mile Interstate Highway System that was begun by the Eisenhower Administration. It is not only the largest public works program in the history of man, says he, "but almost certainly the most destructive." Designed originally to transport missiles from one place in the country to another, thus backed 1,000% by the Pentagon, the highway program "may not have been designed to destroy the city—not the American city, at least—but it is doing so now." By their unquestioning use of the Interstate system, the U.S. taxpayer—Moynihan feels—allows the existence "of a revenue structure into which public monies are poured in almost direct proportion to the endless stream of concrete that comes out the other end."

Small wonder, then, he argues, that "the political contributions of the highway engineers and the construction industry is probably the largest single source of income to candidates for office above the very low local level." (He adds, sarcastically, "the local level is not low. It's a very high level, but the higher you go, the lower it gets.")

On these roads that were designed for missile movement streams the fleeing city worker. Wilfred Owen, Director of Transportation Research for Washington's Brookings Institution, puts it succinctly: "what the urbanites seem to need most are expressways to get the rich through the slums faster, and subways to keep the poor from seeing how bad things are on the surface."

The task of C7A is to reverse this unnatural order—or disorder. Paul E. Dietrich, one of the seven partners, says design "must attract middle income riders back underground through an analysis of what they need and don't need. They need to be made comfortable, in every sense of the word. They don't need to be confused, lost and discouraged." (Significantly, C7A and Abt Associates, Inc., another Cambridge think tank, are now working on a special $30,000 H.U.D. study into "Qualitative Aspects of Urban Personal Travel Demands" that will be submitted to Washington in December. Big Brother, after all, finances two-thirds of the U.S. transit renaissance.)

What makes design so hard to be understood, even on the part of the proverbial strap-hanger, is that it is—according to C7A's Peter Chermayeff—"such a nebulous word that is so often misunderstood, even by its practitioners. Most people think it means aesthetics, or frills, or styling, and that it therefore implies luxurious extra costs that are unjustifiable and therefore expendable—easily compromised or even abandoned when budget or schedule pressures emerge." Cambridge Seven Associates thinks of design as "thoughtful solutions to carefully-defined problems." This means management decisions that are anything but arbitrary.

But to the Old Guard at the MBTA, politically sensitive and zealously protective of the American's inalienable right to featherbed, C7A's prescriptions were obviously hard to swallow. And so, an undeclared war broke out in the local press, in which the issues were neatly buried in an avalanche of sensationalism. Also buried was Gen. McCormack's successor, Brig. Gen. Rush B. Lincoln, who resigned last month to be succeeded by a professional transit *civilian*, Leo J. Cusick, fresh from the new Department of Transportation and presumably, adept at political counterinsurgency.

If any one group is to play culprit, it is the suburbanites who—according to MBTA's Bob Springer, must be brought back into the core city by mass transit to keep the core from becoming a slum. Thus, design as both the MBTA and C7A see it covers not just topography space arrangements, signage, traffic loads but also such explosive subtleties as financing fares and taxation—"the ability to market a system's long-term value in meeting the basic social and economic objectives of our society."

The suburbanites, Springer goes on, "quietly tolerate design efforts to provide them with good public transportation. But they are anything but quiet with regard to the financing designs." They refuse to understand deficit financing, instead take their education in hit-and-run newspaper headlines or planned "leaks" from disgruntled MBTA featherbedders about so-called "big brass pay increases." (Interestingly, Springer explains, staff pay increases account for less than 1% of the proposed $6 million deficit hike, while the demands of those 26 unions will account for about 66⅔% of the deficit hike.)

Thus, suburbanites ignore the Realpolitik of collective bargaining, prefer instead to decry their tax costs; and in turning en masse to the family car as a commuting vehicle, they force yet another fare increase on those least able to afford it, the urban poor. In protesting the suburban encroachment of mass transit, thus influencing the political process, Springer suggests, suburbanites have the gall to protest the highway bulldozers. At this rate, mass transit will go the way of the railroad—"a medium only for the aged, infirm and the transit buff," and instead of a "New Boston," New England will get a "second class Los Angeles."

Such dire predictions are obviously hitting home, witness the running success of the ICA show. Witness too the fact that last month, New York's Museum of Modern Art staged a day-long symposium, also on mass transit, using the C7A–MBTA project as a case study in urban determination.

THE UNITED STATES MUST NOT RETREAT BEHIND ITS RAMPARTS

Mr. McGEE. Mr. President, the maturity of the United States as a nation will be measured by our ability to resist the temptation to bow out of the world's present turmoil and retreat to an isolationist position. So writes Yorke Henderson of the London Express in an article which I have taken from the Sunday Boomerang of Laramie, Wyo., for November 19.

Mr. Henderson observes that it would be a historical tragedy of cataclysmic proportions if America were to retreat behind its ramparts and live off its own fat, though he admits to understanding the temptation which faces Americans to do just that.

To dissuade us, Mr. Henderson asks that we look back over the events which have transpired since the end of World War II, to our foreign aid programs, our military determination when needed. It was these which caused communism to compomise, back down and accommodate itself to coexistence. He writes:

> The tragic irony is that the significance of that indisputable historical fact has been lost. Lost even to many Americans.

Many of us, myself included, have been saying these very same things—almost these very same words—for some time now. But it is useful, I think, for us to consider the words of a foreign friend. I ask unanimous consent, that Yorke Henderson's report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

WHAT THEY'RE SAYING: YANKEE STAY HERE, BRITON PLEADS

(By Yorke Henderson)

LONDON.—After all these years I don't remember the name of the movie, but James Stewart was in it, and it was about a man who tried to commit suicide because he thought he wasn't appreciated.

At the last moment he was rescued by an angel in disguise who won him back to life by showing him how miserable a place his home town would have been had he never lived.

Present-day America is a bit like that man. As I have said here before, there has never in history been such a well-intentioned nation as America, never a country so free with its wealth. Men, money and know how have been endlessly poured out to help others since the end of World War II. Yet, for all that, America is reviled, scored, mocked and suspected in almost every part of the world.

If I were an American I think I'd be saying, to hell with them, pull up the drawbridge, isolationism here we come.

Happily for the rest of the world perhaps, I am not an American. But many of the more sober observers outside the United States already discern a revival of isolationism in America, a revival rooted in disillusionment and resentment of a world of ingrates.

Let me say unequivocally that in my opinion it would be an historical tragedy of cataclysmic proportions if America were to retreat behind its ramparts and live off its own fat.

Since America is unique in having the actual capacity to do just that, it must be a very tempting prospect when you read of your embassies being stormed, your leaders reviled and your motives cynically misinterpreted.

I ask you sincerely: Don't yield to that temptation.

Think of the hero of that old James Stewart movie and try to imagine what the world would have been like if after World War II you had retreated into isolation.

The first thing you have to remember is what the Russians were like at that time. They're still not likely to apply to become the 51st state, but they're immeasurably more friendly and accommodating than they were just after the war.

For 30 years they had been taught that world revolution was inevitable, and it must have seemed to them then that the time had come. They were mobilized and on the march. In many of the liberated countries, but principally Greece, France and Italy, their agents had infiltrated the resistance movements. Fascism had fallen before them and the moment would never be more propitious for finishing off detested capitalism as well. The hungry chaos that had followed every war was fruitful ground for Red revolution.

There was at that time every prospect of a Russian dominated land mass from the Urals to the Pyrenees.

America stopped that happening with a flood of aid unprecedented in human history. But the aid medicine needed time to work and American military might provided the framework and foundation of a massive bastion against the Communist advance.

Thus faced down, Russia was compelled to compromise on co-existence. It was not a voluntary move on Russia's part.

As a result incalculable thousands were saved from death by starvation; as many millions from a gray and silent servitude.

Confounded in the West, communism erupted in the East. The old Dutch and French empires crumbled before it, the Chinese Nationalists fled. It looked as if what had failed in the West would succeed in the East.

Once again it was America that cried halt. I know that the history books will say that the Red onslaught in Korea was stemmed by the United Nations, but any realist will concede that the moving spirit and most of the armed might of the resistance was American.

When Russia cast covetous eyes on South America and sought a back door entry via Cuba, American defiance forced the Reds into an ignominous retreat.

And be under no delusion: But for American intervention Vietnam would be Communist now.

In brief, what America has done is to save a very large slice of the world from Communist domination.

The tragic irony is that the significance of that indisputable historical fact has been lost. Lost even to many Americans.

Because communism has been contained it has been compelled to compromise, and in the delusive security of co-existence too many people have forgotten its virulence, have forgotten its history of brutally repressive totalitarianism, have forgotten its avowed aim of world revolution.

The quickest way to remind them would be for America to go isolationist.

Your maturity as a nation will be measured by history against your ability to resist the temptation to bow out.

FARM AND CITY INTERDEPENDENCE

Mr. McGOVERN. Mr. President, I invite the attention of Senators to an address delivered by John A. Schnittker, the Under Secretary of Agriculture, at a chamber of commerce Farm-City Week luncheon in Wichita, Kans., last week.

Under Secretary Schnittker urged businessmen and farmers to work together to build a dynamic new rural America where people can live and work together in attractive rural surroundings.

He emphasized the interdependence of town and country and the strong need for local initiative and responsibility in the development of rural communities to reverse the migration from the farm to the cities and to lessen the problems which result from overcrowded metropolitan areas.

Mr. Schnittker refers to the need for the establishment of "town-country communities" to relieve the ghettos and the suburbs. Such nonmetropolitan complexes would be made up primarily of farming, recreation and other open land, dotted with small towns where people live and trade and are tied together by one or more small cities. Such multicounty town and country communities, he says, are a realistic alternative to mass urban agglomeration.

I ask unanimous consent that Under Secretary Schnittker's excellent address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY UNDER SECRETARY OF AGRICULTURE JOHN A. SCHNITTKER AT CHAMBER OF COMMERCE FARM-CITY WEEK LUNCHEON, WICHITA, KANS., NOVEMBER 22, 1967

One night in September Eric Sevareid interviewed a guest on television. The thoughts expressed on the program brought a tremendous response from Americans who have been aching to hear someone say something good about their country. So it was repeated in November.

The viewers learned something good about America that night. They saw a craggy-faced, 65-year old longshoreman express his faith in America in words so eloquent and so compelling that no one who heard them could fail to be moved.

In an hour Eric Hoffer, laborer, philosopher, author and champion of the common man, put to rout the cynics who predict that America has had her finest hour, and that mankind is headed toward a dead end. Afterward, he found himself hailed as an authentic voice of America.

What did he say that was so electrifying? Nothing really new. It was just that no one had said it for so long that it sounded new . . . and good . . . and worth saying.

He said that ours is a great nation—the greatest in history, the country in whose hands rests the fate of the world.

The magic of his message lay in the fact that he cut straight through to the heart of the matter. He acknowledged the unsolved problems, the setbacks, the disappointments and frustrations. But he resoundingly affirmed his belief that America is still America . . . and that this country is *still* moving up.

For months, now, we've heard that this country is going to the dogs in a hurry . . . while virtually every conceivable measuring stick tells us just the opposite!

We can hardly pick up a newspaper or a magazine, spend an evening watching television or listening to the radio, see a movie or hear a lecture, without being told what's wrong with America.

Now the truth is, there are many things wrong with America.

As a people, perhaps we are over-materialistic. Too often we do equate money with success. We are, to some degree pleasure-minded.

We are the wealthiest nation that ever existed . . . yet we do have in our midst abject poverty—rat-infested slums—hunger—polluted water and air—crime in epidemic proportions—congested cities—empty countryside—and a growing alienation among our youth.

But it is one thing to recognize shortcomings and another to be dominated by them.

I'm disturbed, and I'm certain many of you are by the developing habit of running America down.

We see it in the growing practice of headlining our faults out of proportion to reality.

We see it in the chronic negativism that condemns mistakes, however small, by our leaders—in Wichita or in Washington—while overlooking both the complex nature of today's problems and the mistakes of others . . .

We see it in efforts to avoid the responsibility of proposing and working for a better community, a better State, or a better world.

And we see it in the growing proportion of Americans who are, as the Hippies put it, "tuning up, turning on . . . and dropping out." Dropping out of *all* responsibility.

It shouldn't be necessary to say this, but I want it to be clear that I am not in any way calling for an end to criticism.

The right to dissent is basic to the integrity of our democracy. Every responsible person wants to protect it. But what I am suggesting is that what we need is less negative criticism and more constructive criticism . . . dissent in perspective.

Everything is *not* wrong in and with America. Indeed, there is far more that is *right*.

Winston Churchill said that "Democracy

is the most ridiculous system of government ever invented . . . except all the others."

Perhaps we could paraphrase Churchill and say that America is the worst country in the world—except all others. For when we compare this land of ours—its freedom—its capacities—its generosity—its potential—its idealism—then, despite the flaws, we must admit there is far more to admire than to condemn.

What is *right* with America?

Let's start at the material level.

We have the highest standard of living, the greatest wealth per capita, in the world.

I see no reason to apologize for this. Wealth and productivity are positive things, goals that people have sought since history began. We in America have achieved those goals—and should not be ashamed because we have.

This month our business expansion became the longest uninterrupted economic expansion in history. The expansion which started in February of 1961 is now entering its 81st consecutive month . . . 50 months longer than the average business boom.

But there are far more things right with America than the mere concentration of wealth.

America is a unique political creation of a design so grand it promises the ultimate evolution of a society in which every individual has a chance, in which each individual is of value, in which no individual is irreparably damaged by preventable circumstances. On a loftier scale, a society that will release the full human potential, enhance human dignity, and free the human spirit.

America has seen in the past four years a series of breath-taking advances in personal freedom and economic opportunity.

The 89th Congress voted more Federal funds for education than all the previous Congress together. The 89th Congress voted nearly as much money for the Nation's health as all of its predecessors put together. And that money has been put to work.

The Economic Opportunity Act of 1964 was the "breakthrough" law that launched 10 separate programs coordinating an attack on the multiple causes of poverty . . . and today there is 25 percent less poverty in the United States than there was just seven years ago!

The Elementary and Secondary Education Act of 1965 is helping almost every school child in the country, and the Higher Education act is assisting millions of college students.

For the first time in history, American cities and the transportation industries that link them together are represented in the highest councils of government. Through the new Department of Housing and Urban Development the Federal Government can now do effective battle with the physical and social decay plaguing many of our cities. Through the Department of Transportation we have taken the first steps toward a national transportation policy.

The Food and Agriculture Act of 1965 has increased farm income, reduced price depressing surpluses, and enabled us to meet world competition in farm exports.

And this decade has brought much more: Medicare, the Civil Rights Act, the Peace Corps, the Nuclear Test Ban, more water projects, Social Security increases, expanded agricultural research . . .

I list these accomplishments not for any partisan purpose to challenge the growing suspicion that America is not on the move—that Americans have lost sight of the grand design for our society in their headlong race for personal gain.

Eric Hoffer put it this way: "Anybody who write a book about America and doesn't mention kindness doesn't know what his country is. You don't sing about it . . . this is part of our life."

Yet while many people work for the benefit of *all* people, there are millions of their fellow citizens not yet fully concious of the challenge; there are others who are not committed to the values involved; still others are bitterly disillusioned that the millenium has not yet arrived; and some so apathetic or cynical they believe nothing good can be achieved.

To the disillusioned, I say: A better life is not built in seven days . . . or seven years . . . or seven decades. A nation is never finished nor is a state. Each must be built and rebuilt by succeeding generations. But neither can be built for even one generation unless every sector of the society, and every person in it, does his bit, in partnership with one another.

Whatever the job, it is absolutely clear that the Federal Government cannot do it alone. Let me give you one little statistic that rather dramatically illustrates both the demands on Federal authority and the limits of Federal action.

We hear constant complaints about crime in the streets and insistent demands that something be done about it. Most of the complaints and most of the demands are aimed directly at Washington.

Yet the Federal Government controls only 5 percent of all the law enforcement personnel of this country! Ninety-five percent are State or local officers. Obviously, the Federal Government alone cannot wipe out crime. Nor does it have the major responsibility for doing so.

I know I am echoing the sentiments of Kansas businessmen and farmers when I speak of the importance of local responsibility. There is another area where local initiative is increasingly important. This is in the creation and development of tomorrow's communities. If we are to have living and growing town and country communities linked together not only by highways, but by education systems, medical units, governing systems, comprehensive plans, and by a spirit of community action reminiscent of pioneer days, it will take a caliber of personal leadership even the pioneers never knew.

National Farm-City Week is an appropriate time to consider this emerging community of tomorrow. Here in the Plains, developments in agriculture, in transportation and in communication have changed many things in the last 40 years. But they have not altered the interdependence of town and country. They have reinforced it.

The interdependence of the past between farm and city is only a hint of the future.

On another occasion, speaking in Kansas, I called attention to projections of economic growth by regions of the country, projections which indicate that in the Plains and the Midwest, people are coming into the labor force faster than jobs are being created.

In other areas of the U.S., especially the West and Southwest, jobs are being created at a rate which is outrunning the availability of people, *in that area*, to fill them.

If these trend projections are borne out by events, it will mean further concentration of industry and people in a few areas of the country—in a nation where 70 percent of the people now live on 1 percent of the land—and where it is already clear that the costs of further population concentration will be enormous.

It is difficult for us to realize just how congested some parts of our cities are. In Harlem, for example, the population density in 1960 was more than 122,000 persons per square mile! If all the people of this nation were so congregated, our entire population of 200 million could be accommodated on Long Island.

You know as I know this terrible crowding of impoverished human beings leads to desperate, hopeless people—and to riots and looting which are the instruments of hopelessness.

Last summer's riots caused the death of 85 persons, injury to more than 3,200, and the arrest of 16,000. They cost—in destruction of property and riot related expenses—hundreds of millions of dollars.

All of this points up the crucial importance of the right answer to this question: Where will the 100 million more Americans of the Year 2000 live? Where *can* they find jobs and a chance for decent lives in a place where they *want* to live?

The unhappy fact is that in *this* moment in time a great many Americans have no real choice, for their dreary options are often either a decaying countryside or an exploding ghetto.

In less than two decades, the countryside across the nation has lost 20 million persons to the big cities. *And it is still losing them at a rate of 500,000 to 600,000 a year.*

Obviously, not all of these rural migrants wind up in ghettoes. Some have been able to better their lives by moving to the cities. But just as obviously, a great many rural people *do* wind up in ghettoes. Indeed, city ghettoes and slums have been described as little more than the spillover from rural slums.

The challenge before America is to offer people a real choice of where they want to live and to work . . . and not just a geographical option between slums.

Can it be done? I think it can. There is *much* that we can do about it—much that we are *already* doing—and more that we *must* do.

There is an alternative to city-suburban living for that part of the population which chooses such an alternative. For want of a better term, I call that alternative the "town-country community."

We *can* influence settlement. We *can* allocate opportunities to various areas. We *can* generate communities that will entice people to leave their deteriorating suburb, their high rise from nowhere, their nasty ghetto. Man makes himself. This is what we live by.

Outside the great metropolitan areas, there are now some 300 identifiable non-metropolitan complexes made up primarily of farming, small manufacture, recreation, and other "open" land, and dotted here and there with villages and small towns where people live and trade and are tied together by one or more small cities—cities that are growing and moving forward.

Such multi-county town and country communities are a realistic alternative to mass urban agglomeration.

There is more fertile ground for domestic peace and tranquillity in these areas than in the cities. There is not the crowding. Not the pressure of people, one against another. Not the indifference and impersonality. Not the deep running bitterness you find in so many of our cities.

Don't misunderstand me. I am not saying that the small towns and farming areas of America are models of sweetness and light and the cities a chamber of horrors.

With Lewis Mumford I can say: "Men have loved cities" — and I am one of them. "Loved them for their beauty and power, for their variety and animation; loved them as one loved cities"—and I am one of them. "Loved their many historic shortcomings."

But I am alarmed that these great cities of ours, establised as centers of wealth, culture, education, and refinement, have become pitted with crime, disease, unemployment, poverty and pollution.

One reason why we must encourage the smaller cities and revive the countryside is to save our largest cities.

If we are to succeed, however, we must first lay to rest some of the damaging myths that sap the strength of our efforts.

The first of the myths holds that *the mass stacking up of people in cities is inevitable.* Why is it inevitable? I've not yet found a convincing argument that it is. The problems of the largest cities *and* of the countryside *demand* that we not yield to this alleged inevitability.

Then there is the myth that *Americans are a city people and want to live in cities.* Millions of metropolitan Americans don't live in the city at all. They live in a suburb, because it's the closest thing to a small town environment they can have while they work in the city. National polls have shown that a majority of our people would prefer town living to city living, if they had the job to go with it.

Another myth: *The family farm is disappearing and the small towns are drying up.* The truth is that a good 95 percent of all U.S. farms are still family farms. The family farm is getting stronger, not weaker. And while it is true that many tiny towns and crossroad villages are in eclipse, it is equally true that there are thousands of rural towns and agriculture-based cities ranging in population from a few hundred to 50,000 people—towns not only healthy, but the fastest growing population centers in the nation.

Still another myth: *The concentration of some 80 to 90 percent of all our people in a few major urban regions can be accomplished without major damage to the fabric of society.* Can anyone seriously believe this, in view of the urban decay already so evident?

Mayor Davis of Kansas City said last year, ". . . a city can get too big simply because the cost of providing services increases out of all proportion to total population growth."

In some cities during rush hours, it's faster to walk than take a cab. Trucks cross town at an average speed of 6 miles an hour—slower than a horse and buggy in the old days.

Our cities are still centers of culture, the museums filled with art, the theaters bright with stellar performers. But in many instances it's the tourists who flock there. The city residents stay home in droves. It just takes too long to get back and forth.

Modern man, as Arnold Toynbee has said, is already threatened with a "relapse into his 19th century plight of being the prisoner of the city, and, this time, with no possibility of escape." This is not a pleasant prospect because as Toynbee adds, "an inescapable city cannot be a seedbed for vegetables or cereals, but it has often been a seedbed for riots and revolutions."

We pride ourselves in America on the options and alternatives people have as consumers in the market place, in where they will work, and at what—in the many different ways of living open to most of us.

Let's work toward a pluralistic environment too. Let's give people a choice not only of the house they live in but also whether it be in the inner city or the small town, the suburb or the rural community, California or the Great Plains.

Keep before your eyes the vision of 300 million Americans living at ease with each other and with their environment in an attractive land—a land dotted with clusters of renewed small cities and towns, sprinkled with the farms of a prosperous agriculture, and marked by great cities standing tall, free of pollution and blight, and unmarred by massive social discontent and disorder.

Keep in your mind's eye and in your business plans, and in your long-range targets, a Kansas that is growing as fast as Arizona or California—a Kansas dotted with new industry—a prosperous dryland and irrigation agriculture geared to growing world markets—a cattle growing and feeding business geared to better diets through more beef as incomes rise—an economy and a people built on hard work and faith in education and research and excellence.

We can build such an America and such a Kansas. We can have it long before the year 2000. But it will take the energy, the determination, the imagination of farmers, business, architects, engineers, labor unions—of every thinking American working shoulder to shoulder.

I am hopeful for the future of America and of Kansas. I am hopeful because people like you—farmers and businessmen and lawyers and doctors—town and country—united for mutual strength, make an unbeatable combination.

THE OEO IN UTAH

Mr. MOSS. Mr. President, we are all familiar with the charge made by House Minority Leader GERALD R. FORD, and by others, that the Office of Economic Opportunity is "politically oriented," the inference being that somehow the administration is using its efforts to help the poor and disadvantaged so as to make jobs for Democrats and build political muscle.

I cannot speak for what is happening in other States, of course, but I do know what is happening in my State of Utah. The OEO program there is being administered on a completely nonpartisan basis.

Gov. Calvin L. Rampton recently replied to a letter from Representative FORD to set the record straight. I ask unanimous consent that Governor Rampton's very explicit letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, November 20, 1967.

Representative GERALD R. FORD,
Office of the Minority Leader,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FORD: This is in reply to your letter of November 14, 1967 in regard to the Office of Economic Opportunity. I cannot, of course, know from personal experience how the Office of Economic Opportunity has been administered in other states. I am certain, however, that your categorization of the program as politically oriented would not apply to the State of Utah.

I am a Democratic Governor. Whether I could have influenced, on a political basis, the appointment of individuals to positions within the program, I do not know because I have never tried. This program is administered in this state well and efficiently without regard to political affiliation of those concerned. I have never had any survey made to determine what percentage of the administrative officers are Republican and what percentage are Democrat. I do know, however, that the Chief Administrators in our two largest counties, both Salt Lake and Weber, both have a Republican identification. Mr. Rulon Garfield, who heads the program in Weber County, was a candidate for the Republican nomination for Congress from the 1st District of Utah a few years back, and Miss Lorraine Cook, who heads the program in Salt Lake City, was a Republican appointee to the State Welfare Commission under my predecessor, Republican Governor George D. Clyde.

I also take exception to your statement that "Too many others—such as the Job Corps—have, from the beginning, been woefully misdirected and very badly administered." The Job Corps camps in Utah have been well administered and have contributed much, both to the boys who are attending and to the members of our communities who come in contact with them. Mr. Dewey Fillis, the Chief of Police of Salt Lake City, who at first opposed very strongly the establishment of the Urban Job Corps Center at Clearfield, recently took occasion on a statewide TV broadcast to commend the administration of this program. I believe it would be well if you could be as objective as Police Chief Fillis, and re-examine your position in this regard.

Sincerely,

CALVIN L. RAMPTON,
Governor.

"TO SEEK A NEWER WORLD"—BOOK BY SENATOR ROBERT F. KENNEDY

Mr. CLARK. Mr. President, throughout the continuing debate on Vietnam, one voice which has spoken out with consistent clarity, eloquence, and good sense has been that of the junior Senator from New York, ROBERT F. KENNEDY.

Senator KENNEDY's latest comprehensive statement on this subject is contained in an excerpt from his new book, entitled "To Seek a Newer World," which was published in article form in a recent issue of Look magazine.

The article, in my view, is must reading for anyone—whatever his or her views on this tragic conflict—who genuinely seeks an understanding of the nature of our involvement in Vietnam and the honorable alternatives open to us. I ask unanimous consent that the text of Senator KENNEDY's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT CAN WE DO TO END THE AGONY OF VIETNAM?

(By Senator ROBERT F. KENNEDY)

(NOTE.—In the Vietnam chapter of his book *To Seek A Newer World,* from which the following article is excerpted, Robert F. Kennedy calls for negotiations as the only possible way out of the agony of Vietnam. Successive governments of South Vietnam have failed to win the allegiance of the people, in his view, and are not likely to. This, he adds, is because they have been and are "largely made up of, or allied with, a privileged class to whom it seems that the war is not worth winning if the price is the sacrifice of their land, wealth and power." Instead of land reform, long and universally regarded as an essential first step, the peasants are saddled with absentee landlordism, the Senator says. Instead of a government responsive to the needs and aspirations of the people, there is corruption and cronyism. Instead of an army that protects and assists the populace, South Vietnam has a military force that rarely fights, except for certain elite units, and that will suffer a ten percent desertion rate this year—more men than we will add to our forces there in 1967.

(Meanwhile, Senator Kennedy observes, despite the massive American effort to crush them, the Vietcong continue to grow in strength. He argues that although 227,000 Vietcong deaths have been claimed through August, 1967, "estimated Vietcong forces have risen from a maximum of 115,000 in 1965 to a minimum of over 250,000 in 1967, all by the count of our own command in Vietnam." What must be comprehended, he says, is that although the Vietcong are Communists, they also are Vietnamese nationalists, heirs of the Vietminh who defeated France and won independence with Ho Chi Minh as their leader and symbol. Though they employ brutal terror, he says, their basic appeal is political: They are a disciplined organization built around the grievances and dreams of the people. He cites Cyprus, Algeria and Vietnam itself as evidence that military force alone, no matter how superior, cannot defeat such guerrillas. "Foreign intervention cannot provide a substitute where a national will is lacking," he says, and yet the United States finds itself bearing the burden of major combat, unable to arouse the Saigon regime to general mobilization, sustaining casualties in the first months of 1967 at a higher rate than South Vietnamese draft calls, sending more men, dropping more bombs, spending more money to support the commitment already made.

(Of the September 3 elections in Vietnam, Kennedy says: "With all the advantages of incumbency, with the support and votes of the armed forces, with their strongest rivals excluded from the contest, running against candidates who themselves did not represent social change or identification with the peasantry—with all this, the military ticket could still win only 34 percent of the vote of three-fifths of the nation."

(Here are Senator Kennedy's views on where we go from here.)

Although the world's imperfections may call forth the acts of war, righteousness cannot obscure the agony and pain those acts bring to a single child. The Vietnamese war is an event of historic moment, summoning the power and concern of many nations. But it is also the vacant moment of amazed fear as a mother and child watch death by fire fall from the improbable machine sent by a country they barely comprehend. It is the sudden terror of the official or the hamlet militiaman absorbed in the work of his village as he realizes the assassin is taking his life. It is the refugees wandering homeless from villages now obliterated, leaving behind only those who did not live to flee. It is the young men, Vietnamese and American, who in an instant sense the night of death destroying yesterday's promise of family and land and home. It is a country where young men have never lived a day in peace and where families have never known a time when it was not necessary to be afraid. It is a land deafened by the unending crescendo of violence, hatred and savage fury, where the absorbing goal for millions is not to live well or to improve their lives but simply to survive. To them, peace is not an abstract term describing one of those infrequent intervals when men are not killing each other. It is a day without terror and the fall of bombs. It is a family and the familiar life of their village. It is food and a school and life itself.

All we say and all we do must be informed by our awareness that this horror is partly our responsibility; not just a nation's responsibility but yours and mine. It is we who live in abundance and send our young men out to die. It is our chemicals that scorch the children and our bombs that level the villages. We are all participants. To know this, to feel the burden of this responsibility, is not to ignore important interests nor to forget that freedom and security must sometimes be paid for in blood. Still, even though we must know as a nation what it is necessary to do, we must also feel as men the anguish of what it is we are doing.

Responsibility for our present difficulties in Vietnam is primarily Vietnamese, not American, although it involves us and is shared by us. It does not belong to any single man or any one administration. Many are agreed that Vietnam has become a tragic involvement; there is disagreement on where we went wrong. Senators Richard Russell and John Stennis, among the most articulate proponents of a strong military defense, warned President Eisenhower against sending the first advisers in 1954. Others opposed, or now criticize, President Kennedy's buildup of the advisory force. Some fault the decision to commit American troops to combat, or to bomb the North. However the case may be, I can testify—as one who was involved for three years in the effort and decisions in Vietnam—that if fault is to be found or responsibility assessed, there is enough to go round for all, including myself; and this I freely acknowledge. We should now neither curse the past nor praise it, but seek, from what we have learned, some guidance for future policy in Vietnam and elsewhere.

There are three possible routes before us: the pursuit of military victory, a negotiated settlement, or withdrawal.

Withdrawal is now impossible. American intervention has created its own reality. All the years of war have profoundly affected our friends and our adversaries alike, in ways we cannot measure and perhaps cannot know. Moreover, tens of thousands of individual Vietnamese have staked their lives and fortunes on our presence and protection, and cannot suddenly be abandoned to the forcible conquest of a minority.

Beyond this is the more general question of the American commitment and the effect of withdrawal on our position around the world. Without doubt, the so-called "domino theory," by itself, is a vast oversimplification of international politics. In Asia, China is the biggest of all possible dominoes; yet its fall to the Communists in 1949 did not cause Communist take-overs in its neighbors (though it participated in the Korean War and aided the cause of the Vietminh rebellion already under way). Burma, which refused military and economic assistance from the United States, repressed two Communist insurgencies without interference or disturbance by the Chinese. The Cuban domino did not lead, for all Castro's efforts, to Communist take-overs elsewhere in Latin America. Vietnam's neighbors do not share its combination of government weakness and nationalist revolutionary strength; if they did, surely we would expect that they would long ago have erupted in insurgency while the United States is so heavily engaged in Vietnam.

If the domino theory is an unsatisfactory metaphor, still it contains a grain of truth. A great power does not cease to be that because it suffers a defeat peripheral to its central interests. The Soviet Union is still a great power, notwithstanding the collapse of its Cuban adventure in 1962. But in some degree, the aftermath of Cuba was a perceptible lessening of Soviet prestige and ability to influence events in many parts of the world. So, I believe, would defeat or precipitous withdrawal in Vietnam damage us. We would not suddenly collapse; Communist fleets would not appear in the harbor of Honolulu and San Francisco Bay. But there would be serious effects: increased Communist influence—at least—especially in Southeast Asia itself. That is not to say, however, that Chinese expansion would thereby be strengthened. North Vietnam has its own interests and dynamism, and the most constant thread of Vietnamese history and present nationalism seems to be hatred and fear of China.

Beyond Asia, in other nations that have ordered their security in relation to American commitments, a sudden unilateral withdrawal would raise doubts about the reliability of the United States. Our investment in Vietnam, not only in lives and resources but also in the public pledges of Presidents and leaders, is immense. It may be, as some say, that the investment is grossly disproportionate to the area's strategic value, or to any ends it may conceivably accomplish. But it has been made. Simply to surrender it, to cancel the pledges and write off the lives, must raise serious questions about what other investments, pledges and interests might be similarly written off in the face of danger or inconvenience—though other nations will not cease to defend themselves, or surrender themselves to our adversaries, simply because they do not regard us as reliable protectors.

These are the main arguments against withdrawal. But these arguments do not in any way support a policy of continuing the present course of conflict, or continuing it at its present level, or in the same way. Still less do they support a search for nonexistent ways to military victory.

We are now steadily widening the war in order, we are told, to increase the costs to Hanoi. Yet let us not omit our own costs from the war's account. The mounting devastation of South Vietnam is more and more eroding the fabric of that society, making its ultimate reconstruction more remote and difficult. Yet lasting peace depends upon the strength of the nation we leave behind. The war has also made far more difficult the hopeful pursuit of fresh understanding and diminishing tension between the two great nuclear powers: the United States and the Soviet Union.

The war has estranged and alienated us from our closest friends in the Western Alliance. Not one has seen fit to aid us in Vietnam; they continue to trade with both North Vietnam and China; and some European church organizations are extending assistance to North as well as South Vietnam—an action unthinkable in Korea or World War II. I found in Europe, among men and nations who wish only good for the United States, deep anxiety and fundamental disagreement with our policy; we were, they felt, becoming dangerously irrelevant. Beyond Europe, in the Near East, Latin America, Africa and the Indian subcontinent, the diversion of our attention, resources and energies has seriously limited our capacity to affect the course of events and protect far more important national interests. The war is also diverting resources that might have been used to help eliminate American poverty, improve the education of our children, enhance the quality of our national life—perhaps even to save the nation from internal violence and chaos. The war has divided Americans from each other, and some from their Government, in ways whose effects we may feel for years to come.

Thus, there is another domino theory, another kind of momentum to this war. The mounting cost is an increasing deterrent to action elsewhere. Though portrayed as a necessary proof of our will and ability to "keep our commitments," the war in Vietnam is very likely to have the opposite effect. In the Congress, liberals and conservatives alike have firmly stated their conviction that the United States should never again engage in an effort like Vietnam. Some would have us prove in Vietnam that "wars of national liberation cannot succeed." But the longer the conflict goes on, the more likely we are to "prove" that we will not oppose them in the future. Certainly the sight of the world's most powerful nation so frustrated by one of the weakest of nations must hearten believers in revolutionary war and the efficacy of Communist tactics.

Growing awareness of these realities has led some to call for a quicker end to the war through application of greater military power: the pursuit of total military victory. But this is a phantom. Military victory would require that we crush both our adversary's strength and his will to continue the battle; that the forces from the North be compelled to withdraw beyond the border; that much of Vietnam be destroyed and its people killed; that we continue to occupy South Vietnam as long as our presence is required to ensure that hostilities, including insurgency, will not be resumed. This will be a very long time indeed.

Despite the brave and dedicated efforts of American forces, enemy forces continue to grow. Increasing support from the Soviet Union and China has given the Communist forces a new range of sophisticated and destructive weapons. Security in the countryside depends, perhaps more than ever, on the physical presence of American troops. The South Vietnamese Army assumes less and less of the burden, requiring us to run harder just to prevent further deterioration. Yet our resources of planes, pilots and trained combat leaders are already under serious strain everywhere the world.

These facts tell us that the pursuit of victory would require a massive new expansion of the war. It would mean rapidly increasing commitments of American forces—to a million or more—the call-up of reserves, and something close to general mobilization. It would mean a growing risk of widening war with China, even with the Soviet Union. It would lead, indeed already has led, thoughtless people to advocate the use of nuclear weapons. And it would involve all these things—commitment, risk and spreading destruction—in pursuit of a goal that is at best uncertain and at worst unattainable.

There is a tendency, born of impatience and frustration, to assume that a freer exercise of our great power, especially the destructive power of our Air Force, could quickly end the war. But the claims of airmen to omnipotent destruction have not proven sound in the past. By 1944, though Berlin had lost two-thirds of its homes and over a million Germans had been killed or wounded by Allied bombing, war production was three times as great as in 1941. North Vietnam, moreover, is not an industrial but a peasant society, not seriously vulnerable to air attack. The port of Haiphong, says the Secretary of Defense, is a "convenience rather than a necessity" for imports and could easily be replaced by overland supply routes. Destroying the capital of Hanoi would mean little to an enemy who defeated the French without holding a single major city. (I visited Hanoi when the French held it. It was clear that holding the city meant nothing while the Vietminh were slowly winning the countryside.) Bombing the cities, or the dikes that keep the Red River Delta from flooding, would amount to the deliberate destruction of the North Vietnamese people: an action out of all proportion to the threat they pose to us and certain to provoke the justified condemnation of the world.

If the bombing cannot destroy North Vietnam's *capacity* to fight, can it destroy its *will* to continue? In Ethiopia, Mussolini could not force Haile Selassie to surrender with bombing. Bombing did not have that effect on Great Britain or on Germany. On the other hand, bombing seems to have played a part in inducing Italy to surrender in World War II. The Tokyo fire raids and the use of the atomic bomb certainly were a major factor in the Japanese surrender. It is impossible to say that bombing will or will not bring a country to terms. The Secretary of Defense, as late as August, 1967, told the Senate that "I have seen no evidence in any of the many intelligence reports that would lead me to believe that a less selective [that is, intensified] bombing campaign would change the resolve of North Vietnam's leaders or deprive them of the support of the North Vietnamese people. . . . There is also nothing in the past reaction of the North Vietnamese leaders that would provide any confidence that they can be bombed to the negotiating table."

We do know that escalation of the bombing as a solution to this war has been a terrible and dangerous illusion. Escalation is not our sole prerogative, but a mutual activity. North Vietnam cannot precisely duplicate our escalations. But it can match our escalation where it is relatively strong: on the ground in South Vietnam. When we began bombing the North, in February of 1965, there was one battalion of North Vietnamese regulars confirmed as fighting in South Vietnam, and our combat deaths numbered in the hundreds. As we introduced ground combat forces, the North Vietnamese also increased their commitment, and the the Vietcong stepped up their recruitment—and by the end of 1966, over 6,000 Americans had died. In 1967, both on the ground and in the air, our escalation has been matched by our enemies' acquisition of whole families of new weapons. Our combat deaths were greater in the first six months of 1967 than in all the six previous years combined.

This may be only a foretaste of what is to come. Clearly, the Soviet Union feels that it must maintain its support of the North Vietnamese effort as long as the fighting continues. Neither China nor the Soviet Union can accept the defeat or destruction of North Vietnam; just as our Government feels it cannot abandon the South Vietnamese. The Soviet Union can maintain this support at little cost to itself, meanwhile helping to seriously sap the strength of the United States. We can extend our bombing—and the Soviets can give North Vietnam rocket-firing patrol boats or ground-to-ground missiles. We can introduce more troops—and the North Vietnamese can match them with another segment of their regular army, only one-fifth of which has thus far been committed to combat.

We can invade the North—and thereby engage another quarter of a million of the enemy in combat; somewhat as if a man afflicted with one migraine were to request another head in which to have a second. We can settle into a "war of attrition" on the Asian mainland, where our adversary has a strategic reserve of 700 million Chinese. In 1964, a former chief of the Strategic Air Command told us that an ultimatum, coupled with the bombing of selected military depots, would bring Vietnam to its knees "within a few days": another of the promises of easy and imminent victory that have not ceased since the French began them in 1946. It is perhaps too much to expect that these promises will no longer be made. It would be incredible if they would any longer be believed.

The third alternative is a negotiated settlement—as we have known for more than two years, the only satisfactory solution of the war. This course is our stated Government policy. This is the course that I favor. Only negotiations could allow us to end the fighting without precipitate withdrawal, to avoid the progressive destruction and weakening of South Vietnam, and end the drain on our own energies and resources, without great damage to our position in Asia and the world.

Throughout 1966, the chances for such negotiations were present. They reached their height in the winter of 1966–67. At that point, with a false scent of victory leading us on, the United States cast away what may well have been the last best chance to go to the negotiating table, on terms we clearly would have accepted before. The months of war that have followed have been as destructive, to our own forces and to North Vietnam, as all the years of war before 1967. The damage, and hardening attitudes, may make a negotiated peace impossible for some time to come. An effort for negotiations now may well be rejected.

But the alternatives to negotiation are so unacceptable that I continue to believe the effort should and must be made. Ultimately, no other solution is possible. Despite the killing and the destruction, we are in no better position now than we were a year ago—and we will not be in any better position a year from now. I continue to believe that we should go to negotiations in an effort to reach a peaceful and honorable settlement. Perhaps we cannot; but we shall never know until we try.

A negotiated settlement must be less than a victory for either side. Both sides must come to any discussion with at least one basic condition, one point they will not yield. For us, it must be that we will not abandon South Vietnam to forcible takeover by a minority. For our adversaries, it must be that they will not accept a settlement that leaves in the South a hostile government, dedicated to the final physical destruction of all Communist elements, refusing any economic cooperation with the North, dependent upon the continued presence of American military power.

For either side to yield its minimum conditions would be in fact to surrender. If we intend to deny these conditions to our adversaries, then we must defeat them completely. This we should clearly understand—and understand as well the full costs of this course, costs out of all proportion to any benefits we might attain. For wise policy is a setting of priorities—differentiating between that which is merely important and that which is truly essential. And it would be both callous and self-indulgent for those of us who sit comfortably at home to form policy without full, conscious knowledge of the cost to others, young men and women and children, whose lives turn on the abstractions of our discussion.

For more than two years, we have proclaimed our desire to negotiate with our Communist enemy: "Anywhere and anytime," the President has said. Debate has therefore centered on how this desire is to be fulfilled; most often on whether to halt the bombing of the North. How the bombing came to the center of debate and its relationship to negotiations are questions we may begin to examine as of the winter of 1966–67. Hanoi's previous position, known as the Four Points, has been regarded as unacceptable by the United States. Our interpretation was that it required the withdrawal of American forces from South Vietnam and the recognition of the National Liberation Front (NLF) as the "sole genuine representative" of the Vietnamese people, even prior to discussions.

In January of 1967, however, Premier Pham Van Dong told Harrison Salisbury of the New York *Times* that the Four Points should be considered as an agenda for discussion at negotiations rather than preconditions. It was an indication that Hanoi had altered its position: from minimum demands, these had become only bargaining points. This was confirmed by Secretary General U Thant. Then, on January 28, the Foreign Minister of North Vietnam, Nguyen Duy Trinh, said, "If the United States really wants talks, it must first halt unconditionally the bombing raids and all other acts of war" against North Vietnam. "If the bombings cease completely, good and favorable conditions will be created for the talks," the Foreign Minister said, concluding: "President Johnson said he was only awaiting a sign. Well, he's had the sign." Of equally great significance, the interview made it unmistakably clear that Hanoi was dropping its Four Points as a precondition for negotiations to begin.

Then, on a visit to London that coincided with the four-day Tet truce, Soviet Premier Alexei Kosygin joined the Soviet Union for the first time in the public search for peace. Kosygin said that the first step "should be the unconditional cessation of the bombing of and all other aggressive acts against the Democratic Republic of Vietnam [North Vietnam]. As the Foreign Minister of the DRV declared recently, this step is necessary to enable talks between the DRV and the United States to take place. The Soviet Government welcomes this statement and regards it as an important and constructive proposal for ending the war." Later, he went further, referring to "only one circumstance which must be considered. . . . The United States of America must unconditionally stop bombings of the Democratic Republic of Vietnam and then it would be possible to open negotiations to explore avenues of a political solution. . . . This is a very constructive proposal which makes it possible to get out of the impasse the United States has landed in now."

This declaration came from a man of enormous authority in the Communist world, whose country, then and now, sustains North Vietnam's effort. The statement did not demand that we withdraw our forces, slow down our military effort on the ground, or even halt bombing in South Vietnam or of the infiltration routes in Laos. It did not demand any guarantee that we would never use our planes again at any future time, no matter what our adversary did to enlarge his effort. There was no demand that we accept any terms or conditions, such as the Four Points, in advance of talks. We were simply informed that "to enable talks," we should stop bombing. This message was repeated by Ho Chi Minh, in his letter to President Johnson, even after the bombing had resumed. As late as May, Premier Pham Van Dong said the statements "still had full value." And there are still indications, though far less clear and unequivocal, that a bombing halt would bring negotiations.

We were willing to do this in 1965–66, when we suspended the bombing for 37 days without asking any prior act, signal, or statement in return. Through much of 1967, our adversaries and their friends said negotiations could begin on terms we would have accepted in 1966. Why then did we not try when the conditions were so much more promising?

One argument has been that the United States could not be absolutely certain that Hanoi and Moscow would negotiate if the bombing were stopped. Hanoi's statements, it has been said, conflict with one another, and some could be read as calling for a guarantee that the bombing would be permanently halted even before negotiations began. Examination of the public statements of Hanoi and Moscow in January and after, however, clearly indicates a major shift away from the North Vietnamese bargaining position since 1966, showing a firm intention to come to the conference table once the bombing of North Vietnam was suspended. In any case, the varying interpretations of the Communist statements need not have been serious obstacles to agreement.

In the most serious and urgent crisis of the cold war, we moved toward peace by accepting, in the way we wished to interpret it, that position of our adversaries that contained the greatest hope of swift settlement. At the height of the Cuban missile crisis of 1962, President Kennedy received two conflicting messages from Premier Khrushchev: The first offered to remove the missiles under acceptable conditions; the next day, the demand was for unacceptable concessions in return. President Kennedy simply ignored the second statement and announced his agreement to the first. The crisis was thus resolved without open conflict. Such a technique might have yielded fruitful results in 1967.

A second argument has been that the bombing is necessary to secure our objectives in the South. We began the bombing, as President Johnson told us at Johns Hopkins, for three purposes: "to increase the confidence of the brave people of South Vietnam . . . to convince the leaders of North Vietnam . . . [that] we will not be defeated," and to reduce the flow of men and supplies from the North. But the first two purposes have already been fulfilled by the huge resources and American lives committed to South Vietnam since the bombing began. As to the third purpose, "to slow down aggression," the Secretary of Defense testified in early 1967 that although the bombing of North Vietnam has other values that he supports, "I don't believe the bombing up to the present has significantly reduced, nor any bombing that I would contemplate in the future would significantly reduce, the actual flow of men and materials to the South." He was supported in this view by many greatly respected military observers. Other military men have since stated their conviction that the bombing is an essential handicap to North Vietnamese infiltration, putting forward evidence that many infiltrators die of disease or bombing on the long trail to the South. But in August of 1967, despite a considerable escalation of the air war since February, the Secretary of Defense, although still supporting the bombing, estimated that while "ten to twenty percent of the personnel dispatched to the South by the rulers of North Vietnam never reach the battle area," he also stated that only "about two percent are casualties caused by air attacks."

There is no question that the bombing makes infiltration much more difficult. But all of North Vietnam is a long supply trail that, as in Korea, has not been severed from the air. Again according to Secretary McNamara, the Vietcong and North Vietnamese forces in the South require "significantly under 100 tons a day" of military materials (other than food) from the North, "a quantity that could be transported by only a few trucks"—or even 400 bicycles. At any rate, bombing of the infiltration trails in Laos would not have been affected by a halt in the bombing of North Vietnam.

Finally and most importantly, it has been argued that we cannot halt the bombing without a sizable military concession first being made by our adversaries: as President Johnson put it in his February letter to Ho Chi Minh, "I am prepared to order a cessation of the bombing against your country and the stopping of further augmentation of U.S. forces in South Vietnam as soon as I am assured that infiltration into South Vietnam by land and by sea has stopped." (In 1966, we had halted the bombing without such a demand.)

Without further support of any kind, Hanoi's 50,000 regular troops in the South would be hard-pressed and at a significant military disadvantage before the 400,000 Americans already there, especially since our great superiority of firepower could be indefinitely maintained by ship and plane. Thus, our February, 1967, terms, still our official position, were in effect a demand for the North Vietnamese to withdraw their forces, to abandon the Vietcong in the South. This was quite clearly understood in the highest circles of our Government at the time. In the winter of 1966–67, important United States officials felt we were on the brink of a military victory, that our position was considerably stronger and that of our adversaries considerably weaker than had been true a year before. Therefore, they thought, we could afford to stiffen our position. And we did.

Our public pronouncements at this time were very different; publicly, we wanted "just almost any step" in return for a bombing halt. If such a small step is at issue, should it be allowed to determine such a weighty matter? In fact, as was apparent from the President's letter when it was released in March, our actual demands have been much more serious than our public statements have indicated.

Objective assessment of the prospects for a negotiated settlement rests on clear analysis of the minimum goals of both sides, our adversaries' as well as our own. To say that North Vietnam "cannot" negotiate while bombs are falling on Hanoi is not an approbation of its refusal to come to the conference table but merely a prediction that as long as the bombs fall, the war will go on. And to say that the bombings will not cease until we are "assured that infiltration into South Vietnam by land and by sea has stopped" is only to ensure that bombing and infiltration will continue, that there will be no negotiations, and that the war will go on.

It was for these reasons—because I felt that the bombing of the North was a major obstacle to negotiations, that it could have been halted at a relatively small risk to ourselves, and that a halt would have demonstrated, to our own people and the world, our interest in a peaceful solution—that I urged in the winter of 1966–67 that we test the sincerity of the statements by Premier Kosygin and the others by halting the bombing and stating our immediate readiness to negotiate. I said then, as I continue to believe, that "the bombing of the North cannot bring an end to the war in the South; rather that it may well be prolonging the war." And while I feel the possibilities of fruitful negotiations to be significantly less than existed in the winter and spring of 1967, I still feel the effort to reach them should be made.

Stopping the bombing, however, is not peace. Rather, it would be only one part of a coordinated plan for negotiations and settlement. The next step in such a plan would be to ensure that negotiations would not be used as a device for either side to change the military balance. It is unrealistic to expect the North to cease its present support for its own troops and the Vietcong, just as it would be for us to stop supplying our forces in the South; but it would be equally unrealistic to expect that peace can be discussed effectively or with confidence while casualties mount and the war gets bigger. Immediately after a halt in the bombing, and with or without specific agreement from the North Vietnamese, international teams under the United Nations or a strengthened International Control Commission, or even some other international group established especially for this purpose, should be asked to provide detached and objective information to the world about any large buildup of troops or supplies by either side during the peace talks. Then if the failure of negotiations, coupled with the actions of our adversary, made it necessary for us to reexamine our position, we would act with far clearer international understanding of our motives and necessities.

Moreover, once at the conference table, our problem would in a sense be more difficult. Negotiations are not the end of the road but only a bridge to the future of South Vietnam. The negotiators must develop a program to dismantle the war: to establish procedures for a cease-fire, for the laying down of arms and for the gradual withdrawal of foreign forces—and all this accompanied by the political steps necessary to protect the safety of all sides while the war is being dismantled.

It is these political steps—the resolution of South Vietnam's tangled politics—that have always been at the heart of the problem of peaceful settlement. Further, this question is central even to the preliminary problem of arriving at serious negotiations. Stopping the bombing may bring Hanoi to negotiations. But the NLF seeks more than a halt to bombing in the North; it seeks a role in the South. Whether the NLF would come to negotiations, and the position it would take there, will almost certainly depend in large part on the terms of political settlement that are understood to be possible. Those terms—that is, the areas of possible compromise, and our own goals in South Vietnam—must therefore first be clear in our own minds.

What should those terms be? A military victory is not in sight for anyone. Any settlement must therefore be a compromise that, however imperfect, would protect the self-determination of the Vietnamese people. Communist and non-Communist, Buddhist and Christian, should be able to choose their leaders and seek office through peaceful political processes, free from external coercion and internal violence. All should have the opportunity to seek peacefully a share of power and responsibility, preferably through free elections. They should determine their future and the nature of their system and resolve the question of Vietnamese reunification.

The first step would be for the South Vietnamese Government, as well as other political elements not represented in it, to begin its own discussions with the NLF. If the people of South Vietnam are to settle their own future, they must at least begin to talk to each other. Undoubtedly, a cease-fire would allow this process to begin at the village and hamlet level, aiming toward village elections in which all sides, including the NLF, could freely participate.

I have always felt that the United States must also be ready to talk directly to all parties—not only with Hanoi but directly with the NLF in the South. If the NLF men are independent, we should talk to them. If they are not, it makes no difference that they are at the conference table with North Vietnam. The only objection to their participation is that it would confer status upon them. They have already achieved more status on the battlefield than we could give them at the conference table.

It was and is essential that non-Communist Vietnamese take a major role in discussions leading to a negotiated settlement, and exert effective force and influence in competition with the NLF for future leadership. The effectiveness of their participation in negotiations will largely depend on the extent to which they have the confidence of their own people and represent their aspirations. Therefore, the character of the 1967 elections is undoubtedly a handicap to fruitful peace talks. Had there been a free political process during the spring and summer of 1967, it undoubtedly would have broadened the final government to include other elements of South Vietnamese society, thus making it clear to Hanoi and the NLF that they were faced with a formidable negotiating adversary, which represented the choice and objectives of the non-Communist majority in South Vietnam. As much as possible, however, that opportunity must be reopened: most particularly by broadening the base of the present Saigon government and curbing the arbitrary use of police powers and censorship. If the present ruling group is all that is allowed to compete with the Communists, the Vietcong would certainly dominate the peace.

Finally, a lasting settlement of the war requires that free elections open to all would ultimately be held and that those who won them would take office. Confidence will depend on the structure of government between the end of hostilities and elections—perhaps a prolonged period. The Communists would fear a take-over by the military, just as we might fear a Communist coup. Thus, during the interim period between the end of hostilities and elections, it will be necessary to establish a ruling structure in which both sides have confidence. There are many possible ways of achieving this. It may be desirable to formulate a series of international guarantees, agreed upon by the major powers as well as by the combatants, perhaps by establishing an international supervisory force. To the extent the South Vietnamese share in this interim administration, it will be necessary for all important elements in the country to have a share of power and responsibility. Details of an exact formula must await actual negotiations. The important thing is that it provide enforceable and unbreakable guarantees against fraudulent elections and any attempt, by either side, to take power without or despite the elections.

In any case, it is clear that unless we accept the principle of Vietcong participation in any interim government structure, albeit under international supervision or as part of an international framework, there is little hope for success in any negotiations. When I first made this proposal, in February of 1966, it was attacked by some officials of the Administration. The President's press secretary, however, later stated that the United States did not foreclose such participation. It did not, he said, guarantee the principle of NLF participation in an interim government, but felt that the issue should be left to the negotiators. This, in my view, was a step forward, though insufficient, especially in light of statements by Marshal Ky that he would not accept an NLF role in the government even as a result of free and fair elections.

The kind of program I have outlined is no fixed or frozen formula; it is a set of suggestions, to be refined and revised by the critical examination of others; molded and reworked by shifting events, the responses of other nations, and the passions of people whose lives and homes are at stake. I do believe, however, that it points in a necessary direction.

It must be said that such a program involves risks. An adversary who lives may perhaps fight another day. A government that is not continuously sheltered by American military power may be again attacked or subverted or overthrown. But these are "risks" that we take every day, in a hundred countries in every corner of every continent—because we cannot occupy the world and because we do not wish to become a garrison state; and also because we believe men and nations will not willingly choose to submit to other men from other lands.

I have described the action I believe our Government should have taken earlier this year because there is much to be learned from the events of all these months. Most of all, they teach us that for either side to put off negotiations, in the hope of military victory that will avoid the later need for compromise, is a tragic mistake. The passage of time will cause costs and casualties to mount on both sides, while hope of a negotiated settlement is postponed to an uncertain future. The actions I have outlined, the principles on which negotiations and a settlement must be based, I believe are still valid today. But what is far less certain now is whether halting the bombing by itself will bring us to the negotiating table. Certainly, a mere "pause" of a few days or even weeks is highly unlikely to bring us to negotiations. Even a full halt in the bombing—if it is not accompanied by great skill, determination to reach a negotiated settlement, and, above all, a clear understanding of our own goals—will not bring peace.

I continue to believe that the effort for negotiations, including a halt in the bombing of North Vietnam, should be made. If the passage of substantial time and events proves that our adversaries do not sincerely seek a negotiated solution, if discussions are used only as a pretext to enlarge the conflict in the South, then we can reexamine our entire military strategy in light of the changing nature of the war. We should be generous in our search for peace; but also mindful of the precedent of Panmunjom. We must also realize, however, that the success or failure of any effort for negotiations will depend, more than ever, on our attitude and overall position at the time—both our public position and that which we put forward in secret messages and conversations.

Further, we must realize that the hope of negotiations depends also on the position of our adversaries. Another year of combat and mounting destruction has almost certainly further hardened opinion in North Vietnam, much as in the United States it has led to successful calls for greater military action. Now, almost every target worth a bomb or a rocket has been struck. None can say whether an offer not to bomb what remains will be regarded by the North as worthwhile. Much of the population of Hanoi and Haiphong has already been evacuated.

Moreover, there are signs that our adversaries feel the war in the South is going favorably to their cause. They are receiving increasing aid from the Soviet Union. Communist China has maintained tens of thousands of support personnel in North Vietnam. There are strong indications that they have been joined by technicians and "volunteers" from other Communist nations. Chinese airports are now being used for the North Vietnamese fighter planes, and North Koreans are flying them. Finally, our adversaries may feel that an offer of negotiation, so close to our own elections, would be intended primarily for political effect in the United States—or that if the offer is serious, the terms will become more favorable as November, 1968, gets closer.

We face an obdurate adversary, fired with hatred for the foreigner, backed, however reluctantly, by the great resources of the Soviet Union, with the masses of China looming behind. Our own vast resources, and even the great bravery of our soldiers, are able only to avert military defeat. Yet they do not preserve us as we were, for involvement and danger mount with every new day. Elsewhere, the world goes on increasingly apart from us, and events of great moment pass us by. At home, we are beset with dangers we hardly understand, as political leaders speak of our streets in a vocabulary learned from this faraway war.

But we are not trapped and hopeless. We are not paralyzed. We need not and cannot allow the decisions of others or the workings of an inscrutable fate to pull us blindly ahead. Nothing in our position is more dangerous than the often-heard statement that the future is all in the hands of our adversaries. Such fatalism is the worst surrender of all.

The truth is that there is much we can do, beginning with a change in attitude. We must recognize that the struggle in the South is just that—a struggle in the South. Such a reassessment would reach, at the outset, to the question of the Saigon government: ensuring its broadening to include now-unrepresented elements of the South Vietnamese people, such as Buddhist organizations, labor unions, intellectuals and civilian political leaders. With such an attitude, we would work to end harassment by the military and secret police, and restore the village and hamlet democracy. This process would begin by ensuring that district and province chiefs are locally elected and responsible to the people, ending the system of military appointment of these officials that is central to the network of corruption and misgovernment in the countryside.

Recognition of the war's real character would also ensure attention to a *serious* program of social reform: not a matter just of more billions in U.S. aid but primarily of justice and decency within Vietnamese society. It may be asked whether real social reform will not encounter strong resentment from the military and social ruling groups. Of course it will, as it has in the past. But if these reforms are not initiated, there is little prospect of success for our efforts, or wisdom or purpose for our presence. The worst danger of making this our war is that our stake in it becomes greater than that of the Saigon government. But it is their war, and they must understand that refusing the necessary reforms will have direct and severe consequences. President Kennedy said in 1963: "It is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it, the people of Vietnam, against the Communists." Similarly, when President Eisenhower sent American troops to Lebanon in 1958, he ordered them to occupy only the capital and the main airport. "If the Lebanese Army were unable to subdue the rebels when we had secured their capital and protected their government," he has written, "we were backing up a government with so little popular support that we probably should not be there."

Continued support of a government that, after this long history and our patient effort still refuses reform is not pragmatic or tough-minded. It is ideological self-deception and a surrender of American interests to a government that without our support would not survive a month. Moreover these reforms will be necessary whether or not negotiations take place. In fact it is only genuine progress in the South beginning at last to attract the support of the people—and not greater destruction in the North—that offers a real prospect of convincing our adversaries that an early settlement is prudent.

Recognition of the character of the war would also affect our military effort, shifting its emphasis away from attacks on the North and combat by American forces toward greater reliance on South Vietnamese action in the South. This means less concentration on American sweeps and search and destroy missions, and more on physical protection of the densely populated areas near the coast and the Mekong Delta. If sweeps are considered to have military value, let them be carried out by the South Vietnamese. A greater share of the military effort at the demilitarized zone should be assumed by the Vietnamese, with American marines being gradually relieved. The government of South Vietnam should order the total mobilization that it has so far refused to put into effect and should begin to draft the tens of thousands who up to now have been able to avoid service. Thus, we can serve our stated obejctives, while conserving and protecting American lives, limiting further destruction of the South Vietnamese people by Americans, and assuring real security in the important areas of the country now under control by our side. Lowering our cost, in money and lives, while making clear our intention of remaining, is one sure way of convincing our adversaries that we can and will remain until a satisfactory resolution is assured.

Finally, agony and interest, the limited nature of our goals and the formidable consequences of rising war combine to compel us to seek whatever new initiatives can resolve this conflict—honorably, justly, consistent with our aims, and in peace.

We owe no less to ourselves, to our people, and to those whose land we both protect and ravage. In that land, the stakes are very high: They are the home of the child in a jungle village, the hunger of a man driven from his farm, the life of a young American even now preparing for the day's battle. There is the national interest, and there is also human anguish. To protect the one and prevent the other, no effort is too great for us to make.

SOCIAL SECURITY ACT—WELFARE AND MEDICAID PROVISIONS

Mr. KENNEDY of New York. Mr. President, during consideration of H.R. 12080, the omnibus social security and welfare bill, by the Senate, Congressman Jonathan Bingham, of New York, summed up the feelings of many New Yorkers and many people around the country about the welfare and medicaid provisions of the House-passed bill in a letter to the Senator from Louisiana [Mr. Long], in his capacity as chairman of the Senate Finance Committee. The letter was helpful and articulate. I ask unanimous consent to have it inserted in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

November 2, 1967.

Hon. Russell Long,
Chairman, Senate Finance Committee,
Senate Office Building,
Washington, D.C.

Dear Mr. Chairman: I am writing as a Congressman from New York, to urge favorable consideration for the amendments offered by Senator Robert Kennedy to HR 12080, particularly those dealing with Medicaid and welfare.

While I believe that the level of annuity benefits must be raised substantially beyond the levels provided in HR 12080 if we are to provide our senior citizens with a measure of dignity, I find the Medicaid and welfare provisions even more vital. The progressive change in these programs was adopted in the House over the strenuous objections of several of us.

I appeared before the House Rules Committee in support of a rule which would have permitted the House to consider liberalizing the bill as reported by the Ways and Means Committee. Unfortunately, we were unsuccessful. HR 12080 would not only place enormous burdens on an already overloaded welfare program in New York but the Medicaid revisions would imperil the existing State program on which millions of New Yorkers now depend. In effect, the cutback would either require a retrenchment of the program or entail such additional outlays of State and local funds as threaten to nomically feasible products.

It is one thing to refuse federal assistance to institute a program; it is another to withdraw it after it has been in operation. What Congress would be doing if it fails to modify the House version is to tell millions of citizens living in the shade of poverty that our country has more important programs than to alleviate pain, disability and hunger.

I urge the Senate Finance Committee to reject the restrictions of the House Bill by enacting the modest amendments offered by my colleague from New York, Senator Kennedy.

Sincerely,

Jonathan B. Bingham,
Member of Congress.

MALNUTRITION AS AN OBSTACLE TO NATIONAL DEVELOPMENT

Mr. McGOVERN. In discussions of our food-for-peace program, there has been a great deal of emphasis recently on self-help, and properly so. The war against hunger cannot be won unless the productive capacity of the less developed nations is put to its best use.

But there is a tendency in some quarters to dismiss some of the world's more unfortunate people as lazy and undeserving when they are actually trapped in a cycle of malnutrition. They are incapable of breaking out of the resulting weakness and lethargy until they have been provided with enough food to be capable of self-help.

In some nations, where large sectors of the population have been permanently handicapped mentally or physically by malnutrition in childhood, it may be necessary to assist them in bringing on a new, healthy and alert generation of adequately nourished citizens capable of self-reliance.

The effect of malnutrition on less fortunate peoples of the world, and on national development efforts, is well described and discussed in an article in the October issue of Foreign Affairs, written by Dr. Alan D. Berg.

Dr. Berg is director of the food resources division of our AID mission in India. He knows the problems of malnutrition firsthand.

I ask unanimous consent, Mr. President, to include Dr. Berg's fine article in the Record, and I recommend it to my colleagues concerned with food aid as a major factor in the development process.

There being no objection, the article was ordered to be printed in the Record, as follows:

MALNUTRITION AND NATIONAL DEVELOPMENT

(By Alan D. Berg)

New evidence suggesting a relationship between malnutrition and mental retardation should be cause for major policy concern in a number of world capitals. The recognition that malnourished children may emerge from childhood lacking the ability to reach their full genetic intellectual potential introduces a new and perhaps frightening note into theories of national development.

The implications are ominous. For many years we have assumed that, given educational opportunities and environmental advantages, each normally born infant has every prospect of growing up to be bright and productive. It is now suggested that malnourished children may be basically dull. The significance of this can be appreciated when we recognize that as many as two-thirds of the children of most developing countries are now suffering from some degree of malnutrition.

The relationship of malnutrition to mental growth dramatizes the issue. However, the insidious drain of malnutrition on national development takes other significant forms. Half the deaths in the developing countries occur among children under six years of age. In certain African countries, Libya for example, a mother must have five children to assure that one reaches the age of fifteen. In Northeast Brazil, 48 percent do not survive the first year of life; by the age of four, 63 percent have succumbed. In parts of Southeast Asia, 40 percent of the children die of disease in their first four years. This is a proportion of deaths not reached in the United States until the age of sixty.

The vast majority of these child deaths are attributed to infectious diseases. Yet most of these diseases are relatively minor childhood ailments. The cause of the death, we now know, is not the infection itself, but usually the malnourished condition of the child when he contracted it. In other words, malnutrition debilitates the body to such a degree that it is incapable of resisting what would otherwise be a passing infection. In a country like Ecuador, child death due to measles is more than 300 times greater (per thousand of population) than in North America. Whooping cough is still a major killer in much of the world.

Similarly, such childhood diseases as chicken pox are often fatal because of the child's malnourished condition.

For a sizable portion of the survivors, malnutrition permanently retards physical growth. In many countries the average twelve-year old has the physical stature of an eight-year old in Europe and North America. Indian nutritionist Dr. C. Gopalan reports that 80 percent of preschool-aged children in the rural areas of his country suffer from malnutritional dwarfism. The effect of this on productivity and the limits it places on the individual's potential contribution to his society are obvious.

An increasing body of evidence now suggests a similar relationship between malnutrition in the early years and mental retardation. During the months of breast feeding, children from the poorest areas grow at a rate comparable to the best nourished children elsewhere. Usually after six months of age, however, when breast milk is no longer a sufficient source of protein, growth is progressively retarded.

The result is an important and irretrievable loss of learning time during the most critical years of intellectual development. Further, some prominent nutritionists now suggest the damage may be irreparable (as is acknowledged in the case of physical retardation), even in the unlikely prospect that today's malnourished child eventually has access to proper nutrients. Dr. Joaquin Cravioto of Mexico, a pioneer and leading researcher in the field, says "sufficient evidence is already available to show that chances of *permanent* damage are high."

II

What does this mean to national development? How much more productive is a properly nourished man? How much more will a man with full mental and physical capacities contribute to his society? Conversely, what are the costs to the society of malnutrition in the form of medical treatment, welfare-type relief and waste through death of those who have a limited number of productive years? What would be the cost/benefit radio of a $10 million investment in food enrichment, for example, as compared to other forms of development expenditure, *e.g.* spending the $10 million for fertilizer or dams or roads or schools? What, in fact, is the relationship of malnutrition to development—or, more specifically, what are the economics of malnutrition?

Unfortunately, little research has been directed to these questions. The scattering of peripheral studies, however, leads to certain inferences worth noting:

1. Limited life expectancy brought about by malnutrition limits the number of productive years. Recent calculations by Dr. Eugene Campbell show that the typical worker of Southeast Brazil will—because of improved health and resulting increased average life expectancy—produce nearly five times as much during his lifetime as the average person born in nutritionally deficient Northeast Brazil. Where malnutrition reduces life expectancy, the cost to society for education and other supporting expenses through the pre-productive years becomes proportionately more costly per year of productive output.

2. Malnutrition decreases a worker's productivity. The body, weak from lack of proper nutrients, protects itself by avoiding the expenditure of energy. This results in apathy, lethargy and lack of initiative—characteristics commonly found in poorly fed groups in protein-deficient countries. In the past, this apparent sluggishness was frequently attributed to laziness, indolence or other so-called "ethnic traits." The Food and Agriculture Organization now reports that those countries with the lowest per capita daily protein (and caloric) consumption are also those with lowest productivity. An interesting demonstration of the relationship was noted during the construction of the Pan American Highway. The disappointing output of local laborers was quickly remedied with the introduction of three well-balanced daily meals. Within a few months, workers averaged an increase in concrete paving from 1.8 to 5.9 cubic yards per day.

3. Malnutrition lowers a worker's resistance to disease and, relatedly, increases his rate of absenteeism from the job. Further, accident rates are higher among those who tire quickly due to malnutrition. A study of the old East African Carrier Corps reported that those laborers who supplemented their rations with herbs and green leaves showed a lower hospitalization rate—10 percent compared to 40 percent for those who did not.

4. The medical costs necessary to treat the effects of malnutrition—either through hospitals or health centers—are many times greater than the cost of providing the necessary nutrients to prevent the malnutrition initially. One estimate, in Guatemala, is that the cost of 90 days of hospitalization for each case arising from inadequate nutrition is $600, compared to an annual cost of $7 to $10 to prevent the malnutrition in the first place.

5. Certain nutritional deficiencies, such as acute, vitamin-A deficiency which results in blindness, limit opportunities for productivity. In India alone there are at least one million preventable cases of blindness attributable to this cause alone. In East Pakistan, 50,000 children every year are threatened with a possible lifetime of blindness due to their precariously low vitamin-A intake. The blind have few opportunities to contribute to society and, in one form or another, they usually become a drain on that society. Yet for a few pennies a year, this blindness could easily be prevented.

The Philippine Government is attempting to pin a cost tag on its major diseases. To arrive at a figure, it combines production loss, manpower fatality loss, cost of medical care and burial expenses. Using this calculation, total economic loss per year for beri beri, for example, is estimated to be more than 44 million pesos ($11 million). This is only for those cases reported or recognized. Probably there are many others.

The late Dr. R. R. Williams, synthesizer of thiamine, reported: "Deficiency diseases are extremely insidious in that they are sapping the vitality of Asians to an unknown degree. My conviction is that there are scores of millions, perhaps hundreds of millions, in Asia who are suffering from mild beri beri, and have done so for years, and they still do not know they have it. . . . As a drain on the vitality of many people who suppose they are well, the deficiency diseases are a tremendous handicap to the struggling millions of Asia."[1] Interestingly, due to Dr. Williams' discovery, beri beri could be significantly controlled. Experimental enrichment of rice in seven municipalities in Bataan was responsible for a 76 percent to 94 percent decline of the disease. In one year, the beri beri fatality rate fell to a tenth of what it had been.

A cursory look at some of the other literature suggests: In Newfoundland, compulsory enrichment of flour is credited with a striking 40 percent decline in infant mortality. In Madagascar, a sugar refinery is reported to have reduced the turnover rate of migrant labor from 60 percent to 6 percent by the introduction of a balanced cooked meal. In Indo-China during World War II, study of a rubber plantation showed that there was a 50 percent increase in work output after the opening of a canteen which provided a liberal diet. In Costa Rica, a public works project showed over three years an increase in work output—from 240 to 1,157 cubic meters of earth moved per man per day—primarily as a result of improved sanitation and provision of substantial meals to the laborers. Other studies in Uganda, Kenya, Brazil and the old Belgian Congo come to comparable conclusions.

Apparently, no one has computed the monetary loss to economic development caused by malnutrition, but one can be sure it is considerable. Mr. George Verghese, Information Advisor to India's Prime Minister, recently reported after a trip to drought-plagued Bihar that "It is quite common to be told that the people are lazy, indolent, stupid. Angry words, but true—and the result of malnutrition over several generations. . . . The economic cost to the nation of the consequent human inefficiency has never been calculated. It must run to hundreds of *crores* of rupees [hundreds of millions of dollars] each year. . . ."

III

Although malnutrition is brought about by a number of dietary deficiencies, the most serious and challenging to scientists at the moment is the inadequacy of protein—the critical nutrient for both physical and mental growth. Protein need cannot be divorced from general food intake—but once the minimum number of calories is available to sustain life, it is the quality of the food which becomes all-important.

Dr. Aaron Altschul, the protein chemist, has calculated that more than half of the 80-odd million tons of protein consumed in the world every year is in the form of grain—not because grain is so high in protein (on the order of 10 percent) but because wheat, rice, corn and other grains are consumed in such enormous quantities. If one could somehow enhance the protein quality of this grain, considerable progress could be made in the battle against protein malnutrition.

The value of protein in foods varies widely. It depends on a series of so-called "essential amino acids"—the value of the protein being only as great as the smallest of these. Envisioning this as a bar chart, with a number of tall bars and one short one, the value of the total protein is only as great as the shortest bar. The rest is wasted. In the case of most cereal grains, this limiting amino acid is lysine.

In one of the most significant scientific discoveries of this generation, Dr. Edwin Mertz and his associates at Purdue University recently developed, through genetic selection, a strain of corn with a substantially increased lysine content. As a result, the protein value of corn can be nearly doubled—*i.e.* corn may provide a source of protein almost as good as milk. Presumably this genetic approach to protein improvement can be applied also to rice, wheat and other grains. Tests are now being conducted in several countries to see whether such application is possible. As significant as such steps may be, it must be recognized that even under the best of circumstances, the world is still a number of years away from growing a sufficient quantity of such high-protein seed to make the kind of impact required now.

Happily, a short cut may be possible—that is, by adding nutrients synthetically. The technology now exists to incorporate amino acids such as lysine during milling or by treating the whole grain. In processed foods, the system is even simpler. In the United States and Japan, a few commercial firms are already adding lysine to breakfast cereals, drinks, breads and soups.

A number of other possibilities also are under study. Many of them are based on the notion that inexpensive oil seeds—such as peanut, cottonseed, chickpea, soybean, sesame, sunflower and cocoanut—if processed and formulated into acceptable foods, can meet a protein requirement at considerably less cost than milk. (Milk is a luxury that most people in developing countries will not be able to afford for many years.)

After the oil is extracted from these seeds, little use is made of the residue for human feeding. Yet this material, properly processed, contains up to 50 percent good quality protein suitable for the human diet—particularly if combined with other foods. The cost of oilseed protein is well under one-fourth that of dry milk, and less than a tenth that of most other animal protein. The present supply of oilseed meal alone, properly processed, would be sufficient to meet more than twice the world's total protein deficit.

This oilseed principle has been employed by a number of companies in various countries to produce a variety of commercial, low-cost, protein products. The most successful of these is Vitasoy. a soy-based Hong Kong beverage sold in a typical soft-drink bottle and given a typical soft-drink promotion. Its sales keep pace with the major international soft drinks, and it outsells all others in the Hong Kong market. In South Africa, a line of foods, including soups, candies, beverages and cereals, under the label Pronutro, has been commercially successful—multiplying its sales ten times in the past two years. And in Latin America, Incaparina—a cottonseed-based beverage patterned after the *atole*, a drink the Mayan Indians have taken for centuries—has begun after years of development (and evangelism by the Quaker Oats Company) to be accepted.

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[1] Federation of American Society for Experimental Biology, *Proceedings*, n. 20, 1961 (Supplement 7: 323).

There is not a conspicuous number of such projects. There has been enough experience, however, to conclude that certain elements are essential to success: the product must be palatable; it must be inexpensive; it should be similar, if possible, to products already known; it should incorporate ingredients that are locally available (or potentially so); it must be nutritionally potent.

Although this approach offers exciting possibilities, its significance should not be viewed out of context. The claim of some food scientists that this is the answer to the protein problem is perhaps a bit optimistic—at least for the present. Although the commercialized, formulated protein food can be of significant value to the urban poor, it offers less hope to the malnourished multitudes living in non-monetized rural areas.

Another interesting use of oilseeds in some countries could be the "toning of milk." In India, for example, the butterfat content of buffalo milk is more than double that of cow's milk. By adding additional protein, one can dilute the butterfat content and stretch the available milk supply. Toning has been accomplished in the past with non-fat dry milk—now unfortunately in short supply throughout the world. However, Indian food scientists have devised the technology to use oilseed isolate in place of powdered milk—at considerable economy.

Recently much attention has also been given to fish protein concentrate, another good and inexpensive protein suitable for infants. The development of F.P.C. has followed a rocky road—especially in the United States. However, even here the earlier esthetic objection to consuming the whole fish apparently has now been overcome. The same is true of various technical obstacles, as is reflected in the recent approval of two F.P.C. processes by the U.S. Food and Drug Administration. Fish is the most underutilized conventional food source—accounting for only 1 percent of the world's total food consumption. Assuming that widespread cultural and religious taboos can be overcome, the use of fish in combating malnutrition has great potential.

A number of other protein discoveries have been made of late—some at this point laboratory curiosities, others verging on science fiction. But their potential is too important to overlook. Receiving considerable attention is the prospect of producing edible protein by growing single-cell organisms on natural gas, petroleum, vegetable wastes or even coal. The Dutch Shell Group, for example, has found a bacterium which uses methane, a natural gas, as its sole source of energy for reproduction. These bacteria contain about 50 percent protein, and, according to U.S. nutritionist Dr. Nevin Scrimshaw: "There is little doubt that wholesome and nutritious single cell products utilizing energy from petroleum or natural gas can be developed and produced in almost unlimited quantities within a decade." [2] Some scientists are talking in terms of three to five years. Already, two million pounds of petroleum-based feed are being used to fatten cattle and poultry in a Russian research project. A similar "petroleum diet" experiment is being conducted with pigs in Nigeria.

The potential advantages are many: the relative abundance of petroleum, even in food-short countries; the independence from climatic uncertainties; the small space requirement; the need for only a few technicians; and the rapid growth rate. All these suggest the possibility of unlimited man-made protein production. Most of the world's large petroleum companies are deeply engrossed in protein projects. Some are actively collaborating with major food companies—such as the current Esso/Nestlé liaison. The president of Gulf Oil recently predicted that protein food will become a significant by-product of the oil industry.

Scientific imagination has gone further. "Milk" has been produced from water-soaked leaves. Seaweed and algae are other protein possibilities currently being examined. (A French company recently discovered an entire West African village successfully using algae as its basic protein source.) Much work remains, however, to improve palatability and to find ways of producing economically feasible products.

IV

Required changes of food habits, indispensable to the success of many of the above approaches, present an imposing obstacle.

Although there is an important correlation between dietary standards and per capita income, food habits also have deep psychological roots and are associated with love, affection, warmth, self-image and social prestige. As a result, there is perhaps no aspect of personal life less flexible than one's eating pattern. Behavioral studies of Tunisian immigrants to France demonstrated that changes in their food habits occurred long after they had accepted the language and newspapers of their adopted country. Change comes hard, even among the most sophisticated elements of society. How many doctors, for example, have altered their breakfast habits—their consumption of eggs, butter, cream, sugar (and the after-breakfast cigarette) in the face of health warnings circulated in recent years? Resistance to change is even stronger in traditional societies lacking the advantages of extensive communications.

To bypass what Dr. Margaret Mead refers to as "the irrational rigidity" of inadequate diets, one might conclude that, when possible, emphasis should be placed on food fortification and the development and multiplication of new varieties of high-protein seed. Neither the color, texture nor taste of the food need be affected. Similarly, no change would be required in existing buying, cooking or eating habits.

This does not eliminate the need for other approaches or for a strong educational effort. In Africa, for example, some believe that mangoes produce jaundice. In India, one of the few foods accepted throughout the country is dal, very high in protein, but rarely fed to the weaning infant because of unfounded fears that it will cause digestive problems and eventual death. In this instance, the necessary protein to keep the child healthy is literally in the mother's possession. Yet *dal* typically is fed only to adults of the family—even though the protein requirements of the infant are two and one-half times greater per kilo of body weight.

In a fascinating study of changes in Israeli food habits, Dr. Sarah Bavly concluded that the most important influence in the introduction of new foods—weighed against the influence of newspapers, radio, husbands, neighbors, etc.—is the exposure of the child to nutrition education in school. Second in rank is the provision of a school lunch, even without formal nutrition instruction.

The large programs of child feeding now under way in most developing countries are themselves helping to improve standards of nutrition—but many believe they could be accomplishing more. Unfortunately, such programs frequently connote relief or charity. As a result, the food is usually provided as an end in itself, rather than to accomplish other important goals—*viz.* intentionally reorienting eating habits, incorporating nutrition education into the curriculum, encouraging the use of local commodities, and helping to establish the necessary agencies to continue a program after current sponsors no longer are involved.

In the critical role played by agriculture in economic development, primary attention is and should be given to greater farm yields. However, the need for more attention to the qualitative side of food production is becoming increasingly apparent. Provision of adequate supplies of grain staples is not enough, as has been demonstrated in Mexico, where the enormously successful campaign to increase overall food production has not resulted in significantly alleviating widespread malnutrition among children. An item on the current agenda of the U.N. Economic and Social Council implies that in agricultural planning, the nutritional needs of the population and particularly of the preschool child should be taken into account.

Finally, no discussion of increasing protein supply is appropriate without some mention of the work needed to prevent sizable protein loss to insects, rodents and mold. In India, this has been estimated at up to four million tons a year. Although there are many questions yet to be answered concerning the most effective techniques, sufficient information is already known—especially in the context of proper storage facilities and environmental control—for major steps to be taken immediately.

V

Although most of the necessary resources to combat malnutrition may be readily at hand, the solution to this problem is by no means simple. Unlike the successful program to eradicate malaria, more than a can of spray is needed to conquer this more pernicious enemy. Malnutrition is a multifaceted problem requiring a coordinated approach. Other than in a superficial sense, this does not now exist.

One of the basic difficulties is the lack of consensus among the many disciplines working in the field, and often among many of the scientists within the same discipline. Malnutrition is an interdisciplinary problem, but each discipline—nutrition, food technology, health education, marketing—tends to be a bit overdisciplined in prescribing its own solution. There is a kind of unrealistic parochialism that prevents a clear view of the aggregate problem.

Another impediment is the gap frequently existing between the scientific community and the food industry—or stated another way, between the laboratory and the child's stomach. In essence, the difficulty is one of mutual suspicion. Food industrialists frequently regard nutritionists and food technologists as academic ivory-towered types who lack any understanding of the problems of marketing. The premium placed on a signed journal article is generally much greater than that given for the sometimes tedious follow-through required to put these findings to use. In turn, food executives are often perceived as onerous "profiteers," or at best as "tradesmen." The result, in many countries, is a serious lack of substantive collaboration.

Still another difficulty in many protein-poor countries lies in the policy and communications gap between government and the fledgling food industry. In some nations, policies relating to licensing, pricing and food standards often cause interminable delays and frustration. The result is a severe inhibition of growth. In these countries, the percentage of earnings going into pioneering work, product development and market testing is considerably smaller than it is in countries with fewer restrictions.

Thus, while promising nutrition activities are taking place in a number of countries, the accomplishments so far fall considerably short of the need. Technologically, malnutrition *can* be overcome. The arduous and expensive task of doing it has hardly begun.

The basic fact, perhaps, is that governments which have discussed the need in principle have not faced up to the magnitude of their role. Although governments recognize that an educated populace is important for development—and hence give substantial support to educational systems—there is not yet the same awareness that a well-nourished population has comparable importance. Perhaps this lack of governmental focus on the importance of nutrition for national growth reflects only an information gap between the laboratory and the political leader that will be overcome in time. Meanwhile, the consequences for national development are increasingly clear. Without improved nutrition in the less favored two-thirds of the world, the development of human resources—and the development of the nations themselves—is sure to be retarded.

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[2] "Increasing the Production and Human Use of Protein." Working Paper for U.N. Advisory Committee on the Application of Science and Technology to Development, October 5, 1966, p. 21.

THE COASTAL FISHERMAN

Mr. MAGNUSON. Mr. President, a recent article by an internationally recognized and world renowned Seattle attorney, Edward W. Allen, on the subject of "The Case for the Coastal Fisherman" has just come to my attention.

Mr. Allen has long served on the various international fishery commissions and additionally has given great and useful service to this Nation in the area of international law.

His remarks emphasize a needed international reevaluation of the ocean resources and I am certain that they will be of interest to all concerned in the rational harvest and conservation of the ocean resources.

I ask unanimous consent that Mr. Allen's article be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CASE FOR THE COASTAL FISHERMAN

(By Edward W. Allen)

Shall coastal fishery jurisdiction be extended; shall the United Nations operate the oceans; or shall fisheries continue to plod along as they are—these are the three alternatives set forth in an interesting article in the July, 1967 issue of Western Fisheries by that learned champion of tuna, Dr. Wilbert M. Chapman. Of course, he condemns any further extension of coastal fishery protection and no one could be found more able to present the case for the roving fleets. Yet, there is ample room for difference of opinion.

Many points are skillfully marshalled by him but these may very well obscure rather than clarify consideration of the real basic issue—is it better to have coastal fisheries protected by the coastal nations which are interested in the perpetuation of their food supply and the welfare of their fishermen, or to have these fisheries open to unrestricted exploitation by roving fleets of foreigners? Fear that the so-called developing nations might prefer to protect their fisheries is probably responsible for opposition to proposals made to hold another international conference to reconsider the 1958 Geneva fisheries treaty.

The cry for "freedom of the seas" goes back some three and one-half centuries when Hugo Grotius, a remarkably able Dutch lawyer, sought on the one hand to head off the British from interfering with the practical monopoly which the Dutch exercised over herring fishing along the English and Scottish coasts, and on the other hand (being employed it is said by the Dutch East India Company) wished to break the monopoly which the Portuguese claimed over navigating the South Atlantic and the Indian Oceans. Although it is just as important now as in the time of Grotius that freedom of navigation and trade should be encouraged, this present cry wholly ignores the revolutionary changes in fishing from the days of sails and rowboats to that of the present world circling fishery fleets with all their speed, power and modern equipment. Protection for the great food resources of the sea has now become an absolute necessity.

The question no longer is whether there should be unlimited freedom for roving fleets of foreigners to destroy the fishery resources of coastal nations, but only how adequate protection can best be procured. Recent recognition of the inherent difference between freedom to navigate and freedom to fish has opened the way.

As was concluded in a recent article in the U.S. Naval Institute Proceedings: "It would seem, therefore, that there is a firm basis for a separate consideration of territorial waters and fisheries." The American Bar Association adopted a resolution reaching the same conclusion in 1964, and the U.S. Congress did the same when, over bitter opposition, it enacted the twelve mile fishery jurisdiction bill last year.

Prior to the recent escalation and reorganization of the fishery division of the U.S. Department of State, no knowledgeable person would have suspected the department of favoring extension of coastal fishery protection, so it is significant that in a recent departmental review of the fishery situation there appears the following: "Most countries claiming a greater distance than three miles for their territorial sea have done so in an effort to protect their coastal fisheries resources." In other words, if at Geneva in 1958 the distinction between freedom to navigate and freedom to exploit fisheries had been pointed out instead of being obscured by confusion, it is probable that this would have headed off unsound movements to widen the territorial seas, and the protection of coastal fisheries might have been considered on its merits. Freedom of the seas for the sound basic purpose of navigation and trade would therefore also have been much better preserved.

In considering a problem of this character, it must be remembered that so many factors are involved that there can be no perfect solution. Practically every proposal has its good and bad points. All that can be hoped for is that conclusions can be reached by which the good points will outweigh the bad ones. Although there certainly is nothing wrong with fishing for tuna, it would seem by comparison that coastal fishermen have a better case for the protection of their fisheries than the tuna rovers have for their invasions.

Now that the twelve mile fishery principle has been recognized both by Canada and the United States as well as other countries, it is not illogical to ask why just twelve miles? To be sure the 1958 Geneva conference (very heavily under tuna influence in this regard) said not more than twelve miles, but its action is not necessarily conclusive for all time even by those nations that agreed to it. Besides, the United States Senate attached a reservation to its ratification preserving this nation's assertion of "abstention," and abstention is inconsistent with a specific mileage limitation. Perhaps some other distance twenty-five, fifty or two hundred miles might be more logical. In this connection, it should always be remembered that Chile, Peru and Ecuador not only claimed two hundred miles for fisheries but for "sole *sovereignty and jurisdiction.*" This, of course, interferes with freedom of navigation, a much different matter.

But, infers Dr. Chapman, such extensions would reduce the oceans to mere little lakes and there would be nothing left for the tuna fleets. That there might be some curtailment is certainly true for the very purpose would be to give some benefit to the coastal fishermen and nations, but to say that increasing this protection to two hundred miles would leave nothing but little ocean lakes is palpably exaggeration. The distance between Newfoundland and Ireland is approximately 2300 miles. The distance between Los Angeles and the Hawaiian Islands is approximately 2000 miles. There still would be huge ocean areas for fleets to exploit. Even passages closed to fishing would still be open to navigation by the fleets and the old excuse that the fishermen could not tell whether they were in closed or open water has ceased to be valid in view of the new techniques which enable any competent navigator to know where he is.

It is argued that a two hundred mile limit would bring little benefit to the coastal fisheries because some coastal fisheries extend beyond. This same type of argument was made against the twelve mile bill, but twelve miles has proved to give substantial protection and the farther out protection goes the greater the protection will be. If this were not true, the representatives of the roving fleets would not be so aggressive in their opposition. It is here again that a balance must be struck. Two hundred miles would give substantial but not complete protection for coastal fisheries. It would cut into the catches of the roving fleets to some extent but not disastrously, and might be more in the interest of the nations at large. It could be a happy compromise with much more good than bad.

As a matter of fact, extension of fishery protection to twelve miles has already shown beneficial results. This is not only true as to specific fisheries like crab and hake for example, but in other ways such as avoiding gear destruction, waste disposal and general navigation confusion, also in permitting better conservation administration. At the same time, there has been such flexibility in application as to avoid hardships to those traditionally engaged in specific fisheries. Further extension could also be made flexible at the same time making the beneficial features more effective not only for conservation but for stability and for protection against subsidized competition.

One of the most curious arguments is based upon the ingenuity of theoretical economists to the effect that the principle of maximum sustained yield will cause disaster to the fishermen and fisheries because the number of fishermen will so greatly increase and the quality of the vessels decrease because of this excess number that no one can make any profit and the whole industry will go to pot. Therefore, there should be a super power which will establish maximum *economic* yield throughout the world. This supreme dictatorship will, of course, have power to say who and where and how much and with what equipment anyone can fish whether in Kotzebue Sound, Ligurian Sea, Gulf of Aqaba, Bay of Bengal, Gulf of Carpentaria or Baffin Bay. So the United Nations with its demonstrated lack of administrative genius and its well developed political tendencies will replace Neptune and be the ruler of the seas!

An inference somewhat difficult to understand is that further extension of coastal fishery protection would impede fishery conservation. It is true that all nations are not conservation minded nor necessarily will be, but there certainly is more incentive for them to become so when they themselves will reap the reward. As to current or future conservation treaties, these can be or they can be made to be applicable to fishery extension waters as well as territorial waters. It would even facilitate treaties covering fisheries which extend along the coasts of adjacent nations. They would know that roving foreign fleets could not come in and frustrate their efforts.

From the opposite angle, the negotiations of the International Convention for the Conservation of Atlantic Tuna when confronted with the problem met it by including "all waters of the Atlantic Ocean including the adjacent Seas" with appropriate provisions to avoid jurisdictional violation. So there is no reason why nations of an area could not continue to enter into conservation treaties and with possibly better prospect of accomplishing results because of less outside interferences.

As Dr. Chapman points out, probably with regret, two hundred mile coastal fishery protection would be agreeable to most inshore fishermen "and most fishermen in the world fall into this category" and would if put to a vote probably carry both in the United States and Canada (much of Africa, Asia and South America might be added). Dr. Chapman goes on to say that "the United States wishes quite desperately to keep the breadth of the territorial sea at well less than twelve miles for military and mercantile reasons." This can best be done by discontinuing the attempts to confuse freedom of navigation and trade on the one hand with the wholly different matter of fisheries management on the other.

As previously indicated, no one particular group should be allowed unjustly to have its own special interests dominate over all others, regardless of its millions of dollars of investment or its powerful lobbies. The roving fleets have their utility and should receive fair but not preferred consideration. On balance, it would seem that they should not be allowed unduly to curtail the vastly more important utilization and protection of the many nations in their own adjacent fisheries and in the welfare of their fishermen.

PROGRESS OF THE INTERMOUNTAIN REGIONAL MEDICAL PROGRAM

Mr. BENNETT. Mr. President, a promise of inestimable health benefits to the people of the United States is indicated in the progress to date of the regional medical programs which were established 2 years ago as the heart disease, cancer, and stroke amendments to the Public Health Service Act.

The goal of this program, which has established 47 regional programs throughout the Nation, is to help make the best in modern medical science readily available to all people who suffer or are threatened by these major diseases.

Especially heartening to me has been the progress of the intermountain regional medical program, as outlined in a Public Health Service report just published.

The intermountain program, which is headquartered at the University of Utah School of Medicine, Salt Lake City, has become a vanguard in preparing to provide services to improve the health of our Nation's people. It has lead out in developing and disseminating new medical knowledge and technology.

According to the published report, the intermountain regional medical program is one of only four divisions which have passed the planning phase and are now in the first stages of program operations. The Utah-centered operation also encompasses portions of Colorado, Idaho, Montana, Nevada, and Wyoming, representing a population of more than 2,200,000.

The Intermountain program is currently working on an operational grant of $1.8 million, effective last April. Recommended support for the division over the next 2 years is about $2.2 million. This money is geared to help medical practitioners improve the care of their patients.

Some of the planned innovations through the intermountain region include:

Making available to a practitioner at his community hospital a communications network, including radio and television facilities, which will provide educational programs and opportunities for interchange and discussion with consultants at the medical center.

Providing the staff of a community hospital training in the resuscitation of patients with heart disease, and the necessary equipment to make the techniques possible.

The opportunity for a practitioner to have tested at a local hospital the feasibility of incorporating a system that transmits on a 24-hour-per-day basis physiological information on heart disease patients to a computer facility in Salt Lake City, which will promptly transmit back information for diagnosis and treatment.

Making available a computerized tumor registry to allow a doctor to analyze and compare his own cancer patients with local, regional, and national standards.

Having available at a local hospital both continuous 24-hour consultation by telephone and visits by special consultants knowledgeable in the latest information in the diagnosis and treatment of cancer.

These programs will help make the best in modern medical science available to the people of the Intermountain States whose lives depend on this knowledge. Those responsible for the intermountain regional medical program can be justly proud of the contribution the center is making to the welfare of our people.

SOME NOTES ON VIETNAM POLICY

Mr. McGOVERN. Mr. President, some time ago Prof. Edward W. Gude, of the political science department at Northwestern University, sent me a most constructive and stimulating memorandum on the Vietnam issue. I think that my colleagues in the Congress will find his views of interest.

I ask unanimous consent that Professor Gude's memorandum be printed at this point in the CONGRESSIONAL RECORD.

Mr. President, I have also received a thoughtful analysis of the Vietnam issue by a student at Northwestern University, Miss Ethel Jarvis. I ask unanimous consent that this analysis be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SOME NOTES ON VIETNAM POLICY

(By Edward W. Gude, Northwestern University)

Vietnam presents one of the most perplexing and difficult problems facing contemporary American society. In fact it ranks with the greatest of challenges and greatest of dangers ever confronted by this country. Finding a solution to this situation demands the maximum effort of many people. This effort is fortunately being given. As with any difficult problem, varying perspectives will produce strong differences of opinions which sometimes become emotional rather than substantive in content.

Those of us outside public responsibilities or government positions may be useful in presenting suggestions which may be helpful in breaking through the rigidity that builds up in policy making institutions because of particular and particularistic bureaucratic responsibilities, and histories of previously held positions or accepted policies. Once this locking-in process develops, initiatives become more and more difficult within the bureaucratic context. This situation seems to have developed in the history of United States policy with regard to Vietnam.

This rigidity is evidenced not only in governmental policy but in the quality and character of the public debate. A distinct polarization has taken place which is further inhibiting flexibility in policy formulation. This debate is fortunately more sterile than American public opinion according to the recent article by Professor Verba and his associates (*American Political Science Review*, June, 1967). The problem is then to break the sterility of policy and debate given the flexibility evidenced in the public.

The differences of opinion on Vietnam policy do not, for the most part, involve questions of objectives. Firstly the United States for her own interests wants to contain the power and influence of the Chinese Pepoles Republic; secondly, the United States wants to support the notion of self-determination in the area of Vietnam South of the 17th Parallel; and thirdly, the United States feels that it must follow through on commitments. Of course, these basic objectives can be expanded upon and operationalized in such a way as to limit the action alternatives. Thus some individuals include as an objective the destruction of the notion wars of national liberation and other similar objectives. This type of expansion of objectives often cloud the basic objectives at stake. There appears to be considerable consensus on the basic objectives, dissensus occurs when various other policy alternatives are raised to the level of objectives. A start at clarifying policy necessitates delimiting objectives to the basic or primary concerns so as to avoid confusing the process.

The process of translating objectives into action alternatives necessitates careful construction of sets of assumptions on the various facts in a situation, the effectiveness of techniques of dealing with situations such as military, political, and economic means, and the nature of the environment. This is where most of the disagreement comes in, both within governmental organizations and within the public sector. It is therefore in this area of assumptions that the most careful analysis must be focused.

An economical way of doing this would be to examine the reasonable alternatives in terms of their implicit assumptions. There seems little use in discussing the alternative of large scale invasion of North Vietnam because of the explicit enlargement of the conflict to war with China—that is a different policy decision. Equally the alternative of rapid withdrawal, although possibly reasonable, does not seem feasible in terms of United States domestic politics. Three reasonable alternatives then appear (1) to be a large scale but phased increase in the intensity of the fighting in South Vietnam with the introduction of possibly eight hundred thousand or more American troops; (2) the present policy of gradual increase in troop strength leaving initiative to a new government elected in the fall; and (3) seeking political initiative with stabilized military operations by fostering negotiations between the government in Saigon and the political representatives of the National Liberation Front after the elections in the fall.

Since the first two alternatives have received extensive coverage in the press and elsewhere, it is assumed that they have also been deeply considered in the government. Before going on to the discussion of assumptions that underlie these first two, the details of the third alternative need to be presented.

Each of the steps in this alternative can be considered independently and all need not be employed to achieve the main objective of stabilizing the military situation while negotiations are carried on between the National Liberation Front and the government in Saigon. Many other steps can be considered to support this alternative and the following should be considered as one way of putting the package together:

(1) Continue bombing North Vietnam exclusively on the supply routes into Laos and the area just North of the De-Militarized Zone.

(2) Increase United States troop strength to 500,000 as an upper limit.

(3) Undertake clear and hold strategy using ARVN troops for the holding operation and major pacification role in preference to search and destroy.

(4) Call-up 100,000 reservists to provide capability of enlarging the effort rapidly if necessary and to increase reserve capability for other contingencies.

(5) Use the considerable United States influence to argue for a civilian government that would negotiate with the National Liberation Front directly without the participation of the governments of North Vietnam or the United States.

(6) Seek Soviet guarantees for a neutral region in S.E. Asia including Laos and Vietnam and possibly Cambodia.

(7) Be prepared to re-convene the Geneva Conference after meaningful Saigon/NLF negotiations to provide international guarantees. Peking would have to be included in such a conference.

(8) Place an eighteen month limit on the above process. The stabilized military picture during such a period with a clear and hold strategy should provide an increasingly favorable position for the government of South Vietnam.

Such an alternative de-internationalizes the conflict as much as possible and forces the South Vietnamese, in both the government and the NLF, to come to grips with their own problem

The basic assumption in this alternative is that the South Vietnamese must themselves find a way to re-integrate their society. The Viet Cong will not be eliminated solely by military means and the course of the pacification effort indicates that the political warfare of the ARVN troops may not be adequate to eliminate the political infrastructure of the National Liberation Front. At the present time there is little for Hanoi and Washington to talk about. It is clear that the NLF have some of the characteristics of a broadly based popular mass movement that has a true revolutionary zeal. Without such a feeling it would not have been possible for them to grow in a period of such intense pressure. Their ability to recruit in South Vietnam and then maintain a desertion rate one tenth to one fifth that of the ARVN forces is forceful evidence indeed. Whatever the element of aggression there is broad appeal for the program of the NLF or conversely lack of appeal for the program of Saigon. The political situation in South Vietnam must be considered in the context of a revolutionary situation as well as external aggression. The extent to which the ARVN officer corps is tied to the French colonial period, the failure of Ky to carry out basic programs such as land reform, the growing war weariness of the South Vietnamese people, and many other facts indicate that there is little possibility of the present government achieving the necessary political support to eliminate the NLF barring the introduction of something like a million American troops, i.e. the first alternative.

At the present time it is impossible for a candidate to run in the South Vietnamese Presidential election on a platform supporting negotiations with the NLF. This certainly presents a serious obstacle to this proposed alternative. The influence of the United States is such, however, that it should be possible to change the position of the South Vietnamese government on this point. In fact, it could be made a condition of continued United States presence. During the next few months the shape of the new government is going to emerge. It appears that if the Ky withdrawal sticks there will be a military ticket elected. This would probably provide the most stable alternative and that very stability might provide the basis for negotiations. A civilian ticket would have great difficulty maintaining the support of the military if it attempted negotiations. There is no reason why such negotiations would necessarily jeopardize basic United States interests in Vietnam.

It appears that negotiations will have to occur at some time in the present struggle. It is unlikely that the conflict will fade away given the ability of the Viet Cong to stand the pressure over the last two years. The cost of matching escalation for the National Liberation Front and the North Vietnamese is considerably lower than for the United States and the South Vietnamese government. Designing an alternative around such an eventuality as direct talks would put the political initiative with the South Vietnamese. This would also provide a way for the United States and Hanoi to withdraw from the conflict without the most difficult process of direct negotiations.

To summarize the assumptions implicit in this alternative then we have (1) the position that the South Vietnamese must find the political path to re-integration of their country, (2) that negotiations are going to be necessary, (3) that Hanoi and Washington have little bargaining room in direct negotiations were they to occur, (4) that militarily the alternative is feasible in the sense that it represents minimum military objectives and maximum political objectives, (5) and most importantly that the South Vietnamese government can be brought around to a position supporting negotiations.

Looking at the two other alternatives in a similar manner we can isolate the key assumptions upon which they are based. Starting with the alternative of large scale increase in United States military presence which would involve somewhere between 750,000 and one million American men, we find the most crucial assumption to be the fact that such an alternative would be feasible without the entrance of China into the war. The level of participation necessary by the other side to tie even that number of troops down would be quite minimum and it is clear that it is entirely possible that China would enter in some fashion. A second critical assumption is that such a military posture would be adequate to provide the physical security while a pacification program was initiated. While security would certainly be easier, it is by no means clear that such a military approach would in fact provide for the necessary political development. There would be the danger that continued presence for a decade or two might be necessary. This could add two or three hundred billion dollars to the total cost of the enterprise which at a minimum will run one hundred billion for any alternative adopted at this date. Related to this assumption is the hypothesis that the ARVN would be able to develop the skills and motivation necessary to carry out a successful pacification and political development program. The difficulties of the last seventeen years and the last six in particular raise some doubts about the feasibility of this hypothesis.

The critical assumption in this alternative is the possibility of increasing the conflict to this extent without triggering the direct participation of the Chinese. Since this is largely a military alternative with minimum reliance on the political development at the national level, there is less chance for the politics at the center falling apart. On the other hand effective local political development would still be necessary in order to overcome the infrastructure of the National Liberation Front and the Viet Cong. This alternative is probably the safest or most conservative as far as developments within South Vietnam itself are concerned, but it is probable the most dangerous from the standpoint of the possibility of expanding the war and changing its basic character.

The second alternative discussed closely represents present policy: that is, gradual increase in troop strength as required to keep a modest initiative placing great reliance on political developments at the center particularly in terms of the upcoming election. This electoral process is seen as providing the basis for the development of a viable political alternative to the Viet Cong that can develop the mass appeal necessary to reconstruct the political process without the participation of the National Liberation Front or Viet Cong as such. This, of course, represents the critical assumption in this alternative. In addition the prestige of the United States and the success of the policy is left almost completely outside its control. If things do not work out well it would be extremely difficult to avoid turning to the first alternative of a large scale increase in United States participation, for at such a time it would be difficult to initiate moves aimed at negotiations between the factions in South Vietnam.

Militarily it is assumed that the present level of operations is sufficient to maintain a steady momentum and sense of progress which can then be used politically by a new government to break the back of the Viet Cong. While it is probably true that such steady progress is being made on the ground, there is the associated problem of the political costs of such action in terms of civilian casualties. The search and destroy strategy, although maintaining better initiative against the Viet Cong regular units and the North Vietnamese units, leads to a heavy toll of civilians without leading to greater physical security for them. It is, of course, extremely difficult to calculate the cost-effectiveness or other trade-offs in this process. Assumptions, however, have to be made and they should be explicit.

The central focus of these notes is to argue that the conceptualization of the war in the minds of policy makers and analysts is critical to the policy alternatives considered. It is argued that this conflict, aided and abetted from the outside, has many of the characteristics of a civil war and more importantly a nationalistic revolutionary war. It is also argued that neither side can reasonably expect to achieve sufficient military and political dominance to eliminate the other. It is argued that both Washington and Hanoi have reduced their negotiating flexibility to the point where direct talks would be of doubtful usefulness. It is, therefore, argued that direct talks and political compromise between the government in Saigon and the National Liberation Front offer the best hope of achieving the basic United States objectives with minimum costs.

Seeking direct talks in the context of stabilized military operations leaves open the possibility of enlarging United States participation if in fact no meaningful negotiations are possible. It also leaves open the possibility of United States re-evaluation of its participation if the government in Saigon refuses to carry out needed reforms. Such a policy alternative seems to maximize United States flexibility in a situation in which flexibility is in danger of being lost. It provides a way for the United States to honorably help a small country help itself if it has the will and at the same time achieves basic objectives.

VIEWS ON THE VIETNAM ISSUE

(By Miss Ethel Jarvis)

There are at least five areas of concern relating to the war in Vietnam which are discussed at Northwestern by informed and examining students. This paper is an attempt to express criticism with the hope that legislators will give these ideas due consideration in the constant reformation of their own thoughts. The questions related here take the following five forms:

1. What policy will give the greatest benefit to the South Vietnamese people?
2. Specifically, what are the United States' goals in South Vietnam?
3. Is the public's conformity to government action in Vietnam a healthy influence for future policy decisions?
4. Isn't the economic, human and moral cost too overwhelming for the advantages?
5. Is not the threat of nuclear war enough to ask for *unconditional* negotiations?

The first set of questions, or area of concern, deals directly with the South Vietnamese people. Is present policy of the U.S. in accord with the greatest benefit for the South Vietnamese? Does the U.S. really know what is best for these people? And if the government does know, are U.S. policies designed for such implementation? A brief summary of recent Vietnamese history might illuminate some answers.

If one studies recent history of Vietnam, communist organization is seen less as a product of infiltration than as actual native revolution, civil war. In the beginning there existed two distinct cultures, the small ruling elite and the large peasant sector. There were no communications, and there was no mobility. The only cement between the two groups was their common belief in Buddhism. The poor were taxed but had no voice in government.

The awakening of the peasants to their lack of power occurred during the war against Japanese dominance. Their cognizance of lack of social mobility formed the basis for their recruitment to a new ideology. Ho Chi Minh filled the ideological vacuum during the war and after the Japanese collapse in 1945. Commitment to the Viet Minh movement was heightened as a reaction against the reestablishment of French power.

However, it does not seem fair to necessarily infer that because the Vietnamese accepted communism, they were forced into the decision by wanton "red" aggression. For a revolution is created by the existence of at least three elements—revolutionary preconditions, precipitating events and revolutionary organizations.

The preconditions were the peasants' sense of oppression combined and intensified by the alienation of certain intellectuals who led them. The precipitating events occurred in 1946 and 1947 with the French establishment of power which caused violent reaction among the peasants who had raised the level of their political sights to that of self-determination and autonomy. Thus the French acted as a catalyst on the peasants, causing a growing force to attain revolutionary power through the organization and ideology of the Viet Minh.

After the French defeat in 1954, the political party of Ho Chi Minh established a channel of demands to the government which had previously been closed. Because of the people's faith in the government representing them, there developed a base of legitimate government. Their consent in obeyance gave this legality.

For a variant story there is the South. Here Diem wished to establish legitimacy but with depolitization. Like Mandarin rule, there was no mass basis for political action. There were objectives such as higher literacy rates and better water, but the government was more concerned with interests of the central regime. Thus the process was inverted from that of the North. Laws were instigated from above rather than below. This and the use of Catholics as government officials caused much alienation at the local level.

In the late 50's this resulted in more autocracy. Police control emphasized the lack of any basis of legitimacy which had never been created by charismatic leadership. When Diem could not control parts of the elite any longer, a military junta was established.

This government, now headed by Ky, established military leaders as the heads of provinces in an attempt to create legitimacy. However, their lack of success has brought a continued increase in support of the Viet Cong as shown in the very high defection rate of the South Vietnamese troops (four times higher than the Viet Cong defection rate.)

The U.S. government hopes to aid in the creation of legitimacy for the present military government by means of the pacification program which may eventually take one million men and secondly, by establishing a revolutionary basis in each village by developing them economically and destroying the Viet Cong infrastructure. This establishment of a revolutionary basis will supposedly generate political commitment and legitimacy for the government which will in turn fend off further Viet Cong attack.

However, neither seems to be working. The direct war or "pacification" program has brought no victory. It has managed only to escalate the situation into one which could start World War III.

Americans are fooled by statistics if they think the forming of a revolutionary basis has occurred. U.S. newspapers state 80% of the South Vietnamese voted in the last election. What the newspapers do not state is this—if one does not vote, one's ID papers are not stamped. If the papers aren't stamped, one may be considered a Viet Cong sympathizer and a possible traitor. Since government sanctions against such people are shootings or labor gangs, there is great incentive to vote.

The 20% figure of those who did not vote consequently takes on added significance considering the risk of death and hard labor. The question appears, "If so many refuse to vote, how many more are too cowardly to express their anti-Ky feelings?"

Moreover, elections occur only within one-half of the country. Therefore the 80% figure does not include the entire population but only where government power is strong enough to hold elections. And furthermore, the only candidates that are allowed to run are supporters of the present government.

If the U.S. is fighting to preserve democracy, the situation is certainly a tragic paradox. Since the U.S. fails to allow entirely free elections, it tacitly admits the fear that the communists stand a good chance of winning, inferring the communists are really the only political force of commitment for the South Vietnamese.

This conclusion can't be proven until elections do occur in which any candidate can run. However, there are other indications besides the ones mentioned. One is the failure of many South Vietnamese to feel the existence of two zones. Many were earlier influenced by the Viet Minh movement and keep pictures of Ho Chi Minh in their huts. He was their source of identification during colonialism and revolution and continues to be so due to the sense of illegitimacy and transitionalness of the Southern governments.

An extremely important question to ask then is why the Viet Cong is the only significant force of personal commitment. From what is derived their power? Mannoni[1] and Fanon[2] discuss the importance of the dependent personality of the colonized native and his consequent need for revolutionary violence in order to recreate himself into an independent, self-sufficient person. These psychological motivations give a personal dimension heightening the importance of the Viet Cong as a potent political force.

Fanon describes the native as being downtrodden and wretched under the colonizing government. He is given no rights and gradually expects none. He is dependent on the colonizer for his basic needs; he gives his work in return. The native actually gives his entire psychological being for in socialization he's taught his inferiority and need to work for the superiors in order to survive. Thus his physical and mental sustenance is dependently linked to the colonizer, and in this situation no independent thinkers can develop. Such was the Vietnamese situation under initial French rule.

However, when a change in the life of the natives results in a slightly better standard of living, there is a concomitant desire or even greater change. This came with the commitment to Ho Chi Minh during the Japanese invasion. As socially the natives become less physically dependent on the colonials, so personally do they feel greater psychological freedom. The bud of individual independence is not easy to bear though, because development which is needed to further the standard of living also demands acceptance of new values, replacing traditional ones which have been lived since birth.

This change of life is much easier when it is done collectively rather than individually. It is much easier to identify with a charismatic leader or party who personifies the ideology of new values than to make the change entirely on individual willpower. Identification is projection. The party is thus the person. The individual equates party actions with his own feelings.

As the party gains more support and solidarity, it mobilizes the people to further advancement first of the country and then of themselves. As development continues, people eventually achieve enough personal identity and social security through their work that party charisma is transformed into a government whose legitimacy is based on law. This has been shown to be the case in numerous developing countries.

So far in South Vietnam the process is still in a state of charismatic identification. The process has not been allowed to follow through. Development can be achieved only through a legitimate political authority (here the Viet Cong) which by having the power to mobilize the people—giving them purpose, identity, and immortality—can redistribute rewards to create new role stratification consistent with the structural organization needed for development. Only the people through their belief and work can give this power of authority to the party.

Thus central planning for development demands government legitimacy which is based on commitment. Commitment is created through the identification process. Identification comes from the charismatic leader of the revolution. This authority thus has the power to function to mobilize for development. Though the results of the developmental process often fall on later generations, the revolutionaries have succeeded in reshaping their personalities from dependent to independent individuals, the first stage necessary for development. I question U.S. policy as attempting to abort a natural and necessary civil war, or revolution. Revolution is necessary and natural, because Saigon governments have continually failed to establish that first charismatic basis of legitimacy which is the initial and imperative step of political and thus economic development.

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[1] Mannoni, O., *Prospero and Caliban, the Psychology of Colonization,* (Frederick A. Praeger, Publishers, New York, 1964.)

[2] Fanon, Frantz, *The Wretched of the Earth,* (Grove Press, Inc., New York, 1966.)

This is directly related to the second area of concern. "Just what are the U.S. goals in Vietnam?" Nowhere has the government specifically stated any except "stopping the spread of communism." But if this is true, why didn't the U.S. stop the development of communism in Eastern Germany and all of Eastern Europe? And what of Egypt and her influencing of Yemen, where there are more communist troops than in the southern zone of Vietnam? Isn't the real goal then the establishment of a foothold of democracy and capitalism in Southeast Asia?

This certainly would seem the case by looking at the influx of capitalists in Saigon and the insistence on "democratic elections." It is important to query whether democracy is a practical goal in such countries where the necessary preconditions for democracy (mass literacy, involvement in public affairs, and economic development above the bare needs level) do not exist. In fact, some type of authoritarian rule seems a necessity for the take-off stage of development as demonstrated innumerable times by Third World history.

And if this is in fact what the U.S. is attempting, shouldn't *the* important question be asked. Is not the U.S. being imperialistic by intervening in a civil war because of American self-interest? Isn't the U.S. now thwarting another natural process in the self-determination of yet another developing country? Does the U.S. not agree that countries are prone to socialist and authoritarian rule and that such government might indeed be necessary?

Certainly the majority of developing countries have "economic mixes" in which there is a major public sector and sometimes a smaller private sector. Yet the U.S. does not fight these countries in Africa. The U.S. aided Egypt. Yet if a communist takeover occurs close to the U.S. as in Latin America there is definite reaction, i.e. Dominican Republic. Vietnam is much closer to China's borders, and China should not be any more pleased to have an imperialistically based source of capitalism at her doorstep without a fight than the U.S. would if communism attempted a takeover in Mexico or Canada.

Have the goals possibly changed? Could it now be a matter of pride—"We've got to stay in or lose face around the world." This would be a pathetic reason indeed, considering world opinion about the American position is all so negative, deescalation or withdrawal could only mean praise. But this reason seems impossible examining the American government's blatant lack of respect for the opinions of other governments.

It might instead be that the U.S. will not admit to herself that the policy now and in the past has been wrong, that the deaths and mutilations have been in vain. This can be indicated by the government's escalation to "get the war over," to prove to Hanoi that "the U.S. means business."

If this is the case, then the U.S. must mean she desires negotiations, because all authorities who have analyzed the war explain that total victory is impossible. However, the U.S.'s actions don't seem to indicate such desires. The Johnson letter of February 8th was not even given time for reply when the U.S. resumed bombing of North Vietnam.

Furthermore, all negotiations are placed under the stipulation that North Vietnam stop supplying her armies. North Vietnam has never demanded that the U.S. stop supplying her troops, for that is in essence asking for surrender. No one would risk negotiations under the conditions stipulated, because if the talks failed, unarmed troops could be massacred. Because Hanoi refused to stop supplying her troops, the U.S. thus reasons that Ho Chi Minh is just a nasty man who does not desire to negotiate. Perhaps unconditional negotiations would be accepted by North Vietnam. Has the U.S. tried this?

One question remains in this area, "If the U.S. is not unconditionally ready to negotiate and if the U.S. can't win totally, what are the aims being pursued?" All rational ones discussed seem nonexistent.

The third area of concern deals with the government's insistence of the people's ignorance of the total situation concerning the war. And what's worse is the public willingness to believe this is so. The government states that because the public can't know all the top secret information, the public had better realize its limitations and support the government's knowledgeable policies. I would argue two points—that one does not need to know top secret information to know and evaluate U.S. foreign policy and that the public is apathetic about gathering available information concerning Vietnam.

One does not need a list of top secrets to know that U.S. foreign policy has been interventionist and imperialistic in the pursuit of safeguarding the world from the spread of communism. And this is not done so much in an altruistic way as it constitutes a defensive measure. For the U.S. reasons that if communism is not stopped now, the U.S. could be the only nation left to defend herself. Though this could be the case, it does not excuse actions which directly interfere in the self-determination of other nations. Perhaps this overreaction to communism is an expression of American doubt and insecurity about the strength and superiority of the American way of life.

Moreover, short term crises are the ones in which top secret information is withheld and necessarily so. In long-term affairs such as the Vietnam war, policy is obvious and action is reported in the newspapers. As such it is judgable material.

Also the public is not aware of much information made public to them. Part of this is that people undoubtedly feel their government could not be wrong, and thus they don't feel a great need to find facts to examine the situation for themselves. After all, it's not their job; that's what the government's for. Some may even feel "their country right or wrong."

Without careful investigation of the situation, citizens jump on the bandwagon of "Back the boys!" The war jingoism rises to a fever so that many carry American flags to anti-war demonstrations and spit on the participants. And they do so in emotional reaction against a supposed attack on their homeland and way of life. It's amazing how few question the reasons for anti-war efforts. Instead they feel these "doves" are either cowards, idealists, or somehow abnormal people. "Good Americans" never would attack the U.S. government, the most powerful representation of the free world!

This type of ignorance is even more distressing than the war itself for with this atmosphere future, similar mistakes are more likely to happen. For it seems unfortunate that our leaders have been selected from the troop on the bandwagon. And the majority backs them. What is the reason that causes so many to be blind to the fallacies of our government?

The educational system which prides itself on its intellectual freedom is actually free only on the university level. High schools are flooded with propaganda about the beautiful system of checks and balances which makes U.S. government so effective and fair. Government foreign policy is at most criticized as far as the Ugly American.

Public knowledge of when, where, and how to criticize the government is never taught but should be considering international relations is one of the most important factors in survival. Public awareness should be an additional check on our government. However, at present only a relatively small number who have studied the subject have voiced disapproval which is unfortunately muffled by the government.

To educate the masses, the fallibility of the government must be taught in high school. Such instruction could take the form of debates with pro and con speakers, or the form of "teach-ins." Courses in "American Civics" in peacetime should discuss past, present, and possible future mistakes in foreign policy.

On the college level, the government should be willing to discuss their views, considering college is the home of fervent dissent with the war in Vietnam and other foreign policy. The unwillingness of the government to do much of this casts further doubt on the government's intentions. It seems to demonstrate unbending security in belief; this further demonstrates the need for the people to have a direct check on the government's confidence. This can be accomplished first through education and implemented by mass demonstrations and strikes. This is one place where businesses could begin to take public responsibility. The government will then be made to listen because a knowledgeable public will be reacting. And eventually this should lead to more erudite leaders.

A fourth area of concern deals with the economic and social waste created by the war. If one points to the men killed, another replies that this is emotional appeal and that rational desires must pertain to the particular issues of the war. However, it is impossible to determine whether the deaths are in vain or not, considering the government has not informed citizens of its actual goals.

The billions spent on hindering the development in South Vietnam could have been spent constructively for the aiding in development of other nations. The poor in our country could be educated, the poor in India could be fed. The list of alternative, constructive spending is endless.

Moreover, the situation of the Negro in American life is accentuated. Negroes by far form the majority of soldiers who reenlist for duty. Perhaps this avenue of devotion creates a new identity for them which is not to be found at home. Nevertheless, it suggests to the U.S. the need for further improvement at home.

The final and ultimate area of concern is the possibility of World War III and the consequent undermining of the moral structure with the acceptance of such a possibility. Today many people hold the idea that nuclear weapons are too devastating ever to be used. No one will ever use them, because no one could win. However, it must be realized that not all people can be considered rational, and accident is always a possibility. Furthermore, one must closely inspect the attitudes of world powers before making such a hopeful prophecy. The bomb has already been used to end World War II. If an enemy doesn't have the bomb might the U.S. again or some other country use the bomb for "defense"? Prior use lowers the threshold for further use.

And even the acceptance of the possibility of war undermines morality. People become accustomed to talking of deaths in the millions and how many million could die in a nuclear war with civilization still managing to recover. People build bomb shelters and talk of shooting their neighbors if they should intrude. Even if the U.S. was under full-scale nuclear attack from which there was no possibility of survival and thus no purpose for attack, defense plans nevertheless call for retaliation. In other words, if the U.S. goes down, so does the enemy and most likely the rest of the world.

Thus for these reasons, I feel the war in Vietnam can only be considered destructive action resulting from misguided destructive policy. The U.S. is attempting to abort a civil war necessary for Vietnam's further political and economic development; the U.S.'s goals in Vietnam are thus destructive, irrational, and based in ignorance or lack of concern for the political development of a developing country; the ignorance, or apathy, of the public only implements such action; the waste of people and money is thus obvious; and world war could result from a situation which is based on no constructive stand. I hope all members of the public and government will reconsider their thoughts on the purpose, development, and implications of this war for the present and future world situation.

JUDICIAL STUDY OF BAIL REFORM IN THE DISTRICT OF COLUMBIA

Mr. ERVIN. Mr. President, on Saturday, November 25, Chief Judge Bazelon, of the U.S. Court of Appeals for the District of Columbia Judicial Circuit, speaking for the judicial council of the court, announced the formation of a committee to study the operation of the Bail Reform Act, which Congress passed in 1966. The act has been in operation in every Federal trial court for a little over 1 year. Judge Hart is to be chairman of the committee, which is composed of representatives of the general sessions court, the Justice Department, the U.S. attorney's office, legal aid organizations, and the District of Columbia bail agency.

During the short time the Bail Reform Act has been in operation, it has been the subject of some extraordinary criticism. It has become, in effect, the scapegoat for all the ills that beset the administration of criminal justice in the District. As Chief Judge Bazelon said:

> Drastic proposals have been made to amend the Bail Reform Act or to remove the District . . . from its application.
>
> What we do not have now are the complete facts on these complaints and alleged shortcomings, and on the steps needed to remedy them. We need to compile an accurate picture . . . before we can develop (the Act's) full potential for doing Justice without impeding the efficiency and speed of the judicial process and the sanctions of the criminal law.

Implicit in Judge Bazelon's action is the recognition that the Bail Reform Act has succeeded in two major respects:

First, there is now general acceptance of the principle that the right to bail should not depend on the size of the defendant's pocketbook.

Second, implementation of the act has highlighted other areas where the administration of criminal justice in the District of Columbia is badly in need of repair. Effective denial of speedy trial, overcrowded dockets, and overburdened judges are among the problems.

This does not mean that the Bail Reform Act cannot be improved. Indeed, perfection in drafting is a seldom obtainable goal. It was for this reason that the Constitutional Rights Subcommittee announced many months ago that we would hold hearings on the act and its companion legislation, the District of Columbia Bail Agency Act, as soon as sufficient experience had been gained to permit a meaningful review. It is for this reason I welcome the creation of Judge Hart's committee which will review the Bail Reform Act and its implementation. I shall discuss with other members of the subcommittee the question of whether our own hearings, which have been tentatively scheduled for early next year, should be postponed until after Judge Hart's committee completes its work.

In the meantime, I would hope that both Congress and the courts will keep in mind that all of the recent sound and fury raised over the Bail Reform Act is not so much as reflection on the act itself as it is on the quality of justice generally dispensed in the District of Columbia.

I ask unanimous consent that Judge Bazelon's announcement and an article from the Washington Post, commenting on the formation of the Judicial Council Committee, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT OF CHIEF JUDGE BAZELON ANNOUNCING COMMITTEE TO STUDY BAIL REFORM ACT

With the express authorization and on behalf of the Judicial Council, I am today appointing a special committee to study the operation of the Bail Reform Act in the District of Columbia and to make recommendations for its improved administration and enforcement. The Act, which became law on September 20, 1966, represented a major change in the traditional bail system. Its major aims were to remove the financial barrier between poor defendants and the right to freedom prior to conviction, and to avoid unnecessary detention which "serves neither the ends of justice nor the public interest." But the Act's method of implementation, *i.e.*, through the setting of release conditions by courts based upon the risk presented by each defendant, rather than the size of his pocketbook, has proven difficult to carry out in practice.

On all sides problems have arisen. We hear that some judges feel compelled to release defendants they consider dangerous; that too many defendants are still being detained in the District of Columbia Jail for want of money bail; that sufficient verified information about defendants is not available soon enough for some bail hearings; that the expanded use of personal recognizance is increasing trial delays; that too many defendants are being forced to post money bond in order to secure their release; that too few personnel are available to enforce compliance with conditions of release; that defendants in large numbers are failing to show up in court on time; that serious crimes are being committed by persons during extended periods of release on bail; that released persons are inadequately notified when and where to show up in court; and that the Act's penalties for wilful default are not being sufficiently enforced. Drastic proposals have been made to amend the Bail Reform Act or to remove the District of Columbia from its application.

What we do not have now are the complete facts on these complaints and alleged shortcomings, and on the steps needed to remedy them. We need to compile an accurate picture of what the various courts and agencies are doing to comply with the Act before we can develop its full potential for doing justice without impeding the efficiency and speed of the judicial process and the sanctions of the criminal law.

We are asking the committee to consult with all relevant sources and to secure all necessary data and opinions on the Act's operation. We expect it to recommend the actions that should be taken by the Judicial Council, the Bail Agency, the police, prosecutors, defense lawyers, judges, court personnel, marshals, the Corrections Department, probation officers, the parole boards, and the Congress to make the Act work.

The committee will be chaired by Judge George L. Hart, Jr. of the United States District Court and consists of persons intimately acquainted with the law enforcement, defense and court administration problems presented by the Bail Reform Act in both the District Court and the Court of General Sessions. The committee is being asked to report to the Judicial Conference in May 1968, and to submit earlier interim recommendations to the Judicial Council if at all possible. I ask that every judge, lawyer and department head give this group the fullest cooperation in its important work.

In addition to Judge Hart, the committee will include Judge Tim Murphy of the D.C. Court of General Sessions; Robert Niles, Director of the D.C. Bail Agency; Kenly Webster and Charles Work, Assistant United States Attorneys doing criminal trial work in the District Court and General Sessions Court respectively; Miss Barbara Babcock, of the Legal Aid Agency; Mr. Shellie F. Bowers, a private attorney experienced in criminal defense work; Miss Sylvia Bacon, of the Criminal Division, Department of Justice, and former Assistant Director of the President's Commission on Crime in the District of Columbia; Mrs. Patricia M. Wald, a member of that Commission; and Daniel J. Freed, Acting Director of the Office of Criminal Justice, Department of Justice.

PANEL TO STUDY BAIL REFORMS

(By Peter Milius)

The District's Judicial Council, worried by the way the 14-month-old Bail Reform Act is working here, has appointed a special committee to review the measure and recommend improvements.

Chief U.S. Court of Appeals Judge L. Bazelon, who announced the move yesterday, said the committee had been asked to report back by next May.

The chairman of the 10-member panel will be District Court Judge George L. Hart, Jr.

MAJOR AIMS

Bazelon noted that the 1966 Act's "major aims were to remove the financial barrier between poor defendants and the right to freedom prior to conviction, and to avoid unnecessary detention."

But he said that "the Act's method of implementation . . . the setting of release conditions . . . based upon the risk presented by each defendant rather than the size of his pocketbook, has proven difficult to carry out in practice."

A major complaint of the Act's critics—police, prosecutors and many judges and congressmen—is that it leads to release of dangerous defendants likely to commit further crimes while awaiting trial.

But the Act's supporters say that more than 90 per cent of released defendants stay out of further trouble between arrest and trial. They also say that "preventive detention," holding an arrested man in jail just because someone thinks he might commit another crime, is unconstitutional.

MANY PROBLEMS

Speaking for the Council, which is made up of the judges of the U. S. Court of Appeals here, Bazelon acknowledged that "on all sides, problems have arisen."

"We hear that some judges feel compelled to release defendants they consider dangerous; that too many defendants are still being detained in the D. C. Jail for want of money bail; that sufficient verified information about defendants is not available soon enough for some bail hearings; that the expanded use of personal recognizance is increasing trial delays," he said.

Other alleged defects, said the judge, are "that too many defendants are being forced to post money bond . . . that too few personnel are available to enforce compliance with conditions of release; that defendants in large numbers are failing to show up in court on time; that serious crimes are being committed by persons during extended periods of release on bail; that released persons are inadequately notified when and where to show up in court; and that the Act's penalties for willful default are not being sufficiently enforced."

Bazelon noted that "drastic proposals have been made to amend the Bail Reform Act or to remove the District . . . from its application."

But he said, "What we do not have now are the complete facts on these complaints and alleged shortcomings, and on the steps needed to remedy them. We need to compile an accurate picture . . . before we can develop (the Act's) full potential for doing Justice without impeding the efficiency and speed of the judicial process and the sanctions of the criminal law."

The Bail Reform Act was designed as an alternative to the traditional cash bond system. Under this system defendants with enough money could almost always buy their freedom before trial, but poor defendants often could not and were forced to wait in jail.

The Act applies to Federal courts everywhere, and to all courts here. It requires judges to free all defendants in noncapital cases on personal recognizance—a simple promise to return for trial—unless the court feels there is danger the defendants will flee.

If there is this danger, a judge can require a defendant to meet various conditions, including a cash bond. But a judge cannot impose a cash bond just to keep a defendant in jail, even if he thinks the defendant a danger to the community.

Bazelon said the Hart committee has been asked to submit interim recommendations before next May if possible. Its members, he said, are "persons intimately acquainted with the law enforcement, defense and court administration problems presented by the . . . Act in both the District Court and the Court of General Sessions."

The members in addition to Judge Hart are General Sessions Judge Tim Murphy; Robert Niles, D.C. Bail Agency director; Kenly Webster and Charles Work, assistant U.S. attorneys who try cases in the District Court and General Sessions; Barbara Babcock, representing the Legal Aid Agency; Shellie F. Bowers, a defense attorney; Sylvia Bacon, now with the Justice Department and former assistant director of the D.C. Crime Commission; Patricia M. Wald, a Commission member, and Daniel J. Freed, acting director of the Federal Office of Criminal Justice.

ROCKEFELLER PUBLIC SERVICE AWARD PRESENTATION TO DONALD A. WILLIAMS, ADMINISTRATOR OF U.S. SOIL CONSERVATION SERVICE

Mr. THURMOND. Mr. President, it is a great pleasure for me to congratulate Donald A. Williams, Administrator of the Soil Conservation Service, upon his winning the 1967 Rockefeller Public Service Award in the field of administration.

During my career as a public official I have been very close to the soil and water conservation movement. As a member of the South Carolina State Senate, I introduced the first conservation district bill in South Carolina. The purpose of this bill, which was enacted into law, was to enable South Carolina landowners to receive assistance from the Soil Conservation Service through their districts.

Since that time, South Carolina has benefited greatly from its relationship with the Soil Conservation Service. Vast areas of unsightly and wasteful soil erosion have been controlled by landowners receiving assistance from the Soil Conservation Service. Many thousands of farm ponds built with SCS assistance provide livestock water and fishing to the people of South Carolina. The small watershed program administered by SCS under Public Law 566 has solved many flooding problems and is now beginning to provide sources of municipal water supply to our growing communities.

This award will be presented to Mr. Williams on December 6, 1967, at a luncheon here in Washington. This recognition has been made possible by funds granted by John D. Rockefeller III, and administered by Princeton University as a national trust. In this particular case the award to Don Williams recognizes his 31 years of Government career service and the influence he exerted on the program of the Soil Conservation Service, which has seen this Nation come from "the dustbowl age" of the 1930's to a program today of water conservation, flood control, and land use planning.

The record of the Soil Conservation Service is one which all other agencies of Government would do well to examine carefully. Don Williams started work with SCS in 1935 and has been its Administrator since 1953. He has been a most active leader in building this fine record of efficient and effective public service. I am happy that he is to receive this well-deserved Rockefeller Public Service Award for Administration.

FEDERAL JUDGE ROBERT E. MAXWELL DELIVERS SIGNIFICANT VETERANS DAY ADDRESS

Mr. RANDOLPH. Mr. President, during the Veterans Day ceremonies this month in Weston, W. Va., sponsored by American Legion Post No. 4, Judge Robert E. Maxwell of the U.S. Federal District Court of the Northern District of West Virginia delivered an inspiring message on the meaning of Veterans Day and our commitments to the free world.

The cogent comment by Judge Maxwell places in perspective the relationship of past conflicts, our current efforts in Vietnam, and our pursuit of world peace. This is a relationship which the critics of American foreign policy often fail to recognize. This distinguished judge stressed that:

> Our involvement today is worldwide, and it has taught us an important lesson. In going to war four times in the past 50 years to stop the spread of tyranny, we have learned in a world made one by the advances of science, communications, transportation, and the atom that the old natural boundaries are disappearing, the obstacles to social and commercial discourse are dissolving, and the old landmarks are vanishing. We can no longer have isolation behind the oceans and at the same time build an arsenal of intercontinental ballistic missiles with hydrogen or atomic warheads. A workable global society must be fashioned, as our continent was fashioned into an orderly society some two hundred years ago. Our task at any and every opportunity is to ignite the spark of freedom where it does not now exist; to help the underdeveloped nations to become self-sufficient; and to work with other world powers to establish permanent patterns of an effective world economy.

Mr. President, I was particularly impressed with his remarks concerning the right of dissent as contrasted with those who destroy draft cards, hinder troop movements or the operations of selective service offices, and resort to violence. In the words of Judge Maxwell:

> They are the hypocrites—the tyrants, so to speak, from whom our founding fathers departed the shores of Europe more than two centuries ago.

Mr. President, I ask unanimous consent that the address by Judge Robert E. Maxwell be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF HON. ROBERT E. MAXWELL AT THE VETERANS DAY CEREMONIES, WESTON, W. VA., NOVEMBER 11, 1967

On this Veterans' Day it is proper for us to turn our prayerful thoughts toward those around the globe who are now fighting the cause of liberty; for those who are keeping the pulse of democracy beating at home; and for those everywhere who are suffering the tyranny of oppression.

This day is not set aside solely and only to celebrate the ending of other wars and to honor those who have fought in those wars. This day gives us the opportunity to examine the meanings behind the personal sacrifice that was so freely given in past conflicts in the quest of human dignity, the free exchange of ideas, and the development of a higher and more stable democratic ethic.

Peace is the most imperative business in the world today. It is the world's most universal desire, and most powerful force. Without the continuous quest for peace, there will be nothing left except bloodshed, confusion and anarchy. The individual will have no dignity or self-respect and presently will be the subject of extortion, exile and mass execution.

In every review of the subject of peace, it is universally found that the motivating beliefs of a nation are lodged in its deeds, its documents, and the long-range commitments of its leaders. This is exactly the case in the United States. Peace is one of this country's most purposeful and sought-after pursuits. Although our leaders are often criticized for the methods they employ in seeking peace there can be no serious question of their urgent and all-consuming desire for peace.

From the very beginning, a posture for peace, human liberty, and the pursuit of happiness have been the basic objectives of our country. As the Declaration of Independence says in hallowed words, "Men are created with equal and inalienable rights, and the powers of government rest wholly with the governed." When first spoken as a public policy in 1775, for and on behalf of the inhabitants of this continent, this was political heresy. It was a philosophy which, as far back as Plato, was believed to be dangerously and insidiously close to anarchy. As a consequence, it was slow in spreading around the world. Small wonder, with the success America has found, the Declaration of Independence has become the focus of that special sense of destiny which most Americans have long associated with their country. Indeed, it is this sense of destiny which is often considered by other less fortunate nations as being synonymous with freedom and liberty.

Possibly the cynics take this creed and philosophy for granted. Perhaps the hippies, the flower people, the degenerates, the unwashed and the depraved are so entwined in their selfish, confused, self-centered world of forced pleasure and deviation that they are incapable of recognizing—let alone rationalizing—the lofty ideals that gave them their forum of demonstration, dissent and protest. It takes a strong will-power, as well as a strong stomach, to guard and cherish the principles of the Constitution and the laws of our land—as a great majority of American citizens are doing—instead of reacting or retaliating in kind to the deviations of these tragically disgusting people. Perhaps our immediate consolation comes in the knowledge that eventually the day of realization will come to them. On that day they will appreciate that life is not a constant, 24-hour a day merry-go-round of pleasurable pursuits wholly devoid of responsibility.

We are inclined on occasion to throw up our hands and quit fighting that which appears to be the overpowering forces of indifference and disillusionment. These are the times when we must think in terms of solutions, rather than in terms of problems. We must exercise our responsibility by personally meeting the torrent of vocal abuse of our government, our schools, our nation's leaders, and our national institutions. By our personal contacts and deeds we must labor in the fervent hope that our freedom of speech will be used for the betterment of the world, and not merely as food for fanatics. Any sincere effort we make is a step in the right direction. Benjamin Disraeli is reported to have said when a friend asked how he kept going despite unceasing opposition: "Have you ever watched a stonecutter at work? He will hammer away at a rock for perhaps one hundred times without a crack showing in it. Then, at the one hundred and first blow it will split in two. It is not alone that blow that accomplished the result but the one hundred others that went before it."

It is not alone the high school dropout who deserves our concern. We must constantly keep aware of the fallacy of the growing enticement we face daily as adults to drop out of human involvement in the world of reality.

American foreign policy before this century was sometimes characterized as "the Monroe Doctrine and the Golden Rule." Both were thoroughly consistent with American beliefs. They had their place in the American scheme, but America had a larger role to assume, and in the years following 1900 the American people realized that preoccupation with their own hemisphere was binding them to the cause of freedom and democracy elsewhere. The idea of a larger place in world affairs began to take shape, and to Woodrow Wilson fell the task of linking America's destiny with that of democracy in other areas of the world.

The rest is history—the ill-fated effort to join the League of Nations, the more successful effort at founding the United Nations, the Marshall Plan, Point Four, Nato, Seato, and all the other commitments which now make up our foreign policy.

Our involvement today is worldwide, and it has taught us an important lesson. In going to war four times in the past 50 years to stop the spread of tyranny, we have learned in a world made one by the advances of science, communications, transportation, and the atom that the old natural boundaries are disappearing, the obstacles to social and commercial discourse are dissolving, and the old landmarks are vanishing. We can no longer have isolation behind the oceans and at the same time build an arsenal of intercontinental ballistic missiles with hydrogen or atomic warheads. A workable globe society must be fashioned, as our continent was fashioned into an orderly society some two hundred years ago. Our task at any and every opportunity is to ignite the spark of freedom where it does not now exist; to help the underdeveloped nations to become self-sufficient; and to work with other world powers to establish permanent patterns of an effective world economy.

With America now at war in Viet Nam we continue to debate the choices available, as well as the effects of the war on our prestige, our policies, and our priorities. We continue to discuss whether others would have acted differently, whether there has been sufficient consultation, and whether past precedents are meaningful. At no time in the lifespan of America has it been more imperative that we make a show of strength than right now in Southeast Asia. The old colonial order in the world has all but vanished. New nations—and new imperialisms—strive to fill the vacuum in a vast and seething political revolution. If we fail to defend democracy where it is in trouble, or if we fail to help the oppressed grasp the fruits of democracy, all too many of the emerging nations will lose faith in us, and in the sincerity of our belief in the democratic way of life.

It may have taken our nation two hundred years of development, materially as well as mentally, to discover that the fulfillment of freedom is only the first step in a long and tempestous journey to mature civic order. Gaining freedom itself is meaningless, unless we intelligently and resourcefully exercise the meaningful choices of freedom. One of these choices is the determination to prevent a deterioration or loss of those basic institutions and principles that have given our society its unassailed place in the world community. Freedom of choice in a representative democracy also imposes upon us the responsibility to have faith—intelligent faith borne of inquiry and investigation—in our leadership to make decisions in behalf of our country and its concepts of freedom that are consistent with honor and integrity.

For those who say that Viet Nam is not the proper place for an exercise of these concepts, it is well to remember that the forces of tyranny were stopped on the other side of the world on repeated occasions in the past. Our determination to defend what is right in the world is being tested to even a greater degree in Southeast Asia, and we are happy to observe that the spirit of our servicemen today reflects the courage of 1776 that is so much a part of our national heritage.

Would the opponents of Viet Nam have us commence our defense at the Golden Gate Bridge?

To comprehend and give guidance to the complex forces now taking shape in Africa, Asia and South America lays heavy demands on our resources of wisdom, leadership, self-discipline, and generosity. Unless we continue on the present course, we will transfer the advantage of world leadership to the Communist nations by default. The Communists did not invent the political order which places the dignity of the individual at the highest level of priority. It was launched, either wittingly or unwittingly, in the west, and the United States, as the most notable example of this doctrine, can only enhance its position, and strengthen its resolve by remaining steadfast and strong in its commitments.

In such a situation it is tragic to find that our foreign policy is under bitter attack at home. We are united in America on the principle that each individual should have the free exercise of his conscience and the right to advocate his beliefs. We are tolerant of diversities of viewpoint among men, and we are respectful of the schools of thought which oppose our own. But when young men destroy their draft cards, stop troop trains, block the doorways of Selective Service offices, and resort to mob violence to pervert the American system of common defense, then these people have gone beyond lawful, peaceable, and reasonable protest. They are the hypocrites—the tyrants, so to speak, from whom our founding fathers departed the shores of Europe more than two centuries ago.

Any doctrine or belief which incites people to disobedience of law is made to order for the cynical leaders of extremist causes. Once lawlessness is tolerated or justified, it feeds upon itself and leads either to revolution or violent repressive measures. The antidote for civil disobedience—the acceptable solution to mass violence—is rededication to the ideals found in the Bill of Rights. They protect the individual, and they chart his course of peaceful protest.

Veterans' Day signifies the strong bond between the citizen and responsible citizenship. It comes in many guises, but on this day we recognize it as patriotism, a human element which helps us to pause and examine the meaning of the American ideal. While there are those who scoff, we must never be ashamed of our emotions when the Star-Spangled Banner is played or the flag is raised. These as well as other symbols serve to remind us of our right to speak out intelligently and forthrightly on the issues of the day.

The great and growing cancer of our age is fear. We find it in the fuzzy "participatory democracy" of the neointellectual, or in the inflammatory and wantonly destructive "peace marches" of the extreme radical. This noisy, bullying minority clearly has lost its respect for the institutions that have made America great, but rather than work within the existing framework to better them, they do all in their power to pull them down. This is indeed tragic, for fear detroys our ability to think in a logical, intelligent, and responsible manner; and fear ultimately deteriorates into hate, from which nothing results except negative and destructive actions.

There is little sign of any reasonable solution to the problems of our times in the deeds or commitments of the extremists who stalk among us on this Veterans' Day. In their most articulate moments their dominant concerns are wholly defensive or contradictory. We have not been moved by them to any positive action. On the contrary, their ideas are so negative and self-destructive that they have failed to generate any substantive public sentiment for their cause.

Freedom, in its many ramifications, is not an ideal to be treated lightly. If it is to give hope to the oppressed, positive action must replace complacency and apprehension, little aims and large fears. The majority in America is alert to the terror and tyranny around the world. Within the majority are the moral and material elements of lofty purpose. We cannot allow the techniques and behavior patterns of a militant minority to envelope us and turn the positivism of today into the negativism of tomorrow. We must keep forever vigilant, and make our majority viewpoint heard.

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Flood Control, Rivers, and Harbors of the Committee on Public Works be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the Judiciary may be permitted to meet during the session of the Senate on tomorrow.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEAVE OF ABSENCE

Mr. **MANSFIELD.** Mr. President, on Friday, December 1, 1967, the distinguished Senator from Hawaii [Mr. Inouye] is departing for his State on official business. I ask unanimous consent that he be excused from attending Senate sessions during his absence.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MANSFIELD.** Mr. President, for the information of the Senate, it is hoped by the leadership, the Senate concurring, that it will stay in session until a reasonably late hour today in an attempt to get on with the Senate's business.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. **MANSFIELD.** Mr. President, is there further morning business?

The **PRESIDING OFFICER** (Mr. Lausche in the chair). Is there further morning business? If not, morning business is closed.

FEDERAL MEAT INSPECTION ACT

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. **MANSFIELD.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MONDALE.** Mr. President, yesterday when we opened the debate on the pending meat inspection bill, known as the Wholesome Meat Act or the Montoya bill, I said:

> Mr. President, I commend the distinguished Senator from New Mexico [Mr. Montoya] for his most able and forceful presentation on behalf of the Committee on Agriculture and Forestry. . . . I think the Senator does himself an injustice in so doing because we are now reporting the Montoya bill with the Montoya amendments from the Committee on Agriculture and Forestry.

I further said:

> If it were not for the commitment of the Senator from New Mexico to the principle that there can be no compromise on the protection of the American consumer, this bill in its present sound and substantial form could not be reported. The ability and the devotion of the Senator from New Mexico to the public interest has guided this legislation to the point where hopefully it will become the law of the land. Every consumer in the country owes a debt to the brilliant leadership of the Senator from New Mexico in connection with this matter.

I said that because I believed it then and I believe it now. I said it because Senator Montoya and I had worked together almost hourly for several weeks, to try to fashion the bill which is now before the Senate.

Therefore, I was understandably disturbed this morning to read an article in the Washington Post, written by Mr. Drew Pearson, which indicates that the effort by Senator Montoya was considerably different from that which I represented.

Among the representations made in this wholly misleading article—which grieves me, because I am a great admirer of Mr. Pearson—was that Mr. Montoya was working with the lobbyist for the American Meat Institute. The evidence in support of that statement was the fact that Mr. Davies was reported to have been in Senator Montoya's office.

That report is accurate; but what is not accurate is the implication of the article. Mr. Davies had been invited to Senator Montoya's office by Senator Montoya and myself, to ask him, Mr. Davies, if he would support, and seek to gain the support of the American Meat Institute for, an agreement that we had already reached.

I believe that was entirely proper, and I am pleased to say that the American Meat Institute in fact did agree to support the proposal; and I have commended them for that position as well.

The article also mentioned the name of another lobbyist, Mr. Blaine Liljenquist, but failed to point out that Mr. Liljenquist is opposing the bill now before the Senate, as he opposed the Montoya amendments before the committee, and that throughout these proceedings Senator Montoya led the fight for a strong and substantial bill. He led that fight throughout the negotiations, and in the committee, and he is leading the fight again today, as he did yesterday, for a strong and substantial bill.

If there is any Member of this body more devoted to the selfless service of the public interest than the Senator from New Mexico, I have not met him. I feel that I would be completely derelict, after these weeks of service side by side with Senator Montoya, not to set the record straight. I regret the misleading nature of the article.

Mr. **MONTOYA.** Mr. President, I thank my good friend from Minnesota for his kind words and his clarification of the factual situation. I concur in what he has said. He has stated the facts as they did occur during the deliberations, when he and I were trying to work out a solution that would be palatable, digestible and feasible, while trying to promote the interests of the consumers of this country.

Certainly this was no secret delved from the dark alleys of legislative deliberations. Yesterday, on this floor, I stated with candor, with openness, and with all the frankness that I could muster what we had gone through in trying to arrive at the bill, as amended, that we have presented to the Senate for consideration. I quote from the Congressional Record, November 27, 1967, page 33861:

> Mr. Montoya. Mr. President, I share the opinion of my good friend, the Senator from Minnesota, with reference to these devoted people who came here primarily to protect the consumers and to lend of their experience with respect to a provision for helping the consumers in this country.
>
> At all times while the distinguished Senator from Minnesota and I worked on the pending bill, we had the bill on top of the table, and we invited everybody to come before us.
>
> We wanted to eliminate opposition, and the only thing we told them was that uppermost in our minds was the knowledge that we had to have some good effective legislation for the protection of the consumers.
>
> These people came in and consulted with us, whether they represented the consumer groups or industry groups or anybody else. We gave them all a hearing in our office sanctuaries or wherever the Senator and I would meet with respect to the amendments that have been appended to the pending legislation.
>
> We had nothing to hide, and we have nothing to hide now. We feel that the package—if one wants to call it that—that we have presented here to the Senate represents the best blueprint for action that we could conceive.
>
> We also had in mind the divergence of opinion expressed by the other House when it considered the Purcell bill and the Smith-Foley bill.
>
> Our approach was designed to meet the objective of the consumer first and then to meet the philosophical differences that existed in the different approaches that came before this legislative forum or the other legislative forum in the House of Representatives.
>
> With that in mind, and without derogating the consumer interest and the consumer objectives, we put together the amendments which we think are salutary improvements in the approach that we both had in mind to accomplish the objectives that we desired.

Had there been anything nefarious about the matter, I would not have made my statement in the Senate yesterday, the day before this article appeared in the paper.

I repeat that while the article is not an intended exaggeration—I will give credit to Mr. Drew Pearson for that—it leaves an implication that is not deducible from the facts as they existed.

The clarification that has been offered

by the Senator from Minnesota is kind, and I am grateful for it. It represents the true factual situation.

I mentioned in my speech and acknowledged the help of many other groups that came to us during our deliberations.

I mentioned the labor unions. I mentioned Mr. Davies of the American Meat Institute. I had not met Mr. Davies prior to the hearing in the Committee on Agriculture and Forestry. I did not know the man. I did not know what he represented. I want that fact to be in the record also.

All in all the Senator from Minnesota and I have tried to act in good faith to present a bill that would have the support of the different philosophical bearings of the membership of both bodies of Congress and also a bill which would have as its prime objective the protection of the American consumer. I believe we have that kind of bill. I think that the cooperation we have received from consumer groups, from industry groups, and from both Republicans and Democrats forebodes a good law for the American consumer.

We even had in our office during the course of these deliberations representatives of the Department of Agriculture. They were present in another room while the Senator from Minnesota and I were trying to work out these amendments. And as we would work them out, we would ask the personnel of the Department of Agriculture for their opinion as to whether these amendments would be workable in the enforcement and administration of the law.

Yes, we tried to adhere to all the requisites that would assure a proper approach and a proper method of legislative engineering in order to arrive at the kind of bill we thought the consumers were entitled to and that Congress would approve.

We also had in mind the feeling of the House of Representatives when it deliberated over the Purcell bill and had turned down the Smith-Foley bill.

We were trying to reconcile in our bill the viewpoints that might arise and might through a divergence of opinion affect the deliberations in the House of Representatives when the bill went to conference.

We tried in the utmost to present a finished product here that would find acceptance in both bodies of Congress and still subserve the primary objective—the protection of the consumer.

I hope this colloquy and these observations which the Senator from Minnesota and I have made this morning will clear the air of any doubt and set the record straight.

Mr. HRUSKA. Mr. President, I have not had the time nor the opportunity to read the article to which reference was made by the Senator from Minnesota and which the Senator from New Mexico has just discussed.

From the brief description that has been given, however, and the context in which these remarks were made, I subscribe to the views and the declarations which were made and expressed by both Senators who have spoken on this subject. I associate myself with the general line of thinking they have expressed.

How are legislators to legislate if they do not have access to information as to the impact of a given proposal on a business or industry? Lobbyists legislative representatives are not per se outlaws and despicable characters.

Those who want to stay in business in Washington and be of any influence and have any impact on legislation must be truthful with people. We have to get information from trade associations, individuals, businessmen, and corporations and present it here on the floor, as the Senator from New Mexico and the Senator from Minnesota have so ably done in this jointly sponsored measure that they have submitted to the Senate for action.

Lobbyists and representatives are a legitimate and major source of information. We rely on such information in wholesale fashion in hearings. Often in hearings when a bill is going to be revised and when several bills become joined and made into one, problems arise on which consultation should be had.

Yesterday I presented a copy of a recent letter written by the president of a trade association addressed to the chairman of the Committee on Agriculture and Forestry. This letter expressed concern about section 14 of the pending bill. It was a legitimate expression of concern properly and frankly made and fortified by a course of logic. This expression of concern impelled the Senator from New Mexico to create legislative history on this section so that it would be circumscribed by some limits and so that the true intent of that language would be known.

In the process of legislating, we cannot act in a vacuum and neither can any other legislative body. We must be the recipients and the analyzers and the weighers of testimony and of the views that are presented to us at every point and then make our decision.

There are some legislative representatives perhaps and some lobbyists who violate the law, or try to do so, but per se they are not that kind of people. The presumption is that they are forthright and that they are presenting information which is of use to Senators engaged in composing a bill. Those Senators then in turn pass it on to the rest of us for such scrutiny and consideration as we might want to give it, and we can disregard it entirely if we wish to do so.

I reaffirm my belief as to the careful scrutiny to which this bill has been submitted by its authors and sponsors. I am grateful for the dedication and the great deal of work that has been expended by them in the process of placing the bill before the Senate in the form in which it now exists.

Mr. MONTOYA. Mr. President, I thank the Senator for his very kind words.

Mr. JAVITS. Mr. President, I rise to urge favorable action on the pending bill.

The proposal is of great interest to millions of consumers in my home State and across the Nation. Although the State of New York has very fine controls with respect to the intrastate production of meat and meat products, the disclosures which we all know about which were made in Upton Sinclair's famous novel "The Jungle" still, even though the novel was written 60 years ago, raise worries in everybody's mind.

We have had very serious cases of the adulteration of meat and meat products in certain areas of this country. The situation has caused a great deal of alarm.

The meat and meat product industry in New York State is a very large industry. New York State has 10 percent of the Nation's population, and it consumes almost $2 billion worth of meat and meat products annually.

Mr. President, the pending legislation very properly proposes to give to the States an opportunity, where necessary, to reform their own systems to conform with Federal standards, and the Federal Government will help with the cost of doing that job. It seems to me that this is a bill very much in the consumers' interest, and I hope very much that the Senate will approve it.

Mr. President, I wish to compliment Senator MONTOYA and Senator MONDALE, who have collaborated in perfecting a bill with no deeply vested pride of authorship, but with an eye to the public interest. An accomplishment of this nature is always a great satisfaction to people such as myself, who have served in both the Senate and the House. I have heard universal approval of the way in which they reconciled their ideas with the resulting bill which is before the Senate today.

I should like to join other Senators in expressing appreciation, because we all cannot work on everything with the detail with which they have worked upon this matter, as I and others do on other matters. When men give a matter the devotion which they have exhibited, we are grateful.

Mr. President, I understand that the Senator from Nebraska has an amendment to the bill, which he has been gracious enough to let me see, and I wish to ask a question or two of the manager of the bill when the amendment is submitted. Other than that, I express great satisfaction with the bill as it now reads.

Mr. MONTOYA. Mr. President, I thank the distinguished Senator from New York for his fine observations and for his great contribution to the debate on this bill. It is superfluous for me to say that the Senator from New York has always taken the side of the consumer and the public interest in this body. He has an enviable record in that respect. Certainly, his support is most welcome and needed with respect to this bill.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Who yields time?

Mr. MONTOYA. Mr. President, I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I am a cosponsor of the bill. I wish to reaffirm my conviction that the objectives sought by the bill as originally presented are sound. I subscribe to the changes that have been made, after surveys were made seeking to determine what the impact of the bill would be on different types of meat producers and what its benefits would eventually be for the consumer.

It is regrettable that this discordant note has arisen without any foundation in fact.

I merely asked for the floor, Mr. President, to reaffirm my subscription to what has been done.

Mr. MONTOYA. I thank the Senator from Ohio for his helpful comments.

The PRESIDING OFFICER. Who yields time?

Mr. MONTOYA. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, the time will be charged equally to both sides.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quoroum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, I have an amendment at the desk and I ask that it be considered at this time.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered; and, without objection, the amendment will be printed in the Record.

The amendment, proposed by Mr. Hruska on behalf of himself, Mr. Miller, Mr. Hansen, Mr. Mundt, Mr. Jordan of Idaho, Mr. Curtis, Mr. Allott, and Mr. Dominick, ordered to be printed in the Record, is as follows:

On page 22, line 4, strike out the end quotes.

On page 22, between lines 4 and 5, insert a new subsection as follows:

"(e) Not later than January 31 of each year the Secretary shall submit to the Congress a comprehensive and detailed written, report with respect to the administration of this section during the immediately preceding calendar year. Such report shall include, but shall not be limited to—

"(1) a certification by the Secretary that foreign plants exporting carcasses or meat or meat products referred to in subsection (a) of this section have complied with all the inspection, building construction standards, and all other provisions of this Act and regulation issued thereunder;

"(2) the names and locations of plants licensed or otherwise authorized to import into the United States carcasses or meat or meat products referred to in subsection (a) of this section;

"(3) the number of inspectors employed by the Department of Agriculture in the calendar year concerned who were assigned to inspect facilities subject to inspection under this section and the frequency with which each such facility was inspected by such inspectors;

"(4) the number of inspectors licensed by each country from which any imports subject to the provisions of this section were imported who were assigned, during the calendar year concerned, to inspect such imports and the facilities in which such imports were handled and the frequency and effectiveness of such inspections; and

"(5) the total volume of carcasses or meat or meat products referred to in subsection (a) of this section which was imported into the United States during the calendar year concerned by each person, firm, or corporation licensed or otherwise authorized to import such carcasses, meat, or meat products, including a separate itemization of the volume of each major category of such imports by such person, firm, or corporation during such year and a detailed report of rejections of facilities and products because of failure to meet appropriate standards prescribed by this Act."

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, section 10 of the pending bill covers the importation of carcasses, meat, and meat products. It also sets out requirements which must be met by those products which are so imported. The requirements include a proper labeling and a lack of adulteration. The requirements also include the idea that there shall be compliance in the plants where the imports originated, with all of the inspection, building construction standards, and all other provisions of the act applicable to such articles in commerce within the United States.

In general, section 10 undertakes to impose upon the points of origin of these imports brought into this country the same requirements for wholesomeness, purity, labeling, and all other items that are applied to articles which originate within this country. That is its purpose and it is quite comprehensive in that regard.

Mr. President, I ask unanimous consent that the text of a new section 20 as set forth in section 10 of the bill on page 20, beginning at line 15 and extending to page 22, line 4, be printed in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Sec. 20. (a) No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with [the inspection and other requirements prescribed by regulations of the Secretary to assure that the imported articles have been prepared under requirements substantially equivalent to those applicable to the comparable domestic articles, and otherwise to effectuate the purposes of this Act] *all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States.* All such imported articles shall, upon entry into the United States, be deemed and treated as domestic articles subject to the other provisions of this Act and the Federal Food, Drug, and Cosmetic Act: *Provided,* That they shall be marked and labeled as required by such regulations for imported articles: *Provided further, That nothing in this section shall apply to any individual who purchases meat or meat products outside the United States for his own consumption except that the total amount of such meat or meat products shall not exceed fifty pounds.*

(b) The Secretary may prescribe the terms and conditions for the destruction of all such articles which are imported contrary to this section, unless (1) they are exported by the consignee within the time fixed therefor by the Secretary, or (2) in the case of articles which are not in compliance with the Act solely because of misbranding, such articles are brought into compliance with the Act under supervision of authorized representatives of the Secretary.

(c) All charges for storage, cartage, and labor with respect to any article which is imported contrary to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against such article and any other article thereafter imported under this Act by or for such owner or consignee.

(d) The knowing importation of any article contrary to this section is prohibited.

Mr. HRUSKA. Mr. President, the present statute with reference to regulation of imports of this kind is to be found as a part of the Tariff Act. That statute is title 19 United States Code 1306, and particularly subsections (b) and (c) therein.

Mr. President, I ask unanimous consent that the text of the entire section as found on pages 44 and 45 of the committee report be printed at this point in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

[19 U.S.C. 1306]

Cattle, Sheep, Swine, and Meats; Importation Prohibited in Certain Cases

(a) Rinderpest and Foot-and-Mouth Disease.—If the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists in any foreign country, he shall officially notify the Secretary of the Treasury and give public notice thereof, and thereafter, and until the Secretary of Agriculture gives notice in a similar manner that such disease no longer exists in such foreign country, the importation into the United States of cattle, sheep, or other ruminants, or swine, or of fresh, chilled, or frozen meat of such animals, from such foreign country, is prohibited: *Provided,* That wild ruminants or swine may be imported from any such country upon such conditions, including post entry conditions, to be prescribed in import permits or in regulations, as the Secretary may impose for the purpose of preventing the dissemination of said diseases into or within the United States: *And provided further,* That the subsequent distribution, maintenance, and exhibition of such animals in the United States shall be limited to zoological parks approved by said Secretary as meeting such standards as he may by regulation prescribe for the purpose of preventing the dissemination of said diseases into or within the United States. The Secretary may at any time seize and dispose of any such animals which are not handled in accordance with the conditions imposed by him or which are distributed to or maintained or exhibited at any place in the United States which is not then an approved zoological park, in such manner as he deems necessary for said purpose.

[(b) Meats Unfit for Human Food.—No meat of any kind shall be imported into the United States unless such meat is healthful, wholesome, and fit for human food and contains no dye, chemical, preservative, or ingredient which renders such meat unhealthful, unwholesome, or unfit for human food, and unless such meat also complies with the rules and regulations made by the Secretary of Agriculture. All imported meats shall, after entry into the United States in compliance with such rules and regulations, be deemed and treated as domestic meats within the meaning of and subject to the provisions of the Act of June 30, 1906 (Thirty-fourth Statutes at Large, p. 674), commonly called the "Meat Inspection Amendment," and the Act of June 30, 1906 (Thirty-fourth Statutes at Large, p. 768), commonly called the "Food and Drugs Act," and Acts amendatory of, supplementary to, or in substitution for such Act.][1]

(c) REGULATIONS.—The Secretary of Agriculture is authorized to make rules and regulations to carry out the purposes of this section, and in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all cattle, sheep, and other ruminants, and swine, and of all meats, offered for entry and refused admission into the United States, unless such cattle, sheep, ruminants, swine, or meats be exported by the consignee within the time fixed therefor in such rules and regulations.

Mr. HRUSKA. Mr. President, the extent of inspection and of verifying that compliance has been had with the existing law and regulations has been set forth in terms of the personnel involved and the activity of the officials and employees of the Department of Agriculture.

I shall not pass judgment on the Department, nor would I want to criticize its present enforcement activities on imported meat and meat products. It may be they have had stingy Congresses to deal with and perhaps appropriations have not been ample for the purpose at hand. I shall not get into that too much on the basis of laying blame anywhere.

However, we are told that there are six Department of Agriculture inspectors assigned to some 1,800 plants in 38 nations all over the world. The ratio is one to 300 plants, and they are scattered all over the world. One inspector for 300 plants means that the inspector would have to visit a plant a day all year around without allowing time for travel or any other business.

In order that the Congress, the public, and the consumer can be informed as to what will be done in the future by the Secretary of Agriculture to see that there is that compliance required by the bill, the amendment I propose simply requires that a report be made by the Secretary of Agriculture once each year to cover the preceding calendar year, and which would embrace certain items.

The amendment would require that there be—

(1) a certification by the Secretary that foreign plants exporting carcasses or meat or meat products referred to in subsection (a) of this section have complied with all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder;

The report would also require:

(2) the names and locations of plants licensed or otherwise authorized to import into the United States carcasses or meat or meat products referred to in subsection (a) of this section;

(3) the number of inspectors employed by the Department of Agriculture in the calendar year concerned who were assigned to inspect facilities subject to inspection under this section and the frequency with which each such facility was inspected by such inspectors;

Fourth:

(4) the number of inspectors licensed by each country from which any imports subject to the provisions of this section were imported who were assigned, during the calendar year concerned, to inspect such imports and the facilities in which such imports were handled and the frequency and effectiveness of such inspections;

As to that subsection in the amendment, let me say that it is written in the report of the Senate, on page 12, in part:

It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country but it is intended that the foreign country enforce inspection and other requirements with respect to the preparation of the products at least equal to those applicable to preparation of like products at federally inspected establishments in the United States, and that the imported products would be subject to inspection and other requirements upon arrival in the United States to identify them and further assure their freedom from adulteration and misbranding at the time of entry.

Obviously the consumers of America are entitled to know how many inspectors actually are at work in foreign plants and conditions and effectiveness with which they work which would lay the foundation by certification of the Secretary of Agriculture that such plant is qualified to send meat into this country for consumption by our citizens.

The final subsection reads:

(5) the total volume of carcasses or meat or meat products referred to in subsection (a) of this section which was imported into the United States during the calendar year concerned by each person, firm, or corporation licensed or otherwise authorized to import such carcasses, meat, or meat products, including a separate itemization of the volume of each major category of such imports by such person, firm, or corporation during such year, and a detailed report of rejections of facilities and products because of failure to meet appropriate standards prescribed by the Act.

I believe it is reasonable to assume that not all plants applying will be able to comply or will be able to secure certification by the Secretary of Agriculture. I have an idea that if the inspection rendered abroad is as strict as it is in this country, there will be some plants that will be ruled out of eligibility for sending in the imports which they would like to sell within this country.

The intent of this amendment is to assure not only that there will be a statutory obligation for compliance by the originating plants abroad with the standards and procedures prescribed in the act, but also that that responsibility will be discharged.

It is one thing to lay the responsibility on someone or upon a company, it is another thing to verify and ascertain that there has been compliance within the statute which is used to govern their activities and their imports.

Mr. President, that is the explanation of the amendment which I should like to make at this time. I yield back the remainder of my time but would be happy to respond to any questions.

Mr. MILLER. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Iowa.

Mr. MILLER. The amendment which has been offered by the Senator from Nebraska, myself, and the Senator from Wyoming [Mr. HANSEN] and others, does not do anything which is not intended to be done by the act. This was brought out during extended discussion of the import situation on yesterday.

Although the amendment is designated to go elsewhere in the bill, it really fits with the language on page 20 of the bill which states in part:

SEC. 20. (a) No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with [the inspection and other requirements prescribed by regulations of the Secretary to assure that the imported articles have been prepared under requirements substantially equivalent to those applicable to the comparable domestic articles, and otherwise to effectuate the purposes of this Act] *all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States.*

That language is very clear. The committee report states further that while we did not intend to belabor the taxpayers of this country by stationing inspectors on a carcass-by-carcass basis overseas, we do intend that the foreign country enforce inspection and other requirements with respect to the preparation of products at least equal to those applicable to our own. That is our intention. There is only one department that can carry out that intention and that is the Department of Agriculture.

I should like to ask the Senator from New Mexico [Mr. MONTOYA] if the pending amendment does not really fit in with our intention in connection with the language as quoted on page 20 of the bill, where we say that the articles are not going to be imported unless they comply with all the inspection and other requirements—if it is not our intention that the Secretary must determine and certify that they do so comply; otherwise, they will not come in.

Mr. MONTOYA. Let me say to my good friend from Iowa that the obligation they comply is a positive obligation. The Secretary, and no one else, must make that determination. It is implied in the language of the bill. He is the one who must satisfy himself that the standards are adhered to, and that all the requirements prevailing in the United States are adhered to by those who seek to export meat to the United States. The Secretary of Agriculture must reach that determination.

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[1] Effective dates for the Wholesome Meat Act:

The provisions of this Act shall become effective upon enactment except as provided in paragraphs (a) through (d):

(a) The provisions of paragraph (b)(1) and (c) of section 10 and the provisions of section 20 of the Federal Meat Inspection Act, as amended by sections 7 and 10 of this Act, and the provisions of section 18 of this Act repealing paragraph (b) of section 306 of the Tariff Act of 1930, shall become effective upon the expiration of sixty days after enactment hereof.

(b) The provisions of title I of the Federal Meat Inspection Act, as amended by this Act, shall become effective with respect to equines (other than horses) and their carcasses and parts thereof, meat, and meat food products thereof upon the expiration of sixty days after enactment hereof.

(c) Section 11 of this Act, amending section 23 of the Federal Meat Inspection Act, shall become effective sixty days after enactment hereof.

(d) Section 204 of the Federal Meat Inspection Act, as added by section 14 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

Mr. MILLER. Unless he does, they simply do not come in.

Mr. MONTOYA. That is correct.

Mr. MILLER. The pending amendment fits with that concept, in that it requires a report on the activities of the Department to implement his very part of the bill; is that not correct?

Mr. MONTOYA. That is correct.

Mr. MILLER. I thank the Senator from New Mexico. I also thank the Senator from Nebraska for yielding to me.

Mr. HRUSKA. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 additional minutes.

Mr. HRUSKA. I should like to ask the Senator from New Mexico, is it not true that title 19 of the United States Code, section 1306, is now the basis for the Secretary of Agriculture to govern on the import of meat products.

Mr. MONTOYA. That is correct. The existing law is found in that section of the Tariff Act of 1930.

Mr. HRUSKA. So that the act, together with the regulations which the Secretary of Agriculture is authorized to make to carry out the purposes of that Tariff Act, is the basis which has been in effect up until now?

Mr. MONTOYA. That is correct.

Mr. HRUSKA. This section is repealed by the pending bill?

Mr. MONTOYA. Yes.

Mr. HRUSKA. That is, the Tariff Act section.

Mr. MONTOYA. And the section on importation that we have in the bill supplants it.

Mr. HRUSKA. Supplants it. So that, really, what is happening, in large measure, is that some of the authority which the Secretary had by way of following the regulations which he himself is promulgating, is now within this form rather than in the regulations?

Mr. MONTOYA. That is correct.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I should like to have about 5 minutes on the bill or I will submit an amendment, whatever my colleagues choose.

Mr. President, I should like to ask the Senator in charge of the bill some questions about the amendment.

I might say to him that my reason for the questions is that there are pending some bills to impose a quota system which I consider to be protectionist bills, not only on meat but also on other products. There is quite a big struggle going on in the country about them. I should also like to point out to my colleagues that we complain very bitterly in terms of other countries and many European countries who are not in the meat business particularly, but automobiles, for example, with no tariff barriers to trade but they claim a road tax on foreign automobiles in certain European countries, which is quite nettling to us in the United States.

In view of the fact that this is an amendment dealing with imports, and that there is this great struggle going on here, I should like to ask the Senator from New Mexico if he would be kind enough to reply, and the Senator from Nebraska [Mr. Hruska], also, if he chooses to respond in any way, or to say anything about it to the following questions: All that I want is assurance that this is not a protectionist amendment, but is legitimately designed to implement the provisions of law. As I understand it, the Secretary of Agriculture today has regulations which are substantially to the same effect as those contained in section 20 of the bill before us, and those that would be reported on under this amendment.

Mr. MONTOYA. Yes. As I understand the present law, the Secretary's authority is derived, as was stated a few minutes ago, from a provision of the Tariff Act, which gives him ample authority to provide inspection procedures for imported meat. In addition to this—which we did not mention—the Food and Drug Administration can step in and examine this food as it reaches our shores at the port of entry. There is ample authority in the Food and Drug Act to vest the Secretary with additional inspection procedures and authority therefor.

The amendment here, as offered by the Senator from Nebraska, in my opinion is merely a restatement of a provision that is already in the bill, but directed and pinpointed specifically to imports.

I refer the Senator from New York to page 47, section 17, which I ask unanimous consent to have printed at this point in the Record.

There being no objection, the section was ordered to be printed in the Record, as follows:

Sec. 17. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of animals subject to this Act, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of establishments operated in connection therewith, including the operations under and effectiveness of this Act.

Mr. MONTOYA. This is the annual reporting provision which applies to the inspection provided for in this bill.

The amendment offered by the Senator from Nebraska is pinpointed to the import provision, which I think is already covered, but to which I offer no objection anyway.

Mr. JAVITS. The other question is this. I notice the word "certification" is used in clause 1, subsection (e) in the amendment, referring to certification by the Secretary. Is that a certification which he has to make now, or is that some new certification?

Mr. MONTOYA. On that, I defer to the Senator from Nebraska [Mr. Hruska].

Mr. HRUSKA. Mr. President, we were told yesterday in debate that there are 1,800 licensed producers of meat in 38 nations scattered all over the world that are qualified and eligible to send their meat products into this country. It is my understanding this is a license. If not technically so, it is certainly a license in fact, because until they satisfy the Secretary of Agriculture that they are eligible, they cannot bring their meat in. So I presume the procedure is very much that which is followed by the Secretary of Agriculture on import licenses on other commodities.

Mr. JAVITS. I notice the word "licensed" in clause 1, wherein it states, "names and locations of plants licensed or otherwise authorized to import."

Is there any licensing system that the author knows of?

Mr. HRUSKA. I do not know what the regulations provide, to be frank. That is why the language of the amendment is general in that character. We can use the word "permit" or "permitted," but when the words "licensed or otherwise authorized" were used, it was felt that covered the entire situation.

Mr. JAVITS. What I am concerned about is that the amendment may be directing an entirely new system of licensing and certification which does not exist today.

Mr. HRUSKA. That is not being attempted.

Mr. JAVITS. May I suggest that it might be best to change the word "licensed" to "permitted," so that it refers to "names and locations of plants permitted to import into the United States," because otherwise the amendment might raise a serious question, and if there is no licensing scheme which is known at the time we adopt the amendment, we either assume one exists or we create one. If that is not our intention, let us not put it into the law.

Mr. HRUSKA. The language of the amendment is in the alternative; it is not in the conjunctive—"either licensed or otherwise authorized." The regulation power of the Secretary of Agriculture, as I understand, would continue.

Mr. JAVITS. I understand, but if we know of no licensing system, why should we include the word licensed in this amendment? If we know of no licensing system, then are we not importing something that is not so?

Mr. HRUSKA. Very well. I would have no objection if this section of the amendment would read, "names and locations of plants authorized or permitted to import into the United States."

Mr. JAVITS. That would suit me.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the amendment be modified accordingly.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield so that we might ask for the yeas and nays on the bill?

Mr. JAVITS. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, do we also understand by the use of the word certification that we are not implying some new system of licensing, et cetera, but we are seeking to implement the provisions of law which are contained in 20(a), as the Senator from New Mexico [Mr. Montoya] said, and in the reporting section which is contained in section 17 on page 47?

Mr. HRUSKA. Mr. President, if the Senator will yield, that subject and point were dealt with in a colloquy had between the Senator from Iowa and the Senator from New Mexico, and that is the fact.

Mr. JAVITS. Then, that is correct.

The Senator from Nebraska [Mr. Hruska] is always reasonable and honorable in his approach.

I would like to ask the Senator from New Mexico [Mr. Montoya] whether, in his judgment, this amendment carries out the intent to be an implementation of the scheme of regulation contained in the law and will not be in fact some form of dealing with an import quota or any limitation of a tariff character, rather than a real sanitary regulation.

Mr. MONTOYA. It is my opinion that it will not because, from the discussions we have had with the Department, they were going to require adherence to this type of regulation, anyway. They were going to impose equal responsibility upon the foreign producer as they do upon the domestic producer. So I do not think there is any leaning toward prejudicial treatment with respect to the one who exports to this country.

Mr. JAVITS. Finally, may I ask the Senator if, as sometimes turns out, we find other implications in this amendment than we can read into it here on the floor, would the Senator be willing to tell the Senate that he would be willing to take that fact into consideration in conference, because this is a new amendment?

Mr. MONTOYA. I will.

Mr. HRUSKA. Mr. President, if the Senator will yield, the amendment which the Senator from Nebraska proposes simply requires that the Secretary of Agriculture report what he does under section 20 of the new act. That is all it does. It seems to me that is information which the Senator from New York would very much like to have, because if there are any shenanigans, if there is any chicanery being resorted to, they will show up in the report made by the Secretary of Agriculture.

Mr. JAVITS. I thank my colleague for his explanation. I think we have straightened the matter out in colloquy.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MONDALE. I think the point made by the Senator from New York is well taken. The question of whether there ought to be quotas on imported beef is irrelevant——

Mr. JAVITS. To this bill.

Mr. MONDALE. Yes. What we were seeking to do here—and I think it is proper on several grounds—is to assure that the American consumer of meat imported from foreign countries shall be from plants having slaughtering and processing standards at least equal to those we now have in interstate plants, and it was not intended, and it should not be implied that we intended, to have some sub rosa quota system parading under the title of sanitation.

That is quite apart from the question of whether there ought to be a quota system, but it should not be inferred that there is any such system.

In Minnesota when we try to sell our milk elsewhere we run up against standards imposed by other States, particularly in the east, so I am quite well aware of that distinction.

So I am quite aware of the critical nature of that distinction.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HRUSKA. As one of the principal sponsors of meat import quota legislation, may I suggest to the Senator from New York that this amendment is not, nor is section 20, as far as I am concerned, being sponsored as, nor is it intended to be, a pretext for reducing imports of meats into this country for any other reason except those reasons set forth in section 20, to require compliance with the same standards of production and handling of meat as required of domestic processors. I think the language is very explicit on that point.

I might say in addition that from time to time, in debate and discussion of meat import quota bills, questions arise as to what assurance, if any, we have that these imports are high quality products, that they are wholesome, that they are produced under proper sanitary conditions, and so forth. My response to that is that such requirements have always been a section in the Tariff Act, together with a citation of the regulations issued by the Secretary of Agriculture. This will be a new citation in answer to the same question.

Mr. JAVITS. I thank the Senator. I yield to the Senator from Iowa.

Mr. MILLER. Mr. President, let me add a footnote to what the Senator from Nebraska has said.

The Senator from New York knows that he and I differ on the matter of quotas for meat imports. But I do wish to affirm that there is nothing in this measure, nor in the intention behind it, that has anything to do with that type of protectionism—assuming that that is a correct word to use with respect to a quota bill. It does have to do with protectionism, may I say to my friend from New York, in the sense of protection of the American consumer. But there should be no difficulty as far as our trading partners are concerned, because we are not seeking here to establish any higher standards for imported meat than for our own domestically produced meat. If some countries or some plants should feel aggrieved because they have to match those standards to protect the American consuming public, and they wish to retaliate by requiring that the U.S. exports to their country meet the same standards that they have for their country, I think we ought to be ready, willing, and able to meet such challenges.

But that has nothing to do with import quotas.

Mr. JAVITS. I thank the Senator.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I just want to get into this question very briefly, to state that Kansas has a statute which requires the labeling of all imported meat sold through retailers. That act was passed during a 1964 special session of the legislature, and is found at Statutes 65-6a 12.

I ask unanimous consent that that section of the Kansas statutes be printed in the Record as a further contribution to the discussion of the labeling of imported meats offered for sale over the counter.

There being no objection, the statute was ordered to be printed in the Record, as follows:

65-6a12. Labeling of imported meats, poultry, eggs and butter offered for sale. Every retailer who sells or offers for sale in the state of Kansas through a meat market, store or otherwise, any meats, either canned, frozen or cured, or any poultry, eggs or butter, which are the products of any country foreign to the United States, shall clearly label such meat, poultry, eggs or butter as "imported," naming the country of its origin, which labeling shall be in lettering not less than one-half inch in height. As used in this act: (*a*) The word "retailer" shall mean a person regularly engaged in the business of selling meat, canned, frozen or cured, or poultry, eggs or butter, at retail to the trade and public as such, and selling only to the user or consumer and not for resale; (*b*) the word "meat" means the dressed flesh of cattle, swine, horses, sheep or goats but shall not include fish or products of fish. [L. 1964, ch. 7, § 1 (Special Session); July 1.]

Mr. JAVITS. I have one further question for the manager of the bill.

I note that the bill, as to most of its provisions, is to take effect within 60 days after its passage. Would the Senator from New Mexico be willing to assure the Senate that if it is found that the adaptations necessary to comply with this paragraph concerning requirements of foreign producers, cannot be carried out within that period without prejudicing materially the import policy of the country or adversely affecting producers, consideration will be given to the question of time for phasing in? We are dealing a little bit in the dark here, because we do not have the industry views on the matter. There might be a problem in bringing this into being without destroying or disrupting what is going on now.

The danger which I should like to point out to the Senator, which concerns me, involves the Kennedy round, which, as we all know, is a large and very delicate undertaking. I should not wish us to suddenly pass something which could imperil that effort. The Senator will find out about that when he goes to conference. At least let us have the understanding that we are agreeable to an open view on the question of phasing in of what may be required under this amendment, should that be indicated by the policy of the country.

Mr. MONTOYA. Mr. President, I am sure the conference would certainly give consideration to that matter. But I am sure also that it has already been fully considered by the Department of Agriculture.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MONTOYA. I yield 2 additional minutes to the Senator from New York, and I say to him that this provision was thoroughly discussed in committee. I am sure the Department has given consideration to the time aspect within which they may set in operation the requirements under this section.

Mr. JAVITS. I am thinking now of the proposed amendment, and I just wanted to be sure. When an amendment is agreed to on the floor, there is a great tradition in public life that you never see the abyss at your feet, but always the one down the road. I do not wish to stand in the way of the assurances which have been given, but I did want to be sure we are not locked in, so that the conferees could not move, if it should be found that the amendment contradicts the basic policy or the interests generally of the country, but that it would be understood by all concerned that while principle is accepted its implementation must depend on the possibility that we may find implications of which we are not aware at this moment.

Mr. MONTOYA. I am sure the Senator from New York has very adequately, in his usual eloquent way, landmarked the objectives we have in mind with respect to this amendment. I am sure the fears which he has brought into the discussion are very adequately allayed by the dialog which has taken place.

Mr. JAVITS. I feel that way, too, and I thank the Senator.

I might point out that this is not idle speculation on my part. There is a big problem here between the consumers' interests and the processors' interests, of fairness and equity as well as reciprocity in terms of what we do in the world. No one will fight harder than I against these monkeyshines of nontariff barriers. In my judgment, the best posture for us to fight them elsewhere is to try to avoid them as much as possible ourselves.

So for both reasons—first, because the consumer has a burning interest in imports which tend to give him an element of competition in this country in respect to price, service, quality, and so forth; and second, because of the tremendous web of international trade which is involved in meat, a very important commodity. I am glad we have had this colloquy.

I am obliged to the Senator from Nebraska for making the modification in the amendment, and I am reassured as to the way in which this matter is now to be handled.

Mr. MILLER. Mr. President, I yield myself 2 minutes.

One thing should be made clear as a result of this colloquy: While there is no intention to establish what are sometimes called nontrade barriers, because the intent, the language, and the entire legislative history of the bill indicate that we are merely trying to have uniformity among not only domestic producers—but also exporters to this country—no higher or lower standards for foreign exporters than for domestic producers—still, because of the increased requirements that will be established by the act, some domestic producers will find that their costs of production will rise, because they will not otherwise be able to meet the standards of quality and sanitation for American consumers.

By the same token, it would be rather surprising if some foreign exporters did not find that their cost of production had increased, because unless they can meet the new standards, they will not be able to export to the United States.

This is an equal-standards proposition. The sole objective is to protect the American consuming public. I hope that that is clearly understood. If anyone should suggest that the bill might tend to undercut the Kennedy round, he had better begin to do his homework, because nothing in the Kennedy round indicates that we cannot establish standards for the protection of quality and sanitation of meat products for American consumers. If the bill provided higher standards for imported products than for domestic products, that would be something else. But it does not do anything of the kind, and it is not intended that it should.

Mr. JAVITS. Mr. President, as I have said before, I think that the colloquy has made clear the intent of the bill, because we have had no hearings on the amendment. I am satisfied that the manager of the bill will in good faith seek to carry out the basic thrust and intent, which are to implement rather than to add to the terms of the bill.

EFFORT OF COMMITTEE ON FOREIGN RELATIONS TO HOLD PUBLIC HEARINGS WITH TESTIMONY FROM SECRETARY OF STATE RUSK ON U.S. POLICIES IN SOUTHEAST ASIA

Mr. GORE. Mr. President, will the Senator from New Mexico yield 5 minutes to me?

Mr. MONTOYA. Mr. President, I yield 5 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, I ask unanimous consent that I may speak on a nongermane subject and to have printed in the Record certain letters.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, I wish briefly to lay before the Senate the record of the effort of the Senate Foreign Relations Committee and its chairman, Senator Fulbright, to hold a public hearing with testimony from the Honorable Dean Rusk, Secretary of State, on U.S. policies in Southeast Asia and in Vietnam particularly.

It was nearly 2 years ago, on February 18, 1966, that the Secretary of State last appeared before the Committee on Foreign Relations in public session to discuss these policies with it and with the American people. At that time, the Senate will recall, there was a most fruitful examination of our policies. These hearings were informative and aroused widespread public interest. There was a most favorable public response, because these hearings were education in the best sense of the world.

On a few occasions since February of 1966, Secretary Rusk has been asked questions about our Vietnam policies in public sessions which have been devoted primarily to other subjects such as foreign aid and the Consular Convention with the Soviet Union. The Secretary has refused, however, to discuss policies in Vietnam in public session with the committee, which means that he has refused to testify before the committee in public session and be interrogated by members of the Foreign Relations Committee in public session.

In my view, Mr. President, the people have a right to know what our policies are in Southeast Asia. What are the goals of these policies? Are these goals realistic? For what cause are young men sent to fight and die? Is this truly in our national interest? What more important questions than these should engage the consideration of the committee? Upon what graver subjects should there be public communication between the executive and legislative branches? How can either the President or the Senate discharge their respective responsibilities to the American people without incisive public examination of these policies and questions?

It might be well to note, Mr. President, that Secretary Rusk, Ambassador Bunker, and General Westmoreland have been interrogated on television. Indeed, Secretary Rusk has been interrogated at press conferences, by students at university appearances, on television, both foreign and domestic. I do not criticize this. Indeed, such appearances are commendable, but they are neither to be compared in probative value nor substituted for the constitutional responsibilities involved in public testimony at which responsible and informed Senators can question and examine responsible executive officials on the validity of vital policies of war or peace.

A student arising from an auditorium may be allowed one question and be given a brief answer. A reporter at a press conference may be shushed with a no comment reply, but in testimony before the Senate Foreign Relations Committee, clothed with both constitutional duty and powers, the questions can be examined more incisively. The questions both require and deserve careful and thorough examination and, always consistent with national security, need to be examined to the fullest extent in the full view of the American people.

Mr. President, there have been a number of letters exchanged between Senator Fulbright, chairman of the Senate Foreign Relations Committee, and Secretary of State, Dean Rusk.

I list the efforts the committee has made to persuade the Secretary that such an appearance would be in the public interest.

On December 21, 1966, the chairman of the committee, Senator Fulbright, wrote Secretary Rusk inviting him early in 1967 and at his convenience to meet with it to discuss "the progress of the pacification program in Vietnam, recent developments in Mainland China and their relation to the war in Vietnam, our military and economic activities in Thailand" and certain other subjects. That letter expressed the "hope that this first meeting of the 90th Congress could be in open session because all of these subjects are of great interest to the American people." The letter stated explicitly that "there may be questions that you will not be able to answer in open session and the committee will therefore make arrangements for an additional closed session if necessary."

On December 30, 1966, Secretary Rusk replied to the committee stating that he would "be very happy to meet with the committee at any time" and that he looked "forward to a thorough review and discussion of such matters as the members may care to raise."

The letter from Secretary Rusk continued, suggesting that "my first meeting with the committee be in executive session," in accord with previous practice. This executive session, wrote the Secretary, "could be followed, if the committee wishes, by a public meeting at a convenient time." He continued:

> I fully agree that the great issues of American foreign policy are of interest to the American people as a whole, and I am glad to cooperate with the Committee's effort to facilitate public discussion and understanding.

The committee accepted that suggestion, and on January 16, 1967, Secretary Rusk met with the committee in secret session to discuss the general world situation. At that meeting the Secretary was agreeable to a subsequent public appearance and the date of January 23, 1967 was set for that meeting.

Shortly prior to January 23, however, Secretary Rusk asked the chairman of the committee to change the subject of the public session so that it could be devoted to testimony on the Consular Convention with the Soviet Union. That change was accepted by the committee. I might note parenthetically, however, that this was the second go-around on the subject of the Consular Convention. The committee had held hearings and favorably reported the Consular Convention the previous session, but no action was taken by the Senate, thus requiring the hearing and reporting process to be repeated in the new session.

Be that as it may, subsequent efforts made at the staff level to arrange for the Secretary to meet with the committee at a convenient time and in public were not fruitful.

Finally on April 27, 1967, the chairman of the committee wrote to Secretary Rusk as follows:

April 27, 1967.

The Honorable Dean Rusk,
Secretary of State.

Dear Mr. Secretary: You will recall that earlier this year the Committee on Foreign Relations requested you to appear in public session to discuss the role and responsibilities of the United States as a great power, but you were unable to accept those invitations.

In view of the important events which have taken place since then, would you be willing to appear in public session for a general discussion of our foreign policy, with special attention to Southeast Asia, on Tuesday, May 2, or Tuesday, May 9? It would be helpful to the Committee and to the public understanding of our policy if you could arrange to be with us.

Very truly yours,

J. W. Fulbright.

On May 2, 1967, Secretary Rusk replied to the chairman as follows:

May 2, 1967.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations, U.S. Senate.

Dear Mr. Chairman: Thank you for your letter of April 27.

I would be glad to have a general discussion of our foreign policy, with special attention to Southeast Asia, with the Foreign Relations Committee. It seems to me, however, that the value of such a discussion could be greatly enhanced if it were held in *Executive session.* It is not easy for the Secretary of State to discuss particular situations in particular countries in public without risking considerable damage to our foreign relations. A public session would carry with it, therefore, many of the inhibitions which attend a press conference. An *Executive session would permit a candid exchange of views and could be valuable,* it seems to me, both to the Committee and to myself. I would see no objection to a mutual review of the transcript of an Executive session to determine whether substantial portions of it might be made public.

If the procedure is agreeable with the Committee, I would be pleased to appear on Tuesday, May 9, or Tuesday, May 16, whichever would be more convenient for the Committee.

With every good wish,
Sincerely yours,

Dean Rusk.

And on May 3, the chairman replied as follows:

May 3, 1967.

The Honorable Dean Rusk,
Secretary of State.

Dear Mr. Secretary: In reply to your letter of May 2, the Committee will be very pleased to have you in Executive Session on May 16 at 10:00 AM.

I regret that you do not wish to appear in public session, as I think the general public would benefit very much by a discussion of our present situation.

With best wishes, I am,
Sincerely yours,

J. W. Fulbright.

There the subject rested until October 12, 1967. At that time the chairman wrote to Secretary of State Rusk as follows:

October 12, 1967.

The Honorable Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: In view of recent discussion on the Senate Floor regarding the need for public enlightenment with respect to our policies in Vietnam, I take this occasion to renew my past invitations that you appear before the Committee on Foreign Relations in public session to discuss issues raised by our policies there.

I would be very happy to consult with your staff to work out an appropriate time for your appearance.

Sincerely yours,

J. W. Fulbright,
Chairman.

On October 19, 1967, Secretary Rusk replied to the chairman as follows:

October 19, 1967.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations, U.S. Senate.

Dear Mr. Chairman: Thank you for your letter of October 12 in which you suggested I appear before the Committee on Foreign Relations in public session to discuss issues raised by our policy in Vietnam.

For the reasons I have mentioned to you in earlier exchanges, I believe our meeting would be of greater value and, at the same time, run less risk of damaging our foreign relations in this critically important time if it were held in executive session. An executive session would, of course, permit a more candid exchange of views which I believe would be valuable both to the Committee and to myself.

Following such a meeting I think it would be useful for us to review the transcript in order to reach agreement as to whether substantial portions of it could be made public. As you know, this procedure has been used many times in the past, and, it seems to me, would best meet the Committee's and our requirements.

With all best wishes,
Sincerely,

Dean Rusk.

Not satisfied with the Secretary's letter of October 19, the full Committee on Foreign Relations discussed the subject at its business meeting of October 31. At that meeting I took the position, and so moved, that the Committee on Foreign Relations should instruct its chairman to communicate directly with the President of the United States, expressing the concern of the committee at the refusal of the Secretary of State to meet with the committee to discuss with it in public session the American involvement in Southeast Asia.

I withdrew that motion, however, when another member suggested a course of action which I thought reasonable; namely, that the Secretary of State be invited to meet with the committee to explain why he was refusing to appear before the committee.

On October 31, therefore, the chairman of the committee, acting on the basis of its instructions, addressed the following letter to Secretary Rusk:

October 31, 1967.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: The Committee on Foreign Relations has discussed your October 19 response to our letter of the 12th which invited you to appear before the Committee in public session to discuss issues raised by our policies with respect to Vietnam. Particular attention was given to your belief that you should instead appear at an executive session.

The Committee has agreed to invite you to attend an executive session designed primarily to elicit and consider your reasons for preferring to avoid a meeting with Committee members before the public. At that session there would, of course, be ample opportunity for substantive discussion about Vietnam policy and other issues.

Assuming your concurrence, Mr. Marcy of the Committee staff will contact Assistant Secretary Macomber to determine an appropriate time for the meeting.

Sincerely yours,

J. W. Fulbright, *Chairman.*

On November 1, Secretary Rusk replied to the chairman as follows:

November 1, 1967.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations, U.S. Senate.

Dear Mr. Chairman: I will be pleased to attend an Executive session of the Committee on Foreign Relations as discussed in our recent correspondence.

As you suggest, I will ask Mr. Macomber to arrange with Mr. Marcy a mutually convenient time for the meeting.

Sincerely yours,

Dean Rusk.

On November 7, Secretary Rusk met with the Committee on Foreign Relations and for more than 3 hours discussed not only his reluctance to appear before the committee, but some aspects of American involvement in Vietnam.

At the end of that hearing the Secretary indicated that he wanted further time to consider whether he would comply with the committee's request for a public hearing on Vietnam and, when pressed for a time by which he might decide whether to comply with the committee request, he said he would reply promptly.

Mr. President, that commitment was made on November 7. It is now November 28, 3 weeks later.

Since February of 1966, no member of the administration has been willing to meet in open session with elected representatives of the American people to discuss the subject of Vietnam.

This fact speaks for itself.

The Constitution clearly places the President of the United States and the U.S. Senate in a position of limited partnership with respect to U.S. foreign policy, its formation and its conduct. What other meaning can be assigned to the provisions for advice and consent, provisions for the Armed Forces, ratification, confirmation, et cetera? The Secretary of State is an agent of the President in this field; the Senate Foreign Relations Committee the agent of the U.S. Senate.

I believe it is a matter of national importance that an equation of comity and mutual responsibility between the President and the Senate be preserved and promoted. It is for this reason that I have been patient, but pressing. I believe it is for this reason that the Senate Foreign Relations Committee has been patient, but pressing. I hope that before the meeting tomorrow the committee will have an affirmative reply from Secretary Rusk. If not, it is my purpose then to renew my motion to instruct and authorize the chairman of the committee to communicate directly to President Johnson the committee's concern over the threatened breakdown in communication and public dialog between the Executive and the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. RODINO, Mr. ROGERS of Colorado, Mr. MACGREGOR, and Mr. MCCLORY were appointed managers on the part of the House at the conference.

FEDERAL MEAT INSPECTION ACT

The Senate resumed the consideration of the bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

Mr. MONTOYA. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 1 minute.

Mr. MONTOYA. Mr. President, the Senator from Nebraska and I have discussed his amendment. We also discussed it before it was offered, and, we have been discussing it since it has been offered.

In view of the colloquy that has taken place and the discussions that we have indulged in, I am willing to accept the amendment on behalf of the committee.

Mr. President, I yield back the remainder of my time.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment, as modified, of the Senator from Nebraska.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HANSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. MONTOYA. I yield 5 minutes to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I will vote for the pending legislation. Before doing so, however, I wish to make clear my interpretation of the bill as reported by the Senate Committee on Agriculture.

Yesterday, a stimulating debate was entered into on the Senate floor by Senator MONTOYA, Senator MONDALE, Senator MILLER, Senator HRUSKA, and myself, concerning Federal inspection of foreign meats which are imported into this country. I will not deal further with that question today.

Another question remains to be clarified, however, after a study of the Senate committee's report. This question centers around Federal-State regulation of intrastate products. In my opinion, the Senate committee, in its report, failed to adequately define interstate commerce. We are forced, therefore, to go back to the clear action taken by the House Committee on Agriculture, when it met the commerce question head-on.

Reading from the House committee report, on page 3, I note that—

> As the committee developed this legislation it found three basic approaches available to meet the need for adequate consumer protection.
>
> *The first alternative* was to expand Federal inspection services to all intrastate slaughtering and processing facilities. This approach would have eliminated State inspection programs and assigned the responsibility for strictly State and local health protection exclusively to the Federal Government. *The committee rejected, by a 29-to-5 vote, a substitute bill which would have given the Federal Government direct inspection authority over a large area of the intrastate slaughter and processing of meats by assuming that any persons, firm, or establishment doing more than $250,000 annual business within a State would have substantial effect on interstate commerce, regardless of whether the product moved across a State line.* * * *

In supporting this bill, it is my view that State regulation of intrastate activity should remain intact. The Secretary should be under no illusion that his power to regulate extends to intrastate plants where such plants are properly covered by State regulations which are at least equal to the Federal inspection system. The Secretary's regulatory activity, therefore, should extend only to those States which fail to develop an inspection system as set out in the pending bill.

It is my hope that the House-Senate conferees will meet the question of State versus Federal regulatory power in a head-on and forthright fashion. If this is done, much of the confusion which attends the present Senate version of the bill can be dispelled. I am sure that the conferees will agree that there should be no preemption by the Federal Government of the jurisdiction of the States over intrastate commerce, except in the specific areas that I have outlined here.

Mr. MONTOYA. Mr. President, I yield to the Senator from Utah such time as he may require.

Mr. MOSS. I thank the Senator from New Mexico.

I wish to propound two or three questions to the manager of the bill. First, I wish to commend the Senator from New Mexico and the Senator from Minnesota for the fine work they have done in this most important field. It is a field of great concern, because the health of our country must be guarded, and this is a governmental function.

As we become more urban, and as we move around more, there is less opportunity for the individual to take the necessary steps to safeguard the purity of his food, especially meat. So this is a field that certainly requires the attention of government, and it must be brought into focus in order to protect the health of the people of our country. Some of the information that has developed in the course of the hearings and the discussion of this bill would indicate that some problem areas, without doubt, must be corrected.

First, may I ask the Senator from New Mexico whether I am correct in my understanding that the bill applies only to the traditional meat animals—that is, meat that is sold in commercial channels—and that it does not apply to the dressing or processing of game meat, such as deer, elk, and animals of that type.

Mr. MONTOYA. The Senator's understanding is correct. The bill contains a specification as to what animals are encompassed in its provisions, and game animals are not included.

Mr. MOSS. I thank the Senator.

I have had some correspondence with the chairman of the State board of agriculture in Utah, who has expressed some concern about various parts of the bill.

In Utah, we have a system of meat inspection which is administered by the State, and it seems to me that this system is adequate now. The chairman of the agriculture commission is concerned about the many small slaughterhouses that exist in the State. Some of these operate 3 days a week or less, and he is concerned lest the requirements of this bill would so change the conditions that many of these small plants would not be able to meet the requirements and would have to be closed.

Is there an answer to him with respect to this question?

Mr. MONTOYA. Yes. There is no reason for this fear on the part of the Secretary of Agriculture of the State of Utah, because the State of Utah has a mandatory inspection law which, if enforced adequately, satisfies the criteria in the bill and will permit the State of Utah to continue with its State enforcement system, as it is doing at present. The bill specifically provides that this may be done.

If the State of Utah continues with its mandatory inspection system, with enforcement equivalent to Federal enforcement, no provision in the bill would bring these small plants under the Federal inspection system.

However, if the State of Utah does not enforce its State law and permits some of these small plants to sell meat that is not wholesome, the Federal inspectors will catch that plant eventually.

An additional safeguard is provided, in that the Secretary of Agriculture, at the national level, before he brings this violating plant under the Federal inspection system will certify the violations he has found to the Governor of the State and the State advisory committee or whoever the person might be who is in charge of State enforcement for meat inspection purposes, and say to him, first, "Correct what is going on in your State in plant A. This is what we found."

If they do not do it, if they do not have any corrective measures applied, the Secretary of Agriculture under the bill would be obligated to take that plant under Federal inspection not ad infinitum, but until such time as in his discretion he can turn this plant back over to the State with the assurance that adequate local inspection will protect the consumer.

Mr. MOSS. Do I understand from the statement of the Senator that the Federal Government, in determining whether or not the State is doing an adequate job of inspection and assuring wholesome meat, looks to the end result of the product that comes out rather than turning attention on the number of feet of floor space and the physical layout?

Mr. MONTOYA. The Senator is correct. Yesterday we had a colloquy on the floor of the Senate with respect to that proposition and I made a statement that the Secretary of Agriculture has not to this day, although he has the authority, imposed any architectural requirements upon those who are under the inspection system of the Federal Government. It is not the intention of the bill to exact any innovation to conform with architectural requirements on the part of the Secretary of Agriculture.

There is no such requirement in the bill. In fact, there is a legislative history on pages 3 and 4 of the committee report which specifically clarifies this particular point as I have explained it.

Mr. MOSS. Mr. President, will the Senator yield for one other question?

Mr. MONTOYA. I yield.

Mr. MOSS. The bill provides for Federal matching funds to enable States to improve and continue their inspection systems. What is the answer to the criticism leveled that a State really by refusing to do any of this work will then get Federal inspection brought in, paid for entirely by the Federal Government, so that they will get a full 100-percent service in this area without any State money, as against another State, such as Utah, which has an inspection system and now expends $160,000 a year in inspection money? Is there equity there?

Mr. MONTOYA. I may say that there is no other way we can protect the American consumer except the way we are doing it here unless we have mandatory inspection across the board. That is the other alternative.

Under our constitutional form of government, the police power rests in the State governments and the States. We are trying to go in under the interstate commerce clause because we feel the States have not assumed complete responsibility of their police power functions in protecting the consumers of this Nation.

We are saying, in effect, to the States, "While some of you have assumed police powers adequate to protect consumers, we want you to do this and we will help you. We will provide facilities and money on the part of the Federal Government to help you update inspection services for the protection of consumers. But if you do not do it, we are going to go in on behalf of the consumer and do it under the interstate commerce clause."

Actually, a progressive State such as the State of the Senator from Utah, with mandatory inspection, will never see the day when the Federal Government will step in to take it over if it continues to enforce its meat inspection laws.

Mr. MOSS. I concede that this is a rather farfetched hypothetical situation to presume that a State would be so derelict in its governmental function toward its own citizens that it would not be willing to move into this field. However, the question was raised and I am happy that the Senator has answered the question. I am sure that my State wants to continue and that it will continue in this field, and Federal supplementary financial aid would be welcomed by the State. I would not suppose there would be any States which would refuse entirely to bear their fair share.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MOSS. I am glad to yield to the Senator.

Mr. MONDALE. We had tried to deal with this problem in the deliberations in connection with the bill because we really had three alternatives available to us if we begin with the position that there could be no compromise with Federal health. First, we could immediately impose a Federal inspection system on all meat processed, which was my proposal; second, we could give the States the opportunity to continue to maintain jurisdiction over intrastate plants if they maintained a system at least equal to the Federal system, which was the proposal of the Senator from New Mexico [Mr. MONTOYA]; and third, we could force them to do so without any help whatsoever. A legal tool could be devised to require that.

It seems to me that what some States are saying is that none of those systems is adequate. It is a fine debating point, but no matter which way we moved, we found ourselves with some logical difficulty.

Under the proposal here today, it is possible for the State to say, "Why should we assume our responsibility and pay one-half of the cost for an inspection system when by waiving the time, we can have the Federal Government come in and do it at their expense."

Our first assumption is that most States have more pride than that. Most of them will take the help offered to do a good job. Speaking only for myself, if we find some States have so little respect for their State systems, that they waive it, we should take another look at it, so that we are not rewarding those States that do not have the pride I think they should have in their own jurisdictions.

The reaction of my State has been one of basic approval, except for the Governor. They feel as do most States, that the aid we are offering here will give them the tool they need. Their attitude has not been, "We will give up."

Mr. MOSS. I thank the Senator. I commend him and the Senator from New Mexico for their leadership. I support the bill before us.

Mr. President, I yield the floor.

Mr. MONTOYA. I thank the Senator from Utah.

Mr. MANSFIELD. Mr. President, I have one question and then, if the Senator will yield, I wish to propose a unanimous-consent request.

Mr. MONTOYA. I yield.

Mr. MANSFIELD. I think I know the answer to the question I shall ask because I have discussed it with the distinguished Senator from New Mexico [Mr. MONTOYA], the manager of the bill, and the distinguished Senator from Minnesota [Mr. MONDALE], who is the cosponsor of the bill now before us. However, I think it would be well to have the answer in the RECORD.

I am in receipt of a telegram from Buren Bonine, Miles City, Mont., which reads as follows:

> Please make sure Federal meat inspection bill presently before the Senate includes imported meat.

Would the Senator care to make comment for the RECORD on that question?

Mr. MONTOYA. Yes. We have in the bill a very strong provision with respect to imported meat which varies from the existing authority which the Secretary of Agriculture has under the Tariff Act. We have also adopted an amendment this morning which would require the Secretary of Agriculture to file an exhaustive and complete report with respect to imported meat.

Mr. **MANSFIELD**. That is very satisfactory.

Will the Senator now yield so that I may propound the unanimous-consent request?

Mr. **MONTOYA**. I yield.

UNANIMOUS-CONSENT REQUEST

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the vote on the pending measure take place at 2:15 this afternoon.

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). Is the Senator asking that rule XII be suspended for that purpose?

Mr. **MANSFIELD**. Yes; that the rule be suspended.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MANSFIELD**. I thank the Senator for yielding.

The **PRESIDING OFFICER**. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The **PRESIDING OFFICER**. Pursuant to the unanimous-consent agreement entered yesterday, the Committee on Agriculture and Forestry is discharged from further consideration of H.R. 12144. The Senate, under the agreement, will now proceed to the consideration of H.R. 12144, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

Mr. **MONTOYA**. Mr. President, I move to strike out all after the enacting clause and substitute the language of S. 2147, as amended, therefor.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to, and the Senate proceeded to consider the House bill.

The **PRESIDING OFFICER**. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The **PRESIDING OFFICER**. The Senator from New Mexico has the floor.

Mr. **MONTOYA**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **BYRD** of West Virginia. Mr. President, I rise in support of the bill now before us. There can be no question of the value of proper and effective inspection of all meats that are to be sold to the public for human consumption.

Just the other day I read of some 70 persons in a South American country who were killed by food poisoning because a pesticide had accidentally fallen onto flour that was used for bread.

The same sort of massive outbreak of food poisoning, sickness, disease, and death could occur in this country whenever sick or diseased animals are permitted to be slaughtered and then sold for food.

Federal officials now inspect all meat which is shipped across State lines. This accounts for about three-quarters of all the meat sold in the United States.

However, the other 25 percent is not inspected by Federal authorities. And, in seven States it is not inspected by State authorities. Twelve other States, as the Senate report on this bill points out, have only voluntary inspection laws. And, we are informed by the Department of Agriculture, that no State has an adequate enforcement program.

The bill now before us will aid those States which do have meat inspection laws to more speedily and effectively carry out their statutes. The bill will also encourage those States which do not have such laws to pass them as speedily as possible.

Further, the provisions of this bill will give the various States up to 3 years to bring their laws and inspection standards up to those set by the Federal Government. I feel this is a fair compromise.

To require immediate compliance with all Federal standards would impose an enormous burden on the meatpacking industry; and

It would work an extreme hardship on those packing plants whose owners would be more than willing to bring their operations into line with the new laws if only they were given sufficient time to do so.

So, this bill allows them 2 years to comply. Yet, I feel, it does not compromise the public's need to be assured that meat products bought are pure and safe and wholesome.

For it provides Federal inspectors the authority to inspect and regulate those plants which ship food that is clearly dangerous to the public.

I would like to add that I am proud that my State of West Virginia is one of the 29 States which have been farsighted enough to enact legislation calling for the mandatory inspection of meat. In matters of this nature, we can never be too careful.

In conclusion, I wish to commend the Senator from New Mexico [Mr. MONTOYA] and the Senator from Minnesota [Mr. MONDALE] on the good work they have performed and the excellent leadership they have demonstrated in bringing this important bill to the floor. I thank them for a job well done.

Mr. **BREWSTER**. Mr. President, as an original cosponsor of Senator MONTOYA's bill, S. 2147, I wish to voice my support for the bill as amended by the Senate Committee on Agriculture and Forestry. This measure not only insures the States' right to act, but encourages their action. In addition, it authorizes the Federal Government to financially participate in State meat inspection programs.

It is shocking that seven States, including my home State of Maryland, have no statewide meat inspection laws. This fact was pointed up when Joseph Anastasi, president of the Maryland Junior Chamber of Commerce, testified before the House Subcommittee on Livestock and Feed Grains. He pointed out that only 26 out of 175 meatpacking and processing plants in Maryland were under Federal inspection. He went on to report that approximately 32 percent of the animals slaughtered in Maryland for human consumption were slaughtered by plants that did not operate under Federal inspection.

The Legislative Council of Maryland's General Assembly recently considered a State meat inspection program which it will recommend to the legislature for action next January. This undoubtedly represents a positive forward step.

The legislation we are considering here today would authorize the Federal Government to financially assist Maryland, or any other State, in the development and operation of its own inspection program.

So far, I have only referred to that section which has generated the most discussion and publicity. Equally important, however, are those provisions which revise and clarify the Federal Meat Inspection Act. This law, enacted by the Congress 61 years ago, has only had one minor amendment during those intervening years while the meat industry has changed radically in both size and structure.

I believe the Senate should support the committee's recommendations so that the American housewife may continue to purchase federally inspected meat secure in the knowledge that it will be safe for her family to eat. At the same time, this measure will effectively close existing loopholes that permit spoiled or diseased meat products to reach the shelves of the neighborhood grocery store.

Mr. **KENNEDY** of New York. Mr. President, I rise in support of the strengthened Montoya-Mondale bill. Updating and strengthening of meat inspection regulations are long overdue.

Congressional hearings and other public attention to the problem have shown us that too many Americans can still buy unwholesome and unsanitary meat in the grocery store where they regularly shop. The approach reflected in the legislation before us is careful and reasonable. By its enactment we will take a large step toward eliminating a health hazard which endangers too many American consumers.

INSPECTION OF BEEF FOR THE KOSHER MARKET

Mr. **WILLIAMS** of New Jersey. Mr. President, traditionally and historically the meat inspectors inspecting beef going to the kosher market have been permitted to use flashlights to perform this task. A short time ago, however, regulations were promulgated by the Department of Agriculture which excluded the use of flashlights in this inspection. The senior Senator from Oregon [Mr. MORSE] and I did a thorough study and examination of this question and concluded that this prohibition was arbitrary and unnecessary. We, therefore, urge that the regulation be changed in such a manner as to permit the use of flashlights for the inspection of beef in this small area of kosher foods.

Mr. MONDALE. Mr. President, I would like to join the Senator from New Jersey and the Senator from Oregon in urging that the Secretary of Agriculture study this problem in order to determine if it can be alleviated by a change in the regulations.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending bill be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 786, H.R. 7977, and ask that it be stated.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. H.R. 7977, to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, reported with an amendment.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "Postal Revenue and Federal Salary Act of 1967".

TITLE I—POSTAL RATES

FIRST-CLASS MAIL

SEC. 101. (a) Sections 4252 and 4253 of title 39, United States Code, are amended to read as follows:

"§ 4252. Size and weight limits

"The maximum size of first-class mail is one hundred inches in length and girth combined and the maximum weight is seventy pounds.

"§ 4253. Postage rates on first-class mail

"(a) Postage on first-class mail is computed separately on each letter or piece of mail. Except as otherwise provided in this section, the rate of postage on first-class mail weighing thirteen ounces or less is 6 cents for each ounce or fraction of an ounce.

"(b) First-class mail weighing more than thirteen ounces shall be mailed at the rates of postage established by section 4303(d) of this title and shall be entitled to the most expeditious handling and transportation practicable.

"(c) The rate of postage for each single postal card and for each portion of a double postal card, including the cost of manufacture, and for each post card and the initial portion of each double post card conforming to section 4251(c) of this title is 5 cents.

"(d) The rate of postage on business reply mail is the regular rate prescribed in this section, together with an additional charge thereon of 2 cents for each piece weighing two ounces or less and 5 cents for each piece weighing more than two ounces. The postage and charge shall be collected on delivery.".

(b) Section 4251(a) of the title 39, United States Code, is amended by striking out "and (4)" and inserting in lieu thereof "(4) bills and statements of account, and (5)".

(c) Subsection (d) of section 4251 of title 39, United States Code, relating to the definition of drop letters, is repealed.

(d) The table of contents of chapter 59 of title 39, United States Code, is amended by striking out—

"4252. Weight limit."

and inserting in lieu thereof—

"4252. Size and weight limits.".

AIRMAIL

SEC. 102. (a) Subsections (a) and (b) of section 4303 of title 39, United States Code, are amended to read as follows:

"(a) Except as provided in section 4304 of this title and subsection (b) of this section, the rate of postage on domestic airmail weighing not more than 7 ounces is 10 cents for each ounce or fraction thereof.

"(b) The rate of postage on each postal card and post card sent as domestic airmail is 8 cents.".

(b) Subsection (d) of section 4303 of title 39, United States Code, is amended—

(1) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) The rates of postage on air parcel post are based on the eight zones described in section 4553, or prescribed pursuant to section 4558, of this title in accordance with the following tables:

	"Zones					
	Local 1, 2, and 3	4	5	6	7	8
Not over 1 lb.	$0.80	$0.80	$0.80	$0.80	$0.80	$0.80
Over 1 lb. but not over 1½ lbs.	.98	1.02	1.07	1.14	1.18	1.24
Over 1½ lbs. but not over 2 lbs.	1.16	1.23	1.34	1.47	1.55	1.68
Over 2 lbs. but not over 2½ lbs.	1.40	1.48	1.62	1.79	1.91	2.08
Over 2½ lbs. but not over 3 lbs.	1.64	1.73	1.90	2.11	2.27	2.48
Over 3 lbs. but not over 3½ lbs.	1.88	1.98	2.18	2.43	2.63	2.88
Over 3½ lbs. but not over 4 lbs.	2.12	2.23	2.46	2.75	2.99	3.28
Over 4 lbs. but not over 4½ lbs.	2.36	2.48	2.74	3.07	3.35	3.68
Over 4½ lbs. but not over 5 lbs.	2.60	2.73	3.02	3.39	3.71	4.08

For each pound or fraction of a pound in excess of five pounds in weight, the additional postage is as follows:

"Zones	Rate
Local and zones 1, 2, and 3	$0.48
Zone 4	.50
Zone 5	.56
Zone 6	.64
Zone 7	.72
Zone 8	.80.";

and

(2) by deleting paragraph (2).

(c) Section 4303(f) of title 39, United States Code, is amended by striking out "the Virgin Islands or the Canal Zone" wherever appearing therein and inserting in lieu thereof "or the Virgin Islands".

(d) Section 4301(2) of title 39, United States Code, is amended by striking out the word "eight" and inserting in lieu thereof the figure "7".

SECOND-CLASS MAIL PREFERRED RATES

SEC. 103. (a) Section 4358 of title 39, United States Code, is amended—

(1) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) Except as provided in subsection (b), the rate of postage on publications admitted as second-class mail when addressed for delivery within the county in which they are published and entered is as follows:

"[In cents]

	"Mailed during calendar year 1968	Mailed during calendar year 1969	Mailed after Dec. 31, 1969
Rate per pound	1.3	1.4	1.5
Minimum charge per piece	.2	.2	.2.";

(2) by adding at the end thereof the following:

"(d) (1) Except as provided in paragraph (2), the rates of postage on publications, mailed in accordance with section 4359(a) of this title, of qualified nonprofit organizations, are as follows:

"[In cents]

	"During calendar year 1968	During calendar year 1969	During calendar year 1970	During calendar year 1971	During calendar year 1972	Mailed after Dec. 31, 1972
Rate per pound:						
Advertising portion:						
Zones 1 and 2	2.4	2.9	3.5	4.1	4.6	5.2
Zone 3	2.6	3.3	4.1	4.9	5.6	6.4
Zone 4	3.0	4.1	5.3	6.5	7.6	8.8
Zone 5	3.4	4.9	6.5	8.0	9.6	11.1
Zone 6	3.8	5.7	7.7	9.7	11.6	13.6
Zone 7	3.9	6.0	8.1	10.3	12.4	14.5
Zone 8	4.3	6.9	9.4	11.9	14.5	17.0
Nonadvertising portion	1.9	2.0	2.1	2.1	2.1	2.1
Minimum charge per piece	.2	.2	.2	.2	.2	.2

"(2) The postage on an issue of a publication referred to in paragraph (1), the advertising portion of which does not exceed 10 per centum of such issue, shall be computed without regard to the rates applicable to the advertising portion prescribed in such paragraph.

"(e) The postage on classroom publications, mailed in accordance with section 4359(a) of this title, is 60 per centum of the postage computed in accordance with section 4359(b) of this title.

"(f) The postage shall be 4.2 cents per pound on the advertising portion of publications (1) which are mailed for delivery in zones 1 and 2 in accordance with section 4359(a) of this title, (2) which are devoted to promoting the science of agriculture, and (3) when the total number of copies of the publications furnished during any twelve-month period to subscribers residing in rural areas consists of at least 70 per centum of the total number of copies distributed by any means for any purpose.

"(g) In lieu of the minimum charge per piece prescribed by section 4359(b) of this title, the minimum charge per piece for publication (other than publications to which subsections (d) and (e) of this section are applicable), when fewer than five thousand copies are mailed outside the county of publication, is 0.6 cent per piece when mailed during the calendar year 1968, 0.7 cent per piece when mailed during the calendar year 1969, and 0.8 cent per piece when mailed thereafter.

"(h) The publisher of a classroom publication, of a publication referred to in subsection (f) of this section, or of a publication of a nonprofit organization, before being entitled to the rates for the publications, shall furnish such proof of qualifications as the Postmaster General prescribes.

"(i) For the purposes of the application of this section with respect to each publication having original entry at an independent incorporated city, an incorporated city which is situated entirely within a county, or which is situated contiguous to one or more counties in the same State, but which is politically independent of such county or counties, shall be considered to be within and a part of the county with which it is principally contiguous.

"(j) As used in this section—

"(1) 'classroom publication' means a religious, educational, or scientific publication entered as second-class mail and designed specifically for use in classrooms or in religious instruction classes;

"(2) 'a publication of a qualified nonprofit organization' means a publication published by and in the interest of one of the following types of organizations or associations if it is not organized for profit and none of its net income inures to the benefit of any private stockholder or individual: Religious, educational, scientific, philanthropic, agricultural, labor, veterans', fraternal, nonprofit educational television stations, educational television agencies operated by a State or a political subdivision thereof, and associations of rural electric cooperatives, and not to exceed one publication published by the official highway or development agency of a State which meets all of the requirements of section 4354 and which contains no advertising;

"(3) 'zones' means the eight zones described in section 4553, or prescribed pursuant to section 4558, of this title."; and

(3) by amending the section heading to read as follows:

"§ 4358. Rates of postage; preferred".

(b) The table of contents of chapter 63 of title 39, United States Code, is amended by striking out—

"4358. Postage rates within county of publication."

and inserting in lieu thereof—

"4358. Rates of postage; preferred.".

SECOND-CLASS MAIL REGULAR RATES

SEC. 104. (a) Section 4359 of title 39, United States Code, is amended—

(1) by striking out subsections (b), (c), (d), and (e) and inserting in lieu thereof the following:

"(b) Except as otherwise provided in this section and section 4358 of this title, the rates of postage on publications mailed in accordance with subsection (a) are as follows:

"[In cents]

	"Mailed during calendar year 1968	Mailed during calendar year 1969	Mailed after Dec. 31, 1969
Rate per pound:			
Advertising portion:			
Zones 1 and 2	4.6	4.9	5.2
Zone 3	5.7	6.0	6.4
Zone 4	7.8	8.3	8.8
Zone 5	9.9	10.5	11.1
Zone 6	12.0	12.8	13.6
Zone 7	12.8	13.7	14.5
Zone 8	15.0	16.0	17.0
Nonadvertising portion	3.0	3.2	3.4
Minimum charge per piece	1.1	1.2	1.3.

"(c) For the purpose of this section and section 4358 of this title, the portion of a publication devoted to advertisements shall include all advertisements inserted in the publication and attached permanently thereto.

"(d) (1) Publications mailed in accordance with subsection (a), upon request by the publisher or news agent, may be transported by air on a space-available basis, on scheduled United States air carriers at rates fixed and determined by the Civil Aeronautics Board in accordance with section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376). The Postmaster General may authorize the transportation of publications by air pursuant to this subsection only when such transportation does not impede the transportation of airmail, air parcel post, or air transportation of first-class mail on a space-available basis.

"(2) The Postmaster General shall prescribe from time to time charges to be collected for matter transported by air pursuant to this section. The charges—

"(A) shall be in addition to the payment of lawfully required postage;

"(B) may not be adjusted more frequently than once every two years; and

"(C) when prescribed or adjusted, shall equal, as nearly as practicable, the amount by which the allocated cost incurred by the Department for the delivery of such matter by air is in excess of the allocated cost which would have been incurred by the Department had such matter been delivered by surface transportation, and, when added to lawfully required postage, shall not be less than 4 cents per piece.

"(e) As used in this section the term 'zones' means the eight zones described in section 4553, or prescribed pursuant to section 4558, of this title."; and

(2) by amending the section heading to read as follows:

"§ 4359. Rates of postage; regular".

(b) The table of contents of chapter 63 of title 39, United States Code, is amended by striking out—

"4359. Postage rates beyond county of publication."

and inserting in lieu thereof—

"4359. Rates of postage; regular.".

(c) Subsection (b) of section 4365 of title 39, United States Code, is amended by striking out "bills,".

SECOND-CLASS TRANSIENT MAIL

SEC. 105. Section 4362 of title 39, United States Code, is amended by striking out "four cents" and inserting in lieu thereof "5 cents".

CONTROLLED CIRCULATION PUBLICATIONS

SEC. 106. Section 4422 of title 39, United States Code, is amended to read as follows:

"§ 4422. Rates of postage

"The rates of postage on controlled circulation publications found by the Postmaster General to meet the definition contained in section 4421 of this title when mailed in the manner prescribed by the Postmaster General are as follows:

"[In cents]

	"Mailed during calendar year 1968	Mailed during calendar year 1969	Mailed after Dec. 31, 1969
Rate per pound	14.3	15.1	16.0
Minimum charge per piece	1.9	2.9	3.8".

THIRD-CLASS MAIL

SEC. 107. (a) Subsections (a) and (b) of section 4452 of title 39, United States Code, are amended to read as follows:

"(a) Except as otherwise provided in this section, the postage rates of third-class mail are as follows:

"Type of mailing	Rates: Mailed during calendar year 1968	Rates: Mailed after Dec. 31, 1968	Unit
	Cents	Cents	
(1) Individual piece	6.0	6.0	First 2 ounces or fraction thereof.
	2.0	2.0	Each additional ounce or fraction thereof.
(2) Bulk mailings under subsection (e) of this section of—			
(A) Books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and and plants.	16.0	16.0	Each pound or fraction thereof.
(B) Other matter	22.0	22.0	Do.
(C) Minimum charge of	3.6	4.0	Per piece.

"(b) Matter mailed in bulk under subsection (e) by qualified nonprofit organizations is subject to a minimum charge for each piece equal to 40 per centum of the minimum charge per piece provided under subsection (a), rounded off to the nearest one-tenth cent.".

(b) Subsection (b) of section 4451 of title 39, United States Code, relating to mailing certain bills and statements of account as third-class mail, is repealed.

SPECIAL RATE FOURTH-CLASS MAIL

SEC. 108. (a) Section 4554 of title 39, United States Code, is amended—

(1) by amending so much of subsection (a) as precedes subparagraph (3) thereof to read as follows:

"(a) Except as provided in subsection (b) of this section, the postage rate is 12 cents for the first pound or fraction thereof and 6 cents for each additional pound or fraction thereof, except that the rate now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection on—

"(1) books, including books issued to supplement other books, containing twenty-four pages or more (at least twenty-two of which are printed), consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations, and containing no advertising matter other than incidental announcements of books, including any accompanying pad of forms or ballots for use in obtaining expressions of opinion with respect to questions related to the subject matter of the book;

"(2) 16-millimeter or narrower width films, and catalogs of such films, except when sent to or from commercial theaters;";

(2) by striking out in subsection (b)(1) "4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof" and inserting in lieu thereof "5 cents for the first pound or fraction thereof and 2 cents for each additional pound or fraction thereof";

(3) by inserting in subsection (b)(1)(B) "museums and herbaria," immediately following "public libraries,";

(4) in subsection (b)(2) by striking out "and" at the end of clause (E); by striking out the period at the end of clause (F) and inserting in lieu thereof "; and"; and by adding at the end of such subsection the following new clause:

"(G) museum materials, specimens, collections, teaching aids, printed matter, and interpretative materials intended to inform and to further the education work and interests of museums and herbaria.";

(5) by inserting in subsection (c) "or narrower width" immediately following "16-millimeter", and "museum materials, specimens, collections, teaching aids, printed matter, and interpretative materials intended to inform and to further the educational work and interests of museums and herbaria," immediately following "sound recordings,"; and

(6) by amending subsection (e) to read as follows:

"(e) Articles may be mailed under this section in quantities of one thousand or more in a single mailing, as defined by the Postmaster General, only in the manner directed by him.".

(b) The section heading of section 4554 of title 39, United States Code, is amended to read—

"§ 4554. Books, films, and other materials; preferred rates".

(c) The table of contents of chapter 67 of title 39, United States Code, is amended by striking out—

"4554. Postage rates on books and films."

and inserting in lieu thereof—

"4554. Books, films, and other materials; preferred rates.".

KEYS AND OTHER SMALL ARTICLES

SEC. 109. Subsection (b) of section 4651 of title 39, United States Code, is amended by striking out "6 cents for each two ounces or fraction thereof" and inserting in lieu thereof "14 cents for the first two ounces or fraction thereof, and 7 cents for each additional two ounces or fraction thereof,".

SPECIAL HANDLING SERVICE

SEC. 110. Section 6008 of title 39, United States Code, is amended to read as follows:

"§ 6008. Special handling

"Upon payment of a special handling fee, third-class mail and fourth-class mail are entitled to the most expeditious handling and transportation practicable, but such mail is not required to receive the same handling and transportation as airmail.".

SEPARATION BY MAILER OF SECOND-CLASS MAIL

SEC. 111. Section 4363 of title 39, United States Code, is amended to read as follows:

"§ 4363. Separation by mailer of second-class mail

"The Postmaster General may require publishers and news agents to make up and address second-class matter in accordance with a 5-digit ZIP code system.".

PRINTING ON SECOND-CLASS COVERS

SEC. 112. Section 4365 of title 39, United States Code, is amended by adding a new subsection to read as follows:

"(d) In addition to other matter authorized by this section to be contained, enclosed, or inserted in second-class mail, there may be included, in accordance with uniform regulations which the Postmaster General shall prescribe, on the envelopes, wrappers, and other covers in which copies of publications are mailed, messages and notices of a civic or public-service nature, if no charge is made for the inclusion of such messages and notices on such envelopes, wrappers, and covers.".

ADDITIONAL ENTRY POINTS

SEC. 113. Section 4358(b) of title 39, United States Code, is amended to read as follows:

"(b) The rates of postage on the following publications admitted as second-class mail, when mailed for delivery by letter carrier at the office of mailing, shall be as follows:

"[Cents per copy]

	"Mailed at office of original entry	Mailed at an office of additional entry during—		
		Fiscal year 1969	Fiscal year 1970	Fiscal year 1971 and thereafter
Published more frequently than weekly	1	1.5	2.0	2.5
Published less frequently than weekly:				
Weighing 2 ounces or less	1	1.5	2.0	2.5
Weighing more than 2 ounces	2	2.5	3.0	3.5

The rates prescribed in section 4359 of this title shall apply to publications published weekly and mailed at additional entry offices and to any publications mailed at an additional entry office which does not have letter carrier service.".

MAIL MATTER FOR BLIND AND OTHER HANDICAPPED PERSONS

SEC. 114. (a) Chapter 69 of title 39, United States Code, is amended by striking out sections 4653 and 4654 thereof and inserting in lieu thereof the following:

"§ 4653. Matter for blind and other handicapped persons

"(a) The matter described in subsection (b) (other than matter mailed under section 4654 of this title) may be mailed free of postage, if—

"(1) the matter is for the use of the blind or other persons who cannot use or read conventionally printed material because of a physical impairment who are certified by competent authority as unable to read normal reading material in accordance with the provisions of the first section of the Act of July 30, 1966 (Public Law 89–522; 80 Stat. 330);

"(2) no charge, or rental, subscription, or other fee, is required for such matter or a charge, or rental, subscription, or other fee is required for such matter not in excess of the cost thereof;

"(3) the matter may be opened by the Postmaster General for inspection;

"(4) the matter contains no advertising; and

"(5) the matter is mailed subject to size and weight limitations prescribed by the Postmaster General.

"(b) The free mailing privilege provided by subsection (a) is extended to—

"(1) reading matter and musical scores;

"(2) sound reproductions;

"(3) paper, records, tapes, and other material for the production of reading matter, musical scores, or sound reproductions;

"(4) reproducers or parts thereof, for sound reproductions; and

"(5) Braille writers, typewriters, educational or other materials or devices, or parts thereof, used for writing by, or specifically designed or adapted for use of, a blind person or a person having a physical impairment as described in subsection (a)(1) of this section.

"§ 4654. Unsealed letters sent by blind or physically handicapped persons

"Unsealed letters sent by a blind person or a person having a physical impairment, as described in section 4653(a)(1) of this title, in raised characters or sightsaving type, or in the form of sound recordings, may be mailed free of postage.

"§ 4655. Markings

"All matter relating to blind or other handicapped persons mailed under section 4653, or section 4654, of this title, shall bear the words 'Free Matter for the Blind or Handicapped', or words to that effect specified by the Postmaster General, in the upper right-hand corner of the address area.".

(b) The table of contents of chapter 69 of title 39, United States Code, is amended by striking out—

"4653. Publications for the blind.

"4654. Reproducers and sound reproduction records for the blind."

and inserting in lieu thereof—

"4653. Matter for blind and other handicapped persons.

"4654. Unsealed letters sent by blind or physically handicapped persons.

"4655. Markings.".

(c) Section 4451(d) of title 39, United States Code, is repealed.

PERMISSIBLE ENCLOSURES FOR FOURTH-CLASS MAIL

SEC. 115. Section 4555(a) of title 39, United States Code, is amended—

(1) by striking out "and" at the end of clause (9);

(2) by striking out the period at the end of clause (10) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof:

"(11) invoices, whether or not also serving as bills, if they relate solely to the matter with which they are mailed.".

REIMBURSEMENT OF THE POSTAL SERVICE OF THE CANAL ZONE

SEC. 116. (a) Chapter 57 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 4170. Mailing privilege of members of United States Armed Forces and of friendly foreign nations in the Canal Zone

"(a) For the purposes of sections 4169(a), 4303(d)(5), and 4560 of this title, each post office in the Canal Zone postal service, to the extent that it provides mail service for members of the United States Armed Forces and of friendly foreign nations, shall be considered to be an Armed Forces post office established under section 705(d) of this title.

"(b) The Department of Defense shall reimburse the postal service of the Canal Zone, out of any appropriations or funds available to the Department of Defense, as a necessary expense of the appropriations or funds and of the activities concerned, the equivalent amount of postage due, and sums equal to the expenses incurred by, the postal service of the Canal Zone, as determined by the Governor of the Canal Zone, for matter sent in the mails, and in providing air transportation of mail, under such sections.".

(b) The table of contents of chapter 57 of title 39, United States Code, is amended by adding—

"4170. Mailing privilege of members of United States Armed Forces and of friendly foreign nations in the Canal Zone."

immediately below—

"4169. Mailing privilege of members of United States Armed Forces and of friendly foreign nations.".

SOLICITATIONS IN GUISE OF BILLS OR STATEMENTS OF ACCOUNT

SEC. 117. (a) Section 4001 of title 39, United States Code, relating to nonmailable matter, is amended by adding at the end thereof the following new subsection:

"(c) Matter otherwise legally acceptable in the mails which—

"(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

"(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both;

is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postmaster General directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postmaster General shall prescribe—

"(A) the following notice: 'This is solicitation for the order of goods and/or services and not a bill, invoice, or statement of account due. You are not under obligation to make any payments on account of this offer unless you accept this offer.'; or

"(B) in lieu thereof, a notice to the same effect in words which the Postmaster General may prescribe.".

(b) The amendment made by this section shall become effective with respect to matter mailed on or after the ninetieth day following the effective date of this section.

EFFECTIVE DATE

SEC. 118. This title, except section 113, shall become effective on January 7, 1968. Section 113 shall become effective on July 1, 1968.

CONFORMING AMENDMENTS

SEC. 119. (a) (1) Subparagraph (A) of section 2303(a)(1) of title 39, United States Code, is repealed.

(2) Subparagraph (D) of such section is amended to read as follows:

"(D) free postage on reading matter and other articles for the blind and other handicapped persons as provided by sections 4653 and 4654 of this title;".

(3) Subparagraph (I) is amended by striking out "educational".

(b) Section 4552(c) of such title is amended—

(1) by inserting "and" after the semicolon at the end of paragraph (4);

(2) by striking out "; and" at the end of paragraph (5) and inserting in lieu thereof a period; and

(3) by striking out paragraph (6).

EDUCATIONAL TELEVISION

SEC. 120. Section 4355(a) of title 39, United States Code, is amended by striking out the period at the end of item (10) and inserting in lieu thereof a semicolon and the word "or", and by adding after item (10) the following new item:

"(11) published by an educational television agency of a State or political subdivision thereof or by a nonprofit educational television station.".

TITLE II—FEDERAL SALARY INCREASES

SHORT TITLE

SEC. 201. This title may be cited as the "Federal Salary Act of 1967".

EMPLOYEES SUBJECT TO THE GENERAL SCHEDULE

SEC. 202. (a) The General Schedule contained in section 5332(a) of title 5, United States Code, is amended to read as follows:

"GENERAL SCHEDULE

"Grade	Annual rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,776	$3,902	$4,028	$4,154	$4,280	$4,406	$4,532	$4,658	$4,784	$4,910
GS-2	4,108	4,245	4,382	4,519	4,656	4,793	4,930	5,067	5,204	5,341
GS-3	4,466	4,615	4,764	4,913	5,062	5,211	5,360	5,509	5,658	5,807
GS-4	4,995	5,161	5,327	5,493	5,659	5,825	5,991	6,157	6,323	6,489
GS-5	5,565	5,751	5,937	6,123	6,309	6,495	6,681	6,867	7,053	7,239
GS-6	6,137	6,342	6,547	6,752	6,957	7,162	7,367	7,572	7,777	7,982
GS-7	6,734	6,959	7,184	7,409	7,634	7,859	8,084	8,309	8,534	8,759
GS-8	7,384	7,630	7,876	8,122	8,368	8,614	8,860	9,106	9,352	9,598
GS-9	8,054	8,323	8,592	8,861	9,130	9,399	9,668	9,937	10,206	10,475
GS-10	8,821	9,115	9,409	9,703	9,997	10,291	10,585	10,879	11,173	11,467
GS-11	9,657	9,979	10,301	10,623	10,945	11,267	11,589	11,911	12,233	12,555
GS-12	11,461	11,843	12,225	12,607	12,989	13,371	13,753	14,135	14,517	14,899
GS-13	13,507	13,957	14,407	14,857	15,307	15,757	16,207	16,657	17,107	17,557
GS-14	15,841	16,369	16,897	17,425	17,953	18,481	19,009	19,537	20,065	20,593
GS-15	18,404	19,017	19,630	20,243	20,856	21,469	22,082	22,695	23,308	23,921
GS-16	20,982	21,681	22,380	23,079	23,778	24,477	25,176	25,875	26,574	--------
GS-17	23,788	24,581	25,374	26,167	26,960	--------	--------	--------	--------	--------
GS-18	27,055	--------	--------	--------	--------	--------	--------	--------	--------	--------"

(b) Except as provide in section 5303 of title 5, United States Code, the rates of basic pay of officers and employees to whom the General Schedule set forth in the amendment made by subsection (a) of this section applies shall be initially adjusted as of the effective date of this section, as follows:

(1) If the officer or employee is receiving basic pay immediately prior to the effective date of this section at one of the rates of a grade in the Grand Schedule, he shall receive a rate of basic pay at the corresponding rate in effect on and after such date.

(2) If the officer or employee is receiving basic pay immediately prior to the effective date of this section at a rate between two rates of a grade in the General Schedule, he shall receive a rate of basic pay at the higher of the two corresponding rates in effect on and after such date.

(3) If the officer or employee is receiving basic pay immediately prior to the effective date of this section at a rate in excess of the the maximum rate for his grade, he shall receive (A) the maximum rate for his grade in the new schedule, or (B) his existing rate of basic pay increased by 4.5 per centum, rounded to the next highest dollar, if such existing rate as so increased is higher.

(4) If the officer or employee, immediately prior to the effective date of this section, is receiving, pursuant to section 2(b)(4) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of pay determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111), plus subsequent increases authorized by law, he shall receive an aggregate rate of pay equal to the sum of his existing aggregate rate of pay on the day preceding the effective date of this section, plus the amount of increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate pay at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of pay of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this subparagraph, the amount of the increase provided by this section shall be held and considered for the purposes of section 208(b) of the Act of September 1, 1954, to constitute a part of the existing rate of pay of the employee.

(5) If the officer or employee, at any time during the period beginning on the effective date of this section and ending on the date of enactment of this title, was promoted from one grade under the General Schedule contained in section 5332(a) of title 5, United States Code, to another such grade at a rate which is above the minimum rate thereof, his rate of basic pay shall be adjusted retroactively from the effective date of this section to the date on which he was so promoted, on the basis of the rate which he was receiving during the period from such effective date to the date of such promotion and, from the date of such promotion, on the basis of the rate for that step of the appropriate grade of the General Schedule contained in the amendment made by subsection (a) of this section which corresponds numerically to the step of the grade of the General Schedule to which such officer or employee was promoted as in effect (without regard to this title) at the time of such promotion.

(6) If the officer or employee, at any time during the period beginning on the effective date of this section and ending on the date of enactment of this title, became subject to the General Schedule and his rate of basic pay was set above the minimum rate of the grade on the basis of a previously earned rate above such minimum rate, his rate of basic pay shall be adjusted retroactively to the date on which he became subject to the General Schedule on the basis of the rate of the appropriate grade of the General Schedule contained in this section which corresponds numerically to the rate of the grade at which the pay of such officer or employee was set at the time he became subject to the General Schedule.

LIMITATION ON NUMBERS OF CERTAIN POSTAL POSITIONS

SEC. 203. Section 3301 of title 39, United States Code, is amended by striking out "salary levels 19 and 20" and inserting in lieu thereof "salary levels 20 and 21".

CHANGES IN KEY POSITIONS IN POSTAL FIELD SERVICE

SEC. 204. (a) That part of chapter 45 of title 39, United States Code, under the heading "POSITIONS" is amended by striking out section 3512 and inserting in lieu thereof the following new sections:

"§ 3512. Positions in salary level 1

"Cleaner. (KP–51)

"(1) Basic function.—Performs a variety of light cleaning and housekeeping tasks in connection with the custodial maintenance of a postal installation.

"(2) Duties and responsibilities.—

"(A) Sweeps, mops, dusts, washes, and otherwise performs light cleaning and housekeeping tasks to maintain offices, washrooms, lobbies, corridors, stairways, and other areas of the building in neat and orderly condition.

"(B) Performs such duties as dusting, waxing, and polishing office furniture, sweeping and mopping floors, vacuuming rugs, emptying wastebaskets and trash, washing interior window and partition glass and fixtures which can be reached without use of ladders or scaffolding.

"(3) Organizational relationships.—Reports to a foreman or other designated supervisor.

"§ 3512A. Positions in salary level 2

"Custodian. (KP–1)

"(1) Basic function.—Performs manual laboring duties in connection with custody of an office or building.

"(2) Duties and responsibilities.—

"(A) Performs any combination of the following duties:

"1. Moves furniture and equipment.

"2. Uncrates and assembles furniture and fixtures, using bolts and screws for assembly.

"3. Loads and unloads supplies and equipment.

"4. Removes trash from work areas, lobbies, and washrooms.

"5. Tends to lawns, shrubbery, and premises of the post office and cleans ice and snow from the sidewalks and driveways.

"6. Stacks supplies in storage rooms and on shelves, and completes forms or records as required.

"(B) May perform cleaning duties as assigned.

"(3) Organizational relationships.—Reports to a foreman or other designated supervisor.".

(b) Each salary level number in the headings of sections 3513 to 3531, inclusive, of title 39, United States Code, and each other numerical reference to such salary level number in any other provision of such title (including the table of contents of chapter 45) which is not otherwise increased by this title, is increased by 1.

(c) Each employee in the postal field service on the date of enactment of this title, whose position is placed in salary level 2 of the Postal Field Service Schedule by reason of the enactment of this section and section 205(e)(1) of this title, shall remain in salary level 2 of such schedule so long as he remains in such position or occupies, without break in service of more than thirty days, a position of a comparable level of duties, responsibilities, and work requirements in such salary level. When the employee leaves any such position, the position shall be appropriately ranked in accordance with chapter 45 of title 39, United States Code.

(d) The table of contents of chapter 45 of title 39, United States Code, is amended by inserting—

"3512A. Positions in salary level 2."

immediately below—

"3512. Positions in salary level 1.".

POSTAL FIELD SERVICE EMPLOYEES

SEC. 205. (a) Section 3542(a) of title 39, United States Code, is amended to read as follows:

"(a) There are established basic compensation schedules for positions in the postal field service which shall be known as the Postal Field Service Schedules and for which the symbol shall be 'PFS'. Except as provided in sections 3543 and 3544 of this title, basic compensation shall be paid to all employees in accordance with such schedules.

"POSTAL FIELD SERVICE SCHEDULE I

"[To be effective for the period beginning on the first day of the first pay period beginning on or after October 1, 1967, and ending immediately before the effective date of Postal Field Service Schedule II set forth below]

"PFS	1	2	3	4	5	6	7	8	9	10	11	12
1	$4,118	$4,255	$4,392	$4,529	$4,666	$4,803	$4,940	$5,077	$5,214	$5,351	$5,488	$5,625
2	4,640	4,607	4,754	4,901	5,048	5,195	5,342	5,489	5,636	5,783	5,930	6,077
3	4,826	4,984	5,142	5,300	5,458	5,616	5,774	5,932	6,090	6,248	6,406	6,564
4	5,215	5,391	5,567	5,743	5,919	6,095	6,271	6,447	6,623	6,799	6,975	7,151
5	5,651	5,838	6,025	6,212	6,399	6,586	6,773	6,960	7,147	7,334	7,521	7,708
6	6,044	6,246	6,448	6,650	6,852	7,054	7,256	7,458	7,660	7,862	8,064	8,266
7	6,482	6,697	6,912	7,127	7,342	7,557	7,772	7,987	8,202	8,417	8,632	8,847
8	6,939	7,170	7,401	7,632	7,863	8,094	8,325	8,556	8,787	9,018	9,249	----------
9	7,515	7,764	8,013	8,262	8,511	8,760	9,009	9,258	9,507	7,756	----------	----------
10	8,128	8,398	8,668	8,938	9,208	9,478	9,748	10,018	10,288	10,558	----------	----------
11	8,846	9,146	9,446	9,746	10,046	10,346	10,646	10,946	11,246	11,546	----------	----------
12	9,775	10,109	10,443	10,777	11,111	11,445	11,779	12,113	12,447	12,781	----------	----------
13	10,815	11,183	11,551	11,919	12,287	12,655	13,023	13,391	13,759	14,127	----------	----------
14	11,951	12,364	12,777	13,190	13,603	14,016	14,429	14,842	15,255	15,668	----------	----------
15	13,173	13,631	14,089	14,547	15,005	15,463	15,921	16,379	16,837	17,295	----------	----------
16	14,564	15,066	15,568	16,070	16,572	17,074	17,576	18,078	18,580	19,032	----------	----------
17	16,090	16,650	17,210	17,770	18,330	18,890	19,450	20,010	20,570	21,130	----------	----------
18	17,803	18,425	19,047	19,669	20,291	20,913	21,535	22,157	22,779	23,401	----------	----------
19	19,642	20,294	20,946	21,598	22,250	22,902	23,554	24,206	24,858	25,510	----------	----------
20	21,758	22,484	23,210	23,936	24,662	25,388	26,114	26,840	----------	----------	----------	----------
21	24,126	24,932	25,748	26,544	26,960	----------	----------	----------	----------	----------	----------	----------

"POSTAL FIELD SERVICE SCHEDULE II

"[To be effective on the first day of the first pay period beginning on or after July 1, 1968]

"PFS	1	2	3	4	5	6	7	8	9	10	11	12
1	$4,324	$4,468	$4,612	$4,756	$4,900	$5,044	$5,188	$5,332	$5,476	$5,620	$5,764	$5,908
2	4,687	4,841	4,995	5,149	5,303	5,457	5,611	5,765	5,919	6,073	6,227	6,381
3	5,068	5,234	5,400	5,566	5,732	5,898	6,064	6,230	6,396	6,562	6,728	6,894
4	5,476	5,661	5,846	6,031	6,216	6,401	6,586	6,771	6,956	7,141	7,326	7,511
5	5,938	6,134	6,330	6,526	6,722	6,918	7,114	7,310	7,506	7,702	7,898	8,094
6	6,348	6,560	6,772	6,984	7,196	7,408	7,620	7,832	8,044	8,256	8,468	8,680
7	6,807	7,033	7,259	7,485	7,711	7,937	8,163	8,389	8,615	8,841	9,067	9,293
8	7,286	7,529	7,772	8,015	8,258	8,501	8,744	8,987	9,230	9,473	9,716	----------
9	7,891	8,153	8,415	8,677	8,939	9,201	9,463	9,725	9,987	10,249	----------	----------
10	8,535	8,819	9,103	9,387	9,671	9,955	10,239	10,523	10,807	11,091	----------	----------
11	9,289	9,604	9,919	10,234	10,540	10,864	11,179	11,494	11,809	12,124	----------	----------
12	10,264	10,615	10,966	11,317	11,668	12,019	12,370	12,721	13,072	13,423	----------	----------
13	11,356	11,743	12,130	12,517	12,904	13,291	13,678	14,065	14,452	14,839	----------	----------
14	12,549	12,983	13,417	13,851	14,285	14,719	15,153	15,587	16,021	16,455	----------	----------
15	13,832	14,313	14,794	15,275	15,756	16,237	16,718	17,199	17,680	18,161	----------	----------
16	15,293	15,820	16,347	16,874	17,401	17,928	18,455	18,982	19,509	20,036	----------	----------
17	16,895	17,483	18,071	18,659	19,247	19,835	20,423	21,011	21,599	22,187	----------	----------
18	18,695	19,348	20,001	20,654	21,307	21,960	22,613	23,266	23,919	24,572	----------	----------
19	20,625	21,310	21,995	22,680	23,365	24,050	24,735	25,420	26,105	26,790	----------	----------
20	22,848	23,610	24,372	25,134	25,896	26,658	27,420	27,800	----------	----------	----------	----------
21	25,333	26,179	27,025	27,871	27,900	----------	----------	----------	----------	----------	----------	----------

(b) Section 3543(a) of title 39, United States Code, is amended to read as follows:

"(a) There are established basic compensation schedules which shall be known as the Rural Carrier Schedules and for which the symbol shall be 'RCS'. Compensation shall be paid to rural carriers in accordance with such schedules.

"RURAL CARRIER SCHEDULE I

"[To be effective for the period beginning on the first day of the first pay period beginning on or after October 1, 1967, and ending immediately before the effective date of Rural Carrier Schedule II set forth below]

	"Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Fixed compensation	$2,531	$2,568	$2,785	$2,912	$3,039	$3,166	$3,293	$3,420	$3,547	$3,674	$3,081	$3,928
For each mile up to 30 miles of route	94	96	98	100	102	104	106	108	110	112	114	116
For each mile of route over 30	25	25	25	25	25	25	25	25	25	25	25	25

"RURAL CARRIER SCHEDULE II

"[To be effective on the first day of the first pay period beginning on or after July 1, 1968]

	"Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Fixed compensation	$2,668	$2,804	$2,940	$3,076	$3,212	$3,348	$3,484	$3,620	$3,756	$3,892	$4,028	$4,164
For each mile up to 30 miles of route	99	101	103	105	107	109	111	113	115	117	119	121
For each mile of route over 30	25	25	25	25	2	25	25	25	25	25	25	25"

(c) Section 3544 of title 39, United States Code, is amended to read as follows:

"§ 3544. Compensation of postmasters at fourth-class offices

"(a) The Postmaster General shall—

"(1) rank each position of postmaster at a post office of the fourth class in salary level 6 of the Postal Field Service Schedule; and

"(2) establish, and adjust from time to time, the annual rate of basic compensation, for each such position of postmaster so ranked, in an amount which bears the same ratio to the annual rate of basic compensation for full-time service in a position (other than postmaster at a post office of the fourth class) in the same step of salary level 6 of such schedule, as the average number of hours of service per day which the Postmaster General determines necessary to be performed by such postmaster to operate the post office, in the light of the postal needs of the patrons of the office, bears to the total number of hours per day of such full-time service.

Actions and determinations by the Postmaster General under this subsection shall be final and conclusive until changed by him.

"(b) A person who performs the duties of postmaster at a post office of the fourth class where there is a vacancy, or during the absence of the postmaster on sick or annual leave or leave without pay, shall be compensated at the rate of basic compensation for step 1 of salary level 6 of the Postal Field Service Schedule, determined under subsection (a) of this section.

"(c) When required by the Postmaster General, a postmaster at a fourth-class office shall, and any other postmaster in PFS level 6 when permitted by the Postmaster General may, furnish quarters, fixtures, and equipment for an office on an allowance basis. The allowance for this purpose shall be an amount equal to 15 per centum of the basic compensation for step 1 of salary level 6 of the Postal Field Service Schedule, determined under subsection (a) of this section.".

(d) Each postmaster at a post office of the fourth class on the effective date of Postal Field Service Schedule I shall be placed in salary level 6 of the Postal Field Service Schedule at the lowest step which provides a rate, determined under section 3544(a) of title 39, United States Code, which is at least equal to his rate of basic compensation in effect immediately prior to such effective date plus 6 per centum thereof. If there is no such step in salary level 6, he is entitled to his rate of basic compensation in effect immediately prior to such effective date plus 6 per centum thereof. For the purposes of this subsection, basic compensation in effect immediately prior to the effective date of Postal Field Service Schedule I shall be determined after giving effect to any change in salary step or revenue units category which would have occurred on the effective date of this section without regard to the enactment of this title.

(e) The basic compensation of each employee subject to the Postal Field Service Schedule or the Rural Carrier Schedule immediately prior to the effective date of Postal Field Service Schedule I shall be determined as follows:

(1) Each employee subject to the Postal Field Service Schedule shall be assigned to the same numerical step for his position, placed in the next higher salary level, which he had attained immediately prior to such effective date.

(2) Each employee subject to the Rural Carrier Schedule shall be assigned to the same numerical step for his position which he had attained immediately prior to such effective date.

(3) If changes in levels or steps would otherwise occur on such effective date without regard to enactment of this Act, such changes shall be deemed to have occurred prior to conversion.

(4) If the existing basic compensation is greater than the rate to which the employee is converted under paragraph (1) or (2) of this subsection, the employee shall be placed in the lowest step which exceeds his basic compensation. If the existing basic compensation exceeds the maximum step of his position, his existing basic compensation increased by 6 per centum, rounded to the next highest dollar, shall be established as his basic compensation.

(f) The advancement of any employee to a higher salary level of the Postal Field Service Schedule by reason of the enactment of this section shall not be deemed to be an equivalent increase within the meaning of section 3552(a) of title 39, United States Code.

(g) The basic compensation of each employee subject to the Postal Field Service Schedule or the Rural Carrier Schedule immediately prior to the effective date of Postal Field Service Schedule II shall be determined as follows:

(1) Each employee shall be assigned to the same numerical step for his position which he had attained immediately prior to such effective date. If changes in levels or steps would otherwise occur on such effective date without regard to enactment of this title, such changes shall be deemed to have occurred prior to conversion.

(2) If the existing basic compensation is greater than the rate to which the employee is converted under paragraph (1) of this subsection, the employee shall be placed in the lowest step which exceeds his basic compensation. If the existing basic compensation exceeds the maximum step of his position, his existing basic compensation increased by 5 per centum, rounded to the next highest dollar, shall be established as his basic compensation.

(h) Each employee whose position, by reason of the enactment of this section, is placed in a level of the Postal Field Service Schedule shall be entitled, for purposes of section 3560 of title 39, United States Code, to credit for time served in the postal field service prior to the effective date of this section.

(i) The table of contents of chapter 45 of title 39, United States Code, is amended by striking out—

"3544. Fourth Class Office Schedule."

and inserting in lieu thereof—

"3544. Compensation of postmasters at fourth-class offices.".

CONFORMING AMENDMENTS

SEC. 206. (a) Section 3560(a) of title 39, United States Code, is amended by striking out "(3) revenue unit category, with respect to the Fourth Class Office Schedule." and inserting in lieu thereof "(3) minimum hours of service with respect to postmasters in fourth-class post office.".

(b) Section 3560(f) of title 39, United States Code, is amended by striking out "(1) reductions in class or revenue unit category of any post office, or" and inserting in lieu thereof "(1) reductions in class or revenue units of any post office or in the minimum hours of service for a fourth-class post office, or".

(c) Subsections (b) and (c) of section 3573 of title 39, United States Code, are amended by striking out "level PFS–10" and "level PFS–11", wherever appearing therein, and inserting in lieu thereof "level PFS–11" and "level PFS–12", respectively. Subsection (g) of section 3573 is amended by striking out "PFS–17" and inserting "PFS–18".

(d) Subsection (a) of section 3575 of title 39, United States Code, is amended by striking out "level PFS–15" and inserting in lieu thereof "level PFS–16".

(e) Any reference to a level of the Postal Field Service Schedule in any order, rule, regulation, or statute (other than title 39, United States Code) which is in effect on the effective date of this section shall be deemed to refer to the next higher level of the Postal Field Service Schedule.

SPECIAL SALARY RATE RANGES

SEC. 201. (a) Section 5303(a) of title 5, United States Code, is amended by striking out "seventh pay rate" and inserting in lieu thereof "maximum pay rate".

(b) Section 5303(d) of title 5, United States Code, is amended to read as follows:

"(d) The rate of basic pay established under this section and received by an individual immediately before a statutory increase, which becomes effective prior to, on, or after the date of enactment of the statute, in the pay schedule applicable to such individual of any pay system specified in subsection (a) of this section, shall be initially adjusted, effective on the effective date of the statutory increase, under conversion rules prescribed by the President or by such agency as the President may designate.".

EMPLOYEES IN THE DEPARTMENT OF MEDICINE AND SURGERY OF THE VETERANS' ADMINISTRATION

SEC. 208. Section 4107 of title 38, United States Code, relating to grades and pay scales for certain positions within the Department of Medicine and Surgery of the Veterans' Administration, is amended to read as follows:

"§ 4107. Grades and pay scales

"(a) The per annum full-pay scale or ranges for positions provided in section 4103 of this title, other than Chief Medical Director, Deputy Chief Medical Director, and Associate Deputy Chief Medical Director, shall be as follows:

"Section 4103 Schedule

"Assistant Chief Medical Director, $27,055.

"Medical Director, $23,788 minimum to $26,960 maximum.

"Director of Nursing Service, $18,404 minimum to $23,921 maximum.

"Director of Chaplain Service, $18,404 minimum to $23,921 maximum.

"Chief Pharmacist, $18,404 minimum to $23,921 maximum.

"Chief Dietitian, $18,404 minimum to $23,921 maximum.

"(b)(1) The grades and per annum full-pay ranges for positions provided in paragraphs (1) of section 4104 of this title shall be as follows:

"Physician and Dentist Schedule

"Director grade, $20,982 minimum to $26,574 maximum.

"Executive grade, $19,576 minimum to $25,444 maximum.

"Chief grade, $18,404 minimum to $23,921 maximum.

"Senior grade, $15,841 minimum to $20,593 maximum.

"Intermediate grade, $13,507 minimum to $17,557 maximum.

"Full grade, $11,461 minimum to $14,899 maximum.

"Associate grade, $9,657 minimum to $12,555 maximum.

"Nurse Schedule

"Assistant Director grade, $15,841 minimum to $20,593 maximum.

"Chief grade, $13,507 minimum to $17,557 maximum.

"Senior grade, $11,461 minimum to $14,899 maximum.

"Intermediate grade, $9,657 minimum to $12,555 maximum.

"Full grade, $8,054 minimum to $10,475 maximum.

"Associate grade, $7,033 minimum to $9,139 maximum.

"Junior grade, $6,137 minimum to $7,982 maximum.

"(2) No person may hold the director grade unless he is serving as a director of a hospital, domiciliary, center, or outpatient clinic (independent). No person may hold the executive grade unless he holds the position of chief of staff at a hospital, center, or outpatient clinic (independent), or comparable position.

"(c) Notwithstanding any other provision of law, the per annum salary rate for each individual serving as a director of a hospital, domiciliary, or center who is not a physician shall not be less than the salary rate which he would receive under this section if his service as a director of a hospital, domiciliary, or center had been service as a physician in the director grade. The position of the director of a hospital, domiciliary, or center shall not be subject to chapter 51 and subchapter III of chapter 53 of title 5.".

FOREIGN SERVICE OFFICERS; STAFF OFFICERS AND EMPLOYEES

SEC. 209. (a) The fourth sentence of section 412 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867), is amended to read as follows: "The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

"Class 1	$24,944	$25,776	$27,055	----------	----------	----------	----------
Class 2	20,280	20,956	21,632	$22,308	$22,984	$23,660	$24,336
Class 3	16,616	17,170	17,724	18,278	18,832	19,386	19,940
Class 4	13,507	13,957	14,407	14,857	15,307	15,757	16,207
Class 5	11,120	11,491	11,862	12,233	12,604	12,975	13,346
Class 6	9,267	9,576	9,885	10,194	10,503	10,812	11,121
Class 7	7,816	8,076	8,336	8,596	8,856	9,116	9,376
Class 8	6,734	6,959	7,184	7,409	7,634	7,859	8,084"

(b) The second sentence of subsection (a) of section 415 of such Act (22 U.S.C. 870(a)) is amended to read as follows: "The per annum salaries of such staff officers and employees within each class shall be as follows:

"Class 1	$16,616	$17,170	$17,724	$18,278	$18,832	$19,386	$19,940	$20,494	$21,048	$21,602
Class 2	13,507	13,957	14,407	14,857	15,307	15,757	16,207	16,657	17,107	17,557
Class 3	11,120	11,491	11,862	12,233	12,604	12,975	13,346	13,717	14,088	14,459
Class 4	9,267	9,576	9,885	10,194	10,503	10,812	11,121	11,430	11,739	12,048
Class 5	8,351	8,629	8,907	9,185	9,463	9,741	10,019	10,297	10,575	10,853
Class 6	7,524	7,775	8,026	8,277	8,528	8,779	9,030	9,281	9,532	9,783
Class 7	6,905	7,135	7,365	7,595	7,825	8,055	8,285	8,515	8,745	8,975
Class 8	6,125	6,329	6,533	6,737	6,941	7,145	7,349	7,553	7,757	7,961
Class 9	5,575	5,761	5,947	6,133	6,319	6,505	6,691	6,877	7,063	7,249
Class 10	4,995	5,161	5,327	5,493	5,659	5,825	5,991	6,157	6,323	6,489"

(c) Foreign Service officers, **Reserve officers**, and Foreign Service staff officers and employees who are entitled to receive basic compensation immediately prior to the effective date of this section at one of the rates provided by section 412 or 415 of the Foreign Service Act of 1946 shall receive basic compensation, on and after such effective date, at the rate of their class determined to be appropriate by the Secretary of State.

AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEE EMPLOYEES

SEC. 210. The rates of pay of persons employed by the county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by section 202(a) of this title for corresponding rates of basic pay.

SALARY RATES FIXED BY ADMINISTRATIVE ACTION

SEC. 211. (a) The rates of basic pay of United States attorneys and assistant United States attorneys whose annual salaries are fixed pursuant to section 548 of title 28, United States Code, shall be increased, effective on the effective date of section 202 of this title, by amounts equal, as nearly as may be practicable, to the increases provided by section 202(a) of this title for corresponding rates of basic pay.

(b) Notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the rates of pay of officers and employees of the Federal Government and of the municipal government of the District of Columbia whose rates of pay are fixed by administrative action pursuant to law and are not other wise increased by this title are hereby authorized to be increased, effective on the effective date of section 202 of this title, by amounts not to exceed the increases provided by this title for corresponding rates of pay in the appropriate schedule or scale of pay.

(c) Nothing contained in this section shall be held or considered to authorize any increase in the rates of pay of officers and employees whose rates of pay are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices.

(d) Nothing contained in this section shall affect the authority contained in any law pursuant to which rates of pay may be fixed by administrative action.

IMPLEMENTATION OF SALARY COMPARABILITY POLICY IN 1968 AND 1969

SEC. 212. In order to complete the implementation of the policy of the Congress set forth in paragraph (2) of section 5301 of title 5, United States Code, the President, after seeking the views of such employee organizations as he considers appropriate and in such manner as he may provide, shall—

(1) effective on the first day of the first pay period beginning on or after July 1, 1968, adjust the rates of basic pay, basic compensation, and salary, as in effect by reason of the enactment of the provisions of this title other than this section and sections 205, 210, 213, 214, 215, and 219—

(A) by amounts equal, as nearly as may be practicable, to one-half of the amounts by which such rates are exceeded by rates of pay paid for the same levels of work in private enterprise as determined on the basis of the 1967 annual survey conducted by the Bureau of Labor Statistics in accordance with the provisions of section 5302 of title 5, United States Code, or

(B) by 3 per centum,

whichever is greater; and

(2) effective on the first day of the first pay period beginning on or after July 1, 1969, adjust the rates he has established under subparagraph (1) of this section, and the rates established by Postal Field Service Schedule II, and Rural Carrier Schedule II (contained in the amendments made by subsections (a) and (b) of section 205), by amounts equal, as nearly as may be practicable, to the amounts by which such rates are exceeded by rates of pay paid for the same levels of work in private enterprise as determined on the basis of the 1968 annual survey conducted by the Bureau of Labor Statistics in accordance with the provisions of section 5302 of title 5, United States Code.

Adjustments made by the President under this section shall have the force and effect of statute. The rates of pay of personnel subject to sections 210, 213 (except subsections (d) and (e)), and 214 of this title, and any minimum or maximum rate, limitation, or allowance applicable to any such personnel, shall be adjusted, by amounts which are equal, insofar as practicable and with such exceptions as may be necessary to provide for appropriate relationships between positions, to the amounts of the adjustments made by the President under subparagraphs (1) and (2) of this section, by the following authorities—

(i) the President pro tempore of the Senate, with respect to the United States Senate;

(ii) the Speaker of the House of Representatives, with respect to the United States House of Representatives;

(iii) the Architect of the Capitol, with respect to the Office of the Architect of the Capitol;

(iv) the Director of the Administrative Office of the United States Courts, with respect to the judicial branch of the Government; and

(v) the Secretary of Agriculture, with respect to persons employed by the county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)).

Such adjustments shall be made in such manner as the appropriate authority concerned deems advisable and shall have the force and effect of statute. Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

JUDICIAL BRANCH EMPLOYEES

SEC. 213. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed by or pursuant to paragraph (2) of subdivision a of section 62 of the Bankruptcy Act (11 U.S.C. 102(a)(2)), section 3656 of title 18, United States Code, the third sentence of section 603, sections 671 to 675, inclusive, or section 604(a)(5), of title 28, United States Code, insofar as the latter section applies to graded positions, are hereby increased by amounts reflecting the respective applicable increases provided by section 202(a) of this title in corresponding rates of compensation for officers and employees subject to section 5332 of title 5, United States Code. The rates of basic compensation of officers and employees holding ungraded positions and whose salaries are fixed pursuant to such section 604(a)(5) may be increased by the amounts reflecting the respective applicable increases provided by section 202(a) of this title in corresponding rates of compensation for officers and employees subject to section 5332 of title 5, United States Code.

(b) The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 202(a) of this title in corresponding rates of compensation for officers and employees subject to section 5332 of title 5, United States Code.

(c) Section 753(e) of title 28, United States Code (relating to the compensation of court reporters for district courts), is amended by striking out the existing salary limitation contained therein and inserting a new limitation which reflects the respective applicable increases provided by section 202(a) of this title in corresponding rates of compensation for officers and employees subject to section 5332 of title 5, United States Code.

(d) The first paragraph of section 603 of title 28, United States Code, relating to the compensation of the Director and the Deputy Director of the Administrative Office of the United States Courts, is amended to read as follows:

"The salary of the Director shall be the same as the salary of a district judge. The salary of the Deputy Director shall be in the same amount as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5.".

(e) Section 792(b) of title 28, United State Code, is amended by striking out "$26,000" and inserting in lieu thereof "$29,000".

LEGISLATIVE BRANCH EMPLOYEES

SEC. 214. (a) Except as otherwise provided in this title, each officer or employee in or under the legislative branch of the Government, whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946, shall be paid additional compensation at the rate of 4.5 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this section, shall be increased by 4.5 per centum.

(c) The rates of compensation of employees of the House of Representatives whose compensation is fixed by the House Employees Schedule under the House Employees Position Classification Act (78 Stat. 1079–1084; Public Law 88–652; 2 U.S.C. 291–303), including each employee subject to such Act whose compensation is fixed at a saved rate, are hereby increased by amounts equal, as nearly as may be practicable, to the increases provided by subsection (a) of this section.

(d) Except as provided in the last sentence of section 218(a) of this title, the additional compensation provided by this section shall be considered a part of basic pay for the purposes of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement.

(e) The per annum rate of compensation of the Chief of Staff of the Joint Committee on Internal Revenue Taxation shall be the same as the per annum rate of compensation of the Legislative Counsel of the House of Representatives.

(f) This section shall not apply with respect to the compensation of student congressional interns and the compensation of employees whose compensation is fixed by the House Wage Schedule under the House Employees Position Classification Act.

(g) The annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate, and the annual rate of gross compensation of each telephone operator on the United States Capitol telephone exchange and each member of the Capitol Police whose compensation is disbursed by the Clerk of the House of Representatives, (1) is increased by 4.5 per centum, and (2) as so increased shall be adjusted, effective the first day of the month following the date of enactment of this Act, to the nearest multiple of $188.

(h) In any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute or Senate resolution, such statutory provision or resolution shall be deemed to refer to the rate which an officer or employee subject to the provisions of subsection (g) receiving such rate immediately prior to the effective date of such subsection would be entitled (without regard to such statutory provision) to receive on and after such date. As used in this subsection and subsection (g), the term "officer" does not include a Senator.

(i) The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective on the first day of the month following the date of enactment of this Act, to the lowest multiple of $188 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose rate of compensation is adjusted under this subsection shall receive an increase under subsection (g) for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act. No increase shall be paid to any person under subsection (g) for any period prior to the first day of the month following the date of enactment of this Act during which such person was employed in the office of a Senator (other than the Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given. An increase under this subsection in the compensation of an employee in the office of a Senator for any period prior to the first day of the month following the date of enactment of this Act shall be made without regard to the clerk hire allowance of such Senator.

(j) Section 105(a)(1) of the Legislative Branch Appropriation Act, 1968, is amended by striking out "$180" and inserting in lieu thereof "$188".

(k) Section 105(d)(1) of such Act is amended by striking out the table and inserting in lieu thereof the following:

"$199,280 if the population of his State is less than 3,000,000;

"$212,440 if such population is 3,000,000 but less than 4,000,000;

"$223,720 if such population is 4,000,000 but less than 5,000,000;

"$234,060 if such population is 5,000,000 but less than 7,000,000;

"$245,340 if such population is 7,000,000 but less than 9,000,000;

"$258,500 if such population is 9,000,000 but less than 10,000,000;

"$271,660 if such population is 10,000,000 but less than 11,000,000;

"$284,820 if such population is 11,000,000 but less than 12,000,000;

"$297,980 if such population is 12,000,000 but less than 13,000,000;

"$311,140 if such population is 13,000,000 but less than 15,000,000;

"$324,300 if such population is 15,000,000 but less than 17,000,000;

"$338,400 if such population is 17,000,000 or more."

(l) Section 105 of such Act is amended by striking out "$1,080", "$6,120", "$10,620", "$10,800", "$14,220", "$14,400", "$15,660", "$15,840", "$18,180", "$22,320", "$23,400", and "$24,480" wherever they appear in such section and inserting in lieu thereof "1,128", "$6,392", "$11,092", "$11,280", "$14,852", "$15,040", "$16,356", "$16,544", "$18,988", "$23,312", "$24,440", and "$25,568", respectively.

(m) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 4.5 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (g) shall not apply to employees whose compensation is subject to such limitation, or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948.

(n) The first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (2 U.S.C. 60j), is amended by striking out "$540" and inserting in lieu thereof "$564".

(o) Section 5533(c) of title 5, United States Code, is amended to read as follows:

"(c)(1) Unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate gross pay from the positions exceeds $6,256 a year, and if—

"(A) the pay of one of the positions is paid by the Secretary of the Senate or the Clerk of the House of Representatives; or

"(B) one of the positions is under the Office of the Architect of the Capitol.

"(2) For the purpose of this subsection, 'gross pay' means the annual rate of pay (or equivalent thereof in the case of an individual paid on other than an annual basis) received by an individual, and, in the case of an individual receiving basic pay plus additional compensation provided by law, includes the aggregate amount received as basic and additional compensation, but does not include sums received as premium pay under subchapter V of this chapter.".

INCREASURES IN BASIC PAY RATES FOR LEVELS III, IV, AND V OF EXECUTIVE SCHEDULES

SEC. 215. (a) Section 5314 of title 5, United States Code, relating to the basic pay rate for level III of the Executive Schedule, is amended by striking out "$28,500" and inserting in lieu thereof "$29,500".

(b) Section 5315 of title 5, United States Code, relating to the basic pay rate for level IV of the Executive Schedule, is amended by striking out "$27,000" and inserting in lieu thereof "$28,750".

(c) Section 5316 of title 5, United States Code, relating to the basic pay rate for level V of the Executive Schedule, is amended by striking out "$26,000" and inserting in lieu thereof "$28,000".

SALARY INCREASE LIMITATIONS

SEC. 216. Except as provided in sections 213 (d) and (e), 214 (a) through (f), 215, and 219, no rate of compensation shall be increased, by reason of the enactment of this title, to an amount in excess of the salary rate now or hereafter in effect for level V of the Executive Schedule in section 5316 of title 5, United States Code.

UNCONTROLLABLE OVERTIME DUTY

SEC. 217. Section 5545(c)(2) of title 5, United States Code, is amended by striking out "15" and inserting in lieu thereof "25".

PAYMENT OF RETROACTIVE COMPENSATION

SEC. 218. (a) Retroactive pay, compensation, or salary shall be paid by reason of this title only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the date of enactment of this title, except that such retroactive pay, compensation, or salary shall be paid—

(1) to an officer or employee who retired, during the period beginning on the first day of the first pay period which began on or after October 1, 1967, and ending on the date of enactment of this title, for services rendered during such period, and

(2) in accordance with subchapter VIII of chapter 55 of title 5, United States Code, relating to settlement of accounts, for services rendered, during the period beginning on the first day of the first pay period which began on or after October 1, 1967, and ending on the date of enactment of this title, by an officer or employee who died during such period.

Such retroactive pay, compensation, or salary shall not be considered as basic pay for the purposes of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, or any other retirement law or retirement system, in the case of any such retired or deceased officer or employee.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

SALARIES OF LEGISLATIVE OFFICIALS

SEC. 219. (a) Section 203 of the Federal Legislative Salary Act of 1964 (78 Stat. 415) is amended as follows:

(1) in subsection (c), by striking out "$27,000" and inserting in lieu thereof "$28,000":

(2) in subsection (d), by striking out "$25,500" and inserting in lieu thereof "$27,250"; and

(3) in subsection (e), by striking out "$23,500" and inserting in lieu thereof "$25,000".

(b) Notwithstanding any other provision of law, no officer or employee of the General Accounting Office, the Library of Congress, the Government Printing Office, or the Office of the Architect of the Capitol, whose pay is fixed in accordance with the General Schedule under section 5332 of title 5, United States Code, shall be paid at an annual rate in excess of $27,055 by reason of the operation of section 212 of this Act.

EFFECTIVE DATES

SEC. 220. (a) Except as otherwise expressly provided, this title shall take effect as follows:

(1) This section and sections 201, 207, 212, 218, 221, and 224 (a) and (b) shall become effective on the date of enactment of this title.

(2) Sections 202, 203, 204, 205, 206, 208, 109, 210, 211, 213 (except subsections (d) and (e)), 214 (except subsections (j), (k), (l), (n), and (o)), and 216 shall become effective as of the beginning of the first pay period which began on or after October 1, 1967.

(3) Sections 213 (d) and (e), 214 (j), (k), (l), (n), and (o), 215, 217, 219, and 224(c) shall become effective at the beginning of the first pay period which begins on or after the date of enactment of this title.

(4) Sections 222 and 223 shall become effective thirty days after the date of enactment of this title.

(b) For the purposes of determining the amount of insurance for which an individual is eligible under chapter 87 of title 5, United States Code, relating to group life insurance for Federal employees—

(1) all changes in rates of pay which result from the enactment of this title (except Postal Field Service Schedule II, Rural Carrier Schedule II, and sections 207, 212, 213 (d) and (e), 215, and 219) shall be held and considered to become effective as of the date of such enactment; and

(2) all changes in rates of pay which result from the enactment of section 212 of this title and which take effect retroactively from the date on which the adjustments thereof are actually ordered under such section, shall be held and considered to become effective on the date on which such adjustments are actually ordered.

EMPLOYMENT OF RELATIVES BY PUBLIC OFFICIALS

SEC. 221. (a) Chapter 31 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 3110. Employment of relatives, restrictions

"(a) For the purpose of this section—

"(1) 'agency' means—

'(A) an Executive agency;

"(B) an office, agency, or other establishment in the legislative branch;

"(C) an office, agency, or other establishment in the judicial branch; and

"(D) the government of the District of Columbia;

"(2) 'public official' means an officer (including the President and a Member of Congress), a member of the uniformed service, an employee and any other individual, in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement, in connection with employment in an agency; and

"(3) 'relative' means, with respect to a public official, an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

"(b) A public official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, in or to a civilian position in the agency in which he is serving or over which he exercises jurisdiction or control any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a civilian position in an agency if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual.

"(c) An individual appointed, employed, promoted, or advanced in violation of this section is not entitled to pay, and money may not be paid from the Treasury as pay to an individual so appointed, employed, promoted, or advanced.

"(d) The Civil Service Commission may prescribe regulations authorizing the temporary employment, in the event of emergencies resulting from natural disasters or similar unforeseen events or circumstances, of individuals whose employment would otherwise be prohibited by this section.

"(e) This section shall not be construed to prohibit the appointment of an individual who is a preference eligible in any case in which the passing over of that individual on a certificate of eligibles furnished under section 3317(a) of this title will result in the selection for appointment of an individual who is not a preference eligible."

(b) The analysis of chapter 31 of title 5, United States Code, is amended by adding the following new item at the end thereof:

"3110. Employment of relatives; restrictions.".

(c) The amendments made by this section do not apply to an appointment, employment, advancement or promotion made or advocated by a public official of any individual who is a relative of the public official if, prior to the effective date of this section, the individual was appointed by the public official, or received an appointment advocated by the public official, and is serving under the appointment on such effective date.

TRAVEL STATUS

SEC. 222. (a) Section 5542(b)(2)(B) of title 5, United States Code, is amended to read as follows:

"(B) the travel (i) involves the performance of work while traveling, (ii) is incident to travel that involves the performance of work while traveling, (iii) is carried out under arduous conditions, or (iv) results from an event which could not be scheduled or controlled administratively".

(b) Section 3571 of title 39, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(e) Time spent in a travel status away from the official duty station of an employee is not hours of work unless the travel (i) involves the performance of work while traveling, (ii) is incident to travel that involves the performance of work while traveling, (iii) is carried out under arduous conditions, or (iv) results from an event which could not be scheduled or controlled administratively.".

(c) Subchapter II of chapter 57 of title 5, United States Code, is amended—

(1) by adding at the end thereof the following new section:

"§ 5733. Expeditious travel

"The travel of an employee shall be by the most expeditious means of transportation practicable and shall be commensurate with the nature and purpose of the duties of the employee requiring such travel."; and

(2) by inserting after item 5732 in the analysis of such subchapter the following new item:

"5733. Expeditious travel.".

(d) Section 5544(a) of title 5, United States Code, is amended by inserting immediately at the end thereof the following new sentence: "Time spent in a travel status away from the official duty station of an employee subject to this subsection is not hours of work unless the travel (i) involves the performance of work while traveling, (ii) is incident to travel that involves the performance of work while traveling (iii) is carried out under arduous conditions, or (iv) results from an event which could not be scheduled or controlled administratively.".

APPEALS FROM POSITION CLASSIFICATIONS OF WAGE BOARD EMPLOYEES

SEC. 223. (a) Subchapter IV of chapter 53 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5345. Position classification appeals

On application, made in accordance with regulations prescribed by the Civil Service Commission, by an employee subject to section 5341(a) of this title for the review of the action of an employing agency in classifying his position for pay purposes, the Commission shall—

"(1) ascertain currently the facts as to the duties, responsibilities, and qualification requirements of the position;

"(2) decide whether the position has been properly classified; and

"(3) approve, disapprove, or modify, in accordance with its decision, the action of the employing agency in classifying the position.

The Commission shall certify to the agency concerned its action under paragraph (3) of this section. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.".

(b) The analysis of chapter 53 is amended by inserting the following new item after item 5344:

"5345. Position classification appeals.".

MISCELLANEOUS PROVISIONS

SEC. 224. (a) Section 4101(2)(B) of title 5, United States Code, is amended by striking out "Coast and Geodetic Survey" and inserting in lieu thereof "Environmental Science Services Administration".

(b)(1) Section 8339(e)(2) of title 5, United States Code, is amended to read as follows:

"(2) the greater of—

"(A) the final basic pay of the Member; or

"(B) the final basic pay of the appointive position of a former Member who elects to have his annuity computed or recomputed under section 8344(b)(1) of this title.".

(2) Section 8348(g) of title 5, United States Code, shall not apply to benefits resulting from the amendment made by this subsection.

(c) Section 1(b) of the Act of August 25, 1958 (72 Stat. 838; 3 U.S.C. 102, note), as amended, is amended by striking out "$65,000" and inserting in lieu thereof "$80,000", and by striking out the fourth sentence therein and inserting in lieu thereof the following: "The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or hereafter provided by law for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code.".

TITLE III—PROHIBITION OF PANDERING ADVERTISEMENTS

SEC. 301. (a) Chapter 51 of title 39, United States Code, is amended by adding at the end of such chapter the following new section:

"§ 4009. Prohibition of pandering advertisements in the mails

"(a) Whoever for himself, or by his agents or assigns, mails or causes to be mailed any pandering advertisement which offers for sale matter which the addressee in his sole discretion believes to be erotically arousing or sexually provocative shall be subject to an order of the Postmaster General to refrain from further mailings of such materials to designated addressees thereof.

"(b) Upon receipt of notice from an addressee that he has received such mail matter, determined by the addressee in his sole discretion to be of the character described in subsection (a) of this section, the Postmaster General shall issue an order, if requested by the addressee, to the sender thereof, directing the sender and his agents or assigns to refrain from further mailings to the named addressees.

"(c) The order of the Postmaster General shall expressly prohibit the sender and his agents or assigns from making any further mailings to the designated addressees, effective on the thirtieth calendar day after receipt of the order. The order of the Postmaster General shall also direct the sender and his agents or assigns to delete immediately the names of the designated addresses from all mailing lists owned or controlled by the sender or his agents or assigns and, further, shall prohibit the sender and his agents or assigns from the sale, rental, exchange, or other transaction involving mailing lists bearing the names of the designated addressees.

"(d) Whenever the Postmaster General believes that the sender or anyone acting on his behalf has violated or is violating the order given under this section, he shall serve upon the sender, by registered or certified mail, a complaint stating the reasons for his belief and request that any response thereto be filed in writing with the Postmaster General within fifteen days after the date of such service. If the Postmaster General, after appropriate hearing if requested by the sender, and without a hearing if such a hearing is not requested, thereafter determines that the order given has been or is being violated, he is authorized to request the Attorney General to make application, and the Attorney General is authorized to make application, to a district court of the United States for an order directing compliance with such notice.

"(e) Any district court of the United States within the jurisdiction of which any mail matter shall have been sent or received in violation of the order provided for by this section shall have jurisdiction, upon application by the Attorney General, to issue an order commanding compliance with such notice. Failure to observe such order may be punished by the court as contempt thereof.

"(f) Receipt of mail matter thirty days or more after the effective date of the order provided for by this section shall create a rebuttable presumption that such mail was sent after such effective date.

"(g) Upon request of any addressee, the order of the Postmaster General shall include the names of any of his minor children who have not attained their nineteenth birthday, and who reside with the addressee.

"(h) The provisions of subchapter II of chapter 5 (relating to administrative procedure) and chapter 7 (relating to judicial review) of part I of title 5, United States Code, shall not apply to any provisions of this section.

"(i) For the purposes of this section—

"(1) mail matter, directed to a specific address covered in the order of the Postmaster General, without designation of a specific addressee thereon, shall be considered as addressed to the person named in the Postmaster General's order; and

"(2) the term 'children' includes natural children, stepchildren, adopted children, and children who are wards of or in custody of the addressee or who are living with such addressee in a regular parent-child relationship.".

(b) The table of contents of chapter 51 of title 39, United States Code, is amended by adding at the end thereof—

"4009. Prohibition of pandering advertisements in the mails.".

SEC. 302. The provisions of this title shall become effective on the one hundred and twentieth day after the date of enactment of this Act.

TITLE IV—FEDERAL EMPLOYEES LIFE INSURANCE

SEC. 401. Section 8704(a) of title 5, United States Code, is amended to read as follows:

"(a) An employee eligible for insurance is entitled to be insured for an amount of group life insurance, plus an equal amount of group accidental death and dismemberment insurance, in accordance with the following schedule, which schedule shall be automatically extended correspondingly by the amounts of increases in the annual rate of basic pay for positions at level II of the Executive Schedule under section 5313 of this title:

"If annual pay is—		The amount of group life insurance is—	The amount of group accidental death and dismemberment insurance is—
Greater than—	But not greater than—		
0	$8,000	$10,000	$10,000
$8,000	9,000	11,000	11,000
9,000	10,000	12,000	12,000
10,000	11,000	13,000	13,000
11,000	12,000	14,000	14,000
12,000	13,000	15,000	15,000
13,000	14,000	16,000	16,000
14,000	15,000	17,000	17,000
15,000	16,000	18,000	18,000
16,000	17,000	19,000	19,000
17,000	18,000	20,000	20,000
18,000	19,000	21,000	21,000
19,000	20,000	22,000	22,000
20,000	21,000	23,000	23,000
21,000	22,000	24,000	24,000
22,000	23,000	25,000	25,000
23,000	24,000	26,000	26,000
24,000	25,100	27,000	27,000
25,000	26,000	28,000	28,000
26,000	27,000	29,000	29,000
27,000	28,000	30,000	30,000
28,000	29,000	31,000	31,000
29,000	....	32,000	32,000".

SEC. 402. Section 8707 of title 5, United States Code, is amended to read as follows:

"§ 8708. Employee deductions; withholding

"During each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, there shall be withheld from the pay of the employee his share of the cost of the group life insurance and accidental death and dismemberment insurance. The amount withheld shall be at the rate, adjusted to the nearest half-cent, of 66⅔ percent of the level cost of each $1,000 of insurance, as determined by the Commission.".

SEC. 403. Section 8708(a) of title 5, United States Code, is amended to read as follows:

"(a) For each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, a sum equal to one-half the amount which is withheld from the pay of the employee under section 8707 of this title shall be contributed from the appropriation or fund which is used to pay him.".

SEC. 404. Chapter 87 of title 5, United States Code, is amended—

(1) by adding the following new section:

"§ 8714a. Optional insurance

"(a) Under the conditions, directives, and terms specified in sections 8709–8712 of this title, the Civil Service Commission, without regard to section 5 of title 41, may purchase a policy of optional insurance, which shall make available to each insured employee optional insurance in addition to the amounts shown in section 8704(a) of this title.

"(b) The optional insurance shall be made available in amounts approved by the Commission, not to exceed $10,000 of optional life insurance plus an equal amount of optional accidental death and dismemberment insurance, and under such conditions as the Commission shall prescribe.

"(c) (1) The optional insurance on an employee stops on his separation from service, 12 months after discontinuance of his pay, or on his entry on active duty or active duty for training, as provided in sections 8706(a) and 8706(d) of this title.

"(2) So much of the optional life insurance in force on an employee on the date he retires on an immediate annuity or becomes entitled to receive compensation for work injuries which has been in force for not less than—

"(A) the full period or periods of service during which the optional insurance was available to him; or

"(B) the 12 years of service immediately preceding his retirement or beginning date of entitlement to compensation for work injuries and during which the optional insurance was available to him;

whichever is shorter, may be continued—

"(A) after retirement, under the same conditions (except with respect to cost but including reduction of the amount continued) as provided in section 8706(b) of this title; or

"(B) while in receipt of compensation for work injuries under the same conditions (except with respect to cost) as provided in section 8706(c) of this title.

"(d) During each period in which an employee has the optional insurance the full cost thereof shall be withheld from his pay. During each period in which an employee continues optional life insurance after retirement or while in receipt of compensation for work injuries, as provided in section 8706(b) or 8706(c) of this title, the full cost thereof shall be withheld from his annuity or compensation, except that, at the end of the calendar month in which he becomes 65 years of age, the optional life insurance shall be without cost to him. Amounts so withheld shall be deposited, used, and invested as provided in section 8714 of this title and shall be reported and accounted for separately from amounts withheld and contributed under sections 8707 and 8708 of this title.

"(e) The cost of the optional insurance shall be determined from time to time by the Commission on the basis of such age groups as it considers appropriate.

"(f) The amount of optional life, or life and accidental death, insurance in force on an employee at the date of his death shall be paid as provided in section 8705 of this title."; and

(2) by inserting in the analysis of such chapter the following new item after item 8714:

"8714a. Optional insurance.".

SEC. 405. (a) The amendments made by sections 401–403 of this Act shall take effect on the first day of the first pay period which begins on or after the sixtieth day following the date of enactment and shall have no effect in the case of an employee who died, was finally separated, or retired prior to the date of enactment. In the case of an employee who dies or retires during the period beginning on the date of enactment of this Act and prior to the effective date of the amendments made by sections 401–403 of this Act, the amount of insurance shall be determined as if the amendments made by section 401 were in effect for such employee during such period.

(b) The amendments made by section 404 of this Act shall take effect on the first day of the first pay period which begins on or after the one hundred and eightieth day following the date of enactment or on any earlier date which is at least sixty days after the date of enactment that the Civil Service Commission may prescribe and shall have no effect in the case of an employee who died, was finally separated, or retired prior to such effective date.

SEC. 406. The Employees Life Insurance Fund is available without limitation for expenses incurred by the Civil Service Commission in carrying out section 404 of this Act.

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **MONRONEY**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. **MONRONEY**. Mr. President, now that the bill (H.R. 7977), the Postal Rate and Federal Employees' Salary Act of 1967, is before the Senate, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill as thus amended be considered for purposes of further amendment as the original text of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. **MONRONEY**. Mr. President, this legislation is designed to increase postal revenues in order to reduce the total $1,200 million postal deficit that now exists. We charge off, however, as a public service, the necessary functions of the post office that are nonrevenue productive, or are loss items, in the amount of $640 million in public service costs; so our actual net operating deficit for a year's operation, after this year, would be $560 million.

As reported by the committee, the bill will increase revenues by $916.5 million when fully effective. All of this will not take place the first year, and neither will all of the increase in costs of the Post Office Department, because this is a three-stage pay bill, which will provide for additional increases to achieve comparability next year and the following year.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief summary of the bill and a chart exhibiting the proposed rate changes and revenue increases contained in this legislation as passed by the House of Representatives and as amended by the committee.

There being no objection, the summary and the chart were ordered to be printed in the RECORD, as follows:

SUMMARY OF TITLE I

The committee has reported the bill as referred with amendments to increase postal rates as follows:

(1) First-class mail is increased to produce an additional $518.4 million.

(2) Airmail and air parcel post has been increased to produce an additional $49.7 million.

(3) Second-class mail has been increased to produce an additional $33.6 million.

(4) Third-class mail has been increased to produce an additional $264.7 million.

(5) Controlled circulation rates have been increased to produce an additional $7.9 million.

(6) Fourth-class book rates have been increased to produce an additional $12.6 million.

(7) Additional Federal revenue derived for mailings by the Government will produce an additional $29.6 million.

The total new revenue when the bill is fully effective will produce $916.5 million, an increase of $26.9 million over the bill as referred.

POSTAL RATES

Mail class	Rates			Estimated 1968 volume (millions)	Estimated 1968 revenue (millions)	Estimated 1968 surplus or loss (millions)	New revenues (millions)		Cost coverage after all pay and rate increases (percent)		
	Now	H.R. 7977	Senate bill				H.R. 7977	Senate	Now	H.R. 7977	Senate
First class:											
Letters	5 cents ounce	6 cents ounce	6 cents ounce	42,225	$2,526.9	+$101.2	$495.4	$495.4	103	110	110
Drops	4 cents ounce	6 cents ounce	6 cents ounce	106							
Cards	4 cents each	5 cents each	5 cents each	2,302	92.2	−24.5	23.0	23.0			
Total				44,633	2,619.1	+76.7	518.4	518.4			
Airmail:											
Letters	8 cents ounce	10 cents ounce	10 cents ounce	2,098	225.0	+10.8	56.3	56.3	105	119	119
Cards	6 cents each	8 cents each	8 cents each	32	2.0		0.6	0.6			
Parcels	First class and zone rates.	Zone rates	Zone rates	55	107.8	+46.2	−7.2	−7.2	175	157	157
Total				2,185	334.8	+57.0	+49.7	+49.7			
Second class:											
Regular	Adv. 4.2 cents to 14 cents per pound. Non-Adv. 2.8 cents per pound. Minimum of 1 cent.	Adv. 5.1 cents to 17 cents per pound. Non-Adv. 3.4 cents per pound. Minimum of 1.3 cents.	Adv. 5.2 cents to 17 cents per pound. Non-Adv. 3.4 cents per pound. Minimum of 1.3 cents.	5,412	110.9	−264.9	25.0	26.1	29	34	33
Surcharge		0.3 cent	Deleted	(1,835)			5.5			[1]	
Nonprofit	1.8 cents per pound; ⅛ cent minimum.	2.1 cents per pound; 0.2 cents minimum. Adv. at zone rates; 5.1 cents to 12 cents.	2.1 cents per pound; 0.2 cent minimum. Adv. at zone rates; 5.2 cents to 17 cents. 10% exclusion.	2,266	7.9	−126.2	6.2	4.5	7	11	9
Classroom	60% of regular rate	Same	Same	137	1.8	−8.2	0.4	0.4	18	20	20
In-country	1¼ cents per pound; ⅛ cent minimum.	1.5 cents per pound; 0.2 cent minimum.	1.5 cents per pound; 0.2 cent minimum.	1,748	9.3	−70.9	2.0	2.1	13	14	14

See footnote at end of table.

POSTAL RATES—Continued

Mail class	Rates			Estimated 1968 volume (millions)	Estimated 1968 revenue (millions)	Estimated 1968 surplus or loss (millions)	New revenues (millions)		Cost coverage after all pay and rate increases (percent)		
	Now	H.R. 7977	Senate bill				H.R. 7977	Senate	Now	H.R. 7977	Senate
Second class—Continued											
Transient	4 cents first 2 oz.; 1 cent each add'l oz.	5 cents first 2 oz.; 1 cent each add'l oz.	5 cents first 2 oz.; 1 cent each add'l oz.	44	5.0	−0.4	0.5	0.5	92	91	91
Total				9,337	134.9	−470.6	39.6	33.6			
Third class:											
Single piece	4 cents first 2 ounces; 2 cents each additional ounce.	6 cents first 2 ounces; 2 cents each additional ounce.	6 cents first 2 ounces; 2 cents each additional ounce.	3,409	209.3	−34.1	69.8	69.8	86	103	103
Bulk—Regular	12 cents and 18 cents per pound; 2⅞ cents minimum.	16 cents and 22 cents per pound; 3.8 cents minimum.	16 cents and 22 cents per pound; 3.6 cents to 4 cents minimum.	15,667	495.7	−316.9	154.1	182.8	61	72	75
Bulk—Nonprofit	6 cents and 9 cents per pound; 1¼ cents minimum.	8 cents and 11 cents per pound; 1.9 cents and 1.3 cents minimum.	50% of bulk pound rate and 40% of minimum per-piece bulk rate.	3,286	43.4	−117.3	10.1	12.1	27	30	31
Total				22,362	748.4	−468.3	234.0	264.7			
Controlled circulation	13½ cents per pound; 1 cent minimum.	5 cents per pound; 3.8 cents minimum.	16 cents per pound; 3.8 cents minimum.	437	24.3	−17.6	6.4	7.9	58	68	71
Fourth class:											
Books, records, films, and other materials.	10 cents first pound; 5 cents each add'l.	16 cents first 2 pounds; 6 cents each add'l.	12 cents first pound; 6 each add'l.	221	57.8	−70.6	9.7	11.5	45	48	49
Library mail	4 cents first pound; 1 cent each add'l.	8 cents first 2 pounds; 3 cents each add'l.	5 cents first pound; 2 cents each add'l.	18	1.7	−8.9	2.6	1.1	16	37	24
Total				239	59.5	−79.5	12.3	12.6			
Federal Government mail.	All classes	All classes	All classes		153.6	+7.3	29.2	29.6	105	115	115
Grand total [2]				79,193	4,074.6	−895.0	889.6	916.5	83	87	88

[1] Included in 34-percent figure.

[2] Listed services only. Data do not reflect volume, revenue, or costs for other services, including parcel post, international mail, special services, and public-service costs for rural operations.

2D-CLASS REGULAR-RATE PUBLICATIONS

	Number of subscriptions per issue (in thousands)	Terms of subscription		
		Percent, less than 1 year	Percent, 1 to 3 years	Percent, 3 years and over
Reader's Digest	14,916	6.9	93.0	0.1
McCall's	7,659	.3	83.8	15.9
Look	7,129	1.1	75.2	23.7
Life	6,878	19.2	67.1	13.7
The Saturday Evening Post	6,255	.6	76.6	31.8
Better Homes & Gardens	6,060	.2	88.4	11.4
Ladies' Home Journal	5,928	.3	76.5	23.2
Good Housekeeping	4,502	.1	81.8	18.1
TV Guide	3,744	26.8	67.4	5.8
Redbook	3,252	.4	81.0	18.6
Time	3,150	60.2	33.7	6.1
Farm Journal	3,024	.1	45.1	54.8
American Home	2,947	.2	74.7	25.1
Parents' Magazine and Better Homemaking	2,011	13.6	48.4	38.0
True	1,852	.8	68.0	31.2
Newsweek	1,735	40.5	47.5	12.0
Successful Farming	1,331	.1	57.8	42.1
U.S. News & World Report	1,325	42.0	49.2	8.8
Progressive Farmer	1,280	1.2	64.0	34.8
Mechanix Illustrated	1,106	.5	49.2	50.3
Sports Illustrated	1,079	52.4	40.6	7.0
Sports Afield	1,069	.5	58.9	40.6
Field & Stream	1,052	.8	72.7	26.5
Outdoor Life	1,028	.7	96.9	2.4
Popular Science	1,019	1.5	91.9	6.6
Popular Mechanics	1,013	1.1	76.9	22.0
Argosy	959	2.3	62.1	35.6
Holiday	954	.5	84.3	15.2
House & Garden	913	1.2	95.7	3.1
Playboy	840	.2	90.1	9.7
Glamour	829	3.1	68.8	28.1
Esquire	795	8.1	42.0	49.9
Nation's Business	794	.1	44.8	55.1
Ebony	732	.6	83.2	16.2
House Beautiful	713	.2	74.0	25.8
Sunset	702	.2	80.0	19.8
Ingenue	580	.3	78.3	21.4
Business Week	498	.7	64.0	35.3
Forbes	428	.5	57.6	41.9
Saturday Review	420	17.3	75.4	7.3
Fortune	411	6.3	76.8	16.9
Mademoiselle	374	5.4	92.7	1.9
The New Yorker	360	1.9	98.1	
Seventeen	354	1.5	97.8	.7
Harper's Bazaar	301	.3	84.6	15.1
Vogue	275	37.3	57.1	5.6
Harper's	233	15.6	71.9	12.5
The Atlantic Monthly	232	46.7	50.0	3.3
Cosmopolitan	25	.3	94.4	5.3

Source: 1966 supplement to the Association of National Advertisers, Inc. "Magazine Circulation and Rate Trends," pp. 2, 3, 6, and 7.

Mr. MONRONEY. Briefly, additional revenues resulting from the committee bill are as follows:

The committee has increased the rate on first-class mail from 5 to 6 cents per ounce. This will produce an additional $495.4 million. The present category of drop letters is eliminated, and the rate is increased from 4 to 6 cents per ounce.

The rate on postal cards is increased from 4 to 5 cents each, producing an additional $23 million.

The rate on airmail letters is increased from 8 to 10 cents per ounce. This will provide an additional $56.3 million. The rate on airmail post cards is increased from 6 to 8 cents each, producing an additional $600,000.

The rate on air parcels, now mailed at a zone rate, is revised. Airmail weighing more than 7 ounces and first-class mail weighing more than 13 ounces will be combined as one class of mail and will be delivered by the most expeditious means of transportation available.

This is a significant departure from the present method of determining class of mail and postage rates for heavier parcels. Because of the high cost coverage of heavy first-class and airmail parcels, the Post Office Department has recommended, and the committee and the House of Representatives have approved, a new rate schedule combining these two kinds of heavy mail at a zone-rate schedule which is generally lower than present rates for air parcel post or first-class mail.

The total revenue gained in these changes in airmail and heavy parcels will be $49.7 million.

The committee has made several changes in the provisions for rates of postage applicable to second-class mail.

The regular rates approved by the House applicable to commercial magazines and newspapers have been revised to increase by one-tenth of a cent the pound rate on the advertising content in the first four zones. This will produce an additional $1.1 million over the House figure of $25 million.

The surcharge of three-tenths of a cent on each copy of a publication which mails more than 500,000 copies per issue has been eliminated.

The rate of postage on advertising content of nonprofit publications will be identical to the schedule for commercial publications, but nonprofit publications having not more than 10-percent advertising will not be subject to the advertising rate schedule. The rate of postage for nonadvertising content and the minimum-per-piece charge for each copy of a nonprofit publication is substantially lower than the rate for commercial publications.

The minimum rate of postage on classroom publications is maintained at 60 percent of the regular commercial rate. The classroom publications that are carried at the minimum rate will be increased, but only to 60 percent of the regular commercial publication rate.

The present advertising rates on agricultural publications in zones 1 and 2 are maintained, as approved by the House.

The rate of postage for publications which are distributed within the county of publication is approved as referred. This will increase rates to 1.5 cents per pound with a minimum of 0.2 cent per piece.

The rate of postage on transient second-class mail is increased by 1 cent on the first 2 ounces.

Total revenue gain is $33.6 million.

The third-class rate schedule for a single piece has been approved as referred. Under existing law, the rate is 4 cents for the first 2 ounces and 2 cents for each additional ounce. The House of Representatives recommended and the committee has approved an increase to 6 cents for the first 2 ounces. This will produce an additional $69.8 million.

The rates of postage on bulk-rate third-class mail are increased from 12 to 16 cents per pound for seeds, catalogs, and books, and from 18 to 22 cents per pound on other mail. The minimum charge per piece was increased by the House of Representatives from the present 2.875 to 3.8 cents effective January 7, 1968.

The committee, after great discussion and after many votes on this highly debatable and highly controversial issue of junk mail, voted to revise the minimum charge per piece to increase the rate to 3.6 cents effective January 7, 1968, and 4 cents effective January 1, 1969.

The bulk rate for nonprofit organizations has been increased from the present minimum-per-piece rate of 1.25 cents to 40 percent of the minimum-per-piece regular bulk rate. The provisions of the bill as referred from the House of Representatives, divided nonprofit organizations into two groups. Nonprofit organizations for religious, charitable, or general health purposes were permitted to mail at a minimum of 1.3 cents. Other nonprofit organizations would mail at 1.9 cents per piece, except when that mail was a fundraising nature for religious, charitable, or general health purposes.

The committee has revised this language so that all nonprofit organizations will mail at the same rate with no distinction between those that are religious, charitable, or general health, and those which are not.

It would have created, the committee decided, a very significant, if not impossible, administrative problem in the postal service to have differing rates of postage applicable to the same class of mail each determined by which organization is using the mail for a fundraising or nonfundraising purpose.

Because we have included this provision, that type of mail would all move at the same rate. Following out the relationship between nonprofit and profitmaking institutions, we have again adopted a sliding scale in which a nonprofit organization will receive in most cases approximately a 60-percent discount from the regular rate.

In this way, we will not have to worry through the years about figuring out two rates, one for the profit and one for the nonprofit organizations.

The nonprofit minimum rate has been increased only one-fourth of a cent in the past 39 years. I repeat that statement for the benefit of my friend, the distinguished senior Senator from Ohio, who is always interested in watching the expenditure of every penny.

The nonprofit minimum rate has been increased only one-fourth of a cent in the past 39 years. I think it is a significant mark of progress that the committee has resolved this situation. And by relating it to the third class regular rate, we will begin to have paid in for this class of mail, deserving though it may be, a greater share of the cost that the Government must pay out to deliver this large volume of mail and still not work a hardship on these nonprofit organizations which do necessarily use this class of mail for fundraising efforts.

The committee believes that establishing a permanent relationship of the nonprofit minimum rate to the regular rate, at a 60-percent discount of the regular rate, is a fair rate for the mailer without being an undue charge to the taxpayer who makes up the loss.

Total revenue gain for all third-class mail is $264.7 million. Over a quarter of a billion dollars is being raised by elevating the cost of third-class mail which is commonly referred to as junk mail.

We feel that the 4-cent permanent rate, to become effective next year, will go a long way toward reducing the subsidy that has been paid for this type of mail.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. Mr. President, would the bill which came from the House of Representatives put into effect immediately this third-class rate?

Mr. MONRONEY. At 3.8 cents. It moved from 2.875 cents. On January 7, 1968, it would move to 3.8 cents.

The pending bill would lower this initial rate so that it would move from 2.875 cents to 3.6 cents the first year and would become 4 cents effective the following year. This would give them a chance to adjust.

We will have a serious attack, I am sorry to say, probably from the junk mailers in an effort to roll back this increase and take advantage of the very intensive and, in some cases, very vicious lobbying attempts that have been made on the part of these mailers to defeat the purpose of the bill.

We carry 82 billion pieces of mail a year. We are having difficulty in finding a way to move this volume of mail.

I can understand the figure better when I say 82 thousand million pieces of mail. A very considerable part of this mail has been moving under third-class rates. It is a highly subsidized rate for the profitmaking institutions.

Mr. LAUSCHE. Mr. President, am I correct in my understanding that the House bill provided for an increase in the full amount immediately after passage of the bill?

Mr. MONRONEY. The Senator is correct. It was to be on January 7.

Mr. LAUSCHE. The mailers of third-class mail wanted to have the increase spread over a 3-year period.

Mr. MONRONEY. The Senator is correct.

Mr. LAUSCHE. The Senate committee decided upon a 2-year period in which to put into effect the full, new levy.

Mr. MONRONEY. The Senator is correct. The reason we did not extend it to the third-class mailers is because this mail comes unsolicited and many times unwanted. It does not involve the subscription as in second-class mail which is sometimes for 2 years and 3 years.

Subscriptions have been sold for 2 and 3 years by these large-volume mail users at fixed prices. They cannot adjust their circulation income to the price of the subscriptions that have been sold this year or last year.

They would be in a deficit position. So we do allow the 3-year phase-in, because the people want this mail. They pay money to subscribe for it. They buy it on subscription sometimes as far ahead as 5 years, at the old rate.

To be fair to all classes of mailers, we felt that a period of 3 years was amply justified with respect to the paid circulation media. We assisted even third-class mailers with a two-step increase.

Mr. LAUSCHE. With respect to the different classes of mail, having in mind the junk mail, what did the testimony and the communications which the committee received show about the attitude of the public with respect to junk mail?

Mr. MONRONEY. The attitude of the public with respect to junk mail is that the least amount of it, the better. They resent their mail boxes being cluttered up with unwanted and sometimes lewd, lascivious, and pornographic mail that comes in from many of the mailing lists.

It is a tragedy to say it, but I must say that the traffic in peddling mailing lists has become a rather big business in the direct mail industry. You can join the Book-of-the-Month Club and find yourself receiving pornographic mailings, because the lists are shifted around by the direct mailers or by businesses that go specifically into peddling mailing lists. So you have no assurance that your home will not be invaded by pornographic literature, although you have never been on any list.

One of the witnesses, the distinguished Congressman from Nebraska, Mr. CUNNINGHAM, testified that his son, when he was only 12 or 13, was in a Boy Scout group that subscribed to one of the Boy Scout magazines. How the list got into the hands of pornographic mailers, no one knows, but it did; and this boy's name has been on it from then on. The literature keeps coming to Representative CUNNINGHAM's home, and this is the reason why he was the author of an amendment which the House agreed to and which the Senate has maintained unchanged in this bill.

Mr. LAUSCHE. That is, title 3, which intends to cope with the mailing of lascivious literature, is dealt with in the bill?

Mr. MONRONEY. It is dealt with in the bill exactly as the House passed it, exactly as Representative CUNNINGHAM intended it to be, modified by the House action. We changed not a line, nor did we dot an "i" or cross a "t."

Mr. LAUSCHE. I thank the Senator.

Mr. MONRONEY. I might say that third-class mailers will pay $28 million less than they ordinarily would have paid under the House-passed bill for the first year, and $28 million more the second year and each year thereafter. The revenue, in other words, for the 2-year period will be the same, and after that it will become higher, because the rate goes to 4 cents, which will cover a greater portion of the cost involved in handling the mail.

Mr. LAUSCHE. Is it fair to say that the committee concluded that in face of the attitude of the public with regard to junk mail and in face of the huge burden that rests upon the Post Office Department with respect to expense, it was absolutely necessary to increase the rate on the junk mail to the extent that it has been done in the bill?

Mr. MONRONEY. When these rates are fully effective at the end of the second year, they will cover 75 percent of the cost of handling the junk mail, as opposed to 61 percent at the present time and as opposed to 72 percent as the bill was passed by the House.

In other words, if the volume is decreased, then our costs of handling it will be decreased, and our job of moving 82 billion pieces of mail will be somewhat lessened. The first-class users, who still pay the greatest portion of the cost, will be able to get better service; because the postman's load will be less, the work of those in the main post office will be less, and the work in transportation will be less. The number of pieces may decrease, but we will have less congestion of the mail.

I fear there is a point at which the volume of mail becomes unmanageable, and this is what we are attempting to avoid. We want the finest postal service the world has ever seen; and I believe that when we get through with what is in the mill, we will have accomplished this.

I will emphasize later that the bulk of new revenue—over a half billion dollars—to be raised by this bill would be achieved by increasing the first-class mail from 5 cents to 6 cents. But the first-class mailer will almost receive for 6 cents what is equivalent today to an 8-cent airmail stamp, or a 10-cent airmail stamp under the new bill. The first-class mail would go overnight from Los Angeles to New York, or from the Senator's home city of Cleveland to Seattle. If the mail performance is what it should be in the post offices themselves, one could mail a letter anywhere in a major city this evening, and it would be delivered the next morning anywhere in the United States.

We are putting this system in even for the smaller towns, with a small airplane lift, to move the mail between the cities overnight, to do our best to get next morning delivery from the smallest hamlet to the most distant place in the United States.

Mr. LAUSCHE. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished senior Senator from Florida.

Mr. HOLLAND. Mr. President, I have received some inquiries from small newspapers—what I would call county seat newspapers—in rural counties, complaining of the increased burden that would be imposed upon them by the pending bill. I have not had the time to run down the question fully, but I wonder whether the distinguished Senator has come to a point in his remarks at which he could logically discuss that subject.

Mr. MONRONEY. I will come to it.

As chairman of the committee and as a former newspaperman, I know almost every editor in the State of Oklahoma, including the publisher of the smallest in-county newspaper. I know that they are well pleased with the rates that are provided for all types of second-class mail, including the largest mailer.

The in-county rate is one and one-quarter cents per pound today, which is pretty cheap. The new cost would be 1½ cents a pound. They would go up one-quarter of a cent per pound on their mailing in-county.

Mr. HOLLAND. That is 20 percent.

Mr. MONRONEY. There would be a one-eighth of a cent minimum charge. The minimum charge, in which they are more interested than they are in the pound rate, will go up to one-fifth of a cent.

I may say to the in-county people that the cost coverage on this class of mail is the lowest of any class, and under this bill they would pay only 14 percent of the cost coverage. Prior to this bill, they have been paying only 13 percent of the cost coverage. So this would mean an increase of only 1 percent in the cost coverage.

It is important to have smalltown newspapers. They chronicle the news that does not appear in the New York Times, the Washington Post, the Los Angeles Examiner, the Tulsa Tribune, the Daily Oklahoman, or the great Miami newspapers. This is journalism at the grassroots, and it is essential that we keep it alive.

Mr. HOLLAND. The home county newspapers.

Mr. MONRONEY. Yes. I believe a greater percentage of these home county newspapers, four-sheet papers, with very little advertising, are sent to Vietnam and to the four corners of the world; because they relate what Aunt Nelly has been doing at the county fair or who won the prize in the 4–H Club for the best bull. This is Americana; and if we are going to help any publication, this is where we should give the best, and we have disturbed them the least.

Not one editor in Oklahoma—and I must say that I know all of them by their first names—has written me or even called me, and I wish they would call me collect if they object. I have not received one word of criticism.

Mr. HOLLAND. I wish to bring this out in some detail. Do I correctly understand that the within-county mailing of such home county newspapers, published generally at the county seat, is at the rate of 1¼ cents per pound under present law?

Mr. MONRONEY. The Senator's understanding is correct.

Mr. HOLLAND. And that the new bill, as reported by the committee and supported by the Senator from Oklahoma, would raise that charge to 1½ cents a pound?

Mr. MONRONEY. A one-quarter of a cent increase, and their circulation is small.

Mr. HOLLAND. That is a 20-percent increase in the postal rate.

Mr. MONRONEY. This is over a 3-year period. This does not escalate.

Mr. HOLLAND. The Senator means that it would not all come in 1 year?

Mr. MONRONEY. No. It does come in 1 year.

Mr. HOLLAND. My understanding was that it became effective immediately. I may have misunderstood.

Mr. MONRONEY. The minimum per piece rate becomes effective immediately and that goes from one-eighth of a cent to two-tenths of a cent minimum. In other words, it would be one-eighth of a cent against 5 percent of a cent for the minimum. That does become effective January 7.

The pound rate is spread over the 3-year period.

Mr. HOLLAND. That is, if a single paper in such case is moving to a certain point within the county, but outside the town where it was published, the rate would go from one-eighth of a cent to one-fifth of a cent?

Mr. MONRONEY. Yes. The individual minimum rate. They have to pay that on any copy. If it were a heavier paper they would pay the pound rate and the minimum would not apply.

Mr. HOLLAND. As to mailings out of county, will the Senator state for the record what would be under existing law and the proposals incorporated in this bill?

Mr. MONRONEY. This would apply to all larger publications mailed out of county. At the present time the advertising in the second class regular publications would be 4.2 cents per pound.

The advertising rate today runs from 4.2 cents to 14 cents per pound. The nonadvertising rate is 2.8 cents per pound. That rate is for news matter. The minimum is one cent per copy. Under our bill it would go from 4.2 cents to 5.2 cents per pound and from 14 cents per pound under the higher rate to 17 cents per pound, or an increase of 3 cents per pound.

Mr. HOLLAND. The larger newspapers are generally distributed by truck and do not use the mails to any great degree.

Mr. MONRONEY. Television and radio have made it imperative almost for even the smallest country editors to put mail in the back of their cars and run it to more extreme outposts so that it can be delivered the same day. They are relying less and less on the mail.

Mr. HOLLAND. Would other out-of-county rate increases be effective immediately or would they be spread over a term of three years?

Mr. MONRONEY. They are spread over 3 years.

If they have less than 5,000 out-of-county it goes from one-half cent or five-tenths of a cent to eight-tenths of a cent per piece.

Mr. HOLLAND. It would appear to me from the figures the Senator has stated, and I appreciate it and thank the Senator, that the rural county home-town paper, generally published at the county seat, is still given a decided preference in rates in contrast to the large newspapers.

Mr. MONRONEY. The cost coverage is the test under the uniform cost accounting system.

The county paper has been paying 13 percent and they will only pay 14 percent of the cost coverage under the bill. While the larger second-class regular paper will go from 29 percent to 33 percent cost coverage.

The Senator will see that the bigger and more capable they are the greater the charge, but still it is a highly subsidized rate no one could afford to give except the Government, and that is because of public service features contained therein.

Mr. HOLLAND. I thank the distinguished Senator.

FEDERAL MEAT INSPECTION ACT

The Senate resumed the consideration of the bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senate will now proceed to vote on final passage of H.R. 12144.

Mr. DIRKSEN. Mr. President, before the roll is called, I thought attention should be called to the similarity in the House bill and the Senate bill, and I would like to have those views presented before the roll is called.

The PRESIDING OFFICER. The Chair is reluctant to advise the distinguished Senator that there is no way we can so proceed. There is a unanimous-consent order and the hour of 2:15 having arrived, we are instructed to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unanimous-consent agreement entered into be vacated temporarily.

Mr. RUSSELL. Mr. President, what is the request?

Mr. DIRKSEN. To put in the similarities before the roll is called.

Mr. RUSSELL. All right.

The PRESIDING OFFICER. Does the Senator from Montana, the distinguished majority leader, ask that rule XII be suspended for that purpose?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. DIRKSEN. Mr. President, I submit the views alluded to. That is all.

The PRESIDING OFFICER. Without objection the material will be printed in the RECORD.

The views presented by Mr. DIRKSEN, are as follows:

It is encouraging to note the substantial area of agreement between the House of Representatives and the Senate Committee on Agriculture with respect to legislation on meat inspection. The Senate Committee naturally believes that it has strengthened and improved the measure, and there does not seem to be any general disagreement with this contention even though some reservations have been expressed about two of the Committee amendments. The fact that major provisions of the two bills are identical serves to contradict those critics who have asserted that the House passed a weak bill. Those who might believe that can be suspected of not having carefully studied the provisions of the Purcell Bill. Will Rogers used to say that all he knew was what he read in the papers. In the field of legislation that isn't enough. Informative as the press is, one must go further and read the fine print.

A quick summary may be in order for the purpose of reviewing those provisions common to both the House and Senate bills and which do provide a sound basis for strengthening and updating the Federal Meat Inspection Act.

Title I in the two bills is identical. This title would "update" the terminology of the Meat Inspection Act to bring it into conformity with the provisions of the Food, Drug, and Cosmetic Act and the Poultry Products Inspection Act. This title would give the Department of Agriculture specific authority to require inspection and to regulate such matters as labeling and packaging. Actually this title in practical effect simply confirms the authority of the Department to continue the type of control it has exercised for many years under the more general language of the present Meat Inspection Act. It has been noted that the authority over labeling and packaging is more extensive than that provided by the Fair Packaging and Labeling Act over which Congress labored so diligently for such a long time. There is no controversy concerning this title. It tends to confirm the often made statement that federal meat inspection as it has operated has indeed provided a high degree of consumer protection—more complete, in fact, than for any other food with the possible exception of poultry.

It should be observed in passing that the provisions relating to imported meat, contained in Title I, are identical in the two bills. In brief, imported products are subject to all the requirements and regulations applicable to domestic federally inspected products.

Title II of the proposed legislation is substantially identical in the Senate and House bills. The purpose of this title is to give the Secretary of Agriculture needed additional authority to control the traffic in meat and related products not qualified or suitable for human food. Chances are that those who have criticized this legislation as being weak have not thoroughly analyzed the provisions of Title II. Briefly, it would give the Secretary of Agriculture authority to require denaturing or other identification of meat not suitable for human consumption. The Secretary would be given authority over meat packers, processors, wholesalers, warehouses, truckers, importers, renderers, and animal food manufacturers. This authority would be in addition to that granted by Title I to conduct a continuous inspection. It would require the keeping of certain records and would permit the Secretary to inspect premises, inventory and records, to copy records and to take samples. Moreover, intrastate operators would be covered in those situations where a state did not have comparable authority or was not exercising it in a manner calculated to assure the public of wholesome meat products.

Title II of the bills also would require brokers, renderers and animal food manufacturers to register with the Secretary of Agriculture, who would additionally be given authority to issue regulations dealing with the buying, selling, transportation or importation of "4-D" animals.

Even without authority to conduct continuous inspection in intrastate establishments, the Secretary would have tremendously broad authority under this title to identify and control unwholesome meat products regardless of whether they happened to be moving in interstate or intrastate commerce.

Title III of both bills deals with relationships between federal and state meat inspection programs. In both bills, provision is made for federal assistance to the states. This includes laboratory and other technical assistance. It includes federal financial assistance to the states up to 50 percent of the cost of a state program.

Critics who have not studied the legislation carefully have contended that the legislation described thus far does not go far enough in compelling states to improve their programs if they choose not to do so. Hence, the Senate Committee has approved several amendments designed to put more teeth in the legislation. One such amendment would enable the Secretary of Agriculture to require full federal inspection in all establishments within a state if within a period of two years the state failed to impose requirements at least equal to those in effect at federally inspected establishments. Provision would be made for an additional grace period of one year if assurance were provided that state action would be taken. It seems necessary and desirable to put teeth of this kind in the legislation. Another Committee amendment would empower the Secretary to take immediate action where it may be determined that an intrastate establishment is producing adulterated meat or meat food products that would endanger the public health. In such situations drastic action is called for.

A question has been raised with respect to the provision that would authorize the governor of a state to waive the two-year waiting period and request the Secretary of Agriculture to take immediate action to require full federal inspection for establishments within the state. Not only would this provision give to one man absolute power to control the manner in which meat inspection would be conducted within his state, but it would also have the effect of handing him a blank check drawn on the United States Treasury. It has been estimated that there are in the country about 15,000 establishments not presently under federal meat inspection, and if the authority granted to governors by this legislation were exercised to pass responsibility to the federal government for any substantial proportion of them, it would become virtually impossible for the Congress to anticipate appropriation needs. The states, in the exercise of their police powers, have an important part to play in meat inspection; hence, it is extremely doubtful whether the federal government should attempt to preempt all authority or to give governors the kind of power that would make it possible for them to shift their intrastate responsibilities to the federal government.

Various estimates have been made of the cost that would be involved in a federal takeover of all responsibility for meat inspection. Chances are that it would come to at least $100 million, or more than twice the present annual appropriation for federal inspection.

Question also has been raised concerning the need and desirability of providing a retail exemption for slaughtering and processing. It may be difficult for some to understand why the Committee which has worked so diligently to tighten the proposed legislation should find it desirable to open a large loophole. Most retailers have little occasion to move meat and meat products in interstate commerce. If they do and if any kind of exemption is found absolutely necessary, it should not extend to slaughtering and the manufacture of products normally produced in meat packing plants. It should be limited strictly to grinding, chopping and cutting operations normally associated with meat retailing. Not only does an exemption open the door to abuses associated with unwholesome meat, but it also tends to perpetuate the sale of substandard products criticized during the hearings for creating unfair competition for products meeting federal standards.

Title IV of both the Senate and House bills provides penalties for violations and gives to the Secretary of Agriculture power to refuse or withdraw inspection where operators have been convicted of certain crimes.

The Secretary also would be given authority to seize or detain products that were found to be adulterated or misbranded or otherwise in violation of the Act. This represents a broad extension of power and actually is more authority than the Food and Drug Administration presently has with respect to other foods. Incidentally, the power of FDA would be retained.

States would be prohibited from imposing on federally inspected establishments requirements with respect to premises, facilities, operations, labeling, packaging, and ingredients that were in addition to or different from those of the U.S. Department of Agriculture.

All in all, the proposed legislation provides for a very comprehensive system of regulation. The broad legislation passed by the House of Representatives to strengthen both federal and state inspection probably is a better bill than its critics would lead the public to believe. Amendments approved by the Senate Committee on Agriculture have provided some additional safeguards. As noted, the authority that would be granted to governors to act unilaterally to impose federal inspection on all intrastate establishments is a doubtful delegation of power and it would seem logical that any exemption granted to retailers be limited to exclude slaughtering and manufacturing operations.

Mr. **MANSFIELD**. Mr. President, I ask that the vote take place under the conditions previously cited.

Mr. **ALLOTT**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **ALLOTT**. May we ask what we are voting on?

The **PRESIDING OFFICER**. The vote is on final passage of H.R. 12144.

Mr. **ALLOTT**. The meat inspection bill?

The **PRESIDING OFFICER**. The Senator is correct.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER] and the Senator from New Hampshire [Mr. McINTYRE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], the Senator from Indiana [Mr. HARTKE], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 89, nays 2, as follows:

[No. 351 Leg.]

YEAS—89

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Smathers
Smith
Sparkman
Spong
Stennis
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—2

Russell
Talmadge

NOT VOTING—9

Cooper
Dodd
Ellender
Fulbright
Hartke
McIntyre
Scott
Symington
Tower

So the bill (H.R. 12144) was passed.

Mr. **MONTOYA**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **HOLLAND**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **MONTOYA**. Mr. President, I move that the Senate insist on its amendments, request a conference with the House on the disagreeing vote on the Senate amendment to H.R. 12144, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLAND, Mr. TALMADGE, Mr. BYRD of Virginia, Mr. McGOVERN, Mr. MONDALE, Mr. MONTOYA, Mr. AIKEN, Mr. YOUNG of North Dakota, Mr. BOGGS, and Mr. MILLER conferees on the part of the Senate.

The **PRESIDING OFFICER**. Without objection, Senate bill 2147 is indefinitely postponed.

Mr. **MANSFIELD**. Mr. President, the Senator from New Mexico [Mr. MONTOYA] and the Senator from Minnesota [Mr. MONDALE] together share the high commendation of the Senate for the magnificent manner in which they joined to assure the overwhelming acceptance of the Federal Meat Inspection Act by the Senate.

Yesterday, in his opening statement supporting the passage of this bill, I noted from the RECORD that Senator MONTOYA referred to the time, energy, wisdom and good judgment devoted by Senator MONDALE to the task of arriving at the best possible approach in establishing an intrastate meat inspection program. I am in full accord with those sentiments. May I say in addition that the distinguished Senator from New Mexico himself exhibited that same high degree of dedication on this measure. Together the Senator from New Mexico and the Senator from Minnesota established themselves as a highly successful combination. Together, they obtained the Senate's near-unanimous approval of a program that promises to further protect every consumer in the United States.

Similarly to be commended are the Senator from Nebraska [Mr. HRUSKA] and the Senator from Iowa [Mr. MILLER]. They, along with Senator CURTIS and Senator HANSEN, displayed a broad knowledge and keen understanding of the many problems involved in establishing an effective program for the inspection of meat.

Other Senators also joined to assure a lively and most thoughtful discussion of the measure. Noteworthy were the contributions of the distinguished Senator from Colorado [Mr. ALLOTT], the distinguished Senator from Florida [Mr. HOLLAND], the distinguished Senator from Texas [Mr. YARBOROUGH] and many others.

Finally, to Senator MONTOYA, to Senator MONDALE, and to the Senate as a whole goes the deep appreciation of the leadership for assuring first what I am confident will be a workable program for intrastate meat inspection and secondly, for cooperating to dispose of the measure with such a high degree of efficiency.

THE WAR ON POVERTY PROGRAM

Mr. **HART**. Mr. President, those who have been sniping from the congressional rooftops at the war on poverty program have today won a signal success in their campaign of harassment.

Some 2,800 economic opportunity employees today get paychecks half the normal size—not quite a payless payday, to be sure, but certainly enough of a blow to convince them that they are not one of the Congress favored agencies.

The pay cut will also be felt by 41,000 Job Corps trainees and some 4,000 VISTA volunteers who get sustenance payments that are certainly not lavish even when the full amount is delivered.

As we are all aware, this unhappy—no, I will say this shameful—situation arises from congressional failure to pass an authorization bill, an appropriation bill and now, finally, even another continuing resolution.

This is a blow, Mr. President, not only at the thousands of truly dedicated workers in the program but also at the millions they seek to serve.

When the poverty program was initiated, we made a commitment to the poor. We, in effect, said that we were concerned about their plight. We said we were willing to commit a portion of our national resources to battling poverty, to breaking the cycle that keeps millions of families from beginning an upward economic movement

We admitted a problem and we set out to solve it.

The war on poverty, like an early flying machine, has not been without imperfections, but it was nevertheless an inspiring sight as it left the ground.

The very fact of its existence gave new hope to millions of people.

And I think the bulk of the Nation understood its experimental nature, knew that it was the first coordinated effort of its kind, and were prepared to endure a balky cylinder head now and then or an unsteady wing strut.

In my opinion, the American public was prepared to endure more breakdowns than ever occurred. It is no secret to anyone patient enough to listen to my previous speeches that I think the poverty program has enjoyed a remarkable success.

Even at the beginning, however, it was obvious that the program was going to be the target of political sharpshooting. It was a program closely identified with an incumbent President and our system demands that opposition parties try to discredit incumbent Presidents.

The program also reached into regions where there was no particular sympathy for the poor among the established powers, political, economic, and social.

Throughout the entire country, the program threatened a mild social revolution, and revolutions—no matter how mild—always make unhappy the many who are content with status quo.

And I do not object to reasonable, responsible opposition. I have no quarrel with the methods of those who argue that the program should be restructured, reoriented, reshaped. It is perfectly proper for any Member of these bodies to point out what he thinks are wastes or weaknesses and suggest corrections.

But, Mr. President, if we seek to indicate our displeasure by mischievously sniping, crippling, harassing and embarrassing—then we are behaving poorly indeed.

There are those who have been chortling privately, and sometimes not so privately, about the financial embarrassment the poverty agency has suffered. There were sly smiles of self-congratulation when the House exempted the agency from the Federal pay raise bill.

There were satisfied grins as the authorization and appropriation measures were slowed and when the authorization figure was cut.

One of the pleasant things about service in the Congress, you see, is the group responsibility we all enjoy. No single man can be pointed to as the person to choke off OEO funds, because it has been a negative act.

Our system provides scores of devices allowing measures to be slowed or stopped anonymously. Somehow, nothing happens and the men who fix the noose are nearly impossible to identify.

In fact, as doubtlessly a few Members are aware, history may not even examine Congress' role. The payless payday may simply be written off as a phenomena that occurred "during the Johnson administration."

However, Mr. President, responsible Members of the Congress may reflect on the effect all this will have on the people most concerned—the poor.

The man just beginning a job training program in Iron River, Mich.; the family who had hoped to enroll their child in a Headstart program in Greenville, Miss.; the householder in Atlantic City who had just learned from neighborhood legal services that he had been illegally overcharged and could—with additional help—get the money back.

With programs being cut back or closed, with the newspapers telling of the attacks on the poverty payroll, will not these people feel some justifiable outrage, some understandable sense of betrayal?

Of course, they will. The irony is that those responsible for the actions will probably remain in the comfortable relative anonymity of Congress.

It is disgraceful and I am ashamed of a Congress that would let it happen.

The hardship it will work on Government employees alone is unforgivable. To the credit of the agency, its workers are making plans to help each other. A loan pool is being pulled together, I understand, with funds taken from the savings of higher salaried workers being distributed among those who are going to have trouble paying the rent.

Mr. President, because of the long funding delays, seven programs of the poverty program have shut down completely. Nineteen others are limping along because their workers agreed to stay on the job on a volunteer basis.

To adopt the continuing resolution which is on the way over from the House is the very least we can do at this moment, but it will not erase this sorry performance. What has happened is an experience which cannot be forgotten by the employees and must not be forgotten by the Congress.

I have the records of those programs that have suffered such fund starvation and ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EFFECT OF LACK OF A CONTINUING RESOLUTION, NOVEMBER 21, 1967

The attached lists, compiled by OEO Region, show 71 agencies (including New York City, New Haven, Providence, Jersey City, Richmond, Tampa, Miami, Akron, and portions of Los Angeles and Philadelphia's programs) which are now closed or will be forced to shut down or operate on a volunteer basis unless funds are received by December 8. These community action agencies represent $123 million of OEO funds and benefit 2½ million disadvantaged persons.

A. *Note:* As of today these programs already have *closed*.

1. Dougherty County, Georgia (total program).
2. Tampa, Florida (Head Start).
3. Lexington, Mississippi (Head Start).
4. Bolivar County, Mississippi.
5. Amite, Pike and Wilkinson Counties, Mississippi (Head Start).
6. Greenville, Mississippi (total program).
7. Sophia Sutton Mission Assembly; Prentiss, Mississippi (Head Start).

B. Also, programs *now* operating on a volunteer basis because of exhaustion of federal funds include:

1. Shasta County, California.
2. Kent-Queen Anne-Talbot Area Council, Inc.—Centreville, Md.
3. Atlantic City, New Jersey.
4. Jersey City, New Jersey.
5. Holyoke, Massachusetts.
6. Plainfield, New Jersey.
7. Monmouth County, New Jersey.
8. Orlando, Florida (neighborhood centers).
9. Miami, Florida (all except Legal Services).
10. Dadeville, Alabama (Chambers and Tallapossa Cities).
11. Iron River, Michigan.
12. Canon City, Colorado.
13. Grand Junction, Colorado.
14. San Luis, Colorado.
15. Big Sandy, Kentucky (Head Start).
16. Durango, Colorado.
17. Wilmington, Delaware.
18. Tampa, Florida (all except Head Start).
19. Lima-Allen, Ohio.

C. These programs are *now* operating with local or state public and private dollars after exhausting federal dollars.

1. Watertown, New York.
2. Waterford, Connecticut (Foster Grandparents).
3. Akron, Ohio.
4. Minneapolis, Minnesota (Neighborhood Centers).
5. New Haven, Connecticut.

D. In addition to the two Foster Grandparent Projects noted above (Atlantic City, B.3, and Watertown, Connecticut C.2), there are eight other Foster Grandparent Projects which will run out of funds by November 30. These are located in: New Haven, Connecticut: New York City; Harrisburg, Pennsylvania; Ft. Lauderdale, Florida; Ft. Myers, Florida; Akron, Ohio; Ft. Wayne, Indiana; and Cincinnati, Ohio. All 10 projects employ 912 elderly foster grandparents over age 65 and serve 2,000 mentally and physically retarded youngsters.

REGION I

Subject: Grantees that are expected to close down due to lack of funds between November 1–November 23, 1967.

1. Atlantic Human Resources, Atlantic City, N.J., August 31 end of Program Year:

Components	Staff	Of which are resident nonprofessionals
Foster grandparents	126	122
Community service center	78	54
Program administration	24	11
Multiservice center	9	1
Legal services	13	3
Headstart	113	61

Beneficiaries: 105,614.

FY '67 Funding: HS, $675,000; versatile, $808,000; LS, $180,000.

Operating on volunteer basis since 11/4—no relief in sight.

2. Cando-Community & Neighborhood Development Organization, Jersey City, N.J., September 30 end of Program Year:

Components	Staff	Of which are resident non-professionals
Central administration	15	6
Neighborhood centers	74	68
Legal services	16	7
Adult basic education	30	10
Headstart	122	73

Beneficiaries: 10,053 families, 450 individuals-adult basic education, 435 children in Head Start.

FY '67 Funding: HS, $472,494; Versatile, $1,683,000; Legal Services, $140,000; Adult Basic Education, $86,000.

Federal dollars, ran out end of October. Has been using City dollars since 11/1. Mayor and City Council have promised more help. They meet in emergency session 11/13 to authorize additional city dollars up to $150,000. (6-weeks worth).

3. Community Action Planning Council of Jefferson County, Inc., Watertown, New York:

Components	Staff	Of which are resident non-professionals
Central administration	8	3
Headstart	15	8

Beneficiaries: 87,000 families—60 Children in Head Start.

FY '67 Funding: HS, 12.081; Versatile, 39.063.

Central Administration will continue to operate through December 31 on $14,000 appropriated by County.

H/S Full Year Program *will recess* until new grant is received *beginning* December 11, 1967.

4. Montefiore Hospital and Medical Center, Bronx, New York (Comprehensive Neighborhood Health Center):

Funding Level, $2.4 Million.

Employees, 172 doctors, nurses and non-professional staff.

Serves 10,000 persons.

Must divert desperately needed alteration and repair funds to continue salaries.

5. Foster Grandparent Project (Waterford, Conn.), Thames Valley Community Action Council; Norwich, Conn.:

Funding Level, $124,000, 116 Foster Grandparents, 315 Retarded Children.

Can meet payroll 11/3 but then will be out of funds.

Out of dollars 11/3. Governor of Connecticut (Dempsey) so concerned that he has promised State dollars until continuing resolution.

6. Community and Regional Opportunity Program, Holyoke, Massachusetts:

Head Start components, 10 staff (of whom 6 are poor), 30 children ($44,000).

Central Staff and Community Services ($102,000).

Ran out of federal dollars 10/31 and now operating on volunteer basis with some financial assistance from local private agencies.

7. Plainfield, New Jersey.

8. Monmouth County, New Jersey.

ADDENDUM—CAAS RUNNING OUT OF FUNDS OCT. 23 TO DEC. 8, 1967

Name	Components	Number of poor employed	Beneficiaries	Program level (in thousands)
9. Community Development Agency, New York City	All	4,200	1,500,000	45,800
10. Suffolk County, N.Y	do	200	220,000	2,700
11. Common Training and Employment, Stamford, Conn	do	25	31,000	137
12. Community Progress, New Haven, Conn	do	100	13,000	2,200
13. Southern Middlesex Opportunity Council, Framingham, Mass	Headstart	12	110	140
14. Progress for Providence, Providence, R.I	All	281	90,000	2,400

REGION II

Subject: Grantees that are expected to close down due to lack of funds between November 1 and December 8, 1967:

1. Wilmington, Delaware, Sept. 30, Program Year:

Funding Level, $875,000.

Number of employees, 164.

Components:	*Beneficiaries*
a. 3-community organization	18,440
b. 6 full year Head Start (children)	525
c. 2 credit unions	1,860

Operating on a volunteer basis since November 16.

2. Big Sandy, Kentucky, October 31, Program Year:

Funding Level, $795,000.

Number of employees, 216 (100 non-professionals).

Components:	*Beneficiaries*
a. Central administration and community organization	95,000
b. Full year Head Start (children)	700
c. Educational enrichment (youth)	240

3. Council of the Southern Mountains, Ky., October 31, Program Year:

Funding Level, $201,000.

Number of employees, 13.

Components:	*Beneficiaries*
a. Sewing skills and techniques	351
b. Driver education	28
c. Full year Head Start	275
d. Youth opportunities	550
e. Family development	375
f. Health education	1,790
g. Knox Co. Community Center program	11,500

4. Richmond, Virginia, September 30, Program Year:

Funding Level, $154,000.

Number of employees, 100.

Components:	*Beneficiaries*
a. Neighborhood Centers	90,000
b. Head Start	100
c. Day care	30

5. Harford City, Maryland, October 31, Program Year:

Funding Level, $74,000.

Number of employees, 9.

	Beneficiaries
Component: Administration	3,092

6. Kent-Queen Anne-Talbot Com. Council, Inc., Centerville, Md.:

Funding Level, $39,000.

Number of Employees, 6.

Conduct & Administration, Community Organization Head Start, 75 children.

Out of funds, 10/31/67.

7. Central Penna. Community Action, Oct. 31, Program Year:

Funding Level, $137,000.

Number of Employees, 24.

Components:	*Beneficiaries*
Community Organization	3000
Full year Head Start	60

8. Harrisburg, Penna, Foster Grandparent Program, October 31, Program Year:

Funding Level, $353,000.

Number of employees: 8 Staff, 190 Foster Grandparents.

Beneficiaries, 350 Children.

9. Philadelphia, Penna., December 31, Program Year:

Funding level, $8,150,000.

Number of employees, 1,255.

Component:	*Beneficiaries*
OIC	3,000
Full year Head Start	5,500
Low income housing project	1,000

10. Chester, Pennsylvania, Oct. 31, Program Year:

Funding level, $255,000.

Number of employees, 10.

Component:	*Beneficiaries*
Neighborhood development	400
Full year Head Start	60

11. Clay County, West Virginia, October 31, Program Year:

Funding Level, $35,000.

Number of employees, 6.

	Beneficiaries
Component: Community organization	3,000

12. Webster County, West Virginia, October 31, Program Year:

Funding Level, $80,000.

Number of employees, 15.

	Beneficiaries
Component: Neighborhood development	4,000

13. Hopkins-Muhlenberg Counties, Ky., October 31, Program Year:

Funding Level, $73,000.

Number of employees, 24.

Component:	*Beneficiaries*
Community organization	3,000
Full year Head Start	75

REGION III

1. Dougherty County Resources Development, Albany, Georgia, September 30, Program year:

Components	Employees	
	Professionals	Nonprofessionals
C. & A	3	1
Tutorial service	22	64
Neighborhood centers	1	16
Headstart	9	26
Total	35	107

Beneficiaries:	
Tutorial service (children)	210
Neighborhood center (families)	1,500
Head Start:	
Children	140
Families	120

Level of Approved Program, $435,000.

Head Start Program closed. There was an emergency board meeting called to investigate ways of continuing the Neighborhood Center program and other versatile components by private sources of funding. If no other funding source is identified, the entire program will close down as of Friday, November 3.

2. Tampa Economic Opportunity Commission, Tampa, Florida, September 30, Program Year:

Components	Employees	
	Professionals	Nonprofessionals
Headstart	74	65
Neighborhood centers	83	115
Project Enable	3	2
Oral School for Deaf	7	0
C. & A	7	2
Total	174	184

Beneficiaries:	
Head Start:	
Children	1,400
Families	900
Neighborhood Centers (persons)	10,860
Project Enable (persons)	2,124
Oral School for Deaf (children)	20

Level of Approved Program, $3,229,000.

Head Start component shut down as of October 31. Versatile components operating on a voluntary basis.

3. Mid-Delta Education Association, Greenville, Mississippi:

Components: Head Start

Employees:

Professional	84
Nonprofessional	102

Beneficiaries, 1,000 children.
LAP, $1,200,000.

Head Start program had been shut down for three weeks due to in-service training. They had planned to re-open on Monday, November 6, but will be unable to do so now because of lack of funds. There are adequate funds to meet the payroll Friday, November 3 and then the program will be closed down completely.

4. Saints Junior College, Lexington, Mississippi:

Components: Head Start

Employees:

Professionals	5
Non-professionals	10

Beneficiaries:

Children	60
Families	100

LAP, $67,000.
Program closed October 31, 1967.

5. Bolivar County CAC, Cleveland, Mississippi:

Components: Head Start

Employees:

Professionals	125
Non-professionals	599

Beneficiaries, 2,055 children in 18 centers.
LAP, $3,082,000.

Staff will continue to function on a volunteer basis. No children are attending classes nor are any supportive services being utilized.

South West Mississippi Opportunity, Inc.:

Components: C & A Head Start

Employees:

Professionals	45
Non-professionals	250

Beneficiaries, 935 children.

LAP:

C & A	$72,000
Head Start	$1,319,000

Head Start Component closed down as of November 1, 1967.

7. Sophia Sutton Mission Assembly:

Component: Head Start

Employees:

Professionals	52
Non-professionals	110

Beneficiaries, 860 children.
LAP, $960,000.

Head Start program closed as of November 15, 1967.

8. Orange County Economic Opportunity, Orlando, Florida, October 31, Program Year:

The Head Start component can continue operating on unexpended balances, but the Neighborhood Center and C & A will have to shut down because of the restriction on using earmarked funds for versatile components.

Level of Approved Program: $932,000, 600 Children.

9. Economic Opportunity Program, Inc., Miami, Florida, June 30, Program Year:

Level of Approved Program, $4,200,000.

Components	Employees	
	Professionals	Nonprofessionals
NSC	11	229
C. & A	19	25
Child spacing	2	2
Mobile dental clinic	4	2
Child day care	72	165
Health (H.S. & D.C.)	34	32
Headstart	149	265
Legal services	31	29
Total	322	749

Beneficiaries:

NSC (families)	33,291
Child spacing (individuals)	507
Mobile dental clinic (individuals)	4,569
Day care (600 families) children	1,000
HS (1,500 families) children	2,400
Legal services (individuals)	4,686
NSC-employment placement (placements)	7,780

Miami's substantial carryover funds from fiscal year 1967 have run out. November 3 they met the last payroll they are presently able to meet. The staff has said they will work next week as volunteers, but the agency may close down if they cannot get local contributions to defray the expenses of continuing operations—rent, etc.—even with a volunteer staff.

10. Chambers-Tallaposse Community Action Committee, Inc., Dadeville, Alabama, August 31, Program Year:

Level of approved prog., $1,200,000.

Components	Employees	
	Professionals	Nonprofessionals
C. & A	4	2
Neighborhood referral center	1	9
Headstart	73	109

Note: 758 volunteers.

Beneficiaries:

Target population (families)	7,071
Referral center (individuals)	42,426
Head Start (children)	650

Central Administration and the Neighborhood Referral Center have $166.00 left. The Head Start program was recently refunded. But the HS is not delegated, and may have to close down with the Central Administration for lack of proper supervision. All staff have agreed to continue work on a volunteer basis. Their office space is donated by the city.

II. Tuscumbia Public Schools (SPA), Tuscumbia, Alabama, December 31, 1967, Program Year:

Components: Head Start

Employees:

Professional	12
Nonprofessional	10

Beneficiaries: Head Start, 90 children.

Agency will be out of funds by November 30, 1967.

Level of approved program year, $160,000.

12. United Community Action Committee, Inc., Benton County, Ashland, Mississippi, Program Year, December 30, 1967:

Components	Employees	
	Professionals	Non-professionals
Conduct and administration	5	2
Headstart	22	69
Nelson		

Beneficiaries: Head Start, 192 children.

Agency will be out of funds by November 30, 1967. Level of approved program, $297,000.

13. Douglas-Cherokee, Morristown, Tennessee, Program Year, December 30, 1967:

Components	Employees	
	Professionals	Non-professionals
Conduct and administration	6	12
Full year Headstart	7	10

Beneficiaries: Head Start, 185 children.

Agency will be out of funds by December 1.

Level of approved program, $239,000.

14. Father Sweeney Memorial School, Pass Christian, Mississippi, September 30, Program Year:

Components: Head Start

Employees:

Professional	36
Nonprofessional	63

Beneficiaries, 300 children.
Level of Approved Program, $373,000.
Agency will be out of funds December 1.

15. Cullman County School System, Cullman, Alabama, Program Year, October 31:

Components: Head Start

Employees:

Professional	39
Nonprofessional	50

Beneficiaries, 450 children.
Level of Approved Program, $137,000.
Agency will be out of funds November 30.

16. Huntsville-Madison County CAC, Inc., Huntsville, Alabama, Program Year, October 31:

Components	Employees	
	Professionals	Nonprofessionals
C. & A	6	10
Home management	3	14
Project Discovery	1	9
Planned parenthood	2	5
People for People	6	13
Day care	14	25
Adult literacy	17	0
Teachers aides	0	40
NYC	4	0
Project Mainstream	33	80

Beneficiaries:

Home management (families)	180
Discovery (children)	700
Planned parenthood	340
People to people	600
Day care (children)	136
Adult literacy	150
Teacher aides	40
NYC	104
Mainstream	80

Level of Approved Program, $527,000.
Agency will be out of funds, December 1.

REGION IV

Wisconsin

1. Fond Du Lac Area Economic Opportunity Committee, Fond Du Lac, Wisc.—serves Fond Du Lac County:

Funding Level for FY '67, $104,000.

Components	Employees affected		Beneficiaries
	Professionals	Nonprofessionals	
Full year Headstart	4	6	30
Program administration	3	3	([1])
Neighborhood center	1	2	([1])
Day care	3	4	15

[1] 16,000 persons below poverty level.

Ohio

2. Warren-Trumbull Council for Economic Opportunity, Warren, Ohio—serves Trumbull County:

Funding Level, $229,000.

Component	Employees		Beneficiaries
	Professional	Nonprofessional	
Program administration	3	3	21,000
Neighborhood center	10	19	21,000

3. Harcatus Tri-County Community Action Organization, Inc., New Philadelphia, Ohio:

Funding Level, $159,000.

Component	Employees		Beneficiaries
	Professional	Nonprofessional	
Program administration	1	5	11,500
Neighborhood centers	3	9	4,000
Legal services	2	4	3,000

Ohio

4. Mansfield, Richland, Morrow Counties Policy Commission of the Total Operation Against Poverty, Inc., Mansfield, Ohio:

Funding Level, $244,000.

Component	Employees		Beneficiaries
	Professionals	Nonprofessionals	
Program administration	3	3	30,000
Neighborhood center	5	9	30,000
Family planning	1	3	30,000
Headstart	44	41	[1] 350

[1] Children.

Programs that have run out of money:
Minnesota

1. Ramsey County Citizens Committee for Economic Opportunity, Inc., St. Paul, Minnesota:

Funding Level, $156,369.

Component: adult education

Employees:

Professional	4
Nonprofessional	---

Beneficiaries, 24.

This program, under normal circumstances, would have been extended for 60 days in order to give the group an opportunity to find other sources of funds to continue.

2. Five CAP, Michigan, Baldwin, Michigan—serving Manistee, Mason, Lake and Newago Counties:

Funding Level, $195,000.

Components: program administration

Employees, 8.

Beneficiaries, 18.

All employees except the Deputy Director of the program has been picked up by comprehensive Health grant funds.

3. Summit County Community Action Council, Akron, Ohio—serves Summit County:

Funding Level, $1,553,000.

Components	Employees	Beneficiaries
Foster grandparents	22	----------
Program administration	14	
Neighborhood centers	44	7,000
Tutorial program	35	----------
Headstart	98	903

The Headstart component ran out of funds and the County Board of Education voted them $13,000 to continue their operations.

4. Mobilization of Economic Resources, Inc., Minneapolis, Minnesota:

Funding Level, $335,000.

Component: Pilot Neighborhood Center.

Employees, 24.

The Urban Coalition picked up the cost of operations through November 30, 1967.

5. Dickinson-Iron Community Action Agency, Iron River, Michigan:

Employees on half-time basis in order to conserve funds. Will run out November 30.

Funding Level, $87,000.

Components: Program Administration, Dental Services and Education, Communication & Counseling.

Beneficiaries, 2,830 families below poverty level.

6. The Community Action Council of Lima-Allen County continuing for two weeks with a skeleton crew. There will be monies available to pay this extremely reduced staff for a maximum of two weeks:

Component	Staff	Beneficiaries	Federal funds
Legal services	6	4,000 families with incomes less than $3,000	54,434
Program administration	5	do	36,298
Neighborhood center	10	do	51,651
Full year Headstart	26	180 children	25,661
All components	47	4,000 families with incomes less than $3,000; 180 children.	160,044

REGION V

Community Action Agencies which will close down by December 1, 1967 due to lack of funds:

1. Benton County Economic Opportunity Community, Action Program, Inc., 202 North East Second, P.O. Box 60, Bentonville, Arkansas 72712:

Annualized Level of Approved Program, $131,000.

Component	Employees		Beneficiaries
	Professionals	Nonprofessionals	
Program administration	3	0	21,890
Summer Headstart	8	8	96
Full year Headstart	6	8	70

2. Jefferson and Love Counties Community Action Foundation, Inc., 200 West Main Street, First National Bank Building, Marietta, Oklahoma 73448:

Annualized Level of Approved Program, $125,000.

Component	Employees		Beneficiaries
	Professionals	Nonprofessionals	
Program administration	4	1	14,054
Headstart day care centers	5	18	204

3. Rusk-Cherokee Community Action Program, Inc., 1820 Highway 79, P.O. Box 1107, Henderson, Texas 75652:

Annualized Level of Approved Program, $234,000.

Component	Employees		Beneficiaries
	Professionals	Nonprofessionals	
Program administration	3	1	30,293
Housing	--------	--------	13,848
Consumer action	1	2	3,125
Manpower	1	0	3,000
Summer Headstart	22	31	184
Summer Headstart	2	3	15
Day care	5	6	60
Neighborhood Improvement Center	1	4	31,000

REGION VI

Revised and updated list of CAAs without money—through Dec. 8.

The following CAAs are now or will be out of money by December 8.

Colorado

1. Southwest Colorado Community Action Program, Durango, Colorado:

Annualized LAP, $281,000.

Component	Employees	Beneficiaries
C. & A.	6	----------
Neighborhood centers	10	500
Headstart	40	190
Total	56	690

Now operating with volunteers.

2. Fremont County Community Action, Inc., Canon City, Colorado:

Annualized LAP, $112,000.

Component	Employees	Beneficiaries
C. & A.	4	----------
Neighborhood centers	6	300
Headstart	20	100
Total	30	400

Now operating with volunteers, will close down December 8.

3. Mesa County Community Action Council, Grand Junction, Colorado:

Annualized LAP, $236,000.

Component	Employees	Beneficiaries
C. & A.	6	----------
Neighborhood centers	6	300
Headstart	22	120
Total	34	420

Now operating with volunteers.

4. Conejos-Costillo Community Action Association, San Luis, Colorado:

Annualized LAP, $218,000.

Component	Employees	Beneficiaries
C. & A.	7	----------
Headstart	40	100
Total	47	100

Now operating with volunteers; will close down on November 30.

5. Poudre Thompson Community Action Program, Loveland, Colorado:

Annualized LAP, $142,000.

Component	Employees	Beneficiaries
C. & A.	6	----------
Headstart	18	60
Total	24	60

Will close doors first week in December.

Montana

1. Hill County Community Action, Inc., Havre, Montana:

Annualized LAP, $125,000.

Component	Employees	Beneficiaries
C. & A.	3	----------
Headstart	12	75
Total	15	75

Will run out of money December 1.

Head Start will close, Central Administration—including Neighborhood Aides—will run with volunteers.

South Dakota

1. Northeast South Dakota Community Action Program, Sisseton, South Dakota:

Annualized LAP, $154,000.

Component: C&A, Employees, 3.

Will close doors December 8.

2. Southeast South Dakota Community Action Agency, Sioux Falls, South Dakota:

Annualized LAP, $12,000.

Component: C&A, Employees, 17.

Will close doors December 8.

Utah

1. Southeastern Utah Community Action Program, Price, Utah:

Annualized LAP, $346,000.

Component	Employees	Beneficiaries
C. & A. and neighborhood outreach center	10	----------
Headstart	39	160
Total	49	160

Will run out of money for C&A on December 8; Head Start will continue operations.

REGION VII

Grantees that will have to close down due to lack of funds during the period October 24 to November 23.

1. Shasta County CA Project, 2225 Cliff Drive, Redding, California:

Funding Level, $232,790.

Components	Employees		Level of funding
	Professionals	Nonprofessionals	
Homemaker services	1	0	$82,086
Family counseling	1	4	
Remedial reading	13	3	
C. & A. (CD component) (beneficiaries, 10,000)	5	5.5	
Headstart (full year) (beneficiaries, 150)	6	9	116,774
Headstart (summer) (beneficiaries, 100)	7	24	33,930
Total	33	45.5	----------

2. EYOA—Los Angeles, California:

Funding Level, $2,455,326.

Component: Full Year Head Start (7,245 Beneficiaries):

Employees:

Professional	155
Nonprofessional	1,346

Problem: EYOA does not have sufficient Head Start funds; they cannot borrow from versatile funds since they have only one month's funds to carry them until December 31. The State of California owes EYOA $800,000 for a program they ran for the State and were not re-imbursed. If these funds are paid to EYOA prior to December 1, they will be able to continue through December 15.

3. Cochise, Arizona:

Funding Level, $303,000.

Component: Versatile Programs—This CAA will be out of money as of November 30, for all versatile programs. They will have a $1,000 balance in their versatile account as of November 31. Seven professionals and seven non-professionals will be effected.

4. Mohave County Area Development Council, Arizona:

Level of Funding, $223,000.

Component: This CAA will run out of versatile funds on November 31. The Regional Office gave them permission to borrow against their Head Start funds, prior to the Headquarters directive. Two professionals and 5 non-professionals will be effected if the CAA is closed down.

5. Los Angeles—Comprehensive Health Services Program in Watts:

Grantee: U.S.C. School of Medicine, 2.4 level of funding, 100 non-professional employees, 30,000 beneficiaries.

Out of funds: 11/30/67.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 936) making continuing appropriations for the fiscal year 1968, and for other purposes, in which it requested the concurrence of the Senate.

CONTINUING APPROPRIATIONS, 1968

Mr. HAYDEN. Mr. President, I ask unanimous consent to proceed to the immediate consideration of House Joint Resolution 936, which provides for an extension of the authority in the original continuing resolution, Public Law 90–38, which was approved by the President on June 30, 1967.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 936, a joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes, which was read twice by title.

There being no objection, the Senate proceeded to the consideration of the joint resolution.

Mr. HAYDEN. Mr. President, House Joint Resolution 936 provides for a continuation of this existing authority until December 2, 1967.

At the present time, there are two major programs of the Federal Government that are being financed under the provisions of the continuing resolution—namely, programs of the Office of Economic Opportunity and foreign assistance programs.

All authority under the existing continuing resolution terminated on November 9, and the affected agencies have been without obligational authority since that time.

An extension of the existing authority until December 2 will accomplish the following:

First. Provide funds to provide full payment to Federal employees affected for the pay period which ended on November 18. These employees are being paid for work performed through November 9 only, but should be receiving their pay for work already performed for the days November 10 through 18.

Second. Provide funds for full pay to these employees for the pay period November 19 through December 2, which will be paid on December 12.

Third. Provide authority to incur obligations for programs from the time the President approves the resolution through December 2.

This morning, during the committee's consideration of the foreign assistance appropriation bill, the committee recommended the inclusion of a provision in the foreign aid bill to continue the authority under the existing continuing resolution until December 2—the same date as provided for in House Joint Resolution 936.

Mr. President, it is my hope that the Senate will give its immediate approval to this resolution in order that those agencies for which appropriations have not been enacted can meet their payrolls and incur pressing obligations for the continuation of their programs.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. PASTORE. First of all, I congratulate our distinguished chairman. I want to reiterate that the Committee on Appropriations this morning, on the foreign aid bill, added an amendment extending the time period from November 9 to December 2 in order to cover two paydays. It came to our attention that many of these people who are still working are not being paid; that the Ford Foundation had offered to make certain payments as advances to those employees, which I think would have been a bad reflection upon us. For that reason, we added a provision in the bill. In the meantime, the House had already passed the joint resolution, which is the joint resolution before us now, as explained by our distinguished chairman.

I would hope the joint resolution could have immediate consideration. I would hope we could pass it this afternoon so that at least these people would be paid up to December 2.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. YOUNG of North Dakota. I would like to add to what the distinguished Senator from Rhode Island had to say that this measure was approved unanimously by the Senate Appropriations Committee this morning. The amendment was exactly the same as this. I, too, believe it should be passed immediately.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. JAVITS. I join with our colleagues thoroughly in congratulating our chairman. It is essential that our President sign this measure immediately. Otherwise it will not have the effect of looking after those who need to be looked after.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HOLLAND. Mr. President, I am very pleased that this measure came here as a House resolution already passed, meaning that when the Senate approves this resolution and it goes to the President—and I hope he will sign it tonight—we will not only have employees being paid for two payroll periods, but we will also have a few days left in which contracts can be made so that people who are not Federal employees, but who are working in Federal programs—as is the case with about 15,000 citizens under OEO programs—can be contracted for and the work done under them can be paid for. In some instances, this work has already been stopped. In other instances, it has been half paid for. In some instances, it has been paid for, by local units of government or local interests.

By all means, I hope the Senate will approve the resolution exactly as it is and let it go to the President as it is, with the express request that he sign it tonight, so as to give the agencies some time to obligate themselves, to cover these people who are not strictly Federal employees, but who are working in various Federal programs.

I congratulate the Senator and hope his measure will be immediately approved.

Mr. HART. Mr. President, will the Senator yield for a brief comment?

Mr. HAYDEN. I yield.

Mr. HART. Mr. President, I take it the joint resolution will provide paychecks for people who went without pay in the last pay period. Before we do, let me say those people will never forget it. We had better not. There is not any doubt about the President's signing it as soon as it gets to him. The conscience of the Congress should cry out. How can we ever avoid this happening again, even if it did not apply to people engaged in the war on poverty?

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

Without objection, the joint resolution was read the third time by title.

Mr. HOLLAND. Mr. President, I think it should be said the previous resolution, which was attached to the District of Columbia bill, and which was at once approved by the House conferees, was the maximum that could be attained at that time, and nobody in the Senate is in any sense to be blamed for anything that occurred from it. To the contrary, it was a much better break than the employees were getting prior to that action. That was absolutely the most that could be done at the time, as I am sure Members of the Senate conference committee will bear out and will approve.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

The joint resolution (H.J. Res. 936) was passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, may I emphasize, on behalf of all of us who have spoken, that the essence of making meaningful what has been done a moment ago on this continuing resolution is the promptest possible signature by the President. Otherwise, the whole scheme fails, of seeking justice for the many people, as the Senator from Florida [Mr. HOLLAND] has said, who are working without any hope of compensation. I hope very much, Mr. President, that we will not be disappointed in the hope that the measure will be promptly signed. I have no reason to suppose that we will. I am sure the President will do it promptly. But I feel that we all ought to understand that that is what is necessary immediately.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I wish that Senators would remain in attendance, because I have an announcement to make about the schedule for the remainder of the week.

Mr. President, several Senators have raised questions about the schedule for the remainder of the week.

As the Senate is aware, we are now considering H.R. 7977, the so-called civilian pay raise bill, to which, of course, is tied legislation having to do with postal rates.

We shall be on this bill today and at least a part of tomorrow. Following that, we will take up the military pay raise bill. After that, it is anticipated, time permitting, that we will take up H.R. 6167, an act to authorize the extension of certain naval vessel loans.

Then it is anticipated that on Thursday or Friday, the Senate will turn to the consideration of Calendar No. 710, H.R. 7819, the Elementary and Secondary School Act. Because of the fact that objections have been raised relative to taking up the foreign aid appropriation bill, reported from the committee under the chairmanship of the distinguished Senator from Rhode Island this morning, it will not be possible to get to that until Tuesday morning next.

In the meantime, we will try to keep the calendar as clear as possible; but, to recapitulate, it is anticipated that measures will be considered in the following order: The civilian pay raise bill, the military pay raise bill, the elementary and secondary education bill, and the foreign aid appropriation bill.

I ask the Senate to be on notice that there may very well be further votes today, and that we will remain in session until a reasonably late hour this evening, in an attempt to move forward on the pending bill.

ROPER POLL ON RIOTS

Mr. ALLOTT. Mr. President, I was delighted to see that the Subcommittee on Permanent Investigations of the Committee on Government Operations has begun its hearings on recent riots in American cities. In my own continuing study of this perplexing problem I recently had occasion to read the October issue of the Public Pulse in Marketing and Public Opinion Areas, published by Roper Research Associates. This issue contained the results of a major study of contemporary racial violence by the Lemberg Center for the Study of Violence at Brandeis University. I believe the results of this study should be brought to the attention of Senators.

This report contains many interesting conclusions, two of which I believe particularly commend themselves to Senators. The first conclusion is that the consensus among the Negroes interviewed was that only a small minority of Negroes are in sympathy with the riots. Mr. President, in passing, let me say publicly what I said many times during those riots. Negroes in those riot-torn cities cannot be blamed for what happened. Those who participated and those who supported the efforts of those who were involved were in the minority fringe group of the Negro communities. The public outcry to the contrary only dramatized the second major conclusion of the Lemberg study: That the one major theme which dominates the present racial situation in the United States is the lack of communication between the races. This lack of communication is best shown by the reported responses to the question: "Do you feel the Federal Government in Washington is doing too much or too little to encourage racial integration?" The results were:

[Answers in percent]

	Negroes	*Whites*
Too much	1	34
Too little	55	9

Mr. President, in conclusion, let me say that I cannot believe that either massive Federal spending or proliferating Federal programs are the ultimate solution for the alleviation of the sorrow and tragedy which afflicts this country because of the present racial strife. The greatest—and, too often, overlooked—resources this country has at its command today are the compassion, concern, and commonsense of our citizens. These resources—and not the Federal Treasury—must create the fragile footbridge to span this abysmal communication gap if we are to avoid continued racial sorrow. I, for one, believe these great national resources are equal to the task.

I ask unanimous consent to have printed in the RECORD an article entitled "What To Do About Riots," published in the Public Pulse by Roper Research Associates, Inc., for October 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT TO DO ABOUT RIOTS

(A survey of six cities)

The summer of 1967 has left the cities of America a legacy of racial bitterness and some big unanswered questions. Why have Negro ghettos been racked by rioting of unprecedented destructiveness? Why do some communities erupt while others sit out the summer without incident? What's to stop it from happening again?

Some answers emerge from a major study undertaken by the Lemberg Center for the Study of Violence at Brandeis University. The Lemberg Center, headed by psychiatrist Dr. John Spiegel, was founded in September 1966 and took on as its first job a study of contemporary racial violence. As the first phase of the study, the Center commissioned Roper Research Associates, under a grant from the Ford Foundation, to conduct a survey of Negro and white attitudes in six cities, three of which had riots in 1966 and three of which did not. (For details on how and where the study was done, see box on page 3.)

The resulting interviews with 500 Negroes in each of the paired cities shed searing light on race relations in America today. The answers are still being statistically analyzed, but here are the first overall results:

1. A riot potential was found to exist in each of the six cities in the study, both those which had in fact had riots and those which had not. While some of the cities were much closer to the brink than others, none was immune to the possibility of riot. When the cities were ranked on a combination of indices of Negro discontent, it turned out that the city where Negro turmoil was at its peak was indeed in the riot column—but that the city where Negroes were *least* disturbed was also a riot city. Obviously, if a riot did break out in the least inflamed city, a riot *could* break out in any of them. The study's conclusion: there is no single factor or combination of factors which assures that a city will be riot-free.

The plain fact is that in all the cities studied, Negro dissatisfaction exists at combustible levels. This does not mean rioting is *inevitable* in all the cities. Rioting may have occurred in the calmest city, but the blame was placed squarely on an inflammatory incident by the residents sampled. But the emotional basis for riot behavior is there in each city.

Dissatisfaction is highest in three crucial areas: First, Negroes in the six cities are impatient about jobs; an average of 60% think the growth of employment opportunities is going too slowly. Second, impatience with the opening up of housing opportunities is even closer to the boiling point; an average of 76% feel efforts to provide chances for Negroes to live where they want to are going too slowly. Third, equally important as these specific job and housing discontents is the high level of general dissatisfaction—68%—with local government efforts to solve these problems. Large numbers of Negroes in all these cities are clearly disturbed and angry, and these feelings have in them a strong riot potential.

Abetting this riot potential is an underlying feeling among Negroes—and to a lesser extent, among whites—that riots get results. Although the numbers vary from city to city, sizable percentages of both whites and Negroes agree that "riots have brought about some long-delayed action by the city governments to help the Negro community." The perceived benefits range from focusing attention on Negroes' needs and problems to the more concrete steps of providing more jobs and better housing. A connection is also made by about a third of the whites and more than half of the Negroes between riots and the passage of civil rights laws by Congress. As long as this feeling persists that riots, however deplorable, get things done for Negroes, the chances of further riots are enhanced.

2. A second major finding of the study is that a vast gulf separates Negro and white opinion on the major issues of race relations today. In both riot and non-riot cities, the races are worlds apart on how things are and ought to be going for the Negro. They also take very different views of the causes and remedies of riots. Whites, by and large, are satisfied with progress to date in implementing Negro rights. Asked about the growth of job and housing opportunities for Negroes, the consensus of whites was that the pace is "about right." This white complacency is in violent contrast with the emotions expressed by most of the Negroes interviewed, which were a clear-cut cry that action in these crucial areas is "too slow!" (For detailed survey responses, see box on page 3.)

This same sharp separation became evident when the interview went on to explore the subject of the riots. There is only a single area of agreement about the causes of the riots, and it exists in only two out of the six cities: the recognition by both Negroes and whites that bad living conditions among Negroes are a major cause of riots. Negro-white consensus, such as it is, ends there. Only a small minority of whites in most cities see Negro unemployment or lack of equal job opportunities as a significant riot-producing factor. Yet a majority of Negroes see a direct connection between job frustrations and riot behavior. Again, asked about the effect of raising Negro hopes by promises which are then broken, twice as many Negroes as whites see unkept promises as an important cause of riots. On the issue of police brutality, the races are even farther apart. Very few whites see police brutality as a cause of riots; many Negroes, on the other hand, think it plays a major role.

The only factor that whites *do* see as a major cause of riots is revealing of the fundamentally different views the two races have of the riots. Large percentages of whites call "outsiders coming into a city and stirring up trouble" a major cause of riots, while the vast majority of Negroes reject this view. In other words, while Negroes see ghetto violence as engendered by basic forces and real conditions which exist within the Negro communities, whites tend to see the riots as caused by outside agitators. Whatever the facts of the case, this gulf in perceptions of what brings riots about has serious implications for attempts to head off future outbreaks.

On the subject of riot prevention, Negroes and whites are even farther apart than in their understanding of the causes. The vast majority of Negroes but less than half of whites are in favor of open housing laws as a way to reduce the possibility of riots. About two-thirds of Negroes and again, less than half of whites see a solution in the remodeling or replacing of slums with decent housing. On the job front, it is encouraging that whites do come out strongly in favor of the principle of equal job opportunities for Negroes. However, they are much less enthusiastic about specific measures such as on-the-job training by industry and special government training programs for Negroes.

On actions regarding the police, the same picture of conflicting attitudes emerges. Civilian review boards, favored overwhelmingly by Negroes, lack majority white support. The only actions most whites in the six cities favor regarding the police are actions to strengthen police power and authority, either by giving Negro neighborhoods better police protection or by giving police more power to put down riots when they start, the latter measure favored by twice as many whites as Negroes.

Final, rather touching evidence of the lack of racial rapport comes from the answers to this question, asked toward the close of the interview: "Now looking toward the future, do you expect that five years from now relations between Negroes and whites in this community will be more friendly, less friendly or about the same?" Despite all their disappointments, at least half of the Negroes expressed the optimistic belief that relations will improve. But only a third of the whites see the races drawing closer together in the immediate future; the white consensus is that relations will remain "about the same" as now.

This racial distance was also persistently evident in a series of probing interviews made with opinion leaders in each city by Dr. Spiegel and his staff, in which one theme dominated: the lack of communication between the races. Dr. Spiegel's conclusion: whites simply are not aware of how much bitterness and frustration exist among Negro ghetto-dwellers today. This communication gap may well be the most serious problem in race relations today.

In light of this gap, it is encouraging to find that one remedial measure *is* supported by a majority of both races. It is this: "Having the mayor and other city officials spend more time in areas where riots might break out, and really get to know more about what Negroes are feeling."

3. Despite these sobering findings, the study does offer some grounds for optimism and suggests ways to work to reduce the possibility of future riots.

In the first place, the study makes it clear that riots are as distasteful to most Negroes as they are to anybody else. The consensus among the Negroes interviewed is that only a small minority of Negroes are in sympathy with riots. And when Negroes were asked to select from a list the types of people most likely to get actively involved in riots, the most frequently mentioned types were the unemployed (57%), hoodlums (53%), kids looking for excitement (44%), people who want an excuse to steal and loot (42%), and agitators (40%). Mentioned rarely were civil rights leaders (13%), idealists (7%), and ordinary people (8%). In other words, the riots are seen by Negroes themselves, not as legitimate protests against racial injustice and deprivation, but as the irresponsible acts of irresponsible people who happen to be Negroes.

It is also clear that while Negro dissatisfaction is real and intense, it has not driven most Negroes to an extremist approach to solving their problems. For example, Negroes in most of the six cities reject the Black Power concept by heavy margins, and nowhere do its adherents number as many as a third of the Negroes interviewed. Support for moderate Negro organizations like the Urban League, the NAACP and SCLC is high, but an extremist group like SNCC fails to get majority backing in any of the cities surveyed. As far as specific measures are concerned, the vast majority of Negroes ask only equal treatment and reject, for example, the approach of preferential hiring and promotion to compensate for the inequities of the past. Extremist propaganda to the contrary, most Negroes are still willing to play by the rules. What they do ask, and urgently, is that the rules be used to hasten and not to block their long-awaited entrance into the mainstream of American life.

Perhaps the other most hopeful finding of the study is that when Negroes have a feeling that efforts are being made to improve conditions, they respond positively, even though they know that the problems remain. The factor most closely correlated with the level of Negro discontent in any given city is the degree of impatience with city government efforts to encourage racial integration. When Negroes feel the city is doing less than it can and should, they tend to be impatient in all areas. When they have a sense that the local government is moving in their behalf, their general level of impatience tends to be lower. However, most Negroes in most cities feel that their city governments are falling short of what they could do to advance Negro rights. This feeling, more than anything else, makes Negro ghettoes tinder boxes today.

There are two obvious remedies for this situation; city governments can do more, and what they *are* doing can be better communicated. This is the other side of the communications gap. Just as the facts of Negro life and feeling need to be gotten across to whites, the message of what is being done and attempted to remedy the Negro's plight needs to be gotten across to Negroes.

What is needed, of course, is more than communication. In the crucial task of creating more jobs, industry can do much more than it has done to date. And the study suggests strongly that the key to riot prevention is in active efforts by city leadership to implement Negro rights and opportunities. If a local government can convince Negroes that it is really trying to ameliorate the social and economic conditions that beset them, the riot potential of that city should be significantly reduced.

The findings of the study foreshadowed what the summer of 1967 made manifest: that even in what seem to be the best of cities, the conditions which make for riots exist today. As if to demonstrate this finding, Boston, one of the non-riot cities, entered the riot column shortly after the survey was completed. But what the study also revealed were some ways to lessen the possibility of future urban violence, and to begin to bridge the enormous gap that separates the races in America today.

RESULTS OF FTC CIGARETTE TESTS ON TAR AND NICOTINE

Mr. MAGNUSON. Mr. President, the results of the first Government tests ranking cigarette brands by tar and nicotine were received by the Commerce Committee yesterday morning. The cigarettes were tested on the smoking machines of the Federal Trade Commission's newly established cigarette testing laboratory.

The FTC report contains three charts ranking the cigarettes tested, first, in increasing strength from lowest in tar and nicotine to the highest; second, in decreasing order of strength from highest in tar and nicotine to lowest; and third, alphabetically by brand.

The Commerce Committee has been looking forward to receiving this report since the Commission's cigarette laboratory was officially opened last May, and we are particularly pleased to make this data available to the public. Since there is a substantial body of scientific opinion which holds that the lower the tar and nicotine content, the less hazardous the cigarette, this information will enable a smoker who is unable or unwilling to give up smoking to select the least hazardous cigarettes on the market. We are hopeful, therefore, that it will receive the widest possible circulation. With the public health agencies, which share with us the desire to see that the American smoker will "choose his poison" only after knowing fully the relative strengths of the cigarettes available to him, we are exploring with the owners and operators of supermarkets and drugstores, as well as other sellers of cigarettes, the possibility of establishing a voluntary program for displaying cigarette rankings at the point of sale. For if the rankings are readily visible where purchases are made, they will be of the most use and meaning to the individual smoker.

Hopefully, the wide dissemination of this information and the growing awareness of its significance among the smoking public will also serve to channel competition in the cigarette industry toward the marketing of cigarettes of progressively lower tar and nicotine content. For such a move would gradually make these less-hazardous cigarettes more widely available to the American public.

Although some types of cigarettes have been tested to butt lengths which differ from the standard 23-millimeter butt, this difference reflects the variation in length of each kind of cigarette filter and its paper overwrap. In every case the FTC figures are extremely accurate in answering the most significant and fundamental question: What is the maximum amount of tar and nicotine which the average smoker would take in from each type of cigarette?

These FTC figures should speak for themselves, but I want to comment further on them only to observe that the new 100-millimeter cigarettes which have come on the market during the last year represent a serious backward step. These cigarettes with their added length necessarily represent added tar and nicotine and escalate the hazards of smoking.

Mr. President, I ask unanimous consent that the FTC cigarette rankings and the letter of transmittal appear in the RECORD following these remarks.

There being no objection, the report and letter were ordered to be printed in the RECORD, as follows:

REPORT OF TAR AND NICOTINE CONTENT OF THE SMOKE OF 59 VARIETIES OF CIGARETTES, NOVEMBER 20, 1967

The Federal Trade Commission's laboratory has determined the tar (dry particulate matter) and total alkaloid (reported as nicotine) content of 59 varieties of cigarettes. The laboratory utilized the Cambridge filter method with the following specifications as set forth in the Commission's announcement of July 31, 1967:

1. Smoke cigarettes to a 23 mm. butt length, or to the length of the filter and overwrap plus 3 mm. if in excess of 23 mm.,
2. Base results on a test of 100 cigarettes per brand, or type.
3. Cigarettes to be tested will be selected on a random basis, as opposed to "weight selection",
4. Determine particulate matter on a "dry" basis employing the gas chromatography method published by C. H. Sloan and B. J. Sublett in Tobacco Science 9, page 70, 1965, as modified by F. J. Schultz' and A. W. Spears' report published in Tobacco Vol. 162, No. 24, page 32, dated June 17, 1966, to determine the moisture content,
5. Determine and report the "tar" content after subtracting moisture and alkaloids (as Nicotine) from particulate matter.

The samples used were obtained by attempting to purchase two packages of each variety of cigarettes in each of 50 geographical locations throughout the country during August, 1967. All of the varieties of cigarettes were not available in each of the 50 geographical locations; and in the cases of "Domino" menthol 85 mm. and "Marvels" filter 70 mm. cigarettes the purchases were made from 15 geographical locations during September, 1967. The samples utilized in the tests were representative of the 59 varieties of cigarettes as available throughout the country at the time of purchase.

In the interest of scientific accuracy the tar content is reported to the nearest 1/10 milligram and the nicotine content to the nearest 1/100 milligram, each will appropriate statistical values.

The results of this analytical work are shown in the accompanying tables.

"TAR" [1] AND NICOTINE [2] CONTENT OF 59 VARIETIES OF DOMESTIC CIGARETTES (SHOWN IN DECREASING ORDER OF "TAR" VALUES)

[NF—Nonfilter; F—Filter; M—Menthol; HP—Hard pack; SP—Soft pack; HWP—Hard wide pack; mm.—Millimeters]

Name	Type	Average weight	Butt length [1] (millimeters) [3]	TPM dry [1 3 4]	Nicotine [2 4]
Chesterfield	NF, SP (85 mm.)	1.1977	23	28.6±0.5	1.54±0.07
Pall Mall	F, HWP (95 mm.)	1.1607	23–25	28.1±1.4	1.58±0.15
Philip Morris Commander.	NF, SP (85 mm.)	1.1537	23	28.1±0.9	1.79±0.06
Raleigh	NF, SP (85 mm.)	1.1213	23	27.8±0.8	1.98±0.07
Pall Mall	NF, SP (85 mm.)	1.1257	23	27.1±1.3	1.60±0.09
Salem	F, M, SP (100 mm.)	1.3213	27–28	27.0±0.3	1.74±0.07
Winston	F, SP (100 mm.)	1.3106	27–28	26.7±0.5	1.74±0.07
Lucky Strike	NF, SP (70 mm.)	.9707	23	26.4±0.6	1.55±0.05
Kool	NF, M, SP (70 mm.)	.8967	23	26.3±0.6	1.84±0.09
Pall Mall	F, M, HWP (95 mm.)	1.1582	23–25	25.9±2.5	1.45±0.11
L&M	F, SP (100 mm.)	1.2806	26–28	25.6±1.3	1.41±0.09
L&M	F, M, SP (100 mm.)	1.3015	26–28	25.3±0.4	1.44±0.05
Winston	F, M, SP (100 mm.)	1.3183	27–28	25.2±0.6	1.66±0.09
Marlboro	F, M, SP (85 mm.)	1.2128	27–29	24.4±0.9	1.72±0.07
Camel	NF, SP (70 mm.)	1.0261	23	24.2±0.7	1.39±0.09
Kent	F, SP (100 mm.)	1.2388	26–28	23.4±0.5	1.46±0.05
Pall Mall	F, SP (100 mm.)	1.2336	24–28	23.1±0.6	1.56±0.04
Philip Morris	NF, SP (70 mm.)	.9553	23	22.7±0.9	1.45±0.06
Chesterfield	NF, SP (70 mm.)	.9738	23	22.7±0.8	1.20±0.05
Do	F, SP (85 mm.)	1.0577	26–29	22.4±0.6	1.16±0.17
Pall Mall	F, M, SP (100 mm.)	1.2159	24–28	22.3±0.8	1.47±0.03
Marvels	NF, SP (85 mm.)	1.1875	23	21.8±0.7	0.82±0.04
Lucky Strike	F, SP (85 mm.)	1.1170	26–28	21.7±1.0	1.33±0.04
Viceroy	F, HP (80 mm.)	1.0109	24–25	21.4±0.7	1.43±0.09
L & M	F, SP (85 mm.)	1.0753	26–27	21.3±0.4	1.15±0.09
Salem	F, M, SP (85 mm.)	1.0914	27–28	21.1±1.1	1.36±0.04
Chesterfield	F, M, SP (85 mm.)	1.0953	26–28	21.0±0.8	1.19±0.11
Camel	F, SP (85 mm.)	1.0686	26–28	21.0±0.7	1.26±0.05
Viceroy	F, SP (85 mm.)	1.0599	27–28	21.0±0.5	1.43±0.09
Marlboro	F, SP (100 mm.)	1.0518	27–29	20.9±0.6	1.38±0.06
Winston	F, HP (80 mm.)	1.0388	23–25	20.8±0.6	1.22±0.09
Raleigh	F, SP (85 mm.)	1.0517	26–29	20.8±0.4	1.53±0.08
Lucky Strike	F, M, SP (85 mm.)	1.0855	26–28	20.7±0.8	1.22±0.03
Marlboro	F, SP (85 mm.)	1.0454	27–29	20.7±0.4	1.41±0.05
Lucky Strike	F, SP (100 mm.)	1.2986	32–34	20.6±0.6	1.28±0.03
Sano	NF, SP (70 mm.)	1.0574	23	20.5±0.7	0.61±0.03
Winston	F, SP (85 mm.)	1.0808	27–28	20.4±0.5	1.29±0.05
Marlboro	F, HP (80 mm.)	.9960	27–29	20.4±0.4	1.34±0.05
Tareyton	F, SP (100 mm.)	1.2975	26–28	20.2±0.4	1.23±0.06
Kool	F, M, SP (85 mm.)	.9986	26–28	20.2±0.3	1.56±0.11
Philip Morris	F, M, SP (85 mm.)	1.1441	27–29	20.0±0.6	1.78±0.08
L & M	F, HP (80 mm.)	1.0227	24–28	19.4±0.7	1.06±0.05
Lucky Strike	F, M, SP (100 mm.)	1.2601	32–34	19.4±0.5	1.03±0.07
Philip Morris	F, SP (85 mm.)	1.1535	27–30	18.9±0.5	1.29±0.07
L & M	F, SP (70 mm.)	.9334	23–25	18.5±0.5	0.93±0.08
Tareyton	F, SP (85 mm.)	1.1125	25–29	17.5±0.6	1.07±0.04
Kent	F, SP (85 mm.)	1.0214	26–28	17.4±0.4	1.09±0.03

See footnotes at end of table.

"TAR"[1] AND NICOTINE[2] CONTENT OF 59 VARIETIES OF DOMESTIC CIGARETTES (SHOWN IN DECREASING ORDER OF "TAR" VALUES)—Continued

Name	Type	Average weight	Butt length[1] (millimeters)[3]	TPM dry[1 3 4]	Nicotine[2 4]
Parliament	F, SP (85 mm.)	1.0990	29-34	16.1±0.4	1.05±0.03
Do	F, HP (80 mm.)	1.0264	27-32	15.8±0.4	1.01±0.04
Domino	F, M, SP (85 mm.)	1.1572	23-25	15.0±0.9	0.71±0.05
King Sano	F, M, SP (85 mm.)	1.3277	27-29	13.8±0.5	0.42±0.02
Do	F, SP (85 mm.)	1.3022	27-29	12.9±0.7	0.38±0.03
True	F, SP (85 mm.)	1.0929	32-34	12.8±0.4	0.65±0.05
Do	F, M, SP (85 mm.)	1.0664	32-34	12.7±0.5	0.68±0.04
Duke of Durham	F, SP (85 mm.)	1.1934	32-34	10.4±0.6	0.38±0.03
Cascade	F, M, SP (85 mm.)	1.1436	26-28	7.8±0.4	0.27±0.01
Carlton	F, SP (85 mm.)	1.0969	32-34	7.2±0.9	0.50±0.05
Marvels	F, SP (85 mm.)	1.1317	28-29	6.4±0.7	0.22±0.02
Do	F, SP (70 mm.)	.9467	27-29	3.9±0.5	0.12±0.02

"TAR"[1] AND NICOTINE[2] CONTENT OF 59 VARIETIES OF DOMESTIC CIGARETTES (SHOWN IN INCREASING ORDER OF "TAR" VALUES)

Name	Type	Average weight	Butt length[1] (millimeters)[3]	TPM dry[1 3 4]	Nicotine[2 4]
Marvels	F, SP (70 mm.)	0.9467	27-29	3.9±0.5	0.12±0.02
Do	F, SP (85 mm.)	1.1317	28-29	6.4±0.7	0.22±0.02
Carlton	F, SP (85 mm.)	1.0969	32-34	7.2±0.9	0.50±0.05
Cascade	F, M, SP (85 mm.)	1.1436	26-28	7.8±0.4	0.27±0.01
Duke of Durham	F, SP (85 mm.)	1.1934	32-34	10.4±0.6	0.38±0.03
True	F, M, SP (85 mm.)	1.0664	32-34	12.7±0.5	0.68±0.04
Do	F, SP (85 mm.)	1.0929	32-34	12.8±0.4	0.65±0.05
King Sano	F, SP (85 mm.)	1.3022	27-29	12.9±0.7	0.38±0.03
Do	F, M, SP (85 mm.)	1.3277	27-29	13.8±0.5	0.42±0.02
Domino	F, M, SP (85 mm.)	1.1572	23-25	15.0±0.9	0.71±0.05
Parliament	F, HP (80 mm.)	1.0264	27-32	15.8±0.4	1.01±0.04
Do	F, SP (85 mm.)	1.0990	29-34	16.1±0.4	1.05±0.03
Kent	F, SP (85 mm.)	1.0214	26-28	17.4±0.4	1.09±0.03
Tareyton	F, SP (85 mm.)	1.1125	25-29	17.5±0.6	1.07±0.04
L & M	F, SP (70 mm.)	.9334	23-25	18.5±0.5	0.93±0.08
Philip Morris	F, SP (85 mm.)	1.1535	27-30	18.9±0.5	1.29±0.07
Lucky Strike	F, M, SP (100 mm.)	1.2601	32-34	19.4±0.5	1.03±0.07
L & M	F, HP (80 mm.)	1.0227	24-28	19.4±0.7	1.06±0.05
Philip Morris	F, M, SP (85 mm.)	1.1441	27.29	20.0±0.6	1.28±0.08
Kool	F, M, SP (85 mm.)	.9986	26-28	20.2±0.3	1.56±0.11
Tareyton	F, SP (100 mm.)	1.2975	26-28	20.2±0.4	1.23±0.06
Marlboro	F, HP (80 mm.)	.9960	27-29	20.4±0.4	1.34±0.05
Winston	F, SP (85 mm.)	1.0808	27-28	20.4±0.5	1.29±0.05
Sano	NF, SP (70 mm.)	1.0574	23	20.5±0.7	0.61±0.03
Lucky Strike	F, SP (100 mm.)	1.2986	32-34	20.6±0.6	1.28±0.03
Marlboro	F, SP (85 mm.)	1.0454	27-29	20.7±0.4	1.41±0.05
Lucky Strike	F, M, SP (85 mm.)	1.0855	26-28	20.7±0.8	1.22±0.03
Raleigh	F, SP (85 mm.)	1.0517	26-29	20.8±0.4	1.53±0.08
Winston	F, HP (80 mm.)	1.0388	23-25	20.8±0.6	1.22±0.09
Marlboro	F, SP (100 mm.)	1.0518	27-29	20.9±0.6	1.38±0.06
Viceroy	F, SP (85 mm.)	1.0599	27-28	21.0±0.5	1.43±0.09
Camel	F, SP (85 mm.)	1.0686	26-28	21.0±0.7	1.26±0.05
Chesterfield	F, M, SP (85 mm.)	1.0953	26-28	21.0±0.8	1.19±0.11
Salem	F, M, SP (85 mm.)	1.0914	27-28	21.1±1.1	1.36±0.04
L & M	F, SP (85 mm.)	1.0753	26-27	21.3±0.4	1.15±0.09
Viceroy	F, HP (80 mm.)	1.0109	24-25	21.4±0.7	1.43±0.09
Lucky Strike	F, SP (85 mm.)	1.1170	26-28	21.7±1.0	1.33±0.04
Marvels	NF, SP (85 mm.)	1.1875	23	21.8±0.7	0.82±0.04
Pall Mall	F, M, SP (100 mm.)	1.2159	24-28	22.3±0.8	1.47±0.03
Chesterfield	F, SP (85 mm.)	1.0577	26-29	22.4±0.6	1.16±0.17
Do	NF, SP (70 mm.)	.9738	23	22.7±0.8	1.20±0.05
Philip Morris	NF, SP (70 mm.)	.9553	23	22.7±0.9	1.45±0.06
Pall Mall	F, SP (100 mm.)	1.2336	24-28	23.1±0.6	1.56±0.04
Kent	F, SP (100 mm.)	1.2388	26-28	23.4±0.5	1.46±0.05
Camel	NF, SP (70 mm.)	1.0261	23	24.2±0.7	1.39±0.09
Marlboro	F, M, SP (85 mm.)	1.2128	27-29	24.4±0.9	1.72±0.07
Winston	F, M, SP (100 mm.)	1.3183	27-28	25.2±0.6	1.66±0.09
L & M	F, M, SP (100 mm.)	1.3015	26-28	25.3±0.4	1.44±0.05
L & M	F, SP (100 mm.)	1.2806	26-28	25.6±1.3	1.41±0.09
Pall Mall	F, M, HWP (95 mm.)	1.1582	23-25	25.9±2.5	1.45±0.11
Kool	NF, M, SP (70 mm.)	.8967	23	26.3±0.6	1.84±0.09
Lucky Strike	NF, SP (70 mm.)	.9707	23	26.4±0.6	1.55±0.05
Winston	F, SP (100 mm.)	1.3106	27-28	26.7±0.5	1.74±0.07
Salem	F, M, SP (100 mm.)	1.3213	27-28	27.0±0.3	1.74±0.07
Pall Mall	NF, SP (85 mm.)	1.1257	23	27.1±1.3	1.60±0.09
Raleigh	NF, SP (85 mm.)	1.1213	23	27.8±0.8	1.98±0.07
Philip Morris Commander.	NF, SP (85 mm.)	1.1537	23	28.1±0.9	1.79±0.06
Pall Mall	F, HWP (95 mm.)	1.1607	23-25	28.1±1.4	1.58±0.15
Chesterfield	NF, SP (85 mm.)	1.1977	23	28.6±0.5	1.54±0.07

"TAR"[1] AND NICOTINE[2] CONTENT OF 59 VARIETIES OF DOMESTIC CIGARETTES (SHOWN IN ALPHABETICAL ORDER)

Name	Type	Average weight	Butt length[1] (millimeters)[3]	TPM dry[1 3 4]	Nicotine[2 4]
Camel	NF, SP (70 mm.)	1.0261	23	24.2±0.7	1.39±0.09
Do	F, SP (85 mm.)	1.0686	26-28	21.0±0.7	1.26±0.05
Carlton	F, SP (85 mm.)	1.0969	32-34	7.2±0.9	0.50±0.05
Cascade	F, M, SP (85 mm.)	1.1436	26-28	7.8±0.4	0.27±0.01
Chesterfield	NF, SP (70 mm.)	.9738	23	22.7±0.8	1.20±0.05
Do	NF, SP (85 mm.)	1.1977	23	28.6±0.5	1.54±0.07
Do	F, SP (85 mm.)	1.0577	26-29	22.4±0.6	1.16±0.17
Do	F, M, SP (85 mm.)	1.0953	26-28	21.0±0.8	1.19±0.11
Domino	F, M, SP (85 mm.)	1.1572	23-25	15.0±0.9	0.71±0.05
Duke of Durham	F, SP (85 mm.)	1.1934	32-34	10.4±0.6	0.38±0.03
Kent	F, SP (85 mm.)	1.0214	26-28	17.4±0.4	1.09±0.03
Do	F, SP (100 mm.)	1.2388	26-28	23.4±0.5	1.46±0.05
King Sano	F, SP (85 mm.)	1.3022	27-29	12.9±0.7	0.38±0.03
Do	F, M, SP (85 mm.)	1.3277	27-29	13.8±0.5	0.42±0.02
Kool	NF, M, SP (70 mm.)	.8967	23	26.3±0.6	1.84±0.09
Do	F, M, SP (85 mm.)	.9986	26-28	20.2±0.3	1.56±0.11
L & M	F, SP (70 mm.)	.9334	23-25	18.5±0.5	0.93±0.08
Do	F, HP (80 mm.)	1.0227	24-28	19.4±0.7	1.06±0.05
Do	F, SP (85 mm.)	1.0753	26-27	21.3±0.4	1.15±0.09
Do	F, SP (100 mm.)	1.2806	26-28	25.6±1.3	1.41±0.09
Do	F, M, SP (100 mm.)	1.3015	26-28	25.3±0.4	1.44±0.05
Lucky Strike	NF, SP (70 mm.)	.9707	23	26.4±0.6	1.55±0.05
Do	F, SP (85 mm.)	1.1170	26-28	21.7±1.0	1.33±0.04
Do	F, M, SP (85 mm.)	1.0855	26-28	20.7±0.8	1.22±0.03
Do	F, SP (100 mm.)	1.2986	32-34	20.6±0.6	1.28±0.03
Do	F, M, SP (100 mm.)	1.2601	32-34	19.4±0.5	1.03±0.07
Marlboro	F, HP (80 mm.)	.9960	27-29	20.4±0.4	1.34±0.05
Do	F, SP (85 mm.)	1.0454	27-29	20.7±0.4	1.41±0.05
Do	F, SP (100 mm.)	1.0518	27-29	20.9±0.6	1.38±0.06
Do	F, M, SP (85 mm.)	1.2128	27-29	24.4±0.9	1.72±0.07
Marvels	F, SP (70 mm.)	0.9467	27-29	3.9±0.5	0.12±0.02
Do	NF, SP (85 mm.)	1.1875	23	21.8±0.7	0.82±0.04
Do	F, SP (85 mm.)	1.1317	28-29	6.4±0.7	0.22±0.02
Pall Mall	NF, SP (85 mm.)	1.1257	23	27.1±1.3	1.60±0.09
Do	F, HWP (95 mm.)	1.1607	23-25	28.1±1.4	1.58±0.15
Do	F, SP (100 mm.)	1.2336	24-28	23.1±0.6	1.56±0.04
Do	F, M, HWP (95 mm.)	1.1582	23-25	25.9±2.5	1.45±0.11
Do	F, M, SP (100 mm.)	1.2159	24-28	22.3±0.8	1.47±0.03
Parliament	F, HP (80 mm.)	1.0264	27-32	15.8±0.4	1.01±0.04
Do	F, SP, (85 mm.)	1.0990	29-34	16.1±0.4	1.05±0.03
Philip Morris	NF, SP (70 mm.)	.9553	23	22.7±0.9	1.45±0.06
Philip Morris Commander.	NF, SP (85 mm.)	1.1537	23	28.1±0.9	1.79±0.06
Philip Morris	F, SP (85 mm.)	1.1535	27-30	18.9±0.5	1.29±0.07
Do	F, M, SP (85 mm.)	1.1441	27-29	20.0±0.6	1.28±0.08
Raleigh	NF, SP (85 mm.)	1.1213	23	27.8±0.8	1.98±0.07
Do	F, SP (85 mm.)	1.0517	26-29	20.8±0.4	1.53±0.08
Salem	F, M, SP (85 mm.)	1.0914	27-28	21.1±1.1	1.36±0.04
Do	F, M, SP (100 mm.)	1.3213	27-28	27.0±0.3	1.74±0.07
Sano	NF, SP (70 mm.)	1.0574	23	20.5±0.7	0.61±0.03
Tareyton	F, SP (85 mm.)	1.1125	25-29	17.5±0.6	1.07±0.04
Do	F, SP (100 mm.)	1.2975	26-28	20.2±0.4	1.23±0.06
True	F, SP (85 mm.)	1.0929	32-34	12.8±0.4	0.65±0.05
Do	F, M, SP (85 mm.)	1.0664	32-34	12.7±0.5	0.68±0.04
Viceroy	F, HP (80 mm.)	1.0109	24-25	21.4±0.7	1.43±0.09
Do	F, SP (85 mm.)	1.0599	27-28	21.0±0.5	1.43±0.09
Winston	F, HP (80 mm.)	1.0388	23-25	20.8±0.6	1.22±0.09
Do	F, SP (85 mm.)	1.0808	27-28	20.4±0.5	1.29±0.05
Do	F, SP (100 mm.)	1.3106	27-28	26.7±0.5	1.74±0.07
Do	F, M, SP (100 mm.)	1.3183	27-28	25.2±0.6	1.66±0.09

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[1] TPM dry (tar)—Total particulate matter less nicotine and water.

[2] Total alkaloids reported as nicotine.

[3] Range used for butt length because of variance of overwrap.

[4] Tolerance shown is 2 standard deviation of the mean.

FEDERAL TRADE COMMISSION,
Washington, D.C., November 22, 1967.
Hon. WARREN B. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Submitted herewith is a report of the tar and nicotine yields of 59 varieties of cigarettes, as determined by tests recently conducted by the Commission's laboratory.

In order to present realistic values for the tar and nicotine to which smokers are exposed, the Commission, relying in part upon the recommendations of scientific and medical organizations most intimately concerned with the public welfare in this matter, smoked the cigarettes to a 23 mm. butt length or to the length of the filter and overwrap plus 3 mm. if in excess of 23 mm.

Chairman Dixon and Commissioner MacIntyre are of the view that, because the Commission in carrying out its tests smoked the cigarettes to a butt length of 23 mm. or to the length of the filter and overwrap plus 3 mm. if in excess of 23 mm., the comparative value of the tests is doubtful. In their opinion, this is so because of the varying lengths of the various filters on the individual brands. Of the 59 brands tested, only 16 were capable of being smoked to 23 mm. or to an average range of between 23 and 24 mm. The butt lengths of the other 43 brands tested ranged from 23 mm. to an average of between 32 and 34 mm. The butt lengths of only 6 of the 59 brands tested exceeded 30 mm. It is the view of Chairman Dixon and Commissioner MacIntyre that for the test results to provide a meaningful basis for comparison, all of the cigarettes should have been smoked to a 30 mm. butt length with the exception of the 6 that could not have been smoked any shorter than 32 mm.

By direction of the Commission.

JOSEPH W. SHEA,
Secretary.

HONEST VERSUS ROWDY DISSENT

Mr. RANDOLPH. Mr. President, it is heartening to read of the action of members of the student body of the University of Indiana, more than 14,000 strong, in presenting a letter with that number of signatures to Dean Rusk, the Secretary of State, apologizing for the action of a very small segment of the student body of that university in disrupting the address of Secretary Rusk recently when he spoke on the campus at Bloomington, Ind.

Mr. President, the position given in the news media to the account of the disruption of Secretary Rusk's address was so prominent that to leave the story at that point would not do justice to the thousands of students who were respectfully listening to that address. Perhaps all of the attentive students were not necessarily agreeing with it in all respects, but they were showing courtesy to a member of the Cabinet of the President of the United States as he discussed the problems of Vietnam and Southeast Asia.

I heard on my radio the noise of the disruption during that address of Secretary Rusk, as did untold thousands of other Americans. I feel that we are too inclined, upon hearing such a disturbance on radio or television, or upon reading of it in the newspapers, to let the matter rest. But, when more than 14,000 students write a letter of apology to Secretary Rusk for such boorish behavior, that event being of a less sensational nature, and consequently less prominently displayed in the press, we are not likely to see it or are apt to pass over it quickly. Hence, an apology of this nature does not command the degree of attention in any wise commensurate with the earlier story which related to that which took place in Bloomington when Secretary Rusk spoke on the Indiana University campus.

I rise today to express appreciation for the fact that when this sort of situation occurs, as it did within and on the part of a small segment of the student body of the University of Indiana, a letter of apology signed by more than 14,000 University of Indiana students was written and delivered to the Secretary of State.

I commend the overwhelming majority of the students of the University of Indiana for their action in this case. I also commend the students on the campuses of literally hundreds and hundreds of colleges and universities throughout the country who refuse to be involved in the sort of rowdyism and discourtesy exhibited by small minorities such as the few who demonstrated at Indiana University.

I have visited many campuses in the last 2 weeks, among them campuses in my State and in the neighboring State of Virginia. I have found on these campuses many wholesome young people who, although they may not agree with our policies and efforts in Vietnam, understand that there are varying degrees of dissent. They hold no truck with violence or noisy demonstration. They realize that there is a place for discussion and debate and dissent, but they do not believe in destruction or discourtesy.

It needs to be said in this forum that, by and large, the young men and women in the colleges and universities of America these days are not persons who indulge in rowdyism or tactics of the type which the Secretary of State was forced to endure at the hands of a very small number of students.

A few days later at a speech by Secretary of State Rusk in New York City the tactics used were disruptive. Not only was the meeting disrupted, but all traffic—cars, buses, trucks, and the movement of people in that great city—was also disrupted for perhaps 2 or 3 hours.

I mention these cases today to indicate that there is a great difference between an honest and a rowdy dissent. And when dissent has fallen into the category of the rowdyism and the destructiveness which we have seen and sensed, I have spoken in defense of Americans generally and especially of our citizens who do understand and who do recognize good taste and who do not allow themselves to be drawn into situations of the type I have mentioned.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Honest Versus Rowdy Dissent," published in the Christian Science Monitor of November 24, 1967, which sets forth with clarity this situation which exists in our country.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HONEST VERSUS ROWDY DISSENT

Large numbers of Americans—whatever their views on the Vietnamese war—will have cheered the letter of apology sent by more than 14,000 students of the University of Indiana to Secretary of State Dean Rusk. The students expressed regret at the boorish behavior of antiwar demonstrators who continually interrupted a speech by Secretary Rusk with shouts of "murderer."

We feel certain that there were many among these 14,000-odd signers who did not agree with all that the Secretary of State said. But their letter reaffirmed what we have always known. This is that the American people, with their instinctive desire for moderation and fair play, believe that public debate should be carried on in a civilized, restrained and grown-up manner. Over and over again, in every walk of life, America has shown that it will turn against those who use rowdy or dictatorial means to suppress free thought and free speech, who act, as President Johnson said, like storm-troopers.

It is vital that there be free, open, and continued debate on so crucial a matter as America's Vietnamese policy. The reasons for this are so well-known and so persuasive that they do not need repeating here. Anything, from any side, which hampers such debate not only hurts the United States but, in the end, will hurt the cause of those who do the hampering.

This was shown by the widespread newspaper condemnation of another anti-Rusk demonstration, that was held in New York City a few days ago when the Secretary of State spoke before the Foreign Policy Association. Even newspapers which are severely critical of the Secretary's outlook on Vietnam were scathing in their condemnation of the violence and rowdyhood which characterized the demonstration.

The great lesson to be learnt is that such tactics, when used in a land dedicated to the spirit of democracy, is counterproductive. They may work off overheated feelings, but they lose more friends than they gain. Many reasonable, thoughtful persons have grave doubts about the Administration's Vietnamese policy, but many of these also hesitate to voice them lest they be lumped with those whose actions tarnish the image of honest dissent.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. BAYH. Mr. President, I appreciate the opportunity to comment briefly on the remarks just made by the distinguished Senator from West Virginia. I associate myself with his statement and believe that his remarks are very timely.

I am grateful that the Senator has taken upon himself the obligation to set the record straight concerning the general attitude of the students of the University of Indiana, as well as the general attitude of students throughout the country.

Those of us who are from Indiana have a justifiable pride in the accomplishments of that great university which only recently made the impossible come true on the gridiron and will consequently be representing the Big Ten at the Rose Bowl.

I hope that, despite the glamor of the Parade of Roses, we do not overlook the fact that this is a fine institution of higher learning, one of the best in the country.

I would be somewhat less than honest if I did not admit to some alarm and shame at the news reports out of Bloomington, Ind., when Secretary of State Dean Rusk spoke there.

Since then, however, I have had a lengthy conversation with Dr. Elvis Stahr, the president of the university, who is an outstanding educator.

Mr. RANDOLPH. He went from West Virginia to Indiana.

Mr. BAYH. The Senator is correct. He also served as Secretary of the Army.

My colleague, the senior Senator from West Virginia, knows the caliber of Dr. Stahr. In my opinion Dr. Stahr deserves a "star in his crown," if I may say so, for the excellent way in which he has handled the situation.

It should be pointed out, for the sake of the RECORD, that in that great auditorium, filled with some 5,000 students to hear the Secretary of State, only about 100 students made such bores of themselves and were so impolite as to prevent the Secretary of State from having the opportunity to fully present his message.

It is very unfortunate that misconduct by so few could reflect adversely not only on the 5,000 students who were present, but also on the more than 20,000 students who have the good fortune of attending the University of Indiana.

I only wish that the student petition presented later to Secretary Rusk and which has been brought to the attention of the Senate by the Senator from West Virginia had received as much publicity as that received by the small group of rowdy students. The petition referred to by the Senator, which was signed by 14,000 students, was brought to Washington by two student leaders and presented to the Secretary of State.

There is no question that the country is concerned today about Vietnam. The students of America are concerned about Vietnam. They are searching for answers. All of us, regardless of age, are searching for answers. No one can say that the spirit of inquiry, even dissent, is to their discredit. Indeed, it is to their credit that they are searching for proper answers.

However, it is extremely important that students, citizens, and public officials alike, while defending and maintaining the right of freedom of speech, recognize that this right does not give a small group of dissenters the authority to dissent by imposing their own will by force on other citizens and, indeed, as was the case at the University of Indiana, to prevent a vast number of other persons from hearing an address by the Secretary of State.

Mr. President, I again thank my colleague, the senior Senator from West Virginia, for bringing this matter to our attention.

This is a time of great trial and difficulty in this Nation's history, and I think the contribution the Senator has made by putting this incident in proper perspective is very great. We need to remind ourselves that, even though we may have differences of opinion, that this is a Nation governed by law and not one in which a few people can work their will and override the rights of others merely because they have stronger muscles or louder voices.

Our problems today can be solved only by careful analysis and study and by thorough open discussions.

This search for the truth cannot occur when a handful of people are allowed to create turmoil. Such a demonstration does not accurately represent the true character of the University of Indiana.

I thank the Senator for having brought up the subject.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the able Senator from Ohio.

Mr. LAUSCHE. Mr. President, I join with the Senator from Indiana and the Senator from West Virginia in the thoughts they have just expressed.

To me there is a great lesson to be learned in what happened in Bloomington, Ind., at the University of Indiana. It is an inspiring experience to know that 14,000 students rebelled against the low treatment that was accorded to a fellow American citizen, and especially a representative of the Government.

But there is this lesson to be learned: At Indiana State University there was definitely a prearranged plot to stop the Secretary of State from speaking. Not usually do we find evidence in existence after a riot showing that the riot was centrally generated and provoked.

Now, what were the facts in Indiana? When the meeting was over, leaflets were found in the auditorium advising the participants in the disturbance how they should act. I have in my office a copy of the newspaper report setting forth the contents of the leaflets. The leaflets told these students, I suppose among the 100 who were mentioned by the Senator from Indiana: "When you think the Secretary has said something that you are not in agreement with, shout, 'Liar!' Shout 'We don't believe it!' You can judge, as the Secretary speaks, whether there is an appropriate time to intervene. Shout, 'We will not go! You lie.' "

Now, what is the lesson to be learned from what happened at Indiana? The lesson to be learned is that in the Indiana demonstration and disturbance and shameful conduct there was a superior force planning the disturbance. In my judgment, that is happening all over the Nation. It will make no difference to what place Secretary of Defense McNamara goes or to what place Secretary of State Rusk goes—the planners and the designers of the purpose to destroy the image of our youth, the image of the people of the United States, will be behind the walls, behind the curtains, pulling the strings; and the innocent young students will be acting and not knowing who is in the background.

I commend the Senator from West Virginia for discussing this subject today.

In my judgment, in every one of these riots at our institutions of higher learning there are the manipulators and the designers and the architects, standing behind the door, watching innocent youth bring shame and dishonor upon the Nation and spoiling the image of the people of the United States, contrary to what the truth is.

Mr. GORE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am happy to yield to the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, I wish to join in the denunciations of vulgarity and discourtesy not only in the instance referred to, but elsewhere as well.

One cannot expect the Secretary of State to know all things; but I should have thought he would have been advised as to where he might find the best disciplined student body and the best football team in the Nation. But since he did not choose to go elsewhere, I should like to invite him either to come to the University of Tennessee to address the student body or to go with me to the Orange Bowl and see the University of Tennessee establish its No. 1 rating over the University of Oklahoma.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my friend from Oklahoma.

Mr. MONRONEY. Mr. President, I yield to no man with respect to the discipline and the integrity of the students of the great "Sooner State" that I have the honor to represent—a group of students who are so well disciplined that the only demonstration we have had during this period—in which we look with great disgust upon a minority at a few other universities—has been a protest rally at the great oval of Oklahoma, around what we once called the Spoon Hole. The Oklahoma students held a study-in, in protest against the low salaries that their faculty members are being paid.

This is healthy; this is discipline; this is academic distinction.

I am very disappointed in the questionable acumen and the insufficient knowledge of football displayed by my dear friend and colleague, the Senator from Tennessee, with whom I came to Congress some 29 years ago. I have followed him religiously on many matters. I have followed his judgment on the wonderful Angus breeds which he helped to establish in Tennessee. My distinguished predecessor, the senior Senator from Oklahoma, had a great Angus herd. The Senator from Tennessee and I have been "sympatico."

When the Senator from Tennessee talks about discipline, I say to him that we will happily compare the discipline of the Tennessee students with that of our students, who sat in good order in front of the State capitol during a study-in to impress upon the Governor of the State the need for advancement of college faculty salaries.

When the Senator talks of football, I will confidently leave that matter to the players of the game on January 1. Two of the greatest teams in the United States will meet. Tennessee today is not No. 1, although perhaps either Oklahoma or Tennessee should be above the University of Southern California. But when the count is in, I believe the Senator will find that he still does not have the No. 1 football team. I predict his will still be the No. 2 football team of the country, and Oklahoma No. 1.

No one even dreamed that our team would be able to show up at all. Our coach, Jim McKenzie, died in the spring. He had come from Arkansas. He had had 1 year in which to do a little recruiting. He recruited some pretty good players, but they had not learned to throw the football real well or to have a sure-fire offense. They had a pretty good defense.

Then Coach McKenzie had a heart attack and died, and we did not know where to get a coach; it was too late. So we picked an assistant coach, an end coach, Chuck Fairbanks, who was practically unknown in the coaching field.

With this fine material, the team moved up from fifth in the top 10 to third. Tennessee is one rung ahead, in the second position.

When the game is over, I believe the positions will be as they were during the immigration to Oklahoma, when people moved from Tennessee to Oklahoma because Oklahoma was out in front.

In that respect, I advise everyone to see the great football game of the decade, when the "Volunteers" of Tennessee, with their great background of Davy Crockett, meet the "Sooners," the lineage of many of whom dates back to the pioneer stock of Tennessee who came to Oklahoma for one reason or another—possibly because of a sheriff's warrant or a desire for the free land that was being opened. I believe that the new and better soil, the pure water, and the warm air and the wind that blows and all the many things that made Oklahoma great will again be matched by the superiority of a truly great football team.

I hope that when the Senator reads his remarks in the Record he will realize that he exaggerated his final point, and that he will strike out "Tennessee" and substitute "Oklahoma" as the victor.

Mr. GORE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. GORE. I am very grateful for the generous references of the distinguished senior Senator from Oklahoma to the long friendship and the political affinity we have known. The senior Senator from Oklahoma, in fact, has long been my closest and dearest friend, not only in the Senate but also in the House of Representatives.

There have been occasions, however, on which we have seen things differently. Indeed, those differences of point of view may have had ancient antecedents. My father, in his youth, went to what was then the Indian Territory, but had the good judgment to return to the State known as the Volunteer State.

I do not wish to in any way demean the very fine team at the University of Oklahoma, nor the student body. I commend their discipline and willingness to have their study-ins.

I predict that after this football game there is going to be a "weep-in" at the University of Oklahoma.

Mr. MONRONEY. We will not be feeling sorry at that point but will have genuine sympathy for the great "Volunteer" team.

I did not know the Senator's father went to Oklahoma, but the name of Gore is famous in Oklahoma. The great blind Senator, Thomas P. Gore, was one of the greatest orators I ever heard. He could retain in his mind facts, statistics, and detail from a 1-hour speech and then repeat that information. His oratory was well known in that period of history.

When I see my distinguished colleague, the senior Senator from Tennessee, with his graying hair and youthful stance, and as he gestures and throws back his head with his eyes closed, it is almost as if somewhere there is a connection between the bloodline of Thomas P. Gore, the distinguished Senator, and the distinguished family of Gores from Tennessee.

I had the distinct pleasure of meeting the Senator's distinguished father. They are nearly identical in looks. There is a close resemblance between the Gores of Oklahoma and the Gores of Tennessee.

Mr. RANDOLPH. Mr. President, I had no idea that such versatility would be exhibited in the Senate this afternoon.

Mr. President, I wish to say that in Oklahoma, rugged and versatile West Virginians opened up the oilfields. Then, we taught our Oklahoma friends how to do the job—and they have done a good job. West Virginians went west and I am proud that they did so well in Oklahoma.

Now, with reference to Tennessee, I recall that the University of Tennessee fielded an excellent football team at a time when five out of the 11 starting players were West Virginians. However, I must admit that Tennessee has done well without us, too.

I have mentioned two instances of West Virginia participation in the States of Oklahoma and Tennessee.

I also wish to remind the Senate that we had a Davis and Elkins College football team in West Virginia that went from our mountains to Annapolis, Md., and played Navy in the opening game. Navy called it a warm-up contest. The temperature was 90 degrees that afternoon when the game was played. We defeated Navy 2 to 0. We never made a substitution. Eleven men played the entire game.

We speak of the strength of our States and the people in our States, and we do so in good humor.

But, Mr. President, I wish to return to the comment of the Senator from Indiana [Mr. BAYH] and thank him for the documentation of the record. He has shown that there were approximately 100 students who caused the trouble when Secretary Rusk spoke, and that is all, out of a 20,000 student body at the University of Indiana. Again, I salute the 14,000 students who wrote the letter of apology to Secretary Rusk.

Then, I wish to commend the Senator from Ohio [Mr. LAUSCHE], who also discussed this matter. He indicated that there is within the organizational structure of a march or other disruptive tactic the insidious action of those who are frankly against us on almost every front, and not only on one front.

It has been pointed out that Mr. Dellinger, who was in charge of the March on Washington, D.C., is an admitted Communist. He said he was a non-Russian Communist, whatever that means.

Yet, Mr. President, he was directing the planning and the programing of the demonstration which took place a few weeks ago in Washington, D.C., mainly at the Pentagon, and unsuspecting students by the hundreds were drawn into his web.

As the Senator from Ohio explains the situation we do not have to overdramatize it. It is there. We know it exists.

I am grateful for the comment of the Senator from Tennessee [Mr. GORE] who indicated that there is a place in this country, of course, for dissent, but there is also a place where men and women listen quietly although not agreeing totally with that which is said. This is in the tradition of honest dissent as differentiated from rowdyism.

And I am grateful also to the Senator from Oklahoma [Mr. MONRONEY]. He has performed a very responsible job of leadership in connection with the pending bill. He has given me the opportunity to speak as I have, and of drawing these matters to the attention of the Senate, and, I hope, to the attention of citizens of the Republic.

Mr. MONRONEY. Mr. President, I express my appreciation to the distinguished Senator from West Virginia for his wonderful discussion and comment on the floor of the Senate to the effect that the great majority that one finds on any campus are as normal as ham and eggs in America. There are the people who follow the enthusiasms of America, who follow the sports, and outdoor interests, and who follow their books. In any case there are bound to be those who are nonconformists. We are big enough and strong enough and our student body is wise enough and stable enough to understand and permit them the freedom of dissent and to apologize oftentimes for their rudeness, ill manners, and methods. They are a tolerant group.

I think we must recognize that if some of those who dissent so violently and constantly only had the physical exercise and the competitive sports situation that could interest them, as all human beings like to have outside interests to blow off steam, for instance, on Saturday afternoons at a football game, then mankind would be better off and they would learn the lessons that most of us have learned. We would have fewer kooks and more Phi Beta Kappas. We would have more Senators than dissidents or exiles or patients in various mental institutions.

It is the rounded out enthusiasm of America that has caused our greatness. As long as we have sports-conscious campuses, we will have fewer demonstrations such as the one that was mentioned where there was the defacing of historic shrines of America with obscenities.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The PRESIDING OFFICER laid before the Senate the pending business, H.R. 7977, a bill to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. MONRONEY. Mr. President, I presume that we will now resume the matter of first-, second-, and third-class mail and the rates it will produce and the nearly $1 billion additional income that it will bring in only to the discomfort of some of the few junk mailers.

This is the greatest bargain in history, by raising nearly $¼ billion from the junk mailers who will be forced to pay three-fourths of the cost of handling the mail and over $½ billion from the first-class users who so patiently have been willing to meet rising costs without lobbies or protest, and who recognize, I am sure, that while we raise this from 5 cents for a first-class letter to 6 cents, we are going to give them 8 cents in value because their mail will go transcontinental by air and will be delivered tomorrow morning, when the letter is mailed at night, almost anywhere in the country. It will not be an onerous or an extravagant raise to help to eliminate and wipe out at least for the current year the entire postal deficit.

Now, Mr. President, I should like to return to my formal discussion of this very important bill.

The rate for controlled circulation publications has been increased from 13.5 cents per pound and a 1-cent minimum to 16 cents per pound and a 3.8-cent minimum over a 3-year period. This will produce an additional $7.9 million.

The committee rate is a 1-cent increase in the pound rate over the House bill.

The committee amendment goes far to reestablish the historic relationship of the controlled circulation publications to third-class mail insofar as rates are concerned, but does not impose the 16-ounce weight limit applicable to third-class mail.

Total revenue gain from controlled circulation is $7.9 million.

There is a distinct difference between controlled circulation and second-class mail. Second-class mail are the newspapers and magazines with a paid-in circulation. People who buy them and receive them want them badly enough to pay, $3, $5, $10, or $15 a year for those publications on a weekly or a monthly basis to be sent to their houses.

Controlled circulation is advertising media not required to have the same editorial content that paid-in circulation has. It is advertising with 25-percent news coverage to allow it to go through the mails. People who receive it have not paid for it or asked for it. It is sent to a class of people the publisher thinks might like to read their advertisements and the small amount of editorial material that might be incorporated therein. It is what is commonly called in the trade throwaways.

I do not think we should subsidize this controlled circulation to any large degree. This is one of the increases which was put on there by raising the pound rate from 13½ cents per pound to 16 cents per pound, and the minimum to 3.8. This 3.8-cent minimum will apply to advertising throwaways by nature and give the post office better cost coverage. Even with the increases, we will take controlled circulation only from 58-percent cost coverage to 71-percent cost coverage, so that they will still be getting a good deal out of it. It does have a cultural value because of the editorial content, especially on the better publications—engineering, scientific, mechanical, and other things of that kind—and even the advertising might have some ultimate value.

The committee has revised the proposal of the Postmaster General and the House of Representatives regarding the rate of postage and the weight distribution of fourth-class books, records, films, and other materials which mail at a special fourth-class rate substantially lower than parcel post. As proposed by the Postmaster General and approved by the House, the rate was increased from 10 cents for the first pound and 5 cents for each additional pound, to 16 cents for the first 2 pounds and 6 cents for each additional pound. The committee has decided to retain the increment of 1 pound, but has increased the rate. The rate will be 12 cents for the first pound and 6 cents for each additional pound.

The rate of postage for similar materials mailed to or from libraries and nonprofit organizations is changed from the existing rate of 4 cents for the first pound and 1 cent for each additional pound to 5 cents for the first pound and 2 cents for each additional pound. The House had approved a rate equal to 50 percent of the regular book rate. The House bill would produce $12.3 million. The bill reported by the committee will produce $12.6 million.

The committee has removed the provisions in the House bill which would have charged first-, third- or fourth-class rates for advertising supplements enclosed in second-class publications. We did so because we believe the Post Office Department has adequate authority to impose existing statutory limitations on this kind of mail. We believe very strongly that the Post Office Department should take whatever steps necessary to enforce present law.

The committee also revised language authorizing the Postmaster General to require second-class mailers to make up mail in accordance with ZIP code procedures. Our amendment specifies the limits of the Postmaster General's authority granted by Congress in this area.

This was because of the fear that the Postmaster General might prescribe unusual conditions; so we limit his authority to requiring the current ZIP code system for the postal system.

The committee removed from the House bill an amendment which would have repealed the existing law which permits publications devoted to the performing arts to file their stockholder and subscription report with the Postmaster General rather than being required to publish this report in their magazines. This provision of law was enacted in 1962 by the Senate and we see no reason to repeal the law today.

The committee revised the provisions of the House bill regarding use of additional entry points by nonweekly magazines. The House bill repealed a one-half-century-old administrative practice which permits monthly magazines to mail at the in-county per copy rate at additional entry points. Because of the immediate financial impact of this provision on a limited number of publications, the committee recommends instead a 3-year increase in the per copy so that publications utilizing the per copy rate at additional points will have an opportunity to adjust to the additional million-dollar cost.

The committee has stricken from the bill additional mailing privileges for military servicemen outside of Vietnam. In 1965 and 1966 Congress took broad steps to give our fighting men in Vietnam special mailing privileges. They can now mail free letters and certain personal-correspondence sound recordings. Mail addressed to or from Vietnam, including parcels up to 5 pounds, is mailed at regular surface rates and transported by air. Newspapers and magazines of a current news nature are carried to Vietnam by air at regular second-class rates. The air transportation at surface rates for letters and small parcels also apply to military post offices on a worldwide basis. But the committee does not believe that the free mailing privileges should be extended to servicemen outside combat zones. There is a substantial additional cost involved and we do not believe that our servicemen in Europe, Alaska, Hawaii, or the Canal Zone should receive the same benefit as our fighting soldiers in Southeast Asia.

As chairman of the committee, I am very proud of the bill we have produced. Our bill raises more revenue than any other postal revenue bill in history and is nearly $100 million over Postmaster General O'Brien's recommendations.

This is the greatest business in the world. It handles the largest volume of mail, 82 billion pieces of mail each year. It will be able to break even, with the enactment of this bill, at least until the two other additional pay increases finally get cranked in to bring up to comparability with private enterprise, the salaries of the 700,000 postal employees who, for the most part, carry the mail through rain, sleet, snow, and ice on their appointed rounds.

The Post Office needs the money because the postal deficit is huge and the taxpayer foots the bill.

Third class is unwanted mail, sent not because the boxholder wishes it, but because someone wants to do business with him. It has been a drain in the form of a subsidy of $316 million for this preferred class of mail user who operates solely for profit.

While we may hear a great deal about the little businessman in the country store not being able to afford a 4 cent stamp, we hear very little about the big city mailers who mail the vast majority of the 15 billion advertising circulars, which constitute the lion's share of all third-class mail. Procter & Gamble, those poor, poor soap industry boys in Ohio, are one of the largest users of the many large corporations which use third-class mail. A mere 13 third-class bulk-mail permit holders mail nearly 7 billion advertisements a year.

Think of that. Seven billion. Those 7 billion pieces contrast with what the entire United States, with its population of 200 million, uses, amounting to 82 billion, including the 7 billion mentioned here.

They have a right to use the mail. But the third-class mailer does not have the right nor does he serve a public interest deserving a $316 million subsidy.

Every one of our 100 million taxpayers in this country pays more than $3 a year to subsidize the third-class mailer. I believe the American taxpayer has the right to expect his Government to insure that third-class mail pays more of its way than it presently pays. For that rea-store not being able to afford a 4-cent stamp for third-class advertising mail. That is just 66.6 percent of the cost that the taxpayer will pay to mail a letter to his mother or his son in Vietnam or the Collector of Internal Revenue. I do not believe that anyone can gripe about a 33-percent discount. But the Postmaster General, the House of Representatives, and our committee have all been accused of rank discrimination by spreading out the second-class rate increase over a 3-year period and not providing similar treatment for the third-class mailer. In their arrogance, we have been told time and time again that it has always been that way.

It is also true, for those interested in third-class rate history, that the minimum per-piece rate for third-class advertising mail remained at 1 cent from 1928 until 1953, and that the 1962 rate bill increased the minimum for third-class only three-eighths of a cent—or 15 percent—over a 3-year period.

Second-class publications have held a preferential status in American postal rate history since Benjamin Franklin's time. They are not unsolicited. Every magazine and every newspaper is required by law to have a legitimate list of subscribers who pay money to receive the magazine. They do not come to anyone's door unwanted. They present to an audience of 200 million Americans the news of the day, the best of literature, poetry, art, science, and current events. They contribute to the improvement of the minds of all Americans. I grant that a girlie magazine mails at the same rate as the Saturday Review or the Atlantic Monthly, or Harpers, or any of the intellectual magazines; but unlike third-class mail, second-class publications pay a substantially higher rate of postage for advertising content than those which have only editorial content. They pay on a zone-rate schedule which charges on the basis of distance and weight.

I find very good reason to differentiate between a subsidy for the distribution of periodical literature and a subsidy for business advertising.

There is no necessity for spreading out the third-class rate increase. Second-class publications have subscription contracts with the great majority of their readers, extending sometimes 2, 3, 4, or 5 years in advance, while third-class mailers can increase or decrease their market coverage from day to day.

Bear in mind that the third-class mailers are the ones who raised a howl and engaged in odious lobbying activities. They do not pay for the increase. It is the advertisers who pay. They are saying they will not get business without having Uncle Sam raise this subsidy, thereby making it more difficult to do business. They are the ones who have engaged in some of the most vicious lobbying activities it has been my experience to witness in some 29 years in Congress.

The advertiser can spend exactly the same dollar next year under these rates as he is spending this year by merely reducing his volume of circulars. The magazine publisher does not have that option. The percentage of subscriptions which are for 3 years or more on second-class publications is surprisingly high and the subscription price cannot be increased for the life of the subscription. I refer to the table on page 42 of the hearings, and request unanimous consent that the table be made a part of the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

2D-CLASS REGULAR-RATE PUBLICATIONS

	Number of subscriptions per issue (in thousands)	Terms of subscription		
		Percent, less than 1 year	Percent, 1 to 3 years	Percent, 3 years and over
Reader's Digest	14,916	6.9	93.0	0.1
McCall's	7,659	.3	83.8	15.9
Look	7,129	1.1	75.2	23.7
Life	6,878	19.2	67.1	13.7
The Saturday Evening Post	6,255	.6	67.6	31.8
Better Homes & Gardens	6,060	.2	88.4	11.4
Ladies Home Journal	5,928	.3	76.5	23.2
Good Housekeeping	4,502	.1	81.8	18.1
TV Guide	3,744	26.8	67.4	5.8
Redbook	3,252	.4	81.0	18.6
Time	3,150	60.2	33.7	6.1
Farm Journal	3,024	.1	45.1	54.8
American Home	2,947	.2	74.7	25.1
Parents' Magazine and Better Homemaking	2,011	13.6	48.4	38.0
True	1,852	.8	68.0	31.2
Newsweek	1,735	40.5	47.5	12.0
Successful Farming	1,331	.1	57.8	42.1
U.S. News & World Report	1,325	42.0	49.2	8.8
Progressive Farmer	1,280	1.2	64.0	34.8
Mechanix Illustrated	1,106	.5	49.2	50.3
Sports Illustrated	1,079	52.4	40.6	7.0
Sports Afield	1,069	.5	58.9	40.6
Field & Stream	1,052	.8	72.7	26.5
Outdoor Life	1,028	.7	96.9	2.4
Popular Science	1,019	1.5	91.9	6.6
Popular Mechanics	1,013	1.1	76.9	22.0
Argosy	959	2.3	62.1	35.6
Holiday	954	.5	84.3	15.2
House & Garden	913	1.2	95.7	3.1
Playboy	840	.2	90.1	9.7
Glamour	829	3.1	68.8	28.1
Esquire	795	8.1	42.0	49.9
Nation's Business	794	.1	44.8	55.1
Ebony	732	.6	83.2	16.2
House Beautiful	713	.2	74.0	25.8
Sunset	702	.2	80.0	19.8
Ingenue	580	.3	78.3	21.4
Business Week	498	.7	64.0	35.3
Forbes	428	.5	57.6	41.9
Saturday Review	420	17.3	75.4	7.3
Fortune	411	6.3	76.8	16.9
Mademoiselle	374	5.4	92.7	1.9
The New Yorker	360	1.9	98.1	
Seventeen	354	1.5	97.8	.7
Harper's Bazaar	301	.3	84.6	15.1
Vogue	275	37.3	57.1	5.6
Harper's	233	15.6	71.9	12.5
The Atlantic Monthly	232	46.7	50.0	3.3
Cosmopolitan	25	.3	94.4	5.3

Source: 1966 supplement to the Association of National Advertisers, Inc. "Magazine Circulation and Rate Trends," pp. 2, 3, 6 and 7.

Mr. MONRONEY. Mr. President, low rates for second-class mail have been a part of the postal system for many decades. We are increasing these rates about 25 percent at a time when magazines and newspapers are having a very hard time sustaining themselves. The fate of the New York Herald Tribune, Colliers, and Coronet give ample evidence of that fact of life.

They are in competition today with electronic journalists, who can be seen on the early morning hour, on the 1 o'clock news, on the 8 o'clock news, on the 10 o'clock news. People can see, electronically, not only the spoken news, but also pictures of the happenings of the day, brought into their living rooms within minutes of the time those events occurred. So we must appreciate that the printed news of the world, as represented in paid subscription publications, is on a testing ground. I think we have made a justifiable increase for publications which have seen the highest cost coverage in recent years.

That is the reason for the difference between the second-class increases and the third-class increases, and I think the reason is justified.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. Does the Senator wish me to yield on the part of the bill dealing with title I?

Mr. LAUSCHE. Yes, second-class mail. That deals with what particular type of mail?

Mr. MONRONEY. Paid-subscription magazines or newspapers, or any publication that has a subscription list, which circulates regularly, and contains 35-percent editorial content.

Mr. LAUSCHE. The committee felt that these particular enterprises are having difficulty surviving in the face of intense competition they are receiving from other sources?

Mr. MONRONEY. Not only that, but the higher cost of printing material, higher press costs, greater labor costs, which all go into collecting the news, at least 35 percent of which must be deadhead, for which they receive no advertising revenue. The subscription price rarely pays for the cost of the publication and the distribution.

Mr. LAUSCHE. Yes. Looking at page 6 of the committee report, I ask whether that is the subject about which the Senator is now speaking.

Mr. MONRONEY. Page 6, at the bottom; second class.

Mr. LAUSCHE. Yes. The committee has made several changes in the provisions for rates of postage applicable to second-class mail:

> The regular rates approved by the House applicable to commercial magazines and newspapers have been revised to increase by 0.1-cent the pound rate on the advertising content in the first four zones. This will produce an additional $1.1 million over the House figure of $25 million.

Mr. MONRONEY. That is correct.

Mr. LAUSCHE. That is, the Senate committee increased the revenues that were fixed by the House of Representatives, which were $25 million over what is now being received through this service. Is that correct?

Mr. MONRONEY. That is partly correct. Actually, we increased the rates over the regular rates on commercial magazines and newspapers by $1.1 million. We eliminated a surcharge which I think the House unwisely, and perhaps without thorough reasoning, had applied, in the form of a three-tenths of 1-cent penalty on each copy of a publication which mails more than 500,000 copies per issue.

We did that because we thought it was unjustifiable, if a magazine is successful, and people wish to buy it, that we should charge more by three-tenths of a cent for delivering this successful magazine than for delivering one that was less successful. We felt they should all stand on the same rate, because they are all in the same category.

Mr. LAUSCHE. The report states:

> The surcharge of 0.3-cent on each copy of a publication which mails more than 500,000 copies per issue has been eliminated.

Mr. MONRONEY. Yes.

Mr. LAUSCHE. That is what the Senator spoke of just a moment ago; is that correct?

Mr. MONRONEY. Yes, sir.

Mr. LAUSCHE. I read further from the report:

> The rate of postage on advertising content of nonprofit publications—

This is a different type of publication; is that correct?

Mr. MONRONEY. That is correct. This is the Boy Scout magazine or a church magazine, or it could be a veterans' organization magazine—those that are mailed out to members of certain charitable or public-service-type organizations, which have always enjoyed a nonprofit rate.

Mr. LAUSCHE. I continue reading:

> The rate of postage on advertising content of nonprofit publications has been revised so that the advertising zone schedule will be identical to the schedule for commercial publications, but nonprofit publications having not more than 10 percent advertising will not be subject to the advertising rate schedule.

Mr. MONRONEY. That is correct.

Mr. LAUSCHE. That means that the committee recognizing the nonprofit character of the particular institutions that are being considered?

Mr. MONRONEY. That is correct, and that so many of them are very small—6-, 8-, or 10-page church publications, for example. To try to keep up with the possible additional $6 or $8 that we might have received from their small circulation—for example, of 1,000 church bulletins—it would be more difficult for them to keep the books on it, and for the Government also, so we made a 10-percent cutoff as the maximum point, beyond which we would start requiring the regular rate, for advertising, to be paid by these nonprofit publications.

Mr. LAUSCHE. I read further from the report:

> The rate of postage for nonadvertising content and the minimum-per-piece charge for each copy of a nonprofit publication is substantially lower than the rate for commercial publications.

Mr. MONRONEY. That is correct. That has always been true historically, and, of course, their subscription rates are very low—almost nonexistent—because they cater to a very select membership group, and are nonprofit by nature.

Mr. LAUSCHE. The committee tends to give recognition to the fact that they are nonprofit, and are serving a sort of civic, patriotic, religious, or possibly educational purpose?

Mr. MONRONEY. Yes, sir. But to correct what might become an imbalance, we do charge the postage rate for the percentage of the magazine that is advertising, and the regular commercial rate is applied to the advertising matter. So we will no longer have the unfairness of their saying, as some publications did—a small number—that they were nonprofit, and yet they carried vast volumes of paid advertising matter, which they were sending through at a very low rate. The advertising, or money-making part, will pay the same rate as the commercial magazines would pay for their commercial advertising.

Mr. LAUSCHE. Am I correct in my understanding that that means that the nonprofit publications, magazines or periodicals, will be examined to see what percentage of their issue deals with paid advertisement, and, on the basis of that paid advertisement, they will be required to pay a rate similar to the commercial publications on their advertising?

Mr. MONRONEY. On that percentage; and they will file, as all second-class users have always filed in the past, a statement as to each publication or newspaper, of what percentage is news and what percentage is advertising, and, in that way, be charged on the basis of their own calculation, audited occasionally by the Post Office Department to make sure it is accurate.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I believe it should be stated at this point that the second-class rates were increased by 23 percent, and that the increase in the rates for nonprofit publications was 60 percent, which is a very substantial increase. We will discuss that tomorrow. I have an amendment along this line, dealing with veterans' organizations, religious groups, and labor organizations.

Mr. LAUSCHE. The position of the Senator from Kansas is that the rate of increase for the nonprofit organizations is too high?

Mr. CARLSON. Sixty percent higher, and it is about 23 percent for second class.

Mr. MONRONEY. May I say to my distinguished friends, we are not dealing with small numbers of circulation; we are dealing with some of the largest circulations nationally, that go under the nonprofit category, and that are paying 7 percent of the cost of their carriage, and the Government is subsidizing 93 percent of their bill.

Under the committee bill, they would only be paying 9 percent, including their advertising, and the Government would be subsidizing 91 percent.

If Senators wish to bring that to an issue on the floor, I hope that all Senators will understand it, because I do not think the budget of the United States is in any condition, no matter what type of magazine, whether it is my church, your church, this veterans' organization, or any other, to maintain more than a 91-percent subsidy, including the advertising matter that is paying a profit for the magazine to exist upon.

Mr. LAUSCHE. One final question. By how many million dollars will income be increased through the increased rate that will be charged the nonprofit users of the mails?

Mr. MONRONEY. Four and one-half million dollars.

Mr. LAUSCHE. And that $4.5 million is the equivalent of a 2-percent increase?

Mr. MONRONEY. In cost coverage. They have been paying 7 percent; they will be paying 9 percent. The House bill provided for 11-percent cost coverage; so the Senate bill has reduced the cost coverage by 2 percent.

Mr. LAUSCHE. May I ask the Senator from Kansas if this proposal will be a disputed issue that will be brought up later in the discussion?

Mr. CARLSON. I think the distinguished chairman will agree that it was an issue that was under discussion in executive session of the committee.

Mr. MONRONEY. The Senator from Ohio is a very cost-conscious Member of the Senate, probably one of the most cost-conscious of us all. We are losing $126.2 million on this category of mail. Revenue will be increased by only $4.5 million. So there will still be an enormous loss.

Mr. LAUSCHE. Did the Senator say 7.9 percent?

Mr. MONRONEY. No; $7.9 million is the estimated revenue for 1968. The estimated loss for 1968 would be $126.2 million. We will raise an additional $4.5 million in revenue under this bill.

Mr. LAUSCHE. Was any other acutely controversial issue developed with respect to second-class mail except nonprofit religious and educational publications?

Mr. MONRONEY. No; I would say this was about the only issue. I believe the distinguished Senator from Kansas, the ranking minority member of the committee, would agree to that. All the great newspapers and small country newspapers were very happy about the bill. Most of them approved the elimination of the surcharge, even though most of them operated below the surcharge level. But under the right of freedom of the press for all publications, big or small, we said, in effect, "Because you are successful, you should not be charged extra for your excess circulation."

Mr. LAUSCHE. What was the view of the Senator from Kansas concerning the elimination of the surcharge of .3 percent for each copy of a publication issued by institutions that published more than 500,000 copies?

Mr. CARLSON. The Senator from Kansas opposed it vigorously. In my opinion, it is a punitive piece of legislation. I think our committee was unanimous in striking it.

Mr. MONRONEY. We were. We made up a good part of that revenue by shifting to other sources. We picked up almost half of the penalty by adding to the rates on other categories of mail. We tried to protect the revenue, and we came out with more revenue than the Postmaster General asked for, because we tried to close loopholes; we tried to relate one rate to another and one class to another.

Each rate is now related to the other. Heretofore, they have been picked out of the wild blue yonder.

Mr. CARLSON. Mr. President, that is where the distinguished chairman of the committee and I have had some controversy in agreeing to an amendment that I did not believe belonged in the pending bill.

The chairman mentioned controlled publications. It is interesting to note that in 1958 the rate on that type of mail was 10 to 11 cents, and 1 cent per piece. However, the 1-cent-per-piece rate in 1967, in the pending bill, has gone up 280 percent, which is the highest increase experienced in any class of mail.

Mr. LAUSCHE. The controlled circulation comes under the third-class mail classification.

Mr. MONRONEY. No. It used to be there. It was just third class. It was carried as a sort of a miscellaneous thing. We did raise it, but the big increase that we are talking about is that we have raised it from 1 cent for an item like a shopping news and other things that are literally throwaway to 3.8 cents.

I do not want a postman, to whom we should pay a reasonable salary, to go to every house in his whole section of the city and put a shopping news or some other similar item in each mailbox. I do not think that is right.

These items are an excellent and profitable means of advertising. This is purely an advertising matter. They include a little junk, boiler plate, and stuff like that to qualify under the regular classification of controlled circulation. They will print recipes for chile or hotdog pie or something of the sort. It is just enough to get them under the wire and prove that they are disseminating information. They disseminate information as a billboard does. It is an advertising media.

They found that they could get a letter carrier, to whom we should pay a comparable wage, to do the things that they used to hire kids to do after school. They used to hire children to shove the old dodgers under every door. Now they find it is cheaper to send the material through Uncle Sam's post office. We go through all of the material, we weigh it out, and then the letter carrier has to put it at the door of every apartment in a 50-story building.

These are the things that they used to mail for a penny in 1928. It has been 1 cent since 1928. We want to raise it in 1967 to 3.8 cents. I say that is not an unfair rate considering the very low rate enjoyed for almost 40 years. I welcome a challenge on the subject of a higher subsidization on this kind of junk mail.

Mr. LAUSCHE. Will the Senator discuss the subject later?

Mr. MONRONEY. I will discuss it during the consideration of an amendment. I cannot square that with any idea of economy. Can anyone figure how a letter carrier can put this mail in every mailbox on his route? As a rule, he may have to deliver mail at every other house on his route. However, in the case of this class of mail, the letter carrier has to go up every step of these walk-up apartments to deliver the mail. I do not think we ought to be handling this kind of mail—material that we used to call dodgers or handbills.

Mr. LAUSCHE. Does the Senator understand that I am advancing these questions for the purpose of getting information?

Mr. MONRONEY. The Senator has helped me far more than even our magnificent staff in bringing into clear-cut focus some of the rates that have been obscured and have been overlooked for years. They were swept under the rug because they were too complicated.

The staff did excellent work on a bill that controls the salaries of every civilian employee of this Government. We worked hard and came out with only one or two points on which we were not in almost complete agreement. It is a bill that will raise almost $1 billion and take in almost $100 million more than the President asked us, and still nobody will be hurt.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to my distinguished colleague on any subject except football at this point.

Mr. GORE. I will not refer to the subject. However, I hope we can sit together in Miami.

Mr. MONRONEY. I hope so.

Mr. GORE. I have listened with admiration and approbation to the workmanlike job which the able senior Senator from Oklahoma has done.

His speech has been factual and informative. Perhaps it is not amiss to observe that there are not many public plaudits available for steering into the Senate a bill to increase postal rates, and yet there should be.

The Post Office Department is the single largest business in the world. It is owned by the American people. We might call that socialism or something else. The Post Office is a mail service that operates at an economic rate. However, as the cost of living increases, as the cost of transportation increases, as the cost of buying Government trucks increases, and as it becomes necessary to increase the salaries of postal employees, it becomes necessary to increase the postal rates in order to have this business of ours operate on a pay-as-you-go basis.

The able Senator has performed a public service and duty worthy of commendation in bringing to the floor a sound bill and presenting to the Senate the precise, the detailed, and the able presentation and analysis of a bill which he has made.

I congratulate him upon his work on this bill and upon his speech. However, I am not going to wish him well in Miami.

Mr. MONRONEY. I thank my distinguished colleague. I will be with him 100 percent against any other team in the Nation except the Sooners on New Year's Eve.

It has been difficult to insist on higher rates all the way through. It has been discouraging to see the situation experienced by some of our large industries. Procter & Gamble and the other large corporations, the names of which I recited. There are a very few corporations involved. Thirteen third-class bulk mail permit holders mail nearly 7 billion advertisements a year.

Every bit of their labor cost has gone up. Their paper and handling costs have increased. They have not hesitated to pass that cost onto their advertisers by charging them that amount. But they always think Uncle Sam should absorb all his rising costs because we are the Government. And they are the ones who write us letters to say that we are running an inefficient Government, because we have a postal deficit.

The special interest groups that appeared before our committee—they were fine, able representatives of their different groups—contended that the Government should pick up the increase in the cost. They would not think of asking the paper manufacturer or the ink manufacturer or the printing press manufacturer or the multigraph manufacturer to do that. But we are "Uncle Sap" when it comes to absorbing all the necessary costs of labor, transportation, buildings, and so forth.

So I believe that it is necessary to be hard-nosed with respect to some of these items. I know that it does not make any friends, but it is necessary.

We have produced a bill under the great leadership of the Postmaster General, one of the greatest I have seen, Larry O'Brien, who is insistent upon not only adequately financing the postal service and adequately paying our employees but also improving our mail service so that overnight a letter can travel from one coast to another, in the communication system that binds our 50 States together as a nation.

Title II of H.R. 7977 relates to the pay of nearly 2,500,000 civilian employees of the Federal Government. Briefly, this portion of the bill provides a three-step salary increase effective October 1, 1967, July 1, 1968, and July 1, 1969, to raise all Federal salaries for civilian employees, other than wage board employees, to rates of pay for similar kinds of jobs and levels of responsibility in private enterprise as determined by the annual survey conducted by the Bureau of Labor Statistics.

This is the fulfillment of the promise Congress made to our employees in the Federal Salary Reform Act of 1962, Public Law 87-793. If we do not fulfill that promise, if we do not pay our employees rates of pay comparable to private enterprise, then we can expect the most capable to leave the Government, and the least capable to stay.

Comparability has been the law of the land since October 1962, and, except in the lowest levels of postal and classified employment, it has not been achieved. Above the level of GS-15, neither the administration nor the Congress makes an effort to achieve comparability. Salaries payable to our career administrators and our presidential appointees lag far behind salaries for similar positions in private enterprise. But below that level, the career employee has been promised and waits patiently for Congress to fulfill the letter of the 1962 act.

This pay increase will cost $2.6 billion when fully effective. The 1967 increase is a flat 4.5 percent across the board for nonpostal employees. The 1968 increase guarantees one-half of the remaining lag between private enterprise rates in the 1967 BLS survey, and the Federal rates established now in the general schedule, or 3 percent, whichever is greater. For postal employees, the 1967 increase is 6 percent and the 1968 increase is 5 percent, written into the law in the postal pay schedule.

These increases will become effective as we reach those effective dates, for the further action of Congress, if the bill is passed.

The basic reason we have adopted this slightly higher pay increase is because of the great difficulty of postal employees achieving higher pay positions. About 600,000 out of 700,000 postal employees are letter carriers, postal clerks, mail handlers, and other lower echelon employees. Their opportunities for advancement are very limited. Our recommendations on pay take those limitations into account.

For example, a man will start in a grade 4. He begins as a letter carrier and he dies a letter carrier. He may have some additional step increases for longevity, but he is frozen in that grade. The same is practically true with respect to the clerks and the mail handlers.

This is a bad system. I hope we can revise it so that there will be opportunities for promotion, so that the men who begin at a 4 can go up to levels 5, 6, and 7.

I should like to see mobility of employees, as all good corporations have, instead of keeping a man tied to the small post office in which he began. No matter how efficient he is, he has seniority rights and employee rights only in that post office, at that grade, at that seniority.

I hope this will be the beginning of an intelligent approach to a personnel system. I believe that we properly recognize the static position of most of the postal employees in their grades, which is not the situation in general service grades.

The latter start as 4's, and they are elevated to 5's, 6's, and 7's, and on up to a higher level. I believe that the larger increase for the postal workers is entirely defensible, and I hope the Senate will sustain us in that view.

The 1969 increase will close the gap remaining between comparability for all employees as determined by the 1968 BLS survey and the rates of pay established on July 1, 1968. We have moved the date of the 1969 increase back from April 1 to July 1 to avoid having two pay increases in one fiscal year.

If Congress cannot face up to comparability as a fair and just policy for adjusting the pay of Federal employees, then we should admit it frankly and repeal the 1962 Comparability of Pay Act. We should change our policy to say that Federal pay will be whatever we decide to give the employees whenever we decide to give it. No responsible employer in the world would adopt such a policy. It is obsolete and it is backward. We cannot get the type of dedicated manpower we need so desperately in the greatest service organization in the world, with 82 billion pieces of mail to move on time, to work and perform the duties that we expect of our employees. I do not believe we should lead the field in every case, but I believe we should make Government employment attractive enough so that public service as a career will not mean a permanent financial sacrifice.

Insofar as the pay of the employees of the State and legislative branch of the Government is concerned, the committee has made certain revisions in the House-passed bill for our own employees, those paid by the Secretary of the Senate. A ceiling of $28,000, which is the proposed pay rate for level V of the Executive Salary Schedule, has been established. That ceiling cannot be raised until Congress takes further legislative action. The $28,000 salary will apply to three officers of the Senate whose pay is presently $27,500 and who have not received a pay increase since July 1, 1964.

Second, for employees above the pay rate of an administrative assistant or committee clerk, we recommend that the President pro tempore be given authority to establish pay relationships generally in accordance with the relationships now existing by statute and that a ceiling of $27,000 apply to these positions. For committee clerks and administrative assistants and any other employee to whom the general maximum of $24,480 now applies, a ceiling of $26,000 should be established. This will maintain a $1,000 differential between these groups of employees and will still provide for an opportunity for pay adjustments up to these limits to be made in 1968 and 1969.

The committee recommends for employees in other agencies of the legislative branch that no salary exceed the rate provided for GS–18, $27,055. Further adjustments in these rates of pay can be made whenever the executive schedule is revised.

The authority of a Senator to adjust the payroll of his own employees is included in the bill.

The committee has removed those provisions relating to an executive, legislative, and judicial Commission to recommend to the President pay rates for Members of Congress, executives, and judges of the U.S. courts. The House has passed this provision once before and the Senate did not go along. The committee is unanimous to its opposition to any proposal which would automatically adjust salaries for these positions. When the time comes for Congress to raise its salaries, the problems should be faced up to and voted upon affirmatively, for all the world to see. Back door methods of pay increases are not to be tolerated. This is not the way it should be done, in our opinion.

When the country feels that Congress is entitled to a raise, I am sure Congress will face up to it squarely and go on record, so that we will take the responsibility and not say we had to do it because a Commission said we should. So I believe that this is a good provision.

Title III of the bill provides an effective means for the recipient of lewd, lascivious, or otherwise offensive pandering advertisements to take action to control this kind of mailing. The committee has adopted exactly what the House of Representatives approved. This provision will vest in the recipient of the mail the authority to determine whether a pandering advertisement which he or any other member of his household receives is erotically arousing or sexually provocative. If in his sole discretion—and I repeat, in his sole discretion—any pandering advertisement falls into that category he may notify the Postmaster General to request the sender of the mail to refrain from any further mailings to him or a member of his household. If the sender, after notice by the Postmaster General, violates such an order, he shall receive from the Postmaster General a complaint alleging the violation and if after an appropriate hearing the Postmaster General determines that the order has been violated, the Postmaster General may request the Attorney General of the United States to make application to a Federal district court for a court order directing compliance. Failure to observe the court order may be punished as contempt.

I believe this is an effective means of controlling obscene and offensive materials which go through the mail. When all of the arguments of constitutionally protected free speech are over and done with, the fact remains that there is a billion dollar business in this country today involving the sale of obscene books, pictures, and other materials.

This proposal included in H.R. 7977 does not infringe upon the right of any person to buy or sell that kind of material, but it does give the ordinary family a means of being protected from advertisements which are unsolicited.

I do not believe any of us want this kind of material coming to our door, being seen or read by our wives, our children, or our grandchildren. It is an imposition upon the right of privacy. By vesting in each family the right to say they do not want this kind of mail is to guarantee by law that which commonsense dictates.

Title IV of H.R. 7977 revises the Federal Employees Group Life Insurance Act generally along the lines of previous legislation passed by Congress in 1966 and 1967—both of which were vetoed by President Johnson. The cost of this legislation has been reduced almost in half from that of the bill which President Johnson vetoed a few months ago. Title IV increases life insurance so that each employee will have a policy equal to his annual salary rounding off to the next higher $1,000 plus $2,000 up to a maximum of $32,000 and guaranteeing a minimum of $10,000.

This provides protection where it is needed most for the young employee with a growing family in the lower paid jobs in our Government who can least afford to purchase insurance outside of the group program. It eliminates the 13 year old, unrealistic ceiling of $20,000 included in the original 1954 act.

It also provides that an employee may purchase if he wishes to do so and is willing to pay 100 percent of the cost an additional policy of $10,000. This optional insurance does not cost the Government anything. But if the employee wishes to pay at the group rate for the additional insurance he may do so. The cost to the Government of this entire insurance provision for all of our Government workers is $35.4 million.

That is our bill. I am very proud of our committee for the work they have accomplished. I am particularly grateful to the very distinguished senior Senator from Kansas [Mr. CARLSON], the former chairman of the Committee on Post Office and Civil Service, who participated with great energy to help hammer out this bill. As always, he was most cooperative in every aspect of this legislation, and although we did not agree on every single item, and we will not on the floor of the Senate, I understand, his helpfulness, his grasp of the subject before us, and his leadership on the minority side of the committee was distinguished and excellent.

I am grateful for our staff which worked better than any staff I have ever worked with, in order to keep on top of these intricate details, varying conditions of rates and pay, and information necessary in connection with a huge bill which involves more detail, perhaps, than any bill that is brought before the Senate.

I am grateful to my colleagues on the Democratic side who worked loyally and diligently in connection with the bill so that action could be taken in this session. I am deeply grateful to the minority members of the committee. We worked on a close time limit.

We heard testimony from anyone who wished to be heard and we gave them adequate opportunity to present matters that they needed to present so that the material could be printed in the record.

Again, I express my appreciation to the staff for the fine work they have done.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. Mr. President, I direct the Senator's attention to the report on page 8 dealing with fourth-class books and records.

The Senator from Oklahoma will recall that I sent him a letter pointing out that the publishers of certain books in Ohio complained to me that the rate on the 1-pound books and letters was increased on the same basis as books of 1 pound and more.

These publishers of books argued that the weight of their books, being 1 pound or less, should not be charged on the same basis as the publishers of the books of 1 pound and more.

The report shows that the committee has revised the proposal of the Postmaster General and the House of Representatives regarding the rate of postage and the weight distribution of fourth-class books, records, films, and other materials which mail at a special fourth-class rate substantially lower than parcel post.

I shall read further:

> As proposed by the Postmaster General and approved by the House, the rate was increased from 10 cents for the first pound and 5 cents for each additional pound, to 16 cents for the first two pounds and 6 cents for each additional pound.

The writer of the letter to me, from Dayton, Ohio, was the publisher of schoolbooks. He stated that their books had a weight of 1 pound or less and that it was unjust to charge them with the same rate being charged to the users of the mails sending parcels of 1 pound and more.

Am I correct that the committee did take cognizance of this complaint made by users of the mail who send books of 1 pound and less?

Mr. MONRONEY. Yes. The interest of the distinguished Senator from Ohio in this matter caused us to take special cognizance of it. In our study we felt that the two pound minimum, which was 16 cents, was unjust to publishers of smaller books and some paperbacks that are mailed. We broke it down into one pound, and so we raised the present rate of 10 cents for the first pound to 12 cents for the first pound. We have a raise of 2 cents a pound which is a pretty cheap raise on books. The old rate was 5 cents for each additional pound. We increased that by 1 cent to 6 cents a pound. The reason I think the House went for the 2-pound rate is that we are being overburdened by record clubs which send out records which are hard to deliver. They were anxious to put a higher rate on records and this would have included them in a minimum charge of 16 cents, regardless of weight.

We considered raising the record rate but the committee membership, against my judgment, overruled me. I was unable to get a special rate on records but perhaps I will get it next year. It works out, with the exception of the rate records enjoy, to a very reasonable rate.

I know of the interest of the distinguished Senator from Ohio in library publications. This distinguishes between the commercial and the nonprofit field.

We dealt gently with libraries. The library sends out books to people who use the libraries. The old rate is 4 cents for the first pound. We raised it to 5 cents for the first pound. The House had set a rate of 8 cents for the first 2 pounds. I think the 1-pound rate will average out about as well for the books as the 2-pound rate would discriminate. So as to the additional pound, or 1 cent on the old rate and on the new rate 2 cents, I have heard no complaints from the libraries.

Mr. LAUSCHE. The committee did differentiate between users of mail who send packages of 1 pound or less as distinguished from those who send packages of 1 pound or more?

Mr. MONRONEY. That is right. We made the breaking point the 1-pound minimum. We raised that rate by only 2 cents on the first pound, and we raised the rate for the additional poundage from the present 5 cents, to 6 cents.

Mr. LAUSCHE. The House bill made no differentiation between the two?

Mr. MONRONEY. The House bill made the rate apply to 2 pounds whether it was used or not. If the weight is one-half pound, the sender has to pay the full 16 cents. Under our bill one would have to pay 12 cents for 1 pound or less. We think that is a good decision. We have had no criticism from fourth-class mail users.

When we went through the bill to raise $1 billion, the only squawk we got was from the junk mailers.

I am ready to fight that out on the floor of the Senate. I welcome the opportunity to do so. I believe the Senate will back me up and say that this is a correction that is long past due; that we should even charge junk mailers back charges for the many years they have freeloaded on the taxpayers of this country. They are freeloaders who have profited in their private businesses by having this highly subsidized rate.

Mr. LAUSCHE. The net result of what the Senate committee did compared with what the House did in the production of revenues is as follows: The House bill will produce $12.3 million. The bill reported by the committee will produce $12.6 million.

Mr. MONRONEY. Is the Senator from Ohio talking about the library rate?

Mr. LAUSCHE. I am talking about fourth-class books.

Mr. MONRONEY. Yes.

Mr. LAUSCHE. That is, we differentiated between 1 pound and less, and 1 pound and more, and still reached a balance where the revenues produced by the Senate bill will net $12.6 million to $12.3 million by the House; is that not correct?

Mr. MONRONEY. That is correct. In almost every instance we have had the best businessmen working on the committee.

Wherever we found a difference in the rate, we started out with the thought that we would certainly try to get a little higher revenue in each case, so we did come out with a little more revenue overall, to put the operation on as near a business-like basis as we can.

The Post Office has great manpower, with a host of dedicated workers taking a new lease on life. They are happy to be working for an institution which will be operating in the black and not in the red. That is the kind of service I want to be connected with. I am proud to be the chairman of the committee. I am also proud of the able Members of the Senate who have participated so dilligently in trying to be realistic, knowing that they may hurt someone every time the mail rate is increased—or at least someone is thinking he will be hurt—but still having the guts to stand up and say, "Our costs are going up and we expect you to pay a little more to cover them."

Mr. LAUSCHE. After the expiration of 2 years, if the wage increase portion of the bill is passed and the rate increase is passed, will the Post Office Department be operating on a self-sustaining basis?

Mr. MONRONEY. It will not be, when we give the two other pay increases.

Mr. LAUSCHE. How much will the deficit be at the end of the 2 years?

Mr. MONRONEY. The present postal deficit, which is today $560 million, will be reduced by almost $250 million, so that we will have a quarter of a billion dollars——

Mr. LAUSCHE. Two hundred-eighty million dollars? Does the Senator from Kansas [Mr. CARLSON] wish to answer that?

Mr. CARLSON. If I may interject, the distinguished chairman has mentioned some figures. I have some figures with me. It was my thought that the deficit was $1.2 billion. However, I may be wrong.

Mr. MONRONEY. That is not counting the public service charge of $640 million. That amount comes off the $1.2 billion. That is the deficit in the rural free delivery service, which is uneconomic; in the fourth-class mail, including books for the blind; and many other things of that nature which are necessary public service items. We must never forget that the Post Office is a public service. It is a public service which binds the country together in a reasonable, efficient, and effective communications system. Profit or not, we must have it.

Mr. LAUSCHE. Did the President recommend postal rate adjustments in a degree that would make the Post Office Department self-sustaining?

Mr. MONRONEY. He did for the first pay increase. We will be in a surplus position for the first year. However, when we achieve comparability in the next two stages, we will use up the surplus that we will earn this year and will reduce it to where we will come out on a net deficit of——

Mr. LAUSCHE. It will be $280 million instead of $530 million.

Mr. MONRONEY. That is right; $560 million.

Mr. LAUSCHE. It is $560 million. Did not the President recommend that the Post Office Department should be put on a self-sustaining basis?

Mr. MONRONEY. This could possibly be done if it were not for the fact that we have to meet the necessary payroll increases.

Mr. LAUSCHE. Did the committee consider separating the payroll increase from the postal rate increase?

Mr. MONRONEY. We considered that. In fact, we thought we might take up those items separately. But when we began to look at the timetable, we thought we might take up the pay increase first. But we realize we had to pay for that first, so we decided to combine both increases in one bill. So we have arranged to pay for it by providing $100 million this year through a change in the rates. We do not expect to have another rate change for several years. But the rate increase will be sufficient through this year and will provide a surplus.

But next year and the year following, there will be a deficit, and the amount of the surplus will be cut approximately in half. I should say that for a $7 billion operation of providing the best postal service, we are doing quite well.

Certainly we know that wages everywhere are escalating. We have to be realistic. We have to have first-class employees.

Does the Senator know that the large jewelers of this country do not use armored cars to ship diamonds? They do not employ guards with machineguns. They merely register their diamonds and send them by U.S. mail. That is how good the postal workers have been through the years.

There has been some decline. Some postal unions have even dared to threaten a strike against their own Government. Those are the kind of persons who hurt their case. I am proud to say that only one union mentioned that in the hearings. I hope I shall never hear it again, because when Government employees strike, they are striking against the people of the United States. Any threat of a strike is unbecoming an organization which claims to be a union representing public servants who have taken an oath of public service. I hope we shall never again hear such demagogic threats against the Government, because they are not compatible with a sound democratic society. A stoppage of the mails by such action could cripple the country. I am sure, though, that that will never happen, and I hope Congress will never let it happen.

Mr. LAUSCHE. I thrill to listen to what the Senator from Oklahoma has just said.

May I ask whether the Senator from Kansas wishes to comment on the questions which I have just put? He is the ranking minority member of the committee.

Mr. MONRONEY. Mr. President, I yield the floor.

Mr. CARLSON. Mr. President, the distinguished chairman of the committee [Mr. MONRONEY] has accurately stated that the deficit on June 30, 1967, was $1.2 billion. That is absolutely correct. Included in that amount is approximately $600 million for public service. It is my personal feeling that the Post Office Department is a personal service operation, so we should not be so much concerned about the deficit.

But he also stated that the deficit at June 30, 1970, when the third phase of the bill takes effect, will be $1.2 billion. The statement has not been challenged.

Mr. LAUSCHE. Does that mean that the expectation of the President in his recommendation will not become a reality?

Mr. CARLSON. I am certain that that is correct, because the Post Office Department is a service operation. We never hear anything about the necessity for the Department of Commerce, the Department of Agriculture, or the Department of State to operate within their incomes. But it is always said that the Post Office Department, the one agency that reaches all the people, should be made to pay its own way. I think it is a public service operation.

Mr. LAUSCHE. I am grateful to the Senator from Oklahoma for allowing me to put these questions to him.

Mr. MONRONEY. The Senator from Ohio has helped to clarify by the colloquy, as he well knows, the important nuts and bolts of the operation of an organization so great as the Post Office.

Mr. LAUSCHE. The Senator from Kansas has contributed richly to this discussion, because he has pointed up areas in which there is agreement and areas in which there is disagreement.

Mr. MONRONEY. I thank the Senator.

Mr. President, I yield to the distinguished Senator from Arkansas [Mr. McCLELLAN] such time as he may require.

Mr. McCLELLAN. Mr. President, will the Senator yield me 10 or 15 minutes?

Mr. MONRONEY. I yield the floor.

Mr. CARLSON. Mr. President, I do not ask for the floor at this time, but I want to speak on the bill. I shall be glad to yield to the Senator from Arkansas, if I am recognized.

Mr. McCLELLAN. I wanted the Senator to be recognized and then have him yield to me for 10 or 15 minutes.

Mr. CARLSON. I yield to the Senator.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

Mr. McCLELLAN. Mr. President, tomorrow the Senate Committee on the Judiciary will meet to consider the Omnibus Crime Control and Safe Streets Act of 1967. That measure is a product of long and thorough hearings by the Subcommittee on Criminal Laws and Procedures of which I am privileged to serve as chairman. I have endeavored to keep my colleagues apprised of the progress of our hearings on anticrime legislation, in a series of six speeches delivered in the Senate during the past year. Every Member of this body, I am sure, shares my concern over the rapidly mounting incidence of crime facing our Nation.

Mr. President, in recommending the enactment of the bill to be considered tomorrow, the subcommittee concluded in part:

> Crime is the most critical and urgent domestic problem facing the nation. Although essentially a local problem, the incidence of crime has reached proportions that threaten the peace, security and general welfare of the nation. The Federal government has a clear responsibility to help meet and to repel this threat. For Congress this means the enactment of legislation and the appropriation of funds to assist the states and units of local government to devise and implement programs to combat crime. To be successful, however, the war on crime must be mounted and waged on several fronts. Accordingly, the subcommittee recommends passage of S. 917, the Omnibus Crime Control and Safe Streets Act of 1967, which offers three major anti-crime proposals.

There are those who suggest, however, that the bill contains too many anticrime proposals. There are those who liken it to a "Christmas Tree." Mr. President, if it is a law enforcement "Christmas Tree," well and good for it is certainly needed. But it is also a tree that has lots of thorns on it for the criminal. I know the habitual law violator does not like it. There is certainly nothing in this bill as reported by the subcommittee that pleases the rapist, the robber, the murderer and the mugger. It is strictly an anticrime bill. And then there are those who say that "if we are serious about rapid passage of the bill we should return to a clean bill along the general lines proposed—by the administration."

Mr. President, to all these people I say that I have never once considered that my responsibility is to merely pass bills or to see how fast bills can be passed. I do consider it to be my responsibility to present to the Senate, through the appropriate processes, the most effective anticrime bill possible for the preservation of and a return to law and order in this country. And it is to this end that the subcommittee labored.

This bill retains and strengthens the substance of the President's original bill to improve the general law enforcement capability of States and units of local government through Federal grants. In addition to the grants proposed for planning, recruitment, training, equipment facilities and research, special provisions were added to the bill to enable the States to deal more effectively with the problems of organized crime and with the increasing threats of riots in our cities. The original request for $50 million was increased to $85 million.

These features of the bill hold much promise for long-range improvements in local law enforcement. But crime—like time—waits for no man and we cannot leave our citizens exposed to and unprotected from the continued ravages of crime while awaiting the results of a long-lead-time program.

The perilous immediacy of the problem is too demanding, too urgent for this country to depend solely on a one-shot approach. It is essential, therefore, that we apply more than one remedy. It was with these thoughts in mind that the subcommittee added two major provisions to the original bill.

One is specifically aimed at the continually expanding and highly successful elements of organized crime. It would prohibit all wiretapping except that authorized to be done by law enforcement officers engaged in the detection and prevention of major crimes—that would also include surveillance—and then only upon a showing of probable cause and obtaining a court order under stringent controls. It is imperative that our law enforcement officials are given authority to use this weapon. It makes no sense whatever to deny law enforcement officers the right to tap the very wires being used by organized criminals to commit crime and carry out their conspiratorial activities.

It is likewise inconceivable that the overlords of organized crime, who use the telephone to carry out practically all of their unlawful activities should be privileged to do so without legitimate means being made available to police authorities, to detect such use of the telephone and to intercept the incriminating evidence of guilt that can thus be procured. Under existing law, the criminal can and does use the telephone as a means to his evil ends, secure in the knowledge that he is beyond the reach of and will not be interfered with by law enforcement officers. The bill will put an end to this practice and, at the some time, scrupulously protect against the use of wiretaps or electronic surveillance to invade anyone's privacy. The State of New York had a similar statute for almost a quarter of a century and study after study showed that it was used only sparingly and that no one's privacy was invaded. The Supreme Court, in the recent Berger case, struck down the eavesdropping portion of this statute—but not the practice—and indeed, laid down guidelines as to how such a statute might come within the Constitution. These guidelines have been incorporated into S. 917.

The President's Crime Commission recommended such a law. Every Attorney General since 1931, save the present incumbent, has endorsed this type of legislation. The Judicial Conference, headed by Chief Justice Earl Warren, recently recommended it, and, as indicated, the Supreme Court in the Berger case, suggested legislation along these lines within the framework of the Constitution. Certainly, if such a weapon is useful and needed to protect our national security as contended and asked for by the President of the United States and by his Attorney General, and as proposed in legislation recommended by the administration, then it is hard to conceive that it will not also be useful and needed in the war on crime.

The other major provision added to the original bill seeks to return the rule of reason to the admissibility of voluntary confessions into evidence. No matter how much money is spent for upgrading police departments, for modern equipment, for research and other purposes, crime will not be successfully abated, nor respect for law and order restored so long as criminals who have voluntarily confessed their crimes go unpunished. The traditional right of the people to have their prosecuting attorneys place in evidence before juries the voluntary confessions and incriminating statements made by defendants should be restored. Accordingly, the bill was amended to allow the trial judge to pass upon the issue of voluntariness based upon the totality of the circumstances involved, and then the jury would be instructed to give the confession whatever weight deemed merited, and to do so in the context of the total circumstances present at the time the confession or statement was made. The constitutional rights of accused persons have been protected under this procedure since the founding of the Republic until the time of the Miranda decision. It is an eminently fair, reasonable, and effective way to determine the issue of voluntariness.

We are all only too familiar with the results flowing from the rigid, mechanical, self-defeating exclusionary rules devised by the Supreme Court in the area of confessions. The newspapers are filled with the tragic consequences, and I have called them to the Senate's attention repeatedly during the past year. Just last week, we read of the finding of innocence in the case of a 14-year-old Oklahoma boy who admitted killing his mother with 10 shots from a rifle. He was found innocent of murder because he was not advised of his right to an attorney before he confessed to his father and two officers. The prosecuting attorney in that case assailed the acquittal as "the worst miscarriage of justice I've ever seen," adding that the decision meant that "you can't even question your own child if he broke a window without getting a lawyer. This is ridiculous." District Court Judge Merle Lansden ruled that the confession could not be admitted into evidence because of a recent U.S. Supreme Court decision. He said that he disagreed with the High Court's ruling but that he had "no alternative."

This case dealt with a minor, but his crime was the most vicious known to man—murder. Other and potentially more dangerous self-confessed criminals are committing equally heinous crimes almost daily and are being released, not on the basis of guilt or innocence, but because of the Court's slavish dedication to technicalities that thwart the aims of justice while augmenting the tenuous rights of the accused.

We need to rectify this mockery of justice and seek to realine the imbalanced scales of justice that all too often subjugate the rights and safety of society to the privileged exploitations and atrocities by the criminal.

Mr. President, this is a very serious and devastating trend in our system of criminal justice. We cannot afford to ignore the problem or its aftermath.

If we are serious about meeting our responsibility—if we are truly concerned about the problems of crime in this country today—indeed, if we are to preserve our way of life—we must have this wisdom and the courage to respond to the grave and critical threat crime poses to our internal security. To do less would further favor the criminal, and to do nothing would be criminal neglect and failure of duty on our part.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks the article to which I have referred, entitled "Legal Slip Frees Boy In Matricide," published in the Washington Post of November 18, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, on November 14, I spoke before the National Council on Crime and Delinquency in New York City and on November 20, Senator Ervin very graciously inserted that speech into the Record at page 33136. Since that speech was given, I have received many letters from people all over the country commending the text and my efforts toward law enforcement. I ask unanimous consent to have printed in the Record a sample of these letters, which I feel appropriately express the sentiment which is now shared by the vast majority of the citizens of our country.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Cape May, N.J., *November 19, 1967.*

Senator John McClellan,

Washington, D.C.

Dear Senator McClellan: In a recent radio broadcast, you were reported to have said that the U.S. Supreme Court was largely responsible for the crime, rape and communism in this country today. We and many others believe that you are 100% right. And we are more than pleased to know that you had the courage to say so. Perhaps many of the weaker characters in the Senate will now begin to see what a low quality court with its 5-4 decisions is doing to our country.

J. A. Stackhouse.

New York, N.Y., *November 15, 1967.*

Hon. John McClellan,

Senate Office Building,

Washington, D.C.

Dear Senator McClellan: I listened to your speech on the T.V. last night and thanked God there are such men as you in politics—altho, unfortunately there are not nearly enough.

I speak of men who realize how far our beloved country has gone down the primrose path; and want to do something about it. I only hope that it isn't too late—

These demonstrations by students, by 'Civil Rights' groups, by anti-Vietnam groups, etc.—there are so many groups now that I doubt if they can be named or counted. You stated that you intended to propose laws in the next legislature to clean up this mess.

If I may suggest in my own humble way, that a tremendous start would be legislature to limit demonstrations and pickets would be to limit the amount of people in picketing and demonstrations; otherwise we have Anarchy which we had last night outside of the Hilton Hotel—It was a disgrace and should not be allowed to happen.

In my opinion, the country has lost their respect for the politicians who have been unscrupulous in their morality—their "playing up" to union leaders, to welfare groups and toleration of their demands, not paying any heed to the softening of laws by our Supreme Court and Civil Liberty groups.

When are these fence straddlers going to come out for law enforcement?

Respectfully yours,

Henry H. Croen.

Monroeville, Pa., *November 15, 1967.*

Hon. John L. McClellan,
U.S. Senate, Washington, D.C.

Dear Mr. Senator: After hearing your declaration on Tuesday evening TV news program relative to the grave problems confronting America, I am compelled to express my opinion that you have stated exact truths that are un-deniable, of the reasons for the dilemma in our present society and government.

I believe that your statements on this subject should be aired to all the people as widely as any message that has been given by a President, for the truths therein surely warrant such dissemination.

William Cumming.

Baltimore, Md., *November 17, 1967.*

Senator John L. McClellan,
Senate Office Building,
Washington, D.C.

Dear Senator McClellan: On Tuesday evening, November 14, 1967, I heard on C.B.S. television network, Walter Cronkite, Commentator, a short excerpt from a speech you made regarding crime, its causes and remedies. You also commented most wisely, to my mind, on recent decisions made by the Supreme Court, protecting the criminal at the expense of the safety and welfare of the law abiding citizen.

I was so favorably impressed by these brief remarks that I hope you will be kind enough to send me a copy of your most excellent speech in full.

If we had more legislators who would speak out forthrightly as you did without regard to partisan politics or pressure groups, this country would have a far better chance of survival and perhaps return to those precepts on which we became a great nation. Without strong action to curb lawlessness and restore order and sanity to our society, I fear greatly that our future will certainly be jeopardized.

I personally believe that Gibbons "Decline and Fall of the Roman Empire" should be required reading for all patriotic legislators from the President down to the freshman members of the House.

With best wishes to you, Sir, I am

Yours Respectfully,

Winfield S. Ditch, Jr.

Forest Hills, N.Y.,
November 16, 1967.

Hon. John McClellan,
U.S. Senate,
Washington, D.C.

Dear Mr. McClellan: The attached news item is the most heartening one I have read for months. I've been wondering if we'd all be killed before someone got around to repealing that ridiculous decision of the Supreme Court. And it wasn't even a unanimous decision.

I hope your arguments for its repeal will stress the very slight percentage of our population who have ever confessed to a crime which was later found to be false and someone else was convicted for the crime.

For that small percentage the Supreme Court would endanger the lives and safety of millions.

It seems often to be the natural thing in the heat of emotional strain immediately after a crime for the criminal to get it off his chest by confessing. Why should such emotional confessions be denied by law? Why should anyone have the advice of a lawyer immediately after a crime? Why shouldn't the whole questioning be put on tape for the benefit of both sides in the trial which would come later? Couldn't that eliminate the accusation of police brutality in questioning?

Yours very truly,

Mrs. Dorothy Webb.

[From the New York Daily News, Nov. 16, 1967]

McCLELLAN PUTS OKAY ON TAPS AND CONFESSIONS

(By Paul Meskil)

Sen. John McClellan (D-Ark.) urged yesterday the enactment of federal laws permitting the use of wiretaps and confessions in criminal cases.

McClellan said recent Supreme Court decisions banning confessions and electronic eavesdropping "have made a mockery of justice."

"Self-confessed murderers, rapists and robbers should be punished, not liberated," he told a conference of the National Emergency Committee at the New York Hilton Hotel. The committee, composed of businessmen, labor leaders and others, is a branch of the National Council on Crime and Delinquency.

WHAT ARE THE WEAPONS?

"We're in a war," McClellan declared. "What are we going to fight with? Powder-puff techniques? Or are we going to use weapons used by the enemy?

"We've drifted too long. The pendulum has swung too far. The scales must be balanced and I intend to fight for laws that I think will balance them."

McClellan said his Senate Judiciary subcommittee on criminal laws and procedures will report wiretapping and confession bills to the judiciary committee later this week. The bill on confessions, he said, "would restore the law substantially as it had existed for 100 years before the Supreme Court committed its grievous error."

The other bill would permit law enforcement agencies "to place wiretaps and electronic surveillance after showing just and reasonable cause to a court of competent jurisdiction."

McClellan, a frequent critic of the administration's Vietnam policy, called antiwar demonstrations like the recent Pentagon rally "a national disgrace."

SENATOR BROOKE'S VIEW

United States Attorney General Ramsey Clark, who also spoke, said such disturbances create "an atmosphere of contempt for social stability" and were "a concern to law enforcement and a threat to the public."

Clark disclosed that federal "strike forces" are being prepared to battle organized crime in cities across the nation. He said one such force already had proved "highly effective" when tested in the Buffalo area. However, he declined to go into detail.

Sen. Edward W. Brooke (R-Mass.) disagreed with McClellan on easing the confession rules, but said he would support a "limited wiretapping law." He added: "We cannot effectively battle organized crime without some wiretapping."

Scarsdale, N.Y., *November 14, 1967.*

Hon. Senator John L. McClellan,
Washington, D.C.

Dear Senator: Thanks again for calling attention to the many angles of crime being committed through the abuse of liberty. It seems the law abiding citizen is taking it on the chin and the criminal is the hero.

Among the many points you made about the abuse, I think a start should be made at the top; in the United States Supreme Court 5–4 decisions. It doesn't seem possible so many (so called) learned men come to this decision so often.

Justices, Warren, Douglas, and Black have outlived their usefulness as Justices and should vacate the office. As time goes on their opinions and decisions seem to get worse.

Some of the Justices appointed by Pres. Eisenhower, Kennedy appear to be appointed to take care of political debt rather than ability to perform.

I welcome your comments.

Respectfully,

John Spears.

P.S.: Glad to render any requested help.

Homestead, Fla.,
November 15, 1967.

Senator John McClellan,
Washington, D.C.

Dear Sir: A portion of your speech was on CBS TV last night, Nov. 14, and thank God we have one Senator that is not afraid to speak his convictions.

When, when will our governing bodies realize that our wonderful country is on the road to destruction, by defending everything that is wrong and never standing up for what is right.

By sending our finest American youth to be killed and maimed and leaving hippies, anti-war demonstrators, drug addicts, etc., to be the future citizens and eventually the leaders of our country. For three generations this has happened and in "sowing the wind are surely reaping the whirlwind."

In defiance of law these demonstrators take over our cities, and our policemen have no authority to even defend themselves. Isn't there something that we can do to help our country!

Is there nothing that can be done to refute all of these decisions by the Supreme Court that does nothing to the honest, law abiding citizens but that rules in every instance in favor of mobsters, murderers, etc.

When nine men out of two hundred million people can set all laws we are undermining our country, isn't it time for something to change? If something isn't done, soon, may God help us for it will surely be too late for us to save ourselves.

Again thank you for speaking as you did. If helps to know that we have one person who is trying to save our country.

Pardon me for taking up so much of your time but I just had to write.

Very sincerely,

Mrs. Mary Lou Carpenter.

Brooklyn, N.Y.,
November 15, 1967.

Senator John McClellan,

Dear Sir: Saw and heard you on TV last night and I don't think that another word could be added to what you said.

The only thing to do is, everyone in Congress and Senate should get together, there must be a way to stop this crime, riots, etc., etc., etc. In our city hardly any one goes out a night after 6 p.m. Keep up your good work.

The best of everything for you and yours,

Sincerely,

Fred Harris.

Douglaston, N.Y.,
November 15, 1967.

Hon. J. McClellan,
Senate Office Building
Washington, D.C.

Dear Senator McClellan: Thank you sincerely for making a truly brilliant statement on the condition of law and order in this country. We are very fortunate in having at least one member of Congress who has the courage to speak for the preservation of decency and stability in this country.

May God Bless you and give you strength to succeed in this noble cause. It is sad that our Senators from New York do not see the peril facing the nation, particularly in our home state, and more so in New York City.

Please be assured that there are many decent Americans who support you.

Very truly yours,

J. Robert Stevens.

P.S. I hope you will speak for a return to proper discipline in our schools.

Brooklyn, N.Y., *November 14, 1967.*

My Dear Senator McClellan: We want to thank you for your eloquent words that we heard on to-day's radio program.

To us, this is the first expression by a man in high office who states the honest facts, about life, at present, in the U.S.A.

Please continue your stand against lawlessness.

Sincerely,

Mr. and Mrs. Carl Weisshiger.

Woodside, N.Y., *November 13, 1967.*

Senator McClellan,
Washington, D.C.

Dear Senator: I am not a resident of your state but have admired you for a long time for many of the stands you have taken on many issues. So this is just a short note to express my appreciation for your efforts and some comments on what you said on CBS TV this evening.

Your remarks concerning the demonstrations at the Pentagon were apropos. My voice may be only a small voice in all this shouting and screaming by a small percentage of our citizens. I cannot call these minority dissenters, citizens. If they were they would first obey our laws. I think most of them are front groups being pushed and financed by Russia. Must always bear in mind the Marxist philosophy is infiltration from within.

I agreed with you completely when you stated the government should now take a stand when laws are broken. And that certainly happened with the Pentagon demonstration. The government whether it be on a federal, state or city level should take action when these groups in order to obtain their objectives, trample on the rights and property of others. There's been too much of it. I'm not against demonstrations as such, but when it causes interference with other people's rights its time something should be done, else all freedom will ultimately be lost.

It was most coincidental at the time of the Pentagon demonstrations that there were similar happenings in most of the large European cities. It apparently was well organized.

Keep up the good work and may you serve the Senate and your country for many more years to come.

Sincerely,

M. Lundon.

Verona, N.J.,
November 15, 1967.

Hon. John McClellan,
U.S. Senate,
Washington, D.C.

Dear Senator McClellan: In connection with your visit to New York City on Nov. 14 I happened to hear excerpts and highlights from your address made to the Crime and Juvenvile Delinquency convention. I feel compelled to take time out to comment briefly on your refreshing remarks.

It is certainly a pleasure to hear a U.S. senator comment so forcefully and candidly on the state of crime, juvenile delinquency and civil disobedience in this great country of ours. It is high time that the American public is jolted out of their state of apathy and complacency with regard to these matters. Added emphasis was given to your remarks by the TV news coverage the same night of the disgraceful near-riot resulting from Secty. of State Rusk's Viet Nam speech in N.Y.C., as well as coverage of the recent so-called "peace demonstrations" in Washington.

Isn't it high time that all levels of government in the United States cracked down to end some of the disgraceful goings on in this country? As an ordinary citizen I find it extremely difficult to understand how prominent hoodlums and gangsters can be named in articles featured in our national magazines, minutely describing their illegal activities and yet year after year these same people carry on their criminal activities without any apparent interference from the forces of law and order.

Personally I believe that the basic fault lies with the American public who through ignorance, complacency and lack of moral fiber is allowing this dangerous drift to continue. The tasks are to arouse the American people as they have never been aroused before to demand stricter law enforcement, adequate punishment for crimes committed and the teaching of high moral standards and business ethics at home and in the schools.

Your remarks of yesterday were certainly a step in the right direction and need to be echoed by every elected official regardless of party and geographic origin.

Sincerely yours,

H. Robert Hampt.

Muskogee, Okla.

Dear Senator McClellan: We felt that your speech at the NECD meeting in New York was outstanding. You touched one point I feel is so true. Discipline and training begins in the home.

Col. and Mrs. Ben Robert Jacobs.

E. Paterson, N.J.

Hon. John McClellan,
U.S. Senate,
Washington, D.C.

Dear Senator: It was with great pride that I listened to your speech before the National Emergency Committee at the N.Y. Hilton last night in which you urged the enactment of federal laws permitting use of wire-tap etc. in criminal cases—it was excellent. I liked especially your quote "We're in a war—what are we going to fight with? Powder-puff techniques, etc?".

Be assured that my family and myself are firmly behind you and your committee and do hope you can put this across for it's long, long past due, also try and get rid of some of those tired old, old men on the Supreme Court—they have just about ruined the Country with some of their decisions in recents years—most of them being made in behalf of the Criminal element in our Country—and the hell with the decent people.

Now you go to it and give them hell for a change. God bless you and good luck.

Sincerely,

The Kops Family (12).

P.S. Get those N.J. Senators to back you up—Fast.

San Clemente, Calif.

Senator McClellan,
U.S. Senate, Washington, D.C.

Dear Senator: I agree with what you say about failure of punishment for criminals. It is *deplorable*. Most of us favor capital punishment and other *severe* punishment but what can we do? You people make the laws—why don't you do something? Why not put more pressure on jurists?

W. E. Chapline.

Baylor University,
Houston, Tex., November 20, 1967.

Senator John McClellan,
Senate Office Building,
Washington, D.C.

Dear Sir: Recently I viewed an excerpt on television news from a speech you made concerning rising crime in our nation. I am in complete agreement with regard to your statements indicating the causes for the national madness of crime, particularly your statement condemning the courts for their decisions which favor the criminal and put society in jeopardy. As a senior medical student facing a career as a physician, I feel there is no greater crisis in our nation than the rising crime rate. Last week a close friend, the pregnant wife of a classmate, was the victim of criminal assault, bringing the horror of criminal madness close to home.

I think it is the duty of Congress to act to restore law and order to the nation rather than spend millions of tax dollars to appease the rabble in the streets. It is a national disgrace to allow the very basis of our free society (democracy under law) to crumble before our eyes when Congress has the authority to act to preserve the right of every citizen to life, liberty, and the pursuit of happiness!

The crime rate has increased five times as fast as population growth. It is estimated that organized crime controls upwards of 15% of the nation's economy. I firmly believe strong law enforcement with severe punishment should be instituted—and I mean capital punishment! A few years ago my native state of Delaware abolished capital punishment only to bring it back in desperation in an attempt to halt a sky rocketing crime rate that resulted when the deterrent of punishment was taken away! It has always puzzled me that as a nation we adhere to a policy of military might as a deterrent against international aggression, but reject vigorous prosecution of the law as a deterrent to criminal aggression at home.

Crime has made every home, every city, town, and village unsafe! Freedom from fear is impossible in America today!!! If crime is allowed to go unchecked our nation will not survive!!!

Sincerely yours,

Donald D. Cameron.

Princeton, N.J.

Plaudits to you for your splendidly indignant speech presented to the New York Commission on Crime, or at least that portion that was given over W.O.R.

Of all the statistics that have ever been released on crime, none was so shocking as your statement that of all crime offenders apprehended, 87% are able to go unpunished, free to return to society and enjoy all the privileges of the innocent.

When it is flagrantly obvious even to the little man that the Supreme Court has been and is responsible for creating the atmosphere which makes so much crime possible, I fail to see why it is that Congress has put off remedial action for so long. As our representatives responsible for our protection I should think that each Congressman would give such action first priority in his thinking and in his deeds.

Knowing your sentiments in this regard, I fervently hope that you will continue in your efforts and gain majority support from both sides of the aisle. Be well assured that the public will stand behind you.

Very truly yours,

Mrs. Arthur Beddoe.

[From the New York Times, Nov. 24, 1967]

Johnson Crime Curb Bill Is Snagged in Senate

Washington, November 23.—President Johnson's crime control bill, which the Administration has given high priority for enactment this year, has run into new entanglements in the Senate.

On Oct. 30, a Judiciary subcommittee approved the bill, which would provide grants for local law enforcement agencies, but added a series of controversial amendments.

There have since been persistent reports that the White House is so anxious for the bill to pass this year that it has agreed to accept one of the amendments it does not want—that authorizing the use of wiretapping and electronic bugging devices for criminal investigations.

MEETING WITH CLARK

Administration Democrats on the committee met with Attorney General Ramsey Clark in the Capitol Tuesday in an effort to determine the Administration's position. Mr. Clark was reported to have assured them that the Administration wanted the bill as submitted.

A White House spokesman denied that any deal had been made with Southern Democrats on the committee to accept a wiretap provision. "We want a clean bill," he said.

This did not rule out the possibility that President Johnson would not accept such a provision should Congress put it in the bill. But liberals on the committee have served notice that unless a "clean" bill is reported to the Senate floor there can be no hope of speedy passage.

The full Judiciary Committee, headed by Senator James O. Eastland, Democrat of Mississippi, will meet next week to consider the bill but it is agreed that there is little chance of removing the amendments approved by the subcommittee.

Earlier this year, the House passed Mr. Johnson's bill after amending it to give control over allocation of the grants to the states and giving first priority to suppressing riots and fighting organized crime.

A majority of the Senate is reported to favor the President's bill and the White House is said to be anxious that it pass soon so that the money can reach local police departments before next summer, partly because crime and civil disorder are expected to be a prime issue in the Presidential campaign.

ASKED FOR $50-MILLION

On Feb. 6, President Johnson told Congress that public order was "the first business of Government" and asked for Federal expenditures of $50-million for the 1968 fiscal year, which began July 1, and more in subsequent years for grants to encourage planning for law enforcement and crime prevention and to establish innovative techniques and training.

Bipartisan support for such a measure developed in Congress. But after long hearings in the Senate and months of inaction, the Judiciary subcommittee on criminal laws and procedures, headed by John L. McClellan, Democrat of Arkansas, reported a bill loaded with amendments.

"They have turned this bill into a Christmas tree on which they have hung everything," complained Representative Emanuel Celler, Brooklyn Democrat who heads the House Judiciary Committee.

The amendments included, besides wiretapping, a provision to relax Supreme Court decisions that placed restraints on the police in obtaining confessions and a section against enforcement of Federal civil rights requirements in connection with the grants.

PROVISION ADDED

President Johnson had asked for legislation restricting wiretapping by officials to national security cases, in line with present policy of the Justice Department.

But the subcommittee added a provision to the bill to authorize, by order of a court, the use of wiretapping and bugging devices in major Federal criminal investigations and clearing the way for states to adopt similar practices.

Senators Philip A. Hart, Democrat of Michigan, and Edward M. Kennedy, Democrat of Massachusetts, filed a report with the committee this week saying the bill presented "a myriad of new issues and new problems."

"We now have new questions of civil rights, constitutional law, civil liberties, right to privacy, habeas corpus, right to counsel, novel administration theories and others, many of them raised only at the last minute," they said.

"If we are serious about rapid passage of the bill then our responsibility is to return to a clean bill along the general lines proposed."

Mr. McCLELLAN. In the current edition of U.S. News & World Report, there appears an article entitled "Is the United States Drifting Toward Anarchy?" which reviews the wave of lawlessness sweeping America today and notes that Americans see signs of still worse to come. Certainly with crime up 62 percent in 6 years, with rebellious students taking over college campuses, with antiwar demonstrators marching on the Pentagon and harassing high public officials, with national leaders being hooted and shouted down, with minority leaders advocating violence and mass civil disobedience, we are constrained to ask, Is America drifting toward anarchy?

Yes, Mr. President, when we have reached the point when what the once dreaded Ku Klux Klan did under hoods and bedsheets is now being done openly, wantonly, and under an aura of privilege and sanction on the pretense of poverty and inequality, then it is indeed timely to inquire if America is on the verge of anarchy.

Mr. President, I ask unanimous consent that the article from the U.S. News & World Report of December 4 to which I have referred be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Is the United States Drifting Toward Anarchy?

Go almost anywhere in the U.S. today, and you hear people asking: "What is happening to this country?"

Americans are alarmed about riots that have hit more than 100 cities.

Rioting, however, is only one of the things worrying Americans and causing many people to raise this question:

Is the U.S. drifting toward anarchy?

Crime: up 62 percent. People see crime on the rise—up 62 per cent in six years—and violence spreading.

Rebellious students take over college campuses. High schools become racial battlegrounds. Antiwar demonstrators march on the Pentagon and harass high public officials.

Secretary of State Dean Rusk and Defense Secretary Robert S. McNamara have been hooted down, physically menaced, on college campuses. Mr. Rusk recently had to use a garage entrance to avoid demonstrators at a New York hotel where he was to speak.

Even the U.S. President, Lyndon B. Johnson, finds it advisable to keep demonstrators from getting advance notice of his public appearances.

Secret Service officials have asked leaders in Congress for new laws that will help stafeguard the President in next year's presidential campaign.

While high officials encounter trouble speaking, agitators such as Stokely Carmichael and H. Rap Brown are permitted to speak freely—even when they tell Negroes to "start shooting" and call for rebellion against the capitalist system of the United States.

"By any means." One "black power" leader, Fred H. Brooks, told Senate riot investigators on November 22 that he would approve of shooting Mrs. Lyndon Johnson "if she was my enemy" and of shooting the President himself "as a last resort."

"I believe the black people in this country should get their rights by any means," Mr. Brooks testified.

In defiance of the military draft, many young men have burned what they said were their draft cards or turned them in to authorities.

Mass demonstrations, which got their start a few years ago as demands for Negro rights, now have become a method for people to protest almost anything that they don't like.

On campus after campus, students have massed to bar recruiters for military services, the Central Intelligence Agency or companies that make arms.

One such demonstration turned into a riot at San Jose State College in California on November 20.

High schools in many cities have been disrupted by Negroes protesting such things as alleged discrimination in selecting cheerleaders or beauty queens.

"Black power" demonstrations forced the temporary shutdown of Central State University in Ohio in mid-November.

A few days later, a "black power" rally by several thousand public-school pupils in Philadelphia turned into a near riot. Then came an outburst of Negro violence and looting at several high schools in Chicago.

Along with violence, drug use is spreading widely among young Americans. In "hippy" communities all across the country thousands of youngsters openly reject nearly all the rules that most societies live by.

Worse to come? Looking ahead, Americans see signs of worse to come.

Senators investigating riots report evidence that guns are being stockpiled for use by rioters next summer.

Some radical Negro leaders talk of a "race war" developing in the U.S.

All this is alarming and confusing Americans in growing numbers.

Michigan's Governor George Romney is one who has spoken out in concern.

Announcing his candidacy for the Republican presidential nomination on November 18, Mr. Romney said this:

"I am concerned about America. . . .

"We have begun to see acceptance of irresponsibility as a way of life."

How serious is this situation? And what causes it?

Editors of "U.S. News & World Report" put such questions to experts in government, law enforcement and the study of human behavior.

Too permissive? One idea expressed by several authorities was that there is too much "permissiveness" in American society today.

Dr. Benjamin B. Wolman, dean of the Institute of Applied Psychoanalysis in New York City and a professor of psychology at Long Island University, put it this way:

"There's a kind of moral irresponsibility becoming evident today.

"What youngsters in many cases are rebelling against is the nihilism they see in their parents' lives—the lack of values and the empty permissiveness.

"We must return to the goal of freedom for our children's minds—not freedom for their impulses.

"I have a deep feeling of pessimism about this situation."

"Heading for anarchy." Another professor, Fred Inbau of Northwestern University Law School, said this:

"We are heading for anarchy in this country. This is reflected not only in the rioting and student troubles but in the rising wave of lawlessness.

"Back of all this I see two philosophies at work: excuse and unrestraint.

"The one says that deprivation or bad upbringing entitles a person to overturn law and order and embark on senseless destruction.

"The other says that in a democracy anyone can do as he pleases.

"The courts, I feel, must bear a fair share of the responsibility for this growing laxity. There has been for too long an overemphasis on individual rights as against the right of the public to live in reasonable security."

Dr. Edward H. Buehrig, professor of government at Indiana University, agreed that "the Supreme Court has indeed gone too far in protecting the individual against his own society." He predicted:

"Surely there will be a reaction. One day the Supreme Court will begin to take a different approach."

Rights vs. duties. Virgil Peterson, executive director of the Chicago Crime Commission, said this:

"I would not want to go as far as to say that the U.S. is drifting toward anarchy. But certainly there has been a wave of open defiance of the law. Perhaps one reason is that we have been emphasizing individual liberties and rights without comparable emphasis on the duties and obligations that make these rights and liberties possible.

"Far too many people decide for themselves what laws they will obey.

"We've got to the situation in this country where nearly everything is excused or condoned and there is no clear line between right and wrong. We've got to start holding individuals accountable for their acts."

Pendulum swinging back? The following views were expressed by Keith Mossman, a district attorney in Benton, Ia., and former president of the National Association of District Attorneys:

"I certainly am concerned, as most thinking citizens are, about civil disobedience and the fact that many of our so-called leaders and educators have advocated that people obey only those laws which are 'just and moral.'

"If everybody obeyed only the laws he considered proper, the eventual end would be nothing but anarchy.

"In the past, we have permitted some people to go too far because in many cases what they have been demonstrating for was a just cause. But I think the pendulum, now is swinging the other way. Many people are beginning to take a second look. The public is going to demand that anyone who violates the law be prosecuted, no matter what cause he is advocating."

"Time to do something." Quinn Tamm, executive director of the International Association of Chiefs of Police, had this comment:

"When the Secretary of State has to sneak into a hotel to make a speech, there is a drift toward anarchy.

"It is time to do something about it. Police are going to have to get help—especially from the courts."

But Mr. Tamm, like District Attorney Mossman, sees change coming. He said:

"The pendulum is swinging the other way now—back to law and order.

"In Congress, there are 300 bills now pending to assist law enforcement. Locally, police are getting more and more support from community leaders and responsible leaders of minority groups."

J. Frank Coakley, district attorney of Alameda County, California, for 20 years, regards recent events as "manifestation of a dangerous state of mind approaching anarchy." He said:

"We are now reaping the harvest of 40 years of Communist agitation and propaganda. They have reached into colleges, churches, labor unions, Negroes and many other groups."

A State Department official described Secretary Rusk as "deeply disturbed" by his experience of October 31 at Indiana University, where student hecklers interrupted his speech.

"What upset the Secretary," said the official, "is that a small, organized, calculating group should use the First Amendment—which guarantees freedom of speech—to keep other people from exercising that freedom."

Limits on free speech. U.S. Attorney General Ramsey Clark was asked by a member of the staff of "U.S. News & World Report" about the limitations on free speech. He said:

"Restrictions on freedom of speech are governed by the doctrine of 'clear and present danger.' Under this doctrine, the Government can restrict speech only when it creates a clear and present danger to the public interest.

"If a speech contains a potential for causing others to commit violence, then it may well be unlawful. If a speech is made in a volatile environment, it may incite unlawfulness. Freedom of speech does not make a riot lawful. There is no freedom to use obscene speech.

"In other words, society may impose reasonable restrictions on freedom of speech to maintain law and order. Society has a right to protect itself against incitement to riot, disorderly conduct, breach of the peace, libel, obscenity and so forth."

Asked how seriously the Justice Department regards the rise of lawlessness in the U.S., the Attorney General gave this evaluation:

"We are always concerned with lawlessness. We see stronger manifestations of discontent and flouting of authority now. But we do not see it as a sweeping phenomenon.

"We are badly deceiving ourselves if we see a sweeping drift toward anarchy. There is still control by law-enforcement authorities in the U.S."

WHAT IS ANARCHY?

"Webster's New International Dictionary of the English Language" gives this definition:

"Anarchy. Absence of government; the state of society where there is no law or supreme power; hence, a state of lawlessness or political disorder."

FREE SPEECH: SOME LIMITS SET BY HIGH COURT

The First Amendment to the U.S. Constitution says:

"Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Now being raised in this country are questions about this amendment.

Just what does it mean? Does the Constitution really authorize the kinds of speeches and demonstrations that have become so commonplace in the U.S. in recent years?

The difficulty people encounter in seeking answers to such questions is that each individual act must be judged in court on its own merits. But the U.S. Supreme Court has laid down some broad guidelines.

Freedom or anarchy? In a 1965 decision, Arthur Goldberg, then a Supreme Court Justice, said this:

"The rights of free speech and assembly, while fundamental in our democratic society, still do not mean that everyone with opinions or beliefs to express may address a group at any public place and at any time.

"The constitutional guarantee of liberty implies the existence of an organized society maintaining public order, without which liberty itself would be lost in the excesses of anarchy."

Justice Oliver Wendell Holmes, in a 1917 ruling had this to say:

"The most stringent protection of free speech would not protect a man in falsely shouting 'Fire!' in a theater and causing panic."

Still to be tested is whether such a rule applies to some speeches by Negro leaders such as H. Rap Brown and Stokely Carmichael.

Peaceable assembly or mob? On "the right of people peaceably to assemble," Justice Hugo Black in a 1965 opinion said this:

"The crowds that press in the streets for noble goals today can be supplanted tomorrow by street mobs pressuring the courts for precisely opposite ends.

"Minority groups in particular need always to bear in mind that the Constitution, while it requires States to treat all citizens equally and protect them in the exercise of rights granted by the Federal Constitution and laws, does not take away the State's power, indeed its duty, to keep order and to do justice according to law.

"Those who encourage minority groups to believe that the U.S. Constitution and federal laws give them a right to patrol and picket in the streets whenever they choose, in order to advance what they think to be a just and noble end, do no service to these minority groups, their cause or their country."

EXHIBIT 1

[From the Washington Post, Nov. 18, 1967]

LEGAL SLIP FREES BOY IN MATRICIDE

BOISE CITY, OKLA., November 17.—A 14-year-old boy who had admitted that he shot his mother 10 times with a rifle was found innocent of murder today because he was not advised of his rights to an attorney before he confessed to his father and two officers.

The prosecutor assailed the acquittal as "the worst miscarriage of justice I've ever seen."

District Court Judge Merle Lansden ruled that the confession of Bruce Harp, 14, could not be admitted into evidence at his non-jury trial and found the boy innocent.

The judge said he based the ruling on a recent U.S. Supreme Court decision. He said he disagreed with the high court's ruling, but that he had "no alternative."

"Mr. Warren Chief Justice (Earl Warren) personally wrote that decision and I feel he was amending the constitution," Lansden said.

The prosecutor Assistant District Attorney Loys Criswell, contended: "In that one, the police had the boy in a room with his lawyer pounding on the door to get in. In this one, the boy hadn't even been arrested and his father was there.

"It means you can't even question your own child if he broke a window without getting a lawyer. This is ridiculous.

Mr. McCLELLAN. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I join completely and utterly in every statement the Senator from Arkansas has made dealing with this grave question now confronting our country.

I should like to put a few questions to him. One deals with the subject of the propriety of the tapping of lines, under judicial authority, in instances where individuals are suspected of being participants in organized crime.

Who are the ones that object to this proposal? The Senator from Arkansas has described all of the leading public officials who support the proposal that the tapping of lines shall be permitted under judicial authority when organized crime is suspected.

Mr. McCLELLAN. All I can answer is that I have stated that all of the Attorneys General have, in effect, endorsed this legislation or legislation along this line with the exception of the present incumbent, who has expressed himself as being in opposition to the bill.

Mr. LAUSCHE. Who is the present incumbent? Let us get right down to brass tacks.

Mr. McCLELLAN. It is the Honorable

Ramsey Clark. However, bear in mind that his father preceded him in that office years ago.

For the last 30 years, I believe, starting with Attorney General Mitchell, down to the present incumbent, all have favored or have given testimony or have written in general terms endorsing the need for legislation of this character.

We have had many district attorneys testify in favor of the legislation, especially those from New York State. All of the eight living former U.S. district attorneys for the southern district of New York sent a letter endorsing the legislation to the committee.

The present New York District Attorney Frank Hogan testified as to how the law has operated in New York for almost a quarter of a century. I asked him the specific question whether there had ever been a complaint of abuse in all that period of time. He said there had not been.

They used that authority sparingly. In some years they had only 71 taps. In other years they have had some 60-odd taps. As I recall there was an average in the neighborhood of 60 taps a year in an area with a population of 8 million people.

This legislation is absolutely vital. District Attorney Hogan has told us that without the use of this legislation, they would never have been able to convict criminals engaged in organized crime.

Mr. LAUSCHE. Mr. President, I go now to the matter of precedent for what the bill can do.

The writers of our Constitution felt that a man living in his home, whether it be humble or lavish, has a right to live there without interference from the Government. No public official in the enforcement of the law has the right to invade that home.

I read amendment IV of the Constitution:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

It is my understanding that the bill recommended by the Senator's committee provides that there shall be no wiretapping unless it is authorized by a court after the presentation of ample testimony to establish that there is probable cause that a crime is in the process of being committed or has been committed.

Mr. McCLELLAN. The Senator is absolutely correct. We drafted the bill so as to stay within the guidelines of the Berger decision and meet the requirements of the Constitution.

The Constitution says free from unreasonable search. However, it is not reasonable, and it was never intended for any man to be secure in his home while committing a crime against society or against his fellowman. Therefore, there is a provision for a lawful search and a lawful seizure under an order of the court.

Mr. LAUSCHE. And a lawful tapping of a wire under the orders of a court.

Mr. McCLELLAN. The Senator is correct. That is what we seek. If we can go into a man's home and search his papers, we may find confidential papers that have no relation to a crime. We may listen to a telephone conversation and hear a conversation that has no relation to a crime. However, nobody would be interested in that type of material.

The idea that policemen would spend their time trying to get a little scandal on somebody is absurd. It would take a lot of time and cost a lot of money.

This is a process that requires real effort, and it can be done under this bill only pursuant to a court order.

Wiretapping is being practiced promiscuously today. Private detectives are tapping wires and are invading the privacy of homes under existing law, and nothing is done about it.

Mr. LAUSCHE. Will the proposed legislation prohibit that practice?

Mr. McCLELLAN. It would absolutely prohibit that practice. And it would provide for a fine of up to $10,000, as I recall, and 5 years in prison. This measure would tighten up the existing law and protect the law-abiding citizen. In addition, the bill authorizes the recovery of civil damages.

Mr. LAUSCHE. The Senator has said that someone made a proposal to have a clean bill as recommended by the administration.

Mr. McCLELLAN. That is what is being referred to as a substitute, I understand, and it is to be offered tomorrow for the bill recommended by the Subcommittee on Criminal Laws and Procedures.

Mr. LAUSCHE. That will be a substitute in accordance with the recommendation made by Ramsey Clark?

Mr. McCLELLAN. I would think he has had a lot to do with it. I would suspect that the bill was drafted in the Department of Justice.

Mr. LAUSCHE. The bill contemplates reinstituting the ancient law of the United States which has been in existence practically since 1787 that the only test of the admissibility of a confession in a criminal proceeding shall be the ascertainment of whether the confession was voluntarily made and was free from threats, coercion, or intimidation.

Mr. McCLELLAN. That is what we seek to do. I have referred to the 14-year-old boy in Oklahoma who was released last week. The boy was acquitted on the basis of the Miranda decision.

As I recall the facts, the man had three sons. The three sons were taken down to police headquarters. They had consented to the taking of a lie detector test.

The father said: "Before they take the test, I want to talk to my boys." He took them off to another room where they talked by themselves. In a few moments he came out and said to the officer: "Bruce wants to tell you something." Bruce then said that he had shot his mother, claiming that it was accidental. He then said that to keep her from suffering, he had shot her nine more times with the rifle. Then, to cover up his crime, he set the place on fire and burned it down. He went free. Why? I do not know what he said to his father when he was in the room with him, but obviously the father knew.

That was a 14-year-old boy. That decision would apply in the case of a man who had been convicted a dozen times.

Mr. LAUSCHE. It would apply in the case of the worst criminal imaginable.

Mr. McCLELLAN. The Senator is correct. That is today the law of the land, if the Supreme Court continues to prevail.

People say it would be unconstitutional. We hear that argument. I do not know whether it would be unconstitutional. If I thought it was unconstitutional, I would not press for it. I believe in paying respect to the Constitution.

The judge who tried that case said that in his opinion the Supreme Court had not amended the Constitution by that decision.

I take this position: Let us try. Let the legislative branch of the Government meet its responsibility according to its conscience. Let us pass the law, and let the judge who is trying the case, off to himself and apart from the jury, hear all the testimony with respect to the confession. If he concludes it was not voluntarily made, the jury will never hear about it. That is one safeguard. If he concludes that it was voluntarily made, then he will submit it to the jury. There is a second safeguard, because the jury will be instructed to give it only such weight as they believe it is entitled. That is as fair as you can be and at the same time protect society.

The idea of having a lawyer present before you can ask a man a question about whether he has committed a crime is taking absurdity to the extreme.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. I received a letter today about the case which the Senator has just mentioned. An Ohio citizen asked me, "How can it happen that under these circumstances these culprits have been acquitted?" I tried to relate substantially what the Senator from Arkansas has just said about the impact of the Supreme Court decision.

Mr. President, in my opinion, the Supreme Court has arrogated to itself the power to amend the Constitution regardless of the constitutional provisions. It has concerned itself with protecting the criminal and has completely forgotten the innocent victims of the criminals of our country.

I stand firmly with the Senator from Arkansas in what he is attempting to do.

Mr. McCLELLAN. I thank the Senator from Ohio.

Mr. President, there is greater disrespect for authority in America today than ever before. There is less respect for law and order than ever before.

When we find that the highest court in the land feels free to exercise the license or privilege to overrule the law of the land, not by statute, not by amendment to the Constitution, but simply by court edict, to overrule what has been the law of the land for more than 100 years, simply to satisfy their whim with respect to what they think the law should be, then it is no wonder that civil rights leaders and extremists today say, "We have a right, a moral right, not to obey any law that we disagree with."

If the Supreme Court will not observe the precedents of its predecessors and the law that has been entrenched and riveted into our system of justice for 100 years, if they will not respect it, if they feel a compulsion to change it because they think perhaps it is morally wrong, or for some other reason, then why cannot the citizen who says, "I disagree with the law because it is wrong," do the same?

You tell me those decisions do not contribute to the atmosphere that prevails in this country today, an atmosphere of disrespect for and disobedience of law and order? Of course they do. If you think they do not, ask yourself what has been happening in America today.

I hope every Senator, I hope every American citizen, will read the article I have placed in the RECORD, which appears in this week's issue of U.S. News & World Report, entitled "Is the United States Drifting Toward Anarchy?"

Mr. President, I do not know what will happen to this bill. There will be an attempt to water it down. There will be an attempt to take the teeth out of it. There will be an attempt to soften it so that certain elements in this country will not object—so that we can keep their votes, possibly. But I do not intend to soften it. I do not intend to retreat. I want Congress to meet its responsibility or to have the opportunity to say that it condones, approves, and supports the conditions that prevail in America today. I want to see whether we have the courage and the purpose and the resolve to stand up and be counted and to do something about it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. I wish to whisper into the Senator's ear that the eloquence and the forcefulness and constructiveness of his statement will go unnoticed by any except those who have heard it on the floor.

Mr. McCLELLAN. I thank the Senator for yielding.

MODERNIZATION OF LOAN AND DIVIDEND PROVISIONS OF FEDERAL CREDIT UNION ACT

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1085.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1085) to amend the Federal Credit Union Act to modernize the loan and dividend provisions, which was, strike out all after the enacting clause and insert:

SECTION 1. Section 15 of the Federal Credit Union Act (12 U.S.C. 1761c) is amended by striking out the words "up to the unsecured limit, or in excess of such limit if such excess is fully secured by unpledged shares".

SEC. 2. Section 18 of the Federal Credit Union Act (12 U.S.C. 1763) is amended (1) by striking out the word "or" and inserting a comma in lieu thereof between "Annually" and "semiannually" and by adding the words "or quarterly" after the word "semiannually"; and (2) by striking out the word "five" and inserting in lieu thereof the word "ten".

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 2529. An act to amend the act of September 8, 1960, relating to the Washington Channel waterfront; and

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. CARLSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARLSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. Mr. President, I wish to express my deep appreciation to the distinguished chairman of the Committee on Post Office and Civil Service for the excellent statement he made today with respect to the contents of the bill dealing with postal pay and postal rates.

The chairman was most generous to the members of the minority during several weeks of hearings. We also met several days in executive session. He was tireless in his efforts with respect to the bill. He was most kind and generous with those of us who disagreed with some sections of the bill. I believe that the bill is before the Senate today largely as a result of the patience, the endurance, and the kindness of the distinguished chairman of the committee. It has been a pleasure to work with him.

It is true that there are some areas of disagreement, as there were in committee. We shall no doubt discuss some of them before action on the bill is concluded.

This bill brings me great satisfaction, because for the first time we have been able to bring comparability to the Federal employees.

Mr. President, in 1962 we passed what was known as the Federal Salary Reform Act of that year. I helped to write that legislation and I have been greatly disappointed that through past years we have been unable to raise the comparability pay for employees, postal and classified. This bill reaches that and I shall discuss it briefly.

To make the 6-percent pay increase for our postal employees and the 4.5-percent pay increase for classified, Foreign Service, and Veterans' Administration professional employees effective October 1, 1967, is to make amends to these employees in some small measure for the delay of which they have been the victims for 5 long years.

The Federal Salary Reform Act of 1962 made the solemn promise that "Federal salary rates shall be comparable with private enterprise rates for the same levels of work." We must preserve this principle of comparability of Federal pay with that in private industry, but we cannot do it by contributing needlessly to the lag which exists between Government and industry pay. We are trying to close that gap and we can do it only by making these catchup annual increases available to employees at the earliest date possible. This we have done in this particular legislation.

The President in his message to Congress last April made the admission that to close the comparability gap in 1 year "would require an average pay increase of 7.2 percent." In view of "today's fiscal and economic conditions" the President recommended a 4.5-percent pay increase for civilian employees effective October 1, 1967.

The bill which we bring here today provides a 6-percent increase for postal workers in the first year and a 4.5 percent for classified workers in the first year. The following year postal workers will receive a 5-percent increase and classified workers not less than 3 percent and whatever is necessary to bring them to full comparability.

There is no incontrovertible evidence that economic conditions in this country have so deteriorated or have reached such an acute state of impending national disaster that Congress should fail to live up to the recommendation of the President and to fulfill its own promise of making this 4.5-percent pay increase effective no later than October 1 of 1967.

These official annual statistical surveys have indicated that a certain percentage of pay increase should be enacted. Repeatedly we have scaled this percentage down for one reason or another, always with the implied promise that "this is not the year, but next year we will give you what you deserve." Certainly the time has come to put an end to these broken promises.

Comparison of the pay line based on the 1966 BLS salary survey with actual salaries in 1960, prior to enactment of the comparability principle, shows that a year ago classified salaries lagged behind industry from 2.3 percent in GS-3 to 14.2 percent in GS-15. The gap was not all in the top-most grades. It was 6.6 percent in GS-7, 9.3 percent in GS-9, and 10.5 percent in GS-11.

This meant that in February–March 1966 an increase of 8.2 percent was needed to raise salaries on an average to comparability. Meanwhile, clerical salaries alone in private industry have inincreased an average of 4.4 percent. Since professional and administrative salaries were shown to have increased in greater proportion than clerical pay, the intervening increase during the year since February–March 1966 was estimated as 5.5 percent.

Mr. President, I shall now turn to the other phase of the bill that deals with postal rates. I agree fully with the statement of Postmaster General O'Brien who said this was the most complex postal rate bill ever submitted to Congress. Again I commend the distinguished chairman of the committee for his untiring efforts in bringing this bill to the floor of the Senate. It is a real achievement and represents one of our most difficult proposals.

I have always felt that the Post Office was a public service operation. I have never shared the view of those people who are concerned about the operation from a fiscal standpoint.

I stated earlier this afternoon that the deficit in the Post Office was $1.2 billion.

I further stated that with these increased rates and the increased pay we are voting in the pending bill, that on a 3-year phase, which is the rate extended in this bill on postal rates, and the pay bill, that the deficit on June 30, 1970, will be $1.2 billion.

I firmly believe that and I have no doubt, based on past experience in the Department—and this was not the fault of the Department, it is a factual situation—that will prevail. I am not greatly concerned about it because I feel the Department is the one public service operation of our Federal Government.

For that reason I am hopeful that while we increase these rates it will make an effort to reduce them for it is still a public service operation for our people.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. MONRONEY. In that figure of $1.2 billion the Senator is not deducting for the well-established public service allowance which is today running $620 million, is he?

Mr. CARLSON. No.

Mr. MONRONEY. It would be $1.2 billion minus $620 million in public service.

Mr. CARLSON. The Senator is correct. I did not mention that allowance.

Mr. MONRONEY. The public service feature is over $600,000. We could eliminate the necessity for that by discontinuance of rural free delivery, which we did not do, or discontinuing fourth- and third-class post offices and several other statutory public service exceptions, and those services which have features for dissemination of nonprofit newspapers and magazines, and books which are charged to public service.

Mr. CARLSON. The Senator is correct and I am sure he would agree those are items we would not want to in any way place a charge on which would require full payment.

Mr. MONRONEY. So the net deficit is after deducting $620 million. With the increase in mail, the public service cost goes up because more mail is being delivered to more places, in rural areas and elsewhere.

While the figures sound large overall, when one considers that this is a deficit of $620 million, we will see by considering $6 billion-plus the total expense of operating the Post Office and 82 billion pieces of mail a year, which is going up at the rate of 5 percent, one gets to a percentage of operation loss that is not excessive considering the vast volume of mail being distributed and the vast cost of human labor and the tremendous number of things that have to be done by a pair of hands and a pair of eyes that sort and handle these pieces of mail a great many times between the time it is mailed and the time it is delivered.

As much as I want to see us on an even balance and in the black, we will be a half-billion dollars in the black after the first year's operation and we will drift, after the other two pay increases, to a deficit not as large as we experienced this year.

Mr. CARLSON. I fully agree with the statement just made by the distinguished chairman of the committee.

The VICE PRESIDENT. Will the Senator yield for an appointment by the Chair?

Mr. CARLSON. I yield.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, under the provisions of Public Law 74–170, appoints the following Senator to attend the Interparliamentary Union meeting, to be held at Rome, Italy, on December 3–9, 1967: Senator Moss.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the text of the bill (H.R. 2275) for the relief of Dr. Ricardo Vallejo Samala, with an amendment, in which it requested the concurrence of the Senate; and that the House agreed to the amendment of the Senate to the title of the bill.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 936) making continuing appropriations for the fiscal year 1968, and for other purposes, and it was signed by the Vice President.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. CARLSON. Mr. President, we have before us this bill in which there were disagreements. I shall discuss them briefly. Tomorrow I shall offer an amendment which is at the desk and has been printed in regard to the mailing of literature by nonprofit organizations; such as, veterans' organizations, church organizations, labor organizations, and some rates on third-class mail.

Mr. President, one of the most heartening things to me in my almost 20 years of experience on the Post Office and Civil Service Committee, two of which I had the pleasure of serving as chairman, was in seeing the growth of what I believe is the national press of the country—magazines. Magazines are the only medium of communication in the print field that are nationally circulated and provide a truly national point of view. This country has a magazine press that is unequaled in any country in the world.

Several years ago, the Canadian Government discovered to their chagrin that they also needed a magazine industry comparable to ours and appointed a royal commission which studied the problem over a several-year period, issuing a report emphasizing the need for government programs, subsidies and penalties, to insure the development and continuance of Canadian magazines which would present a Canadian point of view. We can be thankful that we already have such a system of communications which has, in large part, been the result of wise Government policy towards postal rates for second class.

I get very discouraged with those who argue that magazines are not paying their way and should pay more. The fact is that if there is any subsidy for magazines, it is a subsidy for readers and not for publishers. Publishers offer magazines to subscribers for prices which permit the maximum readership. If publishers were required to pay their fully allocated cost as some advocate, the price of subscriptions would rise to the point that many readers could not afford the magazines they now read and enjoy. I think that would not be in the best national interest.

As example of the value that Government places on magazines, I would like to point out a statement that Postmaster General O'Brien issued last July when he announced the publication of the first issue of Postal Life, a magazine for the Nation's 605,000 career postal employees. This is a periodical which is sent on a bimonthly basis to the home of each career employee. In announcing the publication, the Postmaster General said:

> We feel that our postal community . . . ought to be served by its own journal. Our objective is to promote understanding among all parts of the postal establishment and to emphasize everyone's share in our responsibility to provide the best possible mail service.

Other agencies of Government also utilize the magazine form effectively. The U.S. Department of Health, Education, and Welfare offers a monthly publication called American Education for which it sells subscriptions. It also offers a bimonthly journal called Welfare in Review and monthly publications such as Aging for Older Americans and Pace discusses creativity in education. The Public Health Service publishes a monthly journal called Public Health Reports, all of which are designed to serve a magazine purpose for magazine readers and published by the Government.

The Post Office Committee has approved a rate schedule for second class which we believe is equitable and which will continue the valuable policy of promoting the growth of readership of printed matter in America. The committee has wrestled long and hard on this subject and we feel that the rate schedule in this bill for second class is one which will not stifle the growth of communications through magazines.

CONTROLLED CIRCULATION POUND RATES

Mr. President, in view of the fact that there is no minority report on the bill, I wish to clarify comments in the report with reference to controlled-circulation publications. It is not my intention now to introduce an amendment to restore the 15-cent pound rate proposed by the Post Office Department and passed by the House. It is my hope that this rate will be restored in the conference with the House, but there could be some conclusions drawn from the report which I feel that the legislative history on this bill should clarify.

There are two types of controlled-circulation publications: Some do not pay as much postage as 3.8 cents per piece. Thus matter which is mailable at the third-class rate has been changed to the 1-cent minimum existing for controlled. The bill adjusts for this situation by raising the per-piece minimum to 3.8 cents. Included in this category are shopping guides, many of them addressed "occupant," and external house organs. The 3.8-cent-per-piece minimum has been appropriately phased over 3 years in the bill.

The other type are those which pay in excess of 3.8 cents minimum now, and are actually averaging 10.485 cents per copy, whereas the Department says it costs 9.1 cents to handle them. They are primarily industrial, scientific, and technical publications sent upon request of the recipient without charge by the publisher to persons qualified to receive them in specific industries. Steel magazine, for example, is not available, even for a subscription price, to a bakery executive. It is sent only to management personnel actively employed in the steel industry.

The reason that business publications of this type pay 10.485 cents per piece is that they have to pay the same 13.5 cents per pound postage rate on their editorial content as they do on their advertising, and the same statistics show that the average editorial matter in outstanding publications like Steel or Iron Age, which are controlled circulation, is 46.5 percent. This is practically the same editorial content as appears in second-class business publications, which have 47.1 percent editorial content for which they pay 2.8 cents per pound postage.

Now, obviously, there is a difference between controlled-circulation magazines and third-class matter. The controlled-circulation magazines are usually requested by the recipient; third-class matter is not so requested. There is 46.5 percent editorial content in controlled-circulation magazines; third-class mail is advertising mail exclusively. Thus nothing is to be gained by seeking to establish a 16-cent pound rate so that the controlled pound rate and the third-class pound rate are the same 16 cents rather than the 15 cents as proposed for controlled by the Post Office Department.

What we ought to be concerned about is whether or not controlled-circulation publications subject to the pound rate are paying their fair share of postage; and they are. Therefore, they should not be increased more than the Department requested, which is from 13.5 cents to 15 cents per pound.

I think we have gone too far in establishing a 16-cent-per-pound rate and am hopeful that when we get to conference, the 15 cents proposed by the Post Office and approved by the House will come back to the Senate.

MACHINABILITY OF MAIL

Mr. President, there has been considerable testimony and discussion during House and Senate consideration of this legislation about nonmachinable, or odd size, or nonstandard mail. The Postmaster General testified before both the House and Senate committees as to the need for procedures to obtain more standardization, and thus greater "machinability" of mail. Both committee reports have explicitly referred to this matter by urging an in-depth study of all aspects of standardization in which the Department, the Congress and industry would participate.

But, it seems to me, there is one question which is unresolved, or at least ambiguous, at this final stage of the legislation. I refer now to bulk third-class mail only and the specific question of whether the Department intends to proceed by administrative order to regulate what nonstandard mail can and cannot qualify for bulk third-class rates, or whether the Department will await legislative direction by the Congress.

I recognize that the House and Senate reports recommend legislative action prior to any administrative action. And Congressman OLSEN has already started hearings on standardization in his subcommittee. But the Postmaster General indicated in his Senate testimony that he intends to go forward with a proposed regulation on nonstandard bulk third-class mail. And, as recently as Tuesday, November 21, Assistant Postmaster General Nicholson stated unequivocally at an industry meeting that the Department would develop a proposed regulation early in 1968 and probably promulgate it for comment and review sometime in the spring. The regulation would then become final later in the year. Clearly Mr. Nicholson does not intend to await congressional hearings and legislative direction.

This I think is unfortunate, as the affected industry is entitled to better consideration than this.

The Senate committee report recognizes the authority of the Postmaster General to proceed by regulation in this area. But it, as well as the House committee report, recommends that the Postmaster General withhold exercise of this authority until the Congress has acted.

I would hope that no proposed regulation will be promulgated unless and until the Congress has acted.

Mr. President, again I want to state that it has been a real pleasure to have served with the distinguished chairman and the other members of the committee in bringing this most complex piece of legislation to the floor of the Senate dealing with postal rates. It is one of the finest pieces of legislation we have ever passed for the Federal workers of this Nation, because we have brought comparability to the legislation for the first time in our Nation's history.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. MONRONEY. I want to express my appreciation for the almost 100-percent attendance during the entire period of the markup that we were fortunate to have. The minority members were there in full attendance, as were the majority members, on almost all occasions. We worked early and worked late, having in mind that time was of the essence. We wanted the Senate to be able to take up the bill so that we would have enough time for a conference in order to get both Houses to approve it and get it signed by the President.

I was happy that, through cooperation, we were able to fix an October 1 retroactive date. Our target is that the benefits of the pay increase will go into effect for the pay period preceding Christmas, so the men who bear the brunt of the Christmas rush in their appointed rounds will feel that a grateful country appreciates the trustworthy, efficient, and loyal dedication to their duties by the many who, day in and day out, in many menial tasks, do not have quite the opportunity that people in private industry or even in the classified service have.

The classified employee will also receive a pay increase of 4.5 percent, with the same retroactive date.

Beyond that, I may say that the distinguished ranking minority member of the committee, and all the minority members of the committee, as well as the majority members, unanimously were anxious to incorporate what I think is one of the most important titles in the bill, and which was the least controversial. That is the establishment of a more realistic life insurance program. We tried to do it twice previously, but, unfortunately, the measure ran into a Presidential veto due to the costs involved.

By unanimous action, we were able to provide in the bill a means of security for the widows and children of young men who have sacrificed social security benefits and dependent child care available under that program, by a provision under which the Federal employees will have available the benefits of protection to a greater extent than they would now have in the event of untimely death of employees who died within the first 6 or 7 years of their employment. Such survivor benefits for the younger postal workers are now inadequate as compared with the kind of social security benefits that would flow to the bereaved dependents under that system. I think this is a great forward step.

When we consider that it took about 7 months from the time of the reconvening of Congress in January to get this bill to the stage it was in at that time, when we consider the normal mortality of legislation, with nearly 3 million Federal employees involved, we know there would be a tremendous loss of benefits that these employees would be entitled to with the effective date taking place sometime early in December.

So I want to express my appreciation for the wisdom of the members of the committee in going into these matters so well.

I am deeply grateful for the total cooperation we have had, and laying politics aside, in getting, first, the money to pay for the benefits, and, second, the comparability principle that we promised so long ago, with its beginning effects.

Without the cooperation of the members of both parties, we would not have been in this position.

We had the greatest assistance from the former chairman of the committee [Mr. CARLSON], who formerly ran that committee with great ability and great consideration, in considering the income and the necessary wage cost. He contributed a monumental portion of the task of the committee which, I think, resulted in a bill that raises more money with less pain than any postal pay raise bill we have had.

The Senator from Kansas [Mr. CARLSON] and I served together in the House. He was a member of the House Ways and Means Committee under the chairmanship of Representative "Muley" Doughton, who said that the best tax bill we can have is like picking a goose to get the "mostest feathers for the leastest squawk."

Under this bill, the direct mailers will pass the additional cost on to their advertisers. The direct mail industry does not get hurt. Instead of sending out 10,000 pieces of mail, they may send only 9,000, without spending any more money, and perhaps not angering so many people. This takes care of a large portion of the nearly $1 billion increase in revenues.

I go back to the first-class mailers, who pay 6 cents instead of 5 cents. For that, however, instead of delayed mail, they will get faster delivery of mail. They will get for 6 cents the equivalent of what is now 8-cent mail, and which, when the bill is passed, will become 10-cent mail. I think the equities of the bill would show that it is a good Christmas bargain for the classified and postal employees as well as the Post Office Department and the public.

Mr. CARLSON. Mr. President, I just wish to conclude by stating that it has been a real privilege to work with our distinguished chairman of the committee. Our associations go back many years, to the House of Representatives, where we had cordial relations and great cooperation between the States of Oklahoma and Kansas, as far as the House leadership was concerned. It has been a privilege to serve with him in the Senate these many years.

This bill, in my opinion, is a milestone in Federal employee legislation, and it is a milestone also in postal legislation. At the same time, we will have some problems in future years.

I was pleased that the distinguished Senator from Oklahoma mentioned the insurance provision of the bill. I think that is one of the fine features of the bill. We tried, as the distinguished Senator well knows, to write such a provision into bills on two previous occasions, and they were vetoed. We have written into the bill a section which I hope will not run into that difficulty, so that our Federal employees will benefit, because it is all inclusive.

I yield the floor.

The VICE PRESIDENT. The bill is open to amendment.

AMENDMENTS NO. 471

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendments No. 471.

The VICE PRESIDENT. The clerk will state the amendments.

The legislative clerk read the amendments, as follows:

> On page 142, strike out lines 12 to 22, inclusive.
>
> On page 142, at the beginning of line 23, strike out "(c)" and insert in lieu thereof "(b)".
>
> On page 135, line 13, strike out "and (b)".
>
> On page 135, line 21, strike out "224(c)" and insert in lieu thereof "224(b)".

The VICE PRESIDENT. Does the Senator ask unanimous consent that the amendments be considered en bloc?

Mr. WILLIAMS of Delaware. Yes.

The VICE PRESIDENT. Without objection, the amendments will be considered en bloc.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

The amendment is simple. It strikes from page 142, lines 12 to 22, inclusive.

The sole purpose of the inclusion of those 11 lines in the bill is to provide an increased retirement annuity for one individual, a former Member of Congress. In my opinion the bill before us was intended to be a postal rate increase and pay raise bill. It is not a bill in which such a provision as I propose to strike should have been included in the first place, even if there were merit to the proposal, a point which I question seriously.

Under existing law this one individual, a former Member of Congress, upon his retirement from his present position would be eligible for retirement benefits in the amount of $18,000 a year. Certainly that is not a bad retirement annuity in any language. But under the language of the bill the retirement annuity of this individual would be raised to $26,400, an annual increase of $8,400.

Mr. President, I ask unanimous consent that excerpts from a letter dated April 15, 1966, from the Civil Service Commission, commenting upon this subject, and a letter dated November 27, 1967, also from the Civil Service Commission, be printed at this point in the RECORD. They confirm the point I have just made.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

EXCERPT FROM LETTER OF APRIL 15, 1966

Present law limits Judge Kilday's annuity benefit to 80% of the $22,500 yearly salary in effect when he left Congress. Section 505(a) of H.R. 14122 amends the law to limit the basic annuity benefit to 80% of final pay received (now $33,000) for his service performed after leaving Congress, as a Judge of the U.S. Court of Military Appeals.

If Judge Kilday completes his term which expires on May 1, 1976, his rate of annuity under present law will be about $1601 a month. Section 505(a) of H.R. 14122 would provide him an annuity of about $2304 a month.

U.S. CIVIL SERVICE COMMISSION,
BUREAU OF RETIREMENT AND INSURANCE,
Washington, D.C., November 27, 1967.
Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: This is in response to your telephone inquiry of today asking what effect an amendment contained in H.R. 7977, pending pay legislation, will have on the future annuity of Honorable Paul J. Kilday. The information in this letter is in response to your specific request and is for your official use as a Member of Congress.

On September 24, 1961, Mr. Kilday retired as a Member of Congress, and on September 25, 1961, he became a Judge of the United States Court of Military Appeals. When he leaves the Court, his annuity will be computed to include his service as Judge, and the computation will be based on a high-five average salary which will include salary received as Judge. However, under present civil service retirement law, Judge Kilday's annuity benefit may not exceed 80% of the $22,500 yearly salary which was in effect when he left the Congress. Section 224(b)(1) of H.R. 7977 would amend the retirement law to fix the maximum basic annuity benefit at 80% of the final pay received (now $33,000) for his Judge's service.

While this analysis relates only to Judge Kilday's case, the amendment would also apply to any other former Member of Congress meeting the requirements specified therein.

The policy position of the Commission is that this provision of H.R. 7977 would correct an unintended restriction on the basic annuity of a former Member of Congress, the proposed change has merit, and we would not object to its enactment.

Sincerely yours,
ANDREW E. RUDDOCK,
Director.

Mr. WILLIAMS of Delaware. I shall quote from the letter signed by Mr. Andrew E. Ruddock, Director of the Bureau of Retirement and Insurance, Civil Service Commission, under date of April 15, 1966:

> Present law limits Judge Kilday's annuity benefit to 80% of the $22,500 yearly salary in effect when he left Congress. Section 505 (a) of H.R. 14122 amends the law to limit the basic annuity benefit to 80% of final pay received (now $33,000) for his service performed after leaving Congress, as a Judge of the U.S. Court of Military Appeals.
>
> If Judge Kilday completes his term which expires on May 1, 1976, his rate of annuity under present law will be about $1601 a month. Section 505(a) of H.R. 14122 would provide him an annuity of about $2304 a month.

It is clearly pointed out that under present law the maximum annuity that this former Member of Congress could obtain would be $18,000 a year whereas the provision I propose to strike out would raise the annuity to $26,400 a year, an annual increase of $8,400.

I realize that we have just passed Thanksgiving and that we are approaching the season of Christmas, but this is not the period or the time, particularly in light of the budget conditions under which the Government is operating, to provide what in effect would be a $100,000 Christmas present for any one individual, even though he be a former Member of Congress.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. If a House employee were offered a better job in an executive department because of his competency or because of his special understanding of a particular subject, and he moved from a salary of $10,000 to a salary of $20,000 a year, he would be entitled to the higher retirement benefit if he were paying into the retirement fund accordingly, as Judge Kilday has done, would he not?

The retirement annuity in the civil service is based on the employee's 5 highest years' earnings, and congressional retirement is based upon the same principle. The employee pays the same amount, and he receives benefits based on the 5 highest years' earnings. If he had been an employee of the House and received a salary one-third higher in the executive branch, he would be entitled, as an employee, to enjoy that increase. The Government would not lose that money. It would be paying the same percentage into the fund. The employee would be entitled to his rights in the retirement fund, because he would still be working for Uncle Sam.

Mr. WILLIAMS of Delaware. Mr. President, I reply that if a man is working for the Government, whether he be a Member of Congress or a man employed in the executive branch, if he leaves that job to accept a position at higher pay he takes into consideration at the same time any change that that action may effect in his retirement benefits.

Mr. MONRONEY. He could have it go up as well as down.

Mr. WILLIAMS of Delaware. Representative Kilday knew exactly what the retirement law was when he accepted the position. He received an increase in salary of several thousand dollars more than he had been getting. He also realized that under the law applicable then as well as today, the maximum retirement benefit he could receive would be 80 percent of his highest congressional salary, just as a man who leaves Government and goes out into private industry. He too accepts changes in retirement benefits.

I am only quoting the Civil Service Commission when I state that this provision affects, as far as it knows, but one man in the entire United States.

Certainly, out of 2,900,000 Federal employees we should not single out one man to give him something to which he was not entitled under existing law. He accepted his appointment knowing that he was giving up certain rights, perhaps, in another area, but to offset this he was paid a higher salary.

When this matter was first brought to the attention of Congress a few years ago, I offered an amendment to delete it from the bill. At that time the identical provision was deleted from the bill when it was in committee, of which the Senator from Oklahoma was a member.

It was my understanding that at that time the proposal was not supported by the administration. Today the administration is supporting the proposal, but it does not make any difference to me whether it did or did not support it then or whether it supports it or is against it now. As I have stated, I think it is wrong. Regardless of whether the man is a former Member of Congress and regardless of the fact that he comes from the great State of Texas, as much as I respect both of those circumstances, he is entitled only to the benefits provided under existing law, and as far as I am concerned I shall vote against this $100,000 Christmas present for one individual employee.

Mr. MONRONEY. Mr. President, I think the Senator is indulging in a form of rhetoric which ill becomes him. This is an automatic privilege of other employees; why should Senators and Representatives have benefits less liberal than those we extend to others? If an employee downtown with 20 or 30 years' service, we will say, at a salary of $10,000, gets himself elected to Congress, he comes up here and participates in the congressional retirement program; but he would also receive the benefit, under the regularly established civil service retirement system, which parallels, largely, our congressional retirement, of credit for his previous years of Government service, with his service downtown added to his service up here.

We are doing no more, at all, for Judge Kilday than we would be doing under similar circumstances for an ordinary employee. I do not see why Members of Congress, though we do enjoy certain privileges, should be discriminated against here. This is certainly not a Christmas present because he has paid in the full amount for all of his service. If he had stayed in Congress, he would have been paying in the same amount, and would have had the salary of $30,000. He moved downtown where, because of his great expertise in military affairs—he served as ranking minority member of the House Military Affairs Committee—he certainly was an apt and just choice of the President for his present high office of military justice.

I believe the existing law is discriminatory against him, and I think the distinguished Senator from Delaware is intentionally seeking to discriminate against a former Member of Congress, who is entitled to equity the same as any of the other 2 million-plus Federal employees.

The reason we did not accept the amendment before was because we had never heard of it. This time, it was discussed at length in the committee, and received overwhelming support.

Mr. WILLIAMS of Delaware. If the Senator will yield, the committee did accept my amendment a few years ago and deleted that section from the bill.

Mr. MONRONEY. That is right, because we had had no discussion on the matter except on the floor.

This time, we had the report from the Civil Service Commission official in charge of the retirement benefits, we learned the facts, and the approving vote was substantial.

Mr. WILLIAMS of Delaware. I have already stated that the administration today supports it, although I understand that the first time it did not.

Mr. MONRONEY. The bipartisan committee also supported it, after learning more about it. Obviously, we did not previously accept a floor amendment that we knew nothing about. That was the reason it was previously deleted, to provide an opportunity for further study. On further study, we found it was completely justified.

We are only giving a former Member of the House of Representatives, whose abilities qualified him for another job, the same rights he would have enjoyed if he had stayed on in Congress.

Mr. WILLIAMS of Delaware. The committee bill is giving the man something he cannot get under existing law. If the law is changed as the committee proposes it is worth an additional $700 a month in retirement benefits to him.

Why seek out this man for special treatment? We have a lot of other worthy people, if we want to single people out and amend the retirement system in their favor, who will be retiring at much less than $18,000.

Based on a life expectancy of 12 years after retirement this $8,400 increase will be worth about $100,000.

Lest the record be confused, I add that had Judge Kilday stayed in Congress until today, until 1970, or until 1980, he could not have drawn $26,400 a year in retirement benefits under the Congressional Retirement Act. With 40 years of congressional service he could draw but 80 percent of his highest 5-year average salary; he could not reach this proposed amount of $26,400. In addition to that, he would have been contributing more. Under this bill he draws more by going downtown than if he had stayed in Congress, and much more than he could receive under the present law, yet he will be contributing far less to the retirement fund.

I am not trying to discriminate against anybody; but certainly opposing giving $100,000 to one individual does not mean you are trying to discriminate. After all, let us remember, there are 100 million taxpayers in this country, and they, too, do not want too much discrimination against them.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, the distinguished Senator from Delaware pitches his case upon the fact that the rights of only one man are affected.

I say that the rights of one man are important in a democracy, in a government of laws and not of men, and the rights of that one man should be cherished in the legislative branch as well as in the courts.

There are 2,900,000 employees in the executive department of the United States; and 2,899,999 of them are entitled to retire at 80 percent of their salary for their highest 5 years.

There is just one man out of that 2.9 million who cannot retire at 80 percent of his highest pay for 5 years. And he happens to be Judge Kilday of the Court of Military Appeals. I say that he should be treated exactly like the other 2,899,999 employees of the executive department.

That is the substance of the provision. He is discriminated against in the law. All the measure does is to bring him up to the level of the others and to afford him equal treatment with the others in the executive branch.

The Court of Military Appeals is not a branch of the judiciary. It is a branch of the executive department. It is under the Defense Department.

That court was created as a result of protests from World War II concerning courts-martial. At the completion of World War II, there were 16 million men in uniform. That court passes on court-martial appeals. The members of the court are all civilians. They are not judge advocates. There is an appeal from the Defense Department.

This man is in the employ of the executive department. This provision came before our committee last year. It had been approved by the House. However, when it came before the Post Office and Civil Service Committee it was said: "Let us put it off until next year. We have had no time to study the matter."

We placed the provision in the bill this year because we have had an opportunity to study it. The measure was reported from the committee by the unanimous vote of every committee member, Democrat and Republican. The provision was not drafted to apply to this one man. It would apply to any Member of Congress who subsequently goes to the executive department after having been a Member of Congress for a while.

I think that when the Constitution provides that Congress should be a coequal branch with the executive, it means just that. That is the only way that we will have a democratic government. If the Congress does not make itself a coequal branch, it will end up as an appendage dangling from the executive.

I marvel when I see the bills that are sent here by the administration with the message that we should pass them. It is our job to pass bills. However, we have a mere 5,000 employees, and the executive department has 2.9 million employees.

The erosion of power comes about because of the inaction of Congress. Congress refuses to use the power. It gives vast power to the executive.

Here again the amendment offered by the distinguished Senator from Delaware would kick down a former Member of Congress to something lower than the 2.9 million employees of the executive branch.

I think that a Member of Congress is entitled to equal treatment with employees of the executive branch.

The amendment of the distinguished Senator from Delaware would take that man from under the protection afforded by the bill and make an ex-Member of Congress something lower than the 2.9 million employees of the executive branch who had not served in Congress. Members of Congress would not have equality of treatment with employees of the executive branch.

Let me give an example. This man can draw only $18,000 a year maximum retirement, regardless of how long he served. He was a Congressman for 22 years and 8 months. He has been there more than 6 years. I have a letter addressed to me by the U.S. Civil Service Commission under date of November 28, 1967, giving an example of this kind of discrimination and how it works.

We can have an employee here as a congressional employee, working in our office or for a committee for 25 years. Then he can go to the executive branch and work 6 years for a salary of $27,000. And that is not a high salary in the executive branch. That would be a high salary for our employees here, but not downtown.

That man could get a GS-18, and many of them do. The Senators know how the executive branch bleeds our competent employees away from us. If that man goes downtown to the executive branch and works for 6 years at a salary of $27,000, level 4, his retirement would be $18,765 a year.

Our congressional employees could go downtown and work 6 years under the executive department and draw more retirement than a man would draw after having spent 20 years in Congress.

A letter carrier with 30 years' seniority, not having received more than $7,000 a year, could get a job under the executive branch for $30,000 a year for a 10-year period, and he would have an annuity of $27,620 a year, computing his executive annuity on the 5 highest years. He would be paid far more than would a former Member of Congress who had served here for one-fifth of a century, more than 20 years, as Judge Kilday did.

Rank discrimination is practiced under the law against former Members of Congress.

All the committee proposal does—and it was reported unanimously by both Republicans and Democrats—is give an ex-Member of Congress equal treatment with those employees of the executive department, with those 2,900,000 people.

I have a letter addressed to me under date of October 12, 1967, from Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission.

The letter reads:

> This is in response to your request for my views with respect to a proposed amendment to pending pay legislation which would authorize payment of future annuity to Honorable Paul J. Kilday at a rate higher than is permitted by existing law.
>
> On September 24, 1961, Mr. Kilday retired as a Member of Congress, and on September 25, 1961, he became a Judge of the United States Court of Military Appeals. When he leaves the Court, his annuity will be computed to include his service as Judge, and the computation will be based on a high-five average salary which will include salary received as Judge.
>
> The problem is that current law limits his annuity to 80 per centum of the final salary he received as a Member of Congress. Section 505(a) of the bill H.R. 14122, 89th Congress, as passed by the House of Representatives on April 6, 1966, contained language which would have authorized future annuity up to 80 per centum of his final salary as a Judge.

That bill was passed last year. When the measure came to us, due to the shortness of time, we had not studied the matter. We struck it out. We have studied the matter this year, and the committee unanimously voted in favor of this provision.

I continue to read from the letter:

> In testifying before the Senate Committee on Post Office and Civil Service on April 20, 1966, I expressed the view that this provision of H.R. 14122 would correct an unintended restriction on the basic annuity of a former Member of Congress, that the proposed change has merit, and that we would not object to its enactment.
>
> My position has not changed and I would not object to approval of this item at this time.
>
> Sincerely yours,
>
> JOHN W. MACY, Jr.,
> *Chairman.*

I have other examples here. There are people who serve for less pay and perform less arduous duties, and because they are in the executive department they end up with a higher annuity. The law should provide that we should treat ex-Congressmen who go into the executive department the same as we treat other people.

We will not have Congress treated as a coequal branch of the Government unless we are willing to treat ourselves as being equal with members of the executive department.

I think this effort to downgrade Congress should end.

I shall support the bill reported by the committee because it is just. If only one man is being discriminated against, we should end that discrimination. The chairman said that this was unintended in the law.

If we do not get equal rights with the 2,900,000 employees of the executive department, that is more reason to pass the bill.

Merely because only one man is being discriminated against is no reason not to vote for the measure. We should provide justice even if it be only for one man. Surely justice should be done to everybody, even if only one man is involved.

There might be others in the future. There could be others in the future. It could be me or the Senator from Delaware.

This measure has had the unanimous support of the committee. We put it off for a year. The House already passed the measure.

I urge the Senate to support the committee on this measure.

Mr. WILLIAMS of Delaware. Mr. President, I will delay the Senate for only a few minutes.

Much has been said about discriminating against this man because he is a former Member of Congress. That is absurd.

I call attention to the fact that under the existing law, based on the existing salary schedule, no Member of Congress can collect in excess of 80 percent of his salary, regardless of how long he may have served or how much he may have contributed to the funds.

Our congressional annuities are based on 2½ percent per year. It would take about 32 years of congressional service for a man to reach a retirement maximum of 80 percent.

I cite the case of our good friend, the senior Senator from Arizona [Mr. HAYDEN], who has served in the Congress for 50 years. He still contributes into the fund even though he reached his maximum benefits years ago, but we are not changing that provision.

All congressional Members are under this restriction as to maximum benefits. That is the law. We are not changing that.

In addition, it has been argued that a man downtown can count 40 years in determining his retirement credit whereas Members of Congress cannot count but 32 years. That is because a Member of Congress does not need 40 years to reach the 80 percent. He reaches the 80 percent at 32 years of service. Downtown, regular employees must compute the first 5 years at 1.5 percent, 5 years at 1.75 percent, and the other years at 2 percent; thus it takes 40-some years for a man in the executive branch to reach the 80-percent maximum.

In this case we have a former Member of Congress who was contributing to the retirement fund on the basis of the 7.5 percent of his salary, which is a higher contribution into the fund, and he goes downtown and moves immediately into the 2-percent bracket without going through the lower stages with which every postal worker and every other civil service retirant must comply.

Mr. LAUSCHE. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The point is well taken. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, the committee proposal would amend the retirement law so that this one man can use the benefit of the higher wage base downtown but use the benefit of the higher formula in Congress. The committee bill would allow him to use the maximum benefits of each retirement system, put them together, and walk out with a $26,400 retirement. The maximum retirement which any Member of Congress can receive today, assuming that he serves continuously for the same period of time, would be $24,000. Yet, this man would draw $26,400. There is a $2,400 discrepancy on that point alone; and I ask, how can such special treatment be justified?

Had he served this same number of years in Congress he would have paid more into the retirement fund than he has by serving downtown but collected less retirement benefits than provided for in this committee bill.

The Senator from Texas argues that the adoption of the committee amendment would provide equity. If that is what is called equity I shudder at what would happen to our Federal budget if we gave that type of equity to all the other government employees.

You cannot escape the fact that the amendment in the committee bill, which a few years ago was opposed by the administration, but which is now supported by it, if enacted would provide for this one man, a former Member of Congress, an increase in his retirement benefits beyond what the existing law at the time he took this job would have provided and beyond what the law provides. The committee would give him a bonus of $8,400 a year in his retirement benefits, and that is quite a Christmas present for anybody, even a former Member of Congress. It is quite a Christmas present even in the great State of Texas.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio.

Mr. LAUSCHE. If the special beneficiary of the provision about which the Senator from Delaware is speaking had served in Congress for the same length of time that he has served in a combined manner in the civil service and in Congress, would he be entitled to the amount that will be given to him if the pending amendment is agreed to?

Mr. WILLIAMS of Delaware. He would not. In addition, during the time of his congressional service he would have paid more into the retirement fund than he has paid where he is now working.

Mr. LAUSCHE. If he served in Congress constantly during the time that he served both in Congress and in civil service, what would be the maximum benefit that he could receive?

Mr. WILLIAMS of Delaware. If he had served in Congress all during that period?

Mr. LAUSCHE. Yes.

Mr. WILLIAMS of Delaware. Based upon the $30,000 salary?

Mr. LAUSCHE. Yes.

Mr. WILLIAMS of Delaware. He could draw a maximum of $24,000 a year when he retires, whether he retires in 1960, 1970, or 1980, under existing law. That is on the assumption he would have 32 years or more of congressional service.

Mr. LAUSCHE. How much would this special beneficiary receive above the $24,000 that the Senator from Delaware or I could have received if we had served the same length of time?

Mr. WILLIAMS of Delaware. Two thousand four hundred dollars a year extra under the committee bill and $8,400 more than under present law.

Mr. LAUSCHE. The next question is, Would he have paid into the retirement fund the same amounts that we are required to pay into the retirement fund to receive the $24,000?

Mr. WILLIAMS of Delaware. Yes, and that would have been more than he has paid in the place where he is working.

Mr. LAUSCHE. No.

Mr. WILLIAMS of Delaware. Yes.

Mr. LAUSCHE. Would he have paid more or less into the fund?

Mr. WILLIAMS of Delaware. Had he stayed in Congress and not accepted the job downtown and assuming he had served in Congress continuously for the same length of time he will be serving downtown, including his projected service, he would have paid more money into the fund, under the congressional formula and would retire on less benefits than he will get under the Senate bill.

Mr. LAUSCHE. The converse is that having paid less money into the retirement fund, he will receive more retirement benefits than the others of us who have paid more money into the retirement fund and who will receive less retirement benefits.

Mr. WILLIAMS of Delaware. That is true.

I do not know of a single combination of factors which could be put together for another man working in Government—a combination of congressional service and regular civil service or all congressional service or all civil service—which would result in the benefits the pending amendment would give to this man.

Mr. LAUSCHE. A further question: If he had remained in Congress, would he have been subject to the dangers of defeat?

Mr. WILLIAMS of Delaware. Surely.

Mr. LAUSCHE. When he was appointed to the judgeship, was he subject to the dangers of defeat?

Mr. WILLIAMS of Delaware. No. In addition, when he took the judgeship—which did carry with it some forfeiture of retirement benefits, if you are going to use this language—he took it at an increase in salary of several thousand per year over what he had been drawing. That was not too much of a hardship. I do not believe this individual has too much about which to complain in connection with the consideration he has received from the American taxpayers.

Mr. LAUSCHE. Is it not true that this individual, who would be the beneficiary of this provision in the bill, wants all the advantages that came to him as a judge and is unwilling to accept any of the disadvantages that attended him as a Member of Congress?

Mr. WILLIAMS of Delaware. If you call retiring a man with full retirement at $18,000 a disadvantage, it is true. However, in my opinion, that is a rather liberal retirement.

As I have pointed out, as to the argument that he may have paid into the fund several years beyond the period which can be counted toward the increasing of his retirement, that is true of all Government officials in the executive branch and in Congress if they serve beyond the time in which they have established their eligibility for maximum benefits.

Today, a Member of Congress is entitled to the maximum benefits after 32 years of service, and the maximum is 80 percent. If he serves for 40 years he pays into the fund for the other 8 years without increasing his retirement benefits. But that is true with respect to 2.5 million Government employees. If they reach their maximum they continue paying into the fund. That is partly what keeps the fund as solvent as it is—although it is not too solvent.

Mr. LAUSCHE. Why do so many Congressmen seek appointment to judgeships, if the appointment to a judgeship carries such inordinate disadvantages and burdens as are claimed for this man from Texas, who is to have the special relief afforded by the pending amendment?

Mr. WILLIAMS of Delaware. I am not aware of a shortage of applicants for judgeships.

Mr. MONRONEY. Mr. President, one sometimes receives a great deal of misinformation on the Senate floor.

My distinguished colleague has spoken about judgeships. Quite often, Senators are appointed to judgeships. I am not a lawyer, so I am not involved. Many Senator and Representatives are appointed. Perhaps we have supplied more than our fair share of legislators who go to U.S. district judgeships. But a man who is appointed to that position, if he is in Congress, is guaranteed a lifetime retirement at $30,000 a year, with no contribution whatever. Not a cent. He gets back all he paid in as a refund under the congressional retirement system.

Therefore, when we talk about judges being favored, this man occupies what is tantamount to the supreme court of military appeals in the United States. It is not connected with our judiciary system. It is the supreme court in reviewing cases of some 3 million or more servicemen who appeal for justice. He was qualified because I served with him, and I know the ability of the man who was the ranking member and chairman of a committee in the House of Representatives. Because of this he was appointed.

His salary was not $33,000 a year. It was $25,500 a year, just $3,000 over his existing $22,500 a year as a Member of Congress. We are now paying $33,000. The Senator from Delaware helped to pass that increase in the 1964 Salary Act. This was congressional action to raise the limits of this salary. For the 2,900,000-plus Federal employees we allow them to count the 5 highest years.

I hope there is talent in the House of Representatives and the Senate and that they will be elevated to Cabinet level and other high positions. This flow back and forth, I think, is important to the solidarity and justice we need on the courts and the understanding we should have.

I think there is no reason in the world not to extend this as a part of the law, not because it applies to the one man, but there will be other cases.

Mr. President, I see no reason to agree to the amendment. I hope the amendment will be strongly rejected. This was the unanimous position of our committee.

(At this point, the Acting President pro tempore assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. How does the Senator justify paying to this man $2,400 more than the position he had if he had stayed in Congress?

Mr. MONRONEY. In the first place, he could have stayed in Congress.

Mr. LAUSCHE. How does the Senator justify paying that?

Mr. MONRONEY. He does not have a permanent job there. This expires after a certain number of years and he has to be reappointed by whoever is president. It is not a lifetime judgeship. We gave freely the $30,000 a year.

I do not think he should be discriminated against. At the time he accepted there was only a $3,000 increase over the salary he received for the position he enjoyed in Congress, but he was called to a job that had this responsibility.

He is paying into this fund. One would think he is not paying a dime. He is paying 6.5 percent as is every member of the executive department. He paid 7.5 percent during his congressional years. That is paid in. I venture to say he paid in a sufficient amount to guarantee amortization on a normal retirement policy.

To roll him back to $20,000 I think is being discriminatory. I am getting a little sick and tired of two or three Members being afraid we might recognize the legislative branch as a coequal branch and deserving of coequal treatment. This is a case in point.

When we studied it, it seemed to be a just case and one that was recommended by the Civil Service Commission, and it was recommended by the committee.

Mr. LAUSCHE. Does the Senator concede if he had remained in Congress he would be receiving $2,400 less than this bill will provide him for leaving Congress and taking another job?

Mr. MONRONEY. It might be interesting to the Senator from Ohio, and the Senator from Delaware, too, to find out he went down there at $23,000 and not $33,000. We prepared that. This was prepared in 1964 so the Senator's mathematics are incorrect right now. He only qualified on the 3 highest years. This is 1967. If it is caluclated from today I do not know what it would be but it would be less than $2,400.

Mr. President, we should reject the amendment. I do not think facts have been given to justify it. Other people will be sought to be appointed from Congress from positions such as the Committee on Armed Services, and those people are needed in the executive department.

Mr. YARBOROUGH. If Judge Kilday stayed in Congress after the new salary increase, he would draw $24,000 in retirement. As it is, he can never draw over $18,000 regardless of the job he holds in the executive department. The Court of Military Appeals is a branch of the executive department and not the judiciary.

The Senator spoke of the flight of Members of Congress to the Federal judiciary. If a person is appointed as a Federal district judge, he could serve 5 years, pay nothing in, and retire on full salary.

Mr. President, I have a question I wish to address to the Senator from Delaware. The Senator from Delaware stated that this was formerly opposed by the administration and the administration changed its position. We have no record of the administration ever opposing this. They supported it last year when the House passed it. If we are mistaken, we would like to see the papers where the administration ever opposed it. All the communications we have received indicate the Civil Service Commission supports this.

Mr. President, I wish to come back to the point that this is not a relief bill for one Member. This is coequal treatment to apply all the time in the future to Members of Congress, past, present, or future. They should be treated on an equal basis with 2,900,000 officers and employees of the Government and 5,000 members of our employees who might go downtown to work. We, the 535 Members in Congress, are the only people in the United States who can go to work for the executive department and be treated to a lower scale than the others. We are the only ones who are blacklisted, which is an inadvertence, as Chairman Macy said. This affects 535 Members of Congress now serving, plus those who served in the past and those who will serve in the future, and it affords equal treatment with the other 200 million people in this country. We should no longer treat Members of Congress as people who are not entitled to the same treatment as others receive.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been requested, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia (when his name was called). On this vote I have a pair with the distinguished Senator from Maryland [Mr. BREWSTER]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Arizona [Mr. HAYDEN], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from Florida [Mr. HOLLAND], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is necessarily absent.

The Senator from Iowa [Mr. MILLER] is detained on official business.

If present and voting, the Senator from Iowa [Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 36, nays 39, as follows:

[No. 352 Leg.]

YEAS—36

Aiken
Allott
Baker
Bennett
Boggs
Byrd, Va.
Cannon
Carlson
Case
Cotton
Curtis
Dirksen
Dominick
Fannin
Griffin
Hansen
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
McClellan
Morton
Mundt
Murphy
Pastore
Pearson
Percy
Prouty
Ribicoff
Smith
Thurmond
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—39

Anderson
Bartlett
Bayh
Brooke
Burdick
Church
Clark
Eastland
Fong
Gore
Gruening
Harris
Hart
Hatfield
Hollings
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
Metcalf
Monroney
Montoya
Morse
Moss
Muskie
Pell
Proxmire
Randolph
Sparkman
Spong
Stennis
Tydings
Williams, N.J.
Yarborough

NOT VOTING—25

Bible
Brewster
Byrd, W. Va.
Cooper
Dodd
Ellender
Ervin
Fulbright
Hartke
Hayden
Hill
Holland
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Nelson
Russell
Scott
Smathers
Symington
Talmadge
Tower

So the amendment of Mr. Williams of Delaware was rejected.

Mr. **MONRONEY**. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. **RANDOLPH** and Mr. **YARBOROUGH** moved to lay the motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. **DIRKSEN**. Mr. President, I should like to ask the distinguished majority leader about the program for the balance of the day.

Mr. **MANSFIELD**. Mr. President, I have discussed the various possible proposals with some of the interested parties. The Senate will recall that the leadership stated earlier we would be here to a reasonably late hour this evening. It is my understanding that the distinguished Senator from Delaware [Mr. Williams] will offer at least one more amendment—he is willing to offer more, if the Senate desires it—on which there will be a yea and nay vote, and then we will go over until 10 o'clock tomorrow morning.

It is my understanding also that there is a good prospect that a consent agreement may be arrived at to go into effect tomorrow.

When this bill is disposed of, it will be immediately followed by the military pay bill.

ESTABLISHMENT OF A FEDERAL JUDICIAL CENTER

Mr. **MANSFIELD**. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives H.R. 6111.

The **VICE PRESIDENT** laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. **MANSFIELD**. Mr. President, I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. Tydings, Mr. Ervin, Mr. Hart, Mr. Hruska, and Mr. Dirksen conferees on the part of the Senate.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Committee on Foreign Relations and the Subcommittee on Labor of the Committee on Labor and Public Welfare both be permitted to meet during the session of the Senate tomorrow.

The **VICE PRESIDENT**. Without objection, it is so ordered.

REPORTED RESIGNATION OF DEFENSE SECRETARY McNAMARA

Mr. **PELL**. Mr. President, I have read with very real grief the press reports to the effect that Secretary McNamara is scheduled to leave the Defense Department. To my mind this will be harmful to our national interest and welfare. An analysis of his statements and a knowledge of the recent past make us realize that Secretary McNamara has been the steadiest and strongest voice of moderation amongst those who have been advising our President with regard to Vietnam.

President Johnson has said that it is not difficult to do what is right—the really difficult thing is to know what is right. And this is where the importance of those who advise our President and inform the President of their views becomes so important.

So far, too, the presence of Mr. McNamara has given a certain confidence to those of us who disagree with the present escalating course we are following in Vietnam. To me, at least, McNamara has been that individual in the President's War Cabinet most willing to entertain different ideas or viewpoints—and I say this advisedly—so that I know that I for one have always felt better that Mr. McNamara is where he presently is. If he should leave, I believe it would mean a very real hardening of position and increase in opposition of those who believe, as I do, that we should seek and accept a political solution to the problems of Vietnam that would represent the actual political forces in being in that unhappy country and that to arrive at such a solution we should cease bombing North Vietnam and deescalate in the South.

Moreover, I would appeal to Secretary McNamara that, no matter how weary he may be, he is not correct in resigning at a time like this when our country is at war—no matter whether or not it has been formally declared—and a war in the escalation of which he has played a role.

Finally, from our Nation's view, we all recall the warning President Eisenhower gave when he was leaving office to the effect that we must be wary of the military-industrial complex. Secretary McNamara has done a superb job of holding down this military-industrial complex, of mastering the intricacies of the Defense Department and of ensuing the carrying out of our constitutional concept that our military forces should remain completely under civilian control.

It does not take much imagination to imagine the events that would take place in Vietnam and China if we left the decisions to the military or the dangerous situation that could arise in the period of time while a new Secretary learned his job.

For all these reasons, I strongly urge that reconsideration be given to this move and that Secretary McNamara remain where he is—Secretary of Defense.

Mr. **KENNEDY** of Massachusetts. Mr. President, I would like to identify myself with the remarks of the distinguished Senator from Rhode Island.

Perhaps few States have been as adversely affected by the decisions of the distinguished Secretary of Defense in closing military bases as the State of Massachusetts, but I know I speak for all the people of that State in expressing a great sense of loss at the apparent decision that the Secretary of Defense will move to the World Bank.

I would like to identify myself with the sentiments which have been so well expressed by the distinguished junior Senator from Rhode Island, in paying tribute to the extraordinary contributions that the distinguished Secretary of Defense has made to this country and to its security. There is no question that this Nation is more secure because of his very dedicated efforts.

One comment made by the distinguished Senator from Rhode Island which has caused me some distress is the question about the resignation of Secretary McNamara. I have heard—and I do not know whether the Senator from Rhode Island can make any statement with regard to the matter—that it was not a question of his having submitted his resignation. I understand that one of the newspapers, at the present time, has a story that the Secretary of Defense did not actually submit a letter of resignation, but was transferred, so to speak—I do not know what the correct term would be—from the Defense Department to the World Bank.

I believe this is a matter that all of us in this body should be deeply interested in and concerned about. We should know the real basis of the switch, because obviously whether the distinguished Secretary of Defense has felt he could no longer serve, or was resigning for particular reasons, or whether a decision was made at another level that his service was no longer needed, I believe is a matter of which members of this body should be made aware. I do not know whether the distinguished Senator from Rhode Island has any information on that point or not.

Mr. **PELL**. In answer to the question of the Senator from Massachusetts, I have no inside knowledge as to those facts. I would pray that the Senator's conjecture is not correct, but I do not know.

Mr. **KENNEDY** of Massachusetts. I thank the Senator.

Mr. **MURPHY**. Will the Senator from Massachusetts yield for a question?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MURPHY. For clarification, I ask the Senator from Massachusetts whether there was an implication in his remarks to the effect that the President had asked for the resignation, or was it a transfer of a Cabinet officer from a Cabinet position to a non-Cabinet position?

Mr. KENNEDY of Massachusetts. That is the matter which is of great concern to me. As I understand from news reports I have heard this afternoon, and from what I think is a thoroughly reliable source, and from one of the Nation's leading papers, which, as I understand, has this story, the Secretary had not submitted a resignation, but, by some means or other, had been transferred over to the World Bank.

In connection with the remarks of commendation of the Senator from Rhode Island, and his expression of the wish that the Secretary would withdraw his resignation, or at least reconsider it, I think it would be helpful for Members of this body to know what the terms of the transfer were.

Mr. MURPHY. I agree with the Senator.

Mr. KENNEDY of Massachusetts. If the Senator from California can shed any light on the situation, I think it would certainly be helpful.

Mr. MURPHY. I have no information, but I agree that this body has the right to know.

I would like the RECORD to show that I do not completely agree with the remarks of the Senator from Rhode Island, in that I have never been in complete favor of the Secretary of Defense, his deceptions, or his conduct of the war in Vietnam; but I do think we in this body have a right to know under what circumstances this transfer or this resignation was made, or, with or without a resignation, how it was done. I think it is important that the people of this great Nation understand exactly how this Government is being run, and by what means.

I thank the Senator.

Mr. KENNEDY of Massachusetts. The point which the Senator from California has raised has certainly been in my mind as well; and I think all of us in this body must be concerned about it, because we are going to be asked about it, and I am hopeful that the facts will come to light, so that we will be able, at least, to have a better understanding of the circumstances.

Mr. PASTORE. Mr. President, will the Senator yield to me?

Mr. PELL. I am delighted to yield.

Mr. PASTORE. First of all, I compliment my junior colleague for his praise of Secretary McNamara.

I think Robert McNamara, first of all, is too big a man to be pushed around, and this idea that we are implying here this afternoon, that this man has been transferred from one post to another post, to my way of thinking, is absolutely ridiculous. I know that McNamara has been held in the highest esteem by the President of the United States, and is intellectually and financially independent enough that if he were being humiliated in any way, he would not have accepted the nomination to the post, as he did, of President of the World Bank.

The man has worked hard for many years. He has served as Secretary of Defense longer than any other man. I think he is tired. In fact, I do not know how he has survived under the terrific strain to which he has been subjected. I think the chances are he has come to the conclusion that he would like to have a position where possibly he would not have to exhaust himself the way he has been exhausting himself as Secretary of Defense.

I have not always agreed with Secretary McNamara. I have disagreed with him on nuclear propulsion, on naval surface vessels, and on some other matters. But I daresay we have never had a Secretary of Defense who was more knowledgeable, more courageous, nor more intelligent than Mr. McNamara, nor one who has served as long as he. We can disagree with him, and many people on this floor have disagreed with him; but you cannot disagree with the integrity and the courage of the man.

I believe this was a voluntary decision made by him. I think it is absolutely wrong for us to infer by innuendo that this man has been pushed from one position to another; and I think what we ought to do is exercise a little calmness and patience, and wait to find out what the true story is.

I know in what high esteem the President of the United States has always held Mr. McNamara. I know the high esteem in which he has been held by the members of the Committee on Armed Services and the Committee on Appropriations before whom he has appeared.

I dare say that all this innuendo about the man being pulled out because we are going to accede to the hawks, because we are going to get into a nuclear conflict—all of that, to me, is absolutely ridiculous. I know where McNamara stood. He has cited his position time and time again before the Joint Committee on Atomic Energy of which I am chairman. He always said that we had a limited political objective, and that we had to use a restrained offensive in order to avoid a nuclear or thermonuclear holocaust.

I do not think that McNamara ever changed Mr. Johnson's position. I think the President made up his own mind. I know whoever the new Secretary of Defense may be, Lyndon Johnson will make up his own mind, and make the decisions. He will accept the advice of many people, but when it comes to the final decision, it will be the decision of Lyndon Johnson, and all these foolish stories I have read in the newspapers, that now we are going to give in to the hawks, do this, or do that, are playing down the integrity and the courage of Lyndon Johnson.

Those of us who knew Lyndon Johnson as majority leader know that Lyndon Johnson is going to call the shots himself, and will make his own decisions, no matter who the Secretary of Defense happens to be.

I am sorry that Secretary McNamara is leaving. I wish he would stay. But I know he must have reasons of his own, and I wait to hear what those reasons are. Until that day, let us not, by our speculations, seek to make him a puppet, nor Lyndon Johnson a tyrant.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. MONRONEY. Mr. President, is there an amendment pending at the desk?

The ACTING PRESIDENT pro tempore. There is no amendment pending.

AMENDMENT NO. 470

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 470.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 470) of Mr. WILLIAMS of Delaware is as follows:

On page 143, between lines 6 and 7, insert the following:

"SEC. 225. The first sentence of the second paragraph under the heading 'Administrative Provisions' in the Legislative Branch Appropriation Act, 1962, as amended (2 U.S.C. 127), is amended to read as follows:

" 'The contingent fund of the Senate is hereafter made available for reimbursement of transportation expenses incurred in traveling by the nearest usual route between Washington, District of Columbia, and any point in the home State of the Senator involved, for not to exceed four round trips originating and terminating in Washington, District of Columbia, made by employees in each Senator's office in any fiscal year, such payment to be made only upon vouchers approved by the Senator containing a certification by such Senator that such travel was performed in line of official duty.' "

On page 135, after line 25, insert the following:

"(5) Section 225 shall take effect with respect to round trips commencing on or after the date of enactment of this title."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, there will be no further votes tonight. I apologize to those who are here because of the assurances given by the leadership. However, developments have a way of occurring which change the minds of people.

ORDER FOR RECESS TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer and the approval of the Journal, there be a time allocation between the distinguished Senator from Oklahoma, the manager of the bill, and the distinguished Senator from Delaware who has offered the amendment, the time to be equally divided, and the vote on the pending amendment to occur at 10:30 a.m.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is the hope of the leadership that shortly after that time it may be possible to get a consent agreement on all other amendments so that we can move ahead with the pending bill.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I will make a very brief explanation of the pending amendment.

Under the existing law each Senator is allowed, I believe, six trips back to his home State for which he is reimbursed on an actual expense basis. I supported that provision when it went into the law. Many Senators from States very distant from the Capitol need such a provision. I thought it was only fair.

Later we extended that provision to cover the staff members of the Senate and allow them four trips, or in special cases six trips. I supported that provision likewise.

I thought additionally that staff members from States far from the Capitol were entitled to such consideration. However, I find that there was a difference in the manner in which this allowance was extended. While Senators are reimbursed for their six trips solely upon the presentation of vouchers, that is reimbursement for expenses actually paid, it is possible for a staff member, rather than to submit a voucher, to merely submit a statement showing the mileage between the capital and his home and collect on a mileage basis of 10 cents per mile.

Mathematically that has this effect. If he is from one of the States on the Pacific Coast, 3,000 miles distant, he could collect $600 for transportation. Perhaps he would fly out and back for $200 or $250, and the rest of the money would go to him.

The law was not intended to work that way. I say that as one of the cosponsors. I do not think it was so intended by the Senate. However, I find that the law does so read. In all fairness it should be pointed out also that most of the staff members, at least those with whom I checked, are collecting only on a basis of being reimbursed for actual transportation paid.

There may be some cases in which some staff members are taking advantage of it, but generally speaking they are not.

I have talked with many Senators who did not even know that it was possible to do so; however, since it is possible, it should be corrected. The purpose of my amendment is to allow them to have the same number of trips as was provided originally, not only to their homes but also to whatever point in their States the Senator sends them. They would be reimbursed for actual travel expenses the same as Senators are, on a straight voucher basis and on the basis of actual travel expenses.

I hope that by tomorrow, after considering the matter, the chairman of the committee will be able to accept the amendment.

Mr. President, I yield the floor.

Mr. MONRONEY. Mr. President, I appreciate the lateness of the hour.

I am not fully advised as to how many trips the Senate staff can make. My impression was that they were allowed 4 trips, for which they are reimbursed, regardless of how they travel, at 10 cents a mile. That applies to the staff members of Senators.

The 10 cents a mile was arrived at as an average, because most of our staff members no longer have residences in their States as Senators do.

If their airline transportation, which most of them would use, runs at the ordinary rate of about 7.5 cents a mile, they would have a 2½-cent-a-mile advantage. However, they would lack any per diem payment for their hotel bill. I am sure the Senator does not wish to have them pay for that individually because they are in the service of the Senator. The additional money that might not be consumed by the mileage was included in there in lieu of per diem which the Senate committee staff have now, as do all of the employees downtown.

If they go by car, and many of them have to because they will be out there a considerable time, the rate for Government employees not accredited to the Senate staff is 12 cents a mile, but we pay them only 10 cents a mile. It seems to me that if they travel by car, it is a sacrifice of 2 cents a mile. If they travel by plane, there will be a difference of 2½ cents which will be more than consumed in the regular per diem that the people would have.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. WILLIAMS of Delaware. Mr. President, the amendment corrects that discrepancy between the 10 cents and the 12 cents a mile. They would be reimbursed at 12 cents a mile, the same as the others. The pending amendment makes that correction.

The Senator is correct that under the existing law it is 10 cents a mile. However, if they drive cars under the instructions of the Senator, my amendment gives them the same as the other employees receive.

Mr. MONRONEY. What I am trying to get at is whether the purpose of the amendment is to reduce the 10 cents a mile that the staff members receive on travel back and forth on official business to the Senator's home State. Is it the purpose to reduce that, as the Senators have reduced ours, to the actual airline tariff, and no more?

Mr. WILLIAMS of Delaware. The Senator is correct. If they actually drive their cars they would collect the 12 cents a mile, the same as the other employees. However, plane fares or other transportation costs would be on a reimbursable basis.

I think there is a matter of principle involved here. As I stated, I was a supporter and thought it was correct to allow the Members of the Senate transportation costs of 6 trips.

I supported the original proposal for the staff members, and I still feel that it is the responsibility of the Government to pay for this transportation when it is essential.

I do not quarrel with that at all. However, I do not think that under any circumstances any person making official trips should be able to put any of the surplus from the allowance into his pocket.

Mr. MONRONEY. I do not think they do. I think this is in lieu of per diem.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YARBOROUGH. Mr. President, this amendment does not do what the Senator says. This would cut the number of employees a Senator could take to his home State. The number is now 6. The pending proposal would limit it to 4.

The pending proposal would reduce the present number by one-third. If a Senator lives the distance away from the capital that I do, it is not like driving up to Delaware overnight. This costs a lot of money.

I think that a man representing a State with a population of more than 10 million population has more of a problem involved.

I wish the Senator from California [Mr. KUCHEL] were here. I had to take a minimum of eight employees last year. And we had a misunderstanding. I had to pay for one of those eight employees out of my salary because there was a little misunderstanding on that.

These employees do not volunteer to go back on these trips. These young people, such as secretaries, have to give up apartments. Some of them continue to pay rent for their apartments and keep their apartments, finding that it is cheaper than having to come back and locate another apartment.

I find that I have to send out a memorandum and call for volunteers to go back to Texas because it imposes a financial burden. The employees who come to the Capital from a very great distance do not have homes in their home State. That is a distinct disadvantage to employees who have to travel back to their home State.

This amount is not enough to pay for the travel, much less any of the losses they have to incur by going back. This reduces the number of assistants you can take with you. The number is cut back from six to four.

If the distinguished Senator lived a thousand miles away and represented a State that had as many as 4 or 5 million people, he would not offer this amendment. I believe we should raise the number from six to eight. Out of some 20 or so members of my staff, we need eight. I believe we should have eight instead of six.

The executive department has 2,900,000 employees. We say we are a coequal branch, and we will not take enough help along to answer the mail. What kind of body is this? We should hire enough people for the staffs and for every Senator.

Former Senator Lehman, of New York, was a wealthy man, and he hired enough people to answer correspondence promptly and to do the work in his office. After he left the Senate, I was informed that his payroll, out of his pocket, to run his office, was larger than his Government payroll. He was a wealthy man, and he could afford it. Frankly, I do not have the money with which to do that. Were I wealthy, I would increase my staff by at least 50 percent within the next 30 days. I believe that this niggardly and nit-picking way of saying you cannot take a staff home is unworthy of the Senate.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield. I believe the Senator has the floor.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Texas has pointed out that this amendment would reduce the number of trips from six to four. It is not so intended. I have a memorandum which states that under existing law employees in a Senator's office are entitled to be paid at the rate of 10 cents per mile for four round-trips per year but that another section does allow two extra trips under certain circumstances. We will check that. If the existing law allows more trips for the staff members I would so modify my amendment.

I am not proposing to increase or decrease that number at all. It is my understanding—and I believe it is correct—that the staff members are entitled to four trips and the Senator is entitled to six trips.

I wish to make it clear that the purpose of the amendment is not to reduce or increase the number of trips that staff members may take under existing law. The purpose of the amendment is to allow 12 cents per mile, instead of 10 cents a mile, if he drives his car, as all other employees of the Government receive, but if he travels by plane or by train he would be reimbursed only on an actual transportation expenditure basis. That is the sole purpose of the amendment.

I will check overnight to make sure that the same number of trips are protected.

The intent of the amendment as it will be voted on tomorrow is not to reduce the number of trips allowed to staff members. My amendment would merely confine them to being reimbursed only for travel expenses incurred.

Mr. YARBOROUGH. If the Senator did not intend to reduce the number, I regret my remarks. I ask the Senator: Does this refer to four trips by one employee?

Mr. WILLIAMS of Delaware. It refers to the existing law.

Mr. YARBOROUGH. The number of employees, not multiple trips by one employee?

Mr. WILLIAMS of Delaware. This amendment would not change the existing law at all as it relates to the number of a Senator's employees, assignment, or anything else. It is only intended to affect the method of reimbursement. If they drive their cars to Texas, they would get 12 cents per mile rather than 10. On the other hand, if they fly down and back they would collect only the amount that was actually paid for travel in exactly the same formula as the Senator himself is reimbursed.

Mr. YARBOROUGH. I thank the Senator.

Mr. MONRONEY. Mr. President, I call attention to the fact that 10 cents a mile—and I believe I was chairman of the Legislative Appropriations Subcommittee when it was put into effect—was recognized as being a happy medium between the travel by car and travel by air.

As I have pointed out, it costs approximately 12 cents if you take the Government allowance on a car, and if you fly it is approximately 7.5 cents. We left a little surplus because I believe we should contribute to the per diem of our staff members who go back on official business.

The distinguished Senator from Texas has mentioned that Senators must have somebody there to answer the mail. We must have somebody there to answer the phones. I cannot expect the clerks that I pay for their work here to pay out of their own pocket completely for their hotel room, if they stay for 2 or 3 months, as many do during the recesses we might accidentally get, and stay there because of Government service.

It is a very little pittance, and I believe the only man who would be ahead would be one who went down there for a weekend, as a staff member, and would have a hotel bill for 2 nights. I believe it would use up any overage he might have, the difference between his airline fare and the 10 cents per mile we provide.

One other reason I believe important is that we try to keep these things in line. If the Senator had sat on the Legislative Appropriations Subcommittee, as I have, and listened to the jealousies and the different comparabilities, he would be aware of the comparability fights among the Senate staffs, from top to the bottom.

By this method, we would build up a great deal of cost. It would mean $16 a day when we go home next year, if we have an ordinary recess, and the cost would be charged to the Federal Government. You do not have to document the $16 a day. That is a per diem allowance for their apartment, or hotel, and for food.

I believe it would be a bad bargain, when the people on our staffs are willing to travel at 10 cents per mile and whatever small change is left from the airline ticket, to have them agree to pay their hotel bill, and not expect to voucher the Federal Government for it or to ask the Senator for it. These vouchers must be signed by the Senator. If there is any difficulty or any phony business about it, the Senator can say, "Do this over, because I don't think it is this mileage," or, "I think you have too much left."

It seems to me that they always are comparable to the committee staffs. The difference is almost indistinguishable between the administrative assistant in the Senator's office and chief counsel to the committee staff.

This is what we do with the people on the committees. If they want to go home, we pay them 12 cents per mile or the straight airline fare. No 10 cents or no overage at all. But we pay them $16 a day per diem, Mr. President.

If we want to get comparability, then we will have to say, "OK, let us do it the way we do it with committee staffs, and let them get 12 cents a mile by car, the exact amount; tourist, if you go back by airplane. But we are going to give you $16 a day for every day you spend there, because this is what we pay the committee staffs traveling on official business, and this is what we pay the people downtown in the executive offices."

I wish to state the real reason for this amendment. This is a legislative pay bill affecting nearly 3 million Federal employees. We had no hearings on this matter. We should take care of this matter as we always have, in the legislative appropriation bill. I believe it would be far better not to encumber this bill with the personal housekeeping problems of our office staffs—where they are going to live if they go back, whether they will receive 10 cents per mile for going by airplane or 12 cents per mile for going by car, or whether we will pay them 12 cents per mile at the committee staff rate, the exact amount of the airline ticket if they go by air, plus $16 a day per diem. If we pay them in that manner, we will wind up with extravagance. I am sure that the senior Senator from Delaware does not want us to be extravagant and that he does not wish to burden the Treasury with this additional expense.

I see that the time has come when most Senators have left the floor. I hope that they will read some of this interesting debate in the RECORD tomorrow and that we may briefly summarize some of the statements we have made tonight on these issues.

In the final analysis, I believe that the best way to handle this matter would be to turn it over to the appropriate Appropriations Subcommittee and try to work out an arrangement. It is no fun to be a sort of babysitter to all the complaints from members of the committee staffs and members of Senators' personal staffs. Let us permit the distinguished Senator from Alaska [Mr. BARTLETT] to handle the matter in the legislative appropriations bill. I am sure that we will not bankrupt the government in the meantime by the differential between the 10 cents per mile or 7½ cents per mile, if they fly by tourist class, or 12½ cents per mile when they go by their own car.

Mr. President, I yield the floor.

PREVENTION OF TERMINATIONS OF CERTAIN OIL AND GAS LEASES

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Washington [Mr. Jackson], I ask that the Chair lay before the Senate a message from the House on S. 1367, to authorize the Secretary of the Interior to prevent termination of Federal oil and gas leases in certain circumstances and to reinstate terminated leases under certain conditions.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1367) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely, which was, strike out all after the enacting clause and insert:

That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(b)), is amended by changing the period at the end thereof to a colon and adding the following: "*Provided*, That if the rental payment due under a lease has been or is hereafter paid on or before the anniversary date but either (1) the amount of the payment is deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

Sec. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(c)), is amended to read as follows:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was either justifiable or not due to lack of reasonable diligence, he may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, is filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may, at his discretion, extend the term of such lease for such period as he deems reasonable: *Provided*, That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending on the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition."

Mr. BYRD of West Virginia. Mr. President, the other body amended the Senate bill by striking out all after the enacting clause and in lieu thereof substituting the language of H.R. 7940. This amendment changed the wording in section 1, and broadened the authority of the Secretary of the Interior provided by section 2.

I move, on behalf of the Senator from Washington [Mr. Jackson] that the Senate concur in the amendment of the House with an amendment, which is at the desk.

The ACTING PRESIDENT pro tempore. The amendment to the amendment of the House will be stated.

The legislative clerk read as follows:

On page 2, lines 15–16, strike out the words "either justifiable or not due to lack of reasonable diligence," and in lieu thereof substitute the following: "the result of error or negligent on the part of the Department of the Interior,".

Mr. BYRD of West Virginia. Mr. President, the adoption of this proposal would result in the Senate's concurring in the changes made by the House to section 1, and would restore the language approved by the Senate in passing S. 1367 on November 1. This provision was sponsored in Committee by the distinguished senior Senator from New Mexico [Mr. Anderson] to prevent possible abuse of the proposed law by operators who might deliberately let their leases lapse in order to find prospective buyers for their lease.

The Interior Committee is convinced that Senator Anderson's amendment would forestall such possible abuse.

Mr. President, I move that the Senate concur in the amendment of the House with the amendment.

The motion was agreed to.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, as a reminder to the Senate, immediately following the prayer and disposition of the Journal tomorrow, the time on the Williams amendment will be equally divided between the Senator from Oklahoma [Mr. Monroney] and the Senator from Delaware [Mr. Williams], with the vote occurring at 10:30 a.m.

Also, on the basis of the statement made by the distinguished majority leader earlier today, following disposition of the civilian pay bill, the Senate will proceed to consider the military pay bill. The report on the military pay bill has been filed.

We are on notice that Friday the Senate is expected to take up the Elementary and Secondary Education Act Amendments of 1967.

RECESS TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 10 a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 13 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, November 29, 1967, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate November 28, 1967:

Postmasters

The following-named persons to be postmasters:

FLORIDA

Charles W. Young, Naples, Fla., in place of J. K. Rogers, retired.

ILLINOIS

Eileen G. Weaver, Shobonier, Ill., in place of O. W. Morell, transferred.

IOWA

Margaret Buren, Leland, Iowa, in place of E. K. Buren, deceased.

MISSOURI

Donald Joe Knight, Leasburg, Mo., in place of H. R. Land, retired.

MONTANA

Thomas J. Hatten, Joliet, Mont., in place of Stephen Sams, deceased.

NEBRASKA

Verna E. Habel, Eagle, Nebr., in place of H. L. Porter, retired.

NEW JERSEY

Ida B. McMahon, Atco, N.J., in place of J. J. Healy, retired.

NORTH DAKOTA

Hilda M. Backfisch, Goldenvalley, N. Dak., in place of J. A. Siegel, retired.

OREGON

Lamarr L. Zuver, Winston, Oreg., in place of P. J. Burt, resigned.

PENNSYLVANIA

Joseph M. Patrick, Mount Pleasant, Pa., in place of R. W. Stahl, deceased.

Francis T. Mielke, Trevorton, Pa., in place of C. D. Fitzpatrick, retired.

SOUTH DAKOTA

Alice M. Schneider, Pukwana, S. Dak., in place of W. F. Martin, transferred.

TENNESSEE

Richard F. Knight, Jonesboro, Tenn., in place of C. M. Reece, retired.

TEXAS

Milburn E. Ray, Ector, Tex., in place of H. D. Ray, retired.

Oran T. Gray, Florence, Tex., in place of E. A. Mullen, retired.

VERMONT

James A. Bouvier, Bristol, Vt., in place of G. F. Whitcomb, deceased.

CALIFORNIA

Ruby M. Planing, California Hot Springs, Calif., in place of N. J. Hamman, resigned.

Louis V. Gannaway, Ridgecrest, Calif., in place of J. B. McKennan, deceased.

COLORADO

Shirley C. Sorenson, Romeo, Colo., in place of Alonzo Barton, retired.

IOWA

Roger A. Mead, Correctionville, Iowa, in place of E. M. Rowse, deceased.

KANSAS

Grant E. Nunn, Jr., Lincoln, Kans., in place of D. M. Ralston, retired.

MINNESOTA

Robert L. Anderson, Kasson, Minn., in place of A. B. Roth, retired.

MISSOURI

Deloris June Jackson, Delta, Mo., in place of I. P. Swift, deceased.

Luther E. Brewer, Drexel, Mo., in place of J. M. Long, retired.

NEBRASKA

Arnold F. Rogert, Herman, Nebr., in place of J. M. West, retired.

NEW JERSEY

Charles J. Langmaack, Metuchen, N.J., in place of H. G. Holm, retired.

NORTH CAROLINA

J. Paul Haynes, Sr., McLeansville, N.C., in place of O. C. Tew, deceased.

VERMONT

Allen C. Sweatt, Craftsbury Common, Vt., in place of E. L. Sweatt, deceased.

VIRGINIA

Pearle B. Miller, Lightfoot, Va., in place of G. S. Walsh, retired.

U.S. DISTRICT JUDGES

John T. Curtin, of New York, to be U.S. district judge for the western district of New York, vice a new position, Public Law 89-372 approved March 18, 1966.

Morris E. Lasker, of New York, to be U.S. district judge for the southern district of New York, vice Richard H. Levet, retired.

HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 28, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward Gardiner Latch, D.D., offered the following prayer:

Teach me Thy way, O Lord, and lead me in a plain path.—Psalm 27: 11.

O God, who art our refuge and strength, our help in trouble, we pray that Thou wilt lead us to a higher plane of courage and faith and patience that the influence of our lives and the example of our spirits may always be for Thy glory and for the good of our country.

Renew in us a deeper devotion to Thee, a greater love for our fellow man, and a strong faith that right is right and will ultimately prevail even in uncertain times.

To Thee we commend our Nation. Be Thou the source of her strength and make her ever mindful of Thy providence. Bless Thou our Speaker, every Member of this body, every officer, every clerk, every secretary, every reporter, every page. As men and women selected for service to our Nation may we keep our record true.

To think without confusion clearly;
To love our fellowmen sincerely;
To act from honest motives purely;
To trust in God and heaven securely.

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2529. An act to amend the act of September 8, 1960, relating to the Washington Channel waterfront; and

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia Court of Appeals from two to five, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1532. An act to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes;

S. 1629. An act to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region; and

S. 1722. An act to amend the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938, as amended.

VIETNAM AND MILITARY HARDWARE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, on Thursday, November 9, 1967, Gen. Bruce K. Holloway, Vice Chief of Staff, U.S. Air Force, delivered an address at the National Security Industrial Association luncheon in New York City on the subject of "Vietnam and Military Hardware."

Among other things in his address, he cites what I call lessons learned from Vietnam and other lesser conflicts of the past 10 years. Study of these lessons learned leads to conclusions that will help to plan strategy, tactics and military hardware for the future. General Holloway has identified nine areas of importance and suggests some of the influences they may have on the development of weapons and supporting systems to meet military requirements. General Holloway's address follows:

Some people will tell you that military strategy and tactics are largely a result of the hardware that technology can provide the military planners. Others hold that the reverse is true—or should be true; that decisions on which items of hardware to build are determined by strategy. Actually, neither the hardware proponents nor the strategy proponents are entirely right or entirely wrong. There is a continuous interaction between strategy and technology, with each influencing the other. It's a sort of closed loop system.

At any given point in time, the scales may be tipped in favor of strategy or of technology, but over the long term, the weighting of these two elements balances out pretty evenly.

For about 15 years after World War II, it seems to me that technology—nuclear and supporting technology—was the heavier factor in the strategy/technology equation. Since 1961, strategy has been ascendant, especially in the area of counterinsurgency and limited war. This new balance is likely to continue, at least as it relates to the kind of aggression we and our allies are combatting in Vietnam.

While a successful outcome to the Vietnam War undoubtedly will have some constraining influence on communist enthusiasm for their so-called wars of national liberation, it isn't an absolute guarantee that other similar wars will not occur. And it is no guarantee that the United States may not find it necessary either unilaterally, or as a member of a regional organization, or as a member of the United Nations to help prevent or to turn back limited aggression that is not Communist-inspired. Remember that Communists have been involved in less than half of the serious insurgencies of recent years, though they are generally ready to exploit a chaotic situation if possible.

It is therefore worth looking briefly at some of the unique characteristics of the Vietnam War before discussing the effects it has had on hardware requirements. I believe these areas of difference from earlier wars will be broadly applicable to the conflicts most likely to take place in the future, and therefore pertinent to our future hardware requirements.

Overshadowing all other differences is the potential consequence of uncontrolled escalation. In this respect, the war is even more complex than Korea because the potential for destruction is considerably higher on both sides than it was in the early 1950's. The possibility that the Vietnam conflict could escalate to a nuclear exchange must always be in the minds of responsible officials. I think that is a very remote possibility, however, in view of our present margin of nuclear superiority over the USSR and Communist China.

A second significant difference is that of objectives. We entered both World Wars after they had been in progress for many months and had grown to hitherto unimagined proportions. Both wars had become total wars by the standards of their times. In both, the situation already had progressed to a point where the only acceptable solution seemed to be the destruction and surrender of the enemy. Vietnam is not a total war. Our objective is a limited one; to assist the Republic of Vietnam in freeing itself of the aggression which has been inspired by and supported by North Vietnam and its Communist backers. The President has stated many times that our intent is not the overthrow of the North Vietnamese government or even necessarily defeat of its army in the field so long as that army gets out of South Vietnam and stays out.

Still another difference is that we are not in direct confrontation with the ultimate supporters and suppliers of enemy forces as we were in both World Wars. Most of the weapons and a large part of the supplies used by Viet Cong and Communist main forces come from China, the USSR, or other Communist-controlled countries. The enemy's logistic support therefore has to be reduced by interdiction of supply routes. This is a more difficult process than it would be to neutralize a few war supporting industrial plants in North Vietnam, if the main source of military supplies were actually in North Vietnam.

In World War II, our military operations and our ability to continue or increase those operations were addressed to a single audience in each theater of operations: Germany, Italy, or Japan. In Vietnam, everything we do is addressed to a variety of audiences, often with dissimilar or even conflicting objectives. Among these audiences are the Hanoi government, China, the USSR, U.S. allies—both those who are and are not engaged in the war—and other nations not closely associated either with us or with the two Communist powers.

In this intricate web of actions and interactions between and among nations, most of them not directly involved in the fighting, it is always necessary to evaluate operational alternatives in terms of our national objectives. Almost every decision has political implications that affect our relationships with friend and foe alike. This includes many decisions that traditionally have been considered purely operational and hence the province of military commanders. While the situation is not entirely new, the level at which operational and policy considerations may merge is much lower than in earlier wars—particularly those of the pre-nuclear era. Military people understand quite clearly that their recommendations on operational matters have to be tempered by political, economic, social, and psychological considerations.

Although Vietnam has provided some important lessons in dealing with insurgency, I am not suggesting that it serves as a detailed blueprint for similar conflicts that may happen in the future. If others do occur despite our efforts to deter conflict at all levels, each would probably have unique aspects—geographic, social, or political. But Vietnam and other lesser conflicts and incipient conflicts of the past ten years have provided a considerable body of empirical evidence that has been given careful study by the defense community. I believe we can draw some conclusions that will help us plan strategies, tactics and hardware for the future.

I would like to talk briefly about nine areas that seem to me particularly important, and suggest some of the influences they may have on the development of weapons and supporting systems.

First, it is essential that the United States maintain its strategic superiority over any potential enemy or combination of enemies. If we were to lose this superiority, we would be subject to nuclear threats or blackmail whenever the support of our own national interests or those of friends and allies ran counter to the interests of the Communist powers. Hence strategic nuclear superiority bears a direct relationship to counterinsurgency or limited war actions. In order to maintain this superiority, we will soon introduce the Minuteman III intercontinental missile into the Strategic Air Command's missile force and replace some of our earlier B–52 bombers with the FB–111. The Air Force is also doing developmental work on on advanced ICBM and an advanced bomber, an AMSA.

Second: The strategic bomber has proved beyond question its usefulness in limited, non-nuclear war. The B–52 has been used against area targets and other military targets that require a high concentration of firepower. The number of B–52 sorties flown each month has increased four-fold since late 1965. Interrogation of Viet Cong and North Vietnamese prisoners shows that of all weapon systems they fear the B–52 most. Our planning for an advanced bomber to follow the B–52 and B–58 will take account of the extensive experience we have had with B–52 operations in Southeast Asia.

Third: Air superiority is essential in limited wars. Since there has been relatively light enemy fighter opposition in North Vietnam, we tend to forget the importance of air superiority. Try to picture how different the course of the war might have been if enemy air forces had been free to attack our port facilities, logistic net, air bases, carriers and troops in the field.

In order to assure air superiority, we believe there is a need for a fighter specifically designed for air-to-air combat. This is particularly important in a Korea or Vietnam-type war, since the enemy probably will always be able to operate from sanctuaries; hence the possibility of destroying his interceptor forces on the ground may be greatly reduced or even eliminated. An air superiority fighter that we are studying—an F–X—must have performance as good as anything a potential enemy is likely to produce, range that can be converted to loiter or combat time, electronic sophistication, and night and all-weather capability with both air-to-air missiles and guns. It should be able to do other jobs such as interdiction and close support as secondary missions. We have not yet gone into Contract Definition for an F–X, so it is too early to say just what it would look like.

Fourth: In a combat situation where the bulk of enemy materiel comes from outside the theater of operations, interdiction of supply routes becomes extremely important. In my judgment, our operations against military targets in North Vietnam have been very effective in increasing the cost to North Vietnam of infiltrating men and supplies—as well as the cost of the war in general.

The effectiveness of air interdiction can be increased by an improved ability to locate, identify and strike small moving targets in any weather, day or night. One of our most active research and development program areas, known as SHEDLIGHT, includes 68 related programs aimed at denying an enemy the cover of night and bad weather. The effectiveness of interdiction also can be increased by improved planning of entire interdiction campaigns, which will result from our study of the on-going campaign; and by an improved ability to predict accurately the short and longer term results of interdiction operations.

Fifth: All of our aircraft, but particularly those designed for interdiction and close support, must be designed for survivability in a hostile sky. The greatest threat is likely to come from ground fire. There are a great many options for improving survivability in future tactical fighters: new materials for lightweight armor, design features to include alternate control and hydraulic systems, warning devices against both radar and visually directed ground fire, an accurate stand-off missile for use against well-defended targets, fuse deactivators that will neutralize hostile projectiles, devices to prevent or suppress fire aboard the aircraft. Obviously the combination of survivability measures selected for any aircraft will have to be related to its intended mission. A relatively inexpensive close support fighter like an A–X, which we are now studying, would need less sophisticated equipment than would a deep-penetration tactical fighter like the F–111. In all cases, survivability technology is on the rise. In time, tactical fighter survivability and response time will be further enhanced by a V/STOL fighter, but that is not yet on the near horizon.

Sixth: Accuracy of weapons delivery is a must in limited war. We want to reduce collateral damage to a minimum in any environment, but especially in the case of targets lying in friendly territory. Also, our experience in Vietnam has shown that close support of ground forces often has to be *very* close. Errors of even a few feet cannot be tolerated when the safety of friendly ground forces is at stake. Beyond these considerations, the ability to destroy a target on the first pass, day or night and in any weather greatly reduces the vulnerability of our tactical fighter to ground fire.

Seventh: Rapid reaction is a prime requisite for counterinsurgency or limited war operations. This requirement includes both strategic and tactical mobility. Getting the right mix of forces to the right place at the right time may enable us and our allies to nip a developing pattern of aggression in the bud. Our strategic airlift forces, which are responsible for that job, are in good shape today and will be even more effective when the C–5A comes into the operational inventory.

But the requirement for mobility doesn't end there. In the areas where insurgency or small-scale war are most likely to erupt, combat operations are quite likely to resemble certain characteristics of most of the ground fighting in South Vietnam: scattered, small unit actions in remote areas that have poorly developed road and rail nets. In such a situation, the rapid intra-theater movement of ground forces and supplies is essential. In the future, we are going to need STOL transports—preferably some of them with a vertical take-off ability—compatible cargo handling equipment and an all-weather aerial delivery system that will operate without ground aids. A Light Intra-Theater Transport, or LIT, which we are proposing as a replacement for the aging C–7 and C–123, should have a STOL payload of about 20,000 pounds and a vertical take-off payload about half that size. It could be available in the early 1970's.

Eighth: Control of combat forces is essential to the success of any military operation. It becomes particularly important in a type of warfare where a great many operational decisions have strong policy implications. Centralized command and control is particularly necessary in the air war since our aircraft operate at high speeds and deliver tremendous concentrations of firepower. Reliable, survivable, high capacity command and control systems are a must.

Finally: Research and development in the areas of counterinsurgency, and limited conventional warfare must be continued at a much higher level than that of the 1950's and early 1960's. R&D in these areas is very active today. Since July 1965, the Air Force has received a total of 273 requirements for research and development from our people in Southeast Asia. 189 of these requests have been approved and either have been completed or are in various stages of development. In total we are now managing more than 700 programs in the limited war area. I have mentioned only a few of these projects since my purpose was to discuss trends rather than specific programs.

The limited war area is a fertile field for the American scientific and engineering community. It covers every area pertinent to airpower: airframe design, propulsion, fuels, materials, electronics, ordnance. Many of the hardware needs that I have suggested present challenging problems, but given adequate funding they should not exceed the capacity of a nation that pioneered nuclear technology and soon will put men on the moon.

ESTABLISHMENT OF A FEDERAL JUDICIAL CENTER

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate on the disagreeing votes thereon.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. CELLER, RODINO, ROGERS of Colorado, MACGREGOR, and MCCLORY.

CALIFORNIA, HERE WE COME

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, the world will note that after considering the matter for a number of years, under the leadership of a young man named John Pont, some young men from Indiana are following the advice of Horace Greeley. They are going West. So as a public service on behalf of the great Indiana University, I am compelled to warn, "California, Here We Come." And we expect to be back "Home Again in Indiana" covered with victory roses.

MESSAGE TO PRESIDENT DE GAULLE

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, yesterday the greatest 20th century debtor, French President de Gaulle, pledged to force a devaluation of the American dollar even while France owes the United States $6.8 billion in World War I debts.

Unless payment of that debt begins immediately, I believe we should freeze French assets in this country.

In the meantime I appeal to American business people and travelers to bypass France while doing business or visiting Europe. Perhaps an end to American tourism in France will carry the message to De Gaulle—"Stop buying gold and start paying your debts."

The time is past due for the United States to stop footing the bill for a French regime devoted to undermining our economy.

DE GAULLE'S ATTACK UPON THE INTEGRITY OF THE DOLLAR

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I have just returned with the House delegation from the North Atlantic Assembly which met in Brussels. I believe I can report without any disagreement on the part of anybody who was there that the general feeling of all the delegates from all the countries, including France and excepting only those who rode into office on the coattails of De Gaulle, was definitely against his actions in the international economic world as well as the political world.

I had the occasion to point out to the political committee that it took a good deal of gall, and that was not any pun, on the part of the President of France to think that he could destroy the economic integrity of the dollar, when the total gross national product of France, a country of 50 million people, is equal only to the gross State product of the State of California, with 20 million people.

I subscribe to what has been said before, and I especially say that if De Gaulle is successful in destroying the integrity of the dollar it will be because Washington did not have the "guts" to do what was necessary to keep him from doing it.

Now, they owe us a lot of money, and I do not know of any way to make them pay it, but there are plenty of things we can do that will hurt France's economy, which is none too stable at the moment, regardless of what he may say. One little incident is, witness the riots of the French farmers.

There are plenty of things we could do, such as an embargo on imports from France, and so on.

If this man wants economic war, we ought to give it to him. I say to you that the majority of the French people will understand it and the majority of the French parliamentarians will understand it, because De Gaulle's political party will fall apart within 10 minutes after his decease.

DO NOT TURN THE OTHER CHEEK

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, I echo what my chairman has said concerning the present leader of the French Republic. I just returned last night from NATO. I say to you that what the gentleman from Ohio [Mr. Hays] has said is accurate. France has cut NATO in half. Our southern flank has been turned. Greece and Turkey and Italy cannot get to the help of Norway and vice versa. We have only temporary authority to fly over the soil of France, and we cannot use any of that soil by our ground forces. De Gaulle has attacked our currency; he has attacked our motives in Vietnam, and he declared total war on this country. As Mr. Hays has said, there are 10,000 things we can do to stop this man, one of which is we can put our wheat on the world market. That is France's greatest export. Another thing is we can exercise a little guts in Washington. We should not let him get our gold. Only give him credit on the debt he owes us. We do not have to deplete our gold reserves, if any is left in Fort Knox, Ky. I say this man has declared war on us. I am told we have over an $800 billion gross national product. If that is true, let us see how long De Gaulle can combat this. One French newspaper had this to say the other day, and to this I subscribe: Liberté, equaleté, senilité.

ACTION ON A CONTINUING RESOLUTION NEEDED

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, 2 weeks ago tomorrow was the last time that the conferees met on the continuing resolution and the spending limitation. The conferees met on five previous occasions, but it has been 2 weeks since they last met.

What has happened, Mr. Speaker, is that we have a number of people who have worked and are not being paid for that work. I do not believe that this House wants that to happen. I know I do not. These people in these agencies who have actually worked are entitled to their payment. This should have been done through the meetings of the conferees of the House and Senate. Again I point out that they have not met for 2 weeks and they permitted the OEO programs to dissipate. They permitted these people to go without being paid.

Mr. Speaker, I suggest that there has been negligence on the part of the leadership of that conference in not calling them together and trying to find some answers. It is very apparent that the stalling tactics are deliberate to try to keep the will of this House from being worked on the spending limitation. This House on three occasions has passed the spending limitation. They are going to let it go by default and not pay these people.

I am introducing today a continuing resolution. I call upon the committee to meet and pass out this continuing resolution so that these people can be paid.

PERSONAL EXPLANATION

Mr. CHAMBERLAIN. Mr. Speaker, last week I was absent on official business and ask unanimous consent to revise and extend my remarks at this point in the Record in order that the Record will reflect how I would have voted on the rollcalls which I missed during the week.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, this past week I was privileged to attend the 13th Annual Conference of the North Atlantic Assembly, held in Brussels, Belgium, as a member of the delegation from the House of Representatives. During my absence I missed a number of rollcall votes and in order that the Congressional Record may reflect my position on each of these issues, I wish to take this occasion to announce how I would have voted had I been present.

On rollcall No. 394, I would have voted "yea."

On rollcall No. 395, I would have voted "nay."

On rollcall No. 396, I would have voted "yea."

On rollcall No. 399, I would have voted "yea."

On rollcall No. 400, I would have voted "yea."

On rollcall No. 401, I would have voted "yea."

On rollcall No. 402, I would have voted "yea."

On rollcall No. 404, I would have voted "yea."

On rollcall No. 405, I would have voted "yea."

On rollcall No. 406, I would have voted "yea."

On rollcall No. 407, I would have voted "yea."

LIMIT INCREASE IN FARM CREDIT INTEREST RATES TO 2 YEARS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the House—either late today or tomorrow—is scheduled to consider H.R. 13706, a bill to remove the 6-percent statutory ceiling on the Farm Credit Administration banks.

It is regrettable that the Congress finds itself forced by the Federal Reserve Board to consider this interest rate increase. The statutory 6-percent ceiling has been in effect for the various farm credit banks to protect the family farmer from the whims of the money markets. The Federal Reserve System has now pushed interest rates to the highest levels of this century and the Farm Credit Administration is having difficulty marketing its paper under the 6-percent ceiling.

Mr. Speaker, I have long opposed the concept of "leapfrogging" in interest rates. I oppose the idea that the solution is to have agencies leaping over one another in pursuit of the high interest rates set by the Federal Reserve.

Therefore, I do not look with favor on the removal of this 6-percent ceiling on farm credit. However, if the House does decide to adopt this legislation, then I propose that we limit it to a period of time so that the increase is not permanent.

Mr. Speaker, I will offer an amendment at the appropriate time limiting the removal of the interest rate ceiling on the Farm Credit Administration to a 2-year period. Certainly, this is a minimum protection that the 90th Congress should provide the family farmer of America.

PROPOSED CONTINUING RESOLUTION TO PAY EMPLOYEES ENGAGED IN THE POVERTY PROGRAM

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I was pleased to see that my friend the able gentleman from Ohio [Mr. Bow], has offered a continuing resolution to take care of all the people who have been working in the poverty program, with an expiration date of December 2.

I have been in touch with the authorities on the other side—Members of the other body—and it is my understanding that they are placing a similar extending resolution on the foreign aid bill, and I am told today that the expiration date of which is also December 2.

Mr. Speaker, the general counsel of OEO, Mr. Donald M. Baker, tells me that they will have to have at least 2 days in order to make the grants to take care of the people whom we discussed the other day—the people who are working under the local facilities where they are supported by grants from the OEO program and who were not paid under the previous continuing resolution.

So, Mr. Speaker, I would hope that we shall speedily enact this resolution so there will be at least a 2-day interval between the effective date of it and the expiration date which will enable OEO to arrange for the people who have been working in the 40 communities who are operating under the grant program including 700 in my district and the district of my distinguished colleague, the gentleman from Florida [Mr. FASCELL], who were not paid under the previous continuing resolution shall be paid.

MR. DE GAULLE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, we have heard considerable about President de Gaulle, and in the spirit of levity permit me to tell you a story about that gentleman.

Mr. Speaker, it seems that he went to his Minister of Education, Mr. Malraux, and said, "I should like to visit the Louvre again." Mr. Malraux said, "Why not, Mr. President?" So they went to the Louvre. There in a niche in the wall President de Gaulle looked up and said, "Oh, a Monet." The Minster of Education said, "No, Mr. President, that is not a Monet, that is a Renoir." They went to another part of the Louvre where the President looked up and said, "Oh, that is a Matisse," whereupon the Minister said, "No, Mr. President, that is a Lautrec." The President then looked into another niche and excitedly exclaimed, "This is a Picasso." The Minister said, "No, Mr. President, that is not a Picasso, it is a mirror and you are looking at yourself."

NEW HOME MORTGAGE CRISIS

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the "big spender" Johnson administration seems to be trying to provoke a new home mortgage crisis.

It is offering $1 billion of Fannie Mae participations today at new interest rate highs for the current "credit crunch." Interest rates are 6.35 percent on the 2-year maturity and 6.4 percent on the 20-year bonds.

A month ago, the Treasury offered 15-month notes with a 5⅝-percent coupon and 7-year notes with a 5¾-percent coupon. These issues today sell in the market very close to their offering price of par.

Use by the Treasury of expensive participation certificate financing is inexcusable. By now, everyone recognizes that participation certificate financing is just a Treasury gimmick to make the budget deficit look less than it actually is.

But the real tragedy of this high cost participation certificate financing is the inexorable upward pressure it puts on interest rates. Interest rates at 6.35 percent on what in effect is short-term Government credit, will preempt funds from the home mortgage market.

The "big spender" Johnson administration must bear full responsibility for any new home mortgage financing crisis touched off by its high cost, imprudent, participation certificate financing.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 412]

Abbitt
Annunzio
Bates
Bingham
Broomfield
Brown, Calif.
Corman
Cowger
Dickinson
Dingell
Dorn
Downing
Evins, Tenn.
Flynt
Fountain
Frelinghuysen
Gathings
Halleck
Hansen, Wash.
Hardy
Hébert
Heckler, Mass.
Hosmer
Howard
Mathias, Md.
Matsunaga
Moss
Pool
Rees
Resnick
Roberts
Rooney, Pa.
Roybal
St Germain
St. Onge
Saylor
Schweiker
Sikes
Steed
Stephens
Stratton
Stubblefield
Udall
Ullman
Williams, Miss.
Willis
Wilson, Charles H.
Young

The SPEAKER. On this rollcall 385 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONTINUING APPROPRIATIONS, 1968

Mr. MAHON. Mr. Speaker, I offer a joint resolution (H.J. Res. 936) making continuing appropriations for the fiscal year 1968, and for other purposes, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Well, Mr. Speaker, reserving the right to object, this is another continuing resolution; is that correct?

Mr. MAHON. Mr. Speaker, if the gentleman will yield, this would be the fifth continuing resolution of the year.

As the distinguished gentleman from Iowa knows, agreement has not been reached on the fiscal 1968 authorization for the antipoverty program, and final action has not been taken on the appropriations for foreign aid. These agencies are without authority to meet payrolls and other appropriate obligations, and have been since November 9.

Mr. Speaker, the gentleman from Ohio [Mr. Bow], the ranking minority member of the Committee on Appropriations, earlier today in a 1-minute speech suggested that we ought to proceed with an interim continuing resolution through December 2. This occurred to me as being a very good temporary action.

Mr. Speaker, what we have been trying to do and are trying to do on the other pending resolution, House Joint Resolution 888, is to work out a continuing resolution which will have some economy substance to it that would be acceptable to both bodies. We have not been able thus far to obtain agreement on this. It is still in a state of indecision. However, the resolution now pending before us will give us a little more time in which to try to work something out. In the meantime, the people involved will get paid. But at the same time the House does not lose its present position to press for further reductions in appropriations.

Mr. GROSS. Then, if this resolution is adopted it would amount to the fifth confession on the part of the Congress that it has not done its job properly? Is that a proper summation of what is about to occur?

Mr. MAHON. Mr. Speaker, if the gentleman will yield further, I would not use the word "confession."

The House has been anxious to reduce spending and to promote economy and efficiency in Government. And the House conferees on House Joint Resolution 888 have declined to pass the continuing resolution of the standard variety, that is, to yield to the other body, which struck out the economy provisions voted by the House on October 18.

As the gentleman from Iowa knows, there has been a great deal of delay with reference to authorization bills this year. Congress should have disposed of them more quickly. I am not out of sympathy with the feelings of the gentleman from Iowa in respect to the position in which we find ourselves today. We should have transacted our business much earlier in the year.

Mr. GROSS. As I understand it, and as I am sure many Members of this body understand it, there is a continuing resolution lodged somewhere in the Congress that carries with it a demand for substantial economies in the operations of the Federal Government.

Am I correct in assuming that continuing resolution No. 4—if this is No. 5—is presently lodged in the other body?

Mr. MAHON. Mr. Speaker, if the gentleman from Iowa will yield further, it is still in conference. I refer to House Joint Resolution 888. But in my judgment—and I may be in error—a decision will be reached and a compromise agreement will be achieved. In other words, I very much hope that further economies, for which the House of Representatives voted some time ago, will to some extent be achieved.

I must add that in terms of appropriation requests this year, Congress is going to probably come close to cutting $6,000,000,000 from the requests in the regular appropriation bills.

The action proposed in the pending resolution would not sacrifice the position of the House or of the other body with respect to the continuing resolution now deadlocked in conference between the House and the Senate.

Mr. GROSS. I would ask the gentleman if this resolution is the result of the meeting at the White House yesterday evening?

Mr. MAHON. This comes as a result of the suggestion of the gentleman from Ohio [Mr. Bow], that these people ought to be paid, and that Congress ought to act responsibly and pass a continuing resolution. The gentleman from Ohio presented the resolution, and I have embraced it and on my own introduced an identical resolution in my capacity as Chairman of the Committee on Appropriations.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BOW. I believe the gentleman has stated the situation correctly.

I might say to the gentleman from Iowa that earlier today, and I believe the gentleman was here at the time, I in a 1-minute speech pointed out that the conferees on the spending limitation and the continuing resolution had not met for about 2 weeks. This disturbed me. It seemed to me that after this House on three separate occasions had passed a spending limitation bill by a rollcall vote that we then should have been meeting in conference and considering the spending limitation. But for some reason or other the conferees have not been called together. I have my suspicions as to why, perhaps, the thing that has happened did happen.

On the other hand, I felt that since we have people who have worked for the Government, and who are not being paid, and others who are being partially paid, and in some instances a few programs have been shut down, that these people who have actually served the Government should be paid.

That is the purpose of this continuing resolution today. I am not sure whether the gentleman in introducing this continuing resolution today is introducing one of identically the same terms as mine, or not, and I do not know whether the gentleman from Texas in calling up the resolution I introduced today or one of his own and that certainly makes no difference at all. But I did state this morning to the House that we should follow this procedure in order that these people who have worked for the Government could be paid—and particularly because of the hardship involved in some of these cases because of the classification of the people involved, who are paid, many of them, in the very lowest brackets and some of them are living almost from day to day, and I therefore felt, Mr. Speaker, that we ought to do something about this.

I might add, Mr. Speaker, that this does not mean that we have forsaken the spending limitation. On the contrary, I believe we should be back in conference working on it. I cannot understand why we have not been doing so.

But, Mr. Speaker, there is the feeling, it seems to me, that we ought to pay these people who have worked for the Government. And this would only take them through one more pay period.

Mr. GROSS. Mr. Speaker, I agree with the gentleman from Ohio that these employees ought to be paid, and perhaps that this is the only way that this can be accomplished, but there is another side to this coin. I do not want to embarrass anyone, but I feel that I must ask this question:

Who is responsible for the failure in the past 2 weeks to hold a conference as between the House and the other body?

Mr. BOW. I cannot answer that question.

I notice that the distinguished chairman of the Committee on Appropriations is on his feet, but whether he is responsible for this or whether the chairman of the Committee on Appropriations of the other body is, I do not know. However, I have asked, time after time, When are we going to meet? without an answer. And I have requested that we do meet, but we have not met.

I say to the gentleman that this has given me great concern. I would hope that we can go back to meeting because in the last meeting we had 2 weeks ago tomorrow, it seemed to me we were making progress. This has disturbed me because we had not made much progress up to that time, but we seem to be making progress, and than all of a sudden the door was shut and we have not met.

I will be glad to have the gentleman answer the question.

Mr. MAHON. Mr. Speaker, if the gentleman will yield?

Mr. GROSS. I will be glad to yield.

Mr. MAHON. Mr. Speaker, we had five meetings on the continuing resolution, but so far we are deadlocked. We have not met recently. We have been trying to work out ways and means of coming to an agreement.

I believe the Members saw in the press that the President is going to recommend further reductions below the roughly $6 billion appropriation cut which we have been hoping the Congress will make in the appropriation bills. It will be more fully unveiled, as I understand, on tomorrow—and it seems to me this could afford a basis for achieving a meeting of the minds between the House and the other body.

In House Joint Resolution 888, the other body had only a simple continuing resolution. We have refused to agree. The other body refused to agree to the position of the House. But I am very hopeful that we will be able to work out some kind of compromise for the situation in which we find ourselves.

Mr. GROSS. Does the gentleman anticipate another continuing resolution? The bargaining power of the House with the Senate will practically be gone if this resolution is approved.

Mr. MAHON. Well, this would be the continuing resolution which is now tied up in conference.

Mr. GROSS. Yes, but the resolution now before the House is effective for only approximately 4 days.

Does the gentleman anticipate another continuing resolution?

Mr. MAHON. Not of this type.

But the continuing resolution which is in controversy—House Joint Resolution 888—is not a simple continuing resolution. It provides for a reduction in budgeted spending of some $7 billion. This is one of the reasons why it is not easy to agree when so much is involved.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, further reserving the right to object, I would not want this moment to pass with the chairman's comment that the spending limitation was directly involved in the matter of reduction of our appropriations because we have gone through this thing a number of times. I think the record is clear. The President's comments with respect to reductions in expenditures are not directly related to reductions in appropriations.

This House three times expressed itself on the necessity of expenditure limitations—and not necessarily referring to appropriations that we might make.

The thing that concerns me in approving this resolution here today is that the position of the House thrice expressed is being undermined every time we take any affirmative action on an appropriation measure.

If we approve this continuing resolution, then if we subsequently approve the appropriation bill for the foreign assistance program and the war on poverty, we have lost all the leverage that we had with respect to expenditure limitations because they do not need to have the original continuing resolution which included expenditure limitations passed at all.

If these three steps are taken—if we pass this resolution and approve the conference report on the foreign assistance appropriation, and if we pass the appropriation bill to finance the war on poverty, if we go ahead and do all these things—then our position is completely lost and expenditure limitation goes completely down the drain. Is that or is that not a fair statement of the situation?

Mr. MAHON. I do not think that that fully states the whole situation. I would say that the gentleman from Ohio and I agree that the continuing resolution, which also includes an expenditure limitation, should not go down the drain as a result of this stop-gap measure to pay people for work that has already been done. I think the gentleman from Ohio would make that statement, if the gentleman from Wisconsin would yield to him.

Mr. DAVIS of Wisconsin. Suppose we take those steps—suppose we approve of the foreign assistance conference report—suppose we pass the appropriation bill for the war on poverty—would that not be a final settlement of that matter? Then what bridge do we have to expenditure limitation?

Mr. MAHON. The point is that all of that is impossible of fulfillment by December 2. We will not achieve all of that before December 2, so this question is not one that relates realistically to the problem before us at the moment.

I would favor action on the continuing resolution and some sort of expenditure or appropriation limitation, some sort of further economy action, regardless of what happens to the appropriation bills that the gentleman has referred to. I think the gentleman from Ohio [Mr. Bow] has that same view.

Mr. DAVIS of Wisconsin. Mr. Speaker, Members of the House will recall that on an earlier date when the District of Columbia appropriation conference report was here, at that time I urged my colleagues to support the continuing resolution as a part of or as a Senate attachment to the conference report on the District of Columbia appropriation bill.

But now 2 weeks have passed. We have evidence of lack of good faith somewhere in this Capitol on this measure. While I urged my colleagues, as a practical matter, to accept the continuing resolution at that time, I just do not feel that way about it any more. If there is to be a record vote on the resolution, I am not going to support it.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Texas.

Mr. MAHON. There has been no lack of good faith. The continuing resolution which passed the House provided in effect for a total reduction in spending below the budget of $7 billion, approximately, according to our best calculations. We have had five meetings. It is true that we have not met recently, but we have been searching and groping for a way to resolve this problem. Now it appears that the recommendations which may be made by the executive branch on tomorrow will offer some approach that can be the basis of resolving the differences between the House and the Senate on the continuing resolution and enable us to bring in a more meaningful continuing resolution than would have been at all possible prior to this time.

The gentleman must understand that in dealing with the other body one cannot write his own ticket. He has to give and take, and we have not been able to achieve a mutually satisfactory solution. The chances of doing so will improve, I believe, after we hear the recommendations tomorrow.

Mr. DAVIS of Wisconsin. By acting on such issues as this on an emergency basis, as we are being asked to do today, are we not facing the prospect of undermining the House position in future actions which we will be called upon to take? Will we not be called upon to take action on an emergency basis again and again? While we cannot insist that our position be maintained, I do think we have a right to expect a recognition of the strongly expressed House position, and that we would have at least some good-faith negotiations, which apparently have not taken place for at least 2 weeks.

Mr. BOW. Mr. Speaker, reserving the right to object—and I shall not object—I should like to make my position crystal clear on this subject. The chairman has made some statements with which I do not completely agree. On three occasions this House has passed a spending limitation on expenditures—not appropriations, but spending limitations of $131.5 billion. That is about $5.8 billion more than was spent in 1967. I offered those amendments. The House went along with them. In conference I tried to sustain the position of the House. I even offered to compromise to some extent that amount. We cannot say whether it is $7 billion, $5 billion, or whatever it might be. It is a spending limitation. It is a ceiling as to what can be spent. It is $5.8 billion more than we spent in all 1967. I believe it is meaningful. And I am not depending upon the Secretary of the Treasury or the Director of the Bureau of the Budget. I am depending upon what this House has done. We should follow the will of the House and not bow to the executive departments. I feel an obligation after three rollcall votes.

In the past the House has passed that legislation, and I think we should have been in conference every day these last 2 weeks trying to work out the differences between the two Houses. I and the gentleman from Wisconsin [Mr. Davis] regret that we have not met.

I will say, Mr. Speaker, I will not again support any continuing resolution. I shall oppose any continuing resolution. But it seems to me that when we act today, then responsibility goes to the other side of the aisle and the leadership of the House to call the conferences, get the conferees together, and let us work this out so that these people who are entitled to be paid are paid. I hope that this continuing resolution, which I introduced will pass and we will not be called upon for another such resolution again in this session. It will be necessary if the conferees work this matter out, which can be done if we work diligently.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 936

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the joint resolution of October 5, 1967 (Public Law 90-102) as amended, is hereby further amended by striking out "November 9, 1967" and inserting in lieu thereof "December 2, 1967".

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER**. The question is on the passage of the joint resolution.

The question was taken.

Mr. **DAVIS** of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 368, nays 13, not voting 51, as follows:

[Roll No. 413]

YEAS—368

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Cabell
Cahill
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dowdy
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Foley
Ford, Gerald R.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck
Tunney
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Zablocki
Zwach

NAYS—13

Brown, Ohio
Buchanan
Byrnes, Wis.
Davis, Wis.
Gardner
Gross
Hall
Hungate
Myers
O'Konski
Roudebush
Thomson, Wis.
Zion

NOT VOTING—51

Abbitt
Annunzio
Bates
Bingham
Boland
Broomfield
Brown, Calif.
Byrne, Pa.
Carey
Corman
Cowger
Dickinson
Dorn
Dow
Downing
Evins, Tenn.
Fisher
Flynt
Ford, William D.
Fountain
Frelinghuysen
Gray
Halleck
Hansen, Wash.
Hardy
Hébert
Heckler, Mass.
Hosmer
McEwen
Mathias, Md.
Matsunaga
Moss
Pool
Rees
Resnick
Roberts
Rooney, Pa.
Roybal
St Germain
St. Onge
Saylor
Schweiker
Sikes
Steed
Stephens
Stratton
Stubblefield
Udall
Williams, Miss.
Wilson, Charles H.
Young

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bates.

Mr. Annunzio with Mr. Frelinghuysen.

Mr. Byrne of Pennsylvania with Mr. Broomfield.

Mr. Young with Mr. Halleck.

Mr. Bingham with Mr. Saylor.

Mr. Evins of Tennessee with Mr. McEwen.

Mr. St. Onge with Mr. Mathias of Maryland.

Mr. Sikes with Mrs. Heckler of Massachusetts.

Mr. Fountain with Mr. Schweiker.

Mr. Brown of California with Mr. Cowger.

Mr. Moss with Mr. Hosmer.

Mr. Matsunaga with Mr. Dickinson.

Mr. Roberts with Mr. Flynt.

Mr. Dorn with Mr. Dow.

Mr. Corman with Mr. Udall.

Mr. Boland with Mr. Fisher.

Mr. Gray with Mrs. Hansen of Washington.

Mr. Hardy with Mr. Resnick.

Mr. Roybal with Mr. Stratton.

Mr. Steed with Mr. Rees.

Mr. Charles H. Wilson with Mr. Carey.

Mr. Abbitt with Mr. Rooney of Pennsylvania.

Mr. Downing with Mr. William D. Ford.

Mr. Stephens with Mr. St Germain.

Mr. Stubblefield with Mr. Pool.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE A REPORT

Mr. **COLMER**. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file a report that was prepared some time ago.

The **SPEAKER**. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2275 WITH THE SENATE AMENDMENT THERETO

Mr. **PEPPER**. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the gentleman from Hawaii [Mr. MATSUNAGA], I call up House Resolution 985, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 985

Resolved, That immediately upon the adoption of this resolution, the bill H.R. 2275, with the Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment to the title of the bill be, and the same is hereby, agreed to; and the Senate amendment to the text of the bill be, and the same is hereby, agreed to with the following amendment:

Strike out the period at the end of the Senate amendment and insert "(except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress)."

PARLIAMENTARY INQUIRY

Mr. **JONES** of Missouri. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore (Mr. PRICE of Illinois). The gentleman will state the parliamentary inquiry.

Mr. **JONES** of Missouri. Mr. Speaker, my parliamentary inquiry is that somewhere along the road, and I do not want to let the road get too far along and pass me up, as has happened on several occasions—and my point of order is against the Senate amendment to the bill, H.R. 2275. I am inquiring at this time in my parliamentary inquiry if I should make that point of order now since this resolution that the gentleman from Florida has called up does agree to the Senate amendment on a House bill which is as far removed from the subject matter of the amendment as it could be.

What I am asking, Mr. Speaker, is—What is the proper point or time for me to make a point of order?

The **SPEAKER** pro tempore. The Chair will recognize the gentleman to make his point of order.

Mr. JONES of Missouri. I will make the point of order now.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. JONES of Missouri. The point of order is as follows: As the other body has done so many times in the past, they have taken a bill of no great merit and of interest probably to only one Member of Congress, and have attached to that bill an amendment which would affect practically every Member of Congress and each one of the 200 million inhabitants of the United States. They have tried by subterfuge to obtain the passage of a bill in the form of an amendment which they cannot pass directly.

We have sat here from the beginning of the Congress. Many times the Speaker of the House has told us that the two Houses of Congress are coequal, that we have equal rights. The other body has no superiority over us. But on frequent occasions they take a bill and send it back over here to the House with the request that we adopt in the House an amendment which would be subject to a point of order, if introduced in the House.

I am not speaking about the merits of the amendment. That has nothing to do with the point I am making. I am speaking about a principle. The question now is whether we believe the rights of the House are equal to those of the other body.

From time to time, on similar questions, we have been told that this is a matter of comity between the two Houses. There is no comity involved here at all. It is a matter of the abdication of the rights and the principles of the House of Representatives.

I know as well as anything that I am standing here today engaging in an act of futility. I know that I am up here battling against windmills. But I am appealing to other Members of a like mind, people of principle, people who want to see equity, people who want to see the rights of the House preserved: This is your opportunity to see to it.

The gentleman from the Seventh District of Missouri will recall a few years ago that the other body took a school bill, a little private school bill, and attached onto it a civil rights bill, which the proponents were unable to bring to the floor of the House, except by this method.

Mr. Speaker, I am saying that the amendment to this bill has no connection with the subject of the bill whatsoever. It is not germane in any respect. For that reason I make a point of order against the amendment. I know I am going to lose, but I will read with interest the ruling that will be made.

The SPEAKER. The Chair would like to ask the gentleman from Missouri what rule he claims has been violated.

Mr. JONES of Missouri. I am making the point of order on the basis of the rule of equity. I am making the point of order on the basis of what the distinguished Speaker of the House of Representatives has said on many occasions, that these two bodies are equal. I am making the point of order to restore comity and equality. As everyone in the House knows, if I were a lawyer, I would not be up here trying to make this point today.

The SPEAKER. The Chair would like to inquire of the gentleman from Missouri what rule of the House has been violated.

Mr. JONES of Missouri. All right, we will start with rule XX. I will take it under rule XX, which provides—and I can read the English language, though I cannot give you a legal interpretation—

> Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the state of the Union, if, originating in the House—

Which this one did not—

> it would be subject to that point—

Then they give a proviso—

> That a motion to disagree with the amendments—

And there is no motion to disagree. The motion in the resolution is to agree with the amendment, not to disagree with it. I think at that point someone slipped up. I said I am not a lawyer, but I think I can read the English language, and I have a pretty good idea of what the intention was. I think I have a pretty good idea of what the intentions of the Members of the House were. I ask the Members of the House to give this matter consideration. We are voting now upon a principle and not upon some specific bill that has never been considered, in this House and which rule XX provides should be considered in the Committee of the Whole.

The SPEAKER. The Chair is prepared to rule. The Chair has given serious consideration to the point of order raised by the gentleman from Missouri. The Committee on Rules has reported out a special rule. It is within the authority of the rules, and a reporting out by the Rules Committee is consistent with the rules of the House. Therefore, the Chair overrules the point of order.

Mr. JONES of Missouri. Mr. Speaker, I know this has never been done, but I am going to appeal from the rule of the Chair and ask for a rollcall.

Mr. PRICE of Illinois. Mr. Speaker, I move to lay on the table the appeal of the gentleman.

Mr. JONES of Missouri. Mr. Speaker, I withdraw my request, but it is still within my heart.

The SPEAKER. The gentleman from Missouri withdraws his request.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, I yield, if I may, such time as he may consume to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I just want to take these 2 or 3 minutes to supplement what my good friend, one of the finest men in this House, the gentleman from Missouri [Mr. JONES], has just said. He states he is not a lawyer; he states he is not an expert on the rules.

Mr. Speaker, I am a lawyer, but I would not say I am an expert on the rules, but I do happen to know that the ruling of the Chair in this particular matter on the point of order raised by the gentleman from Missouri is a correct ruling. There is no question that under the precedents of the House and under the practice here, this type of thing is not a violation of the rules.

But, Mr. Speaker, my purpose in rising is, as I said, to augment if I can the very strong argument that was made by my friend, the gentleman from Missouri [Mr. JONES]. I think he has rendered a very fine service here in raising this point of order, and I am so glad that he was gracious enough not to insist on an appeal from the ruling of the Chair under these circumstances.

Mr. Speaker, some of us have been very much concerned about this matter, and the rules of the House should be changed to stop this practice. On several occasions I have discussed this matter with the leadership of the House—not only with the present leadership, but the prior leadership of this House. For some reason we have never been able to get the approval of the present leadership or of the previous leadership.

The honorable and able gentleman who preceded me in this position as chairman of the Rules Committee felt the same way that I feel about it, and the same way most of the Members of this House feel about it. Mr. Speaker, for several years I have had a resolution before the Rules Committee to do the very thing that my friend from Missouri is talking about. My present resolution in this Congress is House Resolution 441. What would that resolution do? That would simply amend the rules of the House to say that if extraneous matter in the form of an amendment was put on in the other body, if that was subject to a point of order in this body, when it came back to this body it would still be subject to a point of order.

Something ought to be done about it. I am so happy to see this display of interest in this matter. I brought this question up with the able and distinguished and learned chairman of the Committee on the Judiciary when he was before the committee for this rule. He agreed with me on that occasion.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am very happy to yield to my friend from New York.

Mr. CELLER. I am quite sure that the resolution which the gentleman offers will have widespread approval in the House. Why could not all of the chairmen of all of the standing committees get together and agree to boycott and to refuse to consider any bill which comes from the other body in the nature of a private bill to which is attached extraneous matter and irrelevant substance? If we would do that, I am quite sure we would bring those gentlemen—I cannot say "culprits" because that might be unparliamentary—to book. I would be willing to join in such a boycott.

Mr. COLMER. In response to the able gentleman from New York, permit me to say that sounds very good to me, but it would not be necessary if the rules of the House were amended as I propose to do under this resolution.

In the meantime, I can think of no better argument or vehicle to force the change in the rules of the House than for the gentleman to organize his boycott. Then I am sure we would get action.

Mr. Speaker, I appreciate my friend the gentleman from Florida yielding to me. This is not the first time I have raised this question on the floor of the House. I hope, when the Rules Committee meets again next year, because we do not propose to meet any more this year, that my colleagues on the committee will see fit to report this resolution, and I hope the leadership will encourage it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am happy to yield to my distinguished friend from Iowa.

Mr. GROSS. I wish to commend both the gentleman from Missouri [Mr. Jones] and the gentleman from Mississippi [Mr. Colmer] for the position they have taken on the subject of ungermane subject matter being attached to bills the House sends to the other body.

Many, many times over the years I have asked the question, when a bill came back to the House from the Senate and was being considered on an expedited basis, whether all the amendments were germane.

I hope, with the gentlemen from Mississippi and Missouri, that the next session of Congress will take prompt steps to amend the rules to stop such procedure as this today whereby important legislation has been attached to a small private bill dealing with a totally different subject.

Mr. COLMER. I thank the gentleman for his contribution.

Mr. PEPPER. Mr. Speaker, I yield such time as he may consume to my distinguished colleague and friend the gentleman from Florida [Mr. Haley].

Mr. HALEY. Mr. Speaker, it is regrettable that this rule is before this body today. It should not have been necessary to bring a bill of this kind, with this kind of an amendment to a little bill that has really no significance except to one Member of Congress, before this House.

Members of Congress will recall that not so long ago by a substantial majority the House passed a bill which would have cured practically all of the so-called discrimination that arises under the so-called one-man, one-vote rule of this alleged Supreme Court that we have.

Mr. Speaker, to show you how far off some of the young mischievous and uninformed Members of the other body may have been when they made their argument against the bill that we sent and in conference were able to sustain their point, I would like to call to your attention what has happened in Florida.

In 1960 the population of Florida was 4,951,000 people. We were entitled to 12 seats in the Congress. That is 8 years ago. Today a very conservative estimate of the increase in the population of Florida is 1.4 million people. On the basis of a congressional seat supposedly having 407,000 people represented nationwide, Florida would be entitled to three additional seats. However, these courts or the so-called courts have ruled that you must use the 1960 census of population in redistricting a State. In the Seventh Congressional District, which I have the honor to represent today, the most conservative estimate is that where we only had 414,000 in 1960, today we have 679,000 people. If that is a one-man, one-vote rule, then I will put in with you.

Let us take one State as an example. Of course, under the Constitution, a State that has a majority of over what one congressional seat is entitled to percentagewise is entitled to two seats. The State of North Dakota has 632,000 people under the 1960 census. So each congressional Member from that State, two Members, represents 316,000 people. Take the State of Montana. They have 674,000 population. Two Members from that State represent 337,000 people each.

So this one-man, one-vote rule that a lot of us cry about sounds fine, but it is impossible to achieve unless that group of old men over there absolutely want to strike down the Constitution of this United States. I think slowly but surely they are eroding the Constitution.

Mr. Speaker, I must say that I agree with the gentleman from Missouri, [Mr. Jones], and with the gentleman from Mississippi [Mr. Colmer]. When is this House going to take a position that they are equal to the other body? I think it is about time we did it. You had better wake up and assert the rights that you in this House are entitled to.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. Smith] and to myself such time as I may consume.

I want to make a brief statement about what this rule provides. When the private bill H.R. 2275 was passed by this body it went over to the other body and they adopted it but with an amendment which in substance provided that all seats in the House of Representatives shall be filled by districts and not making any provision or allowance for electing Representatives in the House at large. When the matter came back to the floor of the House a point of order was made that the amendment was not germane. It then went to the Committee on Rules which received the able chairman of the Committee on the Judiciary and others. At the request of the able chairman of the Committee on the Judiciary, the Rules Committee considered the matter and added to the amendment of the other body an additional amendment reading, "except that a State which is entitled to more than one representative and which has in all previous elections elected its representatives at large may elect its representatives at large to the 91st Congress."

This rule, if adopted, would make in order the amendment of the other body to which was added the amendment which I just read by the Committee on Rules.

Mr. Speaker, as I understand it the able chairman of the Committee on the Judiciary will perhaps amplify the matter further. The States of New Mexico and Hawaii have heretofore chosen their elected Representatives in this House at large. They wish to continue to follow that practice. The Rules Committee amendment allows them to do so only in the 91st Congress.

Mr. Speaker, I yield such time as he may consume to the able gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Speaker, the distinguished gentleman from Florida [Mr. Pepper] very succinctly indicates the import of this bill.

It is a rather simple immigration bill to which the other body has attached permanent legislation which, unfortunately, has no relevancy to the private immigration bill involved.

Mr. Speaker, the amendment that was appended to the private immigration bill, in essence, provides that there can be no election of a Representative at large. Each Representative must come from a separate, individual district. Unless that provision is adopted, there may be unfortunate effects upon the State of Indiana. It might be very difficult for the present sitting Members on either side of the aisle to be reelected. At the importunities of the Members from the great State of Indiana, it was thought that we should prohibit election of Members at large.

Then, Mr. Speaker, it was discovered that if we have a policy provision prohibiting election of Representatives at large, then we would militate against the situation that exists in the States of Hawaii and New Mexico. Ever since they have been States, they have elected their Representatives at large. Therefore, it was thought proper to make an exception, and that exception is made in the form of an amendment to the Senate amendment. For the 91st Congress—for one subsequent Congress only—in those two States there may continue to be the election of Representatives at large.

Mr. Speaker, I repeat that exception only applies to those two States and only applies to the 91st Congress.

It might be said that there should be no exception that in the 91st Congress the Representatives from New Mexico and Hawaii may continue to be elected at large. But, it is my opinion that those two States should be given the opportunity to put their house in order so that they may be prepared.

It is a cataclysmic change because they have never elected from individual districts, and to smooth out the rough surfaces, as it were, we thought it well to make that accommodation just for that one Congress for the two States of Hawaii and New Mexico. That is about all this bill does. And I do hope that this small, immigration bill as amended by the Senate, and as amended now by the House, will prevail. If it prevails, there will be no more elections of Representatives at large forever, but that there shall be an exception with reference to the two States of New Mexico and Hawaii for the 91st Congress.

Mr. PEPPER. Mr. Speaker, I yield to the able gentleman from California [Mr. Smith], and I thank him for allowing me to consume so much of my time in the first instance.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I would like to concur in all the remarks that have been made about germaneness on information added to our bills by the other body. The Members recall, as the gentleman from Mississippi stated, we have been trying to get this rule changed for some period of time, but we have not had the votes. It would seem to me that what we have to do is to make it in order as a point of order against any language which is not germane, then add to it the same thing we do under suspension of the rules: if two-thirds of the Members present vote for its consideration, go ahead and consider it, and the House could go ahead and work its will, and it would be very simple to do it that way. Maybe some day we will be able to work it out.

In this bill, it is a little bit complicated, and I believe it has been all explained, and I hate to reiterate, but let me put it in this way, if I may:

The resolution before us, House Resolution 985, is the only item that we are voting upon. At the end of the hour's time, when the vote is made on that particular measure, it will conclude the issue one way or the other. In other words, we are not providing a rule to go into the Committee of the Whole House for the discussion of H.R. 2275.

Now, as the bill first started, I believe it was H.R. 2508, and we passed that many months ago in the House. I believe in that particular bill, or in the conference report, we provided exceptions for the 91st and 92d Congresses for the two States involved, and it came back here, and when we first decided to take up the conference report we came to the conclusion very hurriedly it might cause some States to run at large, and we asked unanimous consent that it go back to conference, which was granted. I believe the members of the Committee on the Judiciary have been in possibly eight different sessions trying to work out that particular bill without avail. And we passed a good one here in the House when we accepted the conference report, and it was not accepted in the other body.

Then they did take this private bill and added on the language. The language in the private bill will prohibit any State from running at large in any future elections. While we did pass a bill that permitted Hawaii and New Mexico to run at large for the next two sessions, the 91st and 92d Congresses, we are in the 90th Congress; that was the previous action taken by the House because those two States have always run at large. As it came back here with the Senate amendment, it would prohibit those States running at large next year.

Now, I took the position—and I am taking the position here and now—that this would be unfair for this body to do that, because I believe that the papers will be taken out in many States 2 months from next Monday, and in those two States that have never had districts, to require the the Governors call a special session of the legislature to count up the population and figure it up, and draw districts in the next 2 months before they take their papers out, and then have all the voters go before the registrar of voters, I just believe that is unfair.

So I take the position with the Members from those two States, let them run at large for the 91st Congress, then they should go ahead and redistrict for the 92d Congress. They said they thought that that was fair.

The reason I make that statement is simply that California is in a somewhat similar situation. The State legislature is now in special session to redistrict, by Supreme Court order, the State of California as to our 38 districts.

The California Senate passed a bill. The assembly passed a bill. They went to conference and they agreed on a conference report. The senate passed it. When I say senate here, I am talking about the senate of the State of California. They passed the conference report. The assembly did not pass it. It has not passed it yet. December 7 is the last date in California that they have. If the bill is not passed in the legislature by that date, the Supreme Court has stated in their order that they will redistrict.

If the legislautre cannot do it, then it might be a question of the Supreme Court not being able to do it either. We will be taking out papers in a couple of months. If the 38 Representatives in California have to run at large, it could be disastrous to the State.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. HALEY. I hope that your legislature goes ahead and redistricts because if you allow these courts to do it as they did in Florida, where some of us are unable to find out where the district starts and stops and as a matter of fact some of the lines that they drew in the marble halls down in Miami run right down citrus row—and you may find yourselves in the same position.

Mr. SMITH of California. Every member of the California delegation on both sides of the aisle joins in your hope. We hope it will be done as soon as possible.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. McCLORY. It seems to me that the problem you have in California and perhaps in other large States where the State is under compulsion of an order of the State court or decisions of the Supreme Court of the United States to redistrict presents a far more difficult problem with regard to establishing districts from which Representatives should run than the situation that exists in the States of New Mexico and Hawaii where they have only two districts which would have to be established by the State legislatures.

It seems to me further that if this resolution is going to be meaningful with regard to the one-man, one-vote principle, in the 91st Congress, it should apply to Hawaii and New Mexico as well.

Under the exception which is authorized in the resolution of the Committee on Rules we are depriving the people of Hawaii and New Mexico of that right to one-man, one-vote. I do not see why we have any right to do that. Therefore, I would like to suggest that we oppose this resolution (H. Res. 985) of the Committee on Rules, and that we vote down the previous question in order that we may observe the one-man, one-vote principle in all of the 50 States.

Mr. SMITH of California. The gentleman is certainly entitled to his opinion. He may oppose it if he wishes. I just happen to believe that if I had to divide up the several islands in Hawaii in the next 3 or 4 weeks in order to get them into two districts so that the registrar of voters could enter the names and addresses of the voters and the candidates, I think it is pretty apparent I would not be able to do it.

I do not mind extending it if it could be by the 91st Congress and then you will have them be divided up like everybody else would have to do under Westbury versus Sanders and we would all be within the 5-percent provision at that time and we will have a 1970 census. The gentleman from Florida is talking about Florida. We have had 4½ million people since the 1960 census in California, and we are redistricting the legislature today on a 1960 census. That is pretty unfair, I think, this procedure to make these two States redistrict in the next few weeks so that they can run in June in the primary. I think that is unfair. That is why I am supporting the rule.

The question will be, as I understand it, on the previous question. In other words, objection would probably be made on the previous question, and that will be where the vote will come, as to whether or not this resolution, House Resolution 985, will be adopted. Then if that is done, there will be a vote on that. If it is passed, it will pass the bill, H.R. 2275, with a Senate amendment prohibiting at-large elections, with our exception in the House, that the two States—and they are not named as the two States—but it is those States and it means New Mexico and Hawaii. They can still run at large in the election for the 91st Congress, which is next year, 1968.

I am in support of the resolution.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I am happy to yield to the gentleman from Missouri.

Mr. JONES of Missouri. Is the gentleman familiar with rule XX, which reads as follows:

> Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the State of the Union, if, originating in the House, it would be subject to that point—

Does not your resolution provide that the bill in question would be passed without the merits of the amendment ever having been discussed in the Committee of the Whole House on the State of the Union?

Mr. SMITH of California. As I stated, I agree with the gentleman's position. I do not want to get into that rule on this question, because this is a tough situation. I think we may be violating the rules, and I will be happy to go along with the gentleman in an effort to get it changed so that this practice can be stopped in the future.

Mr. JONES of Missouri. I think it is time that we started following these rules rather than violating them. For that reason, when they ask for a vote, I will make a point of order on rule XX, which states that this amendment shall be considered in the Committee of the Whole, and that is exactly what the rule states.

Mr. McFALL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. McFALL. I wish to commend the gentleman from California for his statement, and I join with him in what he has said.

Mr. SMITH of California. I thank the gentleman.

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Speaker, since April 28, 1967, when this entire question was before us, we have traveled a rough and rocky road, many times traveling the same road four, five, six, and seven times. I presume that, in this session of Congress, if the old adage is an apt one, it is apt in this case: The mountain really has labored and brought forth a mouse—if that.

I am sure it is a condition not to be desired to have an election at large for Members of Congress from any State entitled to more than one Representative. It is regrettable, Mr. Speaker, that there was an exception existing in the law which exempted New Mexico and Hawaii from the fundamental principle that no State should elect its Members at large.

At the earliest opportunity, after this legislation was introduced, I offered an amendment which would have definitely prohibited elections at large. I regret that that amendment was defeated in the subcommittee. It was defeated in the full committee. And it was defeated by way of a motion to recommit in the House of Representatives when the legislation was before us.

I would like to say that the legislation that first came to the House was reasonably good legislation. When it went to the other body it was reasonably good legislation. I am convinced that the changes made there did not improve that legislation. So we went to a conference committee and we came to agreement. The agreement in conference was an excellent agreement. But there was one minor error made, and the report was sent back to conference, and therein began our major troubles. We made little or no progress in the meantime.

Mr. Speaker, I am opposed to this resolution for a number of reasons. I do not want to give additional and further support to the criticism of the procedure of the other body which has been described and properly criticized by the gentleman from Missouri [Mr. Jones], the able chairman of the Rules Committee, the gentleman from Mississippi [Mr. Colmer], and by two or three other Members in the House, including the ranking minority member of the Rules Committee, the gentleman from California [Mr. Smith].

I do hope that the House—the Members thereof and the leaders thereof—consider the necessity for amending the rules of the House so that we will not be faced with this condition year after year.

The gentleman from Minnesota, Congressman MacGregor, who served on the subcommittee that considered this legislation, on the full committee, and who participated in each conference, will have further material on this matter.

Mr. Speaker, I urge the defeat of the previous question.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Missouri for one question.

Mr. HUNGATE. Mr. Speaker, is it the gentleman's position that if the two bodies are supposedly equal legislatively, and the one can add nongermane amendments and the other not, then this tends to destroy the equality?

Mr. McCULLOCH. It tends to destroy it. Of course, we remain masters of our fate if we are of a mind to be.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota [Mr. MacGregor].

Mr. MacGREGOR. Mr. Speaker, how many times have each of us in this body uttered the words: "We hold these truths to be self-evident, all men are created equal"? Today we are being asked to amend that declaration so that it will read: "I believe that all men are created equal except those residing in Hawaii and New Mexico, and with respect to them I believe they are created more equal," or, if you will, "less equal than those residing in the other 48 States."

How many in this body have recited with pride, as I have, the final words of the Pledge of Allegiance to the Flag of the United States: "with liberty and justice for all"? Today we are being asked to amend that to read: "with liberty and justice for almost all" of the American people.

How many have subscribed to the concept of equal protection of the laws for all American citizens? Today we are being asked to say we believe in the equal protection of the laws except for those people living in New Mexico and Hawaii, and with respect to them we believe that the protection ought to be more equal, or less equal, than for those residing in the other 48 States.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. Mr. Speaker, I will be delighted to yield to the gentleman from New York, if the gentleman will yield me 1 additional minute, because I have only 4 minutes and I believe what I have to say will take all of that time.

Mr. CELLER. I guarantee I will yield the gentleman 1 additional minute.

Mr. MacGREGOR. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, is it not true the gentleman from Minnesota, who is addressing the House, has been a conferee and on two distinct occasions, in two conference reports approved the very exceptions he is inveighing against now, the exceptions for Hawaii and New Mexico?

Mr. MacGREGOR. No. The gentleman knows I did not sign the conference report. That was debated October 26 in this body, and I made the motion to recommit the conference report so as to provide, in part, for a ban on at-large elections in the interim period before the 1970 census. The ban would have been applicable to all 50 States, applicable to all 200 million Americans.

Mr. CELLER. Mr. Speaker, did not the House twice adopt the exceptions to New Mexico and Hawaii, the House, itself? It adopted those exceptions for New Mexico and Hawaii.

Mr. MacGREGOR. Just because a batter swings with futility at two bad pitches, I would hope he would not swing at a third one.

As the senior Senator from Hawaii said in the other body, why should we enact a ban on at-large elections applicable to 48 States, and not to all 50? Why should at-large elections be permitted in only two States of the Union, and not in the other 48?

Mr. Speaker, a leading national newspaper editorialized on November 22 in a very telling way by asking the question: "Why should the House leave itself in this curious predicament?" Members of the House themselves understand the value of individual representation in America's self-governing society, yet some in the House are insisting on an amendment to the Senate-passed bill so as to exempt Hawaii and New Mexico.

Then this newspaper, which I normally do not agree with, but which I must say has spoken very wisely in this editorial, said as follows:

> The proposed exemption of the two states is merely a political gimmick. The Democratic majority in the House hopes to keep all four of these seats in the Democratic column if the elections are at large. Division of Hawaii and New Mexico into districts might enable the Republicans to pick up one seat in each state. The tail of partisan advantage is thus seeking to wag the dog of principle.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. MacGREGOR. May I now be yielded the 2 additional minutes promised me?

Mr. PEPPER. Mr. Speaker, I have 10 minutes left only. If the gentleman from California does not have time, I will yield.

Mr. MacGREGOR. Perhaps each side could yield me 1 minute.

Mr. PEPPER. I would be glad to.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. MacGREGOR. Mr. Speaker, I thank the gentleman from California.

This editorial concludes as follows:

> In our view, the election of Representatives from districts is sound in both principle and practice.
>
> If the House wants a rule forbidding at-large elections, let it be general in its application. The elimination of congressional district lines or failure to create districts out of partisan motives is a particularly offensive form of gerrymandering which should not be tolerated, much less written into law.

Mr. Speaker, statements were made earlier today that we cannot expect poor little Hawaii to call its legislature into special session so as to draw a line dividing the State into two equi-populous parts. Let us see what the senior Senator from the State of Hawaii said on that point in the other body. I will quote from the Congressional Record, volume 113, part 23, page 31707.

Mr. ROGERS of Colorado. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ROGERS of Colorado. The gentleman is speaking in violation of the rules of the House when he makes reference to what was said in the Senate.

The SPEAKER. The point of order is well taken. Without objection, the gentleman will proceed in order.

There was no objection.

Mr. MacGREGOR. Mr. Speaker, I should like to share with you the wise words spoken recently by a very fine and knowledgeable gentleman who comes to us from part way across the Pacific Ocean:

> Hawaii, then, does not require a transition period provided by the conference bill. Having already gone to court, and, under court order, having reapportioned the legislature, Hawaii is now prepared to proceed to implement the Wesberry ruling of the U.S. Supreme Court and draw congressional district lines. And this can be done when the State legislature meets for its 1968 session next February.

Mr. Speaker, I resent arguments made in this body on a wholly erroneous factual basis that a particular legislature must be called into special session when in fact that legislature will be meeting in regular session just a little more than two months from now.

Mr. Speaker, I urge the rejection of this resolution.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the distinguished minority leader [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Speaker, when we vote rather shortly on the previous question, we will in effect be voting on three issues, two of which are parliamentary and one of which goes to the merits. There will undoubtedly be a rollcall on the previous question. Today we are trying to accomplish the wrong objective in part by the wrong parliamentary method.

I happen to agree very strongly with the gentleman from Mississippi [Mr. Colmer] that this body ought to take action to amend its rules so that we can preclude in the future nongermane amendments added in the other body coming back to this body where by one means or another we are forestalled from acting in the regular way on the merits of the amendment. I will strongly support the gentleman from Mississippi in a rule that comes from the Committee on Rules to achieve that commendable purpose that he set forth a few minutes ago.

I am also in sympathy with the frustration that the gentleman from Missouri [Mr. Jones] showed here on the floor of the House. I hope that we can take care of the situation in one "fell swoop" shortly after the beginning of January by the approval of the amendment to the rules recommended by the gentleman from Mississippi [Mr. Colmer]. However, Mr. Speaker, today we are faced with a single practical situation. We have before us a relatively minor bill involving one individual to which the other body has attached broad legislation affecting every Member of this body and 200 million people. It seems to me that this is an excellent example of completely nongermane legislation being added to a bill from this body by the other body. I hope and trust that we preclude and prevent this from happening in the second session of this Congress.

The second point is that by this special rule the minority on this occasion are prevented from the traditional right of a motion to recommit. In the ordinary course of events, that is something that is always available to the minority. It is available to us when we are the minority and it is available to the other side when they may be the minority. But by this very special rule that traditional right is taken from the minority unless we fight the previous question. By the effort to defeat the previous question, indirectly we can keep the motion to recommit, although it is difficult to explain and it is not a direct vote on the issue. What you are doing if you defeat the previous question is to open up the rule and strike from the rule the special exception that permits at-large elections in New Mexico and Hawaii.

For those two parliamentary reasons, Mr. Speaker, I think that we should defeat the previous question.

Then we come to the issue on the merits. I cannot improve on the arguments that have been made by the distinguished gentleman from Ohio, the ranking minority member [Mr. McCulloch], or the arguments made by the gentleman from Minnesota [Mr. MacGregor]. I only add this final comment. If we believe elections at large are wrong, then we should not have any exceptions. I happen to feel that at-large elections are completely the wrong way for the election of Members of this body. I hope and trust that we do not undermine sound principle by the two exceptions provided in this rule.

Mr. SMITH of California. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska [Mr. Denney].

Mr. DENNEY. Mr. Speaker, I shall take only a very short period of time. But, permit me to illustrate to you just what we are getting into if we adopt this rule. I oppose the adoption of this rule.

Mr. Speaker, just last Wednesday a three-judge panel ruled that the State of Nebraska was not properly districted and that the legislature must redistrict the State of Nebraska prior to March 15, or the three representatives of that great State would have to run at large.

Mr. Speaker, under this rule it provides, in conjunction with the amendment from the other body, that only the States of Hawaii and New Mexico can run at large for the 91st Congress.

Mr. Speaker, let us assume that the State Legislature of Nebraska could not agree upon new boundary lines by March 15. This bill says that the State of Nebraska Representatives cannot run at large, and the Federal courts have ruled that we must run at large. We are at an impasse. I do not think we ought to muddy the water any more.

Therefore, Mr. Speaker, I hope that this rule will be defeated.

Mr. PEPPER. Mr. Speaker, I yield 3 minutes to the able and distinguished gentleman from Indiana [Mr. Jacobs].

Mr. JACOBS. Mr. Speaker, I doubt very seriously that there is very much disagreement with the need for a law to prohibit at-large elections, generally, in the United States.

Mr. Speaker, in cases where the Federal court has found a districting statute unconstitutional, the Federal court is without power to draw district lines, unless in that State a constitutional or statutory provision exists requiring Members of Congress to run by districts.

Mr. Speaker, in some States—I believe Maryland is one—such a provision does exist and, therefore, the Federal court has drawn the lines.

If this bill should become law, then in any State whose districts are declared unconstitutional a court could draw district lines and true up those districts that they deemed to be unconstitutional.

With respect to the exception which the Committee on Rules has brought forward in this rule for the States of Hawaii and New Mexico, I commend the gentleman from California [Mr. Smith] for a very excellent and a very practical statement of the problem.

One of the cardinal principles of law is that when a great change is brought about by a judicial or legislative decision, the implementation should proceed with all deliberate speed.

Mr. Speaker, in the State of Hawaii, for example, three legislatures as I understand it have failed to reach agreement upon the reapportionment of themselves.

The inability of those resulted in legislature to reach agreement has the Supreme Court's order of a constitutional convention to be held in the State of Hawaii in order to accomplish the purpose of reapportioning the legislature of the State of Hawaii.

It is my opinion that the distinguished gentleman from California [Mr. Smith] is precisely correct. I say this as a member of the Indiana delegation which faces the very serious threat of running at large, something which we have never done before in Indiana, and something which in my opinion would produce utter chaos in my home State, just as requiring sudden districting for an election less than a year from now, would cause chaos in the States of Hawaii and New Mexico.

So, Mr. Speaker, at so late in this session I would hope that the previous question would be ordered; that the rule will be adopted and that the Congress will proceed with all deliberate speed to avoid chaos both in my own State of Indiana and in the States of Hawaii and New Mexico, as well.

Mr. PEPPER. Mr. Speaker, may I just say a few words in response to what has been said by others.

In the first place, were the Senate amendments not adopted and not to become law, we do not know how many States in the Union would, either by the action of their courts or their legislatures, have to have elections of House Members-at-Large. So we might, by the defeat of this amendment, be augmenting the difficulty rather than diminishing it.

Second, I am informed that, due to the failure of the Legislature of New Mexico to district the State for the election of Members of the House it is responsible for the at-large elections of Members from that State.

Now, we are simply, for one Congress, the 91st, not intervening in that situation because we have learned of what has been done by the Legislature of that State.

In respect to Hawaii, I am informed that the one Member of the State, of course, was elected at large, and then when they provided for an additional Member it was provided that that Member should be elected at large. That was an act of Congress that permitted that. That law has never been changed.

All we are saying by this rule we are proposing to the House is that we agree to the Senate amendment that prohibits at-large elections in the future for Members of the House except in these two States where, due to peculiar conditions of law, or the actions of their courts, or the provisions of their statutes or constitutions, they have in all the previous time been electing their Members at large and they may do so only in the 91st Congress. It does not seem to me unfair or unreasonable to allow those two States one more Congress to put their houses in order, that is, to elect their House Members by districts, as other States will have to do, by the adoption of the Senate amendment.

Mr. Speaker, I have no further requests for time.

I move the previous question.

Mr. JONES of Missouri. Mr. Speaker, I make a point of order against a vote on this resolution, and I make the point of order based entirely on rule XX, which says that any amendment of the Senate to any House bill shall be subject to a point of order that it shall first be considered in the Committee of the Whole House on the State of the Union. If it originated in the House it would be subject to that point of order. I believe there is no question about it being subject to a point of order should it originate here in this House. Until that issue is debated in the Committee of the Whole House on the State of the Union I believe that we are violating rule XX of the House rules.

The SPEAKER. The Chair will state that the Chair has previously ruled on the point of order raised by the gentleman, and the matter is one that is now before the House for the consideration of the House, and the will of the House.

For the reasons heretofore stated and now stated, the Chair overrules the point of order.

Mr. JONES of Missouri. Respectfully, Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. JONES of Missouri. Mr. Speaker, can the Chair tell me under what authority the House can consider this in the House rather than in the Committee of the Whole House on the State of the Union, in view of rule XX which says it shall first be considered in the Committee of the Whole House on the State of the Union?

The SPEAKER. The Chair will state that the House can change its rules at any time upon a resolution that is properly before the House reported by the Committee on Rules. The present resolution has been put before the House by the Committee on Rules within the authority of the Committee on Rules, therefore the matter presents itself for the will of the House.

Mr. JONES of Missouri. Mr. Speaker, a further parliamentary inquiry.

The reason I am making this is that I want to get some record on this for this reason: The Chair has said that the Committee on Rules may make a resolution which has not been adopted by the House which summarily amends the Rules of the House which the Members of the House are supposed to rely upon. This rule has not been adopted as yet.

The SPEAKER. The Chair will state that the Committee on Rules has reported the rule under consideration——

Mr. JONES of Missouri. But it has never been voted upon.

The SPEAKER. The Chair will state that we are about to approach that matter now.

Mr. JONES of Missouri. And I am challenging that, and the point of order is made that we cannot vote on that because it says in rule XX that this first shall be considered in the Committee of the Whole House on the State of the Union.

The SPEAKER. The Chair cannot be any more specific or clear in responding to the point of order or in answering the gentleman's parliamentary inquiry.

The matter is properly before the House and it is a matter on which the House may express its will.

The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MacGREGOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 202, nays 179, answered "present" 4, not voting 47, as follows:

[Roll No. 414]

YEAS—202

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Barrett
Bell
Bennett
Bevill
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brooks
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Casey
Celler
Clark
Clawson, Del
Cohelan
Colmer
Conyers
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dowdy
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan
Hall
Hamilton
Hanley
Hanna
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Hull
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kyros
Landrum
Latta
Leggett
Lipscomb
Long, Md.
Lukens
McCarthy
McFall
McMillan
Macdonald, Mass.
Madden
Mahon
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Reuss
Rhodes, Pa.
Rivers
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roudebush
Roush
Ryan
St Germain
Scheuer
Selden
Shipley
Sisk
Slack
Smith, Calif.
Smith, Iowa
Staggers
Stuckey
Sullivan
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tunney
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waldie
Watkins
Watts
White
Whitten
Willis
Wolff
Wright
Yates
Zablocki
Zion

NAYS—179

Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashmore
Ayres
Baring
Battin
Belcher
Berry
Betts
Biester
Blackburn
Bolton
Bow
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dole
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Ford, Gerald R.
Fulton, Pa.
Gardner
Gathings
Goodell
Goodling
Gross
Grover
Gubser
Gude
Gurney
Haley
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Henderson
Herlong
Horton
Howard
Hunt
Hutchinson
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kupferman
Kuykendall
Kyl
Laird
Langen
Lennon
Lloyd
Long, La.
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Montgomery
Moore
Morse, Mass.
Morton
Mosher
Nelsen
O'Neal, Ga.
Passman
Pelly
Pettis
Pike
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roth
Rumsfeld
Ruppe
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Shriver
Skubitz
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Waggonner
Wampler
Watson
Whalen
Whalley
Whitener

Widnall
Wiggins
Williams, Pa.
Winn
Wyatt
Wydler
Wylie
Wyman
Zwach

ANSWERED "PRESENT"—4

Hungate
O'Konski
Poage
Walker

NOT VOTING—47

Abbitt
Annunzio
Bates
Bingham
Broomfield
Brown, Calif.
Carey
Corman
Cowger
Dickinson
Dorn
Downing
Evins, Tenn.
Flynt
Ford,
William D.
Fountain
Frelinghuysen
Halleck
Hansen, Wash.
Hardy
Hébert
Heckler, Mass.
Hosmer
Machen
Mathias, Md.
Matsunaga
Moss
Pool
Rees
Resnick
Roberts
Rooney, Pa.
Roybal
St. Onge
Saylor
Schweiker
Schwengel
Sikes
Steed
Stephens
Stratton
Stubblefield
Udall
Williams, Miss.
Wilson, Bob
Wilson,
Charles H.
Young

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Matsunaga for, with Mr. O'Konski against.

Mr. Annunzio for, with Mr. Hungate against.

Mr. St. Onge for, with Mr. Poage against.

Mr. Roybal for, with Mr. Frelinghuysen against.

Mr. Brown of California for, with Mr. Broomfield against.

Mr. Bingham for, with Mr. Dickinson against.

Mr. Carey for, with Mr. Mathias of Maryland against.

Mr. Resnick for, with Mr. Hébert against.

Mr. Evins of Tennessee for, with Mr. Abbitt against.

Mr. Moss for, with Mr. Fountain against.

Mr. Halleck for, with Mr. Schwengel against.

Mr. Charles H. Wilson for, with Mr. Saylor against.

Mr. Rees for, with Mr. Schweiker against.

Mr. Machen for, with Mr. Bates against.

Mr. Stratton for, with Mrs. Heckler of Massachusetts against.

Mr. Roberts for, with Mr. Cowger against.

Until further notice:

Mr. Corman with Mr. Williams of Mississippi.

Mr. Young with Mr. Dorn.

Mrs. Hansen of Washington with Mr. Hardy.

Mr. Stubblefield with Mr. Sikes.

Mr. Udall with Mr. Pool.

Mr. Downing with Mr. Steed.

Mr. Flynt with Mr. William D. Ford.

Mr. WATTS, Mr. FISHER, Mr. RIVERS, and Mr. WATKINS changed their votes from "nay" to "yea."

Mr. HUNGATE. Mr. Speaker, I have a live pair with the gentleman from Illinois [Mr. ANNUNZIO]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. POAGE. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. ST. ONGE]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. O'KONSKI. Mr. Speaker, I have a live pair with the gentleman from Hawaii [Mr. MATSUNAGA]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION—CONFERENCE REPORT

Mr. ROGERS of Colorado submitted a conference report and statement on the bill (H.R. 8629) to amend the act of July 4, 1966—Public Law 89-491.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a Joint Resolution of the House of the following title:

H.J. Res. 936. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8629) entitled "An act to amend the act of July 4, 1966 (Public Law 89-491)."

INTERNAL SECURITY ACT OF 1950 AMENDMENTS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 951 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 951

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12601) to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Un-American Activities, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Mississippi [Mr. COLMER] is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the minority to the distinguished gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, I shall be very brief.

Mr. Speaker, House Resolution 951 provides an open rule with 2 hours of general debate for consideration of H.R. 12601 to amend the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes.

Due to certain decisions of the Supreme Court of the United States, the full intent of the Internal Security Act of 1950 has not been accomplished. The purpose of H.R. 12601 is to amend title I of the act to furnish the Attorney General and the Subversive Activities Control Board with the tools to better facilitate a system of public disclosure of the identity of Communist organizations and members of Communist-action organizations.

The bill is intended to improve and strengthen the administration of title I by the inclusion of additional provisions defining the meaning of "Communist-front" organization. It would enlarge the Attorney General's register of Communist organizations. It would require disclosure of Communist organizations using the mail, or any facility of interstate or foreign commerce, to solicit money or property. It would expedite procedures for registration of individual Communists.

In view of the threat to the security of this country posed by the world Communist movement and the U.S. Communist Party, effective implementation of the principles on which the Internal Security Act is based is vital to the national interest. Therefore, Mr. Speaker, I urge the adoption of House Resolution 951 in order that H.R. 12601 may be considered.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the resolution would make in order under an open rule with 2 hours of debate H.R. 12601, which would amend the Internal Security Act with regard to the provisions of that act that deal with registration of Communist organizations.

As I understand it, the bill that is before us, H.R. 12601, affects only title I of the Security Act of 1950. That act provided for the compulsory self-registration of Communist-action and Communist-front organizations, and also members of so-called Communist-action organizations as they are defined in this act.

Thereafter, because of decisions of the U.S. Supreme Court; namely, in the Albertson and Proctor cases and also in the case of the Communist Party of the United States of America against the Subversive Activities Control Board, this title of the Internal Securities Act was rendered largely nugatory, and I think that perhaps a better title for this bill would be directed toward an effort to breathe some life back into the rather moribund body of the Subversive Activities Control Board.

Most of us frankly had not paid much attention to that group of five men downtown until some publicity received rather wide general attention a few weeks or a few months ago that a 26-year-old individual, who was distinguished largely by the fact that he had married a favorite secretary of the President, had suddenly been appointed to this particular sinecure—because that is what I think it amounts to, a 5-year term at $26,000 a year.

When we got to checking into the Subversive Activities Control Board a little bit, we found out that it had been in existence for 17 years, ever since 1950. It had cost the taxpayers of this country something like $5 million or $5,100,000, which is ignoring, I think, all of the very extensive costs of litigation that were incurred by the Government in attempting to validate the authority of the Board.

During all of that time it had sought to compel the registration of 44 individual Communists, and I think, if I remember correctly, 22 Communist-front organizations, as well as the Communist Party of the United States, and it had not been successful in compelling, or it had not succeeded in getting anyone to register, either the organizations or the individuals. So after 17 years and all of this time and money, the Board really had not accomplished anything, and by these particular amendments there is an effort, I suppose, to breathe some life into that organization.

I find it a little bit difficult myself, frankly, to understand how this legislation is going to work, because if I read the report and understood the testimony before the Rules Committee correctly, it is going to repeal any and all penalties that are contained in the Internal Security Act of 1950, any penalties that would otherwise attach to those who fail to register or to those organizations that fail to register.

So if we cannot punish the organization apparently, and we cannot any longer punish the individual for failing to register, I am not sure what good it is going to do to have the Attorney General of the United States compile what I guess is called the public register, and after a petition has been filed by the Attorney General before the Board, and after they give a finding in a quasi-judicial hearing that a particular individual is a Communist or belongs to a Communist-front organization, then he is registered. He does not register himself. The Attorney General registers him, or he registers the organization, and presumably this register is then available to those who have questions about whether or not a particular organization is indeed a Communist-action or a Communist-front organization.

One of the justifications set forth in the report is that there is some disclosure advantage to protect the innocent and the unwary from belonging to or giving money or donations to an organization, and then finding out it is actually a Communist organization.

I would be less than frank with this body this afternoon if I did not say I think this is a kind of makework proposition. I believe as much as anybody in this Chamber that there is still a Communist threat to this country. I do not subscribe to the notion that in the Soviet Union we just have the traditional nation state imperialism to worry about. I think there is a Communist conspiracy and it is a menace and a threat to this country.

But I seriously question whether this bill is going to do very much to unmask the Communist threat to our country, whether it is going to do very much good to have this, I think, utterly useless appendage on the body politic, this vestigial organ that has been in existence 17 years and has not accomplished anything that I can see, or whether it is going to be worth the time and the money to bring it into being.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. Yes; I yield to the gentleman from Louisiana.

Mr. WILLIS. Mr. Speaker, Mr. Yeagley, chief of the Justice Department's Internal Security Division, testified before the Senate committee that the Internal Security Act is the most feared by the Communists in America and that they have worked harder to defeat it than any other law. As a matter of fact, when the Supreme Court in 1960 upheld the very constitutionality of the act, as I said before, Mr. Gus Hall said this decision would compel the Communist Party to commit suicide. And I said to myself, "I am glad if you are dead, you rascal, you."

Mr. ANDERSON of Illinois. If the gentleman is seeking by that statement to infer that anyone who stands on the floor of this House and opposes this legislation is somehow less vigilant and less anxious to oppose communism, then I resent it very much.

Mr. WILLIS. I did not mean that at all. I was pointing out an authoritative statement about the effectiveness of the act, in reply to your attack on it.

Mr. ANDERSON of Illinois. I simply say this has not accomplished very much in 17 years, and I doubt, if we pass this bill, that it will accomplish anything more. I resent the implication that anybody who somehow opposes this is less vigilant or less anxious to fight communism.

Mr. WILLIS. I am very sorry. If I left that impression, I apologize. I meant no such implication.

Mr. ANDERSON of Illinois. I thank the gentleman for clearing up the implication I thought was present in his remarks.

Mr. YATES. Mr. Speaker will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, as a matter of fact, have not a number of the sections of the bill been declared unconstitutional by the Supreme Court? Is that not the reason that the act has been so ineffective over the years? As a matter of fact, was not one of the reasons given by President Truman in 1950 when he vetoed the bill, that he thought the act was unconstitutional? Subsequent events and decisions of the Supreme Court proved he was right. Is not threat of unconstitutionality present in this bill before us today?

Mr. ANDERSON of Illinois. In reply to the gentleman from Illinois, the gentleman is correct. Of course, this bill was previously passed in 1950 over the veto of then President Truman. It is also true in the Albertson and Proctor case and the other case to which I referred, that in the various sections of this bill, those dealing with compulsory registration were held unconstitutional.

I did want to make this one point, that in those hearings that took place in the other body, one amendment was adopted. It was an amendment that I do not believe is present in the legislation before us today; namely, an amendment that provided unless the Attorney General filed a petition with the Board during the next fiscal year—that is, by June 30, 1969—unless he took some action and filed a petition under the act the Subversive Activities Control Board would go out of business. In other words, this was sort of a death sentence clause that if nothing were done after 18 months the Board would go out of existence and the $295,000 or $300,000 a year appropriation they are now getting would no longer be authorized.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. YATES. Was any representation made before the Rules Committee as to whether or not the Department of Justice or the Attorney General favored the passage of this bill?

Mr. WILLIS. Mr. Speaker, will the gentleman yield for an answer to that question?

Mr. ANDERSON of Illinois. I believe I can answer it myself, if the gentleman will permit.

No; the hearing before the Rules Committee indicated that there was no testimony by the Attorney General before the committee. I believe a letter was received by the committee.

Mr. WILLIS. That is right.

Mr. ANDERSON of Illinois. I know a letter was received by the minority leader of the other body, to the effect that if the law were passed he would then proceed to act on the basis of the Constitution and on the basis of the law to enforce it. I believe that was the extent of his comment on the legislation.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. YATES. I have read the report quite thoroughly. I do not find a letter printed in the report of the committee. Was that letter made available to the Rules Committee?

Mr. ANDERSON of Illinois. I yield to the gentleman from Louisiana, because he testified on that point.

Mr. WILLIS. I have the original letter in my hand. Since we are now in the House, I ask unanimous consent to have that letter printed in the RECORD at this point. The gentleman properly paraphrased the letter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The letter is as follows:

THE ATTORNEY GENERAL,
Washington, October 17, 1967.

Hon. EDWIN E. WILLIS,
Chairman, Committee on Un-American Activities, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN WILLIS: You have asked me what course of action the Department of Justice will follow in enforcing H.R. 10390 should it become law.

The bill provides the Attorney General "shall file . . ." proceedings with the Subversive Activities Control Board under the standards set forth. If it becomes law, H.R.

10890 will be enforced. Proceedings will be initiated with the Board as evidence warrants, consistent with the Constitution and the standards of the Act.

Sincerely,

RAMSEY CLARK.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman from Illinois [Mr. ANDERSON] for calling attention to the ineffectiveness of the so-called Control Board.

I yield to no one in the House, and I am sure the gentleman from Illinois yields to no one in the House, in opposition to the Communist conspiracy worldwide or in this country.

As the gentleman previously stated, I know of nothing this Board has accomplished in its existence.

I would gladly support this legislation had the Board been effective, but as far as I know it has not even updated the list of subversives and Communist-front organizations in this country. I believe the taxpayers ought to get something for their money.

If the committee had come to the floor with a bill cutting this Board down to, say, one man, and this man given an opportunity to do something effective in behalf of this cause, I would gladly go along with it. I find it difficult under the circumstances.

Mr. ANDERSON of Illinois. I thank the gentleman from Iowa, because I believe he put his finger on the very crux of the matter which confronts us in the House today.

All of us, of course, are concerned about preserving and protecting the internal security of the United States, but we want to do it, No. 1, in a constitutional manner. No. 2, we do not want to set up a bureaucratic organization that has not done anything for the past 17 years and say, "Well, perhaps with a few changes in the law we can expect better performance in the future."

I am not convinced on the basis of the report, and I am not convinced on the basis of the testimony I heard before the Rules Committee, that that will be the case.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank the gentleman for yielding.

I certainly would agree with many things the gentleman said. I do not believe anybody could hold out that the Board has been active. But I believe we have overlooked two very important points.

First, the Board can only do what the Attorney General delegates to the Board. It takes a formal motion from the Attorney General. There has not been an inclination on the part of recent Attorneys General to do much in the field of subversion.

Second, is the matter of the Supreme Court decisions. I believe it is a matter of common knowledge that a number of Supreme Court decisions have effectively whittled down on the entire structure of our internal security laws.

I think this bill is one effort to try to shore up—and I use that word advisedly—to shore up the internal security acts which are on the statute books at the present time. I happen to disagree to one extent. I think it is a credible effort to try to breathe some life into an area where there has not been an inclination on the part of the Attorney General to do so. There have been a number of Supreme Court decisions that cut down on their effective area of operation.

Mr. ANDERSON of Illinois. I do not for one minute question the sincerity of the gentleman from Ohio [Mr. ASHBROOK] or his motives, but the gentleman used the expression "to breathe some life" into it. I think that the corpse is pretty cold at this point.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I want to join the gentleman from Illinois in making the very valid point that one may be completely anti-Communist, opposed to that evil philosophy completely, and still oppose the bill under discussion.

I would also like to point out to the gentleman from Ohio [Mr. ASHBROOK] that this law has been on the books for 17 years and was under the jurisdiction not only of Democratic Attorneys General, but under the jurisdiction as well of Attorneys General of Republican administrations.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I yield to the gentleman from Texas [Mr. FISHER].

(By unanimous consent, Mr. FISHER was granted permission to speak out of order.)

PRESIDENT DE GAULLE'S BLAST

Mr. FISHER. Mr. Speaker, President Charles de Gaulle's gratuitous attack upon the United States and the international role of the dollar can be explained only by the general's dislike of our country and his utter disregard of the truth. Some think it shows symptoms of senility.

The French President seems to have forgotten that during two wars the United States made supreme sacrifices in behalf of the French.

It is high time that Americans forgo spending tourist dollars in France for a while, and it is a good time for our Government to demand that De Gaulle, instead of attempting to undercut international confidence in the dollar, devote himself to the payment of the $7 billion debt which France owes this country.

I find myself in full agreement with the press comment of the world and particularly that of the Swedish newspaper that classified the opinions expressed by the French leader at his press conference on yesterday as "eccentric and disgusting."

General de Gaulle attacks the dollar and repeats his outworn appeal for a return to the prewar gold standard, not realizing—or more probably not caring—that this would mean an automatic rise in the price of gold. He claims the United States exports inflation to the rest of the world.

The general has shown resolute incuriosity concerning the real ills of the world and has compiled a record of stunning indifference to those courses which might cure these ills.

In a word he is the symbol of the fusion of intransigency, abysmal ignorance, and absolute power. And there is no more dangerous or destructive combination. As a classical scholar he might well be guided by Marcus Aurelius' admonition:

> Remember this—that there is a proper dignity and proportion to be observed in the performance of every act of life.

Mr. COLMER. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, I would just like to point out that the overriding purpose of this bill is disclosure; disclosure to the American people, those groups and individuals who seek to destroy our form of government. While it is true that the FBI, the CIA, military intelligence branches, and other responsible agencies know who most of the Communists are in our country, this information is normally not disseminated to the public. Patriotic people with sincere intentions are often approached to join or contribute to some group which is nothing more than a front for the Communist Party. These people have a right to know the true nature of the organization in question. I have every confidence that the growth of the Communist Party and its influences in this country will be sharply limited by exposing these groups for what they are.

This is not to limit the free speech of anyone. This is not to deprive anyone of their constitutional rights. None of the constitutional safeguards of indictment, confrontation, cross-examination, trial by jury, proof beyond a reasonable doubt, or due process of law, are denied an individual by the bill under consideration today.

Neither this bill nor the recently passed Senate bill, S. 2171, changes the role of the Subversive Activities Control Board. This role has been specifically upheld as constitutional in recent Supreme Court decisions.

Determinations are made by the Board only upon petitions that have been submitted by the Attorney General and on the basis of evidence presented in open hearings by attorneys for the Department of Justice.

I just want to stress again what you will hear when amendments are introduced concerning past or future inactivity of the Board. Since the Board has no investigative or prosecuting powers, prolonged inactivity can be attributed not to the Board, but in some cases to those whom Congress has directed to initiate proceedings. If these amendments are made to the act to confrom to recent court decisions, then there will be no excuse for inactivity of the Board and those on whom it relies for its impetus.

Mr. COLMER. Mr. Speaker, I urge the adoption of the resolution, and move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. WILLIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12601) to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12601, with Mr. ANDREWS of Alabama in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Louisiana [Mr. WILLIS] will be recognized for 1 hour, and the gentleman from Ohio [Mr. ASHBROOK] will be recognized for 1 hour.

The Chair recognizes the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill comes before the Committee of the Whole House on the State of the Union today with the most formidable support of any bill which it has been my pleasure to present since I have been a Member of this body.

As the Members know, in the past only the name of one Member could appear as the author of a bill. However, under the new and present rules of the House of Representatives, a bill may have multiple sponsorship. Under that new rule, this bill comes before the committee with the endorsement and introduction of 50 Members of this body.

Mr. Chairman, I, as chairman of the Committee on Un-American Activities, introduced a bill on behalf of the Democratic side. I was joined by 24 other Democratic Members, making a total of 25. The Members of this body who joined me in the introduction of that bill include a number of committee chairman of this body, such as the distinguished gentleman from Texas [Mr. BURLESON], the distinguished gentleman from South Carolina [Mr. RIVERS], and other chairmen who are authors of this bill.

Then, Mr. Chairman, a parallel bill, an identical bill, was introduced by the minority Member, the distinguished gentleman from Ohio [Mr. ASHBROOK]. He was joined in the introduction of his bill by 24 Republican Members.

So I repeat the fact that this bill comes to you as having been introduced by 50 Members on a bipartisan basis.

Mr. Chairman, the bill, if adopted, would amend the Internal Security Act of 1950. The purpose of that act, I will say to my colleagues, was to compel the keeping of a registry of names, addresses of Communist organizations, and Communist members.

Mr. Chairman, 100 years ago President Abraham Lincoln said that if this country is to be destroyed, it will be destroyed by influences from within and not from without. We can take care of ourselves with reference to attacks from without, but it was from the threat of certain forces from within that the Internal Security Act of 1950 was adopted and with which it deals.

Mr. Chairman, the Internal Security Act of 1950 is by far our greatest weapon in the fight, in the constant fight against communism. The act created the SACB, the Subversive Activities Control Board.

Permit me at this point to reply to certain inferences that were made on the floor of the House to the effect that this Board has never accomplished anything. As a matter of fact, every January of each year the Speaker of the House of Representatives receives, and I, as chairman of the the Committee on Un-American Activities receive, a letter from the Department of Justice outlining cases brought before the Board.

Thus far, Mr. Chairman, 70 cases have been considered by the Board.

Mr. Chairman, the hearing records in these cases, is comprised of ever 103,000 pages of testimony. Yet Members come here and say that this Board has accomplished nothing.

Mr. Chairman, as I mentioned during the consideration of the rule providing for the consideration of this measure, in 1950 the Supreme Court upheld the constitutionality of the requirements of registration. At that time Gus Hall said that this decision would compel the Communist Party to commit suicide.

The witnesses who have appeared before the SACB were undercover agents of the FBI, and one after another, after another, after another, of these witnesses have testified to the effect that the most feared instrument in our fight against communism is this law which is on the books today.

As I said, the Supreme Court has upheld the constitutionality of the act, the constitutionality of the Internal Security Act of 1950. By 1965, however, when pursuant to the provisions of the act, proceedings were taken against the Communist Party and individual Communists to register, the Supreme Court said that upon invocation of the fifth amendment they could not be compelled to register.

Frankly, if I had been a member of the Supreme Court, maybe for different reasons, but for good reasons, anyway—because I, too, regard communism as such a degrading, horrible thing—if I were a judge I, too, would hold that no one can be compelled to register that he is a Communist. The Court has said, anyway, upon invocation of the fifth amendment you cannot compel one to register.

I have found a way out of this, as the first author of this bill, to preserve the integrity of the act. What was its purpose? As I said, its purpose was to keep an accurate register of organizations and individuals found by the Board to be communistic.

This was the original structure of the act, as I said, that upon being so found they had to register.

Now, I found a way, and this bill provides the way, to preserve the purpose of the keeping of a register of Communist organizations without impairing the act and without flouting the Supreme Court decision.

How do I do that? Well, by the simple instrument of compelling the Attorney General to keep a list of all organizations and individuals found by the Board to be members of the Communist Party.

It has been said that we are uncertain as to what will happen in the future. I received a letter from the Attorney General. I wrote to him myself. The letter will be made a part of the RECORD and the Members will find it in tomorrow morning's RECORD, this letter from the Attorney General.

What does he say? He says:

> I agree to carry out the functions of the act if enacted, and I will keep the register.

And that is exactly what the bill would do.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. YATES. The gentleman's statement is that the purpose of the act is to keep a list of the members of the Communist Party?

Mr. WILLIS. Their names and addresses.

Mr. YATES. The names and addresses of the members of the Communist Party?

Mr. WILLIS. No, no. All members of the Communist Party found by the Board to be such.

Mr. YATES. To be members of the Communist Party?

Mr. WILLIS. Yes.

Mr. YATES. Does the act go beyond that and require the Attorney General to keep a list of members of the so-called Communist Party fronts and Communist-infiltrated organizations as well?

Mr. WILLIS. No.

Mr. YATES. Just members of the Communist Party?

Mr. WILLIS. That is right.

Mr. YATES. I thank the gentleman for yielding. I had a different impression from reading the report.

Mr. WILLIS. I want to say this: It was stated that a number of sections of the act were declared unconstitutional. That, my friends, is not so, and I would ask the gentleman from Illinois to pay close attention to this:

Only one section—one section of this long act—was found to be unconstitutional, and that is the section dealing with passports. No other section has been declared to be unconstitutional. On the contrary, there are decisions upholding the whole act, and only one decision striking down a single section, not section after section, as has been intimated——

Mr. ADAMS. Mr. Chairman, will the gentleman yield for a question?

Mr. WILLIS. Certainly I will yield to the gentleman.

Mr. ADAMS. I remember handling these cases as they came up, and I want to be sure with regard to the gentleman's statement on the organizations. There is presently in existence, as we both know, a list which has been discredited that is kept by the Attorney General, a list of organizations that were decreed to be subversive, and, as I stated, this has been discredited—it has gone out of date. I understood under this act there would be a list of organizations found by this board to be required to register. My question is would that list then substitute for and do away for all time with the older list that existed in the past?

Mr. WILLIS. There is no direct relationship between the two. That old list still stands, though it is dated and many organizations on it are now defunct. But this is a new act which would develop a new list, a list of organizations and fronts found to be such by the Board, which would, in effect, compliment and up-date the old list.

Mr. ADAMS. Then what I want to understand is, from your report it is indicated, and my amendment is that one organization has been found to be a Communist organization, which was the Communist party, and it then was upheld in the Supreme Court. Seven others were also found to be organizations, which are now defunct.

Now what I want to now is, Would that be the list you would start with now under this act as you have amended it, and then we start it as an elaborate procedure for determining whether or not an organization is a Communist organization or a Communist front or one of the other categories, and then it would be built on that list of eight, and in effect you would be starting to build again; is that correct?

Mr. WILLIS. That would be my understanding. But the number of organizations found to be Communist by the SACB is more than eight.

Mr. ADAMS. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ASHBROOK. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I do not intend to take a great amount of time. I think most of you present today have had a chance to read the report.

It is our theory on the minority side that we can very briefly place the bill in its proper perspective and move on to opening the bill for amendment, if such be the case, and as expeditiously as possible vote on this bill.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. Yes, I yield to my chairman.

Mr. WILLIS. I mentioned the sponsors of this bill and I now would like to recite a list of the people who have testified in support of this bill. They are as follows:

WITNESSES WHO SUPPORT H.R. 12601

Loyd Wright, former president, American Bar Association, 1954–55; only honorary life president, International Bar Association; chairman, Commission on Government Security.

John C. Satterfield, former president of American Bar Association, 1961–62; participant in Conferences on World Peace Through Law; fellow of American Bar Foundation; director, American Judicature Society; member, National Conference of Commissioners of Uniform State Laws.

Peyton Ford, former assistant to the Attorney General and Acting Attorney General of the United States.

James J. Davidson, Jr., former president, Louisiana State Bar Association; currently vice president, Council of the Louisiana State Law Institute; member, American Law Institute.

Hon. Michael A. Musmanno, justice of Pennsylvania Supreme Court; former judge, International War Crimes Tribunal and member of Commission on International Rules of Judiciary Procedure.

Robert Morris, president, University of Plano; former municipal court judge, New York City and chief counsel, Senate Internal Security Subcommittee.

Stanley J. Tracey, former Assistant Director, Federal Bureau of Investigation and associate counsel, Project Survey Division of the Commission on Government Security.

John W. Mahan, chairman, Subversive Activities Control Board.

ORGANIZATIONS

American Legion, Veterans of Foreign Wars, AMVETS, Military Order of World Wars, and Sons of the American Revolution.

So we have a formidable array—a most formidable array of people and organizations in support of this bill that I have ever seen in my life.

Mr. ASHBROOK. I thank the gentleman for his contribution.

Mr. Chairman, today I have again heard some of the same kind of remarks I have heard before about the Internal Security Act—remarks to the effect that the act is useless, that it has accomplished nothing, that it has not hurt the Communist Party because no Communist organizations and no party members have registered under it.

I have heard the Subversive Activities Control Board attacked on the grounds that it has done little or no work in the last year or two, when the truth, of course, is that if the SACB has done little or nothing recently, it is not its fault, but the responsibility of the Attorney General—because the Board can act only in response to a petition from him.

The bill we are now considering deals with the Subversive Activities Control Board and the internal security of our country. For this reason, it seems to me that in searching for the facts to determine how we will vote on it, we should go for information to those who know most about the subject. Numerous court cases, including prosecutions under the Smith Act and espionage statutes, plus all the proceedings of the Subversive Activities Control Board can leave no doubt in anyone's mind that the FBI, for many, many years, has done a truly outstanding job of keeping track of the operations of the Communist Party, and that, better than anyone else, it knows what the party is doing, what is hurting it, what is helping it, and just how it reacts to, and is affected by, the laws, policies and actions of the U.S. Government.

It is fortunate that on the matter of the Internal Security Act which the bill we are now considering would amend, the FBI has not been silent. It has not been silent on how the Internal Security Act has affected the Communist Party. It has not been silent on the impact court decisions relating to the Internal Security Act have had on the Communist Party. It has not been silent on the question of what the Communist Party feels about the Internal Security Act.

Over the years, in his appearances before the House Appropriations Committee, FBI Director J. Edgar Hoover has made numerous statements on these subjects—statements which, I believe, must be accepted as the most accurate and authoritative statements available to us, statements which, more than any others, should determine our thinking on the value and effectiveness of the Internal Security Act.

In preparation for this debate, the staff of the Committee on Un-American Activities has compiled all such statements of Mr. Hoover in his appearances before the Appropriations Committee. Time will not permit my reading them. I will therefore request unanimous consent to insert them in the RECORD at the conclusion of my remarks.

For the benefit of the Members who will not have the opportunity to read these statements until the RECORD is printed tomorrow, I would like to summarize what they reveal.

They make it clear beyond all question that the Communist Party fears the Internal Security Act; that it has worked for its repeal for many, many years; that it has spent large sums of money establishing fronts, hiring counsel and influencing other groups to oppose the act; that the party went deeper underground—and its operations were therefore hurt—when the act was passed; that the act has assisted in restricting Communist activities.

They make it clear, in addition, that the Supreme Court decision of June 1961 upholding the constitutionality of the act's basic provisions also hurt the Communist Party and created real problems for it. At the same time—and most importantly—they make it clear that later court decisions which have weakened the effectiveness of the act have revitalized the fervor and efforts of the Communist Party, have resulted in an increase in its membership, have led to the holding of a national convention for the first time in 7 years, and have developed the belief in the Communist Party that conditions for Communist operations are more favorable now than at any time in the last 17 years. The result of all this has been a marked increase in both the amount and the openness of Communist operations.

In a speech made in June of this year, Mr. Hoover stated:

> Never has a stronger spirit of optimism prevailed within the Communist movement than exists today. This optimism is based not on wishful thinking but on actual trends and developments which the Communists interpret as strengthening their ability to undermine America's security and freedom.

This is what we are debating today and now—our country's security and freedom.

Mr. Hoover, who is our best available authority on this subject, has made crystal clear just how the Internal Security Act has affected our security and freedom and also how it has affected those who are trying to destroy it. It is his policy to refrain from taking a position on legislative matters. For this reason, he did not testify in the hearings on the bill before us. His testimony before the Appropriations Committee, however, leaves no doubt about the fact that to strengthen and preserve our security and freedom the thing we must do is strengthen the Internal Security Act. That is what H.R. 12601 does. That is why, in my view, it merits the full support of this House.

The material referred to follows:

FBI Statements Concerning Impact of Internal Security Act, and Court Decisions Affecting It, on the Communist Party

J. Edgar Hoover, House Appropriations Subcommittee testimony, January 24, 1952: "* * * Membership [of the U.S. Communist Party] has declined materially over the last several years . . . That decline has been due to a number of factors . . . the congressional investigations which have been made. I think those investigations have been very helpful . . . The McCarron [Internal Security] Act, as well as the Smith Act, has assisted materially in bringing about an effective restriction of Communist activities."

J. Edgar Hoover, House Appropriations Subcommittee testimony, February 25, 1953: "* * * The Internal Security Act of 1950 has added to our responsibilities. It broadened the field of control of subversive organizations."

J. Edgar Hoover, House Appropriations Subcommittee testimony, December 9, 1953: "* * * On the domestic front, the Communists have also directed their attention to urging repeal of . . . the Internal Security Act of 1950."

J. Edgar Hoover—House Appropriations Subcommittee testimony, February 1, 1956: "Significant is the fact that the party proposes during the coming year to tactically exploit the Geneva Four-Power Conference with a background effort to defeat the Internal Security Act of 1950, the Smith Act and other anti-Communist legislation. The party has set aside a fund to conduct an intensive crusade which will last 4 to 6 months to achieve this objective. Their campaign is intended to involve legal maneuvers, acquiring eminent counsel to defend the party in its propaganda efforts. Their tactics will be concealed and will emerge through Communist-front organizations and through so-called liberal groups which they are able to infiltrate and interest in their behalf."

Annual report of FBI Director, J. Edgar Hoover, Department of Justice, fiscal year 1961: "Despite a Supreme Court ruling on June 5, 1961, upholding the Subversive Activities Control Board's findings that the Communist Party, USA, is a communist-action organization which is directed and controlled by the Soviet Union, Party leaders continue to claim that they represent a legitimate political group.

"While openly asserting that it will not comply with the order to register with the Attorney General as required by the Internal Security Act of 1950, the Party petitioned for a rehearing of the Supreme Court's decision. This petition had not been acted upon at the close of the year.

"Setting the stage for Party defiance of the Court's ruling and the order of the Subversive Activities Control Board, Gus Hall, General Secretary of the Communist Party, USA, declared on June 8, 1961:

" 'It [the Internal Security Act of 1950] is a monstrous law and a monstrous decision. It asks the Communist Party to commit suicide and I can say very bluntly that we will not cooperate with any such precedent.' "

J. Edgar Hoover, House Appropriations Subcommittee testimony, January 24, 1962: "Under the false guise of a political organization, the Communist Party in this country acts as the subservient mouthpiece of international communism with the Kremlin setting the line to be followed.

"This thin veil of legitimacy was, however, publicly lifted when the Supreme Court last June judicially affirmed the oft-repeated contention that the Communist Party in the United States is not a legitimate political party, but a subversive group directed and controlled by the Soviet Union.

"As a defensive measure the party is in the process of streamlining its organizational structure. It is eliminating its apparatus between the district and club levels, and district committees as well as clubs are being reduced in size. This is being done as a result of the upholding by the Supreme Court of the registration provisions of the Internal Security Act of 1950. Club meetings are being held less frequently and when held are masquerading as meetings of 'garden clubs,' 'bridge clubs,' and the like. One course of action presently being considered by the party calls for the sending of its members into mass work and the creation of 'umbrella organizations' through which the party's continuance can be guaranteed.

"In line with its streamlining plans, the party is also considering the dissolution of its National Committee as well as its national executive committee and the placing of the party's reins in the hands of a three-member national board.

"The Supreme Court in its decision of last June upheld the 1953 order of the Subversive Activities Control Board that the Communist Party of the United States is a Communist-action organization and required to register as such with the Attorney General under the Internal Security Act of 1950.

"From the outset, the party publicly took the position that it would not comply, showing once again its complete and utter disdain for a government of law and order. The party immediately began numerous devious maneuvers to thwart the law. Gus Hall, the general secretary of the Communist Party, U.S.A., with his admonition, 'It is not what you know, but what you show!' warned party members to destroy incriminating documents which might be used in prosecutions against them.

"They then launched a mass appeal for support. The basic objective of this flood of propaganda was to attempt to destroy the image of the party as an agent of a foreign power and to create an image of the party as an independent political entity."

Annual report of FBI Director, J. Edgar Hoover, Department of Justice, fiscal year 1964: "Many developments on the national and international scene afforded American communists encouragement during the fiscal year. Perhaps the most important, from the Party's point of view, was the decision of the United States Court of Appeals for the District of Columbia which reversed the conviction of the Party for failing to register under the provisions of the Internal Security Act of 1950 and the subsequent refusal of the United States Supreme Court to review this decision. Party National Chairman Elizabeth Gurley Flynn[1] hailed this action as a victorious turning point for the Communists in their 13-year struggle against the Internal Security Act.

"Party leaders have placed the active membership figure of the Communist Party, USA, at 10,000, a numerical strength which may not appear to be too significant. This information is misleading, however, since leaders know that there are a great many inactive members who have not turned their backs on the principles of Marxism-Leninism and can be expected to move back into action if the Party is successful in its fight against the Internal Security Act of 1950."

J. Edgar Hoover, House Appropriations Subcommittee testimony, March 4, 1965: "It would be difficult to single out any period since the passage of the Internal Security Act of 1950 in which the party's optimism surpasses that experienced during 1964. The most important reason for this is the December 1963 decision of the court of appeals reversing the conviction of the party for failing to register under the provisions of the Internal Security Act of 1950 and the refusal of the Supreme Court to review the decision of the court of appeals.

"In the belief that the 'climate' in the United States is changing rapidly in its favor, the Communist Party, U.S.A. is beginning to open the veil of secrecy that has surrounded it since June 1961, when the U.S. Supreme Court upheld the order of the Subversive Activities Control Board that the party must register under the provisions of the Internal Security Act of 1950. Among other things, the party's national committee met in July 1964 for the first time since 1961; a new party program is in preparation; and party leader Gus Hall has indicated that a Communist Party, U.S.A. national convention will be held in 1965."

J. Edgar Hoover, House Appropriations Subcommittee testimony, February 10, 1966: "While the chief foreign policy objective of the Communist Party, U.S.A. continues to be the withdrawal of U.S. forces from southeast Asia, it continues to advocate expanded trade with 'socialist' countries, admission of Communist China to the United Nations and normal diplomatic relations with Cuba as well as with Communist China. The repeal of the Internal Security Act of 1950 and the abolition of the House Committee on Un-American Activities also remain high-priority objectives.

"Fully aware that Federal prosecution under the Internal Security Act of 1950 restricted many of their activities, party leaders continued to mount a massive propaganda assault to remove this obstacle to their aims and purposes. In an effort to gain support from the academic community, party spokesmen have utilized appearances on college campuses specifically to condemn this act. In addition, they have solicited and received support from Communist parties in other countries. The campaign against the Internal Security Act of 1950 is now worldwide in nature and directed to project the illusion that the Communist Party, U.S.A. is a legitimate party being suppressed because it opposes the imperialistic aims of the United States.

"Elated with the November 15, 1965, decision of the U.S. Supreme Court, which declared the membership provision section of the Internal Security Act of 1950 unconstitutional, the Communist Party, U.S.A. began making bold plans for the future as soon as the decision was made public.

"In a press conference on November 15, 1965, Gus Hall, the party's general secretary, declared that the party would move immediately to get Communist candidates on election ballots and would run candidates for public office wherever possible. Hall stated that the party would take steps for greater participation in the 1966 elections and, as part of their stepped-up activity in this regard, would issue a new program to the American people. Part of this program calls for the estballishment of a new political party which would be based on Negro, labor and 'peace' groups. The program declares that the new party is essential because the current problems facing the Nation cannot be solved under the two-party system as it is presently situated.

"Party leader Gus Hall, in the past, in placing the membership at 10,000, has declared that there are at least 100,000 'state-of-mind' members whom he defined as persons sympathetic to the party line and objectives. Bolstering this declaration of many persons being sympathetic to the party is the claim of party leaders that if they can defeat the Internal Security Act of 1950 they can recruit 50,000 new members within a year.

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[1] Died in Moscow, September 5, 1964.

"In keeping with this, on November 15, 1965, following the Supreme Court decision which held that the membership provision of the act was unenforceable if the fifth amendment was utilized as a defense, Hall promptly indicated the decision would result in renewed growth of the party. In substantiation of his prediction, Hall stated during a press conference in Chicago, Ill., on December 6, 1965, that the party was experiencing the greatest upsurge in its history, and that the party membership had jumped to 1,000 or 2,000 above its 10,000 total of a year ago.

"PARTY'S 18TH NATIONAL CONVENTION

"The most important event facing the Communist Party, U.S.A. in the near future is its 18th national convention. Present plans call for the convention to be held in New York City for 4 days commencing June 23, 1966. Approximately 300 party delegates and 150 alternate delegates are scheduled to attend the convention. In addition, the party plans to invite 300 nonparty members to attend the convention as guests. The purpose of inviting the large number of guests is to create the impression that the convention is not essentially a Communist Party convention and also to create confusion as to who are the actual party members at the convention. To create publicity for the convention, the party plans to call a huge mass meeting of several thousands on opening night. The party also plans to open the convention to television and radio coverage.

"This will be the first national convention for the party since 1959."

Annual report of FBI Director J. Edgar Hoover, Department of Justice, fiscal year 1967: "The Communist Party—U.S.A. is riding the crest of a wave of optimism. The party's 18th national convention, which was held in New York City, June 22–26, 1966, constituted a significant landmark in the history of the Communist movement in the United States. The very fact that the convention was held—the first one since 1959—reflected the feeling of Communists that the time has come to operate openly and boldly. The dominant mood of those who attended the convention was one of optimism based on the belief that the political climate in this country is ripe for 'radicalism' and consequently, the party can reap substantial benefits from the changing times.

"The convention marked the emergence of the Communist Party—U.S.A. from its political isolation and ended the masquerade of top party leaders as 'Communist spokesmen.' In addition, the party plans to have leaders in various districts openly identified and aims to re-establish public headquarters in a number of cities rather than operate from homes of officials or from party bookstores.

"The effect of the convention on the Communist Party—U.S.A. was important in a number of ways. It assured a continuing leadership dedicated to serving Soviet interests; it tightened the framework of party organization; it established greater unity of purpose in regard to objectives; it gave birth to a youthful cadre insisting on a greater voice in party affairs and advocating a more militant role for the party; and it formulated numerous programs designed to increase the party's membership, activity, and influence."

Annual report of FBI Director, J. Edgar Hoover, Department of Justice, fiscal year 1967: "Invigorated by its first National Convention since 1959, held in June, 1966, and bolstered by certain legal victories, the Communist Party, USA, entered the fiscal year with hopeful programs to establish a broad front encompassing youth, labor, civil rights and foreign policy."

Speech by FBI Director, J. Edgar Hoover, Department of Justice, on "Faith, Freedom and Law," before the Regional Conference on Crime Prevention Michigan State Bar, Rochester, Mich., June 8, 1967: "Never has a stronger spirit of optimism prevailed within the Communist movement than exists today. This optimism is based not on wishful thinking but on actual trends and developments which the communists interpret as strengthening their ability to undermine America's security and freedom.

"Foremost among these is the Party's continued success in thwarting the law and circumventing justice in the United States—a success which has prompted Gus Hall and other communist leaders recently to boast of their continuing victories against antisubversive laws and regulations."

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. I refer to page 4 of the report. The reason I raise the question is because it has been represented that these amendments seek to void the decisions of the Supreme Court which have declared previous provisions of the act invalid.

Mr. ASHBROOK. If the gentleman will permit me, the gentleman uses the word "void." I think we are trying to bring everything into harmony with what the Supreme Court decisions have decreed. I do not happen to agree with some of those decisions, but we are not trying to "void" any law of the land. I think the gentleman will admit that the Supreme Court, like it or not, has mandated that we move in certain directions and not move in others. We are merely complying.

Mr. YATES. That is correct. I accept the gentleman's statement.

On page 4 of the report the following statement appears:

> When the Attorney General has reason to believe that any Communist-action or front organizaiton has not registered itself as required under section 7, he is authorized under section 13 of the act to file with the Board a petition for an order requiring the organization to register. He may also file a petition for an order requiring a member of a Communist-action organization to register when the organization has been ordered to register but has not done so, or when, having registered, it fails to include the member's name upon its list of members and the member fails to register himself as required by section 8. If an action or front organization, or a member of an action organization, fails to register pursuant to an order of the Board, penalties are imposed for such failure by section 15 of the act, consisting of a fine as to the organization and both fine and imprisonment as to the individual.

Mr. ASHBROOK. What the gentleman has been reading from is the original act. But there is no comparable provision in our bill.

That has been stated two or three times. I presume the gentleman from Illinois recognizes there are no penalties.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, why then do we need the Subversive Activities Control Board? Why not just place it on the Attorney General to keep this in his office? Why have the board, with all its attendant expense, if we just seek to keep the list in the same way as, under the Foreign Agents Registration Act, the foreign agents are required to register?

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Louisiana.

Mr. WILLIS. Mr. Chairman, the reason why we preserve the Board is that each individual or organization is entitled to due process of law. When one is alleged to be subversive, he is entitled to come there with his lawyers and face his accusers.

Mr. ASHBROOK. Mr. Chairman, there is an effort to separate the functions of the Attorney General. I do not think the Attorney General should act as prosecutor and the court. He, in effect, brings the petition as a prosecutor might, and the SACB acts as a quasi-judicial body, sifting the information and conducting hearings to ascertain the facts and then adjudicating, in effect, and making the decision. What the gentleman suggests puts the Attorney General in the position of being both prosecutor and judge.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, let me follow that up. In the event a foreign agent does not register under the procedure of that act, the Attorney General then goes to court to compel that person to register. Is that not correct?

Mr. ASHBROOK. Yes.

Mr. YATES. Then why not have that procedure in this case?

Mr. ASHBROOK. The gentleman stated the case differently. He is required to go into court. In this case, we do not have a court. We have an adjudicating body, which will air the facts and make a decision, and then that can be taken into court. An aggrieved party has two shots—one before SACB and one before the courts. What the gentleman talks about is going straight into court. The agency has the hearings and makes a finding, and then the finding can then be taken to court.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Louisiana.

Mr. WILLIS. Mr. Chairman, I think the gentleman has made a magnificent explanation. He should add that under the Foreign Agents Registration Act, which contains criminal provisions, if these provisions are violated, then the Attorney General hauls the violator before the courts.

Mr. ASHBROOK. But in this case there will be no court in the first instance. There are no criminal provisions.

Mr. WILLIS. That is right.

Mr. YATES. Mr. Chairman, will the gentleman yield so I can follow up that point?

Mr. ASHBROOK. Mr. Chairman, as I said at the beginning, it is not my intention to take the majority of the time in promoting this bill, but rather to allow those who have questions to raise them, so, consistent with that, I yield further.

Mr. YATES. I thank the gentleman.

When we have the Internal Security Act of 1950 setting up a procedure which has proven to be ineffective through the courts, why do we have this legislation here today?

The Foreign Agents Registration Act has been sustained. Why, then, should we not use as simple a procedure as that in order to require members of the Communist Party to be registered, if all you want is disclosure?

Mr. ASHBROOK. I do not believe that all we want is disclosure.

Mr. YATES. That is what the chairman said.

Mr. ASHBROOK. The gentleman should recognize that in 1950 Congress determined, in the Internal Security Act, that there would be a separate agency, in effect a quasi-judicial agency, set up. We reaffirmed that belief here today. It is our judgment that this is the best way to do it. I suppose that would be the answer.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from New Jersey.

Mr. JOELSON. The gentleman mentioned J. Edgar Hoover. I read the report. I am struck by the fact that there is no evidence that the Attorney General or the Director of the FBI or anybody from the Department of Justice testified in favor of this bill under consideration today. If I am wrong, I wish the gentleman would correct me.

Mr. ASHBROOK. I might say, in response to the gentleman from New Jersey, the chairman has a statement from the Attorney General or from one of his chief assistants, I believe Mr. Yeagley, indicating some support of the bill. I understand it has been placed in the RECORD.

Mr. JOELSON. I read that letter. It is about four sentences long. It merely says that if the bill is passed the Department of Justice will enforce it to the best of its ability, which in my mind indicates the Department has very serious reservations about it.

Mr. ASHBROOK. The gentleman might well be correct on that, but I do not believe that we legislate merely on the basis of what they want downtown, or what the State Department wants, or what the Attorney General wants. It seems to me the House ought to work its will.

The bill before us is what the Committee on Un-American Activities reported and considers to be proper. We hope the House will accept that.

I certainly agree with the gentleman that the agencies have been very quiet on this subject.

Mr. WATSON. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from South Carolina.

Mr. WATSON. In fact, the Justice Department did not favorably look upon the original bill in 1950, yet the House and Senate passed that bill and even overrode the Presidential veto.

Mr. ASHBROOK. The gentleman is correct.

The CHAIRMAN pro tempore (Mr. ASHLEY). The gentleman from Ohio has consumed 15 minutes.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield for a question?

Mr. ASHBROOK. Mr. Chairman, I yield myself 1 additional minute. We want to give everyone a chance to raise questions. I yield to the gentleman from California.

Mr. BURTON of California. Are the appointments to this Board full time or part time?

Mr. ASHBROOK. They are full time appointments.

Mr. BURTON of California. Full time. Are the appointees permitted outside employment?

Mr. ASHBROOK. I assume they are not supposed to do so. They are subject to the usual conflict of interest provisions.

If the gentleman wants to get into an area where I might not agree with the Board, he might bring up this point, because I am not happy with some of the appointments.

Consistent with what has been said by the gentleman from Illinois, this would in no way minimize my feeling that we do need the Board. I am not happy with some of the appointments.

Mr. BURTON of California. What are the statutory requirements for the appointees?

Mr. ASHBROOK. I do not know, I say frankly to the gentleman. Judging by a couple of the last ones, they must be minimal. Probably about the same as the Supreme Court, they often appear to be minimal, too.

The CHAIRMAN pro tempore. The time of the gentleman from Ohio has expired.

Mr. ASHBROOK. Mr. Chairman, I yield myself 1 additional minute.

Mr. BURTON of California. I gather the gentleman from Ohio is concerned as to the qualifications of some of the appointees to this Board.

Mr. ASHBROOK. Yes. They did not clear them with us. Of course, the President does not have to and that is his prerogative.

Mr. BURTON of California. Would the gentleman be concerned if it were his individual welfare that was affected by the decisions of such appointees?

Mr. ASHBROOK. Well, I have some faith in the President of the United States. I am sure the gentleman will agree that he is not going to appoint anybody who is going to intimidate or harass or improperly conduct himself in that manner. It is the same as when he appoints Supreme Court Justices. We have to have some confidence in the President. I would assume that we could count on a similar caliber of appointees to the Supreme Court and the SACB.

Mr. BURTON of California. Does the gentleman from South Carolina share that confidence?

Mr. WATSON. The qualifications for membership on this Board are no less than for the Supreme Court.

Mr. BURTON of California. Am I correct in assuming that the gentleman from South Carolina shares the high regard expressed by the gentleman from Ohio of the President's ability to select men and women who will perform their responsibilities honorably?

Mr. ASHBROOK. The gentleman should not change what I said. I said it is as good in this area as it has been in regard to the Supreme Court. That is what I meant to say, at least.

The CHAIRMAN pro tempore. The time of the gentleman from Ohio has again expired.

Mr. ASHBROOK. Mr. Chairman, I yield myself 1 additional minute.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I have one simple question. If this bill does not pass, is the Board terminated or will it continue in its present operation?

Mr. ASHBROOK. As I understand it, the Board would still be in business, but in effect it would not be doing much of anything.

Mr. EDWARDS of Alabama. The failure of this bill to pass in no way kills the Board or terminates its activities?

Mr. ASHBROOK. I think, as the gentleman knows, there have been some activities in the other body directed toward that end. One proposal, of course, was just outright to abolish the SACB and the other to set up a positive mandate that if they do not do something in a year, they will be out of business. However, as the law stands now, they will be in business until we legislatively decree otherwise.

Mr. EDWARDS of Louisiana. To vote for this bill is an effort to improve the operation of this Board. Is that correct?

Mr. ASHBROOK. Very definitely.

Mr. EDWARDS of Louisiana. And to vote against it is to leave them in the position they are in today?

Mr. ASHBROOK. You will in effect have a board which will be legally constituted. Its members will be paid, but they will be doing very little if anything.

Mr. BURTON of California. Mr. Chairman, will the gentleman from Ohio yield to me?

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. BURTON of California. I understood the gentleman from Ohio earlier stated that this was a full-time job.

Mr. ASHBROOK. That is right. But there is a difference between having a full-time job and doing something.

Mr. BURTON of California. Is the gentleman now stating that the members of this Board are not doing anything?

Mr. ASHBROOK. I am now stating they have not been doing very much except in the case of the Du Bois Club petition which is the only significant workload given to it by the Attorney General in recent years.

Mr. BURTON of California. How many years ago was that?

Mr. ASHBROOK. I think that was last year. 1966. I think the point is—and we are not going to argue it—you have a group here that has not done anything very much. I only disagree as to whose responsibility this is. I believe, as said before, it is the Attorney General and, indirectly, the Congress, if we fail to act.

Mr. BURTON of California. What is the gentleman's view of the amendment adopted by the Senate setting some time within which certain actions must be taken or else the Board will be eliminated?

Mr. ASHBROOK. My position is—and this is my personal view and I do not know whether it is the view of the minority or of the committee—to vest in the Attorney General the absolute power to abolish the SACB within a year if he so desires is wrong. That gives the Attorney General legislative power. If we want to kill the SACB, we should do it here legislatively and not give the authority to the Attorney General. If we want it to have life, then we should give it life. If we want them to function better than they have in the recent past, we should take remedial action to improve the legal framework under which they operate. I choose the last alternative.

Mr. JOELSON. Mr. Chairman, will the gentleman yield for one question on this subject?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASHBROOK. Mr. Chairman, I yield myself 1 additional minute. I yield to the gentleman from New Jersey.

Mr. JOELSON. I merely want to point out that even though the Board continues, we do not have to appropriate the money.

Mr. ASHBROOK. That is right.

Mr. JOELSON. And if it is a Board that does not do anything, I think certainly we should consider not appropriating any money for it.

Mr. ASHBROOK. The only point I would make on that observation is to say is it is probably more accurate to note that the SACB does not do as much as they could or should rather do than to say that they do not do anything.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. The term "Communist infiltrated organizaton" is defined as follows:

> (4A) The term "Communist-infiltrated organization" means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within three years have been actively engaged in, giving air or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is serving, or within three years has served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces:

The question I want to ask is this: The Quakers propose to gather blood and give it to both sides in the Vietnam war.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ASHBROOK. Mr. Chairman, I yield myself an additional minute. I yield further to the gentleman from Illinois.

Mr. YATES. If they are offering to give blood to the Government of North Vietnam, which is a Communist-dominated government, do they fall within the definition of a Communist-infiltrated organization?

Mr. ASHBROOK. Does the "Communist infiltrated organization" meet all three of those requirements? I would say they would not. No. They certainly do not have a past history of Communist association. I think that is the advantage of having a board to review this. They probably would not be considered as being a Communist dominated or supported organization. It would have to be taken into consideration in the light of the evidence and the intentions that are behind their actions and whether they are willingly assisting in a Communist conspiracy.

Mr. YATES. This talks about the fact that they are dominated for a period of 3 years and are giving aid to a Communist-dominated government. The Quakers have been seeking to do this for more than 3 years.

Mr. ASHBROOK. No. I believe the gentleman is wrong. They have made it clear that they are not intending to give anything to the Government of North Vietnam. They are seeking to aid people in the country. They are making it clear that this is not to the Government but is direct to the people. On this point the gentleman makes, I do not profess to know how they will decide all of the diverse situations that will confront them. They might even make some mistakes. We do not know how a Supreme Court appointee will perform either. It would be improper to ask him in advance. We should not ask the SACB either.

Mr. Chairman, I yield myself 1 additional minute.

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. ASHBROOK. I yield further to the gentleman from Illinois.

Mr. YATES. The definition of that does not include "government," but only includes "movement."

I ask the distinguished gentleman from Ohio [Mr. ASHBROOK] whether or not that someone in North Vietnam, on behalf of the Government is not in support of the Communist government and is not the Communist government, is it not possible that they would fall within that consideration because the definition as contained in the act is so vague and loosely drawn?

Mr. ASHBROOK. First, the gentleman from Illinois has asked two questions. I think the gentleman from Illinois would agree that even the American Civil Liberties Union has complimented us upon setting up standards and it is my opinion that the standards are quite clear, and its purpose is exactly why you would refer this matter to the SACB.

Mr. Chairman, in my opinion I would say that this is not relevant to the question involved.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, I was just using that as an example. However, I was wondering whether this includes organizations now engaged in combat or——

Mr. ASHBROOK. I would say to the gentleman from Illinois I do not see how you possibly could. At this point I would like to make additional observations.

Mr. Chairman, for years opponents of the Internal Security Act have been arguing that the act has been, and is, ineffective because no Communist organizations and no individual members of the Communist Party have registered under its provisions.

I am sure that the Members of this body who have so argued have been sincere in their claims. At the same time, I am afraid that, despite their sincerity, they have been very much misinformed about the facts of the case. They have looked at the register which the Attorney General is supposed to maintain under the provisions of the act, they have seen it bare and, looking no farther, have drawn a seriously mistaken conclusion.

There are certain people in this country who are in a much better position to judge the impact and effectiveness of the Internal Security Act on the Communist Party than any Member of this House—and I say this with all due respect—whether the Member is an opponent of the act, or a supporter of it, which I am proud to be.

The people I am referring to are those devoted and loyal American citizens who, in the interest of protecting our national security and at great personal sacrifice, have consented to join the Communist Party—although they have had no sympathy for it—in order to serve as undercover operatives of the FBI. Having worked within the party as ostensible members for varying periods of years, these people know better than anyone else what the party really thinks about the Internal Security Act, the impact the act has had on party operations, and also just how the party has reacted to court decisions relating to the act.

During the past 3½ years, the Committee on Un-American Activities has received the testimony of five such witnesses. The length of their membership in the Communist Party has varied from 3 to 20 years. The testimony of each and every one of these witnesses indicates clearly that the act has been effective, that the Communist Party truly fears the Internal Security Act—or perhaps I should say that it feared it until the latest court decisions on the act—and that the act has very definitely hurt and impeded Communist Party operations, even though no party members or organizations have registered under its provisions.

At this point, Mr. Chairman, I will include, as an extension of my remarks, the names, salient facts about these witnesses, and the statements they have given the committee, under oath, attesting to the effectiveness of the Internal Security Act and the damage it has done to the Communist Party.

ANDREW J. BERECZ

Mr. Berecz testified before the committee in Buffalo, N.Y., on April 29, 1964. He had served as an FBI undercover operative in the Communist Party from 1942 to 1962, a period of 20 years.

While he was on the witness stand, the following exchange took place between the committee counsel and Mr. Berecz in reference to the effect the enactment of the Internal Security Act had on the Communist Party in 1950:

> Counsel. What changes, if any, in the security measures taken by the members of the Communist Party took place after the passing of the Internal Security Act?
>
> Mr. Berecz. Oh, they more or less went underground and they stayed underground. They would only meet at certain places and not more than four at a time, or if there was any more than that, well, it was at a private home most of the time.
>
> Counsel. In what fashion were the names of the members of the party recorded?
>
> Mr. Berecz. When you pay dues or something, you use numbers or they just use your nationality or how long you have been in the party or the union affiliations that you were tied up with.

Mr. Berecz also testified that following, and as a result of, the 1961 Supreme Court decision upholding the Internal Security Act, two meetings were held in Buffalo in the fall of 1961 to discuss the decision and what the party would do about it. Both meetings were addressed by top-ranking Communist Party leaders sent from the party's national headquarters in New York City. The impact of the Supreme Court decision, Mr. Berecz testified, was such that it had created a split in the party in Buffalo, requiring the presence of these national-level leaders to spell out party policy concerning the decision and to threaten certain leaders in Buffalo that, unless they followed it, they would be expelled.

At the first of these meetings, in October 1961, Mr. Berecz testified, the late Benjamin J. Davis, then the national secretary of the Communist Party, stated that the party might not hold a convention for as long as 5 years or perhaps "never" again, because of the Supreme Court decision—actually, the party held its next national convention just about 5 years later, in June 1966, less than a year after the Supreme Court's Albertson-Proctor decision of November 15, 1965.

At the second meeting, in November 1961, Louis Weinstock, another longtime, high-ranking party official, stated that the party, on the advice of its lawyers, was not going to register, although the deadline for doing so was drawing near, and that one of the security steps it was going to take as a result of the decision was to reduce its formal national leadership to three officials—Elizabeth Gurley Flynn, Gus Hall, and Benjamin Davis.

Mr. Berecz also testified that another effect of the 1961 Supreme Court decision was the dissolution of the industrial section of the party—of which he was a member—in the Buffalo area.

NORMAN BOEHNKE

Norman Boehnke was an alleged or seeming member of the Communist Party, while actually working for the FBI, for a period of 3 years—from 1960 to 1963.

He testified before the committee in Minneapolis, Minn., on June 24, 1964. Following are excerpts from his testimony relating to the impact of the Supreme Court decision of June 1961 on the Communist Party:

> Counsel. You say at one time you had the Youth Organizing Club. Would you just briefly explain that?
>
> Mr. Boehnke. Well, it was in 1961, following the June Supreme Court decision upholding the registration clause of the McCarran Act, that the party issued instructions or directives that the North Side Club was too large, it must meet, have a smaller membership so as to not attract too much attention. First the club was divided in two, and following, some months thereafter, we had a meeting, that is a club meeting, in which Betty Smith read directives of the party. It stated that a youth organizing branch of the North Side Club was to be organized, and that club functioned for a short period. I don't recall exactly how long because I left that club, but I understand that it quit functioning.
>
> Counsel. Following the Supreme Court decision of June 5, 1961, which upheld the constitutionality of the registration provisions of the Internal Security Act and the findings of the Subversive Activities Control Board requiring the Communist Party to register as a Communist-action organization, was there any apparent change within the party structure?
>
> Mr. Boehnke. Yes; there was a complete change. To give you an example, there was a number of clubs who were listed as being too large, the North Side Club of the Communist Party was too large, it could attract too much attention whenever meetings or club meetings were held there, so it was suggested that the club, or any large club, break in two, and it was also stated that we would no longer know in advance when club meetings would be held, that we would either be notified by telephone or by courier or some way, but we'd have no advance notice or knowledge of when a club meeting was to be held, only the comrade chairman would have the power to call a meeting.
>
> Counsel. This change, did it come about as a result of any party directive and, if so, would you explain the circumstances to this committee?
>
> Mr. Boehnke. Following the Supreme Court decision there was about three party directives that were issued, that were to prepare the party to go underground, so all these shifts in the party structure were party directives, they came from the higher echelon, they were not as a result of any local decision.
>
> Counsel. I want you to return to the security measures employed by the Communist Party in the Minneapolis area. Was there an exercise of greater security following the Supreme Court decision of 1961?
>
> Mr. Boehnke. Yes, there was.
>
> Counsel. Would you describe some of the security measures used by the party thereafter?
>
> Mr. Boehnke. Well, like I stated in my previous testimony or in the prior statement there, following the June Supreme Court decision we were no longer to meet on schedule as we had previously done, we were to meet on orders of the comrade chairman, and whenever possible he would state that he would call us by phone, he'd say we'd have a beer drinking party tonight, and that would mean that we would have a meeting. If he would say we will be drinking wine tonight that would mean there would be no meeting. It was emphasized that we should not park in front of homes where the meeting was held; we were to avoid the telephone as much as possible. I also might add that whenever meetings were held, whenever we did have club meetings, the radio was turned on because they always feared that the homes were bugged by the FBI and therefore it would sort of foul up what was taking place.
>
> Counsel. What were your instructions with respect to the parking of automobiles in the vicinity of meetings or gatherings?
>
> Mr. Boehnke. We were to park them about two, three blocks or as far away as possible, and then walk up to the house.
>
> Counsel. And were guards stationed at specials affairs?
>
> Mr. Boehnke. Well, take for example the picnic that we were to have at Lake Minnetonka. It was described as a Freedom of the Press Committee picnic, but everybody who was a member of the Communist Party knew that it was a picnic for Communists and I, for example, arrived there about 10 o'clock in the morning and already at that time I was instructed by Sam Davis and John Forichette, that the two of us—that, John Forichette and myself—were to stand guard and let in only those who we knew to be friendly or to be members of the Communist Party.
>
> Counsel. And did it (the Minnesota Committee to Defend the Bill of Rights, a Communist front) have a special function to engage in propaganda activities——
>
> Mr. Boehnke. Very definitely——
>
> Counsel. In opposition to the Internal Security Act of 1950 and the Smith Act?
>
> Mr. Boehnke. Very definitely; it was one of their prime targets to stir up public sentiment against those two acts.
>
> Counsel. Are you aware of the existence of party directives with respect to the testimony that witnesses such as Henry Mayville would give before this Committee?
>
> Mr. Boehnke. Yes.
>
> Counsel. What were those instructions?
>
> Mr. Boehnke. Well, we received about three different directives or instructions that if we were contacted by any agent, that is, any agent of the FBI to tell about our party association, and someone, some Federal agency tried to force any party member to register, we were to take the fifth amendment. If the House Un-American Activities Committee subpenaed us we were to take the fifth amendment, and if we received any mail, any order through the mail to register or state our party association, we were to ignore it. If the mail was sent by registered letter, then we were to return it with just the notation. "Refuse to answer on the grounds of the fifth amendment."

HOWARD THOMPSON

Mr. Thompson was a member of the Communist Party from March 1948 until March 1962, a period of 14 years, during which time he regularly reported to the FBI on Communist Party activities. He testified before the Committee in San Francisco, Calif., on July 12, 1964.

He was asked if anything happened in the Communist Party following the June 5, 1961, decision of the Supreme Court upholding the order of the Subversive Activities Control Board that the Communist Party register as a Communist-action organization.

In response to this question, he stated that the Northern California District Committee of the party was dissolved and replaced by a much smaller executive board of seven members, and that a small, five-man outlying counties committee was also appointed to assist in performing the work of the former district committee. A party official assigned to both of these groups served as liaison man between them.

When asked if any explanation was given by the Communist Party "for tightening up security" in this fashion, Mr. Thompson replied:

> Well, they felt that the district meetings were such that a large number would attend and they felt it had to be held in some place

like the "People's World" offices, and they were worried about the Supreme Court decision and the party registration, so they did this for the purpose of cutting down the amount of members attending any meeting so that it would be more difficult for the FBI to gain evidence. There were always a lot of cars parked around the "People's World" building, and they felt they were being checked and rechecked.

LULU MAE THOMPSON

Mrs. Thompson, the wife of Howard Thompson, testified before the committee in executive session in San Francisco on July 12, 1964, the same day as her husband, and again in an executive session of the committee held in Washington, D.C., on April 27 and 28, 1966. She had worked for the FBI in the Communist Party from June 1953 until March 1962, a period of 9 years.

She, too, described the impact the 1961 Supreme Court decision had on the Communist Party. After outlining various changes made in the structure of the party as a result of the court decision, she was asked if these changes hurt or hindered the Communist Party. She replied as follows:

> Yes; it made their work very difficult. It was almost as bad a situation as they were under during the Smith Act prosecutions. While they did not actually go underground, they broke their organization to such a state that it was difficult to pass word out from one group to the other.

LOLA BELLE HOLMES

Miss Holmes operated undercover in the Communist Party from August 1957 to January 1963, a period of 5½ years. She testified before the committee in Chicago, Ill., on May 25, 1965.

The following are excerpts from her testimony relating to the effect the Internal Security Act, and the Supreme Court decision of June 1961 upholding the act, had on the Communist Party:

> COUNSEL. This 1959 convention of the Communist Party, was that the last national convention of the Communist Party?
>
> Miss HOLMES. Yes. That was the last convention of the Communist Party because the Communist Party voted to not have another convention after the Supreme Court rendered its decision ordering the Communist Party to register its membership.
>
> After this order was handed down, the Communist Party National Committee met and prepared a resolution to present to the State committees asking the State committees to give the national committee or the national executive committee power to act between conventions until this emergency was over, for security reasons.
>
> COUNSEL. Now, Miss Holmes, we would like you to tell the committee what decisions the Communist Party made as a result of the June 1961 decision of the Supreme Court.
>
> Miss HOLMES. The party had a national committee meeting subsequent to June 1961—
>
> The CHAIRMAN. You are talking about the decision upholding the Internal Security Act?
>
> COUNSEL. That is correct, the decision requiring the Communist Party to register as a Communist-action organization.
>
> Miss HOLMES. There was some discussion among party groups throughout the country of liquidation, but the national committee decided against liquidation. Orders were handed down for the party to submerge, for the existing executive board to go out of existence.
>
> COUNSEL. You say it was a decision that the party submerge?
>
> Miss HOLMES. The party would submerge and would become one hard core that would work underground and that would not be cracked.
>
> The decision at the last executive board meeting was the State of Illinois Board would go out of existence that particular night at 11:30, that an eight-man board would be appointed to replace the elected boards. The staff of the existing officers, who at that particular time were Sam Kushner and Claude Lightfoot, was to appoint that eight-man board. The existing State committee of approximately 30 to 35 people was to be divided into three sections: North, South, and West.
>
> Claude Lightfoot gave the board members instructions that if they wished they could drop off the State committee and if they wished they could continue. Some of us were dropped. . . .
>
> The party then selected another governing staff of five people to control party policy and to issue party directives to the eight-man board. The eight-man board was to meet with the State committee; one or two of the eight-man board was to meet with each State group of the State committee. The directors from the State committee were to go directly to the party club chairman who in turn—the clubs were to implement party policy.
>
> Each club in the Communist Party was ordered to change its name for security reasons. All party members were told to say that they had resigned from the party for security reasons. If anyone asked when, tell them it was their problem to find out when they resigned. This becomes the famous word, each party member for security reasons had to resign.
>
> The clubs were to take on either press committee names or social functions. Lightfoot did not want the party to assume the name of the press committee because in essence this would be defeative or it would mean, to a certain extent, the party was going out of existence. So, therefore, the clubs were ordered to change their identity.

The CHAIRMAN pro tempore (Mr. ASHLEY). The time of the gentleman from Ohio has again expired.

Mr. WILLIS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. CULVER], a member of the committee.

Mr. CULVER. Mr. Chairman, I rise in opposition to H.R. 12601. During the time I have served on the House Un-American Activities Committee, I have never found any disagreement with my colleagues with reference to a common and continual dedication to the national security interests of this Nation.

However, Mr. Chairman, I have frequently disagreed with these same colleagues as to how we might best accomplish this very important responsibility. But all of my colleagues who serve on this committee, on both the majority and the minority side, as well as the staff members themselves, have never failed to treat me with courtesy and consideration. For this, I am very grateful.

But, Mr. Chairman, the chairman of the committee has suggested that we should support this legislation because it has received the support and endorsement of 50 Members of this body.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the distinguished chairman of the committee.

Mr. WILLIS. I did not say that support should be given to this legislation because of that fact. I simply listed the people who are for it and I know they are for it.

Mr. CULVER. Yes, Mr. Chairman. I thank you, and I certainly agree with you that these are fine and responsible Members of Congress who have joined in the sponsorship of this legislation. I think the chairman referred to the fact that three of the Members who have supported this legislation and who have introduced similar legislation are chairmen of committees.

But I would like to point out to the chairman the fact that of the 18 Members still in Congress today who in 1950 opposed this legislation, or four of those men supported the veto of President Truman, sit in this Congress as chairmen of committees. When I say this I see some of these gentlemen present in the Chamber.

I think the issue here, Mr. Chairman, is not whether we support communism; but how we can, consistent with the Constitution of the United States, best protect the national security interest.

Mr. Chairman, I oppose this legislation for three reasons.

First, I believe it is unnecessary; second, I think it is unwise; and, third, I think it is unconstitutional.

As Americans, Mr. Chairman, we all are agreed that we must prevent the success of Communist efforts to overtake the Government of the United States by force or subversion. But this legislation is not necessary to do this, and its passage would both interfere with our liberties and help the Communists. Let us make no mistake about this.

Mr. Chairman, the passage of this legislation in my judgment would clearly interfere with our liberties as well as aid and abet the Communists at home and abroad. This legislation is not properly aimed at those whom we desire to oppose.

No one disagrees about the importance of meeting the very real dangers which the internal Communist movement clearly suggests to this country, but we have strong laws on the books today in this Nation, strong laws to deal with treason, strong laws to deal with sabotage, espionage, and actions calculated to overthrow our Government by force or violence.

In 1950 a great President of the United States, Mr. Harry Truman, vetoed this legislation. In a very exciting and a very dramatic and courageous veto message the President said that he had been advised by every single agency of the Federal Government who were charged with the responsibility to protect and defend the internal security of this Nation—the Department of Defense, the Department of Justice, the Department of State, and the Central Intelligence Agency—that this law was not only unnecessary, but would seriously hamper and hinder the intelligence operations for which these agencies of the Federal Government were primarily responsible.

Mr. Chairman, today we stand here 17 years later and their judgment has apparently not changed. Despite the requests to do so from the chairman of this committee, from Members of the Senate of the United States, all we are able to put forward today in the course of this debate is a brief letter from the Attorney General of the United States which says no more than if the Congress of the United States passes into law——

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. CULVER. Not at this point. I have just a short time to make my statement. If I have additional time I will be glad to yield to the gentleman.

A very brief letter in which the Attorney General says no more than "I, as Attorney General of the United States, hereby say that if you pass a law that I will enforce it."

Mr. Chairman, with all due respect, it would be impossible for him to say less.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WILLIS. Mr. Chairman, I yield 5 additional minutes to the gentleman from Iowa.

Mr. CULVER. Moreover, Mr. Chairman, the junior Senator from New York said last month in the Senate of the United States, speaking in opposition to this legislation:

> When I was Attorney General, we did not receive, to my knowledge, one piece of information from the Subversive Activities Control Board in connection with communism in the United States that we had not uncovered in other ways. . . .

He went on to say further, that—

> If I were to testify as Attorney General of the United States before a congressional committee I would have to say that to continue the existence of the Board would be a waste of the government's money.

The committee suggests that this legislation is necessary——

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CULVER. Not just at this point, Mr. Chairman. I would be glad to at the completion of my time.

The committee suggests that this legislation is necessary to give notice to the American people about the existence of Communist-dominated or infiltrated organizations.

Mr. Chairman, this may be a legitimate task of a totalitarian regime, but in my judgment it hardly is consistent with the tradition of a free society. Exposure has been traditionally and properly left in our democracy for nearly 200 years, not to government—not to government—but to democratic institutions, the free press, private organizations devoted to this purpose, and above all, the free and open competition of divergent opinions where they properly should be debated in a marketplace of ideas.

I believe also, Mr. Chairman, that this legislation before us today opens up a myriad of constitutional problems that are going to keep us in the courts only to the advantage of the Communist Party and at great cost to the American taxpayers.

The very existence of the Subversive Activities Control Board itself compromises the first amendment guarantees of free speech, freedom of assembly, and petition, and association.

Whether or not an organization is ever registered, the mere filing of a petition before the Board has a decidedly chilling effect on the ability of that organization to recruit members, to raise funds, and it serves to destroy the very reputation of the organization and its members, however innocent, even though no further action is ever taken.

No organization has ever registered under this act. But of the 23 alleged to be Communist fronts against which proceedings have been brought, 19 are now dissolved.

As former Attorney General Katzenbach acknowledged after filing a petition before the Board:

> One of the major purposes of the Act is to destroy affected organizations before administrative proceedings began.

In the committee report the majority said on page 20 of the report:

> The public petition of the Attorney General asking the Subversive Activities Control Board to hold hearings with regard to a particular organization for the purpose of determining it to be Communist, buttressed by allegations of fact supporting his claim that it is in fact Communist, in itself envelops the organization, and consequently its membership, in a "cloud."

In my judgment, Mr. Chairman, to grant such frightening power to a bureaucrat, to five men or indeed to a Government official be he the Attorney General of the United States or not is indeed most dangerous and irresponsible action because it may only serve to stifle dissent—it may only serve to kill expression of controversial views in this Nation.

To the extent that it denies political vitality and vigor of our own free institutions, then it clearly aids and abets the Communist movement in the world today.

As President Truman said in his veto message:

> We need not fear the expression of ideas—we do need to fear their suppression.

Because, Mr. Chairman, in a democratic society, freedom of expression permits criticism, and criticism permits progress.

One hundred sixty-six constitutional lawyers from every section of the United States including nine deans of some of the most outstanding law colleges in America have come forward in one loud and unanimous voice and said that this legislation to which the Congress is addressing itself this afternoon "contains serious constitutional defects, is wholly unnecessary, and threatens basic freedoms of thought and expression."

Each Member of this House, Mr. Chairman, has taken an oath to uphold the Constitution of the United States—not to weaken it. I think all of us must ask ourselves today if we are honoring that oath by supporting this legislation.

So, in conclusion, Mr. Chairman, I think this legislation is unwise because in the judgment of every agency charged with the responsibility of law enforcement in this area of internal security, to protect America, has said that it is unnecessary and would hinder them in their efforts to combat internal Communist subversion.

It would require the FBI to disclose intelligence sources to the public and thereby inhibit its ability to infiltrate subversive organizations in this country.

The constitutional problems it represents I can assure you, Mr. Chairman, will keep the U.S. Government in the courts for another 17 years, all at great cost to the American taxpayers. Moreover, the Communists welcome these trials and the opportunity they afford for worldwide propaganda against the United States as a country which denies freedom of expression to minority groups.

The SACB in 17 years has cost the taxpayers $5 million. Five Board members each receive $26,000 a year. They are appropriated a $300,000 annual budget. They have yet to register one Communist and I submit there is little prospect for a better return on the taxpayer's dollar in future years.

The Board will not effectively serve notice to the public of Communist organizations. In fact, I think the Board may have aided Communists in their efforts to deceive the American public. When a petition is filed the particular group merely dissolves and forms another group to peddle their views before the traditional methods of exposure can effectively operate to reveal to the American people their true nature.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman.

Mr. ASHLEY. I want to say that this is one of the most courageous statements that I have ever heard on the floor of this House during the 13 years that I have served in this body.

Our colleague from Iowa is in his second term. He represents a district which is anything but secure politically. Nevertheless, he has chosen to speak out forcefully on an issue and to take a position which can easily be misconstrued, misrepresented and misunderstood. This is an act of statesmanship and courage of which the House can well be proud.

Our colleague, the gentleman from Iowa [Mr. CULVER] has expressed his view that the legislation before us is unnecessary. The facts suggest that this point is well taken. In 1950, as he points out, spokesmen for all of the departments and agencies directly responsible for the security of the United States and, indeed, the President of the United States, himself, all stated that the Internal Security Act then before the Congress was not only unnecessary but would be detrimental to the security and intelligence operations of this country and they strongly expressed the hope that the bill would not become law.

In the 17 years that have intervened since enactment of the 1950 measure, court tests of the constitutionality of its provisions have largely curbed its operation. Yet, today not a single voice is raised among those responsible for the security of our Nation for enactment of the bill before us.

I agree with my good friend from Iowa when he says that every Member of this body is thoroughly familiar with the nature and aspirations of communism and the threat that this ideology openly presents to the United States and other nations of the free world. Certainly we must take all necessary steps to provide for our internal security. But we do not provide for internal security by adopting legislation which calls itself an Internal Security Act when such legislation is, in fact, unnecessary, contrary to public policy and, as we have seen, unconstitutional.

The amendments before us today seek to answer the constitutional pitfalls encountered by the 1950 act. Even if successful, which I question, there remain the very real questions as to public policy and necessity. In light of these circumstances, which the gentleman from Iowa [Mr. Culver] has addressed himself to so eloquently both in his dissenting view and his address of a few moments ago, I shall join him in opposition to H.R. 12601.

Mr. CULVER. Mr. Chairman, not only is this bill wasteful. Not only is it ineffectual. Not only does it produce barren and costly litigation; but it also exacts from our people the costs of distrust, dissension and potential witch hunting by promising cures which, while intimidating our basic freedoms, turn out to be illusory, frustrating, and finally, self-defeating. There are more responsible and profitable channels, to promote what we all seek, the internal security of our Nation and the preservation of our free society.

Mr. Chairman, I urge the defeat of this legislation.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from California.

Mr. BURTON of California. I should like to express orally that which was noted by those of us on the floor in terms of bursts of applause on the conclusion of the statement of the gentleman from Iowa. I applaud the gentleman's insight and courage, and I associate myself with his most articulate expression of a free society and the constitutional responsibility of Members of the U.S. Congress with reference thereto.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. ASHBROOK. Mr. Chairman, I yield the gentleman an additional 2 minutes.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I join my colleagues in congratulating the distinguished gentleman from Iowa [Mr. Culver] for his moving and persuasive statement. It is not an easy task to do what he is doing and take the position that he takes in opposing this legislation. But, Mr. Chairman, knowing our colleague Congressman Culver as I do, he is not one to take the easy way out nor does he run or panic in the face of an issue that carries strong emotional overtones. He does not flinch from doing what he, in good conscience, believes to be right, no matter what the instant popularity of an issue might be. He seeks to legislate, not in fear, but in hard, sound judgment. He has done so in this instance. I applaud him for the soundness of his arguments and the logic of his reasoning. The separate views that he has filed with the report accompanying the bill should be read with care.

Mr. Chairman, I support the position taken by the gentleman from Iowa in opposition to this bill. I am compelled to this stand by the doubtful constitutionality of the proposal. I agree that this legislation has been and can continue to be a vehicle to obstruct our people in the exercise of their rights of free speech. I am impressed by the fact that, in nearly 20 years of experience under the act, there has been no genuine substantive accomplishment. No department responsible for the internal security of our country testified in favor of the bill.

Finally, Mr. Chairman, there are laws aplenty already on the statute books of our country to take care of the problems that this bill seeks to meet.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from Illinois.

Mr. YATES. I should like to join my colleagues in expressing my commendation to the gentleman for his very eloquent and very courageous statement of the rights of Americans, and in pointing out the deficiencies of the bill that is before us. I think the gentleman has struck a real blow for freedom of the individual today. It was a great speech, one of the greatest of this session.

I voted against the parent bill in 1950. I shall vote against this bill today.

There was little reason for passage of the Internal Security Act of 1950. There is less reason for passage of this bill at this time.

In vetoing the internal security bill in 1950, President Truman pointed out the doubtful constitutionality of the bill, the fact that there was adequate law already on the books to deal with any threat to our internal security, the fact that the bill would hinder rather than help the law enforcement agencies in their internal security work, and that the bill posed a threat to the liberties of American citizens. Time has proved the validity and forcefulness of his arguments. Over the almost 20 years since the bill was passed over his veto, the futility and ill-conception of the bill has been sustained.

It is amazing that the committee held no additional extensive hearings on the bill, but has assumed that the situation respecting world communism and status of the Communist Party in this country remains the same as they were in 1950. Nothing is further from the truth. Since that time there is a deep and widening split in the former Communist monolith. There is no single Communist center and source today as there was in 1950. Not only are Moscow and Peking going separate ways, but there are split offs in Cuba, in Yugoslavia, in other Communist countries. The conspiratorial direction and control of the American Communist Party by foreign sources is not as it was 17 years ago. The committee should have gone into that question much more thoroughly.

I believe this bill has many unconstitutional features.

It suffers from what the Supreme Court in recent loyalty oath cases has called legislative "overbreadth." In other words these definitions are so broad that they have the potential to sweep in the innocent and the unknowing, as well as the dedicated Communist.

While these aspects of the act raise questions of due process, the restrictions and penalties imposed invade the freedoms of expression and association. In the recent loyalty oath cases, the Supreme Court has said repeatedly that legislative infringements on first amendment rights must be narrowly drawn. In *Elfbrandt* v. *Russell*, 384 U.S. 11 (1966), the Court, while holding an Arizona loyalty oath unconstitutional, declared:

> A blanket prohibition of associations with a group having both legal and illegal aims would pose a real danger that legitimate political expression or association would be impaired.

It emphasized that—

> Any lingering doubt that proscription of mere knowing membership without any showing of "specific intent" would run afoul of the Constitution was set at rest by our decision in *Aptheker* v. *Secretary of State*.

The Aptheker case, I might add, held unconstitutional those provisions of the act which disallowed a member of a Communist organization the right to apply for or use an American passport.

There is little doubt in my mind but that the existing legislation and the proposed amendments fail to meet the constitutional standards enunciated in the Elfbrandt and Aptheker cases. Nowhere in this legislation is a showing of specific intent required before the brand is attached to the individual; nowhere are legislative infringements narrowly drawn. I, therefore, believe that the restrictions and penalties imposed by the act strike an unnecessarily heavy blow at freedom of expression and association; they strike at both legitimate and illegitimate activity without distinction.

Finally, I must note the enduring wisdom of President Truman when he vetoed the legislation here sought to be amended. He correctly pointed out that the great bulk of these provisions are not directed toward the real and present dangers that exist from communism. Instead of striking blows at communism they would strike blows at our own liberties and at our position in the forefront of those working for freedom in the world. At a time when our young men are fighting for freedom in Korea—and today in Vietnam I might say—it would be tragic to advance the objectives of communism in this country, as this bill would do.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Chairman, I congratulate my colleague for his magnificent statement. I am saddened that, in the closing days of this session, when we are trying desperately to dispose of a backlog of important legislative programs, we should be engaging in a wasteful, irrelevant, and demeaning exercise in futility. We are breathing new life into a law and an agency which were unwanted and vetoed by President Truman, which have proven utterly unproductive and repressive during their grey half-life spanning the intervening years, repudiated by courts and executive branch alike, supported and endorsed now by not a single voice from any Federal law enforcement agency. Let us once and for all close the book on the repression, suppression, intimidation and harassment of the 1950's—all in the name of national security, and get on with the job of legislating the constructive, positive, programs proposed by a historically creative President which will really help us create a strong, prosperous, egalitarian, and free America.

Mr. TUNNEY. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from California.

Mr. TUNNEY. I would like to associate myself with the statements made by the gentleman from Iowa. I can characterize them in only one way—simply outstanding.

Mr. EDWARDS of California. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from California.

Mr. EDWARDS of California. I would like to congratulate the gentleman from Iowa for his magnificent statement and for his joining the ranks with President Truman who vetoed this bill so many years ago.

Mr. Chairman, I find it poignant that the scandals concerning the Subversive Activities Control Board may result in its reactivation—not its abolishment.

Under our system of government only the courts are given the authority to try and to punish people and organizations—and then subject to ancient rules and safeguards designed to protect the accused—called due process.

By reactivating the SACB through the enactment of this legislation, we are setting up in a free society a star chamber operated by the executive department. We are authorizing the executive department to destroy organizations and individuals because they espouse unpopular ideas.

I suggest that this is basically a dishonest statute. If the Congress had in mind by the act an outlawry of the Communist Party then it should proceed to attempt to write such a bill, but this statute attempts to do the same by subterfuge. In effect, organizations which register pursuant to the act, or whose names are spread on the public register created by the act, would be certified to the world by the Government as guilty of an evil, despicable undertaking bent on destroying this Nation.

The Federal Government is not authorized under the Constitution to harass, by exposure, private citizens and organizations. That is the job, in our open society, of the press and news media, subject to the laws of defamation.

The passage of this legislation would serve to make us less free. Let us not forget that unless the freedom of speech, press, petition and assembly guaranteed by the first amendment are accorded to the ideas we hate, sooner or later they will be denied to the ideas we cherish.

Mr. Chairman, I urge the defeat of H.R. 12601.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. May I say that this is a bright day in the history of the House. The gentleman from Iowa has delivered one of the most moving appeals to reason, to decency, and to American patriotism in its finest and truest expression that one would ever wish to hear. I congratulate the gentleman from Iowa on the clarity of his thinking and the eloquence of his diction. I am happy to associate myself with him in the position he has so ably presented.

Mr. CULVER. I thank the gentleman from Illinois and all other Members who have asked me to yield. I appreciate your statements.

Mr. WILLIS. Mr. Chairman, I yield to the gentleman from Virginia [Mr. TUCK], a member of the committee.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. TUCK. Mr. Chairman, I thank my friend, the distinguished gentleman from Louisiana, for yielding me this time.

I, too, would like to join in the accolade paid to our very able and very handsome colleague from Iowa, who is a member of our committee. However, I would like to point out that the committee reported out this legislation with a vote of 8 to 1. I do not believe the other members of the committee—certainly I do not—wish in any way to impinge upon the constitutional liberties of anyone. I might say also to the Committee the very constitutional objections which the gentleman has raised were upheld by an overwhelming majority of the Supreme Court of the United States. The object of this legislation is to bring the law into line with the decisions of the Supreme Court of the United States.

On many occasions I have condemned the Court for its decisions, but irrespective of that fact, the decisions are there The major part of this legislation has been upheld not only once, but twice, by the Supreme Court of the United States.

Mr. Chairman, I have only a superficial knowledge of the Constitution. I am just a country lawyer. But I spent 46 years of my life upholding the constitutional liberties of the people of my State, irrespective of race, creed, or color.

Mr. Chairman, I am here today to speak in favor of this legislation because it is needed legislation.

Mr. Chairman, every informed citizen is aware of the fact that Communist Party membership in this country has increased in the last few years and that party activity is definitely on the upswing and much more open than it has been.

Every informed citizen is aware that just last month the Communist Party openly came out in support of Negro violence and rioting—and that it had been covertly agitating to provoke racial violence before that statement was issued. They know that Communists have been doing everything possible to sabotage our war effort in Vietnam—by organizing and promoting nationwide resistance to the draft on the part of American youth; by promoting refusal to serve in Vietnam on the part of those already in military service; by meeting and plotting with representatives of our enemy, the Vietcong and North Vietnam; by staging massive demonstrations against the war in Vietnam; by supporting calls for guerrilla warfare operations in the United States—in short, that the Communists are doing everything possible to undermine and weaken our Nation in order to destroy freedom everywhere and replace it with Red totalitarian power.

And every thinking and informed citizen, of course, also realizes that this stepped up Communist activity is due, in considerable part, to recent court decisions which have had the effect of weakening the Internal Security Act. They further realize that something must be done about this situation. And that is precisely why we are now considering H.R. 12601, a bill to amend the Internal Security Act of 1950.

These Communists are running rampant through the land. They are fomenting strife and discord and are inciting racial and religious rancor and hatred, resulting in riots, bloodshed, death, and destruction. They are undertaking to demean and denigrate the good people of America and our Government by spitting on, stamping, and burning our national banner, the American flag.

They are encouraging the burning of draft cards and violation of all of our laws, including those designed especially for our national defense.

The Communists seek the enslavement and the ultimate destruction of every man, woman, and child in the world. Their main thrust is against the people of the United States of America. We are their targets.

I am in favor of dealing with these culprits firmly and resolutely and in a manner that will suppress and subjugate them—call it brutality or not. Woe be unto these traitors when they are identified and when the American people are informed and aroused, for then and then only will our citizens stand up and demand that retribution and justice will triumph and overtake these scoundrels.

We will hear in this debate much about the Constitution. There is not a man on our committee who would impinge upon the constitutional rights of anyone. We believe in that sacred document and we would oppose vigorously any proposal that would violate constitutional rights.

Let me say at this point that a distinguished justice of the Supreme Court of the Commonwealth of Pennsylvania testified in favor of this legislation. At least two former presidents of the American Bar Association and others, after a careful study of the legislation, gave it their wholehearted endorsement.

I commend the distinguished gentleman from Louisiana, Chairman WILLIS, for his foresight and ingenuity in formulating and drafting this proposal. I hope that it will be enacted into law without substantial amendment.

The Internal Security Act is our principal antisubversive law as far as dealing with the day-to-day operations of the Communist Party is concerned. The Communists began their fight against it in 1947 when it was first introduced as a bill and referred to the Committee on Un-American Activities. Realizing the danger it poses to the party, they have fought it tooth and nail ever since that time. Since the act was passed in 1950, the party has spent huge sums of money setting up fronts to agitate for repeal of the act and to fight every action against the party, its fronts, and members initiated by our Attorneys General under the act's provisions. The party succeeded in tying up in the courts for many years some basic issues concerning the constitutionality of the act.

All seemed well, however, in June 1961 when the Supreme Court upheld the constitutionality of the Subversive Activities Control Board order that the Communist Party must register itself as a Communist-action organization. At that point, it appeared that the way was finally cleared for effective administration of the act as a weapon against internal Communist Party operations.

Unfortunately, since that time, the Supreme Court and courts of appeal have handed down a number of decisions emasculating the act and making it clear that amendments are needed to restore its effectiveness. For some years, with various issues related to the act undecided by the courts, it was impossible to know just how to amend the act to insure its effectiveness.

The Committee on Un-American Activities, however, has carefully studied and analyzed decisions affecting the act as they have been handed down in the last few years and the point was finally reached where it was felt that we knew definitely that some things, at least, could be done to put teeth in the act.

The result was that, on May 25, the chairman introduced the bill we are now considering. Twenty-four fellow Democrats joined him in sponsoring the bill. My colleague, the ranking Republican on the committee, the gentleman from Ohio [Mr. ASHBROOK], introduced an identical bill on the same day—with 24 Republicans joining him as sponsors. This was the first and only time under the new rules of the House that 50 of its Members had joined in sponsoring a single piece of legislation. Subsequently, two other Members introduced identical bills.

The committee held 4 days of hearings on this bill in August. The hearing record contains the testimony or statements of 21 individuals and organizations, including those of six Members of this House. The only expressed opposition to the bill came from the witness representing the American Civil Liberties Union which, of course, we expected. All the other witnesses, including well-known constitutional authorities and former presidents of the American Bar Association, testified in favor of the bill. The American Legion, Veterans of Foreign Wars, Military Order of World Wars, AMVETS, and Sons of the American Revolution all supported the bill.

The Internal Security Act, despite statements to the contrary made by certain persons and groups, is actually a very mild form of subversive control legislation. Basically, it does no more, in effect, than require the Communist Party to admit the truth that it is a Communist-action organization, an instrument of the world Communist movement, and to file data similar to that which many loyal Americans must file when engaged in certain types of activity. It also provides that groups secretly controlled by the Communist Party must identify themselves as such in their publications and broadcasts and also file basic data about themselves with the Attorney General. Members of the Communist Party, too, are required by the act to register themselves as such.

The Internal Security Act is a disclosure measure enacted by the Congress, by an overwhelming vote, with the intention of preserving the integrity of American political institutions and free speech while at the same time contributing to our national security.

Now, what about the bill before us? How does it amend the Internal Security Act to restore its effectiveness?

As indicated, the principal feature of the Internal Security Act is its disclosure provisions. Practically every court decision impairing the effectiveness of the act has done so on the basis of its self-registration provisions. So this bill eliminates the self-registration provisions and the penalties for violations of them and provides instead that, after full hearings before the Subversive Activities Control Board, the registration will be accomplished by the Attorney General. The fifth amendment problem on which the court decisions have been based is thus eliminated.

The bill also amends the definition of a Communist front to make it more realistic and to remove the unreasonable and excessive burden of proof placed on the Attorney General in front proceedings as a result of a court decision.

It requires Communist organizations soliciting financial or other contributions from the public to identify themselves as Communist in order to prevent the victimizing of loyal Americans who might be tricked by their solicitations into giving financial support to the subversion of their country.

It enlarges the Attorney General's register of Communist organizations.

It provides that the dissolution of a Communist organization will not moot a proceeding against it brought by the Attorney General.

It enables the Board to insure orderly hearings and procedures by granting it the power to institute contempt proceedings.

It authorizes the Attorney General to grant immunity in order to obtain vital testimony and evidence.

It eliminates dilatory collateral proceedings of the type the Communists have been utilizing to frustrate the administration of the act.

Finally, it expedites the registration of members of the Communist Party by authorizing the inclusion of two or more individuals in one petition of the Attorney General to the SACB.

Mr. Chairman, all of these provisions and the reasons for them are spelled out in detail in the committee report on the bill. Because I know that many Members are anxious to speak on this bill, I am not going to take the time for a detailed treatment of each provision.

What I do want to stress is that we, as the representatives of the people, have the responsibility to take whatever steps we can, consistent with the Constitution, to curb, to limit, to render ineffective, the activities of Communist organizations in this country who have but one aim, and that is to destroy every freedom and liberty enjoyed by the American people and to replace our representative Government with a totalitarian Red dictatorship.

I am sure that many Members of this House, in talking with their constituents back home and in reading their mail, have found that there is deep concern among the American people about the extent and the nature of Communist activity that is so apparent today. They find it difficult to understand how the Communists can be permitted to freely engage in activities which they regard as bordering on treasonous.

The question before us now is this: How can we, consistent with the Constitution and pursuant to the duties imposed on us by the oaths we have taken as Members of the House, act to relieve the concern of the American people and to assure them that the Congress is taking all reasonable steps to protect their freedoms and the security of this country?

Earlier this year, Mr. J. Walter Yeagley, Assistant Attorney General in charge of the Internal Security Division of the Department of Justice, testified as follows before a Senate committee:

> There is no question but that the law the Communists fear the most, the law that they have fought the longest and hardest to overthrow, was the Internal Security Act of 1950.

That testimony indicates what we can do to assure the people that we are looking after their interests—our country's interests—in the area of national security.

Obviously the Congress did a basically good job when it passed the Internal Security Act in 1950. Mr. Yeagley's testimony and other evidence proves that. The Supreme Court has upheld as constitutional the basic provisions of the act for dealing with Communist subversion. But, as I said before, the act has been weakened by some later court decisions.

What we must do now is restore the effectiveness the act has lost and the way we can do this is by voting for the bill now before us.

This bill has been carefully drafted in the light of all court decisions affecting its provisions. We have consulted with, and received the testimony of constitutional authorities and outstanding legal minds. We feel certain that this bill will take care of the problems created by some of the recent court decisions and that it will make the Internal Security Act what Mr. Yeagley said it used to be—"the law the Communists fear the most."

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield to the gentleman.

Mr. ROUDEBUSH. Mr. Chairman, since the gentleman was kind enough to yield to me, I would like to compliment the great gentleman from Virginia for the fine remarks he made today. I found his speech much more to my own philosophy and my own liking.

I think the gentleman is a great constitutionalist and a great American. I say, "God bless Bill Tuck." I wish we had more like him.

Mr. TUCK. Mr. Chairman, I thank the gentleman. I am here trying to espouse this bill and I thank him for his support.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, I might point out only that some of us note with deep regret the decision of the gentleman not to run for Congress again.

Mr. TUCK. Mr. Chairman, I thank the gentleman, but I want to return to the tranquil and picturesque south Virginia from whence I came.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield to the gentleman from Iowa.

Mr. CULVER. Mr. Chairman, I would like to extend my great respect and affection for Governor Tuck and say in the short time I have been in Congress no man has been kinder to me, and there is no man I will more sorely miss next year.

Mr. TUCK. Mr. Chairman, I thank the gentleman from Iowa.

Mr. ASHBROOK. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. Roudebush].

Mr. ROUDEBUSH. Mr. Chairman, I thank the gentleman for yielding me this time.

I certainly rise in support of H.R. 12601.

I cannot believe, and do not accept, that there is anything in the Constitution, in the first amendment, or in any other amendment, that bars the registration of people who are actually serving in this country as the agents of a hostile foreign power—and that, basically, is all the Internal Security Act does.

In nearly every State of this Union, individuals operating a business under a trade name are required to register, revealing the names of their officers and all parties in interest.

Republicans and Democrats are required to file a list of their contributors and to sign applications for primary ballots which furnish a registration of the names and addresses of every party member at every primary.

The courts have upheld these statutes on numerous occasions. They have not found them destructive of the rights of businessmen, of Republicans, or Democrats.

How then can anyone argue that it is a violation of a Communist's civil rights or the Communist Party's civil rights to require that Communist-action organizations register the names of their officers and members, an accounting of their moneys received, the sources of their funds, and the purposes for which they are expended?

The Communist Party falsely claims that it is a legitimate political party. Assuming that its claim is true, even though it is not, why then should it object to reporting substantially the same information that the Republican and Democratic Parties must report?

We all know the answer to that question. Communist organizations do not want the truth about their members, their activities, their finances known. They cannot stand the truth.

The Republican and Democratic Parties are even faced with a limitation on the expenditures of their candidates. The Internal Security Act imposes no limitation on any Communist Party expenditures. All it requires is that they be reported.

Why are the so-called civil libertarians so strangely silent about the civil rights features of the Corrupt Practices Act, while they are so loud and vociferous about the reporting features of the Internal Security Act which deal not with a legitimate political party, but a foreign-controlled conspiracy against the Government of these United States?

Why should anyone object to a Communist front; an organization secretly controlled by the Communist Party, having to report the names of its officers and make an annual financial statement when, as I mentioned before, practically every State compels businessmen to file similar information when they operate under a trade name?

There is no deceit intended on the part of such businessmen. There is nothing but deceit intended on the part of every Communist front. Yet, the civil libertarians scream that the rights of Communists and the Communist Party are somehow being violated because they have to file simple, basic information of the same type.

The Supreme Court, as has been mentioned, has upheld the registration provisions of the Internal Security Act. It has denied that they are an infringement of constitutional rights. It has rejected the act-of-attainder claim against the Internal Security Act.

I am beginning to think that we will never be able to please some of the so-called civil libertarians unless we throw out every security law and regulation.

As long as so much is being said about rights, I would like to call the attention of the House to the following facts:

In the late 1940's, President Truman appointed a Committee on Civil Rights. The purpose of this Committee was to study the question of civil rights in the United States and to make recommendations as to what could be done to preserve and strengthen them. The members of this Committee were predominately liberal in their political orientation. This is an excerpt from the 1947 report of the President's Committee on Civil Rights, a report entitled "To Secure These Rights."

> Congress has already made use of the principle of disclosure in both the economic and political spheres. The Securities and Exchange Commission, the Federal Trade Commission and the Pure Food and Drug Administration make available to the public information about sponsors of economic wares. In the political realm, the Federal Communications Commission, the Post Office Department, the Clerk of the House of Representatives, and the Secretary of the Senate—all of these under various statutes—are required to collect information about those who attempt to influence public opinion. Thousands of statements disclosing the ownership and control of newspapers using the second-class mailing privilege are filed annually with the Post Office Department.

Still quoting from the Committee finding of the many fields in which disclosure is properly and constitutionally used:

> Hundreds of statements disclosing the ownership and control of radio stations are filed with the Federal Communications Commission. Hundreds of lobbyists are now required to disclose their efforts to influence Congress under the Congressional Reorganization Act. In 1938, Congress found it necessary to pass the Foreign Agents Registration Act which forced certain citizens and aliens alike to register with the Department of Justice the facts about their sponsorship and activities. The effectiveness of these efforts has varied. We believe, however, that they have been sufficiently successful to warrant their further extension to all of those who attempt to influence public opinion.

I do not know of a single person really qualified as an authority on communism who does not agree that the best weapon against the Communists is exposure—revealing the truth about them, revealing what they are, letting the public know the kind of activities they are engaged in. Communists and other conspirators cannot stand to have the searchlight of truth beamed at them. It hurts them, discredits them, it undermines, to a large degree, their subversive activities.

I know that it is unpopular to talk about exposure in certain circles today. It has become a kind of dirty word. But exposure is no more than disclosure, the revelation of the truth—and this is what the President's Committee on Civil Rights said about exposure in its previously quoted 1947 report:

> The principle of disclosure is, we believe, the appropriate way to deal with those who would subvert our democracy by revolution or by encouraging disunity and destroying the civil rights of some groups. * * *

The President's Committee went on to say:

> The ultimate responsibility for countering totalitarians of all kinds rests, as always, with the mass of good, democratic Americans, their organizations and their leaders. The federal government * * * ought to provide a source of reference where private citizens and groups may find accurate information about the activities, sponsorship, and background of those who are active in the market place of public opinion.

Mr. Chairman, the main purpose and intent of the Internal Security Act is to provide a source of reference where private citizens and groups may find accurate information about the activities, sponsorship, and background of Communists who are active in the marketplace of public opinion.

The bill now before us will strengthen the Internal Security Act, making it a better and more effective source of information. It will do just what the President's Committee on Civil Rights said should be done to protect civil rights in this country and it also follows the method the Committee said should be followed in countering Communists and other totalitarians.

Let us vote for the bill. We have good

authority for believing that in doing so we will be acting in the best interest of this country and its people.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I am happy to yield to the gentleman from Illinois.

Mr. YATES. The fact that Congress overrode the President's veto message does not mean that the President was wrong. As a matter of fact, he proved to be right, because the Supreme Court sustained him, and the reasons which President Truman advanced in his veto message are still cogent and valid in opposition to this bill today.

Mr. ROUDEBUSH. The gentleman has a point there; but I believe it depends on which philosophy one follows as to whether the President was right or wrong. In my opinion, Congress was exactly right in overriding the veto. The gentleman is entitled to his opinion.

Mr. Chairman, I yield back the remainder of my time.

Mr. WILLIS. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Chairman, I rise in support of H.R. 12601, and I hope that the Members will study carefully the report of the committee accompanying H.R. 12601, as the bill is one which is very technical and very complicated and capable of misunderstanding, as has been indicated on the floor earlier in debate.

The bill affects only title I of the Internal Security Act, and title I is set out in full in the latter part of the report.

The bill is necessarily complicated because it has been drafted to comply with the constitutional holdings in three very complicated cases, as follows:

Communist Party against the Subversive Activities Control Board, a Supreme Court case decided in 1961 dealing with an order of the SACB requiring the Communist Party to register.

Albertson and Proctor against the Subversive Activities Control Board, a Supreme Court case decided in 1965 concerning an order of the SACB requiring Communist Party members to register.

Also the Communist Party against the United States, a court of appeals case decided on March 3, 1967, which was a criminal proceeding rising out of the failure of the Communist Party to register after the Supreme Court, in Communist Party against SACB, upheld the provisions of the Internal Security Act requiring the Communist Party to register.

I believe that point should be made very clear. That was the holding in the Communist Party against the SACB case. The case decided that Congress does have the right to require registration.

The bill is necessarily very technical because it deals with a delicate and I might say a very frustrating problem which has confronted the American people since the rise of militant, conquest-minded international communism. How do we protect our Nation, our Government, from Communist subversion and still preserve and maintain the constitutional liberties, particularly the right of free speech, freedom of the press, and the right of free association, under the first amendment? This is undoubtedly one of the most difficult problems ever to face the American people.

Mr. Chairman, I was not a Member of this body when the Internal Security Act was adopted in 1950 over President Truman's veto.

I do not consider it a sacred piece of legislation which should not be touched by the courts or by amendment of the Congress. As a matter of fact, if I had been on the Supreme Court in the Albertson and Proctor case, I feel that I would have voted with the majority. The Albertson and Proctor case was decided on the basis of the freedom from self-incrimination clause of the fifth amendment, one of our basic constitutional rights, which was written into the Constitution for reasons just as valid today as when the fifth amendment was adopted. I do not consider the act to have the potential of combating communism as effectively as some of its more fervent champions would maintain. Nor do I consider the act as heinous and oppressive as does the distinguished gentleman from Iowa.

No doubt there are other Members of this body having a different political philosophy who feel that the Internal Security Act did not go far enough. Instead of requiring the Communist organizations and their members to register, they feel that the Congress should have outlawed the Communist Party outright, as some of the non-Communist nations of the world have done and as advocated by some of the Members of this body who have introduced bills to outlaw the Communist Party outright.

Certainly it must be admitted that the registration provisions of the Internal Security Act have not been effective. Not a single Communist group has registered voluntarily or involuntarily. Not even the Communist Party itself. With a battery of legal talent, the Communist Party has successfully fought the SACB and the Department of Justice to a standstill culminating in the case of the Communist Party versus the United States where the U.S. court of appeals held in effect that although the Communist Party could be required to register, it could not be convicted for failure to register because of the fifth amendment rights of its officers and members.

Consequently, we are here today with a bill rejecting both extremes of political thought with a bill that I think follows a middle-of-the-road position and with one that I believe is reasonable and, unlike the gentleman from Iowa, I do believe that it adheres to the constitutional ground pointed out by the Supreme Court.

May I add I feel that no Member's motives should be attacked if he disagrees with the findings of the majority of this committee. This is an area where reasonable minds can differ.

Let me point out that the registration provisions of this legislation do not require Communists to do anything. It does not provide a penalty for the failure of Communist organizations or their members to register. It merely establishes a system of public disclosure of the identity of the Communist organizations and the members of Communist-action organizations. Note that I say "Communist-action organizations." It does not concern itself with the identity of members of Communist-front organizations or Communist-infiltrated organizations. It does get into the area of first amendment rights, but I would point out that although the Communist Party versus Subversive Activities Control Board was a 5-to-4 decision, eight of the nine Justices of the Supreme Court agreed that although compulsory disclosure of names of an organization's members may in certain instances infringe constitutionally protected rights of the association, that where such disclosure has a substantial bearing on a Federal interest, as in this case, the security of the Nation against foreign danger, congressional power may be appropriately exercised.

Mr. Chairman, Justice Douglas, one of the dissenters in the case of the Communist Party against the SACB had this to say about disclosure with which this bill mainly concerns itself. Justice Douglas stated as follows:

> If lobbyists can be required to register, if political parties can be required to make disclosure of the sources of their funds, if the owners of newspapers and periodicals must disclose their affiliates, so may a group operating under the control of a foreign power.
>
> The Bill of Rights was designed to give fullest play to the exchange and dissemination of ideas that touch the politics, culture, and other aspects of our life. When an organization is used by a foreign power to make advances here, questions of security are raised beyond the ken of disputation and debate between the people resident here. Espionage, business activities, formation of cells for subversion, as well as the exercise of First Amendment rights, are then used to pry open our society and make intrusion of a foreign power easy. These machinations of a foreign power add additional elements to free speech just as marching up and down adds something to picketing that goes beyond free speech.
>
> These are the reasons why, in my view, the bare requirement that the Communist Party register and disclose the names of its officers and directors is in line with the most exacting adjudications touching First Amendment activities.

Mr. Chairman, S. 2171 commonly known as the Dirksen bill has been mentioned. I think I should point out the differences between the Dirksen bill and H.R. 12601.

The Dirksen bill makes only four basic changes in the Subversive Activities Control Act of 1950 as follows:

First. It amends provisions relating to the registration of individual members of Communist-action organizations in the same manner as H.R. 12601, to conform to the Albertson and Proctor holding.

Second. With respect to the registration of Communist-action and front organizations, it has repealed all requirements for orders to register and deals with Communist organizations as it does with individual members of Communist-action organizations; that is to say, it establishes authority only for determinations as to whether the organization is Communist. On the other hand, with respect to action and front organizations, H.R. 12601 retains procedures for orders to register, in accordance with the 1961 holding in Communist Party against SACB.

Third. The Dirksen bill requires all records and registers to be maintained by the Board itself rather than the Attorney General. Under existing law, and under H.R. 12601, the Attorney General would continue to maintain the public register.

Fourth. The Dirksen bill has repealed all penalties under section 15, not only as to failure of organizations and individuals to register, but also for violations of sections 5 and 10 of the act. Section 5 relates to penalties for members of front and action organizations in connection with Federal employment and employment in defense facilities. Section 10 relates to penalties for the use of the mails and instrumentalities of interstate or foreign commerce for transmission of publications and broadcasts not identified as of Communist origin. H.R. 12601 retains penalties for violations of sections 5 and 10, while repealing other penalties.

The Dirksen bill does not contain any of the new major provisions of H.R. 12601, such as:

First. Amendment to definition of Communist-front.

Second. The amendment to section 10 adding requirement for disclosure of Communist organizations using the mail or any facility of interstate commerce to solicit money or property.

Third. Provisions against mooting of proceedings upon dissolution of Communist-action or front organizations subsequent to filing of Attorney General's petition.

Fourth. Compulsory testimony and production of evidence over fifth amendment claims on grant of immunity.

Fifth. Authority of Board to initiate contempt proceedings in district court for misbehavior in presence of Board.

Sixth. Denial of jurisdiction to Federal courts to entertain collateral proceedings.

Seventh. Inclusion of two or more individuals in one petition.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ASHBROOK. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Chairman, I trust that we shall not take the entire 5 minutes. However, I think we should say one or two things that will perhaps clear the air and the misunderstanding with reference to this bill.

In the first place, Mr. Chairman, I must admit that I am at a loss to understand why some of my friends who oppose this bill are opposing it. I say this because this bill is simply an effort to take care of some of the constitutional defects which were contained in the earlier bill.

Now, Mr. Chairman, if those who oppose this bill are genuinely interested in protecting the constitutional rights of the people, why under the name of the sun, would they oppose this effort to take care of some of the constitutional defects?

Now, Mr. Chairman, I think, perhaps, we might understand—and I believe these gentleman will admit that, basically, they are against this entire piece of legislation. Let us not deceive ourselves. They are against the Internal Security Act.

Mr. Chairman, I daresay that many who oppose this measure were against it when it was originally passed. The distinguished gentleman from Iowa [Mr. CULVER]—and everyone knows that I have a very high respect for the gentleman which is mutually shared, and that I have the highest regard for the gentleman personally and would never question his courage—but the gentleman from Iowa [Mr. CULVER] made the statement that 100 professors advocated the defeat of this legislation.

Mr. Chairman, did we not have 200 or 300 professors who advocated earlier this year the total abolition of the House Committee on Un-American Activities? I daresay that these 100 professors were included in that group.

Mr. Chairman, when I agreed to serve on this committee this year, I am sure I was not looking for a committee on which to serve that would end up receiving a lot of abuse.

Mr. Chairman, the chairman of the Committee on House Un-American Activities, the distinguished gentleman from Louisiana [Mr. WILLIS], I might guess that some of his health problems have been caused as the result of the harassment, abuse and vilification which he has received at the hands of a lot of these people who are engaged in these various activities and who are opposed to this legislation.

Mr. Chairman, I am sure that part of the cause of the retirement of the distinguished and able gentleman from Virginia—his announced retirement—former Governor TUCK, is because he is tired of all this vilification and harassment of the House Committee on Un-American Activities.

Mr. Chairman, those of you who have been before the committee when we have held hearings know of the vilification and the harassment that we undergo. In my opinion this represents a sad situation.

Mr. Chairman, this morning this committee was holding a hearing looking into the subversive activities or a possible subversive involvement with reference to the rioting and looting of this land which occurred during this past summer. We had appearing before the committee a very responsible man, the mayor of the great city of Los Angeles, Mayor Yorty, and Detective Harris, who pointed out the Communist involvement in the rioting and looting which occurred in that city during the time with which all of us are familiar. However, we did not have a corporal's guard over there trying to inform the American people as to what all responsible people had to say in this particular area.

Mr. Chairman, we can sit back and play "dead" and say that this menace is going away. A lot of people say that the SACB has not been effective.

Gentlemen, we have to realize that this Board can do nothing unless it is initiated by the Attorney General, and in prior years other Attorneys General have been very active in this field.

The gentleman, my friend from Iowa, said the gentleman either from Massachusetts or New York, one of the Senator Kennedys—I have forgotten from which State—said he has never been able to find out anything new on communism from the Subversive Activities Control Board.

Let us look at what they have done, according to the record, and this is in the record, the Subversive Activities Control Board over a period of 17 years has handled 70 cases referred to it. The breakdown of these cases is as follows:

The Communist Party cases, the cases of 23 Communist fronts—and I will agree with my friend from Iowa when he said, of these 23 cases, before the case was finally adjudicated, 19 of them had been dissolved. The gentleman is right. Is that not to the credit of the Board that, once they turned the public spotlight on them these people dissolved and went under cover? Is that not the purpose of this particular board?

They say we have spent $5 million trying to expose these Communist activities groups, the front groups, the infiltrator groups, $5 million over the past 17 years. Let us be fair with the Board, and I do not make brief with any of them particularly, over the past 17 years this Board has been honest with the Congress and with the taxpayers. They have turned back into the Federal Treasury approximately $900,000, as I recall the testimony of the Chairman of the Board on that.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. ASHBROOK. Mr. Chairman, I yield 2 additional minutes to the gentleman from South Carolina.

Mr. WATSON. And then as we are looking at this particular Board here, and the record of it, it says here that there have also additionally been cases against Communist controlled unions, and 44 individual cases against high-level national Communist leaders in the United States of America. Additionally, the transcript of the hearings held before the Board over the years runs to 103,959 pages. And if the Senator from New York or Massachusetts cannot find something in that many pages, then he had better stick to his business a little more closely.

It says further that they have 745 exhibits that have been presented over the years. Also there are 16,824 pages dealing with the record on the Communist Party case only.

Mr. Chairman, this is a good bill here. It cures the constitutional defects that the Court and others have been so concerned about. This bill will not provide any penalty to a Communist organization, front organization or infiltrated organization, or a Communist who will not voluntarily register. They have been wiped out, but it does provide the vehicle whereby the Attorney General, after hearings before the Subversive Activities Control Board, can list for the American people these various groups, and then let the American people from California over to Virginia decide as to whether or not they want to give money to a Communist group, or whether they want to join a Communist group, or a Communist-front group. We are not impinging upon the rights of anyone. They are actually, just as the gentleman is, concerned about preserving the constitutional rights of all of the people. And I respect honest dissent, but at the same time I want it to be all open and above board.

Mr. Chairman, for years the Subversive Activities Control Board went about doing its work quietly and effectively. For the most part, it received relatively little publicity. The American people heard little about it. The press said little about it.

Suddenly, early this year, the SACB became a national issue—because of a story published in a nationally known newspaper. This story really had nothing to say about the basic issues we are concerned with today—the Internal Security Act, the effectiveness of the SACB in carrying out the duties imposed on it by the Internal Security Act, and related matters affecting the internal security of the country. Unfortunately, however, this story—an attack on an SACB appointee—has done more harm to our security interests in one area than the Communists themselves have been able to do. It accomplished what the Communists have not been able to achieve in 17 years of unremitting effort—debate in the Congress over whether or not the SACB should be kept alive, and action by one body which may lead to its destruction and thus the complete emasculation of the Internal Security Act.

Since that first attack, the Board has been unjustly accused over and over again of being an idle, unproductive agency. Through ignorance or malice, numerous accounts pointing up the alleged defects of the Board have failed to mention the fact that it is not an independent organization able to act on its own initiative. They have not pointed out the fact that it is up to the Attorney General of the United States to keep the Board busy and that he must bear major responsibility for any inactivity on its part. These accounts have failed to point out that in the past, under other Attorneys General, the Board has been very busy.

Because the Board has been the subject of so much unjust treatment, I would like to review for the record at this time what it has actually accomplished.

In the 17 years of its existence, various Attorneys General have referred 70 cases to the Board. The breakdown of these cases is as follows: The Communist Party case; the cases of 23 Communist fronts; cases of two Communist-controlled unions—Communist-infiltrated organizations—and the cases of 44 individual national-level leaders of the Communist Party.

The Board held hearings on all of these cases, except three front cases which were dismissed because the organizations ceased functioning subsequent to the Attorney General's petition, but before the Board could initiate hearings.

The transcript of the hearings held by the Board over the years runs to 103,959 pages. The hearing record in the Communist Party case, the key to all others, ran to 16,824 pages. There were 745 exhibits introduced in that hearing.

In addition to receiving this voluminous testimony, the Board, during the 17 years of its life, has issued numerous reports, orders, rulings and memoranda opinions. These documents, together with an index-digest, have recently been combined and published in bound volumes by the Board. They total almost 3,200 pages.

These facts make it clear that, contrary to the misleading picture of the Board painted in recent months by certain elements, the Board has been most diligent in carrying out the duties imposed on it by the Internal Security Act. I wish to stress that the Board's hearings and reports are all public. They are available for study and inspection by everyone. They comprise an excellent, extensive, extremely accurate and enlightening record of Communist activities in this country during the past two decades.

Security does not come cheap. Developing a record of this type about a conspiracy cannot be done easily and inexpensively. Yes, the Board has cost us money—and it will continue to do so. But I, for one, believe that the information it has produced—and the damage it has done to the Communist Party—have been well worth the cost.

Whether or not the Communist Party, any of its fronts, and any of its leaders or members have registered with the Attorney General, there is a voluminous public record about their nature and their operations available for all to see and this, we must recall, is the basic intent of the Internal Security Act—to disclose for the benefit of the American people just who and what organizations in this country are doing the work of Moscow.

Mr. John Mahan, the present Chairman of the Subversive Activities Control Board, appeared before the Committee on Un-American Activities on August 16 of this year during its hearings on the bill we are now considering. In the course of his appearance, he submitted for the record a statement of the Board which, I believe, forcefully and objectively spelled out the basic issues involved in this debate. As soon as Committee rises, under unanimous consent I place in the RECORD at this point the statement of the SACB presented to the Committee on Un-American Activities by its Chairman, Mr. Mahan:

STATEMENT OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD

The Subversive Activities Control Board was created 17 years ago by the Congress of the United States specifically for the purpose of disclosing to the American people, Communist-action, Communist-front, and Communist-infiltrated organizations, and the members of Communist-action organizations. Such groups and individuals, according to the Congressional findings, constitute a real and continuing danger to the national welfare.

BACKGROUND

Rarely has there been a more intense study of methods of dealing with a particular evil than that which preceded and produced the Subversive Activities Control Act of 1950. The Act was the final distillate of investigations begun in the 1930's, and which was enacted after more than two years of Congressional work on a number of different bills. The Act was amended in 1954 to enlarge its coverage.

The Subversive Activities Control Board, as established by the 1950 Act, is the *only* agency in the Executive Branch in which is vested the authority to spotlight and expose Communist activities in the United States. Congress in establishing the Board guaranteed full and fair hearings to accused groups or individuals. The Board is a quasi-court to hear and decide cases brought before it by the Attorney General of the United States. The Board does not itself conduct investigations nor initiate proceedings. Board hearings are subject to the requirements of the Administrative Procedure Act. The law requires that the hearings be open to the public and that an accurate stenographic record be kept. Written findings of fact must be made by the Board in each case it hears. Orders of the Board are subject to judicial review and cannot become effective unless upheld by the courts, if appeals are taken.

During the past 17 years the Board has performed a good function for the Nation. Accomplishments of the Board are set forth below. The basic scheme of disclosure as provided in the Act was upheld by the Supreme Court in 1961. The device of disclosure was again held valid by a Federal Court of Appeals in March 1967, just five months ago, although the court pointed to the need to change some of the provisions. The courts in a series of cases, however, have determined one of the provisions of the Act to be unconstitutional and have interpreted another provision in a way which limits its application. A consequence, of course, has been to decrease the work of the Board.

Pending legislation will remove the limitations and cure the constitutional defect. The other extreme is a move to abolish the Board.

It is absolutely crucial that the Nation take every reasonable and lawful means to protect itself against Communist subversion. Whatever is done with respect to the S.A.C.B. should be done with care and deliberation. The issues are very important—too important for being decided hastily or on impulse.

The Chairman and members of the Subversive Activities Control Board are fully in accord with proposals that the Congress debate and consider all aspects. Should Congress decide that the people have *no* right to know and be warned of Communist activities, or that there is no Communist threat to the Nation, or that there is a threat but different means should be followed to meet and counteract it; then the Board should be abolished. Otherwise, the Act should be amended so as to accord with the court decisions and, perhaps, to again broaden the coverage and scope.

Cases which have been handled by the Board are listed in the attached Table A. An average of just about $300,000 per year has been spent by the Board in the past 17 years. This amounts to $5,000,000 in round numbers. Over $849,000 of unused appropriations have been returned by the Board to the U.S. Treasury.

ACCOMPLISHMENTS OF THE BOARD

No one knows the full effect the Subversive Activities Control Act has had in controlling Communist efforts to subvert our government. No one knows what the situation would be today but for the enactment of that statute. Some things, however, are known and other things reasonably can be assumed.

We do know that many organizations ceased their Communist-directed activities and dissolved when threatened with disclosure by the Board. Part of the statutory concept of a Communist front is that it conceals the facts as to its true character and purpose. Many people would not render support to such an organization once the true facts are known. The Court of Appeals has stated in a formal opinion that when a Communist-front group dissolves, "the purposes of the Act, and more, are accomplished." Dissolved organizations where there are no "final" orders of the Board are shown separately on Table A. As indicated in the Table, some of the organizations as to which there are in effect "final" orders have also become defunct.

We know that the Board has made a very large number of findings of fact which, when upheld on judicial review, place the spotlight on the myriad ways in which the Communist conspiracy operates. This has tremendous value in informing the public. The rulings, findings, and orders of the Board up to June 30, 1966, are contained in four printed volumes having a total of just under 3,000 pages. As stated, Board hearings are open to the public and may be held at any place within the United States. Each party has the full right to cross-examine the witnesses of his adversary. These hearings afford the opportunity for the public to see democracy in action and to learn at the same time. The great quantity of evidence presented at Board hearings is indicated from Table C.

We see from a mere inspection of Table A the types of organizations to which the Act applies and the various activities covered. The Communist activities included in the Board's findings in these cases cover many and varied fields, such as: sit-ins, rallies, marches, and other protests against the foreign and domestic policies of our government; Communist educational programs to indoctrinate our youth in Marxism-Leninism; Communist efforts to infiltrate legitimate civil rights organizations and other groups to covertly guide them to following the Communist line. Disclosure of such activities has obvious value since a well-informed public is a well-armed public.

From judicial review of Board orders we have learned much as to the procedural and constitutional limitations within which laws to protect the national welfare must operate. We now know much more of how best to balance freedoms and security. There have been 30 or more court decisions (some unreported) in which Board orders and provisions of the Act were considered. In one of these, Chief Judge Bazelon of the Court of Appeals stressed "the strong public interest in the Act's enforcement." A decision of the Court of Appeals in March of the present year in effect suggested the desirability of amending the Act. The Court said in part, ". . . *there is very much indeed that Congress may do in the single purpose to regulate the Communist Party by the device of disclosure*." Senior Circuit Judge E. Barrett Prettyman, who wrote a separate concurring opinion said, "I agree that the disclosure provisions of this statute are valid in and of themselves. . . ."

Very importantly, the orders of the Board when they become "final," following judicial review where sought, cover or apply to a great number of persons. This is not apparent from the face of the orders. For instance, one case in which an organization is determined to be a Communist front brings within the restrictions of the Act all members who choose to remain such after the Board's order has become final. The Communist Party is said to have between 10,000 and 12,000 members. According to the Director of the Federal Bureau of Investigation there are at least 100,000 "state of mind" members who are sympathetic to the Party line and objectives. It is reasonable to assume that all or most of them are active in Communist fronts.

PRESENT ACTIVITIES

There is presently pending in the Board a case on petition of the Attorney General for hearings and determination whether an organization named the W.E.B. DuBois Clubs of America is a Communist-front organization as defined in the statute. Shortly after the Attorney General's petition was filed the DuBois Clubs and others began litigation in the District Court seeking to enjoin the Board proceedings under the "Communist-front" provisions of the Act, and for declaratory judgment that such provisions are unconstitutional.

The petition of the Attorney General in this case was filed in the Board in March 1966. Thereafter various motions of the parties were heard and ruled upon by the Board until May 31, 1966, when it became necessary to suspend further proceedings because of the court litigation. On May 5, 1967, after almost a full year, the court dismissed the suit by the DuBois Clubs. The Board called the parties before it for a prehearing conference on May 25, 1967, and subsequently fixed June 20, 1967, as the date to begin hearing evidence. On June 12, 1967, the court directed the Board to postpone all further proceedings in the Board until the Supreme Court disposes of the DuBois Clubs' appeal from the refusal of the lower court to enjoin the hearing in the Board and to declare the Act unconstitutional.

During the period from January 20, 1966, to June 14, 1967, there have been 45 formal meetings of the Board (official minutes recording actions taken) and at least that many informal meetings (no minutes kept). Actions with respect to the proceedings in the Board and in the courts involving the DuBois Clubs were among the matters considered at 25 of the 45 formal meetings, and many of the informal meetings.

Parenthetically, other actions taken by the Board during this period included, among others: orders issued with respect to the Veterans of the Abraham Lincoln Brigade and the International Union of Mine, Mill and Smelter Workers; reports adopted giving the Board's views, as requested by Congressional Committees, on H.R. 5942, H.R. 6134, S. 518, H.R. 12302, H.R. 10390 and H.R. 10391, and other proposed legislation; formulated and issued rules and regulations in compliance with the Public Information Act.

Considerable effort has been devoted by the Board in working with its attorneys with respect to possible changes in the present statute. The members have studied a great many court opinions that bear either directly or indirectly upon the Act's provisions. Recommendations of the attorneys have been discussed and drafts arrived at so that specific suggestions can be made as to legislation.

THE FUTURE

The following quotations from statements made by the Director of the Federal Bureau of Investigation clearly and forcefully show that the Communist threat to the Nation not only continues but has become intensified. These statements are informed and reliable. They indicate strongly the necessity that the Subversive Activities Control Act be amended so as to disclose and regulate, in the national interest, those organizations and individuals that are carrying out the Communist activities:

"In its struggle to become a more potent force on the American scene, the Communist Party, USA, greatly stepped up its activities during the past twelve months." (January 5, 1967.)

". . . Gus Hall, General Secretary of the Communist Party, USA, stated that the Party was experiencing the greatest upsurge in its history. Hall said that the Party membership had jumped 1,000 or 2,000 above its 10,000 total of a year ago." (January 6, 1966.)

"The Party is today, in every way possible, attempting to camouflage its true communist identity. . . . The Party is intensifying its campaign to infiltrate and subvert the institutions of our society. . . . In the civil rights field, the Party is becoming bolder. . . . The Party is eagerly trying to reach the hearts, minds and souls of our young people." (March 27, 1967.)

"The Communist Party is riding the crest of a wave of optimism . . . in Communist eyes, recent Supreme Court decisions invalidating portions of the Internal Security Act of 1950 have given the Party the green light to become more active in mass agitation. . . . The Party, moreover, senses a new mood of radicalism in America. . . ." (1966.)

"The Communist Party, U.S.A., undoubtedly is in a much stronger position as a result of the 18th National Convention. [Held in June 1966.] Completely loyal to a foreign power, the Soviet Union, it remains a serious threat to our national security."

Findings of the Board have disclosed many of the strategies and tactics followed by the Party in its efforts to accomplish the goals outlined by F.B.I. Director Hoover. The Party's efforts to ensnare young Americans may be used to demonstrate both the past, present, and future of the Board's activities.

The Board in its first case found that the Communist Party, pursuant to foreign directives, established in this country a Young Communist League affiliated with the Young Communist International (see 1 SACB 236). The Y.C.L. was dissolved in 1943 when the International had become widely known as a part of the world Communist conspiracy. The Communist Party next organized the "American Youth for Democracy" as a technically non-Communist organization designated to recruit and influence as many young people as possible for the Party. (See 1 SACB 237.)

Next came the Labor Youth League. The Board has determined that this group was created as a purportedly independent organization devoted to the so-called needs of the youth but which was in fact completely subservient to the Party and used as a means whereby a segment of American youth was indoctrinated and trained for dedicated membership and future positions of leadership in the Party. (See 1 SACB 378.) The Labor Youth League dissolved after having been ordered by the Board to register as a Communist-front organization. The case is subject to further Board consideration if the purported dissolution is shown to have been a sham.

The demise of the Labor Youth League was followed by a Board hearing on petition of the Attorney General with respect to a youth organization named "Advance and Burning Issues Youth Organizations." That organization disbanded after a Board hearing officer recommended that it be ordered to register as a Communist front. The Board is holding the case in abeyance in the event the organization resumes activities.

There is now pending in the Board for hearings, as soon as the court-imposed stay is lifted, a petition of the Attorney General charging that the W. E. B. DuBois Clubs of America is a front for the Communist Party which seeks, among other things, to indoctrinate American youth in Marxism-Leninism and recruit them into the Party.

Two other cases are also being held by the Board in the status of indefinite abeyance. They, too, involve groups which ceased activities and dissolved when threatened with disclosure by the Board. The Board is holding the cases subject to an order to reopen them should it develop that the purported dissolutions were a sham to avoid disclosure, or if the groups again undertake their Communist activities.

Enactment of remedial legislation will greatly add to the workload of the Board. It can be argued that legislation should not be considered until the Supreme Court has disposed of the case now before it as respects proceedings under the Communist-front provisions. However, the actions open to the court cover many possibilities and it is doubtful that the decision will provide additional guidelines for legislation. Moreover, pending legislation has as a primary purpose making it possible to disclose and restrict individual hard-core Communists. This is not involved in the matter now before the Court. The Supreme Court has already spoken in this respect.

CONCLUSION

The Nation is at the cross-roads as to disclosing and regulating the Communist conspiracy in this country. At issue is whether the Subversive Activities Control Board be required to close up shop and, in effect, let the Communists win a 17 year battle by default.

The Congress must decide what the American people need and want. Congress must determine whether to keep the Board alive and give it the tools necessary fully to disclose and regulate the operations of the Communist conspiracy in this country. This involves the question whether $5,000,000 and 17 years of effort in disclosing the Communist conspiracy and in developing ways of doing so within the framework of the Constitution of the United States are to be thrown away in order to "save" another $295,000.

Calm and studied deliberation is necessary. Press reports that the Board is doing nothing and serves no purpose should be examined in the light of the facts. The matter is too vital to warrant gambling with the national security.

JULY 28, 1967.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. WATSON. I yield to the gentleman from Iowa.

Mr. CULVER. Mr. Chairman, if the gentleman is suggesting that the purpose of the legislation is to put the American public on notice so as to be advised as to such organizations in order not to become identified with them one way or another, does the gentleman also feel that the fact that they have been dissolved, genuinely carries out that purpose and intent of the statute?

Does the gentleman believe that that represents notice to the American people that this particular group no longer exists, and was at one time involved in Communist activities?

Mr. WATSON. I want the Members to pay attention to the question that the gentleman has just raised, because it is important to hear and to know about this, because this is an important change in the present act which I believe is an indispensible change in the act.

The gentleman from Iowa pointed out that heretofore when an organization was brought up by the Attorney General before the Subversive Activities Control Board, if that organization is dissolved before a final decision is reached, then the courts said you can no longer list that organization, it has been dissolved. We have 19 such cases. We change and provide this under the present law, we still want to protect innocent people who are taken in by an organization which dissolved as a result of the Board bringing pressure against it, and bringing it into the public spotlight. I believe it is important that we have this provision, although this organization, after it is cited, even though it is dissolved—and that is one of the general principles of the Communists, once they have set up this organization then the public spotlight is turned on it, and it is exposed, then they run under cover and establish a new organization.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. ASHBROOK. Mr. Chairman, I yield 2 additional minutes to the gentleman from South Carolina.

Mr. WATSON. They run under cover and they get another organization out.

So that is why I think it is important to make the changes we make in this bill, even if that organization is dissolved and after proceedings begin that they go through to conclusion and that the Board establish whether or not it is a Communist-action group or Communist-front group or Communist-infiltrated group.

It is entered in the Attorney General's record and it is noted there that it has been established as a Communist-front group but it has been dissolved. That lets these people know, who unwittingly got into this organization, and they do know the people who started it, that they are going to be hesitant to deal with those same people again.

That is what we want to do—protect innocent Americans from being taken in by these professional Communists and their sympathizers.

Mr. CULVER. I would certainly depend upon the enlightened judgment of this Congress to make a determination as to whether they feel that such an exercise would justify both the expense and reducing the effective enforcement of our internal security interests as well as the very serious constitutional problems involved.

Will the gentleman yield for another question?

Mr. WATSON. Let me talk about the expense involved.

Mr. CULVER. I have no question about the expense.

Mr. WATSON. But let us take the questions in proper order and in context.

Mr. CULVER. Will the gentleman yield for another question?

Mr. WATSON. Yes, after I have answered this question first.

You say—will this justify the expenditure? I do not want to be melodramatic, JOHN, you know me better than that. We have boys overseas who are paying a tremendous expense—even their lives, fighting communism. If we sit back here and do not put a little money to make a determined effort in fighting it here at home, it will do little good for those boys to win over there and that we should lose right here at home. Do not measure the expenditure in ferreting out Communists on the basis of a paltry $5 million spent over a period of 17 years.

Mr. CULVER. I would respectfully suggest to the gentleman that he not misconstrue the issue involved in this bill.

Mr. WATSON. Of course, the gentleman asked me the question.

That I would never seek to do and I do not believe that I have done so in this instance.

Mr. CULVER. The issue here is not whether or not we support the men in Korea as the issue was 17 years ago or whether or not we support the men today in Vietnam. The issue is not whether one is for or against communism. There is no disagreement on those points in this body.

The issue here is very clear cut, to preserve the national security interests of this country consistent with the preservation of our free institutions and, in my judgment, you betray the men who fight so gallantly in Vietnam for this great country of ours when you begin to inject those suggestions in this debate.

Mr. WATSON. I would never for a moment impugn your motives, and you know me too well for that.

I happen to be one like Governor TUCK and some of the others, a country lawyer, who comes before you not sufficiently sophisticated to understand all of the intricacies of the Communist government. So far as I am concerned, if I err, I want to err on the side of fighting the Communists, and being too strong in my opposition to them rather than being too soft. I think if we had gotten a little tougher there would not be some of these people out here who have been demonstrating and rioting and looting throughout America. And as it was pointed out this morning, they were Communist inspired and Communist agitated.

Mr. CULVER. If the gentleman will yield, I never heard of a good country lawyer who was worthy of the name who could not keep his mind on the issue before the court.

Mr. WATSON. I submit that the sole issue before us is how to effectively cope with the Communist movement in this country, and I have stuck to that issue regardless of whether or not the gentleman may approve or what has been said.

Mr. TUCK. Mr. Chairman, I yield to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Chairman, I thank the gentleman.

I must say that the chairman of this Commission is a very close personal friend of mine. I have had many conversations on this subject, and I have become convinced that this bill of the very able and distinguished chairman of the subcommittee, the gentleman from Louisiana [Mr. WILLIS], should pass, and I support it.

Mr. Chairman, it is a matter of gravest concern that there are in this country clandestine groups controlled by or loyal to foreign governments or foreign organizations and which groups principal efforts are directed to furthering the foreign interests in the United States to the detriment of the United States. Who are these groups and their leaders?

Congress and the public must be adequately and correctly informed—the dangers stemming from nondisclosure are serious. H.R. 12601, which I support, is one step at least in curbing and dealing with such dangers. I am in full agreement with our courts which have said in upholding the basic purpose of the Subversive Activities Control Act that disclosure of those who seek to deceive us implements rather than detracts from the prized freedoms guaranteed by the first amendment.

The Subversive Activities Control Act is aimed at disclosing, among others, those groups which by deceit and secrecy are serving as fronts for the Communist conspiracy. The courts have been consistent in holding that we, the Congress, have the power and the duty to remove the false face worn by these Communist-front organizations. Mr. Chairman, the courts have no quarrel with the purpose of disclosing the operations of the Communists in their efforts to destroy our form of government.

The courts have, however, pointed out deficiencies in the existing law; in the way the Congress heretofore sought to go about accomplishing this disclosure. During the years since the enactment of the existing law we have also had brought to our attention areas where the existing law should be strengthened. The report from the Committee on Un-American Activities fully discusses the legal and practicable problems in the existing law.

H.R. 12601 is designed to remedy these problems. It is a necessary and I hope just a first step in effectively meeting at home the challenge of the world Communist movement. The existence of a threat to the United States presented by the Communist movement is a recognized fact of modern history. Nowhere is the need for disclosure of the true nature and status of groups and individuals more pressing than in the case of foreign-controlled elements which use the technique of concealment.

Mr. Chairman, disclosure is a proved and legal means greatly to diminish the influence of clandestine groups. Our esteemed brothers in the other Chamber have by a resounding vote passed a bill to correct the defects in the disclosure scheme embodied in the existing law. We owe it to the American people to pass our version of such a bill; to meet with our colleagues from the Senate in conference to iron out any differences; and at this session give to the people a revised practicable tool for dealing with the Communist threat.

Mr. **WILLIS**. Mr. Chairman, I have no further requests for time.

Mr. **ASHBROOK**. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, as I said in my original presentation, it is not my inclination or intention to carry this debate into the late hours of the evening.

Mr. Chairman, the Members of this House have been asked to heed, and be influenced by, a letter they have received signed by Thomas I. Emerson of Yale Law School which alleges that some 166 law professors are opposed to the bill now before us.

Much has been said on the floor today about the element of disclosure, the various disclosure statutes enacted by the Congress, and upheld by the courts, as a means of protecting the integrity of our political institutions, our economic life, and other aspects of our society. Specific mention has been made of the Lobbying Act.

Thomas I. Emerson's letter is a form of lobbying. For this reason, I believe, the Members of the House should be informed of the facts about Thomas I. Emerson and his activities over a period of many years in order to help them determine just how much weight they should give to his letter.

Thomas I. Emerson, professor of law at the Yale Law School, has a record of support for Communist fronts and opposition to all attempts at anti-Communist legislation that goes back many years. The full extent of Emerson's record of Communist front affiliations is far too detailed to recite here. What follows is but a representative sampling.

Emerson appeared before the Committee on Un-American Activities in 1950 to testify against the bill that became the Internal Security Act. The year before he had attacked the Federal loyalty program. In 1950, he also opposed the prosecution of Communists under the Smith Act. In 1962, he was a signer of a letter urging repeal of the Internal Security Act, circulated to all Members of Congress.

Emerson's affiliations with Communist fronts have been far from casual. An undated leaflet of the International Juridical Association listed Emerson as a member of the National Committee of the IJA, one of the early Communist defense organizations. Emerson has been a leading figure in the National Lawyers Guild, the "legal bulwark" of the Communist Party since 1937, serving the group at various times as president, speaker, vice president, and member of the advisory board, as well as in numerous other capacities.

Emerson's participation in Communist fronts has often been in connection with the party's unceasing campaign of opposition to the House Committee on Un-American Activities. Several such projects with which he has been associated include the Committee To Defend the Victims of the Committee on Un-American Activities, the Committee of One Thousand, the National Committee To Abolish the House Un-American Activities Committee, and an open letter sponsored by the Arts, Sciences, and Professions Council of the Progressive Citizens of America.

Professor Emerson was also very active in the Communist-led third party movement of 1948, the Progressive Party which nominated Henry Wallace for President on a platform of accommodation with the Soviet Union. Among the organizations active in this campaign, the following had Emerson's active support: the Progressive Party, the Progressive Citizens of America, the National Council of the Arts, Sciences, and Professions, and the National Wallace for President Committee.

In addition to the foregoing, Emerson's affiliations with Communist fronts and enterprises have included the following: the American Committee for Protection of Foreign Born, the Committee To Secure Justice for Morton Sobell, the Southern Conference for Human Welfare, the Eugene V. Debs Centennial Meeting, a petition to President Kennedy in behalf of clemency for convicted Communist Junius Scales, a petition in behalf of students arrested for illegal travel to Cuba in 1963, the Citizens Emergency Defense Conference, the Emergency Civil Liberties Committee, the National Committee To Repeal the McCarran Act, the Civil Rights Congress, the Fort Hood Three Defense Committee, the United Public Workers of America, the National Committee To Defeat the Mundt Bill, the Committee for Peaceful Alternatives to the Atlantic Pact, the Spanish Refugee Appeal of the Joint Anti-Fascist Refugee Committee, the Louise Pettibone Smith 75th Birthday Tribute, the Jefferson School of Social Science, and, as recently as this year, the Veterans of the Abraham Lincoln Brigade.

Mr. Chairman, there are undoubtedly many sincere men who have joined Mr. Emerson in his appeal to the House to defeat H.R. 12601. I do note, however, that one of the signers is Mr. Arthur Kinoy. Mr. Kinoy, you will recall was the attorney who was arrested and convicted for disorderly conduct after an abusive and noisy shouting tirade against the subcommittee chairman. I only point this out to indicate that a long list of names on a petition is meaningless per se. I am surprised that Mr. Emerson did not get more names since more than 200 are on record against the House Committee on Un-American Activities.

Mr. Emerson's petition follows:

YALE LAW SCHOOL,
Washington, D.C., November 27, 1967.

DEAR CONGRESSMAN: H.R. 12601 to amend the Internal Security Act comes to the House Floor tomorrow, Tuesday, November 28.

I would like to acquaint you with the opinion of 166 law professors (including 2 deans) on the constitutionality of such a measure.

When the Senate version of H.R. 12601 came before the Senate in October, the attached list of law professors and deans signed the following telegram to Attorney General Ramsay Clark:

"We believe Senate bill 2171 to revive McCarran Act contains serious constitutional defects, is wholly unnecessary, and threatens basic freedoms of thought and expression. We urge you to make public the views of the Department of Justice on this legislation and hope you will vigorously oppose enactment."

Senator Everett Dirksen described H.R. 12601 as "a far more drastic bill" than the Senate version. (CONGRESSIONAL RECORD, vol. 113, pt. 22, p. 29706.)

Rep. John C. Culver, a member of the Committee on Un-American Activities, dissented from the recommendation of H.R. 12601 because of serious "constitutional objections" among other reasons.

The Attorney General, who has the responsibility for enforcement, still has not expressed his view. May I suggest that you seriously consider the reasons for Rep Culver's dissent on pp. 51–56 of House Report No. 733?

Sincerely yours,
THOMAS I. EMERSON.

LAW SCHOOL PROFESSORS AND DEANS ON RECORD AGAINST S. 2171 (SENATE COUNTERPART TO H.R. 12601 TO AMEND MCCARRAN ACT)

Prof. William Anderson, Univ. of Washington Law School.

Prof. Michael Asimow, Univ. of California at Los Angeles Law School.

Prof. Frank Askin, Rutgers Law School.

Prof. Edward J. Bander, New York University Law School.

Dean Ralph Barnhart, Univ. of Arkansas School of Law.

Prof. Babette Barton, Univ. of California at Berkeley Law School.

Dean Louis F. Bartelt, Jr., Valparaiso Law School.

Prof. Paul Barton, Harvard Law School.

Prof. David Becker, Washington University Law School (St. Louis).

Prof. Albert Beisel, Boston University School of Law.

Prof. Alex Bickel, Yale Law School.

Prof. Robert Birmingham, University of Indiana Law School.

Prof. Ralph F. Bischoff, New York University Law School.

Prof. Vincent Blasi, Univ. of Texas Law School.

Prof. Douglass Boshkoff, Univ. of Indiana Law School.

Prof. Alexander D. Brooks, Rutgers Law School.

Prof. Clark Byse, Harvard Law School.

Prof. Kenneth R. Callahan, Wayne State Univ. Law School.

Prof. Benjamin Carlin, Wayne State Univ. Law School.

Prof. Charles N. Carnes, Univ. of Arkansas Law School.

Prof. Robert A. Carter, Rutgers Law School.

Prof. David Cavers, Harvard Law School.

Prof. Thomas G. S. Christensen, New York University Law School.

Prof. William Cohen, Univ. of California at Los Angeles Law School.

Prof. Robert Cole, Univ. of California at Berkeley Law School.

Prof. Daniel G. Collins, New York University Law School.

Prof. Charles H. Cottingham, Rutgers Law School.

Prof. Vern Countryman, Harvard Law School.

Prof. Thomas A. Cowan, Rutgers Law School.

Prof. William C. Cunningham, S.J., Loyola Univ. of Chicago Law School.

Prof. John Dawson, Harvard Law School.

Prof. Robert Dawson, Univ. of Texas Law School.

Prof. Norman Dorsen, New York University Law School.

Dean Robert F. Drinan, S.J., Boston College Law School.

Prof. Richard B. Dyson, Boston University School of Law.

Prof. Thomas I. Emerson, Yale Law School.

Prof. Robert Feinschreiber, Wayne State Univ. Law School.

Prof. M. Carr Ferguson, Jr., New York University Law School.

Prof. Ted Finman, Univ. of Wisconsin Law School.

Prof. Vincent E. Fiordalisi, Rutgers Law School.

Prof. Morris Forkosch, Brooklyn Law School.

Prof. William Fritz, Univ. of Texas Law, School.

Prof. Walter Gellhorn, Columbia Law School.

Prof. Ruth Ginsburg, Rutgers Law School.

Prof. Martin Gitelman, Univ. of Arkansas School of Law.

Acting Dean John E. Glavin, Wayne State Univ. Law School.

Prof. Donald H. Gordon, Wayne State Univ. Law School.

Prof. Gidon A. Gottlieb, New York University Law School.

Prof. Kenneth W. Graham, University of Calif. at Los Angeles Law School.

Prof. Edward F. Greene, Wayne State Univ. Law School.

Prof. Hyman Gross, New York University Law School.

Prof. Rafael Guzman, Univ. of Arkansas Law School.

Dean Edward C. Halbach, Univ. of California at Berkeley Law School.

Prof. Robert Hamilton, Univ. of Texas Law School.

Prof. Robert J. Harris, Univ. of Michigan Law School.

Prof. Frederick M. Hart, Univ. of New Mexico Law School.

Prof. Joseph W. Hawley, New York University Law School.

Prof. Harold Horowitz, Univ. of California at Los Angeles Law School.

Dean Leo A. Huard, Univ. of Santa Clara Law School.

Prof. Graham B. J. Hughes, New York University Law School.

Prof. Jerold H. Israel, Univ. of Michigan Law School.

Prof. Mark Jacoby, Boston University School of Law.

Prof. Louis Jaffe, Harvard Law School.

Prof. Eli Jarmel, Rutgers Law School.

Prof. Edgar A. Jones, Jr., Univ. of California at Los Angeles Law School.

Prof. Fredrich K. Juenger, Wayne State Univ. Law School.

Prof. Joseph R. Julin, Univ. of Michigan Law School.

Prof. Harry Kalven, University of Chicago Law School.

Prof. Yale Kamisar, Univ. of Michigan Law School.

Prof. Leo Kanowitz, Univ. of New Mexico Law School.

Prof. Benjamin Kaplan, Harvard Law School.

Prof. Kenneth L. Karst, Univ. of California at Los Angeles Law School.

Prof. Paul G. Kauper, Univ. of Michigan Law School.

Prof. James Kelley, Univ. of Texas Law School.

Prof. William J. Kenealy, S.J., Boston College Law School.

Prof. Robert B. Kent, Boston University School of Law.

Prof. D. Kilbourne, Boston University School of Law.

Prof. Lawrence P. King, New York University Law School.

Prof. Arthur Kinoy, Rutgers Law School.

Prof. Fanny P. Klein, New York University Law School.

Prof. Robert L. Knauss, Univ. of Michigan Law School.

Prof. Robert E. Knowlton, Rutgers Law School.

Prof. Douglas A. Kohn, Univ. of Michigan Law School.

Prof. Frederika B. Koller, Wayne State Univ. Law School.

Prof. Jack L. Kroner, New York University Law School.

Prof. Richard Kummert, Univ. of Washington Law School.

Prof. Leon Lebowitz, Univ. of Texas Law School.

Prof. Arthur Leff, Washington University Law School (St. Louis).

Prof. Leon Letwin, Univ. of California at Los Angeles Law School.

Prof. Pierre Loiseaux, Univ. of Texas Law School.

Prof. Arthur Lombard, Wayne State Univ. Law School.

Prof. Andreas Lowenfeld, New York University Law School.

Prof. John Lowenthal, Rutgers Law School.

Prof. Louis Loss, Harvard Law School.

Prof. Banks McDowell, Jr., Boston University School of Law.

Dean Robert B. McKay, New York University Law School.

Prof. Julius J. Marke, New York University Law School.

Prof. Robert Mathews, University of Texas Law School.

Prof. T. James McDonough, Univ. of Arkansas Law School.

Prof. Dan G. McLeod, Boston University School of Law.

Prof. Saul Mendlovitz, Rutgers Law School.

Prof. Roy Mersky, University of Texas Law School.

Prof. Frank Michelman, Harvard Law School.

Prof. Arthur R. Miller, University of Michigan Law School.

Prof. Frank W. Miller, Washington University Law School (St. Louis).

Prof. Stephen E. Mochary, University of Arkansas Law School.

Prof. Henry P. Monaghan, Boston University School of Law.

Prof. Eugene Mooney, Univ. of Kentucky College of Law.

Prof. Eva Morreale, Rutgers Law School.

Prof. Arval A. Morris, Univ. of Washington School of Law.

Prof. Grant Morris, Wayne State Univ. Law School.

Prof. Herbert Morris, Univ. of California at Los Angeles Law School.

Prof. Nathaniel L. Nathanson, Northwestern Univ. School of Law.

Prof. Arthur Neef, Wayne State Univ. Law School.

Prof. Melville B. Nimmer, Univ. of California at Los Angeles Law School.

Prof. Daniel G. Partan, Boston Univ. School of Law.

Prof. Ray Paruas, University of Arkansas Law School.

Prof. Richard N. Pearson, Boston Univ. School of Law.

Prof. Cornelius J. Peck, Univ. of Washington Law School.

Prof. Roger Paul Peters, Notre Dame University Law School.

Prof. Robert Peterson, Wayne State University Law School.

Prof. William J. Pierce, Univ. of Michigan Law School.

Prof. Robert Pitofsky, New York University Law School.

Prof. Daniel H. Pollitt, Univ. of North Carolina School of Law.

Prof. Sidney Posel, Rutgers Law School.

Prof. Monroe E. Price, Univ. of California at Los Angeles Law School.

Prof. Bert S. Prunty, New York University Law School.

Prof. Charles A. Reich, Yale University Law School.

Prof. David A. Rice, Boston Univ. School of Law.

Prof. Vincent J. Rinella, Wayne State Univ. Law School.

Prof. Fred Rodell, Yale Law School.

Prof. Eugene Roemele, Boston University School of Law.

Prof. Yosal Rogat, Stanford University School of Law.

Dean Ivan C. Rutledge, Ohio State University Law School.

Prof. Millard Ruud, University of Texas Law School.

Prof. William E. Ryckman, Jr., Boston Univ. School of Law.

Prof. Theodore J. St. Antoine, Univ. of Michigan Law School.

Prof. Frank E. A. Sander, Harvard Law School.

Prof. Joseph L. Sax, Univ. of Michigan Law School.

Prof. George Schatzki, University of Texas Law School.

Prof. Alan Schenk, Wayne State Univ. Law School.

Prof. Stephen Schulman, Wayne State Univ. Law School.

Prof. Herbert E. Schwartz, Univ. of California at Los Angeles Law School.

Prof. Warren Schwartz, Univ. of Texas Law School.

Prof. Robert Sedler, University of Kentucky College of Law.

Prof. Thomas L. Shaffer, Notre Dame Law School.

Prof. Malcolm P. Sharp, Univ. of New Mexico School of Law.

Prof. Morgan Shipman, Harvard Law School.

Prof. Samuel Shuman, Wayne State Univ. Law School.

Prof. Boaz Siegel, Wayne State Univ. Law School.

Prof. Peter Simmons, Ohio State Univ. Law School.

Prof. Allan E. Smith, Univ. of Texas Law School.

Prof. Ronald J. Stanger, Ohio State Univ. Law School.

Prof. Leonard P. Strickman, Boston Univ. School of Law.

Prof. R. Dale Swihart, Washington University Law School (St. Louis).

Prof. John Taggart, New York Univ. School of Law.

Prof. Robert Taylor, Univ. of Washington Law School.

Prof. James Treece, Univ. of Texas Law School.

Prof. Anthony M. Vernava, Wayne State Univ. Law School.

Dean David H. Vernon, Univ. of Iowa College of Law.

Prof. Robert Walker, Univ. of New Mexico Law School.

Prof. Bernard J. Ward, Notre Dame University Law School.

Prof. Henry Weihofen, Univ. of New Mexico School of Law.

Prof. L. Hart Wright, Univ. of Michigan Law School.

Prof. Irving Younger, New York Univ. Law School.

Prof. Stanley Zimmerman, New York Univ. Law School.

Mr. CURTIS. Mr. Chairman, will the gentleman yield so that I may ask a couple of questions?

Mr. ASHBROOK. I yield 4 minutes to the gentleman from Missouri.

Mr. CURTIS. What position does the administration take on this bill? Are President Johnson and the Department of Justice in favor of or against the bill? I did not have an opportunity to look through the hearings. I understand the Attorney General did not even appear. Is that correct?

Mr. ASHBROOK. That is correct.

Mr. CURTIS. Usually the administration expresses its views on legislation. Can the gentleman or anyone on the committee state whether such a position was taken?

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Louisiana to clarify the situation as to the administration's position.

Mr. WILLIS. I did not happen to discuss it with the President, but I happen to know that the President is personally for the bill.

Mr. CURTIS. Has he so stated publicly?

Mr. WILLIS. He said that to a high official of this Government.

Mr. CURTIS. I mean publicly. He is not backward about expressing himself.

Mr. WILLIS. The only public statement we have is a letter from the Attorney General of the United States, who stated that he could honestly say if we pass the law he will enforce it. He cannot say any more; he cannot say any less.

Mr. CURTIS. I must say that this is certainly an incomplete position of the administration on some very vital legislation, whichever position one takes. Does not the administration have a position?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. YATES. I asked that question before. I do not agree with the chairman of the committee when he said that no Attorney General could say more or less than was stated in that letter. I think that letter is a minimum statement. All the Attorney General said was if the bill is passed, he will do his best to enforce it. If the Attorney General favored passage of the legislation, he could say a great deal more in favor of the legislation. The fact that he has not said so would indicate to me that he is opposed to it.

Mr. CURTIS. It has been pointed out that President Truman vetoed the 1950 act. Is there any indication that President Johnson would veto this legislation?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. YATES. I asked not that question directly before, but I have read the report; I have seen no hearings that were published on this point. Perhaps I have not been able to find it. However, I have seen no official statement of any member of the administration which goes further than the statement to which the chairman of the committee alluded in the letter from the Attorney General.

Mr. CURTIS. I thank the gentleman for that clarification, which leaves the whole thing muddied.

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. YATES. I might say in addition to what I said previously that the Attorney General was requested on two separate occasions to testify before this committee and did not appear.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Louisiana.

Mr. WILLIS. The gentleman is perfectly correct. I personally invited him and was disappointed that he did not come.

Mr. CURTIS. Let me say again that I think the Attorney General does a disservice to the Congress and to this country by not taking a position one way or the other on legislation of this importance. The President of the United States does a disservice. These things are serious. I have been very much concerned in listening to the debate and the presentation by the gentleman's side, those who are opposing this legislation.

Having a serious situation like this with the administration taking no position disturbs me more than the debate itself.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. YATES. I just want to say that if I were the Attorney General of the United States and I wanted this legislation, I would be knocking on the doors of Congress asking for the opportunity to testify in favor of it.

Mr. CURTIS. On the other hand, if the Attorney General felt, as was expressed here, that the measure is unconstitutional or involved seriously civil rights, he should speak up on that subject. It looks like a part of the lack of leadership that goes to many basic questions in this administration.

Mr. ASHBROOK. Mr. Chairman, the gentleman from Missouri has an excellent point. Were the Attorney General against this bill, it seems he would have appeared voluntarily and testified against it.

I certainly am not trying to infer support to the Attorney General, because he has not gone on record. I think it is equally unfair to infer the opposition of the Attorney General. I think the gentleman from Missouri [Mr. CURTIS] has made a good point. They have just ducked a good chance to speak out.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the last indication with respect to this act and the predecessor act was that the Attorney General and the Director of the Federal Bureau of Investigation were opposed to the original act. They did not appear in support of this act, so presumably the opposition would still continue.

Mr. ASHBROOK. Wait a minute. The gentleman said "presumably." He said the last indication—when was that?

Mr. YATES. In 1950. They have not testified for this act since. As a matter of fact, the hearings on this particular amendment to that original bill are very sparse indeed. There should have been a much more thorough airing of the matter for this legislation than was undertaken by this committee.

Mr. ASHBROOK. Mr. Chairman, I did not hear the gentleman, but I think he did say 1950 as the last time.

Mr. YATES. Yes. If the gentleman will yield further, may I say the gentleman who is a Senator from New York, who was one of the predecessor Attorneys General to the one who holds office at the present time, indicated he did not favor the legislation when he was Attorney General and that he does not favor it today. He indicated he considered the legislation to be a step backward in enforcement of our rights against the members of the Communist Party.

Mr. ASHBROOK. This legislation was not before the Congress when the gentleman was Attorney General. How could he have opposed it when he was Attorney General?

Mr. YATES. He was an Attorney General of this country at a time when he had the responsibility of enforcing this legislation.

Mr. ASHBROOK. If I understood the gentleman correctly, he said the former Attorney General, now a U.S. Senator, opposed this legislation when he was Attorney General.

Mr. YATES. No, I did not say that at all. I said he considered this legislation not to be legislation which would serve the purpose for which it was enacted.

Mr. ASHBROOK. Maybe I misunderstood the gentleman.

Mr. EDWARDS of California. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. EDWARDS of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think the point brought up by the gentleman from Missouri [Mr. CURTIS] is very important. In the event I have the opportunity to offer the motion to recommit, my motion to recommit will require the committee to have additional hearings, so we can have a witness from the Department of Justice. After all, the Department of Justice is heavily involved in enforcement of this act, and it seems rather irresponsible of us to be legislating without having their testimony.

Mr. **ASHBROOK**. Could I say to the gentleman from California, I can understand his motion to recommit, but how does the gentleman intend to get the Attorney General to come when he does not want to come?

Mr. **EDWARDS** of California. I want to make sure every effort was made, and I am not sure every effort was made.

Mr. **ASHBROOK**. The chairman of this committee on two occasions invited the Attorney General.

Mr. **EDWARDS** of California. The distinguished gentleman also pointed out that he has learned the President of the United States is in favor of this bill, so perhaps he can help us get the witness.

Mr. **GROSS**. Mr. Chairman, during consideration of the rule which made this bill in order for consideration, I stated that I would find it difficult to support it. This despite the fact that many weeks ago I joined in sponsoring legislation of this general nature.

My opposition, contrary to that of some Members of the House, is not to the objectives of the legislation—the control of subversives and subversive organizations in this country—but to recent disclosures of the composition of the Subversive Activities Control Board.

It is apparent that the Control Board has been made a dumping ground by this administration for political favorites and straphangers. But it has now been made clear that the defeat of this bill would not eliminate the members of the present Board. Defeat of the pending bill would not cure the ineffectiveness that now exists.

There remains the appropriation process and when the appropriation bill comes before the House next year it will be my purpose to ascertain whether the Control Board has performed any useful function in the intervening months. If it has failed as it has in the past to make a worthwhile contribution then I say that every dollar of support should be cut off and I will have no hesitancy in voting to that end.

Mr. **FRASER**. Mr. Chairman, I intend to vote against this bill. My reasons for doing so are summarized in the dissenting view of the gentleman from Iowa [Mr. CULVER] in the committee report on the measure.

These are some of Mr. CULVER's objections to the legislation:

First. Its "broadsweeping—cq—registration requirements" might force the registration of innocent organizations which might take positions "from time to time on matters of policy" which "do not deviate from those" of the Communist movement.

Second. It prohibits collateral proceedings depriving a person of his rights to seek judicial redress "at precisely the time when he may need it most."

Third. It raises the "lingering constitutional problem" of punishing individuals "not for specific criminal acts but for advocacy and associations, activities protected by the first amendment."

Fourth. Its criminal penalties for failing to label propaganda or for employment in certain forbidden positions could be levied without "established constitutional safeguards."

In addition to these objections, Mr. Chairman, the dissenting view quotes from the remarks of President Truman when he vetoed the Internal Security Act of 1950:

> Our position in the vanguard of freedom rests largely on our demonstration that the free expression of opinion, coupled with government by popular consent, leads to national strength and human advancement. Let us not, in cowering and foolish fear, throw away the fundamental basis of our free society.

Those words are just as true and as eloquent in 1967 as they were in 1950. Should the ill-advised legislation we are now considering be enacted by Congress, I hope that it will meet the same fate as the 1950 bill and be vetoed by President Johnson.

Mr. **COHELAN**. Mr. Chairman, the entire course of the Internal Security Act of 1950 is strewn with derelict provisions which have violated the Constitution. I am afraid, Mr. Chairman, that H.R. 12601, the Internal Security Act Amendments, will add more to this history of constitutional transgressions.

In reviewing these amendments, I find that they are replete with what more than 150 law school professors have called "serious constitutional defects."

The offenses described by the act remain unconscionably vague. The amendments add the further unconscionable note that it would be criminal to hold certain employment if one were a member of a group required to be registered, even if that person did not actually know the group was registered. And, this conviction could be obtained without the least showing or proof that the accused individual had engaged in any subversive conduct.

The bill has many other objectionable features. It bars proceedings in the courts at the very time when access to the courts may be most important to protect one's rights. It allows innocent individuals and groups to be branded as Communist affiliates when the only act they have committed is to hold or espouse a view that may also, and purely coincidentally, be advocated by Communists.

And, the most serious objection to this bill may well be that it would revitalize the now defunct Subversive Activities Control Board. In the 17 years of its existence, this Board has spent more than $5 million and has performed little or no useful constitutional function.

Past Attorneys General have advised against the continuation of the Board, and one has stated that during his tenure the Board did not produce one piece of not otherwise available information.

President Truman, who had no love for Communists, but who has a good deal of respect for free speech, vetoed the initial attempt to institute the Board. Today, there is more than ample reason to agree with his decision—and with his statement that the Board puts the Government in the "thought control business" and provides "vast powers to harass all of our citizens in the exercise of their rights of free speech."

Mr. **RYAN**. Mr. Chairman, H.R. 12601 would revive certain aspects of title I of the Internal Security Act of 1950, which have been properly declared unconstitutional by the U.S. Supreme Court. Earlier this year we were reminded of the dormancy of the creature of that act, the Subversive Activities Control Board, by a controversial appointment. The issue of the wisdom of that appointment is of superficial importance. The issue today is whether an agency, which the Supreme Court has rendered virtually impotent in order to conform to the U.S. Constitution, should be artificially revived.

The Internal Security Act of 1950, or the McCarran Act, was generated by a climate of hysteria and fear in the postwar years, representing the culmination of 3 years of agitation for antisubversion legislation.

Positing an ironclad Communist conspiracy in language chillingly reminiscent of the stridency of the times, the act established a five-man Board which, upon petition of the Attorney General, would hold quasi-judicial proceedings to determine if an organization was required to register with the Attorney General as a Communist action, Communist front, or Communist infiltrated group. Individual members of Communist-action groups were required to register. But, as President Harry Truman's prophetic veto message of September 22, 1950, predicted, things did not quite work out that way. He said:

> The idea of requiring Communist organizations to divulge information about themselves is a simple and attractive one. But it is about as practical as requiring thieves to register with the sheriff. Obviously, no such organization as the Communist Party is likely to register voluntarily.

The President then elaborated on the procedural requirements for Board hearings—submission of proof by the Attorney General that an organization was in fact a "Communist-action" or "Communist-front" organization, submission of evidence by the organization, prolonged hearings by the Board, and appeal through the Courts. He concluded:

> All these proceedings would require great effort and much time. It is almost certain that from two to four years would elapse between the Attorney General's decision to go before the Board with a case, and the final disposition of the matter by the Courts.
>
> And when all this time and effort had been spent, it is still most likely that no organization would actually register.

And, of course, none has.

Congressional reaction was equally swift. The following day, both Houses overrode President Truman's veto, the House by 286 to 48, the Senate by 57 to 10. On the floor of the House, Representative Rankin, of Mississippi, righteously proclaimed:

> This document should be answered on the floor. I have never heard so many misstatements in the same number of words. I am sure the President did not write it, and I doubt if he ever read it. It sounds like Communist propaganda.
>
> The rumor is that Felix Frankfurter wrote it.

That, I suspect, was intended as damnation. I suggest, however, that whoever authored the message, it stands out as a monument to sanity.

Senator Herbert H. Lehman courageously pleaded with the Senate to sustain the Prsident's veto:

> This bill is based upon misconception, hysteria, and suspicion. People have been led to believe that this is simply a bill to require registration, that under its provisions there are no complications, no further responsibilities, no further duties, no further consequences.
>
> It is not so. In my opinion . . . this bill would in no way help to combat communism. It would do communism no harm. It would harm the country. It would harm the things for which we have stood and for which our forefathers have fought for 200 years and more. . . .

On November 20, 1950, the Attorney General petitioned the Subversive Activities Control Board to require the Communist Party of the United States to register. The Board's hearing consumed the next 18 months and over 14,000 pages of trial transcript. On April 20, 1953, the Board directed the Communist Party to register with the Attorney General as provided by section 7 of the act.

The Communist Party, of course, refused to comply with the registration directive. Seven years of litigation through the lower courts ensued until the case reached the U.S. Supreme Court in October of 1960. On June 5, 1961, the Supreme Court handed down the decision of *Communist Party of the United States* v. *Subversive Activities Control Board* (367 U.S. 1), in which the registration requirement contained in section 7 of the 1950 act was upheld. Ironically enough, the opinion was written by none other than Mr. Justice Frankfurter. In upholding the Board's registration order the Court said:

> The purpose of the Subversive Activities Control Act is said to be to prevent the worldwide Communist conspiracy from accomplishing its purpose in this country.
>
> It is not for the courts to re-examine the validity of these legislative findings and reject them . . . They are the product of extensive investigations by Committees of Congress over more than a decade and a half (367 U.S. 1, at 94, 95).
>
> Of course, Congressional power in this sphere, as in all spheres, is limited by the First Amendment. Individual liberties fundamental to American institutions are not to be destroyed under pretext of preserving those institutions, even from the external dangers. But where the problems of accommodating the exigencies of self-preservation and the values of liberty are as complex and intricate as they are in the situation described in the findings of S. 2 of the Subversive Activities Control Act . . . the legislative judgment as to how that threat may best be met consistently with the safeguarding of personal freedom is not to be set aside merely because the judgment of judges would, in the first instance, have chosen other methods (367 U.S. 1, at 96, 97).

The Communist Party, however, had contended that the registration requirement constituted a denial of the fifth amendment guarantees against self-incrimination of its officers. The Court made no determination on this claim on the ground that it was premature. Claims of violations of fifth amendment privileges would be justiciable only after the Board's order became final and after the officers had invoked the privilege in refusing to register with the Attorney General.

The Board's order became final on October 20, 1961. The party did not register. Under another section of the act, it then became the duty of each individual member to register himself. None did. The Attorney General filed petitions against 44 high-ranking officials. In each case, the Board directed registration. None did.

Litigation against two members, William Albertson and Roscoe Quincy Proctor reached the Supreme Court in October 1965, and the decision was handed down a month later on November 15. The Court, by an unanimous 8-to-0 vote, set aside the Board's registration orders—*Albertson et al.* v. *Subversive Activities Control Board* (382 U.S. 70)—holding that the orders clearly violated petitioners' privilege against self-incrimination. I quote from the decision:

> The risks of incrimination which the petitioners take in registering are obvious. Form IS–52a requires an admission of membership in the Communist Party. Such an admission of membership may be used to prosecute the registrant under the membership clause of the Smith Act . . . or under Sec. 4(a) of the Subversive Activities Control Act . . . to mention only two federal criminal statutes (382 U.S. 70, at 77).

Thus, the registration orders of all 44 individuals were vacated.

The Subversive Activities Control Board has not held a formal hearing in 2 years. It has one pending case, filed by the Attorney General on March 4, 1966. Formal hearings by the Board cannot be scheduled until a preliminary action is settled by the courts.

In the meantime, how is the Board amusing itself? On August 15 of this year John Mahan, Chairman of the Subversive Activities Control Board, appeared before a subcommittee of the Senate Appropriations Committee, Senator ELLENDER asked—

> You have been more or less doing nothing since 1965, and this is the only case you have had?

Mahan answered:

> In relation to the cases, we have prepared all the cases that have been tried, and they are in four volumes and an index digest, since I have been there, in less than two years. The staff did that.

A remarkable feat. The Board has spent approximately $700,000 on this project, and Congress is about to give them $300,000 to do the same thing for another year.

At the same Senate subcommittee hearing, Assistant Attorney General J. Walter Yeagley stated:

> As I say, we have only filed the one case. We may have another one forthcoming, which is not a lot of business.

Now after such expenditures and futile effort the Un-American Activities Committee proposes a device to circumvent the decisions of the Supreme Court of the United States and perpetuate a bureaucratic agency which really has no function.

H.R. 12601 voids the present self-registration requirements and substitutes a provision that the Attorney General be responsible for registering those who will not register themselves. Organizations determined by the Board to be "Communist action," "Communist front," and "Communist infiltrated" would be registered by the Attorney General. In addition, the names of individual members of Communist-action groups would be registered. This is intended to circumvent the Albertson-Proctor decision of the Supreme Court, which held the self-registration requirement of the present law in violation of the fifth amendment.

The effect of the bill is to have the Attorney General "incriminate" a citizen who fails to take the necessary steps to do so himself, with the same ramifications and violations of Constitutional safeguards. Where is the due process?

Under section 5(d) of the bill judicial review is explicitly prohibited until the completion of board proceedings. The committee's justification is that—

> It is designed to protect the due administration of the act and prevent frivolous delays in its enforcement by depriving Communist organizations of the ability to initiate dilatory collateral proceedings.

The assumption is that anyone who seeks to challenge a proceeding of the Board must be a Communist. This is another demonstration of the committee's well-known contempt for our constitutional safeguards.

Section 5(c) of H.R. 12601 is designed to compel testimony by granting immunity from prosecution to persons who invoke the fifth amendment privilege against self-incrimination. This is particularly subject to abuse, giving an administrative agency power to intimidate and expose. It is reasonable to assume that threats of contempt proceedings and perjury prosecutions would accompany the Board's efforts to extract information.

This provision is another device to evade constitutional safeguards, and the Board should not be invested with such sweeping powers.

Congress should be most reluctant to extend the power to grant immunity. Justice is best served by restricting it, if possible, to grand jury proceedings which are secret and not likely to become public spectacles.

The most serious aspects of this bill involve not what it alters but what it leaves unchanged. The restrictions on freedom of association inherent in the original McCarran Act are unchanged. The definitions of "Communist action" and "Communist front" are so vague as to raise serious questions. "Communist infiltrated" is undefinable on its face. If one Communist joins an organization and seeks to influence its policies, is the organization thereby permanently polluted? Communists have sought to influence every progressive movement.

As our colleague, the gentleman from Iowa, Congressman CULVER, points out in his well reasoned dissenting views, the act as amended would continue to brand as "Communist-front" organizations that take positions "from time to time on matters of policy" which "do not deviate from those" of the Communist movement. Under this language, any coincidence of views or deliberate decision by Communists to exploit a cause could result in the impugning of innocent organizations. It was not so long ago that the Un-American Activities Committee used a similar tactic in harassing advocates of civil rights, disarmament, and a host of other issues, through the use of the neat phrase: "Are you aware that this is the position of the Communist Party?"

When this bill was first proposed in 1950, all of the agencies charged with the maintenance of the Nation's security, foreign and domestic, opposed the bill on the grounds that it would impede their work. None of these have rushed forward in support of today's amendments.

Mr. Chairman, during the debate on the similar bill in the Senate a few weeks ago, Senator KENNEDY of New York had this to say:

> We know the Act will be challenged and we know that the Supreme Court will very likely throw it out, as it has done in the case of sections of the law now on the books. This law has not helped us to advance in the last 17 years in connection with subversive activities, and if this legislation is passed, we will still not have taken a step forward. We will be standing still.

This is unique testimony from a man uniquely qualified. Senator Kennedy of New York was, of course, Attorney General from 1961 to 1964 and was intimately concerned with the administration of the Internal Security Act.

Furthermore, the serious deficiencies in these proposals have been pointed out by some of our most competent and respected legal authorities, among them, Prof. Thomas S. Emerson, of Yale, Dean Robert F. Drinan, of Boston College Law School, Prof. Walter Gellhorn, of Columbia, and Prof. Benjamin Kaplan, Louis Loss, and Clark Byse, of Harvard.

Let us look closely at this bill before we vote. The witch hunts of the 1950's are over. Did we learn nothing from them? Have we forgotten the degradation, the denial of democratic freedoms, the smearing of the reputations, and destruction of human dignity that took place? Have we no faith in the intelligence and integrity of the American people? In their good judgment?

This is an opportunity to take a firm stand for protection of the most basic constitutional and human rights of all Americans and to correct a mistake made in an emotional climate 17 years ago—a mistake which should not be perpetuated.

Mr. PHILBIN. Mr. Chairman, this bill has been very ably debated on both sides. Insofar as I am concerned, it presents some very disturbing constitutional implications.

In the first place, I believe that most of us can agree that there is an urgent need for energetically searching out internal subversion, checking its activities and ramifications, and punishing the specific acts of those who engage in violation of existing law and in seeking to undermine the foundations of our great, free society.

There are, in my humble judgment, adequate laws in this area protecting the nation against treason, espionage, sabotage and efforts and actions designed to overthrow our Government by force, violence and conspiracy.

In that sense, this bill would be redundant and repetitious and it might well serve to duplicate existing laws while placing dangerous restrictions on the personal liberty of our people.

Our Constitution zealously protects the political views of the people and the right to dissent in every lawful manner.

The application of registration requirements and spying upon fellow citizens and neighbors are characteristic of the arbitrary police state, and since the formation of this Government, these practices have been looked upon with great disapproval by the American people.

Above all, we are under a sacred obligation to protect the great freedoms of the Constitution—freedom of belief, freedom of speech, freedom of the press and assembly and freedom of criticism and dissent, and we must exert every precaution against infringement of the personal liberty of our fellow citizens and those residing in the United States.

In this country, it is of paramount importance that, under our Constitution and the laws, every person shall be free to speak his mind and express his beliefs and views as criticism and dissent, without the restraining hand of meddlesome government interfering with his affairs, and trifling with his basic constitutional liberties, so long as he does not violate the law of the land.

As to those among us, who are working for the overthrow of the Government, there are ample laws to punish them, and to stamp out their conspiracies, and I think we would do great disservice to our form of government if, in order to check subversion and fight communism, we should adopt the very totalitarian techniques that communism and other absolute systems of government utilize to suppress and enchain their subject-citizens and those living within their domains.

The regimentation of the people of this country into thought cliques imposed by governmental laws and edicts is certainly not one of the purposes of this great Government, and we must repudiate such efforts by Government officials, agencies, or devices of law, which do not square with the Constitution of the United States.

Time and again, our courts have dealt with these questions and I do not wish to belabor them here. While I believe that we must continue to combat subversion and communism in every possile way, so as to check the dangers they present to the perpetuity of free institutions, law and order, and the existence of our freedoms, it is my conviction that we must do these things under the letter and spirit of the Constitution, and that any departure from this rule would, not only work a wrong against the rights of the individual in our society, but would also be capable of restricting precious personal and civil liberties, and this must be studiously and firmly rejected by the Congress.

Mr. ASHBROOK. Mr. Chairman, I have no further requests for time.

Mr. WILLIS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

SECTION 1. Paragraph (4) of section 3 of such Act is amended to read as follows:

"(4) The term 'Communist-front organization' means any organization in the United States (other than a Communist-action organization as defined in paragraph (3) of this section) which (A) is substantially directed, dominated, or controlled by a Communist-action organization, or (B) is substantially directed, dominated, or controlled by one or more members of a Communist-action organization, and (C) is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title."

SEC. 2 Section 8 of such Act is amended to read as follows:

"REGISTRATION OF MEMBERS OF COMMUNIST-ACTION ORGANIZATIONS

"SEC. 8. (a) When there is in effect a final order of the Board requiring any organization to register under section 7(a) as a Communist-action organization and such organization has not filed a statement of its members as required by subsections (d) and (e) of section 7, it shall be the duty of the Attorney General to petition the Board for a determination as provided in section 13(a) as to each individual whom the Attorney General has reason to believe is at the time of the filing of his petition under section 13(a) a member of such organization.

"(b) When any organization files a statement of its members pursuant to subsection (d) or (e) of section 7 it shall be the duty of the Attorney General to petition the Board for a determination as provided in section 13(a) as to each individual whom the Attorney General has reason to believe is at the time of the filing of his petition under section 13(a) a member of such organization but whose name was not included upon the statement filed by the organization.

"(c) Any individual as to whom there is in effect a final order of the Board determining such individual to be a member of a Communist-action organization and who is no longer a member of such organization may file a petition for a determination as provided in section 13."

SEC. 3. (a) Subsection (a) of section 9 of such Act is amended to read as follows:

"(a) The Attorney General shall keep and maintain separately in the Department of Justice—

"(1) a 'Register of Communist-Action Organizations', which shall include (A) the names and addresses of all Communist-action organizations registered or by final order of the Board required to register under the provisions of this title, (B) the registration statements and annual reports filed by such organizations thereunder, and (C) the names and last-known addresses of individuals who by proceedings under section 13 are by final order of the Board determined to be members or officers of such organizations;

"(2) a 'Register of Communist-Front Organizations,' which shall include (A) the names and addresses of all Communist-front organizations registered or by final order of the Board required to register under the provisions of this title, and (B) the registration statements and annual reports filed by such organizations thereunder; and

"(3) a 'Register of Communist-Infiltrated Organizations', which shall include the names and addresses of all Communist-infiltrated organizations determined by final order of the Board to be used by proceedings under section 13A."

(b) Subsection (d) of section 9 of such Act is amended to read as follows:

"(d) Upon the registering of each Communist organization by the Attorney General under the provisions of this section, the Attorney General shall publish in the Federal Register the fact that such organization has been registered by him as a Communist-action organization, or as a Communist-front organization, or as a Communist-infiltrated organization, as the case may be, and the publication thereof shall constitute notice to all members of such organization that such organization has been so registered."

Sec. 4. Section 10 of such Act is amended to read as follows:

"Sec. 10. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Board requiring it to register under section 7, or determining that it is a Communist-infiltrated organization, or for any person acting for or on behalf of any such organization—

"(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication, and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted, bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General: 'Disseminated by '; (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be), 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'; or

"(2) to use the United States mails, or any means, facility, or instrumentality of interstate or foreign commerce, to solicit any money, property, or thing unless such solicitation, if made orally, is preceded by the following statement, and if made in writing or in print, is preceded by the following written or printed statement: 'This solicitation is made for or on behalf of ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be) 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'; or

"(3) to broadcast or cause to be broadcast any matter over any radio or television station in the United States, unless such matter is preceded by the following statement: 'The following program is sponsored by ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be) 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'."

Sec. 5. (a) Subsection (a) of section 13 of such Act is amended to read as follows:

"(a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this title is in fact an organization of a kind required to be registered under such subsection, or that any individual is of the type referred to in subsection (a) or (b) of section 8 of this title, he shall file with the Board and serve upon such organization or individual, as the case may be, a petition for an order requiring such organization to register, or determining such individual to be a member of such organization, pursuant to such subsection or section. Each such petition shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order. Two or more such individuals, members of such organization or of any section, branch, fraction, cell, board, committee, commission, or unit thereof, may be joined as respondents in one petition for an order determining each of such individuals to be a member of any such organization. A dissolution of any organization subsequent to the date of the filing of any petition requiring it to register shall not moot or abate the proceedings, but the Board shall receive evidence and proceed to a determination of the issues: *Provided, however,* That if the Board shall find such organization to be a Communist-action or Communist-front organization as of the time of the filing of such petition and prior to its alleged dissolution, and shall find that a dissolution of the organization has in fact occurred as aforesaid, the Board shall enter an order determining such organization to be a Communist-action or Communist-front organization, as the case may be, and the Attorney General shall register it as such in the appropriate register maintained by him pursuant to subsection (a) of section 9 of this title, together with a notation of its dissolution. No such organization found to be dissolved as aforesaid shall be required to file any registration statement or annual report, nor shall any member or officer thereof be registered or required to register as a member or officer of such organization under the provisions of this title."

(b) Subsection (b) of section 13 of such Act is amended to read as follows:

"(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this title, or any organization which by final order of the Board has been required to register, and which no longer is an organization of such type, or any individual who by final order of the Board has been determined to be a member of a Communist-action organization, and who no longer is a member of such organization, may file with the Board a petition for a determination that such organization no longer is an organization of such type, or that such individual no longer is a member of such organization, as the case may be, and for appropriate relief from the further application of the provisions of this title to such organization or individual. Any individual authorized by section 7(g) to file a petition for relief may file with the Board and serve upon the Attorney General a petition for an order requiring the Attorney General to strike his name from the registration statement or annual report upon which it appears. Each petition filed under and pursuant to this subsection shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice."

(c) Subsection (c) of section 13 of such Act is amended by inserting the following sentence immediately preceding the last sentence thereof: "No person, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to criminate him or subject him to a penalty or forfeiture, shall be excused from testifying or producing documentary evidence before the Board in obedience to a subpena of the Board issued on request of the Attorney General when the Attorney General represents that such testimony or evidence is necessary to accomplish the purposes of this title; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he, under compulsion as herein provided, may testify, or produce evidence, documentary or otherwise, before the Board in obedience to a subpena issued by it: *Provided,* That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying."

(d) Subsection (d) of section 13 of such Act is amended as follows:

(1) Amend paragraph (2) of said subsection to read as follows:

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board in proceedings initiated pursuant to subsection (a), the Board shall, nevertheless, proceed to receive evidence, make a determination of the issues, and enter such order as shall be just and appropriate."

(2) Add the following paragraphs:

"(3) Any person who, in the course of any hearing before the Board or any member thereof or any examiner designated thereby, shall misbehave in their presence or so near thereto as to obstruct the hearing or the administration of the provisions of this title, shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than $500 nor more than $5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment. Whenever a statement of fact constituting such misbehavior is reported by the Board to the appropriate United States attorney, it shall be his duty to bring the matter before the grand jury for its action.

"(4) The authority, function, practice, or process of the Attorney General or Board in conducting any proceeding pursuant to the provisions of this title shall not be questioned in any court of the United States, nor shall any such court, or judge or justice thereof, have jurisdiction of any action, suit, petition, or proceeding, whether for declaratory judgment, injunction, or otherwise, to question such, except on review in the court or courts having jurisdiction of the actions and orders of the Board pursuant to the provisions of section 14, or when such are appropriately called into question by the accused or respondent, as the case may be, in the court or courts having jurisdiction of his prosecution or other proceeding (or the review thereof) for any contempt or any offense charged against him pursuant to the provisions of this title."

(e) Paragraph (1) of subsection (f) of section 13 of such Act is amended to read as follows:

"(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives or members of, any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and"

(f) Paragraph (2) of subsection (g) of section 13 of such Act is amended to read as follows:

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order determining such individual to be a member of such organization."

(g) Paragraph (2) of subsection (h) of section 13 of such Act is amended to read as follows:

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its finding as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order determining such individual to be a member of such organization; and send a copy of such order to such individual."

(h) Paragraph (2) of subsection (i) of section 13 of such Act is amended by inserting the words "or officer" following the word "member" in the first clause thereof, and striking the numeral "8" in clause (B) and substituting in lieu thereof the numeral "9".

(i) Paragraph (2) of subsection (j) of section 13 of such Act is amended by inserting the words "or officer" following the word "member" in the first clause thereof, and striking the numeral "8" in clause (B) and substituting in lieu thereof the numeral "9".

Sec. 6. Section 13A of such Act is amended as follows:

(1) Subsection (a) of such section is amended by inserting the following immediately preceding the last sentence theerof: "A dissolution of such organization subsequent to the date of the filing of any petition for a determination that it is Communist infiltrated, shall not moot or abate the proceedings, but the Board shall receive evidence and proceed to a determination of the issues: *Provided, however,* That if the Board shall determine such organization to be a Communist-infiltrated organization as of the time of the filing of such petition and prior to its alleged dissolution, and shall find that a dissolution of the organization has in fact occurred as aforesaid, the Board shall enter an order determining such organization to be a Communist-infiltrated organization and the Attorney General shall register it as such in the appropriate register maintained by him pursuant to subsection (a) of section 9 of this title, together with a notation of its dissolution. Nothing in this section or in this title shall be construed to preclude any organization or any member thereof at any stage of a hearing on the Attorney General's petition for an order determining it to be Communist infiltrated, from alleging and submitting relevant evidence of a change with respect to the direction, domination, or control of the organization effected by it or occurring subsequent to the filing of the Attorney General's petition; and the Board shall receive and consider such evidence in making its determination as to whether the organization is Communist infiltrated."

(2) Subsection (b) of such section is amended to read as follows:

"(b) Any organization which has been finally determined under this section to be a Communist-infiltrated organization may thereafter file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization, and that its name be stricken from his register maintained under section 9 hereof."

(3) Subsection (d) of such section is amended to read as follows:

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section."

Sec. 7. Clause (B) in the sixth sentence of subsection (a) of section 14 of such Act is amended by striking the numeral "8" and substituting in lieu thereof the numeral "9".

Sec. 8. Section 15 of such Act is amended to read as follows:

"PENALTIES

"Sec. 15. Any organization which violates any provision of section 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000. Any individual who violates any provision of section 5 or 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000 or by imprisonment for not more than five years, or by both such fine and imprisonment."

Mr. ALBERT (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. If there are no amendments to be proposed, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Andrews of Alabama, Chairman of Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12601) to amend certain provisions of the Internal Security Act of 1950, relating to the registration of Communist organizations, and for other purposes, pursuant to House Resolution 951, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 269, nays 104, not voting 59, as follows:

[Roll No. 415]

YEAS—269

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Battin
Belcher
Bell
Bennett
Berry
Betts
Biester
Blackburn
Blanton
Boggs
Bolton
Bow
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Collier
Colmer
Corbett
Cramer
Cunningham
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dole
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Everett
Fallon
Fascell
Feighan
Fino
Fisher
Flood
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Gibbons
Goodell
Goodling
Gray
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Hays
Henderson
Herlong
Hull
Hunt
Hutchinson
Ichord
Irwin
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Montgomery
Moore
Morgan
Murpry, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Konski
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Rogers, Colo.
Rogers, Fla.
Rostenkowski
Roth
Roudebush
Roush
Sandman
Satterfield
Schadeberg
Scherle
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Ullman
Utt
Vigorito
Waggonner
Walker
Wampler
Watkins
Watson
Whalley
White
Whitener
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Willis
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Zablocki
Zion
Zwach

NAYS—104

Anderson, Ill.
Ashley
Barrett
Blatnik
Boland
Bolling
Brademas
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Celler
Cleveland
Cohelan
Conable
Conte
Conyers
Culver
Curtis
Daddario
Diggs
Dingell
Donohue
Dow
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Farbstein
Findley
Foley
Fraser
Gallagher
Giaimo
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Holifield
Horton
Hungate
Jacobs
Joelson
Karsten
Karth
Kastenmeier
Kupferman
Leggett
Lloyd
Long, Md.
McCarthy
McDade
McFall
Macdonald, Mass.
MacGregor
Miller, Calif.
Mink
Monagan
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Mosher

Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Philbin
Railsback
Reid, N.Y.
Reuss
Robison
Rodino
Ronan
Rooney, N.Y.
Rosenthal
Rumsfeld
Ruppe
Ryan
St Germain
Scheuer
Schneebeli
Smith, Iowa
Teague, Calif.
Tenzer
Thompson, N.J.
Tiernan
Tunney
Van Deerlin
Vander Jagt
Vanik
Waldie
Whalen
Yates

NOT VOTING—59

Abbitt
Annunzio
Bates
Bevill
Bingham
Brasco
Broomfield
Brown, Calif.
Brown, Mich.
Broyhill, Va.
Cahill
Carey
Corman
Cowger
Dickinson
Dorn
Evins, Tenn.
Flynt
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Garmatz
Halleck
Hansen, Wash.
Hardy
Harvey
Hébert
Heckler, Mass.
Holland
Hosmer
Howard
McMillan
Mathias, Md.
Matsunaga
Moss
Multer
Pool
Purcell
Quillen
Rees
Resnick
Roberts
Rooney, Pa.
Roybal
St. Onge
Saylor
Schweiker
Sikes
Steed
Stephens
Stratton
Stubblefield
Udall
Watts
Whitten
Wilson, Charles H.
Wolff
Young

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Annunzio against.

Mr. Fountain for, with Mr. Holland against.

Mr. Abbitt for, with Mr. Bingham against.

Mr. Bevill for, with Mr. Brasco against.

Mr. Evins of Tennessee for, with Mr. Multer against.

Mr. Roberts for, with Mr. Matsunaga against.

Mr. Whitten for, with Mr. Resnick against.

Mr. Garmatz for, with Mr. Rees against.

Mr. Sikes for, with Mr. Roybal against.

Mr. Quillen for, with Mr. Brown of California against.

Mr. Dickinson for, with Mr. Carey against.

Mr. Cahill for, with Mr. William D. Ford against.

Mr. Frelinghuysen for, with Mr. Moss against.

Mr. Bates for, with Mr. Rooney of Pennsylvania against.

Mr. Young for, with Mr. Mathias of Maryland against.

Mr. Stratton for, with Mr. Udall against.

Until further notice:

Mr. Steed with Mr. Gerald R. Ford.

Mr. Charles H. Wilson with Mr. Saylor.

Mr. Purcell with Mr. Broomfield.

Mr. Corman with Mr. Brown of Michigan.

Mr. Flynt with Mr. Broyhill of Virginia.

Mr. Dorn with Mr. Cowger.

Mr. Watts with Mr. Schweiker.

Mr. Hardy with Mr. Halleck.

Mr. Stubblefield with Mr. Hosmer.

Mr. St. Onge with Mr. Harvey.

Mr. Stephens with Mrs. Heckler of Massachusetts.

Mrs. Hansen of Washington with Mr. Howard.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 2171, a Senate bill similar to that just passed by the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2171

An act to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Subversive Activities Control Act is hereby amended by adding immediately following paragraph (15), a new paragraph, as follows:

"(16) The findings of fact contained in paragraphs (1) through (15) of this section are reiterated. Recent court decisions involving the registration provisions of this Act make it necessary to enact legislation to accomplish the purposes of such Act without the requirements of registration. Disclosure of Communist organizations and of the members of Communist-action organizations as provided herein is essential to the protection of the national welfare."

Sec. 2. Section 5 of the Subversive Activities Control Act is amended as follows:

(a) By changing that part of subsection (a) thereof beginning with the first word of the subsection and continuing down to subparagraph (1) thereof, so as to read:

"(a) When there is in effect a final order of the Board determining any organization to be a Communist-action organization or a Communist-front organization, it shall be unlawful—"

(b) By changing that part of subparagraph (1) of subsection (a) thereof which precedes (A) so as to read:

"(1) For any member of such organization, with knowledge or notice of such final order of the Board—".

(c) By changing that part of subparagraph (2) of subsection (a) thereof which precedes (A) so as to read:

"(2) For any officer or employee of the United States or of any defense facility, with knowledge or notice of such final order of the Board—".

Sec. 3. Sections 7 and 8 of the Subversive Activities Control Act are hereby repealed.

Sec. 4. The caption to section 9 of the Subversive Activities Control Act is amended so as to read: "RECORDS OF FINAL ORDERS OF THE BOARD; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS."; and

Section 9 of such Act is amended so as to read:

"Sec. 9. (a) The Board shall keep and maintain records, which shall be open to public inspection, giving the names and addresses of all organizations as to which, and individuals as to whom, there are in effect final orders of the Board issued pursuant to any of the provisions of subsections (g) through (j), inclusive, of section 13, or subsection (f) of section 13A.

"(b) Copies of the reports and orders of the Board so issued shall be furnished by the Board to any person upon request and upon the payment of the reasonable costs thereof as then currently fixed by the Board.

"(c) The Board shall submit to the President and to the Congress on or before June 1 of each year (and at any other time when requested by either House by resolution) a report giving the names and addresses of all organizations as to which, and all individuals as to whom, there are in effect such final orders of the Board."

Sec. 5 (a) That portion of section 10 of the Subversive Activities Control Act which precedes subparagraph (1) thereof is amended to read as follows:

"Sec. 10. It shall be unlawful for any organization with respect to which there is in effect a final order of the Board determining it to be a Communist-action organization or a Communist-front organization—".

(b) The phrase following the colon at the end of subparagraph (1) thereof is amended to read: "Disseminated by   , an organization determined by final order of the Subversive Activities Control Board to be a Communist-   organization;".

(c) The phrase following the colon at the end of subparagraph (2) thereof is amended to read: "The following program is sponsored by   an organization determined by final order of the Subversive Activities Control Board to be a Communist-   organization."

Sec. 6. Begining with the clause designation "(1)" contained in section 11(a) of the Subversive Activities Control Act, strike out all of that subsection down to and including the words "register under section 7", and insert in lieu thereof the following: "there is in effect a final order of the Board determining such organization to be a Communist-action or a Communist-front organization".

Sec. 7. Beginning with the clause designation "(1)" contained in section 11(b) of the Subversive Activities Control Act, strike out all of that subsection down to and including the words "register under section 7", and insert in lieu thereof the following: "there is in effect a final order of the Board determining such organization to be a Communist-action or a Communist-front organization."

Sec. 8. Paragraph (2) of subsection (e) of section 12 of the Subversive Activities Control Act is amended so as to read:

"(2) upon application made by the Attorney General under section 13(a) of this title, or by any individual under section 13(b) of this title, to determine whether any individual is a member of any organization as to which there is in effect a final order of the Board determining such organization to be a Communist-action organization."

Sec. 9. Section 13 of the Subversive Activities Control Act is amended as follows:

(a) By amending subsection (a) thereof so as to read:

"(a)(1) Whenever the Attorney General has reason to believe that any organization is a Communist-action organization or a Communist-front organization, he shall file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-action organization or a Communist-front organization, as the case may be.

"(2) Whenever the Attorney General has reason to believe that any individual is a member of an organization which has been finally determined under this section to be a Communist-action organization, he shall file with the Board and serve upon such individual a petition for a determination that such individual is a member of such organization. Each petition under part (1) or part (2) of this subsection shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order."

(b) By amending subsection (b) thereof so as to read:

"(b) Any organization as to which there is in effect a final order of the Board determining it to be a Communist organization, and any individual as to whom there is in effect a final order of the Board determining him to be a member of a Communist-action organization may, not more often than once in each calendar year, file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist organization (in the case of an organization which has been determined under subsection (a) of this section to be one of the types of Communist organizations) or that such individual no longer is a member of a Communist-action organization, as the case may be. Each petition filed under and pursuant to this subsection shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice."

(c) By amending that portion of paragraph (2) of subsection (d) thereof which precedes the last sentence thereof so as to read:

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board in proceedings under subsection (a) of this section, the Board shall, nevertheless, proceed to receive evidence, make a determination of the issues, and enter such order as shall be just and appropriate. Upon failure of an organization or individual to appear at a hearing accorded to such organization or individual in proceedings under subsection (b) of this section the Board may forthwith and without further proceedings enter an order dismissing the petition of such organization or individual."

(d) By amending subsection (g) thereof so as to read:

"(g) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order determining the organization to be a Communist-action organization or a Communist-front organization as the case may be;

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order determining such individual to be a member of a Communist-action organization."

(e) By amending subsection (h) thereof so as to read:

"(h) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying the determination sought by his petition, and shall send a copy of such order to such organization;

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying the determination sought by his petition, and shall send a copy of such order to such individual."

(f) By amending subsection (i) thereof so as to read:

"(i) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization no longer is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General and such organization an order determining that the organization no longer is a Communist-action organization or Communist-front organization as the case may be;

"(2) that an individual no longer is a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General and such individual an order determining that such individual no longer is a member of a Communist-action organization."

(g) By amending subsection (j) thereof so as to read:

"(j) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order denying its petition for a determination that the organization no longer is a Communist-action organization or a Communist-front organization as the case may be.

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon such an individual an order denying his petition for a determination that the individual no longer is a member of a Communist-action organization."

(h) By amending subsection (k) thereof so as to read:

"(k) When any order of the Board issued under subsection (g), (h), (i), or (j), of this section becomes final under the provisions of section 14(b) of this title, the Board shall publish in the Federal Register the fact that such order has become final, and publication thereof shall constitute notice to all persons that such order has become final."

SEC. 10. The seventh sentence of subsection (a) of section 14 of the Subversive Activities Control Act is amended so as to read: "If the court shall set aside an order issued under subsection (j) of section 13, it may, in the case of an organization, enter a judgment requiring the Board to issue an order determining that such organization no longer is a Communist-action organization or Communist-front organization, as the case may be, or in the case of an individual, enter a judgment requiring the Board to issue an order determining that such individual no longer is a member of a Communist-action organization."

SEC. 11. Section 15 of the Subversive Activities Control Act is amended so as to read:

"SEC. 15. (a) In the case of any organization which by proceedings under section 13(a) prior to the date of enactment hereof has been finally determined by the Board in carrying out its duties under subsection (e) of section 12, to be a 'Communist-action organization' or a 'Communist-front organization', and as a result of such determination has been ordered to register, the Board shall forthwith modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) hereof, and shall forthwith include such organization on the record maintained under section 9: *Provided, however,* That nothing in this subsection shall be construed so as to prevent any such organization from filing a petition as provided in subsection (b) of section 13.

"(b) In the case of any proceeding pending before the Board on the effective date of this enactment the Board and the Attorney General are authorized to proceed in accordance with the provisions of this Act as herein amended. No suit, action, or other proceeding lawfully commenced prior to this enactment in any court of the United States shall abate by reason of this enactment. The court in any such case may allow such motion or supplemental pleadings as may be necessary to conform the litigation to the provisions of this Act as amended."

SEC. 12. Section 12 of the Subversive Activities Control Act (30 U.S.C. 791) is amended by adding at the end thereof the following new subsection:

"(l) The Board shall cease to exist on June 30, 1969, unless in the period beginning on the date of enactment of this subsection and ending on December 31, 1968, proceedings under this Act shall have been instituted before the Board and hearings under this Act shall have been conducted by the Board. On or before January 10, 1969, the Attorney General shall determine whether such proceedings have been so instituted, and such hearings have been so conducted, within that period. The determination so made by the Attorney General shall be published in the Federal Register."

Nothing in the Act shall be construed to impair the power of Congress to provide for an instrumentality to carry out the purposes of this Act.

SEC. 13. Subsection (3) of section 3 of the Subversive Activities Control Act is amended by striking out "(a)" and by striking the whole of paragraph (b).

SEC. 14. Subsection (f) of section 4 of the Subversive Activities Control Act is amended by striking the last sentence of the subsection.

AMENDMENT OFFERED BY MR. WILLIS

Mr. WILLIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIS: Strike out all after the enacting clause of the bill S. 2171 and insert in lieu thereof the provisions of H.R. 12601, as passed by the House.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 12601) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WILLIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE U.S. INCOME TAX SYSTEM—THE NEED FOR A FULL ACCOUNTING

Mr. WATTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WATTS. Mr. Speaker, the Assistant Secretary of the Treasury, the Honorable Stanley S. Surrey, recently made an address before the Money Marketeers in New York City.

Mr. Surrey in his address presented some interesting and intriguing ideas which I believe deserve further analysis and consideration by the Congress. Perhaps the most intriguing idea he presents would call for an annual accounting of all tax privileges, preferences, or concessions according to the amount of money involved and as to the objective of the preference. Presumably his suggestion ultimately would entail an annual review of these features of the tax law.

Since I have been a member of the Committee on Ways and Means I, along with the other members of the committee, have had the privilege of working closely with Mr. Surrey in his capacity as representative of the Treasury Department on a wide array of tax matters. In this relationship I have found Mr. Surrey to be an outstanding civil servant. He is, of course, widely recognized for his broad and deep knowledge of the tax laws but, in addition to that, in his relationships with the committee he has shown an ability that bureaucrats tend not to have; namely, the ability to also see the problem from the congressional point of view. This has enabled him in many instances to aid us in the practical solutions to many difficult tax problems.

I commend Mr. Surrey's speech, which I insert at this point, to your reading:

The United States Income Tax System—The Need for Full Accounting

(Address by Hon. Stanley S. Surrey)

The United States income tax system is a powerful factor in our society, in our businesses and in our households. Viewed in the aggregate, its importance for fiscal policy has been demonstrated in recent year, notably in the 1964 revenue reduction—and we hope again this year through the tax surcharge. American business is intimately aware of its importance in the particular, and tax planning is an integral part of business planning. About 90 percent of our adult population is involved in filing an income tax return and 75 percent in paying an income tax—a coverage broader than in any other country.

An income tax system of such strength and breadth of application warrants a full accounting. It would seem but obvious that we should be fully aware of its content and scope, so that we could intelligently pass judgment on its effects. This being so, it is all the more surprising that there are gaps in the accounting that now obtains. These gaps exist both at the Governmental level, in the way our Budget reflects the income tax, and at the level of the individual business, in the way financial accounting handles the impact of the tax. These gaps have serious implications for our understanding of the tax system.

We may start with the way our income tax is reflected in the Federal Budget in aggregate terms. The Administrative Budget and the Cash Budget both treat tax receipts on a cash basis. This being so, the degree to which changes in income tax or other rates are currently reflected in the Budget depends upon the timing of tax payments. Recent changes in that timing, notably graduated withholding, estimated tax payments for corporations, and currency of deposit for withheld taxes and excise taxes, have considerably narrowed the gap betwen legislative changes in rates and the impact of the changes on the Administrative and Cash Budgets. The National Income Account Budget reflects taxes on an accrual basis, except for non-withheld individual income taxes which are on a cash basis. These variances in the Federal Budget statements of revenues have made it difficult for the general public to readily comprehend the aggregate economic effect of the tax system. The problem is heightened by the fact that the Administrative Budget does not cover the taxes earmarked for various trust funds, such as Social Security taxes and highway taxes, while the other two Budgets do include these revenue sources.

Each of the Budgets conveys some information and a thorough analysis would make use of all of them. Many people, however, think of "the Budget" in terms of one set of figures; this one set of figures is usually that in the Administrative Budget, which is probably the least useful for general economic analysis.

The recent Report of the President's Commission on Budget Concepts seeks to develop one comprehensive measure to reflect aggregate revenues. Its recommendation for the revenue and expenditures part of the Budget would include all revenue sources—both general revenues and trust fund revenues—and would place reporting of the income tax revenues on an accrual basis. The Commission states that the use of an accrual basis for the corporate tax and other taxes could be done at this time, while its application to the individual income tax requires further study. These changes in Budget reporting will permit a better public understanding of the economic weight of our taxes. The changes will thereby contribute to a more informed consideration of what will be our major fiscal policy issue in the Post-Vietnam period—how the revenues released by the reduction in military expenditures should be distributed between tax reduction and aggregate civilian expenditures.

The President's Commission on Budget Concepts also made recommendations regarding the Budget treatment of expenditures, but one aspect was not considered. The aspect not considered—and this is reflected in all discussions of expenditures—concerns the Government expenditures made through the tax system. At first blush, such a phrase—Government expenditures through a tax system—seems almost meaningless. A tax system presumably concerns itself with raising revenues rather than spending funds. But a closer analysis of our present tax system would reveal real substance to the phrase. Through deliberate departures from accepted concepts of net income and through various special exemptions, deductions and credits, our tax system does operate to affect the private economy in ways that are usually accomplished by expenditures—in effect to produce an expenditure system described in tax language.

Let us take a simple example: The Federal budget for the Department of Health, Education and Welfare has line items detailing expenditures, including trust fund expenditures, for old age assistance. But that budget contains no line item for the $2.3 billion expended through the tax system to aid the elderly—under the special $600 exemption, the retirement income credit, the exclusion of Social Security retirement benefits, and so on. The HEW budget also has line items for medical assistance expenditures, but no line item for $100 million expended through the tax system by reason of the special exemption for sick pay paid to employees.

The budgets of the Commerce Department and the Transportation Department contain line items for expenditures under Federal programs for aiding business. But there are no line items for the very large amounts, reaching over $1 billion, expended through the tax system either as tax relief, incentives, or assistance for a variety of business activities: for example, financial institutions, through special deductions for reserves; Western Hemisphere Trade Corporations, through special rate reductions; shipping companies and life insurance companies, through special deferrals.

The budget of the Interior Department has line items for natural resources programs, but no line items for the large amounts, also over a billion dollars, expended under the tax system to assist our natural resources industries, including timber, through expensing of certain capital costs, expensing in excess of cost under the treatment of depletion, and special capital gain treatment. The budget for the Agriculture Department has line items representing programs to assist agricultural activities, but no line items for amounts, over a half-billion, expended under the tax system through the expensing of certain capital costs, the availability of the cash method of accounting even if inventories are used, and special capital gains treatment of livestock.

The absence of line items in the Budget for these tax expenditures—this lack of a full accounting for our tax system—has many facets. To begin with, it lessens public understanding of significant segments of our tax policies. For the most part there are no line items in the Internal Revenue Service Statistics of Income delineating these items, so that in the absence of special studies the amounts involved are simply unobtainable. Indeed, many of these "tax expenditure" programs cannot be found in the Internal Revenue Code, so that unlike direct expenditure programs where the budget trails are relatively well posted, the "tax expenditure" trails are very often obscurely marked.

A large part of the tax benefits for the elderly rests on a very brief and cryptic administrative ruling of the Internal Revenue Service excluding Social Security retirement benefits from income, without citation of any authority for the result; much of the benefits for financial institutions rests on administrative rulings stating how the reserves against debts owed to banks shall be computed; a large part of the benefits to agriculture and natural resources also find their origin and even some of their current expression in administrative rulings and regulations.

When Congressional talk and public opinion turn to reduction and control of Federal expenditures. these tax expenditures are never mentioned. Yet it is clear that if these tax amounts were treated as line items on the expenditure side of the Budget, they would automatically come under the close scrutiny of the Congress and the Budget Bureau. But the tax expenditures are not so listed, and they are thus automatically excluded from that scrutiny. Instead, since they are phrased in tax language and placed in the Internal Revenue Code, any examination to be given to them must fall in the classification of "tax reform" and not "expenditure control". There is a vast difference between the two classifications.

It can be suggested therefore that we need a full accounting for these effects of the tax system. The approach would be to explore the possibility of describing in the Federal Budget the expenditure equivalents of tax benefit provisions. We should not, of course, overlook the difficulties of interpretation or measurement involved here. Thus, just which tax measures can be said to fall in this category—in other words, which tax rules are integral to a tax system in order to provide a balanced tax structure and a proper measurement of net income, and which tax rules represent departures from that net income concept and balanced structure to provide relief, assistance, incentive or what you will for a particular group or activity. Also, once a tax item can be identified as falling in this second category, we must then compute its expenditure equivalent. Presumably this would be the amount of revenue lost, i.e., "spent," under the special tax treatment, and in a number of situations revenue statistics would have to be improved to give us this information.

This discussion is not to be taken as saying that all tax relief measures are bad—or that all are good—just as it is not intended to state that all Federal expenditure programs are bad or all good. This is not a qualitative discussion of tax preferences or, as some say, tax loopholes.

I might here digress to note that one reason tax reform is so difficult may be the hard, unfeeling way we go about it. The very word "loophole" has a jarring ring. I commend to your attention the delicacy of the following paragraph from a recent Canadian Budget speech of last year:

"In recent months there has been evidence of increasing abuse of the section of the Act providing special tax treatment for deferred profit sharing plans. In 1960 and 1961 my predecessor, then the Hon. Member for Eglinton, with the worthiest of motives, introduced a section in the Act to provide for these plans, which he described as an important piece of social legislation. Since then various businessmen and their professional advisers have exploited this well-intended but vulnerable section in various ways."

Nor is my discussion intended to say that tax relief deliberately programmed as a direct expenditure item would look the same. Indeed, a possible consequence of describing tax preferences as expenditure equivalents is that more efficient ways to achieve the objective may be developed. I cannot think of any responsible HEW or Budget Bureau official who would put together an expenditure program of assistance to the elderly that would in any way resemble the crazy-quilt pattern of our tax treatment of the elderly. Under that treatment half of the tax revenues spent go to people over age 65 on retirement whose annual income is over $10,000 and hardly any goes to people in that age group who continue to work for their maintenance and whose incomes are far lower. Nor can I think of an agricultural expert who would put together a farm program under which the benefits would become greater the wealthier the owner and the less he relied on his farm activity as the source of his income. Indeed, I suspect that cost-benefit experts assigned to measure the efficiency of tax expenditure programs would have a fascinating time. Appropriate budgetary recognition of these tax expenditures would facilitate such cost-benefit studies.

At this point a word on the investment credit may be helpful to illustrate a different kind of tax device. This credit is a feature of our tax law designed to improve rates of return and to increase investment. We believe it is a sound provision which serves to achieve a better balance in a tax system which would otherwise impinge too heavily on the level of private savings and investment. Perhaps it could be cast as a direct government expenditure, and the English have recently taken this approach. But there are very definite advantages in handling the sums involved through the tax system. The computation of the credit depends entirely on tax concepts, such as the basis for depreciation and depreciable lives, and being in the tax system its effect is limited to firms which, at least over the long run, expect to make profits. Also, by being in the tax system it remains quite neutral with regard to the investment to which it is applied; it does not involve extensive government decisions as to which investments are particularly meritorious. It is spread very broadly over all business, agriculture, finance, the professions and so on—the whole gamut of American enterprise.

Let us turn from the accounting at the Federal Budget level for aspects of our tax system and consider the accounting at the taxpayer level We must, of course, recognize that American accounting practices, the requirements of the Securities and Exchange Commission, and above all the integrity and experience of our accounting profession, have combined to give the American public a very considerable amount of reliable data regarding the operations of our business concerns. This is a long cry from an accountant's statement recently submitted to our Internal Revenue Service representative in one of our European Embassies with respect to the balance sheet of a concern in that foreign country. The statement said that the balance sheet was:

"Prepared from the official books (of the economy) together with data made available (to the accountant) with regard to secret surplus reserves originating from profits that were not disclosed to the . . . Government. These secret reserves consist of cash balances at two local banks; marketable securities held by these same two banks as guaranties to overdraft accounts, and an overstatement of the liability regarding commissions payable to the London agent"

It is not this situation that I am now discussing, for fortunately we do not face in the United States this kind of lack of full accounting regarding the profits picture of a corporation, and hence its tax picture. Rather, I would like to consider the question of how a properly, and of course honestly, prepared financial statement should account for these special tax expenditure programs I have been discussing.

The Accounting Principles Board of the American Institute of Certified Public Accountants has recently issued an Exposure Draft of a proposed Opinion on financial accounting for income taxes. One aspect of that Opinion relates to how business firms should, in their financial reports, handle the 7 percent investment credit. The present accepted accounting for the credit affords an option: the company may, in computing after-tax profits, simply treat the tax reduction provided by the credit as a reduction in the current year's tax expense, or it may amortize that reduction over the life of the asset giving rise to the credit. Apparently about 80 percent of the firms use the first option, that of direct reduction (sometimes called the "flow-through" approach). The proposed Accounting Principles Board Opinion would eliminate the optional approach and require the second method, that of amortization or the "deferred method." The result of the deferred approach would be to show lower after-tax profits, since the tax reduction resulting from the credit is spread over future years. The Opinion also considers the accounting for various other tax reduction provisions, and here also applies "deferred accounts."

The Treasury Department has a substantial interest in the manner in which business concerns report their Federal income tax liabilities on financial statements. The proposed Accounting Principles Board Opinion raises a crucial issue whose resolution is of vital significance to the public understanding of our tax system. Just as it is important to know at the level of the Federal Budget what is happening with respect to the aggregates under our tax system with its many special tax provisions, it is equally important to delineate as clearly as possible the effects of those provisions on individual firms.

The Treasury's concern with respect to the proposed Opinion has nothing to do with income tax collections—the corporations affected will pay the same amount of tax annually whichever approach is adopted. Rather, our concern is with the proper representation in the financial statements of these corporations of the effect of the tax system.

While the statutory corporate income tax rate is 48 percent, it is clear that the effective corporate tax rate on American business as a whole is considerably less than this. The reduction results from decisions on the part of the Congress to achieve this lower effective tax rate on American business in general and on special industries in particular. The accounting approach suggested in the proposed APB Opinion would, however, in the aggregate, substantially overstate the current tax liability of American business and present an inaccurate picture of our tax system. Since the tax liability would be substantially overstated in the aggregate, it would obviously also be overstated individually for the vast majority of United States corporations.

The preferences incorporated within the tax law clearly result in an effective corporate tax rate for many taxpayers that is less than 48 percent. Financial accounting should recognize this—both because it is the fact, and because the stimulative effects resulting from the tax reduction should not be obscured.

Special care must be exercised with respect to the investment credit because of its magnitude and because most companies would have to change their existing practice in response to the position taken in the Accounting Principles Board Exposure Draft. Presumably, this would result in a massive restatement of earnings whose effects on the economy, while difficult to measure, could be serious. Furthermore, a mandate to defer the benefit arising from the investment credit could well blunt its effectiveness in promoting modernization and expansion.

For these reasons the Treasury Department responded to the request of the Accounting Principles Board for comment on its Exposure Draft with a letter expressing its serious concern over the approach taken by the APB in its proposed change in the method of accounting for the 7 percent investment credit. We believe our comment underscores the need for further study of the financial accounting for income tax liabilities at the level of the individual firm.

There are thus considerable gaps in the present accounting for our income tax system. It may be helpful to relate this description of these gaps to a current matter—the use of tax incentives to meet our social problems.

America faces many social problems that desperately require solution. A major part of these problems centers around the plight of our cities and their disadvantaged residents. One aspect of suggested solutions involves an increase in moderate and low income housing, with special emphasis on housing located in these areas. Another involves providing jobs for the disadvantaged, through manpower training programs and greater employment in business activity within these areas or the aided movement of the inhabitant to jobs outside the areas. Participation by private enterprise, especially large concerns, is considered helpful to achievement of these goals. But it is said that the likely rate of return from business activity involving that participation may not be adequate to enlist that participation. Hence it is proposed in some quarters that the rate of return be increased by some form of tax reduction in exchange for the participation desired. The tax reduction suggested generally involves a large credit against tax or special deductions.

This is one illustration of the tax incentive approach in the setting of social reform. Other illustrations may be found in other social objectives—pollution control, aid to education, assistance to rural areas, and so on.

Certainly no one can quarrel with these social objectives. In the past tax incentives were generally sought—and at times obtained—on the ground that a particular industry needed support. The crucial question of why that support was in the public interest was barely spelled out, if at all, and the details of proof were held to a minimum. But today the public interest objective is in the forefront, and needs no proving. And it is generally taken for granted that private enterprise participation will always be helpful. What is not shown is why the tax route is to be preferred over other means of inducing the desirable participation of private enterprise.

The immediate leap to the tax solution serves only to stultify thinking about these social problems. Once the leap is made there is no opportunity to explore the details of the problems. Yet a great many useful questions can be asked: For example, as to low income housing in urban areas and jobs for the urban disadvantaged, just why has private enterprise not undertaken these tasks in the past? Is it that the immediate return is insufficient, or is it that the participation has been seen as only sporadic? What forms of private enterprise are best suited to the tasks? Is it a large industrial concern or a small indigenous business locally owned; is it manufacturing activity or service activity; is it an experienced builder or a concern new to the building field but with management know-how in other business fields? More crucial, what measures are needed to induce the participation—what rate of profit, what assistance in financing, what guarantees against loss, what assurance of a continued market, what other forms of protection against the risks that have hitherto restrained participation, and so on?

With these questions answered as best we can, the task is then imaginatively to search the arsenal of possible Governmental action—if Government assistance is needed—to see which forms of Governmental action can be most responsive, effective and efficient. Here also the immediate leap to the tax route can only prove stultifying, for it tends to foreclose consideration of all other avenues of assistance. And yet experience has taught us that with respect to Governmental assistance to a particular group or activity, the non-tax route is far more likely to yield the better answer at a lesser cost. Moreover, the tax answer once enacted may well inhibit further useful thought about the problem. It would seem far better to let HUD or Commerce or Labor or HEW gain experience and flexibility through non-tax solutions that can be varied and tested, than turn much of the task over to the Internal Revenue Service, which has no background of experience to use and for whom an increase in experience in the social area will not yield the productive return that it would in the other Departments.

Our progress in space exploration is not built on tax incentives, but on direct relations between Government and business that brings forth the required participation by private enterprise. Our capsules are not propelled into space by the Internal Revenue Code.

In large part those who leap to the tax route recognize all this. But they assume that the non-tax solutions will involve large Government expenditures and they fear that the appropriation door is shut or will not open very wide. Whatever may be the validity of those assumptions and fears as to any particular program, there is no reason to conclude that because the front door of appropriations is closed or narrow, the back door of tax reduction will open wide.

Those who are concerned with the level of government expenditures are cognizant of the two doors to the Federal budget. They readily understand that a decrease in revenues through a tax expenditure has the same impact on the Budget deficit as a direct increase in expenditures. Chairman Mills of the House Ways and Means Committee, for example, has said he considers such tax incentives as "a form of back door spending." He thus fully recognizes it is the door of his Committee that is being knocked on as the entrance to the Budget through tax incentives, rather than the direct route of government assistance. And he can also recognize if that door opens for one or two tax incentives, it must inevitably stay permanently ajar for the wave of tax incentives that would follow.

Chairman Mills is on sound ground. For here also we reach the aspect of full and proper accounting. Our experience with the tax incentives of the past should give us pause before we add a new tax-route expenditure and then keep it buried in the Code away from public scrutiny. We have learned that the tax incentive of the moment becomes the tax reform target of many tomorrows. What can be said about tax incentives for these urban problems can also be said about tax incentives for our other social problems—pollution control, college education within the reach of all who are qualified, development of rural areas and new towns, assistance to depressed areas, and so on. It is almost demeaning to our collective wisdom to say that every one of these problems will yield and yield only to the universal solvent of a tax incentive. And if they did, how would we solve the loss of our tax system that this maze of tax incentives would mean?

All of this is not to be taken—and this must be underscored—as saying the Treasury Department stands aloof from society and its problems. The Treasury clearly recognizes that a negative answer as respects the tax route equally does not solve a problem. It therefore has joined—and continually will join—the other Departments and agencies in the active search for constructive solutions involving other forms of governmental assistance or action.

Indeed, the Treasury has found that the way to obtain imaginative and broad thinking about these social problems—to obtain real brainstorming—is to tell the groups concerned to forget their stereotype, first impulse solution of a tax incentive, to close the Internal Revenue Code, to bar their tax lawyers from the meeting—and then get down to the real task of analyzing the problems and thinking about the possible solutions. The results are always positive. Once the blinders of a proposed tax incentive solution are removed and the whole horizon of approaches is opened to exploration, we begin to appreciate that there are many constructive measures that can be taken outside of the tax system.

Our social problems are causing very large demands to be made upon the Federal Government. We are a wealthy nation and we certainly should be able to solve these problems. But even with our great wealth the solutions for all these problems will come more readily if our planning is efficient and sound. There are limits to the ways in which we can use our resources and those limits require careful expenditure control. Such control in the planning of a particular program, even one with a high priority, means other useful programs will not have to be starved.

We must therefore recognize that our tax system should not be used as a back door through which the dollars are to flow free from this careful planning. We need a much higher degree of accounting for the dollars that the tax expenditure programs which grew up in the past are now absorbing. We also should be careful not to leap to a new set of uncontrolled tax expenditure programs through a new set of tax incentives. This is especially so when there are adequate non-tax measures at hand with which to attack these social problems. As a consequence, closing the back door of tax incentives does not mean that no solution will be provided. Rather, it means that the doors and windows are opened for constructive thinking about these other measures. This is the way to both social progress and a sound tax system.

THE AMERICAN FLAG

Mr. **BRINKLEY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. **BRINKLEY**. Mr. Speaker, a few days ago the flag of the United States flying over the Rayburn Building commanded my attention. It was a raw and blustery day, with intermittent showers. The flag *had* to be wet and cold and heavy, but it was not hanging like a wet towel. It was arched and rippling in the wind; strong, free. Like our country.

In yesterday's press, two stories begged for attention. A foreign headline read, "Carmichael Returning to Hell," *meaning our beloved land*, and a local newspaper dealt with the "King strategy" for massive civil disobedience here in Washington, D.C., next spring. In other media there was a reference to a high Government official's declaration that he was a longtime dissenter and stood foursquare behind the right to dissent.

Mr. Speaker, these people symbolize the wetness in the flag and the heaviness to our country.

The Government official, Mr. Speaker, reckoned without the Holmes theory that words are skins of living thoughts and that to the King-Carmichael element in our country, dissent is defined as a license for civil disobedience, violence, and rioting. Let that Government official say that he believes, heart and soul, in freedom of speech; let him say that he believes in a perpetual and enduring right to petition for redress of grievances, and there would be few Americans indeed who would not rally around him.

But, Mr. Speaker, there are many Americans—and I would submit that there are a great majority of Americans—who will refuse to support his philosophy or that of any other officeholder or candidate unless it is built upon the platform of law and order.

Under our form of government no man has a tenure to public position. Each office belongs to the people. If Americans will measure each applicant for his dedication and commitment to law and order; if Americans insist that such a commitment be a prerequisite to election, our Republic will be strong enough to sustain the heaviness across our country and to prevail against it.

My response to inquiries of "Who will you support?" shall be "It depends." It depends on a measurement of the planks of respect for law, and enforcement of law. This is the critical need of our country.

Mr. Speaker, is public office so dear as to be bought with the price of appeasement and permissive license to destroy our government of laws and not of men? "Forbid it, Almighty God."

THE NEED FOR RETALIATION TO PRESENT FRENCH POLICIES

Mr. **ABERNETHY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. **ABERNETHY**. Mr. Speaker, I have a great affection for the French people. They have had a glorious history. They have a wonderful heritage. They have produced some tremendously fine world leaders.

There was a time when this country of ours was tremendously indebted to the French. Other than that of the first President of this Nation, the only portrait that graces the walls of this Chamber is that of the great French soldier-statesman, General Lafayette. He came to our shores many years ago and with the aid of a substantial number of brave French soldiers helped produce the freedom that we enjoy today. As a descendant of those Americans who fought in that Revolution, I wish to express the same appreciation expressed by my progenitors for that which Lafayette and his men did for us. Indeed, every freedom-loving American is most grateful. Down through the years Americans have felt an obligation to the French.

But, Mr. Speaker, have we not repaid that obligation many times? We have sent two expeditionary forces to France to preserve her independence. We did this at a tremendous cost of life and limb; yes, multiplied thousands upon thousands of casualties, to say nothing of the dollar cost that ran into so many, many billions.

Thousands upon thousands of American sons are resting under French soil, Americans who gave their lives in World War I and World War II to preserve the French nation. De Gaulle could not save his country. Americans saved it for him.

Surely, we have more than reciprocated the obligation we owed France as a result of her participation in the Revolution that gained our independence.

In addition to the acts of reciprocity I have referred to, we have given to France many millions to help restore her economy. And we have also loaned her amounts in the billions, most of which they still owe and just do not pay.

Americans are getting sick and tired of the critical mouthings against them and their country that are coming from the present head of the French Government. Mr. Speaker, I am greatly amazed that high level official Washington is not also exhibiting signs of getting sick and tired of such. The criticisms which are being heaped upon the people of this land today are coming from the highest level of the French Government, President de Gaulle.

Mr. Speaker, in return there should be a challenge of and a retaliation from the highest level of this Government. Great Britain, too, has been the target of De Gaulle. But the head of the British Government, Prime Minister Wilson, has spoken out and retaliated. Canada, also, has been another De Gaulle target. But the head of the Canadian Government, Prime Minister Pearson, has strongly challenged De Gaulle and lifted his voice in defense of Canada and her people.

It is my feeling, Mr. Speaker, and that of many Americans, that Washington and the White House are much too silent. The silence cultivates a sense of assent on our part around the world for what De Gaulle says about and is attempting to do to us. I do hope that appropriate retaliatory words will soon be forthcoming from the highest level of our Government.

In addition, Mr. Speaker, I strongly urged that we tell De Gaulle to pay up the more than $7 billion debt France owes the United States. I urge that consideration be given to banning French imports, American travel to France, and American investments in France's industry.

Why not give De Gaulle a dose of his own medicine. If such a move were made I feel sure he would after only a few days be not so possessed of his imaginary grandeur.

PRESIDENT JOHNSON FACE TO FACE WITH THE COUNTRY

Mr. ROGERS of Colorado? Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, rarely has a President of the United States made the impression on the press, radio and television that was made by President Johnson when he stood before reporters and analysts and the American people at his extraordinary press conference of November 17, 1967.

The Denver Post described the President's performance as "one of the most effective extemporaneous appeals for the Nation's support he had delivered in the 4 years he has lived in the White House."

The Denver Post was not alone in using the word "leader" to describe how and what the President had to say to the Nation.

It was a straightforward, effective, down-to-earth, honest position face to face with the country.

And there is hardly a man who heard the President who could resist the feeling that what he was saying was right, that what he had to bear was difficult, and that he was trying—and succeeding—to do his best in the highest position the people can offer an elected official.

I join the Denver Post and all the news media who have complimented the President on his message to the people.

We look forward to more face-to-face situations like this one. And we know that there is much deep support and sympathy for the President throughout the Nation.

I insert in the RECORD an editorial from the Denver Post of November 20, entitled "L. B. J. Face to Face With the Country":

L. B. J. FACE TO FACE WITH THE COUNTRY

Not a new President Johnson but the real President Johnson stood up in the East Room of the White House last week and made one of the most effective extemporaneous appeals for the nation's support he has delivered in the four years he has lived there.

It was effective partly because it contrasted so markedly with most of his previous press conferences; some Washington newsmen who attended last Friday's called it the best ever.

But it was effective mostly because it came at a time when the mood of the whole nation was dejected. Americans might well have expected Lyndon Johnson to reflect that mood in the cold, defensive manner he has frequently assumed in recent months. The opinion polls and a critical press have brought out the quarrelsome side of a troubled President.

What emerged before the surprised press corps and what came across on television screens throughout the country was a leader who suddenly had seemed to figure out how to get his message across to his people. When he took his glasses off and stepped out in front of the familiar conference podium and began to talk with his arms as well as his voice, President Johnson finally came face to face with the country.

Liberated by a microphone hung around his neck, the President launched a vigorous, freewheeling, aggressive offensive on behalf of his position on Vietnam that was impressive for its content as well as its style. He blasted the demonstrations against his war policies for using "bullying, storm trooper tactics," then graciously, even humorously, accepted responsible criticism as part of his job.

He said, "We welcome responsible dissent and some of the things that have happened in this country." Then he added, "If I have done a good job of anything since I've been President, it's to assure that there are plenty of dissenters."

With several pertinent references to American history, the President also told Ho Chi Minh in no uncertain terms that America was not going to give up the ship in Vietnam. If Ho had any doubts about it, he said, "I want to disillusion him this morning."

Neither Ho nor the American people could have many doubts about the sincere resolve of the President of the United States as it was demonstrated to his countrymen last week.

If he gave little satisfaction to those who have been pressing for more activity on the negotiations front, for more unilateral moves to effect a nonmilitary solution in Vietnam, he at least made his own position abundantly clear.

We commend the President for the kind of presentation he made of his position, and we believe the American people appreciated the way he talked to them.

I also include the following editorial from the November 24, 1967, issue of the Denver, Colo., Rocky Mountain News:

SUPPORT HIM

EDITOR: Ted Knap's article, "LBJ after four years in office," provokes a few idle thoughts. No doubt he looks older and grayer, his physical changes are a necessary evil, he no longer has quite the vim and vigor he had early in the campaign and in his reign of office.

It's sad but true, when he took over after Mr. Kennedy's death the people were with him wholeheartedly, somebody had to take over the load, so then when election time came around he was elected because it was felt, this old boy already has some know-how, he's served some time already, so let him go on with it.

Now come the complaints, the protestors, the doubting Thomases, the why didn't Goldwater get elected? Now everyone's wondering who they can run against LBJ who can get his head on the proverbial platter.

Now no one's satisfied with the way LBJ has run the war in Vietnam. They want him to call it quits. Everyone has his own idea on how things should be run, but it gives cause to wonder, if the wonderers were in office just what would they do then?

Mr. Johnson has had a tough job up to now, and as his predecessors before him, he has done what he felt was best in Vietnam.

I wonder what would have happened if Franklin D. Roosevelt had turned tail when Pearl Harbor was bombed and I wonder what rule we might be under if President Harry Truman, the man that didn't think he had a chance, had not used the atom bomb when he did.

Life at best is a gamble, but when you are facing an enemy, it's self-preservation.

It's a sad, sad thing that there must be wars, but it, like everything else these days, is a fact of life that must be faced.

It is a pitiable thing that lives must be lost, and no doubt the man or men that make the decisions as to whether or not they must remain firm or pull out of the whole sticky mess, must lie awake nights wondering which is the right way.

Instead of the "blaming it on LBJ" and the doubts and fears, why not people write him notes of encouragement, and offer prayers for his guidance?

IRENE FERRARI.

DENVER.

A MEMORIAL TO THE AMERICAN SOLDIERS OF THE VIETNAM WAR

Mr. GROVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, I have today introduced a House joint resolution (H.J. Res. 941) to provide for the designation of the Union Station building, to be a part of the National Visitor Center, as the "National Visitor Center Memorial Building," in honor of the gallantry and devotion to duty of the American soldiers who have given of their lives and of their blood in the Vietnam war.

As every Member of this body and every American well knows, we are engaged in a bitter war in Vietnam demanding great economic and personal sacrifice. The gallantry and devotion to duty of the men of our armed services who have been or are now engaged in this war are unsurpassed in the annals of military history. Many thousands of these men have given of their lives and of their blood to win this costly war. These men are deserving of the honor, respect, and gratitude of all freedom-loving men and particularly of all Americans and their representatives in Congress. It is altogether fitting and proper that some monument in the Nation's Capital be designated as a memorial in honor of these gallant men.

The joint resolution which I have today introduced, if enacted, and I am confident that it will be enacted in some form, would provide, as I have indicated, for the designation of the Union Station building here in the Nation's Capital, as a continuing memorial in honor of these men in uniform.

Yesterday the House passed by an overwhelming vote a bill, H.R. 12603, to, among other purposes, provide the mechanisms for the United States to lease the Union Station building as part of the National Visitor Center.

The Union Station building has been deemed by several renowned study groups as one of the most important structures in the Washington area. Its architecture is striking and impressive.

As a member of the House Committee on Public Works and its Subcommittee on Public Building and Grounds, which had jurisdiction over the National Visitor Center legislation, I had the pleasure of serving as a member of the Study Commission on a National Visitor Center, a Commission which was created by statute last session.

As a member of that Study Commission, I had an opportunity to see practically all, if not all, of the possible buildings in the Washington area which could appropriately be designated as a memorial to our gallant men in Vietnam. I think I can truthfully say that there is no building in the Washington area which could serve as a more fitting memorial to these men who have fallen in Vietnam than the one to be leased by the United States as part of the National Visitor Center—the Union Station building.

Testimony before our subcommittee indicated that millions upon millions of people would come through the National Visitor Center when it becomes fully operative. Estimates range as high as 24 million people annually by 1970. What better and more fitting monument could be named in honor of our men who have fallen in Vietnam than such a monument as this. Every visitor to our Nation's Capitol that goes to the National Visitor Center will be reminded of the heroism of the fighting men.

Mr. Speaker, the resolution is noncontroversial. It is in no way intended to become embroiled in any controversy with respect to the pro's and con's of our Vietnam engagement. Rather, it is to designate a continuing memorial in honor of the men who have given of their lives and blood in this conflict. It is, I suggest, the very least that a humble Congress can do, on behalf of the American people, to honor these men.

Mr. Speaker, the full text of the joint resolution follows:

H.J. RES. 941

Joint resolution to designate the Union Station Building in the District of Columbia, a part of the National Visitor Center, as the "National Visitor Center Memorial Building"

Whereas the United States is presently engaged in a difficult, frustrating, and perilous war in Vietnam which has demanded great economic and personal sacrifice;

Whereas the gallantry and devotion to duty of the men of our armed forces who are engaged in this war are unsurpassed in the annals of American military history; and,

Whereas thousands of these men have given of their lives and of their blood to win this war; and,

Whereas these men are deserving of the honor, respect, and gratitude of all freedom-loving peoples and particularly of all Americans and their representatives in Congress; and

Whereas it is altogether fitting and proper that some monument in the Nation's Capital be designated as a memorial in honor of these gallant men; Now therefore be it,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the leasing of the Union Station Building by the United States for use in connection with the National Visitor Center, such building shall, for the term of such lease, be designated as the "National Visitor Center Memorial Building" in honor of those men who have given their lives and blood in the war in Vietnam.

Mr. Speaker, I strongly recommend the enactment of this joint resolution. I sincerely hope that the Senate Committee on Public Works, when it considers the National Visitor Center legislation in the future, will favorably consider the inclusion of the import of this joint resolution in the provisions of H.R. 12603 to provide for such a National Visitor Center. This could be done merely by changing the name of the Union Station Building itself to the National Visitor Center Memorial Building under the provisions of title I of H.R. 12603. Appropriate language could then be written into the Senate report on the legislation as to the purposes behind such a change in name.

REMOVAL OF FCA INTEREST CEILING THREATENS FAMILY FARMER: ANY CHANGE SHOULD BE LIMITED TO 2 YEARS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it is sad indeed that the Federal Reserve System is forcing the 90th Congress to consider vetoing and destroying great programs enacted as part of President Roosevelt's New Deal.

Mr. Speaker, I refer to H.R. 13706, which would amend the Federal Farm Loan Act and the Farm Credit Act of 1933 by removing the 6 percent interest rate ceiling on loans made by the various farm credit banks. This bill would remove the ceiling on loans made by the Federal land banks, the banks for cooperatives, and the production credit associations—all prime sources of credit to the Nation's farmers.

The Farm Credit Act of 1933 was one of the earliest measures of the New Deal to be enacted into law. It was part of an economic Magna Carta for the American farmer who had for years been crushed by high interest rates and the lack of loan funds. The establishment of these Federal credit programs for farmers was a great milestone in the advancement of America's agriculture.

Mr. Speaker, I regret that credit conditions have reached the point where another Democratic Congress must actually consider the removal of the 6 percent interest rate ceiling and thereby turn the farmers over to the mercy of the Nation's commercial banking community. Without a ceiling, these farm credit programs will be left to the whims of the money markets. And these markets are run by men who have never shown great concern for the welfare of the family farmer.

Mr. Speaker, the farm credit programs and the various Federal banks were established specifically to provide credit to farmers on a reasonable basis. By removing the ceiling, we raise the possibility of pricing these farm credit programs out of the reach of the family farmer. The very purpose of the farm credit programs was to provide a buffer between the farmer and impossibly high interest rates on farm credit. Now, we propose removing this buffer.

All of us in the Congress recognize the

need to keep the Federal land banks, the production credit associations, and the bank for cooperatives. We recognize the need for these institutions to have plentiful funds to loan to farmers. No one wants to cripple these institutions in any manner.

However, it is regrettable that the only proposal before us is to raise interest rates. Invariably when the Federal Reserve System raises interest rates, there is a tendency to urge that other institutions join in the upward parade of rates. We have faced this time and again in the Congress.

When the Federal Reserve raises interest rates, for example, it is almost automatic for someone to propose an increase in the 4¼-percent ceiling on long-term Government bonds. Fortunately, we have been able to successfully oppose these increases and thereby have maintained an important yardstick for lower interest rates.

It is important that we hold the line wherever possible on Federal credit programs so that this yardstick for lower interest rates may be maintained. By removing statutory ceilings on various credit programs, the Congress, in effect, endorses the high interest policies of the Federal Reserve System. We should hold the line firmly and let it be known that the Congress does not endorse high interest rates.

Mr. Speaker, I do not look with favor on the removal of the 6 percent ceiling on these farm credit banks. At the same time, I recognize that the Federal Reserve Board's high interest policies have created a near-emergency situation for our farm credit system.

Should the House, in its wisdom, decide to adopt this legislation, then I strongly urge that we limit its application to a specific period of time. Mr. Speaker, I will, at the appropriate time, offer an amendment which would limit the removal of a 6-percent ceiling to 2 years.

In other words, Mr. Speaker, after 2 years have elapsed, the 6-percent ceiling would be in effect again. By that time, Mr. Speaker, I hope that the administration and the Congress will be able to require the Federal Reserve System to lower interest rates and to conduct monetary policy in the public interest. Surely no one in this House hopes that the current high level of interest rates is a permanent part of American life. So, if we agree that high interest rates are temporary then we should also make this removal of the interest rate ceiling on farm credit temporary.

It is no secret that it is difficult to put back a ceiling of this sort once it has been removed by an act of Congress. If we vote to remove the ceiling—without the limitation—then we are, for all intents and purposes, eliminating it forever.

Mr. Speaker, many rural and farm organizations have spoken out against high interest rates and have urged the Congress to stop the Federal Reserve's tight monetary policies.

I place in the Record an article which appeared in the November 3 edition of the National Farmers Union Washington newsletter, entitled "Interest Rate Rise Will Be Costly to Farmers":

INTEREST RATE RISE WILL BE COSTLY TO FARMERS

On November 2 hearings were held by the Senate Agriculture Committee on a bill, S. 2565, which would remove the 6 percent interest rate ceilings on loans made by the Federal Land Banks, production credit associations and banks for cooperatives. The bill, sponsored by the Administration and the Farm Credit Board of Governors, will cost farmers dearly since interest rates, it is predicted, are due to increase in the months ahead.

Federal Land Banks, one in each of twelve farm credit districts, make long-term mortgage loans to farmers and ranchers. During the period July 1, 1966 through June 30, 1967 the Land Banks made 45,600 loans amounting to $1.2 billion. During the same period the 13 banks for cooperatives made 2,474 loans amounting to $1.7 billion. At the end of the period the 3,016 cooperatives had loans outstanding amounting to $1.3 billion. Loans to production credit associations during the period totaled $5.1 billion.

The reason given for the removal of the ceilings is that interest rates have been gradually rising the past few months and it is expected will push against the 6 percent ceiling soon. Farm Credit Administration officials told Farmers Union that they would be unable to market their debentures in the money market if the going rate rose to 6 percent or above. They emphasized that they had the interest of the farmers at heart and would not raise interest rates more than necessary.

The Legislation would seem to ignore the purpose of the farm credit program which was to establish a yardstick which would keep interest rates down. Apparently farm credit officials have no alternative proposals and feel they must get on the escalator with private commercial credit institutions.

Farmers Union has suggested that in the event interest rates on government programs rise above the ceilings that the Treasury pick up the difference. If interest rates in the money market rose to 6⅛ percent, the government might pay the difference which would amount to ⅛ of one percent interest on the loan.

Another method of holding interest rates down might be a government guarantee of loans. The Farmers Home Administration sponsors a program under which the commercial banks make loans to farmers with FHA guaranteeing the loan. This tends to 'keep loans down to a reasonable level and gives an opportunity for not-so-prosperous farmers to borrow money.

The point should be emphasized that if government-sponsored institutions included in the farm credit program are to rely completely on interest rates determined by big money lenders that the whole purpose of the program is destroyed. There is no point in carrying on such a farm credit program if it does not tend to hold interest rates down.

Wright Patman says that the Federal Reserve Board could lower interest rates tomorrow if it so desired. It could reduce the amount paid on certificates of deposits (time deposits) which it raised to 5½ percent in December 1965. This action of the Board drained money out of the housing investment market since big depositors could obtain a higher interest rate than would be forthcoming from an investment on a long-term housing mortgage.

The Federal Reserve Board could also reverse its policy in regard to support of government bonds. If the Federal Reserve Board announced that bonds would be supported at their face value there would be a drastic decline in interest rates since government bonds are not selling at par value and have not been for some time.

The action of the Administration in recommending removal of ceilings is in direct contradiction of a pledge made by the Democratic party in its platform of 1964. The Democrats promised an end to tight money and contended that the Democratic party had kept interest rates down to home owners.

The Farm Credit Administration, in its explanation of the recommended legislation points out that the proposal to remove interest rate ceilings is in conformity with recommendations made in 1961 by the Commission on Money and Credit and that the Bureau of the Budget has advised that there is no objection to the submission of the Bill to Congress from the standpoint of the administration's program.

Mr. Speaker, I also place in the Record a resolution adopted by the delegates to the 25th annual meeting of the National Rural Electric Cooperative Association in San Francisco on February 23:

TIGHT MONEY

Whereas, NRECA has repeatedly taken a stand against high interest rates and a tight money policy, and

Whereas, current Federal Reserve Board policies have resulted in a tightening of credit and an increase in interest rates at all levels of the economy, and

Whereas, the recent efforts of the Federal Reserve Board to loosen money have been a step in the right direction but have had only a slight effect in achieving a flow of money and interest rates necessary for a growing and secure economy, and

Whereas, this places an unnecessary burden on the American Consumer,

Now, therefore, be it resolved that we reaffirm our long established position and join our friends in urging the President and the Congress to take positive action now to bring about lower interest rates and an expansion of credit.

I also place in the Record a resolution entitled "High Interest Rates" adopted by the annual meeting of the East River Electric Power Cooperative, Inc., at Madison, S. Dak., on September 13, 1967:

Despite promises to the contrary, the Federal Reserve System, the Congress of the United States and President Johnson have allowed interest rates to continue to climb during 1967. Today, interest rates are nearing the record levels established during the worst days of the money crisis of 1966.

Once again, the heaviest burden of the high interest and tight money policies are falling on the rural citizens and, particularly, on the family farmer. This prolonged period of high interest rates is virtually halting efforts to redevelop rural areas. It is endangering the possibilities for additional financing for the rural electrification program.

Current estimates indicate that the American people are paying more than $36 billion in excess interest charges in this calendar year. At a time when all domestic programs—including REA—are suffering from a severe shortage of funds, the United States Treasury is forced to pay out more than $14.2 billion in interest each year. This sum is second only to the outlay for national defense and is placing a severe burden on the entire Federal Budget.

In traditional fashion, these high interest payments are transferring the basic wealth of the nation from the hands of the farmers, the laborers, and the wage-earners, to the more prosperous sector. High interest rates are a tax on the low and middle income segments of our population. The bankers and others at the upper income levels of our society are the beneficiaries of high interest rates and tight money.

Interest rates have continued at extremely high levels since December, 1965. Despite severe hardships to millions of Americans, the Johnson Administration and the Congress and the Federal Reserve Board have failed to act.

We deplore this inaction. We believe that high priority should be placed on proposals to bring an end to high interest rates and tight money and permanent reform of the Federal Reserve System.

We support Representative Wright Patman's call for a more equitable allocation of the nation's credit dispensed by commercial banks. We believe that all segments of the population should have access to bank credit. Through the years, the rural areas have received a deplorably small percentage of the total credit provided by the commercial banking system, a fact that has held back progress in many areas.

We believe that government lending programs, such as REA, Farmers Home Administration, and others, provide a substantial yardstick in keeping down interest rates. In this period of high interest rates, we strongly urge that low interest Federal credit programs be strengthened and expanded.

We support H.R. 11, introduced by Representative Wright Patman. This legislation is designed to reform the Federal Reserve System and to make it more responsive to the people and their elected representatives. Such reform is necessary, we believe, if the rural people of this nation are to have a voice in monetary policy. We urge action on this bill in the 90th Congress.

We deplore the fact that the Federal Reserve Board currently is without a member representing the rural and agricultural areas. We urge President Johnson to correct this situation when the next vacancy occurs on the Federal Reserve Board. We further urge that President Johnson make a vigorous effort to broaden the representation of the Federal Reserve Board to include all segments of the population including farmers, labor, and the average consumer. We object strenuously to the Board being the exclusive domain of bankers and-or banker-oriented economists.

Also indicative of the deep concern about high interest rates is a resolution adopted by the rural electric cooperatives in Region X which includes the States of Texas, Arizona, and New Mexico. This resolution was adopted at the regional meeting in Dallas, Tex., on October 5, 1967:

Tight Money Policy

Whereas, we commend Congressman Wright Patman of Region X for his efforts to reverse the tight money policies of the Federal Reserve Board and the Treasury Department; and

Whereas, we deplore these high interest rate policies as an unwarranted burden upon the homeowners, businessmen and consumers of America:

Now, therefore, be it resolved that we urge the President and the Congress to eliminate the factors which have resulted in or will result in artificially high interest rates: and

Be it further resolved that we urge the Congress to give serious attention to the recommendations made by Congressman Wright Patman in favor of monetary policies which will be in the best public interest.

Mr. Speaker, these resolutions and policy statements are but a few which have been adopted in recent weeks by concerned rural groups throughout this Nation. Frankly, I do not believe there is a single family farmer anywhere who looks with favor on the prospect of higher and higher interest rates.

Traditionally, the costs of high interest rates fall first on the farmer, the small businessman, the low income and the moderate income families. It is this segment of the population that suffers the earliest and the most in periods of high interest rates and tight money. It is the rich who benefit the most from high interest rates.

High interest rates are a return to the old and totally discredited "trickle down" theory. The "trickle down" method does not work and it is regrettable that the Federal Reserve Board has not yet gotten that message.

We learned a long time ago in the Southwest that you could not fatten the herd by feeding only the bull.

Money circulates to the benefit of everyone when it is in the hands of the poor and moderate income families. They spend the money that they receive and it moves upward in the economy, benefitting everyone, including the rich. In the hands of the low-income family, a dollar travels around and is involved in at least 50 transactions every year; and on each of these transactions a little income tax is paid.

But high-interest rates reverse this trend and return us to the trickle down methods which hurt everyone.

The farm family, of course, depends heavily on credit. Farm equipment—tractors, combines, milking machines—are expensive items which most often must be purchased on credit. The farmer, like the small businessman, cannot afford to be without credit on reasonable terms.

Perhaps it is easy for many to talk about a 1-percent increase in interest rates as a minor matter. But let me assure you that a 1-percent increase in interest rates can be the difference between survival and bankruptcy in farm operations. For example, Mr. Speaker, take the case of a farmer who must borrow $20,000 to maintain his operations. A 1-percent increase will cost this farmer $4,734 over the life of a 30-year loan. This is more than twice the disposable, per capita income for farmers in 1966. In other words, the farmer has to work almost 2 full years just to pay the additional interest cost that results from a 1-percent rise in rates.

Therefore, my colleagues, we must remember that 8-, 9-, and 10-percent interest rates will spell disaster for thousands of American farmers. It is easy for us to say, "let the farmer pay the market interest rate," but if this rate means bankruptcy then it is the responsibility of the Congress to find another route.

One alternative, of course, is to require the Federal Reserve banks as well as the Federal Reserve's Open Market Committee to buy paper issued by the farm credit system. The Federal Reserve allows the commercial banks to use its discount windows. There is no reason why the farm credit system banks should not be allowed this same privilege, particularly when they are serving a broad public purpose.

Another alternative would be a direct Federal subsidy to cover the difference between the statutory limit of 6 percent and the actual market rate.

These are some of the alternatives and I am sure there are others. Certainly there is an alternative to pricing the farm credit banks out of the reach of the average family farmer.

Of course, the only long-lasting alternative to the present farm credit conditions is a complete reform of the Federal Reserve System. We now have the highest interest rates of this century—some are the highest since the Civil War—and all of this can be laid at the doorstep of the banker—first policies of the Federal Reserve.

Today, every program of our Federal Government is being choked by high interest rates. We have already budgeted $14.2 billion for interest on the national debt just in the current fiscal year. This figure is second only to the expenditures for national defense. It dwarfs everything else in the budget.

Mr. Speaker, we are reaching the stage where interest payments are so large that they endanger the financing of other needed programs such as education, poverty, social security, veterans benefits, and the farm programs.

Actually, the interest charges on the debt have first call on the Federal Government's revenues. These interest payments must come right off the top; nothing has higher priority. They constitute a first lien. Presumably national defense would have second call on the available money with the domestic programs coming in last with a "third lien" on available funds.

So, as the outlays for the first lien—interest charges—grow, we endanger the other areas of the budget.

THE 13TH ANNUAL SESSION OF THE NORTH ATLANTIC ASSEMBLY

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I have just returned from serving as a member of the U.S. delegation to the 13th annual session of the North Atlantic Assembly, held last week in Brussels, Belgium. As I was privileged to address this conference, I took the occasion to urge again our NATO allies to make greater efforts to stop free world trade with North Vietnam. Because of the deep interest evidenced in floor debate on this subject, particularly in recent weeks, I would like to make my remarks available to my colleagues who are well aware of my longstanding concern with respect to this problem. Therefore, I ask unanimous consent that my remarks made at the North Atlantic Assembly on November 23, 1967, be included at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The matter referred to follows:

Remarks of Representative Charles E. Chamberlain, U.S. Delegate, Before the North Atlantic Assembly, 13th Annual Session, November 23, 1967, Brussels, Belgium

As one who has devotedly believed in NATO and still believes in the necessity for maintaining and strengthening our Alliance, I am grateful for this opportunity to address this Conference. I would like to preface my remarks, however, by the general observation that we must do all within our power, in our respective countries, to counteract the insidious theory that is frequently expressed to the effect that NATO has done its job. NATO has not done its job in the sense of completing it. NATO will have completed its job—its historic mission—only when the threat of Communist subversion, expansion, and aggression ceases to exist.

To achieve their goals, the forces of Communism throughout the world would like nothing better than to isolate, fragment and neutralize the desire and ability of NATO member countries to help the cause of freedom wherever it is threatened. This, to me, is one of the great challenges that confronts NATO today.

Earlier this month, in the course of his four hour long report on "The Fifty Years of the Great October Socialist Revolution", Communist Party Secretary Brezhnev asserted, with no little satisfaction and hope, that "aggressive military blocs" such as NATO are "shaking loose and are clearly showing cracks". It should be abundantly clear then that the Kremlin today is no less interested in the demise of NATO than it was in 1949.

The success of NATO, while tangible and real, is not, of course, absolutely assured. The Soviets have shown that they respect military force. They have yet to demonstrate that the goal of a Communist world, by whatever means, has been abandoned.

The peace and prosperity that Europe has experienced under the shield of NATO stands in sharp contrast to events elsewhere in today's world. The security of one part of the world, we have certainly learned in this century, is no longer unrelated to that of another. The cause of true freedom and peace cannot be defended one place and ignored or abandoned at another. The crimes of totalitarianism, no matter where on the globe they are committed, are crimes against the great political and cultural heritage that NATO was created to preserve and safeguard.

It is with this in mind that I wish to direct my remarks more specifically to the members of the Atlantic Alliance. For the past two or three years in which I have been privileged to be a delegate to this Conference, I have expressed my deep and continuing concern over the need for greater assistance in the matter of trade with North Vietnam, especially the traffic carried on by vessels flying Free World flags.

In 1964 there were a total of 401 such ship arrivals in North Vietnamese ports, of which 283 flew the flags of NATO countries. During 1965, the total number of Free World ship arrivals was 256, of which 201 were registered under the maritime laws of NATO countries. Last year, in 1966, the level of this traffic dropped to 74 arrivals, 58 of which flew NATO flags. The good efforts and cooperative action to reduce and eliminate this trade by a number of the countries represented here today have been indeed appreciated and are most encouraging. Nonetheless, it is obvious that trade in this volume must be of substantial aid to the war economy of the Hanoi Regime.

To indicate the importance of the goods that Free World flag ships have carried to North Vietnam this year I would point out that the U.S. Department of Defense has informed me that in most months of 1967 these cargoes have included strategic goods. The 63 Free World vessels that have delivered cargoes to North Vietnam so far this year represent a cargo capacity of more than 427,000 deadweight tons. Let us make no mistake about it, every NATO ship that puts cargo on the docks of North Vietnam is helping the enemies of freedom.

It is estimated that last year at least as much as 10% of the imports of North Vietnam originated from Free World sources. What is more, I am told, some Free World flag ships also carry considerable quantities of Communist goods, consequently, these vessels provide the transportation for an even greater percentage of North Vietnam's total imports.

As you may be aware, the United States Congress has expressed itself with respect to this trade on several different occasions this year. In previous years, I, myself, have sponsored and supported amendments to our foreign aid legislation as one means to help stop this aid to our enemies. Just a few days ago, in fact, during consideration of the 1968 foreign aid authorization legislation this question was discussed quite fully in our House of Representatives and, frankly, my friends, many of my countrymen feel strongly about this issue.

We have helped our friends with our resources. We have been at your side in the past. We are at our side today . . . and in addition, with substantial forces, we are endeavoring to resist Communist terror and aggression in Vietnam. Many citizens of my country share my hurt when we learn that shipload after shipload continues to go to North Vietnam in the bottoms of ships flying Free World and NATO flags.

After studying this situation for several years, I am aware that the maritime laws of some nations are such that it may well be difficult to control the use of vessels that may be chartered by Communist interests. Unfortunately, this does not, however, take the sting out of the situation. The fact remains that Free World assets are being used to bolster a policy of Communist aggression and subversion. In all frankness, if this immoral trade with our enemy is protected and sustained by the existing laws, then perhaps the time has come to consider whether or not those laws should be reviewed and revised.

So, as we meet today in our common bond in defense of freedom, I would like to suggest most respectfully to my fellow Parliamentarians that when you return home and have occasion in the course of your legislative activities to review the maritime laws and trade policies of your respective nations, that you have this situation in mind, and, I would further like to express my hope that you will give this problem your sympathetic consideration and do whatever you can to help strengthen our efforts to eliminate the possibility of this unfortunate result.

In conclusion, may I say again that it is time we realistically face the fact that the defense of freedom is not strategically divisible, but, rather, is the mutual problem of all of those who believe in freedom. In this shrinking world it is clear that the strategy of Communism to destroy freedom as we know it is world wide. What happens to those who believe in freedom in the Atlantic world can no longer be separated from what happens to freedom in the Pacific world. Ever since the formation of this Alliance, the United States has made a sincere effort to live up to its obligations to NATO in the defense of freedom in Europe and the Mediterranean . . . and the United States today is making a most sincere effort to live up to its obligations in the defense of freedom in Southeast Asia. We cannot evade the hard, cold fact that in our changing world, NATO's outer ramparts reach far beyond the boundaries of our several nations. Since the United States has put its hand to the sword to resist Communist aggression in Southeast Asia, I sincerely believe that realism, strategic necessity, and basic morality require that the member nations of this Alliance do everything within their power to eliminate completely all trade with North Vietnam. Your sympathetic understanding and cooperation are earnestly solicited to achieve this end.

NATIONAL SCIENCE FOUNDATION GRANT AWARDED TO STEPHEN SMALE OF THE UNIVERSITY OF CALIFORNIA

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Speaker, after nearly a year of stalling, the National Science Foundation has awarded an $87,500 grant to Stephen Smale of the University of California.

Smale is the college instructor who used Federal funds to visit Moscow and call a press conference to denounce his native land.

Smale is the person who led leftist attack on troop trains in California.

Smale is the one who belonged to the Fair Play for Cuba Committee—the same pro-Castro group which claimed Lee Harvey Oswald, the assassin of President Kennedy, as a member.

Smale is the person quoted in California as hoping for a Vietcong victory as an important step in revolutionary success in America.

Smale is the close associate of the notorious Jerry Rubin who was a key figure in the recent siege on the Pentagon which has been established as a Communist-organized and Communist-led assault.

Despite all of these actions and associations the National Science Foundation has designated Smale, a math instructor, as the recipient of $87,500.

So now the taxpayers of the United States, whose incomes are depleted each year by a nearly $70 billion defense budget to insure the security of the Nation, will be further tapped to insure the comfortable Federally financed security of a professor whose actions and statements reflect anything but sympathy and support for the U.S. Government and its people.

Smale's new grant follows on the heels of an exhausted grant of $91,500 which enabled the California professor to spend a summer junketing about Europe, climaxed by his anti-American tirade in Moscow.

Since last spring, when I announced the National Science Foundation was getting set to underwrite with taxpayer funds another huge grant for Smale, the NSF has been stalling.

At one point they indicated Smale would get no money, and found that he had mishandled his former grant on a number of counts.

But, at this first slight stiffening of the backbone, the full fury of the academic community fell in one swoop upon the NSF.

Many professors, most of them, of course, drawing Federal funds from the taxpayers on grants similar to Smale, threatened to refuse any more Federal financing.

Instead of saying "OK, if that is the way you want it, we are not going to finance anyone who uses taxpayer funds to run down this Nation or support anyone who does so," the NSF caved in like an accordian and scaled down its original plans to set Smale up with a $250,000 fortune, and came up with the face-saving $87,500 award on November 20, 1967.

So, now Smale can continue his political work at Berkeley which consists of organizing demonstrations against this country.

But, lest the National Science Foundation believe it has won the undying gratitude of the academic community for succumbing to a radical leftist who incidentally teaches, my mail on Smale throughout the year indicates that the vast majority of college instructors do not support federally financed grants for the likes of Smale, and indicated their objections to me.

And, despite the NSF's apparent collapse on the control of its own funds, we intend to continue our efforts to cut off funds for Smale and others like him by working through the administration, the House Appropriations Committee, and the House Space Committee.

And, if we are unsuccessful this year, perhaps the political climate and makeup of the administration and Congress next year will be more conducive to removing Smale from the backs of the American taxpayer.

AID'S $4 MILLION "JUNK" DEAL

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, there is absolutely no justification for the Department of Justice or any other agency of Government to throw the "cloak of secrecy," over the dealings by which Napco Industries, of Minneapolis, Minn., dumped obsolete and junk gearmaking machinery on certain interests in India. Nearly $4 million is involved.

According to Richard Harwood, a Washington Post staff writer, in an article appearing in that newspaper on November 25, 1967:

> Records of the Napco "deal," it was discovered, were no longer available for inspection by either Congress or the public. In India, AID officials became "very sensitive" on the subject.

Mr. Speaker, President Johnson and the Justice Department, as well as the Agency for International Development—AID—has an obligation to immediately get to the bottom of this shoddy deal which reeks of incompetence, or fraud, or both.

If AID is unable to recover the taxpayers' money it is guilty of very bad management, or worse.

Despite the fact that AID and others involved have tried to clamp a secrecy lid on this Napco mess, there are a number of points that are abundantly clear at this state:

First. There was gross incompetence on the part of officials in AID, or this Napco deal would never have been approved in the first place.

Second. After it was approved, there was negligence in the entire inspection operation, or this Napco deal would have been cancelled before the second loan for $840,000, and the third loan for $840,000 were approved.

Third. The Napco firm had the help of Mr. Max Kampelman, a well-connected Washington operator, and also some consistent prodding from at least one important political figure—Vice President HUBERT H. HUMPHREY.

Fourth. The difficulty in the prosecution of crimes involving foreign aid frauds should be understood by the AID agency officials, and there should have been extraordinary care in protecting the interests of the U.S. Government.

It is possible that the death of one potential defendant and a key witness may make it impossible to initiate a successful criminal prosecution in connection with this fraud. The situation has been made more complicated since citizens of India are involved. They naturally would not come within the jurisdiction of the U.S. courts.

However, if this fraud goes unpunished, it is only because of the gross negligence of AID. If the Justice Department cannot take a civil action to obtain a refund of the $3.9 million, it will be because of its own lack of prosecution drive, and the gross negligence of AID. If there was such gross negligence on this case, the public is entitled to all of the facts, so there will at least be a public exposure of the details of how $3.9 million in Government funds were wasted.

The article in the Washington Post follows, as well as an article in the Minneapolis Tribune of November 26, 1967, on this subject:

[From the Washington (D.C.) Post, Nov. 15, 1967]

AID's $4 MILLION "JUNK" DEAL: UNITED STATES PROBES SALE OF SHODDY MACHINERY TO INDIA

(By Richard Harwood)

H. R. Gross, the grumpy congressional moralist from Waterloo, Iowa, arose in the House last month to complain angrily of a "deal" that "reeks of incompetence or fraud, or both."

The "handout artists" of the Agency for International Development, Gross declared, had been "hoodwinked" out of nearly $4 million by an obscure little company, Napco Industries of Minneapolis.

As often happens with Gross crusades, the House was not moved to positive action. There were, however, certain ripplings within the Executive Branch of the Government.

Records of the Napco "deal," it was discovered, were no longer available for inspection by either Congress or the public. In India, AID officials became "very sensitive" on the subject, a correspondent for The Washington Post reported.

In Washington, all inquiries were referred to the Justice Department where, it was learned, an "investigation" of Napco is under way. What kind of an investigation? Justice wouldn't say. But in Minneapolis, Napco's president, Gary Rappaport, said it was all "routine."

His father, Max, started the business as an auto junkyard in 1918 and over the next 40 years built a small industrial empire that, at various times, included breweries, parts factories and an assembly plant. The company's market was the world.

With business success came political involvement for Max Rappaport.

Max Rappaport was well known in Minneapolis as a self-made man.

One of his lawyers recalls that he was a registered Republican, but he raised money for Democrats, too, and became a friend of Minnesota's distinguished sons, Hubert H. Humphrey and Orville L. Freeman. As Governor of Minnesota in the 1950s, Freeman occasionally invited Rappaport to sit with him at college football games. He contributed to Humphrey's unsuccessful presidential campaign in 1960 and may have once entertained Dwight Eisenhower at his home, although recollections of that visit are unclear.

He was, in any event, sufficiently established in the political community that on the occasion of his death in 1965, Vice President Humphrey sent a letter of condolence that was quoted in Napco's annual report for that year: "We have lost a very good friend and the community has lost a fine civic leader."

Humphrey had at least one other connection with the family and with Napco. Sometime in the late 1950s or early 1960s—the date or dates are unknown outside the Government—he rendered what his office says was a routine "constituent service" to the company in its dealings with the Agency for International Development for loans that ultimately totaled nearly $4 million.

Other prominent public figures were then involved or have since become involved in that transaction—Sen. Walter F. Mondale (D-Minn.); William S. Gaud, who is now in charge of AID; Herbert J. Waters of AID, a former administrative assistant to Humphrey, who, according to Gross, helped process the loans; Max M. Kampelman, the Washington lawyer who served for six years as Humphrey's legislative counsel in the Senate and who is now involved in politics, television, business (he is a Napco director and stockholder), finance and scholarship.

LAWSUIT CONSIDERED

A more recent involvement is that of the Assistant Attorney General Edwin Weisl Jr., whose father is the Democratic National Committeeman in New York and a close friend of the President. Weisl has been pondering for many weeks the wisdom of a lawsuit against Napco to recover public funds that were spent, the General Accounting Office has said, to purchase Napco machinery that was "little more than junk."

The genesis of the Napco loans and the political assistance the company may have received are difficult to establish. Administrator Gaud, who approved the original loan, and Assistant Attorney General Weisl have impounded (and refuse to release) the pertinent records in the case, including the report of an investigator who has stated that "someone should answer for this useless and flagrant waste of money."

Sen. Eugene McCarthy (D-Minn.) has said that Napco's dealings with AID were "handled largely through the other Senator's office." The "other Senator" at that time was Humphrey, whose staff reports:

"Our senatorial office referred all inquiries from Minnesota business constituents to the appropriate agencies without discussing the merits. We simply asked in each case that the inquiry be judged on its merits and that a decision be made, one way or the other, as quickly as possible."

APPROACHED BY FIRM

Mondale, who became Senator when Humphrey was elected Vice President, was approached by Napco after the AID loans had been made. "I had some conversations with Kampelman about it," Mondale said, "after the project got into trouble. The foreign aid people were unhappy about it, and Kampelman came to me as a representative of a constituent. I merely asked the AID . . . people to talk to them and give them a hearing.

Intercessions of this sort are as much a part of the American Senator's life as saluting the flag and smiling at babies. They reflect his "errand boy" role as a middleman between constituents and the Federal bureaucracy.

It is a role that rarely attracts public attention except when something goes wrong, as in the case of AID's $4 million investment in Napco.

That story seems to have begun in 1959 or thereabouts. Napco's gear factory in Detroit was running out of Government contracts and was having no luck in finding new customers. Its equipment was old and noncompetitive in the American market.

PLANT COULD PROSPER

"We concluded," Rappaport later told his stockholders, ". . . (that) if we could make satisfactory arrangements to move our Detroit facility to a foreign country . . . with the lower labor costs and less competitive markets, such a plant could prosper."

The country he picked was India, where a group of businessmen were willing to buy Napco's old machinery, provided AID would put up the cash. They formed a corporation—Napco Bevel Gear of India, Ltd.—and set about convincing both the Indian and U.S. governments that the project was feasible. It took three years to work out the details; the loan agreement between AID and Napco of India was signed by Kampelman on July 27, 1962.

Under the agreement, AID loaned the Indian company $2.3 million. The Indians turned the money over to Rappaport in Minneapolis to pay for the machinery in the Detroit plant. They also gave Rappaport's company stock in Napco of India which was then valued, the GAO later found, at $1 million "to cover the remainder of the sale price of the equipment and for technical supervision and other costs relative to moving the equipment to India."

For AID, it was a unique loan. It had never before financed the purchase of used machinery from an American firm, according to a Napco official.

ASSURED BY PROMOTERS

Its risks were minimized, however, when the Indian State of Punjab agreed to guarantee the entire amount of the loan—$2.3 million. AID was also assured by the promoters of the project that the Indian plant would be in business within 13 months.

That deadline was never met. AID records, the GAO has reported, "show that the project was hardly launched before it ran into difficulties."

The GAO, in fact, understated the problem. Napco officials recall that the difficulties began before the project was ever launched and before the loan agreement was ever signed. The two principal Indian partners, they reported, had a fatal falling out in 1961. Kampelman flew out to India that year to try to repair the breach, but he failed. One of the embittered partners withdrew from the venture and, according to a Napco official, vowed to wreck the enterprise through political harassment.

Nonetheless, Rappaport and his associates continued to push the deal and the shipment of machinery from the Detroit plant began after the AID money came through.

LITTLE MORE THAN JUNK

What eventually arrived at the plant site at Faradibad, India, 20 miles south of New Delhi, was an assortment of shoddy machines. "The equipment," GAO said in a recent report, ". . . had not been reconditioned . . . much of it could not be reconditioned and was little more than junk."

GAO quoted a tool engineer for Napco of India who estimated that $1 million worth of tools was obsolete or worn out and that many others were of no use since they pertained to "job applications the company never will undertake."

A private consulting engineer, Harry H. Whittingham, hired by AID after the project had failed, found that Napco in Detroit had failed to recondition properly any of the tools shipped to India; that only 10 to 15 per cent of the machines would ever service the Indian plant, and that the appraisal of the machinery's worth was "a fantastic overstatement of value."

By the time AID got the Whittingham and GAO reports, its investment in the gear plant at Faradibad had mushroomed from $2.3 to $3.9 million.

MORE MONEY ADVANCED

It advanced an extra $840,000 for the plant in July, 1963, and still another $840,000 in August, 1964.

With its investment, AID had enabled Rappaport to dispose of a questionable asset and repair the declining fortunes of Napco in Minneapolis. Prior to the AID loan, he told his stockholders in 1965, "our gear manufacturing division became increasingly troublesome creating losses that at times more than consumed the profits of the healthy divisions."

The AID loan also produced temporary benefits for the Indian sponsors of the project. They set up dummy firms that overcharged the plant, according to the Whittingham report, built a guest house with servants for their rent-free use, and padded the payroll with friends and relatives. These fringe benefits, plus the salaries drawn by the local directors, covered their own investment five times over, Whittingham found.

Today, the plant is idle. The State of Punjab will apparently lose $2.3 million, if AID demands payment of the loan guarantee. AID—meaning the American taxpayer—apparently will lose $1.6 million from the unsecured loans of 1963 and 1964.

Whether the plant will ever reopen is not known. Whether Napco in Minneapolis will be sued by the Federal Government is also unknown. Whether AID could have avoided its present difficulties is still another unknown.

REPORT IMPOUNDED

The Whittingham report, which goes into some of these questions, has been impounded by AID and the Justice Department, along with all other documents in the case. The official explanation from Assistant Attorney General Weisl and from Administrator Gaud is that disclosure of the documents would be inappropriate so long as legal action against Napco is under consideration.

Meanwhile, rumors and gossip—both within and outside the government—that "political influence" was a factor in the Napco loans. Kampelman vigorously denies those reports. Humphrey's office likewise rejects suggestions that anything more than "routine" assistance was given to Napco. Weisl implies that even his files are rather barren. "If you turn up anything," he said the other day, "let me know."

[From the Minneapolis (Minn.) Tribune, Nov. 26, 1967]

UNITED STATES DROPS PROSECUTION IN NAPCO CASE

(By Clark Mollenhoff)

WASHINGTON, D.C.—The Justice Department has decided against criminal prosecution in a $3.9 million foreign aid case involving Napco Industries, Hopkins, Minn., because one potential defendant is dead, and other potential defendants are outside of the jurisdiction of U.S. courts.

It was learned Saturday that U.S. Atty. Patrick Foley made the initial decision declining prosecution and spelled out his reasons in a 10-page letter to the Justice Department.

Justice Department officials in Washington have concurred in Foley's decision.

In addition to the death of Max Rappaport, former president of Napco Industries, several citizens of India are outside the jurisdiction of U.S. courts, Foley said. He also pointed out that Ralph O. Lundgren of Washington also is deceased. Lundgren was a key inspector of the equipment sold by Napco to Napco of India.

Foley said there is no certainty that it would be possible to develop a criminal fraud case even if all of the key figures were alive because of the international aspects of the Napco transactions.

Foley said there is evidence indicating misrepresentations in connection with the sale of Napco's money-losing Bevel Gear Division to the Indian firm, but there also is evidence showing that some of the Indian partners were engaged in the theft or embezzlement of property that arrived in India.

In such instances, the U.S. attorney said it is difficult to determine what equipment was missing when shipped and what equipment was stolen after it arrived.

Foley's letter to the Justice Department was critical of the entire transaction, and concluded that the Agency for International Development (AID) had no business approving a transaction in which there were so few safeguards for the taxpayers' money.

Foley said the contract between AID and Napco had inadequate provisions covering guarantee of the condition of the equipment to be delivered by Napco Industries to India.

In addition, there was an incomplete list of equipment to be delivered that left room for differences of opinion as to whether Napco was delivering, Foley said.

On top of this, Foley said, inspections by Lundgren were "totally inadequate."

Foley said the Napco transaction was one the government should have avoided, and that if it had deemed the loans as vital to U.S. interests it should have taken greater care to protect the taxpayers' interests.

Foley completed his study of the Napco case in August, before it became the focal point in a dispute over President Johnson's effort to name Max Kampelman, a former Minneapolis lawyer, as chairman of the Washington City Council.

Rep. H. R. Gross, R-Iowa, and Sen. Carl Curtis, R-Neb., called the Napco transaction "a fraud" and pointed out that Kampelman was lawyer for Napco Industries of Minneapolis, and a director of Napco Bevel Gears of India, and also had signed the original foreign AID loan agreement.

Gross pointed out that was a political reason for the poor judgment used by AID officials in approving the transaction with Napco. He had called attention to the fact that Rappaport had been a long-time friend and a financial supporter of Humphrey.

Gross charged that there was a political connection between the poor judgment used by AID officials in approving the transaction with Napco. He had called attention to the fact that Rappaport had been a long-time friend and a financial supporter for Humphrey.

Humphrey has declined any comment on the role his office played in connection with the approval of the loans.

It was learned that there were objections to the loans to Napco within the AID agency, but AID officials would not make the records available.

MEDICAL EXPENSE DEDUCTIONS FOR SENIOR CITIZENS

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROWN of Michigan. Mr. Speaker, until this year, taxpayers over age 65 were permitted an income tax deduction in the full amount of medical expenses not otherwise compensated for. With the advent of medicare, it was felt that this allowance would no longer be needed, but events have demonstrated that there remains a gap which must be bridged.

Last Wednesday, the Senate amended H.R. 12080 so as to include what in effect is the old rule of medical expense deductibility for those over 65. In a study recently conducted at my request, the Library of Congress estimated that such a provision would cost $192 million in 1967 in lost revenues.

Realizing the need to help certain of our senior citizens, I have contemplated for some time introducing a bill similar to the Senate amendment. I also realized the necessity of having my proposal considered as part of a general social security measure. It was impossible to suggest my proposal during House debate of H.R. 12080 because of the closed rule. But because of the Senate action, it is now timely to introduce my bill and to express the hope that it will be given serious consideration by our colleagues, particularly by the conferees on H.R. 12080.

My bill will allow all taxpayers over age 65—or those with dependent parents over 65—to exclude when computing medical expense deductions the first $7,000 adjusted gross income on a joint return or $4,000 on a separate return. The current percentage limits are retained for all other taxpayers.

According to the same LRS study, this bill would save $165 million from the Senate version, yet would fill the real need of giving assistance to senior citizens with low incomes. It is estimated that 2.5 million taxpayers would benefit from my bill, at a cost of $27 million. Much has been said, Mr. Speaker, about the excessive cost of the Senate version of H.R. 12080. Here is a chance for the House to provide a necessary service to senior citizens in need, at a saving of $165 million.

TAFT CHALLENGES JUSTICE DEPARTMENT ON STATISTICS

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks, I include a statement by Representative Robert Taft, Jr., entitled "Taft Challenges Justice Department on Statistics," and a release of September 13, 1967, by the Republican task force on crime on the same subject.

I also include a release of September 12 entitled, "Articles Dramatize Need for Wiretap Law: Representative Poff," and one of August 28 on "Rules Ham Stringing Agents, Says Crime Task Force," which is accompanied by a statement of the House Republican task force on crime.

The material follows:

Taft Challenges Justice Department on Statistics

Washington, D.C.—Representative Robert Taft, Jr. (R.-Ohio) Wednesday challenged the Justice Department on its "statistical justification" of the "War on Organized Crime." In response to Administration criticism of recent GOP crime statements, Taft stated, "Since the Justice Department cited the numbers of their convictions as a measure of their success in fighting Organized Crime, I suggest that additional figures deserve comment."

Taft is Deputy Chairman of the House Republican Task Force on Crime and one of the authors of the recent attack by 23 Republican moderates on the Johnson Administration's failures in fighting Organized Crime.

"The President's Crime Commission called 'Cosa Nostra' the core of Organized Crime and estimated its membership at some 5,000," Taft told his House colleagues. *"Since 1961 only about 130 identified 'Cosa Nostra' members have been convicted by the Federal government. That amounts to roughly 2.6% of 'Cosa Nostra' membership for the entire seven-year period—a conviction rate of 0.4% per year,"* Taft calculated.

"The 130 convictions represent the sum total of the efforts of 26 Federal investigative agencies, 94 United States Attorney's Offices, and, of course, the Organized Crime Section of the Justice Department."

Taft listed a number of questions asked by the Crime Task Force and, in a separate statement, 23 House Republicans. "Those questions remained unanswered," he charged. He noted that the Administration's rebuttal to the GOP papers had referred to "additional new measures to fight Organized Crime . . . pending in Congress." The Administration blamed Republicans for delays on two bills.

Stated Taft, "The bills referred to have been the subject of legislative proposals since 1961. Both, one to compel testimony in Racketeering cases, the other to make it a crime to threaten potential witnesses, have received strong Republican support. Both have been sponsored in this session of Congress . . . by Republicans and Democrats alike. *Until the Justice Department utilizes every legal weapon, the fight against crime will continue to be a losing battle,"* Taft concluded.

Taft Challenges Justice Department on Statistics

The statement made on August 30 by Deputy Attorney General Warren Christopher in reply to criticism by Republican groups of the Administration's "War on Crime" deserves a direct retort. It evades questions, quotes meaningless statistics, pleads partisanship, and usurps credit where none is due.

The House Republican Task Force on Crime commented on the Attorney General's limitation of legal electronic surveillance and simply questioned why it was necessary to exceed the limitations of the Supreme Court outlined in the *Berger* decision. The Task Force asked what the logical purpose of the additional restrictive regulations was, and where the Attorney General derives the authority to establish them. These questions remain unanswered.

In another statement, 23 House Republicans, including myself, recently outlined a 12-point program for combating Organized Crime nationwide and asked a number of questions such as:

1. Why the activities of the Organized Crime Section of the Justice Department have been dramatically reduced since 1964?

2. Why the Administration influenced the Crime Commission to reverse an earlier recommendation for wiretap legislation?

3. Why the Administration persists in its position that court authorized electronic surveillance is of little value despite statements to the contrary from almost every law enforcement official in the country?

4. Why the Administration has ignored almost every recommendation by the President's Crime Commission on Organized Crime?

These questions remain unanswered by Mr. Christopher and the Justice Department.

Instead, Mr. Christopher says FBI-investigated Organized Crime convictions rose 39% from the previous year and two new measures to aid the fight against organized crime are pending in Congress. "With Republican aid, these bills could be promptly passed," Christopher comments. He adds, "The partisan obstruction of the Republicans only serves to interfere with the war against crime."

The two bills referred to have been the subject of legislative proposals since 1961. Both have received broad Republican support, both have been sponsored in this session of Congress, in House and Senate, by Republicans and Democrats alike. These bills are bipartisan efforts, and were among recommendations of the President's Crime Commission.

With respect to the Administration's statistical justification of its war on Organized Crime, we must note that it is carefully confined to FBI-investigated convictions. It makes no mention of who the subjects of convictions were or what their standing was in the hierarchy of Organized Crime. What of IRS-investigated Organized Crime convictions? Hitherto, they have accounted for 60% of the success of the entire Federal effort. In addition, how many "high echelon" Organized Crime figures are among those convicted? Conversely, how many numbers-writers, petty bootleggers, prostitutes, race track touts and similar small fish have found their way into their statistics?

Since the Justice Department cited the number of convictions in a selected area as a measure of their success in fighting Organized Crime, additional figures deserve comment. The President's Crime Commission called "Cosa Nostra" the core of Organized Crime and estimated its membership at some 5,000. Since 1961 only about 130 identified "Cosa Nostra" members have been convicted by the Federal government. That amounts to roughly 2.6% of "Cosa Nostra" membership for the entire seven-year period—a conviction rate of 0.4% per year. Current issues of Life Magazine detail the dominance over the underworld of those remaining free.

And the 130 convictions represent the sum total of the efforts of 26 Federal investigative agencies, 94 United States Attorney's Offices and, of course, the Organized Crime Section of the Justice Department.

Criticism of the Organized Crime Section of the Justice Department is not intended. The Section should not be dissuaded from prosecuting even low-level figures. They are as much a part of Organized Crime as anyone else. In addition, no one can tell when a conviction might lead to important further prosecutions. It is a well known fact, however, that the high echelon racketeers—the syndicate gamblers, the mob leaders, "Cosa Nostra" members—are extremely well insulated from the day-to-day criminal activities they direct. As a result, they are extremely difficult to prosecute. The problem is basically one of uncovering evidence.

It's to the credit of the Organized Crime Section that they have accomplished even this much under present Justice Department rules laid down for them and the evidence gatherers they supervise. But the claimed import of their success is obviously quite misleading.

The most dramatic and typical issue is the authorization of court approved electronic surveillance, within Constitutional limits, as one of the necessary tools for obtaining evidence against syndicate leaders. Until the

Justice Department recognizes the need to utilize every legal weapon, the fight against crime will continue to be a losing battle.

Articles Dramatize Need for Wiretap Law: Representative Poff

Washington, D.C.—Representative Richard H. Poff (R.-Va.) Monday charged that a recent magazine series on Organized Crime dramatizes the need for legislation legalizing court authorized electronic surveillance of Organized Crime conspiracies.

Representative Poff, Chairman of the House Republican Task Force on Crime, told his House colleagues that he wrote Attorney General Ramsey Clark, *"A constituent called me to ask if I have read the articles in the September 1 and September 8 issues of Life Magazine. I have done so," Poff reported. He asked the Attorney General, "If you have not, I urge you to do so."*

He stated that the constituent wanted to know whether the magazine articles were factual "and if so, why something hasn't been done . . ."

Anticipating a possible Justice Department response, Poff explained that much of the information appears to come from electronic surveillance. Under present law, wiretap evidence and evidence traceable thereto is tainted . . ."

"If this is your answer," Representative Poff wrote, "and if the wiretap tapes and log entries in the possession of Federal investigators do in fact document the crimes charged in the magazine articles, then I have a question of my own. *Does this not fully justify legislation legalizing electronic surveillance of organized crime conspiracies by law enforcement officers acting under court orders in the nature of a search warrant?"* He concluded, "Your reply will be helpful in answering the mail I am beginning to receive on the same subject."

Rules "Ham Stringing" Agents Says Crime Task Force

The House Republican Task Force on Crime today called on the Attorney General "to utilize every legal investigative tool available" to combat the nation's spiraling crime rate.

The Task Force charged that the Attorney General's June 1967, regulations "strictly limiting legal electronic surveillance" have no other effect than the "ham-stringing of Federal agents in their day-to-day conduct of organized crime investigations. No need for the Attorney General's regulations has been shown. They are, in fact, further evidence that the *Attorney General is fighting a war of retreat against organized crime,"* the group charged in a prepared statement.

"We view his regulations as inevitably discouraging the use of sound, acceptable, and legal investigative techniques in combating organized crime. He now sits in judgment as to what may or may not be necessary in an investigation thousands of miles from his Washington office. An agent in the field places his life or personal safety in jeopardy during investigations . . . Time, obviously, may be vital—delay deadly," the Task Force asserted.

"The cumbersome, time-consuming, inter-agency procedural structure the new regulations erect is likely to intimidate and frustrate the most diligent investigator. *So long as adequate safeguards against illegal practices exist, investigating ought to be left to investigators."*

The Task Force declared, *"We urge the Attorney General to reexamine and revise what is to us an incredible retreat in the war against criminal activity."*

Statement of the House Republican Task Force on Crime

The House Republican Task Force on Crime believes that it is a necessary and proper function of the Attorney General and the Department of Justice to operate within the framework of existing law in conducting its investigations into and prosecutions of criminal matters, be it organized crime or any other type of crime. By this we mean they should not go beyond the law but at the same time they should utilize every effective investigative tool available to them inside the law.

In June, the Attorney General promulgated and issued to the Department of Justice and to other departments and agencies of the federal government (for example, the Bureau of Narcotics of the Treasury Department) a set of regulations expressly designed to, in the language of the regulations, "strictly limit *legal* electronic surveillance." These regulations have no other practical effect than the "ham-stringing" of Federal agents in their day-to-day conduct of organized crime investigations. We view them as yet another manifestation of the fact that the Attorney General is fighting a war of retreat against organized crime and that it is only a matter of time before his federal forces will be in a full scale rout.

The limitations in his regulations go far beyond wiretap and third-party bugging. They go far beyond the strict limitations placed upon these practices by the Supreme Court in the Berger case. They reach even transmitters and recording devices used by one of the parties to a conversation, a Narcotics agent who is about to make a purchase or a Treasury agent who is about to be bribed. This technique was specifically sanctioned by the Supreme Court as recently as last November in the Osborn case, and it is a technique most frequently employed in organized crime investigations. To be sure, these regulations do not actually forbid the use of transmitters and recorders under those circumstances, but they do create a labyrinth of procedure, inventory control and just plain red tape which culminates in the obtaining of advance approval from the Attorney General before any use may be made of such devices. And if that advance written approval has been or will be denied or simply delayed in just one single instance, then that is just one less case the government may be able to bring.

Frequently an agent in the field places his life or personal safety in jeopardy during the investigation of organized crime cases. Necessarily, he must deal clandestinely with people who are armed and dangerous. Under those circumstances it is usually mandatory—from a safety consideration alone—that what transpires be overheard instantly by other agents nearby. The same thing may be said of informants, particularly narcotics informants, for whose protection there ought to be at least some concern. Informants are even now difficult enough to find and cultivate; they will be altogether unavailable if they are to be abandoned to their own wits in dangerous situations. Further, potential witnesses in organized crime cases are, for a variety of reasons, sometimes difficult to corroborate. What is overheard by a transmitter may be preserved by a recorder and later become probative, competent and, most important, accurate corroborative evidence in the prosecution.

Quite apart from the fact that we seriously question the authority of the Attorney General to meddle in this fashion in the purely investigative affairs of other departments and agencies of the federal government, we view his regulations as inevitably discouraging the use of sound, acceptable and legal investigative techniques in combating organized crime. It is proper, of course, for him to advise other departments and agencies of the federal government as to the existing law with respect to the use of investigative tools. But as the ultimate authority, under his own regulations, he now sits in judgment as to what may or may not be necessary in an investigation thousands of miles from his Washington office. Time may be vital—delay deadly. He cannot possibly know the facts better than the agent in the field, even after he has required the agent to justify his request in considerable written detail. The cumbersome, time-consuming, inter-agency procedural structure the new regulations erect is likely to intimidate and frustrate the most diligent investigator. And where authority to employ a device is denied, agents may understandably decline to expose themselves to danger, informants will refuse to cooperate, and crime will go unpunished because witnesses are not corroborated.

No need for the Attorney General's regulations has been shown. On the contrary, he has himself informed us that as far as federal agencies are concerned, electronic surveillance by all *illegal* means has been a thing of the past since July 1965. If that is true, then the regulations are without a logical purpose. Where *legal* investigative techniques are available, their use ought to be encouraged and the decision to use them ought not be subjected to unwarranted inter-agency interference. In short, this Task Force believes that, so long as adequate safeguards against illegal practices exist, investigating ought to be left to the investigators. In the war against crime they are the people on the firing line; they are doing the work; they are taking the risks.

We call upon the Attorney General to reexamine and revise what is to us an incredible retreat in the war on criminal activity. As the chief law enforcement officer of this country he should move vigorously by all means within the law to enforce the law.

SUPPORT GI'S PLAN SPREADS THROUGHOUT UNITED STATES

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while we realize that the antics of some anti-Vietnam protestors represent but a very small minority of American citizens, it is nevertheless stimulating when private citizens and organizations undertake to show our servicemen in Vietnam that we support their efforts. In the past I have inserted in the Congressional Record accounts of patriotic support by citizens of New York City for ventures seeking to reassure our servicemen that they are not forgotten. On May 13, in New York City, many thousands attended the Support-Our-Boys-in-Vietnam Parade. Again on October 22 New Yorkers participated in Operation Gratitude, described by the New York Daily News in these words:

> With parades, speeches, songs, bands, flags and auto headlights, hundreds of thousands of New York area residents showed their support for U.S. forces in Vietnam yesterday.

These operations were the handiwork of two veterans, Ray Gimmler and Charles Wiley, who recognized the need for communicating to those in Vietnam the concern and support of the majority of citizens. The National Committee for Responsible Patriotism, with Wiley as executive director, succeeded in obtaining the support of 32 Governors and the mayors of nine cities in approval of the Operation Gratitude proposal.

More recently, in Wheaton, Ill., a housewife, Mrs. William C. Walton, propelled by the same desire to tell our servicemen that we really care, began collecting cosigners to a letter to Gen. William Westmoreland, with 5,000 signatures as a goal. According to a story in the Chicago Tribune of November 22, Mrs. Walton anticipates acquiring far more than the original 5,000. In fact, the idea spread into Du Page County and has branched out into other parts of the country. According to Mrs. Walton, the program is really snowballing:

> Everyone wants to help collect signatures. They keep asking what more they can do to help make the project successful. People are taking the letter to their churches and to the organizations they belong to. One fine young man, a father of four, is taking it to his trucking company and sending it out with fellow drivers into other parts of the nation. High school students are taking it to school.

Additional help is coming from other sources:

> Many people are organizing the idea for me in their own communities. Veterans are helping. College students are rallying to the cause. The wonderful Wheaton police are collecting signatures. Merchants are doing the same.

To publicize more fully the wonderful effort of one concerned American housewife, I insert the article "Support GI's Plan Spreads Throughout United States." in the Record at this point:

Support GI's Plan Spreads Throughout the United States—Program Is Started by Wheaton Woman

If a Wheaton woman's plan is successful, every American fighting man in Viet Nam will soon know "we at home love them and are concerned about them."

To materialize her plan, Mrs. William C. Walton, 1105 N. Irving av., is getting signatures on a letter to Gen. William Westmoreland and "all our men serving in Viet Nam," acknowledging community support of our armed forces in Southeast Asia. Her goal is 5,000 signatures.

MORE THAN 5,000

"It looks like I'll be getting far more than 5,000 signatures," Mrs. Walton said. "The project has caught fire and is now spreading all over Du Page county. In fact, it is being carried beyond into other parts of the United States."

She said she thought of the idea for the letter the week-end anti-war demonstrators marched in Washington.

"I just felt I had to do something to show there are many more of us who do support the boys over there," Mrs. Walton said. Originally, she planned that the letter would show that Wheaton is behind the men, but the idea began to spread.

PLENTY OF SUPPORT

"Everyone wants to help collect signatures," she said. "They keep asking what more they can do to help make the project successful. People are taking the letter to their churches and to the organizations they belong to. One fine young man, a father of four, is taking it to his trucking company and sending it out with fellow drivers into other parts of the nation. High school students are taking it to school.

"Many people are organizing the idea for me in their own communities. Veterans are helping. College students are rallying to the cause. The wonderful Wheaton police are collecting signatures. Merchants are doing the same."

Mrs. Walton introduced her project at the Wheaton Veterans day parade.

ALL WANT TO SIGN

"It was announced over the loudspeakers," she said. "Everyone flocked over to sign the letter." The theme of the parade was "Support Our Boys in Viet Nam."

"If this is a sample of American opinion," she said, "I have the feeling the same opinion holds all over the nation."

Part of the letter reads:

"We, the undersigned citizens of Wheaton, Illinois, and surrounding communities humbly send this letter to you in deep gratitude for your defense of the freedoms we cherish.

"Those who oppose the war by marching, desecrating our flag, burning their draft cards, and thru this giving aid and comfort to the enemy, do not represent the majority. They do make their voices heard, so thank God they are in the minority. Still their deeds must sadden you, as they do us.

"The time has now come that more and more loyal and patriotic Americans will make it known to you that you have our full support. You are in our thoughts and prayers at all times.

"WHEN PEACE IS RESTORED"

"May God bless you, keep you in His care, and bring you safely home when peace and freedom is restored to Viet Nam."

Affixed to the bottom of the letter is a note to those who signed it. It reads:

"Please, please respond to this call for help. Let our boys, who are fighting and dying for us in the swampy rice paddies and steaming jungles far from home, know we at home love them and are concerned about them."

THE ECONOMIC SHELL GAME

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the New York Daily News, in its usual hard-hitting style, editorialized on the dangers of continued deficit spending in its November 13 issue. The increasing cost of living is of mounting concern to all citizens who are trying to balance income against expenditures. I believe that it is hard for the average wage earner to understand how its Government can continue to run up large bills and still refuse to cut its spending in nonessential areas.

The New York News editorial states the case briefly and bluntly, and I insert it in the Record at this point:

Dollars and Disaster

Our esteemed colleague, the Chicago Tribune, recently filled its spacious editorial column for seven days in succession with a series of masterly editorials on inflation.

The pieces were printed under the title "How Sound Is Your Dollar?" They discussed the current creeping inflation in the United States from every angle, and the danger that it may leap from a creep to a gallop before long.

We borrow some of the Tribune's points for use in this space today. There are few if any things more important to the American people just now than maintenance of a reasonably sound and solid dollar.

There are two kinds of inflation: (1) demand-pull inflation, when goods are scarce and money over-plentiful; and (2) cost-push inflation, when goods are plentiful, but labor unions keep driving wages higher and higher and corporations pass these ballooning production costs along to consumers.

We are suffering from cost-push inflation now, and have been for some years.

In 27 years—since January, 1940—the dollar has sagged from 100c to 41.5c in buying power. It is sagging faster now than in most of those 27 years—meaning inflation is speeding up already.

Ever since President Franklin D. Roosevelt's time, the U.S. government has run up yearly deficits far oftener than it has balanced its budgets. This deficit financing is dangerous, contributes to inflation, and can generate an inflationary whirlwind if it continues long enough.

The man responsible for it is long dead, but his soul goes marching on—to cadge a line from an old Civil War song.

He was John Maynard Keynes, an Englishman and an alleged economist whose theories are still popular with many politicians.

Lord Keynes' basic theory was that governments can and should spend themselves rich and their people prosperous; that deficit financing is a governmental virtue oftener than not.

Private citizens can't live indefinitely beyond their incomes, but Keynes believed governments could, by some magic which ordinary minds cannot grasp.

The United States is now approaching the logical results of living for decades beyond its income so far as its government is concerned.

The President himself fears a deficit of up to $29 billion in fiscal 1968 (ends next June 30). Some European bankers think the deficit may hit $35–40 billion.

The $29 billion gap between government intake and outgo would be bad enough; a $35–40 billion deficit could bring financial disaster.

PERILOUS DEFICITS

It would destroy much of the world's confidence in the dollar, lead to increasing foreign demands on our shrinking gold reserve, and drive interest rates on the home-front to business-paralyzing heights.

How about the 10% surcharge which the President keeps begging Congress to clap on most income taxes? Wouldn't this increased revenue help stave off inflation?

It would—IF—IF the federal government would radically cut down its spending on foreign aid, domestic give-aways and hand-outs, and Great Society projects of one kind or another.

If the added revenue is to be used only to help finance ever-bigger government spending, we can expect inflation to speed up and become not only cost-push inflation but demand-pull inflation as well.

What can individual citizens do to head off a disastrous inflation?

COMMUNICATING WITH CONGRESS

Individual citizens have elected senators and representatives in Congress. Those persons pay close attention to their mail—believe it or not.

Hence, citizens can best hope to insure against inflationary calamities by flooding Congress with letters, telegrams, telephone calls, demanding drastic cuts in federal nonmilitary spending—prompt and lasting cuts.

Better get busy. This can be a matter virtually of financial life or death for us all.

VIEWS ON VIETNAM

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. **TEAGUE** of California. Mr. Speaker, I call to the attention of my colleagues an excellent letter from a military man who has completed a year's service in Vietnam:

> Just to let you know my feelings on Vietnam after spending a year here: I am firmly convinced that we are really winning this war in the only way it can be won. By attrition of the enemy and a will to keep fighting longer than he does. He will never come to a table, it will just fade out and face will be saved. The antiwar demonstrators are just prolonging the war by giving Mr. Ho a feeling that we will eventually cave in and all the sacrifices the South Viets and we have been through will be for naught and Uncle Ho will just walk in. Please don't *you* sell the U.S. down the river as so many people seem to be doing deliberately or unwitting. Through isolation and disengagement policies we were kept out of the League of Nations, this seriously weakened the League from the start. All the Nations hung back when Italy went into Ethiopia. Hitler could have been stopped militarily up to Poland if Chamberlain hadn't been so frantic for peace. Don't we ever learn.
>
> Capt. MELVIN S. BURCKES.
>
> OJAI, CALIF.

MEDICAL EXPENSE DEDUCTIONS FOR SENIOR CITIZENS

Mr. **STEIGER** of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. **BROWN** of Michigan. Mr. Speaker, as I discussed on the floor earlier today, I am introducing a bill to amend section 213 of the 1954 Internal Revenue Code regarding medical deductions.

Prior to this year, the old rule provided that if either the taxpayer or his spouse had attained the age of 65, there was allowed as a deduction all medical expenses, including expenses for medicine and drugs, for the taxpayer and his spouse, as well as for the care of dependent parents over age 65. Persons under 65 were allowed a full deduction for the medical care of dependent parents over age 65, but as for the taxpayer, his spouse, and other dependents, the rule was that only such amounts as exceeded 3 percent of adjusted gross income could be deducted for medical expenses, and only those amounts which exceeded 1 percent of adjusted gross income were deductible for drugs and medicine.

The Social Security Amendments of 1965 eliminated the special status of persons over age 65 and provided a uniform rule for all taxpayers regardless of age. This uniform rule, effective for the first time this tax year, provides that only such amounts as exceed 3 percent of adjusted gross income may be deducted for medicine and drugs. This new law eliminated the full deduction for the medical care of dependent parents over age 65 for all taxpayers.

The rationale for the change was that taxpayers over 65 would receive adequate reimbursement for their medical expenses from medicare, but this has not proved to be the case. There are gaps in the overall cost picture. There are, first of all, certain expenditures which meet the definition of medical care for the purposes of income-tax deduction but which are not covered by the medical care and health insurance programs. In addition, there are other expenditures which, although included in the medicare and health insurance programs, are not fully reimbursable. Third, there are taxpayers who have not registered to receive medicare benefits but who, nonetheless, have medical expenses. Due to these categories of nonreimbursable medical expenditures, several bills have been introduced to liberalize the strict rules now in effect.

The most popular approach to amending section 213 to date has been to simply reinstate the old rule, and this is essentially the action taken by the Senate last Wednesday when it considered H.R. 12080, the Social Security Amendments of 1967. The Legislative Reference Service of the Library of Congress, in the study made for me, has estimated that such a bill would cost the Federal Government $192 million in lost revenues in the tax year 1967, an amount equal to what was estimated to be the revenue gain by adoption of the changes in 1965, effective for the first time this 1967 taxable year.

Another suggestion has been to eliminate the percentage limits for everyone, regardless of age. The LRS has estimated that this would cost $1.8 billion in lost revenues in 1967. Aside from its obvious political appeal, such a proposal must seriously be questioned, both in terms of its policy objectives and in light of the present fiscal posture of the Federal Government.

Any changes regarding medical deductions should be based on reason, rather than political appeal or mere return to the status quo. There should be considered the underlying reasons for medical deductions, the merit of allowing a special status to persons over age 65, and the economics of change.

The primary purpose for allowing medical deductions is to help allay the costs of medical care when they adversely affect the taxpayer with special force. When illness strikes, it should not be reinforced by a biting and rigid tax structure. Therefore, historically, there has been allowed as a deduction those amounts which exceed certain percentages of income, with the thought that these limits are the points beyond which Federal tax relief is not only fair, but also just. This policy should be continued. It not only gives assistance when assistance is due, but it also prevents a substantial drain on Federal revenues.

Persons over age 65 have traditionally been singled out for special assistance in recognition of the fact that the majority of such persons are retirees and have little disposable income. However, today it must be recognized that there are a substantial number of persons over age 65 who have quite adequate income, and that the reason for giving them additional assistance has ceased to exist. When the reason for the rule ceases to exist, the rule should fall also.

Finally, there should be considered the economics of change. While there may be persuasive reasons for allowing full deduction of all medical expenses, clearly, we cannot afford to do so at the present time. The Senate-passed restoration of the old rule is equally undesirable, for it not only fails to consider the reasons for allowing deductions, but it also would cost the Federal Government $192 million in lost revenues this year. This is too much. The bill which I am introducing today, Mr. Speaker, will lend additional assistance to all persons over age 65, but especially to those who have a real need, and yet will have little adverse effect on Federal revenues.

This bill will allow taxpayers over age 65 to exclude the first $7,000 adjusted gross income on a joint return or $4,000 adjusted gross income on a separate return for purposes of section 213 deductions. The effect of this provision is that taxpayers over age 65 will be allowed to deduct all medical expenses as well as expenses for medicine and drugs if their adjusted gross income is $7,000 or less on a joint return or if the taxpayer has an adjusted gross income of $4,000 or less on a separate return. For those taxpayers over age 65 with adjusted gross incomes over $7,000 and $4,000 this bill will also be beneficial, for income up to these amounts will be excluded before the percentage limits apply. This bill retains the percentage limits for all other taxpayers, as well as the provision allowing the deduction of one-half of the expenses paid for medical insurance. It also reinstates the old provision allowing everyone, regardless of age or income, a full deduction for the medical care of dependent parents over age 65. According to the same LRS study, mentioned above, this bill would cost an estimated $27 million in lost revenues, instead of the $192 million revenue loss which would be suffered if the conferees on H.R. 12080 were to accept the Senate version without change.

Here is a marvelous chance, Mr. Speaker, for the House to render an important service for those senior citizens in need, yet save the Treasury $165 million.

I trust the conferees on H.R. 12080 will give this proposal serious consideration.

DE GAULLE SHOULD PUT UP OR SHUT UP

Mr. **STEIGER** of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. **HARSHA**. Mr. Speaker, French President de Gaulle is doing his best to undermine the American dollar. This megalomaniac wallowing in the delusions of his own grandeur and power has been on a determined course since 1960 to wreck the American economy. It is time our Government put a stop to this nonsense by requiring France to pay her obligations to the United States.

While France denies any deliberate part in this new wave of gold buying, her withdrawal from the international gold pool whetted speculative activity in gold. Add to this her actions over the last few years and one begins to doubt the sincerity of France's disavowal.

At the end of 1960, total French gold holdings were $1.641 billion, at the end of 1966 they were $5.238 billion. This represents an increase of $3.597 billion over the past 5 years. Not all of this was purchased from the United States, but a substantial part was. Some was purchased from Great Britain and some from Russia, but as a practical matter it makes little difference where France buys the gold since it tends to result in a drain on our gold supplies.

Contrasting France's gold position is that of the United States. In 1960, U.S. gold stocks amounted to $17.80 billion. At the end of 1966, they totaled $13.24 billion or a loss of $4.56 billion over the same period France was gaining. As of the latter part of February 1967, this figure had dropped to $13.109 billion, the lowest level since August 24, 1938. Today, the total is $12.9 billion.

The situation becomes even more deplorable when we realize that France owes the United States a debt as the result of World War I in the total sum, as of September 1966, of $6,716,000,000. No payments have been made on this since 1931.

In addition, as a result of World War II, France is obligated to the United States by an additional balance of $302.8 million. This sum was considerably larger but France has paid back, as of last September, $880 million.

In spite of this, France continues to place a severe strain on our gold reserves by purchasing our gold bullion instead of paying her obligations. Before honoring France's claims for gold the United States should insist upon payment of France's debt to America. Certainly, now the moratorium on France's indebtedness must be ended.

WINS AND THE GREAT ONES

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] man extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, WINS, a fine all-news station in my district, is performing a public service in its broadcast of the series of original radio dramas entitled "The Great Ones," a history of 10 American Negroes who contributed in large measure to the development of the United States.

Under the managership of Charles Payne, WINS, one of the Group W stations, has pioneered in news, public events, and service to the community, and this recognition of important Negro history adds one more chapter to this fine record.

I am pleased to bring the notice as to the programs to the attention of my colleagues, as follows:

WHO ARE "THE GREAT ONES"?

(Biographical details on the 10 American Negroes whose lives are being dramatized on WINS)

Ten notable American Negroes, whose achievements have largely been overlooked or forgotten in the pages of American history, are the subject of a series of original radio dramas called "The Great Ones."

The series was produced by Group W (Westinghouse Broadcasting Company) and is currently being heard on the Group W radio stations in Boston (WBZ), Philadelphia (KYW), Pittsburgh (KDKA), Fort Wayne (WOWO), Chicago (WIND) and Los Angeles (KFWB). In New York, "The Great Ones" will be heard on WINS, starting Sunday, December 3rd at 9:30 PM.

Who are "The Great Ones"? Their names constitute a roll call of distinguished Americans. In order of broadcast, they are:

Harriet Tubman, called the Moses of her people, who rescued hundreds of slaves from the ante-bellum South via the underground railroad, and was active in a Union Army capacity during the Civil War.

Dr. Charles Drew, who was the scientist who developed the process of preserving blood plasma and set up a blood-bank program in Great Britain during the Nazi Blitz and later for the American Red Cross.

Benjamin Banneker, a free man at the time of the American Revolution, who was an astronomer-mathematician, friend of Thomas Jefferson, and the man responsible for laying the plans for Washington, D.C.

George Washington Carver, botanist known for his research on the peanut and sweet potato, was an outstanding figure in chemistry, physics and education as well.

Charles Clinton Spaulding, one of the nation's successful businessmen, who began without local train fare in the South and formed one of the largest insurance companies in the country.

Dr. Daniel Hale Williams was the father of open-heart surgery; he performed the first such operation on a patient in Chicago in July, 1893.

Paul Lawrence Dunbar was an American poet whom William Dean Howells, 19th Century arbiter of American literary taste, acclaimed a genius.

W. C. Handy, the composer of "St. Louis Blues" and "Memphis Blues," the latter written for Boss Crump of Tennessee politics, who left his indelible mark on American popular music.

Jan Ernst Matzeliger, who was the self-taught inventor of Lynn, Massachusetts, and who devised the mass-production shoe machinery now employed in every shoe factory in the U.S.

Frederick Douglass, an ex-slave, who was the orator, publisher and abolitionist whose fight for emancipation led to the use of Negro Union troops, including his two sons, in the Civil War.

Famous Negroes of stage and screen portray these towering figures of history in "The Great Ones." William Kaland directed and produced. John Hope Franklin, Head of the History Department at the University of Chicago, is consultant.

LINCOLN AND LEE

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GOODLING. Mr. Speaker, the Lincoln Speech memorial in the Gettysburg National Cemetery was formally dedicated on November 19, and some 55 years after it had been erected near the western gates of the cemetery.

On that day and in honor of that occasion, an inspiring address on Abraham Lincoln and Robert E. Lee was delivered at a Lincoln Fellowship Luncheon in Gettysburg, having been presented by Prof. Bell I. Wiley, of Emory University, Atlanta, Ga. Because this address contains some important and interesting references on two of America's great men, I insert Professor Wiley's address in the RECORD at this point:

LINCOLN AND LEE

On 19 January 1807, at Stratford Hall, Virginia, a son was born to Henry and Ann Carter Lee. The mother named the infant Robert Edward after her two brothers. The thirty-seven-year-old Ann, naturally frail and not fully recovered from bearing four older children, had not wanted another baby. But Robert Edward Lee, dark-eyed, handsome, healthy, and amiable, soon won a favoured place in the family circle.

Two years and twenty-four days after the birth of Robert Lee—12 February 1809—Abraham Lincoln first saw the light of day in a Kentucky log cabin. There is no record of how Lincoln looked at birth. Judging from his appearance in later years, probably he was not handsome, but as the second child and first son of Thomas and Nancy Hanks Lincoln his arrival must have brought happiness to his parents.

Lincoln and Lee, one born in Virginia and the other in a state carved from the Old Dominion, lived and died in the same era. Apparently they never met, but their destinies were closely intertwined and each played a conspicuous role in the great American conflict of a century ago.

The Civil War of 1861–5, as many people have observed, was America's greatest tragedy. The enormity of the tragedy is attested by the fact that more American service men died in that conflict than in all other American wars combined, from the Colonial Revolt to the Korean War.

Sometimes in the careers of nations, as in the lives of individuals, tragedy is a prologue to progress. This was true of the tragedy of the American Civil War. That conflict ended slavery. It decided that the country founded in 1776 would be one great nation rather than a loose aggregation of separate and competing entities, each claiming to be sovereign. The 'one nation, under God, indivisible' to which Americans pledge allegiance was forged on the Civil War battlefields of Lee's Virginia, Lincoln's Kentucky, and various other states of North and South.

The Civil War also gave the United States its most cherished heroes, and the most outstanding of these were Lincoln and Lee. Indeed, I think it no exaggeration to state that these admirable men were the finest products of the American Civil War. Certainly, during the four tragic years of a century ago both of them achieved outstanding and enduring fame. Lee the soldier is recognized throughout the world as one of the greatest military leaders of all time. Lincoln the statesman enjoys even greater renown. On 25 October 1961 Carl Sandburg made a speech in the Library of Congress in which he stated: "One world figure came out of the Civil War. The name of Lincoln went around the world and is now a familiar and beloved name nearly everywhere. . . . More books have been written about Lincoln than about any other character in history except Jesus Christ. Biographies of him are available in more foreign translations than any other character in American history."

Let us take a look at these two remarkable men. First, let us look at their contrasts. In background and early associations they were dissimilar. Lee was an aristocrat. His father was Henry Lee, "Light Horse Harry Lee," of Revolutionary fame, and Governor of Virginia, 1792–5. Henry Lee died when Lee was only eleven years of age. Indeed, Robert E. Lee did not see his father after he was six years old because Henry Lee went on a five-year mission to Barbados and died on the return trip. He was buried on Cumberland Island in Georgia. Lee's mother was Mary Ann Carter, the daughter of Charles Carter, of Shirley Plantation on the James River. The old-time Virginians referred to the "Cyatah" family on the "Jeems" River. One could have no greater claim to social pre-eminence among early Virginians than to be a Carter. Robert grew up to be more of a Carter than a Lee. He spent much time with his cousins at Shirley. Outstanding traits of the Carter family were geniality, devotion to family, and loyalty to community. The Carters were traditionally religious, but none was fanatical. They mixed revealed religion and *noblesse oblige* in a delightful manner. Their code stressed economy, moderation, courtesy, gentility, honour, and devotion to duty.

Lincoln's parentage, on the other hand, was humble. It is a noteworthy fact that both his father, Thomas Lincoln, and his mother, Nancy Hanks, were Virginians; but like many of their contemporaries they had crossed the Appalachians in the great westward flow of humanity that came in the wake of the Revolution. Thomas Lincoln was not nearly as worthless as some of the biographers have represented him. He was a respected, honest, amiable man. He got along well with his neighbours, but he had difficulty staying put. He was a chronic mover. Nancy Hanks was probably illegitimate, but she was an honourable, admirable woman. Thomas Lincoln could not read, and it was with the greatest difficulty that he was able to write his name. Nancy Hanks could neither read nor white. When Lincoln was seven years old, the family moved from Kentucky to Spencer County, Indiana, then a vast wilderness, where they lived first in a partially open shelter and then in a crude log cabin. In the second year in Indiana, Nancy Hanks died of what was known as "milk fever" and about a year later Thomas Lincoln stirred himself to go back to Kentucky and persuade a widow, Sarah Bush Johnston, to come to Indiana with him as his wife. This was a very fortunate thing for Abraham Lincoln because Sarah was a dynamic and resourceful woman, and a strong bond of affection developed between her and her lanky stepson. In his later years he referred to Sarah as "my angel mother."

In schooling these men were markedly different. Lee was educated by private tutors and in Alexandria Academy, near Washington. He excelled in Latin and in Mathematics. When he was eighteen he went to the United States Military Academy at West Point. He graduated from the Military Academy in 1829, second in his class and with no demerits. (Charles Mason, later a distinguished lawyer in Iowa and Washington, D.C., was the top man in the class of 1829.) Lincoln's schooling was sparse and disjointed. He went to one-teacher country schools in Kentucky and Indiana, but in his whole life he had less than a year of formal schooling. Yet his letters and his speeches reveal him to be a well-educated man. He educated himself by reading, studying, observing and reflecting. Among the books that he read as a boy were *Robinson Crusoe, Pilgrim's Progress, AEsop's Fables,* Weem's *Life of Washington,* and Grimshaw's *History of the United States.* He also pored over the *Revised Laws of Indiana,* which shows how hard up he was for reading matter. But this ponderous volume contained such important documents as the Constitution of the United States, the Declaration of Independence, and the American Bill of Rights, all of which Lincoln virtually committed to memory. Another book that he read was the Bible.

In culture and demeanour these two men also stand in notable contrast. Lee was a model of propriety, as evidenced by the fact that he went through four years at West Point without getting a demerit, and demerits were very easy to acquire at that time because the rules of the Academy prohibited the possession in the cadets' rooms of any cooking utensils, games, novels, romances, or plays. He was remarkably clean in his language and his habits. When Douglas Southall Freeman had completed the research for the monumental four-volume biography, *R. E. Lee,* he made a speech before The Southern Society in New York City. In the course of his remarks he stated that in all of the research that he had done for the biography—an investigation extending to literally thousands of books, pamphlets, and manuscripts—he had never found indication of the use by Lee at any time in his life of a single profane or obscene word or phrase. There are not many high-ranking military men in history about whom such a statement could be made. Indeed, why pick on the army? There have not been many men in any vocation or profession about whom such a statement could be made. Lee was a devout Episcopalian, and he attended church services whenever circumstances would permit.

Lee liked women, especially if they were pretty. He preferred the companionship of attractive women to that of men—which I think reflects favourably on his judgment. On 7 December 1862 he wrote to his wife: 'Thank Miss Norvell for her nice cake, but tell her I prefer kisses to cake.' He was teasing, of course, because he was absolutely faithful to his wife.

But Lee was no prig. Joseph E. Johnston, a classmate of Lee's at West Point, wrote in later years: 'He was full of sympathy and kindness, genial, fond of gay conversation and even of fun. . . . No other youth or man so united the qualities that win warm friendship and command high respect.' Lee drank only moderately, and then strictly for his health. Some biographers claim that Lee never drank at all, but several years ago in reading the Lee family letters, then in the Library of Congress, I came across a note of General Lee to his wife, dated 29 May 1864, in which he stated: 'I have not been very sick. . . . Do not send any of the whisky. Some kind gentleman has sent me some brandy which I am using.' It is inconceivable that if Lee never drank whisky he would tell Mrs. Lee not to send him any of that beverage. And in the Richmond City directory for 1869 I found this advertisement: 'Steven Mason's—Gen. Robert E. Lee's brand of pure malted rye whisky put up expressly for family use.' Since Lee was still alive at this time, it seems unlikely that the advertiser would have dared represent the brand thus without Lee's consent.

Lincoln was a product of the frontier. Apparently he never drank; but his language was sometimes unpolished, and he developed a fondness for crude stories. After he became President he sometimes shocked people like Gideon Welles, who wore a funny little cap, had a beard, looked like a patriarch, and to whom Lincoln humorously referred as "Father Welles", with his frontier anecdotes. Sometimes he also annoyed Edwin Stanton and the Puritanic Salmon Chase with his raw humour. In his schoolboy copybooks appeared these verses:

> "Abraham Lincoln, his hand and pen.
> He will be good, but God knows when.
> Hail Columbia, happy land.
> If she ain't broke, well I'll be damned."

Lincoln never joined a church, but he was deeply religious. His wartime letters and speeches indicate that in the toils, the burdens, and the anxieties that he bore as President of a divided nation he experienced a genuine spiritual deepening. His wife said of him: "He never joined the church, but still he was a religious man. But it was a kind of poetry in his nature, and he never was a technical Christian."

In their relations with their associates there were also marked differences between these two men. Few men outside of Lee's family and close circle of friends were ever intimate with him. Dignity and abstemiousness tended to preclude intimate associations; but his was a benevolent nature and his generosity, his courtesy, and his graciousness commanded the respect and the admiration of all who knew him. Lincoln was thoroughly approachable, easy, informal, genial, sympathetic. One of his greatest attributes as President was his ability to identify himself and the cause that he led with the interests and aspirations of the great masses of the people, both at home and abroad. He instilled in the common folk a feeling of closeness to him. He never forgot that his own origins were lowly, and in his manner and outlook he always remained one with the people from whom he sprang. The common soldiers on the Union side frequently referred to him in their letters as "Uncle Abe", "Father Abraham", and "Old Abe". These were not terms of disparagement but rather of genuine affection born of a kinship of interests and ideals.

In their administrative methods the Virginian and the frontiersman were also very different. Lee was a model of orderliness and precision. Lincoln on the other hand was informal, easy-going, and unsystematic in his administrative procedures. His law office in Springfield was a shambles; books were piled all around on the floor. His desk was stacked high with papers, a fact which affords me considerable comfort. One large, tightly packed envelope bore the note: "When you can't find *it* any where else, look into this." He stuffed letters and papers in the crown of his stovepipe hat, so that he could consult them on his travels. Once when he bought a new hat "the contents of the discarded headpiece were lost." One historian is unfair, I think, when he characterizes Lincoln as "an amiable bungler," but there can be no doubt that the President's conduct of his office had a certain loose-jointed quality which violated the best principles of administration.

The contrast between Lincoln's and Lee's administrative practices and human relationships was due in part to differences in personality and temperament.

Lee was consistently poised, emotionally stable, and self-confident. He seemed always to be in complete control of himself and his surroundings.

Lincoln, on the other hand, was subject to great depression, extending sometimes over several days. During these periods he was so despondent as to be incapable of performing his work effectively.

Dr. Edward J. Kempf, a distinguished psychiatrist of many years' practice, in 1965 published a three-volume study entitled *Abraham Lincoln's Philosophy of Common Sense.* Dr. Kempf attributes the severe melancholia to a brain injury received when Lincoln at the age of nine was kicked in the forehead by a horse and rendered unconscious for a whole night. This accident impaired the victim's vision and voice and led to recurrent eyestrain and headache. According to Dr. Kempf, Lincoln sought in various ways to compensate for the injury. For example, to offset the mal-focusing of his left eye he adopted the practice of lying on his back when reading; and to combat excessive gloom he told humorous stories. More important, because he found that emotional stress of any kind tended to aggravate discomfort and nervousness, he practised patience, restraint, deliberation, and common sense in dealing with the problems and responsibilities of life. Another influence helping to shape Lincoln's personality, in the opinion of Dr. Kempf, was sensitiveness to his mother's illegitimacy. A part of the adjustment-compensation process to which Lincoln resorted was an earnest effort to be compassionate and just in dealing with the humble and oppressed and to achieve high standing among his fellows. I am not competent to assess the validity of Dr. Kempf's conclusions, but his study is an interesting example of the trend in recent years to gain new insights into history by utilizing the skills and techniques of other disciplines. Certainly, serious historians should not lightly cast aside this experienced psychiatrist's careful analysis of Lincoln the man and the statesman.

It is perhaps in their loyalties that these two men stand in greatest contrast. Lincoln, a product of the frontier, appreciated the benefits and blessings of the Union. He realized the need of national authority and national means for building roads, canals, railroads, opening up the West, and providing schools, homesteads, and protection from the Indians. Growing up in this atmosphere he developed a deep attachment and loyalty to the nation.

Lee, on the other hand, was the product of a locality and an authority that was two-and-a-half centuries older than the Union. His first loyalty was to Virginia. As the intersectional crisis approached in 1860–1, he condemned the extremists, north and south, who were threatening the permanency of the Union. But when the break came and he had to choose between Virginia and the nation, he chose Virginia. Douglas S. Freeman states that this was the choice he was born to make. There can be no doubt of Lee's sincerity. As Americans of our times ponder the events that led to secession and war, cognizance should be taken of the fact that a man as sincere, as admirable, as unselfish, and as honorable as Lee could prefer the state—his state—above the nation. It is not fair to judge Lee on the basis of twentieth-century ideas concerning the Union, for his ideas about the relative position of the nation and the states—ideas deriving largely from his background, experiences, and associations—were quite different from those of present-day Americans, reared in an intellectual atmosphere vastly different from that of a hundred years ago.

Now, let us turn to the similarities between Lincoln and Lee; these far outweigh the differences. They were very similar in goodness and in character. Lee had seven children—three sons and four daughters. The sons were Custis; William Henry Fitzhugh, known as 'Rooney' to distinguish him from his cousin, Fitzhugh Lee; and Bob, the youngest. The four daughters were Mary, Agnes, Annie, and Mildred. It is interesting that none of the daughters married. Interesting, too, is the fact that Custis and 'Rooney' both became major-generals in the Confederate Army, as did their cousin, Fitzhugh. Lee's relations with his children were marked by much tenderness and affection. Before the war, when the girls were little, Lee liked to come home in the afternoon, remove his military boots, take a comfortable position in a soft chair, put his feet on an ottoman, and have his young young daughters tickle his feet while he told them stories. He was a gifted raconteur, and sometimes the little girls would become so absorbed in the story that they would forget to tickle. Then the father would look up and with a smile on his face say, 'No tickle—no story'; whereupon, they would resume the tickling, and he would resume the story.

Lincoln had four children, all boys. Eddie, the second son, born in 1844, died in 1850. When the war came, Robert was eighteen; Willie, eleven; and Tad, eight. Lincoln was devoted to his boys. Once during the war when Tad and Willie were playing soldiers with a doll whom they named Jack, they decided that Jack had been guilty of the terrible offence of going to sleep on picket. They held a quick court martial and sentenced him to be shot. They were about to carry out the execution in their play when the White House gardener suggested that the President might pardon the offender. Lincoln fell in readily with the scheme and sent a note on White House stationery, stating: "The doll Jack is pardoned, by order of the President, A. Lincoln."

Both Lincoln and Lee lost a child during the war. Agnes Lee died in 1862 at twenty-three. Lee's letters reveal what a great tragedy this was in his life. Willie Lincoln died the same year. He was Lincoln's favourite son, the light of his life. Relationships between the two were very close. Just after the boy died Lincoln came down the stairs in the White House to his secretary's office and chokingly said: "Well, Nicolay, my boy is gone—he is actually gone." Then the President burst into tears, went into his office, shut the door, and remained for a while in seclusion.

Both men loved animals. During Lincoln's Presidency the White House was a menagerie of kittens, goats, and rabbits, and in the yard there were ponies. The family dog sometimes sat in the President's lap at mealtimes, and Lincoln fondled the animal while he ate. Lee loved cats. On 29 June 1861, after the Federals had driven the Lees from the family home at Arlington, Lee wrote to his wife: "I saw a beautiful cat the other evening that reminded me of Tom. The latter no doubt lords it in a high manner over the British at Arlington. He will have some strange things to tell when you next see him." (An interesting characteristic of Lee was that he rarely referred to his opponents as the Federals or the Yankees. He called them "those people", but in his letter to Mary he characterized them as "the British", which I suppose he meant to be a compliment.)

Both were good husbands. Lee was the soul of tenderness in dealing with his wife, Mary, who during the war and afterwards was severely afflicted with arthritis. He consulted her on important decisions concerning his career and family. He wrote to her frequently, even during the most strenuous campaigns of the war, and his letters fairly glowed with affection. On a dark November day in 1864 he wrote from a camp near Petersburg to his youngest daughter, Mildred (he sometimes addressed her as "My dearest Life"); "Give a great deal of love to dear, dear Mother and kiss your sisters for me. Tell them they must keep well, not talk too much and go to bed early." Recall the circumstances: Mrs. Lee was ill; Lee himself was already showing indications of the heart malady that five years after the war was to take his life; his soldiers were ragged and hungry, deserting by the scores because of the troubled letters that they were receiving from their families, telling of great suffering at home. The mantle of defeat was settling over the beleaguered Confederacy. Yet in this dismal situation Lee could write to his daughters: "Keep well, don't talk too much, and go to bed early."

Lincoln's relations with his Mary were not always smooth. Mrs. Lincoln was nervous and high-strung, and she sometimes lashed out at him. The war was a difficult period in her life. But these outbursts were not always without provocation. Lincoln was absent-minded, neglectful of small attentions, and careless of home furnishings and routine. A product of the frontier, he never became completely housebroken. One Sunday he was pulling his two little boys along in a wagon. His mind was absorbed in matters far, far removed. A neighbour came up to him and nudged him. Lincoln looked around, and saw that one of the children had fallen out of the wagon. If Mrs. Lincoln had happened to be looking out of the window we can understand that she might have been a little upset. Despite the differences between Mary Todd and Abraham Lincoln, she made him an excellent wife. She came from a cultured background—she was of the Todd family of Lexington, Kentucky. Lincoln and his Mary complemented each other in a splendid way. She was able to polish some of the rough edges that remained from his frontier upbringing and prepare him for polite society. In dealing with his tense and anxious spouse, Lincoln was gentle, patient, and sympathetic. There can be no doubt that he and his Mary had a very deep affection for each other and that theirs was a good marriage.

Lincoln and Lee were both generous and tolerant. They did not utterly condemn people who failed to come up to their own high standards and attainments. During the war a report came to General Lee that his good friend, a former Governor of Virginia, General Henry A. Wise, had cursed an intruder out of camp. Lee called Wise to his tent and began to reprove him for this unseemly conduct and violation of army regulations. Wise, who was of the very few men who dared speak his full mind to General Lee, interrupted and said: 'General Lee . . . your whole life is a constant reproach to me. Now I am perfectly willing that Jackson and yourself shall do the praying for the whole army . . . but in heaven's name let me do the cussin' for one small brigade.' Lee smiled and said: 'General Wise, you are incorrigible', and let the matter drop.

Neither Lincoln nor Lee was the sort of person to harbour enmities. In 1863 one of Lincoln's young friends, J. Madison Cutts, became involved in a serious controversy. Lincoln wrote to him: 'Quarrel not at all. No man resolved to make the most of himself can spare time for personal contention.' What better advice could be given to a young man! Very rarely does a person benefit from ill-tempered controversy. On one occasion Lincoln wrote to a military governor: 'I shall do nothing through malice. What I deal with is too vast for malice.' In dealing generously with his enemies, and refusing to fight back at his critics, Lincoln achieved one of his most impressive claims to greatness.

After the war a faculty member at Washington College (later Washington and Lee) spoke disparagingly of General Grant in the hearing of Robert E. Lee, then the president of the institution. Lee immediately said: 'Sir, if you presume ever again to speak disrespectfully of General Grant in my presence, either you or I will sever his relations with this institution.' And he meant it.

Both Lincoln and Lee were scrupulously honest. In the debunking period of historiography when it was the fashion 'to push the patriots from their pedestals', to substitute sneers for cheers, and to play up bum and strumpet while soft-pedalling drum and trumpet, no biographer was able to attribute peculation, fraud, or any other form of dishonesty to either of these great characters.

Lincoln and Lee were both abundantly endowed with tact. Lee was able always to get along with the rampant individuals that the plantation system tended to nurture, the hypersensitive *prima donnas* who held high place in the Confederacy, among them Jefferson Davis, Joseph E. Johnston, and Pierre Gustave Toutant Beauregard. He maintained harmonious relations with the Confederate Cabinet and Congress. Lee quarreled not at all.

Lincoln was able to get along with and use for the cause of the Union the talents of people who were personally distasteful to him—people who were opinionated and who thought that they were better qualified to head the nation than he. One of these was William H. Seward, the Secretary of State, who on 1 April 1861 wrote Lincoln a letter which the late Professor James G. Randall called "Seward's Fools' Day Aberration". In this letter Seward said in effect: "I know you are not very well qualified to run the country, Mr. President. I am a man of much experience. I am able and willing to bear this responsibility." Seward went on to suggest for himself something approximating the position of prime minister. But Lincoln overlooked Seward's incredible presumption and kept him on in the Cabinet because he felt that he was the man best fitted for the position of Secretary of State. Lincoln got along with Salmon P. Chase. Chase was an egotistical, self-righteous man. He was exceedingly ambitious, and he worked behind Lincoln's back in a cunning, deceitful way to try to obtain the Presidency. Lincoln thought Chase was the man best qualified to be Secretary of Treasury, and he put up with him, though watching him, until the summer of 1864, when he finally had to let him go. But instead of being vengeful or spiteful, he appointed Chase Chief Justice of the Supreme Court. Lincoln got along with Edwin M. Stanton, who also was very difficult; but when Lincoln was forced to get rid of Simon Cameron, the bungling, incompetent Secretary of War, he felt that he should appoint as successor the person best qualified for the position; and on that basis he chose Stanton, even though this man had once snubbed him in a lawsuit.

Neither Lincoln nor Lee personalized opposition, a fatal mistake for anyone in high administrative position, because genius and ability sometimes come wrapped in strange and unattractive packages.

Another similarity between these two men was their devotion to duty. Duty, particularly to the Union, was an obsession with Lincoln during his critical days in the White House. Many times late at night he walked the floor in his carpet slippers pondering the problems of the imperilled nation. And he walked alone, bearing on his stooped shoulders the enormous burdens of the world's most difficult position.

Duty was the guiding rule of Lee's life. On one occasion he stated: "There is a true glory and a true honor, the glory of duty done and the honor of integrity of principle."

Both demonstrated exceptional capacity for growth, and this is one of the most critical factors in greatness. At the beginning of the war Lee had the reputation of being a model officer, but he had never led troops in combat. As a staff officer in the Mexican War he had acquitted himself gallantly, but he did not command troops. In peacetime, the largest unit that he had led was a regiment. In his first campaign of the Civil War, in western Virginia, he made a poor showing; and his direction of the Seven Days Battle, when he was first in command of the Army of Northern Virginia, left much to be desired. But Lee grew rapidly as an army commander, and he profited enormously by his mistakes. By the end of 1862 he had established a solid reputation, and before the end came at Appomattox he made a record that places him among the greatest military leaders of all time. Some of the most impressive testimonials to his exceptional stature are by Britishers. Colonel G. F. R. Henderson rated Lee as "one of the greatest, if not the greatest, soldier who ever spoke the English tongue". Cyril Falls states: "Lee alone in a century of warfare deserves to be ranked with Hannibal and Napoleon." Sir Winston Churchill, in his *History of the English Speaking People*, calls Lee "one of the greatest captains known to the annals of war."

Lincoln was hardly more than an ordinary politician at the beginning of the war, but under the trials and responsibilities of the Presidency he grew tremendously. And in the face of enormous obstacles he achieved a stature so awesome that many people regard him as the greatest of all Americans.

Finally, these men were both leaders of enduring influence. Lincoln's reputation increases with the passing of time. Throughout the world today he stands as the personification of American democratic idealism and a symbol of hope for the oppressed, even behind the Iron Curtain. Lee's finest hour came after Appomattox. To General Beauregard he wrote late in 1865: "I am glad to see no indication in your letter of an intention to leave the country. I think the South requires the aid of her sons now more than at any period of her history. I have no thought of abandoning her unless compelled to do so." To General Jubal Early and other comrades who fled the country to escape Yankee rule he wrote in effect: "Come back to the South. Here is where you are needed. Use your labor and your influence to make of your native region a happy and a prosperous land." Lee set an example for those to whom he gave this advice. With considerable hesitation, deriving from his modesty, he accepted the presidency of a struggling little college at Lexington, Virginia, at a salary of $1,500 a year; and he devoted his remaining five years to the task of preparing young Virginians to become useful citizens of a reunited country. Lee, the champion of the Old South, became the first citizen of the New South; and Lee the Virginian became Lee the American.

I am often asked the question, especially when I point out the shortcomings of Jefferson Davis as Confederate President, who would have made a better President? Invariably, and without any equivocation, I say "Robert E. Lee", because there was no man in high position, either among the military or in civilian life, who demonstrated as much of true greatness or statesmanship as did Lee. It was a good thing for the future of the American Nation that Lee was not the chief executive of the Confederate States of America, and it was fortunate for the Union that it had as its chief a man with the personality, the vision, and the greatness of Abraham Lincoln—a people's President in a people's war. Lincoln and the people, bound to each other by ties of mutual affection and respect, were an unbeatable combination.

SCANDAL IN THE AID?

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. Burton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. BURTON of Utah. Mr. Speaker, the gentleman from Iowa [Mr. Gross] has again rendered a significant service in behalf of the sorely abused taxpayer by bringing to light what appears to be a scandal of major proportions involving the Agency for International Development. Several times within the past few weeks, the gentleman has taken to the well of the House to enlighten Members with respect to an incredible $4 million loan agreement by AID to interests in India, the money to be used to purchase worn equipment from Napco Industries of Minneapolis. As it now appears, the loan was engineered principally to rescue Napco, a small and ailing company, and only secondarily to aid the economy of India. The machinery which Napco sold to the Indians is reportedly mostly junk and has little value. In the meantime, Napco is $4 million richer and has gotten rid of some junk machinery for which it had little use anyway. This is a hell of a way to run a foreign aid program. For my part I am grateful to the gentleman from Iowa for bringing this matter to the attention of the House but I regret very much that the news he bears is of such a sad and sorry character.

The Washington Post in its Saturday, November 25 edition carried a front page story laying bare some of the bones of the AID-Napco deal. The Post article suggests that some high-level political arm twisting took place to get the loan approved. It tells of departures from established AID policy in granting the loan. It tells of considerable lack of oversight and general ineptitude on the part of AID officials. In short, it uncovers further what has all the appearances of a really rotten deal—and it should be thoroughly investigated, not just by somebody in the executive branch, but by the Congress itself. The newsstory appears elsewhere in today's Record and was inserted under the auspices of the gentleman from Missouri [Mr. Hall].

The people who foot the bills for AID's operations are entitled to know why this deal was consummated, who was responsible for it—both within the agency itself and outside of it, and whether any of the $4 million, as a practical matter, is recoverable. These and many other questions should be asked, and the full answers submitted by the people who are in a position to know them. I believe the appropriate committee or committees of the House should make a full-scale inquiry into this matter at the earliest time and strongly recommend that such a course of action be followed. Four million dollars for a load of junk to India, indeed.

PROTECTIONISM IN THE UNITED STATES

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. TALCOTT. Mr. Speaker, a great hue and cry has been raised about the growing sense of "protectionism" in the United States, particularly, relating to the agriculture industry.

The "free traders," "one-worlders" and "internationalists first" should pay some attention to how the other countries behave as well as they orate.

Since the GATT negotiations, the European Common Market nations have raised their tariffs on chicken and turkey parts from the United States.

The foreign countries are experienced enough and wise enough to protect their own industries and, particularly, their domestic food supply which they have learned from actual sad experience is basic and absolutely essential to the existence of any nation.

Meat production is an industry which is essential to our Nation. The cattle industry cannot be permitted to be phased out in the United States. U.S. consumers cannot be compelled to rely upon foreign producers for their meat supplies. The meat industry, once closed down, cannot be revived in a few months in case of international emergency or foreign disaster. Other countries protect their meat producing industries.

I herewith insert pertinent portions of a poignant column carried in the San Francisco Chronicle of November 15, 1967. The story involved "international society," but it dramatically discloses the attitude of foreign countries regarding their own meat industry.

Irish Hunt Goes Mexican

(By Gwenn Graham)

Highlight of the Irish Hunting Tour was the Saturday night dinner hosted by the Richard Collinses for Masters of the various Hunts with whom the Pebble Beach group is hunting during the fortnight they are in Ireland, and their wives.

Marguerite decided on a Mexican theme for the affair, since most of the honored guests will be traveling to Mexico for the Olympic Games next year, some of them riding on the Irish Three-Day Team. It is hoped that they will not only attend the Olympics, but will stop at Pebble Beach for a visit where they are certain to receive a warm welcome from those visiting in their country now.

The staff at the Dunraven Arms Hotel joined in the preparations with great delight. They have no doubt never seen such a production. Crepe paper streamers in bright colors were stretched from the crystal chandeliers in the entrance hall to the walls. Huge paper bows in Mexican colors decorated the hallways, and gaily colored Mexican posters were on the doors.

Large vari-colored papers balls hung in clusters from the chandeliers in the dining room, where the tables were covered with red and white checked cloths and decorated with large paper mache pinatas (burros) in a variety of colors.

Each male guest had a large straw sombrero hanging from the back of his chair, and the Irish ladies had blue bandanas (the red ones never arrived, though shipped weeks before). Arrangements of large colorful Mexican paper flowers were everywhere.

All these things Marguerite Collins started gathering and shipping as early as June, including ingredients for the menu. However that's where she really ran into trouble. She shipped canned tamales, whole kernel corn, fritos, etc.—all the makings for a tamale pie, but she soon was informed that the tamales could not be accepted in Ireland since they contained meat.

Although she explained that the shipment was not to be sold, she was firmly turned down and was told that she could send them to a friend in England or have them returned to America.

She chose to have them sent to Patsy (Mrs. Peter) Hately in London, but somehow they went to the wrong address on the right street and were not actually delivered until much later.

Marguerite was determined to serve the Mexican dishes anyway, so she shipped, via air mail, corn meal, and dehydrated chile powder, and carried eight cans of tomato sauce in her luggage. Since the Irish chef at the hotel had never even heard of tamale pie or chile con carne, Mrs. Collins and Marie Wemmer Davies spent the afternoon (the morning was turned over to decorating) in the kitchen preparing the meal, which also included broiled chicken and a green bean salad. All the while they had a fascinated staff looking on and helping them when they could. Dessert was a chocolate cake brought by Mrs. Hans Urban from Vienna.

There you have it. Ireland, the third largest exporter of meat into the United States, would not even permit a minuscule amount of meat to be imported for a special private party.

If our Federal Government would only be equally concerned about our meat producers and meat consumers.

LAFAYETTE, WE HAVE HAD IT

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the irresponsible talk still echoing from President Charles de Gaulle's news conference in Paris yesterday marks the beginning of the end for the aged general. The free world cannot in good conscience long put up with such rash and despotic statements.

De Gaulle's utter arrogance in calling for a "free Quebec," ordering Britain to overhaul its entire economy, and urging a return to the gold standard, are the marks of a bumbling, power-hungry ingrate. His prediction that the American dollar may well go the way of the British pound—and the thinly concealed efforts that make the wish the father to the thought—puts him in the position of biting the hand that has fed France.

France, at De Gaulle's direction, has been hoarding gold until it now has the second largest stockpile of that precious metal in the free world. Perhaps the time has come to advise Americans not to spend U.S. dollars in De Gaulle's France and thus add to that stockpile. Perhaps, too, he should be advised to put some of that gold back in circulation by repaying the $6.8 billion France owes the United States today.

That debt, including interest, dates back to the time when the United States went to the rescue of La Belle France in World War I. Mr. De Gaulle should pay up or shut up.

Lafayette, we have had it.

HELP WANTED: AMERICA'S GROWING PROBLEM

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GROVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GROVER. Mr. Speaker, the House of Representatives is fortunate to have in its ranks a number of Members skilled and knowledgeable in the field of economics. Outstanding among them is Hon. THOMAS B. CURTIS, to whom so many of us look for advice and guidance.

The following article from the December edition of Social Service Outlook by our well informed and forward-looking colleagues should be of interest to all Members concerned with our unemployment and manpower problems.

Help Wanted! America's Growing Problem

(By Congressman THOMAS B. CURTIS)

"It is a truism, but often overlooked, that successful economic policy depends directly on the timeliness and reliability of our economic statistics and forecasts." This statement by my able colleague on the Joint Economic Committee, Senator William Proxmire, appropriately sets the stage for my discussion of a project which has been dear to the hearts of many of us on the Joint Economic Committee for a number of years—the need for a systematic compilation of job-vacancy statistics.

The problem is a seemingly simple one and just as seemingly uncontroversial. After all, the Federal Government has, particularly since Depression days, demonstrated a deep concern with problems of unemployment. Many federal programs have been initiated to combat unemployment—programs ranging from increased federal domestic spending designed to increase aggregate demand in the economy, thereby creating new jobs, to job retraining and vocational education programs, to tax reforms to improve labor mobility through job relocation.

In the area of labor statistics, numerous types of statistics concerning unemployment are gathered by the Bureau of Labor Statistics—statistics ranging from the number of non-agricultural unemployed generally to indexes of aggregate weekly man-hours in industrial and construction activities.

In light of these unemployment relief programs and these numerous unemployment statistics programs, it seems anomalous that the other side of the coin has not been developed, that is, it is strange that there is no comprehensive statistics program designed to compile job *vacancies*.

The need for such statistics is quite obvious. Factual data is always necessary to reach an informed judgment. The validity of any judgment, given a sound reasoning process, varies with the validity of the facts used as the basis for such judgment.

"STRUCTURAL" AND "CYCLICAL" UNEMPLOYMENT

I see these numerous statistics as indispensable aids in the ultimate determination as to the shape and extent of our manpower programs. For example, unemployment generally is viewed as resulting from two broad causes. One cause is called "structural," the other "cyclical." In the "structural" category falls unemployment caused by a lack in training and skills and "transitional" unemployment, people in the process of changing to a different job, and, I would add, institutional and social reasons such as afflict many Negro citizens in our society. "Cyclical" unemployment is related to the business cycles of growth and recession. This type of unemployment, according to the theorists, results from a "deficiency in aggregate demand" wherein the national economy in general is not operating at "full capacity" and, in theory, the economy is simply not creating as many jobs as it is capable of. Whether this is a valid explanation for cyclical unemployment or whether business cycles recur for multifold reasons, of which aggregate demand is merely one major factor, it is true that during periods of economic upturn it is easier to treat the problems of structural unemployment and, conversely, during periods of economic downturns, it is more difficult.

Quite obviously, the two categories are not entirely separable. Nevertheless, general conclusions can and must be drawn concerning the causes of unemployment since proper solutions to the two causes differ greatly and an improper attempt at a legislative solution can work at cross-purpose to the goal of reducing unemployment. If, for example, the general unemployment rate is 6 percent and national industrial plant usage is at a figure much lower than capacity, there is a possibility that there is a deficiency in demand in the national economy (aside from questions of structural unemployment). An increase of the Federal Government purchases of needed goods and services in the market place during such times is good economics, both for itself and the slack national economy. However, if unemployment is down to perhaps a 3 percent level, increasing federal purchasing programs might overheat an already warm economy and result in inflation, since demand for employes might exceed the supply of employables. At such a point, programs geared to converting unemployables to employables (structural unemployment programs) are the much more effective programs. This is not to suggest that these two types of unemployment programs must compete with each other or that when programs which stimulate demand are pursued that structural unemployment programs must be de-emphasized. Realistically, such programs should work together harmoniously in eliminating both causes of unemployment simultaneously. The impression that the two types of programs must compete with each other arises from the fact that economists and legislators carry on a continuing dialogue concerning the causes of unemployment and the best means of solving the problems. Some theorists emphasize one approach, others emphasize other approaches. Very few will suggest, however, that either approach is an exclusive panacea. On the other hand, most will agree that, while there is an ever-present need for programs to attack structural unemployment (such as job retraining to upgrade generally the skills of the labor force to meet the ever-increasing need for technical skills), the need for demand stimulation through federal spending comes and goes with fluctuations in the economy.

The problem is sophisticated, the theories are not simple, and the need for an ever-watchful eye on the economy is great.

I say all this in re-emphasizing my view that, in light of the complexity of the problem, in light of the numerous sets of unemployment statistics, in light of the number of programs and amount of money spent to relieve unemployment, it seems to me anomalous that there is no comprehensive program designed to compile statistics on the number and type of job vacancies available in the economy.

RECOMMENDATIONS FOR JOB-VACANCY REPORTING

Realizing this pressing need, the Subcommittee on Economic Statistics of the Joint Economic Committee, after hearings in 1966, unanimously recommended that the Department of Labor promply proceed to carry out the mandate embodied in the Manpower Development and Training Act of 1962 to establish a statistical series of jobs available on a comprehensive basis. In 1962, the President's Committee to Appraise Employment and Unemployment (the Gordon Committee) wrote:

"The Committee has been impressed by the widespread interest in statistical series on unfilled jobs. The present lack of such data constitutes one of the more conspicuous gaps in our labor-force information."

Also in response to the need for job-vacancy statistics, the National Industrial Conference Board, in its 1967 report, *Measuring Job Vacancies*, stated:

"The absence of a national statistical program on job vacancies as a counterpart to existing measures of unemployment constitutes a serious informational gap. The need for these data has become acute as manpower programs, an essential weapon in the war against poverty, have come to engage an ever-larger fraction of public attention and resources."

The hearings held by the Subcommittee on Economic Statistics reached some general conclusions concerning the usefulness of job-vacancy statistics. Generally, the usefulness of such statistics has been seen in the probability that such statistics would raise the efficiency of the nation's manpower programs and of the labor market in general. Usefulness in job counseling as well as manpower training and development programs was seen as another benefit. Also the Committee believed that such statistics would help to match employers' need for workers with unemployed or underemployed workers.

Aside from need, questions of feasibility and cost were considered by the Subcommittee.

As to the question of cost, the Subcommittee recommended, on the advice of the Department of Labor, an initial expenditure of $2.5 million. The Subcommittee stated:

"If the $2.5 million program led to slightly more efficient use of the several billions of dollars appropriated to manpower development, the investment for data would pay handsomely. If it enabled unemployed or underemployed workers to find productive jobs, the investment would pay a private dividend in the form of additional tax dollars and lower welfare payments; and it would pay dividends in terms of greater national output. Job-vacancy information along with manpower retraining, can help to break the bonds of isolation afflicting low income persons in urban ghettos, areas of chronic high unemployment, and subsistence agriculture."

It is my own estimate that an investment of $2.5 million a year in this program would produce returns a thousand-fold, namely an increase of $2.5 billion in the Gross National Product resulting from more efficient training programs based on a factual knowledge of what jobs are and would be available, a diminution of both unemployment and of the growth lag resulting from jobs available remaining unfilled.

Concerning the question of the feasibility of a national job-vacancy statistics program, the subcommittee reviewed the findings of a number of pilot studies and concluded that such a program is "feasible; the cooperation of the employers excellent; and the technical problems of vacancy definition and sampling can be coped with effectively." The National Industrial Conference Board also concluded that such a program is feasible, stating:

"It is feasible (and meaningful) to measure job vacancies on a *voluntary* basis. The qualifications regarding voluntary submission of the data is important. By providing the information on this basis employers demonstrate that the appropriate data can be obtained without resort to compulsory registration of job openings with the offices of the U.S. Employment Service."

The report proceeds to conclude that the fact that such a program is feasible on a voluntary basis renders unwarranted the fears of some who felt that a program of compulsory registration might lead to serious encroachment on employers' freedom to choose their employes.

I believe it is fair again to conclude, as was concluded in the enactment of the Manpower Development and Training Act of 1962, that: (1) there is a definite and pressing need for a comprehensive national program to gather and publish job-vacancy statistics; (2) such a program is economical in terms of cost-benefits; and (3) such a program is technically feasible.

LABOR OPPOSES THE PROGRAM

But the requirement set forth in the Act has been ignored, as well as the specific proposal by the Subcommittee on Economic Statistics for $2.5 million to fund such a program. The AFL–CIO national leadership has consistenly taken a strong stand in opposition to the collection of job-vacancy statistics. It has been labor's opposition year after year which has proven to be the stumbling block within the subcommittee of the House Appropriations Committee charged with considering requests for funds for this program.

Since congressional appropriations have not been forthcoming, a comprehensive job-vacancy program has been postponed. During hearings before the Joint Economic Committee, Secretary of Labor Willard Wirtz indicated that some information is available through the Bureau of Labor Statistics concerning the "job shortage situation." However, these are only "pilot" studies conducted in only a limited number of cities (16 cities in 1965, 14 in 1966, and 12 in 1967), and there is no publication that embodies even these surveys. The need still exists, therefore, for a truly comprehensive job-vacancy statistics program.

Apparently the opposition from organized labor stems from a belief that such statistics would distract from attention paid to the problems of unemployment. They argue that the statistics would be misused and that the number of job openings would simply be subtracted from the number of unemployed in an effort to gauge the true extent of the unemployment problem. Hidden in the background, however, is the fundamental belief of labor economists in the "aggregate demand" theory of unemployment. They advocate higher Federal Government spending as the primary approach to eliminate unemployment, rather than structural and institutional approaches. They fear that economists of the "structural school" will use job-vacancy statistics to reinforce the structural argument, and perhaps they fear that training and retraining and institutional reforms in civil rights and race relations will really solve the unemployment problem, leaving them with little ammunition to pressure for increased federal spending programs.

The possible misuse of job-vacancy statistics in the manner they fear evidences a very low estimation of the abilities of the economists and the legislators who formulate our national labor policy. Also, the fear the job-vacancy statistics might give the "structural school" more debating ammunition is unhealthy. Job-vacancy statistics are facts. If the revealed facts bear out the contentions of the "structural school," then our unemployment-relief programs should be geared toward these findings. If the labor economists are truly convinced that the causes of unemployment stem largely from a deficiency in aggregate demand, then they should be unafraid that the facts might indicate otherwise.

However, if the labor leaders are incorrect in their basic assumption that the causes of unemployment stem from a deficiency in aggregate demand, then persistent promotion of this theory will do positive harm. If unemployment is "structural," which I believe is in fact the type that we are now experiencing, then increased federal expenditure programs designed to stimulate demand will not reduce unemployment but will produce inflation. Inflation, of course, is brutal to everyone—most particularly to the low-income groups.

Another objection to job-vacancy statistics comes from some craft union leaders who contend that job-vacancy statistics will be used to pressure them into expanding their apprenticeship programs, especially if they reveal shortages of skilled workers. They say this might result in a surplus of craftsmen, weakening union power. The use of such an argument indicates to me that Labor is far from the strong force for progress that it once was. If there are really shortages of skilled workers in certain occupations, then it is in the national interest to move to fill these shortages. Also, if a job-vacancy survey indicates that certain occupations do not need more skilled workers, then we should know about that so we can channel our manpower retraining efforts and expenditures to other occupations. Given the fact that we already have manpower-training programs, it is dangerous to remain uninformed as to where workers are really needed. Such ignorance may indeed lead to a surplus of skilled workers in some occupations.

Because not only the national welfare but the welfare of the individual working man are at stake, I am hopeful that a comprehensive job-vacancy program will be undertaken without further delay.

PORTSMOUTH NAVAL SHIPYARD'S HIGH STANDARDS

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. WYMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. WYMAN. Mr. Speaker, the Portsmouth Naval Shipyard, last week completed the regular overhaul of the U.S.S. *Sam Houston*—SSBN–609—and in so doing set a record for which the yard and its employees can be justly proud. Where in the past, the regular overhaul, including core renewal, of a nuclear submarine has taken anywhere from 16½ to 18 months, in public and private shipyards alike, Portsmouth has completed this work in just 15 months; and at a savings to the Government of more than $1 million.

Congratulations are due to the men and women who work at the Portsmouth Yard and to its commandant, Rear Adm. William C. Hushing. This significant accomplishment is a further indication that the Secretary of Defense would be well advised to rescind his closure order for Portsmouth and not require these 8,300 loyal, capable, and diligent workers to labor under the shadow of a phaseout of operations.

Not only does a performance record such as that of Portsmouth justify its retention, but its capability as a public naval shipyard is absolutely essential to be preserved and continued so that we can keep our undersea fleet in top condition. This is the fleet that we rely so heavily upon for its Polaris and Poseidon deterrent capabilities. This is the fleet that operates to protect America from nearly every ocean of the world.

Mr. Speaker, I do not believe that there can be any question of the very real need to keep the Portsmouth Naval Shipyard in operation on a continuing basis, and I most respectfully urge our Secretary of Defense to make a public announcement that the closing order on this yard has been reconsidered and is rescinded in the interests of the national defense security.

NEW FISCAL POLICY NEEDED TO DEFUSE THE TIME BOMB

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. COLLIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. COLLIER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a tabulation which lists the 112 new programs, to which I previously refer, in chronological order, so that students of governmental fiscal policy can see that most of these activities were initiated during the Kennedy and Johnson administration. This is the second of a series of three inserts regarding Federal expenditures.

NEW PROGRAMS, FISCAL 1956 TO FISCAL 1968, INCLUSIVE

[In millions of dollars]

Programs	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967[1]	1968[1]
Food for freedom	121	156	1,195	1,120	1,230	1,653	1,398	1,779	1,704	1,641	1,785	1,710	1,799
Urban renewal programs	18	38	56	75	105	145	227	173	235	324	357	412	469
College housing loans	5	97	165	180	201	198	227	284	219	221	312	−253	−1,262
Construction grants, waste treatment works	--------	1	17	36	40	44	42	52	66	70	82	86	152
Libraries and community services	--------	5	6	5	7	9	8	8	7	26	41	55	145
Grants-in-aid for airports	--------	9	34	51	56	64	57	51	65	71	54	54	59
Construction of health research facilities	--------	3	12	23	26	22	31	36	38	34	26	38	38
Urban planning grants	--------	1	2	2	3	3	7	12	15	17	20	22	30
National Library of Medicine	--------	1	1	2	2	2	2	2	4	4	4	13	25
Great Plains conservation program	--------	(2)	2	5	8	9	9	10	12	13	14	16	17
Emergency conservation measures	--------	1	2	3	1	1	9	3	3	10	13	13	13
Public works planning fund	--------	1	2	4	5	5	8	6	7	8	9	12	10
Space research and technology	--------	--------	89	145	401	744	1,257	2,552	4,171	5,093	5,933	5,600	5,300
Forest protection and utilization	--------	--------	94	117	130	156	190	198	204	216	226	259	242
National Defense Education Act:													
Higher educational activities	--------	--------	--------	78	129	73	97	117	135	158	219	257	100
Elementary and secondary activities	--------	--------	--------			54	54	49	70	68	122	144	72
Other aids to education	--------	--------	--------			17	31	33	35	44	5	6	4
Educational improvement for the handicapped	--------	--------	--------	--------	(3)	1	1	2	3	14	15	25	40
Subscription to International Development Association	--------	--------	--------	--------	--------	74	62	62	62	62	--------	59	122
Research and training, education	--------	--------	--------	--------	--------	3	4	5	8	13	20	50	67
Agency for International Development	--------	--------	--------	--------	--------	40	49	53	52	52	57	65	65
Agricultural Research Service (foreign currency)	--------	--------	--------	--------	--------	2	3	4	5	7	7	7	10
Office of Field Services	--------	--------	--------	--------	--------	3	3	3	4	4	4	5	5
Cooperative demonstration programs, welfare	--------	--------	--------	--------	--------	(3)	1	1	1	1	1	2	4
Development loans, revolving fund	--------	--------	--------	--------	--------	--------	11	402	567	641	627	660	650
Alliance for Progress development loans	--------	--------	--------	--------	--------	--------	74	116	113	202	291	450	450
Peace Corps	--------	--------	--------	--------	--------	--------	11	42	60	79	94	100	112
Alliance for Progress development grants	--------	--------	--------	--------	--------	--------	71	95	94	98	99	88	88
Water supply and water pollution control	--------	--------	--------	--------	--------	--------	15	23	28	31	35	36	68
Open space land programs	--------	--------	--------	--------	--------	--------	(3)	(3)	5	6	8	29	58
Air pollution control	--------	--------	--------	--------	--------	--------	6	10	13	16	21	28	50
Chronic diseases	--------	--------	--------	--------	--------	--------	10	16	39	51	54	79	47
Satellite operations	--------	--------	--------	--------	--------	--------	(3)	10	10	22	27	24	37
Nursing services and resources	--------	--------	--------	--------	--------	--------	7	8	10	14	13	18	17
Statistical Reporting Service	--------	--------	--------	--------	--------	--------	8	10	11	12	14	14	14
Scientific activities overseas	--------	--------	--------	--------	--------	--------	1	1	3	4	5	7	12
National health statistics	--------	--------	--------	--------	--------	--------	4	5	6	6	6	8	10
U.S. Travel Service	--------	--------	--------	--------	--------	--------	2	3	3	2	3	3	4
Manpower development and training	--------	--------	--------	--------	--------	--------	--------	52	110	230	276	276	295
Food stamp program	--------	--------	--------	--------	--------	--------	--------	20	30	34	70	138	193
Civil supersonic aircraft development	--------	--------	--------	--------	--------	--------	--------	7	5	48	99	170	90
Assistance to refugees in the United States	--------	--------	--------	--------	--------	--------	--------	53	43	32	30	43	51
Research and training (foreign currency program)	--------	--------	--------	--------	--------	--------	--------	(3)	(3)	(3)	1	1	2
Public works acceleration	--------	--------	--------	--------	--------	--------	--------	63	332	322	88	38	--------
National Institute, Child Health-Human Development	--------	--------	--------	--------	--------	--------	--------	--------	19	28	37	52	55
Educational television facilities	--------	--------	--------	--------	--------	--------	--------	--------	2	3	5	8	20
American schools and hospitals abroad	--------	--------	--------	--------	--------	--------	--------	--------	5	8	12	11	14
Biologics standards	--------	--------	--------	--------	--------	--------	--------	--------	4	4	5	7	7
Foreign language training and area studies	--------	--------	--------	--------	--------	--------	--------	--------	(3)	1	2	2	3
Rural renewal	--------	--------	--------	--------	--------	--------	--------	--------	(3)	1	1	2	2
Economic opportunity program	--------	--------	--------	--------	--------	--------	--------	--------	--------	194	988	1,553	1,839
Urban mass transportation	--------	--------	--------	--------	--------	--------	--------	--------	--------	11	19	56	110
Land and water conservation	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	13	58	102
Rehabilitation loan fund	--------	--------	--------	--------	--------	--------	--------	--------	--------	(3)	2	11	22
Economic opportunity loan fund	--------	--------	--------	--------	--------	--------	--------	--------	--------	17	30	27	21
Civil rights educational activities	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	5	8	21
Coordination and development of programs for aging	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	2	8	17
Resource conservation and development	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	2	4	7

See footnotes at end of table.

NEW PROGRAMS, FISCAL 1956 TO FISCAL 1968, INCLUSIVE—Continued

[In millions of dollars]

Programs	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967[1]	1968[1]
Watershed planning	--------	--------	--------	--------	--------	--------	--------	--------	--------	5	6	7	6
Appalachian region conservation program	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	1	7	4
Educational assistance, elementary-secondary	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	815	1,244	1,423
Higher education activities	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	154	545	807
National Institute of General Medical Sciences	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	32	126	130
Cropland adjustment program	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	6	63	90
Appalachian development highway system	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	9	42	81
Development facilities grants	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	2	23	59
Regional medical programs	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	8	37
Rural water and waste disposal grants	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	41	30
Supplemental grants-in-aid	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	22	22
National Teacher Corps	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	8	21
High-speed ground transportation	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	2	11	20
Environmental health sciences	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	10	17	18
National Foundation on the Arts and Humanities	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	8	15
Technical and community assistance	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	6	20	11
Appalachian mining area restoration	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	2	11
Office of State Technical Services, grants	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	2	4	8
Urban research and technology	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	1	8
Equal Employment Opportunity Commission	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	3	6	7
Cropland conversion program	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	2	3	5
Solid waste disposal, mines	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	1	5
Aid for commercial fisheries, research	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	3	4
Regional economic planning	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	6	1
Grants for local development districts	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	2	1
Arts and humanities educational activities	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(2)	1	1
Payment, health insurance for the aged	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	950	931
Comprehensive city demonstration programs	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	6	150
Grants for basic water and sewer facilities	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	40	110
Comprehensive health planning and services	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	5	88
Health manpower education and utilization	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	13	72
Grants for neighborhood facilities	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	3	15
Asian Development Bank	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	10	10
Economic development center assistance	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	6
Rural housing for domestic farm labor	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	6	4
Higher education for international understanding	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	(1)	4
Packers and Stockyards Act	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	3	3
Great Lakes fisheries conservation	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1	1
Improvements in cash assistance, welfare	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	58
Industrial development loans, guarantees	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	58
Economic development facilities	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	56
Improvements in child health, welfare	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	33
Economic development assistance	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	20
Expansion of Partnership for Health	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	20
Planning, technical assistance, and research	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	17
Indian program improvement	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	15
Repair and reconstruction of highways	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	15
Metropolitan development incentive grants	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	7
Chamizal Memorial Highway	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	4
Desalting plant construction	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	4
Preservation of historic properties	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	2
Urban information and technical assistance	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	2
Community development training programs	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1
Underground power transmission research	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	1
Total 112 new programs	144	313	1,677	1,846	2,344	3,320	3,997	6,432	8,634	10,296	13,365	15,932	16,542

[1] Estimated.

[2] Less than $500,000.

Note: Columns will not necessarily add to totals, due to rounding.

TAX INCREASE: GO SLOW

The SPEAKER pro tempore (Mr. GRAY). Under a previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, devaluation of the British pound has caused every Member of this House of Representatives to think in terms of protecting the American dollar.

As a result of the British action, pressure on the value of the American dollar has received a renewed administration push for a tax hike. However, the chief remedy against an attack on our dollar, it seems to me, lies more in curing the continued deficit in overseas payments and seeing that excessive amounts of dollars do not get into foreign hands.

Indications are, Mr. Speaker, that the deficit in the U.S. balance of payments is heading for a figure between $2.2 billion and $2.5 billion in 1967, the greatest deficit since 1964.

Of course, in addition to overcoming the problem of the imbalance in our international payments, the policies of our Government must be such as to instill confidence in the future buying power of the dollar, which means steps must be taken to control spiraling inflation.

In this connection, we must bear in mind that deficit Government spending is one of the chief causes of inflation. To reduce that cause of inflation, Congress has been urging the President to reduce nonessential Government expenditures. On the other hand, the President has been urging Congress to increase taxes, thereby cutting the deficit.

Mr. Speaker, it appears that President Johnson has finally decided to compromise with the Congress and is willing that Government revenues be reduced. If so, the Members of Congress have an obligation to at least consider raising taxes.

Mr. Speaker, when I say "consider raising taxes," I use those words advisedly. After all, unemployment has been rising in the past 2 years and industrial production has been sluggish. In the United States today, industrial plants are operating at only 84 percent of their capacity. It seems to me great care should be taken that no real damper is thrown on the economy. That could depress industry with the result being less Government income.

It is the across the board tax increase proposal that most concerns me, for I do not think it is either wise or necessary. After all, most likely there will be one tax increase on payrolls as a result of Senate action on the new social security bill. This would reduce the incomes of low income wage earners by itself.

As for voting a general tax increase, I would support legislation to continue the automobile excise tax. The extension of the manufacturers excise taxes on automobiles would provide $300 million of added revenue for fiscal 1968 and $2 billion for fiscal 1969, thus decreasing the deficit by those amounts.

Congress, meanwhile, has already made cuts in the President's budget request that would reduce 1968 spending by another estimated $3 billion.

If the President acts to cut another $4 billion from fiscal 1968 spending, as Congress insists, the question is how much more in the way of spending cuts can the country stand without economic repercussions and a major crisis or depression.

It seems to me, as I said, an across-the-board tax increase or surtax may be very unwise. Instead, I would certainly think plugging a few tax loopholes would increase Treasury receipts without a major adverse effect.

Tax reforms and closing loopholes in our present tax laws would add billions of dollars to the Government revenue. For example, in 1966, 22 large petroleum corporations reported profits of almost $7 billion. Their combined Federal income tax liability was only 8.5 percent of their gross profits because of special oil depletion allowances. Most corporations pay income taxes at the rate of 48 percent of their gross income.

Meanwhile, there are a number of tax reform bills before the House Ways and Means Committee to reduce this and other allowances. And, of course, there are other suggested opportunities to close loopholes that would result in collecting as much, if not more than President Johnson's 10-percent surtax proposal.

So, Mr. Speaker, let us not be hasty and in the emotional stress of the British crisis take some action that may be regretted.

A tax increase, in addition to Government spending cuts, may be called for, but let Congress be sure that the taxes imposed are such as not to harm people already hurt by inflation.

Especially let us remember that consideration by the House of any tax measure, unlike a measure in the Senate, is almost never subject to amendment. We invariably are forced to vote a bill up or down.

Therefore, I hope the Ways and Means Committee does not succumb to the executive branch and insist on L. B. J.'s surtax proposal.

I am confident a tax reform bill would accomplish the same objective without violence to the wage earners. After all, I understand there are 482 taxpayers reporting an income of $1 million or more a year, 19 of whom pay no income taxes at all through the use of loopholes, and a good percentage of the remaining millionaires pay less than those who earn less than $20,000 a year.

Closing these loopholes would certainly be a way of raising the Government's revenues to help pay for the war in Vietnam as well as for programs of the war on poverty, instead of placing further burden on the average taxpayer who already is paying his fair share.

Finally, Mr. Speaker, I do not count as any protection of the American dollar, France's $6 billion unpaid World War I loans. Of this $6 billion, about $2 billion has matured and is due the United States today, and with interest it raises the overdue amount to more than $2.5 billion.

I suggest, Mr. Speaker, that the United States look to herself as a source of strength and not to those like France whom we have helped in the past.

THE JOHNSON RECORD RECEIVES HIGH PRAISE

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, in an article appearing in the Washington Post, Adolfe Berle analyzes the Johnson years and finds them to be among the most productive in our Nation's history.

Domestically, the Johnson administration has forged a powerful new ideal—the Great Society—to improve the quality and excellence of American life as well as increase its quantity and richness. Our cities are being rebuilt, our countryside is being beautified, and the lives of our people—rich and poor alike—are daily being given new meaning.

In foreign affairs, Berle points out that the President is achieving world order in "as dangerous and difficult a period as America has ever encountered." The administration has maintained the world balance of power, defended liberty in its most trying hours, and demonstrated to the world the steadfastness of the American people in the face of challenge.

In these perilous times, President Johnson has lighted the path the Nation and the nations of the world must pursue to achieve the blessings of peace and prosperity.

I insert at this point in the RECORD Mr. Berle's excellent article in the Washington Post:

L. B. J.'s RECORD WILL SHOW HE DID HIS DAMNEDEST

(By Adolfe Berle)

(A retired Columbia University law professor, Berle was an adviser to Franklin D. Roosevelt in the 1932 campaign and an Assistant Secretary of State under Roosevelt. He also served President Kennedy as head of his inter-American task force.)

When John F. Kennedy was assassinated Nov. 22, 1963, Lyndon B. Johnson was catapulted into the White House and thereby into world power. After four years as a historical figure, his record will be passed on and his position determined by next year's election.

Owing him nothing and being beyond the age of political ambition, I think I can offer an objective view. Overcoming my rage at the abuse leveled at him by propaganda and his enemies, and forgetting personal friendship for some of his Republican opponents, here it is.

BOTH FLANKS EXPOSED

The 1968 race will be President Johnson's first real campaign; the real issues were not presented in 1964. He goes into it with both flanks exposed. The left wing hates his foreign policy and blames him (as it blamed Franklin D. Roosevelt) for not reforming overnight. The right wing opposes the whole social program. Votes of the American center will make the decision.

Mr. Johnson's 1964 majority represented not consensus but his heirship to the tragic drama of his brilliant predecessor, to a deep American feeling that a man so placed should have a chance to speak his piece and to temporary seizure of the Republican Party by a reactionary wing whose program and attitudes had been obsolete for 30 years.

A more normal balance appeared in 1966 as Southern Democrats and Northern conservatives combined against him in Congress. But in the two intervening years, he had carried through two unrealized Kennedy programs: civil rights for Negroes and stimulation of the economy by tax reduction.

More importantly, he had also added a powerful new conception to American politics, giving it a new dimension and direction. This was the Great Society. He had pushed through some bills giving it a measure of reality. In domestic affairs, his 1968 campaign will seek a solid mandate to carry this conception forward.

In foreign affairs, Mr. Johnson inherited and for four years has traversed as dangerous and difficult a period as America has ever encountered. As public opinion is running, the liberals support his domestic policy and oppose his foreign policy; the conservatives support his foreign policy and oppose the Great Society. On this combination he must make his campaign.

SUBSTANCE FOR A DECADE

The current low level of American political debate cannot obscure the historical significance of the positions President Johnson has taken or the fact that his forward policies will be the grist of American campaigns for a decade to come.

Civil rights became statutory law in 1964. But law alone cannot bring the American Negro population into economic and social equality. President Johnson tackled the rest of the problem by proposing all-out war on poverty, black and white alike.

One factor in poverty is the city, where poverty is most concentrated. Reorganization of urban life was seen to be essential—not merely for "the poor" but for all city dwellers. If in process of reconstruction the sheer ugliness of its towns could be conquered, American civilization might be put on the road to a great expression.

So remodeling of cities was thrown into the political arena, bringing direct Federal aid to endless projects for urban reconstruction. The beginnings of these programs are in effect and no city in the country will tolerate their discontinuance. Controversy there will be, but the odds against abandonment are enormous.

A STATE OF MOTION

Foreign affairs have presented a vaster issue. In 1963, the United States was in the throes of a virulent cold war. President Kennedy had checked it in the Western Hemisphere by going to the verge of nuclear war in the Cuban missile crisis of 1962. He had maneuvered with it in the Far East, relinquishing Laos and Cambodia but resolving to resist in Vietnam, where he sent 25,000 American troops. In the unresolved Arab-Israeli conflict, Mr. Kennedy's answer had been to work with NATO and keep the Sixth Fleet near Suez.

President Johnson in 1963 found the whole scene in a state of motion. Mr. Johnson's basic problem was whether the United States should attempt to maintain a world balance or should withdraw from difficult areas, leaving the Communists to guide the course of events.

His decision was to attempt to maintain the balance. He met the threat to Vietnam by escalation to the * * * North Vietnamese attack. He responded to the threat to the Dominican Republic when that country fell into chaos by swift action, establishment of a popularly based Dominican government and prompt withdrawal of the inter-American force.

CONFRONTATION AVERTED

His least recognized exploit was in the Arab-Israeli war last June. Soviet arms and diplomacy had engineered a shaky Arab unity and a Soviet flotilla moved through the Dardanelles to the fighting front. At that point, Mr. Johnson used the "hot line" to Moscow to reach agreement with the Soviet leaders that neither the Russians nor the Americans would participate in the conflict. A confrontation carrying the possibility of a world war was avoided.

Mr. Johnson's political troubles stem more from his foreign policy than from any other part of his program. Most Americans are inherently pacifist and many are latently isolationist. Many advocates and beneficiaries of his social programs joined in reviling him for his actions in Santo Domingo, in Vietnam, in the Congo and, though in less measure, in the Mediterranean.

AN HONORABLE RESULT

Nevertheless, the possibility of bringing the world disarray under at least temporary control has been preserved. Power-political probes to determine the steadfastness of the American President seem to have ceased. Despite all the shouting against him, this is an honorable result.

Mr. Johnson's limitations are obvious. He is not the young, appealing, liberal-aristocratic, dramatic youth ideal that President Kennedy was. He has not the golden gift of laughter of FDR. He is not the darling of the press. Especially in foreign affairs, his case has been badly stated and worse pleaded.

He has not constructed in his government a close-knit team of personal friends. He is not a faithful supporter of his political allies outside Washington. He has thought in the simplest terms, a dogged, roughhewn Texas politician who nevertheless apprehended the problems of America at home and abroad. He simply did his damndest to see her through on all fronts.

The man may have been wrong in some of his decisions. One may dislike him, or like someone else better. But it would be nonsense not to assign him historical status of the first importance.

ADDRESS BY HON. WILLARD WIRTZ

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the wisest and best men I have met during public life is the distinguished Secretary of Labor, the Honorable W. Willard Wirtz.

Although a very busy man as head of a department and a member of the President's Cabinet, Secretary Wirtz' public statements always reflect careful thought on important issues facing our country.

No exception to this observation is an address delivered by Secretary Wirtz on the subject, "Youth Protests," at the 75th anniversary celebration of the University of Colorado School of Law on November 10, 1967.

I include this address at this point in the Record:

Youth Protests

(Remarks by Willard Wirtz, Secretary of Labor)

These remarks have revealed, in their preparation, marked schizophrenic tendencies. A 75th Anniversary should be a gala occasion, set in diamonds, warmed by champagne, tuned to the waltz, bathed in the bathos of nostalgia, toasted rather than talked at. Yet a speaker brought a long distance, especially from capitol to campus, feels the conflicting compulsion to "be with it"—to speak to the present instead of the past—to try, in terms of today's issues, to throw at least a pontoon bridge of oratory across "generation gap," to recognize the current escalation to national proportions of the traditional strain between "town and gown," to counter-march from Washington and meet youth's protest on youth's terms and its home field. What you are about to hear may be the Anniversary Waltz as it might be played by Walter Mitty's Ragtime Band.

The wiser counsel would be to opt squarely for the anniversary tradition. Few are competent as witness, none respected as judge, in the litigation between the ages. For an incumbent bureaucrat on the wrong side of thirty to so much as question today before a university audience the sanctity of unrestrained, unbridled, unhousebroken protest would be for him to envy the more favorable auspices under which an illegitimate son of immigrants would rise to speak at a D.A.R. convention on the irrelevancy of geneology or in a maternity ward on the triviality of motherhood.

Yet I confess, borrowing Gladstone's phrasing of it, that "I have a speech on this subject fermenting within me, and feel as a loaf might in the oven." Not a somber speech. The times are blighted by dreary speeches. The nation's sense of humor seems to be on vacation. This is a joyous occasion. And Protest is a subject on which we have taken not only the subject but sometimes ourselves too seriously. It will comport with both tonight's circumstance and Gladstone's yeasty metaphor to leaven pertinence a little with impertinence—to proceed on the basis that half a laugh is better than none.

Herein, then, of sit-ins in deans' offices, graffiti picket signs, marching on the Pentagon; of the comforting middle-aged view that most young Americans must be somebody else's children, the convenient faculty view that they should all have matriculated someplace else, and the strong endorsement of both of those views by the young Americans.

THE PLACE TO START

The place to start is with the conventional wisdom that reminds of the proneness to exaggerate current vicissitude. "Generation gap" is unquestionably wider than it used to be, but if there is novelty here it is more in the phrase than in the fact. And it helps read the temperature of protest to note some of the things that happened 75 years ago—in 1892.

That summer at Homestead, Pennsylvania ten people were killed in a 13-hour pitched battle between striking steelworkers and 300 Pinkerton detectives, before the State militia took over; and Federal troops were moved into the Coeur d'Alene silver mines in Idaho because of violence there between strikers and strike-breakers.

The Populist Convention met at Omaha, with the leading "agitators" of the time in attendance: "Pitchfork Ben" Tillman, "Sockless" Jerry Simpson, and Mary "Yellin" Lease, from Kansas, "rousing the West to enthusiasm and the East to terror by exhorting the farmers to 'raise less corn and more hell'."

Jacob Riis was fighting, almost single handedly, the war against poverty and typhus fever in New York's slums—issuing his "remonstrances."

President Harrison's 1892 State of the Union Message was about "the frequent lynching of colored people accused of crime" and about "lawlessness (that) is not less such but more, where it usurps the functions of peace officers and the courts."

Two years later, Jacob Coxey led his ragged "army" from Ohio to Washington—to demand the issuance of half a billion dollars in paper money, and to be arrested, when they reached their destination, for "not keeping off the grass" at the White House.

Accepting history's soothing condolence that there is nothing new about protest, we mark, too, the realization that a lot of current attention, especially to inter-generational differences, involves what Gerald Johnson would call its "superficial aspects." Our differences, for example, about deviationism from yesterday's—and almost certainly tomorrow's—tonsorial and sartorial norms. My own strong preference for the crew-cut is manifest. I also confess the prejudices that mini-skirts are attractive only on the very young, that knees are the ugliest part of most anatomies, and that net hose distract the roving eye from its true objectives. But if youth decides, at least partly in protest against more mature hypocrisies, to press the logic of men wearing their hair as long as Daniel Webster or English barristers, and the reasoning that decency's hemline must be the same in the ballroom and on the beach—this seems insufficient cause for more than passing concern.

A FEVER OF PROTEST

There remains, nevertheless, the hard fact of a fever of protest different from any this nation has known before, or at least for a long time. There is particular poignancy, and more than that, in its involving so large an element of loss of confidence—and of love—between those who are older and those who are younger; so that age seems suddenly a higher wall than nationality, or religion, or sex, or race. There is bitter cruelty and deep hurt—to individual human beings and to the society—and this without fairness or effect—when picket signs pervert legitimate disagreement about Viet Nam into the ugly accusation that older men are willing to roll dice with younger men's lives, and when the equally irresponsible reply—even from some who seek national leadership—is that one reason for declaring war is that it would stop this kind of protest.

This fever is rising. Looking only at youth's protest:

Where there were all-night teach-ins and solemn picketing a year ago protesting the nation's foreign policy, there is now the "trapping" of Navy and CIA recruiters and those whose companies make napalm.

Where there were peaceful protests two years ago against university policies regarding Selective Service, there is now the burning of draft cards and the refusal to serve when called.

Where there were sit-ins and freedom schools and the Mississippi summer project three years ago to express youth's deep commitment to civil rights, there are now black power rallies, riots—and a significant, meaningful fall-off in white student participation.

Where student protest against university "bureaucracy" started off at Berkeley as a free speech movement, it became then a filthy speech movement, and appeared in gross caricature last week in CCNY's muddy ditch affair—with a spokesman shouting through the bull horn: "The name of the game is: Confront the policy makers"—about, apparently, whatever is convenient at the moment.

I don't know how large the element of protest is in the developing degeneration of insistence on social freedom that has led to wherever we are now in the "experimentation" with marijuana, LSD, STP.

I reject the Cassandra counsel of those who look at the signs of escalating protest and increasing unrest—especially in the slums but in their other manifestations as well—and warn, as one of them put it recently: "We must prepare for the onset of terrorism."

Surely, though, it would be grossest negligence to disregard what is emerging plainly as one of democracy's recurrent, critical testings.

THE NEED FOR UNDERSTANDING

I feel, almost guiltily, the frustration of being unable to match description with proposal. Yet there is more than rationalization in suggesting that there is quite a lot of understanding left to be done here as the necessary preliminary to confident prescription. It is in this limited respect that I suggest tonight what seem to me two essential elements in this understanding:

First, recognition that youth's contemporary protest is not properly appraised—whether in criticism or condonation—in terms of the acts of protest alone, but only in the significant context of the central fact of the times—which is kaleidoscopic change;

Second, recognition that this protest reflects—but often distorts—an emerging ethic which has much to commend it and which is strikingly true to the free and responsible society's authentic tradition.

It would be perhaps presumptuous, but probably not wrong, to suggest that this is a hard, frightening, time to grow up in—and that difficulty and fear are plausible, reasonable, elements in protest. It is more reservedly analytical to find a constructive understanding—but by no means a condonation—of contemporary youth's convulsive protest in the facts of contemporary convulsive change—change not only in the technological and scientific spheres but also in the far reaching, deep reaching social, political, psychological and philosophical spheres.

THE EFFECTS OF TECHNOLOGICAL AND SCIENTIFIC REVOLUTION

The facts of mid-20th century technological and scientific revolution are clear. Its effects are anything but clear:

What, for example, is the effect of automation on the inner satisfaction which is probably essential to life's making sense and which craftsmen traditionally took from the work they did with their hands?

What is the effect on individuals and on the family of television—with its obsession for what is bad and wrong and shoddy—becoming a larger influence on children's minds than their parents or their peers or their teachers? Is there ever a perpetrator of violence on the streets at night, or a purchaser of heroin, who hasn't seen the thing he does done a hundred times before—in living, dying, color?

What of the impact of scientific discovery on traditional philosophical and political notions?

How much of an influence is it on the philosophy of this generation of youth that its members know—what none knew before because it wasn't true before—that they are committed to live their lives a single spark away from the incineration of the earth?

Or what does it do to democracy when more and more of the decisions the majority has to make hinge on the possession of sophisticated knowledge shared in fact by fewer and fewer members of that majority?

As the astronaut's rocket carries him beyond the effective force of gravity he enters a state of "weightlessness" in which the principles of balance and motion and stabilization he had previously relied on are no longer applicable. There is only a starting consciousness of the disorienting and unstabilizing effects on his earth-bound counterparts—especially those who are still getting their bearings—of a dozen recent achievements of the physical and life scientists.

The sharpest critics of youth's protest associate it with the protestors' alleged lessened sense of values.

If by this it is meant that some of the extremes of protest are what happens in a vacuum of values created in the eye of a hurricane of change, there is unquestionably evidence of that.

A PROTEST AGAINST VALUELESSNESS

There is other evidence—evidence that youths' protest, except for those few for whom protest is an end or a "game" in itself, is *against* valuelessness—that its opposition to particular inherited values is that they are identified with antique forms of institutionalism—that youth is seeking as earnestly as desperate humanity always has for values that give life sense.

If I understand at all what is happening in the philosophy of thinking American youth, it centers on the insistence that the individual must have the opportunity for *direct participation*, for *involvement*, for *actual engagement*, for *commitment*, in some felt experience—and that institutions and procedures are valid only as they provide this opportunity.

Youth is persuaded that government, church, corporations, labor unions, political parties, universities, even the family, have come to be considered too much as ends and individuals too much as means to those ends; that as these institutions now operate they offer too little opportunity for actual, direct involvement of the individual in the conduct of his own and the community's affairs.

PARTICIPATION AND INVOLVEMENT

Young Americans count a civil rights sit-in more "relevant" than a civil rights decision by a court or a civil rights enactment by Congress—because they can themselves take part in the sit-in; and the Peace Corps more relevant than a foreign aid program because they can *be* the Peace Corps.

"I think," the older philosopher reasoned, "and therefore I am."

"I act," the youth says today, "and therefore I am."

Does the record of youth's protest in fact bear out its base in ethics, in a search for values, in a renewed insistence on the central meaningfulness not of institutions but of individuals, in a desire not only to believe but to be involved?

I think the answer is that it did reflect such a base during the first half of this decade. Surely, then, there was full reason for youth to feel that its desire to participate in "the shaping and molding of the world" was being fulfilled.

The civil rights sit-ins, boycotts, marches, and freedom schools did help create not only a wave of conscience across the country, but the Civil Rights Act, the Voting Rights Act, and the Economic Opportunity Act.

The student free speech movement and complaints about the growing impersonality of the university bureaucracy did help to produce specific changes in university regulations and practices.

The early teach-ins on the war and the early sit-ins on the draft did help to produce a wider and more serious debate on Viet Nam and a deeper examination by universities of their policies with respect to Selective Service.

DEMOCRACY'S CHANNELS

In the last few months, however, it is manifest that impatience, frustration, and now bitterness, have set in. The feeling has grown that speaking out is no longer enough, that democracy's channels no longer carry youth's message, and that all bureaucrats and politicians are by definition, 'nasty, brutish and short.' New *forms* of protest have emerged: teach-ins have been replaced by sit-ins and sleep-ins and lawlessness and acts of civil disobedience; integrated freedom schools by black power rallies; peaceful demonstrations for peace by active resistance and draft card burnings. At the same time, new *objects* of protest have been fixed: visibly discriminatory Southern laws have lost center stage to less visibly discriminatory Northern practices and then to the whole system of allegedly "undemocratic institutions;" specific debatable issues on Viet Nam policy have given way to personal and symbolic supporters and critics of that policy; specific complaints against certain conventional social values have been replaced increasingly by expressed rejection of the whole notion of social values.

It would be much less than candour not to express the deep conviction that *in its present extreme forms*—and particularly in the apparent decision to change the present order of things from without instead of working from within—student protest finds no excuse in the "weightlessness" which change creates, and reduces the ethic of doing-as-being to a claimed license for what amounts to nothing much better than individual anarchy.

MORE SELF-DISCIPLINE, NOT LESS

Whether we like it or not, part of the necessary adjustment to change, to an increasing tempo of even dubious "progress," is more self-discipline, not less. Insisting on participation in the setting of those new disciplines is one thing; denying all responsibility is another. Nobody is going to be excused, if he puts a car in the ditch or kills someone with it, by his explaining that he took his hands off the wheel because he was going too fast.

The pragmatics of it are that the current extremes of protest dis-serve their purposes—seriously.

The riots in the slums this summer hurt the poverty program and the advance of civil rights as much as the marches on Washington and Selma four years ago helped those causes.

If the objection of some members of Congress to the presently pending poverty bill appropriation is based on considerations of economy, the unspoken objection of others—utterly wrong in my judgment—is that the war on poverty did not prevent the riots.

The march on Washington three weeks ago hurt the cause of most of the marchers more than it advanced that cause. It all ended so meanly—with the walls covered with filth, the air full of dead fish and vegetables and sputum and tear gas, and the jails full of young men and women whose offense—more against themselves than the society—was the inciting of synthetic violence. It was youth's protest, and youth could not have been proud. A generation of decency was discredited by a few who degraded legitimate dissent into obscenity and anti-reason

HUMAN COSTS AND PRICES

The net of it is that the youth's increasingly extreme form of protest and the adult's increasingly bitter recrimination and retribution are now creating an infinitely more bitter inflationary cycle—with human costs and prices.

There is debate about the draft—then a decision—then expressed disagreement and counter-argument—all in democracy's truest tradition. But then, suddenly, a despicable burning of draft cards and the barricading of recruiters behind doors held shut by students who thereby deny the one absolute tenet of the university: that *reason* must *never* bow to force. And now, the retributive action of threatening the students with a choice between being drafted or going to the penitentiary.

I resent with everything in me the abuse by those students of the ideals I hold highest. I think they are dead wrong about what is necessary to win freedom *and* peace in Viet Nam, and wronger about what freedom offers and demands. To the extent that their action does in fact violate the Selective Service Act, I support completely the firm and full carrying out of the law. But when those who administer the law say: "It may be that we are assuming just a little" by adding a new pressure to what the law provides, and when it is then put that the boy "may always go to the penitentiary if he likes," this isn't what I understand democracy to mean.

It is all so senseless, this spiraling of protest and recrimination.

UNPRECEDENTED SOCIAL GAINS

There has never been a large commonalty of purpose in this country. In a very real sense much of today's protest—at least about our condition in this country—reflects not only the technological progress of recent years, but the unprecedented social gains as well—in educational and economic opportunity, increasingly equal opportunity. We have learned that in the most developed—as well as the least developed—countries there will come with new opportunity, a further revolution of still faster rising expectations. In large measure, today's dissatisfaction results from the increasing realization that the true measure of achievement is not how much better things are than they were last year, but how much the country is still short of the realization of its full potential. We were determinists once. Now we believe in the idea that Man is made with the competence inside to control his destiny.

But neither words nor philosophy—nor protest against protest against protest—will be enough this year, or next, or ever.

You are lawyers, present or future—and I perhaps return, in closing, to the schizophrenia acknowledged at the start about fashioning an instrument which might both let me speak to you whose interest and love is the law and still let loose with the concern fermenting inside me.

Yet in a very real sense, all I have said here is the setting up of a case which requires your professional attention. For law is not only the application of precedents, but even more centrally the development of procedures and institutions which serve the inexorably changing human desire and purpose.

There is a "weightlessness" today, and meeting it will require social and legal invention as curious and bold and effective as the scientific invention which created it.

THE LAWYER'S OBLIGATION

Youth's protest may carry it outside any reasonable boundaries. It has. And it is partly the lawyer's obligation—as not only artisan but architect—to better refine the rules and principles and practices regarding protest so as to distinguish between dissent and disorder.

Beyond this, I press youth's case for changes in established institutional concepts which make the individual more clearly the master and the institution more clearly the servant; and changes in established procedural concepts which give the individual a more active role in his own and the community's affairs.

But new "concepts" are not enough.

There is the need for new programs which will provide the young people of the country the opportunity they ask to make both it and the world better, safer, more sensible. The Peace Corps is a precedent. So is VISTA. So is Israel's two-year national service program.

There is the need for better lines of communication between academic and political forums.

Max Lerner's proposal this week of a university procedure in which administration, faculty, and students would participate on a 7-5-3 ratio basis in making *some* decisions deserves careful consideration.

FURTHER EXPERIMENTS, NEW PROGRAMS

There are further experiments to be made, new programs devised, to meet the necessity of full participation—and more than that, the assumption of full responsibility—by the residents of slums and ghettos in making their own repairs against the ravages—more psychic than physical—of centuries of bigotry.

These are only seed suggestions, meager illustrations of the kind of new institution and procedure building that is required.

This is a job for citizens—yes, but most particularly for lawyers. For what is raised most centrally in youth's protest today is the free society's essential legal question: how to achieve under constantly changing circumstance that balance of rights and responsibilities which will maximize *individual* opportunity and significance.

There has been constant reminder, in the preparing of these remarks, of Wiley Rutledge. Of three pictures I see every night above my dresser, his is one. I wouldn't be here tonight, nor doing what I do, if my life had not touched and then drawn heavily upon his. More than any but a few, I know what this School meant to him.

WILEY RUTLEDGE AND THE INDIVIDUAL

Wiley Rutledge believed in the individual—*every* individual—the very idea of the individual—more devoutly than any other man I have known. He would take, today, youth's case—but with due recognition of his obligation to serve his client by recognizing fully the common interest. He would say, as he did, now twenty-two years ago, in *Thomas v. Collins*:

"This case confronts us . . . with the duty to say where the individual's freedom ends and the State's power begins. Choice on that border is always delicate. It is the character of the right, not of the limitation, which determines what standard governs the choice.

"It is in our tradition to allow the widest room for discussion, the narrowest range for its restriction, particularly when this right is exercised in conjunction with peaceable assembly."

THE RIGHT TO BEAR ARMS: PRO AND CON

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MULTER. Mr. Speaker, for many years I have been urging the Congress to enact legislation to control the sale and distribution of firearms, particularly the sale of these instruments of death through the mails. In the 90th Congress my bill is H.R. 5463, which is pending before the Committee on Ways and Means.

The following article from the November 10, 1967, edition of the Seafarers Log, a publication of the Seafarers International Union, contains an excellent analysis of the arguments concerning this issue and I commend it to the attention of our colleagues:

THE RIGHT TO BEAR ARMS: PRO AND CON

While waiting quietly for President Kennedy's motorcade to come down the crowd-packed streets, Lee Harvey Oswald checked his Italian-made Mannlicher-Carcano rifle carefully. It was a fine piece of equipment—quick-firing, long-range, and equipped with a sensitive telescopic sight. It wasn't long ago that Oswald had scrawled the pseudonym "A. Hidell" on a gun order form, and mailed the slip into one of numerous mail-order gun companies in this country. This was the way Oswald received his gun, quite legally, with no law existing that might have prevented that sale. In this way, Lee Harvey Oswald was able to obtain a rifle and ammunition; in this way, he was able to point the gun's muzzle out the window; and it was in this way, that Oswald's mail-order rifle murdered a President and bereaved a nation.

In most states, a person can purchase anything from a starter pistol to a submachine-gun, in person, or, if his own locality prohibits the sale of a gun to him, he can obtain one by mail-order from another locality or state.

But the prospect of limiting the accessibility of guns has provoked strong emotions on both sides of the fence. As of this writing, numerous firearm bills have been studied by Congress but not one has been passed.

Just what are the issues?

THE EXTENT OF GUN CRIME

President Johnson, who has been pressing for Congressional passage of strong gun legislation, recently re-emphasized the need for action in a letter sent on September 15 to the Speaker of the House and the presiding officer of the Senate. He told of the late 1966 incident at the University of Texas, in which a student climbed into a building-tower with a legally-purchased mail-order arsenal of weapons, and killed or maimed 44 innocent people. In the 13-month period since that day, Johnson noted, guns were involved in over 6,500 murders, 50,000 robberies, 43,500 aggravated assaults, 2,600 accidental deaths, and 10,000 suicides across the nation. How many guns are in circulation?

In 1966 alone, the President continued 2,000,000 guns were sold in the United States. An October 1966 study by the Senate Committee on the Judiciary, noted that "Best estimates indicate that there are, within the United States, over 100 million privately owned firearms in the possession of over 20 million citizens."

Who are the users of these weapons?

"Many millions," reports the President's Commission on Law Enforcement and Administration of Justice, ". . . belong to hunters, gun collectors, and other sportsmen. . . . Many other millions of firearms . . . are owned by citizens determined to protect their families . . . and property" from criminal attack and burglary.

In a nationwide sampling conducted by the National Opinion Research Center, 37 percent of the persons interviewed said that they kept firearms in the household to protect themselves.

Of the two million guns sold last year alone, the President remarked in the September 15 letter. "Many were sold to hardened criminals, snipers, mental defectives, rapists, habitual drunkards and juveniles."

Senator Edward Kennedy cites a recent survey which found that of 4,000 people ordering guns by mail from two Chicago firearms dealers, "one-fourth—or 1,000—of them had criminal records."

Who are the victims?

With FBI Director J. Edgar Hoover reporting that the use of firearms in dangerous crimes is on the upswing, the trend of statistics suggest that well over 100,000 Americans will be the victims of gun-crimes this year.

THE PRACTICAL ISSUE

Those who favor gun legislation say that while the effect of our penal system's threat of punishment may hold crime down to a certain extent, the best means of preventing crime in the first place would be to cut off the supply of weapons from potential criminals. With FBI statistics for the first nine months of 1966 showing that about ⅔ of all willful killings in this country are being committed with guns, a huge segment of criminal activity might be severly restricted, they say, if those guns become unavailable to dangerous persons.

There are objections to this idea. Various groups argue that such limitations are unwarranted, would be unfair to the law-abiding citizen, that the wrongdoers would obtain guns illegally with ease, that the causes of crime rather than the instruments of crime must be wiped out, and that abridgment of the "right to keep and bear arms" would be unconstitutional.

The basis for most proposals to control the sale of guns is that the buyer must be licensed, and can only receive his license after having been adjudged law-abiding and showing a specific need for the weapon.

The objections that are being brought against this are the same type of objections that arose years ago concerning another deadly weapon: the automobile. Regardless of the dissent that sprang up, when cars became hazardous to life and property, it became necessary to enforce strict safety measures by requiring that drivers be licensed.

A gun-user differs from a driver in that a gun-user controls a device that was specifically designed to kill; therefore, his intentions concerning the use of it must be considered carefully before it can be sold to him.

At present, according to Senator Joseph Tydings of Maryland, "practically no effective state or federal laws exist to control gun traffic. In nearly every state in the Union, anyone, regardless of his age, criminal record, or state of mind, can buy a gun or order one by mail, using order forms conveniently provided in sporting magazines and even comic books. In almost every state in the Union it is easier to buy a gun than to register to vote. It is easier to buy a gun than to get a driver's license or a prescription cold remedy."

The balancing of rights versus the dangers of violation of rights is the prickly subject that plagued Congress when it passed the National Firearms Act of 1934, the Federal Firearms Act of 1938, and the Mutual Security Act of 1954. None of these three laws provides for a close and effective check of the sales or purchases, or the prospective purchasers' characters, in regard to concealable weapons such as pistols, which are the devices most frequently used in crimes. The same touchy issues are plaguing the national legislature right now, but the pressure for some sort of strong crime-prevention system is building.

The delicateness of the subject is illustrated in an example given by Colorado's Senator Gordon Allott. A young woman who worked in his office "owns a handgun and knows how to use it. . . . About a year ago she was awakened at five in the morning by a noise in her apartment. It subsequently turned out that there was a prowler there. The young lady lives alone and her only real means of protection against lawless elements is the gun, which she brought with her from Colorado and keeps in her apartment. . . . With that gun she was able to subdue the housebreaker and hold him until police arrived. . . . The man involved has pleaded guilty . . . but I have often wondered what I would have had to tell that girl's parents if she had not had the gun." It is suggested that if a restrictive gun law had been in force in this case, and the young woman had not had a gun, while the prowler might have obtained one illegally, that she might have been law-abiding but also dead. The key to such situations, Allott and several other Senators have pointed out, is in the very careful construction of such laws, which should only prohibit the obtaining of these instruments of death by hardened criminals, the mentally ill, drunkards, felons, etc. In this way, they explain, lawful citizens would not be hampered in obtaining firearms, but in fact would be made more safe by a law that would shrink the threat of criminal attack.

The argument that criminals would obtain guns from other sources, if they couldn't buy them legally, is only partially valid, according to statistics from in the offices of Senators Thomas Dodd of Connecticut and Tydings:

In the 1962–1965 period, 57 percent of all murders in the U.S. were committed with guns. However, in the few states with their own gun laws, gun-murder rates are significantly lower than in other states. Figures for states with controls show that in Pennsylvania, 43 percent of murders were by guns; in New Jersey, 39 percent; in Massachusetts, 35 percent; in New York, 32 percent. On the other hand, states with little or no gun controls showed: Colorado, 59 percent; Louisiana, 62 percent; New Mexico, 64 percent; Arizona, 66 percent; Montana, 68 percent; Texas, 69 percent; and Nebraska, 70 percent.

A question now arises as to why a Federal gun law is needed, if states appear so capable of cutting gun-crime rates themselves. The answer is that they have no way of preventing someone from simply crossing into a state with lesser controls and buying a gun, or from ordering a gun by mail from out-of-state. According to Senator Kennedy of Massachusetts, "Unless the Federal Government regulates gun traffic between the states, even strong state laws will be easily circumvented by interstate gun traffic. In 1963 alone, for example, over a million weapons were sold by mail order. In Massachusetts, which has strong gun laws, the traffic in guns cannot be halted because guns are easily purchased out of state. . . . Eighty-seven percent of the concealable firearms used in Massachusetts crimes came from out-of-state purchases."

THE CONSTITUTIONAL ISSUE

As Senator Allott puts it, a law that goes too far in its scope and restrictions would be akin to "cutting off the head to cure the headache." While Congress is taking pains to create gun legislation that is practical, effective, and cautious, there are lobbies which immediately claim that the Federal Government has no right to invoke any type of gun-control legislation.

The most powerful and largest lobby, the 850,000-member National Rifle Association, has stated that "firearms legislation is of insufficient value in the prevention of crime to justify the inevitable restrictions which such legislation places on law-abiding citizens." Such lobbies imply that Federal firearms legislation, while ineffectually attempting to protect citizens from the armed criminal, would instead chop off a vital portion of every citizen's Constitutional rights. Not only would this be in total disregard of the document on which this nation is founded, they say, but it would also open the door to an eventual police state against which there could be no redress.

On the other hand, a long sequence of Supreme Court decisions over the years has affirmed that such legislation is in no way unconstitutional. Three Federal gun control laws (not dealing with control as closely as several currently-proposed laws purportedly would) plus several state and local gun control laws have been in effect for years; all are Constitutional.

In addition, a variety of Federal, state, and local officials and groups have declared that Federal gun legislation, properly constructed, would in fact be a great aid in crushing the growing crime rate. According to Senator Edward Kennedy, some of these include: the President of the United States; the Attorney General; the Director of the Federal Bureau of Investigation; the International Association of Chiefs of Police; the American Bar Association; the National Crime Commission; the country's best police chiefs and prosecutors, and, "I believe, the vast majority of our citizens."

Yet objections to Federally-operated gun controls are still voiced.

At the heart of the matter is the Second Amendment to the Constitution. It states:

"A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The so-called "gun lobby," which includes sportsmen's associations as well as dangerously fanatic groups such as the Minutemen, claim that this Amendment clearly grants the individual an absolute right to purchase, keep, and use guns. The President's National Crime Commission, however, stated that "The U.S. Supreme Court and lower Federal courts have consistently interpreted this Amendment only as a prohibition against Federal interference with State militia and not as a guarantee of an individual's right to keep or carry firearms. The argument that the Second Amendment prohibits State or Federal regulation of citizen ownership of firearms has no validity whatsoever."

In response to such rebuttals, anti-gun legislation groups have taken to arguing that a "militia" need not be governmentally controlled, and therefore citizens should be able to form their own "militias" and obtain guns without restriction. Proponents of controls point out the trend of history in which the need for such "citizen armies" or "vigilante groups" has vanished, now that the United States has developed permament, professional, and comprehensive law enforcement organizations—local police, state troopers, the National Guard, the FBI, etc., to provide for internal protection.

Senator Dodd, in explaining the necessity for the firearms legislation he is proposing, said that "former Secretary of the Army, Stephen Ailes, testified that armed civilians are not necessary to the maintenance of the borders' safety, and that they are not a part of any defense plan for this Nation."

Yet a number of extremist organizations, intent on "saving America" from one threat or another, have created their own underground armed forces. Much of their equipment has been legally purchased from private sources (and until recently, government sources) and includes an amazing array of deadly-material such as machine guns, bombs, and anti-tank guns, in addition to a wide assortment of other implements of war. A group known as the Minutemen was allegedly involved not long ago in a fanatic plot to attack and destroy several New York, New Jersey, and Connecticut camps which it had branded as "Communist." Fortunately, before the plan could be carried out, the Queens District Attorney's office uncovered the conspiracy and impounded the group's arsenal of tons of deadly devices. If not for the District Attorney's action, many innocent people might have been slaughtered.

Regulation of firearms in this country is provided for in limited degree, by various local, state, and federal laws. At issue is the necessity for stricter and more comprehensive controls which, it is argued, can only be made effective with new Federal legislation.

EXISTING FEDERAL LAW

Three major Federal laws concerning guns have been in existence for years.

The first of the existing Federal laws is the National Firearms Act of 1934, applying to machineguns, short-barreled and sawed-off rifles, shotguns, mufflers, silencers, and concealable firearms (Oswald's rifle was long-barreled and not covered by this legislation) but not pistols. It requires that owners of these weapons register them with the Treasury Department, and imposes taxes on firearms manufacturers, importers, and dealers.

The second Federal law, the Federal Firearms Act of 1938, provides that all firearms dealers and manufacturers whose business involves interstate or foreign commerce must be licensed. They are prohibited from knowingly shipping arms by interstate commerce to any person convicted of a felony or who is a fugitive from justice. Along with more technical provisions, it stipulates that licensed manufacturers and dealers are forbidden from transporting firearms into states in violation of state laws requiring a permit to purchase firearms.

Unfortunately, this particular provision provides no effective machinery for keeping dealers and manufacturers aware of which states and localities have which type of gun-control laws or related crime prevention laws. Thus, they are unable to cope with this very complex situation.

The third major Federal law (there have been a number of minor Federal firearms laws which made slight changes in these and other lesser Federal gun laws) is the Mutual Security Act of 1954, which authorizes the President to regulate the export and import of firearms. Administration of the Act has been delegated to the State Department.

The February, 1967 report of the President's Commission on Law Enforcement and the Administration of Justice, explains that none of these laws prevent a person from simply going to another locality or state to purchase firearms. "Despite the Federal laws, therefore," writes the Commission, "practically anyone—the convicted criminal, the mental incompetent, or the habitual drunkard—can purchase firearms. . . ."

EXISTING STATE AND LOCAL LAW

With the ever-present dangers of crime, many state and local governments have taken it upon themselves to correct the situation as much as possible by enacting gun legislation.

Of the numerous states with some degree of controls, New York's Sullivan law provides the most stringent. It requires that a license is required not only to purchase a pistol or revolver, but also to keep it in one's home or place of business as well as to be able to carry the weapon. Though the state has no law requiring a license for rifles or shotguns, the Sullivan Law stipulates that they cannot be carried in a car or public place when loaded.

Even this tough law apparently is not satisfactory in preventing crime. Thus, through the efforts of New York City's Mayor John Lindsay, Senator Robert Kennedy, and Councilman Theodore Weiss, the New York City Council has just passed a strict law requiring that all persons owning or buying rifles and shotguns, register them and obtain a license from a new Firearms Control Board. Applicants would be fingerprinted and would be required to state if they had any criminal record or had once been treated for mental disorder, narcotics addiction, or alcoholism. There would be a small fee for registration.

In August, 1966, a strict gun law went into effect in the state of New Jersey. It required, among other things, that applicants for gun permits and identification cards submit fingerprints for a check of any possible criminal record. According to the state Attorney General's office, the check of the 45,771 fingerprints submitted during the first year of operation revealed that 3,167 applicants had arrest records. At the same time, the number of handgun permits issued under the new law rose to 13,279, as opposed to the pre-gun-law figure for fiscal 1965–1966 of 9,000. These statistics, the Attorney General's office explains, present evidence that the new law, contrary to gun lobby objections, is beneficial, fairer to applicants—it allows no favoritism or inconsistencies in issuing licenses and permits.

Still, state and local laws, many say, are just not enough. New Jersey Attorney General Arthur Sills writes: "Certainly the devastation wreaked upon the city of Newark (in the recent riots) . . . is conclusive testimony to the ineffectiveness of our law in preventing the importation of firearms into New Jersey by persons with criminal intent. We know that many of the weapons used by snipers and rioters . . . could not have been purchased legally in New Jersey. . . . If the riot in Newark is not enough to insure an immediate exercise of Congressional responsibility, what more will it take?"

LOBBIES AND PUBLIC OPINION

The question is a good one. Congress has been hard put in debating numerous gun-control bills—the Administration bill, the Dodd bill—and many others, and as yet has been unable to pass one. While national opinion surveys show a marked desire for gun laws, these laws apparently have been held back by the so-called gun lobby, a conglomeration of sportsmen's and right-wing groups, dominated in size and strength by a group which the New York Times declared has "organized one of the most successful lobbying campaigns in recent history": the National Rifle Association.

The NRA reportedly has 850,000 members, $10,000,000 in assets, and, according to the Times, is so well organized for exerting pressure through letter-writing campaigns that it can probably get its huge membership to "hit Congress with half a million letters on 72 hours notice." The NRA's anti-gun-law campaign has been so effective, the Times adds, that except for one significant bill in the state of New Jersey, not one of the more than 500 gun-bills considered by state legislatures has passed.

NRA's executive vice president, Franklin Orth, explained that the NRA "looks upon the vast majority of bills for firearms legislation as the misdirected efforts of social reformers, do-gooders, and/or the completely uninformed. . . ."

In submitting evidence that the NRA and allied groups are the major hindrance to the passage of gun control legislation, Senator Edward Kennedy cites a January, 1967, Gallup Poll which showed that "73 percent of those polled favored a law which would require the registration of a rifle or a shotgun. Eighty-five percent favored a law requiring the registration of pistols. Seventy-five percent favored doing away with all mail order buying of guns. Eighty-four percent felt there should be restrictions on who is allowed to buy a gun. Only 12 percent believed that anyone who wants a gun should be allowed to buy one with no questions asked."

In view of such apparently overwhelming odds in favor of legislation, the lack of a new law appears even more puzzling. Senator Tydings explains: ". . . passage of an effective Federal law has been blocked by a very small, but very vocal, minority, using invalid arguments. The reason this bill has not been passed is that the overwhelming majority of Americans who favor reasonable gun control legislation have not been mobilized to write their Congressman and Senators in favor of such legislation."

"It is indeed amazing," says Senator Kennedy of Massachusetts, ". . . that we continue to tolerate a system of laws which makes it ridiculously easy for any criminal, madman, drug addict, or child to obtain lethal firearms which can be used to rain violence and death on innocent people."

THE 50TH ANNIVERSARY OF FINNISH INDEPENDENCE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COHELAN. Mr. Speaker, I am delighted to be able to add my endorsement to this resolution commemorating the 50th anniversary of Finnish independence.

This 50th anniversary is a most fitting time to pay tribute to the people and the accomplishments of Finland. This year, the United States issued a commemorative stamp in honor of the 50th anniversary of Finnish independence. This was only the third national commemorative stamp ever issued by the United States.

The Finns are a most remarkable people. The tenacity and courage of their national character is admired around the world. This "sisu," as it is known in Finnish, is at the heart of Finnish independence.

While the country of Finland is celebrating its 50th anniversary of independence this year, the Finnish people have in a real sense always been independent. They managed to preserve a national culture, a national integrity, and a national language throughout their entire history. And this strong national integrity has been seen time and again in this century. The Finns have fought hard to maintain their independence and have had to go to war to keep it.

The Finns' integrity and character has shown up in other ways too. The Finns have assiduously paid back their World War I food loan. And today, the funds from this repayment are being used to provide a cultural and education program between our two countries.

The Finns too have devoted their national energies to rebuilding their country.

Today, they produce some of the finest artistic and design work produced anywhere in the world.

Today, the Finns have one of the highest literacy rates in the world, and they can boast of one of the highest newspaper readership rates in the world.

And in an area which deeply concerns me, the preservation of natural resources, and particularly forest resources, the Finns are among the world leaders. Their resources are being protected and at the same time they have developed an advanced and efficient lumbering and pulp industry.

While the Finns are today a most modern nation, their roots in America go all the way back to 1638 when they founded a settlement in what is now Chester, Pa. The 400,000 Finnish Americans, can be proud of the accomplishments of their ancestral home.

I congratulate the Finnish people on their accomplishments, at this the 50th anniversary of their independence.

CONSUMER SAFETY AT ALL LEVELS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PICKLE. Mr. Speaker, when the President signed the bill to create a Product Safety Commission, he took occasion to outline other valuable steps needed in the field of consumer protection. Again, in signing the Clean Air Act of 1967, he made a plea for quick action on several of the other important pieces of consumer legislation now before Congress.

At this time, important consumer bills are pending at every level of the legislative process. In addition to those measures already enacted, bills dealing with Federal meat inspection, truth in lending, flammable fabrics, gas pipeline safety, and animal drugs have passed at least one House, and I am hopeful that both Houses can reach agreement by early next year.

With the actions last week of the House Judiciary Committee, it is becoming more and more apparent that there will be an investigation forthcoming on auto insurance and the rights of the insured against cancellation or the inability to get coverage due to nonrisk factors.

My own committee, Interstate and

Foreign Commerce, has jurisdiction over many of these consumer safety bills. Already we have completed work on many of the bills I have mentioned. But we still have much to do, and the initiative now rests largely with the committees. In my own committee, we have bills concerning hazardous substances labeling; to provide a uniform system of identification for all receptacles containing compressed gas; and to provide full disclosure of real estate sold through the mails. Also, under the committee's food and drug jurisdiction, we have bills to provide a definition of food supplements and other food additives.

In short, Mr. Speaker, while we can be proud of the record of this Congress in the field of consumer safety and protection, we should realize that there is still much to do, and I hope that we will see further progress in the next session.

THE 10-PERCENT SURCHARGE WOULD LEAVE TAXES LOWER THAN IN 1963

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ULLMAN. Mr. Speaker, on Wednesday our Ways and Means Committee convenes to hear details of the spending cuts planned by the administration as part of its fiscal program.

While the administration's expenditure-cutting plans will be the center of attention, there seems to me to be an important need to focus on just what the proposed 10-percent surcharge calls for and just how much of a tax burden it would place on Americans.

I, for one, detect a good deal of confusion among Americans on this subject. Most Americans do not realize that even with enactment of the surcharge, 1968 Federal income taxes would be substantially less than 1963 taxes—the year before the tax cuts of 1964.

With the resumption of hearings on the President's fiscal program, it is important to set the record straight in this regard once and for all.

First, let us be perfectly clear on what the proposed 10-percent surcharge does. It would add a levy of 10 percent on top of an individual's or corporation's existing tax bill. I want to stress that the surcharge would not impose an additional tax of 10 percent on income. What the small additional levy really amounts to is only about 1 penny on a dollar of income; under the administration's plan announced in August there would be no tax increase at all for individuals in the lower brackets.

TAX BURDEN DOWN

Second, let us be perfectly clear on what the proposed surcharge would mean in terms of the size of the Federal tax burden Americans would have to shoulder. In 1964, the Congress approved a broad program of tax reduction. I suspect some Americans believe enactment of the surcharge would return their Federal income tax rate to a level higher than before the 1964 tax cut.

This is a completely false impression. For in reality, if the 1963 rates were still the law, the tax take from individuals would be $10 billion more than present rates plus the surcharge. This is an important point, and I therefore have asked the Treasury Department to prepare several tables that would show the smaller tax burden for Americans in 1968—including the proposed surcharge—compared with the tax burden in 1963.

The three tables that I have received are very instructive and informative. Let us take some examples from each:

The married couple with two dependents and an income of $3,000 paid $65 in taxes in 1963 prior to the tax cut; the couple's taxes in 1968, including the surcharge, would amount to only $4—94 percent less than 5 years earlier. A similar couple with income of $5,000 paid $420 in taxes in 1963; they would pay $290 in 1968, for a tax savings of $130 or 31 percent compared with 1963. If that family had a $7,500 income, its 1963 taxes of $877 would compare with $756 in 1968. This is $121 or 14 percent lower than in 1963.

Mr. Speaker, to illustrate, I would like to insert the first of the three tables supplied by the Treasury:

TABLE 1.—COMPARISON OF FEDERAL INCOME TAX IN 1963 WITH 1968 TAX, INCLUDING THE PROPOSED SURCHARGE [1]—MARRIED COUPLE, 2 DEPENDENTS

Wage income	1963 tax [2]	1968 tax (including surcharge) [2]	Tax savings (amount 1968 tax is less than 1963 tax)	Tax savings in 1968 as a percent of 1963 tax
$1,000	0	0	--------------------	--------------------
2,000	0	0	--------------------	--------------------
3,000	$65	$4	$61	94
5,000	420	290	130	31
7,500	877	756	121	14
10,000	1,372	1,225	147	11
12,500	1,901	1,724	177	9
15,000	2,486	2,268	218	9
20,000	3,800	3,476	324	9
25,000	5,318	4,853	465	9
35,000	9,037	8,282	755	8
45,000	13,513	12,414	1,099	8

[1] Proposed surcharge of 10 percent of tax, exempting from surcharge single returns with taxable income of $1,000 or less and joint returns with taxable income of $2,000 or less.

[2] Tax computations assume standard deduction (or MSD in 1968) or deduction equal to 10 percent of wage income, whichever is greater. Tax is rounded to whole dollars prior to surcharge computation in 1968. Where wage income is less than $5,000, tax liability is from optional tax tables in 1963, and tax liability prior to surcharge is from optional tax tables in 1968.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis.

I now want to turn to some examples of the 1968 versus 1963 tax burden for the married couple with no dependents. With a $3,000 income this couple paid taxes of $305 in 1963, and would pay $204 in 1968, or $101 less for a tax savings of 33 percent compared with 1963. With a $5,000 income this couple's taxes came to $660 in 1963, and would amount to $551 in 1968 or $109 less than 1963. And with $7,500 income, the couple's 1963 taxes of $1,141 would compare with $1,007 in 1968, or $134 less than 1963. To illustrate the tax burden comparisons of this group of taxpayers I would like to insert the following table:

TABLE 2.—COMPARISON OF FEDERAL INCOME TAX IN 1963 WITH 1968 TAX, INCLUDING THE PROPOSED SURCHARGE [1]—MARRIED COUPLE, NO DEPENDENTS

Wage income	1963 tax [2]	1968 tax (including surcharge) [2]	Tax savings (amount 1968 tax is less than 1963 tax)	Tax savings in 1968 as a percent of 1963 tax
$1,000	0	0	--------------------	--------------------
2,000	$122	$58	$64	52
3,000	305	204	101	33
5,000	660	551	109	17
7,500	1,141	1,007	134	12
10,000	1,636	1,476	160	10
12,500	2,213	2,014	199	9
15,000	2,810	2,569	241	9
20,000	4,192	3,832	360	9
25,000	5,774	5,276	498	9
35,000	9,601	8,797	804	8
45,000	14,149	13,008	1,141	8

[1] Proposed surcharge of 10 percent of tax, exempting from surcharge single returns with taxable income of $1,000 or less and joint returns with taxable income of $2,000 or less.

[2] Tax computations assume standard deduction (or MSD in 1968) or deduction equal to 10 percent of wage income, whichever is greater. Tax is rounded to whole dollars prior to surcharge computation in 1968. Where wage income is less than $5,000, tax liability is from optional tax tables in 1963, and tax liability prior to surcharge is from optional tax tables in 1968.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis.

As a final example let me deal with the 1963–68 tax burden for single individuals. With a $3,000 income, the single individual paid $427 in 1963 and would pay $366 in 1968 or $61 less taxes than in 1963. With a $5,000 income, taxes for the single individual in 1963 were $818 and would amount to $738 in 1969, or a tax bite $80 less than in 1963. And with a $7,500 income, the single individual's taxes in 1963 were $1,405 and would amount to $1,285, in 1968 or $120 lower than 5 years earlier. I would like at this point to insert into the RECORD the last of the three tables to illustrate the tax burden comparisons for single individuals:

TABLE 3.—COMPARISON OF FEDERAL INCOME TAX IN 1963 WITH 1968 TAX, INCLUDING THE PROPOSED SURCHARGE [1]—SINGLE INDIVIDUAL

Wage income	1963 tax [2]	1968 tax (including surcharge) [2]	Tax savings (amount 1968 tax is less than 1963 tax)	Tax savings in 1968 as a percent of 1963 tax
$1,000	$62	$16	$46	74
2,000	242	179	63	26
3,000	427	366	61	14
5,000	818	738	80	10
7,500	1,405	1,285	120	9
10,000	2,096	1,916	180	9
12,500	2,887	2,638	249	9
15,000	3,787	3,469	318	8
20,000	5,900	5,410	490	8
25,000	8,324	7,680	644	8
35,000	13,778	12,790	988	7
45,000	19,671	18,273	1,398	7

[1] Proposed surcharge of 10 percent of tax, exempting from surcharge single returns with taxable income of $1,000 or less and joint returns with taxable income of $2,000 or less.

[2] Tax computations assume standard deduction (or MSD in 1968) or deduction equal to 10 percent of income, whichever is greater. Tax is rounded to whole dollars prior to surcharge computation in 1968. Where wage income is less than $5,000, tax liability is from optional tax tables in 1963, and tax liability prior to surcharge is from optional tax tables in 1968.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis.

In conclusion, let me add that I favor a temporary tax increase, provided it is combined with a positive and responsible plan for expenditure reductions. I believe both fiscal measures are necessary to keep interest rates from soaring and to maintain a sound and stable economy.

ONLY THE DEAD HAVE SEEN THE END OF WAR

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, when the crisis came in the Middle East last June, the Shreveport Times published an editorial, "Only the Dead Have Seen the End of War," a most provocative commentary on the situation at that time. I clipped the editorial and have kept it on my desk in the ensuing months. As the Times prophesied, nothing has really been settled in that churning area of the globe.

Five months after this editorial was written, it is more compelling than the day it was published. For those who share my grave concern over the continuing unrest in the Middle East I commend this editorial:

ONLY THE DEAD HAVE SEEN THE END OF WAR

The superbness of Israel's military forces in the Middle East war, the training of its men and the planning of both strategy and tactics by the generals probably has not been matched—when the size of the nation and its combat armies are considered—since gunpowder was invented.

Above all was the magnificent efficiency of the individual Jewish soldier, fighting not only with head and hands but with a heart bursting with nationalism—patriotism, love of country, belief in his nation's cause. There is no surprise in this. The Jewish Brigade that fought beside France, Britain and the U.S. was one of the most decorated units in World War II.

The competency—from long training and instillation of the sharpest of discipline—of Israel's field leaders and commanders from corporals to generals was outstanding.

The pre-war espionage must have been virtually perfect; the Egyptian Sinai desert peninsula between that country and Israel was crossed by six air-tank-mechanized infantry Israeli military columns in blitzkrieg tactics—heavy air bombing preceding fast moving ground forces—with speed measured by hours, despite heavy Egyptian resistance. The Sinai desert was infested with mine fields, but the Israelis had 100 per cent accurate maps of them. They zigzagged back and forth through the mined areas with ease. The Egyptian air force was virtually wiped out before more than a few planes could get off the ground from the Cairo area—with some air units not even aware that the war had started.

Thus came a military victory in a matter of a few days while much of the world still wondered what was going on. But the wonder was from civilians. Military leaders of most non-belligerent nations—perhaps even Russia, and this would account for its lack of enthusiasm once the shooting started—were not surprised. A pre-war report from General Wheeler, Chairman of the U.S. Joint Chiefs of Staff, to President Johnson, now made public, said Israel could win in three days if its armies got the jump on the Arabs with blitz tactics.

Israel's first attacks on the Arabs—regardless of which side fired the first shots—came through simultaneous launching of 12 separate blitzkrieg columns into Arab territory, each column poised on separate Arab border areas, springing forward on a single command. Some of these columns then were split into a total of 14 driving forces of tanks and mechanized infantry, preceded by heavy air attack, which often left the ground forces little to do except mop up the debris of the Arab fighting equipment, as well as the Arab casualties.

But some Israel leaders are forgetting both facts and history in their repeated and natural proclamations that "Israel did it alone!" It did as to the fighting—but it fought with 1,000 British Centurian tanks—Britain's best—quite a few American Patton tanks, hundreds of French Mirage jet planes—about as good as any nation can put into the air in quantity.

And Israel became a nation in large part through the tremendous pressure put on other nations, through President Truman, by the United States in the late 1940's; and since then Israel has had friendship and financial as well as physical help from the U.S. or France or Britain, or all three.

Russia supplied most of the Arab weapons—two billion dollars worth, it is said. All nations have known of this for several years. Russia and its satellites now are supplying North Vietnam at the rate of two billion dollars in war materiel per year. The United States has put two billion dollars in foreign aid into the Arab lands in past years.

But, what does Israel's conquest mean?

Wars settle nothing and this one can be no more than another incident in 3,000 years of Middle East strife unless Israel arises far beyond its insistence now that it will keep the land it has won by military victory and that Israel alone will decide Middle East boundaries—meaning boundary lines of Syria, Jordan and Egypt, and thus of Israel.

Few years, if any, have meant real victory for anyone. World War I, bloodiest per man and per square mile in the history of shooting combat, was one of history's most useless conflicts.

War II created several dozen new nations, mostly incapable of handling themselves.

Israel's past two conflicts with the Arabs, prior to its current victories, drove a million to a million and a half human beings from the homes of their ancestors. The present conflict already has created another million refugees according to some Middle East estimates.

Israel always has been right as to the Gulf of Aqaba. It has historical claim to all of Jerusalem and the Arabs have an occupational claim—through generations—to what has been their part of the city. The Gaza Strip argument could be settled quickly if common sense were used.

The National Observer (of Washington) editorially says that everyone lost in this Middle East War—Great Britain, France, Russia, the United States, the Arabs and Israel. Israel's Cabinet is split—General Dayan was pushed into the Ministry of Defense three days before combat started, against the will of Prime Minister Eshkol, who tried to prevent war by negotiating. Now the Dayan group want to oust the Prime Minister and have the "warhawks" take over.

That could mean that not only would conquest triumph over common sense, but lust for power—and land—might triumph over even conquest.

Israel, in its war settlement pronouncements, defies the United Nations, the United States and the civilized world in general. The United States, France and Britain are committed by solemn and formal agreement to preserve territorial and political integrity in the Middle East—meaning to prevent expansion of one nation, Arab or Jew, by military conquest. President Johnson reiterated this pledge on May 23. Israel is committed to the U.N. as the world's peace making and seeking organization.

The National Observer, in detailing ultimate losses to non-belligerents as well as belligerents in the conflict just ended, terms "aggressor" a word that is now "mere mockery." It then continues in this way as to Israel's possible losses in a war it won spectacularly:

"For Israel, the damage is more subtle perhaps. First, it looms as an expansionist state in a world tired of expansionist states. Further, there is the problem faced by any expansionist state—what to do with the peoples absorbed. Refusing its obligations towards the Arab refugees from past wars, it now faces the probability that more must be dealt with, Arabs in whom deep revulsion for the Israeli already is rampant.

"Nor will other Arab states forget. Further, granting severe provocation in the Egyptian blockade of the Gulf of Aqaba, Israel nonetheless threw its forces into battle while negotiation was in progress—in fact, the United States may have been an unwitting accomplice by encouraging Arab negotiation while the Israelis put the finishing touches on the blitzkrieg plan.

"Nations going to war do not keep their aircraft on the ground, and by Israeli accounts the Egyptian air force was largely destroyed before a single sortie had been flown.

"Israeli trigger-happiness in strafing and torpedoing a lightly-armed U.S. Naval auxiliary vessel, flying its flag and alone on international seas, has had its effect on American opinion.

"Internally, Israel's unstable domestic politics may face the impact of a crop of warhawk heroes, more skilled in war than in peace. Such a development, in a land whose people have been forced to become militaristic for survival, is worth watching for."

Truly, as Plato said nearly 2,500 years ago: "Only the dead have seen the end of war."

THE HONORABLE HORACE R. KORNEGAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I am certain that all Members have seen the press release issued yesterday by our colleague, HORACE KORNEGAY, announcing that he will not be a candidate to succeed himself at the end of this term.

Few, if any, of you outside our North Carolina delegation have seen a copy of his personal statement to the press in his hometown of Greensboro and I am consequently inserting it in the CONGRESSIONAL RECORD in full together with a joint statement issued yesterday by nine members of the North Carolina delegation.

Three members of our delegation have issued separate statements.

Mr. Speaker, I know that all of our colleagues will regret the loss of the services of this distinguished North Carolinian, but few will argue that his reasons are not sound ones. The statements follow:

STATEMENT OF HONORABLE HORACE R. KORNEGAY

Thank you all for coming this morning.

I have a statement that I would like to make and following that I will be glad to submit to any questions you might have.

On the completion of my present term in Congress, I will have spent 20 years in public service—as a soldier, a prosecuting attorney, and a Congressman; and after much thought and soul searching I have come reluctantly to the decision that it is time for me to return home to my family—my wife and our three children. I will therefore not be a candidate for reelection to Congress.

The primary reason for my decision to *not* seek reelection is that the Congressional sessions have become practically year 'round, and for the past seven years I have been deprived of the normal relationship with my family and with my growing children. These are the years when my children most need the presence of a father, and I am sorry to say that my duties in Washingon have made me a father *in absentia*.

I reached this decision, the most difficult one of my life, a number of weeks ago and planned to make it public upon my return home after the adjournment of this session of Congress. It is now apparent that this session will not conclude until shortly before Christmas, if then. And, I feel it would not be fair to wait any longer to inform the people of the 6th District of my decision. Now that you know of my decision not to seek reelection, I want to emphasize that it is *final*.

In less than three years my son Robie will, I hope, enter college, and two years thereafter my daughter Kathy will do likewise. And, the way time flies, it will not be many years before little Martha will reach college age. I feel very strongly the obligation to spend as much time as possible with my children before they leave home.

Some may ask why I have not moved my family to Washington? My answer is that my Congressional duties extend into the evening and often into the late evening. This naturally conflicts with a normal family life. Also, I feel that I have rendered a greater service to the constituency by returning to the District on a weekly basis to talk with the people and to aid them with their problems.

I am grateful for the confidence the people of the Sixth District have placed in me and feel that I have been fortunate in the redistricting process—I have made so many friends I shall always value in the Counties of Durham and Orange and Davidson, as well as Alamance and my home County of Guilford; and I appreciate the kind offers of support which have already been made to me by Caswell and Rockingham Counties, which will be a part of the new 6th District in 1969. This wonderful Piedmont area of North Carolina is the best place in the United States, and I would rather have had the privilege of representing these Piedmont Counties than any other area under the sun.

There are so many to thank for their support and confidence that it would take me years to get around to the individual expression of my appreciation and of my humility in the trust which has been reposed in me through these years.

Let me now say to all my good supporters and to my loyal staff and to all who have borne so patiently with my heavy and rushed schedule: Thanks a million, and may you have the representation you deserve in the future. I have given to you the best of my ability, but I have given you no more than you deserve. I am confident in the hope that our area will continue to progress and to be a shining part of our state and of our nation. I thank you for letting me be your spokesman in the House of Representatives for eight years.

I was elected in 1966 to serve a fourth term in the Congress and I want everybody to know that I intend to continue to represent this district, this state and nation to the very best of my ability for the remainder of my term. I intend to stay on the job for 13 more months and be of the greatest service possible until January, 1969, when some other fortunate person will be sworn in as Representative from the Sixth District in the 91st Congress.

Thank you for coming and I will now open the floor to questions, but I must leave within a few minutes to return to Washington and get back on the job. There is some important legislation coming up in the House this afternoon and I must be there.

STATEMENT BY THE NORTH CAROLINA CONGRESSIONAL DELEGATION, NOVEMBER 27, 1967

WASHINGTON, D.C.—The news that Representative Horace Kornegay will not seek reelection to the Congress is a source of great regret to us as we are sure it is to the people of the Sixth District and all of North Carolina.

In his seven years in Congress, he has established a record of service and devotion to his district, his state and his country that reflects his unquestioned integrity, energy, interest and concern.

As a ranking and influential member of the House Committee on Veterans' Affairs and the House Committee on Interstate and Foreign Commerce, Horace Kornegay will be leaving positions of great importance and authority. In rising to those positions, he has worked closely and diligently with matters of vital concern to all North Carolinians.

In the important Veterans' Affairs Committee, he has helped shape legislation, including hospital, medical, research, insurance and education services, affecting thousands of Tar Heels who have served in our nation's armed services and their wives and children.

As a key member of the Interstate and Foreign Commerce Committee, he has been instrumental in the passage of landmark legislation concerning public health, air pollution control, mental health, mental retardation, traffic safety, medical research, drug abuses and control, and other subjects designed to improve the quality of life for all North Carolinians and all Americans.

Within the North Carolina Congressional Delegation, Horace Kornegay has been a source of inspiration and enlightenment to all of us. His wise counsel will be sorely missed.

Yet, in spite of his record of service, despite his contributions to his district, his state, his nation and to each of us individually, and despite his love of public service, we can understand his decision not to seek reelection to Congress.

The sacrifices of serving in Congress are not without their rewards. But they are also not without limitation.

In view of all the circumstances explained in Horace Kornegay's statement, we understand his decision. We fervently hope, however, that this decision, announced today, does not mean an end to his outstanding record of public service.

SAM J. ERVIN, Jr., B. EVERETT JORDAN, U.S. Senators; L. H. FOUNTAIN, ALTON LENNON, BASIL WHITENER, ROY A. TAYLOR, DAVID N. HENDERSON, WALTER B. JONES, NICK GALIFIANAKIS, Members of Congress.

THE NEED FOR REGISTERED NURSES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DULSKI. Mr. Speaker, each day there is an increasing need in our Nation for registered nurses, yet the number of graduates is declining and many of the diploma schools have been forced to close.

By 1970, it is estimated that our Nation will have need for at least 210,000 more nurses than we have today. But instead of moving to meet that increasing need, the prospect is that we will not have even as many nurses as we have now.

There were 918 diploma schools of nursing in 1959, but 121 of those schools have been forced to discontinue their nursing education programs in just these few years.

Congress sought to alleviate the situation in 1964 with the Nurse Training Act which I supported. We had high hopes for that program but so many schools already were in such financial plight that they could not qualify for assistance.

It is not a lack of educational facilities—ironically, there were more than 4,000 vacancies in nursing classes entering this fall.

The problem is that many young people who would like to pursue a nursing education cannot afford the increasing tuition rates which the diploma schools must charge to meet their modern-day budgets.

The need for nurses is so acute that I believe we should establish a temporary 5-year program of Federal help that will not only help the nursing schools reestablish their financial footing but also will give limited tuition help to student nurses.

Accordingly, Mr. Speaker, I am introducing legislation today that would:

First, help bolster training resources and staff through annual grants ranging from $12,000 to $24,000 per school, based on enrollment.

Second, improve library resources through matching fund grants not exceeding $6,000 per year.

Third, help reduce training deficits and control rising tuition costs through $400 per pupil grants to diploma schools.

Fourth, authorize the Surgeon General to participate in determining eligibility of diploma schools for assistance.

Fifth, stimulate development of comprehensive plans for nursing education, including development of facilities and recruitment of students, in each State.

LESSONS IN HISTORY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Kirwan] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KIRWAN. Mr. Speaker, how many times must we relive the lessons of history to gain the wisdom needed to answer the problems of today. How many times will we have the opportunity to reap the benefits of the great lessons of the past.

We in the Congress are called on every day to give our best advice and judgment on issues of the world. We read, debate, and discuss these issues with all the wisdom and knowledge we possess; yet the lessons of history continue to serve as a pillar of support to answer the issues we face. Such is the article I am pleased to insert in the Congressional Record today which appeared in the Washington Post this past Saturday, November 25, 1967, written by Roscoe Drummond:

New Isolationism Ignores Every Lesson Since the Twenties

Believe me, it isn't easy to find good reasons for abandoning South Vietnam, for embracing high protectionism, for thinking we can't successfully resist Communist aggression and for fondling the idea about how nice it would be to live in Fortress America.

It does take some mental straining to embrace these propositions but there is a way to do it.

All we have to do is throw over every valuable lesson which most Americans feel they have learned the hard way during the past 38 years.

If we are careless enough and heedless enough to ignore what we have learned from the agony of the Great Depression until today, then it is quite understandable that some Americans will be disposed to repeat the errors of history by neglecting the lessons of history.

There are diverse voices today which, with differing motives, are beckoning the Nation to try to prepare the road to political, military and economic isolationism. If these beckonings are to lure most Americans, their advocates will have to persuade us to reject our whole national experience since 1929 and to conclude that what we learned as a people and as a Nation is no longer true.

These are the lessons to which I refer:

The lesson of appeasement—In the 1930s, during the rise of Hitler when the danger of Nazi aggression was no bigger than a man's fist, the United States sought to keep out of war by withdrawing within itself and by closing its eyes to what was happening. Britain and France and the United States, all of us, hoped that if we threw a few small nations to the aggressor, his appetite would be appeased.

It didn't work and worse war under worse conditions with worse casualties became inescapable. The result—World War II.

The lesson we learned was that the only way to contain the peril of major war is to successfully resist aggression at its start.

The lesson of the depression—At the first signs of economic recession in the late 20's, the Congress turned to the one course of action which speeded up the process, turned recession into depression, made what was bad still worse and delayed recovery—high protectionism under the Smoot-Hawley Tariff Act.

Nearly every economist knew it was wrong but the political fears and the political pressures were too great.

But Congress and every President since 1933 acted to repair this painful mistake, first through the reciprocal trade laws and then through the Kennedy Round of freeing trade at Geneva last year and this. Now 89 Senators have put their names to measures designed to retreat to the protectionist path by providing for import quotas to shield U.S. firms from competition.

The lesson we once learned is that modern industrial economies, from Germany's to Japan's and including our own will suffocate and wither in a world of throttled trade. Foreign trade benefits every nation and we can't afford to throw that benefit away.

The lesson of the new economics—We are supposed to have learned that if we are going to reduce taxes when the economy needs to be stimulated, we must have the political courage to raise taxes when the economy needs to be restrained—as it does today under the impact of the Vietnam war. If Congress reduces taxes because it is politically pleasant and refuses to raise taxes because it is politically painful, we are in for the worst of both worlds.

The lesson of success—The United States, with its allies, has successfully resisted Communist aggression against Greece and Turkey, against Iran, Lebanon and Quemoy-Matsu, against South Korea and the Dominican Republic. We have blunted the instrument of Soviet nuclear blackmail in Cuba.

It is a record of remarkable success.

The defense of South Vietnam may be painful, but resisting aggression at the start is the way to avert worse war under worse conditions with worse casualties.

ADDRESS BY UNDER SECRETARY OF AGRICULTURE JOHN A. SCHNITTKER

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PURCELL. Mr. Speaker, the Under Secretary of Agriculture, Dr. John A. Schnittker, made an outstanding address on November 22 in Wichita, Kans., at the Chamber of Commerce Farm-City Week luncheon.

I believe this hopeful and optimistic expression deserves the attention of my colleagues. It follows:

Address by Under Secretary of Agriculture John A. Schnittker at Chamber of Commerce Farm-City Week Luncheon, Lassen Hotel Ballroom, Wichita, Kans., November 22, 1967

One night in September Eric Sevareid interviewed a guest on television. The thoughts expressed on the program brought a tremendous response from Americans who have been aching to hear someone say something good about their country. So it was repeated in November.

The viewers learned something good about America that night. They saw a craggy-faced, 65-year old longshoreman express his faith in America in words so eloquent and so compelling that no one who heard them could fail to be moved.

In an hour Eric Hoffer, laborer, philosopher, author and champion of the common man, put to rout the cynics who predict that America has had her finest hour, and that mankind is headed toward a dead end. Afterward, he found himself hailed as an authentic voice of America.

What did he say that was so electrifying? Nothing really new. It was just that no one had said it for so long that it sounded new . . . and good . . . and worth saying.

He said that ours is a great nation—the greatest in history, the country in whose hands rests the fate of the world.

The magic of his message lay in the fact that he cut straight through to the heart of the matter. He acknowledged the unsolved problems, the setbacks, the disappointments and frustrations. But he resoundingly affirmed his belief that America is *still* America . . . and that this country is *still* moving up.

For months, now, we've heard that this country is going to the dogs in a hurry . . . while virtually every conceivable measuring stick tells us just the opposite!

We can hardly pick up a newspaper or a magazine, spend an evening watching television or listening to the radio, see a movie or hear a lecture, without being told what's wrong with America.

Now the truth is, there are many things wrong with America.

As a people, perhaps we are over-materialistic. Too often we do equate money with success. We are, to some degree, pleasure-minded.

We are the wealthiest nation that ever existed . . . yet we do have in our midst abject poverty—rat-infested slums—hunger—polluted water and air—crime in epidemic proportions—congested cities—empty countryside—and a growing alienation among our youth.

But it is one thing to recognize shortcomings and another to be dominated by them.

I'm disturbed, and I'm certain many of you are, by the developing habit of running America down.

We see it in the growing practice of headlining our faults out of proportion to reality.

We see it in the chronic negativism that condemns mistakes, however small, by our leaders—in Wichita or in Washington—while overlooking both the complex nature of today's problems and the mistakes of others . . .

We see it in efforts to avoid the responsibility of proposing and working for a better community, a better State, or a better world.

And we see it in the growing proportion of Americans who are, as the Hippies put it, "tuning in, turning on . . . and dropping out." Dropping out of *all* responsibility.

It shouldn't be necessary to say this, but

I want it to be clear that I am not in any way calling for an end to criticism.

The right to dissent is basic to the integrity of our democracy. Every responsible person wants to protect it. But what I am suggesting is that what we need is less negative criticism and more constructive criticism . . . dissent is perspective.

Everything is *not* wrong in and with America. Indeed, there is far more that is *right*.

Winston Churchill said that "Democracy is the most ridiculous system of government ever invented . . . except all the others."

Perhaps we could paraphrase Churchill and say that America is the worst country in the world—except all others. For when we compare this land of ours—its freedom—its capacities—its generosity—its potential—its idealism—then, despite the flaws, we must admit there is far more to admire than to condemn.

What is *right* with America?

Let's start at the material level.

We have the highest standard of living, the greatest wealth per capita, in the world.

I see no reason to apologize for this. Wealth and productivity are positive things, goals that people have sought since history began. We in America have achieved those goals—and should not be ashamed because we have.

This month our business expansion became the longest uninterrupted economic expansion in history. The expansion which started in February of 1961 is now entering its 81st consecutive month . . . 50 months longer than the average business boom.

But there are far more things right with America than the mere concentration of wealth.

America is a unique political creation of a design so grand it promises the ultimate evolution of a society in which every individual has a chance, in which each individual is of value, in which no individual is irreparably damaged by preventable circumstances. On a loftier scale, a society that will release the full human potential, enhance human dignity, and free the human spirit.

America has seen in the past four years a series of breath-taking advances in personal freedom and economic opportunity.

The 89th Congress voted more Federal funds for education than all the previous Congresses together. The 89th Congress voted nearly as much money for the Nation's health as all of its predecessors put together. And that money has been put to work.

The Economic Opportunity Act of 1964 was the "breakthrough" law that launched 10 separate programs coordinating an attack on the multiple causes of poverty . . . and today there is 25 percent less poverty in the United States than there was just seven years ago!

The Elementary and Secondary Education Act of 1965 is helping almost every school child in the country, and the Higher Education act is assisting millions of college students.

For the first time in history, American cities and the transportation industries that link them together are represented in the highest councils of government. Through the new Department of Housing and Urban Development, the Federal Government can now do effective battle with the physical and social decay plaguing many of our cities. Through the Department of Transportation we have taken the first steps toward a national transportation policy.

The Food and Agriculture Act of 1965 has increased farm income, reduced price depressing surpluses, and enabled us to meet world competition in farm exports.

And this decade has brought much more: Medicare, the Civil Rights Act, the Peace Corps, the Nuclear Test Ban, more water projects, Social Security increases, expanded agricultural research . . .

I list these accomplishments not for any partisan purpose to challenge the growing suspicion that America is not on the move—that Americans have lost sight of the grand design for our society in their headlong race for personal gain.

Eric Hoffer put it this way: "Anybody who writes a book about America and doesn't mention kindness doesn't know what his country is. You don't sing about it . . . this is part of our life."

Yet while many people work for the benefit of *all* people, there are millions of their fellow citizens not yet fully conscious of the challenge; there are others who are not committed to the values involved; still others are bitterly disillusioned that the millenium has not yet arrived; and some so apathetic or cynical they believe nothing good can be achieved.

To the disillusioned, I say: A better life is not built in seven days . . . or seven years . . . or seven decades. A nation is never finished nor is a state. Each must be built and rebuilt by succeeding generations. But neither can be built for even one generation unless every sector of the society, and every person in it, does his bit, in partnership with one another.

Whatever the job, it is absolutely clear that the Federal Government cannot do it alone. Let me give you one little statistic that rather dramatically illustrates both the demands on Federal authority and the limits of Federal action.

We hear constant complaints about crime in the streets and insistent demands that something be done about it. Most of the complaints and most of the demands are aimed directly at Washington.

Yet the Federal Government controls only 5 percent of all the law enforcement personnel of this country! Ninety-five percent are State or local officers. Obviously, the Federal Government alone cannot wipe out crime. Nor does it have the major responsibility for doing so.

I know I am echoing the sentiments of Kansas businessmen and farmers when I speak of the importance of local responsibility. There is another area where local initiative is increasingly important. This is in the creation and development of tomorrow's communities. If we are to have living and growing town and country communities linked together not only by highways, but by education systems, medical units, governing systems, comprehensive plans, and by a spirit of community action reminiscent of pioneer days, it will take a calibre of personal leadership even the pioneers never knew.

National Farm-City Week is an appropriate time to consider this emerging community of tomorrow. Here in the Plains, developments in agriculture, in transportation and in communication have changed many things in the last 40 years. But they have not altered the interdependence of town and country. They have reinforced it.

The interdependence of the past between farm and city is only a hint of the future.

On another occasion, speaking in Kansas, I called attention to projections of economic growth by regions of the country, projections which indicate that in the Plains and the Midwest, people are coming into the labor force faster than jobs are being created.

In other areas of the U.S., especially the West and Southwest, jobs are being created at a rate which is outrunning the availability of people, *in that area*, to fill them.

If these trend projections are borne out by events, it will mean further concentration of industry and people in a few areas of the country—in a nation where 70 percent of the people now live on 1 percent of the land—and where it is already clear that the costs of further population concentration will be enormous.

It is difficult for us to realize just how congested some parts of our cities are. In Harlem, for example, the population density in 1960 was more than 122,000 persons per square mile! If all the people of this nation were so congregated, our entire population of 200 million could be accommodated on Long Island.

You know as I know this terrible crowding of impoverished human beings leads to desperate, hopeless people—and to riots and looting which are the instruments of hopelessness.

Last summer's riots caused the death of 85 persons, injury to more than 3,200, and the arrest of 16,000. They cost—in destruction of property and riot related expenses—hundreds of million of dollars.

All of this points up the crucial importance of the right answer to this question: Where will the 100 million more Americans of the Year 2000 live? Where *can* they find jobs and a chance for decent lives in a place where they *want* to live?

The unhappy fact is that in *this* moment in time a great many Americans have no real choice, for their dreary options are often either a decaying countryside or an exploding gnetto.

In less than two decades, the countryside across the nation has lost 20 million persons to the big cities. *And it is still losing them at a rate of 500,000 to 600,000 a year*.

Obviously, not all of these rural migrants wind up in ghettoes. Some have been able to better their lives by moving to the cities. But just as obviously, a great many rural people *do* wind up in ghettoes. Indeed, city ghettoes and slums have been described as little more than the spillover from rural slums.

The challenge before America is to offer people a real choice of where they want to live and to work . . . and not just a geographical option between slums.

Can it be done? I think it can. There is *much* that we can do about it—much that we are *already* doing—and more that we *must* do.

There is an alternative to city-suburban living for that part of the population which chooses such an alternative. For want of a better term, I call that alternative the "town-country community."

We *can* influence settlement. We *can* allocate opportunities to various areas. We *can* generate communities that will entice people to leave their deteriorating suburb, their high rise from nowhere, their nasty ghetto. Man makes himself. This is what we live by.

Outside the great metropolitan areas, there are now some 300 identifiable non-metropolitan complexes made up primarily of farming, small manufacture, recreation, and other "open" land, and dotted here and there with villages and small towns where people live and trade and are tied together by one or more small cities—cities that are growing and moving forward.

Such multi-county town and country communities are a realistic alternative to mass urban agglomeration.

There is more fertile ground for domestic peace and tranquility in these areas than in the cities. There is not the crowding. Not the pressure of people, one against another. Not the indifference and impersonality. Not the deep running bitterness you find in so many of our cities.

Don't misunderstand me. I am not saying that the small towns and farming areas of America are models of sweetness and light and the cities a chamber of horrors.

With Lewis Mumford I can say: "Men have loved cities"—and I am one of them. "Loved them for their beauty and power, for their variety and animation; loved them as one loves old friends, for their own sakes, despite their many historic shortcomings."

But I am alarmed that these great cities of ours, established as centers of wealth, culture, education, and refinement, have become pitted with crime, disease, unemployment, poverty, and pollution.

One reason why we must encourage the

smaller cities and revive the countryside is to save our largest cities.

If we are to succeed, however, we must first lay to rest some of the damaging myths that sap the strength of our efforts.

The first of the myths holds that *the mass stacking up of people in cities is inevitable.* Why is it inevitable? I've not yet found a convincing argument that it is. The problems of the largest cities *and* of the countryside *demand* that we not yield to this alleged inevitability.

Then there is the myth that *Americans are a city people and want to live in cities.* Millions of metropolitan Americans don't live in the city at all. They live in a suburb, because it's the closest thing to a small town environment they can have while they work in the city. National polls have shown that a majority of our people would prefer small town living to city living, if they had the job to go with it.

Another myth: *The family farm is disappearing and the small towns are drying up.* The truth is that a good 95 percent of all U.S. farms are still family farms. The family farm is getting stronger, not weaker. And while it is true that many tiny towns and crossroad villages are in eclipse, it is equally true that there are thousands of rural towns and agriculture-based cities ranging in population from a few hundred to 50,000 people—towns not only healthy, but the fastest growing population centers in the nation.

Still another myth: *The concentration of some 80 to 90 percent of all our people in a few major urban regions can be accomplished without major damage to the fabric of society.* Can anyone seriously believe this, in view of the urban decay already so evident?

Mayor Davis of Kansas City said last year, ". . . a city can get too big simply because the cost of providing services increases out of all proportion to total population growth."

In some cities during rush hours, it's faster to walk than take a cab. Trucks cross town at an average speed of 6 miles an hour—slower than a horse and buggy in the old days.

Our cities are still centers of culture, the museums filled with art, the theatres bright with stellar performers. But in many instances it's the tourists who flock there. The city residents stay home in droves. It just takes too long to get back and forth.

Modern man, as Arnold Toynbee has said, is already threatened with a "relapse into his 19th century plight of being the prisoner of the city, and, this time, with no possibility of escape." This is not a pleasant prospect because as Toynbee adds, "an inescapable city cannot be a seedbed for vegetables or cereals, but it has often been a seedbed for riots and revolutions."

We pride ourselves in America on the options and alternatives people have as consumers in the market place, in where they will work, and at what—in the many different ways of living open to most of us.

Let's work toward a pluralistic environment too. Let's give people a choice not only of the house they live in but also whether it be in the inner city or the small town, the suburb or the rural community, California or the Great Plains.

Keep before your eyes the vision of 300 million Americans living at ease with each other and with their environment in an attractive land—a land dotted with clusters of renewed small cities and towns, sprinkled with the farms of a prosperous agriculture, and marked by great cities standing tall, free of pollution and blight, and unmarred by massive social discontent and disorder.

Keep in your mind's eye and in your business plans, and in your long-range targets, a Kansas that is growing as fast as Arizona or California—a Kansas dotted with new industry—a prosperous dryland and irrigation agriculture geared to growing world markets—a cattle growing and feeding business geared to better diets through more beef as incomes rise—an economy and a people built on hardwork and faith in education and research and excellence.

We can build such an America and such a Kansas. We can have it long before the year 2000. But it will take the energy, the determination, the imagination of farmers, business, architects, engineers, labor unions—of every thinking American working shoulder to shoulder.

I am hopeful for the future of America and of Kansas. I am hopeful because people like you—farmers and businessmen and lawyers and doctors—town and country—united for mutual strength, make an unbeatable combination.

NEED FOR ACTION TO COUNTER CRIME IN OUR CITIES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, the recent wave of muggings in New York, some of which have occurred in my district, should be a matter of concern to city dwellers everywhere. It points to the need for immediate enactment of anticrime legislation, which the House has already approved. But the very senselessness of these acts, performed for petty gain or no gain at all, suggest strongly that at their root is despair, self-contempt, and indifference.

We are fooling ourselves if we believe that placing a priority on riot control will solve the fundamental social problems that serve as a catalyst for urban unrest and crime. I support legislation aimed at strengthening local law-enforcement agencies in order to protect our citizens against the tragedy of riots and against organized crime. But, to me, it is of crucial importance that our society be mobilized to attack the basic cause of this problem: personal despair. I believe these muggings are further evidence that through the war against poverty and related programs, we must assure all citizens the opportunity to lead productive lives. In my judgment, this is the only way to make our cities truly safe for all citizens.

BILINGUAL TEACHING "WORKS," OR—SI APRENDEN EN DOS IDIOMAS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PEPPER. Mr. Speaker, on November 13, the House Education and Labor Committee reported the Bilingual Education Act for full House consideration. As one of the original cosponsors of this legislation, H.R. 9896, I was indeed honored to be asked by my good friend and colleague, the gentleman from New York [Mr. SCHEUER] to be a cosponsor of the committee-reported bill, along with 23 of my colleagues. More than 30 bills have been introduced into the House and Senate to amend the Elementary and Secondary Act of 1965 so as to provide for such a program as bilingual education. I feel that all of my colleagues who have done so, have again shown this Congress is very much aware of the need to establish this needed program.

Mr. Speaker, I would like to call to my colleagues' attention a story which appeared in the Miami Herald concerning the Dade County public school system's bilingual education program. Since I am honored to represent this area of my fine State, along with my colleague, Congressman FASCELL, I am most proud to see that this school system, the sixth largest in the Nation, has taken the initiative to begin its own bilingual education program and has now become one of the model bilingual school systems in the country.

I would like at this time to insert this article by Georgia Marsh of the Miami Herald staff, on this magnificent program in Dade County:

CORAL WAY ELEMENTARY EXPERIMENT: BILINGUAL TEACHING 'WORKS,' OR . . . SI APRENDEN EN DOS IDIOMAS

(By Georgia Marsh)

Take a group of Cuban youngsters who speak only Spanish and a group of North American children who speak only English, and put them in the same classes.

The result, at Coral Way Elementary, is not confusion but a model school teaching in both languages that:

Recently drew praise from a top U.S. education official.

Has drawn visitors from almost every part of the world.

Has a principal, Joseph Logan, whose original reluctance has been converted to all-out enthusiasm. He now recommends bilingual teaching go "countywide."

Five years and some controversy later, Coral Way's experiment in total pupil bilingualism is registering as a success. It recently won praise from U.S. Education Commissioner Harold Howe.

Under the bilingual program, all students spent part of the day learning in Spanish and part learning in English.

Three years ago a group of Coral Way parents objected to a combination fifth and sixth grade class formed for students who did not want to participate in the bilingual plan. The parents wanted separate classes for the two grades but the size of the individual classes did not justify hiring two fulltime teachers. The students have since gone on to Junior high.

Logan said about a dozen parents who also transferred their children out of the school when it went bilingual but said these resulted from "individual problems."

Coral Way's entry into the bilingual education field is but one of several new educational programs which are the result of the huge influx of Cuban school children here.

The influx started out as a "crisis" in the early 1960s but is now viewed as a "blessing," by Paul W. Bell, supervisor of bilingual education.

Faced with the "fantastic educational challenge of absorbing thousands of Spanish-speaking children, Dade schools responded by providing significant new educational programs.

In addition to Coral Way, Dade's projects include a native language curriculum for Spanish-speaking children. Under this program, about 10,000 Spanish-speaking students study Spanish just as North American students are required to study English every year.

The influx also led to the development of special first and second grade reading books for non-English speaking pupils known as the Miami Linguistic Readers. It is now used nationally.

Dade's school population of 212,000 includes 22,500 Cuban children and another 7,500 from other countries where the native language is Spanish.

In 25 of Dade's 213 schools, the native Spanish-speaking pupils make up half, or more than half, the total school enrollment.

And the number of Cuban children increases by 300 each month as daily flights bring refugees to Miami.

"The influx was the catalyst for developing new programs," Bell said. "The needs were not new but the crisis and federal assistance made it both imperative and possible to meet those needs."

Federal aid this year is $10 million, given so Dade can provide without higher taxes the same education for refugees as is provided for children who are permanent residents.

The money goes into the school system's general operating budget.

Bell said it costs an additional $25 a pupil to operate a bilingual school. The funds are needed for special materials and teacher aides.

But, Bell continued, the purpose of the bilingual program is "not to help Cuban children keep up. The purpose is to prove that children can learn a second language."

Proof it can be done is evident at Coral Way where native Spanish-speaking students and native North American students converse so easily in either tongue that it is difficult to determine a child's native language.

Studying in a second language has not hampered the student's learning ability either, Bell and Logan say.

Mrs. Josephine Sanchez, a bilingual teacher, said test grades show a normal curve following the ratio of five Cuban students to every two North Americans enrolled at the school. "For every five poor Cuban students we have two poor North Americans," she explained.

Coral Way starts its bilingual program in first grade. As the pupils progress they spend more and more time learning in the second language so that this year's sixth graders are working equally in both languages.

Bilingual teaching does present some problems. Teachers work in teams of three and sometimes find their schedule forces them to move to next subject though they would prefer pounding home a particular lesson a few minutes longer.

Principal Logan said students don't sacrifice anything but "busy work" the nonessential material often used just to fill out the school day.

Logan, who originally was apprehensive about the bilingual plan, now is convinced that "any child can learn a second language."

Coral Way's program has been adopted in modified forms in schools throughout the nation.

In Dade, bilingual education has spread to Feinberg and Mae E. Walters Elementary schools. Shenandoah Junior High now offers two hours of bilingual teaching to students coming from Coral Way.

At Feinberg, Principal Bernard Nissman is sold on the idea but cites "lack of space and materials" as some of bilingual teaching's special problems.

"We have to adapt rather than adopt materials," Nissman said.

Still another need is inservice training for teachers. "With 13 per cent of our school population speaking Spanish, more of our teachers should at least be aware of the instructional needs of the bilingual student so they can help with regular classroom work," said Bell.

Bell considers money spent on the bilingual program "a good investment . . . One of the fascinating things we are discovering is that the total spectrum of education can be bilingual. Anything we can do in one language we can do in two."

NEW CENTRAL AMERICAN CANAL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PEPPER. Mr. Speaker, Mr. Lee Ruwitch, publisher of the Miami Review and Daily Record of Miami, has made a bold proposal regarding U.S. rights in the future canal paralleling the Panama the Panama Canal in Central America.

The Miami Review is a very vital publication in our area and is of special interest to the legal profession. So that my colleagues may have the benefit of the suggestion of the able publisher of the Miami Review, I wish to insert it in the Record at this point:

Bold Step Is Needed

Why can't the United States take a bold step into the future by ending once and for all the question of control over whatever canal will be built across Central America?

The step would mean outright purchase of whatever land is needed, no matter what the price. On the surface, this may seem like a visionary plan, but our history is replete with examples of such purchases. At times, in the past such bold action was needed—and it was taken. Why not now?

An outstanding example, of course, was the purchase of Alaska from Russia in 1867 for a price of little more than $7 million. The deal was known at the time as "Seward's Folly," but who today questions the wisdom of that step?

Even though details of the proposed treaties between the U.S. and Panama dealing with the Panama Canal are not fully known, it is apparent that whatever compromises are finally reached, a lasting and peaceful settlement will be next to impossible to achieve.

This is a pessimistic view, but a realistic one. On one hand are the U.S. citizens, in public office and out, who strongly regard the 10-mile-wide Canal Zone cutting across Panama as a strip of U.S. soil. It is unthinkable to them to yield any measure of control over the famed waterway. They are certain to fight for their views when treaties come up for ratification and debate in the U.S. Senate.

Ranged on the other side are an untold number of Panamanians, sparked by a long pent-up nationalistic fervor, who regard the Zone as their own land and want complete sovereignty. They are resentful of some 50 years of what they regard as U.S. dominance and want it ended. It is hardly likely that any compromise on the treaties will be more than a truce.

It is clear that a new Canal must be built. The present "Big Ditch" is becoming outmoded and its days are numbered as demands of world commerce increase and more and more ships are being built of such huge size that they cannot fit into the present Canal's locks.

Extensive studies are underway to determine the site of a new and sea-level Canal. Two of the four proposed sites are in Panama. One is in the region of the present Canal, the other in Panama's Darien region. The others are along the Nicaragua-Costa Rica border and in northwest Colombia.

A prime consideration will be to select a route where nuclear excavation will be feasible. That is an engineering problem of no small dimensions, but tens of millions of dollars can be pared off the cost of excavating by conventional methods.

No doubt the engineers can and will solve such problems. But no slide-rule calculations can solve the problems of nationalism. The answer would be purchase of the necessary land. Certainly, a purchase need not affront national pride. The amount of land needed is proportionately small even in relatively tiny countries. It seems certain that any affected country would consider how land values would rise in the Canal area, how virgin areas would be opened for use, and how health controls could improve the public welfare.

The idea is bold, but it is worth considering. With this assurance, the U.S. could concentrate peacefully and efficiently on operating a waterway for the ships of all nations for years to come.

PATIENCE AND PERSEVERANCE MUST BE OUR WATCHWORDS IN VIETNAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Byrne] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, two of America's most distinguished public servants—Gen. William Westmoreland and Ambassador Ellsworth Bunker—have recently given the American people an on-the-spot report and evaluation of American progress in Vietnam.

General Westmoreland saw a gradual limiting of the American involvement there, with a possible deescalation of our military presence.

Ambassador Bunker gave a very valuable rundown on the political, economic, and pacification programs which have also led to positive results in elections, a more viable economy, and securing the countryside from hostile forces.

Mr. Robert Spivack, a noted Washington journalist, commented on these reports in his Thanksgiving newsletter.

It is Mr. Spivack's assessment that in about 2 years South Vietnamese military forces will be able to hold their own against the Communists.

It was also Mr. Spivack's opinion that in the months ahead the United States will not increase its troop commitments, that there will be no invasion of North Vietnam, that, unfortunately, there will be no negotiations, and that the Red Chinese will not enter the conflict.

The end will come, Mr. Spivack said, when the Communists dissolve into the rice paddies. There will be no formal victory or defeat to signal the end.

This seems to me to be a very accurate assessment of the Vietnam situation.

It also seems to me to suggest that the American people must have patience and must persevere in a war which will not have a classic ending.

Ho Chi Minh is being beaten. The Communists are being beaten. The United States is paying a price in men and materials, but the Communists are paying a much higher one. Yet, the middle course of staying with it seems to be the only plausible and realistic course for the United States to pursue.

Spivack says of Ho Chi Minh:

> Now he is practically beaten. How soon the Communists will understand that message will determine how much longer the fighting will go on and how many more men must die.

I insert in the RECORD the Thanksgiving "Watch on the Potomac" report of Robert G. Spivack:

WESTMORELAND'S HOLIDAY CHEER

(By Robert G. Spivack)

WASHINGTON.—There is understandable skepticism about reports that we are now witnessing the beginning of the end of the war in Vietnam.

Even though the reports come this time from two cautious and realistic insiders, Gen. William C. Westmoreland, and Ambassador Ellsworth Bunker, it's hard to believe that the worst may be over rather than that the worst is yet to come.

There have been so many disappointments over the last two years and so much Hanoi-inspired confusion and propaganda that many people do not know what to believe. For reasons which may or may not have been valid, the Administration has always countered Communist propaganda in a low key so that many people do not know who the "enemy" is; many think its LBJ, not Ho Chi Minh.

Westmoreland and Bunker have both been quite careful in what they have told the public at large and also what they have told members of Congress behind closed doors. As the news from Vietnam indicates the Communists have not yet laid down their arms. There will undoubtedly be dramatic incidents of sabotage and terror and perhaps also some more battlefield encounters just to convince the world that they are not surrendering.

None of this should surprise us. But neither should it cause great alarm.

As I understand it, what is happening in Vietnam is that we have about two more years of more or less intense fighting but with the South Vietnamese forces gradually growing strong enough to take over many of the security chores themselves.

There is no immediate—or anticipated—need for sizeable increases in U.S. troops. We do not intend to invade North Vietnam unless every present calculation proves wrong. We do not expect Red China to come in.

There will be no negotiations with the Communists, the fighting will just peter out as they realize they are getting nowhere. But there will be no Communist surrender or, as Westmoreland put it, any "classic" conclusion to the war. The Communists will do what they have done in the Philippines and elsewhere when beaten, just sort of vanish into the hills.

Until this outcome is assured the President will keep up the pressure on the Communists in both the North and the South. He is not the least bit impressed by those who call for an end to U.S. pressure because the Communists have made it clear they do not want a negotiated settlement.

Through all this period of escalation it has been clear—except to those who will not believe what they see—that it is Ho Chi Minh who values life cheaply. Even allowing for his initial miscalculation about U.S. determination, there has been ample time for him to turn around, save his people's lives and end the conflict on honorable terms anytime he wanted to do so. He chose not to do so, with incalculable harm to his own people, their property and their pride.

Now he is practically beaten.

That, as I understand it, is what Westmoreland and Bunker are telling us. How soon the Communists understand their message will determine how much longer the fighting will go on and how many more men must die.

SPEECH BY MISS MARILYN WINSOR APPEARING IN THE WOONSOCKET CALL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the lips of the very young sometimes utter some very profound thoughts to which we should all take heed.

Such was the case depicted in the Woonsocket Call, the highly esteemed newspaper of my native city in Rhode Island.

Students in the eighth-grade speech class at Lincoln Junior High School were called upon to assume the role of President Johnson at a press conference. One very articulate member of the class, Miss Marilyn Winsor, of Lime Rock, delivered an exceptional speech which is worthy of great praise and attention.

In her remarks, Miss Winsor asked a very poignant question:

> How can we set an example for other alien countries when we, ourselves, do not know how to act?

It is a question to which we should all address ourselves, for the measure of America's worth to the world is to be found in the degree to which our ideals at home are achieved. If the scene at home is one of moral decay and civic irresponsibility, how can we ask others to follow in our wake?

I insert Miss Winsor's address, as noted in the November 24 edition of the Woonsocket Call, into the RECORD so that my colleagues may also be afforded the pleasure of reading this very profound and eloquent address:

FROM BRIGHT EIGHTH GRADER: "IF I WERE PRESIDENT . . ."

LINCOLN.—While the adult community is faced daily with problems at home and abroad, what are children thinking?

Some adults tend to put children down—to relegate them to the corner because "they don't know anything about what is going on." Is that necessarily so?

Edward D. McCarthy, who directs a speech class at Lincoln Junior High School, asked his eighth-graders recently what President Johnson might say at a certain press conference.

"In fact," McCarthy said, "you be the President and make a speech."

The best result, McCarthy said, came from Marilyn Winsor of 243 Angell Road, Lime Rock. The youngster is quite articulate. She plays the guitar and sings.

Marilyn's "presidential" address to the nation follows:

"My fellow Americans, we are gathered here today, not to talk about our foreign policy, not to talk about the war in Vietnam, but to talk about what is happening here right in our own towns and cities. You all know what I'm talking about. I'm talking about the protest marches, the millions of narcotics charges, the problems in juvenile court, and many, many others.

"How can we set an example for other alien countries when we, ourselves, do not know how to act? If we could prove to ourselves that we can live in peace within our own borders, we might be able to spread the feeling.

"We have so much to be thankful for, why do we turn to narcotics for pleasure? If we want peace, why do we show it with protest marches? If you want to be well-off, healthy young Americans, with nothing and no one against you, why do you turn to robbery when you know you can only end up on the wrong side of the scale?

"I have tried my hardest to do what is right for this country, but I am only human and I make mistakes, many of them. I cannot improve this country without your help. I ask you to march forward with clean hearts and help me on my way.

"A man is just a man, but men in unison are one strong barrier against what is wrong. I hope you will think about your next protest march or dope party, I ask you to march forward in unison as Americans."

LEGISLATIVE PROGRAM ADOPTED BY VETERANS OF WORLD WAR I

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DANIELS. Mr. Speaker, I am inserting the legislative program of the Veterans of World War I, Department of New Jersey, in the RECORD following my remarks.

Mr. Speaker, this Nation—for reasons which I cannot understand—has never shown the degree of consideration to World War I veterans that it has shown to those who served in earlier and later wars.

Those men who served in 1917 and 1918 are now over 70 years of age. Is it not possible, Mr. Speaker, for this Congress to make amends for the years of neglect to our forgotten veterans?

I hope that all Members of this House will heed the requests—which as I see it are not excessive—of the veterans. In our time of need these men came forward. In their time of need, can we do less?

The legislative program follows:

LEGISLATIVE PROGRAM ADOPTED BY VETERANS OF WORLD WAR I OF UNITED STATES

We propose the elimination of Social Security and other retirement programs to which the veteran has contributed for consideration as income for the purpose of qualifying for pension.

(a) The corpus of estate not be considered for pension purposes.

(b) We believe the present law pertaining to spouse's income is unrealistic and we propose this amount be raised from $1200. to $2000.

(c) We believe that income limitations should be set at $2400. if single for veteran and widow, and $3600. for veteran with dependents.

(d) An escalation clause for compensation and pensions according to the cost of living index.

(e) A cost of living increase for all veterans and widows under the law in effect as of June 30th 1960 should be granted.

(f) Eliminate the annual financial report when veteran reaches the age of 67.

2. Increase in the basic rate of compensation payments for the service-connected veterans, and statutory awards.

3. Elimination of the so-called pauper's oath for purpose of entering VA hospitals.

4. Out patient care and medicines for veterans and widows over 65.

(a) Nursing home care under the VA to be expanded to 8,000 beds in addition to an increase in contract nursing home beds. Eliminate six month's clause in nursing home care.

5. National cemeteries should be established in Alaska and other areas. National cemeteries should be enlarged and new ones should be established where the need is greatest according to veteran population. The entire program should be under the administration of the VA.

(a) In view of modern cost of living, burial allowance of $250 is unrealistic, and we believe this should be increased to $350.

(b) We vigorously protest the discrimination in effect with regard to burial in Arlington National Cemetery, and we recommend that burial space be made available to all veterans without restrictions until filled, after which it should become a National Shrine.

SNEAK ATTACKS ON AMERICAN FREEDOM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, in the November 29 edition of the Christian Century magazine, a timely editorial appeared on the Subversive Activities Control Board entitled, "Sneak Attacks on American Freedom."

The Christian Century magazine is one of the most respected religious publications in America, and I call this editorial to the attention of my colleagues in the House because it is forthright in presenting its position with reference to H.R. 12601, which threatens some of the inherent rights and liberties enjoyed by the American people under the Constitution of the United States.

The editorial follows:

SNEAK ATTACKS ON AMERICAN FREEDOM

Before Congress at present are two companion bills that if passed will revive the (McCarran) Internal Security act, Title I, and its agency, the Subversive Activities Control Board. If these assaults on American freedom are defeated, several similar threats wait their turn in the legislative wings. The people of the U.S. thus face from their own Congress grave threats that only they can repulse. When the (McCarran) Internal Security Act, Title I, was passed over President Truman's veto in 1950, he said of it: "It would put the Government of the United State in the thought-control business . . . give Government officials vast powers to harass all of our citizens in the exercise of their right of free speech . . . open a Pandora's box of opportunities for official condemnation of organizations and individuals for perfectly honest opinions which happen to be stated also by Communists."

President Truman then put the matter most cunningly but truly: "This is a time when we must marshal all our resources and all the moral strength of our free system in self-defense against the threat of Communist aggression. We will fail in this, and we will destroy all that we seek to preserve, if we sacrifice the liberties of our citizens in a misguided attempt to achieve national security."

Fortunately some of Truman's strictly personal opinions never became law, but as President he was almost clairvoyant in detecting threats to the basic rights of the people and courageous in fighting for those rights. As he predicted, the McCarran act was the legislative soil in which macarthyism flourished for years. Seventeen years of litigation proved the act unconstitutional and unenforceable. After years in which it nevertheless spread its mischief throughout the country this legislation was finally declared inoperative by the courts.

Now that war fever has begun to grip many of the people, the fungus of tyranny—which never dies—flares up again. A fearful and confused people are in danger of surrendering their birthright. Conservative members of the Senate and the House—many of them southerners—are applying deceptive cosmetics to the McCarran act in the hope of making it acceptable to the people, but these cosmetics do not make this kind of legislation more attractive to intelligent men or less deadly to any of us. The bills to which we refer and those that will come to the fore if these are defeated should be vigorously opposed by the people if they want to resist the current attack on their freedom.

The first of the deadly twins is S. 2171, a bill that bears the name of Senator Everett M. Dirksen (R., Ill.) but, we understand, was produced by the Senate internal security committee chaired by Senator James O. Eastland (D., Miss.). One of the purposes of the Dirksen bill—perhaps the primary one—is to reclothe the McCarran act so as to make it acceptable to the people and thus stifle criticism of the most unpopular war in American history. (It is difficult to imagine President Johnson vetoing this one, even though he should.) Senator Dirksen made this intention clear in a statement quoted by the *New York Times* on October 12, 1967: "The time for fooling is past. We have 475,000 youngsters and oldsters out in Vietnam. What do you think they think when they read about these things going on in the Senate—people trying to stop the Subversive Activities Control Board from doing its work? What does the Senate think the North Vietnamese and Vietcong are composed of, if they are not reds? . . . Are we going to . . . let them run loose here in this country, or are we going to come to grips with them?" The voice is the voice of Dirksen, but the hands are the hands of the radical right that flies into a rage at the slightest criticism of the United States. If passed, S. 2171 would silence dissent against the Vietnam war at the very time dissent is most needed.

The companion bill in the House—H.R. 12601—was produced by the House Committee on Un-American Activities (HUAC), and all its sponsors—except one from Missouri—are from the south. We at first thought it might be helpful to cite sections of the bill that are particularly bad—but they are all particularly bad. In effect, though not in words, this bill threatens civil rightists as well as dissenters against U.S. policy in Vietnam. It does so by making them subject to condemnation and penalty on the charge that they are communist-front organizations or communist-sympathizing individuals. And we well know that some congressmen—especially some from the south—view all people who have any sympathy for Negroes as communist-inspired. The penalty for violation of the bill's un-American provisions would be a fine of $10,000 for organizations and the same fine or five years' imprisonment for individuals. And don't conclude that the bill could never harm you. It is so loosely structured that it could have you indicted for preaching a controversial sermon on Vietnam or for listening without protest when one is preached. Hitler would have been proud of the wording of this bill.

Fortunately, if both these bills are passed the difference between that of the Senate and that of the House will have to be resolved. This gives the people time—but not much—to resist the coming of totalitarianism to the United States. We are happy to say that resistance to these un-American bills is rising. Numerous law school professors and deans have expressed the opinion that a law produced by this legislation would be an unconstitutional assault on the First amendment. Editorials opposing the bills have appeared in such newspapers as the *New York Times*, the *Los Angeles Times* and the *Chicago Sun-Times*. But where are the churches? Thus far only a few churches and a few church organizations have joined the fight against these threats to American freedom. You can speak freely now, but you may not be able to if the bills pass.

AUTO INSURANCE REFORM NEEDED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RODINO. Mr. Speaker, I am pleased to note that the public and the States, and in particular my own State of New Jersey, have become deeply concerned with the mushrooming problems of auto insurance practices.

Some of the States are now beginning to move in the direction of long-overdue reforms, and while it is generally recognized that perhaps only Federal legislation can adequately regulate this $9 billion industry, it is nonetheless encouraging to see State governments begin to act. I include in the RECORD at this point the following articles:

[From the Newark (N.J.) Evening News,
Nov. 16, 1967]

CAR VICTIM INSURANCE PROGRAM IS SEEN LIKELY IN NEW JERSEY

(By Alexander Milch)

CHERRY HILL.—Although the Keeton-O'Connell plan for compensating auto accident victims without regard to liability has failed its first legislative test in Massachusetts, something like it will yet be adopted, the New Jersey Association of Independent Insurance Agents was told yesterday.

Speaking at the 74th annual mid-year meeting of the association at Cherry Hill Inn, Hugh M. Chapin of Cambridge, Mass., president of the Massachusetts Association of Independent Insurance Agents and Brokers, said that the plan has too many faults in its present form. It was proposed by two law professors, Robert E. Keeton of Harvard University and Jeffrey O'Connell of the University of Illinois.

Massachusetts became the first testing ground of the idea when the House of Representatives in response to public enthusiasm passed a bill encompassing the plan last August, Chapin said.

But the insurance industry decided the plan went too far too fast, and the State Senate was persuaded to reject the bill, the speaker asserted. Trial lawyers joined in the opposition.

The idea of compensating auto accident victims by a system similar to workmen's compensation proved "just too revolutionary and sweeping" as outlined in the Keeton-O'Connell plan, Chapin said. Every new benefit promised is matched by an old benefit eliminated, he asserted.

The plan would require insurance to be compulsory, with claims of riders or pedestrians up to $10,000 payable by the company insuring the vehicle. Court action would be necessary only for claims in excess of that amount.

Damages for pain and suffering associated with injury would be restricted unless the jury found value of the damage exceeds $5,000.

Chapin said his group is studying ways of revising the plan. Agents can't afford to be anti-Keeton-O'Connell because of changes that are inevitably on the way for auto insurance, he emphasized.

[From the Newark (N.J.) Star Ledger, Nov. 26, 1967]

HOWELL SEEKS PANEL STUDY OF AUTO INSURANCE SYSTEM

(By Herb Jaffe)

A special commission to study the need for an overhaul of the automobile insurance system in New Jersey is expected to be recommended to the Governor shortly by Banking and Insurance Commissioner Charles R. Howell, The Star-Ledger has learned.

In weighing a New Jersey study, Howell is expected to hold off recommendations until after he decides on the request by stock insurance companies for an average 20.6 per cent rate increase.

Howell would not say for certain that such a special commission will be proposed, but he indicated that recommendations drawn from his final determination on the rate application may justify such an action.

A decision on the application, which accounted for five separate public hearings last summer, is expected next month.

NOT A PROBE

According to reliable sources, the special commission would be asked to consider methods of refining not only problems of cancellations, rate increases, nonrenewals and allegations of discrimination, but it would probably review the entire negligence philosophy in New Jersey.

"If we do get involved with such a proposal, it would be independent of any federal actions," Howell said. "It would not be an investigation, as is being discussed in Washington, but might serve as an advisory and exploratory commission."

Sources say its ultimate recommendations might determine what kind of state legislation is necessary toward overall solutions of the auto insurance problems.

Both Howell and Motor Vehicle Director June Strelecki have been known to favor a more detailed study of the Keeton-O'Connell Plan, which does away with the fault principle in all accidents involving $10,000 or less in actual loss and $5,000 or less in pain and suffering.

The Keeton-O'Connell Plan is presently being discussed in many state legislatures, and expectations are that Michigan and Massachusetts will adopt its basic protection features next year.

Howell also has stated that New Jersey might give some future consideration to compulsory insurance.

COMPULSORY INSURANCE

"Compulsory insurance is certainly no cure all for the ills that prevail," Howell said, "but there might be merits for the motorist. Since the unsatisfied Claim and Judgment Fund has become such a financial burden for the state, outright compulsory insurance might deserve a good look," Howell added.

The commissioner said it is essential that the Legislature alleviate the fund's present shortage by taking $3 million from the Motor Vehicle Liability Security Fund.

"If they don't provide a temporary stopgap solution soon, there may not be anything left in the claim fund by the end of next month," Howell said.

Such a measure again points to the need for a general evaluation of the state's auto insurance system. "This would be only an immediate answer," said Howell. "We must find something more substantial and long range."

Several legislators openly admit that a form of compulsory insurance, borrowing many of the features of the New York and Massachusetts compulsory laws, is the only answer for New Jersey.

CROWDED COURTS

In addition to creating problems in the general auto insurance picture, the present negligence—or fault—system has been blamed for complicating the court calendars.

"There's no doubt that negligence causes jam our courts," said Chief Justice Joseph Weintraub of the New Jersey Supreme Court.

"We must ask ourselves if our concept of fault is a rational basis for determining liability," Weintraub said. "Negligence on the highways is a split second inadvertence. Does it make sense to have the loss sustained when there is a practical inability to prove what actually happened?" Weintraub asked.

"It is a pretty sad way to deal with such inevitable phenomena," he added. "This problem must be borne by all society in general."

Weintraub said that under the Keeton-O'Connell Plan," if a claim amounts to more than $10,000 the same form of litigation as presently exists would take place.

"But the plan sounds good at this point because most claims are below that figure. It would be a step forward in relieving the courts," Weintraub said.

The special commission, if established prior to any federal endorsement of a Keeton-O'Connell type of protection, would undoubtedly look into the present negligence system at great length.

CITES EXAMPLES

Leo P. Moynihan, director of the MIT-Harvard Center for Urban Studies, recently cited examples of how the negligence system works in actual practice:

"One party is traveling down a freeway at 75 miles an hour; the other at the moment decides to change lanes and does so without signaling. The resulting smashup demolishes both cars and sends one man to the hospital with a broken pelvis and the other is killed. Each carried full bodily injury and property damage insurance. Neither can recover for personal injury or damage to the car. Reason: Each party was guilty of contributory negligence."

In another illustration, Moynihan said:

"Defendant runs his car across a sidewalk and smashes into the front room of a simple cottage, killing the grandmother and crippling for life the little children. The cause of the accident was that the driver was hit in the eye with a bullet from a B-B gun shot by some unknown. The driver carried public liability insurance, but the injured persons cannot recover. Reason: The injuries were purely accidental."

A recent Philadelphia study disclosed that 43 percent of all accident victims are not compensated at all, under the fault system, 10 percent recover less than the actual cost of the accident, and the remaining 47 percent—fewer than half—recover the full loss.

A GREAT SECRETARY OF DEFENSE WILL ASSUME ANOTHER VITAL POSITION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, according to reports in the press, the manager of the most awesome Military Establishment the world has ever seen will soon resign to assume the Presidency of one of mankind's best hopes of achieving lasting peace, the World Bank.

It is a good measure of Robert S. McNamara's greatness that he can relinquish his stewardship of a vast engine of war to take control of an organ that daily diminishes the prospect of conflict.

Mr. McNamara's pending resignation as Secretary of Defense is a great loss to this Nation, Mr. Speaker, but his prospective appointment to the World Bank presidency is an enormous gain for the world at large.

I believe that Mr. McNamara is the ablest Secretary of Defense this Nation has ever had. In 7 long and difficult years of service, he has built the world's most powerful and most flexible military machine. More importantly, he has firmly established the principle and practice of civilian control of this machine, and has stood resolutely for moderation in the use of its power.

Mr. McNamara has served two great Presidents through a series of crises that would have broken a lesser man—the Berlin confrontation, the frightening showdown over the Soviet missiles in Cuba, and the painful escalation of the Southeast Asian conflict. Throughout these crucial years, Mr. McNamara has carefully balanced our national interests with the need to prevent a world holocaust. It will be difficult to find another man for the post with Mr. McNamara's courage and judgment.

Mr. McNamara's stewardship of the world's greatest military force has made him more conscious than almost any other man of the necessity of preventing situations in which its full power would have to be used. Thus, he is the ideal choice for the presidency of the World Bank.

In this new post, he will oversee the lending of $1 billion a year to the underdeveloped nations of the world, where rising expectations and inadequate resources frequently breed frustration and conflict. He will direct one of the best means mankind has devised for ending the want that leads to war.

This is a critical period for both the United States and the world, Mr. Speaker. I hope that we can find a man as capable of filling the vital position at the Defense Department as Mr. McNamara was, and that Mr. McNamara will succeed as brilliantly at the World Bank as he has at the Pentagon.

WE CANNOT TAKE PROSPERITY FOR GRANTED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Herlong] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HERLONG. Mr. Speaker, I believe that the Members of Congress, and the American people should note carefully a warning voiced this week by one of the Nation's most distinguished and knowledgeable bankers, William McChesney Martin, Jr., chairman of the Board of Governors of the Federal Reserve System.

In an address before members of the petroleum industry, Mr. Martin spoke forcefully and persuasively of the need to restrain further inflation.

Let me quote briefly from his remarks:

> I want to make it clear at this point that the Federal Reserve intends now, as in the past, to contribute all that it responsibly can toward conditions that will make for an actively employed, productive, steadily growing economy with sensibly stable prices and orderly functioning markets.
>
> But I do not see how it could be any plainer than it is now that those conditions cannot be provided by monetary policy alone.

How does Mr. Martin propose that we restrain the inflationary pressures—and inflationary psychology—that already have been exerting a disruptive influence in our economy and in the financial markets?

The necessary and most effective means of accomplishing this restraint, he says—and here I again quote from his remarks—"is fiscal action encompassing both reductions in Federal spending and a tax increase across the board."

Mr. Speaker, while I have not yet made up my mind on the President's surtax proposal, I do believe that Mr. Martin's arguments should be read and considered carefully by the Congress and the public.

For this reason, under unanimous consent I place his speech in the Record:

Summary of Remarks by Wm. McC. Martin, Jr., Chairman, Board of Governors of the Federal Reserve System, Before the 47th Annual Meeting of the American Petroleum Institute, Chicago, Ill., November 15, 1967

The prime challenge we face today, as I see it, is to prove that a free society can have enough wisdom, self-discipline and cohesion to advance the common good in an orderly, sustainable fashion.

What makes it so difficult is that advancement of the welfare of our society as a whole often requires of us as individuals the mutual forbearance of personal advantage and sometimes the acceptance of a degree of personal sacrifice.

Nowhere is that challenge more pressing than in our economic and financial affairs. For there, in the 81st month of the longest period of expansion in our history, we are confronted once more by the very problem that always seems hardest for us to solve or even to face up to, precisely because of the self-discipline, forbearance, and willingness to accept sacrifice that solving it requires.

The problem is, of course, that of maintaining growth by preventing unsustainable spurts, that of keeping overall demand from outrunning our real economic and financial supply capacities and thus generating further severe inflation and its bitter aftermath of recession and unemployment.

In more immediate terms, it is the problem of capping the inflationary pressures—and inflationary psychology—that already have been exerting a disruptive influence in our economy and in our financial markets.

I do not think there is any need for me to dwell on these matters or the dangers involved, and I do not feel any need to take you on another conducted tour of the latest data on economic and financial developments. You are too familiar with the facts for that. Suffice it to say that—even though the visibility of the economy's strength has been partly clouded by the effects of strikes—debate on the economy's course has moved increasingly from whether it will expand further to how much and how rapidly, and with what consequences.

How then, are we to restrain further inflation? Bluntly, the answer is to be found in a moderation of borrowing and spending, both governmental and private, and the most effective and necessary means of accomplishing it is fiscal action encompassing both reductions in Federal spending and a tax increase across the board.

I want to make it clear at this point that the Federal Reserve System intends now, as in the past, to contribute all that it responsibly can toward conditions that will make for an actively employed, productive, steadily growing economy with sensibly stable prices and orderly functioning markets.

But I do not see how it could be any plainer than it is now that those conditions cannot be provided by monetary policy alone. Nor can I see how it could be any plainer that, *whatever* course monetary policy may follow, there will *still* be prospects for trouble unless and until our Government's finances are brought into better control.

All of you know that monetary policy has many times been applied to the exercise of restraint, as well as to stimulus, when conditions made it necessary. The question being posed in our economy and financial markets, to which an affirmative answer seems to be long overdue, is when—if ever—is overall fiscal restraint going to be tried?

When a temporary surcharge on income taxes was first proposed last January as a part of the President's fiscal 1968 budget program, to be effective July 1, the amount thought appropriate to the conditions then envisaged was 6 per cent. Since then, it has been felt necessary to up the proposed surcharge to 10 per cent—the figure fixed by the President in his message to Congress in August—largely in reflection of changes in conditions that occurred in the meanwhile. I see nothing in that progression that suggests that it pays us to wait. Yet we are still waiting.

When the President's August message went to Congress, the program set forth was one that aimed—though this seems to have been overlooked or forgotten by many—not only at increasing revenues through higher taxes but also at restraining, cutting and controlling Government spending so as to reduce the prospective deficit in fiscal 1968 *and thereafter* to more manageable levels.

Since then, many members of Congress have likewise expressed feeling that restraining, cutting and controlling appropriations and expenditures is an urgent necessity, and some have gone beyond the President in setting targets. So at least on the need to reduce Government expenditures we have a considerable area of agreement among those with the power to bring that reduction about, but of course the final returns are not in yet.

I realize that there is some sharp disagreement among those involved—in the Congress and in the Administration—over how much the spending reductions should be, or how they should be accomplished. But I find it hard to believe that disagreement of this kind could be allowed to stalemate *any* action to cut spending, or to increase tax revenues. We need restraint on both sides of the Federal ledger, and we need it as quickly as it is possible to get it.

This is the richest country that the world has ever known, and it is only fitting and right that we devote large sums to public endeavors. But in our governmental activities, as elsewhere, we must recognize—especially at a time when we are engaged in a major war effort—that our resources are not unlimited. And we must recognize also that we cannot keep on calling upon our governments—federal, state or local—to do things we are unwilling to pay for. If we are to achieve in fact the public goals we feel most useful and desirable, then we must, as a self-governing people, be willing to accept and adhere to some sensible order of priorities among them in accord with the national preferences.

There is no question in my mind about the ability of the American people and their government, pulling together, to overcome every danger that today threatens the continuance of the economic advance that has been going forward now for just three months short of seven years. The only question is whether there is the will to do so.

If the will is there, and it is demonstrated convincingly—as I think it can be by actions of the kind I have been discussing—it seems to me well within our capacities to continue indefinitely on the path of prosperity, with pervasively spreading improvement in the living standards of the entire populace.

But let us not, just because we have had it so long, take prosperity for granted.

PRAISE FOR HOUSE OF REPRESENTATIVES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOLLAND. Mr. Speaker, I have been privileged to be a Member of this House for 14 years now. On the whole, they have been rewarding years, and I have developed during their course, a deep and abiding love for this House, its traditions and its behavior. I recognize the occasional faults of the House, which are simply evidence that it is composed of fallible human beings. But on the whole, I am convinced that the synthesis of our traditions, the authority which the Constitution confers upon us, the abilities, the hopes, the dreams—yes, the prejudices and shortcomings of the Members and the sense of responsibility which simply being in this Chamber imposes on us—all these things together, Mr. Speaker, have resulted in creating an institution which in many ways is more than the sum of its parts. As a House we usually rise above the level which the same 435 men and women might achieve were they simply an agglomeration of individuals. It may sound like boasting, but I truly believe the House as an institution, is usually worthy of the Nation it serves. And that is high praise, indeed.

But, Mr. Speaker, I have been careful

in that encomium of this body, to use the words, "usually," "in many ways," and "for the most part." Because on a very few occasions during the 14 years I have served here, I have felt the House has failed to rise to its obligations.

This first session of the 90th Congress, Mr. Speaker, has been such an occasion. Our slogan for the last 11 months can be summed up as, "We aren't going to do much, but what we do, we'll do wrong."

We all thought last November, when the election results were clear, that this would be a conservative Congress. Unfortunately, that has not been the case. While I am not a conservative, I do believe that word has great meaning, and represents a very important and vital tradition in the history of this country. Conservatives have served America well and faithfully from the time of Alexander Hamilton to the time of the late Senator Taft. They have served the country constructively. They have often pointed to the mistakes we liberals make in trying to move forward—and liberals, sharing the common human birthright of fallibility, often make mistakes. The conservative in our history—and the many conservatives there are in this very Congress—have served the country faithfully by crying warning when in our efforts to stamp out one evil, we have been on the verge of committing another.

But this, I reiterate, has not been a Congress dominated by the sound of conservatism uttering its constructive and thoughtful warning to liberalism. On the contrary, the spirit of this Congress has been one of meanness, of irresponsibility at its worst, of petty goals being sought by petty means. We have been watching an 11-month demonstration of what happens when you try to govern a great nation by thinking small.

I shall not, indeed the rules would not permit me, to point to individual acts of individual Members as examples of this. Nor would I do so if the rules permitted, because I cannot, and would not, try to peer into the motives of individual colleagues. It may well be that no one in this House has intended to have the kind of a record which this session has established thus far. It may be that the image of the 90th Congress as deriving its basic moral tone from that of Ebenezer Scrooge is simply the unpleasant and accidental result of a series of good intentions gone awry. But the image is there nonetheless.

It was not helped when the House voted not even to consider the rat control bill. The image was not improved when we petulantly voted to exclude OEO employees from the pay raise we so generously gave to everyone else in the Government, including our own staffs. It was not helped when this House attached a series of amendments to the poverty bill, some of which were merely demonstrations of our unwillingness to help the poor, but some of which were nothing more than a flagrant attempt to tell the poor that they waived their constitutional rights when they received our grudging help in their fight against poverty.

But the most damaging aspect of the record of this Congress, the one thing which, above all others, made the Congress as an institution look bad, was our behavior on the customary continuing resolutions.

I am not now referring to our insistence upon "economy"—in all the programs except those which involved really large expenditures of money. That was a legitimate if not exactly statesmanlike exercise of the congressional power of the purse. What I am referring to is the fact that because of congressional action, of inaction on continuing resolutions the unfortunate employees of two major agencies, OEO and AID, are receiving only part of the salaries they have already earned. And the worst aspect of this was that we have been so careful to see this was not even a possibility when it came to our own salaries or those of our staffs. It was not until the legislative appropriation bill was firmly enacted into law that we began recommitting appropriations and holding up continuing resolutions. When we finally did so, what agencies were involved? OEO, first of all, of course. The final blow in this Congress vendetta against those who are trying to fight poverty was our imposition of half-pay paydays on clerk-typists in OEO, VISTA volunteers, Job Corps enrollees and the like—and, Mr. Speaker, it came with very poor grace from a Congress which had been so careful to see first that its own very generous payrolls would be taken care of.

Demanding sacrifice of the other agencies of the Government is a fine and noble thing to do, Mr. Speaker, if we are prepared to make a few sacrifices ourselves. If we are going to preach economy, we can certainly begin at home. It was deeply disturbing to me, for instance, to listen to noble speeches on the floor about saving our fiscal stability by cutting out what we are doing for the poor, and then looking across the street to the marble balustrade that was at that very time being put on the front of the Cannon House Office Building. But today's episode was particularly uncomfortable, especially in the light of the fact that our own legislative appropriation was one of the very first to be enacted into law.

I have today introduced a resolution, Mr. Speaker. The resolution is simply a change in the rules of the House, a change solely within the discretion of this House, itself, to provide that if we fail to act on appropriations for salaries, our own will be withheld until we act. This does not, of course, commit us to any particular action on any other appropriation bill, nor does it even prevent us from holding up appropriation bills or continuing resolutions. It merely provides that if we are going to impose payless paydays on our fellow public servants, if the issues of principle involved in budget fights are as important as we are told they are, then the Congress itself stands ready to contribute to fiscal stability by delaying its own paydays, and those of its staffs.

The text of my resolution, Mr. Speaker, is as follows:

H. Res. 992

Resolution directing the Sergeant at Arms and the Clerk of the House of Representatives to withhold payment of the salary of Members, officers, and employees of the House of Representatives if officers and employees of the District of Columbia of the United States Government or United States judges are not paid because Congress has not completed action upon appropriations legislation for their salaries

Resolved, That if—

(1) the officers and employees of the government of the District of Columbia or of any agency, department, or instrumentality of the executive branch of the United States Government, or

(2) the judges or justices of any United States court,

do not receive their salaries or any part thereof because Congress has not completed action on legislation providing or continuing appropriations for their salaries, the Sergeant at Arms of the House of Representative shall withhold payment of the salary of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico), and the Clerk of the House of Representatives shall withhold payment of the salary of each officer and employee of the House of Representatives until Congress passes such legislation.

NORTHEAST MISSOURI STATE TEACHERS COLLEGE—THE CENTENNIAL YEAR

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HUNGATE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HUNGATE. Mr. Speaker, recently Northeast Missouri State Teachers College in Kirksville, Mo., an outstanding educational institution in my district, observing its centennial year, had occasion to inaugurate its eighth president, Dr. F. Clark Elkins, a prominent educator and outstanding teacher. One of his former students is DAVID PRYOR, a distinguished Member from Arkansas. FRED SCHWENGEL, a distinguished Member from Iowa, graduated from this college, and our former colleagues, John Schmidhauser and Gale Schisler, were also associated with the college as teacher and graduate, respectively.

The centennial year has been previously marked by an address from U.S. Commissioner of Education, Harold Howe, and I now call the attention of this body to a report of the inaugural proceedings as carried by the Teachers College Index of Kirksville, Mo.

Governor Warren E. Hearnes was the featured speaker at President F. Clark Elkins' Inaugural Luncheon Tuesday. Over 600 official delegates and invited guests attended the luncheon which was held in the Georgian room of the Student Union following the Inaugural Ceremonies.

Using "Knowledge, Compassion, Money," as a topic, the Governor discussed first Missouri's participation and advancement in the area of higher education. He stated, ". . . We in state government are doing our utmost to provide the financial backing for buildings and faculty."

He followed this with facts and figures

to substantiate his statement that, "We are improving rapidly."

Governor Hearnes then called upon the Teachers College to serve all citizens of northeast Missouri. He suggested, "Without deemphasis of teacher education, you must embrace academic disciplines that allow students to major in other fields."

Continuing, he said, "You must do this to carry out our mutual goal of placing a college education within reach, financially and geographically, of every qualified young man and woman in Missouri."

In conclusion, the Governor offered Pres. Elkins a "thought" for guiding the College into its second century. He stated, "If you can teach knowledge through wisdom, knowledge tempered with logic, knowledge which embodies compassion, knowledge of the realities of life a view toward what can and cannot be accomplished and a practical idea of how to reach a goal, then we all can maintain our confidence that the young people who seek to change our world today are doing so constructively for a better tomorrow."

Following the luncheon, the members of the Teachers College Board of Regents honored Pres. and Mrs. Elkins with a reception. Approximately 1200 students, faculty, alumni, and friends of the College attended.

In addition to Pres. and Mrs. Elkins the receiving line consisted of Board President and Mrs. James Reinhard, Mr. and Mrs. George Bunny, Mr. and Mrs. Raymond Baker, Mr. and Mrs. John Bartow, and Mr. and Mrs. Bruce Hunt. Dr. Pauline Knobbs, a member of the Inaugural Committee, made the introductions. Refreshments were served by members of the Teachers College Dames.

An Inaugural Ball concluded the day's activities. Music was provided by the Inaugural Orchestra under the direction of Tom Duden. More than 700 guests attended the Ball which was held in the Student Union Ballroom.

"I accept the office of President of the Northeast Missouri State Teachers College and pledge to it the best of my abilities, strength and purpose," pledged Dr. F. Clark Elkins as he accepted the charge by the Board of Regents to become the eighth president of the College. Dr. Elkins' inaugural address was a climax to the morning's Inaugural Ceremony held in Pershing Arena, Tuesday.

Presiding over the morning's inaugural event was Dr. A. L. Fritschel, dean of instruction. Dr. Fritschel extended recognitions and welcomes to the official delegates of more than 200 institutions and societies and to the guests. Following his recognition, the NEMO singers, under the direction of Clay Dawson and the Brass Choir, Harold Copenhaver directing, combined in singing and playing of "O Magnum Mysterium," and "Glory to God."

Greeting from the student body was given by Student Council president, Jack Wright. Jack proposed the student's opinions of a College President to be a capable educator and to be available for the students.

Speaking for the faculty was Dr. Charles Kauzlarich, chairman of the Business Education division. Chancellor of the University of Missouri at Columbia, Dr. John W. Schwada gave the greeting in behalf of the alumni.

Representing the institutions of higher education was Dr. Ben Morton, executive secretary, Missouri Commission on Higher Education. The Honorable Warren E. Hearnes, Governor of Missouri, then gave greetings from the State of Missouri.

The "charge" to the new president was given by James R. Reinhard, president of the Board of Regents. Mr. Reinhard pointed out that "this Inauguration of Dr. Elkins as the eighth president is the first of the second century, and ahead of us is a great opportunity to rededicate ourselves for the benefit of education and this institution." After Mr. Reinhard presented the "charge," Dr. Elkins gave his inaugural address:

Dr. Elkins proposed a few of the major challenges facing higher education today. He expressed a particular emphasis on the teaching function, particularly the teaching of undergraduates, as being slighted today by the three functions: research, teaching and service. Dr. Elkins continued to express the need to restore the status of teaching.

"Secondly, colleges and universities must present in a more effective manner a larger and clearer vision of the importance of education," suggested Dr. Elkins. He emphasized that, "We must commit more of our energies toward helping our various lay publics to see that 'the schools of America must save America'," as formerly stated by the American Bar Association.

Dr. Elkins contended that a third major problem facing today's institutions of education related to the many facets of curriculum reform, which is more acute in the undergraduate level.

He recognized that the colleges and universities must show more concern for continuing education and off-campus instruction as a fourth problem. "We should proceed to develop a system of education capable of meeting modern needs and aspirations," proceeded Dr. Elkins on the fourth point.

"This leads into still another problem area for higher education—the effective utilization of new technology and the education products industry," continued President Elkins. Teachers are no longer the sole source of knowledge commented the new President.

In concluding his inaugural address, President Elkins acclaimed his pledge; "I pledge to you, Mr. Reinhard, and the assembled friends of this College, the best of my abilities, strength, and endeavors as we face the exciting challenges of the present and future."

CONCERN FOR ACOUSTICS AND SECURITY IN THE HOUSE OF REPRESENTATIVES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Hungate] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HUNGATE. Mr. Speaker, in view of recurrent concern for acoustics and security in the House galleries, a recent development at the New York Stock Exchange as reported in the New York Times of Wednesday, November 22, 1967, may be of interest:

New Glass Barrier Encloses Gallery at Stock Exchange

The New York Stock Exchange last night installed bullet-resistant glass panels and a metal grillwork ceiling on its visitors' gallery for what an exchange spokesman said were "reasons of security."

It is the first time since the gallery was opened to the public in 1938 that any barrier—except for a three-and-one-half-foot railing—has been erected between visitors and the traders on the floor 15 feet below.

Work to enclose the 100-foot-long gallery, which in places hangs directly over the desks and telephone booths of clerks and brokers, began shortly after the close of trading at 3:30 P.M. yesterday. The job was expected to be completed before today's 10 A.M. opening bell.

The glass panels will shut off to visitors most of the frantic roar from the floor, and the grillwork will prevent, the exchange hopes, any visitor from "accidentally or on purpose" tossing things on the traders.

Last Aug. 24 a dozen or so hippies threw dollar bills from the gallery—a display many exchange members do not want to see repeated.

Officials at the exchange recall no incident of objects any heavier than dollar bills being dropped or tossed from the gallery. "But there is always a chance of it," an exchange spokesman said.

Officials would not comment on why a bullet-resistant partition was ordered.

According to a spokesman for David Shuldiner, Inc., the contractors who installed the panels, the glass is one and three sixteenth inches thick and laminated with plastic sheets to stop a bullet from almost any side arm.

Over the past decade, the exchange has become one of New York City's major tourist attractions with more than 600,000 visitors expected this year.

EVADING THE CONSTITUTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, on October 26, Gen. Lewis Hershey issued a directive to local draft boards recommending that violators of Selective Service provisions be subject to immediate or accelerated induction. Shortly thereafter, in response to a press inquiry, I joined several colleagues in characterizing that action as "a flagrant denial of due process" which "demeans the Constitution, discredits the Selective Service System, and contributes to a growing disregard for civil liberties during a time of war abroad and disorder at home".

In the past weeks, evidence that local boards have been following the General's recommendation has been accumulating around the country. The most flagrant example of this took place recently in Tulsa, Okla., where a student at the University of Oklahoma was reclassified 1A because the local board, in the words of its letter to the young man, "did not feel that your activity as a member of the Students for a Democratic Society is to the best interest of the U.S. Government." Not only, therefore, are local boards themselves dispensing punishment for violation of the Selective Service Act. Now they are setting themselves up as judges of which political organizations are in the national interest. This action is totalitarian and intolerable. It is an indication of the direction events may take if General Hershey's directive is not rescinded.

Life magazine, in its editorial of November 24 entitled "The Draft Is No Answer to Dissent" argued that—

> The general seems to indicate that he has lost track of where the draft fits into the American constitutional system.

It characterizes his action as "a disservice to the Selective Service System."

I insert this editorial in the RECORD at the end of my remarks.

The entire policy of the October 26 directive is contrary to the Constitution and represents a serious and dangerous step toward open repression of political dissent. I strongly urge my colleagues to take note of this danger.

The editorial follows:

THE DRAFT IS NO ANSWER TO DISSENT

If there is one man who ought to know all there is to know about the Selective Service system, it is Lt. General Lewis B. Hershey, director of the draft since 1941. By his latest directive to local boards, though, the general seems to indicate that he has lost track of where the draft fits into the American constitutional system.

Bothered by campus anti-Vietnam war protests, Hershey has advised local boards to withdraw deferments and immediately draft students who interfere with the draft or campus military recruiters. Hershey's outrage at the form some campus protests have taken is understandable. But his ill-considered suggestion that draft boards become, in effect, prosecutors and juries must be ruled out of order.

The American Association of University Professors asked Hershey to rescind his directive, pointing out that it "sets down such a vague standard that local boards may induct persons for the exercise of constitutional rights. The mere existence of this undefined power to use the draft as a punitive instrument must therefore have a chilling effect upon academic freedom and free speech and assembly as guaranteed by the First Amendment."

A group of congressmen branded Hershey's plan "a flagrant denial of due process clearly designed to repress dissent against the war in Vietnam."

A student does not lose his right to dissent simply because his military service has been deferred. By the same token, a student is as liable as any other American to the penalties that apply to trespasses and disorders that overstep legal bounds.

Whether or not General Hershey rescinds his directive before it reaches a court test, he has done a disservice to the Selective Service system he helped found. The draft, with all its imperfections, is the best system we have yet been able to devise to choose those men who will represent us all by serving when not all ablebodied men are needed.

To use the draft as a form of punishment is to suggest to the men in Vietnam—where draftees make up 37% of the Army troops—that their units are also handy as penal battalions. The suggestion is demeaning to the armed services—even if some draftee veterans of Vietnam might understandably like to have a hand in the basic training of drafted dissenters.

RICHARD HOOKER'S DISTINGUISHED JOURNALISTIC CAREER

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BOLAND. Mr. Speaker, the distinguished journalistic career of Richard Hooker, former editor of the Springfield Republican, began with the coverage of news in the small towns and villages in New England and before ending in death last Saturday had included coverage of the national and international scene from Washington and becoming the confidant of two Presidents of the United States and other elected public officials.

A graduate of Yale University, Mr. Hooker was a brilliant and perceptive journalist and editor who attained national recognition for his newspaper, the Springfield Republican. I ask permission to include with my remarks the story of Mr. Hooker's newspaper career, taken from the Springfield Sunday Republican of November 26, and the tribute to him by Walter R. Graham, retired managing editor of the newspaper:

[From the Springfield (Mass.) Republican, Nov. 26, 1967]

DISTINGUISHED NEWSPAPER CAREER OF FORMER REPUBLICAN EDITOR SPANNED NEW ENGLAND VILLAGE VIGNETTES, CONFIDENCE OF PRESIDENTS

Richard Hooker, 89, a distinguished journalist in the historic tradition of The Springfield Republican, with which he was associated for much of his life, died Saturday morning at his home at 241 Park Drive, Longmeadow.

Joining The Republican in 1900, he was the newspaper's Washington correspondent, later literary editor, and managing editor and publisher from 1915 to 1922. He remained president of The Republican Co. until 1934. Up until a year ago, he continued to contribute editorials and book reviews.

Mr. Hooker was an author, historian, lecturer, an observer and commentator on the national political scene and an expert in naval affairs.

His qualifications were recognized by the administrations of former Presidents Taft and Wilson, who offered him prominent positions in government, which he declined.

WIRE SERVICE DIRECTOR

He served as a director of the Associated Press from 1927 to 1934.

Son of Thomas and Sarah (Bowles) Hooker, Mr. Hooker was born Feb. 20, 1878, at Augusta, Ga., where his father, a native of New Haven, Conn., was in the banking business. His mother was the eldest child of Samuel Bowles, second editor of The Republican.

He spent his youth in New Haven, preparing for college at Hopkins Grammar School and at Taft School at Watertown, Conn. At Yale University, from which he was graduated in 1899 with a bachelor of arts degree, he was an associate editor of the college literary magazine and the Yale Courant. He was a member of Delta Kappa Epsilon and of Elihu, the senior society.

He also was a member of the Yale tennis team and, with a classmate, C. P. Dodge, held the New England doubles championship. Tennis remained one of his major interests until late in life and he wrote an expert's treatise on the game.

Following his graduation, from Yale, Mr. Hooker spent a year in travel and study in Europe, chiefly in Paris, where he matriculated at the Sorbonne, and at Gettlin, Germany.

Through the courtesy of the U.S. State Department, while he was in Germany, Mr. Hooker was admitted to the visitors' gallery in the Reichstag and witnessed the debate and vote on Admiral von Tirpitz's naval bill—an enactment which was described as Germany's "putting a pistol to England's head" and which had major historic connotations 15 years later during World War I.

Mr. Hooker's interest in naval affairs was established at an early age and he visited many navy yards from the Pacific coast to the North Sea. His later writings on naval matters were widely and approvingly quoted abroad. He became an associate member of the U.S. Naval Institute.

JOINS STAFF IN 1900

Returning to the United States from his European travels, Mr. Hooker joined the staff of The Republican in 1900. This was an age of great international excitement, following the Spanish-American War, when America was involved in the Philippines and assuming the status of a world power. The third Samuel Bowles, grandson of the founder of The Republican, was then editor of the newspaper whose editorial pages and news columns had long been regarded as "must" reading by Presidents and national statesmen and political leaders, as well as the average people seeking news of their local communities.

The Republican was the "school" for many of the nation's leading journalists who "broke in" on its editorial desks or while beating the country villages and towns for news items. Mr. Hooker referred to those journalistic activities of his early years in his book, "The Story of an Independent Newspaper," a history of The Republican, published in 1924.

"Those were the days," he wrote, "when the 'huckleberry route,' as it was dubbed in the office, still flourished. Each Friday the youngest cub reporter, or his immediate senior, made a trip through certain towns where the regular correspondents, adequate for brief daily items, might lack the wings for longer flights of English composition. From these towns it was his duty to gather the material for letters in The Sunday Republican dealing with anything as barren as the apple crop in an off year or anything as perennially fruitful as politics."

A reader had before him, on these numerous town edition pages, he wrote, "a daily chronicle of town and village life" that dealt with all manner of events varying "from last night's meeting of the selectmen, or the school board, to the visit of a fox in the deacon's henyard," as well as astute comments and factual accounts of national and international interest.

It was in 1904 that Mr. Hooker began covering the Washington scene and Congressional sessions for The Republican, an assignment that continued until 1911. His letters from the nation's capital and his journalistic stature gained high repute in government circles.

OFFER FROM TAFT

President Taft in 1911 offered him the position of White House secretary for press relations, which he declined.

Mr. Hooker in 1907 had suffered a serious back injury which later necessitated two drastic operations and which severely handicapped him.

From 1911 to 1915, he was literary editor for The Republican, and, in the latter year, became editor upon the death of the third Samuel Bowles.

An ardent supporter of President Wilson, he served as a member of Wilson's second industrial conference in 1919 and 1920 but declined Wilson's offers of appointment as assistant secretary of the Treasury and membership on the Pilgrim Tercentenary Commission.

In failing health, he resigned as editor of The Republican in 1922, but soon resumed editorial contributions which continued until recently. He was particularly active during the campaign of 1940, when President Roosevelt ran for a third term.

Throughout his life, Mr. Hooker maintained a deep interest in his alma mater. In 1921, he delivered the Bromley lectures on journalism at Yale. He was a member of the Yale Alumni Board from 1914 to 1934 and again for several years beginning in 1940. He also had served on the Yale Board of Athletic Control and was keenly devoted to athletics.

Tall, lean, of erect bearing, Mr. Hooker was a proponent of the physical life, the outdoors and athletics. An athlete himself until his recurrent back ailment curtailed his physical activities, he was an enthusiastic supporter of intramural athletics and of his Yale teams, often traveling to football games and other sports' events.

As a tennis player, he was captain of his Yale team and was invited to play in the Newport, R.I., tournaments, a high achievement.

ATTENDS REUNION

As recently as 1964, Mr. Hooker attended a Yale reunion. For many years he was a member of a local group of Yale graduates who interviewed boys from this area who were scholarship candidates.

His "Story of an Independent Newspaper," published in the year of The Republican's 100th anniversary, is regarded as the official history of the newspaper. He also wrote (in 1951) "A Century of Service," the history of Mass Mutual Life Insurance Co., and (in 1956) "Aetna Life Insurance Co.; Its First Hundred Years," and numerous articles for magazines and newspapers.

Elected a director of the Associated Press in 1927, he held this position until 1934, when he declined renomination.

Mr. Hooker was president of the Doane Orphanage Trust Foundation from 1931 to 1947. A summer resident of the town of Blandford for many years, he was a founder of the Blandford Country Club and a member of the Cosmos Club in Washington, D.C.

In 1949 he was elected a corporator of American International College, which in 1962 awarded him an honorary doctor of letters degree.

Also a former director of the New England Council, he was active for several years in the Adult Education Council of Springfield.

He was married Dec. 31, 1910, at Cleveland, O., to Winifred E. Newberry. Mrs. Hooker and their four children survive. The children are Dr. Sarah Hardwicke of Rochester, N.Y., Mrs. Mary N. Cavanaugh of Woodbury, N.Y., and Attys. Richard, Jr., and Arthur Bowles Hooker of New Haven.

The funeral will be held Monday at 3 in First Congressional Church, Longmeadow, with the Rev. Daniel Leavitt, pastor, officiating. Burial will be in Longmeadow Cemetery. Dickinson-Streeter funeral home is in charge of arrangements. There will be no visiting hours.

[From the Springfield (Mass.) Republican, Nov. 26, 1967]

Walter Graham, "Cub" Under Hooker, in Tribute

Walter R. Graham, retired managing editor of The Sunday Republican, who as a cub reporter "broke in" under former editor Richard Hooker, paid the following tribute to the distinguished journalist who died Saturday:

"Richard Hooker was a man of dignity, force and ease of manner; an acute observer with a wise tolerance and quick sympathies. He gave bright service to The Springfield Republican and attained national recognition as a reliable historian of political events.

"Mr. Hooker had a deep devotion to the newspaper and was always ready and happy to assist a new reporter. He had words of kindness and encouragement for all earnest beginners and watched over their work with lively interest.

"A gracious man of delightful personality, Mr. Hooker had a long and full life. Always the things he stood for were firmly and courteously expressed. His name stands high on the scroll of distinguished editors."

THAT OUR FREEDOM MAY LIVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Johnson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, last Veterans Day the people of Tuolumne County paid tribute to three young residents of that county who had given their lives on the battlefields of Vietnam so that our freedom might live. Judge Ross A. Carkeet of the Superior Court of Tuolumne County was the principal speaker as the people of that community dedicated a Vietnam plaque on the front of the Veterans Memorial Building in Sonora.

His stirring words spoke to us of the freedoms in defense of which these young men, Army S. Sgt. Roy Lockhart, Marine Lance Cpl. Dennis Johnson and Marine Cpl. Thomas H. Benton, gave their lives.

Mr. Speaker, I would ask leave to print in the Congressional Record, Judge Carkeet's remarks:

Forty-nine years ago today, somewhere in France, a big gun, known as a Howitzer, and called by its crew "Calamity Jane," fired the last round in World War I, marking the end of that war which was supposedly fought to end all wars.

That it did not end all wars is history. The mighty struggle of World War II and the bitter conflict in Korea are still fresh in our minds.

And here we are today on this Veterans day of 1967 with a half-million of our men and women engaged in a life and death struggle in a far away land.

It is only fitting and proper that we pause to honor those brave men and women on this day which is dedicated to all veterans of the armed forces of the United States.

I would speak to you today of the Freedoms in defense of which these three young men whom I shall mention laid down their lives.

Freedom, with dignity and significance to the individual man, to the greatest extent ever known on this earth, is the basic and essential element of American citizenship.

The whole course of history is the story of man's long struggle toward the heights of individual freedom we have reached.

The freedom we have as citizens of this great nation could be lost quickly by a failure to recognize and properly deal with the evil forces at home and abroad which hate freedom.

But freedom can also be lost—and most commonly in history has been lost—by people who fail to fully exercise freedom for themselves and others, and who are not ready to struggle and sacrifice for it.

In 1918 Congress adopted the American Creed, which recites in part:

"I believe in the United States of America. . . . a perfect union, one and inseparable, established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes . . ."

Aliens who have successfully passed the required examinations must, before obtaining citizenship, swear to an oath of allegiance. A part of this oath reads: ". . . . that I will support and defend the Constitution Laws of the United States of America against all enemies, foreign and domestic . . .".

The great Freedoms which we so jealously guard and defend are stated in the Declaration of Independence to be these: "that all men are created equal and endowed by their Creator with certain unalienable rights, and that among these are life, liberty and the pursuit of happiness."

In the first 10 amendments to our Constitution, the Bill of Rights, they are more carefully spelled out: Freedom of religion, speech, and press; right to peaceably assemble; right to petition the government for redress of our grievances.

There are those who exercise their freedoms by following the well-known course of conduct now so familiar to us—by marching, by picketing, by demonstrating, by sit-ins and the like, all of which may be summarized in the comprehensive term:—the Right of Dissent.

This Right of Dissent is not to be taken lightly. And these are trying times, with friends and neighbors and even families divided between what they consider morally right and morally wrong about our conflict abroad.

This Right of Dissent is the very essence of Freedom. It is what these young men whom we honor here today gave their lives to protect and defend.

Each of these young men had the choice—indeed, the right—to follow the course of dissent if he so chose.

But these brave young men saw it as their higher duty to their flag and to the protection of these Freedoms I have mentioned, to answer the call to service in the armed forces, and to engage in mortal combat with an enemy which our government has told them must be stopped lest it engulf the whole of southeast Asia and threaten the peace of the world.

Loyal to flag and to country, and responding with patriotic fervor, they staked their lives on the principle that love of country and pride in its heritage to them outweighed the dubious satisfaction of exercising their Right of Dissent.

And so today we do honor to these three brave young men who gave their last full measure of devotion to answer to their country's call to duty, Sergeant Roy Lockhart, Lance Corporal Dennis Johnson, and Corporal Thomas H. Benton, and to all the men and women of Tuolumne County yet to come who will have lost their lives in the service of their country during the Vietnam era.

I dedicate this monument to them with this fervent hope: That we may each of us here today dedicate ourselves to the preservation of the memory of those who died that our freedom and liberty might live.

DISSENT AND PROTEST — 1967 SPEECH BY SECRETARY WIRTZ

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Tenzer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TENZER. Mr. Speaker, dissent and protest are nothing new to the American scene—however never before in our history have we been called upon to examine the subject so closely and in such depth

In a recent address at the University of Colorado School of Law, Secretary of Labor Willard Wirtz examined youth protests with great insight and understanding. The distinguished cabinet officer struck a note of warning—both to the American people as a whole and to the protesters in particular. He stated:

> The pragmatics of it are that the current extremes of protest *dis*-serve their purposes—seriously.

The right to dissent is basic to a free democracy. The right to dissent and the right of the people to peaceably assemble are guaranteed by the Constitution. The motive behind the dissent or protest, even where opposed by the majority, has no relevance.

Under our Constitution and under our laws the majority must respect the right to lawful dissent as the exercise of free speech. The majority may one day require the right to dissent to defend itself.

FREE SPEECH IS A TWO-WAY STREET

Reciprocity of free speech is the greatest protector of the right to dissent. When those who dissent and protest fail to recognize the right of others to disagree—to dissent from their views, then the constitutional protection of free speech will have been infringed. A lack of respect for the views of others may in and of itself be a disservice to the cause of the protesters.

Mr. Speaker, as the 1968 elections draw nearer, the major political parties will be called upon to examine in depth the subjects of dissent and protest in America. If we are to serve the people of America as a responsive political party and as a responsible majority party, we are obliged to reject the cliches about dissent and protest which are based upon a lack of understanding. We must recognize that the dissent and protest of 1967—and that which we may anticipate in 1968—differ from the dissent of the past. As Secretary Wirtz states:

> There remains, nevertheless, the hard fact of a fever of protest different from any this nation has known before, or at least for a long time. There is particular poignancy, and more than that, in its involving so large an element of loss of confidence—and of love—between those who are older and those who are younger; so that age seems suddenly a higher wall than nationality, or religion, or sex, or race. There is bitter cruelty and deep hurt—to individual human beings and to the society—and this without fairness or effect—when pickets signs pervert legitimate disagreement about Viet Nam into the ugly accusation that older men are willing to roll dice with younger men's lives, and when the equally irresponsible reply—even from some who seek national leadership—is that one reason for declaring war is that it would stop this kind of protest.

I urge my colleagues on the majority side of the aisle and members of the majority party throughout the Nation to heed the words of Secretary Wirtz. Our party must hear the voice of dissent, we must seek to understand the desires of the dissenters—then we should decide what is best for our national interest. We must widen the scope of debate within our party and make room for the protester and the dissenter. We must set the guidelines and the groundrules with compassion and understanding but also within a boundary which respects law and order and the rights of others.

We must provide the dissenter within our party a realistic forum to express his views, a forum for constant debate, dialogue and discussion, a forum which will replace frustration with hope—and replace fear with understanding.

I urge my colleagues to read the remarks of Secretary of Labor Willard Wirtz which follow at this point in the RECORD:

YOUTH PROTESTS

(Remarks by Willard Wirtz, Secretary of Labor, at the University of Colorado School of Law, 75th Anniversary Celebration, Nov. 10, 1967)

These remarks have revealed, in their preparation, marked schizophrenic tendencies. A 75th Anniversary should be a gala occasion, set in diamonds, warmed by champagne, tuned to the waltz, bathed in the bathos of nostalgia, toasted rather than talked at. Yet a speaker brought a long distance, especially from capitol to campus, feels the conflicting compulsion to "be with it"—to speak to the present instead of the past—to try, in terms of today's issues, to throw at least a pontoon bridge of oratory across "generation gap," to recognize the current escalation to national proportions of the traditional strain between "town and gown," to counter-march from Washington and meet youth's protest on youth's terms and its home field. What you are about to hear may be the Anniversary Waltz as it might be played by Walter Mitty's Ragtime Band.

The wiser counsel would be to opt squarely for the anniversary tradition. Few are competent as witness, none respected as judge, in the litigation between the ages. For an incumbent bureaucrat on the wrong side of thirty to so much as question today before a university audience the sanctity of unrestrained, unbridled, unhousebroken protest would be for him to envy the more favorable auspices under which an illegitimate son of immigrants would rise to speak at a D.A.R. convention on the irrelevancy of geneology or in a maternity ward on the triviality of motherhood.

Yet I confess, borrowing Gladstone's phrasing of it, that "I have a speech on this subject fermenting within me, and feel as a loaf might in the oven." Not a somber speech. The times are blighted by dreary speeches. The nation's sense of humor seems to be on vacation. This is a joyous occasion. And Protest is a subject on which we have taken not only the subject but sometimes ourselves too seriously. It will comport with both tonight's circumstance and Gladstone's yeasty metaphor to leaven pertinence a little with impertinence—to proceed on the basis that half a laugh is better than none.

Herein, then, of sit-ins in deans' offices, graffiti picket signs, marching on the Pentagon; of the comforting middle-aged view that most young Americans must be somebody else's children, the convenient faculty view that they should all have matriculated someplace else, and the strong endorsement of both of those views by the young Americans.

The place to start is with the conventional wisdom that reminds of the proneness to exaggerate current vicissitude. "Generation gap" is unquestionably wider than it used to be, but if there is novelty here it is more in the phrase than in the fact. And it helps read the temperature of protest to note some of the things that happened 75 years ago—in 1892.

That summer at Homestead, Pennsylvania, ten people were killed in a 13-hour pitched battle between striking steelworkers and 300 Pinkerton detectives, before the State militia took over; and Federal troops were moved into the Coeur d'Alene silver mines in Idaho because of violence there between strikers and strike-breakers.

The Populist Convention met at Omaha, with the leading "agitators" of the time in attendance: "Pitchfork Ben" Tillman, "Sockless" Jerry Simpson, and Mary "Yellin" Lease, from Kansas, "rousing the West to enthusiasm and the East to terror by exhorting the farmers to 'raise less corn and more hell'."

Jacob Riis was fighting, almost single handedly, the war against poverty and typhus fever in New York's slums—issuing his "remonstrances."

President Harrison's 1892 State of the Union Message was about "the frequent lynching of colored people accused of crime" and about "lawlessness (that) is not less such but more, where it usurps the functions of peace officers and the courts."

Two years later, Jacob Coxey led his ragged "army" from Ohio to Washington—to demand the issuance of half a billion dollars in paper money, and to be arrested, when they reached their destination, for "not keeping off the grass" at the White House.

Accepting history's soothing condolence that there is nothing new about protest, we mark, too, the realization that a lot of current attention, especially to inter-generational differences, involves what Gerald Johnson would call its "superficial aspects." Our differences, for example, about deviationism from yesterday's—and almost certainly tomorrow's—tonsorial and sartorial norms. My own strong preference for the crew-cut is manifest. I also confess the prejudices that mini-skirts are attractive only on the very young, that knees are the ugliest part of most anatomies, and that net hose distract the roving eye from its true objectives. But if youth decides, at least partly in protest against more mature hypocrisies, to press the logic of men wearing their hair as long as Daniel Webster or English barristers, and the reasoning that decency's hemline must be the same in the ballroom and on the beach—this seems insufficient cause for more than passing concern.

There remains, nevertheless, the hard fact of a fever of protest different from any this nation has known before, or at least for a long time. There is particular poignancy, any more than that, in its involving so large an element of loss of confidence—and of love—between those who are older and those who are younger; so that age seems suddenly a higher wall than nationality, or religion, or sex, or race. There is bitter cruelty and deep hurt—to individual human beings and to the society—and this without fairness or effect—when picket signs pervert legitimate disagreement about Viet Nam into the ugly accusation that older men are willing to roll dice with younger men's lives, and when the equally irresponsible reply—even from some who seek national leadership—is that one reason for declaring war is that it would stop this kind of protest.

This fever is rising. Looking only at youth's protest:

Where there were all-night teach-ins and solemn picketing a year ago protesting the nation's foreign policy, there is now the "trapping" of Navy and CIA recruiters and those whose companies make napalm.

Where there were peaceful protests two years ago against university policies regarding Selective Service, there is now the burning of draft cards and the refusal to serve when called.

Where there were sit-ins and freedom schools and the Mississippi summer project three years ago to express youth's deep commitment to civil rights, there are now black power rallies, riots—and a significant, meaningful fall-off in white student participation.

Where student protest against university "bureaucracy" started off at Berkeley as a free speech movement, it became then a filthy speech movement, and appeared in gross caricature last week in CCNY's muddy ditch affair—with a spokesman shouting through the bull horn: "The name of the game is: Confront the policy makers"—about, apparently, whatever is convenient at the moment.

I don't know how large the element of protest is in the developing degeneration of insistence on social freedom that has led to wherever we are now in the "experimentation" with marijuana, LSD, STP.

I reject the Cassandra counsel of those who look at the signs of escalating protest and increasing unrest—especially in the slums but in their other manifestations as well—and warn, as one of them put it recently: "We must prepare for the onset of terrorism."

Surely, though, it would be grossest negligence to disregard what is emerging plainly as one of democracy's recurrent, critical testings.

I feel, almost guiltily, the frustration of being unable to match description with proposal. Yet there is more than rationalization in suggesting that there is quite a lot of understanding left to be done here as the necessary preliminary to confident prescription. It is in this limited respect that I suggest tonight what seem to me two essential elements in this understanding:

First, recognition that youth's contemporary protest is not properly appraised—whether in criticism or condonation—in terms of the acts of protest alone, but only in the significant context of the central fact of the times—which is kaleidoscopic change;

Second, recognition that this protest reflects—but often distorts—an emerging ethic which has much to commend it and which is strikingly true to the free and responsible society's authentic tradition.

It would be perhaps presumptuous, but probably not wrong, to suggest that this is a hard, frightening, time to grow up in—and that difficulty and fear are plausible, reasonable, elements in protest. It is more reservedly analytical to find a constructive understanding—but by no means a condonation—of contemporary youth's convulsive protest in the facts of contemporary convulsive change—change not only in the technological and scientific spheres but also in the far reaching, deep reaching social, political, psychological and philosophical spheres.

The facts of mid-20th century technological and scientific revolution are clear. Its effects are anything but clear:

What, for example, is the effect of automation on the inner satisfaction which is probably essential to life's making sense and which craftsmen traditionally took from the work they did with their hands?

What is the effect on individuals and on the family of television—with its obsession for what is bad and wrong and shoddy—becoming a larger influence on children's minds than their parents or their peers or their teachers? Is there ever a perpetrator of violence on the streets at night, or a purchaser of heroin, who hasn't seen the thing he does done a hundred times before—in living, dying, color?

What of the impact of scientific discovery on traditional philosophical and political notions?

How much of an influence is it on the philosophy of this generation of youth that its members know—what none knew before because it wasn't true before—that they are committed to live their lives a single spark away from the incineration of the earth?

Or what does it do to democracy when more and more of the decisions the majority has to make hinge on the possession of sophisticated knowledge shared in fact by fewer and fewer members of that majority?

As the astronaut's rocket carries him beyond the effective force of gravity he enters a state of "weightlessness" in which the principles of balance and motion and stabilization he had previously relied on are no longer applicable. There is only a starting consciousness of the disorienting and unstabilizing effects on his earth-bound counterparts—especially those who are still getting their bearings—of a dozen recent achievements of the physical and life scientists.

The sharpest critics of youth's protest associate it with the protestors' alleged lessened sense of values.

If by this it is meant that some of the extremes of protest are what happens in a vacuum of values created in the eye of a hurricane of change, there is unquestionably evidence of that.

There is other evidence—evidence that youths' protest, except for those few for whom protest is an end or a "game" in itself, is *against* valuelessness—that its opposition to particular inherited values is that they are identified with antique forms of institutionalism—that youth is seeking as earnestly as desperate humanity always has for values that give life sense.

If I understand at all what is happening in the philosophy of thinking American youth, it centers on the insistence that the individual must have the opportunity for *direct participation,* for *involvement,* for *actual engagement,* for *commitment,* in some felt experience—and that institutions and procedures are valid only as they provide this opportunity.

Youth is persuaded that government, church, corporations, labor unions, political parties, universities, even the family, have come to be considered too much as ends and individuals too much as means to those ends; that as these institutions now operate they offer too little opportunity for actual, direct involvement of the individual in the conduct of his own and the community's affairs.

Young Americans count a civil rights sit-in more "relevant" than a civil rights decision by a court or a civil rights enactment by Congress—because they can themselves take part in the sit-in; and the Peace Corps more relevant than a foreign aid program because they can *be* the Peace Corps.

"I think," the older philosopher reasoned, "and therefore I am."

"I act," the youth says today, "and therefore I am."

Does the record of youth's protest in fact bear out its base in ethics, in a search for values, in a renewed insistence on the central meaningfulness not of institutions but of individuals, in a desire not only to believe but to be involved?

I think the answer is that it did reflect such a base during the first half of this decade. Surely, then, there was full reason for youth to feel that its desire to participate in "the shaping and molding of the world" was being fulfilled.

The civil rights sit-ins, boycotts, marches, and freedom schools did help create not only a wave of conscience across the country, but the Civil Rights Act, the Voting Rights Act, and the Economic Opportunity Act.

The student free speech movement and complaints about the growing impersonality of the university bureaucracy did help to produce specific changes in university regulations and practices.

The early teach-ins on the war and the early sit-ins on the draft did help to produce a wider and more serious debate on Viet Nam and a deeper examination by universities of their policies with respect to Selective Service.

In the last few months, however, it is manifest that impatience, frustration, and now bitterness, have set in. The feeling has grown that speaking out is no longer enough, that democracy's channels no longer carry youth's message, and that all bureaucrats and politicians are by definition, "nasty, brutish and short." New *forms* of protest have emerged: teach-ins have been replaced by sit-ins and sleep-ins and lawlessness and acts of civil disobedience; integrated freedom schools by black power rallies; peaceful demonstrations for peace by active resistance and draft card burnings. At the same time, new *objects* of protest have been fixed: visibly discriminatory Southern laws have lost center stage to less visibly discriminatory Northern practices and then to the whole system of allegedly "undemocratic institutions"; specific debatable issues on Viet Nam policy have given way to personal and symbolic supporters and critics of that policy; specific complaints against certain conventional social values have been replaced increasingly by expressed rejection of the whole notion of social values.

It would be much less than candor not to express the deep conviction that *in its present extreme forms*—and particularly in the apparent decision to change the present order of things from without instead of working from within—student protest finds no excuse in the "weightlessness" which change creates, and reduces the ethic of doing-as-being to a claimed license for what amounts to nothing much better than individual anarchy.

Whether we like it or not, part of the necessary adjustment to change, to an increasing tempo of even dubious "progress," is more self-discipline, not less. Insisting on participation in the setting of those new disciplines is one thing; denying all responsibility is another. Nobody is going to be excused, if he puts a car in the ditch or kills someone with it, by his explaining that he took his hands off the wheel because he was going too fast.

The pragmatics of it are that the current extremes of protest *dis*-serve their purposes—seriously.

The riots in the slums this summer hurt the poverty program and the advance of civil rights as much as the marches on Washington and Selma four years ago helped those causes.

If the objection of some members of Congress to the presently pending poverty bill appropriation is based on considerations of economy, the unspoken objection of others—utterly wrong in my judgment—is that the war on poverty did not prevent the riots.

The march on Washington three weeks ago hurt the cause of most of the marchers more than it advanced that cause. It all ended so meanly—with the walls covered with filth, the air full of dead fish and vegetables and sputum and tear gas, and the jails full of young men and women whose offense—more against themselves than the society—was the inciting of synthetic violence. It was youth's protest, and youth could not have been proud. A generation of decency was discredited by a few who degraded legitimate dissent into obscenity and anti-reason.

The net of it is that the youth's increasingly extreme form of protest and the adult's increasingly bitter recrimination and retribution are now creating an infinitely more bitter inflationary cycle—with human costs and prices.

There is debate about the draft—then a decision—then expressed disagreement and counter-argument—all in democracy's truest tradition. But then, suddenly, a despicable burning of draft cards and the barricading of recruiters behind doors held shut by students who thereby deny the one absolute tenet of the university: that *reason* must *never* bow to force. And now, the retributive action of threatening the students with a choice between being drafted or going to the penitentiary.

I resent with everything in me the abuse by those students of the ideals I hold highest. I think they are dead wrong about what is necessary to win freedom *and* peace in Viet Nam, and wronger about what freedom offers and demands. To the extent that their action does in fact violate the Selective Service Act, I support completely the firm and full carrying out of the law. But when those who administer the law say: "It may be that we are assuming just a little" by adding a new pressure to what the law provides, and when it is then put that the boy "may always go to the penitentiary if he likes," this isn't what I understand democracy to mean.

It is all so senseless, this spiraling of protest and recrimination.

There has never been a large commonalty of purpose in this country. In a very real sense much of today's protest—at least about our condition in this country—reflects not only the technological progress of recent years, but the unprecedented social gains as well—in educational and economic opportunity, increasingly equal opportunity. We have learned that in the most developed—as well as the least developed—countries there will come with new opportunity, a further revolution of still faster rising expectations. In large measure, today's dissatisfaction results from the increasing realization that the true measure of achievement is not how much better things are than they were last year, but how much the country is still short of the realization of its full potential. We were determinists once. Now we believe in the idea that Man is made with the competence inside to control his destiny.

But neither words nor philosophy—nor protest against protest against protest—will be enough this year, or next, or ever.

You are lawyers, present or future—and I perhaps return, in closing, to the schizophrenia acknowledged at the start about fashioning an instrument which might both let me speak to you whose interest and love is the law and still let loose with the concern fermenting inside me.

Yet in a very real sense, all I have said here is the setting up of a case which requires your professional attention. For law is not only the application of precedents, but even more centrally the development of procedures and institutions which serve the inexorably changing human desire and purpose.

There is a "weightlessness" today, and meeting it will require social and legal invention as curious and bold and effective as the scientific invention which created it.

Youth's protest may carry it outside any reasonable boundaries. It has. And it is partly the lawyer's obligation—as not only artisan but architect—to better refine the rules and principles and practices regarding protest so as to distinguish between dissent and disorder.

Beyond this, I press youth's case for changes in established institutional concepts which make the individual more clearly the master and the institution more clearly the servant; and changes in established procedural concepts which give the individual a more active role in his own and the community's affairs.

But new "concepts" are not enough.

There is the need for new programs which will provide the young people of the country the opportunity they ask to make both it and the world better, safer, more sensible. The Peace Corps is a precedent. So is VISTA. So is Israel's two-year national service program.

There is the need for better lines of communication between academic and political forums.

Max Lerner's proposal this week of a university procedure in which administration, faculty, and students would participate on a 7-5-3 ratio basis in making *some* decisions deserves careful consideration.

There are further experiments to be made, new programs devised, to meet the necessity of full participation—and more than that, the assumption of full responsibility—by the residents of slums and ghettoes in making their own repairs against the ravages—more psychic than physical—of centuries of bigotry.

These are only seed suggestions, meagre illustrations of the kind of new institution and procedure building that is required.

This is a job for citizens—yes, but most particularly for lawyers. For what is raised most centrally in youth's protest today is the free society's essential legal question: how to achieve under constantly changing circumstance that balance of rights and responsibilities which will maximize *individual* opportunity and significance.

There has been constant reminder, in the preparing of these remarks, of Wiley Rutledge. Of three pictures I see every night above my dresser, his is one. I wouldn't be here tonight, nor doing what I do, if my life had not touched and then drawn heavily upon his. More than any but a few, I know what this School meant to him.

Wiley Rutledge believed in the individual—*every* individual—the very idea of the individual—more devoutly than any other man I have known. He would take, today, youth's case—but with due recognition of his obligation to serve his client by recognizing fully the common interest. He would say, as he did, now twenty-two years ago, in *Thomas v. Collins*:

"This case confronts us . . . with the duty to say where the individual's freedom ends and the State's power begins. Choice on that border is always delicate. It is the character of the right, not of the limitation, which determines what standard governs the choice.

"It is in our tradition to allow the widest room for discussion, the narrowest range for its restriction, particularly when this right is exercised in conjunction with peaceable assembly."

CONGRESSIONAL REDISTRICTING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Pickle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PICKLE. Mr. Speaker, we have before us today another page in the now extensive legislative history on the congressional redistricting bill. H.R. 2275 is the aftermath of the still unsettled dispute on the earlier major redistricting bill, H.R. 2508.

H.R. 2508 passed both Houses of Congress earlier this year, but the measure contained several disputed points. The conference report on the bill made an effort to reconcile some of the more important aspects of the legislation, and limited the extent to which a Federal court could require redistricting in a given State. Briefly, the conference report provided merely that there could be no members elected at large for the 91st and 92d Congresses except for New Mexico and Hawaii and that no State would be compelled to redistrict for the 91st and 92d Congresses without the benefit of an up-to-date current census figure.

The conference report on H.R. 2508 left to future Congresses all other items including guidelines as to a fair degree of equality of population, contiguity of districts, compactness, and gerrymandering.

I supported this conference report when it was before the House because it then seemed like the best available solution, but the other body, on November 8, rejected it, and at the same time added to the bill before us today an amendment which was not germane, prohibiting at-large elections but making no provision for census counts.

The redistricting provisions of H.R. 2275, as before us today and as passed by the Senate, have one simple goal—to prevent the at-large elections for Congress in the next few years. It is the simplest form of the redistricting squabble, and it does not address the problems of compactness nor does it have anything to do with a census. It merely provides that when there is more than one Member of Congress from a given State, then the State must be districted with no candidate running at large. This is the relatively narrow point on which both Houses and their conferees have consistently agreed—that there is strong public policy to insure at least this much protection in the coming years.

The problem of a legislature or a court not having a current census to work with in redistricting is one which is best settled permanently before proceeding with redistricting requirements. The House has already passed a mid-decade census bill, H.R. 7659, which will go far in resolving this problem. With the latest developments culminating with the proposal before us today, I feel this Congress should adopt H.R. 2275, as amended by the Senate, and proceed with the mid-decade census bill to lay the groundwork for further legislation in the field of redistricting, if this proves necessary.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Flynt (at the request of Mr. Davis of Georgia), for Tuesday, November 28, 1967, on account of official business.

Mr. Brown of Michigan (at the request of Mr. Gerald R. Ford), for November 29, 1967, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pelly for 15 minutes, today.

Mrs. Dwyer (at the request of Mr. Steiger of Arizona), for 10 minutes, on November 29, and to revise and extend her remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Steiger of Arizona) and to revise and extend their remarks and include extraneous matter:)

Mr. Roudebush.

Mr. Smith of New York.

Mr. Collier.

(The following Members (at the request of Mr. Montgomery) and to include extraneous matter:)

Mr. Hébert.

Mr. Hanna.

Mrs. Sullivan.

Mr. Tenzer in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1532. An act to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes; to the Committee on the District of Columbia.

S. 1629. An act to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region; District of Columbia.

S. 1722. An act to amend the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2529. An act to amend the act of September 8, 1960, relating to the Washington Channel waterfront;

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes; and

H.J. Res. 936. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements;

H.R. 168. An act to amend the act of June 20, 1918, relating to the retirement age requirements of certain personnel of the Coast Guard;

H.R. 169. An act to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees;

H.R. 1006. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 3351. An act to amend the act of August 19, 1950, to provide annuity benefits for an additional number of widows of employees of the Lighthouse Service;

H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes;

H.R. 6430. An act to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes;

H.R. 10442. An act to facilitate exchanges of land under the act of March 20, 1922 (42 Stat. 465), for use for public schools, and for other purposes;

H.R. 12910. An act to establish a Judge Advocate General's Corps in the Navy, and for other purposes;

H.R. 13606. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes; and

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p.m.) the House adjourned until tomorrow, Wednesday, November 29, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1239. A letter from the Secretary of Defense, transmitting six reports covering violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, pursuant to section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

1240. A letter from the Comptroller General of the United States, transmitting a report on use of contractor personnel to perform research functions within facilities of the Air Force Cambridge Research Laboratories, Department of the Air Force; to the Committee on Government Operations.

1241. A letter from the Assistant Secretary of the Interior, transmitting copies of certain orders and supporting documents covering cancellations of reimbursable charges existing as debts against individual Indians or tribes of Indians, pursuant to the act of July 1, 1932 (47 Stat. 564); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Colorado: Committee of conference. H.R. 8629. An act to amend the act of July 4, 1966 (Public Law 89-491) (Rept. No. 987). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 12639. A bill to remove certain limitations on ocean cruises; with amendment (Rept. No. 988). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 25. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; with amendment (Rept. No. 989). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 993. Resolution providing for the consideration of H.R. 6649, a bill to amend the Export-Import Bank of 1945, as amended, to shorten the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes (Rept. No. 990). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 14171. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. BROWN of Michigan:

H.R. 14172. A bill to amend the Internal Revenue Code of 1954 to increase the deduction allowable for expenses of medical care of persons over age 65; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 14173. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DADDARIO:

H.R. 14174. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H.R. 14175. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD:

H.R. 14176. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 14177. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 14178. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 14179. A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KYL:

H.R. 14180. A bill to provide for the establishment of the Lewis and Clark National Scenic Riverway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SKUBITZ:

H.R. 14181. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. SMITH of Oklahoma:

H.R. 14182. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) or section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 14183. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 14184. A bill to amend title 38 of the United States Code to increase rates of disability compensation paid to service disabled veterans; to the Committee on Veterans' Affairs.

By Mr. IRWIN:

H.R. 14185. A bill to amend titles 10 and 37, United States Code, to reestablish the grade of commodore in the Navy; to the Committee on Armed Services.

By Mr. DANIELS:

H.R. 14186. A bill to reduce thefts of motor vehicles by prohibiting the exportation of unidentified motor vehicles, and by prohibiting the unauthorized possession and transmission in interstate commerce of motor vehicle master keys; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 14187. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. GARMATZ:

H.R. 14188. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. BOW:

H.J. Res. 935. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes; to the Committee on Appropriations.

By Mr. MAHON:

H.J. Res. 936. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes; to the Committee on Appropriations.

By Mr. MORRIS (for himself and Mr. WALKER):

H.J. Res. 937. Joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NIX:

H.J. Res. 938. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 939. Joint resolution to establish a Joint Committee on the Cost of Medical Care; to the Committee on Rules.

H.J. Res. 940. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970, to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes; to the Committee on Education and Labor.

By Mr. GROVER:

H.J. Res. 941. Joint resolution to designate the Union Station Building in the District of Columbia, a part of the National Visitor Center, as the National Visitor Center Memorial Building; to the Committee on Public Works.

By Mr. HOLLAND:

H. Res. 992. Resolution directing the Sergeant at Arms and the Clerk of the House of Representatives to withhold payment of the salary of Members, officers, and employees of the House of Representatives if officers and employees of the District of Columbia or of the U.S. Government or U.S. judges are not paid because Congress has not completed action upon appropriation legislation for their salaries; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 14189. A bill for the relief of Lorenzo Canale; to the Committee on the Judiciary.

H.R. 14190. A bill for the relief of Rocco Severino; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 14191. A bill for the relief of Laura Massaglia and certain other persons; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 14192. A bill for the relief of Giuseppe and Grazia Semeraro; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 14193. A bill for the relief of Marguerite Simoy (also known as Margarita Simou); to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 14194. A bill for the relief of Joaquin Morales Monterrey and his wife, Dora Morales Monterrey, and their child, Cynthia Morales Monterrey; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 14195. A bill for the relief of Teresa Pappalardo; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 14196. A bill for the relief of Mrs. Nelly Luisa Macon Link and her minor son, Alberto Ramon Palleroni; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 14197. A bill for the relief of Heng Liong Thung and Yvonne Maria Thung (nee/Thio); to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 14198. A bill for the relief of Emilia B. Ajwani; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 14199. A bill for the relief of Comdr. Joe R. Lacy; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 14200. A bill for the relief of Luigi Giuliano and his wife, Giuseppina Testa Giuliano, and their children, Michelina Giulano and Magdalena Giuliano; to the Committee on the Judiciary.

H.R. 14201. A bill for the relief of Mario Romano; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Tribute to the Ukrainian Struggle for Freedom

EXTENSION OF REMARKS

OF

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 28, 1967

Mr. SMITH of New York. Mr. Speaker, I would like to insert a few words in honor of the anniversary of two very meaningful events in the history of the Ukraine: the Ukrainian declaration of independence and the organization of the valiant Ukrainian resistance movement.

Since 1783, when Catherine II forcefully absorbed the Ukraine into Russia, the Ukrainian people had been politically oppressed, but they had, nevertheless, developed a rich and vital national heritage. This culture sparked their desire for self-determination, so that in 1917, during the Bolshevik revolution, when much of the Russian machinery was in a state of total chaos, Ukrainians were effectively able to declare themselves sovereign and free. Now, as the Soviet Union celebrates the 50th anniversary of Communist rule in Russia, we similarly commemorate the 50th anniversary of the beginning of the Ukrainian struggle for independence. How tragic that this glorious period of liberation endured for only 3 years. When the Communist regime was well entrenched in Moscow, Ukrainian nationhood was abolished and the country was once again occupied and governed by Russia.

As we approach the beginning of a new year, we also should acknowledge the 25th anniversary of the formation of the Ukrainian Insurgent Army—UPA. The UPA was organized in early 1943 as a reaction to the conquering Germans, whom the Ukrainians had previously hoped would liberate them from the cruel and torturous practices of the war-panicked Russians. Instead, the Germans perpetuated the inhuman system devised by the Russians. This political and armed resistance grew into a vast underground movement, supported by most of the Ukrainian population. With the surrender of Germany came the return of Soviets into the Ukraine. They were met with persistent harassment, sabotage, and military opposition by the UPA. It was not until 1950 that open conflict ceased. Yet the spirit of Ukrainian patriotism and the psychological resistance to Russification continue, though the activism of the UPA has been abandoned.

As we observe these anniversaries and pay tribute to the determined and courageous Ukrainian people, perhaps we can continue to stoke the fire of hope in their land, sealed off from the world and oppressed as it is.

Support Our Boys in Vietnam

EXTENSION OF REMARKS

OF

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 28, 1967

Mr. ROUDEBUSH. Mr. Speaker, great attention is paid by the communications media in this country to acts of disloyalty to the U.S. Government.

Draft card and flag burners, demonstrators, and pickets receive attention beyond their importance and are portrayed as legitimate protesters exercising their right to dissent.

Under the guise of academic freedom, some of our college faculty members and students heap abuse and scorn upon their Government.

Those who engage in these acts are a tiny minority of our total population. The vast majority of Americans, whether they agree or disagree with the administration and its policies, do support our Government and our men in Vietnam who are doing the fighting.

Activities at Butler University in Indianapolis, Ind., are far more typical of America than the overemphasized antics of the great unwashed.

At a recent football game, the Butler University Marching Band used a patriotic theme for a halftime show, complete with flag-bearing Boy Scouts and the unveiling of one of the largest flags in the United States.

The flag, measuring 94 feet by 60 feet, covers a college-size basketball floor. This show was repeated at a following Butler football game—by popular demand.

Butler students later marched with banners and signs, but it was not the usual demonstration found on college campuses these days. This was a march from the Butler campus to a neighborhood drugstore which offered to match every gift bought by Butler students for the troops in Vietnam.

Nearly 500 students participated in Operation Giftlift, an outstanding example of support for our boys in Vietnam.

Preserving Our Nation's Resources

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 28, 1967

Mr. TENZER. Mr. Speaker, the preservation of the Nation's valuable natural resources for future generations is a subject to which Congress has and must continue to devote more attention.

Whether it be a national seashore—or the preservation of the redwoods—or the valuable coastal wetlands of Long Island—our remaining natural recreation and conservation areas must be preserved in perpetuity for the benefit of the people. The people must be protected from the ever-present temptation to reap profits through the destruction of these valuable natural resources.

The House Merchant Marine and Fisheries Committee has made a significant contribution to the achievement of this goal by reporting H.R. 25 to study and preserve the Nation's estuarine areas.

This bill, which I was privileged to cosponsor with our distinguished colleague from Michigan, the Honorable JOHN DINGELL, authorizes a 2-year, $1 million inventory and study of the Nation's estuaries. The bill further authorizes the Secretary of Interior to enter into an agreement with the State of New York and local governments to manage and preserve 16,000 acres of wetlands on the south shore of Long Island.

The importance of this legislation as it affects Long Island's natural resources is in the development of a new concept—that of cooperative management agreements—strictly voluntary—rather than by the Federal acquisition of lands already in public ownership.

There should be no need to expend Federal funds to acquire lands for conservation purposes when such land is owned by a State or political subdivision. H.R. 25 as reported authorized and enables the Secretary of the Interior to negotiate with the State of New York and local governments in an attempt to reach agreement on the permanent preservation and management of these valuable wetlands. Nothing in the legislation compels the State or local governments to enter into such an agreement. I want to make it crystal clear that there is no element of Federal control involved in the legislation.

The importance of Long Island's wet lands has been outlined in great detail during committee hearings held in 1966 and again in 1967. The need to preserve them is clear. The Interior Department, in a joint study with the New York State Conservation Department of the Long Island coastal wet lands, 1961, called the then remaining 16,000 acres "the most important" wetlands area in the North Atlantic States. Because of the extensive studies heretofore made with respect to the Long Island coastal wetlands area—an exception was made in the legislation.

In order to determine the feasibility of authorizing preservation agreements in other areas of the Nation, H.R. 25 authorizes an inventory and study of the Nation's estuaries. Thus it will be possible to select those most appropriate for permanent protection. The Secretary of the Interior is instructed to report to the Congress in January 1970 by which time the results of other studies and recommendations for additional areas will be available.

I call to the attention of my colleagues a recent editorial which appeared in the New York Times, November 15, 1967. I place the text of the editorial in the RECORD at this point for the information of my colleagues:

THE LAST WORD

The bays, estuaries and coastal wetlands where the fresh waters of a river meet the tides of the sea were once crucial in the evolution of man. For other species, they are still the survival zone. Here nearly two-thirds of the nation's commercially valuable finfish and shellfish spawn. Here are found oysters, shrimp, clams and crabs. And here water birds live and migratory birds rest on their journeys.

Human beings, forgetful of their own past and heedless of the welfare of other species, think of swamps and marshes as wastelands. They mistakenly believe that oceans and rivers can absorb an infinite amount of abuse. So it is that they pollute the waters and destroy estuaries and adjoining wetlands by dredging and filling.

The House Committee on Merchant Marine and Fisheries is now considering a bill by Representative Dingell of Michigan to authorize an inventory of the nation's estuarine areas by the Interior Department.

Originally, his bill was more ambitious. It included a requirement that those seeking to dredge or fill would have to obtain a permit from the Secretary of the Interior. But the sand and gravel companies, the real estate developers and the Rivers and Harbors Congress mounted a successful lobbying campaign to insure that their perennial ally, the Army Corps of Engineers, will retain the final power of decision.

Despite this drastic downward revision in subcommittee, the bill is still of some value. It authorizes the first comprehensive study of estuaries. Where wetlands are already under local public control, as in parts of the southern coast of Long Island, a provision sponsored by Representative Tenzer of New York would enable the Secretary of the Interior to provide Federal administration if the localities agreed. Federal supervision is the most effective barrier against pressures by the developers on village and town officials.

As the public comes to understand better the unique value of estuaries and coastal wetlands, the time draws nearer when long-term ecology rather than short-term economic interests have the last word on this significant part of man's environment.

Mr. Speaker, H.R. 25 will be brought to the House floor under a suspension of the rules on December 4, 1967. Last year a more controversial version of the legislation narrowly missed passage under a suspension of the rules when 209 Members voted in favor of the bill and 108 voted against the measure. See the CONGRESSIONAL RECORD, volume 112, part 18, page 24888.

The present bill, H.R. 25, omits all references to a veto over the Army Corps of Engineers and requires further congressional approval before other estuarine areas of the Nation may be made the subject of management agreements.

The Interior Department has requested passage of H.R. 25 and the Bureau of the Budget has expressed no objection to the legislation. I urge my colleagues in the House to review H.R. 25 as reported and to add their support to this measure.

Pentagon Distortion of the Facts

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 28, 1967

Mr. HÉBERT. Mr. Speaker, the Pentagon is up to its old tricks again of distorting the facts and feeding misleading information to the news media.

In my letter to Morris Seigel, one of the country's finest sportswriters, can be found a typical example of what is to be expected.

An incident of passing interest is the fact that Indiana is going to the Rose Bowl for the first time in its history. Who is the president of Indiana University? Elvis J. Stahr. And who is he? The former Secretary of the Army.

What a contrast is his position on bowl games to the position of the present Secretary of the Army.

But, oh well, here is the letter which

tells what is perhaps the closest thing to the real story that can be developed:

NOVEMBER 24, 1967.

Mr. MORRIS SIEGEL,
Washington Evening Star,
Washington, D.C.

DEAR MORRIE: I was rather surprised to read the lead of your Washington column on Monday which has been forwarded to me in New Orleans and I hasten to set the record straight.

You know of course of my high respect for you and, as a matter of fact, you are one of my real favorites among sports writers. It is because of this, and our previous conversations relative to the precipitous action by the Secretary of the Army and Chief of Staff, General Harold K. Johnson, that I feel compelled to put the facts in proper and accurate sequence.

Nothing could be more inaccurate than the caption of your column which says "Politicians Wreck Army Bowl Hope," unless it be the following sentences in your lead . . . "Army Secretary Stanley Resor's order banning the bowl for West Point was forced on him by two unrelating Congressional delegations, one demanding the cadets for the Sugar Bowl and the other just as insistent about the Cotton Bowl. It left Resor with nothing to do except what he did."

I am really amazed that you are allowing yourself to be used to spread the pusillanimous propaganda from the Pentagon, in their effort to mislead the public as to why the Army was denied the right to play in a bowl game.

While I cannot speak for the Texas Delegation, I can speak for the Louisiana Delegation in the House of Representatives in this instance. As you know, I am the Dean of the Louisiana House Delegation and I can tell you here and now that not a single member of the Louisiana Delegation discussed with me the betrayal of the West Point football team and the Cadet Corps, until it had become public knowledge that the Cadets were to be denied not only participation in a bowl game but were also denied a discussion of decision on their part which has been the policy at West Point until this arbitrary and hasty decision by Secretary Resor, for reasons best known to himself and to which I have not been made privy.

Let's put the whole story in chronological order so you can have the benefit of the facts instead of inaccurate statements and rumors.

I did not contact or talk with anybody in the Army, at West Point or at the Pentagon, until after the decision was made not to allow the West Point team to play in a bowl game. The first I even heard of the Army being considered for the Sugar Bowl game was on Tuesday, November 14, when I read an Associated Press story, dateline New Orleans, in which my name was prominently mentioned as urging the Army, on behalf of the Sugar Bowl. When I read the story I called the Sugar Bowl officials in New Orleans to find out what it was all about. I was informed that the Army athletic officials had been asked if they were available for a bowl game and if they would be interested in the event an invitation were extended. West Point replied in the affirmative, stating specifically that they were interested when and if an invitation were extended.

This statement was made by Col. Jerry G. Capka, athletic director.

I heard mothing more, nor did I know anything more about the Sugar Bowl and the Army until the next morning when I received a call from the Sugar Bowl people who informed me they had received a call from the athletic director at West Point, who apologetically requested that consideration of the Army be withdrawn because West Point had been informed they could not participate in a bowl game.

Keep in mind, a decision had already been made and I had not as yet talked to anybody at West Point, the Army or the Pentagon in connetcion with getting Army into a Sugar Bowl game. Obviously, I had no authority to begin with.

It was only after I was so informed, that I spoke with Secretary Resor on the telephone and asked him what this, about Army being denied the right to play in a bowl game, was all about. I was not pressuring nor even suggesting that Army play in the Sugar Bowl game. My only reason for the call which I made quite clear, was why the policy of the Army had been reversed this year. Secretary Resor informed me, and in recalling his words as best I can, said, "After talking with the Chief (Army Chief of Staff, Gen. Harold K. Johnson) and discussing the matter with him, we have decided to adhere to our policy of no bowl games for the Army." I challenged this statement as to policy and referred to the report of the 1955 Board of Visitors which advocated participation of West Point in bowl games if invited.

All I was interested in was that the decision be made by the West Point team as to whether they wanted to play in a bowl game and if so, in which bowl they would play if invited. This has been my consistent position through the years, ever since I was instrumental in having the policy set for the Navy's participation in a bowl game. At that time, when I spoke with the then Secretary of the Navy Charles Thomas, I did not request that the Navy play in the Sugar Bowl. I asked him to do three things:

1. To agree that the Navy could play in a bowl game if invited.

2. That the squad be asked if they wanted to play in a bowl game if invited.

3. That the squad make the determination as to which bowl they desired to play.

At no time did I suggest that I was interested in only one bowl game.

Consistent with this policy, several years ago when the Sugar Bowl was interested in the Navy, I, of course, favored the Navy playing in the Sugar Bowl but when the players decided they wanted to play Texas in the Cotton Bowl, I voiced no objections. They said they wanted to play the number one team in the country which was Texas at that time.

Now, in further reference to the inaccurate statement of Secretary Resor as to the policy at West Point, disregarding the 1955 Report of the Board of Visitors. I must direct your attention and the attention of Secretary Resor, to the fact that when General Kenneth S. Royal was Secretary of the Army, General Maxwell B. Taylor was Superintendent of West Point and Colonel Earl H. "Red" Blaik was Athletic Director and Coach of the football team, the Army was contacted as to their availability to play in the Sugar Bowl game, if extended an invitation. Not only did Secretary Royal agree but he enthusiastically supported the proposal and hoped that North Carolina, his alma mater, would be the opposing team.

Now keep in mind that Secretary Royal occupied the same position that Secretary Resor occupies today and that the policy of Secretary Royal for the Military Academy was definitely to participate in a bowl game if invited. At West Point the proposition was put to the players and they rejected the bowl game, much to the disappointment of Army Secretary Royal, but he had adhered to the West Point Policy in the same manner as did the Navy, when the Navy players selected the Cotton Bowl instead of the Sugar Bowl.

The only thing I asked this year was that the policy be recognized and that the West Point players be allowed to make a decision. This, Secretary Resor and General Johnson did not do, reversing the situation at West Point without consulting the West Point officials.

To further indicate the inaccuracy of the statement that the Texas Delegation and the Louisiana Delegation was attempting to bring pressure on West Point as to which bowl they would play, at the very hour and the very minute that I talked to Secretary Resor and asked him to re-evaluate his position, West Point was not even in consideration for the Texas bowl game. Alabama had already unofficially committed itself to play the champions of the Southwest Conference in the Cotton Bowl. In other words, there was only one major bowl open to West Point at the time with possibly a second one, the Gator Bowl.

Now as far as Texas is concerned, my good friend, Congressman Olin "Tiger" Teague of Texas (also a member of the 1955 Board of Visitors which set the policy at West Point and which Secretary Resor flouted), has long been interested in the service academies playing in the Cotton Bowl. He informed me, however, that at no time did he attempt to pressure West Point into the Cotton Bowl.

Now these are the facts. I am certainly too fond of you and admire you too much to allow you to be used as a dupe to spread such propaganda as that being spewed from the Pentagon after their realization that they blundered and fumbled the ball on the one yard line.

I regret this letter has been as lengthy as it has but I am determined that this action on the part of the Army will not be allowed to die, as long as I am here and able to talk.

My position is well-known to Secretary Resor. I told him I was bitter about his decision and I am even more bitter now when I see to what extremes some people will go to confuse the issue and invent scapegoats. I assure you this is not the end of the matter. It is not going to be brushed under the rug. It will be kept in full and complete view and I am going to use every means at my command to keep the American people informed of the elements behind this betrayal.

Warmest personal regards and my continued admiration.

Sincerely,

F. EDW. HÉBERT.

Half a Century of Finnish Freedom

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 28, 1967

Mr. COLLIER. Mr. Speaker, on November 7, the ruling powers in the Soviet Union, along with their tools and dupes in our own country, celebrated the 50th anniversary of the Bolshevik revolution. There was no rejoicing among the Ukrainians, Byelorussians, Estonians, Latvians, Lithuanians, and others who are unwilling subjects of the Communist tyrants. To the Bulgarians, Czechs, Slovaks, Hungarians, Poles, Rumanians, Serbs, Croats, Slovenes, and other peoples who live in the satellite nations the anniversary was just another day of humiliation.

Next Wednesday it will be the turn of those who despise communism and all that it represents to celebrate. It was on December 6, 1917, that Finland declared its independence from Russia, after having been a grand duchy of the Russian Empire since 1809. Freedom did not come cheaply, as the Russian Communists, who had but recently come to power, helped Finland's Communists and Radical Socialists to revolt against the new regime. The civil war in Finland ended by April 1918, with victory for the conservative elements, thus keeping the new nation from becoming Communist like its huge neighbor.

The American people have, through the eventful five decades that have followed Finnish independence, been good friends with the people of Finland. Many Finns have migrated to the United States and they have made great contributions to their adopted country. According to the 1960 census of population, 240,827 Americans are of Finnish stock, including 67,624 who were born in Finland and 173,203 others who had one or both parents who came here from Finland.

Undoubtedly the one quality that most of us associate with the Finns is honesty. While other European nations have welched on the debts they incurred as a result of World War I, Finland has met her payments on both principal and interest with a regularity that should shame the wealthier and more prosperous nations that have, for all practical purposes, repudiated their World War I indebtedness. Admittedly, these nations did have excuses, such as the depression of 1929 to 1939, World War II, and the cold war, but such excuses evidently never entered the minds of the Finns. While Great Britain, France, Italy, Belgium, Poland, Czechoslovakia, Rumania, Yugoslavia, and other countries owe us approximately $15 billion in principal and interest on their World War I indebtedness, Finland continues to meet her obligations on schedule.

While she has maintained her independence for five decades, the road that Finland has traveled has not been an easy one. During the years between 1939 and 1944, she fought two wars with the Soviet Empire. Although her soldiers fought bravely and won the admiration of the civilized world, the odds were overwhelmingly against her and she was defeated by her more powerful neighbor.

As a result of the peace settlement, the Soviet Union obtained about 17,640 square miles of Finnish territory. Almost half a million Finns migrated from this area rather than live under the Communist rule. Like so many other inhabitants of the people's paradise, these people voted with their feet.

Mr. Speaker, on December 6, let us take a moment to pay tribute to the courageous Finns, let us be grateful to the honest Finns, and let us pray that they will always remain free Finns.

Today's Story Gold

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 28, 1967

Mr. HANNA. Mr. Speaker, since the time when the commerce of man was extended beyond barter the importance of the medium of exchange has played a key role in trade within individual nations and between nations of the earth. The two basic attitudes that can be found relative to any currency in use in any society remain the same. They are an attitude of confidence and an attitude toward convenience.

The first attitude relates to the sought-for need for deposit of value for the holder and the other relates more to the velocity of transactions which as volume grows trade is encouraged. Paradoxically these two attitudes are inconsistent. Actually wealth as such relates to goods and services valued in their own right and wealth has no necessary relationship to convenience. The wealth of a nation is certainly directly tied to the goods and services both in the quality and quantity it produces. The wealth of a nation is certainly not related to the amount of currency it has available. Therefore, when hard currency or metal coinage is involved it has a dual role; one in which it is part of the wealth picture and the other as a medium of exchange. It is demonstrably true, however, that the greater role it plays as wealth the lesser role it plays as convenience and vice versa. As the volume of trade rises the pressure for convenience will also rise and in the choice between confidence resting on value and service resting on convenience, option will be exercised in favor of convenience. That is today's story in relation to gold.

Let us examine this proposition in greater detail keeping in mind the distinction of wealth per se and money as a medium of exchange; and the distinction between the requisite attitudes relative to currency. One being confidence which rests on true wealth or value and convenience which rests upon velocity and volume.

As long as man has known the existence of gold, it has served as a medium of exchange. As with any commodity, the value of gold is measured by its desirability in relation to its availability. No one doubts that gold is a desirable material because of its beauty and its workability. It is easily extracted in a pure form and is easily alloyed with other metals to achieve the desired durability. Gold does not tarnish and is divisible without loss of value. Yet its scarcity means that not everyone may possess as much as he desires. It is, therefore, a measure of one's wealth and a most logical medium of exchange.

Gold is, however, a heavy metal and is not easily transported in great quantities. Even though an individual found it easy to carry bits of raw gold or pieces of worked gold to handle day-to-day transactions, he found it cumbersome and unsafe to carry enough for large transactions. The problem was solved by leaving the bulk of one's gold with the goldsmith or someone else who was willing to keep it safe and by writing a note to him to deliver upon request a certain amount of that gold to a named person in possession of the note. Today it costs more than $6 in interest foregone, insurance and storage charges to hold $100 in gold for a year.

In the past everyone felt it safe enough to accept such notes addressed to "bearer" as long as they had confidence in the financial stability and integrity of the man whose signature appeared at the bottom of the note. Often, no gold actually changed hands, but was transferred on paper.

Still, when one traveled outside the community where his name was not known, he had to carry his gold with him. Soon the policy of issuing notes was taken over by large banks and eventually by governments who could assure the validity of gold notes over greater areas. Soon this became the exclusive dominion of government and the notes became universally acceptable; in some cases, even for foreign trade. Thus, the change from gold as a medium of exchange to gold as an exchange standard.

It soon became apparent that there was not enough gold available to back up 100 percent of the increasing number of notes needed as the economy grew. Thus governments issued notes in excess of their gold stock but kept enough to assure the occasional doubter that his paper money was "as good as gold." This policy was adequate as long as there was no "run" on the gold stock. When this did happen, the Government had no choice but to abandon the policy of redemption and assure the validity of the notes on the strength of the Government alone.

Both World Wars and the depression vividly demonstrated the weaknesses of the gold standard in times of extreme difficulty. Countries found that a paper standard was not the solution, nor was any other form of the metal standard. The key to a solid monetary system depends upon a stable economic system and these times were not the best in which to experiment. Virtually all governments felt, however, that although the gold standard was far from perfect, it had been in a process of development over the centuries, and belief was widespread that the best hope of the future consisted in the further improvement of this standard, rather than in the substitution of something new in its place.

Today, there is dissatisfaction with the restraints posed by the gold standards and efforts are being made to recognize what the difficulties are and what can be done to alleviate the strains that are beginning to show. These strains are the end result of a long and highly involved development of many monetary standards which go under the name of the "gold standard" and the one which we have now is by no means the end or even desired product of this development.

In the United States, gold monometallism did not actually exist until 1879. Nonetheless, from the beginning of colonial settlements here, gold served, at least to some extent, as basic money. The early experience with gold can be divided into four periods: First, the period prior to the National Mint Act of 1792 which is roughly the preconstitutional period, during which a scattering of gold circulated in the country along with many silver and copper coins and with large amounts of inconvertible paper money; second, the period of bimetallism which dated from 1792 to the long suspension of specie payments at the end of 1861—

omitting brief suspension from 1814 to 1817; third, the period of the greenback standard from 1862 to 1878, during which the only circulation of gold money was a limited amount on the Pacific coast; and, fourth, the period of the gold standard, from the resumption of specie payments in 1879 to the First World War.

With the advent of the war, the gold standard and every other kind of monetary standard in the world broke down. During the war and the years immediately following, depreciated and managed paper money standards were adopted everywhere. With few exceptions—principally in the United States—they were terrible failures. As soon as the smoke of battle had cleared away and the work of reconstruction had moved substantially forward, nearly all the advanced countries of the world began readapting their economies to the gold standard.

The United States had suffered less than any country from the war and in June 1919, removed the embargo on gold exports and from this time on the dollar was taken as representing gold. At the Brussels Conference of 1920, recommendations were made that all countries attempt to steady the internal purchasing powers of their own currencies and at the Genoa Conference of 1922 countries were urged to return to the gold standard. The enthusiasm with which countries returned to the standard was met by almost immediate disillusionment.

Countries had price levels harmonized with that of the dollar and had stabilized foreign exchanges, but had not gotten the world's gold properly distributed. It was becoming clear that, as things were, there was not enough gold available to maintain the world level of prices at its existing height, and that the world was threatened with continuously falling prices and an indefinite period of trade depression. The United States, with a surplus of gold, could possibly maintain its position and level prices; any other country which by hook or by crook could obtain enough gold might be able to do the same. Hence the fear of a scramble for gold, which would mean a bidding up of the price of gold making it more valuable. This means essentially reducing commodity prices and a general depression.

The return to the gold standard was made in most cases under trying circumstances, and, before the newly created standards could be firmly established and put in good order, the postwar economic crisis beginning in 1929–30 shook the world. The gold standard everywhere was again swept away. Likewise were all the remaining silver standards and practically all of the paper money standards.

The U.S. Congress in 1933 under the administration of President Franklin Roosevelt authorized the Secretary of the Treasury to require every person in the United States to relinquish, in exchange for dollar currency, all gold coins, gold bullion and gold certificates in his possession. The whole operation was carried through quickly and expeditiously. The President declared that all title to gold rested with the Government. Gold could, however, be employed by the Federal Reserve System for international payment. The monetary authorities, under the provision of the Gold Reserve Act of 1945, were empowered to sell gold for industrial uses and for export at one-fourth of 1 percent above the declared par value of $35 per ounce, and to buy gold at one-fourth of 1 percent below $35 per ounce. Gold for export was to be delivered to foreign central banks. With minor changes, this is the policy as it is today.

However, gold no longer makes up all of each nation's reserves, although the United States holds virtually all of its official reserves as gold bullion. So long as gold constituted the whole of international reserves, the problem was simply a matter of the aggregate quantity of the world's monetary gold and how it was distributed. The question was whether there was enough gold available to tide countries over temporary imbalances when foreign exchanges ran unfavorably. Imbalances could have been due to seasonal, cyclical, or special episodic events, or structural changes in demand and supply conditions.

Now two developments have greatly altered the picture. Causes of imbalances are no longer related merely to demand and supply conditions arising in the private sector. Since 1914, vast funds have been transferred across international borders by governments as war loans, reparation payments, foreign aid, grants and loans, military expenditures abroad, and so forth. These amounts have been so vast as to preclude the possibility of quick adjustments in the trade balance or in the private capital balance. Second, as became evident after World War I, the world's gold supply has not been increasing rapidly enough. For one thing, much of it was hoarded. Even allowing for this, gold production has not kept pace with the growing needs of world trade and other international transactions. Several measures were taken to economize on gold. It was freed for international use by being withdrawn from circulation and by reducing the gold cover on domestic currencies. More significantly, at the Genoa Conference of 1922, countries were encouraged to keep a part of their international reserves in the form of foreign exchange, specifically in liquid dollars and sterling holdings.

This latter device is the center of the controversy today. The United States and the United Kingdom are, of course, compelled to stand ready to pay out gold or the whole structure of stable exchange rates is in danger. The United States has assumed almost all responsibility for this policy due to England's current difficulties. Thus, since gold production is inadequate, the system can only function if surplus countries are prepared to take payment not in gold, but in liquid dollar holdings. The more they do this, the greater the ratio of foreign exchange holdings to gold holdings and the more shaky the gold-exchange structure becomes. One escape route from this is to end dollar and sterling deficits. But if this is achieved, the international monetary system would have to regress to the bare bones of the gold standard with its inadequate growth of international reserves.

In the future, it is not expected that accumulations of foreign exchange will make so large a contribution to the growth of aggregate reserves, because certain countries will take less of their reserve assets in the form of reserve currencies. Moreover, the United States will wish to raise its holdings of reserve assets in some relation to any increase in its liquid liabilities. Long-run plans for reserves will have to make allowances for a cessation of the decline in U.S. reserves and indeed for an increase in them.

Real negotiations for the creation of new reserves have centered around drawing rights within the International Monetary Fund. The principal choice in the form that these new reserves will take is between these two: first, the creation of a reserve in asset form—a "reserve unit"—through an exchange of claims between a reserve-creating institution and the countries to which the newly created reserves are initially distributed, and second, creation of additional drawing facilities of a quasi-automatic nature in the IMF. In these negotiations within the European Common Market, the Group of Ten, and the IMF, France has led the field of those nations which insist upon a "creditlike" asset and the United States has held out in favor of a moneylike asset.

Treasury Secretary Henry Fowler, in all negotiations, insists that the expansion of world trade and investment will be progressively hampered by restrictions unless the world's supply of reserve assets grows. To accomplish a solution, he feels that it is necessary to have a moneylike asset that will be regarded by monetary authorities as a supplement to gold and dollars and will be treated by them as reserves. Credit facilities which carry fixed repayment obligations, as France insists, will not meet countries' desires to increase their reserves. Nor will increased credit facilities be as effective in convincing the gold markets that we have broken our dependence on gold to increase free world reserves.

I applaud the efforts of Secretary Fowler in maintaining a strong commitment in the negotiations, but I question his firm resolve to maintain the gold standard when he professes to desire breaking from its restrictions. Perhaps he has in mind a long-range plan to make this reserve unit something that will eventually replace gold. However, I feel that we must involve ourselves immediately in basic discussions of the gold standard with a mind to more immediate and conclusive reform.

The recent statement of the American Bankers Association on U.S. gold policy demonstrates how we can be trapped into support for an economic policy that is detrimental to our own interests and, for that matter, the interests of the entire free world trade area. Prompted by growing sentiment for breaking the link between gold and the dollar, the ABA extolled the virtues of fixed exchange rates under the dollar-gold standard and warned against the consequences of failing to honor claims on gold at the established rate of $35 an ounce. The statement warns that a change in the gold policy would risk destroying the international monetary system without any replacement other than a worldwide network of exchange controls, as immediate reactions or as eventual responses to the deficiencies of floating exchange rates.

These observations are based upon a highly questionable historical analogy to the 1930's when severe domestic deflation forced countries off the gold standard. It is doubtful, however, that the experiences of the depression would be repeated today when all countries are committed to the maintenance of high income and employment. Furthermore, in abandoning the gold policy, nations were reacting to an immediate crisis whereas current prosperity will allow deliberation and flexibility—including maintaining current policies—in policy decisions.

The ABA's statement continually refers to the responsibility of the United States to nations who have "helped finance a long string of U.S. deficits" by adding to their dollar holdings. The statement says that a number of nations have thus put their national interest on the line in failing to press for conversions of dollars into gold. I wonder how much of this so-called sacrifice is magnanimity and how much of it is sound policy?

We must remember that, as the distinguished president of the Bank of America, Rudolph A. Peterson, says:

> Dollars are not forced on their foreign holders. The dollar is a major trading and reserve currency because it is desired by foreign claimants.

Private bankers outside the United States are happy with the reliability and stability of the dollar. In addition, assuming that the United States did impose an embargo on gold and private holders decided to get rid of their dollars, what would they change them for? Other currencies are much more difficult to invest and would certainly not bring a better return than dollar investments.

Private holders of dollars cannot, of course, exchange them for gold. That is the privilege of central banks only. What the central banks would do in the event of a gold embargo is a highly academic question. Whether they like it or not, the world monetary system is heavily tied to a dollar standard. Gold has a value, not because of some intrinsic quality, but because the United States alone is willing to buy gold at a set price.

A metal of varying value is incapable of being an accurate standard of value or of currency. Under skilled supervision, and in favorable circumstances, it may provide a medium in which a standard of currency is fixed and maintained. But it is the fixed value, and not the metal, which is the standard of currency. The merit of the gold standard is its logic, not its gold.

Unfortunately, the tie to gold is not merely on paper. Psychologically speaking, breaking from gold would be, for some, as traumatic as leaving home for the first time. Granted, the first few steps would be a little shaky; but the departure is imperative. It is time we applied the same kind of logic and skill that we expend maintaining the gold standard to searching for a way out.

Citizen's Home Bombed—Not in Mississippi—in Oceanside, N.Y.

EXTENSION OF REMARKS
OF
HON. HERBERT TENZER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 28, 1967

Mr. TENZER. Mr. Speaker, in the dark of night on November 17, 1967, a pipe-encased, homemade bomb was thrown through the window of the home of Mr. and Mrs. Edward Revander, at 463 Chelsea Road, Oceanside, N.Y., in my congressional district.

It is not my privilege to know the Revanders personally, but I am told that they are respected citizens and have been good neighbors, during the 8 years they have resided in the community.

I am thankful to God that no one was injured and there was only minor destruction of property. However, the bomb was capable of taking lives and destroying property. So what appears to be involved is a conspiracy to commit assault and battery with a dangerous weapon—trespass upon property, and other violations of New York State penal statutes.

Those guilty of perpetrating this monstrous act are extremists who are a danger to our American way of life. Their criminal act is all the more reprehensible because it represents the ABC's of conspiracy to undermine the Government of the United States.

ANARCHY, BIGOTRY, AND COWARDICE

Anarchy, because it strikes a low blow against the basic principles of law and order and undermines the Constitution of the United States.

Bigotry, because such an act is inspired by hatred of one's fellowman and could not have been perpetrated by one who believes that one God created us all.

Cowardice, because it was committed with stealth—against people who could not defend themselves, and committed in the dark of the night.

Being shocked by the incident of the bombing of a neighbor's home, however, is not enough. We must not be parties to a conspiracy of silence. We must speak out and call upon each and every self-respecting elected official to do likewise. We must call upon every organization of men and women of goodwill to speak out against this dastardly un-American act.

The conscience of an aroused community must do more than be shocked. All men of goodwill must stand together. We must strengthen the hands of our law-enforcement agencies and do nothing to hinder or hamper the investigating authorities. We must support and assist the clergy of all faiths who have taken a stand on moral and spiritual grounds and the groups who have spoken out on patriotic and legal grounds. We must all join in expressing our revulsion to the incident.

Mr. Speaker, I place in the RECORD at this point a series of newspaper articles and editorials on the bombing incident:

[From Newsday, Nov. 21, 1967]

A MEAN LITTLE VICTORY

The cowardly bigots who have harassed Negro Edward Revander and his family ever since they moved into a predominantly white neighborhood in Oceanside have won a mean little victory.

Friday night they tossed a bomb into Revander's home. It proved to be a dud, but Revander has decided to move away to safeguard his two young children. The night raiders, who had previously stoned Revander's home, littered his grounds and burned a cross on his lawn, have also won. But the good people of Oceanside may yet turn this ugly victory into a defeat. For in terrorizing the Revander family, these raiders have aroused the anger of many persons in Oceanside. Already there is a move to mobilize community organizations to express the revulsion and anger felt by fair-minded residents. As one of Revander's white neighbors put it, this incident is "shocking" and "damnable." We agree and we hope that the community will fight this demonstration of bigotry.

BOMB THAT FIZZLED JARS OCEANSIDE

(By David Andelman)

OCEANSIDE.—With arguments, petitions and resolutions, 75 Oceanside residents tried last night to "save the reputation of our community" after the attempted bombing Friday night of a Negro real estate banker's home here.

They jammed into a small, cinder-block assembly room at the First Methodist Church to hear Rabbi Benjamin Blech lament that "We the community have sustained a black eye." They heard Maurice McNeil, a Negro Baldwin school teacher recently cleared of charges that he molested a female student, term the proposed measures "too late—after the fact." And they heard the Rev. Clayton L. Williams, executive director of the Nassau Council of Churches say he would urge all member clergymen to take positive stands on the incident from their pulpits.

The meeting was called after a bomb was thrown Friday night into the home of Edward Revander. The bomb fizzled and caused no major damage, but police officials said that "it could have killed a couple of people." Revander, who has lived at 463 Chelsea Rd. here for eight years and on whose lawn a cross was burned two years ago, has a wife and two children. He said he would sell his house and leave the area if he was offered "a fair market price of $62,000."

At the meeting in the hot, crowded room, the residents, including four Negroes, vented their anger at Friday's incident. Some called for formation of a citizen patrol for the area. Moderates settled for a request to Nassau County Executive Nickerson and Police Chief Francis Looney for more police protection in the area. They set up a reward fund which, by the meeting's end totaled $500 for information leading to the capture of the vandals. They circulated a petition "deploring the horrible bombing of the home of our neighbors last Friday and believing that this was a shocking act which does not represent the view of our community."

McNeill was one of the dissenters who urged even stronger action. He said that a statement "will not assure that man (Revander) that something else will not happen when the statements are over. Only capture of the culprits and a positive education program in race relations can reach people who have no real contact with Negroes." McNeill said that the bombing "was done out of fear and ignorance."

But Rabbi Blech, of Temple Young Israel in Oceanside, member of a four-man committee who will call on Revander to urge him to stay in Oceanside, said: "To the world at large, we are still a community that does not believe in people living together in peace. We must strive to get rid of the black eye that we the community has sustained."

[From the New York Times, Nov. 24, 1967]

Oceanside Leaders Try in Vain To Persuade Negro Not To Go: Victim of Bombing Attempt Asserts He Will Move Because of Tension—Clergy Seeks Support of Long Island Community

(By Agis Salpukas)

Oceanside, Long Island, November 24.—Community leaders and residents have failed to persuade one of the few Negro homeowners here not to sell his home after a bomb was hurled through his dining room window.

The homeowner, Edward Revander, said in an interview that he appreciated the effort being made by the community but that he was still determined to move because of the bombing attempt Friday. The bomb sputtered and did not go off.

"I haven't been able to conduct my business because I've been so tense," he continued. "On some nights I've been getting up at 3 and staying up until 5 just looking and listening at the windows."

Mr. Revander, who is a real estate broker in Queens, recalled that he had received a threatening letter on Wednesday signed by the "White Knights of Oceanside" telling him to leave the community.

FOR THE WHITE PEOPLE

Mrs. Revander read part of the letter which said: "We think you got the message. Leave Oceanside. Should you change your mind, we advise you to increase your fire insurance. We want Oceanside for the white people."

She said that she had lost her appetite since the incident and that she feared for the lives of her two children, Bernice, less than a month old, and Edward, 3 years old.

"We're a fighting people," she added, "but they just took all the fight out of us."

"I'm showing my home to a Puerto Rican family from Brooklyn this Sunday," Mr. Revander said. "There's nothing vindictive in this; it's just that they have made the best offer so far."

Four clergymen and the Superintendent of Schools met with Mr. and Mrs. Revander in their living room last night and urged them not to sell their $62,000 ranch-style home at 463 Chelsea Road, which they bought eight years ago.

"We told them that this was an isolated incident and that in no way reflected the sentiment of the community," the Rev. Ernest Caliandro, pastor of the First Methodist Church, said today.

On Monday, more than 75 residents crowded into the Methodist church and pledged $500 toward a reward for information leading to the capture of the bomb throwers.

Mr. Caliandro said that a petition was being circulated throughout the community of 30,000 that the Revanders not sell their home.

REWARD OFFERED

The citizens of Oceanside have established a reward fund. It is their hope that one of the coconspirators or someone with knowledge will come forward with information leading to the arrest and conviction of the guilty persons.

I commend the move on the theory that just as "there is no honor amongst thieves"—there is no honor among coconspirators. If we make it worthwhile, someone will talk.

I am adding $500 of my personal funds to the reward fund which I hope will soon reach the sum of $10,000. It is anticipated that men of goodwill and organizations in the community will support the fund. The reward fund will be used exclusively for information leading to the arrest and conviction of the guilty persons.

The committee is asking that anyone with information about the guilty persons should not remain guilty of silence. They owe a duty to their community, to their State, and to their Nation to come forward.

I have been in touch with the Federal Bureau of Investigation, with the Nassau County police commissioner, with the Nassau County district attorney, and with other State and local officials. Information can be made available to any of these persons as well as to any priest, minister or rabbi.

CRY FOR JUSTICE HEARD

On Thursday evening, December 7, 1967, a public meeting will be held at the Walter S. Boardman School in Oceanside, when the residents of Oceanside and neighboring communities will be present to express their revulsion of this shocking incident.

The committee of sponsors for this public meeting consists of Congressman Herbert Tenzer, honorary chairman, Mr. Arthur Iger, trustee, Oceanside Board of Education, ad hoc chairman, Rabbi Philmore Berger, Temple Avodah, Father Joseph Buccafola, St. Anthony's Roman Catholic Church, Rabbi Benjamin Blech, Young Israel of Oceanside, Reverend Ernest Caliandro, pastor, First Methodist Church, and more than 50 individuals and civic, religious, and educational organizations in Oceanside and neighboring villages.

Citizens who take pride in their community and who are anxious to see that justice is done will so indicate by their presence.

Mr. Speaker, the conscience of Oceanside will express itself against this act of hatred, and it will answer the cry for justice from the Revanders.

Statement by Consumer Affairs Subcommittee Chairman Leonor K. Sullivan on Actions by Banking and Currency Committee on H.R. 11601, Consumer Credit Protection Act ("Truth in Lending")

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 28, 1967

Mrs. SULLIVAN. Mr. Speaker, the Committee on Banking and Currency this morning, by a vote of 30 to 1, approved with some modifications the bill on consumer credit, H.R. 11601, which I introduced on July 20, 1967, on behalf of myself and a bipartisan group of Members of my Subcommittee on Consumer Affairs, and which was introduced as H.R. 11806 by the gentleman from New York [Mr. Multer], ranking member of the parent committee, with numerous cosponsors.

I am, of course, pleased that the committee completed action on the Consumer Credit Protection Act, which includes truth-in-lending provisions as its title I. This is an issue to which I have devoted many years of effort, and I am gratified that, for the first time since Senator Douglas proposed such legislation 7 years ago, the House committee has approved a bill covering most of the things Senator Douglas originally called for.

H.R. 11601, as approved by the House Committee this morning, has many very good, very strong points. It goes substantially beyond S. 5, the Proxmire bill passed by the Senate July 11.

GOES BEYOND SENATE-PASSED TRUTH-IN-LENDING BILL

For instance, it applies to the advertising of credit; it sets up administrative enforcement machinery so that the individual consumer does not have to institute his own lawsuit in order to obtain redress; it applies to first mortgages, which were exempt from the Senate bill; where credit life insurance is mandatory, it requires inclusion of this cost as part of the "finance charge" on which the percentage rate must be figured; it restricts the use of garnishment in the collection of consumer debts along the lines of the New York State law on this subject; and it creates a National Commission on Consumer Finance to investigate all aspects of consumer credit and make recommendations for further legislation.

None of these things was included in S. 5. Furthermore, we made the legislation effective 9 months from the date of enactment rather than July 1, 1969—the effective date in S. 5—and omitted a provision in the Senate bill permitting firms which extend credit to use a figure representing "dollars per hundred per year on the average unpaid balance" instead of annual percentage rate until January 1, 1972. Under H.R. 11601 the percentage rate would be required to be stated on and after the effective date.

On the other hand, the consumer lost on two very important votes in the committee—one last Wednesday when the language of the Senate bill was adopted exempting department store and similar types of revolving credit from annual rate disclosure requirements, permitting such creditors to state only a monthly rate. This morning the Senate language was adopted to exempt from annual rate disclosure requirements all transactions in which the credit cost is less than $10, meaning loans or purchases up to about $110.

FLOOR FIGHT SET ON LOOPHOLE AMENDMENTS

I serve notice now that I have every intention of fighting both of these weakening amendments when the bill comes up in the House, but I am going to need much greater support from the administration, consumers, and from independent businessmen than I have had up to now. The independent businessmen offering installment rather than computerized revolving credit will be adversely affected by the Sears-Ward's-Penney amendment which gives the big chain retailers the right to conceal the annual percentage rate on their revolving credit costs.

Thus, the bill, as it now stands, calls

for truth in lending—the whole truth—for furniture stores, music stores, hardware stores, appliance dealers, small loan firms, and other lenders or merchants offering installment credit; however, it is a half-truth—or rather one-twelfth-truth—bill for Sears, Ward's, Penney's, and other big retailers or credit firms using revolving credit.

Furthermore, every credit firm which can arrange to do so will do its best to crawl in under the revolving credit exemption or under the $10 exemption on as many transactions as possible, so while it is a one-twelfth-truth-in-lending bill on open-end credit, it is a no-truth bill on any credit transaction costing less than $110.

CONSUMERS MUST GET INTO THIS BATTLE

So while I am pleased that we have completed committee action and approved what in many respects is a good, strong bill compared to the Senate bill, I am certainly not expressing any great jubilation until we get a bill through the House which requires that all interest rates and credit costs in consumer credit transactions be set forth in a completely straightforward and undisguised manner, and that means annual rate disclosure across the board, and applying equally to all who give credit.

When consumers pay their monthly bills next week or next month, I hope they will pay particular attention to the credit charges for which they are given little or no explanation, and then wish me luck on this fight. It is their fight. They can help in this fight by writing to their own Members of Congress for a bill that will require the same disclosure for all. It is expected this bill will come to the House floor for vote late in January.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 29, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let Thy mercy, O Lord, be upon us, according as we hope in Thee.—Psalm 33: 22.

Eternal God, our Father, in this time of trouble and this day of demanding duties and persistent problems we bow in Thy presence praying that we may be calm and confident in the discharge of the responsibilities placed upon us. We would be true, for there are those who trust us; we would be pure, for there are those who care; we would be strong, for there is much to suffer; we would be brave, for there is much to dare.

Keep us ever faithful in the great office to which we have been elected and ever loyal in the grand adventure which seeks the high road of freedom and justice for all.

Cleanse the thoughts of our hearts that we may live in good will with our fellow man and in good faith with Thee. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

> H.R. 12144. An act to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 12144) entitled "An act to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLAND, Mr. TALMADGE, Mr. BYRD of Virginia, Mr. MCGOVERN, Mr. MONDALE, Mr. MONTOYA, Mr. AIKEN, Mr. YOUNG of North Dakota, Mr. BOGGS, and Mr. MILLER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6111) entitled "An act to provide for the establishment of a Federal Judicial Center," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TYDINGS, Mr. ERVIN, Mr. HART, Mr. HRUSKA, and Mr. DIRKSEN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

> S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions; and
>
> S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate with an amendment to the bill (S. 1367) entitled "An act to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely," in which concurrence of the House is requested.

The message also announced that the Senate had passed a bill of the following title, in which concurrence of the House is requested:

> S. 2634. An act to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 170, 74th Congress, appointed Mr. Moss to be a delegate, on the part of the Senate, to attend the Interparliamentary Union meeting to be held in Rome, Italy, December 3 through December 9, 1967.

CRITICISM OF GENERAL DE GAULLE

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, though I have long been an admirer of General de Gaulle, I cannot help but conclude from his recent press conference that he has, in his zealousness to free his country of what he considers excessive American influence, completely lost his perspective on foreign affairs. At age 77, he has become obsessed, I fear, that America is all that stands between him and the restoration of France as a great power.

His comments about Canada were absurd. His remarks about Israel and world Jewry were insulting. His decision to stand firm on the exclusion of Britain from the Common Market, will, I believe, prove unwise in the long course of history.

General de Gaulle's chief criterion for foreign policy appears to be to frustrate the United States, whether he deals with international finance, the Mideast, or the countries which are our friends. General de Gaulle's long career has been too brilliant to end on this note of personal rancor and narrow chauvinism, sentiments which are by no means shared by the French people.

ESCALATION INCREASES AND SO DOES DANGER

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, of immense moment these days is the background debate on whether to escalate in Vietnam or not. Suggestions have been heard that the departure of the Secretary of Defense, Robert S. McNamara, is related to this debate about escalation. Further, we have the proposal by General Eisenhower for an end run around the DMZ to enter North Vietnam and battle the main forces there.

This issue is the most critical one in our present time because it can involve us more deeply in what might become a world war.

We should have no doubt that the response to an end run around the DMZ will be equal to our effort. If North Vietnam is unable to provide the forces, there will be volunteers provided by her major allies.

In the face of evidence that our country is very evenly divided on the question of pursuing the conflict in Vietnam, I deplore any form of escalation. Deescalation should be the order of the day.

I have spoken in this vein a number of times recently here on the floor of Congress. I hope others will join me. The vain pursuit of a will-o'-the-wisp victory can enmesh America and all great nations in a vicious entanglement from which there will be no return for anybody.

Mr. Speaker, I urge all Americans to make known to our President that the successor to the position of Secretary of Defense ought to be a man who has discretion about the war's extension and will favor deescalation rather than escalation.

INDIGNITIES SHOWERED UPON THIS COUNTRY BY FRENCH PRESIDENT DE GAULLE

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, it is not in the best interests of the United States to passively submit to the indignities showered upon this country by French President de Gaulle. Blinded by visions of grandeur to the very fact that he and his country owe their existence and prosperity to the United States, De Gaulle has set out to undermine the dollar and disrupt the Western Alliance.

The United States must replace passivity with action. To date I have recommended that all French assets in this country be frozen until France begins payment on her outstanding World War I debt of $6.8 billion and that American tourism to France be ended immediately.

Now I urge that the United States suspend all proposed purchases of the French-made Concorde, which has not yet satisfied the American public with respect to the problem caused by sonic boom to evidence through yet another means our opposition to Gaullist policies. The Concorde, a supersonic aircraft will be an important element in the French economy in the next decade and suspension of planned purchases by American Airlines would be another way of demonstrating to De Gaulle the seriousness of his action and the need for an immediate payment plan for France's 50-year-old debt.

DREW PEARSON AND THE MANURE HEAP

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, last week I took the floor to raise a point of personal privilege concerning a column written by Drew Pearson.

Evidently Mr. Pearson found my remarks about his manure farm rather disconcerting, because he has seen fit to attack me once again in this morning's column.

Today's thrust from the manure heap is directed at my participation in the recent truth-in-lending debate in the House Banking Committee. Citing me as the chief Republican opponent of full disclosure of interest rates, Mr. Pearson once again referred to me as "the little Italian-American." I am proud to be an Italo-American, but I suggest that Mr. Pearson is trying to use the term as one of insult. Mr. Pearson should confine himself to his politics and his manure pile, and not attempt to smear the hard-working Italo-American population of this Nation.

I would also like to say that Mr. Pearson should spend more of his manure profits on research work. His references to the truth-in-lending bill produced by the House Banking Committee are totally inaccurate.

First of all, Pearson says that the Senate bill has been weakened by the House. This is pure stupidity. The Washington Post, the New York Times, the Wall Street Journal, Associated Press, and United Press International have all cited the House-reported bill as stronger than the Senate bill.

Second, the Johnson administration does not oppose this bill. The truth-in-lending bill reported by a 30-to-1 vote yesterday is similar to a compromise bill offered to the Johnson administration 2 weeks ago by Banking Committee Republicans. Every indication points to White House enthusiasm for this compromise bill. And why not? It is far stronger than the Senate-passed bill praised by former Senator Paul Douglas, the longtime chief protagonist of truth in lending.

The only people who are lobbying for Drew Pearson's position are the fat-cat bankers—they want the Sullivan bill. Maybe this explains why Drew Pearson wrote the story. The American Bankers Association is arm in arm with Drew Pearson's stand on the revolving credit provision of the truth-in-lending bill. This is a matter of public record. Maybe Drew Pearson needs a bank loan to expand his manure sales operation?

Let me say in closing that our truth-in-lending bill includes administrative enforcement and advertising provisions which the Senate bill does not include, as well as first mortgage and wage garnishment provisions. It is a good tough bill which I am proud to have supported. Evidently Drew Pearson has not read it. He must be spending too much time on his manure farm.

SERIOUS THREAT TO DOMESTIC LIVESTOCK INDUSTRY

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, I have demanded immediate action from the Department of Agriculture and the Department of Commerce to embargo all forms of meat and livestock from Argentina and Great Britain because both countries are experiencing a serious epidemic of foot-and-mouth disease.

I have also demanded that Agriculture and Commerce clamp a ban on all imports of cattle, sheep, and pigs until importing countries prove their country is free from this infectious disease.

According to the British press, upward of 200,000 head of meat animals have been slaughtered in northern Great Britain alone and farmers have placed a voluntary quarantine on their farms prohibiting neighbors from visiting. They have canceled livestock shows, meetings of farm groups, horse races, and so forth, in order to halt the spread of this dangerous virus.

Italy and Holland have already banned imports of cattle, sheep, and pigs from Britain. Ireland has not only banned all livestock imports, but is now refusing to admit any vehicles by ferry from Britain. The Irish Agriculture Ministry has appealed to countrymen working in Britain not to return home until the epidemic is over.

The United States is importing from 8 to 10 percent of all domestically consumed cattle, sheep, and pork. It is bad enough for American farmers to be required to meet competition from areas where production is less expensive than in the United States without having to take the chance of losing everything through a foot-and-mouth epidemic brought about by meat imports from infected countries.

If this administration is interested in preserving the American farmer and the domestic livestock industy, it must immediately take every precaution to prevent the foot-and-mouth virus from getting a start in this country.

DE GAULLE, INGRATE

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

> In Flanders fields the poppies blow
> Between the crosses, row on row.
> —John McCrae.

Mr. KUYKENDALL. Mr. Speaker, I wonder if Charles de Gaulle remembered those crosses the other day when he launched his attack upon the United States. When he accused us of trying to take over France, did he remember the Marne, Chateau-Thierry, the beaches of Normandy littered with thousands of American dead who came to save France, to drive the Nazis from Paris and make it safe for General de Gaulle to reenter the city as a hero?

It is quite apparent that he chooses to forget the $7,152,985,471 France owes us.

Perhaps it is time to remind the French President of his obligations by citing a few facts. At the end of September, France held $600 million against our gold supply. Since January 1962, France has withdrawn $2,369,000,000 in gold from the United States in spite of the fact that de Gaulle denies he is trying to undermine the dollar. France is now third in the world in gold reserves with over $5 billion.

Certainly the French President has a convenient and short memory. It is regrettable that he chooses to end a friendship of two centuries between two great allies. It is sad to see him leading the French people down the road to disaster as he courts the dictators in the Kremlin at the expense of those who have always been ready and willing to help France defend her cherished freedoms. But if this is his choice, then I see no course open to us than to accept the fact that we can no longer depend upon France as an ally in the current struggle for freedom in the world.

Therefore we should consider some immediate steps to strengthen our position by taking whatever action necessary including a demand for payment by France of her long outstanding debt, and by discouraging American tourists from visiting France and helping to bolster her economy with hundreds of millions of dollars a year.

ANOTHER AMERICAN CITY VOTES IN SUPPORT OF THE AMERICAN PRESENCE IN VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the voters of Cambridge, Mass., have endorsed by a 3-to-2 margin the American commitment in Vietnam by voting against the withdrawal of our forces there.

This, it seems to me, is an accurate indication of how the American people feel about the Vietnamese war. Nobody is very happy about it—but we are determined to see it through.

This is the second American city to vote against American withdrawal. Recently, the voters of San Francisco overwhelmingly supported the American presence in Vietnam.

Mr. Speaker, Cambridge, of course, includes Harvard and the Massachusetts Institute of Technology, two of the great universities of the world.

It seems to me that this might belie the frequently heard charge that the intellectual community of the country is overwhelmingly opposed to our policy in Vietnam.

I believe that President Johnson can take heart from this vote, for it shows that the American people understand that we cannot back down on our commitment to the people of South Vietnam. It shows that our Nation has the patience and the courage to see this conflict through until peace can be realized in that war-torn land.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. HOLIFIELD. Mr. Speaker, I concur in the view expressed by the gentleman from Oklahoma.

No poll is as meaningful as an actual vote. Yesterday, the results of a citywide referendum on Vietnam were released in Cambridge, Mass., showing that voters oppose by a 3-to-2 margin the immediate withdrawal of American troops in Vietnam.

This vote, coupled with similar results obtained by voters in San Francisco, demonstrates that the American people do not want their country to renege on its commitment to the people of South Vietnam, no matter how distasteful this war may be.

It is interesting to note that the antiwar group in Cambridge had announced prior to the vote that a vote of more than 40 percent against the war would be a victory for their group.

They received 39 percent of the vote.

This vote is clearly a victory for reason. We simply cannot withdraw from this war until aggression halts and Hanoi agrees to negotiations for a peaceful settlement.

This is what President Johnson has been saying all along. And yesterday, the voters of Cambridge made clear that they agree with him.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. HAYS. Mr. Speaker, I concur in the views of the gentleman from Oklahoma.

I would just like to make one further comment.

Professor Galbraith is quoted as saying that "the opposition vote was a remarkable showing."

I cannot quite buy that, since this city is his home base and it has been a source of a great deal of protest against the war in Vietnam, led by this same Professor Galbraith.

If there is anything remarkable about him, it is that Galbraith, a man who was such a miserable failure as an ambassador—I would say one of the worst ambassadors we ever had in the history of this country—would be listened to by anybody, anywhere.

MEETING ON HIGH INTEREST RATES CALLED BY 30 HOUSE MEMBERS FOR 4 P.M., THURSDAY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, 30 Members of the House have jointly called a meeting for 4 p.m., Thursday, to discuss possible solutions to the monetary crisis being created by high interest rates. The meeting will be held in the hearing room of the Banking and Currency Committee, 2128 Rayburn House Office Building.

Mr. Speaker, I hope that every Member who is sincerely concerned about the crush of high interest rates on the American people will take time to participate in this meeting.

Interest rates are at the highest levels of this century and are creating a tremendous burden on the Federal budget as well as the farmer, the small businessman, the worker, the homebuyer, and the average consumer. It is becoming obvious that the Congress must act and I believe that Thursday's meeting will give us a great opportunity to draft a course that will gain broad support.

Participating in calling this meeting are the following Members: Frank Annunzio, of Illinois; William A. Barrett, of Pennsylvania; George E. Brown, Jr., of California; Dominick V. Daniels, of New Jersey; Charles C. Diggs, Jr., of Michigan; Don Edwards, of California; Henry Gonzalez, of Texas; Richard T. Hanna, of California; Henry Helstoski, of New Jersey; Chet Holifield, of California; Joseph E. Karth, of Minnesota; Robert W. Kastenmeier, of Wisconsin; Joseph G. Minish, of New Jersey; Patsy T. Mink, Hawaii; John E. Moss, of California; Barratt O'Hara, of Illinois; Arnold Olsen, of Montana; Wright Patman, of Texas; Roman C. Pucinski, of Illinois; Henry S. Reuss, of Wisconsin; George M. Rhodes, of Pennsylvania; Peter W. Rodino, Jr., of New Jersey; Daniel J. Ronan, of Illinois; Edward R. Roybal, of California; William F. Ryan, of New York; Tom Steed, of Oklahoma; Leonor K. Sullivan, of Missouri; Charles A. Vanik, of Ohio; Lester L. Wolff, of New York; and Jim Wright, of Texas.

Mr. Speaker, I place in the Record a copy of a memorandum which accompanied the meeting invitation:

To: All Members of the House.
Subject: High interest crisis.

Interest rates are at the highest levels of this century, and, in fact, some are higher than at any time since the Civil War. In recent weeks, we have seen the Treasury pay as high as 5¾% on bonds fully secured by the credit of the United States Government. There are reports that other securities of the U.S. Government will bring yields in excess of 6½% in coming weeks. We cannot long endure such extortionate interest rates.

The Federal Reserve Board has heightened the problem through its decision of Sunday, November 19, to raise the discount rate from 4% to 4½%. This was a signal for the banks and other financial institutions to raise interest rates to the American consumer.

The crush of high interest rates is drastically complicating our Federal Budget problems. When the fiscal year started on July 1, we had budgeted $14.2 billion to pay interest on the national debt—second only to the allocations for national defense. Now interest rates have risen tremendously and the total cost of interest in the Federal Budget may exceed $15 billion this year. There is much to talk about a tax increase but it is obvious that high interest rates are gobbling up Federal revenues faster than we could ever raise taxes. Based on interest rates in effect when President Truman left office in 1952, we are paying about $7 billion annually in excess interest charges on the national debt—a sum roughly equivalent to the proposed tax increase.

As we all know, the burden of high interest rates falls unevenly on the economy, creating the greatest hardship among low income and moderate income families who must borrow to survive. President Johnson put the problem this way in a statement at the White House on November 20:

"People in this country are paying usurious rates of interest and the poor people pay the highest rates usually. The poorer you are the higher your money costs are."

It is unquestionably the duty of the U.S. Congress to act in the face of a monetary crisis of this proportion. We are convinced that the American people are fed up with high interest rates and are no longer satisfied with leaving the total job to the Federal Reserve System. We believe the American people want action by their elected representatives.

In the past, the Unofficial Steering Committee to Oppose Any Increase in the 4¼% Ceiling has done much to hold down interest rates. This Committee has prevented the increase in rates on long term Government obligations in both Republican and Democratic Administrations. We know that we can hold down interest rates when enough Members express concern.

It is obvious that the situation will continue to grow worse unless the Congress clearly expresses its intent to bring down interest rates.

HIGH INTEREST RATES

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, I certainly would like to respond to the very generous invitation that has just been extended by the chairman of the Banking and Currency Committee to attend this meeting on the interest rate crisis. I just wonder, however, if someone of my own persuasion would attend, if we would not be about as welcome as the town drunk at a church-lawn social, because we might come and suggest a little economy.

As I look over the list of names as they have been signed, I recognize, I think without exception, the names of people who have voted for every single authorization and appropriations that has brought about the financial crisis that now confronts the Nation.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. ARENDS. It is interesting to hear the chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. PATMAN], who has over many, many years repeatedly referred to the Republican Party as the party of high interest rates, now on the floor of the House putting the shoe on the foot where it belongs, and clearly indicating for all to know that the Democratic Party wins all prizes as being the party of high interest rates.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Texas.

Mr. PATMAN. I wish to assure the gentleman that he will be welcome at the meeting. So will the Republican leaders and all the members of the minority party. I hope they will all come and get religion in opposition to the high interest rates that are so destructive to our economy.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Ohio.

Mr. ASHBROOK. The gentleman has heard the old story about the firebug who advocated that waterlines be increased from 2 to 3 inches to help put out the fire.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I am glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. I have not seen the Republicans so apparently happy in a long time.

DE GAULLE DOES FRANCE AND THE WORLD A DISSERVICE

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, it saddens me and, I am sure it does most of my colleagues in the Congress, to witness the apparent increasing senility of the present leader of France—General de Gaulle. Unfortunately, his strange behavior will harm every country in the West, including France.

General de Gaulle's press conference day before yesterday will only increase already existing world tensions and aggravate a bad situation. I feel deep sorrow that through such action, our past harmonious relations with France may suffer.

Twice in the first half of this century the United States has saved France from being conquered, and we made a tremendous sacrifice of American lives and expended almost superhuman effort on behalf of democracy in the world.

An analysis of De Gaulle's speech reflected the fact that he said "No" five different ways to British entry into the Common Market, unjustly condemned the State of Israel, wrongly urged establishment of an independent French State of Quebec in Canada, and, in passing, attacked the American dollar and, in his word, the "odious" American war in Vietnam. Nor should we forget his ill-conceived decision to withdraw France from the military structure of NATO.

The World War I indebtedness of the Government of France due and unpaid as of June 30, 1967, was over $5 billion, including $2 million of the principal sum and almost $3 billion on interest arrearages. Unmatured principal was $1.7 billion. No payments have been made since 1931. The total obligation which might be said to have been outstanding on June 30, 1967, including both matured and unmatured principal and interest arrearages to that date, was $6.8 billion.

It is also a fact that France has attained substantial economic growth and stability since World War II with U.S. grant military and economic aid totaling $7.5 billion.

In addition, it clearly appears that France is intent upon undermining the U.S. dollar. Since January 1962, under De Gaulle, France has withdrawn over $2.3 billion in gold from our country.

Mr. Speaker, I call upon the President and the State Department to immediately take such steps as may be necessary to compel the Republic of France to repay its long past due indebtedness to the United States.

VIVE LA COMPAGNIE

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I got some intelligence, I guess the same way that columnists get their intelligence, of a recent Cabinet meeting in France at which the President of France proposed to the Cabinet that he might not be immortal and they ought to think about a place to bury him.

So at the next meeting they suggested it would be nice if he would be buried at the Invalides alongside the tomb of Napoleon. He demurred, saying:

> I can't be buried by him because he was only a corporal.

So they went back to think about it some more, and they suggested at the second meeting that he be buried at Colombey-les-deux-Eglises, which is the little village at which he has his country home, and which he likes very much. They made the proposal, and he demurred again, saying:

> That is 130 miles from Paris. It is too far for tourists to travel.

They set their heads to the problem again. Finally one man in the Cabinet said:

> Well, he hates the British even worse than he hates the Americans. He reveres Joan of Arc. So why don't we propose to bury him exactly on the spot where the British burned Joan of Arc at the stake?

They thought this would be a good idea. At the next Cabinet meeting they made that proposal to him. He thought it over for awhile and he said:

> Yes, that is the right place. She deserves this honor.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 416]

Abbitt
Annunzio
Ashley
Bates
Broomfield
Brown, Calif.
Brown, Mich.
Carey
Celler
Colmer
Corman
Cowger
Dickinson
Dorn
Edwards, La.
Eshleman
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Gibbons
Halleck
Hardy
Harvey
Hébert
Heckler, Mass.
Mathias, Md.
Matsunaga
Miller, Calif.
Pepper
Pool
Purcell
Rees
Resnick
Rhodes, Ariz.
Roberts
St. Onge
Schweiker
Sikes
Steed
Stratton
Taylor
Teague, Calif.
Whitten
Williams, Miss.
Willis
Young

The **SPEAKER**. On this rollcall, 385 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

LSD FILM

Mr. **HALL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **HALL**. Mr. Speaker, I want to take this opportunity to remind all Members and through them their staffs and families of the showing in the morning at 9 o'clock in the caucus room of the Cannon Building of the Navy prepared film on the drug, LSD. You were notified by mimeo, 1 week ago this morning.

This is a particularly propitious time for all Members and their staffs to get straight information and complete knowledge that is being given to the naval seamen and officers concerning this drug, lysergic acid. This is a "landmark" film and I think it will be of value to all of you in helping to answer current and multiple questions that may come from your constituency and even from your courts.

This is an unusually well done piece of work which your three "doctors in the House"—Dr. T. Morgan, Dr. T. L. Carter, and Dr. D. G. Hall—have reviewed and join in this invitation.

It has been prepared by a young commander of the U.S. Navy, Dr. Miner, who is a skilled pharmacist as well as a physician. I recommend that all see it at 9 o'clock in the morning in the caucus room of the Cannon Building, and it will be repeated at 4 o'clock tomorrow through the courtesy of the Committee on Veterans' Affairs which is making this room available and the courtesy of the U.S. Navy Bureau of Medicine and Surgery as arranged by the congressional liaison unit and our own USMC reservist, the reading clerk, Joe Bartlett.

SOCIAL SECURITY AMENDMENTS OF 1967

Mr. **BURTON** of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **BURTON** of California. Mr. Speaker, during the closing minutes of the consideration of the Social Security Amendments of 1967, the proceedings of the other body will indicate that the Governor of California urged, and without debate there was accepted, an amendment to the social security amendment that, if adopted in the conference, will result in 400,000 Californians who are aged, blind, or crippled not receiving 1 penny of increase as a result of the action of this Congress with reference to improvements in the social security bill.

This action of the Governor of California is unconscionable. He is making an effort to rob California's neediest citizens in some lamentable effort to beef up the California State treasury.

I would hope that the conferees on this side would reject this amendment. It is an amendment that applies uniquely and exclusively to the State of California, and I would hope that we would not permit the aged, the blind, and the crippled of our State to be denied the pittance of an increase that is proposed in the bill because of the fiscal needs of the Republican Governor of our State.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Mr. **ROGERS** of Colorado. Mr. Speaker, I call up the conference report on the bill (H.R. 8629) to amend the act of July 4, 1966—Public Law 89-491—and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 987)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8629) to amend the Act of July 4, 1966 (Public Law 89-491) having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

Byron G. Rogers,
Basil L. Whitener,
Andrew Jacobs, Jr.,
Richard H. Poff,
Charles E. Wiggins,
Managers on the Part of the House.

Everett McKinley Dirksen,
John L. McClellan,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8629) to amend the Act of July 4, 1966 (Public Law 89-491) submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate passed H.R. 8629 with an amendment. The House disagreed to the amendment and requested a conference; the Senate then agreed to the conference.

H.R. 8629 as it passed the House added the Secretary of Commerce as an ex officio member of the American Revolution Bicentennial Commission, extended the time within which the Commission shall report to the President to July 4, 1969, and authorized the appropriation of funds to finance the work of the Commission.

These provisions are not in disagreement.

The Senate amendment added a provision which increased from four members to six members each the House and Senate membership on the Commission.

The conference report recommends that the Senate recede from its amendment.

Byron G. Rogers,
Basil L. Whitener,
Andrew Jacobs, Jr.,
Richard H. Poff,
Charles E. Wiggins,
Managers on the Part of the House.

Mr. **POFF**. Mr. Speaker, will the gentleman yield?

Mr. **ROGERS** of Colorado. I yield to the gentleman from Virginia.

Mr. **POFF**. Mr. Speaker, I understand that the conference report recommends acceptance of the House version of the legislation. Am I correct?

Mr. **ROGERS** of Colorado. The gentleman is absolutely correct.

Mr. **POFF**. Mr. Speaker, I endorse and enthusiastically support the conference report.

Mr. **ROGERS** of Colorado. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FEDERAL MEAT INSPECTION ACT

Mr. **POAGE**. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The **SPEAKER**. For what purpose does the gentleman from Iowa rise?

PREFERENTIAL MOTION OFFERED BY MR. SMITH OF IOWA

Mr. **SMITH** of Iowa. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. Smith of Iowa moves that the managers on the part of the House be instructed to agree to the Senate amendment to H.R. 12144.

The **SPEAKER**. The gentleman from Iowa is recognized for 1 hour.

Mr. **SMITH** of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Senate amended the House meat inspection bill primarily in one area, which I believe should be accepted without any further doubt.

The Senate bill is like the House bill

in almost all particulars except with respect to the meat and meat food products that are slaughtered or processed in nonfederally inspected plants. Under the House bill we provided matching funds to the States that wanted to do this, but there was no assurance that it would be done in any given time. The Senate provided the following:

First. The States will have 2 years to set up meat inspection programs at least equal to Federal standards and they can be given a third year if the Secretary of Agriculture determines that the State in question will at the end of that year have such standards in operation.

Second. At the end of the 2- or 3-year period, if the State has failed to apply Federal standards to plants within the State, the Federal meat inspection program will go into effect in that State.

Third. A Governor may waive the 2-year period and request immediate Federal inspection until such time as the State brings its meat inspection program up to Federal standards.

Fourth. During the interim 2- or 3-year period, the Secretary of Agriculture shall have access to the nonfederally inspected plants to determine whether they are producing adulterated meat or meat food products which would endanger public health. If he finds that they are, he may institute a procedure leading to the establishment of Federal jurisdiction over those particular plants.

Fifth. There will be annual public reports to Congress on the operation and effectiveness of both Federal and State inspection systems.

This particular amendment was not before the House, and we did not have any record vote concerning this particular area. So that the conferees would not be going to the conference with the feeling that they have got to uphold House tradition and fight for every word in the House bill, and therefore not yield to the Senate, I think it would be good if the House would express itself on this instruction for the conferees.

I have discussed this at length with the various members of the committee and I believe it should be passed, Mr. Speaker.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I compliment the distinguished gentleman from Iowa and support wholeheartedly his amendment.

Mr. Speaker, I hope my fellow Members will vote to support the version of the meat inspection bill passed by the Senate.

I was one of the cosponsors of H.R. 12145, the so-called Smith-Foley bill. That bill was a strong measure and would have protected the American consumer by extending the Federal meat inspection program to the large- and medium-sized intrastate plants.

Unfortunately, the House rejected the Smith-Foley bill. The bill which the House did pass makes a number of needed improvements but does nothing toward requiring that intrastate plants meet Federal standards.

The bill which the Senate passed yesterday contains all of the provisions in the House-passed bill, and in addition requires that intrastate plants meet Federal standards within 2 or 3 years.

The Senate bill is sound and strong legislation and will accomplish the purpose of the Smith-Foley bill. There is a wealth of evidence that many intrastate meat plants are operating under conditions which present a hazard to the health of the American consumer.

The Senate bill will save consumers billions of dollars that they would otherwise pay for mislabeled and inferior products and will assure consumers that the health hazards will be removed and I urge my colleagues to vote in support of this stronger bill.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Florida.

Mr. BENNETT. Mr. Speaker, I congratulate the gentleman from Iowa [Mr. Smith] for his effort to bring out the best possible meat inspection bill and I am inclined to agree with him that acceptance of the Senate amendments at this late date in the session probably offers the best chance to accomplish this objective. Therefore, I expect to support his motion. I would like to add that those who voted against the amendment offerred by him when the bill was under debate in the House included persons like myself who felt that the amendment offered by him then would be less likely to improve the inspection of all meat slaughtered for human consumption than would have been the House-passed bill. The Senate has brought in a bill that would apparently cure the defects of both the House bill and the Smith-Foley amendment offered during the House debate. Therefore, I think we should accept the Senate approach. Although perhaps it could be improved in conference, perhaps it could also die there or come out less than it should be. On balance, I urge my colleagues to join me in supporting the gentleman from Iowa in the motion now before the House.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I am very pleased that the gentleman from Iowa [Mr. Smith] and the gentleman from Washington [Mr. Foley] have done such a thorough job of analyzing the needs of meat inspection legislation. Both gentlemen deserve the commendation of this House for their yeoman efforts. The consumers of this Nation can be grateful to them for helping to spotlight the problems involved, and for displaying the courage of their convictions in pressing for more stringent legislation to protect the health of our people.

I am pleased, Mr. Speaker, that the gentleman from Iowa [Mr. Smith] has offered his preferential motion. There are some who would take exception to this legislative technique because, in a procedural sense, it tends to freeze in advance the position of the House conferees. I respect the point of view of those who raise this procedural question. Essentially, however, we face today a question of substance rather than one of procedure, and that question is simply this: Do we want to take all necessary steps to protect our people from the danger of unclean, unsanitary conditions which threaten health? Under these circumstances, Mr. Speaker, it seems to me to be the wise course to indicate to our House conferees how we feel on this vital issue. This we have an opportunity to do in voting for the preferential motion, which I shall support.

Under unanimous consent, Mr. Speaker, I include an article from the November 28, 1967, issue of the Charleston Gazette concerning the State meat inspection program in West Virginia and how Federal legislation would "beef up" that program:

U.S. Law To "Beef Up" State Meat Program

(By John G. Morgan)

Under pending federal legislation, the State Agriculture Department would be in strong position to push faster for a full meat inspection program in West Virginia.

A 1966 state law on the books has the approval of the Federal Meat Inspection Service. The federal law under consideration would vastly improve chances for full funding of the state program.

The department has an appropriation of about $150,000 for the present program, considered good as far as it goes. An additional appropriation will be sought at the next legislative session to bring this amount to about $200,000.

Ideally, the department would like to raise the appropriation to about $400,000. This it might do with matching federal funds, if the proposed law wins final approval.

Dr. Walter D. Hammer, a veterinarian and head of the department's meat inspection division; and Deputy Agriculture Commissioner Earl K. Kelley commented on the state law Monday in connection with the pending legislation.

Both said meat inspection in West Virginia has improved considerably under the 1966 law, largely because of the cooperation of meat establishments.

Hammer noted, however, that the present system of inspection is largely a spot check type of operation, with the current emphasis mainly on sanitation.

No specific data was available on what percentage of the meat marketed in West Virginia may go uninspected or inadequately inspected before or after the kill.

But Hammer and Kelley indicated there is pressing need for expansion and improvement of the present program.

Hammer said the state should have an additional 30 inspectors, plus three to five full-time veterinarians in the field. Presently, there are only 10 inpectors, assigned to check meat in 122 establishments within the state.

The total of establishments includes 27 licensed commercial slaughter houses, 22 "custom" slaughter houses, 30 processing plants and 43 combined commercial houses and processing plants.

In addition, there is one plant which undergoes federal inspection. This is the BBF Commissary, 321 21st St.

Hammer said there are several large, nationally known meat companies which have so-called "branch houses" in West Virginia.

These "houses," which are included in the West Virginia total of commercial establishments, receive shipments of federally-inspected meat, he said. The meat usually is in large or wholesale type cuts, with federal inspection markers on them. When the cuts are further processed and reduced in size, the federal inspection label often is lost.

Two modern meat plants at Ona, Cabell

County, and Sissonville are outstanding examples of the types of commercial or custom slaughter houses that West Virginia should have, Hammer said. The custom type is intended mostly for farmers who grow their own animals, bring them in for slaughter and processing, and return them to the farm homes for storage.

As an example of how much slaughtering is going on in the state, officials cited these figures for September, 1967:

A total of 14,900 animals killed, including swine, cattle, sheep and lambs, all weighing 7,416,000 pounds.

Under the federal law, proposed to become effective July 1, all states would be required to have a satisfactory meat inspection program in operation within two years—or face the threat of federal control.

Hammer said West Virginia, as one of 28 states now listed with mandatory inspection legislation, should be one of the first states to meet this requirement.

He said it normally takes about five years to get a first class inspection program into effect after passage of necessary state legislation.

He hopes that West Virginia can be going full speed ahead within four years after the effective date (July 1, 1966) of the current state legislation. That would put the target date at July 1, 1970, just in time to beat the federal deadline.

Mrs. MAY. Mr. Speaker, will the gentleman yield 5 minutes to me for colloquy?

Mr. SMITH of Iowa. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Speaker, I would like just to say that I would think it would be far better for this bill to go to conference with the conferees uninstructed, because the Senate has made five substantial changes in the Purcell bill as it passed the House.

I would like to tell the gentleman from Iowa in the short time I have had to study the Senate changes in the bill, I certainly conclude that three, possibly four, of the changes are definitely good, and strengthen the bill, and I can support them.

I do know that there are questions that have been asked of our committee by Members on both sides of the aisle concerning a very controversial amendment allowing the Governor of any State to unilaterally ask for Federal inspection right after the passage of the bill, if he so desires.

I think the gentleman will agree this has raised not only the problem of the potential cost of the bill, but also the question whether in this way we are going to reward those States that have made no effort on State meat inspection, by paying 100 percent of their cost, while penalizing those that have gone ahead in trying to pass good meat inspection laws, and paying them only up to 50 percent.

I mention this to the gentleman from Iowa to point out two or three rather serious questions which might well be raised in conference. I do not know, but obviously there might be need for technical changes.

Since the other body has acted in six areas with new language or added language and amendments, I believe we owe it to our colleagues in the House to go to conference and discuss the changes and their implications, and to try to answer some of the questions satisfactorily, so that when we come back to the House with the bill we will have some basis for asking either for agreement to the amendment or for changes.

I would hope that we would turn down the gentleman's proposal and back the chairman of the committee by agreeing to the request of the Senate for a conference, which I for one, want to see concluded as quickly as possible.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. FINDLEY. I should like to understand the procedural situation a little better, if I can.

Am I correct that the gentleman's motion would require that the House speak on the total recommendations as made by the other body and that there would be no way to divide the question so that we could speak on the individual items?

Mr. SMITH of Iowa. That is correct. The Senate made one amendment. That is what it really amounts to. This would then put the house on record as being in favor of the Senate amendment.

Mr. FINDLEY. It does seem to me this runs some risk of causing Members to be on record against a package, and perhaps would encumber the members of the conference committee, and perhaps the gentleman who has the time today, from securing approval of some needed items in the Senate amendment.

Mr. SMITH of Iowa. I would say that out of the 45 pages, I believe it is, in the bill, about 43 have not been changed. The change is in a relatively small area. It is an important area, but it goes only to one question; that is, the nonfederally inspected domestic plants. Really, I do not believe it involves too much to vote upon in one package.

The imported meat portion is not changed one bit;

The labeling portion is not changed one bit;

The requirement giving us protection against meat from rendering works going into human consumption is not changed one bit; and

I do not believe it is too complicated.

I would also say to the gentlewoman from Washington, who raised the question about the Governors having the right to request inspection during the next 2 or 3 years, this was put in in lieu of the proposal we had in the House for immediate inspection. In effect the Senate said, "No, in most cases, it will not be immediate unless the Governor requests it." It is a modification of that area. Really, it is not a new subject matter.

Mrs. MAY. If the gentleman will yield further, as I said, I am really not ready to argue the merits of the amendment put on by the Senate. It may be a good one.

These are questions which have come to me from other Members of this body, since I am a member of the subcommittee. Frankly, I cannot answer them, because we have had no time to discuss this with the Senate.

I read the Senate debate on this amendment. Many questions were raised in that debate which obviously were not satisfactorily answered. It was more or less, as I understood the remarks, that they hoped such and such a thing would not happen, and did not think it would. Should these prognostications prove not true, then certainly this body is faced with other things concerning this bill; that is, increased expense as well as the possibility of a substantial number of Governors requesting Federal inspection immediately. Where would the personnel from the USDA come from to fulfill this? How much would we have to appropriate to do the job adequately? Those questions I think deserve and must have intelligent discussion before we bring the bill to the House and ask for concurrence.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. ARENDS. I would like to add that I agree with the position taken by the gentlewoman from Washington. It is a rather unusual procedure, although it had been followed on rare occasions in the past that we do what is taking place here now. I hope the House will agree that this bill should go to conference so that we might find out what the differences are and how they might be adjusted and then come back and take action on the bill later on.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me.

At the outset I want to say, being an old food and forage inspector, that I am not necessarily against either position. Second, I simply rise for a point of information for the Members of the House. Is it not true that the gentleman's original amendment, which I think we called the Smith-Foley amendment when we had this bill under consideration in the House, would, first, allow intrastate plants that gross annually $250,000 or more to come within Federal jurisdiction as far as meat inspection is concerned immediately; and second, require that substandard plants would have a 5-year grace period in order to make structural changes necessary; whereas the so-called Mondale-Montoya amendment added on in the other body would, first, require that if after 2 years the Secretary of Agriculture found the State inspection inadequate, he could immediately place all plants within the State under Federal jurisdiction; and second, if the Secretary finds a plant to be in extremely poor condition, he is authorized to go to the Governor of said State in which the plant is located and grant a reasonable amount of time to make the plant comply and remedy the alleged violations, but if the Governor fails to act, the Secretary can immediately and forthwith place the plant under Federal inspection; third, the Governor of any State can abdicate State responsibility at any time and seek out and ask for and get Federal-State inspection of its meats.

The point I am trying to make—and I appreciate the gentleman's forebearance—is for the information of all. On point No. 2, point No. 2 could immediately replace point No. 1, I submit. In other words, rather than waiting 2 years, if the Secretary finds the plant is not living up to the best interests of food and forage of the consumers of America, he could eliminate No. 1 and take over without a 2-year delay. Does the gentleman concur in this?

Mr. SMITH of Iowa. Not completely, because there would be immediate takeovers without a Governor's permission only on a plant-by-plant basis rather than on a State basis. Your first point referred to statewide action.

Mr. HALL. That is correct, under the Montoya-Mondale amendments so-called in the other body.

Mr. SMITH of Iowa. Yes.

Mr. HALL. The point I want to make is, if indeed the Secretary is vested with this much power, I am not unfamiliar with this situation under which the gentleman is acting and have rather predicted, studying this last evening and the day before and knowing what went on in the other body, that this device for instructing the conferees might happen. I might say I have used it myself on past occasions, and it is within the rules of the House. However, I think if indeed we can take over the function of the States without the 2-year grace period, as was indeed in the gentleman's original amendment, which would have given substandard plants 5 years in order to make necessary structural changes, then I believe we should argue it out in conference, and I hope we can vote down the gentleman's preferential motion for that reason and go to conference on this needed bill.

I thank the gentleman for yielding.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. MONTGOMERY. As the gentleman knows, I served on the subcommittee which had hearings on this bill. I rise in support of the gentlewoman from Washington. I sincerely believe your preferential motion should be voted down so we have the opportunity to put this bill in conference. I certainly commend the gentleman for the wonderful work that he has done on the meat inspection bill. Certainly he appeared before our committee many times. But it seems to me that this bill should be put in conference. It seems to me that the amendments that have been added on in the Senate involve no limit of cost.

Could the gentleman from Iowa give me how much additional expense this would represent to the Federal Government?

Mr. SMITH of Iowa. Well, there are various figures involved. It would probably amount to about the sum of $30 million which is less than ¼ cent per pound. But whatever the cost is, and if they do the same kind of job of inspection, it is going to cost the same amount, whether that inspecting is performed by the State or by the Federal Government. It would be approximately the same no matter who pays it.

Mr. MONTGOMERY. Mr. Speaker, if the gentleman will yield further, the bill which we sent over to the other body contained the provision that the State would participate to the extent of 50 percent.

Would the gentleman from Iowa clarify that provision?

Mr. SMITH of Iowa. That is still in the bill. If the State in its own judgment decides it wants to have its own inspection system, so long as it comes up to the Federal standards, they may do so.

Mr. MONTGOMERY. Mr. Speaker, if the gentleman will yield further, the gentleman will agree that there were some amendments added to the bill.

Mr. SMITH of Iowa. There were some rather significant amendments added to the bill by the other body.

Mr. MONTGOMERY. Perhaps I do not understand what the gentleman hopes to do. Why would the gentleman object to having House Members meet with Members of the other body in conference?

Mr. SMITH of Iowa. It would still go to conference, but the conferees for the House of Representatives will be in the position of having some instructions to its conferees as to what the House wants to do.

Mr. MONTGOMERY. I thank the gentleman from Iowa. However, I hope we will not send our conferees over to the other body with instructions, but send them noninstructed to represent this body as they see fit.

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, in the first place, I think there are some amendments that are desirable. In the second place, I am anxious to have a meat inspection bill. However, it is my opinion that there exists a very, very serious question about the constitutionality of this act. I say this, because if the Federal Government can just walk right into a State, without there being any interstate commerce involved at all, and take over the functions of a State, then the interstate commerce clause does not mean a thing any more. I say this because there is no way at this time to conceive of a bill that would violate the interstate commerce clause any more than this one would, if finally adopted.

In other words, Mr. Speaker, the Secretary of the Department of Agriculture can merely say that a particular plant, even though it does not do any business whatsoever in interstate commerce, is not doing a good job and it is not doing enough to meet the Federal standards of meat inspection.

And, further, when you go in, regardless of the State involved, the State will be bound—the Governor of the State, the legislature, or anyone else—absolutely by the inspector there and he will close that plant, or make them live up to the standards involved.

Mr. Speaker, in my opinion these represent very serious questions to be considered. These are things which in my opinion can be ironed out in conference, to the extent where we can have a good bill, a bill which in my opinion the gentleman would probably desire.

As I have stated previously, in my opinion there is probably a lot of good in this approach. But, if we go to conference, no one objected when the gentleman from Texas asked unanimous consent to send it to conference. If we are going to send it to conference, and say at the same time to the conferees, you cannot consider one single thing except to go over there and agree to the Senate amendments, then it is absolutely futile as to what we go to conference with in question.

Mr. Speaker, if the gentleman from Iowa had withheld his motion and if this matter had gone to conference, and if the conferees had conferred and brought back then to the House of Representatives such amendments as were in agreement or in disagreement with the other body as they were then at that time, any portion of the conference report to which the gentleman from Iowa objects, the gentleman could then make his motion to disagree and send it back and correct that one spot.

However, by proceeding in this manner, if you send it over there, we have got to agree, regardless of the question of constitutionality of the amendments. In other words, we have got to agree, regardless of the desirability of all five amendments. There may be some amendments that may be better. But there may be a way to eliminate the threat to the constitutionality of the act.

Those are things that can be worked out in conference, but to send them over to the Senate in conference with no authority whatsoever except to walk over there and say to Senator ELLENDER "We agree with you entirely," and then sign the conference report and take it back to the House, then that is it.

Does the gentleman agree with that?

Mr. SMITH of Iowa. Agree with what?

Mr. BELCHER. Is not that the exact situation?

Mr. SMITH of Iowa. In effect the House conferees would be instructed that the feeling of the House is that they should accept the Senate amendments.

Mr. BELCHER. Just as if the House had surrendered its own position and has accepted the position of the Senate, then bring it back, all they have to do is go over there, sign their names to it, and then bring it back, regardless of whether the House or the Senate feel that there are some of those amendments that could be improved upon, or even the constitutionality of the act perfected a little bit better, work out certain of the amendments in conference, then bring it back, and if there is something wrong with the report when they bring it back then we can attack the particular parts you do not like

Mr. SMITH of Iowa. I believe we have to get this over with as fast as possible. As the gentleman knows, we are in the closing days of this session, and if this goes to conference, especially without instructions, it can come back in 1 or 2 days, or 2 weeks, or not come back until January. We have not really had a record vote on the amendment added by the Senate or on these kind of amendments, and the conferees do not have the kind of instructions and information which I believe they ought to have to go to conference.

Mr. BELCHER. In effect, we are putting the Members on this particular spot that they can either accept the bill that they do not like, or vote against the meat inspection bill entirely. They ought to have some opportunity to understand what is in it.

Mr. SMITH of Iowa. That is the spot we were in when this was in the House before.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I would like to state to the gentleman from Iowa that I believe this procedure would tie the hands of the House conferees, because, first of all, I am sure the gentleman from Iowa does not accept the Senate amendments at face value, and wants them incorporated as they are in this bill.

Let me just give the gentleman an example of one of the faulty points that I believe needs to be corrected, even though they will go a long way with it, and perhaps they will accept 90 percent of the Senate's action, however, they still should be free to negotiate in this conference.

In my State of Wisconsin we recently passed a meat inspection law which goes into effect on January 1. It is a very strict law. Under the terms of this law Wisconsin will be paying 50 percent of the cost of the various inspections that will take place under our Wisconsin State law. There are several neighboring States that have done nothing, absolutely nothing, as far as the State is concerned, to move in this area, yet we give those States under the Senate amendment preferential treatment — preferential treatment to the States that have done nothing, and the Governors of those States can get 100-percent financing immediately, for those States that have failed to fulfill their obligation.

I believe if these House conferees can go over to this conference with some freedom to bargain then I believe that these technical difficulties that come about through these Senate amendments can be worked out. Then if the gentleman from Iowa is not satisfied with the conference report as it comes back to the floor of the House, instructions can be given at that time, the conference report can be recommitted—there are many ways available, rather than to send the Members that are appointed by the Speaker to the Senate conference with their hands tied so they cannot work out the various technical amendments that are absolutely needed and necessary in order for the Senate amendments to be effective.

Mr. SMITH of Iowa. If the Governor of the State of Wisconsin wants the same kind of preferential treatment, all he has to do is say "We want Federal inspection now."

Mr. LAIRD. All he has to do is say "We do not want this law," and our law is better than the Federal law. All he has to do is to say "We do not want this State law to take effect."

Well, I want the Wisconsin State law to be put in effect. I do not want the State of Wisconsin to give up its more stringent requirements.

The other day we in this House of Representatives said, when we were discussing the air pollution act, that we want the California standards on air pollution to take precedence over the weaker standards as far as the Nation is concerned. We established a precedent.

I believe that when a State has stronger standards, and has instituted them through legislative action, then those standards should be able to take precedence.

The only way to get the 100-percent financing under the terms of the Senate amendment would be completely to say that we want no State standards—set aside the State law and let the Federal inspectors come in and use the Federal law even though it is a weaker law in some cases.

Mr. SMITH of Iowa. Then there would be 2 or 3 more years of putting chopped eyeballs, hides, and all kinds of other things in the meat.

Mr. LAIRD. That is not what I am talking about at all and the gentleman from Iowa knows that full well. I am talking of the technical amendments that are needed and that are necessary so that the meat inspection law can follow the same procedure that was followed on the air pollution act we passed here on the floor of the House just 10 days ago, where we gave to those States that want to pioneer in this field the opportunity to have more stringent standards than the Federal Government.

The gentleman from Iowa knows that if you accept the Senate amendments, what you are doing is not allowing those States and not allowing these conferees to work out some provision so that those States that have standards which are more strict than Federal standards may be effective and be used.

Mr. SMITH of Iowa. I know that if we accept the Senate amendments the States will either come up to Federal standards or Federal inspection will apply. No States have higher standards, but they may have if they want to.

Mr. LAIRD. I do not think the gentleman from Iowa wants to take away all incentives from every State, but I think the House conferees can maintain these inspections. The Senate amendments are good but the Senate amendments need to be clarified and corrected. We should do this through the House conferees who represent this House in this conference—and not just go over there and play dead.

Mr. SMITH of Iowa. If the Governor of a State does something that the people of the State do not like, he will hear about it at the next election.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. FOLEY. I think the gentleman's preferential motion is wise and should be supported by this House.

I have been involved and concerned with the meat inspection problem since its inception as a member of the Committee on Agriculture.

I think I have listened to all the testimony and read as much as I can of the reports from the various States.

The Senate bill that was passed yesterday by a vote of 89 to 2—and I would say to the gentleman from Wisconsin that it had the concurrence of his Senators from Wisconsin, and it had the concurrence of the Senators of every State in the Union save one—that bill will guarantee that the States will have an opportunity to maintain a meat inspection program if they so desire. They will have the opportunity to receive the support of the Federal Government if they come up to the Federal standards.

But it does not delay for 2 years the improvement of present conditions which are not good in most States of the Union.

I do not like to use an example but up to this year the gentleman's own State of Wisconsin has maintained 17 inspectors to inspect 300 plants in the State of Wisconsin and in one federally inspected plant in the State of Wisconsin—just one——

Mr. LAIRD. What year was that?

Mr. FOLEY. In 1966.

Mr. LAIRD. In what year did the Wisconsin State law go into effect—and does not the gentleman admit that it is stronger than the Federal law?

Mr. FOLEY. The Wisconsin State law has been in effect——

Mr. LAIRD. The Wisconsin State law goes into effect on January 1. The gentleman is completely misinformed as to what he is talking about. The law goes into effect on January 1.

Mr. FOLEY. Let me just finish my statement, if I may.

In one federally inspected plant in the State of Wisconsin there are 31 full-time Federal inspectors.

The problem that all States have is they have paid little attention to meat inspection up to this time. A few of the States are in a position to presently come up to the standards in my judgment. Only one State came up to the Federal standards quickly and that is the State of California. All of the others will probably require a couple of years before they can.

It seems to me it makes little sense, if a Governor of a State decides, as the elected representative of a State, that he does not think his State is in the financial condition to go into meat inspection at that level he will have to go before his people and say it will take 2 years for some kind of inspection simply because there is no provision in the law for Federal inspection. But in the meantime there is the danger that existing plants that are a threat to the public health will not be dealt with.

Those of us who want and who believe in the State having an opportunity and playing their part also have the problem of justifying some States where there are weak laws, inadequate laws, or States where laws may not even exist to prevent the operation of a plant that is clearly a threat to the public health.

One of the Senate amendments provides that the Secretary of Agriculture may go in and inspect those plants, and if he finds conditions dangerous to public health because of adulterated meat, he would notify the State authority. He could not act immediately. He must notify State authority. If the State authority refuses to act, then he may act.

In the minds of many of us who have been associated with the bill, this is a minimum bill. It is not the bill that I offered with the gentleman from Iowa [Mr. SMITH] and others on the floor. It does not immediately extend Federal inspection to any State. It would merely try to take advantage of the interest of the States in passing legislation and at the same time it would protect the health of the people in those States where there is not going to be an inspection program initiated.

It gives to the State government the option of saying they are not interested in bringing in Federal inspection. So the public would be protected in one way or the other. We have had a long controversy on this matter. The Senate has passed a bill that I think is wise and, I believe, meets many of the problems that we created in the general debate. I think it would be wise for the House to concur in the Senate amendments by, in effect, instructing its conferees to act, and to send the bill to the White House.

It is a bill of which we can be proud. It is a bill that will be a major consumer bill passed by this Congress. With no disrespect to any other legislation, I do not know of any other bill that is more important to the protection of the American household and the American housewife and her family than the bill that passed the Senate yesterday. I think the House should concur and instruct its conferees to see to it that the bill is enacted.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. FINDLEY. To clarify a procedural point, let us assume that the gentleman's motion is not accepted by the House. The conferees would not be precluded from giving full consideration to the Senate amendments. Is that not correct?

Mr. SMITH of Iowa. That is correct.

Mr. FINDLEY. So that the Members of this body can vote against the gentleman's amendment with confidence that the conferees will give full and fair consideration to the Senate amendments and will not be pressured?

Mr. SMITH of Iowa. The conferees will go to conference. I cannot tell you what they will do after that.

I yield such time as he may consume to the gentleman from Texas.

Mr. POAGE. Mr. Speaker, I do not wish to delay a decision on the pending meat bill. I do not believe that many of us do. But it is clear that, acting under the pressure of inadequate and even inaccurate reporting, many Members of the House are convinced that the Senate-approved legislation would provide our people with better and more wholesome meat.

I thoroughly disagree with that view, although I recognize that Members properly want to protect the health of the American people. Understandably, Members overlook the constitutional implications, just as their constituents do.

On the other hand, I did not want to make the motion which was made when I asked for a conference because I do not agree with the conclusions of those who argued that the adoption of the Senate amendments—strongly as I concur in their objectives—would achieve the result that they think they would.

By these amendments it is proposed to bring under Federal control programs which are clearly reserved for the States by our Constitution. I realize that modern thinking is to the effect that the Constitution should not stand in the way of what anyone thinks is "needed" action—but I do not agree with that either.

I believe our form of government is the greatest which has yet been devised by man, and I deplore its destruction under the plea of benefiting "the public welfare." I believe that the public welfare will best be served by strict adherence to our fundamental concepts. But I think that I can read the writing on the wall. I doubt that a majority of this House agrees with me.

I know that many Members and their constituents are little concerned about constitutional arguments. I know neither I nor the committee of which I have the privilege to be chairman can change that feeling. We could delay action. We could obstruct. But we could do no more than to interfere with the orderly desires of the House. I never sought to be an obstructionist, and the great committee I represent here never wants to present a negative case. We are not today going to stand in the way of the majority. We propose to let the majority work its will. But I propose to state clearly my protest against what I believe to be inaccurately considered judgment.

Meat inspection is not perfect in the United States, but we have the best inspection system there is anywhere in the world today. Our committee sought to improve that system, so that it would be still better. We updated the law, and we did it without any prodding from Mr. Nader or from Mrs. Furness. Our committee acted because we saw a need. We took note of the possibility that rendering plants were slipping uninspected meat into commerce. We offered a strong inducement to those States which have been slow in upgrading their local systems to bring them up to the Federal standards. We presented legislation which had the endorsement of the livestock producers' associations, of the meatpackers' associations, and also of all of the State Commissioners of Agriculture, and of the U.S. Department of Agriculture. It looked as if we had secured the kind of consensus which is not only helpful, but I think is also essential if we are to have any real enforcement under anybody's plan.

Then came the spoilers from the outside. They simply said, "We want clean meat." So do we all—all of us.

They did not even say "Howdy" when they tore through our Constitution. They insinuated that all State inspection is bad and that all Federal inspection is close to perfect. They have not yet mentioned just how they are going to pay a Federal inspector to sit around all day at a plant which only slaughters one or one dozen animals a day. Nor have they explained how they are going to hold the cooperation of the States, after slapping them in the face, and especially after offering to pick up all the cost any time the Governor wants to pass that cost on to the Federal Government.

They have yet to tell us how we can expect the States to continue to try, after the Department of Agriculture has run out on their clearly understood agreement.

Undoubtedly there are some of our outside advisers who must expect that the Department of Agriculture would take over the whole monumental job and do it well. I hope they can. But I just do not have that kind of confidence in the Department of Agriculture, or in any other department. The Department needs the cooperation of the States. The House bill provided that cooperation. The Senate bill swaps that effective cooperation for the support of a group of self-appointed "experts"—experts on anything and everything. I submit the very people who palmed themselves off as being "experts" on meatpacking are also "experts" on hairdressing, and on the production of carpets, and on any other subject under the sun. They are just "experts."

I doubt that with all of their expertness they will be able to retain even our present level of cleanliness. Even though the Senate bill does pay our committee the compliment of including all of our original legislative proposals, I think they have killed it with the additions that have been placed on it. Evidently they thought we in the House were on sound ground, but they have relied too much on the letter of the law and too little on the spirit. They have knocked Humpty-Dumpty to the ground. I doubt that all their "experts" can put Humpty-Dumpty together again.

The Senate bill destroys the consensus we had achieved after some 8 months' work. I can only say that I hope the Senate and the critics of the House Committee on Agriculture can and will make their act work. We will give them every possible help that we can, but when it fails—and I fear it will fail—I hope there will be those who will remember that the bill as presented by our committee and as passed by this House had the kind of widespread support which is so essential to the successful administration of any program of this type.

I shall, therefore, vote "no" on the proposal to instruct the conferees.

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. BELCHER. This not only would destroy States rights, but it would destroy a lot of other rights.

A Governor would have the authority to turn over to the Federal Government all of the meat inspection in his State, regardless of the State legislature or the State supreme court or anybody else.

Mr. POAGE. I believe that is correct.

Mr. BELCHER. In the State of Oklahoma we have a Republican Governor and a Democratic legislature. If that Republican Governor wanted to hold all of the funds of his administration for local use and expenses in Oklahoma, he could do it, regardless of the fact that the Democratic legislature is about 4 to 1 Democratic.

Every State in the Union could do the same thing, if the Governor would like to spend his money for local projects instead of for meat inspection. All he would have to do is to turn it over to the Federal Government.

By the same token, if the Secretary of Agriculture wanted to move into any particular State, all he would have to do is make a finding that a plant is not being properly inspected and is not living up to Federal standards, and he and he alone could make that finding and could put in Federal inspection, regardless of the Governor or the legislature or anybody else in the State.

So this really not only would be taking away States rights but also taking away rights of everybody in America, except the Governors of the States and the Secretary of Agriculture.

Mr. POAGE. The gentleman from Oklahoma correctly describes the inept drafting of the Senate amendment. Apparently the amendment was drafted for public consumption on the television and in the headlines rather than for actual operation in the field.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. MICHEL. Aside from the merits or demerits of the Senate-passed bill, what would be the increase in the number of inspectors required under the provision of the Senate-passed bill? Is the gentleman aware of that?

Mr. POAGE. It is quite clear within a very short time, at least, all of the meat inspection in the United States would pass under the control of the Federal Government, and the Federal Government would have to pick up the check to take care of all of these small plants.

The Federal law requires constant inspection, both before and after killing, and a man in the plant all of the time, which is going to make the cost per pound in these small plants some eight to 10 times what it is in the large plants, which will result in the ultimate destruction of our smaller packing plants, of course.

Mr. MICHEL. As the gentleman knows, we who serve on the Subcommittee on Appropriations for the Department of Agriculture have to fund the money to pay the meat inspectors. There is a sizable number now. As I understand this, the number would practically be double under the provisions of the Senate-passed bill.

There is no provision in the President's budget for fiscal year 1968 for this increase number of meat inspectors, is there?

Mr. POAGE. No.

Mr. MICHEL. Nor did the President make any mention of it in the "pitch" the other night on television, as to what the increased cost might be.

This is of some concern to me, considering the particularly tight budget situation in which we find ourselves. It seems to me this would require taking on a new and additional burden, and amounts of millions of dollars would be involved.

Mr. POAGE. I believe the gentleman is clearly correct. The cost would be something we probably would not meet, but way beyond that, I am convinced that if we destroy this cooperation with the States we are going to get less effective results, not greater; we are going to get poorer inspection, not better; we are going to have more "dirty meat," not less. The Senate bill looks good on TV, but I am interested in its day-to-day enforcement. I fear that we have gone so far in criticizing the very agencies whose cooperation we need that we may never be able to get the kind of local support we on the Agriculture Committee value so highly.

Mr. BRINKLEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Georgia.

Mr. BRINKLEY. Mr. Speaker, I rise in opposition to the preferential motion to instruct the House conferees to agree to the Senate amendment to H.R. 12144.

The House-passed bill would provide Federal cooperation and assistance to the States in order to upgrade their meat inspection standards. I fully supported and voted for this, even though my own State of Georgia has good inspection standards which equal, if not surpass, the Federal standards.

The Senate-passed bill would, in effect, usurp State authority in the field of meat inspection and substitute Federal control. This is going too far and is an unnecessary and unwarranted intrusion into a State's affairs.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I rise in support of the conference report on H.R. 12144, with the Senate-passed Montoya-Mondale amendments, to strengthen the laws pertaining to inspection and marking of meat for use for human consumption.

The strong Montoya-Mondale provisions, approved by a vote of 89 to 2 in the Senate yesterday, represent the first significant step forward in improving national meat inspection standards since Federal meat inspection was authorized by Congress 60 years ago.

This is the most important consumer-protection piece of legislation to come before the 90th Congress to date. I strongly supported the tough Smith-Foley meat inspection bill which was rejected by the House on October 31. Those gentlemen, Congressman NEAL SMITH, of Iowa, and Congressman TOM FOLEY, of Washington, are to be commended for the wonderful fight they made in the House for a stronger meat inspection bill.

Now we have a chance in the House once again to put a tough meat inspection bill on the law books to protect the American consumer by accepting this conference report. I will support Congressmen SMITH and FOLEY in their efforts here today for a rollcall to accept the strong Montoya-Mondale provisions in the report.

Mr. Speaker, these are the crucial points in the Senate bill:

First. The Federal meat inspection program will cover meat plants that do not now ship meat or meat products across State lines unless the States bring their meat inspection programs at least up to Federal standards within the next 2 years. Today, plants that do not ship meat or meat products across State lines are not covered by the Federal meat inspection program which provides stringent health safeguards for the American consumer and the American traveler.

Second. During this interim 2-year period, the Secretary of Agriculture will have the authority to act against plants that are found to be dangerous to the public health.

Third. During the 2-year interim period, the Governors of the States may invite Federal meat inspection right away. This provision was added to take care of those States which may not want or be able to buy a meat inspection system that is at least equal to Federal standards. For those States that do wish to operate and maintain such a system, 50-percent Federal matching assistance will be provided.

Mr. Speaker, why must the meat inspection standards in every State at least equal Federal standards? The reason is that the American consumer—whether housewife or traveler—is not fully protected from unwholesome meat and meat products. Some 16 percent—or 5.3 billion pounds—of meat slaughtered in the United States annually, and some 26 percent—or 7.6 billion pounds—of meat processed into sausages and other products are outside the safeguards of Federal meat inspection. Some State inspection programs do exist. But there is grave doubt that many of these programs provide adequate protection. In fact, 22 States have no mandatory meat inspection laws at all.

During debate on Federal meat inspection on the floor of the House, Congressman FOLEY challenged any Member of the House to stand up to say that his State's meat inspection program came up to Federal standards. No Member rose.

On July 27 and July 28 of this year a U.S. Department of Agriculture official in Boston inspected five processing plants in eastern Massachusetts outside the scope of the Federal meat inspection program. Here are quoted excerpts from the inspector's report on three of the plants:

> Plant 3.—This plant is located in a former brewery, and, at a former time, operated under federal inspection, but due to the strictness of complying with the Meat Inspection Regulations, elected to withdraw from federal meat inspection. They manufacture sausage products, and cure and smoke pork products.
>
> Plant 4.—A 3-story brick building, which at one time applied for federal inspection, but was rejected due to structural defects, which the applicant elected not to correct.

> This is essentially a sausage manufacturing operation. Windows do not have screens.
>
> Plant 5.—A 2-story brick and concrete building, essentially a sausage manufacturer. Windows have no screens, permitting the entry of flies, uncovered trash barrels evident in the yard.

Mr. Speaker, the inspector went on to say, and again I quote:

> All the above mentioned plants are located in Massachusetts, a state that does not have a meat-inspection program for processed meats. None of the plants mentioned receive any regulatory supervision. As far as I know, visits are made to the plants by State Inspectors only occasionally, and then only to advise them of the labeling requirements.
>
> The owners and operators of the plants are placed on their honor to supervise the manufacturing processes, and the heating of pork products to arrest the action of trichina.
>
> Products from all the plants mentioned have been observed in most markets and supermarkets in the Eastern half of Massachusetts.
>
> On the 2 days that I observed these plants the weather was hot and humid, and flies were prevalent at all locations.

Moreover, in July of this year the USDA conducted a laboratory analysis of nonfederally inspected meat products selected at the retail level in Massachusetts. Five samples were taken including Scotch ham, frankfurters, and certain kinds of sausages. Five violations were found, such as extenders not being shown as "added" and excessive water being added to the meat products.

President Johnson summed up the whole issue in his November 20 press conference when he said:

> We need the strongest possible meat inspection bill. Nobody in this country ought to ever take a chance on eating filthy meat from filthy packing houses—it doesn't make any difference how powerful the meat lobby is.

Mr. Speaker, I urge final enactment of this conference report for a strong meat inspection law as the only really effective way now possible to provide all Americans with the assurance of wholesome meat and meat products.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. FRASER. If I understand what the gentleman said earlier, all we are being asked to vote on with this motion is whether or not we in general approve of the amendment that was added to it in the Senate that requires the States to bring inspection standards at least up to the Federal levels after a period of 2 years. Is that right?

Mr. SMITH of Iowa. Yes. That is right.

Mr. FRASER. So the effect of this motion, if passed, would be to tell the House conferees the sentiment of the House is generally in support of that Senate amendment. Is that correct?

Mr. SMITH of Iowa. That is correct.

Mr. FRASER. I also understand if this motion passes, it does not preclude the conferees from working out any technical problems or any special problems that they might find as they go over the language of the bill. Is that so?

Mr. SMITH of Iowa. That is correct as I understand it.

Mr. FRASER. So what we are saying in effect by an affirmative vote on this motion is that we subscribe to the idea that the housewives and the American consumers are entitled to the stronger protection afforded by the Senate amendment?

Mr. SMITH of Iowa. I so understand it to be.

Mr. FRASER. And that would be the significance of that vote?

Mr. SMITH of Iowa. Yes.

Mr. FRASER. But it would not tie the hands of the conferees in working out any particular or special problems in the bill in conference?

Mr. SMITH of Iowa. I understand that is correct with regard to technical amendments.

Mr. BELCHER. But we could not change one word in the Senate amendment?

Mr. SMITH of Iowa. I am not sure that is correct.

Mr. BELCHER. Do you mean, then, it was your intention we could go over there and revise those amendments in any way we wanted to?

Mr. SMITH of Iowa. No. I think there would be instructions from the House and you should uphold what the majority of the House wants.

Mr. BELCHER. Under your motion we could not change one of those amendments, could we?

Mr. SMITH of Iowa. I hope you would not.

Mr. BELCHER. Under your motion we would not be permitted to.

Mr. SMITH of Iowa. You are asking a question that only the Parliamentarian could answer. My understanding is we could.

Mr. BELCHER. Your understanding is we could change those amendments?

Mr. SMITH of Iowa. Yes.

Mr. BELCHER. Then, what good is your motion?

Mr. SMITH of Iowa. It is merely for the same reason that the Republicans have used it so many times in the past, that is, to instruct the conferees what the feeling of the House is.

Mr. BELCHER. The feeling of the House is it wants those amendments like they are, if your motion carries. Is that correct?

Mr. SMITH of Iowa. I hope so.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. FRASER. I made it a point specifically to inquire as to the effect of this vote. I understand that the conferees could, even after this instruction, go over there and sit on their hands. Presumably they would not because the House expressed itself, but there is nothing in this motion which would require the House conferees to agree to every word of it, or for the Senate, either, as far as that is concerned. They could work out particular problems and then come back to the House for further instructions. It is an expression of sentiment on the part of the House. It is important that this vote be clearly understood for what it is and that people not say, "We did not want to be bound to every comma and every period and that is why we voted against it." It is a general vote on the issue as to whether the Senate amendments are desirable.

Mr. BELCHER. Does the gentleman from Iowa agree with that?

Mr. SMITH of Iowa. Yes. That is my understanding.

Mr. BELCHER. If we give them the liberty to change the amendments, your motion would not be much good.

Mr. SMITH of Iowa. No. I think the House just heard the reason why you had better vote "aye" on this bill. You may not get a chance to express your sentiments in favor of a strong bill like the Senate bill again. The gentleman from Oklahoma is very candid and honest. He is a statesman. He comes in here and tells us that they are going to riddle that bill if they get a chance to in conference.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Wisconsin.

Mr. LAIRD. If the gentleman wanted to adopt the Senate amendments, he could offer a motion to do so. A motion to recede and concur in the Senate amendments is available.

Mr. SMITH of Iowa. Not at this point.

Mr. LAIRD. At this particular point it is not, but an instruction is available on the floor of the House. Then I would like to ask unanimous consent that the motion of the gentleman from Iowa, Mr. Speaker, be re-read at this point.

The SPEAKER. Without objection, the Clerk will re-read the motion of the gentleman from Iowa.

There was no objection.

The Clerk re-read the motion.

Mr. SMITH of Iowa. Mr. Speaker, I think it is quite clear that there is more involved than just a matter of procedure. This involves a matter of substance. This is the opportunity for the Members of the House to show whether they want the stronger Senate bill or whether they do not want it.

Therefore, Mr. Speaker, I move the previous question.

The SPEAKER. Without objection, the previous question is ordered on the preferential motion.

There was no objection.

The SPEAKER. The question is on the preferential motion offered by the gentleman from Iowa [Mr. SMITH].

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. SMITH of Iowa. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 166, nays 207, not voting 59, as follows:

[Roll No. 417]

YEAS—166

Addabbo
Albert
Anderson, Tenn.
Ashley
Aspinall
Barrett
Bennett
Biester
Bingham
Blatnik
Boggs

Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Cahill
Celler
Clark
Cleveland
Cohelan
Conte
Conyers
Corbett
Cramer
Culver
Daddario
Daniels
Dawson
Delaney
Dent
Dingell
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hanley
Hanna
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kluczynski
Kupferman
Kyros
Latta
Leggett
McCarthy
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mailliard
Minish
Mink
Moorhead
Morse, Mass.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Perkins
Philbin
Pike
Price, Ill.
Pryor
Pucinski
Randall
Reid, N.Y.
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
Sandman
Saylor
Scheuer
Slack
Smith, Iowa
Staggers
Sullivan
Tenzer
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Widnall
Wolff
Wyatt
Wydler
Yates
Zablocki
Zwach

NAYS—207

Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baring
Battin
Belcher
Bell
Berry
Betts
Bevill
Blackburn
Blanton
Bolton
Bray
Brinkley
Brock
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Collier
Conable
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dole
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Everett
Findley
Fisher
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Goodell
Goodling
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Henderson
Herlong
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
McMillan
MacGregor
Mahon
Marsh
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Moore
Morris, N. Mex.
Morton
Mosher
Myers
Natcher
Nelsen
Nichols
O'Neal, Ga.
Passman
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Price, Tex.
Quie
Railsback
Rarick
Reid, Ill.
Reifel
Reinecke
Riegle
Rivers
Robison
Roth
Roudebush
Rumsfeld
Ruppe
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Waggonner
Walker
Wampler
Watkins
Watts
Whalley
White
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wright
Wylie
Wyman
Zion

NOT VOTING—59

Abbitt
Adams
Annunzio
Bates
Bow
Broomfield
Brown, Calif.
Brown, Mich.
Carey
Colmer
Corman
Cowger
Dickinson
Diggs
Dorn
Eilberg
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Gallagher
Halleck
Hansen, Wash.
Hardy
Harvey
Hébert
Heckler, Mass.
Kirwan
Long, Md.
Mathias, Md.
Matsunaga
Meeds
Miller, Calif.
Monagan
Morgan
Pepper
Pool
Purcell
Quillen
Rees
Resnick
Rhodes, Ariz.
Roberts
Rooney, N.Y.
St. Onge
Schweiker
Sikes
Sisk
Smith, N.Y.
Steed
Stratton
Taylor
Thompson, N.J.
Watson
Whitener
Whitten
Willis
Wilson, Charles H.
Young

So the preferential motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio for, with Mr. Hébert against.

Mr. Morgan for, with Mr. Fountain against.

Mr. Rooney of New York for, with Mr. Roberts against.

Mr. Kirwan for, with Mr. Taylor against.

Mr. Carey for, with Mr. Whitten against.

Mr. Eilberg for, with Mr. Colmer against.

Mr. Miller of California for, with Mr. Dorn against.

Mr. Resnick for, with Mr. Pool against.

Mr. Monagan for, with Mr. Purcell against.

Mr. St. Onge for, with Mr. Bow against.

Mr. Broomfield for, with Mr. Whitener against.

Mr. Bates for, with Mr. Watson against.

Mrs. Heckler of Massachusetts for, with Mr. Rhodes of Arizona against.

Mr. Frelinghuysen for, with Mr. Quillen against.

Mr. Harvey for, with Mr. Dickinson against.

Mr. Adams for, with Mr. Abbitt against.

Mr. Gallagher for, with Mr. Flynt against.

Until further notice:

Mr. Corman with Mr. Gerald R. Ford.

Mr. Sikes with Mr. Halleck.

Mr. Charles H. Wilson with Mr. Mathias of Maryland.

Mr. Matsunaga with Mr. Smith of New York.

Mr. Thompson of New Jersey with Mr. Brown of Michigan.

Mr. Brown of California with Mr. Cowger.

Mr. Rees with Mr. Schweiker.

Mr. Stratton with Mr. Diggs.

Mr. Pepper with Mr. Meeds.

Mrs. Hansen of Washington with Mr. Young.

Mr. Sisk with Mr. Hardy.

Mr. Willis with Mr. Steed.

Mr. PATTEN changed his vote from "nay" to "yea."

Mr. HANSEN of Idaho changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, the Chair appoints the following conferees: Messrs. POAGE, GATHINGS, FOLEY, PURCELL, BELCHER, TEAGUE of California, and Mrs. MAY.

There was no objection.

AUTHORIZING SUBCOMMITTEE ON LABOR TO CONDUCT INVESTIGATIONS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 960 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 960

Resolved, That notwithstanding the provisions of H. Res. 218, Ninetieth Congress, the General Subcommittee on Labor of the Committee on Education and Labor, is authorized to send not more than six members (four majority and two minority), and not more than two staff assistants (one majority and one minority), of such subcommittee to conduct a full and complete investigation and study (1) of the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods, and (2) of the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces, of the United States will receive high quality elementary and secondary education.

For the purpose of carrying out this resolution the subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502 (b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman of the Commitee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 3, line 19, after the word "Government," insert the words "the cost of such transportation, and".

The committee amendment was agreed to.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. Smith] and pending that I yield myself such time as I may consume.

Mr. HALL. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. ANDERSON of Tennessee. I shall be glad to yield to the gentleman from Missouri for that purpose.

Mr. HALL. Mr. Speaker, I would like to propound a parliamentary inquiry.

The SPEAKER pro tempore (Mr. Albert). The gentleman from Missouri will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, under our present legislative situation, is it possible to amend this resolution at page 3, line 20, by inserting immediately after the word "agency" the following: "Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones," without voting down the previous question?

Mr. Speaker, my parliamentary inquiry is whether or not there is a manner in which a simple and erstwhile amendment such as this might be received under our present legislative system?

The SPEAKER pro tempore (Mr. Albert). The gentleman from Missouri asks in his parliamentary inquiry if under the present legislative situation it is possible to amend the resolution by inserting additional language. The Chair will state to the gentleman from Missouri that that would be true only if the gentleman from Tennessee [Mr. Anderson] yields to the gentleman from Missouri for that purpose.

Mr. HALL. I thank the distinguished Speaker.

Mr. Speaker, if the gentleman from Tennessee will yield further, I would like to inquire of the gentleman whether or not he will yield for that purpose?

Mr. ANDERSON of Tennessee. I shall be glad to yield to the gentleman from Missouri for that purpose.

Mr. HALL. I thank the gentleman from Tennessee.

Mr. ANDERSON of Tennessee. Mr. Speaker, House Resolution 960 would authorize not more than six members of the General Subcommittee on Labor—four majority and two minority members—and not more than one majority and one minority staff assistants to investigate production in foreign nations of goods subsequently sold in the United States in competition with domestic goods. The resolution would further authorize the investigation of the operation of federally operated elementary and secondary schools at home and abroad, with a view to finding out ways of assuring that the children of civilian officers and employees, and members of the Armed Forces, of the United States will receive high quality education.

The Committee on Rules amended the resolution on page 3, line 19—after the word "Government" by inserting the words "the cost of such transportation."

With this amendment, the resolution is in conformity with similar resolutions reported by the committee during the 90th Congress, and is identical in purpose and scope to a similar resolution adopted last year.

Mr. Speaker, we face increasing problems relative to both subjects of this investigation, and I urge the immediate adoption of House Resolution 960, as amended.

Mr. HALL. Mr. Speaker, would the gentleman yield for the purpose of offering an amendment ?

The SPEAKER pro tempore. Does the gentleman from Tennessee yield to the gentleman from Missouri for the purpose of offering an amendment?

Mr. ANDERSON of Tennessee. I will be glad to yield to the gentleman for that purpose.

The SPEAKER pro tempore. The Chair will state that the gentleman loses the floor when he yields for that purpose.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Hall: On page 3, line 20, immediately after "agency." insert the following: "Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones.".

The SPEAKER pro tempore. The gentleman from Missouri [Mr. Hall] will be recognized for 1 hour.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, I will be glad to yield to the distinguished chairman of the Committee on Education and Labor as soon as I make one statement.

Mr. Speaker, I simply want to state to the Members of the House that the purpose of this amendment is obvious. It would simply provide for something which no Member, I am sure, would consciously allow to evolve, but which, from reading the record of disbursements, has actually happened—I am sure unwittingly in some instances—in the form of a practice whereby a Member or a staff member could collect their per diem in counterpart funds in one capital through the embassy of that foreign nation, and then travel to another foreign capital of another nation within the same day, and again draw the per diem. As a matter of record, it has been done in three different capitals on the same day, and they collected their per diem in counterpart funds of those countries presumably by fast jet travel, from the embassies on three different occasions for the day certain.

This would simply avoid duplication or triplication of this collection of per diem, which of course must mean what it says. The amendment is simply offered to clarify that arrangement in the Resolution, and indeed in existing law.

I understand the amendment will be accepted.

Mr. Speaker, I now yield to the distinguished chairman of the Committee on Education and Labor.

Mr. PERKINS. Mr. Speaker, I thank the gentleman from Missouri for yielding.

First, let me compliment the distinguished gentleman from Missouri for offering the amendment, and further say that we accept the amendment. We feel it is a good amendment and that it will serve a useful purpose, and we certainly want to comply with the spirit and the letter of that amendment.

Mr. HALL. Mr. Speaker, I certainly thank the distinguished chairman of the Committee on Education and Labor, and the gentlemen who are members of the subcommittee. Also I do not want it to go unnoticed that a rather unusual procedure has been allowed by the distinguished member from the Committee on Rules, the gentleman from Tennessee [Mr. Anderson], in allowing this amendment to be presented at this time and in this manner.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, in order that we may have clarification of the amendment, as the gentleman from Missouri well knows, sometimes Members travel from country to country, and they are supposed to, at the end of the time they spend in a particular country, if they have currency left over, return that currency to the Embassy or to the consulate.

Let us say, as an example, that I am a Member traveling in a country, and that I would draw money for that particular day, and then I leave that country, say, at 10 o'clock in the morning, and I arrive in Rome at 5 o'clock in the afternoon. I have turned back all the currency that I had in that other country, say Switzerland.

Now, does the amendment offered by the gentleman from Missouri prohibit me from accepting currency when I arrive in Italy for that particular date?

Mr. HALL. It does, if it is on the same date.

Mr. ROGERS of Colorado. I beg the gentleman's pardon, what was that?

Mr. HALL. If it is for per diem on the same date in two different countries, it clearly could not be done under this amendment.

Mr. ROGERS of Colorado. But I would have returned that part that I had received that day in Switzerland when I left Switzerland. Now, say that I arrive in Italy, what do I do for currency at that time?

Mr. HALL. The gentleman would draw all that he needed, for all of the per diem that he spent in the second country on the next day after his arrival.

Mr. ROGERS of Colorado. What do you do for currency from then until the next day?

Mr. HALL. This would apply ad seriatim.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. Let us look at the other side of the coin. Suppose you spend the first $50 per diem in the morning in country No. 1 and then go to country No. 2 in the afternoon or an hour later and collect another $50.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. ROGERS of Colorado. The question that I propounded to the gentleman from Missouri is that according to the regulations and the rules, when you leave a country you turn back any currency that you may have.

Mr. GROSS. Not necessarily.

Mr. ROGERS of Colorado. You say that is not necessary?

Mr. GROSS. Why is it necessary?

Mr. ROGERS of Colorado. Under the so-called counterpart funds, they are supposed to be spent in the country where you are at the time and when you leave you return it to the consul there and go to the next country.

Mr. HALL. I will say to the gentleman from Colorado that the question is academic as a matter of fact, because ordinarily those excess or holdover funds are brought back to our own international bank here or at the point of departure, our own State Department or even the Pentagon bank, and cashed in.

The intent of the amendment is simply to prevent the drawing of double or triple per diem allowances on the same day in fact.

Mr. GROSS. Mr. Speaker, will the gentleman from Missouri [Mr. Hall] yield me some time?

Mr. HALL. I am glad to yield to the gentleman from Iowa 5 minutes.

Mr. GROSS. Mr. Speaker, I rise in support of this amendment. It is long past the time that we did something to stop the flagrant practice of double per diem payments that are available to the junketeers who streak out of here about this time every year on one pretext or another.

I am informed that on just one junket last year by five House Members—one of them being a lame duck who was defeated just a week before this world-girdling party took off—that each of those junketeers collected the equivalent of $50 in Japanese yen, plus $50 in Taiwan dollars on November 23.

The next day they got another $50 worth of Taiwan dollars and then collected $50 in Hong Kong dollars.

Moving on they collected $50 Hong Kong dollars and $50 in Thailand currency on November 27.

Then they collected $50 in Thailand currency and $50 in Indian rupees on November 29.

Then $50 in rupees and $50 in Egyptian pounds on December 1.

Fifty dollars in Greek drachmas, and $50 in Egyptian pounds on December 4.

Fifty dollars in drachmas plus $50 in Italian lire on December 6.

One hundred dollars each on December 8 simply by moving from Naples to Rome.

Fifty dollars in liras plus $50 in Portuguese escudos on December 10.

Fifty dollars in escudos plus $50 in German marks on December 12.

One hundred dollars each in German marks on December 14 simply by moving from Wiesbaden to Berlin.

Then $50 in marks plus $50 in Danish kroner on December 15.

Mr. Speaker, if the racetrack operators in this country offered a daily double like this one, they would all be busted or pretty badly bent in no time at all.

The amendment of the gentleman from Missouri simply seeks to put an end to this kind of business and it ought to be inserted in every resolution that is adopted henceforth to provide for junketing abroad.

As a matter of fact, in view of the financial condition of the U.S. Treasury, far fewer Members of Congress and Government officials ought to travel at Government expense to countries abroad.

It seems that the more this country spends on foreign nations and the more Members of Congress and others who travel to foreign countries the worse the international situation becomes. It is time to call a halt.

Mr. HALL. I will say to the gentleman from Iowa, I appreciate his contribution.

I had intended not to instruct the Members in the complete technique.

Mr. Speaker, I call for a vote.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Missouri [Mr. Hall].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution.

Mr. SMITH of California. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the parliamentary inquiry.

Mr. SMITH of California. I was yielded 30 minutes a while ago by the gentleman from Tennessee [Mr. Anderson]. Do I not have that time?

The SPEAKER pro tempore. When the gentleman from Tennessee [Mr. Anderson] yielded to the gentleman from Missouri [Mr. Hall] for the purpose of offering an amendment, he surrendered all his time, and the Chair so informed the gentleman from Tennessee.

Mr. SMITH of California. If the gentleman has agreed to yield 30 minutes to me, I lose it?

The SPEAKER pro tempore. When the gentleman yielded for the purpose of amendment.

Mr. SMITH of California. I thank the Chair.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT STUDIES AND INVESTIGATIONS RELATING TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 971 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 971

Resolved, That, notwithstanding the provisions of H. Res. 209, Ninetieth Congress, the Committee on Post Office and Civil Service is authorized to send not more than fifteen members of such committee, not more than three majority staff assistants, and not more than two minority staff assistants to such Far Eastern and Western European countries as the committee may determine for the purpose of conducting studies with respect to the policies, operations, activities, and administration by the governments of such countries of matters in the following fields of activity of such governments: postal rates, postal operations, postal facilities and modernization, research and development programs, coding of mail, standardization of dimensional characteristics of mail, and the organization of the postal service as a corporation.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Post Office and Civil Service of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount of transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendments:

Page 1, line 3, strike the word "fifteen" and insert in lieu thereof the word "eleven".

Page 1, line 4, strike the word "three" and insert in lieu thereof the word "two".

Page 1, line 5, strike the word "two" and insert in lieu thereof the word "one"; strike the last word in the line and insert in lieu thereof the word "assistant".

The committee amendments were agreed to.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 1 hour.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Tennessee. I yield briefly, for a question.

Mr. HALL. A question only. I merely want to ask the distinguished gentleman, a member of the Committee on Rules, if he will yield at the expiration of his time and that of the ranking minority member of the Committee on Rules for the purpose of permitting an amendment identical, in fact, to the amendment offered to the last resolution to be offered to the present resolution.

Mr. ANDERSON of Tennessee. May I come to that point a little later? We are giving some thought to the handling of the matter.

Mr. HALL. That is agreeable.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. Smith] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 971, as introduced would authorize the Committee on Post Office and Civil Service to send not more than 15 members, not more than three majority staff assistants, and not more than two minority staff assistants to such Far Eastern and Western European countries as the committee may determine for the purpose of conducting studies with respect to postal rates, postal operation, postal facilities, and modernization, research, and development programs, coding of mail, standardization of dimensional characteristics of mail, and the organization of postal services on a corporation basis.

The Committee on Rules amended the resolution to authorize the Committee on Post Office and Civil Service to send a less number of members and staff—specifically not more than 11 members instead of 15, not more than two majority staff assistants instead of three, and not more than one minority staff assistant instead of two.

Mr. Speaker, all Members are acutely aware of the problems facing our own postal service. Other nations recently have made some excellent advancements in postal efficiency and we can learn a great deal from them. One example is in the standardization of envelopes and mailing cartons.

Another critical need is to find out in detail the substance and impact of certain goals being formulated by international postal employee organizations.

Still another urgent need is to analyze and unravel the increasing problems relating to the fast and efficient delivery of mail to U.S. servicemen stationed in Southeast Asia and elsewhere.

Mr. Speaker, I urge the adoption of House Resolution 971, as amended.

The SPEAKER pro tempore. The gentleman from California [Mr. Smith] is recognized for 30 minutes.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur in the statements made by the gentleman from Tennessee and urge adoption of the resolution.

There is one part of this foreign travel I wanted to read into the Record today. On September 18, 1967, we had a similar resolution pending before the House, House Resolution 838, which had to do with the Judiciary Committee's travel. Some questions came up at that time about the use of counterpart funds, with the result that subsequent thereto, I took it up with the officials in the administration in an effort to try to clarify the situation as best we could. I want to read their memo into the Record. It may help clear up the confusion in the future.

I am referring to House Resolution 838, but the same language would apply to House Resolution 971, which we are considering today. The clause I am particularly referring to is on page 2, starting with line 3, the so-called notwithstanding section. In the language I am referring to at this time, it refers to "Judiciary," but in this resolution it will refer to "Post Office and Civil Service." This is the memorandum written downtown:

> On September 18, 1967, several questions were raised about H. Res. 838 and, in particular, the part which read:
>
> "Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code."

That language is identical with the language on page 2 of the resolution pending, excepting it is "Post Office and Civil Service" rather than "Judiciary."

> With respect to the "notwithstanding" clause, no provision of a resolution passed by a single House of the Congress can change or waive a provision of law approved by the Congress and the President in accordance with the Constitution. The "notwithstanding" clause therefore can only operate as a regulation of the House within the limitations of law. It can only reduce amounts authorized, but not required, by law.
>
> Any "local currencies owned by the United States" would be in the Treasury of the United States and, as provided in the Constitution, "no money shall be drawn from the Treasury, but in consequence of appropriations made by law." There are, however, a number of examples of withdrawal of money from the Treasury by a law which is not in the form of an appropriation act, and such an appropriation by law meets the requirement of the Constitution. If statutory provisions require money to be withdrawn by an appropriation act, another law may modify or waive such a statutory requirement. One such law, and the one that is the legal basis for H. Res. 838, is section 502 (b) of the Mutual Security Act of 1954, as amended (22 U.S.C. 1754(b)). The pertinent provision is as follows:
>
> "Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953 [which generally prohibits use of foreign credits owed to or owned by the United States except as may be provided for annually in appropriation acts], or any other provision of law, local currencies owned by the United States, which are in excess of the amounts reserved under section 612(a) of the Foreign Assistance Act of 1961, as amended, and of the requirements of the United States Government in payment of its obligations outside the United States . . . (and any other local currencies owned by the United States in amounts not to exceed the equivalent of $50 per day per person exclusive of the actual cost of transportation) shall be made available to appropriate committees of the Congress . . ."

This provision of law thus makes available to appropriate committees of the Congress without requirement for annual appropriation two classes of foreign currency:

First. Without monetary limitation, except as may be provided in the regulations of the House concerned or the appropriate committee, foreign currencies that are in excess of the normal requirements of U.S. agencies for payment of obligations abroad; and

Second. With a statutory limitation of $50 per day per person, any foreign currencies that are not in excess of the agencies' requirements.

House Resolution 838, which we are considering, specifically provides that no member or employee of the committee shall receive or expend foreign currencies at a rate in excess of the minimum set forth in section 502(b) of the Mutual Security Act, that is $50 per day per person. For this reason, the distinction between excess currencies and other currencies in section 502(b) of the Mutual Security Act does not arise, and there are no different classes of authorized currency available under House Resolution 838.

I urge the adoption of the resolution.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Ohio.

Mr. HAYS. In other words, in view of the language the gentleman read, the amendment offered by the gentleman from Missouri merely reiterates what the House Rules Committee legislation already does, which limits it to $50 a day per person; is that not correct?

Mr. SMITH of California. I had not seen that amendment before today. After the previous colloquy it took 2 or 3 days with some experts down there to piece this together, so I would not want to comment on what effect the amendment would have in connection with this. I just do not know. I know what this says and what this means. I am not certain of that language.

Mr. HAYS. The Rules Committee resolution says $50 per day per person.

It has happened in the past, and it has happened to a committee I was chairman of, that inadvertently we were given $50 too much, because we were given $50 at the beginning of a 7-day stay in one country and that included the day we left, and when we arrived at another country we were given $50 for that day in the other country. But when we audited our accounts and put them in the record we caught this. I asked every member of the committee and every member of the staff—and this included myself—to submit a check for $50 made out to the Treasury of the United States, which we did.

I do not remember how many days we were gone. We will say it was 13. So we reported $50 a day for 13 days. Although we received $50 a day for 14 days, we refunded $50 for the odd day.

It seems to me the law is perfectly clear. If there is not a communication between embassies, or if someone gets more money than he should, when the account is audited that can be caught and taken care of. Each person knows he left on one day, and he knows what day he returned, and knows he is entitled to $50 a day for the number of days gone.

That is what the resolution says. The Rules Committee brought that out.

I have no objection to the gentleman's amendment, but I just say it simply reiterates what the law already means, as I read it.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, I believe we ought to emphasize that resolutions such as these are necessary for the effective functioning of the House of Representatives.

It is essential that Members of Congress, regardless of their committee, have an opportunity to travel when the committee jurisdiction is properly involved. Rather than overemphasize and picture as standard procedure the occasional abuse or complications, we ought to emphasize the positive and point out that most trips conducted by our Members are practical, worthwhile, and in the Nation's interest. We know that in the course of travel abroad we uncover many situations which produce economies at a later date. Members also acquire information which is practical in future legislative developments.

I would like to see emphasis put by as many Members as will do so on the positive effects of committee travel. I happen to be a member of the Committee on Foreign Affairs, and I do not see how we could possibly work in our field unless we traveled abroad. However, the same principle really applies to any other committee in the House.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Illinois and point out one specific instance for which I take no particular credit. I was asked to stop off on my way back from a trip abroad in a particular country to look at some property. Now, I happen to be the chairman of the subcommittee of the Committee on Foreign Affairs which deals with the authorization for the acquisition and the building of foreign buildings. They had been wrangling around about an ambassador's residence in this country. The present one was inadequate, in the downtown section of the city, surrounded by high buildings which looked down on it. As a result of my stopping over there, I recommended and my subcommittee approved that they buy an ambassador's residence out in the suburbs, a short trip from downtown, which they did for $600,000. Then we recommended that they sell the present residence, which they did, for $1.8 million, which was a net profit to the United States of $1.2 million. Now, if I had gone directly from here to that country, including my air fare and that of the staff director of the Committee on Foreign Affairs and one other committee member who was with me, I suppose we would have spent a total of maybe, I would say, $3,000 or $4,000. If the press had the occasion to report on it, they would have reported about this junket and the expenditure, but you can well imagine they would never have said anything about the recommendations which subsequently came out of it which netted the Government $1.2 million. So, therefore, with that exact example, I want to concur in what the gentleman from Illinois just said and to say that I wish more Members would avail themselves of the opportunity to travel and find out where some of the money that is going abroad has been going.

Mr. DERWINSKI. Mr. Speaker, I thank the gentleman from Ohio. Members, of course, realize he is a very modest Member of the House. I am sure on many other instances his actions have resulted in practical savings of that nature.

Mr. HAYS. Will the gentleman yield further?

Mr. DERWINSKI. I yield to the gentleman.

Mr. HAYS. The gentleman knows that we recommended against the State Department's wishes, recommending that they not build an apartment building in Hong Kong and that they not build new housing in Australia and that they not build an apartment building in Thailand. And none of them was built. And why were they not? The testimony we had here was that they were badly needed, but when we got out there the local people said:

> We do not need them. We do not want them. We can rent property cheaper. Do not build them.

Now, if somebody had not gone out there, then we probably would have taken in good faith the recommendations of the people downtown and gone ahead and built them.

Mr. DERWINSKI. Mr. Speaker, I reemphasize that this record at the close of debate on these two resolutions will show the very positive nature of congressional travel. I would like to reemphasize that at least in my dictionary that the word "junket" has a proper positive connotation. It is unfortunate that the occasional abuse is the only thing that is ever noted. I would like to note from my personal experience at Interparliamentary Union meetings in and from the experiences of other Members there have been positive practical developments from the inspection of military bases, overseas dependent schools, and from conversations with our ambassadors abroad that have enabled Members to do a more effective job on their committees. The United States is the world's most advanced country, is indirectly involved in every major global development, and the jurisdiction over all of our committees at least indirectly has international effect. Surely there are abuses, but these are not the standard procedure. They are the occasional rotten apple in the barrel.

But, Mr. Speaker, as a whole, congressional travel is necessary, helpful, and certainly in the national interest.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I am sorry that the people downtown who have something to say about buildings—and it may not be in the department of the gentleman from Ohio [Mr. HAYS]—apparently saw fit to build a $12 million palace for a potentate over in the African area not long ago.

Perhaps we ought to have a 6-month session of Congress and adjourn so that all Members of the House of Representatives can gad about the world and look at the $12 million palaces that are being built.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Ohio.

Mr. HAYS. The gentleman from Iowa has long been known as a great economizer. The gentleman is also a member of the Committee on Foreign Affairs. The gentleman further knows that I have urged him upon many occasions to travel and, perhaps, if he would travel, the gentleman would know about these things before the fact instead of after the fact. And, instead of talking about them after the fact, perhaps the gentleman could stop them in the first place.

I would like to see the gentleman from Iowa travel a great deal.

Mr. GROSS. I will say to the gentleman from Ohio that I am here to vote to cut down upon the spending of money that has gone far too often for wasteful and extravagant purposes overseas. I have been here to vote on all of those bills, but I do not seem to get very far for lack of help in voting against the many foreign handout bills. I would like to have more help in opposition to these multibillion dollar foreign aid bills and then it would not be necessary for so many Members of Congress to prowl around so many different countries. We would at least save that much money for the taxpayers of this country.

Mr. HAYS. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Yes, I yield further to the gentleman from Ohio.

Mr. HAYS. I think the gentleman is too modest in saying that he has been a failure.

Mr. GROSS. No.

Mr. HAYS. He has been very good and he has been very successful.

Mr. GROSS. I have just failed to convince the gentleman from Ohio that we should practice more economy.

Mr. HAYS. Well——

Mr. GROSS. Further, that the gentleman ought to help by being here and voting to cut down on some of this spending. The gentleman from Iowa has failed in that department.

Mr. HAYS. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield further to the gentleman from Ohio.

Mr. HAYS. The gentleman from Iowa failed to convince me to vote against a $200,000 project that was not budgeted which would have provided certain benefits at Waterloo, Iowa. I voted for that and I was convinced by the gentleman's silence that he went along with it. So the gentleman from Iowa has not been a failure all the way.

Mr. GROSS. I do not recall that the gentleman from Ohio voted for it.

Mr. HAYS. I think if the gentleman from Iowa will check the record, the gentleman will find that I did. Further, it is my recollection that I recall talking this matter over quietly with the gentleman, without being on the floor, as to why you were not up here opposing it. I understood why you were not opposing it. I think the gentleman from Iowa was doing his job, as I would have done for some of my constituents.

Mr. Speaker, the only point I make is that the gentleman has not convinced me as to the subject of having been a failure.

Mr. GROSS. We should have drastically cut these foreign aid bills and I failed to convince the gentleman from Ohio of that fact.

Mr. HAYS. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. Does not the gentleman from Iowa recall that I offered an amendment or two to cut it in the committee?

Mr. GROSS. I understood that the gentleman was going to vote against it, but if my memory serves me correctly the gentleman did not vote against it on the House floor this year or last year.

Mr. HAYS. Mr. Speaker, if the gentleman will yield further, the gentleman from Iowa realizes that they brought the foreign aid bill up when I had made a commitment to be away, and I put first things first. In other words, I felt that my commitment was more important that the foreign aid bill, to tell the gentleman the truth.

Mr. GROSS. Mr. Speaker, in the time I have left I would like to return to this resolution. As a member of the Committee on Post Office and Civil Service, I am not clear as to just what is proposed to be accomplished by sending 11 members of this committee and two staff members abroad.

The **SPEAKER** pro tempore. The time of the gentleman from Iowa has expired.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. GROSS. Just what is to be accomplished, if someone can tell me, and where the 11 members are bound for?

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Montana.

Mr. OLSEN. The gentleman was present in the committee the day that it was reviewed. The gentleman heard us discuss the accomplishments of two previous trips of the committee to European countries where studies were made of the movement of GI mail to Europe, and where studies were made of modernization and mechanization of the postal systems there, and the fact that when we returned from these previous trips, one of them 5 years ago and one of them 2 years ago, we caused the Post Office Department in the United States to have increased impetus toward modernization and mechanization.

We caused to be passed by the Congress laws that expedited the delivery of GI mail.

Now we find that our Post Office Department, from testimony taken yesterday and the day before, is not moving as rapidly as we anticipated they might, and that European countries are still exceeding us in mechanization, and we want to see firsthand how far ahead they are again.

Mr. GROSS. Well, if I understand——

Mr. OLSEN. And again give consideration to the Post Office Department in mechanization.

The other part of the subject——

Mr. GROSS. The gentleman is taking all of my time.

Mr. OLSEN. Just let me answer the gentleman insofar as reference to the East. We are having great problems about the movement of mail to the GI's in Vietnam.

Mr. GROSS. Yes.

Mr. OLSEN. And it has not been smoothed out, and I do not believe it will until we go down and see it.

Mr. GROSS. Now, I believe I have the general idea. I suggest that the gentleman will accomplish just as much if, instead of the taxpayers bearing the expense of sending any part of an 11-man delegation out to Vietnam to look at the mail situation, that action be taken right here. I believe the cure is right here in Washington in the Post Office Department and in the Department of Defense. And for the price of a taxicab——

Mr. OLSEN. If the gentleman will yield further——

Mr. GROSS. Just one moment, now. I have the time. For a price of a taxicab fare to the Pentagon and over to the Post Office Department, they would accomplish far more toward the movement of mail out to Vietnam than they will by sending a delegation 12,000 miles across the Pacific.

As far as Europe is concerned, delegations from the Committee on Post Office and Civil Service have been there before, and insofar as any results are concerned, our mail service has deteriorated since they were last over there. I doubt very much that they are going to accomplish anything over there except to enjoy a nice junket to various countries, perhaps to the Scandanavian countries.

The **SPEAKER** pro tempore. The time of the gentleman has expired.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. I want to say in the beginning that I would like to change the particular tone of the colloquy at this time, and get back to the question of the identical amendment to the one passed on House Resolution 960 in the immediate prior consideration in the well of this House.

I especially appreciate the comments of all three of the gentlemen from the Committee on Foreign Affairs, one of whom is also on the Committee on House Administration.

I was delighted to learn that where there had been double per diem charges in counterpart funds that it had been returned.

The other two gentlemen are also on the committee pertaining to this bill, Post Office and Civil Service.

Second, I believe it may surprise some of the Members to know that after years of hearings on the Joint Committee on the Organization of the Congress and Related Agencies, I am thoroughly convinced that the surveillance, oversight, and review functions of the Congress, as far as the bureaus downtown are concerned, are just as important as the supervision of an architect in the construction of any given building is concerned. Therefore, I am not dogmatically against the educational travel or the supervision by the Members, whether it be here or overseas.

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. OLSEN. The gentleman does not mean to insinuate that any member of the Committee on Post Office and Civil Service had drawn per diem for more than once on the same day?

Mr. HALL. As a matter of fact, nothing could be further from my mind than insinuating that any individual Member or committee has done this as I am certain rereading of the record will confirm. Except, if you will read the record of the House's Clerk of these disbursements, you will see that on past occasions it has happened. Of course, these are open books and, therefore, they are open for the public to read.

Mr. Speaker, this second amendment that I will propose, should I be yielded to for that purpose, would be identical to the one I offered on House Resolution 960. It simply inserts after the word agency on line 4, page 3 of this resolution, House Resolution 971, this language:

> Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones.

Mr. Speaker, I would now like to ask the gentleman who is handling the rule for the Committee on Rules again, if he would yield, after further deliberation, for the purpose of offering this amendment to this resolution.

Mr. ANDERSON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. ANDERSON of Tennessee. I will say to the gentleman, the gentleman from Illinois and myself erred in this parliamentary procedure on the previous resolution and that it requires special instructions from the Committee on Rules in order to yield for an amendment.

I will say to the gentleman, I cannot yield for that purpose on this resolution. I cannot speak for the chairman nor for all the Committee on Rules members, however, I feel in accordance with past policy should the gentleman care to bring up such a proposal in the case of future travel resolutions, they certainly would be considered by the Committee on Rules.

Mr. HALL. I thank the gentleman. I think that is most generous on his part.

Would not the gentleman agree with

me that having had the House work its will and inserting the amendment in the previous resolution, as passed, that it would be meet and proper for its consideration by the Committee on Rules as a regular addition to the added on travel resolutions, as in the past. Especially since it was accepted by all who spoke to the amendment including the gentleman, and the chairman of the subcommittee who handles such disbursements as well as the chairman of the parent Committee on Education and Labor.

Mr. ANDERSON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman, but first wish to state he did not err in good parliamentary procedure or according to the rules of the House. Perhaps according to tradition of the committee, but it served good purpose and was prudent.

Mr. ANDERSON of Tennessee. I am fully confident in accordance with the policy of the Committee on Rules that certainly it would be meet and proper for such consideration.

Mr. HALL. I appreciate the gentleman's response and appreciate his position.

Mr. Speaker, I simply want to add that the parliamentary situation then would be as determined on the prior resolution and the ruling of the Chair on that parliamentary inquiry, that in order to insert this amendment at this time it would be necessary to vote down the previous question, at which time any amendment from the floor would be in order. I again propound that as a parliamentary inquiry. Would the Chair please confirm that?

The SPEAKER pro tempore. The Chair will state that amendments may be offered only if the previous question is voted down or if the gentleman from Tennessee yields for the purpose of offering an amendment.

Mr. HALL. I thank the distinguished Speaker.

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. FRIEDEL. I wish to state to the gentleman from Missouri that these travel resolutions, the one that was previously passed and the pending resolution, do not come from the Committee on House Administration. They come from the Committee on Rules. They involve the use of counterpart funds over which we have no jurisdiction.

Mr. HALL. I appreciate the gentleman's correction. I accept it and it will be corrected in the RECORD. I am glad that the gentleman from Maryland has brought that out for the RECORD.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker and Members, due to the peculiar parliamentary situation that we found ourselves in I was not permitted to take the floor to talk when the resolution on the travel of the Committee on Education and Labor was before us.

This committee has made two very extensive trips, something like 37 days and 38 days. Prior to that a trip of about 11 or 12 days was made. Trips were generated from the desire on the part of the chairman of the committee and others to see if we could develop somewhere near the truth on the question of wages paid relating to the cost of production of foreign goods that enter this country in competition with American goods produced under the Fair Labor Standards Act, which is within the jurisdiction of this committee.

On all of these occasions of travel, in order that the House may be acquainted with the procedures as I have learned and found them to be since I have been a Member of the Congress and traveling with various groups in Congress, is that once an agenda has been made up, the State Department takes over. They make the reservations, and outside of special requests for special types of investigations in certain types of industries, the State Department usually makes up the itinerary for the entire trip. They also give you a stipulated amount, varying in some countries, in counterpart funds.

Any days that the committee travels that are not in countries that have counterpart funds, the committee chairman usually makes payments out of funds appropriated by the Congress.

It so happens that this committee has never had to use the funds, or has never agreed to use any of the funds appropriated by the Congress, and the chairman has never drawn any moneys over and above those given by the State Department.

Upon returning from the trips, we have cataloged for all to see in public view, in the public record, the amounts of money received. I doubt that any trip has even amounted to more than the stipulated $50 a day for the days that we were gone.

However, in recent days there has been a sort of display put on by certain writers on the question of travel by Members of Congress. I say to the House of Representatives that I am not so disturbed over the fact that there has been some charge made that some $50 of rupees or money had been overpaid to a committeeman as I am over the fact that this particular committee has probably done more than any committee in the history of this Congress in searching out the weaknesses in our international trade policies and theories.

We are not always welcome in many countries to which we go, and we have been talked into a nice quiet hour of sitting in a Japanese plant without ever getting out of the front office, because they did not want us to see their operations. We have had to take our cameras, if we had them with us, and set them aside before we were even permitted into the production areas of any of these plants. And, I want to tell you, you travel in those plants at the hours they decide, and they could be mornings, afternoons, or evenings.

If anyone thinks that these so-called junkets are a pleasure, I will gladly give my place to any one of them on any trip I am scheduled to make by resolution of this Congress, and I will assure them that no matter how many counterpart funds they draw, they will be out-of-pocket for expenditures they will make, because, you cannot go into many of these countries without paying out additional money.

We have found, in our school investigation, primary-grade children in a fourth-floor garret with the sanitary facilities down in the basement—in effect, what would be the fifth floor down. We found science books from which our children were being taught that were 16 and 18 years old. We have found teachers with 80 kids in one classroom.

We corrected, we thought, some of these situations by getting through this House three pieces of remedial legislation for overseas schools.

The reason this committee is asked to travel now—and I will do a great deal of thinking before I accept the obligation of traveling, and I think any man who travels on his own time, what little time we get off denies himself what little time there is to be with his family, and he is making sacrifice enough, without having somebody question the honesty of these men over 50 rubles or 100 rubles.

To try to picture these trips as great big luxurious sojourns in foreign countries is an injustice to the membership of this House and to the Members who travel. I traveled many more miles before I ever came to the Congress than I have traveled since I have been a Member of Congress. For many years my favorite and only vacation was to take a tramp steamer and travel to foreign countries. I travel now only because I think this Nation needs the information that travelers bring back.

Here is a letter, received on October 13, addressed to the chairman of my committee:

> The situation in the Overseas Dependent Schools, thanks to your committee, has improved considerably over the last two years. The action of the House and Senate appropriations committees in deleting the per pupil limitation and substituting a line item appropriation should have, by all standards of sound administrative practice, eliminated many of the frustrations which arise from overcrowded classes. It appears, however, that such is not the case.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. ANDERSON of Tennessee. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Tennessee has 19 minutes remaining.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 2 additional minutes to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I will continue to read the letter:

> We are informed that many elementary grade classes in the European area have over 40 pupils. In the Frankfurt area, one reading class had 90 pupils at the beginning of the school year. Some high school English teachers, we are told, must handle as many as 180 different pupils a day.

These children are the sons and daughters of your American servicemen who are stationed overseas not by their own choice. These kids have had to come back to this country and lose a whole year's schooling because they were downgraded in their educational attainment.

Leaving the school situation, let us take a look at this. U.S. firm affiliates abroad are spending $10,200,000,000 this year in additions. This committee has discovered there are over 500 American-owned plants and facilities in Holland and Belgium alone, with over 300 joint ventures.

No person in the United States can tell how many dollars worth of former exports to these countries has now been taken by these American affiliates. No one can tell how many millions of dollars of U.S. imports are produced by American-owned plants, displanting American production and labor. No person in this room can tell or even attempt to tell to what degree the penetration of these foreign countries is going to take place by American industries unless some relief comes to the steel industry and to the textile industry.

We discovered where some of the largest textile units in the entire United States were already buying textiles from India, where labor is paid 7 to 15 cents an hour.

I do not travel on a 22-year-old airplane because I want to go for a pleasure trip. I would much rather go and sit on a stream in the beautiful Ligonier Mountains near my hometown of Jeanette than to cover approximately 40,000 miles in a little over a month, which I have done, until I did not care whether I ever saw another plane. I have not seen anything or anyplace that could take the place of my State of Pennsylvania or my county of Westmoreland. I am sure that only because of these trips was I able to convince the House to pass H.R. 478, the one piece of legislation that can save millions of U.S. jobs in the disastrous trade wars about to break all around us.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Speaker, I rise just to emphasize what has already been said, that there is not any amendment necessary to this resolution of the Rules Committee concerning per diem pay to each person.

He can get only 1 day's pay for each day abroad. The resolution very well states that. All the prohibitions against getting more than 1 day's pay for 1 day will not make the prohibition any stronger than is already in the resolution.

The resolution speaks for itself. The law speaks for itself. There cannot be and there has not been drawn by any member of the Committee on Post Office and Civil Service more than 1 day's pay for a day's travel.

I submit that the rule ought to be voted just as it is.

Mr. SMITH of California. Mr. Speaker, the gentleman from Iowa would like to have 1 more minute, and I yield the gentleman 1 minute.

Mr. GROSS. Mr. Speaker, I wonder how many committees of Congress have already investigated the school situation in Europe, as just one item of this travel business? I suspect the Armed Services Committee has been sending committees over these ostensibly to investigate the schools. I know the Post Office and Civil Service Committee had a contingent in Europe looking into teachers' salaries. It has long been my contention that there is far too much duplication in the claimed purposes of these junkets.

And on the subject of hardship of foreign travel about which we have just heard, I suggest that perhaps the House ought to give consideration to hardship pay for Members of Congress who take these trips abroad.

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent to correct a typographical error in the resolution: On page 2, line 17, delete the word "of" and insert in lieu therefor the word "for."

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Tennessee?

The was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 13706, INTEREST RATES ON LOANS BY FEDERAL LAND BANKS, PRODUCTION CREDIT ASSOCIATIONS, AND BANKS FOR COOPERATIVES

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 987 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 987

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13706) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 13706, it shall be in order in the House to take from the Speaker's table the bill S. 2565 and to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 13706 as passed by the House.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. O'NEILL of Massachusetts. Mr. Speaker, at the conclusion of my remarks I will yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. Speaker, House Resolution 987 provides an open rule with 1 hour of general debate for consideration of H.R. 13706 to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes. The resolution further provides that after passage of the House bill it shall be in order to take S. 2565 from the Speaker's table, move to strike out all after the enacting clause and insert the House-passed language.

At present the applicable acts of Congress prohibit a higher rate of interest than 6 percent on loans made by Federal land banks and banks for cooperatives. These limitations make further legislation necessary in order that the lending may continue on a self-sustaining basis. This is because when the cost of loan funds approaches or exceeds 6 percent, it will not be feasible for the banks and associations to lend the funds so obtained under 6 percent loan interest rate limitations and continue on a self-sustaining basis.

The purpose of H.R. 13706 is to permit interest rates on loans made by Federal land banks, production credit associations, and banks for cooperatives to be determined as provided in the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to cover the cost of loan funds and other expenses and reserves so that the lending may continue on a self-sustaining basis.

The bill would remove the 6-percent maximum loan interest rate limitations in such acts of Congress which now apply to loans made by Federal land banks and banks for cooperatives.

By again including in the Farm Credit Act of 1933 a sentence that was in that act from 1933 to 1956, the bill would clarify how interest rates on loans made by production credit associations are to be determined.

Mr. Speaker, I urge the adoption of House Resolution 987 in order that H.R. 13706 may be considered.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 30 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, I think the only thing I would add in addition to what the gentleman from Massachusetts [Mr. O'NEILL] has said about the rule under which we would consider this bill is that it would be in order after the passage of this bill, H.R. 13706, to take from the Speaker's table a similar Senate bill, S. 2565, and to strike out all after the enacting clause in that bill and insert in lieu thereof the bill as passed by the House.

Some of you who were here earlier this afternoon know that our session today opened with a colloquy between myself, the chairman of the Committee on Banking and Currency, and other Members over the fact that we are facing something of a crisis in this country because of high interest rates which are in some instances higher than they have been at any time since the Civil War. Of course, this bill to remove the 6-percent ceiling on the lending done by the Farm Credit system is absolutely necessary unless we desire, as the report makes clear, the lending operations of that farm credit system ultimately to expire.

I had not realized, frankly, myself until the hearings before the rules committee the extent to which farmers and ranchers in this country depend on the lending operations of the Farm Credit System. The sum of $10.4 billion was outstanding at the end of the current fiscal year and a total of $8.3 billion was loaned to farmers and farm cooperatives during the fiscal year 1967. This bill comes to us in a somewhat unusual situation because of the emergency I have described, the crisis brought on by these high interest rates.

There were actually no public hearings held by the Committee on Agriculture. However, the bill did come out of the committee unanimously. It is supported not only by the majority side of the aisle, but there are several bills of an identical nature which were submitted by members of the minority. So, in the interests of making sure that this very necessary adjunct to our credit system not be permitted to expire because of spiraling interest rates, we should enact this legislation which would authorize the removal of the present 6-percent ceiling.

As the gentleman from Massachusetts [Mr. O'NEILL] made clear, the farm credit loan banks depend on the debentures and bonds they sell on the open market to get the money they lend to the farmer and the rancher. Obviously, with obligations of the U.S. Government, some of them backed by the full faith and credit of this Government, bringing an interest rate of 5¾ percent, they cannot go out and borrow money in the money market without paying in excess of 6 percent today. Therefore, they have to charge more than 6 percent if they are going to make these loans to the farmers and ranchers of America.

So, Mr. Speaker, I urge adoption of the rule.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTERSTATE SHIPMENTS OF INTOXICATING LIQUORS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 956 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 956

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois [Mr. ANDERSON] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 956 provides for an open rule with 1 hour of general debate for the consideration of H.R. 5754 to amend existing law to require that interstate shipments of intoxicating liquors be accompanied by a bill of lading showing certain information.

Mr. Speaker, under existing law, a package containing intoxicating liquors being shipped in interstate commerce must contain an outside label indicating the name of the consignee and the nature, bottler, and quantity of the contents.

Mr. Speaker, H.R. 5754, if adopted, would amend title 18, United States Code, section 1263, to provide that a bill of lading or other document accompanying an interstate shipment of intoxicating liquors identify the consignee rather than requiring that the consignee be identified on each individual box.

Mr. Speaker, no cost to the Government is involved in this legislation.

Mr. Speaker, I urge the adoption of House Resolution 956 in order that the bill H.R. 5754 may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the distinguished gentleman from Tennessee [Mr. ANDERSON], my distinguished colleague, has adequately explained the 1-hour rule under which, if adopted, we would consider the legislation. H.R. 5754 represents a change in the law, a change which would make it unnecessary for those engaged in the shipment of liquor in interstate commerce to designate the consignee on each individual carton or the package.

Mr. Speaker, one other point which I would like to make is that there are separate views which accompany this report.

Mr. Speaker, one member of the committee, the gentleman from North Carolina [Mr. WHITENER] feels that the adoption of this legislation would hamper Government law enforcement by relieving shippers of that particular responsibility to so label the package. The gentleman from North Carolina also expressed the view that the passage of this bill might indicate the intent of the Congress to preempt the State field with reference to the regulation of the sale of intoxicating liquors within its boundaries.

Mr. Speaker, I merely call those arguments to the attention of the Members of the House this afternoon as they are contained in the separate views appended to the report.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, I have consulted with the distinguished gentleman from North Carolina [Mr. WHITENER] and the gentleman does have an amendment which makes clear that the States are not deprived of the power to enact additional prohibitions with respect to intoxicating liquors which is acceptable to the committee. It is my understanding that the amendment will be presented by another member of the committee.

Mr. ANDERSON of Illinois. I thank the gentleman from Colorado for that explanation.

Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ROGERS of Colorado. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5754, with Mr. HAMILTON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado [Mr. ROGERS] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, under existing Federal law—18 U.S.C. 1263—a package containing intoxicating liquor which is shipped in interstate commerce must be labeled on the outside cover to show the name of the consignee, the nature of its contents and the quantity therein. Failure to comply with this requirement is punishable by a fine of not more than $1,000 or imprisonment of not more than 1 year, or both.

The purpose of H.R. 5754, as amended, is to provide that the information required by statute be set forth in a bill of lading or other document accompanying the shipment in lieu of a label on each package.

The change proposed by this bill is designed to facilitate the handling and transportation of liquor in light of modern methods of interstate shipping. Under present day shipping practices when 40 or 50 boxes of liquor have been packaged they are placed on a single pallet and stored in a warehouse awaiting orders for shipment. To comply with the provisions of existing law each box on the pallet must be removed and stenciled with the name of the consignee and then repacked on the pallet whenever an order is received. By permitting the identification of the consignee in documents which accompany the shipment the needs for rehandling individual packages will be considerably reduced. This, in turn, should result in substantial savings in labor and cost.

As a practical matter, enactment of H.R. 5754, as amended, will only result in eliminating the marking of the consignee's name on the shipping container. It will not repeal, impair or in any way interfere with existing labelling requirements under the provisions of the Federal Alcohol Administration Act. Under the regulations issued by the Secretary of the Treasury pursuant to his authority under the Federal Alcohol Administration Act (27 U.S.C. 205(e)), and the Internal Revenue Code, each case of liquor is required to bear an individual serial number and other markings—indicating the kind of liquor, name of bottler, quantity, alcoholic content, et cetera—which enables complete identification of each individual case or package.

H.R. 5754 will not change these regulations.

The section of existing law which H.R. 5754 amends is one of several enactments passed by Congress in 1909 designed to assist the States in enforcing their prohibition laws. At that time States were powerless to prevent intoxicating liquors from being shipped into their borders and sold there by the original importers in the package in which imported. But today, by virtue of the 21st amendment to the Constitution, States now have full authority to prohibit or regulate the importation of liquor into their borders. Moreover, the committee is advised that the National Conference of State Liquor Administrators and the National Alcoholic Beverage Control Association, Inc., which include in their membership the liquor administrators of most of the States, have no objection to the enactment of H.R. 5754.

Finally, Mr. Chairman, the Department of Justice as well as the Treasury Department have informed the committee that the change proposed by H.R. 5754 will not adversely affect any Federal interest and, accordingly, they do not object to the enactment of this legislation.

In order to afford States which may possibly rely on present label requirements of section 1263 of title 18, United States Code, the committee has amended the bill to delay the effective date and thereby give the States ample opportunity to adjust to the proposed change.

Mr. Chairman, I believe the bill, as amended, will serve all State and Federal enforcement purposes and at the same time facilitate handling and transportation of interstate shipments of intoxicating liquors and result in substantial savings in labor and costs. I urge my colleagues to support this legislation.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WYMAN. Was it the intention in recommending this legislation to remove the statutory requirement that a package that has whisky in it is not to be marked on the outside of the package that it is whisky instead of removing solely the requirement that the name of the consignee should not be on each package.

Mr. ROGERS of Colorado. May I make it clear to the gentleman from New Hampshire that it is not the intention of this legislation to eliminate from any package that may contain whisky, wine, or other intoxicating liquors the requirement under the Federal Alcohol Administration Act that there be appropriate labels placed on that particular package. The only thing this bill does is to provide that where a consignee's name has been required to be placed on the shipping container, that his name be placed in the bill of lading—and not on the package. This bill only amends section 1263 of title 18, United States Code, in dealing with intoxicating liquor.

Mr. WYMAN. I would like to call the gentleman's attention to the committee's report on page 5 where the section of the present statutory law that is being amended by this bill is set forth, with the sections that are deleted in parentheses. In the center of that section, it shows the requirement that the package "be so labeled on the outside cover as to plainly show" is removed so there is no longer any statutory requirement under this section of the United States Code that such packages shall show that they contain liquor.

The gentleman earlier referred to regulations of the department that require this. May I inquire whether, should this bill be passed, it would not be true that there will then be no affirmative statutory requirement that whisky shall be marked as whisky in interstate commerce?

Mr. ROGERS of Colorado. It is not true because under the present provisions of title 27, United States Code, section 205(e), and I pointed this out in my statement. The Secretary of the Treasury is obliged to prescribe regulations governing the labelling of interstate shipments of intoxicating liquors. Such labels are required by statute to fully identify and describe the contents and quality of the package. We do not change that statute in any manner whatsoever.

Mr. WYMAN. But that authority is by regulation; is it not? It derives from an enabling statute empowering the Secretary of the Treasury to provide for labeling by regulation?

Mr. ROGERS of Colorado. No, this is statute. It is the Federal Alcohol Administration Act, title 27, United States Code. title 27, United States Code, section 205 (e).

Mr. WYMAN. But is not the labeling at the present time done under regulations prescribed by the administrative officials?

Mr. ROGERS of Colorado. It is provided by regulation and also pursuant to the statute—the Federal Alcohol Administration Act.

Mr. WYMAN. But this statute, if amended in the form that the gentleman proposes, would no longer require this labeling?

Mr. ROGERS of Colorado. This bill does not amend the Federal Alcohol Administration Act. All H.R. 5754 does is to amend section 1263 of title 18 of the United States Code to provide that the information there required to be marked on the package may be set forth instead in a bill of lading or other document. We do not intend, and it is not the purpose of this legislation in any manner whatsoever, to eliminate any marking or label required on any container by other Federal statute or regulation.

Mr. WYMAN. No matter what the intention may be, I submit that the way the bill that is before us is worded you are removing the statutory requirement for labeling whisky packages as well as the name of the consignee. I am trying to find out why the bill goes this far when all that is projected is a need to remove the requirement that the consignee's name be on each package.

If you will look at page 5 of the report, you will observe that we would not remove the requirement that the description of the contents of the package must appear on the package. The contents of the package, a label showing that it is whisky, must be on the package. You are also requiring that the name of the consignee be on the bill of lading. But why was it necessary to take out the middle part of the parenthesis of the bracketed material at the bottom of page 5? It would have been relatively simple to insert before that parenthesis the language, "unless such package is so labeled on the outside as to plainly show," and insert at the end of the parenthesis, "and the shipment," and so forth, as described by the bill of lading, the name of the consignee, so you do not have to put the name of the consignee on each package.

Mr. ROGERS of Colorado. May I point out to the gentleman from New Hampshire that the provisions of section 205(e) of title 27, United States Code, which I cited heretofore, pertain to the labeling of intoxicating liquors. We do not disturb that section in any manner whatsoever. We would not amend that section.

In addition, the committee has received a report from the Treasury Department in support of the bill, and stating they do not believe the Federal Government's interest would be affected in any manner whatsoever.

We also have a letter from the Department of Justice approving the bill.

As a practical matter the only thing H.R. 5754 does is to remove the name of the consignee from the outside of the particular shipping container. If it contains whisky, it is marked "whisky." If it is wine, it is still marked "wine"—not under title 18, but under title 27 of the United States Code which we would not disturb.

Mr. WYMAN. On the box as well as on the bottle?

Mr. ROGERS of Colorado. Yes.

Mr. WYMAN. And not by regulation?

Mr. ROGERS of Colorado. What is that?

Mr. WYMAN. And not by regulation alone?

Mr. ROGERS of Colorado. It is pursuant to the authorization contained in title 27, United States Code section 205 (e).

Mr. WYMAN. But that is authority to an administrative officer to provide for this by regulation. I agree with the gentleman it is apparently covered by regulation at the present time, but what I am trying to find out is the policy behind this proposal to remove the statutory marking requirements for the interstate shipment of whisky in packages. It seems to me that it is in the interest of law enforcement to know what is in the packages as a matter of affirmative law, and it should not be left solely to administrative regulation by discretion.

Mr. ROGERS of Colorado. May I say to the gentleman that the Treasury Department, which has jurisdiction over this subject, is fully satisfied that they would not lose anything by the enactment of this legislation. If the gentleman will read the section on labeling requirements for interstate shipments of intoxicating liquors in section 205(e) title 27, United States Code, he will see that we would not be losing any labeling or identifying of any intoxicating liquor shipment as a result of the enactment of the proposed legislation.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Let us assume that if this bill is enacted and becomes law, a State law would still require the name of the consignee to be placed on the outside package. Suppose the State law would still require it. In view of the provisions of the 21st amendment, which state that:

> The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof is hereby prohibited.

In view of that amendment, State law would still apply here, would it not, and the principle of the supremacy of Federal law in this field would not apply in this particular area?

Mr. ROGERS of Colorado. The gentleman is eminently correct. In order to make that clear we have agreed to accept an amendment which will be offered on behalf of the gentleman from North Carolina which would make it explicit and that the States are not deprived of any power to enact additional prohibitions with respect to the shipment of intoxicating liquors.

Mr. HUTCHINSON. The State could still require the name of the consignee on every package of liquor?

Mr. ROGERS of Colorado. The gentleman is correct.

The CHAIRMAN. The gentleman from Colorado has consumed 14 minutes.

The Chair recognizes the gentleman from Illinois [Mr. McCLORY] for 30 minutes.

Mr. McCLORY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to point out very emphatically that this bill does not relieve the shipper or manufacturer of any requirement to mark and identify cases of liquor so as to indicate the name of the bottler, the quantity of liquor, and the kind of liquor that is contained in each package shipped. It should not in any way affect any regulations which the Secretary of the Treasury has prescribed pursuant to the Federal Alcohol Administration Act, section 205(e) of title 27, United States Code.

In the present state of the law, there is a duplication in the requirement that the liquor package be properly labeled. By amending title 18, we leave untouched the protection in title 27.

The purpose of the legislation is to facilitate the handling of packages and to decrease costs for those who deal in these products. It is not intended to interfere in any way with law enforcement action with regard to any illegal or improper shipment.

I would not want to support this legislation in any way if it might be interpreted otherwise.

I want to assure the members of this committee that it has been represented to the subcommittee upon which I serve as the ranking minority member, and to the House Judiciary Committee, and, I am confident, to the Members on both sides of the aisle that this legislation is not going to impair or interfere in any way with the action or duties of the Attorney General or anyone else charged with enforcement of the laws of our Nation.

It appears to me this legislation is logical and appropriate, regardless of what attitude we may have with regard to the liquor industry itself. It is for that reason I am supporting this legislation.

H.R. 5754 would facilitate commerce while preserving Federal and State regulation over shipments of intoxicating liquors.

Section 1263 of title 18 presently makes it a crime to fail to place the consignee's name on each package of liquors shipped. This means that the manufacturer who by virtue of title 27, United States Code, section 205(e) must mark on each package the kind of liquor, the name of the bottler, the quantity and quality of the contents, and so forth, must also, after negotiating a consignment, go back to mark each package again—this time with the name of the consignee. That extra step is a needless cost, both in labor and time. Placing the consignee's name on the bill of lading is sufficient. H.R. 5754 would allow just that.

Thus the bill would eliminate such unnecessary costs. Consequently, the industry favors this bill. The Department of Justice and the Department of the Treasury have indicated that law enforcement would not be affected by the bill. The National Conference of State Liquor Administrators and the National Alcoholic Beverage Control Association indicate that they have no objection to this legislation.

The bill is very narrow in scope. It is not controversial. I therefore urge the House to pass this measure.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, at the time the subcommittee had this under consideration, was the point brought up that the statute as it was proposed to be amended here today would leave the matter of labeling of contents of boxes that contain liquor, which will go into interstate commerce, to regulation by Secretary of the Treasury?

Mr. McCLORY. No. I can say very emphatically it was not represented that way, but that there was existing adequate Federal law for requiring the appropriate labeling of every case of liquor.

Mr. WYMAN. The existing adequate Federal law to which the gentleman has reference, I take it, refers to the sentence on page 2 of the committee's report, that says in part:

> Under regulations issued by the Secretary of the Treasury pursuant to his authority under the Federal Alcohol Administration Act (sec. 205(e), title 27, United States Code), require that each case of liquor bear an individual serial number and other markings (indicating the kind of liquor, name of bottler, quantity, etc.) which enable complete identification of each individual case or package.

There is this affirmative requirement. Is that not so?

Mr. McCLORY. Yes, and it says:

> Pursuant to his authority under the Federal Alcohol Administration Act (sec. 205(e), title 27, United States Code).

Mr. WYMAN. But the requirement that the package show the nature of the contents is because the Secretary of the Treasury, acting pursuant to that act, says this is the case, and not because the act requires it?

Mr. McCLORY. As I understand it, every case of liquor must bear the serial number, and mark indicating the kind of liquor, the bottler, and so on, requiring important identification of the contents, and it is that requirement under law which would be continuing and would not be affected by this legislation.

As I interpret section 205(e) of title 27, the Secretary of the Treasury is required to prescribe regulations which require labeling. He has no choice in the matter. He may have some discretion in working out the details. But he is not free to repeal completely the regulations now in force.

Mr. WYMAN. I thank the gentleman.

Mr. McCLORY. Mr. Chairman, I have no further requests for time.

Mr. ROGERS of Colorado. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 5754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1263 of title 18 of the United States Code is amended to read as follows: "Whoever knowingly ships into any place within the United States any package containing any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, unless such shipment is accompanied by copy of a bill of lading, or other document showing the name of the consignee, the nature of its contents, and the quantity contained therein, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 2, after line 5, add the following new section 2:

"Sec. 2. This Act shall become effective ninety days after the date of its enactment."

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Dowdy: On page 2, line 6, insert the following new Section 2, and redesignate the remaining section accordingly:

"Sec. 2. Nothing contained in this Act shall be construed as indicating an intent on the part of Congress to deprive any State of the power to enact additional prohibitions with respect to the shipment of intoxicating liquors."

Mr. DOWDY. Mr. Chairman, H.R. 5754 should not be enacted unless this amendment is written into the bill.

The interstate shipment of intoxicating liquors presents many problems which are not apparent to the casual observer. Most of these problems are met head on by local law enforcement officers who seek to stamp out the illegal transportation of intoxicants.

H.R. 5754 would greatly hamper good law enforcement because it would relieve the shipper of intoxicating liquors of the responsibility of labeling the outside cover of the package containing the liquor as is now required by law. Under H.R. 5754 the shipper would merely be required to make up a bill of lading or other document and see that it "accompanied" the shipment of liquor. The unhappy results that could come from this change of the law should be apparent to any person who has had connection with law enforcement.

The bill does not contain any language which would make it clear that by its enactment the Congress did not intend to preempt the field in which it is legislating. This, in my opinion, could result in the courts holding that many State statutes, which rigidly regulate the transportation of intoxicating beverages and liquors, are no longer enforceable because of congressional preemption of the subject.

This amendment conforms to the position taken by myself in other legislation which would or could be interpreted to preempt State laws. This concept has been joined by Mr. Whitener, Mr. Ashmore, Mr. Tuck, as well as other of our colleagues, and I am of the opinion that H.R. 5754 should be defeated unless this amendment is adopted. We should not in any action taken here, handicap or interfere with the efforts of any State to enforce its liquor control laws.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I have had an opportunity to examine the amendment offered by the gentleman from Texas, and I believe it would help to improve the bill. Therefore, we will accept the same.

Mr. DOWDY. I thank the gentleman.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. I should like to state that I certainly have no objection to this amendment, but in my opinion it is absolutely unnecessary in view of section 2 of the 21st article of amendment to the Constitution of the United States, because under no circumstances could the Congress take away from the States their own power in this field.

Mr. DOWDY. I hope the gentleman is correct, but it is out of abundance of caution that we offer this amendment. We do not know what the courts would say about it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Dowdy].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Hamilton, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package, pursuant to House Resolution 956, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INTEREST RATES ON LOANS BY FEDERAL LAND BANKS, PRODUCTION CREDIT ASSOCIATIONS, AND BANKS FOR COOPERATIVES

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13706) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13706, with Mr. Hamilton in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. Poage] will be recognized for 30 minutes and the gentleman from Oklahoma [Mr. Belcher] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POAGE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this legislation is the type of legislation which none of us like to bring before the House. Yet it is a type of legislation we must deal with at this time.

We are faced with a condition here and not a theory. Two of the three farm credit institutions are faced with statutory limitations upon their lending rights. That limitation is 6 percent in each case. These institutions cannot borrow money for less than 6 percent at the present time and probably their next issue of debentures or bonds will have to move at approximately 6.2 or 6.25 percent. That would mean they would lose a quarter of a percent on every loan made if there were no expenses. The expense of operating these institutions normally runs from three-quarters of a percent to 1 percent for overhead. That means there must be approximately a 1 percent greater interest rate charged by the institutions than the interest rate which they can sustain on their obligations.

I have been speaking of their obligations, and I think I should explain to the House that the three farm credit institutions, which are the land bank, the intermediate credit banks, and the banks for cooperatives, are not using Federal funds. They are using money that they borrow in the money market by the issuance of their own debentures or bonds. Those debentures are sold to whomever will buy them at the best deal they can get or the lowest interest rate they can get. With that money they finance the local cooperative associations. In the case of the land banks, these are the national farm loan associations. In the case of the intermediate credit banks they are the PCA's or the production credit associations. Of course, the banks for cooperatives lend only to cooperatives of various kinds. Those institutions all must pay a somewhat higher rate, or course, than the basic institution pays to get its money.

For a couple of years these basic institutions have been taking a loss. They have been borrowing money at rates which were so high that they could not lend it at 6 percent and break even. They have been able to go along for possibly a couple of years because they had some reserves. They have reached a situation today where they simply cannot go on much longer—probably not more than another issuance of debentures.

Every one of us wishes we could keep

this interest rate down. We would like to keep it well below 6 percent. Six percent is a lot of money to pay on land loans if you are trying to pay them out. For a long period of years it was possible to borrow from the land banks for 5½ percent interest, and some other old loans are now outstanding at 4½ percent. I would call your attention to the fact that throughout the history of these farm credit institutions they have never raised the rate of interest on a loan once it was made. In fact, they cannot do so under the law, because once having made an obligation at 4½ percent, they have to continue it. They cannot call that loan simply because their rate of interest goes up. Speaking personally, I borrowed some 5-percent money from the land bank long before I came to Congress. They cannot raise those old loans. But at any time that the interest rate has gone down on their debentures the banks have consistently lowered the interest charges to their borrowers. They have a right to lower this interest and they have done it throughout their history.

Unless we give them the leeway provided in this bill there is no way they can continue to operate and give the farmers the advantage of this kind of setup. We think it is highly advantageous to farmers to have this credit. We believe that the land banks have enabled thousands of U.S. farmers to become homeowners throughout the United States.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, we believe that the Bank for Cooperatives has made it possible for a great many farmers to continue to sell their milk, their livestock, and other products, at a reasonable price.

Now, Mr. Chairman, it is said—"Well, that is all fine and good; we want to continue to do that by fixing this interest rate." When you fix this interest rate and dry up all sources of money, you simply do not render any assistance to our farmers.

It will never do the farmer any good to be told that the rate is only 4 percent, if there is no money available for him to borrow at 4 percent. I have seen the day, my colleagues, when I, personally, have paid 10 percent for land money. I have paid it in my lifetime. It will break you if you keep at it very long. Yet, I would rather pay 10 percent and get the money at all, because with me it has always been a question of either paying the 10-percent interest rate or losing the equity that I had in the land. That is usually the case with everyone who borrows in that manner.

Mr. Chairman, the land banks have been able to bring down the interest rate on real estate loans all over the United States. They represent the great stabilizing influence of lowering that interest rate. They have kept it down because they provide competition. The insurance companies cannot charge very much more, but if you make it impossible for the land banks to get money and to lend money, they cease to be a stabilizing influence. On the other hand, the private lending institutions provide competition for the farm credit institutions so that they simply cannot charge the excessive rates which my colleague from Texas envisions even if there were any incentives for them to do so—which I think I can show there is not. Therefore, as much as our Committee on Agriculture does not like this increase in interest rates, it is but placing the land banks and the banks for cooperatives upon exactly the same basis as that on which the intermediate credit banks have always been—they have never had this limitation and yet they have never overcharged anyone whom I know during the 30-odd years of their experience—and there is no reason for these institutions to make these overcharges because they are owned by the very people to whom they make loans. If, in fact, they loan money for 5 percent and if there were no profit, there simply would not be any dividends to be paid to the borrowers. If they loan the money for 15 percent and realize a 10-percent profit, that profit would come back in the form of dividends to the very same borrowers. Any profit which the associations might make is paid back to the same people who pay the interest in exactly the same proportion.

So, Mr. Chairman, there is no incentive and no inducement in the case of these farmer-owned institutions—and these are farmer-owned institutions—there is no inducement as exists with the private banking institutions, to raise interest rates. That is a fact that we have overlooked—that they do not operate upon the basis of private lending agencies, because they are institutions belonging to the farmers, and there is no reason for raising the interest rates.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that these lending institutions have had a ceiling of 6 percent upon the money that they have loaned, but that they have loaned it for less than 6 percent?

Mr. POAGE. Only two of them have had occasion to do so, the land bank and the banks for cooperatives, but the intermediate credit banks, for instance, have not had any ceiling.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, these banks have done so, the land bank and the production credit banks?

Mr. POAGE. No; the production credit associations are the institutions that are financed by the intermediate credit banks. You see, there is a central institution in each case. These central banks do not make the loans to individuals. They loan only to these cooperative associations.

The land bank at Houston lends to the National Farm Loan Association at Waco, who lends money to me. The Intermediate Credit Bank of Houston lends money to the PCA, which in turn lends money to farmers.

Mr. GROSS. But with the enactment of this bill there would be no ceiling?

Mr. POAGE. That is right, there would be no ceiling on any of the three central institutions.

Mr. GROSS. I thank the gentleman.

Mr. POAGE. All of them would be in the same position that the Intermediate Credit Bank is in today, and that is all that this bill would do—would be to remove that ceiling.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I would like to compliment the gentleman for a very clear explanation of the reasoning behind this bill. I also wish to congratulate the Committee on Agriculture.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I yield myself 1 additional minute.

Mr. EDMONDSON. As I started to say, I also wish to congratulate the Committee on Agriculture for moving so rapidly to move upon this matter upon the receipt of the request from the Governor of the Farm Credit Administration. I understand that request came in in the middle of October.

Mr. POAGE. Actually, our committee did not move as promptly as we might have. We waited until the Senate committee passed the bill. The Senate committee has passed a similar bill.

Mr. EDMONDSON. Again I want to thank the gentleman for presenting this legislation, and to commend the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I would ask the gentleman if the bill, H.R. 13706, and the Senate bill, S. 2565, are identical?

Mr. POAGE. They are not identical. The House bill simply removes the ceiling. The Senate bill places in the bill a formula whereby the interest rate will go up and down. The ceiling on the interest rate will go up and down as the debentures go up and down. We feel that this is a very impractical situation because debentures have been sold at about five or six different levels within the last year, and the interest rate to the farmer would have to be changed each time the debenture rate changed, if we were to follow that policy. We believe this is confusing and disruptive of good, sound banking for the farmers.

Mr. HALL. If the gentleman will yield further, then the gentleman's bill, H.R. 13706, that we are now considering, would have no fixed limit——

Mr. POAGE. No, sir.

Mr. HALL (continuing). As the gentleman from Iowa had asked the gentleman, but we would still have the policy with the Federal farm loan, and the bank for cooperatives, they could go up unlimited, but they could also reduce like the credit bank does, and always has done?

Mr. POAGE. For 35 years the intermediate credit bank has done this. They have not had this limitation, but there has been no gouging of the farmers as a result thereof.

Mr. HALL. I would also ask the gentleman if it is not true that the cooperative bank, at least, during the last year of the tight money market, as we refer to it, was actually paying 6½ percent for money that it would be lending out at 6 percent?

Mr. POAGE. It did. I believe, it was actually 6¼ as I pointed out. They cannot continue to do that sort of thing.

Mr. HALL. What effect do the participation sales certificates have, for example, that were voted on yesterday? The Government is paying 6.35 percent on those.

Mr. POAGE. It is, of course, going to make it more difficult for these institutions to sell their debentures. When investors can buy Government participations at 6.35 percent, they are very reluctant to buy those debentures. It may even force the interest rate to 6.5 percent for these banks.

Mr. HALL. Does the gentleman not feel that there should be some ceiling, if there is a sort of a widening spiral that will increase inflation, even though, as the gentleman previously and well explained the fact, that he is against the formula which would be unwieldy?

Mr. POAGE. I do not feel there should be a ceiling.

Mr. HALL. That is because we are loaning to our own participators?

Mr. POAGE. That is right.

Mr. HALL. I thank the gentleman, and I support the bill.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, as I understand, the gentleman and the committee have felt it wise to bring this matter up because of the rising cost of money on the market?

Mr. POAGE. That is right.

Mr. HOLIFIELD. Unless they are allowed to sell these debentures on the market they would be without funds to loan to the farmers?

Mr. POAGE. They do not use Government money. The only money they can get is what they sell of their own indebtedness in the public market.

Mr. HOLIFIELD. Then in voting for this, it is not a matter of endorsing high interest rates. It is a matter of necessity in relation to the source of money and the need to lend money to farmers.

Mr. POAGE. That is exactly right.

Mr. HOLIFIELD. In other words, we are accommodating ourselves to the situation that exists in the marketplace and it is not the purpose to vote for high interest rates as against low interest rates.

Mr. POAGE. Not at all. It is a question of voting to provide some money to meet these requirements—or of not providing it.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I think the chairman of our committee, the gentleman from Texas [Mr. POAGE] has very well explained the bill.

Mr. Chairman, I support H.R. 13706 and strongly urge its passage.

This bill will make it possible for agencies supervised by the Farm Credit Administration to continue offering farm lending services on a sound business basis by removing the 6-percent interest rate limitation now provided for in the Federal Farm Loan Act on loans made by the Federal land banks and the banks for cooperatives.

During fiscal year 1967, the 12 Federal land banks made 45,600 long-term, farm real estate mortgages totaling $1.4 billion. Loans outstanding total more than $5.5 billion to some 495,000 farmer borrowers. The land banks are presently furnishing over 20 percent of the long-term farm real estate mortgage demand in the United States and Puerto Rico. In their 50 years of existence the land banks have, as intended by Congress, provided a stable and consistent supply of long-term mortgage credit at a rate of interest representing its own cost of money plus reasonable operating expenses and reserves. The system, completely owned by stockholder-members since 1947, is a stabilizing influence in American agriculture and a model for other mortgage lenders. H.R. 13706 will assist it to fulfill its traditional role to the continuing benefit of farmers and ranchers.

Although the 6-percent interest limitation has been in effect for the land banks since the adoption of the original Farm Credit Act, there have been but a few times that it was necessary for any of the land banks to charge farmers and ranchers the maximum rate. This was for brief periods when money market rates were unusually high. The land banks determine their interest rates in light of the cost to them of funds obtained from the sale of their bonds in the investment market, and taking into account the necessity of providing sufficient margin to cover expenses and provide reasonable reserves. The cost of recent sales of land bank bonds has approached the 6-percent level and it becomes obvious that if the banks are to continue to operate on a sound basis, it will be necessary for loan contract rates to exceed the present legal limitation. Otherwise, they may be forced to curtail their operations and be placed in the untenable position of lending at a rate equal to or less than the cost of money obtained from the market. Historically, it should be noted that the banks have reduced their interest rates to new borrowers as soon as cost of loan funds in the money market made this feasible. Furthermore, there have been several occasions when they also voluntarily reduced below the contract rate interest charged existing borrowers. H.R. 13706 provides that the interest rate charged by a farm credit bank or association shall be determined by the farmer-elected boards of directors with the approval of the Farm Credit Administration. I am fully in accord with this provision, since it will allow the land bank system to continue its long-term agricultural lending on the same sound basis as has been practiced in the past.

In discussing the provision of the bill which affects the bank for cooperatives, many of the same facts apply as have been related about the land banks. The 13 banks for cooperatives—12 district banks and the central bank located in Washington, D.C.—make loans only to farmer cooperatives. About 60 percent of the borrowed capital used by farmer cooperatives in the United States is furnished by the banks for cooperatives. Last year the banks extended credit totaling nearly $1.7 billion. The primary source of loan funds for the banks for cooperatives is the sale of debentures in the investment market and, in a manner similar to the land banks, they determine their lending rates after considering the cost of debentures in the market plus reasonable operating expenses and reserve amounts. Interest rates on outstanding loans are adjusted up or down whenever interest rates charged on new loans are changed because of the effect on earnings of material changes in the cost of debentures. Net earnings are returned to the borrowers on a patronage basis. In this way, the cost of credit to borrowers is equal to the current cost of funds plus operating expenses and necessary reserves of the banks.

It is interesting to note that pursuant to the provisions of the Farm Credit Act of 1955 six of the district banks for cooperatives are now wholly owned by the farmer cooperatives they serve. It is estimated that the $32 million Government investment remaining in the other banks will be retired by 1971. The maximum investment of the Federal Government in these banks was nearly $180 million.

As the cost of the banks' recent debenture sales have steadily increased, the cost to the system is rapidly reflected in the weighted average cost of debentures outstanding, which now stands at 5.60 percent. The banks for cooperatives must operate on an earnings basis which will allow them to charge interest rates consistent with the cost of borrowed funds and sound business practice.

The removal of the present 6-percent interest rate limitation, as it affects both the Federal land banks and the banks for cooperatives, will permit these credit institutions to continue to function as was intended by Congress even in times, as we are now witnessing, when the cost of their loan funds as obtained from the money market approaches or exceeds 6 percent. To permit this flexibility in their operations will result in a continuation of their valued service to our farmers and ranchers.

Mr. BELCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am in wholehearted support of this legislation. As the gentleman from California said, none of us like to vote for higher interest rates. But that is not what we are doing in this particular case. We are merely making it possible for the loan agencies to continue in operation. The events that raised interest rates were the higher interest rates prevailing throughout the Nation and inflation. Therefore, there is nothing we can do except to raise these rates or put these people out of business. For that reason I am in support of the legislation.

I reserve the balance of my time.

Mr. POAGE. Mr. Chairman, I yield as much time as he may consume to the gentleman from Texas [Mr. PATMAN].

FEDERAL LAND BANKS, FEDERAL INTERMEDIATE CREDIT BANKS, AND BANKS FOR COOPERATIVES ENTITLED TO RELIEF, BUT SHOULD NOT TAKE OFF 6-PERCENT RATE INDEFINITELY—2 YEARS ENOUGH FOR TRIAL PERIOD

Mr. PATMAN. Mr. Chairman, I share the views of my good friend, Chairman

POAGE, in everything that he said about the Federal land banks, the Federal intermediate credit banks, and the banks for cooperatives. I know they are fine institutions. I am very much in favor of what is being done for the farmers through these fine organizations.

There is only one thing about this bill that I just cannot tolerate from a personal standpoint if I can help it. Of course, if the House votes it and the Senate votes it and it becomes law, there is nothing I can do. But I can at least protest.

NO HEARINGS BEFORE COMMITTEE

I did not know this bill was before Congress until it was up here for consideration. If I had known it was before the committee, I would have gone before the committee and presented an amendment. The only amendment I would propose is all right. I know that interest rates have gone up. I know who is to blame. There is no use talking about it here. I know that you are in a bind. The Farm Credit Administration people are. We must recognize the situation. We must give them some relief. But let us not take the 6-percent limit off from now until kingdom come and not have any limit at all. Let us have at least a 2-year limitation and try it out. Then if it is just as bad, we can consider an extension of time or we can take it off entirely if the situation should require it. But let us not open it entirely and have no limitation of any kind whatsoever.

The gentleman from Texas [Mr. POAGE] made a good statement about the borrowers actually getting this money back; that is, in excess of 5 percent. He said that if they paid 15 percent, 10 percent of it would come back to them, and, from his standpoint, all of it would be the same. That is correct. But it affects the whole market.

When we raise these interest rates, other interest rates are raised too, and others. So we should not be doing anything here that would affect the whole market and the whole economy without looking into the future and having some limitation somewhere.

I did not get to appear before the committee because I understand they did not even have hearings on the bill. I am not criticizing the committee for that. That is up to them. If they are satisfied to report it out without hearings, that is up to them. But I am saying that to let the Members know this is the first chance I have had to offer this 2-year limitation. I am going to offer an amendment restricting it to a 2-year period from the time it is enacted. I hope the chairman of the committee and the ranking minority member will accept this amendment, because I have not had a chance before, and I would not feel too good about it if I did not have a chance to get it in for fair consideration. I just hope the gentlemen will accept it.

INTEREST PAYMENTS NO. 1 CLAIM ON TREASURY—VETERANS NO. 3

Remember this, my friends, we have on the revenues of the Nation from individual tax sources certain liens upon the money that is accumulated in the Treasury of the United States. The No. 1 lien is interest on the national debt. That comes first, right off the top. High interest is paid first, and after interest, of course, comes national security and the cost of war. That comes next. The third lien holders are the veterans of Vietnam and all other wars, and their dependents, and the aged and the people who might have different benefits for different purposes. They have a third lien. Remember, every time we put more cost on this first lien, we damage the chances of these veterans and aged and others ever getting anything.

The other day I noticed in the other body a very liberal amendment was adopted on old age security. I thought certain people voted for that amendment I could hardly believe could sincerely vote for it in view of what they have stood for in the past. I began to wonder if some people are taking the attitude—and I am not criticizing any particular body or any particular person—that this cannot be paid anyway, so why should not they save their own political seats and vote for these amendments, knowing eventually, not long from now, these interest rates are going to take so much money we will not have money even to pay these bills.

Of course, that would be a terrible attitude to take, but a lot of folks take an attitude now and then that cannot be explained.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I yield the gentleman from Texas 1 additional minute.

Mr. PATMAN. Mr. Chairman, right now we are paying $14.2 billion a year interest on the national debt. That is $7 billion too much. That can be documented. When these new interest rates, just established within the last 30 days, are reflected in the funding of the interest on the balance of the debt, we are going to be paying $21 billion a year interest on the national debt. When we add to that national security and the cost of a war, how much will be left for veterans and dependents, and aged, and people like that?

So I suggest and hope that we adopt this amendment and let it go to the Senate, and to conference, and at least consider it. I hope I am entitled to that much consideration, since it is the first time I have had a chance to present it. I did not have a chance to present it before the committee. I feel consideration should be given.

Mr. POAGE. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I thank the chairman of the committee for yielding to me.

I am supporting this bill because I face the realities of the money market, just like the gentleman from Texas [Mr. POAGE] regardless of what caused the realities.

I do hope that the Committee will see fit to put a time limitation of 2 years on the bill, such as suggested by the gentleman from Texas [Mr. PATMAN] for 2 years. If at the end of 2 years it is necessary to do something about this, I can pledge that I will do just as I am doing today. I will vote on the merits of the situation, and if necessary, vote to change the situation.

As I understand it, these debentures which are sold are backed by Government credit.

Mr. POAGE. No, they are not.

Mr. HOLIFIELD. They are only backed by collateral?

Mr. POAGE. They are the joint obligation of all the banks, but the Government does not guarantee them.

Mr. HOLIFIELD. There is no guarantee of the debentures from the Federal Government at all?

Mr. POAGE. None whatsoever.

Mr. HOLIFIELD. I am glad to know that.

I do want to call attention—and this is really the reason why I asked for this time—to the fact that we have in California not only a great agricultural industry but also a tremendous construction business for the construction of homes, because of an incoming population of possibly 600,000 to 700,000 a year.

We are faced with pressure on the money market also. Last year, in 1966, we had almost a complete cessation of building. The reason why we had that cessation of building was the savings and loan institutions, who go into the money market to obtain savings deposits, were outbid by the banks with their certificates of deposit and by Federal funding. Savings and loan associations will be in competition with these debentures which we are considering in this legislation, for they will probably pay higher interest on their debentures.

At the present time we have an arbitrary administrative limit on paying over 5 percent to get money into the savings and loan institutions in California. This is not in the statute, but required on the administrative level.

I should like to see us keep it there, provided we can get money into the savings and loan institutions to build houses for the people of California.

I bring this up because I believe it is a parallel situation. If we cannot get money and if an arbitrary limit is put upon us at 5 percent in the money market, as to the building of homes, and yet we have to compete with 6¼ percent or 6½ percent or 6¾ percent debentures in the market, it is easy to see what will happen to the construction business.

I bring this to the attention of the Members of the House to show the situation of pressure which is occurring as a result of higher interest rate competition for funds.

I am going along with this legislation but I hope the time will come when some consideration will be given to other facets of the money market which in my opinion are also important. I refer particularly to the construction business of homes in America and the plight of savings and loan associations and other thrift institutions competing for dollars in the marketplace.

If arbitrary ceilings on deposit interest are maintained by administrative fiat the savings and loan associations and other thrift institutions will face withdrawals of deposits and therefore be unable to furnish dollars for the construction of homes.

Congress has recognized the need for housing loans just as they have recognized the need for farm loans. Both are important to the people of our country whether they are homeowners in the city or on the farm.

Mr. BELCHER. Mr. Chairman, I yield myself 2 minutes.

I certainly agree with the gentleman from California. There are lots of people who are going to be terribly hurt by high interest rates.

I certainly know the condition which exists so far as the building and loan associations and the building industry are concerned. In my own particular district, the building industry was almost at a standstill about a year ago.

I was not aware that California had a 5-percent limit. I saw several advertisements in the paper which advertised for 5½-percent money.

Mr. HOLIFIELD. There was a time when a long-term deposit was given a little higher interest rate in order to compete with the certificates of deposit in the banks. My understanding is that that has been removed and that now the general level of deposits has a requirement that they can pay only 5 percent.

I am not exactly saying this was wrong. I am saying that unless there is some flexibility in allowing us to compete in the money market with other debentures, such as these farm loan debentures and the other items of Treasury bills and so forth, the effect is as I have stated. If we are arbitrarily prevented from competing in the marketplace, there will be a complete cessation of the construction business again this coming year, as there was in 1966.

Mr. BELCHER. I would certainly say to the gentleman that if any industry in this country is being held down because of an interest ceiling and is not permitted to do business, I would go right along with the gentleman in raising that ceiling, just the same as on these things today.

Mr. HOLIFIELD. That is right. If the gentleman will yield further, the Congress provided charters for building and loans just as they provided charters for these banks. Each one of them has a service to a particular segment of our society. What I am pleading for today is that consideration should be given to equity in the servicing of these different programs which the Government set up.

Mr. BELCHER. Mr. Chairman, I will go along with the gentleman on any one of these that finds itself in the same situation as these. I will say to the gentleman from Texas [Mr. Patman] that by taking the ceiling off here we are not raising the interest rates but are merely permitting these institutions to stay in business by obtaining money at the market level. Of course, I know that the gentleman from Texas runs for a storm cellar every time the interest rate is raised, but at the same time 2 years or 4 years or any other limitation on this will not hold down the interest rates to any other institution. I say that for this reason: The directors of these banks will not pay any more interest than they have to pay in order to sell these debentures. If at the end of 2 years we put the ceiling back on them, we will either put them out of business or, if we remove it, they will still continue in business, but as far as I am concerned personally, I do not see that the 2-year limitation would be too serious a proposition. If it would salve the conscience of the gentleman from Texas to take this to conference, knowing of his fear of the term "interest," then I will be willing to go along with it.

Mr. PATMAN. Mr. Chairman, may I ask the gentleman a question?

Mr. BELCHER. I yield to the gentleman.

Mr. PATMAN. Did the gentleman say he would not oppose the 2-year limitation?

Mr. BELCHER. I would say that as far as I am concerned personally, if your side of the aisle did go along with it, I will not object to taking a 2-year limitation to conference. I do not think it serves any purpose whatsoever, but if it would cause the gentleman from Texas [Mr. Patman] to sleep a little sounder at night, I would be willing to do that.

Mr. GATHINGS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Chairman, the Farm Credit Act of 1933, as amended, sets up a 6 percent per annum limitation on the rate of interest on loans made by the Federal land bank and the Bank for Cooperatives and production credit associations. This legislation seeks to strike the 6-percent limitation since the interest rates which must be paid to market the bonds and debentures are approaching the 6-percent level. Farmers are worried and rightfully so that this most significant source of credit may not be available to them unless the limitation is removed. The banks and associations are part of the cooperative farm credit system which includes 37 banks and 1147 associations. There are 460 production credit associations. There were 394,000 Federal land bank loans totaling $5.3 billion outstanding at the end of 1966. 687 local Federal land bank associations serviced these loans.

The borrowers, who are farmers, become members of the association by the purchase of stock of 5 percent of the principal amount of the loan. The Government made capital available to the banks when the system was established. This borrowed money has practically all been paid back. The Government does not guarantee or stand behind any of these loans. The funds are borrowed by the banks and made available to the farmers in the form of loans at a reasonable rate of interest. The object of this bill is to permit farmers the privilege to raise or lower interest rates for and on behalf of themselves when it becomes necessary to keep the banks on a solvent basis. They will not raise the interest rate on themselves unless it is absolutely necessary to do so. The legislation is urgent as money becomes tighter and harder to get which will of itself have the effect of increasing interest rates.

Should the rate of interest on bonds or debentures be sold for more than 6 percent and the Federal land bank production credit associations, and the Bank for Cooperatives are unsuccessful in obtaining legislation to remove the 6-percent limitation, farmers would lose this most valuable source of credit which is so vital and necessary to their operations.

The cotton farmer has suffered in 1966 and 1967, 2 years in a row, most calamitous disasters. The 1966 yield was reduced in certain parts of the belt due to an early freeze, late plantings, and a wet spring. The 1967 disaster was even worse in that the low yields covered an area from the Carolinas to north Texas, which was due again to inclement weather conditions throughout the growing season and at harvest time. These farmers must have a source of credit to stay in the business of farming.

I trust that the legislation will be speedily approved and enacted before the adjournment of the first session of the 90th Congress.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H. R. 13706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, are amended as hereinafter provided to remove the 6 per centum interest rate limitations therein on loans made by Federal land banks and banks for cooperatives; and to permit interest rates on such loans and on loans made by production credit associations to be determined as provided in such Acts of Congress to cover the cost of loan funds and other expenses and reserves so that the lending may continue on a self-sustaining basis.

Sec. 2. Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), relating to loans made by Federal land banks, is amended by substituting "such rate of interest as the board of directors of the bank shall from time to time determine with the approval of the Farm Credit Administration" for "6 per centum per annum" in paragraph Third thereof and for "6 per centum per annum" in the first and second sentences of paragraph Ninth thereof.

Sec. 3. The Farm Credit Act of 1933, as amended, is amended—

(a) by inserting the following sentence between the present first and second sentences of section 23 thereof, relating to loans made by production credit associations (12 U.S.C. 1131g): "Such loans shall be made on such terms and conditions, at such rates of interest, and with such security as may be prescribed in such rules and regulations."; and

(b) by deleting from each of the second sentences in sections 34 and 41 thereof (12 U.S.C. 1134j and 1134c), relating to loans made by banks for cooperatives, ", but in no case shall the rate of interest exceed 6 per centum per annum on the unpaid principal of a loan".

Mr. POAGE (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: On page 2, after line 23, insert the following new section:

"SEC. 4. The provisions of the preceding sections of this Act shall be effective only during the two-year period which begins on the date of enactment of this Act. Upon the expiration of such period, each provision of law amended by this Act is further amended to read as it did immediately prior to the enactment of this Act."

Mr. PATMAN. Mr. Chairman, I appreciate the comments of the gentleman from Oklahoma [Mr. BELCHER] and also the comments of the chairman of the committee, the gentleman from Texas [Mr. POAGE]. I realize that the farm agencies are in a bind here, but if some proposition is made by way of a limitation that will protect the public interest, I would feel better about it.

You see, this could have an effect upon the market and the economy and increase interest rates still higher. If they can do the same thing and get the farmers their money, which all of us want to do, and at the same time provide some protection 2 years from now, that is one question. In other words, if it goes back and if you do not need it, we would not have to extend it another time. But if we need it, as the distinguished gentleman from California [Mr. HOLIFIELD] pointed out, we would be willing to extend it at that time, and I would be willing to do the same thing.

Mr. Chairman, we are not trying to hurt the banks or the farmers. We are trying to be helpful and therefore, I say let the matter go to conference.

The other body has an amendment to its bill of which the members of the Committee on Agriculture of the House of Representatives do not approve. However, you can work it out in conference and at least give yourselves an opportunity to do so.

Therefore, Mr. Chairman, I hope that the gentleman from Texas [Mr. POAGE] will be willing to accept the amendment which I have offered.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Texas.

Mr. POAGE. Mr. Chairman, in answer to the gentleman from Texas [Mr. PATMAN], it seems that this is my day to get in the position of accepting things that I do not think are very sound. However, I feel that as chairman of the Committee on Agriculture I should try to represent the views of the committee.

I had not really understood that the members of the committee wanted to accept this amendment. But in view of the position which has been taken by the ranking minority member, the gentleman from Oklahoma [Mr. BELCHER], I do not feel that I would want to interpose too much of an objection.

However, I do want to point out to the Members of the House the fact that before they accept this kind of thing, the story of a little boy one time who had a puppy and who wanted to have its tail cut off. So, the little boy took the puppy down to the veterinarian. The veterinarian started to cut off the puppy's tail real short. The little boy said, "No; do not cut too much off." The veterinarian said, "Well, do you want 3 or 4 inches cut off the tail of the dog?" The little boy said, "Yes, but do it just a half inch at a time; it will not hurt him as much."

Mr. Chairman, it is my opinion that this is going to hurt every time you cut the tail off. It is my opinion that within the next year or two you will be right back here doing the same thing.

Personally, Mr. Chairman, I do not see the reason for doing this sort of thing, other than to say that we are opposed to high interest rates. I am opposed to high interest rates. I do not want high interest rates.

But, we are faced with high interest rates which we have to pay on money or stop these institutions from operating.

Mr. Chairman, there has been no reason offered as to why these two segments of the farm credit institutions would be more vicious than the Intermediate Credit Banks which have operated for some 31 or 32 years. I believe the gentleman from Texas [Mr. PATMAN] told me that he went out to Houston with the chairman of the committee at that time, Mr. Jones, to inaugurate the Intermediate Credit Banks. They did not have any such limitation at that time such as this.

Mr. Chairman, just 2 years ago we passed a participation bill to sell Government securities, and it did not have any such provision contained in it.

Mr. Chairman, I saw an advertisement around here this afternoon indicating that you could buy shares of Government obligations and get 6.35 percent upon them.

These are not Government obligations. These are obligations of individual banks and have no Government guarantee.

It seems to me that we are going a long way if this approach is followed. However, I am not going to stand in the way of any kind of progress. I recognize that we do operate for 2 years. But if the gentleman wants to tie us down to the period of 2 years, insofar as I am concerned I am not going to interpose any objection to it.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Oklahoma.

Mr. BELCHER. I will say to my chairman, the gentleman from Texas [Mr. POAGE] that undoubtedly the only conceivable reason I can think of why the gentleman from Texas [Mr. PATMAN] wants to make it for the period of 2 years is because the gentleman thinks there might be a change of administration and the Republicans within that period of 2 years might get it back to 6 percent.

Mr. PATMAN. If they come in, I hope they do. That is one reason I have been trying to keep the gentleman from Oklahoma [Mr. BELCHER] on my side although I am not afraid the Republicans will come in next year.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. TEAGUE of California. Is this not a correct statement? It does not seem to me that these farm credit institutions and banks are in a position to gouge the farmers if they want to charge 7 percent. For instance, in that case the farmers can go to the First National Bank in Texarkana and get the money for 6 percent or 6.5 percent? In other words, is not the farmer going to do that?

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. PATMAN was allowed to proceed for 1 additional minute.)

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield further?

Mr. PATMAN. I yield further to the gentleman from California.

Mr. TEAGUE of California. Does not the law of competition prevail here so that the farmer who wants to borrow money is not going to be gouged by these institutions, but he can go and get the money from commercial banks at interest rates lower?

Mr. PATMAN. It will not bother them for a period of 2 years. They can do anything they want to for 2 years.

Mr. TEAGUE of California. They can do this for 200 years.

Mr. PATMAN. But it comes back, let us not repeat it from now on until kingdom come, let us say there will never be a limitation. This places a limitation for 2 years. Let us try it out for 2 years, see how it works, and if it works all right we will not change it, but leave it. But 2 years from now, if it is working out satisfactorily, I will vote for it along with the gentleman from California [Mr. HOLIFIELD] and the rest of the Members who have spoken here, but let us consider it then on its merits at that time.

Mr. TEAGUE of California. If the gentleman will yield further?

Mr. PATMAN. I yield to the gentleman.

Mr. TEAGUE of California. Merely for the purpose of stating that I agree with the gentleman from Texas [Mr. POAGE] that there is no purpose in a 2-year limitation, I believe we ought to make this a permanent lifting of the ceiling.

Mr. PATMAN. They are both the same.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PATMAN].

The question was taken; and on a division (demanded by Mr. ABERNETHY) there were—ayes 3, noes 24.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAMILTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13706) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes, pursuant to House Resolution 987, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. PATMAN. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. **PATMAN**. I am, Mr. Speaker.

The **SPEAKER**. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. PATMAN moves to recommit the bill (H.R. 13706) to the Committee on Agriculture with instructions to report the same back immediately with instructions to accept the insertion of section 4, as follows:

"SEC. 4. The provisions of the preceding sections of this Act shall be effective only during the two-year period which begins on the date of enactment of this Act. Upon the expiration of such period, each provision of law amended by this Act is further amended to read as it did immediately prior to the enactment of this Act."

The **SPEAKER**. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER**. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. **PATMAN**. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 102, nays 269, not voting 61, as follows:

[Roll No. 418]

YEAS—102

Adams
Addabbo
Anderson, Tenn.
Ashley
Barrett
Bennett
Bingham
Blatnik
Brademas
Brooks
Burke, Mass.
Burton, Calif.
Clark
Conte
Conyers
Culver
Daddario
Daniels
Dawson
Delaney
Dingell
Donohue
Dow
Eckhardt
Edwards, Calif.
Evans, Colo.
Farbstein
Feighan
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Gallagher
Giaimo
Gilbert
Gonzalez
Green, Oreg.
Griffiths
Hanley
Hays
Helstoski
Hicks
Howard
Hungate
Ichord
Irwin
Jacobs
Joelson
Karsten
Karth
Kastenmeier
Kazen
Kelly
Lloyd
Long, Md.
McCarthy
McFall
Macdonald, Mass.
Meeds
Minish
Mink
Moss
Multer
Murphy, N.Y.
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinegr
Patman
Patten
Pepper
Philbin
Pickle
Pike
Price, Ill.
Pucinski
Reuss
Rhodes, Pa.
Rodino
Ronan
Rooney, N.Y.
Rostenkowski
Ryan
St Germain
Scheuer
Sisk
Slack
Smith, Iowa
Sullivan
Tenzer
Tiernan
Tunney
Udall
Vanik
Vigorito
Waldie
Wolff
Wydler
Yates
Zwach

NAYS—269

Abernethy
Adair
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Battin
Belcher
Bell
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Boggs
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brock
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carter
Cederberg
Casey
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Corbett
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dent
Derwinski
Devine
Diggs
Dole
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Evins, Tenn.
Fascell
Findley
Fino
Fisher
Flood
Foley
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gibbons
Goodell
Goodling
Gray
Green, Pa.
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Harrison
Harsha
Hathaway
Hawkins
Hechler, W. Va.
Henderson
Herlong
Holifield
Horton
Hosmer
Hull
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Murphy, Ill.
Myers
Natcher
Nelsen
Nichols
Nix
O'Konski
O'Neal, Ga.
Passman
Pelly
Perkins
Pettis
Pirnie
Poage
Poff
Pollock
Price, Tex.
Pryor
Quie
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Riegle
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Ullman
Utt
Van Deerlin
Vander Jagt
Waggonner
Wampler
Watkins
Watts
Whalen
Whalley
White
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wright
Wyatt
Wylie
Wyman
Zablocki
Zion

NOT VOTING—61

Abbitt
Annunzio
Bates
Boland
Broomfield
Brown, Calif.
Brown, Mich.
Carey
Celler
Colmer
Corman
Cowger
Dickinson
Dorn
Fallon
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Halleck
Hansen, Wash.
Hardy
Harvey
Hébert
Heckler, Mass.
Holland
Johnson, Calif.
Jones, Ala.
Kee
King, Calif.
Madden
Mathias, Md.
Matsunaga
Miller, Calif.
Moore
Moorhead
Pool
Purcell
Quillen
Rees
Reid, N.Y.
Resnick
Rhodes, Ariz.
Rivers
Roberts
Rosenthal
St. Onge
Schweiker
Sikes
Smith, N.Y.
Steed
Stratton
Taylor
Walker
Watson
Whitener
Whitten
Williams, Miss.
Willis
Wilson, Charles H.
Young

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Mathias of Maryland.

Mr. Hébert with Mr. Rhodes of Arizona.

Mr. Miller of California with Mr. Gerald R. Ford.

Mr. Corman with Mr. Halleck.

Mr. Rees with Mr. Dickinson.

Mr. Brown of California with Mr. Broomfield.

Mr. Charles H. Wilson with Mr. Harvey.

Mr. Sikes with Mr. Bates.

Mr. Matsunaga with Mrs. Heckler of Massachusetts.

Mr. Stratton with Mr. Quillen.

Mr. Rosenthal with Mr. Saylor.

Mr. St. Onge with Mr. Frelinghuysen.

Mr. Whitener with Mr. Cowger.

Mr. Resnick with Mr. Brown of Ohio.

Mr. Carey with Mr. Reid of New York.

Mr. Fountain with Mr. Schweiker.

Mr. Roberts with Mr. Smith of New York.

Mr. Taylor with Mr. Watson.

Mr. Dorn with Mr. Celler.

Mr. Abbitt with Mr. King of California.

Mr. Flynt with Mr. Johnson of California.

Mr. Young with Mr. Holland.

Mr. Steed with Mrs. Hansen of Washington.

Mr. Hardy with Mr. Moorhead.

Mr. Madden with Mr. Kee.

Mr. Boland with Mr. Fallon.

Mr. Colmer with Mr. Purcell.

Mr. Willis with Mr. Walker.

Mr. Whitten with Mr. Rivers.

Mr. Pool with Mr. Williams of Mississippi.

Mr. **BARRETT** changed his vote from "nay" to "yea."

Mr. **VANIK** changed his vote from "nay" to "yea."

Mr. **PRICE** of Illinois changed his vote from "nay" to "yea."

Mr. **HICKS** changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MOTION OFFERED BY MR. POAGE

Mr. **POAGE**. Mr. Speaker, pursuant to House Resolution 987 I call up from the Speaker's table the bill (S. 2565) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes, for immediate consideration, and Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. POAGE: Strike out all after the enacting clause of the bill, S. 2565, and insert in lieu thereof the provisions of the bill, H.R. 13706, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13706) was laid on the table.

ACTION NOW—FOR AMERICA

Mr. **WYMAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. **WYMAN**. Mr. Speaker, the American people want action now to meet the tremendous challenges to the preservation of the Union that confront us. Action is needed from all three branches of our Government, the executive, the Congress and the judiciary.

What is needed? Courage, leadership, and responsibility.

To do what? To restore fiscal stability, to get the war over in Vietnam on an honorable basis, to stop our alarming increase in crime, to end ruinous permissiveness, and to achieve both self-respect and respect from abroad for Americans and the United States once again.

How? The guidelines are simple. They are basic. We must—

First. Establish the precept that Federal spending shall not exceed Federal revenues in the absence of war.

Second. Create and operate within a legislative budget in the Congress.

Third. Drastically reduce or eliminate outright, all nonessential Federal spending as long as we are committed to such tremendous sums on the war in Vietnam.

Fourth. Authorize the military to proceed to take such military action as may be necessary to win a military victory in Vietnam without the use of atomic weapons. They say they can do this. They should have full opportunity to protect the lives of our fighting men over there in this way.

Fifth. Direct the prosecution of those who deliberately break the law in the United States no matter who they are, their occupation or their motivation. By way of illustration, if John Doe burns his draft card he should know that this will mean swift and certain prosecution for himself and for those who may be accessories either before or after the fact. Those who want a police record or a criminal record to carry with them throughout later life should have their wish granted and the full significance of such a record on their future employment, character references and personal relationships ought to once again be the deterrent it used to be. The Attorney General should enforce our criminal laws across the board, which he is not doing at the present time.

In connection with the problem of achieving action now, I urge the reading of the following excellent editorial by the distinguished columnist David Lawrence in U.S. News & World Report, issue of December 4, 1967:

IT'S TIME FOR COURAGEOUS LEADERSHIP

(By David Lawrence)

It's time to stop passing the buck between the federal and the State governments.

It's time to use the police power of the nation to enforce the laws of the land.

It's time to put an end to the riots, "demonstrations" and violence which are plunging us into anarchy.

It's time to abandon the excuses and political alibis which argue that the outbursts of looting, arson and vandalism in the cities are due to lack of education or conditions of poverty.

We have had poverty for many decades. We have long had inadequate educational facilities for a growing population. But, ostensibly to achieve reforms, irresponsible groups have adopted a guerrilla type of tactic—a rebellion which never would have gone unchecked if it were not for the indifference of our law-enforcement authorities.

It's not merely that the streets of the cities are unsafe because of the boldness of the criminal elements, but that disorders are deliberately planned in the name of political expression and freedom of speech.

Certainly it is true that the maintenance of law and order is primarily the responsibility of the States. But while racial problems have always existed in some areas, they now are being intensified and exploited on a national basis.

Presidents in the past have not been timid about using federal powers to prevent the breakdown of either communications or transportation. They have not hesitated to assist local governments in preserving order.

But today we find the President confronted with a collapse of authority in many parts of the country.

Congress within the last few years has passed a law, under the "interstate commerce" clause of the Constitution, invoking federal authority against a restaurant owner who asserts his right to choose whichever customers he pleases. He now can be punished for interfering with "interstate commerce."

The Federal Government, on the other hand, is not using this power to regulate "interstate commerce" as a means of protecting the people against violence.

Disturbances are rampant. Property damage amounting to millions of dollars has been inflicted and many lives have been lost in riots which were plotted outside as well as inside the State where the "demonstrations" occurred. National organizations were behind several of these tragic episodes. "Target cities" were announced in the press long before the disturbances broke out. More than 100 cities have been the victims of insurrection. Defiance of authority is common on college campuses.

It is, of course, insisted that all this comes under the head of "freedom of speech." But there's a difference between speech-making in arenas or auditoriums or other meeting places and the use of the city streets to champion a cause while actually stirring up trouble.

It's easy enough to quibble about the limits of the federal authority and to say that responsibility for maintenance of order is just a local affair. The Supreme Court has ruled that, while the Constitution grants freedom of speech, this does not take away the power of government to punish trespass on private property and acts of violence.

Why, therefore, doesn't the Department of Justice enforce these principles? It has gathered plenty of evidence of instigated disorders, and some of this is now being revealed in testimony before congressional committees. Why aren't the organizations which fomented the various "demonstrations" exposed to public view and brought to court to answer for the lawlessness they have created by their conspiracies?

Is mobocracy in America to take the place of democracy? Shall we condone injuries to innocent people just because reforms to help the poor or the uneducated haven't yet been fully achieved?

The Constitution, as stated in its Preamble, was established to "insure domestic tranquillity." Also, the Fifth Amendment declares that no person "shall be deprived of life, liberty, or property, without due process of law." What further definition of federal authority to deal with crime is needed?

When will the President and the Congress carry out the mandate of the Constitution which the members of both the executive and legislative branches of our Government have taken an oath to preserve, defend and support?

The American people want the anarchy ended. The Federal Government and the States must act together. It's no longer merely a local problem when even the President and his Secretary of State have had to avoid addressing some meetings in person because of a fear that "demonstrations" might interfere with their freedom to speak without interruption. Is this free America?

It's time for courageous leadership.

HOW LORETTO ADULT EDUCATIONAL ADVANCEMENT PROGRAM IS PAYING OFF

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with a sense of pride that I call the attention of my colleagues to an inspiring broadcast over station WBBM in Chicago by William C. O'Donnell, vice president of CBS Radio Division and general manager of WBBM since Loretto Academy before the last reapportionment was in the district I was privileged to represent and still services many of my constituents. To Mr. O'Donnell I extend the thanks of the people of the South Side of Chicago and of the many friends and beneficiaries of the urban opportunity programs. By this broadcast Mr. O'Donnell has made a contribution of note to the crusade against poverty and ignorance in which our Nation is engaged and has left a message of encouragement that cannot fail to have lasting and favorable repercussions. His broadcast follows:

Do Urban Opportunity Programs really pay off? Now there's a question that can start heated arguments in almost every community.

But in Chicago, we have dramatic evidence that Urban Opportunity Programs really do pay-off. Perhaps a primary example of this is the Loretto Adult Educational Advancement Program. It's being conducted by Loretto Academy at 1447 E. 65th St.

In a recent class of 188 persons, 15 of them satisfactorily completed high school equivalency examinations . . . 3 others went into manpower training programs . . . another 6 were able to get jobs because they had increased their skills . . . 5 persons entered regular college classes . . . and most of the 159 others in the class were able to obtain better jobs than the ones they held originally.

In another recent program which involved 400 persons, just 27 of the members of that class are now earning salaries that amount to $162,000 a year. And the total cost of the 22 month long program for all 400 persons in the first place came to only $85,000. Now that's what we call a really good return on an investment—especially on a human investment.

The Urban Opportunity Programs in Chicago are not simply job-training schools. These programs engage in basic education . . . counseling is offered . . . there is individual tutoring . . . and assistance in finding gainful work. There are no restrictions in the Urban Opportunity Programs in Chicago.

We suggest that the next time you hear someone knocking the Urban Opportunity Programs as worthless and wasteful, you recall some of what we've just been talking about. Instead of merely speaking about helping people in need, you can mention that Urban Opportunity Programs are really doing something to help. And Chicago offers all the proof you need to back up that statement.

STRONG LOBBYING BILL INTRODUCED BY BENNETT

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, for the last several Congresses, I have introduced legislation to strengthen the lobbying laws, adding teeth and better policing measures to the legislation now on the books.

It has always been my thought that lobbying is a right derived from freedom of speech and the right to petition. My interest in this legislation is not for the prevention of pressures, as some are proper, but the disclosures of who do lobby, and whether such pressures include resort to bribery, corruption or other improprieties.

In most cases lobbying is an honest and respectable pursuit and a proper function of democratic government. Lobbyists not only provide pressures, but provide information and facts which help legislators arrive at decisions in the best interest of our country.

Earlier in this session, I introduced a bill, H.R. 12332, to provide more effective control of lobbying activities. The thrust of this legislation transferred the administration of the Federal Regulation of Lobbying Act from the Clerk of the House to the Comptroller General of the United States. This bill had Administration approval.

The bill I am introducing today broadens the coverage of the Lobbying Act. It has the vigorous support of the President, who said after the Senate passage of the legislation containing the bill introduced today:

> I strongly endorse the Senate's action in strengthening Federal regulation of lobbying as an important step toward better government, and I urge the House to take similar action.

The Department of Justice has recommended enactment of my bill, H.R. 12332, with the amendments included in the bill I am today introducing.

Mr. Speaker, this bill is important and necessary to the continuation of good government, and I am hopeful the House of Representatives will act quickly to enact it into law.

A copy of the bill follows:

H.R. 14211

A bill to provide more effective control of lobbying activities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 302(d) of the Federal Regulation of Lobbying Act (2 U.S.C. 261(d)) is amended to read:

"(d) The term 'Comptroller General' means the Comptroller General of the United States."

MULTIPURPOSE CONTRIBUTIONS AND EXPENDITURES

SEC. 2. (a) The caption of section 305 of the Federal Regulation of Lobbying Act (2 U.S.C. 264) is amended by changing "CLERK OF HOUSE" to read "COMPTROLLER GENERAL".

(b) Subsection (a) of such section is amended—

(1) by changing "Clerk" to read "Comptroller General"; and

(2) by adding at the end thereof the following new sentence:

"Where contributions are received or expenditures made in part for the purposes described in subparagraphs (a) and (b) of section 307 of this title and in part for any other purpose, the statements required to be filed by this subsection shall include only that part of the amount of any such contribution or expenditure which was for the purposes described in such subparagraphs, except that if the relative proportions cannot be ascertained with reasonable certainty, such statements shall show total receipts and expenditures together with an estimate by the registrant of the part thereof which was for the purposes described in such subparagraphs, and an estimate of the part thereof which was for other purposes.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 305. Statements to be filed with Clerk of House."

and inserting in lieu thereof—

"Sec. 305. Statements to be filed with Comptroller General.".

FIVE-YEAR PRESERVATION OF RECORDS

SEC. 3. Section 306 of the Federal Regulation of Lobbying Act (2 U.S.C. 265) is amended—

(1) by changing "Clerk" to read "Comptroller General" all four times it appears therein;

(2) by striking out "of the House of Representatives"; and

(3) by changing "two" to read "five".

SUBSTANTIAL PURPOSE CONTROLLING

SEC. 4. Section 307 of the Federal Regulation of Lobbying Act (2 U.S.C. 266) is amended—

(1) by changing "to be used principally" to read "a substantial part of which is to be used"; and

(2) by changing "the principal" to read "a substantial".

CONTINGENT FEES; BROADCASTING

SEC. 5. (a) The caption of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) is amended by changing "SECRETARY OF THE SENATE AND CLERK OF THE HOUSE" to read "COMPTROLLER GENERAL".

(b) Subsection (a) of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267(a)) is amended—

(1) by changing "Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers" to read "Comptroller General and shall give to that officer"; and

(2) by changing "Clerk and Secretary" to read "Comptroller General".

(c) Such subsection is further amended by inserting immediately after the first sentence thereof: "Any person required to register pursuant to this subsection in connection with any activities for which he is to receive a contingent fee shall, before doing anything for which such fee is to be paid, file with the Comptroller General, in such detail as he may require, a description of the event upon the occurrence of which the fee is contingent, and, depending on the arrangement, a statement of the amount of the fee either in terms of a dollar amount or in terms of percentage of recovery. A copy of any such contingent fee contract may be filed with the Comptroller General by any registrant, and shall be so filed at the request of the Comptroller General.".

(d) The next-to-last sentence of such subsection is amended by changing "publications in which he has caused to be published" to read "publications, or any broadcasting stations, in or from which he has caused to be published or broadcast".

(e) Such subsection is further amended—

(1) by inserting "any licensed radio or television broadcasting station or" before "any newspaper or other";

(2) by changing "newspaper or periodical" to read "broadcasting station, newspaper, or periodical";

(3) by inserting "or broadcasts" before "news items, editorials,"; and

(4) by inserting "broadcasting station," before "newspaper, periodical, or individual,".

(f) Subsection (b) of such section (2 U.S.C. 267(b)) is amended by changing "Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly," to read "Comptroller General of the United States shall be compiled by him and transmitted to the Speaker of the House of Representatives and the President of the Senate".

(g) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 308. Registration with Secretary of the Senate and Clerk of the House."

and inserting in lieu thereof—

"Sec. 308. Registration with Comptroller General.".

ADMINISTRATION BY COMPTROLLER GENERAL

SEC. 6. (a) Sections 310 and 311 of the Federal Regulation of Lobbying Act are respectively redesignated as sections 311 and 312.

(b) That Act is amended by inserting therein, immediately after section 309 thereof, the following new section:

"POWERS AND DUTIES OF THE COMPTROLLER GENERAL

"SEC. 310. The Comptroller General as the agent of the Congress shall—

"(1) develop and prescribe methods and forms for the filing of reports and statements required by this title, and promulgate regulations for the administration of this title;

"(2) make available for public inspection all reports and statements filed pursuant to this title;

"(3) ascertain whether any persons have failed to file reports or statements as required by this title, or have filed incomplete or inaccurate reports or statements under this title, and notify such persons that they are obligated to file such reports or statements in compliance with the requirements of this title;

"(4) refer to the Department of Justice for appropriate action any information coming to his attention, through complaints or otherwise, of any failure to register, or the filing of any false, improper, or incomplete registration or information under this title;

"(5) make such studies and transmit to the Congress such recommendations as the Comptroller General may deem to be necessary or appropriate to further the objectives of this title;

"(6) retain for a period of not less than five years each report and statement filed under this title, and during such period, make such reports and statements, or true and correct copies thereof, available as public records open to public inspection; and

"(7) transmit to the Congress annually a full and complete report on the administration of this title.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 310. Penalties.
"Sec. 311. Exemption."

and inserting in lieu thereof—

"Sec. 310. Powers and duties of the Comptroller General.
"Sec. 311. Penalties.
"Sec. 312. Exemption.".

VIOLATION OF REGULATIONS

SEC. 7. Section 311 of such Act (that is, the section which, prior to the redesignations made by section 6 of this Act, was section 310 of the Federal Regulation of Lobbying Act, 2 U.S.C. 269) is amended—

(1) by striking out "(a)" in subsection (a) thereof;

(2) by inserting "or any regulation of the Comptroller General issued pursuant to this title," immediately before "shall, upon conviction," in the first sentence thereof; and

(3) by striking out subsection (b) thereof.

CONGRESSMAN HORTON PRAISES EASTMAN KODAK FOR COMMUNITY LEADERSHIP IN PROPOSING PLAN TO PROMOTE INDEPENDENT BUSINESS IN ROCHESTER, N.Y., INNER CITY

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, we have been encouraged recently by the increasing indications that American industry is anxious to participate in the great task of rehabilitating our cities. The hopes of many cities have been raised with the knowledge that industry plans to assist in financing housing and commercial projects.

But we realize, Mr. Speaker, that the basis for continuing prosperity in any area is business, and the jobs created by thriving businesses.

During my service on the Small Business Committee of the House, I have seen many instances where the growth of small businesses has revolutionized the economic health of communities.

The Eastman Kodak Co. of Rochester, N.Y., has a long record of creative, responsible participation in community affairs.

Recently Kodak announced a forward-looking training and employment program which will provide skills for untrained residents of Rochester's inner city, and which will include participation by the Rochester inner-city group FIGHT.

In its constant concern with the problems of urban blight of the 1960's in central Rochester, Eastman Kodak made a typically thorough examination of the need for creating jobs and promoting entreprenurial experience in the inner city through small businesses, and followed that examination with a typically generous and pertinent proposal to help underwrite the establishment of small businesses in the center of Rochester.

The plan urges formation of a Community Development Corporation to provide financing for small businesses that would be set up in the inner-city area.

It also describes, as practical examples, four potential businesses: wood product manufacture, production of vacuum-formed plastic items, camera repair service, and microfilming of public documents.

Kodak's involvement in the plan would take several forms. The company would—

First, take the initiative in organizing and assist in the financing of the Community Development Corp., which would be a source of funds and management advice for various new inner-city businesses;

Second, consider itself a potential customer for those products and services of the new businesses that could be used by Kodak; and

Third, offer to provide training, as well as advice and consultations in such areas as production and marketing to the four enterprises suggested in the plan.

William S. Vaughn, chairman of Kodak's board of directors, said:

> The plan is designed to augment programs existing at Kodak and in the community which are providing jobs for inner-city unemployed people. However, the plan goes a step beyond the conventional approach of a directly-dependent, subsidiary-type operation. Instead, it will promote independent businesses intended to develop individual initiative and a stronger economy in the inner city.
>
> If a start can be made on these new businesses, a new dimension would be added to the opportunities Rochester offers its inner-city residents.
>
> The benefits, of course, include the creation of jobs, the motivation of hard-core unemployed people to seek jobs, training for individual progress toward more-skilled jobs, and the pride and satisfaction that can come from participation in a business.

Vaughn also pointed out that this plan augments several existing Kodak programs which benefit inner-city residents. Three examples are: First, in 1962 the company was one of the first firms to volunteer for President Kennedy's plan for progress, a program for equal employment opportunity for members of all races; second, several special training programs are run by Kodak whereby new employees who are undereducated may receive training in basic communication skills as well as in the jobs they have taken; third, Kodak aided in forming Rochester Jobs, Inc., which has been highly successful in finding jobs for many inner-city residents in local business and industry.

The new plan to promote inner-city businesses was conceived by Kodak and was developed with the aid of suggestions obtained from meetings held over the past several months with representatives of Rochester inner-city groups, especially the FIGHT organization. The company also has consulted authorities on urban problems at the local, State, and National level.

The Kodak plan will be a very valuable supplement to the model cities program in Rochester. The 62 cities which were chosen with Rochester for initial model cities grants may well use Kodak's example to stimulate similar programs on the part of their industry.

Much more is involved than financial support. Interwoven with Kodak's plan to promote independent business in the Rochester inner city is the kind of imagination and foresight this Nation will need in order to include all citizens in our abundance and prosperity.

This plan analyzes the need for small business, how to finance it, and how to select and train employees. The Kodak plan concludes with four detailed examples illustrating the proposal.

Mr. Speaker, I would like to share the Kodak plan with you and our colleagues as an example of community leadership by a major industrial concern:

A PLAN TO PROMOTE INDEPENDENT BUSINESSES IN THE ROCHESTER INNER CITY

BACKGROUND

Over the past several years many new programs have been developed in the Rochester community to assist people living in poverty, especially to provide jobs for the "hard-core" unemployed in business and industry. There is no reason for complacency, despite the fact that there is considerable evidence that Rochester is headed in the right direction and making progress. All business, governmental, and social institutions in the community must continue to concentrate on this fundamental task.

One problem that still has not been dealt with on a sufficiently imaginative scale, however, is the development of a sense of economic independence on the part of many inner-city residents.

To help correct this situation, it appears practical and desirable for established businesses to assist in the development of independent inner-city enterprises. Such stimulative action would not only add new jobs, but also provide a wide range of business experience for those who would be associated with successful and profitable enterprises. The Greater Rochester community offers a variety of opportunities for new enterprises.

Kodak has been conducting a series of studies to determine how it could assist in the establishment of certain types of business in the Rochester inner city. Advice has been sought from many federal, state, and local authorities as well as from others who have special knowledge in this field. During the past several months meetings also have been held with the FIGHT organization on this subject. Many suggestions have been brought forth, and some of the more promising ones have been pursued to determine such things as capital investment and manpower requirements, size of potential market, degree of competition, etc. Analyses of several of these suggestions are developed in this Plan.

Perhaps the most novel aspect of the Plan is that it does not limit itself simply to the creation of a directly dependent subsidiary-type operation. Rather, what is suggested is the opportunity for personal initiative and growth within several independent companies, each of which has its own prospects for expansion. This concept reflects the feeling that independence, dignity and opportunity, more than jobs, are needed at this time. The Plan also accords with practical realities related to the poverty area of Rochester's inner city, the current and prospective employment situation in this area, and the nature of Kodak's own operations.

GENERAL CONSIDERATIONS

Whatever business is embarked upon, it should be able to stand on its own merits within a reasonable period, perhaps a year or two.

In addition to jobs as such, the business should provide an opportunity for people to learn the skills required to run a business.

The business should not be intended to function just as a training center. Nevertheless, it seems reasonable to expect that when people develop proficiency in various skills they can take advantage of the marketability of these skills and move to other jobs if they wish. In so doing, opportunities for others are provided.

It is assumed that such a business would begin like thousands of others—relatively small and reasonably competitive, and with a labor force consistent with sales volume. In this context, it is well to consider that on a national average among manufacturers about $27,000 in annual sales of a product must be generated to support each worker and provide for the various other expenses of doing business. Using this yardstick, sales of roughly $2,700,000 per year would be required to support a work force of 100 people. In fact, over 80 percent of all manufacturers in the United States employ less than 50 people.

What characteristics are favorable to the success of an inner-city business? Some guidelines on these matters are:

1. The first product need not require a high level of technical skill to manufacture, but the type of skill required initially should lead to the acquisition of higher levels of skill.

2. The product should be marketable to a range of customers. An exclusive dependence on just one customer is undesirable. Such dependence limits the growth possibilities of business while increasing its risks.

3. The initial capital investment should be relatively small. A product or service with a high labor content in its manufacture tends to generate more jobs. Thus, a product that requires a $250,000 boring mill to produce it is not likely to be desirable, since such a complex, highly automated piece of machinery would result in heavy investment of capital for a single job. The wood products manufacturing business described in Example A (attached) would provide employment for 12–15 people at a capital investment of only 20% of the cost of that one boring machine.

4. The extent to which employees of existing businesses—particularly local ones—would be hurt by new competition must be considered. To create a new enterprise which would only replace existing jobs in successful and established business would not be desirable. This would negate one of the major goals: that is, the creation of new job opportunities and new wealth.

5. A single enterprise might ultimately have several product lines. This would spread the business risk and enhance the opportunities. Thus, it is conceivable that there might be one section devoted to subassembly work on electronic components, another to repair and service, and another to the fabrication of a finished product.

SOME POTENTIAL BUSINESSES

Taking into consideration the factors just outlined, Kodak people conducted a broad study of the various products and services utilized in the company's own Rochester facilities or related to its business to determine if any might appropriately be supplied by a new inner-city enterprise. Four such items are discussed in detail later in this Plan (Examples A, B, C, and D). These, of course, are only examples. Both Kodak and other Rochester firms might well find additional items which would be suitable as time passes.

FINANCING

The critical question of how an inner-city enterprise could best be organized and financed has been examined as well. In this regard, it was recognized that the capital which might be available from inner-city people might be quite limited.

The approach that seemed most appropriate involved the establishment of a Community Development Corporation which, in turn, would assist in the financing of various independent, inner-city businesses. Details are described in the Financial Requirements section of the Plan.

WHAT OUTSIDE ASSISTANCE SHOULD THERE BE?

It is to be expected that during the formation period and in the initial stage of operation, a considerable amount of professional, technical, and business counsel and advice will be required. The ultimate goal is to attain an independent status for the new enterprise; and, the involvement of outside assistance should be designed, therefore, to be reduced and ultimately to be eliminated.

WHAT KODAK WILL DO

(1) Eastman Kodak Company will take the initiative in organizing a Community Development Corporation and will assist in its financing. Others in the community and elsewhere will be encouraged to participate in the financing. The purpose of the Community Development Corporation will be to promote and help finance various inner-city enterprises.

(2) With respect to the products and services described in examples A, B, and C attached, Kodak considers itself a potential customer and would be prepared to place orders for a portion of its requirements within its normal purchasing practices.

(3) Kodak also is willing to provide financial, production, employment, marketing and training advice and consultation within reasonable limits.

HOW OTHERS MIGHT BE INVOLVED

Some considerations on the subject of involvement of parties other than Eastman Kodak Company are suggested below. Others are spelled out in the later sections of this report.

(1) Certainly, there is a wealth of business advice available which should be utilized whenever it can be helpful. The U.S. Department of Labor, the U.S. Department of Commerce, other federal government agencies, the N.Y. State Department of Commerce, the Interracial Council for Business Opportunity, the National Business League, the Negro Industrial and Economic Union, the local educational institutions can offer much useful advice based on both research and experience. Local banks also maintain staffs which offer business counseling. The opportunity to obtain assistance, in areas of their expertise, from Rochester area business and industry should not be overlooked.

(2) It may be desirable initially to retain an organization which can offer a complete on-the-job training service for all personnel—from president to assembly worker. Several universities have developed a capability in this line, as have a number of management consulting and training firms. The cost of such a contract might be partially or fully funded under the federal Manpower Development and Training Act.

(3) Consideration should be given by the management of each inner-city enterprise to the possibility of involving some young management people from major Rochester firms in the business. The participation of such people could result in their knowledge and experience becoming helpful to their respective firms as time goes on.

(4) Formation of a Business Advisory Committee might be undertaken by the Community Development Corporation. This committee would be available to consult with the various enterprises and would contribute to the practical involvement of numerous local companies both as customers and as supporters of such innter-city enterprises.

FINANCIAL REQUIREMENTS

The initial financing of any business usually involves three elements—(1) the money invested by the owners of the enterprise (equity capital); (2) loans, at various interest rates and terms depending on the degree of risk involved to the lender; and (3) credit extended by suppliers of materials and services.

1. Equity capital

Equity financing is usually represented by the stock issued to the owners of the corporation. These owners are, of course, the persons who stand to gain or lose the most from success or failure of the enterprise. Undoubtedly some portion of the capital to be raised for any of the enterprises we are considering should come from those most directly concerned with its success or failure. The personal incentive resulting from such commitment can contribute strongly to business success. Also, participation in financing by those most directly involved is required to convince potential creditors of the seriousness of management's commitment to the success of the business. The extent of the investment of capital by management and by investors not part of management are matters to be resolved as the requirements for the raising of money—and the possibilities for raising it—are studied further.

2. Debt capital

Loans to a new business enterprise are often provided by investors or banks which are sufficiently interested to support the enterprise. They may wish to be more assured of a return on their investment over a specific period of time and are, therefore, content to limit the amount of this return to an agreed interest rate and repayment of principal.

In the type of enterprise we are considering, however, support programs have been created by both the Federal and State governments specifically to advance money on terms which are more favorable than those provided by commercial bank loans and which are available in situations where the risks involved would not normally be acceptable to banks. The federal program is administered by the Small Business Administration, and in New York State it comes within the jurisdiction of the New York Job Development Authority. Such programs involve loans by the SBA to stimulate and support economic activity and to create jobs in a particular community. This portion of the financing may be accomplished by a loan to a Community Development Corporation, which is nonprofit and which in turn lends the money it has received from SBA to the business to be financed. The creation of the Community Development Corporation is essential if certain types of debt financing are to be available, and it will also provide a vehicle for broad community participation in prospective projects.

Under the Small Business Administration program, loans can be used only for the purchase of land, plant or equipment, or for modernization of plant and equipment. The money cannot be used for working capital. The maximum loan to the local development corporation is $350,000 for each business the company wishes to finance. The interest rate 5½% for periods as long as 25 years. Loans for such purposes available from the New York Job Development Authority are somewhat different in their requirements and may—but do not seem to at this point—offer more attractive possibilities than SBA loans.

3. Credit from suppliers

The third component of initial financing is the establishment of normal credit arrangements with suppliers of materials and services. The foundations upon which such lines of credit are established and upon which one is permitted to receive materials and supplies without immediate cash outlay are usually (1) a satisfactory financial position, and (2) the confidence of the creditors that in the normal course of business they will be paid promptly and in accordance with their expectation.

The role of a Community Development Corporation

An example of how the Capital structure of an operating business is developed through a Community Development Corporation can be seen by considering the requirements for the manufacture of vacuum-formed plastic items, which is analysed in Example B.

In this situation it is estimated that $100-000 must be available to finance the operation. The financing requirements for equipment are estimated to be $50,000. In line with SBA requirements, it is suggested that 40 to 45% of the total requirement be provided through a loan from the SBA through the development company as a supporting organization. The balance of the financing, $55,000, must then come from other sources. In order not to burden the enterprise with heavy interest charges, it is desirable that this $60,000 be obtained in the form of equity capital. A fundamental consideration is that a portion of this equity capitalization should be raised by those persons directly involved in the operation of the enterprise, that is, those persons who are ultimately to succeed to the total ownership of the business. It is assumed in this example that 10% of the total requirement would come from this source. It is suggested that the development company raise $45,000 to $50,000, which represents the balance of the equity financing. A further item in the financing might be to provide that the portion of equity supplied by the development company would be considered a temporary participation. In this way, the stock owned by the development company could be made available for purchase by the ultimate owners, managers and employees of the enterprise after a profitable operation has been achieved. The amount required for any one of the other programs would vary depending upon the particular program and the extent of the operation.

Organization of inner city business

One or more New York business corporations is contemplated. The initial shareholders are assumed to be the persons directly involved in the management of the business as well as the Community Development Corporation, which would assist in the financing of the enterprise. Perhaps a wider public subscription is possible. A board of directors to be elected by the shareholders should be composed of persons able to participate in the decisions to be made and to bring to the management of the corporation the talent and background requirement.

EMPLOYMENT AND TRAINING

In starting every business, it is critical that key positions be filled by the most competent people available. The specific talents required will vary with the nature of the business. An illustration of these requirements is spelled out in Example B in reference to a vacuum-formed plastics business.

The recruitment of key people in the current Rochester labor market may be difficult and may require considerable time. Arrangements would then have to be made to provide training in the operation of the business. In the case of the attached examples, Kodak would be willing to provide such training within reasonable limits.

An important purpose for the contemplated inner-city business should be to provide jobs for inner-city residents who lack the education and experience needed to qualify for other job opportunities. The business, therefore, should seek out these people for employment.

To accomplish this, it would be necessary to provide training in the basic communicative skills. It would also be necessary to provide an industrial orientation with respect to such matters as job responsibility, relationships between persons on the job, and regular attendance. Of course, training in normal vocational skills would also be essential. Federal funds are presently available under the Manpower Development and Training Act to support this kind of training activity.

The proposed enterprises should include some higher skilled jobs so that there would be opportunities for advancement within the organization. However, these businesses could also perform an important social purpose by preparing people for higher skilled jobs with other employers. More job opportunities in the inner-city enterprises would thereby be created. Thus, the number of jobs available in the course of a year could be substantially more than the number available at any particular time.

Another purpose of the proposed inner-city enterprises should be to develop the kind of managerial skills which could enable people either to develop their own business or to qualify for jobs elsewhere. The principle of upgrading described above would therefore apply to management people as well. In this way, the skills developed in the proposed companies would gradually spread through the inner city. It is understood that Department of Labor funds are also available to support such management training and development.

EXAMPLE A—WOOD PRODUCTS BUSINESS

General

This projected company would specialize initially in the manufacture of wooden pallets and attempt later to expand its operation to include other widely marketable wood products. The present study assumes that the company would initially be able to manufacture and sell 50,000 wooden pallets and offer repair service for 27,000 pallets annually.

Summary of report

Based on a volume of 50,000 pallets and current prices for both open and solid deck pallets, sales would amount to almost $230,000 annually. In addition, an anticipated volume of 27,000 pallets would be repaired annually by the replacement of 2.6 boards per pallet on the average. Sales for this repair work are estimated at $47,500 annually. In combination, the two operations would be expected to return an operating profit of $7,000 per year. Employment would be provided for about 12–15 people.

There are two large elements of cost—lumber and labor. Lumber costs for 50,000 new pallets are estimated at $165,000 or 72% of the sales dollar. For purposes of this analysis, direct labor was priced at $2.00 per hour plus statutory benefits of 7%.

(Wage rates used are not necessarily the rates for the job. They are assumed for this estimate. Also, these estimates have not included consideration of what might be required for payment of interest upon debt.)

Market potential

While this study is based on an assumed sales volume of 50,000 pallets per year, it is estimated that the total market for pallets annually in the Greater Rochester area substantially exceeds this figure. It is also assumed that this business would expand into the manufacture of other wooden products, such as packing cases, etc.

The more significant details of the study are set forth below.

Sales estimates are based on a volume of 50,000 pallets a year. Of this amount about ⅓ are solid deck and ⅔ are open deck.

Cost of sales

Lumber

At present, 2 x 4's cut to 8', 12' and 16' lengths are available at $87.00 per thousand board feet. These would be used for the stringers and waste of 5% has been assumed.

Stock for the decks and soles of the pallets is also available at $87.00 per thousand board feet. This would be of random widths, 4" to 8" wide, and random lengths with shipments heavy in the 10' and 14' lengths. Waste expectancy is about 20%.

Several lumber brokers have been contacted, and the foregoing appears to be about the best offering.

The lumber content of a pallet is as follows:

	Open	Solid
Deck	$1.21	$1.41
Stringers	1.10	1.10
Sole	.82	.82
Total	3.13	3.33

Nails

The specifications call for "—a 2½" No. 6 wire gage, diamond point helical thread drive screws." These cost $29.81/Cwt., and count out to about 125 per pound. Approximately 108 nails are used in open deck pallets and 117 are in solid deck pallets.

Labor

Direct labor for new pallets: The nature of the estimated labor requirements are:

1. Unload lumber and stack.
2. Cut 2 x 4's.
3. Cut deck and sole boards.
4. Plane deck boards.
5. Bevel one edge—2 sole boards.
6. Bevel two edges—2 sole boards.
7. Assemble pallet.
8. Stencil name, date and manufacturer.
9. Paint stringer ends on solid deck pallets.
10. Stack 17 high for storage and trucking.
11. Load into trailers—24 stacks per trailer.

Indirect labor: One supervisor will be needed who would perform the necessary supervisory functions, purchasing, contact customers, and perform payroll, bookkeeping and control functions. His salary is estimated at $8,000 per year.

Statutory benefits are estimated at 7% of the total payroll.

Rent: Minimum space requirements are estimated at 3,000 square feet. The cost is estimated at $1.00 per square foot per year. This is thought to be minimal.

Utilities: Electric and telephone costs are estimated at $2,000 per year.

Supplies: This expenditure is primarily for the sharpening and replacement of cutting tools ($3,500). Other supplies are placed at $500.

Equipment: It is assumed that used equipment would be purchased, and the estimated installed cost for this equipment is shown below.

Northfield radial saw	$1,350
Mattison cutoff saw	1,020
Buss planer	8,350
Wayne air compressor	800
Duo-fast nailers (three at $225 each)	675
Power-matic jointer (two at $560 each)	1,120
Dust removal, five individual systems	500
Tables, jigs, etc. (estimated)	1,185
Total	15,000

EXAMPLE B—MANUFACTURE OF VACUUM-FORMED PLASTIC ITEMS

General

The projected company would specialize in short runs of vacuum-formed plastic items and is structured for sales of about $200,000 per year at the beginning of its third year of operation.

Summary of report

The following table represents a projection of the results which might be anticipated if successful operation were achieved and if the assumptions upon which the estimate has been made are experienced in fact.

Year	Sales	Profit or loss (—)	Net after taxes
0			
1	$12,000	—$37,800	
2	152,250	8,000	$8,000
3	213,000	41,700	38,500
4	235,000	53,000	32,500
5	258,000	64,200	38,200

It was assumed that $100,000 would be available to finance this operation. The loss of $37,800 for the first year and the limited profit of $8,000 for the second year are due to the extended pre-startup period of eight months followed by a period of about sixteen months before normal ratios of costs to sales are achieved. A summary of the sequence of the significant events is set forth in the next several paragraphs.

After the company is incorporated, a manager should be chosen and equipment ordered. Delivery of the plastic forming machine requires about six months. This time lapse should be used to train the manager in the technical and business skills required by the company. Other key personnel will also be hired and trained; a plant location must be found and rented. At the beginning of the sixth month, the plant should be occupied and equipment installed. Work places and storage racks should be built and service connections for heavy electric and water demands completed. Sources of supply and customers should be contacted. This pre-startup phase continues through the eighth month.

In the ninth month, production is started at about a 10% level of the "normal" volume level. This is estimated gradually to increase until normal levels are reached midway in the second year. During this time, and continuing to the end of that year, the labor force is not expected to be fully effective and waste is expected to be high. By the end of the second year all aspects of the business are expected to be normal.

The losses anticipated during the first two years are primarily due to the necessity of training the manager and key personnel and to the substantial time lag required to achieve normal operations. The low level of taxes during the second and third years is due to the loss carry-over from the first year of operation.

Personnel, including the manager, will total about nine people by the end of the second year. These will include a clerk, a pattern-maker, a setup man, and about five production workers. Substantial knowledge and skills are required and it is believed that these can best be learned by an apprenticeship arrangement in another plastic shop. Training facilities are available at Kodak for this purpose.

For purposes of this analysis, labor costs are estimated at $3.50 per hour for the pattern-maker and the setup man, and $3.00 per hour for the production operators. These rates should be high enough to attract capable personnel.

It is estimated that equipment, including installation, will amount to $45,000 initially. In the second year, an additional $5,000 is provided, as production reaches a normal level and product mix may change.

These estimates are based on an evaluation of some of the vacuum-formed parts currently required in Rochester.

(Wage rates used are not necessarily the rates for the job. They are assumed for this estimate. Also, these estimates have not included consideration of what might be required for payment of interest upon debt.)

The more significant details of the formation and operations of the company are set forth below.

Method of operation

General

It is estimated that the proposed company could achieve a level of sales of about $200,000 at the beginning of its third year of operation. At this point normal conditions would be expected; that is, waste would be at a normal level, labor would have reached a reasonable degree of effectiveness, and the company would have reduced its dependence on sponsors for training. There would be a total of about nine employees.

The company would be self contained to the extent that it would make its own molds and fixtures and do all of its own setup work. These functions as well as most of the other functions call for a considerable amount of knowledge and skill. Such knowledge and skill are not readily available and that is why Kodak would be prepared to sponsor a training program to impart the needed knowledge. It is essential to the prosperity of the proposed company that capable people be secured and that they be properly trained for the duties they will have. Otherwise, it is unlikely that the company will be a financial success.

Procedures

Upon receipt of an order (together with molds and such fixtures as are available), the manager should put together an estimate of the job. This would list out the molds and fixtures required and a sketch of what each will be, as well as an estimate of what it would cost to make those not available. He would determine each operation to be performed, the setup, and run time. Material requirements and waste would also be determined. With this information and with the use of hourly labor and burden rates, he could then estimate his costs and set up operational procedures to be followed. Molds and fixtures would be made or ordered as required, and the plastic sheeting would be ordered if it is not in inventory.

The work of making the plastic item could be commenced when all of the necessary molds, fixtures and materials are on hand. The usual operations are:

(1) Cutting blanks—Large plastic sheets (usually 54 x 94") are cut down to a smaller predetermined size.

(2) Forming—The cut black is inserted into a frame, and this in turn is heated and vacuum formed over a mold. Upon cooling, the formed plastic is expelled, and the cycle is repeated.

(3) Rough Trimming—A band saw is used for a rough trimming of the formed piece. This is usually performed by the vacuum forming machine operator during the time the vacuum forming machine is going through its automatic cycle.

(4) Finish Trimming—With the aid of fixtures, a precise job of trimming away unwanted portions of the part is done, usually by a Veneer saw. Then the part is deburred. Holes may be drilled, etc.

(5) Assembly—Two or more plastic parts are frequently cemented together for a unit.

(6) Inspection and Packing—The final product is inspected—either visually or with gauges—and either approved or rejected. The approved items are packed for shipment.

Associated with the basic operations set forth above are many related functions. As with most small companies, one or more persons must develop skills to carry out these functions. The more important of these are listed under the job title of the person most likely to have them.

Manager

(1) Technical knowledge and skill to handle all technical problems found in a vacuum formed plastics shop.
(2) Supervisor of people.
(3) Customer contact and selling.
(4) Credits and collection.
(5) Purchasing.
(6) Production scheduling and inventory control.
(7) Accounting, cost accounting and estimating.

Clerk

(1) Accounting and cost accounting.
(2) Typing.
(3) Production scheduling and inventory control.

Pattern and Fixture Maker

(1) Make molds from product prints and knowledge of the shrinkage characteristics of plastics.

(2) Make fixtures, designed for maximum operator speed and minimum waste.

CHRONOLOGICAL SEQUENCE OF ANTICIPATED EVENTS WITH BRIEF DESCRIPTIONS AND COMMENTS

Year	Month	Event	Description and comment
0	12	Decision to go into vacuum-formed plastics business.	Assume the decision has been made to enter the vacuum-formed plastics business. A sales volume of about $200,000 will be the initial goal and capital funds of $100,000 have been made available.
1	1	Incorporation under the laws of New York State.	Estimate cost of incorporation, registering, and issuance of stock, etc., $250.
		Hiring of the manager	A capable mature man, 30 to 40 years old, is to be selected. He should have a B.S. in mechanical engineering, with some chemistry. He should have an understanding of the business skills, and some experience in plastics is desirable. He should be aggressive, yet able to get along well with people. His salary is estimated to be $12,000 per year, or $1,000 per month.
1	2	Manager starts	The manager should be provided with apprenticeship type of training in a going vacuum-forming plastic shop. He should spend time on all of the shop operations to acquire knowledge and skill. He should be coached by an expert, who later will serve as a consultant when the proposed company begins to take form.
1	2	Open bank account	Deposit funds and empower the manager to write checks.
1	2	Ordering equipment	At the earliest possible date, the vacuum-forming machine should be ordered, as delivery time lags about 6 months after placing an order. Delivery time on the other pieces of equipment is about 3 months.
1	2	Renting of space	It is estimated that about 3,000 square feet of space will be required as a minimum. This space, heated, should cost about $1.50 per square foot. It should be in a fireproof sprinkled building, on a 1st floor and with a loading dock. It should allow for moving in large heavy pieces of equipment and for ease in handling large heavy sheets (54 by 94 in.) of plastic. Heavy floor loads will be experienced. A small office to accommodate 2 persons would be a convenience. The rental agreement should provide or allow for heavy service electric (440 v., 100 kw.) connection and high water consumption (6 in supply line). Occupancy in the 6th month should be stipulated.

CHRONOLOGICAL SEQUENCE OF ANTICIPATED EVENTS WITH BRIEF DESCRIPTIONS AND COMMENTS—Continued

Year	Month	Event	Description and comment
1	3	Plant layout	When the lease agreement on space has been signed, a floor plan layout should be started by the manager, assisted by the plastics consultant.
1	3	Hire patternmaker	It is unlikely that a patternmaker, experienced in molds and fixtures for vacuum-formed plastics, can be obtained. It will probably be necessary to hire a skilled cabinetmaker, and train him in the art of making and repairing molds and fixtures. The requisite training would be provided in a vacuum-formed plastics shop, under the tutoring of a skilled patternmaker. The pattern and fixturemaking capability is a very essential function in the proposed business; upon the product of this man's hands depends good product and low waste. Thesa skills will not be used full time initially, and he will be expected to fill in his time as an operator. It is estimated that he be paid a patternmaker's rate of $3.50 per hour for all time worked. Training would be for 3 months.
1	4	Hire setup man	It is again unlikely that a skilled setup man, experienced in setting up all operations essential to the proposed business, can be obtained. Therefore, a skilled setup man with production woodworking or machine shop experience should be selected and trained in a plastics shop. Again this is a key operation for the proposed business and skill is required for good product and low waste. These skills will not be used full time, and he will be expected to fill in as an operator. It is estimated that he be paid $3.50 per hour. Training will be for 2 months.
1	4	Selection of a clerk	A clerk should have some background in accounting and some chemistry. He should be capable of assisting the manager in business affairs and acting for the manager in the latter's absence. His salary is estimated at $500 per month.
1	5	Hire clerk	The clerk would be given a month's experience in a vacuum-forming plastics shop, in order to gain some knowledge of the operation.
1	9	Setting up shop	The rental space should be available for occupancy. The purchased equipment will be received and placed in location. Utilities as required will be installed. The manager has the drawings of the plant layout. The manager and the 3 employees will transfer their activities to the new plant. It is expected that all will pitch in and do what work is required to create a business that will be ready for operation in 90 days. The many aspects of this are too great for elaboration. Business and technical consultants are available for advice.
1	6	Production begins	Actual production at about 10 percent of normal is expected to be turned in the 1st month. The work will be done by the manager and his 3 employees. 2 operators will be hired and their training started. Material usage is apt to be double what it should be due to high waste. Technical and business consultants are available for advice.
1	10	Increasing volume; improving effectiveness.	Volume should be doubled in the 2d month of production. Waste, reflected by high material usage, is expected to continue high. The operating loss is anticipated at a peak of $4,200 per month.
1	11	do	Production should increase to 30 percent of normal. Waste should decrease.
1	12	End of 1st year	Production should stay at 30 percent, and waste should have stabilized, though still at a high level. 1 more production operator will be hired to allow for growth. Effectiveness of labor is still expected to be low. Loss for 1st year is estimated at $37,800.
2	2	Sound operating practices are established.	Volume of production is expected to be up to 40 percent of normal. Excess material usage should decrease, and labor should become more effective.
2	3–5	Increased momentum	With a good foundation established, volume should now increase, reaching the 100 percent of normal in month 5 of year 2. Even though labor effectiveness is still expected to be low and waste high, a profit should be shown for the 1st time.
2	6–12	Improving operating practices	By yearend the effectiveness of labor should have reached a plateau of normal effectiveness. Labor cost per sales dollar should be $0.25; material costs should be normal at $0.35 per sales dollar, overhead costs should be in line at $0.20 per sales dollar and profit before taxes is estimated at $0.20 per sales dollar.

The sequence of events outlined above and the estimates are to be read only as estimates made in good faith to present an idea of how such a business might be established and begin to operate. Many conditions which might affect such a business cannot be anticipated.

EXAMPLE C—EQUIPMENT SERVICE BUSINESS

All durable goods manufacturers must find a means of assuring that there are adequate repair facilities for their products once they have been sold. In our expanding economy, there are an increasing number of "hardware" items which require service and repair. Such items include automobiles, large and small appliances, lawn mowers, cameras, and many other items.

For several reasons, this type of operation seems to be well suited to an inner-city business:

(1) It meets one of the principal requirements for a service facility: it should be conveniently located for the customer.

(2) It requires the kind of skills which can be acquired relatively quickly through training and yet provide considerable challenge and satisfaction as well as the opportunity to progress to higher skills which are transferable to other jobs. It can also lend itself to "on-the-job" training, where workers can produce while learning.

(3) The capital requirements are small in relation to the number of jobs to be provided.

(4) The labor component is a high percentage of the total sales volume.

As an example of the potential for this kind of activity, Kodak is giving consideration to the possible establishment of an independent inner-city camera repair shop in Rochester. Kodak already has a number of independent warranty shops in other communities which service our products for our customers.

While our thinking is not final, there follows a general outline of how such a facility might operate:

Assumptions

(1) Cameras to be repaired would be received from dealers and consumers by Kodak and entered into the Company's present handling system. That is, Kodak would perform the normal receiving, editing-billing, and filing functions.

(2) Cameras would be transported daily to the inner-city facility for actual repair.

(3) After repair, cameras would be transported back to Kodak for final inspection and return to customers.

(4) If a repaired camera fails to pass final inspection, it would be returned to the shop for reworking.

(5) The inner-city facility would be paid for its services by Kodak and would purchase parts and needed special service tools from Kodak.

(6) The number of cameras to be repaired would have considerable seasonal fluctuation.

Shop requirements

(1) Personnel: Servicemen 6 to 8, supervisor 1, clerical 1.

The supervisor also would perform the following duties: instructing; purchasing supplies; record keeping; contact with Kodak; and handling.

(2) Facilities: Space—150 sq. ft. for each employee. This space allowance includes space for common facilities such as: parts cabinets, aisles, etc. Building should be heated and have relatively clean atmosphere. Lighting equal to that recommended for office work (50–100 ft.-c. at desk level) would be desirable. If a loading dock at approximately truck bed level is not available, deliveries and pick-ups would require use of a truck with a power tailgate.

Pressured air at each work place is desirable. This could be obtained by installing a small commercial air compressor with a self-contained air tank (similar to paint spray compressor). Air line pipe could be attached from one workbench to the next. Electrical power (110 volt) should be available at each workbench.

(3) Equipment:

Workbenches (30 by 60 inches approximately) (could be used desks or tables)	8
Bench lights	8
Desk (for supervisor)	1
Tables (30 by 60 inches approximately)	3
Chairs	10
File cabinet	1
Adding machine	1
Parts cabinets (12 sections 3 inches high, 9 sections 4 inches high, 12 sections 6 inches high)	4
Shelving for drawers (24 inches deep sections)	4
Shelving (sections with shelves 3 feet by 2 feet by 7 feet)	6

(4) Test equipment:

Miliwatt second transfer meter	1
Tool No. 1135 adapter for transfer meter	1
Shutter speed checker	1

(5) Hand tools (expendable):

Jeweler's screwdriver handle (tool No. 30)	16
Phillips screw bit (for handle)	16
Flat blade bit (for handle)	8
Large diameter hand jeweler's style magnetic screwdriver	8
Small knife	8
Squeeze bottle (for cement)	8
Miscellaneous additional hand tools	---

(6) Material: Small stock of spare parts for each camera model.

(7) Miscellaneous supplies: Cement (MMM 1357), solvents, hand soap, paper towels, tissue, shop clothes, etc.

Capital requirements

It is estimated that the amount of capital required to establish this type of facility should not exceed $50,000, including working capital.

Sales volume

It is estimated that, with a volume sufficient to provide jobs for 8–10 people, sales would amount to approximately $125,000 per year.

EXAMPLE D—MICROFILMING SERVICE BUSINESS

An inner-city company could be formed to offer a microfilm service and to seek contracts for this type of business. The enterprise would be responsible for operating the business and meeting all customer requirements. The federal, state, and local governments are potentially the largest customers for this type of operation.

The sales volume, job opportunities and profit potential would vary with the size and nature of the job to be done.

Because Kodak has had considerable experience with this kind of business, we would be in a position to offer assistance in such areas as:

1. Training employees.
2. Designing the appropriate microfilming system to meet a particular customer's requirements.
3. Providing technical aid in such matters as setting up the facility, quality control, etc.

The capital requirements for such a business are not excessive because the facilities and equipment could be rented.

A major appeal of microfilming is that it drastically reduces storage space requirements for records while effecting long-range cost savings. A substantial number of jobs could be provided for inner-city residents and the long-term government cost of storing documents and retrieving information could be substantially reduced.

Because the government is a large potential customer, we have discussed the concept with government representatives in Washington. Our idea was summarized in a letter sent on October 27, 1967, to one of these officials and the pertinent portions of that letter are quoted below.

"The microfilming idea we have been discussing came to us several weeks back when we were considering questions involved in creating new business enterprises in ghetto areas. As we understood the problem, the requirements for such enterprises would give preference to creating jobs of relatively little skill (training requirements of weeks rather than months or years), jobs which avoid the unfavorable connotations of menial service (a 'job with dignity,' as one of our Rochester Negro leaders has put it), and jobs which might be more appealing to men but which would not exclude women. Beyond that, we saw as desirable criteria an enterprise which would require low capital cost and a large labor content in its product or service. These thoughts led us back in our own experience to consideration we gave several years ago to a job overseas for the Patent Office. They then asked us to consider setting up establishments in several foreign countries to institute microfilm systems involving substantial numbers of foreign patents. The advantage at the time was the proposed use of counterpart funds available in those countries. We would have been required to train and use local labor and ultimately decided that the problems of language and the difficulties to be anticipated in producing a satisfactory result were beyond reasonable expectation. As we remembered this experience, it impressed us that if this kind of project could be justified on its merit and could be supported by American funds abroad, a parallel could be developed for that type of activity within the ghetto area of various American cities. This led to other thoughts.

"Over the years we have had conversations with various agencies of the Federal Government in regard to record-keeping problems. A number of those agencies have adopted microfilming systems, achieving greater efficiency and reducing costs. Those systems vary, of course, but microfilming techniques are flexible enough to meet many of the needs put forth by agencies required to maintain large numbers of printed records for extended periods. To give you some idea of the manner in which microfilming systems have been used, I am enclosing reprints of articles which have been written about several installations.

"In the past few years we have talked with other governmental agencies which have expressed a desire to establish microfilm record retention systems but have not been able to do so for reasons of budget. In the Veterans Administration, for example, we did a test program which demonstrated the acceptability and feasibility of reducing clinical records to microfilm form and the savings in cost which could be achieved ultimately. The adoption of the program was deferred, however, for budgetary reasons, although requests for funds continue to be made and the weight of opinion seems to be that such a program will be necessary for the Veterans Administration later if not sooner. There are a number of other similar situations with the records involved located in various places throughout the country.

"We suggest that it may be desirable for many of these governmental agencies to undertake microfilm retention programs now rather than later. We suggest further that such programs can be established and run in poverty-stricken areas and can provide new jobs for people who live there.

"Roughly two-thirds of the total cost of the microfilming portion of any one of these jobs is direct labor. Microfilming programs seem also to meet the job criteria we thought desirable. The skills involved in using microfilming machinery, while not considerable, are nevertheless significant. It took us about three weeks, for example, to train the people involved in our present Patent Office job microfilming U.S. patents. And on that job, by the way, we have a balance between men and women of about 50–50. There is also an industry where a market for such skills exists. Twelve thousand banks have microfilming installations, for example.

"We were talking yesterday about establishing an independent company to do this work, a company which might be owned and run by people from the ghetto. You asked us the extent to which Eastman Kodak might be willing to become involved in supporting the management of such a new enterprise and you asked also the degree to which Kodak might be willing to contribute training and consulting services or other resources. We were unable to give you sharp answers on those questions. Until we all really know better the nature of the particular problem, that is, what is expected, where and with whom, it is difficult to go further than our discussion of yesterday. Very obviously all of us will have to be satisfied that the organization created can do the job effectively and properly.

"You asked what the next step might be. I think we were agreed that it should be some determination on whether or not there are opportunities within any governmental agency for new microfilming programs which could be adapted to these particular needs. If we knew of such an agency we could start the process of working with them to define and draw specifications for the job to be done. Once we have that determined, the problem then becomes one of how to do that job in the ghetto setting."

In addition to the various government agencies' requirements, there are industrial applications for microfilm services. More importantly, the skills that the employees of this projected company acquire are directly applicable to existing industrial and governmental microfilming operations. Microfilming, even though well established, is still one of the new arts with growth potential for the future.

Mr. Speaker, this detailed explanation of the Kodak plan shows the thoroughness which went into its preparation, and the promise it holds for bright economic days ahead for Rochester's inner city.

Rochester's two daily newspapers were quick to praise Kodak for its enlightened proposal. I would like to conclude by quoting their editorials:

[From the Rochester Democrat & Chronicle, Nov. 18, 1967]

Hope for Inner City

Eastman Kodak Company's proposal to promote the establishment of new, independent small businesses in the inner city opens up some exciting prospects. It offers hope where it's needed most and it strengthens the faith of all who believe that Rochester, with its wealth of resources, can indeed become a "model city."

Over the years, it has been the flight from the inner city that has threatened its stability, and consequently the stability of the entire community. If new businesses can be set up, there is a chance that the trend can be reversed.

What's particularly important about the plan is that it does not contemplate any "make-work" enterprises. The four suggested areas of business development all carry promise of financial success, with Kodak itself as a potential customer. "Whatever business is embarked upon," notes the proposal, "it should be able to stand on its own merits within a reasonable period, perhaps a year or two."

A lot depends now, of course, on community reaction, on how quickly the chance is seized. There are opportunities here that go beyond the immediate future. The formation of a Community Development Corporation, for example, would provide a vehicle, one that has been too long lacking, for participation by the Small Business Administration.

As far as Kodak is concerned, public interest coincides with self-interest. Investment on sound business lines in the inner city is investment in the community as a whole.

[From the Rochester Times-Union, Nov. 20, 1967]

Kodak Urges New Aid to the Poor

Many U.S. businesses have talked about helping to spur economic opportunity among the poor where they live, in the inner city. But Eastman Kodak Company is one of the first to try to plan something concrete.

The company is urging the formation of a Community Development Corporation to provide financing and advice for small businesses to be established in the inner city. It volunteers a leading role as fund-raiser, counselor and customer.

Management and workers would be drawn largely from the inner city poor. Their firms would be run not as charitable organizations but as profit-making enterprises which could lead to further development.

There are great resources of energy, talent and ambition among Negroes, Puerto Ricans and others who live in the inner city. But these abilities have long been locked in by prejudice, lack of education, a defeatist outlook, lack of capital, and too much dependence on slow-moving government programs.

Kodak's plan could provide a private enterprise key to open more quickly new doors toward fuller opportunity.

OPERATION GASBUGGY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, in early December a nuclear bomb 30 percent more powerful than the one dropped on Hiroshima will be exploded 4,200 feet beneath the surface of the Carson National Forest, 175 miles north of Albuquerque, N. Mex. I would like to submit for the Record two articles dealing with this experiment taken from the pages of the Wall Street Journal of November 15, 1967, and U.S. News & World Report of November 20, 1967.

This explosion, a part of "Operation Gasbuggy," is designed to test the use of nuclear bombs to free large quantities of natural gas from underground reserves. It is also a part of the effort of the Atomic Energy Commission to find peaceful uses for atomic energy and thus perpetuate itself.

There are many reasons to question the wisdom of this program. First, it will cost the taxpayers of this Nation some $2.8 million. At a time when fiscal restraint is vital and when the economic viability of this Nation requires the curtailment of every nonessential governmental expenditure, it would seem logical and prudent to forgo luxuries such as Operation Gasbuggy.

But, of far more significance is the effect of the Gasbuggy project upon the health and safety of the American people. The use of a nuclear bomb in this way will certainly entail a great risk, a risk from the actual explosion and its aftermath. For example, one of the great unknowns of this test is whether radioactive tritium, an isotope of hydrogen, will combine with the hydrogen-carbon atoms of the natural gas. To measure the impact, should this occur, we need only consider the fact that radioactive tritium has a half life of 12 years.

One further note, Mr. Speaker. This explosion in New Mexico is but a part of a long-range scheme of the Atomic Energy Commission to explode nuclear bombs all over the world for supposedly peaceful purposes. Several other projects in the United States are under study, including the use of nuclear power for blasting a huge cavern for natural gas storage in Pennsylvania. Also, the AEC wants permission to use nuclear bombs to blast a new canal across Central America.

It is obviously in the public interest for Congress to look closely at the role of the Atomic Energy Commission in our Nation and the desirability of permitting that agency to bring the threat of radiation-induced injury to every corner of the United States before such a proliferation of nuclear power is permitted.

The articles mentioned above follow:

[From the Wall Street Journal, Nov. 15, 1967]

Blasting for Bucks—Industry Set To Explode Its First Atomic Bomb in Commercial Venture—El Paso Natural Gas Hopes To Tap New Field; Shale Oil, Copper Plans Studied—AEC Cooperates in Projects

(By Herbert G. Lawson)

Farmington, N. Mex.—American industry is ready to trigger its first nuclear bomb.

Next month, if all goes well, El Paso Natural Gas Co., in partnership with the Atomic Energy Commission and the Interior Department, will explode a hydrogen device equal to 26,000 tons of TNT. The shot will be touched off at a desolate site beneath the rugged canyons of Carson National Forest 55 miles each of here.

Unlike the blast that opened the atomic age at Alamagordo, N.M., on July 16, 1945, no mushroom cloud will rise from next month's event. In fact, observers near ground zero may feel only a slight tremor from the explosion, buried 4,240 feet below ground in a sandstone formation. But it will echo around the world as the first industry-Government nuclear explosion for commercial purposes.

El Paso Natural Gas is betting that the thermonuclear bang will unlock vast natural gas deposits now trapped in rock formations too dense to be tapped by normal drilling methods. It and other gas companies see nuclear devices opening up gas fields that could more than double all present known U.S. reserves—at a cost at least competitive with present supplies.

THRESHOLD OF AN ERA

Results won't be known for five months or more. But if the gas output from "Project Gasbuggy" confirms pre-shot studies, many nuclear experts believe atomic energy will have entered a new and more productive age. "It appears we're really on the threshold of an era when nuclear explosions will do what we've always hoped they would—serve peaceful purposes," says William Trenholme, director of the Arizona Atomic Energy Commission, a state agency.

Already, companies are scrambling to win AEC approval for other experiments that nuclear engineers believe would yield staggering stores of mineral wealth. Among them:

Projects Dragon Trail and Rulison, two separate proposals to explode nuclear devices in Colorado to unlock trapped natural gas. Continental Oil Co. and Austral Oil Co. are the sponsors.

Project Sloop, a Kennecott Copper Corp. plan for an explosion near Safford, Ariz., that might result in nearly doubling U.S. supplies of copper.

Project Bronco, a plan being pushed by 18 oil companies, including Texaco, Mobil, Shell and Continental, to test whether a hydrogen blast could turn Rocky Mountain oil shale beds into huge underground ovens. The technique, they believe, might make economical the recovery of much of the estimated $3.5 trillion of oil in shale deposits.

Project Ketch, a Columbia Gas Systems Inc. proposal to blast out a huge underground storage reservoir for gas in north-central Pennsylvania. It might result in lower energy costs for consumers.

Project Thunderbird, a plan not yet proposed to the AEC but being pushed among coal companies by a group of Wyoming engineers who control coal leases. They believe a nuclear blast could help gasify thick beds of coal in a 100-square-mile area of Wyoming, making available in the 20 billion tons of coal there more than twice the energy in all proven U.S. oil reserves.

An Arizona State project—still unnamed—that would use the bomb to create a network of underground water storage reservoirs to trap rainfall that now evaporates. Mr. Trenholme of the Arizona Atomic Energy Commission envisions a series of blasts eventually doubling Arizona's water supply.

ONLY A BEGINNING?

These projects could be just a beginning. "If Gasbuggy is successful, all the oil and gas companies will descend on Washington to push for more testing," predicts H. H. Aronson, vice president of CER Geonuclear Corp., Las Vegas, a joint venture formed by Continental Oil Co. and Edgerton, Germeshausen & Grier Inc., the company that has triggered all atomic tests for the AEC. CER Geonuclear is project manager for Dragon Trail, Rulison and Bronco.

Mr. Aronson says he hopes the Dragon Trail shot—a 40-kiloton blast in Rio Blanco county, Colo.—will be ready in August or September next year. He believes that Rulison—a pair of 50-kiloton devices that would be fired simultaneously 1,000 feet apart in Garfield County, Colo.—could come in 1968 or early 1969. Rulison is particularly important "because we're shooting it for money," he says. "For the first time the gas produced should pay for the cost of the shot."

The oil shale explosion could also come within a year or so, he believes. But it may take another three years or more before oil companies prove out the economics of recovering oil from the shale by the underground process.

The optimism exuded by managers of these many nuclear projects could be premature of course. Gasbuggy is the only industry-Government nuclear explosion that is definitely scheduled. The others await negotiation of contracts between industry and the AEC, followed by Congressional appropriations for Uncle Sam's share of the cost.

SOME POLITICAL PROBLEMS

Government funds may be a major hurdle if nuclear tests are to meet the timetables that industry has set. "Government research money is tight," says one company planner. "If LBJ doesn't get his 10% surtax, he's going to crucify us on these nuclear projects."

Other political problems vex industry planners. "Don't call it a bomb," pleads one nuclear engineer discussing his company's project. "There are still people in Government who would like to ban the bomb and forget we ever discovered atomic energy."

An AEC official, who asks for anonymity, agrees that "there is a fair amount of feeling among high Administration officials that there shouldn't be any peaceful explosions." He notes that the Arms Control and Disarmament Agency, now at work on a nuclear non-proliferation treaty, is concerned that the projects might interfere with treaty negotiations. "They argue that, if the world's survival depends on banning the bomb, you have to treat all nuclear explosives as weapons," says the AEC official.

Fears of radiation and other destructive effects of nuclear blasts cloud prospects for some tests. Columbia Gas faces irate citizens in and near Renovo, Pa., a town of about 4,000 people some 12 miles from the site of its proposed reservoir. "There is some concern (among townspeople) and in some cases outright opposition," concedes a Columbia Gas spokesman.

Bennett Shaffer, editor of the Renovo Daily Record, puts it more strongly. He says the testing will require construction that "will destroy the forest" in that popular hunting and fishing area. He worries that a hunter will eat an irradiated rabbit or deer. The borough councils of Renovo and South Renovo share his concern and have passed resolutions opposing the test.

AEC and company officials argue that there will be no public exposure to radiation from the underground nuclear tests. All will be buried deeply enough to prevent the explosions from "venting" or breaking the surface. The only problem, they insist, stems from the unknown amount of residual radiation that will remain in the gas, copper, oil or whatever is being recovered or stored.

REMOVING RADIATION

The "best guess" of experts, according to Sam Smith, director of exploration for El Paso Natural Gas, is that radiation can be removed from gas at reasonable cost. One way would be to dilute it with gas from other sources. The gas also would be left in the ground long enough for radioactivity to decay. Chemical treatment to remove radiation is also possible. The same approach could be used with shale oil or copper, experts note.

"If we had a strong feeling that radiation was going to be a major problem, we probably wouldn't come up with money of this magnitude," says Henry Vermillion, an AEC public information official. The AEC is footing $2.8 million of the $4.7 million cost of Gasbuggy, with El Paso contributing most of the remainder, Mr. Aronson of CER Geonuclear estimates that private companies have spent more than $20 million thus far preparing for nuclear explosive tests.

Radioactive tritium, an isotope of hydrogen, is the object of concern in most proposed experiments. It could combine easily with the hydrogen-carbon atoms in gas, oil or coal. It decays slowly, losing half its radioactivity every 12 years. In the copper experiment, however, another radioactive element, ruthenium, may be most troublesome because it is difficult to remove from copper, experts say.

CONSIDERING WORLD OPINION

Political maneuvers have a far more important effect on the planned nuclear shots. The AEC had hoped to prove that the bomb could be used for excavations on a grand scale—cutting a canal through Central America, for example. But the first nuclear ditch-digging experiment in hard rock, a key step in this series, has been stalled and postponed repeatedly. Excavation explosives would dump radioactivity into the air, raising the possibility of violations of the U.S.-Soviet test-ban treaty and also, some Administration men fear, jarring world opinion during negotiations for a nuclear nonproliferation treaty.

Nevertheless, the AEC continues to push for its hard-rock excavation test and even is talking with Australian officials about possible nuclear shots to create harbors in Western Australia to serve the newly booming minerals industry there.

El Paso Natural Gas is the first to admit that it once worried about public relations problems of nuclear testing. "One of our senior executives expressed serious concern when Gasbuggy was proposed four years ago," says Mr. Smith. "Too many people relate nuclear explosives to Hiroshima, Nagasaki and war in general." Another major gas company canceled its early planning for a nuclear test for just such a reason, he adds.

But, to El Paso's relief, public opposition or unfavorable customer reaction hasn't appeared. "Our success in publicly selling our project is encouraging others to come forward with their own," Mr. Smith maintains.

SECOND TEST PROPOSED

El Paso is confident enough of the economic soundness of Gasbuggy that a few weeks ago it proposed a second company experiment to the AEC—this time a shot two or three miles below the surface in Wyoming gas field.

El Paso's Gasbuggy shot is typical of planned underground explosions. Assuming the scientists are correct, here's what will happen: The rubble-filled cavity formed by the blast almost a mile below ground will be 350 feet high and 160 feet in diameter. This "chimney" will be surrounded by fractures in adjoining rock extending outward 850 feet. The fractures will bring gas into the chimney where the pool of gas can be tapped easily by conventional wells.

Researchers calculate that this nuclear fracturing will produce seven times the amount of gas that could be freed by the usual nitroglycerine or high-pressure-fluid fracturing now used. The U.S. Bureau of Mines estimates that the "nuclear stimulation" technique could add about 300 trillion cubic feet of natural gas to the nation's proved recoverable reserves—doubling present reserves estimated at 289.3 trillion cubic feet. Such an increase would go far toward meeting the nation's growing appetite for gas, a need estimated at 30 trillion cubic feet of new reserves each year.

Mr. Smith of El Paso believes that nuclear costs "already are commercial in certain (gas field) areas of the Rockies" and should become even more attractive if the Government cuts proposed prices for nuclear explosives for commercial purposes.

FIFTY-EIGHT MILLION TONS OF COPPER

Other nuclear projects vary somewhat from Gasbuggy in the recovery technique. Kennecott's aim is to create a large deposit of crushed ore underground through which acid will be poured to leach out copper. The solution will then be pumped from a pool at the bottom of the ore to the surface and the copper recovered from the solution.

The Bureau of Mines estimates that about 58 million tons of copper in low-grade ore bodies not now recoverable might be mined using the nuclear technique. That's a nine-year world supply at current consumption levels and not much less than the 75 million tons of proven commercial-grade reserves of the scarce metal in the U.S.

Oil companies eying the multitrillion-dollar bonanza in oil shale in the Rockies propose to inject air into the rock-filled chimney created by a 50 kiloton explosion. The air would aid combustion in the ready-made nuclear oven, or "retort," turning the solid kerogen into liquid oil. The oil would be collected at the bottom of the chimney and pumped to the surface.

"Experimental retorting tests indicate as much as 80% of the oil may be recovered by the in-place retorting of a nuclear chimney," the oil companies said in a summary of the Bronco feasibility study.

Much the same approach as in Bronco would be followed in the proposed coal experiment in Wyoming. Wold & Jenkins, a Casper Wyo., coal exploration firm, is seeking coal company sponsors for a plan to burn thick beds of coal in an underground hole formed by a nuclear explosion. Combustion would turn the coal into gas, which would be brought to surface plants at the test site to be turned into gasoline or heating gas.

FIRMS HOPE AEC WILL CUT NUCLEAR EXPLOSIVE PRICES

If you're shopping for a nuclear bomb, wait awhile. The price may be coming down.

The cost of nuclear explosives is a very real worry for companies hoping to put them to work on everything from mining copper to building gas and water reservoirs. The Atomic Energy Commission now has, in effect, a "suggested price list" for its bombs. It isn't selling them to anyone yet, of course, but it issued the price schedule as an aid to companies planning nuclear projects.

Prices range from $350,000 for a low-yield shot of 10 kilotons (half the size of the Hiroshima bomb) to $600,000 for a mighty two-megaton bomb (equal to two million tons of TNT). In the 50-to-100-kiloton grade of explosives that most private companies are considering, the cost is $425,000 to $460,000.

But it's widely assumed among industry engineers and AEC staffers that the Government eventually can and will cut those prices. One AEC official says, "I assume the price will come down, but I can't guarantee it." Grumbles one nuclear engineer of a private company, "The devices should cost $50,000 to $100,000 each. The AEC is trying to amortize the whole atomic energy program since Los Alamos in the present price list."

[From the U.S. News & World Report, Nov. 20, 1967]

MINING BY ATOMIC EXPLOSION: A 4.5-MILLION EXPERIMENT

(A 46-billion-dollar prize is at stake in a test of atomic explosives about to take place in New Mexico.

(Natural gas worth that much or more may become available if the experiment is a success. And other mineral riches may yield to the same technique.)

EL PASO, TEX.—A sliver of land in northern New Mexico is due to shake and heave from an underground atomic explosion tentatively set for early December.

Minerals experts around the world have been waiting for this experiment, named "Gasbuggy" by the Atomic Energy Commission. It has been delayed several times by technical problems.

The idea, briefly, is to pulverize a buried formation of rock containing natural gas and thus liberate more gas, at less cost, than conventional methods could bring out.

If all goes as planned—if the liberated gas flows freely and is not radioactive, and if there is no lasting damage to the area—enormous fields of similar gas-bearing rock in the U.S. and elsewhere can be made productive.

The estimate is that 44,400 U.S. wells similar to Gasbuggy could employ atomic fracturing, as the technique is called. Most of these wells are in New Mexico, Colorado, Wyoming, Utah and Arizona. They would add 317 trillion cubic feet to the nation's gas reserves, more than doubling them.

Each well would yield about 1 million dollars' worth of gas, indicating a total of about 46 billion dollars' worth of additional gas to be obtained by atomic-explosive mining.

How Gasbuggy would work. At a site in the Carson National Forest about 175 miles north of Albuquerque, N.M., an atomic charge equal to 26,000 tons of TNT—30 per cent more powerful than the bomb dropped on Hiroshima—is to be placed in a steel casing that pierces a layer of gas-bearing rock known as the Pictured Cliffs Formation.

The rock lies about 4,000 feet below the surface, and the atomic device will be lowered to a point 40 feet under that. When exploded, it will crush, melt and vaporize surrounding material. In one tenth of a second a rounded cave will be created, about 160 feet in diameter and more than half a mile underground.

Observers, stationed less than 2 miles away, are not expected to see anything, but will feel a movement of the earth and hear a rumble. For safety, roads and airspace will be closed to traffic for miles around the site.

As the underground cavity cools and pressure inside it drops, the vaporized and melted rock will sink to the bottom. Solidifying there, it will trap most of the radioactive fission products.

When the pressure drops further, the roof of the cave is expected to collapse, forming a chimney-shaped column of broken stone, 350 feet from top to bottom and 160 feet wide. Radiating from this will be large fissures and hairline cracks extending up to 425 feet from the detonation point. Natural gas is expected to pour through these cracks into the "chimney."

When there has been enough cooling and settling, within a few days or weeks, a new well will be bored into the chimney, and months of testing will begin.

Besides measuring the quality and quantity of gas, scientists will check to see if the explosion cracked a dam 23 miles away, or damaged gas wells and pipelines within a 5-mile radius, or made nearby ground water radioactive. It will be about 18 months before results are fully evaluated.

THE "IFS"

One of many "ifs" concerns the high cost of each atomic explosion. The Gasbuggy project will cost about 4.5 millions. To be commercially profitable, atomic shots would have to cost not more than a half million dollars each, industry experts say.

Too, Congress would have to approve the use of nuclear explosives for commercial use. C. H. Atkinson of the U.S. Bureau of Mines says it is "doubtful that nuclear fracturing will be in widespread use before 1980," unless technology advances faster than is foreseen.

The New Mexico experiment, when it comes off, will be the nineteenth explosion in the AEC's Plowshare program, aimed at finding ways to use the atom's power peacefully.

Many more shots are being planned. An oil-shale explosion in Colorado, named "Bronco," is under study.

An explosion tagged "Sloop" would fracture rock in a low-grade copper deposit near Safford, Ariz., to see if the copper can be dissolved underground and drawn out in a liquid solution.

In Pennsylvania an explosion named "Ketch" has been proposed, to create an underground cavity for storage of natural gas. Explosions to develop marginal reservoirs of oil may be attempted, but scientists doubt that much can be done in this way for oil. A major hurdle is the tendency of liquids to absorb radioactivity.

FUTURE FARMERS OF AMERICA

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, I was most concerned to hear the remarks of the gentleman from Illinois [Mr. RUMSFELD] last week in which he pointed out an unhealthy relationship between the U.S. Office of Education and the Future Farmers of America Foundation.

The Future Farmers of America came into being after the Future Farmers of Virginia had been organized on the campus of the Virginia Polytechnic Institute at Blacksburg, Va. This superb organization has provided a training ground for young people interested in agriculture over the years. It was therefore particularly upsetting to me to learn that the fundraising arm of the Future Farmers of America has been utilizing office space provided at the expense of the Federal Government. Not only has this been documented, but the gentleman from Illinois has reported that the part-time services of at least four Federal Government employees have been utilized by the Future Farmers of America.

One of these Federal employees who holds the title of chief of Agricultural Education is also president of the Future Farmers of America Foundation Board, chairman of the Future Farmers of America Governing Committee, chairman of the Future Farmers of America National Board of Directors, and adviser to the National Board of Student Officers of the Future Farmers of America. It appears that this one man who wears five hats is the principal policymaker for an organization whose members properly pride themselves in their independence of thought, word and deed.

I also understand that the Future Farmers of America has a professional fund raiser who is quartered in Federal Government space and who has as his primary mission the solicitation of contributions for the Future Farmers of America Foundation awards program.

I find this sort of covert subsidy an insidious beginning to Federal Government domination of a private organization which has in the past proven its mettle by asserting its independence.

The Future Farmers of America owns 35 acres of land near the Woodlawn plantation at the intersection of U.S. Routes No. 1 and No. 235 in Fairfax County, Va. On this land there are buildings estimated to be worth one-half million dollars and there is no legitimate reason why the Future Farmers of America Foundation should not occupy these privately owned quarters. Only in this way can this organization once again be really free and independent as it has been in the past.

I hope that Secretary Gardner will conduct a meaningful investigation aimed not at covering up facts but revealing them. I hope that the FAA Foundation will move with dispatch to vacate the Government quarters it now occupies, thus removing the unfortunate taint which threatens to soil the superior record of an organization and a foundation which has served so well the Nation's agriculture and the Nation's youth.

Mr. Speaker, I am anxious to see the FFA endure as it began, private, independent and unsubsidized. I trust the Secretary will take to heart the deep concern which motivates my comments. This unhealthy situation can be cured only if there is action and those of us who are concerned intend to persist until that action is taken.

VIVA LE DICTATOR

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, when I learned Latin in school I was taught that Gaul was divided into three parts. That was in Caesar's day. Today all gall is united and imbedded in De Gaulle, the self-proclaimed worldwide dictator, who having solved all of the problems of France—at least he thinks so, although few Frenchmen agree—he now orders a solution of all the problems of the world.

Mr. Speaker, rarely have we seen such an impudent and impertinent or extensive attempt at aggrandizement of power. He would dare to tell Israel, Canada, Great Britain, and the United States in one fell swoop what to do and how to live.

Mr. Speaker, this grand pretender talks glibly about honor and the duty to live up to commitments, and then proceeds to dishonor his and his country's commitments and urges other countries to follow his dishonorable and anarchic course.

Mr. Speaker, President de Gaulle, not having enough to do at home, urges the Canadians to rebel against their duly constituted government, and tells Israel that he will no longer keep his commitment to that country. He courts the friendship of the Arabs by reprehensible denunciation of friendly Israel.

The "great economist" would also tell Great Britain how to operate its economy. Instead of inviting the British into the Common Market, he pursues his isolationism by trying to get Europe to turn its back on a staunch ally.

He ignores and refuses to talk about all this country has done for France. He obviously thinks commitments are unilateral and not reciprocal.

He ignores entirely the $6 billion debt of France to the United States, a demand for payment of which we have for too long forborne making.

Mr. Speaker, it is high time that we told him, "Pay your debts before you tell us what to do in our economy."

The United States let him withdraw $2,264,000,000 in gold, without once saying, "Stop, you cannot have that gold until you pay what you owe us." Even now we need not say, "Pay that debt in gold." Let us say, "Pay it to us in the 'goldless' dollars you abhor so much." If American dollars are so worthless, if they do so much harm to your country or to its economy, send them back to the United States. We will give you full credit dollar for dollar against what you owe us. We will even do it without compounding the interest.

But let us go further and say, Since you do not like our money and do not want any more of it, we will relieve you of that burden. Until you think better of it, we should ask Americans to stay out of France and to cease buying French goods.

To give Americans ample incentive to comply with our request, we should impose a 500-percent ad valorem duty on all French products. We should impose a small visa tax of a measly useless $1,000 on each American who wants to go to France, just to be sure he does not spend it there.

To evidence our good intentions, we might give each such American a credit of $1,000, spendable anywhere except in France. We will even learn to get along without French wines made from fruit grown in vineyards devastated by World War II and revitalized by cuttings from American vineyards.

Viva le dictator! We can get along without you. Let us see how long you can get along without us.

UNITED NATIONS STAND ON RED CHINA

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, although our unofficial administration policy seems to be shifting more and more toward a stand which will eventually allow two China members in the United Nations, we have again stood firm against further demeaning of this body.

I point out that this is the 16th time Red China has been turned away since the question first arose in 1949. For the record, I insert a compilation of the votes on this issue from today's Washington Post.

The reasons why the answer continues to be "No" were amply given in an issues and answers statement prepared by the Republic of China which I inserted into the RECORD on November 3, of this year. At this point I include the Post article:

HOW U.N. STANDS ON CHINESE ISSUE

UNITED NATIONS, N.Y., November 28.—Membership in the United Nations for Communist China first became an issue in 1949, when the Peking government initially raised it.

Neither the Security Council nor the General Assembly acted on the matter in 1950. Since then the Assembly in one form or another has turned down the proposal 16 times, including today's vote (no votes were taken during the 1964 Assembly because of a dispute over finances).

From 1951 through 1960 the votes were on a proposal not to consider the question of Chinese representation at the session. Actual votes were as follows:

Year	U.N. membership	For	Against	Abstentions
1951	60	37	11	4
1952	60	42	7	11
1953	60	44	10	2
1954	60	43	11	6
1955	60	42	12	6
1956	79	47	24	8
1957	82	47	27	7
1958	81	44	28	9
1959	82	44	29	9
1960	98	42	34	22

In 1961, when the membership was 104, the Assembly adopted an American resolution to consider Chinese representation an "important question," on which change would require two-thirds approval by those present and voting. The vote on the "important question" resolution 61–34, with 7 abstentions. Subsequently the Assembly voted 48–26 against a resolution to seat Peking and expel the Chinese Nationalists (Taiwan), with 20 abstentions.

In 1962, when the membership stood at 110, the Assembly voted 56–42, with 12 abstentions, against seating Peking and expelling Taiwan.

In 1963, with the membership at 111, the vote on the same resolution was 57–41, with 12 abstentions.

In 1965, with membership at 117, the Assembly again approved the "important question" resolution 56–49, with 11 abstentions. The vote on the proposal to seat Peking and expel Taiwan was 47–47, with 20 abstentions.

In 1966, with 121 members, the vote on the "important question" resolution was 66–48, with 7 abstentions. The vote against seating Peking was 57–46, with 17 abstentions.

A SAD CONTRAST

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while Negro soldiers in Vietnam display true American citizenship by their fine record in battle, a Negro attorney and civil rights worker, Calvin Cobb, of Long Island, N.Y., according to the New York Daily News of November 22, has renounced his citizenship and has stated that he wants to have nothing to do with the United States. This, of course, is his right. However, his statement to a court in Tanzania, before which he is fighting extradition to the United States, that he had "tried to organize the poisoning of 50,000 white policemen in New York" is truly shocking. Furthermore, the Daily News account states that he claims to have trained Negroes to kill whites. Although his extradition to the United States is in the hands of Tanzania, I am hopeful that it will be successful and that an investigation will be made of the circumstances surrounding these extreme statements.

I include the Daily News article in the RECORD at this point:

BRAGS: TAUGHT NEGRO KILLERS

DAR ES SALAAM, TANZANIA, November 21.—Disbarred Negro attorney Calvin Cobb of North Babylon, L.I., renounced his American citizenship today and said he is a man who has trained Negroes to kill whites.

"Try me for being a killer and not a thief," he said in an emotional appeal to an African court not to allow his extradition to the United States to face charges stemming from a grand larceny conviction. He said he wanted to have nothing to do with the United States.

Cobb, 42, a Long Island civil rights figure, was convicted last year in the theft of $27,500 from the Second Baptist Church in Rockville Centre. Sentence was waived in favor of probation, but now he is wanted in the U.S. for probation violation. He was to appear before the Suffolk County Court Sept. 8, but left for Africa the previous day with his wife and three daughters.

The 10-week-old extradition case was referred to the vice president's office for a final ruling.

Cobb shocked the court with the admission he had "tried to organize the poisoning of 50,000 white policemen in New York."

ROBERT V. FLEMING

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the Capital and the Nation suffered a severe loss by the passing of Robert V. Fleming, who was a great American. Mr. Fleming distinguished himself in numerous civic and cultural activities which inured not only to the city of Washington, but to the entire Nation.

Mr. Fleming was possessed of a pleasing personality and his geniality endeared him to all who had the privilege to know him. I join with his many friends in extending to his family my sincere sympathy.

Under leave granted, I insert in the RECORD an article from today's Washington Post of Mr. Fleming's dynamic and meteoric career:

ROBERT V. FLEMING, BANKER, CIVIC LEADER, DIES

(By John Carmody)

Robert V. Fleming, who died yesterday, was the city's best-known banker and for decades, perhaps its most influential public-minded citizen.

Mr. Fleming died at his home at 2200 Wyoming ave. nw. after a long illness. He was 77.

In a career once described as "the kind that Horatio Alger would have loved, although he might have hesitated to write." Mr. Fleming rose from messenger in the Riggs National Bank in 1907 to its presidency in 1925 at the age of 35.

Since he stepped down as board chairman in 1963, he has served as advisory chairman of the board and chairman of the executive and trust and investment committees of Riggs. In the 42 years Mr. Fleming was at the helm of the bank its resources climbed from about $40 million to $786.5 million.

His brilliance in the profession led to his election in 1935 as president of the American Bankers Association. Over the years he had offers to head banks in Chicago and New York much larger than Riggs.

RAN THIS TOWN

But Mr. Fleming preferred to remain in Washington where his roots were. And it was as a private citizen deeply concerned about Washington that he first earned the reputation in the 1930s as the "man who pretty much ran this town"—in the words of his long-time friend, Benjamin M. McKelway, editorial chairman of the Evening Star.

Mr. Fleming was the first chairman of the Citizens' Advisory Council of the District government, a past president of the Metropolitan Washington Board of Trade and for nearly 22 years, chairman of the board of George Washington University.

For many years, Mr. Fleming was widely regarded as the "man to see" in Washington about legislation concerning the District and key municipal appointments. In his position as a leader in banking and on the Board of Trade, Mr. Fleming served as a vital bridge between the business and financial worlds of Washington and the power centers on Capitol Hill and in the White House.

For three decades the appearance or absence of the name of Robert Fleming on a committee roster or sponsors' list could mean the difference between success or failure of a civic enterprise.

ACCESS TO WHITE HOUSE

A Republican who was chairman of President Eisenhower's 1957 Inaugural Committee, Mr. Fleming nevertheless enjoyed access to the White House under both Presidents Roosevelt and Truman.

He was a close personal friend of Mr. Eisenhower for many years.

McKelway recalled yesterday that Mr. Fleming "wasn't very partisan. Everybody respected him—he was a very wise man. No matter what kind of committee he was on, pretty soon he took charge. And he never undertook any job, no matter how relatively unimportant, that he didn't absolutely carry through."

In the 1930s Mr. Fleming carried the fight for national representation for the District and subsequently played a key role in reorganization of the local government some 20 years ago.

But beyond Mr. Fleming's reputation as a leading banker and citizen was his capacity for warm friendships and helpfulness.

A big, pink-faced man who stood 5 feet 10 and weighed in the low 200s, he smoked ten cigars a day and played better than average golf at his favorite course—Burning Tree Country Club—which he headed from 1937 until 1945.

He was remembered yesterday by friends as a man who never broke a promise and always acted the next morning on the little favor exacted during an evening of congeniality among friends.

LAUDED AS BANKER

Yesterday, industry and other leaders joined in mourning his passing.

The American Banking Association in New York called Mr. Fleming "a banking statesman of the first rank . . . For his leadership and counsel during six decades of distinguished public and professional achievement, the banking (and) American community will remain in grateful debt."

Melville Bell Grosvenor, chairman of the board of the National Geographic Society said that in the death of Mr. Fleming "the country, this city and the National Geographic Society have suffered a sad and grievous blow." Mr. Fleming was elected a trustee of the Society in 1929 and at the time of his death was also serving as vice president and treasurer.

Robert K. Koontz Jr., president of the D.C. Bankers Association, said: "The banking fraternity of the District of Columbia will sorely miss the wise counsel and guidance of Mr. Fleming as will the entire community.

"His astute knowledge of the intricacies of modern financial techniques played a most important role in the development and growth of private enterprise in the Federal City."

BORN IN WASHINGTON

Mr. Fleming was born here Nov. 3, 1890, the son of Col. Robert Isaac and Bell Vedder Fleming. His father, a widely known architect, served as a Confederate Army officer during the Civil War and was later a colonel in the D.C. National Guard.

The younger Fleming attended Friends School and Western High School and later specialized in political economics and commercial law at George Washington University.

In 1912 he married Alice Listen Wright, youngest daughter of Daniel Thew Wright, a former Justice of the Supreme Court of the District of Columbia. Mrs. Fleming died in February, 1958, while visiting Santiago, Chile, with Mr. Fleming.

As a boy, he considered becoming a surgeon but the death of his father when he was 17 caused Mr. Fleming to join Riggs as a messenger. Within six months he was promoted to runner.

By 1920 he had become cashier and secretary of the board at Riggs; in 1924 he became vice president and cashier. He was promoted to first vice president that same year and to president in 1925. Ten years later he became board chairman. Riggs today is the largest bank in the Washington area.

During his early years in the bank, Mr. Fleming had established a system to settle Clearing House balances in the District whereby cash payments between banks were eliminated and telegraph transfers substituted, using reserve accounts at the Richmond branch of the Federal Reserve. This system was later adopted all over the Nation.

HEADED BANKING GROUP

Mr. Fleming was appointed to the American Bankers Association Legislative Committee in the early 1930s and was instrumental in adjusting conservative financial practices to reforms under President Roosevelt's Administration.

On becoming president of the ABA in 1935, he toured the Nation to urge better relations between bankers and the general public that was still recovering from the bank holiday of 1933.

Over the years as an adviser to several Administrations, Mr. Fleming served on the Federal Advisory Council of the Federal Reserve System, the advisory committee of the Reconstruction Finance Corp.'s Richmond loan agency and as a member of the Federal Housing Administration's Housing Advisory Council.

In addition to his service for the National Geographic Society and George Washington University, he was a member of more than 50 charitable, banking and civic organizations during his lifetime.

Mr. Fleming was a member of the Board of Regents and chairman of the executive committee of the Smithsonian Institution and served for many years on the boards of the Chesapeake & Potomac Telephone Co., the Metropolitan Life Insurance Co., Pan American World Airways, the Potomac Electric Power Co., the Southern Railway, Julius Garfinckel & Co. and the Hotel Waldorf-Astoria Corp.

U.S. CHAMBER OFFICIAL

Mr. Fleming also served as treasurer of the Chamber of Commerce of the United States and chairman of the board of trustees of the endowment fund of the American Red Cross.

He was a member of the Alfalfa Club, the Burning Tree Country Club, the Friendly Sons of St. Patrick of the city of Washington, Chevy Chase Club, the Metropolitan Club, the National Press Club, Rotary (honorary), the Brook Club of New York and Omicron Delta Kappa and Kappa Alpha social fraternities.

Mr. Fleming saw service in both World Wars with the Office of Naval Intelligence and was a retired member of the U.S. Naval Reserve at his death.

Mr. Fleming leaves a son, Robert W. Fleming, partner in the investment banking firm of Folger, Nolan, Fleming & Co. Inc. here; a daughter, Mrs. William S. Renchard, of New York; six grandchildren and four great grandchildren.

Funeral services are scheduled for 2 p.m. Thursday at St. Margaret's Episcopal Church, 1820 Connecticut ave. nw. Burial will be private.

The family has asked that in lieu of flowers expressions of sympathy be made to the George Washington University Robert V. Fleming Memorial Fund.

HONORS ABOUND FOR NO. 1 CITIZEN

Among the many citations and honors that have reinforced Mr. Fleming's reputation as the city's No. 1 citizen over the years:

A Cosmopolitan Club medal in 1933; the Society of Natives Award in 1937; the District American Legion's citation for citizenship in 1938; an honorary degree from George Washington University in 1939; a citation from the District Commissioners for his role as first Advisory Council Chairman in 1953; the Washington Board of Trade selection as the "Man of the Year" in 1956. And in 1964, the Riggs National Bank's new 12-story building was named the Fleming Building.

CONCERN REGARDING WATER AND SEWER ASSISTANCE PROGRAM IN MICHIGAN

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, earlier this month, on November 7, 1967, 13 members of the Michigan congressional delegation, myself included, joined in addressing a letter to the Secretary of Agriculture expressing our deep concern about the operation of the Farmers Home Administration's water and sewer assistance program in our State. To date we have not received either an acknowledgment of or reply to our inquiry from Secretary Freeman. Regrettably this is all too illustrative of the unresponsive way in which many Michigan communities have been treated under this program. They have been led down a primrose path by the practice of FHA officials of soliciting and approving more projects than can be funded. What is more, the Farmers Home Administration has, in the view of the Michigan State Department of Public Health, insisted on the acceptance of substandard engineering designs.

It was the clear intent of Congress in setting up this program to encourage and promote the orderly development of water and sewer facilities in communities with populations of 5,500 or less. However, there is all too much evidence suggesting that the very opposite is the case in too many areas in Michigan; and I am advised that other States are having similar problems.

Consequently, today, together with other members of the Michigan delegation, I am joining in sponsoring a companion bill to one being introduced in the other body by Senator Robert P. Griffin, of Michigan, which would amend section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended, to require water supply and waste disposal systems constructed in any State with funds under such section to comply with health and safety standards prescribed by the appropriate agency of such State.

Mr. Speaker, in view of the fact that it has ever been the argument for Federal standards in any field of endeavor that they are needed to improve conditions throughout the 50 States, it is appalling to find a Federal agency asking our hard-pressed communities who are trying to do their part to fight water pollution, to accept substandard facilities. Here again we have a situation that bears the all too familiar ring of the extravagant promises of Federal aid on the one hand, the hard reality of bureaucratic redtape and inflexibility on the other. Hopefully, the proposal contained in this bill, as well as the overall operation of this program, will be given early and careful scrutiny by the House Agriculture Committee, if not in the remaining days of this session, then as soon as possible in the next.

Mr. Speaker, I include a copy of the letter of November 7, 1967, to Secretary Freeman, together with a copy of the bill introduced today, at this point in the Record:

Congress of the United States,
House of Representatives,
Washington, D.C., November 7, 1967.

Hon. Orville L. Freeman,
Secretary of Agriculture,
Washington, D.C.

My Dear Mr. Secretary: A matter of deep concern has come to our attention relating to the implementation in Michigan of the Farmers Home Administration's water and sewage assistance program for communities and districts of 5,500 population and under.

As you are aware, Section 3 of the authorizing legislation, Public Law 89-240, states in its pertinent part, that no grant shall be made unless the Secretary of Agriculture determines that a project:

"(ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonably foreseeable growth needs of the area, or (iii) is neecssary for orderly community development consistent with a comprehensive community water or sewer development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located."

The Department of Public Health of the State of Michigan has in recent months repeatedly expressed its dissatisfaction to the FHA over the administration of several aspects of this program. These include not only the practice of soliciting and approving more projects than can be funded but also questionable regulations covering bond arrangements and standards of engineering design as well. In a letter to FHA Administrator Howard Bertsch dated July 6, 1967, John F. Vogt, Chief, Division of Engineering, Michigan Department of Public Health concluded:

"Once again we would urge that the Farmers Home Administration critically review its standards of engineering design for both water supply and sewerage systems with a goal of bringing them into conformity with commonly accepted good engineering practice and latitude for exercising professional engineering judgment. Consideration should be given to seeking advice from state health departments, engineers in private practice and others and include representation from various areas in the country. Further we would strongly urge that practices and procedures be discontinued which tend to discourage local initiative."

A similar view has also been expressed in a resolution adopted March 31, 1967, by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers, copy of which is enclosed.

It is apparent from the authorizing legislation cited above that the intent of Congress with regard to this program was to facilitate rather than frustrate and complicate the orderly development of water and sewer facilities. It is equally clear that the criticisms here expressed reach to questions considerably more fundamental than simply the matter of the availability of Federal money. Consequently, we the undersigned members of the Michigan Congressional Delegation strongly urge that you give this matter your earliest and most careful review. Further, we request a full report on FHA's water and sewage program in Michigan, including the number and current status of each application received to date and indicating where problems have been encountered concerning Federal and State engineering standards.

Sincerely yours,

ROBERT P. GRIFFIN, U.S. Senator; WILLIAM S. BROOMFIELD, 18th District; GARRY BROWN, Third District; ELFORD A. CEDERBERG, 10th District; CHARLES E. CHAMBERLAIN, Sixth District; MARVIN L. ESCH, Second District; GERALD R. FORD, Fifth District; JAMES HARVEY, Eighth District; EDWARD HUTCHINSON, Fourth District; JACK H. McDONALD, 19th District; DONALD W. RIEGLE, Jr., Seventh District; PHILIP E. RUPPE, 11th District; GUY VANDER JAGT, Ninth District, Members of Congress.

GREAT LAKES-UPPER MISSISSIPPI RIVER BOARD OF STATE SANITARY ENGINEERS, RESOLUTION REGARDING WATER SUPPLY AND SEWERAGE SYSTEMS

Whereas, the Farmers Home Administration, U.S. Department of Agriculture, under Federal act is authorized and does make financial assistance grants to communities and districts of 5,500 population and under for the construction of water supply and sewerage systems, and

Whereas, The construction plans and specifications for the systems are reviewed and must be approved by the FHA, and

Whereas, The basis of design used by the FHA for the review and approval of engineering plans for the systems are very low with respect to such items as pipe sizes, fire protection and materials for construction, and

Whereas, The systems under consideration are public systems which come under the supervision of state departments of health, and

Whereas, The low standards of design of FHA which are different from those of the state departments of health has caused confusion and can and does result in the construction of substandard water and sewerage systems, and tend to compromise the health and fire protection afforded the people served.

Now, therefore, be it resolved, That the Great Lakes-Upper Mississippi River Board Meeting in annual conference in Chicago on March 30 and 31, 1967, requests that the FHA immediately review its standards of engineering design and that they be made to conform with good engineering practice and further that in each state, the standards of design be in conformity with those of the respective state departments of health, and

Be it further resolved, That copies of this Resolution be transmitted to the Secretary of Agriculture, the Administrator of the Farmers Home Administration, and the Director of the Bureau of the Budget.

Adopted March 31, 1967.

H.R. 14203

A bill to amend section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended, to require water supply and waste disposal systems constructed in any State with funds under such section to comply with health and safety standards prescribed by the appropriate agency of such State

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926), is amended by adding at the end thereof a new subsection as follows:

"(d) No loan shall be made or insured under this section and no grant shall be made under this section for the construction of any public water supply or waste disposal system in any State unless the proposed system has been submitted to the appropriate State agency and such agency has determined and certified to the Secretary that such proposed system complies with the standards for health and safety prescribed by such agency for the type of facility to be constructed."

AMERICAN ASSISTANCE TO PEOPLE OF SOUTH VIETNAM

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, the debate over American assistance to the people of South Vietnam continues. One of the claims most often made by those who would reverse our present policy is that our efforts in Vietnam not only lack support in the rest of the world, but are in fact isolating us within it. Quotations from Europe and Africa are offered as proof of this disapproval.

But what of the Asians? Mr. Robert S. Elegant, head of the Los Angeles Times bureau in Hong Kong, has rightly pointed out that when Asians contemplate the war in Vietnam, "they are not considering abstractions, but their own survival." To the many people safely here in America, the Vietnam war has become a fashionable "whipping boy"—to the Asian nations on the periphery of China, it is a hard reality. That is why, as Mr. Elegant demonstrates, "with the somewhat equivocal exception of Cambodia, all those nations support the American presence either openly or tacitly—and a number have contributed armed units to the war." This is not surprising, when one considers that, as Mr. Elegant also points out: "Almost without exception, the Asian countries acknowledge their fear of Communist Chinese ambitions, and almost all have had brushes with China."

I urge all those who have heard that we are alone in the war, or that the danger of Chinese Communist expansionism is some sort of new ploy cooked up last month by the U.S. State Department, to read Mr. Elegant's article, and, most especially, the remarks of the leaders of Asia which are cited in it. Mr. Elegant's excellent article from the November 19, 1967, issue of the Los Angeles Times follows:

CRUCIAL ARC OF COUNTRIES ON PERIPHERY OF CHINA FAVOR UNITED STATES IN SOUTH VIETNAM

(By Robert E. Elegant)

HONG KONG.—Masochism is a "perversion in which a sufferer derives pleasure from pain or humiliation." There are certainly elements of masochism in the invariably spirited and often surprising violent attitudes and behavior of those Americans who totally reject the country's role in South Vietnam.

In feeding their apparent passion for gleeful suffering, they assert that the United States has become isolated by its intervention in Vietnam. Since most foreign countries condemn our actions, they argue, our moral stature has declined radically.

The peace movement is by and large right about the countries of Western Europe. Most display no enthusiasm for the American presence in South Vietnam, in good part because they fear, as the late Chancellor Konrad Adenauer of West Germany often observed, that Washington is being diverted by the side issue in Southeast Asia from the main issue in Europe. Most of Western Europe disapproves of the American involvement in Southeast Asia because the two quarters of the globe are so far apart that Europeans feel their fate is not involved in Vietnam.

Even the veteran observer of Asian affairs, however, is surprised when he surveys the attitudes of the arc of non-Communist countries on the periphery of Communist China from South Korea in the northeast to Burma and, even, India in the southwest. With the somewhat equivocal exception of Cambodia, all those nations support the American presence either openly or tacitly—and a number have contributed armed units to the war.

When one recalls the vehement domestic reaction to the recent Administration contention that a chief purpose of the action in Vietnam is the containment of Communist China, astonishment grows. Almost without exception, the Asian countries acknowledge their fear of Communist Chinese ambitions, and almost all have had brushes with China. Their implicit assumption—often stated—is that South Vietnam is, as Peking itself has avowed, a testing ground for the Maoist doctrine of "world liberation through peoples war." They see Peking, rather than Hanoi, as the chief danger, and they feel the danger threatens them directly.

ASIA'S SURVIVAL AT STAKE

The Asian viewpoint certainly deserves a hearing—precisely because they are so closely involved and because they are not considering abstractions, but their own survival. A quick tour around the arc of Asia may clarify the positions of the different countries involved:

South Korea, itself preserved from Communist ingestion by an earlier American intervention approves so whole-heartedly of the war that it has contributed 56,650 of its own troops. It has two full infantry divisions, and marine brigade, and an engineer battalion in Vietnam, in addition to support troops and a hospital unit. Their military representation is .2% of their population, while the U.S. forces represent .23% of the American population.

The Japanese government is debarred from direct support by its active pressure groups, and by hard memories elsewhere of the imperial Japanese attempt to conquer all Asia. Nonetheless, Japanese Prime Minister Eisaku Sato has just completed a tour of major Asian capitals which was, quite deliberately, most helpful to the American position. Besides lending his implicit support to the new South Vietnamese government by stopping in Saigon, Sato stressed time and time again that it would "not be productive" of peace for the United States to suspend the bombing of the North without obtaining reciprocal concessions from Hanoi.

The Nationalist Chinese Government on Formosa has not been invited to send troops to South Vietnam, since no responsible non-Communist leader wishes to extend the Chinese civil war to Vietnam. That government, which claims to rule all China, is of course violently anti-Communist and totally supports the war. In addition to verbal support, Formosa has sent pilots and technical advisers to South Vietnam.

The Philippines has 2,100 soldiers in South Vietnam, largely engineers and their integral security forces. The Filipinos have also provided a large measure of medical and other humanitarian assistance over the years.

Thailand, itself disturbed by Communist insurrection, provides bases for American bombers attacking targets in both South and North Vietnam, as well as the bombers striking infiltration routes through Laos. Besides providing a major naval base at Sattahip, the Thais have 2,500 military personnel in South Vietnam.

SANCTIONS AMERICAN BOMBING

Last week, Thailand announced it will increase its combat contingent in Vietnam to a full division, about 10,000 to 12,000 men.

Laos, under its formerly neutralist Prime Minister Prince Souvanna Phouma, sanctions American bombing of Viet Cong supply routes through the long panhandle of that country. Laotian air and ground forces assist in harassing the Ho Chi Minh trail. Souvanna, who has just visited the United States, observed early in the conflict: "When the United States took its decision to take a more active role in the war, China decided that the U.S. was not a paper tiger, but a real tiger!"

Noting that North Vietnam maintains 40,000 regular troops in Laos, Souvanna last week opposed a bombing pause. "If there is a halt in the bombing, it could aggravate the military situation for Vietnam as well as Laos . . . At present one does not know exactly what is happening. Therefore in the face of this unknown quantity, we are very skeptical."

Souvanna then summed up the broader implications of the war: "Should South Vietnam become Communist—that is to say, should all Vietnam become Communist—it would be difficult for Loas to exist. The same goes for Cambodia and other countries."

The Malaysian government, having endured its own war against Communist guerrillas, is highly sympathetic to the American effort and has contributed advisers on anti-guerrilla strategy as well as training South Vietnam police in Malaysia. The Malaysian Prime Minister, Tengku Abdul Rahman, who says flatly that he is "no neutral in this struggle," commented earlier this year: "My own country's experience with Communist guerrillas shows that the Vietnam war must be fought to the finish. The Communists will never make peace . . . When we fought the Communists, we used every weapon to defeat them. We bombed the jungle to destroy their hiding places."

Lee Kwan Yew, himself an overseas Chinese and the highly talented prime minister of the small nation of Singapore, has also supported the American involvement, though he has reserved the right to criticize aspects of American strategy. He is also providing rest and recreation facilities in Singapore for American troops on leave from South Vietnam.

PAYING ENORMOUS PRICE

"If the big powers stop competing with each other," Lee said earlier this year, "the under-developed countries of Southeast Asia could remain under-developed till the end of time. Thus, all the region can thank Communist China for first threatening the area and the United States for responding to the threat. At the moment, the United States is paying an enormous price to maintain its position in South Vietnam and is therefore willing to bolster the free nations surrounding the conflict."

During his visit to the United States in October. Lee Kwan Yew amplified his position. He said in an interview in Los Angeles that he did not believe the people of South Vietnam would choose communism in a free election. He advised the United States to continue its efforts in Vietnam with "resolution, stamina, perseverance, and, most important of all, infinite patience." In private discussions he stressed that the will to resist communism would be destroyed in Asia if the United States pulled out of Vietnam.

Australia and New Zealand, Asian nations geographically if not ethnically, have both provided troops. The Australians have 6,000 men in South Vietnam—two infantry battalions, an engineer battalion, an artillery battalion, a squadron of B–57s, and the destroyer Mobart. New Zealand has sent 400 artillerymen. Both countries also provide technical assistance and civilian advisers.

Two Asian nations whose positions are not clearcut are Indonesia and Burma.

However, senior Indonesian officials in private conversations with diplomats and correspondents have expressed their conviction that a continuing American presence is essential to their interests. Some senior officials feel that their own repression of the Peking-directed Partai Komunis Indonesia would not have been successful if the United States had not stood firm in South Vietnam. The general Indonesian attitude was, perhaps, best summed up by an Indonesian diplomat of the anti-American Sukarno regime in Saigon some years ago. After the obligatory formal denunciation of American policy, he told me: "The nearest islands of Indonesia are not more than 250 miles from the top of South Vietnam. For God's sake don't abandon the Vietnamese."

Burma's attitude is shrouded in self-imposed obscurity and isolation. Nonetheless, as was reported in The Times recently, Prime Minister Sato of Japan was told by Ne Win in Rangoon that the Burmese hoped the United States would win in South Vietnam and thus block further Chinese Communist subversion against China's Asian neighbors.

U.S. INTERVENTION DEPLORED

Finally, India officially deplores the American intervention. But Indian officials and intellectuals, smarting from their own brushes with the Maoists, privately note that the United States is buying time for all Asians by its resistance to the Viet Cong—and the Viet Cong's sponsors in Hanoi and Peking. The remarkable thing is not New Delhi's reluctance to make an official statement in support of the American intervention in Vietnam, since such a statement could do India no conceivable good and might result in diplomatic embarrassment. The remarkable thing is their candor in private.

Prince Norodom Sihanouk, chief of state of Cambodia, is, with complete justification, seeking to advance his country's interests. It appears to him that he can best keep Cambodia independent by maintaining amicable relations with both the Hanoi regime and the National Liberation Front, the Viet Cong's political facade. He may or may not be correct.

Nonetheless, Sihanouk himself wrote in 1965: "Last month I wrote in the monthly review Kambuja: I have never had the slightest illusion on the fate that awaits me at the hands of the Communists, as well as that which is reserved for my government, after having removed from our region the influence, and especially the presence, of the 'free world,' and the U.S.A. in particular.

SHARES ASIAN FEARS

"In an editorial which will appear shortly in this same review, I concede again that after the disappearance of the U.S.A. from our region and the victory of the Communist camp, I myself and the Peoples Socialist Community that I have created would inevitably disappear from the scene."

It is apparent that Sihanouk shares the Asian apprehension of the Asian "Communist camp," inspired and sustained by Peking. Only recently, he denounced Chinese intervention in Cambodia's internal affairs and threatened to break off diplomatic relations with Peking.

The persistent American masochists may, of course, reject the nearly unanimous Asian attitude because the countries concerned support the American involvement in one way or another and because their governments are, obviously, not completely representative of their entire populations. No illogical excess on the part of the obsessed anti-Vietnam forces can any longer surprise—even to the extent of Groucho Marx' observation that he would not join any club whose standards were so low that it would accept him as a member.

It may, however, be difficult for anyone less doctrinaire to reject the evidence of the nations most closely concerned with the Maoist movement in Asia.

DMSO: STILL THE PERSECUTED DRUG—PART II

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. WYATT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYATT. Mr. Speaker, previously I explained how thousands of people in this country are needlessly suffering because of the Food and Drug Administration's arbitrary holdup on clinical testing of the drug DMSO.

This holdup is pure futile arrogance on the part of a Government agency that is supposed to hold the good of the people as its trust. DMSO has not been rejected as harmful. If that were the case then there would be no problem. Rather the

FDA has chosen to reject over 2 years of intensive clinical testing in this country prior to the ban. It has, further, rejected out of hand the research done on DMSO in foreign countries—research which has resulted in DMSO becoming a commercial prescription drug in Germany and Austria.

It has been said by authoritative medical experts that if aspirin or penicillin had been treated in the manner in which the FDA has treated DMSO neither would be available to the public today.

Dr. Stanley Jacob, of the University of Oregon Medical School, a codiscoverer of the therapeutic properties of DMSO, has kept careful and accurate records of all studies, both here and abroad, conducted with DMSO.

In not one case has there been any serious adverse effect on man. In thousands of documented clinical cases suffering has been alleviated, pain reduced, and symptoms have disappeared after treatment with DMSO, but in not one case has a serious side effect caused by DMSO been discovered.

The material that follows includes a summary of the properties of DMSO by Dr. Jacob, a letter to me from the doctor, and a clipping from a recent New York Times concerning the beneficial effects of DMSO, even when not used as a drug alone:

[From the New York Times, Nov. 5, 1967]

Solvent Is Used To Aid Nutrition—Doctors Say DMSO Helped Delay Patient's Death

San Antonio, Tex., November 4.—Dimethyl sulfoxide can be used to transport nutrients through the skin into the body, a team of physicians at Wilford Hall Air Force Hospital have found.

The Air Force doctors reported on a seven-week use of DMSO in mid-1965 on a 7-year-old boy who was dying of malnutrition in the hospital.

DMSO is a commercial solvent derived from wood. It has been much discussed because of its ability to carry other compounds with it as it penetrates human skin. It has been placed under rigid testing restrictions by the Federal Food and Drug Administration because of eye disorders reported in test animals.

In their report the doctors—Lieut. Col. Robert E. Smith and Capts. Andrew M. Hegre Jr. and Clement N. Reiffel Jr.—said the boy's small bowel had been removed in emergency surgery at another hospital. They said he was treated with intravenous feeding at Wilford Hall but he continued to lose weight and his condition progressively deteriorated.

The physicians said they first tried applying a mixture of dimethyl sulfoxide and glucose to his skin. Then, to increase calories supplied, they applied a mixture of DMSO, glucose, fat, protein and vitamins. The report said the boy's gain of weight and chemical analyses of feeding effects "left little doubt that the nutrients crossed through the skin barrier in usable form."

Fluid replacement through the skin, however, was inadequate, the report added.

The doctors said the patient received 3,000 milliliters (a little over three quarts) of 100 per cent DMSO over the seven-week period "without evidence of toxicity."

Despite efforts to save him, the boy died of acute bronchopneumonia, the report said. "Neither the patient's course nor the autopsy findings indicated that DMSO played any role in the patient's demise," the report said. "The authors believe that without the supplemental feedings this patient would have died sooner, although it cannot be proved."

The report concluded that "supplemental feeding through the skin with DMSO does seem to be possible in patients similar to the one reported."

Representative Wendell Wyatt,
Washington, D.C.

Dear Representative Wyatt: It is now two years since the U.S. FDA halted scientific studies on DMSO in the U.S. Fortunately for mankind, studies were not halted overseas and continued on an accelerated scale in Germany and Austria. Dimethyl Sulfoxide is now a prescription drug in these two countries and is well received by the medical profession. It should be noted that three American pharmaceutical firms—Merck, Sharp & Dohme, Syntex and Squibb submitted data to our FDA in the spring of 1965 stating that DMSO was ready to be a prescription drug in the *U.S.*

The real reason behind the FDA cessation of DMSO testing on November 10, 1965 is known only to them. Among the reasons given by the FDA was the fact that lower animals on large dosages developed destructive changes in the lens of the eye.

Before FDA halted studies, over 25,000 patients in the U.S. who were receiving DMSO were evaluated. *No serious toxicity occurred.*

Since FDA stopped scientific investigation, a select group of 287 patients have been carefully studied before, during and after DMSO treatment. The additional evaluations included exhaustive studies of the human eye. 240 of these patients were checked in Germany and Austria. 47 of these patients have been studied at the Cleveland Clinic. *Not a single patient who has been examined has shown the change which occurs in lower animals on large dosages.* At the time FDA halted studies on DMSO there was no evidence for serious toxicity in man. There is still no evidence for serious toxicity.

If DMSO were merely another drug used for the treatment of diseases for which we already have treatment I would not be writing this letter, but DMSO is of value in the treatment of *untreatable* entities such as scleroderma and intractable pain problems. DMSO has shown potential value in cancer, stroke and heart disease as described in the New York Academy of Sciences Symposium on the Biological Actions of Dimethyl Sulfoxide, Article 1, Volume 141, 1967. In the two years since FDA halted scientific testing on DMSO they have thrown roadblock after roadblock at investigations of this compound.

Patients and physicians alike during the last two years have written to the FDA and to Congress to protest the situation. The standard reply from FDA is that they will permit a given patient to be treated by a physician who has to apply to the interested pharmaceutical firm which will then make the drug available. In actual fact this is an attempt by FDA to shift responsibility from themselves. Despite persistent pleas from suffering patients an infinitesimal number of people throughout the U.S. have been able to obtain DMSO.

The FDA has created a climate which to date has made it impossible for the interested pharmaceutical firms to reinstitute studies. The FDA created this climate by sending their inspectors on a massive witch hunt throughout the U.S. following cessation of testing. These inspectors harassed investigators and the drug firms alike who had evaluated DMSO. FDA threatened "criminal prosecutions". There may have been minor infractions of procedure as is true in all experimental drug evaluation but after two years of harassment and investigation the FDA in spite of its threats has dropped possible "criminal prosecutions" against investigators and pharmaceutical firms.

I have recently written a review article on the current status of DMSO. It is published in September American Journal of Surgery. It is enclosed for your interest. Over 500 related articles have appeared in the world scientific literature since the first report on the use of DMSO as a drug was published in 1964. *No impartial scientific group could look at these data without the conclusions of safety, efficacy and immense potential.*

Unfortunately, FDA remains more interested in defending a position than in the public welfare. Millions of Americans are suffering needlessly.

Sincerely yours,
Stanley W. Jacob, M.D.

[From the Department of Surgery, University of Oregon Medical School, and the Department of Research, Providence Hospital, Portland, Oreg.]

Dimethyl Sulfoxide (DMSO)—Toxicology, Pharmacology, and Clinical Experience

(By Stanley W. Jacob, M.D. and Don C. Wood, Ph. D., Portland, Oreg.)

No drug of modern times has excited the interest or stirred as much controversy as dimethyl sulfoxide. Since the appearance of the first reports in 1964 [1,2] more than 500 related articles have been published or are in press in the world's literature.

Clinical studies on dimethyl sulfoxide commenced in the United States in October 1963. In 1964 six American pharmaceutical firms, Merck Sharp & Dohme, Syntex, Squibb, Schering, Geigy, and American Home Products, began clinical investigations. A European symposium on DMSO was held in Berlin in July 1965. On November 11, 1965, clinical testing was halted by the U.S. Food and Drug Administration. In March 1966, a second international conference on the Biological Actions of DMSO was sponsored by the New York Academy of Sciences. In November 1966, a third international conference on DMSO was held in Vienna, Austria, under the auspices of the University of Vienna. A partial resumption of clinical testing was permitted by the U.S. Food and Drug Administration on December 23, 1966.

This paper will attempt to summarize the current status under five categories: (1) animal toxicology, (2) side effects in man, (3) fate and metabolism, (4) primary pharmacology, and (5) clinical experience.

ANIMAL TOXICOLOGY

A review of the toxicology of dimethyl sulfoxide has been recently published [3]. DMSO has been administered topically [3], subcutaneously [4], intraperitoneally [5], intravenously [6], orally [7], into the eye [8], to the mucous membrane [3], and into the urinary bladder [9]. The following species have been studied: mouse and rat [10], guinea pig [7], dog [4], chicken [4], hamster [11], rabbit [8], and rhesus monkey [12]. The longest period of follow-up study in animal experiments is twenty months [3].

The question of toxicity in the lens of the eye in experimental animals has received the greatest attention. Administration of large doses of DMSO to dogs, rabbits, and pigs, particularly by the oral route, results in a change in refractive index of the lens with progressive myopia in the lens nucleus and an increasing hyperopia in the lens cortex. From serial biomicroscopic studies, Wood et al. [8] described the progressive development of "lines of discontinuity" after DMSO treatment in rabbits. Chemical analyses of these lenses revealed a reduction in the usual lens concentration of soluble proteins, urea, glutathione, and uric and amino acids. The albuminoid fraction of the lens was increased in the treated animal.

A variation by species of DMSO has been observed. In monkeys treated with 5 gm./kg. orally for a hundred days these changes in the lens failed to develop [13]. In another study no lenticular changes resulted after topical administration of DMSO for six months to rhesus monkeys at a dosage of 11 gm./kg./day [14].

In addition to a variation by species of the lenticular change, there appears to be a dosage effect as well. In dogs treated orally with 1 gm./kg./day of DMSO, as a 25 to 50 per cent solution, lenticular change did not develop after one year [14]. Rats failed to show lens alterations when treated orally for one year with 1 gm./kg. [14]. Pigs did not have changes in the lens after 1.5 gm./kg. of DMSO was applied topically for twenty-six weeks [14]. Rabbits did not demonstrate retinoscopic, biomicroscopic, or chemical changes when treated with topical DMSO at 0.1 to 0.5 gm./kg./day for twelve weeks. However, a topical dosage of 1 gm./kg. produced a very slight "line of discontinuity" in the rabbit. This could be detected only with the biomicroscope and was not reflected by retinoscopic or chemical change [15]. The average topical human dosage is 0.1 to 0.2 gm./kg./day.

The reversibility of this lesion of the lens has been incompletely evaluated. In pigs changes in the lens will develop after 2.7 to 4.5 gm./kg. of DMSO is topically administered for twenty-seven weeks. Two months after cessation of DMSO therapy, the lens alterations have regressed [14]. Kleberger [16], on the other hand, has treated dogs with 5 gm./kg. orally and demonstrated that eight months after cessation of the therapy, the lesion was still present.

Uramura and Kenkyu [10] reported the exposure of two groups of rabbits to DMSO in mist form. The animals inhaled either 25 or 50 ml./hr. one hour per day with a two week resting period after the fifth week, followed by three additional weeks of treatment and a two week rest period. The animals were observed for five months. The rabbits inhaling 50 ml. of DMSO showed symptoms of chemical pneumonia plus hepatic and renal toxicity. The rabbits inhaling 25 ml. of DMSO had cloudy swelling and fatty infiltration in the liver and some round cell pulmonary infiltration. The authors concluded that "to inhale DMSO in large amounts" is dangerous.

In the study by Willson, Brown, and Timmens [6], dogs were given 1.2 gm./kg. intravenously per day for twenty-four days. A reversible hemolytic anemia was noted in dogs receiving repeated intravenous injections of DMSO. The authors concluded, however, that DMSO seemed to have a relatively low order of systemic toxicity.

The question of teratogenicity always has to be considered with any drug. Ferm [17] injected 0.5 ml. of DMSO intraperitoneally into hamsters on the eighth day of gestation and reported varying degrees of exencephaly and anencephaly. Caujolle and co-workers [18] gave DMSO orally in 50 per cent concentration at a level of 5 gm./kg./day to male and female rats for four days prior to mating. Fertility was judged to be normal. The pregnant females were then given DMSO throughout the gestational period. All litters were regarded as normal and the young rats developed in a normal fashion. Wood [15] reported that rabbits receiving DMSO orally in a dose of 10 gm./kg./day were successfully bred and had litters of normal size. The progeny of such treated female rabbits showed neither gross nor microscopic pathologic disturbance.

Among the miscellaneous data relating to toxicology of DMSO, is an article by Greiff and Myers [19] showing that mitochondria exposed to 30 per cent glycerol were inactivated. Suspensions exposed to 30 per cent dimethyl sulfoxide retained their capacity for oxidative phosphorylation, but at a greatly reduced level. The study indicated that DMSO was less toxic to mitochondria than glycerol. Monder and Takayanagi [20] demonstrated that nuclei of liver cells of the rat could be isolated in high yield with apparently satisfactory morphology in DMSO. The nuclei thus isolated were able to incorporate glycine C^{14} more rapidly than those obtained in aqueous 2.2 M sucrose.

Rammler [21] showed that enzymatic activity of at least three enzymes could essentially be completely recovered after incubation in 40 to 60 per cent DMSO for varying periods of time at 37° c. One enzyme, alkaline phosphomonoesterase, was 98 per cent inhibited in 60 per cent DMSO. Ninety per cent of its initial activity could be restored by dialysis.

Schrek, Elrod, and Batra [22] studied the cytocidal effects of dimethyl sulfoxide on normal and leukemic lymphocytes, incubating suspensions at 37° c. with and without 2 per cent DMSO. Viability was judged by the morphologic integrity of the cells. Two per cent DMSO was not toxic to normal lymphocytes during the first two days of incubation; however, a cytocidal effect was observed on the third day and increased to 32 per cent on the seventh day. Leukemic lymphocytes exhibited an appreciable cytocidal effect when incubated with DMSO after one day and an average effect of 90 per cent after seven days.

Peterson and Robertson [23] in an excellent pharmacodynamic study found no significant physiologic changes in dogs treated with single intravenous dosages of DMSO as high as 1 gm./kg. of body weight.

Gottlob [24], from experiments performed on the vascular endothelium of the aorta of the rat, demonstrated that intravenous or intra-arterial injection of more than 30 per cent DMSO produced endothelial damage.

SIDE EFFECTS IN MAN

Few troublesome side effects have been observed in man after administration of DMSO. John and Laudahn [25] reported on the side effects of topically applied DMSO in 4,180 patients, some treated for longer than one year. The incidence of local dermatitis was 3.5 per cent; generalized dermatitis, less than 0.1 per cent; and headache and nausea, 1.6 per cent.

Patients have been followed up at the University of Oregon Medical School by one of us (S.W.J.) with batteries of hematologic and chemical tests, including those for serum glutamic oxalacetic transaminase (SGOT), serum glutamic pyruvic transaminase (SGPT), total protein and albumin-globulin ratios, blood urea nitrogen, bilirubin, alkaline phosphatase, and prothrombin time. No significant abnormalities were demonstrated [3]. In twenty-five patients treated by one of us (S.W.J.) ophthalmologic examinations were performed both before and after treatment with DMSO. The longest duration of treatment was twenty-one months. The maximal dosage per patient was 30 ml. administered topically per day. No toxicity to the eye attributable to dimethyl sulfoxide was seen.

Ophthalmologic examinations were completed on patients before and after DMSO therapy. Kutschera [26] studied eighty-four such patients with an average treatment period of two and one-half months and an average daily dosage per patient of 18.5 ml. of 90 per cent DMSO; no toxicity to the eye was observed.

Scherbel [27] reviewed results with sixty-one patients with scleroderma treated with DMSO. Forty-seven of these patients had serial ophthalmologic examinations. The longest any of these were treated was two and one-half years; no evidence of toxicity to the eye was noted.

Kligman [28, 29] treated human subjects with DMSO administered topically and he observed that:

1. The enchancement of penetration through human skin was not dependent on irreversible damage to the horny layer.

2. Dimethyl sulfoxide possessed potent histamine-liberating properties at the site of application. The circulating basophils decreased after extensive topical use but remained within normal limits.

3. Dimethyl sulfoxide administered topically was mildly antifungal and antibacterial. Concentrated solutions reduced the resident microflora by 95 per cent.

The histamine release effect shown by Kligman [28, 29] developed swiftly and was manifested by a wheal and flare when concentrations higher than 70 per cent were applied in cups or under occlusion. Merely swabbing the skin with 90 per cent dimethyl sulfoxide often caused transient histamine reddening, rarely accompanied by whealing. This response occurred in the first week or two if it was used once or twice daily, and disappeared thereafter when the mast cell stores of histamine had been depleted.

Swabbing of the skin once or twice daily with 90 per cent dimethyl sulfoxide for twenty-one days produced a mild erythematous, scaling dermatitis in some subjects. This exposure produced mild subclinical and mainly epidermal damage in probably all subjects. The dermatitis, which is accompanied by only a moderate inflammatory reaction in the dermis, invariably regressed as treatment continued, with the skin eventually becoming histologically normal.

Kligman [28, 29] concluded that none of the cutaneous effects produced by topically administered 90 per cent dimethyl sulfoxide constituted a contraindication to the use of DMSO in the treatment of musculc-skeletal and connective-tissue disorders.

FATE AND METABOLISM

The fate and metabolism of DMSO have been studied in the rat, rabbit, dog, and man by Kolb and associates [30]. After cutaneous application, the maximal concentration of DMSO in the blood occurs in rats after ten minutes; in dogs and rabbits, after less than one hour; and in man, after four to six hours [30]. Studies of distribution in rats, rabbits, and dogs after single applications as well as applications repeated for several weeks did not reveal any accumulation of the labeled compound in organs. The DMSO concentration at the site of treatment and in the underlying muscle was increased. Whole body autoradiography of rats after cutaneous and oral application of DMSO showed similar findings.

The main route of elimination of DMSO is via the urine [30]. Unchanged dimethyl sulfoxide and dimethyl sulfone have been isolated from the urine. Kolb et al. [30] have shown that the excretion rate of DMSO depends on the species and the route of administration. In rats there is no significant difference of half time elimination when intravenous and cutaneous routes are compared (six to eight hours in both). In rabbits the half time for elimination is less than one day irrespective of the route. In dogs half the applied dose was eliminated in one and a half to two days, also independent of the route. In man half of the applied dose was eliminated within fourteen days after cutaneous application and within eight days after intravenous administration. Dimethyl sulfide can be identified in expired air by gas chromatography and represents about 3 per cent of the administered dose [30].

PRIMARY PHARMACOLOGY

The following primary pharmacologic actions for dimethyl sulfoxide have been documented in the laboratory: (1) membrane penetration; (2) anti-inflammation; (3) nerve blockade (analgesia); (4) bacteriostasis; (5) diuresis; (6) enhancement of effectiveness of other drugs; (7) cholinesterase inhibition; (8) collagen solvent; (9) nonspecific enhancement of resistance to infection; (10) vasodilation.

Membrane Penetration. Dimethyl sulfoxide readily crosses most membranes of the body of the animal without apparently destroying the integrity of these membranes. In its passage it permits a number of other compounds to move along with it. The phenomenon is reversible. DMSO will not rapidly penetrate either the nail or the enamel of the tooth.

Studies on the membrane penetration

principle have now been carried out in agriculture, basic biology, animals, and in man. Keil [31] in field tests under relatively severe disease conditions demonstrated that oxytetracycline satisfactorily controlled bacterial spotting in peaches. This control was significantly enhanced by adding DMSO to the antibiotic spray. DMSO was applied in 0.25 to 0.5 percent with 66 parts per million of oxytetracycline. This gave similar control of disease as would have been produced by 132 parts of DMSO per million of oxytetracycline and suggested the value of substituting part of the relatively high priced antibiotic with the inexpensive DMSO.

Leonard [32] studied different concentrations of several water soluble iron sources applied as foliar sprays to orange and grapefruit trees with leaves showing visible symptoms of iron deficiency. Each iron solution was applied with and without dimethyl sulfoxide. DMSO showed a marked ability to carry iron into citrus leaves. This was demonstrated by a more rapid and more extensive greening of leaves as well as higher concentration of chlorophyll in the chlorotic leaves sprayed with or dipped in various iron solutions containing DMSO than in those sprayed with the same solutions without DMSO.

Amstey and Parkman [33] evaluated the question of whether or not DMSO might increase the infectivity of viral nucleic acid. Dimethyl sulfoxide was tested for its ability to enhance cellular infection by polio ribonucleic acid (RNA). The experiments reported demonstrated that DMSO enhanced polio RNA infectivity for primary monolayers in kidney cells from African green monkeys. Enhancement was present in all concentrations from 5 to 80 per cent. It was optimal at 40 per cent DMSO with a twenty minute absorption period at room temperature. A significant percentage of nucleic acid infection was absorbed in the first two minutes.

Gunberg and Djan [34] studied the percutaneous absorption of two steroids dissolved in dimethyl sulfoxide in the immature female rat. Cortisone acetate and 17 beta-estradiol were administered to immature female rats. The steroids were given to the animals in an aqueous solution subcutaneously or were applied topically in DMSO. Vaginal and uterine weight increases resulting from estrogen stimulation and thymic, splenic, and adrenal involution resulting from the exogenous cortisone were comparable to results obtained in animals to which the drugs were administered subcutaneously.

Franz and Van Bruggen [35] employed the frog skin model to study the influence of DMSO. They demonstrated that DMSO produced a marked change in frog skin insofar as it represented a barrier to diffusion. This effect seemingly involved two different mechanisms. The first appeared to be the result of the application of a hypertonic solution to the outside of the skin. This aspect is not unique to DMSO but can be produced by other agents at equivalent concentrations. The result of hypertonicity is a nonselected increase in the permeability of the skin.

The permeability to all molecules studied is increased and if this were the only effect, a tracer species should move across the skin in either direction at the same rate. This would give a flux ratio of 1, as is seen in the normal untreated skin. The second mechanism of DMSO action is less clear. Its effect was to increase the rate of movement of molecules across the skin in an inward direction only. This becomes progressively larger as the size of the tracer molecule increases, a greater change being seen with mannitol and sucrose than with urea or thiourea. The resultant is a flux ratio above 1. A flux ratio greater than 1 is sometimes taken as evidence for an active transport process. However, it was suggested that the cause of this additional increase in influx was an interaction between the movement of DMSO across the skin and the movement of the tracer species. In other words, the movement of DMSO through the skin in some way influenced the movement of other molecules through the skin. It is this second mechanism which may partially explain the uniqueness of DMSO. The more permeable the hypertonic agent, the greater will be the effect. DMSO has a relatively high permeability coefficient in frog skin. As a consequence of the permeability change there is a decrease in the electrical potential difference which normally exists across the skin. This decrease appears to be due entirely to an increase in chloride conductance across the skin, there being little change in the rate of active sodium transport. The authors concluded that there could be little doubt that the main effect of DMSO on frog skin was related to permeability changes.

Smith and Hegre [36] have shown that antibodies to bovine serum albumin developed when a mixture of DMSO and bovine serum albumin was applied to the skin of rabbits.

Finney and his associates [37] have studied the influence of DMSO and DMSO hydrogen peroxide on the myocardium after acute coronary ligation with subsequent myocardial infarction in pigs. The authors ligated approximately 50 per cent of the anterior descending branch of the left coronary artery and ligated the right coronary artery at its root. The addition of DMSO to this model system seemed to assist in the diffusion of oxygen into the ischemic myocardium as shown by the nitro BT staining technic.

Maddock, Green, and Brown [38] designed experiments to demonstrate the usefulness of DMSO as a carrier for antitumor agents. The agents were dissolved in concentrations of DMSO varying from 85 to 100 per cent. One of the tumors studied was the L1210 leukemia. Survival time without treatment was approximately eight days. The standard method of employing Cytoxan® intraperitoneally produced a survival time of 15.5 days. If Cytoxan was applied topically in water over the tumor, the survival time was 12.6 days. If Cytoxan was applied topically in DMSO, a survival time of 15.3 days was obtained and compared favorably with the results obtained by intraperitoneal administrations. DMSO itself produced a survival time comparable to that obtained by giving no chemotherapy at all.

Kligman [28,29] showed that various dyes, steroids, and antiperspirents dissolved in concentrated solutions of DMSO of 70 per cent strength or greater showed enhanced penetration through human skin.

Maibach and Feldmann [39] studied the percutaneous penetration of hydrocortisone and testosterone in man. Maximal excretion of both steroids occurred within thirty-six hours. The authors concluded that DMSO increased penetration of these steroids threefold.

Sulzberger and co-workers [40] studied the penetration of DMSO into human skin by employing methylene blue and iodine and iron dyes as visual tracers. Biopsy showed that the stratum corneum was stained throughout with each of the tracers which had been applied to the skin surface with DMSO and that there was ittle or no staining below this area. The authors confirmed that DMSO was able to carry these substances rapidly and deeply into the horny layer and suggested the possible usefulness of DMSO as a vehicle for therapeutic agents in inflammatory dermatoses and superficial skin infections such as pyodermas. Particular interest was expressed in the possible value of forming a depot in the horny layer for such prophylactic agents as sun screens, insect repellants, and antiseptics.

Perlman and Wolfe [41] have demonstrated that allergens of small molecular weight such as penicillin-G potassium mixed with 90 per cent DMSO will readily be carried through intact human skin. Allergens having a molecular weight of 3,000 or greater will not penetrate the human skin with DMSO within a prescribed hour's time; however, Smith and Hegre [36] previously observed that antibodies to bovine serum albumin developed when a mixture of DMSO in bovine serum albumin was applied to the skin of rabbits. In addition to permitting passage through the human skin, DMSO will carry a substance such as hydrocortisone [42,43] or hexachloraphene [44] into the deeper layers of the stratum corneum, producing a reservoir. The steroid reservoir remains for sixteen days and is resistant to washing of the skin surface with soap, water, and alcohol.

Anti-inflammation. In the laboratory DMSO exhibits anti-inflammatory activity against the Baker's yeast granuloma in the guinea pig [1]. Formanek and Kovac [45] demonstrated that DMSO exerted a significant effect on edema produced in the rat's paw by either a steel stamp or an injection of autologous blood. DMSO was administered topically immediately after trauma or injection, producing reduction of both types of edema.

Miller and Ward [46] induced the localized Shwartzman phenomenon in rabbits. Dimethyl sulfoxide applied to the skin or injected intravenously at the time of the preparatory injection of lipopolysaccharide failed to influence the local hemorrhagic necrosis induced by the intravenous lipopolysaccharide. In contrast, application of 90 per cent DMSO to the site of preparatory injection at the time of intravenous injection of the lipopolysaccharide either abolished or greatly reduced the local hemorrhage or necrosis; 70 per cent DMSO had only a minimal inhibitory effect on the localized Shwartzman phenomenon.

In understanding the mechanism of action of DMSO and its anti-inflammatory effects, the work of Weissmann, Sessa, and Bevans [47] deserves special mention. The authors documented that lysosomes can be stabilized against a variety of injurious agents by cortisone. However, the concentrations of these stabilizing agents when dissolved in ethanol are all at 10^{-4} M which is above the physiologic or pharmacologic range. In direct contrast, when corticoids are dissolved in DMSO, stabilizing effects can be discerned at concentrations of 10^{-6} or 10^{-7} which is more physiologic. Studies with monolithic membranes indicate that DMSO acts to render steroids available at the phospholipid cholesterol membrane which binds cells to their organelles. These authors conclude that since inflammation can be provoked by enzymes released from lysosomes in skin and synovium and since cortisol and its analogues antagonize these effects, it is possible that DMSO permits endogenous steroids to be more effective at their sites of action on the lysosomal membrane.

Nerve Blockade (*Analgesia*). Immersion of the sciatic nerve in 6 per cent DMSO decreases the conduction velocity by 40 per cent. This effect is totally reversible by washing the nerve for one hour in a buffer [48]. Shealy [49] has studied feline peripheral small fiber after discharge. In concentrations of 5 to 10 per cent, DMSO eliminates the activity of C-fibers within one minute. After washing, the activity of the C fibers returns [49]. Shealy believes feline peripheral small fiber after discharge to be a good experimental model for determining the efficacy of some substances influencing pain in man.

A means of extending the duration of reversible nerve blocks to several days without associated nerve destruction has been the subject of many investigators. Local anesthetics have been dissolved in oils or fats in the hope that such a solution would form a depot from which local anesthetic would be slowly released. Although nerve block for weeks to months has resulted from injection of such mixtures, prolonged duration of effect has been shown to be the result of nerve destruction by the oil solvent.

Recently, Brechner and co-workers [*50*] studied this problem using twenty-six healthy mongrel dogs. During administration of general anesthesia each animal received an epidural injection of the test drug preparation. The preparation consisted of DMSO alone or DMSO in a local anesthetic base. In some instances the test preparation was injected into an epidural space previously infiltrated with 10 ml. of normal saline solution or 2 ml. of bicarbonate. The authors produced prolonged nerve blocks by the epidural injections of various solutions of local anesthetic base and DMSO. The physical presence of one anesthetic base, procaine, was demonstrated for at least four days after such an injection. No neurohistologic evidence of damage could be demonstrated in animals which had received injection of DMSO, procaine, and a bicarbonate solution.

Bacteriostasis. DMSO is bacteriostatic in 20 per cent concentration against Escherichia coli, Staphylococcus aureus and Pseudomonas [*1*]. A possible explanation for the antibacterial effect has been suggested by Tsuchiya, Iriyama, and Umezawa [*51*] to result from the production of methylmethanthiosulfinate from DMSO.

Seibert, Farrelly, and Shepherd [*52*] studied the highly pleomorphic bacteria regularly isolated from human tumors and leukemic bloods. DMSO in 12.5 to 25 per cent concentrations caused complete inhibition of growth *in vitro* of all twenty-seven such isolated organisms without effecting the intact red blood cells.

One of the intriguing possibilities with DMSO is indicated in studies which show that resistant bacteria become sensitive after pretreatment with this material. Pottz [*53*] gave preliminary evidence that the tubercle bacilli resistant to 2,000 μg. of streptomycin or isoniazid became sensitive to 10 μg. of either drug by pretreatment with 0.5 to 5 per cent DMSO.

Kamiya Wakao, and Nishioka [*54*] evaluated the effect of 5 per cent DMSO on the increase of sensitivity of bacteria to antibiotics. In this study the difference of more than 2 mm. of growth inhibitory circle between DMSO and the control medium was regarded as the increase in sensitivity. DMSO restored the sensitivity of antibiotic-resistant strains and increased the sensitivity of antibiotic-sensitive strains. Restoration of sensitivity was found in some strains of Pseudomonas and E.coli. In particular the sensitivity of Pseudomonas for colistin was restored when the medium contained 5 per cent DMSO. All four strains of colistin-resistant Pseudomonas then became sensitive. The authors recorded that antibiotics which were not effective on certain bacteria, such as penicillin for E.coli, showed growth inhibitory effects when the medium contained DMSO.

Diuresis. Suckert and Formanek [*55*] studied the diuretic effects of DMSO administered topically to rats five times daily in a dosage of 0.5 ml. of 90 per cent DMSO per animal. This increased the urine volume tenfold. Together with an increase in urine volume, there was also an increase in both sodium and potassium excretion.

Enhancement of Drug Action. Rosen et al. [*56*] employed dimethyl sulfoxide and water for determining the LD_{50} in rats and mice using quarternary ammonium salts as test compounds administered orally. Toxicity was increased by DMSO with pentolinium tartrate in rats and hexamethonium bitartrate in rats. No change in mouse toxicity was noted with the foregoing two compounds. DMSO decreased toxicity of decamethanium iodide in rats.

Cholinesterase Inhibition. Sams, Carroll, and Crantz [*48*] studied the effects of dimethyl sulfoxide on skeletal, smooth, and cardiac muscles employing concentrations of 0.6 to 6 per cent. DMSO strikingly depressed the response of the diaphragm to both direct (muscle) and indirect (nerve) electrical stimulation, and caused spontaneous skeletal muscle fasciculations. On the other hand, DMSO increased the response of the smooth muscle of the stomach to both muscle and nerve stimulation. The vagal threshold was lowered 50 per cent by 6 per cent DMSO. Cholinesterase inhibition by DMSO could reasonably explain fasciculation of skeletal muscle, increased tone of the smooth muscle, and lower vagal threshold observed in this series of experiments. *In vitro* assays showed that 0.8 to 8 per cent DMSO inhibited 16 to 80 per cent, respectively, of bovine erythrocyte cholinesterase [*48*].

Collagen Solvent. It has been found in biopsy specimens taken from the skin before treatment and at three weekly intervals in patients with scleroderma that there was a dissolution of collagen with the elastic fibers remaining intact [*57*]. Gries, Bublitz, and Lindner [*58*] studied rabbit skin before and after twenty-four hours in *vitro* with 100 per cent DMSO. They evaluated the fraction of collagen soluble in neutral saline solution, the fraction soluble in acid citrate solution, and the insoluble fibrous collagen. After immersion with DMSO, the fraction extractable with neutral salt solution decreased significantly. The authors mentioned that topical DMSO in man exerted a significant effect in human pathologic deposition of collagen in human postirradiation subcutaneous fibrosis but did not appear to change the equilibrium of metabolism of collagen of normal tissue. In patients with scleroderma, increased hydroxyproline content of the urine has been demonstrated after topical treatment with DMSO [*58*].

Nonspecific Enhancement of Resistance. Raettig in a recent study [*59*] of antigen-antibody reactions showed that DMSO did not disturb the immune response. In fact, the oral administration of DMSO to mice for ten days prior to an oral infection with murine typhus produced in itself an enhanced resistance to this rickettsial infection.

Vasodilation. Adamson and co-workers [*60*] have demonstrated that when dimethyl sulfoxide is applied to a three to one pedicle flap raised on the back of rats, it will decrease the anticipated slough by 60 to 70 per cent. The authors suggested that the primary action of DMSO on the pedicle flap circulation was to evoke a histamine-like response. Kligman [*28, 29*] had previously demonstrated that DMSO possessed potent histamine-liberating properties at the site of application. Microphotographs taken by Adamson and his associates show dilatation of vessels beneath the skin of the rabbit ear when it is topically treated with DMSO.

CLINICAL DATA

More than 125 clinical studies with topical DMSO and/or DMSO mixtures have been reported or are in press to date. Ninety per cent of these indicate efficacy. The handful of negative papers are for the most part centered around the use of DMSO in rheumatoid arthritis, a notoriously difficult disease to evaluate. A critical review of the literature on rheumatoid arthritis indicates that topical dimethyl sulfoxide is at least a useful adjunct in the treatment of this entity. The initial "clinical impression" types of reports have been confirmed with controlled studies.

One of the better controlled studies in rheumatoid arthritis was performed by the Committee of Clinical Drug Testing of the Japanese Rheumatism Association [*61*] on 274 patients (55 male and 219 female patients) with rheumatoid arthritis. Fifty or 90 per cent DMSO was applied topically and propylene glycol was used as a control twice a day to the involved joints for four weeks in single-blind evaluation. The following parameters were examined: (1) articular symptoms and signs (spontaneous pain, pain on palpation, pain on motion, heat); (2) strength of grip (mm. Hg); (3) circumference of joint; (4) range of joint motion. Patients were examined before trial, after two weeks, and after four weeks of therapy. Records of the entire series were sent to a central office and statistically analyzed. Both 50 and 90 per cent DMSO were found to be effective and no difference was discerned between the two concentrations. They were both significantly better than the propylene glycol control. DMSO relieved joint pain and increased the range of motion and grip strength. Studies primarily relating to the interest of the general surgeon and some surgical specialties will now be discussed.

Brown [*62*] has completed a controlled double-blind study to evaluate the therapeutic efficacy of dimethyl sulfoxide in acute musculoskeletal disorders. Those treated included patients with acute post-traumatic soft tissue injury to the cervical, dorsal, and lumbar areas, sprains and strains of the larger joints of the extremities, acute post-traumatic soft tissue injuries associated with subcutaneous and intramuscular bleeding involving trunk or extremity surfaces of more than a few square inches, and acute bursitis involving the large joints of the body in contradistinction to that involving the fingers and toes. It had been previously determined that a 70 per cent aqueous solution of DMSO in volumes ranging from 8 to 12 ml. applied topically at least three times daily to a wide area covering the site of disease would provide effective therapeutic response in 80 per cent or more of the non-controlled cases and would yield substantial therapeutic benefit within twenty-four hours. Preliminary and prior testing of the same patients with a 10 per cent solution of DMSO indicated no clinical benefit during this time. In this manner the effective dose for the condition treated was established and the non-effective nature of the 10 per cent solution was determined and identified for use as the control group.

Before treatment, physical parameters were recorded as to severity in each case. These included pain, edema, fluctuation, ecchymosis, local tenderness, and limitation of motion. The medication was applied to clean, dry, and unbroken skin, any excess oil or perspiration having been removed.

In establishing the protocol for the double-blind series DMSO was provided by a pharmaceutical house in numbered bottles, the code and strength of the solution in the containers being known only to those who supplied the drug. Ninety-two patients were included in the double-blind series. In sixty of these, 60 to 90 per cent DMSO was given. The over-all good [*1*] and excellent [*2*] results varied between 70 and 90 per cent. Results for the thirty-two patients in whom 10 per cent DMSO was applied were all relegated into the fair or no benefit categories.

Tenderness and pain were evaluated by Brown [*62*] prior treatment and at intervals thereafter. Within one to two hours, there was almost complete relief of pain and tenderness in those patients treated with 60 to 90 per cent solutions of DMSO and at the end of seventy-two hours there was relatively no pain and tenderness. In patients treated with the placebo (10 per cent DMSO solution) there was little response, even after seventy-two hours, to medication for pain and tenderness.

Penrod, Bacharach, and Templeton [*63*] studied the use of DMSO for control of pain after posterolateral thoracotomy. Twenty-four patients were selected for this study. Besides being painful this operation is also associated with complications which often occur as a result of the patient's unwillingness to cough because of pain. Operations were performed for a variety of intrathoracic lesions. Most of the patients had carcinoma of the lung, others had hiatal hernia, pulmonary tuberculosis, or thoracic aortic aneurysm. All patients were operated on by the same two surgeons so that the technical aspects of the incisions and details of the patient's care were uniform.

The following procedure for the topical application of DMSO was followed. At the end of the operation 10 ml. of an unknown concentration of DMSO was directly applied to the closed wound and to an area extending 10 inches on either side. The skin was then permitted to dry for ten minutes and a sterile dressing was applied. Six hours later the dressing was removed and 10 ml. of DMSO from the same bottle applied. No dressing was used after this time. The applications were repeated every six hours thereafter. For the initial twelve applications (that is, for the first three days) the unknown concentration was used exclusively. On the fourth, fifth, and sixth postoperative days, a known concentration of 70 per cent DMSO was applied to the healing wound.

Patients were instructed to ask for analgesics in the postoperative period if they experienced pain. The usual analgesic prescribed was morphine sulfate in a dose of 8 to 10 mg. given intramuscularly every three hours as needed. After the first three or four hours patients were encouraged to sit upright in bed, to cough, and to practice deep breathing. This is ordinarily a painful experience for any such patient.

Three unknown concentrations of DMSO were used. Seven patients received 10 per cent DMSO, nine patients received a 60 per cent concentration, and eight patients were treated with an 80 per cent concentration. Because of the characteristic odor DMSO imparts to the patient's breath, it was decided to use 10 per cent concentration as a control rather than a completely inert aqueous solution.

The patients in the control group, those receiving the 10 per cent concentration, required an average of five doses of morphine sulfate during the first three postoperative days. Individual requirements varied from one injection to as many as eight injections during this three day period. Those patients receiving 60 per cent concentration required an average of four doses of morphine sulfate during the same postoperative time. The individual doses in this group of patients ranged from two to eight injections over the three days. The patients in the third test group, those receiving 80 per cent concentration, required an average of only three doses of morphine sulfate through the first three postoperative days. Individual numbers of doses ranged from one to five in this group. It became apparent early in the study that each of the patients receiving 60 or 80 percent concentrations of DMSO enjoyed some relief of pain after every application. In most patients the degree of relief from pain was significant. If there was delay in providing another application of DMSO after the final application of the test concentration, patients frequently demanded continuation of the topical application.

Postoperative analgesia is a variable which lends itself easily to subjective interpretation by the patient and the attending personnel. For example, the authors found that in some cases narcotics had been administered by the nurse for restlessness and inability to sleep. In spite of these limitations both the surgeons involved in the patients' care and the nurses providing the daily treatments were impressed with the apparent effectiveness of DMSO in relieving the usual pain after thoracotomy. These patients as a group were able to cough more effectively, move more easily both in and out of bed, resume early motion of the arm and shoulder in the operative side, and in general enjoy a more rapid and less complicated postoperative course than patients who had not had the drug. With fewer narcotics required, there were fewer gastrointestinal complications such as nausea, ileus, and constipation. Wounds healed without complication. Preliminary experience with DMSO for the relief of postoperative incisional pain was said by the authors to be encouraging. It was concluded that DMSO topically applied can play a useful role in the postoperative management of patients undergoing thoracic surgery.

Engel [*64*] studied ten patients with keloids, applying 40 to 80 per cent DMSO concentration two to three times daily. After several months there was a flattening of the scar with microscopic changes seen in the dermis characterized by a loosening of the collagen bundles.

Paul [*65*] presented a study comparing loss of time due to injury among professional baseball players during the year he used DMSO in 28 cases with loss of time during the previous year when he did not have this drug (42 cases). Time loss was three times greater with conventional therapy than with DMSO.

Frommhold [*66*] studied the cutaneous application of DMSO in patients with subcutaneous fibrosis induced by supervoltage irradiation of deep seated malignant lesions. DMSO application was followed by a gradual softening and reduction in the size of the indurated areas.

Brechner, Cohen, and Pretsky [*67*] showed that intense anesthesia of the intact human skin could be achieved by the topical application of a solution of five to 33 per cent tetracaine base dissolved in dimethyl sulfoxide.

Ochs [*68*] employed DMSO for topical anesthesia prior to myringotomy. The author used a 5 per cent solution of cocaine and 4 per cent tetracaine in pure dimethyl sulfoxide. These were applied to the ear drum with a cotton-tipped applicator. Anesthesia resulted after one minute of application and persisted for a sufficient time to accomplish the procedure. Ochs pointed out that these materials should not be dropped into the auditory canal to avoid a severe burning pain which would radiate into the neck. He studied sixty patients and found it equally effective in treating acute otitis media with a bulging drum or a chronic case of serous otitis.

In ophthalmology Gordon [*69*] applied DMSO intraocularly and reported benefit in the treatment of corneal edema.

In the field of urology, Persky and Stewart [*70*] employed DMSO in the treatment of a number of patients with various genitourinary disorders, including Peyronie's disease and acute epididymitis. Six of thirteen patients with Peyronie's disease were significantly improved and were able to resume reasonably normal intercourse. In one patient a complete disappearance of the fibrous plaque resulted and three others showed definite evidence of resolution of the fibrosis. Applications from the time of presentation had varied from eight to twelve weeks. In seven of twelve men with acute epididymitis, topically applied DMSO was associated with relief of local discomfort and pain.

In gynecologic surgery DMSO was employed by Ayre and LeGuerrier [*71*]. The authors previously experimented with hormones applied directly to localized carcinoma of the cervix *in situ*. Neither the hormone alone nor pure DMSO produced alterations. When DMSO with dexamethasone was applied to the lesion of carcinoma *in situ*, cytologic changes of a regressive nature appeared within two to three weeks. The friability of the lesion was no longer evident. The findings were interpreted as showing regressive growth influences in a small series of six cases.

Recently a symposium on dimethyl sulfoxide was held at the University of Vienna. Data on 9,521 patients were presented and a review of the meeting has been published [*72*]. The conclusions of the conference were that DMSO was effective therapy in a wide variety of acute traumatic conditions, in acute and chronic subacromial bursitis, osteoarthritis, gouty arthritis, and in some patients with rheumatoid arthritis. DMSO was shown to be of value when applied topically for the treatment of early Dupuytren's contracture and of benefit in improving the cutaneous manifestations of scleroderma.

It might be worthwhile to point out that a number of studies of its efficacy have appeared in the literature of veterinary medicine. Teigland and Saurino [*73*] demonstrated benefit in more than 80 per cent of horses treated for bursitis and synovitis. Dake [*74*] reported that the intravenous administration of DMSO to cats together with conventional therapy represented effective therapy for feline panleukopenia (an overwhelming viral infection). Koger [*75*] showed that topically applied DMSO was the first successful treatment for sacroiliac luxation in the cow.

SUMMARY

1. In subacute and chronic animal experiments, dimethyl sulfoxide administered topically, subcutaneously, intraperitoneally, orally, into the eye, and to the mucous membrane is generally well tolerated and rates as an agent of low toxicity.

2. Subacute and chronic administration of DMSO in relatively high concentrations to dogs, rabbits, and swine by either the oral or the topical routes results in alterations to the lens. These alterations do not occur when the average dose given to human subjects is applied. The rhesus monkey is much more resistant to this phenomenon than the dog, rabbit, or pig.

3. Human subjects have now been examined ophthalmologically after as long as two and a half years of DMSO therapy without ocular toxicity. DMSO is clinically well tolerated, with few troublesome side effects.

4. Fate and metabolism of DMSO have been studied in man by radioactive technics. After cutaneous application half of the applied dose is eliminated within fourteen days. After intravenous application half of the applied dose is eliminated within eight days. Most of the dose is excreted as unchanged dimethyl sulfoxide in the urine. Dimethyl sulfone also appears in the urine. Dimethyl sulfide has been identified as the breath odor which follows DMSO treatment.

5. Dimethyl sulfoxide has a wide range of primary pharmacologic actions including membrane penetration, anti-inflammation, local analgesia, bacteriostasis, diuresis, cholinesterase inhibition, enhancement of the action of a concomitantly administered drug, solvent for collagen, nonspecific enhancement of immunity, and vasodilation.

Clinical usefulness in surgery and the surgical subspecialities has been shown in the treatment of acute trauma, postoperative incisional pain, certain urologic disorders such as Peyronie's disease, early Dupuytren's contracture, keloids, and subcutaneous fibrosis associated with cobalt irradiation. Dimethyl sulfoxide will effectively carry local anesthetics into the deeper layers of the skin and into the ear drum, permitting incision without pain.

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[From the Hospital Tribune, June 19, 1967]

DMSO PUT ON SALE AS RX DRUG IN WEST GERMANY AND AUSTRIA

PRINCETON, N.J.—Dimethyl sulfoxide (DMSO) has gone on sale as a prescription item in West Germany and Austria, Dr. Gerhard Laudahn, director of clinical research for Schering A.G., told Hospital Tribune while attending the Conference on Drug Information for Health Professions here.

Hundreds of thousands of persons have used DMSO in the United States and Europe, and no serious untoward effect has yet been substantiated, he said.

The prescription sale of DMSO in Austria is its first public availability in that country, he said. It had been on prescription in West Germany before, from October until November, 1965, and was withdrawn when the U.S. Food and Drug Administration requested further testing.

The drug will be available for topical treatment of such acute ailments as musculoskeletal injuries and inflammations, tendinitis, frozen shoulder, bursitis, epicondylitis, neuritis, herpes zoster, toricollis, other muscle distortions and sprains and strains, he said.

It is not yet available for such chronic conditions as arthritis, "but we are quite sure," said Dr. Laudahn, "that DMSO will also prove valuable in chronic conditions. Before we recommend its widespread use in such conditions, we will follow the request of the German health authorities that we wait for the outcome of the treatments of the acute conditions."

Restrictions on the prescription use of DMSO, he said, are that it not exceed maximum dose of 10 Gm. daily and not exceed the maximum time period of two weeks.

"We do feel completely satisfied," said Dr. Laudahn, about the drug's safety. "We think topical applications of DMSO, as we are using it at the moment, is only the beginning. Because we think that DMSO together with other substances will be proved valuable in the treatment of other diseases later on."

"It might go together with the corticosteroids and especially with anticancer drugs in such instances that the cancer or tumor may be reached by topical application to skin or mucous membrane," he suggested.

He said that animal experiments reported at the November, 1966, international symposium on DMSO in Vienna already showed beneficial results on animal tumors with combinations of DMSO and other drugs.

FEDERAL REVENUE SHARING—THE KEY TO COOPERATIVE FEDERALISM

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GOODELL. Mr. Speaker, if one reads the history of the U.S. House of Representatives, it becomes obvious that the old maxim that new Members should be seen and not heard had some validity.

I am happy to say that such is no longer the case. It is to the advantage of the entire Nation that this legislative body, more than any other in the world today, is blessed with energetic, thoughtful, and creative young minds who are promptly assuming their burden with dignity and distinction.

Happily for us and for the Nation, they have spoken out on the issues that face us. The world and the country has the advantage of their ideas and their plans.

The distinguished gentleman from Wisconsin, the Honorable WILLIAM A. STEIGER, is a prime example of what I mean.

On November 13, 1967, before the National Municipal League's 73d National Conference on Government in Milwaukee, he spoke out on a topic that has attracted the attention of many of us here. His subject was "Federal Revenue Sharing—The Key to Cooperative Federalism."

As with so many issues, he has placed the matter in perspective. I invite the attention of the Members and the country to his comments which I am pleased to place at this point in the RECORD:

FEDERAL REVENUE SHARING—THE KEY TO COOPERATIVE FEDERALISM

One of the most vital and dynamic dichotomies of American history has been the changing nature of our federal system—the partnership between the national government on the one hand and the states which form it on the other. The conflict and the concert between the states and the national government is one of the most creative, as well as one of the most discordant features of federalism. To me the friction of federalism is both fruitful and healthy when properly channeled. It is disruptive only when the balance is lost. When either end of the tug of war that is federalism fails to pull its share, the other side over balances. The strength which comes from a competitive partnership then is lost.

Let's be honest and admit that the states have not been fully pulling their share, and the federal government has not been wholly doing its job either.

Today, we witness the ever-increasing centralization of power and responsibility at the national level, a growing state and municipal dependence on largesse from Washington and a weakening of the abilities of states and local units of government to meet their responsibilities. The reason is not—as some would have us believe—the inertia of inaction on the part of the states, nor is it simply the momentum of bureaucratic growth on the federal level. It is not that simple.

Many factors have combined to bring this situation about. None of these factors, however, has more impact than the imbalance in revenue sources available to the several levels of government. As a practical matter, the national government has pre-empted the graduated income tax as a major revenue source.

For the most part, state and local governments have been left to rely on three major sources for the bulk of the revenues they need to operate. These three sources—property taxes, sales taxes, and income taxes of flat or only mildly progressive rates—have tended only slightly to keep pace with inflated prices, and the mushrooming demands of a growing population for improved governmental services. In an era of economic growth, revenue and credit sources available to state and local governments have not increased at a rate commensurate with demands and prices.

Thus, the financial plight of governments in America today is one of increased revenue at the national level, but fiscal poverty at state and local levels. This has had an inevitable impact on governmental and political leaders. At the state and local level, the pinch caused by insufficient funds has created a reluctance to embark upon new programs demanded by an increasingly sophisticated population. At the national level, the predicament is reversed. The availability of funds leads to approval of new programs and commitments without sufficient examination of the desirability or efficacy of national governmental action.

It is certainly a fact of life that many of the ills of our society are not now being solved at the local and state level. Many of our cities are suffering; poverty, unemployment and crime abound in many areas; urban ghettos are a national disgrace; transportation is being strangled.

Who among us needs a catalog of these ills? We are all familiar with the problems. We are all searching for the best solution to those problems.

The crucial question is: Why are these problems not being solved effectively at the local and state level?

The present approach to solving these problems has been tried and tested in increasing degrees for a number of years. In 10 years, federal grant-in-aid expenditures on a categorical basis have increased by $10 billion from approximately $4 billion in 1956 to more than $14 billion in 1966.

This approach is simply not working.

Proponents of today's "creative federalism" seek to solve these problems with special or categorical federal grant-in-aid programs. The Department of Health, Education and Welfare alone put out a book containing some 527 pages, entitled "Grants-in-Aid and Other Financial Assistance Programs Administered by the U.S. Department of Health, Education and Welfare."

That 527-page book merely lists and describes briefly the grant-in-aid programs administered by this single department of the federal government.

In all, there are 190 programs listed. They account for expenditures of some $7 billion annually, which represents less than half of the more than $14 billion in annual federal expenditures on such programs administered by the federal government.

Each of these programs has its own administrator and its own army or regiment or platoon of personnel. Many of the programs have field personnel in regional offices and many, of course, have personnel in each state.

The simpliest way I know of bringing home to the individual person in practically any city in the United States just how deeply the federal government is involved in one way or another in his community and state is to refer him to the telephone book. The 1966 Milwaukee telephone book contains 240 separate telephone listings for the federal government and only 166 for the state government.

During the past 10 years, programs of aid to the states have increased substantially.

New health, labor and welfare programs established between fiscal 1956 and 1966—21 in number—will have required outlays of $8.3 billion by the end of fiscal 1968. The first-year cost of these 21 programs was $44 million; they are budgeted for almost $3.0 billion in the current fiscal year. Programs added in 1967 and proposed in 1968 will bring the total of new programs to 27 and the associated 1968 expenditures to $4.1 billion.

Of the 21 programs initiated during the 1956–1966 period in the health, labor and welfare field, 18 have been enacted since 1962.

I would be saying nothing new if I attempted to catalog the list of federal requirements, the redtape involved in obtaining approval, the man-years spent by state and local officials in connection with these programs, the interagency and intraprogram rivalries that exist among federal programs, and so on.

In Wisconsin, it has been estimated that the taxpayers contribute $1.46 toward the cost of grant-in-aid programs for every grant-in-aid dollar they get back from the federal government. A good part of that 46 cents goes for overhead and administrative costs of the federal government. The rest goes to so-called disadvantaged states through a number of equalization formulas. In 1966 Wisconsin ranked 48th in per capita federal aid going to the states.

Perhaps no state would really complain if the categorical grant-in-aid programs administered by the federal government were accomplishing the job.

With more than 200 categorical grant-in-aid programs expending more than $14 billion annually, we see our problems, particularly in the metropolitan areas, persist and grow.

All of our communities, as you well know, have the same general problems in the sense that there may be poverty, unemployment, inadequate educational and job training opportunities and other problems of this kind.

But the same solution to water pollution or poverty, or for that matter any other problem, in one community is very well not an appropriate solution in another community. In one it might be a training program or sewage treatment facilities and in another it might be a transportation program or storm sewer separation construction.

It is obvious, however, that we are not going to make a major change in the distribution of federal dollars until such time as the Vietnam war has ended.

It is also apparent that before the federal government moves to a revenue sharing system some basic policy decision will have to be made as to: (1) the basis for determining the amount available for distribution to the states; (2) the extent of controls over the distribution and use of shared funds; (3) the formula for distributing funds, including the weight that should be given to such factors as population, state and local tax effort, and income to the states; (4) the extent to which shared funds would have to be passed on by the states to their local political subdivisions and the formula for such distribution; and (5) whether reform of state and local governments and their tax systems should be a prerequisite to participate in shared revenues and, if so, what kind of reforms.

In order to move toward a more meaningful system of aid to the states, I would hope that as we have done in the 90th Congress, we can begin to go to the so-called "block grant" approach and point to what the President said when he proposed the Comprehensive Public Health Service Act last year:

"I recommend to Congress a program of grants to enable states and communities to plan the better use of manpower facilities and financial resources for comprehensive health services. . . . Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens."

My colleague Congressman Henry Reuss is an outspoken advocate of the concept of governmental reform at the state and local level. There is, however, a further question which is: Can the national government be indifferent to the manner in which state and local tax collectors separate $61 billion annually from individuals and business firms.

Daniel Patrick Moynihan, of Harvard, outlined some of the problems facing our present system when he said:

". . . liberals must divest themselves of the notion that the nation, especially the cities of the nation, can be run from agencies in Washington . . . we must attend to what the federal government is good at . . . (it) is good at collecting revenues, and rather bad at disbursing services."

Governor Terry Sanford, of North Carolina, in his aptly titled book *Storm Over the States* described the problems existent in present federal programs when he wrote:

"Federal programs are uncoordinated, leading to overlapping, duplication, triplication, conflicting goals, cross-purposes, lack or consistency and loss of direction."

Sanford also wrote:

"As the crisis has risen, it is obvious that the states have not done enough, the cities have seemed paralyzed, and the national government has inaugurated as many wrong approaches as right solutions. The answers, however, will not be found by assessing blame, but by drawing together all our resources."

States and local governments continue to struggle to meet the challenges presented to them. From 1946 to 1966, state and local government spending increased by 525 per cent, from $13 billion to $81 billion. But at the same time, state and local tax receipts rose by only 432 per cent, from $11 billion in 1946 to $58 billion in 1965, and gross state and local debt ballooned from $15 billion to $107 billion, an increase of 575 per cent.

There are a number of reasons why these heavy spending burdens have been placed on state and local governments in the past two decades. The most obvious reason is the increase in population. During the decade from 1930 to 1940 the population rose from 122.8 million to 131.7 million persons, an increase of 7.2 per cent. By 1950, the population had grown by 19 million persons, or more than 14 per cent; and by 1960, an additional 27.8 million persons had been added to the population, a further increase of 18.4 per cent. Not only has population grown absolutely, but the rate of increase has risen significantly.

What then is the answer for our local governments and eventually for the people they govern and care for?

Tom Wicker, *New York Times* writer, recently described one answer:

"Thoughtful men in both parties think the time has come to begin turning back both federal revenues and federal responsibilities to the states, not merely as theoretical federalism but also in the interests of meeting more effectively the great diversity of problems Washington has taken on since the New Deal."

Tax sharing is an answer that was first broached by Walter W. Heller, the idea that the federal government should share some of its revenues with the 50 states and over 90,000 local units of government.

Revenue sharing is intended to allocate to the states and local governments on a permanent basis a portion of the very productive and highly "growth-elastic" receipts of the federal government. Most federal revenues come from income taxes that rise at a faster rate than income as income grows. By contrast state-local revenues barely increase in proportion to income. Ninety per cent of the taxes that are levied on incomes of individuals and businesses in this country goes to the federal government, although 35 of the 50 states tax incomes. States are generally reluctant to increase taxes on incomes, for, among other reasons, fear of losing business to other states.

Stripped to essentials, the revenue sharing plan I have drafted would operate as follows:

1. 3% of the federal *personal* income tax would be allocated for the first year. Over a period of 4 years this would be raised to 5%. The President's budget for fiscal 1968 estimates personal income tax revenue at 73.2 billion dollars. 3% of this would be about 2.2 billion dollars for tax sharing.

2. 10% of the 212 billion dollars would first be allocated to the 17 states with the lowest per capita income, as a form of equalization.

3. The other 90% (approximately 2 billion dollars) would be distributed as follows:

a. 50% to the states for any purpose they desire.

b. 5% to the states for strengthening state and local administration. In the *sole* discretion of a state, this 5% could be transferred to the 50% general fund described in (a) above.

c. 45% to local subdivisions of the state. The state would have sole and complete authority to designate how much of this fund would go to education and how much to other functions of local government. The state would have sole and complete authority to allocate the money within the state to its subdivisions. Subject to the above two state powers, the 45% money allocated to the state subdivisions would be administered exactly like money raised from local tax sources. (This means the money would be subject to the same general controls, fiscal and otherwise, which apply within the state to local tax revenue.)

Constraints on the use of the funds would be much less detailed than those applying to conditional grants. However, the funds would not be available for highway construction, since there is a special federal trust fund with its own earmarked revenue sources for this purpose.

An audit of the actual use of the funds would be required, as well as certification by the appropriate state and local officials that all applicable federal laws, such as the Civil Rights Act, have been complied with in the activities financed by the grants.

In addition, the revenue sharing bill I have introduced, H.R. 4090, calls for the inclusion of a bonus feature for those states like Wisconsin, that are doing an adequate job of raising revenues on the state level. This would penalize those states with poor tax structures and encourage tax reform.

The concept contained in this bonus feature aimed at making states come to grips with three critical issues—regressivity, revenue productivity and equalization—is described in a thought-provoking paper by John Shannon, Assistant Director, Advisory Commission on Intergovernmental Relations, before the National Association of State Budget Officers. Shannon said it would be "designed to help those states that help themselves, or to be more specific, to reward those states that are willing to go the extra mile in constructing an equitable and productive revenue system. For example, last year the State of Wisconsin spent approximately $5 million granting relief to homeowners found to be carrying extraordinary property tax burdens in relation to their income. That state also exempted food purchases from its retail sales tax and made relatively intensive use of the personal income tax. Thus, under this reimbursement plan, Wisconsin would receive $2.5 million for its property tax effort, $18.7 million as sales tax reimbursement (table 2), and $74.8 million (table 3) for its income tax effort—or a reimbursement total of approximately $95 million *with no* expenditure strings attached.

"By contrast, its neighbor Illinois would receive nothing because in 1966 Illinois made no effort to help those property owners carrying extraordinary burden, it did not exempt food from its 3.5 percent state sales tax, nor did it impose a personal income tax. There is every reason to believe, however, that Illinois would be encouraged by these plans to exempt food and impose a personal income tax. Illinois state sales tax reimbursement would approximate $56 million (table 2); and assuming that it made an average personal income tax effort of 3 percent, it would be entitled to $96 million personal income tax reimbursement.

"To put the matter more sharply, while tax sharing arrangements would tend to reduce the pressure on states to 'shape up' their revenue systems, these reimbursement grants would hurry state tax reform efforts along."

The sharing of tax revenues has been done for some years in Wisconsin. Under the Wisconsin formula, 26.38% of the income tax dollar goes to the community in which the taxes are raised; 4.4% of that amount goes to the county in which that community is located; and the remaining 73.62% goes to the state government. In addition, Wisconsin shares other revenue sources such as motor vehicle fees and in all cases the sharing of revenue has been successful.

Wisconsin has a good record in state government and a good record in providing services for its residents. Its tax sharing procedure plays a significant role in maintaining the quality of its state and local government.

So long as the present grant-in-aid system continues, it is imperative that we reverse the trend now operative which has the federal government basically drafting and considering the legislation without adequate consultation with states which have to live with the program. There is a critical need for close cooperation between legislatures and executive branches of our states and the Congress so the views and recommendations of the states can be known prior to passage of legislation.

The key to all of this is that the present method of operation is not working effectively. Unless we give an incentive—and there are states now assuming this responsibility—you'll not just continue the imbalance, you may destroy the system. Revenue sharing, I believe, offers an opportunity to create a truly balanced system.

In brief, revenue sharing will provide the states with a growing source of income from taxes that are much more equitable than those now available to them. The states can in turn pass those revenues on to local governments for solving specific problems. This is, I believe, a better way to help finance the urgently needed public services, and at the same time, to strengthen our federal system of government.

Revenue sharing offers meaningful and effective "cooperative federalism," rather than dominant federalism.

THE LEGALIZATION OF COURT-APPROVED WIRETAPPING AND ELECTRONIC SURVEILLANCE NEEDED

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gurney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GURNEY. Mr. Speaker, legislation to legalize court-approved wiretapping and electronic surveillance is badly needed to bring an overdue all-out attack on the national crime problem.

In the first 6 months of this year, crime in the United States, as revealed by the "crime index" of the Federal Bureau of Investigation, has risen 17 percent over the same period in 1966. The violent crimes as a group increased 18 percent, with robbery up 30 percent, murder 20 percent, aggravated assault 11 percent. The voluminous property crimes rose 17 percent as a group. As of 1966, crimes of violence had increased by 49 percent from 1960; crimes against property had increased by 64 percent.

The bill that I am introducing today would allow Federal and State investigators to use wiretapping and electronic surveillance devices under court order. At present, information gathered by wiretapping is not admissible as evidence in U.S. courts. Yet, in attempting to institute a balance between individual and societal rights, the bill prohibits electronic surveillance by private citizens.

I believe that this legislation satisfies the requirements of constitutionality, as spelled out in the Berger Supreme Court decision of June 1967. The decision demanded that an eavesdropping statute meet the fourth amendment search-and-seizure standards.

Legislation to allow judge-approved wiretapping and electronic surveillance in the investigation of serious crime is supported by the Judicial Conference of the United States. This organization is formed by ranking Federal judges across the Nation and is headed by the Chief Justice of the United States. The National Association of Attorneys General and the Association of Federal Investigators endorse the legislation. The three previous Attorneys General of the United States favored legislation of this nature.

Yet, the present President and Attorney General of the United States insist that wiretapping and surveillance devices are of no value in dealing with crimes involving anything other than national security. The Attorney General has forbidden use of electronic eavesdropping by U.S. officials although the practice is not outlawed by present Federal statutes.

Conversely, I believe that surveillance devices are of invaluable aid in dealing with such very serious crimes as graft, bribery, murder, and espionage—when there are careful controls on use of the devices, as there are in this bill. I feel, as do many of my Republican colleagues, that with regard to dealing with organized crime, this legislation is essential. Effective and powerful forces must be used to combat the most sophisticated and hardened of criminals.

Swift enactment of this legislation is crucial. I call upon the House Judiciary Committee to take action with haste. I would hope that the President would remove his opposition, the obstacle to bipartisan support of a measure that is of critical national importance.

FARMERS, STRIKES, AND BARGAINING

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. LANGEN. Mr. Speaker, today I received the following article published by the Cooperative Extension Service of the College of Agriculture, University of Illinois at Urbana, Ill. This article was sent to me by Dr. Louis A. Kopple, of Chicago, Ill. I appreciate Dr. Kopple's alertness in calling this article to my attention, since the responsible observations which appear in this publication are of interest to all Americans and, in particular, the farmers of our country.

This article by L. H. Simerl, extension economist, serves as a good reminder to all Americans that too often the farmer has not received income that has been commensurate with his increased production costs. This means farm income has not risen while other sectors of our economy have received increased income. I heartily recommend the following article to my colleagues. It sets forth with clarity the present farm dilemma:

Farmers, Strikes, and Bargaining

Farmers have a big interest in the many strikes and bargaining battles between labor groups and employers. When new contracts raise the cost of labor, farmers are struck in three ways:

1. An increase in the expenses of processing and distributing farm products, which reduces the share of the consumers' dollar received by farmers.
2. An increase in the prices that farmers must pay for farm equipment and supplies.
3. An increase in the prices of the products and services that are required by farm families.

Marketing Costs Rise: In 1966, consumers spent $83.4 billion for food produced by U.S. farmers. Of this amount, marketing costs took $55.3 billion—$2.6 billion more than in 1965. Of each $1.00 spent for food produced in the U.S., marketing expenses took 67 cents, leaving only 33 cents that could be paid to the farmers who produced it.

Farm Operating Costs Rise: In 1966, farmers spent $33.3 billion to produce food and other farm products. This amount was $2.4 billion (8 percent) more than in the previous year.

Production expenses ate up two-thirds of all cash received by farmers from the sale of farm products. Only one-third ($16.1 billion) remained as income for the farmer and his family.

Farm Living Costs Climb, too: In earlier years, farmers produced much of the food, fuel, and other items required by the family. Now, however, most farmers specialize in the production of one or two products—corn and soybeans, for example. Hence, they must buy practically all of the food and other products and services needed by the family.

The average prices of products and services purchased by farm families increased 3 percent from mid-1966 to mid-1967.

Wages High, and Going Up: Labor is by far the biggest cost in the marketing of farm products and in the production of products and services required for farm operation and family living. Last year, wages, salaries, and other compensation to employees in this country totaled $436 billion. Corporate profits (after taxes) totaled $49.3 billion, but only $21.5 billion was paid out as dividends to investors. The remainder, $27.8 billion, was needed and used for modernization and expansion of facilities. Thus, the income from wages and salaries was 20 times the income from dividends. In 1966, the compensation of employees was 49 percent greater than in 1960.

The present round of wage increases will tend to hold down farm prices and farm income. Higher costs for the transportation, processing, and distribution of farm products will increase the spread between what the consumer pays and what the farmer receives. At the same time, rising prices for farm equipment and supplies will increase farm operating expenses. Finally, rising prices for the products and services that farm families need will shrink the purchasing power of each dollar of net income received by farmers.

Clearly, farmers have a big stake in wage rates and labor costs. But, so far as we know, farmers have little or no representation at the bargaining tables where labor costs are established.

LOSS OF ABLE COLLEAGUE HEIGHTENS NEED FOR CONGRESSIONAL REFORM

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, for several months now, many colleagues and I have been strongly urging enactment of the Congressional Reorganization Act of 1967, which has been bottled up in the Rules Committee since it passed the other body by a 75-to-9 vote last April.

There have been many recent incidents, such as those involving Bobby Baker and Mr. POWELL, Congressman-elect from New York, which have led to public cries for congressional reform and reorganization.

If these incidents and the many calls for action by the House Republican conference have failed to sway the Rules Committee to action, maybe one little incident earlier this week will cause them to "see the light."

I speak of the decision of my young, able, and respected colleague, the gentleman from North Carolina [Mr. KORNEGAY] not to seek reelection in 1968.

My colleague, the gentleman from North Carolina [Mr. KORNEGAY], respected by many of us on both sides of the aisle, regretfully concluded that he must leave the Congress to spend more time with his family; and that our year-round sessions were depriving him of this obligation, as well as the obligation we all face as U.S. Representatives to truly represent our constituents by seeing them on a regular basis.

Mr. Speaker, his most thoughtful and touching statement, which I present at the end of my remarks, struck especially close to home. His oldest son is the same age as my oldest daughter; his second-born is the same age as my son, David. And I share his regret that I do not see enough of my children in these formative years in their lives, either.

Mr. Speaker, there is no need for this.

The final report of the Joint Committee on the Organization of the Congress, issued July 28, 1966, discussed this question and its obvious solution.

It said, in part:

> Both Houses should schedule committee and floor sessions on a 5-day workweek, so that the business of a session may normally be completed by July 31, the time for congressional adjournment as provided by law. A session shall be extended beyond that date only by a resolution adopted by a majority rollcoll vote in each House. In no event, however, shall any meetings of either House be held during the month of August, except in time of war as declared by Congress.
>
> The 1946 act provided that Congress should adjourn no later than July 31, except in time of national emergency. The "national emergency" clause has been used to avoid the provision in every session since 1946. The section provides for adjournment sine die on July 31 unless otherwise provided by the Congress.
>
> Every effort should be made to encourage more expeditious handling of legislative business in order to meet the legal adjournment date. Committees have grown accustomed to transacting business on a Tuesday-to-Thursday basis, rather than a 5-day workweek. With a requirement for a majority vote in each House to extend the session, committees might work a longer schedule early in the session, realizing that the session's business might be completed by July 31 if they did so.
>
> Whether or not the business of the session can be completed, no session should be held during the month of August other than in time of war as declared by Congress. The individual Member has great difficulty in scheduling his own time because he cannot determine with any degree of certainty the schedule for the business of the session. This results in inadequate opportunity to plan for visits in the State or district to work with constituents on their problems or to plan family trips which do not conflict with the school term.
>
> If a long session were necessary, an August break would furnish a period during which the Member could "feel the pulse" of his constituents on major issues. This would also cause the session to conform more nearly to the school year and work less hardship on Members with school-age children.
>
> Implementation of this recommendation cannot, of course, lessen the Member's workload. This will continue to increase. Nor would the recommendation necessarily reduce the length of sessions of Congress. But it will allow the Member to discharge his duties more effectively—both in Washington and in his home district.

Mr. Speaker, I was not quoting from any partisan report or publication. The final report of the committee was adopted unanimously by six Republicans and six Democrats.

And my distinguished colleague, the gentleman from North Carolina [Mr. KORNEGAY], whose plight I share in and sympathize with, is not a member of my own party.

But I feel compelled to once again ask my colleagues, how many good men we must lose, how long we must continue to dilute our functions as true Representatives of our districts, before some action is taken to halt this needless drain of both time and talent.

I present the full text of the statement made by my colleague, the gentleman from North Carolina [Mr. KORNEGAY] this week, with the fervent hope that some action be taken before this becomes commonplace:

STATEMENT OF HON. HORACE R. KORNEGAY, MEMBER OF CONGRESS, SIXTH DISTRICT, NORTH CAROLINA, NOVEMBER 27, 1967, GREENSBORO, N.C.

Thank you all for coming this morning.

I have a statement that I would like to make and following that I will be glad to submit to any questions you might have.

On the completion of my present term in Congress, I will have spent 20 years in public service—as a soldier, a prosecuting attorney, and a Congressman; and after much thought and soul searching I have come reluctantly to the decision that it is time for me to return home to my family—my wife and our three children. I will therefore not be a candidate for reelection to Congress.

The primary reason for my decision to *not* seek reelection is that the Congressional sessions have become practically year 'round, and for the past seven years I have been deprived of the normal relationship with my family and with my growing children. These are the years when my children most need the presence of a father, and I am sorry to say that my duties in Washington have made me a father *in absentia*.

I reached this decision, the most difficult one of my life, a number of weeks ago and planned to make it public upon my return home after the adjournment of this session of Congress. It is now apparent that this session will not conclude until shortly before Christmas, if then. And I feel it would not be fair to wait any longer to inform the people of the 6th District of my decision. Now that you know of my decision not to seek reelection, I want to emphasize that it is *final*.

In less than three years my son Robie will, I hope, enter college, and two years thereafter my daughter Kathy will do likewise. And, the way time flies, it will not be many years before little Martha will reach college age. I feel very strongly the obligation to spend as much time as possible with my children before they leave home.

Some may ask why I have not moved my family to Washington? My answer is that my Congressional duties extend into the evening and often into the late evening. This naturally conflicts with a normal family life. Also, I feel that I have rendered a greater service to the constituency by returning to the District on a weekly basis to talk with the people and to aid them with their problems.

I am grateful for the confidence the people of the Sixth District have placed in me and feel that I have been fortunate in the redistricting process—I have made so many friends I shall always value in the Counties of Durham and Orange and Davidson, as well as Alamance and my home County of Guilford; and I appreciate the kind offers of support which have already been made to me by Caswell and Rockingham Counties, which will be a part of the new 6th District in 1969. This wonderful Piedmont area of North Carolina is the best place in the United States, and I would rather have had the privilege of representing these Piedmont Counties than any other area under the sun.

There are so many to thank for their support and confidence that it would take me years to get around to the individual expression of my appreciation and of my humility in the trust which has been reposed in me through these years.

Let me now say to all my good supporters and to my loyal staff and to all who have borne so patiently with my heavy and rushed schedule: Thanks a million, and may you have the representation you deserve in the future. I have given to you the best of my ability, but I have given you no more than you deserve. I am confident in the hope that our area will continue to progress and to be a shining part of our state and of our nation. I thank you for letting me be your spokesman in the House of Representatives for eight years.

I was elected in 1966 to serve a fourth term in the Congress and I want everybody to know that I intend to continue to represent this district, this state and nation to the very best of my ability for the remainder of my term. I intend to stay on the job for 13 more months and be of the greatest service possible until January, 1969, when some other fortunate person will be sworn in as Representative from the Sixth District in the 91st Congress.

Thank you for coming and I will now open the floor to questions, but I must leave within a few minutes to return to Washington and get back on the job. There is some important legislation coming up in the House this afternoon and I must be there.

ANGER IN APPALACHIA—UNFAIR COMPETITION BY ECONOMIC DEVELOPMENT ADMINISTRATION

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on November 15, 1967, in the Congressional Record, volume 113, part 24, page 32714, I related that hearings held that day by the Special Subcommittee on Economic Development Programs addressed themselves, in particular, to the administration by the Economic Development Administration of section 702 of the Public Works and Economic Development Act of 1965.

This section, which I introduced as an amendment to the Economic Development Administration Act, was designed to prevent unfair competition. I stated on November 15 and I repeat now that there has been much confusion over EDA's interpretation of this section. Its administrative procedures to enforce it appear faulty and unfair.

As if to further assure me that such confusion does exist, on November 21, 1967, there appeared in the Wall Street Journal an article entitled "Anger in Appalachia: A Federal Move To Help Depressed Region Runs Into Local Opposition," authored by Burt Schorr, which relates another example of an EDA loan which may have resulted in the violation of the congressional intent of this statute.

I place in the Record this article and call it to the attention of my colleagues, as follows:

Anger in Appalachia: A Federal Move To Help Depressed Region Runs Into Local Opposition—United States Finances Crushed-Stone Venture of Private Firm, and Rivals Raise a Fuss—The Unfair Competition Issue

(By Burt Schorr)

Pikeville, Ky.—High on an Appalachian ridge near here, hard-hatted workers tamp dynamite into newly drilled holes, preparing to blast the underlying limestone. Below them, other crews ready a site for heavy stone-crushing machinery and assemble a 600-foot conveyor belt capable of moving over 500 tons of crushed stone an hour. Farther down, growling earth-movers level an area where crushed stone will be stored.

This mountainside bustle heralds the coming of another of Uncle Sam's economic aid projects for needy Appalachia—a highly mechanized quarry that will produce crushed limestone from the steep flank of Pine Mountain for use in highway and other construction.

Proponents say the project is creating needed jobs and eventually will supply materials to aid local economic growth: on these grounds the Government's Economic Development Administration is putting up most of the cash. But close examination of this arrangement is raising questions about the EDA's methods in ladling out more than $50 million annually in loans to business in distressed areas around the country.

NOTEWORTHY OMISSIONS

Among other things this scrutiny shows, past business woes, including one outright fiasco, do not necessarily disqualify a private entrepreneur from sharing in the EDA's largess. In this case, a "feasibility study" prepared to guide the agency omitted mention of these troubles. The facts in the case:

The president and majority stockholder of Elkhorn Stone Co. Inc. of New Market, Tenn., which is developing the quarry here, is John Will Ruth. Another stone company that he heads ran into a lawsuit for allegedly failing to make proper payments on leased equipment: That company settled up in September by agreeing to pay over $50,000. Still another Ruth-led company lost $1 million when a geological fault caused the roof to cave in on an underground limestone mine it was developing in 1965. (Says Mr. Ruth: "There's no way to determine these faults. Let's say our engineer made a mistake.")

Examination also confirms that a private entrepreneur can share in the profits of this Federal-aid program without risking any big stake of his own. Of the $1,175,000 Elkhorn Stone is pouring into the quarry project here, only $175,000 comes from Mr. Ruth and his fellow-investors (though they have also put up $35,000 in working capital). The EDA is taking the biggest risk, lending Elkhorn $1,137,500 for 10 years at a bargain rate of 4⅝% and guaranteeing 90% of a private bank loan of $250,000 for working capital.

JUSTIFICATION QUESTIONED

Extra benefits from the project, along with possible dividends, will flow to the chief sponsor. The company figures the quarry will require a 58-man payroll—including Mr. Ruth at $15,000 a year and his son as general manager at $18,200. (The quarry is also expected to provide jobs for 120 truckers and maintenance workers; this will be an obvious gain for surrounding Pike County, where unemployment has been running more than twice the national average.)

Meantime, the stated justification for the quarry project has come under challenge. Though Elkhorn insists the quarry is needed to help supply crushed-stone demand in this region, the two companies already established in the market argue otherwise. They have gone to court charging that the Elkhorn venture is just the sort of "unfair competition" prohibited by the 1965 law that created the EDA. (On that ground and others, the agency at first rejected Elkhorn Stone's aid application.)

Whatever the outcome of this challenged venture, some not-too-encouraging returns have come in on the $275 million in industrial and commercial loans made since 1961 by the EDA and its predecessor agency to more than 540 companies. Of this sum, about $14.4 million has been repaid and $6.7 million written off as lost. In addition, $11.9 million in loans gone sour are now being liquidated by sale of the assets put up as collateral; the EDA expects to recover at least 60% of this amount.

No one is predicting that the quarry project will meet any similar fate, but opinion hereabouts is sharply divided on the benefits that will flow once Elkhorn starts marketing its stone.

ELKHORN'S ARGUMENT

To overcome EDA objections that the project represented unfair competition, Elkhorn stressed its estimate that the Appalachia highway program will require an estimated 5 million tons of crushed stone in its projected Virginia-Kentucky-West Virginia market area, starting around mid-1968. The company also argued that this market can't get all the crushed stone it now needs and must pay higher stone prices than other areas in the same general region.

Some local business spokesmen backed this view. "Users of construction aggregates are having to close down their operations for days at a time simply because they cannot get deliveries of crushed stone," Robert Holcomb, then president of the Pike County Chamber of Commerce, wrote the EDA in June, a few weeks before the agency finally approved the loan.

But to Levisa Stone Corp. and Johnson Bros. Limestone Co., the two local firms that have brought suit against EDA officials and Elkhorn Stone, the situation looks very different.

Levisa Stone of Pikeville, the larger of the concerns, quarries its limestone near Jenkins, Ky., about 15 miles southwest of the Elkhorn site. L. J. Bryant, executive vice president, says Levisa could produce more than 415,000 tons of crushed limestone annually by operating its usual 50-hour week the year-round, but current market demand warrants operation at this rate, only 60% of the year.

Because the Elkhorn site lies 15 miles closer to the proposed market area than does Levisa's stone-crushing operation, some transportation savings (usually figured at 5 or 6 cents per ton per mile) undoubtedly would result for Levisa customers who switched to the new supplier.

However, this disadvantage would not apply to the second competing firm, Johnson Bros. Limestone, whose quarry site is only two miles along the mountainside from Elkhorn's location. "We can hear their bulldozers at work," says partner James B. Johnson.

Johnson Bros.' crushed stone sales currently run around 42,000 tons annually, or less than half the company's existing capacity, Mr. Johnson asserts. But in view of highway construction plans, the firm has been working on an expansion program for the past three years and has contracted to buy more than $150,000 worth of new and used quarry machinery. As a result, capacity will rise to 250,000 tons annually by the middle of next year and ultimately could be expanded to 500,000 tons—"more than sufficient to meet any reasonably foreseeable future demand for crushed limestone in the area," the suit alleges.

DIVERGENT REPORTS

Material submitted to EDA by Elkhorn includes several questionable assertions about the Johnson Bros. firm. Consider the 60-page feasibility study prepared last October by John A. Stokley, a Lexington, Ky., geological engineer who has been retained by Elkhorn "to assist (EDA) in evaluating the company's loan request. Listing Elkhorn's competitors, the Stokley study dismisses Johnson Bros. Limestone as "having limited its production to about 75,000 tons per year and there is no plan to expand according to present information."

Mr. Johnson, for his part, produces a land purchase contract to prove that his expansion program began over three years ago. Displaying Federal income-tax returns and suppliers' statements, he shows how monthly equipment payments caused Johnson Bros. profits to slide from nearly $30,000 in 1965 to $2,100 loss last year. Mr. Stokley never contacted him or his brother to discuss their plans, he asserts.

Mr. Stokley, for his part, now says he "must have been mistaken" when he prepared the study. "I know absolutely nothing about the Johnson Bros. operation," he concedes. "We only used the data supplied us by Pike County business sources."

A trial would presumably bring EDA officials to the witness stand and permit a glimpse at the way they approve and reject loans. Recent court rulings suggest, however, that the Levisa-Johnson Bros. complaint may never be heard on its merits. Last year, W. S. Dickey Clay Mfg. Co. of Kansas City filed a similar action to bar a $975,000 EDA loan to a rival clay pipe concern. A lower court dismissed the case, holding that the EDA's decisions on what represents unfair competition "are not judicially reviewable." An appeals court upheld the decision, noting that Congress didn't provide for any appeal to the courts.

Now Government lawyers are asking dismissal of the Johnson Bros.-Levisa suit on the same grounds; a hearing has been scheduled for early next month.

Coleman Stein, EDA's business development director and the man who takes responsibility for approving Elkhorn's application, says the Small Business Administration, which conducts credit investigations on EDA loans, didn't inform his office of certain prior crushed limestone ventures undertaken by Mr. Ruth and other Elkhorn principals.

A LEASING TRANSACTION

In August 1960, for example, Cherokee Stone Co., a closely held concern headed by Mr. Ruth, contracted to lease a stone crusher, dump trucks, electric motors and other equipment to produce stone and sand from a Loudon County, Tenn., quarry. The equipment was valued at around $1.6 million, according to Richard Trippeer Jr., vice president of Trippeer Organizations Inc. of Memphis, which owned another company actually involved in the leasing transaction.

By Mr. Trippeer's account, Cherokee Stone Co. "just walked away" from the machinery at a quarry site, leaving it in a "very, very bad state of repair." No one bothered to close the cover panels on heavy generator units, he says, and they rusted in wet weather. Trippeer's net loss was more than $500,000.

"It was a costly lesson," Mr. Trippeer laments, although he acknowledges that Cherokee Stone was under no legal obligation to continue using the leased equipment.

In October 1965, however, Trippeer Organizations did charge in a Knox County (Knoxville) court suit that Cherokee had failed to provide proper accounting of its quarry production, on which the lease payments were based. Trippeer claimed at least some $100,000 due in additional payments and interest but finally settled for about $50,000.

Mr. Ruth, a rumpled 62-year-old, has had 40 years' experience in the construction and crushed stone business, four of them in Costa Rica managing Pan American Highway construction projects for a Frankfort, Ky., firm. During a recent interview at Elkhorn's sparsely furnished quarry office, he impatiently dismissed the Trippeer suit and a second legal fight involving a Cherokee quarry operation as routine hazards that almost any businessman may encounter.

MAKING A LITTLE MONEY

Of the Trippeer litigation, Mr. Ruth says: "There's always two sides to a contract." As for criticisms of his management made by adversaries in the other case, "That was a lawyer who wrote that up."

Were those two ventures at least profitable for Cherokee Stone Co. "We paid our bills and made a little money," Mr. Ruth answers. "But knowing what I know, I wouldn't want to go through that kind of deal again."

Mr. Ruth is more precise about the fate of an underground limestone mine that Ruth-controlled Gainesville Stone Co. sought to operate on property owned by Big Run Coal & Clay Co. at Princess, Ky. Big Run agreed to complete an access tunnel to the limestone bed some 600 feet below the surface; Gainesville was to dig and sell the stone.

In February 1965, a few months after Gainesville's crew began digging into the limestone, a massive roof fall occurred. There was sufficient warning for the men to get clear, but a newly installed underground stone crusher, heavy trucks and other costly gear were buried or blocked in the mine. The final net loss to Gainesville, by Mr. Ruth's reckoning: $1,018,000.

A LACK OF FORESIGHT

Under "competency of proposed management," the Stokley feasibility study omits any reference to the disputed quarry operations or the mine cave-in, while giving an impressive list of limestone mining qualifications held by Elkhorn's key executives.

Such details are unnecessary, Mr. Ruth suggests, because Gainesville Stone Co. is a successful company with sales now running at around $3 million annually. How Gainesville's profits have been affected by the cave-in losses, Mr. Ruth won't say.

What Mr. Ruth will say, though, is that Elkhorn really didn't need Uncle Sam's $1,137,500 loan in the first place. He could have raised the money from other sources, he insists, but decided to seek Washington's aid because the Federal interest rate was cheaper.

IS THAT A SUN PEEKING OVER THE HORIZON?

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. ZWACH. Mr. Speaker, since 1952, 15 long years, farm prices have been on a general decline, despite the fact that we have a proliferation of farm organizations, farm experts, and a Department of Agriculture all dedicated to the proposition of making life more prosperous down on the farm.

One of the troubles with our farm organizations is that they have been pulling at cross purposes. One organization believes that the law of supply and demand will solve all of the problems. Another believes that all of the farm problems can be corrected by the Government in Washington. Another believes that withholding actions will bring the needed relief.

Lately, in the Minnesota Sixth Congressional District, these diverse-thinking farm organizations have been holding joint meetings in an effort to come up with a consensus, a common goal, a single solution.

Mr. Speaker, not long ago such a joint meeting was held in Renville County, and more recently one was held in Lincoln County at which not only the major farm organizations but community clubs, chambers of commerce, and even the clergy were represented.

One of the leading exponents of rural development in Minnesota is Don Olson, editor of the Marshall Messenger. At this time I insert in the Congressional Record a recent editorial written by editor Olson on the subject of joint farm organization meetings.

Is That a Sun Peeking Over the Horizon?

Since 1952 . . . that is 15 long, wearisome years ago . . . farm prices have been on a general decline while prices of almost everything else have been generally up. In the mid and late 50's, we were told this was a temporary thing.

Huge stored surpluses of grain, an overproduction of hogs and cattle and a declining per capita consumption of dairy products were blamed for this situation.

Production must be brought into line with consumption, we were told, in order for farm prices to rise. This was a cruel hoax. In years when less beef was produced in this country than was consumed, for example, beef prices fell to the farmer and rose to the consumer.

It has become crystal clear that there isn't even a kissin' cousin relationship between the price the farmer received and the quantity he produces.

The long-standing, well-established hoax was so successfully perpetrated on farmers that:

Farm Bureau members steadfastly believed that the only thing wrong with agriculture was that the law of supply and demand was not allowed to operate freely. Get the government out of agriculture, they said, and after an adjustment period, the free market period will work to the farmer's advantage.

Farmers Union members steadfastly believed that if anything was wrong with agriculture, it could be corrected in Washington. GTA officials long have argued that "farm prices are made in Washington."

But attitudes and ideas are changing on the farm front. If there is a sun peeking over the horizon in rural America, it is the understanding that farmers must change with the times. They must change in a dozen different ways, but the most basic change they must accept is the concept of cooperation . . . particularly in the marketplace.

Agriculture has been fragmented intentionally and easily as farm organization has been pitted against farm organization. They have fought and hurt each other at every turn. But this also is changing.

Many people may not realize it, but here in Southwestern Minnesota an experiment of inter-organization cooperation has been going on. Leaders of Farm Bureau, Farmers Union and NFO in Lincoln County have been meeting for over a year.

On Nov. 27 these leaders will help host a "Farm Price Forum" at Ivanhoe that may establish a pattern of cooperation for other farmers in other areas. In addition to farmers, business people, clergy and the Extension Service will participate.

This afternon and evening meeting may be one of the most significant moves farmers in Lyon, Lincoln and Yellow Medicine Counties ever have made.

It may signal the long awaited dawn!

THE SOVIET UNION'S MILITARY DRAFT LAW

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. Rivers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RIVERS. Mr. Speaker, at a time when certain malcontents in our society are making every possible effort to obstruct the orderly administration of the Selective Service Act, it behooves all of us to ask what our potential enemies are doing in respect to compulsory military service.

On October 13, 1967, Pravda carried the complete text of a report made by Deputy A. A. Grechko, U.S.S.R. Minister of Defense, on recent changes made in the Soviet Union's draft law.

The report of the Soviet Defense Minister places great emphasis on the Soviet Union's traditional contention that it is "surrounded by people, classes and governments that openly express extreme hatred for us," and consequently maintains that every Soviet citizen has an obligation to perform military service.

The Soviet Union's draft law not only requires military service from all its male citizens, but also requires military service from women with medical or other specialized training.

It is significant that conscientious objectors are not among the basis for deferment from military service in the Soviet Union.

I find it particularly significant that, in addition to tightening its draft law, the Soviet Union has now directed that all young men, prior to their actual conscription, will be exposed to a compulsory period of introductory military training. This preliminary military training, to be conducted at the secondary or high school level, will be under the direction of regular military instructors and, in the words of the Soviet Defense Minister, is intended to provide these young men with "the preliminary military knowledge they need."

The actions taken by the Soviets in respect to their draft law and the increased military training of all its citizenry, is merely a reflection of the heightened emphasis being given by the Soviet Union toward increasing its military capability.

The terrible dangers implicit in this stepped-up military effort by the Soviet Union to the peace of the world and the security of the United States needs no elaboration.

In view of these circumstances, I find it absolutely inconceivable that any knowledgeable American could fail to support the equitable provisions of our draft law and the reasonable efforts that we have made, in the draft law, to insure the security of the United States.

I am sure that every Member of Congress will be interested in reading the full text of Soviet Defense Minister Grechko's report and I, therefore, include it at this point in the Record:

Grechko Report on New Military Service Law

On draft law on universal military service—Report by Deputy A. A. Grechko, U.S.S.R. Minister of Defense. Pravda, Oct. 13, pp. 5–6; Izvestia, pp. 7–8. Complete text:

Comrade Deputies! The Soviet government has submitted the draft of the new Law on Universal Military Service for consideration by the third session of the U.S.S.R. Supreme Soviet. I have been instructed to report on the substance of this document.

This question is of extremely great importance in the activities of our party and government in strengthening the country's defense capacity.

As is known, the Law on Universal Military Service now in effect was adopted back in September, 1939, i.e., 28 years ago. Much has changed during this time. Enormous transformations have taken place in all spheres of our country's life.

Demands for ensuring the security of the Soviet state and preparing the country's entire population for armed defense of the socialist homeland have increased still further in present-day conditions.

Adoption of the new Law on Universal Military Service will deal with the changes that have occurred and will conform to the spirit of the Party's demands that our attention be constantly focused on questions of the country's defense.

The strengthening of the country's security is an indispensable condition for successful implementation of the tasks of building communism. This is conditioned by the presence in the world of aggressive imperialist forces hostile to our system. Vladimir Ilyich Lenin pointed out that as long as society is divided into antagonistic classes, as long as there is imperialism, the threat of military adventures against the Land of the Soviets will persist.

"The first commandment of our policy, the first lesson all the workers and peasants must learn," V. I. Lenin said soon after the end of the Civil War, "is to be on guard, to remember that we are surrounded by people, classes and governments that openly express extreme hatred for us."

In the years of Soviet rule our people have more than once had to take up arms to repulse the imperialist invaders, to defend the great accomplishments of October.

Though the positions of imperialism have weakened considerably in the past half century, its aggressive essence has remained unchanged. "The deepening of the general crisis of capitalism and the exacerbation of its contradictions," the decisions of the 23rd Party Congress state "are increasing the adventurism of imperialism and its danger to the peoples, to the cause of peace and social progress."[1]

This conclusion drawn by the 23rd Congress has been convincingly confirmed by the events of recent times.

Under cover of talks about peace and cooperation, ruling circles in the United States of America are intensifying military preparations against the Soviet Union and the other socialist countries and are creating dangerous hotbeds of war in various areas of the world. The imperialists do not hesitate to use any provocations in their attempts to change the balance of forces in the world, to check the mighty stream of the liberation movement.

American imperialism is increasingly expanding the aggressive war against the Vietnamese people and is impudently interfering in the affairs of other states by supporting antipopular, reactionary regimes.

In the last few months a dangerous hotbed of war has emerged in the Near East. Israel's attack on the Arab countries was the result of a conspiracy of international reactionary forces, first and foremost the United States of America, aimed against one of the detachments of the national-liberation movement, against the freedom-loving Arab states, which are pursuing an anti-imperialist policy.

The American imperialists, acting in concert with the revanchist forces of the F.R.G., seek to complicate the situation in Europe as well. They are doing everything possible to keep the aggressive NATO bloc and their military bases on European soil. Ruling circles in Bonn have made the core of their policy their revanchist demands for a revision of existing frontiers and the arming of the Bundeswehr with nuclear weapons.

The policies of the imperialist powers, hostile to the cause of peace, freedom and the independence of peoples, and their aggressive actions in various parts of the world have exacerbated the international situation and are increasing the danger that a new world war will break out.

Sincere champions of peace, Marxist-Leninists have never been pacifists. They have always supported just wars, on the premise that it is necessary to use all resoluteness and all available means to defend from imperialist aggression the achievements of the Revolution and the homeland's freedom and independence.

The Communist Party and the Soviet government are taking all necessary measures for further strengthening the country's defense capacity, for increasing the might of our armed forces.

In the past few years alone a number of important decisions were adopted on military construction, which were aimed at further perfecting the organization of the troops, supplying them with new types of weapons and combat equipment, improving the training of military cadres and political-upbringing work in the army and navy, and other measures. Thanks to this, the Armed Forces of the Soviet Union have at their disposal everything necessary to carry out the task of defending the socialist fatherland, the homeland of Great October.

The soldiers of the Soviet Army and Navy, devoted to the Communist Party and their people, are persistently acquiring combat skill and increasing their combat readiness; through their selfless service to their homeland they have earned the appreciation and respect of all Soviet people.

The Party, in all its activities in the sphere of military construction, proceeds on the premise that the strengthening of the country's defense capacity and the Armed Forces' combat strength is a task for all the people, for every citizen of the Union of Soviet Socialist Republics.

Present-day war, if unleashed by the imperialists, will be a cruel war with extremely decided goals. It will cover an enormous amount of territory and will draw into its orbit not only the armies, but also the populations of the warring states.

At the same time, it has become increasingly important to prepare the country's entire population to repulse the aggressors. This presupposes further improvement in the work of military-patriotic upbringing and the molding in the Soviet people of the necessary moral and psychological qualities to enable them to withstand the grim test of war. It also presupposes perfecting the entire matter of training young people for military service in the army and the navy.

The new U.S.S.R. Law on Universal Military Service, the draft of which has been submitted for consideration by the present session, is aimed at further increasing the country's defense capacity and strengthening the U.S.S.R. Armed Forces.

Leninist principles of building the armed forces, the foundation of the law now in effect, have withstood the test of time and demonstrated their force and viability.

However, as already mentioned, great events and extensive changes have taken place over the past 28 years. Our people had to fight the Great Patriotic War, one of the grimmest wars mankind has known. The Soviet people and their Armed Forces won a world historic victory in this war.

The rout of the fascist forces in Europe and also of Japanese militarism had an enormous effect on the entire course of world events, on the balance of power between socialism and capitalism.

On the eve of the Great Patriotic War the Soviet Union was the only socialist power, and in fact its armed forces alone stood guard over the gains of socialism.

Now the situation is entirely different. In the postwar years the world socialist system took shape and was consolidated. Close cooperation in all spheres, including the military sphere, was established among the fraternal socialist countries.

In response to the creation by the imperialists of the aggressive NATO bloc, in May, 1955, the Warsaw Treaty was signed; it was an important contribution to the cause of ensuring the security of the countries in the socialist commonwealth, of consolidating peace in Europe and throughout the world. On the basis of common aims, tasks and historical missions, friendly relations were established among the armies of the states participating in the Warsaw Treaty. The united forces of the imperialists are now opposed not only by the Soviet Union and its armed forces, but also by the fraternal socialist countries and their armies.

This circumstance has in turn confronted our state and its army with new tasks of an international nature.

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[1] Current Digest of the Soviet Press, Vol. XVIII, No. 15, p. 4.

After the adoption of the Law on Universal Military Service now in effect, great changes took place within our country as well. The complete and final victory of socialism was won. In the course of the construction of socialism and communism, the alliance of the working class and the collective farm peasantry was strengthened, as was the friendship among the peoples of the U.S.S.R. The Communist Party's leading role in Soviet society was enhanced still further.

Immense growth took place in the Soviet state's economy. Soviet industry, the foundation of the homeland's might and prosperity, made great strides forward. Major successes were achieved in the development of agriculture. Science and technology soared enormously. Our country is approaching the 50th jubilee of Soviet rule in the prime of its strength, having reached great heights in all spheres of communist construction. This has been vividly and convincingly described at this session.

The present-day level of the country's economic development is immeasurably higher than what it was on the eve of the Great Patriotic War, when the Law on Universal Military Service was adopted.

This year, for instance, the Soviet Union's industry will produce more than 5.5 times as much steel, more than nine times as much petroleum and almost 12.5 times as much electric power as it produced in the prewar year of 1940. Here it should be stressed that in recent years the greatest development has taken place in the branches of present-day industry, science and technology that are of primary importance in strengthening the country's defense capacity: power engineering, metallurgy, electronics, machine and tool building, the chemical industry and other branches.

The colossal growth of socialist industry and the structural advances in its development have made it possible to provide our army and navy with the latest military equipment—nuclear weapons, rockets for various purposes, supersonic aircraft, new tanks, atomic submarines and many other modern means of warfare.

The technical equipment and combat potential of the Soviet Army and Navy differ substantially from what they were in 1939.

The motorized infantry division of today, for instance, has 16 times as many tanks, 37 times as many armored carriers and armored cars, 13 times as many automatic weapons and five times as many radio communications instruments as the 1939 division; in quality too today's equipment is incomparably superior.

The increase in the division's technical equipment has substantially strengthened its combat potential. For example, one mortar-artillery salvo in the 1939 division weighed 1,700 kg., while a salvo in today's division is equivalent to 53,000 kg. This does not include nuclear weapons, whose power is several hundred times greater. The division's motor power looks like this: In 1939 per capita motor power came to three horsepower, while today it exceeds 30 hp.

The same is true of every type of troops, of every branch of the Armed Forces.

The Air Force has advanced during these years from aircraft with piston engines to today's jet aircraft flying at speeds of 2,500 to 3,000 km. an hour. The bomb salvos of jet aircraft are five times greater than the potential of the 1939 aircraft. The air force is armed with aircraft capable of making intercontinental flights in any weather and of striking powerful blows with rockets carrying nuclear warheads.

Our navy is also qualitatively new. Atomic submarines have become its principal force.

The motor power of today's submarine, as compared with its prewar forerunner, has increased almost 100-fold, the depth of submersion has increased more than five fold, and its underwater speed has tripled to quadrupled.

Submarines armed with ballistic rockets can destroy ships at distances of hundreds of kilometers and strike from beneath the water at strategic enemy targets thousands of kilometers away.

As for the newer branches of the Armed Forces—the country's strategic rocket troops and anti-aircraft defense troops, which are armed with the latest combat technology and weaponry, with first-class equipment and extremely complex apparatus—their striking power is colossal, and their combat potential is indeed incalculable.

Comrade Deputies, from this high tribune allow me, on behalf of the army and navy personnel, to convey profound gratitude to the Party and the government for their constant concern for the country's armed forces. We thank the workers, scientists, engineers, technicians and the entire Soviet people for entrusting to us such formidable weapons, and we assure them that the Soviet fighting men will, if necessary, skillfully use these weapons for the defense of their homeland. (*Prolonged applause.*)

Comrades! The armed forces and their combat strength have been and continue to be greatly influenced by the profound social transformations effected in our country.

Socialism has immeasurably enhanced and enriched the spiritual life of the Soviet people.

In the time that has passed further advances have been made in the spheres of people's culture and education. According to the 1939 census, 12.6% of our country's population between the ages of nine and 49 were illiterate; now the Soviet Union is essentially a country without illiteracy. There has been a considerable increase in the number of people with higher and secondary (complete and incomplete) education. In the period from 1939 to 1967 their number per 1,000 of the population increased from 83 to 360, i.e., almost 350%.

The rise in the educational level of Soviet people produced a great change in the personnel of the armed forces. I shall cite some data:

In 1939 about 12% of the servicemen in army and navy cadres had higher or secondary educations, 27.5% had incomplete secondary educations, and approximately 60.5% had elementary educations. At present the number of people among armed forces personnel with higher or secondary education has increased almost fourfold and amounts to about 46% of the total personnel.

The number of servicemen with incomplete secondary education has increased to 54%, i.e., it has doubled, while the number of those with elementary education has decreased by several dozen times and now accounts for fewer than one per cent.

As for the officers, the level of their education has risen even more. Every fourth officer now has a military or other specialized higher education. The proportion of engineering and technical personnel has more than tripled in comparison with 1945.

The ranks of Communists and Young Communists in the army and navy have increased noticeably. In 1939 11.5% of those in the army and navy were members or candidate members of the C.P.S.U., and about 41% were members of the Y.C.L. At present Communists account for 22% and Y.C.L. members for more than 60% of army and navy personnel.

The enormous changes that have taken place in our country, the army and the navy, and the increased demands made on the training of people for armed defense of the homeland have made it necessary to revise a number of provisions in the Law on Universal Military Service now in effect. It has become urgently necessary to bring all the provisions of the law into full conformity with the Party's present-day demands regarding organization of the defense of the socialist fatherland.

The draft Law on Universal Military Service will introduce a number of fundamentally new provisions into the system whereby U.S.S.R. citizens fulfill their honorable obligations. These provisions include such important questions as reducing the term of active military service for soldiers, sailors, sergeants and master sergeants; establishing a single conscription age for all citizens; conducting two conscriptions a year instead of one; cutting down on deferments for citizens of conscription age; introducing elementary military training for young people; and other measures.

Allow me to dwell briefly on the major provisions of the draft law.

The draft law is entirely based on the requirements of Art. 132 of the U.S.S.R. Constitution, which reads: "Universal military service is a law. Military service in the ranks of the U.S.S.R. Armed Forces is the honorable obligation of U.S.S.R. citizens." On this basis, it is established that active military service is obligatory for all male citizens of the U.S.S.R. regardless of racial or national origins, religion, education and social or property status.

The draft law also provides for military service by women with medical or other specialized training. In peacetime they can be registered for military service, taken for training sessions and accepted as volunteers for active military service between the ages of 19 and 40.

On changes in the terms of active military service for soldiers, sailors, sergeants and master sergeants.—Reduction in the term of service is one of the most important changes being made in the law. It has a direct bearing on other questions connected with the performance of military service by U.S.S.R. citizens.

The terms of active military service established by the 1939 law were changed a number of times for various reasons. In 1950, for instance, the term of service for privates in the ground and security troops was set at three years instead of two. In 1955 the length of military service was reduced from four years to three for air force sergeants and soldiers and or shore defense units and border guard ships, and from five years to four for chief petty officers and sailors in the navy. Sailors and chief petty officers in the navy now serve four years, while all other soldiers and sergeants in the armed forces serve three years. In addition, in 1965 a one-year term of service was established for those with higher education.

The substantial increase in the general-education and technical level of Soviet young people and their high moral and physical preparation enable them to master military specialties, weaponry and combat technology more rapidly.

In this connection it is proposed to reduce the term of active military service by one year and establish the following terms:

—two years for soldiers, sergeants and master sergeants in the Soviet Army and Naval Air Force, border guards and security troops;

—three years for sailors and chief petty officers on navy warships, vessels and shore units and for border guard naval units.

It is proposed to preserve the one-year term of service for those with higher education, since with higher education they can master military affairs and prepare to take the reserve officer examinations within this period.

On the conscription age.—According to the law now in effect, citizens are called up for military service who become 19 in the conscription year, whereas those who have graduated from secondary schools or their equivalents are called up at 19. Thus there are actually two conscription ages in our country—19 and 18. Whereas there were grounds for this in the 1940s, when a minority of young people graduated from secondary schools, now the situation has changed. The time is nearing, moreover, when all our young people will receive secondary education. This circumstance makes it necessary to have a single conscription age—18—since most young men graduate from secondary school at this age and their physical development enables them to perform their military duties successfully.

The possibility of reducing the conscription age from 19 to 18 is corroborated by the practice followed in admitting young men for instruction at military academies. For many years boys of 18 have been admitted to military academies. All of them successfully master military affairs and, after graduating from the military academies, serve as officers in the armed forces for many years.

On the basis of these data and taking into account the improvement achieved in the health of conscripted young people, the draft law provides that conscription for active military service should be established for young people who are 18 on conscription day.

In having finished military service by the age of 20 and having gone through the army's school of upbringing and training, they will have more favorable conditions for continuing their education, finding jobs and arranging their personal lives.

It can confidently be said that reduction of the term of service for soldiers, sailors, sergeants and master sergeants by one year and also establishment of 18 as the conscription age will be received with approval by our people. (*Applause.*)

On conscription schedules.—According to the law now in effect, the main conscription of citizens for active military service takes place in November and December, and for units stationed in remote areas or abroad, in June and September. The tour of duty for all servicemen is calculated from the January 1 following the year of conscription. As a result of such a procedure for conscription and calculation of tours of duty, many servicemen are actually compelled to serve longer than established by law.

The draft law provides that conscription of citizens for active military service take place twice a year, at equal intervals: In May to June and November to December. All aspects of this question were thoroughly examined in preparing the draft law, and it was established that such a conscription procedure would create more favorable conditions for maintaining the troops' combat readiness at the necessary level. In addition, conscription at these times takes into account the interests of our agriculture, since spring plowing is finished everywhere between May and June, and harvesting is completed between November and December.

The transfer of servicemen to the reserves will accordingly be conducted at the same time, i.e., twice a year. Those discharged from the armed forces in May and June will be able to go actively to work in the busiest period of agriculture, or prepare to enter educational institutions.

In connection with the introduction of the new conscription procedure, provision has been made to establish a new way of calculating terms of active military service. Serviceman called up in the first half of the year (from May to June) will have their tours of duty calculated from July 1, while those called up in November–December will serve from the January 1 following the year of conscription. This procedure will eliminate the existing gap between conscription and the beginning of the term of active military service.

On training young people for service in the U.S.S.R. Armed Forces.—The interests of the country's defense and the changes that have taken place in providing the army and navy with the latest equipment and armaments require that more attention be paid to the young people conscripted for active military service and that they be really trained to defend the socialist homeland.

Introductory, pre-conscription military training of young people in secondary and equivalent schools beginning with the fifth grade, which was established by the 1939 law, was abolished after the Great Patriotic War for a number of reasons. At the same time the increased demands made on soldiers and the reduction in the terms of military service make it necessary to train young people for service in the armed forces even before conscription. Therefore, the draft law provides for establishing a system of introductory military training for young people. This training must be conducted on a compulsory, planned basis for all young men of pre-conscription and conscription age, everywhere, without interrupting their work in production or their schooling.

In the process of introductory military training for boys of pre-conscription and conscription age, our young people will be reared in the spirit of discipline and organization and will receive the preliminary military knowledge they need. All this will create the conditions in which the young people drafted into the armed forces will be able to master modern weapons and combat equipment more rapidly and become full-fledged soldiers.

Introductory military training of young students is to be conducted by regular military instructors at general-education secondary schools beginning with the ninth grade, and also at vocational-technical schools.

Boys who do not attend daytime (non-correspondence) schools will receive introductory military training, without interrupting their work in production, at training points set up at enterprises, institutions, organizations and collective farms.

The interests of the troops' constant combat readiness and the strengthening of the country's defense capability require, along with introductory military instruction, the training of a number of specialists for the army and navy from among the conscripts. In this connection the draft law provides for training these specialists from among young people who have reached the age of 17, at the training organizations of the Voluneteer Society for Cooperation With the Armed Forces and in vocational-technical schools. The number of specialists to be trained will be established by the U.S.S.R. Council of Ministers.

In the cities the training of specialists for the U.S.S.R. Armed Forces is to be conducted without interrupting production work. The young trainees are to receive leave of five to seven days, with average pay, from their jobs to take their examinations. In rural areas the training of such specialists can be conducted at sessions that interrupt production work during the autumn and winter periods. The list of these areas will be established by the Councils of Ministers of Union republics without province divisions, autonomous-republic Councils of Ministers and territory and province Soviet executive committees.

Conscripts recruited for training entailing interruption of production work are to keep their jobs and posts and receive 50% of their average earnings.

On military service deferments for continuation of education. Under the 1939 law, no military service deferments were established for students at higher schools. Later, a decree of the Presidium of the U.S.S.R. Supreme Soviet granted deferments for continuation of education to all students at higher schools, including evening and correspondence schools.

The draft law envisages deferments for education only for students at daytime (non-correspondence) higher schools.

This is a more expedient approach to the granting of education deferments to students at higher schools, since evening and correspondence schools have longer terms of study than daytime schools and no military training is conducted in them. It should also be borne in mind that the evening and correspondence schools were created mainly for older citizens who in their time had been unable to enter daytime (non-correspondence) schools. It would be quite legitimate, therefore, for citizens to enter evening and correspondence higher schools after serving in the ranks of the armed forces.

As to deferment for graduating from secondary school, this remains just as stipulated in law now in effect, i.e., it will be granted up to the age of 20. At the same time, the draft law specifies deferments only for receiving one form (general or specialized) of secondary education. Boys entering specialized secondary schools after graduating from general-education secondary schools are not, under the new law, entitled to deferments for finishing these schools. This measure is aimed at seeing that draftees with secondary education are conscripted to serve in the ranks of the armed forces at the proper time.

On deferments for family reasons.—Under the 1939 law, a conscript whose labor supports a disabled parent, a wife with two or more children, or brothers or sisters up to 16 years of age, in the absence of other persons or organizations who could assume their support, is exempted for family reasons and is not conscripted for military service.

In addition to the existing provision, the draft law envisages also granting a deferment for family reasons to a conscript whose labor supports a single, able-bodied mother with two or more children up to eight years of age if she has no other children able to work.

Deferments will also be granted to conscripts who, in connection with the deaths of their parents, were supported by other persons for ten or more years if the latter are unable to work.

The range of those entitled to deferments for family reasons will thus be enlarged.

On the maximum conscription age.—The law now in effect does not set a maximum conscription age. It merely says that those eligible for military service can be called up for a period of five years from the time they were transferred to the reserves.

The new law defines this provision more precisely and establishes that persons who have received deferments or for other reasons were not called up for active duty within the established time limits can be conscripted into the ranks of the armed forces up to the age of 27. This creates more favorable conditions for all U.S.S.R. citizens to fulfill their military obligations.

On active service of officers.—In the sphere of military construction the training and upbringing of military cadres devoted to the cause of communism and capable of skillfully commanding troops have been matters of special concern to the Communist Party and the Soviet government.

The draft of the new law in the main preserves the existing system of active service for officers. The changes and additions introduced on various questions respond to the needs of the armed forces' development at the present stage and ensure the solution of tasks in improving work with the officer cadres.

On the basis of many years of practice, provision has been made to raise the maximum age for active duty from 30 to 40 years for junior lieutenants and lieutenants, from 35 to 40 years for senior lieutenants, from 40 to 45 for majors and from 45 to 50 for colonels.

This is aimed at reducing the transfer of officers to the reserves when they are comparatively young and efficient.

Provision has been made to settle the important question of calling up reserve officers to the armed forces. Every year our armed forces are in need of specialists trained in civilian higher schools. In this connection, in recent years such specialists, by decisions of the government, have been called up to serve as officers in the armed forces. However, their term of service has not been defined.

The draft law makes provision for young specialists who are officers in the reserve to be called up for active duty in peacetime for two to three years, after which they will return to the national economy. The number of specialists subject to call-up will be determined by the U.S.S.R. Council of Ministers, on the basis of the interests of both the armed forces and the national economy.

The call up of these persons for military service will enable them to fulfill their military obligations, as established by the law for all U.S.S.R. citizens, and to receive the necessary experience of serving as officers, which will be of great importance in increasing the country's defense capability.

On the length of stay in the reserves for officers, sergeants, master sergeants, soldiers and sailors.—The length of stay in the reserves for officers, sergeants, master sergeants, soldiers and sailors is to be preserved in the new law just as established by the law now in effect, except for certain categories of higher-ranking officers.

It is proposed to reduce the length of stay in the reserves for women registered as eligible for military service under the Law on Universal Military Service. According to the law now in effect, they must stay in the reserves up to the ages set for men. Taking the hardships of military service into consideration, the draft law establishes the maximum age for women in the reserves at 50 years of age for officers and 40 years for sergeants and soldiers.

On refresher training periods for reservists.—The draft law in the main preserves the existing procedure for recruiting reservists for refresher training in troop unit. At the same time it has been found expedient to reduce refresher training periods during the entire period in the reserves from 36 to 30 months and to reduce their number from six to four for the first [age] group of Category I reservists, and from nine to six for the first group of Category II reservists.

On the rights of servicemen and reservists.—The draft law provides that servicemen and reservists called up for refresher training enjoy the full rights and bear all the responsibilities of Soviet citizens, as stipulated by the U.S.S.R. Constitution.

Housing belonging to reservists on active military duty is to be retained for them, and they cannot be crossed off the waiting lists for housing.

It is incumbent upon local Soviet executive committees and directors of enterprises, institutions, organizations, collective farms and schools to provide servicemen transferred to the reserves from active or extended service with work no later than a month from the day of application, with due regard for their specialties and work experience.

Those conscripted for active military service while studying at educational institutions retain the right to be enrolled, upon transfer to the reserves, to continue their studies at the same schools and in the same courses where they studied prior to conscription for military service.

There is to be an increase in the material supplies for reservists called up for refresher training periods. Workers, employees and collective farmers called up for such training are to retain their jobs during the training periods and receive 75% of their average pay from their places of work, instead of the 50% stipulated by the law now in effect.

Comrade Deputies!

The draft Law on Universal Military Service fully serves the interests of the Soviet people and is fresh evidence of the concern of our party and its Central Committee for implementing Lenin's behests on defense of the socialist homeland. And we hope that the highest agency of state power—the U.S.S.R. Supreme Soviet—will favorably consider and will approve the submitted draft law.

Implementation of this law poses great tasks for state and public agencies, ministries, departments and commanders and political workers in the armed forces. It will be necessary, first of all, to explain the importance of the new law and its contents to the entire civilian population and to army and navy servicemen.

The new law will oblige all of us to pay greater attention to the work of training young people to serve in the armed forces and of improving the military-patriotic upbringing of the population.

There is much to be done in connection with the establishment of introductory military training. In a short period of time we shall have to create the material base, elaborate the appropriate programs and prepare cadres of instructors to put it into effect.

Adoption of the new Law on Universal Military Service will increase the responsibility of directors of enterprises, institutions, organizations, collective farms, state farms and educational institutions to see that all young men of pre-conscription and conscription age receive good training for active military duty.

In connection with the reduced terms of service, the role of the training organizations of DOSAAF, the technicums and vocational-technical schools in training specialists for the armed forces will be enhanced. The time required to put a young soldier into the line and give him mastery of complex materiel largely depends upon the quality of this training.

The draft law provides a clearer definition of the obligations of the local Soviets to conduct the registration and conscription of citizens. As is known, conscription of citizens for active military service has been entrusted to local military and civilian agencies. In this connection the new law establishes that the Soviets' executive committees are obliged to take measures to ensure the appearance of citizens for registration and conscription, to provide premises equipped for this at the specified times, to assign doctors and service personnel, to organize festive send-offs of draftees to active military service and to display the necessary concern for their families.

Our people have profound respect for the armed forces. They have affectionately dubbed them the mighty shield of the homeland. The invincible strength of the Soviet state lies in the unity of the people and the army, in the wise leadership of the Leninist party.

We do not doubt that the new law will be accepted with approval by all Soviet people. (*Applause.*)

Comrade Deputies!

Less than a month remains before the glorious jubilee—the 50th anniversary of the October Socialist Revolution. The Soviet people approach this momentous date fully resolved to give all their strength and energy to the cause of our great homeland's further prosperity. They will continue to display tireless concern for strengthening the defense capability of the country and our armed forces. Only growing military might brought to the highest point can cool the bellicose passion of the aggressors and can guarantee our country against any contingency.

The Armed Forces of the Soviet Union have always been loyal guards of the achievements of October. The personnel of the army and navy are day by day improving their combat mastery in difficult military labor, in order to be prepared at any moment to carry out with honor the orders of the homeland. At the recently completed large-scale exercises, which constituted the army's report to our people, to the Communist Party and to the Soviet government, the soldiers, sergeants, officers and generals displayed lofty moral spirit and profound understanding of their tasks and demonstrated their readiness to perform their military duties with honor.

Allow me to assure you, Comrade Deputies, and in your persons, the entire Soviet people, that our army and navy will continue to provide reliable watch over the constructive labor of Soviet people, over the great cause of communism. (*Prolonged applause.*)

FOREIGN AID FIZZLE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I would like to call attention to an article in Monday's Wall Street Journal by the eminent Washington economic consultant, Elgin Groseclose, of the firm of Groseclose, Williams & Associates.

Mr. Groseclose reviews the tragic results our foreign giveaway artists have brought to India by their mad rush to throw away the wealth of this Nation. He concludes—very correctly—that these handout experts have "destroyed the Indian economy with their short-sighted programs."

Of course, one of the prime examples of this flagrant waste is the $4 million AID junk deal in which these do-gooding bureaucrats allowed Napco Industries of Minneapolis to unload a wornout gear-making plant on the Indians at the expense of the American taxpayers.

Our foreign aiders have painted a truly dismal picture of failure on top of failure. When are we going to come to our senses and end this farce?

The article follows:

FOREIGN AID FIZZLE

(By Elgin Groseclose)

India, the largest recipient of foreign assistance with a total from all sources of some $10 billion, is today in its worst plight—economic, social and political—since it achieved independence. Some observers—though not this commentator—think India is on the brink of political dissolution, unable to stand the strains of a diversity of language, religion, race and geography.

The immediate tragedy, however, is the hunger and starvation. In many areas rice is not on sale two days a week, wheat one day a week; sugar is rationed and other commodities are also scarce. Foreign aid proponents attribute this condition to two short monsoons, and no doubt conditions will improve this year with prospects of good harvests.

Nevertheless the improvement can be only marginal. Agricultural output declined between 1964–65 and 1965–66 by about 17% and has stayed about unchanged in 1966–67. The real income of farmers has generally declined. The country is in the grip of inflation with an increase of 19% in the wholesale price index between June 1966 and June 1967, and a 33% rise in the price of food articles during that period. Despite massive assistance from abroad, the government was compelled to devalue the rupee by more than one-third in 1966 and this has been ineffective as indicated by a black market in which the rupee sells at a discount of up to 25%.

The dismal truth is that foreign aid has not relieved India of its problems but has in fact compounded them. India has been encouraged to embark upon an over-ambitious industrialization program, with resources vitally needed for food production diverted into extravagant industrial undertakings. According to a leading industrial economist of India, foreign aid induced the government to over-plan its program by at least 20%. Due to the availability of American food grains, the government was led to neglect agriculture with the result that production languished in relation to need. The government also extended its socialistic tendencies, with increased intervention in the market by controls, rationing, licensing and other techniques.

To quote from the Government of India Economic Survey for 1966–67 on the food situation: "Government intervention in the marketing of food grains rests on the premise, borne out by experience, that in conditions of acute shortage exclusive reliance on private channels of distribution is inconsistent with the state responsibility for protecting vulnerable sections of the community. Therefore, the period under review saw a major reinforcement of procurement operations, increased restrictions on private trade across state frontiers, and a substantial expansion of the public distribution system."

All this makes very pleasant reading from a bureaucratic standpoint but the report goes on to state: "Altogether the volume of retail sales via public channels rose from about 4.4 million tons in 1962 to 10.1 million tons in 1965 and nearly 14.1 million tons in 1966."

IMPORTS AND GIFTS

Where did this 14.1 million tons come from? Only 4 million tons were procured by what was in effect government sequestration of crops from farmers. The report then explains that a "major catastrophe" was averted "largely as a result of substantial imports the bulk of which have been provided as gifts or as loans on concessional terms by friendly foreign countries and international relief agencies. . . . For the calendar year 1967 an import program of nearly 10 to 11 million tons is visualized. Of this, 4.3 million tons are covered mainly by food aid from the U.S.A., U.S.S.R., Australia, and Canada for the first quarter of the year."

Thus, as one Indian commented, "one of every five U.S. farms is working to feed India."

Under the food requisitioning system, euphemistically described as an agricultural support price policy, from 40% to 60% of the farmers' marketings of cereals must be sold to the government at the government price. Since the requisition price was in 1966–67 70 to 75 rupees per quintal (equal to 220.46 pounds) against an open market price of between 100 and 175 rupees, it would seem the government's policy is not one of agricultural support as in the U.S. (where support prices are higher than market prices) but rather an agricultural depressant policy.

The government also sells the foreign aid grain at a subsidized price of around 60 to 65 rupees per quintal, thus further depressing the general market price and discouraging production for the market. The result of all this is that not only do farmers withhold grain from delivery, or produce only for their own need, but certain states also practice this avoidance. It should be borne in mind that India is a federation of states and that the central government does not exercise absolute authority. Consequently the states' governments are impelled to deliver only what their local interest dictates. The fact, recognized by many in India, is that as long as U.S. agricultural aid is made available, neither the government nor people have incentive to improve domestic food sources.

SPURIOUS THEORY

India operates theoretically under a capitalistic system but the system is not a free enterprise system. Curiously, the system tends to promote monopolies within the economy. This arises because under the government-controlled economy licenses are required to enter business and then quotas are imposed on how much the business can produce. The theory of this is excellent—to prevent any one producer from dominating the market—but it proves spurious in practice.

At the same time the government protects the licensed owner in his enterprise, regardless of his high costs, not only by the quota but by prohibiting the import of foreign goods that might compete with his. The result is to discourage any effort at efficiency, to keep prices high, and thereby to freeze the market in the interest of the protected producers. This explains why a system so deleterious and unwholesome is supported by the Indian industrial community despite grumblings about government regulation and red tape. The one who pays for all this is the pathetically destitute poor man.

Foreign aid proponents, not content with having destroyed the Indian economy with their shortsighted programs, now propose to intervene further into that ancient culture. If they have their way they will, in effect, by a population control program reduce the human population in the interest of the subhuman animal life. The population problem can be stated in two ways—either more people than the land can feed, or failure to grow enough food to support the population. Foreign aid theorists, carried away by statistics and baffled by their own failures to raise the living standards of the country, support a massive birth control or "family planning" program.

Let us note that foreign aid enthusiasts have nothing to say about the equally distressing overpopulation of cattle in India, where one may see the animals wandering aimlessly over the countryside, largely unproductive, eating the farmer's crops, and through city markets, nibbling on the greengrocer's produce. If the problem is elementally one of bringing food production into balance with food consumption, it would appear more logical to start at the animal level instead of reducing the human population in favor of the cattle.

Because of the particular status of the cow in Indian culture, however—a culture which equates man with the animals, rather than as a creature "made a little lower than the angels" and "worth more than many sparrows"—foreign aid officials find it politically more expedient to propose sterilizing human beings to sterilizing cattle. Thus, by continuing to ignore the fundamental moral and cultural problems of the country, in favor of short-cut "crash programs," foreign aid proponents succeed only in complicating their task, frustrating their hopes and postponing solutions.

SECRETARY McNAMARA'S PENDING RESIGNATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. MINK. Mr. Speaker, along with many of my colleagues I heard the news of Robert McNamara's nomination for the presidency of the World Bank with mixed emotions. There can be no doubt in anyone's mind that this dedicated American's service as Secretary of Defense over the past 7 years has set as high a standard of personal sacrifice for the public good as we have seen in the annals of American Government. Combining his keen intelligence and boundless capacity for hard work and involvement in the multiplicity of detail involved in administration of our largest Federal agency, Secretary McNamara has set an example that will be difficult for any successor to live up to, and we will sorely miss his firm hand at the controls of our vast Defense Establishment. For a man who could have spent these years enriching himself in private business to answer the call to duty as he has, and to endure through such difficult times, both for himself and for the country, I am certain has contributed greatly to the posture and security of the United States in the world today.

In paying tribute to this outstanding public servant, I want to wish him well as he moves closer to assuming the leadership of the World Bank. I know that he will acquit himself there with as much distinction and success as he achieved as Secretary of Defense, and I am sure that I echo the sentiments of the country in thanking Bob McNamara for a job superbly done. He will carry with him our respect and our gratitude, along with our hopes that his experienced counsel will continue to be heard on matters of great importance to the Nation.

TOWARD PEACE IN VIETNAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. MINK. Mr. Speaker, as the Christmas and New Year's seasons approach once again and we hear that truces in the Vietnam fighting are being contemplated as in past years, I am hopeful that the true meaning of these holy seasons, both American and Vietnamese, will lead to ever-increasing efforts on both sides to bring this disastrous conflict to a permanent cessation so that the people of Vietnam may look toward a new dawn of peace after their long travail and may anticipate the reordering of their lives back to the normal day-to-day pursuits which we in this country take for granted.

As a reminder to the leaders of the nations involved in the Vietnam war, I wish to insert in the RECORD my own appeals for peace during the past 12 months, along with my fervent prayer that the good will of the peoples of both countries will become the overwhelming and irresistible impetus for a permanent cease-fire in Vietnam:

HOLIDAY TRUCE AGREEMENTS IN 1966

(December 20, 1966, letter to the President signed by Representative PATSY T. MINK and 16 other Congressmen)

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We note with approval your decision to maintain cease-fires in Vietnam at Christmas and New Year's, and your offer for a 48-hour truce during Tet, the Vietnamese New Year.

We sincerely hope that these brief truces may be extended, and we are pleased to learn that you are considering proposals to accomplish this end.

We wish to add our voices to those of Pope Paul VI and the National Council of Churches in support of an extended cease-fire. Specifically, we urge you to announce that the United States will agree to a continuous cease-fire, including ground, air, and naval warfare, from December 24 through January 2. If this truce is honored we recommend that you offer to extend it through the Vietnamese New Year which occurs on February 8, in order to facilitate negotiations for an honorable settlement.

We believe that an extended cease-fire in Vietnam might well create an atmosphere in which peace talks can begin and the war can be terminated on an honorable basis.

With best regards.

1967 SUPPLEMENTAL DEFENSE AUTHORIZATION

(Speech in CONGRESSIONAL RECORD, vol. 113, pt. 4, p. 5134)

Mr. Speaker, I voted today for the supplemental appropriation. I wish to state that this vote should not be interpreted to mean that I support the escalation of the war in Vietnam. I voted for the supplemental appropriation only because our men in Vietnam who are there at the will of this government need these funds for their personal security and safety. Until we can urge our government to proceed with the necessary moves toward a negotiated settlement, I believe that I have a moral obligation to provide these men with whatever is deemed necessary for their personal safety.

Many who view this War in Vietnam with concern and dismay have urged me to vote against this supplemental appropriation as an affirmation of belief that Peace can be negotiated and that a further escalation is not necessary. If the measure before us was merely this simple question, I would have no hesitation to make such a reaffirmation. But this appropriation bill is not such a simple measure, for underlying it all is the consideration for the lives of 414,000 men in Vietnam who are there under orders by the government of the United States. I cannot find the justification in my conscience to use this fund request as an occasion to register my protest against the policies of escalation in Vietnam.

The President in his State of the Union message on January 12, 1966, stated clearly that—

"We fight for the principles of self-determination . . . The people of all Vietnam should make a free decision on the great question of reunification" . . . "We have also made it clear from Hanoi to New York that there are no arbitrary limits to our search for peace" . . . "We stand by the Geneva Agreements of 1954 and 1962" . . . "We will meet at any conference table. We will discuss any proposals—4 points or 14 or 50—and we will consider the views of any group. We will work for a cease fire now, or once discussion have begun. . . . We have said all this and we have asked and hoped and we have waited for a response". . . . So far we have received no response to prove either success or failure. We have carried our quest for peace to many nations and peoples because we share this planet with others whose future, in large measure, is tied to our own action and whose counsel is necessary to our own hopes. We have found understanding and support, and we know they wait with us tonight for some response that could lead to peace."

I believe that we have now had such a response from Hanoi in the numerous reports recently carried in the capitals of many nations. Where once there was a flaunting unequivocal demand that the United States withdraw all troops from Vietnam before any consideration for a settlement, today we hear of pleas for the cessation of the bombing of North Vietnam, emanating from Hanoi itself.

I know that thousands of Americans are as bewildered as I am over our refusal to consider this retraction on the part of Hanoi as that "response" which we were searching for only a year ago. Instead of only a response from Hanoi, is it now our position that we demand a promise of cessation of hostilities in advance of negotiations? Has our increased military effort in Vietnam now prompted a more ambitious course of action? Are we now demanding surrender as a prerequisite to "peace" talks? I know that our military capability reasons for such conciliation on the part of Hanoi. It is this very departure from the President's own words spoken scarcely a year ago that causes me to remind this country again of this promise of faith and earnest intentions to do all that is necessary for peace in Vietnam.

On April 7, 1965, months before we landed our military forces on the shores of Vietnam, the President in a speech at Johns Hopkins University said:

"We will never be second in the search for such a peaceful settlement in Vietnam. There may be many ways to this kind of peace: in discussion or negotiation with the governments concerned; in large groups or small ones;" . . . And we remain ready—with this purpose—for unconditional discussions" . . . We have no desire to devastate that which the people of North Vietnam have built with toil and sacrifice. We will use our power with restraint and with all the wisdom we can command."

I believe that that time for restraint and wisdom is now. Pope Paul VI in September 1966 said, "Let all those responsible strive to bring about those necessary conditions which will lead men to lay down their arms at last, before it becomes too late to do so owing to the mounting pressure of events."

I have no wish for this country to assume any unnecessary risks, and I would not advocate any step which I earnestly believed would amount to such a risk. There is no question in my mind that Hanoi is hurting badly from our bombing of the North. In the words of our President in January of 1966, we began that bombing, "to give courage to the people of the South and make our firmness clear to the North. Thus, we began limited air action against military targets in North Vietnam." On the essentiality of the bombing of the North to the security of our defense operations on the South, Secretary McNamara has said, "I don't believe that bombing up to the present has significantly reduced, nor any bombing that I could contemplate in the future would significantly reduce the actual flow of men and material to the South." I therefore feel compelled to conclude that we could have made a reply to that response for which we have waited so long from Hanoi and agreed to cease the bombing of the North, and then made a public plea for the convening of a conference "without preconditions" and "at any place" calling upon the nations of the world to intercede in laying the groundwork for the parties to meet and to discuss the means to achieve our hopes for peace in Vietnam, together with the guarantees of the rights of all Vietnamese to determine for themselves their own destinies.

I do not doubt that this Nation possesses the power and will to bring the enemy to his knees. As this war continues, the vast majority of the people of this country will seek this solution as the only means to end this brutal conflict in order to bring our sons and husbands home from these foreign lands. I can see the beginnings of unreasoned argument taking hold, and fear that unless we move with greater conviction that what we have done thus far is right, this Nation will be moved to a wider and wider war of all-out military victory in which no small voice for peace will ever again have a chance to be heard amid the cries that patriotism to our country demands only that the enemy surrender.

Should it ever again happen, I hope soon, that a friendly nation speak to us, if even ever so softly that another "peace feeler" has been sounded from Hanoi, I would hope that in a great testimony to our dedication to Peace, our President will find it possible to interpret it as a call for peace, and with all the honor that I have found in his pronouncements of the past, magnify it into those first most difficult steps to the conference table.

AGAINST THE BOMBING OF HAIPHONG HARBOR

(May 5, 1967, letter to the President signed by Representative PATSY T. MINK and 28 other Congressmen)

DEAR MR. PRESIDENT: We are disturbed by the growing number of reports that the Administration is under great pressure, some of it from Members of Congress, to attack Haiphong harbor or seek to impose a blockade.

In the past, Administration spokesmen have pointed out that such action would be a direct challenge to the Soviet Union and would inevitably compel the Soviets to take some counter-vailing steps. The Soviet Union would in all likelihood escalate the nature of its military aid and support for North Vietnam. Its policy of relative restraint would thus be jeopardized, as would the many efforts toward detente with the Soviet Union which the Administration has so carefully initiated. The closing of Haiphong harbor would, moreover, drive North Vietnam into even greater dependence on Peking.

We have found the Administration's arguments against such action and its possible consequences highly persuasive in the past. We believe in their validity today. We hope, therefore, that the Administration will give them continued consideration and emphasis in the future.

SEEK A UNITED NATIONS SOLUTION

(May 24, 1967, letter to the President signed by Representative PATSY T. MINK and 59 other Congressmen)

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are profoundly aware of the enormous pressure on your office during these most difficult days. Your efforts to find a basis for peace in Vietnam have been strenuous and sincere. We appreciate those efforts and urgently hope they will continue.

We believe it is crucial that all concerned continue to explore every avenue in the search for peace in Vietnam. And we believe the machinery of the United Nations should be put to use in that search.

In February, 1960, Ambassador Arthur Goldberg presented the matter to the Security Council and after considerable debate the Security Council agreed to place the situation in Vietnam on its agenda. Since that time, so far as we are aware, no further steps have been taken in the Security Council.

We respectfully suggest that the time has arrived when a further effort should be made by the United States to seek action in the Security Council in support of our endeavors to achieve a peaceful settlement.

Sincerely.

CONCERN OVER FREE ELECTIONS IN SOUTH VIETNAM

(August 10, 1967, statement by Representative PATSY T. MINK and 56 other Congressmen)

STATEMENT ON FORTHCOMING ELECTIONS IN SOUTH VIETNAM

The undersigned members of Congress are deeply disturbed by developments in South Vietnam with regard to the coming elections. Reports from Saigon give us concern that such elections will be viewed as little more than a sham unless remedial measures are undertaken immediately by the Ky government and the military group in authority.

For example, statements attributed to Premier Ky threaten seizure by military coup in the event the election should produce results unacceptable to him. The implication of this statement is that only a Thieu-Ky victory will be acceptable to authorities now in power.

Last Friday, the New York *Times* correspondent reported:

"The generals who rule South Vietnam are at work on a plan that would perpetuate collective government by the Junta despite the election of a President, Vice-President and Congress.

"Informed sources said that senior officers in the army had taken the first steps toward the formation of a 'Military Affairs Committee' which would formulate national policy in much the same way as the armed forces leadership has done for more than two years.

"We think democracy is coming too soon to Vietnam," one general recently told an American friend. "There is a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right."

The unfortunate incident at Quang Tri on August 6 where the non-government presidential candidates were not furnished the facilities to meet with voters at a scheduled campaign meeting must be viewed with suspicion. Certainly the government, which has control of transportation facilities, must assume the responsibility that all candidates will be given the opportunity of meeting their formally scheduled campaign commitments.

We deplore these developments. Our country has sought to foster democratic political institutions to give the government of South Vietnam a more representative character. Our Secretary of State has expressed pride in the fact that through widespread popular participation, a Constituent Assembly was elected and a constitution drafted and adopted. Despite certain serious limitations these provided a basis and framework for meaningful elections and representative government. It would appear now that arbitrary and selfish action on the part of the military authorities places our determined and painstaking effort in jeopardy.

The message of America to the world is the message of self-determination, of enabling people to make their own decisions through a constitutional election process. In his Freedom House speech on March 16, 1966, President Johnson said:

"Men ask who has a right to rule in Vietnam. Our answer there is what it has been here for 200 years. The people must have this right—the South Vietnamese people and no one else. Washington will not impose upon the people of South Vietnam a government not of their choice. Hanoi shall not impose upon the people of South Vietnam a government not of their choice * * * We stand for self-determination—for free elections—and we will honor the result."

The people of South Vietnam are entitled to exercise their voting privilege free from governmental threats and pressures. They should be given a free choice of candidates, and a full and free discussion of all issues. A South Vietnamese government elected in a fair election will command a loyalty and devotion to the nation which is not now in widespread evidence. A South Vietnamese government elected under the conditions laid down by the Ky government and the military group can command little respect and little allegiance.

To the President's eloquent Freedom House statement, there should be added the admonition that the military group should not limit the freedom of choice given the people of South Vietnam. If the governmental authorities of South Vietnam continue to refuse to assure free and fair elections, they should be informed that the United States may very well undertake a serious reappraisal of its policies in Vietnam.

We urge the President to make the strongest representations that steps be taken promptly to prevent a further eroding of confidence in the elections. For the United States to press for truly free elections in Vietnam is to reaffirm our principles and our objectives. For the elections to be considered no more than a mockery in South Vietnam and throughout the rest of the world would be a tragedy.

HALT THE BOMBING OF NORTH VIETNAM

(October 12, 1967, letter to the President signed by Representative PATSY T. MINK and 29 other Congressmen)

DEAR MR. PRESIDENT: Since April, 1965, you have often stated your desire to seek peace in Vietnam through negotiations. With this we strongly concur.

Yet, we have become increasingly alarmed at the continued escalation of bombings by American planes over North Vietnam.

The bombing of targets close to the Chinese border, and of the port cities of Cam Pha and Haiphong conflicts with the carefully reasoned and factual analysis presented prior to those steps by Secretary of Defense McNamara on August 25, 1967. We refer particularly to the Secretary's contention that "our resort to a less selective campaign of air attack against the North would involve risks which at present I regard as too high to accept for this dubious prospect of successful results."

Obviously the risks to which Secretary McNamara referred are catastrophic involvement with Communist China and the Soviet Union, including the possibility of nuclear war.

The policy of bombing in the North has been tried and has failed to accomplish its objectives of significantly reducing the infiltration of men and supplies into the South and of bringing the Hanoi government to the negotiating table.

We hold, therefore, that the time has come for the United States to halt the bombing of North Vietnam. The United States position in the world is strong enough to do so. Such a course, in our view and that of prominent statesmen throughout the world, best promises to open the way for a reasonable and peaceful settlement of this tragic conflict.

Respectfully yours,

HONOLULU STAR-BULLETIN INTERVIEW, OCTOBER 13, 1967

1. ON THE BOMBING OF NORTH VIETNAM

Since early in 1967, I have sought and urged the cessation of the bombing of North Vietnam. I believe that if negotiations are to commence, there must be an end to the bombing of North Vietnam. This has been urged by leaders of as many as 25 countries at various times since the bombing began. Most of these countries are part of our "Free Western" bloc of nations, and I believe that our concurrence with their view will help to engage a settlement on a multination basis. Our own unilateral military policy to bring Peace in Vietnam has failed, and I believe that Peace can only be achieved now through the initiative of other nations whose involvement is predicated upon our cessation of the bombing of North Vietnam. I believe Secretary McNamara's appraisal of the bombing that it has not materially reduced the infiltration of men and material from the North, and thus I am not at all persuaded that the bombing must continue as a matter of security for the lives of our men in South Vietnam. Since the bombing has not brought us closer to Peace, it is imperative that we develop a new strategy which will enable our international friends to call for an immediate conference.

2. ENLARGING THE BOMBING TO INCLUDE HAIPHONG HABROR AND HANOI

Since December 11, 1965, I have been opposed to any plans to bomb Haiphong Harbor or Hanoi, and I am still against this dangerous widening of the war.

3. ABOUT POSSIBLE INVASIONS OF NORTH VIETNAM

I am opposed to any plans to invade North Vietnam with troops as contrary to the President's stated policy of seeking an end to this war through negotiations. Such an invasion would further escalate the war and be susceptible to no other conclusion than that we are incapable of developing a course of action which could lead to a settlement, and instead are altering our course to one of an all-out military strategy.

4. A BOMBING PAUSE

I do not believe after a policy of continued escalation of our war effort during the past 18 months that a mere pause in the bombing on our part for a stated period will have any positive results for a peaceful settlement. Such a pause of significant length during the early months of this year or in 1966 might have been successful, but it is my opinion that this kind of strategy is now without promise for success. I must, however, support President Thieu's recent announcement that he will himself call for such a pause and in conjunction therewith seek a meeting with Ho Chi Minh, for this is a new approach and so long as there is a scintilla of hope that it could bring the desired results we must give it every possible encouragement.

5. WITHDRAWAL FROM VIETNAM

I still believe that the President's statement of April 7, 1965, made at Johns Hopkins University at Baltimore, Maryland, is the reason for our presence in Vietnam, and until he publicly disavows these important words, I shall support our presence in Vietnam. The President said in effect that we are there at the request of the government of South Vietnam to protect the peace and security of these people, that we are not at war against any government, nor do we seek any conquest or any exercise of dominion over an Asian territory, that we are only committed to preserve the security of the people of South Vietnam against external aggression. So long as that external aggression exists as a threat against the people of South Vietnam, I agree we cannot withdraw. However, our presence and commitment there does not authorize our engagement beyond the borders of South Vietnam and I am thoroughly in opposition against any such plans and policies to extend our efforts beyond those boundaries.

6. WHAT MINIMUM TERMS SHOULD THE UNITED STATES HAVE FOR PEACE IN VIETNAM

I believe that we have only two interests in Vietnam. One, the protection of the people of South Vietnam against external aggression from without; and two, the assurance that the people will have an opportunity to determine the kind of government they want without any intervention by any outside power. The President said in October of 1966 that given these assurances that he was prepared to withdraw the U.S. forces in an orderly manner within six months. This I believe is still the policy of the government of the United States which I support.

TRAGEDY AVERTED—NEED FOR FEDERAL SAFETY STANDARDS FOR TRANSMISSION AND STORAGE OF NATURAL GAS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, what could have been a major tragedy was narrowly averted in my congressional district recently when a leak from a natural gas well was sealed up without an explosion and without loss of life to workmen or residents of the area. But before the well was sealed off, it was necessary to evacuate 150 families and to discontinue telephone and utility services in that area for fear that a spark might ignite an explosion.

Gas was able to escape from the well as the result of a freakish natural rock formation. This gravely dangerous situation was able to occur even though the company drilling the well had apparently taken the precautions normally required for such operations.

The recent events in my district, as well as the gas explosion in St. Louis of a couple weeks ago, spotlight once again the great danger to the public which can result from the drilling, transporting, and storing of natural gas.

Natural gas plays a vital role in powering the industrial economy of the United States. And, as we all know, Mr. Speaker, it is one of the major sources of power for the myriad of laborsaving devices used in the modern American home. I suppose we must be willing to accept some measure of increased danger as the price to be paid for all the convenience added to our lives by this power source. But it is intolerable to expect people to expose their families and homes to the threat of destruction by unsafe and substandard procedures for the transmission and storage of this gas.

Our colleagues in the Senate recently acted favorably upon the Natural Gas Pipeline Safety Act of 1967. Mr. Speaker, today I am introducing a very similar bill for consideration by the House of Representatives. My bill is identical in coverage to the Senate bill. The only difference is that I have added a few clarifying amendments to the definitional sections of the proposal. My amendments merely serve to make clear that storage areas are included within the scope of the act.

Gas is stored in both aboveground and underground facilities. There are over 300 depleted oil and gas fields and underground cavities which once held water now being used for the storage of natural gas. In the State of Michigan alone, there are 27 such gas storage fields, and two of them are in my home county, Macomb County.

Rapid urbanization of areas like Macomb County bring once-isolated gas storage areas into dangerous proximity of homes and schools. The same is true of the hundreds of thousands of miles of pipelines which carry natural gas from fields in Texas, Oklahoma, and other oil- and gas-producing States into the urban regions of the North such as the Detroit metropolitan area.

Mr. Speaker, the Senate hearings provided ample evidence of the need for Federal safety standards for the transmission and storage of natural gas. I believe that the Senate bill, with my clarifying amendments, is a good bill and I urge prompt action on it by the House.

FIRST DIAL TELEPHONE IN WORLD SET UP 75 YEARS AGO IN LA PORTE, IND.

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, just 75 years ago this November the first dial telephone exchange in the world was set up in La Porte, Ind., in the congressional district I have the honor to represent. This event marked the introduction of the automatic dialing system that eventually spread throughout the world as the forerunner of today's direct distance dialing. At this moment, 98 percent of the more than 200 million telephones in the world are dial operated.

On the occasion of this telephone milestone I would like to pay tribute to a Government agency, the Rural Electrification Administration, for helping to bring the benefits of the modern telephone to the rural people of the Nation, and to my State in particular. More than one-quarter million rural residents in Indiana now enjoy this modern miracle of communication, thanks in large part to the REA telephone loan program.

When the telephone loan program was authorized by Congress in 1949, roughly 60 percent of the farms in Indiana had telephones, and much of this service was obsolete. Today, nine of every 10 of the State's 116,000 farms, as well as many rural homes and businesses, have telephones, and a much greater proportion enjoy modern dial service.

Moreover, the announced and continuing objective of REA is to achieve for rural subscribers dial telephone service under rates and conditions comparable to those available in towns and cities, with single-party service being a long-range goal.

From its inception 18 years ago until July 1, this year, REA had approved almost $30 million in loans to 28 telephone borrowers in Indiana, including 18 commercial companies and 10 cooperative associations. Of these, 24 borrowers had reported to REA by the first of this year that they had placed in operation 76 automatic dial exchanges serving rural subscribers.

I know I do not have to dwell on the importance of the telephone in modern living—rural and urban. Every time we call a friend or phone a druggist for a prescription or simply call home we're grateful for the service a telephone gives us. And particularly in times of emergency when we need a doctor, a policeman or to report a fire, the telephone is the first instrument we reach for.

By making this kind of telephone service available in the rural areas of this Nation through its telephone loan program, REA has earned the gratitude of millions of rural residents throughout the United States.

For a small agency it is doing a big job and in Indiana we know it.

ADDRESS OF SENATOR WAYNE MORSE, OF OREGON, AT THE GENERAL SESSION OF THE JOINT CONVENTION, NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES, AND THE ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES, NOVEMBER 14, 1967, COLUMBUS, OHIO

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, few Members of the House of Representatives or Senate of the United States have contributed more to the cause of supporting education at every level than the distinguished senior Senator from Oregon, the Honorable Wayne Morse.

As chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare, Senator Morse has played a particularly significant role in helping shape much of the extraordinary record of education legislation of recent years.

I insert at this point in the Record the text of an excellent address delivered by Senator Morse on November 14, 1967, at the general session of the joint convention held by the National Association of State Universities and Land-Grant Colleges and the Association of State Colleges and Universities, in Columbus, Ohio. Senator Morse's remarks on this occasion are eloquent testimony to his vigorous leadership and dedicated effort in support of strengthening American education.

The text of the address follows:

Questions as Big as the World and as Enduring as Eternity

(Address of Senator Wayne Morse, Democrat, of Oregon, chairman, Education Subcommittee, Senate Committee on Labor and Public Welfare to the general session of the joint convention, National Association of State Universities and Land-Grant Colleges, Association of State Colleges and Universities, November 14, 1967, Columbus, Ohio)

President Jensen, Distinguished Guests, Members of the Associations, and friends:

We live it seems in the decade of the centennial observance. So many advances made in the past 100 years are being reviewed, as in area after area courses are charted for the next moves forward.

This is as it should be. We can gain a perspective, if we pause to look back from where we started, so that we can gain for the time that it takes to breathe, a respite from the pressure to move onward to our dimly seen goals.

This great audience of distinguished men and women who are dedicated to understanding and transmitting the knowledge of the past, and through that understanding transmuting it and minting it anew for each generation of students, is visible proof that an idea can become reality through faith and works.

For it took both to bring into being the great institutions of learning which comprise your Associations. You are a great national treasure and a unique national resource whose value increases each year to all of our citizens. You are a national treasure, because from your laboratories, your libraries and classrooms come the men and women who serve all of their fellow citizens, in industry, government, labor, business and agriculture. Surely these products of your teaching are the only lasting treasure that a nation can have.

You are a unique resource, because of your origins. You carry on proudly the American tradition of democracy. You are not ashamed to stem from the colleges of the mechanic arts of your founding, for you realize that the dream of the architect must be based upon engineering principles, that the voice of the advocate or the hand of the surgeon is to be used in the service of the client, unstintingly, and regardless of ability to pay.

This is the goldsmith hallmark of the professional. That he performs his service to meet and answer human needs. It is a sign of the discipline you have accepted that you do not measure the quality of your offering by the monetary reward you receive.

So I salute you for the past services each of you, and each of your associations has rendered to the common good. I thank you as the representative of the people of the United States for the contributions you have made in every area and discipline. I am confident that in more than full measure you will fulfill the tasks and obligations that the century ahead will bring.

It is fitting that a prophetic voice of forty years ago should again be heard on an occasion such as this: Does the metal of it still ring true?

"Secondary education is asleep. It is dreaming of I.Q.'s, of discipline as against supervision, of conformity to the requirements for college, of methodologies, of pedagogies, of the isness of many inconsequential whys—but for questions as big as the world and as enduring as eternity, she has neither eye nor ear. Human relationships, the struggle against war, the economic chaos of the world, hate between races and religions, the moral delapidation of mankind, the disintegration of the fireside, the apparent triumph of the material over the spiritual—all these receive but a passing glance."

John Dewey spoke of secondary education, but in a sense, it applies, or should apply, to all educational endeavor. These larger questions are your grist for milling. Your primary function is to equip each generation of your students with the intellectual tools they need to fashion their answers based upon principle, to these eternal questions.

So although I recognize the necessity of setting forth on a value free basis, that which is, I regard this only as a prerequisite for the more vital measurement, the assessment of the existing against the model of what ought to be.

THE 1960'S REFLECT CONCERN OF AMERICAN PEOPLE FOR MORE EDUCATION

We can take comfort, some comfort at least, that the 1960's have, as never before, reflected the concern of the American people for the need to expand at every level educational opportunities for all of our young people.

More young Americans now are attending better schools and are being exposed to more information at every level from pre-kindergarten through post-graduate study than any predecessor generation. But this is not enough.

Despite more than a billion dollars of Federal aid which was added to the elementary and secondary school budgets of a few of our schools, urban and rural, who needed it most, as a Senator, I feel my efforts have been inadequate when I am told in our hearings:

"In one community, for example, a principal received ESEA funds to provide free school lunches for 100 children for each day of the school year. But there were 300 eligible children in the school. In order to distribute the school lunches equally, the principal decided to feed all 300 children once every three days rather than feeding 100 children every day. There was considerable concern in the community because the Negro parents could not understand why their children did not get fed every day. This is fairly typical of the lack of communication between the school and the community and it is indeed unfortunate."

It is hard to see how a remedial reading program can get started and work well unless first the physiological need of the child for food is met. Obviously in that school system, the greatest improvement they could hope for would follow from the installation of what most of us thought was a standard program since the 1930s. I have been voting for school lunch programs every Congress since I entered the Senate, and I am appalled that we have not yet managed to provide sufficient resources from the agricultural abundance your schools have brought into being through the work you have done with the American farmer, to clear from the learning path of some of our children this unnecessary and morally indefensible obstruction.

What relevance has this for you? Ask yourself what you did when the appropriations bill for agriculture was up. You supported, I am sure, the school lunch program, but were you not more concerned with items more immediately related to your operations?

RESPONSIBILITY OF STATE COLLEGES AND UNIVERSITIES

In the second century of your service to the American people do you not have an enlarged responsibility to make better known to the Congress and to your State legislatures the findings of your research in urban and rural sociology, the results of your interdisciplinary studies, so that effective programs can be developed to meet these human needs?

If you enlarge your horizons to reach into and criticize constructively the way things are being done, if you develop and advocate sound solutions to these problems, using as tools the authorities such as those contained in Title I of the Higher Education Act of 1965 relating to community service and university extension programs, then you will help to create for your many other concerns the climate of opinion which can assist you in solving your institutional financial problems.

I have spoken of your institutions as being a national resource, well aware that a national resource whether it be timber, waterpower, ore or oil, can be harvested and conserved or it can be willfully and shockingly wasted through exploitation.

To discharge the responsibilities I am suggesting will require an additional commitment of money and talent, if other areas of equal validity are not be cut back or ignored. I propose to help you in every way that I can to develop new sources of financing through additions to existing legislative authorities, not because of your institutions per se, but because I am convinced that it is in the interest of all of our citizens that we develop better ways of providing a full range of educational opportunity to our young people.

But I put to you the necessity of your effort with your Senators and Congressmen to obtain the full appropriation of the presently authorized programs as well.

Let us first take a look at the specifics.

TITLE IV NDEA FELLOWSHIPS

Currently 7500 NDEA fellowships are authorized, that is to say that budget estimates sufficient to support that number can be submitted.

The President asked only for 5,460 new fellowships for fiscal 1968, the current fiscal year at a cost, for these and for funding the second and third year costs of the 12,000 fellowships previously awarded, of $96.6 million.

The signed appropriations bill carried only $86.6 million.

What are the results? You know them only too well.

The answer I received when I asked the question of the Office of Education was:

"Should the requested appropriation of $96,000,000 be reduced by $10,000,000 to $86,000,000 for Fiscal Year 1968, the number of students who could enter the first year of the three-year period of college teacher training in September, 1968 would be reduced from 5,460 to 3,325 (since the second and third year commitments to 12,000 students already in tenure represent a continuing prior obligation of the NDEA Title IV program).

"The practical effect would be to reduce by 45 per cent of the level of first year support available to the universities and graduate colleges of the United States in the training of future college and university teachers. Every one of the 193 leading graduate schools of the 50 States would find their level of support for first year fellows reduced by approximately 45 percent in 1968–69 as compared with 1967–68 should the requested appropriation for FY 1968 be reduced from $96,000,000 to $86,000,000.

"The impact of this sharp reduction in the first year support for the training of college and university teachers comes at a time of sharply increasing need for teachers trained at the doctoral level in our rapidly expanding national network of junior colleges, four year colleges, senior colleges, and public and private universities. The proposed 45 percent reduction in first year NDEA Title IV fellowships comes at the same time as projected reductions in most other Federal programs for pre-doctoral training of scientists and scholars to meet our rising national need for specialists trained at the doctoral level."

ACADEMIC FACILITIES CONSTRUCTION

The Higher Education Facilities Act of 1963 has helped to build many libraries and classrooms. It is authorized at $728 million for this year. The appropriation for fiscal year 1968 was $459.7 million. Testimony on construction needs for academic facilities from college and university witnesses suggests a total capital investment need of about $4.375 billion each year, if we are to admit the students who apply under current standards of acceptability.

The contrast between the provision made and the model of what ought to be provided is pretty clear.

Yet you and your colleagues are the only ones who can make clear to the Congress that curtailment in this area is surely penny-wise pound-foolish economy.

Your boards of trustees ought to be pointing this out too, to the newspaper editors of this country and to the banking community. For education is a good investment of the public funds. It returns a higher dividend than almost anything else to our economy.

OTHER AREAS OF UNDERFUNDING

The International Education Act is the prime example of a program of promise and potentiality which has been birth-strangled through non-funding. Your Congress would not even give the Act seed money to start its operations.

The Teacher Corps received $13.5 million rather than the $33 million asked for by the President.

Only half of the $2.4 billion appropriations for the Elementary and Secondary Education Act authorization was funded.

These are examples of areas where you could, and in my view should have a great concern. Your students are those who come from the nation's public schools. Unless the quality of their preparation is high, you are saddled with the costs of remedial work.

WATCH THE BUDGET NEXT JANUARY

So I would counsel you to watch the budget that is submitted in January for next year. Analyze the implications contained in it early and make known vigorously your views upon the adequacy of the funding proposed. In your meetings adopt measures which will let your professional staff who are very able and dedicated keep you informed so that you can act at each key point in the process with maximum effect.

But beyond this, and for the future, for the long haul as we leave this century and enter the next, I believe that the national interest calls for a new departure for meeting more adequately the operational as well as the capital costs of higher education.

We shall soon be in hearings on the Higher Education Amendments of 1967. If your deliberations at this meeting produce recommendations for a beginning in this area of future financial assistance, I shall be delighted to hear your witnesses in the course of those hearings.

Let me share with you some of the policy considerations which such proposals should contain if, in my judgment, they are to command effective support in the Senate.

First, the aid proposed should encompass both public and private institutions of higher education.

Second, it should recognize the advisability of support being extended to all institutions of higher education whether they be 2 year, 4 year, or university level including those aggregates of 4 year undergraduate institutions which have ties with a common graduate center.

Third, provision should be made for equitable distribution of the aid given in terms of the students each serves to all geographical areas of this country, with particular stress in building graduate capacity in those areas which now have limited capabilities in this area.

Fourth, recognition should be given to the costly nature of research activities and additional levels of compensation should be awarded for this function.

Sixth, because of the historic development of higher education in this country certain of our institutions along the eastern seaboard and on the Pacific Coast have attained a preeminence which has resulted in their becoming in recent years the prime receivers of Federal funds from our defense and space agencies and from the National Science Foundation. This is understandable and by no means, in my judgment, improper. But one of the attributes of a politician is the ability to count legislative and appropriations noses. I would strongly urge that for adoption of a program and the initial and continued funding of a program, it would be well to incorporate into the formula a maximum ceiling for funding in any one year, to any one institution.

I have been reviewing draft legislation of this character. It would be my hope that the uses to which such funds as are generated under the formula approach I have briefly sketched could be put would be a broadly permissive nature, one patterned after the operation and maintenance language which governs the present use of P. L. 874 funds to local school districts in our Federally impacted areas programs, but I would also hope that it would contain a recognition that the land-grant college concept, so successful in agriculture, could be itself transmuted into an equivalent ideal of service to the metropolitan areas which house an ever increasing proportion of our population.

If with your help, we can evolve a new program of broadly based support for our colleges, your successors who meet here or elsewhere in the year 2067 will have cause to sing your praises.

And as a consequence of the benefits such a program would bring to the nation and to the world it would be my hope that they could answer Dewey with the ringing affirmation that in our time we had not failed to put the eternal questions strongly and matched them with our appropriate and compassionate answers.

ADDRESS BY SENATOR EDWARD M. KENNEDY AT THE HARVARD MEDICAL SCHOOL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I believe that a recent address by the distinguished senior Senator from Massachusetts, the Honorable Edward M. Kennedy, at the Harvard Medical School, concerning Vietnam with particular attention to the field of civilian medical care, is worthy of the careful attention of all our colleagues.

I insert Senator Kennedy's perceptive address, delivered on October 25, 1967, at this point in the Record:

We meet tonight in a school of medicine to talk about the conduct of a war. But we do not meet in the usual sense, for while we are concerned for the well-being and safety of those who fight the war, we meet because of an equal concern for the civilian living in the fire of war—those who are not armed, not belligerents, not fighting against us, and significantly not fighting for us.

This concern, common as it may be to the humanitarian motives of men of medicine, is novel to the rest of us in a time of all-out war. Our current involvement in Southeast Asia, however, is such that civilian concerns, I believe, are directly linked to the success of our national effort.

Our setting and our concerns are unique because Vietnam is unique. And I believe we would not be here at all if we were satisfied that our country's response was appropriate to the challenge we confront.

In this modern world—when all things within our environment, as well as the affairs of men, are considered to be controllable or open to the appeals of reason, wisdom and the accumulated knowledge of the ages—we have a Vietnam. And it seems that it will continue. It seems that nothing we do will cause it to submit to the usual solutions. It seems to be relentless in the taking of precious American lives.

Vietnam is the most complex, by some measures the most costly, and certainly the most frustrating confrontation ever to plague our nation. It is a war that seriously threatens the peace of the world. It has caused divisions within the community of free nations. It holds out the possibility of tearing apart the people of two countries—ours and theirs. Vietnam is a battle between peoples that we all wish were ended, but if anything it is the one battle that will not be ended by the simple wishes of men of good will. It seems to taunt all hope. It has a way of smashing well-intentioned suggestions and initiatives toward peace our country has made, as fiercely as it is smashing young Western lives and an old Asian people and culture.

When the decision was made, so long ago, to involve this country in the defense of Vietnam, it was made with the full knowledge that what we faced there we had never faced before. The original Vietnamese war was an internal struggle, born in the vacuum created by the rout of colonial France, nurtured by a mixture of nationalism and communism, and particularly cruel in the methods used by both sides to bring the people into the ranks of contending forces. Yet the decision to intervene was made in our best interests, and, we felt, in the best interests of the people of the South.

But the way in which we chose to be involved then, as differentiated from our involvement now, reflected a cool appraisal of how our power could best be brought to bear. We chose to have the American presence felt in moderation; with respect for those we were assisting; and with the knowledge that in civil strife those of a backward and underdeveloped land would respond more readily to hope and protection than to the fear and despair that accompanies vast destruction.

Most importantly, we made our decision with the realization that the real battle was for the allegiance of the people, and that bombs and bullets could not will them to the cause of democracy if the side we were assisting offered them no real alternative in their daily lives to the side we were resisting.

The conflict proved to be difficult, and we suffered from a lack of real experience in these matters. There was no precedent to guide us nor historical example to retreat to when patience wore thin. And as the efforts of the central government of South Vietnam appeared near collapse we took on the brunt of the fighting ourselves.

We abandoned our position of assistance and, I believe, our reliance on the long-run benefits of political action. We fell into all-out war. So it is today that the war we fight is little different from all other wars in history, despite the fact we knew, and still know, that the real crisis of Vietnam calls for solutions approaches and techniques of warfare different from those produced by all wars of the past.

URGENT MEDICAL NEEDS OF VIETNAMESE CIVILIANS

Nowhere has our failure been more clear than in the civilian medical arena. The testimony of experts has been all too clear:

Hundreds of South Vietnamese wounded today lie in sheds, corridors, floors, sometimes even in the open courtyards, awaiting surgery that may be delayed a year or longer.

One doctor described an experience last April at Da Nang Civilian Hospital. He found fifty civilians, children and adults, lying on the floor; little children crowded into one room, all with kerosene, fire and other burns of war; people with second and third degree burns, many of them dying at the moment. There was insufficient personnel, insufficient equipment, and insufficient medicines to care for the casualties.

Not one of the provincial or major hospitals servicing the people of Vietnam meets even the barest minimum of sanitation or other support conditions with which to carry out simple medical practices. Tu Du Maternity Hospital, the main teaching facility for the University of Saigon for obstetrics and gynecology, has conditions of unbelievable filth and neglect—there is no place for 400 women to even wash their hands; showers are used as toilets; three to four women crowded with their babies in filthy beds pushed together at night; rats stalk the corridors; newspapers are used for diapers; drugs for pain almost unavailable.

In the entire country there is only one

maternity hospital, as of a month ago, where gloves are available for the delivering of babies, and that hospital had gloves only because a private doctor became so upset that he personally supplied them. The great tragedy of all this is that most of all of these shocking and deplorable conditions need not exist; babies and children are dying daily because of pure neglect and lack of concern.

We were told that there are currently 35,000 amputees awaiting prosthetic devices and currently only a few hundred being produced each month. It is hoped to have the production of prosthetic devices increased to close to a thousand a month in the future, but still thousands and thousands of amputees face years of waiting for artificial limbs—that is, if they can ever be fitted and taught to use them after so long a lapse of time.

No real means has been worked out for getting the war injured patients to hospitals. Most often they come in carts, sampans; those, that is, who can walk. Such information that we do have indicates that the lapse in time from injury to admission to hospitals, for those who do reach hospitals, more often than not runs from 24 to 36 hours.

There are 43 provincial hospitals in Vietnam. Not one was considered up to minimum standards for a developing country in Southeast Asia by the medical survey team recently sent to Vietnam. Almost all of these hospitals lack sanitation facilities, drinking water, dependable electrical systems: Equipment is ill-maintained or nonexistent. Drugs are in short supply and so too are nurses and all types of paramedical personnel.

I do not feel that these present conditions can be justified. But beyond that I feel that as long as these conditions prevail, we are failing absolutely in the fulfillment of our most basic commitment to the people for whom we are fighting and dying.

These people know as well as we do how efficiently and swiftly United States and South Vietnamese wounded soldiers are removed from the field to receive the best in medical care immediately. That we do so little for the peasants and their children can only create distrust and cynicism, a cynicism so dangerous and deep that it may well condemn us to additional years of fighting—and thousands more Americans dying.

To state these facts is not to belittle the work of the many brave and generous individuals who have gone there to help. Our AID personnel, the committed staff of the various voluntary and religious agencies, and the doctors who have participated either singly or in the A.M.A. program deserve the respect and admiration of us all. It is unfortunate but true that they labor under the most difficult of conditions—not because they are working in war—but because they are trying to do a job with little support from those we have entrusted with the effective direction of the war effort and the winning of the South Vietnamese people.

Nor are these facts put forward without recognizing that in a time of war, it is difficult to bring health and care to civilians. Yet we are, as a nation, expending $3 million an hour in Vietnam, or $25 billion each year. In 1967, we allocated only $37 million for all civilian medical programs—an allocation for an entire year equal to one-half day's effort in our fight to save a nation.

This is the pittance we have given to attend to the wounds of approximately 150,000 civilians each year who are struck down—whether by our enormous firepower or by the stiletto of Viet Cong terror. In a country where more than half of the population is under the age of 16, we might well ask ourselves whether by our lack of concern we are not only losing the hearts and minds of the body politic but are also planting within new generations the seeds of hate toward us.

I state these facts to make the point that I believe it is time to redefine our position in Vietnam, to question whether these people can be won and a land secured by guns alone. I believe we must rethink our total approach and ask ourselves whether the losses we have suffered and the resources we have expended have resulted in any real gains in affecting the political inclinations of the South Vietnamese.

If not, must we continue to pour young Americans into that abyss, and must we continue to pursue a course that threatens to alienate the minds of those we went there to assist?

THE NEED TO WAGE A DIFFERENT KIND OF WAR

It may be the time to recall and return to our original outlook: That whatever else we do in Vietnam, nothing of lasting value can be accomplished unless the Vietnamese people themselves wish it to be so. It was said that the war was their war—now it is our war. It may be too late to return to earlier positions, but I do not feel it is too late to now use our men and resources to wage a different kind of war—to shift from the reliance on military action to actions that will be more meaningful, merciful, and of lasting benefit to the people themselves.

So it is my view, and I hold it strongly, that the bullet will never defeat the Viet Cong or the soldiers of the North. Our remaining hope lies with the people of the South.

We must bring them to the point where they will cease to welcome the soldiers from the North or supply the Viet Cong with recruits. When we show them by deed, not by strength, that we represent the forces of freedom and all that means for individual welfare and dignity, then they may respond. And this can be accomplished now I feel, only through the reordering of our priorities—and nowhere is this needed more than with these civilian victims of war.

This is an area upon which a true civilian program could be built. For unlike the numerous pacification programs started to date, most of which appear to have been designed to meet American ends more than the needs of the Vietnamese, good medical care in a time of war satisfies the most basic demands of the people first. Yet it must be said frankly that a sound medical program can reap enormous political benefits in a struggle that is basically political.

As Chairman of the Senate Judiciary Subcommittee on Refugees, I have attempted to be influential in the Vietnam debate on matters that I can affect. Some of our efforts have been successful, and that is most rewarding. But on the larger scale of truly affecting our government's priorities to enlarge our medical efforts we can to date, claim little success. That, I must admit, is both frustrating and painful. For one can push and prod, and see piecemeal improvements in our posture, but that is no substitute for the kind of program we could mount if the initiatives came not from a Senate Subcommittee but from the highest levels within the Administration.

Unless and until the decision is made to alter in a total sense, however, the Subcommittee will continue to offer suggested programs for improving the care of the South Vietnamese civilian. As a result of my recent public hearings on Vietnam, I have submitted to the Administration the following proposals for immediate action to meet current—just current—needs.

RECOMMENDATIONS TO MEET CURRENT NEEDS

First, there is an urgent need for additional civilian hospital facilities in Da Nang, Chu Lai, and Can Tho. Existing hospitals are totally inadequate to meet the patient load and the serious civilian casualty problems. The Department of Defense has on three occasions announced the building of these hospitals; first in last April, again in June, and still again in August. Yet, to date, not a brick has been laid, not a penny formally obligated. It is a stark measure of the priority given civilian medical problems that $17 million cannot be found to proceed with construction of these urgently needed hospitals.

Second, four existing provincial hospitals in the Northern region of Vietnam near the Demilitarized Zone have no water supply, no electricity and no sanitary facilities inside the buildings. The bathrooms of these hospitals are on back streets, courtyards, and corridors.

Third, five helicopters and two fixedwing aircraft should be assigned for the exclusive use of the Vietnam AID medical mission. Requests for these planes are two years old without response. These helicopters and planes would serve as transportation for civilian war injured and supplies and medical personnel to and from medical centers and specialization facilities. To attempt to flush out an enemy embedded within the people with no provision for the evacuation of the innocent civilian hurt in the action is not only thoughtless—it belies our very efforts.

Fourth, in the public health area, there is a need for massive inoculation and immunization programs among refugees and in the urban coastal areas swelled to overflowing by people displaced from the countryside. These programs should concentrate on immunization against polio, typhoid, cholera, tetanus and tuberculosis, all of which verge on epidemic scale in South Vietnam.

Fifth, greater United States control of medical supplies and equipment is needed in Vietnam and a regular system of maintenance and repair must be set up immediately. The supply problem is deplorable. United States field representatives as late as this past July were rating our current system 22 per cent effective. There are numerous reports of medical equipment and machinery wasting away because of lack of spare parts and maintenance.

My *sixth* recommendation deals with the urgent need for surgical teams in South Vietnam. Here I would rely on many present tonight to become involved. I believe that there is a major role for the private medical sector in this country in providing experienced and capable surgical teams for at least six civilian provincial hospitals in South Vietnam.

For some time now we have urged the Agency for International Development to set up a number of medical contracts with private medical institutions and societies to provide five more surgical teams for treatment of civilian war casualties. Basically, each team would be composed of two general surgeons, one orthopedic surgeon, one general practitioner or internist, one anesthesiologist, two operating room nurses, one nurse anesthetist and one corpsman.

The contracts would be for one or two years and provide for six-month rotation of teams. AID has agreed in principle to this approach. And I can report tonight that we have been discussing this matter with Dr. John Knowles of the Massachusetts General Hospital in the hopes that M. G. H. might undertake one of these contracts. We are in active discussion with a number of other groups in an effort to fill the other contracts.

In addition to the nine-man teams, we and AID have been in consultation with a national medical organization in an effort to fill a much larger contract involving a twenty-man surgical team for the Da Nang Civilian Hospital. A tentative agreement for a two-year contract has been obtained which, we are told, should be formally executed in the next three weeks.

I believe that this proposal for nine-men surgical teams in Vietnam from the private sector can go a long way toward relieving the civilian casualty needs at Da Nang, Can Tho, Quang Ngai, Saigon and Bam Neth Out. I am hopeful that the medical community will rise to the challenge and opportunity.

I have also recommended a new effort to enlist free world medical support in Vietnam. There are currently eighteen free world teams in Vietnam. Some of the Subcommittee's executive session hearings, however, indicate we have been seriously remiss in securing available free world support. I am certain a number of other nations could and would supply medical support if our own efforts to enlist this support are given the sense of urgency, which, up to now, has been lacking.

MORE U.N. PARTICIPATION IS NEEDED

Related to this is the question of United Nations participation in the medical needs of South Vietnam. For some time now W. H. O., UNESCO, UNICEF, F. A. O. and the Development Fund have been carrying out small programs in South Vietnam. All of these agencies have indicated a willingness to increase their humanitarian efforts in that belabored nation. Funds are available through a funds-in-trust system; yet we have done little to encourage an expanded United Nations role.

I have found, after repeated visits with UN representatives, that the meagerness of our efforts to encourage and enlist greater UN special agency help is both disturbing and short sighted.

Yet these efforts will only allow us to hold our shaky ground. More cannot be reasonably expected until preserving the people of Vietnam is considered to be of equal importance to the destruction of the enemy.

I cannot say that the significant elevation of medical programs alone would be a turning point in the war. Vietnam is far too difficult for that. But a greater priority in this area would be in keeping with the finest traditions of our nation and the highest ethics of the medical profession.

In the last analysis, we, as a compassionate and generous people, will be judged in the future not so much by what we did in Vietnam, but by the way in which we did it. No great nation can long claim to have won freedom and democracy for another people if, in the process, the destruction of their land and a disregard for their pain was the hallmark of the effort. And it may even be that no nation, however great, powerful, or well-intentioned, can ever win freedom and democracy for others in the modern world with the techniques of war borrowed from the past.

So it is, I feel, that a change in our effort is called for—a return to the struggle to win a people by responding to their human needs and values first, and a lessening of reliance on sheer power.

For this is the best reflection of the America we know. It has been the source of our strength throughout history. And in Vietnam, we may find it to be the only possible path to success.

MR. JOSEPH H. HAGAN, SPECIAL ASSISTANT FOR CONGRESSIONAL RELATIONS, OFFICE OF ECONOMIC OPPORTUNITY, ADDRESSES THE BARNARD CLUB OF RHODE ISLAND

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TIERNAN. Mr. Speaker, a few days ago, Mr. Joseph H. Hagan, special assistant for congressional relations of the Office of Economic Opportunity, had the privilege to address the Barnard Club of Rhode Island. The Barnard Club is comprised of top-level educators and school administrators from all sections of Rhode Island.

Mr. Hagan made some very poignant remarks on the impact of the antipoverty program on education in America. It is my feeling that his comments will be of great interest to us all.

Mr. Speaker, I include Mr. Hagan's address in the RECORD:

THE IMPACT OF THE ECONOMIC OPPORTUNITY PROGRAM ON EDUCATION IN AMERICA

(Address by Joseph H. Hagan, special assistant for congressional relations, Office of Economic Opportunity, executive office of the President, Washington, D.C., to the Barnard Club at Providence College, Providence, R.I., November 18, 1967)

Nearly three years ago, during spring training in 1965, the New York Mets hired what we bureaucrats would call an intermittent consultant. He was Jesse Owens, the great Olympic track star of the thirties, and his mission presumably was to teach the Mets how to run on the balls of their feet.

Red Smith, the Sports Columnist, was tickled pink when he heard about this. He even wrote a column about it. During the forthcoming season, said Red Smith, lots of Mets would steal second. And once every couple of weeks, one of the faster ones would get as far as third. And once, or maybe even twice, a particularly fleet-footed, intrepid Met would manage to steal home. "But who", asked Red Smith, "is going to teach them how to steal first?"

My analogy is certainly obvious, and maybe a trifle far-fetched, but I believe it is valid on the whole. What we in the Office of Economic Opportunity are trying to do, what President Johnson and the Congress of the United States committed the nation to do when they declared war on poverty in the summer of 1964, was to give the poor what they need to get to first base. We are trying to help them compete on something approaching equal terms in this intensively competitive American society of ours.

But, unfortunately, there are many people who question this analogy, or rather the conclusions that logically flow from it. If someone cannot get to first base on his own, they say, it is his own fault. They claim that everybody starts off with an equal chance, and it is his responsibility to take advantage of it.

These people refuse to come to grips with some ugly facts of American life.

They refuse, for instance, to look at the evidence of Head Start—and nowhere, perhaps, is the Mets analogy more valid than with Head Start.

I know you are familiar with this comprehensive pre-school program for deprived four and five year olds. If I may borrow a phrase from Madison Avenue, it is our most popular product. And it is popular because there is a need for it, and because it works. But it is also popular for a negative reason. No one, not even the most rabid rightwinger, can maintain his self-respect and point down at a four-year-old youngster and say, "You ingrate. You are not living up to the American dream. Why don't you go out and get yourself a job?"

Even the most scathing critics of the war on poverty do not usually criticize small children. But they do ignore some facts about small children, at least about the small children in Head Start.

Here are some of those facts:

About 1.4 million children have gone through Head Start to date, either in summer or full-year programs.

Of these, more than 1 million had not been vaccinated against measles until Head Start did it for them.

More than 900,000 of them needed substantial dental care—an average of five cavities a child. Some 740,000 were vaccinated against polio for the first time by Head Start.

One hundred thousand of these children had eye defects, and 90,000 had bone and joint disorders which had gone uncared for before Head Start.

Seven thousand were mentally retarded and had received no special attention. And 2,200 had previously undiagnosed and untreated active cases of tuberculosis.

Statistics can grow grimmer as people grow older. Another program the OEO administers is the Job Corps. The Job Corps enlists volunteers, young men and women 16 through 21 who are out of school and out of work and assigns them to residential centers. There they learn the three R's, skills which will enable them to compete in the world of work—and they acquire the intangibles, the dignity and the self-respect, which will help them become contributing citizens.

Nearly 90,000 young men and women have enlisted in the Job Corps since it got underway three years ago. About 85 percent of these had not seen a dentist professionally in the last ten years. And in the same period of time fully 80 percent had not seen a doctor.

There's no comfort for any of us in these statistics. There's no solace for any American in being confronted with the facts that four times as many adults below the poverty line are afflicted with disabling heart disease as those above; that ten times as many have eye defects; that six times as many are mentally ill; that the chances of a baby born into a poor family dying before the age of one are twice as high as for the rest of the population, and that the chances of a poverty-stricken adult dying by 35 are four times as high.

Of what interest to you as educators are these medical statistics? I hope my point is at least as obvious as the Mets analogy—of which it is, really, a part. For it seems to me that the child with bad teeth, or the child who needs glasses and does not have them, let alone the child with active tuberculosis, is handicapped, and in fact handicapped quite severely, when he is thrown into competition with contemporaries in good physical shape.

This in short is not only a matter of concern for dentists and doctors and psychiatrists. It is a matter of real concern for educators as well.

Let me digress for a moment to make a sort of indictment. I hasten at the outset to include myself in this indictment, for I am a professional as are you. In some serious way all we professionals—the doctors and dentists, the educators, the churches, certainly government at all levels, the entire spectrum—have failed. In some way, with all the education and skills that we have at our disposal, we should have been meeting these terrible and very human needs. I think, for instance, that it must be considered an indictment of American education that 35 percent of the Job Corpsmen are unable to read a simple declarative sentence on a test that they take when they enter. And remember, they are at least 16 years old. Also, 30 percent make a mistake when they subtract 6 from 10.

It is easy to indict and it is often agonizingly hard to remove the cause for indictment. You know far better than I the massive problems facing American education today. And I am sure that you have a far more profound sense of the implications of President Johnson's words in his message to Congress, "Toward Full Educational Opportunity", of January 1965 when our education programs for the poor were just getting underway.

The President said, "Once again we must start where men who would improve their society have always known they must begin—with an educational system restudied, reinforced, and revitalized."

What gives me and all of us at OEO great encouragement and hope is that the President's words of 1965 are becoming increasingly translated into action as we go into 1968. The American education system is undergoing a hard reappraisal. Its foundations are being strengthened. And there are more and more signs of a new vitality.

Now I must confess the sin of immodesty—not about myself, but about the agency I take great pride in representing. The new strengths and the new vitality of American education are in significant part a result of the impact of Economic Opportunity Programs.

Head Start, again, offers a superb example. Head Start has gone far to prove that education is not, and cannot be, a compartmentalized, pigeonholed profession, that there is more and must be more to education than what the textbook and the blackboard can give. It has laid to rest, I hope for good and all, the myth that education is unrelated to other pressing needs of poor children, and has made it difficult for any school to indulge itself in a narrow definition of its responsibility.

Perhaps even more important, Head Start has exploded another myth—that poor parents are indifferent to the education their children receive. There is a very important distinction to make here: Poor parents are all too often tragically ignorant of how they can best help educate their children. But they are not indifferent. Through parent advisory councils, parent training, and a whole host of methods to achieve parental involvement, Head Start is proving they are not indifferent. And it is showing them how not to be ignorant.

Head Start has scored another major achievement. It is the recruitment of nonprofessional aides to help in the classroom. This, of course, serves a double purpose: The professional teacher's burden is relieved, particularly of routine chores, and the nonprofessional aides get trained and directed toward a career. These non-professional aides in Head Start are poor people themselves. Many of them, in fact, are parents of the children in the program.

Critics of Head Start have been forced, in the main, to feed on the program's success. Those who said in 1964 that it would never work began to say in 1966 that it worked too well, that the children got up too much educational steam, and that they sank back into apathy when they started to go to regular school.

So this government responded to the criticism of success, and this year as a pilot program in 30 communities, we have Head Start Follow Through—a post-graduate Head Start, as it were, continuing Head Start's comprehensive benefits as the children go to kindergarten or first grade.

All of this, I submit, represents impact. And I think that it is good impact, effective impact. It is not, of course, a complete turnabout—many of you were thinking the same way and starting to go in the same direction before the Economic Opportunity Act was even a glint in the eye of the President. And the impact is certainly not as forceful as some of us, and I hope some of you, would like. But it is forcing a restudy and a revitalization. It is beginning to cause the schools to deal with the whole child and his environment, not just with an educational statistic like an IQ, a language aptitude, or a mathematics comprehension. There is a new math—and there is beginning to be a new education.

At least equally as important as the school's relationship with the child, and in fact part and parcel with that relationship, is the school's relationship with the community. It is programs like Head Start that bring the school into the community—and the community into the school. I am very proud, we are all proud, of the Community School Program in Providence, which through a highly imaginative use of the whole gamut of educational resources, both material and human, has succeeded in making the schools the nerve center of their neighborhoods.

The educational impact of the Economic Opportunity Programs is by no means confined to Head Start and very young children. Indeed, in the wider and the most profound sense, all of the Economic Opportunity programs are founded, one way or another, on education and on the fundamental premise that to help himself, to compete, to contribute as a good citizen, the poor person as well as anyone else needs education fully as much as his body needs food. The new education recognizes that the poor need different approaches, a somewhat modified educational diet, you might say, than the middle class. And the new education is beginning to provide it.

Many very exciting things are happening to the Job Corps. New curricula are being developed. It is a lot easier and a lot more effective to teach a Job Corps boy how to read by teaching him from a bulldozing instruction manual when he wants to learn how to run a bulldozer than feeding him Shakespeare or the old Dick-Jane-and Spot primers we all remember.

Teachers need training in the problems of the slums and the youngsters they produce, and they are getting it. The school systems of Washington, Detroit, Seattle and Sun Valley, for instance, are sending some of their teachers to Job Corps Centers under Project Interchange with the cooperation of the National Education Association and our Job Corps and Community Action Divisions. After a year at the Job Corps Centers, these teachers are returning with new materials, such as programmed learning Sullivan Readers, and new techniques so they can train other teachers and work with students who are on the verge of dropping out. The Bank Street College of Education in New York has developed training models for teacher aides. Two projects in New York and Chicago have demonstrated significant improvement in teaching results through the use of "talking typewriters" for poor children.

These are scattered examples. There are many more. But I would like to dwell briefly on another of our Community Action Programs which we call Upward Bound. Although it is not as widely known as Head Start, it is as exciting as it is interesting.

Upward Bound is a pre-college program, operated mostly by colleges and universities for high school students from poor families who are badly prepared and largely unmotivated youngsters, in other words, who may be natively bright but don't stand a chance of going to college. Upward Bound tries to give them that chance. So far, it has worked.

Eight percent of the normal college population come from low-income families. More than 40,000 youngsters have been enrolled in Upward Bound programs since the first pilot projects got underway in the summer of 1965. Not eight but 75 percent of Upward Bound "graduates" have gone on to college.

And, by and large, they have stayed. Only 12 percent of the alumni of the first Upward Bound Projects who went to college dropped out during their freshman year. The overall rate is more than twice that.

Perhaps I am naive, but I think that this record is probably an educational miracle. If so, it is a miracle for which the President and OEO can claim very real credit. But the hundreds of colleges and universities that have sponsored Upward Bound projects deserve a larger share of the credit. They have widened their horizons as well as those of the Upward Bound students. They have become more responsive to the needs of their surrounding communities—and are drawing with increasing profit on those communities' resources. They have become more flexible—and at the same time more realistic—in setting admission and scholarship standards. They are becoming more imaginative in their curriculum development—and in their approach to students.

They are, in short, meeting a need and developing a resource.

The testimony of the students themselves is most eloquent. A boy in St. Louis's Webster College Program said, "Before I went there, I was a 'corner boy'. I was with the wrong bunch all the time. We stayed up late doing all sorts of no-good things. I think I'm too much to hang on the corner with the other boys. I know my life is worth more than how they taught me to lead it. Upward Bound taught me how to love my friends".

Is there any question that an impact has been made on that boy?

In opening a Presidential message to Congress, another President who was both vitally interested in education and in the problems of the poor, John F. Kennedy, said, "Education is the keystone in the arch of freedom and progress". Education is most certainly the keystone in the arch of freedom and progress for the poor—which means freedom and progress for you and me, for the entire country as well. Without it, the edifice crumbles into dust.

H. G. Wells once said that all of history was a race between progress and catastrophe. In the race, which is going on at breackneck speed today, it seems to me vital that those of us concerned with education be counted among the swift.

LOCAL EFFORT NEEDED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TIERNAN. Mr. Speaker, I was particularly impressed by a recent editorial in the Providence Journal entitled "Local Effort Needed." While expressing pleasure over the selection of Providence to be a model city, the editorial cautioned that the city cannot afford to depend wholly on the program to meet its needs.

The editorial called on the city to see "what can be done with city means and private support to renew where renewal now is possible, as with single structures, to improve municipal services, to repair streets, to clean up empty lots, to put sites of razed homes into a land bank for future development."

Mr. Speaker, I appreciated the honest and forthright analysis made by the Providence Journal. Local initiative and effort are the keys to success in the model cities program. I am glad to see that responsible voices in local communities are not willing to accept this program as a Government handout. Instead, it is viewed as an opportunity to mesh local resources with those of the Federal Government in providing a meaningful answer to the problems of urban slum areas.

So that my colleagues might read this provocative editorial from the Providence Journal of November 18, 1967, I include it as part of my remarks:

Local Effort Needed

Providence has been chosen one of 63 cities which will get federal financial help to realize the goal of President Johnson's Model Cities program—the effort to unite all agencies of municipal government in concerted attack on city ghettos. The selection made good news, but let's keep things in perspective.

The President first proposed the program Jan. 26, 1966, but it wasn't until Nov. 3 of that year that Congress gave Mr. Johnson the first appropriation for it. This year, the program has had rough going in Congress; the administration, for instance, sought 522 million dollars but got only 312 million, including a 12-million planning grant.

Providence will get a part of the planning funds for use in the upper and lower South Providence areas. But it will take nine months of study before a detailed plan can be assembled. It is expected that as long as 18 months will elapse after that point before rehabilitation efforts can get under way on the ground in South Providence.

The combination of fund cutback and built-in administrative red tape suggests plainly that while the Model Cities program offers great promise for rehabilitation of the most decayed sections of the nation's cities, the pace of progress is not going to be fast, no matter how dedicated the local effort may be in pushing renewal plans.

Mayor Doorley and the appropriate city agencies undoubtedly will get busy, as soon as funds are available, to begin the long job of preparing working plans. The mayor is betting heavily on the program as a device to clean out the rot—wherever it exists—in a crowded residential neighborhood where many of the city's Negroes live.

But the city ought not to put all its bets on the federal program. Edric R. Bates, a South Providence businessman who is attempting to set up a housing rehabilitation program in the area, has warned that deterioration continues at a fast clip there; if the federal program cannot begin to be felt before another 27 months, deterioration will be even worse.

It will be worse, however, only if the city and its leaders fail to do what can be done with city means and private support to renew where renewal now is possible, as with single structures, to improve municipal services, to repair streets, to clean up empty lots, to put sites of razed homes into a land bank for future development.

The development of the federal program has been delayed and hamstrung by congressional diehards, and available funds run far behind the amounts of cash needed to realize the full hope of the Model Cities Program. Providence is lucky to have a share of the program, but it cannot afford to depend wholly on the program to meet its needs.

Providence—and other American cities—cannot go it alone in renewing rundown residential communities. But it is equally true that if Providence doesn't help itself as, when, and where it can with its own resources and aid from the private sector, the Model Cities program may turn out to be a mockery of renewal dreams.

IRAN ON ITS OWN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Fountain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, it is no secret that I have had many misgivings about our foreign aid program in recent years because there seemed to be less and less evidence that anything worthwhile was being achieved.

I still have reservations. But I also believe in giving credit where credit is due, and I think that such a time has come in the case of Iran.

Iran is a country where wise, firm leadership and native ability combined with our AID program has produced the encouraging situation in which Iran's development can now stand on its own feet.

At the end of this month—tomorrow—our AID mission in Iran is being withdrawn. To me this is indeed heartening, and I wish to extend congratulations to all the citizens of Iran.

I would like to insert these editorial comments of the Baltimore Sun of November 17 regarding this remarkable success story:

Foreign Aid Success

The news dispatches dealing with our foreign aid programs, over the years, have been dominated by controversy—occasional charges of waste or inefficiency and annual struggles in Congress to cut the appropriations. Yet many of the economic programs have registered solid successes around the world, demonstrating how beneficial such assistance can be to the interest of the United States, the recipients and the general flow of trade and commerce. Moreover, as the programs succeed the aid is ended, as the Agency for International Development now reminds us in the case of Iran.

As of November 30, a report from AID notes, the United States will officially complete its economic assistance programs in Iran, as it did in Taiwan (Formosa) in 1965 and as it expects to be able to do in South Korea within the next few years. These three countries provide examples of how outside help can be used to strengthen and develop economies and boost them toward a rate of growth which permits them to support their own development.

United States economic assistance to Iran, which began in 1952, is put at $605 million in aid, $225 million of which was in loans. Military aid, which has amounted to $895 million since 1950, and "Food for Peace," which totals $122 million, are being continued. In its own economic development Iran has invested almost $3 billion during the period in which American aid amounted to $605 million. The Shah's action in staging his own delayed coronation this year indicated his belief that Iran now is firmly on its way, a point affirmed by the AID report.

Mr. Speaker, my colleague, Congressman William S. Broomfield, is doing an outstanding job at the United Nations during this 22d General Assembly in urging the adoption of improved management and budgetary techniques.

I have always been a strong advocate of fiscal responsibility in our Federal and State governments. In my position as chairman of the Government Operations Subcommittee on Intergovernmental Relations I have supported the adoption of improved management procedures and modern budgetary systems designed to promote and increase efficiency throughout government.

I believe that modern government requires modern techniques and that every effort should be made by government to keep abreast of developments in management that will produce a more efficient operation at reduced costs. This applies equally to the United Nations where I have been serving as a delegate for more than 2 months.

Mr. Speaker, it has been my privilege and honor to serve with my distinguished colleague, the Honorable William S. Broomfield, of Michigan, as U.S. Representatives to the United Nations 22d General Assembly. Congressman Broomfield is representing the United States on matters of finance before the Administrative and Budgetary Committee of the United Nations. He is doing an extremely effective job of putting forth the U.S. views on such matters as the United Nations budget estimates, personnel questions, and various other matters relating to the financial operations of the United Nations and its specialized agencies.

On November 21, 1967, my colleague made a necessarily lengthy and very important statement of U.S. policy concerning needed improvements in the budgetary and management procedures in the United Nations. Congressman Broomfield introduced a resolution proposing a new procedure which would give the Secretary General of the United Nations more leadtime in planning budgets. He proposed that a planning figure be adopted by the General Assembly a year before the Assembly normally votes a budget. This planning figure would serve as a financial framework within which various bodies of the United Nations could plan a work program and establish priorities.

Mr. Speaker, since the United States is the single largest contributor to United Nations programs, we are especially interested in assuring that we receive full value for our contribution. This proposal by my colleague should be a significant development in bringing about improvements in the budgets of the United Nations and its specialized agencies.

This policy which was so ably enunciated by Congressman Broomfield reflects our Government's serious concern and—I am happy to report—his and my own personal views and concern with the need for effective, and more economical management and operation of those international organizations supported by our Government.

I am inserting the principal parts of his speech in the Record so that every Member may have an opportunity to read them:

I

Mr. Chairman, there is widespread recognition that if the United Nations is to carry out effectively the great task entrusted to this organization, it must pay more heed to sound management and orderly development, and that it must apply modern budgeting and programming procedures suited to its increased activities. It is essential that greater efficiency and full value be achieved for every unit of resources expended on the vital work of human, social and economic development.

Mr. Chairman, the approach to budget procedures which we are advocating is designed to strengthen the efforts toward improved management being undertaken by all groups in the United Nations. There is no underlying conflict of interest in this area. We are all agreed on the need for longer-range planning and for the establishment of a system of priorities to insure that the most essential things are done first. We are agreed on the need to eliminate waste in whatever

form. And we are, in fact, all in agreement that improvements are needed and can be made in the budgetary and financial methods of the United Nations. The recommendations in point were unanimously agreed upon by the Committtee of 14 and approved by the General Assembly. Moreover, this Committee has already recommended that the General Assembly reaffirm its concern that "rapid progress be made" in carrying out all of the recommendations contained in the Ad Hoc Committee's report.

II

The United Nations, as my Government sees it, is the prime instrument for carrying out in the most efficient way the works of international cooperation—for maintaining and securing peace, for undertaking the complex tasks of a technologically shrunken world, and for advancing economic and social development. We are well embarked on a period of history in which members will place increasing reliance on the United Nations and its resources. The United Nations' programs to help developing countries are bound to grow.

My Government's approach to this challenge can be simply stated. It flows from more than two decades of consistent, bipartisan and unstinting support for the United Nations and its programs. We favor—and always have—utilizing the full potential of the United Nations in organizing a durable peace and fulfilling the promises of the Charter for international cooperation. We want the United Nations to be able to operate at full capacity in order to promote the peaceful resolution of conflict and change and to help step up the flow of resources and technology from the industrialized to the newly developing countries. American leaders of both parties have consistently subscribed to this policy.

President Eisenhower declared that through international cooperation "all countries of good will should chart anew their long-term courses of action to promote the growth of less developed areas."

President Kennedy declared "that the United Nations . . . must play a larger role in helping bring to all men the fruits of modern science and industry."

President Johnson at the very outset of his administration pledged United States efforts to help in the "steady improvement of collective machinery [which] is helping the less developed nations build modern societies. We favor an international aid program that is international in practice as well as purpose. Every nation must do its share. All United Nations members can do better—we can act more often together—we can build together a much better world."

Let me summarize three key features of our approach to the United Nations and its activities.

The first is that the United States has consistently supported United Nations activities. No nation has been more openhanded in support of the United Nations, the specialized agencies and other international organizations. We have been the largest financial contributor to the assessed and voluntary contributions for the UN family of agencies—$3 billion or over 45 percent of the present total of $6.6 billion. The American people are proud of this record and of their support for United Nations activites.

Second, the great bulk of these activities and these contributions have gone to economic and social programs. Our philosophy assumes that political and technological change required an expanded effort of mutual aid which will help us to close the North-South gap. In the developing world we see no higher priority than building economic and social strength.

Third, the United States places an increasing emphasis on multilateralism. The world is too complex to be the concern of a few big powers alone. No country or group of countries is rich enough or smart enough to take on the job alone. The world community must share the planning, the responsibilities and the costs. Regional and international agencies for peace and development must grow in experience and be strengthened in their capacities for practical, cooperative action.

My Government's serious concern with the effective management of international organizations is indicated by President Johnson's memorandum of March 15, 1966, in which he directed the Secretary of State to take certain actions essential to effective participation by the United States in international organizations. The President noted that we can expect programs and budgets of international agencies to expand further in future years to meet the growing needs of the world community. The United States, he pledged, shall continue to meet its fair share of the financial requirements of these organizations. But, if we are to be a constructive influence in helping to strengthen international agencies so they can meet essential needs, we must apply to them the same rigorous standards of program performance and budget review that we apply to domestic programs. To this end three guidelines were set down:

That future expansion of the activities of international organizations be governed by the tests of feasibility and reasonableness.

That programs of international organizations be vigorously scrutinized so that funds are allocated only to high priority projects.

That each international agency operate **with a maximum of effectiveness and economy.**

This continues to be the United States approach.

III

As needs increase and as a larger share of the resources available are channeled through multilateral institutions, management and budgetary practices in international organizations need to be improved and modernized. If the necessary support from parliaments and taxpayers—beset by so many pressing and legitimate claims at home and abroad—is to be continued and to expand, it is essential that we recognize the several aspects of better planning and get the maximum use from resources.

Attitudes and administrative machinery have to keep pace with the activities they are designed to support. We must modernize our budget procedures in order to cope with the expanded role of the United Nations.

IV

Mr. Chairman, the draft resolution proposes to take several steps toward this end. We are convinced that these steps should now go forward without awaiting the perfection of all the other procedures which may be related—directly or indirectly—to this task. The present proposal was designed to accommodate complementary procedures, especially with respect to longer-term planning and the selection of priorities. These other needed steps can and should be taken simultaneously by the appropriate bodies of the United Nations.

The first and second preambular paragraphs of the draft resolution recall the specific recommendation by the Committee of 14. Later in this intervention you will note that the Committee's recommendation has been closely followed: our proposal provides a way for preliminary and approximate estimates to be submitted "about one year before the date on which the legislative bodies of the organization are required to give the final approval to the budget."

The third and fourth preambular paragraphs call attention to other aspects of the same problem: first, to the request of the Secretary-General for guidance on the total resources which the Member States are prepared to make available for implementation of the work program; and second, to the critical importance of such advance indication from the General Assembly to the sound management and orderly development of the United Nations.

V

Before describing operative paragraphs 1 and 2, which set forth the essential concept of the planning figure and the procedure which would be followed, let me note that the proposal would only have the present General Assembly approve the procedure. It does not propose to set a planning figure this year. The Secretary-General, the program formulating bodies of the United Nations, and the Member Nations would have a full year in which to make adequate preparations before the procedure becomes operative. That length of time is, we believe, sufficient for any necessary steps to be taken.

Now let me trace briefly what would happen under the proposed procedure roughly one year from now:

1. The results of the program planning which takes place in United Nations bodies during the spring and summer of 1968 would, as usual, be available to the Secretary-General and to all concerned by November 1968.

2. By November 1968 the first reading of the budget would be about completed and therefore the approximate level of the budget to be adopted for 1969 would be known.

3. With the program recommendations of these bodies for 1969 in hand, with the general magnitude of the 1969 budget established, and taking account of views expressed regarding future development of programs, the Secretary-General would consult his principal staff and prepare his recommendations for a "planning figure" for use in preparing the 1970 budget.

4. The Secretary General's paper would quite naturally present approximate and preliminary estimates, but they would include: requirements broken down by sections of the budget; a comparison with cost estimates for 1968 and 1969; and a brief explanation of the major factors expected to change for each section in 1970.

5. This estimate would go to the Advisory Committee for its comments and then to the Fifth Committee for review and recommendation of a planning figure to the General Assembly. In the normal course of events the planning figure would be adopted not earlier than December 15, 1968.

6. Early in January 1969—less than one month later—the Secretary General would begin to put together the budget estimates for 1970, using as a framework the planning figure just decided upon by the Member Nations in the General Assembly. All organs of the United Nations and their subsidiary bodies financed out of the United Nations regular budget would be expected to cooperate with the Secretary General and act consistently with the planning figure.

7. The budget would be put together in detail during the months of January through May, 1969.

8. The budget estimates would be reviewed by the Advisory Committee in June and July and that Committee's comments would be transmitted to Member Nations, together with the Secretary-General's budget, in early August 1969.

9. The General Assembly would review the budget at the regular General Assembly Session and would decide upon a final budget for 1970.

10. The budget decided upon would govern expenditures for programs in 1970.

Mr. Chairman, we have traced in some detail the steps that would be taken under the proposed procedure. The Committee will note that the timing of the individual steps is similar to what would be done under the present system for the 1970 budget. The new procedures would mean:

a. The recommendation contained in paragraph 26 of the report of the *Ad Hoc* Committee—which calls for transmitting preliminary and approximate estimates to members for comments and suggestions about a year in advance—would have been implemented;

b. The Secretary-General would be asked to think a little further ahead and to consult with the General Assembly about the amount of resources to be devoted to the budget;

c. The General Assembly would give the Secretary-General the guidance he has requested as to the general magnitude of the budget which Member Nations are prepared to support for the next year;

d. The planning figure would reinforce the Secretary-General's hand in building a budget which successfully balances the different programs and priorities decided upon by the program planning bodies of the United Nations; and as a result, the proposed procedure would inject another necessary element of sound management, orderly development, and modern budgeting into the United Nations.

VI

The United States Delegation does not want to oversell the planning figure device. The proposed procedure contains no alchemy to produce more resources than nations are willing to supply. It will not solve all of our problems or provide all of the improvements needed in longer-range planning, in setting priorities, and in program development.

But my delegation does believe that it will improve the United Nations system of budgeting, regardless of whether or not other improvements are made. Moreover, it is the sincere belief of my delegation that instituting this planning figure now will help to accelerate the development of longer-range planning and the setting of priorities. The planning figure can operate with whatever state of planning exists, just as, at present, budgets must be presented even when the programs for which funds are requested have not been fully developed.

The planning figure is not an end in itself: it complements and presents a financial framework for whatever state of program review and analysis exists. But it can be an important step nevertheless. There is no reason to await the perfection of all other related systems. We believe that successful management depends on making improvements wherever and whenever possible.

VII

Mr. Chairman, I have heard it suggested that the planning figure and other measures recommended for management efficiency are primarily in the interests of the bigger contributors. Let us reflect a moment on this. In the first place we are all contributors—big and small—and all of us have to go to our taxpayers and convince them that the programs they support are worthwhile and the administration efficient. In the second place, if resources are not employed to the best advantage, who suffers? Of course, all countries contribute proportionately to the United Nations and as a result, all countries lose, whether large or small, rich or poor. In fact, the biggest losers might well be the developing nations, whose peoples would thereby be deprived of the benefits and services that wasted or ill-spent resources could have provided.

VIII

Mr. Chairman, I have the honor of being on the United States Delegation and also of representing an American constituency in the United States Congress. The American people have great faith in the United Nations and great expectations for it. There is strong support for the United Nations and its work. Polls show that the great majority of Americans, like other peoples around the world, remain firm in their support for the United Nations and want to see it strengthened as an instrument of peace. Our people wish to see the United Nations used fully to help Members in the process of nation building and economic and social improvement. The American people and government want the United Nations potential to be used to the fullest to these ends.

At the same time, the American people believe that the burden must be widely and equitably shared. We are all subject to many demands at home. Even the most affluent nations face formidable challenges in coping with the underdeveloped areas of their own domestic societies. Each of us must be able to assure our own people that the resources we make available to international programs are employed to best advantage.

Mr. Chairman, this Organization has a great future. It needs to be adaptive and inventive if it is to be equipped to handle the next generation of problems. It needs to modernize its budgetary and administrative processes if it is to continue to be productive in the two basic areas of our work—maintaining peace and security and helping the developing nations move ahead as quickly as possible with their social and economic development.

Mr. Chairman, the United States has today introduced the draft resolution contained in document A/C.5/L.917 on behalf of the present co-sponsors, namely, France, the United Kingdom, the United States and the Soviet Union. We hoped by these remarks of introduction to reflect somewhat fully and systematically the views of my Delegation on this important matter. We have been told by the co-sponsors that they subscribe to these views and that they also expect to make appropriate comments.

Thank you, Mr. Chairman.

INDIANA, LAND OF GRIDIRON GREATS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HAMILTON. Mr. Speaker, permit me to point out, with all humility, that Indiana is the greatest football State in the Nation.

I am pleased, of course, that the final press association football ratings for 1967 bear me out in this simple statement of fact. The Hoosier State ends the regular season with three teams—Indiana, Purdue, and Notre Dame—in the top 10.

Added to this distinction are the facts that Indiana University will be the Big Ten's Rose Bowl contender this year, and Indiana and Purdue share the Big Ten championship with Minnesota.

St. Louis fans may sing for the Cardinals, and Boston may ballyhoo its Red Sox, but you can understand why Hoosiers are deliriously hoarse.

We have had three great football teams to cheer this season.

GOVERNMENT PROGRAM EVALUATION COMMISSION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HAMILTON. Mr. Speaker, no problem in Government is more difficult or more important than the establishment of priorities among the competing claims for Government services and assistance. If we are ever to get our fiscal house in order, the Congress will have to do a better job of assigning priorities.

To help in this formidable task I have introduced a bill to establish the Government Program Evaluation Commission.

This bill, originally proposed by Representative WILBUR MILLS, chairman of the House Ways and Means Committee, would create an independent, bipartisan Commission to study all Federal programs.

The purpose of the Commission would be to determine: First, the effectiveness of each program in relation to its costs; second, whether such programs should be continued and if so at what level; and third, priority of allocation of funds assigned to each program.

The Commission would report its findings to the Congress and to the President with recommendations for changes in Federal programs and activities which, in its judgment, are necessary to meet the fundamental needs and vital objectives of the Nation.

The Commission would be composed of 12 members from private life: four appointed by the President, four by the Speaker of the House, and four by the President pro tempore of the Senate. No more than two appointments from each group could be from one of the major political parties.

Every constituent and every Congressman has his favorite problem that demands priority attention from the Federal Government, and without question this Nation has many problems crying out for solution. I have received many letters from constituents saying that a certain problem should be number one on the national agenda. The difficulty is not so much what problem should be number one, but which problems should go to the bottom of the list. The candidates for the bottom of the list are far fewer in number.

The Congress gives insufficient attention to the critical task of assigning priorities. It is a shock for a newer Member of Congress to learn that no systematic attempt is made in the Congress to define the Nation's needs, assess the costs of meeting those needs, and to weigh these costs against prospective revenues.

It is fundamental that priorities cannot be established unless the entire range of expenditures is reviewed and comparisons are made among different programs and projects.

The Congress gives insufficient attention to the hard task of eliminating programs no longer needed or with less urgent claims on the public funds.

The history of Federal programs is to pile new programs on top of old ones. We have today over 170-odd grant-in-aid programs with the Federal Government transferring to the States a total of about $17.8 billion this year. The most striking feature of these programs is not so much their size as their diversity. The task of comparing and analyzing 170 programs, managed through 21 departments and agencies and involving 92,000 units of local governments in 50 States is formidable. But it simply has to be done. Procedures must be developed for continuing comparisons and analysis of the shifting importance of Federal programs.

This Commission will help those of us in Government to ask the hard questions that require answers. What programs are most needed? Can existing programs be reduced or eliminated? What programs are really essential? Some programs were established in the 1930's. Are they still needed in the 1960's? Are the original goals still valid? Are there better, more efficient ways to accomplish our objectives? What are the areas of duplication and overlapping?

The Federal Government simply cannot afford all that is desirable. This Commission will help the Congress make the difficult distinction between the desirable and the essential.

The bill I have introduced will not reduce expenditures immediately and it is not a solution to the immediate fiscal problems. But long-range planning is necessary to control in the future expenditures and to permit the Congress to get a handle on the tasks of assigning program priorities.

The Executive establishes the national priorities in its annual budget. The Congress needs to do a better job in evaluating and judging the Executive's priorities and in presenting alternatives to it.

It is important to note that this bill does not take away from the Congress the power to determine priorities. The Commission would simply provide to the Congress the results of its study and evaluation, together with its recommendations of changes in Federal programs which in its judgment are necessary to meet the fundamental needs and vital objectives of the Nation.

The question will certainly arise: Why is such a Commission needed? Why cannot the Congress do the job itself? The blunt fact is that the Congress needs help. With the present workload of individual Members and of congressional committees, there simply is not enough time available to give programs the careful and detached scrutiny they need.

Mr. Speaker, I suggest that the Congress can take one giant stride toward fiscal responsibility by the establishment of this Commission.

OBSCENITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, Operation Yorkville is an ecumenical movement in New York City which is dedicated to fighting pornography and obscenity. Recently Operation Yorkville in its newsletter published an open letter to the Supreme Court urging a new look at our present definitions of obscenity.

Mr. Speaker, in order that all Members of this House may be advised of the contents of this letter, I place it at this point in the RECORD.

The letter follows:

AN OPEN LETTER TO THE U.S. SUPREME COURT

For at least a decade, Mr. Justices, you have struggled with the *word* obscenity, while the *problem* of obscenity has grown to monstrous proportions. You have engaged in theoretical discussion while pornographers grow richer on real dollars. You have written tracts which grow more and more confusing, while pornographers' pages grow more and more blatant.

Yet you yourselves have planted a seed which could evolve into a solution. The seed seems to remain invisible to you, for you most certainly have not cultivated it. Perhaps the freedom-of-the-press shouters have confused you.

The seed is the word community. In your years of deliberation, you have evolved four tests—all of which center around the word community. But some of you insist that the first three coalesce when they are applied. This insistence on coalescence actually renders there inapplicable, and the community comes out the loser. First you ask: Does this particular item appeal to the prurient interest when applying contemporary *community* standards? You ask next if this item is patently offensive to *community* standards. Has it any redeeming social value (for the community)? Finally, a newly-worded "test"; Is it promoted or advertised as prurient to the *community* (the pandering test).

Can't you see the weaknesses, Mr. Justices, in demanding coalescence? How can anything come through all these clouds as obscene? How can the community, in such threefold involvement, escape unharmed: Separate guilt on any one of the counts (weak as each is in its own way) leaves the *community* hurt, harmed, helpless. Its youth, especially, has been victimized, sometimes beyond cure as phychiatry will attest.

Law is promulgated by competent authority to protect the common good—i.e., the good of the community. Court insistence, on the part of some, upon coalescence has all but obliterated obscenity law. Are you no longer concerned with safeguarding the community?

We submit, Mr. Justices, that it is time to re-think; to evolve, develop a completely new and fresh test based on your present, but presently weak "offensive to community" test. The key word is community, Mr. Justices.

The chief concern, logically, must be with the wound inflicted on the community by a particular item and its purveyor, and the depth of that wound.

When one considers the increasingly inciting and debasing nature of the content of obscene material, and the diabolical methods of distribution (the most current being the utilization of radio and television), it is almost shocking to think of nine men theorizing and deliberating on whether or not a series of so-called tests coalesce when applied. The content of obscene material today glorifies and incites to promiscuity, perversion, violence and drug usage.

Look around you, Mr. Justices, at the visible wounds being inflicted upon the community. Reflect for a moment on the harm that media has done, on the wound and the depth of the wound it has inflicted upon society. A television show describing a bomb threat to a jetliner incited scores of persons to make telephone calls threatening planes. Arson in a school is often not reported as such, because reporting has incited to arson.

May we suggest that you jettison your tests, which must inevitably grow into six or seven or seventeen and still coalesce? May we suggest a community wound test. Can you not ask yourself in your deliberations, for example: Does this action depicted in detail in media (a girlie magazine with a love-and-leave ideology) incite to unfaithfulness, consequent break-up of family, and thus wound the community? Does this action depicted in detail in media (orgies in teenage sex magazines) incite to experimentation, unwed parents, venereal disease and thus wound the community?

Does this action depicted in detail in media (drug usage as a fun-thing, as reported in the underground press, for example) incite to drug usage, crime, hate and thus wound the community?

Does this action depicted in detail in media (the description of sex-violence in paperbacks, the life-like visual presentation of murder, torture in films and television) incite to further violence and wound the community?

Again, reflect if you will, Mr. Justices, on mass distribution and see the *depth* of the wound to community in this material. Consider the millions of paperbacks and magazines distributed by mail and by carrier on our highways. Consider the mass viewing rate of films and television. Consider that radios are listened to by millions of children. You are aware, are you not, that a radio network owner recently discovered that certain rock and roll records incite to drug usage?

That community outside your Court, Mr. Justices, is people—many people or few people; strangers to each other, perhaps, but united in some way; working toward a common goal, with love emanating from each small unit. For any community to thrive, there must be love. Hate destroys community. Obscene material incites to hate. There is no better way to destroy community than by feeding it obscene material which rips it to pieces.

That community must be safeguarded. It cannot survive too many more grave wounds. It cannot be protected by piling test upon test upon test.

It is past time for the cultivation of that seed, Mr. Justices, the seed of community, which you have planted. It is urgent that you reconsider the entire obscenity picture in the light of the harm, the wound inflicted upon community by obscene material. It is time that you formulate a single community wound test. We submit that such a test, a test which will evaluate the real harm to the common good or the community, will provide clear, reliable guidelines for prosecutors and lower courts. It is past time for the fog to lift. The community needs protection.

OPERATION YORKVILLE.
Rabbi Dr. JULIUS G. NEUMANN.
Rev. R. N. USHER-WILSON.
Rev. MORTON A. HILL, S.J.
Rev. CONSTANTINE VOLAITIS.

LABOR MANAGEMENT RELATIONS ACT AMENDMENTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, it is my intention soon to introduce legislation to amend section 302(c) of the Labor Management Relations Act to permit employer contributions to jointly administered trust funds established for the purpose of granting educational scholarships to employees and their dependents, or for the purpose of establishing child-care centers for preschool and school-age dependents of employees.

As the Members know, section 302 of the LMRA restricts payments by employers to employee representatives. Section 302(c) contains six exceptions to the general restriction on such payments. The proposed legislation would establish a seventh exception. Without this proposed exception the legality of employer contributions to jointly administered trust funds for either of the above objectives would be open to question.

In my judgment, permitting the establishment of such trust funds will open new areas for mutually beneficial cooperation between management and labor. In addition, such trust funds could serve important national interests. Costs of education are constantly increasing, and virtually every American parent faces some hardship in sending his children to college. Trust funds established pursuant to this legislation could ease this burden for many American workingmen and women, and enable young people to get the best education possible. Also, our economy will benefit from the availability of skilled women who can continue to work while their young children are cared for in child-care centers.

It is my understanding that the distinguished chairman of the other body's Subcommittee on Labor and others are introducing this bill. It is my hope that many of the Members will join me in sponsoring this legislation.

A SPECIAL HOUSE COMMITTEE ON CAPTIVE NATIONS—AN APPROPRIATE ANSWER TO THE RUSSIAN BOLSHEVIK 50TH ANNIVERSARY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FLOOD. Mr. Speaker, since the ninth annual observance of Captive Nations Week this past July, the proposal for the creation of a Special Committee on the Captive Nations as an appropriate answer to the Russian Bolshevik 50th anniversary has gained wide acceptance. Although there are many other substantial reasons why such a committee should be established now, I believe this anniversary of a fraudulent revolution serves as an excellent occasion for us to demonstrate how we feel about this tragic event in world history. The captive nations, both within and outside the Soviet Union, are eloquent testimony of the imperiocolonialist nature of the Russian Bolshevik revolution and its subsequent empire building.

A CONGRESSIONAL OPPORTUNITY

Today, with imperialist Moscow supporting in the main the totalitarian regime in Hanoi against our own boys, reinforcing the Arabs for another stab at Israel, and waging political warfare against us on all fronts in the free world, this Congress has a golden opportunity to show the Soviet Russian "50th" for what it really is by establishing now a Special House Committee on the Captive Nations. It is our opportunity to demonstrate initiative, foresight, and vision with regard to the prime imperiocolonialist power in the world today.

Mr. Speaker, the 1967 Captive Nations Week observance has underwritten once again the dedication of our people to the principles of national self-determination, independence, and freedom for all nations. That there still are large segments of our society and active individuals who hold these principles as sacred and true, I request that the following examples be appended to my remarks:

First, the proclamation by Gov. Kenneth M. Curtis, of Maine; second, the resolution prepared by Dr. Lev E. Dobriansky, of Georgetown University, and accepted by the first conference of the World Anti-Communist League in Taipei, Free China, on the 10th observance of Captive Nations Week, July 14 to 20, 1968; third, the timely editorial and reply in the Record American, in Boston, of September 1 and 11; fourth, the item in the August 19 issue of the Manchester, N.H., Union Leader on "The Importance of Remembering Captive People"; fifth, the report "Captive Nations Week Observance Is Proclaimed," in the Morning Sentinel, July 20, of Waterville, Maine; sixth, the report in the September 7 Hairenik Weekly on "New Hampshire Holds Captive Nations Rites"; and seventh, the article in the July 6 Boston Herald on "Captive Nations Get Lip-service," and the Izvestia attack against Dr. Dobriansky and Captive Nations Week, as published in the October issue of the Ukrainian Bulletin.

The material referred to follows:

PROCLAMATION OF THE STATE OF MAINE

Whereas, Public Laws 86–90 (86th Congress, S.J. Res. 11) designates the third week of each July as Captive Nations Week, authorizes and requests the President of the United States to issue an annual Proclamation on the subject, and invites the people of our nation "to observe such week with appropriate ceremonies and activities;" and

Whereas, "Captive Nations Week," July 17–23, 1967, thus gives all thinking Americans an appropriate and official means of manifesting that America shares with those nations today held in colonial bondage by the imperialism of Soviet Russia their aspirations for the recovery of their freedom and of their independence; and

Whereas, there reside in our State large numbers of Americans who proudly own to ancestry deriving from those once free nations now held under Communist domination: Armenia, Ukraine, Latvia, Lithuania, Estonia, Hungary, Poland, Rumania, Bulgaria, East Germany, Czechoslovakia, Servia-Croatia-Slovenia (in Yugoslavia), Byelorussia, Azerbaijan, Georgia, Idel-Ural, North Caucasus, Far Eastern Republic, Turkestan, Mongolia, Albania, North Korea, North Vietnam, Mainland China, Tibet and finally Cuba; and

Whereas, these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their independence; and

Whereas, it is vital to the interests and to the national security of the United States that the desire to be free on the part of the peoples of these conquered nations should be steadfastly kept alive, especially since this desire for liberty and independence constitutes a powerful deterrant to war and one of the best hopes for a just and a lasting peace;

Now, therefore, I, Kenneth M. Curtis, Governor of the State of Maine, do hereby proclaim the week of July 17–23, 1967, as Captive Nations Week in the State of Maine, and urge all citizens to observe such week with appropriate ceremonies and activities.

KENNETH M. CURTIS,
Governor.

Attest:

JOSEPH T. EDGAR,
Secretary of State.

[Resolution 10 of the first conference of the World Anti-Communist League]

RESOLUTION ON THE 10TH OBSERVANCE OF CAPTIVE NATIONS WEEK, JULY 14–20, 1968

Whereas since 1959, when the United States Congress passed the Captive Nations Week Resolution and President Dwight D. Eisenhower signed it into Public Law 86–90, all communist capitals have bitterly denounced this document as being inimical to their fundamental interests; and

Whereas to the increasing consternation of Moscow, Peiping, Pyouyang, Havana and others, the Captive Nations Week movement has steadily grown in the United States, and every President in this decade has issued a proclamation in behalf of the independence and freedom of every captive nation in Central Europe, the Soviet Union, Asia, and Cuba; and

Whereas the movement to support the freedom aspirations and liberation of all the captive nations has taken hold in many countries of the Free World, as witness the Captive Nations Week observances in the Republics of China and Korea, in Argentina and Australia, in Germany and Great Britain, and a number of other countries; and

Whereas for the security of the Free World and for Cold War victory over the deadly forces of Communism and Sino-Soviet Russian imperio-colonialism, it is indispensable for all free men regularly to make known their determination never to acquiesce to the permanent captivity of twenty-seven nations in the Red Empire; therefore,

Be It Resolved by the World Anti-Communist League and its members and associated groups to exert every effort to make the Tenth Observance of Captive Nations in July 15–21, 1968, the most successful yet by (1) urging each Head of State to issue a Captive Nations Week Proclamation patterned after that of the President of the United States, (2) conducting observances of the Week in member countries and utilizing all media so that our combined message will be conveyed to the captive nations, and (3) dispatching the published results of this event to the National Captive Nations Committee in Washington, D.C. for their appropriate transmission to the United States Congress and the President.

[From the Boston (Mass.) Record American, Sept. 1, 1967]

CAMPAIGN BY TERROR

We trust that those members of Congress who have been casting doubt on the fairness and importance of the impending Vietnam elections have been reading what's going on out there these days. The biggest news of the campaign now is the climactic campaign of terror being waged by Communist guerrillas in a desperate attempt to keep voters away from the polls.

Secretary of State Dean Rusk took earnest note of this situation in his address to the American Legion here Tuesday when he charged that critics of the up-coming elections ignore the Viet Cong terrorism which he labeled "the greatest obstacle" to free and fair voting.

As next Sunday's balloting grows closer, the Viet Cong terror raids daily grow more vicious and widespread. More than 500 South Vietnamese civilians were killed or wounded over last weekend alone. Men, women and children were mowed down by machine guns in villages, others were butchered in their hospital beds. Even children are being used by the Communists to mount their grisly attacks.

The weak word "unfair" cannot even be applied to an atrocity drive which seems to block democratic processes by the cruelest of tyrannical methods. Yet we have heard no words of criticism or condemnation coming from those lawmakers who have been going out of their way to sniff at the fairness of the elections themselves.

We ask these people: What do you think of the Communist campaign tactics? And we ask them another question: If these elections are as unimportant and meaningless as you have tried to suggest, how come the Communists are waging the greatest terror wave of the war in an attempt to spoil them?

You can bet the loudest and most persistent Washington critics of America's Vietnam policies will continue to remain significantly silent on both questions.

[From the Boston (Mass.) Record American, Sept. 11, 1967]

TIMELY EDITORIAL

WEST ROXBURY.—Your recent editorial, "Campaign by Terror," Record American, September 1, 1967, again underscored the fact that Communists are ready to employ the most brutal methods when it comes to imposing Communist tyranny on other people.

It is regrettable, indeed, that Viet Cong terror and murder of the civilian South Vietnamese population has not received more attention and has not been severely condemned in the free world.

Terror, executions, forced labor and mass deportations of innocent people have been the Communist trademarks. They are part of the Communist ideology for 50 years. Communist Russia has employed these methods against Ukrainians. Armenians, Lithuanians, Latvians and other captive nations in subduing their national aspirations for freedom and independence.

Considerable literature is available to us which discloses the facts and statistics of Communist methods of terror inflicted on people in captive countries.

Therefore, I believe, such editorials as yours are timely and there is need for more of them, to help people in understanding the methods used by Communists in obtaining their objectives.

O. SZCZUDLUK.

[From the Manchester (N.H.) Union Leader, Aug. 19, 1967]

THE IMPORTANCE OF REMEMBERING CAPTIVE PEOPLE

Addressed to William Loeb:

"We would appreciate your publishing the enclosed material on captive nations in the Manchester Union Leader, either as an article or in the 'Letter to the Editor' column.

"We thank you, Mr. Loeb, and the editors of the Manchester Union Leader for your endeavors on behalf of freedom for captive nations under Russian Communist rule.

"OREST SZCZUDLUK,
Executive Secretary, New England Committee for Captive Nations, Boston, Mass."

Former President Eisenhower stated recently that the basic Soviet goals remain the same, despite the Glassboro summit conference: "They (Communist) will push and prod wherever they think they can gain an advantage."

This statement was especially appropriate in connection with this year's observance of Captive Nations Week. President Johnson and N.H. Governor King issued "Captive Nations Week" proclamations.

Set into law by Congress in 1959, the Captive Nations Week Resolution charged the Soviet Russia with the "imperialistic and aggressive policies" against Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Byelorussia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam and others.

The 1967 CNW provided immense opportunities to advance the cause of the captive nations by:

1. Exposing the fraudulent 50th anniversary of the Bolshevik Revolution. The national revolutions of the enslaved non-Russian nations were, instead, the genuine revolutions because they expressed the principle of freedom, national self-determination and sovereign equality of all nations. The Bolshevik revolution brought aggression and slavery.

2. Congressional review of United States policy with respect to the Soviet Union and its Communist empire. The need for new policies to meet Communist aggressions was evident during the recent debate at the United Nations on Middle East, when the United States delegation failed to challenge the Soviet Union on its aggression in Eastern and Central Europe.

Cong. Edward J. Derwinski, Illinois, a member of the House Foreign Affairs Committee, introduced on June 22, 1967, House Resolution 666, calling for a Congressional review of U.S. policy toward the Soviet Union.

We urge Congress to approve this resolution and set it in motion during this session of Congress.

As President Kennedy said:

"This country must never recognize the situation behind the Iron Curtain as a permanent one, but must, by all peaceful means, keep alive the hopes of freedom of the captive nations."

[From the Waterville (Maine) Morning Sentinel, July 20, 1967]

CAPTIVE NATIONS WEEK OBSERVANCE IS PROCLAIMED

Observance of "Captive Nations Week" is underway in Maine this week following a proclamation signed by Gov. Kenneth M. Curtis.

Rep. Herman D. Sahagian of Belgrade is state chairman of the observance for the second consecutive year.

"Captive Nations Week" has been designated as a tribute to countries throughout the world who are "held in colonial bondage by the imperialism of Soviet Russia."

The proclamation points out that "there reside in our state large numbers of Americans who proudly own to ancestry deriving from those once-free nations now held under Communist domination: Armenia, Ukraine, Latvia, Lithuania, Czechoslovakia, Servia-Croatia-Slovenia (in Yugoslavia), Byelorussia, Azerbaijan, Georgia, Idel-Ural, North Caucasus, Far Eastern Republic, Turkestan, Mongolia, Albania, North Korea, North Vietnam, Mainland China, Tibet and finally Cuba."

"These submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their independence," the proclamation states.

[From the Hairenik Weekly, Sept. 7, 1967]

NEW HAMPSHIRE HOLDS CAPTIVE NATIONS RITES

ASHLAND, N.H., July 23.—New Hampshire today observed its "Captive Nations Week" ceremonies, with speakers, proper rites and the reading of a special Proclamation issued by His Excellency, Governor John W. King, of New Hampshire.

The Proclamation was read by the Governor's representative, the Hon. Sarkis Maloomian, a veteran Member of the N.H. House of Representatives, from Somersworth, N.H., who spearheaded the Captive Nations effort in this state in conjunction with the New England Committee for Captive Nations.

Messages were read from Congressman James C. Cleveland, Senator Norris Cotton, and Mayors Rolfe Camp, Herbert Quinn, and Marian Phillips.

Principal speakers were Mr. Herbert Philbrick, former FBI personnel, whose book "I Lived Three Lives" was a best seller a few years ago, and General Harrison Thyng, a past candidate for the Senate from New Hampshire.

Wreathes were laid by Polish, Cuban and Byelorussian groups, and Ashland's head Selectman, Norman Weden spoke.

The Torch of Freedom was lit, and a Color Guard of the Cross American Legion Post was in attendance.

Invocation and Benediction was said by the Rev. Dr. Ryki-Ryski, a Byelorussian cleric.

The text of Gov. King's Proclamation reads:

"A PROCLAMATION OF THE STATE OF NEW HAMPSHIRE ON CAPTIVE NATIONS WEEK, BY HIS EXCELLENCY, GOV. JOHN W. KING

"Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

"Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of communist leaders to initiate a major war; and

"Whereas, the freedom-loving peoples of the Captive Nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

"Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence;

"Now, therefore, I, John W. King, Governor of the State of New Hampshire, do hereby proclaim that the week commencing July 16, 1967, be observed as Captive Nations Week in New Hampshire and call upon the citizens of New Hampshire to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

"Given at the Executive Chambers in Concord this twenty-ninth day of June in the year of Our Lord one thousand nine hundred and sixty-seven and of the Independence of the United States of America, the one hundred and ninety-first.

"JOHN W. KING,
"Governor."

[From the Boston (Mass.) Herald, July 6, 1967]

ALL STILL IN RED POCKET DESPITE 1959 RESOLUTION: CAPTIVE NATIONS GET LIPSERVICE

(By Ted Lewis)

WASHINGTON.—When Congress chose the third week of July as Captive Nations Week it was because it seemed fitting to have the observance come right after our own July 4 celebration of the Declaration of Independence from foreign rule.

It is now eight years since Senate and House unanimously approved the resolution setting aside a specific July week for the U.S. to recommit itself to support the cause of freedom fighters in countries under the Communist yoke.

The language of the resolution was clear. It constituted a Congressional stand against any "peaceful coexistence" deals with Moscow until the peoples of Red satellites recovered "their freedom and independence." The intent was just as positive along that line as the Viet war commitment made by Congress in the 1964 Gulf of Tonkin resolution.

But unlike the administration's use of the Gulf of Tonkin resolution as a reference point from which policy stems, the captive nations resolution is considered an unwarranted Congressional intrusion into the executive branch's policy-making preserves.

Annually there is almost always an embarrassingly weak-worded presidential proclamation of Captive Nations Week.

Consider some of the language in the Congressional resolution. It says that "enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations." And it refers to how "these submerged nations" look to the U.S. "for leadership in bringing about their liberation and independence."

President Eisenhower's follow-up proclamation in 1959 simply called on all citizens "to study the plight of the Soviet-dominated nations" and to recommit themselves to the support of "the just aspirations of all people for national independence in freedom."

John F. Kennedy followed an even softer verbiage line in his proclamations, such as that in 1963 "inviting the people of the United States to observe such a week with appropriate ceremonies and activities."

Last year President Johnson similarly used the soft pedal, with four whereases citing how the U.S. since its founding "has firmly subscribed to the principles of national independence and human liberty."

As sure as shooting, the President's 1967 proclamation—due in a few days—will contain the same lip service to the cause of freedom in other lands. It doesn't take a mind reader in the Kremlin to notice how these proclamations, beginning with Ike's, keep open the door to peaceful coexistence as Congress never intended in the resolution of 1959.

It would be pleasant to be able to report that eight years after Congress established its anti-captive nation policy, some progress had been made.

But every one of the specific captive countries named in the 1959 resolution is still firmly under the Communist yoke. A total of 21 were named, ranging from Poland to Albania in Europe to Turkestan and North Vietnam in Asia.

The only shifts in any of these 21 have been in allegiance to Peking rather than Moscow, as in the case of Albania. And of course Red China in 1959 was considered a Moscow puppet and not an ideological rival.

Castro's Cuba was only a Red dream in 1959, so the Communist menace, considered eight years ago to embrace only 21 captive nations, has now reached this hemisphere, as well as showing signs of developing captive nations in Africa and the Middle East.

The case of North Vietnam itself shows the twists and turns in White House and State Department policy compared with the liberation-aid pledge, fundamental to the 1959 resolution.

Instead of even moral support for any freedom forces that may exist in that captive nation, our war aims are totally against Hanoi's aggression in the South, with a presidential pledge to respect the sovereignty of the North if our terms are accepted.

Prof. Lev E. Dobriansky of Georgetown University, who is chairman of the National Captive Nations Committee, says one of the highlights in this month's observance of "the week" will be "the plight of the 17 million captive North Vietnamese."

"It is strange indeed," said Dobriansky, "that few of our leaders even discuss this troublesome subject. Yet it is crucial to our winning the war in South Vietnam."

[From the Ukrainian Bulletin, Oct. 15, 1967]

IZVESTIA ATTACKS DR. DOBRIANSKY AND CAPTIVE NATIONS WEEK

Each year before or after "Captive Nations Week" in the United States, the Soviet press attacks the concept of the captive nations as well as its originator, Dr. Lev E. Dobriansky of Georgetown University, who is President of the Ukrainian Congress Committee of America, and chairman of the National Captive Nations Committee.

Soviet attacks and vituperation only strengthen a long-established fact that the captive nations constitute a veritable "Achilles' Heel" of the Soviet Russian empire. Consequently, the Soviet press is trying to belittle and ridicule the idea of the captive nations. It is somewhat astonishing that the Soviet press has found an eager ally in this country—*The Washington Post*—which has been degrading and satirizing "Captive Nations Week, as for instance, in its editorial, "Captive Congressmen" of July 10, 1967.

The spurious and scathing attack of *Izvestia* is reproduced below, along with a photostatic copy of the Russian original, appearing on July 7, 1967:

"A CYNIC-CHAMPION

"(By A. Ter-Grigorian)

"In Georgetown University in the United States of America, a world record has been established. It was not established by a runner or a swimmer or even a spaghetti-eater, but by Professor Lev Dobriansky, a fairly important cog in the American propaganda machine, who is Chairman of the so-called 'National Captive Nations Committee.'

"The thing is that every year in July the rulers in Washington put on an eye-sore of a propaganda spectacle, titled 'Captive Nations Week.' The emigrant rabble who were chucked out of various socialist countries and Soviet national republics by the revolutionary tornado line up in rows and synchronously shed tears in remembrance of the 'good old days' when one could thrive on the blood and sweat of the people, who have now rejected capitalism. Sometimes, even the leading statesmen of the USA let a little tear fall. Rank and file 'has beens' are injected with a bit of courage and radiate throughout their stores, cloak rooms, and lobbies, while 'has been' leaders hand over to various American departments resources that have been gathered for subversive work against their own peoples.

"This time the advent of the notorious 'Week' is being violently commented upon by the reactionary American press. In recent years, the 'Week' has been undergoing a crisis; it is slipping by uneffectively, the anti-Communists complain. It is necessary to shift from fancy words about freedom to action. They are even scolding Washington for an insufficiently firm desire to aid the 'peoples of captive nations.' Something new is needed, they say.

"So, it is here that Mr. Dobriansky has set his record. If not a record of cynicism, it is a record of stupidity. The focal point of the 'Week,' announced Dobriansky in response to the wish of the leadership in Washington, will this year be the 'disastrous situation of the 17 million captive North Vietnamese.'

"Obviously, the armed war-heads of the 'Shrike' and the napalm, with which American aircraft have for two years now plastered the cities and towns of the DRV (the Democratic Republic of Vietnam), are intended, according to the thinking of the organizers of the infamous spectacle, to save the North Vietnamese from the 'disastrous situation.' However, some champions of cynicism are not rescuing the American propaganda performance from its usual insolvency."

A HISTORY LESSON

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, a resolution that the United States abandon its commitment in South Vietnam has just been resoundingly defeated in Cambridge, Mass.

Cambridge, of course, is the seat of Harvard University, and I suspect the voters there are about as sophisticated as anywhere in the United States.

I was, therefore, somewhat bemused by Prof. Kenneth Galbraith's statement that the 39-percent support for his pullout proposal constituted a "remarkable showing."

Dr. Galbraith contends that Americans have been "unanimous" in their support of past wars.

He is an eminent economist, but apparently does not know his history very well.

Anyone familiar with our past knows that hardly any war has been unanimously supported. President Johnson has taken pains to research this matter in recent weeks.

Some of the speeches that were made in this House opposing the Mexican War were actually suppressed because of their violence.

Surely the professor remembers the Korea war. Unanimous? It became less so as it continued, month after month.

World War I? There were draft riots, and widespread opposition afterward to "foreign entanglements."

President Lincoln prosecuted the Civil War despite a rampant "Copperhead" element right here in the Capital.

Yes, I think Dr. Galbraith better stick to things he knows, like economics, and leave history to the historians—and resolutions to those who better understand the temper of the American people.

THE PRESIDENT'S LEADERSHIP

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, President Johnson's press conference of November 17 was a demonstration of Presidential leadership at its best.

The Baltimore News American said:

> The press conference may go down in history as his own finest hour. . . . He not only successfully faced and answered the representatives of some of his bitterest critics—he did so with wit, vigor and devastating logic.

What the President did, as the News American points out in its editorial of November 21, was to place in proper perspective the criticism being directed at him on Vietnam.

President Johnson ably and logically defended his policies. He clearly stated the conditions under which the conflicts could terminate. And he was steadfast in America's commitment not to desert the 15 million free people of South Vietnam.

The News American said there was "grandeur and majesty" in the President's words. There was also determination and resolve. Let us do our part in helping our President persevere in the face of a very strong challenge to freedom.

Under unanimous permission I insert in the Record an editorial from the Baltimore News American entitled "Leadership in Action":

LEADERSHIP IN ACTION

> Lyndon Johnson's press conference on Friday may go down in history as his own finest hour. No fair-minded American who witnessed his enormous self-possession on television, or who has read the compelling words he spoke with such restrained authority, can doubt for a moment this was a display of leadership in our very best tradition.
>
> Probably no President of the United States with the exception of Lincoln has had to undergo the enormous pressures to which Mr. Johnson is being subjected. Yet here, in the East Room of the White House, he not only successfully faced and answered the representatives of some of his bitterest critics—he did so with wit, vigor and devastating logic.
>
> What the President did, primarily, was to place in proper perspective the barrage of criticism being directed at him over the Vietnam war. He noted with no false modesty every other war-time president had to endure similar violent dissent by those who would prefer compromise to the pain of battle for the right. And he made it unmistakably clear, again with no false modesty, he thinks in the end he will emerge with the honors now accorded those once-maligned predecessors.
>
> The words spoken extemporaneously by President Johnson were the words of an American patriot. They also were the words of a suffering but iron-willed leader who will never be swayed from doing the right as he sees it. It is not too much to say there was a grandeur and certain majesty to them, and in the appearance of the man who spoke them. Friday's press conference was an historic event.

PEACE CORPS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Pickle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PICKLE. Mr. Speaker, for over 6 years now, the young volunteers of the Peace Corps have been going all over the world giving other friendly countries the technical assistance and know-how that has helped make our own country great. I have read the words of many of the critics of this program who argue that this program is not in keeping with the best interests of our welfare; that it is an intrusion into affairs that are not our own; that it is foreign.

To those who feel this way about the Peace Corps, I would ask that you reflect a moment on what single characteristic most symbolized the pioneer spirit of the early days of our country. I believe the answer would be that we pulled each other up by our own bootstraps. We helped our neighbors. The same principle holds true in the Peace Corps. But instead of helping our neighbor build a cabin or clear some land, we are helping him build up his entire country.

In any of the 50 countries where our more than 12,000 volunteers are, they are there at the request and invitation of the host country. And the work they are doing there is beneficial and self-satisfying to the host country, but also to the individual and to the United States as well.

By giving underdeveloped countries aid at the grassroots level, we are showing in the strongest possible way that we as Americans do care about their well-being. This goes a long way both in improving the economy of the country and in eliminating any conditions where communism may find a toehold. It also gives the people of these countries a firsthand look at a democracy.

Mr. Speaker, I simply would like to say that to my way of thinking, the Peace Corps is one of our strong national assets and I salute those who have dedicated their lives to this cause.

McNAMARA APPOINTMENT TO WORLD BANK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Leggett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. LEGGETT. Mr. Speaker, Secretary McNamara perhaps imminently will be transferred to the position of President of the World Bank. At a time when the U.S. foreign aid commitment is at a 20-year-record low, this appointment is worldwide significant. Ironically, the Secretary is most fitted for his new position. Perhaps the best foreign affairs speech of the decade was delivered in Montreal last year on May 18 by Bob McNamara. He started in part:

> Now I mention this—as obvious as it all is—simply as a kind of reductio ad absurdum of the concept that military hardware is the exclusive or even the primary ingredient of permanent peace in the mid 20th Century . . from the point of view of combat readiness, the United States has never been militarily stronger . . . a nation can reach the point though where it does not buy more security for itself simply by buying more military hardware—we are at that point.
>
> Our security is related directly to the security of the newly developed world . . . security is not military hardware . . . although it may include it . . . Without economic, social and political development, security is impossible . . .
>
> Annual per capita income in roughly half of the 80 underdeveloped nations that are members of the World Bank is rising by a paltry 1 per cent per year or less. By the end of the century, these nations will reach a per capita income of barely $170 a year while the United States will grow to $4,500.

In California we grow at the rate of $170 per year in per capita income and our current $90 billion GNP economy will be the third largest economic unit in the world in the mid 1970's. We need balanced forces—military, economic and political to provide peace in our time. If a very sophisticated highly developed military will have patience, we in the Congress will try to catch up with the nonmilitary components. Bob McNamara in the World Bank can certainly help.

If the Secretary can orient the world's best lending institution for developing nations to Pentagon proportions and cost effectiveness, perhaps our State Department will be reinspired again to undertake a leadership effective role with the emerging nations. The Secretary's complete foreign policy statement follows:

McNAMARA'S NEW DESIGN FOR WORLD PEACE AND SECURITY*

> Any American would be fortunate to visit this lovely island city, in this hospitable land.
>
> But there is a special satisfaction for a Secretary of Defense to cross the longest border in the world—and realize that it is also the least armed border in the world. It prompts one to reflect how negative and narrow a notion of defense still clouds our century.
>
> There is still among us an almost ineradicable tendency to think of our security problem as being exclusively a military problem—and to think of the military problem as being exclusively a weapons system or hardware problem.
>
> The plain, blunt truth is that contemporary man still conceives of war and peace in much the same stereotyped terms that his ancestors did.
>
> The fact that these ancestors—both recent and remote—were conspicuously unsuccessful at avoiding war, and enlarging peace, doesn't seem to dampen our capacity for cliches.
>
> We still tend to conceive of national security almost solely as a state of armed readiness: a vast, awesome arsenal of weaponry.
>
> We still tend to assume that it is primarily this purely military ingredient that creates security.
>
> We are still haunted by this concept of military hardware.
>
> But how limited a concept this actually is becomes apparent when one ponders the kind of peace that exists between the United States and Canada.
>
> It is a very cogent example. Here we are, two modern nations, highly developed technologically, each with immense territory, both enriched with great reserves of natural resources, each militarily sophisticated—and yet, we sit across from one another, divided by an unguarded frontier of thousands of miles—and there is not a remotest set of circumstances, in any imaginable time frame

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*Full text of address by Secretary of Defense Robert S. McNamara to the American Society of Newspaper Editors, Montreal, May 18, 1966. Reprinted from U.S. News & World Report, v. 60, May 30, 1966, pp. 90–95. Copyright 1966, U.S. News & World Report, Inc.

of the future, in which our two nations would wage war on one another.

It is so unthinkable an idea as to be totally absurd.

But why is that so?

Is it because we are both ready in an instant to hurl our military hardware at one another?

Is it because we are both zeroed in on one another's vital targets?

Is it because we are both armed to our technological teeth that we do not go to war?

The whole notion—as applied to our two countries—is ludicrous.

Canada and the United States are at peace for reasons that have nothing whatever to do with our mutual military readiness.

We are at peace—truly at peace—because of the vast fund of compatible beliefs, common principles and shared ideals.

We have our differences and our diversity—and let us hope for the sake of a mutually rewarding relationship we never become sterile carbon copies of one another.

But the whole point is that our basis of mutual peace has nothing whatever to do with our military hardware.

Now this is not to say, obviously enough, that the concept of military deterrence is no longer relevant in the contemporary world.

Unhappily, it still is critically relevant with respect to our potential adversaries.

But it has no relevance whatever between the United States and Canada.

We are not adversaries. We are not going to become adversaries. And it is not mutual military deterrence that keeps us from becoming adversaries. It is mutual respect for common principles.

Now I mention this—as obvious as it all is—simply as a kind of *reductio ad absurdum* of the concept that military hardware is the exclusive, or even the primary, ingredient of permanent peace in the mid-20th century.

In the United States—over the past 5 years—we have achieved a considerably improved balance in our total military posture. That was the mandate I received from Presidents Kennedy and Johnson; and with their support, and that of the Congress, we have been able to create a strengthened force structure of land, sea, and air components—with a vast increase in mobility and materiel—and with a massive superiority in nuclear retaliatory power over any combination of potential adversaries.

Our capabilities for nuclear, conventional, and countersubversive war have all been broadened and improved, and we have accomplished this through military budgets that were, in fact, lesser percentages of our gross national product than in the past.

From the point of view of combat readiness, the United States has never been militarily stronger.

We intend to maintain that readiness.

But if we think profoundly about the matter, it is clear that this purely military posture is not the central element in our security.

A nation can reach the point at which it does not buy more security for itself simply by buying more military hardware. We are at that point.

The decisive factor for a powerful nation—already adequately armed—is the character of its relationships with the world.

In this respect, there are three broad groups of nations: first, those that are struggling to develop; secondly, those free nations that have reached a level of strength and prosperity that enables them to contribute to the peace of the world; and, finally, those nations who might be tempted to make themselves our adversaries.

For each of these groups, the United States—to preserve its own intrinsic security—has to have distinctive sets of relationships.

First, we have to help protect those developing countries which genuinely need and request our help, and which—as an essential precondition—are willing and able to help themselves.

Second, we have to encourage and achieve a more effective partnership with those nations who can and should share international peacekeeping responsibilities.

Third, we must do all we realistically can to reduce the risk of conflict with those who might be tempted to take up arms against us.

Let us examine these three sets of relationships in detail.

First, the developing nations.

Roughly 100 countries today are caught up in the difficult transition from traditional to modern societies.

There is no uniform rate of progress among them, and they range from primitive mosaic societies—fractured by tribalism and held feebly together by the slenderest of political sinews—to relatively sophisticated countries, well on the road to agricultural sufficiency and industrial competence.

This sweeping surge of development, particularly across the whole southern half of the globe, has no parallel in history.

It has turned traditionally listless areas of the world into seething cauldrons of change.

On the whole, it has not been a very peaceful process.

In the last 8 years alone, there have been no less than 164 internationally significant outbreaks of violence—each of them specifically designed as a serious challenge to the authority, or the very existence, of the government in question.

Eighty-two different governments have been directly involved.

What is striking is that only 15 of these 164 significant resorts to violence have been military conflicts between two states.

And not a single one of the 164 conflicts has been a formally declared war.

Indeed, there has not been a formal declaration of war—anywhere in the world—since World War II.

The planet is becoming a more dangerous place to live on—not merely because of a potential nuclear holocaust—but also because of the large number of de facto conflicts and because the trend of such conflicts is growing rather than diminishing.

At the beginning of 1958, there were 23 prolonged insurgencies going on about the world. As of February 1, 1966, there were 40.

Further, the total number of outbreaks of violence has increased each year: In 1958, there were 34; in 1965, there were 58.

But what is most significant of all is that there is a direct and constant relationship between the incidence of violence and the economic status of the countries afflicted.

The World Bank divides nations, on the basis of per capita income into four categories: rich, middle-income, poor, and very poor.

The rich nations are those with a per capita income of $750 per year or more. The current U.S. level is more than $2,700. There are 27 of these rich nations. They possess 75 percent of the world's wealth, though roughly only 25 percent of the world's population.

Since 1958, only one of these 27 nations has suffered a major internal upheaval on its own territory.

But observe what happens at the other end of the economic scale. Among the 38 very poor nations—those with a per capita income of under $100 a year—no less than 32 have suffered significant conflicts. Indeed, they have suffered an average of two major outbreaks of violence per country in the 8-year period. That is a great deal of conflict.

What is worse, it has been, predominantly, conflict of a prolonged nature.

The trend holds predictably constant in the case of the two other categories: the poor, and the middle-income nations. Since 1958, 87 percent of the very poor nations, 69 percent of the poor nations, and 48 percent of the middle-income nations have suffered serious violence.

There can, then, be no question but that there is an irrefutable relationship between violence and economic backwardness. And the trend of such violence is up, not down.

Now, it would perhaps be somewhat reassuring if the gap between the rich nations and the poor nations were closing, and economic backwardness were significantly receding.

But it is not. The economic gap is widening.

By the year 1970, over one-half of the world's total population will live in the independent nations sweeping across the southern half of the planet. But this hungering half of the human race will by then command only one-sixth of the world's total of goods and services.

By the year 1975, the dependent children of these nations alone—children under 15 years of age—will equal the total population of the developed nations to the north.

Even in our own abundant societies, we have reason enough to worry over the tensions that coil and tighten among underprivileged young people, and finally flail out in delinquency and crime. What are we to expect from a whole hemisphere of youth where mounting frustrations are likely to fester into eruptions of violence and extremism?

Annual per capita income in roughly half of the 80 underdeveloped nations that are members of the World Bank is rising by a paltry 1 percent a year or less. By the end of the century, these nations—at their present rates of growth—will reach a per capita income of barely $170 a year. The United States, by the same criteria, will attain a per capita income of $4,500.

The conclusion to all of this is blunt and inescapable: Given the certain connection between economic stagnation and the incidence of violence, the years that lie ahead for the nations in the southern half of the globe are pregnant with violence.

This would be true even if no threat of Communist subversion existed—as it clearly does.

IDEAL ENVIRONMENT FOR COMMUNISM

Both Moscow and Peiping—however harsh their internal differences—regard the whole modernization process as an ideal environment for the growth of communism. Their experience with subversive internal war is extensive, and they have developed a considerable array of both doctrine and practical measures in the art of political violence.

What is often misunderstood is that Communists are capable of subverting, manipulating, and finally directing for their own ends the wholly legitimate grievances of a developing society.

But it would be a gross oversimplification to regard communism as the central factor in every conflict throughout the underdeveloped world. Of the 149 serious internal insurgencies in the past 8 years, Communists have been involved in only 58 of them—38 percent of the total—and this includes 7 instances in which a Communist regime itself was the target of the uprising.

Whether Communists are involved or not, violence anywhere in a taut world transmits sharp signals through the complex ganglia of international relations; and the security of the United States is related to the security and stability of nations half a globe away.

But neither conscience nor sanity itself suggests that the United States is, should or could be the global gendarme.

Quite the contrary, experience confirms what human nature suggests: that, in most instances of internal violence, the local people themselves are best able to deal directly with the situation within the framework of their own traditions.

The United States has no mandate from

on high to police the world and no inclination to do so. There have been classic cases in which our deliberate nonaction was the wisest action of all.

Where our help is not sought, it is seldom prudent to volunteer.

Certainly we have no charter to rescue floundering regimes who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry.

Further, throughout the next decade, advancing technology will reduce the requirement for bases and staging rights at particular locations abroad, and the whole pattern of forward deployment will gradually change.

But—though all these caveats are clear enough—the irreducible fact remains that our security is related directly to the security of the newly developing world.

SECURITY FOR UNDERDEVELOPED PEOPLE

And our role must be precisely this: To help provide security to those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves.

The rub comes in this: We do not always grasp the meaning of the word "security" in this context.

In a modernizing society, security means development.

Security is not military hardware—though it may include it. Security is not military force—though it may involve it. Security is not traditional military activity—though it may encompass it.

Security is development.

Without development, there can be no security.

A developing nation that does not, in fact, develop simply cannot remain "secure."

It cannot remain secure for the intractable reason that its own citizenry cannot shed its human nature.

If security implies anything, it implies a minimal measure of order and stability.

Without internal development of at least a minimal degree, order and stability are simply not possible. They are not possible because human nature cannot be frustrated beyond intrinsic limits. It reacts—because it must.

Now, that is what we do not always understand, and that is also what governments of modernizing nations do not always understand.

But by emphasizing that security arises from development, I do not say that an underdeveloped nation cannot be subverted from within, or be aggressed upon from without, or be the victim of a combination of the two.

It can. And to prevent any or all of these conditions, a nation does require appropriate military capabilities to deal with the specific problem. But the specific military problem is only a narrow facet of the broader security problem.

Military force can help provide law and order—but only to the degree that a basis for law and order already exists in the developing society: A basic willingness on the part of the people to cooperate.

The law and order is a shield, behind which the central fact of security—development—can be achieved.

Now we are not playing a semantic game with these words.

The trouble is that we have been lost in a semantic jungle for too long. We have come to identify "security" with exclusively military phenomena, and most particularly with military hardware.

But it just isn't so. And we need to accommodate to the facts of the matter, if we want to see security survive and grow in the southern half of the globe.

Development means economic, social, and political progress. It means a reasonable standard of living—and the word "reasonable" in this context requires continual redefinition. What is "reasonable" in an earlier stage of development will become "unreasonable" in a later stage.

As development progresses, security progresses, and when the people of a nation have organized their own human and natural resources to provide themselves with what they need and expect out of life—and have learned to compromise peacefully among competing demands in the larger national interest—then, their resistance to disorder and violence will be enormously increased.

Conversely, the tragic need of desperate men to resort to force to achieve the inner imperatives of human decency will diminish.

WAYS UNITED STATES CAN HELP OTHER NATIONS

Now, I have said that the role of the United States is to help provide security to these modernizing nations—providing they need and request our help, and are clearly willing and able to help themselves.

But what should our help be?

Clearly, it should be help toward development. In the military sphere, that involves two broad categories of assistance.

We should help the developing nation with such training and equipment as is necessary to maintain the protective shield behind which development can go forward.

The dimensions of that shield vary from country to country, but what is essential is that it should be a shield, and not a capacity for external aggression.

The second—and perhaps less understood—category of military assistance in a modernizing nation is training in civic action.

"Civic action" is another one of those semantic puzzles. Too few Americans—and too few officials in developing nations—really comprehend what military civic action means.

Essentially, it means using indigenous military forces for nontraditional military projects—projects that are useful to the local population in fields such as education, public works, health, sanitation, agriculture—indeed, anything connected with economic or social progress.

It has had some impressive results. In the past 4 years, the U.S.-assisted civic-action program, worldwide, has constructed or repaired more than 10,000 miles of roads; built over 1,000 schools, hundreds of hospitals and clinics; and has provided medical and dental care to approximately 4 million people.

What is important is that all this was done by indigenous men in uniform. Quite apart from the developmental projects themselves, the program powerfully alters the negative image of the military man, as the oppressive preserver of the stagnant status quo.

But assistance in the purely military sphere is not enough. Economic assistance is also essential. The President is determined that our aid should be hardheaded an rigorously realistic—that it should deal directly with the roots of underdevelopment, and not merely attempt to alleviate the symptoms. His bedrock principle is that U.S. economic aid—no matter what its magnitude—is futile unless the country in question is resolute in making the primary effort itself. That will be the criterion, and that will be the crucial condition for all our future assistance.

Only the developing nations themselves can take the fundamental measures that make outside assistance meaningful. These measures are often unpalatable—and frequently call for political courage and decisiveness. But to fail to undertake painful, but essential, reform inevitably leads to far more painful revolutionary violence. Our economic assistance is designed to offer a reasonable alternative to that violence. It is designed to help substitute peaceful progress for tragic internal conflict.

The United States intends to be compassionate and generous in this effort, but it is not an effort it can carry exclusively by itself. And thus it looks to those nations who have reached the point of self-sustaining prosperity to increase their contribution to the development—and, thus, to the security—of the modernizing world.

And that brings me to the second set of relationships that I underscored at the outset: It is the policy of the United States to encourage and achieve a more effective partnership with those nations who can, and should, share international peacekeeping responsibilities.

America has devoted a higher proportion of its gross national product to its Military Establishment than any other major free world nation. This was true even before our increased expenditures in southeast Asia.

We have had, over the last few years, as many men in uniform as all the nations of Western Europe combined—even though they have a population half again greater than our own.

Now, the American people are not going to shirk their obligations in any part of the world, but they clearly cannot be expected to bear a disproportionate share of the common burden indefinitely.

If, for example, other nations genuinely believe—as they say they do—that it is in the common interest to deter the expansion of Red China's economic and political control beyond its national boundaries, then they must take a more active role in guarding the defense perimeter.

Let me be perfectly clear: This is not to question the policy of neutralism or nonalinement of any particular nation. But it is to emphasize that the independence of such nations can—in the end—be fully safeguarded only by collective agreements among themselves and their neighbors.

PEACE: A JOINT RESPONSIBILITY

The plain truth is the day is coming when no single nation, however powerful, can undertake by itself to keep the peace outside its own borders. Regional and international organizations for peacekeeping purposes are as yet rudimentary, but they must grow in experience and be strengthened by deliberate and practical cooperative action.

In this matter, the example of Canada is a model for nations everywhere. As Prime Minister Pearson pointed out eloquently in New York just last week: Canada "is as deeply involved in the world's affairs as any country of its size. We accept this because we have learned, over 50 years, that isolation from the policies that determine war does not give us immunity from the bloody, sacrificial consequences of their failure. We learned that in 1914, and again in 1939. * * * That is why we have been proud to send our men to take part in every peacekeeping operation of the United Nations—in Korea, and Kashmir, and the Suez, and the Congo, and Cyprus."

The Organization of American States in the Dominican Republic, the more than 30 nations contributing troops or supplies to assist the Government of South Vietnam, indeed even the parallel efforts of the United States and the Soviet Union in the Pakistan-India conflict—these efforts, together with those of the U.N., are the first attempts to substitute multinational for unilateral policing of violence. They point to the peacekeeping patterns of the future.

We must not merely applaud the idea. We must dedicate talent, resources, and hard, practical thinking to its implementation.

In Western Europe—an area whose burgeoning economic vitality stands as a monument to the wisdom of the Marshall plan—the problems of security are neither static nor wholly new. Fundamental changes are underway, though certain inescapable realities remain.

The conventional forces of NATO, for example, still require a nuclear backdrop far beyond the capability of any Western European nation to supply, and the United States is fully committed to provide that major nuclear deterrent.

NUCLEAR PLANNING AND NATO

However, the European members of the alliance have a natural desire to participate more actively in nuclear planning. A central task of the alliance today is, therefore, to work out the relationships and institutions through which shared nuclear planning can be effective. We have made a practical and promising start in the Special Committee of NATO Defense Ministers.

Common planning and consultation are essential aspects of any sensible substitute to the unworkable and dangerous alternative of independent national nuclear forces within the alliance.

And even beyond the alliance, we must find the means to prevent the proliferation of nuclear weapons. That is a clear imperative.

There are, of course, risks in nonproliferation arrangements, but they cannot be compared with the infinitely greater risks that would arise out of the increase in national nuclear stockpiles.

In the calculus of risk, to proliferate independent, national nuclear forces is not a mere arithmetical addition of danger. We would not be merely adding up risks. We would be insanely multiplying them.

If we seriously intend to pass on a world to our children that is not threatened by nuclear holocaust, we must come to grips with the problem of proliferation.

A reasonable nonproliferation agreement is feasible. For there is no adversary with whom we do not share a common interest in avoiding mutual destruction triggered by an irresponsible *n*th power.

That brings me to the third, and last, set of relationships the United States must deal with: those with nations who might be tempted to take up arms against us.

These relationships call for realism. But realism is not a hardened, inflexible, unimaginative attitude. The realistic mind is a restlessly creative mind—free of naive delusions, but full of practical alternatives.

There are practical alternatives to our current relationships with both the Soviet Union and Communist China.

A vast ideological chasm separates us from them—and, to a degree, separates them from one another.

There is nothing to be gained from our seeking an ideological rapproachement. But breaching the isolation of great nations like Red China, even when that isolation is largely of its own making, reduces the danger of potentially catastrophic misunderstandings, and increases the incentive on both sides to resolve disputes by reason rather than by force.

There are many ways in which we can build bridges toward nations who would cut themselves off from meaningful contact with us. We can do so with properly balanced trade relations, diplomatic contacts, and, in some cases, even by exchanges of military observers.

We have to know where it is we want to place this bridge, what sort of traffic we want to travel over it, and on what mutual foundations the whole structure can be designed.

There are no one-cliff bridges. If you are going to span a chasm, you have to rest the structure on both cliffs.

Now, cliffs, generally speaking, are rather hazardous places. Some people are afraid even to look over the edge. But, in a thermonuclear world, we cannot afford any political acrophobia.

President Johnson has put the matter squarely. By building bridges to those who make themselves our adversaries, "we can help gradually to create a community of interest, a community of trust and a community of effort."

With respect to a "community of effort," let me suggest a concrete proposal for our own present young generation in the United States.

It is a committed and dedicated generation: It has proven that in its enormously impressive performance in the Peace Corps overseas, and in its willingness to volunteer for a final assault on such poverty and lack of opportunity that still remain in our own country.

As matters stand, our present Selective Service System draws on only a minority of eligible young men.

That is an inequity.

It seems to me that we could move toward remedying that inequity by asking every young person in the United States to give 1 or 2 years of service to his country—whether in one of the military services, in the Peace Corps or in some other volunteer developmental work at home or abroad.

We could encourage other countries to do the same, and we could work out exchange programs—much as the Peace Corps is already planning to do.

While this is not an altogether new suggestion, it has been criticized as inappropriate while we are engaged in a shooting war. But I believe precisely the opposite is the case. It is more appropriate now than ever. For it would underscore what our whole purpose is in Vietnam—and indeed anywhere in the world where coercion, or injustice, or lack of decent opportunity still holds sway.

A WORLD OF DECENCY—AND HOPE

It would make meaningful the central concept of security: a world of decency and development—where every man can feel that his personal horizon is rimmed with hope.

Mutual interest, mutual trust, mutual effort—those are the goals. Can we achieve those goals with the Soviet Union, and with Communist China? Can they achieve them with one another?

The answer to these questions lies in the answer to an even more fundamental question.

Who is man?

Is he a rational animal?

If he is, then the goals can ultimately be achieved.

If he is not, then there is little point in making the effort.

All the evidence of history suggests that man is indeed a rational animal—but with a near-infinite capacity for folly. His history seems largely a halting, but persistent, effort to raise his reason above his animality.

He draws blueprints for utopia. But never quite gets it built. In the end, he plugs away obstinately with the only building material really ever at hand: his own part-comic, part-tragic, part-cussed, but part-glorious nature.

I, for one, would not count a global free society out.

Coercion, after all, merely captures man.

Freedom captivates him.

SECRETARY WEAVER ATTENDS DEDICATION OF NEW SPRINGFIELD, MASS., BOYS' CLUB

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BOLAND. Mr. Speaker, on November 20 I had the pleasure and distinct privilege to participate in the dedication of the new Springfield Boys' Club. After years of planning and anticipation, the new million-dollar building was given life as 1,000 people turned out to commence its operation.

At this event, the 76th annual dinner, the Springfield Boys' Club was honored to have as its guest and main speaker the Secretary of the Department of Housing and Urban Development, the Honorable Robert C. Weaver. As toastmaster, I had the privilege to introduce the Secretary to the gathering.

Mr. Speaker, I include with my remarks at this point in the Record the program for the 76th annual dinner and dedication of the Springfield Boys' Club, my own brief remarks at the dinner, my introduction of Secretary Weaver, and the text of the Secretary's address, as follows:

The 76th Annual Dinner—1891–1967—and Dedication of the Springfield, Mass., Boys Club, November 20, 1967

HON. ROBERT C. WEAVER, SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Robert C. Weaver took office as Secretary of the Department of Housing and Urban Development on Tuesday, January 18, 1966.

He was born in Washington, D.C., on December 29, 1907, and is a graduate of Dunbar High School there. He attended Harvard University where he received his B.S. degree cum laude in 1929, his M.A. in 1931, and Ph.D. (in economics) in 1934.

As Secretary of the Department of Housing and Urban Development, Mr. Weaver is also a member of the Advisory Commission on Intergovernmental Relations, the Interdepartmental Committee on Financial Institutions, the Recreation Advisory Council, the President's Committee on Equal Opportunity in Housing, President's Committee on Migratory Labor, President's Committee on Youth Employment, President's Council on Aging, President's Council on Physical Fitness, Mrs. Johnson's Committee for a More Beautiful Capital, and the Advisory Committee to the Secretary of Defense on Termination of Military Installations.

Mr. Weaver is the author of four books: "Negro Labor: A National Problem," published in 1946; "The Negro Ghetto," 1948; "The Urban Complex," 1964; and "Dilemmas of Urban America," based on his Godkin Lectures given at Harvard University, published in October 1965. He has also written numerous articles on housing, urban, and minority subjects.

Mr. Weaver last year was elected a Fellow of the American Academy of Arts and Sciences. He is also a board member of the following: American Heritage Foundation, New York; Antioch College, Yellow Springs, Ohio; College of the Virgin Islands, St. Thomas, V.I.; National Capital Democratic Club, Washington, D.C.; Planning Foundation of America, Washington, D.C.; and School of Fine Arts, University of Pennsylvania, Philadelphia. He is a candidate-at-large of the National Conference on Social Welfare, Columbus, Ohio; on the Advisory Committee of the Foreign Affairs Scholarship Program of Howard University, Washington, D.C.; on the Visiting Committee of the Joint Center for Urban Studies of Massachusetts Institute of Technology and Harvard University, Cambridge, Massachusetts; on the Advisory Council of Woodrow Wilson School of Public and International Affairs, Princeton University, Princeton, New Jersey; and a member of Lambda Alpha's Washington, D.C. Chapter.

He has received honorary degrees from 20 colleges and universities, including Columbia, Harvard, Howard, Rutgers and Temple Universities; The Universities of Illinois and Pennsylvania; and Elmira and Morehouse Colleges. He has lectured on urban problems at Harvard, Massachusetts Institute of Technology, Columbia, Cornell, Johns Hopkins, Rutgers, Ohio State, Ohio University, Wesleyan, Mt. Holyoke, Smith, Haverford, Howard, Washington University in St. Louis, Wayne State University in Detroit, and others.

Mr. Weaver is married to the former Ella Haith, assistant professor of speech at Brooklyn College, who is now on leave. Mr. and Mrs. Weaver reside at 4501 Connecticut Avenue, N.W., Washington, D.C.

PROGRAM

Call to order, Julius R. Siegel, Dedication Committee Chairman.

Invocation, Rabbi Herman E. Snyder.

Dinner.

Business meeting, Kenneth T. Miller, Jr., Presiding.

Past President awards, A. Boyd Hinds, Associate National Director, Boys Clubs of America.

Introductions, Congressman Edward P. Boland, Alumnus, Board Member of the Boys Club.

Greetings: City, Hon. Charles V. Ryan, Jr., Mayor-Elect Frank Freedman; Commonwealth, Hon. Lt. Gov. Francis Sargent.

Dedicatory address, Hon. Robert C. Weaver, Secretary, Housing and Urban Development.

Awards to Mr. Weaver: Springfield Boys Club, Mr. Miller; Boys Clubs of America, Mr. Hinds.

Benediction, Rev. Maurice Karam.

Music Furnished by Musician's Local 171.

OFFICERS

President, Kenneth T. Miller, Jr.

First vice president, Julius R. Siegel.

Second vice president, E. James Stephens.

Treasurer, Roy C. Chapin.

Assistant Treasurer, Robert W. Hamel.

Immediate past president, Samuel D. Chapin.

Executive director, Michael P. Pagos.

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Board of finance

Julius H. Appleton, Donald B. Flood,[1] Maynard E. Keiser.

Board of trustees

Samuel Black,[1] Robert M. Brigham, Allen L. Brownlee, Roy C. Chapin, Samuel D. Chapin, Louis W. Doherty, Walter B. Gerould,[1] Robert W. Hamel, Hudson Holland, Robert K. Lyman, Kenneth T. Miller, Jr., Russell B. Neff, James D. Shonak, E. James Stephens, Dr. John P. Sullivan.

Women's advisory board

Dr. Jeanette Wright, Chairman; Mrs. Kermit Bleicher; Mrs. Paul A. Broman; Mrs. Samuel D. Chapin; Mrs. Samuel Chester; Mrs. Alfred D. Glickman; Mrs. Robert Morgan; Mrs. Julius R. Seigel; Mrs. Salley Vivenzio; Mrs. James Xenakis.

REMARKS OF CONGRESSMAN BOLAND

I take it that the job of a toastmaster is to get on with the business of the evening. I know you will grant me a toastmaster's prerogative if I interject a personal observation.

As a product of the Springfield Boys' Club and a long time member, I share this magnificent moment with countless thousands who were sheltered by Boys' Club buildings that are no more. I likewise thrill with these same thousands in what this splendid structure means to youth of this community.

There are many here tonight who can roll back the years and recapture the memories.

Who can forget the immortal Fred Stephenson whose piercing whistle would petrify one and stop one in his tracks; the late beloved devoted Paul Samson; the incredible jewel of a man, Harry Feldman; the durable, lovable, Mark Moran; and the present executive director, the incomparable Mike Pagos.

The polyglot of Irish, Jewish, Polish, Italian and Yankee-English that dominated the scene through the roaring twenties—the teams that stormed across the gyms—the Maccabeans, the Foggy Dews, the Russian-Americans, the Samosets, the Y.M.H.A., the Sacred Hearts, and a whole host of others, black and white, that made this Boys' Club and Clubs around the nation, the true melting pots of our land—the crucible into which all nationalities, religions and races were thrown and mixed to mold a product that makes the American dream possible.

In this dedication we honor the long line of men from all segments of our society—business, labor, the professions, civic clubs, Kiwanis—who have given so much of their time, talent and money to make this club work and who have brought it to this magnificent milestone.

We honor the staffs of devoted and dedicated people who have given warmth and understanding, who have stretched out their hands to grasp the youth who wanders aimlessly, unwanted and unloved. This great dinner is a moving tribute to all of them.

CONGRESSMAN BOLAND INTRODUCES SECRETARY WEAVER

We rightly and proudly proclaim that the United States is a great nation, that this is a land of unmatched opportunity. It is all of that! But we are also a nation of great and continuing problems, problems born of our very greatness and our rapid growth.

Think of it! Two hundred million population as of today.

To meet these problems and the very great challenges they present, the Department of Housing and Urban Development was created in 1966. And the task of pulling together the myriad agencies of the housing and home finance administration into a cohesive whole—the herculean job of instilling a new spirit and imagination and action into the urban chaos that threatened our cities—This gigantic effort landed on the shoulders of our honored guest of the evening.

In appointing Robert C. Weaver as the first secretary of this department, President Johnson selected one of the nation's foremost and outstanding men in the field.

Your program details for you the tremendous record of this man: his magnificent education, his work in so many areas that cuts across the spectrum of our economic life, his uncanny ability to pull together the forces that must unite to solve the problems that press down on this land.

He is the first of his race to be so signally honored by a seat in the President's Cabinet. I have had many contacts with him and his department. I am conscious of his ability, knowledge, his persuasiveness. His appearances and his testimony before congressional committees have won him the applause and the esteem of the Congress—and this is no easy task in the job that is his!

Mr. Secretary, all of us want you to know how much we appreciate your presence on the most important event in the history of the Springfield Boys' Club. All of us are aware of the countless demands on your time and the personal inconvenience that we have caused you. You honor us greatly by joining us tonight and we are deeply grateful.

Ladies and gentlemen, with humility and pride, I am privileged to present a member of the Cabinet of the President of the United States, the Secretary of the Department of Housing and Urban Development, Mr. Robert C. Weaver.

REMARKS BY SECRETARY ROBERT WEAVER AT THE DEDICATION OF THE SPRINGFIELD, MASS., BOYS CLUB

I know how concerned you all are about urban matters in Springfield. But before I talk about them, I would like to thank Congressman Boland for acting as intermediary in getting me here tonight. I have lived and worked all my life in the great urban axis which reaches from Washington, D.C. to Boston, so I am in familiar territory.

It is also a pleasant change to help dedicate something other than a product of one of my own Departmental programs. As I understand it, the only contribution we made to the Springfield Boys Club was in furnishing money for an urban renewal project which in turn forced you to relocate from your old building. I'm sorry if this was inconvenient.

But let me say this, if this beautiful new building is typical of your relocation program, you are doing a magnificent job. I think the City of Springfield, President Miller and your other officials, and the many members and contributors to the Springfield Boys Club are to be congratulated.

The Springfield Boys Club looks back a long time—76 years. I don't know how many Springfield youngsters have run in and out of the doors of the three buildings that preceded this one, but it must number well up in the thousands. Now I understand that in the new building you are expecting to have about 4,000 boys, perhaps half as many girls and a thousand adults involved in programs. There can be no doubt that many of these young people will find in this Club their only chance to be out in the big world, away from homes that are small and crowded. This is their separate world of play, and of learning, and of mixing with their contemporaries. It is a world of interested counselors, a world where they can stretch their muscles, and their minds. We must be proud of the Boys' Clubs of America tonight, and particularly proud of the Springfield Boys Club.

You are also to be congratulated on your choice of Congressmen. Edward Boland supports the urban programs we must have if cities such as Springfield are to be restored and revitalized. He works hard for the citizens of this district, and he works hard for his Nation. It is a privilege for me to be here in his home district with him tonight.

When I was invited here, I was asked to give you some idea of what I think about our urban situation in this Nation today. This happens to come at a very good time.

Last week in Washington we announced the first 63 cities which will receive planning grants under the Model Cities Program. Springfield was one of 193 communities to submit applications. And as you are well aware, this city was among those selected in this first round.

I would like to congratulate all those who were involved in the long and difficult process of drawing up the Springfield Model City application. They have performed well for their city and for their fellow townspeople.

Before I go into some of the results you may expect under this program, I would like to say a word about those cities which were not selected.

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[1] Deceased 1967.

First, it is not necessarily true that the cities which were not selected were any less deserving than Springfield and those other cities which were on the list.

And it does not by any means close the door on those cities in the future.

Let me briefly review the selection procedure so you may have some idea of the problems involved.

The applications were exhaustively reviewed by our own staff. That was the first step.

Then they moved on to a far more wide-ranging procedure, a review by an interagency committee composed of representatives of the Departments of Health, Education, and Welfare; Labor; Agriculture; Commerce; and Justice. There was also a representative of the Office of Economic Opportunity.

The purpose was clear: To select those neighborhoods across the country where the concentration of Federally-assisted programs could have maximum impact in solving urban problems.

We established criteria by which the applications could be judged. These were:

The scope of the problems involved, and the city's analysis of those problems;

The city's innovative approaches;

The city's capacity to carry out the program;

The commitment of city government and private groups;

Geography and population.

As you can understand, that last point alone—location and size of the city—coupled with the limitations imposed by the $11 million we had in planning funds, made it impossible to include every deserving city.

However, the Congress has now appropriated another $12 million in planning funds for a second round of applications.

We will soon be inviting applications for this second round.

And here is the point I want to make very strongly and would like to have repeated in every city across the Nation which did not receive a grant:

It is our hope that those cities which applied and were not selected will join other localities in applying for the second round.

I also want to make the point, and make it strongly, that we in the Department will help the unsuccessful cities as well as the new cities, in developing their applications.

Now, I can't stand here tonight and tell you that the fact you have been selected means there will be immediate and important improvements in Old Hill and the adjoining sections you have designated as your Model Neighborhood.

It would be unfair to the residents of that area to make such a claim.

Recent urban history has proved that rising aspirations must be met by results. The Model Cities planning grant is a work box for the city, not a gift package under the Christmas tree. Any city which rouses hope and does not fulfill it may find it turning into a Pandora's box of troubles.

First, you will have to plan your program. Then there will be another review and again we must select those cities which will be granted funds to put their programs into effect.

And again we have a budgetary limitation—$300 million which the Congress appropriated for supplemental grants and extra urban renewal funds. Unfortunately, the Congress this year saw fit to cut $350 million more than the President had requested from the Model Cities budget.

But even when supplemental grants and extra urban renewal funds are forthcoming, there will be important matters of local concern to consider. There will never be enough money to do everything you know must be done, and so you will have to establish priorities.

You will need a tremendous concentration of intelligent, imaginative and dedicated people here in Springfield to get the job done.

This will not be a job for city hall alone, far from it.

You in this audience tonight cut across the whole structure of the city. You are bankers and businessmen, social workers and city employees. You represent foundations and philanthropic organizations. You come from the three institutions of higher education in this city.

And I would say that the degree to which almost everyone here can get involved in one or another phase of your Model City Program will be the degree to which it is successful.

With that warning behind me, however, let me now move over to the bright side.

The immediate dividend you can count on is that you will instill hope in those who have not had hope before.

These are the unemployed, and over six percent of the men in your selected neighborhood are out of work;

These are the ill-housed, and almost half of the housing units in the area are substandard;

These are the poor, and nearly one-fourth of the families earn less than $3,000 annually;

These are the school dropouts, and the rural immigrants who lack urban skills, and the Puerto Ricans and the Negroes who have problems of color and ethnic background, or who simply can't speak the language;

These are approximately 18,750 people who have not shared in the wealth and the opportunity of our rich Nation.

Those of you who meet here tonight know exactly what I mean, because you have been working in the hope business for more than three-quarters of a century.

This fine new building can be symbolic of the new building and of the physical rehabilitation of Old Hill.

The underprivileged boys and girls who pass through these portals can be symbolic of the underprivileged of Old Hill. Here you give them the chance to build their bodies and to develop their minds. Here you bring them into an environment of hope.

But it does little good to stop the process as these boys and girls walk back out of the door of the Springfield Boys Club.

They must be able to go back to homes which are decent, and where they can bring their friends with pride.

They must be able to learn to the utmost of their capabilities, and to find jobs worthy of that education.

They must be able to walk through streets that are safe, over sidewalks that are clean.

They must, above all, be able to walk in pride and dignity, with no door closed to them because of race or color or ethnic background.

This is the meaning of the Springfield Boys Club, and it is the meaning of the Model Cities Program.

As you can tell, I am proud of this new program, and I share with all of you a genuine feeling that we have made an important breakthrough in solving our most urgent urban problems.

I would now like to give credit where credit is due.

The Model Cities Program was born and kept alive only because we have a great President who threw all of his energy and all of his influence into pushing it through.

President Johnson started the process which culminated in this legislation several years ago.

It is part of the great vision which the President has had for the future of the American city and for those who live there. It is part and parcel of his own personal conviction that this country has the energy and the resources and the will to build decent communities where Americans can live in comfort and in dignity.

Several years ago, the President established a task force charged with making this vision come true.

I think it should be a matter of pride to the people of this State that two of the men on that task force who helped bring this program to life are now serving with me in my Department—Under Secretary Robert Wood, formerly of M.I.T., and Assistant Secretary Charles Haar, formerly of Harvard.

Once the program was formulated, the President threw the whole power of his office behind it. Great urban Congressmen such as Edward Boland worked hard to get it through the legislative process, and then saw to it that funds were appropriated to get it on its way. This was not easy, for there are always those in Congress who fight every good new program that is proposed. There are always those who, failing to kill a program, try to starve it to death by cutting appropriations.

They tried to kill this program before it could come to life. They tried to starve it after it had passed. They will attempt to starve it in every Congress in the future.

But they must fail.

And they will fail.

There is a final point to be made about this program. The Model Cities Program does not stand alone as a piece of separate legislation. Without the urban renewal program, and the low-income public housing program, and the rent supplement program, among others, we would not have the physical wherewithal to start the physical rebuilding and rehabilitation of these model neighborhoods.

Without the great social programs of the Department of Health, Education, and Welfare, and of the Office of Economic Opportunity, and of the Department of Labor, among others, we would not have the people-oriented legislation we need.

And, I cannot repeat too often that there must be a full involvement of the skills, commitment, and resources of the state, county and city governments, as well as those of the Federal Government. There must be full involvement of private enterprise, of organized labor, of community agencies and organizations of all types. There must be, most of all, the involvement of the people of the neighborhood itself.

The physical structure of the neighborhood must be changed, of course. But the ultimate goal is to change the lives of those who live there, to meet the aspirations of those who have not shared in our prosperity.

The success of the program will be reflected in the facades of the buildings and in the faces of the people of Old Hill and those parts of Upper Hill and Bay McKnight which are in the model neighborhood.

And, inevitably, the whole city will share in the benefits of this program.

I would like to commend all of you here tonight for your long service to the boys and girls of this community. And I would like to extend to you an invitation to share in making your Model City Program a model for the State and the Nation.

COMMODITY EXCHANGE ACT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, H.R. 13094 to amend the Commodity Exchange

Act is a long overdue bill. There have been no substantial amendments to the Commodity Exchange Act since 1936. It is ludicrous to maintain that in our expanding and dynamic economy changes have not occurred which should be handled by regulatory legislation. The initial hostile reaction of some members of the commodity exchanges was similar to the reaction of part of the banking and business community when the 1933 Securities Exchange Act was passed. At that time, the president of the New York Exchange solemnly predicted the collapse of the market. Today the market is stronger than ever partly because of the public confidence brought about by the 1933 act. Similar public confidence achieved by the passage of H.R. 13094 would strengthen the commodity exchanges, not weaken them.

For the most part H.R. 13094 merely seeks to establish rules and procedures which are a normal part of other exchanges. In fact, the regulation of other exchanges may have an unplanned deleterious effect on the commodity exchanges. The lack of standards for becoming a member of the commodity exchange contrasted with the standards required to be a member of the stock exchange, may result in persons who are barred from the stock exchanges being able to use their skills in the commodity exchange. For example, a Mr. John E. Hean, who testified at the hearings as to his own personal experience with unscrupulous manipulation in commodities, mentioned that the person who he was dealing with had been previously barred from dealing in stocks.

H.R. 13094 provisions requiring that persons doing business for the public meet specified minimum financial standards is an obvious response to necessity. As was written in a national publication, the commodity exchanges could be described "as a giant, Government-sanctioned lottery, where the losses can be staggering and the rewards immense." In such a sanguine environment the lack of financial standards is an invitation to fraud.

The increasing of penalties for certain law violation will eliminate the profit from breaking the law. This is an area of potential white-collar crime where stiff financial penalties will be most effective. The addition of livestock and livestock products to the commodities under the act is a logical response to the increasingly active trading in these products.

Cease-and-desist orders will provide needed flexibility in the administration of the act. We have learned the value and necessity of limited welfare; the same principles apply to regulations. All of these provisions are necessary and deserve the support of the Congress.

KENNETH ZIMMERMAN, AS A MEMBER OF THE GREG SMITH SINGERS, PERFORMS AT THE WHITE HOUSE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, one of my constituents had the distinction to entertain President Johnson and his guests at the White House yesterday as a member of the Greg Smith Singers. The luncheon honored Secretary of the Treasury Henry Fowler and served to formally launch the Freedom Fund campaign.

My constituent is Kenneth Zimmerman, the son of Mr. and Mrs. Sterling Zimmerman, of Werleys Corner, in my congressional district. This young man is an accomplished baritone who adds the White House performance to his already long list of other musical achievements.

On December 8, 1967, he will participate in a world premier performance of "Reynard the Fox," by Igor Stravinsky, famous Russian composer. Mr. Zimmerman will sing the lead role, marking the first time this work is sung in Russian. It will highlight the 75th anniversary of the founding of Ithaca College.

During October, Mr. Zimmerman sang a leading role in still another world premier—the first rendition of "The Requiem," presented at Princeton, N.J.

Mr. Zimmerman has another claim to fame which is of particular interest to my own district. He is well known throughout Pennsylvania and beyond for his renditions in the Pennsylvania Dutch dialect. He regularly participates in Pennsylvania Dutch song festivals during the great Allentown fair.

I am pleased to have this opportunity to bring this young man's vocal talent and achievement to the attention of my colleagues.

ROBERT S. McNAMARA—A MAN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. PIKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PIKE. Mr. Speaker, it seems a rather sad commentary on our times that on the day when the newspapers were full of the story of Secretary of Defense Robert S. McNamara's proposed move to the International Bank for Reconstruction and Development, the CONGRESSIONAL RECORD, as far as the House of Representatives was concerned, had not a word on the subject.

Perhaps this was because many of the Members were taken by surprise by the story, as I was. Perhaps it was because the Secretary has become such a controversial figure that no one wanted to get involved. In any event, I have been involved in the past, both as supporter and needler, and I feel compelled to say a few words about the mixed emotions with which I greeted this news, and my own feelings about our Secretary of Defense.

My emotions were mixed because I feel that the Office of Secretary of Defense is losing a great man, and yet the reasons which would make him willing to drop the heavy burdens which he has shouldered for so long, and take up a new challenge, seem very obvious indeed.

As to the man himself, he always calls his shots the way he sees them within the framework of his loyalty to the President, as part of the President's administration. He has shouldered burdens which would have killed a lesser man. He has taken the blame when things go wrong without either breast-beating or appeals for sympathy. He has shared the credit when things go well without condescension of effusive flattery. As part of the administration he has shouldered the responsibility for decisions which were actually made by the President, and with which he did not always agree, because he recognized both the human value of loyalty and the administrative necessity of a chain of command. There were those who referred to him sneeringly as a human computer, as an inhuman and humorless man. Almost always these were people whose minds were not able to grasp his mind, whose sense of humor was far less sophisticated than his own, and who never comprehended the fact that beneath his toughness in making and carrying out individual decisions there exists an abiding concern not only for the human beings of America but for the human beings of this planet.

There were among his detractors those who harped constantly on the fact that he did not get along well with Congress, and it is true that he really did not. First of all, he has a very low threshold of tolerance for stupidity, and I refer as much to the inefficient procedures of Congress as to any individuals within it. Second, he is perhaps a poor politician in the sense that he never could engage in the kind of habitual flattery which is a way of life for most of those in politics. I believe he considers it not only demeaning to himself but also to the person on whom the butter is spread, and that he found it hard to believe that any normally alert person would not recognize it for what it was, simply nauseous flattery. Perhaps I flatter myself in thinking that I understand Robert S. McNamara. Truthfully, no human being can ever fully understand another human being, and it is possible that no human being really even understands himself, what makes him tick, what motivates him, what his goals and ideals are, what his frustrations and feelings are, what his strengths and his weaknesses are. But some things are obvious.

Mr. McNamara is a man of moderation in a time when it is terribly unpopular to be a moderate. In times of crisis, and this is a time of crisis, people tend to see things in absolutes, in blacks and whites. It is easier to think that way. It is easier to characterize people, for example, as hawks or doves, than to really analyze all of the gradations which there are in between. It is easy to say, "Stop the war," and it is easy to say, "Block Haiphong Harbor," but it is substantially more difficult to try to analyze all of the tremendous implications, repercussions, pressures, reactions, and values contained in any such major judgment.

Over the past 7 years Mr. McNamara has had to make literally thousands of judgments, and most of them were terribly complex. The easy ones were made by corporals; the tougher ones were made by generals; but the really tough ones, those involving thousands of lives, or billions of dollars, were made by the Secretary of Defense, and because he was a man of moderation, of too much wisdom to see any complicated issue as a black or white issue, he had to crank into each of these judgments all sorts of factors—military factors, economic factors, human factors, political factors, national factors, and international factors. He was uniquely qualified to do this. One of the great delights of being in Congress over the past 7 years has been to hear his annual report as Secretary of Defense on the posture of the United States in the world. These reports have always shown both a broader grasp and perspective of America in the latter half of the 20th century and a more incisive attention to detail than I have ever seen in any other document.

Because the decisions which he has made have been tough and complicated and difficult, every single one of them has displeased somebody. Some of them have displeased me, but all of them have displeased someone. So Mr. McNamara has made people unhappy, and some of the people he has made unhappy have become enemies. I believe he has recognized this as a fact of life; yet he has continued to approach his job with zest and competence. I also believe, however, that the burden of all of these decisions and the brutally hard work which responsibility entails have quite naturally and normally, and because he is human, taken something out of him, just as to a far lesser extent my 7 years of dealing with far lesser problems have taken something out of me.

I do not believe the United States of America can find as good a Secretary of Defense. I do not believe the United States of America has had as good a Secretary of Defense. Perhaps because I live in a seafaring area there is a nautical poem which for some reason has for years come into my mind when I think about Robert S. McNamara. The poem is "Old Ironsides," by Oliver Wendell Holmes, and at least when I was in high school it was familiar to every high school boy. It began with the words: "Ay, tear her tattered ensign down! Long has it waved on high," and I am not going to corn up this statement by making what ought to be an obvious comparison between a sturdy man and a sturdy ship. There is nothing I like better than a sturdy ship. There is one other line which comes inevitably to mind when you think of the way in which this one human being has held so steadfast to the middle course under the attacks of the extremists of both the right and the left. That line, of course, is, "The harpies of the shore shall pluck the eagle of the sea." As one of the resident House harpies who has contributed to his difficulties, I would like to present a personal evaluation of what I consider his greatest asset, and this is simply his manliness. He is the kind of man I would like to be, but I have just enough wisdom to know that I do not have the wisdom for it. He is the kind of man I would like my sons to be, and I only hope they have the courage to be. In an age of facades and images and easy answers and spoiled and greedy men, and shallow and irresponsible values, this is a real man.

A MODEL PLAN FOR BETTER CITIES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BARRETT. Mr. Speaker, the Philadelphia Inquirer published an excellent editorial on November 19 entitled "A Model Plan for Better Cities."

This editorial stressed that—

> Model Cities projects are not intended to be Federally financed and Federally inspired in totality. Their purpose is to bring together private and public money from many sources. More important than money is the need for common purpose and the cooperative pooling of talents and skills.

The editorial continued:

> Philadelphia, if it is to be a Model City in the finest sense of the phrase, should supplement Federal financial incentives with local endeavor rooted in community pride, neighborhood spirit and personal resolve.

Mr. Speaker, I would hope that we hear this call for local initiative echoed in every community selected to receive a model cities grant. Local initiative and effort are keys to success in the model cities program.

So that my colleagues might read this interesting editorial from the Philadelphia Inquirer, I include it in the CONGRESSIONAL RECORD:

> ### A MODEL PLAN FOR BETTER CITIES
>
> Announcement of the first list of municipalities—including Philadelphia—to receive Federal grants under the Model Cities program does not mean that urban blight is soon to be eradicated on a massive scale.
>
> It does mean, though, that a fresh start is being made on problems of the cities. This could produce, in a few years, tangible and visible evidence of a great urban rebirth in America.
>
> Much depends on how the Model Cities projects are planned and administered. Carefully drawn programs are important. A city has to know what it is trying to accomplish before the tearing down and the building up begin.
>
> The first disbursements are for planning only. Philadelphia's rather disappointingly small grant of less than $200,000 will not go far, but substantially larger amounts should be forthcoming when the actual rebuilding starts.
>
> One point that needs to be stressed at the outset is this: Model Cities projects are not intended to be Federally financed and Federally inspired in totality. Their purpose is to bring together private and public money from many sources. More important than money is the need for common purpose and the cooperative pooling of talents and skills.
>
> Philadelphia, if it is to be a Model City in the finest sense of the phrase, should supplement Federal financial incentives with local endeavor rooted in community pride, neighborhood spirit and personal resolve.
>
> Steel and concrete are but a skeleton of enduring urban progress, the bare bones of a city's rebirth. Human resources are the flesh and blood of real renaissance that will restore the great cities of this Nation to positions of eminence, where promise is matched by opportunity and potentiality opens doors to fulfillment.

IN PRAISE OF OUR MEMBER WOLFF

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OLSEN. Mr. Speaker, it is my pleasure to enter in the RECORD a tribute to the gentleman from New York [Mr. WOLFF].

Philip F. O'Brien, national commander of the Veterans of World War I of the U.S.A., Inc., commends Representative LESTER WOLFF, of New York, on the stand he has taken in reply to De Gaulle. It is unbelievable after saving France in two World Wars, with the cost of millions of lives and billions of our dollars used to build up a war-torn nation, that the French people would allow a bitter old man to use the power of his office to destroy the economy of the United States as well as the other nations. Our Government should take positive action to stop the flow of tourist money into that country. Also, demand that the $8 billion still owned to this country from World War I be paid.

Thousands of the cream of our youth are buried in Flanders Field from the War of 1917–18. Is it too much to ask that the American people at least postpone their pleasure trips to France?

Even the thought of the devaluation of the dollar could trigger a panic throughout the world which would make the thirties depression mild in comparison. It is time for our Government to take positive action and halt the flow of gold out of our country. It is high time we discard the Santa Claus role, and protect our people from the whims of other nations.

IRRIGATION DEVELOPMENT: A MUST FOR AMERICA'S FUTURE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OLSEN. Mr. Speaker, as you and the Members of this body know, I have always supported and worked for projects in the area of water conservation. Tomorrow—with its increased population and growing demand for an adequate water supply—will come, and we must prepare for it if we are to assure our children the water they will need for health, for raising crops, and for recreation.

Mr. Norman H. Moore, Assistant Regional Director of the U.S. Bureau of Reclamation, region 1, recently discussed this problem in an address before a meeting of the Pacific Northwest Plant Food Association. An edited version of Mr. Moore's remarks appeared in the most recent edition of the Montana Farmer-Stockman, and I insert the article at this point in the Record. It includes statistics which I am sure all of my colleagues will find interesting.

"In the Cards" for the West: More Irrigation Development

(By Norman H. Moore)

The fantastic population explosion throughout the world casts grim shadows of imminent starvation across large portions of the face of the earth unless action is taken to equate food production and population growth.

From about 3.1 billion people today, demographers estimate the world population will be in the realm of 6 to 7 billion by the year 2000, which is only 33 years from now. The population of the United States will rise from the current 200 million to about 330 million in this same period.

The West is our fastest growing area, and in the Pacific Northwest, that is, the states of Washington, Oregon, Idaho, western Montana and western Wyoming, the population is expected to about double by year 2000, going from 6 million to close to 12 million persons.

Considering these population figures and the fact that the total acreage actually used for food and fibre production in the United States has and will continue to remain at about the total existing in 1920, we will have to run just to stand still, to achieve adequate production so that our farms will continue to be one of the bulwarks against world hunger.

Instead of surpluses, it is logical to reason that we will be faced with food shortages, and any so-called remaining crop surpluses now on hand must be considered essentially reserves.

To assure adequate food in the future, more and more idle arable land will have to be brought into production, and considering the greater production possible through irrigation, more and more of this land will be irrigated. Much of the land now dry-farmed will also be irrigated. At the same time it must be remembered that well in excess of 1 million acres of cultivated agricultural land nationally, each year are lost to such things as highway construction, urban expansion, etc. Since the total available agricultural acreage in the United States will remain about the same over the future, farming efficiency or production per acre will have to increase continually.

Use of fertilizers in particular, will play an important part in providing for this increase.

About one-eighth of the arable lands of the world, some 400 million acres, are devoted to irrigated agriculture. In the United States we irrigate roughly 40 million acres, with the bulk of this—well over 90 per cent—in the 17 western states. Irrigated crops account for about 25 per cent of the total value of our crops annually, but require only about 10 per cent of our crop acreage.

Despite many novel and sophisticated processes which are being developed for synthesizing, producing and processing vital vitamins, proteins, nutrients, etc., there is little doubt that much of our success in meeting the food challenges of the future will continue to depend on how well we can blend our land, water and sunshine.

A little over 8 million of the approximately 38 million acres currently actually irrigated in the western states are served a full or supplemental water supply from facilities constructed by the Bureau of Reclamation. The estimated annual gross value of the 150 or so varieties of crops raised on these lands is over 1½ billion dollars.

In the Pacific Northwest there are about 7 million acres now irrigated, for which the Bureau of Reclamation has constructed facilities to serve a full or supplemental water supply to about 3 million acres. In crop year 1965 these 3 million acres produced crops with a gross value in excess of $388 million, or about $147 per acre.

In discussing irrigation we must consider land and available water supply in order to get the proper perspective. The arid and semiarid areas of the West have far more arable land than available water supply. In other words, in most locations throughout the West we can develop more irrigated lands only if water is economically available. Yes, water is the key.

The Pacific Northwest has large areas of arid and semiarid land not currently irrigated. Such areas are normally in short-water supply. On an annual basis, areas west of the Cascades, and the mountain regions generally, have abundant water supplies, but even here the agricultural areas suffer from a shortage of natural precipitation during the summer growing season.

The current annual average flow of the Columbia River at its mouth is, in round numbers, about 170 million acre-feet. The coastal streams of Oregon and Washington add about another 120 million acre-feet of flow to the total amount of water flowing into the Pacific Ocean on an average annual basis. With flows of this magnitude, one can see why water-short areas are casting covetous eyes on the waters of the Pacific Northwest.

For the Columbia River alone, the average annual discharge figure is impressive, since 170 million acre-feet is a tremendous volume of water. By comparison, for example, the annual flow of the Colorado River is about one-tenth as much. An interesting point here is that the long litigation between California and Nevada over apportionment of Colorado River flows involved only 4 million acre-feet of water annually.

Areas of water-need and areas of water-availability do not necessarily coincide within any region. This poses a problem so far as future irrigation is concerned. However, the Pacific Northwest is generally blessed with a good water supply and there is no doubt that irrigation and other water resource development functions will be expanded in the future.

Within the past year, in connection with preparation of preliminary data for the Columbia-North Pacific River Basin Studies, the states of the Northwest have made rough estimates of irrigation development for the years 1980, 2000 and 2020. Considering the present poor outlook for the future world food supply, the estimates appear for the most part to be realistic.

The estimates indicate that by 1990 irrigated lands in the Pacific Northwest will increase by almost 4.5 million acres over the base existing in 1965. When this is added to the 6.5 million acres which received water in 1965, a total of about 11 million acres are expected to be irrigated in the Pacific Northwest in a little over 20 years.

The 4.5 million new acres of irrigation are broken down by states as follows: Washington 1,800,000 acres; Oregon 585,000 acres; Idaho 1,680,000 acres; Montana 345,000 acres; with minor acreages in Wyoming and Nevada. It is contemplated that federal development will provide less than 40 per cent, or about 1.6 million of these future irrigated acres. The remainder, or about 2.9 million acres, will be provided a water supply through facilities constructed primarily by private interests.

Full development of the Pacific Northwest through both government and private means is now and will continue to be spurred by the world need for food and also by the threat of diversion of water outside the region if it is not put to beneficial use within.

TRUTH IN SECOND MORTGAGES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PATTEN. Mr. Speaker, I was happy to read in today's Washington Post that U.S. District Court Judge Matthew F. McGuire granted a temporary restraining order halting the foreclosure of the home of a retired janitor.

I was attorney for a national bank over 25 years, and I am well aware of our law "for the holder in due course."

The truth is, poor people in New Jersey are robbed continuously by these crooks who lie, cheat, deceive, and commit fraud and sell the mortgage to a legitimate bank. The Evening News, Perth Amboy, N.J., has rendered a great public service exposing these cases. A group of us in Congress have appealed to the House Banking and Currency Committee, the Post Office, and the Federal Trade Commission. We are determined to correct this situation.

Talk about truth in lending—let us work harder until we close these loopholes. This poor janitor apparently is paying 58 percent interest.

The article follows:

Court Blocks Foreclosure on Mortgage

(By David A. Jewell)

A U.S. District Court judge prevented a foreclosure on a delinquent mortgage here yesterday, saying "the worst situation in 50 states regarding these mortgages exists in this jurisdiction."

Judge Matthew F. McGuire granted a temporary restraining order against Montgomery Federal Savings and Loan Association on behalf of a District homeowner, Abraham Williams, a 65-year-old retired janitor who lives at 1812 M st. ne.

Williams challenged a foreclosure move by Montgomery Federal, saying that the interest on his mortgage was usurious and that the note had been obtained by fraud.

The note was a result of a refinancing of Williams' existing mortgages, tied in with home improvement work.

Williams charged in his suit that Montgomery Federal was involved in a conspiracy to defraud him.

Judge McGuire set a hearing for Dec. 8 on a motion submitted by Williams' attorney, Mark Sandground, asking the Court to issue a preliminary injunction.

This injunction would have the effect of preventing collection by Montgomery Federal of the mortgage payments, pending a trial on the merits of Williams' suit, which seeks to void the mortgage.

Montgomery Federal's defense before Judge McGuire was that it was a "holder in due course," which innocently purchased Williams' note with no knowledge of any fraud that may have surrounded it.

After saying that the city had the "worst situation" in the country on mortgages, Judge McGuire said:

"I will refer this whole business to the U.S. attorney for his consideration because this doesn't smell good.

"This is about the sixth such case I have had in the last month. There is something radically wrong here . . . I don't say that about Montgomery Federal, but it just doesn't look good on its face."

Recent articles in The Washington Post have disclosed widespread charges of abuses by home improvement contractors and others who secure notes with new mortgages.

Williams' suit says that Montgomery Federal conspired with the following companies to defraud him:

Maryland Financial Corp., 5101 Baltimore ave., Hyattsville, and Richard Construction Corp., of 8510 16th st., Silver Spring, and the chief officer of both firms, Harold Rothman; Empire Mortgage Corp., listed at 320 Southern Building, 1425 H st. nw.; Congressional Credit Corp., of 918 16th st. nw., and Berks Title Insurance Co., of 1413 K st. nw.

Williams' suit claims that he did not realize that when he signed papers at Rothman's office, that he was signing notes that totaled $12,340, plus 7 per cent interest, when all he thought he was signing was a note for $9200 plus interest.

The suit describes what happened to Williams this way:

In April he received an unsolicited offer from Rothman to perform $1500 worth of improvements to his home.

Rothman said this could be paid by negotiating a mortgage that would also consolidate two existing mortgages on Williams' house.

At that time, Williams' mortgages and some minor debts totaled $7700, the suit said. The suit also said that Williams was current in his payments on the debts.

The suit said that Rothman promised him his new payments would be lower than his old ones. But, the suit says, they are now $161 a month. They had been lower, according to Williams' lawyer.

The suit alleges that Williams went to Rothman's offices in Hyattsville and signed certain papers.

It says he later learned that there were two new mortgages against his home, one for $9500 held by Montgomery Federal and the second for $2840 originally held by Empire Mortgage and later transferred to Congressional Credit.

Thus, the suit claims, Williams now owes $12,340, which is $4500 more than his original indebtedness, a 58 per cent increase.

The suit denies that repairs worth $1550 were made on Williams' home, as set forth in a settlement sheet made out by Berks Title Insurance Co.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FOUNTAIN (at the request of Mr. HERLONG), for an indefinite period, on account of his attendance at the 22d General Assembly of the United Nations as an official member of the U.S. delegation to the U.N.

Mr. KUPFERMAN (at the request of Mr. ARENDS), for Monday, December 4, 1967, on account of official business in his district.

Mr. FLYNT (at the request of Mr. ALBERT), for today, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. LONG of Maryland.
Mr. NIX.
Mr. WALKER.
Mr. KEE.
Mr. DULSKI.
Mr. BROOKS.
Mr. DOW.
Mr. DINGELL.
Mr. CELLER.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2634. An act to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes; to the Committee on Armed Services.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 8629. An act to amend the act of July 4, 1966 (Public Law 89-491).

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 2529. An act to amend the act of September 8, 1960, relating to the Washington Channel waterfront;

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes; and

H.J. Res. 936. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p.m.) the House adjourned until tomorrow, Thursday, November 30, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1242. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 16, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the report on Texas City and vicinity, Texas (La Marque-Hitchcock extension), hurricane flood protection, requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962 (H. Doc. No. 187); to the Committee on Public Works and ordered to be printed with illustrations.

1243. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 17, 1967, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Charlotte Harbor, Fla., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 188); to the Committee on Public Works and ordered to be printed with illustrations.

1244. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 12, 1967, submitting a report, together with accompanying papers and an illustration, on an interim report on Tawas Bay Harbor, Mich., in final response to a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 8, 1945, and in partial response to an item in the River and Harbor Act approved March 2, 1945 (H. Doc. No. 189); to the Committee on Public Works and ordered to be printed with one illustration.

1245. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 7, 1967, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Westchester County, N.Y., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 190); to the Committee on Public Works and ordered to be printed with illustrations.

1246. A letter from the National Adjutant Paymaster, Marine Corps League, transmitting the annual audit report for the period ending July 31, 1967, and a copy of the minutes of the 1966 convention; pursuant to Public Law 88-504; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 2419. An act to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes; with amendment. (Rept. No. 991). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 14202. A bill to amend section 11-1701 of the District of Columbia Code relating to retirement of certain judges of the courts of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CHAMBERLAIN (for himself, Mr. GERALD R. FORD, Mr. BROOMFIELD, Mr. BROWN of Michigan, Mr. CEDERBERG, Mr. ESCH, Mr. HARVEY, Mr. HUTCHINSON, Mr. McDONALD of Michigan, Mr. RIEGLE, Mr. RUPPE, and Mr. VANDER JAGT):

H.R. 14203. A bill to amend section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended, to require water supply and waste disposal systems constructed in any State with funds under such section to comply with health and safety standards prescribed by the appropriate agency of such State; to the Committee on Agriculture.

By Mr. COLLIER:

H.R. 14204. A bill to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the independence of Czechoslovakia; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON:

H.R. 14205. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EILBERG:

H.R. 14206. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 14207. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. MINISH:

H.R. 14208. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.R. 14209. A bill to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Pennsylvania:

H.R. 14210. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 14211. A bill to provide more effective control of lobbying activities; to the Committee on the Judiciary.

By Mr. ESHLEMAN (for himself, Mr. WATKINS, Mr. JOHNSON of Pennsylvania, Mr. MCDADE, and Mr. FULTON of Pennsylvania):

H.R. 14212. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 14213. A bill to prohibit electronic surveillance by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 14214. A bill to amend section 1114 of title 18, United States Code, so as to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 14215. A bill to declare and determine the policy by the Congress with respect to the primary authority of the several States' to control, regulate, and manage fish and wildlife within their territorial boundaries; to confirm to the several States such primary authority and responsibility; to relinquish, disavow, and disclaim any power of the United States with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States and specifying the exceptions applicable thereto; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York:

H.R. 14216. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 14217. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 14218. A bill to amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. WALKER:

H.J. Res. 942. Joint resolution to consent to an amendment of the Constitution of the State of New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. BUTTON:

H. Con. Res. 590. A concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 4 of rule XXII,

294. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin relative to considering the establishment of a Mining Research and Products Laboratory in Platteville, Wis., which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY:

H.R. 14219. A bill for the relief of F. W. Bert Wheeler, Mae Dean Wheeler, and Reagan M. Marshall; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 14220. A bill for the relief of Rene Angel C. Primitivo; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 14221. A bill for the relief of Giuseppa Grasso; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 14222. A bill for the relief of Mr. Baldassare Ciaravino; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 14223. A bill for the relief of Hemayack Meghrigian; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin:

H.R. 14224. A bill for the relief of Dr. Jose Q. Tolentino and his wife, Anita T. Lozon Tolentino; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 14225. A bill for the relief of Antonio Fillipone; to the Committee on the Judiciary.

SENATE

WEDNESDAY, NOVEMBER 29, 1967

(Legislative day of Tuesday, November 28, 1967)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

Rev. Josef Nordenhaug, general secretary, Baptist World Alliance, Washington, D.C., offered the following prayer:

Almighty God, our help in ages past, be our help today.

In these days of turmoil and devaluation of that which is true, honorable, just, pure, lovely, and gracious—give us Thy guidance and courage to follow it. Make our hands Thy hands reaching out with help for the hungry, the homeless, the sick, and the despairing in the human family.

We thank Thee for the privilege of living in these days, and pray for those who carry the heavy responsibility of decisions and leadership in our Nation and in the nations of the world.

Forgive us, O God, for every step we have taken on a wrong road, and empower us by Thy spirit to walk in the paths of righteousness for Thy name's sake.

May Thy will be done on earth, and let Thy peace which spans beyond all human understanding guard our hearts and minds in Christ Jesus. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., November 29, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, November 28, 1967, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on the Judiciary of the Committee on the District of Columbia and the Committee on Rules and Administration be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE MEETING VACATED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the permission which was granted the Committee on the Judiciary on yesterday to meet today during the session of the Senate be vacated.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumes the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that upon the completion of the disposition of the pending amendment, there be a 40-minute limitation on each amendment offered by the distinguished Senator from Delaware—numbered 468, 469, and 472—the time to be equally divided between the Senator from Delaware [Mr. Williams] and the Senator from Oklahoma [Mr. Monroney].

The PRESIDING OFFICER (Mr. Lausche in the chair). Without objection, it is so ordered.

The issue before the Senate is the amendment of the Senator from Delaware. The vote is to be taken at 10:30 a.m. Each side has 11 minutes remaining.

Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, in the absence of the Senator from Oklahoma, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, the pending amendment relates to the provisions in existing law which provide that four staff members from a Senator's office are entitled to be paid for their transportation expenses when sent home. This means four trips each year for staff members from each Senator's office, with the exception that employees of Senators from States with a population of 10 million or more are allowed six trips.

Under existing law we provide for repayment to Members of the Senate who make official trips back to their States, up to six trips during each calendar year. These repayments are made on a strictly reimbursable basis for travel expenditures actually incurred. When the Senator returns he submits to the disbursing office a voucher for his transportation cost—his airplane ticket or his railroad ticket—and he is reimbursed accordingly, but reimbursement is strictly on the basis of expenditures made.

In the case of staff members of the Senate, they can travel by air or by train, but they are reimbursed not on the basis of expenditures actually made for transportation but rather on the basis of 10 cents per mile. This method has the mathematical effect in the case of far-distant States, on the west coast, for instance, that they can collect sometimes 30 to 40 percent more in reimbursement than was paid out in transportation expenditures.

The purpose of the amendment is to bring the provisions for staff members into compliance with provisions which are now in effect for Members of the Senate; namely, that the staff member would be reimbursed for travel expenses on the basis of 100 percent as they are made, but no more. In other words, reimbursement would only be made for the actual expenses.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. Is it the contention of the Senator that Members of Congress are required to submit vouchers for all expenses on travel and that that is not required by members of the staff?

Mr. WILLIAMS of Delaware. The Senator is correct. I believe that was an oversight at the time this measure was passed. I am sure it was. I voted for it, and it was my understanding that both groups would be reimbursed according to expenditures, but the law does not so read. Based on my survey most staff members today are merely collecting on the basis of actual expenses, and there are very few, I suspect, who even know about the conditions to which I refer. I would not change the number of trips, but I think they should only be reimbursed on actual expenditures.

Mr. CARLSON. I favor the present system in which staff members are permitted to travel and receive pay for their travel. However, I rather agree with the position of the Senator from Delaware. There should be no question as to vouchers submitted for travel. The requirements should be the same as those required of Members of the Senate.

I think that our staff people are entitled to travel, and we request that they travel. Therefore, they should be reimbursed on the number of trips we permit.

However, if the Senate's amendment is so drawn that it does only that to which he refers, I would support it. Otherwise, I would not want to endanger the travel pay of our staff people.

Mr. WILLIAMS of Delaware. I assure the Senator that that is all the amendment does. If it were found that the amendment does more I would oppose it. I am 100 percent in favor of the allowance for staff members. I think it is essential, just as travel is essential for Senators.

I do not think that under any circumstances anyone should ever collect anything in addition to the amount actually paid out for travel expenses.

Mr. President, I yield the floor and reserve whatever time I have remaining.

Mr. MONRONEY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, first, I wish to make a brief statement for the Record which is out of order.

The PRESIDING OFFICER. The Senator is recognized.

TRIBUTE TO DR. HENRY GARTLAND BENNETT, PRESIDENT TRUMAN'S FIRST POINT 4 ADMINISTRATOR

Mr. MONRONEY. Mr. President, it has been nearly 16 years since the tragic and untimely death, in line of duty, of Dr. Henry Gartland Bennett, a great Oklahoman, a great American, and President Truman's first point 4 administrator.

Dr. Bennett had been the head of Oklahoma State University and he was the man who brought it into greatness from a small school. Dr. Bennett and his wife were killed 16 years ago this Christmas Eve, while he was on duty, during a landing at one of the Middle Eastern airports in a storm.

If he were here today, I know that Dr. Bennett would be very proud of the record of one of the projects initiated by him—the Oklahoma State University agricultural education program in Ethiopia. Within months of Dr. Bennett's death, three Oklahomans arrived in Ethiopia to start work on the educational program Dr. Bennett and His Imperial Majesty Haile Selassie had agreed upon.

Dr. Bennett understood that the secret of American success was to be found in the application of universal truths and that, as such, the secret was adaptable to the environments and cultures of any people. At the same time, Dr. Bennett made it clear that his purpose was not to impose an American way of life upon the world. The corollary for the American technical cooperation program, Dr. Bennett explained to the Foreign Affairs Committee in June 1951, was:

> We work ourselves out of business . . . As soon as possible the nationals of the country take leadership.

I take great pride in the fact that the Oklahoma State University program in Ethiopia has worked itself "out of business." Great credit is due to the many Ethiopians, starting with Emperor Haile Selassie, whose vision and hard work over the years has brought about the training of enough top level administrative leadership to take over the full responsibility for this very important portion of their nation's economic development. I am also happy to agree with a great Oklahoma newspaper's editorial position that OSU and all Oklahomans can be proud of their record in Ethiopia.

Mr. President, I ask unanimous consent to have printed in the Record an editorial from the Oklahoma City Times of November 1, 1967, commenting on the takeover of the agricultural education program in Ethiopia.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Oklahoma City (Okla.) Times, Nov. 1, 1967]

OSU in Ethiopia

So successfully involved has Oklahoma State University been in its agricultural education program in Ethiopia since 1952 that it is hard to realize the end is approaching.

But that is the word as Washington officials have decided the program is going well enough now that it can be turned over to the Ethiopians next year. OSU President Robert Kamm in a recent interview said the process of replacing OSU personnel there with Africans has been going on for years and the time for change is here, even though there will be a shortage of trained Ethiopian personnel because of the many demands for such persons throughout that country.

A record of help has been established there of which OSU and all Oklahomans can be proud.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, will the Senator from Delaware yield to me for a minute?

Mr. WILLIAMS of Delaware. I yield.

SECRETARY OF DEFENSE ROBERT S. McNAMARA

Mr. JAVITS. Mr. President, I wish to make a brief statement with respect to Secretary of Defense Robert S. McNamara. I listened to the colloquy on the floor of the Senate last night. I thought it was too serious to interpose quickly, as it affected a man's life. I have thought the matter over and I feel that I should speak.

I would suppose that there will be great restraint on all of these questions raised last night about Secretary McNamara. I should doubt very much that he would want any such storm of controversy and suspicion to surround his movement from one great office to another.

In my judgment, he is a great American to whom the Nation owes a great debt of gratitude. Whether one agrees or disagrees with him on individual matters, he has been a great Secretary of Defense who streamlined the Pentagon and established civilian supremacy over the military. He is a man who in every way distinguished the office he has held.

The decision of Secretary McNamara with respect to the deployment of the thin anti-ballistic-missile system is one of the most courageous decisions ever made by any Government official. Although I agree with him, that is neither here nor there.

I would hope that he would be allowed to move from the office which he now has to the presidency of the World Bank, with the dignity, respect, and aura of propriety to which he is so fully entitled as a man.

Mr. President, I express this opinion as a friend and as one Senator.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

(At this point, Mr. HARRIS assumed the chair.)

Mr. MONRONEY. Mr. President, I am afraid that we are making a mountain out of a mole hill in the Williams amendment.

First, I feel that the present arrangements for the Senate staff travel of four trips to the State of the average Senator is less than we pay to our committee staffs, who also travel back to their States, and also for those in the executive department.

The Senator is correct that we do not calculate the exact cost of the airline trips that staff members take. We take the official mileage to the Senator's residence. That official mileage is calculated at 10 cents per mile. The usual air passage is about 7.5 cents a mile tourist and it would be close to 10 cents a mile first class. Counting trips to and from the airport one would have very little, if anything, left from the 10 cents a mile allowance, even though one were to travel tourist, to pay for these extras that are indispensible to trips by the staff on the whole.

I have always thought we were doing less for members of the staff than for committee staff.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 additional minutes.

Mr. MONRONEY. The committee staff are paid 12 cents a mile if they travel by car, and are paid exactly the amount of the airline fare whether traveling first class or tourist. Now this is the important part of the amendment. The committee staffs are paid $16 a day per diem. I point out that the same thing applies in the same manner to employees traveling for the executive department. They are paid 12 cents a mile if traveling by car, and are paid the exact amount of the airline fare if traveling tourist or first class—most travel tourist—but they, too, are paid $16 a day per diem.

The staffs of Senators are paid 10 cents a mile if they travel by car. Under the Senator's amendment, these trips would be paid at 10 cents a mile for employees merely traveling to the residence of the Senator in his home State and that is all they would get. They would not get any per diem. We consider—at least I do—that the overage, if there be any, between the actual air fare of 7½ cents a mile and the 10 cents a mile we now pay, does perhaps pay for their time over the weekend when they are in a motel or have a place to stay in a rooming house or a hotel. Certainly, they will be in the hole because of the trip back home.

We pay only the cost of the air trip back home as vouchered by the Senator. We pay on a vouchered certificate of the employee, signed by the Senator, of the official mileage established in the Disbursing Clerk's office. The exact mileage, at 10 cents a mile, is vouchered and checked. It cannot vary. But we do admit that there will be, perhaps, a residual of 2½ cents on the 10 cents a mile that we have vouchers for. This is in lieu of the $16 a day per diem. If we want to make it equal and fair, then we should change the amendment to say that we will pay the same as committee staff are paid—that is, at the actual air fare rate; but we will also pay them $16 a day per diem. This will, of course, cost a lot more money to the Federal Government because now our staff members are absorbing it.

The Senator asks why do Senators get only air fare. The reason is that Senators have residences of their own in their home States, in which, of course, they stay. We would be foolish to give them $16 a day per diem. We would be foolish to overpay the amount of their actual air fare. I think we would be working an injustice on committee staff by saying, "You cannot have any per diem for your hotel bill. You cannot have 10 cents a mile. You can have only the actual amount of the airline ticket."

Mr. President, the amendment of the Senator from Delaware should be defeated.

Mr. FONG. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to my distinguished colleague from Hawaii, a member of the committee.

Mr. FONG. Mr. President, I join the Senator from Oklahoma in objecting to the amendment of the Senator from Delaware.

I do not know how other Senators use their staff expenses but in my office I make sure that each man is reimbursed only for the amount he pays for actual travel expenses going to and from Hawaii.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield 2 additional minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator has only 1 minute remaining.

Mr. FONG. Mr. President, I ask unanimous consent that I may proceed for 3 minutes on the bill.

The PRESIDING OFFICER. Under the unanimous-consent agreement, there is no time allowed on the bill, only on the amendment.

Mr. FONG. Then, Mr. President, I ask unanimous consent that I may proceed for 3 minutes on the time allowed under the amendment.

Mr. MONRONEY. Mr. President, may I yield the Senator from Hawaii 3 minutes from the time on the bill?

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. WILLIAMS of Delaware. I want to use only 3 minutes. I am glad to yield 2 minutes to the Senator from Hawaii. Just so I have 3 minutes left.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 3 additional minutes.

Mr. FONG. Mr. President, I repeat, in my office I make sure that each staff member who returns to Hawaii is reimbursed only for his actual transportation costs. I find that I need more than four staff members in my home State while the Congress is in adjournment. By using the money available under the 10 cents a mile rule presently in law. I am able to send 10 or 12 staff members to my home State.

It is difficult for the members of my staff to get to Hawaii, because it costs so much to go there and back. Four hundred dollars for a trip is the cheapest one can go. If he went first class, it would cost $600. They go the cheapest way home every time. I find that even with the present law, staff members must pay a part of the way from their own pockets. They also receive no per diem expenses that other Federal employees receive when they are traveling.

Thus, I think that the amendment of the distinguished Senator from Delaware is not a good way to handle this kind of expense.

Mr. WILLIAMS of Delaware. Mr. President, if the Senate wants to send more members of the staff back home, the way to do that is to change the number of trips or the number of staff members, and to do it in an open and aboveboard way, still reimbursing each one of them solely on the expenditures incurred.

The argument is made that this is an offset to what would normally be classified as a per diem allowance.

The fallacy of that argument is that in the State of Pennsylvania, say, the difference in the allowance would amount, on a round trip, to perhaps $12 to $15. That is because it is close by. The difference in a round trip to Hawaii would amount to $400 to $500.

If staff members are sent there, it would cost no more to stay in Hawaii than in Pennsylvania.

If we are going to make extra allowances let us do whatever we do in an open and aboveboard way.

This amendment would not change in any way the number of trips allowed to staff members, as was approved by Congress. It leaves it at exactly the same number. It gives them every trip which Congress intended them to have.

This amendment merely states exactly what is now true with Members of the Senate, that staff members will be reimbursed only for expenditures actually incurred. That is all anyone should expect under any program or any authorization of the U.S. Government.

Mr. President, I want a record vote on the amendment, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, how much time is left?

The PRESIDING OFFICER. One minute is left to each side.

Mr. MONRONEY. Mr. President——

Mr. WILLIAMS of Delaware. If the Senator from Oklahoma is willing, I am willing to yield back the remainder of my time.

The PRESIDING OFFICER. Are Senators willing to yield back the remainder of their time?

Mr. MONRONEY. Mr. President, do I have 1 minute remaining?

The PRESIDING OFFICER. Yes.

Mr. MONRONEY. Then I yield myself the additional minute.

Mr. WILLIAMS of Delaware. Mr. President, I withhold my 1 minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 minute.

Mr. MONRONEY. Mr. President, if Senators want uniformity, if they want the same kind of treatment for the members of their staffs as are paid committee staffs and the executive department, then let us have an amendment which will provide for the exact amount of the airline ticket cost and give our employees the $16 a day per diem which is allowed to everyone else.

For myself, I do not expect and I do not want any employee to be using money out of his pocket for expenses when he goes back home for a few days to help answer the phone and see constituents that I am unable to see.

I have to have some staff back there. If the Senator wants to be fair, he should say, "Sure, allow them the exact amount of their airline ticket, but let us give them the same per diem." It is going to cost a lot more, but I think that would be fairer.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself my remaining minute to say that the Senator from Oklahoma says, "If we want to be fair, let us put them on the same basis." We should put them on the same basis, but let us remember that an employee here is receiving $20,000 to $22,000, and what will be a $25,000 salary for staff members, compared with an employee downtown who is drawing $10,000 or $12,000.

Mr. MONRONEY. The committee staff is drawing more than the Member staff.

Mr. WILLIAMS of Delaware. The committee staff may be overpaid. This is getting out of hand.

I repeat, under no circumstances should there be in a governmental role any Government official, either staff member or any other official of the Government, who can collect and make money on his travel allowance. He should collect only that which he pays. That is the law as it relates to all private citizens.

The PRESIDING OFFICER. All time on the amendment has expired. The question is on agreeing to the amendment of the Senator from Delaware. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia (after having voted in the affirmative). Mr. President, on this vote I have a live pair with the senior Senator from West Virginia [Mr. Randolph], who is attending a funeral. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withdraw my vote.

Mr. President, I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Arkansas [Mr. Fulbright], the Senator from Indiana [Mr. Hartke], the Senator from Wyoming [Mr. McGee], the Senator from Florida [Mr. Smathers] and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from West Virginia [Mr. Randolph] is absent because of the death of a close personal friend.

I further announce that the Senator from Maryland [Mr. Brewster], the Senator from Louisiana [Mr. Ellender], the Senator from Louisiana [Mr. Long], and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], and the Senator from Connecticut [Mr. Dodd] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Iowa [Mr. Miller] and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 37, nays 47, as follows:

[No. 353 Leg.]

YEAS—37

Aiken
Baker
Bayh
Bennett
Bible
Byrd, Va.
Case
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Hansen
Hickenlooper
Hruska
Javits
Jordan, Idaho
Lausche
Mansfield
McClellan
Morton
Mundt
Murphy
Pastore
Pearson
Percy
Prouty
Ribicoff
Russell
Smith
Spong
Stennis
Talmadge
Thurmond
Williams, Del.
Young, Ohio

NAYS—47

Allott
Anderson
Bartlett
Boggs
Brooke
Burdick
Cannon
Carlson
Church
Ervin
Fannin
Fong
Gore
Griffin
Gruening
Harris
Hart
Hatfield
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
McCarthy
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pell
Proxmire
Sparkman
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—16

Brewster
Byrd, W. Va.
Cooper
Dodd
Ellender
Fulbright
Hartke
Long, La.
McGee
McIntyre
Miller
Randolph
Scott
Smathers
Symington
Tower

So the amendment of Mr. Williams of Delaware was rejected.

Mr. HOLLAND. Mr. President, may I have 1 minute from whoever controls the time?

The PRESIDING OFFICER. No time has been yielded. The Senator from Delaware, under an agreement, is to call up an amendment at this time.

Mr. WILLIAMS of Delaware. Mr. President, I will call up the amendment. How much time does the Senator from Florida wish?

Mr. HOLLAND. I merely wish to make an announcement as to why I did not vote yesterday.

AMENDMENT NO. 468

Mr. WILLIAMS of Delaware. I call up my amendment No. 468.

The PRESIDING OFFICER. The amendment will be stated.

Mr. MONRONEY. Mr. President, will the Senator yield so that I may move to reconsider the vote?

Mr. WILLIAMS of Delaware. Yes.

Mr. **MONRONEY**. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. **MANSFIELD**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The legislative clerk proceeded to read the amendment.

Mr. **WILLIAMS** of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The amendment (No. 468) of Mr. Williams of Delaware is as follows:

On page 143, between lines 6 and 7, insert the following:

"Sec. 225. (a) The paragraph under the heading 'Stationery (revolving fund)' in the appropriations for the Senate in title IV of the Foreign Aid and Related Agencies Appropriation Act, 1964 (77 Stat. 864; 2 U.S.C. 46a), is amended by adding at the end thereof the following: 'The allowance for stationery shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of the fiscal year 1968 or any subsequent fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a–1), and covered into the general fund of the Treasury.'

"(b) The stationery allowance, as authorized by law, for each Member of the House of Representatives and each Resident Commissioner shall hereafter be available only for (1) purchases made through the House stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the session for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the House stationery room) for use for official business in an office maintained by a Member in his home State. Any part of the stationery allowance which remains unobligated at the end of the session for which it is available, beginning with the first session of the Ninetieth Congress, shall be withdrawn from the revolving fund established by the Legislative Branch Appropriation Act, 1948 (61 Stat. 366; 2 U.S.C. 46b–1), and covered into the general fund of the Treasury."

Mr. **WILLIAMS** of Delaware. I yield 1 minute to the Senator from Florida.

Mr. **HOLLAND**. I thank the Senator for yielding.

Mr. President, yesterday afternoon, some time after 6, there was a vote in the Senate. Under a misunderstanding that there would be no further votes, the Senator from Florida, a few minutes after 6, had left the Senate Chamber. The vote was on an amendment offered by the distinguished Senator from Delaware [Mr. Williams]. The results of that vote are shown in the Congressional Record, volume 113, part 25, pages 34020–34021.

If I had been present and voting, I would have voted "nay." I ask that that fact be shown in the Record.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MONRONEY**. Mr. President, I yield 2 minutes to the distinguished senior Senator from Arkansas.

The **PRESIDING OFFICER**. The Senator from Arkansas is recognized for 2 minutes.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

Mr. **McCLELLAN**. Mr. President, on yesterday in my remarks while discussing the pending crime measure, I referred to an incident that had occurred in the State of Oklahoma when a murder charge had to be dismissed because a 14-year-old boy had confessed to the crime without having been warned and without having been offered the assistance of a lawyer. The young boy blurted out his confession. The court dismissed the case or was forced to find the defendant not guilty because of the ruling by the Supreme Court in the Miranda case.

I made some reference yesterday to the facts and circumstances attending that crime. I spoke largely from memory, although I had printed in the Record a new account of the crime from the Washington Post.

I am now in possession of the other article about which I spoke. I ask unanimous consent that the editorial entitled "The Law: Criminal Justice—A Father Is Not a Counsel," printed in Time magazine of December 1, 1967, be printed at this point in the Record. Those Senators who read the article may refer to my previous remarks in the Congressional Record, volume 113, part 25, beginning on page 34006.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Law: Criminal Justice—A Father Is Not a Counsel

When the gasoline fire in the living room was finally put out, it was found that Mrs. Udine Harp's body had not been destroyed, and an examination disclosed numerous bullet wounds. County police in Boise City, Okla., soon learned from 14-year-old Bruce, one of her three sons, that he had seen a rug-cleaning salesman on the front porch shortly before the fire. An itinerant was picked up on suspicion of being the salesman, but the investigation continued. The husband, Lester Harp, was brought to the district attorney's office for further questioning, and eventually the three Harp boys were also brought in. To clear up some points, Assistant District Attorney Loys Criswell asked if the three would mind taking a lie-detector test. Before they answered, their father took them aside for a family consultation and returned with some surprising news: "Bruce wants to tell you something."

Bruce then blurted out that he had shot his mother accidentally with a .22-cal. rifle. Reloading the rifle one cartridge at a time, he had continued to pump bullets into his mother "to put her out of her misery." He next shot her dog, then doused the couch and her body in gasoline and touched off the fire. The confession came as a complete surprise to Criswell, who said later that he had never even suspected the 14-year-old.

FINGER OF SUSPICION

Criswell was in for another surprise. Because he had not suspected Bruce, he had not warned him of his rights to silence and counsel under the U.S. Supreme Court's *Miranda* decision. As a result, after one day of a non-jury trial last week, Judge Merle Lansden reluctantly barred the boy's confession and found him not guilty. "Before a confession is to be accepted when a person is in custody or his freedom of action is limited in any significant manner, he must be warned," said the judge. Mention of "the words lie detector" indicated "that the finger of suspicion was moving toward Bruce."

Though Bruce cannot be tried again on the murder charge, Criswell said he would appeal the ruling in order to challenge the judge's interpretation of the juvenile's rights. "It's the worst miscarriage of justice I've ever seen," said the angry prosecutor. "The boy hadn't even been arrested. And his father was there. This is ridiculous. It means we have open season on mothers up here." If Judge Lansden's barring of the confession is overruled, it will hardly make any difference to Bruce, who has been committed to a state mental hospital by his father. Criswell, however, says that if he wins the appeal, he may retry the boy—this time on an arson charge.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. **WILLIAMS** of Delaware. I yield 2 minutes to the Senator from Nebraska.

Mr. **CURTIS**. Mr. President, I rise to ask a couple of questions of the manager of the bill.

The **PRESIDING OFFICER**. Let there be order in the Chamber.

Mr. **CURTIS**. Mr. President, my question relates to the pay increase portion of the bill. Is my understanding correct that for the classified service there are three steps to the pay increase?

Mr. **MONRONEY**. The Senator is correct. The first step is 4.5 percent. That would be effective as of October 1 of this year, contingent upon its being signed by the President.

Mr. **CURTIS**. I am not concerned about the dates.

Mr. **MONRONEY**. In the classified service, the next step would be effective next year. It would be one-half of the difference between the Federal salaries for that particular position and the comparability in outside industry, with a minimum of 3 percent. The following year, it would be the amount that would close the comparability as determined by the labor statistics wage index.

Mr. **CURTIS**. Is there a minimum percentage?

Mr. **MONRONEY**. Not that year, because we do not know what it will be. This is the markup step. The third step will close the difference. There will be at least an automatic 3 percent or at least half of the then existing difference as determined by the Bureau of Labor Statistics for the second step.

Mr. **CURTIS**. That has a compounding effect. It is 3 percent.

Mr. **MONRONEY**. Or more.

Mr. CURTIS. On what the wages will be after the bill takes effect, and the first step goes into effect.

Mr. MONRONEY. The Senator is correct.

Mr. CURTIS. What will the total cost of the pay increases in the bill be when all the steps have been taken?

Mr. MONRONEY. It will be $2.6 billion, including the postal wages and all wages at the conclusion of the 3-year step increases.

Mr. CURTIS. Each year?

Mr. MONRONEY. It will be that amount at the end of the third year with that increase. It would escalate so that the increase will be $2.6 billion for all of our Federal employees, classified and postal workers.

Mr. CURTIS. A 12-month period?

Mr. MONRONEY. The Senator is correct. It will begin at that point, with the last pay raise, to become $2.6 billion.

Mr. CURTIS. Will the distinguished chairman tell me what the present median salary is in the classified service?

Mr. MONRONEY. It is about $6,800 median. That takes in the highest level, GS–18, down to the general service level, GS–1 and GS–2.

Mr. CURTIS. That means that half of the employees get less than that amount and half of them get more?

Mr. MONRONEY. The Senator is correct. Most of them would be up a step or two from the median or a step or two down from the median.

Mr. CURTIS. That is the present median.

Mr. MONRONEY. The Senator is correct.

Mr. CURTIS. I thank the Senator from Delaware for yielding.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 3 minutes.

Mr. WILLIAMS of Delaware. The pending amendment is the exact amendment that was approved by the Senate as a rider on the legislative appropriations bill.

The amendment deals with the stationery allowance for Members of Congress, both House and Senate. The pending amendment would not change the amount of such allowances at all as it pertains to what could be expended. It merely provides that to the extent any portion of a Senator's or a Congressman's stationery allowance is left over at the end of the fiscal year, not having been used or needed for the purpose for which it was intended, it would automatically revert to the Federal Treasury.

The amendment provides, in addition, for offsetting the purchases made in the stationery stores, both House and Senate. If purchases of stationery and office supplies are made in the home State of a Congressman or in some other State by a Member of the Congress he can submit vouchers and be reimbursed for that expenditure.

I have consistently taken the position that the Federal Government should reimburse and underwrite 100 percent of the cost of operating a senatorial office.

Under no circumstances do we want to get to the point where the Senate is just a rich man's club or where the average individual cannot afford to serve in the Senate. I have constantly supported whatever stationery allowance is necessary.

I fully recognize that it takes more of an allowance in a large State than for a smaller State such as mine. I support an allowance that is adequate to take care of any State. However, to the extent that one dime is left over and not needed or used to defray official expenses of that office as they are defined, that money should not go to a Member of the Senate as additional income. The money should automatically revert to the Federal Treasury.

That is all that is involved in the pending amendment. The amendment is identical to the amendment that was agreed to before. Unfortunately it was lost in conference. One of the arguments that was made for not holding the amendment in the bill at conference was that they were confronted with the situation where the amendment had been agreed to by the Senate on a voice vote and without the prestige of a record vote. They said that therefore they could not hold the amendment.

Mr. President, to avoid that one argument I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

ADDRESS BY SENATOR KUCHEL BEFORE THE LOS ANGELES SECTION OF THE AMERICAN WATERWORKS ASSOCIATION

Mr. KUCHEL. Mr. President, will the Senator yield me 1 minute?

Mr. WILLIAMS of Delaware. Mr. President, I yield 1 minute to the distinguished senior Senator from California.

Mr. KUCHEL. Mr. President, I had the honor on October 25, 1967, of speaking before the California section of the American Waterworks Association in Los Angeles, Calif.

I ask unanimous consent that a partial text of my comments on that occasion be printed at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

FEDERAL PARTICIPATION IN WATER RESOURCE ENHANCEMENT

(Partial text of remarks of U.S. Senator Thomas H. Kuchel before the fall 1967 conference of the American Water Works Association, California Section, Los Angeles, Calif., October 25, 1967)

In May of 1924, the inhabitants of the little town of Lone Pine in Inyo County, California, were shocked from their beds when an enormous and destructive dynamite blast occurred nearby. Such explosions were not to be a rarity during the troubled days and months which followed. The normally placid Owens Valley was the scene of war. Heavily armed guards patrolled through fields of wild flowers, while machine gun nests were strategically placed within the usually quiet valley. Fortunately, there were no casualties as a result of this war. Property losses, however, ran high, and passions ran higher. The Owens Valley war was not over gold or silver. It was waged over that rarest of California resources—water.

The effort by the people of Owens Valley to prevent the diversion of Owens River water to the City of Los Angeles was merely one of many of the struggles by westerners over the precious fluid. The "War of the Waterhole" was a standard occurance in the rough and ready West of our ancestors. While our times, dress, and activities have changed with time, the "War of the Waterhole" continues even today. While it is waged on a less destructive scale, it exists on a far wider front; the battle continues with great vigor in the historic Halls of Congress. Today, I will not retrace the often colorful past. Rather, I shall attempt to look at the present and the future of water resources development. Water, which has been a reason for war, may even prove to be the means of achieving peace and cooperation in some of our most troubled areas of the world.

THE AVAILABILITY OF WATER

The volume of water on the earth is fixed. This volume has served the needs of this planet over and over again through a natural use-purification-reuse process known as the hydrologic cycle. We are all aware that water evaporates from the ocean into the atmosphere, condenses into rain, falls on the land, and is used by man, animals, and nature; finally returning to the ocean where it again evaporates into the atmosphere. For a moment, then, let us examine just how much water is available to and is currently being used by man.

If the total amount of water in existence was considered to be in one fifty-five gallon barrel, then the amount of water in the oceans could be represented by a bathtub containing fifty gallons. The ice caps and glaciers would be a small block of ice containing about one gallon of water. The total water annually involved in the hydrologic cycle could be represented by two ounces of water in a small glass. The quantity of water falling as annual precipitation on the land could be contained in a liqueur glass, and then, only to the extent of half an ounce. The fresh water discharged annually into the sea by rivers shows up as about five millimeters in a small hypodermic syringe. The annual recoverable ground water would be a very small drop on the end of the hypodermic needle. Our five millimeters of water contained in the syringe, representing the total discharge of rivers, is an approximate measure of the potentially available and manageable liquid water in continental areas.

Our country has an *average* annual precipitation of approximately 30 inches. It can, therefore, be calculated that we have an average runoff of about 4.4 trillion gallons of water per each day. Evaporation and various other natural withdrawals reduce the amount to 1.1 trillion gallons a day. Of this amount, avoidable losses such as water pollution and our failure adequately to store the water available to us, as well as unavoidable losses reduce the amount of water available to support human life to less than half the potential usable amount. It is clear that our country is not the Sahara Desert. However, our long-range water requirement forecasts indicate a possible requirement of nearly 900 billion gallons a day by the year 2000. It has been estimated that even within the next decade our water needs may exceed 600 billion gallons per day. While the dilemma of procuring usable water for our people exists practically nation-wide, it is amplified many times in the arid portions of our country, such as in the Pacific Southwest.

It is repeatedly suggested that we *not* plan for population growth, and force the people to go where there is water. It is undeniable that additional urban, agricultural, and industrial growth cannot take place where there is no water. While it is true that if we make portions of California, and Arizona uninhabitable, people will go elsewhere, those of us charged with the responsibility for providing water for people at the locations where the people want to be must strive with all our foresight, resources, and energy to carry out this duty, and thus prevent what probably would be an economic and social cataclysm. As our population, industry, and agriculture increased, our use of water increases. As the demands for water increase, our task becomes more difficult, as well as more crucial. Our job can be done, and will be done. Furthermore, I am convinced that its accomplishment will prove exciting, as well as fascinating.

Let us look now at a few of the areas in which the Federal Government is operating to assist in answering the challenge.

WATER POLLUTION CONTROL

In 1658 Richard Franck averred that "necessity is the mother of invention." Franck, however, did not foresee that invention would be the mother of pollution. Our ever-growing industries and communities produce more and more waste products which must be disposed of. Contrary to the thinking of many, the major use of free-running water in industrial nations is not in the productive process. Rather, it is used in waste disposal. Out of the total potentially controllable water in the United States, approximately ninety-five percent is used as a conveyor belt on which to send waste products to the sea. Such waste product disposal includes both soluble and insoluble wastes, chemical pollutants, and dispersal of waste heat.

It is easy, as well as fashionable, at this point in comments such as these to bring on the "parade of horribles." Describing the often disastrous results of our waste disposal practices in terms of disease, fish, wildlife, and plant destruction, increases in salinity and chemical pollutants, and the like, often dramatizes and emphasizes the crisis. Those of us here today, however, need no dramatization of this dreadful problem. We realize that many of us did not understand the dangers to our environment, and, indeed, to our productive capabilities, threatened by our heretofore accepted waste disposal practices. As in so many instances, the problem was not anticipated sufficiently to be forestalled. Seemingly before we knew it, eutrophication had turned many of our once-blue lakes into beds of green slime, and our clear-running rivers into clouded, life-killing eyesores. It was not until mountains of foam clogged and discolored many of our waterways that a concerted effort was launched to correct this shameful and destructive degradation of our water resources. My friends, I am not talking merely about aesthetics. Water is used and reused many times in its travels from the mountains to the sea. It is not altogether fanciful to find some truth in the ditty: "What you threw away the other day, they'll drink tomorrow in San Jose." While some pollution is unavoidable, at least until we can train our farm animals to use plumbing facilities, we must engage in a successful effort to prevent that pollution which is avoidable.

In 1956, with the enactment of the Federal Water Pollution Control Act, the Federal Government was permitted full participation in a wide variety of pollution control activities. This program was considerably strengthened by amendments to the Act signed into law in July 1961. Another major step was the Water Quality Act of 1965, which, among other things, created the Federal Water Pollution Control Administration. Since, up to this time, water pollution was considered primarily a health hazard, the 1965 Act placed the Water Pollution Control Administration under the Department of Health, Education, and Welfare. Soon it was realized that water pollution was far more than a health hazard. Indeed, the health aspects of the problem were well on their way to being under control by the time the FWPCA was created. Therefore, the Federal Government's primary water pollution control arm was transferred to the Department of the Interior in May of 1966. In November 1966, the Clean Water Restoration Act became law. This Act, in conjunction with the Water Quality Act of 1965, signaled a new era for water pollution control in the United States. By use of a variety of programs, the Federal Government is encouraging and inspiring states and local governments to wage war on pollution. The rapid and successful conclusion of this conflict is a necessity if we are to make full use of our water resources.

Some of the programs being administered by the Federal Water Pollution Control Administration are: grants to assist in the construction of waste treatment works to prevent the discharge of inadequately treated sewage or other wastes into the nation's streams, lakes, and coastal waters; grants to state and interstate water pollution control agencies to assist in the administration of their programs, including amounts for the training of public agency personnel; grants to states, municipalities, other governmental agencies, and individuals for research and development, including amounts for projects concerned with storm and combined sewers, advanced waste treatment and joint treatment systems for municipal and industrial wastes, and methods for the prevention of pollution by industry, such as the treatment of industrial wastes; and grants intended to encourage and assist appropriate agencies, institutions, and individuals in the conduct of studies and training in research and development activities. These programs are in addition to the direct operations of the Federal Water Pollution Control Administration. Such direct operations include research and development, technical assistance, pollution surveillance, training, public information, and enforcement of pollution restrictions placed on interstate waterways.

I am pleased to report that the Secretary of the Interior is in the process of final evaluation of state water quality standards required by the Water Quality Act of 1965. Under this Act, the states were required to submit water quality criteria for their interstate and coastal waters and a plan for implementing and enforcing the criteria adopted. If state standards prove unacceptable, the Secretary of the Interior has the authority to establish standards of his own, but only after the state and other affected interests have had a full opportunity to be heard. Once adopted, the standards are enforceable by the states and by the Federal Government. The existence of such standards makes it possible for municipalities, industries, and other water users to know in advance what their responsibilities are for keeping clean waters clean, and for restoring polluted waters to a reasonable degree of purity.

As in so many other aspects of governmental activity, the most effective vehicle for bringing about the desired results is also the item in greatest scarcity. Of course, I am referring to money. While authorizing legislation confirms the need for governmental activity and assistance, the great demand for the federal dollar often leaves the desired programs only partially operational. I fear that the water pollution control activities of the Federal Government are no exception. For example, the current drain on the Federal Treasury caused by other legitimate activities of the Federal Government has allowed only partial funding of the Water Pollution Control program. However, this is not to say that the program is in danger of failing. Hundreds of millions of dollars *are* being provided with which to fight the battle against pollution. The signs of success are encouraging and often dramatic.

One area related to water pollution control, which is of special interest in the water short areas of the country, is that of water reuse. The principle of reuse of natural resources has been applied in many situations: Waste oil is often salvaged, refined, and used again; and wood and paper products are often reprocessed and reused. Such direct reuse is now being applied to our most precious and essential natural resources—air and water. Since we wash the family car when it gets dirty in preference to throwing it away, in areas of water need consideration should be given to "washing" water when it becomes dirty. It is no longer prophetic to talk of a man-made hydrologic cycle wherein water would be used, purified, and then reused in the same manner as "new" water. While the purification cost is a factor, in areas where it is expensive to acquire new water supplies of sufficient quality, reuse of waste water may be especially meritorious. Because the wastes of man and industry are becoming more complex, more sophisticated purification methods are needed, and are being developed. The degree of purification required is determined by the specific purpose for which the treated water will be used. At some locations, the irrigation water used for nonedible crops, for golf courses, and for parks, can be municipal waste effluent that has been conventionally treated and then chlorinated. In my State of California, at Santee, near San Diego, purified waste water is used in a series of man-made lakes for recreational purposes. Of course, often the major problem in such endeavors is public acceptance. The success of projects, such as that at Santee, should serve to quickly allay public fears. With improved scientific methods of purification and corresponding reduction in costs, there is little reason to deny that before too long we will in fact be drinking tomorrow the water we drank yesterday.

WEATHER MODIFICATION

In November, 1966, the Department of the Interior put forward its plan to develop technology for increasing the water yield from atmospheric sources. This plan contained a broad, generalized program with a view to the development of operational systems to enhance precipitation in some areas by 1972, and to achieve a general national capability to enhance or redistribute precipitation by 1985. Up until recently, most plans dealing with transporting water to areas of use considered only bringing water already on the land across the surface of the countryside to the areas of need. There is growing interest in having nature assist in this transportation job. If it rains or snows in proximity to the areas of need, the transportation problems are diminished or may even be eliminated. That is why today's scientists, replacing the rainmakers of old, are seeking to explore the nature of the precipitation process, and, if possible, to control it.

The desirability of redistribution of precipitation can be appreciated when one recognizes that many areas of the country are threatened with water deficiencies while other areas have a water surplus. The Senate Select Committee on National Water Resources, of which Committee I had the honor of being Co-chairman, in its 1960 report projected areas of future water deficiency. We concluded that substantial areas of the country, notably in the upper Missouri, Great Basin, upper Rio Grande-Pecos, Colorado, and South Pacific basins, face a water supply deficiency which will exist by 1980. Water supply deficiencies would additionally exist, or be threatened, by the year 2000 in the Central Pacific, Upper Arkansas-Red, Western Gulf, Western and Eastern Great Lakes, and the Delaware-Hudson regions. While the reasons for the existence of deficiencies may differ with the differences in geography, the need to develop adequate water resources of sufficient quality is universal.

Weather phenomena, including precipitation, involve large exchanges of energy. Man's efforts to alter the weather have the greatest chance of success if the comparatively meager amounts of energy which he can selectively introduce are applied to unstable atmospheric situations where relatively small amounts of energy can serve as a trigger for the release of much larger amounts of energy through natural processes. To know how, where, and when to apply such energy, scientists must seek to complete their understanding of the physical processes involved in precipitation. Most activity in the Interior Department's Atmospheric Water Resources Program will be performed by universities and private firms, with government agencies generally furnishing specialized support and coordination, as well as financial backing. It is hoped by such activity to stimulate and strengthen academic research and educational capabilities in general in the area of weather modification. Ideally, this program will be expanded to in the neighborhood of 50 million dollars per year by 1972. Best estimates of precipitation increase range from 10 to 20 percent, although continued research and development may increase this range. As in all processes, the cost of the water produced is a factor in determining the feasibility of this approach.

It will be fascinating to watch the progress of this new scientific program both from the standpoint of scientific achievement, as well as the manifest social and legal implications it will nurture. The problems and advantages which can result from truly effective management of the weather can be imagined when one considers the power available to the person or nation capable of denying his neighbor the rain which would otherwise provide his water, or, conversely, causing precipitation to fall upon a designated area for as long a period as desired.

DESALINATION OF SEA WATER

An area of current practical value, and of great future promise and necessity, is that of desalination of sea and brackish water. In my earlier discussion of water availability, I indicated that if there were only 55 gallons of water available on the earth, 50 gallons would be in the oceans. As we know, sea water is a homogeneous mixture of water molecules and salt particles, with smaller amounts of more than forty other minerals. Although not fully explainable, it is known that the water molecules of sea water are sensitive to both the addition and the withdrawal of heat, while the salt reacts to the application of voltage. This knowledge is used today in various desalination plants. One desalting method initiated and developed through more recent research activity is that of reverse osmosis. It was discovered that when saline water was forced through a relatively simple plastic membrane, fresh water would pass through the membrane while the salt was withheld. Field tests will begin shortly on this process with a view to increasing the relatively slow flow rates experienced. Through such scientific discoveries, and continued research, it is hoped by many that desalination will contribute greatly to the reduction of our water supply problem.

The economic reduction of saline solutions is complicated. For example, if each salt particle and water molecule in a gallon of sea water was enlarged to the size of a sand grain having the diameter of the period mark on a typewriter, the resulting mass of sand would cover the entire surface of the earth to the depth of more than 800 feet. However, notwithstanding the difficulties, several sea water conversion plants have already been constructed, and are augmenting the water supply of their respective regions, as well as contributing to scientific research and development knowledge. Most of these units produce only from one to two million gallons of fresh water per day at a cost of about one dollar per thousand gallons. On May 19th of this year, the President signed into law a bill which I sponsored in the Senate to allow the Department of the Interior to contribute 57.2 million dollars toward the construction and operation of a massive nuclear powered dual-purpose desalting and electrical power generating facilities to be built off the coast of Orange County, California. This facility will be built at a total cost of approximately 450 million dollars by the Metropolitan Water District of Southern California in conjunction with the Southern California Edison Company, the Department of Water and Power of the City of Los Angeles, and the San Diego Gas and Electric Company. The plant will produce 150 million gallons of fresh water per day and will generate approximately 1800 megawatts of electric power. The cost of the water produced will be in the neighborhood of 27 cents per thousand gallons delivered to the Metropolitan Water District's Diemer Reservoir. While the cost of this water is by far too expensive for agricultural use, its cost is not prohibitive to industrial and municipal users. Another advantage is the very high purity of the distilled water which will be produced.

While the progress in desalination is encouraging, it does not, at least for the present, promise to solve our water problems completely. The high initial capital outlay, as well as the cost of producing the water, in conjunction with the relatively small amounts of water currently producible, indicate that desalination merely will be a supplement to our existing water supplies. It is, however, a very important and promising supplement. With scientists almost daily making discoveries and achieving breakthroughs in numerous areas of their endeavors, we can be hopeful that before too long our oceans will be sufficiently tapable so as to moot most of our water supply problems.

Earlier I indicated that water often has been the cause of war. Conversely, it is probable that an adequate supply of water may become a tool for peace. Particularly, I refer to the hostilities recently exhibited in the Middle East. In that extremely parched area water is life. It has been speculated that if an adequate supply of water could be provided to the arid Middle East, the resulting agriculture and industrialization would remove most of the basic reasons for discontent. Earlier this summer, former President Eisenhower in collaboration with Admiral Lewis L. Strauss, Eisenhower's Chairman of the Atomic Energy Commission, put forward a plan for the construction of three very large nuclear desalting plants, two off the Mediterranean coast of Israel and one at the northern end of the Gulf of Aqaba. The first plant would be designed to produce 450 million gallons of fresh water daily—more than a combined flow of the three main tributaries which make up the Jordan River. Vast amounts of power, far in excess of the present needs, would also be produced. This power would be used to pump fresh water into the water short areas of Israel, Jordan, and other Arab countries, as well as providing a source of inexpensive power, which, when coupled with the large labor force available, hopefully, would attract industry to the area. Operation of the plants would be made the responsibility of the International Atomic Energy Agency of which Agency each of the major belligerents in the area is a member. The Eisenhower plan proposes that the project be financed by a corporation resembling Comsat, with the government subscribing to half of the stock, and the balance to be offered in the securities markets of the world. Additional funds would be raised by the international marketing of convertible debentures which would bear no interest for the first few years while the initial plant was being built. While there is some dispute as to the total cost involved, the plan is sufficiently intriguing to merit further exploration.

On August 14th of this year a resolution of which I am a co-sponsor was introduced in the Senate by Senator Howard Baker of Tennessee. The resolution indicates that it is the sense of the Senate that a plan along the lines indicated by General Eisenhower would produce many social, economic, and political benefits and would serve as a demonstration of the United States' efforts to find peaceful solutions to areas of conflict. The resolution requests the President to pursue the objectives of the plan both within and outside of the United Nations and with all nations similarly minded. If this plan bears fruit, the results could be one of the most dramatic and inspiring events of modern history. In this time when the slightest international conflict can produce catastrophic worldwide results, factors such as the normal economic feasibility considerations should be modified so as to allow greater consideration to the overall good which can result. I am happy and excited to be a part of this very important venture.

THE USE OF SPACE IN RESOURCES DEVELOPMENT

I will conclude my remarks by describing what I think is one of the most fascinating scientific adventures ever conducted in the area of natural resources research. There is on the drawing board a cooperative program between the Department of Agriculture, the Department of the Interior, the Department of the Navy, and the National Aeronautics and Space Administration. The program is designed to orbit a space satellite which will contain special sensors and instrumentation designed to provide earth resource data. The broad areas within which such a program may be potentially suitable include: Agriculture and forestry resources, such as by increasing the yield and quality from lands under cultivation, decreasing losses in production, such as from infestation and forest fires, and increasing the potential quantity of land in cultivation; geology and mineral resources, such as by developing means of mapping geology and geophysics on a regional basis, developing methods of monitoring natural disturbances, delineating regions of mineral potential for subsequent detailed study, and providing new methods of investigating major structural units; geography, cartography, and cultural resources; oceanography, such as by increasing the reliability of predicting sea-state conditions, and increasing production of fish; and hydrology and water resources applications.

Observation from satellites has unique properties that make it highly desirable in natural resources work. The foremost among these are high altitude and great speed. High altitude enables the scientist to obtain information about large areas at a single instant of time. This so-called "synoptic view" insures that data procured will be uninfluenced by changes occurring within the viewed area over a period of time. Similarly, orbital speeds not only allow the making of repeated observations of the same area at different times, but also allow the observance of contiguous areas with a minimum time loss. This means that orbital photographs will include large areas in a single exposure with uniform shadows and illumination, as well as allowing a stereoscopic image to be produced. This can be extremely useful in the detection of mineral deposits where such deposits are related to anomolous geologic structures, especially where such structures are large and subtly expressed.

After World War II, aerial photography proved quite valuable in geologic interpretation. However, hundreds of photographs were necessary to cover meaningful areas. The time which elapsed in transporting the camera from one place to another often allowed the light angle, surface temperature, and cloud cover to change between photographs, thereby complicating the task immeasurably. Photographs from a space platform allow the observation of large segments of the earth at one instant of time under uniform conditions of illumination. Color photography allows the detection of minerals which accompany a discoloration of the rock or other structural elements in the area. The possibility of repeated sensing from a spacecraft allows the detection of changing conditions, such as surface temperature, over a broad area. This is useful in detecting potential geothermal resource areas as well as offering the possibility of providing advance warning of some volcanic eruptions. The benefits of the broad view provided from a spacecraft can be appreciated when one realizes that using conventional aircraft exclusively one and a half million aerial photographs are required to provide a single coverage of the coterminous states of the United States. The cost of acquisition of such photographs is about 12 million dollars. It can be seen that repeated coverage on a frequent basis by such conventional methods is beyond feasibility. From orbit only about 400 photographs would be necessary to cover the coterminous United States. The feasibility of such repeated coverage, in addition to the benefits previously described, would be of additional use in keeping our land use maps current in this rapidly changing land.

The Earth Resources Observations Satellite project, known by the acronym EROS, can be especially useful in assisting in the management of our water resources. The measurement of chemical and biological characteristics of water is usually carried out by either spot sampling or continuous sampling of water from lakes, streams, estuaries, and underground reservoirs, and the subsequent analysis of the samples in the laboratory. In addition, there is some work being done on automatic monitoring of chemical and biological parameters. However, it is difficult to develop regional synthesis of such data for large water bodies. For example, measurement of the concentration of certain pesticides at a location on the shore of an estuary may not be representative of the concentration or even of the presence of such pollution within the entire estuary. Spacecraft may prove helpful in detecting the presence of pollution, identifying the specific pollution substance, measuring the concentration of that substance, and determining its movement and its position. The use of color, infrared, and infrared color photography in conjunction with surface analysis should prove very helpful.

Measuring the physical properties of water, such as heat, can be done on a large scale from spacecraft. The monitoring of stream temperatures is particularly important below large power plants which discharge great amounts of heated water, since heated water may be detrimental to the oxygen content of the stream, and, therefore, to the fish population, beneficial bacteria in the water, as well as its usefulness for municipal or industrial supplies. Such monitoring activity should be valuable in determining the water management practices needed to reduce the amount of thermal loading or to suggest management methods for proper restoration and use of the water.

Ground water is contained within the rocks of the earth's crust and, therefore, the major tool for mapping and description of ground water features is geology. Geological mapping is a prime tool and the first tool in any area where ground water exploration is to be done. Because of the necessity for large-scale development within a short time, it is necessary to make prospecting for ground water more efficient. This can be done by increasing the mobility of the man who surveys the area, and by reducing the scale of his problem. A synoptic view of large regions being considered for ground water prospecting can be exceedingly helpful in reducing the scale of the hydrologist's problem by allowing him to delineate the areas of greater geologic favorability for the occurrence of large quantities of ground water. Photographic and electromagnetic sensors will assist in eliminating surface surveys of areas with little potential. By so doing, the surface geologist can devote his time to areas with the most promise. This is particularly important in undeveloped areas where little basic work has been done and yet large supplies of ground water are needed now or in the future.

The importance to water management of knowing the location and characteristics of the winter snowpack goes without saying. Too few data points are normally available to allow reliable estimates of the snow cover of watersheds. Methods to monitor vast areas on a periodic basis are required. Work is being done to develop sensors which would allow mapping of the water content and thickness of snow over broad areas. The use of such sensors, when developed, from spacecraft will be immensely valuable.

Spacecraft also have potential value in the measuring of the liquid-vapor transfer to the hydrologic cycle. It is important for us to know what the water balance of the world is in terms of how much water falls on the ground as precipitation, how much is entering the atmosphere as evaporation or transpiration, and how much is flowing from the land areas into the oceans. The measurement of this phase change of water in the hydrologic cycle is important in the understanding of the world-wide water balance. However, measurement of the evaporative and transpirative phases of this cycle with methods now available is extremely difficult. The use of infrared radiometry and imagery may provide a means to determine the average water surface temperature, and, thereby, provide a term in the heat budget equation and, also, in the water budget equation for determining the evaporative loss of water from lakes and reservoirs.

Other uses of spacecraft in remote sensing include the study of glaciers, the regional analysis of lakes and associated resources, study of coastal marine hydrology, including the determination of the distribution of the effluents discharged by the major rivers that flow into the sea, and the collection of data which may yield cause and effect relations within hydrologic systems.

The collection and analysis of data obtained from space promises to be of great economic benefit. When one considers that the total existing capital investment in water resources facilities of all types in the United States is approximately 235 billion dollars, and water resources research expenditures often near 100 million dollars in a year, the desirability of a program by which improved water resources and hydrologic data can be obtained almost goes without saying. The data obtained from such a program will be of immense value not only to the United States, but to every nation over which the spacecraft travels. The Department of the Interior already has numerous expressions of cooperation and participation from various countries around the world which see the great advantage to be derived from having this type of information about their natural resource potential. With the development of increasingly sophisticated sensors, the benefits obtained from earth resources research from space will increase with the expanded data collection and evaluation processes.

CONCLUSION

I have tried to indicate that the Federal government has embarked on a large-scale, broad-ranged program for the development and improvement of our water resources. As a member of the United States Senate, and as the ranking minority member of that body's Committee which oversees our natural resource development, the Committee on Interior and Insular Affairs, I am particularly gratified with the enthusiasm and dedication of the scientists and administrators who are participating in these programs. The public acceptance of such efforts by their government is also stimulating and encouraging. While there have been delays and shortcomings, I am convinced that we are moving in the right direction. All of us who participate in the task of providing and administering our water resources should work together to conquer waste, and strive to supply our most precious resource where it is needed by our dynamic countrymen.

GAULLISM MAY NOT SURVIVE DE GAULLE BUT THE ATLANTIC ALLIANCE WILL

Mr. KUCHEL. Mr. President, among free men there is an ineluctable unity. Whether we speak of the Allies of World Wars I and II, the Atlantic alliance, or of other agreements among freedom-loving peoples, we are talking about a larger and fundamental process of increasing harmony and cooperation among free men.

This unity is a great asset of Western civilization, and its value continues to increase. It is the foundation of our hopes for the peace and prosperity of mankind. It is still true that in union there is strength.

He who would tear this fabric asunder, Mr. President, would take away from us far more than our gold supply, precious though it may be, he would put an end to the expansion of world trade, reduce to a paper phantom the bulwark of world collective security, and stifle the tender shoots of broader international cooperation which have been so carefully nurtured by peoples of Europe and America.

Yesterday, the distinguished Copley newspapers pointed out in a major editorial how the cause of unity has been set back by the recent remarks of French President de Gaulle. The editorial said:

> In the week which has followed the British devaluation of the pound, President Charles de Gaulle of France was able to assess with some accuracy the best card he could play in the game of international squeeze.
>
> At the semi-annual ceremonial monologue which passes for a de Gaulle press conference, the French leader yesterday confirmed growing suspicions that his consuming hatred of anything American or British has almost got the better of his reason.
>
> Where he could have provided his interest in helping a former ally, he rubbed salt into British wounds.
>
> Again he has dictatorially vetoed Britain's entry into the Common Market, and again he has lashed out blindly at the United States of America for defending freedom in Asia and even impugning our technological superiority. He continued to fan the flames of nationalism in Quebec.

In his November 27 press conference, the President of France, once a great hero in the fight for freedom, disavowed his heritage. In a series of incredibly bitter statements aimed at all of his once-prized, English-speaking allies, Gen. Charles de Gaulle regrettably reiterated his tired policy of international irresponsibility aimed at dissolving the close harmony among Atlantic nations that has stood for nearly 200 years. Even ugly undertones of racism crept into his remarks.

As the Copley editorial notes:

> This is the man whose country twice within a generation was saved from complete annihilation by the military and economic aid provided by her friends.
>
> It is certain that if the French President had not blocked, with vindictive determination, Britain's entry into the Common Market, the economic plight which brought the pound devaluation last week could have been avoided.
>
> For months, until the French economy began to run into trouble in mid-year, de Gaulle tried to undermine the United States' economy. By turning his dollars into gold he depleted our gold reserves at an alarming rate.
>
> Now he has in effect served notice that he will continue this policy by demanding a return to the discarded international gold standard.
>
> Meanwhile his political overtures toward the Russians and his prompt support of the Arabs in the aftermath of the June war in the Middle East not only made his politics suspect, but also his very cerebral processes. He did not alter his stand yesterday.

France and De Gaulle can no longer be reckoned among our allies, or our friends, if they are bent on destroying Western unity. I am confident that few in Europe would follow his lead. Indeed, many in France will, I feel sure, part company with their leader. What is at stake here is not merely the economic well-being of the Atlantic community, it is the hope for peace and prosperity in years ahead for ourselves and our posterity. The unity of two centuries will not be broken overnight, nor in a year. But let those who would misjudge its value take heed. America seeks no dominion in Europe, we seek a continued and close cooperation. The majority of Europeans share this hope and will not be misled.

The Copley papers are to be congratulated for their ringing American stand. They have sounded the call to action:

> The General must be warned that he is by our standards now an enemy of the West. He is actively engaged in endeavoring to smash all the Western unity and safety built over the years.

SUBCOMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. MONRONEY. Mr. President, I yield such time as may be required to the distinguished assistant majority leader.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. MONRONEY. Mr. President, I will not take much time. The Williams amendment is the customary amendment. I have voted for it a number of times when the legislative appropriation bill was before the Senate, and he offered it to that bill. I have been a member of conference committees that have tried to work out with the House a satisfactory solution for the limitation of the stationery account with respect to stationery actually purchased or office supplies actually purchased. I have seen this proposal beaten down each time, because the House did not intend to let the Senate fix the amount of stationery they can buy or to determine whether any of the unused stationery allowance could be used for other purposes in the Representatives' offices or for their office expenses, or even for the personal use, in travel or otherwise, of the various Members.

I would support the amendment again today if it were on a legislative appropriation bill.

If we insist upon our disagreement with the House, if we put this amendment in the bill, it will be a further cause for delay, long past the New Year, in reaching any agreement.

I have sat with conferees of the House. I know their position. I know their demand that we do not dictate to them the way they handle their affairs. It is customary to receive such residual amounts of the stationery account as paid directly to the Representative's office for use as he may see fit.

So I cannot accept this amendment to the bill. I know the dangers we will encounter in going over until after the new year. This bill contains perhaps 500 to 800 separate items, many of which are in controversy. We have resolved many of them.

I am sorry that the Senator did not appear before the committee to take up his amendment again. It is another amendment that comes to the floor without testimony, although I believe that I know the argument. I have heard him make it. I have heard him testify before the proper appropriations committee. But this is not an appropriations bill. It is a bill designed to raise nearly $1 billion worth of revenue and to increase the pay of our nearly 3 million Federal employees somewhat closer to comparability with private industry. The pending amendment deals with the personal affairs of the House Members and the personal affairs of Members of the Senate. It is a residual item, and I believe it could well wait until consideration of the legislative appropriation bill when we return, in January, February, or March, or it could be put on a supplemental appropriation bill, where it belongs.

Personally, I take none of this amount. I return it to the Federal Government, as I believe the distinguished Senator does.

I believe that we would only be jeopardizing the final conference agreement if we were to include this amendment in the bill. We have been indulging in an exercise of futility, because I know the House position on the matter. I would not like to see the amendment encumber a bill that is so important to 3 million faithful employees who want this increase by Christmas. Practically every matter in the bill has been resolved, and this amendment would be impossible of resolution in the conference.

I yield such time as he may require to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I have no personal financial interest in the outcome of the pending amendment, because, with more than 10½ million people in my State, the stationery allowance is inadequate. I pay hundreds of dollars out of my own pocket each year for stationery after the allowance is used up, and we cut down on our communication with our constituents the last few months before the June 30 end of each fiscal year.

I should like to see the stationery allowance increased for the States with larger populations, at least those with a population of more than 10 million.

I have been a member of the Committee on Post Office and Civil Service for 10⅔ years and have engaged in numerous conferences with the House, and I know that nothing inflames and aggravates the House Members more than our including an amendment to regulate the House allowance, to regulate the way they live.

Beginning at line 12, the amendment states what the House Members can do with their stationery allowance. When we go to conference and the House Members see that we have put in the bill an amendment to tell them what they can do with their stationery allowance, it is a gross aggravation to the House Members. With such an amendment by the Senate aimed at House Members, we have immediately aggravated the House Members and made the matter of a conference with the House more difficult. I see no reason for needlessly slapping the House of Representatives in the face, and making the job of the Senate conferees with the House more difficult, by telling the House how they can spend their stationery money. I do not believe we should do it. I believe that any amendment relating to the House stationery allowance should come from the House. We know that there will not be any agreement with the House if that Senate amendment attempting to regulate House expenditures is in the bill, because they regard it as a personal insult. They say that the Senate has needlessly insulted them by telling them that they cannot handle their stationery allowance properly.

I believe that the amendment should be defeated, because, as the able distinguished senior Senator from Oklahoma has pointed out, this is an important bill to 3 million Federal employees, to the 200 million Americans interested in the efficiency of the American Government, and to the 200 million Americans paying postage.

No other bill considered in this session will affect more directly the pocketbook of every American. There is a tax bill, but some people are not in the income taxpaying bracket. There is a social security bill, but some people are not in the social security bracket. This postal bill affects every American, and the efficiency of Government service affects every American. There is a double effect on every American in this bill, and we should not clutter up the bill with something that raises friction between the two Houses when we go to conference. This amendment would be an impediment to completing action on the bill this year.

Mr. MONRONEY. Mr. President, the longer we are delayed, the more we will have to slip the increase forward into next year. The estimate of the committee staff is that we would lose $17 million a week by postponing it.

Mr. YARBOROUGH. How many millions a week?

Mr. MONRONEY. Seventeen million dollars a week.

So if we stay in session and if we insist on our disagreement with the House, as the distinguished Senator from Delaware wants us to do, I can state now that the House will be adamant, as they always have been, and we will begin to lose, by this delay, $17 million a week, because of our failure to act. Also, it would delay over the holiday season the pay increases that the Federal employees so justly deserve. This amendment would jeopardize the passage of the bill this year, and I do not believe it is worth the effort.

I have supported the Senator's amendment when it was brought up in connection with the proper bill to accomplish his purposes. But I do not want a dead cat thrown into this bill at the last minute which will prevent us from completing action on the bill before the new year.

I yield 2 minutes to the distinguished Senator from Tennessee.

ORDER OF BUSINESS

Mr. GORE. Mr. President, I ask unanimous consent to address the Senate for 2 minutes as in the morning hour.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

REFUSAL OF THE SECRETARY OF STATE TO TESTIFY BEFORE THE COMMITTEE ON FOREIGN RELATIONS

Mr. GORE. Mr. President, I wish to read to the Senate a motion which I submitted to the Senate Committee on Foreign Relations this morning. I requested that the motion be inscribed on the agenda of the committee for action in a subsequent session of the committee, and the committee acceded to my request. This is the motion:

> I move that the Chairman of the Committee be instructed to communicate to the President of the United States the concern of the Committee about the breakdown in public communication between the Executive and the Senate which arises from the refusal of the Secretary of State to testify before the Committee in public session on United States policy in Southeast Asia.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, it would be very easy for me to support the Senator from Delaware with respect to the pending amendment. It has been my practice to return my unused stationery allowance. It has not amounted to much, but I have done it. However, I shall vote against the amendment, because I do not wish this bill to be jeopardized in any way. I believe the Senator from Oklahoma has been eloquent in his plea that if these matters are tied to the bill, we will experience difficulty in achieving agreement in conference.

Mr. WILLIAMS of Delaware. Mr. President, the argument has been made that this bill is not an appropriate vehicle on which to attach this proposal. Everybody says they are for it but that this is not the appropriate place. The same argument was made when I offered the amendment as a rider to the legislative appropriation bill. A point of order was made against it, and a two-thirds vote was required to override the point of order. I was told then that I should wait until the Senate had before it a legislative bill. Such a bill is now before the Senate.

Now, as to the argument that this proposal will delay the enactment of this bill beyond Christmas, I think that argument is utterly ridiculous. That argument proceeds on the assumption that Members of the House of Representatives or Members of the Senate, rather than give up their right to kickbacks on the stationery allowance, would kill a bill affecting a pay raise for 3 million employees. I think that is an insult to the House of Representatives. The House of Representatives is not going to say, "Either we keep our right to stationery kickbacks, or we will kill the bill."

Mr. President, this amendment is in two sections. One section deals with the Senate and would require Senators to comply with the rules of automatically turning back whatever is remaining on expenses allowances. The second section deals with the House of Representatives and would impose the same requirement on them.

If my friends on the other side of the aisle who spoke for the amendment, but who would vote against it, are so concerned about the House of Representatives, all they have to do is vote for the amendment, and, if our conferees in conference cannot persuade the conferees from the House of Representatives to accept all of the amendment, then they can keep that portion that deals with the Senate alone. The House of Representatives has repeatedly said they have no concern over what we do in the Senate. Therefore, let the Senate come back with the provision applicable to the Senate, and at least let us put our house in order.

If we do not want to put our house in order let us not hide behind the cloak of placing responsibility upon the House of Representatives. This is not the responsibility of the House of Representatives on this vote. We are doing the voting. If we are for the amendment let us vote for it. If we are against the amendment let us vote against it.

If the conferees cannot retain all of the amendment then let us settle for that portion of the amendment which affects the Senate.

If the amendment is returned from conference with only that portion which is applicable to the Senate I would accept that portion without objection. As far as I am concerned, that eliminates that part of the argument.

Mr. President, I am ready to vote. If the Senator from Oklahoma is prepared to yield back the remainder of his time, I am ready to yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I shall yield back the remainder of my time in a moment.

I still respect the Constitution of the United States and it provides that each House shall be in charge of its own rules. This is not an appropriation bill appropriating x dollars for Senate use and x dollars for House use. This proposal is attached to a bill that affects not only the Senate and the House of Representatives jointly, but it also affects the executive department, the legislative department, and a substantial number of civilian workers in our great military department.

If Senators believe in orderly parliamentary procedure they would not jeopardize a bill that would be so effective by throwing in this "dead cat." I have voted for this measure every time it has been before us in proper form. I have insisted on it in conference time and again. I do not know how long we are expected to penalize other people by holding out for this measure. The Senator knows and I know that the House of Representatives is not going to accept it. Therefore, I ask that the amendment be defeated.

Mr. WILLIAMS of Delaware. Mr. President, this measure has been referred to as a "dead cat." This bill before us was originally a postal increase bill, and later it became a salary increase bill, with the salary increase taking three times the revenue. It also embraces additional life insurance for Government workers. There are many provisions in the bill relating to various employees.

To proceed on the premise that either Congress is going to insist on its right to take these annual kickbacks on the stationery allowance or the bil will be defeated, in my opinion, is placing a low estimation on the caliber of Congress. I have a far higher opinion of Congress than that.

Certainly in connection with private industry Congress passes laws requiring every businessman in America to itemize on his tax returns his expense account in order to claim deductions. That accounting provision is now applicable to every American citizen except Members of Congress. Members of Congress should have an allowance for stationery, but that portion of the allowance that is not needed does not belong to us.

I say that we should extend to ourselves the same requirements imposed upon the 2 million employees who are not permitted the privilege of sticking their expense account money in their pockets.

Mr. President, let Congress tell the American taxpayers that we are willing to live by the same rules.

Mr. MONRONEY. Mr. President, I am prepared to yield back any time I have remaining.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. YARBOROUGH. Mr. President, I wish to call attention to section 46(a) of the Senate Manual which states:

> Commencing with the fiscal year 1964 and thereafter the allowance for stationery for each Senator and for the President of the Senate shall be at the rate of $2,400 per annum.

As Senators know, out of that allowance there is paid the cost for all stationery, carbon paper, typing paper, mimeograph paper, pencils, ink, notebooks, tablets and similar office supplies. There is provided, under that provision, $200 per month for a Senator to attempt to communicate with, in the case of my State, 10,700,000 people, and it is impossible to do it on a $200 a month allowance. Each year I use all of the allowance and in addition I pay hundreds of dollars out of my pocket. We scrounge through the office and find whatever paper and copy paper second sheets we can find to serve the purpose. We slow up communication to our constituents in the closing month of each fiscal year. Constituents write to us and say, "You do not send out information on subjects." We have groups who are interested in veterans benefits; they write and they say, "Won't you please write to us and inform us of the provisions of veterans bill." The stationery allowance is wholly inadequate for a Senator to try to advise his constituents in a State such as mine, of pending legislation.

Mr. President, I have no personal financial interest in the amendment. We have such a low allowance we cannot communicate with all of the people in my state. But I think the amendment harms the bill and is the wrong proposal at the wrong time. I think it clutters up the bill when we are all hoping to finish the bill this year. It is a very minor amendment which adversely affects a major piece of legislation, which we are anxious to get to the White House for signature.

Mr. WILLIAMS of Delaware. I agree with the Senator from Texas that in large States the stationery allowance of $2,400 is not too large. If the amount is not sufficient to cover legitimate expenses, I would support an increase. I think the Government should underwrite the stationery allowance for all States.

All I am saying is that to the extent any portion of the allowance is not needed or used for the purpose for which it is allowed, that amount does not belong to Members of the Senate; it does belong to the Treasury and the American taxpayer.

I yield back the remainder of my time.

Mr. MONRONEY. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Louisiana [Mr. ELLENDER], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Wyoming [Mr. MCGEE], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

I further announce that, if present, and voting, the Senator from Maryland [Mr. BREWSTER], and the Senator from Connecticut [Mr. DODD] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Iowa [Mr. MILLER] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Iowa [Mr. MILLER] and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 64, nays 24, as follows:

[No. 354 Leg.]

YEAS—64

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cotton
Curtis
Dirksen
Dominick
Fannin
Fong
Gore
Griffin
Gruening
Hansen
Hatfield
Hickenlooper
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Lausche
Magnuson
Mansfield
McClellan
Mondale
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Smith
Spong
Talmadge
Thurmond
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—24

Bartlett
Clark
Eastland
Ervin
Harris
Hart
Hayden
Hill
Holland
Jordan, N.C.
Kennedy, Mass.
Long, Mo.
Long, La.
McCarthy
McGovern
Metcalf
Monroney
Muskie
Russell
Smathers
Sparkman
Stennis
Williams, N.J.
Yarborough

NOT VOTING—12

Brewster
Cooper
Dodd
Ellender
Fulbright
Hartke
McGee
McIntyre
Miller
Scott
Symington
Tower

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. AIKEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska.

COMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, will the Senator yield briefly to me?

Mr. CURTIS. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be allowed to complete the hearing it is now having with the witness who is in the chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

MOTION TO RECOMMIT WITH INSTRUCTIONS

Mr. CURTIS. Mr. President, I send a motion to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the motion.

The assistant legislative clerk proceeded to read the motion.

Mr. CURTIS. Mr. President, this motion is offered in behalf of myself and the distinguished Senator from Delaware [Mr. WILLIAMS].

I ask unanimous consent that the reading of it be waived and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion is as follows:

MOTION TO RECOMMIT BY MR. CURTIS FOR HIMSELF AND MR. WILLIAMS OF DELAWARE

Mr. President, I move that the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal government, and to regulate the mailing of pandering advertisements, and for other purposes, be recommitted to the Committee on Post Office and Civil Service, with instructions to report the said bill back to the Senate as soon as practicable, with such amendments as may be necessary to provide for revision of increases in salary rates which are in excess of $8,000 per annum so that (1) no rate in excess of $10,000 will be increased, (2) no increase will cause any rate to exceed $10,000, and (3) increases in rates in excess of $8,000 but not in excess of $10,000 will, to the extent possible, reflect appropriate relationships between rates, until such time as—

(1) the receipts of the government for the preceding fiscal year have exceeded the expenditures of the government for such year, as determined by the Bureau of the Budget; or

(2) the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that estimated receipts of the government for the fiscal year for which the budget is submitted are in excess of the estimated expenditures of the government for such fiscal year.

Mr. CURTIS. Mr. President, each Member of the Senate will find a copy of this motion on his desk. I believe I can explain it very briefly. It is not my purpose to have a prolonged debate on this subject.

I can tell Senators very briefly what it does. It is in the nature of a motion to recommit, but it would not materially delay the consideration of the bill. I put the motion in this form because it might call for a rewriting of some of the tables and certain sections in the bill.

But here is what the motion would do. If this motion to recommit is carried, the committee will report the bill back as soon as practicable, which I imagine would be in a few hours, providing that every Government employee who is paid $8,000 or less will get his pay raise as provided in the bill. It will also mean that those Government employees who receive $10,000 or more will have their pay raise deferred until the budget is balanced.

Employees receiving between $8,000 and $10,000 will get part of their increase. In other words, there is a phasing in there.

Adoption of the motion will mean that every worker, every letter carrier, all of the employees in the lower brackets, will be unaffected. They will get their pay raise.

The distinguished chairman yesterday made an eloquent plea in behalf of the postal workers who are carrying the mail and will be doing such an unusual job this December. This motion will not interfere with their complete pay raise.

The distinguished chairman has informed the Senate that the median-paid Government employee receives $6,800. My motion provides that all those employees drawing $8,000 or less will get the full benefit of this bill according to its terms. Those who get $10,000 or more will have to wait until the budget is balanced. Those receiving between $8,000 and $10,000 will get part of their increase and will have to wait until the budget is balanced for the full increase.

Mr. President, I do not need to remind this Chamber that we are at war. I do not need to remind this Chamber that we are facing the largest deficit of all time. I do not need to remind this Chamber that the pressure is on to increase taxes.

But there is something else involved. This would be the first time to my memory that we had ever offered an incentive pay increase—I repeat, an incentive pay increase. It would mean that all of the employees in the upper brackets in Government, if they did their little bit to balance the budget, would get a substantial pay increase at the end of the road, one in which the percentage was compounded, at least in the first two steps. It would mean that everybody in the bureaus who was dreaming up new schemes to expand his bureau would have an incentive to operate with restraint. It would mean that every individual who is in charge of purchasing supplies, who, when the end of the fiscal year comes along, spends all the money he can so he will not be cut next year, would have an incentive to operate with restraint, because if he did his part, there would be a substantial pay increase at the end of the road.

Now, I do not wish to be misunderstood. There are many dedicated public servants in our offices and in the bureaus elsewhere who, day in and day out, do all that they can to hold down the expenses of government. There are some who do not. There are people on Capitol Hill who, in order to expand their domains, are urging upon committees and subcommittees further action, further legislation to help them build a bigger empire.

Let us give those people an incentive to do their part in balancing the budget. Mr. President, this motion to recommit is not a repudiation of the committee. I am not unaware of the long hours of painstaking work that have gone into this bill. It merely says that a part of its benefits shall be delayed until we balance the budget.

How do we determine when the budget is balanced? We provide that these increases will be delayed until first, the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Bureau of the Budget; or, second, the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that estimated receipts of the Government for the fiscal year for which the budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year.

Mr. President, a vote for this motion is a vote saying that we are not going to increase the salaries of those members of our own staffs who are in the upper brackets until we put our financial house in order. How much more do we want to happen in this country before we really get in earnest about saving money?

We know what has happened to the English pound. We know what is happening in the way of eroding the value of the dollar. The people of the country know about the rising cost of living, even if we do not. I beg of you, let us postpone the pay increases for everyone who receives more than $10,000 a year until the budget is balanced, give the full pay increase for those who receive $8,000 or less, and a proportionate partial increase to those in the bracket in between. That is necessary in order that the plan work in an orderly fashion.

Mr. President, we have passed many pay increase bills. We often provide a pay increase in stages, and then, before all the steps are taken, we have another pay increase added to it.

Every time a pay increase bill comes before the Senate, there is an impassioned plea made in behalf of the "person down below"—though he draws more than most of the people back home draw in salary or income—the individual who makes less than $8,000, the individual who does the hard, manual work to carry on the burden of the Government.

This motion, Mr. President, will take care of all of those people. Half of the employees of this Government draw less than $6,800; so more than half of them would be unaffected by this motion.

It really comes down to this: Shall we, without restraint, increase the salary of every Government worker and official, in wartime, at the time of the highest deficit in history, at a time when inflation is rampant?

Many of us have reluctantly voted for some pay raises in the past because there were so many individuals who desperately needed and deserved a raise. Here is our chance to apply the raise as provided in the bill for more than the lower one-half, from the standpoint of pay scales. It is also a chance for the Senate to recognize that we are at war, that inflation is rampant, that the President of the United States—yes, and many of the people—are pressing upon Congress for a tax increase; and I believe that the vast majority of the people strongly favor a reduction in expenditures.

The amount of money that this motion would save is a small part of it. The great bureaucracy that we have abroad administering foreign aid is filled with officials who, wanting to see their empires maintained, keep recommending more programs, and programs are established and go forward in manners that are not carefully watched and controlled. Under this proposal, those officials and employees would have an incentive to do better, because when they get the budget balanced, they will receive a pay increase.

I expect an eloquent answer to what I have said here, in behalf of Government employees who feel they ought to have a pay raise, that we ought to be comparable with industry, and all this and that. I do not dispute that. All I say to my fellow Senators is, "If you believe in such an argument, let us raise the money now, and not charge it to our children and our grandchildren."

I have little respect for the individual who says, "Oh, this is in the public interest; it must be done now," and then will not pay for it. If Senators believe that something is vital and important to good government, let us do it and pay for it, and not resort to looting the Treasury over and over again.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. WILLIAMS of Delaware. Is it not a fact that the Senator's motion would still extend to all Government employees receiving $8,000 and under all the benefits of the three-stage increase provided in the pending bill?

Mr. CURTIS. That is true; and the other benefits are not dealt with in this motion at all.

Mr. WILLIAMS of Delaware. One further question. The only effect of the Senator's motion is that those in the top bracket, those receiving $10,000 and over, those who are responsible for the administrative decisions and the management of this Government, those who are responsible for the deficits and the vast spending programs, those making the policymaking decisions, would have the responsibility of putting our financial house in order; and then when that is done they, too, would receive the benefit of the increases provided in this bill?

Mr. CURTIS. That is correct.

Mr. WILLIAMS of Delaware. And until such time as those of us who are responsible for the policy decisions do cooperate in putting our financial house in order, our salaries will not be raised and charged up to our grandchildren and the future generations?

Mr. CURTIS. That is correct.

Mr. WILLIAMS of Delaware. Mr. President, I believe that adopting the principles embodied in the Senator's motion would have a wholesome effect far beyond the amount of dollars involved, because it would place a direct incentive before every policymaking official in the Government to try to reduce the cost of Government by eliminating waste in his department and other departments and to try to bring our Government into an orderly fiscal position so that not only would we have a balanced budget and some degree of financial sanity in this country, which would help combat inflation, but at the same time, from purely selfish motives, they would be working hopefully toward the day when they could receive a salary increase. Until such time as that is done I do not think any of us deserve a salary increase.

Mr. CURTIS. Mr. President, I thank the distinguished Senator.

So far as my memory serves me, this is the first time the Senate will have had an opportunity to vote for the principle that everybody in Government drawing a salary of $10,000 or more will get a reward as soon as we balance the budget.

I call attention, Mr. President, to the cost involved in paying the interest on the national debt. This year the cost is $14.2 billion.

When we stop to realize what we could do with $14.2 billion, we realize that we could pay all the veterans' benefits and services, all highway costs including interstate highways, all costs of civil functions of the Army Engineers, all costs of the Bureau of Reclamation, and all costs of running Congress and the courts, and still have money remaining from what the people have to pay in interest on the national debt.

Mr. WILLIAMS of Delaware. Mr. President, I notice from an item on the wire service outside the Senate Chamber that the Secretary of the Treasury is now testifying before the House Ways and Means Committee. He has advised that Committee that unless some action is taken to bring the fiscal position of this Government under better control we are not just facing inflation in the future, but we have it now, and it will soon be out of control.

We are also advised that the interest charges next year will be substantially higher than they are even today. So I think it is mandatory upon this Congress to take some affirmative steps to start putting our house in order. This certainly is the very minimum step that we can take in that direction.

Mr. CURTIS. Mr. President, I thank the Senator.

I would like to have the attention of the committee members for one moment. The motion recognizes the great amount of detailed work that has gone into the pending bill and the dedication to the task. It does not repudiate the judgment of the members of the committee. It merely injects the further principle that we will withhold putting this part of the measure into effect until our budget is balanced.

I hope that no member of the committee will rise to defend what the committee has done and oppose the motion with any thought that it means to upset the work of the committee. It does not. The committee can report this matter back in a matter of hours.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LAUSCHE Mr. President, the Washington Daily News of a day or two ago published an editorial entitled "De Gaulle and U.S. Dollar."

It so precisely describes the plight of our country that I should like to read a part of it.

It reads in part:

> One of the things about Gen. de Gaulle that grates on the nerves is that many of the things he says are true.
>
> When he says, as he did yesterday, that the American dollar is vulnerable and that it may go the way of the British pound sterling if the U.S. continues its economic and fiscal policies, he was drawing on historical experience and applying common sense.
>
> Few of the modern-day world currencies have been devalued as often and as drastically as the French franc, and always for the same reason—that France did not govern itself with proper self-restraint.
>
> The British have been less irresponsible, so British devaluations have been less frequent and less drastic.
>
> America, in proportion to its vast resources, has been even less irresponsible than France or Britain. But if we continue to spend money we do not have, for things we are unwilling to tax ourselves to pay for, then the American dollar too will lose in value.
>
> Over the last 35 years, we have had the New Deal, the Square Deal, the New Frontier and the Great Society, all financed substantially on borrowed money. In the same period we have engaged in World War II, the Korean War and now the Vietnam War, likewise financed. In those 35 years, our national debt has risen from $19 billion to more than $340 billion. It all has to be paid for, either in taxes or in erosion of the purchasing power of the dollar.
>
> It used to be America's proud boast that "the dollar rings true on every counter in the world." How true for how long depends on how we protect it—something that for the last generation we have not been doing.

Mr. President, the article from which I have read in part concisely and accurately points out the path which we have been traveling, a path which, in my opinion, will inevitably lead to the devaluation of the dollar or to such inflation that bank deposits of thrifty people, Government bonds, and retirement payments will be eroded to the point that the poor retired minister, schoolteacher, and worker will be robbed of everything that has been promised to him.

It is easy to spend money. It is difficult to tax. What we are doing is urging a mad rush for spending. However, we are unwilling to impose taxes to provide the money with which to pay for the spending.

Mr. President, I ask unanimous consent that the editorial to which I have referred to be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Nov. 28, 1967]

DE GAULLE AND THE U.S. DOLLAR

One of the things about Gen. de Gaulle that grates on the nerves is that many of the things he says are true.

When he says, as he did yesterday, that the American dollar is vulnerable and that it may go the way of the British pound sterling if the U.S. continues its economic and fiscal policies, he was drawing on historical experience and applying common sense.

Few of the modern-day world currencies have been devalued as often and as drastically as the French franc, and always for the same reason—that France did not govern itself with proper self-restraint.

The British have been less irresponsible, so British devaluations have been less frequent and less drastic.

America, in proportion to its vast resources, has been even less irresponsible than France or Britain. But if we continue to spend money we do not have, for things we are unwilling to tax ourselves to pay for, then the American dollar too will lose in value.

Over the last 35 years, we have had the New Deal, the Square Deal, the New Frontier and the Great Society, all financed substantially on borrowed money. In the same period we have engaged in World War II, the Korean War and now the Vietnam War, likewise financed. In those 35 years, our national debt has risen from $19 billion to more than $340 billion. It all has to be paid for, either in taxes or in erosion of the purchasing power of the dollar.

It used to be America's proud boast that "the dollar rings true on every counter in the world." How true for how long depends on how we protect it—something that for the last generation we have not been doing.

As for de Gaulle on other subjects—

HE WAS LESS ACCURATE

Elsewhere in his semi-annual press conference Gen. de Gaulle was much less mindful of history and common sense.

He again encouraged independence for Canada's French-speaking Quebec province, a blatant interference in the internal affairs of a friendly country. He ordered Britain to overhaul its entire economy before attempting entry into the European Common Market, an affiliation which would be profitable to both Britain and the Common Market. He claimed the Arab-Israeli War in June would not have occurred if the United States had not "intervened" in Vietnam, a wholly fictitious presumption.

And altho the evidence runs to the contrary, Gen. de Gaulle denied France had anything to do with the run on the British pound, which helped bring about the devaluation, or that he was trying to undermine the dollar, which would be dangerous to France as well as the U.S.

In trying to make gold (which France has been hoarding) the sole basis for Free World trade, Gen. de Gaulle also would disrupt the present basis of trade which by long-standing agreement stands jointly on gold, the dollar and the pound.

One thing he grandly ignored, however, was an old item on the international books: France's debt to the United States dating back to World War I when the U.S. came to his country's rescue. That debt, with interest, now is more than $6.8 billion—and altho the U.S. has not insisted on repayment, the debt hasn't been waived, either.

Mr. CURTIS. Mr. President, I thank the distinguished Senator from Ohio for his remarks.

As to the gloom expressed by that editorial, I should like to quote the words of the immortal Lincoln:

> As a nation of free men, we will live through all time or die by suicide.

The most progressive suicidal tendency in this country so far as the Government is concerned is uncontrolled spending and debt.

Mr. President, I am not condemning the dedicated, faithful, hard-working individual in Government who makes more than $8,000 or $10,000 and who tries to save money.

I daresay that all of those people want the budget balanced. This proposal will give a chance to all of them to work for a balanced budget. They would then get a handsome pay increase.

At the same time, the motion provides for the pay increase worked out by the committee for everyone drawing under $8,000, and between $8,000 and $10,000 they will get part of the increase.

Mr. President, I ask for the yeas and nays on my motion.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, I temporarily yield the floor.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MONRONEY. Mr. President, is there a time limitation on the motion?

The PRESIDING OFFICER. There is no time limitation on the motion.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished minority member of the committee, the Senator from Hawaii.

Mr. FONG. Mr. President, the committee has worked long and arduously on this bill, and it has produced a very fine bill. The amendment which has been presented by the Senator from Nebraska should be defeated.

Why should we take it out on the poor Government employees to balance the budget? What have the Government employees to do with the deficit we are now incurring? Federal employees are not responsible for our governmental deficit. Why should we take it out on them?

In 1962, we promised the Government employees that we would make their salaries comparable to those paid in private industry. This bill would give them comparability with private industry in 1969—7 years after we promised them comparability. We made this promise in the Federal Salary Reform Act of 1962, and because of the continuous annual Federal deficit, we have not been able to give them comparability. Now, we are attempting to give them comparability in three stages, so that by 1969 they will have comparability, based on the most up to date statistics available at that time.

It is long past time for Congress to keep faith with our Federal employees and to keep faith with our promise to them.

Looking at this amendment, I cannot see any reason for saying that an employee who receives below $10,000 a year is entitled to his increase, that another employee who receives $10,001 should be deprived of the increase because we have not been able to balance the budget; furthermore, that the employee who receives $10,001 will receive his increase after we have balanced the budget.

We have not balanced the budget since 1960. We balanced the budget in 1956, 1957, and 1960, but for the past 7 years the budget has not been balanced. Since 1959, when I began my service in the Senate, I know of at least four pay raises we have given to Government employees; and never yet have we said to one group of Government employees, "Since you receive more than $10,000, we are going to hold up your increase; but if you receive less than $10,000, we are going to give you the increase."

Why should we make fish of one and fowl of the other? We should treat all these dedicated Government employees equally and say that they all deserve a raise, in line with the comparability principles we voted in 1962. We should say, "The Senate committee has gone into this matter thoroughly, we have received evidence from all sources, and we find that, salarywise, Government employees are far below comparability with their counterparts in private industry."

In fact, Federal employees who are receiving more than $10,000 a year in salary are now further from comparability than those who are receiving less than $10,000. In the lower grades we are very close to comparability, but in the higher grades we are 15 to 21 percent below comparability.

I believe that the amendment offered by the distinguished Senator from Nebraska is discriminatory and arbitrary, and I urge that my colleagues reject it.

I helped write the comparability principle into the 1962 pay bill as a member of the Senate Committee on Post Office and Civil Service. I was convinced at that time that in all fairness Federal employees should be paid the same salaries paid for substantially equal work in private industry. This bill would reach that stage in 1969. The effect of this amendment would be to wipe out that possibility.

Mr. President, as a member of the Committee on Post Office and Civil Service I wish to commend the chairman of the committee, the senior Senator from Oklahoma [Mr. MONRONEY], for his diligence in guiding the bill through the many long hours of public hearings and the days of executive committee sessions where we attempted to iron out the differences we had on the provisions contained in H.R. 7977. I wish also to commend the senior Senator from Kansas, [Mr. CARLSON], who is the ranking minority member of the committee, and all other committee members for their counsel and guidance in working on this bill.

Although this is an excellent bill, one which will raise much needed revenue for our Post Office Department and will also bring the salaries of almost 2 million Federal classified and postal employees closer to comparability with their counterparts in private industry, I do have a few reservations about certain specific provisions in both the postal rates and salary sections of this legislation.

Under title II, Federal classified employees will receive a 4.5-percent salary increase across the board effective October 1, 1967. They will also receive additional increases in July 1, 1968, and in July 1, 1969; the end result being the achievement of comparability with their fellow workers in private industry.

Postal employees will receive a 6-percent increase effective October 1, 1967, an additional 5 percent on July 1, 1968 and whatever amount is necessary to bring them up to full comparability on July 1, 1969.

The comparability principle voted by Congress in the Salary Reform Act of 1962 should be realized in 1969.

During committee debate on the pay provisions of this bill I made a motion to increase the salaries of all Federal classified employees to 6 percent, effective October 1, 1967, rather than the 4.5 percent voted by the House. This 6 percent is the same amount voted for the Federal postal employees. My motion was not adopted and I shall not make that motion here, because I think we have the best bill we can get at the present time. But I do serve notice that I shall monitor the actions of the agencies charged with executing the catchup provisions of this bill to insure that full comparability is reached for all Federal classified and postal employees by July 1, 1969. This is a matter in which our Federal Government and the Congress must keep its pledge to these dedicated public servants.

The fight to achieve salary comparability for Federal employees with their fellow workers in private industry has been a long, hard fight. It is not yet over, but by passing this bill with its three-stage increase, Congress will come as near as is presently possible to keeping its faith with the Federal employees.

Realization of comparability can be seen on the horizon, and I urge the Senate to pass this bill with its three-stage increase.

Turning to the subject of postal rates, I believe the increase in air mail letter rates of 10 cents is too large. The present rate is 8 cents per ounce. Under the present rate the Post Office Department recovers 105 percent of the costs for handling air mail letters. The Post Office Department will be recovering 119 percent of the costs under the 10-cent rate. I proposed in committee that the new rate be nine cents—this was the rate recommended by the administration. However, my amendment did not carry in committee.

I am pleased, however, with the language in the committee report on this bill, calling for the movement of first-class mail by the most expeditious means available. This action allows all first-class mail traveling long distances, such as between Hawaii and continental United States, to travel by air on a space available basis.

I understand that all first-class mail traveling between Hawaii and the west coast now, is transported by air on a space available basis. I ask the distinguished committee chairman whether mail traveling between the west coast gateway cities and major interior and east coast cities also is being airlifted on a space available basis.

Mr. MONRONEY. I am happy to say to my distinguished friend, the Senator from Hawaii, that, thanks to his enthusiastic insistence upon the airlift, with the passage of this bill 99 percent of it will be airlifted between New York and the west coast, and beyond to Hawaii or to Alaska. I expect this to be almost 95 percent complete on movement of first-class mail between any points in the United States—and by that I mean the 50 United States, and not just the 48 contiguous States.

As a result of the great effort by the Senator from Hawaii and his insistence that it is foolish to send first-class mail for Hawaii by railroad for a 5-day trip and then fly it for 3 hours to Hawaii, we have this provision in the bill. The Senator's insistence upon the mail being airlifted from New York to Los Angeles or Seattle or San Francisco, and dispatched onward, will be realized and achieved.

Mr. FONG. This would mean that a letter with first class postage would be treated almost the same as an air mail letter?

Mr. MONRONEY. That is correct. I read from the report:

PRIORITY MAIL

> The Postmaster General is to be commended for the actions he has taken this year to airlift first-class mail in order to improve postal service to American citizens in anticipation of the increased rates of postage provided in this bill. Earlier this year the Department began a vigorous program to provide airlift of first-class mail on a space-available basis when air was the most expeditious means of transportation available. This has resulted in substantial improvements in service, especially for first-class mail going relatively long distances. The amount of first-class mail being carried this year as of the end of September, compared with the same period last year, has increased 254 percent on the domestic trunklines and all cargo carriers and by an astounding 591 percent on the local service carriers.

The Senator can be assured, with this giant movement from trains that no longer exist, that first-class mail will have priority handling and will fly from Washington, New York, or any other place in the contiguous United States to the gateways of Hawaii and Alaska and be airlifted on both ends of the trip.

Mr. FONG. I thank the Senator.

Mr. MONRONEY. The insistence of the Senator has been of great help in achieving this superior service.

Mr. FONG. I thank the Senator for his kind remarks. He has been very instrumental in obtaining first-class by airlift as far as possible.

Mr. MANSFIELD. Mr. President, will the Senator yield so that I may make a unanimous-consent request?

Mr. FONG. I yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the Senator's remarks, there be a time limitation of 20 minutes on the pending motion, the time to be equally divided between the Senator from Oklahoma [Mr. Monroney], the manager of the bill, and the Senator from Nebraska [Mr. Curtis], the initiator of the motion.

Mr. CURTIS. How much time?

Mr. MANSFIELD. Ten minutes on each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I thank the Senator for yielding.

Mr. FONG. Mr. President, this type of mail service is essential to the people of Hawaii. Correspondence with our families, friends, and business associates on continental United States must be transported as quickly as possible.

We have a long tradition of using air mail service because of our insularity. However, I also believe that the people in Hawaii and those in other comparatively isolated places served predominantly by air, should also have an alternative mail service in view of the increased airmail rates being enacted.

The Senate Post Office and Civil Service Committee report on H.R. 7977 presents an excellent alternative, one which the Post Office Department has already instituted on certain mail routes.

I urge that the Committee on Post Office and Civil Service stay in close touch with the Post Office Department to monitor the movement of first-class mail by air on a space-available basis. This is a service that is sorely needed by our postal patrons and I commend the committee for its position in this matter.

During the hearings on the third-class rate provisions of this bill I was impressed by the argument of the third-class mail users that the per-piece rate for third-class regular bulk mail under the House bill would impose a severe burden too soon on them. Under the House bill the per-piece rate for such mail would be increased by 32 percent on January 7, 1968. Such an increase in one fell swoop on these mail business houses would be drastic. I believe that if such an increase is to be imposed it should be phased in over 3 years—this is the same treatment given second-class mailers of newspapers and certain other publications. The Senate committee voted to increase this rate by an additional two-tenths of a cent, but phased in over a 2-year period.

I am still convinced that this increase should be held at the House level of 3.8 cents and phased in over 3 years. I believe this group of mail users provides a real service to the American public and as an employer of hundreds of thousands of Americans its position should not be jeopardized by such a drastic increase in such a short period of time. A reasonable adjustment period in line with other sections of the bill would be to phase the increase in over 3 years.

Again, I commend the chairman for his hard work on this legislation, and the distinguished ranking minority member, the senior Senator from Kansas [Mr. Carlson] for his counsel during our deliberations. I urge that the Senate and House act quickly on the bill so that it can be sent to the President as soon as possible.

Mr. President, now that we are on a time limitation, I ask that my comments on "Magazines as the Melding Force in Democracy" be printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The views presented by Mr. Fong are as follows:

MAGAZINES AS THE MELDING FORCE IN DEMOCRACY

The power of Congress to legislate postal rates is one we should exercise with ever-increasing care and deliberation.

Because of the concepts of the postal service since Colonial times, and because of the manner in which Congress has used its postal rate making power, we have made the United States the greatest nation of communicators in history. Insofar as we can, we should keep it that way.

In testimony on the bill pending to raise mail rates, the Postmaster General reports that with six per cent of the world's population, this country originates and distributes more than one-half of the world's mail.

In the 10 years through 1966, the mail volume rose from 56 billion to 76 billion pieces of mail. It will be more than 82 billion in the next fiscal year and will top 100 billion pieces in 1976.

Our wise postal policies through the decades have encouraged this growth in the use of the mails. We have many tangible assets of great value as a result. Despite some congestion and delay, our first class mail service is the finest in the world, considering its load and geographic reach.

We have a healthy newspaper publishing industry serving local and regional areas with information, opinion and entertainment. We have a truly national press in the magazine publishing industry which serves the broad range of all our interests as a nation. We have a prosperous multi-billion dollar direct mail and parcel post industry that contributes substantially to our economic development.

I would like to speak particularly to the development of American magazines as a true national press, filling a need and functioning in a manner not duplicated in any other nation at any time.

Each of us must have a number of current magazines on our desks right now, for information, interpretation, or reference. We may get two or three general interest magazines at home, perhaps one or two business publications, a farm journal, fraternal magazine, a religious periodical. We know our wives read homemaker, fashion, and garden magazines, maybe one or two others of special interest to them. And our children get one or two magazines edited for their particular interests.

The chances are that almost all of these magazines reach us at home or office through the mail.

Many people, when discussing magazines, tend to think of the dozen or so whose names are household words, whose circulations run into millions, whose advertising revenues are very large. These are the general circulation magazines, but the majority of our magazines are comparatively small, specialized magazines which have great meaning to selective and significant audiences, which in total account for millions of readers, most of them people of purpose and with influence on the cultural, economic and political course of the country.

These are magazines of contemporary thought, religion, science, farm, industry, fashion, news, travel, business, music and arts, home service, homemaking, children and youth, sports and outdoors, special interest to women and many more.

Their audiences are men and women of decision, leaders who make the news, observers of public affairs, students of economics, citizens in search of political enlightenment; audiences of farmers, followers of a religion, parents in search of better ways to rear their children, newlyweds creating homes and families.

And remember this highly significant point. These audiences are distributed throughout the breadth and length of this land, in every state—truly national audiences served by a truly national press, the magazines.

While the magazine industry is a mirror of American life, it is also a highly competitive business. A periodical must find and retain an audience or it cannot survive. It must meet the payroll to continue. There have been a number of famous failures that can be recalled to mind, among them Collier's and Coronet. The tastes of the public change. Advertisers are most reluctant to part with their promotion dollars, and a publisher is in competition with a myriad of counter attractions when he seeks to persuade a reader to invest his money in a subscription. A magazine must find a place in the life of its readers or die a premature death. Even the most popular magazines, with a vast national audience, must keep coming up with stimulating editorial material or the race is lost.

Periodical circulation has continued to rise as the population increased, as technological developments and industrial diversification created new audiences for specialized business and professional publications, and as a more affluent and leisured society provided new markets for magazines serving a wide range of cultural and recreational interests.

Continued improvement in editorial quality, better design and vigorous promotion have enabled periodicals to increase circulation despite competition for the reader's time from television, inexpensive marketed paperbound books, and various other types of leisure activity.

The periodicals' share of the advertising dollar has been gradually shrinking although receipts from advertising have steadily increased. About 47 per cent of total national advertising expenditures in 1966 went into television and its share may grow as the use of color increases. This total was up 4.4 per cent while magazines share went down 3.6 per cent in the 1962–1966 period.

The power of Congress to legislate postal rates is one we should exercise with ever-increasing care and deliberation. We have exercised this power from the birth of our nation to encourage communications. We have seen a healthy vigorous magazine publishing industry develop under these policies of encouragement—an industry which depends upon the Post Office for distribution of three billion copies of product annually. So postal rates are an important item of cost.

In sum, we are talking here about a decision of considerable economic import, and, considering the political and philosophic value of an independent press, one of unmeasured—and probably immeasurable—consequences.

A low rate of postage for periodical publications disseminating ideas to the reading public has contributed tremendously to our American mass education.

Magazines are a major factor in unification of the nation, a great melding force to work the will of the electorate, the will of a majority of the people. They are part of our national press. Our great responsibility is to see that we do not stifle it, but act wisely that its continued growth may be fostered for our own strength and progress, and for the generations to come.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. CARLSON. Mr. President, I do not believe we are on a time limitation until the conclusion of the Senator's statement.

The PRESIDING OFFICER. The Senator is correct.

Mr. CARLSON. Mr. President, as a member of the minority and as a Senator who has served on the Committee on Post Office and Civil Service ever since my entrance into the Senate, which is some 18 years ago, I commend the distinguished Senator from Hawaii for his outstanding work in the field of service to the Federal workers of this Nation, the postal employees, the classified workers, and the other people who are interested in our governmental operations. I know of no one who has made a more dedicated effort in this field in behalf of our public servants, the Federal workers of this Nation, than has the Senator from Hawaii. He has devoted much energy in trying to secure improved salaries for Federal workers based on comparability, and time and time again he has worked for their best interests.

I express my appreciation to the Senator from Hawaii. It has been a pleasure to work with him.

Mr. FONG. I thank the distinguished senior Senator from Kansas for his kind remarks. The Senator from Kansas has been in the forefront to obtain comparability for Federal employees, and many of the fine features of this bill and the provisions dealing with postal rates and Government employees are the result of the excellent thinking and the fine work of the Senator from Kansas. Federal postal, classified, and other employees have no finer friend in Congress than my colleague, who is the ranking minority member of the Senate Committee on Post Office and Civil Service, Senator CARLSON. It has been my pleasure to work with him, and the distinguished Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I thank my distinguished friend and colleague.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The Senator will state it.

Mr. MONRONEY. Mr. President, will the Chair be good enough to tell me whether the time limitation is 20 minutes, with 10 minutes on each side?

The PRESIDING OFFICER. The Senator is correct. Each side has 10 minutes.

Mr. MONRONEY. I thank the Chair. That applies on this matter.

The PRESIDING OFFICER. The Senator is correct.

Mr. MONRONEY. Mr. President, if someone started out to find a way to wreck the efficiency of the U.S. Government here and abroad he could not have dreamed up a better way to do it than to produce a motion of the kind produced by the Senator from Nebraska [Mr. CURTIS] and the Senator from Delaware [Mr. WILLIAMS].

This bill does take care of a large number of well deserving employees. These are the faithful postal employees, 90 percent of whom are below the $8,000 provided in this bill. Those employees who receive $8,000 would receive the benefits of the 6 percent increase we are providing in this bill.

Above that level there are the supervisors, the men who must plan and design the mail schemes, those who make contracts with railroads and airlines, those who run all of the executive departments of the Post Office, all of whom would be denied any increase whatsoever.

Mr. President, under the amendment, it would be possible and probable that men who have menial tasks—and this would benefit them almost solely—would be able to go above their supervisors in salary, and those who have already reached above $8,000 in salary would see their subordinates in menial capacities paid more than they are.

Ninety percent of the postal employees are below the $8,000 figure. Those who serve in a supervisory capacity, or an executive capacity, those who plan the entire $8 billion system, would have no increase whatsoever. Although the degree of comparability with private industry is high at the extreme low level, it goes down in comparability to 75 percent or 80 percent in the management-type position.

This measure puts the emphasis in that area where we have the greatest difficulty in recruiting and keeping competent Federal employees. If there is any way to save money, anyone who has studied high school economics will tell you that it is good management. I do not see how we can have good management if we are paying less than the man across the street is paying.

Ninety percent of GS employees are paid below $8,000. The others are their supervisors, directors, and planners, and the specialists in all agencies of interstate commerce.

I respect and admire the lower level menial employees and I want to see them rewarded in a pay increase, but this increase cannot be denied to management.

We are losing those who are in management now because of the inadequate pay and lack of adequate promotional opportunity. How much is going to be saved by this proposal? We are not going to save all that it is thought will be saved because of the large percentage of employees below the $8,000 grade. There will be saved, according to the committee statistics that were given us, if we cut all above $8,000, only $68 million a year out of $500 million in the pay bill. We would sacrifice the incentives necessary to preserve management and the skills that are necessary.

Do Senators think they could hire a doctor or keep a doctor, and—we have to have thousands of them in our Veterans' Administration, Public Health Service and of various facilities—unless they receive a pay increase, when the medical orderly below them would be getting a raise?

Do we think we will be able to employ and keep nurses? That is probably the greatest shortage we have. No nurse above the beginning salary today is paid under $8,000. So these great ladies who care for the wounded and come back after discharge from the military hospitals where they are military personnel, cannot be hired. Certainly they are not going to stay, as much as they love Government work, when the hospital down the street, or in some other city, is paying the going rate. We are already having great difficulty on that.

We will not hire any dentists, because they are above that salary. We will not be able to keep them.

We are having trouble keeping air traffic control experts. They are all paid above $8,000. Certainly, these men are necessary.

The FBI is going to be ashamed to see its agents leaving for better jobs, being unable to compete in the promotional opportunities with supervisors at the lowest level of the FBI.

We are not going to be able to keep any researchers in the billion-dollar enterprises of research and all the things we do there.

Engineers cannot be hired for $8,000, so the men we have are going to move on because there are ample opportunities elsewhere in those fields.

Scientists, supervisors, test training pilots who go along with certifying training programs and checking out the pilots at the airlines, we will not be able to hire them.

We will eliminate by necessity all the top level of congressional offices. Mr. President, judge for yourself, we can keep the boy in the folding room by giving him a raise, and we can keep the elevator operator by giving him a raise; yet the most effective and efficient administrative assistants, the personal secretaries, the girls on whom we so much depend for the efficiency of our office work, are all paid better than $8,000 a year in order to get the kind of talent we need. They will all be hired away from us downtown or hired by others.

This is an amendment which puts the emphasis on the wrong syllable. We do not save the money that it says we have.

The best way to do it, if we gentlemen wish to effect it, is to tear out the whole section on pay increases. Let us not say that because the votes are over here in the great numbers of postal employees—90 percent of the votes are at the lowest level, "Let's go for broke, boys. To hell with the efficiency of the U.S. Government."

In this time of crisis, I do not believe even though we do have a difficult time with the budget, that we want to destroy and kill off our management and management opportunities.

I have never seen anything that would work as inequitably, which would put the management of the various departments of Government in the position of having their subordinates paid more than they are. I do not see how anyone can think we can keep a man in the Federal employment at that rate. I do not know how anyone could have thought this through properly. I do not know how anyone could expect we could get a bill if we are going to have to crank all this junk into it. The bill was considered for 4 long months in the House and for 2 months in the Senate.

I do not know anyone who knows more about this subject than the minority member on the committee, the Senator from Kansas [Mr. Carlson], who has made such a great contribution to this bill.

Mr. CARLSON. Mr. President, I concur in the statement just made by the distinguished chairman, the Senator from Oklahoma.

This is absolutely the wrong way to deal with the Federal employment picture. It is also unfair. It is based on the 1966 Bureau of Labor Statistics salary survey on what the actual salaries were in 1960 prior to the enactment of the comparability principle, which shows that the salaries of classified Federal employees lagged behind by 2.3 percent in GS-3; 4.3 percent in GS-15.

In 1962, we adopted the comparability principle. The pending bill is trying to carry out that principle.

As the distinguished chairman stated, it is most fair to close up the gap because they are further behind in comparability.

As I mentioned, in GS-3 it was 2.3 percent behind; in GS-15, 4.3 percent behind; in GS-7, 6.6 percent; in GS-9, 9.3 percent; GS-11, is 10.3 percent behind.

Therefore, I sincerely hope that all Senators will consider this proposal seriously, and reject the motion.

Mr. MURPHY. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I am happy to yield to the Senator from California.

Mr. MURPHY. Do those figures include the so-called fringe benefits, such as insurance, and all other benefits that are important in comparing salaries in government with those in private industry?

Mr. CARLSON. These are considered on a salary basis only. They do not include fringe benefits.

Mr. MONRONEY. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 minute.

Mr. MONRONEY. Let me say to my distinguished colleague from California, who represents a most progressive State in a most progressive way, that the fringe benefits are much less today in Government than they were. They used to be much superior. But on insurance and retirement, they do not match the equivalents of outside employment today. The salary level there, as to the total cost of the bill or the total cost of the salary level we have quoted, adds $38 million for insurance benefits to the total. That is provided in the last title.

Mr. MURPHY. In other words, a comparison of the fringe benefits would be on approximately the same percentage basis as a comparison of the actual total figure; is that not correct?

Mr. MONRONEY. That is correct.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. CURTIS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 1 minute.

Mr. CURTIS. Mr. President, I listened with much interest to what the distinguished chairman had to say. I should like to say that during World War II there were pay raises greatly favoring the lower paid workers.

Today, we are at war. The dollar is imperiled. We have the highest deficit in our history.

Now it is being said that this would save only a few million dollars.

Mr. President, that is not true.

If we go on record of having no pay increases over these upper brackets until we balance the budget, then I believe that we will get a balanced budget.

The eloquent Senator from Hawaii [Mr. Fong] pointed out that we have not had a balanced budget since 1960, but we have added four pay raises.

One of the virtues of this thing is that it is an incentive. It will not hurt research. It will see that the money vested in research is conserved, that we will then be able to get a balanced budget, and then we shall be able to put on a pay increase.

Mr. THURMOND. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield 5 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 5 minutes.

Mr. THURMOND. Mr. President, I wish to thank the distinguished and able Senator from Nebraska.

I am in favor of the motion being made by the able Senator from Nebraska.

We are going to have a deficit this year of somewhere between $18 billion to $30 billion. In view of the fact that we are at war now, it seems to me that the only sensible course to pursue would be to follow the course of economy and retrenchment.

I realize that this is not a popular course to take. I realize that the Senate many not see fit to adopt this motion. However, it is the right course. It is the honest course. It is the course which is best for the people of this country. It is the course of sound fiscal policy. It is the course that this country needs to take in order to bring some semblance of soundness to the fiscal policies of this Nation.

Mr. President, our national debt today is almost $344 billion. By the end of this fiscal year it has been estimated that it will go to between $345 billion and $350 billion. The ceiling now is $358 billion. The annual interest on the national debt is approximately $14 billion per year.

The Federal Government has balanced its books only six times in the past 37 years.

How much longer are we going to wait?

When are we going to start balancing our books?

When do we begin to think about the people back home who pay the bills?

Of course I am sympathetic to Government workers. I have the utmost respect for them. They are dedicated and hard-working people.

At the same time, I emphasize that we are now at war, that we are facing a deficit of between $18 billion and $30 billion this year alone. I believe that our Government workers at the top salary levels would be willing to delay a pay raise.

This will enable those with salaries of $8,000 or less to get their increase. Those receiving above $10,000 will get it when the budget is balanced. I think that fact alone will have a tremendous moral suasion, because human nature is human nature. I believe when those in some high positions in Government know they are not going to get a raise until the budget is in balance, they will help balance the budget. It should be balanced.

I do not know of anything that is more important for the preservation of the country, other than maintaining a strong military establishment, than maintaining a strong economy. We cannot maintain a strong economy if we are spending more than we are taking in. That is what our country has been doing for many years. Our Government cannot continue to operate on this basis indefinitely. No business can operate in this fashion and neither can the government of any country.

I hope the Senate will adopt the motion offered by the distinguished Senator from Nebraska, as I feel it is sound. It offers us a course that will be in the best interests of the people in the long run.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. MONRONEY. Since the military pay bill follows the civilian pay bill in pattern, does the Senator feel we should increase the pay of captains so they will be earning more than majors?

Mr. THURMOND. I do not think that is applicable. In fact, I do not think now is the time to raise the salaries of Congressmen or any Government employees.

Mr. MONRONEY. Not even the military?

Mr. THURMOND. If the Congress raises the salaries for civilian employees, I would feel free to vote to raise military salaries, because the military raises have always lagged behind the civilian raises. I have been here 13 years, and I believe there have been between eight and 10 raises for civilian employees. I do not begrudge any of those raises, but these raises should be delayed while a war is going on.

How much longer does the Senator from Oklahoma feel we can continue to raise salaries while we are running unbalanced budgets?

Mr. MONRONEY. This would affect only $68 million out of $500 million, but it would disturb the balance in the executive pay scale.

My question still is, Since the military pay bill follows the same pattern as the civilian pay bill, should we fix the salaries of captains above that of majors?

Mr. THURMOND. I do not object to raising the lower grade officers' salaries in a larger proportion if that is the question.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CURTIS. Mr. President, how much time do I have left?

The PRESIDING OFFICER. Three minutes.

Mr. CURTIS. The committee's argument on this point is just plain foolishness. It is not proposed to pay a captain more than a major. The reason we have a phasing out bracket between $8,000 and $10,000 is to prevent that very thing from happening.

The employees receiving under $8,000 will get the raise. Those receiving over $10,000 will have to wait until the budget is balanced. Those receiving salaries in between those two will get part of the raise.

Mr. President, I would not downgrade this committee and say that they could not work that out equitably. Of course they could.

We do not have the time, but I would challenge Senators to put the question up to their people back home: Should Government employees drawing more than $10,000 receive a pay increase while the budget is unbalanced? Senators know they will say they should not.

Those of us who served during World War II saw pay increases. I remember one that was $300 a year for everybody, whether someone was in the $25,000 bracket—of course, it was not that high then, but the highest bracket—or was the lowest paid worker. It is not unusual to do this in wartime.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. WILLIAMS of Delaware. I call to the attention of the Senate that there is a precedent for such action, and it can be done. After World War II, the former Senator from Virginia, Harry Byrd, made a similar motion to a similar pay bill in the Senate. It was adopted; the committee took the bill back, and the provision was embraced in the bill.

If the Senator will yield further, I might add that after that action the budget was soon balanced.

Mr. CURTIS. If a pay increase were withheld from every Federal employee getting over $10,000 until the budget was balanced, we would get a balanced budget; but as long as we defend the principle that has been prevailing all through these years of never balancing the budget, and always increasing pay, it will go on that way. Now, I will accept——

The PRESIDING OFFICER. The Senator's time has expired. The question is on the motion of the Senator from Nebraska to recommit with instructions. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender] and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Arkansas [Mr. Fulbright], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Georgia [Mr. Russell], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Iowa [Mr. Miller] and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. Scott] would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 5, nays 83, as follows:

[No. 355 Leg.]

YEAS—5

Curtis
Hruska
Lausche
Thurmond
Williams, Del.

NAYS—83

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan. Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—12

Cooper
Dodd
Ellender
Fulbright
McCarthy
McGee
McIntyre
Miller
Russell
Scott
Symington
Tower

So Mr. Curtis' motion to recommit, with instructions, was rejected.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a unanimous-consent request and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the unanimous-consent request.

The legislative clerk read the unanimous-consent request, as follows:

Ordered, That, effective during the further consideration of the bill, H.R. 7977, the so-called Civilian Pay Raise Act, but exclusive of the previous agreements of the Senator from Delaware [Mr. Williams] numbered 469 and 472, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the senior Senator from Oklahoma [Mr. Monroney]: *Provided,* That in the event the senior Senator from Oklahoma [Mr. Monroney] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours and 15 minutes to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, if I can make one addendum to that request, the distinguished Senator from Maine [Mrs. Smith] has indicated that she will offer an amendment.

I ask unanimous consent that there be a time limitation of one-half hour on her amendment, the time to be equally divided between the distinguished Senator from Maine [Mrs. Smith] and the distinguished Senator from Oklahoma [Mr. Monroney], and that prior to the time starting, there be a live quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement, without objection, will be printed in the Record.

The unanimous-consent agreement, ordered to be printed in the Record, reads as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective during the further consideration of the bill, H.R. 7977, the so-called Civilian Pay Raise Act, debate on any amendment, motion, or appeal (except two amendments to be offered by the Senator from Delaware [Mr. Williams], Nos. 469 and 472, on which there is to be 40 minutes of debate, and one by Mrs. Smith, on which there is to be 30 minutes of debate), except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the senior Senator from Oklahoma [Mr. Monroney]: *Provided,* That in the event the senior Senator from Oklahoma [Mr. Monroney] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours and 15 minutes to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. JAVITS. Mr. President, I address myself to the merits of the bill, and I hope that Senators present will listen.

Title III of the pending bill relates to the prohibition of pandering advertisements.

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

The Senator may proceed.

Mr. JAVITS. The committee has not extensively discussed this title in relation to the bill, and I think it is a matter of considerable importance as it represents basic constitutional rights.

Mr. President, first with respect to the pay raise itself as it is contained in the pending bill, the action of the House and now by the Senate Post Office and Civil Service Committees in approving a postal pay increase for the Nation's faithful postal employees is at last beginning to redeem the promise of comparability with private employment is most gratifying. Approval of this bill is truly an opportunity to implement the pay comparability principle which has been adoted as settled policy by the Congress.

I have long been a devoted advocate of adequate salaries for postal workers. This is basic justice by the Federal Government to those who are among its most devoted workers. All too frequently there is substantial inequity in the wage level of Federal employees, and particularly postal workers, as comparability to that for equivalent job skills of those working in private employment. I feel that the Federal Government has a clear responsibility to give enlightened and modern leadership to compensation and conditions of work throughout the Nation in justice to its own personnel. The committee already recognizes that Post Office employees cannot go into business for themselves, their only opportunity is justice from Congress and the United States.

I feel that we can at long last begin to deal with the matter of a postal raise in the pending bill.

As I come from an area where that is a matter of very critical consideration with many of the largest mailers in the Nation being located there, I feel it is the responsibility of Congress to see that the Post Office Department is operated at maximum efficiency and the lowest practicable cost to the Government and to the users of the mails. Some subsidy undoubtedly continues to be needed and justified for types of mail worthy of public subvention, but the overall deficit is unacceptable without a detailed review of mail rates and, if necessary, adjustment to keep the deficit within manageable proportions.

Legislation which imposes higher taxes or increases Government service charges must always be weighed carefully. The Post Office Department has stated that the postal deficit is responsible for almost half of the total increase in the national debt. Fiscal responsibility is essential to a healthy economy, and I must in good conscience support legislation judged necessary to maintain it.

Mr. President, I am very much pleased, also on the matter of the postal raise provision of the pending bill, to note that the alleged discriminatory postal surcharge on periodicals with a circulation of 500,000 or more has been eliminated by the Senate bill and that the proposed rate increase of an alleged disproportionate 60 percent on fourth-class bulk mail, on sound recordings especially, has also been eliminated by the Senate committee. I hope very much that, as the Senate passes the bill in its present form, this will be maintained in conference.

Mr. President, it is claimed with respect to rates that there is very strong discrimination in rates as against the rates for controlled circulation publications. There are not many of those publications, perhaps not more than four or five, the main publication being from the Reuben Donnelly Co.

Mr. President, it was claimed on the part of those mailers that the bill imposes a 280-percent rate increase on them over a 3-year period. The Senate committee claims that it recommends only a 20-percent increase.

Mr. President, we ought to see whether this works out onerously, and we ought to be prepared to give these publications some relief if, in fact, their great fears on the subject are realized, as they say, either by conforming to the aspects of more suitable mailing rates or by amendment to the pending bill, should that be deemed to be required, depending upon how the matter eventuates.

Mr. President, on the main point which I wish to discuss, title III of the bill puts, in effect, a rather unique question of how to deal with a problem which has been widely complained about by millions of parents. That concerns the mailing to them or to their children or to their homes of material which is, to use the words of the committee and the words of the bill, "erotically arousing or sexually provocative." This is a rather new catechism and it differs from the language of the court decisions and existing statutes on the subject which bar only obscene material from the mail.

The scheme of the bill is that the citizen notifies the Post Office to order the sender to discontinue the sending of such material to him. The Post Office Department then notifies the sender to take that person off the mailing list. If the sender does not do so, then the Post Office Department may move in court for a cease and desist order against that sender to compel him to do so.

The difficulty is that the bill requires no finding on the part of either the Postmaster General or the court that the material is actually "erotically arousing or sexually provocative." All that is needed is for the sender to say so, and that is the end of that.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, may I explain my point? I am very anxious to have a colloquy with the Senator. I believe that it will be very important.

This is the point at which we bring into conflict two constitutional rights—the constitutional right of the addressee to privacy under the fourth amendment, and the constitutional right of the sender to free speech under the first amendment.

The thing that I am troubled about in the constitutional realm is that the courts may very well find that, even if an addressee does not want the material sent to him, the prevailing policy of the country requires that the sender has the presumptive right to use the mails. He can throw it in the wastepaper basket when it is received if he wants to.

The analogy is, interestingly enough, a political one. Senator Monroney is a Democrat and I am a Republican. In 1946, when I ran for public office in a strongly Democratic district in Manhattan, in New York City, I knew that many people there did not want to receive any mail from a Republican and would not stop to hear him on a street corner. But some of them, who happened, by accident, to be caught where they had to hear me or were caught where they had to read, were persuaded, much to their surprise; and that was a very valuable constitutional right which I had as a candidate.

The real constitutional difficulty in this title is that no finding is required, not even a finding that the test of the bill is actually being met—to wit, that the material is "erotically arousing or sexually provocative." I believe that is a very important element.

Mr. President, I have given considerable thought to whether or not an amendment should be offered to title 3 which would require such a finding. But my consideration led me to believe that if that were done, it would erect such a complicated structure of hearings and determinations and trial examiners, and so forth—it would invite bureaucracy and litigation—that the practical aspects of the matter would be better handled by leaving the matter to the courts; because I do not believe the cases will be many, and I believe that they will be resolved better by the legal processes of the judiciary.

However, in view of that determination, I believe it is important that the legislative history of the bill before the Senate clearly deal with the subject, show that we considered it, show that at least one Senator raised the issue of constitutionality, and the rights of the sender as well as the addressee. As a Senator representing all the people, I am very sympathetic to the addressee. I am a father myself. Our youngest child is 12, and I feel strongly about this matter on constitutional and on personal grounds.

However, I am also aware, as a Senator, of the necessity for protecting the constitutional rights of all the people, including the senders. One of the geniuses of our society is that we are often compelled—by the fact that there but for the grace of God am I—to protect those who might be doing things that we might like the least.

I believe that a fair balance will be held if it is made clear that in my judgment, as a lawyer and as a Senator, the courts will require that the material be substantively of the type that meets the test of this bill, which, I repeat, in this connection, is the test of being "erotically arousing or sexually provocative."

Mr. President, to the extent that this bill creates that test, I believe it is valid, notwithstanding the fact that there may be some doubt, from the leading cases, the so-called Roth case, which is found in 354 U.S. Reports, and the Ginsberg case, a later case, as to whether this description—to wit, erotically arousing or sexually provocative—is actually what the courts have held to be barrable from the mails as obscene.

I believe that the courts will require that the material actually be erotically arousing or sexually provocative and will not let the matter go solely upon the fact that the addressee says it is. I believe that will be the way in which the courts will resolve the dilemma—rather than try to erect an elaborate structure of bureaucracy to hear and consider these matters and to make findings and to invite litigation on that score. Practically, it will work out just as well if we leave the matter to the courts, this statement having been made by at least one Senator on the floor of the Senate.

Mr. MONRONEY. Mr. President, I am glad to have this discussion, particularly with an attorney who is so thoroughly versed in constitutional law and so aware of civil rights protected by the Bill of Rights.

The testimony with reference to this matter was taken from several sources. We spent much time on it. We had the advice of the Justice Department. Mr. Wozencraft testified for the Justice Department, and I believe his comments are persuasive. He said:

> In 1951 the Supreme Court upheld an ordinance barring all kinds of door-to-door solicitation throughout a community. The Court there stated:
>
> "Freedom of expression or press does not mean that one can talk or distribute where, when, and how one chooses. Rights other than those of the advocates are involved."

Thus, the right of a city to bar door-to-door solicitation in a community was sustained by the Court at that time.

Mr. Wozencraft continued, on the same page:

> The CHAIRMAN. This comes under first-class mail and there is no way you can tell the content of the first-class mail until you have opened it.
>
> Therefore, you have allowed the invasion of the homeowner to that extent.
>
> Mr. WOZENCRAFT. That is true, if there is no label on the envelope. It is also true that it is difficult to tell what is going to come up next on the television set. You have to see it for a second before you decide to turn it off. That is about what you can do on throwing away the mail, but there is that problem, certainly.
>
> The crucial question, I think, posed by this bill or any bill in this field is whether the first amendment permits one person to cut off the right of another to send him through the postal system matter which violates no objective standard but is offensive to him.

After listening to all the testimony, a majority of the committee decided that the right of privacy provided a homeowner by the Fourth Amendment was controlling; that we have a right to mail this matter to him, but cannot repeatedly do so if the man finds it objectionable and, in the language of the bill, determines it is erotically arousing or sexually provocative. This is the language we put in the bill. By no means do I think that anyone—I repeat, anyone—except the boxholder, in his home, has any control over what the latter considers objectionable. He could go to the postmaster and say, "This is objectionable to me because of it being erotically stimulating," and so forth. It does not have to be. He can say, "Cabbage incites me, and I do not want any more cabbage direct mail delivered to my home." I believe that the court would find, under the language of the bill, that he is the sole judge; and the processes set forth by this amendment, which is identical to that of the House, would be that no one could question his right of privacy because he objects to this type of mail coming from the sender. He protests, so the sender is notified, and then the provisions of the bill go into operation, as ably described by the Senator.

I believe the matter will have to go through a Supreme Court test. I am sure it will have to be tested.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. I yield 5 additional minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 additional minutes.

Mr. MONRONEY. As the committee understood the matter, and as the testimony was revealed in a full morning's hearing, the fourth amendment would prevail. With respect to the test contained in the bill, if the addressee declared it to be erotically arousing or sexually provocative, the Postmaster General would have to notify the sender to send no more mail to that address, and the cease and desist processes, if he succeeded, would prevail.

I grant the Senator that only the Supreme Court is going to finally decide the matter. I think this is a very helpful discussion by way of legislative history to the bill.

Mr. JAVITS. I am grateful to my friend, the distinguished Senator from Oklahoma.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I am afraid that I am going to be caught in a time dilemma. I wish to ask the manager of the bill about the time. I wish to yield to the distinguished Senator from New Jersey. I could send an amendment to the desk if that would simplify the matter.

Mr. MONRONEY. That is not necessary.

Mr. JAVITS. I yield to the Senator from New Jersey.

Mr. CASE. Mr. President, I appreciate the consideration of the leadership. I think this is a matter of very great importance, and I believe that a little discussion on the floor of the Senate beyond that which has already taken place might be helpful, in addition to the help we have already gotten from the initiative of the Senator from New York and the very thoughtful response of the Senator from Oklahoma.

Mr. President, there is a very large question here. The balance of the right of privacy, the right of self-expression, and freedom of speech is something we are dealing with and should deal with in a very careful way.

Would the Senator from New York agree in substance that what we come down to here is the committee's view that the right to close the door to a particular sender is absolute on the part of the home owner or addressee?

Mr. JAVITS. The committee finds that is a superior right to the right of the sender to send something.

I wish to call attention to the testimony of Mr. Wozencraft. He dealt with the right of the homeowner, which involves a right far more sacred than the mails, and that is trespass.

Mr. Wozencraft had this to say on the same page:

> The courts have neither answered this question nor clearly foreshadowed what their answer will be.

I am trying to suggest a technique by which the Postmaster General and the courts can enforce this law and not run afoul of the civil liberties of the citizens involved. That technique would be that somewhere and somehow in the courts there would have to be a substantive finding that the material was actually, in accordance with the law, erotically arousing or sexually provocative; and that the court would accept findings of fact that that is the kind of material which should be legitimately barred from the mail under the Constitution. I agree that should be implemented by the courts as if it were the courts' definition.

Mr. CASE. The Senator would, I take it, require that the decision by the court ought to be required to be made after due process before the bar on the mailing.

Mr. JAVITS. That is an interesting point because there is no penalty on the sender if he resists the notice of the cease and desist order. I think he would even have the right to enjoin the Postmaster General if he were given such a notice.

When I found there was no penalty on the sender, that a refusal to obey the order is no crime, I felt it better to leave this matter to the courts than to rework the bill, especially since I am sympathetic to the bill.

Mr. MONRONEY. I think it would be in order to place further excerpts in the RECORD from the testimony of Mr. Wozencraft.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CARLSON. Mr. President, I yield 5 minutes to the Senator.

Mr. MONRONEY. I thank the Senator.

The PRESIDING OFFICER (Mr. HART in the chair). The Senator is recognized.

Mr. MONRONEY. Mr. Wozencraft further testified:

> The courts have neither answered this question nor clearly forshadowed what their answer will be.
>
> There remains a practical question.
>
> The CHAIRMAN. This is the guts of the issue, isn't it——
>
> Mr. WOZENCRAFT. Yes, sir; it is.
>
> The CHAIRMAN (continuing). The way the bill is drafted and the rights conferred upon the individual to say, "I don't want this type of mail delivery"?
>
> Mr. WOZENCRAFT. Yes, sir.
>
> The CHAIRMAN. You don't make a test of whether it is pandering or not. You don't make a test of whether it is sexually provocative or erotic but you just say, "I don't want it for these reasons," but no official is allowed to go behind those reasons or to even question whether they are legitimate or germane or not.
>
> Therefore, you are giving in fact the right of an individual for the first time, I believe, to say he does not wish the stuff delivered at his door and certain steps by the Federal Government will be taken to back him up in his determination that it will be not delivered to him.
>
> Is that a correct summation?
>
> Mr. WOZENCRAFT. Exactly correct, sir.

Mr. President, that is the view of the Justice Department on the question which the Senator is so ably discussing.

Mr. JAVITS. Mr. President, I conclude by saying that I think we have very materially demonstrated that we are cognizant of the issue, which is very important to the courts. When we pass the bill, we will be cognizant of the issues and there are at least some suggestions as to how the issues could be met.

Personally, I believe that this is the best way to get at the problem. If I did not, and if I thought it would be better and wiser to establish a form of bureaucratic control, I would do so.

Mr. President, it is my conviction that we are better off this way making the record very clear and posing the issue to the courts and leaving it to them to work out practically. I am willing to let the matter proceed on this record.

Mr. HRUSKA. Mr. President, I call particular attention to title III of the pending bill because it represents remarkable progress in the battle against smut and filth in the mails.

I am happy to say that title III was introduced as an amendment to H.R. 7977 by my capable colleague, Representative GLENN CUNNINGHAM.

This was no spur-of-the-moment action on the part of the Representative from the Second District of Nebraska. For many years he has been a leader in the fight to protect society from obscene and pornographic material which has been circulating through the mails in ever-increasing amounts. I wish to take this opportunity to congratulate and commend him for his persistent efforts in this field.

Over the years, many measures have been introduced both in the House and in the Senate to protect the law-abiding citizen from unwanted obscenities; however, our efforts have not met with success. Each of us receives ever-increasing numbers of complaints from outraged constituents concerning this problem.

With the rights of the law-abiding citizen in mind, Representative CUNNINGHAM introduced bills in the 88th and 89th Congresses which would enable the addressee to put a stop to unsolicited mailings of pornographic material. Both bills passed the House; however, time did not allow Senate action.

This year, Representative CUNNINGHAM introduced H.R. 426, which is substantially similar to his earlier bills. This Senator had the pleasure of introducing S. 926, as a companion measure to the House bill.

The House Post Office and Civil Service Committee incorporated Mr. CUNNINGHAM's bill into and made it a separate title of H.R. 7977, and the committee action was thereafter endorsed by the House when it passed H.R. 7977.

Title III provides for an individual approach to the problem of obscene mailings. We are all aware of the personal judgments of what is or what is not obscene, and of the problem of applying one standard for all persons.

The cry of censorship is raised whenever an attempt is made to protect the citizen from the encroachment of obscenity upon his right to privacy.

Title III will avoid the censorship argument since it meets the problem in a direct and responsible way without attempting to establish broad standards applicable to all persons.

Title III would allow the recipient of obscene mail to return it to the Postmaster General with a request that the Postmaster General notify the sender to stop mailings to the addressee or members of his household. If after 30 days from the date of the notice to the sender, the Postmaster General believes that the sender is still sending such mail to the complainant in violation of the notice, a complaint is mailed to the sender and he is given the opportunity for a hearing. If the Postmaster General then finds that the sender is violating the order, he may request the Attorney General to apply for an order of the appropriate Federal district court to enforce compliance. Violation of the court order would be punishable by contempt of court proceedings.

This bill does not establish a Federal censor, but rather leaves the question of what type of material a citizen receives up to him. If he wants to receive obscenity, that is fine. However, this bill would allow the citizen to make this choice.

Title III achieves an effective and equitable balance between the sometimes conflicting free speech rights of the dealers in pornography and the right of privacy of the individual.

It is time that parents and other individuals have the protection from the unwanted filth that is sent through the mails.

On page 38 of the committee's report, the following statement is found:

> The Committee is convinced that no user of the mail has the right to force upon an unwilling recipient the type of mail matter covered by Title III and that the U.S. Post Office is not required to act as the instrumentality by which a mail user, over the objection of the recipient, invades the home and mailbox of a citizen.

I salute the distinguished chairman and the member of the Post Office and Civil Service Committee for coming to grips with this problem.

I urge that all Senators support title III, so that the dealers in filth and obscenity will know exactly where they stand with the U.S. Congress.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes without regard to the rule of germaneness.

The PRESIDING OFFICER. Without objection, it is so ordered.

TURKISH-GREEK CONFRONTATION OVER CYPRUS

Mr. JAVITS. Mr. President, I have just returned from the 13th Annual Conference of the North Atlantic Assembly at Brussels where I was elected chairman of its political committee. Much discussion centered on the present crisis in Cyprus.

For 3 years I have headed the Special Committee for the Less-Developed NATO Countries of the NATO Parliamentarians' Conference—now North Atlantic Assembly—seeking to establish economic cooperation between Greece and Turkey. Our work, which has been financed by the Ford Foundation as well as by other foundations, corporations and individuals and by two foundations in the German Federal Republic, Thuyssen and Volkswagen, has concentrated upon the possibilities of establishing a major land reclamation and irrigation project on the Thracian border between Turkey and Greece along the Meric-Evros River—perhaps even a TVA. Our work has also included cooperation between the public and private sectors of both countries on tourism, fisheries and the marketing of fruits and other agricultural products. The project has had the most sympathetic consideration by the U.S. State Department and by the President and has had the backing of the NATO countries. The work has gone very well and is most promising for both countries. It is a distinct setback to the hopes of the peoples of both countries whenever this work is interrupted.

Now, following the political unsettlement in Greece, there is a threat of war between Greece and Turkey over Cyprus. I have made it an article of faith in my relations with both governments to confine my activities to the economic participation to which I have referred; however, war would be such a disaster for all concerned as well as for the hopes for this project, that I must speak out now.

NATO simply cannot permit a conflict between Greece and Turkey over Cyprus. It would shred the very fabric of NATO, gravely imperil its southern flank, and undermine the security of all Western Europe. In addition, it would dash the hopes, built so greatly upon the tradition of the Venezelos-Ataturk accord consummated 40 years ago, for the economic cooperation project which I have described

From my contacts with the governments concerned—with Premier Demirel, Foreign Minister Caglayangil of Turkey and with their predecessors as well as with the successive Prime Ministers of Greece under parliamentary government—no one recognizes better than I the profundity of the issues involved over Cyprus. Deep and sincere feelings have been aroused, there has been bloodshed and peril. It is my profound conviction that the course being pursued to attain the peace is the right one; that is, an effort to lessen the tension created by the presence of armed forces by phasing them out to bring about a period of tranquillity. In such a period conditions may be restored for a new national determination as to the future constitutional status of Cyprus and its Turkish minority, while at the same time obeying democratic principles by relying upon the ultimate mandate of the people as to the future of Cyprus as a democracy. Tranquillity, and citizens' participation under conditions of tranquillity are the best answer, always remembering that in any free society basic inalienable rights as in the U.S. Constitution's Bill of Rights are guaranteed to all citizens as individuals and as members of a group.

As I believe the efforts of the Secretary General of NATO, Manlio Brozio, the representative of U.N. Secretary General U Thant, Mr. Rolz-Bennett, and the representative of the United States, Cyrus Vance, are being directed toward these objectives, I rise today to express the hope as the respective governments proceed to a peaceful solution that they will have support and respect in their mission and the confidence in their good faith from the people of Turkey and Greece, which they deserve and which those whom they represent deserve.

To the ancient and proud peoples of both Greece and Turkey, I speak in the name of my friendship and respect for them and my service in their interest, that reason prevail over passion and that the courage of forbearance be greater than the courage of the battlefield. All will gain from the success of the peaceful negotiations and from a withdrawal of contending forces, leaving the main peacekeeping role to the U.N. Security Force. All will lose by recourse to violence.

I ask of both peoples of Greece and Turkey, from their friend—and I am their friend, as they well know—as they have done in the past, to their eternal credit, to stand back of peace.

THE RECENT ANTICS OF PRESIDENT DE GAULLE OF FRANCE

Mr. BYRD of West Virginia. Mr. President, I yield myself 5 minutes on the bill.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 5 minutes.

Mr. BYRD of West Virginia. Mr. President, the antics of President Charles de Gaulle of France never cease to amaze me. But I think he outdid even himself this week in the attack he made on the United States, Great Britain, and Canada, and in his call for devaluation of the dollar and a return to the gold standard. It is incredible to me that a man who exists in such a dream world can actually be the head of a modern state.

The dollar will remain unchanged by anything De Gaulle can say or anything that he can do, for his delusions of grandeur have no substance. There has been no rally of gold speculators against the dollar, as he obviously had hoped there would be. There has been no rush to follow his leadership. On the contrary, the reaction to his words has been one of anger, of pity, and of silence.

In his own country, French newspapers have led an outraged attack upon his willful irresponsibility and distortions of reality. In the United States his words have not even been dignified by the White House or the State Department.

But I do not think it amiss, Mr. President, for a member of this body to rise to express his dismay at the mischief that has been done, or attempts to be done by this deluded man. Charles de Gaulle has created an artificial chasm between France and this country that should not exist, for our two nations have been natural allies since France helped us gain our own independence.

As a result of that strong friendship, Mr. President, the Armed Forces of the United States, twice in this century, have rescued France from defeat and disaster. The people of this country felt that they owed a debt of gratitude to the nation that aided us in our infancy, a debt that should be repaid. It is obvious, Mr. President, that President de Gaulle—this vainglorious man whose return to power was made possible by the Allied liberation of France in World War II—shares no such feeling of gratefulness for the aid given his country.

We do not seek gratitude, of course. But how ridiculous De Gaulle's posturings, how offensive to the Americans who stormed the Normandy beaches in 1943 to free France from the Nazi occupation, how disillusioning to the men of an earlier generation who turned the Germans back at Chateau-Thierry and St. Mihiel to save France in World War I.

The glory that was France would be nothing but a hollow dream had the United States not sent its sons to pull France from oblivion in two world wars.

And today America is again sending her sons into Southeast Asia to fill the vacuum created there when a bankrupt France pulled out after its defeat in Vietnam—a defeat that would be repeated in an American defeat if De Gaulle could only have his way.

De Gaulle, of course, knows these things. Perhaps they are what rankle him.

Mr. President, France owes the United States $6.850 billion in unpaid debts from World War I. This is an obligation on which the interest mounts each year. But there has been no move on the part of Charles de Gaulle, the man who would restore the glory of France, to talk about repayment of this debt.

It has been suggested from time to time, Mr. President, that the United States should demand payment of this debt, which has gone unpaid now for more than 40 years.

Perhaps this is unrealistic. But I can see no good reason, in view of the circumstances that President de Gaulle himself has created, not to make the demand. French assets in this country might also be frozen, as has also been suggested, to back up the call for payment.

Charles de Gaulle has clearly shown that he is not a friend of the United States. I do not see any reason why this Government should continue to treat him with kid gloves.

If Charles de Gaulle is as serious about returning to the past as his lofty talk about such things as restoring French nationalism and returning to the gold standard would indicate, let him prepare then also to shoulder France's rightful responsibilities as well as flaunt its fancied glory.

Let France pay its debt to the United States of America.

America has pulled the chestnuts of France out of the fire twice in this century.

Let De Gaulle remember.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on November 28, 1967, the President had approved and signed the joint resolution (S.J. Res. 26) designating February 1968 as "American History Month."

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

EXPANDING THE ROLE OF MEDICAL UNIVERSITIES

Mr. HARRIS. Mr. President, more and more Americans are becoming aware that, if our country is to meet its changing and growing domestic problems, its universities must be given and must assume an expanded role of serving the larger community.

In no field of concern is this more true than in the field of health. We in Oklahoma, therefore, have been very proud of the plans and activities of the University of Oklahoma Medical School under the distinguished leadership of its dean, Dr. James L. Dennis, M.D.

A recent article by him entitled "The Role of the Medical School in Health Care in Oklahoma," which was published in the October 30, 1967, issue of the Journal of the American Medical Association, speaks eloquently of the evolving relationships between the University of Oklahoma Medical Center and its State community.

Dr. Dennis writes that:

> The mission of the medical center is to serve mankind (society).

Believing that it will be of interest and value to other Senators, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE MEDICAL SCHOOL IN HEALTH CARE IN OKLAHOMA—A CASE STUDY

(By James J. Dennis, M.D.)

The broad and diverse activities associated with a modern university school of medicine are commonly described under the term "medical center." I have been asked to present a "case study" of the evolving relationships of the University of Oklahoma Medical Center to its state community.

CASE PRESENTATION

In the fall of 1964, I was introduced to the problems of this 50-year-old "institutional patient." Using the traditional medical approach, I would describe the case as follows:

Chief Complaint.—Anxiety, fatigue, loneliness, and a sense of having been abandoned by the parent community.

Present Illness.—The present illness appears to have had its onset about 15 years ago, when a full-time clinical faculty began to replace the voluntary faculty. Although this transition appears to have been accomplished with a minimum of sibling rivalry, this was at least partially due to an almost passive withdrawal from any major consideration that might have precipitated an abrasive confrontation with practicing physicians. The peace and comfort of isolation was at the price of a loss of communication with the parent community. In spite of minimum local support, the patient, thrived and grew for some time, largely because of an explosion of scientific knowledge that had permitted a talented faculty to attract impressive federal support for categorical efforts in research. During the same period of time, as elsewhere, new knowledge and technology had generated an acceleration in the numbers of physicians who chose to enter one of the specialties, with a concommitant decline in those choosing to enter family or general practice. The social impact of these developments has been aggravated by a significant shift of population from rural to urban centers. A shortage of physicians and health services in small communities and rural areas had caused rural citizens, who no longer had family doctors, to complain to their "family legislators." The responses of a rurally dominated legislature were less than adequate.

Many citizens, many legislators, and even many physicians attributed all health service deficits to trends in medical education. The medical center was accused of overemphasizing specialization, downgrading family medicine, and of devoting its interest and energies to research with "teachers who do not teach." The fact that these allegations represented false conclusions, based on assumptions, did not alter the reality of a pervading public attitude, an attitude that seemed to preclude the development of an environment essential to stability and normal growth and development.

History.—The most pertinent aspect of the past is the status of the university hospitals, built 50 years ago as "indigent and charity" institutions. Although long since designated teaching hospitals, the indigent image remained, hence there had been few real relationships with the average citizen and none with the more influential and affluential citizens, who regarded the hospitals as a place where their tax dollars were siphoned off to support welfare patients. In effect, the state's only university medical center had never been able to develop meaningful relations with a great majority of people who compose the parent community.

Diagnostic Impressions.—These include (1) parent (community) deprivation syndrome, (2) latent sibling rivalry, (3) malnutrition, (4) isolation, withdrawal, and failure to perform at the level of capabilities.

Prognosis.—Prognosis is excellent; potentials are great. A loyal core faculty requires only parent community support to perform at exemplary levels of excellence. This is dependent, however, on their ability to reestablish rapport with the parent community and with professional siblings.

RECOMMENDATIONS

When faced by such vexing problems, it is time to return to fundamentals. What is the purpose of the school of medicine and its related activities? I posed this question to a few prominent citizens, state officials, students, and faculty members. Except for faculty and some students, all expressed a myopic opinion that the school existed for one reason, "to produce practicing physicians." The faculty was more idealistic, but less precise. Many referred to such familiar cliches as "the pursuit of excellence" and "education, research, and service." The comfortable and simple statements were thoughtfully reviewed.

Research and perhaps education may constitute goals in themselves for certain individuals, e.g., the pure scientist and directors of educational programs. For the parent institution, however, education and research represent functions, not goals. It is possible to teach and to search on an uncharted course.

After much deliberation, we came up with the following concepts: *The mission of the medical center is to serve mankind (society)*; this is to be accomplished by fulfilling academic and medical-social responsibilities. *Our academic responsibility* is to nurture an environment of excellence in biomedical education and research, hence, contribute to the advancement and the communication of knowledge and technology in biomedical sicences. Our medical-social responsibility is to conduct academic affairs in harmony with the needs, expectations, and goals of our society. We proposed that this be accomplished by (1) an increased sensitivity to the primacy of obligations to our students and to the dignity of our patients; (2) the prevention of obsolescence in trained health personnel by planned continuity in the transmission of new knowledge and technology to the state community; (3) to develop programs designed to meet public needs by the application of the principles of investigation to the growing problems of the health care system; (4) the evolution of pilot programs concerned with the synthesis, demonstration, and exploration of improved methods for the delivery of health care and the development of health manpower; and (5) coordination and cooperation with the private and public sectors of the health professions in the pursuit of our common goals. To pursue these goals in a role of consultative leadership, as servants—not master, and with a contrived avoidance of commitments that might involve the faculty in the delivery of mass health services to the public.

In spite of assurances that our actions were to be governed by a primary concern with the need to preserve the integrity of private practice on the one hand and the sanctity of academic excellence on the other, these proposals posed threats to practitioners and to faculty alike. Practitioners were certain of a diabolical scheme to encroach on private practice, and some faculty were terrified at the thought that they might become involved in the delivery of mass health services. Academic freedoms and freedoms of practice are both precious trusts, but they are privileges—and both can be lost if we fail to work together in a constructive anticipation of the needs and expectations of a demanding public.

Having recognized a responsibility to examine institutional academic efforts in relation to the needs of our state society, we then established the position of associate dean of planning and development and engaged the consultative services of Lester Gorsline and Associates, professional medical center planners. Long-range plans based on intramural functions, needs, and goals have evolved and are being coordinated with plans that relate to extramural medical-social responsibilities.

If we are to relate to needs, the identification of needs becomes elementary. Even a cursory preliminary examination indicated critical deficits and a maldistribution of health manpower in Oklahoma. The shortage of physicians is probably the least of these. Others include dentists, dental hygienists and assistants, therapists, technologists, technicians, nurses, psychologists, hospital administrators, public health nurses, health administrators, dietitians, medical-social workers—in fact, all kinds of allied health personnel. Since the university medical center is the "fountain head" for the production of these people, our challenge seemed very clear.

With these "blueprints" for action, we were ready to approach the formidable problem of enlisting the active support of faculty, influential citizens, and our professional colleagues. Our approach was based on the philosophy that Oklahoma's growing health needs could only be met by the combined efforts of our citizens, our practicing profession, our private hospitals, our local, state, and federal health agencies, and the university's medical center. Such a mutual effort is possible only if the medical center will relate its efforts to the state community's needs and provide the leadership essential for the mobilization of public support.

In conformity with this philosophy, we proposed a new concept for the redevelopment of the medical center as a comprehensive Oklahoma health center in which the university facilities would provide the core programs but would be only one of the many separately governed private and public institutions, hence meaningful to all segments of our state society.

From the beginning, there was the obvious necessity to mobilize, rather than further divide, the potential strengths of our physicians, faculty, health departments, community hospitals, voluntary agencies, government agencies, and our most influential citizenry. We envision the Oklahoma health center as one which will accept the medical-social responsibility of relating education, training, research, and service programs to statewide needs.

COORDINATION

To coordinate the Oklahoma health center and to insure broad goals and a continuing "public conscience" we proposed that an "umbrella" nonprofit corporation, comprised of "blue ribbon" citizens representing every section of the state be formed to provide a coordinating body for the greater Oklahoma health center. The success of this approach became assured when 40 of the state's leading citizens agreed to establish the coordinating "umbrella" body for the projected multi-institutional health center, incorporating as the Oklahoma Health Science Foundation.

The goals of the foundation are many but can succinctly be described as follows: to attract, encourage, and assist private and public institutions and agencies related to the public health, health science education, biomedical research, and exemplary patient care to locate in a functional relationship to the University of Oklahoma Medical Center, according to a master plan, and in so doing to encourage a "unity of diversity" in efforts to meet the health-science manpower needs of all the people of Oklahoma.

Such a proposal could be expected to create acute anxieties in the faculty as well as in physicians in practice. For different reasons, both have justifiable fears that in assuming broad community responsibilities the medical center would become a primary source for the dispensation of mass health services. To the academician this would pose the threats of a dilution of his educational and research interests, would necessarily obstruct what the academician likes to call "the pursuit of excellence." To the physician, the program suggested just one more encroachment on private practice. These things cannot be permitted to happen. Surely academic excellence is not incompatible with medical-social responsibility nor with the private practice of medicine. We projected the basic concept that the medical center effort would be confined to leadership in the development of improved methods of care, extension and application of new knowledge and technology, and in assistance to community hospitals in their efforts to gird up their own programs for the production of health manpower.

We approached the physicians of our state with an invitation to join with us in a mutual effort "to serve the health needs of our people," knowing full well that any physician worthy of his name would react to such a charge in a manner appropriate to the best interests of the public, provided he be given the opportunity to say "yes," that he not be forced to submit to unilateral planning, that he is not humiliated and that his professional rights and code of ethics are respected. They have responded in an intelligent, responsible, and positive manner.

The physicians of Oklahoma may conservatively be "conservative." Their reactions have convinced me that those who plan and administer health programs can more readily accomplish their goals if they will provide a more thoughtful and empathic consideration for the physicians who must deliver the services.

How did we approach the faculty? In the same manner, with an appeal for an examination of our activities in relation to "the needs of our people." With full assurances for the protection of academic goals, we moved into position to assume a meaningful role in our state community.

At the present time, the Presbyterian, and Mercy Hospitals, two major private hospitals, the Oklahoma State Department of Public Health, the Oklahoma county and city health departments, the Oklahoma Medical Research Foundation, the Veterans Administration Hospital, and all of the many University medical center facilities are committed to locate in geographic proximity to this cooperative effort. All institutions will affiliate in educational, training, and research programs. Interinstitutional affairs are resolved horizontally in the "operations committee," composed of the administrative heads of each participating institution. This committee has agreed to study the feasibility of the many central services that could be utilized in common. These services include such things as a single power and utility plant, one laundry, parking and grounds maintenance, library and computer facilities, emergency room, selected laboratory facilities, and about 20 other possibilities. The central services will be built by the nonprofit "umbrella" citizens group, who compose the Oklahoma Health Science Foundation. This arrangement provides great economy in capital expenditures to the center's institutions.

The day-to-day interinstitutional problems, as well as coordinated planning for the health center, are responsibilities of the operations committee. Problems are resolved horizontally. Once concensus is achieved, the individual members take recommendations to their respective governing boards and to the health science foundation for final approval.

If nothing else has been accomplished, these efforts have produced unprecedented unity of spirit and an understanding that bodes well for the future. It has already produced a change in the image of the profession in the state.

NEW PROGRAMS

The university is developing several programs that have great appeal to the public and to physicians alike. These include the following:

1. A new *division of family medicine,* a pilot program to explore and evaluate the contents of family medicine. This activity will be housed in a separate and especially designed model community clinic that is purposely located separately from the university clinics. Trainees in family medicine will not rotate through the traditional services, but will, when indicated, go with their patient in whatever service is required—if surgery, they will "scrub up." When the patient requires a specialty consultation, the trainee must make the appointment in the appropriate specialty clinic as he would in practice, then accompany the patient, hence learn from the consultation. This arrangement does not disrupt the traditional university specialty clinics and rotations, and has been welcomed by the faculty. If a trainee wishes extra training in a specialty area, he will have opportunities in elective times later in his training. He will make house calls and will be exposed to the business aspects of a practice. Practicing "family doctors" will staff the family medicine clinic under the direction of a full time director.

2. *Project responsibility,* a pilot program in rural health will relate to the family medicine program, described in detail in THE JOURNAL *of the American Medical Association* (197:339 [Aug 1] 1966).

The objective is to meet a major medical social responsibility by (*a*) exploration of methods for making rural practice of scientific medicine attractive to young physicians; (*b*) the evaluation of health service and health science personnel needs in rural areas (Oklahoma); (*c*) the development of a pilot health program based on needs (analogous to the agricultural experiment station concept), a utilization of a group practice—community health clinic in a rural setting as a base for the study and improvement of methods in the packaging and delivery of health services; (*d*) the utilization of such a program to assist in the development of curriculum, training, and applied research in family medicine, the provision of medical school leadership in mobilizing not only their own talents but those of private citizens, private agencies, public agencies, and organized medicine in a cooperative effort to produce the health science personnel needs of rural communities.

3. *The health manpower intelligence facility,* a permanent program established for perpetual inventory of health manpower in the region, to provide the basis for a planned production of appropriate numbers and kinds of health manpower.

4. *The regional medical program* (which in our state embraces, and is embraced by the entire Oklahoma health center concept) will offer essential support for the planned statewide relationships with physicians and allied health personnel in community hospitals and other health programs.

5. The establishment of a *school of dentistry.* Surveys reveal that Oklahoma has only 850 dentists for 2,500,000 persons, and more than half of these are located in two cities. Over 200 young Oklahomans are in dental schools in other states at this time—enough to fill a new dental college.

6. *A school of public health* and a *school of allied health,* both geared to the production of the numbers and kinds of allied health workers that are needed and are now almost nonexistent in the state.

7. Formal organization of graduate education into a *graduate college in the biomedical sciences* with its own dean and budget. We were surprised to find that we have 256 graduate students in the basic sciences, all buried in the medical student education programs and budgets. The graduate college is envisioned as a protected core of academic excellence, where scientists and researchers can be protected from the vicissitudes of public pressures and undergraduate teaching responsibilities.

CONCLUSIONS

The programs projected provide answers to the necessity to react to the challenge of medical-social responsibility in a manner that will preserve the traditional American freedoms of practice and education as well as the enhancement of academic excellence.

RECRUITMENT, TRAINING, AND USE OF WELFARE RECIPIENTS UNDER THE SOCIAL SECURITY PROGRAM

Mr. HARRIS. Mr. President, on other occasions I have spoken in the Senate concerning amendments Nos. 400 and 401, which I authored with other Senators and which were adopted by the Senate Finance Committee during its consideration of the social security bill, H.R. 12080. The amendments require each State welfare plan to provide for the recruitment, training, and use of welfare recipients as subprofessional "community service aids" and also for recruitment, training, and use of nonpaid or partially paid "social service volunteers," and direct the Secretary of Health, Education, and Welfare to study and recommend how the State welfare systems may become more activist on behalf of the poor. By letter, the director of public welfare in Oklahoma, Mr. L. E. Rader, has endorsed these amendments, now pending in conference, and I ask unanimous consent the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF OKLAHOMA, OKLAHOMA
PUBLIC WELFARE COMMISSION,
DEPARTMENT OF PUBLIC WELFARE,
Oklahoma City, Okla., November 21, 1967.
Hon. FRED R. HARRIS,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HARRIS: We were much interested to note that both of your proposed amendments (Nos. 400 and 401) were incorporated in H.R. 12080, the "Social Security Amendments of 1967," as that bill was reported out by the Senate Committee on Finance. If enacted into law, and properly implemented, these proposed amendments would, in our opinion, serve to improve and clarify the administration of the public assistance programs.

One of the proposed amendments, incorporated as Section 209 of H.R. 12080, as reported by the Senate Committee on Finance, would provide for use of subprofessional staff and volunteers in providing services to individuals applying for and receiving assistance. In view of the shortage of trained professional social workers, now and in the foreseeable future, we think that a need exists to use other levels of personnel, including the use of paid subprofessional staff as "community service aides" as provided in the proposed amendment. To ease the manpower shortage, use could be made also of "nonpaid or partially paid volunteers" as provided in the proposed amendment. Given proper orientation and training, members of both groups could make a positive contribution to the assistance programs. Such members would be drawn, we assume, from individuals who would be free to engage in such duties without in any way interfering with their obligations to their own families.

The other proposed amendment, Section 250 of H.R. 12080, as reported, would, we note, direct the Secretary of Health, Education, and Welfare to "make a study of and recommendations concerning the means by which and the extent to which the staff of State public welfare agencies may better serve, advise, and assist applicants for or recipients of aid or assistance in securing the full protection of local, State, and Federal health, housing, and related laws and in helping them make most effective use of public assistance and other programs in the community and the extent to which the State public assistance, medical assistance or related programs may be used as a means of enforcing local, State, and Federal health, housing, and related laws." The Secretary would report his findings and recommendations, including the necessary changes in the Social Security Act, to Congress by July 1, 1969. Such study would, in our opinion, clarify certain questions which should be clarified before staffs of State public welfare agencies are asked to assume a more active role in matters in the fields of health, housing, and related laws, as such matters affect the applicants for and recipients of assistance.

The proposed amendments are constructive and clarifying in nature, and you should, we think, be commended for advancing them.

Very truly yours,

L. E. RADER,
Director of Public Welfare.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

AMENDMENT NO. 472

Mr. **WILLIAMS** of Delaware. Mr. President, I call up my amendment No. 472.

The **PRESIDING OFFICER**. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 132, line 20, after the period insert the following: "Notwithstanding the amendment made by this subsection, the basic pay of the Chairman and members of the Subversive Activities Control Board shall continue at the rate in effect immediately prior to the effective date of such amendment until otherwise provided by law."

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time not be charged against either side.

The **PRESIDING OFFICER**. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **WILLIAMS** of Delaware. Mr. President, I yield myself 5 minutes on the amendment.

Mr. President, I cannot conceive of their being any objection to this amendment. Much has been said that the purpose of this bill is to establish comparability; that is, to provide comparable pay for public officials to that which they would be receiving in private industry.

In this particular situation, as I pointed out several weeks ago, we have the Subversive Activities Control Board, which is composed of five members who are being paid $26,000 a year. The fact is not disputed that for 17 months the members of this Board have not had one single duty assigned to them.

I talked with one of the members who came to my office, and he confirmed the fact not only that they had not had any duties assigned to them but there was no possibility under existing law that they could have any duties assigned to them until after Congress had taken action, legislatively, to assign them such duties.

The Senate acted on this matter. I supported it, but as yet that bill has not become law. Under these circumstances these men for 17 months have been drawing $26,000 a year for doing nothing except cashing their checks. They are doing nothing now and will continue to have nothing to do until Congress assigns them duties. Now this bill proposes to raise the salaries of the members of that Board by $2,000 for continuing to do nothing.

As I stated before, I supported the bill of the Senator from Illinois to confer upon this Board certain duties, but that bill has not as yet become law.

Under this amendment, when and if that bill becomes law Congress can then, if it thinks the members of the Board deserve it, increase their salaries; but until that time the very least we can do is freeze their salaries at the existing $26,000 level.

Frankly, if we carried out all the arguments that have been made on the floor of the Senate to establish comparability, in this particular case we would do away with their salaries entirely, because I cannot conceive of any well-managed business organization in America carrying on its payroll five men at $26,000 a year when they walk into the management's office and say, "For 17 months we have not done anything. We have not had a single job to perform. There is nothing we can perform if the board of directors takes no action to assign us some duties." As yet the board of directors, or Congress, has taken no action. The only action being taken now is to raise their salaries by $2,000.

Mr. President, I hope the amendment is accepted. As I stated before, when and if the previous bill becomes the law we can then consider the need for raising their salaries.

Mr. **DIRKSEN**. Mr. President, is the time rationed?

Mr. **MONRONEY**. It is on the amendment.

I yield 5 minutes to the Senator from Illinois.

Mr. **DIRKSEN**. Mr. President, to adopt this amendment would be the most curious action the U.S. Senate could take. I fought through for the Subversive Activities Control Board because it is the only Board in Government we have that deals with the Communist conspiracy and subversive activities. It is up to the Attorney General, under the basic law which was passed in 1951, to petition that Board and send those cases there. The Attorney General appeared before the committee and said there were 100 organizations which ought to be cited to that Board. If the Board has not any business for the moment, whose fault is it?

First of all, the Supreme Court, in the sense that they saw fit to interpret the 1951 law with respect to compulsory self-confession. But Congress is not without culpability, because it has persistently jockeyed on this thing for months and months; and we are still jockeying around and not finishing that legislation. We sought to amend the basic act in every particular to meet the decisions of the Supreme Court; for it was up to Congress to so modify the law that the Board could then act, without requiring compulsory self-confession from either an organization or an individual.

Why has not Congress acted? I do not know. There is a peculiar kind of inertia that settles upon this body, as well as upon other legislative bodies, and they push it off and do not act. But that is not the fault of the Board, so why penalize the Board for the laches, the negligence, and the laxity that has occurred here on Capitol Hill, and for our failure to take steps to meet this threat that is so evident in the land?

The amendment should be rejected, because, in my judgment, it is absolutely punitive, it is discriminatory, it is partial, and it singles out one board that is ready to do its job fully, if Congress will only undertake its responsibility under the law and do what it ought to do.

I hope the amendment will be defeated.

Mr. MONRONEY. Mr. President, this amendment would reach into a blanket amendment that elevated some 100 positions in executive level 5 from $26,000 to $28,000 a year. The amendment of the distinguished senior Senator from Delaware would, as the distinguished minority leader has pointed out, block out two people, and put them back outside. I do not know what level they would then be in, because the amendment does not, I believe, put such positions in the regular salary scale.

I would think, since Congress has just recently voted and established its intent to maintain the Subversive Activities Control Board, that we are on the way to providing them with active duties again; and I, for one, would hate to lose good men by punishing them in this way, by making them the only two men of about 100 to be selected out.

I do not care to take any more time; I am ready to yield back the remainder of my time, if the Senator from Delaware is ready to yield back his, and we will vote.

Mr. WILLIAMS of Delaware. Mr. President, I shall yield back my time in just a moment.

From my point of view, my amendment does not discriminate against the members of this Board. If it does I am sure there are a great many people who would like to have such discrimination practiced upon them.

No one disputes the fact that for the last 17 months this Board has not performed one single duty. As I have stated, one of the members of the Board, in my office, confirmed that fact. He said, "It is embarrassing; all I do is collect my check and cash it." That is all he has done for 17 months.

It is true that the Senate has passed a bill sponsored by the Senator from Illinois to give the Board some duties. I supported that bill. But it is also true that the bill has not been acted upon in the House of Representatives and is not now the law. Until it does become law the Board has no duties.

I am just as much against communism as any Senator, but we are not fighting communism by carrying, not two but five people on the payroll at $26,000 a year for 2 years with no duties to perform. If that is the best way we can find to fight communism we had better give up the fight.

All I propose in this amendment is that the salaries remain at $26,000 a year until such time as Congress acts to give them some duties. The Senator from Oklahoma has appealed most eloquently for comparability between Government service and private employment. I ask him to name one industry in America, one private employer who after having five people on its payroll for 17 months with no duties, would say to them, "We are going to raise you $2,000 a year so you can buy some more pinochle cards." Or perhaps they are tired of playing pinochle and want a chess board or something.

If it is the desire of Congress to give them duties let us first assign them some duties, but I feel that until we do assign them duties the least we can do is not raise their pay. Otherwise, let us forget about talking comparability, because I say again, no industry in America would be so foolish as to follow the action now proposed in the Senate insofar as it affects this Board.

Mr. MONRONEY. Mr. President, I yield myself 1 minute.

If, as the distinguished Senator from Delaware thinks, they have nothing to do, the proper amendment would be, not to give them a slap on the wrist by refusing to elevate their salary along with all the other employees of executive grade 5, but to abolish all five positions, and really save some money. Why do we not get into the big business of saving money, and offer a substitute amendment? If the members of the board have nothing to do, let us take them off the payroll.

Mr. WILLIAMS of Delaware. I might say to the Senator from Oklahoma and the Senator from Illinois, I believe that is an excellent suggestion. I tried to do that several weeks ago, and the Senator from Oklahoma and his colleague voted against it. That fight is over; I lost it. Now we have reached the point where we must decide whether we want to raise them $2,000 a year because their $26,000 is not quite adequate, on the basis of comparable pay for sitting in an office for 17 months doing nothing.

I concede that that is probably not a very pleasant task. Perhaps they need a raise for I suspect that just sitting there looking at the four walls for 17 months or just reporting in once a day, may be growing somewhat boring, and perhaps some Senators think this do-nothing job is irksome enough to entitle them to $2,000 more.

But I happen to be one taxpayer who thinks $26,000 a year for doing nothing is more than adequate pay.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. If and when the House passes the Dirksen bill, what will the effect of the Senator's amendment be regarding the right of those members of the Board to receive the additional $2,000?

Mr. WILLIAMS of Delaware. If that bill goes into effect later?

Mr. LAUSCHE. Yes.

Mr. WILLIAMS of Delaware. If the bill giving them duties goes into effect later Congress can if it wishes raise them at that time.

But if we do not pass the law giving them some duties, then, by all means, the very least we can do is not raise the salaries above the $26,000 level.

We have crossed the bridge of whether or not we are going to keep them on the payroll. That was settled some time ago. As I have stated, I supported the bill sponsored by the Senator from Illinois to assign them duties. But no one disputes the fact that they do not have duties.

If that were solely the fault of the Attorney General of the United States I would say let us get rid of the Attorney General, but he has already stated that he feels he cannot assign them any duties until Congress acts.

So let us not pass the buck to the Attorney General. Let us accept responsibility right here where it belongs. We speak about the increased cost of living and inflation, but I do not see how we can justify a $2,000 per year increase for five men to pay them to continue doing nothing.

I am willing to yield back the remainder of my time and vote if the Senator is.

Mr. MONRONEY. I yield 2 minutes to the distinguished senior Senator from Illinois.

Mr. WILLIAMS of Delaware. Then I withhold my time.

Mr. DIRKSEN. Mr. President, to pass this amendment would be to invite something like an elevator operation, because there is no question but that this bill will be enacted into law. Then what? Then we will be doing again what we are doing in this bill; we will be in duty bound to come back and raise these salaries. How long will it take? Well, we will stumble around with it for quite some time. Then there will be the question of whether we want to date them back, and make it retroactive; watch and see what kind of argument is made on that point, on the floor of the Senate.

I still insist that this is a punitive proposal, and should not be adopted against a board that is ready, able, and willing to do its duty.

It is an overstatement to say that they do exactly nothing, because they have masses of evidence and testimony to be analyzed, and there is a considerable workload pending before the board, even though no new matters are presently being referred.

Mr. MONRONEY. Mr. President, I am prepared to yield back the remainder of my time if the distinguished senior Senator from Delaware is prepared to do so.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself a half minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for one-half minute.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Illinois said that if we agree to the pending amendment and later some duties are conferred on this board and an attempt is made to establish retroactive pay for the Board members there would be a fight on the floor. That is the underestimate of the year.

Certainly the Senator will not propose retroactive pay for the five Board members who are now drawing a salary of $26,000 a year for doing nothing.

Why give retroactive pay to the five Board members who already receive $26,000 a year for doing nothing. I repeat, the Board has no duties at present, it has had no duties for 17 months, and it will have no duties until Congress acts affirmatively on the bill now in the House.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER] and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Connecticut [Mr. DODD] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Iowa [Mr. MILLER] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Colorado [Mr. ALLOTT] is detained on official business.

If present and voting the Senator from Texas [Mr. TOWER] would vote "nay."

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 26, nays 61, as follows:

[No. 356 Leg.]

YEAS—26

Bennett
Byrd, Va.
Cannon
Clark
Curtis
Dominick
Gore
Griffin
Hansen
Hatfield
Jordan, Idaho
Lausche
Morse
Morton
Moss
Nelson
Pearson
Percy
Prouty
Proxmire
Ribicoff
Russell
Spong
Thurmond
Williams, Del.
Young, Ohio

NAYS—61

Aiken
Anderson
Baker
Bartlett
Bayh
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, W. Va.
Carlson
Case
Church
Cotton
Dirksen
Eastland
Ervin
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
Metcalf
Mondale
Monroney
Montoya
Mundt
Murphy
Muskie
Pastore
Pell
Randolph
Smathers
Smith
Sparkman
Stennis
Talmadge
Tydings
Yarborough
Young, N. Dak.

NOT VOTING—13

Allott
Cooper
Dodd
Ellender
Fulbright
McCarthy
McGee
McIntyre
Miller
Scott
Symington
Tower
Williams, N.J.

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mrs. SMITH. Mr. President, I send an amendment to the desk and ask that it be read.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing her right to the floor?

Mrs. SMITH. I yield.

Mr. MANSFIELD. So that I may suggest the absence of a quorum, in accordance with the previous agreement, and it will be a live quorum.

Mrs. SMITH. And not taken out of the time?

Mr. MANSFIELD. Not taken out of the time of either side.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). First, the amendment will be stated.

The LEGISLATIVE CLERK. On page 130, line 22, after the first quotation mark and before the second quotation mark, strike the numbers "25,568" and insert in lieu thereof the numbers "27,055."

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, with the consent of the distinguished Senator from Maine, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

How much time does the Senator yield?

Mr. PASTORE. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mrs. SMITH. I yield myself 5 minutes.

Mr. President, I ask for a live quorum, since this is of direct interest to every Member of the Senate, and I thought that the Members of the Senate should know what is involved.

Mr. President, the two top majority members of the Senate Post Office and Civil Service Committee yesterday made two very significant statements with respect to the pay bill now before us.

The chairman of the committee, the distinguished senior Senator from Oklahoma, stated:

> I am getting a little sick and tired of two or three Members being afraid we might recognize the legislative branch as a coequal branch and deserving of coequal treatment. This is a case in point.

Mr. President, I, too, am getting a little sick and tired of some Members being afraid we might recognize the legislative branch as a coequal branch and deserving of coequal treatment. But the very bill reported out by the Post Office and Civil Service Committee does the very thing about which the chairman of that committee complains.

It does it against our own top staff members because it places a pay ceiling on our own top staff members at a level of nearly $1,500 below that of the pay ceiling set for the classified workers in the executive branch. This is surely not making the legislative branch a coequal branch and deserving of coequal treatment as far as our top staff members are concerned.

To the contrary, it degrades and belittles our top staff members and makes second-class employees when compared to the employees of the executive branch.

Mr. President, if we are in righteous indignation to demand coequal treatment for ourselves as Members or for former Members, then surely in all consistency and good conscience we should demand the same for our own top staff members instead of degrading them into "second class" status as we have done for so many years.

Mr. President, I have said this repeatedly for many, many years, yet both the Post Office and Civil Service Committee and the Appropriations Committee have continued to give this second class treatment to our top staff members—both those of the Senators and of the committee staffs. My pleas have fallen on deaf ears.

One rather calloused answer that has been made to my pleas through the years has been: "Well, the top members of our staffs are not forced to stay here. They can leave and get better pay downtown in the executive branch if they want to. We have not chained them as slave labor to stay here against their own will."

This brings me to the very significant statement made by the No. 2 majority member of the Post Office and Civil Service Committee, the distinguished senior Senator from Texas. He said in debate yesterday:

> We can have an employee here as a congressional employee, working in our office or for a committee for 25 years. Then he can go the executive branch and work 6 years for a salary of $27,000. And that is not a high salary in the executive branch. That would be a high salary for our employees here, but not downtown. That man could get a GS-18, and many of them do. The Senators know how the executive branch bleeds our competent employees away from us. . . . We will not have Congress treated as a coequal branch of the Government unless we are willing to treat ourselves as being equal with members of the executive department.

Well, Mr. President, I ask, "How about treating our top staff members as being equal with the top GS-18 employees of the executive department?"

When we complain about coequal treatment and about the executive branch bleeding our competent employees away from us are we really serious? Do we really mean what we say? Are we willing to put into practice what we claim we preach? Are we willing to stop penalizing those top staff members whose loyalty to us and to the Senate is so great that they cannot be lured away by the executive branch?

Mr. President, I think it is about time for us to declare ourselves one way or the other. I think it is about time that we stood up and be counted on this matter one way or the other.

I, for one, am not going to ask for more coequal treatment for myself than for our top staff members—for more coequal treatment in the event that I should later become a member of the executive branch. That is why I voted for the Williams amendment yesterday.

But, Mr. President, I have concluded that such is not enough for registering my protest against this second-class treatment we give to our top staff employees. And so I am offering an amendment to make the legislative employee pay ceiling coequal with that of the executive employee pay ceiling.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MONRONEY. I deeply regret the necessity of opposing the amendment of one of the grandest Members of the Senate that anyone could ever have served with, a lady who is a faithful, dedicated, and knowledgeable member of the Committee on Appropriations and the Committee on Armed Services. I respect the great workload that the distinguished Senator carries.

Mr. President, I, too, am devoted to our staff. I claim credit, along with the late Senator Bob La Follette, in elevating them to professional status. When I served on the Committee on Banking and Currency in the House we handled such matters as price control, and we set up Bretton Woods, and we had as our only staff assistant a retired rural mail carrier. We have gone from that situation to what I think is a dignified, competent, and capable professional staff.

I would like, but I do not want, to upset the balance in this body that goes along with the various levels of status. I repeat that word "status." Senators occupy a status of which we are proud. Unfortunately, because of that status our other employees come below in what we call compressibility as other salaries are raised. As they near the salaries of Senators we try to keep a little gap between them and us. This requires maintaining at least a percentage gap that exists between other layers of the officers of the Senate, members of our committee staffs, and our administrative assistants.

Having gone through this two or three times, it is not an easy job to try to prepare against a mistake in compressibility, in having employees of the Senate actually netting more salary than Senators because of their lack of expenses, which everyone knows a Senator must provide, but we tried to arrange the various levels as best we could. After a unanimous vote from the committee, which followed lengthy discussions, we fixed a limit at which other salaries of Senate employees would approach the salaries of Senators.

I think this degree of difference is necessary. It is not necessarily because of prestige but because it is required to maintain some difference between our employees and Senators.

With unanimous consent, the committee fixed a rate of $28,000 as the top salary for all Senate employees. That amount would go to the principal employees, and it applies to the three senior officers of the Senate: the Legislative Counsel, the Secretary of the Senate, and the Sergeant at Arms. These are our executive officers. These salaries should be fixed at $28,000.

The next level would be the salaries paid for the Parliamentarian, financial clerk, and others above the committee level. I think there are three or four of those people who would be compensated at a rate not higher than $27,000.

The general maximum now established by law is $24,480, which should not be increased to a figure greater than $26,000. We try to do this to maintain a degree of difference percentagewise because we could not afford to disregard the time-honored rank of the different groups of our official Senate staff.

On the side of our staff members in our offices, and in connection with the Senate staff, I, too, regret that we do not have comparability with Members of the House of Representatives, but only as it relates to the committee staff in the House.

Today we pay our committee staff as follows: The Chief Clerk is paid at the rate up to $24,480. Under the first step of this pay bill, that sum would go up to $25,568, which is the 4.5-percent increase that all members of the executive department get in that grade, which is comparable and, therefore, they will have a raise next year, it is contemplated, and the 1968 step will take place and they will raise to not more than $26,000.

It is true that the House of Representatives has a $27,055 top for its committee chief of staff, while our committee chief of staff, as I said, will reach the level of $25,568.

The House of Representatives sets its figures, and we set our figures. I might point out that there is a difference in the salaries of staff members in our offices. If comparability works one way, it must work both ways. I might point out that House staff administrative assistants compared with ours are paid $21,504. Yet our top salary is $24,480. Therefore, there is a difference on the low side in the House for administrative assistants. The difference is just about comparable with the difference in the House on the high side and a little bit on the low side in committee. I admit it would be fine if we could make these salaries uniform.

I believe that the House moved its figure upward for committee staffs, so we are in some disagreement. I do not feel we can conscientiously move both groups of employees up to $27,055, which would be a 9-percent raise from that which they are getting today when we are giving the rest of the Government a 4.5-percent increase, and not have it pointed out that we did twice as much for our employees as we were willing to do for the hundreds of thousands of general service employees downtown, all of whom get a limit of 4.5 percent increase.

Mr. President, I will respectfully ask, with all due appreciation for the rescheduling of these difficult jobs, that we not encumber the bill at this time with a 9-percent raise which would bring up the men and women who work under us—and they are very faithful. They undoubtedly will come up another 3 or 4 percent to be above the $28,000 automatically next year if they are included beyond the limit we set.

I feel this compressibility may affect people who may be doing more work than I am doing, but certainly they do not have the responsibility for returning to their home States as we do, which it is essential that every Senator should do. Most of the people I know—and I do not think I have been unkind—do not think the committee has been niggardly with the Senate staff. I know that in the reorganization program we tried to rescale many of these. It was our bill which the Senate passed and now rests in limbo in the House. I do not know what will happen. This is a matter on which I do not think anyone will be hurt by the $25,568 salary from the $24,480 for our committee staffs. Let me again say that comparability does not exist here, if we consider our own personal staff which involves 100 at least for the Senate, and involves 435 for the House where we exceed their top limit of $21,504 and our figure of $24,480, both of which, under the bill, will go up by 4.5 percent and not by the 9 percent which is proposed by the amendment.

With all due respect, as tender a household matter as this has become, I think we must realize that we, too, should be restrained in our demands for pay increases. I think we have been as liberal as we can. We have observed as we must, the traditional status of the various offices below those of others, to keep some kind of recognized and historic differential between those who run the Senate; namely, the top three officers, the Legislative Counsel, the Sergeant at Arms, and the Secretary, on down through to the various groups, the Financial Clerk, and officers of that kind, which are carefully scaled down today by a percentage difference that is maintained in our traditional staffs. This would upset the whole balance. I do not think it would be wise or should be insisted upon by the men who serve us.

Mr. CARLSON. Mr. President, I support the position the chairman has taken in regard to the proposed increase for the heads of staffs of Members of Congress. As he well knows, we spent hours and hours studying this problem. There has been considerable discussion in committee as to the discrepancies and the variance between House and Senate staffs. We regret that. We have had this matter up with Mr. Brenkworth on several occasions. There are some problems existing as to these salaries.

I sincerely hope that the pending amendment, despite its merits, will be rejected, because we set a limit of $28,000 and we set that limit after much study and deliberation.

If this amendment should be agreed to, then the salary of this particular individual would go to $28,272 and would break the ceiling which, I think, would be most unfortunate for all employees working in the Senate. Therefore, I hope that the amendment will be defeated.

Mr. METCALF. Mr. President, will the Senator from Maine yield to me?

Mrs. SMITH. I am happy to yield to the Senator from Montana such time as he may require.

Mr. METCALF. Mr. President, when the Senate had before it the bill which came from the Joint Committee on the Reorganization of Congress, as the Senator from Oklahoma has told us, we looked into the problem.

At that time, I offered an amendment, and the Senator from Oklahoma was very generous in his support of it. It provided for some comparability for House and Senate committee staffs. That amendment is still pending in the House of Representatives.

Now I am prepared to offer an amendment which would make the pay increases which the Senate adopted at that time, by a vote of 2 to 1, applicable to the pending bill.

It would permit two committee staff members, to serve at $27,055, and four at the second level of $25,944. I spoke with the distinguished chairman of the committee and listened to his reasons why we should not make some of the increases.

Under present law, staff members in the House of Representatives receive the top salary of $25,890. There is no limitation on that. There can be as many staff members at that rate as they can find appropriations for.

In the Senate, we have a limitation permitting only one committee staff member to receive the top salary of $24,480—a disparity of $1,410 annually.

When the bill is enacted, that disparity will go up, to make a difference of $2,000 annually.

All that the Senator from Maine [Mrs. Smith] is trying to do is to say that we can have one staff member on the same basis as on the House side. Many of us have served in the House as well as in the Senate, and we have great admiration for the staff members there. But we still have a superb staff who work with us in the Senate, too. We know the kind of valuable work they do. They are a highly professional staff, whose activities the Senator from Oklahoma has mentioned.

We talk about prestige. Well, just as a matter of prestige, our staff members, who do the same work and perform the same functions, have the same right to the salaries as are paid in the other body. We do not like to see them leave us, but they do leave us. They go downtown too, and get more money.

Under the bill, we are limiting our senior officers on the Senate side to $28,000—as well as limiting to $27,055 employees in the General Accounting Office and the Library of Congress. We are limiting our committee staff members to even less than that; yet GS-18's in every other agency can go up to $28,000, as the Senator from Oklahoma has mentioned.

I see no reason why we should not adopt the amendment offered by the Senator from Maine, recognizing that we need and desire, and that our staffs are entitled to, some comparability, and move one of these staff members up to at least $27,055.

Mr. MONRONEY. Is not the Senator from Montana overlooking the fact that if we are to have this comparability, we will have to reduce the pay of our administrative assistants by some $3,000? I am not ready to do that.

Mr. METCALF. That is a matter which the House of Representatives should take care of in its own housekeeping. If the House wants to raise the pay of their staffs, that is their problem. They will have to take care of it. But we should recognize that at least one member of our staff has just as high a professional standing, does just as good a job, has just as much experience, and has just as much responsibility as staff members in the other body.

Mr. MONRONEY. I should like to inquire of the distinguished Senator from Maine as to the numbers to be affected by the amendment. Would we have more than one staff member at the top salary?

Mrs. SMITH. No. My proposal is for only one. I am not wedded to any particular formula. All I am trying to get is equality between the executive branch and the Senate.

I do not like the idea of our people being belittled and degraded in comparison with GS-18's in the executive branch, which they insist on. I say to the chairman: Let us cut down the GS-18's in the executive branch, if that is what he would like, and I would go along with him on that.

Mr. MONRONEY. We are cutting down on the escalation at the higher levels to run below the $30,000 Senate salary. So many who would go above the $30,000 figure on this raise are denied that raise in the executive department. We are trying to preserve this at the level of Senators as to the ordinary comparability of the various grades.

I wish we could display a little patience so that we could study this problem more carefully. It does not properly belong in a general pay bill because here we actually would be changing grades. I think we would be in a bad way there, to say that we raise our own assistants, 100 of them, of Senate Members, and some 14 or 15 in the committees, by 9 percent, when we held all raises at the general service level to 4.5 percent.

I think it would be in better taste and much better to consider, with all due regard to the capabilities of the people who serve us, to take this up in a more leisurely way, to have an adequate study made between the careful relationships of the first, second, third, or fourth echelons of Senate officers, so that we will not reach this normal differential.

I hope the Senator will support the committee. We had no hearings on this amendment. We know a great deal about it. Perhaps we do not need hearings. But I think it would be much more appropriate to take this proposal up in a legislative appropriation bill.

Mrs. SMITH. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. 4 minutes.

Mrs. SMITH. Mr. President, I am intrigued by the Senator's plea for restraint. I agree with him on the need for restraint in other areas as well as this one. I am also intrigued by the Senator's plea for patience. I think he will remember that 10 years ago almost the same words were uttered on this floor. I have been patient for 10 years or more. I have been trying to get something done legislatively as well as in appropriations, so I am sure he will not disagree with me on the matter of my having been patient.

I will go back to the statement about the 9-percent increase. It was only because our people were held down that that particular group received the 9-percent increase.

As I understand, if I am correct—and the chairman will correct me if I am not—a year from now the differential will be even greater, because the GS-18 salary will be $28,000 and the salary here could not be higher than $26,000, which would be a $2,000 differential.

I just do not understand why, under the guise of further study, patience, restraint, or anything else, we should be willing to have our people here made second-class employees compared to the executive branch.

Again, all I say to the chairman and the committee is that it seems to me that some way ought to be found to put them on the same level. I will go all the way with them if they want to present an amendment to get the GS-18 down to the level of our own top people. Otherwise, I would like to have a vote on my amendment. As the Chair knows, I have called for the yeas and nays.

I yield back the rest of my time.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maine. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SPARKMAN (after having voted in the affirmative). On this vote I have a live pair with the Senator from New Jersey [Mr. Williams]. If he were present and voting, he would vote "nay"; if I were to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virgina. I announce that the Senator from Louisiana [Mr. Ellender] and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from Indiana [Mr. Bayh], the Senator from Connecticut [Mr. Dodd], the Senator from Wyoming [Mr. McGee], the Senator from Missouri [Mr. Symington], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Iowa [Mr. Miller], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Iowa [Mr. Miller] and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 27, nays 61, as follows:

[No. 357 Leg.]

YEAS—27

Anderson
Baker
Bartlett
Case
Clark
Dirksen
Dominick
Fulbright
Metcalf
Gruening
Hartke
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Kuchel
Griffin
Mondale
Montoya
Murphy
Muskie
Pearson
Percy
Smith
Yarborough
Young, N. Dak.

NAYS—61

Aiken
Allott
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Cotton
Curtis
Eastland
Ervin
Fannin
Fong
Gore
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Holland
Hollings
Hruska
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson

Mansfield
McCarthy
McClellan
McGovern
Monroney
Morse
Morton
Moss
Mundt
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smathers
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, Del.
Young, Ohio

NOT VOTING—12

Bayh
Cooper
Dodd
Ellender
McGee
McIntyre
Miller
Scott
Sparkman
Symington
Tower
Williams, N.J.

So Mrs. SMITH's amendment was rejected.

GIFT OF EISENHOWER HOME AND FARM AT GETTYSBURG, PA., TO THE FEDERAL GOVERNMENT

Mr. JACKSON. Mr. President, I was happy to hear the official announcement today that former President Dwight D. Eisenhower has donated his home and farm in Gettysburg, Pa., to the Federal Government for national historical purposes. The property adjoins the present Gettysburg National Military Park.

This is a magnificent gift. It will preserve the former President's attractive residence and farmland as the Eisenhower National Historic Site. The total land involved is 230 acres. Under the terms of the donation, General Eisenhower would reserve a life interest in the property.

Under existing law, such a gift can be accepted by the Secretary of the Interior and designated as a national historic site. However, it has been customary to withhold such a designation until legislation is approved by the Congress.

During recent correspondence with President Eisenhower regarding his public-spirited intention to make this gift, I informed him that legislation was customary. He wrote back to say that he would be happy to have me introduce such legislation. He said it would be pleasant to know that public opinion, as represented in the Congress, would approve of the transaction.

Accordingly, Mr. President, I introduce for appropriate reference a joint resolution to authorize the development by the Federal Government of the gift of the Eisenhower home and farm at Gettysburg, Pa. However, the property will not be developed during the tenure reserved by President and Mrs. Eisenhower.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements and for other purposes.

AMENDMENT NO. 474

Mr. CARLSON. Mr. President, I call up my amendment No. 474.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. CARLSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON's amendment (No. 474) is as follows:

(a)(1) On page 82, strike out the table immediately following line 2 and all that follows down through line 7, and insert in lieu thereof the following:

"[In cents]

	"Mailed during calendar year 1968	Mailed during calendar year 1969	Mailed after Dec. 31, 1969
Rate per pound	1.3	1.4	1.5
Minimum charge per piece	.13	.14	.15

(2) By adding at the end thereof the following:

"(d) The rates of postage on publications mailed in accordance with section 4359(a) of this title, of qualified nonprofit organizations, are as follows:

"[In cents]

	"During calendar year 1968	During calendar year 1969	During calendar year 1970	During calendar year 1971	During calendar year 1972	During calendar year 1973 and thereafter
Rate per pound:						
Advertising portion:						
Zone 1 and 2	2.35	2.9	3.45	4.0	4.55	5.1
Zone 3	2.55	3.3	4.05	4.8	5.55	6.3
Zone 4	2.95	4.1	5.25	6.4	7.55	8.7
Zone 5	3.35	4.9	6.45	8.0	9.55	11.1
Zone 6	3.5	5.2	6.9	8.6	10.3	12.0
Zone 7	3.5	5.2	6.9	8.6	10.3	12.0
Zone 8	3.5	5.2	6.9	8.6	10.3	12.0
Nonadvertising portion	1.9	2.0	2.1	2.1	2.1	2.1
Minimum charge per piece	.13	.14	.15	.15	.15	.15"

(b) On page 88 immediately following line 18, strike the table and insert in lieu thereof, the following table:

"Type of mailing	Rates			Unit
	Mailed prior to Jan. 7, 1968 (cents)	Mailed on and after Jan. 7, 1968, and prior to Jan. 5, 1969 (cents)	Mailed on and after Jan. 5, 1969 (cents)	
(1) Individual piece	6 2	6.0 2.0	6.0 2.0	1st 2 ounces or fraction thereof. Each additional ounce or fraction thereof
(2) Bulk mailings under subsection (e) of this section of—				
(A) Books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants.	12	15.0	15.0	Each pound or fraction thereof.
(B) Other matter	18	22.0	22.0	Do.
(C) Minimum charge of	2⅛	3.6	3.8	Per piece."

Mr. CARLSON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I yield.

Mr. MONRONEY. Mr. President, since the proposed amendment deals with matter on two separate pages of the bill and with three separate categories of mail, I ask at this time, if it is parliamentarily possible, for a division of the question when voted upon.

I ask unanimous consent that while we are waiting for a decision of the Chair on the question of division, that the Senator from Kansas be permitted to proceed, and we can thus save some time.

The PRESIDING OFFICER. The Senator from Kansas may proceed.

Mr. CARLSON. Mr. President, I am offering this amendment together with the distinguished Senator from Indiana [Mr. HARTKE] and the distinguished Senator from Indiana [Mr. BAYH].

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Kansas may proceed.

Mr. CARLSON. Mr. President, I am offering an amendment which would correct certain inequities in the postal rate bill.

First, it would adjust the rate on second-class mail affecting religious and nonprofit publications in such a manner as to conform to the treatment afforded in the pending bill to profitmaking newspapers and magazines.

Second, the amendment would conform the rates on third-class mailings to the rate adopted by the House, 3.8, over a 2-year period.

This amendment would be helpful to veterans organizations, civic clubs, fraternal organizations, and churches, who use their publications to inform their membership with no thought of profit.

The pending bill as reported by the committee carries a provision that will impose a 60-percent increase, at one stroke, in the second-class postage rates on lightweight publications of nonprofit labor, church, educational, civic philanthropic, fraternal, and veterans' organizations.

Such publications, if weighing less than an ounce a copy, are now subject to the minimum rate, which is one-eighth of a cent a copy. The Senate committee bill would raise that to one-fifth of a cent a copy, effective January 7, 1968. This amounts to a 60-percent increase.

By contrast, commercial publications and others which come under the pound rate would bear only a 23-percent increase, spread out over a 3-year period, or approximately 7 percent a year.

The amendment would provide that the minimum second-class rate for lightweight, nonprofit publications be increased by approximately 20 percent over a 3-year period, roughly the same percentage as commercial publications.

Here is a typical example of how it affects one such nonprofit publication:

Labor Newspaper, as you may know, is the national weekly of 18 railway unions and goes to approximately 550,000 subscribers in the United States. It is an eight-page tabloid and weighs less than an ounce. As such, it is subject to the minimum rate.

Labor Newspaper asks for no preferential treatment. It requests approximately the same three-step increase as proposed in the committee bill for other second-class publications.

A jump of 60 percent, as proposed in the committee bill, would cost Labor Newspaper an additional $20,000 a year. This would be a very critical blow to this paper's slender financial resources—and to hundreds of other nonprofit labor publications.

Labor Newspaper is established as a nonprofit cooperative. It carries no advertising. Its only source of income is from voluntary subscriptions. In a few cases, railway unions subscribe for all their members, in others, local lodges subscribe, and in addition, thousands of individuals subscribe. Subscription rates cannot be easily raised, and they do not come overnight. Just as in the case of commercial publications, it often takes years to secure subscription rate increases.

To the Post Office Department, a 60-percent increase in the minimum rate on all nonprofit publications would yield an insignificant amount of revenue—far less than $1 million. But to labor newspaper and the labor press as a whole, the effect would be harsh and even devastating.

We think Senators will agree it is not fair to impose a 60-percent increase in one stroke on publications least able to pay, while only a little over 20 percent is imposed over a 3-year period on commercial publications.

Among those this amendment will help are veteran groups, gasoline stations, department stores, civic clubs, fraternal organizations, churches, corporations and partnerships, museums, schools, volunteer fire companies, newspapers and other publications delivered within the county, trade unions, mail-order houses, political candidates, and so forth. There are 275,000 third-class permit holders in the United States. The average congressional district has more than 500 permit holders.

There are hundreds of thousands of semiskilled and handicapped workers employed in the direct mail field. If the volume of such mail should severely drop through too high postage rates, these semiskilled workers will be the first to suffer. More than 4½ million persons depend on third-class sales for their livelihood.

Assuming arguendo that third-class mail is paying less than its allocated costs, it is not as a subsidy, but as a recognition of the deferred service it receives and the lesser value it represents. Deferred mail was created by Congress to keep valuable employees profitably occupied during any slack period and to create increased mail volume. It takes on the average 18 days for a third-class piece of mail to be delivered from Washington to San Francisco. If it were not for the deferred mail category, thousands of postal workers would be removed from their jobs.

The Postmaster General stated before the Senate committee on October 16:

> ZIP Code pre-sort savings are averaging two-tenths of a cent per piece, and applied to projected 1968 volume this would mean total annual savings of about $35 million for bulk third class and $18 million for publishers' second-class mail. In other words, were it not for pre-sorted second and third class mail we estimate our expenses in 1968 would be $53 million higher.

Eighty percent of the costs are for labor, and labor is used primarily for the handling, carrying, and sorting of mail. As the result of ZIP code regulations, much of this handling is done at the expense of the bulk mailers. A piece of mail is handled on the average of 15 times by postal employees. Bulk mailers do nine of these handlings at their own expense.

Many magazines of small circulation, such as the many educational, civic, trade union, and veteran publications, are hit very hard by this bill. The committee bill provides for a 60-percent increase in the piece rate for nonprofit second-class mail, and the piece rate for in-county second-class mail. This would be catastrophic to many publications which survive on marginal revenues. In addition, the proposed increase is very discriminatory since the overall second-class rates will increase 20 percent and spread over a 3-year period.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Will the Senator indulge the Chair so that he may rule on the question that has been raised?

A division of the question having been demanded, the Chair rules that the amendment is divided into three parts.

The first part is that on page 1, from line 1, down to line 4.

The second question would be on page 1, beginning with line 4, down to line 3 on page 2 of the amendment.

The third question would be on page 2, beginning with line 3 of the amendment down to the end of the amendment.

The yeas and nays having been ordered, there will be a rollcall on each one of the separately divided questions, with a time limitation of 1 hour—30 minutes to the side—on the entire question, not on each division, but 1 hour total on the amendment, 30 minutes to the side.

Mr. CARLSON. Mr. President, I have made the case on the first part of the measure dealing with the veterans organizations and other groups.

As the Chair has ruled—and I think rightfully so—it is divisible. I have nothing further to say at this time except that many magazines of small circulation, such as educational, civic, trade union, and veterans publications, are very hard hit by the pending bill.

The committee bill, as I stated, provides for a 60 percent increase on a piece-rate basis for nonprofit second-class mail, and the piece rate in the county second-class mail.

This would be catastrophic in my opinion. Many publications are nonprofit and are published to help their membership and others who are concerned.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. PASTORE. Mr. President, the Senator from Rhode Island is curious to know the rationale that was used by the committee in imposing a 60-percent increase on nonprofit publications, whereas on profit publications it is much less. Why the distinction? What is the reason for it?

Mr. CARLSON. Mr. President, I shall be glad to let the distinguished chairman of the committee answer the question.

I opposed this provision in committee. I think it would be too great an increase.

Mr. MONRONEY. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 minutes.

Mr. MONRONEY. Mr. President, the main rationale, I say to my distinguished colleague, the senior Senator from Rhode Island, is that the rate is one-eighth of a cent for accepting that mail, sorting it, and putting it out on a route, rural or domestic. We charge that much for that service.

It costs as much to deliver that mail as it costs to deliver a letter that we are now charging 6 cents to deliver.

We do raise the rate 60 percent. It would go up from one-eighth of a cent to one-fifth of a cent. I say that it is high time that these rates started to go up, whether for charitable or other nonprofit organizations.

There are some 8,000 to 10,000 magazines in publication and enjoying this ridiculously low rate.

I think the committee had adequate hearings on the matter. It is ridiculous to say that we should charge the average woman 6 cents to mail a letter to her son or husband in Vietnam and at the same time allow the so-called 8,000 to 10,000 nonprofit organizations to continue to enjoy a rate of one-eighth of a cent.

It is a 60-percent increase. It is an increase from one-eighth of a cent to one-fifth of a cent.

Mr. PASTORE. Mr. President, I can realize the drama of bringing the widows and the boys in Vietnam into the question. However, let me ask this question: How much are we charging the paid publications, those magazines and newspapers that operate for profit? How much do we charge them as against the widows and our boys in Vietnam? Let us make that comparison.

Mr. MONRONEY. Mr. President, by quick mathematics I believe we are charging them better than 10 times what we are charging the so-called nonprofits.

Mr. PASTORE. How much less do we charge them than we charge the writing mothers?

Mr. MONRONEY. We are charging them 1.3 cents minimum on all publications on profitmaking publications, for second class. That is the minimum. It goes up by the pound rate.

Of course, the minimum rate is primarily for the small county newspapers. We also raise their rate. Everyone gets an increase. No one gets a lesser amount of increase than the ones who are asking at this point to try to remain at one-eighth of a cent instead of being raised 60 percent to one-fifth of a cent.

Mr. PASTORE. The practice has been that we have been charging parents the regular rate for mailing letters to their boys in Vietnam. We are asking them to carry the load for the profitmaking publications that have actually been receiving a boon.

It costs just as much and even more money to deliver Time or Life magazine as it does to deliver a letter.

I think that in the past we have been too preferential in the case of all of the publications.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for an additional 2 minutes.

Mr. MONRONEY. This class of mail is now paying only 7 percent of its cost to the Post Office Department. The loss is $126.2 million a year. That is not hay in this day and age when the distinguished chairman of the Finance Committee is trying to find ways and means to meet the financial requirements of the Government.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LONG of Louisiana. Mr. President, I do not find any fault with the Senator for trying to raise the mailing cost of an item that costs 5 cents to deliver from the present cost of one-eighth of a cent to a cost of one-fifth of a cent.

However, as the chairman of the committee that has to raise the money to pay for this, I think you are not charging enough. How does the Senator excuse having the cost that low?

Mr. MONRONEY. We are trying to recognize the traditional, historic benefits of the veterans organizations, the Red Cross, the cancer societies, and also the Hibiscus Society of Alabama. Look at this list. The book is approximately a foot thick, with the names of people who enjoy nonprofit, charitable rates. Just about everybody is in it, including many of our fine civic clubs and some of our great national organizations which enjoy the same rate.

Mr. LONG of Louisiana. How does one explain to people that $1 of their taxes is used to pay for mail they do not want?

The PRESIDING OFFICER (Mr. SPONG in the chair). The time of the Senator has expired.

Mr. MONRONEY. I do not wish to impinge upon the time of the Senator from Kansas. I only meant to answer the question of the Senator from Rhode Island as to why we raise this class of mail 60 percent.

Mr. PASTORE. All I am trying to point out—and this is also in answer to the Senator from Louisiana—is that in the past, and even now, the profitmaking publications have been the sacred cow; and they have been subsidized by those mothers and those widows who are writing letters to the boys in Vietnam. Let us face it.

Mr. MONRONEY. The Senator can submit an amendment that would increase rates. I am trying to prevent the loss of revenue. I am trying to cover as much of our cost of operation as possible. The bill is open to amendment to increase the second-class rates. This amendment would decrease second-class rates in many respects.

Mr. LONG of Louisiana. What is happening in the House is that the committee with the responsibility of raising all this money is revolting against the committee spending all this money. The debate is going on between the Senator from Louisiana and the Senator from Rhode Island at this time. The people who must raise the money are saying, "We refuse to raise taxes; you pay for it."

I cannot see any reason why the Senator from Oklahoma would let these people get off with one-fifth of a cent. I think he is being most generous.

Mr. MONRONEY. I thank my colleague.

I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, the issue is very simple. For years, the Post Office Department has regarded these groups as nonprofit organizations and has carried them as performing a public service.

The chairman and I disagreed in committee, and we disagree now. To me, the Post Office Department is a public service organization.

I have in my hand the Scouter, which is a weekly digest of the national Scout organization. It is distributed to the Scout leaders and others interested in this great movement. Certainly, no one would say that this is a profit organization. You and I contribute to it. It is a great organization.

If the committee amendment is adopted, it will cost the Boy Scout organization $86,000 a year. It is not a small item. We are talking about large sums of money today.

Therefore, it seems to me that we can continue, as a great nation, to be interested in taking care of and assisting people who are trying to help others. That is all the pending amendment would do.

Does the Senator from Indiana wish me to yield to him?

Mr. HARTKE. Will the Senator yield for a question?

Mr. CARLSON. I yield.

Mr. HARTKE. Does the Senator know what the estimated loss of revenue is with regard to the handling of the mail of these organizations which are putting out such publications?

Mr. CARLSON. This will cost $1 million.

Mr. HARTKE. Is the Senator aware that there are more than one-quarter of a million separate organizations—approximately 275,000—which the Senator from Oklahoma indicated would continue to use such an operation, if they can continue in business, if it is not a burden on them?

Am I correct?

Mr. MONRONEY. I said there were 8,000 to 10,000 magazines. The book is about a foot thick, completely filled with names of societies and organizations. It makes interesting reading, but one is astonished as to how gracious the Federal Government has been to this typical class of nonprofit second-class user. Wealthy churches are using it to mail from here to Hawaii for one-eighth of a cent, and now it will go to one-fifth of a cent.

Mr. HARTKE. Is it not true that there are approximately 275,000 publications and the revenue is less than $1 million, which means that the cost for any one organization or any one publication can hardly be found, that it is like finding a needle in a haystack?

It is not the same amount of money as the Senator from Rhode Island spoke about with respect to the large publications. In the case of most of these publications it amounts to the difference between their staying in business or going out of business. I do not wish to pass judgment on these organizations. I do not know what the hibiscus organization is. I have never heard of it. If people like flowers and like to send out leaflets about flowers and encourage people to appreciate the beauty of life. I do not see anything wrong with that. If it is a difference of $50 to them, it may mean the difference between staying in operation and ceasing operation.

A great issue has been made of this matter, as though this is a major part of the bill. This is a minor part of the bill. The original report of the Bureau of the Budget was that it would be a negligible amount.

The amendments we are considering really involve a very severe increase in rates. Perhaps the Senator from Oklahoma does not believe it is very much, but it is a great deal of money to these people, compared with the amount of money they are receiving. All they wish is to be treated fairly.

I believe the Senator from Rhode Island has made a good point: The percentage of increase for the big publications is not nearly as large, and this is a fact of life. It is true that much more money is involved.

It seems to me that the issue comes back to the basic proposition as to whether you really want to hit them hard, and I know that some people would like to hit them hard and drive them out of business. Apparently, everybody is supposed to send their publications by first-class mail.

I believe that the mail service is one of the great operations of this country. We started with RFD—rural free delivery. It is a great service to this country. People who accuse it of being a boondoggle or anything such as that are doing an injustice to a fine organization.

I wish the Post Office Department would give as much attention to the delivery of the mail as it does to criticizing people who try to use it to promote their own charitable organizations and good ideas.

Mr. CARLSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARLSON. Do I correctly understand that, under the ruling of the Chair, all three of the separate divisions in the amendment must be discussed and the discussion is to be completed before a rollcall vote can be had on any one of them?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARLSON. And the discussions on the three separate items must be completed within 1 hour?

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield. I should like to keep it brief.

Mr. LAUSCHE. I shall be brief.

When was the last time that an increase in the rates was instituted in the carrying of what is called nonprofit service leaflets and magazines?

Mr. MONRONEY. With respect to nonprofit magazines, it was 1962. This is 1967. They have been enjoying this rate, which covers only 7 percent of the costs, since 1962. Before that, it was distinctly less, and it went on for many years. Under this "terrible" 60-percent raise, it would only come up to 9 percent of our cost, and this would not be so bad if you singled out the American Red Cross or such organizations. But this includes 8,000 or 10,000 magazines about which the distinguished Senator has spoken.

He said it is only $1 million. This demonstrates the tenderness with which we tried to treat this class. He then said to leave it as it is because it is only $1 million. The Senator cannot have it both ways.

Mr. HARTKE. Is it not true that in the last 15 years second and third class have been raised 122 percent and 188 percent respectively?

Mr. MONRONEY. This rate in 1962 was—is the Senator talking about the first amendment?

Mr. HARTKE. As I understand the ruling of the Chair I am talking about all three.

Mr. MONRONEY. There are three separate groups. Are we talking about second-class nonprofit? This is not my understanding.

Mr. HARTKE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield time?

Mr. MONRONEY. No. I am on limited time. The Senator is speaking on the other side of the issue and I would suggest that he get time from the Senator from Kansas.

The PRESIDING OFFICER. Does the Senator from Kansas yield time?

Mr. CARLSON. How much time does the Senator require?

Mr. HARTKE. I would like to proceed for 2 minutes.

Mr. CARLSON. I yield 2 minutes to the Senator.

Mr. HARTKE. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARTKE. Is it not true that all parts of this amendment which have now been divided are being voted on in succession without intervening debate?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. This is the point I am making. Mr. President, I ask that I be permitted to proceed for 2 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. HARTKE. I wish to speak on the time of the Senator from Kansas.

Is it not true that during the last 15 years second- and third-class mail, which these amendments are directed to, have had an increase of 122 percent and 188 percent, respectively?

Mr. MONRONEY. I think we would be—I cannot exactly say. I can only say that this second-class nonprofit up to now is only paying 7 percent of the cost, and this would raise it to 9 percent of cost coverage.

Mr. HARTKE. The Senator does not know how much the rate was increased in the last 15 years?

Mr. MONRONEY. I cannot keep all of that information in mind. I know it has gone up from 1 cent to 2⅞ cents in 40 years in third class.

The Senator is figuring percentages and when one figures percentages there is figured the fraction of a cent. You can get 60 percent by raising it a quarter of a cent, which does not make sense.

Mr. HARTKE. These people can be put out of business. There are certain handling processes which are eliminated in third-class mail which the Post Office Department does not have to do, specifically including ZIP code. Is that correct?

Mr. MONRONEY. The amount we raised over the present rates is 0.075 cent for in-county and nonprofit second class. I do not believe this is too much when one considers all that a postman has to do. He has to carry this material the same as first-class mail, deliver it to the right address and put it in the right box. The nonprofits can go across the country to Hawaii. By raising 0.007 cent, you have 9 percent.

Mr. HARTKE. I thank the Senator, but that is not in answer to the question I asked. However, it is all right. It is all right with me, but in order to put the question back in sequence with the answer, the question which I asked——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. Mr. President, I ask that I be permitted to proceed for 2 minutes.

Mr. CARLSON. I yield 2 minutes.

Mr. HARTKE. Is it not true in handling processes at the present time there are 14 separate operations generally decided to be the job of the Post Office Department on first-class mail?

Mr. MONRONEY. I think it is something like that, yes. It is in the hearings and the Senator can find it there.

Mr. HARTKE. In third-class mail, there are nine operations by handlers.

Mr. MONRONEY. We are not talking about junk mail.

Mr. HARTKE. I am talking about third-class mail.

Mr. MONRONEY. That is junk mail. The Senator is going from in-county in one debate to second-class and nonprofit mail thereafter, and now we are on junk mail.

Perhaps we could simplify the Senator's understanding if we try to stay on one matter and get a unanimous-consent agreement to have a vote on each section of the bill. It is going to be confusing.

Mr. HARTKE. I am not confused.

Mr. MONRONEY. Let us talk about each of the sections in the bill and then we will have an intelligent approach.

Mr. HARTKE. I am not confused. It was not the Senator from Indiana who requested the division.

If the Senator from Oklahoma did not understand the question, that is one thing. I asked whether or not those processes, which are ordinarily required of first-class mail, consist of some 14 of them, handled by mailers.

Mr. MONRONEY. That was the testimony. That included every single phase of bringing it to the post office and so on. They had 39 processes and about six or seven more if they took the mail from the Printing Office. They are still charging a great many of the operations to the mailers in the post office. It was about as phony as a $3 bill.

Mr. HARTKE. I am not the one who complains about using time. I got my time from the Senator from Kansas and the Senator from Oklahoma is keeping all the time.

Is it not true that there was a statement by the Postmaster General on October 16 that ZIP code savings are averaging 0.2 of a cent and projected into 1968 this means there are annual savings of about $35 million and, using the words of the Postmaster General, were it not for that it is estimated expenses in 1968 would be $53 million higher.

Mr. MONRONEY. Yes, but they are still losing $316 million on the operation at the old rate of 61-percent cost coverage.

At the present rate that does not pay for junk mail mailers. This is commercial mail and has nothing to do with public service. Why should it be passed on to first-class mail?

Mr. HARTKE. I would be very glad to listen to a speech by the Senator from Oklahoma on his time.

Mr. MONRONEY. The Senator asked the question.

Mr. HARTKE. I asked if the Postmaster General made such a statement.

Mr. MONRONEY. He did. He went on to say that the cost was not as much in savings and we do not approach the cost coverage by 75 percent.

Mr. PASTORE. Mr. President, will the Senator yield for a parliamentary inquiry?

The PRESIDING OFFICER. Who yields time?

Mr. MONRONEY. I yield time.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. Mr. President, without taking time out of the amendment, which is 1 hour, I understand, one-half hour on each side, would it be possible by unanimous consent to have a rollcall on each part before we get to the second part? Could we vote on the first part and then discuss the second part and take a vote on that, and then the third vote in order that debate be confined in the 1-hour period? Can we do that by unanimous consent?

The PRESIDING OFFICER. The unanimous-consent agreement under which we are operating presently may be amended and modified by subsequent unanimous consent.

Mr. PASTORE. Mr. President, I ask unanimous consent that we take a rollcall vote without taking the time out of the time of the 1 hour on each part of the divided question.

The PRESIDING OFFICER. The Chair states that there already will be a rollcall on each part.

Mr. PASTORE. I know, but the fact is that we are going to take them in succession after the hour has expired. I want to interrupt the hour by taking the rollcall vote on each part as we debate it.

Mr. CARLSON. Mr. President, I did not suggest the division. In view of the situation where we get three rollcall votes, I hope the suggestion of the Senator from Rhode Island carries. I think we should do it.

The PRESIDING OFFICER. The Chair would say to the Senator from Rhode Island that he may, in his unanimous-consent request, suggest that there be a period of time between each rollcall vote and then accomplish what he desires.

Mr. PASTORE. Mr. President, I ask unanimous consent that 20 minutes be allotted on each one of the three parts, and at the termination of 20 minutes we take a rollcall vote without counting that as a part of the time.

The PRESIDING OFFICER. Is there objection?

Mr. CARLSON. Mr. President, reserving the right to object, and I shall not object, everyone understands the issue and 20 minutes, 10 minutes to a side, if agreeable to the chairman of the committee, is agreeable to me.

Mr. MONRONEY. That is agreeable to me, but debate should be germane and it should not go all over the lot.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. MONRONEY. Mr. President, how much time is remaining?

The PRESIDING OFFICER. Ten minutes to the Senator from Kansas [Mr. Carlson], and 19 minutes to the Senator from Oklahoma [Mr. Monroney].

Mr. MONRONEY. Was the Senator from Indiana through?

Mr. HARTKE. No, I was not.

Mr. MONRONEY. We have not discussed yet the matter on the first amendment we are going to vote on in the first division. I should like to get to that. Then we have the question of the second and the third. So let us take it section by section. I would hate to yield my time—the 19 minutes that I have—to discuss something we are not going to vote upon for a half an hour or three-quarters of an hour.

Mr. HARTKE. Mr. President, a parliamentary inquiry.

Mr. MONRONEY. Well, Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Indiana for the purpose of making a parliamentary inquiry?

Mr. HARTKE. Mr. President, the Senator from Kansas yielded to the Senator from Indiana.

Mr. MONRONEY. Mr. President, I will yield to the Senator from Indiana from time on the bill for his parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Indiana will state it.

Mr. HARTKE. Mr. President, how can the Senator from Oklahoma have 19 minutes, when only 20 minutes are reserved for discusion of the amendment on both sides, with 10 minutes to a side?

The PRESIDING OFFICER. The understanding of the Chair was that there would be 20 minutes on the second and third part.

Mr. MONRONEY. Mr. President——

Mr. HARTKE. I do not care how much time he has. I am trying to find out something. I had understood, under the unanimous consent request, that there would be 20 minutes on each part.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. On each part of the amendment, with the time to be equally divided, 10 minutes on a side. Am I incorrect in that statement?

Mr. PASTORE. The Senator is correct.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. Then how can the Senator from Oklahoma have 19 minutes when there are only 10 minutes permitted to each side?

Mr. MONRONEY. On three votes I have 19 minutes left according to the Presiding Officer.

The PRESIDING OFFICER. That is right.

Mr. MONRONEY. Mr. President, in order to allow the Senator from Indiana to——

Mr. HARTKE. I do not care now——

Mr. MONRONEY. I yield him such time on the bill as he may wish, to propound a question.

Mr. HARTKE. I believe the Senator from Kansas yielded me 1 minute. I should be able to finish what I had in mind in that time.

Mr. MONRONEY. I have so little time, I am glad to yield to the Senator from Indiana such time as he may desire from the time on the bill.

Mr. HARTKE. I am not complaining.

Mr. PASTORE. Mr. President, we are wasting time. The Senator from Kansas [Mr. Carlson] yielded 1 minute to the Senator from Indiana. He wants 1 minute, but he has used up 2 minutes. Let us get going.

Mr. HARTKE. Mr. President, in regard to the question of publications, Congress has consistently recognized that the "postal service is a public service." The nonprofit second-class and third-class mail, to which this amendment applies, provide the advancement of education and culture, the dissemination of information, the distribution of articles of commerce and industry, provide a basis for communication of intelligence, and contribute materially to the growth of many commercial enterprises, the national economy, and the public welfare—all of which contribute to making these classes of mail part of the public service.

Many magazines of small circulation, such as the many educational, civic, trade union, and veteran publications are hit very hard by this bill. The committee bill provides for a 60-percent increase in the piece rate for nonprofit second-class mail, and the piece rate for in-county second-class mail. This would be catastrophic to many publications which survive on marginal revenues. In addition, the proposed increase is very discriminatory since the overall second-class rates will increase 20 percent and spread over a 3-year period.

Mr. LAUSCHE. Mr. President, I should like to ask a question of the Senator from Oklahoma.

Mr. MONRONEY. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. I questioned the Senator from Oklahoma yesterday dealing with what the House did on this subject and what the Senate committee did. The Senator from Oklahoma answered that in cost coverage it has been 6.7 percent, that it will be 6.9 percent. The House bill provided for 11 percent cost coverage so that the Senate bill has reduced the cost coverage by 2 percent.

Is that a fact, I ask the Senator from Oklahoma?

Mr. MONRONEY. The reason for that is the House bill had two classes. We determined to have one class because it is hard to distinguish the money-raising type of solicitation from the Christmas seals.

Mr. LAUSCHE. On second class, on which we shall vote soon, we reduced the House figure by $1.7 million on the second class. That is, the Senate version is more beneficial to the nonprofit user than the House version.

Mr. MONRONEY. That is correct.

Mr. LAUSCHE. I thank the Senator.

Mr. MONRONEY. Mr. President, briefly, up until 1962, county publishers of small country newspapers were entitled to mail free in the county. We raised that in 1962 to a small amount, at which time we acquired only a 13-percent cost coverage. In the new bill we raised it a little bit more and acquired 14-percent cost coverage. This is the very minimum because the loss this year was $70.9 million. It will still be pretty high on editorial associations, especially those specializing in county newspapers who have supported the rate we have here. Therefore, I think it is quite proper that we divide the amendment, and that we defeat the amendment, because the very users of this service through their national organization have testified that they were satisfied with the rate the committee proposes here. Thus, I am ready to vote. This is an amendment that everyone can understand.

The PRESIDING OFFICER. All time has now expired under the first amendment, unless the Senator from Kansas has something to say, and then the Senate will vote on it.

So that the unanimous consent agreement may be thoroughly understood, the Chair informs the Senate that 20 minutes has been allotted to each part of the amendment, with 10 minutes to each side on the second amendment, and then 20 minutes, with 10 minutes to each side, on the third amendment.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. I thought we had only one amendment, and that there was a 1-hour time limitation on that amendment, with the time to be equally divided?

The PRESIDING OFFICER. Subsequently, the amendment was divided under a subsequent unanimous-consent agreement.

Mr. CARLSON. Mr. President, I yield myself 1 minute on the bill, if my time has expired on the amendment.

The VICE PRESIDENT. The Senator from Kansas is recognized for 1 minute.

Mr. CARLSON. Mr. President, the issue is simple. As stated before, we can increase the rate for second-class mail on profit organizations 23 percent. We can take the nonprofit group sending through the same mail at an increase of 60 percent. My amendment would bring it back to the same provisions of second-class mail.

The PRESIDING OFFICER. The question is on agreeing to the first part of the amendment of the Senator from Kansas. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender] and the Senator from New Hampshire [Mr. McIntyre], are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Wyoming [Mr. McGee], and the Senator from Missouri [Mr. Symington], are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 44, nays 46, as follows:

[No. 358 Leg.]

YEAS—44

Aiken
Allott
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Cannon
Carlson
Church
Curtis
Dirksen
Dominick
Fannin
Fong
Gruening
Hartke
Hatfield
Hill
Hruska
Inouye
Javits
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Magnuson
McCarthy
McGovern
Metcalf
Mondale
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pearson
Percy
Prouty
Proxmire
Ribicoff
Sparkman
Young, N. Dak.

NAYS—46

Anderson
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Clark
Cotton
Eastland
Ervin
Fulbright
Gore
Griffin
Hansen
Harris
Hart
Hayden
Hickenlooper
Holland
Hollings
Jackson
Jordan, N.C.
Kennedy, Mass.
Lausche
Long, Mo.
Long, La.
Mansfield
McClellan
Monroney
Montoya
Muskie
Pastore
Pell
Randolph
Russell
Smathers
Smith
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—10

Baker
Cooper
Dodd
Ellender
McGee
McIntyre
Miller
Scott
Symington
Tower

So the first part of Mr. Carlson's amendment was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the first part of the amendment was rejected.

Mr. RANDOLPH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. In accordance with the unanimous-consent agreement, the Senate will proceed to the consideration of item No. 2 of the amendment.

Who yields time?

Mr. CARLSON. Mr. President, I yield myself 3 minutes.

Mr. President, I do not think it will take long to discuss the second section of this amendment.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Under the unanimous-consent agreement, there are 20 minutes allotted to the consideration of this amendment, 10 minutes to a side. The Senator from Kansas is yielding himself 3 minutes.

The Senator may proceed.

Mr. CARLSON. Mr. President, I think most of the discussion was had on the previous question, which dealt with the first section of the amendment. I did not request a division on the amendment, but a division was requested, and we have voted on the first section.

The second section deals strictly with nonprofit organizations and their postage rate.

Mr. President, I have only this to say: On the profitmaking group, we have increased their cost 23 percent for second-class mail. On this group, it is sought to increase the rate 60 percent. I return to that point, because it is just that simple. It is my personal feeling that religious groups, civic organizations, veterans organizations, labor organizations, and others which have no interest in making profits—I have mentioned the Boy Scouts; I have here their Scouter, which is distributed to the people who work in the scouting movement, a nonprofit organization to which we all contribute. Yet this proposed increase would cost them $86,000. I do not think we ought to ask individuals to make up that difference, when the Post Office Department is a public service organization.

That is all I have to say.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. CARLSON. I yield to the Senator from Indiana.

Mr. HARTKE. As the Senator from Kansas has indicated, most of the previous discussion dealt with this part of the amendment. Only a very negligible amount is here involved in the way of revenue, as compared to the total bill. In fact, the amount is so small I have not been able to find anyone who can state the actual amount of money involved; but the first portion of the amendment and the second portion, together, involve something around $1 million.

How many permit holders there are in this category I suppose is also a matter of conjecture. It was my understanding that there were 275,000 who held the permits to permit them thus to communicate primarily with their own membership, which is practically their only means of doing so, unless they can afford to do it by first class mail.

I urge that the amendment be agreed to.

Mr. MONRONEY. Mr. President, I rise in opposition to part two of the Carlson amendment. We have been hearing about 60-percent increases, when actually all we are doing is raising from one-eighth to one-fifth of a cent per copy the cost of sending across the entire Nation these publications. This section of the bill deals strictly with second-class, nonprofit organizations. Under existing law, they pay 1⅛ cents per pound, but only one-eighth of a cent per copy minimum. That means we have to have a clerk receive the mail at the post office, throw it into the case, and dispatch it to the carrier who makes the long, weary route to every house, handling this mail, at one-eighth of a cent per copy.

Under the House bill, a new advertising rate schedule is applied for the first time in history, but the rate schedule is lower than the commercial rate schedule. The committee voted to make this rate schedule identical to the commercial rate schedule. If they are going to sell advertising in such publications, we feel they should pay the same rate on the percentage of the publication which is advertising matter that commercial publications pay; and we carry practically free of charge their editorial matter.

The bill takes care of very small church publications, leaflets and such matters, which occasionally have very small advertisements, by allowing an exemption of 10 percent of the space to be advertising, without having to become involved with all the reporting that would be required otherwise, for the many such publications which contain 10 percent or less advertising matter.

The additional revenue to be realized is $4.5 million. That may not sound like much to the distinguished senior Senator from Indiana; but $4.5 million, when we are seeking to make up a tremendous loss, is, I think, a step in the right direction; and I believe the increase is proper. The present loss on this class of mail is $126.2 million. The present cost coverage is only 7 percent. When we pass this increase, it will rise to only 9 percent, if the committee bill is approved. The Carlson amendment would lower the minimum charge per item from one-fifth of a cent to one-sixth of a cent, and would restore the preferential low advertising schedule proposed by the House of Representatives.

Mr. President, that is as simple as I can make it. The loss exists. I believe everyone is treated fairly in the bill, and I hope our friends on the other side of the aisle, who advocate economy and revenue coverage so strongly, will ask themselves how much longer the Post Office Department should continue to carry publications that will yield only one-sixth of a cent, and find it objectionable to increase that figure to one-fifth of a cent per item.

Several Senators addressed the Chair.

Mr. MONRONEY. I yield first to the Senator from Michigan.

Mr. GRIFFIN. Mr. President, I am not sure how I shall vote on this matter; I should like to propound a question or two so that I may better understand it.

Mr. MONRONEY. Yes, sir.

Mr. GRIFFIN. In defining what is a nonprofit organization that would qualify for this special subsidized rate, am I correct in assuming that a political party, or the campaign committee of a political candidate, would not be a nonprofit organization which would be entitled to the special rate we are talking about now?

Mr. MONRONEY. The answer to the question on political organizations is "No."

This class of mail includes publications of religious, educational, scientific, philanthropic, agricultural, labor, veterans, and fraternal organizations, as well as the publications of associations of rural electrification cooperatives and one publication by the official highway or development agency of any State.

Mr. GRIFFIN. If I may propose a further inquiry, if a labor organization sees fit to use its publication to extol the virtues of one candidate in a primary contest, and attack the qualifications of another candidate, does the labor organization thereby lose its special exemption under this law?

Mr. MONRONEY. I had the same experience, on the same end, that the Senator has in mind, when I first ran for the U.S. Senate.

Mr. GRIFFIN. No, I am merely asking the question.

Mr. MONRONEY. I know what the Senator means. This is what we call a throw-away, that has no paid circulation, a publication that circulates all over the State at a very low second-class rate.

Mr. GRIFFIN. Am I to take it, then, that the answer is that the labor organization does not lose its special exemption, that it gets the subsidy regardless of how partisan it is?

Mr. MONRONEY. I am afraid that is correct.

Mr. GRIFFIN. And the other candidate, whether he be an opponent of the same party in the primary, or of the opposite political party in the general election, will have to pay a higher rate in order to answer the charges circulated against him at the subsidized rate; is that correct?

Mr. MONRONEY. He would probably have to buy advertising in a regular, profitmaking, second-class publication. That runs a good deal higher, although there are some advantages, one being the demonstration copies that the paper, if it has not used up its allotment, can use in a political campaign for a mug patch, and all that kind of thing.

The bill would barely raise the rate on the class of publications we are talking about, and I think it is time to start. Fifteen-hundredths of a cent is not enough for such publications to pay, and I think it is high time we voted to raise it.

I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, the Senator from Michigan developed the extraordinary privilege granted to the alleged nonprofit organizations such as a labor magazine. The answer is that that magazine can use its publication politically and obtain the low postal rates provided for nonprofit organizations.

My question is whether any nonprofit organization—whether religious, philanthropic, labor, or otherwise—can use its magazine or periodical politically and still enjoy this very low rate provided in the pending bill?

Mr. MONRONEY. Mr. President, this is a matter that we would have to take up with the Postmaster General and have hearings on. We come to the very delicate area involving the first amendment and freedom of the press when we decide what can and cannot be carried in the mail. If it is advertising—and it must be identified as advertising—it would then carry a separate rate. However, I do not know how to approach the question concerning news material that might be said to be slanted for this or that party.

Mr. LAUSCHE. I take it that the answer of the Senator from Oklahoma is that if it is declared to be nonadvertising material, the nonprofit organization issuing the periodical or magazine can attack a Senator or a Representative without limitation and still enjoy this low rate.

Mr. MONRONEY. The Senator is exactly right.

Mr. LAUSCHE. So that the Senator from State X, if he were attacked by a labor paper and if he wanted to answer that attack, would have to pay the normal rate while the labor magazine would enjoy the benefit of this low rate on its postal service.

Mr. MONRONEY. Or he might acquire a low rate from another labor paper on the other side of the question or from a right-to-work organization. So it all washes out.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. YARBOROUGH. Mr. President, I ask the distinguished Senator from Oklahoma if the slightly higher rate contained in the committee bill is retained, what percentage of the cost of carrying this type of mail will be borne by the Government or the taxpayers?

Mr. MONRONEY. Ninety-three percent of the cost will be borne by the Government and 7 percent by the publisher under existing rates. If the committee amendment prevails, 91 percent will be borne by the Government and 9 percent by the publication.

Mr. YARBOROUGH. If the committee amendment prevails, the Government or the people will still be paying 91 percent of the cost?

Mr. MONRONEY. The Senator is exactly correct.

Mr. YARBOROUGH. What amount of money will the carrying of this kind of nonprofit mail cost the Government?

Mr. MONRONEY. The present annual loss to the Government is $126.2 million. And the present cost to the publishers of such publications is 7 percent. It would be raised to 9 percent, and we would still be losing more than $120 million.

Mr. YARBOROUGH. We would still be losing more than $100 million on this kind of mail?

Mr. MONRONEY. The Senator is correct.

Mr. CARLSON. Mr. President, I yield myself 1 minute.

The VICE PRESIDENT. The Senator from Kansas is recognized for 1 minute.

Mr. CARLSON. Mr. President, there has been a great deal of discussion about the contents of these articles and papers that are published by nonprofit organizations—religious organizations, Boy Scouts, and many other types of organizations.

If the publication contains advertising material in excess of 10 percent, under the pending bill they have to pay the advertising rate.

It gets to be a serious question as to whether we should try to limit an organization and tell a church, a veterans' organization, or whatever the organization is, what they should put in the paper. That is their privilege under the Constitution.

I sincerely hope that we will keep that in mind. We increase the rate for the second-class profit group of this country 23 percent. And this nonprofit group gets a 60-percent increase.

I think that is an excessive increase. It should not be any higher than the rate paid by the profit group.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The VICE PRESIDENT. All time having expired, the question is on agreeing to the second part of the amendment of the Senator from Kansas. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender] and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Wyoming [Mr. McGee], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 52, nays 38, as follows:

[No. 359 Leg.]

YEAS—52

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Cannon
Carlson
Church
Clark
Curtis
Dirksen
Dominick
Fannin
Fong
Fulbright
Gruening
Hartke
Hatfield
Hill
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
McCarthy
McClellan
McGovern
Metcalf
Mondale
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Ribicoff
Sparkman
Tydings
Young, N. Dak.

NAYS—38

Anderson
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Cotton
Eastland
Ervin
Gore
Griffin
Hansen
Harris
Hart
Hayden
Hickenlooper
Holland
Hollings
Jordan, N.C.
Kennedy, Mass.
Lausche
Long, La.
Mansfield
Monroney
Montoya
Muskie
Pell
Randolph
Russell
Smathers
Smith
Spong
Stennis
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—10

Baker
Cooper
Dodd
Ellender
McGee
McIntyre
Miller
Scott
Symington
Tower

So the second part of Mr. Carlson's amendment was agreed to.

Mr. CARLSON. Mr. President, I move to reconsider the vote by which the second part of the amendment was agreed to.

Mr. HARTKE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CARLSON. Mr. President, I am advised by the staff of the Committee on Post Office and Civil Service that a technical change should be made in the amendment that has just been approved. I ask unanimous consent that the staff be permitted to make the necessary technical changes.

The PRESIDING OFFICER (Mr. Brewster in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. CARLSON. Mr. President, my understanding is that the third section of the pending amendment is now up for debate.

The PRESIDING OFFICER. The Senator is correct.

Mr. CARLSON. Mr. President, I do not expect to take much time on this amendment. I believe the issues are well known to every member of the committee. We had considerable debate and discussion on it in the executive sessions of our committee. In fact, we had several 6-to-6 votes on it.

I wish to comment briefly on the merits of the type of mailing involved and what the pending amendment proposes to do.

Under the pending bill reported by the committee, the first year figure for third-class mail is listed as 3.6 percent, and the second year and thereafter as 4 percent. The amendment I offer would make one change. The figure for the first year would be the same, 3.6. The second year and thereafter, it would be 3.8, which is the figure contained in the House bill. The Senate increased the 3.8 to 4. My amendment, if approved, with a 2-phase stepup of 3.6 and 3.8, would reduce the revenue $28 million.

We will hear much discussion about a few large mailers in this country. We probably will hear about 13 or 15 great organizations that are abusing our mails by filling them with third-class mail.

There are 275,000 third-class mailing permits in the United States. Every State has a large number of them, and they are owned by diverse groups, such as the Boy Scouts, Dr. Billy Graham, every charitable organization in the land, every corporation, every State government—the entire spectrum of our social and political life. Each Senator will find, if he checks into the matter, that many of these permits are issued to organizations in his State. We will hear much discussion about this mail being distributed by a few large corporations and organizations. This was brought out yesterday.

Let us consider the mailing permits in Emporia, Kans., a city of 15,000 or 20,000 people. The first one on the list is the Salvation Army, the second one is the Veterans of Foreign Wars, the third is the Gowther Junior High School, and on down the list. Also, the city of Emporia, the American Legion, the United Christian Fellowship, Girl Scout Council, First Baptist Church, First Methodist Church, the Messiah Lutheran Church.

So when we hear a great deal of discussion about third-class mail being used by only a few large mailers, Senators should keep in mind that in their own communities, in every city in the Nation, charitable organizations use this mail in many instances to get messages to their members and to raise revenue.

Many people do not realize that the U.S. Government itself is the largest user of third-class mail in the Nation. And judging from the samplings I have seen, some of the largest users of third-class mail are those very people who attack it the most.

Mr. President, third-class mail is the small merchant's medium for advertising. The small businessman in our communities cannot buy a page in Life magazine or Look magazine, but he can use third-class mail. Many businesses and many stores have been built upon third-class mail. Ordinarily, the small merchant is the person who uses third-class mail. It is a medium which he can afford. It permits him to pinpoint his market and direct his message only to those most likely to respond to it.

Obviously, the small merchant cannot afford to buy space in a large metropolitan daily or to buy time on a major television station. And if he could afford it, he would be wasting his money if he did use these media.

Third-class mail is an advertising tool he needs and should have. If we were to take that tool away from him we would virtually be driving the small businessman out of his store and limiting the merchandising field to the huge chain stores which can afford big league advertising.

The small independent merchant is having a tough enough time as it is. Let us not drive him to the wall by making his most effective means of advertising inaccessible to him.

Then there is the rather foolish charge that third-class mail is a useless medium of advertising—it is a waste of the advertiser's money—it just clutters up the mails and accomplishes nothing.

Look at the growth figures for this type of mail. They tell the story of its effectiveness.

Bulk mail—third class—was created by the Congress in 1928 in response to a request from—not the advertising people of the United States, but from the Post Office Department itself. The Department needed something in the way of low-priority mail material to keep the work force occupied between peak hours.

By 1946, the volume in this type of mail had risen to 4 billion pieces a year. In the succeeding 21 years—despite severe rate raises—and despite the constant attacks of its critics—it has grown 500 percent, up to 20 billion pieces a year—and it is still growing—still performing a service for the Post Office—for the people—for the economy and for the people who use it.

Mr. President, it would serve no useful purpose for me to discuss the matter at great length. The issue is simple. I would not reduce the rate substantially but from 4 cents to 3.8 cents, which is the House preference.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. HARTKE. Is it not true that there are hundreds of thousands of handicapped workers employed in third-class mail businesses?

Mr. CARLSON. The Senator is correct.

Mr. HARTKE. There are 4.5 million persons who depend on third-class mail for their livelihood.

Is it not true that this mail has deferred treatment?

Mr. CARLSON. The Senator is correct.

Mr. HARTKE. We are not changing the priority because it is going at a lower rate.

Mr. CARLSON. It is handled by the Post Office Department after first-class mail and second-class mail is taken care of.

Mr. HARTKE. They take care of this mail in slack periods and it is said that it sometimes takes 18 days for third-class mail to go from Washington, D.C., to the west coast. Is that correct?

Mr. CARLSON. The Senator is correct.

Mr. HARTKE. I join the Senator from Kansas. I hope this minor adjustment in the bill can be achieved.

Mr. CARLSON. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. AIKEN. Does the amendment of the Senator apply to seed catalogs?

Mr. CARLSON. It would apply to that type business. Yes, it could.

Mr. AIKEN. What about advertising material which is mailed in such enormous quantities by being slipped inside of a newspaper?

Mr. CARLSON. That is not covered in this amendment, but we did not remove that.

Mr. AIKEN. It seems to me that is about the biggest loss of revenue that the Post Office sustains when they drop from 18 cents to 3 cents a pound.

Mr. CARLSON. The committee did not change that. We left it to be handled by the Post Office administratively.

Mr. AIKEN. We will continue to get the Sears, Roebuck catalog. Sears, Roebuck is one of the biggest advertisers using that class. I am not complaining about it, but I am wondering if there will be any change in rate.

Mr. CARLSON. There will not be.

Mr. AIKEN. And they get the same rate as local newspapers?

Mr. CARLSON. Inserts are left as they are at the present time.

Mr. AIKEN. That is supposed to drum up business, I guess.

Mr. MONRONEY. Mr. President, this is the junk mail amendment. Of all the classes of mail we had to consider, I think that the lobbyists for the junk mail have been the most active and the most insistent in trying to bring pressure from every known pressure point. Their type lobbying and the morality of their lobbying, I think, leaves one of the blackest marks on the lobby echelon of any national trade association.

The amendment here would cut $30 million from the bill. It would reduce new revenue by not making these purely advertising projects carry a little more toward the cost of handling. It would reduce the revenue in the Senate bill from $264 million a year by $30 million a year.

This is in the face of the fact that already we are giving them a very unusually low rate and their cost coverage of third-class mail today is 61 percent. With the amendments in the bill it would be 75 percent. The amendment we vote on would probably cut it to around 70 percent of cost coverage.

This is a matter which I think disturbs many Members of Congress. I receive in the mail complaints about unwanted mail, unwelcome and nuisance junk mail.

The matter of third-class mail is not a matter that is going to penalize anybody because the men fighting for the highly subsidized rate do not pay the postage. The advertisers pay the postage and because postage is going up the lobbyists feel they may lose a few of the smaller mailings. All of their costs have gone up on paper and ink, and other costs of publication, and they want to keep the rates frozen and not raise them. It seems to me that this is a distinct subsidy for those people who are able to pay a proportionate part of their cost.

Thirteen of the permit holders for this junk mail distribute each year 7 billion pieces of mail, against 82 billion pieces of mail for the total mailing of all of the United States and its Territories. It seems to me that we cannot feel that they are doing so badly. It seems to me that it is wrong for General Motors to be able to pay 4 cents to mail a stockholder's report to stockholders while it would cost anybody else 6 cents to send a letter from here to Los Angeles first class. We should raise the rate and we have not raised the rate in a way that would be harmful.

I was in favor of going to a straight 4-cent minimum. That rate would be cheap enough. My dear friend from South Carolina [Mr. HOLLINGS] wanted to raise the rate to 4.5 cents. That would have been fair enough. We discussed this section longer than we discussed any other section in committee. The distinguished senior Senator from Wyoming [Mr. MCGEE] proposed 4.2 cents as a single-step increase. I greatly admire his courage and leadership in this matter.

Finally, the Senator from West Virginia [Mr. RANDOLPH] came up with the proposal to raise the present rate from 2.87 cents, which is the figure they now pay, to 3.6 cents for the first year and 4 cents for the second year. The House bill made the 3.8 cents effective immediately. I wanted a straight 4 cents effective immediately.

With the persuasion of the Senator from West Virginia [Mr. RANDOLPH] and the desire not to be injurious to anyone, we agreed to phase this for 2 years and to take .2 cent less than the House bill the first year but going .2 cent over and above the House so that we would reach a 4-cent minimum. This is a fair rate.

We had a close, hard fight in the committee and many votes on this issue. It was due to the diligence, the patience, and the efforts of the Senator from West Virginia that we were able to reach agreement. He proposed the key idea which enabled the committee to arrive at a fair compromise—one which allows an adjustment period for the mail user and raises more revenue for the Department. I am grateful to the Senator from West Virginia for his assistance and good judgment on this matter.

I do not recall how many lobbyists there were for General Motors, or how many there were for Procter & Gamble, those poor boys in Ohio, who came in and shed tears all over the carpet as to how hard this would hit Procter & Gamble.

Mr. President, I think the Senate is ready to vote. I wish to be realistic about the matter. I certainly feel we should eliminate the annual loss of $342 million. By this new bill we will be able to materially reduce this by bringing in $264 million in additional revenue.

Mr. President, I urge the defeat of the amendment of the Senator from Kansas.

The PRESIDING OFFICER. Do Senators yield back their time?

Who yields back time?

Mr. MONRONEY. I yield such time as he may need to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, in the hope that I shall please Members of the Senate at this late hour by speaking very, very briefly, rather than for several minutes, I trust that the amendment offered by the Senator from Kansas [Mr. CARLSON], the very able ranking minority member of our committee, a man with whom I am delighted to serve, and supported equally by the distinguished Senator from Indiana [Mr. HARTKE] will be defeated.

The Post Office and Civil Service Committee members considered my proposal, and the provisions I offered there for a fair determination for increasing the revenue from this class of mail, over the House action, should commend itself to my Senate colleagues. I know so well of their fairness and justice as legislators.

I could join the knowledgeable chairman of our committee [Mr. MONRONEY] in further discussion of this important matter. I shall not do so. I shall stop now, expressing the hope that the amendment will be defeated by a decisive vote.

Mr. CARLSON. Mr. President, everyone understands the issue: to increase the third-class rates, which I think are excessive in the context of the other increases we voted in the bill. It will cost $28 million. I would be less than frank if I did not say that. But in view of the choice of companies the Senator from Oklahoma used, whereas I mentioned a large number of organizations at the beginning of my preliminary statement, let me say that we heard a great deal about the 13 organizations and Procter & Gamble, but we did not hear anything about the First Baptist Church, the American Legion, or the other worthy organizations who use this type of mail to send out messages of importance.

Mr. AIKEN. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I yield.

Mr. AIKEN. Would the Senator tell us how much his amendment would reduce the revenue?

Mr. CARLSON. Twenty-eight million dollars.

Mr. AIKEN. How much?

Mr. CARLSON. Twenty-eight million dollars.

Mr. MONRONEY. The committee figures it at $30 million.

Mr. AIKEN. That would run the war in Vietnam for about 9 hours, would it not?

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

Mr. CARLSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back. The question is on agreeing to the third section of the amendment offered by the Senator from Kansas [Mr. CARLSON].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER] and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD] and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Tennessee [Mr. BAKER], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Texas [Mr. TOWER] would vote "yea."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Tennessee [Mr. BAKER]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Tennessee would vote "nay."

The result was announced—yeas 27, nays 64, as follows:

[No. 360 Leg.]

YEAS—27

Aiken
Bayh
Bennett
Boggs
Brewster
Brooke
Carlson
Clark
Cotton
Curtis
Dirksen
Fannin
Fong
Hartke
Hickenlooper
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Kuchel
McCarthy
Morton
Nelson
Pearson
Percy
Prouty
Sparkman

NAYS—64

Allott
Anderson
Bartlett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Dominick
Eastland
Ervin
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hatfield
Hayden
Hill
Holland
Hollings
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Smathers
Smith
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—9

Baker
Cooper
Dodd
Ellender
McIntyre
Miller
Scott
Symington
Tower

So the third section of Mr. CARLSON's amendment was rejected.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the third section of the amendment was defeated.

Mr. MONRONEY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 469

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 469.

The PRESIDING OFFICER. The amendments offered by the Senator from Delaware will be stated.

The legislative clerk proceeded to read the amendments.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with, and that they be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 143, between lines 6 and 7, insert the following:

"SEC. 225. (a) During any period in which the aggregate number of full-time civilian officers and employees (including the full-time equivalent of part-time employment) in the executive branch of the Government exceeds the aggregate number employed on July 1, 1966, no vacancy in any office or position in any department or agency in the executive branch of the Government resulting from the resignation, retirement, transfer, removal, or death of the incumbent of such office or position shall be filled, except pursuant to a determination of the Director of the Bureau of the Budget (hereinafter referred to as the 'Director') under subsection (b).

"(b) The Director shall make continuing studies of the personnel needs of the various departments and agencies of the Government during any period referred to in subsection (a), and shall determine which of the vacancies occurring in such departments and agencies may be filled. Such determinations shall be so made that the aggregate number of vacancies filled during any calendar quarter, beginning with the quarter ending March 31, 1968, in the executive branch of the Government, shall not exceed 25 per centum of the aggregate number of vacancies occurring during such quarter. The determinations of the Director under this subsection shall be made on the basis of the relative needs of the various departments and agencies for personnel, having in mind the importance to the national health, security, and welfare of their respective functions and activities. Such determinations may be made by such appropriation units or organization units as the Director may deem appropriate.

"(c) The Director shall maintain a continuous study of all appropriations and contract authorizations in relation to personnel employed and shall reserve from expenditure the savings in salaries and wages resulting from the operation of this section, and any savings in other categories of expense which he determines will result from such operation.

"(d) The departments and agencies in the executive branch shall submit to the Director such information as may be necessary to enable him to carry out his functions under this section.

"(e) The Director shall submit to the Senate and the House of Representatives at the end of each calendar quarter, beginning with the quarter ending March 31, 1968, a report of his activities under this section.

"(f) This section shall not apply to officers and employees in the Department of Defense, the postal field service, and the Federal Bureau of Investigation, to casual employees, as defined by the Director, to employees employed without compensation, to offices filled by appointment by the President by and with the advice and consent of the Senate, or to offices or positions filled by transfer from another position within the same or another department or agency, except that such employees, offices, and positions shall be taken into consideration in determining the aggregate number of officers and employees for the purposes of subsection (a).

"(g) Nothing in this section shall supersede or modify the reemployment rights of any person under section 9 of the Military Selective Service Act of 1967, or any other provision of law conferring reemployment rights upon persons who have performed active duty in the Armed Forces."

On page 135, after line 25, insert the following:

"(5) Section 225 shall take effect on January 1, 1968."

PERSONAL STATEMENT OF SENATOR YOUNG OF NORTH DAKOTA

Mr. WILLIAMS of Delaware. Mr. President, I yield 1 minute to the Senator from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. President, like most Members of the Senate, I thought Congress would adjourn before December 1. As a result, I accepted an invitation of long standing to speak at the annual convention of the Oregon Wheat Growers League tomorrow morning in Portland. This means I shall have to leave before the final vote is had on this postal-pay raise bill.

If I could be present for that vote, I would vote "yea." In checking with many Members of the Senate, it appears the bill will pass with a big majority without my vote, and that my vote will not be needed.

Mr. WILLIAMS of Delaware. Mr. President, the purpose of this amendment is to write into law the Executive order of President Johnson as issued September 20, 1966. On September 20, 1966, President Johnson issued an Executive order freezing Federal civilian employment at the July 1, 1966, level.

In that order he made certain exemptions as they would relate to the Defense Department and the Post Office Department. Subsequently he mentioned an exemption for the FBI.

This amendment is drafted to carry out the purpose and the objective of that Exectuive order, with the same exemptions as were embraced in President Johnson's original freeze order.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MUNDT. I would like to raise the question, in harmony with the rest of the exemptions, as to whether we should not include the Central Intelligence Agency as well, because, with the exception of the Post Office, whose burden of work must be carried out and which must have an appropriate number of employees to get through its work, all other exemptions deal with the security of the country, either externally or internally. It seems to me the Central Intelligence Agency would fit neatly the package of other exemptions.

Mr. WILLIAMS of Delaware. The reason the CIA was not included is that it was not included in the President's original Executive order. I assume the President had taken that into consideration and saw no need for the exemption. However, since the Senator from South Dakota and other Senators mentioned it to me yesterday, I am advised that whether that Agency is in or out would make no difference whatever because, as I understand it, the Agency has not increased the number of its employees. So, while I see no real purpose in putting it in there would be no harm and nothing would be lost by including the Agency.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. MUNDT. Due to the uneasy situation around the world, it is impossible for the CIA to make a calculation of what its burdens are going to be. I wonder if the Senator would be willing to accept an amendment, at the end of line 13, on page 3, after the comma, to add the words "the Central Intelligence Agency," and then continue as it is.

Mr. WILLIAMS of Delaware. The Senator from South Dakota [Mr. MUNDT] and the Senator from Washington [Mr. JACKSON] have expressed concern, and even though, as I mentioned earlier, I do not think it is necessary, I do not see any harm to have the agency included. If it is going to make the two Senators feel better I would be willing to accept such an amendment.

Mr. MUNDT. I wish the Senator would. It could be a wise precaution. It may not be necessary, but it is better to be on the side of prudence.

Mr. WILLIAMS of Delaware. Very well.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. JACKSON. I concur in the remarks of the able Senator from South Dakota. I would hope the Senator will modify the amendment to exclude the Central Intelligence Agency.

Mr. WILLIAMS of Delaware. Mr. President, I so modify the amendment. On page 13, after the end——

Mr. MUNDT. To include that Agency among the exclusions.

Mr. JACKSON. Yes, to include it in that list.

Mr. WILLIAMS of Delaware. I modify the amendment on page 3, line 13, to add the Central Intelligence Agency with the other exclusions.

The PRESIDING OFFICER. The Senator has that right, and the modification is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that President Johnson's Executive order of September 20, 1966, be printed in the RECORD at this point.

There being no objection, the Executive order was ordered to be printed in RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., September 20, 1966.

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

Subject: Fiscal year 1967 employment ceilings.

1. The President has directed that the head of each agency take necessary steps to:

a. Hold employment in *full-time permanent positions* for the remainder of fiscal 1967 to a level at or below that prevailing as of July 31, 1966. (Those agencies whose employment is already above the July 31, 1966, figure should reduce their employment to the July 31 level as expeditiously as possible by not filling vacancies.)

b. Hold employment in *temporary, part-time, or intermittent positions* for the remainder of fiscal 1967 to a level at or below that prevailing as of June 30, 1966, except for meeting normal seasonal changes in agency workloads. In no event should such employment on June 30, 1967, exceed that on June 30, 1966.

2. These actions are an essential part of President Johnson's efforts to reduce Federal expenditures.

3. Each agency head should make every effort to achieve the lowest possible level of employment. We must increase our productivity level of employment. We must increase our productivity, redeploy our personnel, simplify our procedures and strip work to essentials in order to meet the employment ceilings established by this memorandum.

4. In view of the personnel requirements involved in the Viet Nam conflict, the Department of Defense and the Selective Service System are specifically exempt from paragraph 1 of this memorandum. For these two agencies, employment ceilings heretofore in effect will remain in effect subject to adjustment during review of the 1968 budget.

5. In the case of the Post Office, the June 30, 1967, employment ceiling established in the January budget review will remain in effect.

6. Requests for exception to the levels established by this memorandum will be presented to the Director of the Bureau of the Budget by the agency head under the following circumstances *only:*

a. When the need for employment increases can be related directly to requirements for Southeast Asia, or

b. When employment increases are needed for new programs which were not in existence on July 31, 1966, and for which appropriations or other funds have been provided and have been apportioned by the Bureau of the Budget, or

c. When employment increases are needed for emergency situations involving the protection of life, property, or the national security, or

d. When transfers of functions from one agency to another or from headquarters to the field result in a need to adjust employment levels.

In any of the above cases, *exceptions will not be requested* until the *agency head* has determined that it is clearly not possible to meet the required employment needs by redeploying personnel from other areas so as to remain under the employment level established by this memorandum. *Exceptions will not be granted* unless agencies clearly demonstrate that such shifts have been evaluated and that they are not feasible.

CHARLES L. SCHULTZE,
Director.

Mr. WILLIAMS of Delaware. Mr. President, as I stated earlier, this amendment would merely write into law the executive order as promulgated by President Johnson on that date.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I yield myself 5 minutes. I believe 5 minutes is sufficient for Senators to understand both sides of the question.

This proposal is a meat-ax cut, coming after the Appropriations Committee of the Senate, led by our great chairman, the Senator from Arizona [Mr. HAYDEN], has managed to reduce by $5 billion, so far this year, the total appropriations that we have made.

I say that $5 billion is a good, substantial cut, and was not easy to arrive at. So I surrender to no one when it comes to trying to reduce Government expenses.

I wish to see the total number of employees reduced as much as possible; but I do not believe we can roll back the ceiling to July 1966, and say "This will be your employment ceiling, and you are to reach it by attrition, not hiring replacements for those who quit or take other jobs," because there are certain agencies, certain demands, and dozens of programs that have been created by our own legislation which the agencies are required to staff.

I might mention a few that have not been considered, which would have exactly zero employees if the ceiling the distinguished Senator from Delaware proposes were imposed. One such is the great Department of Transportation, which was created only last year. Its operations, today, include all of the FAA, which employs some tens of thousands of very skilled, able, and competent personnel.

With the increasing air traffic today, I personally know of the desperate condition we are getting into, to find adequate air traffic controllers, weather experts, mechanical investigators, and safety inspectors of all kinds. The Senator's amendment would not give them any ceiling whatever, because the Department of Transportation is an entirely new organization, and there is nothing in the amendment, as I read it, that would transfer whatever ceiling the FAA had to the Department.

This is a kind of meat ax, quick-on-the-trigger proposal, which says, in effect, "Let us do it and get it over with."

We shall continue to cut expenses, of course, but let us try to do so without having to cut into such programs as medicare, for which people must be recruited to staff the medical programs we have instituted since July 1966.

The Veterans' Administration must face the burden of the tremendous load of the 125,000 men, who have thus far been wounded in Vietnam, who will initially be treated, of course, in Government and military hospitals, but at some point they will have to be transferred to civilian hospitals. The amputees and the handicapped must be cared for on a long-term basis, in addition to those who continue to come in.

The GAO—with the rocketing of our procurement of military hardware, we know from past experience how difficult it is to keep track of the gypping, the defrauding, and the padding of costs in this vast $75 billion military affairs enterprise for which we are appropriating the funds—would also be rolled back, if attrition occurs, to their July 1966 level.

We have passed, in the last year and the year before, which would not be under this ceiling, the greatest educational program of assistance to the school districts of America and to the poverty-stricken areas of America ever instituted, which will involve the expenditure of billions of dollars. Yet this amendment, because the program did not exist before in HEW, and did not have a personnel ceiling as of July 1, 1966, would require that anybody who quits could not be replaced, because the ceiling is so low.

Mr. President, I just jotted these items down in 2 minutes, after I heard the amendment read. To agree to an amendment such as this would get us into a meat-ax type of operation, which has no place here. There is a place for it on appropriation bills. There is a place for it in a separate resolution, if the Senator will spend more time with his proposal, work the flaws out of it, and bring it to the floor.

The distinguished Senator from Delaware has offered seven or eight amendments, I think, thus far. I cannot understand why he does not come before the committee and give us a chance to study these matters. That is why we had open hearings. The Senator would have been most welcome.

But on not one of his amendments did the Senator from Delaware come before the committee to explain what he sought to do. Instead, we must face them on the floor of the Senate, and, in 15 or 20 minutes, are asked to revolutionize the entire operation of the Government by rolling back to July 1966, without knowing what agencies will be affected. We just had the CIA added on the floor.

My fellow Senators, if we wish to roll back the ceiling, let us do it with a surgeon's scalpel, and not with a meat ax. I urge that the amendment be rejected.

Mr. WILLIAMS of Delaware. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Delaware yield himself?

Mr. WILLIAMS of Delaware. I yield myself 4 minutes.

The Senator from Oklahoma has expressed concern because these amendments were not first considered by his committee. I, too, am concerned that they were not. I call his attention to the fact that four of the amendments I have offered here today were submitted to his committee, and I thought they would be considered by the committee. I suggest that if they did not consider them that is not my fault; it is their fault.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. Did the Senator ask for a minute of time to come by and explain them to the committee? Are we supposed to salute and obey if we receive a letter?

We would like to have the author, if he wants an amendment considered, explain it to the committee. During my 17 years in the Senate, that is a courtesy I have come to think proper, and to expect of the author of an amendment. But apparently the Senator thinks just a letter, or sending a copy of the amendment, is all that is necessary.

Mr. WILLIAMS of Delaware. Mr. President, the amendments were before the committee. I had the greatest sponsor of them all, the President of the United States. This was President Johnson's proposal, and he is a member of the same political party as the chairman of the committee. Certainly they are not telling me that no Democratic member of the committee read the President's Executive order of September 20, 1966, which was printed in detail in every newspaper in the country.

Copies of his Executive order were sent to the committee. Am I now being told that this so-called Presidential freeze order on civilian employment in the Government was not even read by committee members?

President Johnson made a solemn promise in that statement to roll back Federal employment to the level of July 1, 1966. As a matter of fact, he has made a series of such promises. Let us review the record. I ask unanimous consent to have printed in the Record an editorial published in a Camden, N.J., newspaper on December 30, 1963, wherein President Johnson was quoted at that time as stating:

> There will be fewer Federal employees in 1964 than in 1963, President Johnson promises.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

JOHNSON'S FEDERAL JOB CUT ORDER

There will be fewer Federal employes in 1964 than in 1963, President Johnson promises.

The promise is definite and explicit though the President does not yet say and doubtless does not know how large the reduction will be. It is a part of his general economy program and budget-cutting drive.

Johnson discloses that in the last three years Federal employment has increased by 131,000 jobs. He notes that it has been a decade since it showed a decline.

In an order to all heads of departments and agencies, the President says the budget director will shortly notify them of maximum employment levels they must enforce for the fiscal years of 1964 and 1965. He tells them to make personal examinations of the job situation and to "establish new end-of-year targets" below the budget director's figures. He emphasizes that these figures are ceilings, not goals. Once he approves the department heads' new targets, they are not to be exceeded without his specific approval.

Coupled with the reduction in jobs, Johnson tells the executives to turn their attention to "tighter management, redeployment of personnel, simplification of procedures, and stripping work to essentials." In other words, to getting more work out of jobholders.

And he orders quarterly reports to him, beginning April 1, "on what you have accomplished under this effort."

The order follows earlier actions toward governmental economy initiated by the President, including the Defense Department's decisions to curtail the number of U.S. military bases and to scrap the Dyna-Soar spacecraft project. It is known that he has other programs in mind, including our administration of foreign aid.

It is refreshing to see a President so economy-minded and acting personally to give the taxpayers more value for their dollar, and particularly his effort to get more value out of their salary dollar from Federal employes, whose jobs in many instances involve duplication of work, featherbedding and goldbricking.

Many people have the impression—justified or not—that as a party the Democrats are less interested in governmental economy than the Republicans. President Johnson seems to be moving energetically to erase that impression.

In doing so he takes considerable wind out of the sails of the Republicans, who have been planning to make governmental economy an issue in 1964.

After announcing his job reduction order to an informal press conference at his Texas ranch, the President was asked by one reporter, "How big is the total reduction to be in Federal employment?"

Replying that he could not yet give specific figures, Johnson asked, "Isn't it just enough that we cut it? You don't know how hard that was."

But anyone familiar with government and politics has a good idea of how hard it must have been, and will agree that even a small cut will reverse an alarming long-term trend and will be better than none.

Mr. WILLIAMS of Delaware. Mr. President, what a promise. But what happened? The number of employees crept higher. Then in December of 1965, speaking from Texas, President Johnson issued another Executive order. Again he expressed his great concern over the large number of Federal employees and said that he was going to cut the number by 25,000 during that fiscal year.

I ask unanimous consent that the article concerning that interview as published in the New York Times be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Dec. 2, 1965]

PRESIDENT BACKS A CUT IN U.S. JOBS—APPROVES PLAN TO RETIRE 25,000—SPENDS QUIET DAY

AUSTIN, TEX., December 1.—President Johnson approved this afternoon a plan that could eliminate 25,000 Government jobs.

The plan, contained in a memorandum from the Budget Bureau and released here, instructs the heads of Government departments and agencies to reduce their employment by 1 to 1.25 per cent by the end of the fiscal year 1966, which ends next June 30.

Joseph Laitin, assistant White House press secretary said the plan did not mean that present employees would be dismissed. It is designed, he said, to take advantage of stepped-up retirement from Government jobs.

These retirements have been increasing because of a new law offering certain inducements, including larger pensions, to employees who retire before the first of the year.

"The vacancies thus created," the memorandum said, "present an opportunity to take new specific action to carry out the President's long-standing instructions to hold Federal employment at the minimum necessary to carry out Government operations effectively."

The President spent a quiet day at his ranch studying reports and preparing for a meeting tomorrow with Secretary of Agriculture Orville L. Freeman and Secretary of State Dean Rusk.

The main topic at the meeting is expected to be the world food situation and Mr. Johnson's forthcoming talk with President Mohammad Ayub Khan of Pakistan.

Mr. Rusk is expected to join Mr. Johnson and Defense Secretary Robert S. McNamara for a discussion of world problems this weekend or early next week. The White House announced yesterday that this meeting would be held tomorrow or Friday. However, officials explained today that administrative work at the Pentagon would keep Mr. McNamara in Washington longer than expected.

The President also spoke by telephone with his special assistant for national security affairs, Mr. McGeorge Bundy. Mr. Laitin, in response to a question, said that the subject of Mr. Bundy's future had not been discussed and that, to the best of his knowledge, the two men had never discussed it. Mr. Bundy has been offered a post as head of the Ford Foundation.

Mr. WILLIAMS of Delaware. Mr. President, after that second historic statement in December of 1965, promising to cut back the number of Federal employees by 25,000, we find that by the following July 1, instead of cutting the payroll, the President had added 187,506 employees. These 187,000 employees are costing the taxpayers over $1.5 billion annually.

In September 1966, a couple of months before the election, the President again got concerned and issued an Executive order announcing that he was freezing employment at the July 1966 level.

I have just had a copy of that Executive order printed in the RECORD. What happened this time? Since that Executive order was issued the President has added 185,393 more employees.

I appreciate the President's great expression of concern for economy. I appreciate his speeches and his promises of economy as much as any American; however, we are about to go broke as a result of that kind of economy. Each time the President expresses concern over the number of employees he just adds another 100,000 to 200,000 employees.

The Senator from Oklahoma said that this is a buggy amendment or a meat-ax approach. If it is so it is a Texas meat ax. I am using the same ax that was presented by the President of the United States. It is a good Texas ax, and if the President of the United States is approaching the economy with a meat-ax approach perhaps he thinks we need this kind of meat-ax approach.

If, as the Senator from Oklahoma claims, the amendment has bugs I remind him that they are not mine; they are Texas bugs.

The pending amendment would merely write into the law what the administration says, and surely the President meant it. Surely the Senators on the other side of the aisle have enough confidence in their own President to think that he was on the level when he promised this cutback in Federal employment.

Certainly we have established some new agencies. The President knows about those agencies, and in his Executive order he provided that the Budget Director could transfer employees to these new agencies.

The Transportation Agency was mentioned. We have created a new transportation agency. They had 53,000 employees, but we transferred 43,000 of those employees from the Department of Commerce.

Under the pending amendment the President can transfer employees from agency to agency and make the cutbacks wherever he sees fit in line with his own Executive order.

The pending amendment would not cause the firing of a single Government worker. There is no time limit here. The measure merely states that at the end of every 3-month period, three out of every four normal resignations or retirements must be eliminated until the July 1, 1966, level of employment has been reached. They can appoint one-fourth of all normal resignations and retirements.

That gives them a chance to continue in operation. If they have a specialist that resigns they can hire another one.

This same language has been adopted in the law heretofore. It has been done many times before when Congress and the administration were really serious on curtailing expenditures.

I have too much respect for the man in the White House to say that he was not serious when he issued his Executive order of September 20, 1966. Surely the President of the United States was serious, and surely his political party will back him in this Executive order. Surely Democratic Members of the Senate will not try to discredit him by saying that the President was using an irresponsible meat-ax approach or had a buggy idea when he said he was trying to cut back on Federal employment.

Let us proceed on the premise that he was serious and help him roll back the number of Federal employees in the exact manner in which he said he wanted to do it.

If, on the other hand, those on the other side of the aisle think the President was not sincere and that his statement of September 20, 1966, was just so much political poppycock, they should vote against the amendment and then tell the American people that the President really did not mean it. Then let us cut out this political malarky of saying the administration is for economy when it is not.

Mr. MONRONEY. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 minutes.

Mr. MONRONEY. Mr. President, the President does not need a bill to effectuate economy. He is trying to effectuate economy. Everyone knows that the war has escalated and that we have more employment in the Government as a result of it. The situation affects other agencies than the Department of Defense. However, those figures are also Department of Defense figures.

I think the President can and should and will effectuate a reduction in Federal employment by the use of a surgeon's knife and not by the meat-ax Williams approach. He will do so because he does not have to come to Congress with relation to the number of employees in each agency and have the figure fixed in concrete, by reason of attrition, and fill one job for every four positions that have become vacant by reason of resignation or retirement.

The proposal is dangerous. It would put the Government in a straitjacket. We have cut appropriations by $5 billion so far this year. I am proud of the job that the Appropriations Committee has done. It will do a lot more and will reduce personnel far more for the purpose of economy than would the Williams amendment. I think the Williams amendment should be rejected. It is dangerous, harmful, and unworkable. It is a rigid piece of legislation to apply in a country during a wartime economy when the country needs production in the way of administration and the auditing of accounts and things that are so vitally necessary to protect the country because of the great war expenditure that is required.

I ask for the rejection of the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 minute.

Mr. WILLIAMS of Delaware. Mr. President, I have said enough in support of the amendment. Frankly, I was confident that the amendment would be unanimously agreed to, with the support of those on the other side of the aisle.

I am surprised that my good friend, the Senator from Oklahoma, would describe an Executive order of the President of the United States, a man representing his own political party, as being an irresponsible meat-ax approach. I am surprised that the Senator used all those uncomplimentary adjectives. Even as a member of the minority party I have more respect for the President than to charge that he would issue an Executive order solely for political purposes and that he never had any intention of implementing it.

But perhaps they have a reason. What has happened every time the President has put such an Executive order into effect? When in December 1965 the President promised that for the remainder of that fiscal year he would cut Federal employment by 25,000 he added 187,526 employees to the payroll.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 additional minute.

Mr. WILLIAMS of Delaware. Mr. President, when the President announced his freeze order of September 20 instead of holding the line, he added another 185,393 employees within the next 12 months.

The Secretary of the Treasury, Mr. Fowler, is before the House Ways and Means Committee today promising that the President is again going to cut the Federal payroll. I shudder to think what will happen this time when he promises to reduce employment by Executive order.

Our experience has been that he adds another couple of hundred thousand every time. That is what I want to correct. If they do not mean it then they should stop talking about it and tell the American people the truth.

These false promises of economy are contributing to this credibility gap both here at home as well as abroad.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr MUNDT. Mr. President, I think the Senator from Oklahoma misinterprets the amendment of the Senator from Delaware. He said this would be a rigid piece of legislation.

As I read the amendment, it is simply applicable to the aggregate population of Federal employees.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. MUNDT. And the President has a perfect right to shift the employees from an understaffed department—if he can conceivably find one—to a new department. There is nothing rigid about it except the setting of a top limit.

Mr. WILLIAMS of Delaware. The Senator is correct. Likewise, the amendment would not place any time limit as to when they must reach this July 1, 1966, objective. They reach it in the normal manner through resignations and retirements. If it takes 6 months, a year, or 2 years, they ultimately reach their objective. However, they must continuously move in the direction of dropping back to the July 1, 1966, level of Federal employment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 additional minute.

Mr. WILLIAMS of Delaware. This amendment is in line with what the Bureau of the Budget will need to implement this Executive order. This is in line with what was promised in the September 20 Executive order. Certainly my Democratic colleagues will not charge that that was not an irresponsible action on the part of the President. I do not so characterize it.

Mr. MUNDT. It seems to me that the way the Senator has described it, the Senator could not possibly have done anything to direct a reduction of the Federal payroll with a greater degree of flexibility. I do not see how anyone could grant any more Executive authority than the Senator has. He provides that this will be the top bracket and that the administration can do this in accordance with the job that needs to be done.

Mr. WILLIAMS of Delaware. The Senator is correct. He can move these employees around. They have complete jurisdiction to do it.

The point that concerns me is that we are dealing with a bill that will ultimately cost about $2.5 billion annually.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 additional minute.

Mr. WILLIAMS of Delaware. Mr. President, each 1-percent increase in Federal taxes across the board brings in about $900 million. A 3-percent increase in taxes across the board would be required to pay for this bill. We must take some constructive step to hold the cost of this Government down.

I believe the least the Senate can do is to support the amendment. Surely this is one of the most responsible amendments I have ever offered. In fact, I was inclined to offer it on behalf of both myself and President Johnson, but I would not be so presumptuous. However, I appreciate the honor of upholding his hand in the Senate, where apparently he has so few friends.

The adoption of this amendment will achieve a reduction in the cost of Government totaling at least $1.5 billion annually.

Whether the President was serious or not, let us take him at his word. At least he cannot object.

Mr. MONRONEY. Mr. President, I yield myself 2 minutes.

As I read the amendment offered by the distinguished senior Senator from Delaware, I see no relationship in language or plan or program to that of President Johnson. I do not believe it is proper to say that this is the President's bill, when it bears only the handiwork and the usual degree of misaccuracy and miscalculation we sometimes find in congressional drafted legislation, instead of the skills of trying to use executive power through well-trained budget groups to effectuate these ceilings.

Even the distinguished Senator, who pointed out how flexible it was in an interchange between agencies, thought it was necessary to exempt the CIA so that they would not be left short in their undercover work. The author does not consider it to be flexible, or he would not have included the Department of Defense or the Federal Bureau of Investigation. This proves to me that he does not know exactly what departments will be crippled. So he singles out these few which will not be crippled, and he leaves all the others, no matter how enlarged or how important their program might be, to the vagaries of what the overall amendment might happen to be.

Again, this is a meat-ax approach, a typical operation for a quickie amendment to vitally affect, in a dangerous way, the economy and the operation of this vast Government of ours.

Mr. WILLIAMS of Delaware. I take 1 minute to call attention to the fact that the reason the Department of Defense and the postal service were excluded is that they, along with the FBI, were a part of the President's recommendations.

At the time the suggestion was made about the CIA, I said it did not make any difference whether it was in or out. Under the rules they could handle it, but if the Senator from South Dakota felt differently, it did not make any difference, and I accepted his suggestion.

The reason these others were included is that the President had them in his recommendations, and I was trying to repeat what was in his order.

Now as to this being called a meat-ax approach—if it is a meat-ax approach, it is a good old Texas meat-ax that should be put into law.

I hope the Senator will join me in accomplishing this.

If, as the Senator from Oklahoma states, this amendment has the "usual degree of misaccuracy miscalculation" I remind him that he is talking about a proposal first made by President Johnson. This was the President's own proposal.

Mr. MONRONEY. Will the Senator tell the Members of Congress why he has excluded the National Security Agency, one of the larger agencies, which is not included in the list of protected agencies?

The Senator has missed many things he is trying to protect, and in this meat-ax approach, the National Security Agency has no more protection than the poverty program.

The PRESIDING OFFICER (Mr. BAYH in the chair). The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I yield myself 1 additional minute.

The PRESIDING OFFICER. The distinguished Senator from Delaware has no time remaining.

Mr. WILLIAMS of Delaware. I yield myself 5 minutes on the bill.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I should like to complete my statement first.

The reason these certain agencies were excluded and others were not is that I followed the pattern outlined in the President's Executive order.

If the Senator desires to know why the President did not include the other agencies his relationship is closer with the President than mine, and I suggest that he ask the President. I would appreciate it also if the next time he meets the President he tell him that I am going to try to persuade enough of his friends in Congress to uphold his hand by getting his Executive order written into law.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. What provision is made, under the proposed amendment, for filling vacancies in the Post Office Department?

Mr. WILLIAMS of Delaware. The Post Office Department can fill its vacancies without regard to the one-in-four formula under the President's Executive order. However, at the end of each quarter the Director of the Budget Bureau would certify, for example, that they have had 500 resignations and retirements and that they had reduced the Federal payroll by 375. The 125 could be filled in or transferred to any department, and they could be transferred among the agencies. They would have a free hand, as they have without this amendment. That is the way the President had suggested it in his Executive order.

With respect to the Post Office Department, I suppose the reason he exempted that agency is that it has a certain amount of seasonal activity. Such seasonal activities were exempted under his order.

Mr. HOLLAND. Does this mean that only one out of four vacancies in the Post Office Department can be filled?

Mr. WILLIAMS of Delaware. No, not at all. It means that one out of four of the aggregate number of Federal employees can be filled each quarter. But they can fill them as they see fit and in whichever agency they see fit. They have complete flexibility to interchange and work around the agencies.

Mr. HOLLAND. In other words, in filling the Post Office vacancies to keep the service going—there are thousands of vacancies that occur every year due to retirement or other causes—the other agencies can be impoverished as to their employees in any way that the Bureau of the Budget suggests?

Mr. WILLIAMS of Delaware. That is the President's Executive order, and that is provided for in this amendment.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. I call attention to the fact that the Senator's amendment excludes the postal field service.

Mr. WILLIAMS of Delaware. Yes.

Mr. CURTIS. Line 13, page 3.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. HOLLAND. The Post Office vacancies and the Post Office numbers shall be included in the one out of four. The Senator made that statement a moment ago.

The PRESIDING OFFICER. Is all time yielded back?

Mr. MONRONEY. I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender] and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Minnesota [Mr. McCarthy], the Senator from Georgia [Mr. Russell] and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], the Senator from Pennsylvania [Mr. Scott], and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from California [Mr. Kuchel] is detained on official business.

On this vote, the Senator from Tennessee [Mr. Baker] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Iowa would vote "nay."

The result was announced—yeas 27, nays 60, as follows:

[No. 361 Leg.]

YEAS—27

Aiken
Allott
Bennett
Byrd, Va.
Church
Cotton
Curtis
Dominick
Fannin
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Jordan, Idaho
Lausche
McClellan
McGovern
Mundt
Murphy
Pearson
Proxmire
Ribicoff
Smith
Talmadge
Thurmond
Williams, Del.

NAYS—60

Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Dirksen
Eastland
Ervin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Percy
Prouty
Randolph
Smathers
Sparkman
Spong
Stennis
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—13

Baker
Cooper
Dodd
Ellender
Kuchel
McCarthy
McIntyre
Miller
Russell
Scott
Symington
Tower
Young, N. Dak.

So the amendment of Mr. Williams of Delaware was rejected.

Mr. BREWSTER and Mr. DIRKSEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield, without losing his right to the floor, so that we may discuss the program for the remainder of the day?

Mr. BREWSTER. I yield.

Mr. MANSFIELD. I thank the Senator.

PROGRAM—UNANIMOUS-CONSENT AGREEMENT

Mr. DIRKSEN. Mr. President, I wish to ask the distinguished majority leader whether he can ascertain how many amendments may still be called up, and as to the business for the balance of the day after we finish the instant bill.

Mr. MANSFIELD. I am delighted to furnish what information I have at my disposal.

It is my understanding that the distinguished Senator from Indiana [Mr. Hartke] may have an amendment which possibly will be acceptable to the committee. I further understand that the distinguished Senator from Maryland [Mr. Brewster] has an amendment, and that he is willing to agree to a 10-minute time limitation, 5 minutes to each side.

Mr. President, I formally make that request for the 10-minute time limitation in connection with the Brewster amendment which will be the next amendment to be proposed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Does the Senator from Texas have an amendment?

Mr. YARBOROUGH. I have an amendment, but I shall not request a rollcall vote.

Mr. MANSFIELD. Mr. President, there is one other amendment to be offered by the distinguished senior Senator from Texas [Mr. Yarborough], and one amendment to be offered by the distinguished senior Senator from Oklahoma [Mr. Monroney], the manager of the bill, none of which, I understand, will take very long.

Therefore, I think we can reasonably anticipate that about 6 o'clock we should be able to approach final passage. Certainly third reading should occur by that time, unless something develops.

Mr. President, this bill is to be followed by Calendar No. 793 (H.R. 13510) the military pay bill. At least that measure will be laid down tonight. Whether it is taken up will depend on the duties and responsibilities which the distinguished Senator from Georgia [Mr. Russell] has at that time.

Mr. DIRKSEN. I thank the Senator.

Mr. MANSFIELD. I do not believe that I gave the whole schedule insofar as it could be accomplished, so I think I had better do it now.

Following the disposition of the military pay bill, Senate Resolution 180, the U.N. resolution on Vietnam will be taken up.

Then, it is hoped, some time late tomorrow afternoon, it will be possible to take up various conference reports which will be coming over from the House.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491).

The message also announced that the House disagreed to the amendment of the Senate to the bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Poage, Mr. Gathings, Mr. Foley, Mr. Purcell, Mr. Belcher, Mr. Teague of California, and Mrs. May were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491).

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

AMENDMENT NO. 477

Mr. BREWSTER. Mr. President, I have an amendment at the desk, and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BREWSTER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and, without objection, the amendment will be printed in the Record.

The amendment, ordered to be printed in the Record, is as follows:

On page 143, line 7, insert the following:

"Sec. 225. (a) Section 5102(b) of title 5, United States Code, is amended to read as follows:

"'(b) Except as provided by subsections (c) and (d) of this section, this chapter applies to all civilian positions and employees in or under an agency, including positions in local boards and appeal boards within the Selective Service System and employees occupying such positions.'

"Sec. 2. So much of section 10(b)(4) of the Universal Military Training and Service Act (50 App. U.S.C. 460(b)) as precedes the words 'That any officer' is amended to read as follows: '(4) to appoint, and to fix, in accordance with the classification provisions of title 5, United States Code, the compensation of such officers, agents, and employees (including employees of local boards and appeal boards) as he may deem necessary to carry out the provisions of this title: *Provided*,'.

"Sec. 3. The rate of basic pay of each employee appointed to a position in a local board or in an appeal board within the Selective Service System prior to the effective date of this Act shall be adjusted, as of such date, as follows:

"(1) If the rate of basic compensation of such employee is equal to any scheduled rate for the grade to which the position of such employee is allocated, such rate of basic compensation shall be the new rate of basic compensation for such employee;

"(2) If the rate of basic compensation of such employee is less than the minimum scheduled rate for the grade to which the position of such employee is allocated, such minimum rate shall be the new rate of basic compensation for such employee;

"(3) If the rate of basic compensation of such employee falls between any two scheduled rates for the grade of which the position of such employee is allocated, the higher of such two rates shall be the new rate of basic compenstion for such employee; and

"(4) If the rate of basic compensation of such employee is greater than the maximum scheduled rate for the grade to which the position of such employee is allocated, such rate of basic compensation shall be the new rate of basic compensation for such employee.

"Sec. 4. This Act shall take effect at the beginning of the first pay period which begins more than ninety days after the date of enactment of this Act."

Mr. BREWSTER. Mr. President, my amendment pertains to clerks of the Selective Service System working in the local appeal draft boards. As we all know, because of the situation in Vietnam, our draft boards are very active. These clerks perform a very valuable service to all Americans. These clerks in the draft boards serve fulltime capacity as Federal employees performing a valuable service for all America. Probably there is no more important thing for the young men of our country than the decision whether they will be drafted into the armed services.

However, the clerks are paid not as regular Federal employees but on some arbitrary system depending upon what someone else may determine to be the prevailing rate in their own community.

They are not covered under the classified service. They have no classified rating. Time and again they have petitioned Congress that they be included in the classified service.

Here we are passing a bill which will substantially increase the salaries of Federal employees, but we fail to take into account or to recognize the very fine service being rendered by the draft board clerks.

My amendment would simply include them in the Federal service and classify them and give them the benefits of this pay raise.

I think this is a perfectly fair request on their part, and I ask the chairman of the Committee on Post Office and Civil Service if he would accept the amendment and take it to conference.

Mr. MONRONEY. Mr. President, I should like to accept the amendment, but I fear that this is a questionable area. The Selective Service System and its administrators find themselves opposed to including these clerks in the Federal Civil Service system. Most of the draft boards are run by officials appointed and designated by the States. The comparability of pay is more or less in line with that paid to State and local employees rather than Federal postal employees and those under the classified civil service.

It seems to me that, at this time, it should be authorized by legislation and taken out as a separate bill.

I would be very glad, because I know of the distinguished Senator's longtime interest in this problem to assign such a bill to a subcommittee, hopefully to call it before the subcommittee early and have some testimony taken on it, to find out what the cost would be and other aspects of the problem.

Accordingly, at this time, I would rather not take the amendment—especially at this late hour—not take a step this far without having had testimony and some knowledge of what we are doing, since it involves about 7,500 local clerks in draft boards who are today earning a nationwide average of $4,700. I am aware that they will probably receive an increase which will result in about a 17-percent pay increase for them by administrative action.

Therefore, I would have to oppose the amendment. I would be very much in favor of a hearing to explore the subject in the Subcommittee on Civil Service, in which my distinguished colleague is one of the most energetic and ranking members.

Mr. BREWSTER. Mr. President, of course, I am pleased that the chairman of the committee has indicated he would like to take up the measure at a later date, if it is not adopted now. But I do request the chairman to take the measure to conference because I think it would be entirely fair and equitable.

I think the request of the clerks merely to be treated as any other Federal employee is certainly fair.

I would ask the Senate to consider my amendment favorably.

Mr. President, I yield back the remainder of my time.

Mr. LAUSCHE. Mr. President, will the Senator yield me 3 minutes?

Mr. MONRONEY. Mr. President, I yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, while the proposal of the Senator from Maryland is of consequence, to some it may seem to be of inconsequence. It points up one of the great problems Congress is creating by constantly increasing the wage schedule of Federal employees.

During my 10 years of service as Governor of Ohio, one of the problems constantly confronting me was the inability of the State of Ohio to pay salaries comparable to those paid by the Federal Government.

It raised one of two questions: Was the State paying too little, or was the Federal Government paying too much?

The answer probably is that a midway ground should be established. I am sure that the Governors of every State in the Union—and all Senators now in this Chamber who have been Governors—will confirm my words, that what the Federal Government has been doing has contributed to great embarrassment and difficulty on the part of Governors in running their State governments.

Salaries have been pumped up and increased, here on the floor of the Senate, beyond the wildest imagination.

If my chief assistant—and I say this with all due respect to the Senator from Maine [Mrs. Smith]—were to receive $27,000 a year, without having to endure any of the hazards of running for election, or experience the grief, the barbs, and the attacks heaped upon him as a public official, and without any of the responsibilities, he would be earning practically what I as a Senator would be earning.

Obviously, that cannot be justified.

In conclusion, while I recognize the good purpose of the Senator from Maryland to accord the registrars in the Selective Service System the same rights that are accorded to Federal employees engaging in a substantially similar capacity, there is no more justification for granting them the liberal salaries which the Federal Government is providing than there is for granting them to any other employee in the State governments.

The best service that Congress can render the people of this Nation is to stop the inflationary spiral.

I repeat, the greatest service we can render the people is to stop the inflationary spiral. Instead of doing that, we seem to be adding fuel to the fire, which is completely wrong.

Mr. MONRONEY. Mr. President, I yield myself one-half minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for one-half minute.

Mr. MONRONEY. Mr. President, this matter is under the joint jurisdiction of the Post Office and Civil Service Committee and the Armed Services Committee. They have a joint jurisdiction in a way, because the Universal Military Training Act came out of the Armed Services Committee.

As I said a moment ago, if we cannot clear it with the Armed Services Committee, then we will do it, if we have to yield to them.

However, I certainly compliment my distinguished colleague for his efforts. I ask that the amendment be rejected on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was rejected.

AMENDMENT

Mr. MONRONEY. Mr. President, I send to the desk an amendment and ask that it be stated.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the Yarborough amendment to be proposed there be a time limitation of 10 minutes, the time to be equally divided between the Senator from Texas [Mr. YARBOROUGH] and the Senator from Oklahoma [Mr. MONRONEY].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment offered by the Senator from Oklahoma will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 148, line 10, strike out subsections (a) and (b) and in lieu thereof insert the following:
>
> "(a) Under the conditions, directives, and terms specified in sections 8709–8712 of this title, the Civil Service Commission, without regard to section 5 of title 41, may purchase a policy which shall make available to each insured employee equal amounts of optional life insurance and accidental death and dismemberment insurance in addition to the amounts provided in section 8704(a) of this title.
>
> "(b) The optional life insurance and accidental death and dismemberment insurance shall be made available to each insured employee under such conditions as the Commission shall prescribe and in amounts approved by the Commission but not more than the greater of $10,000 or an amount which, when added to the amount provided in section 8704(a) of this title, makes the sum of his insurance equal to his annual pay."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 10 minutes on this amendment, the time to be equally divided between the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Delaware [Mr. WILLIAMS].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I yield myself 3 minutes.

Mr. President, I made a "boo-boo" in overlooking certain inclusions. In the insurance provisions which were designed to cover all Federal civilian employees, I omitted the inclusion of three very important employees of the Federal Government, which was discovered after the long, "punchy" sessions in which we worked on the bill. I probably would have proposed the amendment. I know most of the members of the committee would have supported it. The record will show that all the Democratic members of the committee are cosponsors of the amendment. I understand from the distinguished Senator from Kansas [Mr. CARLSON], who has discussed it with all the minority members of the committee, that while they do not sponsor it, they are favorable to it.

In taking all of the nearly 3 million employees into the insurance program, we provided for maximum insurance, which, for the average employee, will bring him up to a minimum of $10,000 insurance, no matter how low his Government salary. He will have $10,000 worth of insurance, plus $2,000, that will partly be at Government expense.

If his salary is over $10,000, then the coverage will be to the highest next thousand. If his salary were $10,500, his insurance coverage would be $11,000, plus $2,000.

In the case of U.S. Senators, we will have insurance that we will be eligible to buy, with the Government providing a one-third contribution and two-thirds being provided by us, amounting to $30,000, equal to our salary, plus $2,000, as the Government's share.

We will also be allowed to buy, as the lower paid employees are also allowed to buy, a $10,000 policy at our own expense. This will allow us to purchase a group policy at lower rates, without cost to the Federal Government.

This would have made an effective limitation on any insurance program to cover all Government employees, save three, up to $30,000.

I found that we overlooked covering the President of the United States, who, as Senators know, receives a salary of $100,000. We overlooked covering the Vice President of the United States, who, I believe, has a $43,000 salary. I think we overlooked covering the Speaker of the House, who has a $43,000 salary.

This amendment would make them, on the same terms, eligible to purchase insurance, at their own expense, to the limit of $32,000 with a Government participation of one-third of the cost, and two-thirds by the insured, with the right to buy additional $10,000 insurance—as we have the right to do, and as all other Government employees have the right to purchase the additional $10,000 of insurance, plus the additional $2,000; but there is no provision to enable the President, the Vice President, or the Speaker of the House to buy insurance above their salary level.

Under the terms of the amendment, the Vice President and the Speaker of the House would have the right to buy a $1,000 policy at their own expense. The President, with a $100,000 salary, would be allowed to buy, at his own expense, the difference between $32,000, in which cost the Government would share, and the $100,000 which is his total salary.

I am frank to say that we are anxious to help our President. President Eisenhower suffered a very difficult heart attack and was near death. The President is not only subject to hazardous health conditions, but to such tragic occurrences as we witnessed a few years ago in the case of President Kennedy.

I think this is the least we can do for our No. 1, No. 2, and No. 3 officials in our Government.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CARLSON. I had not realized that the Speaker of the House might not be included. Is it correct that he would not be included?

Mr. MONRONEY. That is my understanding. Our limit is $30,000 plus $2,000 insurance and we would be allowed to buy $10,000 worth. So he would be allowed to buy $42,000 worth. He would have $1,000 additional if he wanted to buy it.

Mr. CARLSON. He would be allowed to buy how much more?

Mr. MONRONEY. He would be allowed to buy $1,000 additional insurance.

Mr. CURTIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. I yield myself 2 minutes.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CURTIS. How much would an employee have to pay on the optional part after his retirement?

Mr. MONRONEY. After retirement, as I understand it, the optional part is paid up, but the insurance declines at the rate of 2 percent every month. So each year the insurance would be 24 percent less. The residual insurance comes down to a minimum of 25 percent of the original insurance that he bought. That is after age 65.

Mr. CURTIS. During his period of service the employee pays the cost of the optional part, but after retirement, if he is 65, he pays nothing?

Mr. MONRONEY. That is right. The Government pays nothing on his policy. This is completely not at Government expense.

Mr. WILLIAMS of Delaware. Mr. President, I do not see why either the President or Members of Congress should have subsidized life insurance. I am skeptical about any provision covering just one or two or three people. We had one amendment yesterday for one former Texas Congressman. Now we have a provision for three persons. I question the wisdom of providing the President, Vice President, or Members of Congress with subsidized insurance.

Mr. MONRONEY. It is not subsidized insurance. He gets the advantage of a lower rate because we are insuring 3 million people under a group policy. There is no subsidization. I forget how many thousands of dollars a year it is going to cost. They can buy the additional $10,000. The Vice President and the Speaker of the House may buy the $11,000, and the President can get the other $78,000 extra.

Mr. WILLIAMS of Delaware. Perhaps I misunderstood. I thought the Senator said something about a ratio of 1 to 2.

Mr. MONRONEY. This is limited to $30,000, plus the $2,000. That is as high as anyone can go. The lowest paid employee also is allowed a policy of $10,000 plus $2,000. The Government pays one-third. We pay two-thirds of the cost. This arrangement has been in existence for a long time. Of course, our salaries were at $20,000 at one time, and, as Members of Congress, we were paying two-thirds and the Government was contributing one-third. That arrangement has not been changed since then. This provision brings the insurance up to the income of Members of Congress, the same as is provided for Federal workers.

Mr. WILLIAMS of Delaware. I remind the Senator that on August 12 the President vetoed the life insurance bill for Federal employees with a rather stinging veto message, stating that it would cost too much money. What is the difference between that bill which he vetoed and this one, except that the President, the Vice President, and Members of Congress are included in this one?

Mr. MONRONEY. There is a vast difference in the insurance coverage between that one and the present one. We provided that the policies would not shrink after retirement, but would remain at the rate that they were under the existing policy. We hoped employees who had $10,000 policies would not have those policies reduced at the rate of 24 percent a year. This is where the big cost is, because if the level of insurance were kept the same after retirement, at Government expense, and the amount of the policy did not diminish at the rate of 2 percent a month, the insurance being paid up would be at a high rate for the people who had retired. Because the insurance policy would be shrinking at the rate of 2 percent a month, it reduces the cost, and holds the cost to $45 million for the 2 million Federal employees, Members of Congress, the President, the Vice President, and the Speaker of the House.

Mr. WILLIAMS of Delaware. How much do the insurance provisions under this bill cost when the program gets fully operating?

Mr. MONRONEY. Thirty-five million dollars.

Mr. WILLIAMS of Delaware. The President vetoed the other life insurance bill because its cost was more than the $13 million program which he had recommended.

Now I am asking, What is the difference in that bill which he vetoed, except that he and Members of Congress are covered in this one?

Mr. MONRONEY. I would hardly say that.

Mr. WILLIAMS of Delaware. I am just asking.

Mr. MONRONEY. Members of Congress are in it, too.

Mr. WILLIAMS of Delaware. That is right. Members of Congress are in it, too. Why?

Mr. MONRONEY. Members of Congress and the President are in this one.

Mr. WILLIAMS of Delaware. And there was already some coverage in the existing law.

Mr. MONRONEY. Yes.

Mr. WILLIAMS of Delaware. But he vetoed the expanded version of the program because it went beyond his $13 million projected cost. This bill is 3 times over his original recommendations.

Mr. MONRONEY. Yes; it went up to about $100 million because we added a nondiminishing level of insurance. We sought to protect the retirees of the Federal Government, including Members of Congress, at the level that they had carried the insurance while on salary, and that feature was objectionable to him because the rate was high—three times the cost we are talking about here.

He subsequently supported a $30 million bill and said he would sign it, which we did not choose to pass, and we brought this one out after having given it careful study and thorough discussion.

The only fault I raise is with myself, in that I failed to recognize that we would leave three very important persons without the right to buy the additional optional insurance up to the level of their own salaries, at their own expense; and restoring that right is all that this amendment would do.

Mr. WILLIAMS of Delaware. Mr. President, I question the wisdom of expanding this program at this time.

Mr. MONRONEY. Is the Senator against the whole insurance program?

Mr. WILLIAMS of Delaware. As far as including Members of Congress in this expansion is concerned, I do not see why the taxpayers should be asked to underwrite an insurance program for either Members of Congress or the President of the United States. If the President and Congress want life insurance let them buy it. I admit that the President has just as much right to be in it as anyone else, but I question the wisdom of putting any elected officials under a subsidized insurance program.

I do not see much difference between the program before us and the one vetoed except that the President and Members of Congress will be able to participate this time and the other time they would not have. I shall vote against the amendment.

I ask unanimous consent that excerpts from President Johnson's veto message on H.R. 11089, a bill which would have increased life insurance coverage for Government employees, as submitted to the Congress on August 14, 1967, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

To the House of Representatives:

I am compelled to return, without my approval, H.R. 11089—a bill which would cause large increases in life insurance coverage for government employees, officials and Members of Congress.

I am returning this bill because it places too heavy a burden and levies too heavy a charge on the American taxpayer by providing private insurance out of public funds.

I am returning it because it sets an unwise precedent at a critical time in our history. Today, we dare not divert our resources for unnecessary demands, when there are many more crucial needs which urgently require our support.

Life insurance is but one of many fringe benefits a government employee or official receives. Certainly government life insurance was never intended to meet entirely the needs of an employee or his family. It is meant primarily to supplement his personal coverage.

Nevertheless, we know that the life insurance program must be strengthened and improved. That is why last year I recommended needed changes in insurance benefits to Congress that I considered reasonable and fair.

Congress, however, far exceeded my recommendation. And so last year I was compelled to disapprove the life insurance measure because it threatened to fuel the fires of inflation and to impose an unwarranted burden on the taxpayer.

Again this year hoping for a sound program, I recommended another modest measure. In June, I called for a $13 million program designed to—

Make the insurance system actuarially sound; and,

Remove an inequity by providing additional coverage.

The bill which finally passed the Congress was subjected only to brief debate. The roll was not called in either House on the passage of this bill. It was passed by voice vote.

If this measure were approved, the cost to the American taxpayer would rise from the $13 million I recommended to a minimum of $61 million in the first year and continued commitments for the future.

The bill would substantially increase life insurance coverage at the taxpayer's expense for all government officials and employees:

For most by 33⅓ percent—an unnecessary expense.

For a selected few—the President and Vice-President, Cabinet and sub-Cabinet officials, the Members of Congress, Members of the Judiciary, and U.S. Ambassadors, all those in the highest brackets who need it the least—by 100 percent, to $40,000—an unwarranted expense.

Finally, it would increase the government's contribution for each employee from 33⅓ percent to 40 percent.

This bill would impose an added burden on the American taxpayer just when we are asking him to pay a 10 percent tax surcharge And, because our budget is tight, it would syphon funds away from Americans who need our support much more: children, the poor, the elderly—and most important, American fighting men in Vietnam.

In the face of a possible $29 billion deficit, we must scrutinize every dollar that we spend. To keep the budget within bounds and to head off the threat of inflation, I pledged in my Economic Message last week that "I will make every possible expenditure reduction—civilian and military—short of jeopardizing the national security and well-being." H.R. 11089 does not meet this rigorous test.

Over the past ten years, the salaries of Federal employees have risen by nearly 75 percent—and their life insurance coverage has risen by the same amount, 75 percent.

Since I have been President, there have been four successive civilian pay increases—and four insurance increases. The total cost of these programs has amounted to more than $2 billion. And with the new 4.5 percent pay increase which I have proposed for this year, we will be adding almost another half billion dollars to civilian pay and insurance and another half billion dollars for military pay.

Against this background, I can see no justification for the large life insurance increases voted by the Congress.

Mr. CURTIS. Mr. President, will the Senator yield for a further question?

Mr. MONRONEY. I yield.

Mr. CURTIS. Is it true that the nonoptional part decreases after retirement?

Mr. MONRONEY. Yes; it reduces at 2 percent a month.

Mr. CURTIS. Both parts?

Mr. MONRONEY. Yes. That is the reason it is cheaper. After retirement it drops, as I recall, to a residual one-fourth.

Mr. CURTIS. The nonoptional part the retiree does pay himself, does he not?

Mr. MONRONEY. Yes; when he buys the additional——

Mr. CURTIS. No; I mean after retirement, the retiree pays the nonoptional part, does he not?

Mr. MONRONEY. No.

Mr. CURTIS. The bill so states. It says: "During each period in which an employee continues"——

Mr. MONRONEY. He pays for the optional until he is 65. On reaching 65 or retirement if later than 65, he ceases to pay, but his insurance goes down at the rate of 2 percent a month until 25 percent remains.

Mr. CURTIS. I thank the Senator.

Mr. THURMOND. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Lousiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Virginia [Mr. SPONG] is absent because of the death of his uncle.

I further announce that the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Tennessee [Mr. BAKER], the Senator from Iowa [Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from California [Mr. KUCHEL] is detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from California [Mr. KUCHEL], the Senator from Iowa [Mr. MILLER], the Senator from Pennsylviana [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 79, nays 7, as follows:

[No. 362 Leg.]

YEAS—79

Aiken
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Dirksen
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—7

Allott
Curtis
Dominick
Hruska
Mundt
Thurmond
Williams, Del.

NOT VOTING—14

Baker
Cooper
Dodd
Ellender
Hayden
Kuchel
McIntyre
Miller
Scott
Smathers
Spong
Symington
Tower
Young, N. Dak.

So Mr. MONRONEY'S amendment was agreed to.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 479

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 479 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in full in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, reads as follows:

> On page 91, between lines 14 and 15, insert the following: "Subparagraph (6) of section 4554(a) of title 39, United States Code, is amended by inserting 'playscripts and' immediately following '(6).'"

Mr. YARBOROUGH. Mr. President, the pending amendment would correct a simple omission which has come to my attention. Fourth-class postal rates give preferential treatment to articles like books which are of an educational nature. It is in the public interest to stimulate exchanges of these materials.

Over the years we have added to this category other items of an educational nature which might have been omitted, and today I would like to include playscripts. Book manuscripts are included under fourth-class rates and playscripts, which are manuscripts or typewritten copies of plays, have been left out.

Ordinarily we oppose extension of these preferential rates, but, as the Postmaster General has pointed out to the House Committee on Post Office and Civil Service:

> Because of the limited volume of playscripts in the mails, and since the proposed legislation would remove a discriminating feature of the present law and lessen operational and rate problems for postal employees pricing such matter, we would have no objection.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the Postmaster General under date of February 14, 1966, to Hon. TOM MURRAY, chairman of the Committee on Post Office and Civil Service of the House of Representatives, and a letter from Philip S. Hughes, Assistant Director for Legislative Reference of the Bureau of the Budget, addressed to Representative MURRAY under date of February 10, 1966.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 6579, amending section 4554 of title 39, United States Code, to extend the special fourth-class postage rates to playscripts.

Under existing law and postal regulations (Postal Manual, section 135.214f), the special fourth-class rates of 10 cents for the first pound or fraction thereof and 5 cents for each additional pound or fraction are available for mailings of manuscripts for books, periodical articles, and music. A playscript, which is a manuscript or typewritten copy of a play, is not eligible for these special rates under the present law.

The Department generally does not favor the piecemeal extension of the special fourth-class postage rates. However, because of the limited volume of playscripts in the mails, and since the proposed legislation would remove a discriminating feature of the present law and lessen operational and rate problems for postal employees pricing such matter, we would have no objection to the enactment of H.R. 6579.

The Bureau of the Budget has advised that from the standpoint of the Administration's program there is no objection to the submission of this report to the Committee.

Sincerely yours,
LAWRENCE F. O'BRIEN,
Postmaster General.

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on H.R. 6579, a bill "To amend section 4554 of Title 39, United States Code, to extend the fourth class educational and library materials rate to playscripts."

In a separate report to your Committee, the Postmaster General states that he would have no objection to enactment of H.R. 6579. Generally, the Post Office Department is opposed to extension of fourth class rates, but, as the Postmaster General points out, including playscripts would remove a discriminatory feature of the present law which already makes the special rate available for manuscripts of books, articles, and music. The volume of playscripts is limited and therefore no significant revenue loss would be involved.

The Bureau of the Budget concurs with the views of the Postmaster General and would have no objection to enactment of H.R. 6579.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. MONRONEY. Mr. President, the committee has discussed the amendment. We will be very glad to take the amendment to conference.

Mr. YARBOROUGH. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. HARTKE. Mr. President, I send an amendment to the desk and ask unanimous consent that the reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 143, between lines 6 and 7, insert the following new section:

"WABASH VALLEY INTERSTATE COMMISSION

"SEC. 225. (a) The Federal representative to the Wabash Valley Interstate Commission appointed under section 2 of the Act of September 23, 1959 (Public Law 86-375; 73 Stat. 698) is hereby covered into the competitive service under title 5, United States Code. Nothing in this subsection shall be construed to affect the provisions of section 2 of such Act relating to the compensation of such representative.

"(b) The Federal representative to the Wabash Valley Interstate Commission shall be subject to the provisions of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and to the provisions of chapter 87 of such title, relating to life insurance.".

Mr. HARTKE. Mr. President, this is a very simple amendment. It would provide for the Federal representative of the Wabash Valley Interstate Commission in the State of Indiana to be covered by the civil service retirement and life insurance programs, and put on an insured status. The people with whom he works are of the same status.

Mr. MONRONEY. The distinguished Senator from Indiana has talked with the committee about his amendment. We will be happy to take the amendment to conference.

Mr. HOLLAND. Mr. President, what group of employees is this?

Mr. MONRONEY. Mr. President, this is the Federal representative of the Wabash Valley Interstate Commission, a interstate institution on which he serves.

Mr. HOLLAND. It applies only to one person?

Mr. MONRONEY. Only to one person. We will take the amendment to conference.

Mr. President, I yield back the remainder of my time.

Mr. HARTKE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Indiana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. BOGGS. Mr. President, previous statements by the distinguished chairman of the Post Office and Civil Service Committee [Mr. MONRONEY] and the ranking minority member of the committee [Mr. CARLSON] have indicated the complexities of the Postal Revenue and Federal Salary Act of 1967, as well as the determined efforts by the committee to resolve equitably the problems to which the bill is directed.

As a member of the committee, it was a privilege to work with these dedicated Senators as we strove to bring a balanced bill before the Senate. Largely due to their leadership, I believe the committee has done this.

As in any far-reaching piece of legislation, the bill naturally does not represent completely the views of any one committee member.

What it does represent is a compromise of various positions, hammered out in an atmosphere of cordiality and high-minded purpose.

Both of the chief titles of the bill involved numerous difficult questions.

In title 1 we faced the need to increase sharply Post Office Department revenue. We tried to distribute that increase equitably over the different classes of mail, keeping in mind not only the actual cost of handling that class of mail, but its importance to the public at large.

Title 2 represents a long stride toward the principle of wage comparability, with special weight given to the situation involving the bulk of Post Office Department employees.

Title 3 gives the individual citizen some redress if he receives unwanted and unsolicited mail. Hopefully, the exercise of this provision by recipients of unwanted mail will put a decided crimp in the activities of those who mail obscene materials.

Title 4 provides what I believe is a necessary improvement in the life insurance protection of Federal employees. It is a reasonable increase in protection for Federal employees which we added with due consideration for the fiscal problems of our Nation.

Mr. President, I believe the bill as a whole deserves the support of the Senate. At the same time, I reserve the right to vote for amendments which I feel might make it even more effective. To my mind, the bill represents an outstanding example of the legislative process in action, with the most careful consideration given to the respective positions of all parties affected by the bill.

Mr. YARBOROUGH. Mr. President, I am proud to support this bill, H.R. 7977, the postal rate and Federal pay bill of 1967. As a member of the Post Office and Civil Service Committee I would like to commend the leadership of its chairman, our distinguished colleague from Oklahoma. This bill was complicated because in addition to the always perplexing problem of postal rates, we had to consider an equitable pay raise for Federal employees. The hearings and the committee meetings were as thorough as they were fair under the vigorous chairmanship of Senator MONRONEY. His great knowledge of both the postal rate schedule and the Federal pay scale is invaluable to the Government.

Mr. President, this bill will raise $917 million at a time when the postal service desperately needs additional revenue for the modernization that will benefit all classes of users. Without increasing and improving our facilities our postal system cannot meet the increased demands on it. We have only 6 percent of the world's population, but we send and receive over one-half of the world's mail—over 82 billion pieces this year. The efficiency of this postal system is an indispensable tool of America's modern economy, for over 80 percent of that vast volume of mail will concern business. And business will profit because of this bill.

Increased modernization will also benefit the individual citizen who uses the mails. The Post Office has already begun action in anticipation of the benefits of this bill, and the Postmaster General should be commended for that. First-class mail will be airlifted whenever possible, and this will result in substantial improvements in service. This bill indicates our endorsement of the Department's eventual goal of 1-day delivery of first-class mail.

In addition to increased modernization, this bill will allow us to continue the many public services which are often taken for granted. There are certain postal services which Congress recognizes as being of such value to the public that no charge or only a very minimal charge is made for them. Among these services are rural delivery; second-class mail privileges for nonprofit groups of a religious, educational, veterans, or agricultural nature; low fourth-class rates so that books will be more readily available to more people; and free mailing of special materials to the blind and disabled. These services add to the quality of our national life. They are an expense we can afford, and one which is aided by this bill.

Mr. President, H.R. 7977 also provides a long-needed wage increase for our many fine Federal employees. The U.S. Government is the largest employer in the world. Today there are almost 3 million civilian employees in all branches of the government. For many years, those who chose Federal service received less for their work than persons in private sectors of our economy doing comparable work. Those private occupations, based of course on profits and incentives, responded more quickly to price increases and to individual talents of employees. Federal employees, with wages periodically set by Congress, seemed destined to lag always behind.

The result was that the Government had a problem in recruiting the many doctors, lawyers, engineers, and other professional and staff persons it needed. And even after recruitment, increasing salaries and fringe benefits in the private sector lured away many of the most promising employees. Our Government and the employees on which it depends must be second to none. And that means we must be a fair employer and pay a fair wage.

Under the leadership of President Kennedy, the Federal Salary Reform Act of 1962 was passed. That act established as a goal of Government, and as a commitment to its employees, wages which are comparable to those paid in private enterprise. There is a direct and proved relationship between adequate pay and the willingness of any employee anywhere to do his best. The Government would be saving nothing and gambling much if it did not recognize and follow this principle of equal pay for equal work for Federal employees. Comparability will be established in a phased increase by July 1, 1969, on the basis of the latest survey of the Bureau of Labor Statistics and this pledge to 3 million American workers will be kept.

Mr. President, I am proud that the committee unanimously struck out the provision of the House bill which would establish an Executive Commission on salaries. In the past we have benefited from the hard work of those serving on special commissions dealing with pay adjustments and other changes in law concerning the compensation of Federal officers and employees. Those commissions have served a useful purpose in informing Congress. But this new proposed commission would be unacceptable. It would vest in the executive branch the authority to establish the salaries of Members of Congress. We have a solemn constitutional responsibility to set our salaries. Whenever we deal with this issue we must face our constituents squarely. We will not shirk that duty by handing it to the President or his salary commission.

Mr. President, it has been my privilege to work on this bill which will do so much for our nearly 3 million Federal employees. The lengthy hearings we had before the Post Office and Civil Service Committee support the need for what we have done, and I urge the passage of this bill.

FEDERAL EMPLOYEE PAY INCREASES WELL DESERVED AND OVERDUE

Mr. GRUENING. Mr. President, historically it has been all too true that Federal salaries for classified and postal workers have tended to lag behind when the cost of living is on the rise. I am glad to speak in favor of H.R. 7977 which attempts to overcome some portion of this lag.

The vast majority of Federal civil servants are conscientious, loyal, capable, and hard working.

Having spent a good many years in both the executive and legislative branches of the Federal Government and having during these years worked with thousands of career Federal employees, I know that I am not exaggerating in so describing them and their work.

I am repeatedly told by highly placed executives in private industry coming to work for the Federal Government for the first time of their amazement to find Federal employees so dedicated to the best interests of the Government, so scrupulously fair in their dealings with the general public, and so highly intelligent and knowledgeable about the intricacies of our ever more complex governmental machinery.

And they remain so despite the abuse to which they are all too frequently subjected. Thus we have recently seen an example of the entire body of employees of the Office of Economic Opportunity being singled out and refused a pay increase because there were some who wanted to express their dislike of that program—a program enacted by the Congress and which those employees were duty bound to administer. I am pleased that that attempted discrimination has been removed in the Senate version of the pay raise bill.

I am happy to vote in favor of these increased salaries for Federal employees, just as I have voted in favor of similar increases in the past every time they were proposed in the Congress since I have been in the Senate.

Mr. MANSFIELD. Mr. President, the junior Senator from Virginia [Mr. Spong] was on the floor this afternoon when he received word of a death in his family. He took a great interest in this bill and desired very strongly to be present to vote in favor of its final passage. However, the last transportation available to him to permit to reach the funeral services left this afternoon at 6 o'clock and he was required, therefore, to absent himself from this vote. I might add that Senator Spong took the care to determine the risk to the legislation by his early departure this afternoon and was assured by the leadership that the bill or any of its provisions would not be in jeopardy by his departure this late in the afternoon, since only the vote on final pasage remained and the leadership anticipated a generous margin to secure its final passage.

In addition, I assured Senator Spong that it was our intention to attempt to reach final passage on the military companion pay bill immediately after this vote and that the leadership anticipated another generous margin on that bill.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time on the bill.

Mr. CARLSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, and all time having expired, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Arizona [Mr. Hayden], and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from Virginia [Mr. Spong] is absent because of the death of his uncle.

I further announce that the Senator from Connecticut [Mr. Dodd] and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Arizona [Mr. Hayden], and the Senator from Virginia [Mr. Spong] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], the Senator from Pennsylvania [Mr. Scott], and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from California [Mr. Kuchel] is detained on official business.

If present and voting, the Senator from Tennessee [Mr. Baker], the Senator from Iowa [Mr. Miller], and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

On this vote the Senator from California [Mr. Kuchel] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from California would vote "yea," and the Senator from Texas would vote "nay."

On this vote, the Senator from North Dakota [Mr. Young] is paired with the Senator from Kentucky [Mr. Cooper]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Kentucky would vote "nay."

The result was announced—yeas 85, nays 2, as follows:

[No. 363 Leg.]

YEAS—85

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smathers
Smith
Sparkman
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—2

Thurmond
Williams, Del.

NOT VOTING—13

Baker
Cooper
Dodd
Ellender
Hayden
Kuchel
McIntyre
Miller
Scott
Spong
Symington
Tower
Young, N. Dak.

So the bill (H.R. 7977) was passed.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONRONEY. Mr. President, I move that the Senate insist on its amendments to H.R. 7977 and request a conference with the House of Representatives on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Monroney, Mr. Yarborough, Mr. Randolph, Mr. Carlson, and Mr. Fong conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, as the chairman of the Committee on Post Office and Civil Service, the distinguished Senator from Oklahoma [Mr. Mon-

Roney] has consistently demonstrated his broad understanding of the many problems that face the Nation's postal system—has proved himself time and time again the champion of all Federal employees. That fact was again displayed clearly during the past 2 days while the Senate considered the Federal pay and postal rate bill of this year. Senator Monroney supported the measure with persuasive advocacy. He managed the bill with the highest degree of skill and ability. The Senate is deeply in his debt.

The senior Senator from Kansas [Mr. Carlson] is similarly to be commended. His leadership as the ranking minority member of the committee was clearly felt on this measure as on all proposals that gain his endorsement. While he offered his own sincere views on some features of the measure, he in no way impeded its efficient disposition and joined to assure its wide acceptance.

Other committee members are to be singled out for their strong efforts. The contributions of the senior Senator from Texas [Mr. Yarborough], the Senator from Hawaii [Mr. Fong], and the Senator from Maryland [Mr. Brewster] were most welcome. They, along with the Senator from Nebraska [Mr. Curtis] and the Senator from Indiana [Mr. Hartke] led a highly thoughtful and enlightening debate.

Special praise is owed to the senior Senator from Delaware [Mr. Williams]. As always, his strong convictions were expressed with clarity and deep insight. His opposition to many features of the proposal was most sincere. Above all, his cooperation was sincerely appreciated and we thank him for joining to make possible the disposition of the measure today.

With the passage of this measure the Senate may be proud of another achievement obtained expeditiously and with full consideration for the views of every Member.

Mr. CANNON. Mr. President, I am pleased to note that the postal pay bill has passed the Senate and takes appropriate steps toward correcting the imbalance between the pay of this dedicated group of Government employees and workers in private industry. The legislative roadway is now clear for the military pay bill to be presented to the Senate for rapid action. I urge my fellow Senators to act affirmatively on this most worthwhile pending legislation. In this day of enormous sacrifice being made by our men in uniform the issue of comparability for our fighting forces with Government civil servants is irrefutable.

Mr. President, all Senators are fully as aware as I am of the heart-rending personal appeals which they frequently receive from hard-pressed families of our servicemen. Even with the allowances which have been provided by Congress the serviceman and his family is in a constant race to keep up with the cost of living. Certainly, the difficult tasks which they are called upon to perform overseas for their country is not made easier by the plight of their families. I am certain that Senators will want to read the very provocative and timely report on this very problem narrated in the current issue of Newsweek.

I ask unanimous consent to have printed in the Record an article entitled "Going for Broke" from this week's issue of Newsweek.

There being no objection, the article was ordered to be printed in the Record, as follows:

Going for Broke

Bill Taylor, 21, lives with his wife, Leilani, and their 13-month-old daughter in a cramped three-room apartment on one of San Diego's shoddier blocks. Each month, the family doggedly attempts the impossible task of making do with the $348.90 Taylor receives from the government. Aside from the $104 rent, a $75 food bill and $20 for phone and utilities, there are monthly installments to be met on a seedy 1960 Ford, a television set and a sewing machine on which the pretty, 19-year-old Leilani turns out much of the family wardrobe. At the moment, the Taylors have $750 in bank loans to pay off. What's more, Leilani is expecting another baby sometime this month. "Bill wants a boy," she says. "But I'm hoping for a girl. That way we'll already have all her clothes."

The Taylors' income does not come from any welfare agency. The government check is made out to Boilerman 3/c William Taylor, USN. Under Bill's E-4 pay grade, the Navy pays him a base salary of $222.90 plus an allotment of $126 to maintain his family. The Taylors live off-base because the San Diego Naval Station does not offer on-base housing for anyone below the grade of E-5. Last year, Leilani planned to return to her cashier's job which, before their first baby was born, netted them $350 a month. "But then," she sighs, "I turned up pregnant again." Now, the Taylors' financial future appears bleaker than ever.

Gap

The plight of the married enlisted man is by no means a new phenomenon. As far back as 1775—when a Marine private was paid $6.66 a month and issued a daily ration of grog—it was reckoned he simply couldn't afford a wife. Today, recruiters in all services refuse to take a man who has more than one dependent. But this regulation hardly affects what happens after a man enters the service—nor does it help draftees. Military wage hikes have been keeping pace with civilian raises since 1962, yet the historic gap between the two categories remains wide. At present, a bill calling for a 5.6 per cent raise for all military personnel sits in the Senate awaiting approval. If passed, however, the bill would add a mere $5 to $7 to monthly family allotments up to the grade of E-5.

"The married enlisted man's salary," says a Pentagon official, "never drops below the poverty level." But that would seem to depend on one's interpretation of poverty. For example, a lance corporal (E-3) in the Marine Corps is expected to support a wife and one child on a total of $204.90 a month. Still worse is the fate of the private with one dependent and less than two years in service. Each month, he draws $152.10 which, in Camp Pendleton, Calif., is $38.90 less than he would receive on welfare.

Budget

Aside from free medical attention, the low grocery prices at the commissary are the only substantial assistance to the family budget. "Thank God for it," says Cpl. George Hardy of Fort Jackson, S.C., who lives with his German-born wife, Ericka, and their three boys in a clapboard cottage in Columbia, S.C. He claims the commissary prices are about half those of the off-base supermarkets. But this advantage is too often offset by the general cost of living. Some off-base landlords, for instance, offer ramshackle housing for a premium price. Outside Fort Dix, N.J., drab one-room apartments rent for $80 a month.

For many families, the only answer is moonlighting. "Every married airman I knows," says Master Sgt. Joe Hayden of Otis Air Force Base on Cape Cod, Mass., "has an outside job, or his wife works." The official figure for moonlighting Air Force personnel is 68 per cent. Marine Cpl. Mike Morello, 20, works twenty a week as a police dispatcher in San Francisco, while 20-year-old Petty Officer 3/c Bill Scarborough, of San Diego, knocks $10 a month off his rent by mowing the lawn of his landlord—a Navy yeoman.

The married enlisted man's manifold pressures often prove unbearable. In Rhode Island, Navy brass blew their top upon learning that a number of married enlisted men from Quonset Point and Davisville Naval Station had applied to local welfare agencies for extra food. In San Diego, officers speak wearily of married men going AWOL to work full time to feed their families.

Ironically, one partial solution for many is to re-enlist. Dangling before Boilerman 3/c Taylor is a $5,400 bonus payable upon re-enlistment when his present four-year hitch is up. Bill has already made his decision. "When I ship over," he says, "we'll be able to pay off all our debts. Then, I guess I might just as well keep going."

UNIFORMED SERVICES PAY ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 793, H.R. 13510.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 13510) to increase the basic pay for members of the uniformed services, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with amendments, on page 4, line 4, after the word "equal" strike out "yearly installments" and insert "annual or semiannual installments, as determined by the Secretary of Defense or the Secretary of Health, Education, and Welfare, as appropriate"; in line 16, after the word "was" strike out "made.'" and insert "made."; after line 16, insert:

(c) The Secretary of Defense and the Secretary of Health, Education, and Welfare shall submit separate written reports each year to the Committees on Armed Services of the Senate and House of Representatives regarding the operation of the special pay program authorized by subsection (a) of this section and, whenever such special pay program is to be continued in operation, such report shall include the justification for continuing such program. Reports under this section shall be made on a calendar year basis, beginning with the calendar year 1968, and the reports for any calendar year shall be submitted not later than April 1 of the succeeding calendar year.

On page 8, line 6, after the word "became" strike out "effective.'" and insert "effective."; after line 6, insert:

(e) Notwithstanding subsections (c) and (d), the adjusted retired pay or retainer pay of a member or former member of an armed force retired on or after September 30, 1967, may not be less than it would have been had he become entitled to retired pay or retainer pay based on the same pay grade, years of service for pay, years of service for retired or retainer pay purposes, and percent of disability, if any, on the day before the effective date of the rates of monthly basic pay on which his retired pay or retainer pay is based.

On page 9, line 14, after the word "who" insert "initially"; in the same line after the word "hereafter" insert "initially"; at the top of page 12, strike out:

SEC. 5. (a) Section 511 of the Career Compensation Act of 1949, as amended (66 Stat. 80; 70 Stat. 114), is amended by adding the following new sentences at the end thereof: "Any officer who was retired for age or length of service under laws in effect prior to October 1, 1949, and who was entitled, under those laws, to count inactive service in the computation of his retired or retirement pay shall hereafter be entitled to count such inactive service in the computation of his retired or retirement pay to the same extent as if he had been retired after October 1, 1949, but prior to June 1, 1958. However, the preceding sentence does not apply to an officer whose retired pay is computed under paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (ch. 413, 56 Stat. 368) or under the third proviso of section 5 of the Act of July 31, 1935 (ch. 422, 49 Stat. 507), as amended by section 3 of the Act of June 13, 1940 (ch. 344, 54 Stat. 380)."

(b) To accrue rights, under this section, a person who is entitled to retired pay on the effective date of this Act must file an application with the Secretary of the military department concerned.

At the beginning of line 22, change the section number from "6" to "5"; on page 13, at the beginning of line 10, change the section number from "7" to "6"; at the beginning of line 13, insert "or after"; at the beginning of line 16, change the section number from "8" to "7"; in line 17, after the word "section" strike out "7" and insert "6"; on page 14, at the beginning of line 4, change the section number from "9" to "8"; and on page 15, strike out:

SEC. 10. Section 410 of title 37, United States Code, is amended by adding the following new subsection:

"(c) Under regulations to be prescribed by the Secretary of Defense and by the Secretary of Transportation (with respect to the Coast Guard when it is not operating as a service in the Navy), a member of an armed force who, upon completion of a tour of duty in an area described in section 310(a)(2) of this title, is authorized to use leave accrued to him under section 701 of title 10, is entitled to be transported at the expense of the United States to his home of record for the purposes of that leave and thence to his assigned duty station. However, no member is entitled to transportation at the expense of the United States under this section for travel outside the United States unless he is a bona fide resident of the place outside the United States that is selected by him under this section."

Mr. **MANSFIELD**. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **RUSSELL**. Mr. President, I desire to outline briefly the salient features of the bill that has just been motioned up by the majority leader.

Mr. President, the pending bill, H.R. 13510, increases the basic pay for members of the Armed Forces and provides for a number of other minor changes in military compensation.

PRINCIPAL PURPOSE TO PROVIDE A MILITARY PAY INCREASE COMPARABLE TO THAT HAS JUST PASSED THE SENATE FOR FEDERAL CIVILIAN PERSONNEL

Mr. President, the principal purpose of this bill is to provide our men and women in uniform with an increase comparable to the 4.5-percent increase which has been recommended by both the Senate and House for Federal classified employees.

The bill provides for such a comparable increase by authorizing a flat 5.6-percent increase in basic pay for all members of the uniformed services.

This increase to 5.6 percent in basic pay does not mean that they would receive a larger increase than 4.5 percent civilian increase. The reason for this 5.6-percent basic pay increase, rather than a 4.5-percent increase, is due to the fact that the quarters and subsistence allowances which make up a portion of military compensation are not increased under this bill. It was therefore necessary to provide for a slightly larger increase in basic pay in order to have an increase equivalent to the 4.5-percent civilian increase.

In calculating the extent to which basic pay should be increased in order to have an increase equivalent to the 4.5-percent civilian increase, four factors of military compensation were taken into account—basic pay, subsistence allowance, quarters allowance, and the tax advantages of these two latter elements.

The quarters allowance and the subsistence allowance are exempt from the payment of income tax. This bill does not affect this status in any degree. To have a comparable increase with that which we voted for classified employees it is necessary to have a slightly higher increase for the personnel in the armed services. These four elements constitute what is called regular compensation. The 5.6-percent increase in basic pay results in 4.5 percent in regular compensation.

EFFECT OF BASIC PAY INCREASE

Mr. President, I shall briefly discuss the effect of this 5.6-percent increase on the military pay grades. For the total active duty force this bill would provide an average increase of $15 per month; for all enlisted personnel, the average increase would be $12.30 per month, and for the total officer force the average would be $35.58 per month. With respect to the effect of the increase on particular pay grades, the E–1 recruit would receive an average increase of $5.32 per month; an E–5 sergeant, $16.39 per month; and an E–9 sergeant major, $33.62. For the commissioned pay grades, the O–1 second lieutenant would receive an average increase of $18.68 per month; the O–4 major, $43.63; the O–6 colonel, $65.72; and the O–9 lieutenant general, $98.84.

Mr. President, there is in the committee report, table I, page 15, which sets forth examples of increases in compensation for each military pay grade.

OTHER PROVISIONS OF BILL

Mr. President, I shall now turn to the remaining portion of the pending bill which contains a number of minor provisions affecting military compensation.

INCREASES IN DEPENDENTS ASSISTANCE ACT RATES

Mr. President, for a number of years there has been in effect in the military pay laws what is known as the Dependents Assistance Act, which applies only to enlisted personnel in the lower pay grades, those in E–1 through E–4—with less than 4 years of service. Special rates are provided for those in these grades who are not furnished Government quarters. This bill provides for an increase in these rates of approximately 9 percent for the brackets up to and including those with two dependents. The dollar increases range from $4.80 to $7.50 per months, with the new rates in these brackets ranging from $55.20 to $90.60 per month. The Dependents Assistance Act rates have not been increased since 1962.

PERMISSIVE AUTHORITY FOR CONTINUATION PAY

Mr. President, despite the special pay incentives already in effect for military physicians, the problem of retaining in active service career military doctors has reached the point where the Medical Corps are faced with serious deterioration if this trend is not reversed. For instance, in 1 year, fiscal 1967, there was a loss of 27 percent of the total career forces for the Medical Corps.

Mr. President, bear in mind that the career force of the military medical service amounts to only 17 percent of the total Medical Corps. The balance of them serve their obligated tours and then, as fast as they can, get out and go into civilian practice. The medical profession is becoming so attractive all over the United States that the 17 percent who are career men are rapidly diminishing in number. This is due to the attractive civilian offers that are furnished for those with a medical education in civilian life.

This bill contains permissive authority under which military physicians who have no obligated service may be paid up to 4 months' basic pay for each year they agree to extend their active service under the written agreement. This special rate will be offered only to those in critically designated specialties. The committee has been advised for the first year only about 2,500 medical officers will be offered this bonus, of which about 300 would receive 4 months' basic pay and 2,200 three months' basic pay.

We hope that this continuation pay will stop the trend that is rapidly diminishing the military service of career medical personnel.

Under the language of the bill this system of pay could also be extended to dental officers. The bill came to us in that form from the House. The Department of Defense has indicated, however, that they have no intention of extending this pay to dental officers in view of the fact that the dental officer retention problem is not comparable to the medical officer situation. Under these circumstances, I saw no necessity to disturb that provision of the bill.

I may say that in view of the extraordinary nature of this pay, the committee added to the bill language requiring an annual report justifying the continued use of this special compensation.

I might observe, Mr. President, that this system for military doctors is somewhat comparable to the system of pay presently in effect providing for a variable enlistment bonus for enlisted men with critical skills. We have a genuine problem maintaining the career medical force. I hope this will resolve our problem.

ADJUSTMENTS IN CONSUMER PRICE INDEX FORMULA FOR INCREASING MILITARY RETIRED PAY

Mr. President, as the Senate knows, since 1963 military retired pay has been increased under a statutory formula similar to that now in effect for civil servants under which retired personnel receive an increase whenever the Consumer Price Index advances 3 percent or more over a period of 3 consecutive months from the time of the previous increase. This system is basically sound but it has given rise to certain inequities which result from two problems.

The first is that under present laws no period of active service is required under new military pay scales in order to receive the full benefit of the increases prior to retirement. One day is sufficient. The second problem arises from the fact that the only requirement for receiving the Consumer Price Index increase is to be on the retired list on the effective date of the increase. Due to the frequency in recent times of both statutory pay increases for the active forces and Consumer Price Index retired increases, persons have been able to double up and receive the advantages of both in a very short time. In July 1966, military pay scales for the active forces were increased 3.2 percent and in December 1966 a Consumer Price Index increase of 3.7 percent was authorized for those on the retired list.

Individuals could therefore retire after the July 1966 increase but before December 1966 and receive the advantage of both adjustments. At the same time, those who waited until after December 1966 to retire did not receive the 3.7-percent increase, since they were not on the list on the effective date.

This bill corrects these inequities in the following manner:

First. It provides a one-time 3.7-percent increase for those retiring after December 1966 and before the new scales in this bill take effect.

Second. The bill takes away any undue windfall which might be acquired by going on the retired list immediately before an increase, by limiting the Consumer Price Index increases for such persons to only the advances in the Consumer Price Index that have occurred since the last statutory pay increase.

Third. A penalty is avoided for those who might wait until the effective date of the retired increased to retire, by permitting Consumer Price Index advances to be reflected in their initial retired pay.

Mr. President, the committee made no attempt at this time to deal with the other problem I initially mentioned under which the full advantage of new pay scales are received for retirement purposes with as little as 1 day of service under the new scales. It was made clear, however, that this matter might be dealt with in some future legislation.

POSSIBLE FUTURE AUTOMATIC INCREASES IN MILITARY BASIC PAY

Mr. President, there is contained in section 8 of this bill a provision which might be considered in the nature of legislative insurance. This section, in effect, provides that unless there is a subsequent provision to the contrary, there will be an automatic increase in military basic pay whenever the general schedule for salaries of the classified civilian employees is increased. The military increase would be a flat across-the-board adjustment equal to the average of the civilian increase and would take effect on the same date as the civilian increase.

Mr. President, I do not anticipate that in the normal course of events this provision will become operative. The so-called quadrennial review of military compensation is now being completed in the Department of Defense and the President in his pay message of last April indicated that he intended to recommend military pay changes. Moreover, the Department of Defense in a letter of November 18, 1967, to the committee, stated that they anticipate that the administration's pay proposals would be forthcoming early in this next session. In view of the fact, however, that in the civilian pay bill just considered by the Senate, there will be two automatic raises for civilian employees without further legislative action, one in 1968 and one in 1969, it did not seem fair that there should not be some guarantee for timely military increases consistent with the forthcoming automatic civil service increases, if for some unforeseen reason the military personnel did not receive an increase under separate legislation next year.

MINOR PROVISIONS

Mr. President, the remaining provisions of the bill can be considered minor in nature and are fully explained in the committee report which is available to each Member.

SUMMARY

Mr. President, this bill will affect approximately 4,578,000 persons, of which 3,454,000 are on active service and the remainder either reservists in a drill paid status, or are retired personnel.

The cost of this bill for fiscal 1968 with the effective date of October 1, will be $632,800,000. On a 12-month basis, the additional cost will be $822,400,000.

Mr. President, I urge the Senate to act favorably on this modest pay increase for our men and women in uniform.

Mr. President, we have just enacted a bill to provide for those who offer their services to the Federal Government. Surely, we cannot do less than give an equivalent increase to those who offer their bodies as well as their services without regard to hours or conditions of service, and whose lives are also taken on the field of battle.

I hope that the bill will be enacted into law.

Mrs. SMITH. Mr. President, the pending military pay legislation, H.R. 13510, has been ably discussed in detail by Chairman RUSSELL of the Armed Services Committee, and I shall not attempt to repeat his discussion of this legislation.

As the ranking minority member of the Armed Services Committee, however, I should like to emphasize that this military pay bill represents the unanimous affirmative vote of the committee.

The principal purpose of the bill is to provide a flat across-the-board increase of 5.6 percent in basic pay for all members of the uniformed services. This increase, which is comparable to the 4.5-percent increase now being approved for Federal civilian workers, is well deserved. There can be no dispute that the military element of our Federal Government should receive increases on the same timely basis as the civilian element of our Federal Government.

The remaining provisions of this bill, although minor in nature, represent improvements in the military compensation system. These provisions include first, an upward adjustment of approximately 9 percent in the Dependents Assistance Act rates for the lower grade enlisted personnel who are not furnished Government quarters; second, a system of permissive continuation pay for medical officers in critical specialties who agree to extend their period of active service; third, certain modifications in the Consumer Price Index formula for increasing military retired pay, all aimed at removing certain inequities in the present system; and, fourth, certain minor provisions relating to bachelor personnel which will extend to them the same quarters allowances and dislocation allowances now available to personnel with dependents.

Mr. President, H.R. 13510 is needed and justified legislation, and I urge its unanimous approval by the Senate.

Mr. THURMOND. Mr. President, I do not feel that this is the time to be raising any Government salaries. However, the Senate has passed an increase for civilian workers and I feel that it would be only just and fair that an equivalent raise be given to our military personnel.

Therefore, I shall vote for the military pay raise bill.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc. If there be no further amendments to be proposed, the question is on the engrossment of the amendments, and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on final passage of H.R. 13510. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Virginia [Mr. Spong] is absent because of the death of his uncle.

I further announce that the Senator from Louisiana [Mr. Ellender], the Senator from Arizona [Mr. Hayden], and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Arizona [Mr. Hayden], the Senator from New Hampshire [Mr. McIntyre], the Senator from Oregon [Mr. Morse], the Senator from Virginia [Mr. Spong], and the Senator from Missouri [Mr. Symington] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Tennessee [Mr. Baker], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Iowa [Mr. Miller], the Senator from Pennsylvania [Mr. Scott], and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from California [Mr. Kuchel] and the Senator from New York [Mr. Javits] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. Baker], the Senator from Kentucky [Mr. Cooper], the Senator from California [Mr. Kuchel], the Senator from New York [Mr. Javits], the Senator from Iowa [Mr. Miller], the Senator from Pennsylvania [Mr. Scott], the Senator from Texas [Mr. Tower], and the Senator from North Dakota [Mr. Young] would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 364 Leg.]

YEAS—83

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—0

NOT VOTING—17

Baker
Cooper
Dodd
Ellender
Hayden
Javits
Kuchel
Lausche
McCarthy
McIntyre
Miller
Morse
Scott
Spong
Symington
Tower
Young, N. Dak.

So the bill (H.R. 13510) was passed.

Mr. MANSFIELD. Mr. President, the swift and efficient disposition of this measure that increases the pay of the military speaks abundantly for the outstanding manner in which it was handled by the distinguished chairman of the Committee on Armed Services, the senior Senator from Georgia [Mr. Russell]. His unsurpassed devotion, his skillful and astute leadership were again displayed as they have been on every achievement he has obtained. Senator Russell has again earned the highest commendation of the Senate. It is richly deserved.

The Senator from Maine [Mrs. Smith] deserves the same high commendation. As the ranking minority member of the committee she, too, has consistently displayed an immense devotion to the needs and problems of our armed services. Her outstanding effort today was no exception. The Senate is most grateful.

The Senate twice today has faced the issue of increasing the pay scale of those who serve the Nation. Twice it has voted favorably on that issue. I, personally, am very appreciative of the fact that we were able to accomplish this joint achievement with dispatch and with great efficiency.

FEDERAL SHIP MORTGAGE INSURANCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 770.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 2247) to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain ocean-going tugs and barges, which had been reported from the Committee on Commerce, with an amendment, strike out all after the enacting clause and insert:

> That the fourth sentence of section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159) is amended by inserting immediately before the words "the applicant" the following: "or in the case of a tug of more than twenty-five hundred horsepower, and of any barge of more than twenty-five hundred gross tons".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

SERVICE BETWEEN THE WEST COAST OF THE UNITED STATES AND THE TERRITORY OF GUAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 776, S. 2140.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 2140) to authorize the exchange of certain vessels for conversion and operation in nonsubsidized service between the west coast of the United States and the Territory of Guam.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, strike out all after the enacting clause and insert:

> That the Secretary of Commerce (hereinafter referred to as the "Secretary"), acting by and through the Maritime Administration, pursuant to the provisions of section 510(i) of the Merchant Marine Act, 1936 (46 U.S.C. 1160(i)), is authorized to trade out in exchange for obsolete vessels two C–4-type vessels for the purpose of conversion and operation in unsubsidized service between the west coast of the United States and the Territory of Guam by the person acquiring the traded-out vessels without regard to whether such person receives operating-differential subsidy under the Merchant Marine Act, 1936, for any other of his operations. The Secretary shall exchange the vessels under authority of this Act under such terms and conditions as he deems necessary to insure that if the person who acquires the two C–4-type vessels discontinues his operation of such service, the vessels will be sold to his successor in such service at their fair and reasonable value as determined by the Secretary and subject to such other requirements as the Secretary determines necessary to protect the interests of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 782, H.R. 12638.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H.R. 12638) to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the Territory of Guam.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all after the enacting clause be stricken and that there be substituted in lieu thereof the text of S. 2140, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam."

The PRESIDING OFFICER. Without objection S. 2140 will be indefinitely postponed.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar

No. 783, Senate Resolution 180. I do this so that it will become the pending business.

The PRESIDING OFFICER. The resolution will be stated by title.

The Legislative Clerk. A resolution (S. Res. 180), sense-of-Senate resolution seeking U.S. initiative to assure U.N. Security Council consideration of Vietnam conflict.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, nothing will be done on the resolution tonight, but it will be the pending business tomorrow, and there will be a rollcall vote on passage.

CONSTRUCTION AID FOR CERTAIN VESSELS

Mr. BARTLETT. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2211.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2211) to amend section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159), to provide for construction aid for certain vessels operating on the inland rivers and waterways which was, strike out all after the enacting clause and insert:

> That section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159), is amended by inserting immediately after the words "fourteen knots," the following: "or in the case of a passenger vessel operating solely on the inland rivers and waterways which is designed to be of not less than one thousand gross tons and to be capable of sustained speed of not less than eight knots,".

And amend the title so as to read: "An act to amend section 509 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways."

Mr. BARTLETT. Mr. President, I move that the Senate agree to the House amendments, which include only a grammatical change.

The motion was agreed to.

LEAVE OF ABSENCE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished Senator from Connecticut [Mr. Ribicoff] be excused for the period December 1 through December 23, 1967, while absent on official Senate business in behalf of the Permanent Senate Investigating Subcommittee of the Committee on Government Operations.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H. Con. Res. 487. A concurrent resolution providing for printing as a House document the study entitled "Study of the U.S. Office of Education" (Rept. No. 813);

H. Con. Res. 519. A concurrent resolution authorizing certain printing for the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate (Rept. No. 812);

H. Con. Res. 557. A concurrent resolution to provide for the printing of the Constitution of the United States as amended to February 10, 1967, together with the Declaration of Independence (Rept. No. 811);

S. Res. 188. A resolution continuing the Special Committee on the Organization of the Congress through January 31, 1968 (Rept. No. 810).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2828. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets numbered 138 and 79, and for other purposes (Rept. No. 818).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 1699. A bill to permit negotiation of a modification to a contract for sale of certain real property by the United States to the city of Lawton, Okla. (Rept. No. 819); and

H.R. 12121. An act to amend the act of September 19, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes (Rept. No. 820).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S.J. Res. 123. A joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes (Rept. No. 821).

By Mr. FANNIN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2154. An act to provide long-term leasing for the Gila River Indian Reservation (Rept. No. 816); and

H.R. 4920. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona (Rept. No. 817).

JOSEPHINE BELLIA—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 190); which was placed on the calendar:

S. Res. 190

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Josephine Bellia, widow of Domenick Bellia, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

EXTENSION OF THE PRIVILEGE OF THE SENATE FLOOR TO THE COMMISSIONER OF THE DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE (S. REPT. NO. 814)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 191) to amend rule XXXIII of the Standing Rules of the Senate so as to extend the privilege of the Senate floor to the Commissioner of the District of Columbia, and submitted a report thereon, which resolution was placed on the calendar, as follows:

S. Res. 191

Resolved, That Rule XXXIII of the Standing Rules of the Senate is amended by striking out:

"Commissioners of the District of Columbia." and inserting in lieu thereof:

"The Commissioner of the District of Columbia."

AMENDMENT OF ACT RELATIVE TO THE UNLAWFUL SEIZURE OF FISHING VESSELS OF THE UNITED STATES BY FOREIGN COUNTRIES—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. 815)

Mr. BARTLETT. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (S. 2269) to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the supplemental views of Senators Griffin and Lausche.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alaska.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. Metcalf):

S. 2701. A bill to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 2702. A bill for the relief of Pat Fu Luk and Chan Wan Ting; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2703. A bill for the relief of Pirouz Ahanin; to the Committee on the Judiciary.

By Mr. YARBOROUGH (for himself, Mr. Morse, Mr. Clark, Mr. Randolph, Mr. Williams of New Jersey, Mr. Pell, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Javits, Mr. Brooke, and Mr. Case):

S. 2704. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school age dependents of employees; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 2705. A bill to amend section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended, to require water supply and waste disposal systems constructed in any State with funds under such section to comply with health and safety standards prescribed by the appropriate agency of such State; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Griffin when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY:

S.J. Res. 125. Joint resolution to provide for the designation of the year 1968 as "The National Helium Centennial Year"; to the Committee on the Judiciary.

By Mr. JACKSON:

S.J. Res. 126. Joint resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

RESOLUTIONS

JOSEPHINE BELLIA

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 190) to pay a gratuity to Josephine Bellia, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

EXTENSION OF PRIVILEGE OF THE SENATE FLOOR TO THE COMMISSIONER OF THE DISTRICT OF COLUMBIA

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 191) to amend rule XXXIII of the Standing Rules of the Senate so as to extend the privilege of the Senate floor to the Commissioner of the District of Columbia, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees".)

AMENDMENT TO SECTION 302(c) OF THE LABOR-MANAGEMENT RELATIONS ACT

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend section 302(c) of the Labor-Management Relations Act in order to allow management and labor to bargain collectively over the establishment of trust funds in order to establish scholarships for the benefit of employees, their families and dependents for study at educational institutions or to establish child care centers for preschool and school age dependents of employees. I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2704) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees, introduced by Mr. Yarborough (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2704

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(c) of the Labor-Management Relations Act, 1947, is amended by striking out "or (6)" and inserting in lieu thereof "(6)", and by adding immediately before the period at the end thereof the following: "; or (7) with respect to money or other thing of value paid by any employer to an individual or pooled trust fund established by such representative for the purpose of (A) scholarships for the benefit of employees, their families and dependents for study at educational institutions, or (B) child care centers for preschool and school-age dependents of employees. Provided, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

Mr. YARBOROUGH. Mr. President, section 302 of the Labor-Management Relations Act of 1947 permits, for certain purposes, employer contributions to jointly administered funds established through collective bargaining. My bill, which I am introducing today, would amend this section so as to broaden the scope of the bargaining to allow inclusion of two additional purposes for such jointly administered funds.

One purpose would be to provide employees, their families and dependents with scholarships for study at educational institutions. The other would establish child care centers for preschool and school-age dependents of employees.

Over the years, Mr. President, many significant steps have been taken to improve the educational opportunities of our citizens. Scholarship programs of many kinds, loan programs, work-study arrangements—all have opened the door of educational opportunity inch by inch. It has become increasingly possible for able and ambitious students of all economic backgrounds to further their educational goals.

And yet, we all know that educational costs today are rising. At the very time when higher education is becoming urgent for personal and national needs, the cost of getting it is moving out of the reach of low and moderate income families. As these costs climb, how many students will be financially squeezed off the education ladder. Faced with high tuitions, how many will be unable to pursue an education beyond high school?

Because the answers to these questions may preview a national crisis, I introduced legislation earlier in this session which would declare as the intent of Congress that universal educational opportunity at the postsecondary level be made available through appropriate governmental assistance. The bill I am introducing today would be a significant step forward in the march toward universal educational opportunity. The passage of this bill would allow labor and management to collectively bargain concerning programs which would make possible scholarship grants to children of eligible employees who enroll and maintain themselves in accredited institutions of higher education. These jointly administered grants would be made as a matter of right, thereby helping all those qualified to receive additional education, not only the bright or exceptional student.

Such a program would open up for the first time advanced educational opportunities to the children of the workingman on a nongovernmental basis. Such a program would also provide an opportunity for labor-management cooperation and investment for the improvement of the human resources of our Nation.

An additional feature of this amendment, Mr. President, would permit labor-management cooperation in the establishment of child care centers for dependent children of working parents. After looking at the statistics of the kind of care preschool children of working mothers receive, it is only too clear that too many of these children have care which could at best be considered questionable and, at worst, completely inadequate.

Day care for the preschool child of the working mother has become a social necessity. This problem is not going to disappear if we continue to ignore it. The Federal Government is going to have to take an increasing concern with the problem of providing social services to dependent children of working women. Many Members of Congress have already offered legislation to meet this growing problem.

The bill which I am introducing today will allow the private sector of society to cooperate and participate in both of these endeavors. It will permit labor-management sponsorship of both scholarships and day care centers. Mothers already at work will be more comfortable in their employment knowing that their children are being properly cared for; mothers who must work to meet family needs will be freed to seek employment if they can make use of available child care services, and parents will be more secure in the knowledge that their children may obtain higher education after finishing high school.

I am pleased to note that this bill is receiving bipartisan support. A similar bill will also be introduced in the House of Representatives by Congressman Frank Thompson of New Jersey. It is my hope that this bill will show the way for the private sector of our society to expand the educational opportunity of all children.

Mr. JAVITS. Mr. President, I would like to commend the senior Senator from Texas for introducing this legislation today and I am pleased to be a cosponsor.

The need for the programs which this bill would foster has been amply documented. As the costs of education beyond the high school level increase, children from families of low and moderate income slip behind in the scramble for admission to quality institutions. A college education has become and will continue to become increasingly necessary as a primary qualification for meaningful participation in our expanding economy. Yet, for the student from a low-income family it is becoming increasingly difficult to obtain. This legislation, by permitting the establishment of programs under which scholarship grants would be available to the dependents of eligible workers, would make a significant contribution in a neglected area.

In recognition of the need for providing child care services to families of working parents, I have introduced S. 1948 in this session of the Congress. I have also sponsored a day care amendment which has been incorporated in this year's poverty bill, now in conference. The purpose of the amendment is to provide day care for children of low-income families in order to enable the parents to undertake training, education, or employment. The provision in the bill being introduced today, which would permit collective bargaining on the establishment of such day care centers, is a parallel step in the private sector toward this goal.

I would like to emphasize the significance of this legislation in permitting the private sector to make a contribution in these areas of national neglect. Both labor and industry have a stake in the educational development and economic growth of this Nation.

The programs made possible under the terms of this legislation will also contribute to industrial stability. The working mother whose child is being looked after while she is on the job will be a more productive employee, free of worry about her child's welfare. Absenteeism on the part of working mothers might also be appreciably reduced. And an employee, recognizing the advantages to his dependents of continued employment in an industry which will provide scholarship aid to his children, would have an incentive to remain in the industry, thus reducing, for his employer, the costs of turnover and training of new workers.

Thus, on all counts this is an excellent bill. I am proud to cosponsor it, and I hope the Subcommittee on Labor, of which the distinguished senior Senator from Texas is the Chairman, will give it prompt attention.

FARMERS HOME ADMINISTRATION: HELP OR HINDRANCE?

Mr. GRIFFIN. Mr. President, it is bad enough when an expensive, highly touted Federal program falls far short of its promises. But it is deplorable when an agency so administers a Federal program that it actually retards and blocks progress.

Yet, this is the state of affairs with respect to a program enacted by Congress several years ago to help small communities in their efforts to develop water supply and waste treatment facilities.

The head of Michigan's Department of Public Health, Dr. R. Gerald Rice, is more than upset. He says that, as it is now administered:

> This federal program has done more violence than good to the advancement of our public water supply and water pollution control program here in Michigan.

Responsible authorities in other States not only agree; they join in a chorus of criticism and complaint.

In 1965 Congress amended the Consolidated Farmers Home Administration Act of 1961 to establish a program of direct assistance to help small towns in rural areas improve their water supply and waste disposal systems.

This program is administered by the Department of Agriculture's Farmers Home Administration, which is authorized to provide Federal matching grants of up to 50 percent to rural communities with populations under 5,500.

Under section 306(a)(3) of the act, the Secretary of Agriculture is authorized to approve grant applications, providing that a local project—

> (ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonably foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water or sewer development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located . . .

It would seem clear that Congress intended to assure that projects financed under the program would not violate or outflank development plans duly established by State, county, and municipal authorities. Such development plans reflect the needs and growth patterns of particular areas; they are formulated by planning officials who are attuned to local conditions and needs.

Yet, with respect to my own State of Michigan, the FHA has shown what amounts to arrogant disregard of State policies established in the public interest.

In effect, the operations of the FHA have served to retard progress in the very communities that Congress intended to help.

Let me emphasize that my remarks today are not directed toward the many FHA personnel at the local level who have done a commendable job in handling the traditional functions of this agency. I am convinced that the difficulties stem primarily from bureaucratic bungling and unsound policy decisions at the Washington level in a field in which this agency has no experience and little competence.

Furthermore, Mr. President, I wish to make it clear that I have no quarrel with the program itself or its objectives. Indeed, I wish to commend the chief sponsor of the basic legislation, the distinguished senior Senator from Vermont [Mr. AIKEN], for his outstanding leadership in a valiant effort to provide assistance that is desperately needed at the local community level.

Dr. Rice, who heads the Michigan Department of Health, has outlined a number of problems in a letter to me, dated October 30, 1967. I ask unanimous consent that the full text of the letter be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF MICHIGAN,
DEPARTMENT OF PUBLIC HEALTH,
Lansing, Mich., October 30, 1967.

Hon. ROBERT P. GRIFFIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRIFFIN: This is further regarding the matter which Mr. John Vogt, Chief of our Engineering Division and I discussed with Messrs. Peter Holmes and Joe DeWeese of your staff on October 27, 1967 relative to the Farmers Home Administration's financial grant and loan program for water supply and sewerage systems.

I must submit that this Federal Program has done more violence than good to the advancement of our public water supply and water pollution control programs here in Michigan.

Specifically and briefly:

1. The Federal Agency has such low standards of engineering design for these systems and in particular water supplies which it requires consulting engineers to design in accordance with, that the small urban areas are saddled with very substandard systems. The systems if built are actually more costly to the communities because it is soon established that the deficiencies must be corrected.

2. The Administration no doubt has informed you that plans for systems to be eligible for grants must meet minimum health standards of the various state health departments. Left unsaid however is the pressure and influence brought to bear by Administration staffers on health departments to lower their standards to a point below their better judgment and accept and approve the substandard design.

3. Local representatives of FHA solicit applications from communities. Although officials of the Administration disclaim this practice and contend it is contrary to their policy, it is happening. This carrot dangling places local elected officials in a position that they are almost forced to submit an application.

4. Once the Administration gets an application, an interminable series of actions is set in motion to keep the community "on the hook" so it does not take steps to build the facilities with its own financial resources. Obviously, it is political suicide for an elected official to propose to his people that they finance facilities themselves when the Farmers Home Administration states that in one year, two years or five years they may make a grant to the city. First of all by that time increased costs will have wiped out any grant assistance. Moreover action on a needed water pollution control project will be sidetracked or will require the state agencies to invoke the enforcement provisions of our pollution control acts against a community which was ready to and able to move voluntarily but was hooked by FHA.

5. Recently one of my staff members was in a public meeting at which a representative of FHA proposed that plans for projects be cleared by the consulting engineer with FHA first before submitting them to our office for approval as required by state law. We cannot tolerate such a practice.

6. The Administration contends that it is serving rural people and rural areas. We maintain that communities in the population density covered by PL 89–240 of up to 5500 population are small urban areas.

7. Our sister states in the Great Lakes region and elsewhere are experiencing the same problems. Evidence of this is the at-

tached resolution. This informal compact includes the states of New York, Pennsylvania, Ohio, Indiana, Illinois, Iowa, Missouri, Minnesota, Wisconsin and Michigan. In this connection, I am advised that Senator Proxmire has expressed some concern about the FHA program.

It would seem that one possible solution would be to transfer this entire program to another Federal agency which has experience and expertise in the engineering and management of grant programs for water and sewer utilities. The Department we would propose be given consideration is that of Housing and Urban Development. The Community Facilities Administration of that Department has had excellent experience under the accelerated public works program, economic development act and other financial grant and loan programs for public water supply and sewage systems. It has been our experience that HUD has demonstrated a great capacity to administer such programs effectively, efficiently and timely following commonly accepted good engineering practices.

I am also attaching for your information an article which appeared in the Lansing State Journal last Friday on this same subject which is a release by Representative Smit. Mr. Smit is a successful consulting engineer in private life and well acquainted with this subject.

We greatly appreciate your interest and assistance in this matter which has been and continues to be very troublesome to us.

Sincerely,

R. GERALD RICE, M.D.,
Acting Director.

Mr. GRIFFIN. Mr. President, a little investigation on our part has confirmed that the Michigan experience is not unique. As indicated by Dr. Rice, the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers, representing an informal compact of officials from New York, Pennsylvania, Ohio, Indiana, Illinois, Iowa, Missouri, Minnesota, Wisconsin, and Michigan, adopted a resolution on March 31, 1967, calling on the FHA to "immediately review its standards of engineering design" and to make them "conform with good engineering practice and those of the respective State departments of health."

Mr. President, I ask unanimous consent that the full text of this resolution be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRIFFIN. Mr. President, my office has been in contact with responsible authorities in a number of States. In each case, the appropriate official has expressed great concern about the practices of the FHA, and each has raised substantially the same criticism.

Mr. President, I ask unanimous consent that a number of letters from officials in other States and that several newspaper articles be included at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRIFFIN. Mr. President, the administration of this Federal program by FHA has seriously hampered the development of safe and adequate water resources in Michigan.

The department of health in Michigan has appropriately required that water distribution systems be designed to provide a level of flow reasonably adequate to meet fire-protection needs. This is essential, not only for fire protection, but for economic development. If such development is to be encouraged, consideration must be given to providing adequate fire protection which is reflected, of course, in the rates charged for fire insurance. Michigan and other States have taken such factors into account in establishing their standards.

Let me point to another example of FHA judgment. In the Upper Peninsula of Michigan, the severe winters can result in frozen water pipes. Cast iron pipe is used in water systems in that region because it can be more easily thawed—electrically. But FHA officials have taken the position that small communities in Michigan's Upper Peninsula should use plastic water pipe. They argue that it has worked well in Mississippi.

FHA officials complain about a lack of funds. But they seem to have enough money to send agents into the field to solicit more and more applications under the program—applications which will only gather dust in a Washington file drawer. This practice is particularly odious because it serves to raise false hopes in hundreds of communities where adequate and soundly designed water and waste systems are desperately needed.

Only eight out of about 200 Michigan applications for funds under this program have been approved to date. The other communities have been waiting—and waiting—while the FHA insists upon plastic water pipe in Michigan and pressures for inferior engineering standards.

The members of the Michigan Republican delegation in Congress became so concerned about this situation that they recently dispatched a letter to the Secretary of Agriculture urging the Department to reappraise existing procedures with a view toward adopting more equitable practices. The letter summarized the problem very well, and I ask that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. GRIFFIN. While it may be all right to ask the FHA to "straighten itself out," I have become convinced that the best way to proceed is with legislation which will direct the agency to do so.

Therefore, I am today introducing a bill which would amend the Consolidated Farmers Home Administration Act to require that safety and health standards established by a State be recognized by the FHA in considering applications for funds under this program.

I have also considered the possibility of transferring administration of the program from the FHA to the Community Facilities Administration of the Department of Housing and Urban Development. While such a move should not be necessary, Congress may want to adopt it as well.

Mr. President, enactment of this legislation will resolve what has become a bureaucratic tug of war, benefiting no one. I urge the Committee on Agriculture and Forestry to hold hearings on this bill as soon as possible with a view toward its early passage.

Mr. President, I ask also that a copy of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, in accordance with the request of the Senator from Michigan, the bill will be printed in the RECORD.

The bill (S. 2705) to amend section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended, to require water supply and waste disposal systems constructed in any State with funds under such section to comply with health and safety standards prescribed by the appropriate agency of such State, introduced by Mr. GRIFFIN, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2705

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926), is amended by adding at the end thereof a new subsection as follows:

"(d) No loan shall be made or insured under this section and no grant shall be made under this section for the construction of any public water supply or waste disposal system in any State unless the proposed system has been submitted to the appropriate State agency and such agency has determined and certified to the Secretary that such proposed system complies with the standards for health and safety prescribed by such agency for the type of facility to be constructed."

EXHIBIT 1

RESOLUTION REGARDING WATER SUPPLY AND SEWERAGE SYSTEMS

(By the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers)

Whereas, the Farmers Home Administration, U.S. Department of Agriculture, under Federal act is authorized and does make financial assistance grants to communities and districts of 5,500 population and under for the construction of water supply and sewerage systems, and

Whereas, The construction plans and specifications for the systems are reviewed and must be approved by the FHA, and

Whereas, The basis of design used by the FHA for the review and approval of engineering plans for the systems are very low with respect to such items as pipe sizes, fire protection and materials for construction, and

Whereas, The systems under consideration are public systems which come under the supervision of state departments of health, and

Whereas, The low standards of design of FHA which are different from those of the state departments of health has caused confusion and can and does result in the construction of substandard water and sewerage systems, and tend to compromise the health and fire protection afforded the people served.

Now, therefore, be it resolved, That the Great Lakes-Upper Mississippi River Board Meeting in annual conference in Chicago on March 30 and 31, 1967, requests that the FHA immediately review its standards of engineering design and that they be made to conform with good engineering practice and further that in each state, the standards of design be in conformity with those of the respective state departments of health, and

Be it further resolved, That copies of this Resolution be transmitted to the Secretary of

Agriculture, the Administrator of the Farmers Home Administration, and the Director of the Bureau of the Budget.

Adopted March 31, 1967.

EXHIBIT 2

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH,
Harrisburg, November 1, 1967.

Hon. ROBERT P. GRIFFIN,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: It is gratifying to learn of your interest and possible action in connection with the need for Farmers Home Administration to adhere to adequate environmental and engineering standards in connection with water supply and sewerage projects. I am sure that there is a basis for corrective action to prevent substandard and inadequate water supply and sanitation installations in connection with FHA projects.

One of the most fundamental approaches which could be taken to improve not only the technical problems but also to achieve better over-all coordination would be to transfer this program to an agency which is now administering such grants. This would reduce somewhat the proliferation of agencies with which the local communities must deal. It is possible of course that this may not be feasible.

Another desirable approach would be to establish through legislation as a clear indication of congressional policy that FHA projects would be required to conform with the standards in the states in which they are located. This would eliminate any question on such matters as pipe sizes, construction details and applicability of various types of sewage treatment.

In Pennsylvania the principal problem with respect to sewerage systems have been—(1) Suggesting different (lower) types of sewage treatment on projects already well firmed up through engineering investigations and (2) Causing delays in treatment plant construction by offering excessively optimistic predictions of fund availability. In connection with water supply systems there is a dilemma on provision of full water supply services including fire protection.

We will be very happy to be kept informed of progress in this matter.

Sincerely yours,

WESLEY E. GILBERTSON,
Director,
Bureau of Environmental Health

STATE OF NEW YORK,
DEPARTMENT OF HEALTH,
Albany, N.Y., November 6, 1967.

Hon. ROBERT P. GRIFFIN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: This is to confirm our recent telephone conversation regarding the resolution concerning the installation of water and sewerage systems by the Farmers Home Administration, adopted by the Great Lakes-Upper Mississippi River Board of State Sanitation Engineers, March 31, 1967.

The resolution basically indicates "That the Great Lakes-Upper Mississippi River Board Meeting in annual conference in Chicago on March 30 and 31, 1967, requests that the Farmers Home Administration immediately review its standards of engineering design and that they be made to conform with good engineering practice and further that in each state, the standards of design be in conformity with those of the respective state departments of health." Copies of this resolution were transmitted to the Secretary of Agriculture, the Administrator of the Farmers Home Administration, and the Director of the Bureau of the Budget.

The resolution was adopted because, in some instances, the Farmers Home Administration was approving the installation of public water supplies which did not meet the standards of other public water supplies installed in that specific state and approved by that health department. In some instances, plastic pipe was being used, while the use of such plastic pipe was not permitted by the State Health Department in other public water supply systems in that state.

Since all these systems installed by the Farmers Home Administration are actually public water supplies, although generally installed in a rural area, they should of necessity meet the public water supply standards of the state within which they are being installed and should have the approval of that State Department of Health.

It would appear that the Federal government should be leading in setting high standards in all of their agencies, rather than allowing some of their Federal agencies to permit installations which would not adequately meet all the needs of a community.

Sincerely yours,

MEREDITH H. THOMPSON,
Assistant Commissioner.

STATE OF OHIO,
DEPARTMENT OF HEALTH,
Columbus, Ohio, November 13, 1967.

Hon. ROBERT P. GRIFFIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRIFFIN: We have your letter of November 1, 1967, that requested that we provide you with our comments on the activity of the Farmers Home Administration in the public water supply and sewerage field in Ohio.

Major items of concern are as follows:

1—It has been a longstanding policy of the Ohio Department of Health to require that water supply systems meet or be such that they can be economically converted to meet fire underwriters requirements so that fire protection as well as public health protection is provided. The FHA financed improvements provide water service for homes in built up portions of incorporated areas as well as farm homes that are served by long rural lines. We have accepted the FHA policy that fire protection may not be reasonable for economic reasons in the rural lines but are convinced that in the built up sections of incorporated areas, the pipelines and structures should be of such design that they could be used or economically converted to provide the water necessary for adequate fire protection in these centers of population. The FHA authorize no grant participation if the fire protection is provided.

2—Experience in Ohio has been that problems develop in water supply systems that are owned and maintained by property owner type nonprofit corporations. During the period that the system is being installed, everyone is very cooperative and adequate leadership is available. As time progresses the leaders of the first stage pass out of active participation, maintenance problems develop in the system. Funds for this maintenance are difficult to obtain and the attitude of the consumer changes. We prefer not to have our water utilities operated by property owner type non-profit corporations but to have the utilities operated by public entities.

Recently the FHA has informed groups in Ohio that the group cannot obtain FHA insured loans if they are a public entity but they can obtain FHA insured loans if they are organized as property owner, non-profit corporation. It is obvious that the Ohio Department of Health received immediate pressure, from groups desiring loans, to make an immediate change in policy based on promises that these new groups would provide adequate management. Ohio law is such that there is no review or control of the operation of non-profit public utilities by the Public Utilities Commission of Ohio.

The FHA indicated that the reason that they had loan funds available for non-profit corporations but not to public entities (including incorporated villages) was due to the fact that they have two sources of funds. One source is the U.S. Congress and these funds are known as appropriated funds and are relatively small portions of their available funds. The remainder and major part of their funds are from private investment sources and are known as "insured funds". A U.S. Treasury Department ruling was such that the "insured funds" could not be used for public entities which means that they have very little real money available for municipal utilities or other utilities owned by public entities even though they have done a good job in contacting municipalities and soliciting applications for loans from them.

3—It is noted that any type of sewage treatment is acceptable to the FHA as long as the treatment is done by lagoons. It is the opinion of the Ohio Department of Health that sewage lagoons have a very definite place in the field but that they are not an universal tool that can be used in any location. Consulting engineers have indicated that they have had very little success in obtaining FHA permission to use any other type treatment.

Very truly yours,

GEORGE H. EAGLE,
Chief Engineer.

STATE OF ILLINOIS DEPARTMENT OF
PUBLIC HEALTH,
Springfield, Ill., November 6, 1967.

Hon. ROBERT P. GRIFFIN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: I understand from your assistant, Mr. Joe Deweese, that you are considering introducing legislation to require the Federal Farmers Home Administration to conform with the design standards of the several State Departments of Health regarding the design of water supply and sewerage systems by the Farmers Home Administration within each of the several states.

We have had some problem with FHA with respect to the underdesign of water supply systems. The question principally involves the provision of adequate fire protection on rural water districts. We would certainly support your efforts to amend the federal law making it mandatory for the Farmers Home Administration to conform with good engineering practice and further that in each state, the standards of design of FHA be in conformity with those of the respective State Departments of Public Health or other state agency for the design of public water supply and sewerage systems.

Very truly yours,

C. W. KLASSEN,
Chief Sanitary Engineer.

STATE OF MINNESOTA,
DEPARTMENT OF HEALTH,
Minneapolis, November 13, 1967.

Hon. ROBERT P. GRIFFIN,
U.S. Senator from Michigan,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: As a member of the Great Lakes-Upper Mississippi Board of State Sanitary Engineers I was a party to the resolution adopted by the Board on March 31, 1967, regarding problems with the Farmers Home Administration. I have seen a copy of the letter written to you by Dr. R. Gerald Rice, Acting Director of the Michigan Department of Public Health, under date of October 30, discussing this problem. Although we have not had as much difficulty as some of the other states report, I am in concurrence with the statements in Items 2 through 6 of Dr. Rice's letter. I feel it is absolutely essential for FHA as well as other Federal agencies to conform to the standards of the states in which they operate.

I believe we have had perhaps fewer problems than some of the states largely because there have not been many applications to FHA. In addition, we have a very cooperative

State Director for FHA, so that an effort has been made to meet our standards within the framework of FHA authority.

It would seem that specific legislation requiring cooperation would be in order.

Respectfully,

F. L. WOODWARD,
Director,
Division of Environmental Health.

[From the Lansing (Mich.) State Journal, Oct. 27, 1967]

LEGISLATOR RAPS U.S. "RUNAROUND"

Practices of the Farmers Home Administration brought fresh charges from Rep. Raymond J. Smit, R-Ann Arbor, that the federal agency is stifling sewage and water treatment development.

He accused the agency of requiring substandard designs for waste treatment and water supply, "runarounds" and hamstringing community efforts to extend public health services.

"Farm agency loans require that no future extensions of water and sewer systems be made unless prior approval by the FHA is given," he charged.

Even though the agency doesn't have the funds, Smit claimed that its agents continue "to beat the bushes for new FHA applications."

INSIDIOUS EFFECT

"Communities complain that they have also been duped into contracting for professional services to plan their project," he said.

Then, he added, the community faces the obligations for the professional services and the promised U.S. grant funds are not allocated.

"Such is the insidious effect of the false high hopes and great disappointments of federal promises," Smit said.

Local officials, he added, have also complained of "runarounds" from the U.S. Farmers Home Administration.

"Communities contend they are strung along, not being told where they stand, but with perpetual bait of 'high on the priority list' held before them," he said.

In other instances, local officials said the agency offers grants for portions of projects and federal loans for the balance.

"At least one community was prevailed upon to reject a private bid and accept a more expensive federal bid for their bonds," Smit said.

EXPRESS CONCERN

"I contend," he added, "that the United States government is not a savings and loan institution and that this 'loan brokerage' operation engaged in by the FHA is deplorable.

"If a private investor were to do this it would be considered illegal, but the Farm Administration seems to feel they can operate beyond the ethics imposed upon private enterprise."

Bonding attorneys, he contended, have reported that despite complicated FHA requirements the agency has refused to permit the communities to hire competent counsel on bond issue questions.

"This prevents communities from getting straight answers and puts them at the mercy, such as it is, of the federal farm agent and causes unexpert handling of bond sales," Smit said.

Smit said a legitimate question is why the farm agency should be involved in urban problems in the first place.

Michigan congressmen and senators have indicated concern, and frustration over the problem, he added.

[From the Lansing (Mich.) State Journal, Oct. 19, 1967]

SEWAGE DISPOSAL'S FATE BIG QUESTION

(By Mert H. Dean)

ITHACA.—A cold wind from Washington has brought a chill to this community over the fate of its lagoon-type sewage disposal system.

The cold wind came in the form of a federal "freeze" on funds available through the Farmers Home Administration offices for any work projects which haven't been fully processed.

The status of the Ithaca applications for both grant and low-interest loans is not officially known here so whether these amounts are included under the "freeze" order cannot be immediately determined.

It was more than a year ago FHA announced to Ithaca city officials they would receive a $24,000 grant and a low-interest loan of $134,000 toward construction of the disposal system. To handle local share of costs, the city submitted an application for sale of bonds and received permission a month ago to make sale of such items.

So that some idea could be gained on total cost of the project, bids were taken late in the summer with Smith Engineering and Excavators of Lansing, the low bidder. Workmen from that company began shortly after the bids were opened to do some of the preliminary work, even though no formal approval of a contract came through the city council.

Now the work is almost completed by the firm, as hopes were held the system could be placed in use this fall before freezing weather arrived.

Status of the project was not known by city officials or those of the Gratiot FHA office here when the city council discussed the delay in Tuesday night's council meeting.

No action could be taken on the project, though authorization was given to sign a contract with Consumers Power Company for water department needs in electrical current which should bring up to a $500 per year savings to the city over present rates being paid.

EXHIBIT 3

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 30, 1967.

HON. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Washington, D.C.

MY DEAR MR. SECRETARY: A matter of deep concern has come to our attention relating to the implementation in Michigan of the Farmers Home Administration's water and sewage assistance program for communities and districts of 5,500 population and under.

As you are aware, Section 3 of the authorizing legislation, Public Law 89–240, states in its pertinent part, that no grant shall be made unless the Secretary of Agriculture determines that a project:

"(ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonably foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water or sewer development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located . . ."

The Department of Public Health of the State of Michigan has in recent months repeatedly expressed its dissatisfaction to the FHA over the administration of several aspects of this program. These include not only the practice of soliciting and approving more projects than can be funded but also questionable regulations covering bond arrangements and standards of engineering design as well. In a letter to FHA Administrator Howard Bertsch dated July 6, 1967, John F. Vogt, Chief, Division of Engineering, Michigan Department of Public Health concluded:

Once again we would urge that the Farmers Home Administration critically review its standards of engineering design for both water supply and sewerage systems with a goal of bringing them into conformity with commonly accepted good engineering practice and latitude for exercising professional engineering judgment. Consideration should be given to seeking advice from state health departments, engineers in private practice and others and include representation from various areas in the country. Further, we would strongly urge that practices and procedures be discontinued which tend to discourage local initiative.

A similar view has also been expressed in a resolution adopted March 31, 1967, by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers, copy of which is enclosed.

It is apparent from the authorizing legislation cited above that the intent of Congress with regard to this program was to facilitate rather than frustrate and complicate the orderly development of water and sewer facilities. Furthermore, it is equally clear that the criticisms here expressed reach to questions considerably more fundamental than simply the matter of the availability of Federal money. Consequently, we the undersigned members of the Michigan Congressional Delegation strongly urge that you give this matter your earliest and most careful review.

Sincerely yours,

ROBERT P. GRIFFIN, U.S. Senator; MARVIN L. ESCH, Second District; GARRY BROWN, Third District; EDWARD HUTCHINSON, Fourth District; GERALD R. FORD, Fifth District; CHARLES E. CHAMBERLAIN, Sixth District; DONALD W. RIEGLE, Jr., Seventh District; JAMES HARVEY, Eighth District; GUY VANDER JAGT, Ninth District; ELFORD A. CEDERBERG, 10th District; PHILIP E. RUPPE, 11th District; WILLIAM S. BROOMFIELD, 18th District; and JACK H. McDONALD, 19th District, Members of Congress.

HELIUM CENTENNIAL YEAR

Mr. MONRONEY. Mr. President, I introduce for appropriate reference, a joint resolution which provides for designating the year 1968 as "The National Helium Centennial Year."

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 125) to provide for the designation of the year 1968 as "The National Helium Centennial Year," introduced by Mr. MONRONEY was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MONRONEY. Mr. President, it has come to my attention that 1968 marks a double anniversary for helium. In 1868—nearly 100 years ago—an Englishman, Sir Joseph N. Lockyer, first discovered that the gases of the sun contained a new element, helium. However, it was not until 50 years later that helium was extracted from natural gas in other than laboratory quantities in the United States and Canada.

The northwestern portion of my great home State, Oklahoma, is among the helium-producing areas of the Nation and a contributor to the future of our Nation through this production.

This natural resource—vital to our national security and welfare, in our Nation's nuclear, electronic, space, and underseas technology efforts—serves as a fitting example of effective natural resource conservation through Government and industry cooperation.

We must—and can—profit in all natural resource conservation by following the fine example set by Government and industry teamwork in conservation of helium.

I commend "The National Helium Centennial Year" and urge Members of Congress to join with me in support of the joint resolution, which we should complete prior to the inaugural of the new year.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 480

Mr. RUSSELL submitted an amendment, intended to be proposed by him, to the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes, which was ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN NAVAL VESSEL LOANS—AMENDMENTS

AMENDMENTS NOS. 481 AND 482

Mr. CLARK submitted two amendments, intended to be proposed by him, to the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence, and a new loan, and for other purposes, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. HARRIS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor of the bill (S. 2134) to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Eugene G. Hulett, of Oregon, to be U.S. marshal, district of Oregon, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, December 6, 1967, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MONRONEY:

Speech by him entitled "Oklahoma Football Excellence."

PORTENTS OF FURTHER U.S. MILITARY ESCALATION IN VIETNAM

Mr. GRUENING. Mr. President, Mr. James Reston in the New York Times for November 29, 1967, speculates not only on the reasons for Secretary McNamara's rumored resignation as Secretary in order to assume the duties of president of the World Bank, but also on the timing of the spate of rumors.

> The speculation here—and it is no more than that—

Mr. Reston writes—

> is that the opposition to McNamara within the Joint Chiefs of Staff for "interfering," as they put it, with the conduct of the war had built up to the point where there was at least a fear within the Administration that the President might be confronted with the resignation of two or three of his top military advisers.

This is a very interesting speculation, coinciding as it does with the reports of a televised national broadcast by Generals Eisenhower and Bradley the night before, in which they said:

> The United States should consider temporary forays into North Vietnam, and, if necessary, hot pursuit of the enemy into neighboring neutral Cambodia and Laos as well.

General Eisenhower also stated he "would favor pursuit, by air, even into China."

It thus seems that the United States is about to escalate even further its military intervention.

Almost 4 years ago—on March 10, 1964—I made a major speech on the subject of U.S. military involvement in Vietnam. The title of that speech was: "The United States Should Get Out of Vietnam."

Had that advice been heeded, then thousands upon thousands of U.S. casualties would have been avoided.

I have been repeating that advice over the years since then as the escalation of the U.S. military adventure in Vietnam has steadily increased.

I continue to give this advice today with even more apprehension about the significance of this latest aggrandizement of the military influence.

No more information is available to me than appears in the press, but I, too, can speculate.

Do these latest moves mean that, with the avowed purpose of "hot pursuit" the U.S. troops will be making forays into North Vietnam, Cambodia, Laos, and even mainland China?

Will the forays in "hot pursuit" into North Vietnam on a temporary basis shortly turn into an all-out invasion of North Vietnam, as some unnamed official in Saigon was reported to have urged at about the time Generals Eisenhower and Bradley were advocating the same thing on a "temporary basis"?

It should be recalled that when the bombing of North Vietnam was first ordered in February 1965, it was supposed to be on a tit-for-tat basis—steadily escalated since then into daily missions to attack an ever-growing list of targets.

How long will it be—if this course of escalation is followed to its logical conclusion—before Haiphong harbor is mined and the dikes of North Vietnam will be destroyed, causing the deaths of thousands upon thousands of North Vietnamese civilians?

How long will it be—if this course of escalation is followed to its logical conclusion—until U.S. planes are destroying airfields in Communist China, on the bland assumption that the mainland Chinese Government will sit idly by and watch U.S. planes destroy its airfields without taking retaliatory measures?

And, if China retaliates how can it be expected that the Soviet Union will not honor the mutual security pact it has with mainland China?

The United States may reiterate ceaselessly that "it seeks no wider war" but its actions do not accord with its words.

It is high time to assert civilian control over the military establishment and start to deescalate the military involvement in Vietnam.

I ask unanimous consent that the article by Mr. James Reston appearing in the New York Times for November 29, 1967, entitled "Why McNamara?—And Why Now?" be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 29, 1967]

WASHINGTON: WHY MCNAMARA?—AND WHY NOW?

(By James Reston)

WASHINGTON, November 28.—The two main questions about President Johnson's new appointee to the presidency of the World Bank are: Why McNamara, and why now?

The answer to the first is fairly easy. McNamara wanted it. He is qualified to do it. And despite his reputation as a mechanical computer, he is much more interested in removing the causes of wars than in waging and directing wars. Read his Montreal speech, which identifies poverty as the root of war, and the point is clear.

PRESIDENTIAL ASSURANCES

Moreover, McNamara was at the top of the list of candidates for the presidency of the Ford Foundation in 1965, though opposed by some influential members, but the President fell ill at that time and McNamara asked John J. McCloy to take his name off the list. Accordingly, the Secretary of Defense had a call on the President for the bank job since the President had told him on several occasions that he could have almost any job he wanted.

There is a partial answer to the timing question, but only partial. McNamara was

George Woods' candidate. Woods talked to his two predecessors in the World Bank presidency, Eugene Black and the same John J. McCloy. They agreed with Woods that McNamara would be the best candidate, but while Woods pressed the Administration for a nominee, nothing happened for sixteen months.

DECISIONS DELAYED

Finally, the board of the World Bank asked Woods to stay on for a year beyond his regular five-year term that expires on Dec. 31, 1967, and pressed the Administration for a decision by Oct. 31 last. That date passed without a decision. Meanwhile, Woods had talked to McNamara and urged him to consider the job and talk to the President about it. Apparently Mr. McNamara did so in general terms over the Armistice day weekend when he and the President made a long flight to the Pacific Coast and back.

Two points are interesting here. First, the President's decision to appoint McNamara was made a week ago Monday and passed on to the bank a week ago last Thursday, but McNamara did not know about the actual nomination by the President until after it was made. And second, despite the pressure from the bank for a "nominee" or as some members of the bank board preferred, a "choice of nominees," only the McNamara name was put forward, and even then the President was not obliged to put forward any name at that time.

So the timing answer is inconclusive. The President could have waited until after the election if he liked. He did not respond to the bank's appeals for over a year, and then suddenly did so. The speculation here—it is no more than that—is that the opposition to McNamara within the Joint Chiefs of Staff for "interfering," as they put it, with the conduct of the war had built up to the point where there was at least a fear within the Administration that the President might be confronted with the resignation of two or three of his top military advisers.

HOCUS POCUS

Was this discussed between General Westmoreland and the Joint Chiefs during Westmoreland's recent visit in Washington? Was the danger of resignations passed on to the President by somebody on the armed services committees of the Congress? We do not know the answers to these questions, but they are the subject of lively conversation here, and the cause of considerable anxiety among those in Washington who regard McNamara as a restraining influence on the generals and politicians who want to escalate the war.

In any event, two or three facts are fairly obvious. The President could have avoided the whole issue for a year. McNamara did not resign or refuse to go on. He is tired, but not so tired that he has to be relieved, and, in any event, will undoubtedly stay on at the Pentagon for a while, even if he accepts the job when it is offered to him later this week.

Notice has been given by the President, however, that he is looking for a new Secretary of Defense. He has insisted—even to McNamara, according to one source—that he has no successor in mind and wants McNamara's help in choosing one. Thus the anti-McNamara faction gets something and McNamara does too.

This is, at least, a novel procedure. The hawks are pleased with it and the doves depressed. McNamara is going, but nobody knows when, to be replaced by somebody, nobody knows whom. Thus everybody gets something but not quite what he wanted: McNamara is on his way out, but not quite, and will still have his hand on the brake. Nobody knows how firmly or for how long. So everybody is wondering and doubting and speculating about what the President is up to, and not, of course, for the first time.

AMERICANS SUPPORT THEIR PRESIDENT IN TIME OF STRESS

Mr. RANDOLPH. Mr. President, Cambridge, Mass., site of Harvard University and MIT, has given President Johnson's Vietnam policies a sizable electoral victory in a November referendum. Citizens there have supported the purpose and directions of our national effort.

It is significant that, in November, two cities—San Francisco and Cambridge—where one might expect the heavy dissent, voted support for our men in Vietnam.

These votes are, in my opinion, indicative of the feeling of the majority of Americans.

I believe that if a referendum were taken in almost any American city, the results would be an endorsement for the President's reasoned policies.

Americans do keep their promises to other nations.

Americans do help people when they are under attack from hostile forces.

Americans do stand with their President in time of stress.

Americans do rally behind gallant sons who are fighting for justice in the hills and rice paddies of Vietnam.

Americans do persevere in the struggle against communism.

MONTANA PUBLISHER RETIRES

Mr. MANSFIELD. Mr. President, one of the truly great institutions of our society is the weekly newspaper. The weeklies have produced some of our finest citizens and journalists. One of Montana's longtime publishers, A. H. Eiselein, retired this summer after 61 years. He had been associated with the Boulder Monitor since 1913.

A. H. Eiselein comes from a family well disciplined in newspaper work. His father was an engraver in Germany; his late brother, A. W. Eiselein, published the Roundup Record-Tribune, and his four sons, all trained in engraving and newspaper work. Mr. Eiselein is an articulate spokesman in many areas and was an outstanding weekly editor who contributed a great deal to his community.

I have known Eisie since my early days in Montana politics. He is a man who has always had the respect of leaders and candidates in both parties. Mr. and Mrs. Eiselein are deserving of many more years of good health and productive endeavor at a pace less rigorous than the past 61 years in the newspaper business. They have my personal good wishes and congratulations.

Mr. President, I ask unanimous consent to have printed in the Record a feature story published in the November 1967 issue of the Montana Fourth Estate.

There being no objection, the article was ordered to be printed in the Record, as follows:

A. H. Eiselein Retires After 61 Years' Work

A. H. Eiselein, who at the age of 78 had accumulated 61 years of experience in the newspaper business, retired July 20 as publisher of the Boulder Monitor, where he had worked since 1913.

The new publisher is a son, Joseph Eiselein, who has been in the engraving business, first at Great Falls and then at Twin Falls, Idaho. Joe Eiselein, was at the Great Falls Tribune for 12 years until 1946 and then bought a half interest in the plant at the Twin Falls Times News.

A. H. Eiselein, or "Elsie" as he is known to his friends, was born in Wiconi, Minn., in 1889. His father was an engraver in Germany, who migrated to the United States.

A. H. served his apprenticeship in a print shop at Buffalo Lake, Minn.

The following was written by Dr. A. E. Westwell, Helena, long-time friend of Mr. Eiselein:

"Fortunately, his basic training for his career as an editor and publisher began early in life in a traditionally disciplined German family, which adequately prepared him for the self-discipline required in his chosen vocation. In those days of limited communications media, the editor, the clergy and the politician to a lesser degree, were the molders of public opinion, and as such the editor had to be a philosopher, judge, leader, debater, and in his spare time a news gatherer, printer and ingenious mechanic. A. H. developed into being all of these. He had to, in order to survive in those rugged times."

He came west in 1908 and worked with his brother Alfred W. Eiselein who established the Roundup Record at the time. Returning to Buffalo Lake in 1910 he married Gladys Sheppard, and became publisher of the paper at Danube, Minn., when he had the distinction of being the youngest publisher in that state.

Returning to Montana with his wife, he was at Harlowton and at Two Dot. A. H. Eiselein's name is on the roster of publishers of the Musselshell News, which had been founded in 1906 and was one of the predecessor papers of the Harlowton Times.

His name is also on record as having been publisher of the Two Dot Tribune, founded in 1912 by S. W. Tindell. Eiselein succeeded Tindell and was succeeded by Paul King, during whose regime the paper's plant burned.

It was in 1913 that Eiselein went to Boulder where he went to work for Publisher Young of the Boulder Monitor. Here he published a Homesteaders Guide and in 1915 he purchased the paper from Young.

Mr. and Mrs. Eiselein have four sons whom they trained in newspapering and in engraving. They are Joe, Buz, Gordon and John. Buz has a lithograph shop in Kalispell. Gordon is proprietor of the Billings Engraving Co. John abandoned the printing profession and is doing medical research in Livermore, Calif.

Mrs. Eiselein helped operate the Monitor all through the years. It was her task to gather and write the local news.

A. H. has one living brother, Henry Eiselein of Buffalo Lake, Minn. Following his retirement he and Mrs. Eiselein visited first in California and later in their old home town of Buffalo Lake.

The elder brother, A. W. Eiselein remained at Roundup where he had arrived via the first regularly-scheduled train on the Milwaukee. There he purchased a lot, arranged for a building, and left to buy printing equipment. The first issue was April 3, 1908. The paper became the Roundup-Tribune in 1930. He remained as publisher until 1964 when he retired and was succeeded by his daughter, Mrs. Kenneth P. Rasmussen and her husband. A. W. Eiselein died at Roundup in January of this year at the age of 82.

The following is from the pen of Dr. Westwell concerning A. H. Eiselein:

"'Eisie' has the mark of a true editor. Budding politicians of both major parties sought his advice in the early days. Some have risen to high places in national affairs, but despite heavy schedules they all take time to stop and visit with their old friend when they return to Montana.

"His service to the community and state are legend. Intensely loyal to Boulder, he lent his enthusiastic support to every endeavor designed to improve the town. He was the effective champion of the State Training School from the early days when it served both the blind and the deaf and during the later years when it has served only the mentally retarded.

"A few years ago when he and Mrs. Eiselein celebrated their 50th wedding anniversary hundreds of friends from all walks of life gathered in Boulder to celebrate the affair with them."

AN EDITOR'S HONEST VIEWS: "WHY WE NEED TO WIN"

Mr. FONG. Mr. President, a major factor in the shaping of American public opinion about Vietnam is the coverage given it by the press. Journalists are free to see and hear what they want in South Vietnam and to report their findings accordingly.

Unhampered by military censorship, our newsmen are, and should be, the eyes and ears for Americans on the home-front. We rely on them heavily to keep us informed on the day-to-day events as well as on the overall picture in Vietnam.

We expect the newsman to "give us the news straight." We are not so much interested in what the newsman hoped to find in Vietnam, but we are vitally concerned about what he actually observed there. We want him to test his observations by asking himself the question: "Am I reporting what I want to see, or am I reporting what is really there?"

If the newsman meets the test by reporting what he actually sees there, he is true to himself and is living up to the highest ideals of journalism. He has indeed helped his readers to become truly imformed.

I am pleased to call attention to such an example of excellent journalism. A. A. (Bud) Smyser, editor of the Honolulu Star-Bulletin, who was recently in South Vietnam, has written a news analysis of the Vietnam situation. It is both informative and credible because he first asked himself whether he was reporting his preconceptions as facts or whether he was reporting the realities of the situation as he in fact found them.

I commend Bud Smyser's report to all who want integrity, candor, and intelligence combined in a dispatch from Saigon.

I ask unanimous consent to have printed in the RECORD the article by Smyser which was published in the November 21, 1967, issue of the Star-Bulletin.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDITOR NOW MORE CONVINCED OF NEED TO WIN

(By A. A. Smyser)

SAIGON, SOUTH VIETNAM.—There seems to be a tendency among Vietnam visitors, journalists included, to find the facts that support the views they held before they came.

I came here and to this area of the world feeling that victory in Vietnam is important to both national and free world interests. I leave more convinced than ever.

I came here feeling reasonably optimistic about the long-term prospects for victory. I leave more optimistic than when I arrived.

I have asked myself whether I have simply fallen into the trap of seeing only what I wanted to see and learning only what I wanted to learn.

Or whether I saw only what people wanted me to see.

My answer to myself is that I don't think so.

Before reaching Saigon, I had visited seven other major Asian cities—chatted with newsmen and officials on the scene, read the press reports and available literature, and looked for myself.

Many of the people I met were people I had known before and in whom I place confidence and trust. Other contacts were recommended by such people. If I went to an international brain-washing, it was one I arranged for myself.

The domino theory has been out of vogue for awhile. It holds that the nations of Southeast Asia are standing close to each other and that if one is tipped over the others will fall, too.

In my view, the domino theory today has more validity than ever before—and Southeast Asia recognizes it. That is why the war is winning more and more support from South Vietnam's neighbors even as it seems to grow more unpopular at home.

It is not simply the fact that aggression unstopped in Vietnam may be followed by aggression elsewhere against a neighbor.

There is also the fact of an emerging sense of regional interest and regional identity.

The nations in this part of the world are more interdependent than ever before. All of them except Indonesia are beginning to make real progress, to provide a better life for their people. All of them, even Indonesia, have hope and reasonable expectation of even better days to come.

Most of them plan their progress in concert with their neighbors. In some cases it is as simple as one country sponsoring an engineering college to serve the area while another provides the school of medicine.

But the need for cooperation also can be as dramatic as that with the Mekong River Development project. Its potential for developing power and irrigation for Thailand, Laos, Cambodia and South Vietnam is enormous.

But it has aptly been described as a treasure chest with four locks and four keys. The treasure can only be unlocked if all four will insert their keys.

The four nations recognize this and have attended all 30 meetings of the control group and kept it moving ahead on schedule even though Thailand and Cambodia, for example, do not have diplomatic relations with each other.

There are a dozen regional cooperative groups, many, like the Asian Development Bank, having quite a few more members than the relatively small Mekong group.

Cooperation is not as imperative in some other areas as with the Mekong but it has some degree of urgency in many matters.

This kind of cooperation offers the region its greatest hope—yet it could hardly hope to last if Red China moved aggressively into the area—and all Asia recognizes the importance of the U.S. shield in Vietnam in preserving the present atmosphere.

By the same token, if the Communists were to move into power in South Vietnam, the neighbor nations would have to twist and turn to face the new reality.

Most of the new, promising cooperative spirit would have to go down the drain.

The present trend offers a path toward the kind of world organization and stability we seek as a nation. To permit them to be demolished would not be in Southeast Asia's interest nor in ours.

On the Vietnam battle front, it may be said correctly that a five-day visitor is no expert. But even a five-day visitor can look, listen, read and evaluate what he has heard and seen.

I found nothing to contradict Gen. Westmoreland's statement that the enemy has consistently failed to achieve any single important battle objective. The Viet Cong and North Vietnamese simply haven't won a thing they tried to win.

They haven't taken any land from us or significant number of people from us.

Their sources of supply are dwindling. Their movements are made steadily more difficult. Their soldiers are deserting in increasing numbers. Vietnamese civilians are passing along intelligence information to us at an increasing rate.

We have troubles, but few Americans, even the worst critics of the war, would disagree with the officer who ended a summation by saying: "I'd hate to be on the other side."

My travels took me to no areas of high danger—but they did take me to places that had been high danger areas in the past.

We spent a day in a helicopter over the Mekong Delta, visiting two secure villages, landing on the deck of a ship that conducts amphibious operations against the Viet Cong, and talking to officers engaged in river patrols and in rural reconstruction work.

We spent another day going 450 miles north to Da Nang, visiting three refugee villages there and looking in on the reconstruction of a bridge that had been mined a few months earlier. The adjoining town is considered to still have substantial sentiment for the Viet Cong.

There were films and lectures which Gov. Romney might call brainwash but which stand up factually in the view of reporters and observers who have no axe to grind.

Out of all of this I gained a great sense of pride in the kind of Americans we have in Vietnam and in their dedication to their jobs. I was impressed by the leaders I saw, dedicated men who are convinced the cause is right.

I was also impressed that we now are nearing the end of a buildup period and can reasonably expect to see much more in results in the next 12 months.

In the last two years, we have built more than $1 billion worth of airstrips, cantonments and harbors in Vietnam, and finally are tapering off. We have pushed our troop level to 500,000 and gained more foreign support.

The civilian build-up has seen a constitution written, government elected and government installed.

We have able leaders on the scene who are convinced that the pay-off for all of this will soon come in the form of increasing civilian and military successes.

Some worry, in fact, that the Communists will sue for and get a phony peace before we have the chance to realize the pay-off from all this effort.

It is worth worrying about. I am convinced that we can win in Vietnam and will win if we persist on something approximating our present course.

NATIONAL DATA CENTER

Mr. LONG of Missouri. Mr. President, Prof. Arthur R. Miller, of the University of Michigan Law School, appeared before the Subcommittee on Administrative Practice and Procedure last spring to discuss the problems of privacy and the National Data Center. Professor Miller impressed us not only with his intelligence but with his profound concern for the rights of the individual.

Recently I read Professor Miller's article entitled "The National Data Center and Personal Privacy," published in Atlantic magazine for November 1967. I

ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE NATIONAL DATA CENTER AND PERSONAL PRIVACY

(By Arthur R. Miller)

(NOTE.—The computer age is not to be stayed, as anyone knows who has been billed for another citizen's charge account or has wondered what has happened to his paid-up magazine subscription. The computer science is already so advanced that experts envisage a huge National Data Center to speed and simplify the collection of pertinent information about Americans. Properly run, it could be a boon. But any person who has seen an FBI file or been party to a U.S. government "security check" has reason to know how the abuse or misuse of dossiers of unevaluated information can threaten an individual's rights. A professor of law at the University of Michigan here discusses the precautions necessary to protect citizens from "governmental snooping and bureaucratic spinelessness or perfidy." Professor Miller has testified on the subject before the Senate Subcommittee on Administrative Practice and Procedure.)

The modern computer is more than a sophisticated indexing or adding machine, or a miniaturized library; it is the keystone for a new communications medium whose capacities and implications we are only beginning to realize. In the foreseeable future, computer systems will be tied together by television, satellites, and lasers, and we will move large quantities of information over vast distances in imperceptible units of time.

The benefits to be derived from the new technology are many. In one medical center, doctors are already using computers to monitor heart patients in an attempt to isolate the changes in body chemistry that precede a heart attack. The search is for an "early warning system" so that treatment is not delayed until after the heart attack has struck. Elsewhere, plans are being made to establish a data bank in which vast amounts of medical information will be accessible through remote terminals to doctors thousands of miles away. A doctor will then be able to determine the antidote for various poisons or get the latest literature on a disease by dialing a telephone or typing an inquiry on a computer console.

A committee of the Bureau of the Budget has proposed that the federal government set up a National Data Center to compile statistical information on various facets of our society. Certainly the computer can help us simplify record-keeping by assigning everyone a "birth" number that will identify him for tax returns, banking, education, social security, the draft, and other purposes. This number could also serve as a telephone number, which, when used on modern communication mechanisms, would make it possible to reach its holder directly no matter where he might be.

But such a Data Center poses a grave threat to individual freedom and privacy. With its insatiable appetite for information, its inability to forget anything that has been put into it, a central computer might become the heart of a government surveillance system that would lay bare our finances, our associations, or our mental and physical health to government inquisitors or even to casual observers. Computer technology is moving so rapidly that a sharp line between statistical and intelligence systems is bound to be obliterated. Even the most innocuous of centers could provide the "foot in the door" for the development of an individualized computer-based federal snooping system.

Since a National Data Center would be augmented by numerous subsystems or satellites operated by state and local governments or by private organizations, comprehensive national regulation of computer communications, whether of federal or nonfederal origin, ultimately will become imperative.

Moreover, deliberations should not be conducted in terms of computer capability as it exists today. New computer hardware is constantly being spawned, machine storage capacity and speed are increasing geometrically, and costs are declining. Thus at present we cannot imagine what the dimensions, the sophistication, or the snooping ability of the National Data Center will turn out to be ten or twenty years from now. Nor can we predict what new techniques will be developed to pierce any safeguards that Congress may set up in order to protect people against those who manipulate or falsify information they extract from or put into the center.

Of course, it would be foolish to prohibit the use of data-processing technology to carry out important governmental operations simply because it might be abused. However, it is necessary to fashion an adequate legal structure to protect the public against misuse of information handling.

In the past, privacy has been relatively easy to protect for a number of reasons. Large quantities of information about individuals have not been available. Generally decentralized, uncollected, and uncollated, the available information has been relatively superficial, access to it has been difficult to secure, and most people are unable to interpret it. During the hearings held recently by two of the congressional subcommittees investigating invasions of privacy, however, revelations concerning the widespread use of modern electronic and optical snooping devices shocked us.

In testimony before the House Subcommittee on Invasion of Privacy, Edgar S. Dunn, Jr., a research analyst for Resources for the Future, Incorporated, pointed out that information in the center would not be intelligible to the snooper as are the contents of a manila folder. Computerized data require a machine, a code book, a set of instructions, and a technician in order to be comprehended. Presumably Mr. Dunn's thesis is that if it is difficult or expensive to gain access to and interpret the data in the center, there is little likelihood of anyone's trying to pry; if the snooper's cost for unearthing a unit of dirt increases sufficiently, it will become too expensive for him to try to violate the center's integrity.

Mr. Dunn's logic fails to take into account other factors. First, if all the information gathered about an individual is in one place, the payoff for snooping is sharply enhanced. Thus, although the cost or difficulty of gaining access may be great, the amount of dirt available once access is gained is also great. Second, there is every reason to believe that the art of electronic surveillance will continue to become more efficient and economical. Third, governmental snooping is rarely deterred by cost.

Mr. Dunn also ignores a number of special dangers posed by a computerized National Data Center. Ever since the federal government's entry into the taxation and social welfare spheres, increasing quantities of information have been recorded. Moreover, as recording processes have become mechanized and less cumbersome, there also has been centralization and collation of information. In something akin to Parkinson's Law, the increase in information-handling capacity has created a tendency toward more extensive manipulation and analysis of recorded data, which, in turn, has required the collection of more and more data. The creation of the Data Center with electronic storage and retrieval capacity will accelerate this pattern.

Any increase in the amount of recorded information is certain to increase the risk of errors in reporting and recording and indexing. Information distortion also will be caused by machine malfunctioning. Moreover, people working with the data in Washington or at a distance through remote terminals can misuse the information. As information accumulates, the contents of an individual's computerized dossier will appear more and more impressive and will impart a heightened sense of reliability to the user, which, coupled with the myth of computer infallibility, will make it less likely that the user will try to verify the recorded data. This will be true despite the "softness" or "imprecision" of much of the data. Our success or failure in life ultimately may turn on what other people decide to put into our files and on the programmer's ability, or inability, to evaluate, process, and interrelate information. The great bulk of the information likely to find its way into the center will be gathered and processed by relatively unskilled and unimaginative people who lack discrimination and sensitivity. Furthermore, a computerized file has a certain indelible quality—adversities cannot be overcome simply by the passage of time.

There are further dangers. The very existence of a National Data Center may encourage certain federal officials to engage in questionable surveillance tactics. For example, optical scanners—devices with the capacity to read a variety of type fonts or handwriting at fantastic rates of speed—could be used to monitor our mail. By linking scanners with a computer system, the information drawn in by the scanner would be converted into machine-readable form and transferred into the subject's file in the National Data Center.

Then, with sophisticated programming, the dossiers of all of the surveillance subject's correspondents could be produced at the touch of a button, and an appropriate entry—perhaps "associates with known criminals"—could be added to all of them. As a result, someone who simply exchanges Christmas cards with a person whose mail is being monitored might find himself under surveillance or might be turned down when he applies for a job with the government or requests a government grant or applies for some other governmental benefit. An untested, impersonal, and erroneous computer entry such as "associates with known criminals" has marked him, and he is helpless to rectify the situation. Indeed, it is likely that he would not even be aware that the entry existed.

These tactics, as well as the possibility of coupling wiretapping and computer processing, undoubtedly will be extremely attractive to overzealous law enforcement officers. Similarly, the ability to transfer into the National Data Center quantities of information maintained in nonfederal files—credit ratings, educational information from schools and universities, local and state tax information, and medical records—will enable governmental snoopers to obtain data that they have no authority to secure on their own.

The compilation of information by unskilled personnel also creates serious problems of accuracy. It is not simply a matter of the truth or falsity of what is recorded. Information can be entirely accurate and sufficient in one context and wholly incomplete and misleading in another. For example, the bare statement of an individual's marital status has entirely different connotations to the selective service, a credit bureau, the Internal Revenue Service, and the social security administration. Consider a computer entry of "divorced" and the different embellishment that would be necessary in each of those contexts to portray an accurate picture of an individual's situation.

The question of context is most graphically illustrated by the unexplained and incomplete arrest record. It is unlikely that a citizen whose file contains an entry "arrested. 6/1/42; convicted felony, 1/6/43; three years, federal penitentiary" would be given federal employment or be accorded the governmental courtesies accorded other citizens. Yet the subject may simply have been a conscientious objector, And what about the entry "arrested, disorderly conduct; sentenced six months Gotham City jail." Without further explanation, who would know that the person involved was a civil rights demonstrator whose conviction was reversed on appeal?

Finally, the risks to privacy created by a National Data Center lie not only in the misuse of the system by those who desire to injure others or who can obtain some personal advantage by doing so. There also is a legitimate concern that government employees in routine clerical positions will have the capacity to inflict damage through negligence, sloppiness, thoughtlessness, or sheer stupidity, by unintentionally rendering a record inaccurate, or losing it, or disseminating its contents to people not authorized to see it.

To ensure freedom from governmental intrusion, Congress must legislate reasonably precise standards regarding the information that can be recorded in the National Data Center. Certain types of information should not be recorded even if it is technically feasible to do so and a legitimate administrative objective exists. For example, it has long been "feasible," and from some vantage points "desirable," to require citizens to carry and display passports when traveling in this country, or to require universal fingerprinting. But we have not done so because these encroachments on our liberties are deemed inconsistent with the philosophical fiber of our society. Likewise, highly personal information, especially medical and psychiatric information, should not be permitted in the center unless human life depends upon recording it.

Legislation sharply limiting the information which federal agencies and officials can extract from private citizens is absolutely essential. To reinforce these limitations, the statute creating the Data Center should prohibit recording any information collected without specific congressional authorization. Until the quality of the center's operations and the nature of its impact on individual privacy can be better perceived, the center's activities should be restricted to the preservation of factual data.

The necessary procedural and technical safeguards seem to fall into two categories: those needed to guarantee the accuracy and integrity of the stored information, and those needed to control its dissemination.

To ensure the accuracy of the center's files, an individual should have an opportunity to correct errors in information concerning him. Perhaps a print-out of his computer file should be sent to him once a year. Admittedly, this process would be expensive; some agencies will argue that the value of certain information will be lost if it is known that the government has it; and there might be squabbles between citizens and the Data Center concerning the accuracy of the file that would entail costly administrative proceedings. Nonetheless, the right of a citizen to be protected against governmental dissemination of misinformation is so important that we must be willing to pay some price to preserve it. Instead of an annual mailing, citizens could be given access to their files on request, perhaps through a network of remote computer terminals situated in government buildings throughout the country. What is necessary is a procedure for periodically determining when data are outmoded or should be removed from the file.

Turning to the question of access, the center's computer hardware and software must be designed to limit access to the information. A medical history given to a government doctor in connection with an application for veteran's benefits should not be available to federal employees not legitimately involved in processing the application. One solution may be to store information according to its sensitivity or its accessibility, or both. Then, governmental officials can be assigned access keys that will let them reach only those portions of the center's files that are relevant to their particular governmental function.

Everyone directing an inquiry to the center or seeking to deposit information in it should be required to identify himself. Finger- or voice-prints ultimately may be the best form of identification. As snooping techniques become more sophisticated, systems may even be needed to counter the possibility of forgery or duplication; perhaps an answer-back system or a combination of finger- and voice-prints will be necessary. In addition, the center should be equipped with protector files to record the identity of inquirers, and these files should be audited to unearth misuse of the system. It probably will also be necessary to audit the programs controlling the manipulation of the files and access to the system to make sure that no one has inserted a secret "door" or a password permitting entry to the data by unauthorized personnel. It is frightening to realize that at present there apparently is no foolproof way to prevent occasional "monitor intrusion" in large data-processing systems. Additional protection against these risks can be achieved by exercising great care in selecting programming personnel.

In the future, sophisticated connections between the center and federal officers throughout the country and between the federal center and numerous state, local, and private centers probably will exist. As a result, information will move into and out of the center over substantial distances by telephone lines or microwave relays. The center's "network" character will require information to be protected against wiretapping and other forms of electronic eavesdropping. Transmission in the clear undoubtedly will have to be proscribed, and data in machine-readable form will have to be scrambled or further encoded so that they can be rendered intelligible only by a decoding process built into the system's authorized terminals. Although it may not be worth the effort or expense to develop completely breakproof codes, sufficient scrambling or coding to make it expensive for an eavesdropper to intercept the center's transmission will be necessary. If information in the center is arranged according to sensitivity or accessibility, the most efficient procedure may be to use codes of different degrees of complexity.

At a minimum, congressional action is necessary to establish the appropriate balance between the needs of the national government in accumulating, processing, and disseminating information and the right of individual privacy. This legislation must be reinforced by statutory civil remedies and penal sanctions.

Testimony before Congress concerning the intrusive activities of the Post Office, the Internal Revenue Service, and the Immigration and Naturalization Service gives us cause to balk at delegating authority over the Data Center to any of the agencies that have a stake in the content of data collected by the government. Some federal personnel are already involved in mail-cover operations, electronic bugging, wiretapping, and other invasions of privacy, and undoubtedly they would try to crack the security of any Data Center that maintains information on an individual basis. Thus it would be folly to leave the center in the hands of any agency whose employees are known to engage in antiprivacy activities. Similarly, the center must be kept away from government officials who are likely to become so entranced with operating sophisticated machinery and manipulating large masses of data that they will not respect an individual's right to privacy.

The conclusion seems inescapable: control over the center must be lodged outside existing channels. A new, completely independent agency, bureau, or office should be established—perhaps as an adjunct to the Census Bureau or the National Archives—to formulate policy under whatever legislative guidelines are enacted to ensure the privacy of all citizens. The organization would operate the center, regulate the nature of the information that can be recorded and stored, ensure its accuracy, and protect the center against breaches of security.

The new agency's ability to avoid becoming a captive of the governmental units using the center would be crucial. Perhaps with proper staffing and well-delineated lines of authority to Congress or the President, the center could achieve the degree of independence needed to protect individuals against governmental or private misuse of information in the center. At the other end of the spectrum, the center cannot become an island unto itself, populated by technocrats whose conduct is shielded by the alleged omniscience of the machines they manage and who are neither responsive nor responsible to anyone.

The proposed agency should be established *before* the center is planned. To date there has been virtually no meaningful exchange among scientists, technicians, legal experts, and government people on the implications of the center. The center also might consider supporting some of the planned nonfederal computer networks, such as the Interuniversity Communications Council's (EDUCOM) plan to link the major universities together, using them as models or operating laboratories to test procedures and hardware for the federal center.

To satisfy those who argue for the early establishment of a purely statistical Data Center, it might be possible for the proposed agency to set up a modest center in which information which does not invade privacy could be made available to government officials, educators, and private researchers. Other federal agencies might establish satellite centers that would contain information too sensitive to be recorded in the statistical center during that institution's formative period, although the data in satellites ultimately might be transferred to the national center.

The threat to individual privacy posed by the computer comes from the private sector as well as the proposed federal Data Center. Each year state and local governments, educational institutions, trade associations, and industrial firms establish data centers that collect and store quantities of information about individuals. Because the high cost of computer installation forces many organizations to operate on a time-share basis, the nonfederal centers pose a special danger to privacy. Without effective screening and built-in security devices, one participant, accidentally or deliberately, may invade and extract or alter the computer files of another participant. Moreover, because many time-share systems operate over large geographic areas, their transmissions will be vulnerable to tapping or malicious destruction unless they are scrambled or encoded. Right now, a mailing list containing 150 to 170 million names, accompanied by addresses and financial data, is being compiled. The list is so structured that it yields sublists of people in various vocational and avocational categories. Where the necessary information to produce this monster came from and how one gets *off* the list are mysteries.

Currently there are more than two thousand independent credit bureaus in the United States, many of whose files are being computerized. Eventually, these bureaus will make a network of their computers, creating a ready source of detailed information about an individual's finances. The accuracy of these records will become increasingly crucial; an honest dispute between a consumer and a retailer over a bill may produce an unexplained and unexpungeable "no pay" evaluation in the computer and result in considerable damage to the buyer's credit rating.

In testimony before the House subcommittee, the director of the New York State Identification and Intelligence System described a data bank containing files on "known" criminals that ultimately will contain millions of entries. He expressed a willingness to exchange information with police officials in other states as soon as the state systems could be meshed. If this system is tied into the National Data Center or New York's Bureau of Motor Vehicles or welfare agencies, it would permit someone to direct an inquiry to the computer file of "known" criminals, find an entry under the name of his subject, and rely on that entry to the subject's detriment without attempting to verify its accuracy.

Congress should consider the need for legislation setting standards to be met by nonfederal computer organizations in providing information about private persons and restraining federal officers from access to certain types of information from nonfederal data centers. Nonfederal systems should be required to install some protective devices and procedures. This is not to suggest that Congress should necessarily impose the same controls on nonfederal systems that it may choose to impose on the federal center. But a protector file to record the source of inquiries and modest encoding would probably prevent wide-scale abuse, although security needs vary from system to system. Since security may be facilitated by installing protective devices in the computer hardware itself, the possible need for regulation of certain aspects of computer manufacturing also should be taken into account.

The possibility of regulating transmission between federal and nonfederal centers and the interaction among nonfederal centers also should be considered. The specter of a federal agency, such as the Veterans' Administration, reaching into a citizen's medical file in a data center operated by a network of hospitals to augment the federal center's file is a disturbing one. Regulating the security of the transmissions and imposing sanctions for non-compliance and eavesdropping would preserve individual privacy against governmental snooping and bureaucratic spinelessness or perfidy.

AVIATION ACADEMY

Mr. FANNIN. Mr. President, I want to take this opportunity to inform my colleagues of how one agency of Government is working with an Arizona university to solve a growing national problem. The agency is the Economic Development Administration, the school is Arizona State University at Tempe, Ariz., and the problem which they are working together to correct is the shortage of trained pilots and other aviation personnel.

For some time now, officials at Arizona State University, especially President G. Homer Durham and Prof. Walter E. Burdette and Victor E. Rothe, have been urging the construction of a national aviation training center in central Arizona, where climate and resources for such an undertaking are ideal. But it was not until officials from the Economic Development Administration became interested in the proposal that it was given much of a chance of being realized. Seeing the growing need for trained aviation personnel, and recognizing the potential of the university's proposal, the EDA officials immediately sponsored a feasibility study which recommended the establishment of such a center at the Goodyear Auxiliary Airfield, located in the northeast corner of the Gila Indian Reservation approximately 15 miles from Phoenix. The center would train more than 2,000 fliers and technicians annually, and Arizona State University would operate the academic facility.

What this demonstrates to me, Mr. President, in addition to the likelihood that a growing national problem can be solved, is that we are perhaps entering a new era in Federal-State-community relations—an era in which cooperation will be the prevailing spirit. Certainly, that has been the attitude of EDA officials throughout this program, and I congratulate and thank them for it. And I also want to express my thanks to all the Arizona State University officials, as well as State and local political and business leaders, for their leadership in and support of this program.

At this point, Mr. President, I ask unanimous consent that the Executive Summary of the feasibility study be printed in the Record. It provides a startling insight into the serious nature of this national problem and it recommends steps that can be taken—indeed, must be taken—to correct it.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Executive Summary: A Study To Determine the Feasibility of Establishing a National Program for Training Skilled Aviation Personnel

(Prepared by Arizona State University, Tempe, Ariz., for the Economic Development Administration)

(Note.—This technical assistance study was accomplished by professional personnel under contract with the Economic Development Administartion. The statements, findings, conclusions, recommendations, and other data in this report are solely those of the contractor and do not necessarily reflect the views of the Economic Development Administration.)

Study team: Walter E. Burdette, Project Director; Victor E. Rothe, Project Co-Director; Weldon D. Bagley, Harold T. Bean, John Coppinger, Charles W. Evans, Lowell W. Frederick, Lyle L. Milhone, James T. Pyle, William H. Reed, Edwin L. Richardson, James L. Schamadan, Robert A. Schoen, D. Clay Whybark; Division of Industrial Design and Technology, Arizona State University, Tempe, Arizona.

PREFACE

The final report of the Feasibility Study bearing the same title as this Executive Summary is 350 pages in length and presents the detailed results of five areas of investigation. This Executive Summary has been prepared for those who do not have the time to study the 350-page reference document.

The results of the quantitative personnel requirements portion of the study are considered to be a valid assessment of these requirements and should be of great value to the aviation industry. The mathematical model developed for projecting air carrier cockpit crew and mechanic requirements should be of particular value to the air carrier industry, in that it can be used for industry-wide or for single-carrier projections.

Because of the dynamic growth of the industry, the study should be re-done approximately every two years. This would improve the study techniques, as well as bringing the data up to date on a periodic basis. Other aviation skills should also be considered in future studies.

Additional copies of this Summary or the 350-page final report may be obtained by contacting the Division of Economic Development, U.S. Department of Commerce, Main Commerce Building, Washington, D.C. 20230.

GENERAL INTRODUCTION

Powered flight, which did not exist sixty-four years ago, has grown until it is now, and has been since July 1962, the largest single non-agrarian employer of people in the American economy. The employment figure in the manufacturing phase of aerospace accounted for 1,400,000 people at the end of 1966. The manufacturing of airframes alone accounted for the employment of more than 600,000 persons.

The significance of aviation can be evaluated best in light of the overall spectrum of transportation. America has shifted from a production economy to a distribution economy to such a degree that consumer expenditures for transportation have grown at a rate twice as great as consumer expenditures for all other goods and services since World War II.

In 1965, the Gross National Product was $697 billion. This is forecast to increase to $967 billion by 1970. Expenditures for transportation in 1965 were $209 billion and are expected to grow to $290 billion a year by 1970. Air transportation was 7% of the total national transportation expenditure in 1965 or $14.6 billion. This is expected to grow to $40.6 billion by 1970, or approximaetly 14% of the total national transportation expenditures.

The changing patterns and modes of travel resulting from this dynamic growth have altered the economic and social structure of the nation. People have become accustomed to mobile ways of living and businesses have become accustomed to depending on modern means of travel for carrying on their activities.

The growth picture cited above is based partly on the fact that aviation technology is, today, on the threshold of significant advances in a number of areas. Specific developments which are presently underway include the development of the supersonic transport, short-haul transport, stretched jet, and very large passenger/cargo jet aircraft, such as the C–5 and Boeing 747. In general aviation, the numbers of aircraft are expected to increase from slightly under 100,000 units in 1965 to over 300,000 units in 1980; from slightly over 16 million annual flight hours in 1965 to over 60 million in 1980.

These developments will open new passenger and airfreight markets and will result in significant increases in personal flying, as well as in productivity in commercial service. The increase in number and complexity of aircraft will also generate requirements for greater numbers of more highly skilled personnel.

At a time when aviation is entering its greatest period of growth, a critical problem has developed with respect to availability of highly skilled personnel, particularly pilots and mechanics. This problem has been developing slowly since 1960. Its historical background is as follows:

1. Twice during the period 1945 to present, the labor market for pilots and mechanics was flooded with a large surplus of trained personnel released from the military services following World War II and the Korean War. It was extremely difficult for many pilots, even with extensive training and experience, to find flying jobs in the civil aviation field.

2. In 1958, the industry entered a new era through the introduction of jet aircraft. The new jets were capable of greater payloads and higher speeds, and one aircraft could do the work of many. For example, one 707 could replace as many as seven DC–7 aircraft in

service at that time. The introduction of the jets reduced the requirements for pilots and some low seniority flight personnel were actually furloughed.

3. The interest of our nation's youth declined somewhat as they observed these developments. An atmosphere had been created that made aviation an unattractive choice for young people seeking stable, secure careers. The following comments were frequently submitted in response to questions raised by researchers studying flight skills and training: "Why select a career that was already over-crowded?"—"Aircraft mechanics are underpaid and many must find jobs in other industries, so why should I pay money I don't have to learn a trade for a job which is not available?" Consequently, enrollment in aviation courses dwindled and the number of schools offering aviation training slowly decreased.

4. The lack of interest and the reduction in training of new pilots has also occurred at a time when World War II pilots now flying in civil aviation were being lost in ever-increasing numbers due to retirement, for medical reasons, or due to promotion.

Early in 1964, the Administrator of the Federal Aviation Agency, Mr. Najeeb Halaby, established an Aviation Human Resources Study Board because of his growing concern with the number of indications that civil aviation might be facing potentially serious shortages of highly skilled workers requiring extensive training. The Board's study was given the working name of "Project Long Look". The Board was authorized to conduct necessary research and analysis to measure current manpower resources in military, commercial, and general aviation.

The Board determined that significant numbers of flight and maintenance personnel would be required to meet the growth needs of the industry and that annual attrition losses of personnel due to retirement, disability, or promotion will increase substantially between 1965 and 1980. It was further determined that fewer military pilots are available than in previous years and the percentage of military pilots continuing on in civilian aviation is dwindling. The report stated that adequate numbers of trained flight/mechanical personnel will not be available at present training and attrition rates.

On the basis of the future quantitative and qualitative needs, as indicated in the foregoing discussion, and because of its interests in and responsibility for the development of skills and knowledge in the field of aviation, Arizona State University embarked on a program to determine the feasibility for establishing an aviation training operation as a continued part of its functions.

Because of the economic development potential for such a training operation, the study was sponsored by the U.S. Department of Commerce, Economic Development Administration. Many contributions were also made to the study by local and national organizations with interests in the fields of aviation and education.

The immediate objective of this study was to determine the feasibility for the establishment of a program for training skilled flight and non-flight personnel which are critically needed by the nation's aviation industry. The training program visualized would provide for academic training of both ground support and flight personnel, including a four-year baccalaureate degree in Aeronautical Technology earned in an accredited university, with primary and advanced flight training conducted at an appropriate training base.

The Feasibility Study would include an accurate determination of the needs with respect to both types and numbers of personnel to be trained, the establishment of detailed curricular for the various training courses, the selection of the most suitable training base for the flight operations portion of the program, and the development of detailed costs and methods for financing such a program. The study was conducted in coordination with and extensive cooperation from the aviation industry.

The study was initiated in December 1966 and continued for a period of six months, culminating in this final report. The study included five major areas of investigation, the results of which are presented in the report under Sections I through V. Following is an abstracted summary of the work performed, along with major conclusions and recommendations from the five sections of the report.

SUMMARY

Section I—Quantitative Requirements for Skilled Aviation Personnel: This part of the overall study was conducted in three parts—the civil air carrier requirements, the general aviation requirements, and a projection of the supply and demand for professional pilots. Requirements for non-commercial pilots or those who fly for personal reasons were not treated in this study due, primarily, to the lack of documentation in this area of aviation operations. (Total aircraft units and total flight hour estimates did, however, include personal flying.)

In the civil air carrier requirements part of the study, data was acquired from leading carriers, aircraft manufacturers, aircraft equipment manufacturers, Air Line Pilots Association, Air Transport Association of America, Civil Aeronautics Board, Federal Aviation Administration, International Civil Aviation Organization, and from numerous key individuals. The data were translated into revenue passenger and cargo ton-miles of operation and aircraft fleet size projections, with due recognition of the various potential growth limiting factors.

A basic planning statistics used throughout the industry is that of revenue passenger miles (RPMS). Because of this, a number of independent forecasts of RPMS exist and several alternative approaches to forecasting are found. A number of these forecasts were collected from the organizations cited above. The forecasts were made for differing purposes and adjustments were, therefore, necessary to make them comparable. The problem was compounded by the need to include only the U.S. civil air carrier group, since many were developed for the entire Free World.

Since the growth in revenue passenger miles in the past has averaged approximately 13% a year, many of the forecasts consist of an estimate of the growth rate to be applied over the next several years. In cases where there was a discrepancy in the 1965 actual RPMS, it was assumed that the growth rate was accurate and the 1965 value was adjusted. In all cases, the forecasts were corrected to total Free World and total U.S. air carrier revenue passenger miles for comparability.

It is surprising the extent of agreement that exists between these forecasts, considering the variety of reasons and techniques behind them. For purposes of this study, a composite of the various forecasts is used. It is less than the Boeing "probable" and General Electric forecasts. It is slightly less than the FAA and ATA projections but more than the corrected Douglas and Lockheed forecasts. It is considerably higher than the CAB forecast, which is the lowest of the group. It appears reasonable in light of the various validations of the other forecasts that have been made. These forecasts are presented in Figure 1. [Graphs not printed in RECORD.]

Uniform opinion exists in the industry that the most rapidly growing sector of civil aviation is that of cargo. The traditional planning statistic in this area has been revenue cargo ton-miles. A number of forecasts of this statistic were evaluated for use with the revenue passenger mile forecasts to develop aircraft requirements. The relatively new high growth rates of cargo have made forecasting in this area a very difficult task. Insufficient historical statistics and indifferent marketing efforts in the past have made it difficult to apply past trends or to use past relationships to determine cargo volume in the future. Most forecasts in this area involved estimates as to what the cargo growth rates will be in the future.

The fact that it is difficult to get better forecasts on revenue cargo ton-miles is not too disappointing. The high cargo growth rates, applied over the period from 1965 to 1980, do not, however, make it a major element in the industry by 1980. The forecast figure for U.S. domestic air cargo in 1980 is still less than 1% of the forecast total common carrier intercity ton-miles. This total, for revenue cargo ton-miles, represents less than 10% of the total forecast revenue ton-miles carried by air in 1980. The forecast revenue cargo ton-miles used in this study are shown in Figure 2. [Graphs not printed in RECORD.]

One approach to determining overall aircraft requirements was used for most of the forecasts reviewed. It consisted of taking a revenue passenger mile forecast and revenue cargo ton-mile forecast and computing the number of airplanes required to carry that traffic. The process starts with estimates of load factors, productivity, ground time, speed, capacity, stage lengths, aircraft types, and schedules. These, in turn, are used to compute aircraft utilization and productivity, which then converts to numbers of aircraft required to support the forecasts. The disposition of the current fleet must be accounted for, so estimates were made of aircraft losses and replacement. Differences between forecasts could usually be attributed to differences in the assumptions made for these various parameters, rather than differences in the basic revenue passenger mile or cargo forecasts. This is supported by the general agreement between the RPM forecasts evaluated for this study.

All of the forecasts evaluated included the Concorde, the U.S. supersonic transport, and the Boeing 747. In those forecasts where specific aircraft types were identified, the introduction of new aircraft types generally included another short-range jet type, stretched versions of the present short-range jets, and some form of airbus. The question of whether or not the supersonic transport will fly over land affects the forecasts to some extent because of its productivity but not greatly during the time period covered. The forecasts fell into two broad categories: (1) those with constantly increasing fleet size (Boeing, Douglas, and FAA), and (2) those which have a decreasing fleet size during some time period (General Electric and Lockheed). They are summarized in Figure 3. [Graphs not printed in RECORD.] To determine what forecast to use for this study, a more detailed investigation of the requirements for the latter part of the 1960's was made.

The determination of the fleet size for the latter part of the 1960's was approached by taking the "on-order" aircraft delivery schedule as of year-end 1965 and adding to that the current fleet minus the retiring propeller aircraft. This placed a floor under the forecasts and gave a minimum expected fleet size for any given year. In the past, committed aircraft orders for future years have been less than the actual orders filled during that year. This has been true even during years when deliveries of aircraft have been delayed.

The minimum fleet size thus derived was greater than the General Electric forecast for all years and greater than the Lockheed aircraft forecast for the early years. Because of this, it was felt that one of the constantly increasing forecasts would be more likely during the latter part of the 1960's. Since the introduction of the Boeing 747 is planned for 1969 and the supersonic transport is expected in the mid-1970's, it is likely that the growth rate of the fleet would be declining during that period, as in the Douglas forecast. For these reasons, the Douglas forecast was selected as the basis for projecting new hire requirements.

This forecast shows a continually increasing number of aircraft in the fleet through 1980. This raises the question of whether or not it will be possible to continue to increase fleet size over this period. A corollary question is whether or not the increases in traffic growth are maintainable. Possible limitations to these forecasts do exist and were investigated.

A mathematical model was then developed for use in computer prediction of future cockpit and mechanic work forces, based on historical relationships between all of the key growth factors and the growth data obtained from the sources cited. The pilot and mechanic work force projections were then treated to sensitivity analysis by varying some of the input data factors in the mathematical model for the purpose of determining those factors which have the greatest influence on the projections of future needs.

The factors which contribute to the demand for new pilots and are isolated for study are shown in Figure 4. [Not printed in Record.] The projection and its components, plus the annual pilot loss rate and its components, formed the basis of a computer model for determining the annual new hire requirements. The model was developed both for the calculation of these requirements and for testing the sensitivity of the results to changes in the assumptions or individual components.

The pilot employment levels are summarized in Figure 5. [Not printed in Record.] The forecast levels developed here were compared to a projection based on an Air Transport Association of America survey. The ATA asked their members to project their pilot hiring rates and employment levels until 1975. The majority of the carriers responding to this survey supplied data only through 1970. That group of carriers employed 75% of the pilots. Assuming that the employers of the remaining 25% would have the same trends in hiring rates, an adjustment was applied to the sample to equate it to the total civil air carrier industry. The number of respondents projecting to 1975 were considered too small to warrant correcting and comparing. The adjusted sample projected total pilot employment of 40,100 by year-end 1970. This is considerably higher than the forecast of 34,935 pilots employed in 1970 developed in this study, as seen in Figure 5. [Not printed in Record.]

There are problems in simply asking the carriers for hiring rate projections to use as a basis for overall projections. One example will serve to illustrate this point. One airline projected a pilot new hire rate averaging 475 a year in mid-1966. Toward the end of 1966, their projected rate was 800 a year. In early 1967 their projected hiring rate for pilots was reported as being between 550 and 600 per year. Any of a number of possible reasons would account for these differences. Different persons may have responded to the questionnaire. The same person, in responding at different times, might react to an immediate and temporary situation. Most important, perhaps, was the apparent lack of a framework or model for developing their projections. The model developed here, adapted to the individual airline's needs, could serve a a useful purpose in this regard.

Cumulative new pilot requirements through 1980 were compared to the results of the FAA study of 1964. Both are plotted in Figure 6. [Not printed in Record.] The FAA study forecast a requirement of 14,878 new pilots between year-end 1965 and year-end 1980. This was based on 8,878 replacement pilots over the period and 400 new pilots per year for growth. Those figures are considerably less than even the low figure of 31,814 new pilots required, as forecast in this study. It is important to point out that the FAA study was based on a questionnaire submitted to the carriers and, therefore, was subject to the types of problems that were illustrated in the preceding paragraph. The derivation of pilot requirements from a model, such as that developed for this study, avoids these problems.

The computer output for the projection of mechanic employment levels and new hire requirements is based on the factors similar to those developed for new pilot hires. The format was identical to that of the pilot forecast. For the mechanic run, only the average requirements were developed due to a lack of data upon which to base probability distributions. The attrition rate is constant at 5%. Retirement age is 65 years (adjusted to 60 for computational purposes), with no early retirement option.

The projection shows a growth in mechanic employment from 43,667 at year-end in 1965 to 80,224 by year-end 1980. To meet this increase and replace the annual losses, a cumulative total of 95,392 new mechanics must be hired in the period. The annual employment and new hire requirements are summarized in Figures 7 and 8. [Not printed in Record.] The age distribution remains relatively constant throughout the period, although the model age group shifts back and forth among all groups between age 25 and 44. The number of new hires goes up or down each year, as with the pilots, depending on the relationship between growth and replacements. The ratio of mechanics to pilots in 1965 was almost 2 to 1. By the year 1980, the projected ratio has changed only slightly (2.2 to 1). This change is consistent with the increasing complexity of the aircraft envisioned for this period.

In the general aviation category, the total fleet size and annual hours of operation were forecasted, using two different growth rates. Using the fleet size and annual hours of operation projections, the future (1965–1980) requirements for commercial pilots and total mechanics were projected.

Three successive FAA fleet size forecasts were reviewed as part of this study. On page 51, *Project Long Look* states . . . "current trends in aircraft sales seem certain to outdistance the Federal Aviation Agency estimate of 102,000 aircraft in the active fleet by 1970 (Aviation Forecasts, Fiscal Years 1964–1969)". This was indeed the case. The 104,000 mark was actually passed in 1966. The July 1966 FAA forecast predicts a fleet of 160,000 aircraft by 1975. The January 1967 (latest) FAA forecast predicts a 1975 fleet of 173,500 aircraft. It is noted that each successive forecast is for greater growth.

In 1963, general aviation sales increased 13.1% over 1962. Since 1963, sales have increased each year over the preceding year by over 20%. Since 1962, general aviation sales have doubled. In recent years, air carrier industry activity measured in revenue passenger miles and revenue cargo ton-miles has increased rapidly. A substantial number of future air carrier activity forecasts were reviewed in connection with the air carrier portion of the overall study. Excellent correlation was noted between all forecasts reviewed. All predicted continued, rapid growth.

Many of the underlying causal factors responsible for the recent surging growth of air carrier business and general aviation growth are thought to be related. For example, the exchange of passengers at air hubs between air carriers and air taxi operators is beneficial to both. Air carrier growth stimulates air taxi growth.

The fleet growth rate predicted for this portion of the study was based on the assumption that general aviation fleet growth will continue to increase at a rate of slightly over 8% per year compounded to 1980, a somewhat more conservative rate than that used by Cessna. The predicted fleet growth rate is also less than industry-wide predictions for air carrier passenger mile and cargo ton-mile growth. It is, however, believed a reasonable lower limit when compared with the FAA and the Cessna projections.

On the basis of the foregoing, the total general aviation fleet is forecast to grow from slightly over 104,000 aircraft at year-end 1966 to 315,000 aircraft by year-end 1980, as shown in Figure 9. [Not printed in Record.] The Cessna forecast to 1975 is approximately 20% higher and the FAA forecast is approximately 20% lower than the trend line forecast by the Arizona State University team.

Civil aviation in 1965 accounted for 38 million aircraft operations reported at those airports having FAA air traffic control towers. Of all these operations, 70.2% involved general aviation aircraft; 20.6% involved air carriers; and 9.2% involved military aircraft. Had there been methods for determining the number of operations at airports without control towers, the number of general aviation activities and the per cent of the total operations for general aviation would have been much larger than the 70.2% figure reported.

Of some 20 million aircraft hours flown by civil aviation during 1965, approximately 17 million were flown by general aviation. Preliminary figures for 1966 announced by the Education Committee of the Utility Airplane Council (UAC) of the Aerospace Industries Association of America set this figure at more than 17 million hours. Since calendar year 1965 is the latest year for which reports are available, based on FAA Forms 2350, the 1965 figure is reported herein.

General aviation aircraft utilization measured in flight hours per aircraft per year has been increasing over the years. A comparison of FAA data for 1954 and 1964 reveals that utilization has increased 22%. This averages just over 2% per year compounded annually. It is believed that this increase is, at least in part, the result of improvements in both aircraft capabilities and capabilities of the federal airways navigational and traffic control systems.

This historic improvement for all of general aviation is forecast to continue at an average rate of approximately 1% per year throughout the forecast period. Flight hours flown per aircraft are thus forecast to increase at 1% per year through 1980. On this basis, the total flight hours flown annually in general aviation are forecast to increase from 16.7 million flight hours flown in 1965 to 63 million flight hours in 1980. The forecast curve is shown as Figure 10. [Not printed in Record.] Of the 16.7 million hours flown in 1965, 12.7 million were flown in other than the personal flying category. That is, 12.7 million hours were flown in flights presumed to require at least commercial level pilot skills.

Flight hours flown in other categories than personal flying have been very close to 76% of total flight hours flown for some time. In 1960, this professional flying was 75.8% of the total and, in 1965, it was 76.0% of the total. It is forecast to remain at 76% of total to 1980.

As with the aircraft fleet forecast, the Cessna and FAA forecasts vary from the prediction of the Arizona State University study, one is higher and the other lower.

In projecting the commercial pilot requirements for general aviation during the period 1965–1980, it was assumed that the need for these professional pilots would increase at the same rate as the increase in flight hours, as projected in Figure 10. In addition to those needed to increase the work force, pilots are also needed to replace those lost through attrition.

The pilot age distribution data from the *Project Long Look* report was plotted against age distribution data for all licensed commercial pilots taken from the ***FAA Statistical Handbook of Aviation***. The ***Project Long Look*** data is for early 1964 and the FAA data is for 1965. The *Project Long Look* data is considered accurate and was used as a basis for computing pilot retirement (a retirement age of 60 was used).

Replacements are also required because of losses caused by diversion of commercial pilots from general aviation to air carriers and to employment outside aviation and for medical and disability retirement reasons. For trunk airline pilots during 1965 this non-retirement attrition factor was 1.7% of the total pilot work force. For general aviation, this attrition has been assumed at 2% of the work force through 1980.

On the basis of the information developed by Arizona State University, the cumulative commercial pilot requirements were calculated at approximately 182,000 over the period 1965–1980. Two curves are plotted in Figure 11 [not printed in Record], one showing the Arizona State University estimate for the period 1965–1980 and the other showing the Cessna estimate for the period 1966–1975. The Cessna information contained in the figure indicates that a total of 140,897 new commercial pilots will be required in general aviation during the nine-year period (1966–1975), including both augmentation and replacement of the existing pool of pilots. The Cessna projection is approximately 20% higher for the period covered. The two curves are assumed reasonable as the probable upper and lower limits for the commercial requirements.

Unlike the pilot force whose productivity is assumed constant, it is believed that the productivity of mechanics is increasing. It is also believed that improved reliability and maintainability of new aircraft, coupled with improved tools and techniques, will result in increased mechanic productivity at an average rate of 1.67% per year. This means that productivity will increase more than 25% by the end of 1980.

It is assumed that the mechanic work force needed varies with flight hours. Were mechanic productivity constant, the work force growth would be assumed equal to the Arizona State University forecast flight hours growth rate, 9.27% per year. Applying the productivity factor, the resultant growth rate is 9.27% minus 1.67% equals 7.6%. This factor was applied to the 1965 work force of 40,000 mechanics to arrive at a projected work force of 120,000 mechanics by 1980.

To determine the numbers of mechanics needed to replace those who leave the work force by 1980, mechanics age distribution data was taken from the *Project Long Look* report. This was applied to the mechanics initial work force to determine the number of retirees each year through 1980. A retirement age of 65 was used.

For non-retirement attrition which includes factors such as diversion from general aviation employment to the airlines or airframe manufacturing, an attrition rate of 5% was used. Based on inputs from a number of sources, this rate is believed to be realistic.

The 1965–1980 estimates for the total number of mechanics required in general aviation were developed by Arizona State University and a trend curve of cumulative new hire mechanics for this period is shown in Figure 12. The figure indicates a cumulative need of 138,483 mechanics for the general aviation industry between 1965 and 1980.

The Cessna study covered general aviation mechanic requirements but analyzed only the requirement for certificated mechanics, while the Arizona State University study covered total mechanic requirements. The Cessna study also covered the period through 1975 only. Because of the wide variation in numbers, the Cessna data was not plotted in Figure 12. [Not printed in Record.]

Finally, the commercial pilot requirements were analyzed in terms of supply from military releases and from non-military pilot training programs. A "critical projection level" method was established to aid in determining production levels of commercial pilots to supply the needs of the future.

Section II—Curriculum Study: This part of the overall study concerned itself with analyses of existing mechanic and pilot curricula and a determination of the improvements that should be made to meet the current and future qualitative needs of the industry.

As a result of these analyses, current Arizona State University curricula were upgraded and are now considered qualitative improvements over existing curricula primarily in their assessment of and provisions for meeting the future needs of the industry.

With respect to the maintenance technician task, the basic framework of a curriculum was developed after a detailed analysis of the Allen study, the proposed changes to FAR–147 by the Federal Aviation Administration, a survey of offerings by other schools, and the predicted effects of technological change, as indicated by an industry survey.

The proposed maintenance curriculum covers subjects offered in junior or community colleges and the Allen study, and also offers greater technical depth and subjects which meet the general educational requirements for collegiate credit.

There is some question regarding the number of clock hours required by subject area to meet FAA certification requirements. It is hoped that, with continued improvements through curriculum development programs and the introduction of new educational technologies in the proposed training center, future certification emphasis will be on student achievement rather than on course hours of instruction.

A professional set of performance criteria tests should be developed which would be used to determine whether the student should be certificated for all or any part of the overall curriculum. If properly developed, the performance criteria tests could be used for "sub-certification," i.e., as a welder, sheet metal specialist, hydraulic specialist, electronic specialist, etc. Each of these specialty certificates would be added to and become a part of his overall A&P license.

A literature search revealed that some limited efforts have been made to research the nature of pilots' tasks. Efforts have been made by the U.S. Air Force at the Aeromedical Research Laboratories, Wright-Patterson Air Force Base, and by the other military services. Some work has also been undertaken by the pilot training functions of the commercial carriers. Personal investigation and interrogation of directors of pilot training programs of various commercial carriers revealed that there is universal concern, some limited experimentation, and much interest in pilot training program renovation and innovation.

In the academic universe, Federal Aviation Regulations (Part 141) for pilot training set the parameters and guides for curriculum content and course duration, primarily with respect to flying hours. Conformity with the Regulations achieves government certification which is a prerequisite for pilot certification at all levels.

While an in-depth analysis of pilot tasks was found not to exist, even though it is vitally needed, the nature of that type of research effort was well beyond the stated scope of purpose and financial resources of this Feasibility Study. Accordingly, the decision was made to undertake an analysis of institutional literature related to the Federal Aviation Regulations for pilot certification.

In the absence of any precedential studies, such as the Allen study in the maintenance technician area, it became necessary to first develop a listing of job skills and knowledge requirements in a topical array for subsequent analysis. This was done by securing and analyzing FAA regulations for general and, where possible, specific subject matters related to pilot training. Institutional catalogs and bulletins were also analyzed for semantic/subject conformity with FAA requirements.

The end product of the procedure described above resulted in a job skills/knowledge listing of fifty-three (53) items. It should be noted that all items were not "required" but were included, inasmuch as the fulfillment of general education degree requirements was involved as well as major fields of specialization.

The job skills/knowledge requirements were then compared with projected industry estimates, derived from a survey of the industry, and with the current offerings of six universities, including Arizona State University, two colleges and two flying schools. As a result of this analysis, a proposed curriculum was developed, with three options, as follows:

Option I—Aeronautical Technology, which is the broad technical program.

Option II—A Professional Pilot Training curriculum.

Option III—An Air Transportation Management curriculum.

The clock hours offered in the proposed curricula are considerably more than required for FAA ground school certification. The flight hours will consist of 250 hours, plus synthetic trainer time. This will provide for a commercial pilot's license with an instrument rating.

The relationships between the academic and flight portions of the baccalaureate, three-option program and the maintenance technician program for the proposed aviation training center are shown in Figure 13. [Not printed in Record.]

The three options are shown under the major heading "Aeronautical Technology". Options I and III are non-flight and Option II includes approximately 250 hours of primary and advanced flight training. The technician program, as described previously in this section of the report, will be conducted under the heading "Support Personnel". The "Special Courses" area pertains to short-term, contract-type courses, such as flight training for ROTC students, aviation seminars, etc.

As in all flight training activities, a significant percentage of the students drop out because of aptitude and attitude deficiencies. In this program, they will be able to select one of the non-flight options regardless of when they drop out of the flight program (within reason, of course). This provides for a considerable amount of flexibility for the student.

This flexibility goes beyond the baccalaureate program, in that the student can drop back to the maintenance technician program and obtain a certificate in the Associate in Applied Science degree level or become a specialist in one of the technician areas. Conversely, the maintenance technician student can move upward into the Aeronautical Technology area for a Bachelor of Science degree, if he chooses to do so, with his earned credits applying toward the degree.

Taking into account the constraints on this part of the overall Feasibility Study, it is felt that the initial step for improving existing curricula has been achieved. It is anticipated that accelerated improvements will occur in the proposed aviation training center through curriculum and educational technology developments. As these improvements are disseminated and put into practice, aviation students of the future will be equipped with the qualitative skills and knowledge necessary to meet the emerging job requirements of the aviation industry.

The role of new educational technology and the part it can play in the improvement of aviation training was studied in considerable depth. A number of conclusions and recommendations for the future continued improvement of aviation curricula were developed as a result of these studies.

Section III—Site Selection Study: In this section of the overall study, consideration was given to the possibility of utilizing one of two sites as a location for the proposed training center. The two sites were the Litchfield Naval Air Station west of Phoenix (being closed by the Department of Defense) and the Goodyear Auxiliary Airfield located on the Gila River Indian Reservation. Figure 14 [not printed in Record] shows the location of the two sites and their geographical relationship to Phoenix and surrounding communities.

Both sites were examined in detail with respect to availability and suitability of land, runways, buildings, utilities, etc. In addition, the proximity of the two sites to other air operations in the area was examined and analyzed in light of a proposed training operation. On the basis of the foregoing, it was determined that the Goodyear Auxiliary Airfield was the most suitable site for the proposed aviation training center.

The Goodyear Auxiliary Airfield is presently being used by Williams Air Force Base for training of T-38 pilots. The use of the Goodyear Auxiliary Airfield by Williams is a temporary measure to relieve congestion at the Williams Air Force Base. If reductions in training activity by Williams (not visualized at this time) developed or if the congestion at the Williams AFB could be relieved with other measures, such as a third runway at that location, the Goodyear Auxiliary Airfield could be used as the flight area of the proposed training center. It is planned to undertake negotiations with the U.S. Air Force during the second phase of the study to determine the steps necessary to establish the Goodyear Auxiliary Airfield for use as a civil aviation training center. The proposed training center locations, along with other development programs on the Indian Reservation, are shown in Figure 15. [Not printed in Record.]

The economic impact on the Indian Reservation site was then analyzed in detail from the standpoint of potential jobs and income for the community and for individuals residing on the Reservation.

Section VI—Cost and Financing: In this section of the study, costs for the facilities of the proposed training center were estimated after developing a number of cost factors related to enrollment, space allocations, and unit costs. Equipment costs were also estimated, including the educational equipment, aircraft, ground support equipment, and synthetic trainers required. These estimates, along with the annual operating costs for the proposed training center, were all developed on the basis of 500, 1000, 1500, and 2000 student modules. The significant cost estimates are shown in Figure 16.

Historical sources and the distribution of funds for educational institutions were examined, and a general plan for the financing of the proposed center was developed. In this general plan, the roles of the University, the aviation industry, and the federal government were outlined.

Section V—Implementation Plan: In this section of the study, both short- and long-range plans were developed. The short-range plans included the immediate actions required, such as negotiation with the Tribal Council for long-term land leases and site development; the establishment of an industry-sponsored, nonprofit educational organization; and the design and development programs for both the academic and flight training facilities of the proposed center. Figure 17 shows the implementation schedule for the short-range program. [Not printed in Record.]

The long-range plans included an examination of the research and development activities necessary to integrate new educational technologies in the overall training center operations. Figure 18 shows the program schedule for implementation of the long-range program. [Not printed in Record.]

CONCLUSIONS

Some of the major conclusions derived from the studies summarized above are:

1. Revenue passenger miles for U.S. civil air carriers will increase from 76 billion passenger miles in 1965 to 315 billion passenger miles in 1980; cargo ton-miles from 3.1 to 38.1 billion ton-miles; and the aircraft fleet will grow from 2,125 to slightly over 3,000 aircraft.

2. The employment of civil air carrier aircraft cockpit crew members will increase from 22,972 in 1965 to 43,665 in 1980, with a total cumulative requirement of 35,906 new pilots for that period.

3. The civil air carrier mechanic work force will increase from 43,667 in 1965 to 80,224 in 1980, with a total cumulative requirement of 95,392 new mechanics for that period.

4. The general aviation fleet will increase from 104,000 to 315,000 units, with total flight hours increasing from 16.7 to 63 million flight hours per year by 1980.

5. Commercial pilot requirements in general aviation will increase from 48,760 in 1965 to 184,750 in 1980, with a total cumulative requirement for 182,075 pilots for that period.

6. The number of mechanics in general aviation will increase from 40,000 in 1965 to 120,000 in 1980, with a total cumulative requirement for 138,483 new mechanics during that period (approximately one-third would be certificated).

7. Relatively little research has been executed which relates to pilot and mechanic qualitative curriculum design and its operational effectiveness. This is also true for other aviation curricula.

8. A comprehensive, qualitative research program utilizing a variety of methodologies is greatly needed in a broad variety of important aspects of aviation education.

9. Instructional time in terms of clock hours, despite its limitations as a qualitative standard of proficiency, remains as the "core logic" of curriculum design in institutions involved in aviation education.

10. Better defined standards of competence and improved measurement techniques for achievement should be important objectives in upgrading and revising curricula.

11. The proposed pilot and maintenance technician curricula derived from this study represent qualitative improvement over existing curricula primarily in their assessment and provisions for meeting emerging needs.

12. The joint Arizona State University/General Learning Corporation research effort in vocational/technical curriculum development based on a computer-aided multi-media approach will provide great assistance and impetus to the application of technology to aviation education.

13. The location of an aviation training center on the Goodyear Auxiliary Airfield will result in significant benefits to the Indian population and will also provide job opportunities to the disadvantaged of the surrounding communities.

14. An inventory/analysis of job skills on the Indian Reservation should be made and a training program undertaken to teach the required skills to qualified personnel for the jobs created by the establishment of a training center and other developments which are occurring on the Reservation.

15. The total cost for all facilities and equipment for the proposed training center will be approximately $7,000 per student and the annual cost of operation will be approximately $2,000 per student, plus the costs for flight training.

16. Because of the national implications and direct benefits to the aviation industry, the proposed aviation training center should be established and operated as a cooperative effort between the University, the aviation industry, and the federal government.

17. A single organization to represent all of the aviation industry's needs will be required for the cooperative effort cited above. A nonprofit, membership corporation should be considered for the purpose.

18. The functions of the aviation training center could be most effectively performed by the University assuming the responsibility for conducting the academic portions of the training program and the industry-established organization conducting the flight training portions of the total program, with research and development being performed separately and jointly as appropriate.

19. The development of the site and facilities, procurement of equipment, and establishment of faculty and staff should be completed by 1 September 1968 for the flight center and by 1 September 1969 for the academic center.

RECOMMENDATIONS

Following are some of the major recommendations contained in the report:

1. Because of the difficulties experienced in assembling the data necessary for analyzing future personnel requirements, particularly in the general aviation segment, a data center should be established with continuous inputs provided by every segment of the industry.

2. The mathematical model developed for predicting air carrier pilot and mechanic requirements be further developed and utilized in connection with recommendation "1" above. The model could also be expanded for use in general aviation and with other modes of transportation.

3. Full consideration be given to the establishment and operation of an aviation training center, as described and discussed in this report. Such a center would help meet some of the quantitative requirements for the aviation industry, as well as some of the qualitative requirements discussed in other sections of the report.

4. Consideration be given to the implementation of the proposed pilot and aviation maintenance technician curricula as the nucleus of a future and broader aviation occupational group of curricula, and that such implementation be considered in the concept of the aviation training center, as explored in this study.

5. Concentrated efforts be made to initiate an organized aviation education research program to attack vital problems, some of which are:

A. *Pilot Task Analysis (Terminal Behavior Analysis):* A study, comparable in depth and duration, is needed to ascertain civilian pilot tasks in terms of what a pilot does and the sequence in which he does it; the relevance of tasks, one to another; the priority of learning sequence of tasks he performs; the frequency with which he performs tasks; and the degrees of manipulative skills required of specific tasks.

B. *A Comparative Cost Analysis of In-Depth Specialty Training for Pilots and Non-Pilots:* Undoubtedly, individual carriers are conducting on-going cost analyses of their own training investments. A collective analysis concentrating on what is being taught; how it is being taught; measurement factors of productivity; temperament factors effect on training; aptitude identifications and correlations, if any; and other areas need to be determined. The products of such research could then be related to what can and should be done by pre-professional education and training institutions to reduce the on-the-job training investments of the carriers.

C. *Instructor Personnel Education and Training for Aviation Curricula:* Research and training activities are needed, especially in the use of currently available media, modules, and methods, but, more importantly, in the potential applications of new educational technology to aeronautical technology curricula.

6. An aviation industry/education research and development center be established with-

in the context of the proposed aviation training center to initiate, conduct or coordinate these studies as appropriate. Further, it is recommended that careful attention be given to plans for national dissemination and implementation of the anticipated research findings, curricula, instructional materials and systems.

7. Within the context of the proposed aviation training center, consideration be given to the establishment of a (civil aviation industry) education/training documentation center, providing for automated retrieval and remote access provisions for the civil aviation industry.

8. That encouragement and assistance be provided the aviation industry in the establishment of a private, non-profit organization whose primary function will be to establish and operate the flight training portion of the proposed aviation center as a cooperative venture with the University.

9. A program be established, in cooperation with the Bureau of Indian Affairs, for the identification of skills, aptitudes, and attitudes of the total population on the Reservation, followed by a comprehensive prevocational, vocational/technical and social training program to prepare the Indians for the advantages to be derived from the training center and other area development programs.

10. An early conference be scheduled for representatives of the civil aviation industry, the federal government, and Arizona State University. The purpose of the conference will be to develop a plan for a joint cooperative effort to establish an aviation training center of national significance, as discussed throughout this report.

11. The division of responsibility for the establishment and operation of the aviation training center be for the industry-sponsored, non-profit education organization to establish and operate the flight training program, and the University establish and operate the academic program. The federal government should provide both organizations with financing and operations assistance.

EPILOGUE

It is obvious from the information presented in this report that a combination of powerful factors are at work in aviation today which, when assessed, dictate equally powerful and perhaps radically different approaches in aviation education. The primary factors referred to are, of course, the massive and accelerating growth in aviation and a corollary and equally dynamic technological progress. While there are a variety of lesser but important factors operating, the third major factor which gives rise to great national concern is the apparent absence of an accompanying dynamic response on the part of civil aviation education. Even a cursory examination reveals a "business as usual" and traditional education/training operation and little or no research and development in aviation curriculum structure or methods.

A similar and somewhat more intensive examination will reveal a small but growing area of research and development of great promise in the application of newer educational technology in academic disciplines other than aviation education. Importantly, there appears not to have been evolved or deliberately developed in America a mechanism, structure or center capable of the research, demonstration, implementation and wide dissemination which could activate dynamic educational response to meet emerging civil aviation needs.

The brief attempt at assessment given here is intended to be realistic as opposed to being simply negativistic. Certainly, it presupposes a great pride in America's monumental progress in aviation and commends those individual efforts in aviation education in attempting to service that progress to date.

It must be universally accepted that the great growth in civil aviation of the immediate past is the product of numerous factors but, importantly, it is a product of the accelerating technology, which sets up a dynamic interaction with growth to the end that the factors of growth and technology become mutually stimulating. It is equally apparent that even in this recent rapid growth period, the aviation industry is on the threshold of what might be termed a "quantum leap" in growth. Unfortunately, no comparable prospect of a "quantum leap" in aviation education can be anticipated from the existing aviation education structure and its present capabality.

It was from this frame of reference that the concept of a civil air academy or civil aviation training center was conceived. The concept was developed as the prospective instrument of the aviation community, certainly not to be viewed as the "place" where all personnel trainee quantitative requirements would be met, but far more significantly as the "place" where innovative and creative aviation curricula and instructional materials systems are designed, tested and perfected for implementation nationally, in order to mobilize efficiently the existing and emerging aviation education agencies of the nation. In short, it is visualized as the vehicle required to generate an aviation education "quantum leap".

To paraphrase a noted philosopher, "Nothing is so powerful as an idea or concept whose time has arrived". Informal explorations of the aviation training center concept and its "timeliness" with a variety of leaders in the aviation industry resulted in encouragement to the end that this Feasibility Study was undertaken. Having now been completed, it is sincerely hoped that the study findings will serve the leadership of the aviation community as a useful tool in meeting the challenges faced.

FIGURE 16.—SUMMARY OF COST ESTIMATES

Cost factors	Student modules			
	500	1000	1500	2000
1. TOTAL FACILITIES COST ESTIMATES				
Facilities required:				
Educational	$1,350,000	$2,700,000	$4,050,000	$5,400,000
Student residence	1,640,625	3,281,250	4,921,875	6,562,500
Operations building	57,575	115,150	170,625	228,200
Hangar	64,000	112,000	144,000	208,000
Total costs	3,112,200	6,208,400	9,286,500	12,398,700
2. SUMMARY OF EQUIPMENT COST ESTIMATES				
Equipment:				
Aircraft	305,000	510,000	700,000	955,000
Ground support equipment	30,500	51,000	70,000	95,500
Synthetic trainers	58,000	116,000	174,000	232,000
Total costs	393,500	677,000	944,000	1,282,500
3. ESTIMATED ANNUAL OPERATING COST OF ACADEMIC CENTER				
Estimated personnel costs	520,400	1,062,000	1,603,400	2,160,000
Other costs [1]	500,000	1,000,000	1,500,000	2,000,000
Total costs	1,020,400	2,062,000	3,103,400	4,160,000
4. ESTIMATED ANNUAL OPERATING COSTS OF FLIGHT CENTER				
Cost categories:				
Personnel	315,600	625,200	918,000	1,233,600
A/C operations	118,819	237,638	356,457	475,276
Leasing	24,510	46,620	65,850	90,360
Total costs	458,929	909,458	1,340,307	1,799,236

[1] Includes operations, travel, services, and capital.

COLLEGE HOUSING

Mr. PROXMIRE. Mr. President, I was delighted that the Housing Subcommittee and the full Banking and Currency Committee have approved a recommendation proposed by Senator Javits and myself concerning the college housing program. Under the present college housing program, the Department of Housing and Urban Development can make direct loans at 3 percent interest to colleges and universities for the purpose of constructing student housing. Although this assistance is badly needed by our hard-pressed colleges and universities, the existence of 3-percent money has had a disruptive impact upon college housing. Since the present law only authorizes $300 million a year for college housing, the demand for these loans far exceeds the limited supply. As a result, many colleges and universities tend to postpone their college housing construction plans in the hopes of obtaining a 3-percent loan, if not this year then perhaps next year. Rather than stimulate the construction of college housing the program tends to have the opposite effect. Since the directors of our colleges and universities are accountable to a board of trustees or similar body, the head of a college or university would be hesitant to borrow funds on the private market at 4 or 5 percent when a 3-percent Government loan is or might be available.

In order to break this logjam, Senator Javits and I sponsored a proposal which permits the Federal Government to subsidize the rate of interest on a college housing loan in addition to providing direct loans.

The interest rate subsidy method is a far more efficient way for providing assistance to college housing and substantially reduces the impact upon the Federal budget. The $10 million interest rate subsidy authorized by the amendment could finance as much as $300 or $400 million a year in college housing. I believe that this new provision in conjunction with the existing program and the private market can adequately finance our college housing needs. I am delighted that this provision has the wholehearted support of many colleges and universities across the country.

Mr. President, I ask unanimous consent that a number of letters I have received on this subject be inserted in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNIVERSITY OF SOUTH CAROLINA,
Columbia, S.C., October 2, 1967.

Subject: College Housing Loans (Bill S. 2000).

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: We were extremely interested in your August 29th letter concerning the above proposed legislation. There is no question concerning the need of help in alleviating the present college housing shortage. For example, the University of South Carolina has been trying to submit applications for new housing loans for more than a year and a half but as you point out, DHUD has been unable to even accept the applications.

While the University of South Carolina is acutely concerned with the availability of low cost loans, we in South Carolina are also concerned about the desirability of keeping Federal expenditures from expanding while the Viet Nam conflict continues. It seems to us that your proposal might meet both of these objectives. Your suggestion would almost double the present $300 million direct loan program and yet would involve a Federal expenditure of possibly only $10 million dollars.

As you indicate in your letter, it would be desirable for the government to use the loan differential program for institutions such as ourselves who can generally borrow money at a favorable rate. This would then free up the direct loans for the smaller and private colleges who have a more difficult time borrowing money. Your legislation might involve some flexibility in awarding direct loans versus differential payments so as to get maximum utilization out of the Federal Funds.

There should probably also be some provision as to the maximum amount of interest that could be used for the loan differentials. We can visualize that in some specialized situations, a small institution might become involved with a private investor who might charge an exorbitantly high rate of interest.

In summation, the University of South Carolina definitely needs the ability to borrow low interest money for additional college housing. The University of South Carolina is also concerned about getting the maximum advantage out of Federal funding. For these reasons, your proposed legislation appears quite attractive. I am so advising the South Carolina delegation.

Yours truly,

THOMAS F. JONES.

THE CALIFORNIA STATE COLLEGES,
Los Angeles, Calif., October 10, 1967.

Hon. WILLIAM PROXMIRE,
Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATORS PROXMIRE AND JAVITS: Chancellor Dumke has asked me to respond to your recent letter regarding proposed legislation designed to ease the chronic student housing shortage. We share your concern that many qualified students across the nation may not be able to attend the college of their choice because of inadequate housing.

The California State Colleges with eighteen publicly supported colleges and 190,000 students, comprise the largest and fastest-growing higher education system in the nation. This dynamic growth has intensified our need for student housing.

The Trustees of the California State Colleges have a policy on financing student housing which allows the State Colleges to enter into agreements with any agency of the federal government for the construction of housing and other education facilities for students and faculties of any college under the jurisdiction of the trustees if they determine that the income, rent and charges for the use of the facilities will be sufficient in amount to repay the principal and interest on the amount secured from the federal government for the construction of the facilities.

On April 27, 1967, the Trustees approved an amendatory loan agreement with the Department of Housing and Urban Development to construct thirty dormitory buildings to house approximately 2886 men and 2618 women students and resident staff on ten of the eighteen campuses. The DHUD loan commitment for the project was $34,750,000. These facilities are now under construction and are expected to be occupied during the 1968–69 academic year.

The next phase of California State College student housing construction program includes plans to build facilities for approximately 5600 students to be ready for occupancy in 1970 at the estimated cost of $40 million. With the completion of this development, we will only have facilities to house around 10% of our full time students. (See attachment.) Our tentative master plan objective is to provide on-campus housing for approximately 25% of the full time students.

With the possibility that federally-guaranteed loans at 3% interest will not be available, our only alternative will be the sale of revenue bonds at the prevailing rate of interest which would increase the cost of housing to our students.

We believe that S. 2000, which would provide loan differential payments covering the difference between the market rate of interest and 3%, is a significant step forward in assuming continued development of urgently needed student housing.

Please be assured that Chancellor Dumke, and particularly Mr. John Kehoe, the State Colleges' Special Assistant for Governmental Affairs, headquartered at 1310–19th Street, N.W., Washington, D.C., will work closely with you in your endeavors in behalf of this legislation. If at any time we can be helpful in supplying you with data on higher education, please do not hesitate to let us know.

Thank you for your continuing support and interest in the higher education community.

Best personal regards,

Sincerely,

LES COHEN,
Director, Governmental Affairs.

CAPACITY OF RESIDENCE HALL SPACES EXISTING JUNE 1, 1967, PLUS TENTATIVE 5-YEAR STUDENT HOUSING CONSTRUCTION PROGRAM

College	Total proposed	Existing, 1967	Phase I, 1968–69	Phase II			
				1969–70	1970–71	1971–72	1972–73
Chico	3,194	418	536	740	500	500	500
Dominguez	500				500		
Fresno	1,864	630	634	300	300		
Fullerton	0						
Hayward	600					600	
Humboldt	1,316	406	400		500		
Kellogg-Voorhis	2,424	852	372	600			600
Long Beach	1,470	420	450	600			
San Bernardino	400			400			
San Diego	2,273	1,050	623		600		
San Fernando	2,620	208	612	600	600	600	
San Francisco	1,818	812	756			250	
Sacramento	615	615					
San Jose	3,218	1,218	600		1,400		
San Luis Obispo	2,736	1,236	600	400		500	
Sonoma	600			600			
Stanislaus	400			400			
Total	26,048	7,865	5,583	4,640	4,400	2,450	1,100

TENTATIVE SUMMARY OF THE PROPOSED 5-YEAR CAPITAL IMPROVEMENT PROGRAM RELATING TO STUDENT HOUSING, 1968–73

Project	1968–69	1969–70	1970–71	1971–72	1972–73	Total
Residence halls	4,414,000	26,595,000	26,907,000	15,731,000	8,080,000	81,727,000

UNIVERSITY OF HOUSTON,
Houston, Tex., September 19, 1967.

Senator WILLIAM W. PROXMIRE,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: I have been requested to reply to your communication regarding S. 2000 (loan differential payments), now under consideration by the Senate Banking and Currency Committee.

The University of Houston favors this legislation, which in our judgment offers a most practicable means of supporting some $300 to $400 million in college housing funds to be sold to private investors.

At this institution, as on so many other campuses, there is a critical and growing shortage of dormitory space. Through relatively high priorities which can be clearly established, it has been possible for us to obtain a 3% loan from the Department of Housing and Urban Development in the maximum amount of $3,000,000. Only by combining this with a private gift of $1,000,000 were we able to bridge the gap between proceeds of revenue bonds and the total estimated cost of a complex for 1,200 students. Yet almost before construction begins, we face the need for a similar facility.

Without S. 2000, the University of Houston will have to compete again with our sister institutions (many of them perhaps less able to arrange loans in the private market) for a Government loan. How much simpler and more equitable, as you point out, to provide differential payments for the larger institutions.

You can understand our dilemma still further, and our support for S. 2000, when I report the registration figures for 1967–1968 which became available here only today. They indicate that the University of Houston will enroll approximately 22,000 students, or just twice the number registered eight years ago.

Sincerely,

PATRICK J. NICHOLSON,
Vice President, University Development.

THE MERRILL-PALMER INSTITUTE OF HUMAN DEVELOPMENT AND FAMILY LIFE,
Detroit, Mich., October 9, 1967.
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Your bill (S. 2000) being considered by the Senate Banking and Currency Committee represents a very realistic approach to the most serious problem now faced by expanding institutions. The present $300 million direct loan program has been inadequate and has hampered our institution in making adequate housing plans.

The need for the type of legislation you are proposing is an immediate one and $700 million dollars available to meet the college dormitory shortage would be most helpful.

Because of the shortage of funds we have been forced to consider private financing at a much higher rate of interest than the 3% you are seeking to make available to a greater number of institutions than can be supported by the present inadequate direct loan program. We are most interested in this legislation being considered and extend our support.

Sincerely,

J. WILLIAM RIOUX,
President.

THE UNIVERSITY OF TENNESSEE,
Knoxville, September 14, 1967.
Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: It is a pleasure to speak for the continuation and expansion of the availability of 3.0 percent loans to colleges and universities under the Department of Housing and Urban Development program.

Never in our history has higher education been more essential to the progress of the individual, the state, and the nation than at present. Never has there been greater demand for facilities and personnel to transmit our rapidly increasing knowledge and technology to young people.

Extremely heavy pressures have been brought to bear on state administrations and legislatures to appropriate sufficient sums to pay not only for increasing operating costs but also for additional physical plant facilities. In the past few years plant fund appropriations by state legislatures have been insufficient to pay for needed academic facilities as witnessed by the success of the Title III Loan Program under Public Law 88-204.

At The University of Tennessee little or no state appropriated funds have been made available in recent years for housing service facilities. To teach thousands of our children we must provide food and housing accommodations, financed largely with borrowed money.

Colleges and universities are not in the housing and food service business to make money. Such services are only necessary adjuncts of teaching and research in areas where the local communities are unable to absorb the impact of growing campus populations. Our only hope in operating these facilities is to break even and to spread operating and capital costs over as many student and parent beneficiaries as possible.

In 1965, the State Legislature enacted a law establishing the Tennessee State School Bond Authority enabling all colleges and universities in the State to finance with tax-exempt bonds the construction of facilities formerly eligible under the College Loan Program. The first bond sale by the Authority was made in May, 1967, at a 4.1 percent interest cost on a $43.8 million bond issue. Of this amount $30.1 million was for The University of Tennessee of which $20.8 million would have been obtained from HUD if funds had been available.

On our various campuses throughout the State, the University has completed, or contracted for, nearly 10,000 dormitory beds, 1,500 married student apartments, and six cafeterias. Most of these facilities have been undertaken in recent years when HUD loans were not available to us. The capital investment in such facilities, not financed under HUD loan agreements, is approximately $38.5 million.

Debt service expense on a $4,000 dormitory bed for a 40-year period amounts to $178 at 3 percent, $216 at 4⅛ percent, and $253 at 5½ percent per year. This means that the student or parent is forced to pay from $11 to $25 more *per quarter* for housing than would be the case if 3 percent loans were available.

Although the costs of material and manpower have increased substantially in recent years, it has now reached the point where debt service expense on a dormitory exceeds operating costs. As construction and operating costs continue to climb, we are concerned that many students and parents will be priced "out of the market" by the cost of money. We hope that Congress will take action to prevent this situation.

We thank you for the opportunity to contribute our thoughts on this question and assure you that we will also notify Tennessee Senators and Congressmen of our views.

Sincerely,

A. D. HOLT,
President.

SOUTH DAKOTA STATE UNIVERSITY,
Brookings, S. Dak., September 18, 1967.
Hon. WILLIAM PROXMIRE,
Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATORS: I received your letter of August 29, concerning our needs for housing at South Dakota State University. We will need additional housing at this institution for use by prospective students. The only possible way that we can provide such housing is through the issuance of bonds. We have made all the use we possibly can of the current system of the government guaranteeing bond issues through HUD and its predecessor FHA.

We feel that one of the very best investments that society can make in young people is a college education. Our students are of such financial status, in many instances, that they cannot pay as much for their college education as might be true in some states. South Dakota is among the very lowest of the states in individual incomes. The difference in the cost of housing between the 3% interest charge and the going rate would make our housing considerably more expensive than we are now able to provide. Consequently, this will keep many fine young people from attending this university.

We would be interested in working under the kind of arrangement that you have suggested in your Senate Bill 2000. This kind of support would be most helpful to our prospective students.

Sincerely yours,

H. M. BRIGGS, *President.*

BOSTON UNIVERSITY,
Boston, September 19, 1967.
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Recently your office forwarded to me a communication concerning the legislation S. 2000. Basically, I think the idea is a good one, and with care, the necessary safeguards could be worked out without too much confusion or red tape. Actually, it occurs to me that the program could result in lower net cost to the institutions, because it might give greater flexibility in construction and thus reduce costs. The smaller schools might need guidance in arranging for financing which is now done rather routinely by HUD. Possibly the legislation could include the establishment of an advisory service, or at least set up a consulting service to help the smaller institutions which do not have at their disposal legal counsel who would be familiar with this kind of financing and program.

Throughout the world of education your dedication to the concerns and interests of education are well known, and I know that I express the gratitude of countless others when I thank you for your help.

Very sincerely,

ARLAND F. CHRIST-JANER.

MICHIGAN STATE UNIVERSITY,
East Lansing, Mich., September 7, 1967.
Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: President Hannah, of Michigan State University, has requested that I reply to your letter of August 29 regarding interest in Senate Bill 2000.

Michigan State University has, I believe, the largest dormitory and married housing program in the country, with space for approximately 19,000 single students in dormitories and apartments for 2,500 married students. Much of this program has been financed through public bond offerings. However, this University has, on four occasions, made application and received approval of loans from the Department of Housing and Urban Development.

For more than twenty years, I have been responsible for the financing, construction and operation of our housing system. I know from personal experience that during many periods in the past twenty years, it has not been possible to finance a new dormitory from its earnings alone if the borrowing had to be done in a high interest period. Michigan State University has been fortunate in that it started residence hall construction early and had the earnings from units built and paid for which it could repledge to support loans for today's high construction costs and high interest costs. Without this reserve of earnings, it would have been impossible to build our dormitory system. Many institutions, particularly the small ones, do not have this reserve, and the plan which you propose will be of inestimable help in providing their needed housing.

Several years ago Mr. Robert F. Kerley, Vice President of the University of Kentucky, and I headed a committee for the American Association of State Universities and Land-Grant Colleges to study the same problems which you are attempting to solve. As a result of our study, we made three recommendations, which were:

1. That the Government continue its present loan program with the maximum interest set at 3%.

2. That the Government subsidize interest costs in excess of 3% (same as the proposed Senate Bill 2000).

3. That the Government make partial grants for construction with the balance to be financed by the institution from public borrowings. In this recommendation we envisioned that with a 30% grant, the institution could borrow the required additional funds in the public market and service the debt from earnings of the unit.

At the present time Michigan State University's construction of dormitory facilities is at a standstill because of the high construction cost and the high cost of money. Earnings from all of our dormitory units are now pledged for many years, and we need the kind of help which your bill would give if additional housing is to be provided.

Sincerely yours,

PHILIP J. MAY,
Vice President.

KENT STATE UNIVERSITY,
Kent, Ohio, September 6, 1967.
Hon. WILLIAM PROXMIRE,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR PROXMIRE: Kent State University would like to support legislation

(S. 2000) to ease the chronic college housing shortage. The University has in the past been able to secure loans from the Housing and Urban Development, but at this particular time planning construction of needed facilities has had to be delayed pending availability of funds from Congress. Any effort that you might put forth in convincing the officials will surely be appreciated.

I should like to point out that this year freshman enrollment has been held to the previous level due to the lack of housing facilities. The continuation or any further delay of construction of residence halls reduces the number of students who can avail themselves of the chance for improving their abilities from the benefits of training in higher education.

Sincerely,

J. W. BUNN,
Vice President for Business and Finance.

UNIVERSITY OF VIRGINIA,
September 8, 1967.

Senator JACOB K. JAVITS,
Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SIRS: As President of the University of Virginia, and as Chairman of the Executive Committee of the National Association of State Universities and Land-Grant Colleges, I write to express my conviction of the urgent need for the passage of the legislation (S. 2000), which you have introduced to ease the chronic college housing shortage. Last week, at a meeting of the Executive Committee of the National Association of State Universities and Land-Grant Colleges—an association with a membership of 99 major state institutions in each of the 50 States—the Association reiterated its unanimous support of the solution to the problem that your bill provides and the urgent necessity for its passage.

Both the direct loan program and the interest subsidy, which your bill provides, are necessary to assist the different kinds of colleges. As you indicated in your letter of 29 August, $10 million in the loan differential payments, together with the existing direct loan program, could make available as much as $700 million to meet the college dormitory shortage. Many institutions are now having to turn away qualified students simply because there is no place for them to live. Unless immediate steps are taken the situation will be compounded in subsequent years.

I hope indeed that the Senate Banking and Currency Committee will see fit to report out your bill and that the Senate and the Congress will take early favorable action upon it.

Sincerely yours,

EDGAR F. SHANNON, Jr.,
President.

BAYLOR UNIVERSITY,
Waco, Tex., September 5, 1967.

Senator WILLIAM PROXMIRE,
Senator JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SIRS: Thank you for your letter of August 29 concerning S. 2000. I support your bill and believe it meets a pressing need and does it in a manner vastly superior to the present method.

You may be aware that because of Southern Baptist policies based upon Baptist philosophy concerning separation of church and state most of the more than fifty Southern Baptist colleges do not now make federal loans to build dormitories. Let me suggest for your consideration an alternative feature of your bill which might make these loans for dormitories more acceptable to Southern Baptists and others who believe in a strict separation of church and state.

The loan differential payments could be made directly to the bond holder without direct envolvement of the lending school. It would also make the loans more acceptable to strict church-state separatists if instead of the federal government making payments to the bond holders, they could take credit on their income tax for interest differential, listing a registered number of an approved bond issued by a university. This would greatly reduce the cost of administration of the plan.

Since the current rate of interest on such dormitory bonds is about 6%, this credit could be made 3% of the bond and raised or lowered annually by the H.E.W. or some other designated agency.

I am not certain that this would satisfy all the strict church-state separatists but believe it would be acceptable to some and that the administration of this plan would be less expensive.

Sincerely,

ABNER V. MCCALL,
President.

LOYOLA UNIVERSITY OF LOS ANGELES,
Los Angeles, Calif., September 6, 1967.

Senator JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: I have received your letter of August 29 concerning S. 2000. I am well aware of the crisis in college housing and of the serious backlog in housing loan applications.

Your proposal for loan differential payments would release funds which are not now available and would do much to reduce the backlog which exists now and must be dissolved now, not ten years from now.

Sincerely yours,

CHARLES S. CASASSA, S.J.,
President.

JOHN CARROLL UNIVERSITY,
Cleveland, Ohio, September 8, 1967.

Senators WILLIAM PROXMIRE and JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATORS PROXMIRE AND JAVITS: Thank you sincerely for your correspondence concerning the legislation (S. 2000) which the Senate Banking and Currency Committee is now considering. John Carroll University will have to increase its housing facilities in the relatively near future. The guarantee of a 3% interest rate is necessary if we are to be able to operate these facilites from their own revenue.

We at John Carroll shall appreciate efforts to pass this legislation.

Sincerely yours,

JOSEPH O. SCHELL, S.J.,
President.

THE UNIVERSITY OF OKLAHOMA,
Norman, Okla., September 14, 1967.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your letter regarding Senate Bill 2000 which you are sponsoring. The University of Oklahoma is happy to enthusiastically support your efforts in regard to the passage of the bill. The bill is an excellent step in the right direction.

The University of Oklahoma is just completing a $13,600,000 housing addition to provide facilities for 3,096 additional students. The financing for the project was arranged through the sale of bonds on the open market. The interest in connection with the bonds provides an effective rate of 4.91 percent plus. It will probably be a few years before the University of Oklahoma will be in a position to benefit from Senate Bill 2000, but I should like to urge your continuous vigorous support of the measure.

I am also writing to the Oklahoma delegation to urge each of them to support the bill.

Cordially yours,

G. L. CROSS, *President.*

UNIVERSITY OF DAYTON,
Dayton, Ohio, September 12, 1967.

Senator JACOB K. JAVITS,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your joint letter with Senator Proxmire of August 29 giving me the opportunity to comment on your proposed legislation (S. 2000) to ease the severe college housing shortage.

I enthusiastically support your letter and the legislation in every detail. In my experience not only at the University of Dayton but as President of the Ohio College Association, I know that most colleges and universities are too hard-pressed to provide additional academic and housing facilities for increasing enrollments. The Higher Education Facilities Act helps some, but not all, colleges toward their academic facilities; but federal support for college housing has been woefully inadequate. Your bill is encouraging and I hope it passes at an early date.

Respectfully,

Very Reverend RAYMOND A. ROESCH, S.M.,
President.

UNIVERSITY OF ILLINOIS,
Chicago, Ill., September 6, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: In response to your letter of August 29, concerning Senate Bill 2000, I welcome the opportunity to record the view that this measure, if adopted, would be exceedingly helpful to the higher education community generally at this time of great financial stress.

The University of Illinois in the past has benefited through the College Housing Loan Program in securing funds to finance the construction of residence halls and union buildings at relatively low interest rates. The availability of such financing has enabled the University to hold down the cost to students since our residence halls and related facilities are self-liquidating.

Obviously, a continuation of any plan which continues low-cost borrowing for colleges and universities will be of ultimate benefit to the students and will ease the general financial stringency faced by the institutions and students alike.

Sincerely,

DAVID D. HENRY,
President.

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, September 6, 1967.

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: Since the most pressing physical need of the University of Pennsylvania lies in student housing, we are very much interested in favorable consideration of S. 2000. We have already been in touch with the national legislators from Pennsylvania to express our hope that everything possible will be done at the Federal level to facilitate the construction of college housing through whatever devices would appear to be most appropriate. The Bill which you and Senator Javits are sponsoring would seem to be a very sensible approach to this critical problem.

Very sincerely,

GAYLORD P. HARNWELL.

ILLINOIS INSTITUTE OF TECHNOLOGY,
Chicago, September 6, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR PROXMIRE: Your letter of August 29 outlining the bill you are introducing, S. 2000, has our heartiest endorsement.

As a private institution, the College Housing Program has enabled us to construct some $9,000,000 of college housing which could not have been financed in any other way. The fact the Department of Housing and Urban Development has no additional funds under the existing program is of great concern to the future of our institution. We shall need over the next five years an additional $5,000,000 to complete our program. At the present time our housing space is 100% utilized.

Your proposed bill would provide a workable solution for our institution, and we are certain that this pattern would mean much to any other private institutions facing the same housing problems that Illinois Tech does.

Sincerely yours,

J. T. RETTALIATA,
President.

HOFSTRA UNIVERSITY,
Hempstead, N.Y., September 7, 1967.

Hon. WILLIAM PROXMIRE,
Senate of the United States,
Washington, D.C.

DEAR BILL: I'm delighted to hear of the Proxmire-Javits bill S. 2000 which provides an effective, economical and very necessary frontal approach to the problem of the college dormitory shortage across the country.

In New York State we have the State Dormitory Authority loans which, naturally, have been utilized by every institution in the State to a greater or lesser degree. However, the rise in interest rates has put the total interest now well beyond the 3.0 maximum provided in your bill, while at the same time rising construction costs are beginning to put the resulting housing in an almost too-costly bracket for even this affluent society.

May I commend your proposal and offer all possible encouragement and support.

Regards,

CLIFFORD LORD.

THE UNIVERSITY OF KANSAS,
Lawrence, Kans., September 12, 1967.

Hon. WILLIAM PROXMIRE,
Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATORS PROXMIRE AND JAVITS: I regret that absence from my office has prevented me prior to this time from responding to your letter of August 29. I write to compliment you upon your efforts as represented by S. 2000 to ease the chronic college housing shortage. I have had the opportunity to discuss your bill with a considerable number of my colleagues and all of us feel that we are indebted to you.

In respect of the University of Kansas, however, I must report that at the present time our requirements have been taken care of well enough by private capital that we do not have a housing shortage. This is not true of some of the smaller colleges within the state and I trust you will be hearing from their executive officers.

Sincerely yours,

W. CLARKE WESCOE,
Chancellor.

UNIVERSITY OF DELAWARE,
Newark, Del., September 1, 1967.

Hon. WILLIAM PROXMIRE,
Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATORS: I cannot overemphasize the importance to the University of Delaware of having adequate low interest loans available to help finance the construction of college housing facilities. The State of Delaware is growing much faster than the national average and undergraduate enrollments at this University have been increasing at a rate of about fourteen percent a year. This generates a continuing need for additional housing facilities. For the past decade, we have been constructing a new residence hall complex every other year and will soon require additional housing units every year.

As a land-grant college and the only sizable institution of higher education in the State, the University of Delaware has felt very strongly the obligation to make a resident college education available to all qualified Delaware students. This means not only that facilities must keep pace with demand, but also that charges must be kept within the reach of our students. Debt service costs on housing facilities are directly reflected in room and board charges.

Earlier this year we had to start construction on a residence hall complex to meet our needs in the fall of 1968. We must now raise $3 million from the sale of bonds to complete the financing of this project. Applications to the Department of Housing and Urban Development for College Housing Loans have been closed for some time due to lack of funds. The sale of our tax-exempt bonds on the commercial market at this time would probably result in a net interest cost of about 4¼%. Were this loan available at the proposed rate of 3%, there would accrue, over the life of the bond, a savings to this small State of more than a million dollars.

The $300 million to be available this year for College Housing loans will not begin to meet the critical national needs. Secretary Weaver has advised us that allocation procedures will eliminate projects on which construction contracts have been awarded. This will unfairly discriminate against the University of Delaware and others who have such urgent housing requirements that they cannot delay their construction projects to the brief intervals during which funds may be available. It is our hope that the proposed bill (S. 2000) will be so worded that the $3 million needed now by the University of Delaware could be accommodated within that program.

The overall need for an adequate College Housing Loan Program was well presented to the Senate Banking and Currency Committee on July 24, 1967 by representatives of several national academic associations of which the University of Delaware is a member. I respectfully urge that the arguments then presented and the specific needs of individual institutions as represented by our own situation, be given careful consideration by the Committee. We have advised the Congressional contingent from Delaware of the importance of this legislation to the University and to the State as a whole.

We fully support passage of S. 2000.

Sincerely,

JOHN W. SHIRLEY,
Acting President.

FAIRLEIGH DICKINSON UNIVERSITY,
Rutherford, N.J., September 5, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I approve thoroughly of your idea of college bonds, with the Government paying the difference between 3% and the market rate of interest. It would probably mean the greatest spurt in the building of new college facilities.

Sincerely yours,

PETER SAMMARTINO,
Chancellor.

DEPAUL UNIVERSITY,
Chicago, Ill., September 12, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you for the information concerning the consideration being given to legislation (S. 2000) which would provide funds to ease the chronic college housing shortage.

We are very concerned about the shortage of loan funds for college housing, but recognize the implications of appropriations for college housing at a time when urban problems are so sharply in focus.

DePaul University is but one of many colleges and universities whose planning mechanisms have been slowed by the inability to predict the availability of such funds.

Currently the University is forced to reject many applicants for admission because it is unable to provide dormitory facilities; hence, we are planning to build facilities to accommodate 750 students. To bring this plan to fruition we need not only the assistance of a low interest rate loan but the assistance of Urban Renewal to acquire the needed land. This dual need gives rise to a practically insolvable planning problem.

The Department of Urban Renewal insists that we give them a firm date for beginning construction before they will acquire the site and we are unable to provide a firm date until we are assured that college Housing Loan Funds are available. The pending bill would cut this Gordian knot smoothly and clearly.

With best wishes for your continued well beig and appreciation for your dedicated service to our nation, I am,

Cordially yours,

Very Reverend JOHN R. CORTELYOU, C.M.,
President.

UNIVERSITY OF MIAMI,
Coral Gables, Fla., September 11, 1967.

Re: Senate Bill No. 2000, College Housing Bill.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: The University of Miami is extremely interested in the proposed Bill which the Banking and Currency Committee is now considering. Recently I wrote to Congressman Fascell and to Senator Smathers concerning the needs of the University of Miami for additional college dormitory loan money. I am taking the liberty of sending you a copy of the letter I addressed to Senator Smathers and to advise you that Senator Smathers assured me that this program would be given his careful consideration during deliberations.

Speaking for the University of Miami, but knowing well the serious housing shortage of all campuses in the United States, I commend you and Senator Javits for sponsoring this critically needed legislation.

If the University of Miami can be of any further assistance in any way in support of this most important legislation it would be pleased to assist in any way possible.

Sincerely,

EUGENE E. COHEN,
Vice President for Financial Affairs and Treasurer.

JULY 27, 1967.

Re: College Housing Loan Program.

Senator GEORGE A. SMATHERS,
Senate Office Building,
Washington, D.C.

DEAR GEORGE: The University of Miami and the total higher education community urgently need additional funds through the established College Housing Loan Program. This lending program has been of inestimable value to the colleges and universities and is of critical importance to the total public's interest. Adequate housing is as integral a part of the campus requirements as is the classroom and the laboratory.

Recently the independent University of Miami had to borrow better than $5 million for student housing at an interest rate of 6½%. The financing was considered reasonable in present money market conditions where the University cannot issue tax exempt bonds. This high money cost available to independent institutions adds tremendously to long range operating expenses.

Assistance is urgently needed now as the University plans for additional housing over the next three years which is estimated will cost an additional ten million dollars. Any assistance and support you can give to this loan program (with a record of 100% repayment to date) will be appreciated.

Sincerely,

Eugene E. Cohen,
Vice President for Financial Affairs and Treasurer.

Haverford College,
Haverford, Pa., September 7, 1967.
Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: Since we last talked, on the subject of your interest in attracting private business interests into ghetto-type problems, I have left the Ford Foundation to take up this position. Obviously I hope things will go well in your proposed corporation—the idea is far too important to let anything deter action.

I write now in response to your inquiry of August 29 on the proposed legislation (S. 2000) for easing the college housing shortage.

The general approach which you and Senator Proxmire propose in this bill strikes us as imaginative and valuable. I need add no words to your present knowledge about the seriousness of the college housing shortage; instead I can simply state that you appear to have found an unusually constructive way to ease the shortage.

I would have to do some more homework to find out whether this particular college could in fact sell bonds in private markets; perhaps some change in our bylaws would be necessary to achieve that end. But that internal problem, if it is one at all, does not detract from our support for your approach. We are now borrowing at a rate of 6% to finance new dormitories here; clearly, we would welcome a way of easing that burden in future building plans.

With all best wishes,

Sincerely,

John R. Coleman,
President.

The University of North Dakota,
Grand Forks, September 5, 1967.
Hon. William Proxmire,
U.S. Senate,
Washington, D.C.

Dear Senator Proxmire: I appreciate the letter I received from you and Senator Javits on August 29 concerning the proposed Senate legislation S. 2000 designed to ease the college shortage. This would be helpful to us in the future for we still need to look forward to building an additional dormitory to accommodate the anticipated enrollment two years from now and following.

I am sure your bill would provide us the relief we need.

Sincerely,

George W. Starcher,
President.

New Mexico Highlands University,
Las Vegas, September 5, 1967.
Senator William Proxmire,
Senate Office Building,
Washington, D.C.

Dear Senator Proxmire: I am writing to you to endorse (S. 2000) which the Senate Banking and Currency Committee is considering.

Our institution, as in the case of so many others, is unable to keep pace with student housing needs. Since (S. 2000) will help meet the problem, I am strongly in favor of it.

Sincerely,

Thomas C. Donnelly,
President.

University of Pittsburgh,
September 12, 1967.
Senator William Proxmire,
Senator Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Sirs: The legislation described in your letter of August 31, 1967 (S. 2000) would provide major assistance to the colleges and universities in meeting their housing needs.

A major obstacle to long-range planning by most American colleges and universities today is the lack of assurance that construction programs can be implemented when needed and that funds will be available at interest rates which they can afford. Even though, as a state-related institution, we are eligible for facilities built by the General State Authority of the Commonwealth of Pennsylvania, the proposed legislation would provide more flexibility in our planning. It would enable the University to proceed with long-range development of dormitory facilities, confident that adequate funds at a reasonable rate of interest would be available in the event the State is unable to provide the necessary support.

The benefit to institutions which are not eligible for state assistance would, of course, be even greater.

Sincerely,

Wesley W. Posvar,
Chancellor.

Washington State University,
Pullman, Wash., September 19, 1967.
Hon. William Proxmire,
Senate Office Building,
Washington, D.C.

Dear Senator Proxmire: This is in response to the letter of August 29, 1967, signed jointly by Senator Javits and yourself, pertaining to S. 2000, which is legislation that both of you have proposed as a solution to the chronic college housing shortage. It is our view that this proposed legislation, which is currently being considered by the Banking and Currency Committee, would have a substantial impact on our ability to finance and construct essential college housing facilities on this campus. Our projections indicate that we will need to spend a minimum of $12,000,000 for college housing during the next five years.

The feature of the proposed legislation providing for the Federal Government to make loan differential payments for interest in excess of 3% is highly desirable. The advantage to a student of a 3% over a 5% loan is approximately $90 per school year. This savings is critical, if we are to be successful in our endeavors to curb the rising costs which students attending institutions of higher education are experiencing.

Frankly, we do not feel that the $10,000,000 per year in loan differential payments proposed in this legislation will be sufficient. Because of the considerable demand, $20,000,000 to $30,000,000 per year might be more realistic. We do concur, however, that the concept of differential loan payments will be a valuable contribution to higher education and is urgently needed.

We appreciate the opportunity to present our views on this important legislation.

Sincerely yours,

Glenn Terrell, *President.*

Kansas State University,
Manhattan, Kans., September 8, 1967.
Hon. William Proxmire,
Hon. Jacob K. Javits,
U.S. Senate, Washington, D.C.

Dear Senators: If adequate loan funds for college residence halls for students are not or will not be made available under the present direct loan program, Kansas State University would support the legislation as outlined in your letter of August 29, 1967.

The dual program of direct loans under the present program and the loan differential interest payment program as outlined in your letter has one specific advantage over the present program. Those colleges and universities that cannot now participate in the direct loan program advantageously because of pre-existing bonding arrangements with private investors could, under the differential interest payment program, obtain the same net low interest rate benefits as those institutions who are borrowing directly from the Department of Housing and Urban Development now enjoy.

Kansas State University needs to continue to construct additional college housing on its campus to provide adequate housing for the ever increasing number of students that enroll each year. Although this September we have completed a new dormitory which will house 600 students, we should have another such dormitory under construction this fall and ready for occupancy by the fall of 1969. We have had a loan application ready for filing with the Department of Housing and Urban Development since last January but, as noted in your letter, the Department of Housing and Urban Development has been unable to accept any new loan applications.

Therefore, I would recommend that the Congress enact the necessary legislation to provide adequate loan funds to enable the colleges to secure long term, low interest rate loans to meet the continuing need for additional on campus housing for the ever increasing student enrollment in the nation's colleges.

Sincerely yours,

James A. McCain,
President.

Princeton University,
Princeton, N.J., September 8, 1967.
Hon. Jacob K. Javits,
Hon. William Proxmire,
U.S. Senate,
Washington, D.C.

Gentlemen: Your letter of Aug. 29, 1967, addressed to President Robert F. Goheen, with respect to the legislation (S. 2000) now being considered by the Senate Banking and Currency Committee, has been referred to me in President Goheen's absence from the University.

I know I can speak for President Goheen as well as the University administration generally in endorsing strongly the objectives you seek to obtain through S. 2000. Princeton University has taken advantage of loans for the construction of married graduate student housing under the Department of Housing and Urban Development. Indeed, we have another application which has been tentatively granted for a second grouping of 250 married graduate student units on which we hope to start construction in the very near future. Without such assistance, we would be forced to follow the traditional route of seeking from our alumni, and other constituents, the necessary funds in the form of gifts. In the growing competition for the charitable dollar from many different types of philanthropies, including, I might add, the publicly supported educational institutions, obtaining necessary funds by gifts has become increasingly difficult.

Princeton University has chosen to expand its Graduate School facilities to meet the increased demand for talented manpower with advanced training for Government, industry and education. Costs related to expanding graduate programs are not confined alone to the need for additional faculty, library facilities, classrooms and laboratories. A growing percentage of graduate students are married and, in the typical suburban community, adequate housing to meet their needs is not available. The alternative to requiring these students to commute from long distances is for the institution to provide modest housing for them and their families.

We would strongly endorse your program, which would encourage the participation of segments of the private economy to enter the field of financing student housing. Under the present conditions of the money market, educational institutions would be at a serious disadvantage in obtaining private funds without some assistance from the Federal Government. The valued privilege of tax exemption operates to the disadvantage of tax-exempt institutions in competition for private funds. Tax deductions for interest charges and depreciation are of no advantage to the tax-exempt organization. Also, and more importantly, the clientele for student housing cannot afford to pay a competitive rent structure, and thus most student housing is subsidized to some degree. Heavy interest costs added on top of this subsidy would make it virtually impossible for educational institutions to provide this much needed additional housing.

Again, we would urge a continuation of the present program of direct loans, as well as your proposal to provide loan differential payments, to the advantage of all types of institutions.

Sincerely yours,

Ricardo A. Mestres.

Louisiana State University,
Baton Rouge, La., September 7, 1967.
Hon. Allen J. Ellender,
U.S. Senate,
Washington, D.C.

Dear Senator Ellender: We received a letter recently signed jointly by Senators Javits and Proxmire asking or our comment on the need for Federal assistance in financing college housing.

The unavailability of Federal housing loans and the relatively high interest rates on housing bonds in the open market have resulted in a reappraisal by us of our housing policies and plans for the future. The lack of funds at reasonable interest rates has resulted in our delaying the construction of several housing units during the last year. For those projects that we have had to continue, the high interest rates plus increasing construction costs have resulted in our reducing the quality of housing to some extent in order to keep rental rates to students at acceptable levels. In spite of this, housing costs to students have been increased and will continue to increase so long as financing problems exist and construction costs continue to rise.

We have had applications ready for submission to the Department of Housing and Urban Development to finance dormitories and married student housing for nearly two years now. Of course, as you know, applications have not been accepted since early 1966.

By separate letter we are also calling our severe housing problem to the attention of Senator Long.

Sincerely,

John A. Hunter,
President.

The Creighton University,
Omaha, Nebr., September 7, 1967.
Hon. William Proxmire,
Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Sirs: The Creighton University is very interested in legislation (S. 2000) related to the easing of the chronic college housing shortage.

We believe that a relationship between private investors, universities, and the Federal Government is a very healthy relationship.

We have built four dormitories during the past eleven years and hope that money is available to permit us to build one or two more in the next five years.

We believe that Federal aid in the advancement of undergraduate higher education, for example, through assistance in the building of dormitories, will in the long run be money well spent in the solving of the nation's many sociological problems.

I am sending the same letter to Senator Roman Hruska, Senator Carl Curtis, and to Representative Glenn Cunningham.

Sincerely,

H. W. Linn, S.J.,
President.

University of Hawaii,
Honolulu, Hawaii, September 8, 1967.
Hon William Proxmire,
U.S. Senate,
Committee on Labor and Public Affairs,
Washington, D.C.

Dear Senator Proxmire: Thank you for telling me of the status of S. 2000 having to do with the provision of a greater amount of 3% loan money to ease the college housing shortage. Let me make it abundantly clear that I enthusiastically endorse this bill.

The University of Hawaii has a very serious housing shortage. A study which was done a little over a year ago indicates that the University should build dormitories containing 6,000 beds over the next few years. Whether this estimate is precisely correct or not is a little beside the point because thus far we have not been able to attain anything like this rate of growth in housing facilities.

In common with many public universities we are expected to amortize the cost of dormitories. To do this with the present high rate of interest on the open market places an almost impossible burden on students and their families. S. 2000 undoubtedly would expand to a considerable degree the amount of 3% money available to us. This will assist not only the University but, in turn, the students and their families.

I certainly endorse Senate Bill 2000 and hope it becomes law.

Sincerely yours,

Thomas H. Hamilton,
President.

Michigan Technological University,
Houghton, Mich., September 8, 1967.
Hon. Jacob K. Javits,
Hon. William Proxmire,
U.S. Senate,
Washington, D.C.

Gentlemen: This will acknowledge receipt of your communication dated August 29, 1967 directed to the President asking for an indication of interest on the part of the University in Senate Bill No. 2000, the objective of which is to give greater Federal assistance than is now available in meeting college housing needs.

I can assure you that Michigan Technological University is very interested in legislation that will effect this purpose. At present we have one project at the University now under construction to provide housing for married students on the Houghton Campus and another project on which we will open bids within the near future for completion at Lake Superior State College of Michigan Technological University in Sault Ste. Marie, both projects of which must be financed with private monies at about 5½%. These projects total $1,530,000 and $350,000 respectively.

Moreover, we are presently in the preliminary planning stage for a new men's dormitory complex that will cost an estimated $6,840,000 for which we have, as of this time, no prospect at all for assistance from the Department of Housing and Urban Development in the form of a housing loan.

As you can readily understand, the much higher interest rate on private funds means that the University either limit enrollment or charge board and room rates so high that many students are very hard pressed, if not actually unable, to carry the cost of their education.

We are certain that if Senate Bill No. 2000 were to be passed it would be of inestimable help to our institution.

Yours very sincerely,

R. L. Smith, *President.*

Wayne State University,
Detroit, Mich., September 26, 1967.
Hon. William Proxmire,
U.S. Senate,
Washington, D.C.

Dear Senator Proxmire: Thank you for your letter of August 29 concerning Senate Bill 2000. As you undoubtedly know, many educational associations have supported the principle behind the Bill, and I would like to add that Wayne State University is particularly eager to have it adopted.

We are located in the heart of downtown Detroit with an enrollment of approximately 32,000 students. In the past we have been able to meet our major educational objectives by serving a commuting student population. Recently, however, the needs of our students have changed greatly and we now feel that the commuter does not enjoy equal educational opportunities with the resident student. Approximately 2,500 young men and women have sought to compensate for this by moving into privately owned residences within a radius of a mile of the campus. Many of these houses and apartments are unsatisfactory from almost every point of view except that of closeness to the libraries and laboratories of the University. If we are to meet our responsibilities to the urban population we primarily serve, we must begin immediately with a construction program to provide a minimum number of student residences.

I hope that Wayne State University can carry out a housing program for about 5,000 students over the next several years. Because many of our students come from the less affluent and most disadvantaged families, it is imperative that we be able to finance these residences at the lowest possible cost. I would be very happy to testify in behalf of the Bill, which I feel would not only help our students but which would also assist in rehabilitating an important area of the central City of Detroit.

Sincerely,

William R. Keast,
President.

Reed College,
Portland, Oreg., September 19, 1967.
Hon. William Proxmire,
Senate Office Building,
Washington, D.C.

Sir: We are pleased to respond to your letter of August 29, 1967, and to be able to have the opportunity to tell you of our concern over the difficulty of obtaining satisfactory financing for college housing, and of our interest in the legislation (S. 2000) now before the Senate Banking and Currency Committee.

Approximately 18 months ago, the Board of Trustees of Reed College authorized the College to proceed with the construction of a new dormitory for 125 students. At the same time, they also gave their approval, subject to review, for the later construction of additional dormitories for another 175 students. These decisions were the result of a critical shortage of dormitory space at Reed, which, even after the utilization of substandard facilities and considerable over crowding, resulted in only half of our students being able to live on campus.

This shortage has created serious problems, in that Reed has been a residential school since it was founded, as the result of a firm belief that a residential college offers substantial educational benefits to students that are not found at non-residential colleges. Above and beyond this, we are finding that those students forced to live off campus are having an increasingly difficult time locating adequate housing at a reasonable price and within a reasonable commuting distance. Reed is committed to a gradual expansion of its student body for both academic and financial reasons. As a result, further delay in building new dormitories will only aggravate an already serious problem.

Since the decision to build the new dormitories was made, Reed has taken every opportunity to submit applications for a College Housing loan. We have been advised each time that our application was complete and satisfactory in every respect, but that funds were simply not available.

We have, of course, carefully considered alternative methods of financing the dormitories, but have not found a satisfactory answer. Reed does not have the money itself. The State of Oregon does not have a program to assist private colleges with dormitory financing. Private financing, with its high interest rates and short repayment periods, is prohibitively expensive, especially at schools like Reed that have been forced to raise their tuition to very high levels.

Our concern with this problem is demonstrated by the fact that Reed's Acting President has been corresponding with our Congressional representatives (Senators Morse and Hatfield and Congresswoman Green). This correspondence has concerned the $300 million for College Housing loans that has been authorized by Congress for this year but not released by the Budget Bureau. You are aware, of course, that even when this money is released, it will not begin to meet the demand.

The legislation before your Committee has great merit in our opinion. It would provide desperately needed funds at a cost that colleges can afford, and would do so at a minimum cost to the Federal Government. There is some precedent for such an approach to the problem in, for example, the Guaranteed Student Loan Program.

We would like to note that the legislation now being considered by your Committee would be most effective if it somehow encouraged private lenders to make loans that would be repayable over a 35 to 40 year period, rather than some shorter span of time. Given the financial situation of most institutions of higher education, the total annual debt service (interest *plus* principal payment) is the critical factor in determining whether a particular financing method is feasible.

Because of our previous correspondence with them and their expressions of concern with this problem, we are taking the liberty of sending copies of this letter to Senators Morse and Hatfield and Congresswoman Green.

Sincerely yours,

ROSS B. THOMPSON,
Financial Vice President.

SOUTHERN ILLINOIS UNIVERSITY,
Carbondale, Ill., September 18, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Southern Illinois University supports pending legislation (S. 2000) now before the Senate Banking and Currency Committee which will help to alleviate the chronic housing shortage at colleges and universities.

The proposed legislation, in conjunction with the existing direct loan program, will provide a financing flexibility urgently needed. College housing requirements are changing rapidly. Some universities are increasing their undergraduate programs and need single housing; other universities are expanding graduate programs and need housing for married graduate students. Our housing needs vary between our two main campuses at Carbondale (19,000 enrollment) and Edwardsville (8,000 enrollment).

Our Edwardsville Campus urgently needs student housing, but is partially blocked in its efforts by high rates of interest requiring rental rates which students would have difficulty paying. Our Carbondale Campus has benefited greatly through the years from the College Housing Loan Program and currently does not require additional college-owned housing for single students. We do need married student housing. At the present time 304 apartments are being constructed under the provisions of the FHA 221-D-3 program, with an interest rate of 3 per cent. This housing is being provided for the rapidly growing number of graduate students who could not attend school without apartment rentals in their income range.

The plan as proposed will combine the power of private financial resources with the aid of Government support, and the direct action of the College Housing Loan Program. It will permit flexible programming for all sizes and types of college housing needs which are present and real. Southern Illinois University recommends the approval and activation of this program.

Sincerely,

JOHN S. RENDLEMAN.

UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., September 14, 1967.

Hon. JACOB K. JAVITS,
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington D.C.

GENTLEMEN: This is in reply to your letter of August 29, 1967, concerning the University of California's position on S. 2000.

We favor the plan proposed in that legislation and are urging its adoption as a supplement to existing programs. Our advocacy of S. 2000 is being conducted through the American Council on Education, the Association of State Universities and Land Grant Colleges, and the University of California's Washington office.

As a matter of interest, you may wish to know that we estimate residential housing needs for the nine campuses of the University will total approximately 160,000,000 for the period of the next five years.

If further details concerning the University's position on S. 2000 would be helpful, we shall be pleased to have Dr. Mark Ferber of our Washington office meet with you at your convenience. His office is located at 1310—19th Street, N.W., telephone 462-8818.

Yours sincerely,

CHARLES J. HITCH.

COLUMBIA UNIVERSITY,
New York, N.Y., September 19, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: President Kirk has asked me to acknowledge your letter of August 29 describing legislation (S. 2000) to implement the college housing loan program.

The funds available from the direct loan program have proven quite inadequate. The situation is becoming more and more critical as the colleges and universities try to plan expansion with no means of financing the student housing that is so necessary to accommodate the increasing student population.

Both the short and long term expansion plans at Columbia call for sorely needed student housing facilities. To offer these accommodations at rates that will enable the greatest number of qualified students to apply for admission it is essential that we have access to college housing loans to supplement our own fund raising efforts.

This legislation (S. 2000) now being considered by the Senate Banking and Currency Committee would greatly alleviate the current obstacle—lack of capital funds—and enable us to develop our housing plans with greater assurance of success.

We strongly recommend favorable consideration of S. 2000 and know that its passage will prove to be of inestimable value to higher education in our country.

Cordially,

THOMAS A. MCGOEY.

UNIVERSITY OF COLORADO,
Boulder, Colo., September 14, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: The assistance we have had in the form of Federal loans for student housing at the University of Colorado has been a decisive factor in our ability to provide the facilities which we have constructed. No state funds have ever been supplied and we must borrow to build these revenue funded housing units at the lowest possible cost to the student occupants.

We support wholeheartedly the testimony which President David Mullins, University of Arkansas, presented to the Senate Subcommittee on Housing and Urban Affairs on July 24 concerning the critical need for additional loan funds for college housing and related construction.

We assure you of our endorsement of Senate Bill 2000 as a supplement to the existing authority for direct loans by the Federal government.

Sincerely yours,

J. R. SMILEY,
President.

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover, September 26, 1967.

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: Your interest in providing for an expansion of the College Housing Loan Program is appreciated. I have myself taken a very personal interest in the problems of higher education in the entire country, most recently as the first Chairman of the Education Commission of the States, and more especially in the State of Delaware.

The rapidly increasing costs of higher education are creating financial problems for the students, for the institutions, and for the states. We cannot allow tuition and other fees to increase so substantially that a college education is beyond the reach of many of our citizens. As you are aware, institutional resources are already strained, and the states' sources of revenue are being hard-pressed by financial demands on all fronts. I have been informed and I am especially concerned that the present inadequate financing of the College Housing Loan Program seems to preclude the University of Delaware from getting a $3 million Federal loan at 3% to complete the financing of a dormitory complex we must have in the Fall of 1968. Your proposal to make additional funds available through a Federal subsidy of interest in excess of 3% on loans place in the commercial market would seem to be the most desirable solution from every point of view. Please convey to the Senate Banking and Currency Committee my full support of your bill (S. 2000).

Sincerely yours,

CHARLES L. TERRY, Jr.,
Governor.

UNIVERSITY OF MINNESOTA,
Minneapolis, Minn., September 22, 1967.

Senator JACOB JAVITS,
Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATORS JAVITS AND PROXMIRE: First, I want to express our appreciation to you for your support of our moving off dead center on support for our college student housing shortage. I have seen correspondence from Mr. Charles Schultz, Director of the Bureau of the Budget, in which he expresses the feeling that the statutory interest rate of three per cent has been a significant contributing factor in using up the presently available loan fund resources. Indeed, he states, "It has attracted applications from colleges which could borrow in the private market without having to pay unreasonable interest rates."

It is to this particular point that I want to address myself, but it is the judgment of great numbers of college presidents in the United States that we need to provide college housing at the lowest possible price to students who need access to such housing.

At the University of Minnesota, for example, we find that the typical student who has to live in campus housing comes from a town some distance away from the Twin Cities. He has no choice but to go either into a rooming house or into University-provided housing. This means he does not have the advantage of being able to make the choice of living at home for his room and board. This student's costs start out being almost $1,000 above those of a commuting student. So it is essential that we try to keep prices in our dormitories as low as possible. I simply cannot agree with Mr. Schultz's appraisal of the situation. The extra two per cent or three percent on a student housing loan spread over 30 or 40 years makes a great deal of difference.

In our University of Minnesota situation, we especially need housing and food service facilities at the University of Minnesota, Duluth, and housing facilities at the University of Minnesota, Morris. We already have a 25% appropriation from our State Legislature for both of these projects. On our Twin Cities Campus we have immediate needs for over $3 million worth of married student housing. Viet Nam veterans will be principal users of the more than 200 units this will provide. Nor is our problem unique. We earnestly hope that the Congress will recognize the unbalanced approach being made to some problems of higher education.

Again, I wish to express my appreciation for your support of some deliberate movement in assisting colleges with low interest rate loans for student housing.

Cordially,

MALCOLM MOOS, *President*.

CAMBRIDGE VOTERS SUPPORT U.S. POSITION IN VIETNAM

Mr. CANNON. Mr. President, for the second time in recent weeks an American community has voted in favor of the United States staying in Vietnam until the job there is done.

Yesterday, a majority of voters in Cambridge, Mass., voted in a city-wide referendum for the United States to stand by its commitment. By so doing, Cambridge joins the voters of San Francisco who recently voted the same way.

It is interesting to note that while Cambridge includes the university communities of Harvard and MIT, where there is considerable opposition to the administration's policies, the vote against immediate withdrawal passed by a 3-to-2 margin.

I think this vote is a true indication of how the overwhelming majority of the American people feel about honoring the Nation's commitment in Vietnam.

The meaning of this vote is clear: The American people understand that we are in a war that nobody wants but the Communists in Hanoi. But we are determined to stand fast against aggression until ways can be found to get Hanoi to the conference table.

I regard this vote as an affirmation of the rightness of our cause in Vietnam. I regard it also as a vote of confidence for President Johnson's policies of remaining firm but flexible against a persistent and stubborn enemy who has yet to demonstrate a sincere desire for peace.

CORPORATE ESPIONAGE

Mr. LONG of Missouri. Mr. President, the Wall Street Journal of November 10, 1967, reports that the chairman of Amphenol Corp. has recently charged that someone "bugged" his home telephone. This is believed to be a case of corporate espionage.

The Subcommittee on Administrative Practice and Procedure, of which I am chairman, has held hearings on the administration's right of privacy bill. The bill, which is now pending before the full Judiciary Committee, would go a long way toward protecting the American citizen against this form of private eavesdropping. Although there appears to be some differences of opinion on wiretapping and eavesdropping by law enforcement officers, I believe Senators join me in wanting to prohibit bugging and wiretapping by private individuals.

By way of illustrating one form of private eavesdropping, I ask unanimous consent to have printed in the RECORD the Wall Street Journal article entitled "Corporate Espionage Claimed by Amphenol—Chairman Says Home Phone Was 'Bugged.'"

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CORPORATE ESPIONAGE CLAIMED BY AMPHENOL—CHAIRMAN SAYS HOME PHONE WAS "BUGGED"

(By K. Ames Smithers)

CHICAGO.—Matthew L. Devine, chairman of Amphenol Corp., one of the New York Stock Exchange's most active issues for more than a month, said someone "bugged" his home telephone.

"I believe this to be a case of corporate espionage," he told a news conference. But he didn't name any suspects.

Mr. Devine, whose company makes electronic devices, said the "bugging" unit was a short-wave radio transmitter, about the length of a regular cigaret, that had been inserted into a telephone on the second floor of his home in the Chicago suburb of Winnetka, Ill.

The unit, he said, was custom made. He said it was capable of picking up telephone conversations and transmitting them to a receiving unit five to 10 miles away.

The angered official, who said he would personally pay a $50,000 reward for the arrest and conviction of anyone who participated in the installation, said he could "see no other motive" for the bugging other than "corporate espionage."

"This must also be one of the most sordid examples of this type of espionage that has come to public attention—placing a bugging device immediately outside a husband's and wife's bedroom." He quickly noted, however, that the device was effective in picking up only those conversations spoken on either end of a telephone line. He said it wasn't capable of picking up voices from the general hallway area.

Amphenol stock has been one of the hottest issues on the New York exchange since late September on reports that the company was a target for a merger or acquisition.

SANGAMO ELECTRIC TRANSACTION

In response to the first wave of activity, the company got together in early October with Sangamo Electric Co., and quickly arranged a merger over one weekend. That proposed transaction called for the exchange of Sangamo stock valued then at about $120 million for all of Amphenol's shares outstanding. A week later, however, the merger was called off because the continued advance in Amphenol's stock price, from $37.375 to $44, threw the terms out of kilter.

Even while the merger was still alive, though, Amphenol had another suitor in Solitron Devices Inc., also a manufacturer of electronics devices, based in Tappan, N.Y. Amphenol officials have been aloof to the Solitron bids. Mr. Devine at one point said Amphenol was studying Solitron's operations, but even that study, he said, has since been terminated.

Even so, Solitron is pressing ahead with its acquisition plans. Paul Windels Jr., Solitron's secretary and a director, said in New York that the company is planning to make a tender offer directly to Amphenol shareholders for Amphenol stock.

All during the Sangamo and Solitron courtships, Amphenol stock continued to rise on hectic trading on the Big Board. In early October, when the stock was trading at near $44, Amphenol asked the New York Stock Exchange, the American Stock Exchange and the Securities and Exchange Commission to start investigations.

The stock closed yesterday at $45.50, up $4.25 from Wednesday, on a turnover of 140,700 shares. It was the most actively traded issue on the Big Board yesterday.

Mr. Devine, even while insisting that the bugging of his home phone was "corporate espionage," refused to comment when asked who he thought was responsible for planting the device.

Asked about the reported bugging, Mr. Windels said yesterday in New York that Solitron "knows nothing" about it and hadn't been notified of it by Mr. Devine or Amphenol. "Whoever is responsible," Mr. Windels commented, "we are anxious that the authorities apprehend the wrong-doers."

Mr. Devine said he first became suspicious of possible espionage "during the past weeks," because, he said, "we have had reason to believe that unauthorized information concerning the affairs of Amphenol was being leaked in some manner to persons outside our organization."

DETECTIVE AGENCY HIRED

Last Friday, he said, the company hired a detective agency "to review all aspects of internal security at our company."

Declared Mr. Devine: "In the course of the investigation that followed, a survey was made of the homes of certain of our key executives. On Saturday morning, Nov. 4, at approximately 11 a.m., a 'bugging' device was discovered by representatives of the detective agency in one of the telephones in my home in Winnetka."

Mr. Devine showed the device to newsmen. It was a black cylinder, about 2¾ inches long, with two red wires extending from it. "This device," said Mr. Devine, "had been wired into the telephone mechanism itself. To insert the device the top of the telephone box had been removed."

Mr. Devine said the investigators found that a telephone in a library downstairs "had also been tampered with and also very likely had had a "bugging" device inserted into it." He said screws in the base of the phone had been cut and mangled and the dial mechanism was very loose. But for "some reason or other," this device apparently had been removed.

A MAN AT THE DOOR

The Amphenol officials said, "My wife recalls that sometime in late summer a man appeared at the door of our home and purported to be a representative of the telephone company and asked to check the two telephones in our home. Mrs. Devine admitted him and he remained in our home for approximately 30 minutes."

Continued Mr. Devine: "We have checked with the telephone company and have determined that no authorized representative has paid a visit to our home since April 28, 1967."

The angered chairman said investigators haven't found any similar devices at the homes of other Amphenol officials or at the company's new executive offices at Oak Brook, Ill. He theorized his home was easier to bug than his office, so that is why the spy probably struck there.

Mr. Devine charged, "The person or persons who violated the privacy of my home, by unlawful entry, to carry out this despicable act, and any other individuals who aided or abetted or planned the acts in question, are guilty of serious Federal and state crimes."

Both state authorities and the Federal Bureau of Investigation have been asked to investigate, he said.

"At this point in time I am making no charges against anyone. However, when the full facts are determined, Amphenol, and I personally, intend to institute appropriate civil suits. Somebody will pay dearly for this outrage," he asserted.

TEXTILE IMPORTS

Mr. HOLLINGS. Mr. President, the distinguished Senator from North Carolina [Mr. ERVIN] is so famed as the constitutional authority of this body that it obscures his other talents.

Senator ERVIN is not just concerned with the adherence to our founding charter. He is even more concerned with people. He realizes through years of experience that the desire to work and the ability to work lies at the bottom of most of our ills.

When Government hampers, in any way, a man's ability to work, this is tyranny. The Government's policy toward the textile industry turned, under President Kennedy, from callous disregard to concern. President Kennedy was unable to complete this program and the majority of us here in the Congress are looking to the Johnson administration for its completion.

Earlier I introduced S. 1796 to provide a tool to President Johnson in securing further agreements to protect the jobs of our American textile workers. It has been an inspiration to watch Senator ERVIN in his zeal that right be done for the workers of North Carolina and the several States. No one is better informed on this subject than Senator ERVIN and no one has worked harder and more patiently. I had no sooner drawn my measure than Senator ERVIN joined me. You will notice he is our first cosponsor. He was our lead witness at the Senate Finance Committee hearings 2 weeks ago and some of his thoughts are very cogently expressed in a recent article in We the People entitled "Textiles: The Import Crisis." The membership should read and study these thoughts. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXTILES: THE IMPORT CRISIS

(By Senator SAM J. ERVIN, JR.)

As a result of the reduction on textile tariffs made by the Kennedy round of tariff agreements, and the textile imports which are flooding our nation, the problems which confront our country's second largest industry have become the subject of increasing concern in Congress. Hearings were recently concluded by the Senate Finance Committee on legislative measures designed to protect this important industry, and one bill, S. 1796, which imposes textile import quotas, has been co-sponsored by 67 Senators.

North Carolinians should be particularly concerned because there are 323,000 workers in our State presently engaged in the textile, apparel, and man-made fiber industry. This means, that 52 percent of the total number of manufacturing employees in the State of North Carolina are affected by the present Congressional studies on import quota legislation. In addition to these industrial employees, the thousands of families engaged in the growing and handling of cotton in North Carolina are also affected.

The economic influence of the textile industry is certainly not confined to North Carolina for there are four million jobs throughout the United States representing the fiber-textile-apparel industries. The textile industrial complex is our nation's second largest industry and its economic well being is definitely important to each of us.

For many years, I have been totally incapable of understanding our government's attitude towards the textile industry. For example, one of the greatest problems this nation is having to face is the deficit in our balance of payments. This deficit has persisted over the years and last year amounted to 1.4 billion dollars. Because of our government's policy towards textile imports, total textile products brought into this country last year exceeded exports by approximately 890 million dollars. This means the balance of payments deficit attributable to textile imports is approximately two-thirds of our total deficit, and yet, we continue to allow these imports to flood our nation, killing more and more of our jobs each year.

From July 1966 to July 1967, there were 46,000 jobs lost in the textile industry in this country. Why do we let this continue to happen if by protecting our textile industry and the jobs it represents, we could help solve the deficit in our balance of payments and the growing storm that deficit represents to our nation's fiscal health?

Also, in connection with the agricultural problems which confront this nation, we are engaged in many farm programs trying to bring the earning capacity of the farmers up to a parity with other workers in the cities. However, there has been a tendency on the part of those in charge of our trade policy to ignore the self-evident fact that the best customer which the cotton grower in the United States has is the domestic textile industry. On one side of the fence, we maintain rigid import quotas on cotton, while on the other side, we allow cotton in the form of manufactured articles to enter this country at a rate of over one million bales annually.

Another inconsistency can be found in our government's dealings with the Appalachian Region. On one hand, this nation has been engaged in trying to give Appalachia equal basis with the rest of the country in its efforts to better itself. However, this government's policy towards the textile industry places in jeopardy 26 per cent of all the manufacturing jobs in that area.

In North Carolina most of our counties in the Appalachian Region have over 50 per cent of their total manufacturing employment working in textile manufacturing. In two North Carolina counties, Polk and Rutherford, 89 per cent of all manufacturing jobs are in the textile industry.

Here, as in the case of the deficit in our balance of payments, and in the case of the relationship between our cotton growers and our textile industry, we have a contradiction in terms. While the government is attempting to lift the level of the economic state of the people in Appalachia, it is following a trade policy which has exactly the opposite effect, and which has a tendency to deprive the means of livelihood from those who work in the textile industry in Appalachia and immediately adjacent to Appalachia.

It seems to me the only sensible course for this government to pursue is to take steps that will preserve the entire textile industry—cotton, synthetic and wool. I feel that the obligation we owe to our own country has to be greater than we owe to the four or five nations that are currently supplying most of our textile imports. The fact is that these imports are not entering our country because the textile industry is more efficient elsewhere. They are entering this country for one reason: the labor costs are cheaper And they are cheaper because of working conditions we would not allow in the United States.

For example, an American textile worker is paid five times as much as the Japanese performing exactly the same function. Hourly wage rates in other countries that are large exporters of textiles are: Singapore 17 cents; Hong Kong 29 cents; and Portugal 19 cents. Our textile industry has tried to modernize to meet these challenges, but no efficient management could overcome these wage differentials.

I am certainly not a trade isolationist; however, we must encourage reasonable and workable international trade policies. We cannot allow the tragic consequences of a trade policy which could destroy a major American industry and millions of jobs only because a foreign country offers nothing more than low wages.

I agree with former Secretary of State, Cordell Hull, who was one of our greatest experts on foreign trade, when he stated that the only satisfactory trade between nations in the long run is based on the principle of reciprocity; and that any trade based on this principle has to be, in essence, an exchange of surpluses. The United States should make trade agreements with other nations under which we export goods which we produce in surplus quantities and import goods which we cannot produce or cannot produce effectively.

As Secretary of State Hull pointed out, any trade policy which encourages the importation into the United States of goods which we already produce in surplus quantities has three inevitable results. The first is that American investors are denied a fair return upon their investments. Second is that an American industry is denied its domestic markets, and the third is that American working men are deprived of their jobs.

Even though those who advocate imports at the expense of American domestic economy are usually pictured as altruistic individuals actuated by righteous motives, the truth of it is that those who import from abroad and those who manufacture at home are actuated by the same motive: Profit incentives. The importer who seeks to import at the expense of the loss of American jobs and the domestic markets of American manufacturers wants to sell cheaper imports at profit in the United States; and, of course, the American manufacturer and the American worker desires to make something as a result of their efforts. The difference is that the importer is willing to make his profits even though it entails a loss to American manufacturers and the destruction of the jobs of the American worker to the benefit of workers in foreign lands. So, the motives are the same and they are lofty ones despite the tendency today to decry the profit motive. I think the man who manufactures at home and wants to see that he is allowed to retain his domestic markets and who furnishes jobs to Americans, certainly is performing, as far as our country is concerned, the greatest service to our country.

I happen to believe that St. Paul spoke the truth when he said in the 8th verse of the fifth chapter of the first epistle to Timothy: "But if any provide not for his own and especially for those of his own house, he hath denied the faith and is worse than an infidel."

Accordingly, when it comes to trying to promote the prosperity of the textile industry and retain the jobs for 323,000 North

Carolinians who earn their livelihood in that industry, I am going to stand on St. Paul and I think it is not only carrying out good sound economy as far as the United States is concerned, but involves a high standard of righteous conduct.

The American textile industry deserves a chance to compete with its foreign rivals on equal terms and I believe we should act now to make it fair by setting up a system of import quotas on textile products. After the reduction on textile tariffs made by the Kennedy round of tariff agreements, we are left with little choice but to impose these import quotas.

In this regard, I was glad to join Senator Hollings when he introduced S. 1796, a bill to impose quotas on the importation of textiles. Briefly, this bill would limit the importation of textiles in any year to a base period level plus an adjustment to reflect increases or decreases in the consumption of textiles in the United States market. This would establish a reasonable volume for textile imports and would establish the machinery necessary for orderly growth in the future.

Additional Executive studies are fine, but I strongly hope we will enact S. 1796 as soon as possible. By not doing anything, until the ultimate injury has taken place and our textile industry has been liquidated and the loss of jobs has become permanent, this government will be guilty of making the sick patient die in order to prove that he is suffering and needs help. I hope we will help the patient now.

THE SOUTH: LAND OF ECONOMIC OPPORTUNITY

Mr. TALMADGE. Mr. President, we are exceedingly proud of the tremendous economic advancement that has been made in the State of Georgia and other States of the South in recent years In just about all areas of industrial and business activity the growth rate in Georgia and the Southeast has exceeded that of almost all other States and the national average

For example personal income has been steadily rising and statistics show that wages and salaries received in Georgia increased more than 104 percent in a 10-year period between 1956 and 1966. It is heartening indeed that the South is now regarded as the Nation's No. 1 land of economic opportunity, rather than the country's No. 1 economic problem, as it was just a few short decades ago.

At the same time, much remains to be done. One of the gravest inequities that exists is the difference between wages paid in some major industries in the South and those paid in other parts of the country, although there may not be any significant difference in the cost-of-living index.

Major industrial and business wages paid in the South fall considerably short of the national average, and it is important to the continued economic prosperity of people in the South that this disparity be eliminated and that the wage gap be closed. I am confident that in the interest of what is just and fair, every effort will be made to do so as fast as is reasonably possible.

MILITARY PROCUREMENT PROCEDURES

Mr. DOMINICK. Mr. President, I have had growing concern over the increasing percentage of our military procurement which is accomplished without open competition. Certainly, in some instances, national security reasons might justify some such noncompetitive actions, but when the average percentage of noncompetitive procurement reaches 86 percent, and the 100 largest business firms continually get a larger and larger share of our military procurement, there is cause for alarm.

I discussed this matter previously during my remarks on September 19, September 28, and October 4, 1967. I began delving into this situation last year when one of my constituents—Custom Packaging Co.—a small business firm in Aurora, Colo., which developed a shoulder-borne, portable, recoilless flame weapon, was given what I felt was very unfair treatment by the Army. After expending its own funds to develop and demonstrate the weapon to the Army, Custom was low bidder on the invitation for bids for the initial development of the weapon. The Army, however, awarded the development contract to Nortronics, a division of Northrop Aviation, at more than double the price bid by Custom Packaging Co.—costing the taxpayer more than $200,000 above the low bid by my constituent.

Looking into other Army procurements, I found a pattern: Whenever procurement was open to competition, the price was reduced dramatically.

This was true in the case of the AN/PRC–25 radio set where the unit price dropped from $2,156.91 each in the first production contract to less than $600 per unit when exposed to open competition.

It was true in reverse with the AN/GRA–6 control chest set. From May 1961, through June 24, 1964, the Army bought this control chest set under six different contracts at unit costs ranging from $145.50 to $200 each. Since June 24, 1964, this equipment has been removed from open competitive procurement and the price has more than doubled. The most recent award announced January 19, 1967, by Commerce Business Daily in the total amount of $1,220,665, shows an average unit price of $418.94 for this same equipment.

There are literally hundreds of these cases which need investigation. With my limited staff, I certainly cannot undertake such a large task, but I hope this can be done by the appropriate committee of the Senate.

I am also greatly concerned about one practice I have discovered being carried out by the Navy which, if allowed to continue and expand, could completely destroy open competitive procurement in the future. This involves a practice called "leader-follower" procurement procedure. It is an incredible story:

The Naval Research Lab, Washington, D.C., scored a breakthrough in airborne transponder development in late 1964 and early 1965. The Naval Research Lab assigned the nomenclature APX–72 to its transponder, which was more than 95 percent developed "in-house" by the Navy. A transponder is a small electronic device mounted in an aircraft which emits a signal permitting ground stations or other aircraft to identify it as friendly or hostile and can itself similarly interrogate other aircraft.

In April 1965, the Navy awarded a contract in the amount of $58,000 to Bendix Radio Division, Baltimore, to "polish" or "package" the unit into a mass-produceable model. The value of the contract with Bendix was increased to $124,000 when a requirement was added for several more prototypes and to make some minor improvements to meet the military's AIMS program.

Less than a year later, Bendix delivered a model to the Navy which was flight tested and conditionally approved for production, although certain improvements were still needed which the Navy felt could easily be made while preparation for volume production was underway.

Bendix Radio was only one of several major firms working to develop a new, lightweight, flexible transponder. Several of these firms working with other services, had been persuaded to invest their own money into this development on the promise that whichever new transponder was eventually chosen, all competing firms would have an opportunity to bid on volume production of that transponder.

The Navy persuaded the Department of Defense that the Navy-Bendix transponder was superior to others in development. And in June 1966, Bendix was very quietly given a sole-source production contract for 2,300 APX–72 transponders. "Urgent need" was cited as justification for the sole-source contract and first production units were due for delivery in June 1967. It was thereafter decided by the Navy Department to award Bendix an "extraordinary" type of contract called a "leader-follower."

Under this arrangement and without any of the usual notification through the Commerce Business Daily, Bendix's extraordinary contract provided that Bendix was to be given a contract for 8,500 additional units of the APX–72 transponders with the further proviso that of the entire total of 10,800 units, 40 percent would be shared with—or subcontracted to—a "follower" company whom Bendix would take under its wing. The Navy justified this approach on two grounds: First, that in the normal course of events Bendix would not have a data package for almost a year. But by having a Bendix handpicked "follower" to understudy the initial production, at least 6 months time could be gained in getting a second source into production, and, second, being able to hold Bendix responsible for the quality and precision of the "follower's" product, complete interchangeability or commonality could be assured.

The absence of a technical data package is open to question because Bendix issued such a technical package to its component subcontractors and to potential "followers" at the time of solicitation.

In its second point, the Navy admitted, in effect, that it did not have the ability to demand or obtain from manufacturers performing Navy contracts equipment common with or identical to the same equipment, turned out from identical drawings by another manufacturer.

A further part of the agreement between the Navy and Bendix is still more disturbing. This agreement with Bendix held that to perpetuate the commonality feature on future production, Bendix and its handpicked "follower" would be permitted to share all future production. This is no small factor when you consider that the APX-72 is destined to be the transponder on all military aircraft in the future and will be bought in a civilian version by the Federal Aviation Administration.

The first notice that anyone had of these proceedings came in May 1967, when the fact was announced in the Commerce Business Daily that Bendix was conducting competition to choose the "follower." Bendix announced that it would require a complex management and technical proposal to be submitted within 10 days. Other requirements listed by Bendix were so restrictive that all small business firms were discouraged from bidding. Bendix also held a bidders conference and disclosed at that conference that Bendix intended to put a Bendix team in the "follower's" plant to keep an eye on production. Furthermore, Bendix would demand detailed cost figures and other similar data. At this point, a number of major firms dropped out, unwilling to have a competitor given access to so much information which normally is confidential within the company itself. The result was a further limiting of competition.

Bendix was unable to work out a satisfactory contract with the eventually chosen "follower," Wilcox Electric Co., of Kansas City, until November 8, at which time Bendix itself had been able to deliver only 10 units instead of 200 units of the APX-72 as scheduled. Although the Navy has refused to disclose the "follower" price officially, the Navy has said unofficially that the follower price is just under $2,200 per unit. However, the Navy-Bendix price, which will be higher than the "follower's" price to Bendix, is still under negotiation.

There is obviously no real meaningful competition involved in this procurement, either with regard to price or in the choice of producers—and it is equally obvious that there will be no meaningful competition in future contracts under the Navy's proposed procedure. The current Navy plan to limit production to Bendix and Wilcox Electric Co., in effect, hands a free patent to a private contractor for exclusive production in perpetuity of an item developed not only taxpayers' expense, but by Government personnel.

The finality with which the Navy views this transaction is evident in the response received by the Senate Select Committee on Small Business from the Honorable Graeme C. Bannerman, Assistant Secretary of the Navy, Installations and Logistics. Mr. Bannerman said, and I quote:

> Your comment that small producers of transponders, not participating in the current procurement will, to all intents and purposes, be foreclosed from supplying transponders to military departments in the foreseeable future, applies only to this particular transponder.

Since this particular transponder is to be the unit installed in all future military aircraft and the military need has been projected in the first 5 years at 30,000 units and will cost in excess of $70 million, it seems to me that this entire transaction is open to very serious question, and I would hope that further investigation might be conducted without delay.

FAILURE TO RATIFY HUMAN RIGHTS CONVENTIONS HAS TARNISHED U.S. IMAGE

Mr. PROXMIRE. Mr. President, I continue to be mystified by the Senate's immobility in the matter of ratifying the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, and the Political Rights of Women.

There have been a number of times in our history when the Federal Government has required some determined direction and prodding from American citizens and loyal organizations to reach some necessary goals.

I have, for many months now, continued to speak in the Chamber and ask that the Senate vote ratification of these treaties and halt the embarrassment being suffered by our country.

It was just over 3 weeks ago when I said that we would have the opportunity to go on record, not only approving the Slavery Convention, as we did, but all the Human Rights Conventions.

Not to proclaim to the world our genuine faith in our own culture and social and political ethics is sheer folly. We must set the example and end our professed righteousness.

The United Nations long ago adopted as necessary human rights goals, a number of conventions—all dealing with basic human equities.

The goal for the ratification of these conventions by all Member States of the United Nations is 1968. The failure of the Senate to ratify the remaining conventions would be a national shame.

It is indeed a perplexity to see this continuing failure to demonstrate responsibility for endorsement of the exact basic ingredients which distinguish our idea of government from all and any types of tyranny.

President Kennedy reminded the Senate in 1962 that the fact that our Constitution already assures us of these rights does not give us license to remain free of the need to ratify these ideals. Again, our failure to act is a terrible mistake being noted by both friendly nations and those of totalitarian beliefs. Our national prestige has been badly damaged and our inaction is being shaped into a convenient piece of propaganda by those who do not share our basic regard for human concern. Our image is not bright and is in need of refurbishing.

I once again urge the Senate to vote into the written record of this forum the ratification of the Human Rights Convention on Forced Labor, Freedom of Association, Genocide, and the Political Rights of Women.

THE COPPER STRIKE

Mr. FANNIN. Mr. President, during the Thanksgiving recess in Arizona, I was reminded again and again of the plight of mining community families as a result of the protracted copper strike. I was impressed with an editorial in the Chicago Tribune which brought into clear focus the monopoly power of certain labor unions involved in this copper strike. The editorial pointed out the relationship between the monopolistic power of the labor unions in England and that country's serious economic difficulties culminating in its need to devaluate its currency.

I ask unanimous consent that this editorial be placed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Nov. 28, 1967]

MONOPOLY POWER IN THE COPPER STRIKE

For more than four months the nation's copper industry has been paralyzed by a strike of 50,000 unionists, most of them members of the United Steelworkers. The Steelworkers union absorbed the old Mine, Mill and Smelter Workers of America last July 1 and now heads a coalition of 26 unions in the bargaining with copper producing and fabricating companies.

The strike has attracted little attention because, until now, stockpiles of copper have prevented a shortage. But inventories are nearly exhausted, and if the shutdown continues much longer the nation's economy will suffer and production for war needs will be endangered. The danger point would have been reached earlier except for increased government purchases of foreign copper.

One issue of the strike is the unions' demand for industry-wide bargaining, which means agreements that disregard differences in production costs from plant to plant. The companies oppose industry-wide or company-wide bargaining, as well as mining company settlements tied to manufacturing company settlements. The producers are aware that copper is an international commodity, and much of the United States supply comes from abroad, even in normal times. Copper also faces competition from other materials such as aluminum, plastics, and stainless steel. A recent report by the Chase Manhattan bank noted that consumption of copper has been declining, particularly in western Europe, and the industry faces the prospects of a surplus.

Under these conditions the unions are not exercising common sense when they make demands that would raise costs to a point where jobs would be destroyed. The first demands were for wage increases and other benefits amounting to more than $2 an hour. The companies offered 48 cents. The unions sat tight for three months, then made a counter-proposal which the companies estimated would cost $1.35 an hour. Industry bargainers calculated that even 90 cents an hour in a three-year contract would be equivalent to an increase of 8 per cent annually.

The Steelworkers union wants a settlement at least as good as the 6 per cent annual raises won from Ford and Chrysler by the auto workers. Even more important, the Steelworkers want to set a pattern for coming negotiations with the can manufacturing industry, the aluminum industry, and eventually the steel industry.

So bargaining no longer is between one union and an employer. It is no longer even between one union and all the employers in one industry. It is bargaining between one union and many industries.

The word for this is labor union monopoly power. Labor unions in England, with monopoly power, were able to jack up wages steadily, which drove up prices and brought the country to its present economic plight. The United States is headed in the same direction.

CREDIT BUREAUS AND PRIVACY

Mr. LONG of Missouri. Mr. President, during the course of the hearings before the Subcommittee on Administrative Practice and Procedure on invasions of privacy, and specifically our inquiry into the proposed National Data Center, we began to realize that our Government maintains considerable files on the activities of American citizens. A great deal of information comes from private credit bureaus.

Early next year, the subcommittee intends to hold hearings on the relationship between these private credit bureaus and the Federal Government, and its potential impact on the proposals to create a National Data Center.

The November issue of the Reader's Digest contains an article entitled "What the Credit Bureaus Know About You." I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

What the Credit Bureaus Know About You

(The depth of detail may surprise you—but it's all-important to your credit rating)

(By Joe Alex Morris)

A secretary recently signed an agreement to rent an apartment in Washington, D.C. She gave the usual references. When she returned to the rental office later to complete the arrangements, she was handed a lease to which a form was attached, listing her employer, her monthly salary, and other data including the fact that she had once let a bill go unpaid for three months. She was reading the report when the rental agent snatched it back. "That got there by mistake," he explained. "It's just routine. Everybody gets checked on."

The young woman was indignant. "Doesn't a person have *any* privacy these days?"

Many Americans would have the same reaction if they knew what inquiries are made, and what information is exchanged, each time they open a charge account, finance a new automobile or arrange payments for having the children's teeth straightened.

The system that enables prospective creditors to know so much about you is based on the more than 2500 local credit bureaus scattered throughout the United States. Some of these bureaus, servicing stores, banks, finance companies, hospitals, doctors and businessmen, are privately owned; others are cooperatively owned by those who use their services. Credit bureaus are designed to protect their members from the four percent of credit applicants who grossly neglect payment and the one percent who try to skip out without paying. The great majority of the local bureaus—about 2100—belong to the Associated Credit Bureaus of America, Inc., an organization which facilitates the exchange of information about you if you move from city to city. ACBA members maintain files containing information on about 110 million American citizens. The chances are that one of those files has your name on it.

This is so because credit and the demand for credit information have expanded tremendously in recent years. Most Americans today live on credit—on their future earnings—with about 60 percent of the average individual's net income going to credit obligations of one form or another. "When I was young," says the credit manager of a famous New England store, "I bought a $100 overcoat on credit. The store notified my employer, and he called me in for a harsh lecture on the evils of owing money. But today, if you paid cash here, some of our clerks wouldn't know what to do with the money. Credit has become a way of life."

This "way of life" has added millions of individual records to the files. It has also brought the credit-bureau system under scrutiny by the House Government Operations Subcommittee, which is currently studying invasion of privacy.

WHAT'S GIVEN OUT?

When a credit-granter asks about you, if you've always paid your bills promptly, the information given from your file may be only your name, address, marital status and bank references, plus a notation of your bill-paying habits. But if you plan to charge a large amount, buy on the installment plan, borrow money, rent an apartment, or perhaps if you seek a new job, more information about you will be requested. Then the bureau may supply, from your file, data on such things as: your job, how long you have held it, a record of past employment; your monthly salary (or approximation thereof); number of dependents; your living accommodations—owned or rented—and how long you have lived there; your approximate bank-account balance; a record of loans, mortgages, installment purchases or other debts, and how you have paid them; any legal involvements and their results.

Your file might also be used to compile personnel reports which some bureaus will make for their members. For example, a New England electronics firm recently was considering an engineer for a job as assistant to the president. He appeared well qualified. But a credit-bureau investigator found that he had twice quit well-paid jobs to join rival companies in the same highly competitive field. The president of the electronics firm interpreted this as lack of loyal to his employer. The man was not hired.

Bureaus normally do not *rate* your credit; they supply facts on which the credit-granter can make his own decision. There might, for example, be a notation without comment in a man's file that he is paying off loans on three automobiles in the family—a relevant fact if his circumstances appear to warrant only one or two. Or there might be a notation that he is—or is about to be—divorced. A store credit manager might find that important. Wives sometimes load up in department stores just before filing for divorce, running up large bills for which both husband and wife may later disclaim responsibility.

Who supplies the Information? You, of course, supply certain facts when you fill out a charge-account application. The references that you name supply further information about you. Additional information comes from other local credit-granters who, when they join the bureau, agree that they will supply pertinent data on all buyers-on-credit—such things as slow-payment or nonpayment habits in bill-paying, bad checks or "overloading" (that is, credit purchases that seem excessive in relation to the subject's income).

In addition, credit bureaus collect information on you from public records, such as real estate deeds, tax liens or court actions. Large bureaus also maintain special staffs to scan newspapers and to file pertinent data, such as obituaries, business failures or a husband's announcement that he will not be responsible for his wife's debts.

Bank transactions are strictly confidential. But when you give your bank as a reference, you thereby authorize it to provide the bureau with general information to support your request for credit. Thus the bank may report that you have a checking or savings account "in the middle three-figure category" or "in the low four-figure category." Or if you have borrowed money, mortgaged your home or bought on the installment plan, the bank may provide the bureau with general information, including your repayment habits.

Who Sees Your File? Credit bureaus are not regulated by law, but their members, who pay annual dues of $25 to $50, must be legitimate credit-sellers and agree to keep all information confidential. Each credit-granter has a code number with which he must identify himself to the bureau. The bureau will not automatically supply a subject's entire record, but will give out only the information needed by the credit-granter, who pays a fee for each inquiry.

For example, the Credit Bureau of Greater New York maintains eight million individual files, and gets about three million inquiries a year from members, mostly by telephone. It charges a member 55 cents for "in file" data on a subject's paying habits and any litigation involving him, plus a check on two of his references. If a report on the subject's occupation and business connections is also requested, the price is $1.10. If a report on mortgage loans is wanted, the price goes up to $4.50. If the subject recently moved to New York, the bureau will supply a credit report from his former place of residence for $2.80. Special reports on prospective employes or on business transactions cost a minimum of $10 plus expenses.

In providing such data, most local credit bureaus use a standard ACBA fact form which says: "This information has been obtained from sources deemed reliable, the accuracy of which this organization does not guarantee. The inquirer (member) has agreed to indemnify the reporting bureau for any damage arising from misuse of this information. It must be held in strict confidence." Courts have held that such credit information is privileged as long as it is held confidential and not used maliciously.

Despite such precautions, credit-bureau information necessarily is available to a considerable number of authorized persons. A large city bureau, for instance, may have 300 to 400 employes with access to some files. The New York bureau has 3,000 credit-granters, most of whom have several employes with authority to call for information. Certain law-enforcement agencies, and some federal agencies such as the Federal Housing Administration, can get information from credit-bureau files.

It is also possible for a nonmember to pay a fee and get information from many credit bureaus, if he can establish a logical business reason and will sign an agreement to keep the data confidential.

Are There Mistakes? Most credit bureaus require members to agree not to reveal specific data to the subject reported on. Although an individual cannot see his record to check its accuracy, the bureau will give him a general idea of why he has trouble getting credit, and often will suggest ways to improve his situation. For example, the owner of a small radio shop in New Haven was recently refused a charge account at a department store because of very slow payment of bills over a two-year period. He called at the credit bureau and told an investigator that he had been incapacitated as the result of an automobile accident, but that he had recovered and was now back in his shop and doing well. The investigator confirmed his story, adjusted the file to show all the facts, and the department store restored the man's credit.

In another recent case, a New Jersey man visited his local bureau and explained that his credit rating was low because he had gone bankrupt in 1961. However, he said, he had since opened a drive-in movie theater, was doing well, and wanted to get his credit upgraded. The bureau manager agreed to help, but a search of the record showed that the man had "forgotten" to say that he had also gone bankrupt in 1954. (One can declare bankruptcy again, but only after seven years). A record of the apparent attempt at deception was entered in the files.

One man was refused credit because his file contained an outdated record showing that he had been sued for nonpayment of a bill. The fact was that the suit had been brought 15 years earlier by a racketeering agency which sent him publications that he had never ordered. The suit had been thrown out of court—but that information was not in the file.

There have also been instances when a man's credit was damaged because his record was confused with that of another person with a similar name. ACBA officials hold that errors, while possible, are rare, and will be adjusted immediately if brought to the bureau's attention.

Many, but not all, bureau managers believe that efficiency, accuracy and effectiveness of credit reporting will be improved as a result of automation, which the ACBA is pushing. Pilot projects have been started at the Dallas and Houston bureaus. The proposed ACBA network of computerized centers would, by 1972, give local bureaus (and some large grantors of credit) almost instant access to credit records across the continent. It would enable bureaus to keep files updated automatically with member-supplied information, help pinpoint individuals who are overextending their credit, and reduce the cost of obtaining information for credit-grantors.

How to Maintain a Good Rating. Since credit is an increasingly important fact of life, the individual is well-advised to take his credit record seriously. Experts in the field recommend the following practices:

1. Pay *all* bills within 30 days or according to agreed terms.

2. If you are unable to pay bills on time because of illness or some other legitimate reason, arrange with your creditors for a delay.

3. Don't exaggerate favorable facts on credit applications, and don't omit unfavorable facts. Honesty and sincerity are important to credit managers.

4. If you are moving to another city, ask the local credit bureau to forward your file. It will save time and avoid complications when you open new charge accounts.

5. If you are refused credit, consult your local credit bureau. It will gladly advise you on steps to establish your credit.

STRAWBERRIES FROM OREGON

Mr. MORSE. Mr. President, Senator HATFIELD and I are very pleased to announce that in the Senate restaurant on Friday there will be strawberries from Oregon which have been made available to us through the courtesy of Mr. R. E. Ward, assistant general manager of United Flav-R-Pac Growers, Inc., of Gresham, Ore.

We both very much hope that Senators and their guests will find this product of Oregon to be as good as we are convinced that it is. We hope that it will not be the first nor the last time that they will be able to enjoy it.

NATIONAL GRANGE CELEBRATES 100TH YEAR

Mr. RIBICOFF. Mr. President, last week the National Grange concluded its centennial session. It is typical of the Grange that instead of dwelling on its proud 100-year history, it looked ahead, to the problems confronting rural and urban Americans alike.

As the Nation's only rural-oriented organization, the Grange correctly assigned itself the major task during the next century of leading rural America into a more fruitful relationship with urban United States.

The Grange at its national convention in Syracuse this year recorded among its goals parity of income, opportunity and public service for rural residents through the acceleration of programs geared to producing more job opportunities and new medical, water and sanitary facilities for rural areas.

The 620,000-strong farm-rural organization also called for a new national land policy aimed at improving rural communities and conserving natural resources, as well as effective farm programs that include nonrecourse loans to stabilize markets and support farm commodity prices.

These goals reflect the traditional, forward-looking quality of the Grange. The Order of Patrons of Husbandry—Grange—was created out of the frustration of farmers to obtain a fair share of the Nation's economic benefits. Its ranks swelled in the 1870's as it became identified as the organization which was out to break the tenacious grip the railroads and other monopolies then had on the economy of the country.

Grange grassroots efforts led to the so-called Granger laws, which established—through Supreme Court interpretation—the now taken-for-granted concept that the Federal Government had the right to intervene in behalf of the people whenever it appeared that corporate actions endangered the public welfare. From these laws sprang the Sherman Antitrust Act and legislation creating the Interstate Commerce Commission.

The rollcall of legislation fostered by the Grange embraces acts that helped mold modern America: legislation establishing our current system of interstate highways; creation of Agriculture Department services that brought much-needed technical assistance to the local farmer; establishment of our parcel post system and rural free delivery; extension of electricity and telephone service to rural America; and the basis for the historic Food and Agriculture Act of 1965.

Connecticut has played a key role in the development of the Grange since its inception. William Saunders, the first master of the National Grange and one of its seven founders, had his first job in my State as a gardener. He later became superintendent of propagating gardens for the Agriculture Department and his office became the founding site of the Grange.

Furthermore, Mr. President, our State master, Kingsley Beecher, of Winsted, last week was elected a national officer—assistant steward—of the National Grange. In addition, Mrs. Donald K. Peck, of Litchfield, is the longtime and able national director of women's activities—formerly known as the home economics committee—for the National Grange.

In terms of membership, Connecticut ranks eighth among the 38 States which have State granges, with 27,158 members in 186 granges.

Mr. President, I would like to take this opportunity not only to commend the National Grange and the Connecticut State Grange and its local granges for their outstanding contributions to this country, but I would like to extend to the National Grange, on its 100th birthday December 4, best wishes for an equally productive second century of service.

REFERENDUM SHOWS THE AMERICAN PEOPLE DO NOT SUPPORT WITHDRAWAL FROM VIETNAM IF IT MEANS THE REWARDING OF COMMUNIST AGGRESSION

Mr. BYRD of West Virginia. Mr. President, for those who wonder aloud what the position of the American electorate is on the American presence in Vietnam, the recent vote in Cambridge, Mass., and an earlier vote in San Francisco, Calif., should answer all questions.

Voters in Cambridge recently voted 3 to 2 against withdrawal. In San Francisco, a similar proposal on ceasefire and withdrawal was soundly beaten 2 to 1 in early November.

The consensus is clear. The vast majority of American voters support America's continued commitment.

The vast majority of Americans are demonstrating with their votes and their voices that America's obligations will be kept.

The vast majority—the so-called silent center—is making its desires known.

It is significant that Cambridge, Mass., is a university center, and this is where we have told that the great dissent is taking place across America.

What do the dissenters say now, when one of their own university centers has, in effect, voted strong support for President Johnson's Vietnam policies?

In my opinion, this vote merely reaffirms the fact that the United States will not be bluffed out or talked out of its commitment to freedom. And I take these votes in Cambridge and San Francisco to be concrete proof of that fact.

FOREIGN POLICY AND TRADE RELATIONS

Mr. HARTKE. Mr. President, Mr. William Janeway has written for the Spectator magazine of November 3 a thoughtful article on the manner in which the administration has chosen to deal with both Congress and the rest of the world in the area of our foreign policy and trade relations. Mr. Janeway has seen the gap between what the administration has said it was doing in these fields and what has in fact been achieved. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMERICA: BARRIERS UP

(By William Janeway)

Four months after the conclusion of the Kennedy Round trade negotiations, the Finance Committee of the United States Senate is considering a sheaf of bills which would impose quota restrictions on nearly 40 per cent of American imports. William Roth, the President's Special Representative for Trade Negotiations, reflected general Administration concern when he warned that the bills could undo what was accomplished at Geneva and even reverse the postwar trend towards freer trade. Backing him up, five Cabinet members, starting with Dean Rusk, have been sent up to Capitol Hill to testify against the proposed legislation and the President has put his own prestige directly on the line with a diatribe against Congressional protectionism.

The White House, in fact, has panicked. Three circumstances account for the fact: the nature of the sponsorship of the legislation; the case set forth by the sponsors; and, above all, the wider issue which the fight over trade liberalization has raised. The legislation before the Finance Committee is the joint product of Senator Everett Dirksen—Republican leader, Vietnam Hawk and the President's one remaining envoy to Congress—and Senator Vance Hartke—a Great Society Democrat whose opposition to the Vietnam escalation is as explicit as is his position among those Democrats from whom the President has deliberately dissociated himself. In both policy and political terms, the union of Dirksen and Hartke constitutes a consensus.

Moreover, trade liberalisation is an issue on which the Administration is vulnerable. The Trade Expansion Act 1962, under whose aegis the GATT Kennedy Round talks on tariff reductions were held, and agreement eventually reached, was grossly oversold throughout its five year statutory life. First, Britain's exclusion from the Common Market made irrelevant its one truly revolutionary provision, under which the President was empowered to eliminate tariffs entirely on goods of which more than 80 per cent of world trade was accounted for by the US and the EEC. The relatively minor reductions in tariffs on manufactured goods which were finally negotiated came as a triple disappointment: the size of the proposed cuts were far less than had been promised over the years; no progress at all was made in freeing agricultural trade where the US could only gain and where the Administration had fully committed itself to Congress; and, even to get the agreement which was reached, the executive branch had to commit the legislative branch to reduce, on a non *quid pro quo* basis, America's non-tariff barriers to trade.

The gap between the Kennedy-Johnson Administration's promise to revolutionise trade relations and its actual performance has engendered a belief in Congress that the Executive gave up interest after interest in Geneva in order to gain an agreement, any agreement, which could be claimed as a victory. Three additional factors contribute as well to the strength of the Finance Committee's case. The first is the latent protectionism always present to some degree in Congress. The second is the dramatic rise in imports of such basic industrial commodities as steel products, whose American producers are well organised to influence Congress on both the labour and management sides. And the third is the growing recognition that the orthodox commitment to free trade is increasingly irrelevant: cartel-oriented, nationally backed competitors in Europe and Japan do not accept the principles of free trade; the haphazard integration of the western economy thanks to American foreign investment raises problems undreamt of by the theoreticians of free trade; and, as well, the needs of the developing countries appear to require some sort of specific trade discrimination in their favour.

Thus the specifics of the challenge with which the Administration must deal grow out of disillusionment with the Administration's handling of trade liberalisation, plus old-fashioned protectionism and, in addition, a more sophisticated view of the problems of trade policy today. But the varied merits of the Finance Committee's case cannot alone account for its sweeping acceptance to date. As with every other political and economic issue in Johnson's America, the underlying significance of the struggle over trade liberalization grows out of the Vietnam war.

What Dirksen and Hartke have done, in fact, is to identify a major issue of foreign policy on which every member of Congress may feel free to assert the legitimate prerogatives and responsibilities of the legislative branch, as many cannot feel free to do on Vietnam itself. The depth and extent of the Congressional revolt against two years of unilateral Presidential foreign policy-making may be measured by the response to the Dirksen-Hartke initiative.

The immediate threat to Britain and to the world due to the outbreak of economic nationalism in America depends upon two open questions: what sort of restrictive trade legislation (and some legislation seems certain) is finally passed and whether or not the President will veto such legislation despite the political pressures of an election year. It is at least conceivable that the Congressional revolt could make the Kennedy Round agreement a dead letter before any major party to it, besides the United States, has formally adhered to it. For the longer term, Britain and the Free World are on notice that economic nationalism is on the rise in America, the product of the isolationism which the President has chosen for himself vis-a-vis Congress and which he has imposed upon America vis-a-vis the rest of the world. Certainly the prospects for further trade liberalisation or for any such new departures as Atlantic Free Trade appear now to be nonexistent.

THE RISING PRICE OF PROTECTIONISM

Mr. JAVITS. Mr. President, I invite the attention of the Senate to an excellent editorial, entitled "The Rising Price of Protectionism," published in the November 24 issue of the Wall Street Journal.

The editorial shows the very important connection between the stability of the dollar and the drive for import quotas on textiles, steel, lead and zinc, dairy products, and other commodities. Not only would they endanger our trade surplus by inviting retaliation by other countries against our export but, as the editorial puts it:

> Foreign countries would be likely to regard the import curbs, at this particular time, as a desperate measure to defend the dollar. Their confidence in America's currency, far from rock-solid as it is, would be further weakened.

The editorial further states that protectionist legislation would also weaken the already fragile ties among Western nations and weaken confidence in democratic governments as "one special interest after another is able to persuade government to do its bidding."

I strongly urge Senators that before we embark on an extremely dangerous road toward dismantling our trade policy and nullifying the Kennedy round—the results of which were sent to Congress by the President yesterday—let us carefully consider what the consequences would be for our Nation and our people.

I ask unanimous consent that the Wall Street Journal editorial be printed in the RECORD.

I also ask unanimous consent that the President's message, transmitting a copy of the multilateral trade agreement signed in Geneva this June and summarizing the great benefits that these negotiations can be expected to bring to this Nation over the next 5 years, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Nov. 24, 1967]

THE RISING PRICE OF PROTECTIONISM

Britain's devaluation of the pound provides a fresh reason to resist the pleas of the steel, textile and other industries for new import quotas. It points up the fact that a plunge back into protectionism could have repercussions that are not solely economic.

The economic impact alone could be bad enough. In fact it's rather ironic that Congress can resist the Administration's tax surcharge plan and at the same time seriously consider imposing hidden taxes on consumers, taxes paid through the higher prices that import restrictions would bring.

There is, moreover, no getting around the truth that the curbs amount to subsidies to certain favored domestic industries. Either quotas or tariffs tend to distort markets, promote misallocation of resources and lessen the pressures for increasing industrial efficiency.

With the pound's devaluation raising questions about the stability of the dollar, a move to curb imports would also attack what has up to now been the strongest element in America's international accounts, its excess of exports over imports. Other nations would be sure to retaliate with restrictions against exports from the U.S.; some are already planning steps they would take.

Outside the area of pure economics, foreign countries would be likely to regard the import curbs, at this particular time, as a desperate measure to defend the dollar. Their confidence in America's currency, far from rock-solid as it is, would be further weakened.

On a political level, a stepup in international trade warfare—and that's exactly what the protectionists are inviting—would fray the already fragile ties among Western nations. The friendlier the trade relations among countries, the easier it is for them to work together in other endeavors.

Besides the heavy economic costs at home, a new outburst of protectionism could, if pushed far enough, actually weaken our nation's democratic principles.

A system of import quotas, after all, usually does not evolve from any thoughtful, overall study of a nation's economic condition. Instead it grows willy-nilly as one special-interest group after another is able to persuade government to do its bidding.

Government thus takes on one of the aspects of totalitarianism: Blatant economic discrimination. In a number of countries in recent years, trade favors have been won not merely by loud and persistent lobbying but by covert payoffs. Such a situation may seem remote for the U.S., but when any government has valuable privileges to dispense, the danger of corruption cannot be completely dismissed.

Then, too, trade restrictions can discriminate in favor of certain areas of a country, since a region often specializes in one or more favored products. Canada, for instance, has tried to protect the industries of Ontario and Quebec; this has led to barriers against Canadian exports, making it more difficult for other, raw-material-producing provinces to sell abroad. The result has been, in some degree, disruptive of Canadian unity.

Even so, a move toward protectionism, once started, is often difficult to reverse. Domestic oil producers already are shielded by a quota system; now they would like stronger barriers. The textile industry already has quotas on cotton goods; now it wants to extend them to practically all its products.

Congressmen, being human, can find the pressure pretty heavy. Many of the adverse effects of import quotas are not easy to see, and the impact on consumers is spread over millions of Americans, touching few of them hard enough to get them to fire off letters to their lawmakers. The pro-quota forces, on the other hand, are well-organized and financed and lobbying powerfully.

Members of Congress, however, supposedly represent all the people, not a few favored industries. We can only hope they will recognize that protectionism's price, too high in any case, now has become more prohibitive still.

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to Section 226 of the Trade Expansion Act of 1962, a copy of the multilateral trade agreement signed in Geneva on June 30, 1967.

The agreement brings to a successful conclusion what we all know as the Kennedy Round of trade negotiations. It fulfills the purposes and high hopes of the Trade Expansion Act passed by the Congress in 1962.

The documents contain a mass of detail. On paper those details appear dry and technical. In reality they represent new factories, more jobs, lower prices to consumers, and higher incomes for American workers and for our trading partners throughout the world.

These decisions recorded in these documents rest on solid experience. The remarkable post-war expansion of international trade brought strength and growth to the free world economy. It enriched the lives of people everywhere—and thus it served the cause of peace. We and our trading partners had an enormous stake in the further removal of trade barriers. Trade expansion would continue to benefit us all—the more so because of our growing prosperity. Protectionism and trade wars would hurt us all—the more so because of our growing interdependence.

This report celebrates the wisdom of these decisions and the success of this tremendous effort. As a consequence, international trade can continue to be the world's biggest growth industry. We must continue to provide leadership in international trade policy to realize its vast potentialities and share fully in its benefits.

The results of the trade negotiations are of unprecedented scale. We received tariff concessions from other countries on between $7½ to $8 billion of our industrial and agricultural exports. We reduced duties on about the same volume of our imports. The gains will be even greater in future years as world trade grows.

In approaching the trade negotiations, two fundamental standards governed our actions.

First, we sought—and achieved—reciprocity in trade concessions. Our consumers will benefit by lower import costs. Our export industries will benefit by greater market opportunities abroad.

Second, we sought to safeguard domestic industries that were especially vulnerable to import competition. We accomplished this through procedures worked out in accordance with guidelines wisely established by Congress in the Trade Expansion Act.

On October 21, 1963, we issued the first of a series of public notices of our intention to negotiate. Public hearings were held by the Tariff Commission and by the interagency Trade Information Committee. From these hearings, and from special studies carried out by the Office of Emergency Planning, we were given advice on each article under review for possible concession. When this expert examination revealed that a particular industrial and agricultural product was exceptionally vulnerable to import competition, it was withheld from negotiation. These background studies also guided our negotiators in determining how large a concession we could reasonably make on each item.

Because of the care exercised in these preparations, the selectivity with which redeductions were made, and the fact that most of these reductions will come into effect gradually over a 5-year period, we can be assured that the vital interests of American labor, agriculture and industry have been safeguarded.

Throughout the negotiations my Special Representative for Trade Negotiations worked closely with the bipartisan Congressional Advisors.

The thoroughness of our preparation has borne fruit. As we made many concessions, so did our leading trading partners—the West European nations, Canada, and Japan. The major features of the basic agreement illustrate its depth and potential benefits.

Tariff cuts of 30% to 50% on a very broad range of industrial goods. For example:

Canada reduced tariffs on a wide range of machinery from 22.5% to 15%, on metal furniture from 25% to 17.5%, and on coal from 10% to zero.

Japan cut tariffs on bearings and parts from 25% to 12.5% and various types of radio transmission apparatus and parts from 20% to 10%.

Great Britain cut its tariffs on American electric typewriters from 16% to 7.5%, on circuit breakers from 16% to 8%, and on air conditioners from 12% to 7.5%.

The nations of the European Economic Community cut tariffs on U.S. pumps and compressors from 12% to 6%, on refrigerating equipment from 10% to 5%, and on automobiles from 22% to 11%.

Agricultural concessions that will open new trading opportunities for our farmers and set a valuable precedent for bringing the benefits of competition to world agricultural trade. For example:

Canada eliminated all tariffs on American apples, halved its tariff on orange and grapefruit juice from 10% to 5%, reduced its tariff on tallow from 17.5% to 10%.

Japan reduced its tariff on soybeans from 13% to 6%, on turkey from 20% to 15%, and on prunes from 15% to 10%.

The European Economic Community cut tariffs on dried peas and beans from 9% to 4.5%, on variety meats from 20% to 14%, and on unmanufactured tobacco from 28% to 23%.

Great Britain cut duties on soybeans from 5% to zero, on variety meats from 20% to 10%, and on raisins from 7.5% to 3.5%.

We gave comparable concessions on a wide range of products that we import. From them, we will gain the opportunity to choose from a wider variety of consumer goods, industrial materials, and capital equipment at lower prices.

Other parts of the Geneva agreement will also promote trade and encourage economic growth in all free world nations. These are:

The basic elements of a world grains arrangement. This understanding provides for higher minimum trading prices and a program under which other nations will join us in the task of supplying food aid to the undernourished people in many of the developing nations.

A significant accord on antidumping procedures. This accord—consistent with existing American law—binds our trading partners to insure fair procedures to American exporters, while safeguarding American industry.

Progress in dealing with particular commodity groups. A 3-year extension of the Long Term Cotton Textile Arrangement was concluded. Useful approaches were developed in negotiating tariffs for steel, aluminum, chemicals, pulp and paper.

A separate bargain on the American Selling Price issue. The U.S. stands to gain additional tariff concessions on chemical exports and liberalization of some European non-tariff barriers in exchange for abolishing the American Selling Price System of valuating certain chemicals. This package will require special legislation.

Significant benefits to the developing countries. Those countries will get help from the food aid provision of the grains arrangement and from concessions they received from all industrial countries on export products of particular interest to them.

Each member of the Congress has already received a copy of the Report on United States Negotiations. This report summarizes the concessions granted by other countries and the results of special multilateral negotiations in the Kennedy Round. It also lists all tariff concessions granted by the United States in the Kennedy Round. An additional report will soon be transmitted showing the tariff concessions each of the major Kennedy Round participants granted on principal commodity groups in the negotiations.

I expect to issue a proclamation shortly making the reductions in the United States tariffs effective beginning on January 1, 1968. I shall seek the advice and consent of the Senate regarding United States participation in the World Grains Arrangement. International agreement on this arrangement was recently reached in Rome as a consequence of the understanding on grains negotiated in the Kennedy Round.

Finally, I shall submit to the Congress a Trade Bill to make effective the American Selling Price agreement in the Kennedy Round, to revise the Adjustment Assistance Program for firms and workers, and to provide authority that will enable us to make further progress in promoting world trade.

The Geneva Conference set a solid record of achievement, unmatched in world trade history for its constructive and beneficial results. The results represent a monument not only to our late President who gave the negotiations his name, but also to another great American, the late Governor Christian A. Herter, whose inspiration and leadership guided us through the difficult first three years of negotiations.

I commend this agreement and these reports to your attention.

Lyndon B. Johnson.

The White House.

SENATOR CHURCH'S AMENDMENT TO THE FOREIGN AID BILL

Mr. FULBRIGHT. Mr. President, I was pleased to see a news item by Mr. Sam Ochiltree, published in the Idaho Daily Statesman of November 2, concerning the amendment of the distinguished Senator from Idaho [Mr. Church] to the foreign aid bill. It is encouraging to know that the efforts of Senator Church to reduce world tensions by bringing the arms sales program under control have not gone unnoticed in his home State press. His dedication, perseverance, and hard work paid off in what I consider to be one of the most significant changes Congress has ever made in the foreign aid program.

I might add that the Senator from Idaho was also instrumental in cutting back very substantially the amounts requested for military assistance and supporting assistance. He has rendered yeoman service in bringing about a more effective and economical aid program, geared to the realities of the world and the needs of our own society.

I ask unanimous consent that the

article from the Idaho Daily Statesman be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHURCH OUTRACES LOBBY IN SEEKING TO CURB SALES OF WEAPONS TO NEUTRALS

(By Tom Ochiltree)

WASHINGTON.—Despite the pressure of administration lobbyists, Sen. Frank Church, D-Idaho, appeared Wednesday to have a good chance of winning a major victory in his campaign to check the sale of American arms to under-developed countries.

It seems now that the Senate is determined to dig in its heels and insist that the House accept Church's amendment abolishing the Defense Department's $383-million revolving arms sales credit fund.

Sen. J. William Fulbright, D-Ark, chairman of the Senate Foreign Relations Committee, said so far as he is concerned he would rather have no foreign aid authorization bill at all than give way on this point.

SUPPORT PLEASES

Aides said Church, presently engaged in courthouse conferences with constituents in Idaho, was pleased at this support from Fulbright.

The Senate conferees, of whom Church is one, had offered to agree to postpone liquidation of the revolving fund from Dec. 31 to next June 30, but this was turned down by the House conferees.

Congressional liaison men from the State Department and the Pentagon have urged restoration of various Senate cuts in military assistance and have directed their heaviest fire at Church's amendment. They have convinced the House conferees that abolition of the revolving fund would mean that countries in Latin America, the Middle East and elsewhere would turn to foreign arms and that United States influence would decline in those areas.

SENATE PASSES BILL

The Senate passed the foreign aid authorization bill on Aug. 17 after a debate that revealed particularly strong support for Church's amendment. The House version, passed on Aug. 24, provided for the revolving fund.

Conferees from the two chambers have met 10 times. They have split the difference in the total authorization between the Senate's $2.6 billion and the House's $2.8 billion to arrive at a figure of $2.7 billion.

But they remain hung up on various aspects of arms aid and particularly on the revolving fund amendment.

If the revolving fund ultimately is dropped, the result would be to kill the Pentagon's program of using the export import bank to finance arms sales to underdeveloped countries. Pentagon and state department sources have argued that foreign nations cannot borrow money for American arms on their own and that the loans must be guaranteed.

EISENHOWER AND BRADLEY ON VIETNAM

Mr. BYRD of West Virginia. Mr. President, last evening the Columbia Broadcasting System presented a special program entitled "Who, What, When, Where, Why," which took the form of an interview with former President Dwight D. Eisenhower and Gen. Omar N. Bradley on the Vietnam conflict.

I ask unanimous consent that a verbatim transcript of this interesting and enlightening program be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

WHO, WHAT, WHEN, WHERE, WHY: EISENHOWER AND BRADLEY ON VIETNAM

(Broadcast over the CBS Television Network, November 28, 1967)

Reporter: Harry Reasoner.

Executive producer: Burton Benjamin.

REASONER. The two men you see walking behind me are the only living Five-Star Generals in the United States Army. Dwight D. Eisenhower, the 34th President of the United States, was the Supreme Commander, Allied Expeditionary Force in Europe during World War II. His West Point classmate in 1915, Omar N. Bradley was the GI's General, in Africa, Sicily, Normandy and on to Victory in Germany. General Bradley has just returned from Vietnam. In the former President's office, in Gettysburg, Pennsylvania, we talked to Generals Eisenhower and Bradley about Vietnam.

Gentlemen, most conversations about Vietnam, these days, begin with a classification of the people talking. . . . Would you say you were Hawks or Doves, Mr. President?

EISENHOWER. I'm neither, and I'm certain that General Bradley isn't. As a matter of fact, I don't believe our country is . . . And that's the reason I deprecate the use of the word for the individual. A "Hawk" is a predator, and neither the individual nor the United States wants to seize somebody else's property; and a "Dove" is usually a helpless prey of a predator. I don't want to be either.

REASONER. Would you agree, General Bradley?

General BRADLEY. Yes, sir, I do. Exactly.

REASONER. What about this new Committee that I believe you're Co-Chairman of, General Bradley. It's called the "Committee For Peace With Freedom"?

BRADLEY. Well, some of us have felt for some time that the whole picture is not being presented to the American Public. The tendency in news is to print the sensational and the bad . . . I suppose that's what people buy papers for, or listen to TV about. But they leave out the good part of the War, and why we're fighting, and what we're fighting for—and morale of the men . . . The good parts they don't print. We think the Committee can do some good.

REASONER. Would you say, Mr. President, that this was the most unpopular war this country's ever had?

EISENHOWER. Well, I think in many ways it is. But remember this, we have not declared it a war, and therefore all discussion can be very argumentative and is completely free. . . . Historically, look at the number of people that were killed in New York City during the Civil War in resisting the Draft. . . . And there was a tremendous movement for Peace in the North . . . And if what you aptly call the "Doves" of that day, if they'd have had their way, why we'd have been a fragmented continent, and certainly no nation like we are today.

REASONER. As well as the war being somewhat unpopular . . . A lot of polls indicate that people don't approve of the way the President is handling it. Assuming we've got the war, do you think he's handling it properly?

EISENHOWER. I don't believe anyone is in a position, that isn't living this problem all the time, to criticize in detail the conduct of this war. Now General Bradley and I had quite a bit to do with one war, and both of us have been criticized, I think, for what we did or didn't do. But these critics didn't know the problem. They didn't know what the situations were then, and none of us, I think, can really live this thing. . . . But I do know this, that there are always going to be critics of the conduct of the war, during it and after it's done. . . . And I think that most of 'em would be better advised to wait and look for the facts, and do more thinking, rather than talking.

REASONER. I'd like to get back to the history of this for a moment, Mr. President. One of the things we hear a lot about is your famous 1954 letter to President Diem, offering help.

EISENHOWER. Yes.

REASONER. How did you see that at the time? Did you envisage a military operation?

EISENHOWER. Well, I didn't at that time. . . . For this reason: Laos was causing much more trouble than Vietnam, and when I turned over to President Kennedy, I had two long talks with him about that situation. But at that time, Vietnam was not giving us real concern. Except that Diem—he believed in Nepotism. He trusted his sister-in-law and his brother, and that's about all the people he would talk to. And we were trying to correct that situation. Otherwise, we weren't going to worry at that time.

REASONER. I think there's another thing that's been confused in people's minds . . . the fact that we did not sign the Geneva Accords.

EISENHOWER. Well, this has been called a great mistake. Actually, we, at Geneva, pledged in good faith, that we would support the decisions reached there, about the protection of this particular—or this general area. But I, after talking with Foster Dulles, I suggested to him, myself, that we not sign it. Because I didn't want to put my name on some paper that was surrendering a considerable area, and it is a considerable area, to the Communists. And I believed that would provoke 'em only to further action. And while people like to—to deprecate and make fun of the so-called "Domino Theory", I think there is no question, whatsoever, that any success with the Communists just breeds the opportunity for the next success. And you can see where that could happen in Asia, if we let it go.

REASONER. After the Geneva Accords, when the elections were scheduled in 1956, the assumption was that Ho Chi Minh would have won by about 80% of the vote. We were probably instrumental in seeing that those elections were not held. Was that the reason, Sir?

EISENHOWER. Well, I think it was really Diem, himself. Like we said, it just wasn't time. But I think we agreed to it. But there's this about it, at that time we had a dictator that was now controlling more than half the country. And with a great deal of his population, he would get 100% of the vote. Now, Diem would have to take the elections—absolutely free, and so therefore the whole thing would probably be free. Now, on the surface, they might have been free all across the country, but not with the Communists operating as they do, in the areas they were then occupying.

REASONER. I think that one thing that puzzles a great many people is that we don't even have any agreement among the Generals on the war now. We've got a couple of Generals here, that are in agreement. But a number of your colleagues, General Bradley, are "Dovish", or at least would disagree with your views. How do you explain that division among professional military men?

BRADLEY. Well, I don't think they understand it. Our whole public is confused about this war, and I think that includes some of the Generals. I know I just could not visualize the situation until I went over there. . . . The first thing that strikes you, is how you get round. You used to jump in a jeep or something, now you go everywhere by helicopter. . . . You fly, and you come down and land in a place held by our troops, and maybe with VC all around—a considerable distance, or close, as the case may be—and you don't just get out and go up to a front line and say, "Well, over there is the enemy, and here are friendly troops". You do that in little spots, yes, but you just don't know where the enemy is. And that, to me, was the first thing that hit me. You used to get good intelligence reports, the enemy was in such and such a place, and he was usin' such and such loads, and so on. Now, your intelligence reports are very piecemeal. You have to put 'em all together, and try to find out where there is a battalion, and to go out and try to locate him and scatter him. But it's just confusion, even on the battle-field. In a way. Of course, they know what they're doing. But I mean, when you first look at it, for an observer, you say, "Well, what's going on?" . . . And then you dig into it and you find out. . . . We're used to seeing progress on a map. For example, when President Eisenhower and I were in Europe, our map was probably published in the papers every day. You could see it going forward. That's a great satisfaction, to have to move your command posts forward. But over here, you don't do that. You don't have a line, but your progress is marked by the fact that you're placing more and more of the population under Government control. And you make it more and more difficult for the Viet Cong and the North Vietnamese to function effectively. . . . It's just going to take patience. We don't have much patience in this country. We're used to getting things done in a whale of a hurry. And you can't do it that fast over there.

REASONER. I suppose one of the problems is fighting it out in the open. Would you have been handicapped, for instance, if you'd had to announce your troop strength on D Day?

EISENHOWER. My Goodness! Or your plans, or anything else? Man—or when you're replacements are coming, or when you're reinforcements are coming? Why of course you'd be handicapped. Matter of fact, in war, there is certainly one truism that is still correct; and that is, "never tell your enemy anything." And if you have to tell anything publicly, to us, today the enemy can see it in his dispatches of that evening. Our reinforcements, or what we intend to do, or what our new weapons are, and anything else. I've never—I'd certainly had someone before a court if that'd ever happened in my Theatre!

REASONER. Is that an argument, sir, for having Congress declare war now?

EISENHOWER. Well, I think, here—I—I—I've proposed a question once in awhile. Some people have said I advocated it, and I don't. Because I'm not intimate enough with the political dangers and risks that the other people see. Now, I will tell you this . . . I—I discount any attempt of either Russia or China coming into this war on a major basis. I discount it because Communists operate on the basis of their own plans. Whether they be aggressive, or for the moment they want to be quiescent—whatever. They do not do this by reaction, or some firm action they see elsewhere.

REASONER. Mr. President, you said you can't fight a war with "gradualism." How do you mean that, sir?

EISENHOWER. The first principle of war is to win quickly, because it's the time that you're engaged in the thing that brings about the costs and particularly in blood as well as treasury. And I think that if you're going to appeal to force, and disregard all international means of getting this thing settled, then get all the force you can as quickly as you can.

REASONER. You'd feel it was possible, then, sir, to win the war—militarily. . . . Of course, some people say you can never win . . .?

EISENHOWER. You know we've had defeatists in every war we've ever had. If you go back to 1942, just after Tobruk had fallen, and Bataan had fallen, why the people in this country—Look, I was then Operations Officer in the War Department, and we had cities sending in telegram after telegram—hysterically calling for aircraft defenses. They were just shouting for Regiments of Anti-Aircraft artillery. We didn't have any. But nonetheless, that was the kind of thing that happens. And people say, "Oh, you can't win. What are we going to do? Better stop right here!" Well, that's silly. And I say, of course they can do it. . . . I talked to General Westmoreland just a couple of days ago. And he pointed out, even when he got his earlier forces, when he got up to 184,000, he didn't have any logistic or what the soldiers call "infra-structure." He didn't have it set up. So he had to spend his first Army in developing the necessary logistic arrangements. He has now six deep ports. And he has even pipelines, running from the Coast up to the places where he might have to concentrate, and he's got a splendid logistic range—system . . . and now, the soldiers that he gets are fighting, because he's got this already preparatory work that—all through 1965, apparently occupied most of his soldier's and most of his time.

BRADLEY. Seeing all this base he's built up caused me to suggest that we invite Ho Chi Minh down and let him see all of this fine base we're working from. I think he'd be very discouraged . . . if he really had a truthful report about what we have now, ready to function from.

REASONER. It's all true, isn't it, sir, that our Vietnamese don't fight as well as their Vietnamese. Why is that?

BRADLEY. I wouldn't say that. I don't think that's an accurate assumption. . . . No, we always give credit to the VC, for example, for being such terrific fighters, and we say that sometimes about Communists in other places. They seem to be more imbued with desire for success than our people. I don't think it's necessarily so. The South Vietnamese are making good soldiers. They're fighting for their country.

EISENHOWER. Not only do I agree with that, but I want to point out this . . . All reports, including Bradley's from out there, talk about the wonderful morale of our soldiers. Now, we've always thought that the morale of an Army, a fighting Army was supported by the enthusiasm and the sound support of its population. Now, they are giving us all an example, of Fortitude, Courage and Gallantry. In doing things that they believe are necessary. And you find in every one of their letters—and I get quite a few of 'em myself—and they are talking about "We know what we are doing, but we don't understand about these 'kooks' and 'hippies' and all the rest" that are talking about surrendering—get out of this country. They're—I think that their morale is something that most of us ought to think about a little bit more, and remember the sacrifices that they are making.

REASONER. General Bradley, I want to get back to the war itself for a moment. What about the bombing, sir? Isn't it true that bombing has never really won a battle?

BRADLEY. Bombing in itself. But it's a great contribution to your ground results. For example they estimate that at least 500,000 people are being kept busy in North Vietnam, manning the guns, supplying them, and repairing the damage. Well, if they weren't being diverted doing that, they might be coming down the trail to act as ground troops. And furthermore, they're having to fire, they estimate over there, that a hundred times as much ammunition is fired at our planes as is fired at our . . . as on the ground . . . You can multiply the ground fire by 100 and you also have some more troubles. And they can't get those supplies down as quickly as they can. They lose a lot of trucks and cars and they have to haul a lot of it by hand. Carry it on their backs. All of that reduces the amount of effort against our ground troops, which after all, is where we will eventually be successful—or I suggest that we usually are. It's usually the ground action that's decisive. But the air makes a great contribution to their success. It always does.

REASONER. Mr. President, we've had a series of quite optimistic statements lately, General Westmoreland, Ambassador Bunker, and some others. There have been periods like this before, when the Government exuded optimism. Do you think that's helped to confuse the American people?

EISENHOWER. The predictions are probably honest, when the man makes them. But it's just a dangerous thing to do. But now, you notice these last predictions of Westmoreland, and what we've been hearing these last few days: They say, "In two years, we'll be seeing the end of their final deterioration"—that is the beginning of the end. . . And this is a very cautious prediction, I should think. Because they are making real progress. But I think the—very glowing predictions made a couple of years ago, here and there, and this came from some Generals, I think, as well as some civilians, I think that did help to confuse the Americans very much.

REASONER. Mr. President, I wonder about the effect on the nation of a long period of war, or preparation for war. And I think back to your final address where you warned about the dangers of a military-industrial complex. Has that danger been increased by the Vietnamese war?

EISENHOWER. Well, of course it has. We have lived so long that the thing we must remember is that we must not become a Garrison state. . . . Now, strangely enough, this little talk that I made, has caused, I think, so far as I'm concerned, more correspondence, and more questions. But the fact is, when you've got a manufacturer, who is wholly dependent upon military supplies, and you have a Congressman, each wanting a military facility in his own District. When you've got the military forces, in order to get on with the job, each wanting more of its particular kind of a thing, you have a tremendous influence in this country. We don't like what we see happening; but the fact is we have to do it. And all I was urging, and still urge, is that for the average citizen to watch what is happening, and seeing whether he's being bulldozed a little bit—or confused, if you want to put it that way, but also we have a whole horde of Americans who are being advantaged by being so deep in this war-like effort.

REASONER. General Bradley, what do we do now? Do we go on doing what we're doing? Is there something else we could be doing?

BRADLEY. Well, I think so. Unless we want to declare war and go and invade North Vietnam, and I don't think any of us are in favor of that. I sometimes think we talk too much about trying to get them to the negotiating table. I think we should say that once, and then shut up. Because they take it as a sign of weakness. They think we're in a bad way. And intelligence indicates that's what's keepin' 'em going, is the attitude here in the States; which is similar to the movement that started in France—opposition to the war, it grew and grew, until finally France got out of Vietnam. They're counting on the same thing here. And I just don't believe the American people are that weak. I think their fiber is stronger than that, they're not going to give up and get out. And, as soon as the Communists realize that, maybe we will have a stop—cessation in the fighting.

EISENHOWER. You know, Harry, one other thing. This respecting of boundary lines on a map. I think you can overdo it. Now we don't want to invade North Vietnam and destroy it, but they're right down in the DMZ and right north of it, and now it seems to me, if we wanted, to put on an operation that would get this menace eliminated, I think this wouldn't be invading—then this would be removing a thorn in our sides. That's the way I look at—war—I think you do too.

BRADLEY. In other words, you're suggesting, one operation might be to make an end run around—the DMZ—and knock their artillery out——

Eisenhower. That's right, either from the sea, or from the hills——

Bradley. —from the hills. In other words they didn't respect the DMZ that was put in there and everybody was supposed to stay out of there. They disregarded that agreement and they came on through and built up in it, and shoot over it right behind the protection—maybe we should—who with. I'm not saying let's do it, but it's something we certainly have to consider——

Eisenhower. No . . . But what I'm saying is, that sort of sacrosanct idea of a line on the ground that no one can see, but it's on your maps, and you must respect it in—to the ultimate . . . This, I just don't agree with . . . and this is not an invasion, this is just removing an annoyance, and a menace. Now, I don't care where this happens. As far as I'm concerned, I would be for what we call "hot pursuit", even in the air—if—

Bradley. Or on the ground?

Eisenhower. Hm? Or on the ground, that's right. And if you're chasing some people and they just step over into Cambodia or Laos, I wouldn't—it wouldn't bother me. I'd go at 'em as long as they'd come in there in the first place. And in the same way, the air. If an airplane attacked me, and we wanted to chase him, I'd go in wherever his base was. As far as I'm concerned.

Reasoner. Including China?

Eisenhower. Yes, Wherever his base comes. As a matter of fact . . . This was the first . . . difference that I told 'em we would make in the Korean War, unless that—Armistice was promptly signed, then we were going to do this . . . And I think it's just only defense—self-defense, that all it is . . . If you come in my house, to do some—burglarize me—and I start chasin' you, I—I think I got to chase you anywhere as long as I know you're the guy . . . That's what I think here.

Reasoner. Thinking back to Korea, Mr. President brings up another question. A lot of people think that Ho Chi Minh is waiting for next year's election. And they believe that in the case of Korea you were able to do things to settle the war that the incumbent couldn't have done or another Democrat couldn't have done. Do you think that there will be a change in the war as a result of our election?

Eisenhower. I would doubt it. I'll tell you . . . This is what I believe . . . I think that a thing that has gone on in the International World, I don't care what the problem is, if it's gone on for months, and been tacitly accepted by everybody, it's pretty hard to change it and make it aggression on your part. You see? So, while we are weary of this thing in Korea, we let it be known to the Communists that we were not going to be bound by some of these so-called "Gentlemen's Agreements" or understandings—common understandings . . . I don't believe that there would be much change in the actual conduct, because apparently, Westmoreland has about as many troops as he would like, or as he's asked for. Personally, I would like to see him have another 100,000 to just clean this thing up more quickly.

Bradley. Speed it up, yeah. . . .

Eisenhower. Yes, speed it up. Because, as I say again, the costs of war are measured largely by its length. It's endurance. Because you—all the preparations you have, even in a small war are pretty heavily—heavy. So I would like to see it get over, and I would like to give him everything that he thinks he needs. And I think that any method—the only change that I could think of—that a change of Administration might make.

Reasoner. Do you think the War will be a serious factor in the campaign?

Eisenhower. Well, certain things, I'm sure. But I do think that they—they will be people who will go over the history of the whole thing, and probably want to criticize conduct . . . because that's—that's par for the course. And I would be amazed if it didn't happen. But I don't believe that there will be any challenge made of the character; "We ought to get out now, and we're fighting for the wrong purposes. . . . We're fighting—to use Bradley's phrase . . . "we're fighting a right war at the right place".

Reasoner. General Bradley, Mr. President, thank you very much.

RETIREMENT OF MRS. SUANEE DUSENBURY AS MANAGER OF SOCIAL SECURITY OFFICE IN FLORENCE, S.C.

Mr. THURMOND. Mr. President, it is my pleasure to call to the attention of the Congress the long and distinguished record of public service of Mrs. Suanee Moorhead Daly Dusenbury who will retire December 1, 1967, as office manager of the social security district office in Florence, S.C., following 31 years in this important position.

Few citizens in our Nation can claim a record of service such as that compiled by Mrs. Dusenbury. In addition, she has excelled as a citizen of Florence and has made numerous contributions to the welfare of her State and Nation.

A native of Seneca, S.C., Mrs. Dusenbury received an A.B. degree from Winthrop College in 1919 and began her career as a public school teacher. In 1920 she married Julian D. Dusenbury, an attorney, and three sons were born of this marriage prior to Mr. Dusenbury's untimely death in 1931.

During this time Mrs. Dusenbury was president of the Florence County Council of Farm Women for 6 years. She also was vice president of the State Council of Farm Women for 4 years and State citizenship chairman of the State Council of Farm Women for 4 years. The first time our State legislature was ever presented with any mention of vocational guidance, Mrs. Dusenbury brought it to their attention when she was vice president of the South Carolina Council of Farm Women.

In 1933 Mrs. Dusenbury was appointed as a member of the Reconstruction Finance Corporation Council for Florence County, on which the members served without pay. The function of the council was to establish the RFC relief organization and to put it into operation. Upon Mrs. Dusenbury's motion, while she was with the RFC, the first school lunch program in America was instituted. A delegation from Washington came down to study the program, which later became a national project.

When Mrs. Dusenbury's youngest son commenced school, Mrs. Dusenbury felt that it was possible for her to take a job outside the home. In 1933 she was appointed director of the department of public welfare of ERA, Florence County. Mrs. Dusenbury had the responsibility of organizing the new department.

In August 1933, the National Reemployment Service office opened and Mrs. Dusenbury commenced her duties as manager. At that time, her son Julian went to Washington as a page in the U.S. Senate, when he was 12 years old, serving from 1933 to 1937.

In 1936 Mrs. Dusenbury left the national reemployment service to become manager of the Social Security Administration at Florence. At the time she took the position, social security was a new program, and her duties included organization of the Florence office. The office of which she is now manager has jurisdiction in seven counties in South Carolina. Mrs. Dusenbury commenced the operation of her office with a staff of four people, and the staff has grown since then to 41, with two branch offices in other counties. The seven-county district which she supervises includes Chesterfield, Darlington, Dillon, Florence, Horry, Marion, and Marlboro Counties. The area has a population of 354,000 people. Some 37,554 people in the area are currently receiving Social Security checks, which total over $22 million per year. Approximately 165 claims a week are handled by her office.

During these years that Mrs. Dusenbury has worked in Florence, she has participated in many community activities and held numerous offices. She held offices in the State Federation of Women's Clubs, Florence Federation of Women's Clubs, City Federation of Women's Clubs, Association of College Women, Pilot Club, Altrusa Club, Graham Bible Class of the First Presbyterian Church, Florence County Health Council, Pee Dee Social Workers' Conference, and Florence Community Concert Association. For 1 year Mrs. Dusenbury was the only woman member of the South Carolina Recovery Board, as State chairman of the Women's Division of the National Recovery Act, and for 5 years she served as State chairman of the Women's Division of the Southeastern Council. She was in the National Speakers Bureau in 1936 and 1937.

Mrs. Dusenbury was city chairman and secretary of the Florence Chapter of the National Foundation for Infantile Paralysis for 5 years. During this time Mrs. Dusenbury organized and headed the campaign for funds for the polio drive in the city of Florence.

Mrs. Dusenbury has remained an active member of the Winthrop College Alumnae Association. She was a member of the executive board of the Winthrop Alumnae Association for 2 years, vice president of the local Winthrop Daughters for 4 years, and served as State president of the Winthrop College Alumnae Association.

She is a past president of the American Association of University Women, Florence branch; chairman of the interagency committee in Florence, and is a member of the International Platform Association.

Mrs. Dusenbury is listed in "Who's Who of American Women," "Who's Who in the South and Southwest," and the "Dictionary of International Biography."

Although a great deal of her time has been devoted to her work and community activities, Mrs. Dusenbury has never neglected what she considers her prime responsibility—her family. As an example, in November of 1946, when her oldest son, Julian, was wounded on Okinawa and sent home to the Naval Hospital at Bethesda, Md., Mrs. Dusenbury took a 6-month leave of absence from her work and moved to a rooming house in Bethesda as near to the hospital as possible, in order to spend all of every day with Julian at the hospital.

Mrs. Dusenbury has instilled an interest in people and public affairs in her three sons.

Her oldest son, Julian, a war hero of World War II, is a retired Marine major. He is a former member of the South Carolina House of Representatives.

Richard, a lawyer, is a former member of my staff and served two terms as solicitor for the 12th judicial circuit of South Carolina.

Bernard, a lawyer, is a former member of the South Carolina House of Representatives.

Mrs. Dusenbury, after 34 years of outstanding and faithful service to her government and the people, is officially retiring on December 1, 1967. Few women in the history of South Carolina have served others as well as Mrs. Dusenbury. She has rendered a distinct and extensive service to mankind both in her role as a professional in government and as a leader in community affairs. In addition she has given our State and Nation three sons who have distinguished themselves by outstanding service in war and peace

Her retirement after 31 years as manager of the Florence district social security office is well deserved, but knowing her as well as I do, I am confident she will have many more contributions to make to her fellow man.

I welcome this opportunity to call to the attention of the Congress and the Nation a truly great lady of South Carolina—Mrs. Suanee Moorhead Daly Dusenbury.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 meridian tomorrow.

The motion was agreed to; and (at 6 o'clock and 44 minutes p.m.) the Senate adjourned until tomorrow, Thursday, November 30, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 29 (legislative day of November 28), 1967:

U.S. JUDGES

Winston E. Arnow, of Florida, to be U.S. district judge for the northern district of Florida. (New position, Public Law 89-372, approved March 18, 1966.)

Harry Pregerson, of California, to be U.S. district judge for the central district of California. (New position, Public Law 89-372, effective September 18, 1966.)

Gerhard A. Gesell, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Spottswood W. Robinson III, elevated.

ASSISTANT ATTORNEYS GENERAL

Clyde O. Martz, of Colorado, to be Assistant Attorney General, vice Harold Barefoot Sanders, Jr., resigned.

Stephen J. Pollak, of the District of Columbia, to be an Assistant Attorney General, vice John Doar, resigning.

U.S. MARSHAL

Eugene G. Hulett, of Oregon, to be U.S. marshal for the district of Oregon for the term of 4 years. (Reappointment.)

EXTENSIONS OF REMARKS

Oklahoma Football Excellence

EXTENSION OF REMARKS

OF

HON. A. S. MIKE MONRONEY

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, November 29, 1967

Mr. MONRONEY. Mr. President, yesterday my good friend the distinguished senior Senator from Tennessee [Mr. GORE] and I engaged in a discussion of the merits of the Nation's No. 2 and No. 3 rated football teams, the University of Tennessee and the University of Oklahoma.

These two fine teams will meet on New Year's Day in the Orange Bowl, and the outcome of that game will settle the debate which the Senator and I began yesterday.

Today I invite attention to one outstanding member of the University of Oklahoma Sooners football squad, Mr. Granville Liggins. Mr. Liggins has been named to the All-America team by three different sources and is now receiving the recognition his fine contribution to football deserves.

Granville is a graduate of Booker T. Washington High School in Tulsa, and is Oklahoma's All-America linebacker.

Also, I should like to point out that another winning grid team from my great State, the Golden Norsemen from Oklahoma Northeastern A. & M. College, in Miami, was last week the winner of the Shrine Bowl and crowned undisputed national junior college football champions.

This fine team finished the season with nine wins and a single loss, capturing the national championship under the able guidance of Coach Chuck Bowman.

Like Coach Chuck Fairbanks at the University of Oklahoma, Coach Chuck Bowman at Northeastern A. & M. is in his first year as head coach of a college football team.

These two teams, the University of Oklahoma Sooners and the Golden Norse of Northeastern A. & M. College, are fitting ambassadors of the State of Oklahoma and are helping in a most appropriate manner with the celebration of the 60th anniversary of Oklahoma statehood.

The Kee Report: Thanksgiving

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 29, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed in this report is the observance of Thanksgiving.

The report follows:

This is Jim Kee—bringing you the Kee Report.

Our thoughts this week are centered on the observance of Thanksgiving, the day on which we give thanks to Divine Providence for the blessings bestowed upon the people of America.

By tradition, this is a day of family reunions and bountiful feasting. Thanksgiving is one of the first holidays designated by the Federal Government for national observance. However, before considering the significance of this day, I would like to inform you of a far-reaching change now under consideration in your Congress.

This is a movement to change the dates of five Federal holidays so that each may be observed on a Monday, thus providing a three-day weekend. Under the proposed plan, Independence Day would be celebrated on the first Monday in July, instead of July 4th; Memorial Day on the last Monday in May; Veterans' Day on the last Monday in October; Thanksgiving Day on the 4th Monday in November and Washington's Birthday would be shifted to the third Monday in February and renamed Presidents' Day to honor all of our Presidents.

This radical change can be adopted if the American people want it. However, before taking this step. I think it might be well to review what these holidays mean in the spiritual life of our country.

The observance of Independence Day on July 4th is as old as the country itself. There was wild rejoicing throughout the colonies when the people learned that on that fateful July 4th, 1776, the Delegates at Philadelphia had cast off the yoke of Great Britain finally and forever. This day marked the beginning of freedom for our country. In a larger sense, it marked the beginning of political freedom throughout the world.

We may, if the people wish, convert Washington's Birthday into a day to honor all our Presidents. But, without the courage and determination of George Washington, the Revolution might not have succeeded. A short time later, it was Washington's leadership which held the Republic together during those early days when many believed it could not survive. I think Washington deserves one day a year to honor his memory.

The observance of Memorial Day arose spontaneously from the hearts of the people after one of the costliest Civil Wars in history. This day had a dual purpose in the minds of its sponsors, to honor the dead, and in Lincoln's words, to help bind up the wounds of war. The date of its observance has been fixed for nearly a century.

Our present Thanksgiving is modeled after the celebrated feast of the Pilgrims at Plymouth to give thanks for a bountiful harvest. The traditional family dinner of turkey, pumpkin pie and cranberry pie, had its origin on that occasion. But, while feasting played a prominent part, this was essentially a day of religious observance.

The first Thanksgiving Day proclamation, issued by a President of the United States, was issued by George Washington in gratitude for the adoption of our Constitution. The first proclamation fixing the fourth Thursday in November as Thanksgiving Day was issued by another great President, Abraham Lincoln.

There is no legal barrier to the proposed change of dates. My own view is that certain ones—like the 4th of July—have become sacred in the minds and hearts of the American people. I believe the national holidays should remain as they are, unless there is an overwhelming public demand for a change.

Thank you for listening.

Remarks of Hon. Wayne Hays at the North Atlantic Assembly

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 29, 1967

Mr. BROOKS. Mr. Speaker, last week I had the honor of serving as a U.S. representative to the North Atlantic Assembly. As a member of our delegation, I was particularly impressed by the ability demonstrated by our chairman, the distinguished gentleman from Ohio, WAYNE HAYS.

On November 23 at a plenary session, Chairman HAYS delivered an extemporaneous address which I feel was indicative of the outstanding manner in which he served our Nation.

His remarks, which were made following those of the leader of the French delegation, Mr. Boscher, were an eloquent, yet simple and easily comprehended statement of the relations between the nations of the Atlantic community.

As I am confident that my colleagues will find his statement enlightening and beneficial as I did, the text, taken from the transcript of the meeting, follows:

Mr. WAYNE HAYS (United States). It gives me great pleasure to follow Mr. Boscher of France who, I think, made a very balanced presentation of the views of his government, as I take it, and the dominant political party in France.

I should just like to emphasize at the very beginning that it seems to me that all of us here have more in common than we have differences. In saying that, I would not wish to paper over the fact that perhaps our differences have been sharper and more apparent in this conference than in others I have attended, but we do have a common concern about the well-being of our countries, of our peoples, and the Atlantic community, and I think this has been evident throughout our discussions.

I suppose it is fair to say that a good many of our problems in the Alliance are similar to the problems we have within our own countries, which are compounded by our mass media communications, because it has been my observation that they will take a molehill and very quickly make a mountain out of it, and they seize upon the sensational because they are in the business of selling advertising and newspaper space, at least in my country, and sometimes overlook the fundamental basic hard work that goes into a lot of the decisions made, not only in national governments but in international organizations. I speak specifically of a headline I saw in the paper yesterday, which says the French are mounting an attack upon the dollar. I said in the Standing Committee that I do not know whether it is true or whether it is not. I would hope that it is not, and until I see more evidence of it I will believe that it is not. But I would say, if it is, that this could be ultimately not only an embarrassment to the United States but a defeat for France as well. It might serve in passing to mention that the gross national product in France, a country of fifty million people, is only equal to the total gross product of the State of California, a state of twenty million people. I think as I said in the Standing Committee, that the international economic situation is so fragile that no country, or group of countries, can stand alone in the free world if someone else in the free world is trying to destroy them economically.

Why do I say this? Well, it seems to me that, if you look at the picture of the rivalry between the free world and the communist world in a balanced way, with the exception of China—and even their former partners in Russia admit they cannot fathom what goes on in Peking, nor does it make any sense to them—but if you look at the struggle outside that it seems any sensible view would be that we have moved more into an economic and political competition, than we at the moment, into a military confrontation.

At the risk of being a bore, I repeat what I have said to this Organization both in Committee and Plenary before, that the free nations of the world have proved with NATO and during World War II and World War I that they could stand together in times of military stress but that they could not stand together in times of economic stress. I think it is significant that some statistician pointed out that 50% of all the people living in Europe cannot remember World War II. If that be a true statistic, certainly it must be true that three-quarters of the people living in Europe and America today cannot remember the great depression of the late twenties and early thirties. Many people say there is a tremendous parallel between that time and what is happening today.

I am not an economist, so I cannot say, but I do know that if economic stress comes we had better stand together or, as the old American saying in the revolution goes, "We had better hang together or we will all hang separately". I do not know whether the governments of any of the nations in the free world could stand another economic debacle comparable to that which occurred in the twenties and thirties, and if they tried to do it alone I think they would not survive. So I am for the NATO Alliance being more than a military alliance, and I guess in that particular degree I disagree with some of my French colleagues, but I think the time will come when they will see this more clearly.

I hesitate to become a prophet, because I am neither omniscient nor omnipotent, but I do think we ought to be making arrangements not to try to destroy each others' countries, not to try to destroy each others' economic well-being, but to help. I would just like to point out that this rising tide of protectionism which Senator Javits spoke about is a real thing in the United States. It is not only because of competition affecting American industries.

I live in a constituency that has been seriously affected by European competition for the whole nineteen years I have represented them, because one of the big industries in my constituency was the making of dishes and glassware. I have heard this over and over again, but it is affecting more industries now, and there will be a serious effort, I think—if we keep reading in the Press about various attacks on the dollar and various schemes to get around the tariff lowering which we have agreed to in the Kennedy Round, as the Senator said, by road taxes and other things which are just as effective as tariffs in barring our products from your countries—there will be a serious effort, and maybe a successful effort, to do away with all the gains of the Kennedy Round. So I think it is to our interest to look at that, and I think it is to our interest as an Alliance to try to see that this does not happen.

I hesitate to speak about Great Britain's difficulties. I can only say this, that if devaluation is more than a temporary solution to their problems—and most economists think it is only a temporary solution—nobody will be happier than the United States, because we have no more desire to see Great Britain brought to the brink of disaster economically than we have to see France or Holland or Norway, or any other country in the free world.

I think it has been fair to say that while my country has accepted a lot of criticism, if you look back over the past history—and we expect no appreciation, let me say that in advance—of the American attitude towards its partners in Europe, starting with our intervention in World War II, succeeded by the Marshall Plan, we have been interested in the well-being of Europe, not only from the standpoint of its political aims, its freedom, but its economy and everything that goes to make life for mankind a better life. I say this, as I said, not expecting any appreciation because this is a commodity that is in short supply in the world, and I am not criticising Europe, because I want to tell you I can turn it around and say it some other way.

The other day I was speaking to an audience in my own constituency. It was a question and answer period, and some fellow got up and said "Where is our European alliance when we are engaged in a struggle with our people dying in Vietnam? Where are they?" I said, "I guess they are exactly where we were, my friend, when Hitler raped Austria, attacked Czechoslovakia, marched into Poland, France fell, and he was standing on the Channel, and we were not interested until the first bomb fell on Pearl Harbour." So when I say that sometimes we feel a little hurt because Europe is not so much interested in our problems, I point out to you that this is a characteristic of people, and a characteristic of nations, and the further you are away from a conflict the less it really interests you. I do not criticise Europeans for this, because we have a lot of people in the United States who would rather go on with the business of deciding which kind of a third television set they would buy and which model of a second car they would buy than face up to the reality that we are living in a world with two competing systems, and one or the other ultimately, in my opinion, is going to have to prevail. So if you felt any hurt in anything that I said, or felt that I was speaking badly about Europeans, it was not that at all, it is just human nature.

The only thing I can pass on to you that has been of any value in my almost lifetime in politics is a definition which the teacher in the secondary school I went to wrote on the blackboard on the first day I went to the world history class. She said, "History is a record of the past, a guide to the present and a forecast of the future." All of us here in this organization are literate, all of us have read history, and it seems to me that if we cannot draw the conclusions from it to guide us in the future we really will have failed our people.

I would like to conclude these remarks by just pointing out one simple thing that I think is really overriding in the competition between Communism and Capitalism. The United States has had a problem for many years of producing more than it could consume in the way of food, and we have concocted all sorts of plans for getting rid of it around the world for nothing or for little or for something. Our great competitor in the world, or, as many of you like to call it, the other super power, has more acreage and more potential than we do and its problem in all of my political lifetime has been trying to find enough to feed its people. Now, certainly, Ladies and Gentlemen, that ought to be some kind of a commentary upon the two systems, and all you have to do to find the proof of what I am saying is to look around in any of your own cities—this one, Brussels, Paris, London, Rome, Amsterdam—you name it. When I first saw them before the war and when I first saw them after the war you could cross any street in any city in Europe with your eyes closed and have no fear of a traffic accident or of becoming a statistic. I only cite the automobile as one sign of the tremendous economic recovery Europe has made. I think it is fair to say that before the war the great mass of people in Europe aspired to some day riding in an automobile; today the masses aspire to owning an automobile and most of them do. This has been our system in competition with the Soviet system.

When I first visited Moscow you could walk down the street blindfold and cross it and not be hit by a car, and when I went there two months ago traffic was still no problem and for the first time in many months, for the duration of my stay there, I was not bothered by traffic jams. So I think it is fair to compare our system with theirs and it is fair to say that we ought to do what we can to preserve and protect ours so that it is not overwhelmed by theirs. Thank you. [Applause.]

Speech by U.S. Senator Joseph M. Montoya, Democrat, of New Mexico, to Students of Inter-American Defense College, November 9, 1967

EXTENSION OF REMARKS
OF

HON. E. S. JOHNNY WALKER

OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 29, 1967

Mr. WALKER. Mr. Speaker, on November 9, the distinguished junior Senator from New Mexico, the Honorable JOSEPH M. MONTOYA, addressed this year's class of the Inter-American Defense College. As the Members of this body are no doubt aware, each year the Latin American countries are invited to send their brightest young military minds to this college headquartered at Fort McNair. This year's class includes outstanding young men from 15 of our Latin American neighbors, and I know of no person better qualified to address such an audience than Senator MONTOYA. His ability to give this speech in both English and Spanish was prima facie proof to those in attendance that we here in America share much more with them than simply being members of the Western Hemisphere.

I am pleased to have this opportunity to call his remarks to the attention of my colleagues because I think the course he has mapped for these future leaders is one which must be followed by them and supported by the American people if our hemisphere is to continue its joint progress and understanding.

I include Senator MONTOYA's remarks at this point in the RECORD:

WHAT THE FUTURE WILL DEMAND OF YOU

(Speech by U.S. Senator JOSEPH M. MONTOYA, Democrat, of New Mexico, to students of Inter-American Defense College, Washington, D.C., November 9, 1967)

General Henry, General Garcia, General Molina, my friends, a revered American and sincere friend of Latin America once said: "The price of liberty is eternal vigilance."

Thomas Jefferson was no lover of war or believer in everlasting conflict. He was aware of the realities of international life. He knew human progress is never fast enough for some, and there were those who would destroy freedom and injure liberty in order to attain their idea of a better world.

He knew these men often masqueraded behind slogans of liberty in order to impose upon others a rule of tyranny. So he warned us against such men.

He spoke of a need for vigilance if we are to protect and retain for all men the precious rights so many have struggled for. In our western hemisphere, we have learned painfully how precious our rights are.

Every nation in this hemisphere has had to fight, often bloodily, to be free. Each nation, once free, has had to defend its nationhood against aggressors from without who have sought to enslave them.

We have been successful up to now in repelling these challenges from abroad.

We have been eternally vigilant in defense of our respective nationhoods.

Each nation of our hemisphere has also been successful in repelling threats confronting them from within. There are always elements within society that seek power for themselves rather than orderly progress for all.

Our era has seen a new ideology confront us from without and challenge us from within. It seeks to take advantage of every geographical feature or political mistake on our part.

It cleverly seeks to exploit internal turmoil and dissatisfaction among our populations.

While national governments devote increasing efforts and resources to peaceful internal progress, these disrupters seek to defeat progress, even if it means hurting the prospects of those most in need.

They are willing to see the underprivileged suffer even more, rather than allow democratic regimes time to bring about reforms.

Seekers and fomentors of violent revolution, bloodshed and destruction, they thrive on hate and arousing of passions. They are not interested in building, as democratic regimes are. They have no vocabulary that includes roads, schools, hygiene, trade and honest international dealing.

They pay lip service to these ideals and goals, speaking of them to disadvantaged people. But they have in mind only power, war and aggrandisement. It is up to us to defeat their purposes, and to frustrate their schemes and ambitions. It devolves upon us to bare our breasts to their challenge. We dare not fail. Slavery for generations to follow is the cost if we do not succeed.

Free men and progressive regimes must, therefore, prepare themselves for any challenge. A call to struggle may come at any time, as recent events have shown.

It is regrettable that we must speak of force and be ready to meet might with might. But it is essential to the future of our hemisphere.

Fidel Castro has drawn us a graphic picture of what awaits those who fall prey to such men. See how free Cuba is! Note how fat the Cuban people grow on one egg a month! Watch how much they enjoy the Russian military presence among them! Mark how free their press is! Observe the liberty they enjoy under Fidel!

Freedom-loving men never take up a sword gladly. But every time a tyrant or potential tyrant has seized the sword of enslavement and sought to bend others to his will, another has taken up the shield of liberty and interposed it between him and his victim. That is your duty, responsibility and permanent task.

Intelligent, politically knowledgeable and progressive military men are what nations of our hemisphere must have. A blind obeyer of orders is not enough. A political professional lacking military knowledge who is not master of his craft is inadequate.

Modern military professionals in our hemisphere must be tacticians and skillful leaders. But they must also be students of the history of their countries and our hemisphere. They must possess understanding of new currents moving in Latin America. They must exercise compassion for and understanding of yearnings and needs of their countrymen. Yours is therefore a double task.

Provide security, but possess understanding. Be able to defend, but be ever ready to instruct. Stand firm, yet be versatile. Set examples but never lose sight of your prime task.

Be nation-builders as well as nation-defenders.

The Fidel Castros are waiting and hoping for you to fail. Like so many vultures they await an opportunity.

As I look at this group, I have a feeling they will wait in vain. You impress me as a new, progressive breed.

Everywhere change is on the march. It need not be change that levels cities and decimates populations. Latin America's people are aware of these rising expectations. They ask to share in them.

Your continent bursts with vitality, resources and eager hands. Nations are emerging one after the other into a new age.

They require talents, ideas and leadership men like you can and must provide. We look to you with hope and a desire to help. No reasonable request by progressive men would be rejected unthinkingly.

We take pride in your progress and suffer if you sustain temporary setbacks. We share your aspirations for a better life for all under the umbrella of democratic institutions.

We have created a new world together. We have suffered together and glared at one another across our borders. Now we must stand united in the front ranks of freedom, determined to make our new world the best of all possible worlds. This we shall do without the lash of enslavement or the sword of dictatorship.

Your behavior and accomplishments will be a foundation to build and live on. It is my hope, as I know it is yours, that our names will be praised rather than cursed. Let us get to work, secure in the knowledge that we are free men in free countries, struggling towards attainable goals.

Capt. David L. Wiseman Receives Navy Medal

EXTENSION OF REMARKS
OF

HON. CLARENCE D. LONG

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 29, 1967

Mr. LONG of Maryland. Mr. Speaker, Capt. David L. Wiseman, son of Mr. and Mrs. Kenneth L. Wiseman, of Baltimore, Md., was recently presented the Navy Commendation Medal for meritorious service in South Vietnam. Captain Wiseman previously won three Purple Hearts while serving with the 1st Marine Division in Vietnam.

I wish to commend Captain Wiseman for his service to our country and to congratulate his parents on their fine son.

The Edge of Dissent

EXTENSION OF REMARKS
OF
HON. ROBERT N. C. NIX
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 29, 1967

Mr. NIX. Mr. Speaker—

> Men are qualified for civil liberties in exact proportion to their disposition to put moral chains on their appetites—

Wrote Edmund Burke two centuries ago.

> Society cannot exist—

He continued—

> unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the internal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters.

We are confronted today, in the United States, with a situation which inevitably calls our attention to these eminently practical words of counsel. I mean, specifically, that we are faced today with a crisis testing the durability, the very capacity to survive, of our democratic process—a crisis identified by the name Vietnam. I do not mean that the conflict itself is a threat to our security; it never has been. I mean, rather, that by a curious paradox, our system of democracy, which guarantees as a sacred right the voice of dissent, is threatened as it seldom, if ever, has been in our history—threatened by the appetites of intemperate minds, which know the meaning of neither restraint nor commonsense, and who are using the democratic system to force their own private opinions upon a freely-elected and duly-invested government. Those who do this defy constituted authority in order to usurp the right to dictate public policy in the name of private morality, thereby ignoring the voice of the corporate social ethic. What we have, in effect, is the destruction of dissent by the triumph of demagoguery, the yielding of argument to brutish force, the inundation of reason by primitive emotion.

We are forced every day, by means of the news media, to witness the "dissent" of those who claim to be concerned and responsible citizens—"dissent" which is conceived at best in ignorance and at worst in malevolence. In a democracy such as ours, to be sure, dissent of the proper sort is not only tolerated, but encouraged by the very nature of the system. The concept of democracy is one which inherently demands of its citizenry responsible interest in political issues and the expression of that interest through rational discussion. It follows that dissent is an inevitable concomitant of the democratic process which implements the will of the people through constitutional government—if we mean by dissent its dictionary definition: "difference in sentiment or opinion, especially from the majority; disagreement; withholding of assent." Too many people, however, apparently do not apprehend the proper meaning of dissent, as it applies in the context of democratic government. I do not think that what has recently been passing as "dissent" is conformable to the accepted definition of the word. Nor do I think that much heed is being paid in certain quarters to the meaning of discussion and the place it should occupy in a free society. Discussion, if I may remind you, is defined as "consideration or examination by argument, comment, debate." And discussion, if it is to serve the purpose of human accomplishment, must be characterized by reason—a uniquely human quality, and one which was valued highly by the inventors of democracy—the ancient Greeks. Reason is "the power of intelligent and dispassionate thought, or of conduct influenced by such thought." And it is upon the efficacy of rational discussion that the process of constitutional government depends for success. Without reason, there is no order, and in the words of Othello, "chaos is come again." The alternative to reason is anarchy.

We have come to the point where we are faced with at least the possibility of that alternative. We have come to that point because a highly vocal, though proportionately small, segment of the population is, for whatever reasons, wittingly or unwittingly, devoted to the destruction of our system—a system which assumes that reasonable discussion is the most effective means by which to achieve justice through law.

There are those, of course, who disagree with the President's Vietnam policy, who dissent through the process of rational discussion. This is as it should be. Then, there are those who dissent through the process of civil disobedience—those who, it would seem, are misinformed as to the nature of the constitutional democracy and the way in which it functions. I quote from a recent article in Look magazine by Robert McAfee Brown, a professor of religion at Stanford University, to illustrate my point:

> I will "counsel, aid, and abet" . . . students to find whatever level of moral protest is consonant with their consciences, and when for them this means refusing service in the armed forces, I will support them in that stand. In so doing, I am committing a Federal offense, for the Military Selective Service Act of 1967 specifically states that anyone who "knowingly counsels, aids and abets another to refuse or evade registration or service in the armed forces" opens himself to the same penalties as are visited upon the one he so counsels, aids and abets, namely up to five years in jail or up to $10,000 in fines, or both.

Professor Brown states that he is so moved to act because, in the final analysis, "the vacuum within the two major parties leaves voters opposed to our Vietnam policy with rather bleak alternatives." What he means by that is that none of the major contenders for the office of the Presidency—including not only the President but also his most serious challengers—that none of the major contenders for the Office of the Presidency is in agreement with his—Professor Brown's—point of view.

It seems to me that Professor Brown, and others like him, are forgetting that the alternative open to them is to dissent through rational discussion, and then to vote as they see fit, in support of their point of view. If no candidate is available who expresses their views, they are at liberty to put one up who does, and if enough people agree with what they believe, they will triumph at the polls. It is as simple as that. What Professor Brown and others like him really mean, is that the majority does not agree with them, and since this is the case, the minority must disobey the laws in order to force their opinion upon the majority. This attitude is hardly consonant with the ideals of our democratic heritage. This attitude can serve only to erode and destroy the system by which the majority at any given time is entrusted with making policy but which at the same time must vindicate the rightness of that policy or face defeat at the polls.

The Nazi regime of Adolph Hitler forfeited its claim upon the allegiance of the German people not only because it violated every known tenet of the code of human morality but also because its totalitarian nature precluded discussion and free choice. The tragedy of Germany was that so many Germans did not realize this. Our tragedy is that so many Americans today seem to feel that their country has likewise forfeited its claim upon their allegiance. When men defy the constituted authority of our Government—which unlike the Hitler regime, has gone out of its way to protect the rights of dissenters and to assure the equity of its laws—when men defy the constituted authority of our Government through illegal action, they imply that Jefferson was wrong when he predicted:

> I have much confidence that we shall proceed successfully for ages to come, and that . . . it will be seen that the larger the extent of the country, the more firm its republican structure, if founded . . . in the principles of compact and equality.

I do not believe that Jefferson's hope has been vitiated. Nor do I believe that refusal to cooperate with Government policy is anything but inimical to the national interest—which is, after all, a collective expression of all the individual interests which comprise that national interest.

More serious, however, than the threat posed by these illegal critics who assume a posture of moral superiority, is the threat of those who willfully and maliciously violate the boundary between dissent and demagoguery—the threat of those who earnestly desire and consciously attempt to destroy the social order which allows them the very freedom which they utilize for their destructive purposes. I have in mind, in particular, demonstrators like those who recently invaded Washington and the Pentagon, in a concerted and obviously organized attempt to disrupt the machinery of Government processes. In regard to their actions I quote from a recent newspaper editorial which was inserted in the CONGRESSIONAL RECORD, and which puts the issue clearly:

> If the cause of dissent is the obscenity and violence of war, one does not make a good case against it by committing obscenities and violence.

It holds further, as Senate majority leader MANSFIELD recently pointed out on the floor of Congress, that "the right of dissent guaranteed under the Constitution should always be allowed, but that right does not entail license, anarchy, or a breaking of the law. . . . Insofar as the Office of the Presidency is concerned," continued Senator MANSFIELD, "it should be treated with respect and courtesy, and that applies to the individual who happens to hold it at a given time. In other words, all Presidents, who only hold the office temporarily, should be entitled to the respect which the permanent Office of the Presidency calls for and is entitled to."

It would be naive to assume that the intention of some of these violent demonstrators is anything less than the destruction of the United States itself. It is tragic that although this is not the intention of many other of these anarchy-minded people, they are nevertheless contributing to that very cause. For it is patently clear that with each new demonstration, and each new lawless protest, the enemy receives aid and comfort and is strengthened in its resolve to continue the conflict in the hope that American resistance will weaken and finally collapse. It need not be reiterated that the longer the conflict endures, the greater the number of American soldiers who will lose their lives. In this connection, Speaker MCCORMACK recently noted that a high-ranking North Vietnamese official calls opposition to the war in the United States a "valuable mark of sympathy" to the Communist cause. A recent article in the New York Times serves to vindicate the accuracy of Speaker MCCORMACK's perception. This article in the New York Times reports that the official newspaper of the North Vietnamese Government considers the "campaign in the United States for an end to Johnson's aggressive war in Vietnam" to have "entered a stage of active resistance"—and that "an important aspect of the Washington rallies was that they marked the end of protest and the start of a 'fierce struggle' against the war." Thus, because of evidence within the United States itself, observes the British Daily Telegraph:

> Ho Chi Minh [cannot be] blamed for insisting on American withdrawal or for making it a point of honour not to reciprocate in any way for the cessation of bombing.

As the Telegraph concludes, however:

> The sooner Ho realizes that he cannot win on American campuses and boulevards the war he is losing in Viet Nam, the sooner will he come to the conference table.

I therefore submit that in the interest of preserving both our democratic system and the American lives which protect it; in defense of both reason and the national security—the American people must address themselves to adopting a position in support of the President of the United States and the policy which he, as the duly elected head of state, has implemented toward what he considers a necessary course of action. So long as other countries are able to condemn us on the basis of what our own citizens say and do—in violation of the principles on which our system of government is predicated—so long as force and unlawful action are allowed to replace reason and legal dissent—so long will the credibility of our own faith in our country and all that it has ever stood for be counterfeit in the eyes of the world. Worse still, when we shall allow democracy to be trampled under foot by the rampant mob, our civilization shall have run its course. Let us hold fast to the judgment of law and civilized dialog. Benjamin N. Cardozo said:

> For law is restraint, and the absence of restraint is anarchy.

U.S. Flights Over China Are a Danger to Us All

EXTENSION OF REMARKS

OF

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 29, 1967

Mr. DOW. Mr. Speaker, on November 15, I alluded in both the permanent and the daily RECORD, to an editorial in the Saturday Review, based on a statement by a spokesman for the State Department—and I quote the editorial:

> There is nothing new about flights by United States planes over Chinese territory. United States planes have been flying authorized missions over Communist China for years.

Since then, Mr. Speaker, the Saturday Review has published, in its November 28 issue, word of a disclaimer from the U.S. Department of State, which reads as follows:

> The U.S. Department of State has informed *SR* that it was in error in quoting a State Department spokesman ["The Tragic Trap," *SR*, Oct. 21] as saying that U.S. military planes had been authorized to fly over Communist China for several years. The State Department says it was referring to *accidental* flights over China by planes authorized to carry out missions in North Vietnam within specified distances of the Chinese border. The editors are pleased to put this correction on the records.

In order to further elucidate the position of the Department of State on this grave matter of U.S. military flights over Chinese territory, I submit the complete text of a letter to me dated November 21, from Assistant Secretary of State William P. Bundy. The letter follows:

ASSISTANT SECRETARY OF STATE,
Washington, November 21, 1967.

Hon. JOHN G. DOW,
House of Representatives.

DEAR CONGRESSMAN DOW: I have noted your remarks of November 15th in the House (H 15285), concerning statements in a recent editorial in the *Saturday Review.*

I read that editorial with some shock, because it completely mis-stated what I (the spokesman for the Department) had said to the editor. As my contemporary record of the conversation reads, with the support of a witness in my office, I said nothing of the sort attributed to me in the editorial. What I did say was that none of our bombing missions had been directed over China at any time, which was the clear implication of the earlier *Saturday Review* editorial of September 9th. I went on to note that there had been accidental overflights of China in connection with our North Vietnamese operations, but that these had taken place over a long period and were not in any sense "recent"—the term employed in the original *Saturday Review* editorial of September 9th.

I went on to discuss Chinese Communist reaction, but in much more sophisticated terms than this second *Saturday Review* editorial quoted me. What I said was that the Chinese have from time to time reported overflights and that, when verified by us, we have confirmed the facts and the reasons—faulty navigation, pilots under fire, etc. I went on to say the Chinese Communists had protested these actions but the sum total of their reaction did not suggest that they regarded them as deliberate intrusions or a threat to China itself. I said that of course the question of Chinese Communist reaction was one that we kept always in mind in framing operations, and would continue to do so. Finally, I said that it was our present judgment—which I believe to be shared by a consensus of China watchers, as reported by the *New York Times* shortly after the first raids nearer the Chinese border, for example—that the likelihood of Chinese Communist major reaction did not appear substantial at the present time, and that it remained our basic view that the Communist Chinese would certainly react if they believed their territory deliberately threatened or if they believed that we were out to destroy the regime in North Vietnam. I said that I did not think they now held either of these beliefs, and that these were certainly not our objectives, as we had tried to make clear both by word and deed.

In view of the substantial degree of misunderstanding and inaccuracy in the *Saturday Review* editorial, I discussed the matter with Mr. Norman Cousins, its editor. As a result of these discussions the *Saturday Review* has printed a correcting box in the issue of November 25, which I enclose.

The record of our bombing operations in North Vietnam, the occasional accidental overflights, and our judgment of Communist Chinese reaction is not a new one. We have repeatedly discussed the subject with the relevant committees of the Congress and will continue to do so. I can assure you that we take it most seriously.

I leave it to you whether you may wish to insert the *Saturday Review's* correction in the Congressional Record. But I wished you have it for your own information in any event.

Since Senator Hartke inserted the whole of the second *Saturday Review* editorial in the Congressional Record, I am taking the liberty of sending him a copy of this letter.

Sincerely,

WILLIAM P. BUNDY.

Mr. Speaker, I appreciate the State Department's clearly sincere effort to clarify a most difficult issue.

Yet, I cannot understand why our Government will for one instant make it possible for military flights over sovereign Chinese territory to occur or permit flights that could come even remotely close to the Chinese border. Knowing, as we do, that all of the bombing of North

Vietnam is of questionable efficacy, then bombing of areas near China must be of slight value. I submit that such bombing is indeed of slight value when compared to the danger it poses of worldwide nuclear war. The judgment in Assistant Secretary Bundy's letter that "the likelihood of Chinese Communist major reaction did not appear substantial at the present time" is all very well, yet scarcely convincing. However competent this State Department judgment may be it is still too slender a thread for us to hang the destiny of the world upon.

Mr. Speaker, I question this judgment. The fate of the world should rest not on speculation, but only upon the most solemn counsel and constitutional checks that are within the power of our democracy to provide.

Ukrainian Anniversaries

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 29, 1967

Mr. DULSKI. Mr. Speaker, this year the Ukrainian Community of Greater Buffalo, N.Y., under the auspices of the Buffalo chapter of the Ukrainian Congress Committee, observed a double anniversary—the 50th of the Ukrainian liberation struggle, and the 25th of the creation of the UPA—Ukrainian Freedom Army.

The objective of this observance by the Ukrainian communities is threefold:

First, to give manifest expression of their strong ties with their kin in the Ukraine who are oppressed by the Russian occupants, and with their national aspirations for freedom and independence.

Second, to publicly take a stand supporting stability, strength, and security of the United States and our Government in all just endeavors to guarantee the right for freedom, justice, and national independence for all people and nations in the world.

Third, this is meant as a Ukrainian-American manifestation against the 50th anniversary of the Russian Communist imperial system.

The week-long double anniversary observance began with a Freedom Festival on Saturday, November 25, at Buffalo's Kleinhans Music Hall. Mrs. Iryna Lawriwska was the toastmaster, and Dr. Nestor Procyk, chairman of the observance committee, greeted the enthusiastic gathering at the festival.

With permission, I wish to include Dr. Procyk's introductory remarks and a copy of the Freedom Festival program at this point in the RECORD:

REMARKS BY DR. PROCYK

I am honored and privileged to welcome you, on behalf of our "Freedom for Ukraine" Week Observance Committee to this opening program of the week-long observance in tribute to the Ukrainian people on the 50th Anniversary of Ukraine's struggle for liberation and 25th Anniversary of the Ukrainian Freedom Army—U.P.A.

Shakespeare once said: "While you live, tell truth and shame the devil". The truth of Ukraine has been told again and again and must be repeated till the chains will fall and Ukraine will join the family of free nations. For the past fifty years, the struggle to attain sovereign nationhood was marked by suffering, martyrdom and sacrifices. Fifty years of dedication in the service of the Ukrainian nation has claimed millions of nameless victims. Not only the great in spirit were willing to pay the utmost sacrifice, but also the humble nameless masses willingly gave their lives in their effort to achieve the ultimate of a people—a sovereign and independent life.

A half a century of dire oppression from the heavy hands of the Russian Communist rulers has taken its toll—the infamous symbol of their "progress".

The tide, however, is slowly but surely turning. The surge toward independent national life could not be stemmed by modern and no matter how efficient suppression. Yet, neither jails, deprivation, hunger or Siberian exile could permanently extinguish the steady Ukrainian flame for freedom. It is to this magnificent spirit that we are dedicating the evening of Ukrainian music, songs and dance tonight. This musical tribute to the undying spirit of the Ukrainian Nation is a token of our support in their rightful quest for liberation. Tonight we pay homage to a a sturdy people who created a valiant Freedom Army—UPA, a people who refuse to bend to the Russian despot and steadfastly adhere to their own image of a deeply Christian people.

God and Country is the rallying call and in the name of this everlasting truth—we shall prevail!

FREEDOM FESTIVAL, SATURDAY, NOVEMBER 25, 1967—6:30 P.M., KLEINHANS MUSIC HALL

I

1. Introductory Remarks: Dr. Nestor Procyk, Chairman, Observance Committee.

2. American and Ukrainian National Anthems—Choir "Dnipro" from Cleveland, Ohio.

3. "Counting Days and Nights in Confinement"—Music by D. Sichynsky—Choir "Dnipro".

4. Opening Remarks: Hon. Thaddeus J. Dulski, United States Congressman.

5. Piano Solo by Claudia Hoca: a. "Baida," O. 26 Ukrainian Fantasy, by A. Karalis; b. Prelude in F-Sharp, by W. Barvinsky; c. Intermezzo in D-Minor, by N. Nyzhankivsky; d. Prelude in B-Minor, O. 7, No. 2, by L. Revutsky.

6. Women's Choir "Dnipro" from Cleveland, Ohio: a. "Evening Song," Music by Stetsenko; b. "O, Don't Wink Girls," Music by E. Kozak; c. "Kiev, O, Mine," Music by I. Shamo.

7. "Hutsulka"—Ukrainian Folk Dance, Performed by "Verkowyna", Ukrainian Youth Association Dancers from Toronto.

8. Male Choir "Burlaky" from Buffalo, New York: a. "Let's Sing Together, Brothers," Music by S. Worobkewycz; b. "The Carpathians," Music by I. Shamo, arranged by M. Hrynyschyn; c. "I Will Never Dance Again," Music by O. Nyzhankivsky.

Intermission—10 minutes

II

9. Male Choir "Dnipro": a. "Hetmans, Hetmans," excerpt from "Haydamaky," by T. Schevchenko, Music by M. Lysenko, arranged by E. Sadowsky; b. Medley of Ukrainian Freedom Army Songs, arranged by E. Sadowsky; c. "My Ukraine," Music by E. Sadowsky.

10. "Hopak"—Ukrainian Folk Dance, performed by "Verkowyna".

11. Mixed Choir, "Dnipro": a. "On the Dnipro River" Music by M. Dremluha; b. "O, Sheep, My Sheep," Music by M. Hrynyschyn; c. "Evening Mist," from the Opera, "Utoplena," by M. Lysenko.

Program Announcer: I. Lawriwsky; Stage Decorations: M. Boraczok; "Dnipro": Director of Choir—E. O. Sadowsky; "Burlaky": Director of Choir—Y. Lawriwsky; Soloists "Dnipro": Y. Oryschkewycz, R. Kassaraba, N. Jakymcow, O. Kondratenko; Soloists, "Burlaky": T. Pryschlak, R. Ciolko, M. Stasiuk, I. Matwijiszyn; Director of Dancing Ensemble "Verchowyna": Y. Klun.

It was my privilege to participate in this opening observance, and my remarks follow:

REMARKS BY REPRESENTATIVE T. J. DULSKI

Mr. Chairman, members of the Buffalo Chapter of the Ukrainian Congress Committee of America, distinguished guests, and friends.

To say I am glad to be here this evening at the opening of your double anniversary observance would be a gross understatement. It is always a distinct pleasure to be with a group such as this, but it is even more so today because of the occasion for this observance—the 50th anniversary of the Ukrainian Liberation struggle, and the 25th anniversary of the creation of the UFA (the Ukrainian Freedom Army).

I commend you for arranging this week-long observance in our community to focus attention on the plight of the oppressed peoples of the Ukraine. It also serves to emphasize our country's awareness of the continued national aspirations of these peoples for freedom and independence. We need to let the world know that we will not waver one bit in our endeavors to guarantee the right for freedom, justice, and national independence, for all peoples and all nations of the world.

During the ninth observance of Captive Nations Week last July, our City of Buffalo fittingly commemorated the subjugation of the countries of Eastern Europe and elsewhere in the world.

The expansion and increased fervor of these observances is indeed encouraging, but we must nonetheless be concerned that the plight of the captive nations of the world is always before us and that we must look for solutions to their problems. It should be indelibly clear that we are *not* just concerned during Captive Nations Week, but that we are continually dedicated to assisting them in regaining their freedom.

And this is what you are doing here this week.

The 50th anniversary of the Russian Bolshevik Revolution is not the *only* "50th". Free Ukrainians, and many other non-Russians will be observing 50th anniversaries of independence and freedom, which Soviet Russian imperio-colonialism snuffed out.

Their free voices will be raised in behalf of captive Ukrainians and the other captive non-Russian nations in the U.S.S.R.—yes, equally, and also in behalf of the freedom and open opportunities of the long enslaved Russian nation itself.

In every sense, this oncoming period is a real occasion for us to make a special effort to obtain authority to establish a Special House Committee on the Captive Nations. Early in this session of Congress I again sponsored a resolution to establish such a Committee.

I feel strongly that this would be a constructive first step in bringing freedom to these unfortunate people. Such a Committee would symbolize our free answer to the basic fraudulence of the Russian Bolshevik Revolution and the real tragedy of this 50th anniversary of that deceptive revolution. It would also pay shining tribute to the non-Russian "50ths", for the non-Russian revolutions in the years of 1917–23 were of the same essence and nature as our own American Revolution nearly 200 years ago.

Let me give you renewed assurance that I will continue to press our leadership in the House, for positive action on legislation to create this special House committee. Several of my colleagues in the House are joining me in this effort.

I am grateful for the support of the Ukrainian Congress Committee. It is heartwarming to see the efforts being made by your Chapter here as well as elsewhere in our country.

Yours is a continuing concern for the oppressed in your homeland. It is also a reflection of the support of the American people for every endeavor aimed at guaranteeing the right of freedom and national independence for all people.

I also include below a copy of the schedule of activities for the remainder of the week of this double anniversary observance, along with a copy of the proclamation issued by the mayor of the city of Buffalo, the Honorable Frank A. Sedita:

OPENING OF EXHIBITION—LIBERATION STRUGGLE OF UKRAINE

NOVEMBER 26, 1967, 3:00 P.M., UKRAINIAN HOME "DNIPRO"

Address: Hon. Henry P. Smith, III, Congressman of the 40th District; The Exhibition Open Daily During the Week; Arrangements: Mr. Marian Borachok, Artist.

NOVEMBER 29, 1967

Meet With The Ukrainian Students of the Norton Conference Theatre, SUNYAB; Contemporary Ukrainian Literary Trends Under Soviet Russia, Resumes—Poetry—Translations.

DECEMBER 2, 1967

Buffalo Athletic Club, 69 Delaware Ave.; Dinner Banquet; Speakers: Hon. Yaroslav Stetzko, former Prime Minister of Ukraine, President, Anti-Bolshevik Bloc of Nations; Hon. Dr. Edward M. O'Connor, Former High Commissioner for Displaced Persons.

Featuring Female Quartet: Verkhovyna, Toronto, Canada; Recitation: Miss Renata Wolynec; Master of Ceremonies: Mr. Andrew Diakun, Atty.

DECEMBER 3, 1967

Ukrainian Home Dnipro: Festive Program Concluding Observance Week in Tribute to Ukraine and Her People.

Speakers: Wasyl Potishko, Member of the Ukrainian Central Rada; Lev Futala, Commander of Ukrainian Freedom Army—UPA; Presentation of Ukrainian War Veterans; Ukrainian Youth participating in the artistic part of the program.

PROCLAMATION

Whereas, the year 1967 marks fifty years of continuous struggle of the Ukrainian people for their national independence and against Communist Russian occupation and oppression of their land; and

Whereas, this half-century-long fight against the fraudulent Russian Communist Revolution brought millions of victims to the cause of freedom; and

Whereas, during World War II, while in the throes of two giants, Nazi-Germany and Communist Russia, the Ukrainian people arose again and created the Ukrainian Freedom Army—UPA with the ultimate aim to regain long sought freedom from the two adversaries; and

Whereas, these two anniversaries—the 50th Ukrainian struggle for national independence and the 25th of the creation of the UPA Army constitute milestones in the history of mankind's eternal quest for freedom and human dignity,

Now, therefore, I, Frank A. Sedita, Mayor of the City of Buffalo, do hereby proclaim this week of November 26 to December 3, 1967 as "Freedom for Ukraine Week", and urge all people of greater Buffalo Metropolitan Area to pause and participate in the activities planned to pay tribute to the Ukrainian nation's struggle for freedom and national sovereignty.

FRANK A. SEDITA,
Mayor of Buffalo.

Attorney General Clark Reports on Campaign Against Organized Crime

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 29, 1967

Mr. CELLER. Mr. Speaker, the Federal Government, under President Johnson's leadership, is waging its most effective campaign in history against organized crime.

The campaign has resulted in an increase from 19 in 1960 to 1,197 in 1966 of indictments returned in cases handled by the Organized Crime and Racketeering Section of the Justice Department.

Of the 182 Federal indictments or convictions of known Cosa Nostra members during the past 12 years, 66—more than one-third—have come within the last year.

The Federal campaign, already the most intensive and effective yet undertaken, is being bolstered through development of new strategy. The "strike force" concept, involving special intra-agency teams of Government prosecutors and investigators, is a promising new technique.

Attorney General Ramsey Clark reported on the campaign in an address in New York City this month. The address, delivered before the National Emergency Committee of the National Council on Crime and Delinquency in New York on November 14, 1967, also contains a thoughtful analysis of the problem of organized crime. I respectfully include the address to be printed in the RECORD as part of my remarks:

Crime in America has many faces. Each exists because we are what we are. Our national character and condition create these capabilities for crime, cause us to suffer them, inhibit commitment to their control.

The motives of most are economic. Ninety percent of all serious crimes are against property. Many of the crimes against persons—muggings, kidnapings, assaults and murders—are incidental to property crimes.

White collar crime—embezzlement, fraud, swindling, price-fixing, tax evasion—often the acts of respected and successful people, wrests millions annually from the public. The consequences to its victims are often as dire and direct as those that follow the thief, the burglar and the robber; frequently more so, because white collar crime can dig deeper than the purse in the bureau drawer or the wallet in the pocket to wipe out the savings of a family or a firm and its stockholders. Few crimes so corrode moral standards.

Crime in the streets, as it has come to be called, the widespread occurrence of general crimes, plague the nation. A steady rise in reported crime is a source of deep concern to our people. Over three million serious crimes were reported last year with perhaps as many unreported. Here is our most pervasive and dangerous crime. It strikes capriciously, frequently; anywhere, anytime, anyone. But mostly it strikes the poor and the defenseless. It enlists our youth by the tens of thousands and sets them against society. It creates an atmosphere of fear that can destroy the self-confidence of a nation and the freedom of its people. It is by far the greatest challenge crime presents America today. It will be by far the most difficult to control.

An emerging defiance of law to demonstrate dissent or to disrupt is often a cause more of inconvenience than of injury. It has rarely elevated human dignity or the worth of the individual. Perhaps more significantly it lends to an atmosphere of contempt for social stability.

Extremist groups of the right and left—the Ku Klux Klan, the Minutemen, the Revolutionary Action Movement, Deacons for Defense and Justice—present another face of lawlessness. Capable of violence and intimidation, they are a concern to law enforcement and a threat to the public.

Rioting with vast property destruction, looting and sniping, injury to thousands and death to scores has visited the nation over four consecutive summers now. It threatens our quest for equal justice, our ability to build great cities where every American child will have his chance for fulfillment. Wild and irrational, riots destroy property, people, opportunities and dreams alike.

Today we examine organized crime. Here is planned, systematic continuous criminal activity: organizations, large and small, loose and tight, that live at the expense of society through the violation of its laws by force and stealth.

As with the other faces of crime, it must be viewed in context. All are interrelated as social phenomena, as criminal activity and as crime control problems. Each must be approached with perspective and balance.

Many find it difficult to believe there is organized crime. But of course there is, as history, experience and reason all prove. The Mafia made its presence known in the United States in the last decades of the 19th Century. Each decade of this century has known various conspiracies of professional criminals. In a society in which nearly every form of human activity is organized, is it realistic to believe criminal activity will not be? Crime has proven to be far too profitable in our society to expect an absence of organization in its execution.

No simple definition or description of organized crime is possible. Our society is too complex for that. There is no single massive organization that manages all or even most planned criminal activity throughout the country. There are cohesive groups exhibiting similar patterns of criminal conduct, with deference for the interests and areas of each other, that reach major parts of the nation. There are many small groups active in particular geographic areas that are independent of outside control. Together, these professionals constitute a major problem for law enforcement and an important challenge to society.

President Johnson's Crime Commission surveyed 71 cities in its study of organized crime. Nineteen acknowledged the existence of organized crime in their city. Nine failed to respond. Of these, six are known to have some organized crime. Four of the five cities with more than one million citizens indicated the presence of organized crime. Of the cities surveyed, only one in five with populations between 250,000 and 1,000,000 acknowledged any organized crime. More than half of the handful of smaller cities surveyed between 100,000 and 250,000 thought they had organized crime. Federal intelligence indicated the presence of organized crime in some cities where local reports denied it.

Of the 19 cities reporting the presence of organized crime, only 12 had specialized police units to deal with it and only six had prosecutors specifically assigned to it.

The activities of organized crime are wide ranging, but gambling is by far its greatest source of income. Gambling lends itself to criminal conduct.

Loan sharking, often called shylocking or juice, is generally believed to be the second most significant source of income. Here, as with gambling, organized crime must deal with large numbers of people. To protect its interest and accomplish its purpose, as in collections, pressure and violence are used as necessary. The end justifies any means.

Extortion, blackmail, and shakedowns are frequent practices. Importation and wholesaling of narcotics engage many groups in organized crime though in recent years the retail trade is often left to the small time pusher. Prostitution, bootlegging and related alcoholic beverage violations are common enterprises.

Increased sophistication and affluence have led organized crime into many legitimate businesses, labor activities and government services and contracts, licensing and zoning. Here they bring all the strong-armed tactics, violence and unprincipled conduct they practice in illegal areas. Firms have been bilked of assets, fraudulent stocks issued, planned bankruptcies executed, trust funds and loan accounts manipulated, and competitors driven out by unfair trade practices and criminal acts.

Generally organized crime as distinguished from ordinary crime supplies goods or services wanted by a large number of people: the chance to gamble, the loan of money, narcotics, prostitutes. An aroused community leadership can do much to limit its sales.

Because it is an on-going business, with payrolls to meet, dealing with hundreds or thousands of people, organized crime cannot flourish without protection. At the very least local law enforcement must be neutralized because major organized crime activities cannot be effectively concealed. Significant continuing gambling, shylocking, narcotics traffic, prostitution, extortion and other widespread organized criminal acts cannot long escape the notice of law enforcement.

Perhaps the greatest harm to come from organized crime is the corruption of officials. This affects a community in ways well beyond the reach of the criminal activity itself. Where some police are corrupt, law enforcement generally is likely to be bad. Where government officials are bribed, the moral climate of the whole community is likely to be affected; public confidence is undermined, cynicism takes hold.

Organized crime is a major concern of federal law enforcement. For seven years the federal government has waged an intensive campaign against a tenacious and deeply rooted enemy.

The current drive is the most comprehensive and successful yet undertaken. The Organized Crime and Racketeering Section of the Department of Justice which, directly and through U.S. Attorneys' offices, handles organized crime cases, has the largest legal staff of its history now working exclusively in organized crime.

Indictments returned as a result of its efforts have risen from 19 in 1960 to 1,197 in 1966. Convictions over the same period have risen from 45 to 477. Between fiscal years 1964 and 1967, convictions or organized crime and gambling figures resulting from FBI investigations have risen 300 percent, from 64 to 197. Of 182 federal indictments and convictions of known members of the Cosa Nostra in the last 12 years, 66, more than one-third, have come in the last 12 months. Included are some of the highest ranking members of this major crime syndicate ever caught.

Criminal intelligence supplied to local law enforcement by federal agencies has had an even greater impact on organized crime. In fiscal 1967, the FBI disseminated over 250,000 items of intelligence regarding organized crime resulting in 3,600 arrests for violation of state law. Criminal intelligence supplied by the FBI has resulted in 174 raids of organized crime operations and 674 arrests in the past four months.

A new and highly effective technique already tested in a major northeastern city involves the "Strike Force" concept. A special team, the "Strike Force," staffed by Organized Crime and Racketeering Section attorneys and selected federal investigators from several key agencies, carefully coordinate with state and local law enforcement. An intensive correlation of intelligence guides special investigation, raids, grand jury investigation and action followed by prosecution. Superimposed on regular law enforcement and with no other assignment than to find and prosecute organized criminal conduct, the "Strike Force" can deliver major blows to organized crime and leave local law enforcement in control. A series of strike forces are being planned for centers of organized crime.

For better than a year now, the Department of Justice has conducted meetings in major cities across the country to alert local law enforcement and to intensify and better coordinate local, state and federal action directed at organized crime.

The Department will continue its efforts against organized crime in the months ahead. This is an area where the federal government must play a major role. The interstate nature of much of the more extreme organized crime activity and its ability to neutralize local law enforcement make this imperative.

But we must not look to the federal government to eliminate organized crime any more than we can look to it to control crime in the streets, or riots. Excellence in local law enforcement is the *sine qua non* of any effort to eliminate organized crime. Without this, little can be permanently accomplished. It is local police that patrol the streets and alleys and see and know the activities of the people. It is local police that are present in adequate numbers to deal with organized gambling, shylocking or prostitution. It is state and local laws that are violated by most organized crime activity. It is the duty of local police to enforce those laws.

Crime in the streets can only be controlled and reduced. Organized crime can be eliminated. There are whole nations and societies relatively free of its scourge. A key will be the professionalization of local law enforcement: raising standards, training officers to meet the varieties of criminal conduct committed, paying salaries that will attract the best among us, providing adequate force, research and development, organization and leadership to bring excellence to local law enforcement throughout the nation. It is a happy fact, though no coincidence, that fulfillment of this same great need will aid in the arrest and reversal of the trends toward lawlessness in the other faces of American crime.

Executive Briefing on United States-Russia Fisheries Agreement

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 29, 1967

Mr. DINGELL. Mr. Speaker, in October of last year the Congress passed a law which would prohibit foreign vessels from fishing within 12 miles of our coastal waters, except as expressly provided by an international agreement to which the United States is a party.

On Saturday o' last week, the United States and Russia entered into a fisheries agreement concerning our Atlantic coast fisheries. Similar agreements concerning our Pacific coast fisheries were entered into between the United States and Russia and the United States and Japan, respectively, in February and May of this year.

On Monday, December 4, 1967, at 10 a.m., in room 1334, Longworth House Office Building, before the Merchant Marine and Fisheries Committee, there will be an executive briefing by representatives of the State Department and the Department of the Interior on the abovementioned agreements. There will also be a discussion on fishery negotiations between the United States and certain South American countries and the United States and Mexico.

Because of the importance of this meeting to our U.S. fishing industry, I would like to invite all Members of the Congress to attend this classified briefing.

SENATE

THURSDAY, NOVEMBER 30, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Father, we are grateful for the inner call of service to God and man. Be with these who have been called by the people of this Nation to lead. May they feel the call of the God of history as they make history today.

We are grateful for the solution to the conflict on the island of Cyprus. For those who were messengers of peace, we give Thee thanks. Give to this small nation the blessing of inner peace.

Give us guidance, O God, to new avenues of finding peace in the continuing conflict we face in Vietnam. May these worthy statesmen feel the strength of faith, hope, and love in this perplexing hour of history. We pray in the Master's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 29, 1967, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the

Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 271. An act to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts; and

S. 2565. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes.

The message also announced that the House had passed a bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions;

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

HOUSE BILL REFERRED

The bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package, was read twice by its title and referred to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be permitted to meet today.

The VICE PRESIDENT. Without objection, it is so ordered.

ENROLLED BILL SIGNED

The VICE PRESIDENT announced that on today, November 30, 1967, he signed the enrolled bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491), which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF PROPOSED MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense, Properties and Installations, transmitting, pursuant to law, the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Army National Guard (with an accompanying report); to the Committee on Armed Services.

PROPOSED AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, relating to the disposal of foreign excess property and for other purposes (with an accompanying paper); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex. (Rept. No. 822).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 269. A bill to authorize an exchange of lands at Acadia National Park, Maine (Rept. No. 825);

S. 1821. A bill to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park (Rept. No. 826); and

S. 2452. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois (Rept. No. 827).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona (Rept. No. 829).

By Mr. FANNIN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 4983. An act to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona (Rept. No. 828).

REPORT ENTITLED "JUVENILE DELINQUENCY"—REPORT OF A COMMITTEE (S. REPT. NO. 823)

Mr. BURDICK. Mr. President, on behalf of the Senator from Connecticut [Mr. DODD], from the Committee on the Judiciary, I submit a report entitled "Juvenile Delinquency," the annual report of the Subcommittee To Investigate Juvenile Delinquency, pursuant to Senate Resolution 199, 89th Congress, second session, and I ask unanimous consent that the report be printed, together with the individual views of Senators HRUSKA and DODD.

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from North Dakota.

AMENDMENT OF SECTION 13a(1) OF INTERSTATE COMMERCE ACT—REPORT OF A COMMITTEE (S. REPT. NO. 824)

Mr. MAGNUSON, from the Committee on Commerce, reported an original bill (S. 2711) to amend section 13a(1) of the Interstate Commerce Act, as amended, and for other purposes, and submitted a report thereon, which report was ordered to be printed and the bill was read twice by its title and placed on the calendar.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Paul G. Clark, of Massachusetts, to be an Assistant Administrator of the Agency for International Development.

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the Diplomatic and Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Arch K. Jean, of Pennsylvania, and sundry other persons, for appointment and promotion in the Diplomatic and Foreign Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MILLER:

S. 2706. A bill for the relief of Yung Ran Kim; to the Committee on the Judiciary.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2707. A bill to provide for the free entry of certain operating tables imported for the use of the Newington Hospital for Crippled Children; to the Committee on Finance.

By Mr. TALMADGE:

S. 2708. A bill for the relief of Nguyen Van Hue; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. Mansfield, Mr. Burdick, and Mr. McGovern):

S. 2709. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PROUTY:

S. 2710. A bill to amend the Service Contracts Act of 1965; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2711. A bill to amend section 13a(1) of the Interstate Commerce Act, as amended, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. Magnuson, which appears under the heading "Reports of Committees.")

By Mr. McCARTHY (for himself and Mr. Mondale):

S. 2712. A bill to amend the act entitled "An act authorizing the Village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minn.," approved December 21, 1950; to the Committee on Public Works.

By Mr. BURDICK:

S. 2713. A bill for the relief of Dr. Amado Chanco, Jr.; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

INITIATION OF ACTION TO ESTABLISH AN INTERNATIONAL EDUCATION YEAR

Mr. RIBICOFF (for himself, Mr. Baker, Mr. Bennett, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Case, Mr. Cooper, Mr. Fannin, Mr. Fong, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hickenlooper, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Miller, Mr. Moss, Mr. Pell, Mr. Percy, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Symington, and Mr. Yarborough) submitted a concurrent resolution (S. Con. Res. 52) to initiate action to establish an International Education Year, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Ribicoff, which appears under a separate heading.)

RELIEF OF YUNG RAN KIM

Mr. MILLER. Mr. President, I introduce a bill and ask that it be printed in the Record and appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, in accordance with the request of the Senator from Iowa, the bill will be printed in the Record.

The bill (S. 2706) for the relief of Yung Ran Kim, introduced by Mr. Miller, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yung Ran Kim may be classified as a child within the meaning of section 101 (b) (1) (F) of such Act, and a petition may be filed in behalf of the said Yung Ran Kim by Mr. and Mrs. Charles R. Kiner, Junior, citizens of the United States, pursuant to section 204 of such Act. Section 204(c) of such Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

PROPOSED AMENDMENT OF SERVICE CONTRACTS ACT OF 1965

Mr. PROUTY. Mr. President, I am introducing a bill which will amend the Service Contract Act of 1965 by excluding from its coverage any contract the principal purpose of which is the furnishing of architectural or engineering services.

Originally, I had intended to introduce a bill removing all contracts for professional services from the coverage of this act. I still feel that a broader exclusion of contracts for professional services should eventually be adopted in order to effectuate the congressional intent in enacting this law and to prevent an unintended and totally unnecessary burden being imposed on persons and firms providing professional services to the Federal Government on a contract basis.

It appears to me that the Department of Labor is attempting to use Congress' oversight in not specifically excluding professional services contracts from application of the Service Contract Act of 1965 as a loophole by which it can expand its domain.

However, partly because of certain correspondence which I have had with Secretary Wirtz, the bill which I am introducing today merely exempts contracts with the Government which are primarily for the furnishing of architectural or engineering services from the requirements of this act.

Mr. President, the Service Contract Act of 1965 was approved by the 89th Congress for the purpose of providing labor standards for "blue collar" workers employed by Federal contractors furnishing services to Federal agencies. This act requires every contract "the principal purpose of which is to furnish services through the use of service employees" to contain provisions specifying the minimum wages and fringe benefits to be paid various classes of service employees in the performance of the contract. Such wages and benefits must be no less than those prevailing in the locality, as determined by the Secretary of Labor.

"Service employees" are defined in the act as "guards, watchmen, and any person engaged in a recognized trade or craft, or other skilled mechanical craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirement." Contractors and subcontractors to whom the act applies must make and maintain for 3 years detailed records for each service employee, and comply with other administrative requirements.

The legislative history of the act in both the Senate and in the House shows clearly that the intent of Congress in enacting this legislation was to protect poorly paid unskilled and semiskilled workers from exploitation during the performance of service contracts for Federal agencies. It obviously was not intended to apply to professional services contracts.

In describing the types of service contracts covered by the act, the House and Senate reports refer to "laundry and drycleaning, custodial and janitorial, guard service, packing and crating, food service, and miscellaneous housekeeping services." It was recognized by the drafters of the legislation that it would be unrealistic and burdensome—and that the legislation probably would not even be approved—if it were written to apply its requirements to every type of service contract. Accordingly, the act was written to apply only to contracts "the principal purpose of which is to provide services through the use of service employees," and to exclude contracts falling into seven specified categories.

Mr. President, as a member of the Subcommittee on Labor of the Committee on Labor and Public Welfare, I participated in the hearing on this legislation when it was before the Senate, and at no time was there any indication or intimation of any kind that the act would be or should be applied to contracts for architectural or engineering services or any other professional services, nor were such contracts considered or even mentioned.

The Department of Labor, however, in recent months has taken the position that the act covers many, if not most, professional services contracts. This matter was first brought to my attention by the National Society of Professional Engineers following a ruling by the Department that the act applied to a proposed contract for professional engineering services in the course of which a survey crew would be used. Several members of the survey crew, depending on the circumstances at the time the crew was used might have come within the act's definition of "service employee."

When I wrote to the Secretary of Labor raising a question about the applicability of the act to such a contract, he noted specifically in his reply that the act contains no exclusion for contracts for professional services. He stated that the Department would not assert coverage under the act for such contracts when the use of service employees is "only a minor factor" in the performance of the contract, but that the act would apply when a contract "to a significant extent" requires the use of such employees.

Mr. President, the Department of

Labor's attempt to apply the Service Contract Act to professional services contracts requiring the use of service employees "to a significant extent" is tantamount to reading the words "principal purpose" completely out of the law. It is clearly contrary to what Congress intended.

But more recently, Mr. President, the Department has gone even further. It has published a set of proposed regulations in the Federal Register which, in effect, would apply the requirements of the act to a contract if its principal purpose is simply to furnish services, and if any of the services will be furnished through the use of even one service employee. Section 4.113 of the proposed regulations—which were published by the Department on July 8, 1967—would require Federal contracting officers to impose the requirements of the act in all service contracts except where it is known in advance that the contractor in no event will use any service employee.

All of us, I am sure, know that it is a rare professional services contract, be it for engineering services, medical services, legal services or whatever, that does not require the use of support personnel, one or more of which might fall within the definition of "service employee." Thus, if the Department of Labor's position is permitted to stand, professional services contracts almost without exception will become subject to the requirements of the act and the regulations. This not only would place a needless and unintended administrative burden on firms providing professional services to the Government, but probably would work to the detriment of their support personnel as well. Subprofessional employees of professional firms, by the very nature of their work, generally perform a wide range of duties and, as a practical matter, do not fit within the rigid job classification system required by the Service Contract Act. In many cases, such employees are working for the firm with the intent and expectation of becoming professionals themselves. Since there has been no indication whatsoever that such employees need or want the minimum wage protection afforded "blue collar" workers under this act, I see no legitimate reason for the Labor Department to attempt to stretch the act to embrace them.

As I said, I had originally intended to introduce an amendment to the Service Contract Act excluding contracts for all professional services. In his letter to me of June 1, 1967, however, Secretary of Labor Wirtz took the position that—

> Since many contracts for professional services primarily involve the use of service employees in accomplishing the services called for, the Department could not support a blanket exclusion from the act for contracts for professional services.

Accordingly, Mr. President, the bill which I am introducing today is quite limited and applies only to contracts for architectural or engineering services.

The term "architectural or engineering services" is used in Federal procurement statutes. It is also used in the regulations of the various Federal agencies and has a well-established meaning. Such services are procured by the Federal agencies under their statutory authority to negotiate contracts for professional services.

Mr. President, I believe that amendment of the Service Contract Act of 1965 as I am proposing today will remedy Congress oversight in not excluding from the act contracts entered into by the Government calling primarily for architectural and engineering services. Furthermore, as there is no possibility that this amendment can raise the problem of inadvertently denying benefits under this act to any employees to whom Congress intended to give such benefits, it is my hope that this proposal will be supported by the Secretary of Labor.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2710) to amend the Service Contracts Act of 1965, introduced by Mr. PROUTY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2710

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 7 of the Service Contract Act of 1965 is hereby amended by striking the word "and" at the end of subsection (6); changing the period at the end of subsection (7) to a semicolon and inserting immediately thereafter the word "and"; and by adding the following new subsection immediately following subsection (7):

"(8) any contract the principal purpose of which is the furnishing of architectural or engineering services".

INTERNATIONAL EDUCATION YEAR

Mr. RIBICOFF. Mr. President, I submit for appropriate reference a concurrent resolution urging the President to instruct the U.S. Ambassador to the United Nations to introduce a resolution in the General Assembly calling for an international education year in 1970, on behalf of myself and Senators BAKER, BENNETT, BYRD of Virginia, BYRD of West Virginia, CASE, COOPER, FANNIN, FONG, HARRIS, HART, HARTKE, HICKENLOOPER, INOUYE, JACKSON, JAVITS, KENNEDY of Massachusetts, KENNEDY of New York, LAUSCHE, LONG of Missouri, MAGNUSON, MCGEE, MCINTYRE, METCALF, MILLER, MOSS, PELL, PERCY, PROUTY, PROXMIRE, RANDOLPH, SYMINGTON, and YARBOROUGH.

Mr. President, education is necessary for constructive change in individuals and nations.

Yet, there are whole regions in the world where as many as eight out of 10 people can neither read nor write.

There are villages in Africa, Asia, and Latin America that would ransom all their possessions if they could have but one qualified teacher for their children. And there are other villages, whole towns, and capital cities that have some teachers. But these are all too often ill-equipped. The knowledge they teach is unrelated to the experience of the students. Their materials are unsuited to convey the knowledge they do or should impart. In short, they have no tools for learning.

It is clear that for developing nations education must be the bedrock of economic and social progress. Without education no nation can reap the benefits of modern science and harness implements of modern technology for carrying out the solutions their staggering problems demand. Leaders of the developing nations of the world realize this.

They know that the shackles of ignorance holding back their nations must be broken. But they also know their nations cannot break free alone.

The help of the advanced nations is essential.

The United States and the countries of Europe already give developing nations assistance in the education field both individually and through international organizations. But these current efforts are not enough.

They must be magnified manifold.

They must be coordinated.

Cooperative efforts are needed to design large-scale regional attacks on education problems where the momentum of determined self-help is already clear.

For this reason I propose that 1970 be designated as "International Education Year," a year for all nations of the world to fix their attention on the problems of education.

It will be a time to meet in conference, to ask the right questions about the place of education in the development process, and to find meaningful answers through shared knowledge, thought, and experience.

It will be a time to draw the energies and experiences of concerned people throughout the world to difficult problems and needed objectives. After all, the economist, political scientist, anthropologist and psychologist must help the educator make informed educational decisions and shape sound educational programs.

The most careful planning is essential if the opportunities afforded by an International Educational Year are to be turned to the fullest advantage. The efforts of competent and interested individuals, private educational foundations and organizations throughout the world must be enlisted. The Institute of International Education, with a long history of significant contributions in the field of international education, has already offered its assistance for planning the activities of International Education Year. The institute's own preparations for "Open Doors to Open Minds"—its 50th anniversary celebration in 1969—will be helpful in building the groundwork for an International Education Year in 1970.

For our purpose is clear. Our efforts must assure that all the countries of the world focus on the problems of learning that they set aside the differences dividing them and work together in the name of education, an objective common to all.

The economist Barbara Ward has written that "the chief key to change in Africa today lies in the schoolhouse." This statement holds true for every country on each of the continents of the

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world. How a country's leaders and people are educated will go far to determine the direction change in that country will take.

For just as the most promising future for our own Nation rests on education of excellence for our children so the most promising future for all nations must be based on a solid foundation of worldwide education.

We hope that an international education year will lead to vastly enlarged educational opportunities for all the children of the world. For with more and better education, future generations will have a better chance to live together in tolerance and peace.

Mr. President, I ask unanimous consent that the concurrent resolution be printed in the Record at this point.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 52) was referred to the Committee on Foreign Relations, as follows:

S. Con. Res. 52

Whereas education is the foundation of economic and social progress, the key to individual growth, and forms the basis of strength and constructive change in nations; and

Whereas the development of many nations is held back by education and training that is obsolete, inadequate or unrelated to the experience and goals of both students and the society in which they live; and

Whereas cooperative efforts among nations are essential to define the problems of education, and to share ideas, resources and tools for learning, and forms the basis of strength and constructive change in nations; and

Whereas the development of many nations is held back by education and training that is obsolete, inadequate or unrelated to the experience and goals of both students and the society in which they live; and

Whereas cooperative efforts among nations are essential to define the problems of education, and to share ideas, resources and tools for learning; and

Whereas an International Education Year would offer an opportunity for all nations to focus attention on the needs of education, and to design and set in motion effective, coordinated efforts to improve education throughout the world: Therefore be it

Resolved by the Senate (*the House of Representatives concurring*), That the President of the United States, through his representative at the United Nations, should initiate in the General Assembly of the United Nations a resolution designating 1970 as International Education Year.

CHANGE OF REFERENCE—S. 2269

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 807, S. 2269, be referred to the Committee on Foreign Relations with instructions to report back not later than Monday, December 11, 1967.

The measure has to do with the unlawful seizure of fishing vessels of the United States by foreign countries.

The measure was reported out of the Commerce Committee, and it has been agreed to.

The VICE PRESIDENT. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 483

Mr. ERVIN (for himself, Mr. Cooper, Mr. Yarborough, and Mr. Holland) submitted an amendment, intended to be proposed by him, to the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes, which was ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN NAVAL VESSEL LOANS NOW IN EXISTENCE AND A NEW LOAN—AMENDMENTS

AMENDMENT NO. 484

Mr. CLARK submitted amendments, intended to be proposed by him, to the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Thursday, December 7, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

John T. Curtin, of New York, to be U.S. district judge, western district of New York. New position, Public Law 89-372, approved March 18, 1966.

Morris E. Lasker, of New York, to be U.S. district judge, southern district of New York, vice Richard H. Levet, retired.

Winston E. Arnow, of Florida, to be U.S. district judge, northern district of Florida. New position, Public Law 89-372, approved March 18, 1966.

Harry Pregerson, of California, to be U.S. district judge, central district of California. New position, Public Law 89-372, effective September 18, 1966.

Gerhard A. Gesell, of the District of Columbia, to be U.S. district judge, District of Columbia, vice Spottswood W. Robinson III, elevated.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MILLER:

Speech entitled "Defense Procurement" by the Senator from South Carolina [Mr. Thurmond] at a luncheon of the National Association of Manufacturers in New York City, November 16, 1967.

SECRETARY OF DEFENSE ROBERT S. McNAMARA

Mr. PASTORE. Mr. President, yesterday—Wednesday, November 29, 1967—Secretary of Defense Robert S. McNamara was formally offered and formally accepted the presidency of the World Bank, a position of great responsibility and challenging opportunity.

The initial approach was made to Secretary McNamara over 7 months ago—on April 18 of this year. But the Secretary's closest friends in the Senate did not know of the Bank offer until the press rumored it on Monday afternoon.

Tuesday, on the floor of the Senate, currency was given to these rumors. There were interpretations to the effect that the Secretary had not submitted his resignation but, by some means or other, had been transferred over to the World Bank.

At that time I cautioned against such innuendo. I said that Secretary McNamara was too independent, financially and intellectually, to accept humiliation in any way. I concluded by saying:

> I am sorry that Secretary McNamara is leaving. I wish he would stay. But I know he must have reasons of his own—and I wait to hear what those reasons are.
>
> Until that day, let us not by our speculations seek to make him a puppet nor President Lyndon Johnson a tyrant.

We did not have long to wait. Yesterday, following the formal offer and acceptance, the statements by President Johnson and Secretary McNamara cleared the atmosphere.

I ask unanimous consent that these statements, as they appeared in the New York Times this morning, be printed in the Record at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PASTORE. This I do not to exalt any wisdom of restraint that I urged, but so that our legislative history may be complete.

Exhibit 1

Texts of Statements on the New Post for McNamara

International Bank: "The executive directors met today and unanimously agreed to offer the presidency of the bank to Mr. Robert McNamara."

President Johnson: "A few weeks ago, Secretary Fowler advised me that the World Bank had asked this Government to submit to the bank's board of directors its recommendations for president of the bank to succeed Mr. George Woods. He informed me that Mr. Woods had recommended Secretary Robert McNamara, and that he and Mr. Livingston Merchant heartily concurred.

"Some time ago, Mr. McNamara reported to me that Mr. Woods had talked to him about succeeding Mr. Woods as president of the bank. Mr. McNamara said that he was interested in the World Bank post as an opportunity for continued service. He assured me of his willingness to remain as Secretary of Defense so long as the President considered it to be necessary, but he believed the service would benefit from the appointment of a fresh person.

"Mr. McNamara is obviously qualified for the presidency of the World Bank by background, skills and interest, and he is certainly entitled to appointment to any appropriate post in which he is interested and to relief from the extraordinary burdens that he has been carrying as soon as the national interest will permit. He deserves no less from his President and his country.

"Accordingly, I told Secretary Fowler that I concurred in the submission of Secretary McNamara's name to the board of the World Bank, and I am informed that upon inquiry by representatives of the board, Secretary McNamara today has indicated his availability, subject to the President's consent and agreement as to the time when he will assume his post.

"I do not minimize the loss to the Government and to me personally that will result from Secretary McNamara's departure from the Cabinet and the post of Secretary of Defense.

"He has been a great administrator of the defense establishment. He has been a wise, resourceful and prudent originator and collaborator with respect to policies and programs of vital importance to this nation and the world.

"His service as a member of my Cabinet and as a wise counselor in matters of domestic as well as foreign policy has been excellent.

"The nation as well as its President owe him a debt of gratitude and the highest honors which can be bestowed. I shall miss him greatly as a member of my Cabinet, as one of my closest colleagues and as my valued friend. He has richly earned relief from the arduous labors and stress of the position which he has so well occupied; and I am glad that he will continue to render service to the nation and the world in the important post to which he has been named.

"But I could not justify asking Secretary McNamara indefinitely to continue to bear the enormous burdens of his position, nor could I in justice to him and to this nation's obligations to the World Bank refrain from recommending that he be selected as president of the bank.

"The course of our participation in the war in Vietnam is firmly set; major defense policies are clearly defined, and it will be possible for Secretary McNamara's successor to continue his able and effective administration of the defense establishment and our program without loss of momentum or effectiveness.

"No precise date has yet been fixed for Secretary McNamara's departure, but I have asked him to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969."

Mr. McNamara: "I should like to tell you of the events that have led up to my nomination as president of the World Bank. In less than 60 days I will have served seven years as Secretary of Defense. No one of my predecessors has served so long. I myself did not plan to. I have done so because of my feeling of obligations to the President and the nation, although I have felt for some time that there would be benefits from the appointment of a fresh person.

"On the 18th of April Mr. George Woods, president of the World Bank, told me that he wished to recommend me to the executive directors as his successor.

"He asked whether I would be interested. I replied that I had not thought of the possibility before he mentioned it to me, but that I was interested in the economic development of the less-developed countries and believed that the work of the bank in this respect was vital to the stability of relations among all nations.

"I emphasized to him, however, as I have to at least 20 others in the past two years, that I have never believed in considering any future job before completing a current one, and that I felt deeply obligated to serve the President as Secretary of Defense as long as necessary.

"Mr. Woods replied that it was not necessary to make any decision then, that although his own term was scheduled to end on Dec. 31, 1967, he had been considering with the executive directors the possibility of staying on for as long as another year. I reported this conversation to the President and told him of my interest in the post. I reiterated that I would serve as Secretary of Defense as long as he felt it necessary.

"About the middle of October, I was informed by the President that nominations to succeed Mr. Woods would soon have to be made, and he asked me if I was still interested in serving as head of the bank. I answered in the affirmative, repeating, however, that I would not leave the post of Secretary of Defense until he felt he could release me.

"The President told me, as he has said to me before, that he believed I deserved whatever I wanted in or out of Government, and he would do whatever he could to help me get it.

"We discussed the state of the defense program and the names of potential successors. I have greatly valued the opportunity to serve my country as Secretary of Defense, and I am profoundly grateful to the President for his unfailing support and friendship. I have worked with him in complete harmony and with the highest regard.

"No date has been set for my departure from my present post and the assumption of my new duties. The President has asked me to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969."

Mr. Woods: "Secretary Henry Fowler and Mr. Livingston Merchant, as United States representatives on the board of governors and the board of executive directors, respectively. on the World Bank, agreed with me that Secretary McNamara should be recommended to the executive directors for the post of president of the World Bank.

"This followed conversations which I had had with Secretary McNamara earlier this year about the post, in which the Secretary had tentatively indicated interest. Secretary Fowler told the President of our desire and subsequently reported that the President said he wanted Secretary McNamara to have any post in which the Secretary was interested, and Secretary Fowler authorized that his name be placed before the board of executive directors.

"Mr. Merchant thereafter communicated the recommendation of Mr. McNamara to the executive directors. I heartily supported it, and the executive directors today unanimously approved it."

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. Mr. President, following the Senator's most eloquent statement the day before, I spoke to the same effect on yesterday.

I should like to identify myself with the Senator's position. I believe that a man who has served as nobly as has Secretary McNamara should not have his passing from one great job to another bedeviled by suspicions, speculations, rumors, bad motives, and so forth. The matter should be let alone, and great restraint would show the respect in which we hold this extraordinary and able man.

Mr. PASTORE. I thank the Senator.

CYPRUS

Mr. PASTORE. Mr. President, in view of the prayer that was delivered to the Senate this morning, which was so uplifting in spirit, I should like to express a hope myself. I hope that all those individuals who have been so prone to criticize President Johnson with respect to Vietnam will find it in their hearts to thank him and to appreciate the masterly statesmanship of President Johnson with respect to Cyprus.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 795 and the succeeding measures in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

SPECIAL COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

The resolution (S. Res. 188) continuing the Special Committee on the Organization of the Congress through January 31, 1968, was considered and agreed to, as follows:

Resolved, That the Special Committee on the Organization of the Congress, established by S. Res. 293, Eighty-ninth Congress, agreed to August 26, 1966 (as amended and supplemented), is hereby continued through January 31, 1968.

SEC. 2. The special committee is hereby authorized to exercise the powers conferred upon it by section 2 of S. Res. 311, Eighty-ninth Congress, agreed to October 17, 1966, through January 31, 1968. The expenses of the special committee from January 1, 1968, through January 31, 1968, shall not exceed $10,000, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 810), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 188 would provide that the Special Committee on the Organization of the Congress, established by Senate Resolution 293, 89th Congress, agreed to August 26, 1966 (as amended and supplemented), be continued through January 31, 1968. The special committee would be authorized through January 31, 1968, to exercise the powers (to make expenditures and to employ personnel) conferred upon it by section 2 of Senate Resolution 311, 89th Congress, agreed to October 17, 1966; and from January 1, 1968, through January 31, 1968, to expend not to exceed $10,000, which expenditures would be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

The Special Committee on the Organization of the Congress was established by Senate Resolution 293 of the 89th Congress, agreed to August 26, 1966, "for the purpose of receiving and considering a bill, when introduced, and germane amendments relating thereto, having for its purpose the carrying out of the recommendations contained in the report of the Joint Committee on the Organization of the Congress, Report No. 1414, July 28, 1966."

Senate Resolution 311 of the same Congress, agreed to October 17, 1966, reiterated that authority, and authorized expenditures by the special committee of not to exceed $15,000 through January 31, 1967. This action had been requested by Senator A. S. Mike Monroney, chairman of the special committee, since it appeared that the Senate would not have an opportunity to consider S. 3848, the reorganization bill reported by Senator Monroney, before adjournment of the 89th Congress.

The Special Committee on the Organization of the Congress was reactivated and continued from March 31, 1967, to June 30, 1967, during the first session of the 90th Congress by Senate Resolution 106, agreed to April 11, 1967, for the purpose of considering any House amendments to S. 355, the reintroduced reorganization bill, which had passed the Senate on March 7, 1967. No funds were provided the special committee under Senate Resolution 106. The special committee was continued through December 31, 1967, by Senate Resolution 133, agreed to June 12, 1967, since House action on S. 355 was still pending. The instant proposal, Senate Resolution 188, would continue the special committee through January 31, 1968.

The Senate members of the Joint Committee on the Organization of the Congress, who also compose the Special Senate Committee on the Organization of the Congress, contend that it would adversely affect the cause of congressional reform if the legislative status quo is not maintained over the adjournment of the first session of the 90th Congress. Continuation of the special committee would permit staff assistance to its members, who will possibly serve as Senate conferees in the event that House-approved amendments to S. 355, the Legislative Reorganization Act of 1967, should not prove acceptable to the Senate.

PRINTING OF THE CONSTITUTION OF THE UNITED STATES, AS AMENDED, AND THE DECLARATION OF INDEPENDENCE

The concurrent resolution (H. Con. Res. 557) to provide for the printing of the Constitution of the United States as amended to February 10, 1967, together with the Declaration of Independence was considered and agreed to.

PRINTING FOR THE COMMITTEE ON HOUSE ADMINISTRATION OF THE HOUSE OF REPRESENTATIVES, AND THE COMMITTEE ON RULES AND ADMINISTRATION OF THE SENATE

The concurrent resolution (H. Con. Res. 519) authorizing certain printing for the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate was considered and agreed to.

STUDY OF THE U.S. OFFICE OF EDUCATION

The concurrent resolution (H. Con. Res. 487) providing for printing as a House document the study entitled "Study of the U.S. Office of Education" was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 813), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 487 would provide that a study prepared by the House Committee on Education and Labor entitled, "Study of the U.S. Office of Education" be printed as a House document. The concurrent resolution further would authorize the printing of 10,000 additional copies of such document, of which 4,580 would be for the use of the House Committee on Education and Labor, 4,390 would be for the use of the House of Representatives (10 per Member), and 1,030 would be for the use of the Senate (10 per Member). After 60 days any copies remaining from those prorated to Members of Congress would be assigned to the respective House and Senate Document Rooms for general distribution.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$19,890.44
10,000 additional copies, at $804.85 per thousand	8,048.50
Total estimated cost, H. Con. Res. 487	27,938.94

PRIVILEGE OF THE FLOOR

The resolution (S. Res. 191) to amend rule XXXIII of the Standing Rules of the Senate so as to extend the privilege of the Senate floor to the Commissioner of the District of Columbia was considered and agreed to, as follows:

S. RES. 191

Resolved, That rule XXXIII of the Standing Rules of the Senate is amended by striking out: "Commissioners of the District of Columbia." and inserting in lieu thereof: "The Commissioner of the District of Columbia.".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 814), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 191 would effect a pro forma amendment of rule XXXIII of the Standing Rules of the Senate, which rule specifies the persons who may be admitted to the floor of the Senate while in session. Since June 13, 1884 (Senate Journal 762, 48–1) the Commissioners of the District of Columbia have been included among those accorded that privilege.

Pursuant to Reorganization Plan No. 3 of 1967, the three Commissioners of the District of Columbia have been superseded by a single Commissioner. Senate Resolution 191 would simply conform rule XXXIII to the present situation.

JOSEPHINE BELLIA

The resolution (S. Res. 190) to pay a gratuity to Josephine Bellia was considered, and agreed to, as follows:

S. RES. 190

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Josephine Bellia, widow of Domenick Bellia, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

LEASING FOR THE GILA RIVER INDIAN RESERVATION

The bill (H.R. 2154) to provide long-term leasing for the Gila River Indian Reservation was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 816), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 2154, would amend the Indian Long-Term Leasing Act to authorize leases of lands of the Gila River Indian Reservation for a period up to 99 years.

NEED

Enactment of H.R. 2154 would permit the lands of the Gila River Reservation of Arizona to be leased for terms of 99 years. This reservation, which lies south of the rapidly expanding city of Phoenix and which will be crossed by Interstate Highway 10, is a highly desirable location for potential industrial, commercial, recreational, and residential development. Existing leasing authority, however, would generally be inadequate to attract such development because of current minimum legal requirements pertinent to financing. In addition, with current leasing limitations, reservation lands are subject to keen competition with non-Indian lands where fee title can be made available for prospective development.

Basic general leasing authority presently permits Indian reservation lands to be leased for various purposes for terms up to 25 years with authority to include an option permitting renewal for not to exceed 25 additional years. While this leasing authority is sometimes adequate, occasions arise when beneficial development of Indian lands is precluded because the limited leasehold interest is inadequate to meet established requirements of many financial institutions. For this reason, the Congress has enacted legislation authorizing 99-year leases for the Agua Caliente, Dania, Colorado River, Port Mojave, Navajo, Pyramid Lake, Salt River Pima-Maricopa, San Xavier, and Southern Ute Reservations.

COST

No expenditure of Federal funds would be required by enactment of this legislation.

JUDGMENT IN FAVOR OF THE IOWA TRIBES OF KANSAS AND NEBRASKA AND OF OKLAHOMA IN INDIAN CLAIMS COMMISSION

The bill (H.R. 2828) to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets Nos. 138 and 79, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 818), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 2828 is to provide for the disposition of funds appropriated to pay two judgments recovered by the Iowa Tribe of Kansas and Nebraska and the Iowa Tribe of Oklahoma in Indian Claims Commission dockets Nos. 138 and 79.

NEED

The act of April 30, 1965 (79 Stat. 81), appropriated funds for the payment of the judgment recovered in docket No. 138, in the sum of $1,372,267.50, as compensation for lands in western Iowa and northwestern Missouri ceded to the United States by treaties in 1836 and 1837. Funds were also appropriated by the act of October 27, 1966 (80 Stat. 1057), for the award in docket No. 79, which represents a recovery on three accounting claims in the sum of $11,394.67. The funds covering both awards are on deposit in the U.S. Treasury drawing interest at the rate of 4 percent per annum.

Legislation is required to dispose of judgment funds awarded after the tribes develop plans and programs for the utilization of such funds.

H.R. 2828 will provide for the disposition of the present funds by dividing them between the two Iowa Tribes based on the relative number of persons in each group whose names appeared on rolls prepared in 1889 and 1891 plus 28 Indians of the Iowa Tribe of Kansas and Nebraska who were entitled to an allotment of land but did not receive the allotment. Representatives of both groups met jointly on July 14, 1966, and thereafter each tribal group adopted a resolution endorsing the disposition of funds on this basis. The bill provides that the Iowa Tribe of Kansas and Nebraska shall receive an amount equal to 61.29 percent of the judgment funds and the Iowa Tribe of Oklahoma shall receive 38.71 percent of the awards.

H.R. 2828 provides that such funds may be invested or expended for any purpose authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Both groups have functioning governing bodies and the Iowa Tribe of Kansas and Nebraska is organized under the Indian Reorganization Act and the Iowa Tribe of Oklahoma under the Oklahoma Indian Welfare Act.

The Iowa Tribe of Oklahoma will program $12,000 of its funds for the administration of the Iowa Community House; the remainder will be distributed in per capita payments to members whose names appear on a current membership roll. The Iowa Tribe of Kansas and Nebraska proposes to distribute all its funds in per capita payments subject to a deduction for the nonpayment of tribal land fees where applicable and payments to the 28 members entitled to allotments who did not receive the original land allotment.

Approximately 2,150 individual Indians will share in the distribution of these funds—1,500 members of the Iowa Tribe of Kansas and Nebraska, and 650 members of the Iowa Tribe of Oklahoma. Per capita payments will not be subject to State or Federal income taxes.

COST

No additional expenditures of Federal funds are contemplated under the terms of H.R. 2828.

LEASES OF INDIAN LANDS ON SAN CARLOS APACHE RESERVATION IN ARIZONA

The bill (H.R. 4920) to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 817), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 4920 would amend the Indian Long-Term Leasing Act to authorize leases of lands of the San Carlos Apache Reservation of Arizona for a period up to 99 years.

NEED

Existing law authorizes leases of Indian lands for various purposes for periods up to 25 years, with an option to renew for one additional term of not more than 25 years. Where it has been deemed appropriate, the Congress has, from time to time, authorized leases for a period up to 99 years. At the present time, nine reservations (the Agua Caliente, Dania, Colorado River, Fort Mojave, Navajo, Pyramid Lake, Salt River Pima-Maricopa, San Xavier, and Southern Ute Reservations) are authorized to negotiate such long-term leases.

The basic reason for authorizing longer leases for these reservations rests on the fact that existing leasing authority has sometimes been inadequate to meet current minimum legal requirements pertinent to financing substantial improvements. The committee has been advised that the San Carlos Tribe has received several development proposals for industrial and recreational projects; however, to date, the limited leasing authority has prevented consummation of agreements in these instances.

Benefiting from its prime location in east-central Arizona, the 1,800,000-acre San Carlos Apache Reservation is crossed by two major highways—including the link between Phoenix and El Paso. Combining this location with the recreation and scenic attractions arising from the existence of the San Carlos Lake behind Coolidge Dam creates a real potential for substantial development which would benefit the tribe. Such development is anticipated if the tribe is authorized to negotiate leases for terms exceeding the present 50-year limitation. Enactment of H.R. 4920 will enable the tribe, where appropriate, to enter long-term leases which will maximize the returns for the use of their lands.

COST

No expenditure of Federal funds would be required by enactment of this legislation.

CONTRACTS FOR DELIVERY OF WATER FROM NAVAJO RESERVOIR IN NEW MEXICO

The joint resolution (S.J. Res. 123) to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That such contracts are hereby approved by the Congress. The Secretary may enter into amendments thereto which would in his judgment be in the interest of water conservation, but the total water depletion shall not exceed the estimates set forth in this joint resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 821), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

This measure will grant authority to the Secretary of Interior to enter into two repayment contracts for the sale of water for industrial purposes from the Navajo Reservoir in New Mexico.

NEED FOR THE LEGISLATION

Normally such congressional approval is not required when the Department of the Interior markets water from Federal projects. However, when Public Law 87–483 authorizing the Navajo Indian Irrigation project and the San Juan-Chama project as participating projects of the Colorado River Storage project was enacted in 1962, the Secretary of Interior was also authorized to market water from Navajo Reservoir for other municipal and industrial uses in New Mexico if he determines on the basis of hydrologic investigation that such water is reasonably likely to be available.

The act provided that before the Secretary shall enter into a repayment contract he should submit the hydrologic determination to Congress and the Congress must approve the contracts.

Such a determination has been submitted to Congress along with two contracts and the joint resolution would grant approval. One hundred thousand acre-feet has been determined to be available for annual depletion through the year 2005. The present contracts would deplete 16,250 acre-feet of this amount.

This is the first instance the committee is aware of where Congress has had to approve repayment contracts for the sale of water from a Bureau of Reclamation project. Although the law only requires the approval of Congress it was felt advisable to submit a joint resolution which will require Presidential signature.

PRESENT CONTRACTS

By letter of November 21 the Secretary of Interior advised Congress of his determination of water availability and submitted contracts signed by two New Mexico corporations. These two companies and the uses to which they will put the water are as follows:

	Water diversion (acre-feet)	Estimated water depletion (acre-feet)	Proposed uses
Public Service Co. of New Mexico.	20,200	16,200	Thermalelectric generation.
Southern Union Gas Co.	50	50	Pump cooling.
Total..........	20,250	16,250	

Senate Joint Resolution 123 provides authority for the Secretary to enter into amendments to these contracts, if necessary, but only for the purposes of water conservation. In any event no amendment could be made which would cause the total water depletion to exceed the estimates set forth above and embodied in the joint resolution.

The preamble was agreed to.

SALE OF REAL PROPERTY TO LAWTON, OKLA.

The Senate proceeded to consider the bill (S. 1699) to permit negotiation of a modification to a contract for sale of certain real property by the United States to the city of Lawton, Okla., which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 7, after the word "of", where it appears the second time, strike out "$2,800" and insert "$2,880"; and on page 2, line 2, after the word "Interior" insert "and the Secretary of Health, Education, and Welfare"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of an indenture signed by the Secretary of the Interior on June 11, 1926, which conveyed to the city of Lawton, Oklahoma, two hundred and seventy acres of Kiowa, Comanche, and Apache reserve lands in consideration of the payment of $2,880 and a promise to furnish without cost to the Government a sufficient supply of water for the domestic use of the Fort Sill Boarding School and the Kiowa Indian Hospital, the Secretary of the Interior and the Secretary of Health, Education, and Welfare may negotiate with the city of Lawton and execute an agreement to pay for such water at rates specified in any such agreement.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 819), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 1699, introduced by Senators Harris and Monroney, is to permit the adjustment of an inequitable situation now existing as the result of an indenture executed June 11, 1926, which conveyed to the city of Lawton, Okla., 270 acres of Kiowa, Comanche, and Apache reserve lands in return for the payment of $2,880, provided a sufficient water supply for domestic use of the Fort Sill Boarding School and the Kiowa Indian Hospital would be furnished at no cost to the Government for as long as the school and hospital were maintained as Government institutions.

BACKGROUND AND NEED

The conveyance was made pursuant to the act of June 30, 1913, which authorized the Secretary of the Interior, in his discretion, to sell certain unneeded lands upon such terms and under such rules and regulations as he may prescribe. The city of Lawton was the moving party in the transaction because of its desire to acquire the tract for protection of its water supply.

After approximately 2 years of negotiation, the transaction was completed upon passage of a resolution by the mayor and councilmen of the city of Lawton, approved on April 6, 1926, approving, accepting, ratifying, and confirming the sale of the land, conditioned on supplying water for the domestic use of the school and hospital. At that time the value of such water service was estimated at $1,000 per year. To date the city of Lawton has met its commitment despite the fact that during the last 40 years the population of the school and hospital has increased more than 100 percent and the combined water consumption of the school and hospital has increased more than 500 percent.

It is understandable that in 1926 there was nothing tangible upon which to base a prediction as to the possible growth in population of the two facilities or the increase in the number of gallons of water which would be required to service the facilities. As a result, the city of Lawton has been under a definite handicap in meeting the commitments agreed upon in the 1926 indenture. It therefore appears that a modification of the 1926 indenture would be proper in order to provide a means of correcting this situation.

AMENDMENTS

The Department of the Interior, in its report, has recommended two amendments. The bill as introduced cites the payment for the land conveyed to be $2,800 and the Department's amendment recommends that the figure be changed to read $2,880, the correct amount of the payment. The second amendment will permit the Secretary of HEW and the Secretary of Interior to jointly negotiate a modification of the contract with the city of Lawton since the Department of HEW will be required to pay the proportionate share of the domestic water consumed by the hospital.

COST

Following the modification provided for by the bill, it is to be expected that the furnishing of water to these Federal facilities will add some costs to the agencies involved. However, such costs will be negligible.

PUBLIC LAND LAW REVIEW COMMISSION

The Senate proceeded to consider the bill (H.R. 12121) to amend the act of September 19, 1964 (78 Stat. 983) establishing the Public Land Law Review Commission, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, after line 14, insert a new section, as follows:

SEC. 2. Section 8 of the Act of September 19, 1964 (78 Stat. 986), is amended to read as follows:

"SEC. 8. The authorizations and requirements of this Act shall expire six months after the final report of the Public Land Law Review Commission has been submitted to Congress, except that any segregation prior to such time of any public lands from settlement, location, sale, selection, entry, lease, or other form of disposal under the public land laws shall continue for the period of time allowed by this Act."

And, after line 23, insert a new section, as follows:

SEC. 3. Section 7 of the Act of September 19, 1964 (78 Stat. 988), is amended to read as follows:

"SEC. 7. The authority granted by this Act shall expire six months after the final report of the Public Land Law Review Commission has been submitted to Congress, except that sales concerning which notice has been given in accordance with section 3 hereof prior to such time may be consummated and patents issued in connection therewith after such time."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 820), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 12121 will extend the life of the Public Land Law Review Commission, which was established to make a comprehensive review of all laws and policies applicable to the use, management, and disposition of the public lands of the United States, by 1½ years. As amended, it will similarly extend two related acts, Public Law 88-607, the Classification and Multiple Use Act, and Public Law 88-608, the Public Land Sale Act. The bill, H.R. 12121, will also increase the amount authorized to be appropriated to finance the Commission's work by $3,390,000.

BACKGROUND

The Public Land Law Review Commission was established by the act of September 19, 1964 (78 Stat. 983) as a bipartisan commission supplemented by an advisory council made up of the many interested users of the public lands.

The Commission held its organization meeting in mid-July 1965 at which time a chairman, a vice-chairman, and a director were chosen. The Director assumed his full time work with the Commission on August 2, 1965, more than 10 months after the bill establishing the Commission had become law.

The Commission is composed of six Members of the Senate appointed by the President of the Senate and six Members of the House of Representatives appointed by the Speaker, divided equally between the majority and minority parties, plus six members appointed by the President from outside the Federal Government, and a 19th member chosen as Chairman by the 18 appointed members.

There is an advisory council made up of representatives of interested Federal departments and agencies, eight at the present time, and 25 individuals chosen by the Commission to be representatives of the major citizen groups interested in problems related to the retention, management, and disposition of the public lands. In addition, the Governor of each of the 50 States has named a representative to work closely with the Commission and its staff and with the Advisory Council.

The executive departments and agencies currently represented on the Advisory Council are the Departments of the Interior, Agriculture, Defense, Justice, and Housing and Urban Development, the Atomic Energy Commission, Federal Power Commission, and the General Service Administration.

Under the act of September 19, 1964, the Commission is required to submit its final report to the President and the Congress not later than December 31, 1968. The act also provides for dissolution of the Commission by June 30, 1969, at the latest and limits to $4 million the appropriations that may be made for all of the Commission's work.

NEED

The committee believes that if the Commission is to complete the comprehensive review envisioned when it was established, it will need additional time and funds beyond the existing authorizations. The committee is impressed with the able and dedicated staff personnel the Commission has been fortunate in recruiting. However, some members expressed concern over the lack of progress attained thus far.

During the committee's hearings on October 26, 1967, a number of specific questions were directed at the Commission's staff director concerning what appears to be slowness in getting study proposals activated into the contract phase. For example, although some study proposals were completed and circulated for review late in 1966, they were not under contract as of the hearing date. Others completed 6 months ago are not even planned to be placed under active contract until March 1968, which seems to point up an unusual delay.

The staff director gave a detailed explanation of the Commission staff's procedures of making modifications of study proposals after the review, of systematically selecting organizations from which to solicit contract bids, evaluating each bid, and finally negotiating contract terms. He further explained that the Commission has expanded its list of study subjects from 25 to 34 fields. Several members of the committee are concerned that the Commission has expanded its scope of study far beyond that needed to meet the goals of Public Law 88-606. Specifically mentioned was that within the study proposal on timber there was a requirement to study timber sale policies within national parks. The committee urges the Commission to devote its whole energies to completing its review of the significant body of law affecting our public lands, rather than dissipating itself by delving into minor issues having hardly more than academic interest which should be easily resolved by Congress or the executive agencies.

The committee, while agreeing that completion of the review is necessary, and while recommending passage of this extending legislation, wishes to go on record as declaring that this extension of 18 months time and $3.39 million should be adequate to complete the Commission's task. If it becomes necessary for the Commission to revise its staff procedures or to pare the study proposals to encompass only the most important facets of the study area, it should so act.

Also included in H.R. 12121 is a provision to permit the Commission, at its hearings, to take testimony or receive evidence under oath. The committee agrees that this authority may be necessary and desirable in certain circumstances.

AMENDMENTS

Public Laws 88-607 and 88-608 are closely related to the legislation establishing the Public Land Law Review Commission. The first of these, Public Law 88-607, provides legislative guidelines for the orderly classification and management of public lands during the period that the overall study of these lands is being made by the Commission. The second, Public Law 88-608, is for the sale of public lands, a public sale, and describes the procedures under which land classified for disposal may be sold.

The Department of Interior recommended, and the committee agreed, that these two laws should be extended to parallel the life of the Public Land Law Review Commission. Amendments prepared by the Department were adopted to accomplish this purpose. Several representatives of conservation organizations appeared at the Senate hearings on the legislation October 26 to urge these extensions.

COST

As indicated, enactment of H.R. 12121 will necessitate an increase in the budgetary requirements by a total of $3,390,000. Of the additional funds to be authorized, $1,790,000 will be for contract and related costs and general housekeeping expenses other than personnel; additional personnel costs are estimated at $1,600,000. A breakdown of additional personnel compensation is contained in a letter from the Director of the Public Land Law Review Commission supplementing the executive communication, both of which are set forth in this report.

THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, the strike in the copper industry which has deeply affected the economic situation in the State of Montana as well as the States of Utah, Nevada, Arizona, and New Mexico and also the copper fabricating plants in the Midwest and the east coast, especially in Connecticut, is now in its fifth month and I regret to say, with no end in sight.

There appears to be a reluctance on the part of both the unions and management to get down to bedrock in the matter of negotiations.

While there is a diminishing supply of copper in this country, it is my understanding that it is still far from the scarcity stage. Therefore, there will be no pinch on the part of the copper companies to enter into hard and fast negotiations. Furthermore, there is no tendency on the part of the Government to either release copper from the national stockpile or to invoke the Taft-Hartley Act.

In this respect, it might have been and, in my opinion, would have been, feasible to invoke Taft-Hartley when the strike began, but it is now too late to do so because if no agreement was reached within the 80-day limitation, it would mean that the critical situation which now exists would become much worse.

As a possible means of getting off dead center, my colleague, Senator METCALF, and I have, today, dispatched a letter to the President of the United States, asking him to set up a special board for the purpose of bringing the unions and the companies together and, if not successful in reaching an accord, to make recommendations for the settlement of this strike which is causing so much pain to so many people at this time.

We make this suggestion only because the dedicated efforts of the National Labor Mediation Board and the Department of Labor have been in vain.

We make it, further, because the efforts which Senator METCALF and I and many of our colleagues in the Senate have failed to bring the companies and the unions together on a daily around-the-clock negotiating basis.

We make this appeal because we know of no other means by which this situation can be met. And while we do not like the idea of the Government intervening in labor disputes, we see no other alternative at this time.

We make this request despite the fact that it is our firm conviction that all labor disputes, including the dispute in the copper industry, should be settled between the unions and the companies concerned.

This is the way this matter should be disposed of, but this is the way it is not being met at this time; hence, our appeal to the President for a Special Board of Inquiry into the copper situation.

Mr. President, I ask unanimous consent to insert the letter referred to above at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., November 30, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The copper strike is now in its fifth month and there is no possibility that we can see of an ending to it in the near future. Conditions among the miners and smeltermen in the States of Montana, Utah, Nevada, Arizona and New Mexico have reached a critical stage, and as of now, there have been very few meetings between the companies and the unions seeking to bring about a settlement, except on a haphazard basis.

While we feel that this strike must and should be settled on the basis of direct negotiations between the companies and the unions, to date there have been no results in that respect. We have nothing but praise for the efforts of the National Mediation Service and the Department of Labor in their many attempts to try and bring the parties together to achieve a possible settlement. However, all efforts to date have failed; winter is with us in Montana; the miners and smeltermen and their families are using up their savings, many of them are in dire straits and the need for action is long overdue.

We, therefore, most respectfully request that you appoint a Special Commission to look into the copper situation for the purpose of seeing what it can do to bring companies and the unions together on a "bedrock" basis and, if unable to do so, to make recommendations to you as to ways and means by which this threat to the economy of Montana and other states in the Union can be met and overcome.

We would deeply appreciate your most earnest and serious consideration of this matter.

Respectfully yours,
MIKE MANSFIELD,
LEE METCALF,
U.S. Senators.

ANACONDA AND THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, I call to the attention of the Senate an article in this morning's Wall Street Journal by Michael K. Drapkin entitled "Strikebound Town." It tells the story of how the town of Anaconda, Mont., is tightening its belt in a grim struggle to survive the crippling effects of the nationwide copper strike. It is an excellent piece of reporting—but it does not make for pleasant reading.

Anaconda, namesake of the giant copper company which employed nearly 2,000 of its workers before the strike began on July 15, is a town in trouble. With 60 percent of its work force unemployed, overdue payments on installment loans have risen tenfold and those on real estate loans sixfold. The number of families receiving welfare payments has risen from 20 to approximately 500. A total of 700 families are receiving Federal food stamps. Fathers are being forced to forage for wild game in an effort to feed their families.

In all, some 50,000 workers in the West have been idled by the strike. The situation in Anaconda is grim but no more so than in other communities like Butte, East Helena, and the like. The companies have been similarly hard hit. Earnings of some major copper producers have fallen 60 percent from a year earlier. More copper customers contemplate switching to aluminum products as the price of the metal has already increased by 50 percent over its prestrike level.

Yet the unions and mining companies appear no closer to a settlement of the dispute than they did 3 or 4 months ago. It is safe to say that the two sides have not even agreed yet on the central issue of the dispute.

This failure to communicate in head-to-head bargaining sessions is having serious repercussions far beyond the copper towns in which the mines and smelters are located. It is within the power of the disputants to sit down and work this thing out. It is not realistic, nor does it reflect well on the principle of the inviolability of collective bargaining, for either side to expect the Federal Government to bail them out. There is no "easy way out" in this matter.

Mr. President, some of my earliest memories are of the mines. I am intimately aware of the problems and responsibilities of both the unions and management, and I am very familiar with the particular problems of the city of Anaconda. All of the parties deserve better in this situation. If they will but sit down and work this out, the entire Nation will benefit.

Mr. President, I ask unanimous consent that the article by Mr. Drapkin be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Strikebound Town: How Anaconda, Mont., Scrapes By as Walkout Persists at Copper Firm—Workers Hunt Game for Food as Cash Goes, Bills Rise—Family Life Deteriorates—An Awful Glum Christmas

(By Michael K. Drapkin)

ANACONDA, MONT.—This was once a boom town. Today it's a bust town.

Most men here are copper workers, and they have been on strike now for more than four months. A strike in the hills of Montana is not like a strike in Detroit or Pittsburgh or Newark. There, a resourceful striker can find ways—either work or play—to while away the time. Here, it takes infinitely more resourcefulness; there is some play, but little work. For many, life here has been reduced to merely existing.

The nationwide copper strike, which has dragged on since July 15, has had a major impact far beyond this town, of course. Many copper users have had to scrounge around to find supplies or to use substitute metals. Many copper companies fear they may lose some of their markets permanently as users switch to plastics and aluminum. In the first nine months, earnings of some major copper companies fell 60% and more from a year earlier. Dealers, meanwhile, have raised their price for the metal to 60 cents or more a pound, up 50% since the strike began. By now, 90% of the copper industry has been shut down, idling 50,000 workers in 22 unions.

The major economic consequences of the strike have been well publicized. But what has been the impact on the average worker in such a quiet, out-of-the-way place as western Montana? Certainly, most of the workers here who overwhelmingly voted for the strike last summer did not expect they would still be out at the end of November. Neither they nor their chief union—the copper division of the United Steelworkers of America—had set aside enough money to see them through a month-long strike. Some of the workers here—who represent 60% of the town's labor force—get $30 a week in strike benefits; others get nothing.

THE WORLD'S LARGEST SMOKESTACK

Even in the best of times, Anaconda is a rather stark town. It has a population of 12,500 and is about 25 miles from Butte (population: 46,000). Its main claim to fame is its copper smelter, which boasts "the world's largest smokestack," a 585-foot structure. It has one movie house (The Washoe, where John Wayne in War Wagon opens today). And it is cold (at noon yesterday, the temperature was 10 degrees, the first time it had risen above zero all week), with strong winds whipping out of the surrounding mountains. Now Anaconda often has the eerie look of a town in which everyone has suddenly died.

The pall isn't just a matter of economics, though the economic impact of the strike has been so severe that some families may never recover. Even more debilitating for some are the social and psychological problems that arise when a breadwinner is no longer winning bread. Some men become withdrawn, uncommunicative; some spend what little money they have in bars.

JUST SITTING AND STARING

Family life deteriorates. "In another hour," a woman sitting in the local welfare office tells a visitor, "I'm going to take an ax to our television set. My husband gets up in the morning, eats breakfast, then turns on the damn thing and watches it until the Star Spangled Banner comes on the next morning." Another woman says she and her husband have not spoken to each other for more than three weeks. And a welfare worker says, "At least one divorce has come out of the strike."

Just existing is a problem for many. Overdue payments on instalment loans have risen tenfold since the strike began, and the overdue total on real estate loans has risen sixfold, says Calvin J. Crowe, executive vice president of the only bank in town. (The bank hasn't foreclosed on a single loan, he says.) The local telephone company estimates that more than half the 5,638 phones in the area have been either disconnected or limited to outgoing calls, which costs less than full service. The Methodist Church, short on contributions, has quit publishing its weekly bulletin.

Arlow Hancock can't afford to give his five oldest children money for hot lunches at school any longer. "They're toting the old brown bag," he says. And he adds, "It'll be an awful glum Christmas for the kids." Mr. Hancock, a 41-year-old smelter worker with a wife and 10 children to support is living on welfare payments of about $5 a day. Like many other strikers, Mr. Hancock hunts deer and other game for food.

The Hancocks are one of about 500 families receiving welfare payments, a figure that is up from only 20 families just before the strike began. A total of 700 families are getting Federal food stamps.

The welfare payments range from $70 to about $150 a month, depending on family size, and the burden has become so heavy that Deer Lodge County has had to increase its property taxes to cover the payouts. The increase, to $17 per $1,000 of assessed valuation from $9, further hurts the strikers, since most people here own their own homes.

"WE'LL BE OUT OF MONEY SOON"

Why has the strike dragged on so long? One reason could be that the two sides can't even agree what the issues are. Anaconda Co. implies that the strike is really part of a drive by the Steelworkers to organize more workers and achieve industry-wide bargaining.

Nonsense, say Steelworkers officials. The union insists all it wants is money. "All these soothsayers need do is put some money on the table, and we'll prove rather quickly that it's an economic strike," says Joseph Molony, a vice president of the Steelworkers. The various companies say they are offering about 50 cents an hour over three years; the union says it is seeking 99 cents. Each questions the other's calculations.

The situation is deadlocked, and it may be several more months before any settlement is reached.

Before long, townspeople here say, the economic pinch is going to get even worse as more strikers use up all their savings. "We'll be out of money soon," says Lloyd Walund, a smelter worker with seven children who had built up an $1,800 account in a credit union before the strike. "And then I suppose, I'll have to leave my family here and find work in some other town."

That may be easier said than done. The 50,000 men idled by the strike are mainly here in the West—in Montana, Colorado, Utah and Arizona. Early in the strike, some men found jobs on construction projects, but now that winter is here these jobs no longer exist.

STRIKES ARE NOTHING NEW

About the only solace to the workers is the conviction that they can survive, if only because they have done so in the past. Strikes are almost routine here. This is the sixth consecutive year that Anaconda Co., operations in Montana have been affected by strikes, though this year's strike now is about as long as the strikes of the past five years combined. In 1959 and 1960, the workers here were out for six months.

"We've been through this before," says Mr. Crowe, the banker, explaining why the bank isn't foreclosing on anyone. "They'll make good once the strike ends." But history also indicates it may take some time for things to return to normal. Jennie Jacobson, owner of a ready-to-wear store here, says that not until this year did she begin to get over the effects of lost sales and of higher costs stemming from extended credit in the long 1959–60 strike. "And now we're caught in another strike," she says.

The situation is actually grimmer this time because the town has been suffering from a year-long decline in fortunes as a result of automation and a cutback in operations at the smelter. Employment at Anaconda Co. facilities here had dropped from 3,500 in 1957 to 1,902 at the beginning of the strike.

Even before the strike, a visitor could count eight empty storefronts among the five dozen or so stores on the three business streets here. There may soon be more. "A couple of retailers have told me they will probably close up if the strike continues much longer," says Howard Shinrock, director of a southwest Montana industrial development agency.

Rex Jensen, owner of radio station KANA, Anaconda's only station, thinks that this strike could be worse than any previous ones." "If the strike continues through the first of the year, the town will be crippled—maybe permanently," he says.

SOME HISTORICAL NOTES

Things weren't always so bleak. In the 1870s and 1880s, when the mines in nearby Butte were discovered and the local copper industry started up, there were high hopes for the region—hopes that were justified for a long time. Marcus Daly, an early owner of the mines, wanted to name this smeltering town Copperolis.

(The town became Anaconda instead, named after a South American snake in the boa constrictor family. The discoverer and first owner of the Butte mines, Michael Hickey, spotted the name in an editorial in the New York Tribune and liked its sound. The company that was developed to handle the giant vein also became known as Anaconda. A claim near the Anaconda vein was known as Never-Sweat, and an Anaconda Co. man says that "but for the grace of God, we might be known today as the Never-Sweat Co.")

The town later engaged in a bitter fight to become the capital of Montana, but lost out to Helena, a city of 22,000 about 60 miles northeast of here.

A BARTENDER PHILOSOPHIZES

The town still has some trappings of the old days. The Marcus Daly Hotel (Mr. Daly left his mark; the bank is also the Daly National Bank & Trust Co.) is a massive, ornate structure, and it sports an inlaid hardwood likeness of Mr. Daly's favorite race horse, Tammany, in the floor of its Tammany Bar & Lounge. Mr. Daly always avoided walking over the inlay, and even today the bar's patrons aren't allowed to walk on it.

But the bar—and the other 40 bars in town have fewer and fewer patrons as the copper workers' money runs out. On a slow day not so long ago, a visitor struck up a conversation with Howard Cook, a smelter worker who is getting by on the $40 a week he earns tending bar at the Tammany.

Why don't the people pack up and leave, he was asked, Why don't they go East, or West, or South, where there are plenty of jobs?

"You tell me why those people stay along the banks of the Mississippi River, knowing each year they're going to be flooded out," he replies. "Then you'll know why we stay here. Because it's home, I guess."

TRIBUTE TO ROBERT V. FLEMING

Mr. TYDINGS. Mr. President, on Tuesday, November 28, 1967, Washington's foremost civic leader and perhaps its most influential man in the business community passed away. I refer to the late Robert V. Fleming, banker, civic leader, and confidant of Presidents.

Robert Fleming had a career which one could almost describe as a Horatio Alger career. He rose from messenger in the Riggs National Bank in 1907, in his early 20's, to the presidency in 1925, when he was only 35 years of age. During the 42 years he was at the helm of the Riggs National Bank the resources of the bank climbed from about $40 million to over three-quarters of a billion dollars.

In addition to his responsibilities as civic leader and a leader in the Washington community, he was active in governmental affairs. He was an adviser of persons in high positions from the Wilson administration to the Johnson administration. He received many awards, both national and local.

Among the many citations that have reinforced his reputation as the city's No. 1 citizen over the years are the Cosmopolitan Club Medal in 1933, the Society of Natives Award in 1937, and the District American Legion's Citation for Citizenship in 1938. The awards go on and on. He was named "Man of the Year" by the Washington Board of Trade in 1956. His accomplishments are innumerable.

Mr. President, he was a close personal friend of my grandfather, the late Joseph Davies. During the depression, when it appeared for a while that the famous Burning Tree Country Club might not survive, my grandfather was elected president and Bob Fleming was a key member of the board of directors. They raised funds to keep that club operating, until today it is one of the great clubs of the United States.

He was a personal friend of my father, the late Senator Tydings. I was fortunate enough to enjoy Bob Fleming's friendship during the years when I was a U.S. attorney and in the few years I have been in the Senate. Washington and the Nation have suffered a great loss.

I ask unanimous consent that there be printed in the Record an article written by John Carmody, which was published in the Washington Post of November 29, 1967.

There being no objection, the article was ordered to be printed in the Record, as follows:

ROBERT V. FLEMING, BANKER, CIVIC LEADER, DIES

(By John Carmody)

Robert V. Fleming, who died yesterday, was the city's best-known banker and for decades, perhaps its most influential public-minded citizen.

Mr. Fleming died at his home at 2200 Wyoming ave. nw. after a long illness. He was 77.

In a career once described as "the kind that Horatio Alger would have loved, although he might have hesitated to write," Mr. Fleming rose from messenger in the Riggs National Bank in 1907 to its presidency in 1925 at the age of 35.

Since he stepped down as board chairman in 1963, he has served as advisory chairman of the board and chairman of the executive and trust and investment committees of Riggs. In the 42 years Mr. Fleming was at the helm of the bank its resources climbed from about $40 million to $786.5 million.

His brilliance in the profession led to his election in 1935 as president of the American Bankers Association. Over the years he had offers to head banks in Chicago and New York much larger than Riggs.

RAN THIS TOWN

But Mr. Fleming preferred to remain in Washington where his roots were. And it was as a private citizen deeply concerned about Washington that he first earned the reputation in the 1930s as the "man who pretty much ran this town"—in the words of his long-time friend, Benjamin M. McKelway, editorial chairman of the Evening Star.

Mr. Fleming was the first chairman of the Citizens' Advisory Council of the District government, a past president of the Metropolitan Washington Board of Trade and for nearly 22 years, chairman of the board of George Washington University.

For many years, Mr. Fleming was widely regarded as the "man to see" in Washington about legislation concerning the District and key municipal appointments. In his position as a leader in banking and on the Board of Trade, Mr. Fleming served as a vital bridge between the business and financial worlds of Washington and the power centers on Capitol Hill and in the White House.

For three decades the appearance or absence of the name of Robert Fleming on a committee roster or sponsor's list could mean the difference between success or failure of a civic enterprise.

ACCESS TO WHITE HOUSE

A Republican who was chairman of President Eisenhower's 1957 Inaugural Committee, Mr. Fleming nevertheless enjoyed access to the White House under both Presidents Roosevelt and Truman.

He was a close personal friend of Mr. Eisenhower for many years.

McKelway recalled yesterday that Mr. Fleming "wasn't very partisan. Everybody respected him—he was a very wise man. No matter what kind of committee he was on, pretty soon he took charge. And he never undertook any job, no matter how relatively unimportant, that he didn't absolutely carry through."

In the 1930s Mr. Fleming carried the fight for national representation for the District and subsequently played a key role in reorganization of the local government some 20 years ago.

But beyond Mr. Fleming's reputation as a leading banker and citizen was his capacity for warm friendships and helpfulness.

A big, pink-faced man who stood 5 feet 10 and weighed in the low 200s, he smoked ten cigars a day and played better than average golf at his favorite course—Burning Tree Country Club—which he headed from 1937 until 1945.

He was remembered yesterday by friends as a man who never broke a promise and always acted the next morning on the little favor exacted during an evening of congeniality among friends.

LAUDED AS BANKER

Yesterday, industry and other leaders joined in mourning his passing.

The American Banking Association in New York called Mr. Fleming "a banking statesman of the first rank . . . For his leadership and counsel during six decades of distinguished public and professional achievement, the banking (and) American community will remain in grateful debt."

Melville Bell Grosvenor, chairman of the board of the National Geographic Society said that in the death of Mr. Fleming "the country, this city and the National Geographic Society have suffered a sad and grievous blow." Mr. Fleming was elected a trustee of the Society in 1929 and at the time of his death was also serving as vice president and treasurer.

Robert K. Koontz Jr., president of the D.C. Bankers Association, said: "The banking fraternity of the District of the Columbia will sorely miss the wise counsel and guidance of Mr. Fleming as will the entire community.

"His astute knowledge of the intricacies of modern financial techniques played a most important role in the development and growth of private enterprise in the Federal City."

BORN IN WASHINGTON

Mr. Fleming was born here Nov. 3, 1890, the son of Col. Robert Isaac and Bell Vedder Fleming. His father, a widely known architect, served as a Confederate Army officer during the Civil War and was later a colonel in the D.C. National Guard.

The younger Fleming attended Friends School and Western High School and later specialized in political economics and commercial law at George Washington University.

In 1912 he married Alice Listen Wright, youngest daughter of Daniel Thew Wright, a former Justice of the Supreme Court of the District of Columbia. Mrs. Fleming died in February, 1958, while visiting Santiago, Chile, with Mr. Fleming.

As a boy, he considered becoming a surgeon but the death of his father when he was 17 caused Mr. Fleming to join Riggs as a messenger. Within six months he was promoted to runner.

By 1920 he had become cashier and secretary of the board at Riggs; in 1924 he became vice president and cashier. He was promoted to first vice president that same year and to president in 1925. Ten years later he became board chairman. Riggs today is the largest bank in the Washington area.

During his early years in the bank, Mr. Fleming has established a system to settle Clearing House balances in the District whereby cash payments between banks were eliminated and telegraph transfers substituted, using reserve accounts at the Richmond branch of the Federal Reserve. This system was later adopted all over the Nation.

HEADED BANKING GROUP

Mr. Fleming was appointed to the American Bankers Association Legislative Committee in the early 1930s and was instrumental in adjusting conservative financial practices to reforms under President Roosevelt's Administration.

On becoming president of the ABA in 1935, he toured the Nation to urge better relations between bankers and the general public that was still recovering from the bank holiday of 1933.

Over the years as an adviser to several

Administrations, Mr. Fleming served on the Federal Advisory Council of the Federal Reserve System, the advisory committee of the Reconstruction Finance Corp.'s Richmond loan agency and as a member of the Federal Housing Administration's Housing Advisory Council.

In addition to his service for the National Geographic Society and George Washington University, he was a member of more than 50 charitable, banking and civic organizations during his lifetime.

Mr. Fleming was a member of the Board of Regents and chairman of the executive committee of the Smithsonian Institution and served for many years on the boards of the Chesapeake & Potomac Telephone Co., the Metropolitan Life Insurance Co., Pan American World Airways, the Potomac Electric Power Co., the Southern Railway, Julius Garfinckel & Co., and the Hotel Waldorf-Astoria Corp.

U.S. CHAMBER OFFICIAL

Mr. Fleming also served as treasurer of the Chamber of Commerce of the United States and chairman of the board of trustees of the endowment fund of the American Red Cross.

He was a member of the Alfalfa Club, the Burning Tree Country Club, the Friendly Sons of St. Patrick of the city of Washington, Chevy Chase Club, the Metropolitan Club, the National Press Club, Rotary (honorary), the Brook Club of New York and Omicron Delta Kappa and Kappa Alpha social fraternities.

Mr. Fleming saw service in both World Wars with the Office of Naval Intelligence and was a retired member of the U.S. Naval Reserve at his death.

Mr. Fleming leaves a son, Robert W. Fleming, partner in the investment banking firm of Folger, Nolan, Fleming & Co. Inc. here; a daughter, Mrs. William S. Renchard, of New York; six grandchildren and four great grandchildren.

Funeral services are scheduled for 2 p.m. Thursday at St. Margaret's Episcopal Church, 1820 Connecticut ave. nw. Burial will be private.

The family has asked that in lieu of flowers expressions of sympathy be made to George Washington University Robert V. Fleming Memorial Fund.

HONORS ABOUND FOR NO. 1 CITIZEN

Among the many citations and honors that have reinforced Mr. Fleming's reputation as the city's No. 1 citizen over the years:

A Cosmopolitan Club medal in 1933; the Society of Natives Award in 1937; the District American Legion's citation for citizenship in 1938; an honorary degree from George Washington University in 1939; a citation from the District Commissioners for his role as first Advisory Council Chairman in 1953; the Washington Board of Trade selection as the "Man of the Year" in 1956. And in 1964, the Riggs National Bank's new 12-story building was named the Fleming Building.

CAREER BOOSTED BY NEW LAWS

Mr. Fleming was in his early 20s when the big break in his career occurred. In 1913, during the Wilson Administration, Congress put both the income tax and the Federal Reserve System into the law books.

The young banker became an authority on both, sometimes studying until 3 or 4 o'clock in the morning. At a time when few men were fully aware of their implications, he became one of the best-posted men in banking on both subjects. His diligence resulted in promotion to assistant cashier at Riggs and he was on his way to the top.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I wish to associate myself with the remarks which have just been made by distinguished Senator from Maryland.

Bob Fleming was unquestionably one of the great men of the Washington area. It was my good fortune to have known him over a period of 20 years. I held for him a most affectionate regard. I am proud of my friendship with Bob Fleming.

I wish to join today with the distinguished Senator from Maryland in paying tribute to Robert V. Fleming on the floor of the Senate.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be recognized for 10 minutes.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

WORLD CRISIS IN MONEY

Mr. JAVITS. Mr. President, I was to have made a speech this morning at the convention of the Investment Bankers Association of America in Miami Beach, Fla. One has only to look out the window to see why I am here. Therefore, I wish to make these remarks on the floor of the Senate.

Mr. President, the devaluation of the pound sterling has placed the United States in an extremely difficult economic situation—a situation that calls for a calm, but decisive response on the part of this Nation. We must demonstrate to the world that we are perfectly capable of defending the dollar in the current emergency situation. At the same time, we must make sure that our economic power as investors abroad and as the world's largest single marketplace for capital remains unimpaired.

France, not nearly as vital a factor in world finance as the United States, might be able to afford the luxury of petulance in a time of trial for the international monetary system. But as the world's most important trading nation and its major source of liquidity and investment capital, we cannot. The United States must take into consideration its own interests in the present crisis in the context of the health and well-being of the industrialized world and of the developing nations which is also at stake. Satisfying as it might be for the short term to get back at the petulance of any nation or the ruthlessness of speculators, a policy of retaliation would be self-defeating for the United States. Such a policy could well lead into a world economic depression. The situation is that serious right now.

There are several steps that we should take to respond to the current emergency by demonstrating our economic strength and courage:

First. The United States should remove the gold reserve requirement backing Federal Reserve notes and thereby make available the entire U.S. gold stock of approximately $12.4 billion to defend the dollar.

Second. The voluntary program put into effect in early 1965 to limit foreign lending by U.S. financial institutions and private U.S. direct investment should be further tightened.

Third. Congress should enact the President's request for a 10-percent tax surcharge effective January 1, 1968, for 1 year, subject to review within 6 months and coupled with cuts in nonessential spending in at least an equal amount and a firm commitment on tax reform. I have been extremely skeptical of the President's tax proposals in light of the grave mishandling of economic policy in 1966 and early 1967, and I maintain my skepticism of the administration ability to recommend timely and appropriate economic policies for the Nation.

But in view of the new international situation created by the devaluation of the sterling and with the current pressure on the dollar, questions are being raised abroad of our ability and willingness to manage our economic affairs. The tax surcharge should be enacted in 1967. If that is not possible and it is enacted in 1968, it should be retroactive to January 1, 1968.

I believe that under present conditions—with war in Vietnam and with the economy in an uncertain state—we can manage a $14 to $15 billion budget deficit in fiscal year 1968. But a $29 to $30 billion budget deficit, as now indicated, is entirely unacceptable. It calls for a combination of spending cuts, tax reform, and tax increase. I am confident that such a package would have a good chance of enactment by the Congress.

Fourth. The United States should request the convening of an international conference under the aegis of the International Monetary Fund to review the applicability of article IV of the articles of agreement—dealing with the par values of currencies—under present circumstances. It is apparent from the recent run on gold by private speculators and excessive buying by certain central banks that the role of gold as an international monetary reserve should be carefully reviewed. Since it is in diminishing supply, the role of gold, in my judgment, should be gradually reduced and eventually eliminated.

It should be replaced by carefully controlled reserves issued systematically by the International Monetary Fund as international commerce demands it. We are paying a heavy price for the day-by-day approach to international monetary reform. I believe the right approach is along the lines of the agreement approved in Rio last September which established special drawing rights within the IMF. While this agreement is in the nature of a contingency plan, it is far reaching in importance as it establishes the principle of deliberate reserve creation by an international body. It means that the IMF is well on its way to becoming a world central bank. It is, therefore, essential that the Rio agreement be ratified and activated at the earliest possible moment.

At such an international conference, among other things, careful consideration should be given to the withdrawal of gold from private use. Much of the rush on gold in London has come from private buyers, speculators who are betting on the devaluation of the dollar now that the pound has been devalued.

These speculators should be discouraged by widening the price of gold—in other words, increasing its price—when sold to private buyers or by other means.

Fifth. The United States should continue to take the leadership in liberalizing world trade. Specifically, we should press hard for new agreements on the removal of nontariff barriers to trade. We should also undertake a major national effort to increase foreign tourism in the United States. Our so-called travel deficit of $1.6 billion has been one of the most important elements in the U.S. balance-of-payments deficit, and our national effort in this area has been frankly pitiful. The newly appointed Presidential Task Force on Travel has a grave responsibility to correct this situation by recommending a major expansion in the budget of the USTS, which we can effect, and by suggesting other corrective steps.

Mr. President, there is growing support for the repeal of the gold reserve requirements in the five principles which I have made. Now is the time to do it.

We should free our gold stocks so that all our chips are on the table to deal with the challenge to the dollar. Present law is not adequate for that. The Federal Reserve may temporarily suspend gold backing in an emergency but time is short and it is unreliable.

There is growing support for the repeal of the gold reserve requirement for Federal Reserve notes. Early in 1965, Congress eliminated the requirement that each Federal Reserve Bank maintain a reserve of gold certificates valued at not less than 25 percent of the amount of commercial bank deposits it holds. By this act $4.9 billion in gold was added to the Nation's gold stock needed to meet international claims. Today our total gold stock is down to $12.4 billion, with $10 billion tied up as reserves against Federal Reserve notes, leaving only $2 billion as free reserves available to meet international claims. The ratio of gold certificate reserves to outstanding Federal Reserve notes as of November 22 was 30 percent, close to the minimum required. Unless this requirement is removed, we will be in a very difficult situation soon, not only because of international demands on our gold stock but also because of the expanding stock of Federal Reserve notes and growing industrial uses of gold. These two uses alone call for $620 million in gold each year—$500 million as reserves for Federal Reserve notes and $120 million for industrial uses.

It is true that the Federal Reserve Board may temporarily suspend the reserve requirement in an emergency. However, it would be far more desirable if Congress eliminated this requirement to remove any doubt abroad about our willingness to defend the dollar. Changes in this law must be made before our free reserves are almost used up, because any change under emergency conditions would only aggravate the situation and encourage further speculation.

From evidence I have seen, the voluntary program administered by the U.S. Department of Commerce designed to limit private direct foreign investment of U.S. companies abroad, to increase investment-related exports and earnings, and the program administered by the Federal Reserve Board designed to limit lending abroad by U.S. commercial banks has worked well. It should help reduce outflows in these areas in 1968, if the new guidelines issued 2 weeks ago are lived up to.

The net outflow of U.S. direct investment during the first half of this year averaged $2.5 billion as compared to $3.5 billion in 1966, while the increase in foreign assets of U.S. banks subject to Federal Reserve Board guidelines totaled only $120 million during the first 9 months of 1967 as compared to an increase of $2.5 billion in 1964. Nevertheless, we must watch outflow of private capital with extreme care and tighten up even further if necessary.

I am confident that the position of the dollar will be preserved notwithstanding the devaluation of the pound. U.S. gold reserves still total 30 percent of the world's official gold reserves and our total private investments abroad are valued in 1966 at over $86 billion. Our exports and imports of goods and services totaled $81 billion last year, making us the largest single trading nation of the world. Foreign claims against us are substantial, but not enough to diminish a substantial net U.S. claim against the world. Our position is not vulnerable.

This is not to say that the devaluation of the pound sterling will not have major consequences for the United States. We can expect not only increased competition from British exports in markets around the world, but also increased British exports to the United States and a reduction of U.S. exports to the United Kingdom. Devaluation of the pound has caused a serious run on gold; since November 19 perhaps as much as $400 million worth of gold has been made available by the London gold pool, 50 percent of which is supplied by the United States. The overall U.S. balance-of-payments position is likely to be affected as a result of loss of exports, the continued outflow of commercial bank loans, and long-term private investment. Even prior to the devaluation, our balance-of-payments deficit was running at twice last year's rate—$2.7 billion in the third quarter—and almost at the same level as in 1963 and 1964 which caused such drastic restrictions as the interest equalization tax and voluntary balance-of-payments controls on direct investment and commercial bank loans. It is reasonable to expect that our balance-of-payments deficit for the fourth quarter is not likely to improve.

The events of these past 2 weeks have put the international monetary system under severe strain. So far the system has withstood the pressure, largely because of the cooperation of most, if not all, the major industrialized nations of the world. I am confident that if the United States adopts the measures that I have dealt with here and maintains a firm and decisive leadership in defending the dollar in the coming weeks and months, the international monetary system will not only survive but will be immeasurably strengthened.

Mr. President, the net outflow, due to private investment is lower this year than it was last year. Although that is not news, we still have to exercise extreme care at a time like this in exporting capital.

Hence, I urge greater restraint. I would even urge the appointment of a special committee of U.S. bankers and underwriters for the purpose of effecting it.

We cannot avoid understanding that we are in a major world crisis which is affecting the dollar. The devaluation of the pound may put the world in a better planning position with sounder and more realistic stability, but it may also cause a worldwide depression. It all depends on what the United States does in the situation. The U.S. dollar is very strong. Our gold reserve is 30 percent of the world's supply of gold reserves. We have over $86 billion in direct private investments abroad. Our exports and imports of goods and services total $81 billion a year, having the largest trade of any nation in the world.

We have every right to have confidence in the dollar, but that confidence can be maintained only if we act now with the responsibility we have a right to and a need for to act now, based upon our resources and our strength.

If we sit on our strength, we could very well slide into a worldwide depression.

It is for that reason, in order to demonstrate that we intend to exercise our strength, to hold fast to the value of the dollar upon which the whole world now depends, not only in economics but also in political and security terms, that I have made these recommendations.

Mr. President, I shall work hard for them in Congress.

GENERAL HERSHEY DESERVES REBUKE

Mr. YOUNG of Ohio. Mr. President, Lt. Gen. Lewis B. Hershey, Director of Selective Service, evidently has an inflated view of his power and authority. His recent decree recommending to local draft boards that they withdraw deferments from college students or others who interfere with selective service processes or with military recruitment ought to be sufficient to convince even his most ardent supporters that he should retire. Hershey has evidently outlived his usefulness as head of our Selective Service System.

The Selective Service Act was never intended as an instrument for stifling dissent and oppressing freedom of speech and other rights guaranteed all Americans in the first amendment to our Constitution. It is not a penal statute to punish illegal, immoral, or otherwise reprehensible conduct. General Hershey should know that the Selective Service System is not a punitive instrument. He was off base in taking unto himself the role of prosecutor, jury, and judge.

The harassment that recruiters from the armed services have received on some college campuses is outrageous and deplorable. However, there are ample criminal laws on the statute books of every State and ordinances in every city and in every community in the Nation to deal with violence, disorderly conduct, and obstruction of legal processes. As a former chief criminal prosecuting attorney of Cuyahoga County, Ohio, I believe that punishment, like a shadow, should follow the commission of a crime or of any act of violence or disorderly conduct. It is up to local judges to stiffen their backbones and enforce laws and ordinances prohibiting disorderly conduct and other actions in which some young people have recently engaged in making their protest against our involvement in an ugly civil war in Vietnam. In that regard, it is unfortunate that our Nation has embarked on a course of conduct which prompts so many young Americans to voice their dissent and to engage in actions which are ill-advised, if not illegal. I do not encourage illegal or irresponsible protest over our involvement in Vietnam. Illegal rowdiness ought to be punished, and constitutional guarantees certainly do not go as far as to allow anyone to abuse recruiters. However, existing laws and ordinances provide adequate means and penalties to be applied to illegal acts of protest.

In October 1965, Assistant Attorney General Fred Vinson stated:

> I am satisfied, as a matter of both law and policy, that sanctions of the Universal Military Training and Service Act cannot be used to stifle constitutionally protected expression of views. In short, where opinion is expressed, if there is no transgression of law, then no sanctions can be imposed. If there is a transgression, then the sanctions which attach to it are all that should be applied.

Federal courts have also ruled that the Selective Service Act may not be used to stifle dissent.

General Hershey's statements are, in fact, an insult to thousands of fine young men who have been drafted into the service of their country, many of whom have been fighting in Vietnam. To put the brand of a criminal statute upon the selective service laws is to denigrate and demean the thousands of young men who have readily and bravely accepted military service as a patriotic necessity. If such service is to be regarded as a punishment, they may well ask what they are being punished for.

General Hershey has a perfect right to consider youngsters as delinquent when they block the entrances of selective service offices or otherwise interfere with military recruitment. However, evidently he has never read the first amendment to the Constitution of our country. Only an ignorant or arrogant official would have the effrontery to advocate punishment through use of the Selective Service System for those who dissent with administration policies in Vietnam.

General Hershey should publicly acknowledge his mistake and rescind his directive. Otherwise, his silly recommendation should be disregarded and steps should be taken to see that he is not permitted to repeat this folly. Or, he should be replaced.

A DECISION ON TAX INCREASE SHOULD BE MADE BEFORE ADJOURNMENT

Mr. WILLIAMS of Delaware. Mr. President, in January 1967, President Johnson announced that he was going to ask this Congress for a 6-percent surcharge on all individual and corporate income taxes. However, in the intervening months the administration has been zigzagging. By February it had reversed its position. Instead of asking for a tax increase, they were before the Finance Committee asking for a $2 billion tax reduction, and at that time they announced that effective April 1968 they were going to reduce taxes further by endorsing the scheduled reduction in the excise tax on telephones and automobiles. Under existing law these excise taxes were scheduled to be dropped April 1, 1968.

Later, in June, when testifying before the committee, Secretary Fowler said that as of that time the administration had not decided as to how much, if any, tax increase would be requested or when they would submit their recommendations.

At this time I ask unanimous consent that my correspondence with the Secretary dated June 28, 1967, in which I urged that the administration make its decision promptly and submit its proposal to the Congress, as well as his reply thereto of July 14, be printed in the RECORD at this point.

At that time I expressed concern at what appeared to be a deliberate delay by the administration in making its decision. It was then obvious that this uncertainty would have an adverse effect on our business world as well as accelerate the rapid rise in interest rates.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 28, 1967.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

MY DEAR MR. SECRETARY: According to recent press accounts the Administration is planning to submit to the Congress sometime before its adjournment a request for a broad tax increase.

Before any tax increase is enacted many of us feel that certain recognized loopholes in our existing tax structure should be reexamined. I am therefore trusting that the Administration's decision will be submitted to the Congress far enough in advance to give us adequate time to consider these revisions along with your request for new taxes.

Yours sincerely,

JOHN J. WILLIAMS.

THE SECRETARY OF THE TREASURY,
Washington, D.C., July 14, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your letter of June 28 suggests that some problems of loopholes in the tax structure should be reexamined in connection with Congressional consideration of a tax surcharge. You indicate, therefore, that the President's Message on Tax Reform should be submitted to the Congress in time for consideration in connection with the surcharge.

As you will realize, a number of factors must be taken into account in settling on the timing of specific Presidential requests to the Congress.

With regard to the relationship of tax revision to the surcharge, I would like to refer to the President's Economic Message where he said, "This work of basic reform should proceed independently of the requirements for raising taxes or the opportunities for tax reduction." When the surcharge recommendation is made in definite form, the Congress will want to concentrate on the central issues of the size of the needed tax increase and the timing. The needed rapid action could be lost in a protracted debate on substantive tax revision.

For this reason it seems desirable that tax reform and stabilizing tax rate adjustments be approached separately.

Sincerely yours,

HENRY H. FOWLER.

Mr. WILLIAMS of Delaware. In that correspondence, Secretary Fowler confirmed that the administration as of that date, July 14, 1967, had still not made its decision as to when it would submit its tax proposals to the Congress or how much of an increase would be requested.

Again, on November 7, I contacted Secretary Fowler and urged that, by all means, this Congress should not adjourn without having taken action, affirmatively or negatively, on the question of whether or not there would be a tax increase in 1968. This decision was necessary in order for American businessmen to know how to make plans for the next year. Besides, as the result of this vascillating policy, interest rates were at a historic high level. The American dollar was being threatened.

I ask unanimous consent that my letter to Secretary Fowler of November 7 and his reply thereto of November 22 be printed at this point in the RECORD.

In this correspondence I again offered to introduce the President's tax bill—as upon their request—if he was unable to find a member of his own party who would cooperate. This is only customary and courteous procedure.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NOVEMBER 7, 1967.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

MY DEAR MR. SECRETARY: On October 24, 1967, in a discussion in the Senate I called attention to the fact that as yet the Administration's proposal for a tax increase has not been introduced in either the House or the Senate.

While I would personally insist on an expenditure reduction being agreed upon by legislative action prior to a tax increase, nevertheless, I do not rule out the possibility that both may be necessary to avoid the catastrophic results of inflation and escalating interest rates.

In any event, the indecision as to whether there will or will not be a tax increase is causing a great disruption in financial circles. For this reason I feel very strongly that the Administration and the Congress should get together and make a decision as to whether they will or will not approve a tax increase in 1968. Once the decision has been made business can more intelligently make its plans.

In order that we may reach a definite decision before Congress adjourns, I made the offer that if the Administration could not find anyone else to introduce its recommendations if you would send them to my office, I would introduce them in the Senate and at the same time join you in requesting the Chairman of the Finance Committee to hold public hearings on the proposals. Since making this offer I have talked with Under Secretary Barr on a couple of occasions and repeated this offer.

With the most recent issue of Government bonds with a 5¾ per cent coupon selling below par I do not think the Administration can afford to delay affirmative action on both expenditure cuts and the question of tax increases.

Last week our gold supply was further reduced to another new low and I am fearful that a continuation of the present stalemate could precipitate a run on the American dollar.

In view of the seriousness of the present financial crisis I do not think that any of us can afford to consider the political aspects of our decisions. Therefore, once again I urge the Administration to agree to a realistic expenditure reduction for the ensuing years and then to have its proposed tax bill introduced both in the Senate and in the House and at the same time the President announced that he will not agree to an adjournment of Congress until a decision has been made.

Confronted as we are with the necessity of financing an expensive war in Viet Nam, the time is long past due when new projects, new programs and expansions of existing programs should be carefully reexamined and unless it is determined that their postponement would effect our national security they should be held in abeyance until our financial structure has been brought under control.

If the Administration will approach this problem with a realistic plan first to reduce expenditures, I would be inclined to support a reasonable request for additional taxes.

Yours sincerely,

JOHN J. WILLIAMS.

THE SECRETARY OF THE TREASURY,
Washington, D.C., November 22, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your letter of November 7th, concerning the Administration's tax surcharge proposal. I know of no subject which demands more urgent attention among those concerned with the future of the American economy.

Because of your key position in the Senate and because of the many areas of mutual agreement between us, I would like to respond in full.

HISTORY OF THE PROPOSAL

The Administration's proposal for a surcharge was made last January, almost eleven months ago.

Early in August it was revised due to the changed conditions in the economy. In the face of an unacceptable deficit, of rising interest rates and heavy inflationary pressures, the President on August 3 recommended a balanced fiscal program: "rigorously controlling expenditures," "raising as much money as possible through increased taxes," and "borrowing the difference."

Following his message, the President met with the leadership of both Houses and the ranking majority and minority members of the tax writing and appropriations committees. He invited every Democrat in the House of Representatives, and at least fifty Republicans to discussions in which he described the vital importance of a tax increase and the need to reduce less essential expenditures. He outlined the dangers of inaction to the American people.

The top fiscal officials of the Administration and the Chairman of the Federal Reserve Board (speaking for the entire Board) made detailed presentations in hearings before the House Ways and Means Committee from August 14 through September 14. Representatives of major business, financial and labor organizations, and leaders in the field of business and finance also testified.

The need for a tax increase was supported virtually unanimously. Many of those supporting a tax increase also spoke of another major element in the President's program: the need to reduce federal expenditures.

At the time of the President's August 3 message, eleven of the fourteen appropriation bills for Fiscal 1968 had not been enacted. The President urged "the Congress to exercise the utmost restraint and responsibility in the legislative decisions which are to come and to make every effort not to exceed the January Budget estimates."

For his part, the President pledged to make every possible expenditure reduction—civilian and military—short of jeopardizing the Nation's security and well-being.

Since January, the Congress has been working its will on expenditures by acting on appropriation bills and on the Federal employee pay increase. As of today the Congress has passed 12 of the 14 appropriation bills for Fiscal 1968. Both the House and Senate therefore, have taken, in your words "legislative action prior to a tax increase dealing with expenditures."

The Chairman of the House Appropriations Committee has stated that Congressional action taken and anticipated is likely to reduce new spending authority proposed in the Budget by up to $6 billion.

As a result of these appropriation actions, fiscal 1968 expenditures will be reduced by about $1.5 billion.

The "indecision" over the tax increase to which you refer does not rest with the Administration. The uncertainty is whether the Congress will act on the President's recommendations. Consistently the President, the Council of Economic Advisers, members of the Federal Reserve Board, and senior officials of the Treasury have urged prompt enactment of the tax increase.

But on October 3, the House Ways and Means Committee adopted a motion, stating that:

"The Committee lay this matter on the table and that further consideration of the tax increase be deferred until such time as the President and the Congress reach an understanding on a means of implementing more effective expenditure reduction and controls as an essential corollary to further consideration of a tax increase, and that at such time this matter will again be given priority in the Committee's order of business."

Two days after the House Committee action, President Johnson stated in his news conference:

"The Secretary of the Treasury was at the Committee session representing the Administration. He had certain proposals that he desired to make along the lines of my tax message and along the lines of what I have said in this statement—that we will try to have the Administration and the Congress agree on the restraints that the Congress desires to put into effect.

"We were ready that day, and we have been ready every day since—the Secretary of the Treasury and each department head—to appear before the Appropriations Committee or the Ways and Means Committee to express our views and to go as far as we can in carrying out the decision of the Congress."

The President restated his view in the strongest terms last week.

Since October 3 the House Ways and Means Committee has been in recess. Nonetheless, Budget Director Schultze and I have had a number of conferences with the Chairman of the House Ways and Means and Appropriations Committees. We have tried to work out a solution to the problem of combining expenditure reduction and control with a tax increase in a manner that would be satisfactory to both Committees and some chance of being acceptable to the Senate as well.

Let us be clear, Senator Williams, that the Administration has made its willingness known "to get together" with the appropriate committees of Congress to help them "make a decision as to whether they will or will not approve a tax increase in 1968."

Action on a tax bill is a legislative matter which cannot be delayed without undue and unacceptable risk to the Nation's economic and financial structure. We should not wait any longer.

This is a "right now" matter.

CONSEQUENCES OF INACTION

A tax increase is necessary to prevent skyrocketing of interest rates. This necessity goes beyond damage to our domestic economy such as, for example, putting a pistol to the head of our housing industry now in process of a needed recovery.

A continued failure by Congress to act decisively may reverse the trend towards lower interest rates in Europe, a trend which began so successfully earlier this year. If those rates begin to rise sharply, they will surely threaten the healthy growth of the free world economy.

Confidence in the dollar and the gold exchange standard—the basis of our international monetary system—depends on the ability of the United States Government to act responsibly. There is a widely-held feeling in financial circles at home and abroad that a reduction in our budget deficit by reducing expenditures and a tax increase in the United States are essential elements of responsible financial policy. I do not need to remind you of the most recent signs of disturbance in international financial conditions. The British devaluation puts the dollar in the front line. It calls for responsible action that will maintain full confidence in the stability and strength of the dollar and of the U.S. economy.

But there is another important reason to move ahead with the tax proposal—the grave risk of mounting inflation, another disruptive inventory cycle, a deterioration in our balance of payments, and of a return to the old pattern of "boom and bust."

No course of preventive action can be effective without tax action—now.

I have been encouraged by recent public statements on the tax question by the two Senate leaders, Senator Mansfield and Senator Dirksen. For that reason I welcome your statement on October 24 and an earlier one by your colleague on the Finance Committee, Senator Smathers.

A NEW PROPOSAL

Upon careful reflection it appears that once again it is up to the Administration to make another effort to break the deadlock between the spending and taxing powers of the Congress.

Accordingly, we have prepared a plan which combines the President's tax proposals with a statutory provision embodying a program of realistic expenditure reductions.

This package would result in a reduction of the administrative budget deficit in Fiscal 1968 by about $11 billion and would relieve the credit markets of that much anticipated demand over the next seven months.

There has been much misunderstanding about a key element in the program—the tax surcharge on both individual and corporate incomes. Its impact on the individual taxpayer is modest—about one penny on a dollar of income. For those in the lower brackets, no tax increase at all.

In short, this bill would bring our deficit into manageable proportions. It would take much of the pressure off the credit markets and interest rates. It would enable the Federal Government to put money into the credit market in the first half of Calendar 1968 instead of taking it out. It would give additional confidence in financial markets here and abroad in the dollar and the U.S. economy.

I believe this proposal can be readily considered and processed by Congress in the normal course of business during this session.

As you know, the President in his meeting Monday with the bipartisan leadership of the Congress and the appropriate Committees appealed for favorable action on this legislative package of expenditure reduction and tax increase.

I have requested Chairman Mills to convene the House Ways and Means Committee to consider this legislative plan and he has called a meeting for Wednesday, November 29, at 10 a.m.

Of course, action by that Committee and the House Appropriations Committee on these two key elements in the package must be the first step in the legislative process. However, the Director of the Budget and I stand ready to appear before the Senate Finance Committee and the Senate Appropriations Committee to explain these proposals on the necessity for prompt and favorable action.

I appreciate your letter. I am grateful for your thoughtful approach to a problem of great importance to our country, a problem which, as you say, transcends the "political aspects" of the decision.

Sincerely yours,

HENRY H. FOWLER.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. In that correspondence the Secretary ignored my offer to introduce his bill but stated that in the next few days they would submit a bill to the Congress which would embrace the President's recommendations. Yesterday that bill was delivered to the Ways and Means Committee of the House.

Throughout all these intervening months we, as Members of the Congress, have been getting requests from our constituents for copies of the administration's tax proposals. The irony of the situation is that up until yesterday there was no tax bill that had been sponsored by the administration, a copy of which we could send to our constituents. However, yesterday, after 10 long months of talk, the administration did submit to the Congress the administration's recommended tax bill.

In order that all American taxpayers may know just what is embraced in the administration's tax program, both as it relates to taxes and as it relates to a cut in expenditures I ask unanimous consent that the Johnson 1967 tax bill as proposed by the administration yesterday to the House Ways and Means Committee be printed at this point in the RECORD.

After waiting 10 months the administration has finally submitted its tax bill.

There being no objection, the Johnson tax bill of 1967 was ordered to be printed in the RECORD, as follows:

JOHNSON'S 1967 TAX BILL

A bill to amend the Internal Revenue Code of 1954 to impose a temporary tax surcharge, to provide for expenditure reductions, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

(a) SHORT TITLE.—This Act may be cited as the "Tax Surcharge and Expenditure Reduction Act of 1967."

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

TITLE I—TAX PROVISIONS

SEC. 101. Imposition of tax surcharge.

(a) IN GENERAL.—Subchapter A of chapter 1 (relating to determination of tax liability) is amended by inserting at the end thereof the following new part:

"PART V—TAX SURCHARGE

"SEC. 51. Tax surcharge.

"(a) IMPOSITION OF TAX.—

"(1) CALENDAR YEAR TAXPAYERS.—In addition to the other taxes imposed by this chapter and except as provided in subsection (b), there is hereby imposed on the income of every person whose taxable year is the calendar year, a tax equal to the percent of the adjusted tax (as defined in subsection (c)) for the taxable year specified in the following table:

"Calendar year	Percent	
	Individuals	Corporations
1967	2.5	5.0
1968	10.0	10.0
1969	5.0	5.0"

"(2) FISCAL YEAR TAXPAYERS.—In addition to the other taxes imposed by this chapter and except as provided in subsection (b), in the case of taxable years ending on or after the effective date of the surcharge and beginning before July 1, 1969, there is hereby imposed on the income of every person whose taxable year is other than the calendar year, a tax equal to—

"(A) Ten percent of the adjusted tax for the taxable year, multiplied by

"(B) A fraction, the numerator of which is the number of days in the taxable year occurring on and after the effective date of the surcharge and before July 1, 1969, and the denominator of which is the number of days in the entire taxable year.

"(3) EFFECTIVE DATE DEFINED.—For purposes of paragraph (2), the 'effective date of the surcharge' means—

"(A) July 1, 1967, in the case of a corporation, and

"(B) October 1, 1967, in the case of an individual.

"(b) LOW INCOME EXEMPTION.—Subsection (a) shall not apply if the adjusted tax for the taxable year does not exceed—

"(1) $290, in the case of a joint return of a husband and wife under section 6013,

"(2) $220, in the case of an individual who is a head of household to whom section 1(b) applies, or

"(3) $145, in the case of any other individual (other than an estate or trust).

"(c) ADJUSTED TAX DEFINED.—For purposes of this section, the adjusted tax for a taxable year means the tax imposed by this chapter for such taxable year, determined without regard to—

"(1) the taxes imposed by this section, section 871(a) and section 881; and

"(2) any increases in tax under section 47(a) (relating to certain dispositions, etc., of section 38 property) or section 614(c)(4)(C) (relating to increase in tax for deductions under section 615 (a) prior to aggregation),

and reduced by an amount equal to the amount of any credit which would be allowable under section 37 (relating to retirement income) if no tax were imposed by this section for such taxable year.

"(d) AUTHORITY TO PRESCRIBE NEW OPTIONAL TAX TABLES.—The Secretary or his delegate shall prescribe regulations setting forth modified optional tax tables for calendar years 1968 and 1969 computed upon the basis of composite rates incorporating the rate at which tax is imposed by this section. The tax tables so determined may be rounded to the nearest whole dollar. When, pursuant to this subsection, the Secretary or his delegate prescribes regulations setting forth modified optional tax tables for calendar years 1968 and 1969, then, notwithstanding section 144(a), in the case of a taxpayer to whom a credit is allowable for either such year under section 37 the standard deduction may be elected for such year regardless of whether the taxpayer elects to pay the tax imposed by section 3.

"(e) ESTIMATED TAX.—For purposes of applying the provisions of this title with respect to declarations and payments of estimated income tax due more than 45 days (15 days in the case of a corporation) after the enactment of this section—

"(1) In the case of a corporation, so much of any tax imposed by this section as is attributable to the tax imposed by section 11 or 1201 (a) or subchapter L shall be treated as a tax imposed by such section 11 or 1201 (a) or subchapter L;

"(2) The term 'tax shown on the return of the individual for the preceding taxable year', as used in section 6654(d)(1), and the term 'tax shown on the return of the corporation for the preceding taxable year', as used in section 6655(d)(1), shall mean the tax which would have been shown on such return if tax had been imposed by this section for such preceding taxable year at the rate applicable to the current taxable year.

"(f) WITHHOLDING ON WAGES.—In the case of wages paid after January 1, 1968, and before July 1, 1969, the tax required to be deducted and withheld under section 3402 shall be determined in accordance with the following tables in lieu of the tables set forth in section 3402(a) or (c)(1):

"Tables to be used in lieu of tables in section 3402(a).

"Tables to be used in lieu of tables in section 3402(c)(1).

"(g) WESTERN HEMISPHERE TRADE CORPORATIONS AND DIVIDENDS ON CERTAIN PREFERRED STOCK.—In computing, for a taxable year of a corporation, the fraction described in—

"(1) Section 244(a)(2), relating to deduction with respect to dividends received on the preferred stock of a public utility,

"(2) Section 247(a)(2), relating to deduction with respect to certain dividends paid by a public utility, or

"(3) Section 922(2), relating to special deduction for Western Hemisphere trade corporations,

the denominator shall, under regulations prescribed by the Secretary or his delegate, be increased to reflect the rate at which tax is imposed under subsection (a) for such taxable year.

"(h) SPECIAL RULE.—For purposes of this title, except as otherwise expressly provided in this section, to the extent the tax imposed by this section is attributable (under regulations prescribed by the Secretary or his delegate) to a tax imposed by another section of this chapter, such tax shall be deemed to be imposed by such other section.

"(i) SHAREHOLDERS OF REGULATED INVESTMENT COMPANIES.—In computing the amount of tax deemed paid under section 852(b)(3)(D)(ii) and the adjustment to basis described in section 852(b)(3)(D)(iii), the percentage set forth therein shall be adjusted under regulations prescribed by the Secretary or his delegate to reflect the rate at which tax is imposed under subsection (a).

(b) MINIMUM DISTRIBUTION.—Section 963 (b) (relating to receipt of minimum distributions by domestic corporations) is amended—

(1) by striking out the heading of paragraph (1) and inserting in lieu thereof the following:

"(1) Taxable years beginning in 1963 and taxable years entirely within the surcharge period.—", and

(2) by striking out the heading of paragraph (3) and inserting in lieu thereof the following:

"(3) Taxable years beginning after 1964 (except taxable years which include any part of the surcharge period).—", and

(3) by adding after the table in paragraph (3) the following:

"In the case of a taxable year beginning before the surcharge period and ending within the surcharge period, or beginning within the surcharge period and ending after the close of the surcharge period, the required minimum distribution shall be an amount equal to the sum of—

"(A) that portion of the minimum distribution which would be required if the provisions of paragraph (1) were applicable to the taxable year, which the number of days in such taxable year which are within the surcharge period bears to the total number of days in such taxable year, plus

"(B) that portion of the minimum distribution which would be required if the provisions of paragraph (3) were applicable to such taxable year, which the number of days in such taxable year which are not within the surcharge period bears to the total number of days in such taxable year.

(b) MINIMUM DISTRIBUTIONS.—Section 963(b) (relating to receipt of minimum distributions by domestic corporations) is amended—

(1) by striking out the heading of paragraph (1) and inserting in lieu thereof the following:

"(1) Taxable years beginning in 1963 and taxable years entirely within the surcharge period.—", and

(2) by striking out the heading of paragraph (3) and inserting in lieu thereof the following:

"(3) Taxable years beginning after 1964 (except taxable years which include any part of the surcharge period).—", and

(3) by adding after the table in paragraph (3) the following:

"In the case of a taxable year beginning before the surcharge period and ending within the surcharge period, or beginning within the surcharge period and ending after the close of the surcharge period, the required minimum distribution shall be an amount equal to the sum of—

"(A) that portion of the minimum distribution which would be required if the provisions of paragraph (1) were applicable to the taxable year, which the number of days in such taxable year which are within the surcharge period bears to the total number of days in such taxable year, plus

"(B) that portion of the minimum distribution which would be required if the provisions of paragraph (3) were applicable to such taxable year, which the number of days in such taxable year which are not within the surcharge period bears to the total number of days in such taxable year.

As used in this subsection, the term 'surcharge period' means the period beginning on July 1, 1967, and ending at the close of June 30, 1969."

(c) CLERICAL AMENDMENT.—The table of parts of subchapter A of chapter 1 is amended by adding at the end thereof the following:

"Part V.—Tax Surcharge."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply—

(1) Insofar as they relate to individuals, with respect to taxable years ending after September 30, 1967, and beginning before July 1, 1969.

(2) Insofar as they relate to corporations, with respect to taxable years ending after June 30, 1967, and beginning before July 1, 1969.

SEC. 102. Raising from 70 percent to 80 percent the estimated tax which must be paid in installments by corporations.

(a) IN GENERAL.—Section 6655 (b) (relating to amount of underpayment), and section 6655(d) (relating to exception), are amended by striking out "70 percent" each place it appears therein and inserting in lieu thereof "80 percent".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1967.

SEC. 103. Payment of first $100,000 of estimated tax.

(a) REQUIREMENT OF DECLARATION.—Section 6016(a) (relating to requirement of declaration of estimated tax in case of corporations) is amended by striking out "$100,000" and inserting in lieu thereof "$40".

(b) REDUCTION OF EXCLUSION FROM ESTIMATED TAX.—Section 6016(b) (relating to the definition of estimated tax in the case of a corporation) is amended to read as follows:

"(b) ESTIMATED TAX.—

"(1) DEFINITION.—For purposes of this title, in the case of a corporation, the term 'estimated tax' means the excess of—

"(A) the amount which the corporation estimates as the amount of the income tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, reduced by the amount which the corporation estimates as the sum of any credits against tax provided by part IV of subchapter A of chapter 1, over

"(B) an amount equal to the applicable exclusion percentage (determined under paragraph (2)) multiplied by the lesser of—

"(i) $100,000, or

"(ii) the amount determined under subparagraph (A).

"(2) EXCLUSION PERCENTAGE.—The term 'exclusion percentage' means—

"If the declaration is for a taxable year beginning in—	The exclusion percentage is—
1968	80
1969	60
1970	40
1971	20
1972 or later	0"

(c) EXCEPTION FROM ADDITION TO TAX.—Section 6655(d)(1) is amended by striking out the phrase "reduced by $100,000" and inserting in lieu thereof "reduced by an amount equal to the applicable exclusion percentage, determined under section 6016 (b)(2), multiplied by the lesser of $100,000 or the amount of such tax".

(d) ADDITION TO TAX FOR UNDERPAYMENT OF ESTIMATED TAX.—Section 6655(e) (relating to the definition of tax) is amended to read as follows:

"(e) DEFINITION OF TAX.—For purposes of subsection (b), (d)(2), and (d)(3), the term 'tax' means the excess of—

"(1) the amount of tax imposed by section 11 or 1201 (a), or subchapter L of chapter 1, whichever is applicable, reduced by the sum of any credits against tax provided by part IV of subchapter A of chapter 1, over

"(2) an amount equal to the applicable exclusion percentage (determined under section 6016(b)(2)), multiplied by the lesser of—

"(A) $100,000, or

"(B) the amount determined in paragraph (1)."

(e) TECHNICAL AMENDMENT.—Clause (v) of section 243(b)(3)(C) is amended by striking out "$100,000".

(f) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1967.

SEC. 104. Postponement of certain excise tax rate reductions.

(a) PASSENGER AUTOMOBILES.—

(1) IN GENERAL.—Subparagraph (A) of section 4061(a)(2) (relating to imposition of tax) is amended to read as follows:

"(A) Articles enumerated in subparagraph (B) are taxable at whichever of the following rates is applicable:

"7 percent for the period March 16, 1966, through June 30, 1969.

"2 percent for the period July 1, 1969, through December 31, 1969.

"1 percent for the period after December 31, 1969."

(2) CONFORMING AMENDMENTS.—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "April 1, 1968, or January 1, 1969" and inserting in lieu thereof "July 1, 1969, or January 1, 1970".

(b) COMMUNICATION SERVICES.—Section 4251 (relating to tax on communications) is amended—

(1) By striking out subsection (a)(2) and inserting in lieu thereof:

"(2) The rate of tax referred to in paragraph (1) is as follows:

"Amounts paid pursuant to bills first rendered:	Percent
Before July 1, 1969	10
After June 30, 1969, and before January 1, 1970	1"

(2) By striking out subsection (b) and inserting in lieu thereof:

"(b) TERMINATION OF TAX.—The tax imposed by subsection (a) shall not apply to amounts paid pursuant to bills first rendered on or after January 1, 1970."

(3) By striking out subsection (c) and inserting in lieu thereof:

"(c) SPECIAL RULE.—For purposes of subsection (a), in the case of communications services rendered before May 1, 1969, for which a bill has not been rendered before July 1, 1969, a bill shall be treated as having been first rendered on June 30, 1969. For purposes of subsections (a) and (b), in the case of communications services rendered after April 30, 1969, and before November 1, 1969, for which a bill has not been rendered before January 1, 1970, a bill shall be treated as having been first rendered on December 31, 1969."

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective on the date of enactment of this Act.

SEC. 105. Filing of corporation returns for taxable years ending after June 30, 1967, and before December 1, 1967.

In the case of a corporation subject to a tax imposed by chapter 1 of the Internal Revenue Code for a taxable year ending after June 30, 1967, but prior to December 1, 1967, such corporation shall after the date of the enactment of this Act and on or before March 15, 1967, make a return for such taxable year with respect to the tax imposed by chapter 1 of the Internal Revenue Code for such taxable year. The return required by this section for such taxable year shall constitute the return for such taxable year for all purposes of the Internal Revenue Code; and no return for such taxable year, with respect to any tax imposed by chapter 1 of such Code, filed on or before the date of the enactment of this Act shall be considered for any of such purposes as a return for such year. The taxes imposed by chapter 1 of such Code (determined with the amendments made by this Act) for such taxable year shall be paid on

March 15, 1968, in lieu of the time prescribed in section 6151 of such Code. All payments with respect to any tax for such taxable year imposed by chapter 1 of such Code under the law in effect prior to the enactment of this Act, to the extent that such payments have not been credited or refunded, shall be deemed payments made at the time of the filing of the return required by this section on account of the tax for such taxable year under chapter 1 determined with the amendments made by this Act.

SEC. 106. Special provision with respect to interest and penalties on payments by individuals of surcharge for 1967.

Notwithstanding any provision of the Internal Revenue Code, no interest or penalties shall be imposed on account of the late payment by an individual taxpayer of the tax imposed by section 51 for 1967 if such tax is paid within 30 days after a bill therefor has been rendered to the taxpayer by the Secretary or his delegate.

TITLE II—EXPENDITURE REDUCTIONS

SEC. 201. The Congress hereby finds and determines that it is necessary to reduce budget expenditures for the fiscal year 1968 below the budget estimates therefor, and that the limitations on obligations required by this Title are necessary for that purpose.

SEC. 202. (a) During the fiscal year 1968, no department or agency of the Federal Government, including the Legislative and Judicial branches, shall incur obligations in excess of the lesser of—

(1) the aggregate amount available to each such department or agency as obligational authority in the fiscal year 1968 through appropriation acts or other laws, or

(2) an amount determined by reducing the aggregate budget estimate of obligations for such department or agency in the fiscal year 1968 by—

(i) 2 percent of the amount included in such estimate for personnel compensation and benefits, plus

(ii) 10 percent of the amount included in such estimate for objects other than personnel compensation and benefits.

(b) As used in this section, the terms "obligational authority" and "budget estimate of obligations" include authority derived from, and estimates of reservations to be made and obligations to be incurred pursuant to, appropriations and authority to enter into contracts in advance of appropriations.

(c) The references in this section to budget estimates of obligations are to such estimates as contained in the Budget Appendix for the fiscal year 1968 (House Document No. 16, 90th Congress, 1st session), as amended during the first session of the 90th Congress.

SEC. 203. (a) This Title shall not apply to obligations for (1) permanent appropriations, (2) trust funds, (3) items (except legislative and judiciary) included under the heading "relatively uncontrollable" in the table appearing on page 14 of the Budget for the fiscal year 1968 (House Document No. 15, Part 1, 90th Congress, 1st session), or (4) programs, projects, or purposes, not exceeding $300,000,000 in the aggregate, determined by the President to be vital to the national interest or security.

(b) This Title shall not be so applied as to require a reduction in obligations for national defense exceeding 10 percent of the new obligational authority (excluding special Vietnam costs) requested in the Budget for the fiscal year 1968 (House Documents Nos. 15, Part 1, and 16), as amended during the first session of the 90th Congress: *Provided*, That the President may exempt from the operation of this Title any obligations for national defense which he deems to be essential for the purposes of national defense.

SEC. 204. In the administration of any program as to which (1) the amount of obligations is limited by section 202(a)(2) of this Title, and (2) the allocation, grant, apportionment, or other distribution of funds among recipients is required to be determined by application of a formula involving the amount appropriated or otherwise made available for distribution, the amount available for obligation as limited by that section or as determined by the head of the agency concerned pursuant to that section shall be substituted for the amount appropriated or otherwise made available in the application of the formula.

SEC. 205. The amount of any appropriation or authorization which (1) is unused because of the limitation on obligations imposed by section 202(a)(2) of this Title and (2) would not be available for use after June 30, 1968, shall be used only for such purposes and in such manner and amount as may be prescribed by law in the second session of the 90th Congress.

Mr. WILLIAMS of Delaware. The Senator from New York [Mr. JAVITS], a few moments ago made some very timely remarks in connection with the financial picture as it stands in this country, emphasizing that from the standpoint of protecting the American dollar the Congress should face up to this question of whether taxes are or are not going to be increased and render this decision before we adjourn.

I want to join the Senator from New York. This Congress should take action before we adjourn so that both the American people and governments internationally will know that we in this country are going to face up to our responsibilities and put our finances in order. The failure and delay, both on the part of the administration and the Congress, has had a decided effect in raising interest rates. Yesterday our Government paid 6.40 percent interest on a $1 billion bond issue.

I ask unanimous consent that there be printed at this point in the RECORD an article appearing in the Wall Street Journal of November 28 calling attention to the fact that the U.S. Government yesterday borrowed $1 billion paying an interest cost of 6.40 percent on a 20-year bond.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BOND MARKETS: FANNIE MAE'S $650 MILLION OF CERTIFICATES SOLD OUT AT AGENCY'S RECORD INTEREST COST

NEW YORK.—The Federal National Mortgage Association's $650 million of participation certificates sold out shortly after reaching the market through underwriters managed by Merrill Lynch, Pierce, Fenner & Smith Inc., Salomon Brothers & Hutzler, First Boston Corp. and Morgan Guaranty Trust Co. of New York. The offering carried the highest interest rates ever placed on a Fannie Mae issue.

Of the $650 million, $450 million reached the market at 100, with a 6.35% coupon, to mature Feb. 11, 1970. The remaining $200 million was comprised of 6.40% certificates, which reached the market at 100, to mature Dec. 11, 1987.

Fannie Mae's previous participation sale of $650 million on June 15, offered yields of 5¼% on $350 million of certificates, due 1969, and 5½% on $300 million of certificates, due 1972.

Fannie Mae also sold $350 million of participation certificates yesterday directly to Federal Government investment accounts.

The certificates represent part-interests in pools of Government-owned mortgages and are guraanteed by Fannie Mae with a further indication from the Treasury that it would lend money to the agency if needed to complement the guaranty.

The mortgages in the pool are commitments of such agencies as the Veterans Administration, Small Business Administration and Federal Housing Administration.

Mr. WILLIAMS of Delaware. These obligations were in the form of participation certificates sold by Fannie Mae, but they are backed by the full faith and credit of the U.S. Government. They are just as sound as any Government obligations, series E bonds or any other Government bonds.

When the U.S. Government is having to pay 6.40 percent in interest rates the time has passed when we can dillydally further. I think this Congress has to act before we adjourn.

So far neither the White House nor the Congress has faced up to this problem of reducing expenditures or raising taxes.

With all due respect to the pressing nature of other business before this Congress, that business should be laid aside until we have made a decision as to whether or not we are going to put our financial house in order.

I join the Senator from New York in his statement that if we fail to do so there may be a recession precipitated unnecessarily in this country. Certainly the abnormally high interest rates that are being paid to finance this Government will be, for years and years to come, an additional drain on the taxpayer.

The home buyer and the small businessman are being hurt severely as the result of today's high interest rates, and the Johnson administration cannot dodge its responsibility for this situation.

The President's insistence that expenditures be increased on every program of this Great Society has brought our country to the verge of national bankruptcy, and I regret to say that except for gilded promises of economy I see no change in their attitude.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. There is no one in this Chamber whose approval I value more than the Senator from Delaware's on such an issue as this. I repeat that the financial community of this country is really deeply concened about the future of this country and of the world in terms of the possibility of an economic depression or recession if we do not show our determination now to defend the dollar. That is why I made the recommendations I did.

Mr. WILLIAMS of Delaware. Mr. President, if I may have an additional minute, that is the reason why I made these remarks here today. I believe the American dollar is sound, but it will not remain in a sound position unless certain safeguards are taken. If the American dollar falls, it will be as a result of the negligence on the part of both the Johnson administration and the Congress in failing to stand up to meet our responsibilities in time. If we procrastinate and put the decision off until next year I think it will be too late to correct much of the damage.

It is an outrageous situation where for 10 months the administration has been talking about expenditure reductions and tax increases, yet it took the devaluation of the British pound to shake them up to the point where they would submit their bill to the Congress.

Even now I detect a backstage maneuver of the administration to talk big but postpone action until next year. It is still not too late for the administration to get action on this measure before Congress adjourns if it will place the same emphasis upon the consideration of its tax proposals as it does upon its spending programs.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT — UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the pending business, Senate Resolution 180, is laid before the Senate, there be a time limitation of not to exceed 2½ hours, the time to be equally divided between the majority and minority leaders or whoever they may designate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT OF FEDERAL FARM LOAN ACT AND FARM CREDIT ACT OF 1933

Mr. TALMADGE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives relating to S. 2565.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2565) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes, which was, strike out all after the enacting clause and insert:

> That the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, are amended as hereinafter provided to remove the 6 per centum interest rate limitations therein on loans made by Federal land banks and banks for cooperatives; and to permit interest rates on such loans and on loans made by production credit associations to be determined as provided in such Acts of Congress to cover the cost of loan funds and other expenses and reserves so that the lending may continue on a self-sustaining basis.
>
> SEC. 2. Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), relating to loans made by Federal land banks, is amended by substituting "such rate of interest as the board of directors of the bank shall from time to time determine with the approval of the Farm Credit Administration" for "6 per centum per annum" in paragraph Third thereof and for "6 per centum per annum" in the first and second sentences of paragraph Ninth thereof.
>
> SEC. 3. The Farm Credit Act of 1933, as amended, is amended—
>
> (a) by inserting the following sentence between the present first and second sentences of section 23 thereof, relating to loans made by production credit associations (12 U.S.C. 1131g): "Such loans shall be made on such terms and conditions, at such rates of interest, and with such security as may be prescribed in such rules and regulations."; and
>
> (b) by deleting from each of the second sentences in sections 34 and 41 thereof (12 U.S.C. 1134j and 1134c), relating to loans made by banks for cooperatives, ", but in no case shall the rate of interest exceed 6 per centum per annum on the unpaid principal of a loan".

Mr. TALMADGE. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia.

The amendment was concurred in.

NUCLEAR TEST-BAN TREATY SAFEGUARDS

Mr. JACKSON. Mr. President, I ask unanimous consent that, notwithstanding the existing rule, I may be permitted to speak for 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

INTRODUCTION

Mr. JACKSON. Mr. President, 4 years have passed since the Nuclear Test-Ban Treaty was favorably considered here in the Senate following extensive hearings by the responsible committees. That treaty, welcomed by so many, was counted on by some as a first step in a continuing march of arms limitation and control agreements to be negotiated between the nuclear powers and also among the nonnuclear countries. Unfortunately, the yearned for series of agreements on the control of arms has not progressed far beyond the first limited step. It is noteworthy that while meaningful arms limitation agreements have eluded our efforts the danger to our national security and that of other countries as well, has been increased by determined moves by Soviet Russia and Red China in the vital field of nuclear arms.

With respect to offensive weapons, Moscow has been working hard to narrow the missile gap that limited its range of options in the Cuban missile crisis of 1962. It has recently doubled the number of its operational ICBM's, and the larger missile payload it can mount on its bigger missiles gives it the capability to deploy higher yield nuclear warheads per missile than we can. Moscow is also developing the capability to launch orbiting nuclear bombs ready for sudden attack from relatively low altitudes. With respect to the defensive weapons, the Soviet leaders have deployed an ABM system around Moscow, and our best intelligence is that they will expand and improve that system over the years. Meanwhile, through her six nuclear and thermonuclear tests to date, Communist China is emerging as a thermonuclear power with all the potentialities for trouble that foreshadows. Communist China, of course, was not a signatory to the nuclear test-ban treaty, and has stated she will not agree to the nuclear nonpoliferation agreement now being considered in Geneva.

These recent developments constitute a serious challenge to the strategic superiority of U.S. power on which our defense planners have counted to maintain political stability and to keep the peace. As I read events, where Moscow acts with circumspection, it is because, to use the Kremlin's phrase, "objective conditions" impose this policy. Where the "objective conditions" are favorable, however, Moscow is encouraged to act boldly to expand the frontiers of its influence and to enter into distant conflict situations around the globe. The circumstances are thus created for the most dangerous confrontation—a showdown between nuclear powers.

Even when the Soviets have been in a condition of admitted strategic inferiority to U.S. power, Moscow has periodically pursued adventurous policies—in Berlin and the Cuban missile probe—and to take advantage of opportunities for mischief in the less developed areas of the world. This is exemplified by the Kremlin's recent strong encouragement to the radical Arab forces in May and June 1967.

As Prof. Philip Mosely, of Columbia University, testified in the recent hearings of our Military Applications Subcommittee, in each of these past probings:

> The strategic inferiority of Soviet power has set definite limits to the extent of the risks that the Soviet policymakers were willing to run. It is painful and disturbing to contemplate the far wider range of risks which the Kremlin might have accepted if it had been confident of possessing an equality or a superiority of over-all deterrent strength.

Professor Mosely correctly warned that:

> In any future period in which Moscow might attain either nuclear equality or nuclear superiority, however that may be measured in terms of the ratio between offensive and defensive systems, we would be prudent to assume that Soviet policy would be tempted to undertake a more extensive, more acute, and more dangerous range of risks in order to pursue its declared long-range ambition to reshape the world according to its own dogma.

Also, we must take into consideration the possibility of facing not only the continuing strategic threat of the Soviet Union, but that threat combined with the new threat of China. Distinguished American experts on Sino-Soviet affairs predict that Communist China and the Soviet Union will be cooperating again 2 or 3 or 5 years after Mao's death or incapacitation. Obviously, if Moscow and Peking begin to coordinate their strategies in Asia and the Middle East, the United States will be in for a very dangerous time. For example, if the Soviet Union and Communist China agreed on a plan of action, and Moscow by then considered that it had nuclear equality or even superiority over the United States, the Chinese nuclear power could be used to blackmail China's neighbors, while the Soviets neutralized the major United States nuclear capability. This may be what some Chinese leaders are looking forward to.

Looking ahead, if we are to maintain the necessary posture of strategic superiority, there are two prime requirements:

The first requirement is a strategic offensive capability which will be able to penetrate Soviet ABM defenses whatever their nature several years from now. This means we will need another generation of land-based ICBM's with larger payload capacity and reliance on multiple independently targetable reentry vehicles—

MIRV's. This also means we will need another generation of nuclear submarines with more and larger missiles, and reliance on MIRV's.

A second requirement is the best ABM defense in the West that science and technology can provide us, to protect our retaliatory second-strike force and to safeguard our people and our society, and to take into account the needs of our allies. For if the Soviet Union comes out ahead in the search for an effective antimissile system, the relationship of forces on which the U.S. has depended to discourage adventurism and a diplomacy of blackmail will be reversed. The consequences for the West could be disastrous. We can now begin to deploy a "light" ABM system which will be useful at least in the near future against any Chinese threat and to provide some protection for our nuclear retaliatory force. But we do not yet have the tools for an effective missile defense against the kind of missile attack that today only the Soviet Union could launch. The development of such a defense is in the hands of the scientists and engineers. At this stage the need is for a high priority R. & D. program to develop, if we can, an effective defense against a full-scale Soviet type missile attack.

I would like now to report briefly on the implementation of the nuclear test-ban treaty safeguards because they are of central importance in giving us the flexibility and the opportunity to take actions to meet these prime requirements for U.S. strategic superiority.

BACKGROUND OF THE TEST-BAN TREATY SAFEGUARDS

By way of a quick review, it will be recalled that in 1963, when the Senate committees were reviewing the then proposed Limited Nuclear Test-Ban Treaty, the Preparedness Investigating Subcommittee shared with the Joint Chiefs of Staff a serious concern about the treaty and whether it would serve the best interests of the United States. The Joint Chiefs informed the Senate that in their opinion certain "safeguards" would be necessary if the treaty was not to operate against our national security interests. At the request of the Preparedness Subcommittee and the Committee on Armed Services, the Joint Chiefs developed a statement of the specific requirements to implement the necessary safeguards they had defined.

The safeguards, in brief, are: First, the conduct of comprehensive, aggressive, and continuing underground nuclear test programs; second, the maintenance of modern nuclear laboratory facilities and programs; third, the maintenance of the facilities and resources to resume promptly atmospheric testing should it be deemed essential to our national security or should the treaty be abrogated by others; and, fourth, the improvement of our capability to monitor and detect violations of the treaty, and to maintain our knowledge of foreign nuclear activity.

It is significant that the assurances to the Senate given by President Kennedy in August of 1963 that he would fully and effectively implement the safeguards were reaffirmed in their entirety by President Johnson in April 1964.

The Preparedness Subcommittee, because of its role in the formulation of the safeguards, has assumed the role of monitoring the implementation and of making an annual report to the Senate on the implementation. The Joint Committee on Atomic Energy likewise has a deep interest in the safeguards implementation and for the past 3 years the safeguards monitoring and reviewing has been a joint undertaking. The staff members of both committees follow the safeguards throughout the year and the committee members then conduct a periodic review of progress, the latest of which has just been completed, and this fourth annual report to the Senate on the implementation of the safeguards is a result of that review.

The implementation of the Nuclear Treaty safeguards is the joint responsibility of the Secretary of Defense and the Chairman of the Atomic Energy Commission. To facilitate coordination of the activities of the two agencies in support of the safeguards, the Secretary and the Chairman, in June 1964, formally established joint procedures for the development and periodic review of a national nuclear test program. That program has been developed and submitted to the President, and as directed by the President, plans for implementation are being maintained. The latest White House approval of the current nuclear test program was made in early July 1967.

SAFEGUARD NO. 1: UNDERGROUND TESTING

Turning now to the first safeguard, underground testing. During the past year the Department of Defense, charged with the responsibility of determining the effects of nuclear weapons, has continued to develop methods of conducting underground tests in which results are being obtained that were previously thought impossible under the treaty restrictions. The accelerated underground test program of the DOD for the next 18 to 24 months consists of a relatively large number of tests on new reentry vehicles, guidance systems, and our antiballistic missile systems now under development. As a result, the actual detailed test program has developed into a fast moving and changing program because of numerous scientific discoveries and proposals for new testing techniques that are being developed.

The Atomic Energy Commission has been somewhat handicapped this past year in nuclear testing, first by continuing labor difficulties at the National Nuclear Test Site in Nevada from early July through early November, and, second, by the lack of a suitable test site for the detonation of high yield weapons underground safely and in compliance with the treaty. However, in spite of these problems, a large number of underground tests were conducted and very significant advances made in the area of weapons technology development, new and radically different weapon design concepts, and in the science of peaceful uses for nuclear explosives.

The basic aims of upcoming underground tests are for the furthering of our knowledge of weapon effects, for improving weapon reliability, increasing penetration capability, and advancing technology.

The AEC and the DOD determined in mid-1966 that it was essential to establish a capability for conducting higher yield tests underground than was determined to be possible at the national nuclear test site in Nevada. Originally, the Pahute Mesa, at the north end of the regular test site, was thought to be suitable for higher yield tests, but experience disproved this hope and other sites have been selected. The first, still in Nevada, is about 70 miles northwest of Tonopah, Nev., in an area named Hot Creek Valley. This area is thought suitable for going beyond the yields possible at the Pahute Mesa site. Next, an uninhabited island near the western end of the Aleutian chain, Amchitka Island, is being developed for possible higher yield explosions.

In the high-yield area the U.S.S.R. has conducted nuclear tests of higher yields both in the atmosphere and underground than has the United States. In their nuclear testing it is interesting to note that the U.S.S.R. has, on at least three occasions, technically violated the Nuclear Test Ban Treaty, in that nuclear debris from their tests was detected outside the continental boundaries of the Soviet Union. Upon being challenged by the United States, the U.S.S.R. has either denied the charge or said it was a negligible accident and unworthy of further concern.

I mentioned in my report on the safeguards implementation to the Senate last year that we thought the money being provided for underground nuclear testing was insufficient and that the Joint Atomic Energy Committee added $10 million to the fiscal year 1967 funds for this. Later the Atomic Energy Commission determined that even this additional $10 million was not enough and a supplemental budget request for $20 million more was required. This year, for fiscal year 1968, the same situation has developed and again the Joint Committee added $15 million to the funds for weapon development and testing. We did this because of the importance and vitality of the underground testing program and because we thought the 20-percent cut by the Bureau of the Budget in the amount requested by the Atomic Energy Commission was too heavy handed. For fiscal year 1968, the Department of Defense increased their planned expenditures in this underground testing area by some 50 percent over the amount requested in fiscal year 1967, and this increase is stated by the responsible officials to be sufficient. However, we have been told recently that there are some planned reductions in the DOD funds from the amounts requested in their budget for safeguards support. I would hope that these cuts, if made, will not be applied in this most important area of underground testing.

SAFEGUARD NO. 2: THE MAINTENANCE OF MODERN LABORATORIES

As to the second safeguard, our nuclear laboratories and their support and work, we very recently had an opportunity for lengthy and detailed discussions with the directors of our national nuclear and weapon laboratories and they assured us that their laboratories were well supported, excellently staffed and completely loaded with work. A possible concern we might have for this safeguard is not on present status, but a caution that in the near future more money will need to be provided for the construction of some new facilities and the purchase of some new expensive equipment, such as additional computers.

The problems and work of the laboratories are exceedingly complex and require a systematic analysis of many related phenomena, many of which require new theoretical and experimental techniques. This program has some advantages over full-scale nuclear tests. Laboratory experiments are generally less expensive, they can be performed many times, and the important parameters can be more easily controlled. To provide positive correlation between laboratory research and the actual effects of nuclear explosions, laboratory results are tested in the underground nuclear test program to the maximum extent possible.

Increased emphasis is being placed on high altitude phenomenology because of the degrading effects of nuclear weapons upon military radar and communications systems. This is a particularly urgent requirement in light of the antiballistic missile system deployment decision. These effects are of prime significance in the employment of offensive and defensive tactics and operational techniques for our missiles, aircraft, and command and control systems.

SAFEGUARD NO. 3: READINESS TO RESUME ATMOSPHERIC TESTING

The third safeguard, readiness to quickly resume nuclear testing in the now prohibited environments in the event the treaty is abrogated, is in a condition of effective support but also one of change and study.

During the year since my last report here, the overseas testing facilities at Johnston Atoll and the Hawaiian Island complex and the equipment there have been maintained in a high readiness status and thoroughly exercised and tested. During fiscal year 1968 it is expected that maintenance and reliability improvement efforts will continue compatible with the laboratory-generated advances in technology and with certain specific replacements of test equipment. Airdrop readiness exercises, both on the continent and overseas based, have been conducted to maintain and increase technical proficiency and to exercise the airborne diagnostic capability.

Recent evaluation of the AEC–DOD nuclear test readiness program indicates that it should be updated. The majority of tests in the present readiness program were derived from the most pressing questions in weapons development and effects that existed in 1963 when the treaty was ratified. Since 1963, however, the testing capabilities and problems have changed considerably. In particular, the ability to acquire data in the underground test program has been better than had been expected. The AEC and the DOD are now studying revisions in the readiness plans, including the scope and frequency of exercises, for the purpose of updating the program should testing restrictions be removed. It is our intention that the Committee staffs will be kept informed on a day-to-day basis of changes as they are planned in the program and that periodic updating briefings will be presented to the Committee members who follow the safeguards implementation.

SAFEGUARD NO. 4: TEST DETECTION AND FOREIGN NUCLEAR PROGRAMS

The fourth safeguard is the maintenance and improvement of our capability to monitor and detect nuclear explosions by other countries and to maintain and improve our knowledge of foreign nuclear programs. In the past 4 years, in addition to the United States, the United Kingdom, the U.S.S.R., France, and Communist China have all conducted nuclear tests. A great deal of effort is required to keep informed of these tests as they might bear on the national security of our country. Our present Atomic Energy Detection System—AEDS—designed to detect and identify nuclear detonations, now represents a facilities investment of some $85 million. Commencing in fiscal year 1964, a $100 million program was initiated to increase the number of stations and modernize the equipment. About $58 million has been provided in the past 4 years for this effort and it is planned that about $16 million more will be spent for this purpose in fiscal year 1968.

The national research program for the development and systems design effort aimed at improving our ability to detect, identify, locate, and verify the occurrence of a nuclear explosion in all environments is called Project VELA. This project includes developments applicable to the Nuclear Test Ban Treaty and also additional results to increase the capability for detection, identification, location, and verification of underground nuclear explosions now legal under the treaty, but which would be barred if ever a total test ban is agreed to between all nations. The VELA program to detect nuclear tests in the atmosphere and in space is directed toward development of satellite-based instruments and systems. A broad variety of radiation detectors and associated electronics and logic circuitry has been developed and fabricated for incorporation into satellite payloads and placement into earth orbit. There have been four successful launches on four attempts: October 1963, July 1964, July 1965 using Atlas-Agena boosters, and the last in April 1967 using a Titan III–C booster, each resulting in the placement of two satellites in near circular earth orbits on opposite sides of the earth. This program, with its four successful launches in four attempts and long-lived payloads, is recognized in the field of space technology as a highly successful endeavor. All satellites, including those from the first launch, continue to operate and provide mission data.

A fifth launch is planned for 1968 using a Titan III–C booster to place two earth-oriented spacecraft into near circular orbits. The detectors to be used will be similar to those for Launch IV with a general upgrading together with additional capabilities for optical and electromagnetic-pulse systems and with an added diagnostic capability.

CONCLUSION

In summary, it is our belief that all of the four Nuclear Test Ban Treaty safeguards are being supported and implemented in a satisfactory manner. The programs have permitted us to detect and improve what might have been fatal shortcomings in our strategic missile systems, to develop the warheads for our forthcoming ABM systems, and to be kept aware of the developments in other countries.

The costs involved in the four safeguards are significant and are indicative of the sincerity of purpose of the United States in maintaining and protecting our national security. In fiscal year 1964 the costs were $706 million; in fiscal year 1965, $724 million; fiscal year 1966, $697 million; fiscal year 1967, $702 million; and in fiscal year 1968 are budgeted for $753 million.

The members and staffs of the Joint Committee on Atomic Energy and the Preparedness Investigating Subcommittee of the Committee on Armed Services will continue to follow the safeguards implementation, will make inquiry and conduct hearings on these matters, and will periodically, as I have done again today, make the appropriate reports to the Senate.

Mr. MOSS. Mr. President, I ask unanimous consent to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, will the Senator yield to me for a minute or two, before he begins his speech?

Mr. MOSS. I am happy to yield to the Senator from Iowa.

Mr. MILLER. I thank the Senator.

THE WORLD FOOD AND POPULATION PROBLEM

Mr. MILLER. Mr. President, on October 24, an outstanding address was delivered in Des Moines, Iowa, at the Governor's United Nations Youth Day meeting by Mrs. Frances Humphrey Howard, a career civil servant in our Agency for International Development.

Mrs. Howard is currently the chief of liaison to nongovernmental organizations and the special project branch in the Office of the War on Hunger, and her words were based on a rich background of experience in social, economic, and particularly food problems of the developing nations.

I was particularly pleased to note that she singled out the Food and Agricultural Organization of the United Nations for special emphasis and praise for its work, with our strong support, in helping to meet the deeply serious challenge of an expanding world population and the food production required to sustain it. She takes an optimistic view, as do I, that the challenge will be met.

I have said many times that FAO has the potential to lead the way in meeting this challenge. The potential can only be realized if all the members—and not just a few of them, including the United States, remain united in a common goal and do not let any other considerations disrupt this unity. At the recently concluded biennial conference of FAO, which I had the privilege of attending as a congressional adviser to the American delegation, it was the cause of concern to many delegates that some members were tending to lose sight of the supreme goal—the one Mrs. Howard so ably describes.

I ask unanimous consent that her address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Crucial Food/Population World Problem

(Address by Mrs. Frances Humphrey Howard)

I am delighted to be here with you and participate in the Governor's United Nations Youth Day. I am happy to see the smiling faces of so many high school boys and girls, who, I understand, are outstanding in scholarship and conduct.

It is most appropriate indeed to hold such all-day youth meetings on the occasion of this auspicious 22nd Anniversary of the founding of the United Nations.

In celebrating this happy anniversary, we are reminding ourselves that the U.N. today represents the hope that the peoples of the world can live together in harmony, uniting their strength to maintain international peace and security and to promote economic and social advancement of all peoples.

The United States supports the United Nations because the U.N. Charter expresses our fundamental aims in this difficult world.

Fulfillment of the aims declared in the Charter will best advance the vital interests of the United States—peace founded on justice and freedom and economic and social progress for ourselves and for all peoples.

We must continue to maintain the vision to which the United Nations has always aspired. Only by so doing can we make the United Nations the instrument of the worldwide community of hope which its founders intended it to be.

Today, the United Nations and its related agencies are helping the governments of 150 countries and territories speed their own efforts to raise the living standards of their own people and to build sound self-sustaining economies.

The United Nations Development Program makes available to developing nations the combined knowledge, expertise and experience of all the U.N. specialized agencies. And through its day-to-day operations, this U.N. program advances the cause of international cooperation and strengthens the cohesiveness of the world community.

I note that the theme for this year's youth program is: "World Hunger and the Role of Youth in Alleviating it."

I understand, Mr. Pressly of the National 4-H Foundation will follow me on this rostrum with a discussion of rural youth efforts at home and abroad. I should therefore not attempt to "steal the thunder" from this very distinguished gentleman, even if I could.

If I may, I should like to discuss briefly with you the world food problem; the need for massive increase in fertilizer production; and our efforts in a world war on hunger.

The stark fact facing humanity is that the world is running out of food. We are producing people faster than we can feed them, just as the English economist Thomas Malthus predicted in 1789, that we would. Unless trends now gathering force are checked, the Malthusian nightmare will become a reality. According to an FAO report, in less than a decade, world food supplies must increase at least 34 percent over the present level in order to avert the threat of widespread famine.

Already the low-income countries have to import $4 billion worth of food each year simply to maintain nutritional standards that, in most cases, fall below the minimum necessary both for health and working efficiency.

The United States is, of course, one of the leaders in trying to find a solution to the problem. Congress has authorized the use of up to $7.5 billion over the next two years in launching a world war on hunger.

The funds voted by Congress will mobilize greater United States technology and resources by transferring American farming techniques and equipment to the developing countries; constructing fertilizer and pesticide chemical plants; establishing more extension services, and financing research for better and nutritious crops.

To emphasize the importance attached to this effort and to better coordinate its elements—food, family planning, nutrition, agricultural, technical and financial assistance—President Johnson seven months ago created a new central office in the Agency for International Development of the Department of State devoted to the War on Hunger. The office is headed by a very able government official, Herbert J. Waters.

Throughout the world, Americans are at work helping to build more self-sustaining agricultural economies in nations without them.

And this includes everything, from building rural schools, roads and clinics, to helping rid Africa of the tsetse fly, to developing new strains of wheat, to introducing basic conservation and fertilization techniques to peasants who have never known them before.

In India, for example, where food supply has been precarious, we are helping its Government to take hard, practical steps of self-assistance: To develop a price incentive program for food grains, a long-range soil and water conservation program, and agricultural research among other things.

A.I.D. projects are helping to irrigate more than a million acres in India, a half million acres in Pakistan, a hundred thousand or more each in Korea, Afghanistan, Ecuador, Morocco, and Tunisia.

Every year about 5,000 foreign technicians, scientists, teachers, and other agriculturally oriented people come to the United States for training—training particularly related to their own countries.

Even in war-torn South Vietnam, modern agricultural methods are being adopted. New crops have been introduced, as well as improved strains of traditional crops. The production of pigs has been going up and rice production is constantly increasing.

The primary credit for this achievement, of course, belongs to the Vietnamese peasants and their hard work and initiative. They learn quickly. But we have helped.

We have provided guidance on reorganization of Vietnamese agriculture, and are presently recruiting country extension agents to go to Vietnam to do the same work there.

We have taken initiative, too, toward development of the whole Mekong River Delta—development which would benefit many millions of people and several nations.

The technical skills of the more advanced countries will, of course, help produce more food. Our own agricultural history shows what can be done.

A century ago, one American farm worker met the food and fiber needs of himself and five others. Today, he provides for 37. One hour's farm labor today produces five times more than it did forty years ago.

What has been done in the United States, can be done in the developing countries.

The awakening peoples of the developing countries could make great progress by using better fertilizer and tillage methods through the control of pests and doing the self-help things progressing nations have to do.

Scientists are confident that it is technically possible to double and triple food production in the less developed countries through better seed varieties, careful irrigation, pesticides, and so forth.

But this involves a painstaking job of teaching modern technologies to illiterate peasants, wedded to centuries-old methods that are steeped in superstition and folklore.

Fertilizer would be the catalyst to send food production in the less developed countries spinning upward.

The experts tell us that the best fertilizers are mostly in the form of urea, ammonium sulphate, various nitrates and ammonium phosphates, or carefully worked-out "NPX" (nitrogen, phosphate and potash) combinations.

Farmers in the developed countries have grown accustomed to using them over the past 25 or more years. But such fertilizers are almost as precious as diamonds and as unknown as the instruments of an air-space vehicle to the peasants of Asia, the campesinos of Latin America and back-bush villagers of Africa.

What fertilizers can do was emphatically proved by widespread, controlled field tests and demonstrations with rice, beans, corn, wheat and other staples. In several hundred thousand individual demonstration plots, the Indian Government has shown substantial yield increases—in some cases of as much as 300 percent.

The fertilizer revolution aims at producing 73 million tons *more* of plant nutrients annually by 1980. In the opinion of one of the world's leading chemical economists, Dr. Raymond Ewell, "if Asia, Africa and Latin America are not using quantities of fertilizer approaching 30 million tons annually by 1980, they are almost certain to be engulfed in widespread famine."

The fertilizer revolution breaks down into three main campaigns. First, tactical—to ship immediate exports of fertilizer to the affluent countries. Second, strategic—to build new fertilizer plants. Third, educational—to show farmers in the less developed countries how to use the stuff.

As of mid-September 1966, there were approximately 800 plants in the free world producing basic fertilizer raw materials and fully 400 new plants either under construction or planned to go "on steam" by 1970. More than 100 of these will be in the less developed countries.

In this endeavor the United States industry is taking a bold lead. Dozens of American companies are involved, all of them engaged in a head-spinning variety of operations: setting up branches, forming local affiliates, participating in joint ventures with local private investors and/or governments; expanding already existing facilities or putting company by-products to new uses.

Research costing nearly $900 million last year and embracing nearly 50,000 projects made possible new progress in pest control, nutrition, greater yield from acreage, new foods.

We now have breakthroughs in creating new sources of food—food extracted from a combination of crude oil, bacteria, yeasts, nitrogen, phosphate, and water.

Now the new high lysine corn is not only an important source of protein in itself, but also promises an appreciable reduction in the cost of producing animal products. Pigs gain weight fifty percent faster on high lysine corn.

Science is now tapping every possible food resource the sea has to offer. Fin and shellfish will be cultivated and harvested and seaweed and algae will be converted into nutritious food substances.

The process of improving agricultural methods in the less developed countries will be slow and difficult but it is bound to take place. We are indeed entering a period of tremendous development in many foreign lands.

Needless to say, we do not, and cannot attempt to conquer hunger alone. Hunger is a world problem. It must be dealt with by the world. We are encouraging a truly international effort to combat hunger and modernize agriculture.

We are working to strengthen the Food and Agriculture Organization of the United Nations. The efforts of the multilateral lending organizations, and of the United Nations Development Program should be expanded—particularly in food and agriculture.

It is my understanding that we are prepared to increase our participation in regional as well as world-wide multilateral efforts, wherever they provide efficient technical assistance and make real contributions to increasing the food-growing capacities of the developing nations.

For example, as part of our cooperation with FAO during the 1966 International Rice Year, we made a greatly increased effort to help effect improvements in rice yields in the rice-eating less developed countries.

My heart and mind are full of admiration for the men and women of the Food and Agriculture Organization of the United Nations.

They certainly deserve the gratitude of the entire world for their efforts in agricultural productivity, including crop improvement; water utilization; animal health and husbandry; forestry; fishery; land reclamation; agricultural economics; food processing; and marketing and training.

Through its Freedom From Hunger, FAO is mobilizing tens of millions of people in citizen programs to support agricultural development.

FAO Agricultural projects are now under way in some 104 countries.

FAO programs, in cooperation with the governments of 66 countries in Africa, the Americas, Asia and the Middle East are now combating the crop-decimating desert locust; they help wipe out the rhinoceros beetle which heavily damages vital palm forests throughout the Southwest Pacific; and they test radio-isotope disinfestation methods for eradicating the fruit fly from the Central American area.

A major research and training center for preserving vital rice harvests has been set up in Thailand with FAO assistance.

The goal is to reduce losses in the northern and central regions, where often up to 80 percent of the crop is devoured by insects, rodents and birds. In some test areas, pesticide and fertilizer demonstrations have brought a four-fold increase in rice yields.

Argentine, with FAO assistance, has carried out a five-year study of nutritional diseases and deficiencies in livestock. Research has developed improved pasturage, and breeding methods which could raise meat and wool production four to five times above present levels.

The productivity of Colombia's Llanos Orientales—a vast territory constituting more than half the entire country—may be greatly increased as the result of a comprehensive four-year study carried out by the Government with FAO support.

Surveys of sub-surface areas totalling 150,000 square miles in 19 countries reveal enormous untapped groundwater resources that could readily be brought into productive use.

Test construction of shallow vertical wells on the coast of Israel indicates the feasibility of saving as much as 100 million cubic meters of fresh groundwater a year from seeping into the sea. FAO has assisted in the research, and the Israeli Government is now investing $10 million in an extensive well-construction program.

With FAO help, four underground reservoirs have been located in northeastern Syria with a capacity sufficient for irrigating over a quarter of a million acres of presently arid land.

And so on . . . and on.

Thus, for twenty years FAO has been successfully implementing the U.N. Charter mandate "to employ international machinery for the promotion of economic and social advancement of peoples."

What other weapons can we muster in the War on Hunger? We have the "conventional" weapons, of course, the food products of our own and other advanced agricultural nations.

The new Food-for-Freedom program will increase food aid shipments to fill the food gap while local output is being increased. With these food products we can buy time and prevent the threat of famine while modern agricultural techniques are being exported to developing countries.

Part of the currency generated under food sales is reinvested in country agricultural development and food processing industries. The food supplied in many cases is used as wages in rural development programs.

As for the problem of population control, we trust that common sense will prevail and the world will finally find it possible to cope with the human tidal wave which has been washing away the benefits of million of man-years of effort and billions of dollars in foreign aid.

I am an optimist. If man can envison journeys to other planets, he can most assuredly devise ways for preventing men from starving on earth.

I am confident that at the turn of the century, population will have found its level, and food production, aided by new technologies may prove adequate, *if we act now with drastic urgency.*

Collectively and individually we must continue to strive to free the human spirit from want and hunger.

I thank you. You have been a wonderful audience.

MARIHUANA

Mr. MOSS. Mr. President, several weeks ago Dr. James L. Goddard, Chief of the Food and Drug Administration, got into—and then out of—a rather painful predicament because he was reported by the press as saying flatly that the use of marihuana was not as harmful as the use of either tobacco or alcohol, and that he would rather see his own daughter use marihuana than smoke cigarettes or drink cocktails.

It has since become evident that Dr. Goddard was misquoted. The United Press International has admitted it erred in attributing to him unqualified statements which were in fact considerably qualified. Dr. Goddard has testified before two House committees, and has satisfactorily clarified his position.

We are all relieved that this distinguished citizen and most valuable public servant has been exonerated of saying anything which might encourage any American, and particularly our young people, to use marihuana.

In clarifying his stand, Dr. Goddard made no attempt to equate the risks of using marihuana with the risks of using any other drug or product. He simply stated:

> I did not, and I do not, condone the use of marihuana. I did not, and I do not, advocate the abolition of controls over marihuana. I did not, and I do not, propose legalizing the drug.

Dr. Goddard did not make any comparisons on marihuana because actually we do not know where it stands in the list of risky products which may be harmful or dangerous to the person who uses them. We do not know, because our research has not been deep enough or extensive enough to give the information on which to base any sound determination. But the phrase "so far as we know, marihuana is probably safer than the use of alcohol or tobacco" appears regularly and is spoken by someone in authority. It was used only last week by Dr. William Barton, a Washington psychiatrist.

Dr. Barton went a step further and said he would favor legalizing marihuana because this would make it less attractive to the Nation's youth, since they would no longer be rebelling by smoking it.

It seems to me we don't want to legalize marihuana—or to do anything else about it, until we know more about it.

The best information we have now is that marihuana is a hallucinogen and maybe a euphoric. And we know furthermore that, whatever it is, there has been an explosion in its use among our young people in the past few years. More and more of them are experimenting with it and some of them are using it regularly.

I am frankly alarmed by the figures I see on the growth of use of marihuana. The most revealing figures come from California, because of its new drug abuse control amendments. The State reported that adult drug arrests under this new law totalled 28,319 in 1966, an increase of 32.1 percent over 1965. Marihuana accounted for nearly half of the arrests which were made. Some of this rise may be due to the new power given State law enforcement officers, and to better recordkeeping, but regardless of how the figures were compiled, they should give us pause.

Among juveniles, the rise was even more dramatic. Drug arrests in general increased 87 percent between 1965 and 1966, but the number of juveniles arrested for marihuana increased 140 percent. Marihuana arrests, combined with some 898 dangerous drug arrests, accounted for 95 percent of all juvenile drug arrests in California during 1966.

Since there is a long history of the use of marihuana throughout the world, encyclopedias and textbooks tell us something about its known physical and mental effects. We know, for example, that effects vary from smoker to smoker, and that they are also governed somewhat by the amount of marihuana used and the conditions under which it is smoked or taken. We know also that the most common reaction to marihuana is a dreamlike or buoyant state in which unrelated ideas flow freely through a person's mind, with little or no control. We know that perception is disturbed, and that minutes may seem like hours or may seem like seconds. We have learned also that if heavy doses of marihuana are used, hallucinations can result, and they can be so serious as to make a person panic in fear.

KUTV, the NBC–TV in Salt Lake City, and one of our most progressive TV stations, recently did an hour-long color documentary on the problem of today's young people and the use of narcotics.

According to Art Kent, their news manager, the script they pulled together for the show shook all of those who participated.

KUTV drew its conclusions from material supplied by the narcotics squad of the Los Angeles Police Department. Their findings fell into four areas:

First, marihuana causes a significant loss of depth perception because of the extreme dilation of the pupils of the eyes. This has an obvious effect on someone attempting to drive a vehicle.

Secondly, marihuana causes a loss of inhibitions, but not in the same way as alcohol. Mr. Kent quotes as an example the fact that four martinis will give you a "plus-four" loss of inhibitions as opposed to a "plus-ten" loss from two inhalations of a marihuana cigarette. This makes the user highly suggestible.

Third, there is a loss of space-time relationship.

Fourth, the use of marihuana develops an incipient phychosis inherent in the user.

These conclusions are indeed frightening, and they are based on use statistics which give them considerable credence. But they are not as conclusive or incontrovertible as they should be, because they are limited and represent only one area of the country.

The Federal Government has completed, or has underway, several small basic research projects on marihuana. The work is being done by the National Institute of Mental Health. One survey now being conducted will determine the extent to which marihuana is being used in the United States today. This will give us badly needed information.

Under a grant from the Institute, a medical doctor in Athens, Greece, is working on a project to grow carbon 14 radioactive marihuana. When completed this will make it possible to trace the distribution of marihuana through the body and the brain.

Studies have been completed on synthesizing the principal active components of marihuana, and the information available has enabled scientists to study the pharmacology of marihuana because it is now possible to control the dose given to animal and human subjects. Some work based on what marihuana does to body tissue or metabolism, or to neuromuscular response, along with its psychological reaction is being conducted at the University of Kentucky and at the Research Addiction Center at Lexington, Ky., both under the Institute of Mental Health.

But these are minimal projects. Two main avenues of research should be pursued:

First. We need to make extensive studies of the state of chronic users of marihuana, so we can determine the extent to which such use produces lingering psychological or biological hazards.

Second. We need to update, with modern methods, studies of the use and of users of marihuana in countries where the use is endemic, such as in the Middle East and India. We have no such long-use patterns among large groups of people in this country, and research in a country where marihuana has been used for centuries would give us the type of information we want fully and currently. We do not believe at this time, for example, that the use of marihuana is habit forming. But there may be varying degrees of psychic dependence on it. This we should know, and know in detail.

At the present time the Institute of Mental Health has a drug research budget of about $400,000. Officials have estimated they could put to good use about $4½ million. In other words, we are starving our drug research at a time when the growth rate in marihuana—and in even more serious drugs like LSD—has been so rapid that no one in government, in medicine, or in the legal profession has been able to counter it effectively.

Mr. President, I feel we must begin immediately here in the United States to find out about the composition and effects of marihuana, and to determine what is the best way to handle what is obviously a serious national problem.

It is foolish to try to make a case that marihuana is more harmful or less harmful than tobacco or alcohol—we really do not know. And if it is even in the same danger category as either, we should find out and start letting our people, and particularly our young people, know. Surely overindulgence in alcohol and heavy smoking of cigarettes have caused all too much trouble and heartbreak and illness and death in the world.

It is foolish to talk about legalizing marihuana—whatever may be the reason for so doing—until we know exactly what type of drug we are dealing with. I know that the hippies in England are all convinced that "pot" is safe and pleasant, and are campaigning to make its sale legal, but I want more evidence than their opinion.

I shall do what I can to see that an adequate budget for basic research on marihuana, and on other dangerous drugs as well, is provided in the fiscal year 1969, and I will welcome the assistance of any of my colleagues who wish to join me in this endeavor.

ROAD TO REVOLUTION

Mr. LAUSCHE. Mr. President, for some time I have had on my desk a newspaper review of a book written by Phillip Abbott Luce. This book contains 165 pages and sells at a cost of $1.

Phillip Abbott Luce occupied a position at the very top echelon of the Communist operators within our country. He was fully informed of all the activities of those individuals within our midst who have a greater love for communism than they have for the freedom of the people of United States. The newspaper review states:

> Already called the "Whittaker Chambers" of this generation, Phillip Abbott Luce has chosen an appropriate time for the publication of his second book, "Road to Revolution."
>
> In the midst of 1967's "long, hot summer," Luce has provided us with a first-hand report of the perspective in which such events are held by Communists, to whom they are "rebellion" and not riots.

In other words, the Communists are fomenting a rebellion, not riots, and what is happening within the United States is called rebellion by the Communists.

> Beyond this, his (Luce's) message is an alarming one. It describes in great detail, and with thorough documentation, the plans for guerrilla warfare in the streets of our cities already devised by domestic radicals.

The ultraliberals within our country are constantly declaring that the fears expressed by some concerning the activities of the Communists and the enemies of our country are unfounded. Phillip Luce, in my opinion, has occupied a conspicuous position, enabling him to tell the true story better than any other man within the country—except Mr. Hall, the head of the Communists—in "The Road to Revolution" and in a previous book "The New Left" he has written.

The PRESIDING OFFICER (Mr. Moss in the chair). The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Ohio be permitted to proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Philip Luce is 29 years of age and is a former leader of the New Left. He has been the organizer of two student trips to Cuba, in 1963 and 1964. He has been an officer of the Progressive Labor Party and an editor of its monthly magazine. The Progressive Labor Party, until Luce's defection in January 1965, was one of the favorite organizations of Mr. Luce.

Mr. Luce has written about his experiences in his first book, "The New Left." I read Mr. Luce's first book. I marginalized it completely and underscored it, and I advise any citizen who desires to learn truly the facts concerning Communist activities in the United States to read "The New Left."

Mr. Luce abandoned his position as a promoter of guerrilla warfare and revolution in the United States. For that reason, he has been called the modern Whitaker Chambers. The question might be asked, why did Philip Luce, this 29-year-old intellectual, abandon the Communists? The answer is that, as the leader of guerrilla warfare, riots, and demonstrations, he saw what was happening. He saw young college students unknowingly participate in demonstrations when Communists and enemies of the United States were pulling the strings. In "The New Left" he clearly points out how this group of innocent students in our universities were demonstrating in riots without knowing that they were mere puppets of the activities of the Communists and the enemies of our country who were precipitating the demonstrations.

In "The New Left" he indicated that one of the major reasons for his disillusionment with Communists came about when he found himself involved in a series of plans in which the participants had no idea of what they were doing.

I now quote what Luce said:

> I left when it became obvious that the individual lives of the members of the Progressive Labor Party, let alone society, meant less than an abstract Communist catechism . . .

In "The Road to Revolution" Mr. Luce points out that the Progressive Labor Party, the pro-Communist Chinese offshoot of the U.S. Communist Party, passed a resolution in its 1965 national convention stating that "black liberation" was the path for the coming guerrilla war in the United States. He states that the convention declared:

> The key to revolution in the United States lies within the interlocking interests in the black liberation movement and the working class struggle for socialism.

Just before the Harlem riots of 1964, William Epton, vice chairman of the Progressive Labor Party, said to an open-air rally:

> We will not be fully free until we smash this state completely and totally . . . in the process . . . we're going to have to kill a lot of these cops, a lot of these judges, and we'll have to go against the army.

The book review then states that Epton was later tried and found guilty of criminal anarchy.

At this point, I wonder what happened to Epton after the Supreme Court disposed of his case. I do not know.

> Luce states: "While I was an officer of PL, I learned of a number of projects in which people were being prepared for a future guerrilla operation. Not only did we store guns in New York City, but target practice was held on Long Island prior to the Harlem riots. I was personally asked to find a hiding place suitable for target practice."

Yet, Mr. President, on the floor of the Senate, in public forums, and in magazines and newspapers the statements are made that all that is said about the menace of communism to the freedom of the people of the United States is meaningless.

> Another of the organizations planning such violent activity is the Revolutionary Action Movement, known as RAM. Max Stanford, leader of the group, said that "the black revolution will use sabotage in the cities—knocking out the electrical power first, then transportation and guerrilla warfare in the countryside of the South. With the cities powerless, the oppressor will be helpless."
>
> Luce points to a third organization which, he says, is rapidly becoming a part of this guerrilla movement—the Student Nonviolent Coordinating Committee, no longer either nonviolent or dominated by students. He reports an August 29, 1966 SNCC fund-raising dinner in Harlem that featured an interesting trio of speakers—Stokely Carmichael, then chairman, along with Max Stanford of RAM and William Epton of PL. Carmichael said that in "Cleveland they're building stores with no windows."

I do not think that is happening, but it is significant that Carmichael is of the conviction that that is what will have to come about in the United States.

I continue to quote what Mr. Carmichael said:

> All brick. I don't know what they think they'll accomplish. It just means we have to move from Molotov cocktails to dynamite. He added: They say we're stupid and don't do anybody any good and we deserve to be called that, because if we had any sense we'd have bombed these ghettos long ago.

Mr. President, in the face of all these things, still it is said by some that we have nothing to fear.

> Luce makes it clear that most Negro leaders have condemned the concept of "black power," and the exhortation to violence. As a result, they are as much the targets of violence as the white community. Only recently members of RAM, including Max Stanford, were arrested in an assassination plot. The targets: Roy Wilkins of the NAACP and Whitney Young of the Urban League.

I wish to emphasize this and I am glad that the Senator from West Virginia is in the Chamber because I know he has sympathy for what I am saying:

> Phil Luce repeatedly stresses that Communists do not begin trouble but take advantage of it, incite it, and exploit it.

Secretary Rusk spoke at Indiana State University. One hundred students perpetrated a most shameful exhibition of what American character is really not.

I shall continue to read the article:

> He understands, as some seem not to, that there are real grievances in the ghettos, lack of jobs, poor housing, inadequate recreation facilities. Yet others tend to minimize the influence of these radical organizations and their very real plans for revolution on our city streets.

Mr. President, why did I rise to discuss this book review of several months ago? Mr. President, the cause of my rising to speak on this subject is that as a citizen of the United States, loving everything that is connected with it, I cannot help but feel sick when I listen to some of my colleagues on the floor of the Senate stating that we have nothing to fear and that nothing is wrong in the United States.

To the citizenry of Ohio, desirous of getting a true picture of what the enemies of our country are doing within our country, I recommend that they read the book "Road to Revolution" and also the other book, entitled "The New Left," written by Phillip Abbott Luce, a man who, because of remorse, told the inside story of what is happening in our country.

I thank the Senator from West Virginia for yielding the time to make these statements.

Mr. President, I ask unanimous consent to have printed in the RECORD the book review of "Road to Revolution," to which I have referred.

There being no objection, the book review was ordered to be printed in the RECORD, as follows:

NEW "WHITTAKER CHAMBERS"?

(Road to Revolution. By Phillip Abbott Luce. Viewpoint Books. 165 pages. Paperback, $1)

Already called the "Whittaker Chambers" of his generation, Phillip Abbott Luce has chosen an appropriate time for the publication of his second book, "Road to Revolution."

In the midst of 1967's "long hot summer," Luce has provided us with a first-hand report of the perspective in which such events are held by Communists, to whom they are "rebellions," and not riots. Beyond this, his message is an alarming one. It describes in great detail, and with thorough documentation, the plans for guerrilla warfare in the streets of our cities already devised by domestic radicals.

Phil Luce at 29 is a former leader of the "New Left," organizer of two student trips to Cuba in 1963 and 1964, an officer of the Progressive Labor Party and editor of its monthly magazine, Progressive Labor, until his defection in January, 1965. He has written about his experiences in his first book, "The New Left," and one of the major reasons for his disillusionment with communism came when he found himself "involved in a series of plans in which the participants had no idea of the consequences . . . I left when it became obvious that the individual lives of the members of PL, let alone society, meant less than an abstract Communist catechism as envisioned by the 'gurus' of the movement." According to Luce his defection ranks him "somewhere near President Johnson and J. Edgar Hoover" as the "most maligned enemy" of PL.

STORED GUNS

Progressive Labor, the pro-Communist Chinese offshoot of the United States Communist Party, passed a resolution at its 1965 national convention stating that "black liberation" was the path for the coming guerrilla war in the United States. "The key to revolution in the United States," the convention declared, "lies within the interlocking interests in the black liberation movement and the working class struggle for socialism."

Just before the Harlem riots of 1964, William Epton, vice chairman of PL, said this to an open air rally: "We will not be fully free until we smash this state completely and totally . . . in the process . . . we're going to have to kill a lot of these cops, a lot of these judges, and we'll have to go against the army." Epton was later tried and found guilty of criminal anarchy.

Luce states: "While I was an officer of PL, I learned of a number of projects in which people were being prepared for a future guerrilla operation. Not only did we store guns in New York City, but target practice was held on Long Island prior to the Harlem riots. I was personally asked to find a hiding place suitable for target practice."

Another of the organizations planning such violent activity is the Revolutionary Action Movement, known as RAM. Max Stanford, leader of the group, said that "the black revolution will use sabotage in the cities—knocking out the electrical power first, then transportation and guerrilla warfare in the countryside of the South. With the cities powerless, the oppressor will be helpless."

VIOLENCE PLANNED

Luce points to a third organization which, he says, is rapidly becoming a part of this guerrilla movement—the Student Nonviolent Coordinating Committee, no longer, either nonviolent or dominated by students. He reports an August 29, 1966 SNCC fund-raising dinner in Harlem that featured an interesting trio of speakers—Stokely Carmichael, then chairman, along with Max Stanford of RAM and William Epton of PL. Carmichael said that in "Cleveland they're building stores with no windows. All brick. I don't know what they think they'll accomplish. It just means we have to move from Molotov cocktails to dynamite." He added: "They say we're stupid and don't do anybody any good and we deserve to be called that, because if we had any sense we'd have bombed these ghettos long ago."

Luce makes it clear that most Negro leaders have condemned the concept of "black power," and the exhortation to violence. As a result, they are as much the targets of violence as the white community. Only recently members of RAM, including Max Stanford, were arrested in an assassination plot. The targets: Roy Wilkins of the NAACP and Whitney Young of the Urban League.

Phil Luce repeatedly stresses that Communists do not begin trouble but take advantage of it, incite it, and exploit it. He understands, as some seem not to, that there are real grievances in the ghettos, lack of jobs, poor housing, inadequate recreation facilities. Yet others tend to minimize the influence of these radical organizations and their very real plans for revolution on our city streets.

In a balanced and provocative volume, he does not blame all evil on "outside agitators."

Yet the public should understand the plans which Communists have for our cities. Phase one, as recent violence indicates, has already occurred. Armed with Luce's warning and our own awareness of the problems which must be solved, we may yet be able to avoid phase two.

—Allan C. Brownfeld.

ESTABLISHMENT OF THE NATIONAL PARK FOUNDATION

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 814.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 814) to establish the National Park Foundation, which was, to strike out all after the enacting clause and insert:

That in order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

Sec. 2. The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purposes. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477; 16 U.S.C. 19 et seq.), as amended, is hereby repealed.

Sec. 3. The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with, the National Park Service, its activities, or its services: *Provided*, That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in the real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services.

Sec. 4. Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and such services and facilities may be made available on request to the extent practicable without reimbursement therefor.

Sec. 5. The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name, but the members of the Board shall not be personally liable, except for malfeasance.

Sec. 6. The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

Sec. 7. In carrying out the provisions of this Act, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

Sec. 8. The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, however, in the discretion of its directors, contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of the foregoing or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

Sec. 9. The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation.

Sec. 10. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipts, expenditures, and investments.

Mr. BIBLE. Mr. President, I should like to make a brief explanation of the House action on H.R. 10835 which was the companion measure to the bill now before the Senate.

The House made several amendments, most of them minor, but I think there is one that does need additional explanation.

Section 8 of H.R. 10835 as passed by the House authorizes the Foundation to contribute toward the costs of local government. The authorization is limited, however, as follows: First, such contribution is entirely in the discretion of the directors; second, the contribution may not exceed the amount of taxes that would ordinarily be due to the local governments; and, third, an agreement to make such contributions may only be made if such agreement is a condition of the transfer by which the Foundation acquired the property.

In effect, what section 8 does is to permit the foundation to assist in the carrying out of local governmental services by contract, in a manner similar to the way the National Park Service may now furnish, by contract, fire protection and other services to local governments—see 16 U.S.C. 1b—and it enables the foundation to comply with a specific provision of a gift requiring that contributions to local government be made. The foundation could not otherwise accept such a gift. The record of the hearing before the House Subcommittee on National Parks and Recreation is clear that the intention of the language is to permit the foundation, in its discretion, to comply with appropriate and reasonable wishes of a donor.

The contributions, therefore, cannot be equated with proposals to authorize Federal payments to local governments in lieu of taxes lost as a result of the acquisition of property for park purposes. This was recognized by the House Committee on Interior and Insular Affairs in its report on the bill, wherein the committee stated on page 4:

> The exercise of this authority to make contributions is discretionary with the Directors of the Foundation and involves no obligation or liability on the part of the United States.

Additionally, Mr. President, I have discussed some phases of the bill with the very distinguished Senator from West Virginia [Mr. Byrd]. I believe he has some questions which have been suggested to him by some of his constituents, and I would therefore be very happy to try to respond to those questions.

Mr. BYRD of West Virginia. I thank the Senator from Nevada. Some of my constituents have raised a question about the pending bill which has been sponsored by the Senator from Nevada. They have also addressed questions to my senior colleague [Mr. Randolph]. He and I have discussed the bill, and I have assured him that in the event he was absent from the Senate on official business at the time this matter came up, I would address a question to the Senator from Nevada [Mr. Bible], on behalf of myself and my senior colleague [Mr. Randolph].

The question merely boils down to this—and I think the Senator from Nevada can clarify it to my satisfaction, to the satisfaction of my colleague [Mr. Randolph], and also to the satisfaction of my constituents—would the Senator explain whether the bill establishing the National Park Foundation would authorize that Foundation to make a purchase of lands by condemning those lands?

Some of my constituents are fearful that this would occur.

Having discussed this with the Senator from Nevada, I am constrained to believe that my constituents may be laboring under a misunderstanding; but I think it is well, from the floor of the Senate, to have a clarification of that point, which would clearly show the legislative intent back of the legislation.

Thus, I ask the Senator from Nevada: Does the bill establishing the National Park Foundation authorize the Foundation to go out and purchase lands by condemning those lands?

Mr. BIBLE. I would say to the Senator from Virginia that I think the unequivocal answer to his question is "No."

The National Park Foundation cannot go out and purchase lands by condemning them. There is no power of condemnation built into the statute that sets up the National Park Foundation. It is a quasi-Government foundation. It is empowered to receive donations of money, property, securities, and other items of value. The foundation may then use the interest income, or the proceeds from the properties or investments, to purchase lands within the boundaries of existing units of the National Park System. That becomes particularly important because of the great number of inholdings we have in many of our national parks.

Secondarily, they can purchase areas which may be under serious consideration for additions to the National Park System.

This is going to be, we hope, a useful tool in land acquisition, because of the great difficulties we have in acquiring land, once a park is created or where we are planning on putting in a park, because of the problems of escalation.

The foundation cannot force any landowner to sell to it. It is strictly a willing seller-buyer relationship. The foundation will not have authorization from Congress granting it authority to execute the power of eminent domain.

Now one of the bills, and of course it is primarily in the bill now before us, S. 814, as amended by the House action, contains such authority. Some of the concern of the constituents of both Senators from West Virginia may have been raised because of the language which permits the foundation to sue or to be sued. But they then added the corollary provision that they simply use the office of the Department of Justice. The Department of Justice, as the Senator from West Virginia knows, of course, is the attorney for all agencies of the executive branch. The Department of Justice would undoubtedly so act for the foundation on any legal matters it might have; but certainly there is no intention, there is no specific direction, and there is no authorization for eminent domain.

I think that the legislative history and the language of the bill itself will make very clear that no power of condemnation is granted to the foundation.

Mr. BYRD of West Virginia. I thank the Senator from Nevada. He has very clearly explained the intent of the bill insofar as the point I have raised is concerned.

There should be no doubt in the mind of any individual, after reading the legislative history which has been established, as to that intent. I believe that the explanation given by the Senator from Nevada allays the concern on my part, on the part of my colleague [Mr. RANDOLPH], and I hope also on the part of my constituents. There is no hidden authority involving condemnation powers or forced sales by landowners conveyed to the National Park Foundation, as I now understand it. I want to thank the Senator from Nevada. I am confident that his explanation clarifies the legislative intent in this regard.

Mr. BIBLE. Mr. President, I appreciate this colloquy, because it makes abundantly clear that if there is any fuzziness in the language of the statute, certainly there is no hidden authority for eminent domain. It simply is not there.

I now yield to the senior Senator from West Virginia.

Mr. RANDOLPH. Mr. President, it is gratifying to have this analysis by the Senator from Nevada concerning the possibility of condemnation powers or forced sales by landowners under this legislation to establish a National Park Foundation. I thank the Senator for his patience and cooperation in answering the question in detail. My colleague from West Virginia [Mr. BYRD] and I have discussed this matter in detail. We were aware of the concerns expressed by many of our constituents. The explanation by the Senator from Nevada certainly clarifies the fact that the National Park Foundation is not being authorized condemnation powers or powers to force sales of land.

Mr. BIBLE. Mr. President, I move that the Senate concur in the amendment of the House to Senate bill 814.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

"STOP THE WORLD—I WANT TO GET ON"

Mr. ERVIN. Mr. President, recently there came to my attention a very interesting and provocative speech entitled "Stop the World—I Want To Get On," which was delivered by the Honorable Donald G. Agger, Assistant Secretary for International Affairs and Special Programs, U.S. Department of Transportation, at Lewis and Clark College in Portland, Oreg. It occurs to me that Members of Congress may be as interested as the college students to whom this was addressed in answering for themselves some of the questions which Mr. Agger has posed.

Mr. President, I ask unanimous consent to have Mr. Agger's remarks printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STOP THE WORLD—I WANT TO GET ON

(Remarks by Donald G. Agger, Assistant Secretary for International Affairs and Special Programs, at a convocation of Lewis and Clark College, Portland, Oreg., October 27)

I'm pleased with my topic today: "Stop the World—I Want To Get On." I don't know what it means exactly, except that I'm optimistic about young people and what they're going to do for this world. Of course, we in the Department of Transportation could never admit to any thoughts about stopping the world. But there are some of us who are eager to pause for just a moment—long enough to let you aboard.

In Washington a few weeks ago the American Institute of Planners sponsored a conference on the subject "The Next Fifty Years, the Future Environment of a Democracy." The meeting included several searching discussions, and I think it's a good thing the meeting was held in Washington. We bureaucrats are confronted by philosophers far too infrequently.

One of the papers presented at the conference was written by Carl Oglesby and was entitled "The Young Rebels." Oglesby set the stage for his discussion with this opening sentence: "The post-war generations are leading an attack on the moral confidence of an America whose materialism had seemed boundless and unshakeable." What he means is that young people—you people—are challenging the standards which we older people have devised—or more likely, which we simply accepted.

It may be a serious challenge. It is at least a curious one, I think. In the demonstrations and the eccentricities of young people today, I see traces of nihilism. But it is a nihilism with a strong moral quality—a nihilism in which Christ is a hero. Forgive us old-fashioned fuddy-duddies if we have difficulty understanding you.

Forgive us also, please, if we decide sometimes to simply ignore you. It may be because in truth, we are more disturbed by the idealism of young people than by their delinquency.

From reading newspapers and trying to understand the lyrics of the rock music I hear on the radio, I would assume that the attack on the nation's moral confidence goes at least somewhat beyond J. D. Salinger's Holden Caulfield. I, for one, wonder precisely what's happening in young America. That suggests that instead of talking to you this morning, I should be listening to what you might have to say to me.

Mr. Oglesby, in his paper on "The Young Rebels," contrasted your situation with that of your fathers and mothers. A man in his forties today was born during the 1920's. He was 10 years old when the Depression hit bottom. His future was uncertain. And when the Depression was over, he saw war and conflict threatening to destroy Europe and the Far East.

In contrast, let me quote Mr. Oglesby on the predicament of today's young person:

"He is the first heir of the American dream come really and finally true. A product of generations whose lives were taken by an extreme social insecurity and a labor of the grandest historical moment, he may seem by comparison to be, in one word, useless. He has everything the country can offer.

"He knows how to be educated and how to hold a professional job, how much money he will earn, what kind of house and neighborhood he can expect to live in. He will never be hungry or disgraced. What new toys his high-flying technological culture is about to invent, he will possess; they will have been invented for him.

"Certain tables of social statistics even allow him to predict with impressive accuracy how long he will live, when he will suffer from his first ulcer or heart attack, and when his wife will be unfaithful to him for the first time.

"If the parent generation was the one which knew nearly nothing about its future, his is the one which knows nearly everything. Nothing moves in his scientifically preconditioned air. Everything lies still for him and invites him to have fun, and be a good consumer.

"In brief, his situation is desperate. He will produce the highest suicide rate the West has seen."

Is that, then, your destiny? To produce the most impressive suicide rate? I cannot say with any certainty that it isn't your destiny. I can say that lying about here and there within our society are some pretty big problems whose solutions just might be worth living for and working toward.

When I was a senior in law school, I thought a lot about what I wanted to do for a living; and without much difficulty, I ranked according to their status the jobs that might be open to me.

At the top of my list was teaching, or at least academic research. That seemed an extremely noble undertaking. Number Two was government service in an important, front-page area—say in the State Department. Third was government service of a more pedestrian nature.

Fourth was a job in a Washington law firm—a "policy-oriented firm," as we lawyers like to say. Fifth was a Wall Street law firm. Sixth was to be counsel to a corporation. And seventh—at the lowest point on my schedule of status job opportunities—was working for a corporation in a non-legal job. It just didn't seem a very noble thing to do.

And what do I think today—17 years later? Well, I could say I've turned the list upside down. But that wouldn't be true. I've simply torn it up. I've decided that for the individual—from the point of view of the man doing the job—there is no moral superiority in any of the so-called "nobler" professions.

I've been in and out of government, and in and out of business, and I've even done a little teaching. And today, being a public servant, I'm excited about public service. But that doesn't mean that as a category, I think it's superior to anything. As a matter of fact, it's my view that one has to serve in government—perhaps any government—to know how unacceptable is the idea of extending the authority of government.

There are businessmen and bureaucrats with a sense of duty and a sense of workmanship, just as there are teachers and preachers with those attitudes. And may their tribe increase. But I can also report that the demands of tenure and sluggishness and—forgive me—the demands of campus politics can be just as bad in government as they can be in the world of business. Having said that, perhaps I should fly to New York tonight and start looking for that job in a Wall Street law firm.

This was supposed to have been a sort of United Nations Day speech; but as you can see, it isn't turning out quite that way. I thought for a long time what I might be able to say to you about the UN.

Describe its organization? You may well know as much about that as I do.

Describe its achievements, and regret its failures? Again, you may know just as much about that as I.

In the context of what I am saying, perhaps I should quote the late Adlai Stevenson. He once said that "The task of the United States Mission to the United Nations is simple: merely to make sure that those 11,000 decisions are compatible with the national interest—while everyone else is trying to make sure that they are compatible with their national interest."

An impossible job? Of course, it's impossible. But that doesn't make it any less necessary—or, for that matter, any more or less noble. In a way, it is what the UN is and what it has to be in an imperfect world. For it's a messy world we live in, a gray world whose problems know none of the purity of either black or white. The UN is a mechanism for reaching unsatisfying, though seldom really unacceptable, compromises and accommodations.

I see no reason to get all mushy about the UN, as if it were apple pie, or the second Sunday in May. The UN is doing a tough job. Its purpose is noble, and in this world that's something. In this world, indeed, it is a great deal.

So far this morning I've tried to do two things. I've placed you—young America—in an atmosphere which has been "scientifically preconditioned," and I have told you that in my view the noble professions offer you no easy means of escape. So where does that leave us?

Well, it leaves you where most college graduates go anyway. It leaves many of you candidates for what we in government sometimes call "the private sector"—the world of enterprise for profit. And I submit you're going to find some problems there. The first of those problems has been around for centuries and has been responsible for a lot of moralizing in all directions. The problem is as inescapable as it is commonly ignored. It is this—that there is a basic conflict between the Christian ethic and the profit motive, between private-enterprise capitalism and man's love for man. The conflict is not a stalemate, but a cause for constant shifting and almost constant scurrying to new positions of rationalization. We have said that what's good for General Motors is good not simply for the country, but for mankind in general. We have devised United Funds, or Community Chests, or whatever you might call them, and we have praised the corporate givers to those charities—without really facing up to the question of whether the two dollars, or two hundred dollars, or the two thousand dollars we give is really only an organized and propagandized bribing of an unsettled conscience.

And I wonder if you have noticed something that I've noticed—the emergence of the non-profit corporation, or what the French call the *Société Nationale.*

The Rand Corporation is a familiar example.

The Institute for Naval Analysis; the Applied Physics Laboratory of Johns Hopkins; the Jet Propulsion Laboratory in California—these are others.

And there are more—some conducting research; some doing the thinking for government. You might ask, "What's the matter? Don't we trust private enterprise anymore, so that we have to establish organizations that are neither fish nor fowl, neither quite public nor quite private, to do so many of our most important jobs?"

Must we create new corporate creatures free on the one hand from the necessities of the profit motive—and on the other hand, free from the often depressing limitations of the civil service system?

And what is Comsat—the Communications Satellite Corporation? Is it a genetically uncertain management tool which reflects our uncertain faith in private enterprise?

And does it reflect also our skepticism about the classical mechanisms of government?

And isn't it strange that in America these *Sociétés Nationales* had their real growth while President Eisenhower was in office—during the most business-oriented Administration in 30 years?

Wasn't it President Eisenhower who, leaving the White House in 1961, told us to beware the pressures of the military-industrial complex?

Now in saying such things as I am saying today, I realize that I may be risking my membership in the investor's club. But I shall insist, when challenged, that I am not making judgments but only identifying questions. They are questions which many of you will face, and they will not be easily settled.

Just this week, the Wall Street Journal published an article about the difficulties American businessmen have in recruiting bright college graduates. One of the problems is that young people seem to feel that business isn't meeting the requirements of conscience.

And probably these young people are right. But what organization is meeting the requirements of conscience?

But one must observe further that at least among the large corporations there is evidence of a new phenomenon which may be the vanguard, in corporate America, of a whole new concept of responsibility to the community.

What is the significance of the surprisingly sympathetic corporate response to the civil rights revolution?

What is the significance in the growing corporate concern about pollution of air and water?

It is a phenomenon which has manifested itself, sometimes, even in political action led by business executives. The fact that they simply sign full-page advertisements in the New York Times does not make them any less concerned than young people who carry signs in picket lines. Or do young people have some cynical Marxist explanation? I hope not—if only because I know how unacceptable is the government alternative to private enterprise.

At the point that the corporation assumes a social conscience—we discover a new problem: Where does the stockholder stand when the board of directors starts passing out dollars to the poor? How does the progressive corporation square its social conscience with its obligation to the stockholder?

I don't pretend to know. I doubt that you, either, can state any pat answers. But it may be a more important question than many of the questions which I deal with as a public servant. So far as the quality of life in our world is concerned, it may be more important than teaching *or* preaching. And it points to a second question—whether private enterprise as we know it can stand the pressure of a new generation responsive to moral imperatives.

I said a moment ago that I think business in America is a better citizen than it ever has been. But can it really afford to be all that charitable? Can it afford to clean up the slums? Can it afford to happily tolerate free trade at the possible peril of its domestic markets?

Can it afford personalized service when computers are cheaper? Can it afford corporate philanthropy at the expense of stockholders?

Perhaps your answer is a counter-question: "Can it afford not to?" I should say here that I hope free enterprise can meet the challenge. But I realize all the while that that may not be a satisfactory answer for you.

Since I am an Assistant Secretary of Transportation, I suppose I should say something about transportation in America. I'll confine it to urban transportation, which is one of our most difficult problems—difficult because it is part and parcel of what may be our greatest domestic problem, the problem of the city.

Really, now—how did we do it? Cities are supposed to be gracious places full of life and vigor and social and economic opportunity. But we've somehow made them dumping grounds—breeding places for impoverishment; receptacles for pollution. We've let the schools decay along with the neighborhoods. We've let the playgrounds become parking lots and the parks become freeways. And we did not leave any place for people to walk in the sun.

I can say today that thanks in large measure to President Johnson, the Federal Government is contributing mightily to a massive effort to save this nation's cities. I can say that the Department of Transportation has joined the effort because its leaders, like the President, are concerned about the lives of human beings. I can say we have begun those efforts, but beyond that I suppose I must simply apologize for the mess you're likely to find when you leave this pleasant campus.

You'll find busy freeways, and you'll wonder what neighborhoods were destroyed while they were abuilding. You'll find noise—say the noise of marvelous airplanes, penetrating the privacy of homes and the sanctity of human consciousness. You'll ask whether it is the natural condition of man to drive an hour and a half back and forth to work each day on nerve-wracking freeways, in order to spend eight hours on the job devising new anti-human demons. You'll ask if the automobile is worth the smog—if the convenience of the subway *or* the commuter automobile is really worth the loss of dignity.

I'd like you to know today that some of those questions are already being asked—in the bureaucracy as well, by golly, as in business. Our answers, I grant you, may sometimes be tentative. We'll be settling for compromises on occasion. We won't get silent airplanes or red-carpet rapid-transit service overnight. But we'll do the best we can, and we'll welcome your help—whatever line of work you decide upon.

This is said to be the age of specialization. Well, I'll tell you what we need from young America. We need specialists who are willing, after their specialization, to become generalists again. We need highway engineers who understand what the sociologists are saying. We need urban planners who understand that you sometimes have to get by with less than leveling entire neighborhoods.

We need economists who are capable of thinking like poets, and analysts who will admit that numbers cannot always be assigned to personal values. We need business executives who are not too busy to read an occasional essay on what's happening to America, and we need all kinds of people who are capable of becoming busy enough to pass up an occasional coffee break.

Someone has joked that it's a good thing the wheel was invented before the automobile, because if it hadn't been, can you imagine the awful screeching. It's all a matter of priorities, we say. First things first. But I wonder if we don't translate that too often to read first things only—to mean my little office, my little department, my little piece of the action is my only concern.

A couple of years ago a poet named Randall Jarrell died an early death. I don't know how much Randall Jarrell you read in literature classes at Lewis and Clark College, but I hope you read some.

At any rate, some months ago another poet—Karl Shapiro—went to the Library of Congress in Washington and gave a memorial lecture about Jarrell. It's a lecture that has fascinated me—partly, I guess, because it rejects a lot of the literary clichés about poets and poetry. Let me read you some Karl Shapiro, on Randall Jarrell:

"It comes to the fact that America the Mother wants to love her children but is much more successful at killing them off, or just making them successful. Jarrell had a brilliant, sure, and subtle mind, and would have been the greatest poet since whoever the last great poet was, had he not lacked the sense of power . . . He came of a generation that could not hate Mother America but which was afraid of her and for her . . . He recoiled from the boredom and the horror and the glory of the day-to-day life. But what he did in his poetry, which had never really been done before, was to face the modern scene and to—what more is there to say—to face it. He faced the music of the American Way of Life . . . Jarrell was split between his heart and mind. He was modern, which means hating being modern."

It *is* modern to hate being modern. It's a hell of a lot easier to be afraid of computers than to like them. And trying to establish professional purpose where there may not have been any is a damned sight more difficult than freaking out.

I guess all I really want to say this morning is that the nation needs young people who can face the music of the American way of life.

And bring your conscience with you. It's not nearly as terrifying as your electric guitar. Thanks.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RISING JUVENILE CRIME RATE

Mr. BYRD of West Virginia. Mr. President, the Huntington Advertiser of November 27 contains a noteworthy editorial entitled "Rising Juvenile Crime Rate Serious Worry to Officials."

The editorial discusses the increasing number of young persons who are becoming involved in serious crimes and states that if the trend continues, the Nation will soon "confront a crime problem far beyond anything it has faced in its history."

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RISING JUVENILE CRIME RATE SERIOUS WORRY TO OFFICIALS

An increasing number of juveniles are becoming involved not only in delinquency but in serious crimes such as murder, robbery, rape and aggravated assault.

A survey by U.S. News & World Report of U.S. Department of Justice statistics showed that juvenile arrests for homicide between 1960 and 1966 rose 31.3 per cent, for rape 34 per cent, robbery 55 per cent and aggravated assault 115 per cent.

Many of the assault cases involved "brutal and wanton beatings of helpless persons."

Part of the increase resulted from the growing population, but during the period covered the number of Americans between 10 and 17 years of age rose by less than 20 per cent.

A substantial part of the increased crime took place in the slums of the big cities, but recent statistics show that arrests of young people are increasing faster in suburbs than in cities.

An alarming aspect of the report was that boys and girls under 15 accounted for 40 per cent of all 1966 juvenile arrests.

Those under the same age accounted for 48 per cent of all serious delinquencies. They were charged with 144 homicides, 425 forcible rapes, 5,338 robberies and 5,938 aggravated assaults.

The alarming increase that has already taken place is bad enough, but the President's National Crime Commission has pointed out that even more serious conditions will exist in the future.

Studies show that the earlier a child turns to delinquency, the more likely is he to become an adult criminal in the years ahead.

If that trend continues, along with the rising population, U.S. News & World Report quoted officials as saying, the country will soon "confront a crime problem far beyond anything it has faced in its history."

This picture of American conditions is in glaring contrast to the record of Tokyo, the world's biggest metropolitan center, in keeping crime under control.

There, a U.S. News & World Report story said, even the city's dark and narrow streets are usually safe at any hour. Last year there were 204 murders as compared with 738 in New York.

Tokyo has much poverty and a rapidly increasing population. A major factor in its lower crime rate is the character of the people themselves.

But in addition, law enforcement is more effective. Police there have a record of solving 93.6 per cent of major crimes. They also have the law on their side instead of on the side of the criminal.

Laws controlling the possession of arms are strict and are enforced. Even daggers must be registered.

Police may hold a suspect for 48 hours before freeing him or turning him over to the prosecutor. The prosecutor may hold him for 24 hours but can get as much as 20 days' additional for his investigation upon application to a court.

But the suspect also has rights similar to those in this country.

Convictions are obtained, however, in almost 95 per cent of the criminal cases brought to trial.

The effect of strong family ties in preventing juvenile delinquency is demonstrated there in reverse, for as parental authority has declined in the last 10 years, arrests of young people have increased 70 per cent.

That is a tip for parents here and everywhere.

SENATE RATIFICATION OF GENOCIDE CONVENTION WOULD GIVE INSPIRATION TO ENTIRE WORLD

Mr. PROXMIRE. Mr. President, the calendars of time now show that it is nearly 19 years since the text of the Genocide Convention was adopted by the United Nations.

This treaty has been shamefully ignored by inaction of the Senate to give it ratification.

On December 9, 1948, the United States took the lead in pressing the Genocide Convention on the United Nations.

Genocide, the savage killing of 6 million Jews, Poles, Czechoslovakians, Hungarians, and others, accomplished by the Nazis in World War II eliminated innocent men, women, and children because of ethnic and religious backgrounds.

The Conventions definition of Genocide: certain specifically defined acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such." Referred to are such inhumanities as killing members of the group, causing serious bodily harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destructions in whole or in part, imposing measures intended to prevent birth within the group, and forcibly transferring children of the group to another group."

A total of 70 nations have ratified this treaty.

Sadly, the United States is not among those countries putting themselves on record as opposed to the convention outlawing this horrendous type of international crime.

It is a bitter fact to realize that the United States, regarded as a world leader and a strong inspiration of the free world has yet to act.

The Genocide Convention, for example, is conceded by the United Nations historians to be, in a major way, the result of American initiative. Our

U.N. leaders, drawing on our American tradition and culture, led the battle to build a series of conventions which would declare a new ethic for the world.

I do not know of an alibi the Senate can offer our national conscience if we refuse to ratify this agreement.

We can give people around the entire world a new inspiration by ratifying the Human Rights Convention on Genocide.

PRIMITIVO GARCIA—HERO

Mr. LONG of Missouri. Mr. President, on Tuesday, a hero died in Kansas City, Mo. He died of a bullet wound received not on the battlefield, but in the streets of one of our major cities. He died because he came to the aid of a fellow citizen. This hero was Primitivo Garcia, a young immigrant from Mexico.

On November 15, he attended a naturalization class in Kansas City. On leaving the school he observed a group of youths attacking his teacher. Young Garcia refused to stand by and disregard the assault which has happened far too often in this country. Rather, he unselfishly rushed to his teacher's aid and in the struggle he received a fatal wound from a .22 caliber weapon.

The people of Kansas City have responded wholeheartedly to this act of heroism. Gifts in excess of $11,000 were contributed while he was in the hospital. The young Mexican lad preparing for American citizenship was praised in a resolution adopted by the City Council of Kansas City and was cited for his courage and willingness "to become involved" in a letter by the president of the Kansas City Bar Association.

The Governor of Missouri in recognition of his action, designated young Garcia an honorary citizen of Missouri. Similarly, it was suggested by many prior to his death that his naturalization be speeded up.

Some other cities will never forget instances where people refused to come to the aid of their fellowman who was being attacked. Kansas City will never forget Primitivo Garcia, the young man who recognized his responsibility to society and despite the risk came to the aid of his fellow man. No greater love hath any man.

Mr. President, I extend my condolence to the mother and family of this fine young man who sacrificed his life for another.

REDWOOD NATIONAL PARK

Mr. METCALF. Mr. President, those of us in the Senate who are interested in the establishment of a Redwood National Park were pleased by passage by this body of a bill to establish a two-unit Redwood National Park in northern California.

Negotiations toward establishment of the park progressed favorably over the past few months between the Federal Government and the State of California and the proposed park boundary contains many of the significant areas of park quality timber that conservationists had hoped would be preserved for the American people. Other areas of equal quality adjacent to the Senate boundary were not, however, included. The House of Representatives is now considering these areas and possible expansion of the Senate boundary.

Adjacent to, but not included in the Senate boundary is the McArthur-Elam Creek area. During Senate consideration of the bill a gentlemen's agreement was established between the Senate Interior Committee and the Georgia-Pacific Corp., in California that logging operations would be suspended in that area until the park boundaries could be determined.

Thirty-four Members of the House have requested that the moratorium be extended while the House considers the bill. It has come to my attention today that this request was flatly refused by the Georgia-Pacific Corp.

According to reports by the National Park Service, the corporation has already begun logging in the area. I am surprised at the determination of the Georgia-Pacific Corp. to continue logging at this time and disappointed at their unwillingness to cooperate with the House of Representatives in the interest of establishment of the best possible park boundaries.

If the logging continues, the options of the House to increase or change the proposed Senate boundaries will be limited. The possibilities for inclusion of the McArthur-Elam Creek area within the park boundaries will have been destroyed before the House can consider it.

To the logging industry this is a relatively small area of timber, and the moratorium requested very short.

I have supported the request of the House Members in a letter yesterday to the Georgia-Pacific Corp. It is my sincere hope that they will now reconsider their refusal to suspend logging for another few months in the interest of preservation of our all too quickly diminishing areas of virgin old growth redwood and in the interest of establishing the best Redwood National Park for the American people.

THE VICE PRESIDENT ADDRESSES THE AMERICAN CANCER SOCIETY

Mr. MONDALE. Mr. President, I ask unanimous consent that an extremely significant address by the Vice President of the United States a short time ago before the American Cancer Society annual dinner in New York City be printed in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Vice President Humphrey, American Cancer Society Annual Dinner, New York, N.Y., October 17, 1967

No one who has seen the ravages of cancer among friends and immediate family, as I have, can feel anything but the deepest gratitude for the American Cancer Society.

This is an organization founded on compassion, sensitive to the intensely personal needs of cancer's victims. But at the same time it has mounted a concerted businesslike attack which, in my opinion, could likely lead mankind to victory over cancer within a matter of years—and I do not mean decades.

You started first in the war on cancer—over 60 years ago.

The Pap test has reduced the death rate from uterine cancer by 50 percent in a generation. You won its acceptance by the medical profession and by the public.

You have offered the same kind of leadership in publicizing the dangers of smoking.

This Nation is deeply indebted to you for your efficient application of compassion.

I was invited to speak about the future. Like you, I believe in it—despite the fact that I spend most of my time in a town full of well-developed pessimists.

Those who make a business of looking into the future seldom win popularity polls. I am sure you remember the treatment given the Old Testament prophet, Jeremiah, or the poor Trojan seeress, Cassandra, or even our own Billy Mitchell.

Aldous Huxley summed up the pessimists' position: "I have peered into the future, and it won't work!"

I think it will work—if we make it work.

So far as technological and material developments are concerned, we know today what the immediate future holds.

As chairman of the Space Council I am quite sure today, for instance, that we shall see ahead the establishment of permanent bases on the moon . . . the development of a whole family of earth-orbiting stations, manned and supplied by regular ferry services . . . the launching of unmanned probes to every part of the solar system, and probably manned expeditions as well.

As chairman of the new Marine Sciences Council, I am equally sure that we shall develop man's capability to live on the ocean's floor . . . that we shall use the tides as energy sources . . . that we shall use desalinated water to make deserts bloom.

In the next 15 years alone we shall certainly see:

In medicine, the routine transplantation of internal organs from one person to another and the widespread use of artificial organs.

In education, a general use of teaching machines in far more sophisticated ways than today.

In psychiatry, the common use of drugs to modify the personality.

In industry, the application of automation to many kinds of management decision-making.

In engineering, the channeling of water from surplus areas to shortage areas thousands of miles away.

In worldwide communication, the everyday use of translating machines.

By the year 2000 the scientists tell us we can foresee the virtual elimination of bacterial and viral diseases . . . the modification of genetic chemistry . . . the evolution of universal language . . . commercial transport by ballistic missile . . . the use of robots for everyday work and of high-IQ computers for sophisticated tasks . . . and the probable creation, in the laboratory, of primitive forms of artificial life . . . and shortly thereafter, chemical control of the aging process . . . and perhaps even modified control of gravity.

Many of these things we will welcome without reservation. A few bear with them seeds of great danger.

The widest number are, in a sense, "neutral."

Their benefit to man will depend most largely upon man's wisdom in using them.

As another Huxley—Thomas Huxley put it:

"I cannot say that I am in the slightest degree impressed by your bigness, or your material resources, as such. Size is not grandeur, and territory does not make a nation. The great issue, about which hangs the terror of overhanging fate, is what are you going to do with all these things?"

That is *the* question.

All our quantitative measures indicate economic growth and prosperity . . . a broader base of education . . . a greater scientific and technological capacity . . . wider ownership of consumer goods.

Yet, if we look more closely we see other things too: That, for instance, in the shading of high-income areas on census maps, the shading never falls on neighborhoods where Negroes live; that, in a time of prosperity in the rich nations, per-capita income is going *down* in the poor nations of the world.

And we increasingly feel—I know I do—that it is imperative to apply critical, qualitative measures to what we see—that it is necessary to see how change is affecting people and their lives.

We have over 2,000 institutions of higher education in our country. The question is: What proportion of their students are receiving both a solid technical grounding and the ability to think for themselves?

We have, in our cities, billions of dollars of new investment in office buildings and luxury apartments. The question is: Are the families who live in the shadow of these buildings—that is, the majority of the people who live in our central cities—better-housed or worse-housed today than they were yesterday?

Despite all our shiny new factories, the backlog of crumbling, rotting housing in the United States is not being significantly reduced.

Despite the fact that this is the age of the short-hop jet and satellite communications, the isolation and restricted opportunity that afflicts residents of rural America is driving a steady stream of people into already crowded cities.

Despite the fact that we are well on the way to producing enough for everybody, a large minority of our citizens do not have enough. If you take into account all the people in this shrinking neighborhood we call the world, *most* do not have enough.

I do not find these discrepancies paradoxical. Most of the disparities between what is and what should be in our society have become flagrant only now that we have an opportunity to eliminate them. It is our material progress itself that makes slums, hunger, ignorance and needless ill-health unacceptable; and it is that same progress which can provide the remedies.

But progress in improving the quality of life in America and in the world will not be automatic.

It is here that the viability of our democratic institutions will be tested.

Some people try to excuse inaction by saying that social progress of the kind we are talking about will come slowly. Some of it will, especially where irrational attitudes like racial prejudice are involved.

But it takes only months to build a school, once you decide to do it. It takes only a few years to train a first-rate teacher, 12 years to take a child from first grade through high school.

It takes a few months at most to train the head of a family on welfare to earn a living wage.

It takes only weeks to renovate an apartment building—48 hours with careful planning—months to build new housing.

For a country that is likely to have a man on the moon less than 15 years after our first satellite was launched, it should not be impossible to put men on their feet right here on earth in a comparable period of time.

It is also customary to say that social progress will mean sacrifice. Yes, it will mean sacrificing some—not all—of the *additional* material comforts that we might afford each year. It will mean diverting some—not all—of our *additional* prosperity into areas of obvious human need.

It would, of course, require even less sacrifice if we lived in a peaceful world where defense expenditures were not required.

But when you produce an adidtional 40 billion dollars worth of goods and services each year, you can afford to defend your country and build the kind of society you want at the same time.

I think some of us forget that the first settlers in North America devoted a far larger share of their resources to defense and education than we have ever done since. After long days in the fields, they stood watch on the stockades at night. And they fed and housed a school teacher even before their own bare necessities were assured.

It is only a question of priorities.

Are we going to do what needs to be done in American society and live somewhat better each year?

Or, are we going to live a lot better, at least for the time being, and forget about education, jobs, housing and health of our society?

Today every one of the challenges we face in the upgrading of American society has a constituency—public and private—a reservoir of talent and resources pushing for human progress.

This is true of health, where you yourselves are a leading part of the constituency. It is true of poverty, of delinquency, of education, of urban renewal, of civil rights, of conservation, and even of the arts.

Those constituencies are usually not as well financed as some others whose general social value may be less. But they speak for the felt needs of a vast majority of Americans.

Take the case of Medicare. Medicare is usually thought of as an Administration program approved by Congress and presented to the American people.

The historians, however, are going to say that Medicare was the result of a fundamental decision by this nation to take better care of itself.

"Once in that country," they will write, "there was preventable sickness and premature death—but the people wouldn't stand for it when they no longer had to."

You above all others know about unnecessary sickness and death. Fourteen thousand women will die this year from cancer of the uterus. They would all be alive next New Year's Day if they had been given a pap test in time.

The Public Health Service is working with doctors and hospitals across our country to make that simple test routine for all adult women treated in hospitals or by their family doctors. But far too many women will see neither hospital nor doctor's office.

I doubt that the people will stand for this much longer. And I doubt they will permit the infant mortality rate in the United States to remain higher than in 14 other countries.

Our medical schools are not graduating enough doctors and our doctors are not serving enough of our nation adequately. The Dean of the Harvard Medical School has said "The situation is serious especially in central cities and rural areas."

When statistics show that most medical students come from families earning more than 10 thousand dollars a year and only 3 per cent are Negroes, it is not surprising they find the city's slums and the poor rural areas unfamiliar and do not choose them as places to practice.

Fortunately some steps are now being taken to provide additional medical care to neglected areas.

The Office of Economic Opportunity is sponsoring health clinics in some 40 central cities and rural areas.

President Johnson has named an advisory committee to make a thorough study of the Nation's long range needs for health facilities. But these efforts are only a beginning.

One of the great challenges of the future is to increase, even double the number of doctors graduating each year from our medical schools. Another challenge is to see that there is a wider range of Americans who can go to medical school.

Today in Vietnam there are thousands of young Americans with some medical training.

Any serviceman who has needed medical help has learned to place his trust in these Army medics and Navy and Marine Corpsmen.

Now, for the first time, we are making it easier upon their return to civilian life—often to segregated slums—to continue to provide health care and provide more training.

The President announced yesterday a comprehensive plan—called Project Remed—to put these skilled Americans to work from the time they leave military service.

Another source of men and women willing to serve is the more than 30,000 returned Peace Corps volunteers.

Unfortunately, these resources have until now not been fully utilized. One reason, perhaps, is that we may be too reluctant to give these young people as much responsibility as they have had in the Peace Corps and in military service.

One challenge of the future may be to begin to trust people under 30 more than we do today.

The fuller use of returning servicemen and Peace Corpsmen might best be undertaken within a system of national service far broader than what we know today.

Certainly we should carefully consider proposals to equate service in the Armed Forces with 4 years of national service—two of them in developing nations and two in needful parts of America.

For I am convinced that we cannot afford to go on using only a small percentage of the young people in America who want to devote themselves to helping others.

There must be constructive outlets and alternatives for them. We have to do a better job of making them available.

I feel that—despite the small few who draw such attention to themselves for negative or irresponsible activity—this young generation of Americans is the best, without exception, that this Nation has ever had.

I have seen them at work not only in the Peace Corps, in our armed services, in VISTA, in the poverty program, in government—but on our campuses and on farms, and in businesses and labor unions all over this country.

And these young people are precisely the people in our society who are most concerned that individual human dignity and the qualitative should be preserved and nurtured in a society of wholesale technological change and the quantitative.

In conclusion, I believe that there *is* a constituency for better America, and it is strongly growing.

It has increasing support from a business community which has learned to identify its interest with the general health and well-being of the community.

It has behind it the voluntary efforts of millions and millions of Americans, people young and old—people like the 2 million American Cancer Society volunteers—who are willing to devote their new-found leisure to the service of others.

There can only be one outcome.

Let me conclude with these few lines from Alexis de Tocqueville:

"America is a land of wonders, in which everything is in constant motion and every change seems an improvement. The idea of novelty is indissolubly connected with the idea of amelioration. No natural boundary seems to be set to the efforts of man: and in his eyes that is not yet done is only that (which) he has not yet attempted to do."

TIME TO STOP FED'S INFLATIONARY POLICIES

Mr. PROXMIRE. Mr. President, in the next few days I intend to make a major speech on monetary policy on the floor of the Senate. Meanwhile, I invite the attention of Senators to an unusually thoughtful and perceptive editorial on the money question and interest rates, published in this morning's Washington Post.

The Post has committed itself four-square to economic growth and development. It has opposed a tax increase consistently, in part because it would inhibit the growth the economy needs but is not now experiencing.

It may seem paradoxical to some that with this record the Post is critical of the Federal Reserve Board's present "supereasy" money policy which has resulted in pumping money into the economy at a fantastic, almost 10 percent rate during much of the past year. As the Post says:

> The irony is that the Federal Reserve, the only agency that has the power to slow down the growth of the money stock is itself sowing the seeds of inflation and high interest rates.

The Post calls on the FED to slow the increase in the supply of money, not to reverse it, as it did in the 1966 credit crunch. In this, I wholeheartedly concur, as I shall spell out in a few days.

The vast increase in the money stock has created potential inflationary conditions for the future that are serious, and that will not be effectively inhibited by a tax increase.

I ask unanimous consent that the editorial, entitled "On Monetary Policy," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON MONETARY POLICY

Scarcely a day now goes by but that some voice is not raised to warn of an impending monetary disturbance. The thrust of the argument, stripped of much of its rhetoric, is this: Unless Congress raises taxes, the Federal Reserve authorities will be compelled to pursue a tight monetary policy in order to combat inflation. If that happens, interest rates will rise to even higher levels; mortgage money will be unobtainable, and a recession will follow.

The weakness of that prognosis is that it rests on propositions that cannot be verified by logic or experience. To begin with, there is no simple, either/or choice between higher taxes and "easier" money, nor has there been any experience with such a policy "mix" as a means of checking inflation. There is no reason to suppose that the imposition of the tax surcharge would not cause individuals and corporations to borrow more from the banks in order to maintain desired levels of spending. Surely that outcome cannot be precluded if the monetary authorities were to continue an "easy" monetary policy as they promise when urging Congress to raise taxes.

A second misconception involves the relationships between monetary policy and levels of interest rates. It is widely asserted that an "easy" monetary policy—one in which the stock of money grows rapidly—makes for low interest rates. But that is a fallacy. Increasing the quantity of money may for a time lower interest rates when the economy is emerging from a slowdown or a recession, when there are idle men and idle machines. But once a high level of employment is reached, an excessively rapid growth of the money stock stimulates the demand for loans and thereby raises interest rates.

The practical implication of the foregoing analysis—and it is gaining an ever-wider circle of adherents—is that the Federal Reserve authorities should moderate the very rapid growth of the money stock. Chairman Martin of the Federal Reserve Board concedes that the monetary expansion is proceeding too rapidly. The irony is that the Federal Reserve, the only agency that has the power to slow down the growth of the money stock, is itself sowing the seeds of inflation and high interest rates.

There is a way out of this predicament. The Federal Reserve authorities should act now to moderate the expansion of the money stock without bringing its growth to a halt as they did in mid-1966. But their task is not easy because the slowing down of the monetary expansion will lead to temporary increase in interest rates, and it is feared that the savings and loan institutions—the major home mortgage lenders—will lose deposits since they cannot easily raise their rates to depositors. However, the squeeze should not now be so severe as in 1966 because short-term interest rates are still lower than they were then and the liquidity position of the S&Ls is much stronger. In any case, the risk of untoward effects on residential construction must be run since there is no real choice. Pursuing the current, highly expansive monetary policy will result in continually rising interest rates, not the temporary spurt that would result from moderating the monetary growth, and the impact on home construction would be far more severe.

Rather than pin their hopes on fiscal action, the effectiveness of which is at best problematical, the Federal Reserve authorities should announce publicly that they will pursue a less expansive monetary policy, one aimed at a more moderate growth of the money stock, not at bringing its growth to a halt. During uncertainties about the parity price of sterling, the Federal Reserve authorities could not act without compounding London's difficulties. Now, with pressure on the gold price and the dollar exchange rates, there is only one logical course for monetary policy.

OUR WAGING WAR IN VIETNAM IS A MISTAKE WHICH SHOULD BE CORRECTED

Mr. YOUNG of Ohio. Mr. President, Gen. Matthew Ridgway was one of the very great commanders of our Armed Forces in World War II and the Korean war. His views regarding our massive involvement in a ground war in Vietnam coincide with the expressed views of Gen. James Gavin and numerous other retired generals. Surely the conclusion of these great generals that we are waging the wrong war in the wrong place at the wrong time and what we are doing in Vietnam adds up to the worst mistake any U.S. President ever made should not be dismissed lightly. They propose disengagement, a ceasefire, and an armistice instead of escalation of the fighting. General Ridgway endorsed General Gavin's advice that we should immediately cease bombing North Vietnam without attaching any conditions; and withdraw our forces to coastal enclaves in South Vietnam such as Saigon and Camranh Bay where they would have the cover of our air power and support of our 1st and 7th Fleets.

It is evident to General Ridgway that President Johnson is intent on total victory in Vietnam instead of a diplomatic settlement. This means allout war, General Ridgway believes. He stated:

> The ending of an all out war in these times is beyond imagining. It may mean the turning back of civilization by several thousand years, with no one left capable of signaling the victory.

President Johnson would do well to call into conference Generals Ridgway and Gavin and benefit from their training, experience, expertise, and knowledge. We have blundered into a major war. These generals show the way to withdraw in honor and dignity. More than 2,500 years ago Confucius wrote:

> A man who makes a mistake and does not correct it makes another mistake.

A nation making a mistake and failing to correct it likewise makes another mistake.

OUTSIDE INFLUENCES AND THE URBAN RIOTS

Mr. BYRD of West Virginia. Mr. President, the Encounter is a special editorial supplement of the George Washington University student newspaper, the Hatchet. Published each month, it offers an excellent forum for the discussion of public affairs.

The November issue of the Encounter presents some eight or nine articles dealing with the question of outside agitation or influences in last summer's urban riots, of one of which articles, I am the author.

I ask unanimous consent that the article, entitled "Extremists in a Value-Vacuum," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXTREMISTS IN A VALUE-VACUUM

(By Senator ROBERT C. BYRD, of West Virginia) [1]

The question we are asked to discuss, in the words of the Hatchet Encounter's editor, is whether "non-local or organizational elements of non-spontaneity" were involved in last summer's urban riots.

This is a question on which more light will be shed by inquiries into the riots now being conducted by the Permanent Committee on Investigations of the U.S. Senate and President Johnson's Advisory Commission on Civil Disorders.

Conflicting opinions have been expressed thus far on the extent of outside or professional agitation. FBI Director J. Edgar Hoover has been quoted as saying that there was no evidence of a conspiracy although outside agitators were a factor. In two of the worst-hit cities, Detroit and Newark, the police chiefs were quoted as saying that the eruptions in their cities were "spontaneous" and that no agitation from outside was involved.

My own view is that whether actual conspirators incited the rioting or not, outside influences, over which the riot-torn cities had no control, were a profound factor in causing the riots to occur.

Among these influences I would list the following: the growing deterioration of respect for authority in the United States; the permissive character of our society, and a widespread decline in the nation's spiritual and moral values; the public toleration of crime; the laxness of our courts, the over-solicitousness for the "rights" of criminals, and the abuse of probation and parole.

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[1] Robert C. Byrd was elected to the House of Representatives in 1952 and to the Senate in 1958. He is a member of the Senate Appropriations, Armed Services, and Rules Committees. He attended the George Washington University and earned his law degree from American University in 1963.

I would especially cite also the widespread and unwarranted publicity that has been given to the inflammatory and seditious utterances of Civil Rights and Black Power militants and radicals. There is no doubt in my mind that their incendiary words have encouraged and incited arsonists, looters, and vandals to burn and pillage and kill in cities and towns of which the agitators may never have heard. The incredible over-emphasis given these new revolutionaries in the news has carried their influence—distorted beyond proper proportion—into the remotest corner of the land.

Moreover, the nation has been conditioned for the riots. Much of our "entertainment" is violent and sadistic in character. Books and magazines drip with blood and horror. Even the slaughter of war, brought into U.S. homes nightly by television, has become a commonplace thing breeding callousness and indifference.

Family life has broken down in many places, and illegitimacy grows apace. Prayer and the Bible, except for curriculum courses, have been outlawed in the schools. A few religious leaders have alienated many churchgoers by their radical activism.

I am not a prophet of doom. There are many things that are right and good about the era in which we live. But judged on the basis of a contemporary sense of values, the Government is attempting to build a Great Society in a spiritual, moral and ethical vacuum.

Our welfare programs have taught many that they do not have to work. Basic everyday tasks that must be done, digging and dusting, sewing and sweeping, cleaning and cutting, are beneath the dignity of thousands who formerly did such work, and who thereby supported themselves instead of depending upon the state to feed and support them. The agitation for ever-higher welfare payments, and for such other proposals as the negative income tax and guaranteed annual wage, gives new substance to the contention that millions think—yea, insist—that the Government owes them a living.

There has been so much pseudo-psychological hand-wringing and phony political tear-shedding over the "plight of the poor" that the basic fact that a stable society must depend upon the responsibility and effort of the individual has been badly obscured.

What can we expect but public disorders when persons in high places excuse and condone mob action? Rioting is not justified, many public figures have said, "but"—and then they go on, even if sub-consciously, to try to justify or explain it with all the cliches of the ultra-liberal left about poverty, discrimination, deprivation, ghetto life, poor schools, lack of jobs, the slow progress of civil rights, and (oh, yes, of course) police brutality.

None of these things is either cause or justification for civil disobedience or disorder.

Millions of Americans—many more whites than Negroes—have lived in poverty without rioting. At the height of the Great Depression of the thirties there was less crime than there is now at the height of our greatest affluence.

Since the beginning of organized society, minority groups have been discriminated against without rioting. Jews, Poles, Irish, Italians, Orientals—all have suffered discrimination and have overcome it by their own determination and efforts.

Millions have lived in ghettos without rioting. They preserved their religious heritage and their moral codes. Poor though their housing may have been, they kept it clean and habitable. They did not turn their ghettos into slums.

Millions of Americans have attended less than adequate schools, one-room or otherwise, and have risen in the world by their own efforts.

Millions of Americans—white and Negro—have worked at menial jobs to get their start in life—jobs that today go begging all across the land.

Dr. Robert N. McMurry, the widely-known psychologist, answers the question of "Who Riots and Why" in an article by that title in the October, 1967, issue of "Nation's Business." He says:

"Because most recent riots have occurred in deprived areas, many of our Negro ghettos, it is easy to assume that they are a direct consequence of deprivation of those participating and that the key to prevention lies in comprehensive welfare work, manifesting itself through massive relief and rehabilitation programs—mostly government sponsored.

"These assumptions are questionable and these remedies may prove ineffective . . . violence, rioting and attendant looting are in no sense confined to deprived areas. Outbreaks have occurred in such slumless centers as Nyack, N.Y., Fort Lauderdale and Lake Geneva, Florida . . . (and) members of the deprived or minority groups are often the greatest sufferers."

What kind of individuals participate in riots? Dr. McMurry points out that most range in age from 15 to 25; a high proportion of them are not indigenous to the areas in which the riots occur; and far from all of them are "deprived."

The main thrust of the article is that undisciplined young men and women, and warped, perverted, psychopathic, criminally-inclined individuals are largely responsible for the riots. They are incited by Civil Rights and Black Power extremists who have come to power in the value-vacuum and permissiveness of present-day society.

Riots are staged largely by persons who have no respect for law and order, and who possess no sense of social or moral responsibility. Rioters and those who incite to riot admit themselves that this is so when they pinpoint "The Establishment" as their target. Their aim is to destroy, not to achieve constructive action. What the nation witnessed last summer had little or nothing to do with Civil Rights, per se, or with progress for the Negro community.

Dr. McMurray says, and I am sure that he is right, that the majority of the Negro population is strongly opposed to the savagery and disruptive violence of the rioters because it is inconsistent with their standards of conduct and their social values.

I do not believe for a moment that the revolutionaries who have divided and fragmented the civil rights movement represent the majority of Negro Americans. Nor do I believe that the power of these new "leaders" arise from the facts of urban deprivation. These men, in my judgment, are more the product of a time than they are of an environment.

It is my further opinion that the very fact that so many riots—and there were disorders of one sort or another last summer in more than 100 American cities—began with the arrest of persons committing other crimes is in itself indicative of the disrespect for law and order that makes it possible for riots to flourish. The arrests triggered mobs into action in support of those being arrested.

I am not among those who believe that immunity from riots can be purchased by more and more federal spending. This is a favorite theme of many who advocate massive new government spending programs in the cities. Clearing slums, upgrading schools, re-training workers, providing vast emergency employment programs—the argument runs—are the best preventive measures that can be taken against future uprisings. I do not believe it. After all, billions have been spent in the last few years on urban programs already, and all the vast amounts poured into Detroit did not save it from devastation.

Obviously, American cities need many improvements, and, obviously, the Federal Government has a responsibility. Where they can substantively help to improve living conditions and opportunities for employment, measures to that end should be considered. But not on the premise that such things will prevent riots. They will not. We should not try to do the right things for the wrong reasons. I do not believe that government should ever allow itself to be blackmailed into taking any action by those who preach violence, sedition, and anarchy—unless it be against the troublemakers themselves.

Yet, that is just what is being demanded. The very demagogues who have incited the riots are demanding that the Federal Government undertake all sort of new and questionable and incalculably expensive programs under the threat that if it does not, they and their followers will burn the country down. This is mob rule, the antithesis of democracy. No amount of federal or any other governmental money should be used to appease them. They cannot be appeased.

The first and most important thing that government must do to deal with the riots is to vigorously enforce the law. Rioters are vicious lawbreakers and they should be dealt with as such. We do not just need urban renewal—we badly need a renewal of respect for law and order.

Most observers agree that prompt action by the police could probably have averted the disaster in Detroit. But Detroit police, according to news reports after the riot, had to join a rifle club and pay $5 dues before they could purchase the rifles they needed to protect the city. More than 400 reportedly did so, buying $20 used army carbines. Yet they were not permitted to use their weapons until hours after the rioting started.

Cities need to strengthen their anti-riot forces and the training of these units. I believe that federal action is called for as well. I am a co-sponsor of an anti-riot bill in the Senate that would make it a federal crime to incite or participate in a riot that impairs interstate or foreign commerce, or to interfere with a firearm or law enforcement officer performing his official duties incident to or during a riot. I do not say this would be a cure-all, but I think such a federal statute is urgently needed.

Drastic revisions are also needed in our welfare system. Personal incentive to rise out of poverty must be restored to those on relief.

Schools must be upgraded. The emphasis must be upon education; not upon forced integration. The emphasis needs to be on effective training of young people to make them economically independent and socially responsible rather than on providing an artificial racial mix in the classroom.

Moreover, the problem of illegitimacy must be squarely faced. Children who grow up without normal family or parental control will be easy recruits for future riots.

Some way must be found to deal with the irresponsible demagogues who abuse freedom of speech and assembly, who pervert liberty into license, and who advocate lawless assaults upon the very society that protects them.

If the investigations that are now under way show that any substantial amount of outside or professional agitation was involved in the riots, it may be easier to bring about stronger law enforcement and the other actions I have suggested here. If it is found, on the other hand, that the riots were only local or "spontaneous" in character, then it may be harder to arouse enough public interest to compel the actions that should be taken. But, in either event, the need for action to maintain and preserve law and order is obvious, if the Republic is to endure.

LARGER AND MORE FISH TO CATCH

Mr. BARTLETT. Mr. President, on November 27, the New York Times carried an editorial entitled "Larger Fish To Catch."

The point of the editorial is that the signing of an agreement to control fishing south of Rhode Island by the Soviet Union "could be a signal that Moscow is finally ready to get down to business on trying to settle more consequential international problems."

Mr. President, I have no argument with that point. Time and events will test its accuracy.

However, I do think it is important to expand a bit on what the editorial did and did not say, for additional comment is required to place the newest Soviet-United States agreement in correct perspective.

Mr. President, you will note I used the word "newest" to describe the agreement signed last week. I did so in the interest of accuracy. While the Times editorial indicated that this agreement could be a new signal heralding accommodations between Moscow and Washington, the fact is that for several years fishing in the Northwest Pacific has been regulated, and, for the most part, successfully, by agreements signed by the Governments of the Soviet Union and the United States. My point is that the Soviet Union has been cooperating for some time with other nations to conserve and develop high seas fishery resources. This newest agreement is just another example of Moscow's interest in fishery resources.

With that background in mind, it seems to me that the New York Times, in addition to suggesting that the Atlantic fishing agreement could be a signal for accommodations in other areas, might also have raised the question:

> Why does the Soviet Union seem to be more agreeable to working out accommodations on fishing problems than in other areas?

The opening sentence of the editorial makes clear why that question did not occur in the New York Times. That sentence reads:

> Fishing is such a minor American industry that international agreements arising from it normally receive little attention here.

Mr. President, unfortunately too many persons agree with the Times' casual dismissal of this Nation's once proud and viable fishing industry. Because our fishing industry has fallen on bad days, these people ignore the benefits a flourishing fishing industry could bring to the Nation and the world in terms of jobs and cheap sources of nutritious food. Because they ignore the potential of our own fishing industry, these same people tend to ignore the efforts other nations are putting forth on developing fishery resources.

I fear we ignore such efforts at our peril.

The world needs food, and the nations which effectively help feed the starving people of the world will be the nations to which those people will look for leadership in other areas.

Our economy needs new resources and new jobs if it is to continue to expand. We cannot afford to forfeit to other nations the resources of the sea and the jobs resulting from exploitation of those resources.

We already are paying a price for allowing our fishing industry to decline. The latest figures I have show that in 1965, the United States imported almost 1,900,000,000 pounds of fishery products, more than any other nation. More importantly, the value of these imports added $506,900,000 to our balance of trade deficit. Obviously, there is a market for fishery products which our fishing industry is not satisfying. With a commitment to developing our fishery resources similar to efforts being put forth by other nations, we could turn that deficit into a plus and, at the same time, harvest enough fish to help supply the starving people of the world with a high protein food.

Mr. President, I suspect these facts and figures are not dismissed in foreign lands as they are in this country. I suspect that Moscow appreciates the potential of the ocean's fishery resources and is interested in developing that potential.

I suggest that at least part of Moscow's willingness to make accommodations in the area of fishing problems is based on a realization of the value of developing the full potential of fishery resources.

This is the point the New York Times editorial did not consider. It is a point that should be considered.

Sooner or later there will be a world fishery convention at which time efforts will be made to set up agreements to insure intelligent exploitation of fish. If we are to have a significant voice in those negotiations, we must first have the ability to harvest a significant number of fish. Otherwise, we will be ignored, or at least placed in a very disadvantageous bargaining position for protecting our own interests, for advocating intelligent regulations, for competing for this great unharvested resource.

The international agreement signed this past weekend demonstrates the problems of negotiating from weakness. The Soviet Union has a modern, high seas fleet capable of operating far from its shores. This Nation has what is essentially a coastal fishing fleet. In order to get the Soviet Union to agree to restrain its fishing south of Rhode Island, we had to allow Russian fishermen to operate on certain occasions within our 12-mile coastal fishing zone. If we had a high seas fishing fleet operating off the coast of Russia, we probably could have won our points by making some sort of concession involving operations near Russia. As it was, and is, we are forced to negotiate with our own coastal resources.

Mr. President, my intent today was not to take issue with a newspaper editorial, but to place the subject of the editorial in its correct perspective, to try to convince such a fine newspaper as the New York Times that the U.S. fishing industry should receive more attention than it has received, and to point out that in addition to there being larger fish to catch in a sea of world politics, there are more fish to catch in the oceans of the world than our fishermen are now harvesting.

I ask unanimous consent that the New York Times editorial entitled "Larger Fish To Catch" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LARGER FISH TO CATCH

Fishing is such a minor American industry that international agreements arising from it normally receive little attention here. But last weekend's Soviet-American accord regulating fishing south of Cape Cod could be a signal that Moscow is finally ready to get down to business on trying to settle more consequential international problems.

Even before this pact, optimists had been encouraged by the Soviet Union's vote for the British resolution on the Middle East in the Security Council, a resolution far from Moscow's earlier uncompromisingly pro-Arab position. This past week, moreover, a giant Soviet airliner has been making practice landings at major East Coast cities, preparing apparently to begin soon the long-delayed establishment of direct Moscow-New York air service. And in Geneva, progress is reported on Soviet-American efforts to agree on the inspection article omitted from the earlier draft of a nuclear nonproliferation treaty.

But the pessimists do not have to look far for counter-agruments. Soviet rockets and other supplies continue to play a key role in bolstering North Vietnam. There has been no change in the normally nasty tone of the Soviet press toward this country, and the latest publicity given an alleged former C.I.A. agent's "revelations" is hardly pro-American in intent.

Reasonable men can differ in their assessment of these conflicting clues. The pivotal test on both sides will be whether progress can be made toward serious Soviet-American negotiations on the limitation of offensive and defensive missiles—a field in which both nations seem on the verge of decisions that will vastly enhance the world's insecurity, all in the name of deterring war.

Now that Moscow has ended its fiftieth anniversary festivities, with their inevitable accent on the expansion of Soviet power, there is room for at least cautious hope that the kind of realism indicated in the conclusion of a fishing accord for mutual benefit will spread to accommodations in fields on which mankind's safety depends.

ROBERT S. McNAMARA—20TH-CENTURY MAN

Mr. WILLIAMS of New Jersey. Mr. President, some weeks ago, in another context, the New York Times described Secretary of Defense Robert S. McNamara as a man for the 20th century—a man interested both in defense and in development.

Now we have seen those words fulfilled.

President Johnson said of Secretary McNamara yesterday:

> He has been a great administrator of the defense establishment. He has been a wise, resourceful and prudent administrator and collaborator with respect to policies and programs of vital importance to this Nation and the world.

Robert McNamara has been all these things and more.

He has mastered the farflung Military Establishment of the United States.

He has been a stanch adversary to our opponents around the world, yet his has been the voice of reason and understanding seeking harmony and international accord.

He has been Secretary of the finest Military Establishment in the world, yet he has deeply involved himself in economic and social matters related to the Defense Establishment.

He has been the most knowledgeable Secretary of Defense this Nation has ever had.

And we hope that his wisdom, his intelligence, his zeal for public service will be at the beck and call of the President in the years ahead.

The United States owes a very large debt to this 20th-century man. He has served us well, and we shall not forget him.

SERMON BY REV. COTESWORTH P. LEWIS, RECTOR, BRUTON PARISH CHURCH, WILLIAMSBURG, VA.

Mr. FULBRIGHT. Mr. President, a great deal of press attention has been given to the remarks of the Reverend Cotesworth P. Lewis, rector of the Bruton Parish Church in Williamsburg, Va., who on November 12 delivered a sermon to an audience that included the President of the United States.

With the thought that press reports might not have been adequate in describing what Reverend Lewis was reported to have said, I wrote him on November 20 expressing my views to him.

Reverend Lewis wrote me on November 22 sending me a copy of his sermon and a letter in which he said that it was his intention that his remarks were "to give strength to the heart and hands of the President."

Mr. President, I have read the sermon and believe that Reverend Lewis made a reasonable statement and that he has, to a large extent, been the victim of what I can only describe as emotional overreaction to a partial reporting of his sermon. I most seriously commend a careful reading of his thoughtful words to all Members of the Senate. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the letter and sermon were ordered to be printed in the RECORD, as follows:

BRUTON PARISH CHURCH,
Williamsburg, Va., November 22, 1967.

DEAR MR. FULBRIGHT: Your letter and that of Louisa Brandon who works for you (and whom I Baptized) meant more to me than I can express. May God lead us to peace.

Perhaps someday it will be understood that my remarks in Bruton Parish Church, November 12, were intended to give strength to the heart and hands of the President.

I felt the analogy of light shining in darkness (Isaiah 9:2) illustrated by ancient Moses and medieval Luther would be helpful. Religious and racial dilemmas (apparently hopeless until recently) are rapidly approaching solution because intelligent goodwill is being acted upon by God. All these seemed to provide reasonable hope that when people are adequately informed as to the rightness of our purpose and procedure in Vietnam God will again resolve the impasse rapidly and honorably.

The sermon was neither derogatory to nor critical of Mr. Johnson—as many of those attending in a spirit of worship agree. Deplorable misconstructions have been drawn from the occasion by lifting portions out of context, by impugning motives, and by imagining ideas which were never stated or inferred. My outline and intent was simple, kindly, and religious: (1) when things seem hopeless (2) and man does his righteous best, (3) God gives victory. Since I was incapable of making specific recommendations, I sought by examples from Scripture and history to give encouragement.

A clear reading of the entire address will I believe, bear out my motives as those of a constructive Christian gentleman, speaking appropriately from an intelligent pulpit.

Sincerely yours,
COTESWORTH P. LEWIS.

SERMON BY REV. COTESWORTH P. LEWIS, BRUTON PARISH CHURCH, WILLIAMSBURG, VA., NOVEMBER, 12, 1967

"The people who sat in darkness have seen a great light; they that dwell in the land of the shadow of death, upon them hath the light shined"—Isaiah 9:2.

Moses' exploits in leading the children of Israel out of Egypt, once dull as dust—leap with front page applicability. The Red Sea, Sinai Peninsula, the Negev, Jordan and Jericho, are things we talk about at breakfast.

Moses thought he had escaped the cries of his oppressed countrymen when he fled to Midian. But as he watched his father-in-law's flocks he heard the voice of God remind him, "The slaves of Egypt are your brethren, go, lead them to freedom." He was annoyed, remembering them as a shiftless lot, crude, unreliable—people with whom he'd prefer not to associate. So he made excuses—"I don't speak well; I don't have the facts; send someone else". God's promise that He would be with him came with such authority, when Moses appeared before Pharaoh he declared with unmistakable power—"Let my people go!"

Alone, we shirk responsibilities, tallying our small capacities. With the assurance which comes from study, prayer and worship, we take on a boldness which reflects the voice of God.

The rhythm of history brings alternating moments of darkness and light. When Constantinople fell in 1453, men feared that civilization would end; but the fleeing scholars carried with them the sparks that ignited the Renaissance. What could have been more futile than the penniless monk Martin Luther speaking his mind to Charles V, ruler of most of Europe and much of the New World? Out of that dialog came our religious freedoms.

Today, we seem surrounded by insoluble problems. Irresistible forces appear to be approaching collision with immovable objects.

The most immediate and demanding conflict arises from the insistence of racial minorities to be given all the rights and privileges the majority have achieved. The race problem can no longer be evaded either in this country or abroad. Seemingly impossible questions will require even more good will than brains. Probably the only effective way out will be to provide better schools for everybody, and develop a more inclusive type of community life. The end result will benefit everybody. Our lives will be far richer as our society becomes more inclusive. Isn't this what our Lord Christ prescribed?—"love the brethren"; "bear ye one another's burdens"; "to whom much is given, from him shall much be required". Now we are seeing the pragmatic necessity of what we once thought impractical idealism—fortifying us—as it did Moses.

Getting Catholics and Protestants together appeared ten years ago as wild idealism. Today the Holy Spirit is leading us into an increasing number of intimate contacts—and a united force for Good is becoming a possibility. Some deeply loved prejudices may have to be put aside—but God is working His purpose out, invalidating what seemed a stalemate.

The overshadowing problem before us is in the international realm. The political complexities of our involvement in an undeclared war in Vietnam are so baffling that I feel presumptuous even in asking questions. But since there is rather general consensus that what we are doing in Vietnam is wrong (a conviction voiced by leaders of nations traditionally our friends, leading military experts, and the rank and file of American citizens) we wonder if some logical, straightforward explanation might be given without endangering whatever military or political advantage we hold.

Relatively few of us plan even the mildest form of disloyal action against constituted authority. "United we stand, divided we fall." We know the necessity of supporting our leader. But we cannot close our Christian consciences to consideration of the rightness of actions as they are reported to us—perhaps erroneously, perhaps for good cause (of which we have not been apprised). We are appalled that apparently this is the only war in our history which has had three times as many civilian as military casualties. It is particularly regrettable that to so many nations the struggle's purpose appears as neocolonialism. We are mystified by news accounts suggesting that our brave fighting units are inhibited by directives and inadequate equipment from using their capacities to terminate the conflict successfully.

While pledging our loyalty—we ask humbly, Why?

We know we must avoid the oversimplification which views the war as a struggle against a monolithic Communism. Communism seems to be an irresistible force—and we are sure we are an immovable object. Geographically, Communism is getting closer and closer to us. The peril is that we may panic and do foolish things. Many people are badly scared. It's almost impossible to think straight when we are frightened.

West Berlin and Hong Kong are quite literally within the jaws of Communism if their psychology were our psychology they would be gloomy, depressed spots. On the contrary both cities are enjoying a building boom; visitors are astonished at the vigor of life. The Communists are 40 miles from Helsinki, Vienna, Trieste, yet these communities are less concerned about the threat they offer than are Dallas, Phoenix, and Seattle. The closer we get to the real Reds, the less we are intimidated by them.

The economic problem is simpler than was commonly assumed. Even the cursory presentation of Life magazine this week, bears out this. Both pure Communism and pure Capitalism were the creations of fevered imaginations. There is an increasing amount of private enterprise in Communist countries, while even the rankest capitalist rides over state-owned roads, many send their children to public schools, puts up with many socialistic practises (such as old-age payments). The problem of the future is to discover what can best be done by the state and what is best left to private enterprise.

The more serious threat of Communism of course is political. To those who have little, it promises much, it fires hopes, even though the world has seen relatively few instances of their willingness or ability to make good on such promises. As a nation we are called to live up to our profession of "liberty and justice for all". If we set right the inequalities and erase the dark blots on our life, we have nothing to fear for ourselves. As for the rest of the world—it is admittedly difficult to devise ways of exporting democracy.

When we read the paper or listen to the radio or TV—and learn of problems popping up all over the world—even the bravest of us grow faint-hearted.

The years ahead will be painful. Customs which seem an essential part of life may have to be given up. Opinions we have held tenaciously may be proven false. Physical and emotional landmarks may be swept aside. We may be compelled to think new thoughts and walk in new paths. Emerging young men and women who will gradually take over must have more understanding than we have had. Necessity will compel them to rise to greater heights than we have known. The future looks terrible; but with guidance from God (as in every strategic juncture of history) He will infuse the essential factor into the equation—something we could never suspect as a possibility—to make the future glorious.

ROBERT S. McNAMARA—A MAN FOR ALL SEASONS

Mr. McGEE. Mr. President, it is hard to find the words which sum up the Nation's feeling—and my own feeling—for a man with qualities like Robert S. McNamara.

It is hard to say how much the Nation and Congress and the President will miss him.

Robert McNamara has been one of the finest public servants ever produced by this country.

He has been the finest Secretary of Defense.

He has been one of the most efficient, intelligent, and effective Cabinet officers ever to serve any President.

And he leaves behind him a legacy of accomplishments in the defense complex which will stand for many years.

Robert S. McNamara is a man for all seasons.

He is a manager of industry with a deep intellectual mind.

He is efficient and compassionate.

He is in total command of the Nation's military needs while never forgetting that the basis of security is not arms, but development and stability.

Robert S. McNamara and Lyndon Johnson have worked closely and harmoniously for 4 years. They have stood together for the defense of America's interests and the free world's interest. And now they part as friends and admirers.

The World Bank is getting one of America's finest sons. And the U.S. Government is losing one of its finest and most dedicated public servants.

I ask unanimous consent that the text of Secretary McNamara's statement to the people on the subject of his departure from the Department of Defense be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[From the New York Times, Nov. 30, 1967]

Statement of Robert S. McNamara

I should like to tell you of the events that have led up to my nomination as president of the World Bank. In less than 60 days I will have served seven years as Secretary of Defense. No one of my predecessors has served so long. I myself did not plan to. I have done so because of my feeling of obligations to the President and the nation, although I have felt for some time that there would be benefits from the appointment of a fresh person.

On the 18th of April Mr. George Woods, president of the World Bank, told me that he wished to recommend me to the executive directors as his successor.

He asked whether I would be interested. I replied that I had not thought of the possibility before he mentioned it to me, but that I was interested in the economic development of the less-developed countries and believed that the work of the bank in this respect was vital to the stability of relations among all nations.

I emphasized to him, however, as I have to at least 20 others in the past two years, that I have never believed in considering any future job before completing a current one, and that I felt deeply obligated to serve the President as Secretary of Defense as long as necessary.

Mr. Woods replied that it was not necessary to make any decison then, that although his own term was scheduled to end on Dec. 31, 1967, he had been considering with the executive directors the possibility of staying on for as long as another year. I reported this conversation to the President and told him of my interest in the post. I reiterated that I would serve as Secretary of Defense as long as he felt it necessary.

About the middle of October I was informed by the President that nominations to succeed Mr. Woods would soon have to be made, and he asked me if I was still interested in serving as head of the bank. I answered in the affirmative, repeating, however, that I would not leave the post of Secretary of Defense until he felt he could release me.

The President told me, as he has said to me before, that he believed I deserved whatever I wanted in or out of Government, and he would do whatever he could to help me get it.

We discussed the state of the defense program and the names of potential successors. I have greatly valued the opportunity to serve my country as Secretary of Defense, and I am profoundly grateful to the President for his unfailing support and friendship. I have worked with him in complete harmony and with the highest regard.

No date has been set for my departure from my present post and the assumption of my new duties. The President has asked me to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969.

SAN ANTONIO OFFERED NEW HOPE IN MODEL CITIES PROGRAM

Mr. YARBOROUGH. Mr. President, the Friday, November 17, San Antonio Express contains an editorial which expresses well the goals which all the recently chosen cities of the model cities program should contemplate in making their plans. In its editorial, entitled "Better Environment, Opportunity Goals of Model Cities Program," the newspaper points out the prime goal of the planners for their city's future well-being—that long-term improvement be achieved by making available, right now, the opportunity to advance and the environment in which to do so. More simply, this program is an offering of hope for the disadvantaged of these cities, which is a new hope for the cities themselves. Part of a city cannot go all the way by itself—and a city is not prosperous if the greatest number of its residents live in slums and poverty.

The Express article recognizes this basic fact of life, urging the people of San Antonio themselves to "try to make the plans work because low-paid people are not much of a civic asset." This opportunity to upgrade slum areas in the city is an opportunity permanently to upgrade San Antonio itself, and the Express does its city a great public service in pointing this out.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Better Environment, Opportunity Goals of Model Cities Program

San Antonio's inclusion in the "model cities" program offers an unrivaled challenge to planners. Object of the program is to upgrade substantially a slum area. Planners have one year in which to qualify for a portion of $300 million to carry out their plans. There is $11 million to be divided among 63 cities to be used in planning. That is slightly under $175,000 per city, which means there won't be money to waste.

The model cities selection comes at the same time two major corporations have expressed interest in locating a plant here to help train hardcore unemployed. This venture is designed to test job-training ideas on the job.

The two programs would represent big help from Washington. They should be founded on long-term goals as well as demonstration projects that will generate imitators, not necessarily at public expense. There is a demand for skills. If government can improve slum areas and train their residents at the same time, a big step can be taken.

The programs amount to a public investment in people. If environment and opportunity can help, these projects will attempt to demonstrate it. It is to the benefit of all San Antonians to try to make the plans work because low-paid people are not much of a civic asset.

TRIBUTE TO SENATOR RANDOLPH

Mr. MANSFIELD. Mr. President, the passage of the civilian pay raise bill was a significant achievement for Congress. The bill has been characterized as the pay raise bill, but it also effected a major postage rate adjustment, as well.

Much of the real work that leads to the great achievements on the Senate floor takes place behind the closed doors of committee rooms. Some of the significant changes in the revenue-raising features of this year's postal rate bill, especially those dealing with the raising of rates for the so-called junk mail, were sponsored by the distinguished senior Senator from West Virginia [Mr. Randolph].

To him and to the other Senators who are members of the Committee on Post Office and Civil Service, all of whom performed so well, the Senate extends its congratulations and gratitude.

CIVIL DISOBEDIENCE IS NOT LEGITIMATE DISSENT

Mr. BYRD of West Virginia. Mr. President, the subject of dissent is being widely discussed in connection with a number of our current problems, such as the war in Vietnam, the draft, urban rioting, the demonstrations, poverty, welfare, and so on.

The discussions generally turn on the point at which the constitutional rights of free speech and peaceable assembly clash with the equally important necessity of maintaining an orderly society.

As has often been pointed out, the right of free speech does not give a person the right to falsely shout "fire" in a crowded theater. Nor does the right of peaceable assembly confer upon a mob the right to block traffic or disrupt the normal operations of organized society.

Civil disobedience, which the misguided individuals who wish to employ it contend is a right stemming from free speech and free assembly, is not sanctioned by the Constitution of the United States, nor does it have any sanction in law. Civil disobedience is nothing more nor less than lawbreaking.

It is time, Mr. President, that this point is made crystal clear to the people of this country, for we are threatened with a proliferation of civil disobedience aimed at achieving all sorts of objectives by bypassing the democratic processes.

Civil disobedience, Mr. President, is not legitimate dissent. This vital point is the theme of a most excellent address that I have just had the privilege of reading, an address delivered by Attorney William C. Beatty, of Huntington, W. Va., president of the West Virginia State bar, to the State bar's 20th annual meeting in Parkersburg, W. Va., on October 19, 1967.

This is a scholarly dissertation, Mr. President, that puts in proper perspective the question of dissent in its relation to demonstrations, campus upheavals, and the many and varied disorders that have marred our national image as a people who respect law and the rights of others.

The articulate and honorable dissenter has always been a respected figure in American life. Indeed, what was one generation's dissent may well become the next generation's orthodoxy. This is one of the great pillars of strength of American democracy.

But, Mr. President, what we have all too often witnessed in recent months in the name of dissent has been, instead, only a grotesque distortion of this basic freedom.

The right to dissent, to free speech, in an orderly society must, of necessity, carry limitations that forbid slander, obscenity, and incitement to crime, as the late Judge John J. Parker of the Federal court of appeals that served West Virginia once observed.

I cite particularly the words "incitement to crime." Incitement to civil disobedience, Mr. President, falls in that category.

I ask unanimous consent that the text of President Beatty's address to the bar be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Right To Dissent

(Address of William C. Beatty, Huntington, W. Va., president of the West Virginia State Bar, to the State Bar's 20th annual meeting in Parkersburg, W. Va., October 19, 1967)

It has very aptly been said that "the attorney whose professional thoughts begin and end with his own private clients is a pitiable mockery of what a great lawyer really is." I am fearful that to a large degree we have all become pitiable mockeries of what a lawyer is and should be.

By approaching our profession as mere mechanics rather than as architects or designers of law and its order we are abdicating our duty to explain the great concepts underlying our constitutional government at a time when social ferment shows a serious misunderstanding of the responsibilities imposed upon the "free citizen" in the handling of his legally conferred liberties.

Recently we have heard much about the right of dissent from almost everyone except those who should know and understand it best—the lawyers. To be sure some have spoken out but by and large little has been heard from the working lawyer who ultimately should be the firm foundation of the legal system in his own community. It is this thought that I would like to catalyze!

The men who won our independence were vitally aware of the fact that free speech safeguards the very existence of liberty. They recognized as pointed out by John Stuart Mill, the great 19th century liberal in his Essay on Liberty that free speech is "indispensable to enable average human beings to attain the mental stature which they are capable of."

A splendid expression of their underlying philosophy is found in Justice Brandeis' opinion in *Whitney* v. *California* where he said they believed:

"That freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American government. * * * Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed."

The essence to be distilled from all of this is that the "truth itself is benefited by free expression of opposing views" even though there may be great error in such expression. That the right to dissent—the right to be wrong, if need be, is afforded the most humble citizen.

However, regardless of all this altruism we know practically that the life of the dissenter—the attacker of the orthodox—has not been an easy one. History teems with instances of dissenters being put down.

Socrates died for his unorthodox views. Christ was put down for protesting the religious order of his day.

The Reformation broke out at least on 20 occasions before Luther's time and was put down.

Even in this country we hanged a few witches ourselves at Salem. At one time members of labor unions were pilloried as heretics and Scopes was tried for teaching evolution in Tennessee.

"Libertarians, bigots, heroes, scoundrels, sages, fools—in America we have had, and do now have, them all."

In time of crisis we have always tended to think more acutely upon the right to free expression. We are doing this now because of the debates over the war in Vietnam and the questioning growing from the civil rights movement. While the concern is more vocal the anatomy of the matter of dissent remains the same. It has always been the same.

Recently Henry Steel Commager, the historian, has put his finger on the one great obstacle that has stood in the way of informed dissent, that is, that—

"Men in authority will always think that criticism of their policies is dangerous."

And while a feeling of danger may sometimes be justified the greatest risk in such a fear is that the reaction to criticism will be one of emotion and name calling. The worst offense which can be committed in this connection says John Stuart Mill "is to stigmatize those who hold contrary opinion as bad and immoral men."

We all have a tendency to do this with those who disagree with us. Yet, when we remove the heat of controversy, logic and history tell us Mill was right.

At this late date we do not think evil of those writers and preachers who opposed the War with Mexico like Theodore Parker who denounced the war Sunday after Sunday and today is remembered as The Great American Preacher. Nor do we now condemn the beloved Mark Twain who was so violently against our participation in the Philippine Insurrection of 1899 that he asserted that the Stars and Stripes should have the white stripes painted black and the stars replaced by a skull and crossbones.

We don't condemn Lincoln for his unyielding opposition to slavery—an accepted institution of his day. And we sometimes forget that the dissents of Justice Holmes of 40 to 50 years ago, Holmes was called the Great Dissenter—have become the law of our time.

The late Judge John J. Parker, of our own Federal Court of Appeals admirably summed up what I have been fumbling to say when he explained:

"All this should be self-evident. It has been said by wise men so many times over in the world's history that I should apologize for saying it, were it not for the fact that there is such great temptation to forget it whenever an unpopular minority says something that strikes at the foundation of what we ourselves believe in. It is easy enough to believe in freedom of religion for Episcopalians or Baptists or Presbyterians. The test is whether we believe in it for Mohammedans or atheists. It is easy enough to believe in free speech for Republicans and Democrats. The rub comes when it is applied to Communists and fascists and others whose teachings would subvert our institutions. We must never forget that unless speech is free for everybody it is free for nobody; that unless it is free for error it is not free for truth; and that the only limitations that may safely be placed upon it are those that forbid slander, obscenity and incitement to crime."

Now I want you to bear particular note of the last sentence of Judge Parker's remarks. I believe that he here stated a principle that is being frequently ignored today by those claiming the right to dissent—

He says ". . . the only limitations that may be safely placed upon it are those that forbid slander, obscenity and *incitement to crime.*"

These are the legitimate limitations that a free society must impose to protect itself and its citizens. These limitations are being ignored by many of our so-called modern dissenters.

We, as citizens, are failing to call the ground rules to their attention and to the attention of our elected officials.

I now wish to submit to you that the greatest current threat to free expression in the country is the so-called doctrine of civil disobedience.

The doctrine has been expressed by Martin Luther King in his letter from a Birmingham jail written on April 16, 1963 as follows:

"One who breaks an unjust law must do so openly, lovingly, and with willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law."

It is a mystery to me how you violate a law lovingly. And it seems readily apparent that conscience varies from person to person. Witches have been burned by those whose conscience told them it was right and just. I suppose too that Jessie James probably said it was right and just to rob banks. Even segregation, itself, has been justified by some who have pointed righteously to their Bibles. As has been observed by Burke Marshall, former assistant attorney general, who actively fought the battle of civil rights:

"If the decision to break the law really turns on individual conscience, it is hard to see in law how Dr. King is any better off than Governor Ross Barnett of Mississippi, who also believed deeply in his cause and was willing to go to jail."

It is not surprising that King, caught up in the fallacy of his own thinking has proclaimed a different rule for the massive resistence to the law by segregationists. He brands their concept of moral law as "uncivil disobedience" and "lawlessness".

On its face, the doctrine is dubious at best, but there has been an attempt to rely on Thoreau and Gandhi to give it a respectable philosophical foundation.

One wonders whether those who cite Thoreau have actually read him. This was the man who applauded John Brown's bloody and half-crazed raid on Harper's Ferry. In his Essay on Civil Disobedience written in 1849 he frankly admits "That Government is best which governs not at all" and says that—

"The only obligation which I have a right to assume is to do at any time what I think is right."

He opposed slavery and the war against Mexico. Refusing to pay his taxes he spent one night in jail. This idea of refusing to pay taxes is appealing, but, be that as it may, his doctrine is pure and simple—anarchy.

Neither is Gandhi's historic struggle in India an honest precedent for he was forced to use techniques of disobedience because lawful processes were wholly unavailable.

Some other precedents loosely invoked as justification of civil disobedience have included Shay's Rebellion in Massachusetts, the Whiskey Insurrection, refusal to obey the Fugitive Slave Law and civil disorders found in the labor movement. These episodes fall short of responsible authority.

As an example of the misguided thinking of some of these incipient revolts in American history which are called on to support civil disobedience let's look at Shay's Rebellion for a moment. As a witness we call Daniel Shay himself. He was a gallant fighter in the Revolution. In 1787 he was leading a revolt against the State of Massachusetts. And we hear him advising his 1100 rebels:

"Boys, if you don't know what you're fighting for, I'll tell you. You're fighting for liberty.

"If you don't know what liberty is, I'll tell you. It's the right to do as you please, and to make others do whatever it pleases you to have them do."

This testimony from Shay is the key to the whole matter. It shows plainly the belief of many today that freedom is the right to use force to achieve your ends. However, freedom of expression or any liberty for that matter carries with it certain responsibilities. Without obligation freedom is license. Like Justice Holmes has vividly stated:

"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing panic."

Some people particularly those who apply the doctrine of civil disobedience think today that they have the right to cry "Fire" any place at any time. High time they are convinced otherwise!

Civil disobedience is neither non-violent nor peaceful. Massing and marching and blocking streets from intended use is not peaceful assembly. Interfering with the function of public universities is not academic freedom, nor is the use of despicable "four letter" words by bearded youth in public gatherings. Trespass and destruction of property is certainly not freedom of expression. But all of these things are mob action tailor made for those few malcontents who desire a total breakdown of organized society.

Sit-ins are in the words of the liberal Justice Black "one of the surest ways anyone can pick out to disturb the peace." Even non-violent demonstrations if there can be such a thing exact a high price from the public generally. Traffic is disrupted. Streets littered. Citizens denied the use of streets and sidewalks. The drain on the public treasury is great—the Selma march cost the National Guard $500,000. This coupled with the decline of public order and interference with the rights of others obviously shows that the use of demonstrations is getting out of hand. While many who espouse civil disobedience may be peaceful men, the practices they have encouraged their followers to indulge in have led to the belief that crime does pay!

There is no constitutional sanction for civil disobedience, and as a matter of fact the case authority demands that the state have the ability to protect itself from anarchy. Even the Supreme Court has recently warned in the *Cox* case that it will not sanction "riotous conduct in any form or demonstrations, however peaceful their conduct or commendable their motives, which conflict with properly drawn statutes and ordinances designed to promote law and order, protect the community against disorder, regulate traffic, safeguard legitimate interests in private and public property, or *protect* the administration of justice and other essential governmental functions."

Unfortunately, many people in high places have forgotten these first principles of government. Civil disobedience has been "acclaimed in the media" and "proclaimed from the pulpit." Sad to say, virtually every Protestant denomination has officially endorsed it in some form or the other, and from what we hear from Milwaukee the Protestants are not alone.

The stained glass voices of the ministry have attempted to beguile us with calls for higher loyalty when actually the higher loyalty of which they speak is only their own personal predilection. These later day "prophets" have all too readily mistaken their own individual desires for the will of the Almighty. They need to be reminded that the tenets of their faiths nowhere justify the concept that true freedom can be obtained without attention to duty and that, on the contrary, teach that only discipline can bring true freedom.

Churchmen need to recognize that our government is based on an ideal that attempts to give each his recognition as an individual while providing each an orderly society to live in. Unfortunately the ideal is frequently tarnished. Yet this is no excuse for revolt for we have devised a government where the constitutional courts are open to enforce its rule of law. And parenthetically, I might add, you as lawyers have a duty to see that no one goes without access to their constitutional courts should they need it.

The clergy, of all people, should know the danger from the excesses of this mob action they advocate. But they are now doing what they have criticized others for doing in the past. They are attempting to impose their emotions and will on others by the use of force. They need to be reminded of the memorable epigram of theologian Rienhold Neibhur which says:

"Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary."

Their so-called higher loyalty actually would seem to demand a return to the rule of law—for in no other way can anarchy and chaos be averted and man's true worth be realized and safeguarded.

We must not forget what has gone on before and what can happen when emotions govern the conduct of the day. As recently as the Second World War we here in West Virginia had an experience with the emotions of the day. Our Board of Education attempted to force a compulsory flag salute on all who attended public schools. The Jehovah Witnesses who opposed the flag salute on the basis that their religion prohibited the worship of graven image on one or two occasions were tarred and feathered and run out of town. Ultimately in *West Virginia Board of Education* v. *Barnette* the Supreme Court of the United States struck down the flag saluting regulation with Justice Jackson saying that—

"Those who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard."

This is exactly what is occurring in the civil rights movement. As Lewis Powell, past president of the American Bar Association has pointed out "Many centuries of human misery show that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free."

It seems to be current thinking that the right to dissent envelops the Rap Browns and the Stokely Carmichaels in a cloak of immunity. This, of course, is not true. There are concepts as old as the nation itself which allow self-protection. As a passing footnote to history we find that here in West Virginia Governor Hatfield once closed a newspaper in Huntington which was interfering with efforts to bring peace in a mine war during a period when martial law had been proclaimed. Undoubtedly governmental action did not suffer from the refined restrictions then that it now does. However, the principle is that the governor of a state has power to declare martial law and temporarily incarcerate and hold those participating in insurrections, rebellions or civil commotions. As former Justice Whitaker has put it:

"The remedy is plain as the threat. It is simply to insist that our governments, state and federal, discharge their duty of protecting the people against lawless invasions upon their persons and property. In no other way can we orderly resolve the issues that confront and divide us, or live together in peace and harmony as a civilized nation."

This the organized Bar must demand. This country cannot accept a doctrine which allows a citizen to pick and choose the obligations of citizenship he will perform. It is time the Bar is heard on the question. We must tell the devotees of civil disobedience that the rule of law must prevail and the violators of the law no matter how lofty their aims or how high their position in society must be told they are not above the law. We must insist that correction of supposed injustices by threat of intimidation, by extra-legal means or by violence can no longer be tolerated.

While the Supreme Court of the United States is not a body these days to be bound by precedent even it cannot continue to ignore the growing threat to our liberty of expression posed by this doctrine of force called civil disobedience. Civil disobedience has proliferated to such sweeping subjects as Vietnam, peace in general, disarmament, poverty, and is beginning to be practiced "whenever impatient leaders deem it a more efficacious means than the normal process of democracy."

It is the greatest single threat today to the right of dissent and has contributed measurably in my opinion to the long hot summers we have been having of late. The Supreme Court would now do well to abide the admonition of Justice Jackson made a few years ago when he said:

"This Court has gone far toward accepting the doctrine that civil liberty means the removal of all restraints from these crowds and that all local attempts to maintain order are impairments of the liberty of the citizen. The choice is not between order and liberty. It is between liberty with order and anarchy without either. There is danger that, if the Court does not temper its doctrinaire logic with a little practical wisdom, it will convert the constitutional Bill of Rights into a suicide pact."

Think about it!

UNEMPLOYMENT AND VIOLENCE

Mr. MONDALE. Mr. President, one of the chief factors contributing to the rash of civil disorders this summer was widespread unemployment in the neighborhoods where this violence occurred. The causes for this unemployment are many—job discrimination, lack of educational opportunities, the absence of training facilities, and racial segregation in housing. However, one immediate cause has been the flight of industry from the center city to the suburbs.

This shift in location patterns has placed the resident of the ghetto in a position where it is difficult for him to compete for these jobs. The white worker can live near the new plant, or usually can afford an automobile to drive to work.

The ghetto dweller, on the other hand, is usually barred from renting or owning a home in this new area, cannot afford a car, and cannot take public transportation to the plant. The result is that this person is closed out of a job.

In the past 2 years, however, there has been a recognition by private enterprise that the location of a plant has social consequences in addition to the normal economic ones. Many companies are now aware that a decision to move to the suburb means an increase in the frustration in the ghetto. This has resulted in a reevaluation by some of the Nation's leading companies as to where plants should be located.

Mr. President, I am proud to say that one nationwide corporation, Control Data, has decided to build a plant in a center city location, and more important, to build on the North Side of Minneapolis, where racial disturbances occurred this summer. Control Data, one of the country's largest computer manufacturers, has announced that it will build an 85,000-square-foot plant that will employ 275 people. In addition, Control Data will also use the area as the site for one of its training institutes.

This will be a major step toward the improvement of the North Side, and should serve as an example to other companies throughout the Nation. The resident of the North Side will realize that he has not been forgotten, and that there are good financial opportunities available to him. I applaud this decision and wish Control Data complete success.

Mr. President, this move to the North Side in Minneapolis demonstrates that Control Data committed to the betterment of the citizens in its community. It is a fine example of community involvement. It is also a challenge—an attempt to reverse the tide of industry and jobs away from the city, and away from those whose mobility is limited. I ask unanimous consent that a recent editorial published in the Minneapolis Tribune, commending the decision of Control Data, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONTROL DATA AND THE NORTH SIDE

There soon will be a new name on Plymouth Av., the street of boarded-up buildings. It will be that of Control Data Corp. The decision of one of the world's leading computer manufacturers to open a plant on the Minneapolis North Side, where racial disturbances occurred in 1966 and 1967, is an exciting and significant development for our community.

The company will operate temporarily in leased quarters at Plymouth and Bryant Avs., but next year will build an 85,000-square-foot plant to employ 275 people. Just as important, Control Data, which operates eight computer institutes in the United States and abroad, will establish its second Minneapolis institute near or adjacent to the new North Side plant.

The announcement is significant for many reasons.

The plant and institute represent the first major private investment announced for the poverty district since the disturbances. We hope it encourages other such investments.

The plant will provide job opportunities for untrained residents of that part of our city with the highest concentration of nonwhites and the highest rate of unemployment. Previously, inexperienced persons have been trained by Control Data to become productive workers at such rural locations as Redwood Falls, Cambridge, Spring Grove and Montevideo, and Control Data believes it can do the same on the North Side.

The institute will bring into the North Side students from throughout the Upper Midwest, thereby breaking down, partly, the fences that separate and isolate the North Side from the broader metropolitan community. Its presence in the North Side, one hopes, will motivate more young people there to continue their education and enter an industry where opportunities for personal advancement are great.

The plant represents a break in the pattern of industrial flight to the suburbs. Control Data, now only 10 years old, got its start in an old building at 5th and Park, but joined the suburban movement when it later located its headquarters in Bloomington and put its biggest plants in the suburbs.

The plant also represents a major commitment by Control Data toward improving the attitudes of the ghetto, for it will produce a standard product, an electronic device that is a part of each computer system the company sells. People who will work in the plant will know that they are not just the recipients of some kind of corporate dogoodism or special federal contract.

In recruiting workers, the company will work closely with poverty agencies active on the North Side. But there is no government money involved in the project, nor are federally-financed training programs part of it (although Control Data does not rule out the use of such programs, if appropriate). The project clearly appears to involve much more than Control Data is required to do to fulfill its obligations as a major federal contractor and equal opportunity employer. It is setting an example for the rest of the community.

As it did when it took on International Business Machines Corp. in the field of super-computers, Control Data is taking on another major new challenge. It came out well on the first. All of us have a stake in how well Control Data and its new employes succeed in this new challenge.

OUR POPULATION AND OUR FUTURE

Mr. BYRD of West Virginia. Mr. President, the United States is the fourth nation in history to have passed 200 million population. The others are mainland China, with an estimated 750 million; India, with about 510 million; and the Soviet Union, with an estimated 240 million.

When this historic milestone for our country was passed, the Washington Post took note of the occasion in a very fine editorial.

It took nearly 350 years from the time the first colonists settled on these shores for this country to reach its first 100 million in 1915. It took only 52 years for that number to double to the 200 million mark. Now the projection is that by the year 2000, only a little more than 26 years away, our population will reach or pass 300 million.

Such growth has significant implications for almost every aspect of the future of our country. We must keep constantly in mind, as we consider the legislative issues that come before Congress, that this is indeed a dynamic society in which we live, and one in which the problems of change will become more, not less, acute. We must never fall into the trap of thinking of our problems as if they were static.

Said in another way, the problems directly relating to population that we have faced in the period of time it has taken the United States to grow from 100 million to 200 million will more than double in impact in the years immediately ahead of us, for it will take only half the time to reach 300 million that it has taken us to pass the present historic milestone of 200 million.

I ask unanimous consent that an editorial entitled "Two Hundred Million Milestone," published in the Washington Post of November 23, 1967, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TWO HUNDRED MILLION MILESTONE

Passing the 200 million mark in population is something of a milestone in our history, like the passing of the frontier. Just when it occurred is a matter of conjecture and a question of no real significance. But the fact that this country took 300 years of high birth rates and immigration to attain its first 100 million, that it has doubled its population since 1915 and is now expected to add another 100 million before the turn of the century ought to provide some profound thinking about where we are heading.

Throughout our history we have been extremely growth conscious. Rapid multiplication seemed essential to fill up our vast open spaces, to augment economic prosperity and create national strength. So growth and more growth came to seem the primary virtue. It is deeply ingrained in American thinking. With the passing of the 200 million milestone, however, we have surely attained maturity, and we will have to adjust our thinking to the problems of maturity if we are to avoid the mistakes of many older civilizations.

Even with 200 million Americans, our cities are being overwhelmed by traffic congestion, air and water pollution, slums and social ferment. The country seems to be rushing toward the creation of insupportable megalopoli on the East and West Coasts and in the Great Lakes region. If another 100 million people should be dumped into these overcrowded urban centers in the next three decades, living conditions might well become intolerable.

It is not wise to wait until our food supply has been endangered or our living space has been overcrowded before recognizing the changes that have come about. In the decades ahead the country may have to resort to drastic measures to maintain something of an urban-rural balance. Truisms of the past about the virtue of large families may have to be unlearned, and certainly we shall have to spend a far larger portion of our time and energy on the preservation of precious resources and the protection of our environment.

The passing of a population milestone will not of itself effect any changes. But it is an invitation to broader thinking. It should remind us that human welfare and national strength are not measured in mere numbers but in the ability of people to create a sound and sustainable environment.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 783, Senate Resolution 180.

The PRESIDING OFFICER. The clerk will state the resolution.

The assistant legislative clerk read as follows:

> *Resolved*, That it is the sense of the Senate that the President of the United States consider taking the appropriate initiative through his representative at the United Nations to assure that the United States resolution of January 31, 1966, or any other resolution of equivalent purpose be brought before the Security Council for consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The time is under control.

Mr. BYRD of West Virginia. It will be a very brief quorum call. I ask the Chair to charge it against my side.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the majority leader, I yield 1 minute to the distinguished Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 1 minute.

Mr. HART. Mr. President, for many months now, together with others, I have urged that this Nation demonstrate to all the world how serious we are in our desire that the Vietnamese war be taken up by the United Nations, and, hopefully, resolved.

I know, as others do, that there are a great many hurdles that have to be cleared, and many difficulties can be assigned as to why no constructive result will follow by reference to the United Nations.

The alternatives available to us are tragically limited, and if we have the will to get to the moon and to wage war, we should commit that same resolute will to the search for peace, including a search in the United Nations; and we should make very clear that the judgment of the United Nations with respect to the proper course to resolve the fight in Vietnam will be a judgment that we will accept, unless it offends the conscience of America.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged against both sides.

The PRESIDING OFFICER. Without objection, the time will be charged equally, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, on October 25 the distinguished majority leader, Senator MANSFIELD, and 54 other Senators submmitted a sense of the Senate resolution which would seek to bring the Vietnam issue before the United Nations Security Council. I am very pleased and proud to say that this resolution now has 59 cosponsors.

This resolution was referred to the Committee on Foreign Relations. The hearings which followed were particularly useful to the committee, because most of the witnesses had served as former U.S. delegates to the United Nations. These men spoke with authority and with experience as to the procedural processes of the United Nations and how the United States could best undertake an initiative to bring the question of Vietnam before the Security Council for discussion and debate. On the basis of this testimony and the very able presentation of the distinguished U.S. Representative to the United Nations, Ambassador Arthur J. Goldberg, the Foreign Relations Committee unanimously recommended that the Senate approve Senate Resolution 180.

Mr. President, I want to make it clear that the proposal before the Senate today is not the only one before the Senate. The distinguished senior Senator from Oregon is the architect of Senate consideration of an attempt to get the United Nations to consider the Vietnam issue. The senior Senator from Oregon submitted a resolution of his own to the Foreign Relations Committee. Both Senate Resolution 180 and the resolution of the Senator from Oregon were considered together.

With the support of the distinguished Senator from Oregon, Mr. President, the committee decided to report the more general language of Senate Resolution 180, introduced by the distinguished majority leader. It was thought that a generalized resolution drawing the overwhelming support of the Senate would best make the point which is most significant: That is, the endorsement of a particular approach to the Vietnam problem is less important at this moment than seeing to it that the Vietnam dispute is brought before the United Nations. As the majority leader said on October 25 when he submitted Senate Resolution 180, "Initiation, not resolution, is the key word as far as the Security Council is concerned."

Mr. President, the witnesses before the Foreign Relations Committee were unanimous in their judgment that the United States must take the question of Vietnam to the United Nations if the United Nations is to continue to have relevance to peacemaking. The United Nations can hardly beg the question of Vietnam. If it continues to avoid the Vietnam issue, it may well go, in my opinion, the way of the League of Nations.

The time is long overdue for a U.S. initiative at the United Nations. It has been almost 2 years since the United States sought to place the Vietnam issue before the Security Council and then dropped the effort. The effort ended, not in a repudiation of the United States initiative, but rather in indecision and ambiguity in the expectation of greater results from other peacemaking efforts, expectations which, of course, have been totally unfulfilled.

Rather, the war has gone on, relentless in its destruction and revolting and degrading and odious in the human toll which it has exacted. The road of the war's expansion has become a boulevard; the path to peace has narrowed to a slender trail, as alternatives have disappeared and the options declined. In an open-ended and frustrating and divisive war, the United States has no choice but to pursue every possible approach to an honorable settlement of the Vietnam dispute.

Mr. President, I shall not take the time of my colleagues to review the testimony which was taken by the Foreign Relations Committee, and which is contained in the report on each Senator's desk. However, I would commend the report of the Foreign Relations Committee on Senate Resolution 180 to the careful attention of the Senate. Many witnesses argued that a deescalation, such as a cessation of the bombing of North Vietnam would be an essential bona fides and might open the way to bringing the Vietnam war to an honorable conclusion.

Many of the members of the Foreign Relations Committee may agree with this proposition. Many members of the committee and the Senate may not agree. In the common judgment of the committee, it was felt more important to search for that which would unite the Senate. Such unity was found in the language of Senate Resolution 180. The committee agreed that the effort should be made to open the way to United Nations consideration of the Vietnam issue without in any way prejudicing the outcome of discussion and debate by specifying preconditions or a particular approach.

I believe that this initiative will be a worthwhile effort even if consideration by the Security Council serves only to clarify the various positions of those directly or indirectly involved in this conflict by bringing them together in a face-to-face discussion.

In short, this resolution asks only that the debate begin before the Security Council. If the members of the United Nations, acting collectively, agree, after debate and discussion, that direct negotiations or convening of the Geneva conference, or whatever, is the surer way to peace, and are prepared to accept the responsibility of those beliefs by going on record, then there may well be the beginning of a beginning toward the restoration of peace.

The conflict in Vietnam has already been raised from a guerrilla war to an internationalized war. I suggest the time has come to internationalize the search for peace.

Can the United Nations help? We will not know until the attempt is made, and made again and again if it is necessary. I urge that we begin here today the process which may lead from the rhetoric of peace in the United Nations to the realities of peacemaking on Vietnam.

I wish again to commend the leadership of the distinguished majority leader and the senior Senator from Oregon for their initiative in bringing this matter before the Foreign Relations Committee and now the Senate. I hope the Senate will endorse this proposal by an overwhelming vote.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time for the rollcall to be charged equally to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays on the pending resolution.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 10 minutes.

Mr. YOUNG of Ohio. Mr. President, the war in Vietnam is the only major crisis since the founding of the United Nations in which neither the Security Council nor the General Assembly of the United Nations has exercised its influence. The time is long past due for officials of the Johnson administration to make a much greater effort to bring our Vietnam involvement before the Security Council of the United Nations for consideration.

I am proud to be a cosponsor of the resolution introduced by the distinguished majority leader [Mr. MANSFIELD]. There is no U.S. Senator who is more knowledgeable on our involvement in Vietnam or who has added more to his knowledge over a longer period of years than the majority leader. I congratulate him for his efforts in bringing this resolution before the Senate.

If ever there were a situation which constituted a threat to world peace as envisaged by those who created the United Nations more than 20 years ago, it is certainly the Vietnam war. The fact that some participants in that ugly civil war are not members of the United Nations should not and does not bar United Nations recognition of the problem.

U.N. representatives of more than 104 nations have expressed the concern of their governments over the danger that the Vietnam war presents to world peace. Since September 21, 1967, delegates from more than 50 nations have suggested in the General Assembly that the United States stop the bombing of North Vietnam in the hope that this will bring the North Vietnamese and the Vietcong, or representatives of the National Liberation Front, to the conference table where a cease-fire can be negotiated.

The Johnson administration has taken the position that the only alternative to our continued involvement in Vietnam is abject, dishonorable withdrawal of our Armed Forces. The plain truth is that an honorable alternative exists by halting further escalation of the ground fighting and an unconditional cessation of the bombing of North Vietnam, followed by negotiations for a compromise settlement based on the Geneva agreements.

Our great Secretary of Defense, Robert McNamara, correctly stated that our bombing of North Vietnam and the objectives attained by that incessant bombing are no longer commensurate with the loss of priceless lives of so many pilots and airmen now being sustained and the continued loss of aircraft, of which more than 800 of the finest warplanes ever produced have already been shot down in Vietnam.

If President Johnson feels that he cannot retreat from his present position regarding a halt to the bombing he could, without loss of face, make it known that the United States would put aside its own official views on the bombing if the United Nations called for its suspension as a step toward negotiations. In his efforts to settle the Algerian war by negotiation, President de Gaulle at one critical juncture withdrew an entire division of French troops as a means of convincing the Algerians that he genuinely desired a political settlement. Neither France nor De Gaulle lost face. Nor would we, the most powerful nation that ever existed under the bending sky of God, forfeit the respect of any country or any meaningful military advantage by similarly taking the step which only we can take to set the peace machinery in motion.

It may very well be that the United Nations will not be able, or determined enough, to cope with the most serious threat to world peace in a generation. However, this question will never be answered unless we make a much greater effort to bring the entire question up for consideration in the Security Council of the United Nations.

There have been many proposals set forth from many different sources for ending our involvement in the civil war in Vietnam and for bringing that tragic conflict to a peaceful conclusion. Some claim that the time is not now ripe for U.N. consideration of the Vietnam problem. With our casualties—dead and wounded young Americans—now exceeding 100,000 young men and with our terrible losses increasing rapidly, and with no end of this struggle in sight, there should be no question as to the fact that every possible avenue toward peace should immediately be explored and utilized to the utmost.

For these reasons I have cosponsored and do strongly support the resolution introduced by the distinguished senior Senator from Montana [Mr. MANSFIELD], calling on the President to take the appropriate initiative to bring the Vietnam question before the Security Council.

Faced with the gravest threat to world peace since World War II and the Korean conflict, we should avail ourselves of the one international body established to maintain and secure world peace. In asking the Security Council to take an active role in bringing the Vietnam conflict to an honorable end the United States would be showing itself to be ready to stake its reputation and motives in free and open debate before the world.

It is with the hope that the United Nations will live up to its early promise as man's last best hope for permanent peace that I support the pending resolution.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

THE DEPARTURE OF CHARLES FRANKEL AS ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS

Mr. FULBRIGHT. Mr. President, the war in Vietnam is now placing insurmountable burdens on those officials who are trying to carry out their responsibilities in the more enlightened and constructive areas of international relations. The Government is losing the services of many talented and dedicated men who are finding the restrictions placed upon their duties to be incompatible with the high performance they demand.

The departure of Charles Frankel as Assistant Secretary of State for Educational and Cultural Affairs cannot come as a total surprise to those of us who are familiar with the difficulties he has faced. In addition to the major cuts in appropriations which have made the State Department cultural program almost impossible to administer at required levels, Dr. Frankel has been forced to deal with a series of intangible problems which only occur when our country is regarded with suspicion abroad; these problems are totally unrelated to the functions of his office.

Although the international educational and cultural exchange program has not been able to receive the high priority it deserves, the fact that it continues to operate well at all is testimony to Dr. Frankel's patient, efficient, and selfless service. He has earned the gratitude of all who are interested in international cooperation in the arts, sciences and humanities, and in short of all those deeply interested in better human relations in this troubled world. His demand for excellence in international education has been an inspiration to those who have participated in the various programs. Dr. Frankel will be sorely missed. We can only find some solace in the fact that he will continue to contribute in other ways to the intellectual life of the Nation.

It is with profound regret that I contemplate the loss to our Government of such an outstanding intellectual leader as Dr. Frankel and his charming and discriminating wife.

INDONESIA

Mr. FULBRIGHT. Mr. President, the Washington Daily News of November 22 printed a lead editorial entitled "The Smart Way To Help." It is an endorsement of some of the solid reporting that has been produced by Scripps-Howard correspondent R. H. Shackford, and, in this case, some of the sound advice attributed to our American Ambassador to Indonesia, Marshall Greene.

The editorial and the reports it comments upon point up some of the changes in aid and foreign policy emphasis which the Committee on Foreign Relations has been pushing upon the administration for some years.

I ask unanimous consent that the editorial may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SMART WAY TO HELP

Southeast Asia is an area in which the United States can use all the luck it can get. That is why recent developments in Indonesia—the biggest, most populous (105 million) and potentially richest nation in the region—have been a windfall for us.

Just two years ago, a Peking-backed communist-led attempt to seize the government was nipped just in the knick of time by the army. President Sukarno, who practically delivered his country to the communists and wrecked its economy on the side, was gradually pried out of office. And the new rulers, military and civilian are trying diligently to rehabitate Indonesia economically.

The boobish way for the United States to help would be to rush in with a bagful of money, dispatch entire battalions of economic aid advisers, run up the American flag from any available flagpole, and make sure we surpass "rival" governments that give aid, too.

The real challenge to American policymakers, as Scripps-Howard Correspondent R. H. Shackford has written from Jakarta, is to find ways to help the friendly new regime pull Indonesia together—yet keep American involvement in Indonesia's internal affairs at a minimum.

Fortunately, we have as Ambassador in Jakarta one of our smartest and coolest diplomats, Marshall Greene. And he has some clean-cut ideas on how to go about the aid business this second time around. His prescription:

Keep the number of Americans—staffs of the Embassy, AID mission, U.S. Information Agency and others—small. Aim: raise efficiency, reduce the American "presence."

Do indirectly what is best done indirectly. Example: instead of the standard USIA idea of setting up American libraries (which have been targets for demonstrators), give American books to Indonesian libraries. In short, make this "aid" available under normal local conditions—not under a red-white-and-blue banner that proclaims our "generosity."

Financial aid should be continued only on a multilateral basis, with the money coming simultaneously from a dozen or more "donor" nations jointly assessing needs and dovetailing contributions. This practice, begun with India and Pakistan, is being followed in Indonesia's case.

Purely U.S. aid projects should be confined to those in which we technically excel. Examples: the Dutch, with long experience in Indonesia, should be encouraged to apply their knowledge; the Japanese ought to lend their advice on family planning, in which they have made unusual progress.

In short, keep it lean, efficient and cooperate. Wish we had done that years ago in many other places.

VIETNAM—COMMENT ON STATEMENTS BY GENERAL WESTMORELAND AND AMBASSADOR BUNKER

Mr. FULBRIGHT. Mr. President, I would like to comment briefly on the optimistic and confident remarks made in various public appearances last week by General Westmoreland and Ambassador Bunker. Their remarks struck a responsive chord, for we are—and have always been—an optimistic and confident nation with good grounds for being so. The war in Vietnam has shaken our natural confidence and optimism and as a result we have become a confused and divided country whose attention has been distracted and whose energies and resources have been diverted by a war which many of us believe we should not have joined and should not continue.

I do not mean to contend that we cannot win a military victory in Vietnam. I gather that General Westmoreland is convinced that we can and that we are well on the way to doing so. We have, of course, heard such predictions before. They have always proved wrong, but they have been made at times when we did not have massive forces in Vietnam as we do now. I am personally quite skeptical because it seems to me that General Westmoreland has based his predictions on several questionable assumptions including the assumption that the North Vietnamese will not commit all of their forces—or even significant additional forces—to the war.

But while I am skeptical about General Westmoreland's predictions, I hope, I most fervently hope, that he is right. I cannot express too strongly my hope that the war will soon be over: that Americans and Vietnamese will no longer have to suffer and die: that Vietnam's agony will finally end.

But I am sorry to say that I do not believe that the war will end soon, or soon enough to save thousands of American lives and tens of thousands of Vietnamese lives, if we continue to seek to end it by purely military means.

And when it does end, one way or the other, as it must eventually, will it have been worth the price in men, in the enormous resources we have dissipated and the further resources we will have to contribute, in the damage to our reputation abroad and to the health of our society at home? I do not believe that it will have been worth the price which is, to me, the most tragic aspect of the war.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

The Senate resumed the consideration of the sense of Senate resolution (S. Res. 180) seeking U.S. initiative to assure U.N. Security Council consideration of Vietnam conflict.

Mr. FULBRIGHT. I am very happy to yield 10 minutes to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, in the vote which is about to be taken, the Senate will record in effect, an attitude respecting the United Nations and the settlement of the conflict in Vietnam. The pending resolution, cosponsored by 59 Senators, does not have the force of law. It seeks neither to compel nor direct. It acts only to make crystal clear where the Senate stands on one aspect of the problem of Vietnam.

By adopting the resolution, the Senate will advise the President that it would look with favor on a vigorous and sustained U.S. effort to seek through the United Nations system at least the beginnings of a just peace even if, at the end, it is found that a settlement for Vietnam can be better negotiated elsewhere.

While the resolution would appear to be without particular controversy, it does not follow that it is without particular significance. On the contrary, the resolution signifies a great deal. It signifies the deep, the very deep unity of concern of the Senate with the continuance of the war in Vietnam and the determination that every recourse open under the U.N. Charter for ending it in a just peace ought to be pursued by this Government.

It means that the Senate defers to the President in matters of timing and on the specifics of action in the United Nations which are, properly, his unique responsibility, even as the executive branch is advised by the resolution to try to move the United Nations to make a contribution to the settlement of the Vietnamese conflict. The resolution urges the executive branch to make this try energetically and earnestly, to make it not in whispers in the corridors but in open view and with firm voice before the Security Council, by moving procedurally and by insisting, if necessary, upon votes—win, lose or draw—in that body.

It would be my understanding that the Senate is aware, at this point, that an initiative at the United Nations may involve a confrontation before the Security Council with all those who are involved in the continuance of the war. That includes not only the Soviet Union but also Peking, Hanoi, and the National Liberation Front and others. The willingness to engage in this confrontation has already been set forth by the administration in the exceptional testimony which the distinguished United States Ambassador at the United Nations, Mr. Goldberg, gave to the Committee on Foreign Relations.

In sum, the adoption of the resolution means that the Senate not only reaffirms its recognition of this Nation's commitments under the U.N. Charter but urges that these commitments be called into play for ourselves and for all nations by the positive actions of this Government. The Senate wants the procedures of the U.N. Charter to be invoked in good faith by the United States notwithstanding rumors of vetoes or threats of blocking tactics on the part of any nation.

Insofar as I am concerned, I believe it is high time to insist upon this course. It is high time for nations to stand up and be counted on the issues of peace in Vietnam. The Senate has a responsibility to the people of the United States to encourage the executive branch, at the very least, to lay the problem of Vietnam in open view before the United Nations Security Council. In that fashion, it may be possible to clarify the issues. It may be possible to find out who stands where on what.

In my judgment, the adoption of the resolution, expressing as it does the sense of the Senate, will strengthen the President's hand. He can pursue the sense of the resolution or not, as he sees fit. It remains his responsibility, as I have already stated, to decide if, when, and how to act with regard to a U.N. initiative. As one sponsor of the resolution, however, I must express the conviction not only that its adoption is desirable but that there is an urgency for action in pursuit of its purposes by the executive branch of this Government.

Mr. FULBRIGHT. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I have already stated that I am a cosponsor and I thoroughly agree with what the Senator has said. Is it the Senator's understanding that this proposal may be inscribed on the agenda of the United Nations Security Council without being subject to a veto?

Mr. MANSFIELD. That is correct. If nine votes are available out of the 15 which comprise the membership of the Security Council, it can be so inscribed without the possibility of a veto being exercised.

Mr. FULBRIGHT. Is it also the opinion of the majority leader that even though we are unable to obtain in advance absolute assurance of the nine votes, the resolution still should be presented for action by the Security Council?

Mr. MANSFIELD. Absolutely, because many of the nations of the United Nations, as the distinguished chairman of the Foreign Relations Committee himself has pointed out, have indicated in their speeches before the General Assembly, in the persons of their chiefs of state, their prime ministers, or their foreign ministers, that Vietnam is of considerable and immediate concern to them.

If that is the case, then I think it is up to the key unit within the organization of the United Nations, the Security Council, to face up to its responsibility in this respect, to put into operation the first article of the United Nations Charter, and to do all that it can to bring about, if possible, a solution to this most difficult problem which goes far beyond any direct confrontation between the United States and the South Vietnamese Government in Saigon and the Vietcong and the North Vietnamese.

Mr. FULBRIGHT. I should like to ask one other question for clarification. Some persons are confused about the procedure in the Security Council. If the resolution is inscribed by an affirmative vote of nine members, then subsequently, with respect to whatever is recommended as a substantive matter, the course to be pursued would be subject to a veto or could be adopted by nine members?

Mr. MANSFIELD. It could be subject to a veto, but before it could be subject to a veto, with a nine-member majority, debate would be forthcoming on the basis of the U.S. resolution or other proposal, or request.

Mr. FULBRIGHT. I cannot see any real risk to the United States, but much to gain, by a pursuance of this procedure.

Mr. MANSFIELD. I must say to the distinguished chairman of the Committee on Foreign Relations that I see no risk involved. It is another attempt to explore an opening which might lead to an honorable solution, an honorable peace, in Vietnam. This is another way, among the many in which the President is interested, and in which he indicated his interest in the first place on January 30, 1966, when he directed the Ambassador to the United Nations, Arthur Goldberg, to present to the Security Council a resolution which, in effect, asked the Security Council to take up this matter. He suggested that it might be possible for the Security Council to recommend the reconvening of the Geneva Conference. However, nothing has been done since that time in the Security Council.

It would be our hope that on the basis of the resolution, if and when it is adopted, the President's hand would be strengthened, and, through him, the hand of our Ambassador to the United Nations, to the end that the Security Council would live up to or face up to its responsibility.

There are indications that the Soviet Union and France might oppose this suggestion. But I note that both those nations have indicated that, in their opinion, the way to a settlement is by a reconvening of the Geneva Conference or a settlement based upon the Geneva accords.

The Soviet Union, as one of the two cochairmen of the Geneva Conference, has the right to call for its reconvening but has consistently refused to make such a call, even while advocating such a move. In contrast, the United Kingdom, the other cochairman, has shown itself always willing to bring about a reconvening of the Geneva Conferences of 1954 and 1962.

So I think it is about time that the nations which talk a great deal ought to put their money where their words are, face up to their responsibility, and undertake in their own way to do what they can to bring this problem to the negotiating table, to see if a settlement can be achieved.

Mr. FULBRIGHT. I thank the Senator from Montana.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. It is my understanding that if the resolution is presented to the Security Council and a majority of the members, or nine members, feel that the resolution is worthy of consideration, it will then be discussed in the Security Council and a solution of the problem in Southeast Asia will be sought.

Mr. MANSFIELD. The Senator is correct.

Mr. AIKEN. And if we do not have a majority of the Security Council with us, or nine members, then it will prove that those who vote against us, or those who abstain from voting, do not want any discussion of restoring peace in Southeast Asia to come before the United Nations, and particularly the Security Council.

Mr. MANSFIELD. The Senator is again correct.

Mr. AIKEN. I do not know how far the President is going with this. I know he has encouraged the submission of a resolution—twice, I believe. He has encouraged it, anyway. I can understand how he perhaps may have some reluctance at being voted down in the Security Council. I would like to point out that even though we were to lose the vote in the Security Council through abstentions or votes against us, which might be construed as constituting a small defeat, yet if through suffering a small defeat we gained a great victory, it seems to me that would be very worth while.

We have heard that Russia has promised to veto any effort on our part to secure peace through the United Nations. We do not know how France will act—France is unpredictable at this time—but at the present time the United States is blamed by a large number of the nations of the earth for conditions which exist in Southeast Asia, and the United States alone is being blamed. It appears to me that it is about time that the nations represented on the Security Council be called upon to stand up and say whether they are at all interested in securing or bringing about peace in Southeast Asia, or whether they are more interested in keeping us involved in a very costly war in that area.

As the Senator from Montana said, Russia could have joined England in reconvening the Geneva Conference 3 or 4 years ago. It flatly refused to do so.

I think it is about time that we stopped, in a sense, protecting Russia from embarrassment by forcing her to vote before the world, which will indicate whether Russia desires peace in Southeast Asia or whether she is insistent on keeping us involved in war indefinitely, at as high a cost as possible.

I do not know what discussions we may have had with Russia. Apparently they do not want war near their country. They want it as far away as possible. They want it as far from us as possible. They have shown no signs of wanting us to go to war with Cuba, or Cuba with us. And so it appears in the Middle East, and in the Cyprus controversy.

I think it is time we adopted this resolution and forced the members of the Security Council to stand up and be counted. If the majority of them vote with us, that will at least show we have some sympathizers in the world. It means, probably, that they could recommend reconvening the Geneva Conference or at least taking some actions whether Russia likes it or not. But we have gone too far to avoid embarrassing Moscow, and it is time that we put them on the spot.

Mr. **MANSFIELD**. May I say to the Senator that if the Security Council did go so far as to recommend a reconvening of the Geneva Conference, the first person at that Conference, in my opinion, would be the President of the United States or his Secretary of State.

Mr. **AIKEN**. I think he would be and should be, because we have recommended it in the past and in the early period of this war. The opposition indicated they would go along with the findings of the Geneva Conference. Yet we were unable to get a meeting of that Conference reconvened simply because Russia would not join England in calling for it.

Mr. **MANSFIELD**. The Senator is correct, because all of the active participants, the North Vietnamese, Peking, and Moscow, have all stated that if there is to be peace in Vietnam, it will have to be on the basis of the Geneva accords. And we have stated time and time and time again that we would be more than happy to attend a reconvening of the Geneva Conference, but because of the fact that one of the two cochairmen, the Soviet Union, has failed to live up to what it says by joining the United Kingdom in reconvening the Conference, it has been impossible to do so.

So I think there is a grave question of credibility in this matter as far as the Soviet Union is concerned, and I think it is about time for it to either fish or cut bait and let the world know where it stands.

Mr. **AIKEN**. I think it is more than a matter of credibility because in the meantime, since Russia refused to join in reconvening the Geneva Conference, antiaircraft guns which have been furnished by Russia, and some by China, have shot down 700 or 800 of our planes and killed a lot of our fliers. I do not see why we should be so considerate of how Russia feels. We act as if we were afraid we were going to embarrass them. It is about time they were embarrassed to the extent of letting the people of the world know whether they want that war brought to a successful and honorable conclusion or whether they want it continued for the express purpose of weakening the Untied States or possibly involving the United States in war with China.

Mr. **MANSFIELD**. May I say to the distinguished Senator from Vermont that if the nine votes were forthcoming in the Security Council, it would not necessarily mean that those votes were cast because they liked the United States, but it would mean they were interested in the cause of peace, which is the function of the United Nations, and most particularly of the Security Council.

Mr. **AIKEN**. And it would relieve the President of the United States from the charge which exists in many parts of the world today that he and his government are responsible for the war taking place in Southeast Asia.

Mr. **MANSFIELD**. Yes, indeed. The resolution would be an earnest of our good faith.

Mr. **BOGGS**. Mr. President, will the Senator yield?

Mr. **MANSFIELD**. I yield to the Senator from Delaware.

Mr. **BOGGS**. I would like to express a few of my own views on this important resolution, but first I would like to commend the distinguished majority leader for his initiative in this matter. I consider it a matter of very great significance and importance, not only to our country but also to the community of nations.

Mr. President, the aims and intentions of the United States in regard to the war in Vietnam are debated day by day in the capitals of the world.

It appears that, for the most part, the debate is critical of the U.S. role.

In asking that the Security Council of the United Nations consider the conflict, and hopefully recommend an honorable settlement of the hostilities, our Nation is saying: "Let us bring the scattered and vague debate to a head. Let us have all the suggestions for peace advanced in open forum as delegates of member nations of the Security Council meet face to face. Let us explore fully any possible road toward peace."

Where better to do this than in the United Nations, whose very raison d'etre is the keeping of the peace?

By demanding that the Security Council consider the Vietnam conflict, we would demonstrate to the world that we are not afraid to have our purposes and intentions explained in direct relation to the positions which others may wish to advance.

Who is holding back an honorable peace? We want to make it clear that we are not. We are prepared to negotiate an honorable peace for both South Vietnam and North Vietnam. Beyond that, our concern is the peaceful development of that entire area of the world.

It is my hope, Mr. President, that the Mansfield resolution—Senate Resolution 180—will receive not only the overwhelming support of the Senate, which it deserves, but an energetic follow-through by the President.

Mr. **MANSFIELD**. I thank the Senator for his kind remarks.

I yield to the Senator from Kansas.

Mr. **CARLSON**. Mr. President, I am pleased to be associated with the distinguished majority leader in the sponsorship of Senate Resolution 180. I sincerely hope the action of the Senate this afternoon will express very strongly the position of the U.S. Senate in regard to getting this matter before the United Nations.

I think the crux of the resolution is well stated in a paragraph found on page 7 of the committee report; and I commend the distinguished majority leader for an excellent report, which I assume will be a part of the proceedings of the Senate today, or at least a part of the record.

The paragraph begins:

> In the judgment of the committee, therefore, an effort to spur negotiations along the lines of Senate Resolution 180 is imperative.

This is a very strong paragraph. It continues:

> The committee is under no illusions as to the slender prospects of such a U.S. initiative. The United Nations may fail to come to terms with its responsibilities in bringing to a conclusion one of the most dangerous wars of our time. But we cannot know what the results will be until the attempt is made. It is also important to take note that the war in Vietnam is also a test of the United Nations as an international instrument of peacemaking.

I think this was brought out in the discussion between the distinguished majority leader and the Senator from Vermont.

The paragraph is concluded as follows:

> The committee is strongly of the view that the international community should consider not only the cost to the United Nations if it should attempt to bring the war in Vietnam to a settlement and fail, but also the consequences for the future of the Untied Nations if it does not act at all.

It seems to me, Mr. President, that that is the crux of this resolution—the responsibility that we may have as the Senate of the United States to request the President to call the matter to the attention of the United Nations. Then it will be their responsibility, and if they fail, as has just been stated, responsibility is placed upon them.

Mr. **MANSFIELD**. I thank the distinguished Senator, and agree with what he says. The United Nations has been becoming involved in almost every dispute in the world except in Vietnam. For some strange reason, except for the activities of the Secretary General, Mr. U Thant, they have been avoiding this matter like the plague. But we cannot avoid it, with more than 15,000 dead, with 115,000 casualties, with the number increasing, with the cost increasing, with rumblings about end runs around the DMZ into North Vietnam, with talk about going into Cambodia, and with talk about increased escalation. I think we had better begin to recognize what the cost is to this country—not to us in the Senate, but to our people over there who represent a younger generation. They are paying the cost. We are paying a price in funds, but I am sure all of us would recognize that we have the lesser part, compared with the burden which those youngsters are carrying in that most difficult part of the world, in the dirty, discouraging, and frustrating war in which we and they are engaged.

I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I congratulate the majority leader on the way he has shepherded this resolution through unanimous passage in the Foreign Relations Committee to what I believe will be unanimous passage by the Senate. It is obviously a resolution by which we may have a good deal to gain, and certainly nothing to lose.

In connection with the points raised by the Senator from Vermont, I was struck by the question he asked as to whether Russia would want us to cease our participation in this war. We cannot escape the fact that the Soviet Union is losing no men compared with the men we are losing, and only 2½ percent of the money that we are spending. Actually, the Soviet Union and China together are spending only about 3 percent of the money we are investing in this unhappy war in an unhappy land.

So I am not at all certain that the Soviet Union would like to see this war cease—one that is so relatively inexpensive on their part and so very expensive on ours.

I am among those who would like to have seen a stronger resolution. I would like to have seen some requirement in it that if the United Nations Security Council arrives at a recommendation, we would agree in advance to abide by the result; but I am also enough of a realist to know that any such resolution could not have secured anything like the substantial support this one has.

Moreover, with the exception of Ambassador Goldberg, who obviously was speaking under certain restraints, every witness who came before the Foreign Relations Committee agreed, either in his prepared statement or in answer to questions, that no favorable action would be taken by the United Nations, in his opinion, unless it was accompanied by a cessation of the bombing of North Vietnam.

I shall not again burden my fellow Senators with a recital of the various reasons why I believe such bombing should cease, but they do add one further dimension, one further bit of weight to that general line of argument.

In conclusion, let me say I am proud and glad to see this resolution come before the Senate, and sanguine in my hope that it will pass; and I congratulate the majority leader with all the depth of feeling I can muster. His wisdom and presence are once again demonstrated.

Mr. MANSFIELD. Mr. President, I yield to the minority leader.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. DIRKSEN. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 2171.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts, which was strike out all after the enacting clause and insert:

That—

SECTION 1. Paragraph (4) of section 3 of such Act is amended to read as follows:

"(4) The term 'Communist-front organization' means any organization in the United States (other than a Communist-action organization as defined in paragraph (3) of this section) which (A) is substantially directed, dominated, or controlled by a Communist-action organization, or (B) is substantially directed, dominated, or controlled by one or more members of a Communist-action organization, and (C) is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title."

SEC. 2. Section 8 of such Act is amended to read as follows:

"REGISTRATION OF MEMBERS OF COMMUNIST-ACTION ORGANIZATIONS

"SEC. 8. (a) When there is in effect a final order of the Board requiring any organization to register under section 7(a) as a Communist-action organization and such organization has not filed a statement of its members as required by subsections (d) and (e) of section 7, it shall be the duty of the Attorney General to petition the Board for a determination as provided in section 13(a) as to each individual whom the Attorney General has reason to believe is at the time of the filing of his petition under section 13(a) a member of such organization.

"(b) When any organization files a statement of its members pursuant to subsection (d) or (e) of section 7 it shall be the duty of the Attorney General to petition the Board for a determination as provided in section 13(a) as to each individual whom the Attorney General has reason to believe is at the time of the filing of his petition under section 13(a) a member of such organization but whose name was not included upon the statement filed by the organization.

"(c) Any individual as to whom there is in effect a final order of the Board determining such individual to be a member of a Communist-action organization and who is no longer a member of such organization may file a petition for a determination as provided in section 13."

SEC. 3. (a) Subsection (a) of section 9 of such Act is amended to read as follows:

"(a) The Attorney General shall keep and maintain separately in the Department of Justice—

"(1) a 'Register of Communist-Action Organizations', which shall include (A) the names and addresses of all Communist-action organizations registered or by final order of the Board required to register under the provisions of this title, (B) the registration statements and annual reports filed by such organizations thereunder, and (C) the names and last-known addresses of individuals who by proceedings under section 13 are by final order of the Board determined to be members or officers of such organizations;

"(2) a 'Register of Communist-Front Organizations,' which shall include (A) the names and addresses of all Communist-front organizations registered or by final order of the Board required to register under the provisions of this title, and (B) the registration statements and annual reports filed by such organizations thereunder; and

"(3) a 'Register of Communist-Infiltrated Organizations', which shall include the names and addresses of all Communist-infiltrated organizations determined by final order of the Board to be such by proceedings under section 13A."

(b) Subsection (d) of section 9 of such Act is amended to read as follows:

"(d) Upon the registering of each Communist organization by the Attorney General under the provisions of this section, the Attorney General shall publish in the Federal Register the fact that such organization has been registered by him as a Communist-action organization, or as a Communist-front organization, or as a Communist-infiltrated organization, as the case may be, and the publication thereof shall constitute notice to all members of such organization that such organization has been so registered."

SEC. 4. Section 10 of such Act is amended to read as follows:

"SEC. 10. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Board requiring it to register under section 7, or determining that it is a Communist-infiltrated organization, or for any person acting for or on behalf of any such organization—

"(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication, and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted, bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General: 'Disseminated by ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be), 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'; or

"(2) to use the United States mails, or any means, facility, or instrumentality of interstate or foreign commerce, to solicit any money, property, or thing unless such solicitation, if made orally, is preceded by the following statement, and if made in writing or in print, is preceded by the following written or printed statement: 'This solicitation is made for or on behalf of ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be) 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'; or

"(3) to broadcast or cause to be broadcast any matter over any radio or television station in the United States, unless such matter is preceded by the following statement: 'The following program is sponsored by ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be) 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'."

SEC. 5. (a) Subsection (a) of section 13 of such Act is amended to read as follows:

"(a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this title is in fact an organization of a kind required to be registered under such subsection, or that any individual is of the type referred to in subsection (a) or (b) of section 8 of this title, he shall file with the Board and serve upon such organization or individual, as the case may be, a petition for an order requiring such organization to register, or determining such individual to be a member of such organization, pursuant to such subsection or section. Each such petition shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order. Two or more such individuals, members of such organization or of any section, branch, fraction, cell, board, committee, commission, or unit thereof, may be joined as respondents in one petition for an order determining each of such individuals to be a member of any such organization. A dissolution of any organization subsequent to the date of the filing of any petition requiring it to register shall not moot or abate the proceedings, but the Board shall receive evidence and proceed to a determination of the issues: *Provided, however,* That if the Board shall find such organization to be a Communist-action or Communist-front organization as of the time of the filing of such petition and prior to its alleged dissolution, and shall find that a dissolution of the organization has in fact occurred as aforesaid, the Board shall enter an order determining such organization to be a Communist-action or Communist-front organization, as the case may be, and the Attorney General shall register it as such in the appropriate register maintained by him pursuant to subsection (a) of section 9 of this title, together with a notation of its dissolution. No such organization found to be dissolved as aforesaid shall be required to file any registration statement or annual report, nor shall any member or officer thereof be registered or required to register as a member or officer of such organization under the provisions of this title."

(b) Subsection (b) of section 13 of such Act is amended to read as follows:

"(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this title, or any organization which by final order of the Board has been required to register, and which no longer is an organization of such type, or any individual who by final order of the Board has been determined to be a member of a Communist-action organization, and who no longer is a member of such organization, may file with the Board a petition for a determination that such organization no longer is an organization of such type, or that such individual no longer is a member of such organization, as the case may be, and for appropriate relief from the further application of the provisions of this title to such organization or individual. Any individual authorized by section 7(g) to file a petition for relief may file with the Board and serve upon the Attorney General a petition for an order requiring the Attorney General to strike his name from the registration statement or annual report upon which it appears. Each petition filed under and pursuant to this subsection shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice."

(c) Subsection (c) of section 13 of such Act is amended by inserting the following sentence immediately preceding the last sentence thereof: "No person, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to criminate him or subject him to a penalty or forfeiture, shall be excused from testifying or producing documentary evidence before the Board in obedience to a subpena of the Board issued on request of the Attorney General when the Attorney General represents that such testimony or evidence is necessary to accomplish the purposes of this title; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he, under compulsion as herein provided, may testify, or produce evidence, documentary or otherwise, before the Board in obedience to a subpena issued by it: *Provided,* That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying."

(d) Subsection (d) of section 13 of such Act is amended as follows:

(1) Amend paragraph (2) of said subsection to read as follows:

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board in proceedings initiated pursuant to subsection (a), the Board shall, nevertheless, proceed to receive evidence, make a determination of the issues, and enter such order as shall be just and appropriate."

(2) Add the following paragraphs:

"(3) Any person who, in the course of any hearing before the Board or any member thereof or any examiner designated thereby, shall misbehave in their presence or so near thereto as to obstruct the hearing or the administration of the provisions of this title, shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than $500 nor more than $5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment. Whenever a statement of fact constituting such misbehavior is reported by the Board to the appropriate United States attorney, it shall be his duty to bring the matter before the grand jury for its action.

"(4) The authority, function, practice, or process of the Attorney General or Board in conducting any proceeding pursuant to the provisions of this title shall not be questioned in any court of the United States, nor shall any such court, or judge or justice thereof, have jurisdiction of any action, suit, petition, or proceeding, whether for declaratory judgment, injunction, or otherwise, to question such, except on review in the court or courts having jurisdiction of the actions and orders of the Board pursuant to the provisions of section 14, or when such are appropriately called into question by the accused or respondent, as the case may be, in the court or courts having jurisdiction of his prosecution or other proceeding (or the review thereof) for any contempt or any offense charged against him pursuant to the provisions of this title."

(e) Paragraph (1) of subsection (f) of section 13 of such Act is amended to read as follows:

"(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives or members of, any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and"

(f) Paragraph (2) of subsection (g) of section 13 of such Act is amended to read as follows:

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order determining such individual to be a member of such organization."

(g) Paragraph (2) of subsection (h) of section 13 of such Act is amended to read as follows:

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its finding as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order determining such individual to be a member of such organization; and send a copy of such order to such individual."

(h) Paragraph (2) of subsection (i) of section 13 of such Act is amended by inserting the words "or officer" following the word "member" in the first clause thereof, and striking the numeral "8" in clause (B) and substituting in lieu thereof the numeral "9".

(i) Paragraph (2) of subsection (j) of section 13 of such Act is amended by inserting the words "or officer" following the word "member" in the first clause thereof, and striking the numeral "8" in clause (B) and substituting in lieu thereof the numeral "9".

SEC. 6. Section 13A of such Act is amended as follows:

(1) Subsection (a) of such section is amended by inserting the following immediately preceding the last sentence thereof: "A dissolution of such organization subsequent to the date of the filing of any petition for a determination that it is Communist infiltrated, shall not moot or abate the proceedings, but the Board shall receive evidence and proceed to a determination of the issues: *Provided, however,* That if the Board shall determine such organization to be a Communist-infiltrated organization as of the time of the filing of such petition and prior to its alleged dissolution, and shall find that a dissolution of the organization has in fact occurred as aforesaid, the Board shall enter an order determining such organization to be a Communist-infiltrated organization and the Attorney General shall register it as such in the appropriate register maintained by him pursuant to subsection (a) of section 9 of this title, together with a notation of its dissolution. Nothing in this section or in this title shall be construed to preclude any organization or any member thereof at any stage of a hearing on the Attorney General's petition for an order determining it to be Communist infiltrated, from alleging and submitting relevant evidence of a change with respect to the direction, domination, or control of the organization effected by it or occurring subsequent to the filing of the Attorney General's petition; and the Board shall receive and consider such evidence in making its determination as to whether the organization is Communist infiltrated."

(2) Subsection (b) of such section is amended to read as follows:

"(b) Any organization which has been finally determined under this section to be a Communist-infiltrated organization may thereafter file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization, and that its name be stricken from his register maintained under section 9 hereof."

(3) Subsection (d) of such section is amended to read as follows:

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section."

SEC. 7. Clause (B) in the sixth sentence of subsection (a) of section 14 of such Act is amended by striking the numeral "8" and substituting in lieu thereof the numeral "9".

SEC. 8. Section 15 of such Act is amended to read as follows:

"PENALTIES

"SEC. 15. Any organization which violates any provision of section 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000. Any individual who violates any provision of section 5 or 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000 or by imprisonment for not more than five years, or by both such fine and imprisonment."

Mr. DIRKSEN. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. ERVIN, Mr. MCCLELLAN, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

The Senate resumed the consideration of the sense of Senate resolution (S. Res. 180) seeking U.S. initiative to assure U.N. Security Council consideration of Vietnam conflict.

Mr. MANSFIELD. Mr. President I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, I simply wish to say a word of thanks to the distinguished majority leader for the great effort he has made to secure the participation of the United Nations in the search for a peaceful settlement of the war in Vietnam. As he knows, I have been with him from the beginning. I am glad to note that there are now 59 sponsors for the resolution, which I hope indicates that it will secure the unanimous or near-unanimous support of the Senate.

Mr. MANSFIELD. I thank the Senator. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I ask for just one very short clarification.

It has been stated that the Security Council should find a solution. This may not be a very important point, but I think it is a point which needs some clarification.

The objection that has been made in the past to the Security Council taking jurisdiction is that China and North Vietnam are not members of the United Nations and in those two countries the United Nations has no jurisdiction of this issue, primarily because those countries are not members.

Is it the position of the majority leader, the distinguished Senator from Montana, that in taking jurisdiction of this matter and recommending the reconvening of the Geneva Conference, we would obviate that objection concerning membership in the United Nations of two of the principal parties concerned in the controversy?

I submit it is possible that some of those members who have said they object to the Security Council taking action had in mind that the only purpose was that the Security Council itself lay down some kind of substantive solution in the absence of two of the members of the Geneva Conference who are not members of the United Nations.

I think this is the point that may have some considerable significance and make clear to all of the members of the Security Council and the United Nations that the Security Council ought to take jurisdiction, in this sense at least, and recommend a procedure to be followed, aside from the fact that those two parties are not members of the United Nations.

Mr. MANSFIELD. Yes. May I say in addition that there is much in the way of precedent by means of which parties or countries have been invited to appear before the Security Council.

In 1948, an invitation was issued by the Security Council to a Palestine group and an Arab group. The Palestine group appeared before the Security Council, the Arab group did not.

In 1951, an invitation was extended to China to appear before the Security Council and inviting North Korea was also considered. Peking did attend, but North Korea did not.

There are other examples which could be cited as precedents. However, that should be the least of anyone's troubles so far as a hearing before that particular council is concerned, because the rules are flexible.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. I yield.

Mr. PASTORE. That is a very important point.

I commend the majority leader and state that I am very happy and proud to be a cosponsor of the resolution.

I am one of those who have felt for a long time that the only way to resolve this conflict is by bringing in a third, disinterested party that will bring the contending parties together.

I hope that the instrumentality we are using here will be the vehicle by which the United Nations, because it is dedicated to the cause of peace, will be that third party that will bring all contending parties together so that they can at least start talking and stop shooting. That is all we expect. We do not expect them to settle the conflict. We expect them merely to bring the parties together so that they can start talking and stop shooting.

I hope that is the purpose of the resolution.

Mr. MANSFIELD. Absolutely. No one anticipates that the U.N. can do it alone. However, the U.N. can come up with a recommendation for the reconvening of the Geneva Conference. We would be delighted and would be the first to say so.

Mr. PASTORE. The Senator is correct. The President has invited Ho Chi Minh a number of times to participate in negotiations. Ho Chi Minh has refused. He has set down a number of conditions which would be tantamount to complete surrender on our part. America cannot do that. And it is not intended that we do and I hope that we do not.

The fact remains that we need a third party to intervene.

We set up the United Nations and spend millions and millions of dollars a year to run that organization. We pay more than one-third of the cost to maintain that world body.

If the United Nations cannot show its effectiveness now, I do not think it can prove its worth. This is the time for it to prove its worth, because this is the one conflict that exists in the world today that could trigger a nuclear or thermonuclear conflict. That is what we are trying to avoid. Now is the time.

I congratulate the majority leader for submitting his resolution.

Mr. MANSFIELD. The Senator is correct. It is not a matter of an interest in the United States. It is a matter of an interest in the cause of peace. And that responsibility has been dodged all the way through.

As the Senator knows, this war can become so open-ended—and I use my words carefully—that it could develop into a nuclear holocaust.

There is no need of kidding ourselves about the potentials involved in our being in Vietnam and the possibility of a more open-ended war.

Mr. PASTORE. And, at that point, God help us.

Mr. MANSFIELD. God help us. The Senator is right.

Mr. PASTORE. That includes China, Russia, and every other nation and every person on the face of the earth.

Mr. MANSFIELD. The Senator knows far more about it than I do because of his work as chairman of the Joint Committee on Atomic Energy.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I yield to the senior Senator from Tennessee.

Mr. GORE. Mr. President, the able majority leader is entitled to congratulations and appreciation from his colleagues for his leadership in this field.

Though I am not a cosponsor because I maintain a rule against cosponsorship, I am a wholehearted supporter of the resolution.

The constitutional provision of advice and consent by which certain duties as well as responsibilities devolve upon the Senate is interpreted all too often to be mainly that of consenting. The duty of the Senate in this regard, in my opinion, can only be constructive. It is in the constructive performance of that role that the distinguished majority leader has presented this resolution.

Like the senior Senator from Rhode Island, I indulge some hope that the United Nations will seize itself of this vexatious threat to world peace, this destructive and bloody war.

In order that the American people might be prepared to cope with such effort by the United Nations, in the event it should seize itself of the problem, I would like to inquire of the distinguished majority leader whether he concurs in the view of the senior Senator from Tennessee that cooperation with the United Nations in this endeavor might well require the United States to accept a settlement short of what some people would call and regard as a victory.

Mr. MANSFIELD. Yes. I would agree.

Mr. GORE. Does the able majority leader think it might be well that the Senate and the administration and the

American people contemplate the possibility of a settlement thus characterized?

Mr. MANSFIELD. Yes. I tried to make that point in the course of the remarks I made earlier this afternoon relative to the resolution.

Mr. GORE. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. Mr. President, one important aspect of the matter was discussed in the course of the hearings. The distinguished senior Senator from Tennessee [Mr. Gore], participated primarily in the questioning.

That issue has been repeatedly stated. It concerns the fact that negotiations have been unobtainable because our Government did not want the National Liberation Front or the Vietcong or the Chinese to participate in the negotiations.

I invite the attention of the Senator from Tennessee to this colloquy because he participated in the discussion.

I read from page 174 of the hearings, at which point the Senator from Tennessee was asking a question of Ambassador Goldberg:

> Mr. Ambassador, your testimony is welcome.
>
> In the event that it is necessary to obtain 9 votes for inscription of the subject and an invitation to mainland China and to the Vietcong to participate in the discussion is necessary, what would be the position of the United States Government?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, will the distinguished senior Senator from Colorado yield 3 minutes?

Mr. ALLOTT. I yield 3 minutes.

Mr. LAUSCHE. Ambassador Goldberg answered:

> I made it clear in my statement, Senator Gore, that as far as governments are concerned the rules provide for it, we would not object, and that includes North Vietnam, South Vietnam, and Peking.

The point I am trying to make is this: Is it not a fact that the record shows that the United States would not stand in the way of the National Liberation Front, the Vietcong, and Peking participating in the efforts of the United Nations to reach a judgment?

Mr. MANSFIELD. Yes, indeed. On many occasions and in many different ways. The Senator is correct.

Mr. LAUSCHE. I wish to reaffirm what the Senator from Montana has said, without reading further from the record; because the questions were put in different ways, and the Ambassador said that the United States would not stand in the way of any of the parties coming before the United Nations.

Mr. MANSFIELD. May I say that as long ago as July or August 1966, the President himself said that it would not be insurmountable, which I interpreted quite widely, but which most others seemed to interpret quite narrowly.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. The newsstories with respect to the colloquy of which the senior Senator from Ohio read a part dealt almost exclusively—that is, those I read—with the willingness on the part of the administration to admit to the conferences the National Liberation Front. The more important element, as I saw it, was a willingness that an invitation be extended to mainland China to participate, too.

Mr. MANSFIELD. Yes, indeed.

Mr. LAUSCHE. The Senator covered every segment of those who are involved in the controversy.

Mr. ALLOTT. Mr. President, I yield myself 15 minutes of the time allotted to the minority leader, or as much as I may use.

Mr. President, I am not a cosponsor of the resolution of the distinguished majority leader. I am not a cosponsor for what I believe to be good and valid reasons, although it is my intention to vote for it.

The colloquy on the floor this afternoon has expressed as well as anything I could say why I am not a cosponsor of the resolution. By becoming a cosponsor, one may thereafter be linked to the various points of view that cosponsors of the resolution may mention down the road, and with which one may disagree.

On August 28, when the majority leader, for whom I have great respect, first discussed this matter, I made a statement, recorded on page 24289 of the Record, in which I applauded his statement as I understood it at that time. I am in accord with his points of view, as I understand them in this matter, particularly with respect to the reasons and the technique for bringing this question before the United Nations.

What I am especially concerned about—and I believe the Tonkin Gulf resolution is as good an example as any—is a situation in which an individual either introduces or supports a resolution, and thereafter at least 100 different opinions are expressed as to what the resolution actually meant. Personally, the senior Senator from Colorado has no desire to get locked into a situation by the cosponsorship of a resolution which may be subject to the varying interpretations of four, five, or six dozen people after this time. I am willing to stand upon the statement I made in the Record on August 28 in this regard.

However, I believe it would be wise at this time to read the first paragraph of the United Nations Charter, entitled "Purposes and Principles."

I ask unanimous consent, Mr. President, that all of article 1, consisting of paragraphs 1, 2, 3, and 4, be printed at this point in the Record.

There being no objection, the document was ordered to be printed in the Record, as follows:

CHAPTER I—PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Mr. ALLOTT. The first paragraph reads:

> To maintain international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about, by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

A breach of the peace has erupted long since. No matter how people felt about our initial response in South Vietnam—and I believe that we were justly, legally, equitably, and morally right in offering our assistance to these people—now that we have come to this particular moment in our history, it is futile to argue what action the Gulf of Tonkin resolution actually authorized. It may be wonderful for academicians and for the so-called intellectuals to do it, and it may pass many pleasant hours for them, but the fact is that we are involved in a deadly war, the seriousness of which has been mentioned by the distinguished Senator from Tennessee and the distinguished majority leader, and I am sure that we all agree with that.

As I understand the resolution—and this is the reason why I would vote for it—it means that we are going to express our sense here that the United Nations must finally stop being simply a debating society with respect to the Vietnam war.

When I was a delegate to the United Nations and served with the distinguished senior Senator from Tennessee, in the fall of 1962, at the 17th General Assembly, I found that our people there were afflicted with what I called a negative or defeatist syndrome. It seems that the membership of our delegation to the United Nations is unwilling to call the United Nations to account at any time or any place if there is a chance—just the slightest chance—that we might end up on the short side of the vote.

I wish the distinguished Senator from Rhode Island had not left the Chamber, because what he said a few moments ago is true, and I could not agree with it more. We will be called upon next week to support a foreign aid program in which our contribution is 31.75 percent of the general fund of the United Nations—and even greater percentage in most instances—to some of the allied organizations of the United Nations.

We have a right to expect something from this effort toward the cause of peace. I do not think that in belonging to an organization of the caliber and quality of the United Nations we have the right to expect it to fall in line with our thinking. However, it seems to me that we do have a right to require the United Nations to live up to the principles stated in article I of its charter which, with respect to the Vietnam war, it very studiously continues to avoid.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MANSFIELD. In other words, we have a right to be heard in the Security Council.

Mr. ALLOTT. We have a right to be heard, and I hope that through our State Department we will get away from this defeatist syndrome to force this matter in the United Nations even though it might mean a possibility of veto or an overbalancing vote against us.

I do not know why this condition exists, but I have recognized among our representatives in the United Nations a complete unwillingness to at least put the other nations of the world on the line and make them show where they stand when the questions were severe and vital to the peace of the world.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. Mr. President, I thank the Senator for yielding.

I am a cosponsor of the Mansfield resolution. I have participated a great deal in the Vietnam debate. I thought it was proper for me not to speak too much today because this is Senator MANSFIELD's day in a very real way.

However, I cannot help but say to the Senator, while he is not a sponsor of the resolution and I am, that I became a sponsor for precisely the same reason that he did not. That reason is that I, too, feel we have to take our chances, but we must be heard. Perhaps we will learn something as a nation.

I do not think that the popular idea is true that if the United States is defeated in the Security Council or the General Assembly we are going to get sore and pull out of the United Nations. We think the case is just, and to the extent negotiations should be had.

That is why I joined with the Senator from Montana [Mr. MANSFIELD]. I thank the Senator for making the splendid point that he made.

I am most grateful to the Senator for permitting me the opportunity to inject this thought.

Mr. ALLOTT. I am grateful to have the Senator's remarks. I am not sure whether the Senator was in the Chamber when I stated the reasons why I did not join in the Mansfield resolution as a cosponsor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Colorado for the remarks he is making on the floor of the Senate this afternoon.

In other words, the Senator is suggesting that we get away from a "counting of the tally ahead of time," so to speak, and then, if we find the votes are against us, either to back out or not move in.

Mr. ALLOTT. Yes.

Mr. MANSFIELD. I would say that win, lose, or draw if we only received our own vote, we better go in and find out where the members of the Security Council stand, and let the world know. This is our good faith and our good intent.

Mr. ALLOTT. The Senator's statement mirrors exactly the way I feel. Either paragraph 1 of article I of the Charter of the United Nations means something or it does not.

If the nations of the world in the United Nations cannot say, "We believe we are obligated to live up to paragraph 1 of article I of the charter," then we had better know now. We must find out just how much an instrument of peace the United Nations is willing to be; or if it is merely going to be an instrument of peace subject to our own timidity or perhaps subject to a Russian veto.

I think my feelings in this respect are very akin to those of the distinguished majority leader. There are two reasons I think the resolution should be considered. The first is the actual effect it might have on the war itself. I am not going to go into the matter of the war here. Personally, I think it has been tragically and ineptly waged. Whether or not it has been tragically and ineptly waged, from our point of view, however, I think this resolution can have an effect on the war by injecting the United Nations as an active agent trying to find a solution. If the United Nations is unwilling to make this effort let us find out now.

The second great thing that may come from this resolution, although the majority leader may not have had it in mind, is that it may help clarify our own relationship with the United Nations. It is no secret that a great many people in the United States are unsympathetic with the United Nations. There are perhaps just as many people who look to it in the hope that it can fulfill the laudable purposes set forth in article I. However, let us find out now.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MURPHY. I am not certain that the Senator chose the word he intended. The Senator said people were "unsympathetic" with the United Nations. I do not know of anybody who is, but I know many people who have been disappointed in the performance of the United Nations. I know many people look with some concern to the future of the United Nations because of its lack of performance or nonperformance in the past; and I know many people are concerned about the United Nations because we find many member nations which completely ignore the rules of the United Nations.

I have not been a cosponsor of the resolution but I assure the distinguished Senator from Colorado that I would be more than happy to vote for this measure on the basis of his recommendation and the confidence I have in the majority leader.

I would hope that possibly this resolution might be the first step to get the United Nations back on the track.

Mr. President, I was present in San Francisco when the United Nations was organized. I know the hope, the enthusiasm, and the desire of all the nations there. I know how far afield it has gone since that time.

Mr. President, I hope, in joining with the distinguished Senator from Colorado, that this might be the first step to insist that the rules be lived up to, not only by this Nation but also by all member nations, and that this may form the first foundations of re-creating the United Nations in the spirit, for the purposes, and in the manner in which it was originally designed.

I thank the Senator and I hope that he will excuse my interruption, but I could not help but add these remarks to what he has said.

Mr. ALLOTT. I appreciate very much the statement of the Senator. I accept his correction of the word I used. I think people are not unsympathetic with the purposes of the United Nations but there have been too many people who have been disappointed.

Mr. President, I have one other point I wish to make. It is very discouraging for Americans when they see the Secretary General of the United Nations making the statements that he has made all over the world.

The Secretary General is a cultured gentleman. I know him. He is an intelligent and highly educated man. I think it is impossible for him to understand the deep feeling that we Americans have regarding the independence and dignity of the individual, and why we are willing to help South Vietnam create a way of life in which independence and dignity may flourish. I think it is impossible for him to quite understand the depth of feeling Americans have about this kind of freedom.

Thus, so far as public utterances are concerned, we have received no help, no assistance, and no encouragement from the Secretary General. I hope that we would.

I conclude on two points which perhaps I should have mentioned before. One is the reason why I did not join in the resolution. There is a quotation from a very fine gentleman, Representative JONATHAN B. BINGHAM, of New York, on the bottom of page 2 of the report, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> So long as we continue the bombing, if we take the case to the U.N. without a willingness to change that policy, we are quite likely to get slapped down. * * * On the other hand, if we are to take the step that I suggest, to announce a willingness to stop the bombing under certain conditions, the whole atmosphere at the U.N. would change. We could once again mobilize the services of the Secretary General in attempting to mediate the conflict and, perhaps, more important, we could enlist the help of many nonalined countries and probably many Eastern European Communist countries in bringing pressure to bear on Hanoi and the NLF to come to the conference table.

Mr. ALLOTT. Mr. President, Representative Bingham's statement is one with which I simply cannot agree in any degree. Having such a statement in the report on this particular resolution fortifies my thinking that I was wise not to join in cosponsoring the resolution, although I do support the sense in which the majority leader and myself have discussed it.

To me, the key to the resolution lies in the sentence contained in the middle of page 5 of the report:

> The resolution does not prescribe methods or preconditions which will lead to peace in Vietnam, but attempts to spur the negotiations which might lead to an honorable settlement.

Mr. President, I think that is all that any of us want. That is all we hope for, although I would hope, as does the majority leader that, having done this, it might lead to a revitalization of the basic functions and elements of the United Nations. It might also lead to a better understanding of ourselves and the United Nations.

Mr. CLARK. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield 5 minutes to the distinguished Senator from Pennsylvania.

Mr. CLARK. I thank my good friend from Colorado for his generosity.

Mr. President, I am a cosponsor of Senate Resolution 180 and advocate its adoption by the Senate.

I find myself in general accord with the report of the committee.

Nevertheless, if I had had my way—needless to say, I did not—the Committee Foreign Relations would have reported favorably on Senate Concurrent Resolution 44, as submitted by the Senator from Oregon [Mr. Morse], which is considerably more specific and goes further than the Mansfield resolution.

It became clear, as we listened to the testimony and began to discuss the two resolutions in executive session of the Committee on Foreign Relations, that the Morse resolution had little chance to receive the favorable votes of the majority of the committee—indeed, even less chance of being adopted on the floor of the Senate.

Therefore, since half a loaf or even a quarter of a loaf is better than none, and since I agree with the general objective of nudging the President to make greater use of the talents of Ambassador Goldberg at the United Nations and, indeed, of that institution itself in connection with arriving at a settlement of the war in Vietnam, I was and I am happy to support Senate Resolution 180 as the best available vehicle to indicate to the President and the country the desire of the Senate that the United States should take the initiative in bringing the Vietnamese war to the attention of the Security Council.

Mr. President, I think we make a big mistake in this country in our thinking about the United Nations. We tend to endow it with a separate personality which it does not have. The mistake is somewhat similar to one which has existed throughout U.S. history of considering Congress as an institution, something quite separate from the 435 Members of the House and the 100 Members of the Senate.

In point of fact, the United Nations, despite the charter of 1945, is little more than a forum where individual representatives of 122 nations are able to exchange views and, in those unfortunately rare instances where there is substantial unanimity, to take limited action in defense of peace.

There are also the specialized agencies of the United Nations which do extraordinarily useful and helpful work, most of it without much publicity, in a wide variety of fields ranging from a Trusteeship Council, an Economic and Social Council, the International Labor Organization, the International Health Organization, and the like; but I do not think that the United Nations itself is subject either to praise or blame. It is just a conglomeration of all of the members of different countries in the world—not all of them—which, from time to time, is able to take limited action because there appears to be something approaching unanimity with respect to its views.

Now it is true that in the General Assembly it acts, in many instances, by majority vote and in other instances by a two-thirds vote; but in the Security Council, to which this resolution addresses itself, one veto by any one of the five major powers can successfully immobilize the Security Council.

Thus, I do not think we should either praise or blame the United Nations for doing or not doing anything in connection with the war in Vietnam. Rather, I believe that the primary responsibility must lie at the door of the Soviet Union.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. ALLOTT. Mr. President, I yield 1 additional minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 additional minute.

Mr. CLARK. In my view, this resolution is not likely to achieve much success in the Security Council. I believe that we should go further. If, as I think they will, the Soviet Union vetoes any effort to proceed with consideration in the Security Council, I think we should then turn to the General Assembly.

I ask unanimous consent that a copy of Senate Concurrent Resolution No. 44 submitted by the Senator from Oregon [Mr. Morse] be printed in the Record.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

S. Con. Res. 44

Whereas the United States is now fighting a major land war in Southeast Asia which threatens to widen into world war III and a nuclear holocaust which could destroy civilization; and

Whereas the primary purpose of the United Nations is to maintain international peace and security and to take collective measures to remove threats to world peace; and

Whereas in ratifying the charter of the United Nations the United States undertook a solemn treaty commitment to settle international disputes by peaceful means; and

Whereas under the charter the Security Council has primary responsibility for the maintenance of peace, which devolves to the General Assembly when the Council is unable to act; and

Whereas the United States has failed to take effective steps to bring about United Nations involvement which would bring an end to the conflict in Southeast Asia: Now, therefore, be it

Resolved by the Senate (*the House of Representatives concurring*), That it is the sense of Congress that:

1. The President should request an emergency meeting of the United Nations Security Council to consider all aspects of the conflict in Vietnam and to act to end the conflict, pledging the United States in advance to accept and carry out any decision on the matter by the Council, in accordance with article 25 of the charter.

2. If the Security Council is unable to act, the United States should take all steps necessary to assure action on the issue by the General Assembly.

3. The United States objectives in the United Nations should be to obtain—

(a) support for an immediate cessation of hostilities by all parties, and

(b) recommendations for appropriate measures, such as the convening of an international conference, for reaching a permanent settlement which will assure a lasting peace for Southeast Asia.

Mr. CLARK. Mr. President, I invite the attention of my colleagues to the desirability of some such action, in the reasonably near future, along the lines suggested by the Senator from Oregon [Mr. Morse].

I thank my friend from Colorado for his courtesy in yielding to me.

Mr. HOLLAND. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I thank the Senator from Colorado for yielding time to me.

Mr. President, many times in the course of the discussion today it has been stated that we may not be successful in this effort, meaning that we may not succeed in getting the Security Council to take affirmative action, which may well prove to be the case. We will, however, if we adopt the resolution with the unanimity with which I hope we will, succeed in a very important way in putting an end to some of the statements which are being made, not only elsewhere in the world, but also in this country, to the effect that there is a hopeless difference of opinion between Executive leadership and Congress, between Executive leadership and the Senate in particular, which is the constitutional adviser of the President, and among the Members of the Senate as to the facts and as to the merits of the controversy in Vietnam.

It seems to me that we will accomplish and succeed in showing the public something that I think needs to be shown.

I note with approval that the first "whereas" in this resolution is keyed to an effort made by the national administration, made by the President, through the Permanent Representative of the United States in the United Nations; and I ask unanimous consent that that first "whereas" be copied into the Record at this point as a part of my remarks.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

> Whereas the question of the Vietnamese conflict is a matter of which the Security Council of the United Nations is seized by action previously taken by the Council in connection with a letter of the Permanent Representative of the United States dated January 31, 1966, submitting a resolution seeking a settlement of the hostilities.

Mr. HOLLAND. That statement shows clearly that this resolution is keyed to the filing on January 31, 1966, by the Permanent Representative of the United States in the United Nations of a resolution seeking a settlement of the hostilities and asking the Security Council to consider that matter.

I think that is a good place to begin.

I note that the report of the committee—and it is a committee which has been known to have had a great variance of opinion among its membership on many questions affecting the U.N. and even affecting the usefulness of the United Nations—has a sentence showing very clearly the fact that we are in this instance standing, and I hope together, as the committee stood together by a vote of 19 to 0, in the effort initiated by the President to seek the Security Council's consideration and action on the Vietnam question.

I read this sentence out of the report of the committee, reminding the Senate that this is a 19-to-0 vote of the committee upon which action is taken:

> It has been nearly two years since the United States introduced the now dormant resolution urging the Security Council to consider the situation in Vietnam. Although the item was formally adopted as a Security Council agenda item the issue has never been discussed and remains in international limbo, as a question of which the Council is "seized."

Mr. President, I think if nothing else is accomplished today—meaning that if ultimately the Security Council takes no action, as it has taken no action since that remote date more than a year ago, in 1966, when this resolution was filed—it will show to the country, it will show to the United Nations, it will show to the world, whether the friendly portions of the world or the unfriendly portions or the neutral portions, that there is still the capacity here to stand together in support of an effort for peace through an instrumentality which we were the leader in setting up in seeking peace throughout the world.

I think there will be success in that effort if we do nothing else, and I call attention to that fact at this time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. If I may have one more minute.

Mr. ALLOTT. Mr. President, I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. I must say this. It seems to me in this day, when all of the media of information report to the people, as they should and as they must, the differences of opinion on details, on merits, on substantial matters which lie at the very bottom of the Vietnam controversy, it is important that we show here in the Senate as an adviser, constitutionally, of the President that we support him in that effort taken so long ago; and that we still have some hope and some confidence in the capacity of the United Nations to act through its Security Council.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. First, I want to express my gratification to the distinguished senior Senator from Florida for the emphasis he has placed again on the initiative taken by the President of the United States early in 1966. I would also like to say that, insofar as the Senate is concerned, we should give credit where credit is due, and that is to the senior Senator from Oregon [Mr. MORSE], who has furnished the initiative in this body in the matter of taking this proposal to the United Nations. Senator MORSE realized the proper role of the United Nations in the Vietnam dispute long, long ago. I certainly commend him for his deep insight, his perceptive foresight.

Unavoidably and necessarily absent today, Senator MORSE has prepared a supporting statement on Senate Resolution 180 and I ask unanimous consent that it be placed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

The resolution which will be adopted today will at least provide a formal recognition on the part of the United States that the United Nations has a duty to seek an end to the war in Vietnam and can play a fruitful role in bringing about a solution to it.

It is obvious that the Senate cannot compel even our own government to make a bona fide effort to obtain U.N. action. We can only ask that it do so.

But it should be clearer to the Administration than to anyone else that it has failed to keep the peace in Southeast Asia. The United Nations could hardly do worse. Acting alone, we have elevated a small internal conflict into an international war, in which some 600,000 or more American soldiers, airmen and sailors are engaged in one way or another. The scale of bombing and of artillery fire exceeds the scale of World War II. We have brought the awesome force of the world's most powerful military weapon to bear upon a small fraction of the world's people, for North and South Vietnam combined are only about 17% of the population of the United States, and their combined productivity is an insignificant fraction of our own.

Every day the war continues, every additional death bcause of it, every new military unit sent from the United States, every added appropriation passed by Congress to implement our war policy—each further highlights the futility of our arms in keeping the peace in this situation. To continue down this road will soon call into question the value of our whole vast military arsenal as a means of protecting our people, as well as keeping the peace.

From the day the first 600 military advisers were sent to South Vietnam, the United States has mistakenly put its trust in military power to achieve our national objectives there. Unable to accomplish them by diplomatic, political, or economic means, we have relied upon military means. But this is one of those instances where military force is not going to achieve a political success.

The sooner we realize that the issues in Vietnam are economic, social, and political ones that the United Nations can cope with better than the United States, the more lives of American soldiers and Vietnamese soldiers and civilians are going to be saved.

I welcome this Resolution. I want to extend my thanks to the Majority Leader (Mr. MANSFIELD) for the true leadership he has displayed in organizing support for it and guiding it to passage.

The next test will be its implementation by the Administration.

Mr. HOLLAND. I thank the Senator for his comment.

Mr. HARTKE. Mr. President, will the Senator yield me 3 minutes.

Mr. ALLOTT. I yield 3 minutes to the Senator from Indiana.

Mr. HARTKE. Mr. President, I am a cosponsor of this resolution. I endorse it. I hope it will have the endorsement of the U.S. Senate.

I want to pay special tribute to the author of the resolution, Senator MANSFIELD, for his dedication and his constant interest in bringing about an end to this war, which has not only caused so much death, devastation, and destruction in Vietnam, but has also caused a great deal of disagreement here at home.

I call to the attention of the Senate again, and ask unanimous consent to have printed at this point in the RECORD, the letter addressed by the chairman of the Foreign Relations Committee to the Secretary of State inviting him to appear in the public hearings on this matter on Thursday, October 26. The hearings were to be held Thursday, October 26, and Friday, October 27, 1967.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 29, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: As you are aware, Senator Wayne Morse introduced a resolution (S. Con. Res. 44) on September 11, dealing with the role the United Nations might play in bringing about an honorable settlement to the Vietnam war. A copy of the resolution is enclosed as well as Senator Morse's statement introducing the resolution. I have scheduled public hearings on the resolution for Thursday, October 26 and Friday, October 27.

The Committee, of course, will want to take testimony from Administration witnesses on the resolution. In view of the fact that this resolution relates so directly to the activities of your Department, the Committee would be pleased to receive oral testimony from you, and perhaps Ambassador Goldberg, on Thursday, October 26.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

Mr. HARTKE. Mr. President, it demonstrates again the failure of the Secretary of State to appear at a public hearing, on open invitation, and give his views on an important issue confronting the United States at this time.

I also want to pay tribute to the Senator from Tennessee [Mr. GORE] for placing in the RECORD the documentation which demonstrates the absolute refusal of the Secretary of State to take up the matter in a manner which would make it possible for us to have the dialog and discussion which would not only bring about a greater understanding but probably would help alleviate many of the apprehensions that many of us have that there is no indication of where we are going, why we are going there, and what we intend to do in the future.

In some ways, it is unnecessary that a resolution of this type even should be considered by the U.S. Senate or that we would have to state its purpose. It would seem to me that if we are the activator of the United Nations Charter and one of the formulators of that distinguished policy, by virtue of that fact in and of itself, the United States would move to take the action which is requested by this resolution.

Since that has not been done, the resolution seeks to provide somewhat of a reminder that the U.S. Senate is deeply concerned, is representing its people, and is trying to have some action taken.

The fact remains that when a world situation exists, in which so many people have indicated that they frankly say to us that they are not certain that they trust us or believe us—and about 40 nations have now indicated that they are opposed to the bombing of North Vietnam—it is necessary for the country and its individuals to have confidence in the judgment of its government. So it becomes necessary to reconsider past actions and then to determine where it was that we have gone wrong in bringing to the attention of our own people and the people of the rest of the world what we are trying to do and why it is being done.

I suppose this could even be said about one of our traditional allies, which is going through a desperate economic crisis at home. Do we suppose that the Prime Minister of Great Britain, the Honorable Harold Wilson, if he were seeking reelection, would go before the British people and say, "One reason why I ask you to reelect me is that I have supported the policy of the United States of America with respect to Vietnam. I believe the United States has made a valuable contribution to world peace"? I would guarantee that he would never make that a campaign issue before the British people, because it would not hold up.

Another problem which is highly important concerns the question of morality, the dedication of a nation to the welfare of mankind. As early as July 1776, in the opening paragraph of the unanimous declaration of the 13 United States of America, our Nation paid great tribute to the nations of mankind and required that we give attention to the opinions of mankind. This is possibly one of the most important aspects of the resolution before us, for once again it recalls the United States of America to its original concepts and beliefs that the opinions of mankind not alone are worthy of consideration but are entitled to be considered in the light of the judgments which we as a people, through our Government, have made.

Mr. RIBICOFF. Mr. President, the heavy shadow of Vietnam hovers about us—wherever we go, whatever we do as individuals and as a nation.

Abroad, criticism is often levelled at U.S. involvement in Vietnam. The war strains relations between the two super powers which together have strength enough to lead the world toward peace.

At home, all Americans are concerned with the dangers implicit in the situation—dangers that range the gamut from unlimited war abroad to an increasingly explosive catalog of neglect here at home. All Americans are united in purpose: to bring the fighting and bloodshed to an end.

Each day American servicemen distinguish themselves on land, at sea and in the air. We are told time and again that military action has a twofold purpose: First, to help establish conditions of security in which a Government responsive to the people can serve their wishes and needs; and second, to help bring the adversary to the negotiating table.

But military action is only one aspect of the effort in South Vietnam. Heroic achievements and selfless sacrifice are without reason unless the building of a stable society—unless creative and unremitting diplomacy are pursued with equal vigor, perseverence and resourcefulness.

The United States and peace-loving people throughout the world must continue in their search for diplomatic avenues that can lead to the negotiating table. The United Nations Security Council is one approach that has not been exhaustively explored.

In May 1966, I proposed that the United Nations function as an outside presence at the then forthcoming elections for the Constituent Assembly in South Vietnam. It was my hope that such supervision would grow into a role of mediation for the United Nations.

Yet, today the United Nations continues to stand aside from the issue of Vietnam, despite a draft resolution introduced in the Security Council by the United States on January 31, 1966, asking that the Council consider Vietnam. Then the Council adjourned for informal consultations which brought no fruitful results. In time the resolution became but one more item among many compiling a long list of "matters of which the Security Council is seized." To date the resolution—now almost 2 years old—has not been called up.

Many of us in the Senate have repeatedly urged the executive branch to call up the U.S. draft resolution on Vietnam. Our distinguished majority leader has been in the forefront of this concerted effort. In August of this year, Senator MANSFIELD said:

> This Nation can move, in effect, to call up the resolution which we introduced and see to it, if necessary, that the question of taking it up is voted. The motion is procedural and not subject to the veto. And if the resolution is taken up, this Nation can move to see to it that all who might be directly or indirectly involved in the restoration of peace in Vietnam are asked to appear before the Security Council in a discussion of this question—if not in New York, then somewhere else, perhaps in Geneva, in open session, face-to-face meeting.

Then, on October 25, 1967, the distinguished majority leader introduced Senate Resolution 180, which seeks a U.S. initiative to assure United Nations Security Council consideration of the Vietnam conflict. At that time he said:

> It is high time that we find out and that the world finds out where the members of the Security Council stand on this question. What is the Security Council waiting for? What are we waiting for? The only way to find out is for a resolution to be brought to a vote, if necessary, and that the nations stand up and be counted. If there is to be an end of the conflict, there must be a beginning in the use of the machinery for peace. I think that the nations of the U.N. Security Council must face up to this matter at once.

As a cosponsor of Senate Resolution 180, I agree with the remarks of the distinguished majority leader. Many nations of the world have used the U.N. General Assembly as a forum to express their disagreement with various aspects of U.S. policy in Vietnam. Now it is time for the member states to see that the Security Council assumes the responsibility designated to it by the U.N. Charter, and deals with this major threat to the world.

Thousands of lives are being lost each month. Resources badly needed for constructive purposes are being spent in the destructive acts of war.

Would our Nation not be neglectful if we failed to press for U.N. discussion of Vietnam?

If our efforts were to reveal that at this time there are not enough votes for passage of a resolution—would we have lost anything by trying one more possible avenue to peace?

Since there is not yet peace in Vietnam, we have no way of knowing how peace will finally be achieved.

Private discussions—the efforts of intermediaries—a reconvened Geneva Conference—or the United Nations—could hold the key. To work through one channel does not preclude the use of others.

Our Nation has tried many different approaches to peaceful settlement in Vietnam.

Let all the world see that no approach will go untried.

Mr. President, Senate Resolution 180 is a valuable contribution to our quest for peace, and it deserves our strong support.

Mr. KENNEDY of Massachusetts. Mr. President, I would like to add my name to those who commend our distinguished majority leader for his efforts to encourage full United Nations consideration of the Vietnam question. I believe most Americans support the principle of a United Nations effort to bring about an honorable and lasting peace in Vietnam.

There is a growing sense of frustration and despair over the inability of the world organization to make the barest effort to bring about peace in this dangerous and disruptive conflict. For the United Nations to be immobile and powerless is distressing, for perhaps its greatest reason for existence is to deal with precisely this type of threat to world peace.

In a related area, I would like to call attention to the opportunities for the special U.N. agencies to provide vital and needed humanitarian services in Vietnam.

In 1965 and 1966, I began exploring the possibility of utilizing the trained personnel and experience of the U.N. agencies in a number of programs in Vietnam. I met at various times with the heads of some of the key U.N. agencies, such as the World Health Organization, UNESCO, UNICEF, FAO and the Development Fund. I met also with the Secretary General and members of the United Nations Secretariat.

All of the U.N. officials I met with expressed a deep and sincere humanitarian concern for the plight of the people of South Vietnam and a willingness to undertake various social and economic programs to benefit these distressed people. Those agencies sponsoring small pilot programs in South Vietnam—the Development Fund, UNICEF, and UNESCO, WHO—all agreed to consider expansion of the programs.

I reported my conversations with the various United Nations officials to Ambassador Goldberg, and to Secretary of State Rusk and other officials of the Department of State. All expressed enthusiasm and support of expanded efforts for the U.N. special agencies and funding procedures were worked out on a so-called funds-in-trust basis. The Netherlands Government was enthusiastic enough to make $1 million available for U.N. humanitarian projects in Vietnam, and other countries indicated a desire to participate.

Yet, these efforts have moved slowly, in large measure, I believe, because of only halfhearted efforts on the part of our Government and the South Vietnamese Government to suggest appropriate programs for the special agencies. Redtape, delays, and poorly drafted plans have all resulted in almost 2 years passing with only minor increased U.N. agency efforts. I deplore our lack of a sense of urgency in this area.

Yet, some progress is being made. The World Health Organization is currently studying the entire civilian health and casualty situation under a mandate voted last May in Geneva at a meeting I attended. I am hopeful that some of WHO great expertise and pool of trained medical personnel can be tapped in alleviating some of the distressing health and casualty problems in Vietnam. The needs are tremendous; WHO could perform a major lifesaving service in this area, and all of us can only hope that favorable action will be taken at its upcoming meetings.

UNICEF recently announced an expansion of its efforts to help in South Vietnam and will undertake a new $1,000,000 program. The Development Fund and FAO all have projects in process.

I feel that our Government and the Government of South Vietnam should be making a far greater effort to utilize the talents and skills and expertise of the Special Agencies in these humanitarian efforts. I firmly believe a strengthened United Nations presence in Vietnam is possible and desirable—in both emergency and longer term development.

I know this discussion deals with an area of United Nations involvement not directly related to Senate Resolution 180. Yet I believe many in this body and throughout the United States would welcome a greater U.N. presence in Vietnam, and, perhaps, through greater involvement of U.N. agencies in the humanitarian needs of Vietnam, the way may be found for direct and meaningful United Nations action leading to a settlement of the hostilities. Once again, I commend our distinguished majority leader for his efforts to encourage the full consideration of Vietnam in the Security Council, and his untiring efforts to help find a path to an honorable peace.

Mr. BYRD of West Virginia. Mr. President, I rise in support of the pending resolution expressing the sense of the Senate that the President consider taking the appropriate initiative through our permanent Representative at the United Nations to assure that the U.S. resolution on Vietnam be brought before the Security Council for consideration.

Though I am not a member of the Foreign Relations Committee, I am a cosponsor of this resolution and I have followed the committee's hearings with interest. I have also carefully considered the committee report.

I feel this resolution is an important and necessary step in our Nation's efforts to bring about a just and lasting peace in Southeast Asia.

It is an expression of the Senate's viewpoint that the United Nations has an important contribution to offer and a clear responsibility in the settlement of the war in Vietnam.

I concure with the judgment expressed to the committee by the Honorable Ernest A. Gross, former Legal Adviser of the Department of State and U.S. delegate to the United Nations General Assembly, that, and now I quote:

> It would be unwise . . . to look upon the United Nations intervention as an all-or-nothing proposition. The challenge is to find the most effective practicable way of engaging the responsibilities of the United Nations membership and of bringing to bear their collective weight on the side of a just settlement.

It is my judgment that the resolution is solidly founded on the obligations of the United Nations under its charter, and I feel that inasmuch as it constitutes a broadly based expression of senatorial opinion it will assist in stimulating United Nations action on the question of Vietnam. It is time that the members of the Security Council stand up and be counted, and the United States should take every action possible to require that the members of the Security Council show by their votes their true position on the question of Vietnam.

The United States, several months ago, introduced a resolution urging the Security Council to consider the question of Vietnam. The item was adopted as a Security Council agenda item, but the subject has remained dormant. Yet this dangerous war continues to take its toll in treasure and lives, and I believe that the United States has an obligation to insist upon a discussion of the Vietnam issue in the forum of the Security Council. The procedural machinery is available, and, in my judgment, the time has come for a showdown which will reveal whether or not the votes are available.

There is nothing in the resolution which would prevent a reconvening of the Geneva conference if that machinery appears to be better suited to handling the Vietnam issue. The resolution authored by our majority leader, and cosponsored by more than 50 Senators, of which I am one, is not binding, but merely expresses the sense of this body and it may open one of the few remaining avenues to peace. The United Nations may fail to shoulder its responsibility in coming to grips with the war in South Vietnam, but I think that it is imperative that we have a test. The United Nations should meet its responsibility as a peacekeeping organization, and I feel that the moment is at hand when we should force that body to face up to its responsibility. After all, the United States has been the major contributor to that peacekeeping organization, and the world should know, once and for all, whether that organization is an effective international instrument of keeping the peace.

If the veto is exercised, let the nation which exercises that veto stand before the world revealed as a nation which seeks to prolong the war in Vietnam. If either Russia or France exercise the veto, then the world will be aware of the hypocrisy of that Nation. Let us see whether or not Russia and France genuinely and passionately wish for peace in Vietnam or whether they prefer to see the United States continue to fight a war at great cost in treasure and in blood.

An open exposure of the true position of each nation on the Security Council is needed.

I commend the majority leader for his leadership in bringing this resolution to the floor, and I commend the Committee on Foreign Relations for its action in supporting the resolution.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (Rept. No. 798) on Senate Resolution 180.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

COMMITTEE HEARINGS AND ACTION

Senate Concurrent Resolution 44 was introduced by Senator Morse on September 11, 1967. Senate Resolution 180 was introduced by Senator Mansfield and more than 50 cosponsors on October 25, 1967. Public hearings were scheduled on Senate Concurrent Resolution 44, but prior to the beginning of the hearings Senate Resolution 180 was placed before the committee. Therefore, the resolutions were considered together.

The Committee on Foreign Relations held public hearings on both resolutions on October 26, 27, and November 2. On October 26 the committee received testimony from Mr. Benjamin V. Cohen; the Honorable Jonathan B. Bingham, U.S. Congressman from New York; and the Honorable Charles W. Yost. On October 27 the committee heard the Honorable Ernest A. Gross, Prof. Elton Atwater, Prof. Quincy Wright, and Mr. Neal Potter, acting president of the United World Federalists. The Honorable Arthur J. Goldberg, U.S. Representative to the United Nations, testified on November 2. All of the public hearings on the resolutions have been published separately.

Following the conclusion of public hearings, the committee met in executive session on November 16 and voted unanimously—19 to 0—to report Senate Resolution 180 favorably to the Senate.

SUMMARY OF TESTIMONY

In the committee's view, testimony taken during public hearings on both resolutions offered a balanced view of the possible role of the United Nations in promoting settlement of the Vietnam war. The committee heard a number of former U.S. delegates to the United Nations, as well as the Honorable Arthur J. Goldberg, U.S. Representative to the United Nations. The experience and expertise of the former delegates was particularly helpful in describing the mechanics of the United Nations and defining possible courses of action for the United States if the Vietnam issue is brought to the United Nations again.

On October 26 the committee took testimony from Mr. Benjamin V. Cohen, senior adviser to the U.S. delegation to the United Nations General Assembly in 1946, and a member of the U.S. delegation to the General Assembly from 1948 through 1952. Mr. Cohen stressed the necessity for the United States to break out of its present isolation on the Vietnam issue. He offered the following comment:

> Throughout the war period we have had too many splintered opinions, too much going it alone, and too little effort to seek a reconciliation of viewpoints nationally and internationally that would bring an end to the war * * * I think nothing can be more helpful and conducive to U.N. action than a resolution coming from Congress, uniting all elements in Congress, calling upon the administration and the United Nations for action under the charter to end the war in Vietnam. [Senate Concurrent Resolution 44] unites elements that have not been united for years, and it opens the possibility of our ceasing to go it alone in Vietnam, and of our sharing our responsibilities there as we should share them with the United Nations in accordance with the terms of the charter.

Mr. Cohen in addition offered a judgment on the connection between a cessation of the bombing of North Vietnam and the possibilities for a negotiated settlement. Mr. Cohen expressed his belief that "from the speeches of the delegates at the United Nations, I gathered many, if not the majority, feel that there must be at least a cessation of the bombing of the North without an accompanying threat of renewal as U Thant has suggested if Hanoi is to be brought to the conference table."

At the request of the committee, Representative Jonathan B. Bingham, of New York, offered testimony based on his experience as a delegate to the United Nations. In supporting an approach to the United Nations, Representative Bingham cautioned:

> So long as we continue the bombing, if we take the case to the U.N. without a willingness to change that policy, we are quite likely to get slapped down. * * * On the other hand, if we are to take the step that I suggest, to announce a willingness to stop the bombing under certain conditions, the whole atmosphere at the U.N. would change. We could once again mobilize the services of the Secretary General in attempting to mediate the conflict and, perhaps, more important, we could enlist the help of many nonalined countries and probably many Eastern European Communist countries in bringing pressure to bear on Hanoi and the NLF to come to the conference table.

Representative Bingham also shared Mr. Cohen's view that the United States should indicate its unqualified willingness to negotiate with the National Liberation Front as a party to hostilities.

Also testifying on October 26, the Honorable Charles W. Yost, former U.S. Deputy Representative to the United Nations, told the committee of the frustration of many members of the United Nations with the organization's inability to deal with the war in Vietnam. Mr. Yost said:

> There is no doubt that its members almost without exception are profoundly disturbed by the war, that they consider it the most serious present threat to international peace and security, that they believe it the principal obstacle to movement inside and outside the United Nations toward necessary cooperation among the great powers, and that they are keenly aware that it might at any time, against the will of all the parties, explode into a much wider war. Yet, despite this almost unanimous collective judgment, despite the most earnest efforts of the Secretary General, of the United States and of many other members over the past three years, the U.N. has been unable to grapple with the problem.

Mr. Yost attributed what he described as the "impotence of the United Nations in regard to Vietnam" in part to the rejection of the United Nations' competence in the matter by North Vietnam and Communist China, who are neither members of the United Nations or represented there; in part to the feeling of many members of the United Nations that the machinery set up by the Geneva Conference of 1954 is better able to deal with the Vietnam issue because, in contrast to the United Nations, all of the parties are represented there.

The committee heard additional witnesses on October 27. The Honorable Ernest A. Gross, former Legal Adviser of the Department of State and U.S. delegate to the United Nations General Assembly, strongly supported both the resolutions submitted by Senator Morse and Senator Mansfield. In contrast to other witnesses, however, Mr. Gross argued that a resolution on Vietnam should be brought to the General Assembly rather than the Security Council. Mr. Gross said it was a "virtual certainty that resort to the Security Council must lead to a dead end" because of the veto in the Security Council held by the Soviet Union or the "failure to obtain a majority in the Security Council for any acceptable course."

Mr. Gross warned the committee that in his judgment the United Nations was clearly not in the position to determine how the war should end and under what terms. He said:

"It would be unwise, I believe, to look upon the United Nations intervention as an all-or-nothing proposition. The challenge is to find the most effective practicable way of engaging the responsibilities of the United Nations membership and of bringing to bear their collective weight on the side of a just settlement."

On November 2 the committee received testimony from Ambassador Arthur J. Goldberg, U.S. Representative, to the United Nations. Mr. Goldberg said that he agreed completely with the concept of the responsibility of the United Nations which is the basis of Senate Resolution 180.

Speaking for the administration, Mr. Goldberg stated:

"It is my considered view as the U.S. Representative to the United Nations that the adoption of Senator Mansfield's resolution at this time will support the efforts I have been making at the United Nations at the direction of the President to enlist the Security Council in the search for peace in Vietnam."

Mr. Goldberg brought to the committee a new draft resolution which the United States circulated among members of the Security Council as recently as September of 1967. The new draft is as follows:

The Security Council,

Having considered the problem of Vietnam.

Deeply concerned at the situation in Vietnam and the threat it poses to international peace and security,

Believing in the principle of the inviolability of, and respect for, the sovereignty and territorial integrity of states,

Convinced that a solution to this problem is to be found through political and not military means, and that a peaceful solution should be found through negotiations,

Considering, that the Geneva agreements of 1954 and 1962 constitute a workable basis for peace in Southeast Asia.

1. Reaffirms, on the basis of the Geneva agreements, the following principles:

(a) That there should be a complete ceasefire and disengagement by all armed personnel throughout North and South Vietnam at an agreed upon date.

(b) That there should be no military forces or bases maintained or supported in North and South Vietnam other than those under the control of the respective governments, and all other troops and armed personnel should be withdrawn or demobilized, and all other military bases abolished as quickly as possible, and in accordance with an agreed time schedule, during which introductions of additional armed personnel should be prohibited.

(c) That the international frontiers of the states bordering on North and South Vietnam and the demilitarized zone between North and South Vietnam should be fully respected.

(d) That the question of reunification of Vietnam should be settled peacefully by the Vietnamese people in both North and South Vietnam, without any foreign interference.

(e) That there should be international supervision of the foregoing through such machinery as may be agreed upon.

2. *Calls for* the convening of an international conference for the purpose of establishing a permanent peace in Southeast Asia based upon the principles of the Geneva agreements.

Mr. Goldberg said that this new formulation "was designed to take into more specific account the views of those who had argued that the Geneva Conference was the proper forum, not the U.N." He told the committee that a recent informal canvass of the members of the Security Council "once again shows a general unwillingness for the Security Council either to resume its consideration of the agenda item and draft resolution which we proposed in early 1966 or to consider this new draft, or to take any other action on the matter."

COMMITTEE COMMENTS

The committee feels that the proposed resolution is solidly based on the obligations of the United Nations under its charter. Although several members of the committee preferred the stronger language of Senate Concurrent Resolution 44, it was generally agreed that a broadly based expression of senatorial opinion would best accomplish the purpose of stimulating United Nations action on the question of Vietnam. It is the hope of the committee that Senate Resolution 180 will serve this purpose. The resolution does not prescribe methods or preconditions which will lead to peace in Vietnam, but attempts to spur the negotiations which might lead to an honorable settlement.

The committee is constrained to note that the United Nations cannot any longer evade the issue of Vietnam. With bombs being dropped within 24 seconds flying time of China, the committee believes the time has come for the United States to require by votes that the members of the Security Council show the world where they stand on the question of Vietnam. In the opinion of the committee, this test must be made even if there are indications that the United Nations might reject a U.S. initiative.

The responsibilities of the United States under the Charter of the United Nations are as clear as they are solemn. The United States has bound itself under Article I of the charter:

> * * * to take effective collective measures for the prevention and removal of threats to the peace * * * and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes * * *

It has been nearly two years since the United States introduced the now dormant resolution urging the Security Council to consider the situation in Vietnam. Although the item was formally adopted as a Security Council agenda item the issue has never been discussed and remains in international limbo, as a question of which the Council is "seized."

Two years have passed. The war goes on with growing intensity and diminishing prospects for negotiations. Caught in an open-ended war, the United States has an important obligation to itself and to the world to press once more for a discussion of the Vietnam issue in the United Nations. All of the witnesses before the committee agreed that the procedural path is open (but the votes may not be available) if the United States decides to initiate an effort to bring the Vietnam issue before the Security Council.

Objections to a U.S. initiative in seeking discussion of Vietnam in the United Nations framework are made on the grounds that North Vietnam and Communist China are not members of the United Nations, and that the machinery established by the Geneva Conference of 1954 is better suited to deal with the problem. The committee finds both arguments unconvincing.

The argument that two of the major parties are not members of the United Nations and therefore discussion within the United Nations would be futile ignores both the procedure and the precedent for inviting nonmembers to appear before the Security Council. Rule 39 of Rules of Procedure of the Security Council specifically states:

"The Security Council may invite members of the Secretariat *or other persons*, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

This provision is important not only because it opens the way for an invitation to the North Vietnamese and Chinese Communists but it provides the means for a direct invitation to representatives of the National Liberation Front. Now that Ambassador Goldberg has stated that the United States would not stand in the way of a Security Council invitation to the NLF, the means are available for bringing the parties together at the United Nations at least for purposes of discussion of an appropriate resolution.

The committee, of course, recognizes that under present circumstances the likelihood of such invitations being accepted is very small. The committee's objective in making this point on invitations is primarily to make it clear that the absence of some of the parties from the United Nations is no barrier to United Nations consideration of the Vietnam problem and the adoption of a U.N. resolution which might contribute to the initiation of a peaceful settlement.

The argument that the Geneva Conference machinery is better suited to handling the Vietnam issue is irrelevant to the consideration of Senate Resolution 180. There is nothing in the resolution under consideration which would prevent a reconvening of the Geneva Conference at any time. Indeed, discussion of just this point once the Security Council begins to explore the issues of Vietnam might provide the necessary stimulus to the convening of an international conference along the lines of the Geneva Conference of 1954.

Of interest to the committee was the judgment of witnesses that an overture to the United Nations would be futile unless the United States was prepared to deescalate the war in Vietnam. With the exception of Ambassador Goldberg, they argued that the United States must deescalate the war in some important way such as a cessation of bombing in North Vietnam if the United Nations is to be able to deal effectively with the Vietnam issue.

While some members of the committee are in agreement with the judgment that a peace initiative in the United Nations will probably fail without a deescalation of the war, the committee as a whole realizes that it is as divided as the country on the issue of deescalation. The members who agree that an important gesture on the part of the United States, such as the cessation of the bombing, would open the way to negotiations on the Vietnam war are also persuaded that at this point it is more important to emphasize that which unites the Senate—the United Nations responsibilities in Vietnam—than the issue that divides.

Furthermore, the committee is aware of vulnerabilities in the United States position which have come from the impression that we are "going it alone" in Vietnam. A generalized resolution such as the committee recommends may remove some of the doubts and misunderstandings of some members of the United Nations as to whether the United States is sincere in its efforts to bring the Vietnam issue before the United Nations. Certainly we have nothing to lose in seeking a discussion of Vietnam inasmuch as over 40 U.N. delegations have risen to urge a return to the Geneva accords and a halt to U.S. bombing of North Vietnam. In such an atmosphere, a full debate will almost certainly clarify national positions and perhaps foster an understanding of U.S. problems in trying to end a war which seems to have no end.

In the judgment of the committee, therefore, an effort to spurt negotiations along the lines of Senate Resolution 180 is imperative. The committee is under no illusions as to the slender prospects of such a U.S. initiative. The United Nations may fail to come to terms with its responsibilities in bringing to a conclusion one of the most dangerous wars of our time. But we cannot know what the results will be until the attempt is made. It is also important to take note that the war in Vietnam is also a test of the United Nations as an international instrument of peacemaking. The committee is strongly of the view that the international community should consider not only the cost to the United Nations if it should attempt to bring the war in Vietnam to a settlement and fail, but also the consequences for the future of the United Nations if it does not act at all.

Senate Resolution 180 will hopefully spark thoughtful discussion and debate of the Vietnam war within the United Nations. The U.S. options and alternatives are becoming so few that the committee strongly urges support by the Senate of a resolution which might open one of the few remaining avenues to peace.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back. The question is on agreeing to the resolution. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut [Mr. DODD], the Senator from New York [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I also announce that the Senator from Virginia [Mr. SPONG] is absent because of the death of his uncle.

I further announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from New York [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Alabama [Mr. SPARKMAN], the Senator from Virginia [Mr. SPONG] and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from Kentucky [Mr. COOPER], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

If present and voting, the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Vermont [Mr. PROUTY], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Texas [Mr. TOWER], and the Senator from North Dakota [Mr. YOUNG] would each vote "yea."

The result was announced—yeas 82, nays 0, as follows:

[No. 365 Leg.]

YEAS—82

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Smathers
Smith
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—0

NOT VOTING—18

Cooper
Dodd
Dominick
Ellender
Hayden
Kennedy, N.Y.
Kuchel
Monroney
Morse
Percy
Prouty
Russell
Scott
Sparkman
Spong
Symington
Tower
Young, N. Dak.

So the resolution (S. Res. 180) was agreed to.

Mr. MANSFIELD. Mr. President, I wish to take this opportunity to express my deep appreciation to the Senate as a whole for joining unanimously with this resolution to seek United Nations action on the Vietnam question—action that that body is so properly constituted to initiate. This endorsement by the Senate speaks with a loud and clear voice on the issue—one whose purpose and intention cannot be misunderstood. The will of the Senate has been expressed.

Earlier, before the vote, I noted the strong and able effort of the senior Senator from Oregon [Mr. Morse] in initiating the proposal for United Nations action; first, as a lonely voice, nearly 3 years ago, and continuing ever since.

Other Senators have also played a vital role in the discussion and added most significantly to the debate today. Notable was the outstanding contribution of the Senator from Arkansas [Mr. Fulbright], the able and wise chairman of the Foreign Relations Committee. His thoughtful and articulate response to this suggestion has truly been an inspiration. The senior Senator from Vermont [Mr. Aiken], the distinguished ranking Republican in the Senate, lent his invaluable support and assistance to the measure. That support was critical, I feel, in obtaining the unanimous action achieved today.

The distinguished Senator from Colorado [Mr. Allott], the distinguished Senator from Rhode Island [Mr. Pell], and the distinguished Senator from Tennessee [Mr. Gore] joined to make the discussion of the highest caliber. As always, their clear and analytical appreciation of the objectives of this resolution were immensely helpful. Similarly, the comments of the distinguished Senator from Florida [Mr. Holland], the distinguished Senator from Ohio [Mr. Lausche], and the distinguished Senator from Delaware [Mr. Boggs] should be noted. They, and other Senators, demonstrated a deep and abiding interest in the proposal and helped to assure the overwhelming success that was obtained.

Every Member may share in this triumph.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House disagreed to the amendments of the Senate to the bill (H.R. 13510) to increase the basic pay for members of the uniformed services, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Rivers, Mr. Philbin, Mr. Hébert, Mr. Price of Illinois, Mr. Arends, Mr. O'Konski, and Mr. Bray were appointed managers on the part of the House at the conference.

DR. RICARDO VALLEJO SAMALA—ELECTION OF REPRESENTATIVES AT LARGE

Mr. INOUYE. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House of Representatives on H.R. 2275.

The PRESIDING OFFICER laid before the Senate the amendment of the Senate to the text of the bill (H.R. 2275) for the relief of Dr. Ricardo Vallejo Samala, which was, strike out the period at the end of the Senate amendment to the text of the bill and insert "(except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress)."

Mr. INOUYE. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Hawaii?

There being no objection, the Senate proceeded to consider the bill (H.R. 2275).

Mr. INOUYE. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. BAKER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. MANSFIELD. Mr. President, this matter has been discussed with the distinguished Senator from Tennessee [Mr. Baker] and with other interested Members. I send to the desk a unanimous-consent request and ask that it be stated.

The PRESIDING OFFICER. The unanimous-consent request will be stated.

The legislative clerk read as follows:

> *Ordered*, That, effective immediately during the further consideration of the pending measure, debate on any motion, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the Senator from Hawaii [Mr. Inouye] and the Senator from Tennessee [Mr. Baker], or by whomever they may designate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. INOUYE. Mr. President, H.R. 2275 relates to an act for the relief of Dr. Ricardo Vallejo Samala.

The PRESIDING OFFICER (Mr. Hartke in the chair). How much time does the Senator yield himself?

Mr. INOUYE. I yield myself 2 minutes.

Mr. President, the matter with which we are concerned relates to a simple amendment by the House of Representatives which provides that a State which is entitled to more than one Representative, such as Hawaii and New Mexico, and which in previous elections has elected Representatives at large, may do so in the 1968 elections.

It will be recalled, Mr. President, that the Senate adopted an amendment which required that the States of Hawaii and New Mexico, in the 1968 elections, have their Representatives elected from congressional districts.

But it was felt by the House of Representatives—in which I concur—that this matter should be given at least one election period for a time of transition.

It should be noted that May of 1968 will be a very important year for the State of Hawaii. We will have special elections to elect delegates to our constitutional convention, which will be convened in July of 1968. I am certain that at that time the matter of districting the State of Hawaii will be high on the agenda, and I hope that the Senate will permit the State of Hawaii a period of transition, at which time we will be able to very carefully consider the matter of dividing the State of Hawaii into two congressional districts.

It should be noted that because of geographical reasons, it is not very simple to district the State of Hawaii. We have seven inhabited islands, one island with 82 percent of the population, and a total population of 742,000. Therefore, a rather difficult problem is presented, and I hope that the Senate will permit our constitutional convention, which will convene in 1968, to resolve this matter. With the adoption of the amendment, an orderly transition will be possible for our State.

Mr. FONG. Mr. President, will my distinguished colleague yield to me for 5 minutes?

Mr. INOUYE. I am happy to yield.

Mr. FONG. I should like to ask a question. This amendment, which was adopted by the House, exempts Hawaii and New Mexico only for the next election in 1968. Am I correct?

Mr. INOUYE. The Senator is correct.

Mr. FONG. By 1970, New Mexico and Hawaii will have to redistrict, and in the 1970 election the Members of the House of Representatives will have to be elected from congressional districts.

Mr. INOUYE. The Senator is correct.

Mr. FONG. Beginning with the elections in 1970, no State will elect any Congressman at large. That is the substance of this bill.

Mr. INOUYE. Unless the State has one Representative.

Mr. FONG. Yes.

Mr. President, I join my distinguished colleague from Hawaii, and ask my colleagues in the Senate to support the bill as amended by the House of Representatives.

The amendment added by the House of Representatives to the congressional redistricting bill passed by the Senate exempts the States of Hawaii and New Mexico from electing their Representatives from single-member districts in the 1968 election.

The bill with the House amendment, as it pertains to congressional redistricting, read as follows:

> In each State entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 19, 1929, entitled "An Act to provide for apportionment of Representatives" (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress).

Because the House amendment applies to only one election, I feel constrained to accept it.

This means that in the year 1968, Hawaii and New Mexico may, for that election only, elect their Representatives at large. Beginning with the 1970 elections, and for every congressional election thereafter, every State of the Union, with no exception, must elect its Congressman from single-member districts.

The amendment, therefore, actually means that the election of congressional members from single-member districts will be delayed in the State of Hawaii and in the State of New Mexico only for one Congress.

As the amendment delays the implementation of the requirement to elect Members of Congress from single-member districts for only two States and for only one Congress, it is my feeling that the principle which is firmly established in our constitutional traditions, to elect Representatives by single-member districts, will be achieved in 2 years.

To my colleagues in the House of Representatives who have fought to apply the single-member principle to all the 50 States without exception and effective immediately, I wish to express my heartfelt thanks.

They made a valiant effort, as the close vote shows, and the arguments which they so cogently presented against the exemption are still valid. I also wish to extend my deepest appreciation to my good friend, the distinguished Senator from Tennessee [Mr. Baker], for all his hard work in behalf of my State. Since Hawaii and New Mexico will, in a matter of 2 years, attain what my colleagues in the House of Representatives and we here in the Senate have fought so hard for, I know they will all agree that it is wiser for the State of Hawaii to accept the House amendment.

I therefore ask my colleagues to support this bill as amended by the House of Representatives.

Mr. MILLER. Mr. President, will the Senator yield me 3 minutes?

Mr. BAKER. I am happy to yield.

Mr. MILLER. I should like to ask the distinguished Senator from Hawaii [Mr. Inouye] a question. During his remarks on the conference report, he pointed out a practical problem that Hawaii has so far as its islands are concerned, but I do not believe I heard him indicate the reason for exempting the State of New Mexico.

Mr. INOUYE. Because I did not feel competent to speak on behalf of the State of New Mexico.

Mr. MILLER. Was the Senator on the conference committee, may I ask?

Mr. INOUYE. No; I was not.

Mr. MILLER. I am wondering whether a Senator in the Chamber who was on the conference committee could enlighten the Senate as to why the State of New Mexico was exempted.

The PRESIDING OFFICER. This bill has not been to conference.

Mr. MILLER. I am sorry. The Senator from Iowa did not understand the statement made by the Chair.

Mr. BAKER. Mr. President, if I may speak on that subject, the Senator from Iowa is correct, in the sense that a bill H.R. 2508, went to conference originally with substantially this provision, and the conference could not agree. On November 8, following the Senate's rejection, 55 to 22, of the conference report on H.R. 2508, the Senator from Indiana [Mr. Bayh] had called up a private immigration bill, H.R. 2775, and introduced an amendment to that bill that would ban at-large elections, except in Hawaii and New Mexico. I then introduced a substitute amendment that would permanently and immediately ban at-large elections in all States, including Hawaii and New Mexico. My amendment passed by a voice vote. The House then amended the Senate's amendment to H.R. 2775 in a way that would permit Hawaii and New Mexico to elect Representatives at large in 1968. Whether to accept the House amendment is the question before us. Thus, H.R. 2775 has never been to conference.

Mr. MILLER. I see the Senator from New Mexico in the Chamber, and perhaps he can enlighten Senators as to the reason why there should be an exemption for the State of New Mexico.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. ANDERSON. Mr. President, I do not know that I can answer the question. There were many people in New Mexico who thought the State would have a three-member delegation the next time and be more easily divided. There were those of us who were not worried. Of course, we could not prophesy that. Now, we find that there will not be a third member of the delegation. The State has not been redistricted and it would cause a lot of trouble at this late hour to redistrict. It does not make any difference what they do. It is not a matter of great importance, I think, any longer to the State of New Mexico.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. HRUSKA. I wish to respond to the question.

The reason assigned by the Senator from New Mexico might appear logical. With respect to the necessity for a later redistricting for three districts instead of two, I do not know that this would be any different than the situation in any other State. I respect the explanation given by the distinguished Senator from New Mexico, but I think a much more practical explanation was given by the gentleman from New York, the chairman of the Judiciary Committee in the House of Representatives.

The bill that was originally offered to the House contained an exception for New Mexico and Hawaii. The opposition filed a motion to recommit with instructions to eliminate this exception.

The Representative from New York protested and said, "This is not right. This should not be done. Let us pass this bill with the least possible fuss and foolishness." He went on to give the explanation:

> The motion to recommit would provide that the States of New Mexico and Hawaii would be compelled to redistrict and could not elect Congressmen at large. Those two States in their histories have never been redistricted. We have considered very maturely this question in the Committee on the Judiciary. We figured it would be unwise immediately to require them to redistrict. We say until 1972. During this interim period they need not redistrict, but after 1972 they will not be permitted to elect at large.
>
> There is a political aspect to this situation. I hate to say this, but there is no doubt about it. I hope that the Democrats will vote against the motion to recommit. The Republicans might as well vote for the motion to recommit, because it has political implications involved there.

I submit that this quotation from the gentleman from New York was made on the floor of the other body, and it is a square answer to the question of the Senator from Iowa.

Mr. BAKER. Mr. President, I wish to continue in this respect.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. BAKER. I yield whatever time I have remaining.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. BAKER. Mr. President, I would like to underscore a point made by the distinguished Senator from Nebraska. But I would also point out that while there is a reference by the distinguished gentleman from New York [Mr. Celler] to certain political implications of the rationale of these two exceptions, I would hope this body would instead consider this measure in the light of efforts to bring about fair apportionment, to effectuate the principles of one man, one vote, and to give life and vitality to the concept that the Constitution contemplates. The concept of single-member districts for a unique and special reason has been a nonpartisan undertaking by Members on both sides of the aisle. I am happy to have participated in this undertaking with Senators on the Democratic side. I believe that, until this suggestion, there have been no real partisan overtones to the principles involved in this controversy.

The principles, very briefly, are these. First, the House of Representatives, as distinguished from the Senate, is a unique body, designed by the framers of the Constitution to provide that the people themselves, not a political entity such as a State, but the people themselves, would have immediate and direct access to representation in the legislative branch of Congress.

The Senate does not have such a highly specialized function or characteristic. Its function is broader in scope. But the requirement for single-member districts is in the origins and the beginnings of the Constitution and predicated on the idea that within one State there may be widely divergent interests such as different ethnic groups, different heritage, different religious groups, and the like, and that these minority interests can be adequately represented and heard in the councils of government only if single member districts are provided for the representation of the smallest available area within a State.

This is the only way effectively in our most representative body, the House of Representatives, that the majority can provide for the protection of the minority voice in the councils of government.

History will disclose that since the earliest days of this Republic we have tended toward single-member districts even without a specific provision in the Constitution. The statute law, codified in 1842, provided a requirement for single-member districts, which continued until 1911. Since that time there has not been a statutory requirement except for certain collateral legislation enacted in 1929, and again in 1941.

From 1951 until the Senate acted on the bill now before us, as amended by the House of Representatives, there has been no successful legislative effort to guarantee that maximum responsiveness through single-member districts in the House of Representatives would guarantee maximum representation to all people in all areas.

I think it is high time, as Mr. CELLER said in 1951, that we return to that requirement of 1842. I think it is high time that we look at the principle involved, and with all due deference to my two colleagues from Hawaii, one on the opposite side of the aisle and one on my side of the aisle, that we look to the principles and requirements that maximum protection of the rights of all people and maximum responsiveness to their needs will be attained in the House of Representataives only by guaranteeing the principle of single-member districts. There is no justification, in my judgment, in logic or law for an exception for two or for 20 States from this principle, as distinguished from the names of these States.

I urge the Senate to restate its position in support of this principle and to not involve itself in the maze of complexities that will confront these two States and every other State in the future. I urge that the Senate support the principle and not oppose the two States.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. ALLOTT. Mr. President, I compliment the Senator on his statement because it is sound in reason and law.

Would not the Senator agree with me that those of us who are from States which were required to redistrict by decree of court feel and have reason to feel we have been shortchanged a little if these two exceptions are permitted?

In 1962, at an election in Colorado, by a vote of 2 to 1, the people of Colorado in every county of the State of Colorado, including Denver, voted to redistrict the State, upon the basis of the so-called Federal system in which there could be taken into consideration also land areas, economic interests, and things of that nature. Then, after the Supreme Court ruling it was necessary to go into the Federal court. The parties did go into the Federal court and the Federal court entered a decree that Colorado had and would be required to redistrict, and if they did not the court would require a redistricting. As a result, there was convened a special session of the legislature at great expense to the State of Colorado. The State was redistricted but we did it under decree of court.

Therefore, I think there is great logic in the Senator's statement. If under a decree of court one State could be required to be redistricted, there is no excuse for one State, two States, or 20 States to be excepted from that which others had to do.

Mr. BAKER. I agree with my colleague from Colorado. I would briefly point out one of the dangers in creating any exceptions to the principle involved. If we exempt these two States today, who is to say which additional States, now or in the second session of this Congress, might appear before the House and Senate and say, "We are having unique and unusual difficulty with lines, with constitutional conventions, with the number of Representatives, and will you please give us the same treatment you gave Hawaii and New Mexico, and grant us an exception as well?"

There is a real threat that the exceptions made would devour the principle.

Therefore, once again, I emphasize that I have no animosity whatever in this matter. Regretfully, I disagree with my colleagues from Hawaii, but I believe, in this instance, that the principle is far more important than the complexity of the individual, local problems.

Mr. HRUSKA. Mr. President, will the Senator from Tennessee yield?

Mr. BAKER. I am happy to yield 3 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. HRUSKA. I should like to commend the Senator from Tennessee for the stand he has taken consistently and persistently in the Senate on the redistricting issue. On an earlier occasion he and I differed, because the substance of the bill before us at that time was somewhat different.

I want to draw attention to the number of States required to redistrict before the 1968 elections, by reason of a court ruling. There are many States in that situation.

It seems to me that if an exception is not granted to States that will have to redistrict, and some of them at very heavy expense, particularly in the two populous States of New York and California, then it should not be granted to two States because they have more than one Representative. The proposal before us will apply to every State in the Union except two. That is not good legislation. It certainly is not good principle. The Senator from Tennessee stated the case well in urging Senators to reject this legislation as amended by the other body.

Mr. ANDERSON. Mr. President, will the Senator from Hawaii yield?

Mr. INOUYE. Mr. President, I yield 3 minutes to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 3 minutes.

Mr. ANDERSON. Mr. President, I did not come here today to discuss this bill at all; I came into the Chamber on an earlier vote. But let me say that I was the last single Representative from New Mexico. There have been two Representatives since then. They told me at that time that whether there were two or three, it would have little effect, but half a dozen times we got into trouble. Now it is double trouble. We have a Democratic congressional delegation and a Republican Governor.

I do not have the faintest concern about it. I do not know whether anyone else knows whether it would help or hinder, or have it separate. So far as I am concerned, I told them a long time ago it does not bother me. I believe that is the actual fact. I am sure that the Senators from New York may think differently, but we have all watched the votes a great many times. It will not possibly change the result of one party, I do not think.

I have not asked to have two districts or separate districts. I have supported for a long time the one-man, one-vote principle. I do not want the State of New Mexico to be divided in its State legislature because I do not know what the advantage or disadvantages would be to pass the bill.

I do not really care whether we pass the bill or not. I do not believe there will be any political advantage to either side. I do not think that I could find any, and I do not think that anyone else could guess at it.

Mr. BAYH. Mr. President, will the Senator from Hawaii yield?

Mr. INOUYE. Mr. President, I yield 5 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 5 minutes.

Mr. BAYH. The whole issue of congressional districting, let me remind all Senators, has been through a long and tortuous journey in which we have been confronted with varying issues. At the time this matter first arose, I found myself in 100-percent accord with my friend from Tennessee. It then involved, primarily, an effort to insist that we move forward with reapportionment so that each district would contain approximately the same number of votes. We found, when this matter got into conference, that there was a very great amount of disagreement between the House and the Senate conferees. Indeed, there was a disparity between the viewpoint of the majority of the Senate conferees and the vote that had been taken on the floor of the Senate. It was an almost impossible situation.

Finally, after the second vote in the Senate, we tried to salvage what little we could toward a sane redistricting bill.

The Supreme Court has held that all districts should be approximately equal. What the Senator from Tennessee stresses, and I think it is a worthy goal in which I support him, is that if we are going to decide that a Representative should run in single-member districts, then some people might say, "Why is this necessary?"

Well, the reason it is necessary, quite frankly, is the fact that, in some States, a court order has mandated the States to reapportion. There is a great likelihood that, if agreement cannot be reached within a State, the court could well order the entire congressional delegation to run at large.

The purpose of this particular bill is to avoid this possibility. I should like to point out that H.R. 2275, which I personally asked my colleagues on the Judiciary Committee to report, was originally nothing but a private immigration bill. I have been fully in accord with the desire to enact a bill which would eliminate the necessity for Representatives to run at large. Then some may say, "Why in the world are you today supporting a provision which would exempt two States?"

For two reasons: The first is that traditionally New Mexico and Hawaii have had this position for many years. As I recall—and the two Senators from Hawaii can check me—when the bill was passed for the admission of Hawaii into the Union as a State, Hawaii had only one Representative. The law stated that in the event Hawaii should be entitled to a second Representative, that Representative also would run at large. New Mexico's two Representatives also run at large. As the distinguished Senator from New Mexico said, there has never been a division in the State of New Mexico; that he was the last man to represent Congress as a single Representative. Ever since the State has been entitled to two they have always run at large.

Therefore, there is precedent for this year, at least, to make an exception; if we are going to require the rest of the States to do what they have been doing; namely, run in single-member districts, then let Hawaii and New Mexico do what they have been traditionally doing. But we should not allow a Federal court—if you please—require that congressional candidates must run at large.

The second reason perhaps is more practical; namely, I am concerned about the need to get a bill. We have been hassling over this reapportionment matter for a year now. This may be the last chance of getting it in from a practical standpoint. The House as a whole has insisted on the two exceptions. I am very much concerned that if we do not compromise on this a bit, we are not going to get any act at all.

Let me say that I sympathize 100 percent with what was said by the distinguished Senator from Nebraska when he referred to the fact that we are faced in some cases with a possible court reversal in the next session which might force not one but two redistrictings in certain States.

I do not know whether the Senator realizes this, but in my earlier amendment it was provided that reapportionment should not be required more than one time between now and the 1970 census, in order to avoid whiplashing back and forth. Thus a second reapportionment could not come until after the 1970 census figures were made available. Redistricting is important, but we do not want to get into the position where it becomes a political pawn, where first one and then the other party can change the boundaries. So it is important that we pass this measure now so that the Federal courts do not order elections at large, which could happen in the State of California, for example. The court could, in effect, state, "All right, California, you have not been able to reach agreement. Your Representatives are all going to run at large." I do not think this is what the framers of the Constitution had in mind. I think we need to pass this bill, because if we do not, we very well could have no bill at all.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. The Senator from Indiana has said that we might not get any bill at all. I can understand how that would be of great concern on the House side. I cannot see why it would be particularly of concern on the Senate side. If the House Members want to put themselves in such a mess, that is for them to decide. It is not going to affect the Members of the Senate. All we are trying to do is help the House not get itself into a mess. I cannot understand how, out of 435 House Members, a majority at least would not be interested in avoiding the mess. If we do not have a bill, that is what they are going to have. If someone wants to get into a mess with his eyes open, that is his privilege, but I do not see why the Senator thinks a majority of the House Members will put themselves in a mess.

Mr. BAYH. If my friend from Iowa would like to have my thought on this, there is no way to know for certain what is going to happen, but there have been three different votes on which the House has remained adament in its position. What will happen tomorrow, I do not know, but past history would seem to indicate what is likely to happen.

With regard to the interest of the Senate in this, the Senator from Iowa is rather out of character in propounding that question, because I do not think there is any Member of this body who is more of a stickler about getting proper legislation. I compliment him for that. He looks carefully at the phraseology of all bills. In my opinion, it would seriously affect the Nation when congressional Members are running at large. I think the only difference the distinguished Senator and I have on this particular issue is whether we should make these two exceptions in order that a bill would be passed.

Mr. MILLER. I think it is bad for the Nation——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. But I do not see that the Senate should be held responsible if we are standing for a principle. If the House does not want to stand for that principle and puts itself into a mess, that is not our responsibility. The Senator's argument is that we should bend that principle just so the House will not get into a mess. There is some expediency there, but I think the Senator from Tennessee has pointed out that what is right is right and what is wrong is wrong.

Who is to say that someone else will not come along and say, "Let us make it three exceptions or four exceptions"? I think we all want what is right. My only point is that the House must assume its responsibility. As we have been standing firm, the House has been receding from its adamancy. I think we have a much better proposition than we had 6 months ago.

Mr. BAKER. Mr. President, the Senator from Indiana has said that this is the third time the House has spoken on the issue, and he believes we will not have a bill if we do not accept this version.

I think it is reasonable to infer from those three votes that the debate and the votes in this body have had some impact and, hopefully, the logic put forth by both sides in this body has had some impact as well on the other body, because on April 27 there were only 86 votes in the House supporting this position, but on October 26 there were 105 votes and on November 28 there were 179 votes.

That certainly is not standing still. I think we are moving closer to the establishment of the principle involved, rather than reacting to the intricacies and local colorations and political requirements of any one State, two States, or 20 States.

Let me reply to the Senator from Indiana in respect to the two points he offers in justification for the exception of the two States: First, that they have traditionally elected Representatives at large. Without disparaging my own State, traditionally in Tennessee we have always been malapportioned until recently. So have no truck at all with a tradition that brings about a violation of a principle. It robs the State of the localized and personal representation that single-member districts provide.

The second point made by the Senator from Indiana is that if we do not take this bill, we will not have a bill. I point to the change in the position of the House of Representatives.

I would point out one further thing. A "no" vote, a vote against accepting the deviation from the principle, would have the effect of sending this matter to conference. I believe we can get a bill. I believe we can get the principle. I believe we can carry this principle forward in this session if we will stick to our guns and vote "no."

Mr. INOUYE. Mr. President, I yield 5 minutes to my colleague from Hawaii.

Mr. FONG. Mr. President, I agree with my distinguished colleague from Indiana that this is the last step; that if we do not get this bill, we never will get a bill.

For 87 years, from 1842 to 1929, we had on the statute books a law requiring single-member congressional districts. From 1929 to 1967, for 38 years, we have had no such statute. If this bill fails of passage, I am afraid, speaking as a Senator from Hawaii, we are not going to get out another redistricting bill.

This bill, as I see it, is framed only for States such as Indiana; under court order to elect their Representatives at large. This bill would relieve these States of this necessity, so that the bill really is drawn to benefit them, and not the State of Hawaii.

Let us look at the history of the bill. The bill as it came from the House of Representatives provides that Hawaii and New Mexico may run their representatives at large until 1972, in other words, for two elections, and for 4 years.

What did the Judiciary Committee of the Senate do? My good friend from Nebraska [Mr. HRUSKA] is a member of the Judiciary Committee and of the conference committee. He said this afternoon that he is against allowing Hawaii and New Mexico to have one more turn as States which elect their representatives at large, because we would be violating the single-member district principle.

Yet, I would point out that the Senator from Nebraska went to conference with the Members of the House and Senate and came back to the Senate with a conference report exempting the States of Hawaii and New Mexico, for two elections, from the requirement of electing their representatives by single-member districts. But nowhere in the conference report was there a requirement that the State of Hawaii draw congressional district lines after 1972.

In other words, the Senator from Nebraska, with other members of the conference, would have told Hawaii and New Mexico, "From now on you will never be required to reapportion your State and have your members elected single-district members."

The conference report would never have required single-member districts for Hawaii.

This bill goes much further. It says that Hawaii and New Mexico are allowed only for one Congress, the 91st, to elect their members at large, thereafter, they will be required to elect their members from single-member districts, like any other State.

As a Senator from the State of Hawaii, a State vitally affected by this amendment, I ask that my fellow Senators look at the facts and recognize the realities of the situation.

If we vote down this bill, there will probably not be another redistricting bill enacted in this or the next session of this Congress. By that time, the six States which are eagerly awaiting the passage of a bill so they will not have to redistrict will probably have redistricted, and there will no longer be any urgency to pass a redistricting bill.

Mr. BAYH. Mr. President, will the Senator yield for one brief comment?

Mr. FONG. I yield.

Mr. BAYH. I feel very close to the Senator from Hawaii on this issue. California, I believe, wants this bill more than any other State. I have my legislative assistant on the phone now to determine the facts.

In the largest State in the Union, both Democrats and Republicans are concerned that candidates from that State still might have to run at large.

In Indiana, the general assembly redistricted once, but the court said, "You did not go far enough." I think the court was in error, but we nevertheless always follow its edicts.

I am not sure but that the State of Tennessee is involved also; is that correct?

Mr. BAKER. Tennessee is reapportioned now, and as far as I know we have less than 1½ percent variation.

Mr. BAYH. Tennessee is in an enviable position.

I believe the State of New York is in somewhat the same position as Indiana, as well as the State of Pennsylvania. I know that California is in this predicament.

Mr. FONG. Mr. President, I do not believe the one-man, one-vote issue is involved in this amendment, because every person's vote is accorded the same weight. Rather, we are talking about single member districts.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FONG. I ask for 2 additional minutes.

Mr. INOUYE. I yield my colleague 2 minutes.

Mr. FONG. There will no longer be any urgency if we kill this measure. If this bill is defeated, the realities of the situation will be such that the State of Hawaii may never have a chance to elect a Republican Representative. The National House and the Senate, both having a majority of Democrats, will never accede to a bill presented by a Republican Member to require the State of Hawaii to draw district lines.

I therefore urge my fellow Senators, especially those on this side of the aisle, to vote for the pending measure.

The State of Hawaii has been electing its Representatives at large since 1959; another 2 years will not hurt us.

Beginning in 1970, after 2 years, every State in the Union will be required to elect its Representatives by single-member districts.

I ask my fellow Senators to support the bill.

Mr. INOUYE. Mr. President, I yield 5 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I have no partisan interest in this matter at all. Apparently that is also true as to the Senators from Hawaii, since one is a member of one party, and the other of the other party.

All I can say is that I am a citizen of a county and State which has just gone through a bitter experience in this field. We in Florida have just had a three-judge court, consisting entirely of very eminent jurists, all of whom I recommended to be judges, go through the process of reapportioning our State on the basis of the 1960 census, and endeavoring to follow the Supreme Court directions because that is what is required. It is a completely impractical, unreasonable, and inaccurate redistricting, simply because of the fact that only the 1960 census is available, and only that may be the measure of performance.

In my own county, a large country county which has always voted together since it was created in 1861, 11 precincts on the west side of that county were cut off to vote with a city county, Tampa; and if ever you saw a group of people who are disillusioned, do not know what to do, and do not know how to do it, it is the people in those 11 precincts. Those of us in the remainder of the county, the other 70-odd precincts, feel exactly the same way.

Some of us are here asking these two States, which are requesting this 2-year delay, to submit and subject themselves to a situation which is impractical. In the case of New Mexico, the city in which my distinguished friend—Senator ANDERSON—lives was a much smaller city in 1960. Now it contains one-third or more of the population of the State of New Mexico, by reason of growth since that time.

In the case of Hawaii, we have a State which has already been given, by its statehood act, the very right which it now asserts for itself, to have its two Representatives—and it now has two, having had only one when admitted—elected statewide. We propose to take that right away.

Is it a sin or a crime to give to sovereign States which have peculiar problems 2 years in which to work out those problems? I had rather it were 4 years, myself, so they would have the advantage of the 1970 census; because in my State there will be no fair apportionment until the 1970 figures are available. It is those 1960 figures against which the court will measure any kind of reapportionment that is made now.

I strongly believe we ought to give the relief that Indiana, California, and a dozen other States are entitled to, to prevent candidates from having to run statewide, thus knocking out of competition a great many good people. I think we should accept this amendment and be able to feel we have done a pretty good job by permitting two relatively small States in population, which have never dealt with this problem before, to have a little time to look over their hand before they try to do this job reasonably.

Here is Hawaii, with the island of Oahu containing more than 80 percent of the population, with some islands way out in the Pacific on one side, and another group way out in the Pacific on the other side, and only the 1960 census figures available. How can we expect them to do a decent job against that kind of urgency if we failed to concur with the House, in which case we would require that they either do it themselves, or have a three-judge court do it for them.

As far as I am concerned, I do not want any State to have to submit to having a three-judge court do it for them, because a court cannot do it on the basis of the 1960 census figures, and do a reasonable job. That has already been shown conclusively, to my satisfaction, in the light of the results of the recent attempted redistricting of the State of Florida. I have stated only one of the monstrosities that has been caused to exist by taking a pair of scissors and attempting to cut up the State according to the census of 1960, when, as everybody now knows, there has been great but nonuniform growth and the city county which is next to us now has, in itself, more than enough people to constitute a complete congressional district, yet, on the basis of the 1960 census, they took 11 precincts off of our country county.

That is the kind of problem we are up against. That is the reason why I think we should give them these 2 years. I think we are entitled to believe the Senators of those States; and as far as I am concerned, even if it is only a matter of comity—and it is much more than that, based upon practical experience which I have related in part—I shall certainly vote to stand with them and concur with the House amendment.

Mr. INOUYE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Hawaii has 3 minutes remaining.

Mr. INOUYE. Mr. President, I am pleased to yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I urge the Senate to agree to this amendment, and put an end to this redistricting matter for this time. If we do not do so, we are going to create a situation of chaos next fall, because the Supreme Court will require candidates for Congress in States which do not live up to the one-man, one-vote principle on the basis of the 1960 census to run at large.

I have spent a major portion of my energies since last May trying to obtain the passage of a practical redistricting bill. It has been impossible to do that, because some have insisted upon absolute perfection, which is something you never obtain in this world.

I appeal to the Senate to approve the House amendment in this matter, so that we will not have congressional elections next fall in which Representatives from many States may have to run at large, unless the pending measures is speedily passed.

We have had redistricting twice in 3 years. It is time to put an end to some of these things.

Mr. BAKER. Mr. President, I yield to the distinguished Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, I have sympathy with the distinguished senior Senator from Hawaii. I certainly share with him his desire to have a Republican elected at large or a Republican elected in Hawaii in the congressional election in 1968.

I also sympathize with the unique problem experienced in Hawaii and New Mexico. However, there is a principle involved, and it is a very important principle. This principle has been acted upon by the Senate very recently by a vote of 55 to 22.

The distinguished junior Senator from Indiana was foremost among those who argued for this principle, as he has stated today. He has always believed, as I understand, in the one-man, one-vote principle. He has always been against elections at large.

It would seem to me that the only reasons that have been advanced so far for supporting the pending measure is first, that it has been this way in New Mexico and it has been this way in Hawaii for a long time, and second that these two States are unique.

There are other States which have the same problem that Hawaii and New Mexico have. The Commonwealth of Massachusetts was ordered to redistrict, and it has redistricted. However, it seems to me that if we are ever going to have the rule apply, the Senate should stand by its former vote of 55 to 22 and that the practical aspects of having the House concur in the conference are greater if the Senate would stand by its original vote.

I urge the Senate to defeat the bill and stand by the principle involved even though Hawaii and New Mexico may encounter some inconvenience in the 1968 election. After all, this measure would postpone it for only one election. It seems to me that both the State of Hawaii and the State of New Mexico would be able to redistrict in time for the 1968 election if we are able to hold our position in conference.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. Mr. President, I yield 1 minute to the distinguished junior Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 1 minute.

Mr. BAYH. Mr. President, I appreciate the thoughtful remarks of the Senator from Massachusetts. I point out two things very quickly.

I just received information a moment ago that California is under the gun to make a decision by December 7. So, the matter then is extremely important to that State.

Second, I do not feel that the supporting of this measure in an effort to try to see to it that 48 States are in fact not ordered by a court to have elections at large is a desertion of the principle of one man, one vote. There is no disparity between the congressional districts if both congressional candidates run at large. I would much prefer that they run from single-member districts.

I think in the light of all that has been said concerning the inconvenience to these two States and the fact that this would prevent several other States from being confronted with a hardship by having to conduct elections at large, that it is in the best interest of the country that we pass this measure.

Mr. BAKER. Mr. President, I reply briefly to the contention of the distinguished Senator from Indiana that running at large assures equality of representation in the House of Representatives. I disagree.

I believe, as I have said previously, that one of the primary objections to at-large elections, as distinguished from elections from single-member districts, is that the very fact of the existence of the at-large elections has a tendency to support the majority at the expense of the minority. A rural population in some States may very well be entirely subordinated in representation by a large population in an urban center in the State. In an urban State it may be entirely possible that the city dweller will be subordinated in the matter of representation to the country dweller, or that an ethnic group concentrated in one area may have no voice at all if the election is on an at-large basis.

I disagree respectfully with the Senator from Indiana.

I believe that the principle of single-member districts and the principle of elections from single-member districts is a vital, essential, and integral part of the concept of equality of representation and responsiveness of government in the Federal House of Representatives.

Mr. INOUYE. Mr. President, I am prepared to yield back the remainder of my time.

Mr. BAKER. Mr. President, I yield back the remainder of my time.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Mr. President, will the Presiding Officer state the question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii to concur in the House amendment to the Senate amendment.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, am I correct in my interpretation that a "yea" vote would be essentially to support the position of the House of Representatives and to exempt Hawaii and New Mexico, and that a "nay" vote would be to retain the Senate version adopted on June 8 and again on November 28?

The PRESIDING OFFICER. The Senator is correct.

All time having expired, the question is on agreeing to the motion of the Senator from Hawaii to concur in the House amendment to the Senate amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from New York [Mr. Kennedy], the Senator from Oklahoma [Mr. Monroney], the Senator from Georgia [Mr. Russell], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington], are necessarily absent.

I also announce that the Senator from Virginia [Mr. Spong] is absent because of the death of his uncle.

I further announce that the Senator from Louisiana [Mr. Ellender], the Senator from Arizona [Mr. Hayden], and the Senator from Oregon [Mr. Morse], are absent on official business.

I further announce that, if present and voting, the Senator from New York [Mr. Kennedy], would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Dominick], the Senator from California [Mr. Kuchel], the Senator from Illinois [Mr. Percy], the Senator from Pennsylvania [Mr. Scott], and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from Kentucky [Mr. Cooper] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Vermont [Mr. Prouty] is absent because of illness.

The Senator from Kansas [Mr. Carlson], the Senator from Arizona [Mr. Fannin] and the Senator from New York [Mr. Javits] are detained on official business.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from New York [Mr. Javits], the Senator from California [Mr. Kuchel], the Senator from Illinois [Mr. Percy], the Senator from Vermont [Mr. Prouty], the Senator from Pennsylvania [Mr. Scott], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 54, nays 24, as follows:

[No. 366 Leg.]

YEAS—54

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Eastland
Ervin
Fong
Fulbright
Gruening
Hart
Hartke
Hill
Holland
Hollings
Inouye
Jackson
Jordan, N.C.

Kennedy, Mass.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morton
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—24

Aiken
Allott
Baker
Bennett
Boggs
Brooke
Case
Cotton
Curtis
Dirksen
Gore
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Jordan, Idaho
Miller
Mundt
Murphy
Pearson
Smith
Thurmond
Williams, Del.

NOT VOTING—22

Carlson
Cooper
Dodd
Dominick
Ellender
Fannin
Harris
Hayden
Javits
Kennedy, N.Y.
Kuchel
Monroney
Morse
Percy
Prouty
Russell
Scott
Sparkman
Spong
Symington
Tower
Young, N. Dak.

So Mr. Inouye's motion was agreed to.

Mr. INOUYE. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. BAYH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Hawaii [Mr. Inouye] demonstrated outstanding skill and ability in handling this proposal that bars at-large congressional elections. The solution offered by the other body for the two States that have traditionally had at-large contests appeared highly satisfactory to the Senate. We are grateful to Senator Inouye for so persuasively and successfully urging the Senate's concurrence in that solution.

Our thanks go also to the distinguished Senator from Tennessee [Mr. Baker], whose strong and sincere views were so ably and articulately expressed. We certainly appreciated his splendid cooperation to dispose of the measure as expeditiously as possible, even though his objections to the measure did not meet with success. The Senator from Indiana [Mr. Bayh] and the Senator from Hawaii [Mr. Fong] are to be commended for the cooperation and assistance they rendered on this proposal. And the Senate itself deserves commendation for acting swiftly and with high efficiency in disposing of the measure.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2644) to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended.

The message also announced that the House disagreed to the amendment of the Senate to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Dulski, Mr. Henderson, Mr. Olsen, Mr. Udall, Mr. Daniels, Mr. Corbett, Mr. Gross, Mr. Cunningham, and Mr. Johnson of Pennsylvania were appointed managers on the part of the House at the conference.

PROGRAM FOR TOMORROW—ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished acting majority leader about the time for convening the Senate tomorrow.

Mr. BYRD of West Virginia. Mr. President, it is the plan of the leadership to have the Senate convene at 9 o'clock tomorrow morning; and in accordance with that plan, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW, FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF LIFE OF THE CIVIL RIGHTS COMMISSION—CONFERENCE REPORT

Mr. ERVIN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10805) to extend the life of the Civil Rights Commission. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

Conference Report (H. Rept. No. 992)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10805) to extend the life of the Civil Rights Commission, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate; on page 1, after line 6, insert a new section as follows:

"Sec. 2. Section 106 of the Civil Rights Act of 1957 (71 Stat. 636; 42 U.S.C. 1975e) is amended to read as follows:

" 'Sec. 106. For the purposes of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years, the sum of $2,650,000 for each such fiscal year'."

And agree to the same.

James O. Eastland,
John L. McClellan,
Samuel J. Ervin, Jr.,
Everett McKinley Dirksen,
Roman L. Hruska,
Managers on the Part of the Senate.
Emanuel Celler,
Peter W. Rodino, Jr.,
Byron G. Rogers,
William M. McCulloch,
Edward G. Biester, Jr.,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ERVIN. Mr. President, the House conferees receded from the disagreement of the House to the amendment of the Senate, which placed a ceiling of $2,650,000 per year on the authorized expenditures for the Civil Rights Commission for each fiscal year of its existence.

I urge the adoption of this report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ICC AUTHORIZES MERGER OF "NORTHERN LINES" RAILROADS

Mr. METCALF. Mr. President, about an hour and a half ago some of us from the Northwest were served with a news release from the Interstate Commerce Commission, announcing that the Interstate Commerce Commission had authorized the merger of the "Northern lines" railroads. My distinguished colleagues, the majority leader [Mr. Mansfield], and I were amazed at this reversal of the decision that the Commission had arrived at previously, and we were rather surprised that this decision had been made.

Mr. President, I ask unanimous consent that the news release be printed in the Record at this point.

There being no objection, the news release was ordered to be printed in the Record, as follows:

ICC Authorizes Merger of "Northern Lines" Railroads

The Interstate Commerce Commission announced today that it has approved the "Northern Lines" railroad merger. Because of widespread interest in the transaction, the Commission announced its decision several days prior to service of its report.

The Northern Lines are the Great Northern Railway, the Northern Pacific Railway, the Chicago, Burlington and Quincy Railroad, the Pacific Coast Railroad Company, and the Spokane, Portland and Seattle Railway Company. They will be brought together in a new company called Great Northern Pacific and Burlington Lines, Inc. A rail network will be created of almost 27,000 miles of track extending from the Great Lakes and the Mississippi River through the northern tier of Western states to the Pacific Northwest and California, and by affiliation reaching the Gulf of Mexico.

In approving this merger, the Commission pointed out that this proposal was but a part of the larger picture of proposed railroad mergers in Western states, and that picture was still evolving. Therefore, the Commission imposed a broad reservation of jurisdiction to impose conditions which may be necessitated by cumulative or crossover problems, stemming from approval of this merger alone, or in combination with other merger transactions which later may be authorized in the territory involved. The door is also being left open for railroads in the territory to seek inclusion in the Northern Lines.

The Commission's action reverses a prior decision denying the applications. Following that denial, in April 1966, the railroad applicants reached job-protective agreements with employees and concluded traffic agreements with the principal protestant railroads, the Chicago, Milwaukee, St. Paul & Pacific Railroad Company and the Chicago and North Western Railway Company. Subsequent to applicants' petitions for reconsideration, the Commission reopened the proceeding to reevaluate the entire record.

Approval of the merger is predicated on a number of conditions, including attrition provisions for employees. In the view of the Commission, "the protection thereby afforded providing as it does job security as well as monetary benefits, could hardly have been achieved except for the merger."

The Commission's approval of the transactions is also subject to conditions for the protection of other railroads in the territory involved. All conditions sought by the Milwaukee and North Western were imposed. The effect of these conditions will be to strengthen the Milwaukee and the North Western, both as to revenue potential and competitive posture. The Milwaukee, among other benefits, will be given access to Billings, Mont., Portland, Oreg., and Canada. It will, the Commission found, become a "viable transcontinental rail competitor."

The improved financial posture which will result from the merger, the Commission found, will enable the Northern lines to become stronger and more stable, and thus better equipped to meet the growing competition now being felt. Moreover, consolidation of facilities, elimination of wasteful duplication, improved routing, better car utilization, and avoidance of time-consuming interchanges among applicants will result in a more efficient railroad.

It was also found that shippers will benefit from, among other things, faster and more dependable single-line service. This, coupled with the broad choice of new gateways, is extremely important in view of the long distances involved and the nature of the products of the Northwest.

Related applications seeking authority to issue securities and assume certain financial obligations, and to effect a number of minor extensions and abandonments of railroad lines, were also granted.

The Commission concluded that the merger, as conditioned in the report, presents an entirely new perspective in the efficient and economical movement of transcontinental, Western and Pacific Coast traffic.

Copies of the Commission's decision and order will be available at the Commission's offices in Washington, D.C., as soon as the printing process is completed.

Mr. **METCALF**. Mr. President, the merger of the Great Northern Railway, the Northern Pacific Railway, the Chicago, Burlington & Quincy Railroad, the Pacific Coast Railroad Co., and the Spokane, Portland & Seattle Railway Co. is a merger of the major railroads in the entire Northwest.

The Great Northern Railway and the Northern Pacific Railway are two of the most prosperous railroads in America. Between them they own the complete stock of the Chicago, Burlington & Quincy, which is also one of the most prosperous railroads in America.

Mr. President, this decision of the Interstate Commerce Commission to authorize the merger is prefaced by an announcement that the Commission announced its decision prior to service of the report. Its report is not available to us at this time.

However, the Commission said in the news release that in approving this merger the Commission pointed out that "this proposal was but a part of the larger picture of proposed railroad mergers in Western States and that picture was still evolving."

Mr. President, while we in Montana, Minnesota, Wisconsin, Idaho, Washington, Oregon, and even down to New Mexico are concerned with this merger, I say to Senators from Western States, "Stick around for a while because the Commission has said they are going to have other mergers and that the picture is still evolving."

Mr. President, there were many self-serving declarations in the statement. It is stated in the news release:

> The improved financial posture which will result from the merger, the commission found, will enable the northern lines to become stronger and more stable.

Mr. President, I am sure they will be stronger but the kind of service will have to be about half the service we have enjoyed so far in the Northwest.

It is also stated in the news release:

> It is also found that shippers will benefit from, among other things, faster and more dependable single-line service.

How taking off half of the trains in the Northwest will improve the status of the shippers is more than I can understand.

Mr. President, I hope that the distinguished Senator from Washington [Mr. MAGNUSON], who is concerned in this matter, as the chairman of the Committee on Commerce, will institute an immediate investigation. I hope he will look into why this merger was authorized at this time, after a reversal of the previous action of the committee, and why this merger which, in spite of the news release, is going to be so detrimental to the interests of the Northwest was allowed between two of the most profitable railroad operations in the United States.

The Northern Pacific Railway is a land-grant railroad. It has thousands and thousands of acres of oil on its lands that were given to it in order that it would serve certain areas in Montana, Minnesota, and Idaho. It has thousands of acres of timber land, probably more valuable today than the right-of-way of the railroad. For a while the Northern Pacific Railway was earning more from oil land than from its railroad operations.

Mr. President, this is a callous disregard of public interest to permit these railroads to curtail the public service they should provide for the entire Northwest.

I urge the chairman of the Committee on Commerce to immediately institute an investigation and as soon as the report is available, to find out just what is behind this reversal of a prior decision of the Commission.

ESTABLISHMENT OF A FEDERAL JUDICIAL CENTER—CONFERENCE REPORT

Mr. **TYDINGS**. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The bill clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—FEDERAL JUDICIAL CENTER

"SEC. 101. Title 28, United States Code, is amended by inserting, immediately following chapter 41, a new chapter as follows:

" 'Chapter 42.—FEDERAL JUDICIAL CENTER

" 'Sec.
" '620. Federal Judicial Center.
" '621. Board; composition, tenure of members, compensation.
" '622. Meetings; conduct of business.
" '623. Duties of the Board.
" '624. Powers of the Board.
" '625. Director and staff.
" '626. Compensation of the Director.
" '627. Retirement; employee benefits.
" '628. Appropriations and accounting.
" '629. Organizational provisions.

" '§ 620. Federal Judicial Center

" '(a) There is established within the judicial branch of the Government a Federal Judicial Center, whose purpose it shall be to further the development and adoption of improved judicial administration in the courts of the United States.

" '(b) The Center shall have the following functions:

" '(1) to conduct research and study of the operation of the courts of the United States, and to stimulate and coordinate such research and study on the part of other public and private persons and agencies;

" '(2) to develop and present for consideration by the Judicial Conference of the United States recommendations for improvement of the administration and management of the courts of the United States;

" '(3) to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government, including, but not limited to, judges, referees, clerks of court, probation officers, and United States commissioners; and

" '(4) insofar as may be consistent with the performance of the other functions set forth in this section, to provide staff, research, and planning assistance to the Judicial Conference of the United States and its committees.

" '§ 621. Board; composition, tenure of members, compensation

" '(a) The activities of the Center shall be supervised by a Board to be composed of—

" '(1) the Chief Justice of the United States, who shall be the permanent Chairman of the Board;

" '(2) two active judges of the courts of appeals of the United States and three active judges of the district courts of the United States elected by vote of the members of the Judicial Conference of the United States: *Provided, however,* That the judges so elected shall not be members of the Judicial Conference of the United States; and

" '(3) the Director of the Administrative Office of the United States Courts, who shall be a permanent member of the Board.

" '(b) The term of office of each elected member of the Board shall be four years: *Provided, however,* That section 629 of this chapter shall govern the terms of office of the first members elected to the Board: *And provided further,* That a member elected to serve for an unexpired term arising by virtue of the death, disability, retirement, or resignation of a member shall be elected only for such unexpired term.

" '(c) No member elected for a four-year term shall be eligible for reelection to the Board.

" '(d) Members of the Board shall serve without additional compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

" '§ 622. Meetings; conduct of business

" '(a) Regular meetings of the Board shall be held quarterly. Special meetings shall be held from time to time upon the call of the Chairman, acting at his own discretion or pursuant to the petition of any four members.

" '(b) Each member of the Board shall be entitled to one vote. A simple majority of the membership shall constitute a quorum for the conduct of business. The Board shall act upon the concurrence of a simple majority of the members present and voting.

" '§ 623. Duties of the Board

" '(a) In its direction and supervision of the activities of the Federal Judicial Center, the Board shall—

" '(1) establish such policies and develop such programs for the Federal Judicial Center as will further achievement of its purpose and performance of its functions;

" '(2) formulate recommendations for improvements in the administration of the courts of the United States, in the training of the personnel of those courts, and in the management of their resources;

" '(3) submit to the Judicial Conference of the United States, at least one month in advance of its annual meeting, a report of the activities of the Center and such recommendations as the Board may propose for the consideration of the Conference;

" '(4) present to other government departments, agencies, and instrumentalities whose programs or activities relate to the administration of justice in the courts of the United States the recommendations of the Center for the improvement of such programs or activities;

" '(5) study and determine ways in which automatic data processing and systems procedures may be applied to the administration of the courts of the United States, and include in the annual report required by paragraph (3) of this subsection details of the results of the studies and determinations made pursuant to this paragraph; and

" '(6) consider and recommend to both public and private agencies aspects of the operation of the courts of the United States deemed worthy of special study.

" '(b) The Board shall transmit to Congress and to the Attorney General of the United States copies of all reports and recommendations submitted to the Judicial Conference of the United States. The Board shall also keep the Committees on the Judiciary of the United States Senate and House of Representatives fully and currently informed with respect to the activities of the Center.

" '§ 624. Powers of the Board

" 'The Board is authorized—

" '(1) to appoint and fix the duties of the Director of the Federal Judicial Center, who shall serve at the pleasure of the Board;

" '(2) to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to the performance of the functions of the Federal Judicial Center set forth in this chapter, and each such department, agency, or instrumentality is directed to cooperate with the Board and, to the extent permitted by law, to furnish such information to the Center upon request of the Chairman or upon request of the Director when the Board has delegated this authority to him;

" '(3) to contract with and compensate government and private agencies or persons for research projects and other services, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), and to delegate such contract authority to the Director of the Federal Judicial Center, who is hereby empowered to exercise such delegated authority.

" '§ 625. Director and staff

" '(a) The Director shall supervise the activities of persons employed by the Center and perform other duties assigned to him by the Board.

" '(b) The Director shall appoint and fix the compensation of such additional professional personnel as the Board may deem necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates: *Provided, however,* That the compensation of any person appointed under this subsection shall not exceed the annual rate of basic pay of level V of the Executive Schedule pay rates, section 5316, title 5, United States Code: *And provided further,* That the salary of a reemployed annuitant under the Civil Service Retirement Act shall be adjusted pursuant to the provisions of section 8344, title 5, United States Code.

" '(c) The Director shall appoint and fix the compensation of such secretarial and clerical personnel as he may deem necessary, subject to the provisions of title 5, United States Code, governing appointments in competitive service and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

" '(d) The Director may procure personal services as authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the highest rate payable under General Schedule pay rates, section 5332, title 5, United States Code.

" '(e) The Director is authorized to incur necessary travel and other miscellaneous expenses incident to the operation of the Center.

" '§ 626. Compensation of the Director

" 'The compensation of the Director of the Federal Judicial Center shall be the same as that of the Director of the Administrative Office of the United States Courts, and his appointment and salary shall not be subject to the provisions of title 5, United States Code, governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates: *Provided, however,* That any Director who is a justice or judge of the United States in active or retired status shall serve without additional compensation.

" '§ 627. Retirement; employee benefits

" '(a) A Director of the Federal Judicial Center who attains the age of seventy years shall be retired from that office.

" '(b) The Director, the professional staff, and the clerical and secretarial employees of the Federal Judicial Center shall be deemed to be officers and employees of the judicial branch of the United States Government within the meaning of subchapter III of chapter 83 (relating to civil service retirement), chapter 87 (relating to Federal employees' life insurance program), and chapter 89 (relating to Federal employees' health benefits program) of title 5, United States Code: *Provided, however,* That the Director, upon written notice filed with the Director of the Administrative Office of the United States Courts within six months after the date on which he takes office, may waive coverage under subchapter III of chapter 83 of title 5, United States Code (relating to civil service retirement), and elect coverage under the retirement and disability provisions of this section: *And provided further,* That upon his non-retirement separation from the Federal Judicial Center, such waiver and election shall not operate to foreclose to the Director such opportunity as the law may provide to secure civil service retirement credit for service as Director by depositing with interest the amount required by section 8334 of title 5, United States Code.

" '(c) Upon the retirement of a Director who has elected coverage under this section and who has served at least fifteen years and attained the age of sixty-five years the Director of the Administrative Office of the United States Courts shall pay him an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement.

" 'Upon the retirement of a Director who has elected coverage under this section and who has served at least ten years, but who is not eligible to receive an annuity under the first paragraph of this subsection, the Administrative Office of the United States Courts shall pay him an annuity for life equal to that proportion of 80 per centum of the salary of the office at the time of his retirement that the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of sixty-five at the time of separation from service.

" '(d) A Director who has elected coverage under this section and who becomes permanently disabled to perform the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement if he has served at least fifteen years, or equal to that proportion of 80 per centum of such salary that the aggregate number of years of his service bears to fifteen if he has served less than fifteen years, but in no event less than 50 per centum of such salary.

" '(e) For the purpose of this section, "service" means service, whether or not continuous, as Director of the Federal Judicial Center, and any service, not to exceed five years, as a judge of the United States, a Senator or Representative in Congress, or a civilian official appointed by the President, by and with the advice and consent of the Senate.

" '§ 628. Appropriations and accounting

" 'There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter. The Administrative Office of the United States Courts shall provide accounting, disbursing, auditing, and other fiscal services for the Federal Judicial Center.

" '§ 629. Organizational provisions

" '(a) The terms of office of the members first elected to the Board shall commence on the thirtieth day after the first meeting of the Judicial Conference after the date on which this chapter shall take effect.

"'(b) The members first elected to the Board shall continue in office for terms of one, two, three, three, and four years, respectively, the term of each to be designated by the Judicial Conference of the United States at the time of his election.

"'(c) Members first elected to the Board who are designated by the Judicial Conference of the United States to serve terms of office of less than four years shall be eligible for reelection to one full term of office.'

"TITLE II—ADDITIONAL AMENDMENTS TO TITLE 28, UNITED STATES CODE

"Sec. 201. (a) Chapter 41 of title 28, United States Code, is amended by adding at the end thereof a new section as follows:

"'§ 611. Retirement of Director

"'(a) The Director may, by written election filed with the Chief Justice of the United States within six months after the date on which he takes office, waive coverage under subchapter III (relating to civil service retirement) of chapter 83, title 5, United States Code, and bring himself within the purview of this section. Such waiver and election shall not operate to foreclose to the Director, upon separation from service other than by retirement, such opportunity as the law may provide to secure civil service retirement credit for service as Director by depositing with interest the amount required by section 8334 of title 5, United States Code.

"'(b) Upon the retirement of a Director who has elected coverage under this section and who has served at least fifteen years and attained the age of sixty-five years the Administrative Office of the United States Courts shall pay him an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement.

"'Upon the retirement of a Director who has elected coverage under this section and who has served at least ten years, but who is not eligible to receive an annuity under the first paragraph of this subsection, the Administrative Office of the United States Courts shall pay him an annuity for life equal to that proportion of 80 per centum of the salary of the office at the time of his retirement that the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of sixty-five at the time of separation from service.

"'(c) A Director who has elected coverage under this section and who becomes permanently disabled to perform the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement if he has served at least fifteen years, or equal to that proportion of 80 per centum of such salary that the aggregate number of years of his service bears to fifteen if he has served less than fifteen years, but in no event less than 50 per centum of such salary.

"'(d) For the purpose of this section, "service" means service, whether or not continuous, as Director of the Administrative Office of the United States Courts, and any service, not to exceed five years, as a judge of the United States, a Senator or Representative in Congress, or a civilian official appointed by the President, by and with the advice and consent of the Senate.'

"(b) The table of contents preceding such chapter is amended by inserting at the end thereof the following new item:

"'611. Retirement of Director.'

"Sec. 202. Section 376, title 28, United States Code, is amended by adding the following new subsections:

"'(r) The Director of the Federal Judicial Center shall be deemed a judge of the United States for the purposes of this section and shall be entitled to bring himself within the purview of this section by filing an election as provided in subsection (a) of this section within the time therein specified. As applied to a Director of the Federal Judicial Center, the phrase "retirement from office by resignation on salary under section 371(a) of this title" as used in subsections (b), (c), (g), (i), and (n) of this section shall mean "retirement from office under subsection (c) or (d) of section 627 of this title or by removal after not less than ten years service", the phrase "salary paid after retirement" as used in subsection (b) of this section shall mean "annuity paid after retirement under subsection (c) or (d) of section 627 of this title", and the phrase "resigns from office other than on salary under section 371(a) of this title" as used in subsection (f) of this section shall mean "resigns from office otherwise than on retirement under subsection (c) or (d) of section 627 of this title or is removed after less than ten years service".

"'(s) The Director of the Administrative Office of the United States Courts shall be deemed a judge of the United States for the purposes of this section and shall be entitled to bring himself within the purview of this section by filing an election as provided in subsection (a) of this section within the time therein specified. As applied to a Director of the Administrative Office of the United States Courts, the phrase "retirement from office by resignation on salary under section 371(a) of this title" as used in subsections (b), (c), (g), (i), and (n) of this section shall mean "retirement from office under section 611 of this title or by removal after not less than ten years service", the phrase "salary paid after retirement" as used in subsection (b) of this section shall mean "annuity paid after retirement under section 611 of this title", and the phrase "resigns from office other than on salary under section 371(a) of this title" as used in subsection (f) of this section shall mean "resigns from office otherwise than on retirement under section 611 of this title or is removed after less than ten years service".'

"Sec. 203. Subsection (a) of section 604, title 28, United States Code, is amended by amending:

"(a) Paragraph (7) to read as follows:

"'(7) Regulate and pay annuities to widows and surviving dependent children of judges, Directors of the Federal Judicial Center, and Directors of the Administrative Office, and necessary travel and subsistence expenses incurred by judges, court officers and employees, and officers and employees of the Administrative Office, and the Federal Judicial Center, while absent from their official stations on official business,';

"(b) Paragraph (9), to insert between the word 'courts' and the word 'and' a comma and the words 'the Federal Judicial Center,';

"(c) Paragraphs (10) and (11), to insert between the word 'courts' and the word 'and' a comma and the words 'the Federal Judicial Center,'.

"Sec. 204. The table of contents to 'Part III.—Court Officers and Employees' of title 28, United States Code, is amended by inserting after

"'41. Administrative Office of the United States Courts-------- 601'

a new chapter reference as follows:

"'42. Federal Judicial Center-------- 620'.

"Sec. 205. (a) Except as provided in subsection (b), the amendments made by this title, insofar as they relate to retirement and survivorship benefits of the Director of the Administrative Office of the United States Courts, shall be applicable only with respect to persons first appointed to such office after the date of enactment of this Act.

"(b) The provisions of section 611(a), the first paragraph of section 611(b), and section 376(s), of title 28, United States Code, as added by such amendments, shall be applicable to a Director or former Director of the Administrative Office of the United States Courts who was first appointed prior to the date of enactment of this Act if at the time such Director or former Director left or leaves such office he had, or shall have, attained the age of sixty-five years and completed fifteen years of service as Director of the Administrative Office of the United States Courts and if, on or before the expiration of six months following the date of enactment of this Act, he makes the election referred to in section 611(a) or section 376(s), or both, as the case may be."

Amend the title so as to read: "An act to provide for the establishment of a Federal Judicial Center, and for other purposes."

Joseph D. Tydings,
Samuel J. Ervin, Jr.,
P. A. Hart,
Roman L. Hruska,
Everett M. Dirksen,
Managers on the Part of the Senate.
Emanuel Celler,
Peter W. Rodino,
Byron G. Rogers,
Clark MacGregor,
Robert McClory,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. TYDINGS. Mr. President, the conference report is a vindication of the careful study and creative treatment afforded H.R. 6111 by the Senate Committee on the Judiciary and by the Subcommittee on Improvements in Judicial Machinery. All of the substance of the Senate's amendments has been accepted; one small pargraph of the Senate version has been modified slightly, and a single word has been added to another paragraph. These two changes, while not substantial, do polish the measure to a luster worthy of our approval.

The first of the modifications to the Senate version agreed upon is the addition of the word "stimulate" to section 620(b)(3), which relates to the Federal Judicial Center's "continuing education" function. As modified the relevant paragraph would read:

> (3) to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government, including, but not limited to, judges, referees, clerks of court, probation officers and United States commissioners;

The addition of the word "stimulate" will, the conferees believe, better reflect the Center's role in programs of continuing education for the judiciary. This modification makes explicit what was already implicit in the Senate version: the Center is to be an instigator of such programs, as well as a conductor of them.

The second modification agreed to relates to the Center's responsibility in the area of data processing and systems techniques. The Senate version—section 623(a)(5)—reads:

> (5) evaluate proposals for the application of data processing and systems techniques to the administration of the courts of the United States;

It also contained a general reporting provision, requiring the forwarding by the Center of copies of all reports and recommendations furnished to the Judicial Conference to the Attorney General and to the Congress.

The House version had a slightly different emphasis, and included a specific reporting provision. It read:

> (3) study and determine ways in which automatic data processing and systems procedures may be used in Federal judicial administration;
>
> * * * * *
>
> (7) submit to the Congress reports of the results of the studies and determinations made by the Board under subsection (3) of this section. The first report shall cover the Board's activities during the first eighteen months following the date of the enactment of this chapter and each succeeding report shall cover such activities during each succeeding twelve-month period thereafter. Each report shall be submitted no later than thirty days following the close of the period for which the report is submitted.

The conference agreed to new language blending the slightly variant themes of each House's data processing language into the structure of the Senate version. Thus, the Center is to "study and determine ways in which automatic data processing and systems procedures may be applied to the administration of the courts of the United States, and include in the annual report required by paragraph (3) of this subsection details of the results of the studies and determinations made pursuant to this paragraph."

Mr. President, a great measure of recognition is due the openmindedness of the conferees on the part of the House. Chairman Celler, Congressmen Rogers, Rodino, McClory, and MacGregor deserve the praise of the Senate, as well as that of their own Chamber, for their hard work and cooperation, both in moving H.R. 6111 through the House, and in adopting the Senate version.

On our own side of the Capitol, Mr. President, Senators Ervin, Hart, Dirksen and Hruska have joined me in promoting the success of the conference. I am deeply grateful to them.

Mr. President, I urge the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 710, H.R. 7819, the Elementary and Secondary Education Amendments of 1967. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill H.R. 7819 to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "Elementary and Secondary Education Amendments of 1967".

ADMINISTRATION

Sec. 2. Rules, regulations, guidelines, or other published interpretations or orders issued by the Department of Health, Education, and Welfare or the United States Office of Education, or by any official of such agencies, in connection with, or affecting, the administration of programs authorized by this Act or by any Act amended by this Act shall contain immediately following each substantive provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based. All such rules, regulations, guidelines, interpretations, or orders shall be uniformly applied and enforced throughout the fifty States.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

Part A—Amendments to Title I of Elementary and Secondary Education Act of 1965

PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN

Sec. 101. The third sentence of section 203 (a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "June 30, 1967," and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969,".

RAISING THE DOLLAR LIMITATION FOR STATE ADMINISTRATIVE EXPENSES UNDER TITLE II OF PUBLIC LAW 874

Sec. 102. Effective for fiscal years beginning after June 30, 1967, section 207(b)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "$75,000" and inserting in lieu thereof "$150,000".

TECHNICAL CORRECTIONS WITH RESPECT TO PAYMENTS ON ACCOUNT OF NEGLECTED OR DELINQUENT CHILDREN

Sec. 103. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting "(other than such institutions operated by the United States)" immediately after "living in institutions for neglected or delinquent children", and by striking out "paragraph (5)" and inserting in lieu thereof "paragraph (7)".

(b) Section 205(c)(1)(C) of such Act is amended by striking out "(8)" and inserting in lieu thereof "(11)".

(c) Section 206(a)(3) and section 207(b) of such Act are each amended by striking out "section 205(a)(5)" and inserting in lieu thereof "section 205(a)(6)".

CONFORMING AMENDMENTS TO MAKE STATE OR NATIONAL AVERAGE PER PUPIL EXPENDITURE OPTION AVAILABLE TO STATE AGENCY PROGRAMS UNDER TITLE I

Sec. 104. (a)(1) The second sentence of section 203(a)(6) of the Act of September 30, 1950, is amended by striking out "average per pupil expenditure in the United States" and inserting in lieu thereof the following: "average per pupil expenditure in that State or, if greater, in the United States".

(2) The first sentence of section 203(a)(7) of such Act is amended by inserting after "average per pupil expenditure in that State" the following: "or, if greater, in the United States".

(b)(1) Section 203(a)(2) of such Act is amended by striking out the last sentence thereof.

(2) Section 203(a)(6) of such Act is amended by striking out the last sentence thereof.

(3) Section 203 of such Act is amended by adding at the end thereof the following subsection:

"(e) For purposes of this section, the 'average per pupil expenditure' in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States (which for the purposes of this subsection means the fifty States and the District of Columbia), as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

(4) The first sentence of section 203(a)(2) and the first sentence of section 203(a)(5) are each amended by striking out the matter in the parenthesis immediately after "United States".

USE OF RECENT CASELOAD DATA

Sec. 105. The third sentence of section 203(d) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "latest calendar or fiscal year data, whichever is later" and inserting in lieu thereof "caseload data for the month of January of the preceding fiscal year".

JOINT TRAINING PROGRAMS FOR EDUCATION AIDES AND PROFESSIONAL STAFF

Sec. 106. Section 205(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting a semicolon at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and the word "and", and by adding at the end thereof the following new paragraph:

"(11) in the case of projects involving the use of education aides, the local educational agency sets forth well-developed plans providing for coordinated programs of training in which education aides and the professional staff whom they are assisting will participate together."

ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

Sec. 107. (a) Section 208 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress) is amended (1) by dividing it into two subsections composed, respectively, of the first two sentences as subsection "(a)" and the remainder as subsection "(b)", and (2) by amending the first sentence of such section to read as follows: "If the sums appropriated for any fiscal year for making the payments provided in this title are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this title for such year—

"(1) the amount available for each grant to a State agency eligible for a grant under paragraph (5), (6), or (7) of section 203(a) shall be equal to the maximum grant as computed under such paragraph;

"(2) the minimum aggregate amount available for each county, for grants to local educational agencies having school districts in such county, shall be equal to the aggregate amount allocated for such county from appropriations for the preceding fiscal year: *Provided*, That, if the total of such allocations for all counties exceeds the amount remaining after allocations are made under paragraphs (1) and (3) of this sentence, the amounts of allocations pursuant to this paragraph shall be reduced ratably;

"(3) the minimum amount available for payments to each State educational agency for the purposes of section 207(b) shall be equal to 1 per centum of the aggregate amounts available within that State pursuant to paragraphs (1) and (2) of this sentence (including, when applicable, the proviso to paragraph (2)), except that no State shall receive less than the minimum amount provided for in section 207(b)(2); and

"(4) any amount of such appropriations remaining after making the allocations prescribed pursuant to the preceding paragraphs shall be allocated by computing such remainder in accordance with section 203(a)(2) and section 207(b)(1), as ratably reduced: *Provided*, That the aggregate amount allocated to any State under this paragraph and paragraph (3) for the purposes of section 207(b) shall not, except where necessary to provide the minimum amount specified in section 207(b)(2), exceed 1 per centum of the aggregate amount computed for other purposes under this paragraph and paragraphs (1) and (2) (including the proviso to paragraph (2))."

(b) Such section 208 is further amended by adding thereto the following subsections:

"(c) This section shall not apply to States to which allotments are made under section 203(a)(1).

"(d) In the case of any State (or multicounty part thereof) that consists of a single school district, the term 'county', as used in this section, means such State (or multicounty part thereof)."

SPECIAL INCENTIVE GRANTS

SEC. 108. (a) Title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is further amended by—

(1) inserting "PART A—BASIC GRANTS" immediately after the heading of such title;

(2) striking out "this title" wherever it appears in sections 201 through 208 and inserting in lieu thereof "this part";

(3) inserting "PART C—GENERAL PROVISIONS" immediately before the section heading of section 209;

(4) redesignating sections 209 through 214 and references thereto as sections 231 through 236; and

(5) inserting after section 208 thereof the following new part:

"PART B—INCENTIVE GRANTS

"SPECIAL INCENTIVE GRANTS

"SEC. 221. (a) A special incentive grant shall be made for any fiscal year beginning after June 30, 1967, to the State educational agency of each State which has an effort index for such year that exceeds the national effort index for such year. The amount of such special incentive grant shall be determined by multiplying the amount of $1 for each 0.01 per centum by which such State's effort index for such year exceeds the national effort index for such year times the aggregate number of children counted for purposes of entitling local educational agencies within such State to basic grants in accordance with classes (2), (5), (6), and (7) of section 203(a) of this Act. If the sum of the amounts so determined for all the States exceeds the amount appropriated pursuant to this part for any fiscal year, such amounts shall be ratably reduced. No State agency shall receive in any year a grant pursuant to this section which is in excess of 15 per centum of the total amount appropriated for such year for the purpose of this section. The State educational agency shall distribute such grant to those local educational agencies in such State which are in the greatest need of additional funds, for the purposes set forth in section 205(a), and amounts so distributed shall be used by such agencies in accordance with the provisions governing the use of grants to such agencies under this title.

"(b) Grants pursuant to this section shall be made upon application containing such information as the Commissioner may require for the purpose of this section. The Commissioner shall not finally disapprove such an application except after reasonable notice and opportunity for a hearing to the State educational agency.

"(c) For the purpose of this section the term 'State effort index' means the per centum expressing the ratio of expenditures from all sources in a State for public elementary and secondary education to the total personal income in such State, and the term 'national effort index' means the per centum expressing the ratio of such expenditures in all States to the total personal income in all States.

"(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 each for the fiscal year ending June 30, 1968 and the three succeeding fiscal years."

(b) Sections 232 and 233(a) of such of such Act (as redesignated by subsection (a) of this section) are each amended by striking out "or 206(b)" and inserting in lieu thereof ", 206(b) or 221(b)".

(c) The amendments made by this section shall be effective with respect to appropriations enacted after the date of enactment of this Act.

AGRICULTURAL WORKERS

SEC. 109. Section 205(c) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by adding at the end thereof the following new paragraph:

"(3) For purposes of this subsection, with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under this subsection."

REDESIGNATING SECTION NUMBERS IN TITLE II OF PUBLIC LAW 874

SEC. 110. For the purpose of avoiding confusion between references to section numbers of title II of the Elementary and Secondary Education Act of 1965 and references to section numbers of title II of Public Law 874, Eighty-first Congress (which latter title is also generally cited as title I of the Elementary and Secondary Education Act of 1965), sections 201 through 208, 221, and 231 through 236 of Public Law 874, Eighty-first Congress, as amended by the preceding sections of this Act, are redesignated as sections 101 through 108, 121, and 131 through 136, respectively, and all references to any such section in that or any other law, or in any rule, regulation, order, or agreement of the United States are amended so as to refer to such section as so redesignated.

STUDY OF IMPACT OF CHILDREN LIVING IN PUBLIC HOUSING

SEC. 111. The Secretary of Health, Education, and Welfare shall make a study of the burden imposed on a local educational agency by the presence of low-rent public housing within the boundaries of its school district. The Secretary shall submit a report on the results of his study to the Senate and House of Representatives on or before January 10, 1968. Such report shall include such recommendations for legislation as the Secretary deems appropriate.

COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

SEC. 112. Section 182 of title I of Public Law 89–750, Eighty-ninth Congress, is amended by striking the period at the end of section 182, inserting in lieu thereof a colon and the following language: "Provided, That, for the purpose of determining whether a local educational agency is in compliance with title VI of the Civil Rights Act of 1964 (Public Law 88–352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with such title VI, insofar as the matters covered in the order or judgment are concerned."

STUDY OF DATA USED TO ESTABLISH ENTITLEMENTS

SEC. 113. The Commissioner of Education and the Secretary of Commerce, acting together, shall prepare and submit to the Senate and House of Representatives, on or before May 1, 1968, a report setting forth a method of determining the information necessary to establish entitlements within each of the several States under title I of the Elementary and Secondary Education Act of 1965 on the basis of data later than 1960. Such report shall include recommendations for legislation necessary to permit the adoption of such method.

PART B—AMENDMENTS TO TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

EXTENDING FOR TWO YEARS PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS

SEC. 121. Section 202(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969".

PART C—REVISION OF TITLE III OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 131. Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

APPROPRIATIONS AUTHORIZED

"SEC. 301. (a) The Commissioner shall carry out a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966; $175,000,000 for the fiscal year ending June 30, 1967; $500,000,000 for the fiscal year ending June 30, 1968; $525,000,000 for the fiscal year ending June 30, 1969; $550,000,000 for the fiscal year ending June 30, 1970; and $575,000,000 for the fiscal year ending June 30, 1971. In addition, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and each of the three succeeding fiscal years, such sums as may be necessary for the administration of State plans, the activities of advisory councils, and the evaluation and dissemination activities required under this title.

"ALLOTMENT AMONG STATES

"SEC. 302. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1969, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301(b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be reallotted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year.

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year.

"USES OF FEDERAL FUNDS

"SEC. 303. (a) Funds appropriated pursuant to section 301 shall, except as provided in subsection (b), be available only for grants in accordance with applications approved pursuant to this title for—

"(1) planning for and taking other steps leading to the development of programs or projects designed to provide supplementary educational activities and services described in paragraphs (2) and (3), including pilot projects designed to test the effectiveness of plans so developed;

"(2) the establishment or expansion of exemplary and innovative educational programs (including dual-enrollment programs and the lease or construction of necessary facilities) for the purpose of stimulating the adoption of new educational programs (including those described in section 503(4) and special programs for handicapped children) in the schools of the State; and

"(3) the establishment, maintenance, operation, and expansion of programs or projects, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, supplementary educational services and activities, such as—

"(A) comprehensive guidance and counseling, remedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

"(B) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

"(C) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

"(D) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis for the benefit of children in public and other nonprofit schools, organizations, and institutions;

"(E) developing, producing, and transmitting radio and television programs for classroom and other educational use;

"(F) in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs (including preschool education), because some or all of its schools are seriously overcrowded, obsolete, or unsafe, initiating and carrying out programs or projects designed to meet those needs, particularly those which will result in more effective use of existing facilities;

"(G) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods, and visiting teachers' programs;

"(H) encouraging community involvement in educational programs; and

"(I) other specially designed educational programs or projects which meet the purposes of this title.

"(b) In addition to the uses specified in subsection (a), funds appropriated for carrying out this title may be used for—

"(1) proper and efficient administration of State plans;

"(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory councils authorized by this title in carrying out their responsibilities; and

"(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

"APPLICATIONS FOR GRANTS—CONDITIONS FOR APPROVAL

"SEC. 304. (a) A grant under this title pursuant to an approved State plan or by the Commissioner for a supplementary educational center or service program or project may be made only to a local educational agency or agencies, and then only if there is satisfactory assurance that, in the planning of that program or project there has been, and in the establishment and carrying out thereof there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. The term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the appropriate State educational agency or to the Commissioner, as the case may be, at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in section 303(a) and provide for such methods of administration as are necessary for the proper and efficient operation of the programs;

"(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 303(a), and in no case supplant such funds;

"(4) provide, in the case of an application for assistance under this title which includes a project for the construction of necessary facilities, satisfactory assurance that—

"(A) reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities,

"(B) upon completion of the construction, title to the facilities will be in a State or local educational agency,

"(C) in developing plans for such facilities, (i) due consideration will be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and (ii) there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that, to the extent appropriate in view of the uses to be made of the facilities, such facilities are accessible to and usable by handicapped persons, and

"(D) the requirements of section 310 will be complied with;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—

"(1) meets the requirements set forth in subsection (a);

"(2) provides that the program or project for which application is made—

"(A) will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant;

"(B) to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project, makes provision for the participation of such children; and

"(3) has been reviewed by a panel of experts.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"STATE ADVISORY COUNCILS AND STATE PLANS

"SEC. 305. (a) (1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall (A) establish within its State educational agency a State advisory council (hereinafter referred to as the 'State advisory council') which meets the requirements set forth in paragraph (2), (B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and (C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

"(2) The State advisory council, established pursuant to paragraph (1), shall—

"(A) be broadly representative of the cultural and educational resources of the State (as defined in section 304(a)) and of the public, including persons representative of—

"(i) elementary and secondary schools,

"(ii) institutions of higher education,

"(iii) professional organizations of teachers and school administrators,

"(iv) organizations promoting the improvement of education, and

"(v) areas of professional competence in dealing with children needing special education because of physical or mental handicaps,

but nothing in this subparagraph shall be construed to preclude the appointment of nonresidents of a State to the State advisory council of that State;

"(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria for approval of applications under such State plan;

"(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for a grant under the State plan;

"(D) evaluate programs and projects assisted under this title;

"(E) prepare and submit a report of its activities, recommendations, and evaluations to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail as the National Advisory Council may prescribe; and

"(F) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

"(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

"(1) sets for a program (including educational needs, and their basis, and the manner in which the funds paid to the State under this title shall be used in meeting such educational needs) under which funds paid to the State under section 307(a) will be expended solely for the improvement of education in the State through grants to local educational agencies for programs or projects in accordance with sections 303 and 304: *Provided*, That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such program or project) that are fully equivalent to those otherwise required of a local educational agency;

"(2) sets forth the administrative organization and procedures in such detail as the Commissioner may prescribe by regulation to be used in carrying out the State plan, including the qualifications for personnel having responsibilities in the administration of the plan;

"(3) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities;

"(4) provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds and including where appropriated bilingual education, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe;

"(5) provides that, in approving applications for grants for programs or projects, applications proposing to carry out programs or projects planned under this title will receive special consideration;

"(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

"(7) provides that not less than 50 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for purposes of paragraphs (1) and (2) of section 303(a);

"(8) provides that not less than 15 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for special programs or projects for the education of handicapped children;

"(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

"(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

"(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commission may find necessary to assure the correctness and verification of such reports;

"(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

"(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

"(c) The Commissioner may, if he finds that a State plan for any fiscal year is in substantial compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 307) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided*, That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

"(d) A State which has had a State plan approved for any fiscal year may receive for the purpose of carrying out such plan an amount not in excess of 33⅓ per centum of its allotment pursuant to section 302 for the fiscal year ending June 30, 1969, 50 per centum thereof for the fiscal year ending June 30, 1970, and 66⅔ per centum thereof for the fiscal year ending June 30, 1971.

"(e) (1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under section 305 or with any requirement set forth in the application of a local educational agency approved pursuant to section 304, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(f)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"SPECIAL PROGRAMS AND PROJECTS

"SEC. 306. (a) From the amount allotted to any State, pursuant to section 302, which is not available for grants under a State plan approved pursuant to section 305, the Commissioner is authorized, subject to the provisions of section 304, to make grants to local educational agencies in such State for programs or projects which meet the purposes of section 303 and which, in the case of a local educational agency in a State which has a State plan approved, hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. The Commissioner may not approve an application under this section unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner regarding the disposition of the application.

"(b) Not less than 15 per centum of the funds granted pursuant to this section in any fiscal year shall be used for programs or projects designed to meet the special educational needs of handicapped children.

"PAYMENTS

"SEC. 307. (a) From the allotment to each State pursuant to section 302, for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 305 for that fiscal year, the amount necessary to carry out its State plan as approved.

"(b) The Commissioner is authorized to pay to each State amounts necessary for the activities described in section 303(b), during any fiscal year, except that (1) the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, and (2) in such payment, the amount paid for the administration of the State plan during such year shall not exceed an amount equal to 5 per centum of its allotment for that fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

"(c) The Commissioner shall pay to each applicant which has an application approved pursuant to section 306 the amount necessary to carry out the program or project pursuant to such application.

"(d) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(e) No payments shall be made under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for State aid (as defined by regulation) with respect to the provision of free public education in that State for the preceding fiscal year was not less than such fiscal effort for State aid for the second preceding fiscal year.

"RECOVERY OF PAYMENTS

"SEC. 308. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

"(a) the owner of the facility shall cease to be a State or local educational agency, or

"(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"NATIONAL ADVISORY COUNCIL

"SEC. 309. (a) The President shall, by January 31, 1968, appoint a National Advisory Council on Supplementary Centers and Services which shall—

"(1) advise the Commissioner in the preparation of general regulations;

"(2) review the administration and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

"(3) review each State plan and application submitted to the Commissioner pursuant to sections 305 and 306, and make recommendations to the Commissioner with respect to the action to be taken on such plan or application;

"(4) set forth procedures for the submission of reports by State advisory councils to the National Advisory Council;

"(5) review, evaluate, and transmit the reports of State advisory councils to the Congress, the President, and the Secretary;

"(6) evaluate programs and projects carried out under this title and disseminate the results thereof; and

"(7) make recommendations for the improvement of this title, and its administration and operation.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. The Secretary shall make available to the Council such technical, professional, secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

"(e) The Council is authorized to appoint without regard to the provisions of title 5, United States Code, covering appointment in the competitive service, and fix the compensation of, without regard to chapter 51 and subchapter III of chapter 53 of such title, such professional and technical personnel as may be necessary to enable it to carry out its duties.

"LABOR STANDARDS

"SEC. 310. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

EFFECTIVE DATE

SEC. 132. (a) The amendment made by section 131 shall be effective July 1, 1968, except as specifically provided in subsection (b).

(b)(1) That part of section 305(a) of the Elementary and Secondary Education Act of 1965, as amended by section 131, concerning State advisory councils, and section 309 of such Act, as so amended, shall be effective upon enactment of this Act.

(2) The second sentence of section 301(b) of such Act, as so amended, shall be effective upon enactment of this Act.

(c) The Commissioner is authorized, upon enactment of this Act, to take such steps as he may deem appropriate in order to prepare to implement the amendment made by section 131.

PART D—AMENDMENTS TO TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

DURATION OF AND FUNDS FOR TITLE

SEC. 141. (a) Section 501(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(b) Section 501(b) of such Act is amended by striking out "and $50,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$65,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970; and $85,000,000 for the fiscal year ending June 30, 1971,".

INCLUSION OF TRUST TERRITORY OF PACIFIC ISLANDS

SEC. 142. (a) The first and third sentences of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965, relating to apportionment of appropriations, are each amended by striking out "and" after "Samoa," and by inserting ", and the Trust Territory of the Pacific Islands" after "Virgin Islands".

(b)(1) Paragraph (j) of section 701 of such Act, defining the term "State", is amended by striking out "and for purposes of title II and title III, such term includes the Trust Territory of the Pacific Islands" and inserting in lieu thereof ", and for purposes of titles II, III, and V such term also includes the Trust Territory of the Pacific Islands".

(2) Such section 701 is further amended by inserting ", except when otherwise specified" immediately after "As used in titles II, III, and V of this Act".

REVISION OF APPORTIONMENT FORMULA

SEC. 143. The second sentence of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "The remainder of such per centum of such sums shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him."

ENCOURAGEMENT OF USE OF AUXILIARY PERSONNEL

SEC. 144. Section 503 of the Elementary and Secondary Education Act of 1965 is amended by redesignating paragraphs (7), (8), (9), (10), and (11) as (8), (9), (10), (11), and (12), respectively, and by inserting after paragraph (6) the following new paragraph:

"(7) programs and other activities specifically designed to encourage the full and adequate utilization and acceptance of auxiliary personnel (such as teacher aides) in elementary and secondary schools on a permanent basis;".

COMPREHENSIVE PLANNING GRANTS

SEC. 145. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" at the end of the next to the last paragraph, by striking out the period at the end thereof and inserting a semicolon, and by adding at the end thereof the following new paragraphs:

"(13) programs for providing grants to local educational agencies in metropolitan areas to enable them to engage in comprehensive planning to meet their particular needs, either alone or in cooperation with other such agencies; and

"(14) a program, which shall be included in each such overall program for each fiscal year pursuant to this section, for distributing in the State in an equitable manner on the basis of need among local educational agencies, within the State at least 10 per centum of such amount to be used by such agencies for any of the purposes of this title as applied to a local educational agency in lieu of a State educational agency."

(b)(1) Section 502(a) of such Act is amended by striking out "85" each time it appears and inserting "95" in lieu thereof.

(2) Section 502(a)(2) of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

(3) Section 505 of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

GRANTS TO INTERSTATE COMMISSIONS

SEC. 146. Section 505 of the Elementary and Secondary Education Act of 1965 is amended by striking out the period at the end of such section and inserting in lieu thereof the following: ", and for grants to public regional interstate commissions or agencies for educational planning and research."

COMPREHENSIVE EDUCATIONAL PLANNING

SEC. 147. (a) Title V of the Elementary and Secondary Education Act of 1965 is further amended by adding "AND FOR STATEWIDE EDUCATIONAL PLANNING" to its heading and by inserting the following immediately below its heading:

"PART A—GRANTS FOR STRENGTHENING LEADERSHIP RESOURCES OF STATE EDUCATIONAL AGENCIES"

(b) Title V of such Act is further amended by striking out the words "this title" wherever they appear and inserting in lieu thereof "this part", and by adding at the end thereof the following new part:

"PART B—GRANTS FOR COMPREHENSIVE EDUCATIONAL PLANNING AND EVALUATION

"AUTHORIZATION

"SEC. 521. To the end of enhancing the capability of the several States to make effective progress, through comprehensive and continuing planning, toward the achievement of opportunities for high-quality education for all segments of the population throughout the State, the Commissioner is authorized to make, in accordance with the provisions of this part, comprehensive planning and evaluation grants to States that have submitted, and had approved by the Commissioner, an application pursuant to section 523, and special project grants, related to the purposes of this part, pursuant to section 524. For the purpose of making such grants, there are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1968, $20,000,000 for the fiscal year ending June 30, 1969, and for each of the two suceeding fiscal years.

"APPORTIONMENT AMONG THE STATES

"SEC. 522. (a)(1) From the sums appropriated for carrying out this part for each fiscal year, 25 per centum shall be reserved for the purposes of section 524 and the remaining 75 per centum shall be available for grants to States under section 523.

"(2) The Commissioner shall apportion not in excess of 2 per centum of the amount available for grants under section 523 among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for carrying out the purposes of this part. The remainder of such amount shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the population of the State bears to the population of all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

For purposes of the preceding sentence, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The amount apportioned under this section to any State for the fiscal year ending June 30, 1968, shall be available for obligation for grants pursuant to applications approved during that year and the succeeding fiscal year.

"(c) The amount of any State's apportionment for any fiscal year under paragraph (2) of subsection (a) which the Commissioner determines will not be required for grants to that State under section 523 during the period for which such apportionment is available may from time to time be reapportioned by the Commissioner to other States, according to their respective needs, as the Commissioner may determine. Any amount so reapportioned to a State from funds appropriated for any fiscal year shall be deemed to be a part of the amount apportioned to it under subsection (a) for that year.

"COMPREHENSIVE PLANNING GRANTS

"SEC. 523. (a)(1) Any State desiring to receive a grant or grants under this section from its apportionment under section 522 for any fiscal year shall designate or establish a single State agency or office (hereafter in this part referred to as the State educational planning agency) as the sole agency for carrying out or supervising the carrying out of a comprehensive statewide program of systematic planning and evaluation relating to education at all levels (including remedial education and retraining of adults), except that—

"(A) the field of higher education shall be included only if the State so elects and so provides in an application (or amended or supplemental application) under this section, and

"(B) in the event of such election the State may designate or establish a separate State agency (hereafter in this part referred to as the State higher education planning agency) for carrying out or supervising the carrying out of such planning and evaluation program with respect to higher education.

"(2) A grant to a State may be made under this section only upon approval of an application submitted to the Commissioner through the State educational planning agency, except that, with respect to States electing to include the field of higher education as provided in clause (A) of paragraph (1) of this subsection and designating or establishing a State higher education planning agency as provided in clause (B) of paragraph (1), the Commissioner, by or pursuant to regulation—

"(A) shall authorize the submission of a combined application which includes higher education (or an amended or supplemental application filed upon the making of such election) jointly through both the State's planning agencies involved, or the submission of a separate application (or supplement) through the State's higher educational planning agency as to so much of the State's program as relates to planning and evaluation in the field of higher education, and

"(B) may provide for allocating, between the State's two planning agencies, the amount of any grant or grants under this section from the State's apportionment.

"(3) An application (or amendment or supplement thereto) under this section shall set forth, in such detail as the Commissioner deems necessary, the statewide program referred to in paragraph (1) (or, in the case of a separate application or amendment or supplement with respect to the field of higher education, so much of the statewide program as relates to that field), which shall include provision for—

"(A) setting statewide educational goals and establishing priorities among these goals;

"(B) developing through analyses alternative means of achieving these goals, taking into account the resources available and the educational effectiveness of each of the alternatives (including, in the case of higher education, the resources and plans of private institutions in the State bearing upon the State's goals and plans for public higher education);

"(C) planning new programs and improvements in existing programs based on the results of these analyses;

"(D) developing and strengthening the capabilities of the State to conduct, on a continuous basis, objective evaluations of the effectiveness of educational programs; and

"(E) developing and maintaining a permanent system for obtaining and collating significant information necessary to the assessment of progress toward the State's educational goals.

"(b) Applications (including amendments and supplements thereto) for grants under this section may be approved by the Commissioner only if the application—

"(1) has been submitted to the chief executive of the State for review and recommendations;

"(2) sets forth, if the State has elected to include the field of higher education and has designated or established a separate State higher education planning agency, such arrangements for coordination, between the State's educational planning program in that field and the remaining educational planning program submitted by the State, as will in the Commissioner's judgment be effective;

"(3) contains satisfactory assurance—

"(A) that the assistance provided under this section, together with other available resources, will be so used for the several purposes specified in subparagraphs (A) through (E) of paragraph (3) of subsection (a) of this section as to result in the maximum possible effective progress toward the achievement of a high level of competence with respect to each of them, and

"(B) that assistance under this part will, by the State planning agency involved, be used primarily in strengthening the capabilities of its own planning and evaluation staff or, to the extent that the program is to be carried out under the supervision of that agency by other agencies, the planning and evaluation staffs of such other agencies; but consistently with this objective part of the funds received under a grant under this section may be used, in appropriate circumstances, to employ consultants, or to enter into contracts for special projects with public or private agencies, institutions, or organizations having special competence in the areas of planning or evaluation;

"(4) makes adequate provision (consistent with such criteria as the Commissioner may prescribe) for using funds granted to the applicant under this section, other than funds granted for planning and evaluation in the field of higher education, (A) to make program planning and evaluation services available to local educational agencies, and (B) in the case of such agencies in areas (particularly metropolitan areas) with school populations sufficiently large to warrant their own planning or evaluation staffs, to assist such agencies (financially or through technical assistance, or both) to strengthen their planning and evaluation capabilities and to promote coordinated areawide planning for such areas;

"(5) provides for such methods of administration as are necessary for the proper and efficient operation of the program;

"(6) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid under this part to the State (including any such funds paid by the State to agencies, institutions, or organizations referred to in paragraph (4)(B) or paragraph (3) of this subsection); and

"(7) provides for making such reports, in such form and containing such information as the Commissioner may reasonably require (copies of which shall also be sent to the chief executive of the State), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(c) A grant made pursuant to an approval of an application under this section may be used to pay all or part of the cost of activities covered by the approved application and included in such grant, but excluding so much, if any, of such cost as is paid for from grants under part A.

SPECIAL PROJECTS

"Sec. 524. (a) The sums reserved pursuant to section 522(a)(1) for the purposes of this section shall be used for grants for special projects in accordance with subsection (b) of this section.

"(b) The Commissioner is authorized to make grants to public or private nonprofit agencies, institutions, or organizations, or to make contracts with public or private agencies, institutions, or organizations, for special projects related to the purposes of this part, to be conducted on an interstate, regional, or metropolitan area basis, including projects for such purposes as—

"(1) metropolitan planning in education in areas covering more than one State;

"(2) improvement and expansion in the educational planning of large cities within a State with due regard to the complexities of adequate metropolitan planning in such places;

"(3) comparative and cooperative studies agreed upon between States or metropolitan areas;

"(4) conferences to promote the purposes of this part and involving different States;

"(5) publications of general use to the planning of more effective and efficient educational services, and other activities for dissemination of information related to the purposes of this part.

"PAYMENTS

"Sec. 525. Payments under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine."

PART E—AMENDMENTS TO TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

REGIONAL RESOURCE CENTERS, SERVICES FOR DEAF-BLIND CHILDREN, RECRUITMENT OF PERSONNEL

Sec. 151. Title VI of the Elementary and Secondary Education Act of 1965 is amended by—

(1) inserting immediately below the heading of such title

"PART A—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) inserting immediately above the heading of section 608

"PART E—GENERAL PROVISIONS";

(3) redesignating sections 608, 609, and 610 and references thereto as sections 611, 612, and 613, respectively;

(4) striking out the words "this title" wherever they occur in sections 601, and 603 through 607, and inserting in lieu thereof "this part"; and

(5) inserting immediately after section 607 the following:

"PART B—REGIONAL RESOURCE CENTERS FOR IMPROVEMENT OF THE EDUCATION OF HANDICAPPED CHILDREN

"REGIONAL RESOURCE CENTERS

"Sec. 608. (a) For the purpose of aiding in the establishment and operation of regional centers which will develop and apply the best methods of appraising the special educational needs of handicapped children referred to them and will provide other services to assist in meeting such needs, there authorized to be appropriated $7,500,000 for the fiscal year ending June 30, 1968, $8,000,000 for the fiscal year ending June 30, 1969, $10,000,000 for the fiscal year ending June 30, 1970, and $12,00,000 for the fiscal year ending June 30, 1971.

"(b) Appropriations under this section shall be available to the Commissioner for grants to or contracts with institutions of higher education, State educational agencies, local educational agencies, or combinations of such agencies or institutions, within particular regions of the United States, to pay all or part of the cost of establishment (including construction) or operation of regional resource centers for the improvement of education of the handicapped in such regions. Centers established or operated under this section shall (1) provide testing and educational evaluation to determine the special educational needs of handicapped children referred to such centers, (2) develop educational programs to meet those needs, and (3) assist schools and other appropriate agencies, organizations, and institutions in providing such educational programs through services such as consultation (including, in appropriate cases, consultation with parents or teachers of handicapped children at such regional centers), periodic reexamination and reevaluation of special educational programs, and other technical services.

"(c) In determining whether to approve an application for a project under this section, the Commissioner shall consider the need for such a center in the region to be served by the applicant and the capability of the applicant to develop and apply, with the assistance of funds under this section, new methods, techniques, devices, or facilities relating to educational evaluation or education of handicapped children.

"(d) Payment pursuant to grants or contracts under this section may be made (after necessary adjustments on account of previously made underpayments or overpayments) in advance or by reimbursement, and in such installments and on such conditions as the Commissioner may determine."

"PART C—CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"SEC. 609. (a) It is the purpose of this part to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

"(b) The Secretary is authorized, upon such terms and conditions (subject to the provisions of subsection (d)(1) of this section) as he deems appropriate to carry out the purposes of this part, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children.

"(c) In determining whether to make a grant or contract under subsection (b), the Secretary shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

"(d)(1) A grant or contract pursuant to subsection (b) shall be made only if the Secretary determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

"(A) comprehensive diagnostic and evaluative services for deaf-blind children;

"(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

"(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education.

"(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

"(e) The Secretary is further authorized, either as part of any grant or contract under subsection (b), or by separate grant to or contract with an agency, organization, or institution operating a center meeting the requirements prescribed by or pursuant to subsection (d), to provide for the payment of all or part of the cost of such activities as—

"(1) research to identify and meet the full range of special needs of deaf-blind children;

"(2) development or demonstration of new, or improvements in existing, methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

"(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

"(4) dissemination of materials and information about practices found effective in working with deaf-blind children.

"(f) For purposes of this part, the term 'construction' includes, in addition to those matters set forth in section 701(b), construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements.

"(g) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this part the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"(h) For purposes of this part, the determination of children who are both deaf and blind shall be made in accordance with regulations of the Secretary.

"(i) Payments pursuant to grants or contracts under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursements, and in such installments and on such conditions as the Secretary may determine.

"(j) For the purpose of carrying out this part, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, $3,000,000 for the fiscal year ending June 30, 1969, $7,000,000 for the fiscal year ending June 3, 1970, and $9,000,000 for the fiscal year ending June 30, 1971.

"PART D—RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"GRANTS OR CONTRACTS TO IMPROVE RECRUITING OF EDUCATIONAL PERSONNEL, AND TO IMPROVE DISSEMINATION OF INFORMATION CONCERNING EDUCATIONAL OPPORTUNITIES FOR THE HANDICAPPED

"SEC. 610. (a) The Commissioner is authorized to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, or institutions, for projects for—

"(1) encouraging students and professional personnel to work in various fields of education of handicapped children and youth through, among other ways, developing and distributing imaginative or innovative materials to assist in recruiting personnel for such careers, or publicizing existing forms of financial aid which might enable students to pursue such careers, or

"(2) disseminating information about the programs, services, and resources for the education of handicapped children, or providing referral services, to parents, teachers, and other persons especially interested in the handicapped.

"(b) To carry out the purposes of this section, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, and for each of the three succeeding fiscal years."

TRANSFER OF DEFINITION AND OTHER TECHNICAL AMENDMENTS

SEC. 152. (a) Section 602 of title VI of the Elementary and Secondary Education Act of 1965 is redesignated as section 614 and transferred to the end of such title.

(b) Section 601 of such title is amended by—

(1) striking out the section heading and inserting in lieu thereof the heading

"GRANTS TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) striking out "(a)" in subsection (a);

(3) redesignating section 601(b) and references thereto as section 602 by striking out "(b)" in subsection (b) and inserting "SEC. 602." in lieu thereof; and

(4) inserting above section 602 as so redesignated the section heading

"APPROPRIATIONS AUTHORIZED".

(c)(1) The portion of section 701 of the Elementary and Secondary Education Act of 1965 (containing definitions) which precedes subsection (a), as amended by section 142(b) of this Act, is further amended by striking out "As used in titles II, III, and V" and inserting in lieu thereof "As used in titles II, III, V, and VI".

(2) Paragraph (j) of such section 701, as amended by section 142(b) of this Act, is further amended by striking out "and V" and inserting in lieu thereof "V, and VI".

INCLUDING SCHOOLS FOR INDIAN CHILDREN OPERATED BY THE DEPARTMENT OF THE INTERIOR AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS IN TITLE VI

SEC. 153. (a) So much of paragraph (1) of section 603(a) of the Elementary and Secondary Education Act of 1965 as follows the first sentence is amended to read as follows: "The Commissioner shall allot the amount appropriated pursuant to this paragraph among—

"(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs, and

"(B) for the fiscal year ending June 30, 1968, and the succeeding fiscal year, (i) the Secretary of the Interior according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance for the education of handicapped children in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part."

(b) The first sentence of paragraph (2) of section 603(a) of the Elementary and Secondary Education Act of 1965 is amended by changing the period at the end thereof to a comma and adding the following: "except that no State shall be allotted less than $100,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater."

SHORT TITLE OF TITLE VI OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 154. Title VI of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof the following new section:

"SHORT TITLE

"SEC. 615. This title may be cited as the 'Education of the Handicapped Act'."

EXPANSION OF INSTRUCTIONAL MEDIA PROGRAMS TO INCLUDE ALL HANDICAPPED CHILDREN

SEC. 155. (a) Subsection (b) of the first section of the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf" (42 U.S.C. 2491 et seq.), is amended to read as follows in order to conform its statement of objectives to amendments made to such Act by Public Law 89-258 and by this Act:

"(b) to promote the educational advancement of handicapped persons by (1) carrying on research in the use of educational media for the handicapped, (2) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (3) training persons in the use of educational media for the instruction of the handicapped."

(b) Section 2 of such Act is amended by adding the following at the end thereof:

"(4) The term 'handicapped' means deaf, mentally retarded, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons."

(c) Section 3 of such Act is amended by striking out the word "deaf" and inserting in lieu thereof "handicapped" each time it occurs therein.

(d)(1) Subsection (b)(5) of section 3 of such Act is amended by inserting immediately before the semicolon at the end thereof the following: ", including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs".

(2) This subsection shall take effect on the date of enactment of this Act, except that as to payments made pursuant to such section 3 prior to such date this subsection shall be effective as of September 28, 1962.

(e) Section 4 of such Act is amended by striking out "$5,000,000" and inserting "$8,000,000" in lieu thereof and by striking out "$7,000,000" and inserting "$10,000,000" in lieu thereof.

AUTHORIZING CONTRACTS, AS WELL AS GRANTS, FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

SEC. 156. (a) The first sentence of section 302(a) of Public Law 88-164 is amended by inserting ", and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in this section) and to conduct research, surveys, or demonstrations," immediately before "relating to education for mentally retarded," and by striking out "for research or demonstration projects".

(b) The second sentence of such section 302(a) is amended by striking out "Such grants shall be made" and inserting in lieu thereof "Payments pursuant to grants or contracts under this section may be made".

PART F—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

TECHNICAL ASSISTANCE TO RURAL AREAS

SEC. 171. (a) Section 706 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (b) as subsection (c) and by inserting before such subsection a new subsection as follows:

"(b) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and (2) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance."

(b) Section 706 of such Act is amended in subsection (c), as redesignated by subsection (a), by striking out "and not to exceed $2,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$3,500,000 for the fiscal year ending June 30, 1968, $3,700,000 for the fiscal year ending June 30, 1969, $4,000,000 for the fiscal year ending June 30, 1970, and $4,200,000 for the fiscal year ending June 30, 1971".

DEMONSTRATION PROJECTS TO PREVENT DROPOUTS

SEC. 172. Title VII of the Elementary and Secondary Education Act of 1965 is amended by inserting at the end thereof a new section as follows:

"DROPOUT PREVENTION PROJECTS

"SEC. 707. (a) The Commissioner is authorized to arrange by contract, grant, or otherwise, with local educational agencies for the carrying out by such agencies in schools which (1) are located in an urban area, (2) have a high percentage of children from families with an income not exceeding the low-income factor, as defined in section 103(c), and (3) have a high percentage of such children who do not complete their education in elementary or secondary school, of demonstration projects involving the use of innovative methods, systems, materials, or programs which show promise of reducing the number of such children who do not complete their education in elementary and secondary schools.

"(b) The Commissioner shall approve arrangements pursuant to this section only on application by a local educational agency and upon his finding:

"(1) that the project will be carried out in one or more schools described in subsection (a);

"(2) that the applicant has analyzed the reasons for such children not completing their education and has designed a program to meet this problem;

"(3) that effective procedures, including objective measurements of educational achievements, will be adopted for evaluating at least annually the effectiveness of the project; and

"(4) that the project has been approved by the appropriate State educational agency.

"(c) There is authorized to be appropriated not to exceed $30,000,000 for the period ending June 30, 1969, and $30,000,000 each for the fiscal year ending June 30, 1970, and for the succeeding fiscal year for the purpose of this section."

TITLE II—FEDERALLY AFFECTED AREAS

PART A—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN IMPACTED AREAS

CLARIFYING DEFINITIONS OF "FEDERAL PROPERTY"

SEC. 201. Section 15(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), and section 303(1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by—

(a) striking out the second sentence thereof;

(b) striking out "also" in the penultimate sentence thereof; and

(c) inserting immediately before the last sentence thereof the following new sentence: "Such term also includes any interest in Federal property (as defined in the foregoing provisions of this paragraph) under an easement, lease, license, permit, or other arrangement, as well as any improvements of any nature (other than pipelines or utility lines) on such property even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia."

EFFECTIVE DATE FOR CERTAIN 1966 AMENDMENTS

SEC. 202. The amendment made by section 204, and the amendment made by section 229, of the Elementary and Secondary Education Amendments of 1966 shall be effective only with respect to fiscal years beginning after June 30, 1969.

MODIFYING PROVISIONS RELATING TO SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY AFFECTED AREAS

SEC. 203. (a) Subsection (a) of section 14 of the Act of September 23, 1950 (Public Law 813, Eighty-first Congress) is amended in the following respects:

(1) Paragraph (1) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands", and by inserting ", or that such Indian lands constitute a substantial part of the school district of such local educational agency," immediately after "such agency provides free public education".

(2) Paragraph (2) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands".

(3) Paragraph (4) is amended by striking out "in its school district" and inserting in lieu thereof "of a substantial percentage of the children in the membership of its schools".

(4) Such subsection (a) is further amended by—

(A) striking out "is attributable to children who reside on Federal property, and which" in the portion of the first sentence of subsection (a) which follows paragraph (4);

(B) striking out "in the case of any application for additional assistance on account of children who reside on Indian lands" in the second sentence of such subsection (a);

(C) striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" in the third sentence of such subsection (a); and

(D) striking out "third" and inserting in lieu thereof "second" in the last sentence of such section (a).

(b) Section 14 of such Act, as amended by this section, is further amended by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively, and by inserting immediately after subsection (a) the following new subsection (b):

"(b) If the Commissioner determines with respect to any local educational agency that—

"(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, or that such Indian lands constitute a substantial part of the school district of such local educational agency, or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds one hundred; and

"(2) the immunity of such Indian lands to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities; he may, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest, provide the additional assistance necessary to enable such agency to provide the minimum school facilities required for free public education of children in the membership of the schools of such agency who reside on Indian lands; but such additional assistance may not exceed the portion of the cost of constructing such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (d)) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' mean Indian reservations or other real property referred to in the second sentence of section 15(1)."

(c) Subsection (d) of section 14 of such Act, as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)" each time it occurs in such subsection.

(d) Subsection (e) of section 14 of such Act as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)".

DELETING REQUIREMENT THAT CERTAIN CONTRIBUTIONS BE DEDUCTED

SEC. 204. (a)(1) Paragraph (3) of section 2(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "(A) other Federal payments with respect to the property so acquired, or (B)".

(2) Section 2(a) of such Act is further amended by striking out in the matter following paragraph (3) of such section the following: ", to the extent such agency is not compensated for such burden by other Federal payments with respect to the property so acquired".

(b) The last sentence of section 2(a) of such Act is amended by striking out ", minus the amount which in his judgment the local educational agency derived from other Federal payments with respect to the property so acquired and had available in such year for current expenditures".

(c) Subsection (b) of section 2 of such Act is amended to read as follows:

"(b) For the purposes of this section any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property."

(d) Section 3 of such Act is amended by striking out subsection (e) thereof, including the heading of such subsection, and by redesignating subsection (f) of such section as subsection (e).

PROVISION FOR INTERNATIONAL BOUNDARY CHANGE

SEC. 205. (a) The last sentence of section 3(b) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting before the period at the end thereof the following: "; but if, by reason of any other provision of law, this sentence is not considered in computing the amount to which any local educational agency is entitled for the fiscal year ending June 30, 1967, the additional amount to which such agency would have been entitled had this sentence been so considered, shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

(b) Section 5(a)(4) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by inserting before the period at the end thereof the following:"; but if, by reason of any other provision of law, this clause is not considered in computing the maximum payments a local educational agency may receive for the fiscal year ending June 30, 1967, the additional amount such agency would have been entitled to receive shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

REPEAL OF MANDATORY GROUP RATE PROVISIONS

SEC. 206. (a) Effective for fiscal years beginning after June 30, 1967, subsection (d) of section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended as follows:

(1) The first sentence is amended by inserting "and the local educational agency" following "the State educational agency".

(2) Clauses (1) and (2) of the first sentence are amended to read as follows:

"(1) he shall determine which school districts within the State are in his judgment generally comparable to the school districts of the agency for which the computation is being made; and

"(2) he shall then divide (A) the aggregate current expenditures during the second fiscal year preceding the fiscal year for which he is making the computation, which the local educational agencies of such comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)" and inserting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)".

DISCRETION TO WAIVE CERTAIN REQUIREMENT

SEC. 207. Section 5(e) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended (1) by striking out "subsections (c) and (d)" and inserting in lieu thereof "subsections (c), (d), and (f)", and (2) by inserting before the period at the end thereof the following: "; or (3) he may waive or reduce the requirement contained in subsection (f)".

EFFECTIVE DATE

SEC. 208. The amendments made by sections 201, 203, 204, 205, 206, and 207 of this part shall be deemed to have been enacted prior to June 30, 1967, and shall be effective for fiscal years beginning thereafter.

PART B—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN DISASTER AREAS

SCHOOL CONSTRUCTION ASSISTANCE

SEC. 217. Section 16(a) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended to read as follows:

"SCHOOL CONSTRUCTION ASSISTANCE IN CASES OF CERTAIN DISASTERS

"SEC. 16. (a) In any case in which—

"(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe;

and if the Commissioner determines with respect to such agency that—

"(3) as a result of such major disaster, (A) public elementary or secondary school facilities of such agency (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or (B) private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need of such agency for school facilities;

"(4) such agency is utilizing or will utilize all State and other financial assistance available for the replacement or restoration of such school facilities;

"(5) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance on such school facilities, and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, to provide the minimum school facilities needed (A) for the restoration or replacement of the school facilities of such agency so destroyed or seriously damaged or (B) to serve, in facilities of such agency, children who but for the destruction of the private facilities referred to in clause (3)(B) would be served by such private facilities; and

"(6) in the case of any such major disaster, to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(4) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate.

the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from State, local, and other Federal sources (including funds available under other provisions of this Act, and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster. In all cases determined pursuant to clause (1)(B) of this subsection, and in any other case deemed appropriate by the Commissioner, such assistance shall be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest."

CURRENT SCHOOL EXPENDITURES ASSISTANCE

SEC. 218. Section 7 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended to read as follows:

"ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN CASES OF CERTAIN DISASTERS

"SEC. 7. (a) In any case in which—

"(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe;

and if the Commissioner determines with respect to such agency that—

"(3) such agency is utilizing or will utilize all State and other financial assistance available to it for the purpose of meeting the cost of providing free public education for the children attending the schools of such agency, but as a result of such disaster it is unable to obtain sufficient funds for such purpose and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, and

"(4) in the case of any such major disaster to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: *Provided*, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest. Such additional assistance may be provided for a period not greater than a five-fiscal-year period beginning with the fiscal year in which it is determined pursuant to clause (1) of this subsection that such agency suffered a disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster, taking into account the additional costs reasonably necessary to carry out the provisions of clause (4) of this subsection. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which it is so determined that such agency has suffered a disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provided for the first fiscal year following such determination.

"(b) In addition to and apart from the funds provided under subsection (a), the Commissioner is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such disaster, to make minor repairs, and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the disaster.

"(c) There is hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Commissioner may expend (without regard to subsections (a) and (e) of section 3679 of the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made.

"(d) No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with the regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approval applications.

"(e) Amounts paid by the Commissioner to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States."

TITLE III—DURATION OF AND AUTHORIZATIONS FOR PROGRAMS

EXTENSION OF CERTAIN PROGRAMS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND PUBLIC LAWS 815 AND 874, EIGHTY-FIRST CONGRESS

Sec. 301. (a)(1) Section 102 of title I of the Elementary and Secondary Education Act of 1965 (as redesignated by section 110 of this Act) is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

(2) The second sentence of section 103(c) of such Act (as redesignated by section 110 of this Act) is amended by inserting "and for each of the three succeeding fiscal years" after "June 30, 1968".

(b)(1) Section 201(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 10, 1966, and each of the four succeeding fiscal years,".

(2) Section 201(b) of such Act is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the fiscal year ending June 30, 1971".

(c)(1) Section 601 of such Act (as redesignated by section 152 of this Act) is amended by striking out "during the fiscal year ending June 30, 1967, and the succeeding fiscal year,".

(2) Section 602 of such Act (as redesignated by section 152 of this Act) is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: $150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 3, 1970, and $225,000,000 for the fiscal year ending June 30, 1971".

(d)(1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1971".

(2) Section 15(15) of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1966–1967".

(e) Section 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1968" wherever it occurs and inserting in lieu thereof "1971".

TITLE IV—PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

ACTS SUBJECT TO THIS TITLE

Sec. 401. The provisions of this title shall apply to title I of the Elementary and Secondary Education Act of 1965 (title II of Public Law 81–874), titles II, III, V, VI, VII, and VIII of the Elementary and Secondary Education Act of 1965, and the Adult Education Act of 1966 (title III of the Elementary and Secondary Education Amendments of 1966), as now in effect or hereafter from time to time amended.

PROGRAM PLANNING AND EVALUATION

Sec. 402. There are authorized to be appropriated, for each fiscal year for which appropriations are otherwise authorized under any title or Act referred to in section 401, such sums as may be necessary, to be available to the Secretary, in accordance with regulations prescribed by him, for expenses, including grants, contracts, or other payments, for (1) planning for the succeeding year programs or projects authorized under such title or Act and (2) evaluation of programs or projects so authorized.

ADVANCE FUNDING

Sec. 403. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for education, appropriation for grants, contracts, or other payments under any Act referred to in section 401 are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

EVALUATION REPORTS AND CONGRESSIONAL REVIEW

Sec. 404. (a) No later than March 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401 and to the respective Committees on Appropriations a report evaluating the results and effectiveness of programs and projects assisted thereunder during the preceding fiscal year, together with his recommendations (including any legislative recommendations) relating thereto.

(b) In the case of any such program, the report submitted in the penultimate fiscal year for which appropriations are then authorized to be made for such program shall include a comprehensive and detailed review and evaluation of such program (as up to date as the due date permits) for its entire past life, based to the maximum extent practicable on objective measurements, together with the Secretary's recommendations as to proposed legislative action.

CONTINGENT EXTENSION OF EXPIRING APPROPRIATION AUTHORITY

Sec. 405.(a) Unless the Congress, in the regular session in which a comprehensive evalution report required by section 404(b) is submitted to Congress, has passed or formally rejected legislation extending the authorization for appropriations then specified for any title, part, or section of law to which such evaluation relates, such authorization is hereby automatically extended for one fiscal year beyond, and at the level specified for, the terminal year of such authorization.

(b) In the event that no appropriation for the purpose of making payments pursuant to title I of the Elementary and Secondary Education Act of 1965 is made prior to the 15th day in May immediately preceding the beginning of any fiscal year, the Commissioner may execute grant agreements for grants pursuant to such title for such fiscal year. Such grant agreements shall be obligations of the United States. The amounts of such grant agreements shall be determined on the basis of an appropriation for the purposes of such title equal to the amount appropriated for such purposes prior to the 15th day in May for the fiscal year in which such day occurs.

AVAILABILITY OF APPROPRIATIONS ON ACADEMIC OR SCHOOL YEAR BASIS

Sec. 406. Appropriations for any fiscal year for grants, contracts, or other payments to educational agencies or institutions under any Act referred to in section 401 may, in accordance with regulations of the Secretary, be made available for expenditure by the agency or institution concerned on the basis of an academic or school year differing from such fiscal year.

TITLE V—EXTENSION OF ADULT EDUCATION PROGRAM

REVISION OF ALLOTMENTS

Sec. 501. The first sentence of section 305(a) of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended to read as follows: "From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot (1) not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section, and (2) $100,000 to each State."

INCLUDING PRIVATE NONPROFIT AGENCIES

Sec. 502. (a) Section 304(b) of the Adult Education Act of 1966 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and private nonprofit agencies."

(b) Section 306(a)(7) of such Act is amended by inserting immediately after "local educational agencies" the following: "and private nonprofit agencies".

FEDERAL SHARE

Sec. 503. The second sentence of section 307(a) of the Adult Education Act of 1966 is amended to read as follows: "For the fiscal year ending June 30, 1967, and succeeding fiscal years, the Federal share for each State shall be 90 per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum."

AUTHORIZATION EXTENDED

Sec. 504. Section 314 of the Adult Education Act of 1966 is amended by striking out "and" before "$60,000,000" and by inserting the following after "June 30, 1968,": "$70,000,000 for the fiscal year ending June 30, 1969, $80,000,000 for the fiscal year ending June 30, 1970, and $90,000,000 for the fiscal year ending June 30, 1971,".

TITLE VI—DEMONSTRATION PROJECTS AND STUDY FOR SCHOOLBUS SAFETY

STUDY AND DEMONSTRATION PROJECTS AUTHORIZED

Sec. 601. (a) The Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Transportation, is authorized to conduct or to make grants, contracts, or other arrangements for (1) a study and investigation in order to determine minimum safety standards for the operation of schoolbuses, and (2) demonstration projects for the purposes of such study. Such projects shall include such research and testing activities as the Secretary determines to be necessary to carry out the provisions of this title.

(b) The Secretary of Health, Education, and Welfare shall report the results of such study to the Congress not later than January 31, 1969, together with such recommendations for additional legislation for the establishment of minimum safety standards for school buses as he deems advisable.

APPROPRIATIONS AUTHORIZED

Sec. 602. There is hereby authorized to be appropriated $1,000,000 to carry out the provisions of this title.

TITLE VII—BILINGUAL EDUCATION PROGRAMS

FINDINGS OF CONGRESS

Sec. 701. The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English; that additional efforts should be made to supplement present attempts to find adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Sec. 702. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 707 and references thereto as sections 801 through 807, respectively, and by inserting after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"SHORT TITLE

"Sec. 701. This title may be cited as the 'Bilingual Education Act'.

"DECLARATION OF POLICY

"Sec. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, 'children of limited English-speaking ability' means children who come from environments where the dominant language is other than English.

"AUTHORIZATION AND DISTRIBUTION OF FUNDS

"Sec. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated the sum of $15,000,000 for the fiscal year ending June 30, 1968, $30,000,000 for the fiscal year ending June 30, 1969, and $40,000,000 for the fiscal year ending June June 30, 1970, and the succeeding fiscal year.

"(b) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

"USES OF FEDERAL FUNDS

"Sec. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

"(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aides, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

"(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as—

"(1) bilingual education programs;

"(2) programs designed to impart to students a knowledge of the history and culture associated with their languages;

"(3) efforts to establish closer cooperation between the school and the home;

"(4) early childhood educational programs related to the purposes of this title and designed to improve the potential for profitable learning activities by children;

"(5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

"(6) programs designed for dropouts or potential dropouts having need of bilingual programs;

"(7) programs conducted by accredited trade, vocational, or technical schools; and

"(8) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"Sec. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

"(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purposes of this paragraph, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"(b) Applications for grants under title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"PAYMENTS

"Sec. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"Sec. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of nine members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

"(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"LABOR STANDARDS

"Sec. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

CONFORMING AMENDMENTS

Sec. 703. (a) That part of section 801 (as so redesignated by section 702 of this Act) of the Elementary and Secondary Education Act of 1965 which precedes clause (a) is amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

(b) Clause (j) of such section 801 as amended by this Act is further amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

AMENDMENTS TO TITLE V OF THE HIGHER EDUCATION ACT OF 1965

Sec. 704. (a) The third sentence of section 521 of the Education Professions Development Act (title V of the Higher Education Act of 1965) is amended (1) effective for the fiscal year ending June 30, 1968 only, by inserting after "a career of teaching in elementary or secondary schools" a new phrase as follows: ", a career of teaching children of limited English-speaking ability", and (2) effective with respect to subsequent fiscal years, by inserting ", and including teaching children of limited English-speaking ability" after "including teaching in preschool and adult and vocational education programs".

(b) Effective for the fiscal year ending June 30, 1968, only, section 522(a) of such Act is amended by striking out "ten thousand fellowships for the fiscal year ending June 30, 1968" and inserting in lieu thereof "eleven thousand fellowships for the fiscal year ending June 30, 1968".

(c)(1) Section 528 of such Act is amended, effective with respect to fiscal years ending after June 30, 1967, by striking out "$275,000,000" and inserting in lieu thereof "$285,000,000"; striking out "$195,000,000" and inserting in lieu thereof "$205,000,000"; striking out "$240,000,000" and inserting in lieu thereof "$250,000,000"; and striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970".

(2) The amendments made by this subsection shall, notwithstanding section 9(a) of Public Law 90-35, be effective with regard to fiscal years beginning after June 30, 1967.

(d) Section 531(b) of such Act is amended by redesignating clauses (8) and (9) thereof as clauses (9) and (10), respectively, and by inserting immediately after clause (7) the following new clause:

"(8) programs or projects to train or retrain persons engaging in special educational programs for bilingual students;".

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Sec. 705. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and for each of the two succeeding fiscal years" and inserting in lieu thereof "and for the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the period at the end of clause (3) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

"(4) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

Sec. 706. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a)(4)".

ADJOURNMENT TO 9 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Friday, December 1, 1967, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate November 30, 1967:

IN THE COAST GUARD

The following named officers of the U.S. Coast Guard for promotion to the grade of rear admiral:

Capt. John D. McCubbin.
Capt. William L. Morrison.

Capt. Robert E. Hammond.

Capt. William F. Rea III.

The following-named officer of the U.S. Coast Guard Reserve for promotion to the grade of rear admiral:

Capt. Arnold I. Sobel.

HOUSE OF REPRESENTATIVES

THURSDAY, NOVEMBER 30, 1967

The House met at 12 o'clock noon.

Rev. K. Edwin Graham, associate minister, Metropolitan Memorial Church, Washington, D.C., offered the following prayer:

Almighty and most merciful Father, in whose love we live and before whom we unite our hearts in adoration and praise, we thank Thee for all Thy goodness to us and ask Thy help that we may be faithful stewards and agents of Thy good will in a troubled world. Teach us how to use Thy gifts, not for self-aggrandizement but for the inspiration and fulfillment of others. Grant us courage to withstand all temptations and make us wise in our evaluation of the needs of our people. Increase our strength in all those virtues which make us better men and women and create within us a passion to contend against whatever produces disharmony between man and man, nation and nation. Set before us this day the goal of high character and unselfish service which is the true achievement of life.

O patient and loving Father, how much more intelligently and bravely we can serve our fellow men with Thy truth to guide us and Thy spirit to inspire us. Grant us now the mercy of these blessings and we shall praise Thee in all of life. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 7977. An act to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes;

H.R. 12638. An act to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam; and

H.R. 13510. An act to increase the basic pay for members of the uniformed services, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7977) entitled "An act to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. CARLSON, and Mr. FONG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) to provide for construction aid for certain vessels operating on the inland rivers and waterways.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2247. An act to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges.

EXTENDING LIFE OF CIVIL RIGHTS COMMISSION—CONFERENCE REPORT

Mr. CELLER submitted a conference report and statement on the bill (H.R. 10805) to extend the life of the Civil Rights Commission.

DE GAULLE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the story I told the other day about the self-adoring De Gaulle derives from the dismay with which the thinking people of the world as well as of France view his antics. In a world already tragically divided, he seeks to create additional bitterness. We are all aware of his ambitions to project his person as France itself. This can only be sickness.

Many of his remarks were gratuitous insults to nations who had proven in the past their friendship for France, but none was more so than his reference to the centuries of "malevolence that the—the Jews—have provoked." If his words were studied and deliberate, then he must be condemned for this tragic echo of the Nazi creed; if an unexamined outburst, then he proves himself incapable as leader and thinker. How sad it is indeed to see a former hero fall so low. It has within it the elements of a Greek tragedy.

JOHNSON INTERVENES FOR PEACE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the world has received with relief the news that a settlement has been reached in the Greek-Turkish dispute over Cyprus. One shudders to think what dislocations and complications might have ensued if this dispute had reached the point of actual warfare. For this reason, as well as for the security and safety of the people of Cyprus and of the two contending nations, the decision to resort to peaceful means of settlement has been welcomed by the world community.

In this connection the United States should be proud of the role that its representatives have played. This Nation has been accused—unfairly I think—in many instances of interfering without justification in the affairs of other Nations. In this instance, we have contributed our efforts—at first uninvited, but welcomed—to the cause of world peace. In my judgment President Johnson and his tireless emissary, Cyrus Vance, should be praised by the people of this country and of the world for apprehending the danger and for seizing the initiative to bring these two great allies of the United States back from the brink of destructive war.

Once again the United States has used its power and persuasiveness in the cause of world peace. Let the world take note of this fact.

FOREIGN AID

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, on August 25, the House passed a foreign aid authorization bill for mutual security, title I only, in the amount of $2.8 billion. The Senate subsequently passed an authorization bill of $2.6 billion. Subsequently, and incidentally twice in 1 day, the House placed a $2 billion authorization limitation in a continuing resolution.

On November 17, the House passed the foreign aid mutual security appropriation bill of which title I amounted to $2,196,000,000. There was some doubt as to whether this bill could be passed by the House without positive assurance that we would hold the line on this figure when the House conferees met with the Senate conferees.

Many House Members thought that the Senate would follow suit as they did on the authorization bill and reduce the House appropriation bill from $2.2 billion to $2 billion, but we are now told that the Senate Committee on Appropriations has reported out a bill in the amount of $2.7 billion. Incidentally, this is $100 million above what the Senate had originally authorized and $522 million above what the House appropriated.

It is indeed difficult to understand why the other body would take such an unrealistic view on foreign aid when the President recently indicated that the deficit for fiscal 1968 may reach $35 billion. Furthermore, funds have been frozen for many important projects in America such as Hill-Burton hospitals and sewerage systems for smaller cities, even though they had been previously approved. Money is also being withheld for other community projects. So, certainly it is impossible for me to understand, even in part, what is taking place in the other body. I guess it is a question of "wait and see."

DE GAULLE'S RETREAT FROM WISDOM

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, General de Gaulle's vaunted sense of history obviously abandoned him this week when he told a press conference that Israel was a warrior state and that the Jewish people had provoked anti-Semitism over the course of 19 centuries. Neither of these assertions could be further from history's truths.

De Gaulle's statements are particularly puzzling because he has never shown any sign of anti-Semitism in his long career in public life. Such rank emotions have, in the past, been beneath him. But now, I fear, he has become a bitter old man, frustrated in many of his designs and determined to resort to any distortions to avenge his irritation.

De Gaulle appears to be angry because Israel would not accept his prescription for national suicide. Certainly, Israel would not presume to tell France to sacrifice its nationhood. It is astonishing that General de Gaulle, for some dubious gain, has persuaded himself that his advice is not patently destructive, partisan, and unjust. I find it a shame that General de Gaulle now demeans his great contributions to history by the pettiness in which he is engaged.

Israel and world Jewry have every right to be outraged by the statements De Gaulle has made. But whether or not General de Gaulle is in the twilight of his remarkable career, we have no need to accept his foolishness. Our chief consolation is that the French people have shown themselves wiser than their chief in rejecting overwhelmingly the positions he has taken.

The chief rabbi of Paris thought the statement serious enough to deplore it after consulting with important and moderate-minded coreligionists.

Does Mr. de Gaulle, now deifying himself, take the position that he may criticize and invite excesses against the Jewish people not only in France but throughout those parts of the world where anti-Semitism is latent? I fear me that senility is getting the best of a once great man. Unfortunately, he gives the lead to Nazi-minded individuals in his country and wherever else they might be.

L. B. J. PLANNED DEFICIT—TAX CHAOS

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, keep in mind the President and his economic advisers programed a planned deficit. Of course, it got out of hand, and the Nation now is faced with a highly critical economic crisis.

It does little good to say "I told you so," but the chickens have really come home to roost, and the ethical question develops whether those of us who resisted the wild spending schemes should "bail out the spenders."

The "responsible" thing to do would probably be to vote for a substantial increase in taxes to pay for the Great Society indulgences, however, neither L. B. J., his economists, nor his big spenders in the Democrat Congress give any assurance whatsoever that revenues raised by such a vote would be used to apply on the deficit. To the contrary, and this is supported by the frequent increases in the debt ceiling performance, new domestic spending programs and more Federal employees would undoubtedly be the result.

Finally, Vietnam is not the root cause of this dilemma—merely contributory.

SECOND SHOWING OF THE NAVY FILM ON LSD

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, this afternoon, at 4 p.m., through the courtesy of the U.S. Navy, and our reading clerk, Mr. Joe Bartlett, a second showing of the Navy's films on LSD will be given at the caucus room in the Cannon Building.

As a physician, I feel that LSD is the most dangerous drug in America today, even more so than heroin. As you know, use of this drug has caused intractable cases of insanity. The use of this drug has resulted in many suicides and murders, and its use may well cause deformities of children of the users.

I strongly urge all Members of this House to see the film.

THE IMPORTANCE OF THE PLEDGE OF ALLEGIANCE

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, as a small boy I can recall very vividly standing in the classroom of my elementary school and pledging allegiance to the flag of the United States. This was a great experience for me and one which I feel helped to develop a respect and devotion to my flag and country. I still each time that I say the pledge feel a lump in my throat and a sense of deep gratitude and pride in the pit of my stomach.

Mr. Speaker, having experienced as a child the pledge of allegiance in my classrooms and knowing what it meant to me as a small boy, I was dismayed this morning when I heard over the news broadcast that the Washington, D.C., School Board in action taken at the last Board meeting removed the pledge of allegiance as a required part of the classroom routine. Mr. Speaker, I am appalled by the action of the School Board in our Federal City. Surely if any school system throughout the entire country should have the pledge of allegiance as a required part of the classroom routine it should be in our Nation's Capital.

I am proud to be an American and I feel certain that the citizens of Washington, D.C., are likewise. But I feel that we owe to our children an obligation to help develop within them the same sense of pride which we as adults have. This decision of the School Board is reprehensible and should be countermanded. I am today making such a request by letter to the president of the School Board for certainly we need to promote patriotism and not degrade its importance and if the Washington, D.C., School Board does not understand and value the importance of the pledge of allegiance and patriotism then we the Congress of the people of the United States should take steps to see that the Board is replaced with one that does.

ENCOURAGEMENT TO GOLD PRODUCERS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, devaluation of the British pound came as a shock to many Members of this body, as well as to many persons in the financial world.

The U.S. Government, in concert with other European powers, has indicated an intent to maintain the price of gold at $35 per ounce in support of the dollar. However, the present growing concern abroad over the stability of the dollar is a matter of grave worry to U.S. Treasury officials.

I should remind these gentlemen in the administration, and Treasury officials, that a bill, H.R. 3274, to provide Federal financial assistance payments to domestic gold operators, with the objective of increasing domestic gold production, has been reported favorably by the House Interior and Insular Affairs Committee, and is now before the House Rules Committee.

The bill in question does not raise the price of gold, but does provide subsidy payments in the year following production, which would have the effect of substantially increasing U.S. gold production, to stop the constant drain against our gold monetary reserves brought about by the disparity of three times annual domestic consumption over production.

Obviously, this bill, if adopted—to some measure at least—would shore up our gold reserves and consequently should strengthen confidence, in foreign circles, that the value of the dollar will be maintained.

In the interest of national security, our gold reserves must be increased. I predict this statement will be made with increasing frequency on the floor of the House.

THE FOREIGN AID BILL

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, 2 weeks ago, on November 17, the House of Representatives approved a foreign aid bill calling for expenditures in this fiscal year of approximately $2.1 billion.

During consideration of the bill, there was a commitment on the part of the gentleman from Louisiana [Mr. PASSMAN], chairman of the Appropriations Subcommittee dealing with foreign operations, that due to the financial situation confronting this Government, he and the members of his committee would insist in any conference on the House figure. I note the gentleman from Louisiana is on the floor and if I am wrong in what I have said with respect to his position, I hope the gentleman will correct me.

Now we learn that the Appropriations Committee of the other body has approved a bill increasing this figure by more than $522 million, and this at a time when President Johnson is demanding a tax increase and claims to be preparing a program of spending reductions in domestic programs.

Mr. Speaker, I think I speak for a very substantial number of Members of the House when I say that we expect the gentleman from Louisiana and the members of his subcommittee to give not one inch of ground with respect to foreign aid expenditures when they go to conference with the other body.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Why, certainly.

Mr. PASSMAN. Mr. Speaker, I am prepared to keep the promise that I made to the Members of the House.

Mr. GROSS. Well, I thank the distinguished gentleman from Louisiana.

DISRESPECT FOR THE PUBLIC INTEREST

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I regret to inform the House that the Georgia-Pacific Corp., in a letter delivered to me yesterday, has refused to suspend logging operations in the McArthur-Elam Creek area in California until we can work our will on final design of the Redwood National Park.

On Wednesday, November 22, 34 Members of this House asked this corporation to suspend these operations until the House defines the boundaries next spring. We have been flatly refused by the corporation.

Mr. Speaker, the Georgia-Pacific Corp. pledged its help to the Senate in a moratorium on cutting in those areas under serious consideration for inclusion in the Redwood National Park.

We requested the same due consideration for a period of approximately 4 more months.

I deplore this disrespect of the public interest on the part of the Georgia-Pacific Corp., and I intend to speak more fully on this matter this afternoon so that my colleagues may be fully informed of the situation.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the distinguished gentleman form Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I am happy to have the gentleman from California [Mr. COHELAN] bring this matter to the attention of the Members of the House. His action represents a real service to the Nation.

Mr. Speaker, it is my opinion that the companies involved should recognize the fact that they have a public interest which they should take into consideration as well as their own private interests. In other words, they should respect the consequences and the price which might come about as a result of their actions.

Mr. COHELAN. I thank the distinguished ranking minority Member, the gentleman from Pennsylvania [Mr. SAYLOR] of the House Committee on Interior and Insular Affairs for his support and encouraging comment. I can assure the gentleman that I shall expand upon this subject in detail later this afternoon.

NATIONAL DAY OF CENTRAL AFRICAN REPUBLIC

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am happy to extend congratulations and good wishes to President Jean-Bedel Bokassa and to the government and people of the Central African Republic on their national day, December 1. On that date in 1958 the French overseas territory of Ubangi-Shari became an autonomous member of the French community. The territory became an independent nation on August 13, 1960, as the Central African Republic.

An inland country more than 300 miles from the sea, the Central African Republic covers an area of 238,000 square miles, slightly smaller than Texas. It is mainly a vast, rolling plateau close to the Equator and draining toward the Congo basin. The 2 million inhabitants are divided into four main ethnic groups but sangho, the language of the Ubangis, is spoken in many parts of the country, while French is the official language.

Essentially an agricultural country with cotton and coffee as its chief exports, the Central African Republic also produces diamonds. It faces serious problems in its efforts to achieve economic development and to improve the living conditions of its people. These considerations, which understandably preoccupy the Central African Government, motivated the launching of Operation Bokassa, designed to encourage agricultural production through greater self-help. Less active on the international scene, the Central African Republic nevertheless seeks friendship and peace through constructive positions on world issues.

The Central African Republic has maintained extremely close relations with the former colonial power, France, which provides extensive assistance and is the country's chief trading partner.

The diplomatic links between the Central African Republic and the United States were established shortly after the Central African Republic achieved independence in 1960. But other bonds between our two peoples long predate those links between states. Our mutually beneficial relations—both governmental and private—are exemplified by the presence in the Central African Republic of about 220 American citizens, including not only members of the embassy and its related aid mission and cultural center, but also long-established Protestant missionaries and businessmen in the diamond industry. The U.S. Government has extended modest economic assistance.

I am sure I speak for the people of the United States in wishing continued progress to this young Republic on its eighth national day since independence.

My good wishes also go to Ambassador Michel Gallin-Douathe, whom I knew personally as a delegate to the 20th session of the General Assembly of the United Nations in 1965 and whom I hold in warm esteem.

LET'S FIGHT BACK

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I believe the time has come to fight back.

We can fight back, and we must. When a man is trying to kill you, fight him.

First, we should simply refuse to pay gold for the dollars he holds, to bring to an issue the war debts moratorium of 1931 and the London agreement of 1953.

This was not a forgiveness of the debt. Our Government should act quickly. What else can be done? First, our tourists can give thought to going to more friendly places, such as Britain, sunny Spain, and interesting Italy.

Every single one of us can fight back at this old man by asking our wives not to buy any more French perfume.

We can strike back by leaving his French wines on the shelves of our merchants and enjoying our own domestic wines for a change.

Back in the area of governmental action, we should consider the sale of some of our wheat on the world market.

Another retaliatory move which will let him know we will never again turn the other cheek would be to limit Air France to one port of entry in the United States. If he wants to restrict our air overflights of France, why should we let his airline travel in the United States?

There are other ways we can strike back. Let us remind this old gentleman that if he wants a fight, it will be costly for him. Let us let him have our answer with both barrels.

If our Government and our people are willing to follow a firm and determined course, it will not be long before we have a firm figurative hold on his oversized nose. He will be yelling "uncle"—this time, Uncle Sam.

APPOINTMENT OF CONFEREES ON H.R. 13510, TO PROVIDE PAY INCREASES FOR MEMBERS OF THE ARMED SERVICES

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13510) to provide pay increases for members of the armed services, and for other purposes, with the Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? The Chair hears none, and appoints the following conferees: Messrs. Rivers, Philbin, Hébert, Price of Illinois, Arends, O'Konski, and Bray.

PROVIDING FOR CONSIDERATION OF H.R. 13934, AMENDMENTS TO CERTAIN ATOMIC ENERGY ACTS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, and in behalf of the gentleman from Texas [Mr. Young], I call up House Resolution 988 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 988

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13934) to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 13934, it shall be in order to take from the Speaker's table the bill S. 2644 and consider the same in the House.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. Anderson] for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to my distinguished colleague, the gentleman from Tennessee [Mr. Quillen], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 988 provides an open rule with 1 hour of general debate for consideration of H.R. 13934 to amend the Atomic Energy Community Act, the Atomic Energy Act, and the Euratom Cooperation Act. The resolution further provides that, after passage of H.R. 13934, it shall be in order to take S. 2644 from the Speaker's table and consider the same in the House.

H.R. 13934 would amend the Atomic Energy Community Act by revising the system of priorities applicable to the sale of apartment houses at Los Alamos, N. Mex. It would authorize the sale of these dwellings on a priority basis not only to housing cooperatives but to certain others as well.

The bill would further amend the act to authorize the Atomic Energy Commission to continue to make assistance payments to the cities of Oak Ridge, Tenn., and Richland, Wash., and to the Richland School District, and to state more explicitly the criteria for making such payments.

The bill would amend the Atomic Energy Act to provide certain additional authority for the AEC to perform research for others pertaining to the protection of public health and safety, and to eliminate the requirement for determinations by the President of the quantities of special nuclear material to be produced and the amounts to be available for distribution by the AEC. Several technical amendments would be made to the Atomic Energy Act.

The bill would amend the Euratom Cooperation Act to effect three changes. First, it would authorize the transfer of an additional 145,000 kilograms of uranium 235 to the European Atomic Energy Community. Second, it would authorize the transfer of an additional 1,000 kilograms of plutonium to Euratom. Third, it would authorize the AEC to perform uranium enrichment services for Euratom.

Mr. Speaker, I urge the adoption of House Resolution 988 in order that H.R. 13934 may be considered.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. Quillen].

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the distinguished gentleman from Tennessee [Mr. Anderson] has stated, House Resolution 988 provides an open rule with 1 hour of general debate for the consideration of H.R. 13934, the Atomic Energy Act amendments.

The purpose of the bill is to amend three major acts dealing with matters under the jurisdiction of the Joint Committee on Atomic Energy: the Atomic Energy Community Act of 1955, the Atomic Energy Act of 1955, and the Euratom Cooperation Act of 1958.

The bill is noncontroversial; it was reported unanimously by the committee. No departmental views are attached to the report.

Sections 1 through 4 of the bill amend the Atomic Energy Community Act. These provide authority for the Atomic Energy Commission to establish a revised system of priorities to be followed in the sale by the Government to local residents of apartment buildings in Los Alamos, N. Mex. Assistance payments are authorized, but not required, by the AEC to the cities of Oak Ridge, Tenn., and Richland, Wash., in continuation of present policy. These two cities have large AEC installations. Criteria are established to determine the amount of such payments. Finally, section 4 provides that any funds appropriated to carry out the purposes of this act must first be authorized by legislation.

Sections 5 through 12 amend the Atomic Energy Act. Major amendments include: Expanding the AEC's authority to assist other persons with research in the fields of protection of public health and safety or through training programs; deleting current language in the act which required the President once a year to determine in writing the quantities of special nuclear material to be produced and the quantities to be available for distribution to both foreign and domestic users.

Section 13 of the bill amends the Euratom Cooperation Act in three respects: It increases the maximum amount of uranium-235 that may be transferred to Euratom from 70,000 kilograms to a new top of 215,000 kilograms; it increases the maximum amount of plutonium which may be transferred to Euratom from 500 kilograms to a new ceiling of 1,500 kilograms; it authorizes the AEC to perform enrichment services for Euratom.

Mr. Speaker, I know of no objection to the rule being granted, and I reserve the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 13094, AMENDMENT OF COMMODITY EXCHANGE ACT

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the gentleman from Hawaii [Mr. Matsunaga], I call up

House Resolution 963 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 963

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13094) to amend the Commodity Exchange Act, as amended. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Tennessee is recognized for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to my distinguished colleague from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 963 provides an open rule with 1 hour of general debate for consideration of H.R. 13094 to amend the Commodity Exchange Act, as amended.

Regulation of commodity futures trading dates back to 1922 under the Grain Futures Act and has been in substantially its present form since 1936, when the earlier act was amended and its name changed to the Commodity Exchange Act.

Contract terms for futures trading are embodied in the rules of the exchanges. When buying or selling, traders need specify only the commodity, the quantity, the month when the contract will mature, and the price. These futures contracts are used by producers, warehousemen, dealers, and processors as "hedges" to lessen the risk of adverse price movements in the commodities which they own or for which they have made forward sales. Futures are also used extensively by speculators who seek profits from the movement of commodity prices.

The larger part of the trading on the futures market consists of purchases and sales by persons seeking a speculative profit. These include thousands of speculative traders, representing almost every line of human endeavor. This speculative activity provides a means of reducing price risks by persons handling the actual commodity and thus makes possible higher prices to producers and lower prices to consumers. The markets also provide a place for the focusing of the worldwide factors of supply and demand with the result that, in the absence of artificial or manipulative forces, proper competitive prices are established.

The fact that the greater part of the activity in the futures markets is of a speculative nature carries with it the danger that on occasion powerful traders will attempt to influence prices in the direction favorable to their market position. Through the years there have been other abuses which detract from the usefulness and the integrity of the markets.

Each and every unfavorable feature of futures trading can never be eliminated; however, the history of regulation shows that these unfavorable forces can be reduced without endangering the necessary liquidity of the markets. This has been the result in the past, and the present legislation is designed to continue the program of improvement.

Mr. Speaker, I urge the adoption of House Resolution 963 in order that H.R. 13094 may be considered.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the distinguished gentleman from Tennessee [Mr. ANDERSON] has stated, House Resolution 963 provides an open rule with 1 hour of general debate for the consideration of H.R. 13094, the Commodity Exchange Act amendments.

The purpose of H.R. 13094 is to remove defects in the act which have led to problems in the operation and regulation of the commodity exchanges.

Commodity exchanges deal in "futures," or contracts for specific amounts of a particular commodity, corn, wheat, hogs, and so forth, which have not yet been harvested and prepared for delivery into the stream of commerce. These contracts are used by speculators particularly as a small upward price movement on a particular commodity can mean large profits. Most trading in these futures is done by speculators. Volume has increased rapidly in recent years and now totals about $75 billion annually.

The bill gives the Secretary of Agriculture additional authority to regulate contracts in futures, to issue cease-and-desist orders to those violating either the act or his market orders, to establish minimum financial requirements for traders, and to deny or revoke the registration of any commission merchants who will not meet the requirements established, or who has engaged in actions prohibited by the act.

Additionally, contract markets would be required to keep their books and records available for inspection and to keep customers' funds held for business purposes separate from its own. The bill broadens the category of those who may be prosecuted for engaging in fraudulent activities in connection with market business.

Finally, two new commodities are added to those regulated under the act—livestock and livestock products.

The Department of Agriculture supports the bill. It has advised that the additional cost of the bill annually will be $600,000. There are no minority views.

Mr. Speaker, I know of no objection to the rule being granted, and I reserve the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Appropriations Committee [Mr. MAHON].

(By unanimous consent, Mr. MAHON was allowed to proceed out of order.)

REDUCTIONS IN EXPENDITURES

Mr. MAHON. Mr. Speaker, the devaluation of the British pound, the challenge which is being made to the American dollar, and the unacceptably high Federal budget deficit in prospect make imperative the practice of economy by our Government. Woodrow Wilson once told the Congress:

> The duty of economy is not debatable. It is manifest and imperative.

We are now faced with the prospect of a budget deficit in excess of $20,000,000,000. Economy is clearly imperative.

It is anticipated that the Congress will, at this session, reduce budget requests for appropriations for fiscal 1968 by close to $6 billion. To do this will require that we hold the line on the foreign aid bill as it passed the House, and on the poverty authorization as it passed the House. A saving of $6 billion is not inconsequential.

Yesterday, the administration told the Congress that it was willing to reduce expenditures below the level which would be permitted by the appropriation actions. I wish to applaud the administration for its resolve to make further reductions in Government spending. I have advocated through the years that wherever possible, we follow a "pay-as-we-go" policy. Having such a philosophy, I cannot do other than commend the administration for its efforts to make further reductions in expenditures, especially in the present fiscal crisis.

The Secretary of the Treasury and the Chairman of the Federal Reserve Board have warned the Congress and the country that our economic security at home and abroad are in jeopardy unless we take the proper steps to restrain Government spending.

Mr. Speaker, I feel that the proposals for further reductions are proper questions for discussion by the conferees on House Joint Resolution 888, the continuing resolution and expenditure limitation which passed the House on October 18 and which is now deadlocked in conference.

A way may be found through the vehicle of the continuing resolution to give support to further reductions in spending. The opportunity will be explored.

It will be recalled that the House, on October 8, adopted additional expenditure reductions in the sum of roughly $5 billion, according to our calculations. The Senate deleted the House reductions from the bill. At five meetings of the conferees we have sought to work out some sort of compromise economy proposal. Thus far, we have not been successful in achieving a meeting of the minds with the other body, but it may be that the new spending reductions proposed by the administration on yesterday will open a way to some appropriate agreement. As I say, I propose that this objective be fully explored at additional meetings of the conferees.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, may I compliment the distinguished chairman of the Committee on Appropriations for the statement he has made. I join him in commending the administration upon its expression of willingness to reduce expenditures in view of conditions now confronting the country.

I commend the gentleman and his committee for the effort they have made all year to hold all appropriation bills for the fiscal year 1968 to a minimum.

Mr. MAHON. I thank the gentleman for his statement.

I should say that making significant reductions in Government spending is not easy. Our cuts in appropriations were contrary to the recommendations of Cabinet heads and heads of other Government agencies who advocated approval of the full budget estimates. Of course, they were required under the procedure to support the budget estimates. Many persons advocated more funds, not less.

It seems to me that we must find ways of making further reductions in view of the vastly changed conditions. It was estimated by the President in the 1968 budget, submitted last January, that the budget deficit would be $8.1 billion. It is now estimated to be in excess of $20 billion. Under these changed circumstances, Mr. Speaker, it seems to me to be mandatory that further economies be achieved and that the deficit be brought down to more manageable proportions.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Ohio [Mr. Bow] and ask unanimous consent that he be allowed to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BOW. Mr. Speaker, I am delighted to hear my distinguished chairman say today that there will be additional meetings now of the conferees on the continuing resolution and on the spending limitation. It has been now more than 2 weeks since that committee has met. I thought we were making some progress at the last meeting. Apparently there was no desire to go on from there.

Mr. Speaker, on October 8 this House in its wisdom overwhelmingly supported a spending limitation. That is what is in conference. I believe that is what the House should insist upon.

I do not believe that the suggestions which have been made by the Secretary of the Treasury and the Director of the Bureau of the Budget would be as effective or would do the job that would be done if the will of the House were followed.

It seems to me, under our rights and responsibilities under the constitution to make the appropriations and to handle the purse strings, the House should insist upon its position and not yield to those who find some easier way to have it done.

We are talking about an emergency, Mr. Speaker—an emergency in Great Britain. Some of us on this side of the aisle have been talking about an emergency for a long time on the question of fiscal responsibility and the reduction of the budget and the cutting down on spending. This is not a new emergency. It has been an emergency for some time.

What has happened in Great Britain, of course, has pointed up what can happen when one continues spending in the manner in which they did and in the way in which we have. We are now spending $28,000 a minute just to pay the interest on our national debt. We have to do something about it. We cannot continue on this line.

I would suggest, Mr. Speaker, that the House demonstrated real wisdom in putting a limitation on spending in the manner in which we can prevent this runaway inflation. We adopted that on October 8, when this House spoke. If that had been followed we would not have this so-called emergency in the Federal Government today. We would have cleared our skirts and washed our linen and would be in a position to go forward.

Mr. Speaker, I say again I am delighted that my distinguished chairman has said we are going to meet again. I believe we should insist upon the House position.

I agree with the gentleman that we must bring the foreign aid bill back as the House passed it. This is something we cannot afford, going into high foreign aid when the Hill-Burton Act is in limbo and not being carried out and when many of the poverty programs and other things in regard to our own Nation have been frozen. Still there are those who would like to increase foreign aid over the amount passed by the House.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. BOW. I will be glad to yield to my friend from Illinois.

Mr. MICHEL. Mr. Speaker, I simply want to support the point that the gentleman from Ohio makes, because the spending limitation as such is so much more preferable to a simple continuing resolution. If I might draw the attention of the gentleman to our hearings in the past couple of days before the Subcommittee on Health, Education, and Welfare of the Committee on Appropriations having to do with the war on poverty. We can very well see in the testimony given to us thus far that under a simple continuing resolution the level of spending is that prevailing on the last day of the fiscal year 1967 last June 30, rather than an average rate of expenditure over the entire year. In other words, here we are practically halfway through the fiscal year 1968 and spending at a much higher rate than most realize when we talk in terms of a budgeted or appropriation figure for any line items for the entire fiscal year 1967.

This puts us in a position where to hold the line at the 1967 fiscal year level we will have to cut back from the current expanded level of spending in this first half of fiscal year 1968 very markedly in the last half to get the overall figure reconciled with the 1967 figure. So an actual overall spending lid, rather than a continuing resolution, in my opinion, is so much more effective, and I would hope the conferees would stand by the Bow proposal.

Mr. BOW. I will say to the gentleman that is the position I will take in the conference. The House has spoken and I think has spoken well. We should have a spending limitation and not go into the other formula that has been suggested, which I have not been able completely to digest but which it seems to me is not effective.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, but I reserve the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. KLUCZYNSKI].

(By unanimous consent, Mr. KLUCZYNSKI was given permission to speak out of order.)

HAPPY BIRTHDAY TO MIKE KIRWAN

Mr. KLUCZYNSKI. Mr. Speaker, 2 days from now, on December 2, one of the most beloved Members who has ever served in the House will celebrate his birthday. I think everyone here knows I am talking about MIKE KIRWAN. Thirty of his years have been spent here in the House, serving not only the people of Ohio but all the people of the land, and truly serving the land itself in his never-wavering dedication to civil works and natural resource development.

MIKE is a thoughtful counselor, a joyous companion, and a man forever young at heart. He is one of that comparatively small number among us who learned the profession of politics in the old school but has never had any difficulty adjusting to the ever-changing demands of progress.

Years pass, and times change, but there is one quality we seek in all men that never alters. Down through the ages, integrity has always been the hallmark of the truly distinguished man. There are a lot of ways to express our affection and respect for MIKE KIRWAN, but probably the most significant of all is that when he gives you his word, you know you can rely on it absolutely. Behind our hearty "Happy Birthday, MIKE" lies the hope and prayer that he will be spared to share with us many, many more of these anniversaries.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Illinois yield?

Mr. KLUCZYNSKI. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am delighted that the distinguished gentleman from Illinois [Mr. KLUCZYNSKI] has taken this time to pay tribute to one of our finest Members whose birthday will be next Saturday.

Mr. Speaker, the story of MIKE KIRWAN is the story of America. Here is a man who came up from adversity to the heights of national responsibility. MIKE is the American dream come true. His life is an inspiration to every American child. Like the people who first settled in this country, MIKE KIRWAN, who had to make his own way in life, saw in America a land of hope. He lived to make that hope come true.

Mr. Speaker, MIKE KIRWAN not only fulfilled that hope during the span of his own life, he also added so much to the country which gave to him that opportunity.

I doubt that any man who has served in our time in this legislative body has done as much to help build America, to develop its resources, to conserve its water, to expand its opportunities as MIKE KIRWAN. He has helped make America a land of even greater hope than it was when he started his service in this House. Think of it, Mr. Speaker, here is a man who had to leave school while he was still a child, a man who had to start earning his own living before he had reached his teens. Here is a man who would not be whipped by the handicaps of poverty. He has come a long way in the last four score years. He has lived a long and productive life.

He is a great legislator. He is an outstanding American. Thank God, he is still with us. I am grateful, Mr. Speaker, that he is my friend. He has been kind to me and to the people I represent. He has helped my people, and they are grateful. We wish him a much longer life of health, happiness, and public service.

Mr. KLUCZYNSKI. I thank the distinguished majority leader for his remarks.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. KLUCZYNSKI. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am very grateful to the distinguished gentleman from Illinois [Mr. KLUCZYNSKI] for yielding to me on this very auspicious occasion.

I share every word of praise which has been spoken in behalf of our colleague, the very distinguished gentleman from Ohio, MIKE KIRWAN, by the distinguished majority leader.

Mr. Speaker, it was my personal privilege for the period of 14 years to serve with MIKE KIRWAN on the Committee on Appropriations. I can say, without hesitation or qualification, that he was a constructive, conscientious, objective member of that very important committee, as he is at this time. MIKE KIRWAN has a knack on that committee of getting things done.

Mr. Speaker, it was a pleasure and a privilege to me to be associated with MIKE KIRWAN on that very important committee.

I have a number of close friends who reside in MIKE KIRWAN's home city of Youngstown, Ohio, friends whom I have known for 30 or more years. Naturally, when I get together with these friends of mine from Youngstown, we inevitably come around to the subject of discussing MIKE KIRWAN.

Further, I can say here again that even though these friends of mine may be from our side of the aisle, they have nothing but respect and admiration for MIKE KIRWAN and for the job he has done in representing them, even though they are of a different political persuasion.

Mr. Speaker, I conclude by simply adding to what the distinguished majority leader has said, the gentleman from Oklahoma [Mr. ALBERT], MIKE KIRWAN has contributed constructively to his country by his outstanding service in the Congress. I hope and trust that he has many, many years added to those that have been so constructive in the past.

Mr. KLUCZYNSKI. Mr. Speaker, I thank the distinguished minority leader.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, I thank the gentleman for yielding to me, and I join with those who have spoken of the great contributions that MIKE KIRWAN has made to our Nation. I believe if the whole story of MIKE KIRWAN and his contributions to America could be written it would take several volumes to tell all the good that he has done. An outstanding example of this is the great work that MIKE KIRWAN did in Samoa, and throughout this country in reclamation improvements and in the preservation of our country.

Mr. Speaker, may I say that within the last 2 years, due to redistricting in Ohio, I now represent part of the district MIKE KIRWAN represented for many, many years, and in this connection I might say that the great respect and admiration we have for him here in the House of Representatives is shared by all the people in that area. Go into that county that we now share and meet the many, many friends of MIKE KIRWAN of over the years, on both sides of the aisle, as the gentleman from Michigan has said. It is a great tribute to him.

Mr. Speaker, I am delighted to have this opportunity to share in paying tribute to MIKE KIRWAN, and I too wish him many, many more successful and constructive years such as he has had in the history of this House of Representatives.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I wish to join in these fitting tributes to the distinguished gentleman from Ohio [Mr. KIRWAN].

Mr. Speaker, a man's congressional career tends to be shaped to a considerable extent by his committee assignments. For as long as I can remember, MIKE KIRWAN has had an important part in Public Works and Interior Department appropriations. He has stamped the MIKE KIRWAN brand indelibly upon many areas of this country.

Mr. Speaker, MIKE KIRWAN believes in progress. He believes in the development of our great and beloved country. He has done a magnificent job in promoting its best interests. His friends throughout the country are legion.

Mr. Speaker, as one who has sat at his side throughout the years, I take great pride in giving him this salute on his birthday, and wishing him many happy returns of this moment.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, it is my privilege to speak for the minority members of the Appropriations Subcommittee on Public Works, which the distinguished gentleman from Ohio [Mr. KIRWAN] chairs.

Mr. Speaker, anyone who has ever served on the subcommittee with MIKE KIRWAN and been subjected to the day-to-day rubbing of elbows in sitting in the subcommittee with him, will be impressed by two of his greatest characteristics, one of them being the warmth of his heart and kindly feeling toward his congressional colleagues, and the other characteristic is that of being a true professional as a Member of the House of Representatives.

Mr. Speaker, MIKE KIRWAN is a man who knows how to disagree without ever being disagreeable. He is a man of unfailing courtesy and patience toward those who work with him, and I am indeed happy to speak in behalf of JOHN RHODES and HOWARD ROBISON and myself, the minority members of this subcommittee, to hope for MIKE KIRWAN many happy returns of his 81st birthday.

Mr. KLUCZYNSKI. I thank the distinguished gentleman from Wisconsin.

Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. I thank my beloved colleague for yielding to me.

Mr. Speaker, I do not want to let this opportunity pass without joining in the many tributes that are being paid to a great American, a great legislator, and a great builder of America, the Honorable MIKE KIRWAN, of Ohio.

Mr. Speaker, no man has contributed more than MIKE KIRWAN to the building of a strong America.

No man has done more for conservation and full development of our natural resources.

No man is more beloved by his colleagues in this body.

MIKE KIRWAN is one of the great architects of this Nation's progress in the 20th century, and future generations of Americans for centuries to come will be the beneficiaries of his wisdom and statecraft.

Let us hope we will be celebrating his birthday in this Chamber for many years to come.

Mr. KLUCZYNSKI. I thank the distinguished gentleman from Oklahoma.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I am delighted that the gentleman from Illinois has taken this time to pay tribute on the occasion of the 81st birthday of one of the Nation's most distinguished men, and certainly one of the finest Members in this Congress.

I regret that he is not on the floor today to listen to these tributes. Too often we express these tributes without the person to whom they are being paid being able to hear what is being said and to know of the respect and esteem in which he is held by his colleagues who serve here with him in the House.

Above and beyond his unique type of speech and his own personal characteristics, I think MIKE KIRWAN will best be remembered by his dedication to building a better America. I know of no other Member of this Congress who, as subcommittee chairman of the Department of Interior appropriations and also as subcommittee chairman of the Department of Public Works appropriations, has done more to harnass the elements to control floods, to build the forests, and to bloom the deserts as MIKE KIRWAN has done.

All over this great land of ours these accomplishments are monuments to his greatness. I am sure this Nation appreciates what MIKE KIRWAN has done in the building of a better America. My best wishes are extended to Mrs. Kirwan and to MIKE on this occasion.

Mr. KLUCZYNSKI. I thank the distinguished gentleman from Massachusetts.

Mr. Speaker, I yield to the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. Mr. Speaker, I rise to offer my congratulations and to wish a happy birthday to our distinguished colleague, the gentleman from Ohio, MICHAEL JOSEPH KIRWAN.

In his nearly 31 years as a Member of this House, the career of the gentleman from Youngstown has been rich in achievement, and he has fully earned the respect which the people of Ohio and of the Nation extend to him.

As a distinguished Member of the House, he has been among the most admired, and he has been a source of inspiration to younger Members like myself who look for worthy examples to guide our paths.

As chairman of the Public Works Subcommittee of the Appropriations Committee he has been sympathetic to the need of all Americans, acting always with wisdom, fairness, and impartiality.

I welcome this opportunity to express my deep respect to MIKE and to extend all good wishes for the years ahead.

Mr. KLUCZYNSKI. I thank my distinguished colleague, the gentleman from Maine.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I would just like to say I concur in everything that has been said about MIKE KIRWAN who has been my neighbor to the north of my district for all the years that I have been here.

When I made the point of order earlier, I did not know that the next Member who was going to speak was going to talk about MIKE KIRWAN. I do not withdraw a point of order lightly but when I found out what was going to take place and whom it was going to take place about, I was glad to withhold the point of order until a later time.

MIKE KIRWAN in eastern Ohio—and I have the honor to represent most of eastern Ohio that he does not represent—is a legend in his own time. Everything that has been said about him today is true and the great admiration and respect that his constituents hold for him is certainly true because that is a border district and I go many times to his home city of Youngstown.

I will go a little further than some of my colleagues on the other side of the aisle and I will not only wish for him many more years in addition to the years he has already had, but I will wish that he is here in the Congress for many more years, doing the good that he had done in the past.

Mr. KLUCZYNSKI. I thank the distinguished gentleman from Ohio.

Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. BELCHER].

Mr. BELCHER. Mr. Speaker, I am happy indeed to join with my colleagues in paying tribute to one of the most dedicated public servants that it has ever been my privilege to know.

MIKE KIRWAN is a dedicated, sincere and conscientious public servant. He has dedicated his life to the building of America and to the development of America's natural resources.

Beyond and above his public service, MIKE is a warm man. He and I are neighbors in the House Office Building. I see MIKE every morning and several times during the day. He is always cheerful, friendly and patient. He is a warm human being. It has been a great privilege for me during the past 17 years to be a friend of MIKE KIRWAN. I wish for him many, many returns on this, his 81st birthday and the very best of health.

Mr. KLUCZYNSKI. I thank the distinguished gentleman from Oklahoma.

Madam Speaker, it is a privilege at this time to yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Madam Speaker, the life of MIKE KIRWAN is most interesting. His life is also one of inspiration not only to those of us who have traveled the journey of life but also to young Americans who have most of their lives before them.

I remember when I was a youngster I was an intense reader of Horatio Alger stories. I found those Horatio Alger stories to be a stimulus and an inspiration to me. I commend to mothers and fathers throughout the country that they encourage their children to read Horatio Alger stories. They are very constructive, stimulating, and inspirational.

MIKE KIRWAN's life reminds me of Horatio Alger stories. MIKE started life under adverse economic conditions in his family. But having ambition and determination, he took advantage of the opportunities that exist under our form of government.

Those are the great lessons we can learn from the life of a man like MIKE KIRWAN. We are inspired by his ambition, his determination, the sacrifices he made, and the difficulties that confronted him. If the youth of America would only read the lives of men like MIKE KIRWAN they would be an inspiration to them.

MIKE KIRWAN is a man who has a beautiful mind. He might be termed one of God's noblemen. He has a warm heart, and is kind, tolerant, and understanding. He is a man who is dedicated to the public service of our country, a man of firmness and strength in his convictions and in the performance of his duties.

So when we pause here today to honor MIKE KIRWAN, our colleague and our friend, we honor ourselves. When I speak about MIKE KIRWAN I go beyond the man, and think of the lessons that others, particularly the youth of America who are facing the journey of life, might learn from the life that MIKE KIRWAN has led. They could obtain great inspiration from reading about MIKE KIRWAN, the life that he has led, and the great difficulties that he had to overcome. There is present the opportunity for others like MIKE KIRWAN to accomplish what he has done under our form of government. Ours is probably the only form of government in the world where one having the ambition of MIKE KIRWAN would have the opportunity to go ahead as he and others have done, but particularly as MIKE KIRWAN has done. So we honor Mike on his coming birthday anniversary. I know I speak the sentiments of our colleagues when I say I hope God will continue to bless him for countless years to come.

Mr. KLUCZYNSKI. Madam Speaker, I yield to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Madam Speaker, the people of the 19th Congressional District of Ohio have just cause in taking great pride in our distinguished colleague, MIKE KIRWAN. I am pleased to rise, on the occasion of his birthday, to extend best wishes to him and express to him very personal appreciation for the opportunity I have had in working with him in the House of Representatives, his resolve to act forcibly and with a strong sense of national need and purpose are inspirational. My State, his State, and the Nation owe MIKE KIRWAN no limit in praise for the great contribution he has made in conserving the natural resources of our streams and valleys through his keen interest and support of water resource development and flood control projects. The people of my district who have had more than the Nation's share of flood damage have great admiration for him and his leadership.

But the distinguished gentleman's knowledge and interest are not confined to this area of national need. It is fitting that his many years of service in the House have been in the Appropriations Committee where his objective humanitarianism has been brought to bear upon a wide range of Federal programs and national needs. I certainly wish for the House and the Nation many more happy birthdays.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. KLUCZYNSKI. Mr. Speaker, I yield to the gentleman from California.

Mr. BURTON of California. Mr. Speaker, when the history of those who served in the U.S. Congress is written, the name of MIKE KIRWAN will loom very large. He is a great man. He has been of more assistance to the West and to the State of California than perhaps any living American.

There is always a very useful test of the worth of a man, and that is to note his progeny. It so happens MIKE's son, John Kirwan, is a dear personal friend of mine. He served this country well and ably in the Interior Department. Whenever one wonders just what the depth of the qualities of the great statesman, MIKE KIRWAN, are, one need only look to his outstanding son, John, who reflects all the admirable qualities of his wonderful father.

I am pleased to join my colleagues in a "happy birthday" to you, MIKE KIRWAN, and may there be many more to come.

Mr. EVINS of Tennessee. Mr. Speaker, I want to join my colleagues in paying tribute to my distinguished and beloved friend and colleague, the gentleman from

Ohio [Mr. Kirwan], on the occasion of his birthday.

Mike Kirwan is a great legislator—a great champion of growth and progress for our country—a great Democrat and a great American.

He is an able and dedicated legislator who represents the Nation and his beloved district faithfully and effectively.

It has been my privilege and pleasure to serve with the gentleman from Ohio on the Subcommittee on Public Works Appropriations, which he serves so ably as chairman.

In this capacity he has provided great leadership in the development of our country—in conservation, waterway development, and building an effective flood control system throughout much of our country, in recreation development, and in the economic development which parallels resource development. He has contributed greatly to the building and strengthening of our Nation.

Befitting his greatness, Mike Kirwan is a man of great integrity and modesty. However, his deeds and his achievements and his record speak for themselves.

He is esteemed and respected by his colleagues and is indeed a legend in his own time. I want to join with others in wishing Mike Kirwan many more happy birthday anniversaries—and best wishes to his devoted wife, Mrs. Kirwan.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to join with my colleagues on both sides of the aisle in wishing the Honorable Michael Kirwan a happy birthday. Mike Kirwan is symbolic of the great American story. From very humble beginnings he has risen to one of the most exalted positions in our Nation. His 30 years in the Congress of the United States has been one of devotion and dedication to the people of our beloved Nation. Mike Kirwan was blessed with good commonsense. The Congress has been the beneficiary of his wisdom and progressive ideas. Daniel Webster once said:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

No one to my knowledge has tried in a more sincere way or has been as successful in the history of Congress to carry out the wishes of Daniel Webster than my good friend Mike Kirwan. May God bless him and keep him.

Mr. NATCHER. Mr. Speaker, today is the birthday of my friend, Mike Kirwan.

As a Representative he has those qualities that are essential for leadership, sound judgment, patience, perseverance, and an unyielding adherence to the principles and policies advocated by our party for the welfare of our country. In every position that he has held, either private or public, he has achieved distinction. It has been a distinct honor and privilege for me to serve for a period of 13 years on the Committee on Appropriations with Mike Kirwan. His service on our committee has been marked by a high sense of conscience and duty. He has become an inspiration and a symbol of the power and of the achievements of the House of Representatives. His kindness, character, and achievements, and his faithful service to the district that he represents will be an inspiration to generations yet to come. Few Members in the history of the Congress have rendered more outstanding service to all of the States of this country than Mike Kirwan. As a conservationist and one who believes in building our country, he has no equal peer. Not only has he been good to the Commonwealth of Kentucky but the same applies to all of our other 49 States. He has always believed that we should protect our country and this principle has always been uppermost in his mind since he has had the distinction and honor of being a Member of the Congress of the United States.

Mr. Speaker, I rise to pay tribute to my friend, Michael J. Kirwan, on his 81st birthday and hope that he has many more birthdays and years to serve with us and for his country.

Mr. TIERNAN. Mr. Speaker, it is with a great sense of admiration and respect that I join in the birthday tribute today to the distinguished gentleman from Ohio [Mr. Kirwan].

As many of you know the seat I now hold in this Chamber was occupied for many years by the late John E. Fogarty. The friendship and loyalty that existed between Mr. Kirwan and Mr. Fogarty was in a sense legendary as well as an inspiration for all of us.

It is my distinct honor to salute my good friend and wish him years of continued success and good health.

Mr. MINSHALL. Mr. Speaker, it is a great day for the Irish. One of the most distinguished of their own, and Ohio's own, celebrates his birthday anniversary today.

I am happy to wish many happy returns to our good friend, Mike Kirwan.

If I were gifted with the golden Gaelic tongue Mike possesses, I could recite in words matching his own eloquence how much he has endeared himself to his friends through his steadfast loyalty.

The fighting spirit and the courage of his Irish forefathers are his hallmark. He can be tough as a shillelagh if the occasion demands. But let a colleague seek advice or sympathetic counsel and understanding, and Mike is as kindly as the good St. Patrick himself.

Mike's endless fund of anecdotes, his solid, down-to-earth philosophy, and his incomparable sense of humor, make him a delightful companion. His vast knowledge of the legislative process and his keen mind are a source of the highest respect among his colleagues.

May the years continue to smile on our friend, Mike Kirwan.

Mr. PICKLE. Mr. Speaker, I would like to add my own congratulations to the many others Mike Kirwan has received on his 81st birthday coming this Saturday.

Without question, he is one of the toughest fighters and most unabashed spokesmen the Democratic Party has seen during his 28 years of fine service in the Congress. He is a practical politician, but at the same time, an able statesman. He is down to earth, but eloquent. And he has not let the fact that he is from Ohio hold him back too much. He is plain Mike Kirwan.

In my short time here, I have found him to be easy to approach and receptive to any good cause. And if he gives you his word, you can put it in the bank and draw on it.

He is rough, tough, lovable Mike Kirwan, whom we all wish a happy birthday.

Mr. MONAGAN. Mr. Speaker, I am happy to join my colleagues today in extending greetings to the gentleman from Ohio [Mr. Kirwan] on his 81st birthday.

This is a remarkable achievement for anyone and on this ground alone Mike Kirwan is entitled to felicitations.

This, however, is only a small part of the reason why we are enthusiastic about paying tribute to Mike Kirwan. His career is the American dream in action. Rising from poor beginnings and laboring in his youth in the most difficult and demanding of our industries, he has risen by his own efforts to a place of power and privilege in the Government of the United States.

Most importantly, Mike Kirwan has exercised his power with imagination and with confidence in the future growth and development of the United States. He has sought to make the wealth of our country available to the people in the form of meaningful public works projects. That the program for many years has borne the stamp of Mike Kirwan has been highly beneficial to the American people.

I wish my friend, Mike Kirwan, many more years of health, happiness, and service to his district and to the Nation.

Mr. CASEY. Mr. Speaker, I, too, want to join in a warm, happy birthday greeting to my good friend and colleague, Mike Kirwan. I am sure there has never been a more dedicated member in the history of the Congress.

Although Mike is, as he should be, a strong and energetic advocate for his own district, he is truly a representative of all of America.

This great representation that Mike has given to the American people has always been in a sense of fair play and a great knowledge of all sides of any issue. His contributions to the growth of our great country are legend.

As we mark the 81st birthday of this great friend, I think it should be noted and called to the attention of those who cry for early retirement for members of the legislative branch, that the past 10 years of Mike Kirwan's service in this House has been his most fruitful. We are all thankful that Mike Kirwan was returned to office time and again by his constituents to continue his great work.

Although Mike Kirwan is well known throughout the land as a great legislator, which we all appreciate, I think one of the things that I appreciate the most is that Mike is a warm friend, whose deep knowledge, mixed with his keen Irish sense of humor, makes him truly a great companion and colleague in this House. So I say, many more happy birthdays, my friend, Mike, and may the Good Lord continue to shower His blessings upon you.

Mr. BROOKS. Mr. Speaker, I join with my colleagues in honoring a great American, the distinguished gentleman from

Ohio, on the occasion of his 81st birthday.

His 81 years have in no way changed his vision and devotion to his Nation. No freshman Member of this body has a more youthful outlook and dedication to serving his constituents and all Americans.

MIKE KIRWAN is a man of courage and conviction. He arose from a most humble childhood with limited formal education to take his place among our Nation's leaders. During his service in this body, he has gained the respect of all of us who have been honored to serve with him.

MIKE is an ardent Democrat and a worthy advocate of the principles of our party. He is also a delightful companion and I shall always cherish his visit with us in southeast Texas while he was inspecting some of the public works projects which are so vital to our area. He can be sure that he will always enjoy the highest respect and admiration from me and the Texans I represent who have benefited so greatly from his help and counsel.

MIKE KIRWAN may have lived 81 years but he has maintained his youthful dreams of a great future for our Nation, which combines with his vast experience to make him the truly great leader he is. I extend to him my most sincere congratulations and best wishes for many, many years of service.

Mr. PRICE of Illinois. Mr. Speaker, I have known MIKE KIRWAN for over 30 years. I knew him before I became a Member of this body. As a young clerk in a congressional office, that of one of my predecessors, the Hon. Edwin M. Schaefer, of Belleville, Ill., I first met MIKE. Consequently my acquaintanceship with him goes through most of his service in the House of Representatives.

No Member of the House, no matter how long he may have served here, has contributed more to the development of this Nation than has MIKE KIRWAN. Rightfully, he has been honored for this but the measure of his great work is not yet fully understood.

As a member and as a chairman of the House Appropriations Subcommittee on Interior and as a member and as present chairman of the House Appropriations on Public Works, MIKE KIRWAN has dedicated himself to a study of and the development of the country's natural resources. No one is more experienced in this field than he.

How often have we in the House heard his impassioned plea for support of interior and public works projects as an "investment in America." His recommendation on any project was an assurance to his colleagues that a project was another effort to preserve or develop a program which further developed our land. Reclamation, flood control, waterways, and preservation of our public lands were all in the area of MIKE KIRWAN's jurisdiction and they were in good hands.

Mr. ZABLOCKI. Mr. Speaker, I rise to join with my colleagues in paying tribute, on his birthday, to a distinguished Member of the House of Representatives and a great American, the Honorable MICHAEL J. KIRWAN, of Ohio.

Many things have been said of the Irish and those who come of good Irish stock. But perhaps the truest sentiments spoken of that great race of people is that for the Irish your trouble is their trouble and your joy their joy.

Those characteristics fit no man better than our beloved colleague, MIKE KIRWAN.

Never is he too busy or too tired or too preoccupied to give valued time to those of us, his colleagues, who seek him out for valued and wise counsel on the problems which beset us.

This same concern he gives to the problems of his own Ohio constituents who seek his aid or intercession with federal officials. They know that they can count on him to go to bat for them when they have a legitimate cause.

The great quality of making the troubles of others his own—and trying to help—has no doubt been the keystone to his success year after year in the onerous job as chairman of the Public Works Appropriations Subcommittee and as chairman of the Democratic congressional campaign committee.

Such jobs would loom too large for most men. Few of us would want the responsibility. Yet MIKE KIRWAN never has shirked a responsibility or refused to meet a challenge.

He has met these with wisdom and energy—and has succeeded well.

The proof of his able leadership can be viewed around the Nation, from east to west, north or south. Dams, harbors, airports, and many, many other public works stand as tributes to his vision of America.

Today, MIKE, even those of us who are not Irish find that your joy on the occasion of another birthday is our joy. May the Almighty give you many more in the service of our Nation.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to add my personal tribute to a great legislator, a great American, and a great personality. In honoring Representative MIKE KIRWAN on his birthday, we honor a man who has pulled himself up by his bootstraps and risen to a position of great power and influence through his own efforts. I recall in 1964, when Congressman KIRWAN flew in to Logan, W. Va., in a small plane, in order to give a campaign speech for me at Logan Memorial Field House. The plane had difficulty negotiating the mountain passes, and landed with considerable difficulty. Then we had to ford the Guyandotte River in a pick-up truck to proceed to our destination. But when MIKE KIRWAN arose on the platform and started speaking to his audience of coal miners and their families and friends, he struck an immediate responsive chord because of his own upbringing, and his ability to relate directly to the experiences, hopes, and dreams of his listeners.

I have had the honor to appear many times before MIKE KIRWAN's subcommittee on behalf of projects of value to the State of West Virginia. Our State owes many debts to MIKE KIRWAN, and there are many monuments in our State in the public works projects he has assisted West Virginia in obtaining.

It is a rare privilege to join with my colleagues in saluting this great son of Ohio, MIKE KIRWAN, on his birthday.

Mr. UTT. Mr. Speaker, I wish to associate myself with the remarks of my colleagues in complimenting the gentleman from Ohio [Mr. KIRWAN] on his 81st birthday. He has served his State for more than 30 years with diligence and dedication.

He has always shown great interest and sympathy for the public works projects in my district, whenever such projects met the required criteria. I have never known MIKE to be vindictive against those who disagreed with him. As chairman of a Subcommittee on Public Works Appropriations, he is in a position to injure members of the opposing party.

I recall one of the most important projects in my District, which possessed all of the necessary criteria, had been authorized some 15 years ago, but was delayed because of the Korean war, and by further planning and study, and the construction of working models for the Dana Point Harbor. The Federal cost was to be in the neighborhood of $5 million, with local participation totaling $15 million. The first Federal increment was to be $1 million, and the officials in Orange County were greatly concerned as to whether an appropriation would be made. I discussed the matter with MIKE in early February of that year, and he gave me a commitment that the appropriation would be made. In spite of pressures to the contrary, MIKE KIRWAN kept that commitment.

There is an old political axiom which says, never make a political promise, but if you do make one, never break it. MIKE KIRWAN fills the bill.

I consider it a distinct privilege and a sincere pleasure to have served in the Congress with such a fine statesman, and I hope he will come out to California and enjoy the sailing in Dana Point Harbor, which will be completed next year.

GENERAL LEAVE TO EXTEND

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 419]

Abbitt
Anderson, Ill.
Annunzio
Barrett
Bates
Broomfield
Brown, Calif.
Brown, Mich.
Carey
Corman
Dawson
de la Garza
Dickinson
Diggs
Edwards, Calif.
Fisher
Flynt
Fountain
Frelinghuysen
Fulton, Pa.
Garmatz
Gathings
Halleck
Hansen, Wash.
Hardy
Harvey
Hébert
Heckler, Mass.
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Laird
Mathias, Md.
Matsunaga
Miller, Calif.
Pelly
Pool
Rees
Resnick
Rhodes, Ariz.
Rivers
Roberts
Rosenthal
St. Onge
Schweiker
Sikes
Smith, N.Y.
Springer
Steed
Stratton
Stuckey
Sullivan
Teague, Calif.
Thomson, Wis.
Tunney
Ullman
Van Deerlin
Vanik
Walker
Watkins
Watson
Whitener
Williams, Miss.
Willis
Young
Zion

The **SPEAKER**. On this rollcall, 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDMENTS TO CERTAIN ATOMIC ENERGY ACTS

Mr. **HOLIFIELD**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13934) to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended.

The **SPEAKER**. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 13934, with Mr. NIX in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading the bill was dispensed with.

The **CHAIRMAN**. Under the rule, the gentleman from California [Mr. HOLIFIELD] will be recognized for 30 minutes, and the gentleman from California [Mr. HOSMER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. **HOLIFIELD**. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, the bill before us, H.R. 13934, is the so-called AEC omnibus bill for 1967. This is the type of legislation which the Joint Committee recommends from time to time—as was done in 1964 and 1961—to update, revise, and clarify miscellaneous portions of the atomic energy legislation in light of changing circumstances.

I do not regard this bill as controversial, nor do any of the other 17 members of the Joint Committee on Atomic Energy. We recommended that this bill be enacted, without a single dissenting vote. Moreover, an identical companion bill, S. 2644, passed the other body on November 15.

Although noncontroversial, this proposed legislation is important and should be enacted without delay. To conserve the time of Congress and its committees, the Joint Committee generally attempts to combine miscellaneous proposed statutory changes into one bill. The bill before us today, H.R. 13934, is the result of our committee's consideration of seven separate legislative proposals submitted by the executive branch during 1967, the latest of which was transmitted as late as November 2, as well as additions and modifications suggested by the committee and its members. However, if action is not taken now on this bill a number of AEC programs will be hampered, including the final stages of disposal of the Government's interest in the community of Los Alamos, N. Mex., and continued cooperation with a number of European countries in atomic energy matters.

Our committee's review of this matter was thorough, and the results are reflected in our hearings and report which are before the House. We particularly heeded the effect of this bill on Government costs and revenues, in view of the stringent budgetary situation which faces us today. In this connection, I am confident that this bill will result in very substantial dollar revenues to the U.S. Government and balance-of-payments gains to this country. Although there are necessarily many uncertainties associated with the estimates, the net effect of enactment of this bill could be an increase in Government revenues over a period of years of about $500,000,000.

With this introductory statement, I shall now summarize the bill for the information of the House. Of course, I stand ready to answer any questions Members may have concerning this legislation.

Section 1 would amend the Atomic Energy Community Act of 1955, as amended, in order to revise the system of priorities applicable to the sale of the Government-owned apartment houses at Los Alamos, N. Mex. As it would be amended, section 58 would authorize the sale of these buildings on a priority basis not only to housing cooperatives, but to certain others as well. Section 1 of H.R. 13934 incorporates the substance of bills introduced earlier this year by Senator CLINTON P. ANDERSON and Congressman THOMAS G. MORRIS.

Sections 2, 3, and 4 would also amend the Atomic Energy Community Act of 1955. Under these sections the AEC would be authorized to continue to make assistance payments to the cities of Oak Ridge, Tenn., and Richland, Wash., and to the Richland school district. The Commission's present authority to make these payments to these entities expires in fiscal year 1969. Under the amendment, any contracts entered into by the AEC to provide such assistance, under the authority of section 94 of the Community Act, could not extend beyond June 30, 1979. The proposed legislation would state more explicitly the criteria for making such payments, including the objective that assistance payments by the AEC be reduced or terminated at the earliest practical time.

The amendments also provide that no appropriations shall be made to carry out the provisions and purposes of the Community Act unless previously authorized by legislation enacted by Congress.

Sections 5 through 12 of the bill would effect amendments to the Atomic Energy Act of 1954.

Sections 5 and 6 would confer on the Director of the AEC's Division of Military Application the new title of Assistant General Manager for Military Application. These amendments further provide that the officer serving in the position shall have general or flag rank, and that his service shall be reimbursed by the Commission for his pay and allowances. The Commission believes, and the Joint Committee agrees, that this statutory change should facilitate the AEC's ability to continue to obtain highly qualified officers from the Defense Department to fill this key military position within the Commission.

Section 7 of H.R. 13934 would amend section 33 of the Atomic Energy Act to provide additional authority for the AEC to perform research for others pertaining to the protection of the public health and safety. Fundamentally, this authority is intended to permit the AEC to utilize its facilities, equipment, and personnel to help solve important health and safety problems—such as those relating to environmental pollution—with respect to which the Commission's excellent and often unique resources can make significant contributions. Its purpose is to see that existing Federal facilities be used and to prevent construction by other agencies of costly duplicate facilities.

Section 8 of the bill would amend subsection 41(b) of the Atomic Energy Act to eliminate the statutory requirement for determinations by the President of the quantities of special nuclear material to be produced under section 41, and the amounts to be available for distribution by the AEC pursuant to sections 53 and 54 of the act.

Section 9 of the bill would amend subsection 53(f) of the act to eliminate a reference to the Presidential determinations which, because of the change to be made by section 8 of the bill, would no longer be applicable.

Sections 10, 11, and 12 of the bill correct certain technical defects in the existing law without making any substantive change.

Section 13 would amend the Euratom Cooperation Act of 1958 to effect three changes. This section would, first, authorize the transfer of an additional 145,000 kilograms of contained uranium-235 to the European Atomic Energy Community; second, authorized the transfer of and additional 1,000 kilograms of plutonium to Euratom; and third, authorize the AEC to perform uranium enrichment services for Euratom. All enriched uranium and plutonium made available by the AEC under these increased authorizations would be transferred on a cash basis, and all the material would be subject to safeguards to detect diversion on this material from authorized uses.

Section 14 of the bill would simply add a new heading in the table of contents of the Atomic Energy Community Act of 1955.

Mr. Chairman, I also wish to say a few additional words concerning the performance by the AEC of research for others.

The Atomic Energy Commission's laboratories represent a national asset of incomparable value. The plants themselves are unique in their quality and diversity. They are staffed by outstanding people, expert in both the physical and life sciences. The systems type approach which they have applied to problems of such magnitude and complexity as development of nuclear energy especially qualifies these organizations for coping with other pressing tasks affecting the public health and safety which must be undertaken today. Section 7 of H.R. 13934 was included in this bill at the recommendation on the Joint Committee, to provide additional assurance that the AEC's excellent facilities will be available to undertake these tasks.

At the present time, the AEC possesses authority under section 33 of the Atomic Energy Act to perform research for others under certain circumstances, provided the Commission deems the activities and studies "appropriate to the development of atomic energy." In addition, the AEC possesses a very broad charter under sections 31 and 32 of the act to perform or have performed research and development pertaining to the atomic energy program. Further, the Commission may perform work—including work outside of the atomic energy field—for other Federal agencies under the so-called Economy Act. Using these authorities, the AEC has undertaken such programs as development of liquid centrifuges for use in carcinogenesis studies, as well as some ecological and environmental pollution studies.

The AEC has also initiated a so-called "spin-off" program, designed to help translate into beneficial commercial-industrial use the information and techniques developed in the atomic energy program.

Notwithstanding these provisions of law, there may be legal barriers which prevent the use of the AEC's facilities where they could make additional—perhaps unique—contributions to the public health and safety. Such a barrier could exist, for example, if a State or local government were to seek the AEC's assistance in performing certain types of nonnuclear work for which the AEC's facilities were especially qualified. Section 7 of H.R. 13934 would assist in removing such obstacles to obtaining the full benefits from the investment made by the American people in the plants, equipment, and personnel of the AEC.

This is a matter, incidentally, that I and other members of the Joint Committee, particularly the ranking House member of the committee, the gentleman from California [Mr. Hosmer], have been concerned with for some time. Included in the record of our committee's hearings on the AEC's budget for this fiscal year are letters I sent to the Director of the Bureau of the Budget and the Comptroller General last fall—see part 2 of AEC authorizing legislation, fiscal year 1968, pages 1285–1287—expressing my views on this subject. I will ask unanimous consent to include these letters in the Record at the conclusion of my remarks, as well as excerpts from a talk which I delivered in September 1966 dealing with this matter. I cite these documents for the purpose of illustrating the nature of our committee's interest in achieving the best utilization of the AEC's facilities.

Mr. Chairman, I believe our national needs today and in the years to come will be too great to afford the luxury of wasteful duplication of equipment, and the building up of new teams of specialists, when we may already have the means at hand to do the job. That is why our committee supports the inclusion of section 7 in H.R. 13934.

Of course, once this bill is enacted the Joint Committee would expect to maintain careful supervision over the AEC's use of this new authority to assure that the intent of Congress is being carried out. Moreover, the appropriations committees and Congress would, of course, retain complete control over the expenditure of funds by the AEC pursuant to this law.

Mr. Chairman, that completes my summary and statement concerning H.R. 13934. The material I referred to earlier is as follows:

House of Representatives,
Washington, D.C., November 15, 1966.
Hon. Elmer B. Staats,
The Comptroller General of the United States, Washington, D.C.

Dear Elmer: I am sending you a copy of my letter to the Bureau of the Budget as I am sure you will be interested in the proposal which I am making.

I am not making this proposal for the purpose of obtaining work for the A.E.C. national laboratories, but on behalf of utilizing these well equipped laboratories and personnel for appropriate Federal projects in the field of anti pollution. I see no reason for building and equipping duplicate laboratories and the costly and laborious effort of obtaining scientific teams who probably will not have the background of specialized knowledge which present scientific personnel have in the A.E.C. laboratories.

I will want to go into this matter in more detail in January with you and Charles Schultze.

Kindest regards.
Sincerely,
Chet Holifield,
Chairman.

Joint Committee on Atomic Energy,
November 15, 1966.
Mr. Charles L. Schultze,
Director, Bureau of the Budget, Washington, D.C.

Dear Mr. Schultze: I am writing to discuss the overall pollution of our environment, which President Johnson has described as "one of the most pervasive problems of our society." I also wish to offer some suggestions concerning use of existing facilities to help resolve this critical problem affecting our nation and the entire world.

Month by month the degree of concern over pollution, within the scientific community and the public at large, becomes more intense. Clearly, it is the responsibility of the Federal Government to furnish dynamic leadership in planning and conducting a long term program to deal with this matter. In this connection, I have reviewed and been impressed by last November's report of the Environmental Pollution Panel of the President's Science Advisory Committee. On several occasions I have publicly called attention to some of the Panel's most significant conclusions.

One of these conclusions is that an urgent need exists to provide additional trained personnel, with adequate facilities, to launch the required broadscale attack on the manifold causes of environmental pollution. While I generally agree with this view. I am concerned that we may lose irretrievable lead-time in establishing new organizations and facilities, which will result in wasteful duplication and fail to achieve the desired results. We can and must make the optimum use of the qualified people and facilities currently available to us.

For more than two decades, the Federal Government has supported a vast program of research and development including the construction of expensive laboratories and other scientific establishments. These plants are furnished with the most advanced equipment. Thousands of scientists and engineers have been trained at Federal expense, and there exists in this country a number of highly skilled organizations which we have built up and supported in order to devote their energies to the attainment of various national research and development objectives. My efforts on the Joint Committee on Atomic Energy and the Government Operations Committee have convinced me of the critical need for making better use of these Federal research establishments in solving the dilemma of environmental pollution, particularly as it relates to urban design. This needs to be done in order to maximize our scientific and technological progress and to achieve the best allocation of scarce resources.

As a specific example I call your attention to the Federally-supported atomic energy research laboratories. Unquestionably, these facilities represent a national asset of incomparable value. The plants themselves are outstanding in their quality and diversity. They are staffed by outstanding people, expert in both the physical and life sciences. The systems type approach which they have applied to problems of the magnitude and complexity of development of nuclear energy for peaceful and military purposes especially qualifies these organizations for coping with the Herculean tasks which must be accomplished in order to safeguard our environment against pollution. Moreover, and very importantly, these organizations have had perhaps the most extensive experience in many of the programs which must be pursued now with great vigor, such as measurements of pollution, studies of its effects, and analysis of waste disposal methods.

I have discussed this matter with Atomic Energy Commission Chairman Glenn Seaborg, and have requested him to consider carefully the capabilities of our atomic energy facilities to contribute to the national effort to abate pollution. I am also bringing this to your personal attention because of your position of responsibility concerning the the overall programs of Executive Agencies. I hope you will specifically review this subject with Dr. Seaborg to determine how best to utilize these outstanding laboratories. Your efforts to assure that available resources are used wherever possible are of the utmost importance in promoting an effective, timely and economical Federal approach to this problem. You can be assured of my support in these efforts.

I believe it is of vital importance that the matters I have discussed be given full and early consideration. Accordingly, I would appreciate an opportunity to talk with you about them as soon as our mutual schedules permit.

With kindest regards,
Sincerely,
Chet Holifield,
Chairman.

A Comprehensive Approach to the Pollution Problem

(Excerpts from remarks by Congressman Chet Holifield, chairman, Joint Committee on Atomic Energy, at the Governors' Conference, Gilbertsville, Ky., September 19, 1966)

I for one question whether present efforts to bring environmental pollution under control as we enter the era of the megalopolis will be successful. Thus far most of the thinking on the subject has been devoted to isolating single aspects of the problem—such as air pollution resulting from the operation of automobiles, or water pollution due to industrial operations.

I do not think that it is fruitful to consider only specific types of pollution. The piecemeal approach tends to limit the consideration to only local areas of such pollution. Moreover, certain areas tend to be emphasized while others are neglected. For example, one important aspect of environmental control which I think has been neglected is the interrelation of environmental pollution factors with our over-all way of life. I think it is time now to look at complete urban centers with control of environmental pollution a fundamental factor in their design.

In many localities we are now witnessing the construction of completely new cities, sometimes through initiation of construction of large new developments, and in many cases through the wholesale redevelopment of existing urban areas. Wouldn't it be wise to seize this opportunity to take an overall approach to the pollution problem? Let me give a few examples of what I have in mind.

The automobile is now one of the greatest contributors to atmospheric pollution. Highways and interchanges for automobiles present severe problems in the design of urban communities. It's quite possible that if we looked at these questions as related problems—that is, as part of a whole—we might find a combined solution to both of them. In other words, in lieu of setting one group of planners upon the problem of reducing pollution from the automobile and another groups to solving the transportation question, why not look at these as interrelated problems? In doing so the planners might find that restricted use of the automobile and the creation of a central mass transportation system in the urban area would provide superior commuting service while eliminating both the problem of air pollution and the problem of concrete jungles. Other similar examples of the value of considering urban design from the standpoint of a complete system can readily be given.

One fundamental factor which is critical to the overall problem of urban design is the provision of energy. The availability of an adequate supply of low cost energy which in itself does not contaminate the environment will permit the elimination of many of our pollution problems. With adequate supplies of low cost energy, water can be purified, air can be filtered, automobiles can be propelled, various wastes can be converted and eliminated, and so forth. Nuclear energy, for one, may fill this bill. Perhaps, therefore, energy should be given a more central position in our urban planning.

The foregoing amply indicates, I think, that we can no longer consider piecemeal solutions to our environmental problems. We must approach the urban design problem on a broader basis. I also want to indicate that it is an urgent matter to get on with the overall system analysis approach in our attempts to achieve proper control of environmental pollution. We should also utilize our great scientific centers to give us guidance in this critical area. Our atomic energy laboratories, for example, contain a concentration of scientific and technical talent never before amassed. The accomplishments in the field of nuclear weapons and civilian applications of nuclear energy I do not believe are matched by any other scientific effort. I think it might help if I were to give a few examples to illustrate the uniqueness of this national resource and its adequacy to treat the overall system analysis approach to the urban design problem.

The Atomic Energy Commission's national laboratories are staffed by outstanding scientists in both the physical and life sciences. The concept of tracer techniques mastered and used in the atomic energy program is a fundamental tool in the analysis of our environment. The problems of nuclear weapons effects and fallout have been faced by the national laboratories on a worldwide basis using techniques directly applicable to the analysis of pollution problems. The worldwide aspect of pollution is stressed in the Report of the President's Science Advisory Panel on Pollution where they recommended that data be obtained on pollution and temperature trends in the atmosphere and stratosphere throughout the world. The same approach has been used concerning measurements in the oceans when radioactive waste disposal in the ocean was under consideration. The biological studies of the effects of radiation on ecological systems is also an area of special talent possessed by the national laboratories. The pest control work which has been achieved through the use of radiation also covers an important aspect of the environmental pollution problem. Of course, as I mentioned before, the development of nuclear power plants, which was done by our national laboratories, to supply the electrical needs of urban centers is a fundamental factor in any approach to the pollution problem. This one factor may prove to be the most effective in contributing to a solution to the pollution problem—but it must be considered in the overall analysis of our environmental pollution problem.

What I personally propose to do is to follow up on this item with the Atomic Energy Commission. What I would like to see the Atomic Energy Commission do is mobilize its resources and come up with an outline of how to approach the overall environmental pollution problem of the megalopolis. If it is agreed that the proposed attack can give us valuable assistance then we can look into how this competence can be utilized.

I firmly believe that our only hope for a satisfactory solution to the general problems of environmental pollution is the comprehensive approach. The city or the megalopolis must be considered as a whole and ways must be found to provide man with his needs without poisoning him.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EVINS of Tennessee. Mr. Chairman, I want to associate myself with the remarks of the distinguished gentleman from California [Mr. Holifield] and rise in support of H.R. 13934 which consists of amendments to various atomic energy acts.

This is a most important and significant bill, Mr. Chairman, in the growth and progress of the atomic city of Oak Ridge.

This bill contains provisions to retain and continue the Atomic Energy Commission's payments in lieu of taxes to the city of Oak Ridge, among other local governmental units. These payments are vital and essential to the city of Oak Ridge because of the limitations placed upon its tax base by its inception and development as a Federal city with virtually all industry owned and operated by a Federal agency. In other words these payments assist in filling the void in revenue which normally could be expected to accrue to a municipality through a private industrial base.

In 1955 payments were approved for a 10-year period to the city government of Oak Ridge. This bill under consideration today proposes to continue these payments with the provision that future payments must be authorized by the Joint Committee on Atomic Energy and funds appropriated as needed by the Committee on Appropriations.

In the meantime the city of Oak Ridge is continuing and developing its program of progress to expand its private industrial base and its tax base. I want to commend and congratulate the city of Oak Ridge upon its achievements and objectives in this connection. The Joint Committee on Atomic Energy in its report praised the efforts of Oak Ridge to achieve "financial independence through self-help."

I strongly urge the passage of this most important legislation. It is vital—it is needed—it is the equitable course to follow, and I urge passage of this bill.

Mr. HOSMER. Mr. Chairman, I yield myself such time as I may consume.

The Joint Committee's evaluation of H.R. 13934 was characterized by a bipartisan spirit, as has generally been the case with our committee's activities. This bill is, to some extent, "nuts and bolts" legislation designed to perfect inadequacies in existing law, or to continue cooperation already begun. The Atomic Energy Act of 1954 is the basic charter by which the Nation's atomic affairs are governed. From time to time we bring before the Congress a bill such as this one making such adjustments to the provisions of the act as seem necessary or desirable. In short this is sort of an annual housekeeping exercise. The bill before us also makes similar adjustments in the Atomic Energy Community Act of 1955 and the Euratom Cooperation Act of 1958.

The vice chairman of our committee has summarized the bill, and I need not repeat what he has said. I would like to emphasize that I regard this bill as a moneymaker for the U.S. Government. At a time when we are justifiably seriously concerned about Government expenses and the balance of payments, this bill offers a happy contrast to some of the legislation that has been presented to Congress.

For example, all of the plutonium and uranium-235 transferred to Euratom by the AEC under this bill will be on a cash basis, and as the gentleman from California [Mr. Holifield] has pointed out, the potential revenues to the Government are very substantial—in the range of $500 million. It is also noteworthy that at our committee's request, the Comptroller General furnished his opinion that the AEC's charge for uranium enriching services—which will probably provide the vast bulk of the revenues to be received by the Government as the result of passing this bill—does not provide any subsidy to the foreign or domestic nuclear industry.

One section of this bill—section 7—deals with the performance of research by the AEC related to the public health and safety. In this connection I want to emphasize a paragraph in our committee's report, which helps to explain one of our basic purposes in recommending this legislation. It reads:

> It is not intended that this authority be used as a basis for requesting funds to expand the AEC's facilities or equipment; nor to request increased personnel for the AEC or its contractors. Rather, this authority is intended to permit the AEC to utilize its then existing facilities, equipment, and personnel to help solve important health and safety problems with which the AEC is qualified to cope.

Thus, we make it quite clear that we are not proposing that the AEC engage in "empire building." On the other hand, this report language is directed at requests for funds by the AEC, and is not intended to prohibit, for example, incidental purchase of equipment or payment to additional personnel by the AEC using funds supplied by another agency or entity to which assistance is provided.

I also wish to call attention to a speech I made November 7 to the American Nuclear Society relating to the use of the AEC's laboratories, and which I inserted in the Record on November 14, 1967—page 32401. Among other things, I pointed to the need for avoiding the performance of work in AEC facilities which could be accomplished as easily and often more economically in commercial facilities. H.R. 13934 fully recognizes this principle. For example, the AEC would have to make certain findings relative to the inadequacy of private facilities before undertaking work under the new authority. Moreover, the AEC would be authorized to have performed by subcontract limited portions of a total project undertaken under section 33, as amended.

One other point worth noting about this section of H.R. 13934 is that Congress and its committees will have every opportunity to observe and maintain appropriate control over the AEC's use of this new authority, through the usual authorization and appropriations process. Among other things, this would help assure that AEC's basic programmatic missions are not adversely affected or interfered with by virtue of AEC's exercise of this new authority.

In summary, Mr. Chairman, I am convinced that H.R. 13934 is a worthwhile piece of legislation, and I urge its passage today.

There follows a summary of the effect on Government revenues of the legislation before us:

Effect on Government Revenues of Enacting H.R. 13934

Section 1. Sale of Apartment Houses—Government will receive $4,168,000 if houses sold at appraised value. If houses sold to high bidder this amount could, of course, be higher or lower. Could be as much as 25% less than this if priority exercised on all property. Estimated that all property will be sold by end of fiscal year 1969.

Sections 2 to 4. Continued Assistance to Oak Ridge and Richland:

(a) Lump sum payment to City of Richland, $800,000.

(b) Lump sum payment to Richland Schools, $5,600,000.

(c) Continued annual payments to Oak Ridge—payments for past several years have run about $1.3 million annually.

Sections 5 and 6. Creating Statutory Position of Assistant General Manager for Military Application—No effect on revenues of Government.

Section 7. AEC Research Activities Relative to Health and Safety—Savings to Government will probably result through avoidance of duplication of facilities and personnel. AEC normally charges for work performed under section 33 of the Atomic Energy Act on a full cost recovery basis.

Sections 8 and 9. Elimination of Presidential Determinations Concerning Production and Distribution of Special Nuclear Material—No effect on revenues of Government.

Sections 10 to 12. Technical Amendments to Atomic Energy Act—No effect on revenues of Government.

Section 13. Additional Plutonium and U-235 for EURATOM; Toll Enriching for Euratom:

(a) Plutonium—If all additional 1000 kilograms are transferred, Government revenues would be increased from a minimum of about $19.4 million to a maximum of about $38.7 million.

(b) Uranium 235—If all additional 145,000 kilograms are transferred by toll enriching, Government revenues would be increased by about $500,000,000.

(c) Toll enriching—No budgetary effect until 1/1/69. Thereafter, there could be a reduction in use of AEC feed material during calendar years '69 and '70 valued as high as $18 million. This estimate could be substantially revised due to increased use of enriched uranium within EURATOM countries, and uncertainty as to whether certain projects will utilize toll enriching.

Section 14. Adding New Heading to Table of Contents of Community Act—No effect on revenues of Government.

SUMMARY

Enactment of bill could produce substantial revenues to the Government, in the realm of $500,000,000, over a period of years.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. Morris].

Mr. MORRIS of New Mexico. Mr. Chairman, I commend the chairman of the committee [Mr. Holifield] and the ranking minority member [Mr. Hosmer] for their excellent work on this piece of legislation.

I fully support H.R. 13934, which includes provisions amending the Atomic Energy Community Act of 1955. As chairman of the Joint Committee's Subcommittee on Communities, I have studied these legislative proposals carefully and strongly believe they should be enacted.

Among other things, this bill would permit the Government to complete the sale of residential housing at Los Alamos, N. Mex. For over a year, the AEC and the Department of Housing and Urban Development have delayed offering the apartment houses at Los Alamos for sale to the residents, as the result of widespread dissatisfaction with the sales procedures. A very large percentage of the people who live and work at Los Alamos reside in these buildings, and the uncertainty over the plans for their sale has had an unsettling effect on the whole community.

In an effort to resolve the problems which had arisen, Senator Anderson and I introduced bills which were designed to improve the sales program. My subcommittee held a hearing at Los Alamos on August 11, and careful consideration was given to all the comments we received. I believe that, if enacted, H.R. 13934 will enable the AEC and DHUD to sell these buildings on a basis which is fair and equitable to the Government and to the people of Los Alamos.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee [Mr. Duncan].

Mr. DUNCAN. Mr. Chairman, I rise in support of this legislation.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

Mr. HOSMER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 13934

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 58 of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

"Sec. 58. Priority Sale of Apartment Houses.—

"a. The Commission is authorized at Los Alamos to grant to occupants, project-connected persons, and persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, and to any of the foregoing persons acting together, such priority interests and priority rights for the purchase of the apartment house as the Commission determines to be fair and reasonable: *Provided,* That a first priority right to purchase may be granted only to an occupant or a group of occupants, or an assignee (whose membership or ownership is composed of occupants, or project-connected persons, or persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, or any of the foregoing persons) of the priority interests of such occupants, who or which has obtained the priority interest of at least 60 per centum of the occupants of the apartment house: *Provided further,* That a second priority right to purchase may be granted only to an entity whose membership or ownership consists of occupants, or project-connected persons, or persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, or any of the foregoing persons (provided that such entity has obtained the priority interest of at least one occupant), and whose membership or ownership equals in number, and occupies or agrees to occupy, at least 70 per centum of the housing units in the apartment house. The 15 per centum deduction specified by subsection 35 a., the deduction provided by subsection 36 d., the financing provisions of section 62, and the indemnity provided by sections 63, 64, 65, and 66 shall be applicable to such priority sales of apartment houses. Priority interests granted by the Commission under this section shall be transferable as the Commission may by rule or regulation prescribe, but no priority right to purchase shall be transfered except as provided by section 43.

"b. Any occupant who does not participate in the purchase of an apartment house with respect to which a priority right to purchase has been granted shall be entitled, at the time of sale by the Commission, to a lease for occupancy of his housing unit for a period not to exceed fifteen months from the date the property was first offered for sale: *Provided,* That the occupant makes application for such a lease within 30 days of the grant of such priority to purchase. In selling any apartment house with respect to which a lease executed under this section is in effect, the Commission is authorized to provide for the purchaser to assume any or all obligations of the lessor. The Commission in such event shall guarantee the lessee's performance of the lease.

"c. Persons who have purchased, either individually or jointly with other persons, a single-family house or duplex house (or a single-family unit in a duplex house) at Los Alamos pursuant to a priority right under this Act shall not be eligible to participate in the priority purchase of an apartment house.

"d. The Commission is authorized to prescribe by rule or regulation such other conditions as it may find necessary or desirable for qualification of priority interests and rights for the purchase of an apartment house."

SEC. 2. Section 91 of the Atomic Energy Community Act of 1955, as amended, is amended—

(1) by striking out subsection a. and inserting in lieu thereof:

"a. From the date of transfer of any municipal installations to a governmental or other entity at or for the community, the Commission shall, for a period of ten years, make annual assistance payments of just and reasonable sums to the State, county, or local entity having jurisdiction to collect property taxes or to the entity receiving the installation transferred thereunder: *Provided, however,* with respect to the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District, the Commission is authorized to continue to make assistance payments of just and reasonable sums after expiration of such ten-year period. In determining the amount and recipient of such payments, the Commission shall consider—

"(1) the approximate real property taxes and assessments for local improvements which would be paid to the governmental entity upon property within the community if such property were not exempt from taxation by reason of Federal ownership;

"(2) the maintaining of municipal services at a level which will not impede the recruitment or retention of personnel essential to the atomic energy program;

"(3) the fiscal problems peculiar to the governmental entity by reason of the construction at the community as a single purpose national defense installation under emergency conditions;

"(4) the municipal services and other burdens imposed on the governmental or other entities at the community by the United States in its operations in the project area; and

"(5) the tax revenues and sources available to the governmental entity, its efforts and diligence in collection of taxes, assessment of property, and the efficiency of its operations.";

(2) by striking out subsection d, and inserting in lieu thereof:

"d. With respect to any entity not less than six months prior to the expiration of the ten-year period referred to in subsection a. (or not less than six months prior to June 30, 1979, in the case of the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District), the Commission shall present to the Joint Committee on Atomic Energy its recommendations as to the need for any further assistance payments to such entity."; and

(3) by adding the following new subsection e.:

"e. In exercising the authority of subsection 91 a. the Commission shall assure itself that the governmental or other entities receiving assistance hereunder utilize all reasonable, available means to achieve financial self-sufficiency to the end that assistance payments by the Commission may be reduced or terminated at the earliest practical time."

SEC. 3. Section 94 of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

"SEC. 94. COMMISSION CONTRACTS.—The Commission is authorized, without regard to section 3679 of the Revised Statutes, to enter into a contract with any governmental or other entity to which payments are required or authorized to be made pursuant to section 91, obligating the Commission to make to such entity the payments directed or authorized to be made by section 91: *Provided, however,* That the term of such contracts, in the case of the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District, shall not extend beyond June 30, 1979."

SEC. 4. Subsection 118a. of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

"a. No appropriation shall be made to carry out the provisions and purposes of this Act unless previously authorized by legislation enacted by Congress."

SEC. 5. Subsection 25 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"a. a Division of Military Application and such other program divisions (not to exceed ten in number) as the Commission may determine to be necessary to the discharge of its responsibilities, including a division or divisions the primary responsibilities of which include the development and application of civilian uses of atomic energy. The Division of Military Application shall be under the direction of an Assistant General Manager for Military Application, who shall be appointed by the Commission and shall be an active commissioned officer of the Armed Forces serving in general or flag officer rank or grade, as appropriate. Each other program division shall be under the direction of a Director who shall be appointed by the Commission. The Commission shall require each such division to exercise such of the Commission's administrative and executive powers as the Commission may determine;"

SEC. 6. Section 28 of the Atomic Energy Act of 1954, as amended, is amended by revising the first two sentences thereof to read as follows: "Notwithstanding the provisions of any other law, the officer of the Army, Navy, or Air Force serving as Assistant General Manager for Military Application shall serve without prejudice to his commissioned status as such officer. Any such officer serving as Assistant General Manager for Military Application shall receive in addition to his pay and allowances, including special and incentive pays, for which pay and allowances the Commission shall reimburse his Service, an amount equal to the difference between such pay and allowances, including special and incentive pays, and the compensation established for this position."

SEC. 7. Section 33 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 33. RESEARCH FOR OTHERS.—Where the Commission finds private facilities or laboratories are inadequate to the purpose, it is authorized to conduct for other persons, through its own facilities, such of those activities and studies of the types specified in section 31 as it deems appropriate to the development of atomic energy. To the extent the Commission determines that private facilities or laboratories are inadequate to the purpose, and that the Commission's facilities, or scientific or technical resources have the potential of lending significant assistance to other persons in the fields of protection of public health and safety, the Commission may also assist other persons in these fields by conducting for such persons, through the Commission's own facilities, research and development or training activities and studies. The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of the activities and studies referred to in this section."

SEC. 8. Subsection 41 b. of the Atomic Energy Act of 1954, as amended, is amended by deleting the last sentence.

SEC. 9. Subsection 53 f. of the Atomic Energy Act of 1954, as amended, is amended by revising the first sentence thereof to read as follows: "The Commission is directed to distribute within the United States sufficient special nuclear material to permit the conduct of widespread independent research and development activities to the maximum extent practicable."

SEC. 10. Subsection 53 c. (1) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. (1) The Commission may distribute special nuclear material licensed under this section by sale, lease, lease with option to buy, grant or through the provision of production or enrichment services: *Provided, however,* That unless otherwise authorized by law, the Commission shall not after December 31, 1970, distribute special nuclear material except by sale or through the provision of production or enrichment services to any person who possesses or operates a utilization facility under a license issued pursuant to section 103 or 104 b. for use in the course of activities under such license; nor shall the Commission permit any such person after June 30, 1973, to continue leasing for use in the course of such activities special nuclear material previously leased to such person by the Commission."

SEC. 11. Subsection 161 n. of the Atomic Energy Act of 1954, as amended, is amended by striking out "57 a. (3)" and inserting in lieu thereof "57 b.".

SEC. 12. Section 223 of the Atomic Energy Act of 1954, as amended, is amended, by striking out the letter "p." appearing after the word "or" and inserting in lieu thereof the letter "o.".

SEC. 13. Section 5 of the EURATOM Cooperation Act of 1958, as amended, is amended to read as follows:

"SEC. 5. Pursuant to the provisions of section 54 of the Atomic Energy Act of 1954, as amended, there is hereby authorized for sale or lease to the Community—

two hundred fifteen thousand kilograms of contained uranium 235,

one thousand five hundred kilograms of plutonium, and

thirty kilograms of uranium 233,

in accordance with the provisions of an agreement or agreements for cooperation between the Government of the United States and the Community entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided,* That the Government of the United States obtains the equivalent of a first lien on any such material sold to the Community for which payment is not made in full at the time of transfer. The Commission may enter into contracts to provide, after December 31, 1968, for the producing or enriching of all, or part of, the above-mentioned contained uranium 235 pursuant to the provisions of subsection 161 v. (B) of said Act, as amended, in lieu of sale or lease thereof."

SEC. 14. The table of contents of the Atomic Energy Community Act of 1955, as amended, is amended by inserting a new heading entitled.

"Sec. 58. Priority Sale of Apartment Houses."

Mr. HOLIFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENTS OFFERED BY MR. HOLIFIELD

Mr. HOLIFIELD. Mr. Chairman, I offer three technical amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. HOLIFIELD: On page 4, line 15, delete the word "thereunder" and insert in lieu thereof the word "hereunder".

On page 10, delete the commas at the end of lines 22, 23 and 25, and insert semicolons in lieu thereof.

On page 11, line 16, delete the period at the end of the line.

The amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NIX, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13934) to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended, pursuant to House Resolution 988, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendments.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HOLIFIELD. Mr. Speaker, pursuant to House Resolution 988, I call up the bill S. 2644 from the Speaker's table for immediate consideration.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 2644

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 58 of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

"SEC. 58. PRIORITY SALE OF APARTMENT HOUSES.—

"a. The Commission is authorized at Los Alamos to grant to occupants, project-connected persons, and persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, and to any of the foregoing persons acting together, such priority interests and priority rights for the purchase of the apartment house as the Commission determines to be fair and reasonable: *Provided,* That a first priority right to purchase may be granted only to an occupant or a group of occupants, or an assignee (whose membership or ownership is composed of occupants, or project-connected persons, or persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, or any of the foregoing persons) of the priority interests of such occupants, who or which has obtained the priority interest of at least 60 per centum of the occupants of the apartment house: *Provided further,* That a second priority right to purchase may be granted only to an entity whose membership or ownership consists of occupants, or project-connected persons, or persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, or any of the foregoing persons (provided that such entity has obtained the priority interest of at least one occupant), and whose membership or ownership equals in number, and occupies or agrees to occupy, at least 70 per centum of the housing units in the apartment house. The 15 per centum deduction specified by subsection 35 a., the deduction provided by subsection 36 d., the financing provisions of section 62, and the indemnity provided by sections 63, 64, 65, and 66 shall be applicable to such priority sales of apartment houses. Priority interests granted by the Commission under this section shall be transferable as the Commission may by rule or regulation prescribe, but no priority right to purchase shall be transferred except as provided by section 43.

"b. Any occupant who does not participate in the purchase of an apartment house with respect to which a priority right to purchase has been granted shall be entitled, at the time of sale by the Commission, to a lease for occupancy of his housing unit for a period not to exceed fifteen months from the date the property was first offered for sale: *Provided,* That the occupant makes application for such a lease within 30 days of the grant of such priority to purchase. In selling any apartment house with respect to which a lease executed under this section is in effect, the Commission is authorized to provide for the purchaser to assume any or all obligations of the lessor. The Commission in such event shall guarantee the lessee's performance of the lease.

"c. Persons who have purchased, either individually or jointly with other persons, a single-family house or duplex house (or a single-family unit in a duplex house) at Los Alamos pursuant to a priority right under this Act shall not be eligible to participate in the priority purchase of an apartment house.

"d. The Commission is authorized to prescribe by rule or regulation such other conditions as it may find necessary or desirable for qualification of priority interest and rights for the purchase of an apartment house."

SEC. 2. Section 91 of the Atomic Energy Community Act of 1955, as amended, is amended—

(1) by striking out subsection a. and inserting in lieu thereof:

"a. From the date of transfer of any municipal installations to a governmental or other entity at or for the community, the Commission shall, for a period of ten years, make annual assistance payments of just and reasonable sums to the State, county, or local entity having jurisdiction to collect property taxes or to the entity receiving the installation transferred hereunder: *Provided, however,* with respect to the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District, the Commission is authorized to continue to make assistance payments of just and reasonable sums after expiration of such ten-year period. In determining the amount and recipient of such payments the Commission shall consider—

"(1) the approximate real property taxes and assessments for local improvements which would be paid to the governmental entity upon property within the community if such property were not exempt from taxation by reason of Federal ownership;

"(2) the maintaining of municipal services at a level which will not impede the recruitment or retention of personnel essential to the atomic energy program;

"(3) the fiscal problems peculiar to the governmental entity by reason of the construction at the community as a single purpose national defense installation under emergency conditions;

"(4) the municipal services and other burdens imposed on the governmental or other entities at the community by the United States in its operations in the project area; and

"(5) the tax revenues and sources available to the governmental entity, its efforts and diligence in collection of taxes, assessment of property, and the efficiency of its operations.";

(2) by striking out subsection d. and inserting in lieu thereof:

"d. With respect to any entity not less than six months prior to the expiration of the ten-year period referred to in subsection a. (or not less than six months prior to June 30, 1979, in the case of the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District), the Commission shall present to the Joint Committee on Atomic Energy its recommendations as to need for any further assistance payments to such entity."; and

(3) by adding the following new subsection e.:

"e. In exercising the authority of subsection 91 a. the Commission shall assure itself that the governmental or other entities receiving assistance hereunder utilize all reasonable, available means to achieve financial self-sufficiency to the end that assistance payments by the Commission may be reduced or terminated at the earliest practical time."

SEC. 3. Section 94 of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

"SEC. 94. COMMISSION CONTRACTS.—The Commission is authorized, without regard to section 3679 of the Revised Statutes, to enter into a contract with any governmental or other entity to which payments are required or authorized to be made pursuant to section 91, obligating the Commission to make to such entity the payments directed or authorized to be made by section 91: *Provided, however,* That the term of such contracts, in the case of the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District, shall not extend beyond June 30, 1979."

SEC. 4. Subsection 118 a. of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

"a. No appropriation shall be made to carry out the provisions and purposes of this Act unless previously authorized by legislation enacted by Congress."

SEC. 5. Subsection 25 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"a. a Division of Military Application and such other program divisions (not to exceed ten in number) as the Commission may determine to be necessary to the discharge of its responsibilities, including a division or divisions the primary responsibilities of which include the development and application of civilian uses of atomic energy. The Division of Military Application shall be under the direction of an Assistant General Manager for Military Application, who shall be appointed by the Commission and shall be an active commissioned officer of the Armed Forces serving in general or flag officer rank or grade, as appropriate. Each other program division shall be under the direction of a Director who shall be appointed by the Commission. The Commission shall require each such division to exercise such of the Commission's administrative and executive powers as the Commission may determine;"

SEC. 6. Section 28 of the Atomic Energy Act of 1954, as amended, is amended by revising the first two sentences thereof to read as follows: "Notwithstanding the provisions of any other law, the officer of the Army, Navy, or Air Force serving as Assistant General Manager for Military Application shall serve without prejudice to his commissioned status as such officer. Any such officer serving as Assistant General Manager for Military Application shall receive in addition to his pay and allowances, including special and incentive pays, for which pay and allowances the Commission shall reimburse his service, an amount equal to the difference between such pay and allowances, including special and incentive pays, and the compensation established for this position."

SEC. 7. Section 33 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 33. RESEARCH FOR OTHERS.—Where the Commission finds private facilities or laboratories are inadequate to the purpose, it is authorized to conduct for other persons, through its own facilities, such of those activities and studies of the types specified in section 31 as it deems appropriate to the development of atomic energy. To the extent the Commission determines that private facilities or laboratories are inadequate to the purpose, and that the Commission's facilities, or scientific or technical resources have the potential of lending significant assistance to other persons in the fields of protection of public health and safety, the Commission may also assist other persons in these fields by conducting for such persons, through the Commission's own facilities, research and development or training activities and studies. The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of the activities and studies referred to in this section."

SEC. 8. Subsection 41 b. of the Atomic Energy Act of 1954, as amended, is amended by deleting the last sentence.

SEC. 9. Subsection 53 f. of the Atomic Energy Act of 1954, as amended, is amended by revising the first sentence thereof to read as follows: "The Commission is directed to distribute within the United States sufficient special nuclear material to permit the conduct of widespread independent research and development activities to the maximum extent practicable."

SEC. 10. Subsection 53 c. (1) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. (1) The Commission may distribute special nuclear material licensed under this section by sale, lease, lease with option to buy, grant, or through the provision of production or enrichment services: *Provided, however*, That unless otherwise authorized by law, the Commission shall not after December 31, 1970, distribute special nuclear material except by sale or through the provision of production or enrichment services to any person who possesses or operates a utilization facility under a license issued pursuant to section 103 or 104 b. for use in the course of activities under such license; nor shall the Commission permit any such person after June 30, 1973, to continue leasing for use in the course of such activities special nuclear material previously leased to such person by the Commission."

SEC. 11. Subsection 161 n. of the Atomic Energy Act of 1954, as amended, is amended by striking out "57 a. (3)" and inserting in lieu thereof "57 b.".

SEC. 12. Section 223 of the Atomic Energy Act of 1954, as amended, is amended by striking out the letter "p." appearing after the word "or" and inserting in lieu thereof the letter "o.".

SEC. 13. Section 5 of the EURATOM Cooperation Act of 1958, as amended, is amended to read as follows:

"SEC. 5. Pursuant to the provisions of section 54 of the Atomic Energy Act of 1954, as amended, there is hereby authorized for sale or lease to the Community—

"two hundred fifteen thousand kilograms of contained uranium 235;

"one thousand five hundred kilograms of plutonium; and

"thirty kilograms of uranium 233;

in accordance with the provisions of an agreement or agreements for cooperation between the Government of the United States and the Community entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That the Government of the United States obtains the equivalent of a first lien of any such material sold to the Community for which payment is not made in full at the time of transfer. The Commission may enter into contracts to provide, after December 31, 1968, for the producing or enriching of all, or part of, the above-mentioned contained uranium 235 pursuant to the provisions of subsection 161 v. (B) of said Act, as amended, in lieu of sale or lease thereof."

SEC. 14. The table of contents of the Atomic Energy Community Act of 1955, as amended, is amended by inserting a new heading entitled

"Sec. 58. Priority sale of apartment houses."

AMENDMENT OFFERED BY MR. HOLIFIELD

Mr. HOLIFIELD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: Strike out all after the enacting clause of the bill S. 2644 and insert in lieu thereof the provisions of H.R. 13934, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13934) was laid on the table.

AMENDMENT OF COMMODITY EXCHANGE ACT

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13094) to amend the Commodity Exchange Act, as amended.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13094, with Mr. NIX in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. POAGE] will be recognized for 30 minutes, and the gentleman from Oklahoma [Mr. BELCHER] will be recognized for 30 minutes.

The Chair now recognizes the gentleman from Texas.

Mr. POAGE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman and members of the Committee, we have for consideration today a bill to increase the Commodity Exchange Act.

Mr. Chairman, by using the expression of "Commodity Exchange," we do not mean the New York Stock Exchange. We mean the exchanges that hanlle agricultural products.

Mr. Chairman, in its consideration of H.R. 13094 the Committee on Agriculture was faced with the task of correcting certain obvious deficiencies in the Commodity Exchange Act without applying such drastic curbs on market practices as to risk destroying necessary liquidity and free trading. The result is a bill designed to update the act in light of observation of regulatory needs and enforcement procedures over a period of 45 years of actual experience since such legislation was first enacted in 1922.

The bill in its present form is based on the realities of futures trading and recognition of the fact that perfection is not likely to be achieved in such a speculative activity.

The bill does provide better tools for constructive regulation without posing any threat of reducing volume of trading or handicapping any legitimate use of the markets.

The degree of benefits from this legislation will depend to a great extent on the cooperation of the commodity exchanges in their selfregulation activities. The committee dropped the provision for handling of violations through the issuance of injunctions. This provision was vigorously opposed by the exchanges and the committee felt that at least part of the enforcement advantages sought through the injunctive process might be achieved by other and less controversial methods. Any delays or difficulties in enforcement procedures which the Commodity Exchange Authority encounters because of the lack of injunctive authority should be at least partially overcome if the contract markets utilize fully their own more flexible and less formal regulatory powers. This, of course, will not apply when the violators are not members of a contract market, but there are likely to be instances where prompt action by an exchange backed up where necessary by the application of administrative and judicial proceedings, can result in stopping the development of abusive situations. It is highly desirable that the exchanges recognize and accept a special obligation to do all in their power to facilitate and expedite correction of disruptive operations.

The committee is of the opinion that the one most important question to be considered in connection with futures trading is its effect on producers. We were, therefore, much impressed with the strongly favorable expressions by the major farm organizations in connection with this bill. At the same time, the committee was mindful of the interests of the exchanges, their members and the users of the markets.

There seems no reason for opposition to the bill in its present form from any segment of the industry. It may be expected to result in benefits by reducing abuses, and thus making the markets more useful in the handling of the products traded thereon.

The CHAIRMAN. The Chair recognizes

the gentleman from Oklahoma [Mr. BELCHER].

Mr. BELCHER. Mr. Chairman, this bill came out of the committee, I believe, by a vote of 28 to 1. I know of no controversy relating to the bill, and I wholeheartedly support this legislation as being necessary. There were a lot of things in connection with this act that should have been corrected possibly a long time ago, but they were not corrected until this time.

Mr. Chairman, futures trading in important farm products has been conducted on various commodity exchanges for more than 100 years. From its early beginning in grains and cotton it has grown to now include 15 agricultural commodities traded in on 17 contract markets subject to regulation under the present Commodity Exchange Act. The legislation we are now considering would add livestock and livestock products to the list of regulated commodities, and also provide for needed strengthening of certain weak spots in the statute.

This trading is big business. For the fiscal year ended last June there were about 16 million transactions with a value of $75 billion. It is an activity that affects the welfare of producers, handlers, and also consumers of our principal agricultural products.

The futures trading system is hinged to, and dependent upon, the speculative activities of thousands of traders having no connection with the actual commodity. This fact has been the source of criticism and dissatisfaction by farmers and others who charged that the markets were the scene of price rigging, fraud, and the like.

Over the years before regulation many proposals were made to drastically restrict, or even abolish, the futures markets.

The first legislation enacted to regulate futures trading was the Grain Futures Act of September 21, 1922. With a number of amendments, the most significant of which were adopted on June 15, 1936, the original basic pattern of regulation is currently carried on under the Commodity Exchange Act.

This statute, in its present and earlier forms, has been in effect during six national administrations and under seven Secretaries of Agriculture.

Under the 45-year application of this law disruption of orderly marketing procedures by economic struggles between powerful opposing interests has become less frequent. However, with the passing of these 45 years and the enormous increase in speculative activities it is not surprising that the need for additional safeguards for the usefulness of the markets has become apparent.

It is toward that end that H.R. 13094 is aimed. This legislation will continue and strengthen the regulatory program under which the markets are enjoying a record level of prosperity and will extend the safeguards of the statute to persons using the livestock and livestock products markets, in which there is now extremely active trading.

The active and unanimous support of the major farm organizations shows recognition of the merits of this legislation and the desirability of prompt enactment.

Mr. HATHAWAY. Mr. Chairman, H.R. 13094 is a modest proposal to revise, in the light of increased activities in the futures markets, the Commodity Exchange Act. It attempts to establish rules and regulations which are an integral part of all other exchanges and are recognized as beneficial and necessary. It is surprising that the suggested changes are not already a part of the commodities market.

Sections establishing minimum financial requirements and some requirements on who becomes a futures commission merchant or floor broker are certainly necessary when you consider that in commodities the margin is extremely low, as little as 10 percent, compared with 70 percent currently for stocks. Certainly the provisions requiring better bookkeeping methods are also a response to necessity. I believe that these provisions are a desirable protection of the public interest.

My interest, of course, relates largely to futures trading in potatoes and the impact of such trading on the Maine producers.

From my own observation of this proposed legislation, and from the views expressed to me by Maine potato growers, it appears that the proposals in this bill are needed to provide the Commodity Exchange Authority with more effective means of preventing disorderly market situations, not only in potatoes but in all the commodities in which there is futures trading.

Mr. Harold E. Bryant, executive vice president of the Maine Potato Council, testified in favor of this bill. The Maine Potato Council is a trade association having as members all 2,000 potato growers in the State of Maine. As Mr. Bryant stated:

> No significant changes have been made in the Commodity Exchange Act in the last 30 years. Certainly with changes that take place over a period of 30 years and with the tremendous increase in volume it is time for this Act to be reviewed and strengthened.

Mr. Stewart Smith, president of the Maine Potato Council and a potato grower raising 200 acres of potatoes in Exeter, Maine testified at the hearings on H.R. 11930 that—

> While the legislation being considered here today relates to trading in all agricultural commodities, the Maine Potato Council feels that its effect on potatoes will be to make that market more useful in the hedging and marketing of our product.
>
> We believe that the history of the potato futures market, and I assume other markets, will show instances where it could have been made more useful by more effective control of episodes which at least for certain periods of time seriously impaired the value to the legitimate users who were attempting to hedge their product.

From the point of view of the Maine potato industry it seems clear that the enormous increase in activity in the potato futures market, as well as in the other commodities, points to an urgent need to bring this legislation up to date. With a volume in potatoes alone around $1½ billion and transactions in six or seven hundred thousand cars it is not surprising that situations now appear which were not apparent 30 years ago when this law was put into its present form.

It is my sincere belief that passage of this bill by the House would result in greater confidence in the usefulness of the potato futures market by the producers and other members of the industry in my State.

Mrs. SULLIVAN. Mr. Chairman, this is in many respects a rather innocuous bill which corrects some longstanding deficiencies in the 1936 Commodity Exchange Act and which should have been passed long before this. I support the bill as far as it goes—and particularly for its inclusion of livestock and livestock products among the commodities in which trading in futures contracts could be regulated under the Commodity Exchange Act. I believe my bill, H.R. 1320, was the first to propose such coverage, as recommended by a majority of us who served on the National Commission on Food Marketing in our 1966 report.

That Commission's majority report also endorsed the proposal I have been making since 1954 to include coffee under this act, and, since 1963, sugar as well. However, the Committee on Agriculture has seen fit to omit coffee and sugar from among new commodities to be covered by this law. After reading the committee report and the hearings, I am inclined to believe the position taken by the Committee on Agriculture on coffee and sugar reflected not so much a conviction as to the facts in the matter as it did the committee's high regard for its former staff counsel, who represented the New York Coffee and Sugar Exchange at the hearings as a witness.

Mr. John Heimburger was an outstanding congressional staff employee—a conscientious and effective draftsman of highly complex legislation. This bill now before us, by omitting coffee and sugar, is a testimonial to his persuasiveness and effectiveness in his career now as a private attorney.

CONSUMER PRICES AFFECTED BY FUTURES SPECULATION

Despite the committee report's complacency on this issue, there are voluminous facts available to prove conclusively that trading in coffee and sugar futures does indeed affect the cash prices of these commodities and that excessive speculation in futures in these unregulated commodities—at very low margins, on downpayments of a few hundred dollars on contracts valued in the many thousands of dollars—has not only contributed to inflationary surges in the futures market but has caused spectacular increases in consumer prices of sugar and coffee.

A coffee price spiral in 1954 was directly attributable by the Federal Trade Commission to market irregularities and excessive speculation in the New York Coffee and Sugar Exchange.

A sugar price spiral in 1963 was directly attributed by the Department of Agriculture to excessive speculation in the New York Coffee and Sugar Exchange.

I am so impressed by the mood of this House at this weary 12th month—or almost the 12th month—of a dragging, dissention-ridden session, that no good purpose would be served by offering an amendment to this bill to include coffee and sugar. No one wants to listen to the debates at this late stage in the session, and particularly on amendments seeking to override a committee's overwhelming vote.

But I want the RECORD to show that despite the statements in the Agriculture Committee report on this bill that trading in coffee and sugar futures does not affect domestic consumer prices, the weight of the evidence is otherwise.

Consumer prices are affected only when futures speculation in a commodity reaches frantic bounds, of course, but that has happened on numerous occasions since World War II and will undoubtedly happen again. Even if coffee and sugar were under regulation, speculation would continue, of course, but there would be some measure of official control over practices in the exchange which are now subject to no Federal law or regulation. The New York Coffee and Sugar Exchange is strictly self-regulating, but the trading which goes on there directly affects not only consumer prices but official Government policy. Department of Agriculture decisions under the Sugar Act are frequently caused by, or influenced by, this private unregulated exchange's representation of the spot price of sugar, for instance, when that price might be based not on actual transactions but rather on the "tone" of the futures market.

NO AUTHORITY IN PRESENT LAW OR IN H.R. 13094 TO REGULATE MARGINS

In my opinion, a major cause for consumer concern about the activities of the commodities futures markets rests in the fact that even where Federal regulation does exist—as in the case of the grains, cotton, wool, soybeans, eggs, potatoes, and a number of other agricultural commodities—there is no authority whatsoever in present law to set minimum downpayments for speculation in these large contracts.

Thus, for a few hundred dollars, a person can purchase, or sell short, a futures contract representing many thousands of dollars. Unlike the stock market, where margins are set and controlled by the Board of Governors of the Federal Reserve System, and are subject to tightening without notice when the market heats up in an inflationary situation, no Federal agency has a word to say about commodity futures margins. The exchanges themselves set their own margin requirements.

Since their main interest is in increasing the number of sales on the exchange, because those holding memberships on the exchange make more commissions that way and the exchange also prospers, the exchange's interest in this matter is often in direct conflict with the public interest when speculation becomes excessive and bids up prices.

In the last Congress, the Department of Agriculture submitted a proposed bill which would have granted authority to the CEA to set margins. I supported that measure strongly, and testified in its favor. I think I was the only Member of the House to do so.

After that bill died in committee last year, the Department this year sent up a proposal which did not include margin regulation. It was at this point that I included in H.R. 11601, the Consumer Credit Protection Act—truth in lending—a provision giving to the Federal Reserve System the same authority over margins on futures exchanges that it now has over margins in the stock markets. Unfortunately, at our hearings in the Subcommittee on Consumer Affairs of the Committee on Banking and Currency on the consumer credit bill, neither the Federal Reserve nor the Department of Agriculture, nor any other Federal agency witness, endorsed this provision on commodity futures margins, and, on my motion, it was dropped from H.R. 11601 while the bill was still before my subcommittee.

But we did devote a morning of our 2 weeks of hearings on H.R. 11601 to this question of futures trading margins and spotlighted some of the problems connected with this activity.

PROBLEM OF MARGIN REGULATION CONTINUES

The Department of Agriculture still believes that margins on futures trading in agricultural commodities subject to the Commodity Exchange Act should be regulated to prevent, or to damp down, excessive speculation using borrowed money. But in view of the position taken in the Agriculture Committee in the last Congress on the administration CEA bill which included such a provision, the Department did not want to run the risk again this year of seeing necessary reform legislation again pigeonholed because of this one controversial feature.

Secretary Orville L. Freeman assured me, in a letter which I inserted in our hearings on H.R. 11601, that the Department feels margin regulation is needed. We must find some way to accomplish that purpose, and in legislation I intend to introduce early in the second session of the 90th Congress, I hope that can be done.

I am concerned not only about the agricultural commodities subject to the Commodity Exchange Act but also about the many essential and critical defense minerals which are also traded on futures exchanges with no form of Federal regulation at all.

COMMODITY FUTURES TRADING IS BIG BUSINESS

Trading in commodity futures is of great importance to industries producing or using the commodities which are traded, and, as I said, also has an impact on consumer prices in the stores, as well as on the cost to the Government of defense materials. Yet it is an activity little known to the vast majority of the people. Brokers are advertising widely these days to get amateurs with some extra cash and a desire to gamble for high stakes to come into this volatile area of speculative activity, where rewards can be quick and great—and where losses can be the same.

This is big business. It is big business to the tune of some $75 billion in agricultural commodities alone. We are talking about a figure roughly the size of our defense budget.

It consists of purchases and sales of "future contracts" for the commodities being traded. These contracts provide that at some future date—perhaps as long as a year or more ahead—the purchaser will receive, and the seller will deliver, the specified quantity of the commodity.

The most common characteristic of these contracts is that not one in a hundred is ever consummated by receipt or delivery of the actual physical product. The great majority of the persons participating in these transactions have no thought of ever seeing or handling the agricultural product involved. These traders, who include housewives, retired persons, clerks, doctors, lawyers and the like, are simply putting up their money to back their opinion on a price rise or fall, as the case may be.

H.R. 13094 CLOSES SOME TECHNICAL LOOPHOLES

While few of these speculators are likely to have any real knowledge of the commodity in which they are operating, the "futures" prices at which they buy and sell are reflected in the markets for the actual products and thus affect the whole agricultural economy from producer to consumer.

Handlers of actual commodities enter the stream of market activity to protect themselves against price changes by the process of "hedging"; that is, selling futures against holdings of "actuals" or buying futures against sales of "actuals." Futures markets have provided these facilities for the benefit of the marketing system for 100 years or more, while at the same time enabling thousands of speculators to back their market guesses with their money.

In recognition of the importance of the futures markets to our agricultural economy, and the necessity that they operate free of manipulation and other abuses, Congress in 1922 enacted a regulatory statute called the Grain Futures Act and then strengthened this law in 1936 and changed its title to the Commodity Exchange Act. During this period the markets have grown and prospered, and in general have performed a beneficial role in the marketing of our agricultural products.

It is now proposed in H.R. 13094 to close many of the technical loopholes in the 1936 act looking toward prevention of some of the unfavorable episodes which from time to time have occurred.

I am sure that the modest proposals of this bill will receive the support of all Members of the Congress, but I am deeply sorry this bill does not go as far as it should go to protect the public from excessive speculation.

This issue will remain alive until we face up to the necessity to take the kind of steps the situation requires.

Mr. BELCHER. Mr. Chairman, I have no further requests for time on this side.

Mr. POAGE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 13094

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a) of the Community Exchange Act (42 Stat. 998), as amended (7 U.S.C. 2), is amended as follows:

(a) By adding a comma after the word "soybeans" in the third sentence of the section and deleting the phrase "and soybean meal" in such sentence and substituting therefor the phrase "soybean meal, livestock, and livestock products";

(b) By changing the eleventh sentence defining "floor broker" to read as follows: "The words 'floor broker' shall mean any person who, in or surrounding any 'pit', 'ring', 'post', or any other place provided by a contract market for the meeting of persons similarly engaged, shall purchase or sell for any other person any commodity for future delivery on or subject to the rules of any contract market."; and

(c) By substituting a comma for the period at the end of the last sentence of the section and adding thereafter the following: "or an official or employee of each of the executive departments concerned, designated by the Secretary of Agriculture, the Secretary of Commerce, and the Attorney General, respectively; and the Secretary of Agriculture or his designee shall serve as Chairman."

Sec. 2. Section 4a(1) of the Commodity Exchange Act, as amended (7 U.S.C. 6a(1)), is amended by deleting the second and third sentences thereof and substituting the following: "For the purpose of diminishing, eliminating, or preventing such burden, the commission shall, from time to time, after due notice and opportunity for hearing, by order, proclaim and fix such limits on the amounts of trading which may be done or positions which may be held by any person under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market as the commission finds are necessary to diminish, eliminate, or prevent such burden. In determining whether any person has exceeded such limits, the positions held and trading done by any persons directly or indirectly controlled by such person shall be included with the positions held and trading done by such person; and further, such limits upon positions and trading shall apply to positions held by, and trading done by, two or more persons acting pursuant to an expressed or implied agreement or understanding, the same as if the positions were held by, or the trading were done by, a single person. Nothing in this section shall be construed to prohibit the commission from fixing different trading or position limits for different commodities, markets, futures, or delivery months, or different trading limits for buying and selling operations, or different limits for the purposes of subparagraphs 2 (A) and (B) of this section, or from exempting transactions normally known to the trade as 'spreads' or 'straddles' or from fixing limits applying to such transactions or positions different from limits fixed for other transactions or positions."

Sec. 3. Section 4a(2)(B) of the Commodity Exchange Act, as amended (7 U.S.C. 6a(2)(B)), is amended to read as follows:

"(B) directly or indirectly to hold or control a net long or a net short position in any commodity for future delivery on or subject to the rules of any contract market in excess of any position limit fixed by the commission for or with respect to such commodity: *Provided*, That such position limit shall not apply to a position acquired in good faith prior to the effective date of such order."

Sec. 4. Section 4a(3) of the Commodity Exchange Act, as amended (7 U.S.C. 6a(3)), is amended by deleting the first two sentences thereof and substituting the following: "No order issued under paragraph (1) of this section shall apply to transactions or positions which are shown to be bona fide hedging transactions or positions. For the purposes of determining the bona fide hedging transactions or positions of any person under this paragraph (3), they shall mean sales of, or short positions in, any commodity for future delivery on or subject to the rules of any contract market made or held by such person to the extent that such sales or short positions are offset in quantity by the ownership or purchase of the same cash commodity by the same person or, conversely, purchases of, or long positions in, any commodity for future delivery on or subject to the rules of any contract market made or held by such person to the extent that such purchases or long positions are offset by sales of the same cash commodity by the same person."

Sec. 5. Section 4b of the Commodity Exchange Act, as amended (7 U.S.C. 6b), is amended as follows:

(a) By deleting the portion of said section which begins with the phrase "It shall be unlawful" and extends through the phrase "for or on behalf of any person" and by substituting for the deleted portion, the following: "It shall be unlawful (1) for any member of a contract market, or for any correspondent, agent, or employee of any member, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce, made, or to be made, on or subject to the rules of any contract market, for or on behalf of any other person, or (2) for any person, in or in connection with any order to make, or the making of, any contract of sale of any commodity for future delivery, made, or to be made, on or subject to the rules of any contract market, for or on behalf of any other person"; and

(b) By inserting the word "other" before the word "person" where the latter word appears in subparagraph (A), and the first time it appears in subparagraphs (B) and (C).

Sec. 6. Section 4d of the Commodity Exchange Act, as amended (7 U.S.C. 6d), is amended as follows:

(a) By deleting the second proviso from the last sentence of the section and substituting therefor the following: "*Provided further,* That such money may be invested in obligations of the United States, in general obligations of any State or of any political subdivision thereof, and in obligations fully guaranteed as to principal and interest by the United States, such investments to be made in accordance with such rules and regulations and subject to such conditions as the Secretary of Agriculture may prescribe."; and

(b) By adding at the end of the section the following new paragraph:

"It shall be unlawful for any person, including but not limited to any cleaning agency of a contract market and any depository, that has received any money, securities, or property for deposit in a separate account as provided in paragraph (2) of this section, to hold, dispose of, or use any such money, securities, or property as belonging to the depositing futures commission merchant or any person other than the customers of such futures commission merchant."

Sec. 7. Section 4f of the Commodity Exchange Act, as amended (7 U.S.C. 6f), is amended as follows:

(a) By deleting from the last sentence of paragraph (1) the words "section 4g of"; and

(b) By deleting paragraph (2) thereof and substituting the following:

"(2) Notwithstanding any other provisions of this Act, no person desiring to register as futures commission merchant shall be so registered unless he meets such minimum financial requirements as the Secretary of Agriculture may by regulation prescribe as necessary to insure his meeting his obligations as a registrant, and each person so registered shall at all times continue to meet such prescribed minimum financial requirements: *Provided,* That such minimum financial requirements will be considered met if the applicant for registration or registrant is a member of a contract market and conforms to minimum financial standards and related reporting requirements set by such contract market in its bylaws, rules, regulations, or resolutions and approved by the Secretary of Agriculture as adequate to effectuate the purposes of this paragraph (2)."

Sec. 8. Section 4g of the Commodity Exchange Act, as amended (7 U.S.C. 6g), is amended to read as follows:

"Sec. 4g. Every person registered hereunder as futures commission merchant or floor broker shall make such reports as are required by the Secretary of Agriculture regarding the transactions and positions of such person, and the transactions and positions of the customer thereof, in commodities for future delivery on any board of trade in the United States or elsewhere; shall keep books and records pertaining to such transactions and positions in such form and manner and for such period as may be required by the Secretary; and shall keep such books and records open to inspection by any representative of the United States Department of Agriculture or the United States Department of Justice."

Sec. 9. Section 4i of the Commodity Exchange Act, as amended (7 U.S.C. 6i), is amended by deleting the last sentence and adding the following at the end of the section. "Such person shall keep books and records of all futures transactions and positions coming within the provisions of (1) and (2) hereof, and shall keep books and records of such cash or spot transactions in such commodity entered into, and inventories and purchase and sale commitments of such commodity held, in any month in which such person is required to make any report under the provisions of (1) or (2), as the Secretaary of Agriculture may require. Such books and records shall show complete details concerning all such transactions, positions, inventories, and commitments, including the names and addresses of all persons having any interest therein, and shall be open at all times to inspection by any representative of the United States Department of Agriculture or the United States Department of Justice. For the purposes of this section, the futures and cash or spot transactions and positions of any person shall include such transactions and positions of any persons directly or indirectly controlled by such person."

Sec. 10. Section 5(b) of the Commodity Exchange Act, as amended (7 U.S.C. 7(b)), is amended as follows:

(a) By deleting, from the first sentence, the phrase "in cash transactions consummated at, on, or in a board of trade, or transactions for future delivery" and substituting the following: "in cash transactions or transactions for future delivery consummated on or subject to the rules of a board of trade"; and

(b) By deleting, from the first sentence, the phrase "consummated at, on, or in a broad of trade" the second time it appears in said sentence and substituting the following: "consummated on or subject to the rules of a board of trade".

Sec. 11. Section 5(f) of the Commodity Exchange Act, as amended (7 U.S.C. 7(f)), is amended to read as follows:

"(f) When the governing board provides for making effective the final order or decisions entered pursuant to the provisions of paragraph (b) of section 6, and the orders issued pursuant to the provisions of section 5a of this Act, and for compliance in all other respects with the requirements applicable to such board of trade under this Act."

Sec. 12. Section 5a of the Commodity Exchange Act, as amended (7 U.S.C. 7a), is amended as follows:

(a) By deleting paragraph (2) thereof and substituting therefor the following:

"(2) keep all books, records, minutes, and journals of proceedings of such contract market, and its governing board, committees, subsidiaries, and affiliates in a manner that will clearly describe all matters discussed by such contract market, governing board, committees, subsidiaries and affiliates and reveal any action taken in such matters, and allow inspection at all times by any authorized representative of the United States Department of Agriculture or United States

Department of Justice of all such books, records, minutes, and journals of proceedings. Such books, records, minutes, and journals of proceedings shall be kept for a period of three years from the date thereof, or for a longer period if the Secretary of Agriculture shall so direct;"

(b) By deleting the word "and" at the end of paragraph (6) and substituting a semicolon for the period at the end of paragraph (7); and

(c) By adding after paragraph (7) the following paragraphs:

"(8) enforce all bylaws, rules, regulations, and resolutions, made or issued by it or by the governing board thereof or any committee, which relate to terms and conditions in contracts of sale to be executed on or subject to the rules of such contract market or relate to other trading requirements, and which have not been disapproved by the Secretary of Agriculture pursuant to paragraph (7) of section 8a of this Act; and revoke and not enforce any such bylaw, rule, regulation, or resolution, made, issued, or proposed by it or by the governing board thereof or any committee, which has been so disapproved; and

"(9) enforce all bylaws, rules, regulations, and resolutions made or issued by it or by the governing board thereof or by any committee, which provide minimum financial standards and related reporting requirements for futures commission merchants who are members of such contract market, and which have been approved by the Secretary of Agriculture."

SEC. 13. Section 5b of the Commodity Exchange Act, as amended (7 U.S.C. 7b), is amended as follows:

(a) By deleting the phrase "rules and regulations" and substituting the phrase "rules, regulations, or orders"; and

(b) By adding immediately after the phrase "Secretary of Agriculture" the phrase "or the commission".

SEC. 14. Section 6 of the Commodity Exchange Act, as amended (7 U.S.C. 8, 9), is amended by adding at the end of the first paragraph thereof (7 U.S.C. 8) the following sentence: "In the event of a refusal to designate as a 'contract market' any board of trade that has made application therefor, such board of trade shall be afforded an opportunity for a hearing before the commission, with the right to appeal an adverse decision after such hearing to the court of appeals as provided for in other cases in paragraph (a) of this section."

SEC. 15. Section 6(a) of the Commodity Exchange Act, as amended (7 U.S.C. 8), is amended to read as follows:

"(a) The commission is authorized to suspend for a period not to exceed six months or to revoke the designation of any board of trade as a 'contract market' upon a showing that such board of trade is not enforcing or has not enforced its rules of government made a condition of its designation as set forth in section 5 of this Act or that such board of trade, or any director, officer, agent, or employee thereof, otherwise is violating or has violated any of the provisions of this Act or any of the rules, regulations, or orders of the Secretary of Agriculture or the commission thereunder, such suspension or revocation shall only be after a notice to the officers of the board of trade affected and upon a hearing: *Provided*, That such suspension or revocation shall be final and conclusive, unless within fifteen days after such suspension or revocation by the commission such board of trade appeals to the court of appeals for the circuit in which it has its principal place of business, by filing with the clerk of such court a written petition praying that the order of the commission be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that such board of trade will pay the costs of the proceedings if the court so directs. The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Secretary of Agriculture, who shall thereupon notify the other members of the commission and file in the court the record in such proceedings, as provided in section 2112 of title 28, United States Code. The testimony and evidence taken or submitted before the commission, duly filed as aforesaid as a part of the record, shall be considered by the court of appeals as the evidence in the case. The proceedings in such cases in the court of appeals shall be made a preferred cause and shall be expedited in every way. Such a court may affirm or set aside the order of the commission or may direct it to modify its order. No such order of the commission shall be modified or set aside by the court of appeals unless it is shown by the board of trade that the order is unsupported by the weight of the evidence or was issued without due notice and a reasonable opportunity having been afforded to such board of trade for a hearing, or infringes the Constitution of the United States, or is beyond the jurisdiction of the commission."

SEC. 16. Section 6(b) of the Commodity Exchange Act, as amended (7 U.S.C. 9, 15), is amended by changing the first and fourth sentences thereof to read, respectively: "If the Secretary of Agriculture has reason to believe that any person (other than a contract market) is manipulating or attempting to manipulate or has manipulated or attempted to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any contract market, or has willfully made any false or misleading statement of a material fact in any registration application or any report filed with the Secretary of Agriculture under this Act, or willfully omitted to state in any such application or report any material fact which is required to be stated therein, or otherwise is violating or has violated any of the provisions of this Act or of the rules, regulations, or orders of the Secretary of Agriculture or the commission thereunder, he may serve upon such person a complaint stating his charges in that respect, which complaint shall have attached or shall contain therein a notice of hearing, specifying a day and place not less than three days after the service thereof, requiring such person to show cause why an order should not be made prohibiting him from trading on or subject to the rules of any contract market, and directing that all contract markets refuse all trading privileges to such person, until further notice of the Secretary of Agriculture, and to show cause why the registration of such person, if registered as futures commission merchant or as floor broker hereunder, should not be suspended or revoked. Upon evidence received, the Secretary of Agriculture may prohibit such person from trading on or subject to the rules of any contract market and require all contract markets to refuse such person all trading privileges thereon for such period as may be specified in the order, and, if such person is registered as futures commission merchant or as floor broker hereunder, may suspend, for a period not to exceed six months, or revoke, the registration of such person."

SEC. 17. Section 6 of the Commodity Exchange Act, as amended (7 U.S.C. 8, 9), is further amended by adding at the end thereof the following new paragraph:

"(c) If any person (other than a contract market) is manipulating or attempting to manipulate or has manipulated or attempted to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any contract market, or otherwise is violating or has violated any of the provisions of this Act or of the rules, regulations, or orders of the Secretary of Agriculture or the commission thereunder, the Secretary may, upon notice and hearing, and subject to appeal as in other cases provided for in paragraph (b) of this section, make and enter an order directing that such person shall cease and desist therefrom and, if such person thereafter and after the lapse of the period allowed for appeal of such order or after the affirmance of such order, shall fail or refuse to obey or comply with such order, such person shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $500 nor more than $10,000, or imprisoned for not less than six months nor more than one year, or both, except that if such failure or refusal to obey or comply with such order involves any offense within paragraph (a) or (b) of section 9 of this Act, such person shall be guilty of a felony and, upon conviction thereof, shall be subject to the penalties of said paragraph 9(a) or 9(b). Each day during which such failure or refusal to obey or comply with such order continues shall be deemed a separate offense."

SEC. 18. Section 6b of the Commodity Exchange Act, as amended (7 U.S.C. 13a), is amended to read as follows:

"SEC. 6b. If any contract market is not enforcing or has not enforced its rules of government made a condition of its designation as set forth in section 5 of this Act, or if any contract market, or any director, officer, agent, or employee of any contract market otherwise is violating or has violated any of the provisions of this Act or any of the rules, regulations, or orders of the Secretary of Agriculture or the commission thereunder, the commission may, upon notice and hearing and subject to appeal as in other cases provided for in paragraph (a) of section 6 of this Act, make and enter an order directing that such contract market, director, officer, agent, or employee shall cease and desist from such violation, and if such contract market, director, officer, agent, or employee thereafter and after the lapse of the period allowed for appeal of such order or after the affirmance of such order, shall fail or refuse to obey or comply with such order, such contract market, director, officer, agent, or employee shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $500 nor more than $10,000 or imprisoned for not less than six months nor more than one year, or both. Each day during which such failure or refusal to obey such order continues shall be deemed a separate offense."

SEC. 19. Section 8 of the Commodity Exchange Act, as amended (7 U.S.C. 12), is amended as follows:

(a) By adding, in the first sentence, after the phrase "make such investigations as he may deem necessary to ascertain the facts regarding the operations of boards of trade", the following phrase: "and other persons subject to any of the provisions of this Act"; and

(b) By changing the period at the end of the last paragraph of the section to a semicolon and adding at the end of said paragraph the following phrase: "and when requested by any department or agency of the executive branch of the Government of the United States, acting within the scope of its jurisdiction, may, in his discretion, furnish to such department or agency any information in the possession of the Department of Agriculture obtained in connection with the administration of this Act: *Provided, however,* That information so furnished to any such department or agency shall not be disclosed by such department or agency except in any action or proceeding under the laws of the United States to which it, or the Secretary of Agriculture, or the United States is a party."

SEC. 20. Section 8a(2) of the Commodity Exchange Act, as amended (7 U.S.C. 12a(2)), is amended to read as follows:

"(2) to refuse to register any person—

"(A) if the prior registration of such person has been suspended (and the period of such suspension shall not have expired) or has been revoked;

"(B) if it is found, after opportunity for hearing, that the applicant is unfit to engage in the business for which the application for registration is made, (i) because such applicant, or, if the applicant is a partnership, any general partner, or, if the applicant is a corporation, any officer or holder of more than 10 per centum of the stock, at any time engaged in any practice of the character prohibited by this Act or was convicted of a felony in any State or Federal court, or was debarred by any agency of the United States from contracting with the United States, or the applicant willfully made any material false or misleading statement in his application or willfully omitted to state any material fact in connection with the application, or (ii) for other good cause shown; or

"(C) in the case of an applicant for registration as futures commission merchant, if it is found after opportunity for hearing that the applicant has not established that he meets the minimum financial requirements under section 4f of this Act: *Provided*, That pending final determination under clause (B) or (C), registration shall not be granted: *And provided further*, That the applicant may appeal from a refusal of registration under clause (B) or (C) in the manner provided in paragraph (b) of section 6 of this Act; and".

Sec. 21. Section 8a(3) of the Commodity Exchange Act, as amended (7 U.S.C. 12a(3)), is amended by inserting the following at the beginning thereof after "(3)": "in accordance with the procedure provided for in paragraph (b) of section 6 of this Act, to suspend or revoke the registration of any person registered under this Act if cause exists under subparagraph (2) (B) or (C) which would warrant a refusal of registration of such person, and".

Sec. 22. Section 8a(4) of the Commodity Exchange Act, as amended (7 U.S.C. 12a(4)), is amended by deleting the phrase "and for copies of registration certificates" appearing therein.

Sec. 23. Section 8a of the Commodity Exchange Act, as amended (7 U.S.C. 12a), is further amended as follows:

(a) By deleting the word "and" at the end of paragraph (5) and substituting a semicolon for the period at the end of paragraph (6) and adding thereafter the word "and"; and

(b) By adding after paragraph (6) the following new paragraph:

"(7) to disapprove any bylaw, rule, regulation, or resolution made, issued, or proposed by a contract market or by the governing board thereof or any committee which relates to terms and conditions in contracts of sale to be executed on or subject to the rules of such contract market or relates to other trading requirements, when he finds that such bylaw, rule, regulation, or resolution violates or will violate any of the provisions of this Act, or any of the rules, regulations, or orders of the Secretary of Agriculture or the commission thereunder."

Sec. 24. The Commodity Exchange Act, as amended, is amended by adding after section 8a thereof (7 U.S.C. 12a) the following new section:

"Sec. 8b. It shall be unlawful for any person, against whom there is outstanding any order of the Secretary of Agriculture prohibiting him from trading on or subject to the rules of any contract market, to make or cause to be made in contravention of such order, any contract for future delivery of any commodity, on or subject to the rules of any contract market."

Sec. 25. Section 9 of the Commodity Exchange Act, as amended (7 U.S.C. 13), is amended to read as follows:

"Sec. 9. (a) It shall be a felony punishable by a fine of not more than $10,000 or imprisonment for not more than five years, or both, together with the costs of prosecution, for any futures commission merchant, or any employee or agent thereof, to embezzle, steal, purloin, or with criminal intent convert to his own use or the use of another, any money, securities, or property having a value in excess of $100, which was received by such commission merchant to margin guarantee, or secure the trade or contracts of any customer of such commission merchant or accruing to such customer as the result of such trades or contracts. The word 'value' as used in this paragraph means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

"(b) It shall be a felony punishable by a fine of not more than $10,000 or imprisonment for not more than five years, or both, together with the cost of prosecution, for any person to manipulate or attempt to manipulate the price of any commodity in interstate commerce, or for future delivery on or subject to the rules of any contract market, or to corner or attempt to corner any such commodity, or knowingly to deliver or cause to be delivered for transmission through the mails or in interstate commerce by telegraph, telephone, wireless, or other means of communication false or misleading or knowingly inaccurate reports concerning crop or market information or conditions that affect or tend to affect the price of any commodity in interstate commerce.

"(c) Except as provided in paragraphs (a) and (b) of this section, it shall be a misdemeanor punishable by a fine of not more than $10,000 or imprisonment for not more than one year, or both, together with the costs of prosecution, for any person to violate the provisions of section 4, section 4a, section 4b, section 4c, section 4d, section 4e, section 4h, section 4i, or section 8b, or to fail to evidence any contract mentioned in section 4 of this Act by a record in writing as therein required."

Sec. 26. The Commodity Exchange Act, as amended, is further amended by adding thereto a new section 13 to read as follows:

"Sec. 13. (a) Any person who commits, or who willfully aids, abets, counsels, commands, induces, or procures the commission of, a violation of any of the provisions of this Act, or any of the rules, regulations or orders issued pursuant to this Act, or who acts in combination or concert with any other person in any such violation, or who willfully causes an act to be done or omitted which if directly performed or omitted by him or another would be a violation of the provisions of this Act or any of such rules, regulations, or orders may be held responsible in administrative proceedings under this Act for such violation as a principal.

"(b) Nothing in this Act shall be construed as requiring the Secretary of Agriculture or the commission to report minor violations of this Act for prosecution or the institution of any proceeding under section 9a of this Act, whenever it appears that the public interest does not require such action."

Sec. 27. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby, and the provisions of the section of the Commodity Exchange Act, as amended, which is amended by such provision of this Act shall apply to such person or circumstances. Pending proceedings shall not be abated by reason of any provision of this Act but shall be disposed of pursuant to the provisions of the Commodity Exchange Act, as amended, in effect prior to the effective date of this Act.

Mr. POAGE (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. If there are no amendments to be offered under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Nix, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13094) to amend the Commodity Exchange Act, as amended, pursuant to House Resolution 963, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 13094 and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONGRESSMAN KORNEGAY FATHER OF THE YEAR

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, earlier this week the House received some sad news—the decision of our colleague from the Sixth District of North Carolina not to seek reelection to a fifth term in 1968.

Horace Kornegay has been among the most active, conscientious, and hard-working Members of Congress since his election in 1960. Many men and women have served in the House of Representatives since the founding of our Republic, but none of them had greater concern for America's problems or deeper interest in solving them than Horace Kornegay.

He has been an intrinsic part of this decade of decision for America. He has helped write the laws, frame the policy which have brought this Nation to a full recognition of its awesome place in world history.

Now, having served so faithfully and with so little regard for his own personal life, he has decided to leave Congress at the conclusion of his term next year.

Congressman Kornegay has expressed the wish to return to being a full-time father to his children, rather than a parent in absentia. His decision closes the door on a brilliant career in Congress and tribute must be paid to him for the gravity of this decision.

The Nation and the Sixth District of North Carolina have had virtually the full attention of Congressman Kornegay for the past 7 years. Now he has decided to give his attention to the care and proper guidance of his children.

In an age that is surfeited with strangers—individuals who share the same roof, eat the same meals, watch the same television programs, and inwardly starve for companionship, our colleague has reached a most difficult decision.

After years of devoting himself to his country, he has chosen now to return to private life and devote his talent to raising his children to be thoughtful, caring, intelligent human beings.

There have been studies upon studies, tracts upon tracts published decrying the lack of leadership in the American home. So many parents seem to be so intent on acquiring the glitter and gloss of the good life that they have lost track of time, ideals—and their children.

If more men were willing to make decisions based on their responsibilities as parents, there would be less conflict, less aimlessness, less loneliness among the young.

I congratulate my colleague for his purposeful decision. As he has in the past, he will continue to strive to help this Nation where it needs most help—the individual development of human beings in a family unit.

We will miss him sorely in Congress and we acknowledge, with humility, the selflessness and example of integrity which have characterized every day of his life. Horace Kornegay is an outstanding American and a great human being. It has been an honor to have served with him in the Congress of the United States.

Mr. Speaker, I hereby nominate Horace Kornegay as "Father of the Year" for his great contribution to his children.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. HECHLER of West Virginia. Mr. Speaker, I share the genuine regret of hundreds of Members who wish that the gentleman from North Carolina [Mr. Kornegay] had not made the difficult decision which circumstances forced him to make. During the period he has served in the House, Horace Kornegay has made his mark and the inspiration of his personality and dedicated spirit are now part of the great traditions of the Congress.

I have had the good fortune of being a neighbor of Horace in the Cannon Building, which affords a more ample opportunity than some to converse and trade ideas with him. Not being a family man myself, I cannot comment authoritatively on the observations made concerning those obligations which have forced him to the decision he has made. But we all know that this prince of a gentleman is a dedicated man in whatever he undertakes, and I am honored to join in saluting him.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, the gentleman from North Carolina [Mr. Kornegay] has proved himself to be an able legislator. His advice is sought by many, including myself. He has sponsored constructive, progressive legislation and has been rewarded by seeing it become law for the benefit of our country. His leadership among us is great and he would have every expectation of increasing leadership here if he were to stay among us. So, not only we will miss him when he leaves, but our country and his State will as well.

In his committee assignments on the Interstate and Foreign Commerce Committee and the Veterans' Affairs Committee he has worked for such outstanding laws as the Drug Control Act, the Cigarette Labeling Act, the Traffic Safety Act, the Mental Health Act, and for various laws improving benefits for veterans such as the War Orphans' Education Act, legislation for medical research in the Veterans' Administration, for group life insurance, and a host of others.

Yet, he has decided not to run for reelection because he feels that the job of a Congressman makes it impossible for him to give the time and energy that he should to his family. In my mind this is putting first things first; and he deserves our praise for the reason of his decision, although we all regret that he made such a decision. Selfishly, we would like to keep him with us, but reason leads us to understand his decision. The sessions of Congress have become longer and longer. A Congressman with school-age children customarily never gets a chance to have a vacation with his children when the schools are out during the summer. Most of his "free time" is spent on his constituents' problems. We can all understand his decision but we will all miss him greatly.

S. 2644—AMENDING ATOMIC ENERGY COMMUNITY ACT OF 1955, AS AMENDED, THE ATOMIC ENERGY ACT OF 1954, AS AMENDED, AND THE EURATOM COOPERATION ACT OF 1958, AS AMENDED

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the proceedings whereby the bill (S. 2644) to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and Euratom Cooperation Act of 1958, as amended, was amended, read the third time, and passed, be vacated.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Without objection, the Senate bill is read a third time and passed and a motion to reconsider is laid on the table.

There was no objection.

PERSONAL ANNOUNCEMENT

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, on November 6, 1967, the day preceding the November 7, 1967, New York State elections, I remained in my district, not only in my position as a Member of Congress but also in my capacity as the national committeewoman of the Democratic Party for the State of New York. I knew the number of bills scheduled on the Consent Calendar for that day. However, these bills had been referred to as noncontroversial. During my absence I missed a number of rollcall votes and in order that the Congressional Record may reflect my position on each of these issues, I wish to take this occasion to announce how I would have voted had I been present.

On rollcall No. 362, I would have voted "nay."

On rollcall No. 363, I would have voted "yea."

On rollcall No. 364, I would have voted "yea."

On rollcall No. 365, I would have voted "yea."

On rollcall No. 366, I would have voted "yea."

On rollcall No. 367, I would have voted "yea."

On rollcall No. 368, I would have voted "yea."

On rollcall No. 369, I would have voted "yea."

On rollcall No. 370, I would have voted "yea."

McNAMARA AND THE THREAT TO CIVILIAN CONTROL OF THE MILITARY

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, Secretary of Defense McNamara's impending departure is a cause for great concern, particularly because of its implications for the question of civilian control over the Military Establishment.

My concern about this issue did not begin with Monday's announcement. In fact, for some time I have been watching with increasing apprehension the increasing erosion of the concept of civilian control over the military and efforts of the military to exercise greater influence on foreign policy. Both in the press and in the Congressional Record there has been a sharp rise in the number of critical commentaries directed at the civilian Secretary of Defense. One of our colleagues went so far, recently, as to call Secretary McNamara "the only Secretary of Defense who never did anything right."

The criticisms generally imply that the war in Vietnam would be nearly or actually ended, and many other of our national problems solved, if only the advice of the military would receive more currency and civilian thinking less. There is even the unrelated and casually expressed idea that, if only the National Guard were better equipped to handle riots, then we would not face the domestic problems we do today. Of course, it is added, problems in the National Guard are the responsibility of the Secretary of Defense. Civilian control has become a scapegoat for national frustrations.

As if it were possible that one individual could personally supervise and be accountable for every single activity of a $70 billion establishment, a variety of criticisms of Department of Defense activities have been recently dredged up, and Secretary McNamara is held responsible. Suddenly some who were never before visibly troubled about lucrative defense contracts and porkbarrel projects have been pointing to newly discovered irregularities in military procurement and suggesting that they were the personal responsibility of the Secretary and clear proof of his incompetence. While I hold no brief for our inflated military budget and have frequently expressed my disapproval of over-funding by Congress, the contention that military bungling in procurement and in handling of the M-16 rifle, for example, is proof of the incompetence of the civilian head, is completely out of order.

There have been several sets of congressional hearings this year, on both sides of the Capitol, designed to assert such propositions as that civilian restraint on bombing has hampered the Vietnam war effort and increased American casualties; or that the influence of civilian personnel in the Defense Establishment—with particular emphasis on systems analysis and cost-benefit decisionmaking—has led to defeatist policies which are prolonging the war. One Member of the Senate recently openly hinted that Secretary McNamara should resign, and expressed his hope that the next civilian head would not consider himself quite so equal and would give more weight to the advice of the Joint Chiefs. Nearly every recent policy decision, for which—by the way—the President, not the Secretary of Defense, is ultimately responsible, has been challenged as fresh evidence of civilian bungling and has somehow provided fodder for the charge that we are losing first place in the arms race, first place in world prestige, and first place in war. Few people trouble to remember that the Joint Chiefs have direct access to the President and advise him regularly.

Nearly everyone has been dissatisfied with the conduct and progress of the war in Vietnam. Yet those critics who differ sharply from my own view have chosen not to concentrate their criticism on the Commander in Chief, who has ultimate responsibility for policy decisions. They found a convenient focus in the civilian Secretary of Defense.

The blindness of this position is frightening. It also is reflected in the reaction to the recent decision to deploy a limited anti-ballistic-missile system. No matter how carefully the Secretary explained that investment in a full-blown ABM system is futile because we simply do not have the technology to produce one effective against a full-scale Russian missile attack—just as the Russians cannot protect against such an attack by us—and that a decision to deploy a thin system had been taken even though it was based on only marginal and time-limited considerations, the calls immediately came for heavier investment in new weapons in order to build some form of successful thicker defense—regardless of whether it is feasible or not, regardless of the cost to world security, and regardless of the cost in American resources. It was not a matter of rational examination and thoughtful disagreement; it was rather an immediate assumption in many quarters that the limited ABM decision was civilian and, therefore, defeatist. More important, there was a ready willingness to accept the idea that the military mentality, which is trained to think in terms of military solutions to all problems, would necessarily provide better and truer guidance.

Lest anyone question the presence and the crystallization of such attitudes—in last night's press a syndicated columnist carried this type of thinking to its logical and emerging conclusion. The column was entitled "Should (A) Civilian Run the Pentagon?" This article said that—

> The Vietnam war probably would have reached a decisive stage long before this if the civilian point of view had not been preponderant.

It claimed that a man not trained in military science could not be fit to head the Military Establishment and to participate in the high councils of policymaking when questions of war are involved. The article concluded with the thought that—

> The appointment of a new Secretary of Defense, therefore, solves only a part of the problem . . . Congress has failed thus far to define the authority of the military chiefs.

Many who see the folly of this view tend to dismiss this kind of comment as simply misguided. However, I fear that this kind of editorial comment will find ready acceptance in many quarters. In fatigue and desperation about the war, too many have lost sight of the fact that questions of war and peace concern all Americans—not merely the military chiefs. For example, if it is determined that certain military actions in Vietnam might risk an undesirable war with China, then no policy that the military chiefs may devise, no matter how clever from a military point of view, must be permitted to lead to such a war. It is fundamental in this country that the military are the servants of the people—not their masters. They must devise military strategies which carry out our basic goals, not supersede or alter them. Without this premise, much of what we value in American life will disappear. I think that this is one of the gravest questions that confront us today.

ALERTNESS OF THE POSTAL SERVICE

Mrs. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, it always seems to be open season on the U.S. postal service. Criticism of this Department of our Government always seems to be in order. On the other hand, only rarely does anyone take the time to give credit where credit is due. It is only fair as I see it, to give praise as it is to find fault.

Mr. Speaker, this morning a letter with a postmark indicating that it was mailed only 2 days ago arrived in my office. The letter in question was mailed from Jersey City. The only address it bore was "Mr. DOMINICK V. DANIELS, 14th District." There was nothing on the letter to identify me as a Member of Congress, yet, 2 days later it arrived in my office in the Cannon House Office Building.

I think the alertness shown was typical of the postal service and is the kind of thing done everyday by these men and women who are public servants in the best sense of the word.

I would like to publicly congratulate Jersey City Postmaster William Heffernan and the dedicated men and women of the Jersey City post office and all postal employees along the line who made sure that this letter arrived where it was intended. I would like them to know that their fine day-to-day efforts do not go unnoticed.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—APPOINTMENT OF CONFEREES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7977), to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, with a Senate amendment thereto, disagree with the Senate amendment, and agree to the conference requested by the Senate.

The **SPEAKER.** Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. DULSKI, HENDERSON, OLSEN, UDALL, DANIELS, CORBETT, GROSS, CUNNINGHAM, and JOHNSON of Pennsylvania.

CONGRESSMAN FRANK HORTON INTRODUCES BILL TO RESTRICT THE INTERSTATE SALE OF AUTOMOBILE MASTER KEYS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am today introducing a bill to prohibit the interstate sale of automobile master keys except to those people, such as law-enforcement officers, who have a legitimate need for such keys.

Each of us has long been aware that auto theft rates are skyrocketing and that to at least some extent thieves are using master keys to accomplish their crimes. However, I suspect that many of our colleagues do not realize the ease with which master keys may be acquired.

I first began to appreciate the magnitude of this problem when William Lombard, the Rochester, N.Y., chief of police, forwarded to me a copy of a letter he received from a Rochester businessman, Mr. William Denise, complaining about the ready availability of automobile master keys. Mr. Denise included in his letter to Chief Lombard a widely circulated advertisement which both surprised and distressed me. The advertisement offered to supply master keys for every make and model of American automobile to anyone who could afford the $10 purchase price.

These advertisements are distributed indiscriminately and it does not appear that any effort is made to screen the mail-order purchases of these keys in order to assure that the keys do not fall into the hands of potential auto thieves.

I believe it is imperative that we act immediately to halt the movement of these keys in interstate commerce unless they are being purchased by persons with a demonstrably legitimate need for the keys. I urge my colleagues to study the bill I have introduced today and join me in supporting this very simple measure to make auto theft more difficult.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the agenda for the rest of this week and the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have no further legislative business this week.

The only program I am prepared to announce for next week is the Consent Calendar, the Private Calendar, and suspensions.

Monday is Consent Calendar day and there are 12 suspensions:

H.R. 13833, to name the post office and Federal office building, Bronx, N.Y., in honor of the late Charles A. Buckley;

S. 343, to name the Federal office building, Detroit, Mich., in honor of the late Patrick V. McNamara;

H.R. 11276, to authorize appropriations for the Adult Education Act of 1966 for 2 additional years;

H.R. 13054, Age Discrimination in Employment Act of 1967;

H.R. 25, to preserve and develop estuarine areas of the Nation;

H.R. 13798, to improve certain benefits for employees who serve in high-risk situations;

H.R. 470, to authorize an international bridge at Pharr, Tex.;

S. 320, to release restrictions on land in North Carolina;

S. 1136, to increase the timber survey authorization;

H.R. 12639, to remove certain limitations on ocean cruises;

Senate Joint Resolution 101, to provide for the restoration and return to the United States of the ship *Kaiulani*; and

H.R. 13273, to amend the Marine Resources and Engineering Development Act of 1966.

As I indicated previously, Tuesday is Private Calendar day.

I have no further program to announce at this time, but I will advise Members that any further program may be announced later, and that conference reports may be brought up at any time.

Mr. GERALD R. FORD. Will the gentleman from Oklahoma yield?

Mr. ALBERT. I yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, in the list I have before me I do not have a bill, which was mentioned by the distinguished gentleman from Oklahoma, between H.R. 13054, the Age Discrimination in Employment Act of 1967, and H.R. 13798, to improve certain benefits for employees who serve in high-risk situations.

Mr. ALBERT. Mr. Speaker, I think the gentleman has been erroneously given a copy of an earlier list. I have sent the gentleman the correct list, which he has now.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for calling that to my attention.

ADJOURNMENT TO MONDAY, DECEMBER 4, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CAPITOL HILL PROJECT—CHRISTMAS GIFTS FOR SERVICEMEN

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I am pleased to announce the Capitol Hill project of Christmas gifts for servicemen in Vietnam just completed, was a gratifying success due to the efforts of many hard-working employees of Members of Congress and the fine cooperation and assistance from numerous other individuals, offices and organizations.

As you know the project began several weeks ago with an idea presented by one of my staff members, Mrs. Evelyn Pall, and enthusiasm for it spread all over Capitol Hill with the result that 102 cartons containing about 1,500 individual gifts and many, many items for general use where shipped off by air last Monday. These gifts are roughly valued at about $5,000.

The persons who devoted many, many hours to this project are far too numerous to mention individually, but I feel there are certain ones who should be given a special word of thanks.

Each of the five congressional buildings—both Senate and House of Representatives—had its own volunteer workers who called other offices and encouraged cooperation. I am told they did a fine job collecting gifts and contributions.

In the Longworth Building Mrs. Nina Sullivan, aided very ably by her husband Mike, organized a very efficient group of volunteers. Mrs. Sullivan can be given credit for obtaining the services of Bekins Van Line who transported the gift cartons free of charge to Dulles Airport. Mr. and Mrs. Sullivan also set up a bank account for the funds collected and arranged for Representatives ICHORD and GETTYS to serve as trustees.

American Airlines transported the gifts to San Francisco without charge, and for that we can thank Miss Susan Mathews, of Representative GIAIMO's office. Pan American took the gifts on to Vietnam without charge and this was arranged by my staff member, Mr. John Hvasta.

Our thanks should go also to the people in the folding rooms who gave a great deal of assistance and to you, Mr. Speaker, for the use of a storeroom and to the office of the building superintendent for fine cooperation and help, as well as personnel in the mailroom.

Interest in this activity spread beyond the Hill for Mrs. Fisher, of Arlington, Va., and Mrs. Barbara Taylor, of Suitland, Md., gave so willingly of their service although not employees on the Hill. Mrs. Fisher came in 2 days and spent hours packing gifts in cartons, sealing and tying them. Mrs. Taylor put in many hours on the telephone spreading the word of the project.

I am including here a letter giving a report on the wrap-up of the Christmas gift project, a letter which went out of my office to all congressional offices:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 30, 1967.

Members of Congress and Their Office Staff Members.

DEAR FRIENDS: Monday morning, November 27, 102 cartons containing an estimated 1500 gifts for servicemen in Vietnam were loaded aboard an American Airlines plane at Dulles Airport and started on their way to San Francisco to be received by Pan American Air Ways and flown on to Vietnam. The total value of the gifts was at least $5,000.

In Vietnam the gifts were to be met by military personnel and labeled with postage-free labels corresponding to labels placed on them before they left here. The address labels were for remote units in Vietnam and were supplied by the Department of Defense.

The gifts were those donated by employees in Congressional offices in response to a suggestion circulated about two weeks ago. Many people from offices in all five of the Congressional buildings—House and Senate—worked long, hard hours on this project but we felt the resulting response was certainly worth the effort. And we extend our sincere thanks to all of you who so willingly contributed to the project.

In addition to the individual gifts the cartons contained many, many items for general use, i.e., an imitation Christmas tree, a large hand-made candy wreath, football and pump, soft balls, many game boards, a ukelele. Bekins Van Line as a gesture of good-will picked up the cartons and transported them without charge to Dulles to be loaded aboard the American plane. Both airlines also very kindly transported the gifts without charge. Thus we were saved postage expense and the funds collected were spent entirely on gifts.

Again we say thank you for responding so generously. We feel that through your generosity the "Christmas Gifts for Vietnam" was truly a success.

Sincerely yours,

EVELYN PALI,
Staff Member,
Office of Congressman Paul Findley.

GOOD JOBS AND DECENT HOUSING ONLY CURE FOR CRISIS IN CITIES

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, in testimony before the National Advisory Commission on Civil Disorders recently, AFL–CIO President George Meany spelled out an extensive and diverse list of organized labor's efforts to meet both the immediate and long-range urgent needs of America's cities, and the people who live and work in them. I think Mr. Meany has correctly pinpointed the fact that despite everything that the labor movement and enlightened private industry can do, the urban crisis will defy solution unless the Federal Government meets its unavoidable obligation to lead with courage, imagination, and determination.

Mr. Speaker, Mr. Meany's testimony should be carefully considered by every American, and I now include it at this point in the RECORD:

GOOD JOBS AND DECENT HOUSING ONLY CURE FOR CRISIS IN CITIES

Mob violence, arson, looting and murder are indefensible in a free society. They are not civil rights demonstrations. They are criminal acts, whose only result will be anarchy on the one hand and worse suppression on the other.

But these desperate acts must be viewed in the context of the conditions that without doubt contribute to civil disorder.

And therefore, we in the AFL–CIO believe that this commission should properly consider not only the acts, but what lies behind them.

Hope for thousands upon thousands in the cities of America today means one thing—a decent job. There is a pressing need for the swift creation of one million new jobs for persons now unemployed or seriously underemployed—good jobs at useful work on needed government or other non-profit projects.

Immediately behind jobs comes housing. It is second, rather than first, only because a regular, earned income is so basic to the pride and dignity of the family breadwinner. But housing—bad housing, unbelievably bad housing, overcrowded by humans and overrun by rats, sweltering in the summer and frigid in winter; dilapidated tenements huddled together, with garbage-strewn alleys, broken steps, peeling walls and stench-ridden halls—was and is a source of urban violence.

It is not just the poor, the deprived, the unemployed who are condemned to live in housing like this. The residents are often families which could afford something better, but who cannot rent or buy in areas outside the ghetto because of racial barriers. So there is a broad, multiple need for action on housing. There must be an injection of new life into public housing, for low-income families. There must be an expansion of the rent-supplement program.

Above all there must be open housing. The right of any American to buy or rent any available home he wants and can afford, on any block in any community, is essential to the genuine achievement of equal rights and equal opportunity in this nation. This too has an application to the matter of urban disorders.

In every aspect of the present urban crisis, it is our firm conviction that the primary responsibility for devising and carrying out remedies rests upon the federal government.

The urban crisis recognizes no state lines. The great and growing metropolitan areas, which will soon encompass 70 percent of the nation's people, have no respect for the boundaries of history. Bergen and Hudson counties, in New Jersey, are just as much if not more a part of the New York city complex than Staten Island. Gary and East Chicago, Indiana, are surely as closely linked with Chicago, as say, Evanston, Ill. And these are only two examples out of many.

But beyond this purely physical fact is an even more persuasive one. If justice and domestic tranquillity are to be achieved, in the spirit of the preamble of our federal constitution, they must be achieved in full and equal measure in every state and only the federal government can assure that result.

The federal government must be the employer of last resort and be the landlord of last resort. This is the only foundation upon which an effective urban program can be built.

This applies to the labor movement's own efforts, which have been far more diverse and extensive than is generally known.

Let's start with housing, since it is of such great importance. A breakdown of housing projects undertaken by labor unions lists 23 projects for the elderly, or the elderly and handicapped, built under Sections 202 or 231 of the federal housing act, that were sponsored by AFL–CIO organizations.

Our unions have also sponsored more than a score of rent supplement projects, including the very first one in the nation, in Pasco, Wash. At least 7,000 units have been built through union sponsorship under other sections of the act.

The labor movement has naturally taken a keen interest in job training, especially the training of the disadvantaged poor, with special emphasis on young members of minority groups. AFL–CIO organizations are direct contractors for Manpower Development & Training Act programs in scores of cities. At least eight international unions are sponsoring national programs related to job opportunities in their own industry or trade. The 11-state AFL–CIO Appalachian Council is undertaking on-the-job training for 3,000 of the disadvantaged unemployed, and is coupling this with basic education where necessary.

The AFL–CIO Civil Rights Dept. and the Building & Construction Trades Dept., in cooperation with local building trades councils, the Dept. of Labor and private groups such as the Urban League, has established "out-reach" programs focused on recruiting apprentices from minority groups.

Although hundreds of apprentices have been enrolled, the total result is still disappointing—in large part because so many young people from the urban ghettos simply do not have the educational background necessary to meet the demands of apprenticeship training today.

The range of trade union participation in the Office of Economic Opportunity—the central agency for the war on poverty—is simply too great to be summarized here. In this area as in housing, I was astonished at how much we are doing.

But I mention this not to seek credit for the labor movement, but to stress once more a point that cannot be stressed too often—the need for federal leadership of the whole campaign to overcome urban problems. Despite everything we in the labor movement can do, or that enlightened private industry can do, the problems will otherwise defy solution.

INSTANT RELIEF FOR TRANSIENTS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the November 15 edition of the Derrick—Oil City-Franklin-Clarion, Pa.—contained an editorial that requires the attention of all Members of Congress as well as officials in such Departments as Commerce, Labor, Interior, Agriculture, and Health, Education, and Welfare. It reviews the ridiculous Government policies that encourage migration to large cities rather than to attempt to attract more of our people into areas where there are generous amounts of land available for uncrowded living.

I should like this editorial, "Master Plan for America," to appear in the RECORD at the conclusion of my remarks.

For some time I have insisted that the Government is contributing to poverty and crime so long as it makes congested metropolitan areas more attractive than rural areas to indigent families. We are in need of a population direction program that includes carefully planned welfare policies coupled with business tax concessions and Government contracts to encourage work opportunities in smaller communities.

America long ago learned that indiscriminate availability of welfare funds tends to attract indigents into dilapidated city slums where costs are highest and advantages fewest. The very atmosphere of rural life would serve as incentive to make these people useful citizens if it did nothing more than take their children out of a faceless environment and give them the chance to become identifiable individuals with the spirit and enthusiasm that are so difficult to develop in the confined quarters of a big city.

Adolph W. Schmidt, chairman of the Pennsylvania State Planning Board, recently offered his views on the problems of increased population in metropolitan areas and what should be done about them.

I should like to have his remarks, as printed in the October 10 edition of the Pittsburgh Post-Gazette, also appear in the RECORD.

Mr. Speaker, whether or not it is generally recognized, the slum and poverty problems of large cities will be compounded if the Supreme Court rules that a State cannot require a year's residency for welfare payments. If the Court insists upon instant relief for transients, taxpayers will at the same time incur enormous additional financial burdens that could be avoided with proper planning of the welfare program.

Federal courts in three States—Pennsylvania, Delaware, and Connecticut—have ruled that their 1-year residency requirements in the public assistance programs are invalid. On November 8 the U.S. Court of Appeals for the District of Columbia said that the act of Congress applying to a year's residency as a qualification for welfare is unconstitutional.

In his dissent, Judge Alexander Holtzoff said that since States surrounding the District give smaller payments to welfare recipients, there is a danger that more persons would move to Washington to take advantage of this discrepancy. Thus, there would be an exodus from areas where land values and living costs are cheaper into the squalor of already overpopulated urban areas.

Pennsylvania's Department of Public Welfare has warned that abolition of the State's residency requirement would add at least $3 million annually to the costs of the relief program. Again there is the danger of a greater number of people moving into Pennsylvania—to the large cities, if history is a guide—for the Commonwealth pays more than three times as much per family as some other States.

A relief incentive system could give migrating families proper direction. It would detour migrants from the big cities and enable them to settle down in localities where subsistence would cost less and where work opportunities would be greater under a program of Federal cooperation.

Congress and all responsible Federal officials should watch closely the decision of the Supreme Court, for if it upholds the lower courts we are all going to be in for greater difficulties. Meanwhile, it is time for the Government to come up with a sensible long-range program. I urge you to read "Master Plan for America" and the report from the Pittsburgh Post-Gazette. They follow:

[From the Oil City-Franklin-Clarion (Pa.) Derrick, Nov. 15, 1967]

MASTER PLAN FOR AMERICA

One of the strange things about this country is that we continue to jam people in overpopulated areas, while vast, unpopulated lands remain idle.

We are pouring millions of dollars in the cities to try to solve the problems created by high population densities. We tear down and rebuild, we experiment with solutions, we spend liberally trying to avoid crises. Yet the metropolitan areas get bigger, and the troubles bigger.

Unchecked migration to the big cities has resulted in a strangling congestion there, producing unemployment and lawlessness.

And while we pay dearly for the square yards of space in cities for widening roads, constructing parking lots, or erecting high-rise apartments, there are thousands of acres of lower-priced land in rural areas all over the country.

To work towards spreading out the population would seem to have many things in its favor. It should alleviate the pressures on the big cities. Less money would be wasted on piecemeal solutions.

Perhaps what we need is a master plan for the United States. We zone cities, why not zone the United States; then try to spread out economic development and population.

[From the Pittsburgh Post-Gazette, Oct. 10, 1967]

QUALITY REDUCTION FEARED: LIMITS TO POPULATION OF CITIES SUGGESTED

A prominent Pittsburgh civic leader last night called for limiting urban populations to stop "a leveling process downward and a reduction of quality" in American cities.

Adolph W. Schmidt, chairman of the Pennsylvania State Planning Board, cited the overpopulation problem at the fifth annual planning conference of the Southwestern Pennsylvania Regional Planning Commission (SPRPC) at Chatham Center.

Schmidt said planning alone cannot solve urban and suburban problems of the future. He said overpopulation will lead to a decline in both the health and economics of American cities.

REVERSE PROCESS

"Instead of projecting the population of a city or town ten or twenty years ahead and constructing the plan to satisfy that number of people," he suggested, "reverse the process and determine the optimum population which that city or town should have, dependent on its terrain, water resources, industrial or agriculture base."

Schmidt said the number of people who inhabit that town or city should then be regulated, he said, as have London, Princeton, N.J., and other communities.

"As additional people flow in," he said, "design entirely new cities, again with optimum population limits surrounded by adequate green belts and open space."

LEVELING PROCESS

He said that "regretfully, multiplication of numbers tends to create a leveling process downward and a reduction of quality." He cited the slums of Calcutta and the villages of the Nile Valley as examples.

"Let us resist this over-population as energetically as we can in Western Pennsylvania," said Schmidt. "If it becomes bigger," he added, "let us also strive constantly to make it better."

Schmidt also called for induction of Indiana, Fayette and Greene counties as members of the SPRPC and said more elected officials of the six counties now comprising the SPRC should become active in regional planning.

THERMAL POLLUTION NO CONCERN

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the Philadelphia Sunday Bulletin of November 26 contains still another reason why a Federal Committee on Nuclear Development should be created to review and reevaluate the civilian atomic program. Here are two paragraphs from an article, "And Now It's Heat Pollution That Threatens Our Streams," by Gary Brooten:

> The Atomic Energy Commission, which issues licenses for nuclear generating units, is under fire from conservationists and congressional sources for failing to include thermal pollution among the criteria on which its decisions are based.
>
> The AEC position is that it is limited to worrying about potential explosion or radiation hazards from nuclear reactors.

If, indeed, the AEC is not concerned with thermal pollution, then it would seem that Congress is all the more delinquent for permitting the Commission to decide on where atomic plants are to be constructed.

I ask that my colleagues carefully peruse the Brooten article. Note, if you will, the cavalier attitude of one utility executive to conservationist protests against the excessive heat that flows from reactors into streams.

> I think we're foolish to have let the conservationists saddle us with the term, "thermal pollution."

He said:

> Why not call it thermal enrichment?

Under unanimous consent the article will appear in the RECORD at the conclusion of my remarks. I also ask that it be followed by an address made to the convention of the Pennsylvania Federation of Sportsmen's Clubs, Inc., last September by C. Howard Hardesty, Jr., executive vice president of Consolidation Coal Co. Rather than follow a course of disdain for the general public as exhibited by those who insist upon reckless promotion of the atom as a fuel for generation of electricity, the coal industry of Pennsylvania has joined with sportsmen and other conservationists in forming a council aimed at protecting the natural environment.

Mr. Speaker, when the atom is proved safe enough for the Government to remove the restrictions of the Price-Anderson Act; when insurance companies will sell policies to protect home and person on the same basis that they are made available for protection against other manmade hazards; when ruinous thermal pollution of streams is not a normal byproduct of atom power stations; and when Government funds are no longer essential to making the atom competitive with traditional fuels—then those of us who have been frightened not only by the devastating potential of a nuclear incident but also by the dogmatic attitude of reactor hucksters will be happy to welcome this fuel as a trusted servant for our communities and our homes.

Until then, Congress has an obligation to find out what is going on in the AEC and what might happen to the Delaware River estuary and a lot of other bodies of water even if radioactive contamination does not develop.

I commend the Brooten and Hardesty presentations to your close attention:

[From the Philadelphia Sunday Bulletin, Nov. 26, 1967]

AND NOW IT'S HEAT POLLUTION THAT THREATENS OUR STREAMS

(By Gary Brooten)

It takes about a kilowatt of electrical power to run a small kitchen appliance, such as a toaster.

For every minute that toaster toasts, a gallon of water has to swish through the cooling system of a steam-driven power plant somewhere. At is swishes, it gets warmer. When it gushes out of the system it is 10 or 20 degrees hotter than when it went in.

When gallon follows upon gallon up into the millions, a few changes begin to appear where the water gushes out. Fish die, or lose interest in sex. Weeds thicken. Odors may develop, if the heat is great enough. And water pollution specialists conjure up a new red-flag warning phrase.

It's "thermal pollution"—heat pollution.

It's raising the hackles of conservationists, furrowing the brows of electrical utility executives, catching the eyes of a few politicians and causing a mild family quarrel among several agencies of the federal government.

The situation is likely to get hotter (in more ways than one) before it cools off.

To go back to the beginning: There are a lot more toasters around these days than there were a few years ago. There are a lot more electric lights, clothes dryers, television sets, power tools, industrial machines and hedge clippers.

Americans are using twice as many kilowatts (about 250 million at an average moment) as they did a decade ago, and that's roughly twice as many gallons of water getting the heat treatment.

(Some power is generated without steam heat, in hydro or water-powered generating plants. In eastern states this is only a fraction of the total, however—a rapidly shrinking fraction.)

MORE THAN DOUBLE

By 1980, the use of power will more than double again, to about 520 million kilowatts.

If it were all from steam generating plants (as the largest share will be), it would take more than half a billion gallons a minute to keep the plants from overheating.

Even half that much is a lot of water that will be carrying a lot of heat out of the nation's power plants.

Ironically, thermal pollution could get a boost from efforts to cut down on air pollution.

Electrical utilities have been under fire for the amounts of soot and sulfur gases pouring out of their smokestacks in built-up areas of the eastern states. One of the glamorous solutions to the problem has been to "go nuclear"—to switch over to atomic power as the heat source in new steam generating plants.

And, while conventional coal and oil-burning power plants throw away up to 55 or 60 percent of their heat in their cooling systems, most nuclear-powered generating units are even more wasteful. A rule of thumb in the industry is that two-thirds of all the heat generated by a nuclear reactor is lost to cooling water. The cooling water does not come in contact with radioactive materials.

Worse yet, the most efficient nuclear power plants are much larger than most conventional fuel-burning plants. Thus, the two new plants proposed for the Philadelphia Electric Co.'s site at Peach Bottom, York county, run a million kilowatts each.

The first "economically competitive" nuclear plant in the world—a Jersey Central Power & Light Co. plant at Oyster Creek in Ocean county, N.J.—will generate 515,000 kilowatts, and this is about the smallest that could be competitive. Only one of the eight large fuel-burning plants in the PE system is larger than this.

The larger the plant, the more water it heats. All the nuclear units planned for Peach Bottom in the next decade, taken together, will require more than two million gallons a minute of cooling water when operating at full capacity.

It's numbers like this that have begun to give water pollution officials thermal ulcers.

On the other hand, nuclear generating plants are only the most spectacular examples of a problem that has existed for years on a smaller scale, and that involves many other industries and activities besides the utility industry.

EFFECT CITED

What happens when water gets warm?

Recently, in "Environmental Science and Technology," an American Chemical Society publication, Burton Davidson and Robert W. Bradshaw of Rutgers University summarized these effects:

Gases such as carbon dioxide, normally present in water, become toxic to fish in smaller concentrations.

Fish that normally depend on temperature to signal when they should migrate, or mate, may have their life cycles upset.

The warmer the water normally, the less fluctuation a fish can stand.

Trout eggs, and some others, will not hatch in many cases.

All biological processes speed up, and the demand for oxygen in the water increases correspondingly. This can seriously affect streams already short of oxygen.

GOOD EFFECTS

On the other hand, they noted that heat in a river can have some desirable effects, such as providing rich feeding zones for fish during frigid winter months, increasing the efficiency of municipal water treatment plants, and sometimes keeping navigable streams clear of ice in the winter.

An official of the Public Service Gas and Electric Co. of New Jersey, which has been involved in a thermal pollution debate involving the Delaware river estuary, emphasized that the effects are not all bad.

"I think we're foolish to have let the conservationists saddle us with the term 'thermal pollution' ", he said. "Why not call it thermal enrichment?"

Pollution control officials disagree. When Public Service, PE, and two other power companies proposed a million-kilowatt nuclear plant in Burlington county (since rejected by the Atomic Energy Commission), officials of the Delaware River Basin Commission insisted that it would have to include cooling towers.

Cooling towers are almost the only practical technique for controlling thermal pollution of water from large cooling systems. Instead of being dumped back into the river or lake, the water is pumped to the top of the tower and cooled as it falls back down. Most of the water is recirculated through the cooling system, but some is lost as mist or steam at the tower's top.

Utility officials agreed to build two 410-foot cooling towers at the Burlington plant. Similarly, PE officials have said they will incorporate cooling towers in their new Peach Bottom units, although specific details have not been worked out.

As thermal pollution problems have heated up, they have embroiled at least one federal agency in controversy.

AEC UNDER FIRE

The Atomic Energy Commission, which issues the licenses for nuclear generating units, is under fire from conservationists and congressional sources for failing to include thermal pollution among the criteria on which its decisions are based.

The AEC position is that it is limited to worrying about potential explosion or radiation hazards from nuclear reactors.

It has fought, moreover, to prevent the adoption of temperature limits it says are too strict on the Columbia river in the Pacific northwest, where its own Hanford Reactor plant is located.

Several additional nuclear plants are projected on the Columbia, so that fight has turned into a showdown in which millions of dollars are at stake.

Sen. Edmund S. Muskie (D-Maine) is highly critical of the AEC's position on thermal pollution. He has announced that his Senate Subcommittee on Air and Water Pollution will hold hearings on the subject this year, immediately after Congress adjourns.

This will bring thermal pollution its first nationwide political spotlight.

ADDRESS BY C. HOWARD HARDESTY, JR., EXECUTIVE VICE PRESIDENT, CONSOLIDATION COAL CO., TO THE PENNSYLVANIA FEDERATION OF SPORTSMEN'S CLUBS, INC., SEPTEMBER 28, 1967

When I told my 12-year-old son, Kim, that I would be in Harrisburg to meet with the Federation of Sportsmen, he immediately asked if the coal industry was in trouble again.

"No", I replied, "regardless of what I may have said before, I will be meeting with friends of the coal industry—with men dedicated to the cause of making certain that you and your children will live in and enjoy a better environment." Words could not satisfy the curiosity of this boy who, in twelve years, has already fished many miles of the pure streams in the eastern and western reaches of the Nation. With a directness not always found in adults he asked me, "How can you, how can anyone, justify a dirty, a sick stream"? He could have proceeded to further confound his father by listing, as did the Department of Health, Education and Welfare, eight major categories of pollution:

(1) Sewage—our urban rivers are literally septic tanks.

(2) Infectious agents—products of slaughter houses, hospitals and mortuaries.

(3) Plant nutrients—fertilizers.

(4) Organic chemical exotics—detergents, pesticides and weed killers.

(5) Mineral and chemical substances—this broad category includes acid mine water.

(6) Sediments—erosion which contributes 500 million tons of mud annually into the Mississippi Delta.

(7) Radioactive substances that come from uranium milling, atomic reactors, medical laboratories.

(8) Heat—thermal pollution associated with various industries.

Those of us in this room would add junk yards, refuse piles, limestone quarries, unreclaimed strip pits and air pollution to this list of evils, and then answer—"There is no justification—there is, perhaps, an explanation".

You may have noticed a comment in "The Third Wave," an Interior Department publication. After an explanation of the polluted conditions of many streams and lakes, there is this paragraph:

"It was a situation that crept silently and insidiously upon the American people. Only a small group of gallant conservationists were alarmed and fought to preserve the beauty of American streams. Since the use of chemicals to kill bacteria had virtually eliminated cholera and typhoid epidemics, most people remained complacent."

No doubt World War II was a big factor in the failure to take proper action. Our entire economy necessarily had to be devoted to the earliest possible victory, and when V-Day finally arrived there had to be an immediate conversion of the national objective; suddenly the assignment was to get on line the automobiles, building materials, appliances, and many other items that were in short supply while the battles were raging in Europe and Asia. Out of research for military equipment there had come new commodities—particularly plastics and other wonders of the world of chemicals—that added to the pollution problem. By now there was widespread use of pesticides, herbicides, detergents, and a thousand and one other items to bring better living standards to the people of this country. In effect, the nation was exposed to an alignment of people, products and services, all contributing to pollution and our air and water.

People, you and I as individuals add to the problems.

At the start of World War II there were less than 133 million people living within our boundaries. By 1950 our poplation had risen by 12 percent and ten years later it had jumped another 18 percent. In the coming November—a little over a month from now—the population clock at the U.S. Department of Commerce will click off the 200 millionth human being—an increase of more than 50 percent in just 25 years. Now, so far as anyone knows, the good Lord is not providing a greater volume of water or air to this land now than he did a quarter century ago. With so many more people and so much more industrial activity and so many new products, there is certainly no mystery about what has happened and what we have to do about it.

This pollution from sea to shining sea shows that we have paid a price—a dear price—for winning two wars—for becoming the most productive and highly industrialized Nation in the world—for attaining the highest standard of living for our people—for reduced, almost negligible levels of unemployment—for our civilized democratic, free way of life.

Is it possible for this modern, industrialized, advanced and rapid-moving society to continue its advances and achievements without further desecration of our environment? There can only be one answer—there can be no further violation of our environment, and we must repair the ravages of the past. This philosophy has not been adopted just for your meeting. In May of this year, I spoke to the American Mining Congress in Cleveland, and in a talk entitled "What Could We Build If We Worked Together", I challenged conservation groups, industry and government to acknowledge common goals and work cooperatively to solve them. The challenge to industry was worded as follows:

"But let me conclude by making the most positive statement of all. The coal industry and its best customer, the utility industry, cannot escape or refuse to shoulder their clear obligations and responsibilities in this battle for clean air and water. We cannot expect someone else to finance all research and lead us by the hand to an improved environment. Our future holds the prospect of expansion and growth only if we are the pioneer in developing the needed technology to remove pollutants created by the use of coal. We cannot use legislation or the existing technology gap as a delaying tactic to reduce our efforts. We must leave no stone unturned in our search for complete answers. Only by this total commitment can we expect others to join us so that we may build by working together."

Actions must now speak louder than words. The time is now—long overdue—to blend the needs of industry with the demands of good conservation, and make a stronger and a cleaner society. Certainly a giant stride forward was taken by formation of the Joint Industry-Conservation Council. Bill Gurkert, John Laudadio and Tom Foerster still make the same tough demands on industry, but when the problems are placed on the table for discussion and examined firsthand on field trips, sensible people will find the right answers. I sincerely believe this is the better format—much better than the charge and countercharge of long range firing through news media. It is the modern philosophy of cooperation which can lead to the most judicious utilization of Pennsylvania's natural resources without impeding economic progress.

We are meeting the challenge of the clean streams law through use of modern tools this day being developed by research. It is costing the members of Keystone Bituminous Coal Association more than $30 million dollars for water, treatment research and facilities. We intend to and will comply with the law. I am confident this approach can lead to the most sensible use of natural resources, economic stability and better environment in which to live.

You and I both know that we will encounter problem areas ahead. In many cases industry is proceeding cautiously in order to find the right tool. In some cases we are experiencing difficulties in acquiring necessary property and equipment. In some cases industry is just dragging its feet and delaying to the very last minute its expenditure of money needed to make necessary improvements. The fairest thing government can do is to provide strict, fair and impartial enforcement—in this fashion U.S. Steel, Consol and companies who are complying will not be injured in our highly competitive industries. Consol will not sell its product in the market place if it has a competitor who can reduce its prices because it is not cleaning its water discharges, reclaiming its land, or grading and covering its refuse piles.

When these problems arise, if we turn to the Joint Council we have *the hope* of solving our problems in a voluntary, cooperative, sensible manner.

May I leave a new challenge. Broaden your wonderful conservation efforts to include this Nation's natural resources. Do not relent in your efforts to conquer air and water pollution, but also add a new goal—the wise and intelligent use of this Nation's mineral resources.

Our people have an insatiable appetite for energy in all forms. The country's power plant in 1967 must double by 1980. By the year 2000 we will need seven times the electric generating capacity existing today. Our Nation's natural gas reserves are decreasing when compared to annual gas consumption and should be reserved for the more sophisticated demands of industry and space heating, as compared to utility boiler fuel. Domestic reserves of oil are decreasing. The atom may be the answer, but each year of actual experience with nuclear power has so far been productive of more problems than success. It is becoming increasingly clear that our coal reserves will be an essential ingredient of this Nation's natural and needed growth. We must conserve our fossil fuels else we find ourselves with a clean America, but powerless to meet the demands of the 21st century. Never forget that 80 percent of our Nation's coal reserves are located west of the Mississippi, while 85 percent of the demand for energy is east of the Mississippi. My point is this, let's not say "to Hell" with the coal industry. Let's recognize its importance to our economy—no foreign Nation can cut off its supply—and make it part of a movement toward a better America.

You are heading in that direction—I want to join you. A strong America can also be a clean America.

THE ECONOMIC DEVELOPMENT AGENCY

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I call to the attention of my colleagues and the readers of the RECORD, the lead article in the Wall Street Journal for Tuesday, November 21, 1967. This article raises certain doubts about the methods employed by the Economic Development Administration in handing out business loans in distressed areas of our country.

I deplore the procedures by which EDA apparently is handling some of these cases for establishing new businesses. If the Journal article case is typical of what is going on in other parts of the country, I believe that Congress should move to tighten certain loosely managed EDA operations.

It is my understanding that the House Public Works Subcommittee on Economic Development Programs has initiated a comprehensive study of EDA operations. We fully endorse its efforts to stem the drain of taxpayers dollars into projects that do not fully comply with the Economic Development Act.

The act provides that no financial assistance shall be extended to projects where the result would be to increase the production of goods when there is not sufficient demand for such goods to employ the efficient capacity of the existing competitive commercial or industrial enterprises.

I believe that those who read the enlightening article which follows will agree that, as documented here, such practices of EDA—if allowed to continue—will only serve to blight whatever good work the EDA has accomplished.

I believe that we here in the House should consider an amendment to the act which would provide for public review of cases that involve expenditures of taxpayers dollars for development of distressed areas.

The article from the November 21, 1967, Wall Street Journal, follows:

ANGER IN APPALACHIA: A FEDERAL MOVE TO HELP DEPRESSED REGION RUNS INTO LOCAL OPPOSITION—UNITED STATES FINANCES CRUSHED-STONE VENTURE OF PRIVATE FIRM, AND RIVALS RAISE A FUSS—THE "UNFAIR COMPETITION" ISSUE

(By Burt Schorr)

PIKESVILLE, KY.—High on an Appalachian ridge near here, hard-hatted workers tamp dynamite into newly drilled holes, preparing to blast the underlying limestone. Below them, other crews ready a site for heavy stone-crushing machinery and assemble a 600-foot conveyor belt capable of moving over 500 tons of crushed stone an hour. Further down, growling earth-movers level an area where crushed stone will be stored.

This mountainside bustle heralds the coming of another of Uncle Sam's economic aid projects for needy Appalachia—a highly mechanized quarry that will produce crushed limestone from the steep flank of Pine Mountain for use in highway and other construction.

Proponents say the project is creating needed jobs and eventually will supply materials to aid local economic growth: on these grounds the Government's Economic Development Administration is putting up most of the cash. But close examination of this arrangement is raising questions about the EDA's methods in ladling out more than $50 million annually in loans to business in distressed areas around the country.

NOTEWORTHY OMISSIONS

Among other things, this scrutiny shows, past business woes, including one outright fiasco, do not necessarily disqualify a private entrepreneur from sharing in the EDA's largess. In this case, a "feasibility study" prepared to guide the agency omitted mention of these troubles. The facts in the case:

The president and majority stockholder of Elkhorn Stone Co. Inc. of New Market, Tenn., which is developing the quarry here, is John Will Ruth. Another stone company that he heads ran into a lawsuit for allegedly failing to make proper payments on leased equipment: That company settled up in September by agreeing to pay over $50,000. Still another Ruth-led company lost $1 million when a geological fault caused the roof to cave in on an underground limestone mine it was developing in 1965. (Says Mr. Ruth: "There's no way to determine these faults. Let's say our engineer made a mistake.")

Examination also confirms that a private entrepreneur can share in the profits of this Federal-aid program without risking any big stake of his own. Of the $1,175,000 Elkhorn Stone is pouring into the quarry project here, only $175,000 comes from Mr. Ruth and his fellow investors (though they have also put up $35,000 in working capital). The EDA is taking the biggest risk, lending Elkhorn $1,137,500 for 10 years at a bargain rate of 4⅝% and guaranteeing 90% of a private bank loan of $250,000 for working capital.

JUSTIFICATION QUESTIONED

Extra benefits from the project, along with possible dividends, will flow to the chief sponsor. The company figures the quarry will require a 58-man payroll—including Mr. Ruth at $15,000 a year and his son as general manager at $18,200. (The quarry is also expected to provide jobs for 120 truckers and maintenance workers; this will be an obvious gain for surrounding Pike County, where unemployment has been running more than twice the national average.)

Meantime, the stated justification for the quarry project has come under challenge. Though Elkhorn insists the quarry is needed to help supply crushed-stone demand in this region, the two companies already established in the market argue otherwise. They have gone to court charging that the Elkhorn venture is just the sort of "unfair competition" prohibited by the 1965 law that created the EDA. (On that ground and others, the agency at first rejected Elkhorn Stone's aid application.)

Whatever the outcome of this challenged venture, some not-too-encouraging returns have come in on the $275 million in industrial and commercial loans made since 1961 by the EDA and its predecessor agency to more than 540 companies. Of this sum, about $14.4 million has been repaid and $6.7 million written off as lost. In addition, $11.9 million in loans gone sour are now being liquidated by sale of the assets put up as collateral; the EDA expects to recover at least 60% of this amount.

No one is predicting that the quarry project will meet any similar fate, but opinion hereabouts is sharply divided on the benefits that will flow once Elkhorn starts marketing its stone.

ELKHORN'S ARGUMENT

To overcome EDA objections that the project represented unfair competition, Elkhorn stressed its estimate that the Appalachia highway program will require an estimated 5 million tons of crushed stone in its projected Virginia-Kentucky-West Virginia market area, starting around mid-1968. The company also argued that this market can't get all the crushed stone it now needs and must pay higher stone prices than other areas in the same general region.

Some local business spokesmen backed this view. "Users of construction aggregates are having to close down their operations for days at a time simply because they can not get deliveries of crushed stone," Robert Holcomb, then president of the Pike County Chamber of Commerce, wrote the EDA in June, a few weeks before the agency finally approved the loan.

But to Levisa Stone Corp. and Johnson Bros. Limestone Co., the two local firms that have brought suit against EDA officials and Elkhorn Stone, the situation looks very different.

Levisa Stone of Pikeville, the larger of the concerns, quarries its limestone near Jenkins, Ky., about 15 miles southwest of the Elkhorn site. L. J. Bryant, executive vice president, says Levisa could produce more than 415,000 tons of crushed limestone annually by operating its usual 50-hour week the year-round, but current market demand warrants operation at this rate, only 60% of the year.

Because the Elkhorn site lies 15 miles closer to the proposed market area than does Levisa's stone-crushing operation, some transportation savings (usually figured at 5 or 6 cents per ton per mile) undoubtedly would result for Levisa customers who switched to the new supplier.

However, this disadvantage would not apply to the second competing firm, Johnson Bros. Limestone, whose quarry site is only two miles along the mountainside from Elkhorn's location. "We can hear their bulldozers at work," says partner James B. Johnson.

Johnson Bros.' crushed stone sales currently run around 42,000 tons annually, or less than half the company's existing capacity, Mr. Johnson asserts. But in view of highway construction plans, the firm has been working on an expansion program for the past three years and has contracted to buy more than $150,000 worth of new and used quarry machinery. As a result, capacity will rise to 250,000 tons annually by the middle of next year and ultimately could be expanded to 500,000 tons—"more than sufficient to meet any reasonably foreseeable future demand for crushed limestone in the area," the suit alleges.

DIVERGENT REPORTS

Material submitted to EDA by Elkhorn includes several questionable assertions about the Johnson Bros. firm. Consider the 60-page feasibility study prepared last October by John A. Stokley, a Lexington, Ky., geological engineer who has been retained by Elkhorn "to assist (EDA) in evaluating the company's loan request." Listing Elkhorn's competitors, the Stokley study dismisses Johnson Bros. Limestone as "having limited its production to about 75,000 tons per year and there is no plan to expand according to present information."

Mr. Johnson, for his part, produces a land purchase contract to prove that his expansion program began over three years ago. Displaying Federal income-tax returns and suppliers' statements, he shows how monthly equipment payments caused Johnson Bros. profits to slide from nearly $30,000 in 1965 to a $2,100 loss last year. Mr. Stokley never contacted him or his brother to discuss their plans, he asserts.

Mr. Stokley, for his part, now says he "must have been mistaken" when he prepared the study. "I know absolutely nothing about the Johnson Bros. operation," he concedes. "We only used the data supplied us by Pike County business sources."

A trial would presumably bring EDA officials to the witness stand and permit a glimpse at the way they approve and reject loans. Recent court rulings suggest, however, that the Levisa-Johnson Bros. complaint may never be heard on its merits. Last year, W. S. Dickey Clay Mfg. Co. of Kansas City filed a similar action to bar a $975,000 EDA loan to a rival clay pipe concern. A lower court dismissed the case, holding that the EDA's decisions on what represents unfair competition "are not judicially reviewable." An appeals court upheld the decision, noting that Congress didn't provide for any appeal to the courts.

Now Government lawyers are asking dismissal of the Johnson Bros.-Levisa suit on the same grounds; a hearing has been scheduled for early next month.

Coleman Stein, EDA's business development director and the man who takes responsibility for approving Elkhorn's application, says the Small Business Administration, which conducts credit investigations on EDA loans, didn't inform his office of certain prior crushed limestone ventures undertaken by Mr. Ruth and other Elkhorn principals.

A LEASING TRANSACTION

In August 1960, for example, Cherokee Stone Co., a closely held concern headed by Mr. Ruth, contracted to lease a stone crusher, dump trucks, electric motors and other equipment to produce stone and sand from a Loudon County, Tenn., quarry. The equipment was valued at around $1.6 million, according to Richard Trippeer Jr., vice president of Trippeer Organizations Inc. of Memphis, which owned another company actually involved in the leasing transaction.

By Mr. Trippeer's account, Cherokee Stone Co. "just walked away" from the machinery at a quarry site, leaving it in a "very, very bad state of repair." No one bothered to close the cover panels on heavy generator units, he says, and they rusted in wet weather. Trippeer's net loss was more than $500,000.

"It was a costly lesson," Mr. Trippeer laments, although he acknowledges that Cherokee Stone was under no legal obligation to continue using the leased equipment.

In October 1965, however, Trippeer Organizations did charge in a Knox County (Knoxville) court suit that Cherokee had failed to provide proper accounting of its quarry production, on which the lease payments were based. Trippeer claimed at least some $100,000 due in additional payments and interest but finally settled for about $50,000.

Mr. Ruth, a rumpled 62-year-old, has had 40 years' experience in the construction and crushed stone business, four of them in Costa Rica managing Pan American Highway construction projects for a Frankfort, Ky., firm. During a recent interview at Elkhorn's sparsely furnished quarry office, he impatiently dismissed the Trippeer suit and a second legal fight involving a Cherokee quarry operation as routine hazards that almost any businessman may encounter.

MAKING "A LITTLE MONEY"

Of the Trippeer litigation, Mr. Ruth says: "There's always two sides to a contract." As for criticisms of his management made by adversaries in the other case, "That was a lawyer who wrote that up."

Were those two ventures at least profitable for Cherokee Stone Co.? "We paid our bills and made a little money," Mr. Ruth answers. "But knowing what I know, I wouldn't want to go through that kind of deal again."

Mr. Ruth is more precise about the fate of an underground limestone mine that Ruth-controlled Gainesville Stone Co. sought to operate on property owned by Big Run Coal & Clay Co. at Princess, Ky. Big Run agreed to complete an access tunnel to the limestone bed some 600 feet below the surface; Gainesville was to dig and sell the stone.

In February 1965, a few months after Gainesville's crew began digging into the limestone, a massive roof fall occurred. There was sufficient warning for the men to get clear, but a newly installed underground stone crusher, heavy trucks and other costly gear were buried or blocked in the mine. The final net loss to Gainesville, by Mr. Ruth's reckoning: $1,018,000.

A LACK OF FORESIGHT

Under "competency of proposed management," the Stokley feasibility study omits any reference to the disputed quarry operations or the mine cave-in, while giving an impressive list of limestone mining qualifications held by Elkhorn's key executives.

Such details are unnecessary, Mr. Ruth suggests, because Gainesville Stone Co. is a successful company with sales now running at around $3 million annually. How Gainesville's profits have been affected by the cave-in losses, Mr. Ruth won't say.

What Mr. Ruth will say, though, is that Elkhorn really didn't need Uncle Sam's $1,137,500 loan in the first place. He could have raised the money from other sources, he insists, but decided to seek Washington's aid because the Federal interest rate was cheaper.

MY DOOR IS ALWAYS OPEN

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am making a report to my constituents on the activities of the first session of the 90th Congress, and I am pleased to make it available to my colleagues and the readers of the RECORD. This report will be mailed to the families in the First District of Tennessee on a postal patron basis.

DECEMBER 1967.

DEAR FRIENDS: As 1967 draws rapidly to a close, it is a pleasure for me to report to you on the decisions and activities in which I have been involved during the first session of the 90th Congress.

This year has been a troubled one—both at home and abroad. We have seen anarchy and violence in the streets of many major cities across our land. We have read with horror about the burning, looting, murder, rape and pillage, and we have watched with growing concern the flagrant disregard for law and order running rampant throughout the United States. We must not tolerate this any longer. We need an Administration in the White House with the courage to deal sternly with these advocates of violence.

I have been disturbed for some time by the acts of the irresponsible—those who would burn their draft cards, desecrate our flag, and unlawfully demonstrate against our Country and our men in Viet Nam. These are tragic scenes and shameful pages in the history of our Nation.

We have witnessed demonstrations against our government that have shown an ugly and shameful side of America to all the world. Our American flag has been burned in open rebellion, and just a few weeks ago "peaceniks" stormed into our Nation's Capital to protest our involvement in Viet Nam. They were practically handed the key to the city by the Johnson Administration, and they left behind them not only mountains of debris and litter but deep and ugly scars that will not heal quickly. What must our brave young men, fighting and dying in the jungles of Southeast Asia, think and feel when they hear of these dirty, bare-footed and unshaven demonstrators acting as they do against their Country?

The people of the First District have made it clear that they want victory in Viet Nam. In response to my 1967 questionnaire, over 76 per cent of the people who responded favored making an all-out effort to win the war. With over half a million of our finest young men now serving in Viet Nam, the war continues to be the major problem facing our Nation, and it is necessarily the dominant force in all our governmental policy. Day by day, however, the American people doubt more and understand less about the Administration's conduct of the war in Viet Nam.

Whether or not our presence and participation in Viet Nam is justified is hardly the question. The harsh fact remains that we are there, and our boys are daily giving their lives.

My chief criticism of the handling of the Viet Nam war is that the Administration's policy has been to merely plod along on a course that has brought heavy losses but little promise of satisfactory resolution. Americans have always sought new answers, new solutions and new direction whenever foreign or domestic progress has not been satisfactory, and this we must do now. We have to find a way to bring the war to an honorable conclusion just as soon as possible so that we can bring our boys back home.

With the cost of the war continuing to mount, in dollars as well as in American lives, I have been amazed during this session of Congress by the Administration's incessant demands for more and more money for the so-called "Great Society" programs, which have from the very beginning failed so miserably.

Despite the ever-present arm of the White House, which continues its attempts to manipulate the legislative branch of our government, this year has had its good moments. Several times the membership of the House has revolted and showed the Administration it meant business about cutting spending. Things are not exactly rosy for the "Great Society" today, and this is indeed encouraging.

It was rewarding to see my bill to prohibit the desecration of the flag pass the House and to see my Anti-Riot bill also pass overwhelmingly. These are two necessary measures in my opinion and should be signed into law.

Space will not permit me to go into detail on every measure that I introduced and supported during this session, but I would like to comment on several that I know will be of interest to you.

NEW VA HOSPITAL AT MOUNTAIN HOME

Several months ago I launched a full-scale campaign for the construction of a new modern hospital building to replace the 65-year-old structure now serving our veterans at Mountain Home in Johnson City. I feel very strongly that this new hospital is vitally needed for the benefit of our veterans.

This proposal has received widespread support, not only from veterans and veterans organizations throughout the State, but from other interested individuals and organizations as well. I am grateful for the enthusiastic support and encouragement of so many who have written to me about this proposal.

This is a long-range project, and I ask for your support—it will take the help of everyone to get the job done.

Leaving the Veterans Administration Hospital of Mountain Home after an inspection tour of facilities there, I realize that a new veterans hospital is badly needed.

INCREASED BENEFITS FOR ALL VETERANS

The Veterans Bill, which I introduced along with other Members in the House and which was signed into law on August 31, provides an average overall-cost-of-living increase of 5.4 per cent for all veterans receiving pensions under the New Pension Law, as amended, as well as for widows and children. Substantially greater increases of approximately 8.5 per cent are provided for widows and widows with children in lowest income categories. The law also authorizes pension increases for widows of the Spanish-American War and prior wars, as well as special provisions for veterans and widows with severe disabilities. Additional benefits for veterans entering service during the Viet Nam era are also included.

FOREIGN AID—$125 BILLION DOWN THE DRAIN

An annual fight in the House is on our Country's foreign aid program. This year, we were fortunate to get the Johnson Administration's proposed appropriation cut considerably, but not enough. As I stated on the floor of the House when the Foreign Assistance Act part of the program was debated:

"I literally shrink from the astronomical figure that we have spent in the name of foreign assistance. Over 125 billion dollars in foreign handouts since World War II. This figure does not even include the amount the Defense Department has parcelled out in the form of military aid of all kinds . . .

"Isn't it time we put our people first in our minds and worked solely for their betterment? Isn't it time we lifted the burdens of high taxes and inflation from our people's shoulders and gave them a break? The American people have the right to be attended to first . . .

"How can our Nation survive as a strong and vital power if we continue to live with inflation, greater and greater debts, an unfavorable balance-of-payments situation, spending 'in the red,' and loss of our gold reserves and of world markets?

"It is clearer every day that we will face a deficit of between 28 and 30 billion dollars this year, and now the President is pushing an increase in income taxes. Confronted with these facts, we cannot sit back and approve more and more funds that eat up our taxpayers' money and tear down our Nation's financial well-being."

Let's end this fiasco once and for all . . . I voted against the foreign aid bill, which passed by a very narrow margin; a good sign that in the future we may be able to take even more positive steps in stopping this outrageous use of our taxpayers' money.

A VISIT TO THE COUNTY FAIRS . . . A HELPING HAND FOR OUR FARMERS

During the summer months, it was my happy privilege to visit various county fairs throughout the First District, where I had an opportunity to visit with the people and to share in the many accomplishments of our farm families during the past year.

Under this Administration our farmers have been subjected to "step-child" treatment by the Federal Government, and my Questionnaire results indicated that the people of the First District agree with me that our present farm programs are not achieving their purpose of maintaining farm income at an adequate level. Johnson-Freeman proposals make no effort to help the farmer. On the contrary, stringent government regulations continue to hamper the efficient operation and productivity of our farms.

When I visit these county fairs and see the achievements of farmers and their families despite these tremendous injustices, I am filled with pride, and I pledge anew to do everything I can to protect our farmers from the abuse of the Federal Government.

Accompanying several pictures taken at various county fairs were the following cutlines:

"Happiness is a friendly colt . . . I encountered no difficulty in making a friend."

"Dinnertime for 'Bambi' . . . feeding a fawn is a new experience."

"Move over . . ."

"I try my hand at milking as Cindy Keefauver, owner of the grand champion holstein, observes."

"I look them over . . . the cream of the potato crop."

"Burley prize winner . . . golden leaf, the pride of tobaccoland."

OUR FLAG . . . IF IT IS WORTH DYING FOR, IT IS WORTH PROTECTING

I was distressed and saddened early this year when our American flag was mutilated and burned in New York's Central Park and in other parts of our Country. Having long fought for legislation to protect our flag, I was incensed by this shameful display and determined to work still harder for the enactment of my bill to prohibit the desecration of the flag.

After numerous efforts, I was finally able to persuade the Chairman of the House Judiciary Committee to hold hearings on my bill. When these hearings began, I was honored to be the lead-off witness, and I pointed out quite strongly the great need for the passage of the bill.

My speech received recognition throughout the country, and it was reprinted as the "Speech of the Week" by the Republican Congressional Committee. Because I have had so many requests for copies of this speech, I am enclosing a reprint from the CONGRESSIONAL RECORD of my remarks on the floor of the House during the debate. As a member of the House Rules Committee, I was privileged to handle the rule on this bill, which passed the House by an overwhelming majority.

Picture cut line: "Walking over to the Capitol where I used this display to illustrate my remarks—a sharp contrast . . . flag raising on Iwo Jima and flag burning in Central Park."

"JIMMY QUILLEN DAY"

For the second time my colleagues have honored me on the floor of the House by holding a "Jimmy Quillen Day"—this time on March 1, 1967—in recognition of the 87.1 per cent vote I received in the November, 1966, election. I was deeply moved by the tributes paid me by my fellow Members, but, as I said on the floor that day:

"Mr. Speaker, this tribute belongs to the people of the First District of Tennessee for they have made it possible, not only by sending me to Congress but by expressing their views to me and allowing me the opportunity to serve them. To them and to you, my colleagues, I express my heartfelt thanks."

I thought you might be interested in the remarks of my colleagues as they appeared in the CONGRESSIONAL RECORD, and I am taking the liberty of sending along a reprint with this Report.

Picture cutline: "'Jimmy Quillen Day'—I was honored by my colleagues for my 87.1 per cent vote in the November, 1966, election. Joining in the observance were (l. to r.) Hon. Bob Taft, Jr. (Ohio); Hon. Les Arends, Minority Whip (Ill.); and Hon. Gerald R. Ford, Minority Leader (Mich.)."

ANTIRIOT BILL AND FEDERAL INTERROGATION ACT

I have been concerned about the violence and crime which erupted in so many of our cities during recent months, and from the mail I have received on this subject, it would seem that the people share this deep concern.

I introduced the Anti-Riot bill along with many of my colleagues, which I feel is an important first step toward ending the violence that has rocked our nation. This measure, which passed the House overwhelmingly, would make it a federal offense to cross state lines to incite a riot or civil disturbance. The Senate has held hearings on this legislation, but, it has not yet become law.

Another approach I feel is a good one in the aspect of crime control and prevention is the Federal Interrogation Act, which I also introduced along with others and which provides guidelines for interrogating suspects and witnesses to crimes. Recent Supreme Court decisions have tied the hands of police officers in dealing with suspects. We must take action to remove the shackles from our law enforcement agencies so that they may perform their duties and protect our law-abiding citizens.

I will continue to do everything I can to see that respect for law and order is restored in every corner of our land.

SOCIAL SECURITY INCREASE LONG OVERDUE

A much-needed Social Security increase has been long overdue, and thousands of our elderly and disabled citizens have had to bear the burden of the political shenanigans of a few in the White House.

Back in 1966 and again in early 1967, I predicted that the Johnson Administration would continue to drag its feet on a badly needed Social Security increase, using the the program as a political football. Unfortunately, my prediction proved correct.

I protested to the President before the end of the 1966 session about the unnecessary delay and said that an across the board increase could be made then, rather than later, with no increase in Social Security taxes either to the employee or to the employer.

I have always fought for the maximum increase in Social Security benefits without an increase in taxes, and I said on the floor of the House when the measure was being debated:

"Mr. Speaker, I have long been a champion of the Social Security Program, feeling that it means so much to our people."

MY DOOR IS ALWAYS OPEN

I returned to the District frequently this year, as it was again time for my Open Doors. I visited each county in the District on Saturdays from April through July, traveling over 9,000 miles from county to county and to and from Washington—or more than a third of the distance around the world.

This was the third time since I have been in Congress that I have held these courthouse meetings with the people, and I realize more than ever how important they are to you and how helpful they are to me in getting to know how you feel about the many and varied issues facing our Nation. I sincerely thank the thousands who turned out to say "hello" or to discuss specific problems with me.

WELCOME TO WASHINGTON

Whenever you are in Washington, I hope you will come by my office, located on the third floor of the Longworth House Office Building in Room 1318—just across Independence Avenue from the Capitol. It's always good to see friends from the First District.

When you come by my office, it will be my pleasure to furnish you with passes to both the House and Senate galleries so that you will have an opportunity to see Congress in action. My staff and I will be happy to do anything we can to make your visit to Washington a pleasant and memorable one.

Hope to see you soon—my door is always open!

Picture cut line: "Among the many visitors from the First District to our Nation's Capital this year were the National Attendance Champions from Chinquapin Elementary School in Sullivan County, who were greeted by their Congressman upon their arrival. These fine youngsters—all 22 of them—did not miss a single day of school during the 1966–67 school year."

QUESTIONNAIRE

This year, again, I sent out my questionnaire to 156,000 families in the District, including many college students. The response was most gratifying, and it certainly has been a big help to have your views on the various issues before the Congress.

I received many favorable comments on the IBM type of questionnaire I used this year, and I am real pleased with the results. More than 22,100 returns were received or about 15 per cent of those mailed out.

Also, in my Report I used a picture of me strolling with my wife, Cecile, on the Capitol lawn.

IN CONCLUSION

I hope this Report will give you some insight into my activities during the past year. Many of the problems and issues which have become evident in our Nation during 1967 will continue to require much of our attention and our energy in the months and years ahead. But we have met every test that has been presented to us as a Nation, and I am confident that our Country will survive the challenges of an unknown future.

Relying on the dedication and perseverance handed down to us by our forefathers, we can and will lead America to even more spectacular heights of greatness in time to come.

Sincerely,

JAMES H. QUILLEN.

WHAT'S WRONG WITH CONGRESS?

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, what's wrong with Congress? That is a question which has been asked with increasing frequency these days, and it is one which has been of special interest to me as a member of the Joint Committee on Organization of Congress. It has indeed been a frustrating experience on the part of members of our committee to see the obstacles that have been thrown in our efforts to bring a bill to the House floor.

Thus it was with great interest that I read an article in the October issue of News Front magazine entitled "What's Wrong With Congress?"

Based on their own experience, political affiliation, philosophical bent, and so forth, every Member who reads this article will probably find some things with which he disagrees. But for the most part, the author of this article has performed an outstanding public service, the degree of which will be determined by the number of people who will take the time to read and digest what he has to say, and says so well. It ought also to be read by members of the press, for they as well as we Members need to take heed of the comments on the "jousting" that occurs as a result of the attention focused on the image rather than the substance of legislation.

I commend this article to the attention of all who wish to preserve responsible government, and who also wish to strengthen the hand of Congress as the branch of Government closest to the people.

The article follows:

WHAT'S WRONG WITH CONGRESS?

In July of this year, the U.S. House of Representatives took up a bill to provide $40 million for Federal rat control and extermination. The debate quickly dissolved in gags and laughter, as opponents of the measure conjured up visions of the new "rat corps" and "rat czar" to be created. "Mr. Speaker," cracked Congressman Joel Broyhill, Republican of Virginia, "I think the 'rat smart thing' for us to do is to vote down this rat bill 'rat now.'" And with that, the House voted, by 207–176, not even to consider the bill.

This rejection, coming as it did on the heels of widespread rioting in the cities, provoked an unexpected public outcry. Critics charged that Congress was ridiculing the needs of impoverished slum residents, and a group of citizens from New York soon descended on Capitol Hill to demand passage of the "rat bill." The bill has since been introduced in a new version, and managed to pass the second time around. But to many, the original House rebuff seemed symbolic of a Legislative Branch which has grown more and more insensitive and aloof to the crying needs of the nation.

Even before the rat bill episode, lawmakers were accustomed to criticism of their actions or inaction; taking pot shots at Congress has long been a national pastime. But today, many Americans are seriously concerned about Congress' ability to survive as a viable body in the face of such widespread contempt; if it cannot, they say, the resulting power vacuum could have dangerous implications for the traditional U.S. system of political checks and balances.

Whether its critics like it or not, Congress has a central role in governing the U.S. It alone has the power to enact national laws, and it has sole Constitutional authority—in theory, at least—over the vital issue of declaring war. Indeed, the whole Constitution is based on the concept of Congress' serving as a sort of people's check on the national administration. In a tied Electoral College vote it can select a President, and it can—though it never has—remove a President from office. The Senate alone can confirm Supreme Court justices. Thus, Congress could wield great control over the other two branches of the Federal government, if it chose to do so. The fact that most of Congress' power remains dormant is a remarkable commentary on its restraint—or its decline.

Somehow, Congress has largely become a docile appendage in the real world of government. In the absence of Congressional action on many of the nation's problems, the Supreme Court has in effect taken over much of the legislative function. Various "independent agencies" exist in a kind of amorphous autonomy, immune from Capitol Hill control. Much of whatever prestige Congress has left is drained away by Executive Branch domination; the "President's Program" is nearly sacrosanct, and the leaders of the House and Senate are actually agents of the President, pressing for enactment of legislation he favors. Moreover, the burgeoning bureaucracy has dynamic force of its own, seemingly beyond the ability of Congress to regulate or impede. Even Congressional war-declaring power may well be meaningless in an age of nuclear ICBM's.

Thus, much of the criticism of Congress has basis in fact. If it cannot overcome its faults, the part of government which should be closest to the people could drift into impotence. And once surrendered, Congressional authority is hard to regain; Sen. J. William Fulbright of Arkansas found this out the hard way. Author of the Tonkin Gulf Resolution which made possible the escalation of the Vietnamese war, Mr. Fulbright is now the harshest critic of what has been done under his own resolution.

Surveying the apparent doldrums of the 90th Congress, the *Washington Post* recently noted that: "It was taken for granted that this Congress, with its larger contingent of Republicans, would be more independent than its predecessor. Yet it has lagged in many areas that are only remotely related to politics, such as conservation (the scenic rivers bill and the creation of several proposed national parks), firearms control, the anti-crime bill, the financing of political campaigns, truth in lending, reform of the Electoral College, and the modernization of Congress itself . . ."

"More serious than the lagging volume of legislation has been the failure of Congress to come to grips with the nation's mounting social problems," the *Post* continued. "In the face of numerous crises in big-city slums, the House voted to abolish rent subsidies, to cut the model cities program and to penalize dependent children because of the sins of their parents. No doubt some of these errors of judgment will be corrected by the Senate, but the Congress as a whole has lamely evaded the critical weaknesses in our social structure that are giving the country so much concern."

Though some would not agree with the *Post's* assessment of programs ostensibly designed to help the big cities, the fact remains that there has been inaction on many progressive measures which have wide public support. But even the realization that something has gone awry does not explain the cause. Many are asking *what is wrong with Congress?* Beyond the furor over junkies and nepotism, more fundamental ills are afflicting the Legislative Branch. Perhaps some insight into them can be gained by a closer look at the "rat bill."

The adverse House vote on the rat bill drew bitter criticism, and will probably be an issue in next year's elections. What is not shown in the headlines, however, is that strategists for the bill may have planned it that way. In the aftermath of the vote, Republican House whip Les Arends of Illinois noted that the Administration "did little or nothing to ensure its passage, when they surely knew the strong opposition to it."

According to Mr. Arends, it was unusual for the House Banking Committee to act as it did in removing the rat control section from the 1967 Housing and Urban Development act, and reporting that section out as a separate bill. "Could it be that this much ado, with all its drama, about the recent defeat of a rat control bill at the hands of Congress is nothing more nor less than a Johnsonian political ploy?" he asked.

Beyond this rather cynical possibility, opponents of the legislation could point out that three existing programs provided more than $448 million last year for rat eradication. The new one would merely have created a new bureaucracy to do what existing programs could have done, it was charged.

This does not suggest that the rat bill was necessarily a political gambit, but it does illustrate that things are not always as simple as they may seem on Capitol Hill. In the past, bills sometimes *have* been brought forth primarily to create a campaign issue—and neither party is reluctant to give a partisan interpretation of any well-publicised floor battle. "Obstructionist" Republicans will probaly draw the blame for voting "for rats and against people," even though the Democrats still control the House by a comfortable margin.

The real significance of the bill is that it shows the danger of slogan-titled legislation. All too often, bills receive such starry designations as the "Truth In Lending Bill" or "Opportunity Crusade" simply to draw favorable publicity. The busy press is tempted to overlook the actual substance—which conceivably could be the opposite of what is implied in the title.

Because of this tendency, Congress is sometimes reduced to the role of jousting over the "image" of bills. In fact, much of what the lawmakers do is for publicity purposes rather than actual benefit. Each House member, for example, can introduce a bill identical to another Congressman's popular bill; the one which is passed may bear the name of only one sponsor, but the others can always put out impressive press releases about their measures. Some ingenious lawmakers manage to introduce close to a bill a day for the benefit of newsthirsty local papers. Whether such measures ever get passed seems almost beside the point.

Tourists visiting Capitol Hill are frequently amazed by the seemingly casual manner in which business is conducted on the floor of the Senate and House. Only a sprinkling of lawmakers may be present, and many of them often engage in private conversations while a speaker drones along. Congressmen reply that "the real business gets done in committees," but even committee hearings are apt to be ritualized occasions. A chairman may "stack" the agenda with supporters of his view, or monopolize the time with leading questions for favorable witnesses. When an Appropriations Subcommittee headed by Rep. Tom Steed of Oklahoma "investigated" charges of harsh treatment of taxpayers by the Internal Revenue Service, GOP Congressman James V. Smith, also of Oklahoma, called the probe a "whitewash." Mr. Smith pointed out that none of the persons allegedly abused by the agency had been called.

Representatives of the tobacco industry paid some of the witnesses who opposed cigaret labeling legislation before a Congressional Committee, Sen. Dan Brewster of Maryland disclosed recently.

One witness got $400 a day, a total of $3200, from an industry lawyer in 1965 after testifying against a proposal to require health warnings in all cigaret advertising, Mr. Brewster said. The Senator got his information by sending a questionnaire to 37 witnesses who appeared as independent supporters of the tobacco industry's opposition to the proposed labeling law. The industry lawyer told Sen. Brewster, however, that it was "entirely proper" to pay professional witnesses the "usual professional charges."

For many reasons, the quality of information available to Congress is often inadequate. Sometimes chairmen or members of committees are loathe to develop testimony which will reflect adversely on programs they authored, or damage the party in power. Administration witnesses usually show up with long prepared statements which they read to consume their time, thus forestalling critical questions. Most hearings begin at 10 a.m., and end at noon when Congress goes into session; few persons can be heard in this short period. Ordinarily, none are scheduled on Monday and Friday, when lawmakers are likely to be absent. When Administration officials appear, Congressmen may have little choice but to accept what they say—even though it may consist only of a policy statement. The internal deliberations which led to the policy are not disclosed. And in many cases, the Executive Branch itself lacks all the answers. Modern management techniques have not penetrated the sprawling, lethargic government on a universal scale, although the Budget Bureau has been working on standard budget analysis techniques for various departments.

But even if Congress got all the information it should have, the problem of using it wisely would remain ideally, bills should be passed only after thorough study and determination of need; in practice, many measures are crisis-spawned responses to political pressure. Congressman Morris Udall of Arizona has frankly told Federal employee groups that the way to get pay increases is to lobby Congress. In April, more than 3500 mailmen responded by traveling to Capitol Hill to buttonhole each lawmaker. Congress seems to respond more rapidly to such muscle-flexing than to a good cause with no pressure group behind it.

The Post Office and Civil Service committees are good examples of much that is wrong with Congress. Like other committees, they serve to provide authority and expertise in particular legislative areas—but they also become prime targets for lobbyists. Somehow, the Post Office committees seem to have become virtual captives of the pressure groups within their jurisdiction. The House chairman, Thaddeus J. Dulski of New York, has conceded that he pocketed for his own use some $11,000 raised at a testimonial dinner given for him in Buffalo in 1965. Lobbyists for the big mailers and Federal employee unions were among the guests at the dinner. At a secret breakfast given by lobbyists of the AFL–CIO's Letter Carriers this year, members of Mr. Dulski's committee agreed to support an average yearly pay increase of nearly 12% for the carriers and other postal employees.

If the interest group lobbyists are effective, the Administration's workers on Capitol Hill are even more so. The President has a network of legislative liaison officials who ordinarily restrict their activities to nose-counts on pending votes and occasional attempts at persuasion of recalcitrant lawmakers, but who have also been known to use such arm-twisting tactics as contacting home-state businessmen and telling them they will lose contracts if a certain bill is not passed. White House "liaison" grew so burdensome in the current session that Senate Majority Leader Mike Mansfield of Montana privately passed word to President Johnson to order government lobbyists to keep their distance from the Senate.

With the President, through his Budget Bureau, able to control the flow of Federal largesse to the various Congressional districts and states, many lawmakers find the pressure to go along hard to resist. Moreover, many newspaper reporters seem to proceed on the assumption that any part of the "President's Program" is automatically deserving of passage; they therefore rate each session of Congress as a kind of legislative ball game, with each adoption of an Administration bill being a score for the home team. Faced with powerful news media condemnation on one side and lured by the prospect of increased Federal aid for supporting the President on the other, Congressmen in recent sessions have produced a near-explosion of new programs.

In a remarkable letter, Sen. Mansfield told committee chairmen at the start of this year's session that the vast and unprecedented legislative outburst needed review by Congress. "It is to be expected that there exist a number of rough edges, over-extensions and overlaps, and perhaps even significant gaps," he declared.

Sen. Mansfield called for a "major re-examination of what we have done in legislation during the past few years."

In the House, Minnesota's Melvin R. Laird also asked for a review of government programs, pointing out that Congress has been so busy enacting new porgrams that it has not checked the performance of those already in operation. "Congress can be strong and viable only if it is in a position to exercise a continuing and systematic review of administrative activities and policies," he warned. "I do not want to see the role of Congress diminished. If this occurs, we will be on the road toward a bureaucratic state."

Other students of government have also pointed out that Congress is or should be—the one institution capable of humanizing the governmental process and correcting the often arbitrary nature of administrative decisions. "Without a strong Congress," professor Alfred de Grazia of New York University has said, "the basic structure of voluntary associations, federalism and autonomous enterprise will tend to dissolve into centralism . . . the problems of the country will be handled in ways that will become excessively majoritarian, often arbitrary, usually collectivist, and in the end suppressive of the ideal of individuality."

It appears that the most pressing need of Congress is to reassert its authority and independence—vis-a-vis both the Executive and a press which does not always recognize the value of the "checks and balances" system. This does not mean that Congress should necessarily challenge the Administration on every issue; on the majority of proposals, it might well reach agreement. But the Legislative Branch should develop—and force the Executive Branch to develop—adequate information sources that will make it possible for legislators to *know* a proposed bill is a good one before they enact it. Congress must also have constructive rather than reflex criticism from newsmen.

Before such a changeover can be achieved, Congress needs campaign reforms—including Federal financial assistance for candidates—to enable members to become truly independent of special interests and Presidential domination. Financial disclosure laws would introduce a refreshing air of honesty to the political process. Having freed themselves from their existing bonds of servility by reforming campaign laws, legislators could then undertake a new appraisal of existing and proposed programs compared with national goals.

Currently, Capitol Hill is so muddled in its operations that many observers do not even criticize the right things. The problem begins with the obligations and aspirations of the membership; once these are brought to good order, procedural hurdles will not block progress. Conversely, tinkering with the seniority system or making other minor changes will not be enough to revitalize a lagging Congress.

Framers of the Constitution envisioned a dynamic Congress serving the people as the most basic instrument of their government. In an age of nuclear war capacity, massive social needs and all the problems of a complex civilization, the demand for this role is more pressing than ever.

SUPPORT FOR A MIDWAY AIRPORT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, on May 15, 1967, after an extensive study over a 5-month period, the Federal Aviation Administration concluded that the "long-range airport requirements of the people of southern West Virginia are best met, and the public interest best served, by the least-cost development of a midway regional airport." This decision was made after a very thorough canvass of cost factors and feasibility of several alternatives.

Mr. Speaker, Eastern Airlines now serves both of the existing airports at Charleston and Huntington, known as the Kanawha Airport and the Tri-State Airport. Charleston and Huntington, the two largest cities in West Virginia, are being joined by an interstate highway which enables speedy access to one major airport located midway between these communities. Eastern Airlines is the only trunkline which serves both Charleston and Huntington. Certainly this airline and the pilots flying Eastern planes have gained considerable knowledge in the years serving the Charleston and Huntington airports.

Under unanimous consent, Mr. Speaker, I include the text of an interview with Wesley G. Kaldahl, vice president in charge of schedules, Eastern Airlines:

Text of Radio-TV Interview With Wesley G. Kaldahl, Vice President in Charge of Schedules, Eastern Airlines—Interviewed by Representative Ken Hechler, October 9, 1967

Representative Hechler. With me today is W. G. Kaldahl, Vice President of Eastern Airlines in charge of Schedules. Wes, it's good to have you on this program.

Mr. Kaldahl. Very nice to be here, Congressman.

Representative Hechler. I wonder if you could tell our West Virginia audience what type of equipment Eastern Airlines plans to use in the next few years for West Virginia service.

Mr. Kaldahl. During the interim period for the current airports, we will use the Electra aircraft, which we would plan to start phasing into this area in the spring of next year. For the longer range in the future, we've purchased two jet-type aircrafts that are capable of the type of operation we would use in West Virginia. We will have a large number of DC–9s, which is a twin engine, short haul jet capable of providing the type of service for this area. And the other plane we would use on some longer haul operations would be the Boeing 727.

Representative Hechler. When will Eastern go all jet?

Mr. Kaldahl. Eastern's current plan is to be all jet very early in 1969.

Representative Hechler. Do you see any difficulties with the current airport at Charleston for your future equipment, even if the runway is lengthened at Charleston?

Mr. Kaldahl. Well, certainly the current airport at Charleston is not capable of accommodating the jets of the type we have on order. So it presents us with a problem when we want to become an all jet airline if we at that point don't have a jet airport.

Representative Hechler. How about the weather or natural obstructions there even if the runway is lengthened?

Mr. Kaldahl. Certainly there are some historical weather problems in this area. We have had year in and year out through many months of the year bad operations during the early morning and late evening hours. The obstructions I think are well known to most people. It's not the type of airport therefore that the pilots are going to take to very readily, so that the airport extension would have to be substantial in order to be safe.

Representative Hechler. Now what about the possible use of what we call short take off and landing planes? Could you give us something on what the state of the art is on that type of plane and also what Eastern's present plans are for specific use of short take off planes?

Mr. Kaldahl. I think there are probably two answers here. There has been certainly an awful lot of time and effort put into the STOL-type aircraft. And yet I think most people would agree that it really hasn't gotten off the ground as far as an airplane that is yet ready for commercial airline service. I think the day when such an airplane will be operating is still a long way away. By the nature of our route structure I think that we are probably an airline that if they do develop such an airplane, we will buy a fair number of. They will, as we visualize the airplane now be used primarily for the short haul, high-density congested route areas.

Representative Hechler. Well, does that mean into, say West Virginia?

Mr. Kaldahl. I just really can't answer that until we know more about this airplane.

Representative Hechler. When you say use of this plane is a long way away, can you give us any more specific idea of what the state of the art is right now?

Mr. Kaldahl. The state of the art is there are some manufacturers who have airplane drawings on the board. To the best of my knowledge that's about as far as it goes.

There are some of the much smaller versions such as the type of the helicopters now flying around, but they just are not the kind of an airplane that's going to solve the problems for commercial aviation.

Representative HECHLER. From the standpoint of Eastern's service, do you think it's important that the people of West Virginia get busy to try to build a larger airport to accommodate what Eastern is planning with its current equipment?

Mr. KALDAHL. I am sure that Charleston and the whole West Virginia area wants to stay a factor in this aviation business. And I think if they do not do something to upgrade their capability in one way or another they are certainly risking the loss of service and imposing serious burden on the airlines in the meantime.

Representative HECHLER. Several years ago, in the spring of 1965, the President of Eastern Airlines, Floyd Hall, came to Washington and at that time suggested that we consider building an airport midway between Charleston and Huntington. Do you recall that?

Mr. KALDAHL. I remember the meeting. I think that Mr. Hall's context there was one of speaking from an airline viewpoint. It provides good economic sense for the community and to the airline in that it will permit the airline to provide something better in the way of service with a single airport rather than two of them.

Representative HECHLER. Subsequent to that Arthur Lewis, the Senior Vice President of Eastern Airlines, sent me a telegram in March 1966 stating "Eastern Airlines supports concept of regional airport midway between Charleston and Huntington and would be able to provide better service to single regional airport than to two separate airports in the same area." I wonder if that generally represents the attitude of Eastern Airlines today?

Mr KALDAHL. It certainly does.

Representative HECHLER. Do you feel then that superior service could be provided at a single airport, and do you really think that you could bring in a greater frequency of scheduling at such an airport?

Mr. KALDAHL. You would get a greater frequency of scheduling because you are not dividing your loads. You will get a greater choice of destinations served by the trip because you are not dividing your loads. You will get a greater intermix between air carriers which will tend to support one another as a result of not dividing your loads. So I think we could point to location after location where there has been substantial improvement in service as the airports have been consolidated.

Representative HECHLER. Thank you very much, Mr. Kaldahl. We have been talking with W. G. Kaldahl, Vice President of Eastern Airlines in charge of Schedules. This is Congressman Ken Hechler in the Nation's Capital.

ERASING ANOTHER LINE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is disturbing to read articles such as appeared in today's New York Times stating that a group of Episcopalian priests has generally agreed to favor negating longstanding moral precepts in favor of a garbled statement that acts—in this instance, of homosexuality—are "morally neutral."

Admittedly this is a small group but still the stalemate serves to make the example, which is more poignant because they are men of the clergy.

I would ask, when will some segments of our society cease trying to erase the once well-defined lines which separate the moral from the immoral? When will they realize that as always we need an increase in understanding, and promotion of, our moral standards instead of a "neutralizing" effect? And, how far short of moral anarchy would they place their line?

The issue here is not strictly that of homosexuality—this is only the immediate example—it is the issue stated in Louis Cassels column "Religion in America," which appeared in the November 25 edition of the Washington Daily News. He stated:

> Nearly 2,000 years ago, the Apostle Paul warned the infant Christian churches of Asia Minor against wishy-washiness on moral questions. "If the trumpet gives forth an uncertain sound," he said, "no one will prepare for battle."

Mr. Cassels continues:

> His warning is brought to mind by a recent Gallup Poll showing that 74 per cent of the American people feel that religion is losing influence over the nation's moral standards.

I would suggest to this group of Episcopalian priests that there is a cause and effect relationship between their new stand and the fact that nearly three-fourths of the people polled believe religion is losing influence over morality.

The issue involved here, as well as other issues of the "new morality," are not the problems of only one religion, but of all philosophies based on higher moral law and of all nations, especially ours, which depend so heavily on these axioms. We should take a long hard look at where some would lead us.

The article follows:

EPISCOPAL CLERGYMEN HERE CALL HOMOSEXUALITY MORALLY NEUTRAL

(By Edward B. Fiske)

Ninety Episcopalian priests generally agreed yesterday that the church should classify homosexual acts between consenting adults as "morally neutral" and acknowledge that in some cases such acts may even be a good thing.

The clergymen were participants in Project H, a day-long symposium on the church's approach to homosexuality that was held at the Cathedral Church of St. John the Divine. It was jointly sponsored by the Episcopal Dioceses of New York, Connecticut, Long Island and Newark.

A large majority of the priests appeared to take the position that homosexual acts should not be dismissed as wrong "per se."

Instead, they declared, such acts should be judged in each individual instance by other criteria, such as whether the participants were expressing genuine love or simply "using" each other for selfish purposes.

The Rev. Walter D. Dennis, canon of the cathedral, who organized the symposium, said, for instance, that Christians must "rethink the usual position that has turned homosexuals into modern-day lepers."

"A homosexual relationship between two consenting adults should be judged by the same criteria as a heterosexual marriage—that is, whether it is intended to foster a permanent relationship of love," he stated.

He added, however, that this does not mean that homosexuality should be encouraged or that homosexual acts, like other extramarital sexual relations, cannot also be "promiscuous."

In the discussions, those who agreed with this view also expressed difficulty in formulating the standards by which to distinguish "healthy" from "promiscuous" homosexual acts.

Others, however, disagreed with the majority position. The Rev. L. Robert Foutz, pastor of Trinity Episcopal Church in Astoria, Queens, for instance, declared that homosexual acts "must always be regarded as perversions because they are not part of the natural processes of rearing children."

He also warned against the relaxing of moral standards in the name of compassion and understanding. "The reason for breaking down one ethical standard may affect others, like the stability of marriage," he stated.

Father Foutz added, however, that apart from physical sexual acts, homosexuality may be regarded as having a positive side. "This can be seen when what you might call homosexuality is sublimated and channeled into acts of brotherhood, social concern and so forth," he declared.

Traditional Episcopalian doctrine, grounded in Roman Catholic moral law, states that the condition of homosexuality is not in itself sinful but that homosexual acts, like other sexual acts outside marriage, are wrong.

Most churches also teach that homosexuality is more sinful than other extramarital sexual acts, but theologians state that these attitudes reflect the mores of society rather than official doctrines.

The keynote speaker yesterday was Dr. Wardell B. Pomeroy, a psychologist who was coauthor with Dr. Alfred C. Kinsey of "Sexual Behavior in the Human Female," a study that aroused great controversy following its publication in 1953.

Dr. Pomeroy attacked what he termed widespread "myths" concerning homosexuality that are not substantiated by scientific research.

Among these "myths," he declared, are beliefs that homosexuals are more likely than others to molest children, that transvestites as a group are more homosexual than the general population and that homosexual males are "effeminate and identifiable."

Leaders stated that the conference reflects an increasing interest among churchmen in problems of homosexuality. The National Council of Churches, for instance, has begun to sponsor conferences on the subject, and the Episcopal Diocese of San Francisco has openly supported an organization of homosexuals.

Involved in this new interest, they declared, is a widespread liberalizing of the traditional "judgmental" attitude.

"Increasing numbers of Christians are coming to judge relationships on what they do to people involved and to society as a whole," said the Rev. Neale Secor, pastor of St. Mary's Church in Manhattan. Many are open to the possibility that homosexual relationships can be fulfilling or as destructive as heterosexual ones."

However, the Rev. Frederick Alling, a clergyman who is also a practicing psychiatrist, warned against "the lessening of moral restraints in society."

"It is good to get away from the old judgmental attitude," he said, "but churches should not become overly permissive at a time when psychiatry, which once emphasized this, is now coming to recognize the importance of the super-ego, morals and other supports."

Representatives of both sides of the debate agreed that churchmen need more factual information on the causes of homosexuality and on such questions as whether it is possible for homosexual relationships to provide enduring "fulfillment" and "happiness."

HOUSING FOR ELDERLY AND HANDICAPPED

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, on February 8, I introduced a bill, H.R. 5100, that would require all States to establish and maintain health and safety standards for rental housing occupied by recipients of aid to the aged, blind, and disabled.

This legislation, primarily aimed at the elderly, was predicated upon the 1960 census finding that one-fourth of our senior citizens who have attained the age of 60 years or older did not have households of their own but rather lived in the houses of relatives, in lodging houses, or in institutions. Of the remainder, over 30 percent lived in substandard housing while many others lived in housing unsuitable or unsafe for elderly people.

In addition to the deplorable fact that so many of our elderly live in substandard housing, I was, and still am, greatly bothered that Federal, State, and local funds are, in effect, being used to subsidize the slums to which so many of our elderly are subjected. It is estimated that old-age assistance payments presently going into payment of rent equals some half a billion dollars a year. Much of this amount, I am sure, is contributed to slum landlords.

As a member of the Housing Subcommittee, I have been intimately involved in this problem of providing suitable housing for our senior citizens. I know quite well this problem of substandard housing that casts its ugly shadow over the golden years of these citizens.

Therefore, I feel it is imperative that every possible effort be made to alleviate this problem. One obvious method is to provide for the construction of suitable housing for the elderly. I am pleased to note that in the First Congressional district of Rhode Island, which I am privileged to represent, a considerable amount of housing for the elderly has been constructed through Federal programs. During calendar years 1965 and 1966, six low-rent public housing for the elderly projects were completed providing over 1,100 senior citizens units. An additional 146 low-rent units were made available under section 220—urban renewal housing—and 221—below market interest rate housing—of the Housing Act.

While we are proud of these accomplishments, we also realize that more are needed. And this need for additional housing for the elderly is not confined to the district which I represent. It is a need that is clearly expressed in practically every congressional district of our Nation. What is more concerning, is that this need will be increased as the senior citizen population continues to expand.

Presently, there are 19 million people over 65 in these United States. These senior citizens comprise 9 percent of our population and it is estimated that their number will grow by nearly half in the next quarter of a century. In fact, this group and the young adults are the Nation's fastest growing age groups.

Programs to provide more housing for the elderly must necessarily be broadened to meet the needs of this expanding senior citizens population.

Therefore, Mr. Speaker, I am proposing today that section 202 of the Housing Act of 1959 be broadened to include the private business section of our economy which hitherto has been excluded from participation in this particular program which is a direct loan low-rent housing program designed to serve elderly persons and the handicapped.

Private enterprise accounts for the construction of nearly all of our housing today. Yet, it has not become substantially involved in the area of greatest need today: the construction of low-income housing.

This amendment will enable private enterprise to participate in a program that already is in the process of providing low-income housing that is so badly needed. It does not entail the establishment of an entirely new program, rather it expands and stimulates one which is already in existence.

Under this legislation, private enterprise would be allowed ninety percent financing of the total development cost of the project at 3 percent interest for a period of 50 years.

Presently, only nonprofit sponsors—for example, churches, labor unions, cooperatives—may apply for loans to build these projects. Such sponsors are afforded 100-percent financing at 3 percent for a period of 50 years.

Mr. Speaker, the 202 low-income housing program is helping a substantial number of elderly people to live independently and to provide them with an opportunity to make effective choices in their housing and living arrangements at rates substantially below those available in the regular private market.

It is a successful program and should be expanded to allow private enterprise to participate in providing our senior citizens with adequate housing at a reasonable rate.

DMSO: STILL THE PERSECUTED DRUG—PART III

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. WYATT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mr. WYATT. Mr. Speaker, for months now Dr. James Goddard, of the Food and Drug Administration, has been promising to release the potential wonder drug DMSO for full scale clinical testing.

At present, restrictions on its use make companies and doctors alike shun from even filing an application to test this drug. FDA actions have been so harsh, in fact, that drug companies refuse to even make DMSO in medically acceptable grade.

There have been undercurrents of discontent in the medical community. The FDA has been accused of bludgeoning the medical community into submission by experts in the field whose names can obviously not be mentioned.

The FDA has been accused of forcing submission to its orders by blacklisting investigators, threatening scientists with unwarranted court action, conviction-by-press-release, and in general using questionable methods to control the actions of the medical profession.

Whether these charges be true or false, the thread of disrespect and hate for the FDA continues to grow. No agency which brings itself into such a glaring spotlight of disrepute in its own field can long function effectively.

If it were not for the unwarranted and unconscionable bureaucratic roadblocks Dr. Goddard's agency has placed in the way of clinical testing on DMSO, that drug, combined with others, might even now be providing breakthroughs and solutions to such terrible diseases as cancer and arthritis.

After tightening restrictions on DMSO to the choking point by its order of December 23, 1966, the FDA continues to blithly place the blame for the lack of clinical testing on the doctors and the drug companies.

The letters that follow are a sampling of the mail received in congressional and medical offices from patients who are desperate for DMSO. Their professions, their mobility, and even their lives may be dependent on this drug which the FDA so precipitously withdrew from their grasp 2 years ago.

Also following is a sample of the kind of heartless bureaucratic answer received from the FDA in response to my request for help for a constituent in pain. Note also, in this reply, that the Food and Drug Administration refers to a new order that will be "appearing in the near future." This letter was dated in May, and no new order on DMSO has been issued.

The material referred to follows:

STANFIELD, OREG.,
May 10, 1967.

DEAR MR. WYATT: My doctor at the Rosenbaum Clinic in Portland saw my husband—said he was sure much pain could be relieved, joints be more pliable, and said extensive hip surgery should be put off a while.

Because of a sensitive stomach my husband cannot take any medicine by mouth—has ulcer difficulties—so the doctor said DMSO would surely be the answer, for a time, at least.

My mother, who passed away last August, had been an arthritis victim for thirty-five years. My doctor had me bring her to the Portland clinic in April, 1965 for a two week trial of DMSO after complete X-Rays and tests. Not too much improvement was noted in that time, but the doctor talked with me and instructed me in careful application—had me observe how the nurse applied it to Mother's back, thighs and knees. I followed his instructions carefully and called him at regular intervals. Once each month I was to write down my observations.

Without a doubt DMSO reduced the intake of medicine needed by my Mother. It also acted as a mild tranquilizer too. It didn't eliminate the "bad days" or all of the pain, but the doctor said this was because her spine was honeycombed with arthritis, causing impinged nerves. Cartilage was gone in knee and ankle joints from long term arthritis, deterioration.

With DMSO Mother rested better at night. We used it until it was taken off the market in late October.

A friend of mine from Hermiston was a patient of the same Portland clinic for one and a half years. She was one of the original ten selected for DMSO Testing. She had been a total invalid for years, was in her late forties. DMSO not only gave her a new lease on life, but she got so she could walk about the house, carefully attend to light housework duties, some meal preparation, could use her hands to sew a little. She is now bedfast again. I could cite many more cases of people helped far beyond any side effects.

Please continue your crusade. We will be just one of many who hope and pray for DMSO to be returned to clinical testing soon.

Sincerely,

———— ————.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington, D.C., May 25, 1967.

Hon. WENDELL WYATT,
House of Representatives,
Washington, D.C.

DEAR MR. WYATT: This is in reply to your inquiry of May 16, 1967, regarding correspondence from, Stanfield, Oregon, concerning the investigational new drug dimethyl sulfoxide (DMSO).

The clinical testing of DMSO was initially discontinued in November 1965, by voluntary agreement of all sponsoring pharmaceutical firms and FDA because of the question of safety, especially with regard to eye changes in experimental animals. The Food and Drug Administration has permitted the continuous clinical testing of DMSO since December 1965, in serious clinical situations where there has been some evidence that the drug may be effective and the condition is not responsive to other available therapy.

While the Food and Drug Administration may permit a sponsoring pharmaceutical firm to make DMSO available for clinical testing, we can do so only after receiving a proposal for such use from a drug firm willing to accept the responsibilities described in the Investigational Drug Regulations, for conducting clinical studies with DMSO. Of course, we cannot require any pharmaceutical firm to sponsor a clinical investigation, nor can we require them to make the drug available for such use. A statement of policy outlining the guidelines on the investigational use of DMSO was published in the *Federal Register* on Friday, December 23, 1966. Prior approval is required to ensure proper medical surveillance and appraisal by only well-trained, experienced medical personnel and to avoid abuse.

A further amendment to the present *Federal Register* statement of policy on DMSO will be appearing in the near future; if you have any further questions at that time, please advise. Until issuance of the new DMSO policy statement, the provisions as laid forth in the December 23, 1966 statement will prevail.

Sincerely yours,

PAUL A. PUMPIAN,
Office of Legislative and Governmental Services.

SEATTLE, WASH.,
June 2, 1967.

DEAR CONGRESSMAN WYATT: The attached newspaper item came to our attention last week and although we are not your constituents, the fight you are waging for release of DMSO is our fight, too.

So, we send our sincere thanks along with a "God bless you" for your efforts.

My wife, Elizabeth, suffers the almost unbelievable tortures of rampant arthritis, bursitis and residuals from back injuries which required a laminectomy. The arthritis in her hands has destroyed protective tissues surrounding her thumb joints and when her doctors told her the only solution was surgical impregnation of plastic socket lining, she was lucky and became one of those DMSO clinical test subjects.

The DMSO brought quick and complete relief, but now that clinical testing has been stopped she is slowly but surely becoming a suffering invalid instead of an active and productive person.

Her use of DMSO was over a period of time approximating two years and she will be most happy—in fact, eager—to furnish you any affidavit you would care to have attesting to the fact she has never had even the slightest toxic reaction or side effect from this wonderful drug.

Please let us know if there is any way in which we can further this great cause you are so admirably championing.

Finally, will appreciate very much your putting us on your mailing list for reports on the DMSO matter.

Respectfully yours,

———— ————.

PORTLAND, OREG.,
April 15, 1967.

Representative WENDELL WYATT.

DEAR MR. WYATT: I am severely handicapped with an ailment of progressive ossificating myositis. My ailment is like arthritis except it attacks around the joints until the joint is adamant. The only joints that I have that have a little motion in my fingers, one wrist and hips.

I have had my ailment for twenty years and under my doctor's care have tried many many different treatments. We were looking for signs of relievement so others who may suffer might have some relief too.

I was sent to Dr. ——— to test dimethyl sulfoxide (DMSO) against my ailment. I used DMSO for a year—up to the abrupt ban by the FDA.

In that year I was getting excellent results. I got relief along with DMSO reducing my nodes. My nodes on my back never hurt from pressure—like when lying in bed or riding in a car—when I'm on DMSO.

I have wrote my case to the FDA and Dr. J. Goddard. They won't let my doctor have any DMSO for my case.

I have been without DMSO for about twenty months and have suffered enormously. My ailment progressed to a more critical condition than it was before I started on DMSO. My nights are a torment of pain, and my only flexible wrist is getting rigid. DMSO had kept my ailment from progressing.

The development of DMSO has been held up by Dr. J. Goddard. They (FDA & Goddard) have used all kinds of ways to keep DMSO from the people by threats and fake promises and laws that are twisted around to be unconstitutional to the people of the United States of America.

Thank you and best wishes,

———— ————.

PORTLAND, OREG.,
December 20, 1965.

DEAR SIR: The new drug DMSO, dimethyl sulfoxide, has been discontinued. As I am a victim of rheumatoid arthritis and have used DMSO since Jan. 1965, I have found it wonderful to eliminate pain and suffering. It is hard to get along without it. If it is possible, please help to make this available again for the sake of suffering humanity.

Sincerely yours,

———— ————.

GRESHAM, OREG.,
January 28, 1967.

Representative WENDELL WYATT.

DEAR SIR: I have suffered from arthritis in my back and hip for several years. I spent some four or five months being treated with the product known as D.M.S.O. It provided a great deal of relief and made it possible for me to work steadily. I have not received any treatment since it was banned and am suffering considerably. I cannot work and at my age, 64, I am depressed at the thought of spending my declining years in continual pain.

There was an announcement in the papers that it would be released for limited purposes, but my doctor advises me that nothing official has been done. You would earn my eternal gratitude if you could do anything to expedite the release of D.M.S.O.

Very truly yours,

———— ————.

KENNEWICK, WASH.,
January 17, 1967.

Representative WENDELL WYATT.

DEAR SIR: I am writing to ask if there is any way you could assist me in obtaining the drug D.M.S.O. which the F.D.A. has released for some specified cases.

I was one of the first rheumatoid arthritis cases to start using this drug through Dr. Rosenbaum of Portland of the Oregon Medical School. It was extremely beneficial to me, and my monthly blood tests showed absolutely no toxicity involved.

Since it has not been available I have been growing steadily more crippled. It is becoming more difficult for me to walk, and my hands are now becoming very misshapen and stiff.

I am completely dependent on my job for a living, and am very much afraid that I will not be able to continue much longer without the help of this drug. As an office manager and accountant, you can see that it is most important that my hands will function normally.

I will do *anything* to obtain this. Have been making inquiries, and will go the black market route if necessary, although I would certainly prefer to use it under a competent doctor's care.

I would truly appreciate anything you could do in my behalf on this most important matter.

Yours very truly,

———— ————.

PORTLAND, OREG.,
April 11, 1967.

Representative WENDELL WYATT.

DEAR SIR: I feel that my experience with DMSO is an example of its possibilities as a preventive medicine in osteoarthritis. As you know, I have a severe osteoarthritis of the hip joints. Twenty years ago when the condition was diagnosed, Dr. Charles P. Wilson prescribed aspirin with this admonition, that it would tend to relieve pain but that the disease would get progressively worse, travelling to the knees and then the ankles. Other pain drugs were tried but they produced bad side effects and so I remained on aspirin until five years ago when it too became difficult.

That was when I started on DMSO. It was also the time that symptoms began to show up in the knees and ankles in line with Dr. Wilson's predictions. After five years my knees and ankles are free and normal which leads me to the conclusion that the DMSO prevented the extension of the arthritis.

I recently read a report by the doctor who has been doing research showing that DMSO liberated calcium deposits and eliminated the calcium from the system. I fully believe that this is what happened in my case and which prevented the involvement of the knees and ankles.

My experience over five years shows no more side-effects from DMSO than would be expected from brushing the skin with an equal amount of water. My case also demonstrates that the FDA's proposal of 14 day tests is ridiculous and that continued applications are necessary to arrest calcium deposits.

I hope that it will be possible for me to continue with you on DMSO. If the restrictions on you prevent this, is it possible to use the DMSO product for varnish remover put out by Crown Zellerbach and how should it be handled? I am 84 years old—too old and crippled to seek medication in a foreign country, but I would like to live my remaining years without being bedridden. Your help will be most appreciated. More power to you in the battle in which you are engaged.

Sincerely,

——— ———.

POMONA, CALIF.,
January 19, 1966.

Representative WENDELL WYATT.

DEAR SIR: During the latter part of 1964 I had contacted you regarding the use of dimethyl sulfoxide.

I was fortunate enough to have the help of yourself and several other interested parties and was accepted in the program in February of 1965. I was treated by my local physician here in Pomona from February through the time the medicine was called in from all physicians. I wish you to know that I had extremely good luck in relief with the use of this drug. My physician here took tests each two to three weeks all during the period I was being treated.

I just returned from the hospital where I was given a complete physical consisting of about every possible test the physician could authorize me taking. I apparently was found to be in very good physical condition and my physician also stated that one bone disease and also the condition of the Arthritis had even shown some improvement since the last examination given me two years ago. The physician stated that although the improvement was not vast that it was very exceptional in his opinion and he seemed to feel that he could contribute the improvement to nothing other than the use of the dimethyl sulfoxide. Thank you kindly.

Sincerely yours,

——— ———.

FORT WORTH, TEX.,
June 1, 1966.

Representative WENDALL WYATT.

DEAR MR. WYATT: From somewhere around the first of June, 1965 until late in December, 1965 I used "DMSO" with the most amazing results, however, as you know, we were not allowed to use this wonderful treatment from then until now.

The results of the medicine were miraculous as far as I am concerned. My Arthritis was helped to such a degree that I was free from pain and could react normally to most physical exercises, such as walking, working etc. My digestion is much better, my kidneys seem much better and my eyes, according to the Occulist who fitted my Cataract glasses, were also much better. But, since this early Spring my Arthritic pains are returning.

Is there anyway in this world that we can again have the opportunity of using this amazing medicine? If not, is there any hope in the immediate future that we will be able to get it?

Sincerely,

——— ———.

OAKLAND, CALIF.,
March 24, 1966.

FOOD AND DRUG ADMINISTRATION.

DEAR SIRS: For a period of approximately eleven months, I have been using DMSO Experimental Drug Grade in liquid and jelly form on my right arm. I am about to run out of the material and therefore I am making this request.

Following allegations made before a Governmental Operations Committee, I stopped using the material for about six days with a resulting increase in the amount of pain and creaking occurring in the elbow area. I have since resumed its usage with the reduction in both the pain and the creaking. I sincerely believe that while indiscriminate use of this drug should have been curtailed, I believe the effect of this order has been too overriding in the cases where it is giving some relief.

Prior to 1957 I never experienced muscle or joint aches or pains, had no touches of rheumatism, bursitis, arthritis, or any such ailments. At that time I was 65 years of age and had a prostate operation, which was fully successful, with the exception that traveling aches and pains reoccurred and disappeared in different parts of my limbs, hitting my shoulder muscle, the elbow, a wrist, the ball of the foot, or a knee, lasting for a few days then disappearing, hitting another spot at a later date, etc., gradually lessening in intensity. Then about four years ago following the removal of kidney stones, the same tendencies reoccurred followed shortly by concentrating almost exclusively in an elbow.

Over the span of the eight years, numerous attempts were made by various reputable and highly regarded local doctors to determine the cause, but to no avail. Finally these tests culminated in attempts to extract fluid from the area, subject it to laboratory tests, attempt to cultivate it, even to the extent of inoculating guinea pigs. Finally a biopsy was performed with two laboratory technicians in attendance, and both the immediate tests and the attempts to incubate and develop the culture were of no avail. The findings were "none-specific synovitis." All doctors in consultation, including skilled orthopedists, advised they did not know what it was and they did not know what to do for it.

Finally, the suggestion was made that I go to the University of Oregon where experiments had been carried on for over two years in that type of case and those cases involving arthritis, bursitis, rheumatism, etc. A supply of DMSO was furnished by the University with application instructions for external use only. On several occasions I have submitted to complete blood counts which have shown no toxic effect from these applications and in fact showed a considerable improvement from conditions at the time I had the two above mentioned operations.

In conclusion, I desire that the University of Oregon be again permitted to furnish me with the Experimental Drug Grade of DMSO so that I may continue to get relief. I also, as a supplementary measure, would like permission for them with their vast experience in the use of this drug, to occasionally, if they find it necessary, make a diluted injection in the elbow area.

Sincerely yours,

——— ———.

BOISE, IDAHO,
May 23, 1967.

Representative WENDELL WYATT.

DEAR SIR: I am writing to you on a Medical Matter concerning DMSO. My husband has Dupuytren's Contracture. The Doctors say DMSO is of value in the treatment of this entity.

My husband is only forty-four years old and so he has to work and he is in so much pain. He has had Dupuytren's Contracture since 1960 and it just keeps getting worse. So in Desperation I am trying to get some help for my husband. I have written Senator Len B. Jordan and Senator Edward Long also, Senator Frank Church and Commissioner James Goddard.

The Doctors have been trying to get a break through on this Medicine DMSO, which would help thousands of suffering people. So I hope my letters might help open the roadblock on DMSO.

I do hope to hear from you in this matter, I would be more than grateful.

Sincerely yours,

——— ———.

WASHINGTON, D.C.,
November 7, 1967.

Representative WENDELL WYATT.

DEAR SIR: I have used DMSO for the past year to control a serious illness. Case history and varied manifestations lead me to believe this is due to systematic herpes simplex infection, and my doctor does not dispute this, though no virus identification work has been done. Attempts to discontinue use of DMSO or reduce dosage, or inability to apply often enough due to travel, etc. have invariably resulted in worsening of conditions—which includes encephalitis (generally maintained below clinical level) and has included hepatitis, asthmatic bronchitis, painful nerve, joint, bone, and tendon inflammation, tongue and mouth lesions, edema and subcutaneous hemorrhage of neck, wrists, feet and ankles, and thickening and roughness of skin of left foot and ankle which may be scleroderma, a disease I know almost nothing about.

Recent tightening of enforcement of restrictions on sale of DMSO have cut off previous source of supply. I have appealed to the Food and Drug Administration for authorization to purchase for medicinal use without avail. My physician feels that it would be useless for him to apply, as he feels the prohibition on use is almost total, and this use would not be truly investigational, since I have already used it for a year.

Thus, I appear to have made a rather important medical discovery a year ago which has preserved my life and permitted me to continue part time creative work, only to be in grave danger of losing it very soon because of inability to legally obtain the drug on which my life and health depend. No other medication, including prednisone, has given more than temporary improvement.

Given the above description of my illness, do you believe that authorization for DMSO therapy could be obtained by the University of Oregon Medical School for my case? If so, please wire me collect—since my present supply will not last through this week. My doctor has agreed to referral provided that availability of DMSO is assured.

Sincerely,

——— ———.

NAMING OF NEW VETERANS HOSPITAL IN SAN DIEGO

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation to name the new veterans hospital to be constructed in San Diego, Calif., in honor of the late Maj. Gen. Bruno A. Hochmuth, U.S. Marine Corps.

The Nation was shocked by the tragic crash of General Hochmuth's helicopter a few days ago in Vietnam. Our Nation suffered a considerable loss with the untimely death of this distinguished Marine hero, the highest ranking officer to die thus far in the Vietnam war.

General Hochmuth was a much-esteemed citizen of San Diego as well. As commanding general of the Marine Corps Recruit Depot in San Diego, he actively participated in many civic and community projects. This hospital will be the most unique in America and it deserves the name of such a distinguished American as General Hochmuth who bravely gave his life in defense of freedom.

General Hochmuth was well known for the compassion he showed for the well-being of his troops. He shared their wounds in battle and their problems in service life. I cannot think of a finer person for whom this hospital should be named and dedicated.

I sincerely hope my colleagues will favorably consider this tribute to an outstanding American.

CRISIS FOR HOSPITALS—NEED FOR ACTION

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Cahill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mr. CAHILL. Mr. Speaker, in the perspective of a projected shortage of 250,000 registered nurses by 1970, there can be no doubt that the Congress must intensify its efforts to meet critical national health needs.

While the Nurses Training Act of 1964 has provided over $30 million annually for the improvement and expansion of nursing education, less nurses graduate today than when this legislation first became effective. The major reason for this decline in our national output of nursing graduates has been the discontinuance of hospital nursing schools. Unlike university or community college schools of nursing, the hospital schools' sole source of financial support has been tuition payments and patient charges. Since recent educational accreditation policies required many hospital schools to increase their academic classroom time and facilities, and to decrease their use of students in providing hospital nursing services, even these small financial resources have been diminished. Faced with rising costs and unable to equitably pass these costs on to patients, over 60 hospital schools of nursing have closed since 1964.

Similarly, it seems that hospital nursing schools have not received sufficient attention under the 1964 legislation. For example, the act allocates $10 million annually for the construction and expansion of university schools of nursing which provide only 15 percent of the total number of professional nurses graduating annually. However, only $15 million is allocated to 2-year colleges and hospital schools of nursing which currently account for 85 percent of the total annual nursing graduates.

Mr. Speaker, in my judgment, the critical financial needs of hospital nursing schools require an immediate increase in Federal assistance. With this conviction, I have cosponsored H.R. 13096 which would provide hospital nursing schools with annual grants of $400 per student and an annual basic grant ranging from $12,000 to $24,000 depending on total student enrollment. This legislation, formulated by the gentleman from Pennsylvania, Representative Fred Rooney, has received the sincere and well-deserved commendations of many of the Members and, in my judgment, represents an extremely effective means of reducing the nurse shortage.

However, it has been brought to my attention that the increased financial assistance which is provided by H.R. 13096 may be diverted from hospital nursing schools to private hospital service plans and medicare insurers. This unintended result has been reached in New Jersey where progressive legislation establishes grants of $600 per student for hospital schools of nursing. There, the Blue Cross Hospital Service plan and the medicare cost formula have required that these grants be treated as a reduction in hospital expenses. Thus, the amounts paid to hospitals for reimbursement for patient services under Blue Cross insurance and medicare programs have been reduced. However, I am sure that the New Jersey financial assistance program, as H.R. 13096, is intended as a means of additional support for hospitals with nursing schools.

I would hope that committee hearings on H.R. 13096 consider not only the effect of hospital service plan and medicare reimbursement cost formulas on Federal grants to hospital nursing schools, but also their effect on payments made by States to such schools. As the situation now remains, there would seem little incentive for a State to undertake progressive programs to reduce the potentially tragic shortage of nurses.

TAX EXPENDITURE PROPOSAL ADMISSION OF FISCAL FAILURE

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mr. LANGEN. Mr. Speaker, proper fiscal management in the first place could have avoided yesterday's sorry hat-in-hand performance by the administration's fiscal experts before the House Ways and Means Committee. After berating those of us who saw the fat and folly in the January budget proposals, the administration now admits that a great many of their programs should be cut 10 percent and personnel costs should be trimmed 2 percent. It is a direct admission of their failure to handle the Nation's finances, not just this year, but over the past 7 years.

With the United States running heavy deficits at home, plus burdensome deficits in our international balance of payments, due to bad governmental policies, the day of reckoning for the United States is at hand. Endless spending led us to this point, and the administration's latest effort to get an income tax increase enacted into law comes too late to cure the basic illness that has overtaken our Nation.

I have warned many times over the years that current fiscal policies would lead the Nation to the brink of bankruptcy. It should be noted that we now pay over $5 billion more a year in interest payments on the national debt than we did as recently as 1960. Proper management of the budget these past 7 years not only would have saved the taxpayers that $5 billion a year, but would have prevented the spread of inflation that has, in essence, devalued every American dollar.

The situation has become so critical that, in recent weeks, the Federal Government has even had trouble in meeting its payroll. Under the present mismanagement, the whole structure of governmental policies and programs is in jeopardy. This is one of the reasons I introduced a bill to change the fiscal year to coincide with the calendar year. Changing the fiscal year would enable Congress to eliminate some of that mismanagement by providing better direction to governmental agencies.

Mr. Speaker, there also are other ominous signs and undesirable results of administration mismanagement. Just this week the Treasury Department reported sales of another billion dollars worth of participation certificates. Part of the sale went at 6.4 percent, the highest we have ever paid. Financing the national debt and additional deficits is becoming more and more expensive as interest rates continue to rise. The American taxpayer not only pays the additional interest for the Government, but also finds he has to pay more in interest for the home he buys, the farm machinery he finances, or the money he borrows.

The Comptroller General's latest report on the international balance of payments provides another example of current governmental policies that have weakened our fiscal position. That report shows we lost $2.2 billion by failing to protect ourselves against devaluations and other changes in the value of foreign currencies. The report says we lost the money because, in negotiating international agreements since 1959, the United States, as a matter of policy, did not attempt to include provisions for maintaining the value of these assets against inflationary and exchange-rate losses. The report also states:

> It appears that there is little likelihood that the United States will attempt to protect itself by seeking such agreements at this time.

The recent British devaluation of the pound should force the United States into taking a long, sound look at our fiscal policies, since we have been traveling the same road of spending beyond our means, inflated dollars, and worsening imbalances in our international accounts.

CALIFORNIANS ARE 3 TO 1 FOR NUCLEAR POWERPLANTS

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mr. HOSMER. Mr. Speaker, those of us who are close to the Nation's atomic energy programs often wonder to what degree our messages are being read and understood by the general public. Consequently, I was greatly surprised and pleased by a statewide survey of public opinion on nuclear powerplants in California. The survey was conducted by ORS West, Inc., of San Francisco, a subsidiary of Opinion Research Corp., of Princeton, N.J.

The study showed, among other things, that on a statewide basis, 60 percent of those polled were in favor of having a nuclear powerplant in their general area. Only 20 percent were against. Three out of four favor having a member of their own family work in a nuclear facility. Most Californians feel that there is little or no danger from radiation at nuclear powerplants, and 62 percent believe that they will reduce electric rates.

On a less heartening note, 44 percent of those polled believe that a nuclear powerplant can blow up if something goes wrong. Only 29 percent realize that this cannot happen in a reactor, and 27 percent did not know.

It is also very interesting that almost two-thirds of Californians believe that opponents of these plants use scare tactics to spread false rumors and frighten the public.

I am heartened that the people of my State believe so strongly in this program, for which my California colleague on the Joint Committee on Atomic Energy [Mr. HOLIFIELD] and I have so long worked.

This study was conducted for the Office of Atomic Energy Development and Radiation Protection of the State of California. Its findings and conclusion follow:

SUMMARY OF FINDINGS

Californians Favor: New power plants in their area. Atomic power plants in their area.

Californians Are: Aware they use more and more electricity; not worried about power shortages. Mostly *un*aware how electricity is made; not aware that atomic power currently generates electricity in this State.

Californians Express: Concern about radiation problems; trust in radiation protection measures; confidence in State and Federal regulatory programs.

Californians Need: Better understanding of radiation problems specifically including safeguards, waste disposal measures, and effects upon pollution; information on the production of electricity: hydroelectric; fossil-fueled steam plants; atomic-fueled steam plants; factual information on the protection of public health and safety in the planning, construction, and operation of atomic power plants.

Californians Believe: Atomic power plants will lower electricity rates; the State should *lead* in promoting peaceful uses of atomic energy; oceanfront sites are logical locations for atomic power plants; atomic power plant opponents spread rumors and use scare tactics to accomplish their aims.

CONCLUSION

Three out of four favor having their own family members work in an atomic plant.

Only one in seven is opposed.

Working in such a plant is viewed as about as acceptable as working in a nuclear research facility, or the radiation treatment department of a hospital; but is less acceptable than working in a hospital X-ray laboratory.

THE TRUTH ABOUT TRUTH IN LENDING

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mrs. DWYER. Mr. Speaker, as the ranking minority member of the Subcommittee on Consumer Affairs of the Committee on Banking and Currency, I am pleased to report to our colleagues that the rather lengthy impasse in the committee with respect to truth in lending or consumer credit protection legislation has now been broken and a good and potentially effective bill has been ordered favorably reported by the committee.

It is understandable, Mr. Speaker, because of the extreme complexity of this legislation and the vital importance of the protection it would provide to every American, that there is both considerable interest in what the committee has done and rather widespread misunderstanding of the extent of the committee's accomplishment.

Let me state, therefore, what I believe to be the unqualified and indisputable truth about this bill and what it will do, if approved, for American consumers:

H.R. 11601, the Consumer Protection Act, as amended by our committee, is an excellent piece of legislation. It is frankly, a compromise bill, as any legislation in this field must be, but it is the kind of compromise that reflects honest differences and retains its meaning and effect. And, perhaps most important, it can be effectively enforced.

This legislation is better, stronger, broader, and more effective than the Senate-passed bill.

This legislation is better, stronger, and more effective than any of the three individual versions of consumer credit or truth-in-lending legislation considered by the committee or subcommittee.

This legislation is worthy of the support of every Member of this body and of the administration, several of whose key officials have indicated—privately, at least—that they are most pleased with this bill.

I do not need to remind our colleagues, Mr. Speaker, that no bill is perfect. I make no claim that the committee compromise is an exception to the rule. Much will depend on how carefully and wisely the regulations authorized by the legislation are drawn by the appropriate executive branch agencies and on how justly and evenhandedly the bill is enforced. We shall have to be guided by experience and be prepared to tighten up, fill in, or otherwise adjust the legislation to meet the day-to-day requirements of administration and enforcement. I would hope and expect, in fact, that the Subcommittee on Consumer Affairs would meet specifically to review the regulations when they are written and, subsequently, to review, periodically, the operation of the legislation. But in my judgment, this bill, at this time, comes as close to meeting the recognized needs of our people as any major legislation I can remember.

Consequently, I would earnestly express the hope that our chairman, the Rules Committee, and the House leadership will move expeditiously to schedule H.R. 11601 for floor action. Our committee has favorably reported the bill by a 30-to-1 vote. The Senate has passed similar legislation unanimously. The President insists he wants action as soon as possible. There can be, then, no excuse for not moving this bill ahead in time to complete action and sign it into law before the end of 1967.

Since the outset of our hearings early last August, Mr. Speaker, I have purposely refrained from making public statements about the merits or demerits of particular provisions in any of the proposed versions of the legislation before our subcommittee, for the simple reason that I did not want to foreclose any possibility of obtaining the best possible legislation. I believe we now have a bill which fits that description, given the inevitable compromise character of any agreement in this area.

At the opening of the subcommittee hearings, I made a statement on behalf of the minority members in which we emphasized these points: first, that we were approaching the hearings with an open mind; second, that several of us cosponsored the bill, S. 5, which was passed by the Senate without a dissenting vote, because it represented a basically good bill which our committee, hopefully, could improve upon; and, third, that our overriding purpose was to enact effective legislation without further unnecessary delay.

This last point, Mr. Speaker, we stressed with special concern. For nearly 7 years now, the American people have been denied their right to full information about the cost of credit and protection against what, in some instances, is deceptive and misleading because of the failure of Congress to reach a compromise solution.

From the outset of our consideration of truth-in-lending legislation, it has been apparent that there is general agreement that a good bill is both feasible and desirable, and that the major areas of controversy involve credit advertising, revolving credit, and enforcement. The bill which our committee favorably reported on Tuesday reflects, I believe, a workable resolution of these issues.

Throughout executive consideration of the legislation, both the subcommittee and the full committee were confronted with three alternative bills: S. 5 as approved by the Senate, H.R. 11601 introduced by the distinguished chairman of the subcommittee [Mrs. SULLIVAN], and a compromise bill, H.R. 13361, sponsored by our distinguished colleague from California [Mr. HANNA]. I believe it is fair to say that the committee-reported bill represents a compromise between these three versions and a series of three amendments which I developed and circulated among Members and key administration officials following development of the impasse at the subcommittee level. These amendments were closely identical with the final language adopted by the committee.

Probably the most troublesome issue we encountered during the course of our work was the question of how to treat revolving credit—or open-end credit plans—in terms of the legislation's disclosure and advertising requirements. Let me try to clarify the question. First of all, revolving credit has never been totally excluded from coverage in any of the three bills under consideration, including S. 5. Installment open-end credit plans, which usually include the more expensive, long-term purchases where costs of credit become most significant, have been covered by all three versions of the bill from the beginning, and would continue to be covered by the committee compromise.

The issue has focused on open-end credit plans other than the installment variety—the baby brother, accounting for only an estimated 2 to 3 percent of total consumer credit of revolving credit—under which most purchases are small, repayment schedules are varied, more than 60 percent of the credit is repaid within 1 year, and the plans and finance charges differ substantially from one retailer to another. On the one hand, bankers, appliance dealers, and others contend that all credit should be treated the same way and that all finance charges—or none—should be expressed in terms of annual interest rates. On the other, the big retailers insist that the unpredictable pattern of credit purchases and repayments which characterize revolving credit accounts make it impossible to state a single effective annual interest rate which would cover all accounts and plans and that a monthly rate would be a more accurate statement of credit costs.

The Senate bill and the Sullivan and Hanna bills reflect these differences. While the Sullivan bill would require the annualization of finance charges by all creditors, in addition to the provision of another specified credit information, the Senate bill and the Hanna bill would exempt open-end credit accounts from the annualization requirement and require, instead, the disclosure of the rate per billing period, which is usually monthly.

I suggest, Mr. Speaker, that both sides are right—but only partially so—and the committee compromise, which I proposed, is based on this understanding.

Two objectives are paramount: First, that insofar as possible all credit should be treated alike and the consumer should have a single understandable standard for determining and comparing the costs of credit; and, second, the statement or expression of credit costs should be as statistically accurate as possible.

Since it is a demonstrable fact, I believe, that the effective interest rate under open-end credit plans differs from plan to plan and from account to account, we were faced with the problem of adjusting the disclosure requirements to these differences. Just as it would have been misleading simply to permit revolving credit costs to be stated in terms of monthly rates while requiring the use of annual rates—which are 10 to 12 times higher—by other credit merchants, so it would have been inaccurate to insist that credit costs on all revolving accounts be expressed in annual rate terms, that is as the monthly rate multiplied by 12, when it can be shown that some revolving accounts pay substantially lower finance charges.

This is the danger: To have required—simply, indiscriminately, and misleadingly—that all credit be annualized in precisely the same way would have been to force all retail users of revolving credit either to conform their plans to a single pattern—which no one has proposed—or to raise their effective interest rate to the arbitrary rate they were required to state. This could have meant substantially inceasing credit costs for consumers—a special irony when what we are supposed to be doing is to help consumers, through better information, hold down their costs of credit.

We resolved this dilemma, first, in terms of disclosure on individual contracts or bills, and then in terms of credit advertising. The distinction is extremely important, because the disclosure of credit costs in connection with a single transaction, prospective or actual, is essentially an individualized act involving one customer, whereas the disclosure of such costs in advertising or in catalogs or other mass media is primarily collective by nature, applying without distinction to all actual or potential customers.

The committee bill would utilize two methods of disclosing credit costs to individual consumers. First, it would permit costs to be stated in terms of a monthly rate of interest so long as the bill or statement or contract also contained all other relevant information including methods of determining unpaid balances and amounts of finance charges. But it would also protect the consumer's right to know the annual interest rate on his individual purchase or account. The merchant, upon request, would be required to furnish a written statement of the finance charge expressed as an annual percentage rate so long as the consumer furnished a repayment schedule and such other essential credit terms as may be prescribed in regulations issued by the Federal Reserve Board.

I suggest, Mr. Speaker, that within the limits of accuracy, fairness and reasonableness, this amendment provides full protection of the consumer's right to know the cost of credit, on revolving accounts, expressed in the same terms of an annual interest rate that is required in connection with all other forms of credit. I am personally convinced that it can be done in no other way. Let there be no mistake about it, therefore, no creditor offering revolving credit, contrary to reports, will have the right to conceal the annual percentage rate on his revolving credit charges.

Since it is impossible to predict in advance what purchases will be made or schedule of repayments followed by all customers—the essential information for determining effective annual interest rates—or to generalize for all possible alternatives, the amendment I have just described would not apply to credit advertising. Disclosure requirements for credit advertising would be handled in a different way under the committee bill in keeping with the fact that advertising of credit affects all consumers in the same undifferentiated way.

In effect, our committee compromise is designed to discourage the advertising of credit terms on revolving charge accounts for the reasons I have indicated previously—that is, because it is impossible to figure an average annual interest rate covering all revolving accounts and because it is highly misleading to use either a monthly rate or an annual rate which is simply the monthly rate multiplied by 12. To resolve this issue, the committee bill would require a simple, consistent, across-the-board disclosure of credit charges—if credit terms are advertised at all. In other words, if credit terms are advertised, either as a percentage rate or as an amount, they would have to be expressed as an annual percentage rate. By implication, at least, the committee action was based on the judgment that it would be less unfair to require that retailers using revolving credit annualize their monthly credit charges than it would be to encourage the competitive disadvantage which would result from the advertising of a monthly rate for revolving credit when all others would have to annualize. In brief, the advertising impact of a monthly rate of 1½ percent as opposed to an annual rate of 18 percent would be more misleading than an 18 percent rate for all even though, in some cases, the effective rate on certain revolving accounts might be only 15 or 16 percent. As a practical matter, however, few if any retailers now advertise revolving credit terms and so the amendment would tend to discourage any change.

Perhaps the single most significant amendment accepted by the committee, Mr. Speaker, concerns administrative enforcement. Without effective enforcement, of course, the bill would be relatively meaningless. The three bills considered by the committee seemed deficient in these respects; the Senate-passed bill contains no express provision for administrative enforcement; the Sullivan bill provides for enforcement by the Federal Reserve Board alone and the Hanna bill would employ the Federal Trade Commission for enforcement of all advertising provisions. Since the Federal Reserve Board has indicated clearly that it does not want nor does it feel itself capable of discharging the responsibility for enforcement of legislation as broad as truth in lending, it does not seem feasible to impose such a burden on the Board. And there are important historical reasons for not enlarging FTC authority to embrace financial institutions which have previously been exempt from FTC jurisdiction.

The substitute, which I developed, and the language adopted by the committee would provide for effective administrative enforcement of all the bill's provisions. For banks, savings and loan associations, and other financial institutions, the bill would rely for enforcement on the Financial Institutions Supervisory Act of 1966 which makes any violation of law grounds for cease-and-desist proceedings. Thus, the several financial supervisory agencies, including the Federal Reserve Board, the Federal Home Loan Bank Board, the Federal Deposit Insurance Corporation, and the Comptroller of the Currency would be empowered to enforce compliance with all of the provisions of the legislation with regard to those institutions under their respective jurisdictions. In the case of creditors other than financial institutions, the bill provides for administrative enforcement by the Federal Trade Commission.

As a result, Mr. Speaker, enforcement would be lodged where it belongs, under the committee bill—with the administrative agencies which have the knowledge, experience and related jurisdiction to enable them to do the most effective job.

In conclusion, Mr. Speaker, I would only reiterate what I have already suggested: That the committee bill represents the most reasonable, practicable, and effective method of guaranteeing the people's right to know—fully and accurately and meaningfully—the true costs of the credit they purchase, from whatever source. With experience, we can undoubtedly improve on the bill. Our responsibility now, however, is to enact the bill into law as expeditiously as possible and provide the protection the American consumer has too long been denied. Our bill is a product of vigorous controversy and effective compromise. It deserves support.

PENSION INEQUITIES

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Riegle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection?

Mr. RIEGLE. Mr. Speaker, today I am introducing a bill to prohibit any reduction in veterans' or widows' pensions because of the forthcoming increase in social security payments.

The House, in August, passed the Social Security Amendments of 1967, which provided for a general increase in benefits of 12½ percent and a minimum regular benefit of $50 a month. Last week, the Senate voted history's biggest boost in benefits, with a 15-percent across-the-board increase and a $70 minimum benefit.

The need for an increase in social security benefits is a very pressing reality. Of the many problems facing our senior Americans, the most basic is economic deprivation.

In April of this year I introduced H.R. 8218, a comprehensive legislative program titled the "Senior Americans Economic Freedom Act." This bill is designed to meet head on one of the most tragic problems of our Nation: The lack of resources and lack of opportunity facing our senior Americans. One provision of my Senior Americans Economic Freedom Act provides an increase in social security benefits, with future increases automatically tied to the cost of living.

In July I offered a bill, cosponsored by 44 of my Republican colleagues, to provide for an immediate retroactive increase in social security payments, with the amount of the increase to be as much as possible without an increase in withholding taxes or impairment of the actuarial soundness of the social security fund. At that time it appeared that the legislative machinery was bogged down and that action was going to be timed to coincide with the coming election.

Thus, I favor an increase in social security. Social security benefits are a crucial weapon by which our senior citizens can combat poverty, despair, and isolation.

However, increases in social security can come as a mixed blessing to some Americans: those receiving widows' and veterans' pensions. These recipients of pensions are sometimes adversely affected by a social security benefit increase. For example, over 29,000 veterans and widows had their monthly pensions reduced or wiped out completely as a result of the Social Security Amendments of 1965.

A social security payment increase which increases the pensioners' annual income, moves the pensioner into a higher income bracket for purposes of the pension laws. If the increase in the pensioners' social security benefit is smaller than the amount of pension lost, then an increase in social security payments actually results in a reduction in the pensioners' total income. This inequity must be corrected.

As an illustration, one retired veteran wrote to me explaining the negative impact of a social security increase on his pension. As his personal income is less than $3,000 annually, he is entitled to a $48 per month pension. A 12½-percent social security increase would provide this veteran with an additional $16 per month. Yet, because this $16 increase in monthly income would cause his personal income to exceed the $3,000 limitation, he would lose his $48 per month veterans' pension. Thus, a 12½-percent increase in social security benefits would operate to reduce his total income by $32 every month.

My bill would permit social security increases to be disregarded in computing income when determining eligibility for veterans' or widows' pensions.

The House and Senate social security bills will be reconciled in the conference committee, and hopefully signed into law without further delay. I urge the House to take action on my bill and correct this very serious pension inequity quickly so that all social security recipients will be assured of their rightful benefit increase.

CHANGE IN RULE XV

The SPEAKER pro tempore (Mr. Gibbons). Under a previous order of the House, the Chair recognizes the gentleman from Michigan [Mr. Nedzi] for 10 minutes.

Mr. NEDZI. Mr. Speaker, at a time when the country is beset with so many crucial legislative demands, I hesitate to impose upon the House for consideration of a matter of such relatively minor significance; however, for 6 years I have patiently observed and reviewed the operation of a rule of the House which, if it ever had any, has outlived its usefulness and is the source of much embarrassment and frustration to the Members.

I refer to clause 1 of rule XV and the precedents pertaining thereto which require that in the event a Member fails to respond when his or her name is called, on a "constitutional" or two-bell rollcall, he or she is required to "qualify."

In order to qualify, a Member must have been in the Chamber during the rollcall and listening for his name and not have heard it. It is important to underscore "listening for his name" for, when that test is applied, it becomes readily apparent that the likelihood of this having occurred, in the cases of five, 10, or 20 or sometimes even more Members during a given rollcall, defies credibility. In interviewing scores of Members, I have discovered that many do not know the elements which must be satisfied in order to qualify, which probably accounts for the large number of Members who are found in the well perfunctorily asserting "Qualifies and votes aye" or "Qualifies and votes no." Others, undoubtedly, view the rule as unreasonable and knowingly violate it. Such a performance embarrasses the Member, it embarrasses his colleagues and it embarrasses the Speaker, and might be tolerated if it could be established that the rule in practice serves a useful purpose. Under the precedents of the House, no Member nor the Speaker can challenge the statement of a Member that he qualifies.

In the course of my review of this problem, I have consulted with our Parliamentarian, Lew Deschler, who stated:

> The purpose of the present rule is to expedite business and to insure that Members are in attendance when the House is voting.

He stated further that, in his opinion, changing the rule would "cause delays in the legislative process by obviating the necessity for Members to be present to respond to their names during either the first or second call of the roll," and as frequently occurs under point of order votes:

> Members could delay appearing until after the second call.

In response thereto, it is possible that some minor delays might occur, however, it should be borne in mind in this connection that usually a minimum of a quorum is present during the call for a record vote under the constitutional provision. If a quorum is not present, the "point of order" device is usually used since it obviates dual counting, once of the House and once of those rising to determine if one-fifth desires a record vote. Consequently, the total number of Members likely to resort to the well in order to be recorded following the rollcalls will not be as great as one might suppose. Nevertheless, eliminating what I consider to be a great source of embarrassment and an inequity, more than compensates for any minor delays which may result from the change in the rule.

Further, the particular requirement of qualifying goes back in the precedents to 1915 and, to recite at length, the differences between the years 1915 and 1967 would serve no useful purpose. Suffice it to say that they are substantial and that in those days Members did not have private offices, they did not have the amount of office work with which they are presently burdened, nor were sessions of Congress prolonged till the beginning of winter. Under those circumstances, it was not unreasonable to expect the Members to spend their time on the floor and be prepared to vote on matters as they arose. Conditions today demand that Members utilize their time more productively.

I believe, as do many of our colleagues, that a question of fairness also arises. The point is that Representative ZWACH's constituents are entitled to from 15 to 20 minutes more time for their Representative to answer the rollcall than the constituents of Representative ABBITT. This is unfair and can be corrected by eliminating the requirement that Members "qualify."

Moreover, there is no justification for making a distinction between a vote which results when a "point of order" is made that a quorum is not present and the "constitutional" vote. In the former case, equity between Members whose names begin with different letters of the alphabet is achieved by permitting Members to record their presence or their votes at any time prior to the announcement of the results. Logic dictates that the same procedure be followed in the latter case.

Accordingly, I have prepared a resolution which would eliminate the requirement that Members qualify under the circumstances cited. I am pleased to say that the distinguished chairman of the Rules Committee, the gentleman from Mississippi [Mr. COLMER], as well as all of my Michigan colleagues, with one exception, have joined me in the introduction of this resolution, and I was assured by scores of others that they wholeheartedly endorse such an amendment to the rules. As a matter of fact, I have yet to meet a Member who was not in favor of the proposed change. In the event an opportunity should develop in the closing days of this session of Congress, for the Rules Committee to consider this resolution favorably, I am certain that virtually every Member will be grateful and relieved in the knowledge that the next session will begin without this archaic and unnecessary requirement. I trust that the distinguished gentleman from Mississippi [Mr. COLMER], chairman of the Rules Committee, will be in a position to give this matter his skillful guidance in the near future.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. NEDZI. I am happy to yield to the gentleman from New York.

Mr. GOODELL. I thank the gentleman for raising this point. I have often myself felt this particular rule was archaic and outdated and should be changed. I join the gentleman in urging it be changed.

Mr. NEDZI. I thank the gentleman.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. NEDZI. I am pleased to yield to the gentleman from California.

Mr. HOLIFIELD. I believe the gentleman has made a constructive suggestion.

I might say, I have been very meticulous as to qualifying, in answer to the question, "Does the Member qualify?" or the requirement to qualify. I have never, to my knowledge, qualified when I was not present and my name was called and for one reason or another I failed to respond.

On one occasion I was standing by the door, on my left here, talking with one of the Members, and my name was called on the second rollcall, and I missed answering. I knew that I could qualify legitimately and answer to the vote. I was asked to step outside by a newspaper reporter on something that was happening that affected my district. I stepped outside. When I came back in the House and it came time to qualify, a Member of the House challenged my statement that I qualified to vote. Although I was completely legitimate in that, I had stepped out of the door to talk to a reporter. The Member did not see me step out, but he saw me step back in.

This is one of those rare occasions when a Member of the House has challenged the right of a person to qualify. However, it can be done. On that particular occasion, of course, the Speaker accepted the statement that I did qualify, and rightly so. However, it was a matter of embarrassment. I think this is something that should be considered.

I think there are also other procedures that should be taken under consideration. I know there is objection to this, but I also know that in many of the State houses we have electronic voting tabulation. There is a certain amount of time from the time that the bell rings, 20 or 25 minutes or whatever you want to make it, that you have to answer. A person knows he has that much time to get over here from his office. It is adequate time to do that. If it is not, the time can be made longer. In my opinion, we could speed up the functioning of this House considerably by having an electronic voting system with a key where each Member would have a lock and a key for the turning of the lock and the pressing of the button or the throwing of the lever, as they have in the State of California. It works very well and expedites the business. There are no complaints about it. I know they have it in many other State houses, also.

I would like to see a study made of that and a questionnaire with the facts on the electronic voting matter circulated among the Members for the Members' comments. I am one of the Members who have resorted to quorum calls on very few occasions. I think there are times when a quorum call is certainly in order. I would be the last man to say do away with quorum calls. This is particularly so, I think, when important legislation is on the floor or when the legislation is in the amending stage and amendments are being offered. However, I have seen quorums called by Members of the House in a fit of pique or resentment because of something that happened that they did not like and when there was no legislation under consideration and there was no point in making the point of order that a quorum was not present. Every time a quorum call is made, if it is made unnecessarily, you put the Members of the House to the burden of losing time.

The SPEAKER pro tempore. The time of the gentleman was expired.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. NEDZI] may proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NEDZI. Mr. Speaker, I yield further to the gentleman from California.

Mr. HOLIFIELD. The Member of the House who may be busy in a committee, if he is authorized to sit while the House is in session, or who may be busy in his office with a constitutent, comes over for a senseless quorum call and loses anywhere from 25 to 40 minutes according to the position of his name in the alphabet and how long he has to wait. If you multiply that by the full membership of the House, you see you are wasting a lot of hours of Members' time that could better be employed in their committees or in their offices or on other official business which is more important than the proceedings on the floor. Yet we are all put to the burden of making these unnecessary quorum calls.

Again I say I recognize quorum calls are necessary and should be available. However, I would say that the Member who resorts to unnecessary use of the quorum call and puts his colleagues to the burden of a loss of time which is being employed more profitably than coming over here and then walking out the door winds up with a condition no better than he had at first.

Mr. NEDZI. The gentleman made some very valid points. I am sure that the Committee on Congressional Reorganization has these matters under consideration.

The gentleman will agree that there is not the unanimity of opinion with respect to these points as there is to this one.

It is my considered judgment that it would be a crime not to do something about a matter upon which everyone seems to be in agreement.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. NEDZI. I yield to the distinguished gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to congratulate the distinguished gentleman from Michigan [Mr. NEDZI] for the constructive contribution which the gentleman has made in bringing this matter to the attention of the Members of the House of Representatives.

Further, I would like to join in cosponsoring and supporting the resolution which the gentleman has introduced.

Further, Mr. Speaker, I hope all Members will have an opportunity to review the very constructive contribution which the gentleman from Michigan has made, a contribution which, in my opinion, will contribute toward a further improvement of the expedition of the business of the House and the fairness in which it is conducted of the House of Representatives.

Mr. NEDZI. I thank the distinguished gentleman from West Virginia.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. NEDZI. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, of course I listened with interest to the remarks of the distinguished gentleman from California [Mr. HOLIFIELD]. I must say, however, that there would be no quorum call upon many occasions if the Members were on the floor of the House.

Mr. NEDZI. Logic is inescapable.

Mr. GROSS. I did not hear the gentleman.

Mr. NEDZI. I said that logic is inescapable.

Mr. GROSS. I thank the gentleman from Michigan for yielding.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. NEDZI. I yield to the distinguished gentleman from Missouri.

Mr. HALL. Mr. Speaker, I simply wish to remark that if one would read most carefully the report of the Joint Committee on the Reorganization of the Congress, one would find that this subject is covered in detail, with definite recommendations set out, including that of electronic voting.

Mr. NEDZI. I thank the gentleman from Missouri for his contribution.

However, is the gentleman from Missouri suggesting that the question of doing away with qualifying after constitutional votes, is covered in the report? I say this because I do not know.

Mr. HALL. No, I do not suggest that that is covered insofar as the qualifying is concerned.

And, further, Mr. Speaker, if I might remark about that, I would say that this would again be an argument and a question of legislating in a field where moral obligation is involved.

Mr. NEDZI. I thank the gentleman from Missouri.

DOLLAR WILL WITHSTAND SPECULATIVE PRESSURES

The SPEAKER pro tempore (Mr. GIBBONS). Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, since Britain's devaluation of the pound sterling, the U.S. dollar has been under considerable pressure in international money markets. Fearing that a devaluation of the dollar might follow that of the pound, speculators have been dumping dollars to obtain gold, in the expectation of avoiding losses from holding a devalued dollar and gaining great profits from the future sale of higher priced gold. Mr. Speaker, speculation tends to move along under its own momentum, often disregarding all reasonable forces to the contrary. It is quite clear, however, that the dollar will not be devalued, and that the current crisis, while assuredly causing significant inconvenience to our Government and monetary authorities, will be weathered without permanent disruption to our economy or to the international monetary system.

The speculative fever witnessed last week was based primarily on the inaccurate hypothesis that Britain and the United States, both having sustained continued balance-of-payments deficits, were basically in the same position and subject to the same influences. If the British could no longer maintain the value of their currency, then it seemed likely that the dollar could not hold out for much longer. Furthermore, it seemed that even had the United States been determined to maintain the exchange value of the dollar, the financial upheaval resulting from Britain's move would force the collapse of the already-weak U.S. dollar.

In addition to the disturbing influence of the aforementioned "logical" reasoning, the speculation was, as such activities tend to be, heightened by a plethora of rumors to the effert that devaluation of the dollar was imminent. These intangible indications of the dollar's weakness were further strengthened by the refusal of France to join in resisting the attacks on the dollar. Indeed, President de Gaulle, for his own reasons, has sought to aggravate these attacks by underlining the peril which he believes he sees confronting the dollar.

In this regard, Mr. Speaker, it is ironic to note that the one nation so anxious to stir up this trouble is France, a country which still owes the United States $6 billion since World War I. It might well be advisable for the President of the United States to remind the French President of this obligation. If De Gaulle is sincerely concerned about responsible economic policy, he might well start by repaying this debt, or at least by establishing a sound program of repayment. I cannot help but feel that De Gaulle should put up or shut up.

Incidentally, Mr. Speaker, I do not feel that it would be appropriate for the United States to use the freezing of French assets in the United States as the means to insure payment of this longstanding debt, as has been suggested. For, since Americans hold far more assets in France than do the French in this country, retaliation by France would be relatively more costly to U.S. interests than would our move against the French. This fact does not, however, in any way weaken the argument that the French seem far more effective in speaking of financial responsibility than in abiding by it.

Mr. Speaker, the actual strength of the dollar's position can be indicated in numerous ways. First, a careful comparison of the situations in Britain and the United States would reveal very basic differences. In fact, the continued international payments deficits experienced by both countries constitute about the only similarity, and it is a superficial similarity at that.

Britain's deficit reflects a fundamental disequilibrium in its economy; the competitive position of British industry in international trade has long been weak, and its deficit reflects mainly an inability to compete in the export of goods and services. The United States, on the other hand, has consistently maintained a large surplus in its balance of trade; the U.S. deficit has resulted mainly from capital items and, more recently, from its huge expenditures in Vietnam. Thus, while a devaluation of the dollar might further increase the U.S. trade surplus, it would not be the action most appropriately designed to combat our particular balance of payments difficulties.

If the force of this argument does not suffice to stem the pressure on the dollar, more pragmatic considerations ultimately will. The seven member nations of the so-called gold pool have declared their intention of placing their combined gold resources behind the effort to defend the dollar. The $27 billion of gold is more than enough to withstand any conceivable run on the dollar.

Speculators who persist in buying gold in expectation of a rise in its price will find themselves holding a sterile asset, and losing the income that they might otherwise be earning on interest-bearing dollar assets. Gold buyers will undoubtedly tire of maintaining this profitless position long before the resources of the gold pool are close to being exhausted.

The motive of the gold pool members other than the United States in so stanchly defending the dollar provides added strength to the view that the price of gold will not be allowed to rise. The dollar is the key reserve currency of the present international monetary system. Dollar assets are held along with gold as part of the reserves of the great majority of trading nations. Should the dollar be devalued, the value of these dollar reserves would simultaneously be reduced. Moreover, a devaluation under these circumstances would so shake confidence in our current international gold-exchange standard that a massive disruption of the worldwide financial system might well result.

The major European trading nations thus felt compelled to defend the value of the dollar, not merely for the benefit of the United States, but to preserve the value of their own reserves and to maintain the stability of the international monetary mechanism. A commitment of this magnitude is not likely to be disavowed.

Mr. Speaker, to insist that the dollar has the strength to weather the current financial crisis is not to suggest that our international financial position is totally without problems. We cannot indefinitely continue to run balance-of-payments deficits without having confidence in the dollar, erode to the point where its use as a key currency would be of doubtful value to the international economic community. If we do not take measures to insure an end to these deficits, crises of confidence will occur, not merely in response to a major financial event such as the sterling devaluation, but will be a recurring and destabilizing facet of international monetary affairs.

The fact that the price of gold will not be changed at present also does not mean that our international monetary system will remain indefinitely in its present form. The vulnerability of the gold-exchange standard so long as the U.S. deficit continues; the shortage of dollar reserves which will ensue with the disappearance of the U.S. deficit; the growing shortage of gold due to insufficient supply and growing industrial demand; all of these factors indicate the ultimate phasing-out of gold and dollars as the bases of our international monetary structure, to be replaced by a system of international credit, along the lines of the drawing rights plan proposed in the International Monetary Fund. However, when this change comes about, it will be the fruit of an orderly decisionmaking process, not the panicked reaction to a temporary crisis.

Mr. Speaker, the past week has seen considerable turmoil in the world of international finance. It has also witnessed the wholehearted cooperation, with one notable exception, of the major European trading nations in what must ultimately be a successful effort to combat speculative pressure against the stability of our monetary system. The dollar, Mr. Speaker, will not be devalued, but will weather this tide of speculative pressure against it—pressure which has largely been instigated, and most certainly aggravated, by the obtuse and obstinate actions of the French Government.

The international monetary structure may evolve, and it may be deliberately changed; but, it is too strong, and the determination to maintain its stability too widespread, for it to collapse under the weight of a momentary speculative attack.

NATO ON THE EVE OF ITS 20TH ANNIVERSARY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. KELLY. Mr. Speaker, as chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have devoted considerable time and attention during the past year to the crisis in NATO caused by France's withdrawal from the military structure of that organization.

A year and a half ago, some people thought that the North Atlantic Treaty Organization could not survive General de Gaulle's action.

The NATO organization has recently moved its operations to its new headquarters in Belgium. The smoothness of the transfer belies the gloomy forecasts which some observers had made about the premature demise of that alliance.

Assistant Secretary of State for European Affairs, John M. Leddy, recently told the Georgetown University's Conference on the Atlantic Community that NATO continues to play a vital role in the community both as an instrument of command defense and as a forum for political consultation.

His remarks describe a going concern—one that continues to function for our common defense.

Under leave to extend my remarks, I wish to include Assistant Secretary Leddy's remarks in the Record and to commend them to the attention of my colleagues:

[From State Press Release No. 258, Nov. 13, 1967]

NATO on the Eve of Its 20th Anniversary

(Address by John M. Leddy, Assistant Secretary of State for European Affairs, before the Georgetown University Conference on the Atlantic Community, November 13, 1967)

It gives me a great deal of pleasure to participate in this year's Georgetown Conference on the Atlantic Community. At a time when the hot news from Southeast Asia, the Middle East and Africa is driving calmer international developments off the front pages it is good to know that student leaders like yourselves are giving serious thought to the future of the Atlantic Community, of which NATO is a central part. For while it is true that hostilities elsewhere in the world could become a danger to world peace it is surely also true that an East-West confrontation in Europe would threaten to visit immediate disaster upon us all. Europe has been the cradle of two World Wars. In the nuclear age it must not become the cradle of a third. It is the purpose of NATO—a peaceful purpose—to see that this does not happen.

This year NATO is still a teenager. Two years from now it will celebrate its twentieth anniversary, and plans for imparting a new impetus for its approaching life of maturity are already under way.

Some of you may have read in the press or elsewhere that NATO will automatically dissolve in 1969; that it is approaching a life-or-death decision; and that its members must ask their Parliaments for a fresh grant of authority if NATO is to continue. If you have received this erroneous impression I am glad to be able to correct it. It isn't true. Article 13 of the North Atlantic Treaty provides that after the Treaty has been in force for twenty years any member may withdraw from it, on one year's notice, if that member chooses to do so. So that, legally speaking, NATO has a life of indefinite duration and will continue to exist so long as its members do not take the positive step of dissolving it. Will they take this positive step of dismantlement? I am confident that they will not. I am confident that on the contrary they will strengthen this going concern and give it fresh vigor. Some of the reasons for this confidence I hope to bring out in the rest of what I have to say today. You should be warned, however, that I am one of those who subscribe to a view of life once stated by former Under Secretary of State George Ball in these terms: "I have always regarded optimism as the only sensible working hypothesis for any self-respecting man."

Looking back at NATO since the signature of the North Atlantic Treaty in 1949, one is struck by the fact that it has been an outstanding success. It has fulfilled, and it continues to fulfill, its central purpose of keeping the peace and creating a climate of security.

There have been rough periods. The Suez crisis of 1956 was divisive and unsettling. It became fashionable for a while to talk of "NATO in disarray." Groups of independent "Wise Men"—men like Dirk Stikker, Gaetano Martino, Halvard Lange and Lester Pearson, now Prime Minister of Canada—have at times been appointed by the NATO governments to analyze NATO. There has been disappointment that their bolder and more imaginative recommendations have not always been acceptable to conservative national bureaucracies.

Yet through it all NATO has not only survived but has evolved, mostly by small steps indiscernible to the public eye, into something much more than a purely military organization designed to provide an integrated military defense of the North Atlantic Treaty area against the contingency of war. It is this political evolution of NATO—already taking place and grafted onto a solid base of collective security—which promises to become the dominant characteristic of the NATO of the future.

The history of NATO's most recent crisis—created by the departure of France from the integrated command structure of NATO's military forces—is illuminating. This drama, still fresh in our minds, had been in the wings for some years. Nevertheless it was a blow to the rest of her allies when in March 1966 France gave notice that the French armed forces would no longer participate in NATO's integrated military system; that NATO's military headquarters at SHAPE, located in the outskirts of Paris, would have to leave the country; and that the American and Canadian military units in France assigned to NATO were no longer welcome. This action immediately raised some basic questions. Could Western Europe be defended without a reliable French military participation, and without reliable access to French territory to back up the forward NATO defenses in Germany? Was it true, also, as the French action seemed to imply, that the threat from the East had so diminished that an integrated NATO military force in Western Europe was no longer needed?

In a remarkably short time, and with a remarkable show of unanimity, the other fourteen Allies answered these questions. Within ten days the fourteen governments issued a joint declaration reaffirming their determination to continue NATO's integrated military system and to make whatever adjustments were needed to defend the NATO area without France, if that should become necessary. Consequent actions swiftly followed. SHAPE was moved from the Paris area to Belgium. The political headquarters of the North Atlantic Council also left Paris to take up its residence in Brussels alongside SHAPE. And, in a massive demonstration of rapid mobility, American and Canadian forces and installations were transferred from France to other parts of the NATO area.

In short, the crisis was faced head on and was quickly liquidated.

The departure of France from NATO's military councils was regrettable, but not fatal. Militarily NATO is not as strong as it would be with full and dependable French participation. But it is strong enough to do the job, and that is what counts. Meanwhile the Group of Fourteen, as it is called, directs the military aspects of the Alliance through a Defense Planning Committee from which France is absent; but France continues to sit on the North Atlantic Council since it continues to be a party to the Treaty—and hence of the Alliance—even though its military participation in NATO is ended.

It is interesting to note that in the midst of the crisis the Group of Fourteen achieved notable breakthroughs in dealing with three difficult military problems. After years of debate they achieved agreement on the military doctrine of a "flexible response" to reduce the possibility of immediate resort to nuclear weapons. They instituted, again after years of discussion, improved procedures for the planning of force levels so as to relate realistically military requirements, strategy and available resources. And they created new machinery to assure close consultation at the level of Defense Ministers on nuclear strategy and planning.

I have suggested that the episode of the French crisis in NATO is illuminating. I believe it sheds light on the future course which the 14 NATO governments are likely to take in the years ahead. For, in the moment of truth brought by the French crisis, they clearly decided that NATO—the organization itself and not only the Treaty—was not an expensive luxury, that it continued to serve the vital security interests of their peoples.

There is solid basis for this judgment. Despite the disappearance of the phrase "cold war" from the language of diplomacy and the emergence of "peaceful coexistence" in its stead, we must not mistake hope for accomplishment. While people hope for "detente," and talk of "detente," it is well to remember that "detente" still lies in the future. Certain hard facts and uncomfortable realities persist in the world of today. To cite the most important:

Twenty years after the end of World War II Europe remains a divided continent, with a divided Germany at its center, and a divided Berlin split by a wall to reinforce the division. The peace which was to have ended these divisions has not yet been made and is not yet in sight.

The military forces of the Warsaw Pact, notably those of the Soviet Union, have grown in strength and capability. Sharp increases have taken place in Soviet nuclear offensive and defensive weapons as well as in its conventional capabilities. Hundreds of nuclear weapons are targeted on Western Europe and hundreds more on the United States.

More important, perhaps, is the sober fact that neither we nor anyone else has yet been able to find a reliable political process through which these harsh realities might be changed by reconciliation and accommodation. We have not yet found a formula for healing the division of Europe by peaceful settlement nor, as yet, for beginning the task of serious disarmament, a task which becomes more urgent as the 21st century approaches.

Confronted by these realities, the statesmen of 14 of the 15 NATO nations reaffirmed in their joint declaration of 1966 the two political propositions which gave life to NATO when it was born in 1949. These are, in any order which suits your prejudice:

The safety and freedom of Western Europe are vital to the interests of North America.

The United States commitment to Western Europe, backed by its nuclear and conventional military power, is essential to the freedom and safety of its Atlantic allies.

The central pillar of NATO—that is, the need for cohesive military strength across the Atlantic to protect the mutual security of North America and Europe—therefore remains in place and is likely to continue as long as the conditions of a secure peace cannot be achieved. At this juncture in world history there is no real alternative to the North Atlantic Treaty and its military organization.

If this were all that could be said the outlook would indeed be bleak—nothing more than the prospect of direct military confrontation on an increasing scale across the lines in Europe that divide East and West.

Fortunately there are hopeful signs—still uncertain and faint—that the underlying condition of tension between East and West can in time abate to the point where a true peace may come within sight. It is no longer accurate to speak of the Sino-Soviet bloc. It is no longer accurate to describe the countries of Eastern Europe as "satellites." Communism remains as a strong ideological tie which continues to link them all. But, more and more, ideological doctrine is yielding to the urgencies of national feeling and to the domestic economic and social problems which the monolithic and rigid formulas of yesteryear have failed to solve. Repression of the individual by the State has lightened. And there is a greater flow of information and communication between East and West. As I have said earlier "detente" is not yet here, and we must not be beguiled. But even as we in NATO maintain our own security we should be prepared to engage in cooperation with the East in ways which do not jeopardize that security. Whether this process is called "bridge-building" or "peaceful engagement" or something else, it is the only course of wisdom and prudence in an age when extreme hostility and tension, or even misunderstanding, could trigger the incineration of our civilization.

The NATO of the future has an important role to play in this field of developing East-West relations, and in the related field of arms control. NATO is a defensive alliance, not an aggressive instrument; and its members earnestly search for peace. If opportunities for a lasting peace lie ahead in Europe, it is natural and right that North Atlantic treaty signatories put themselves collectively in a position to develop and exploit these opportunities as they emerge. This is a widespread and growing feeling in Western Europe and Canada as, indeed, I believe it is in the United States.

Last December the Foreign Ministers of NATO commissioned a study of the future of the Alliance. Initiated at the suggestion of Belgian Foreign Minister Harmel this study has proceeded throughout the summer and fall and its results will be considered by the Foreign Ministers meeting at Brussels in December. While it is too early to predict the outcome of the study in detail there is good reason to believe that the work program of the NATO of the future will prominently include increased emphasis on East-West relations and disarmament questions as well as measures to strengthen the political cohesion and military arrangements of the Alliance itself. The NATO of the 1970's is already shaping up.

As we move to strengthen NATO, both as an instrument of common defense and as a forum for active political consultation on measures to produce a better atmosphere in relations with the East, we face some difficult and persisting problems in the relations between the United States and Europe. These are not new but they are becoming of increasing importance.

First, there is the tremendous disparity in size between the United States and its individual NATO allies, a disparity which promises to grow rather than decrease. This leads in Europe to feelings of undue dependence on the United States and awareness of a pervasive American presence—in industry, science, culture and many other fields—resulting at times in resentment of things American merely because they are American.

Second, and conversely, there is a feeling in the United States that its West European friends are not carrying their share of the burden in a world in which the United States, confronted by balance-of-payments difficulties and heavy military expenditure, finds itself almost alone in its efforts to maintain stability, order and freedom. To the United States, with its global involvements, many Europeans seem to be inward-looking and parochial in their concerns.

These related factors of disparity in size and a disparate sense of responsibility for world developments combine to make difficult the processes of political consultation across the Atlantic, both in the NATO forum and bilaterally, on matters not of immediate importance to the North Atlantic Treaty area.

The United States would like to have an equal partnership with Europe, across the Atlantic and around the world. This aspiration has been set forth eloquently both by President Kennedy in Philadelphia on July 4, 1962 and by President Johnson in his address of October 7, 1966 in New York. The promise of such a partnership lies essentially with the Europeans themselves—on their decision to build a united Europe. We have seen a beginning in the formation of the European Communities and the dynamic of economic integration which they embody. If this beginning can, in the fullness of time, develop into a strong political unity as well, the basis for an enduring partnership of equals linked through the strong security ties of NATO will have been laid.

NO SUBSTITUTE FOR VICTORY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. BRINKLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, when Moses led the Hebrew children out of Egyptian bondage and approached the land of Canaan, he sent 12 men to spy out the promised land. They returned saying:

> Surely it is a land of milk and honey; of figs and pomegranates.

And two men bore between them a mammoth cluster of grapes as compelling evidence. But, they lamented, there are giants in that land.

Except for Caleb and Joshua who stilled the throng with the words:

> If the Lord be with us, we are well able to possess it!

You know the story. The Hebrew children heeded the frightened cries and wandered in the wilderness for 40 years.

In 1967 similar cries go up about Vietnam: There are giants in that land. Beware of Russia and China. But, Mr. Speaker, I for one am not willing to wander in Vietnam for 40 years.

If an airplane takes off from Columbus, Ga., with no destination, it will go nowhere in particular. But if a route has been charted to a certain city, the plane will most assuredly reach it.

There must also be a destination in Vietnam. Our military specialists, our professionals, are well able to supply the road map. Then—the American people, under God, who have never been afraid of sacrifice—will make the journey.

A TRIBUTE TO A HERO

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RODINO. Mr. Speaker, this is a story that will be of interest to all Members of the Congress.

It is the true and inspiring story of a hero, 20-year-old Gerald Klossek of 67 Jackson Street, Newark, N.J.

Early in January of 1966, Gerald decided that he wanted to give up his job with a construction company—which paid him $3.65 an hour—to enlist in the Army, so that he could, in his words, "serve my country."

On January 17, 1966, Gerald was rejected by the Armed Forces examining station officials.

Gerald refused to take "no" for an answer. He appealed to me, as his representative in the Congress, to help him become a member of the Armed Forces of the United States.

I contacted the proper authorities and requested a reexamination for Gerald.

His enlistment in the Army was approved. Gerald underwent basic training, and last December he was sent to Vietnam.

Three times he was wounded in action. Several fragments from an enemy booby trap remained imbedded in his cheek and hand, but Gerald recovered and rejoined his unit, Company C, 4th Battalion, Airborne, 503d Infantry.

On November 21, in the bitter battle for hill 887, near Dak To, Gerald Klossek was reported missing in action. The next day his body was located.

No greater tribute can be paid to Gerald than the one accorded by his brother, Dennis, when the news of Gerald's death was received.

"He died doing what he strongly felt was his duty," said Dennis.

It would be wrong to allow the bravery and sacrifice of Gerald Klossek to pass unnoticed.

I want to pay personal tribute to his courage and devotion to duty. I know that all residents of the 10th Congressional District and all Americans are appreciative of his exemplary conduct on the field of battle and join me in expressing sorrow to the members of his family who will feel his loss so deeply.

RHODESIA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RARICK. Mr. Speaker, the May 1967, National Review carried an enlightening account of Rhodesia which may prove of interest to some of our colleagues, so I ask consent that the complete article be placed in the RECORD.

RHODESIA

(By James Jackson Kilpatrick, Rene Albert Wormser, and Walter Darnell Jacobs)

PREFACE

(On November 11, 1965, following a long period of unsuccessful talks with Whitehall, Rhodesia unilaterally proclaimed her independence from the British Crown. On the following day, at the request of the United Kingdom, the United Nations Security Council condemned Rhodesia's action and called upon all states not to recognize the regime of Prime Minister Ian Smith and to refrain from rendering assistance to it. Shortly thereafter, on November 20, the United Nations through Resolution No. 217 invoked voluntary economic sanctions against Rhodesia.

(These voluntary sanctions remained in effect throughout 1966. Beyond question, they served severely to depress Rhodesia's export trade; equally beyond question, they failed in the announced purpose of bringing the Smith regime to its knees.

(During the summer and fall of 1966 negotiations were renewed between Whitehall and the Rhodesian regime. These conversations, conducted both in London and in Salisbury, led in early December to a confrontation aboard H.M.S. Tiger *between Britain's Prime Minister Harold Wilson and Rhodesia's Prime Minister Ian Smith. Out of their discussions emerged the draft of a proposal by which Rhodesia temporarily would suspend her independence while certain constitutional changes were submitted to her people. The British government accepted this draft proposal; the Rhodesian government rejected it.*

(On December 16, 1966, after a week's debate, the UN Security Council adopted a resolution imposing mandatory sanctions upon key Rhodesian exports and prohibiting the importation of oil, ammunition, aircraft, and motor vehicles. In its final provision, the Council's resolution requested a report from the Secretary General by March 1, 1967 indicating the actions taken by member states in support of the resolution. Late in February, U Thant responded to this requirement with a report detailing the actions of 72 states in response to the mandatory sanctions.

(It was against this background and chronology that the American-African Affairs Association arranged to send a team of three observers to Rhodesia in February of 1967. Their assignment was to make an objective assessment of the Rhodesian situation. Toward this end, they undertook not only to interview Mr. Smith, his ministers, and some of his supporters in private and public life, but also to interview persons in the Opposition, members of the press, and others in a position to assist in an independent investigation. Through informal conversations at the British Foreign Office in London, some of the views and supporting documents of Her Majesty's Government were obtained.

(Members of the reporting team included Rene Wormser, a distinguished member of the New York bar; Walter Darnell Jacobs, professor of political science at the University of Maryland; and James J. Kilpatrick, editor of the Richmond News Leader. *It is their personal report, reflecting their collective observations and conclusions, which follows:)*

The American observer, making his first trip to Africa, typically does some homework in advance. He fetches a contemporary atlas; he plunges into books on Africa yesterday and Africa today; he reads through a small mountain of periodicals. And if his special interest lies in the Rhodesian situation, he digests an impressive tonnage of pamphlets, speeches, statements and the like, provided by an efficient Rhodesian Information Service that is eager to tell Rhodesia's story to the world.

Yet none of this prepares him adequately for the underlying problems, the contrasts, the people, and the potential of Rhodesia today. This is an exciting country; and its most exciting aspect lies in the promise that Rhodesia's policies hold for the future of white man and black man alike—an evolving multiracial society in which both races increasingly will share in the political, economic and social development of their pioneer land. It is a great pity—and for those whose chief interest lies in the black African's advancement, a great irony—that this high promise should be clouded by the harsh and punitive measures that have been imposed upon Rhodesia. She deserves much better from her fellows in a changing and imperfect community of nations.

This report is written toward the end of winter in the United States. It coincides with the end of summer in Rhodesia. In the parks of Salisbury, the flamboyant trees are almost finished for the season; their red blossoms fade to a dark orange. But this lovely capital city is still a mass of color—zinnias, marigolds, petunias—and the autumn will continue the year-round parade of flowering trees and shrubs. Soon the tulip trees will flower, then poinsettias, bougainvillea, the scarlet bauhinia, the blue and mauve jacaranda. In Cecil Square and in the public gardens of Salisbury, African and European alike will share the beauty of an astonishingly peaceful land.

That is the first of the astonishments of Rhodesia: its tranquility. By formal declaration of the United Nations, "the present situation in Southern Rhodesia constitutes a threat to international peace and security." But what is the present situation in Southern Rhodesia? The present situation is one of utter calm.

During the whole of our visit to Rhodesia, we never heard a siren; we seldom saw even a traffic officer; we never noticed so much as a sidearm. The only troops in evidence are a handful of smiling Africans in khaki shirts, shorts and rolled Aussie hats, performing guard and messenger duties at public buildings. On the streets, white and black mingle with every appearance of courtesy and good humor. In the handsome Queen Victoria Memorial Library, young Africans crowd the reading rooms.

As a general proposition, housing is segregated in the cities of Rhodesia (as it is segregated in every city within the United States), but there are neighborhoods which are equally available to white and black buyers. The old rigid patterns are slowly fading. The university in Salisbury is fully integrated (300 of its 847 students are Africans). Many theaters, restaurants, cocktail lounges are open to any customer with the price of a ticket, a meal, a drink. The perceptive American visitor, familiar with the uneasy vibrations of our own urban life, knows that racial tensions can be sensed; but he senses none of these tensions here.

The quietude of such cities as Salisbury and Bulawayo finds its parallel in the tough and untamed country beyond the city limits. In the months immediately preceding and following Rhodesia's declaration of independence, black terrorists sought to impose a reign of fire and violence upon some of the African villages; but with the help of the villagers themselves, these terrorists were ruthlessly suppressed. Much of the country remains incredibly primitive, but it is peacefully primitive. One assumes that Rhodesia's small and efficient army maintains routine surveillance of her borders, but in the seventeen months that have elapsed since independence, the number of "border incidents" has been virtually nil. Though Rhodesia's relations with Zambia understandably have cooled, these two presumptively hostile nations have maintained a number of economic ties; air travel flows back and forth; electric power continues without interruption; Zambia's faltering railroad system until recently was dependent upon repair facilities in Bulawayo, and thousands, of Zambian workers gain their livelihood within Rhodesia. In recent months, despite the economic sanctions, Rhodesia's relationships with Malawi have seemed to improve. Her relations with neighboring South Africa and Mozambique are entirely cordial. One is compelled to ask in mytification: *Upon what evidence can Rhodesia possibly be adjudged a threat to international peace?*

But it is not merely the atmosphere of a peaceful law and order that astounds the visitor fresh from Washington or New York. It is equally the contrast among the people themselves. In the United States, as in England and France and even within the Soviet Union, the people live at roughly the same point in time and social development. The dusty roads of Alabama, to be sure, are far removed from Madison Avenue; by the ordinary yardsticks of civilization, Appalachia lags well behind Westchester County. Yet the most disadvantaged American Negro shares with his white fellow citizen a common language, both written and spoken; he shares in general traditions of law, religion, community organization.

None of this is true in Rhodesia. This is a young country, still emerging from the primitive past. Countless Rhodesians, both black and white, retain vivid personal memories of the barbaric wars between Matabele and Mashona. These were not so long ago. As recently as 1939, a large percentage of the Africans wore little but loincloths. Some 2.5 million of them still dwell within tribal territories. Literacy is improving at a remarkable pace, but thousands of the natives speak only a tribal dialect and have no written language at all. By the same token, housing improves, and farming techniques improve, and communications improve, but vast areas of Rhodesia still exist in terms of the mud hut, the cattle kraal, and the spread of news by word of mouth from village to village. Until a few years ago, witchcraft and primitive superstition prevailed widely; these practices continue to flourish in some areas. A handful of bones, cast by night upon the floor of a native hut, still will evoke an unimaginable terror. In an address in Salisbury's Anglican Cathedral last December, the Very Reverend G.S.H. Worsley, Dean of Gibraltar, remarked that many persons who sit in Whitehall tend to think of Africa as if it were the Isle of Wight. Similarly, many Americans tend to equate the Rhodesian bush country with the Mississippi delta. But the overwhelming majority of these African people scarcely are in the same millennium, let alone the same century, with the white Rhodesians whose industry, capital and know-how have moved the country forward.

Rhodesia's greatest internal problem today—and it is a problem of formidable dimensions, defying pat and easy solutions—is to close this immense gap between the society of the mud hut and the sophistication of a Salisbury board room. An increasing number of Africans, advancing swiftly into twentieth-century civilization, are impatient with the tribal system; they occupy an ill-defined middle area. In theory, opportunities for business and professional advancement are available in Rhodesia without regard to race, but in practice, discrimination operates here as it operates throughout the United States. Even so, specific examples abound of Africans who have successfully breached the immemorial barriers, and made substantial fortunes in farming and business. The road to a prosperous and enlightened multiracial society is under construction, but it remains a crude road, rough and narrow, hard for the ambitious African to traverse. The important point to keep in mind, however, is that Rhodesia's road to multiracial development is being built largely through the labors of 200,000 white persons in the midst of four million blacks. It is a road that ought to be compared with other such roads in other emerging African nations. And if it is not yet a four-lane superhighway, who in the affluent, white, civilized and democratic United States, 360 years after Jamestown, can vividly criticize Rhodesia's record in this regard? By what rights of divine ordination is it supposed that Western nations have a duty to impose their own political and social institutions by fiat upon a people still blinking from the darkness of the cave?

II

Turning now to more topical aspects of the Rhodesian situation, we would venture certain observations on particular political, economic, and social conditions in Rhodesia today.

By every indication, the white community remains overwhelmingly in support of the government of Prime Minister Ian Smith. There was much opposition, especially among businessmen, to the independence declaration of November 11, 1965. It was felt that Rhodesia was prospering handsomely under her loose ties with Britain; independence could bring nothing but trouble. Much opposition also arose early in December of 1966, when the Smith government rejected the terms of the proposed agreement forged aboard H.M.S. *Tiger*. Yet this opposition, while eloquent and well-reasoned, represents a minority view. Mr. Smith himself is a beloved figure—a strong man with a gentle air. One ironic though predictable effect has been to draw the European community more tightly together in the face of common disaster. The sanctions also have had the effect of playing into the hands of elements within the Rhodesian Front who tend both to support apartheid and to seek a total break with the Commonwealth.

Smith's government also finds a substantial and still influential element of support among the Council of Chiefs. In January of 1967, following the collapse of the *Tiger* talks and the imposition of sanctions, the Council sent to Smith an expression of "deep satisfaction" with the positions he had taken. They promised to stand "firm like a rock" in his support, and pledged their cooperation in "working toward a constitutional system which would represent all the people of Rhodesia, black and white." It is true that Rhodesia's critics tend to denigrate the role of the tribal chiefs, and to regard these African elders as puppets or Uncle Toms. Such an attitude reflects little but ignorance of tribal life as it still is lived in Rhodesia today. The chiefs are leaders of very considerable power. In other times and circumstances, Great Britain herself has recognized the important role of the chiefs. Their public support of Prime Minister Smith ought not to be minimized.

This is not to suggest that a lively and articulate opposition to the Smith regime does not exist among large elements of the African population in Rhodesia. This opposition most certainly obtains. In its most civilized form, it may be seen among the thirteen African members of the Parliament; they wage a vigorous and continuing criticism of government measures. Our mission met and talked at length with P.H. M'kudu, J. M. Behane, and J. M. Gondo, all of the United Peoples Party. They spoke clearly and emphatically of their desire to speed up the dissolution of the tribal system, to weld all educational efforts into a single administrative unit, to abolish the segregation that remains in some hotels and places of public accommodation. They are impatient with what they regard as the needlessly slow pace of the African's advancement into government positions and into managerial levels of Rhodesian commerce. Yet it is significant that not one of these African spokesmen advocates the immediate extension of "one-man one-vote." They do not urge the integration of elementary and secondary classrooms. They take a realistic view of the evolutionary process; and while they were strongly opposed to UDI (the Unilateral Declaration of Independence of 1965) under the Smith regime, their principal grievance rests in their conviction that the evolutionary process could be moved along a little faster.

It probably should be noted for the record, in any discussion of the political situation, that voting in Rhodesia is conducted according to an "A" roll and a "B" roll. The "A" roll registration, by American standards, is quite modest. The "B" roll includes those of somewhat lesser education or property ownership. At the end of 1966, the "A" roll numbered approximately 100,000, including 95,700 whites, 2,400 Africans, and about 3,000 others. The "B" roll numbered some 11,700, of whom 10,780 were Africans and 589 were whites. Nothing whatever prevents Africans from gaining access to the "A" roll. At least 60,000 are thought to be qualified by education or property ownership for "A" registration now. It is only apathy or disinterest in politics that keeps them from the polls.

A full appraisal of the political situation, and especially of the opposition to the Smith government, is handicapped by the press censorship which still obtains in Rhodesia. The *Rhodesian Herald*, published in Salisbury, carries on its front page a daily reminder: "All material published in this newspaper is subject to government censorship." Mr. J. H. Howman, Minister of Information, sought to justify this suppression by explaining that all of the influential newspapers in Rhodesia are published under a single ownership which traces corporately to British control; they are edited by men strongly opposed to policies of the Smith regime. While these editors are agreeable to withholding publication of certain economic news, calculated to disclose damaging information on the effect of sanctions in an economic war, they are unwilling to give affirmative support to the government's principal policies of independence. It would be intolerable, in Mr. Howman's view, to have the papers daily undermining public morale and seeking the government's defeat; if other sources of opinion existed, favorable to the government, it would be a different matter. Meanwhile, censorship operates with a light hand; it has been months since anything of significance was deleted from the *Herald* or the Sunday *Mail*. And while a few vicious foreign correspondents—mere snoopers—have had to be expelled, it is the administration's earnest hope that the worst rigors of censorship are past. If the editors of the *Herald* would only be a little more cooperative, it feels, the whole unpleasant business could be brought to an end.

We were not overly impressed by Mr. Howman's defense. In view of the general tranquility that obtains in Rhodesia, and considering Prime Minister Smith's manifest hold upon the great majority of Europeans, we find it difficult to understand why the censorship of political opinion (as distinguished from the censorship of economic data during an economic war) should be continued seventeen months after UDI. Some aspects of the censorship system, in actual operation, struck us as patently absurd. The press is prohibited from publishing accounts of certain critical speeches delivered in the Parliament itself. So grotesque an imposition reflects poorly upon the strength of the Smith government, and seems rather an ominous suggestion of its weakness.

In all fairness, however, it must be said that Rhodesia is in a situation of "emergency," in which there is justification for variances from peaceful procedure. Our own suggestion is that the censorship of political opinion should cease but, in its place, the government should be given "equal time"—i.e., an opportunity to present its case—whenever it is attacked in the press. Incidentally, Rhodesia is not alone in exercising censorship. We understand that even so enlightened a country as Israel (so it was reported in the *New York Times* of March 9, 1967) applies censorship.

Another questionable aspect of the present situation in Rhodesia are detentions under the Emergency Powers Act, and restrictions under the Law and Order Maintenance Act.

Americans have been much troubled by reports of the detention, restriction, and in some few cases the expulsion of persons identified in the West as "political prisoners" or as "political foes of the Smith regime." Our mission inquired searchingly into the situation. This is the Rhodesian view:

Rhodesia's laws governing detention and restriction are by no means unique. Every African nation has them in some form. The necessity for them was expressed by Kenya's Minister of Home Affairs in a statement last October justifying his refusal to try or to release eight members of the Opposition who had been arrested: "Any government worth its salt must put the preservation of public security above the convenience of a handful of persons who are doing their utmost to undermine it."

Rhodesia has not gone so far as to detain or to restrict members of the opposition

United Peoples Party. Indeed, we were told, Rhodesia has not acted against any person for wholly political reasons. Those who have been arrested are thugs, arsonists, saboteurs and terrorists. Many undoubtedly have been Communist-influenced or -trained and even -financed. Almost all of them have been black Africans, preying upon other black Africans. The victims and those endangered by terrorist activity seek and solicit government protection, yet are too terrified of reprisal to be willing to testify in court. Thus, for the protection of the black Africans themselves, it has been necessary for the government to take drastic action.

Two laws have been put into use. The first of these is the Law and Order Maintenance Act, passed in 1962 under the Whitehead government and extended in August 1966 for an additional two years. During 1966, the number of persons indefinitely restricted under this act ranged from 306 to 444 at any one time. Three restriction camps are in operation, at Sengwe, Sikombela and Wha Wha; the last of these is used almost exclusively for "soft-core" restrictees who are regarded as most likely to respond to rehabilitation. The second of the two laws is the Emergency Powers Act of 1965, which permits the renewable three-month detention of persons found to be terrorists or collaborators. During 1966, the number of persons detained under this act ranged from 52 to 159 at any one time.

It is true that Western rules of due process of law are not applied in the administration of either act. No writs of habeas corpus are available to those restricted or detained. They are not accorded jury trials, rights of counsel, rights of confrontation, or other protections cherished by Americans and Britons. It is regrettable that this should be true. When public safety permits, we were told, the system will be suspended. Meanwhile, the two acts have served so effectively that terrorism, a serious problem late in 1965 and during part of 1936, has almost ceased. Acts of crop-slashing, maiming and poisoning of stock, and the burning of villages now are seldom reported. Public order is being maintained. The traveler has no feeling of unrest or of heavy-handed repression.

These explanations and justifications by the Smith government impressed our mission as both persuasive and convincing. Under existing conditions in Africa, only the misguided idealist would expect a perfect adherence to rules of due process of law. In many Western countries, habeas corpus or its equivalent has been suspended during an emergency. Rhodesia's course of conduct ought to be judged in this light. At the same time, it was our strong feeling that within the context of Rhodesia's necessity, certain judicial forms and safeguards might yet be devised that would tend to put the administration of these laws in a better light. As we understand it, the orders of the Minister of Law and Order, based upon *ex parte* proceedings and ordinarily conducted without even an oral examination of the defendant, are effectively nonreviewable. It would appear that the purposes of detention and restriction could be equally well served if the suspect were notified of the charges against him, given some rights of counsel, and assured that some established court would review the sentence imposed upon him. Such an arrangement would not require the rigid safeguards that now are guaranteed American defendants under the Fourth, Fifth, Sixth and Eighth Amendments of our Constitution, but it would serve to ameliorate some of the criticism now directed toward Rhodesia and yet not endanger Rhodesia's internal security.

In a nation of more than 4 million persons, however, it seems evident that the laws on detention and restriction have not been grossly abused. The number of persons affected is relatively small. The principal African extremists, including such black nationalist leaders as Joshua Nkomo and the Rev. Ndabaningi Sithole, are under restriction. George Nyandoro, James Chikerema, and Herbert Chitepa are free to foment trouble from Lusaka in Zambia. Nathan Shamuyarira was last heard from in Princeton, N.J. These militants represent a continuing threat to internal order within Rhodesia, especially in combination with the violent exhortations of Radio Zambia, but the problems of terrorism and subversion appear to be well under control.

Other criminal activity in Rhodesia seems equally well in hand. Americans who are familiar with crime rates in the United States, with our high levels of civilization, education, and ancient tradition of law and order, may feel a sense of shame in proposing that our standards of morality and virtue be imposed upon Rhodesia. In 1966, this nation of 4 million largely primitive blacks and 200,000 Europeans reported precisely 156 murders, 195 housebreakings, and 143 other thefts. Only 1,086 crimes were reported in all.

These various notes and observations, coupled with the impressions of our own eyes as we traveled freely throughout Rhodesia, led our mission inescapably to the conclusion expressed at the beginning of this section: talk of white Rhodesia's "oppression" or "exploitation" of the African is nonsense.

We do not mean by this to express blanket approval of everything we observed in Rhodesia today. While we understand that the sanctions are bound to have some depressing effect upon the Rhodesian economy, and that any government's expenditures in time of war—even economic war—cannot be channeled entirely toward a Great Society, it seemed to us considerably more might be done toward secondary education among the Africans. We are concerned that present trends in multiracial employment are moving so slowly that the African's opportunities to accumulate capital are excessively restricted. We confess an uneasy impression that some gentlemen who denied apartheid with their lips were inclining toward it in their hearts, though we impute no insincerity whatever to Mr. Smith himself. We also express some reservation toward the pervasive paternalism that looks after the African's education, housing, medical care, recreation, and leaves him relatively small areas of personal responsibility. And as we have said, while we understand the unavoidable necessity for the programs of restriction and detention, it still seems to us that additional legal safeguards could be instituted without serious risk to public security.

These reservations to one side, we found throughout Rhodesia every evidence of an amazingly cordial relationship between the races. Especially in rural areas, where white farmers are struggling dramatically to teach modern techniques to their African neighbors, a spirit of good will is apparent. Both the Rhodesian government and these enlightened white farmers are teaching Africans to farm not merely for immediate subsistence (which was the tribal system) but to produce cash crops through which they can accumulate capital. This work is accelerating, as Africans see the contrast between a field of corn grown by their old methods and one produced under white tutelage. The African is learning, evolving, pushing forward toward his own place in the Rhodesian sun. Without the experience, the capital, the imagination, and the executive know-how of the white Rhodesian, this progress would be utterly reversed. It is toward this destructive end that Britain and the United Nations, in the premature and fetishistic name of "one-man one-vote," have dedicated their course of action.

III

With the proclamation of independence of November 11, 1965, the United Kingdom at once severed its trade relations with Rhodesia. Credits and assets were frozen; contracts were canceled; even the payment of claims upon life insurance policies, held by Rhodesian residents with London companies, was prohibited. Britain appealed to the United Nations for cooperation in the imposition of voluntary sanctions upon critical Rhodesian exports and imports. By resolutions of November 12 and November 20, 1965, and of April 9, 1966, the UN Security Council endorsed the British appeal.

On December 16, 1966, upon the motion of the the United Kingdom, the Security Council invoked mandatory sanctions. The Security Council's action required all member states to prevent "the import into their territories of asbestos, iron ore, chrome, pig-iron, sugar, tobacco, copper, meat and meat products and hides, skins and leather originating in Southern Rhodesia and exported therefrom." The resolution prohibited the member states from participating in any way "in the supply of oil or oil products to Southern Rhodesia." It banned all activities "calculated to promote the supply to Southern Rhodesia of aircraft and motor vehicles, and of equipment and materials for the manufacture, assembly, or maintenance of aircraft and motor vehicles in Southern Rhodesia." The resolution also called upon all states "not to render financial or other economic aid to the illegal racist regime in Southern Rhodesia."

Certain aspects of the Security Council's resolution, having to do with its validity under the Charter, will be discussed at a later point in this report. Here we offer our comments only upon the effect of these sanctions upon the economic life of Rhodesia. It perhaps should be emphasized that our observations are based entirely upon informal impressions and conversations and in no sense reflect any official economic statistics from the Rhodesian government. No such statistics are publicly available.

Plainly, the consequences of the UN sanctions have been serious to Rhodesia in several areas of major economic importance. The chief among these is Rhodesia's tobacco export trade, which had a value in 1965 of £ 47 million—about 28 per cent of all exports in that year. The Rhodesian government was compelled to enter the 1966 market and buy up most of the crop for private resale; the same costly procedure is to be followed for the 1967 crop. No one doubts that the impact upon growers is severe.

Other principal exports in 1965, the last year for which figures are published, included asbestos fiber, refined and unwrought copper, meat products, chrome ore, raw sugar and pig iron. All these have suffered to some extent. Rhodesia's most important customer in 1965 was Zambia, which had purchases of £36.1 million, compared with £26.2 million in trade with the United Kingdom. West Germany, Malawi and Japan also were important purchasers of Rhodesian exports. Publicly, at least, these trade outlets have been closed.

The Rhodesian labor force in 1965 numbered approximately 718,000, of whom 629,000 were Africans. Prior to UDI, there was virtually no unemployment; most industries in fact reported a labor shortage. With the imposition of sanctions, some spotty unemployment evidently has developed. Early in 1967, a Ford assembly plant just outside of Salisbury, employing an estimated 60 Europeans and 450 Africans, was compelled to suspend operations for want of parts. A somewhat smaller British Motor Corporation plant also has stopped making cars. Certain mining operations, notably in chrome, have been curtailed. Inevitably (because they comprise 88 per cent of the labor force), the Africans have experienced the greatest hardship, including workers from Zambia and Malawi.

These adverse consequences, however, have been cushioned or offset by a number of internal adjustments over the past seventeen months. The acreage planted to sugar has been substantially reduced; in some instances, wheat is taking its place—and wheat is needed for domestic consumption. In a remarkable display of both ingenuity and determination, many Rhodesian manufacturers have learned to convert or to diversify. In the past, such major appliances as home freezers and refrigerators were largely imported; now these are being made domestically. Rhodesia's small but flourishing electronics industry has been expanded. The government has instituted new tariff policies intended to promote and to protect domestic manufacturers. Persons employed in some curtailed mining activities are shifting to gold mining.

As a result of these various steps, employment levels within the European community in 1966 just about matched those of 1965. There was a reported increase of some 2,500 in the monthly average of African employees. The consumer price index increased in 1966 by only 2.5 per cent, compared to 3.7 per cent in Britain, 4.3 in South Africa, and 5.9 in Zambia. A few basic foodstuffs are under price control, and gasoline is rationed, but Rhodesia has experienced a bumper crop year in 1966–67 and supplies of petroleum are so abundant that few serious inconveniences have resulted.

These dry statistics tell little of the spirit with which Rhodesia has reacted to her time of adversity. Beyond question, one effect of the sanctions has been to draw the total community more closely together. Rhodesians black and white, are all in the same uncomfortable boat; but at least as this is written, they are finding the experience more exhilarating than depressing. Along Salisbury's industrial Lytton Road, the factories are humming. Stores are well filled with customers. In one fashion or another, goods are moving—and there is little doubt that despite the UN sanctions, they are moving to world markets in substantial quantities. Trade continues with South Africa and Mozambique. The onetime sister republic of Malawi, we were told, "is being realistic." Commerce with Zambia, while much reduced, probably has reached a bottom point and may well improve. Advertising lineage is down in the Rhodesian press, but the newspapers are maintaing a profitable operation. Meanwhile, vigorous efforts to promote the tourist trade are under way; a new hotel-motel is in prospect at Bulawayo, to rank among the most modern facilities in Africa. Accommodations at Victoria Falls are being enlarged. The gold mines at Gatooma, which employ 3,000 Africans and 400 Europeans, are going "full out." Through various building societies and loan development corporations, privately-owned housing for Africans moves steadily forward.

What lies ahead? Our mission is convinced that, assuming the continued active friendship of South Africa and Portugal, together which the neutrality of Switzerland, the mandatory sanctions imposed under the UN resolution will fail of their purpose. They will not succeed in toppling the Smith government. Within Rhodesia, they may prove a growing irritation and inconvenience; they may produce a certain austerity in living; and probably they will hurt the Africans in terms of employment and capital formation. As time goes on, however, Rhodesia will move closer to economic independence. She will find new ways of exporting even the forbidden exports. And she will survive.

Meanwhile, certain boomerang effects are becoming evident. Great Britain formerly relied upon Rhodesia for 35 per cent of her tobacco imports. Rhodesian flue-cured tobacco is among the best in the world—and it is cheap. With sanctions, Britain's tobacco manufacturers are having to turn to other markets at a higher price. In February, it was announced that Britain's cigarette smokers will pay at least a penny a package more for their cigarettes. Britain is suffering not only a loss of income from her suspended trade with Rhodesia—a trade that may never be regained—but also a heavy new expense in aid to Zambia. On a smaller scale, the same consequences may be seen in the United States. It is one of the strange consequences of this situation that the U.S. shortly will be compelled to buy chrome from Communist Russia rather than from anti-Communist Rhodesia. The American taxpayer also is being put to heavy expense in U.S. subsidies to Zambia and Malawi.

The Rhodesian people, by and large, are convinced that time is working on their side in this economic war. Our mission shares that view. Our guess is that the longer sanctions drag on, the more holes will appear in the fabric of the UN's artificial curtain. Goods will find markets, as water finds its own level. Time is bound to point up the essential hypocrisy of the UN's position, and an awareness of this hypocrisy will contribute to improvement in Rhodesia's economy. Rhodesia's total resources and total energies are committed to her survival; other nations have other fish to fry. Over the long haul, the mandatory sanctions will not serve to weaken Rhodesia; they are likely rather to contribute to an enduring economic strength.

IV

Why the sanctions? Why have these unprecedented decrees been imposed upon Rhodesia? The sad chronology of events merits review and examination, if only to permit some speculation upon the worst and the best developments that may come in the months ahead.

Rhodesia's story begins in 1890, when a company of 180 pioneers and 500 police, known as the Pioneer Column, marched north from Kimberley, established Fort Victoria, and raised the Union Jack at Fort Salisbury. Under the aegis of the British South Africa Company, these pioneers subdued the invading and warlike Matabele, made peace with the Mashona, and embarked upon the formidable task of bringing civilization to a barbaric land. By 1922, it was possible for the developing country to consider a changed political status. A proposal that Southern Rhodesia be annexed to the Union of South Africa was voted down in a referendum, and Rhodesia in 1923 became a self-governing Crown Colony.

The 1923 Constitution reserved two areas of public affairs to the Crown, and left all else to the people of Rhodesia. One of these areas, on which there was never dissent, had to do with foreign policy and external affairs. The other provision reserved to the Crown a veto power over internal legislation concerning the rights of the indigenous population. For a span of forty years, these latter "reserved clauses" aroused no dissension either. The veto power never was exercised.

Rhodesia forged ahead under self-government. Her people developed loyalties and allegiance to their own burgeoning country. They created their own army, air force and civil service. And just as there are Canadians, New Zealanders and Australians within the Commonwealth, so the permanent white residents came to regard themselves as Rhodesians. Their ties to the Crown were affectionate in spirit but tenuous in law. For all practical purposes, they viewed their country as a wholly self-governing dominion.

In 1953, in a mood of cooperation that later came to be regretted, Southern Rhodesia entered into federation with Northern Rhodesia and Nyasaland. Within a few years, it became apparent that the federation could not last. African nationalism was rampant within the two other members. The end came when Nyasaland seceded. Northern Rhodesia followed. The federation dissolved on December 31, 1963.

Meanwhile, in July of 1961, Southern Rhodesians were asked to vote upon a new territorial Constitution. The understanding, proclaimed officially by Whitehall, could not have been more clear: the new Constitution would continue all of the self-governing provisions of the 1923 Constitution; it also would eliminate "all the reserved powers at present vested in the Government of the United Kingdom save for certain matters set out in Paragraph 50."

Paragraph 50 provided that Rhodesia would be free "to make amendments to any section of the Constitution without reference to the United Kingdom, with the exception of amendments that would affect a) the position of the Sovereign and the Governor, and b) the right of the United Kingdom Government to safeguard the position regarding international obligations and undertakings given by the Government of Southern Rhodesia in respect of loans under the Colonial Stock Acts."

On these positive assurances and understandings, the people of Southern Rhodesia voted overwhelmingly for the 1961 Constitution. (In passing, it should be noted that it was at this time, as a *quid pro quo*, that the system was created by which fifty seats in Parliament would be chosen by "A" roll voters, and fifteen seats would be chosen by "B" roll voters, thus assuring African representation within the legislative body.) But to the astonishment of the Rhodesian people, in November of 1961, when a bill was introduced in the House of Commons to implement the new Constitution, the Under Secretary of State for Commonwealth Relations announced that Great Britain unilaterally had added a "few minor points which were not mentioned in the White Papers." These few minor points included, a section providing that "full power and authority is hereby reserved to Her Majesty by Order in Council to amend, add to or revoke the provisions of Sections 1, 2, 3, 6, 29, 42 *and this Section*." (Emphasis supplied).

In Salisbury, the imposition of this new section was viewed as a "flagrant and immoral act of fraud and betrayal." Rhodesia had agreed to the new plan of "A" and "B" seats in her Parliament in order to be rid of the old reserved clauses of 1923. But here were the reserved clauses returned with a vengeance. And now it seemed evident, by reason of changing political winds throughout the Commonwealth, that Rhodesia could expect Whitehall to exercise powers of internal domination for the first time in Rhodesian history.

With dissolution of the federation, Great Britain granted complete independence to Nyasaland (now named Malawi) on July 6, 1964, and complete independence to Northern Rhodesia (now named Zambia) on October 24, 1964. Southern Rhodesia began to seethe with impatience and frustration. The British government denies that there was any commitment, moral or otherwise, that Southern Rhodesia also would be granted complete independence at this time. In Salisbury, the feeling was quite different.

A series of conferences led to a hope for peaceful resolution of the situation. Sir Alec Douglas-Home, then Prime Minister of Britain, indicated that if Rhodesia's Prime Minister Ian Smith could show that a majority of all the population of Rhodesia favored independence under the basic provisions of the 1961 Constitution, some progress might be made.

In the autumn of 1964, an effort was made to provide these assurances. The tribal chiefs as the acknowledged leaders of more than 60 per cent of the African population held a four-day "indaba." At its conclusion on October 26, they voted unanimously in favor of this independence plan. A week or so later the registered voters concurred overwhelmingly—the vote was 58,176 to 6,101—in favor of the proposition.

These demonstrations proved unavailing. The government of Great Britain, under increasing pressure from African members of the Commonwealth, now scoffed at Rhodesia's tribal chiefs as mere puppets of the white regime. The expression of opinion was brushed aside as inadequate and unsatisfactory. Independence was denied, and it was indicated that nothing would suffice short of a new Constitution assuring prompt transition to African majority rule. White Rhodesians, keenly aware of the bloody chaos that had come elsewhere in Africa with the premature grant of power to unready Africans, could not possibly accept this demand. After another series of frustrating conferences ranging over a ten-month period, the government of Ian Smith unilaterally declared Rhodesia's independence.

Great Britain at once invoked economic war against Rhodesia, froze Rhodesian assets in British banks, and obtained from the United Nations two resolutions of support for voluntary sanctions. Following the conference of Commonwealth Prime Ministers at Lagos in January of 1966, at which many of the African spokesmen vociferously demanded force, Great Britain increased its pressure to include an embargo in oil. In April, with UN approval, British vessels blockaded the port of Beira in a naval action that once would have been regarded as an act of war against Portugal. Within Rhodesia, the people began to go it alone.

Prime Minister Wilson had anticipated that his program of sanctions would bring Rhodesia to her knees "in a matter of months, if not weeks."

His prophecy proved unfounded. It shortly became apparent that these measures would not succeed. A new series of informal talks followed, in which new possibilities were developed for peaceful settlement based upon six principles laid down by the British government. At 11:15 o'clock on the morning of Friday, December 2, Prime Ministers Wilson and Smith met aboard H.M.S. *Tiger* at sea off Gibraltar.

Subsequently, both the Rhodesian and the British governments issued white papers reporting upon the *Tiger* negotiations. Though the accounts naturally differ in tone and emphasis, they are remarkably in accord in their description of the hard bargaining that resulted in a Working Document. Prime Ministers Wilson and Smith, accompanied by a few advisers, went at the task of negotiating an agreement with a fierce tenacity. Each side yielded something toward a compromise settlement. An entirely new structure of Rhodesian government was devised.

Under this plan, instead of the present fifty "A" roll and fifteen "B" roll seats, the Parliament would have been reconstituted with a House of 33 "A" roll seats, seventeen "B" roll seats, and seventeen European reserved seats. In addition, the plan proposed a new Senate, to be formed of twelve white members, eight elected Africans, and six tribal chiefs. The franchise was to be extended immediately through the "B" roll, to an additional 500,000 Africans over the age of thirty. An intricate system of cross-voting between the rolls, intended to give the African voters still greater potential power, was to be continued. The Smith government agreed to a plan by which the African population would be permanently protected against retrogressive amendment of the Constitution. Two Royal Commissions were to be created, one to make a general study of racial discrimination, the other to test the acceptability of the constitutional proposals to the Rhodesian population as a whole.

These several provisions, which Prime Minister Smith was prepared to accept, would have fully satisfied the six principles laid down by Britain. The African would have been guaranteed immediate political advancement; he would have been protected against retrogressive constitutional amendment in the future; he would be assured of unimpeded progress toward majority rule. The *Tiger* agreement contained other concessions on Rhodesia's part, dealing with detention, restriction, and censorship. For its part the British government yielded on several points having to do with the structure of the Rhodesian House and Senate, and also pledged its best efforts—once a legal condition of independence had been secured—to see that normal trade was restored.

To the outside observer, the proposed constitutional changes seemed to be very models of the bargaining process—fair, reasonable, and responsible. They were acceptable to Her Majesty's government. They were equally acceptable to the Rhodesian government. Why, then, did the talks collapse?

Two reasons have been advanced. The first of these arises from the peremptory tone, amounting to an ultimatum, in which Prime Minister Wilson demanded Rhodesia's acceptance of the package as a whole. During the eighth and final session aboard the *Tiger*, Mr. Wilson berated Mr. Smith for his refusal to commit his government to the agreement. The British government, he said, was "not prepared to be pushed around." Mr. Smith was "free to embark on his aircraft whenever he wished; but in that case the proposed settlement would be withdrawn and the British government would tell the world where they stood." For his own part, Mr. Wilson had come to Gibraltar with full powers to sign a final agreement; he could not understand why Mr. Smith could not commit himself on the spot. Mr. Smith steadfastly insisted upon consulting his associates in Salisbury. The two leaders parted on the worst of terms. Britain's final demand (this was at one o'clock Sunday morning, December 4) was that Rhodesia give a final answer by ten o'clock Monday morning, December 5.

Britain's defense for this summary timetable is that the UN Security Council was about to meet in New York; the Rhodesian question was scheduled for debate; it was imperative that decisive action be taken. Moreover, the Commonwealth Ministers had been promised that Britain would seek further measures at the UN "by the end of the year if the question of Rhodesia's independence had not been brought to a satisfactory resolution.

Whatever Britain's reasons may have been, the brusque demand for a yes-or-no reply on so short a notice caused much resentment in Salisbury. There it was felt that Mr. Smith had conceded a good deal, but perhaps not too much; the whole complicated business needed some reflection and looking at; it ought to be examined with some deliberation. A few hours were not enough for so grave a matter. Mr. Smith himself had been through a grueling three days aboard the British vessel; he had just made a long flight back to Rhodesia; his own temper, we may surmise, was badly frayed.

But the rudeness of Mr. Wilson and the terms of the ultimatum constituted only the first of the two reasons for Rhodesia's rejection of the *Tiger* agreement. The second and more significant body of objections arose from the insistence of the British Prime Minister on what was termed by the English a "return to legality." Procedures for this so-called "return to legality" were contained in Part III of the Working Document. Remember that Rhodesia has been virtually independent for many decades—that, while England had reserved certain veto and control rights, they had not been exercised. In the face of this, the Rhodesians were now to be required to throw themselves wholly on the mercy of England.

Under the terms of Part III, the existing Rhodesian legislature was to be dissolved, and legislative powers invested in a Royal Governor who would act "on the advice of Ministers except in those cases where he is empowered to act in his own discretion." No later than four months from the date of dissolution of the legislature "and on the assumption that the test of acceptability . . . will have been completed in that interval," new elections would be held. Meanwhile, Mr. Smith would be invited to head an interm broad-based government, but this interim government would have to include five independent members and Africans. "This government will be appointed by the Governor in his discretion."

Part III went on to emphasize that the Royal Governor would be responsible, during the interim period, "for the maintenance of law and order and the protection of human rights." The Governor would exercise these powers as "Commander-in-Chief of the Defense Forces." Moreover, before any testing of opinion was carried out, censorship would have to be removed and a Royal Commission would have to review the cases of persons kept under restriction or detention. If the constitutional changes were found to be acceptable to the people of Rhodesia as a whole, "the British government will at the earliest possible date introduce the necessary legislation to grant independence to Rhodesia on this basis, and will commend this legislation to Parliament." But if the changes were found to be unacceptable, "the two governments will immediately confer together to consider what steps should be taken to devise alternative proposals for an independent constitution." Finally, Part III provided that not until legal government was restored would the British government "take all action in their power to bring about an immediate discontinuance of the economic and other sanctions at present in force."

The Rhodesian cabinet found Part III utterly unacceptable. In the view of Mr. Smith and his ministers, these provisions amounted to nothing less than absolute surrender. They would have abandoned their legislature; they would have yielded ultimate control of their own police and armed forces to the Royal Governor in any matter involving "the maintenance of law and order and the protection of human rights." The duration of an interim period was not fixed at four months precisely; it was four months indefinitely, or contingently, and subject to certain assumptions that were left to the Royal Governor and to Royal Commissions. For the first time in its history, Rhodesia would be subject to active British rule. There was no guarantee that independence could ever be achieved; there was no more than a promise that it would be talked about.

On Monday, December 5, Rhodesia informed Britain of its rejection of the *Tiger* proposals. The British government thereupon withdrew the proposals it previously had advanced and accepted, and announced that no solution hereafter would be acceptable which would grant independence prior to majority rule.

On December 7–8, the House of Commons debated and adopted the Labor Government's motion to seek mandatory sanctions through the United Nations. Speaking in opposition, Reginald Maudling sadly remarked that he feared Rhodesia was a problem "which could become for us what Algeria was for France." If it is a fact, he added, that from now on there is no prospect of a settlement with independence before majority rule, "it is for people in Rhodesia a fight to the finish. Let us face that." Debate on the Rhodesian question got under way before the UN's Security Council at 5 PM on December 8. It concluded on December 16, with the Council's adoption of Resolution 232. Rhodesia's request to be heard in her own defense was "mislaid" and strangely was not discussed until three weeks later.

Speaking in support of Britain's draft resolution on sanctions, Foreign Minister George Brown said that by reason of her illegal declaration of independence, Rhodesia had created acute dangers to peace and stability in the whole region of Central and Southern Africa. A small group of reckless men had provoked a situation fraught with great and growing danger of interracial strife and bloodshed. The matter could not be left to deteriorate. Not only the stability and progress of Rhodesia's immediate neighbors were at stake, but also the maintenance of international peace and security.

Some critics of British policy, Mr. Brown continued, took the position that sanctions would not suffice, and that force should be employed. He had made his government's position clear in the past, and would add but one word: We all know from experience that it is easy to start to use force, but often very difficult to see just where it will lead or how it will be possible to control or stop it. The proposed economic sanctions would have an immediate and telling effect. He urged their prompt adoption and full support.

Mr. Kapwepwe, speaking for Zambia on December 9, charged Britain with duplicity. He was more than ever convinced that the solution of the Rhodesian question had been purposefully delayed by the United Kingdom government. The talks between Mr. Wilson and Mr. Smith were a wicked scheme to sell out the African majority. Publication of the *Tiger* proposals had openly exposed Britain's collusion with a racist minority regime. World opinion would now hold the Wilson government criminally responsible for the denial of freedom, independence and self-determination to the people of Rhodesia. He asked if this new Wilson stratagem was merely a face-saving device. Or was it the final act in a plot to sell out the African majority of Southern Rhodesia and to destroy Zambia's economy? In Zambia's view, force was still "the only sure solution."

The delegate from Mali, Mr. Keita, took the same position. Britain was acting "with clever hypocrisy and in accordance with a cynical and premeditated plan." It was engaged in diabolical calculations of self-interest. No one should be deluded by the monstrous farce of the British. As for Mali, "we shall always insist that the use of force is the only means to overcome the rebellion in Southern Rhodesia; to try to claim the opposite is truly nonsensical."

The delegate from India, Mr. Parthasarathi, concurred: "My delegation has always held, and continues to hold, that the only really effective method is the use of force."

The delegate from Bulgaria, Mr. Tarabanov, observed that "if we wish truly to solve the problem in Southern Rhodesia effective measures must be taken, including the use of force by the United Kingdom under the auspices, if necessary, of the United Nations."

The delegate from Nigeria, Mr. Adebo, said that "we believe and have always believed quite firmly that force would be essential to bring about the downfall of the racist regime."

The delegate from Jordan, Mr. El-Farra, noted that if the mandatory sanctions fail in this purpose, "the only alternative is resort to force, and that we have been advocating all along."

The delegate from Senegal, Mr. Thiam, felt that Britain was engaged merely in trickery in asking for sanctions: "It should put down the rebellion by its own means, as France did in Algeria. The use of force appears to us to be the only means of solving the Rhodesian problem."

Other peaceloving members of the United Nations, including the delegate from the Soviet Union, denounced the Rhodesian regime for its denial of democratic rights. Ambassador Goldberg spoke at some length for the United States.

In the view of the U.S., he said, the sanctions are necessary in order to drive home to the illegal regime that the international community will not tolerate the existence of a discriminatory system based on minority rule in defiance of the United Nations and its principles. A century ago the United States had rid itself of the political principle of racial superiority. It should not be necessary for him to emphasize that what could not be accepted by the United States in the mid-nineteenth century surely cannot be accepted by the international community in the late twentieth century.

Mr. Goldberg acknowledged that some persons would ask why it is proper to impose mandatory sanctions in the case of Rhodesia, but not in other cases. The Rhodesian situation, he thought, contains a number of unique elements: It involves the seizure of power by a minority bent upon subjugating a vast majority on racial grounds. It presents a dangerous and inflammatory threat to peace. In any event, it is an unhappy fact, which we must recognize, that some situations exist in the world in which the Council has been unable to act effectively. "Here is a situation in which we can act . . ."

The British draft resolution was amended to add a prohibition against the shipment of oil or oil products to Rhodesia. The Council then adopted the resolution by a vote of 11–0, with four abstentions. The favorable votes were cast by Argentina, China, Japan, Jordan, Netherlands, New Zealand, Nigeria, Uganda, the United Kingdom, the United States, and Uruguay. Those abstaining were Bulgaria, France, Mali, and the Soviet Union.

During the course of the Security Council's debate, a considerable volume of press comment in the United States was directed toward the legality and toward the wisdom of the UN resolution.

Article 33 of the UN Charter establishes the procedures that must be followed by "the parties to any dispute, the continuance of which is likely to endanger the maintenance of peace and security." These procedures include negotiation, enquiry, mediation and conciliation. The Security Council, when it deems necessary, is required to call upon the parties to settle their disputes by such means. None of these procedures, however, was invoked in the dispute between Britain and Rhodesia, apparently upon the reasoning that Rhodesia was not a state, and hence could not be a "party to any dispute."

The other side of that proposition is that Rhodesia must therefore be a colony subject to the jurisdiction of Great Britain. Yet if this were so, Article 2, Section (7) would apply. This says that "nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state . . ." (France adopted the view in abstaining that the Anglo-Rhodesian dispute was an essentially domestic issue, and thus beyond the authority of the Security Council.)

Russia also abstained in the final vote, though for other reasons. (The delegate of the USSR explained his abstention by his disappointment at defeat of certain severe amendments sought by the African bloc.) Thus two of the Council's permanent members did not register affirmative votes on the resolution. Chapter V, Article 27, Section (3) of the Charter, provides that decisions of the Security Council on all matters, other than procedural, shall be made by an affirmative vote of nine members, *including the concurring votes of the permanent members.*

The resolution nevertheless was declared adopted pursuant to the provisions of Article 39, empowering the Security Council to determine when a threat exists to international peace and security, and to take appropriate action against such a threat. Yet it would be supposed that any such determination would involve at the very least, a meticulous investigation into the facts. Such a solemn finding presupposes convincing evidence of hostile and aggressive acts. No such investigation ever was undertaken, and no such evidence was gathered. No such evidence exists.

Walter Lippmann, dean of American commentators on foreign affairs, objected strongly to the action of the UN in adopting Britain's resolution.

"This is surely a most extraordinary way to suppress a rebellion against the sovereignty of an imperial power," Mr. Lippmann remarked. "At any other time a rebellion like that in the Rhodesian capital of Salisbury would have been put down by British troops, or if the troops were unable to put it down, the independence of the Rhodesian government would have been recognized by a treaty of peace. But what has actually happened is that the Wilson government did not feel strong enough to suppress the rebellion, or was afraid the British voters would object if it tried. In any event, the Prime Minister of Great Britain assured the rebel government that it would not be suppressed. Having given up the game at the outset, Mr. Wilson has been trying ever since to win the game by harassment and threats and bluff and other devices. . . . Mr. Wilson has, of course, failed . . .

"The plea to the United Nations to use force against Rhodesia is a disservice to the United Nations. Mr. Wilson is asking the UN to do what it was never meant to do, what it is not organized to do, and what it cannot do."

A number of members of the Congress joined the press in these objections to the imposition of sanctions, but their voices were unavailing. On January 5, President Johnson issued Executive Order 11322, extending the prohibitions of the UN resolution to all persons subject to the jurisdiction of the United States. Mr. Johnson cited as his authority "the authority vested in me by the Constitution and laws of the United States, including Section 5 of the United Nations Participation Act of 1945." On February 28, the Treasury Department issued a supplementary regulation through the Office of Foreign Assets Control, further inhibiting U.S. commerce with Rhodesia and directing attention to Section 5(b) of the UN Participation Act; this section provides for a fine of up to $10,000 and imprisonment for not more than ten years for willful violation or evasion of the President's order.

We are not here raising the question of the President's authority to issue the order referred to. Nor do we intend any criticism of the UN Participation Act which gave him this authority. We are concerned with the position which the United States took at the UN itself when the resolution on sanctions was presented.

V

In all the multiple ironies of the Rhodesian affair, perhaps nothing is more ironical than the active help and encouragement given to Great Britain in this venture by the United States of America. The Declaration of Independence proclaimed in Salisbury on November 11, 1965 was unusual but it was not unprecedented within the British Empire. The last preceding such resolution was proclaimed in Philadelphia in July of 1776. The English colonies that then declared themselves free and independent states were to adopt a Constitution in 1788 specifically permitting Negro slavery. Thereafter, the States were to establish an appalling record of treachery, genocide, and discrimination in their treatment of the Indian. A right of franchise, regardless of race, was not to be assured in the United States until 1869. The right of women to vote was not to be assured until 1920. The principle of "one-man one-vote" was not to be judicially recognized until *Baker* v. *Carr* in 1962. In some areas of the American South, discrimination against the Negro voter exists so significantly, to this day, that federal examiners have had to be assigned in certain counties and parishes. How remarkable it is that the United States of America, in the light of this history of two centuries of revolution and evolution, should align itself with Great Britain in a punitive course of action predicated upon Rhodesia's failure in seventy years to attain a democratic society!

There is more. In pursuit of its policy to oppose Communist expansion throughout the world, the United States in 1961 sought the help of its friends in enforcing an embargo upon the sale and shipment of strategic goods to Communist Cuba. Great Britain coolly refused to assist the United States in this regard. The United States has committed itself to full-scale war in Vietnam. Great Britain has declined to assist this effort in any way. Meanwhile, tiny Rhodesia sturdily and persistently has pursued a policy of stout anti-Communism. She has been a small but good friend to the United States. One is inclined to ask, What price friendship?

The basic charge against an independent Rhodesia, as we have remarked, arises from her purported oppression of the black majority, and especially from the absence in Rhodesia of a system of majority rule. On the basis of our own observations, the charge is groundless. The African Rhodesian, far from being oppressed or exploited, is benefiting immensely from schools, medical services, employment opportunities and internal security. The franchise laws of Rhodesia are nonracial; they are based upon considerations of literacy and property which have an ancient and respectable history within the United States. Under the constitutional changes accepted by Mr. Smith in the *Tiger* negotiations, majority control of the Rhodesian Parliament would be vested in the African people within a generation.

Upon the unproved and bizarre theory that a peaceful Rhodesia is a threat to international peace, the United Nations imposed mandatory sanctions for the first time in its 21 years of existence. In taking this action, the Security Council trampled upon the UN Charter and made a travesty of its own supreme law. By general agreement of most observers (including the envious and hostile African observers), the sanctions will not succeed in their announced purpose; they will not bring the Smith government to its knees. If this prophecy should prove correct, the impotence of the United Nations will stand vividly revealed. The melancholy chronicle of the old League of Nations offers a benchmark in history by which the fate of impotent international organizations may be charted.

Assuming the failure of the mandatory sanctions, what then? Force? By Great Britain alone? The Labor government would invite its own dissolution. Well, then, by a police force bearing the flag of the United Nations? It cannot be seriously supposed that public opinion within the United States, let alone within many European nations, would support an aggressive war by the UN against Rhodesia—especially if such a war promised to involve Portuguese Angola and Mozambique, and South Africa, upon Rhodesia's side. As Mr. Lippmann has remarked, "The United Nations has no more force than the force which its strongest members will provide themselves or will approve of."

The unjust and foredoomed policies of Britain and the United Nations cannot be permitted to continue indefinitely. What is needed, in our view, is a fresh effort toward reconciliation along the lines of the *Tiger* proposals. Here a foundation was laid in December of 1966. It ought not to be abandoned in the spring of 1967. Britain's flat pledge that she would not hereafter consent to any plan of independence before majority rule was a mistake. Common sense tells us that mistakes ought to be corrected; they ought not to be entrenched. It may be that Rhodesia's distrust of certain proposals as to an interim period was excessive. Means must be found for relieving this distrust, and for devising substitute machinery for achieving a peaceful settlement. It is our hope that our own government will take the lead by offering its good offices in an attempt to make sound and practical sense out of a situation which has been permitted to deteriorate into an apparent stalemate.

Rhodesia's wise and thoughtful adherence to policies of evolutionary development can be of immense value to a world that is wrongly obsessed with the motion of instant achievement. It simply is not true that a largely primitive society can be transformed into a politically mature society in the fashion of instant coffee or instant rice. So complex and difficult an effort takes time above all else—time, and patience, and good will. This is what Rhodesia asks. And it is wrong, shamefully wrong, that the most enlightened nations of the world, having achieved their own status through evolutionary means, should have imposed upon Rhodesia anathema instead.

COMMODITY EXCHANGE BILL NEEDS ENACTMENT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Anderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, the Department of Agriculture has just released its annual bulletin of futures trading data entitled, "Commodity Futures Statistics." This bulletin graphically illustrates the growth of futures markets in this country in recent years. The volume of trading in the 15 commodities regulated under the commodity Exchange Act was 16.9 million transactions for the fiscal year ending June 30, 1967. The previous record was 14.5 million transactions a year earlier, and new records had been established in each of the previous 3 years.

Even more impressive is the value of futures contracts traded on regulated markets. According to the bulletin, the estimated value of futures contracts traded in all regulated commodities in fiscal 1967 was just under $75 billion. This compares with the value of approximately $26 billion only 7 years ago.

I think it is apparent from these figures that futures trading is big business. It is also a business that vitally affects producers, merchandisers, processors, and consumers of agricultural commodities.

Futures trading in a number of agricultural commodities has been under Federal regulation for a long time. However, hearings held by the Agriculture Committee recently showed quite clearly that the regulation of these markets is badly in need of updating and strengthening, and that additional commodities should be brought under regulation. H.R. 13094, which was approved by the Agriculture Committee by a vote of 28 to 1, would accomplish these purposes. It has been approved by the Rules Committee and is now awaiting consideration by the House. I think it is imperative that the House act promptly on this bill to give the Secretary of Agriculture the authority that he obviously needs to regulate these important markets.

FRANCE AND THE UNITED STATES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the French are a great people, a people with which we have an inextricable bond. I am very perturbed by the callous disregard of the facts, and the credence given to commentators who disregard the facts, in an apparent effort to harden and exaggerate the current differences between the American and the French people.

France is the homeland of equality, liberty, and fraternity. The French are not our enemy. They have supported us when the chips were down. De Gaulle was the first to support us during the Cuban crisis in 1962. Which was one of the first countries to support our position in the Cuban missile crisis? How can the French, whose contribution to the international gold bank in London was only 9.3 percent possibly break Fort Knox?

I am disturbed about some of the remarks on the floor of this body concerning the recent press conference of President de Gaulle. I am confounded by the hostility and the demand for retaliation. I am particularly amazed at the distortion of some newspaper reports that De Gaulle made a number of anti-Semitic remarks. I wish my colleagues would compare these distortions with the actual statements De Gaulle made on Israel and the Gulf of Aqaba.

I may not agree with President de Gaulle's views on gold and the gold standard, but I respect his integrity and have always admired his heroism and struggle for freedom.

To that end, I include at this point in my remarks the transcript of General de Gaulle's press conference of November 27, and also a news story of the Washington Post of November 30 containing remarks by another great Frenchman, Jean Monnet, which I believe more accurately reflects the true state of feeling:

> Gentlemen, I am pleased to see you. I am ready to answer the questions that you would like to ask me on the subjects that are present in all our minds.
>
> Here is a whole group of subjects. There is naturally our economic and social policy. It is connected, and I will be led to say so, to the functioning of the international monetary system.
>
> There is the question of the Middle East conflict, of course. There is the great Quebec affair. There is everything related to Great Britain and, in particular, from the standpoint of her candidacy for the Common Market. There is the subject of the institutions, our regime, the manner in which it functions and what it can be in the future. I think that I have not forgotten anything, except to add what I have been asked re-

garding the trip to Poland, what was said and what it means.

Well, we are going to reply on these subjects by beginning, if you wish, with what concerns our economic and social policy.

Question. General, the lowering of customs barriers within the Community of the Six and the gradual disappearance of customs barriers between the countries of the Europe of the Six and the other countries of the world, raise the problem of France's preparation for it. Do you think our country is capable of facing it?

Some Anglo-Saxon press organs are accusing the French authorities of having contributed to the devaluation of the pound and to the upheavals recorded on the gold market. What really happened?

Answer. France is in the process of accomplishing a vast mutation. A vast economic and social mutation. This has already been said. This mutation, naturally, places in question all the interests, all the structures, all the habits and, inevitably, all kinds of reactions, demands and anxieties that are of course stirred up by all the demagogies and made all the more political because it is the State that guides this evolution. The State alone must do so, because it is responsible for the general interest and the country's destiny, which are the stakes of change, and it alone can do so because it holds the necessary means, legal, financial, administrative, tariff, diplomatic and so on. Moreover, it must apply its action to the essential factors of development without allowing itself to dissipate at the mercy of fractional or episodic claims.

Well, if we want to have an overall idea of France's economic and social policy, we need only note on what points and in what way public action has chosen to exercise itself. Here is where things stand:

In the industrial area, the goal to be reached being that it be competitive without any reservation within the Common Market and broadly so on the world scale; to promote investments that modernize its equipment; to encourage, to assist in its concentration and its best management methods, which gives its business firms dimension and strength; to foster its exports and its investments abroad, which extend its field of action. The fact is that for the past eight years, French industrial production has grown 5½% per year and that industrial exports have tripled, so to speak.

In the agricultural area, which must become one of the modern foundations of our economy, to induce its farms to live and work, not like in the past, for the simple subsistence of the families that cultivate them, but rather to provide, sell and purchase the products that can make them profitable; to encourage groupings whose goal is to organize production, selection and markets toward this end; to improve the structures by acting to enlarge the overly small plots in order to facilitate retirement, conversions, reconversions and mergers and reparceling.

The fact is that for eight years, budgetary aid to agriculture has multiplied tenfold. It is likely that, at the rate we are following, in ten years there will remain in France one million five hundred thousand farms that will be at least profitable as regards the great majority, which will employ 10% of our active population, instead of 55% at the end of the last century, and which, all the same, will produce a total of three times more than at that time.

In the domain of the advanced activities that involve and that accelerate production and productivity—that is, research, the atom, electronics, aeronautics, space, television and so on—it is a fact that for eight years the State has been making a massive contribution, which this year is eight times larger than it was in 1958 and which it firmly intends to increase in the future by priority.

Naturally, there is no invention, no computer, no machine that can mean that, at the basis of the human task, there is no human effort. For the progress of men, men are needed. And they must be numerous because, for France, all the possibilities of her territory have not yet been and still must be exploited. That is why the increase of our population must be the first of our investments, and that is why we are constantly led to take new measures in order to aid better and more the flowering of our young French families. Also, our active population must, as much as possible, be divided rationally between the tasks on the basis of the needs of the national activity and each must be suited to his employment. This implies the extension and improvement of occupational training, that of the young and that of adults, including cadres and management.

It is known that the public action exerted to that end is using ten times as many resources as were used eight years ago. That also implies that student guidance be definitely organized in the framework of the national educational system, which is soon going to be done. It is also necessary that, in the very considerable and inevitable major evolution of all our activities, labor and workers find their security, despite changes in jobs and locations that are necessary, for which public aid is now being used in all sorts of forms, either on the national scale or on the regional scale. And, lastly, in business firms, the direct participation of employees in results, capital and responsibilities must become one of the basic factors of the French economy. A very vast social transformation in which profit-sharing, henceforth prescribed by law, represents an important stage.

Progress, like happiness, exists only by comparison. In our industrial era, our country got off to a late start compared to some others from the standpoint of its development. For one hundred years, it underwent the direct national trials and, in addition, it is relatively rather poorly endowed in natural resources—energy and raw materials. However, the fact is that in the free world—Europe, America, Asia, Africa—we are in third place in terms of the value of our gross national product. Before us come, in this respect, the United States and Germany. Among the major industrial countries, we come in second place, after the United States but before Germany, Britain, Italy, Japan, in terms of the value of the per capita national product—which is also a gauge of our standard of living and which has risen by an average of 50% over the past eight years. The fact is that the growth rate of our productivity is annually on the average of 4½% which is less than in Japan and Italy, which is as much as in Germany, but which is more than in the United States and Great Britain.

The fact is that, excluding America whose population is four times larger than ours and a single other Western European country, we have more researchers—40,000—than any other State and our achievements in our advanced activities—the atom, the most sophisticated reactors (for example, rapid-neutron reactors), the Caravelle, tomorrow the Concorde, the Diamant rocket, color television, etc.—are known the world over, and that is why we envisage without alarm the disappearance of all duties within the Common Market. It is true that we find ourselves faced with an American hold on certain of our businesses, but we know that this is due, to a great extent, not so much to the organic superiority of the United States as to the dollar inflation that it is exporting to others under the cover of the gold exchange standard. It is rather remarkable that the total of annual deficits in the American balance of payments over the past eight years is exactly the total of American investments in the countries of Western Europe. There is in this, obviously, a unilateral and artificial external element that is weighing on our national patrimony, and it is known that France wishes that an end be put to this abuse to the interest of the entire world, and even to the interest of the United States, for whom the payments deficit and inflation are as lamentable as they are for everybody.

It is possible that the squalls currently being unleashed—without France having anything to do with it—and which have swept away the rate of the pound and which threaten that of the dollar, in the final analysis lead to reestablishing the international monetary system on the basis of immutability, impartiality and universality, which are the privileges of gold.

Those, taken as a whole, are our goals and our results in terms of our economic policy, and our social advancement. People will say that this is self-satisfaction. No, we are not completely satisfied, and moreover for a good reason: it is because the very character of our times is that, whatever one may do, one can do more and one can do better. But given what we are achieving in the midst of nations, we believe that the levers we are making use of are those best suited to us, and these levers are: free enterprise, which must not be a bulwark for immobilism but which must be, on the contrary, a foundation for impetus, for risk, for development; and international competition, which requires constant improvement; the leadership, not to say the dirigisme, that selects the goals and the paths, arranges the means and harmonizes the efforts. That is why the Plan, in which the conditions for our progress are regularly set and coordinated, has become a vital institution in our country.

MIDDLE EAST

Question. General, war broke out in the Middle East six months ago. It ended soon afterwards, as we know. What do you think of the evolution of the situation in that sector since last June?

Answer. The establishment between the two world wars—for it is necessary to go back that far—the establishment of a Zionist home in Palestine and then, after World War II, the establishment of a State of Israel raised at the time a certain number of apprehensions. One could wonder, indeed, and people did wonder, even among many Jews, if the implantation of this community on lands that had been acquired in more or less justifiable conditions, and in the middle of Arab peoples who were thoroughly hostile to it, was not going to produce constant and interminable friction and conflicts. Some even feared that the Jews—up to then scattered, but who had remained what they had been down through the ages, that is, an elite people, sure of itself and dominating—once they gathered on the site of their former grandeur, might come to change into a fervent and conquering ambition the very touching hopes that they had for nineteen centuries.

However, despite the tide, sometimes mounting, sometimes receding, of ill will that they provoked, that they caused more exactly in certain countries and at certain times, a considerable capital of interest and even of sympathy had formed in their favor especially, it must be said, in Christendom; a capital that resulted from the vast memory of the Bible, nourished at all the springs of a magnificent liturgy, maintained by the commiseration inspired by their ancient misfortune and poeticized in our country by the legend of the Wandering Jew, heightened by the abominable persecutions that they experienced during World War II and swelled, since they had again found a homeland, by their constructive work and the courage of their soldiers.

That is why, independent of the vast assistance in money, influence and propaganda that the Israelis received from Jewish circles in America and Europe, many countries, among them France, saw with satisfaction the establishment of their State on the territory that had been recognized them by the powers, while hoping that they succeed, by using a little modesty, in finding a peaceful *modus vivendi* with their neighbors.

It must be said that these psychological factors have changed somewhat since 1956; as a result of the French-British Suez expedition, we saw in fact appear a State of Israel, warrior and determined to enlarge itself. Then, the campaign it conducted to double its population through the immigration of new elements led one to think that the territory it had acquired would not be sufficient for long and that, to enlarge it, it would be led to use any occasion that would present itself. That is why, moreover, the Fifth Republic freed itself, vis-à-vis Israel, of the special and very close ties that the preceding regime had established with that State, and the Fifth Republic applied itself, on the contrary, to favoring détente in the Middle East.

To be sure, we maintained cordial relations with the Israeli Government and we even provided it, for its eventual defense, with the weapons it asked to purchase, but at the same time, we were unsparing in our advice for moderation, notably on disputes involving the waters of the Jordan or skirmishes which periodically opposed the forces of both sides. Finally, we refused to give our official endorsement to its installation in a sector of Jerusalem which it had seized and we kept our Embassy in Tel Aviv.

On the other hand, once the Algerian affair was concluded, we resumed with the Arab peoples of the Middle East the same policy of friendship and cooperation that had been France's for centuries in that part of the world and that reason and sentiment dictate must today be one of the fundamental bases of our foreign action.

Of course, we did not let the Arabs ignore that, for us, the State of Israel was a *fait accompli* and that we would not allow it to be destroyed. Thus, we could imagine that the day would come when our country could directly help to see to it that a real peace be concluded and guaranteed in the Middle East, provided that no new drama came to rend it.

Unfortunately, the drama did come. It was heralded by a very great and constant tension that resulted from the scandalous lot of the refugees in Jordan and also from the threats of destruction hurled at Israel. On May 22nd the Aqaba affair, unfortunately created by Egypt, was to offer a pretext to those who dreamed of fighting. In order to avoid hostilities, France had, as early as May 24th, proposed to the three other great powers to forbid, jointly, each of the two parties from starting to fight.

On June 2nd, the French Government had officially declared that eventually it would lay the blame on whoever would first enter into combat and that is what it repeated very clearly to all the States involved; that is what I had personally said on May 24th to Mr. Eban, Israel's Foreign Affairs Minister, whom I saw in Paris.

"If Israel is attacked, I told him, then, in substance, we will not allow it to be destroyed. But if you attack we will condemn your initiative. To be sure, despite the numerical inferiority of your population, considering that you are much better organized, much more united and much better armed than the Arabs, I do not doubt that, in that event, you would win military successes, but later you will find yourselves engaged locally and on the international level in growing difficulties, all the more that war in the Middle East cannot fail to increase a deplorable tension in the world and to have very unfortunate consequences for many countries, so much so that it is on you, having become conquerors, that the disadvantages would be blamed."

We know that France's voice was not heard. After attacking, in six days of combat, Israel took possession of the objectives it wanted to acquire. Now, it is setting up, on the territories it has taken, the occupation that cannot take place without oppression, repression, deportation and there is springing up against it a resistance which in its turn it qualifies as terrorism. It is true that the two belligerents are observing, for the time being, in a more or less precarious and irregular manner, the cease-fire prescribed by the United Nations, but it is quite evident that the conflict is only suspended and that there can be no solution, except through international channels. But such a settlement, unless the United Nations tears up its own Charter, such a settlement must have as a basis the evacuation of the territories that have been taken by force, the end of all belligerency and the mutual recognition of each State involved by all the others. Then, through the decisions of the United Nations, in the presence and under the guarantee of its forces, it would probably be possible to set the specific outline of the frontiers, the conditions of life and security on both sides, the lot of the refugees and minority groups and the conditions of free navigation for all, notably in the Gulf of Aqaba and the Suez Canal.

In France's view, if this were to happen, Jerusalem should be given an international status.

For a settlement to be implemented, it would be necessary that there be the agreement of the great powers which would *ipso facto* entail that of the United Nations, if such an agreement came into being, France is in advance prepared to lend on the spot her political, economic and military assistance, so that this agreement be effectively applied. But one cannot see how any agreement could come into being—not fictitiously on the basis of some hollow formula, but effectively for a common action—so long as one of the greatest of the four will not have disengaged itself from the hateful war it is conducting elsewhere. For everything is related in today's world. Without the Vietnam drama, the conflict between Israel and the Arabs would not have become what it is and, if tomorrow, Southeast Asia were to see peace re-established, the Middle East would soon regain it, to the benefit of the general détente that would follow such an event.

CANADA

Question. Mr. President, last July from the balcony of the City Hall at Montreal you said four words which have gone around the world. Four months after this event, would you have any reflections to add to those you made on your return from Quebec? On the other hand, could you tell us what, in your view, are the main goals of cooperation between France and Quebec—a cooperation which has been developing rapidly for some time?

Answer. It is the French who, over two and a half centuries ago, up until 1763, had discovered, populated and administered Canada. When, 204 years ago, the royal government which had suffered serious setbacks on the continent and which, because of this, could not maintain the war in America against England, felt it must leave, 60,000 Frenchmen had settled in the St. Lawrence basin. Subsequently, their community received only minimal new elements from Metropolitan France, and that at a time when millions and millions of British immigrants, recently supplemented by new arrivals—Slavs, Mediterraneans, Scandinavians, Jews and Asians, who were led by the Canadian Government of Ottawa to become Anglicized—were settling down throughout the territory.

On the other hand, the British, who from that time had been in control of the government, administration, the army, money, industry, trade and higher education in Canada, had for long and naturally exerted great efforts of constraint or seduction to bring the French Canadians to renounce being themselves. Thereupon, the huge expansion of the United States had been triggered, an expansion that threatened to engulf the economy, character and language of the country in the American mold. Finally France, absorbed as she was by many continental wars and also by numerous political crises, dissociated herself from her abandoned children and maintained only insignificant relations with them. Everything, therefore, seemed to conspire to their being in the end submerged.

Well, by what one can only call a miracle of vitality, energy and loyalty, the fact is that a French nation, a piece of our people, is appearing today in Canada and wishing to be recognized and treated as such. The 60,000 Frenchmen who were left there formerly are now over six million, and they are more French than ever. In Quebec itself there are four and a half million of them, that is, they constitute the huge majority of the population of that vast province. For generations these people of peasant origin, little people who cultivate the land, have multiplied magnificently in order to stand up against the rising tide of invaders. At the price of unparalleled efforts around their poor priests, with as their motto "I remember," they strove to and succeeded in keeping their French language, traditions, religion and solidarity. But suddenly they no longer stop at this passive defensive and, like all other nations, they aspire to become masters of their destiny. They do so all the more ardently, now that they feel themselves subordinated to the others, no longer politically alone but also economically.

In effect, given the rural, isolated and inferior position to which the French community had been relegated, industrialization proceeded, so to speak, above it: the industrialization which, there as everywhere, dominates modern life. One could therefore see, even in Quebec, that it was the Anglo-Saxons who supplied the capital, owners, management and engineers, who trained, in their way and for their enterprises, a large part of the active population, in short, who disposed of the country's resources. This preponderance, together with the so-called "federal" but necessarily partial action of the Canadian Government in Ottawa, placed the French in an increasingly inferior position and exposed their language, their substance and their character to increasing dangers. They did not resign themselves at all to this state of affairs; they resigned themselves all the less that, belatedly but vigorously, they were putting themselves in a position to take over their own development. For example, the young people now graduating from their modern universities and their new technical schools feel perfectly capable of developing the great resources of their country and even, without ceasing to be French, of participating in the discovery and exploitation of all that the rest of Canada contains. All this makes the movement of emancipation that has seized the French people from across the Atlantic perfectly understandable and also shows that nothing is more natural than the impetus that at the same time makes it turn toward France. In recent years, a powerful political current has been formed in Quebec, no doubt diverse in its expression but unanimous as regards the determination of the French to take their affairs into their own hands. The fact is there and, of course, they consider the mother country no longer only as a very dear memory, but as the nation whose blood, heart and spirit are the same as their own and whose new strength is particularly suited to contribute to their progress, whereas, conversely, their success could provide for France, as far as her progress, cultural expansion and influence are concerned, a considerable support. Thus, in particular, the fact that the French language will win or lose the battle in Canada will weigh heavily in the struggle which is waged for it from one end of the world to the other.

Thus, it is with great joy and great interest that the Government of the Republic welcomed in Paris the Government of Quebec, in the person of its successive heads, Mr. Lesage and Mr. Daniel Johnson, and concluded with them the first agreements for common action. But it was obvious that this rediscovery of one another by France and French Canada had to be solemnly recognized and celebrated on the spot. That is why Mr. Daniel Johnson asked me to go and visit Quebec, and that is why I went last July.

Nothing can give any idea of the immense wave of French faith and hope that swept through the entire people of Quebec when the President of the Republic passed by. From Quebec to Montreal, all along the route, 250 kilometers long, bordering the St. Lawrence and which the French Canadians call the King's Road because in the past, for generations, their fathers had hoped that one day a French head of state would come and drive along it, millions, millions of men, women and children had gathered to shout fervently, "Long live France!" And these millions were waving hundreds and hundreds of thousands of tricolor flags and of Quebec flags, and there was practically no other emblem.

Everywhere I stopped, having at my side the Prime Minister of Quebec and one of his colleagues and welcomed by the local elected officials, it was with unanimous enthusiasm that the crowd welcomed the words that I spoke in expressing three self-evident facts. First you are French. Then, in that capacity, you must be masters of yourselves. And lastly, you want Quebec's modern development to be yourselves. After which, everyone sang the *Marseillaise* with an indescribable fervor.

In Montreal, the second French city in the world, and which was the last stop on my trip, the wave of liberating passion was such that France had, through me, the sacred duty to respond to it unequivocally and solemnly. That is what I did, by stating to the crowd assembled around the City Hall that the motherland does not forget her children in Canada, that she loves them, that she intends to support them in their effort of emancipation and of progress and that, in return, she expects them to help her in the world today and tomorrow. And then I summed up everything by exclaiming "Long live free Quebec!" which brought the flame of resolution to its height.

That Quebec be free is indeed what is at issue. At the point where things stand, in the irreversible situation that was demonstrated and accelerated by the public spirit during my passage, it is evident that the national movement of the French Canadians, and also the equilibrium and peace of all of Canada, and moreover the relations of our country with the other communities of that vast territory, and even the world's conscience which has now been enlightened—all this requires that the question be solved.

Two conditions are necessary: the first entails a complete change regarding the Canadian structure such as it currently stands as a result of the act granted 100 years ago by the Queen of England and which created the federation. In my opinion, this will necessarily result in the advent of Quebec to the rank of a sovereign State and master of its national existence as are, throughout the world, so many other people, so many other States that are not as valid or even as populated as Quebec. To be sure, this State of Quebec will have to settle with the rest of Canada, freely and on an equal footing, the conditions of their cooperation in order to control and exploit a very difficult nature over great expanses and also to cope with the encroachment of the United States.

But we do not see how things could result otherwise and, moreover, if that is their outcome, it goes without saying also that France is quite ready, with a Canadian entity that would take this new character, to entertain the best possible relations. The second condition, on which depends the solution to these great problems, is that the solidarity of the French community on both sides of the Atlantic become organized. In this respect, things are progressing well. The forthcoming meeting in Paris, we hope, of the Government of Quebec and the Government of the Republic should give an even greater impetus to this great French task, essential in our century. In this task, moreover, all the French of Canada that do not live in Quebec and that number one and a half million will have to participate, in conditions that will have to be set. I am thinking in particular of those 250,000 Acadians who settled in New Brunswick and who have also maintained a very touching loyalty to France, to her language and to her soul.

Basically, all we French, whether we come from Canada or from France, we can say, like Paul Valéry wrote a few days before dying: "What has been done during so many centuries of searching, misfortune and grandeur, and which runs such great risks in an era when the law of the greatest number rules, must not perish. The fact that a French Canada exists is a comfort for us, an element of inestimable hope . . . this French Canada asserts our presence on the American continent. It shows what our vitality, our endurance, our value of work can be. It is to French Canada that we must transmit what we hold most precious—our spiritual wealth. Unfortunately, too many French people have very vague and hasty ideas about Canada." And Paul Valéry concluded: "Here, we could all too easily criticize our educational system. What would he have said of our press had he lived long enough to read all that so very many of our newspapers published—is it not so?—on the occasion of the visit General de Gaulle made to the French people of Canada?

Believe me, for them also, for them above all, it is necessary that France be France.

POLAND

Question. General, during your trip to Poland, you raised on several occasions the problem of the frontiers and you sketched the broad lines of a settlement within the framework of a Central Europe. Could you give us more specific indications on this policy?

Answer. Let me tell you that the trip I made to Poland in September brought to light, brought to blinding light, two obvious facts. The first is the extraordinary vitality of the Polish people, today greater than it ever was, I think, despite all the trials it has experienced; and the second is its friendship for France, which, too, has never been greater. Finding myself on Polish territory, in a region which, in my view, can no longer be contested, must not be contested, I noted what was striking—that is, the Polish character of the city where I was.

I did this without wishing, the least in the world, to offend our German friends. In order to build the Europe that must be built and that includes a West, a Center and an East, it is necessary that everyone be respected, including the great German people. I do not believe I should say more today.

GREAT BRITAIN AND THE COMMON MARKET

Question. I wanted to ask you if, after the recent devaluation of the pound sterling, you think that Britain is now more in a position to enter into the Common Market than six months ago, when you held your last press conference?

Answer. Ever since there have been men and ever since there have been states, any great international project has been imbued with seductive myths. That is quite natural, because at the origin of the action there is always inspiration, and that was true for the unity of Europe. Ah, how fine and how good it would be should Europe be able to become a fraternal and organized entity in which each people would find its prosperity and its security. This also holds true for the world. How marvelous it would be to see disappear all the differences of race, language, ideology and wealth, all the rivalries, all the frontiers that have always divided the world.

But, however sweet dreams may be, the realities are there and, on the basis of whether or not one takes them into account, policy can be a rather fruitful art or a vain utopia.

It is thus that the idea of joining the British Isles to the economic Community formed by the six continental States arouses wishes everywhere that are quite justified ideally, but it is a matter of knowing if that could be done today without rending, without breaking what exists. Now, it happens that Great Britain, with truly extraordinary insistence and haste—certain reasons for which the recent monetary events perhaps cast some light on—had proposed the opening, without delay, of negotiations in view of her entry into the Common Market. At the same time, Britain stated that she accepted without restriction all the provisions that rule the Community of the Six, which seemed somewhat to contradict the request for negotiations, for why would one negotiate on clauses that one would have entirely accepted in advance? Actually, we are viewing here the fifth act of a play during which Britain's very diverse behaviors with regard to the Common Market have succeeded one another without seeming to be alike.

The first act had been London's refusal to participate in drafting the Rome Treaty, which it was thought, across the Channel, would never come to anything. The second act brought out Britain's deep-seated hostility toward European construction, once that construction started to take shape. And I still hear the summons which in Paris, as early as June 1958, my friend MacMillan—then Prime Minister—addressed to me, who compared the Common Market to the continental blockade and who threatened to declare it at least a tariff war.

The third act was the negotiations conducted in Brussels by Mr. Maudling for a year and a half, negotiations designed to make the Community bow to Britain's conditions and halted when France made her partners note that the issue was not that, but precisely the opposite. The fourth act, at the start of Mr. Wilson's Government, was marked by London's lack of interest in the Common Market, the maintenance around Great Britain of the six other European States forming the free-trade area, and a great effort exerted to strengthen the Commonwealth's internal ties. And now the fifth act is being played, for which Great Britain, this time, has declared her candidacy, and, in order for it to be adopted, has set out on the path of all the promises and all the pressures imaginable.

To tell the truth, this attitude is rather easy to explain. The British people doubtless discern more and more clearly that in the great movement that is sweeping the world, in the face of the enormous power of the United States, the growing power of the Soviet Union, the reborn power of the continental States, the new power of China, and taking into account the increasingly centrifugal orientations that are dawning in the Commonwealth, the structure and customs of its activity, and even its national personality, are henceforth at stake. And, moreover, the great economic, financial, monetary and social difficulties with which Britain is at grips make her aware of it day after day. Hence, to her very depths, a tendency to seek a framework, be it European, that would help her to save, to safeguard her own substance, that would permit her still to play a leading role and that would lighten a part of her burden.

And this could, in principle, only be beneficial to her, and could over the short term only be satisfactory to Europe. But, on condition that the British people, like those with whom it wishes to join, wishes and knows how to compel itself to make the fundamental changes that would be necessary in order for it to be established in its own equilibrium; for it is a modification, a radical transformation of Great Britain that is necessary in order for her to be able to join the continental States.

This is obvious from the political viewpoint. But today, to speak only of the economic domain, the report that was addressed on September 29 by the Commission in Brussels to the six Governments shows with the greatest clarity that the present Common Market is incompatible with the economy, as it now stands, of Britain, whose chronic balance-of-payments deficit is proof of permanent disequilibrium, and which involves—as to production, to food supply sources, to credit practices, to working conditions—factors which that country could not change without modifying its own nature.

A Common Market also incompatible with the way in which the British obtain their food, as much by the products of their agriculture, subsidized to the highest level, as by the goods purchased cheaply everywhere in the world, particularly in the Commonwealth, which makes it impossible for London ever really to accept the levies laid down by the financial regulation, which would be crushing to it. A Common Market also incompatible with the restrictions Britain imposes on the exporting of capital, which, to the contrary, circulates freely among the Six. A Common Market incompatible, lastly, with the state of the pound sterling as it has once again been brought to light by the devaluation, as well as by the loans that preceded and accompany it; the state of the pound sterling, also, that, combined with the character of an international currency which is that of the pound, and the enormous external liabilities weighing on it, would not permit Britain to belong, at this time, to the solid and solidary and guaranteed society in which are joined the franc, the mark, the lira, the Belgian franc and the florin.

In these conditions, what could be the outcome of what is called Britain's entry into the Common Market? And if one wanted despite everything, to impose it, it would obviously be the breaking up of a community that has been built and that functions according to rules that do not tolerate such a monumental exception. Nor would it tolerate the introduction among its main members of a State who, precisely owing to its currency, its economy and its policy, does not at present belong to Europe as we have started to build it.

To have Britain enter and, consequently, to be committed now to negotiations to that end, that would be for the Six—everybody knows what this turns on—that would be for the Six to give their consent in advance to all the expedients, delays and facades that would be aimed at masking the destruction of an edifice that has been built at the cost of so much hardship and in the midst of so much hope.

It is true that while recognizing the impossibility of having Britain enter today into the Common Market as it exists, one can wish all the same to sacrifice the latter to an agreement with the former. For theoretically, the economic system currently practiced by the Six is not necessarily the only one that Europe could practice. One can imagine, for example, a free-trade area extending all over the West of our continent. One can also imagine a type of multilateral treaty like that which will emerge from the Kennedy Round and regulating, among 10, 12 or 15 European States, their reciprocal tariffs and their respective quotas. But in one case as in the other, it would first be necessary to abolish the Community and to disperse its institutions. And I say that France will certainly not ask that. However, if one or another of her partners, as is after all their right, were to propose this, she would examine it with the other signatories of the Rome Treaty. But what France cannot do is to enter now, with the British and their associates, into negotiations that would lead to destroying the European construction to which she belongs. And then, that would in no way be the path that could lead to allowing Europe to construct itself by itself and for itself, in such a way as not to be under the dependence of an economic, monetary and political system that is foreign to it.

For Europe to be able to counterbalance the immense power of the United States, it is necessary not at all to weaken, but to the contrary to strengthen the Community's ties and rules.

Certainly, those who, like me, have proved by their acts the exceptional esteem, attachment and respect that they hold for Britain, firmly desire to see her one day decide on and accomplish the immense effort that would transform her. Indeed, in order to facilitate things for her, France is quite ready to enter into some arrangement that, under the name of association, or under another name, would foster, starting right away, trade between the continental States on the one hand and the British, Scandinavians and Irish on the other. Indeed, it is not in Paris that one fails to recognize the psychological evolution that seems to be taking shape among our friends across the Channel, or that one does not fully appreciate the merit of certain steps that they had already taken, and others that they plan to take, toward re-establishing their balance within and their independence without. But for the British Isles really to be able to moor fast to the continent, a very vast and very far-reaching mutation is still involved. Everything depends, therefore, not at all on negotiations—which would be for the Six a march toward abandon sounding the knell of their Community—but rather on the determination and action of the great British people, which would make it one of the pillars of the European Europe.

Question. Mr. President, do the relations that have been established since the last legislative elections, between the Government and Parliament, in your opinion show a profound change in the functioning, and even in the spirit of the institutions?

For some time there has been much talk about post-Gaullism. General, have you ever thought about this?

Answer. I have been asked what post-Gaullism would be. Well, we will finish with this.

There is always an end to everything. Everyone comes to an end. For the time being, this is not the case.

In any event, "after de Gaulle," that may be this evening, in six months time or in one year. That may be in five years, since that, according to the Constitution, is when the mandate entrusted to me expires.

But if I wanted to make some people laugh, or others groan, I would say that this could equally well last another 10 or 15 years.

Frankly, I do not think so.

After the constitutional instability in which France was immersed for so long—we had 17 regimes in the space of 177 years—after the permanent Government crisis under the Parliamentary regime—under the Third Republic, from 1920 to 1940, 47 Governments in 20 years, and under the Fourth, from 1946 to 1958, 24 Governments in 12 years. After the disastrous reign of the parties displaying over the years—whatever the worth of the men—its powerlessness to settle the very great and moreover very difficult problems imposed on us by our times, making of our country what was called "the sick man of Europe," collapsing in 1940 in the tragedy of the foreign war, then, in 1959, on the brink of civil war and bankruptcy, it happened that the French nation, acting on the proposal that I presented to it, by a massive vote, by a tremendous majority, endowed the Republic with solid institutions that are suited to our times.

Indeed, for nearly 10 years now the French Republic, instead of as in former times offering the permanent spectacle of its Government's impotence, gives, on the contrary, an example that is recognized everywhere of solidity, continuity and efficiency, thanks to which it obtains, in the essential fields that are called progress, independence and peace, results that the world considers conclusive.

Apart from the partisans, nobody doubts that if no world tragedy comes to call everything into question in the coming decades, the Fifth Republic will ensure France the best possible chances of prosperity, strength and influence, and that, if the storm breaks out once more on earth, it alone would be in a position to assume the country's destiny.

Now, everyone knows that the capital element of its institutions is the attribution to the head of state, elected by the nation, of the means of and responsibility for representing, putting forward and, if necessary, imposing, above all individual passing tendencies, the nation's higher and permanent interest. And everyone knows that in order for policy to be consistent with what is essential, it falls to the head of state to choose the government, to determine its composition and to preside over its meetings.

Naturally, it is this keystone of the building that either partisans of all origins who, although they claim the contrary, ceaselessly seek to make power the stake in their ambitions and machinations, or the conspirators of the totalitarian undertaking who aim at establishing their crushing and dreary dictatorship, would like to smash.

Lastly, everyone knows that if ever the President's faltering in his duties were to open the breach to these assailants, the political and social chaos, the economic, financial and monetary deterioration and the international decline which would result, would inevitably place France in the hands of one or the other of the two main foreign powers.

However, one may think that the present situation—which in specialized circles still arouses so much prejudice against the institutions—will not last. The longer the Fifth Republic lasts, the longer it will last, we will probably see the vast majority of French citizens definitely loose interest in the useless quarrel picked with a regime which they have moreover formally adopted, to which they are adjusting very well and whose dignity, solidity and effectiveness they esteem. whatever the current disputes.

One may even think that, correlatively, any parliamentary combination would decidedly accommodate itself to the effective separation of the powers, which the laws and usage do not allow one to contravene.

In short, the day will no doubt come when our Constitution, with all that it entails, will have become as second nature to us. In any event, and whatever happens, it is the President of the Republic, the head of state, who is responsible for upholding the spirit and letter of the institutions, and for orienting France's policy throughout the time that he alone is the mandatory of the entire French people.

That, moreover, I do believe, is what those who gathered in Lille wished to demonstrate fervently and solemnly, whereas their assizes were working to adapt our conceptions and inspirations to changing conditions.

Ladies and gentlemen, I thank you.

[From the Washington (D.C.) Post, Nov. 30 1967]

Common Institutions Emphasized by Monnet as Only Peace Safeguard

World peace can be safeguarded only by forming "larger entities in the world" to talk out political, defense and monetary problems, Jean Monnet said last night.

Monnet, an architect of Western European unity who has been dubbed "Mr. Europe," was honored last night at the annual Family of Man award dinner in New York at the Hilton Hotel. Until now, the citation has been limited to citizens of the United States and Canada.

At 79 this month, Monnet, who initiated the European Coal and Steel Community, which burgeoned into the European Common Market, expressed new confidence that an expanding European concept will prevail. On Monday, French President Charles de Gaulle delivered his newest and harshest rebuff to Britain in its efforts to enter the Market.

Without mentioning de Gaulle directly, Monnet once again last night said: "I believe that the unification of Europe including Great Britain will continue ineluctably whatever the present apparent difficulties."

Sounding the goal set out by the Action Committee for a United States of Europe, which he heads, Monnet said: "I think it essential also that the United States and Europe organize common institutions in which they can discuss their problems as equals, while a start is made on organized economic cooperation between the Common Market and the U.S.S.R."

In contrast to de Gaulle's new indictment of U.S. policy in Vietnam as a "hateful war," Monnet said, "Knowing your country as I do, I am convinced that the United States does not seek domination or national advantage but the organization of peace in the world."

RENEGOTIATION BOARD BILL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, with one important exception, my bill to curtail excessive profits on defense and space contracts through the agency of the Renegotiation Board continues to wallow in a Sargasso Sea of indifference.

It is becalmed. That I am just about the only force pushing the strengthening of the Renegotiation Board becomes more and more curious to me. There is a rather general concern about the procurement practices of the Department of Defense. A special commitee of the House Armed Services Committee charged Colt with excessive profits on the development of the M–16 rifle, and Chairman Hardy's subcommittee recently investigated other examples of very questionable practices by firms contracting with DOD.

Tightening DOD procurement practices is well and good. But there is another agency, another complementary way to prevent war profiteering, a way that also merits congressional concern. This is the renegotiation process, established in World War II, and now practiced by the Renegotiation Board. The Board reviews the profit figures of contractors and subcontractors who have done over $1 million of business per fiscal year with defense or space related agencies. It is the only independent agency whose sole statutory responsibility is to protect the American taxpayer from excessive profits on Government contracts. It is the only agency which reviews a contractor's record on a fiscal year basis, after the contract work has been completed or at least after there are measurable results of a contractor's performance. It is the only agency which can issue legally enforceable determinations of excessive profits not only for negotiated contracts, whether cost-plus, fixed-price, redeterminable or incentive, but for competitive contracts as well, in most instances.

I wish to make a suggestive comparison. During fiscal year 1966, the Renegotiation Board saved the American taxpayer, through both directed and voluntary refunds from contractors, $47.8 million in excessive profits. The Board employed 178 persons in that year, whereas the Department of Defense employed about 20,000 procurement officers. This is not a perfectly just comparison, for the Board reviews more than DOD contracts, because these refund figures represent contracts awarded years earlier, and because a procurement officer is not a renegotiator. However, I do feel this comparison reinforces the need for a strong independent renegotiation process.

I stumbled upon the existence of the Renegotiation Board last year, when I questioned a witness as a member of the Banking and Currency Committee concerning the level of prime contract awards resulting from the Vietnam war. So I realized by my own experience that the Board is generally unknown. But I have made numerous attempts since then to call the Board to the attention of this Congress. Recently, I completed seven statements detailing the accomplishments and the need for strengthening the Board. I accompanied each insertion with an article or an editorial from the Nation's press concerning my efforts against excessive war profits. With one important exception, as I stated earlier, my bill still received no attention. But I do wish to here and now thank the one Member who stated his knowledge and support for the Renegotiation Board, and who was generously appreciative of my efforts to strengthen it. This was the distinguished colleague from Massachusetts, Mr. James A. Burke.

Mr. Speaker, I have permission to include at this point in my remarks the additional articles and editorials relative to my bill to amend the Renegotiation Act, H.R. 6792:

[From the Boston Globe, Oct. 21, 1967]

Scandalous War Profits

All that can be said for the Defense Department's breast-beating announcement that it is going to tighten its procurement policies to guard against overcharges on small war items is, "So far, so good."

Its sudden resolution stems from an investigation showing that it has been paying $67.50 to $230 and more for small military items such as spur gears and electric couplings which the manufacturers' own catalogs list at $3.43, $2.75 and less.

A belated purpose of amendment is of course better than none at all. But the departments announced resolve is limited to an area in which the estimated savings will total no more than $10 million to $25 million per year. Wonder inescapably arises as to when Washington will move into those larger areas where sloppy procurement policies (or worse) could be costing the nation not just a few million a year but possibly tens of billions in illegal profits on major war items.

One remedy immediately at hand is Public Law 87–653, better known as the Truth in Contract Negotiating Act. But both the Defense Department and war contractors have been violating this one right along not only in spirit but in letter, according to Rep. Henry B. Gonzalez (D–Tex).

Another is the War Contracts Renegotiation Act which Rep. Gonzalez vainly has been seeking to strengthen and extend beyond its June, 1968, expiration date. The Act is almost totally ignored although (or possibly because) it was the instrument through which more than $11 billion in excess profits was recovered after World War II.

Mr. Gonzalez' proposal has been bottled up in the House Ways and Means Committee for eight months, during every day of which he has "been struggling in a sea of general indifference" to get action on the floor.

With billions at stake, scandal already breaking (as in the case of the M–16 rifle) and the Defense Department blandly acknowledging that its procurement policies are sometimes irrational, the Ways and Means Committee's determination to let the whole thing slide is itself a continuing scandal in which both Speaker McCormack and Rep. James A. Burke, the Massachusetts member of the committee, ought immediately to interest themselves.

The Defense Department has blamed clerical deficiency for the mistakes to date. That is not an acceptable excuse for the larger items now being uncovered. Nor is it an excuse for the flagrant violations of law which Mr. Gonzalez has cited on the House floor while nobody bothered to listen.

[From the Dayton Daily News, Oct. 11, 1967]

Defense Waste

If Dayton's Rep. Charles Whalen can succeed in pushing through his amendment to the Truth in Negotiations act, it will save the Defense department—and the public—a lot of money.

Rep. Whalen cites cases, uncovered by the General Accounting Office, of the government being overcharged on defense contracts largely because of incorrect pricing data. The congressman shouldn't have much trouble passing an amendment to require defense contractors to make records available for postcontract award reviews by Defense department auditors. The Defense department already has agreed to this suggestion; the job is to write it into law.

The public and Defense department can get further protection if Congress supports Rep. Henry Gonzalez' (D-Tex.) bid to strengthen the Renegotiation board. This board has the power to demand that a defense contractor make a refund on profits at the end of the fiscal year if they are deemed excessive.

However, Congress has been chopping away the authority of the board since 1954. Today it has only one-fourth of the manpower it had during the Korean war and has little jurisdiction. In view of the heavy defense work during the Vietnam war, these checks on defense spending are especially important.

[From the New Bedford (Mass.) Standard-Times, Oct. 5, 1967]

Legislator Hits Lack of War Profiteering Curbs

(By Donald R. Larrabee)

Washington.—With defense spending at a record level and military procurement already exceeding the peak year of the Korean war, Congress is doing little or nothing to guard against war profiteering.

There is no "Truman Committee," such as helped to recover more than $1 billion in excess profits from World War II. And the Renegotiation Board, established in 1951 to review most prime (negotiated) contracts, has been virtually legislated out of effective authority.

Rep. Henry Gonzalez, D-Tex., told the New Bedford Standard-Times today that both Congress and the Johnson administration seem to be either "unaware or indifferent" to war profiteering. He declared that the nation has already suffered from loose procurement policies.

WANTS COMMITTEE

Gonzalez called for creation of a Joint Senate-House Committee to keep an eye on military purchasing. He recalled that a special Senate Committee, headed by Harry S. Truman during World War II, investigated waste, extravagance and inefficiency in the military and—on its own—saved an estimated $1 billion by watchguarding war production and procurement.

The senator went on to the presidency, partly on the strength of his reputation as an investigator. And, out of the Truman Committee grew the War Contracts Price Adjustment Board, a forerunner of the Renegotiation Board which was born at the height of the Korean war in 1951.

Over a period of a dozen years, the Renegotiation Board made 3,664 determinations of excess profits totaling $896 million. In addition, contractors made voluntary refunds and price reductions during that time totaling $1.2 billion, making for more than $2.1 billion in recoveries before allowance for taxes paid.

But, through the years, according to Gonzalez, Congress has enacted so many amendments and exemptions that the Renegotiation Board is operating with badly weakened authority and a skeleton crew. In fact there was pressure last year to let the basic law expire.

BASE RAISED

As it now stands, the floor for contract awards subject to renegotiation has been raised to $1 million. Many standard items are exempted.

Gonzalez has filed a bill, H.R. 6792, to restore the $250,000 floor written into the original 1951 act and, hopefully, to replace some of the teeth that have gradually been knocked out by an apparently unconcerned Congress.

Yet, no hearings are scheduled on the Gonzalez bill and there is little indication that anything will be done, despite the daily outcry for economy and the demands for cutbacks in federal spending.

The Texas congressman has been talking about the problem for the past 18 months but he can't seem to attract the serious attention of his colleagues or the Johnson administration. Prime contract awards this year will probably total around $45 billion, exceeding by $1 billion or more the peak year of the Korean war.

Vietnam expenditures alone are now estimated at around $22 billion a year, although Congress has been hard pressed to obtain an exact breakdown of costs that could directly be attributed to the war.

PROCUREMENT CLIMBS

Procurement spending climbed far more sharply between fiscal 1965 and fiscal 1967—by 61 per cent—than spending on the other major categories in the defense budget.

Revelations by individual congressmen, particularly Rep. Otis G. Pike, D-N.Y., have lately highlighted instances of alleged overpricing on specific procurement contracts. A House Armed Services subcommittee under the chairmanship of Rep. Porter Hardy, D-Va., has begun a broad review of military procurement policies, procedures and practices.

Pike, for instance, has accused Litton Industries, Inc., of making a "huge profit" from a sale of navigation equipment for the F104 Starfighter Jet used in Vietnam. The New York congressman is a member of the Hardy subcommittee but admits himself that the panel is not geared to making a "Truman-type" continuing inquiry into the major field of negotiated contracts and subcontracts.

Likewise, Gonzalez does not feel that the armed services subcommittee is going to do the job that needs to be done.

Supposedly, the Defense Department is closely supervising the level of profits by its major contractors. Defense Secretary Robert S. McNamara—for unexplained reasons—has been reluctant to discuss publicly a study that he ordered some six years ago into the whole question of defense profits.

But some members of Congress are applying pressure on the Secretary to explain what progress has been made on the study and when, if ever, the results are to be published.

[From the Standard-Times, Oct. 10, 1967]

WATCHDOG FOR DEFENSE CONTRACTS

Congress is showing an inexplicable penny wise, pound foolish attitude toward the proposal by a Texas member of the House to establish a watchdog agency on possible war profiteering.

It is not demeaning defense contractors generally to observe that with more than $70 billion being spent annually for national security, some $22 billion for a gigantic military buildup in Vietnam alone, there is generous opportunity for cheating, and, on legitimate contracts, for unconscionable profits.

The so-called Truman Committee found this to be true in World War II, saving an estimated $1 billion during its review of war-time contracts. And, Donald Larrabee of The Standard-Times Washington Bureau reports, the postwar successor to the committee, the U.S. Renegotiation Board, recovered more than $2 billion in a dozen years.

But that renegotiation agency's authority and stature has been so cut back that it is now virtually insignificant and the task of reviewing war spending has fallen to various committees, subcommittees and individuals, in uncoordinated and spasmodic effort.

Why not, then, as Rep. Henry Gonzalez, D-Texas, urges, appropriate a modest $250,000 to get the Renegotiation Board fully functioning again, with restored powers?

Maybe Mr. Gonzalez should provide House and Senate leaders with a review of the famed Harry Lev of Chicago case, and his fantastic manipulations with so mundane a task as making white hats for Navy enlisted personnel.

Outwardly the only unroutine aspect of the contract awarded Lev was the number of hats involved, more than 6,000,000. But in 1955, a Senate subcommittee headed by Sen. McClellan, D-Ark., took a further look and found:

Lev had no factory when he got the contract, as was required. He rustled one up, in Puerto Rico. Then he got the specifications changed to 1) increase the number of hats per box, 2) reduce the size of the hat, 3) require installation of certain items on which Lev held a patent.

In two years, out of the hat contract, $1,400,000 in cash passed through Lev's hands, $214,000 of which he could not give any destination for. But a number of persons in federal service had been bribed. And Lev became a millionaire.

Maybe the profiteers of this type are few. But a guardian agency such as Rep. Gonzalez recommends is needed just to make sure. The Renegotiation Board more than paid its way. Its presence today would save money and be a warning that the administration is not as "unaware or indifferent" as Rep. Gonzalez' experience up to now suggests.

[From the Northampton (Mass.) Hampshire Gazette, Oct. 16, 1967]

NEW ENGLAND WEEK IN WASHINGTON

WASHINGTON.—With defense spending at a record level and military procurement already exceeding the peak year of the Korean war, Congress is doing little or nothing to guard against war profiteering.

There is no "Truman Committee," such as helped to recover more than $1 billion in excess profits from World War II. And the Renegotiation Board, established in 1951 to review most prime (negotiated) contracts, has been virtually legislated out of effective authority.

Defense Secretary Robert McNamara apparently ordered a study of defense contract profiteering some six years ago but Congress did not learn of its existence until recently when Rep. Silvio Conte (R-Mass.) happened to stumble on the information while McNamara was testifying before the foreign operations appropriations subcommittee.

McNamara said the purpose of his secret study was to examine profits by contractor, by contract and by type of contract in hopes of setting some guidelines for military purchasing agents who have a shopping list of about $45 billion a year, under the impetus of Vietnam. But neither Congress nor the general public has been given any details of the Pentagon findings to date. McNamara says only that his data is still incomplete.

Congressman Conte, for one, is pressing the Defense Secretary to determine how closely Pentagon auditors are supervising contract awards to protect the Government's interests. Conte has asked for a full report.

"I think the Congress is entitled to know what this study of defense contractors shows," he said. "After I hear from Mr. McNamara, I will be in a better position to evaluate what Congress should be doing in this field. It may be that we need to establish an oversight committee to make certain that excessive profits are not being made in relation to the investment and the risk involved in the Vietnam procurement program."

Rep. Henry Gonzalez (D-Tex.), who has called for a Joint Senate-House Committee to keep an eye on military purchasing, says that both Congress and the Johnson Administration seem to be either "unaware or indifferent" to war profiteering. He believes the Nation has already suffered from loose procurement policies.

Gonzalez has a bill that would strengthen the authority of the Renegotiation Board to review negotiated contracts. Over the past 15 years, he says, Congress has enacted so many amendments and exemptions that the Board cannot do an effective job. The floor for contract awards subject to review has been raised to $1 million. The Congressman wants to restore the $250,000 floor written into the original law.

It seems unlikely that Gonzalez, Conte or anyone else is likely to be given the opportunity enjoyed by former President Harry S. Truman when, as a Missouri Senator, he headed a special Senate committee investigating World War II waste, extravagance and inefficiency in the military. The Truman Committee saved an estimated $1 billion on its own by watchdogging war production and procurement.

The Renegotiation Board, which grew out of these inquiries, was active during the Korean war. It made 3,664 determinations of excess profits totaling $896 million, over a period of a dozen years. In addition, contractors made voluntary refunds and price reductions during that time totaling $1.2 billion, making for more than $2.1 billion in recoveries before allowance for taxes paid.

Prime contract awards this year will probably total about $45 billion, exceeding by $1 billion or more the peak year of the Korean war. Vietnam expenditures alone are now estimated at around $22 billion a year, although Congress has been hard pressed to obtain an exact breakdown of costs that could be directly attributed to the war.

Procurement spending climbed far more sharply between fiscal 1965 and fiscal 1967—by 61 per cent—than spending on the other major categories in the defense budget.

Now and then, individual congressmen have uncovered instances of alleged overpricing on specific procurement contracts. But the charges have never been thoroughly explored by Congress. Rep. Porter Hardy (D-Va.), heads a special investigations subcommittee of the House Armed Services Committee which comes as close as any group in Congress to being a procurement watchdog.

But the Hardy unit has largely confined itself to monitoring the effectiveness of a 1962 law which requires contractors to certify that cost data submitted to Pentagon is complete, accurate and current. And, strangely, the question of profiteering is rarely mentioned in the growing daily outcry for economy and the demands for cutbacks in federal spending.

[From the San Antonio Express/News, Oct. 29, 1967]

OFF THE WAGON

The House of Representatives has reportedly gone berserk in its crusade to trim unnecessary (some say necessary) government expenditures, but there is one economy band wagon that the boys don't seem inclined to mount.

This is the proposal of Bexar Rep. Henry Gonzalez that the Renegotiation Board be strengthened and its area broadened so that it can mount a major drive to prevent war profiteering. The value of prime defense contracts, he keeps telling his colleagues, has risen to $44.6 billion—more than the highest year of the Korean War—but the board's ability to deal with profiteering has plummeted. It is down from 724 employes in 1953 to 179 last year.

Getting no encouragement from other members of Congress, Henry B. is undaunted. He has just completed a series of seven floor appearances in which he called attention to support of his proposal from newspapers throughout the U.S. And he never tires of noting that a similar board recovered $11 billion in excess profits during World War II.

EDUCATION, POLITICS, AND THE FUTURE OF GREECE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, recently I had the honor to deliver an address on education in Athens, Greece, at a symposium sponsored by the Greek Heritage Foundation, an American organization headed by Christopher Janus, of Chicago.

I insert the text of my address, "Education, Politics, and the Future of Greece," which was delivered on September 28, 1967, at this point in the RECORD:

EDUCATION, POLITICS, AND THE FUTURE OF GREECE

(An address by Congressman JOHN BRADEMAS at a symposium sponsored by the Greek Heritage Foundation, Athens, Greece, September 28, 1967)

I am glad to be back in Greece.

My first visit here was 16 years ago as a student at Oxford University and I remember still the emotion I felt when I was greeted at the train station in my father's home town, Kalamata, by my uncle and a dozen other relatives armed with bouquets of flowers, many tears and a horse-drawn carriage in which they whisked me off to the house where my father was born.

Ten years later I came back with Christopher Janus and the Greek Heritage Foundation—and I know from that journey what pleasures are in store for you first travelers to Greece.

In 1963, President Johnson sent me on Air Force One with President Truman, Mrs. Johnson and others in a delegation to attend the funeral of King Paul. And only last month I had the privilege of returning to Athens with the distinguished and beloved Archbishop of the Greek Orthodox Church of North and South America, Archbishop Iakovos, to attend meetings of the American Archdiocesan Council here.

Yet I am glad to be back in Greece so soon after my last visit because it affords me the opportunity to talk about a subject which is both central to my own responsibility as an American legislator and crucial to the future of Greece—education.

For nearly nine years I have served as a member of the committee of the House of Representatives which has primary responsibility for legislation in the field of education. Indeed, I am proud to sit in the same subcommittee seat on the Committee on Education and Labor which John F. Kennedy held when he was a Congressman 20 years ago.

As a member of this committee, I have had the opportunity to talk with students and teachers not only in the United States but also in Buenos Aires and Berlin, London and Leningrad, Warsaw and Djakarta, Caracas and Kyoto; I have, therefore, little hesitation in saying that the future of all these nations, including our own, will very largely depend on the kind of education they afford their young people.

This is surely true of the future of Greece as well.

Indeed, I believe that the quality of Greek life, the prosperity of the Greek people and the future of democracy in Greece will in large measure be determined by the responses to five major challenges to Greece's educational system—and I shall shortly discuss them.

GREEKS THE FIRST EDUCATORS

It is, I think most appropriate that we discuss education here in Athens . . . for the theme of this symposium is "The Cultural Contributions of the Greeks—Ancient and Modern" . . . and it was the Greeks, after all, who were the first genuine educators of the Western world, the first to raise profound questions about how to educate both children and men.

But even as the ancient Greeks criticized their educational system, we, too—modern Americans and modern Greeks—must answer serious questions about our own systems of learning and teaching.

I think this is especially important in Greece at a time when a new regime is reviewing some of the educational reforms begun a few years ago.

Before I discuss the five decisions confronting those who shape Greece's educational system, I want to make some observations about education generally based on my own experience as a member of the Congressional committee that helps shape educational policy, at least at the Federal level, in our own country.

EDUCATION: THE KEY TO DEVELOPMENT IN LATIN AMERICA

In the spring of 1961, shortly after President Kennedy outlined the Alliance for Progress, I went to Argentina to gather information on the potential role of higher education in achieving the objectives of the Alliance.

That visit persuaded me that the universities of Latin America are an indispensable key to the economic development and social reform these nations must have if they are to create democratic societies and free political institutions that will endure.

The universities of Latin America must produce the engineers, the agricultural specialists, the economists, the scientists, the public administrators and the teachers needed to fight hunger, poverty and disease and to move the economies of their countries into the twentieth century.

I think it fair to say that there is increasing agreement on the thesis set forth by a number of economists in recent years, notably Theodore Schultz of the University of Chicago, that a critical factor in the economic growth of the emerging nations—such as Latin America—is human capital, trained and educated men and women, as distinguished from physical resources.

The need of Latin America to invest more in education, with highest priority in the strategic fields—those that contribute most directly to the economic development of a country—is just as urgent in the emerging countries of Asia and Africa.

THE SOVIET UNION: COMMITMENT TO SCIENTIFIC AND TECHNICAL EDUCATION

Let me turn to a second example within my own experience—the Soviet Union.

A few years ago a Congressional subcommittee of which I am a member visited schools and technical institutes, colleges and universities in Moscow, Kiev and Leningrad.

Our subcommittee left Russia with several vivid impressions.

We were struck first by the great emphasis the Soviet Union places on science and technology. Through their centrally planned economy, the Soviets have been able to allocate an immense share of their educational resources for the production of highly skilled scientists and technicians.

Soviet accomplishments, from the first Sputnik to the huge Bratsk hydro-electric station to the Serpuhkov electron accelerator are concrete evidence of the great success of this policy.

A second striking characteristic of Soviet education is the insistence on providing access to successive levels of education according to ability.

There is room at the top in the Soviet Union, and, next to Communist party activity, the best way up the ladder for the Soviet man or woman is education—especially scientific or technical education.

This combination of: 1) a totalitarian system, in which the flow in national investment in education can be controlled from the center; with 2) a strong emphasis on producing scientists and engineers; and 3) a determination to overtake the West economically and technically should help us all understand why the Soviet Union is so intensely committed to education.

JAPAN: WIDESPREAD EDUCATION THE SECRET TO ECONOMIC GROWTH

I have spoken of the role of education in an underdeveloped area—Latin America—and a highly industrialized, Communist state—the Soviet Union—and now I shall say a word about education in another industrialized nation but one allied with the United States and in Asia—Japan.

I returned from Japan to Washington only last week after several days of meetings in Shimoda—where Admiral Perry opened Japan to the West a little over a century ago—and where government officials, scholars and businessmen from both the United States and Japan, meeting as the Japanese American Assembly, reviewed the spectrum of our relationships with each other.

What immediately strikes the traveler on his first visit to Japan—at least this one—is the extraordinary activity of the place. There are people everywhere—one takes a train through an almost endless chain of thickly populated urban conglomerations—and they are all working as if tomorrow were to bring their last paychecks. But the phenomenal growth of Japan in the post-war period—averaging about ten percent in real terms over the decade 1955–1964—is only partially to be explained by the Japanese propensity for work.

There are of course several other factors but a key one, as a survey in the *Economist* of London reported last May, "is always a shock for a visiting Briton to realize. It is that Japan is now a more educated society than Britain."

Popular schooling in Japan has expanded beyond the nine year compulsory level to train masses of workers in the skills now needed for offices, laboratories and the burgeoning new industry, while at the same time Japan is spawning a huge university population.

Seventy percent of Japanese children, compared to under forty percent of British, stay in school to the age of 18 or past; some sixteen percent, versus less than ten percent in Britain, go to college; and within five years, some thirty percent of Japan's new entrants into the labor market will have college or university degrees.

And the training of all of these people continues once inside the industrial firms they join.

Is it surprising, therefore, that, in terms of per capita income, Japan is three generations ahead of most of Asia and that it ranks only behind the United States, the Soviet Union and perhaps West Germany as an industrial power?

Knowledge has been an essential ingredient of the economic miracle of Japan.

UNITED STATES: THE EXPANDING COMMITMENT TO EDUCATION

Let me now turn to the United States, for I believe that the successes and problems of American education, like those of Latin America, the Soviet Union, and Japan, contain lessons which are relevant to education in Greece.

Commitment to education has characterized American history since the days of the Pilgrims. Americans have placed unusual faith in their schools and colleges, and this faith has served them well.

Yet despite this commitment by the world's wealthiest nation, we have become increasingly aware that we have not by any means been fully meeting our own responsibilities to our schools and universities. Only in the last few years have we seen a tremendous outpouring of Federal legislation channeling billions of dollars to support and improve American education at all levels. To supplement the efforts of state and local governments, and private resources, the Federal government is now investing huge sums in the construction of classrooms, libraries and laboratories; in library books and materials; in loans and scholarships for college students; and in programs designed to stimulate quality in education.

Only recently we have assigned our schools perhaps the most difficult task of all—helping to overcome the debilitating effects of long-term deprivation among the nation's poor and disadvantaged children—especially Negro children.

We have not had enough time fully to assess the impact of all these programs. Even so we know that much remains to be done. Far too many qualified young Americans still cannot afford to attend college. Our system of vocational education has not kept pace with technological change. The rising campus population is placing great strains on existing educational facilities.

Above all, as I have just suggested, there are still certain segments of our population which, because of inferior education and racial injustice, continue to be locked out of the mainstream of American life. Although there is not complete agreement on the answer to this overriding issue in American domestic life, there is near unanimous agreement that an indispensable part of the solution lies in far greater efforts to provide education and training for all our citizens, and especially for the children of the urban ghetto.

The new and expanding American commitment to education—one of the most exciting phenomena of the last few years in the United States—was perhaps best explained in the words of John F. Kennedy when he said:

"Education is both the foundation and the unifying force of our democratic way of life—it is the mainstream of our economic and social progress—it is the highest expression of achievement in our society, ennobling and enriching human life. In short, it is at the same time the most profitable investment society can make and the richest reward it can offer.

EDUCATION AND THE FUTURE OF GREECE

With these considerations about the role of education in other countries in mind, let us now turn to Greece and reflect on what education means to the future of this nation.

We all know that few people have held learning and knowledge in such high regard as the Greeks of the Golden Age and Hellenistic periods. In later times as well, including the Byzantine and Ottoman periods, the classical dedication to learning—to *paideia*—sometimes flourished and always endured. Even in the darkest periods of Ottoman domination, the ancient Greek notion of *eleftheria*—freedom of mind, body, and spirit—was somehow kept alive, and indeed, in many ways helped lay the groundwork for the creation of an independent Greek state.

In the middle of the 19th century, thirty years after Greek independence, Matthew Arnold was able to say that the Greek people among all Europeans, were "ardently desirous of knowledge". As Greece entered the 20th century, Greek education compared quite favorably with most European countries, at least as measured by literacy rates and school attendance.

Professor Andreas Kazamias of the University of Wisconsin has noted that by this time the Greeks "possessed a reasonably well-graded system of education from elementary to higher, including teacher training institutions and some technical and vocational establishments."

As the present century unfolded, however, Greek education suffered from conditions which afflicted much of Europe. Persistent wars, political instability, powerful institutionalized interests, and conflicting social and educational ideologies impeded educational progress.

World War II and the civil war created havoc. By 1950, according to Professor Kazamias, over 70 percent of the school buildings were either destroyed or heavily damaged, ninety percent of school equipment was lost, and the teacher corps itself was decimated. Administrative chaos abounded.

The post-war years saw a growing dissatisfaction with the state of education. Critics contended that the *gymnasia* (the six-year, post-elementary schools) had become too preoccupied with a classical curriculum at the expense of such subjects as contemporary literature and the sciences. Critics further contended that technical and vocational education, while making some progress, was woefully inadequate to the needs of a modern society. The universities were thought to be overcrowded, understaffed and, like the *gymnasia*, wedded to an anachronistic curriculum.

In 1957, against this background of discontent, the government appointed a special committee to scrutinize the educational system and to propose guidelines for change. As one scholar has said, "The report of this committee ushered in a ferment for reform unparalleled in the history of modern Greek education." Following this report, major legislative reforms were enacted in 1959 and again in 1964.

I shall not here describe in detail the reform effort begun in these years, but I must note that the thrust of the reforms was to place more emphasis on the *modern* Greek heritage and to expand and update the content of the curriculum. Considerable progress was made, for example, in adapting education and training to contemporary economic needs. And the need for greater equality in educational opportunities was underscored. The 1964 legislation declared: "The basis and the guarantee of a true democracy rest on equality—without discrimination—of all citizens to acquire the benefits of education."

Although the beginnings of reform spoke well for the future of Greek education, serious problems remained to be faced. Compared to other Western European countries—or say, Japan—the shortcomings were still very serious, in large part because not enough resources were being allocated to education.

Nonetheless and in spite of these problems, the dominant theme of the reform movement was *proodos*—progress. The ideals, at least, had been defined, the goals established, and there was advance. Crucial decisions, however, were yet to be made as of April 1967.

As a practicing politician and as a member of a Congressional committee that handles some of the most controversial legislation in American politics, I am fully aware of the interaction between education and politics. We all recognize that the development of an educational system does not take place within a vacuum—in the United States, in Greece or in any other country.

And so I realize that the political framework within which decisions on education are made in Greece in the months ahead will have an important bearing on the Greek educational system.

FIVE MAJOR CHALLENGES TO THE GREEK EDUCATIONAL SYSTEM

Keeping this factor in mind, I want to conclude my discussion by reiterating that the quality of Greek life, the prosperity of the Greek people and the future of democracy in Greece will in large measure be determined by the response to five major challenges to Greece's educational system.

These five issues are important in every country today, but especially so in Greece. They are:

1. *The need to invest more resources in education.*

Every nation must decide what proportion of its national wealth it will invest in education. I have already said that even in the world's most affluent nation, the United States, we still allocate far too little for education.

Yet in Greece, education has been kept on a starvation diet.

Experts report that Greece ranks second lowest among European countries in public expenditures on education as a percentage of Gross National Product—ahead of Spain but below Turkey.

The economic development and industrial growth of Greece, as of other modern societies, is largely dependent on an adequate supply of trained men and women.

Without sufficient investment in human resources development in Greece, social and economic progress will be severely limited.

And let me here add that watering down the quality of education, by, for example, providing too few teachers, too few books and inadequate equipment, is no lasting answer to increased numbers of students. The success of an educational system depends on meeting qualitative as well as quantitative standards.

2. *The need to place more stress on technical and vocational education.*

I have said that modern economists have effectively shown that investment in human capital as well as physical plant and equipment is essential to economic growth. And I have noted that both the Soviet Union and Japan have given high priority to this area of education.

Even an advanced industrial society like the United States has serious weaknesses in its vocational and technical education programs, and we in America are now seeking to make radical improvements in our job training programs.

Less highly developed nations like Greece need to make intensified efforts to train more young people as technicians, agronomists, economists, scientists, public administrators and for other careers crucial to the building of a modern economy.

3. *The need to assure widespread access to education, basing opportunity for schooling on merit rather than means.*

Nations that restrict the chance for an education to a few waste the most precious resource they have—brainpower.

It has only been within recent years that the United States has begun to provide Federally financed loans and scholarships to talented but needy young people seeking to go to college. As President Johnson said, "This nation is determined to give all our young the education they deserve."

In a poorer country like Greece, the extension of opportunities for education—both high school and university—to talented young people, poor as well as rich, is critical to the future of the nation.

A philosophy that restricts education to an elite is self-defeating.

It remains to be seen whether reforms in Greece that enable more students to complete high school and the university will be maintained and expanded.

4. *The need to develop effective programs of citizenship education.*

An important legacy of Periclean Greece to Western civilization was the concept of the responsible citizen, one who participates fully in the life of his community.

The effort to teach Greek school children the principles of democracy today should be intensified.

For it is surely clear that a widespread appreciation by the citizenry of both their rights and responsibilities as citizens is indispensable in a society that claims to be free.

Greece taught this great lesson to the world many centuries ago and every democratic nation still aspires to practice this ideal.

I might here note that citizenship education in the United States is expanding to include the notion of public service. More and more young Americans are seeking to serve their fellow man through enrolling in the Peace Corps abroad and enlisting in the War on Poverty at home.

Perhaps Greek educators will want to consider devising programs designed to instill this concept of public service.

5. *The need to assure freedom of inquiry and discussion to teachers and students.*

It was the glory of 5th Century Athens that her gates were always open to new people and new ideas. The conviction that the freedom of the human spirit depends on the freedom of the human mind has become a fundamental part of the legacy which America and the entire Western world inherited from Greece.

This legacy has become the basis of academic freedom—freedom of teachers and students to think, to question, to criticize without being threatened or coerced.

I must confess that academic freedom has come under frequent attack in the United States. Few Americans are proud, for example, of the era of McCarthyism and the assault on academic and other forms of freedom that it represented. In this connection, I think you may be interested to know that one of the continuing concerns of President Kennedy was to press for the elimination of a loyalty oath that had been required of university students who applied for government loans.

For President Kennedy recognized the importance in a democratic society of assuring the right of free inquiry to students and teachers and he successfully fought to have this loyalty oath, a symbol of hostility to free inquiry, removed from the law.

Yet even in our own day academic freedom from time to time comes under attack in the United States. We know academic freedom was destroyed in Nazi Germany, and we know that it is not respected in Communist states. It is now an important issue in Greek life, and we all hope, I am sure, that it will be resolved in such fashion as to strengthen the institutions of freedom in Greece.

When constitutional government is restored to Greece—as the present government has promised it will be—this question of freedom for students and teachers will undoubtedly come more sharply into focus.

How Greece responds to these five challenges to education will, I repeat, tell much about the future of the Greek people in the 20th century.

SUMMARY

Let me summarize what I have tried to say.

Education in Greece, like the Greek nation itself, is in a period of flux.

As an American of Greek ancestry and as a legislator principally interested in education, I have ventured, first, to draw some lessons about education from my observations in my own country and in other lands.

I have suggested, second, that every nation that seeks to lift the quality of life of its individual citizens and to advance economically and socially must make an adequate investment in education. For I believe with President Kennedy that "education is the keystone in the arch of freedom and progress."

Finally, I have touched briefly on some of the critical issues—as I view them—confronting education in Greece. Each of them is an issue which is also important in the United States and I dare say to every other nation as well.

I hope I have made clear that it has not been my purpose to tell the Greek people how they should operate their educational system. Rather, I have sought, as one who loves Greece and wants to see the land of his father's birth and the land which is the home of our common intellectual heritage, flower and flourish. In Pericles' magnificent funeral oration Thucydides tells us that Pericles says of Athens, "In a word I claim that our city as a whole is an education to Greece and that her members yield to none, man to man, for independence of spirit, many-sidedness of attainment, and complete self-reliance in limbs and brain."

It is in that same noble spirit that Pericles also said, in praising the citizens of Athens that ". . . instead of looking on discussion as a stumbling-block in the way of action, we (Athenians) think it an indispensable preliminary to any wise action at all."

I believe that Pericles' advice then is still worth following today in Greece and, indeed, in every land. In particular, I hope that Athenians and all Greeks will still be able to discuss the vital issues affecting education and, for that matter, issues touching the whole of Greek life. I am confident that free men everywhere share that hope.

UNIVERSITY RESEARCH AND THE FEDERAL GOVERNMENT: TIME FOR REASSESSMENT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, yesterday, November 29, 1967, I had the honor of addressing the annual conference of the National Council of University Research Administrators here in Washington, D.C.

The subject of my address was the relationship between the universities and research supported by the Federal Government.

I insert this address at this point in the RECORD:

UNIVERSITY RESEARCH AND THE FEDERAL GOVERNMENT: TIME FOR REASSESSMENT

(An address by Congressman JOHN BRADEMAS, at the annual conference of the National Council of University Research Administrators, Washington, D.C., November 29, 1967)

I am pleased to have the opportunity today to talk to you about the significance of your work as directors of university research programs, for I believe that the research for which you bear some responsibility is of great significance not only to your respective institutions but to the entire nation.

Yet the wider implications of the structure of research in the United States have received far too little attention from the university community, the Federal executive agencies or from us in Congress.

I recognize that no two universities are organized identically and that your own responsibilities vary from one institution to another. Some of you may function chiefly as brokers between the talent pool of principal investigators on campus and the Federal agencies here in Washington that dispense research and development grants. Others of you may have some major responsibility for molding the policies of your institution with regard to research.

Yet I am sure that nearly all of you, in carrying out your duties, exercise considerable influence in counselling your respective institutions in an area of policy critical importance not only to your university but also, because of the effects of research activities, to the nation.

It is for these reasons and in this context that I should like to share with you some observations on the relationship between the university and government-sponsored research.

TIME NOW TO REASSESS RESEARCH PROGRAMS

Now is an especially appropriate time to reassess this relationship. Why?

In the first place, Federally supported academic research has reached a magnitude such that its impact is pervasive in terms both of shaping the process of education on campus and of yielding insights and advances for the wider society.

After all, in the short span of nearly 8 years that your National Council of University Research Administrators has been in existence, Federal support for research and development has more than trebled, from $410 million expended by universities and colleges in calendar 1960, exclusive of Federal contract research centers, to an estimated $1.47 billion for the current calendar year. During the same time, the proportion of total university and college research and development funds received from the Federal government rose from slightly less than 50% in 1960 to about 62% in 1967.

On the other hand, mounting pressures to economize, especially in view of the Vietnam War, are leading both Congress and the Executive Branch to hold the line or even to cut back the level of Federal support for academic research. Consider, if you will, several indices of this economy drive. As you know, the growth of Federally-sponsored research for academic science—including research facilities and aid to students as well as research funds per se—has accelerated sharply in recent years.

Here are some National Science Foundation figures that indicate how fast Federal support of academic science has been growing:

Fiscal Year 1964 saw a 15% growth over Fiscal 1963, Fiscal 1965 a 19% expansion over 1964, and Fiscal 1966 bore a 20.8 increase, carrying Federal obligations past the $2 billion level.

DECLINE IN FEDERAL SUPPORT OF ACADEMIC RESEARCH

But in Fiscal 1967 the rate of increase dropped to 8.3%, and, more significantly, the figure for the present Fiscal Year 1968 will show no more than a 2% increase. If we take into account rising costs and inflation, this figure actually represents a slight decline of Federal support for academic sciences.

Moreover, graduate school programs will be subjected to further pressure as the number of Federally sponsored fellowships is reduced. Although precise figures have not been released, some estimates have been made by Dr. Philip H. Abelson, Director of the Geophysical Laboratory of the Carnegie Institution of Washington and editor of Science Magazine. After careful checking Dr. Abelson recently came up with a previously unpublished Federal agency estimate projecting a precipitous drop off in newly awarded Federally supported fellowships and traineeships from 15,000 in fiscal year 1966 to 10,500 in fiscal 1968.

These circumstances should compel the universities and those who direct their research to consider with even more than normal care important national policy decisions affecting the structure of research.

I hope, then, to stimulate your thinking about values and responsibilities that go far beyond the boundaries of your own individual universities. For, as a member of the committee of the House of Representatives—Education and Labor—having primary responsibility for higher education, I believe it is not only desirable but essential for the welfare of higher education and the nation to encourage a more sharply focused dialogue about a number of critically important issues raised by the relationship between university-based research and the Federal Government.

THE FEDERAL AND THE UNIVERSITY PERSPECTIVES

Two ways of looking at the issues associated with the advent of major Federal support for research and related activities come immediately to mind.

One might, for example, view matters from a Federal government perspective.

Is there, we might ask, an overall Federal policy regarding the support of research? Or, have governmental outlays for research simply mushroomed without benefit of guiding logic?

What kinds of policies and procedures have been or might be adopted to administer the current estimated 17 billions of public dollars which flow from the Federal government for these purposes?

How do governmental bodies see research funds affecting the functions and objectives which these bodies were created to serve? How do governmental agencies view the institutions that become the operating users of these funds?

To put the point another way, what kinds of research policies, procedures and programs in the Federal government need re-examination and adjustment?

A second way to view the issue would be to start from the vantage point of the user institutions including universities, Federal contract research centers, independent research organizations and private industry.

What, we might ask, are the effects of Federal policy on those institutions? What kinds of costs and benefits are associated with the participation of different kinds of institutions in Federal research activities?

How are the purposes and functional responsibilities of different kinds of institutions affected for good or ill by the tremendous Federal role in the support of research and development?

Each of these approaches has certain advantages, and certainly Congress should consider both. For that reason, in these remarks I shall, without limiting myself either to the perspective of the Federal government or of the participating agencies and institutions, examine briefly nine issues which I believe have become acute with the rise of major Federal support for research. I propose to sketch out the dimensions of each of these issues and then, at the conclusion, to offer certain suggestions.

ONLY 3.1 PERCENT OF FEDERAL R. & D. FUNDS GOES FOR SOCIAL SCIENCES

1. Let me begin with an issue that is especially timely this year owing to the initiation of legislation in both the House and the Senate authorizing the establishment of a national social science foundation—the adequacy of Federal support for the social sciences.

In the past twenty years we have witnessed a phenomenal growth of Federal support for research and development. The overwhelming proportion, we know, has gone to the support of the natural sciences, including the physical, chemical, biological, and medical sciences. Only a very small proportion of the total funds allocated by the Federal agencies to the support of basic and applied research has gone to support the social sciences. Updated and, I believe, thus far unpublished National Science Foundation figures indicate that in fiscal year 1966 Federal funds for research in social sciences, exclusive of psychological sciences, expressed as a part of all Federal funds for basic and applied research, was 3.1 per cent.

This small percentage of dollars directed to the social sciences is to me a matter of serious concern. Of course, neither the number of dollars nor the percentage of dollars is relevant by itself. A great deal of the debate about inadequate support for the social sciences has been conducted almost entirely in terms of the disparity of the support. Neither the actual dollars arguments nor the percentage arguments make much difference until those figures are weighed alongside the long range benefits to society likely to result from greater support for the social sciences.

But the provision of adequate support for the social sciences and the humanities is based not only on the potential outcomes of either mission-oriented or "free" research in these areas. The social sciences and the humanities are vitally important parts of university, college and lower schooling, and the social studies in the long run stand to suffer if not provided with sufficient means to develop and advance the frontiers of knowledge in their own particular discipline.

FACTS NEEDED TO STRESS IMPACT OF RESEARCH ON TEACHING

2. I pass now to a second issue, one with two dimensions. Its first aspect is the argument that research support is necessary in all fields in order to improve the quality of instruction; its second is the counter argument, voiced in recent years by an increasingly articulate and aroused student body and ably supported by other standard bearers as well, that the presence of large scale research on college and university campuses across the country actually creates a severe drain on teaching.

Both of these questions have been a subject of considerable debate, and the testimony available on all sides of the issues is voluminous. To illustrate my point I need only cite the 1965 hearings published by the House Government Operations Subcommittee on Research and Training Programs following Congressman Henry Reuss' valuable investigation of the potential conflicts between the purposes and operations of the Federal research programs and the nation's goals for higher education.

Intuitively it is easy to see how the presence of research in the university environment contributes to the timeliness, the relevance and the currency of instruction in higher education. I am also aware of the sense of rigor which teaching can impart to research.

In short, there are strong logical arguments for supporting full-fledged research and teaching programs in colleges and universities.

On the other hand, logic and intuition must themselves be subject to the test of reality, and one of those realities is the persistent complaint from various quarters that the rhetoric does not jibe with the facts. Increasingly researchers simply are not teachers, and teachers are not researchers. The functions become separated in the university. The students bewail their lack of access to their professors and complain of the degree to which they are made to feel that they are a relatively minor and annoying impediment to the real business of the university—which is servicing the research needs of Federal agencies and foundations.

The need for hard data here, for relevant evidence, is clear. While logic is neat and intuition compelling, they cannot continue to be the sole basis of national research policy.

COST SHARING: PRO AND CON

3. Let us proceed to a third issue—and one of the hottest at the moment—cost sharing.

The idea that research performed on campus is of some benefit to the institution at which it is performed as well as to the agency which supports it has constituted one of the foundation stones for a government policy about which there has been substantial controversy. Accordingly, the principle of cost sharing, or institutional contribution, has been applied almost universally throughout the government by agencies granting or contracting for research with colleges and universities.

Again the issue is a murky one. The problem seems to revolve around several presumptions not all of which are mutually consistent.

On the one hand, the argument for cost sharing is advanced by those who hold that research is mutually beneficial to both institution and governmental agency and therefore should in some degree be supported by both. Others support cost sharing on the grounds that so long as the institution has some of its own funds in each venture, it maintains a degree of academic control over those projects essential to keep institutional priorities in sight. This control, it is said, would be lost if research projects were wholly funded by the granting or contracting agency.

Those who argue against cost sharing do so on the grounds that colleges and universities, under cost sharing arrangements, are forced to sacrifice other aspects of their activities in order to subsidize research which is beneficial to the nation as a whole and which, therefore, ought to be supported wholly by the agency or agencies involved. This approach holds that if the funding agency believes the research is important enough to support, it should be willing to stand the full costs of the project effort.

Some have suggested an interesting compromise. They propose that the granting agency should adopt somewhat more flexible policies, seeking institutional cost sharing where the research activities are proposed and initiated by the academic community, but adopting a policy of full reimbursement where the projects are proposed by a particular government agency to support its mission.

The issue is clearly most important to higher education, for something like two billion Federal dollars are expended each year on research and development in the nation's colleges and universities.

If one adopts as a minimum a five percent figure for cost sharing, simple arithmetic reveals that as a community, the American college and university must put up $100 million annually from their own funds. And, as the magnitude of Federally-sponsored university research continues to expand, our universities, already severely pressed for adequate operating funds, will find themselves subjected to increasing financial pressures.

INADEQUATE UNIVERSITY MANAGEMENT OF RESEARCH

4. Cost sharing leads us into the fourth issue, the question of university responsibility for the management of research. This problem arises as much from the system of project grants so fully ingrained in the administrative philosophy of research programs at the Federal level as from the peculiar independence of the academic disciplines and the bargaining power that their independence gives them with university administrations across the country.

My conversations with agency officials in the government reveal the degree to which college and university administrations are often nothing more than transmitting and contracting agents for project directors with most of the administration and negotiation being handled directly by the principal investigators. To be sure, this pattern is now changing, particularly at the larger institutions. Yet the amount of control, or lack of it, that universities have over their research faculties often creates administrative problems.

I shall simply suggest a series of questions which seem relevant here. How much control should universities have in this matter? What responsibilities do principal investigators owe to institutions which have housed their research? How can the obligations on all sides be satisfactorily fulfilled?

In what sense, for example, can a university be said to be fully in control of itself if its highest officials do not know, and in some instances are not allowed to know, what kind of research is being conducted on campus?

How can both university and faculty members protect themselves against the extreme mobility of the market place to insure that research obligations are fully satisfied before personnel shifts take place? Is the more important question perhaps one of devising management procedures which insure the development of realistic timetables for research efforts which take place in college and university environments?

THE MERITS OF INSTITUTIONAL RESEARCH SPECIALIZATION

5. A fifth issue relates to the question of inter-institutional cooperation.

This question is now not so much one of research management as university management. To what extent can a university attempt to be universally excellent? Or, to reverse the question, to what extent can a university afford *not* to be excellent in a balanced spread of fields? Excellence, of course, is critical to the performance of research and to the training of graduate students; the two go hand in hand.

The prospects of inter-institutional cooperation are attractive here. But the implications of university decisions to cooperate with one another in order to limit the fields in which they will strive for excellence are obviously far-reaching for the planning and development of research efforts.

Of some interest here may be a relatively new effort in the U.S. Office of Education which may well illustrate the two-fold benefits of specialization. In the Research and Development Center Program of the Office of Education, a mechanism has been evolved whereby an institution with a high degree of competence of a particular sort chooses to identify a specific problem area in education as its own research specialization. If everything is satisfactory the institution commits itself to administering an evolving program of research focused on that problem area, continually regenerating its work on the basis of its findings.

This arrangement requires a strong degree of institutional commitment and the creation of planning and administrative mechanisms equal to the task, but it also tends to free the university, for this portion of its research at least, from the difficulties and dislocations inherent in the project research approach.

Perhaps this Office of Education concept should have broader applicability.

SPREADING THE WEALTH

6. Let me now raise the important question of geographical distribution.

The problem runs deeper than the political pork barrel syndrome.

All research agencies in the Federal government operate at present under an executive order signed by the President two years ago requiring agency officials to pay particular attention to the research needs and capabilities of small colleges and to concern themselves with the more equitable distribution of research funds across the nation.

A whole series of tantalizing issues comes to mind. Do the purposes for which government agencies support research demand that it be done solely on the basis of the most competent personnel? Does not this policy then create a situation where the rich get richer and the poor get poorer?

Or turn the question around. Is it in the national interest that research and development funds should be concentrated in the 40 or 50 strongest research institutions or, in the long run, do not the nation and higher education generally stand to benefit more if the funds are more widely distributed?

If my earlier observation that research tends to improve teaching has any merit, then is it not essential that some research funds be provided to *all* institutions?

To put the point another way, cannot our society afford to support research as a process critically important to the instructional function of higher education as contrasted with research conceived as an activity designed to yield, ultimately, answers to pressing social and technological questions?

THE PERPLEXING PROBLEM OF CLASSIFIED RESEARCH

7. A seventh issue of considerable currency is the perplexing question of classified or secret research. All across the country universities are reassessing their policies concerning classified research projects for the Federal government.

There are at least two elements to this concern. Faculty members are afraid that secret contracts may force scholars to default on their professional obligation to make known the results of their research activities. In addition, it is no secret that opposition by some scholars to the war in Vietnam and to any war-connected research has also contributed to this reassessment.

There are very difficult moral, professional and practical problems involved in this issue. They range from the desire to locate such contracts in universities—because that is where basic research is being done—to the moral and professional concerns I have already cited, the responsibility of American citizens qua citizens who happen to be academicians with a capability of contributing to national security.

8. An eighth major issue centers on the kinds of research functions that universities ought to perform. More than one university operates large, if not huge, contract laboratories for the Federal government. In these laboratories activities all the way from basic research through development and initial testing take place. While the advantages to a university of operating such activities are clear both in financial and public relations terms, it is still relevant to ask whether, in terms of the peculiar missions of colleges and universities in the United States, many of the latter stages of the research and development continuum are best performed in universities. Perhaps other types of organizations are more suitable.

When I raise this issue, I am certainly not questioning the importance of involving the academic community in the application or development stage; I am asking rather whether the university is always or even often the best place to carry out such activities.

NATIONAL RESEARCH POLICY IS OVERDUE

9. I have reserved for last the largest of the issues, namely, the question of the development of a national research policy which would help us allocate wisely funds among and across the disciplines by which we have traditionally advanced our knowledge in all fields—the natural sciences, the social sciences and the arts and humanities.

Many, many agencies of the Federal government engage in the support of research and development programs. An Office of Science and Technology exists, one of the purposes of which is to coordinate these efforts. However, certain circumstances conspire to work against the development of a national research policy. I might cite again, for example, the enormous gaps in existing research support for the humanities and social sciences, the traditional independence of the university community and the relative freedom of some individual Federal agencies to pursue their own courses of action.

But the growth of science in the past 20 years makes an effort to develop a national policy essential. Of course, in one sense we already have by default a national research policy, but it is *ad hoc* and insufficiently considered.

Many types of people, many competencies, many different agencies will need to be involved in the kind of discussions of which I speak, for it is far from clear what should be the administrative arrangements for formulating and implementing such a national policy. Certainly the dialogue will have to move from an exclusively academic base. In particular, the discussion will have to build much better bridges to the political decisionmakers than has so far been the case, for they are the ones who must defend to their constituencies their votes for billions of dollars for research.

The shaping of a national research policy will involve the discussion and analysis of all of the issues I have raised here and more. It will necessarily involve the academic community, industry, the lay public and political figures. It is clear to me, however, that the size and significance of the research effort in the United States—a size and significance, incidently, which extends far beyond our borders—constitutes probably the best argument for the establishment of some mechanism for the continuing development of such a national policy.

I have raised a number of issues with you today. In discussing some of them I have indicated my own leanings; for others I have sought only to raise crucial questions. In concluding, however, I want to take a specific stand on two of the issues I have discussed.

First, I am convinced of the need for a substantial expansion in support of research and related activities in the social sciences and the humanities, as well as, I might add, continuing appropriate support for the natural sciences. During recent years we have devised a number of programs aimed at solving the social problems of our country. All of these programs—for examples, health, poverty, education and housing—depend upon the strength and depth of our understanding about men as individuals and as social phenomena. The legislation and the appropriations accompanying them have underscored the national commitment to come to grips with these problems. But we are dependent upon science and upon the scientific tool of research to lend us the competence to solve them.

TOO LITTLE RESEARCH FOR EDUCATION

Second, I believe we should increase substantially our investment in research on education. For we now spend on our educational system, including higher education, nearly $50 billion a year. Yet in support of this vast enterprise, of such overriding importance for shaping our society, we spend not more than $150 million a year for research and development aimed at improving the efficiency, effectiveness and relevance of our educational system. This figure constitutes about two-fifths of one percent of the total effort. Yet fully 3 percent of the nation's Gross National Product goes to research and development for all activities.

As a nation, we have not yet learned enough about how to teach and to learn. It is clear that we must invest more in research on education if we are to reap the maximum dividends from our substantial expenditures on education.

For our children—and the educated men and women they become—constitute the most important natural resource we have. Yet, as Dr. Hendrik G. Gideonse of the U.S. Office of Education has pointed out, it is ironic that we have not found their education sufficiently pressing to devote to it adequate research resources.

With so many critical issues before us—and I am sure you could add others to my list—I want to make one final plea to you as university research administrators. My plea is that you intensify the dialogue on these issues among yourselves, with other university officials, with researchers and teachers, with Federal executives and Members of Congress concerned with the relationship between university-based, Federally-supported research activities.

Not only the colleges and universities you serve but the entire nation has a stake in the fruits of this dialogue.

PROGRESS WITH PATIENCE—TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, yesterday, November 29, 1967, I had the privilege of addressing a conference of State officials in charge of coordinating programs under title I of the Elementary and Secondary Education Act.

The conference, held here in Washington, was scheduled by the U.S. Office of Education to give the State title I coordinators the opportunity to share with each other ideas from their experience in helping local schools operate programs for disadvantaged children under title I of this historic legislation.

I insert the text of my remarks at this point in the Record:

Progress With Patience—Title I of the Elementary and Secondary Education Act

(Address by Congressman John Brademas, conference of State title I (ESEA) coordinators, November 29, 1967, Washington, D.C.)

I am glad to have the opportunity to speak at this significant conference.

As coordinators of Title I programs under the Elementary and Secondary Education Act, you have my greatest respect and admiration. During the past two years, you have taken on the responsibility to help carry out America's first major commitment to erasing inequality of opportunity in our schools. President Johnson and we in Congress provided the mandate in 1965, but it has fallen to dedicated and determined people like you to face the tough problem of transforming that mandate into concrete programs.

As the National Advisory Council on the Education of Disadvantaged Children said over a year ago, you are a group "standing in the eye of a national hurricane, weathering conflicting demands and expectations, yet upon (whom) the Nation depends to pilot it over an uncharted sea."

Indeed, I consider few tasks to be more critical than yours to the future of our nation. For ESEA, particularly Title I, holds the promise of quality education for all Americans, and we must make good on that promise.

This is not to say that through Title I alone we can overcome generations of deprivation among the poor. The magnitude of the task obviously far exceeds the investment of 1 billion dollars a year that we have made to improve the education of disadvantaged children. But Title I stands as the prime *symbol* of a new national commitment to equal educational opportunity, a commitment on which we must not default.

This morning I would like to share with you some thoughts on Title I from my perspective as a Congressman and member of the House Education and Labor Committee. As we enter the third year of Title I implementation, we are still moving on that largely uncharted sea—with many gaps in our knowledge and many issues unresolved concerning the direction of our Title I efforts. Nevertheless, I shall venture some ideas as to future needs and priorities.

Let me first, however, comment on a major issue of public policy which bears on Title I and which has caused increasing debate in recent months. I refer to the highly charged issue of whether school integration or compensatory education programs constitute the most effective approach to achieving equal opportunity in education—whether we should concentrate our resources and energies on building quality in racially isolated ghetto schools, or instead push for immediate integration.

As you know, there are educators and civil rights leaders on both sides of this issue and the end of the controversy is not in sight. At the U.S. Civil Rights Commission conference of November 16–18, 1967 in "Equal Educational Opportunity in America's Cities", integration versus compensation became the major topic of debate and both points of view were effectively presented.

I certainly do not have time here to dig deep into this crucial debate, both sides of which are backed by impressive statistics and expertise. I would suggest, however, that spokesmen for the two sides may be boxing themselves into hardened positions and closing out middle alternatives. Bayard Rustin, in his address at the Civil Rights Commission conference here in Washington, made a plea for reason when he said, "We have got to stop the debate over whether you're for integration or quality. You're for quality first, and for that degree of integration which is consistent with it. We want children who can read, write, and do arithmetic."

I don't think it is yet proved with any certainty what degree of integration is, in fact, required to achieve quality education, nor do we know, in the absence of integration, how much quality can be achieved by means of compensatory programs such as Title I ESEA. We simply do not yet have the hard data to show one way or another whether substantial compensatory programs can make real differences on a nation-wide scale in the quality of schooling for disadvantaged children.

TOO SOON TO JUDGE RESULTS OF TITLE I

We are all aware of the widely discussed reports on race and schools published by the Civil Rights Commission and the Coleman Report published by the Department of Health, Education, and Welfare. In view of these reports, sharp questioning of the effectiveness of compensatory education in segregated schools is certainly in order. But at the same time we must recognize that any final judgment on the compensatory approach would be premature at this point. Title I has been in operation for too short a period to gauge its results precisely, and, moreover, carefully designed evaluation studies have so far been too scattered to suggest any emerging pattern.

If anything, the data that do exist indicate highly varied results, both positive and negative. In a program like Title I, which depends heavily on local community initiative and followthrough, we should expect both local successes and local failures—and such a record is what the scarce evidence so far available seems to tell us.

In any case, no one involved in this great policy debate should be prepared at this early date to write off the efforts being made under Title I and other compensatory programs. Title I has established a vast number of new programs for disadvantaged children. While we cannot be sure that these efforts are achieving long-term effects, there is no question that they are in many cases making a tangible impact in the short run on the children and on the schools.

In its report early this year, the National Advisory Council on the Education of Disadvantaged Children noted evidence of visible effects of Title I programs—for example, removal of extreme hunger and sickness as barriers to education for hundreds of thousands of children through the provision of lunches and breakfasts and basic medical care, addition of badly needed teaching staff and other personnel in schools serving poor children, expansion and improvement of school libraries, increased use of subprofessional aides to relieve teachers of routine tasks and provide individualized attention, improved morale of teachers and administrators in poor schools. These are just a sampling of the kind of tangible impact that I am sure all of you have observed in the Title I projects in your states.

I submit, then, that we must allow sufficient time for the effects of Title I to take hold. Our ultimate verdict on the effectiveness of compensatory programs must await systematic evaluation over a period of years.

MUST PUSH FOR BOTH INTEGRATION AND QUALITY SCHOOLING IN SLUMS

In the meantime, I would agree with commissioner of education, Harold Howe, who said at the Civil Rights Commission conference recently that unquestionably we must press forward on both fronts—continuing our efforts to upgrade schools serving disadvantaged children, but also seeking new progress in desegregation, which must remain our goal.

In some cities, deeply rooted segregation patterns may leave compensatory education as the only viable alternative for the near future, and in such cases compensatory programs may show early and positive results.

In other communities, desegregation of schools may be a feasible and effective alternative; witness, for example, the case of White Plains, New York, where racial balance has been achieved over the past three years by a school board decision to limit the percentage enrollment of Negroes in any one school. In a study reported earlier this fall, the school board reported that both Negro and white students have benefited academically from the program.

Furthermore, as Commissioner Howe has also pointed out, a number of local school boards are choosing to link compensatory programs with plans to reduce racial isolation of the schools. School systems in Berkeley, California, Evanston, Illinois, and Pittsburgh are making significant progress under policies aimed at merging the two approaches.

My remarks so far are not intended to mean that we can be at all complacent about our programs under Title I, or that we should just sit tight for a few years until we can measure the results. While it is not yet possible to draw scientifically valid conclusions about the results of Title I programs, we can and must make judgments about problems that have appeared in the operation of Title I and we must reshape our efforts accordingly.

Certainly there have been problems, as you well know from working with local programs. The National Advisory Council, while commending the visible achievements that I have cited, has nevertheless pointed out that many Title I projects are piecemeal and fragmented. It is "extremely rare," the Council has said, "to find strategically planned, comprehensive programs for change."

PROBLEM OF LATE FUNDING BY CONGRESS

Let me say, to begin with, that I fully acknowledge Congress' share of responsibility for inadequate planning under Title I. As you at the state level have indicated in answer to questions from the Office of Education, a major source of difficulty has been the conflict between Congressional authorization and appropriation procedures and the traditional funding schedule of the schools. Schools simply do not have the opportunity to do careful project planning when they do not know the exact amount of Federal aid they will receive until well into the school year. And when programs are forced to begin late in the year, their effect is, of course, likely to be reduced.

Many of us in Congress have been aware of this late funding problem and have supported proposals aimed at assuring earlier appropriations. In a major report on the Office of Education soon to be released by the House Special Subcommittee on Education, one of the primary recommendations concerns measures to guarantee advance funding for education programs in order to afford schools the time to plan effectively.

I might note also that the Senate Labor and Public Welfare Committee recently reported amendments to the ESEA which contain provisions to remedy the late funding problem. By these provisions, programs under the Act would be automatically extended for one year should Congress fail to take action on the authorizing legislation by the year in which the authorization is scheduled to expire. Also, if Congress does not approve appropriations by May 15 before the beginning of the new fiscal year, the Office of Education could continue to make grants to schools at the current fiscal year level. These measures would clearly remove much of the uncertainty under which schools now must plan and operate Title I and other ESEA programs.

Stiff opposition to the proposals can be expected from the House Appropriations Committee, but it is my hope that the House will accept the main thrust of the Senate provisions so that we can finally resolve this pressing issue and give both state and local education agencies more lead time in formulating Title I programs.

But the difficulties in Title I administration cannot be attributed entirely to Congressional patterns of late funding. I think it is clear that local school districts must do a more effective and innovative job in carrying out Title I programs and I suggest that as state coordinators, you are in a position to guide and encourage enhanced efforts on the part of local schools.

EMERGING NEEDS UNDER TITLE I

Let me here identify several needs and priorities to which I believe we must give more attention in Title I programs at the local level:

(1) First, I think that we need to seek ways of opening our schools to the entire community and utilizing them full time, not just one-third of the time, the conventional practice in most schools. We cannot continue to lock the resources and facilities of our schools behind chain fences and bolted doors each evening, weekend and summer.

President Johnson has said that "the school of tomorrow will not close its doors at 3 o'clock. It will employ its buildings around the clock and its teachers around the year. We cannot afford to have an $85 billion plant in this country open less than 30 percent of the time."

In my view, Title I offers the opportunity to extend the school into the community through the development of more after-school and summer programs that involve both students and parents.

(2) Another important priority that we must stress in Title I is early childhood education. It is clear that the child of two or three is usually ready to be exposed to formal education, and the importance of this exposure is perhaps greatest for disadvantaged children.

Evidence from a National Institute of Health study strongly implies "that intervention into the life of the socially disadvantaged child should begin during the age span of one to three years since the child's I.Q. reaches a high point at age three . . . he will following this age be unable to achieve the norm on any test of ability or achievement regardless of massive efforts mounted by the school at remediation of his deficits."

In view of such findings, we should give careful consideration to incorporating preschool projects similar to Head Start as integral parts of Title I programs.

(3) A third need in Title I programs is parent involvement—a need which has been clear from the beginning of Title I but which has been difficult to fulfill. The National Advisory Council has found a widespread lack of meaningful parent participation in planning and executing public school programs for the disadvantaged. The Council adds that there appears to be little understanding of how mutual involvement between parents and school teachers and administrators can be brought about. Progress seems to be blocked by the frequent inhibitions of the parent and the traditional reluctance of teachers to allow "parent meddling" in school affairs.

This is likely to be a continuing problem in Title I and I certainly can offer no simple answers. I would only suggest that we may be able to achieve greater parent involvement in light of the recently increasing demands by parents in the city ghettoes that they be given the right to govern the ghetto schools. Negro parents in particular are showing more active concern with school policy that affects their children. We should at least be attuned to this development, for it may provide the chance in some instances to bring the parents into the Title I planning process.

(4) I should also like to suggest encouraging the involvement of universities and colleges in Title I. Local school districts should seek to exploit the resources of local institutions of higher education in both the planning and execution of programs for the disadvantaged. The local board might, for example, contract with a university for managing a section of the city schools or one particular aspect of the Title I program.

Private corporations in some cases might similarly be considered as possible resources to be tapped by the local district in the administration of its Title I activities.

(5) Perhaps the most important over-all need in Title I is to increase the focus of programs on the improvement of teacher quality and teacher attitude toward the child.

The National Advisory Council has highlighted this need in its reports on Title I and has recommended a number of specific actions such as expanding summer programs that encourage teacher experimentation, emphasis on identifying teachers who are successful with the disadvantaged, teacher exchanges among disadvantaged schools in order to share ideas, a greater Federal advisory role in disseminating information on the local experiences of teachers and administrators in Title I programs.

One of the most encouraging aspects of the Teacher Corps, of course, is that it is focusing attention on the widespread shortage of qualified teachers of disadvantaged children and on the pressing need to develop more programs specially designed to train teachers of the disadvantaged.

FOCUS ON BASIC CHANGES IN EDUCATION OF THE DISADVANTAGED

The important point, I think, is that Title I can achieve results only if it serves to alter existing patterns of education in disadvantaged schools and to stimulate new approaches to teaching the disadvantaged child. If Title I simply serves to invest more money in the same educational methods that have failed for years in slum schools, then the impact is likely to be negligible. It accomplishes little to reduce class size from 40 to 25 if the teacher continues to employ ineffective teaching techniques and is still hampered by patronizing attitudes toward the disadvantaged school child.

As one writer on the education of disadvantaged children, Mario Fantini of the Ford Foundation, has put it, Title I must be much more than an "additive" program, one that simply supports more of the same adding new layers on to the old. The challenge of Title I, instead, is to effect broad change in the education process itself. Local schools and school teachers must be stimulated to experiment, to seek new ways of reaching and teaching children raised in poverty.

In this connection, let me here note another recommendation of the National Advisory Council on the Education of Disadvantaged Children:

"Greater vigilance by school boards and superintendents to insure that principals of schools of the disadvantaged are selected for their inclination to encourage teachers in experimenting, sharing experiences, and perhaps upsetting old applecarts. Time and again, our consultant-observers report coming upon principals whose understanding of the needs of the disadvantaged is less than that of the teachers. Lacking understanding, some create atmospheres that stifle initiative and creative thinking. Accomplishment of widespread self-change by teachers is difficult enough. Without cooperation and leadership by principals, it appears virtually impossible. In every district the most imaginative and effective principals should be identified and given high visibility. Their leadership is a critical element in their own schools and in the communty."

TITLE I NOT A GENERAL AID PROGRAM

One of the most disturbing reports on the operation of Title I that I have heard is that many school districts have tended to conceive Title I simply as a general aid program for underwriting the every day costs of education. The ESEA of 1965 and its legislative history are clear in establishing the intent of Congress in Title I: to target limited Federal funds on the special needs of children in school districts with high concentrations of poor families. The aim was not to provide money that would merely relieve the financial pressures on local school districts.

As you know, this year amendments were proposed in the House that would have converted Title I and other parts of ESEA into a modified general or block grant program. After long debate, the proposal was defeated by the House, reaffirming the original intent to focus the titles of ESEA on particular national goals in education.

* * * * *

I have suggested this morning a number of needs and challenges to which I believe you, in your crucial role as state Title I coordinators, must respond. I recognize, of course, that many of you work under severe problems of understaffing and that your capacity for stimulating broad change and movement at the local level is therefore limited. Nevertheless, we must look to you for guiding local efforts under Title I, for you have an opportunity to act as a catalyst in directing local attention to some of the critical priorities and needs in the education of disadvantaged children.

And let me here note that several states have already moved ahead to supplement ESEA Title I by enacting similar state-financed programs aimed at bolstering poorer school districts. I was encouraged, for example, to see the recommendation last week by the New York Board of Regents of a $112 million program to meet the urban school crisis in the state. The Regents proposal even includes an Urban Teacher Corps designed to recruit high quality teachers with talent for reaching deprived school children. I urge you as education leaders in your states to take the initiative in stimulating similar new efforts in your own states.

In conclusion, let me reiterate that you have my deepest respect and admiration, for you are charged with a great responsibility—and opportunity: to help throw open the gates of opportunity to a first-class education to hundreds of thousands of the children of America who desperately need it—the poor and disadvantaged.

I shall conclude by repeating to you the words of James L. Farmer, director of the Center for Community Action Education. Said Mr. Farmer:

"A teacher can be effective in teaching the disadvantaged only when he believes they can be taught, and believes in *them*—not in a romantic way, ascribing to *all* of them *all* of the virtues and *none* of the vices of man, but in the realistic sense that there is among them a reservoir of submerged intelligence, talent, and ability, the discovery of which is an exciting adventure, worthy of the best in any teacher."

It is to help the schools and teachers of our country tap that reservoir that is your high calling.

PLACING A PREMIUM ON MEDIOCRITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. ASHMORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ASHMORE. Mr. Speaker, I would like to call to the attention of my colleagues an editorial which appeared in the Greenville News, November 24, 1967, for I believe that it points out a basic flaw in the reasoning of our Government. The flaw is demonstrated in the Government's attitude on equality. The theme of equality permeates virtually every Government agency. I am not speaking about equality of opportunity which I believe is one of the principles upon which our Nation was founded and has prospered. I am speaking of the Government's attitude which promotes the idea of making everyone equal.

The Federal Trade Commission's regulations place restraints on larger, more efficient companies in order that smaller, less efficient ones may compete on an equal basis. I would be among the first to regulate a company which used unfair practices to drive its competitors from the marketplace, but on the other hand, I see no basis for regulations which would reward a less efficient company solely to insure that it could compete on even terms. In my opinion, the goal of Federal regulations should be the production of the best product.

The most frightening results of this attitude of equality is found in the field of education. Under recent court decisions, and the policy of the Department of Health, Education, and Welfare, the inept, or slow-to-learn student is sent to the same classroom with students who learn more quickly. The result is that the good student upgrades the slow, while the slow student coordinately holds back the fast learner. I can see that the slow student must be helped, but I do not believe that he should be assisted at the expense of the more gifted child. As the editor of the Greenville News points out:

> Not even the Russian Communists any longer hold back their gifted people despite all their claims of absolute equality under socialism.

None of us wish to see this Nation become one of mediocrity, but I believe we are in danger of this if the idea of equality is carried to its extreme. It is time that the Government of the United States realizes that people are not equal in ambition and talent, nor should they be, and in striving so diligently to insure equality for all, the Government is at the same time committing this Nation to the path of the mediocre and the average.

The editorial follows:

PLACING A PREMIUM ON MEDIOCRITY

Writing in a nationally circulated magazine of some of the actions taken by the federal courts and other agencies to discourage mergers and to limit the size of more efficient and prosperous corporations to promote "competition," a law professor wrote these memorable words:

"The Court's reasoning teaches that competition in the quarterback market would be improved, and the public thereby benefited, if Joe Namath's knee were twisted before every game and Fran Tarkenton required to wear snowshoes."

To carry that analogy further, we suppose it would improve football competition if Johnny Unitas were forced to wrap his throwing hand in red tape and college backs like Jimmy Addison of Clemson were required to take on weight until they were partially musclebound.

Or, suppose a quarterback were allowed to either run or pass, but not to do both?

The point is that, quite aside from the anti-trust laws and FTC regulations, the government wishes to place restraints on efficient companies so that less efficient ones can compete on "even terms."

This, we are afraid, is symptomatic of what is happening in some other areas, those affecting individuals, as well. To meet certain sociological notions, changes are being forced in the public school systems which penalize the exceptional students for the benefit of the less capable ones.

It almost seems that the ultimate aim is to reduce all to the common denominator of mediocrity.

This perverse principle is evident, also, in programs which tax heavily the earnings of the more highly skilled workers, professional people and businessmen to subsidize the less able and less willing.

There is nothing inherently wrong in keeping the large companies from engaging in unfair or unlawful, undercover practices with the deliberate aim of forcing smaller and weaker competitors out of the market and out of business.

On the contrary, within reason, it is right. But it is not right to penalize success to offset incompetence.

The end result is that the stockholders and employes of the more successful firms will lose much while those of the floundering ones will gain little; and the public will pay more for inferior products.

Nor is there anything wrong in doing all that can be done in the public schools to improve the educational opportunities of those who come from limited backgrounds or who possess less aptitude and desire.

It is right and necessary to do this, and it must be done for the benefit of the public as a whole.

But the public as a whole loses when whole classroom groups are held back to the pace of the slowest and least apt individuals. Why not concentrate on lifting the level of the highest, as well as the lowest?

Not even the Russian Communists any longer hold back their gifted people, despite all their claims of absolute equality under socialism. Why should we start it now?

PAYING FOR OUR POLITICS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the Chase Manhattan Bank for some time has conducted an exemplary public affairs program to educate and interest its employees in our democratic processes at all levels of government. It is an unusual and, I think, excellent recognition by one of our major business establishments of the importance of public life to business and to the individual. I think it is an act of statesmanship.

As a part of this program, Chase publishes a periodic public affairs bulletin which it distributes to all 14,000 members of the bank's staff. Its latest bulletin, dated September 29, 1967, deals well with the bills lately being considered by the U.S. Senate concerning, as the title of the bulletin phrases it, "Paying for Our Politics."

The Chase bulletin discusses the pros and cons of any Federal financing of campaigns at all and the pros and cons of the specific proposals that have been offered by the administration.

Mr. Speaker, I think there is no subject of greater importance to our democratic system today. I know from personal experience the financial demands of a hard campaign in a tough district and the embarrassment of unfair charges of excessive campaign spending, fostered largely by our unrealistic campaign spending laws that are so highly misleading to the public. As campaign costs continue to mount, it becomes essential to the preservation of the integrity of our democratic processes that a way be devised to relieve financial pressures on candidates and office holders, to permit qualified people without individual wealth to run for office, and to assure that large campaign financiers do not wield unhealthy excesses of influence over our representative bodies.

With the above considerations in mind, I have introduced legislation in both the 89th and the present Congresses to provide for full disclosure of campaign expenses, prohibit real contribution and expenditure abuses involving conflicts of interests, and eliminate unrealistic ceilings.

I have also introduced legislation to supply registered voters with script through which they can make contributions to the candidates of party organizations or committees of their choice and which in turn can be turned in to the Treasury to pay from appropriated funds designated campaign expenses against receipted bills. I think this system is superior to either system proposed by the administration because, first, it gives the citizen the power to allocate funds among parties and candidates of his choice rather than having allocation performed according to an arbitrary formula; second, it thus eliminates all problems of allocations to minority parties; third, it avoids the pitfalls, highly dangerous in my view, of centralizing fund distribution—and thus power—through the national committees; and fourth, it avoids the pitfalls of tax deduction and tax credit schemes which, while they share the advantages listed above, favor the wealthy contributors over those with less affluence.

Mr. Speaker, I highly commend the Chase bulletin to my colleagues as an excellent discussion of the issues involved in paying for our politics.

Paying for Our Politics

In recent weeks, Congress has been looking more intensively than ever at election reform and campaign financing. Both problems are as old as political campaigns themselves, but they now take on a fresh urgency for two reasons:

(1) Both major parties are drawing up their tentative budgets for the 1968 Presidential campaign, with all signs pointing to the costliest campaign in history.

(2) Initial estimates indicate that once again the parties and candidates will be faced with a traditional campaign dilemma: insufficient funds to tell their stories to the voters as widely and fully as a Presidential campaign deserves.

Campaign costs, in short, are an immediate issue involving the heart of the democratic process, and directly affecting every citizen. So it is timely to look at the problem and some of the proposed remedies.

THE HIGH PRICE

President Kennedy, in a playful comment on charges that lavish expenditures explained his victories in the 1960 primaries, once read to a press gathering an alleged telegram from his father: "Don't buy one more vote than absolutely necessary. I'm damned if I'll pay for a landslide!"

There was no such telegram, of course, but the joke is not without point. Political campaigns have become so expensive that the problem of financing them—and the potential abuses therein— has been called "democracy's greatest unsolved problem."

In the 1964 campaign, Lyndon Johnson and Barry Goldwater between them covered nearly 100,000 miles, made some 400 speeches, and spent upwards of $20,000,000. An official of the Presidential Commission on Campaign Costs has estimated that a total of $200,000,000 was spent in the 1964 elections for all offices.

Where does it all go? Well, the $150,000 total spent in the 1860 Presidential campaign is about the price today of one hour of prime time on a TV network. A telethon, a favorite device in the wind-up period of a campaign, can run about $250,000. The fact is that because of television, politics—and the nature of campaign costs—have changed more in the past 15 years than in the last 150.

But TV doesn't gobble up all the money by a long shot. There are salaries for campaign staff, for newspaper and billboard advertisements, for travel expenses, for brochures, pamphlets, buttons, and direct mail solicitations, for hiring that hall—for the innumerable things required to keep a candidate's name, face and program before the electorate.

Will Rogers was right. "Politics has got so expensive," he said, "that it takes a lot of money even to get beat with."

WHO CONTRIBUTES?

The size of the campaign bill is only part of the story. The pattern of the contributions—with large gifts far outweighing small ones—is also disturbing.

Surveys indicate that only about 11 per cent of all Americans of voting age make any financial contribution whatsoever, with about 90 per cent of the total collected coming from about 1 per cent of the population. This, said President Johnson, in a recent message to Congress, creates "a potential danger—the possibility that men of great wealth could achieve undue political influence through large contributions."

In theory there are restrictions against large individual contributions, as well as disclosure requirements which presumably guard against violations. Thus laws now on the books put a $5,000 limit on individual contributions to a candidate or political committee, prohibit contributions by corporations or labor unions, and limit total expenditures by a national committee in a Presidential campaign to $3,000,000.

But many authorities feel the restrictions are virtually meaningless since there is nothing to prevent a person from contributing $5,000 to each of a dozen committees set up on behalf of a candidate. Through a proliferation of committees on the state and local level, the national committees are also able to circumvent the $3,000,000 restriction on their expenditures. Indeed, they couldn't function in a Presidential election year unless they did circumvent the letter of the law.

WHO RUNS?

A second equally serious problem produced by the high cost of campaigning is that lack of personal resources can discourage a prospective candidate from even making a bid for office. Substantial expenditures are often necessary to generate the momentum that eventually attracts contributions from outside sources. The party itself tends to favor the man who can take up the slack if contributions lag and, if necessary, support his own campaign staff.

To be sure, jokes and lurid tales notwithstanding, it is not really possible in most constituencies to "buy" an election. Many millionaires have tried and got only a high-priced political education and a depleted bank balance for their pains. For example, when the opposition resorted to heavy spending in the Idaho Senatorial campaign, Frank Church successfully counterattacked by the simple expedient of a statewide handshaking tour, leading one wag to comment that "Frank Church is the only lawyer in Idaho with a callus on his hand."

PROPOSED REMEDIES

Congress last year enacted a bill for financing political campaigns. The measure, sponsored by Senator Russell Long of Louisiana, with Administration support, called for each taxpayer to check a box on his Federal income tax return if he wanted $1 of his tax set aside for a political contribution. The total amount thereby raised was to be divided equally between the two major political parties.

The measure was hastily drawn and enacted, and Congress—in a kind of double-take—had second thoughts. The Long bill was attacked—belatedly, because, among other things, it did not permit the taxpayer to choose whether he wanted his $1 contributed to the Republicans or to the Democrats, and because it made no provision for financial aid to minor parties.

The upshot was that last spring, Congress voted to delay putting the Long bill into effect. The Johnson Administration thereupon came up with a new proposal: the Presidential Election Campaign Fund Act. This act called for Congressional appropriations to provide funds to meet the radio, television, advertising, printing and travel expenses of Presidential candidates. The funds would have been equally divided between the two major parties and provision was made for reimbursement of election expenses to minor parties as well.

On September 14, after months of negotiation, the Senate Finance Committee ordered reported an alternative bill, the so-called Honest Election Act, which significantly changes and adds to the Administration's original recommendations. This bill calls for:

(1) Congressional appropriations to provide equal amounts for the campaign expenses of the Presidential candidates of the two major parties, according to a formula based on the number of votes cast in the previous Presidential election.

(2) Reimbursement for election expenses of minor parties, based on the number of votes received in the current election. A minor party would be defined as one that got between 5 per cent and 25 per cent of the popular vote.

(3) Congressional appropriations for the campaign expenses of Senatorial candidates in an amount based on the number of votes cast in the preceding election in each state. Candidates of the two major parties would be entitled to equal amounts and third party candidates would be reimbursed for campaign expenses on the basis of the number of votes they received.

(4) Use of Federal funds by Presidential and Senatorial candidates to pay actual campaign expenses as audited and approved by the Comptroller General.

(5) Option by each candidate to finance his campaign through privately collected contributions or to use Federal funds. However, no one who elects the subsidy could receive or spend money during the election campaign from any other source.

Candidates for the House were not included in the Senate bill but, in order to encourage greater voter participation in all elections, the Finance Committee also provided for the first income tax credit for individual campaign contributions. The maximum credit allowed would be $25 or half of a $50 contribution.

PROS AND CONS

This measure will come up for debate on the Senate floor in the very near future. The debate is certain to bring out wide differences of opinion on the basic idea of Federal financing of election campaigns. Here are some of the pros and cons:

For Federal financing

(1) A Government subsidy could eliminate a Presidential candidate's dependence on individual wealthy contributors, and thus reduce the chances for improper influence.

(2) Federal subsidies would tend to equalize the financial strength of the two parties. This would not only prevent severe financial handicap—as has sometimes happened—from blunting the effectiveness of a party's Presidential campaign; it would also reduce the lobbying influence of certain organizations and groups that now traditionally contribute heavily to the campaign chest of a particular party.

(3) Federal subsidies would eliminate a tremendous amount of time and effort now expended before, during and after a campaign for no other purpose than to foot political bills. Much of this activity has a baneful effect on democratic politics. It involves a great deal of hoopla, rubber chicken dinners, even rubbier speeches and questionable "testimonials."

Against Federal financing

(1) Reducing the need for direct solicitation of funds might make the parties less responsive to the views and wishes of their supporters (this is the other side of the coin of the argument about "undue influence"). By the same token, voters might become apathetic about political issues if they are no longer under pressure "to put their money where their mouth is."

(2) Federal subsidies might tend to strengthen the national party organization at the expense of the state and local party units. The leverage local units now possess rests to a great extent on the national organization's reliance on them for fund raising in Presidential years.

(3) The Government would have greater power over the political parties once it was directly involved in the financing process, with the inevitable possibility of abuse. Democracy is threatened to the extent that political parties become appendages of government.

THE JOB FOR EACH OF US

The ultimate fate of the "Honest Election Act," or some variant of it, is impossible to predict. But there is one prediction that can be made with confidence: If some such measure does become law, the surest way to guarantee that its virtues outweigh its drawbacks is for each and every one of us to make direct contributions, small though they may be, to the candidates and parties of our choice. That will ensure that the Federal treasury does not become the only, or even the chief, source of funds for the democratic process.

But there is an even more pressing consideration. Regardless of what Congress does about the proposals now before it, there will be no Government financial aid to the parties in the months immediately ahead. They are crucial months politically, both on the national and local level.

Prospective candidates are now weighing the feasibility of a bid for office. Committees are being formed on behalf of actual or potential candidates, or for marshaling support on crucial issues. The parties themselves are beginng to expand the machinery and personnel required to carry their stories to the voters.

In sum, the parties and candidates need money *now*, and they will need increasing amounts as 1968 progresses. The $5 or $10 or more that we give as individuals can make all the difference. For it has been well said that "no people can be free unless it insists on paying its own bills."

MERITS OF JOB CORPS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OLSEN. Mr. Speaker, I have addressed this body before on the merits and contributions of the Job Corps conservation centers, and I have drawn special attention to the work recently done by young Jobs Corpsmen in fighting forest fires in my home State of Montana. Today, I wish to have inserted in the CONCGRESSIONAL RECORD examples of the many news reports covering this important Jobs Corps contribution.

Many laudatory articles on this subject have appeared in the Montana, Nebraska, Nevada, South Dakota, Utah, and Idaho daily papers, and I think my colleagues will enjoy looking through those that I have before me today.

By unanimous consent I include these articles and press releases in the RECORD at this point:

[From the Helper (Utah) Journal, Sept. 7, 1967]

JOB CORPS MEN UNDER BLM TRAINING TO FIGHT FOREST FIRES

In order to meet the emergency forest fire situation in the Western States, Castle Valley Job Corpsmen over 18 have received 16 hours of firefighting training so they will be available for these emergencies. The Price District BLM staff has instructed over 50 corpsmen in fundamental firefighting techniques. As part of their training, a small fire was set in a chained area northeast of Price and the corpsmen in organized crews were called upon to extinguish the blaze.

One trained 35-man crew was sent to fight a fire in northern Idaho last week and another 25-men were dispatched early this week. The Job Corps program again proving to be of substantial benefit in protecting and developing the natural resources of the United States by assisting in fire control work during the most hazardous fire season the West has seen since the year 1910.

[From the Price (Utah) Sun-Advocate, Aug. 31, 1967]

CORPSMEN JOIN FIREFIGHTERS

Three staff leaders and 24 corpsmen from Castle Valley Job Corps Conservation Center left Price by plane Sunday night for fire fighting duty in Idaho forests. They may be gone for two weeks or more.

Recently, Castle Valley Job Corps Conservation Center was requested to train a fire fighting crew. Corpsmen selected were volunteers over age 18. They received 16 hours of intensive training last week under the direction of experienced fire fighter Robert Dalla, with assistance from the Price District Office of the Bureau of Land Management.

The Boise Interagency Fire Control Office sent a plane to pick up the fire fighting crew. Mr. Dalla, George Drossos and Orlando Miera are leading the Castle Valley crew.

[From the Price (Utah) Sun-Advocate, Sept. 7, 1967]

JOB CORPS FIREFIGHTERS RETURN

Twenty-four weary men of Castle Valley Job Corps Conservation Center returned yesterday at 8:30 a.m. from two weeks of rugged fire fighting duty in Idaho. They had distinguished themselves in the successful containment of the China Creek fire near Lewiston, Idaho.

The men were led by veteran fire fighter Robert Dalla, assisted by George Drossos and Orlando Miera.

A replacement crew of 25 corpsmen has completed training and was alerted Tuesday, but with the containment of the China Creek blaze, this second crew was demobilized. Robert Turri was in charge of this second contingent.

The original crew was organized and trained the middle of August, and left the Carbon airport aboard a special Forest Service plane at 7:00 p.m., Aug. 20. They flew to Boise, then to Lewiston, and the fire line.

The Castle Valley crew was assigned to the evening shift, six p.m. to six a.m., and concentrated on mopping up hot spots after experienced crews had contained a sector. This was hot, hard and dangerous work.

"When we got there, the experienced fire fighters didn't think we could do the job," commented Corpsmen Rafael George, who lives in St. Thomas, Virgin Islands. "But when we came back in after our first shift on the fire lines, the boss fire man told us we were one of the best crews there."

"We worked hard on the fire lines. We were determined to make good. They said we were well trained. They wanted us to stay up there an extra week. You have to work together as a team. You have to follow instructions and obey the rules. There is no place for foolishness in fire fighting," said Corpsman Clem Arnold, who hails from Gulfport, Miss.

Both Corpsmen George and Arnold were injured while on duty. Mr. Arnold received second degree burns Thursday night when he stepped into a hole by a burning root. "The Army medic sprayed something on his leg to stop the pain. In five minutes the helicopter he called in had arrived and picked me up. Twenty minutes later I was in the hospital in Lewiston." I and George was cutting through a tree which had a soft center. His saw penetrated the log, his shoe, and into his foot. Both corpsmen were flown from Lewiston to Price last Friday afternoon. They were met at the airport by Medic Joe Koran.

Corpsman Arnold said, "I would go back again. It's a challenge between man and fire. Everybody wants to go back." Corpsman George agrees.

[From the Washington (D.C.) Corpsman, Sept. 15, 1967]

FOREST FIRES: CORPSMAN CREWS JOIN BATTLE

Nearly 1,000 volunteer Corpsmen from 20 Job Corps centers have joined thousands of professional firefighters at battling a series of devastating forest fires in the Pacific Northwest. As we go to press, more than 100,000 acres of valuable timber have gone up in smoke, and fires are still raging. Officials say that only a heavy rain will end the threat.

Over 2,000 separate blazes have been reported in California, Oregon, Idaho, Washington, Montana and in parts of Canada. Corpsmen from centers as far away as New Mexico are performing some of the dirtiest and most difficult jobs in firefighting—digging fire lines, doing K.P. and providing meals for other fire crews.

Jack Usher, a Fire Boss in Oregon's Mt. Hood National Forest, said of Timber Lake (Oregon) firefighters: "The Job Corps crews worked on a critical section of the fire at Dead Mountain Ridge. They lost no lives, had no injuries, made no complaints and did their jobs in a commendable fashion. I would be pleased to have them helping at anytime."

Many field reports describe the morale and spirit of the Corpsmen. One Curlew (Washington) crew that had been on the line for four gruelling days was taken back to the center for showers and a hot meal. Staff members feared that weariness had driven all the fight out of the Corpsmen and that they would not return to the line. But when busses arrived to take them back to the fire, not one man failed to climb aboard.

Centers that have sent fire crews are Mountain Home, Cedar Flats, Cottonwood and Marsing from Idaho; Cispus, Columbia Basin, Fort Simcoe and Curlew from Washington; Fort Vannoy, Tillamook and Timber Lake from Oregon; Weber Basin and Castle Valley from Utah; Fenner Canyon, Lewiston and Toyon from California; Anaconda and Trapper Creek from Montana.

[From the Salt Lake City Deseret News, Sept. 7, 1967]

JOB CORPSMEN AID IN FIREFIGHT

PRICE.—Several members of the Bureau of Land Management's Castle Valley Job Corps Conservation Center have been trained in fire fighting techniques and already have put their training to good use.

One crew spent several days fighting fires in Montana. The 24 corpsmen and their leader, Robert Turri, assistant director for work projects, may be dispatched anywhere in the west to fight fires.

BLM leaders instructed center personnel to give fire fighting training for every able bodied corpsmen over 18 years old.

The corpsmen received two days of intensive training. Part of the day was spent in classroom instruction and the remainder in the field under actual fire conditions.

Two years ago the BLM uprooted pinon and juniper trees in the Coal Creek area, five miles northeast of Price in a conservation project. The trees were pushed into rows, set on fire and the corpsmen doused them.

Robert D. Nielson, BLM state director, said BLM crews have battled 45 fires in Utah this summer and have been sent on 937 fires in other western states. The fires have burned 143,000 acres.

He urged everyone to use common sense when using the public lands: douse cigarettes, build fires only in established fire places or circles and report any fires immediately.

[From the Ogden (Utah) Standard Examiner, Sept. 7, 1967]

JOB CORPS YOUTH PUT ON PROBATION

A 19-year-old Job Corps Youth entered a plea of guilty in Second District Court here to a charge of carnal knowledge.

Forrest Smith of the Weber Basin Job Corps was charged with carnal knowledge stemming from an incident May 29.

He was placed on probation, subject to terms set down by the court.

[From the Kansas City (Mo.) Star, Oct. 1, 1967]

JOB CORPS GRADUATES WILL HEAR HARVARD LAW VALEDICTORIAN

Joseph Sorrentino, a Los Angeles lawyer who flunked out of four high schools and received a general discharge from the U.S. Marine Corps, but later was valedictorian of the 1967 class of the Harvard School of Law, will be the commencement speaker at the Tuesday graduation at the Job Corps Center for Women, Excelsior Springs, Mo. Ten enrollees will be graduated.

[From the Price (Utah) Sun-Advocate, Sept. 28, 1967]

ON THE JOB WITH THE CORPS

(By Robert D. Goff)

Recognition of our fire fighters continues to pour in, even though the men have been back for a week. Center Director George Gurr read three communications to the assembled corpsmen and staff recently at our awards dinner.

Senator Frank E. Moss wrote, "I am proud of the Castle Valley Job Corps boys who fought long and hard to control the great forest fire at Eagle Creek in Idaho. I understand their work was superbly performed, that they demonstrated great ability and courage, and that they were cited by Idaho officials for their outstanding efforts in the struggle to control the raging Idaho forest fires. Please extend my congratulations to each of the boys for their fine efforts."

Joe T. Fallini, state director, Idaho Bureau of Land Management, sent a telegram saying, "Your Castle Valley Job Corps crew under the supervision of Bob Dalla did an outstanding job on the Eagle Creek fire. They were well organized, had pride in their outfit, wanted to do a good job and worked hard on every assignment they were given. Even more remarkable to us was the high morale they exhibited even though they were not receiving comparable wage to some of the other crews. I would like to commend each and every member of the crew for a job well done. It was evident they had received some good training."

Idaho's head forest fire fighter R. R. Robinson said, "On behalf of the Boise Interagency Fire Center, I want to join State Director Joe Fallini in expressing sincere appreciation for the excellent work done by your fire crew on the China Creek fire. The crew worked hard under very difficult situations but maintained high morale under able leadership. A high standard for the Job Corps has been set by your crew."

The China Creek and Eagle Creek watersheds were devastated by the same fire.

* * * * *

Several additional awards were presented to corpsmen. Promotion to the rank of Corpsman was achieved by 27 men. The rank of specialist, which represents substantial achievement in education and works, was earned by 23 corpsmen. The coveted promotion to senior specialist was won by Philip Mayfield. Several corpsmen have graduated from the school program in recent weeks. Philip Mayfield and Willard Collins received their graduation certificates. Corpsmen Wilton Byrd, Larry Simmons, Willie Jordan, Joseph Moss, David Oyler, Bishop Carter and Robert Laneer had already left for urban centers or jobs.

David Berry, Corpsmen president; Nathanial Choate and Brady Peacock received ratings as corpsmen leaders.

We welcome aboard Eldon Hayes, center director of Kingman Job Corps Conservation Center, who is acting center director at Castle Valley for this week.

We have a visitor from Israel, Yossie Chalabi. He is a veteran of the June war against the Arabs. He is a youth counselor by training, and is in the United States to gain knowledge and experience in American youth programs. We hope he can stay with us at least until Christmas.

Several Price area residents have offered plants and shrubs for our landscaping. We appreciate these offers, and expect to start planting these contributions in the next few weeks.

We are looking forward to the visit on Oct. 3 of famous professional football player R. C. Owens, all-pro end of the San Francisco 49ers. Mr. Owens will talk to the Corpsmen and guests and show a film of the highlights of his professional football career.

Mr. Owens played his college football at the College of Idaho, Nampa, before joining the 49ers.

Mitch Makris, recreational director at Castle Valley, announces that football players from Carbon, Notre Dame, East Carbon and Emery high schools are being sent special invitations to join us for Mr. Owens' presentation. The public is invited.

Since his retirement from professional football, Mr. Owens has joined the J. C. Penney Co. as a special representative. Mr. Owens currently is visiting all Job Corps Centers in the west.

JOB CORPS FIGHTS FIRE

Men from two Montana Job Corps camps Friday volunteered their services in the continuing battle against forest fires in western Montana and northern Idaho.

Meanwhile, the little town of Olney, northeast of Whitefish, was not completely out of danger, but the immediate threat from the Miller Creek fire nearby was lessened, Don Drummond, deputy state forester said. Drummond said the fire should be brought under control by Saturday noon, barring increased winds Friday night.

Glacier National Park fires were almost completely encircled by fire lines Friday. Information officer Dan Nelson said, "we did fine" in fire control operations despite higher winds and a changeover in manpower. Nelson said a fire line was built around the east side of Dutch Creek in the Flathead fire, and another successful operation was completed on the northwest corner of the Glacier Wall fire.

Job Corpsmen from Anaconda and Darby were enlisted in the forest fire battles Friday. Eighteen corpsmen from Anaconda were dispatched to the Monture Creek fire northeast of Missoula in the Lolo National Forest and six corpsmen from Darby Creek went to work in the area fire depot in Missoula.

State and federal forest officials continued closing forests to public use Friday.

Deputy Montana Forester Don Drummond of Missoula said countless inquiries from the public generally have been understanding.

"The people who can't use the forests now during the emergency are not annoyed," Drummond said. "Some of them even seem to appreciate the fact that they can't get to their cabins," he added.

J. C. Robertson, U.S. Forest Service regional fire coordinator in Missoula said portions of the Helena and the Lewis and Clark forests were closed. Campfires and smoking were made illegal except at designated areas in the Deer Lodge and Beaverhead forests.

[From the Deer Lodge (Mont.) Post, Sept. 8, 1967]

FOREST FIRE IN MOUNT POWELL AREA TAKES WEEK'S WORK TO CONTROL, CLEAN UP WITH HELP FROM ANACONDA JOB CORPS

The Elbow Lake fire which erupted west of Deer Lodge last week has been under control since Sunday and about 12 men are engaged in mopping up operations and in hauling out gear, said Charles Mosier for the Forest Service on Thursday. He expected the operations would be completed by Friday night.

Located in an almost inaccessible spot west of Mt. Powell, the fire was in the Hidden

Lakes area at the head of Rock Creek. It was spotted by a Forest Service air patrol Thursday of last week at 3:30 p.m. and was estimated at that time to have been started from 12 to 20 hours previously by a lightning strike.

The first move was the dropping of four smoke jumpers from Missoula and two retardant drops that evening. The retardant was immediately effective in holding one side of the fire. The jumpers went in fully equipped, said Mr. Mosier, with tools, "grub", and all their needs.

Two more retardant drops were made the next morning and supplies for camp were provided. The rest of a crew of 175 men went in that morning. A contracted helicopter took them in from the airport and from the dam at Rock Creek lake.

Mr. Mosier and three district men from the Forest Service went in Thursday evening. Forest Ranger Paul Hoskins relieved Mr. Mosier Friday morning and was in charge of the crew.

MULE TRAINS REQUIRED

It was too windy on Saturday to drop supplies so they were taken in by mule string of 10 packers and a mule string of 10 animals were hired.

The terrain is "real rough", said Mr. Mosier, with lots of snags and it is steep and rocky. At one time it was fully forested, but bug-killed timber has left a lot of dead timber and this has made it more susceptible to fire.

The procedure used to bring it under control required the building of a fire line around the fire using chain saws, axes and shovels. The men built 135 chains of fire line, Mr. Mosier said, explaining that this is equal to about 1¾ miles. Five Pacific marine pumps with 5,000 feet of hose were used to pump water from the lake to fight the fire.

The men worked at first in 16-hour shifts, dropping later to 12 hours as work progressed. Only a small crew worked at night, mostly on patrol duty, as the quantity of snags and rolling stones made it too hazardous for night operations.

JOB CORPS HELPS

Fifty Job Corps members from the Anaconda center constituted part of the work crew. Eight of these were the kitchen crew who did the cooking and handled camp. They did a "real good job for us," said Mr. Mosier.

Meals for the first day were necessarily emergency rations of a non-perishable nature. Afterward they were served hot meals.

The fire was contained Saturday night and considered "under control" Sunday at 10 a.m. "Under control," Mr. Mosier explained, means that a good line has been established which will hold the fire barring unusual weather conditions.

The fire burned 60 acres.

CLOSURE STILL IN EFFECT

The closure on the forests is still in effect, said Mr. Mosier. A small amount of moisture on Wednesday had little effect. The Prison ranch measured .04 inches of rain, and Blizzard Hill lookout reported more, .20 inches. It was too spotty to do much good, he said.

A check of precipitation for the summer revealed there were similarly small amounts on Aug. 5 and 28, and July 18, 19, 20, 29, the smallest amount recorded for the season in many years, Mr. Mosier commented.

[From the Great Falls (Mont.) Tribune, Aug. 26, 1967]

Job Corpsmen Fight Fires

Men from two Montana Job Corps camps Friday volunteered their services in the continuing battle against forest fires in western Montana and northern Idaho.

Meanwhile, the little town of Olney, northeast of Whitefish, was not completely out of danger, but the immediate threat from the Miller Creek fire nearby was lessened, Don Drummond, deputy state forester, said. Drummond said the first should be brought under control by Saturday noon, barring increased winds Friday night.

Glacier National Park fires were almost completely encircled by fire lines Friday. Information officer Dan Nelson said, "we did fine" in fire control operations despite higher winds and a changeover in manpower. Nelson said a fire line was built around the east side of Dutch Creek in the Flathead fire, and another successful operation was completed on the northwest corner of the Glacier Wall fire.

Job Corpsmen from Anaconda and Darby were enlisted in the forest fire battles Friday. Eighteen corpsmen from Anaconda were dispatched to the Monture Creek fire (396 acres) northeast of Missoula in the Lolo National Forest and six corpsmen from Darby Creek went to work in the area fire depot in Missoula.

State and federal forest officials continued closing forests to public use Friday.

More than 4,600 men comprising 201 crews were fighting fires Friday in Region One, according to Del Radtke, fire control staff officer in Great Falls.

Deputy Montana Forester Don Drummond of Missoula said countless inquiries from the public generally have been understanding.

"The people who can't use the forests now during the emergency are not annoyed," Drummond said. "Some of them even seem to appreciate the fact that they can't get to their cabins," he added.

J. C. Robertson, U.S. Forest Service regional fire coordinator in Missoula, said portions of the Helena and the Lewis and Clark forests were closed. Campfires and smoking were made illegal except at designated areas in the Deer Lodge and Beaverhead forests.

Nine other forests were closed to public use Thursday. The public was advised to check with local forest ranger stations when in doubt about closure regulations.

Robertson said about 255 Idaho and Montana National Guard members were dispatched to fire duty in the two states. National Guard equipment, including trucks, tractors, first aid and kitchen units, also have been made available to the forest service.

Sixteen Missoula-based smoke-jumpers were sent to a new fire in the Kootenai Lakes district of the Lolo forest.

Eight southwestern U.S. Indian fire fighting crews arrived Friday at the Ft. Missoula staging area. They are from the Cocouino, Zuni, Questas, El Ritos, Totugas, and Moto tribes.

Robertson said members of the Army Reserve are on a standby basis during the forest fire emergency.

Seven Malmstrom Air Force Base helicopters, and five private fire fighting contractors' helicopters were still in use in the park fires.

Manpower on the park fires remained at 1,285, although some crews were dropped, and others were added.

Other fire developments in the national forests Friday included:

Eight new fires were reported.

Two fire fighters were injured.

Lander's Fork fire in the Helena forest was burning out of control.

State foresters issued a plea for caution but didn't close state and private forests as authorized.

A forest fire crew chief, Leo Lahaye from Custer Pine Ridge, S.D., was hospitalized in Bonner's Ferry, Idaho, Friday after he was hit by a falling, burning snag. Lahaye reportedly suffered foot and hip injuries.

Also injured was Robert Lakota, a member of the same crew and also from Pine Ridge. Lakola suffered a broken shoulder bone when hit by a small tree.

Corpsmen Battle Deerlodge Blaze

Forty six Corpsmen and ten staff members from the Anaconda Job Center hiked miles up steep rugged mountain trails to battle the Elbow Lake Fire on the Deerlodge National Forest.

Fireboss, Paul Hoskins, commended the Corpsmen for their willingness and ability to perform well under the extremely hazardous and tiring conditions.

Six seven-man sqauds battled the fire along the steepest and most rugged sectors of the fire while another ten-man crew set up a complete kitchen and prepared meals for over 200 weary firefighters.

Although most of the lads had never before climbed a mountain or seen a forest they were eager to pitch in and do whatever was needed.

During the early hours of the fire, while the blaze was still raging out of control, Corpsmen rushed in close to the flames to retrieve the precious tools and supplies that had been parachuted.

Without Job Corps help, Hoskins said, we may have lost a much larger portion of this valuable watershed and recreation land.

Staff members from the Job Corps Center provided overhead functions on the fire fighter squad bosses, crew bosses, division bosses, safety officer, timekeeper, camp bosses and cook.

Many of the Corpsmen were so impressed with the excitement and importance of fire fighting that they are eager to return to fire duty as soon as possible.

To provide a ready manpower reserve for other fire emergencies on the Deerlodge and adjacent forests, the Anaconda Center has trained fire crews ready to go as a result of a training session conducted by the Deerlodge Forest and weekly refresher training conducted by the Center's Work Department.

[A Randle (Wash.) Cispus Job Corps Conservation Center, Sept. 5, 1967]

Cispus Fights Conflagration

Building fire line, holding line, dropping back and rebuilding line has been the story for 42 Corpsmen fire fighters from Cispus Job Corps, now on the 4,000-acre Evergreen Fire on the Snoqualmie National Forest, Washington.

Alerted to proceed on Sunday, August 27, 1967, to the fire, the Cispus crew, headed by Albert Shroy, Deputy Director for Work, left only 24 hours after returning from the 10,000-acre Mt. Hood Fire. While on the Mt. Hood, the crew had spent 35 hours on the fire line.

Now in their sixth day on the Evergreen Fire, word from the line comes that the crew is still building line in efforts to stem the advancing inferno.

Three days after the 42-man crew had departed for the Evergreen Fire, a lightning storm broke within 30 miles of the Cispus Center. The Forest Service on the Gifford Pinchot National Forest rushed another 1,000 men to the 350-acre Packwood Fire. The Center was assigned the duty to man and operate a 500-man fire camp. Camp helpers, cooks, drivers all were needed. Corpsman volunteers were transported to the new fire to assist in operations.

With an eye toward even more serious fire danger close to the Center, a qualified 18-man Suppression Crew is standing by on Center, ready for immediate dispatch, as lightning storms still threaten the parched and tinder-dry countryside.

For the Cispus Crew, which numbers 60 men, fire is a familiar term for this season. Within the last five weeks the crews have been on six project fires, all well over 300 acres in size.

[From the Burns (Oreg.) Times-Herald, Aug. 17, 1967]

Seven-Hundred Acre Range Blaze Is Halted by BLM Fire Crews

A 700 acre range fire on Sheep Mountain southwest of Riley last Thursday required efforts of all local Bureau of Land Management crews to halt. The blaze left barren a large area of former juniper trees and sagebrush as well as grassland.

A lightning bolt touched off the blaze about 2:30 p.m. and the fire spread rapidly thru a canyon from the mountainside where the bolt struck.

BLM's fire crews reached the scene about 4:30 p.m. and additional men, pumpers, tank trucks and equipment were rushed into the area. A fire camp was established 12 miles south of the Gap Ranch. From there the men and supplies were taken into the rough country to fire lines by four-wheeled vehicles.

Friday morning the fire had been halted and the initial attack crews began moving out about 9 a.m. Their places were being taken by crews from the Matheur Job Corps Center which handled the mop-up work.

No cattle were caught in the area. There were times when the fast moving flames threatened to envelope some of the fire crews, but all escaped without injury. The firefighters reported the country was extremely rugged and it made the task of control both complicated and hazardous, the BLM fire office reported.

When the soot and smoke-blackened crews returned to their office at Burns, Friday forenoon they immediately went onto standby status that afternoon and evening.

In addition to the big range fire, the Bureau reported four other fires set on the district Thursday by lightning, all of them small.

A pumper and crew had been dispatched to Dog Mountain but found local ranchers and Job Corps personnel had extinguished the fire after it covered one-tenth acre.

Another strike in the Princeton area was quickly controlled by ranchers.

Ranchers at Delaney Mountain put out another fire there and the final fire was reported on Moffitt Table. A pumper and crew was winding up operations there Friday morning. Only a small area burned.

[From the Boise (Idaho) Morning Statesman, Aug. 31, 1967]

Job Corpmen Train for Firefighting Jobs

Marsing.—Marvin Berghorst, of the Toyon, Calif., Job Corps Center, is currently conducting a 16-hour training session for 37 corpsmen at the Marsing Job Corps Conservation Center who have volunteered to help on the fire fighting crews.

Corpsmen who are over 18 will be able to work on the actual fire lines. Those under 18 will help with cooking, food services, tool sharpening and preparation of cold line trenches.

[From the Ogden (Utah) Standard-Examiner, Sept. 3, 1967]

Fires, Construction—Job Corps Students Spend Busy Summer

A summer schedule of construction, firefighting and education has kept 209 enrollees busy in the Weber Basin Job Corps Center.

And the old adage, "busy boys are better boys," has proved out, according to Director Richard A. Ulrich.

Last month, only 11 corpsmen dropped out—five following disciplinary action, one for being absent without leave, one discharged when the parents withdrew their authorization for the boy to serve in the corps, and four for personal reasons.

In August, 40 corpsmen completed training projects and 29 were graduated from the education program.

HIGH MORALE

The "negative" withdrawal has been declining over the past year, Mr. Ulrich said. The reasons he gave include the high morale of the corpsmen and effective organization and leadership.

A highlight of the corps' public service this summer is fighting on the fire lines in the Payette National Forest near McCall, Idaho and for the Bureau of Land Management at the China Creek fire near Lewiston, Idaho.

Forty-four boys volunteered for duty on the Payette. After they returned to Weber Basin, 26 of them were sent on Aug. 26 to the BLM blaze where they are expected to remain for another week.

TRAINED IN WORK

The corpsmen at the fires were trained this spring by the U.S. Forest Service.

Mr. Ulrich said the boys were enthusiastic about the firefighting detail and have won plaudits of foresters for their work on Idaho timberlands.

Reaction of the teen-agers varies, Mr. Ulrich said, with corpsmen from the major urban centers in the East completely "unaccustomed to so many trees, wide open spaces and so few people."

Meanwhile, back at the camp, eight adult work leaders are supervising crews of eight to 10 boys assigned to Bureau of Reclamation and civic projects in the Ogden valley.

DO FOREST WORK

The corpsmen have built 300 picnic tables, 100 fabricated cement fireplaces, eight heavy gates for the Wasatch and Cache national forest, guard rails and boat parking facilities at East Canyon Reservoir, a water system at Los Creek Reservoir and painted signs and markers in recreation areas.

A major project is construction of a baseball diamond and fencing of a municipal park for the town of Uintah. The work is 50 per cent complete.

A road and parking area at East Canyon Dam was completed last month.

Current projects include a comfort station and shower facilities at North Willard Dam, a phone line in Mueller Park for the Forest Service and flooring a warehouse at the Job Corps Center.

While half of the enrollees are out in the field, the remainding half are studying in the center's school. Here the basic lessons of reading, writing and arithmetic are offered, along with special courses.

[From the Rapid City (S. Dak.) Journal, Aug. 17, 1967]

Job Corps, Indians Fly Toward Fires

Twenty-six men from Box Elder Job Corps Center at Nemo and 100 Pine Ridge Indians left Thursday for Missoula, Mont., to help fight forest fires in that area.

According to National Forest Service officials in Rapid City, the local Ferguson Catering Service left town Wednesday to battle the same fires.

The Job Corps staff members are Bill Pinkerton, Guy Birkula and Carl Erickson. Accompanying the Pine Ridge fire fighters are Bob Jackson and Bill McBride, forest liaison.

[From the Chadron (Nebr.) Record, Oct. 12, 1967]

Fire Sears 300 Acres

Fort Robinson.—A fire which utilized the fire fighting efforts of firemen from Crawford, Chadron and the Pine Ridge Job Corps Center scarred timber over a 300 acres area near here Saturday afternoon, in the 12,000 acre Wood Reserve segment of the Fort Robinson reservation.

The blaze was discovered by U.S. Fishery Department personnel at about 1:15 p.m., who in turn, notified the U.S. Department of Agriculture Fire Department and the Game Commission's Park Service.

The area, about 10 miles west of the fort, was a mass of fire and clouds of white smoke.

Also assisting in the fire fighting efforts were a truck load of firemen from Alliance.

Water was hauled in to fight the blaze, while other volunteers used shovels to put out grass fires on the ground. The blaze was under control by 5 p.m.

Park Superintendent John Kurtz said the blaze "could have been serious if we hadn't received such good help so quickly after the alarm sounded."

"We are sure grateful to the Crawford, Chadron and Alliance men who helped the Beef Research and Park personnel."

The Forest Service and the Job Corps crews remained in the area to complete mopping up operations.

Kurtz said damage was apparently "slight," limited to dead tree limbs and dry grass.

It is thought the blaze was triggered by lightning Friday night, and fanned into the blaze by a 50-mile per hour wind Saturday.

The "Little America" Boy Scout camp in the Wood Reserve was not damaged.

IOWA FARMERS USE MORE FERTILIZER THAN OTHER FARMERS IN THE UNITED STATES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Smith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, farmers in Iowa have been using more fertilizer faster than the rest of the United States.

According to a study made by Iowa State University in cooperation with the Economic Research Service, they put a record 1,750,000 tons on their fields in 1966. This was a poundage increase of 150 percent over use in 1960, compared with a rise of only 38 percent for the Nation as a whole.

Not surprisingly, corn gets most of the plant nutrients. About 90 percent of Iowa's corn acres are now fertilized, in contrast to 50 percent in 1959.

There is a definite trend, too, to use more single component fertilizers—such as anhydrous ammonia and superphosphates—and less mixed-analysis fertilizers.

How about cost? It is relatively low. Fertilizer is one exception to the general uptrend in prices farmers pay for most inputs.

Prices of two of the three primary fertilizer components—and especially high-nitrogen fertilizers—have actually dropped since 1960.

Anhydrous ammonia, for example, costs about 27 percent less, and the popular 5–20–20 has dropped about 5 percent in price. Advances in fertilizer production technology have been the big factor in this reduction.

So, with the combination of circumstances, a farmer needed less than 5 bushels of corn to pay for 100 pounds of anhydrous ammonia last year. In 1960, it took 7½ bushels.

Meanwhile, Iowa corngrowers have been getting bigger yields. This has helped balance out the increasing costs of some of the fuel and other things they have to buy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Annunzio (at the request of Mr. Albert), through December 15, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Wyman), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Nedzi, today, for 10 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Horton and to include extraneous material.

(The following Member (at the request of Mr. Wyman) and to include extraneous matter:)

Mr. Miller of Ohio.

(The following Members (at the request of Mr. Montgomery) and to include extraneous matter:)

Mr. Moorhead.

Mr. Rees.

Mr. Downing.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions;

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, December 4, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1247. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 5, 1967, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Jones Inlet to Montauk Point (remaining areas), Atlantic coast of Long Island, N.Y., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 191); to the Committee on Public Works and ordered to be printed with illustrations.

1248. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated March 6, 1967, submitting a report, together with accompanying papers and illustrations, on an interim hurricane study of a portion of coastal Louisiana in the vicinity of Houma, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 192); to the Committee on Public Works and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of conference. H.R. 10805. An act to extend the life of the Civil Rights Commission (Rept. No. 992). Ordered to be printed.

Mr. HAYS: Committee on Foreign Affairs. H.R. 13798. A bill to improve certain benefits for employees who serve in high-risk situations, and for other purposes; with amendment (Rept. No. 993). Referred to the Committee of the Whole House on the State of the Union.

Mr. GALLAGHER: Canada-United States Interparliamentary Group. Report of the 10th meeting of the Canada-United States Interparliamentary Group (Rept. No. 994). Referred to the Committee of the Whole House on the State of the Union.

Mr. CULVER: Committee on Foreign Affairs. Report of special study mission to the Soviet Union and Scandinavia, 1967 (Rept. No. 995). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of the rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of Pennsylvania:

H.R. 14226. A bill to provide criminal penalties for the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 14227. A bill to amend title 38 of the United States Code to increase rates of disability compensation paid to service-disabled veterans; to the Committee on Veterans' Affairs.

By Mr. DINGELL (for himself, Mr. Cederberg, Mr. William D. Ford, Mrs. Griffiths, Mr. Karth, Mr. McCarthy, Mr. Nedzi, Mr. O'Hara of Michigan, Mr. Reuss, Mr. Ruppe, Mr. Vander Jagt, and Mr. Vigorito):

H.R. 14228. A bill to amend the Anadromous Fish Conservation Act of October 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourages certain joint research and development projects, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GIBBONS:

H.R. 14229. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H.R. 14230. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RIEGLE:

H.R. 14231. A bill to permit increases in social security benefits to be disregarded in computing income for the purpose of determining eligibility for a veteran's or widow's pension under title 38 of the United States Code; to the Committee on Veterans' Affairs.

By Mr. ST GERMAIN:

H.R. 14232. A bill to amend section 202 of the Housing Act of 1959 to authorize limited-profit sponsors of housing for the elderly and handicapped; to the Committee on Banking and Currency.

By Mr. BOB WILSON:

H.R. 14233. A bill to designate the Veterans' Administration hospital to be constructed in San Diego, Calif., as the Bruno A. Hockmuth Hospital; to the Committee on Veterans' Affairs.

By Mr. DON H. CLAUSEN:

H.J. Res. 943. Joint resolution to designate the Union Station Building in the District of Columbia, a part of the National Visitor Center, as the National Visitor Center Memorial Building; to the Committee on Public Works.

By Mr. FULTON of Pennsylvania:

H.J. Res. 944. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. NEDZI (for himself, Mr. Colmer, Mr. Cederberg, Mr. Diggs, Mrs. Griffiths, Mr. Dingell, Mr. Chamberlain, Mr. Broomfield, Mr. O'Hara of Michigan, Mr. Harvey, Mr. Hutchinson, Mr. Conyers, Mr. William D. Ford, Mr. Vander Jagt, Mr. Brown of Michigan, Mr. Esch, Mr. McDonald of Michigan, Mr. Riegle, Mr. Ruppe, and Mr. Hechler of West Virginia):

H. Res. 994. Resolution proposing a change in rule XV of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 995. Resolution increasing the compensation of the expert transcribers to official reporters; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 14234. A bill for the relief of Sarita Arvaz, also known as Sara Shlomo; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 14235. A bill for the relief of Sebastiano Zara; to the Committee on the Judiciary.

H.R. 14236. A bill for the relief of Maria Garbaz and her daughter Nathalie Garbaz; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 14237. A bill for the relief of the Reverend Jose G. Gonzalez; to the Committee on the Judiciary.

H.R. 14238. A bill for the relief of Dr. Francisco E. Laurrauri-Laurrauri; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 14239. A bill for the relief of Mario Romano; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Defense Procurement

EXTENSION OF REMARKS

OF

HON. JACK R. MILLER

OF IOWA

IN THE SENATE OF THE UNITED STATES

Thursday, November 30, 1967

Mr. MILLER. Mr. President, on November 16, the distinguished Senator from South Carolina [Mr. THURMOND] addressed a luncheon of the National Association of Manufacturers in New York City. More specifically, his remarks were directed to the Defense Committee of the NAM. His address on the topic of "Defense Procurement," was most timely and impressive.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

DEFENSE PROCUREMENT

(Address by Senator STROM THURMOND, Republican, of South Carolina, at a luncheon of the National Association of Manufacturers, Plaza Hotel, New York City, November 16, 1967)

Mr. Chairman and Distinguished Members of the Defense Committee of the National Association of Manufacturers, it is a pleasure to meet with you today and to share with you some of my views on the affairs of Capitol Hill. The National Association of Manufacturers enjoys a fine reputation with the Congress. The NAM representation of industry's views on national and international problems to government are highly respected.

I note that your membership now exceeds 17,000, and that among organizations of this kind, yours is one of the oldest, having been founded in 1895. Through the years the NAM has performed commendable service in the field of education, and has promoted cooperation with industry through scholarship and apprentice awards, guidance and counseling, preparation of educational aids, and the maintenance of a high school and college speakers' bureau. More closely connected with my field, the NAM reviews legislation, judicial decisions and administration rulings and interpretations, as they affect industry.

While your Vice President, Mr. Ralph Compton, was kind enough to give me considerable latitude in the choice of subject matter for this occasion, I understand that you are most interested in Defense procurement. As a member of the Senate, and particularly in my various committee responsibilities, which include the Armed Services, judiciary, and Appropriations, I can assure you that I, too, am quite interested in the Department of Defense. This interest exceeds the limitations of Defense procurement alone, and while I shall devote the greater part of my talk to that subject, I am sure that you will bear with me for an excursion into a few future Defense problems that are vital to our national security.

It is perhaps an understatement to say that the Legislative Branch of the government is intensifying its interest in the procurement practices of the Department of Defense.

I think that we have seen enough evidence recently in the news media, particularly in the matter of possible favoritism in defense contracts, and excessive costs of some procured items.

Let us examine, for a moment, the basic reasons for Congressional interest in government procurement, in which DOD is the major partner.

The Federal procurement bill for goods, services, equipment, and facilities now runs about $60 billion a year. The Congress is responsible for raising the tax dollars to pay this enormous procurement bill; it also has to make the dollars available on a yearly basis through the appropriations process; and it has the responsibility to see that these dollars are well spent. After all, we members of Congress have to answer to our constituents, and they are the ones who foot the bill.

I should like to point out at the beginning that a Congressman's interest in government procurement is not from the standpoint of personal or private concern. You are all familiar with the "boiler plate" that forms a part of a government contract—this contains stipulations, rules and procedures that your contracting officers have to wade through. In the fine print of that boiler plate there is a measure that prohibits a member of Congress from contracting with the government or deriving any benefits therefrom. I am happy to state that this is the oldest mandatory clause in government contracts, and that it dates back to a law of 1808.

While my colleagues and I do not have any personal interest in government contracts, you can be sure that we each have a very keen public interest—legitimate and proper—over the award of contracts to our respective States. Defense business means better employment, bigger payrolls, and general economic improvement. Although no Congressman should use his influence to aid a particular company or individual, he nevertheless has a responsibility to see that his State or District is not discriminated against in the awards of government contracts.

Of course, a Member of Congress has more to do than to look out for his State and to help his constituents. Each Member has legislative duties through his committee assignments. These duties involve authorizations for new programs, money bills for the government agencies, investigations, and a variety of other legislative tasks. This committee work is important, for this is the means where a few members of the Congress can investigate a subject in depth and make a knowledgeable report to their colleagues.

The Congress has several committees and subcommittees which are responsible for making legislative recommendations on defense expenditures to the entire Congress. Some of these in the Senate and House are the Armed Services, Government Operations, Joint Economic, and the respective Appropriations committees and subcommittees. There are also several more. With this many hands in the act there is bound to be some confusion, gays, and even overlapping interest. For example, let us take a look at the jurisdictional issue.

The Committees on Government Operations of both Bodies have jurisdiction over the Federal property and Administrative Services Act. The respective Armed Services Committees have jurisdiction over the Armed Services Procurement Act, but jurisdiction over the Renegotiation Act, which bears on Defense and other procurement, is under the jurisdiction of the Ways and Means Committee of the House of Representatives and the Finance Committee in the Senate.

Furthermore, the Walsh-Healey Public Contracts Act and the Service Contract Act of 1965, also involving procurement and contracting processes, are under the jurisdiction of the Education and Labor Committee of the House and the Labor and Public Welfare Committee of the Senate. The Banking and Currency Committee handles small business legislation, but there is also a Small Business Committee that investigates procurement problems from the small business—not the government's—side of the street. Patent and claims legislation, which also influence procurement and contracting matters, are within the jurisdiction of the Judiciary Committee. At the same time there are separate and different committees responsible for atomic energy legislation on the one hand, and for space legislation on the other.

With this organization, or lack of it, for such an important function as Government procurement, there is small wonder that the Congress should be considering a bill to establish a special commission to study all phases of government procurement. I will come to this bill a little later.

In my own experience, I remember well acting as Chairman of the Senate Armed Services Committee's Subcommittee on Procurement during 1959 and 1960. Some of you here in this audience may have participated in those hearings. These represented an exhaustive inquiry into the procurement policies and practices of the Department of Defense and the Renegotiation Act of 1951. In this study we concentrated on the procedural aspects of military buying. Our findings were, briefly: (1) Most of the procurement problems of Defense could be solved administratively; (2) All of the major contract types in use could produce undesirable cost, price or profit if they were used inappropriately or not carefully negotiated or administered; (3) Some contracts had to be negotiated, but that negotiation did not necessarily mean absence of competition; (4) Procurement law did not necessarily retard the availability of advanced weapon systems, but programming decisions and administration of laws frequently caused delays; (5) The volume of military procurement made it impracticable to unduly centralize procurement authority; and (6) That military procurement was so complex that it would be impossible to preclude exercise of judgment by procurement officials.

As a result of our findings we made several positive recommendations for changes in the Procurement Regulations, procedures and in the training of procurement personnel in the Department of Defense. Judging from the recent criticisms leveled at Defense procurement by Congressman Pike, Senator Dominick and others, it would seem that the departments did not follow through on all of our recommendations, particularly the one which warned that they should train their personnel to do a better job.

The size of the Defense budget is such that it has tremendous impact on the economy of the country. The total Defense budget accounts for over fifty percent of all appropriated expenditures for the entire federal government. For Fiscal Year 1968 the total administrative budget for national defense is estimated at $75.5 billion which is 8.9 percent of the gross national product. This comes very close to the country's previous maximum which occurred in 1945—then military expenditures ran $80 billion, or 36.7 percent of the GNP. The Defense procurement share of the 1968 budget is estimated at $21.6 billion, and this indicates a slow but steady rise over defense procurement expenditures of the two previous years; in 1966 this was $14.3 billion, and in 1967, it was $18.5 billion.

The accent on defense procurement swings from one manufacturing area to another, according to the times and international situation. Experience shows that in wartime (taken from examples of Korea and Vietnam) there is a decided swing toward ships and conventional ordnance and a corresponding decrease in the more sophisticated products such as aircraft, missiles and electronics. On the basis of past performance, I should think that after the Vietnam War is over, we would see the pendulum swing back. The statistics behind this observation are as follows: In 1962, 70.4 percent of military procurement was in the sophisticated category—in 1968, it is estimated that this will be only 53 percent. Also, in 1962 only 29.6 percent of military procurement went into the more conventional items, but in 1968 this rose to an estimated 46.8 percent. It would appear that with the ABM underway, and with the drawdown of the Vietnam War in our inventory of aircraft, the more sophisticated Defense items will get a strong play as soon as the Vietnam War ends.

During the fifteen years since the Korean War there has also been a decided shift in the geographical pattern of Defense Procurement awards. The South and Far West have increased their share of Defense orders while the Midwest and Middle Atlantic areas suffered a decrease. However the immediate effect of the Vietnam War with its increase in conventional war requirements caused an upswing in the Midwest last year, where most of the conventional armament is produced, and a falling off of defense orders for sophisticated equipment, most of which is produced in the Far West.

Another interesting geographical characteristic of Defense procurement is that the top ten States received over 60 percent of the prime awards and 70 percent of the subcontract awards. In the event that you are interested in the top ten States, they are: California, New York, Texas, Connecticut, Pennsylvania, Ohio, Massachusetts, Missouri, New Jersey and Indiana; . . . with Michigan, Illinois, Maryland, Georgia and Florida following close behind.

I am sure that in this audience it is no secret who are the top ten manufacturing companies. Just for the record I will say that on the basis of military prime contract awards in Fiscal Year 1966, the top ten companies are: Lockheed Aircraft; General Electric; United Aircraft; General Dynamics; Boeing; McDonnell Aircraft; American Tel. and Tel.; Textron; Raymond International; and North American Aviation. Of the 100 top companies listed for 1966, there are 23 new names which did not appear on the 1965 list. The largest increase in category is, understandably, ammunition; there were 13 new ammunition companies among the 23 new names. The largest decreases were in missiles and petroleum products, each losing 5 companies from the top 100.

Small business firms have increased their share of Defense contracts. During the first nine months of fiscal year 1967, small business firms received $5.7 billion in Defense prime contract awards—almost $1 billion more than in a comparable time in 1966.

Now before I proceed into some of the details of the proposed Procurement Commission being considered by the House Committee on Government Operations, and the reasons for its establishment, let me say a few words about the commendable cooperation of industry to meet urgent military requirements. Granted that there have been cases of excessive costs, which were well-publicized, I might add that there have been a number of cases where industry went all-out to help, sometimes at considerable risk of their own assets. At my request, the Department of Defense has furnished me with a few examples.

Very early in the Vietnam crisis the communications industry unselfishly applied its resources to achieve early implementation of the initial communications requirements of the military departments. They promptly moved people into the area—conducted surveys—modified and rehabilitated military telecommunications equipment without formal contractual assurances of reimbursement.

About a year ago the Eureka-Williams Company made an all-out effort to fill an urgent requirement for a very complex fuse. The Army had had difficulty in obtaining a supplier willing to undertake the contract on the basis of producing extremely high production quantities of this complex item. Through the efforts of this company the Army requirement was met.

The Stewart-Warner Corporation began production of metal parts for the 60mm mortar projectile from a standing start and made first deliveries in five months. This included setting up production equipment and fabricating and buying the new tooling.

Another outstanding example of American industrial determination and ingenuity involved the M-39 aircraft machine gun. The Allison Division of General Motors made delivery of a production weapon within 8 months after orders were placed, one month ahead of schedule, including reactivating a plant which was not in production and providing the necessary personnel and facilities. The first gun delivered as a result of this effort met the Army's quality assurance requirements of 100%.

With regard to Vietnam, the accomplishments in transporting supplies to South Vietnam have been without precedent. Two years ago there was only one deep water port there—Saigon. There were no railroads nor roads to move supplies from that port to our forces up-country, yet in the first six months after the major deployments began, 200,000 troops were moved into the country and supplied with the thousands of items needed for combat operations and their health and welfare. Airfields and port complexes now exist where before there were only sand dunes and rice paddies.

Industry, together with military construction groups, has undertaken a gigantic construction effort in South Vietnam. This includes 6 deep draft ports which provide 29 new berths involving a total daily cargo input of 21,800 tons. In the construction of these ports 26 million cubic meters of dredging was required. Increased storage capacity includes 10.2 million square feet of covered storage, 2½ million cubic feet of refrigerated storage, 4 million square yards of open storage, over 100 acres of ammunition storage and 3 million barrels of POL storage. Further, 6 million square feet of maintenance facilities have been constructed, as well as hospital capacity of 8,780 beds. Eight jet-capable air bases have been built, along with 80 auxiliary air fields. Cantonments sufficient for 500,000 men have been established, and electrical power has been increased by 300,000 kilowatts. The above does not include air bases, hospitals and other support activities constructed throughout the Western Pacific.

There are many more such examples of military-industrial cooperation, but I cannot take the time to recite them.

Having described the nature of government procurement in general, with special emphasis on industry's role with the Department of Defense, I shall now move on to the proposed bill (H.R. 12510), introduced by Congressman Chet Holifield, together with a companion bill introduced in the Senate by Senator Jackson of Washington.

The purpose of this bill is to establish a temporary Commission on Government Procurement, to make a broad and searching inquiry into nearly every aspect of government procurement. The Commission would be required to make a report within two years after the date of enactment of the legislation, on its findings and recommendations for changes in present statutes, regulations, policies and procedures necessary to promote economy, efficiency, and effectiveness in the procurement of goods, services and facilities by the Executive Branch of the Government. In short, the Commission will try to improve Government procurement and contracting procedures and practices. It will examine the laws, regulations, organizations, throughout the whole structure of government involved in procurement, and try to bring more order to the present hodge-podge and mixture.

The Commission will have twelve general courses of action prescribed for it. These are:

(1) To establish a method whereby the Government may acquire the goods, services and equipment needed, of proper quality and within the time needed at the lowest reasonable cost, using competitive bidding to the maximum extent possible.

(2) The quality, efficiency, economy and performance of Government procurement organizations and personnel should be improved, and

(3) through (12)—briefly summarized, are: to avoid overlapping and duplication; to cover gaps, iron out inconsistencies, provide for uniformity and simplicity; fair dealing; and to avoid possible disruptive effects in certain areas, industries, and occupations.

The Commission would be composed of fourteen members, including four appointed by the President of the Senate, four appointed by the Speaker of the House, and six appointed by the President of the United States. It appears that industry will undertake its share of the task. For example, in the provisions for membership, there are the following stipulations: Of the four appointments by the President of the Senate, two will be Senators, and two will be from outside the Federal Government; of the four appointed by the Speaker of the House, two will be representatives, and two will be from outside the Federal Government. Of the six appointments by the President of the United States, three will be from the Executive Branch of the government and three will be from outside the Federal government. The members appointed by the House and Senate, respectively, will not be of the same political party. I note that members from outside the Federal Government will receive compensation at the rate of $100 per day for actual service and for other expenses. The Commission will also be empowered to procure the services of experts and consultants, and it may make contracts with private organizations and non-profit institutes to carry out studies and to prepare reports to assist the Commission's work.

I note also a refreshing provision for the demise of the Commission: 120 days after the submission of its report the Commission shall cease to exist.

The official hearings for the establishment of a commission on government procurement are over, and a bill is ready to report out of the House Committee on Government Operations. However, while the bill has bi-partisan support, there are certain considerations that lead me to believe that H.R. 12510 will not be enacted in this session of the Congress. Without going very far out on a limb, I do think that it is safe to predict fairly early passage next year. I should think that your organization would maintain its interest in this legislation, because for the first time, industry will have an established forum in which to make its views, opinions and recommendations known on this issue.

I said earlier in my talk that I wished to spend some time discussing future defense problems. Those of you who know me will understand what I mean when I say that not all of the problems of DOD are in the procurement area. However, for the purposes of this meeting I shall confine my remarks to certain problems of military hardware—as I see them.

It has been said that the Vietnam War is the most non-cost-effective endeavor that the United States has ever undertaken. We see such military elements as the Air Mobile Division and aircraft carriers (both previously criticized as not being cost effective) doing splendid, necessary jobs in Vietnam.

In my opinion, cost effectiveness, as it is now used in the Pentagon, is short-sighted. This is not a new science, anyhow. Both the military and industry have used cost effectiveness techniques for many years—but these techniques were not used as a means of procrastination. Today's Defense analysts are studying problems to death while our sworn enemy, the Soviet Union, goes ahead and produces new weapons systems. In this regard, I have consistently urged that we get on with the business of ensuring the security of this country through adequate foresight and military preparation.

Limited wars do not threaten our very existence nor our freedom, in the same direct way that general nuclear war does. To me, the blue chips of national defense have to be our strategic warfare forces. Next in importance, come the forces for conventional warfare. I cannot understand why we let limited wars drag out, at an unacceptable cost in men's lives and equipment, to the extent that we are forced to give our blue chip forces less than the necessary attention. This is exactly what we have done with a very important element of our own nuclear deterrent—the Anti-Ballistic Missile defense system.

While we were procrastinating, the Soviets deployed an ABM system, worked on the orbital bomb, and probably other space weapons, too. With lead time as important as it is in the development of weapons systems, it appears that we almost missed the boat in our own parallel efforts. We should, without further delay, move promptly into the production and deployment of the full ABM defense recommended by the Joint Chiefs of Staff. At the same time, we should be perfecting a reliable anti-satellite defense system, together with long-range tracking systems to calculate orbits and pinpoint satellites in outer space. In view of the Soviet development of the multiple warhead missile (MIRV), we should proceed on an urgent basis to develop a defense that will destroy multiple warhead missiles soon after they leave the launching pad, and before the warheads separate. Both the Air Force and the Navy have such a system under development.

Moving down the warfare spectrum, I wish to cite a few problems that affect our ability to conduct conventional warfare. We need to replace the equipment taken from our Reserves and National Guard and sent to Vietnam, as well as that borrowed from our forces in Europe. The wartime mission of these forces is to fight, and they cannot do that without equipment.

I am very concerned that the Navy does not have a surface-to-surface missile similar to the Soviet missile that sank the Israeli destroyer Eilath last month. Moreover, the Navy badly needs new antisubmarine aircraft and sensors to combat the growing Soviet submarine threat.

And finally, we should profit from the lessons learned by all of the armed services in the Vietnam War, which showed the important of a mix of different weapons systems and troops. The value of tactical air, gun support, the Air Cavalry, artillery, the helicopter, shallow water patrol craft and reliable communications was well documented. At the same time we should never get so obsessed with hardware that we forget the importance of the combat man and his rifle.

The role of industry in solving the problems that I have mentioned is an important one, and the government will look to men such as you here today for assistance. Judging from industry's past response, I am confident that you will respond nobly.

With regard to industry's role in the future, let me close with a suggestion. From my own point of view, and this is shared by many of my colleagues in Congress, it would appear prudent for Defense contractors to diversify into commercially-oriented products to a much greater extent. I have heard the warnings against the creation of a defense-managed industry, but I think that there is another consideration that is closer to the point. This is the decline of profits in doing business with the government. For example, twelve years ago Defense contractor profits were 6.5 percent; six years ago profits were 4 percent; and last year they were 3 percent. If your marketing Divisions will project that curve a few years ahead, I think that your top management will see compelling reasons for more civilian diversification.

Congressman Horton Praises Heroism of Marine L. Cpl. Roger I. Duffett as Typical of the Spirit and Patriotism of Amercan Youth

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 30, 1967

Mr. HORTON. Mr. Speaker, the war in Vietnam is too often presented to us as a kaleidoscope of statistics, hill numbers, statements and counterstatements, which ignore the critical accomplishments of the most important element in the war—the American fighting man.

This was brought home to me clearly again recently when I learned of the award of the Bronze Star Medal to L. Cpl. Roger I. Duffett, 2184897, USMC, now stationed at the U.S. Marine Air Station, Beaufort, S.C. Lance Corporal Duffett is the son of the distinguished immigration inspector of the Immigration and Naturalization Service in Buffalo, N.Y., Inspector Paul Duffett.

I would like to share with you and our colleagues, Mr. Speaker, the citation which accompanied the award of the Bronze Star Medal, and which so graphically describes Lance Corporal Duffett's heroism:

U.S. MARINE CORPS,
San Francisco.

In the name of the President of the United States, the Commanding General, Fleet Marine Force, Pacific takes pleasure in presenting the Bronze Star Medal to Private First Class Roger I. Duffett, United States Marine Corps, for service as set forth in the following citation:

"For heroic achievement in connection with operations against insurgent communist (Viet Cong) forces in the Republic of Vietnam while serving as an Aviation Crash, Fire and Rescue Crew Member with Marine Air Base Squadron Sixteen, Marine Aircraft Group Sixteen, First Marine Aircraft Wing.

During the early morning hours of 28 April 1967, the Dong Ha Airfield came under a heavy enemy rocket attack. Subsequently, a rocket round struck a vehicle which was parked near the Delta Medical Company Hospital, immediately engulfing the vehicle in flames and causing the ambulance jeep alongside to burst into flames. After learning of the burning vehicles and realizing the danger to the hospital which was located nearby, Private First Class Duffett unhesitatingly rushed to the side of the burning vehicles despite the hostile fire bursting around him. As he began extinguishing the blaze, he was seriously wounded by fragments from an exploding rocket. Ignoring the pain of his wounds and disregarding the enemy fire, Private First Class Duffett continued fighting the fires until they were extinguished. By his immediate and courageous action in the face of an extremely hazardous situation, he undoubtedly prevented the fire from spreading to the hospital building and endangering the lives of his comrades. Private First Class Duffett's bold initiative, fearless action, sincere concern for the welfare of his companions and selfless devotion to duty at great personal risk inspired all who observed him and were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

Private First Class Duffett is authorized to wear the Combat "V".

Lt. Gen., V. H. KRULAK,
U.S. Marine Corps, Commanding
(For the President).

Mr. Speaker, I would like to add my commendation to L. Cpl. Duffett for his unselfish, courageous act, and to point out that the example set by this fine young American stands in sharp relief to the better publicized activities of a handful of draft card burners and violent protesters.

Although the latter are small in number, we hear a great deal about them, and do not hear enough of men such as Roger Duffett who stand heroically in the front lines of defense of this Nation. I am proud to have the opportunity to tell the story L. Cpl. Roger Duffett, Mr. Speaker, and to publicly thank him for his devotion to duty and his country.

Fifteenth Annual Christmas Greens Exhibition

EXTENSION OF REMARKS

OF

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 30, 1967

Mr. DOWNING. Mr. Speaker, the advent of our holiday season is being beautifully portrayed at the Botanic Gardens this week in the 15th annual Christmas greens exhibition which is presented as a gift to the city of Washington from the more than 130 federated garden clubs and plant societies in the metropolitan area. The handsome and striking displays which line the hallways and exhibition rooms represent the efforts of more than 5,000 dedicated citizens of the greater Washington area.

Mrs. Clyde E. Romig, president of the National Capital Area Federation of Garden Clubs and a member of the First Lady's Committee for a More Beautiful Capital, appropriately set the theme for the 1967 exhibition as "Christmas in Our Capital."

This is a rare opportunity for everyone who has the occasion to live, work, or visit on Capitol Hill to enjoy the rare beauty which is shown in a collective array of wreaths and swags along with arrangements for hearths, mantels, altars, and tables.

Of special interest to the very young are replicas of store window displays. There are even special Christmas arrangements which the blind may touch, smell, taste, and hear. The scenes capture the beauty of many traditional Washington locales.

I am especially grateful to the women who continue year after year to bring this spirit of Christmas to us in such a beautiful fashion, and I urge everyone to imbibe of this spirit this week.

The exhibition will be open through December 3, with viewing hours on Friday and Saturday from 9 a.m. to 9 p.m., and on Sunday from 9 a.m. to 3:45 p.m. It is a most pleasant way to start the Christmas season.

Foreign Assistance Act

EXTENSION OF REMARKS

OF

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 30, 1967

Mr. MILLER of Ohio. Mr. Speaker, I stand to oppose the Foreign Assistance Act. Although the bill now before the Congress is a great deal less than the amount requested by the President, I do not believe it is small enough.

Many of my distinguished colleagues have spoken that they are in favor of the principle of foreign assistance, and then went on and qualified their statements with "buts" and "howevers."

I am not convinced that foreign aid of military arms and money is automatically a good thing, and I have very serious doubts about the wisdom of such a course when the United States must increase its national debt by borrowing from future generations in order to give to other nations.

We have learned the lesson, or should have learned it, that money, or even overt military liberation will not win a nation's lasting friendship. France, the recipient of an estimated $20 billion since 1945, today threatens to undermine our currency by making arbitrary and unwarranted demands on our gold reserves.

Just a few years ago we witnessed the alarming spectacle of two large recipients of American military and dollar assistance, India and Pakistan, using their new-found strength and stability to go to war with each other over trivialities.

Just a few months ago we saw the peace of the entire world threatened when Israel went to war with the Arabian bloc of nations. All of the combatants had received large amounts of U.S. aid, and even today the United States is planning to ship new jet fighters to Israel and to five Arab States at the same time.

At this very moment, we see two of our allies, Greece and Turkey, the recipients of $4.6 billion in military aid, on the very brink of war over tiny Cyprus. It is the least that President Johnson should do to send Mr. Vance to mediate. After all, if war breaks out between these two nations, the United States will have made it possible, and we must share a part of the blame for giving them the means.

With the bitter lessons of history before us, I think the principle of foreign aid itself is open to question. The greatest of Greek historians, Thucydides, said that those who refuse to learn from history are doomed to repeat its mistakes. It is high time we learned something from our own mistakes. I believe we should restrict our foreign assistance to technical, industrial, agricultural, and person-to-person programs such as the food for peace and Peace Corps programs.

We who must vote for or against foreign assistance must consider the lessons of history. We must also consider the $30 billion budget deficit which appears inevitable unless spending is cut. We must consider that the American taxpayer is already paying a $76 billion defense budget which enables us to patrol and protect the entire free world, so why pay more to give them weapons to fight each other?

We should also consider that large gaps in our own society still exist which should be given first priority. As long as there continues to be underprivileged persons and underdeveloped regions, and as long as we have ghettos and undernourished persons within our own Nation, it is my belief that we cannot afford continued foreign aid of arms and dollars.

Danny Kaye

EXTENSION OF REMARKS

OF

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 30, 1967

Mr. REES. Mr. Speaker, the question is often asked, "What can one man do?" It is one thing for the Government or a giant corporation or an established private organization to make gradiose plans and perhaps even carry them out, but what can one lone individual do?

There lives in my State of California today—or on those rare days when he is actually home—a slim, Brooklyn-born redhead who, with no formal education to speak of, has made his name an internationally known symbol of peace, of children's happiness, of laughter, of music, of dedicated devotion toward solving the ills of the world.

His name is Danny Kaye. He is supposed to be an actor, a clown, an entertainer—and in each of these quite professional roles he has reached the very top in his industry. But Danny Kaye is a great deal more than this. He is a humanitarian in the deepest and most responsible sense of the word. He does not make speeches and pronouncements. He does not hold court.

Danny Kaye does just one thing and he does it simply and well. He works hard at what he believes in.

Presently he is contributing his services to, and is appearing with, the Israel Symphony Youth Orchestra in 12 different countries on a good-will tour which brings as much glory to America through its beloved "clown" as it does to Israel through its talented musicians.

Every October for the past 3 years, Mr. Kaye has made a whirlwind trip, flying his own plane, to dozens of cities throughout the United States and Canada in support of UNICEF's annual "trick or treat" fundraising campaign.

Each year for the past 14 years Mr. Kaye has served willingly, without pay and at his own personal expense, as unofficial but highly effective "ambassador of good will" for UNICEF. UNICEF's high regard for Mr. Kaye is perhaps best exemplified by the fact that when, in 1965, UNICEF was named the recipient of the Nobel Peace Prize, it was Danny Kaye who was asked to travel to Oslo to accept the award in UNICEF's name.

Every year for the past dozen years Danny Kaye has made one or more appearances as the guest conductor of symphony orchestras all over the world, ranging from London and Stockholm to New York and San Francisco and Toronto, for the purpose of raising pension funds for the musicians. Again, he serves without fee.

Somewhere along the line, perhaps in his spare time, I understand that Mr. Kaye also works for his living.

We of California are very proud to count Danny Kaye as a citizen of our State. We are grateful to Brooklyn and the great State of New York for having spawned him and sent him our way. But we are even prouder to have been able to share his great talent and his warm heart not only with all those in the United States, but with all the citizens of the world who speak his two common languages—laughter and compassion.

Pittsburgh Company Wins First Urban Transportation Award

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 30, 1967

Mr. MOORHEAD. Mr. Speaker, it was my pleasure and privilege on Wednesday of this week to attend the ceremony at which a company headquartered in my district—the Westinghouse Electric Corp.—received the first Urban Transportation Award of the U.S. Department of Housing and Urban Development.

When Secretary Robert C. Weaver presented the award to Westinghouse's very able president, Mr. Donald C. Burnham, he said:

> Westinghouse earned this award for demonstrating the courage and foresight to enter a field that was relatively new to it, and for the imagination and technical skill it demonstrated in delivering solid accomplishments in a relatively brief time.

I am proud, Mr. Speaker, that Pittsburgh can claim this innovative company as its own, and that HUD has appropriately honored its formidable achievement in the vital area of urban transportation.

To illustrate the accomplishments of both HUD and Westinghouse in the serious business of enabling our urban populations to move about comfortably, cheaply and cleanly, I insert at this point in the Record the text of Secretary Weaver's remarks at the first Urban Transportation Award ceremony. The text follows:

> Now, I have a very pleasant duty to perform.
>
> We have been talking about the vast, intricate and complex problems of urban mass transportation.
>
> We have been saying that we perceive transit as one of the major urban problems that must be resolved as we set about revitalizing every facet of the urban environment.
>
> Since the U.S. Department of Housing and Urban Development was created just two years ago this month, it has been clear to us that one primary mission of the department must be to stimulate, encourage and inspire the cooperation and involvement of every resource the Nation has to attack and solve these problems.
>
> We believe that an appropriate part of our effort should be to honor those who contribute outstanding achievements and accomplishments toward the solution of transportation problems.
>
> For this purpose, I am announcing today the creation of the Urban Transportation Award. This award will serve as the symbol of the Nation's gratitude to those who devote themselves to this task with outstanding success.
>
> I am privileged also to be able to announce the first winner—the Westinghouse Electric Corporation of Pittsburgh, Pennsylvania—for outstanding achievements in urban transportation technology.
>
> Westinghouse earned this award for demonstrating the courage and foresight to enter a field that was relatively new to it, and for the imagination and technical skill it demonstrated in delivering solid accomplishments in a relatively brief time.
>
> In short, Westinghouse has earned the gratitude of the Nation for giving the haggard transit passenger a better ride for his money.
>
> The company we honor today—through its able and energetic president, Donald C. Burnham—is making many contributions to transit innovation, but I want to mention three of them:
>
> In San Francisco, the first of a new generation of automatic command and propulsion systems for trains in a high-volume, large transit operation.
>
> In Pittsburgh, the creation of an innovative system for a medium-volume traffic area by the use of automatic, rubber-tired cars traveling on a lightweight, elevated right-of-way.
>
> And thirdly, the development of Marketeer I, the two-passenger, electrically-powered vehicle for the economic, convenient transportation of the urban dweller over moderate distances and at moderate speeds.
>
> It is our conviction in the Department that the active involvement of the private, industrial and corporate genius of this Nation is essential for a national response to urban problems.
>
> So, I am delighted today, in behalf of the national government, to present this award for industrial leadership.

SENATE

Friday, December 1, 1967

The Senate met at 9 a.m., and was called to order by the Acting President pro tempore (Mr. Metcalf).

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Lord, in the morning we pray, seeking direction for the day. We turn a deaf ear to the voices of fear and confusion. We find peace within and some right answers for conditions without, as we stand in Thy presence.

We pray for wisdom to guide, intelligence to direct, and love to temper action. We affirm that God's law of justice is operating in life.

Remind us of the Biblical thought: "The path of the righteous is like the light of the dawn, which shines brighter and brighter until full day."

Strengthen the faith of these our leaders, O God. Renew a right spirit within and lead in paths of peace. In the Master's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, November 30, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RAILROAD MERGER

Mr. MANSFIELD. I wish to join my distinguished colleague, the junior Senator from Montana [Mr. Metcalf], now presiding as Acting President pro tempore, in what he said on yesterday relative to the decision of the ICC authorizing a merger of the Great Northern Railway, the Northern Pacific Railway, Chicago Burlington & Quincy Railroad Co., Pacific Coast Railroad Co., and the Spokane, Portland & Seattle Railway System.

I believe that this is a misguided move on the part of the Interstate Commerce Commission; and I can say, without fear of contradiction, that so far as the States of Minnesota, North Dakota, Montana, Idaho, and Washington are concerned, it will react against the best interests of that area of the Nation.

I point out that Montana has an area of 148,000 square miles; that there is a need for two transcontinental railroads; that both the Great Northern and the Northern Pacific are not suffering any losses at this time, but that their profits are rather handsome, all things considered.

It would be my hope that the distinguished chairman of the Senate Committee on Commerce, the Senator from Washington [Mr. Magnuson], would look into this matter immediately to determine what the reasons are for this merger at this time. I am hopeful that something along this line will be done by the distinguished Senator from Washington, and I assure him that, so far as Montana is concerned, we will back him 100 percent in any move he makes.

CYRUS R. VANCE—"MAN FOR ALL SEASONS"

Mr. MANSFIELD. Mr. President, I should like at this time to call to the attention of the Senate, the remarkable service performed by Mr. Cyrus R. Vance, a former Under Secretary of Defense, a man in the McNamara mold, and an ambassador who has proved his worth in helping to bring about an adjudication of the recent crisis in the eastern Mediterranean between Greece and Turkey over the island of Cyprus.

I do not think it is letting any secrets out of the bag to state that about this time a week ago there was a grave and immediate danger of war between Greece and Turkey. Because of the magnificent efforts by Mr. Vance—this "man for all seasons"—a settlement has been reached that will bring about a degree of peace in the eastern Mediterranean and will, I believe, add to the luster of this country because of the outstanding efforts made by this distinguished public servant.

I want the record to show that this man is entitled to a great deal of credit for what has been accomplished in averting a war in the eastern Mediterranean and for his singularly outstanding contribution to the conclusion of a peaceful settlement between the two main contending parties, Greece and Turkey.

ORDER OF BUSINESS

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE PRICE OF SOCIALISTIC POLICIES

Mr. EASTLAND. Mr. President, during the past month we have witnessed one of the more remarkable ironies of history. Britain has devalued her currency in a desperate bid for survival while the little country of Rhodesia that she threatened with economic ruin because it dared to break away from the motherland has just celebrated the second anniversary of its independence. For the past 2 years, Britain has involved the rest of the world including the United States in an attempt to strangle Rhodesia and force her submission to Britain's will. Britain's frail economy plunges into devaluation. Rhodesia's economy continues to ride high and her pound remains buoyant at $2.80.

Britain's Prime Minister Wilson who said 2 years ago that sanctions would break Rhodesia in weeks rather than months has had to endure the ignominy of being told by Prime Minister Smith that Rhodesians are pleased to be able to help Britains in their economic distress by maintaining the value of the Rhodesian pound.

The Rhodesian newspapers were not so charitable. The Rhodesia Herald commented that—

> It was a sad day for Britain because it took a combination of allies, friends, and enemy countries to ram home with brutal force what the British people have refused to face for something like 20 years—that the world does not owe them a living at a standard of their own choosing.

I believe this is an entirely appropriate observation. Britain has had to devalue her currency three times within living memory and every time it was done by a Socialist Prime Minister. What we are witnessing is the price of socialistic policies.

Mr. President, I believe that we can benefit by studying the economic tragedy of the great socialistic experiment which the British Government embarked on following World War II.

The British nationalized major industries provided almost unlimited welfare benefits and legislated sweeping changes in employer-employee relations.

Instead of achieving the security of a welfare state, the British people have fallen into economic chaos. British industry and British labor have become so entangled in inefficiency and dispute that British products cannot successfully compete on the world market.

The financial savings of millions of Englishmen have been ruthlessly devalued as the pound lost value. The burden of taxes to support the cumbersome machinery of socialism sapped both the strength and the spirit of the British economy.

Today, the English people, who once enjoyed one of the most prosperous economies in the world, are forced to surrender another measure of prosperity in a desperate effort to keep their nation from bankruptcy.

Mr. President, I can hardly help from observing that we are being greatly tempted to make many of the same mistakes in our economy which the British have made in theirs. I have no doubt that the results would be just as bitter for us if we make these same mistakes.

We have always been proud of our national heritage of free enterprise, capitalism, and local government. But, we are faced with legislation which cannot help but reduce the rewards of free enterprise and the powers of our local and State governments while creating a swollen monster out of the Federal Government. Certainly the founders of our Nation envisioned no such a trend and in fact took great pains to insure that such a shift would not take place.

The temptation to grant the Federal Government greater power, to pass laws which provide vast giveaway programs, which, if we are honest with ourselves, we must label "socialism," must be resisted if we do not wish to create our own economic tragedy.

Mr. President, those who talk of utopian Federal programs to give every American countless "free" benefits, should also recall that the piper must be paid.

Unless the Nation lives within its income, taxes must go up, costs must go up, our dollar on the world market must lose value and in the end, instead of reaching the mythical socialistic security, we will have lost our security and mortgaged our Nation.

The price that the British people pay for socialism is primarily their own affair but we Americans have a right to be concerned about the price that has been handed on to us. The immediate effect of the devaluation of the pound is to bring heavy pressure on the dollar which is something that hopefully can be resisted.

But, there will be other side effects of Britain's economic predicament which are going to operate to this country's disadvantage. We have a balance-of-payments problem which is going to be exacerbated by the increased competition we shall face in selling our goods in countries that have devalued their currencies. It seems more than likely that we shall suffer from the cancellation of British defense contracts. We are obviously going to be called upon to meet overseas defense burdens that the British Government in its economic distress feels compelled to lay down.

If we are to bear these burdens and make these sacrifices on behalf of an ally, I believe we have a right and responsibility to our own people to require that ally to conduct its affairs in such a way as to eliminate all unnecessary demands on us. I personally am not satisfied that our British ally is conducting its affairs in that way.

I notice, for example, a suggestion that one of the contributory causes of devaluation has been the additional burden on the British economy of oil shipments since the closing of the Suez Canal which has been estimated at 100 million pounds. This is directly comparable to the annual cost to the British of pursuing a completely sterile and unproductive vendetta against the stable, pro-Western Government of Rhodesia. I notice that the British Government in an effort to bring its economy into balance has announced the necessity of reducing its defense expenditure by $240 million—again, a sum which is comparable to its annual losses in applying sanctions against Rhodesia.

I have long contended that the application of sanctions against Rhodesia is an act of folly. My argument had hitherto been based on factors relating to the stability and the favorable political orientation of that country. It is now reinforced by considerations directly affecting our financial and economic well-being—considerations which include the very substantial sacrifices which this country is making in support of British policy in this area. I do not know how widely it is appreciated, for example, that American interests are gravely prejudiced in respect to chrome supplies as a result of our involvement in the Rhodesian affair.

I have recently read a report of some remarks by Mr. Kenneth Rush, president of the Union Carbide Corp., who has pointed out that Rhodesia is the largest source of chrome ore in the free world but that sanctions by the United States, the United Kingdom, and other nations against Rhodesia have forced industries to turn elsewhere. Mr. Rush has pointed out that chrome ore is a vital material in metallurgical processes to make steel and other metals stronger and more durable. Mr. Rush points out that another ore supply in Turkey is being depleted rapidly and the U.S. strategic stockpile of more than 1.5 million tons of chrome ore could not be released to industry without action by Congress. Mr. Rush comments that he doubts that they will turn any of it loose. He points out that the Soviet Union in its almost total break with Red China recently cut off that Communist nations' chrome shipments.

China in turn recently bought 60,000 tons of top-quality Rhodesian chrome ore according to trade sources. Major U.S. chrome users principally Union Carbide and Vanadium Chrome, both have big stakes in Rhodesia but now they are forced to go on the open market, Russia, taking advantage of the muddled political situation in the very best capitalistic tradition, has let it be known that the price of Russian chrome next year is going up by $5 a ton.

> This—

Says Mr. Rush—

> is going to affect the balance of payments problem adversely. We have in the past received substantial dividends from our investments in Rhodesia.

In my opinion, we have obliged the British Government altogether too much in this matter of sanctions against Rhodesia. The British Government, of course, is to some degree a prisoner, willing or otherwise, of its own ill-considered commitments, but it is our support which helps to keep it in bondage to them. In the light of recent developments in the British economic situation, I believe that we shall be doing both our countries a service by being more disobliging in this particular area.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore announced that on November 30, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions;

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on November 29, 1967, the President had approved and signed the following acts:

S. 1781. An act for the relief of Kyong Hwan Chang; and

S. 2428. An act to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPARKMAN (for himself, Mr. Hill, Mr. Fulbright, Mr. Talmadge, Mr. Eastland, Mr. Jordan of North Carolina, and Mr. Hollings):

S. 2714. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, in order to provide additional loan assistance under such act to farmers who have suffered severe production losses as the result of a national disaster; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. SPARKMAN. Mr. President, for myself and Senators Hill, Fulbright, Talmadge, Eastland, Jordan of North Carolina, and Hollings, I introduce, for appropriate reference, a bill to amend the Consolidated Farmers Home Administration Act of 1961.

Mr. President, my bill is intended to deal with the problems faced by a farmer who suffers the loss of substantially all of his income for a year when his crop is destroyed by a natural disaster. This is exactly what has happened to many of the cotton farmers in my State and in other States of the Southeast as a result of the recent hard freeze in the area. I spoke in the Senate about this situation on November 22, and I hope my colleagues will refer to my statement then, which describes in some detail the terrible plight of our cotton farmers.

Mr. President, the greatest need for a farmer caught in such a situation is adequate credit. Most farmers make their crop on borrowed funds. Farm machinery, seed and fertilizer, and feed for livestock, are often bought on credit, with the expectation that they will be paid for out of the proceeds of the sale of the farmer's crop. When that crop is virtually destroyed, the farmer cannot survive without additional credit for the purpose of paying his existing obligations and also for the purpose of making a crop next year.

The Farmers Home Administration has a program under which it makes emergency loans in these disaster areas, and the program has been very helpful to a great many farmers. However, the program has limitations which I feel should be removed. Under the FHA emergency loan program, existing creditors of the farmer must agree to subordinate their debts to the FHA loan. It is not always possible to get the creditors to agree to this, and I am not sure that it is right to require them to do it. This places a heavy burden upon seed, feed, and fertilizer merchants and other suppliers of the farmer.

Another way in which the FHA program is limited is that, as a matter of policy, loans are made only for a term of 1 year. Of course, FHA will renew their loan from year to year as the farmer works his way out of his loss, but nevertheless the loan is due and payable at the end of 1 year. It usually takes several years for a farmer to recover from a total crop loss, and I feel that this emergency credit extended to him should be for a longer term than now provided under the FHA program.

My bill would do two things. First, it would require that, where a farmer has suffered severe crop loss, the emergency loan for which he is otherwise qualified shall be made for a minimum period of 3 years. Second, my bill would require that such a loan include an amount sufficient to pay off any existing debts of the farmer that could reasonably have been expected to be paid out of the proceeds of the sale of the crop that has been lost.

Mr. President, under my bill a farmer who has been the victim of a natural disaster will be able to get a loan for a term and for an amount that will let him get back on his feet. It will also relieve the small business farm suppliers from the burden of having to wait for payment of their accounts.

This legislation is needed by the cotton farmers of the Southeast to help them in their present situation. However, its advantages are not limited to cotton nor to the Southeast. The loans provided for in my bill will help farmers all over the country whose continued operation may be jeopardized because of a natural disaster.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 2714) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, in order to provide additional loan assistance under such act to farmers who have suffered severe production losses as the result of a national disaster, introduced by Mr. Sparkman (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. FULBRIGHT. Mr. President, during the last 6 weeks I have visited many of the counties in Arkansas which have experienced disastrous weather conditions in 1967. These conditions were recognized last August, when 24 counties were made eligible for emergency loans by the Farmers Home Administration.

Since then, cotton farmers have had additional losses caused by an early freeze which destroyed cotton still in the fields. This situation is compounded by the fact that many of these same farmers had losses on their 1966 crops. These farmers need help; and local businessmen, who have extended credit in anticipation of a good crop in 1967, also need help.

Consequently, I have urged the Secretary of Agriculture and the Administrator of the Small Business Administration to give every possible assistance to farmers and small businessmen in the affected counties. I am also joining Senator Sparkman in the introduction of special legislation to improve the ability of the Farmers Home Administration to make longer term loans to farmers.

Mr. President, I ask unanimous consent to insert in the Record at this point a telegram from the president of the Arkansas Farmers Union, my letter to the Secretary of Agriculture and the Administrator of the SBA, and other documents related to this agricultural problem.

There being no objection, the telegram, letter, and documents were ordered to be printed in the Record, as follows:

Little Rock, Ark.,
November 28, 1967.

Senator Bill Fulbright,
Senate Office Building,
Washington, D.C.

There exists an emergency with our cotton farmers due to a short crop. This is true in all of the cotton counties of Arkansas. We would like to recommend that the cotton counties be declared disaster areas and a moratorium be declared on all foreclosures. We further recommend that necessary steps be taken now to provide adequate funds for next years operation.

Lewis J. Red Johnson,
President, Arkansas Farmers Union.

November 30, 1967.

Hon. Orville L. Freeman,
Secretary of Agriculture,
Washington, D.C.

Dear Mr. Secretary: I am sure that you are aware of the financial crisis facing many Arkansas cotton farmers. This years crop will be far below normal expectations, and you recognized the problem last August when 24 counties were made eligible for emergency loans.

The farmers suffered heavy losses as a result of adverse weather conditions during the entire planting season, including drought, excessive rainfall and flooding, abnormally cold weather and hailstorms.

The present disaster situation is compounded by losses incurred by many cotton farmers on their 1966 crops. These abnormally low cotton crops are directly affecting ginners, and merchants and financial institutions which supply materials, equipment, and credit to cotton farmers. The total effect upon the economies of the counties involved is very serious, and everything possible must be done to assist these farmers and businessmen.

I am now considering the introduction of special legislation designed to increase the authority of the Department of Agriculture and the Small Business Administration to provide assistance in situations of this kind. In the meantime, I hope that you can assure me that authority available to you under existing law will be used to the maximum extent in satisfying financial needs of Arkansas farmers. It also occurs to me that it would be desirable for an appropriate official of the Department to visit the area and to discuss with local farmers and businessmen the dimensions of their distress.

With best wishes.

Sincerely yours,

J. W. Fulbright.

U.S. Senate,
Washington, D.C., November 30, 1967.

Hon. Robert C. Moot,
Small Business Administration,
Washington, D.C.

Dear Mr. Moot: I am sure that you are aware of the financial crisis facing many Arkansas cotton farmers. This year's crop will be far below normal expectations, and this problem was recognized last August when 24 counties were made eligible for emergency loans.

The farmers suffered heavy losses as a result of adverse weather conditions during the entire planting season, including drought excessive rainfall and flooding, abnormally cold weather and hailstorms.

The present disaster situation is compounded by losses incurred by many cotton farmers on their 1966 crops. These abnormally low cotton crops are directly affecting merchants and financial institutions which supply materials, equipment, and credit to cotton farmers. The total effect upon the economies of the counties involved is very serious, and everything possible must be done to assist these farmers and businessmen.

I am now considering the introduction of special legislation designed to increase the authority of the Department of Agriculture and the Small Business Administration to provide assistance in situations of this kind. In the meantime, I hope that you can assure me that authority available to you under existing law will be used to the maximum extent in satisfying financial needs of Arkansas businessmen. It also occurs to me that it would be desirable for an appropriate official of your Adminstration to visit the area and to discuss with local farmers and businessmen the dimensions of their distress.

With best wishes.

Sincerely yours,

J. W. FULBRIGHT.

U.S. DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Washington, D.C., August 4, 1967.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: This is to inform you that the Department of Agriculture has authorized the making of Emergency loans pursuant to Section 321 of Public Law 87-128, through June 30, 1968, to eligible farmers in the following twenty-four counties in Arkansas:

Chicot
Clay
Craighead
Crittenden
Cross
Desha
Drew
Greene
Independence
Jackson
Lawrence
Little River
Lonoke
Miller
Mississippi
Monroe
Phillips
Poinsett
Prairie
Pulaski
Randolph
St. Francis
White
Yell

This action was taken because of extensive damage to 1967 crops, primarily cotton and soybeans, as the result of various adverse weather conditions during the entire planting season, including drought, excessive rainfall and flooding, abnormally cold weather, and hailstorms.

Any farmer in these counties desiring information about Emergency loans or other types of assistance available through this agency should get in touch with the local office of the Farmers Home Administration serving his county.

Please call on us whenever we can be of service.

Sincerely yours,

J. V. HIGHFILL,
Acting Administrator.

EMERGENCY LOAN ASSISTANCE FOR FARMERS AND RANCHERS

Emergency loans are available through USDA's Farmers Home Administration to eligible farmers and ranchers in areas designated by the Secretary of Agriculture upon his finding that a natural disaster has created a need for agricultural credit which cannot be met by local lenders.

Questions and answers explaining details of Emergency loans follow:

WHO IS ELIGIBLE?

To be eligible an applicant must be (1) a citizen of the United States, (2) an established farmer or rancher, operating as an owner-operator or tenant, (3) of good character and with the industry, ability, and experience required to carry out his proposed farming operations, (4) unable to supply the needed funds from his own resources or with loans from the usual sources of credit available to farmers and ranchers, and (5) the manager of his farming or ranching operations.

Partnerships or corporations must be engaged primarily in farming or ranching and the partners or principal stockholders, individually or collectively, must be unable to supply the needed funds from their own resources or with loans obtained by them from other sources. Also, the farming or ranching operations must be managed by a partner or stockholder.

WHO DETERMINES ELIGIBILITY?

The local County Committee of the Farmers Home Administration composed of three farmers who know local farming and credit conditions.

FOR WHAT PURPOSES ARE LOANS MADE?

Emergency loans supplement private and cooperative sources of credit and the regular lending programs of the Farmers Home Administration. Generally, Emergency loans instead of regular FHA Operating loans are made to eligible applicants if their operating credit needs can be met with funds for the following purposes: (1) operating and living expenses, (2) not more than one year's interest on debts secured by liens of other creditors on livestock, farm equipment, and farm real estate, (3) not more than one year's taxes and insurance premiums, (4) bills incurred in connection with the current year's production of crops or livestock which have not been disposed of, lost, or destroyed, (5) reasonable amounts for payment to other creditors as depreciation on essential farm equipment under prior lien to them, (6) replacement of livestock lost, destroyed, or disposed of as the result of a natural disaster, (7) repair or replacement of farm and home equipment damaged or destroyed as the result of a natural disaster, and (8) purchase of feeder livestock for applicants who normally have feeding enterprises and produce most of the feed required for their feeder livestock.

Emergency loans instead of other types of FHA real estate loans are made to eligible applicants to meet the cost of real estate except for housing purposes, if not more than $2,500 will be required for these purposes and an Emergency loan is being made for operating expenses. Otherwise, Emergency loans are made for these purposes only when the need for such credit cannot be met with other types of FHA loans, including Rural Housing loans. (FHA Rural Housing loans made necessary by a natural disaster bear the same rate of interest as Emergency loans and are repayable over periods up to 33 years.)

Emergency loans are not made to finance commercial feed lot operations or to refinance debts except for the payment of unsecured bills incurred in connection with farming or livestock operations.

Emergency loans are made only to eligible applicants who have reasonable repayment prospects and can provide adequate security.

WHAT ARE THE TERMS OF THESE LOANS?

Emergency loans bear three percent interest.

Amounts loaned for annual operating and living expenses are repayable from the year's income. However, if the year's income will not be adequate to do this because of the natural disaster for which the area was designated, amounts loaned for these purposes may be repayable over longer periods consistent with repayment ability but not beyond the end of three years.

Amounts loaned for the purchase of replacement equipment or livestock are repayable over the shortest period consistent with repayment ability, generally not to exceed five years or the useful life of the purchased items, whichever is the shorter period. Amounts loaned for real estate purposes are repayable over periods not to exceed 20 years. Amounts loaned for these purposes are repayable in annual installments, but the first installment may be scheduled for a period not beyond the end of three years if adequate income will not be available earlier because of the natural disaster for which the area was designated.

WHAT ARE THE SECURITY REQUIREMENTS?

Amounts loaned for annual operating and living expenses are secured by first liens on crops and the best lien obtainable on farm equipment and livestock. Amounts loaned for the purchase of farm equipment and livestock are secured by a first lien on the purchased items and the best lien obtainable on other farm equipment and livestock owned by the applicant. Amounts loaned for real estate purposes are secured by the best lien obtainable on farm real estate in which the applicant has an equity of not less than the amount being loaned for real estate purposes. Amounts loaned for other than real estate purposes, as described in this item will be secured additionally by the best lien obtainable on farm real estate when necessary to provide adequate security for large loans.

WHERE ARE APPLICATIONS FOR LOANS RECEIVED?

At the County Office of the Farmers Home Administration.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 1, 1967, he presented to the President of the United States the following enrolled bills:

S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions;

S. 2211. An act to amend section 5-9 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, in response to our request to the President that a Special Board of Inquiry be appointed to look into the copper strike, now in its fifth month and with no end in sight, the President asked Secretary of Labor Willard Wirtz, Secretary of Commerce Alexander Trowbridge, and Assistant Secretary of Defense Thomas D. Morris, representing the Department of Defense, to meet with us.

As a result of this meeting, it is our suggestion that the Secretaries give consideration to the setting up of a Board consisting of two members of industry and two members from the unions and then, if that is acceptable, for those four members to get together to select three public members. We feel that this is one way of getting off dead center, which is where the situation between the unions and the companies is at the present time and getting down to "bedrock" to find ways and means to bring this most unhappy and critical situation to some sort of a satisfactory conclusion.

This Board, we think, should be a fact-finding board empowered to look into the situation and to make recommendations to the three Secretaries as to how this strike could be settled.

If the parties representing labor and industry agree to serve on this Board but are unable to agree on three public members, their selection should then become the responsibility of the Secretary of Labor, the Secretary of Commerce, and the Secretary of Defense. We hope that the companies and the unions will give the most serious and immediate consideration to this suggestion. If they do, my colleague, the Senator from Montana [Mr. METCALF], and I feel quite certain that they will receive the full cooperation of the three Secretaries in the Cabinet.

OVERSEAS MILITARY CEMETERIES AND MEMORIALS: A FITTING TRIBUTE TO AMERICA'S HONORED DEAD

Mr. BENNETT. Mr. President, a perceptive young correspondent for a Salt Lake City newspaper, Deseret News, has recently returned from a trip to Europe, where among other things he visited our military cemeteries and memorials.

The writer, Mr. Gordon Eliot White, in an article dated November 7, describes what he found at these now-serene sites where once the face of Europe and—ultimately—the world hung in the balance.

I commend Mr. White's article to the reading of Senators, believing that it will not fail to evoke memories of those fateful years. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

(By Gordon Eliot White)

(NOTE.—Mr. White recently has returned from a month in Europe. This article was written overseas, at one of the World War II American Cemeteries in Belgium.)

HENRI-CHAPELLE, BELGIUM.—Despite its troubles at home and abroad, the United States can be unabashedly proud of one of its overseas programs: its military cemeteries and memorials. The Henri-Chapelle Cemetery here is a quiet, peaceful triumph of American architecture, technology and organization, paying continuing, fitting tribute to 7,989 men and women who gave their lives during the 1944–45 advance into Germany.

I visited similar burial sites in Normandy and at Belleau Wood, and spoke to other Americans who had been at the Margraten Cemetery in Holland, at Neuville, in Belgium, and at Luxembourg, Brittany, and Cambridge. All of us agreed that our countrymen who fell in both world wars and lay in foreign soil were being treated with proper respect due the honored dead.

We saw German, French and Italian memorials which did not approach the American cemeteries for peaceful good taste. Only in England, at memorials such as St. George's Chapel at Biggin Hill Royal Air Force Base, and in St. Paul's and Westminster Abbey were the U.S. military monuments matched.

Here, on this low hilltop, 18 miles from Liege, in the heart of the Siegfried Line which once defended Hitler's crumbling Reich, the curving lines of white crosses cover 57 green acres.

The men and women buried here died during the Christmas, 1944 Battle of the Bulge and later during the advance into Germany through the Siegfried fortifications and the first crossings of the Rhine. Among the graves are sixty-seven in which brothers lie side by side. The highest ranking officer here is Brigadier General Frederick W. Castle, USAF, who died when his B–24 was shot down on Christmas Eve, 1944, while leading the greatest formation of bombers in military history.

Unmarked headstones show the graves of 94 unknowns, and the names of 450 missing are inscribed on the marble pylons of the colonnade.

The site of the cemetery coincidentally marks the point of deepest penetration of advance units of von Rundstedt's counter-offensive that became known as the Bulge. The highway which leads to the Memorial is now lined with linden trees, and the colonnade, museum and chapel are surrounded with hawthrone, boxwood and rhododendron. The marble and granite buildings also are set off by larch, yew and weeping willows in cool and pleasant groupings.

The grass of all the cemeteries we saw was an incredible green, closely cropped, and beautifully tended. The headstones sit above a prepared terrace of concrete beams over gravel, arranged to prevent settling and tilting of the markers. Special reservoirs have been built to ensure a constant supply of water for the lawns and plantings through the most severe drought. A small army of local gardners keeps the grounds clean and cared-for, under the direction of at least two American officials from the Battle Monuments Commission.

The Normandy cemetery was the most impressive we saw. It sits atop the sandy cliffs which saw so many Americans die on June 6, 1944, on the beach known as Omaha. The memorial honors 9,386 who died in the landings, the airborne drops, and the first few days of the invasion. Names of 1,557 missing are inscribed on a semicircular wall surrounding the Garden of the Missing.

This cemetery directly overlooks the invasion beaches though most of the debris of the battle 23 years ago is gone now.

In contrast to the newness of Normandy and Henri-Chapelle, the Belleau Wood Cemetery is nearly a half-century old now. It was created after World War I, on the site of the first major American battle of that war. Belleau Wood itself, stormed by U.S. Marines, is a memorial park. The trees still bear the scars of 1917, although the trenches are virtually gone now.

TRANSPORTATION AND ECONOMIC OPPORTUNITY

Mr. JACKSON. Mr. President, the efforts of the Department of Housing and Urban Development to coordinate Federal urban mass transportation programs with the critical social problems of our cities are noteworthy.

In Watts, on Long Island, in St. Louis, and Nashville, Tenn., HUD is using its mass transit demonstration and capital grant programs to effectively bring people to jobs, educational, medical, recreational, and other community facilities.

HUD's mass transit program has been spearheaded by HUD Assistant Secretary Charles Haar. Mr. Haar recently wrote a most timely and interesting article entitled "Transportation and Economic Opportunity" which appeared in the October issue of Traffic Quarterly. I am pleased to call it to the attention of my colleagues, and ask unanimous consent that Mr. Haar's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRANSPORTATION AND ECONOMIC OPPORTUNITY

(By Charles M. Haar)

(NOTE.—*Mr. Haar, one of the country's eminent authorities on urban growth, has been Assistant Secretary for Metropolitan Development of the new Department of Housing and Urban Development (HUD) since February 1966. Before this appointment, he was a professor of law at Harvard University. He was Chairman of President Johnson's 1964 task force on the preservation of natural beauty and served on the 1965 task force on urban affairs and housing. He was also director of a task force which prepared the 1964 report on the effectiveness of metropolitan planning to the United States Senate Committee on Government Operations, and an adviser on urban problems for President Kennedy. At HUD, in addition to watching over HUD Urban Transportation Administration, Mr. Haar is in charge of the Land and Facilities Development Administration and Programs of Planning Standards and Coordination.*)

"We must open new opportunities to all or people so that everyone, not just a fortunate few, can have access to decent homes and schools, to recreation and culture."

—President LYNDON B. JOHNSON.

For most Americans transportation calls to mind vast distances and evokes images of transcontinental railroads, river steamboats, and wagon trains from our past, and the jet planes and interstate highways of today. Yet anyone who has spent more time in getting to the airport than he has in the air between cities knows that spanning long distances is not the current challenge. And although recently we have begun to come to grips with the unique problems posed by the travel needs within our cities, and have begun to recognize this as *the* transportation problem, our approach more often reflects our technological successes in the past than the social need or the economic reality of the present.

Specifically, transportation in an urban environment cannot be regarded solely in terms of overall capacity of the system to move so many people at some given rate. It is a social institution geared to the needs of an urban society, and not merely an engineering system; hence the effect on the individual components rather than the aggregate scoreboard becomes the critical factor.

In a less developed society, or even in earlier stages of our own history, the problem of "internal improvements," as Henry Clay called it, is important primarily in terms of economic development of a region. In a highly differentiated and diffused urban society, transportation becomes vital to the economic and social welfare of individuals; it determines the nature and variety of opportunities available in jobs, housing, recreation, shopping, and entertainment. The McCone Commission, for example, found that an important factor in the hostility underlying the Watts riot was the sense of isolation due to the inadequate transportation system right spank in the middle of the most motorized city in the United States. The isolation was pervasive, extending even to services intended to benefit the inhabitants of the area: it required a bus ride of two hours to reach the County General Hospital and an hour and forty-five minutes to get to the Youth Employment Training Center.

Paradoxically, therefore, the success of urban transportation itself is one of the sources of the transportation problem confronting us: it creates the very conditions which produce our dependence on transit services. Our cities, never restrained behind walls like their European counterparts, were propelled outwards by the trolley car, the automobile, and the motor truck. The resulting low density and the separation of work, shopping, housing, and entertainment increase our requirements for transportation. Only three percent of our urban population work at home. Less than ten percent walk to work. In signing the 1966 amendment to the Urban Mass Transportation Act, President Johnson wryly noted that he was thankful that he was one of the small part of the population that worked at home—except on Saturdays. Like many machines in the past, the automobile has freed man from one master only to subject him to another, and at times, a more onerous one.

Transportation, therefore, has become a vital lifeline to jobs, education, and public services in American cities. Unfortunately, our present transportation system does not provide adequately for many persons most in need of the services it can perform; it has created a new "minority" in this country of those who cannot drive: the old, the young, the poor, and the handicapped.

Although the system equally fails to serve the retired person whose choice of residence is tightly limited, the working wife whose husband takes the car and thus restricts her range of job opportunities, and the suburban housewife forever taxiing husband and children, the problem is particularly acute for low-income persons in the centers of our cities. In Watts, where little industry is located and only 40 percent of the people drive, a retraining program has to spend most of its time providing transportation to the jobs which its graduates have been able to find in distant parts of the city. One survey showed that 200 women were spending between four and five hours a day traveling between work and home. The present transportation system also works against those industries dependent on unskilled labor, for in the absence of adequate transit services low-income residents of the ghettos cannot reach potential employers: Long Island industrial parks were reporting 5,000 vacancies in unskilled and semiskilled jobs, for example, despite numerous local areas of unemployment, because the plants could be reached only by automobile.

Clearly, other considerations than engineering efficiencies concerned with the mere number of vehicles handled will be necessary in designing and evaluating a transportation system to meet such needs. And these examples are not isolated phenomena. A recent Department of Labor report shows that outside of the South there is a strong trend for business and community organizations to locate in the suburban portion of the metropolitan area. Over half of the valuation of the industrial and mercantile buildings erected from 1954 to 1965 in metropolitan areas was outside the central business districts, and in some cities like Los Angeles, San Francisco, and Boston over 80 percent of the industrial building has been in the suburbs. Professor John Kain has calculated that the suburban share of wholesaling employment in 40 Standard Metropolitan Statistical Areas (SMSAs) grew from 9 percent in 1948 to 31 percent in 1963 and in retailing from 25 percent to 47 percent in the same period.[1]

Most of the poor, on the other hand, are concentrated in the central business district. They cannot afford private transportation to distant places of work. Often public transportation, if it exists, is too expensive (both in time and money), especially for the person out of work and looking for a job. Usually, however, there is no public transportation, because historically it has been designed to funnel people into a core area, not carry them out. Consequently people are forced to use automobiles for cross commuting and reverse commuting, a pattern which is becoming more common and will undoubtedly continue so.

The Department of Housing and Urban Development, through its emphasis on the relation between transportation and land uses, and on the crucial role of transportation as a subcomponent of the urban system, has helped to bring into focus such questions as cross-commuting patterns and the contours of the unmet need for transportation. Several projects are under way to examine the scope of these needs and to explore solutions.

In St. Louis, center city employment declined 73,000 from 1951 to 1964, while employment in surrounding St. Louis County grew by 127,000. Following the typical pattern, median income was lower in the city than the county and unemployment higher. In the section of the city proposed for a model cities project, out of a labor force of 13,000 approximately 2,000 are unemployed and 5,000 seriously underemployed. In one neighborhood over 50 per cent of the families are on public assistance and only 20 percent have automobiles. Recognizing the critical relationship between employment and transportation, HUD has made a grant to improve the mass transit facilities between this area and suburban job opportunities. The first experiment will be a bus line running directly to the McDonnell Aircraft Corporation, the largest employer in the St. Louis area. At the same time Washington University will conduct extensive studies to determine the relationship between transit, employment, and other slum problems.

A similar demonstration bus line, linking Watts to areas of industrial employment, began last July with 600 riders daily and was carrying 2,600 riders daily this June, with the number steadily growing. Significantly, 60 percent of the riders were using it to travel to work, and another eight percent to seek employment.

As in St. Louis, a demonstration program in Nassau and Suffolk counties on Long Island was begun in cooperation with a number of industrial plants concerned with the ability of employees to reach their facilities. A bus line from poverty areas to one industrial park has begun, along with a survey of the transportation needs which will lead to the operational development of specific services. The economic importance of this kind of experiment is demonstrated by the leading role which the Chamber of Commerce played in initiating and developing this project.

These efforts are obviously exploratory. Few would be so rash as to believe that changes and improvements in transportation patterns are the solution to poverty in the United States or to efficient production patterns. But they can help alleviate some unemployment and some hardship—and at a relatively low cost. They are a visible manifestation of public concern and action. Furthermore, the unemployed group is only one of the groups not being served currently by our transit system. The infirm and handicapped is another obvious group which requires special consideration. One experiment in that direction is being tried with a HUD grant in Nashville—with buses connecting seven outlying hospitals and the central business district.

The long-run problem will require something more than ad hoc solutions of individual cases of need for transit services where identified; clearly it will involve developing a system which treats nonautomobile drivers as integral parts of the community to be served. As we develop new technology for urban transportation, we may find ways of making it possible for more people to ride by reducing the demand made on the individual driver. Or we may be able to reduce the cost of public transportation. And as we explore who is not being served, and obtain a better picture of their numbers and locations, other solutions will be suggested. It may be that long-run changes in income levels or in land uses which change transportation requirements will eliminate some of the problems. Or untapped markets may provide that marginal return whereby social interests coincide with economic return. Some solutions, however, will require a change in our cost/benefit frame of reference, so that transportation is regarded as a subelement of the larger system of the development of human beings, with a payoff in enhanced productivity and social status as well as mobility.

About the only thing certain in this situation of flux, therefore, is that efforts will be made to correct the inequalities which now exist. Twenty-five years ago Justice Robert Jackson, recognizing the importance of transportation in creating the opportunities accepted as a part of American life, declared that "A man's mere property status cannot be used to test, qualify or limit his rights to travel freely." It is our job to make that right to travel meaningful by providing transportation facilities available and useful to all our citizens. If transportation becomes responsive to these unmet needs of the community, it will indeed be opening new territories again.

GENERAL MONETARY AND FISCAL POLICIES NOT APPROPRIATE FOR CURRENT INFLATION

Mr. PROXMIRE. Mr. President, recent price statistics indicate that our economy and the American consumer continue to be plagued by rising prices. This is a serious and nagging problem that plagues every free enterprise economy in the non-Communist world. However, it is clear from our experience that general monetary and fiscal policies cannot prevent some inflation without paying the great price of high unemployment or wage and price controls. Dr. Charles L. Schultze, then a professor of economics and presently Director of the Bureau of the Budget, made a classic study, entitled "Recent Inflation in the United States," which was published by the Joint Economic Committee in 1959. Although that was a study of the general rise in prices between 1955 and 1957, I believe that its conclusions contain an important truth in today's context:

> The basic point at issue between the "demand-pull" and "cost-push" theorists relates to the sensitivity of prices and wages to changes in the demand for goods and services. If prices and wages are very sensitive, general monetary and fiscal policy can be designed to achieve full employment and price stability. The elimination of aggregate excess demand will choke off inflation without necessarily involving substantial unemployment. If prices and wages are relatively insensitive to moderate changes in demand, the converse holds true.
>
> In the modern American economy prices and wages are much more sensitive to increases in demand than to decreases. As a consequence, a rapid shift in the composition of demand will lead to a general rise in prices, even without an excessive growth in the overall level of demand or an autonomous upward push of wages. . . .
>
> Since it does not stem primarily from aggregate excess demand, but largely from excess demand in particular sectors of the economy, a slow increase in prices cannot be controlled by general monetary and fiscal policy if full employment is to be maintained. When, as in recent years, prices are rising during a period of growing excess capacity, a further restriction of aggregate demand is more likely to raise costs by reducing productivity than it is to lower costs by reducing wages and profit margins.

When there is creeping inflation but still no general excess demand, our policies need to be selective. On November 17 I made a speech, entitled "Anti-Inflationary Tools: A Constructive Alternative to a Tax Increase," in which I set forth methods that I believe can help in coping with the inflation problem.

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[1] John Kain, "The Distribution and Movement of Jobs and Industry," in *The Metropolitan Enigma*, James Q. Wilson, ed. 1967.

I ask unanimous consent that a brief summary of recent price developments, in addition to the release by the Department of Labor, be printed at this point in the RECORD.

There being no objection, the news release and summary were ordered to be printed in the RECORD, as follows:

PRICES IN OCTOBER 1967—PRELIMINARY NOVEMBER TRENDS

Prices increased on many products in October, except for farm products and foods, which declined, the United States Labor Department's Bureau of Labor Statistics reported today.

The Consumer Price Index advanced 0.3 percent to 117.5 (1957–59=100), up 2.6 percent from a year ago. The Wholesale Price Index declined 0.1 percent to 106.1 (1957–59=100) because of a continued drop in prices of farm and food products. Industrial commodities averaged 0.3 percent higher, with increases being posted for nearly half of all classes of products.

Preliminary data for November show the Wholesale Price Index unchanged from October. Farm products and foods dropped an additional 0.6 percent, while industrial commodities gained 0.2 percent. Metals and textiles led the advance, although price increases also affected many other commodities. Aside from agricultural products, the only significant price declines were for gasoline, lumber and plywood.

CONSUMER PRODUCTS

Prices rose last month on most consumer products, for an average increase of 0.3 percent.

New car prices went up with introduction of the 1968 models. Retail prices of new cars averaged 2.7 percent higher than a year ago. Manufacturers' prices averaged just 2 percent above a year ago, after allowance for net quality improvements in 1968 models. The balance of the retail price advance was accounted for by smaller dealer discounts and trade-in allowances than offered when 1967 models were introduced, and by higher sales taxes in certain States as well as higher freight charges.

The actual increase in manufacturers' prices averaged $87.54, or 3¾ percent, for the 15 domestic makes of new cars included in the Wholesale Price Index. After careful evaluation of major changes made in the 1968 models, the Bureau of Labor Statistics has concluded that $29.65 of this increase should be attributed to safety improvements, and $11.20 to changes designed to reduce the output of air pollutants. Evaluation of other changes, including those involving former standard equipment made optional at extra cost on some makes this year, resulted in a net negative allowance of $0.70. The net balance of $47.39 represents the quality-adjusted price increase, which averages 2 percent on manufacturers' prices.

Compared with September, when 1967 models were being sold at the usual large discounts at the end of the model year, October retail prices representing a predominance of 1968 models were up by 5.2 percent. The proportion of 1968 models among all new cars sold in October was reduced by the Ford strike, creating market conditions favorable to the sale of all makes of new cars with smaller than usual discounts and trade-in allowances.

Apparel prices continued their strong advance, especially women's and girls' apparel which showed the largest October increase since 1950. Apparel demand this fall has been good, enabling manufacturers to recover higher labor and operating costs and retailers to increase their markups. Retail prices are up by more than 4 percent over the past year, twice the increase at wholesale.

Appliance prices were generally higher on new models introduced in October. Washing machines, dryers, and refrigerators led the list. Color television sets also cost more, and furniture prices continued to climb.

The slide in wholesale prices of farm products and processed foods was accompanied by a less-than-seasonal 0.2 percent reduction in retail food prices. Pork and poultry were cheaper, but beef averaged the same as in September. Apples, grapefruit, and potatoes dropped sharply. While most other fruits and vegetables advanced in price. Milk and cheese increased more than usual for October, and restaurant meal prices continued to climb.

Gasoline prices fell more than 4 percent at wholesale and 1 percent at retail. Both declines were larger than usual for October. Gasoline stocks were reported to be somewhat above normal because of overproduction and shipping bottlenecks. Fuel oil prices increased less than usual in October following their advance earlier this year. Used car prices slipped a little last month, but remained well above a year ago.

CONSUMER SERVICES

Charges for consumer services rose 0.3 percent, about the same as the monthly average increase so far this year. While average charges for medical care and housekeeping services went up 0.5 percent, gas utilities reduced their rates slightly, and public transportation rates remained stable for the first time in several months. The increase for medical care services resulted mostly from higher charges by hospitals, dentists, and general practitioners. A boost in babysitter charges was the major cause of increased housekeeping service expenses.

Rents for houses and apartments rose 0.2 percent, but hotel and motel rates declined seasonally. Mortgage interest rates, residential property taxes and insurance, and home repair costs all rose slightly. Beauty shop charges, bowling fees, and automobile insurance premiums also were raised.

INDUSTRIAL MATERIALS AND EQUIPMENT

Industrial commodities averaged 0.3 percent higher in October as increases were posted for 109 out of 225 product classes, with 82 remaining unchanged and 34 declining. Four-fifths of the advance resulted from the rise in prices of motor vehicles and equipment. Other significant increases, ranging from 1 to 1½ percent, were for industrial chemicals, nonferrous metals, and some types of machinery.

Price advances for industrial chemicals were confined mostly to sulphur products and naphthalene. A 16-percent jump in domestic crude sulphur prices led to a 10-percent rise for sulphuric acid and 4 to 8 percent increases for several other sulphur products. Defense-generated strong demands for naphthalene caused its prices to rise sharply.

Industrial demands for nickel and silver boosted their prices in late September and October. Prices also were raised on a number of copper products, owing to the depletion of inventories and the increased necessity for fabricators to obtain basic copper supplies from secondary and foreign sources because of the continuing domestic copper strike. The upward movement of machinery prices accelerated in October, with especially large hikes for construction and special industry machinery.

Further adjustments in the petroleum supply situation were indicated by a 2½ percent drop in prices of refined products. October wholesale prices of gasoline were down more than 4 percent from a year ago, and residual fuels were off by 10½ percent. Prices of softwood plywood dropped about 9 percent last month, as the supply situation eased. They still were 7 percent above a year ago, however.

Prices of industrial crude materials continue to drift downward from their recent peak in mid-1966, indicating no pressure on supplies, except for a few materials such as nonferrous metals and sulphur. Wholesale prices of crude nonfood materials, except fuel, have dropped nearly 11 percent since July 1966. Crude fuel prices have risen about 5 percent. Over the same 15 months, wholesale prices of all finished products other than consumer foods have increased by an average of 3 percent, while retail prices of nonfood commodities are up by more than 3½ percent.

COST-OF-LIVING ADJUSTMENTS

About 575,000 workers will receive cost-of-living increases as a result of the October Consumer Price Index. For 380,000 electrical workers the increase will be 1 percent, based on the change in the index from a year ago. For 100,000 automobile and automotive parts, aerospace and metalworkers, the rise will be 2 cents an hour and for 75,000 aerospace workers, 3 cents an hour, all based on the change in the index since July. Other workers will receive increases ranging from 1 to 7 cents an hour, based on changes in the index for varying periods from a month to a year.

TABLE 1.—PERCENT CHANGE IN PRICES FOR SELECTED GROUPS IN THE CONSUMER PRICE INDEX AND THE WHOLESALE PRICE INDEX

[Seasonally adjusted except where indicated]

	September to October 1967		July to October 1967		April to July 1967		January to April 1967		October 1966 to January 1967		October 1966 to October 1967	
	CPI	WPI	CPI	WPI	CPI	WPI	CPI	WPI	CPI	WPI	CPI [1]	WPI [1]
All items [1]	0.3	−0.1	0.9	−0.4	1.0	1.1	0.5	−0.8	0.2	0	2.6	−0.1
Consumer products	.3	−.6	.9	−.4	.6	1.3	.1	−.5	−.2	−0.7	1.4	−.2
Nondurable	.3	−1.2	1.1	−1.3	.5	1.9	.1	−.5	−.4	−1.0	1.3	−.9
Food and beverages at home	.2	−1.4	.8	−2.3	.8	3.2	−1.2	−2.0	−1.1	−1.6	−.8	−2.8
Apparel and accessories	.4	.1	1.0	.4	1.0	.3	1.2	.4	1.1	.7	4.3	1.8
Household furnishings and supplies	−.4	.1	−.1	.3	1.0	1.3	1.1	2.8	.1	−.6	2.1	3.8
Gasoline and motor oil	−.8	−4.1	.6	−2.5	−1.6	−.7	3.5	2.1	.1	−2.0	2.5	−3.0
Other nondurables	.3	.3	2.0	.3	.2	1.7	.2	.2	.3	0	2.6	2.2
Durable	.8	1.3	1.1	1.8	.5	−.1	.2	.1	0	.3	1.8	2.1
New passenger cars	2.6	2.5	2.4	2.9	1.1	−.5	0	−.1	−.8	−.3	2.7	1.9
Appliances	.4	.1	.5	.2	.1	−.3	−.4	−.1	−.5	.6	−.2	.3
Furniture and floor coverings	.2	.6	1.0	.9	.6	.3	.4	.1	.7	.1	2.6	1.4
Other durables [1]	.3	0	.7	1.7	.3	.2	.7	.4	.3	1.0	2.0	3.3

See footnote at end of table.

TABLE 1.—PERCENT CHANGE IN PRICES FOR SELECTED GROUPS IN THE CONSUMER PRICE INDEX AND THE WHOLESALE PRICE INDEX—Continued

[Seasonally adjusted except where indicated]

	September to October 1967		July to October 1967		April to July 1967		January to April 1967		October 1966 to January 1967		October 1966 to October 1967	
	CPI	WPI	CPI	WPI	CPI	WPI	CPI	WPI	CPI	WPI	CPI[1]	WPI[1]
Consumer services[1]	0.3	-------	1.1	-------	0.9	-------	0.9	-------	1.1	-------	4.0	-------
Insurance and finance[1]	.4	-------	1.0	-------	.7	-------	.3	-------	1.6	-------	3.8	-------
Rent[1]	.2	-------	.5	-------	.4	-------	.4	-------	.4	-------	1.8	-------
Utilities and public transportation[1]	—.1	-------	.3	-------	.5	-------	.3	-------	.2	-------	1.2	-------
Housekeeping and home maintenance services[1]	.5	-------	1.8	-------	1.1	-------	1.6	-------	1.5	-------	6.2	-------
Medical care services[1]	.5	-------	1.8	-------	1.7	-------	2.1	-------	2.3	-------	8.2	-------
Personal care services[1]	.2	-------	1.0	-------	.8	-------	1.0	-------	.8	-------	3.7	-------
Other services[1]	.5	-------	1.1	-------	1.1	-------	1.0	-------	.9	-------	4.2	-------
Wholesale prices:												
Type of product:												
Farm products	-------	0.1	-------	—4.1	-------	4.7	-------	—4.4	-------	—3.0	-------	—7.0
Processed foods and feeds	-------	—1.0	-------	—1.0	-------	1.4	-------	—1.1	-------	—1.3	-------	—1.9
Industrial commodities[1]	-------	.3	-------	.8	-------	0	-------	.2	-------	.5	-------	1.4
Industrial materials and equipment:												
Chemicals and allied products	-------	.1	-------	—.2	-------	—.3	-------	.4	-------	.4	-------	.3
Rubber and rubber products	-------	.3	-------	2.8	-------	.2	-------	.3	-------	1.1	-------	4.4
Lumber and wood products	-------	—.6	-------	2.6	-------	1.3	-------	—.1	-------	—1.3	-------	2.4
Pulp, paper and allied products	-------	0	-------	.1	-------	.5	-------	.7	-------	—.1	-------	1.2
Metals and metal products[1]	-------	.2	-------	.7	-------	—.1	-------	.3	-------	.7	-------	1.1
Machinery and equipment	-------	.3	-------	.6	-------	.2	-------	.4	-------	1.4	-------	2.6
Stage of processing at wholesale:												
Finished goods	-------	0	-------	0	-------	1.1	-------	—.2	-------	—.2	-------	.7
Consumer	-------	—.5	-------	—.5	-------	1.4	-------	—.4	-------	—.6	-------	0
Producer	-------	.9	-------	1.3	-------	.5	-------	.3	-------	1.1	-------	3.2
Intermediate materials, supplies and components	-------	.1	-------	.4	-------	—.1	-------	0	-------	.1	-------	.4
Crude materials	-------	.2	-------	—2.3	-------	2.8	-------	—3.5	-------	—2.4	-------	—5.5

[1] Based on data unadjusted for seasonal variations.

Note: The price changes shown for consumer products and components are for roughly comparable classes of finished consumer products from the CPI and WPI. A brief description of the classes of items contained in each group is included at the end of this report. Complete listings of inclusions in the CPI and WPI groupings will be furnished on request.

RECENT PRICE DEVELOPMENTS

Mr. PROXMIRE. Mr. President, in October, the consumer price index increased at about the same rate as during the last 6 months. It was up 0.3 percent from September and 2.6 percent from October 1966. From September to October, food prices declined 0.2 percent; but prices in most other categories advanced. Major price increases occurred for new cars, 5.2 percent; and apparel and upkeep, 0.8 percent. Prices of consumer services continued their recent rate of advance. Prices of medical care services increased another half percent and were 8.2 percent above October a year ago. Housekeeping and home maintenance service prices also rose half a percent in 1 month, and were 6.2 percent above their level of October 1966.

The wholesale price index fell 0.1 percent from September to October, and preliminary estimates indicate that it was unchanged from October to November. Preliminary data for November show that prices of farm products continued their steep decline—down 0.6 percent from October and 5.9 percent from November 1966. On the other hand, prices of industrial materials and equipment increased 0.3 percent from September to October. Approximately 80 percent of this advance resulted from increases in prices of motor vehicles and equipment. Prices of rubber and rubber products increased 0.3 percent, and metals and metal products 0.2 percent.

PROBLEMS OF THE ELDERLY

Mr. PELL. Mr. President, the Senate has recently been considering legislation which will have a marked affect upon the elderly in our country. Certainly one cannot think of the poverty program or the Social Security Act without thinking of senior citizens.

The Providence Evening Bulletin recently published two articles dealing with projects which work with our older citizens. I believe that these articles will be of great interest to the Senate. I ask unanimous consent that they be printed in the RECORD.

All too often our senior citizens are viewed as statistics with needs and desires classified as "inputs" and "means" figures. The two articles indicate that there are programs in Rhode Island and I am sure in the rest of the country which address the problems of the elderly with the dignity deserved by human beings.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Providence Evening Bulletin, Oct. 20, 1967]

SCHOOLS FOR RETIREMENT STRICTLY SENIOR

(By Harold Kirby)

Dissatisfied but by no means discouraged. That about sums up the attitude of Dr. Mary C. Mulvey toward programs for the aging in this state and elsewhere in the nation. She is supervisor of adult education in Providence but she has a special interest in the elderly, those who have retired or are approaching retirement.

She feels that aging people need training for retirement, that lack of preparation can be disastrous, especially for those who have had their workdays planned for them for many years and are not ready to make decisions for themselves. Unless they can keep themselves busy and useful day after day, they feel lost and unneeded, and this cannot fail to affect their health and shorten their lives.

To help these older people to adjust to retirement, to plan their days, a 10-week course was organized. Classes, financed by the University of Rhode Island Extension Division, meet every Friday from 7 to 9 p.m. at the extension building, Promenade and Gaspee Streets, in downtown Providence. Those over 60 pay nothing but a registration fee of $1, those under 60 pay $15. Books and supplies are free and collateral literature is usually available at public libraries.

At present 30 men and women are enrolled and almost all of them are over 60, many over 65. Instruction is tailored to the needs of individuals and group discussion is encouraged. Thus people of about the same age and with the same general problem—how to use leisure time productively—are brought into close contact. Through group discussion they often find answers and solutions.

Topics are wide-ranging: economic, psychological, the development of social changes and adjustment to them, housing and living arrangements in retirement, finances, especially how to adjust to lowered income, ways to maintain or increase income, budgeting, family relationships, physical and mental health, nutrition, vision, hearing and related health subjects, legal problems, employment, community services and how to get them, leadership roles, to name a few.

There have been to date eight classes. What has actually been accomplished? No definite answer can be given at this time, but results may become apparent after a poll of those enrolled.

Said Dr. Mulvey in a recent bulletin: "We hope . . . to ascertain what positive action they have taken with respect to what we discussed in the course, as well as innovations which they (the enrollees) themselves have devised. Have they taken a part-time job? Have they followed the 'planned day' routine? Have they taken up new interests, new hobbies, or become involved in civic volunteer activities . . . Data should also serve as a valuable tool for measuring the effectiveness of this kind of program, and for a breakthrough toward building a curriculum that works."

To build and administer such a course for more than the relatively few now enrolled will take more than money. It will require the training of professional, technical and lay personnel for administering, planning, organizing and coordinating programs for older people. And such a training program, when approved, will be financed under Title Five of the Older Americans Act.

The United States Office of Education has financed in this region two conferences, one on adult education at the University of Maine last July, conducted by Dr. Mulvey, and one in Exeter, N.H., earlier this year. At the one in Maine the needs of the elderly were discussed in a general way but the one in Exeter was devoted exclusively to the subject of training instructors for older people. At that time, 30 selected adult educators developed plans to initiate, strengthen and expand educational programs for the elderly.

Across the country several instructional programs are now in operation, but none, it appears, has yet been presented for approval by any Rhode Island college or university, although funds to finance it are available.

Concerning the future of such programs, Dr. Mulvey had this to say: "Modern society is so rapidly moving toward the shorter work-week, and workers toward a lower retirement age, that education will have to prepare adults to use their leisure time creatively. . . . The University of Rhode Island Extension Division has met the challenge in some degree. We hope that the continuing effort of the Extension Division in offering the course in preparation for retirement, free-of-charge, will meet the demands."

When Dr. Mulvey went to Maine last July, she was on home grounds, for she was born in Bangor. Interest in education is strong in her family; her husband is Gordon Mulvey, a member of the Providence School Committee. She majored in Latin at the University of Maine and taught that and math at Elmhurst Academy. But it was while she was working for a master's degree at Brown University that she first developed a strong concern for the aging and their problems. She found that little or nothing was being done for those about to retire or in retirement. So she did her master's thesis on "Changes in the Mental Ability and Social Adjustment of People As They Grow Old." She received her doctor's degree in education from Harvard in 1961.

Ultimately she became head of the State Division on Aging, took a leading part in the formation by former Congressman Aime J. Forand of the National Council of Senior Citizens, becoming its first vice president, and is now a member of the board of directors. She is also a fellow in the Gerontological Society, a member of the Technical Review Committee for the Older Americans Act, legislative chairman of the Adult Education Association, and is listed in Who's Who of American Women and Who's Who of American Educators.

Although her educational interests are broad, she has turned her attention more and more toward the elderly and takes particular pride in the work she did for the passage of Medicare and housing for the elderly, and the improvements of Social Security benefits. "After all," she said, "older people, after they retire, must have enough to live on, and the health services they need at a cost they can afford." That is not, she added, the case now.

[From the Providence Evening Bulletin, Nov. 3, 1967]

STRICTLY SENIOR: "IF WASHINGTON REALLY KNEW"

(By Harold Kirby)

"If they close up this place I don't know what I'll do." Speaking was John Fay, 78, of Prospect Hill, Lincoln, who spends many hours each day, five days a week, at the Senior Citizens Center on Commerce Street, Pawtucket.

It is one of the first centers of its kind to be established in this state by the Office of Economic Opportunity and the people who operate it as well as those who drop in daily are worried about the future. Worried because they have been told there is a shortage of money for this and the whole so-called poverty program—a term they dislike.

"If only those people in Washington really knew what this means to me and many more like me, I think they'd give us enough money to keep it up, maybe expand a bit too," said Mr. Fay. He is a bachelor and has lived alone since the death of his brother. An electrician most of his adult life, he had to retire when he was about 60 because of illness. He comes by bus to the center, mingles with his new-found friends, plays cards, reads the newspapers and magazines, keeps busy.

He isn't the only one. Between 30 and 40 men and women—contrary to the general average the men outnumber the women, first three to one, now three to two—visit the center daily. Some remain for hours, seeking companionship, amusement and instruction in arts and crafts; others use the center as a meeting point, drink a cup of coffee and move on to other places.

One indomitable staffer is Mrs. Maude Crabbs. Her maiden name was Stretter, and she comes from a long line of patriots and pioneers, some of whom were companions of Roger Williams. She attended the School of Design, the Pratt Institute in Brooklyn, N.Y. and taught art in schools in New Jersey, Fall River and Providence. She moved on to Toledo, Ohio, where she married Frank Crabbs of that city, and became identified with the Toledo Art Museum. When her husband died, she returned to her family. For the past 11 years Mrs. Crabbs has been demonstrating weaving and spinning at the Old Slater Mill Museum in Pawtucket. She now teaches an arts and crafts class at the center, spending about 10 hours a week there.

Other staff members are Mrs. Marjorie Spellman, Mrs. Rose Tracy, George McCoart and Mrs. Mary Jackson. All are well over 60 and three over 70. They keep the center going under the direction of their executive, Thomas F. Markey, doing the housekeeping, serving coffee, chatting with visitors, making appointments for Mr. Markey when he is absent, handling correspondence and attending to a variety of other duties.

"If we had a few volunteers to help, we could keep the center open Thursday nights, as we used to, and even on Saturdays," said Mr. Markey, who was formerly a civil service social worker with a strong and increasing interest in older people.

Mr. Markey is a native of Taunton, a graduate of Bryant College where he received a degree in business administration, and worked for a number of manufacturers before entering the field of social work. He lives on Maynard Street, Pawtucket, with his wife and 12-year-old daughter.

He is responsible for all activities at the center and spends a good deal of time counselling those who seek his advice, who have domestic or health, or financial problems. When necessary, he refers them to other agencies, public or private, where help is available.

There are other OEO centers in the state, in Riverside and Warwick, for example. Some have "structured" programs, but in Pawtucket, everything is informal, relaxed and low key. There are no fixed rules, either concerning dress or behavior. In spite of this there have been few problems, none of them serious. A few set the standards and soon everybody else conforms.

Although the staff receives compensation for 10 hours each week, all of them work far beyond this limit, some spending twice and even three times the time required. "They are not only good workers; they are dedicated to the older people who, like themselves, need this center," Mr. Markey observed.

The center has been in existence less than a year and occupies rented quarters in Pawtucket's downtown: an office, lavatories, a kitchen and one large gathering room, where all activities are concentrated. This has one disadvantage: it leaves little privacy for such activities as the arts and crafts class. "It isn't easy to conduct such a class when things are going on all around you," and Mrs. Crabbs. She is hopeful that a room adjacent to the center can be rented sometime for activities such as this, but the prospect of getting money enough appears dim this year.

The city provides a share of the expense, usually in services or equipment. For example, a movie projector has been provided by the school department. And occasionally an individual, observing some need, will make a contribution: the television set now used is the unsolicited gift of a business man, who had two in his home and needed only one.

But by and large the center must depend on public funds, federal and local. Everybody there is aware of the precarious position OEO is in at the moment, with some prospect of a substantial cut in federal appropriations, a cut possibly deep enough to curtail services, even put an end to some centers. There will probably be nothing for expansion.

For Mr. Markey and his staff there is one encouraging development: attendance, starting small, has grown steadily. Use of the facilities and counselling at the center continues to expand, and pressure is increasing among older citizens here and elsewhere not only for what they have now but for more space, more programs, more activity. The impact of all this may yet be felt, even as far away as Washington.

RELUCTANCE OF ADMINISTRATION TO AGREE ON A SPENDING CUT PRIOR TO A TAX INCREASE

Mr. WILLIAMS of Delaware. Mr. President, an editorial entitled "Predictions of Catastrophe," published in today's Wall Street Journal, calls attention to the great reluctance of the administration to agree upon any spending cuts prior to a tax increase.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PREDICTIONS OF CATASTROPHE

Certainly the Administration deserves about a "C" for effort in proposing spending reductions, even though it had to be dragged to the decision by Congressional reluctance to increase taxes. Still, the effort is too small and the tax plan looks no better than it ever did.

Appearing before the House Ways and Means Committee this week, Treasury Secretary Fowler suggested spending cuts equal to a 2% reduction in each Federal agency's payroll plus a 10% reduction in other "controllable" programs. In return, of course, Congress would pass the Administration's proposed 10% tax "surcharge."

The upshot, by Mr. Fowler's reckoning, would be a lowering of spending in the current fiscal year by more than $4 billion. The budget deficit would be "close to the lower end" of the $14 billion to $18 billion range.

Right there is revealed, the feebleness of the Administration's attack. A saving of $4 billion, if achieved, is modest indeed out of administrative-budget expenditures, estimated at over $136 billion. As for the deficit, $14 billion to $18 billion is quite a range, and far too high in any case.

Not that we dispute the urgent need for some kind of fiscal restraint. Without it, the Treasury chief warned of unacceptable risk to the nation's economic and financial structure and the international monetary system—"the higher, crueler and unrepealable tax of inflation, weakened confidence in the dollar, brutally high interest rates and the risk of a return to the old cycle of boom and bust."

Federal Reserve Board Chairman Martin, arguing for the combination of lower spending and higher taxes, was equally grim. He said it was required in order to maintain the value of the dollar. "In the present situation," he added, financial market tensions "can't be tranquilized merely by increasing the supply of money."

All too true. Yet one can't help observe in passing that these gentlemen, now crying doom, represent the same authorities that engineered this degeneration of the nation's financial and economic structure. The Administration by recklessly spiraling spending and deficits. The Federal Reserve by rapidly expanding, as Mr. Martin concedes, the money reserves available to the banking system.

Coming to the substance of their argument, let us consider taxes first. If we were persuaded that a tax boost would have the salutary effects advertised, we would support it—and perhaps more than a 10% surtax.

Unfortunately the grounds for such optimism are scant. Assuming experience is any guide, a tax increase would constitute a disincentive for the Administration to save even $4 billion, or anything at all. It would be more likely to encourage still bigger outlays.

Beyond that possibility, a respectable case can be made for the seemingly paradoxical proposition that raising taxes could intensify rather than curb inflation. Rep. Curtis of Missouri, for one, reasons that the step would simply add to the already considerable cost pressures in the economy and thus aggravate the price inflation. It strikes us as a sensible view.

If a tax increase, then, is less than an ideal antidote for the malady, why can't the Federal Reserve stop inflating the money supply? (One self-entwining rationalization is that it has to go on doing it partly to aid in financing the enormous deficits.)

And why can't the Administration and Congress cut spending by a great deal more than $4 billion? Officials love to talk about "uncontrollable" budget items like interest on the public debt, which they say drastically narrow the options for sizable reductions. The plain fact nonetheless is that the Johnson Administration has initiated a flock of new or expanded programs, many of them wasteful or flops or both, not to mention the carryover of extravagance from previous Administrations. The budget could be cut sharply if anyone had the requisite political courage.

Granted, $4 billion is better than nothing, and the officials' dire predictions are very much to the point. But where were they when all this danger was building up, and why so silent?

DEMAND FROM THE DEFENSE SECTOR CONTINUES TO LEVEL OFF

Mr. PROXMIRE. Mr. President, the latest economic indicators for the defense sector show that in October military prime contract awards were the same as in September. Moreover, the third quarter level was slightly under the second quarter level of 1967 and only about 2.3 percent above the third quarter of 1966. Gross obligations incurred have declined substantially from the second to the third quarter. Prime contracts and gross obligations tend to be leading indicators as far as the impact of the defense sector on the rest of the economy is concerned. These indicators continue to show that the worst of the defense buildup is behind us—at least for the foreseeable future.

Actual net expenditures, which tends to be a lagging indicator of the impact of the defense sector, have continued to rise—although at a much lower rate than in 1966. From the first to the third quarters of 1967, expenditures rose about $850 million. In the previous two quarters the rise was more than $2½ billion.

Mr. President, the crux of the argument for the tax increase is that it is necessary because of the inflationary impact of the war in Vietnam. These statistics show that the Vietnam war is not stimulating the economy.

I ask unanimous consent that the November report of the Department of Defense on selected economic indicators be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[Department of Defense, Issue No. 6]

SELECTED ECONOMIC INDICATORS

The attached table and chart show selected financial and employment data related to the impact of Defense programs on the economy. The data reflected in the table cover seven major subject areas, beginning with the first quarter of calendar year 1966 and continuing through the latest month for which information is available. The chart covers three areas—obligations, expenditures and contracts—by quarter year. Explanations of the terms used are also attached.

EXPLANATIONS OF THE TERMS USED

I. *Military Prime Contract Award*. A legally binding instrument executed by a military department or Department of Defense Agency (DOD component) to obtain equipment, supplies, research and development, services or construction. Both new instruments and modifications or cancellations of instruments are included; however, modifications of less than $10,000 each are not included.

The series includes awards made by DOD components on behalf of other Federal agencies (e.g., National Aeronautics and Space Administration), and on behalf of foreign governments under both military assistance grant aid and sales arrangements. It also includes orders written by DOD components requesting a non-Defense Federal agency to furnish supplies or services from its stocks (e.g., General Services Administration stores depots), from in-house manufacturing facilities (e.g., Atomic Energy Commission), or from contracts executed by that federal agency.

The series does not include awards paid from post exchange or similar non-appropriated funds, nor does it include contracts for civil functions, such as flood control or river and harbors work performed by the Army Corps of Engineers. Project orders issued to Defense owned-and-operated establishments, such as shipyards and arsenals, are not included, but contracts executed by such establishments are.

The distribution by broad commodity group includes only contracts which are to be performed within the United States or its possessions. Each commodity group includes not only the indicated end item, but also associated components and spare parts, research and development, and maintenance or rebuild work. Electronics and Communications includes only such equipment and supplies as are separately procured by DOD components. Electronics procured by an aircraft prime contractor is reported as Aircraft. Other Hard Goods contains tank-automotive, transportation, production, medical and dental, photographic, materials handling, and miscellaneous equipment and supplies. Soft Goods includes fuels, subsistence, textiles and clothing. All Other contains services (e.g., transportation) and all new contracts or purchase orders of less than $10,000 each. Commodity identification is not available for these small purchases.

Work done outside the United States refers to the location where the work will be physically performed. About 55–60% of this work is awarded to U.S. business firms, but a lesser percentage of the contract dollars in this category directly impacts on the U.S. economy.

II. *Gross Obligations Incurred*. Total amounts recorded in official accounting records of the military departments and Defense Agencies from source documents such as signed contracts or any instrument which legally binds the government to payment of funds. Present coverage extends only to general fund accounts; obligations incurred in revolving funds are excluded. Included, and double-counted, are obligations which are recorded first when an order is placed by one appropriation upon another appropriation, and second when the latter appropriation executes an obligation for material or services with a private supplier. This duplication averages about 8% of gross obligations.

a. *Operations*. The Military Personnel appropriation and Operation and Maintenance appropriation of the Department of Defense.

b. *Procurement*. The Procurement appropriation.

c. *Other*. The RDT&E, Military Construction, Family Housing, Civil Defense, and Military Assistance appropriations.

III. *Gross Unpaid Obligations Outstanding*. Obligations incurred by the Department of Defense for which it has not yet expended funds. Present coverage extends only to general fund accounts; obligations in revolving funds are excluded.

IV. *Net Expenditures*. Gross payments less collections by the military departments and Defense Agencies, including revolving funds and Military Assistance. Payments represent checks issued.

V. *DOD Personal Compensation*. Wages and salaries earned by personnel employed by the Department of Defense. Military compensation represents pay and allowances to active duty personnel; reserve pay and retired pay are excluded. Civilian compensation represents gross pay and includes lump sum payments for final annual leave. Both figures are inclusive of individual contributions to retirement and social insurance funds, but are exclusive of any employer contributions to these funds.

VI. *Outstanding Payments*. Payments to contractors by the military departments and Defense Agencies made before the goods or services contracted for are completed and delivered.

a. *Advance Payments*. Payments to contractors in advance of performance of a contract.

b. *Progress Payments*. Payments to contractors as work progresses on a contract. These payments serve to reimburse the contractor for a major portion of the costs incurred to date.

VII. *Strength*. The number of persons on active duty with the Department of Defense at the end of the period.

a. *Military*. Men and women on continuous or extended active duty. Excludes reserves on temporary active duty for reserve training.

b. *Civilian*. Direct hire personnel.

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS

[Dollars in millions; manpower in thousands; quarters by calendar year]

	1966 I	II	III	IV	1967 I	April	May	June	II	July	August	September	III	October
I. Military prime contract awards:														
Aircraft	$1,945	$2,989	$2,696	$2,262	$2,102	$432	$1,240	$1,377	$3,049	$394	$636	$1,483	$2,513	$1,249
Missile and space systems	1,040	987	1,314	861	1,230	300	260	606	1,166	535	521	524	1,580	323
Ships	355	491	876	239	679	72	129	206	407	178	104	135	417	153
Weapons and ammunition	555	1,486	692	940	818	279	518	972	1,769	92	415	597	1,104	454
Electronic and communications equipment	918	1,574	666	915	971	480	338	1,030	1,848	169	364	283	816	272
Other hard goods	843	1,842	660	1,029	915	298	362	904	1,564	202	355	228	785	252
Soft goods	709	922	1,078	989	638	171	199	282	652	588	280	188	1,056	175
Construction	207	392	198	150	232	126	160	340	626	56	100	76	232	56
All other	1,406	1,963	2,356	1,639	1,605	517	507	963	1,987	1,194	568	573	2,335	522
Total (excluding of work outside United States)	7,978	12,646	10,536	9,024	9,190	2,675	3,713	6,680	13,068	3,408	3,343	4,087	10,838	3,456
Total, seasonally adjusted	8,703	10,144	10,716	10,149	10,171	2,920	4,121	3,626	10,667	3,610	3,686	3,665	10,961	3,665
Work outside United States	521	1,195	856	672	453	227	228	379	834	314	382	195	891	193
II. Gross obligations incurred:														
Operations	8,326	9,604	10,426	9,702	10,229	3,664	3,531	4,239	11,435	3,700	3,835	3,689	11,224	
Procurement	4,374	8,539	5,368	5,276	5,113	1,801	2,485	4,663	8,948	1,045	1,894	3,215	6,154	
Other	2,429	3,470	3,453	2,230	2,519	726	1,130	1,653	3,510	1,246	1,062	1,112	3,420	
Total	15,129	21,613	19,247	17,208	17,861	6,191	7,146	10,555	23,893	5,991	6,790	8,016	20,798	
III. Gross unpaid obligations outstanding:														
Operations	3,828	3,777	4,792	5,024	4,644	4,761	4,765	4,513	4,513	(1)	5,115	5,267	5,267	
Procurement	18,023	22,119	22,736	23,173	22,780	22,613	22,947	25,248	25,248	(1)	23,874	24,925	24,925	
Other	5,747	7,392	8,179	7,888	7,626	7,453	7,628	8,270	8,270	(1)	8,559	8,722	8,722	
Total	27,598	33,288	35,707	36,085	35,050	34,827	35,340	38,031	38,031	(1)	37,548	38,914	38,914	
IV. Net expenditures:														
Operations	7,689	9,076	8,968	9,087	10,002	3,416	3,335	3,980	10,731	2,898	3,722	3,382	10,001	3,641
Procurement	3,651	3,886	4,392	4,264	5,074	1,783	1,850	1,649	5,282	2,037	1,982	2,041	6,060	2,005
Other	2,757	2,647	2,484	3,092	3,179	918	749	334	2,001	1,231	[2] 883	[2] 933	[2] 3,047	789
Total	14,097	15,609	15,844	16,443	18,255	6,117	5,934	5,963	18,014	6,166	[2] 6,587	[2] 6,356	[2] 19,108	6,435
V. DOD personal compensation:														
Military	3,181	3,249	3,551	3,506	3,624	1,230	1,196	1,220	3,646	1,310	1,260	1,272	3,842	[3] 768
Civilian	1,937	2,015	2,105	2,135	[2] 2,170	700	776	772	2,248	[3] 736	793	[3] 742	[3] 2,271	
Total	5,118	5,264	5,656	5,741	[2] 5,794	1,930	1,972	1,992	5,894	[3] 2,046	2,053	2,014	[3] 6,113	
VI. Outstanding payments:														
Advance payments	66	79	90	83	92				80				110	
Progress payments	4,402	4,346	4,750	5,461	5,981				6,765				7,179	
Total	4,468	4,425	4,840	5,544	6,073				6,845				7,289	
VII. Strength (manpower):														
Military	2,969	3,094	3,229	3,334	3,371	3,371	3,368	3,377	3,377	3,382	3,393	3,412	3,412	[3] 3,416
Civilian	1,088	1,138	1,184	1,230	1,268	1,273	1,274	1,303	1,303	1,311	1,306	1,274	1,274	[3] 1,277

[1] Not available.
[2] Revised.
[3] Preliminary.

Note: Open spaces for indicators other than No. VI indicate information not available at time of publication. Indicator No. VI information available only on a quarterly basis.

JUDICIAL REVIEW OF ICC ORDERS

Mr. LAUSCHE. Mr. President, I introduced, on November 22, 1967, by request of the Interstate Commerce Commission, for appropriate reference, S. 2687 to amend section 17 of the Interstate Commerce Act to revise the provisions for judicial review of ICC orders.

The present statutory provisions for judicial review of ICC orders date back over half a century. Since 1913, judicial review of orders of the Commission has been in a district court of three judges, at least one of whom shall be a circuit judge. The decisions of such three-judge courts are reviewable in the Supreme Court by right of appeal.

Judicial review of the orders of all of the other major Federal regulatory agencies—CAB, FPC, FCC, FMC, SEC, NLRB, and FTC—is in the U.S. courts of appeals, with review by the Supreme Court by the discretionary writ of certiorari. Under the provisions of S. 2687, review of ICC orders would be in the same general manner as now provided for orders of these other Federal regulatory agencies.

The Commission has advised that this change in the manner of judicial review of ICC orders is in accordance with the 1962 recommendations of the Administrative Conference of the United States and by the Special Advisory Committee on Interstate Commerce Commission Practices and Procedures—an advisory committee of practitioners established by the Commission.

S. 2687 proposes significant changes in the statutory provisions for judicial review of ICC orders. In order to allow adequate time for the Interstate Commerce Commission bar and other interested persons to evaluate and study these proposed changes, Surface Transportation Subcommittee consideration will be deferred until next year.

I ask unanimous consent that the supporting justification for S. 2687 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUSTIFICATION

(NOTE.—To accompany a draft bill to provide for judicial review of orders of the Interstate Commerce Commission.)

(Revised to reflect stylistic changes in bill as introduced)

Judicial review of orders of the Interstate Commerce Commission is governed presently by 28 U.S. Code 1253, 1336, 1398, 2284, 2321–2325. Briefly, such review is in a district court of three judges, at least one of whom shall be a circuit judge. The decisions of such courts are reviewable in the Supreme Court by appeal, rather than by certiorari.

The draft bill would provide for judicial review in the United States courts of appeals, with review by the Supreme Court by the discretionary writ of certiorari. In so doing, the draft bill would make orders of the Interstate Commerce Commission reviewable in the same general manner as the orders of all other major Federal regulatory agencies, i.e., FPC, CAB, FCC, SEC, FMC, FTC, and NLRB. This change was recommended in 1962 by the Special Advisory Committee on Interstate Commerce Commission Practices and Procedures (an advisory committee on practitioners established by the Commission). It was also recommended in 1962 by the Administrative Conference of the United States.

The present statutory provisions for judicial review of the Commission's orders originated in the Urgent Deficiencies Act of 1913 (38 Stat. 219) which, in abolishing the Commerce Court, transferred its jurisdiction to the district courts. The following year, in the Federal Trade Commission Act of 1914, the Congress designated the Circuit Courts of Appeals to review orders of that agency. Thereafter, as new regulatory agencies were created, Congress usually provided for judicial review of their orders in the Courts of Appeals. At the same time, certain orders of the Federal Communications Commission, Maritime Commission, and the Department of Agriculture were made reviewable under the Urgent Deficiencies Act procedure. The so-called Hobbs Act or Judicial Review Act of 1950, 28 U.S.C. 2341–52 (Supp. II, 1967), transferred review of the orders of these agencies to the courts of appeals, thus leaving only orders of the Interstate Commerce Commission reviewable in the three-judge district courts.

There would be certain advantages in providing for judicial review in the courts of appeals. Those courts are regularly engaged in the review of orders of various Federal agencies, while most district judges rarely do so. The courts of appeals have rules governing judicial review proceedings and, before long, may be applying uniform rules for all of the courts of appeals, promulgated by the Supreme Court under section 2072 of the Judicial Code, 28 U.S.C. 2072 (Supp. II, 1967). In contrast, there are no court rules governing judicial review proceedings in the three-judge courts, with the result that their procedures are on an *ad hoc* basis. Again, the courts of appeals hold their sessions in the larger cities, which simplifies the travel arrangements of out-of-town counsel.

The draft bill is cast as an amendment to section 17 of the Interstate Commerce Act so that the statutory provisions for the review of the Commission's orders will appear in the same statute which gives the Commission authority to make such orders, thus following the general pattern with respect to statutes creating administrative agencies and providing for judicial review of their orders. See, for example, section 1006 of the Federal Aviation Act, 49 U.S.C. 1486; section 5, as amended, of the Federal Trade Commission Act, 15 U.S.C. 45(b)–(j); and section 9, as amended, of the Securities Act of 1933, 15 U.S.C. 77l.

Specifically, the draft bill amends section 17 of the Act by redesignating the present subsections 17(10) through 17(12), 49 U.S.C. 17(10)–(12) as subsections 17(11) through 17(13) respectively and inserting immediately after subsection 17(9) a new subsection 17(10) which sets forth the provisions, more particularly described below, for judicial review of the Commission's orders.

JURISDICTION

Paragraph (a) of the bill generally sets forth the provisions for judicial review of all Commission proceedings arising under subsection 17(9) except reparations and other cases involving the payment of money and orders of the Commission made pursuant to the referral of a question by a district court or the United States Court of Claims. Cases involving the payment of money would still be reviewable in a single-judge district court in accordance with present practices. *United States* v. *Interstate Commerce Commission*, 337 U.S. 426; *Interstate Commerce Commission* v. *Atlantic Coast Line R. Co.*, 383 U.S. 576. Similarly, orders of the Commission made pursuant to a referral of a question or issue by a district court or by the Court of Claims would remain reviewable pursuant to 28 U.S.C. 1336 (b) and (c) and 1398(b), only in the court which referred the question or issue. Cases involving only fines, penalties or civil forfeitures for violations of the Act would also remain in the district courts.

VENUE

The draft bill provides that a petition for review shall be filed in the judicial circuit which is the residence or principal office of any of the parties filing the petition. This is derived from the present venue provision in 28 U.S.C. 1398(a) governing review of orders of the Commission. As pointed out below, if the Commission's orders are made reviewable in the courts of appeals, 28 U.S. Code 2112 will automatically provide a desirable procedure for consolidating into a single court multiple suits in different courts against the same order. It has been held that such a consolidation procedure is not available under existing law in many situations. *New York Central R. Co.* v. *United States*, 200 F. Supp. 944 (S.D. N.Y. 1961).

PETITIONS FOR REVIEW

Paragraph (c) (1) of the draft bill sets out the manner for review of the Commission's orders. First, it provides that a petition for review must be filed within 60 days from the date of service of the order complained of. Under present law, except for the uncertain and rarely applied doctrine of laches, there is no limit upon the time within which judicial review of the Commission's orders must be sought. The 60-day limitation proposed by the draft bill is found in the Hobbs Act and many other modern judicial review provisions. It will be useful in protecting, after a reasonable opportunity for challenge, the security of transactions authorized by the Commission. Second, since this bill does not provide for the proceeding to be brought against the United States as presently required by 28 U.S.C. 2322, any petition for judicial review will be brought automatically against the Commission as the named respondent. The charge brings the Commission into conformity with the present practice of such agencies as SEC, NLRB, FPC, CAB, and FCC in that those agencies are named as the respondents in suits seeking judicial review of their orders. It will reflect the fact that the Commission's attorneys today assume the primary and principal responsibility for the defense of its orders in the courts. The draft bill would also provide that the petition for review must be served upon both the Commission and the Attorney General. Third, this paragraph prescribes the contents of the petition for review in the same way as does the Hobbs Act (28 U.S.C. 2344).

RECORD ON REVIEW

Under existing case, though not statutory, law, a person seeking judicial review of an order of the Commission has the burden of filing with the three-judge court a certified copy of the record of the proceedings before the Commission. *Mississippi Barge Line Co.* v. *United States*, 292 U.S. 282, 286; *Visceglia* v. *United States*, 24 F. Supp. 355, 356. The draft bill provides that the Commission shall file in the office of the clerk of the court of appeals in which the proceeding is pending the record on review, as provided in 28 U.S. Code 2112. Providing for review of the Commission's orders in the courts of appeals would make applicable automatically (i.e., even without specific reference) the provisions of 28 U.S.C. 2112 (and the rules adopted thereunder by the courts of appeals), and would bring about the following changes in procedures for judicial review of the Commission's orders:

(a) It would provide a procedure for the consolidation of multiple suits against a single Commission order. Such suits would be consolidated in the court in which the first suit is filed, although this court, for the sake of convenience, could transfer the proceeding to another court of appeals. This is clearly a desirable procedure.

(b) Upon the commencement of a review proceeding, the Commission would be required to file with the court the original or a certified copy of the record of the proceedings before the Commission, except that the court may permit the filing of a certified list of the contents of the record in lieu of the record itself, a practice now widely followed and expected to be made uniform. Under our present review procedure, the plaintiff bears the burden of filing with the three-judge court a certified copy of the record before the Commission. Although this change may impose some additional burden on the Commission, it will bring its practice into line with present procedures for the review of all other Federal agency orders.

(c) In the first instance, it might be thought that placing upon the Commission the burden of supplying the record will encourage court challenges to Commission orders. However, any such tendency will be offset by the requirements of the courts of appeals for the parties to reproduce, by printing or otherwise, the portions of the Commission record on which they are relying. Under the present three-judge court procedure, reproduction of the record is not required. In the experience of other agencies, most of this reproduction cost falls upon the private appellants.

The record filing and reproduction requirements of the various courts of appeals are about to be standardized in a uniform rule which is well on its way to promulgation by the Supreme Court. This uniform rule will permit reproduction of briefs and records by "any duplicating or copying process capable of producing a clear black image on white paper."

PETITIONS TO REVIEW—PROCEEDINGS

Paragraph (d) provides that the proceedings in the court of appeals shall be based upon the record made in the proceedings before the Commission. It would further provide (as does the Hobbs Act and other judicial review statutes) that the court may require the Commission to receive additional evidence where it is shown that there were reasonable grounds for failure to aduce it earlier.

REPRESENTATION: INTERVENTION

Because the bill does not provide, as does the present 28 U.S.C. 2322, that such proceedings shall be brought against the United States, it follows automatically that petitions to review must name the Commission as respondent. The United States would not be a party, but the bill would provide that "the United States, through the Attorney General, shall be entitled to intervene in any proceeding." The Commission and other parties may be represented by their own counsel. The provision for intervention is taken from 28 U.S.C. 2323.

JURISDICTION OF PROCEEDING

Paragraph (c) (ii) of the draft bill would clarify and define the Commission's power under Section 15(2) in Part I of the Interstate Commerce Act and comparable provisions in Parts II, III, and IV of the Act to modify an order which is attacked by a petition to review. Some doubt was created as to the propriety of such an assertion of power in *Atchison, Topeka & Santa Fe Ry. Co.* v. *United States*, 231 F. Supp. 422, 426 (N.D. Ill. 1964); however, the exercise of such power was approved in *Alamo Express, Inc.* v. *United States*, 239 F. Supp. 694 (W.D. Texas 1965). The bill would provide that the filing of a petition for review shall not cut off the Commission's power to modify its order, but that the filing of the record with the court of appeals will terminate such power (except, of course with leave of the court). In brief, the Commission would have a reasonable but not unlimited opportunity to correct its own errors.

STAYS: INTERLOCUTORY INJUNCTIONS

Paragraph (f) deals with this subject substantially as does existing law in 28 U.S.C. 2284. The only change is that a stay or temporary restraining order could be issued only by the court, and not be a single judge as permitted by 28 U.S.C. 2284.

REVIEW IN THE SUPREME COURT

Under the present law, 28 U.S.C. 1253, a decision of a three-judge district court is subject to a right of direct appeal to the Supreme Court. This is a so-called appeal as of right, in the sense that the Supreme Court does not purport to exercise a discretion as to whether or not to review the case on its merits. Instead, if the Supreme Court does not set the case for briefing and argument (i.e., plenary considerations), it will issue an order summarily affirming (or, more rarely, reversing) the decision of the lower court. In most of the appeals from the three-judge courts, the Supreme Court issues a brief order, reading as follows: "The motions to affirm are granted and the judgment is affirmed." Thus, whether cases come to the Supreme Court by appeal or by the discretionary writ of certiorari, the Court selects the cases which it considers to warrant full briefing and oral argument.

Paragraph (g) of the proposed bill would provide for Supreme Court review by certiorari, rather than by appeal. This conforms to the method of seeking Supreme Court review which is applicable to all other Federal agencies. It can hardly be contended that *all* matters arising under the Interstate Commerce Act are so much more important than power, labor communications, etc., problems as to warrant a preferred status as to review in the Supreme Court. It must be assumed that the Court can and will identify the cases which warrant plenary consideration by that Court.

Paragraph (g) would also preserve the Commission's present right to seek review in the Supreme Court with or without the concurrence of the Department of Justice by stating that, "The United States or the Commission or an aggrieved party may file such petition for a writ of certiorari."

Paragraph (h) of the draft bill preserves the second paragraph of 2321 of the Judicial Code, 28 U.S.C. 2321, the balance of which is repealed by section 2 of the draft bill. The section provides for nationwide service of process for orders and writs issued by the courts of appeals in cases arising under section 1 of the draft bill and proceedings arising in the district courts under sections 20 and 23 of the Act and section 3 of the Elkins Act, 49 U.S.C. 43, all of which deal with the enforcement of various accounting, reporting and tariff requirements of the Act and, the rights of shippers to nondiscriminatory treatment by the carriers.

This provision is an exception to the general rule that a court's process does not run outside the State in which it is located, in the case of the district courts, or the circuit, in the case of the courts of appeals. Its retention is believed desirable because of the widespread operations of the nation's carriers.

Section 2 of this bill repeals sections 2321–2325 of the Judicial Code, 28 U.S.C. 2321–25, which set out the present procedure for review of the Commission's orders in the district courts. With the exception of the second paragraph of section 2321, which is preserved as paragraph (h) of this bill, all of these sections of the Judicial Code would be superseded by the provisions of section 1 of this bill and thus be rendered obsolete unless repealed. No change is required in other sections of the Judicial Code, e.g., sections 1336 and 1398 which also deal with the review and enforcement of the Commission's orders since they will still be applicable to cases involving reparations, fines, penalties, and forfeitures which are not transferred to the courts of appeals by this bill. In order to insure an orderly transition from the present mode of review in the district courts to the courts of appeals, this bill provides for a 60-day transitional period and that cases pending in the district courts on the effective date of this Act will be processed to conclusion in such courts with the right of direct appeal to the Supreme Court as under the present law.

OPERATION HOSPITALITY

Mr. SPARKMAN. Mr. President, as the Chirstmas season approaches, my attention has been called to a program called Operation Hospitality.

The purpose of this program is to urge American families to extend hospitality, especially during seasons such as Christmas, to servicemen and servicewomen who may be quartered in their neighborhoods. I endorse Operation Hospitality.

It seems to me that all of us, regardless of differences of opinion on the conduct of the war, would wish to express our appreciation to these men and women.

HOUSE PASSES TRUTH-IN-LENDING BILL

Mr. PROXMIRE. Mr. President, last Tuesday the House Committee on Banking and Currency reported an effective truth-in-lending bill, which in many ways is an improvement on the Senate bill passed last July. Representative Leonor Sullivan, of Missouri, is to be congratulated for leading the fight for an effective bill. The most controversial issue before the Senate Banking Committee and the House Banking Committee was the issue of revolving credit. The original version of the truth-in-lending bill, which I introduced on January 11, required all forms of credit, including revolving credit, to disclose the annual rate of finance charge to consumers. The application of this provision to the revolving credit plans of department stores was met with considerable opposition. As it turned out, neither the Senate Banking Committee nor the House Banking Committee had the votes to require revolving credit plans to disclose the annual percentage rate. Instead, such plans would disclose the monthly rate of interest. For example, department stores charging a 1½ percent a month service charge would not be required to disclose to the consumer that this amounts to 18 percent a year.

Although revolving credit comprises only 5 percent of all consumer credit, it is a rapidly growing form of credit, and the projections indicate it will constitute a much larger percentage of consumer credit in the years ahead.

I am hopeful that Mrs. Sullivan will be successful in leading a fight on the floor of the House to require revolving credit plans to disclose the annual percentage rate. I see no valid reason why other creditors, including banks, consumers finance companies, smaller appliance dealers, credit unions, and others, are required to disclose an annual rate of interest while the large department stores are permitted to disclose a monthly rate. Should the House be unsuccessful in closing the revolving credit loophole, I intend to introduce legislation to accomplish this at the first opportunity.

Mr. President, I was delighted to see the New York Times support this position in an editorial published yesterday. The Times also concludes that consumers, and particularly low-income, ill-educated consumers, are entitled to know what they are paying on revolving credit plans. Mr. President, I ask unanimous consent that the Times editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Nov. 30, 1967]

. . . And His Money

The House Banking and Currency Committee has meanwhile taken action upon two bills already approved by the Senate which affect, one directly and the other indirectly, how consumers manage their money.

The truth-in-lending bill would require stores, banks and loan companies to state the true interest which they charge on an annual basis—not a monthly or quarterly rate—and in actual dollars. Many installment plans would be covered, enabling consumers to realize for the first time that "easy payment" often involves an annual interest charge of 30 per cent or higher.

By a close vote, however, the committee sustained the decision of the Senate to exempt retail stores that offer "revolving credit," by which a customer can make new purchases while paying off on old ones. Stores argue that it is misleading to state the monthly charge, usually 1.5 per cent, at the annual rate of 18 per cent, since most customers pay off their obligations in less than a year. But the fact remains that customers, particularly low-income, ill-educated customers, are entitled to know what they are paying. Representative Leonor K. Sullivan, Missouri Democrat, is right to press her fight on the floor for full disclosure.

The full Banking Committee improved the feeble measure to regulate holding companies in the savings and loan field which had been concocted in subcommittee. But even in its improved form the bill is not as good as the Senate bill. There is no good reason to weaken the authority of the Home Loan Bank Board to regulate a holding company's debt, short term as well as long term. The whole purpose of the bill is to prevent financial manipulators from excessive risk-taking.

The Senate bill also conferred authority on the board simply to approve or disapprove the acquisition of a savings and loan association by a holding company. The House bill hobbles this regulatory power by requiring the board to find that the acquisition would damage the association or jeopardize the insurance fund that protects deposits.

Small savers and the legitimate savings and loan industry itself have nothing to fear from a vigorous and alert board endowed with ample power to take preventive action early. The House should strengthen its bill, not heed the lobbyists for the wheeler-dealers.

PEACE FOR CYPRUS—A JOHNSON SUCCESS

Mr. HARRIS. Mr. President, when President Johnson dispatched special envoy Cyrus Vance to mediate the Cyprus dispute between Turkey and Greece a few days ago, talk of war was in the air, and tensions were strong.

A few days later, peace and reason seem to have been preserved through the perseverance of Mr. Vance and the President and other helpful parties.

This is a remarkable demonstration of America's passion for peace in the Near East and in other areas of the world.

Turkey and Greece are our allies. They are old and valued friends. And it was as much in our interest as theirs that the Cyprus situation be resolved in a friendly manner.

The successful mediation efforts of the United States in the Greek-Turkish dispute again illustrate what President Johnson has been saying for months—he will go anywhere at any time and meet in any place in the cause of peace.

He has said that about Vietnam. He has said it about the Middle East. He has said it about Cyprus. And the results of our mediation are a fitting tribute to our President.

The new spirit of cooperation between Greece and Turkey strengthens good relations in the area. It strengthens NATO. And it strengthens the bonds between two nations which have stood with us in war and peace.

I salute Greece and Turkey for having acted reasonably in this crisis. I salute Cyrus Vance for his extraordinary efforts. I salute the President who has shown us that he means business when he talks about free men sitting down to reason together.

BIG THICKET MAKES NEW FRIENDS IN CHICAGO TRIBUNE

Mr. YARBOROUGH. Mr. President, the plight of the disappearing Big Thicket has attracted attention from all over the country. On November 5, 1967, the Chicago Tribune published an article about the Thicket, entitled "Forest Maze: That's Big Thicket in Texas," written by Henry N. Ferguson. Describing the natural attributes of this area, "one of the most unique collections of flora and fauna to be found anywhere in the world," the article gives an excellent rundown of the early history and the current history-making forces of the Big Thicket. Mr. Ferguson points out that the area is facing gradual extinction, and recommends the passage of the Big Thicket National Park bill, S. 4, which I introduced in the first days of this session, for the preservation of the Thicket.

This spreading concern for the Big Thicket has resulted in increasing numbers of letters and expressions of concern from all over the country, as Americans everywhere are becoming concerned over the possible loss of this area of unparalleled natural opportunities for our native flora and fauna, and unique natural growth. It has come home to the people of this Nation that the loss of 10 centuries, occasioned by the cutting down of one thousand-year-old tree, cannot be regained, and that the tree, and the time, cannot be replaced.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article war ordered to be printed in the Record, as follows:

Forest Maze: That's Big Thicket in Texas

(By Henry N. Ferguson)

Saratoga, Tex.—Early pioneers, pushing into Texas from southern Louisiana, found their way blocked by an impenetrable jungle just north of what would later become the city of Beaumont. As the state became settled, this huge forest maze of more than 2,000 square miles was divided into Liberty, Polk, Tyler, and Hardin counties, and spilled over into five other counties. The area came to be recognized as one of the most unique collections of flora and fauna to be found anywhere in the world.

Within the confines of this wilderness retreat have been found more than two thousand classified trees, plants and shrubs such as oaks, gum, magnolia, beach, maple, cypres and dogwood. Underfoot is a colorful carpet of ferns, rhododendrons, orchids, wintergreen and scented myrtle. Hollies reach a perfection here seldom found elsewhere. Bear and deer are plentiful, along with wolves, bobcats, armadillo, rabbits, and squirrels, as well as a vast natural aviary of exotic birds.

As settlers pushed into the region they quickly learned that it received some 50 inches of rainfall a year, a fact responsible for the creation of great swamps as well as a fantastic growth of large and small vegetation so dense that the sprawling area became known as the Big Thicket.

Today, life in the thicket is patterned after the easy, casual custom of the rural deep south. It is a land of hound dogs and tireless hunters, of blackeyed peas and hog jowl. A visitor invited to dinner will find set before him such native delicacies as grits soaked in fresh butter, hot biscuits daubed with tangy mayhaw jelly, and homemade sausage and slow-cured country ham with a flavor to please the gourmet.

Scattered along dim trails that crisscross the swamps and meander thru heavy stands of timber are rustic dwellings, ancient and graying, blending into the shade of magnolia and chinaberry trees. The yards are likely to be hard-packed from decades of use, and devoid of grass. A dilapidated privy covered with vines sits a short distance from the house and an iron wash kettle rests upside-down on the ground. A pack of lean hound dogs take their ease in the shade of a tree at the edge of the clearing. The trash dump in a gully back of the house is cluttered with rusty tin cans, bits of old furniture, and time-browned bottles of Grove's chill tonic, Baby Percy medicine, and Crisper's hot shot nerve sedative.

To most, the big thicket is a fearsome and mystical region, a spawner of tall tales and awesome legends. A strange breed of people live in these woods. Mostly, their ancestors came from Tennessee, Kentucky and the Carolinas, all driven by the compulsion to escape the crowded conditions of their own primitive land, to outwit the tax collector, and to rid themselves of persistent revenuers. These isolated Americans do not take kindly to outsiders, and strangers may only be trespassers from the adjoining county. For more than a century they have lived off the land, hunting, fishing, trapping—and minding their own business.

The town of Saratoga is the capital of the big thicket. It was a health resort in the last half of the nineteenth century; it was also in the center of one of Texas' earliest oil fields. In fact, what is thought to be the oldest existing oil well in the United States is in the Saratoga field. It was driven down by mule power in 1865. Ingenious natives used to hang kegs of raw whisky at night on the crossbeams of pumping oil wells to bring about a quick aging of the local white lightning.

The last tribe of Texas Indians, the Alabama-Cushatta, live on a reservation at the edge of the big thicket. Once all this vast region was their hunting ground, used by them and other tribes who have long since been dispossessed.

The thicket has always provided a utopian refuge for outlaws. The jungle makes tracking an impossible chore, the close-mouthed natives feel no affinity for the law, and an abundance of game, water, and whisky makes the life of an outcast very pleasant indeed. During the Civil war a group of conscientious objectors to military service made their way here and were burned out by the army. To this day this area is called the Keyser burnout.

In the big thicket only the very foolish venture even a short distance off a highway, for fear of getting lost. Visitors to the area are cautioned against wandering into the woods, and even the natives are hesitant to travel in the thicket without a guide.

This wilderness world of towering subtropical forests and palmetto swamps provides a hiker the opportunity to turn back the clock thousands of years. Night hiking, however, is not recommended. For after dark the region comes alive with a blood-chilling cacophony of sound. As the sun goes down the barred owl begins hooting. Herons squawk, and giant bullfrogs boom out. Far out across the swamp a panther screams.

During the day one may jump a swamp rabbit and watch it bound away thru the water. Poisonous water moccasins thrive in the area and the shy, but deadly, coral snake may be seen trying to burrow out of sight. An alligator hisses as you come too close to her young. It's a common sight to see a mother 'possum making her way along a forest trail with a platoon of youngsters riding piggyback. In the cool of the evening armadillos industriously bulldoze aside leaves and soft earth to uncover insects and worms. A look into the shadows may reveal an entire family of coons feeding along the shore of a lake, their tiny paws darting as they pull in crayfish and minnows from the water's edge. A rare sight is the ivory billed woodpecker, making a last stand in the thicket.

A good guide will be able to show the visitor some wonderful sights in this wilderness island. Among them, the ghost gardens, the "silver-bullet mine," the ancient tar pits, Boykin springs, the mysterious rock-wall. And a traveler may see how nature has undertaken the task of wiping out such man-made eyesores as old-time saw mills which once did so much to spoil the beauty of this natural wonderland.

Travelers motoring west on Interstate 90 may take a quick circle tour of part of the thicket by turning north at Beaumont and driving up to Kountze on U.S. 69, then veering west and south thru Saratoga, Batson, Hull, and Daisetta, to rejoin I–90 to Houston. Information may be obtained at any of these towns concerning the more primitive areas and where suitable guides may be secured.

For some years the big thicket has faced gradual extinction because of commercial activities in the area. As a result, the Big Thicket association, a small but articulate group of dedicated conservationists, has been waging a desperate fight to save this unique region, or at least a part of it, for future generations to enjoy. Their efforts may be on the verge of success. United States Senator Ralph Yarborough recommended recently that this area be made into a national park. This could prove to be an ideal solution to the problem of preserving what is probably the world's greatest link between its primordial past and the space age. Once gone, this great treasure house of nature could never be rejuvenated.

THINGS ARE HAPPENING TO GLASS

Mr. BYRD of West Virginia. Mr. President, an old adage says that people who live in glass houses should not throw stones. But science is making such strides that perhaps one day soon people may actually live in glass houses—and be able to throw anything they want to without damaging the structure. Already school windows smashed by hoodlums are being replaced by a tough new glass that is virtually impervious to anything that can be thrown at it. A great saving to the taxpayers who must pay for such vandalism will thus be brought about.

These remarks, Mr. President, are made to call attention to interesting article entitled "Look What's Happening to Glass," published in the Reader's Digest for December, an article that I found informative and stimulating, especially in view of the importance of the glass industry in my State of West Virginia. The versatile material that we call glass is filling an ever-widening variety of needs and uses.

Glass windshields that balloon outward when struck are saving lives in automobile accidents. Fiber-optic bundles permit doctors to examine organs inside the human body without surgery. Light, cheap throwaway bottles, newly perfected, are making it possible for glassmakers to compete again with metal cans. And glass under water vehicles far stronger than steel may soon provide a new means for exploring the ocean depths.

Glass, once thought of as fragile, Mr. President, can now be made so tough that it is used for the nose cones of missiles. In space, as on earth, the usefulness of glass appears almost limitless.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Reader's Digest, November 1967]

LOOK WHAT'S HAPPENING TO GLASS!

(By Raymond Brady)

One day soon, a vandal in New York City may get the surprise of his life. He is going to throw a rock at a school window. This time, however, the rock will likely bounce off the glass harmlessly. The reason? New York school officials have a "new weapon"—glass that is five times stronger than ordinary window glass.

Now being installed in the city's new schools and to replace broken windows, this glass will cost about three times as much as ordinary glass, but will ultimately save the city a substantial part of the $1 million a year that is now spent to replace broken windows. Manufacturers claim it will reduce breakage by at least 75 percent.

Most of us think of glass only as the transparent, fragile material we've been familiar with in our windows, bottles and tumblers. But it is now appearing in many new forms. There is glass which is six times harder than steel. There is glass cloth as soft as silk. Glass that bends is used in the rear windows of some convertibles. "Thirsty" glass in transistors soaks up the tiniest trace of moisture that would short-circuit delicate mechanisms in our guided missiles. "Man has been making glass for 4500 years," says Amory Houghton, Jr., chairman of the Corning Glass Works. "But we have only begun to recognize its infinite variety and fundamental usefulness."

The new look in glass is part of the industry's do-or-die effort to keep up with competing developments in other fields. In the 1950's, the increasing use of throwaway cans and paper containers for beer, soft drinks and milk began to cut sharply into the market for glass. The trend toward practically windowless office buildings (to lessen maintenance and air-conditioning costs) cut it still further. Worried glass manufacturers began to study their product for possible technological improvement.

Nobody has ever produced anything else quite like glass. Mix lime, soda and sand, heat them, and you have a primitive form of it. The process is so simple, and the elements are so plentiful, that if the earth ever is consumed by fire it will end up as one huge ball of glass.

But under a microscope, this simple material is a maverick. Unlike most substances, glass has no orderly structural pattern: its molecules are arranged at random. This structural peculiarity makes it possible to drop other particles in among the glass molecules to change its whole nature.

At the turn of the century, American families used to collect "dessert glass"—old bottles and pieces of glass that had turned a rich purple from long exposure to the sun. Remembering the maverick glass molecules, scientists attempted to duplicate the action of the sun, with chemicals. They came up with photosensitive glass that will take on a picture of even the most intricate image or pattern. This glass can be utilized in a printing process.

A close relative is photochromic glass, which in sunlight turns dark, but in darkness returns to its normal clearness. Up to now the only consumer items made from photochromic glass have been sunglasses, because scientists have been unable to make thicker, darker glass clear up in less than a matter of hours. But once they find a way to speed up the process, the glass will start doing all sorts of new jobs. Windows, for example, can be made to act like automatic shades, darkening or lightening with the changes in the day. And automobiles that have bubble tops will comfortably shade passengers on even the brightest days.

One of the strangest of the new glasses was developed by accident. A scientist left a piece of photosensitive glass in an overheated oven. As he gingerly lifted it out, the glass slipped from his tongs and fell to the floor. Instead of breaking, it bounced! The intense heat had turned it into a tough glass ceramic, which today flies as the nose cones of missiles because it is able to stand the intense heat of re-entry into the atmosphere. Inside the missile, glass circuit boards hold the components for the intricate guidance system. They can be made as small as a thumbtack; yet they can also stand tremendous amounts of shock and heat.

Research into other uses for tough glass suggests that in the future we may live in glass houses. Contractors already have started to use it as a siding for small buildings. It never has to be painted; the color is baked right in, and a driving rain washes it bright as new.

Another variety of glass is making cars safer. Accident studies showed that the most serious injuries from windshields came not when the victim's head hit, but when the head snapped back through the jagged edges of broken glass. This was true even with laminated safety glass. Making the windshield of hard, unbreakable glass would be no improvement. After extensive cooperative work, the glass companies provided an answer: laminated glass and plastic, thicker and more adhesive than ordinary safety glass, yet just as clear.

Recently, I watched as engineers dropped a five-pound ball onto one of these new laminated windshields from 20 feet. When the ball hit, the glass smashed, but instead of flying apart it ballooned out like bubble gum, with most of the broken glass sticking to the plastic. Windshields of this glass are now standard on all new U.S. cars, and in a study of 200 accidents only one person was found to have gone through it.

In medicine, thousands of lives may be saved by a glass that looks like a long, flexible strand of spaghetti. This is the fiber-optic bundle. It consists of hundreds of thousands of hair-thin glass fibers, each of which transmits light *along its length*. Look into one end and you see out the other, even if this magical glass cord is tied in a loose knot and the other end is around a corner!

In the past, doctors have been able to examine a heart valve only through delicate, open-heart surgery. Now, in experiments on animals, they're inserting a fiber-optic catheter through a vein or artery, right into the heart. Magnifying lenses can be used with the optic, or a photograph can be taken through it. Doctors are already using the optic to diagnose gastric disorders, easing it down patients' throats to examine the stomach walls.

In an effort to recapture markets it had lost, the glass industry tried desperately to make a bottle that was as strong as ever, yet light and cheap enough to be thrown away after use. Research showed that, although glass is inherently strong, the smallest nick or weakness anywhere substantially reduces the strength of the whole. Experiments indicated that the part of a bottle most susceptible to damage is its sidewall. So now glass companies are making one-way bottles that are a marvel of engineering. They are lighter and cheaper than ever, but their bulging shoulders and heels reduce the chance of impact on the sidewall. Meanwhile, the industry has developed a chemical coating which helps prevent those tiny nicks and surface cracks that weaken glass.

To counteract the trend toward windowless buildings, manufacturers have added metallic oxides to window glass. The glass then reflects sun and heat, thus cuts down on air-conditioning bills. Coloring agents have also been added, causing the windows to glow with a beautiful, metallic sheen.

Glass is expected to play one of its most dramatic roles in the coming search for mineral wealth on the ocean floor. For glass has a quality known as "depth hardening." Whereas metal plate must be made thicker to bear the pressure of 4500 pounds per square inch that exists at a depth of 10,000 feet, the same force pushing on glass *adds* to its strength. This is because glass breaks only under tension—when its molecules are torn apart.

Under water, subject to equal compression from all sides, the molecules of a glass sphere are pushed tighter together, actually strengthening the sphere. In testing this, the Navy set off an explosive charge near a ten-inch hollow ball of half-inch-thick glass 20,000 feet beneath the sea. The charge rocked the waiting ship above, but when the ball was brought to the surface there was not a mark on it.

Now at China Lake, Calif., the Navy is building a globe-shaped glass vehicle for underwater use. It will open up like a clamshell, to let two passengers in and out. Researchers hope to travel to a depth of three miles in these vessels. They will have far greater visibility than travelers in metal submarines; yet they can feel safe, knowing that their transparent walls are not "fragile as glass" but harder than steel.

ADOPTION OF CONVENTION ON POLITICAL RIGHTS OF WOMEN WILL CONTRIBUTE TO EFFECTIVENESS OF UNITED NATIONS

Mr. PROXMIRE. Mr. President, our country has a tradition of concern for the dignity of mankind.

If we refer back to the day of independence and its pronouncement of those "certain inalienable rights," it is obvious that this Nation has been in the forefront of the battle for the protection of human rights under the rule of law.

The question, then, is: Why do we stall and ignore these same human rights on the international scale? It was on July 22, 1963, that President John Fitzgerald Kennedy transmitted to the Senate the Convention on the Political Rights of Women for its advice and consent.

The provisions of article I, the right of women to vote on equal terms with men, reflects the principle established by the 19th amendment to our Constitution which provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Furthermore, articles II and III set up the eligibility of women to be elected and to be appointed to public office established by "national law." All these articles concur with the principles of our Constitution.

The ratification of the Convention on the Political Rights of Women will be consistent with our Federal Constitution and will not alter the existing balance between the Federal and State governments and most certainly will contribute to the effectiveness of the United Nations.

Some detractors might state that the ratification of this treaty is therefore unnecessary. The fact remains, however, that in many sections of our world women do not share similar rights.

Through the U.N. we have a responsibility for the rights of citizens in other nations of the world.

The United States has been the world leader in the battle for political rights for approximately two centuries. There is no conflict between the Federal and State governments, yet the ratification of this agreement is not approved by the Senate.

If we fail to ratify this convention, we shall be moving further along a sad road of abdication of leadership in the area of international human rights.

PRESIDENT DE GAULLE DESERVES OUR CONTEMPT: FRANCE SHOULD HONOR ITS WAR DEBTS BY PAYMENT TO US

Mr. YOUNG of Ohio. Mr. President, evidently Charles de Gaulle envisions himself as Napoleon IV. He has delusions of grandeur. His fulminations during his latest so-called press conference were incredible and virtually unbelievable for the Chief of State of a great nation. The only thing he accomplished was a further devaluation of his prestige and credibility and the display of the near bankruptcy of French foreign policy. As President of France he is a disgrace to France, a nation with a great history and noble tradition.

De Gaulle's efforts to undermine the dollar are futile. The dollar will remain strong with or without gold convertibility. Many of his own countrymen and leading newspapers in France have protested the outrageous conduct of President de Gaulle and his distortions of reality. It is unfortunate that the French Chief of State has created an artificial rift between France and the United States which for centuries have been allies and friends.

We Americans throughout our history have not forgotten our debt to France for her assistance during our War for Independence. Millions of young Americans in two World Wars fought and many, many thousands were killed in combat fighting to preserve the independence of France and the liberties of its people. More than 60,000 of our countrymen never returned and will remain in French soil forever. That sacred soil will be forever American because of our heroic dead buried there.

Mr. President, France still owes the United States nearly $7 billion in unpaid World War I debts. The interest mounts each year. In addition, we have given France almost $10 billion of taxpayers' money in foreign aid since the end of World War II. Instead of concerning himself about the soundness of the U.S. dollar and futilely trying to bring about a devaluation of U.S. currency, De Gaulle would do well to think of repaying to us this enormous debt which should have been repaid years ago. Of course, he can never replace the priceless lives of the hundreds of thousands of young Americans who were killed in combat or died of wounds received in rescuing France from defeat and disaster.

De Gaulle's statements on French responsibility for the "liberation" of Quebec and his assertion that Israel must bear the entire responsibility for the Mideast crisis were not only shocking but wildly irresponsible. The French President's ranting on these subjects suggests either a particularly bizarre sense of humor or a total isolation from current realities. They contributed nothing to world peace. They added to world turmoil and tension.

Mr. President, it has been suggested that consideration be given to banning French imports, American travel to France, and American investments in French industry during such time as the French leader continues to evidence his personal hostility toward the United States and all American citizens. Perhaps this is unrealistic. However, there is no reason why our Government officials should continue to treat De Gaulle with kid gloves, with generosity or with respect.

Mr. President, the world is constantly changing, but Charles de Gaulle's ideas remain fixed. He has succeeded in doing nothing more than further demonstrating the devaluation of the French nation as a constructive force in the world.

ROBERT S. McNAMARA—A NATION'S DEBT TO A REMARKABLE CITIZEN

Mr. HART. Mr. President, it will be many years before we can appreciate fully the extraordinary contribution of Robert Strange McNamara to our country and to the world. Yet I would like to put on the RECORD my own judgment of what we—and the world—owe to this remarkable American.

All of us know that Robert McNamara turned his back on a sizable personal fortune in order to serve his country. He had been president of the Ford Motor Corp. for only a few short months when President John F. Kennedy asked him to come to Washington. So it was precisely at the moment in his career when he could have begun to reap great material rewards from his business success that he entered public life.

How many, confronted with the same alternatives, would have responded so decisively and so generously to the call of duty.

He has been our Secretary of Defense for nearly 7 years. In that time, he has revolutionized our Defense Establishment. He has done more, in my opinion, to assure the soundness of our national defense than any other single man in American history.

Any brilliant, strong-minded manager invokes criticism—and McNamara has had his share.

But the recent spate of speculative stories on a rift between the Secretary and President Johnson is wholly gratuitous.

There is no rift; there are no differences. After seven hard and worthwhile years at the Pentagon, Secretary McNamara is going to direct his ability to the area of economic and social development.

To appreciate the magnitude of his achievement in 7 years at the Pentagon, one must look back to the condition of our Defense Establishment before McNamara took office.

I am sure many of us can still vividly recall the endless series of newspaper columns, magazine articles, and scholarly analyses which alleged that the principle of civilian control of the military was in dire jeopardy; that the Department of Defense was too big for one man to run; that no future Secretary of Defense could ever hope to master the situation.

If Robert Strange McNamara had done no more than disprove this alarming thesis, the country would be eternally indebted to him. But he did far more: He not only managed our Defense Establishment; he turned it into the mightiest, most flexible, and most carefully controlled instrument of national policy ever possessed by any nation. Let me recite just a few of his contributions.

The Defense Establishment which Secretary McNamara took in hand in 1961 was based on a strategy of massive nuclear retaliation as the answer to all military and political aggression. McNamara believed in a strategy of controlled, flexible response—a Defense Establishment versatile enough to meet force with appropriate force across the whole spectrum, from guerrilla subversion to all-out nuclear war. We did not have this in 1961.

There are many more things we have in the Defense Establishment which we did not have in 1961. And they are the result of this man's intelligence and genius and his close warm relationship with Presidents Kennedy and Johnson.

We bid him not goodbye, but good luck and warm wishes from a Nation eternally in his debt.

FEDERAL AID TO EDUCATION

Mr. MOSS. Mr. President, one of the first bills I cosponsored when I came to the U.S. Senate 9 years ago was a Federal aid to education bill. I have cosponsored or supported every major education bill which has been before this body since that time, including the Elementary and Secondary Education Act of 1965, which this bill before us today amends and extends.

But never before have I supported a measure with more enthusiasm than this one, because it recognizes a principle for which I have long fought, and which is important to my State of Utah. This is the principle which holds that States which make the greatest effort to educate their children with their own resources should be rewarded for this effort—and not penalized.

For years Utah has been at the top of the roster of States in the portion of its per capita income which it spent for education. Last year also we put a larger percentage of our State and local expenditures into education than any other State. But since these herculean efforts to give our children a good education have resulted in a high expenditure for each school child, we have received far less in Federal aid than States which have far larger per capita incomes than we have, but who are unwilling to devote as much of them to education.

In a recent editorial entitled "Who Pays the Piper," the Deseret News pointed out, somewhat truculently:

> Utah ranks far down the list—37th among the 50 states—in the percentage of its total school revenues received from Federal sources. States in much more favorable positions to pay for their own public education are receiving a great deal more help in percentage of their total state budgets than does Utah. The Beehive state has for years ranked among the first three states in the nation in efforts to pay its own way—a fact in which Utahans may take just pride.
>
> All of which points up still another cause for concern over Federal aid: that the states which get the most help are all too often those which make the least local effort.

Well, the Deseret News may temper any concern it has in this respect about Federal aid if the Senate bill on Elementary and Secondary Act amendments prevails because the committee has wisely and rightfully provided a bonus for the effort which a State makes to educate its children, and under this provision Utah would receive $1,224,693, in fiscal 1968 over and above the funds now granted to it under title I.

This new provision will be very satisfying to a State which, although below the national average in per capita income, has put such emphasis on education that it leads the Nation in the number of years its citizens attend schools, that it has one of the lowest percentages in illiteracy in the Nation, that it is fourth from the top of the States in the number of its Selective Service draftees who qualify mentally, and that for many years has had a larger percentage of its students go on to college than any other State.

There are many other provisions in the bill which the Senate Labor and Public Welfare Committee reported which will be pleasing to Utah. Because of the elimination of certain deductions in the impacted area program, Utah school districts which are eligible for Public Law 874 assistance will receive some $204,000 more in fiscal 1968 than they have now.

The amendments to the present program relating to the education of the handicapped, migratory and other disadvantaged children will also be welcome in Utah. Some $441,997 in additional funds will be available to the State under these amendments in the fiscal year 1968.

Since under the present law Utah receives $2,967,000 for grants to the counties under the poverty formula and $75,000 for State administrative expenses, I estimate that under the bill as reported by the Senate Labor and Public Welfare Committee, the State will receive a total of almost $5 million in title I funds alone.

Other programs in the bill, including grants for school library material, supplementary educational centers and services and for strengthening State educational departments will provide an additional $2 million for the State, making a total of over $7 million in fiscal 1968 which can be used to strengthen various facets of the Utah elementary and secondary school system and its administration.

I commend the committee also for its efforts to meet what is undoubtedly one of the most frustrating aspects of Federal aid allocations to the schools—that of reconciling school budget and congressional appropriation cycles. It is most difficult for school officials to do sound planning when they are constantly faced with late funding for their programs, and when they therefore have no idea how much money they will have to work with. I feel that the proposals in title IV to iron out these problems make good sense.

I well recognize that there is considerable controversy over the changes the committee has recommended in the administration of title III grants to improve educational ideas, practices and techniques in our elementary and secondary schools. I have long believed that greater authority to select and approve innovative programs should be vested in the State educational agencies and have so testified before the Senate Education Subcommittee on two different occasions.

But I do realize that a change in the administration of these programs will have to be made gradually—that it cannot come about abruptly as the House recommends, simply because there are too many programs already funded and underway or ready for funding. It seems to me that the Senate proposal, which would, over a 3-year period, turn over to the State educational agency the authority for two-thirds of the projects is a fair compromise. It recognizes the primacy of the State claim—that the State agency is in a better position to make a judgment on whether a project would be consistent with the overall State educational plans and programs—but it also takes cognizance of the fact that we are dealing with an ongoing program which cannot be turned about in 6 months or a year without disrupting a lot of planning which has been done and work which has been started.

The Federal aid to education program is generally popular and well accepted in the State of Utah. Our schools—already of a very high caliber—are better for it. We have been able to undertake projects for their improvement we would not have been able to afford otherwise.

There is still some fear that Federal aid will bring Federal control—although this concern has lessened as the programs have continued in operation. In this respect, I was most interested in results of the study made by the House Subcommittee on Special Education under the able guidance of its chairman, Representative EDITH GREEN, of Oregon.

Mrs. GREEN announced the results of a question put to State commissioners of higher education, chief State school officers, local public and private school administrators, and student financial aid officers as to whether the Federal prohibition against "direction, supervision, or control" was being adequately or reasonably observed. The returns revealed:

One hundred percent of the States commissioners of higher education said, "Yes."

Seventy-eight percent of the chief State school officers said "Yes."

Ninety-six percent of the student financial aid officers said "Yes."

Seventy-eight percent of the local school administrators said "Yes."

And 95 percent of the independent school administrators said "Yes."

I think this is rather conclusive evidence that the fear of many during the debate on Federal aid to education bills that they would result in control of our public schools was not valid.

It is undoubtedly true, as Mrs. GREEN has been at great pains to point out, that Federal involvement does influence State, local, and institutional policy decisions, since there must be guidelines and reporting provisions and matching requirements placed on a Federal program, so that the Congress may know that its intentions are being carried out. We must work continuously to see that these influences do not affect the freedom of the State and local school officials to educate the children in a State or district in accordance with the wishes of the local people.

Mr. President, I commend the committee for the excellent bill which has been reported, and hope that the Senate will pass it promptly.

CYRUS VANCE: PRESIDENT JOHNSON'S EMISSARY OF PEACE

Mr. YARBOROUGH. Mr. President, President Johnson's special emissary during the Cyprus confrontation, Cyrus Vance, has announced that peace between our two allies, Greece and Turkey, has been safeguarded, and tensions have been reduced.

In a grueling week of constant shuttling between Ankara, Athens, and Nicosia, Cyrus Vance acted as President Johnson's envoy for peace.

As a result of his efforts, the parties no longer look at each other down the barrel of a gun but prepare once again to join hands as NATO's southernmost allies.

The historic settlement, hammered out with the able assistance of a special United Nations mediator and NATO Secretary General Manlio Brosio, is a defeat for no party and a victory for all who value peace.

NATO is again a firm European alliance from north to south. The rights of both Greek and Turkish Cypriots will be protected. And peace between allies has been preserved.

Cyrus Vance's mission of peace demonstrates to the world President Johnson's deep concern for peace and evidences the fruitful results of patient negotiation, rather than needless conflict.

The Johnson administration, its tireless emissary, and all parties concerned, have handed the world a diplomatic triumph which we can look upon with pride.

The Senate is proud of the President and proud of Cyrus Vance.

TRIBUTE TO SUCCESSFUL RESOLUTION OF CYPRUS CRISIS

Mr. PELL. Mr. President, I should like to pay tribute to the judgment of President Johnson and the achievement of the emissary he appointed, Cyrus Vance, in arranging what appears to be an effective resolution of the crisis in Cyprus. By taking the initiative for peace as has President Johnson and because of Mr. Vance's painstaking and patient efforts, an equitable formula has been been arrived at whereby Greece will withdraw the menacing presence of some 10,000 troops on the island, while Turkey pulls back the equally menacing presence of an invasion force on the mainland.

I salute President Johnson for the leadership for peace he has demonstrated in this Cyprus crisis.

In a more personal vein, I have known, like, and admired Cyrus Vance since considerably before he came to Government.

He is a man utterly without pretense, who is singularly devoted to accomplishment and possessed of great talent and stamina. His performance in the Cyprus crisis was altogether typical of his resourcefulness and his capacity for indefatigable attention to the problem at hand.

Mr. President, Cyrus Vance has a distinguished record of public service dating back to his service in this body 10 years ago as special counsel to the Preparedness Subcommittee of the Armed Services Committee. From that post he rose successively to be general counsel for the Department of Defense, Secretary of the Army, and Deputy Secretary of Defense. I am sure that many Members of this body shared my disappointment when he left Government service earlier this year. His reemergence on the public scene with such distinction is especially encouraging at this time when we face the prospect of a change of command at the highest level of our defense establishment. His record and his achievements recommend him highly for any future assignment to a position of the highest trust. In this connection, I ask unanimous consent that there be printed at this point an article from today's New York Times entitled "A Turnabout in Ankara."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A Turnabout in Ankara—Vance's Efforts for Accord on Cyprus Bring Marked Shift in Turkish Views

(By Sydney Gruson)

ANKARA, TURKEY, November 30.—When Cyrus R. Vance arrived last week as President Johnson's envoy in the Turkish-Greek crisis over Cyprus, there was a howl of rage in the Turkish press.

Mr. Vance was dismissed as a "nondescript lawyer" and the papers vied with each other for the nastiest phrases to damn the United States. Stronger than most but nevertheless an accurate reflection of nonofficial Turkish opinion, was an editorial in the pro-Government, mass-circulation Istanbul paper Hurriyet.

"This is enough, Johnson," it said. "As a nation, as youth, as press, as people, we are shouting at the top of our voices! This is enough! We are really and truly fed up with Johnson's actions.

"We have seen once again that America is not our true friend, that she is a supporter of Hellenism and an aid to Athens, whatever its regime. For God's sake, leave us alone. Withdraw your envoy and get out."

Hundreds of students and young intellectuals were at the airport and on Ankara's streets to demonstrate against Mr. Vance.

PRESS REFLECTS CHANGE

Today, with a settlement apparently reached, the press reflected the great change that has come about in the week during which Mr. Vance, scarcely sleeping, shuttled between Ankara and Athens reconciling the two countries' needs and demands.

The "nondescript lawyer" of last Thursday had become, in the words of one of today's papers, the "experienced and qualified statesman" who was not only trying to solve the immediate crisis but was also seeking a "permanent and basic solution" to the Cyprus problem.

The editorials also spoke of President Johnson's wise choice of an envoy, of Turkey's friends in the State Department, of America's "sense of fair play and of the United States' avoiding its mistakes of the past."

The fact that Turkey has mostly had her way in the settlement is the major factor in the turnabout, but Mr. Vance's tactfulness, his fairness and determination were being acknowledged by Turkish officials even before the settlement was in sight. Some of this is finally beginning to seep down to the public from the press.

INCREDIBLE PATIENCE

Mr. Vance kept himself away from newsmen throughout the delicate negotiations. Turkish and American officials who saw him at work were particularly impressed by what one American described as his "incredible patience" in fitting together the bits and pieces of an eventual agreement.

He showed great stamina in commuting between Athens and Ankara. One of his aides estimated that Mr. Vance averaged 2 hours and 20 minutes sleep a day during the first five days of his mission. By Tuesday, it was beginning to show in the lines of his face.

He catnapped between negotiating sessions, shaved when he could and once got off his plane at Ankara with shaving cream all over a pocket of his overcoat. He had forgotten to replace the cap on the tube of shaving cream.

There is widespread agreement that the Vance mission has cut considerably into the legacy of distrust of the United States that was left by President Johnson's methods in keeping the Turks from invading Cyprus in 1964.

When the 1964 crisis was on the verge of exploding into war, Mr. Johnson sent not an envoy but a letter to Premier Ismet Inonu in language considered so harsh that it might have been addressed to a hostile rather than to an allied country.

The letter threatened that if Turkey invaded, the obligation of the North Atlantic Treaty Organization to defend her against Soviet aggression would be withdrawn. It warned against using any United States equipment supplied under military aid agreements and it implied that Turkey could become responsible for another world war.

That dispute had been building up from the glory communal fighting on Cyprus in December 1963. George W. Ball, then Under Secretary of State, toured the area in the spring of 1964. He calmed but could not suppress the fierce passions on both sides.

GOODWILL UNDERCUT

Mr. Vance had more leverage. The Greeks in 1964 were united behind a political government; now they are under a military dictatorship that has divided the armed forces, the politicians and the public.

In the 1964 crisis, however, the Greeks had few regular army forces on the island. Mr. Vance was negotiating with a Greek Government that had on Cyprus thousands of well-equipped troops that could have badly bloodied an invader, whatever the final outcome of the fighting.

The President's letter of 1964 had a profound effect on Turkish attitudes toward the United States. It undercut the goodwill built up by the Truman Doctrine of 1947, which helped strengthen Turkey and Greece against communism, and by the huge amounts of aid under the Marshall Plan and afterward.

The letter did something else, something much more difficult for Turks to define. They thought it struck at their national honor.

INTENSE PASSIONS EMERGE

One American here put it this way: "They consider that they had lost some of their manhood and they won't really be satisfied until they prove themselves again."

At the height of the latest crisis, a Turk said to an American visitor: "We have to go to war to show that you cannot stop us—that we have a say in our own fate."

But even if hundreds of Turkish lives are lost? the American asked.

"Yes," replied the Turk. "That will be a small price to pay."

Intense passions come out during a crisis, pushing to the background the warm relationships that exist between the Turks and the 25,000 Americans here in American diplomatic and aid missions and North Atlantic Treaty Organization installations.

Mr. Johnson's letter also dates the beginning of Turkish diplomatic efforts to improve relations with the Soviet Union. Premier Aleksei N. Kosygin and Premier Suleyman Demirel have since exchanged visits. Soviet economic aid now is in evidence here and cultural exchanges have been arranged for the first time since World War II.

American diplomats here do not mind, since the efforts do not conflict with the North Atlantic alliance policy of détente with the Soviet Union. Besides, one letter, no matter how nasty it may have been considered, does not match the long history of warfare between the Turks and Russians.

Mr. PELL. In conclusion and returning to the subject of Greece, I stress my trust that there will be no flagging in the increasing efforts of our administration to persuade Greece to return to a constitutional form of government as quickly as possible and that there has been no weakening in this regard by our administration as a result of the resolution of the Cyprus crisis.

PRAISE DUE CYRUS R. VANCE

Mr. BYRD of West Virginia. Mr. President, as many as of us are aware, the very real possibility of war between the Governments of Greece and Turkey over the island nation of Cyprus has apparently been averted.

Much of the credit for the abatement of tensions is due to President Johnson and his special envoy, Cyrus R. Vance, former Deputy Secretary of Defense.

Mr. Vance was dispatched to the Middle East on November 22 and shuttled back and forth between the Greek capital of Athens and the Turkish capital of Ankara in a dedicated effort to avert a resort to arms.

If recent news reports are correct, it appears he has been successful in his mission.

A war between Greece and Turkey would have been a tragedy. Both of these nations are U.S. allies and both are members of NATO. In the days after World War II, when the Communists threatened to take over both of these countries, we were able, through the Truman doctrine, to rescue them.

Admittedly the situation in Cyprus is a difficult one, and I shall not comment on the merits of the dispute. However, I am glad that reason has prevailed, for there are many recourses to a situation other than war.

I think all Americans can be greatly indebted to Cyrus Vance. But, we in West Virginia can take some additional pride, because Cyrus Vance is one of our own, having been born in Clarksburg, W. Va.

Cyrus Vance's role has been that of mediator. It is a task that is totally demanding, thankless, wins no prizes, and little recognition. Yet, Cyrus Vance can be proud in the knowledge that because of his dedicated efforts, the men and women of two great nations, Greece and Turkey, have been spared the anguish and torment of war.

We can be justly proud of Cyrus Vance, and we can also be proud of our President for constantly seeking peace in the world.

CITY OF NOISE

Mr. CLARK. Mr. President, the New York Times of Sunday, November 26, 1967, contained a most interesting and significant editorial under the headline, "City of Noise."

Although the city of noise to which it refers is New York, it would be a mistake to assume that noise is peculiarly a New York problem. Whether in fact the Times is right in characterizing New York City as "probably the noisiest city of what is undoubtedly the noisiest country in the world," the fact remains that noise pollution is a great and growing menace to the health and well-being, and perhaps even the sanity, of every one of us.

I salute my colleague from New York, Senator ROBERT KENNEDY, for pointing out the need to control the generation of excessive noise at the source. The problem of sonic booms—which will be greatly aggravated if and when the proposed SST is built—is only the most dramatic example of the price we must pay for the widespread indifference of persons in positions of responsibility to the rights of the individual to a quality environment. And to me, the words "quality environment" mean clean streams, pure air—and a little peace and quiet.

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CITY OF NOISE

New York City is probably the noisiest city of what is undoubtedly the noisiest country in the world—a country where 97 million automobiles contribute to the din by screeching brakes, noisy engines, tooting horns; where 75 jet airports make life miserable for nearby residents; where a multi-billion-dollar construction industry is allowed to operate unmuffled because it is cheaper that way.

The City Council is now at long last holding hearings on a proposed new building code that will contain comprehensive noise-control provisions. Great Britain, Germany, Sweden, the Netherlands and the U.S.S.R. have all developed strong codes of this nature in recent years. New York can learn from their experience. But, as Senator Robert F. Kennedy has pointed out, a great deal more will have to be done to cope with the noise menace than to develop an improved building code. Steps will have to be taken to control unnecessary noise at its source.

The first and most essential factor, however, is for Americans to realize that noise is not just an unpleasant annoyance, to be endured as part of the price of progress. It is a threat to health, not too dissimilar from air or water pollution, and determined efforts are needed to keep it within reasonable bounds.

PRAISE FOR PRESIDENT JOHNSON'S PEACE EFFORTS IN THE NEAR EAST

Mr. MONTOYA. Mr. President, President Johnson's emissary for peace on the Cyprus confrontation has secured peace between our two trusted allies, Greece and Turkey.

In a frenzied week of constant negotiations involving Nicosia, Ankara, and Athens, Cyrus Vance, with incredible patience and admirable stamina, fitted together the bits and pieces of an honorable settlement.

Under the tentative agreement, Greek and Turkish troops will be removed from Cyprus, the independence of Cyprus will be protected, and preparations for war will be ended.

But President Johnson and Cyrus Vance have not only helped to solve the immediate crisis, they have laid the foundation stones for a permanent solution to the longstanding Cyprus problem.

President Johnson chose one of his most trusted advisers—because the stakes for world peace were enormous. Greece and Turkey together form the southern link of our NATO defenses. Now, instead of locking fists in war, they will again join hands to protect the peace.

President Johnson chose his envoy well. When Cyrus Vance began his mission of peace, the atmosphere was charged with tension. In 1 week, his innate fairness, tactfulness, and determination to settle for nothing less than peace, defused one of the most dangerous situations of this decade.

When a tragic war is averted by an honorable solution, there are no losers, for the world has won a measure of peace.

Cyrus Vance performed his duty in the best spirit of American fairplay. He has carried President Johnson's prayers for peace with a dignity that reflects favorably on our President and the Nation. The United States—and nations the world over—owe Cyrus Vance a large debt of gratitude.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 710, H.R. 7819.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. MORSE. Mr. President, I ask unanimous consent that the majority and minority staff members of the Committee on Labor and Public Welfare, whose presence on the floor of the Senate is needed by spokesmen for both the majority and the minority in connection with the consideration of the Elementary and Secondary Education Amendments of 1967, have permission to be on the floor of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I have the honor to open debate today on a most significant educational bill, H.R. 7819, the Elementary and Secondary Education Amendments of 1967.

Because it is the view of the committee that the making of legislative history on this bill is of great importance in regard to future reference, I, as chairman of the subcommittee, propose to make the opening speech without yielding for interruption. After the legislative history speech has been made I want Senators to know that I shall welcome interruption, because I have but one desire and that is to clarify any part of the bill that in the opinion of any Senator needs clarification, and also to work out in colloquy with Senators on the floor of the Senate legislative history that will give us an understanding at least as to the intent of the committee and the intent of the manager of the bill speaking for the committee as to the meaning of any section of the bill.

I think Senators know that discussions that have already taken place off the floor of the Senate in regard to this bill make it of essential importance that such colloquies take place today so that we will remove any question as to the meaning of the bill from the standpoint of its legislative intent.

It is my hope that such colloquies will make it possible for us to iron out differences and reach understandings as to the administrative policies which will be followed by the Department of Health, Education, and Welfare in connection with administering the various parts of the program covered in the bill.

I also want to say to some colleagues with whom I have been consulting during the past several days, that although we are proceeding with consideration of the bill on the floor of the Senate this morning, conferences with Department of Health, Education, and Welfare are proceeding at the same time. Other members of the committee and other Members of the Senate and the staff on the committee are, this morning, in consultation with the Department of Health, Education, and Welfare in an endeavor to see if we can reach an agreement for administrative practices related specifically to the deferral of funds which will be more acceptable to some Members of the Senate who have a great many reservations about the bill in respect to that particular item.

I hope that such an understanding can be reached during the day. With that explanatory note, Mr. President, I now proceed to present the speech of legislative history on this most important elementary and secondary education bill.

Before I discuss it, however, I wish to pay tribute to the chairman of our full committee, the most distinguished senior Senator from Alabama, **Lister Hill**, who on Monday, November 6, set a standard for all to emulate by successfully bringing through this body four measures of major importance. The action of the Senate in accepting the recommendations of our committee as presented by our chairman on such important pieces of legislation augurs, I hope, well for consideration of the further educational legislation the committee now brings to the Senate.

In particular, because it is so closely related to the bill before us, I should like to observe that the further extension and expansion of the Library Services and Construction Act is a measure which commands great support in my State. Recently I had the opportunity to visit libraries which have been built under the provisions of the act in Coos Bay and elsewhere. I know that they will prove to be invaluable community assets, particularly to the young men and women in these areas who will use them as a prime educational resource in the furtherance of their studies.

In commenting upon the passage of this bill let me also pay tribute to the quality of testimony that has come before the Education Subcommittee when library concerns were before us. It is just such factually based advice that permits us to have confidence in solutions which are proposed and so although I salute Senator **Hill**, I salute also the dedicated men and women in every State of the Union who are devoting their lives to organizing and making available to the rest of us our cultural heritage.

BACKGROUND OF LEGISLATION

I turn now to H.R. 7819 as reported from the Committee on Labor and Public Welfare, and to Senate Report No. 726, which accompanied it to the floor.

The report and several volumes of the hearings are on the desks of each Senator. I shall be referring to the hearings during the day. It is with a great deal of pride, expressed on behalf of my subcommittee and the full committee, that I invite the attention of the Senate to the reports. I have managed a good many education bills through the Senate, but I have never brought to the floor a set of reports which, in my judgment, were better than the report and the volumes on the hearings now on the desk of each Senator—11 altogether.

Therefore, if anyone has the slightest doubt as to the care with which my committee has handled this piece of legislation, I offer the 11 volumes as my exhibit in rebuttal.

I know of no education bill which has been more thoroughly considered. I say this not only on behalf of the committee but also on behalf of the many witnesses who gave us of their expertise when they submitted their judgments, their views, and their evidence in regard to the various sections of the bill. For, after all, the educational groups, the various associations and individual educational experts, as well as the Department of Health, Education, and Welfare, all of them working together, have given us a set of volumes which is going to make my task much easier than it otherwise would be, because I feel that I will be able to turn to one volume or another and provide the questioner in the Senate not with my answer but the answers of the experts who have already answered their questions in the hearings, the record of which is before each Senator.

To recapitulate briefly, last January I had the honor of introducing for the administration S. 1125, the bill proposing to amend various statutes covering Federal programs for our elementary and secondary schools. A similar measure was introduced on the House side.

Our first hearings were held on May 25 and on June 23, 1967. In these hearings testimony was taken on the bill and upon other measures, including those introduced by the distinguished majority leader and the junior Senator from the State of Montana [Mr. **Metcalf**]—now presiding over the Senate—the distinguished Senators from Idaho, and the distinguished junior Senator from Wisconsin. These latter proposals related to improvements in our school disaster legislation, amendments to the impacted areas legislation and amendments designed to provide further emphasis to the use of auxiliary personnel in the elementary and secondary school system.

I mention this, Mr. President, because in those hearings and as the result of our further hearings of July 24, 25 and 26, August 7, 9, 10, 11, 14, 15, and 16, and in our final public hearing on September 18, 1967, during which testimony on all phases of the bills as introduced was elicited, we have substantially modified and in our judgement, improved the bill as introduced and as it passed the House in the form of H.R. 7819 on May 24.

In the interim, the Educational Professions Development Act of 1967 passed the Senate and became law on June 28. In it we incorporated elements originally in S. 1125 relating to a further extension and amendment of the Teacher Corps program as well as elements originally in the Higher Education Amendments of 1967, S. 1126.

Our hearings record in printed form the evidence in support of the bill which, as I have already said, is on each Senator's desk. Eight volumes of the nine which have been printed of our education hearings this year, together with the appendix containing communications on various matters covered by the legislation, constitute the hearings record upon which we rely in urging acceptance of H.R. 7819 as reported.

Mr. President, I ask unanimous consent that there appear at this point in my remarks the short summary of the principal provisions of the bill which are contained in Senate Report No. 726.

There being no objection, the summary was ordered to be printed in the Record, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee. the following changes would be made in existing law:

Part A of title I of H.R. 7819 would:

I. Provide that sums allotted to the State under the terms of the Labor-HEW appropriations act would be distributed within the State according to the following priorities:

1. The State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions would be allocated their maximum grants without any ratable reduction.

2. Every county within each State would be allocated an amount equal to its allocation in the preceding fiscal year for grants to local educational agencies within each county.

3. Every State educational agency would receive for administrative expenses 1 percent of the amounts allocated to State agencies and counties as provided in paragraphs 1 and 2, above, with a minimum of $150,000 to every State.

4. Any amounts remaining after allocations are made as described in paragraphs 1, 2, and 3 would be allocated in accordance with computations under the present formula ($3,000 low income factor—State option of one-half State per-pupil cost or one-half national per-pupil cost—AFDC).

II. Add technical and conforming amendments to title I to bring migrant, neglected and delinquent children formula factors into conformity with the other title I programs.

III. Add provisions (contained in the House bill as passed).

1. Increasing from $75,000 to $150,000 the dollar limitation for State administrative expenses;

2. Authorizing joint training programs for title I ESEA education aids and professional staff;

3. Requiring that caseload data used in the computation of the formula be that of the month of January for the preceding fiscal year; and

4. Authorizing studies by the Secretary of Health, Education, and Welfare to set forth the impact upon educational systems of children living in public housing units, and by the Commissioner of Education and the Secretary of Commerce to set forth recommendations concerning methods of calculating entitlements under title I for future years.

IV. Add provisions relating to the rules, regulations, guidelines and other published interpretations or orders issued by the Department of Health, Education, and Welfare to assure that such issuance shall contain citations of the legal authority upon which based and to assure uniform application and enforcement throughout the 50 States; and

V. Add technical amendments concerning definitions and the redesignation of section numbers, and

VI. Add in section 108 of H.R. 7819, as title I of ESEA, at a cost not to exceed $50 million a year a new program of special incentive grants to be distributed among those States whose educational effort exceeds the national educational effort. Such payments, however, may not in the case of any State exceed 15 percent of the total amounts appropriated for this purpose in any year.

The committee also adopted in modified form a House provision for the purpose of determining whether a local educational agency is in compliance with the provisions of Public Law 88–352, the Civil Rights Act of 1964.

In part B the committee has adopted the House provision extending for a 2-year period expiring provisions of the school library title of ESEA relating to schools for Indian children and Department of Defense overseas dependent schools. Title II ESEA, in other respects, would be extended for 3 fiscal years, as will all other titles of ESEA.

In part C of title I of H.R. 7819, which relates to supplementary educational centers and services under ESEA, the committee has adopted the House format of changing the existing program from a Federal into a State plan State grant operation. In doing so, however, it modified the House provision by:

(1) providing for a 3-year transfer period from the present pattern of operation to the proposed pattern of operation commencing in fiscal year 1969 under which for fiscal year 1969, $33\frac{1}{3}$ percent of the funds appropriated would be released directly to State educational agencies, in fiscal year 1970, 50 percent of funds appropriated would be available, and finally in fiscal year 1971 this amount would rise to $66\frac{2}{3}$ percent of the funds appropriated. In each year the remaining percentage of the funds would be administered by the Commissioner of Education as under existing law. The formula for apportioning funds among the States, however, remains that of existing law and was not disturbed either by the House or by the Senate committee. Fifteen percent of the amounts appropriated would be earmarked for title III programs for handicapped children.

(2) providing for the establishment and funding within the State educational agency of State advisory councils whose functions would include:

(a) Advising the chief State school officer on the preparation of the State plan for administration of title III grant moneys transmitted to the State.

(b) Reviewing annually the State plan and upon the basis of the review recommending to the chief State school officer modifications or amendments to the State plan.

(c) Reviewing applications received and upon the basis of such review recommending to the chief State school officer the disposition to be made of the applications and maintaining records of applications received.

(d) Annually reviewing for the purposes of evaluation the approved plans and programs funded under the authority within the State, transmitting its report upon the evaluation of plans and programs to the chief State school officer and to the National Advisory Council, together with its recommendations, based upon its analysis of the operations of the program, for such changes as in its judgment it believes to be warranted in the basic statute, the State plan, and the State or the National procedures governing the title III area.

(e) Based upon its evaluation and review procedures, selecting among programs funded, those which, in its judgment, it believes to be of an exemplary character. Arranging through the chief State school officer for appropriate dissemination of such programs to bring them to the attention of local educational agencies within the State, and through the National Advisory Council, to the attention of local educational agencies throughout the United States.

(3) Providing in parallel fashion for a change in the status of the present Advisory Committee on Supplementary Educational Centers and Services which currently is appointed by the Commissioner of Education by reconstituting it as a Presidentially appointed National Advisory Council on Supplementary Centers and Services, which is charged with the duties of (a) advising the Commissioner on the preparation of regulations; (b) reviewing the administration and operation of title III; (c) evaluating programs and projects carried out by the Commissioner; and (d) annually transmitting to the Congress its report containing recommendations for such legislative and administrative changes as it deems desirable.

Modest increases over the present $500 million authorization for title III are provided through increments of $25 million over the previous year's authorization for each of the 3 years the program is extended.

In part D of title I of H.R. 7819, are to be found amendments to title V of ESEA, concerned with strengthening State departments of education. Here the committee modified a House provision deleting the present 15 percent reservation of funds to the Commissioner by transferring it to the States. It did this by reducing the reservation for the Commissioner to 5 percent of the funds appropriated, while specifying that 10 percent of the appropriated funds would be henceforth transmitted, through the State educational agency, to local educational agencies for the purpose of strengthening their operations. In doing so, the committee left unchanged the $65 million authorization for fiscal year 1968 and the $80 million authorization for fiscal year 1969 of the House version of the bill. In conformity with the standard pattern of extending the duration of the titles, however, the committee added an authorization for $80 million for fiscal year 1970 and one of $85 million for fiscal year 1971.

The committee also, on the basis of testimony taken, and amendments submitted by Senator Nelson, broadened the uses to which title V funds may be put through the addition of a new paragraph encouraging the use of auxiliary personnel such as teacher aides in elementary and secondary schools.

The major addition to the House provisions on title V was the adoption by the committee, as a new part B of title V of ESEA, of an administration program providing for comprehensive planning grants to the States in the amount of $15 million for fiscal year 1968 and $20 million for each of the fiscal years 1969, 1970, and 1971 to carry out programs for the systematic planning and evaluation of education within each of the States.

Grants under part B of title V would be made on the basis of applications submitted through the State educational planning agency. The Commissioner is further authorized to make contracts or grants to public or private nonprofit agencies for specific projects to be conducted on an interstate regional or metropolitan area basis for planning of education in metropolitan areas covering more than one State.

Coverage under title V was further broadened by the committee to permit grants to be made to interstate commissions such as the Appalachian Regional Commission.

In part E of H.R. 7819 are to be found amendments to title VI, ESEA, relating to education of handicapped children. The committee, as in the House bill, adopted administration recommendations providing for regional resource centers dissemination of information in the area of special education. $7.5 million is provided for regional resource centers in fiscal year 1968, $8 million for fiscal year 1969, $10 million for fiscal year 1970, and $12 million for fiscal year 1971. The committee further established additional centers and related services for deaf-blind children authorized to be funded at $1 million for fiscal year 1968, $3 million for fiscal year 1969, $7 million for fiscal year 1970, and $9 million ending June 30, 1971.

In the captioned films for the deaf program (which hereafter will include all handicapped) authorizations were raised from $5 million to $8 million for the current fiscal year and fiscal year 1968 and from $7 million to $10 million for subsequent fiscal years.

In part F of title I of H.R. 7819 relating to the title containing general provisions applicable to ESEA the committee has:

(1) added to the presently authorized dissemination of information program funded at $2 million for fiscal year 1968, a new program of technical assistance to rural areas and provided authorization for funding of the combined program at $3.5 million for fiscal year 1968, $3.7 million for fiscal year 1969, $4 million for fiscal year 1970, and $4.2 million for fiscal year 1971, and

(2) added a new 3-year program of demonstration projects to prevent dropouts starting in fiscal year 1969 at yearly authorized appropriations of $30 million. (Under this program the Commissioner is authorized to arrange by contract or grant with local educational agencies for funding of programs in schools in urban areas having a high percentage of educationally deprived children to carry out, through innovative methods, systems, and materials those programs which show promise of reducing the number of children who do not now complete their education in an elementary or secondary school.)

In title II of H.R. 7819 which relates to federally impacted areas under Public Laws 815 and 875, the following changes are recommended: Adoption of language relating to:

(1) clarification of definitions,

(2) effective date provisions,

(3) extension of Public Law 89–313, the School Disaster Act.

(4) administration proposals modifying provisions relating to school construction assistance on Indian lands under Public Law 815,

(5) deletion from Public Law 874 of provisions requiring that certain contributions be deducted from entitlements under that act.

(6) the Chamizal international boundary change, and

(7) repeal of provisions requiring the use by States of mandatory group rate provisions under Public Law 874.

Further, the Commissioner of Education was provided, with discretionary authority to waive certain requirements of Public Law 815.

The committee estimates, upon advice from the Office of Education, that the total cost would be under $10 million annually for the foregoing changes.

The committee, while extending for a 3-year period the major school disaster provisions of Public Law 89–313, has further expanded these provisions to provide protection to schools in communities which may in the future suffer pinpoint disasters such as fire, flood, hurricane, earthquake, storm, or other catastrophe. The loan program, which provides for replacement of facilities, would be invoked upon the certification of the Governor of the State that the pinpoint disaster had occurred and that loan assistance is needed, in addition to State and local funds which are available, to meet the emergency.

In title III of H.R. 7819 are contained authorizations for programs under the bill and the duration of such programs.

Under title IV of H.R. 7819 may be found committee recommendations (1) to provide specially for funding advance planning of programs, and evaluation of programs, so as to promote effective use of program funds, and (2) to meet the problem of reconciling school budget and congressional appropriation cycles to provide a sound basis for planning and operation of educational programs, at the elementary and secondary levels. The first proposal would authorize, for each fiscal year for which program appropriations are authorized, appropriations for expenses (including grants, contracts, or other payments) for (1) planning for the succeeding year and (2) evaluation of programs. The second proposal, essentially, would permit the President to submit to the Congress, and the Congress to enact in one fiscal year his funding recommendations for education legislation for the next fiscal year; in the initial year of this system, appropriations for the succeeding year would be included in the appropriation Act for the current year. If these budget estimates were approved by the Congress, expenditures would not take place until the fiscal year designated. The action of the Congress and the President in approving advanced funding, it is the committee's hope, would stabilize a difficult situation which has caused much concern to State and local educational agencies, institutions of higher education, and others who must plan and make commitments in one fiscal year for expenditures in the next fiscal year.

Title IV would also require, not later than March 31 of each year, evaluation reports from the Secretary of Health, Education, and Welfare upon the effectiveness of programs under provisions which have been authorized and funded. The evaluation report filed in the penultimate fiscal year for which appropriations are authorized under a program would have to cover comprehensively the entire life of the program; the authorization of the program would be automatically extended for 1 year at the previous year's level if the legislative process authorizing or declining to authorize an extension of the program had not been completed by the end of the session in which the comprehensive evaluation report is filed.

Title IV of the bill also provides that if, by May 15 of any year, the appropriation for carrying out title I of the Elementary and Secondary Education Act of 1965 during the succeeding fiscal year has not yet been enacted, the Commissioner may execute grant agreements for such succeeding fiscal year but only at the current appropriation level.

Appropriations for any fiscal year for payments to educational agencies or institutions under any of the acts specified in title IV of the bill could be made available for expenditure by the agency or institution on the basis of an academic or a school year if this differs from the fiscal year.

The operation of title IV of the bill is limited to titles I, II, III, V, VI, VII, and VIII of the Elementary and Secondary Education Act of 1965 and the Adult Education Act of 1966.

Under title V of H.R. 7819, the Adult Education Act of 1966 is extended with authorization for funding of $70 million for fiscal year 1969, $80 million for fiscal year 1970, and $90 million for fiscal year 1971. Modifications of the act relate to the inclusion of the Trust Territories of the Pacific Islands with a Federal share of 100 percent and the provision of at least $100,000 to each State with the Federal share for such programs set at 90 percent.

Under title VI of H.R. 7819, the committee has authorized the Secretary of Health, Education, and Welfare, and the Secretary of Transportation to make a study and fund demonstration projects in the field of schoolbus safety at an authorization of $1 million.

Under title VII of H.R. 7819 the committee is recommending a program of bilingual education funded at $15 million for fiscal year 1968, $30 million in fiscal year 1969, and $40 million for fiscal year 1970 and 1971. The amendment would amend the Elementary and Secondary Education Act by adding a new title VII to the act to establish bilingual programs through financial assistance to local educational agencies having a high concentration of children with limited English-speaking ability.

Mr. MORSE. Mr. President, three major problems confronted the committee during its markup sessions. I propose to discuss briefly each of the problems and the proposed resolution of those problems prior to a more detailed presentation of the many more minor provisions of the bill.

The first problem concerns title I of Public Law 89–10, the Elementary and Secondary Education Act of 1965, as amended. The authorization for funding of title I will expire on June 30, 1968. As the statute is now written, the formula contained in the statute would generate an authorization for an appropriation in the magnitude of approximately $2.4 billion for this fiscal year. Unfortunately, the administration in its budget estimates requested only $1.2 billion.

Our colleagues in the House committee, noting the change in the flow of funds between the States which would occur as the result of the activation of one of the components of the formula sought to mitigate the disturbances which would occur at the local educational agency level by providing in their bill that if the appropriation for fiscal year 1968 were not fully funded, then the formula would revert to the formula which controlled the funds allocation in fiscal year 1967. That was the bill as it came from the House committee.

On the floor of the House, however, the bill was amended. One of the amendments restored to title I of Public Law 89–10 the formula factor which gives to the States for the purpose of computing the amounts received either one-half the State per pupil cost of education or one-half the national average per pupil cost. In effect, the formula that came to us in the House-passed version of H.R. 7819 was a hybrid formula which neither reflected the situation which prevailed in fiscal year 1967 nor would it reflect the terms of existing law.

The House Appropriations Committee, and their action was concurred in by the Senate in sending to the President the conference report on the Labor-HEW appropriations bill for this fiscal year, sought to remedy the funds transfer flow between the States that the formula in H.R. 7819, as it passed the House, would entail, by providing a savings clause in the appropriations bill, the effect of which was to insure that each State in fiscal year 1968 would receive at least what that State had received in fiscal year 1967.

This could be done since the funds actually appropriated in fiscal year 1968 were some $150 million more than were appropriated for fiscal year 1967.

In our hearings and in our committee markup sessions were explored further the results which would flow from the actions that had been taken by the House committee, by the floor action of the House, and by the appropriations action of both houses for the current fiscal year. We found, as is set forth in two committee prints which are available to every Senator, that unless further modification of the title I formula was made, although interstate transfer of funds would be minimized as the result of the savings clause in the appropriations bill, the various components of the formula within each State would initiate a transfer of funds among the various counties in each State, with the result that many of the local educational agencies would be faced with budgetary problems by the congressional actions taken.

In order to minimize the within-State transfer of funds, we requested and received language which assures that each county will receive at least what it received in fiscal year 1967, with some counties receiving slightly more. The matter is discussed in our committee report, first in the short summary and later in the body of the report under the heading "Adjustments When Necessitated by Appropriations."

I ask unanimous consent that these two excerpts from the committee report plus the section-by-section analysis covering the amendments under section 208 be printed at this point in my remarks.

There being no objection, the excerpts and analysis were ordered to be printed in the RECORD, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

Part A of title I of H.R. 7819 would:

I. Provide that sums allotted to the States under the terms of the Labor-HEW appropriations act would be distributed within the State according to the following priorities:

1. The State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions would be allocated their maximum grants without any ratable reduction.
2. Every county within each State would be allocated an amount equal to its allocation in the preceding fiscal year for grants to local educational agencies within each county.
3. Every State educational agency would receive for administrative expenses 1 percent of the amounts allocated to State agencies and counties as provided in paragraphs 1 and 2, above, with a minimum of $150,000 to every State.
4. Any amounts remaining after allocations are made as described in paragraphs 1, 2, and 3 would be allocated in accordance with computations under the present formula ($3,000 low income factor—State option of one-half State per-pupil cost or one-half national per-pupil cost—AFDC).

* * * * *

Adjustments when necessitated by appropriations

The committee recommends amendments to section 208 (relating to adjustments necessitated by appropriations) designed to mitigate the impact of the title I fiscal year 1968 appropriation for title I, which is only $147 million more than the appropriations for fiscal year 1967. Under existing law, the low-income factor effective for fiscal year 1968 is $3,000. In addition, beginning in fiscal year 1968 States which are below the national average in per-pupil expenditures receive title I allocations on the basis of the national average per pupil expenditure instead of the State average per-pupil expenditure.

If the maximum grants computed under the authorization formula are prorated down to the funds level appropriated, certain changes take place in the relative allocations of various school districts. In addition, the increased numbers of children counted under the $3,000 formula has produced the side effect of reducing the per-pupil amount available for the State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions. Fortunately the HEW appropriations bill for fiscal year 1968 provides that the aggregate allocations in no State will be any less in fiscal year 1968, than allocations for the preceding fiscal year. This reduces to a minimum interstate transfers of funds for fiscal year 1968 which would otherwise have occurred.

The committee recommends language providing that when the sums appropriated are insufficient to fund fully all maximum grants—

1. The State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions will be allocated their maximum grants without any ratable reduction.
2. Every county in each State will be allocated an amount equal to its allocation in the preceding fiscal year for grants to local educational agencies within each county.
3. Every State educational agency will receive for administrative expenses 1 percent of the amounts allocated to State agencies and counties as provided in paragraphs 1 and 2, above, with the minimum specified in section 207(b) ($150,000 to every State).
4. Amounts remaining after allocations are made as described in paragraphs 1, 2, and 3 shall be allocated to local educational agencies and to State educational agencies for administrative expenses in accordance with computations under the formula in section 203(a)(2).

The $3,000 low-income factor and the option to the State to choose either one-half the State per pupil expenditure or one-half the national average per pupil expenditure in existing law are retained even though the budgeted sums for title I fall below the maximum grant authorization approximately $2.4 billion is authorized compared with $1.2 billion appropriated for fiscal year 1968.

The amounts generated by the formula under existing law, which is not modified by the proposed amendment, bear no 1-to-1 relationship to the number of children to be served by local educational agencies. The latter is, and remains, the number of children participating in programs carried on in schools serving high concentrations of educationally deprived children.

The committee therefore does not expect there will be any dilution in the quality of programs funded. It hopes that the impact upon children participating in them will be strengthened. A program designed to provide more individualized attention for educationally deprived children (for example, a higher ratio of aides and other educational personnel per pupil) should not be expanded to cover more children merely because of the changed low-income factor if this would defeat the purposes of intensive educational effort when the sums available for the program are but slightly greater than for the preceding year.

The number of children participating in a local program should be based on the need to be served with the funds available rather than on the hypothetical numbers of children counted under the formula for computing maximum grants.

A mere proration of funds defeats the ends of the act. In providing to each county greater certainty by assuring that it will first receive allocations equal to the amounts allocated to local educational agencies within such county during the preceding year, the committee desires to provide some flexibility within the county, not only because school district boundaries may change but also to take into account shifting low-income population patterns. Beyond such considerations, however, the committee expects that a school district will be allocated first an amount equal to its allocation for the preceding year, and then its pro rata share of that county's allocations over and above the previous year's allocation. Among the reasons the committee did not specify in the amendment to section 208 that the adjustments would go down to school districts is that it desired to avoid rigidity and to fit the formula to the availability of census data, which is not always available at the school district level. Further, in the committee view, the role of the State education agency under the act ought not to be circumscribed. Under the reported bill no change is made in the important responsibilities exercised by the State educational agencies in selecting criteria governing title I participation of school districts within the county.

Where more recent satisfactory data is available on the various components which comprise educational deprivation which is appropriately applicable to school districts within counties, the State educational agency under the statutes can use such data in making subcounty allocations in order to assure that funds go to school districts in proportion to their current need. Thus, there may be some shifts of allocations among school districts within counties under these conditions.

SECTION-BY-SECTION ANALYSIS

Section 107. Adjustments where necessitated by appropriations

Section 208 of the act is amended to provide that when the sums appropriated are insufficient to fund fully all maximum grants—

(1) The State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions will be allocated their maximum grants without any ratable reduction.

(2) Every county in each State will be allocated an amount equal to its allocation in the preceding fiscal year for grants to local educational agencies within each county.

(3) Every State educational agency will receive for administrative expenses 1 percent of the amounts allocated to State agencies and counties as provided in paragraphs 1 and 2, above, with the minimum specified in section 207(b) ($150,000 to every State).

(4) Any amounts remaining after allocations are made as described in paragraphs 1, 2, and 3 shall be allocated for grants to local educational agencies and for administrative expenses to State educational agencies in accordance with computations under the formula in section 203(a)(2).

Mr. MORSE. Mr. President, I further ask unanimous consent to have printed at the conclusion of my remarks an appendix to my statement as appendix A, the county-by-county tables showing the amounts which would be received under the formula in existing law as modified by the county savings clause.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See appendix A.)

Mr. MORSE. Mr. President, for comparison purposes, I ask unanimous consent that as appendix B there be printed at the conclusion of my remarks the county-by-county tables showing the effect of the $2,000 family income factor without the county savings clause.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See appendix B.)

Mr. MORSE. These two appendixes will permit an analysis of the merits of this part of the measure before the Senate.

The problem was complicated by one amendment to title I of Public Law 89-10 which was in the House bill. This amendment raised the administrative expenses for the operation of title I programs from the present minimum of $75,000 per year to $150,000 per year.

In hearings and in executive session, we were advised that in fiscal year 1967, because funds requested were insufficient to fully fund the authorization, some of the programs we had added in 1966 would not receive full entitlement. Among these programs were those operated or supported by State educational agencies providing funds to residential schools for handicapped children, State educational efforts on behalf of the children of migratory workers, and neglected and dependent children.

It was our view in committee that, since these groups constitute a comparatively small proportion of the total number of youngsters to be benefited, they should have first call on our resources. That is why the county savings clause provision as set forth in the excerpts from the committee report provided that the sums allocated to States will be distributed within the States in accordance with a priority which will allocate maximum grants without ratable reduction to the State institutions educating handicapped, migratory, neglected, and delinquent children; secondly, that each county would be allocated an amount equal to its allocation in fiscal year 1967 for grants to local educational agencies within each county; third, that of the amounts remaining, the minimum of $150,000 would be allocated to every State and that sums remaining would then be allocated in accordance with the formula which comprises the factors of $3,000 family low income, the option of either one-half State per pupil or one-half the national average per pupil cost and the number of AFDC children in families whose income exceeds $3,000 a year.

Frankly, what we tried to do—and I think we accomplished it—was to take the points of view of the many Senators who talked to us about this troublesome problem and work out a formula which in its composite did the best that could be done to accommodate the needs of the Senators.

I do not have to tell the Presiding Officer of the Senate [Mr. METCALF] or any of my colleagues in the Senate that, when a bill is brought to the floor of the Senate, if it is going to result in some Senators being faced with the reality that the formula means a reduction in their States for education purposes from what the States received either at the county-to-county level or at the State level or a reduction in the funds the State received the year preceding, then one is headed for a little trouble on the floor of the Senate.

One thing I think I have made clear on the floor of the Senate is that I try to accommodate Senators on a fair solution to their problems, consonant with the objectives of a piece of legislation.

I am rather proud of the formula we have worked out. It is not going to satisfy every Senator. We will hear of it before the day is over. But one thing I am sure of, and that is that my committee could not have done a better job, in my opinion, of trying to work out reasonable compromises of a very complex situation than we have worked out in the formula I have just explained to the Senate.

The second problem in title I is of a different order. It relates to the administration of the program by the Office of Education and it refers specifically to the rules, regulations, and guidelines issued by the Office of Education in its administration of title I provisions.

There were three amendments to the basic act in H.R. 7819 in the form that it passed the House which related to this problem. Two of the amendments, which are to be found in section 2 of H.R. 7819, our committee accepted without change and in our report, under the heading of "Section 2 of H.R. 7819 Comment" there appears this language:

> Among the most significant of the House bill provisions which the committee accepted without change in the reported bill are those found in section 2 concerning the rules, regulations, and guidelines issued by the Secretary of Health, Education, and Welfare, and by the Office of Education. The committee deems section 2 to be of major importance in the exercise of its legislative oversight functions and in the continuing discharge of this responsibility it will expect to receive at an early date evidence in the form of revised issuances containing the required citations as to the authority under which such issuances have been released. The committee wishes to clarify any misunderstanding that may exist. In the committee view section 2 is of broad applicability to all statements concerning the administration of programs authorized or amended by H.R. 7819. Each and every issuance now outstanding must be revised to include the required citation and each issuance hereafter must embody it.
>
> Section 2 speaks of "other legal authority." By this is meant that in addition to the statutory or court order basis which is paramount, there may be cited also where appropriate, an Executive order imposing a duty upon the Secretary or the Department or its constituent officers or agencies. In the committee view a citation of only legal opinion of departmental counsel would not meet the requirements of the section.

In section 158 of the House bill as it passed the House of Representatives, there appeared language offered by Representative WHITENER which would have modified section 182 of title I of Public Law 89-10. The committee considered carefully the thrust of this amendment and agreed with the intent expressed, but it felt that the provision as drafted, and as it passed the House, opened undesirable areas of ambiguity. It therefore amended the language in section 112 of the reported bill which amended the language of section 182 of title I of Public Law 89-750.

The Whitener amendment in the House-passed bill reads as follows:

> Section 182 of title I of Public Law 89-750, Eighty-ninth Congress, is amended by striking the period at the end of section 182, inserting a comma therein and adding the following language: "*Provided,* That compliance by a local agency with an order or decision of a Federal court with respect to student or faculty assignment policies within such agency shall entitle such local agency to receive funds under the provisions of this Act and compliance by said local agency with such court order or decision will constitute compliance with title VI of the Civil Rights Act of 1964."

It is our belief that in its amended form the language of section 112 of the reported bill more precisely accomplishes the objective to be achieved. It reads as follows:

> Section 182 of title I of Public Law 89-750, Eighty-ninth Congress, is amended by striking the period at the end of section 182, inserting a colon therein and adding the following language: "*Provided,* That for the purpose of determining whether a local educational agency is in compliance with title VI of the Civil Rights Act of 1964 (Public Law 88-352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with such title VI, insofar as the matters covered in the order or judgment are concerned."

One further amendment made by the House in H.R. 7819 was considered by the committee and it was our decision to delete it from the reported bill. This is the Fountain amendment. By this amendment the House sought to undo the conference agreement in this area contained in the 1966 amendments to the Elementary and Secondary Education Act.

Senators will recall that this area was one in which after many long and difficult sessions a conscionable compromise accepted by both House and Senate was achieved. We feel that this area is one that was well resolved in the 1966 conference and further that the testimony taken this year does not provide us with a basis for modification.

We propose therefore to go into conference without the language contained in section 3 of H.R. 7819 which passed the House, fully aware that this area must be fully considered but, on the whole, hopeful that we can persuade our colleagues in the conference committee from the House side that the bill we report from conference and to the President for signature will be one which does not contain the Fountain provision.

Other title I changes made in the reported bill include in section 108 a new program which, at a maximum cost of $50 million a year would provide incentive grants to those States whose educational efforts exceed the national educational effort as measured by the index set forth. I ask unanimous consent that portions of the committee report in the short summary and in the body of the report under the heading "Special Incentive Grants for Educational Effort" be printed in the RECORD at this point.

There being no objection, the excerpts from the report (No. 726) were ordered to be printed in the RECORD, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

> If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:
>
> Part A of title I of H.R. 7819 would:
>
> * * * * *
>
> VI. Add in section 108 of H.R. 7819, as title I of ESEA, at a cost not to exceed $50 million a year a new program of special incentive grants to be distributed among those States whose educational effort exceeds the national educational effort. Such payments, however, may not in the case of any State exceed 15 percent of the total amounts appropriated for this purpose in any year.
>
> *Special incentive grants for educational effort*
>
> In Public Law 89-10 as originally enacted, provision was made for incentive payments to be made to local educational agencies whose educational effort, as measured by the resources available to them devoted to elementary and secondary education met or exceeded 105 percent of their previous year's effort. This provision was deleted in the 1966 amendments to the act, before the provisions became fully effective, because of the unanticipated problems which would have occurred as it was then drafted had it been retained.
>
> During the course of hearings on H.R. 7819 many witnesses were queried concerning the desirability of restoring the concept to title I. In executive session amendments were offered which persuaded the committee to reinstate the concept in the form submitted by the minority.
>
> The recasting of the concept in terms of the effort index of a State as compared to the national average index, with payments being based upon the number of children enumerated under the title I entitlement factor times the product of $1 for each one-hundreth of 1 percent the State effort index exceeds the national average effort index with a ceiling of $50 million for the Nation as a whole, would seem to have met many of the objections previously voiced.
>
> The incentive grant concept as now constructed is designed to encourage State and local effort in school funding by offering a bonus to States which exceed the national effort index based on the percent per child income used within the State to support public schools.
>
> The formula devised uses the basic entitlement factors of title I and it is the expectation of the committee that State educational agencies will concentrate the uses of the funds provided in those schools within the State having high concentrations of educationally deprived children.

Mr. MORSE. I further ask unanimous consent that table IV entitled "Estimated Amounts Under Section 108 of H.R. 7819 To Provide for Special Grants Under Public Law 80-10," be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IV-A.—*Estimated amounts under sec. 108 of H.R. 7819 to provide for special grants under Public Law 89-10*

[Estimated State amounts] [1]

50 States and District of Columbia	$50, 000, 000
Alabama	2, 953, 769
Alaska	560, 387
Arizona	1, 569, 472
Arkansas	1, 026, 301
California	7, 034, 141
Colorado	1, 347, 622
Connecticut	0
Delaware	122, 992
Florida	2, 098, 931
Georgia	0
Hawaii	290, 170
Idaho	0
Illinois	0
Indiana	696, 020
Iowa	411, 600
Kansas	0
Kentucky	0
Louisiana	6, 636, 744
Maine	0

See footnote at end of table.

TABLE IV-A.—*Estimated amounts under sec. 108 of H.R. 7819 to provide for special grants under Public Law 89-10*—Continued

[Estimated State amounts] [1]

Maryland	$179, 659
Massachusetts	0
Michigan	884, 987
Minnesota	3, 258, 272
Mississippi	3, 679, 771
Missouri	0
Montana	765, 623
Nebraska	0
Nevada	96, 346
New Hampshire	0
New Jersey	0
New Mexico	4, 099, 262
New York	1, 081, 562
North Carolina	464, 921
North Dakota	524, 227
Ohio	0
Oklahoma	1, 720, 694
Oregon	921, 948
Pennsylvania	0
Rhode Island	0
South Carolina	952, 081
South Dakota	867, 045
Tennessee	0
Texas	0
Utah	1, 224, 693
Vermont	9, 808
Virginia	3, 428, 408
Washington	662, 923
West Virginia	0
Wisconsin	0
Wyoming	429, 631
District of Columbia	0

[1] Amounts estimated on basis of "one dollar per each 0.01 per centum" by which "a State's index exceeds the national effort index" and the sum of the 5-17 population, low-income factor, $3,000 per annum AFDC (January 1967); migratory children of migratory agricultural workers (F.T.E., 1965-66); children in foster homes (public) January 1967; dependent and neglected children (May 1967); juvenile delinquent (May 1967). estimated A.D.A. handicapped children 1965-66. Effort index based on estimated total expenditures for public elementary and secondary education from all sources, 1966-67 and total personal income, 1966.

Mr. MORSE. This table sets forth the estimated amounts which would accrue were this provision to be fully funded in this fiscal year.

I wish to make it quite clear from the standpoint of legislative history that the amount authorized for this purpose is over and above the amounts authorized by the formula under title I and ought to be requested separately. It was not our intent in taking this amendment to diminish amounts to be appropriated for other provisions of title I.

At this point, Mr. President, I should like briefly to discuss amendments which appear in the House bill and were accepted by the Senate. These were not taken from the House bill; rather, the committee considered carefully an amendment proposed by the distinguished Senator from Wisconsin [Mr. NELSON] which incorporated these amendments, together with an amendment he offered to title III of Public Law 89-10.

The committee heard excellent testimony from the Senator from Wisconsin and from witnesses on behalf of the totality of his amendment. In the committee markup sessions a consensus evolved that the substance of the amendment had much merit but that the realities of the budgetary situation were such that it would be exceedingly difficult this year to further expand the teacher aide concept, other than by the expansion of which we could almost be assured of acceptance in title I and the title V ESEA companion.

No one regrets more than I do that as floor manager of this bill I came most reluctantly to this conclusion, and I wish to commend the distinguished junior Senator from Wisconsin for the magnificent presentation of his concept and to assure him that at other times it is my hope that the budgetary squeeze will be less and that we will be able to more fully realize the goal we share. That goal is to expand our teacher aides on a wide scale to all public elementary and secondary schools over and beyond the 73,000 such aides who are now employed under title I, in the title I schools.

Many of us share the conviction of the junior Senator from Wisconsin that aides could assist the teacher in countless ways. They could relieve the teachers of all monitorial duty before and after school, and during lunch time and recess time. Aides could do much of the clerical work that teachers perform, such as marking papers and collecting materials and similar tasks. Aides especially qualified could work under the supervision of the teacher in the classroom to help those students in need of individual attention, and students that have fallen behind in various subjects.

Aides would have been recruited from among housewives, some of whom might have had a college background, and from other personnel such as retired teachers who would devote part of the day to such work.

There remains in the Senate bill the House-passed language to strengthen the provisions of the training of aides under title I and title V of Elementary and Secondary Education Act. Maximum cooperation is required between the aides and the teaching staffs during the training period.

At this point, Mr. President, I should like to say a word about the duration of programs under the various titles of Public Law 89-10 and the Adult Education Act of 1965. We had accepted from the House the 2-year extension of those provisions of the act relating to the education of Indian children and Department of Defense overseas schools. In all other respects we held to a series of 3-year extensions. This was dictated by our desire to give as much assurance as possible to school districts throughout the country on the duration of the elementary and secondary programs and the authorized level of funding we hope will govern the appropriations process in each of those years.

In our wish to meet this criterion we further have authorized studies to be made upon matters of obtaining more rapidly precise caseload data factors. We have also in title IV of H.R. 7819, of which I shall speak later, provided for a mechanism which we hope will help to bring into consonance the budgetary cycle of the local school district and the appropriations cycle of the Congress.

Mr. President, in title II of Public Law 89-10, the title which is concerned with library resource materials for all schoolchildren, we have extended the program with moderate increases each year for the 3-year period. I ask unanimous consent that at this point in my remarks there appear excerpts from Senate Report No. 726 covering the title II program.

The ACTING PRESIDENT pro tempore. Without objection, the excerpts were ordered to be printed in the RECORD, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

Part A of title I or H.R. 7819 would:

* * * * *

In part B the committee had adopted the House provision extending for a 2-year period expiring provisions of the school library title of ESEA relating to schools for Indian children and Department of Defense overseas dependent schools. Title II ESEA, in other respects, would be extended for 3 fiscal years, as will all other titles of ESEA.

* * * * *

TITLE II, ESEA, COMMENTS CONCERNING TEXTBOOKS, LIBRARY BOOKS, AND OTHER INSTRUCTIONAL MATERIALS

For the second year, States and localities are spending more than $100 million for the basic tools of education—school library resources, textbooks, and other instructional materials. Title II was enacted in response to an overwhelming and well-documented need.

More than two-thirds of the public elementary schools had no libraries and more than 80 percent of those with libraries lacked trained librarians.

Public school levels of 6.2 library books per pupil and $2.28 annual expenditure for books per pupil were below the recommended professional standards of 10 books and a $4 to $6 per pupil annual expenditure for books.

The committee is pleased that funds from title II have helped schools meet this need. State plans indicate that:

3,637 new public school libraries were established.

49 million students and 1.9 million teachers in public and nonpublic elementary and secondary schools now have access to books and materials acquired with Federal assistance.

Five percent, or a minimum of $50,000, of each State's allotment is available for administrative expenses. In addition to meeting administrative costs, State educational agencies are using these funds to conduct workshops, to provide consultant services, and to prepare publications for inservice teacher education in selecting and utilizing instructional materials. The committee heard testimony that 27 States are developing instructional materials centers for demonstration and evaluation, and 19 States have added school library supervisors to their staffs.

The ESEA Amendments of 1966 added Indian children enrolled in schools operated by the Bureau of Indian Affairs and children enrolled in overseas dependent schools operated by the Department of Defense to those children served by title II.

This year, more than $125,000 will be spent to provide textbooks, library books, and other instructional materials for Indian children. Provisions for BIA and DOD schoolchildren were authorized for only 1 year. To insure the continuance of the program and to make the authority consistent with the rest of the title, the committee proposes program extension through fiscal year 1969.

In recommending an extension of the basic title II authorization through fiscal year 1971 the committee recognizes that this area of ESEA authority has attained widespread public acceptance and that it has provoked far less controversy than some feared at its inception. The committee congratulates all parties who have worked together in achieving the record of progress that has been made.

Mr. MORSE. Mr. President, with title III of Public Law 89–10, the supplementary educational services and centers title, we meet a third great problem.

In the House bill as it came to us title III of the present act was superceded by a State-grant-State-plan program, 100 percent federally financed but administered in its entirety in terms of the funds appropriated, through State educational agencies.

Our committee had been aware of the long-range need to transfer from the Office of Education this program. Senators will recall that in the 1966 amendments to the act, we proposed, and the Senate approved, a 25-percent reservation of title III funds for administration by the State educational agency. We were unable to convince our colleagues in conference as to the wisdom of this provision.

Subsequently, the 1966 amendments enacted into law left with the Office of Education the responsibility for administering on a project basis all funds appropriated for the title.

It is on this previous history that our present recommendations are based. We feel, as we expressed in the report, that a transition should take place in the administration of title III. Our recommendations are that the transition take place in an orderly fashion over a 3-year period, with increasing responsibility in each year being placed upon the State educational agency.

We therefore propose that for fiscal year 1969, one-third of the funds appropriated; in fiscal year 1970, 50 percent of the funds appropriated; and in fiscal year 1971, 66⅔ of the funds appropriated for the title be administered by State educational agencies.

Concomitantly, we have sought to provide a mechanism which will bring as directly and as objectively as possible to the Congress an evaluation of the programs funded under this title, together with recommendations from every State in the Union as to further changes which ought to be made in this title.

Our committee report on title III is most comprehensive. I ask unanimous consent that at this point in my remarks excerpts from the short summary and the body of the committee report and the section-by-section analysis relating to title III be printed.

The ACTING PRESIDENT pro tempore. Without objection, the material will be printed in the Record, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

Part A of title I of H.R. 7819 would:

In part C of title I of H.R. 7819, which relates to supplementary educational centers and services under ESEA, the committee has adopted the House format of changing the existing program from a Federal into a State plan State grant operation. In doing so, however, it modified the House provision by:

(1) providing for a 3-year transfer period from the present pattern of operation to the proposed pattern of operation commencing in fiscal year 1969 under which for fiscal year 1969, 33⅓ percent of the funds appropriated would be released directly to State educational agencies, in fiscal year 1970, 50 percent of funds appropriated would be available, and finally in fiscal year 1971 this amount would rise to 66⅔ percent of the funds appropriated. In each year the remaining percentage of the funds would be administered by the Commissioner of Education as under existing law. The formula for apportioning funds among the States, however, remains that of existing law and was not disturbed either by the House or by the Senate committee. Fifteen percent of the amounts appropriated would be earmarked for title III programs for handicapped children.

(2) providing for the establishment and funding within the State educational agency of State advisory councils whose functions would include:

(a) Advising the chief State school officer on the preparation of the State plan for administration of title III grant moneys transmitted to the State.

(b) Reviewing annually the State plan and upon the basis of the review recommending to the chief State school officer modifications or amendments to the State plan.

(c) Reviewing applications received and upon the basis of such review recommending to the chief State school officer the disposition to be made of the applications and maintaining records of applications received.

(d) Annually reviewing for the purposes of evaluation the approved plans and programs funded under the authority within the State, transmitting its report upon the evaluation of plans and programs to the chief State school officer and to the National Advisory Council, together with its recommendations, based upon its analysis of the operations of the program, for such changes as in its judgment it believes to be warranted in the basic statute, the State plan, and the State or the National procedures governing the title III area.

(e) Based upon its evaluation and review procedures, selecting among programs funded, those which, in its judgment, it believes to be of an exemplary character. Arranging through the chief State school officer for appropriate dissemination of such programs to bring them to the attention of local educational agencies within the State, and through the National Advisory Council, to the attention of local educational agencies throughout the United States.

(3) Providing in parallel fashion for a change in the status of the present Advisory Committee on Supplementary Educational Centers and Services which currently is appointed by the Commissioner of Education by reconstituting it as a Presidentially appointed National Advisory Council on Supplementary Centers and Services, which is charged with the duties of (a) advising the Commissioner on the preparation of regulations; (b) reviewing the administration and operation of title III; (c) evaluating programs and projects carried out by the Commissioner; and (d) annually transmitting to the Congress its report containing recommendations for such legislative and administrative changes as it deems desirable.

Modest increases over the present $500 million authorization for title III are provided through increments of $25 million over the previous year's authorization for each of the 3 years the program is extended.

TITLE III, ESEA, COMMENTS—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

The program of grants to local educational agencies to assist and stimulate the establishment of supplementary educational centers and services is specifically designed to encourage the adoption of new or improved educational ideas, practices, and techniques in elementary and secondary schools throughout the Nation. New and improved educational ideas, practices, and techniques may be introduced by a variety of programs and activities—planning and developing new educational programs; comprehensive programs involving a full range of new approaches designed to improve the quality of education available in the schools of whole areas of a State; special educationally related services designed to enable and encourage persons to enter, remain in, or re-enter education programs; academic services for adults; specialized instruction for advanced students, handicapped persons, or preschool children; making modern educational equipment available to children; educational radio and television programs; programs designed to meet critical educational needs; special educational services for persons who are isolated from normal educational opportunities; and encouraging community involvement in education programs.

Since the enactment of title III, in 1965, more than 5,000 proposals have been submitted by 15,000 school districts, requesting $509 million. The Commissioner of Education, acting upon the recommendations of State educational agencies, the National Advisory Committee, and experts, has approved for support 2,235 proposals costing $208 million—39 percent of the proposals submitted and 29 percent of the amounts requested. Title III programs have served nearly 10 million public and nonpublic elementary and secondary school pupils, 93,000 preschool children, 250,000 out-of-school youth, 255,000 classroom teachers, and 131,000 parents and other adults.

The central purpose of title III is more relevant today than it was in 1965 when it was first enacted. After 2 years of experience in administering title III, the partnership of school districts, States, and the Office of Education is beginning to produce results. The educational community realizes which kinds of projects are valuable. State departments of education, local school systems, and the Office of Education are working out procedures and organizational structures for administering a program to bring purposeful change and experimentation to the schools on a regular basis.

The new Federal-State relationships developed in the administration of title III have occasioned some adjustment; they have also resulted in success and promise. These cooperative relationships have resulted in unprecedented communication and interaction at the various levels of education administration in the country. This has produced creative thinking and has stimulated activity which, in the opinion of the committee, would not have developed without the title III program.

In an independent study of title III directed by Prof. Richard Miller, of the University of Kentucky, nearly all of the 20 scholars engaged in the study were laudatory about the accomplishments of title III during its first year. They predicted even more significant accomplishments in the future. (The full text of the study is available in the committee print, "Notes and Working Papers Concerning the Administration of Programs Authorized Under Title III of Public Law 89–10.")

Dr. Richard J. Miller, director of the study, writes:

"Title IV [of ESEA] more in terms of larger regions and title III more in terms of local school systems within States have stimulated more serious, fresh, and creative educational conversation than anything else in our national history."

Harry Passow, professor of education at Teacher's College, Columbia University, says:

"Of all parts of the ESEA, title III is perhaps the most exciting and without doubt, the most challenging."

And Thomas Pettigrew, associate professor of social psychology at Harvard, observes:

"Only in America do we find national legislation explicitly to foster innovation and change in education as goals in themselves."

ADMINISTRATION OF THE PROGRAM

Under present law, the major administrative responsibility for the program of grants for supplementary centers and services is located in the Office of Education. Local educational agencies apply directly to the Commissioner of Education. The Commissioner, after receiving the advice and recommendations of the appropriate State educational agencies, expert field reviewers, and the Advisory Committee on Supplementary Centers and Services, approves applications and makes grants directly to local educational agencies.

The House bill, as referred to the committee, would amend the basic administrative mechanism to provide that all of the funds appropriated for the program would be paid to the States in fiscal year 1968. The States would then carry out the program on the basis of a State plan approved by the Commissioner. There would be no requirement that funds be granted to local educational agencies. If a chief State school officer so decided, a State educational agency could retain the Federal funds and administer the program directly.

In 1965, during the original work on Public Law 89–10, the Senate considered and rejected a proposal to provide such an administrative mechanism for title III. At that time it was felt that the administration of the program should be vested in the Office of Education and that the committee would reconsider the question when the program was reviewed.

Last year, the committee did reconsider the question and recommended that 25 percent of the funds be administered at the State level. This recommendation was passed by the Senate but was rejected in conference. The program was extended for 2 years without such a provision.

The amendment proposed in the House bill, presented once again to the committee, questions concerning the appropriate role of the States in the administration of title III.

The committee devoted a significant portion of the hearings to the consideration of the administration of title III. Most witnesses favored an increased degree of responsibility for State educational agencies in the program. These witnesses expressed concern that, unless the States were given greater responsibility, the program would result in an alteration of the present roles of the Federal, State, and local governments with respect to their respective responsibilities for educational decisionmaking.

However, a number expressed concern that the impact of a program such as title III would be lessened in some areas if the responsibility for administration were vested solely in the States. It was contended that the nature of the program did not lend itself to the State plan-State grant mechanism which is being used in other education programs.

Those who favored the present law pointed out that expressed intent of Congress in the authorization of the program was to stimulate the adoption of new educational programs and techniques which would bring recent findings of research to bear on critical educational problems. Therefore, they contended, the national perspective of the Office of Education, together with its educational resources, was vital to carry out this intent of Congress. Moreover, the nature of a State plan program is such that the hard data necessary for Congress to review the operation of the program and, thereby, evaluate its success, is difficult to obtain. If the Commissioner is charged by Congress with insuring that its intent is being carried out, he must have sufficient administrative control to do so.

The following arguments in favor of the present administrative mechanism were offered by the Commissioner of Education:

"Given the limited funds available for title III and given the limited number of demonstrations which can be supported, a nationwide selection of projects based on independent judgment which seeks a common standard of excellence to meet the needs of the schools will do more to raise the quality of education than any other way of administering the program.

"Nationwide selection avoids unnecessary duplication and conserves both human and financial resources.

"Many State educational agencies are not yet prepared to take over the administration of title III.

"The proposed House amendments made no provisions for funding programs satisfying a uniquely national need—the educational needs of the big cities are a case in point.

"Under a State plan system at the present time, there would be a tendency in many States to favor the needs of rural districts over those of the large metropolitan areas.

"The Office of Education has the drawing power to attract some of the best talent in the country to help administer title III."

Witnesses who favored the House amendment argued that the present administration of title III constitutes a threat to the present relationship between the Federal Government and the State and local educational agencies. It was stated that title III prohibited State educational agencies from exercising their administrative responsibilities.

The executive secretary of the Council of Chief State School Officers made the following recommendation:

"* * * that title III should be amended in 1967 to require operating State plans for its administration in every State not later than July 1, 1968, with State plans becoming effective during the current fiscal year as rapidly as the States can prepare such plans and the U.S. Commissioner of Education can approve them. That is what H.R. 7819 authorizes, and we respectfully request your concurrence with that authorization. State systems of regional service centers, administered with the financial assistance of the Federal Government with Federal funds earmarked for the Federal Government's own purposes, could provide the coordinated supplementary services needed in all States under the arrangements of H.R. 7819."

The committee, being firmly committed to the concept of the primacy of local and State control of education, in areas other than those governed by the Constitution of the United States, feels that the major part of the administrative responsibility for all Federal programs should be at the State and local levels. Federal aid programs should not—as a side effect—be an instrument for altering Federal-State-local relationships in the educational system. At the same time, the committee intends that Federal programs be effective in attaining the stated purpose of those programs: in the case of title III, this is to improve the quality of education by encouraging the communities served by school districts to adopt new and improved educational ideas and techniques.

Title III has never been an attempt to undercut the general responsibility of the State educational agency for the schools within the State. It certainly is not an attempt to set up a system of federally run schools. It is not an attempt by the Federal Government to take over the operational responsibility for American education. This responsibility must remain on the local and State levels.

During the course of the committee's deliberations, it was decided that the primary responsibility for the administration of title III should be vested in the State educational agencies under State plans. However, a part of the program, focused on critical educational problems, would remain with the Office of Education.

The committee amendment would amend title III in its entirety, to provide for—

(1) A change in the administration of the program by establishing a State plan-State grant program;

(2) Appropriate systems of review and evaluation to insure that the intent of Congress is being carried out;

(3) The establishment of State advisory councils to advise the States in the administration of the program and to evaluate programs and projects funded under the title; and

(4) The strengthening of the reconstituted National Advisory Council through provision for additional responsibilities and greater independence.

STATE PLANS

Sections 305 and 306 would be entirely new sections, added by the amendment, which reflect the basic changes in administrative structure of the program. Section 305 provides that States desiring to receive payments under this title for any fiscal year establish a State advisory council within the State educational agency. Further, a State would, for each fiscal year it desires to participate, set dates for the submission of applications by local educational agencies to the State agency, and submit, in substantially approvable form, a State plan to the Commissioner for his approval. Any State which has had its State plan for that fiscal year approved may receive payments to carry out the State plan. Any State which is dissatisfied with the final action of the Commissioner in disapproving its plan has a right to a hearing and may resort to judicial review of the Commissioner's final action.

In order to be approved, a State plan would need to meet the following requirements:

(1) A detailed plan under which funds paid to the State will be expended solely for the improvement of education in the State through grants to local educational agencies. Such plan must include a statement of the educational needs within the State and the manner in which the State will use the funds paid to the State under the title to meet the educational needs included in the statement. It is expected that the States will conduct surveys involving objective criteria and measurements in order to ascertain the educational needs of persons within the State.

(2) Set forth the administrative organization and procedures to be used in carrying out the State plan, including the qualifications for personnel having responsibilities in the administration of the State plan. Such organization and procedures are to be set forth in such detail as the Commissioner prescribes by regulation.

(3) Set forth criteria for achieving equitable distribution of assistance under the title throughout the State. Such criteria are to be based on consideration of the size and population of the State, the geographical distribution and density of the population within the State, and the relative need within the State for the kinds of services and activities to be provided in light of the relative financial ability of local educational agencies within the State to provide such services and activities.

The committee expects the Commissioner, in approving State plans, to scrutinize the criteria set forth and to make certain that the unique needs of persons in densely populated areas and in sparsely settled rural areas are given special consideration in such criteria. Failure to give adequate consideration to any significant geographical area of the State or to any group should raise grave questions as to whether the State plan is in substantial compliance with the provisions of the statute.

(4) Provision is made for giving special consideration to applications from local edu-

cational agencies which are making a reasonable tax effort but which are unable to meet critical educational needs (including preschool education and bilingual education) for better facilities which arise because some or all of their schools are seriously overcrowded, obsolete, or unsafe. Projects to meet such critical needs may be designed for more efficient educational use of present facilities or, where necessary, for construction of new facilities.

It is the feeling of the committee that if there is a need for new and improved educational ideas, practices, and techniques in any aspect of our education program, it is certainly in the area of the critical problems now being faced by our schools. It is expected that the States and the Office of Education will *focus* their attention on solving critical educational problems with the resources available under title III.

(5) Provision is made for giving special consideration to applications for operational grants proposing to carry out programs planned and developed with assistance from planning grants under the title. In general, local educational agencies desiring to initiate operational programs should give considerable time and effort to planning and developing the programs to be initiated. The present law and the amendment provide for planning grants to assist schools in preparing high-quality programs. The committee is impressed with the quality of operational programs which have been developed with planning grants. Therefore, it is expected that operational grants will be preceded by planning grants and that applications for operational grants which are intended to carry out programs planned under a planning grant take precedence over applications for operational grants not so planned.

(6) Provide for the adoption of workable procedures for the evaluation of the effectiveness of programs assisted under the title; dissemination of the results of such evaluation and of other information concerning such programs; and adoption, where appropriate, of promising educational practices developed through such programs.

The primary purpose of title III is to stimulate the adoption of new and improved educational ideas, practices, and techniques in the schools throughout the Nation. This cannot be effectuated unless programs are evaluated and the results of evaluations are widely disseminated. It is for this reason that States are required to adopt procedures for evaluation and dissemination. Furthermore, if schools are to adopt new educational programs as the result of contact with title III programs, the means for obtaining information must be made available and technical assistance must be given to those schools for effectuating necessary changes. The committee urges the States to provide local educational agencies which have not had title III grants with assistance in adopting promising educational programs developed or demonstrated.

(7) Provide that not less than 50 percent of the amount which the State is eligible to receive under the State plan shall be used for grants for planning programs or projects and operational programs and projects under paragraphs (1) and (2) of section 303(2). Failure to so provide would not constitute a defect sufficiently serious as to require rejection of the State plan on the grounds that the omission renders the State plan unapprovable. However, such omission would, under the selective veto provisions of section 305(c), result in a withholding of 50 percent of the funds otherwise available to the State for use by the Commissioner in funding such projects.

Title III grants may be made solely for the purpose of assisting local educational agencies in planning, establishing, and carrying out programs which are designed to stimulate, and which hold promise of making substantial progress toward effectuating, the adoption of new and improved educational ideas, practices, and techniques in the schools throughout the State. This requirement is implicit in the very nature of title III. Unless satisfactory assurance is provided in the State plan that grants will be made for this purpose, the Commissioner may not approve the State plan. In order to assure that this requirement is implemented to the satisfaction of congressional intent, the amendment requires that at least 50 percent of the amount a State receives must be used for planning projects and operational programs specifically designed to be demonstration programs.

(8) Provision must be made that not less than 15 percent of the amount for which the State is eligible under section 305 shall be used for programs and projects for handicapped children.

(9) Contain policies and procedures which will insure that Federal funds made available under this title for any fiscal year will not be commingled with State funds and will be so used as to supplement and, to the extent practical, increase the fiscal effort that would, in the absence of such Federal funds, be made by the applicant for educational purposes.

(10) Provide for such fiscal control and funds accounting procedures as may be necessary to insure that Federal funds paid to the State under the title are properly disbursed and accounted for.

(11) It must provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under the title and to determine the extent to which funds provided under the title have been effective in improving the educational opportunities of persons in the areas served by programs supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6) of section 305(b), and for keeping such reports and for affording such access thereto as the Commissioner may find necessary to assume the correctness and verifications of such reports.

(12) Provide that final action with regard to the proposed final disposition of any application (or amendment thereto) shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing.

(13) It must contain satisfactory assurance that funds received pursuant to the title by any local educational agency will not affect the amount of funds such local educational agency may receive in the form of State aid.

In approving State plans, the Commissioner is expected to carefully review each plan and the recommendations of the National Advisory Council with regard to the approval of each plan. If the State plan does not meet the standards set forth by law, the plan shall not be approved.

The committee recognizes the fact that the standards laid down by the amendment are high. It is expected that, in order to meet those standards, State educational agencies will expend a great deal of time and effort in the preparation of plans. It is for this reason that the amendment provides for a special payment to the State to defray the cost of the administration of State plans.

Further, the amendment provides that, should the State fail in some aspects to meet the requirements, it is not precluded from participation in the program. Subsection (c) of section 305 provides that the Commissioner may, if he finds that a State plan is in substantial compliance with the requirements set forth by law, approve a part of the State plan and pay to the State that part of the amount for which the State is eligible under section 305 which is necessary to carry out the part of the State plan so approved. The remainder of the amount for which the State is eligible under section 305 may be paid to the State if the unapproved portion of the State plan is brought into complete compliance with the requirements set forth in the title. The Commissioner may not make payments to a State under subsection (c) unless the amount necessary to carry out the approved portion of the State plan is at least 50 percent of the maximum amount for which the State is eligible under section 305.

Local educational agencies in States which do not submit State plans or whose State plans are not approved are not precluded from the benefits of title III. In such instances, with regard to local educational agencies, the program will continue as it is in present law.

STATE ADVISORY COUNCILS

Under the amendment, a State would create within its State educational agency a State advisory council whose functions include—

(1) Advising the State educational agency on the preparation of the State plan for administration of title III grant moneys transmitted to the State.

(2) Reviewing annually the State plan and upon the basis of the review recommending to the State educational agency modifications or amendments to the State plan.

(3) Reviewing applications received and upon the basis of such review recommending to the State educational agency the disposition to be made of the applications and maintaining records of applications received.

(4) Annually reviewing, for the purposes of evaluation, the approved plans and programs funded under the authority within the State, transmitting its report upon the evaluation of plans and programs and other activities to the State educational agency and to the National Advisory Council, together with its recommendations, based upon its analysis of the operations of the program, for such changes as in its judgment it believes to be warranted in the basic statute, the State plan, and the State or the National procedures governing the title III area.

(5) Based upon its evaluation and review procedures, selecting among programs funded, those which, in its judgment, it believes to be of an exemplary character. Arranging through the State educational agency for appropriate dissemination of such programs to bring them to the attention of local educational agencies within the State, and through the National Advisory Council, to the attention of local educational agencies throughout the United States.

ORGANIZATION OF STATE ADVISORY COUNCILS

The State education authority would appoint to the council individuals who are broadly representative of the cultural and educational resources of the State and of the public interest in education for the purpose of obtaining from them advice and counsel upon the operation of the title III program within the State.

While no number is specified for the council's composition, as established within the State educational agency, it must contain persons representative of the elementary and secondary schools of the State, institutions of higher education within the State, professional organizations of teachers and school administrators within the State, and of organizations promoting the improvement of education within the State.

Additionally, each council must contain at least one individual representative of areas of professional competence in dealing with the educational needs of handicapped children.

It is expected that State advisory councils will have members who are representative of persons who are otherwise educationally deprived.

Although the members of the council are to be representative of the cultural resources of the State, the amendment provides that the appointing authority may, if it so chooses, appoint nonresidents of the State to the advisory council. This provision could be particularly helpful to the State educational agency of a sparsely settled State to assure that it would have available advice of a professional nature, particularly for those projects or programs which are reserved under the proposed language for meeting the educational needs of handicapped children.

To assist the council in carrying out its responsibilities, a separate authority for funding of salaries and expenses of professional and clerical staff has been provided. The separate authorization for carrying out the detail of the council activity is parallel to the language with respect to the grant funds of title III which, as in the House version, may not be commingled with State funds.

It is a method which could alleviate some of the difficulties that might be encountered in some States which may have limitations upon the uses for which State funds may be employed. Individuals recruited to perform the professional and clerical functions incident to the State advisory council operation are specifically exempted from Federal statutes relating to employment and compensation.

The State educational agency would establish for such employees such rates of compensation as it deems appropriate.

APPLICATIONS PROCEDURE

Consistent with the philosophy embodied in title I of ESEA, applications could be received only from a local educational agency or a group of such agencies.

An application, although received from a local educational agency would, as at present, be planned, prepared, and if funded, carried out with the participation of persons broadly representative of the cultural and educational resources of the area to be served. The definition of the term "cultural and educational resources" is contained in section 304(a).

The application would be transmitted by the local educational agency to the State educational agency. The head of the State educational agency upon receiving the application would direct it to the State advisory council and to such panels of experts in the particular area of the application as he designates for review. In coming to his decision upon the disposition to be made of the application, the head of the State educational agency would consider the recommendations from both the State advisory council and the panel of experts provided under section 304 (b)(3).

The head of the State educational agency would not be bound to follow the recommendations provided to him if he deemed, after having considered the points raised, that the project, program, or center is consistent with the authority contained in title III and it is his judgment that the project is meritorious or vice versa.

TRANSITION TO STATE ADMINISTRATION

Since title III is already in operation, it was felt that, if the burden of administration were shifted to the States at one time, there would be a disjuncture of the continuity of the program at the local level. Further, it was felt that there were certain educational problems of such universal nature that attention at the national level is necessary.

Therefore, it was decided to provide a 3-year, three-stage transition period during which the funds appropriated would be turned over to the States. One-third would be made available to the States in fiscal year 1969, one-half in fiscal 1970 and two-thirds in 1971. The funds not made available to the States under State plans would be available for grants to local educational agencies in the same manner as funds are available under present law.

Generally, grants made under the title III program entail a tentative commitment to fund for a period of up to 3 years. At the present time, grants which have been made tentatively commit approximately $200 million in fiscal year 1969. The committee does not intend that participating local schools suffer from the change in administration. The Commissioner and the States are expected to cooperate in assuring continuity of local programs.

Under these circumstances, where there are existing tentative commitments to fund ongoing programs, an assumption on the part of the State of all or part of such commitments may be arranged. Thus, in individual cases, the committee believes that the State educational agencies and the Office of Education have sufficient flexibility under their respective authorities to fund projects jointly.

The Commissioner and the States are expected to come to agreement with regard to continuing programs before the State plans are finally approved.

It is the committee hope that State educational agencies will want to include in their State plans provisions for affording joint funding of programs in future years.

SPECIAL PROGRAMS AND PROJECTS

Section 306 authorizes the Commissioner to make grants to local educational agencies for programs or projects which meet the purposes of section 303 (uses of Federal funds) from funds allotted to the States but which are not available for grants under State plan. In the case of a State for which a plan has been approved for a fiscal year grants to local educational agencies in that State must be for programs or projects which show promise of making substantial progress toward meeting educational needs common to all or several States. The Commissioner is directed to give special consideration to applications proposing to improve the quality of education available to children of migratory workers and applications proposing to solve the critical problems now facing educators in the big cities and in remote, sparsely settled rural areas.

The Commissioner may not approve an application under section 306 unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner with regard to the disposition of the application. At least 15 percent of the funds granted under section 306 must be used for programs designed to meet the educational needs of handicapped children. In establishing the Bureau of Education for the Handicapped last year, the Congress provided that this Bureau "be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped. * * * " The committee expects the Commissioner to utilize the current resources and expertise of the Bureau of Education for the Handicapped and add to these resources, for the administration of title III projects related to the handicapped.

PAYMENTS FOR ADMINISTRATIVE EXPENSES, ADVISORY COUNCILS, AND EVALUATION AND DISSEMINATION ACTIVITIES

Subsection (b) of section 307 authorizes the Commissioner to pay to each State, in addition to the amount it receives under section 305, amounts equal to the sums expended by such State for activities described in section 303(b) (administration of State plans, advisory council activities, and evaluation and dissemination). The amount so paid by the Commissioner may not exceed an amount equal to 7½ percent of the amount allotted to such State pursuant to section 302 for any fiscal year or $150,000 ($50,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater. The amount paid for the administration of the State plan may not exceed an amount equal to 5 percent of the amount allotted or $100,000 ($35,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

This provision is made because the committee, being firmly convinced that high-quality education is unattainable on a wide scale without proper and efficient administration, the advice of experts, and program evaluation, is assuring that adequate funding will be available for that purpose. The funds paid to the States for these purposes are an additional appropriation and are not to be commingled with grant money. These funds will be appropriated as a separate line item in the appropriation.

The second sentence of section 301(b) was added by the committee amendment in order to assure that *all* of the funds appropriated pursuant to the first sentence of section 301(b) will be used for *grants to local educational agencies*. Such funds may not be used for administrative expenses at either the Federal level or the State level. The diversion of title III grant money for dissemination of information by the Office of Education or for conferences is contrary to the intent of Congress. Funds appropriated pursuant to such second sentence shall be used for the proper and efficient administration of State plans, the activities required of the National and State advisory councils, and evaluation and disssemination activities.

NATIONAL ADVISORY COUNCIL ROLE

The committee views the reconstitution of the present title III Advisory Committee into a Presidentially appointed National Advisory Council as being of major importance, since to this new body have been assigned responsibilities and the capability to fulfill them, which are essential to the carrying out by the Congress of its proper function of review and evaluation of programs it authorizes and funds.

There has been a growing awareness on the part of the committee of the need for a clear and rapid channel of communication which could be utilized to bring to it periodically and in an orderly manner, the views of all elements which make up the educational community on the way in which programs are operating, the projected funding levels which would be required for further operation, and frank and full presentation of those aspects of the program which may stand in need of change. Equally important is the flow of information regarding exemplary programs in order that recognition can be given to ideas and concepts which have worked and should therefore be emulated and adapted elsewhere.

It is also the hope of the committee that the National Advisory Council could become the forum for a mutually beneficial exchange of viewpoints between the Office of Education and the Educational community which could lead to the resolution of differences of approach.

As set forth in the reported bill the reconstituted National Advisory Council provides a mechanism for the satisfaction of these needs. The Council has no power to impose its judgment upon the Commissioner on any point but it can and should be heard before a decision is taken. The committee is confident that the counsel which would be advanced by such a body as is here proposed, would be of great value to the Commissioner. The reports and findings of the Council will be invaluable to the committee and the Congress.

NEW OR IMPROVED EDUCATIONAL IDEAS, PRACTICES, OR TECHNIQUES

Some concern has been expressed that the standard used by the Office of Education for deciding whether an application embodied an "innovative" approach has been too rigid and unrealistic. The committee understands that, if an idea, practice, or technique was in use in one part of the country it was not "innovative" in another area of the country. If this be the case, the standard is not in accord with congressional intent. The very term "innovative" causes the committee some concern. It is not subject to such a precise and rigid definition as has been given it by the Office of Education. For the purposes of title III the term "innovation" is defined as *the adoption of new or improved educational ideas, practices, or techniques.*

This definition will not support the setting of a nationwide standard. A "new or improved" approach in one area may not be "new or improved" in another area. That which is "new or improved" in a suburban school may not be appropriate in a rural school or a city school. Therefore, the standards for a school serving suburbs need not be the same for nonsuburban schools. The decision as to whether an application embodies a "new or improved" approach must be *made on the basis of the area to be served by the applicant and not according to an abstract national or State standard.* The committee expects the Commissioner and the States to set high standards and to require applicants to meet them. However, those standards must be based on the needs of the persons in the individual areas being served.

THE FUTURE OF THE PROGRAM

The committee feels that the administrative mechanism provided by the amendment is an improvement on present law and that it should be reviewed to the end that it be considered in other traditional State plan programs. State educational agencies can be strengthened by these added responsibilities. Both the Office of Education and the State educational agencies working cooperatively together can gain new insights into the educational needs of American schoolchildren and thus attain enhanced expertise as a result of mutual contact afforded.

It is our hope that title III can become a major instrument by which quality education can be made available to all American children. No child need be limited in his educational opportunity by reason of his race, religion, place of residence, economic circumstances, or handicap. The committee expects the Office of Education and State educational agencies to cooperate with local school districts in attaining this goal.

SECTION-BY-SECTION ANALYSIS

PART C—REVISION OF TITLE III OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Section 131 amends title III of the Elementary and Secondary Education Act of 1965 in its entirety.

Appropriations authorized

Subsection (a) of section 301 of the existing law authorizes the Commissioner to carry out a program of grants for supplementary educational centers and services through fiscal year 1970.

The bill would amend this subsection to delete the fiscal year limitation on the duration of the program; thus making the duration of the program continuous with the authorization of appropriations (through fiscal year 1971).

Subsection (b) of section 301 of the existing law authorizes specific appropriations through fiscal year 1968, but for the 2 succeeding fiscal years only such sums may be appropriated as may be hereafter authorized by Congress.

The bill would add appropriations authorizations of $525 million for fiscal year 1969, $550,000,000 for fiscal year 1970, and $575 million for fiscal year 1971. In addition, the bill authorizes the appropriation for each of fiscal years 1968 through 1971 of such sums as may be necessary for the administration of State plans, the activities of the National and State advisory councils, and the evaluation and dissemination activities required under the title.

Allotment among States

Section 302 of existing law provides for apportionment of title III funds among the States and the outlying areas. The new section 302 provides for *allotment* instead of apportionment. The termination date of the authority to transfer funds to the Secretary of the Interior and to the Secretary of Defense would be set at the end of fiscal year 1969 (existing law terminates this authority June 30, 1967). Present law authorizes apportionment of the amount necessary for assistance *for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior.* The bill would revise this provision so that there would be allotted to the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title *for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior.*

The authority for reapportionment contained in the existing section 302 is recast to provide that the amount allotted to any State which the Commissioner determines will not be required during the period for which that amount is available shall be available for grants in that State under section 306, or if not needed for that purpose may be reallotted or used for grants under section 306 in other States.

With respect to amounts not granted in one fiscal year and made available under section 306 or reallotted, the bill authorizes a carryover of such funds so that they remain available for grants during the next succeeding fiscal year.

Uses of Federal funds

Section 303 provides for the uses of funds under title III. This section would be revised by inserting a new paragraph (2) setting forth, as a purpose for which funds are to be used under title III, the establishment or expansion of exemplary and innovative educational programs for the purpose of stimulating the adoption of new educational programs in the schools of the State. This paragraph specifically includes dual enrollment programs among exemplary and innovative educational programs; also educational research and demonstration projects described in section 503(4) and special programs for handicapped children are included as new educational programs which exemplary and innovative programs should be designed to stimulate.

The existing subsection (b) of section 303 is embodied in paragraph (3) of subsection (a) with the following principal modifications:

(1) Programs for supplementary educational services and activities are to be provided especially through new and improved approaches.

(2) Language is included similar to that contained in section 304(c) of existing law providing for initiating and carrying out programs or projects designed to meet critical educational needs (particularly projects which will result in more effective use of existing facilities) in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet such critical needs, including preschool education, because some or all of its schools are seriously overcrowded, obsolete, or unsafe.

(3) Bilingual education methods would be specifically included among the examples of supplementary educational services that may be funded.

(4) Encouraging community involvement in educational programs would be included in the listing of supplementary educational services and activities.

In addition to the uses of funds under grants made to local educational agencies in accordance with approved applications, the bill would add a new subsection (b) to section 303, providing that funds may be used for (1) administration of State plans, (2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the State and National advisory councils under the title, and (3) evaluation of plans, programs, and projects, and dissemination of the results of such evaluations. As stated in the analysis of section 301, these activities would be funded by separate appropriations.

Applications for grants and conditions for approval

Section 304 is revised to make its provisions, which concern the approval of applications for grants, applicable both to grants under the State plan and grants made by the Commissioner. The provision in section 304(b)(2) requiring the program to be consistent with criteria designed to achieve an equitable geographical distribution is deleted and transferred to the new section 305 setting forth the requirements for State plans. The new section 304 adds a provision that an application may be approved only if it has been reviewed by a panel of experts. The provisions regarding review and recommendation of the application by the State educational agency is transferred to section 306 concerning the Commissioner's approval of special programs and projects. The present subsection (c) of section 304, requiring that the Commissioner give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, is deleted; but substantially identical provisions are included in the uses of funds in the revised section 303(a) under paragraph (3)(F) and in the State plan requirements in paragraph (4) of the new section 305.

State advisory councils and State plans

The bill would add a new section 305 setting forth the requirements which must be met in order to have a State plan approved under this title. Subsection (a) provides, in addition to certain procedural requirements, that the State must establish a State advisory council within the State educational agency. The State advisory council must be broadly representative of the cultural and educational resources of the State and of the public. Included on the council must be persons representative of elementary and secondary schools, institutions of higher education, professional organizations of teachers and school administrators, organizations promoting the improvement of education, and areas of professional competence in dealing with children needing special education because of physical or mental handicaps. The legislation would make clear that nothing in it shall be construed to preclude the appointment of nonresidents of a State to the State advisory council of that State.

The State advisory council so established would advise the State educational agency on the preparation of the State plan as well as policy matters arising in the administration of the State plan and would review and make recommendations to the State educational agency on the action to be taken on each application. The State advisory council would also evaluate programs and projects assisted under title III and make reports to the National Advisory Council established by the new section 309.

Subsection (b) provides that the Commissioner approve a State plan if he determines that the plan submitted for that fiscal year—

(1) Sets forth a program (including educational needs, and their basis, and the manner in which the funds will be used in meeting such educational needs) under which funds under the State plan will be expended solely for grants to local educational agencies;

(2) Sets forth the administrative organization and procedures to be used in carrying out the State plan;

(3) Sets forth criteria for achieving an equitable distribution of assistance, considering the size and population of the State, the geographic distribution and density of population within the State, and the relative need of persons in different geographic areas and population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities;

(4) Provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education and bilingual education, because some or all of its schools are seriously overcrowded, obsolete, or unsafe;

(5) Provides that applications to carry out programs or projects previously planned under this title will receive special consideration in approving grant applications.

(6) Provides for adoption of effective procedures (*a*) for the evaluation by the State advisory council of the effectiveness of programs and projects supported under the State plan, at least annually, (*b*) for disseminating the results of such evaluations and other pertinent information, and (*c*) for adopting promising educational practices developed through such programs or projects;

(7) Provides that at least 50 percent of the amount which the State receives to carry out the State plan for the fiscal year shall be used for planning projects described in paragraph (1) of section 303(a) and exemplary and innovative programs described in paragraph (2) of such section;

(8) Provides that not less than 15 percent of the amount received by the State for the fiscal year shall be used for special programs or projects for the education of handicapped children;

(9) Sets forth policies and procedures giving satisfactory assurance that Federal funds made available under this title will not be commingled with State funds and will be used to supplement and increase the fiscal effort that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

(10) Provides fiscal control and fund accounting procedures;

(11) Provides for reports, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6);

(12) Provides that final action regarding the proposed final disposition of any application shall not be taken unless the local educational agency or agencies submitting the application have been afforded reasonable notice and opportunity for a hearing; and

(13) Contains satisfactory assurance that no grants under this title will be taken into consideration in determining the eligibility of any local educational agency for State aid or the amount of such aid.

Subsection (c) of the new section 305 provides that, if the Commissioner finds that a State plan for any fiscal year is in substantial compliance with the requirements of subsection (b) of this section, he may approve that part of the State plan which is in compliance with such requirements. In such case, the Commissioner would make available to that State such portion of the State's allotment as he determines to be necessary for carrying out the part of the State plan which has been approved, but only if that amount is at least 50 percent of the maximum amount the State is eligible to receive.

Subsection (d) of the new section 305 provides that a State which has had a State plan approved may receive to carry out such plan up to 33⅓ percent for fiscal year 1969, 50 percent for fiscal year 1970, and 66⅔ percent for fiscal year 1971, of its allotment as determined for that fiscal year in accordance with section 302.

Paragraph (1) of subsection (e) provides that the Commissioner shall not finally disapprove any State plan unless the State educational agency submitting the plan is first afforded opportunity for a hearing.

Paragraph (2) of such section provides that whenever the Commissioner, after opportunity for hearing has been provided, finds that there has been a failure to comply substantially with any requirement in the plan of that State, or with any requirement in the application of a local educational agency, further payments shall not be made to the State under this title, or (if so determined by the Commissioner) the State may not make further payments to the local educational agencies affected by the failure, until he is satisfied that there is no longer any such failure to comply.

Paragraph (3) of subsection (e) contains the usual provisions for judicial review of the Commissioner's action with respect to State plans.

Subsection (f) provides for judicial review of the final action of a State educational agency if the local educational agency is dissatisfied with its final action with respect to approval of an application by the local agency.

Special programs and projects

Subsection (a) of the new section 306 provides that the amount of the allotment to any State (as determined in accordance with sec. 302) which is not made available under a State plan approved pursuant to section 305, shall be available to the Commissioner to make grants to local educational agencies for programs and projects meeting the purposes of section 303. In the case of an application from a local educational agency in a State which has an approved State plan, such programs or projects must hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. Applications must be submitted to the appropriate State educational agency for comment and recommendation before the Commissioner may approve an application under this section.

Subsection (b) of this section provides that not less than 15 percent of the funds granted under this section in any fiscal year must be used for programs or projects designed to meet the special educational needs of handicapped children.

Payments

Subsection (a) of the new section 307 authorizes the Commissioner to pay to each State the amount necessary to carry out its State plan as approved.

Subsection (b) of section 307 authorizes the Commissioner to pay each State amounts necessary for the activities described in section 303(b), i.e., administration of the State plan, the cost of obtaining technical, professional, and clerical assistance and the services of experts and consultants for the State advisory council, and evaluation and dissemination activities, except that (1) the total of such payments to any State could not exceed an amount equal to 7½ percent of the State's allotment for a fiscal year or, if greater, $150,000 ($50,000 for outlying areas), and (2) the amount paid for administration of the State plan could not exceed an amount equal to 5 percent of the State's allotment or, if greater, $100,000 ($35,000 for outlying areas).

This section also provides that no payments shall be made to any local educational agency unless the Commissioner finds that the combined fiscal effort of that local agency and the State with respect to free public education provided by that agency for the preceding fiscal year was not less than such combined fiscal effort for the second preceding fiscal year; and no payments shall be made to any State unless the Commissioner finds that the fiscal effort of that State for State aid for free public education for the preceding fiscal year is not less than it was for the second preceding fiscal year.

National Advisory Council

Under the existing law (sec. 306), an Advisory Committee on Supplementary Educational Centers and Services was established in the Office of Education.

The bill would replace that Advisory Committee with a new presidentially appointed National Advisory Council on Supplementary Centers and Services (sec. 309).

The National Advisory Council would advise the Commissioner in the preparation of general regulations; review the administration and operation of title III, including its effectiveness in meeting the purposes set forth in section 303; review and make recommendations with respect to each State plan submitted to the Commissioner under section 305 and application under 306; set forth procedures for submission of reports by State advisory councils to the National Advisory Council; review, evaluate, and transmit the reports of State advisory councils to the Congress, the President, and the Secretary of Health, Education, and Welfare; evaluate programs or projects under this title and disseminate the results of such evaluations; and make recommendations for improvements in title III and in its administration and operation.

The National Advisory Council would consist of 12 members, a majority of whom must be broadly representative of the educational and cultural resources of the Nation, including one person who has professional competence in the area of education of handicapped children. Membership on the Council would extend for a term of 3 years, and terms would be staggered. The Council is required to make reports of its findings and recommendations not later than January 20 of each year.

Labor standards

Section 310 contains the labor standards provisions set forth in section 308 of the existing title III.

Section 132. Effective date

The revision of title III set forth above is effective July 1, 1968, except that the provisions with respect to State advisory councils and the National Advisory Council shall be effective upon enactment.

The Commissioner is authorized, upon enactment, to take appropriate steps to implement the revised title III.

Mr. MORSE. Mr. President, in title V of Public Law 89–10, which is concerned with strengthening State departments of education, we have sought to meet halfway the House proposal that 100 percent of the funds for this title be transferred to the State. Currently, 85 percent of the funds flow to State educational agencies. Fifteen percent is reserved for funding by the Commissioner of special project grants.

We have done this by taking the 15-percent reservation to the Commissioner in existing law, and we have directed that 10 percent of the funds of this title be channeled to local educational agencies through the State educational agency for the purpose of strengthening the operations of local educational agencies. Five percent only remains to the Commissioner to fund projects in this area.

I am sure that I need not tell my Senate colleagues that the Department of Health, Education, and Welfare is not happy about that. It sincerely believes that we have gone too far. If I had thought we had, I would not be presenting a report to the Senate with my vote, and it comes to the Senate with my vote.

I think that the 5 percent that remains for the Department, although a reduced amount, will provide them with sufficient funds to meet those special circumstances and cases in which they ought to have the authority that the reservation of the 5 percent gives to them.

I think also that the adding of the 10 percent, which we have done, to the State agencies for local school districts planning, will be a great inducement to the local educational agencies to bring about the necessary internal, administrative, and operational changes that will give them a greater opportunity to do what they claim they want to do, and that is to perfect their administrative policies and practices and to improve planning of their educational programs. The committee kept the $15 million increase in title V–A added by the House. We did so as an inducement to the State educational agencies to help to bring about similar improvements, so that in time, a number of the functions that are now vested in the Department of Health, Education, and Welfare can be transferred to the States.

We believe it important that at least 5 percent be left with the Commissioner because we are made aware of projects now funded by the Commissioner which bring together the educational resources of a number of States to seek joint solutions to common problems. In my own State of Oregon, for example, we are cooperating with a number of States on projects involving the children of migratory workers, and I have had expressions of concern from educators in the Oregon State Department of Education lest this project which they believe to be vital should be left without adequate financing in future years. And it will be so left, unless we have what I consider to be the minimal reservation of funds in the Department of Health, Education, and Welfare.

In our recommendations to the Senate on title V we were also mindful of the administration recommendations for the addition of a new part B to title V for funding of comprehensive educational planning. This language does not appear in the House-passed version of H.R. 7819, although it was reported favorably by our sister committee.

We, therefore, have restored this language sought by the administration and have funded it with $15 million for this fiscal year and with $20 million a year for the 3 succeeding years. I ask unanimous consent that the material appearing in Senate Report No. 726 on part I–D of H.R. 7819 appear at this point in my remarks.

The ACTING PRESIDENT pro tempore. Without objection, the material will be printed in the RECORD, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

In part D of title I of H.R. 7819, are to be found amendments to title V of ESEA, concerned with strengthening State departments of education. Here the committee modified a House provision deleting the present 15 percent reservation of funds to the Commissioner by transferring it to the States. It did this by reducing the reservation for the Commissioner to 5 percent of the funds appropriated, while specifying that 10 percent of the appropriated funds would be henceforth transmitted, through the State educational agency, to local educational agencies for the purpose of strengthening their operations. In doing so, the committee left unchanged the $65 million authorization for fiscal year 1968 and the $80 million authorization for fiscal year 1969 of the House version of the bill. In conformity with the standard pattern of extending the duration of the titles, however, the committee added an authorization for $80 million for fiscal year 1970 and one of $85 million for fiscal year 1971.

The committee also, on the basis of testimony taken, and amendments submitted by Senator Nelson, broadened the uses to which title V funds may be put through the addition of a new paragraph encouraging the use of auxiliary personnel such as teacher aids in elemnetary and secondary schools.

The major addition to the House provisions on title V was the adoption by the committee, as a new part B of title V of ESEA, of an administration program providing for comprehensive planning grants to the States in the amount of $15 million for fiscal year 1968 and $20 million for each of the fiscal years 1969, 1970, and 1971 to carry out programs for the systematic planning and evaluation of education within each of the States.

Grants under part B of title V would be made on the basis of applications submitted through the State educational planning agency. The Commissioner is further authorized to make contracts or grants to public or private nonprofit agencies for specific projects to be conducted on an interstate regional or metropolitan area basis for planning of education in metropolitan areas covering more than one State.

Coverage under title V was further broadened by the committee to permit grants to be made to interstate commissions such as the Appalachian Regional Commission.

The current formula for apportionment of funds among the States under section 503 is based strictly on public school enrollment. As a result, sparsely populated States receive a smaller share of title V funds than their need warrants. To correct this inequity, the committee recommends a change in the allotment formula: of the funds available for basic grants under section 503, 40 percent will be allotted equally among the States; the remaining 60 percent will be distributed on the basis of public-school-age population.

The committee has been impressed with the benefits derived from the utilization of subprofessional personnel in classrooms across the country. For this reason, it recommends that specific attention be given to programs designed to encourage the full and adequate acceptance and utilization of auxiliary personnel, such as teacher aides, in elementary and secondary schools on a permanent basis.

The committee also recommends that the Commissioner's share of funds authorized under the special projects section, section 505, be reduced from 15 to 5 percent. Of the 95 percent reserved to the State educational agencies, 10 percent must be directed to local educational agencies. From the Commissioner's share, public regional interstate commissions and agencies for educational planning and research—such as the Educational Advisory Committee of the Appalachian Regional Commission—would become eligible to receive grants on the same basis as State educational agencies. The opportunities for initiating a revitalization of the State educational agencies ought to be afforded to local educational agencies, for that reason 10 percent has been earmarked for local agencies.

A new part B was added by the committee, to allow the States to conduct systematic, comprehensive, long-range educational planning at all levels. In order that State and local educational agencies may continue to carry out their present responsibilities and that Federal programs may meet the needs intended by the Congress, systematic planning must be encouraged. Therefore the committee proposes that it receive this measure of Federal support.

Any State interested in receiving a grant for long-range planning purposes shall designate or establish a single State agency as the sole agency for carrying out or supervising the carrying out of a comprehensive statewide program of systematic planning and evaluation of education. Higher education planning shall be included only if the State so elects, and a separate agency may be designated to carry out such planning, in coordination with the State educational planning agency.

Applications for funds under this part shall include provision for—

Setting statewide educational goals and establishing priorities among these goals;

Developing through analyses alternative means of achieving these goals, taking into account the resources available and the educational effectiveness of each of the alternatives (including, in the case of higher education, the resources and plans of private institutions in the State bearing upon the State's goals and plans for public higher education);

Planning new programs and improvements in existing programs based on the results of these analyses:

Developing and strengthening the capabilities of the State to conduct, on a continuous basis, objective evaluations of the effectiveness of educational programs; and

Developing and maintaining a permanent system for obtaining and collating significant information necessary to the assessment of progress toward the State's educational goals.

Seventy-five percent of the funds authorized for this part will be allotted among the States according to the following formula: 40 percent would be allotted equally among the States, and 60 percent would be allotted on the basis of the State's population. The remaining 25 percent of the funds would be reserved to the Commissioner of Education for special project grants and contracts.

For part A, the committee recommends an authorization of $65 million for fiscal year 1968, $80 million for fiscal years 1969 and 1970, and $85 million for fiscal year 1971. An additional $15 million may be made available for comprehensive planning under the new part B for fiscal year 1968, and up to $20 million each for fiscal years 1969 and 1970, and $25 million in fiscal year 1971.

SECTION-BY-SECTION ANALYSIS

PART D—AMENDMENTS TO TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Section 141. Duration and funds

This section amends section 501 of the Elementary and Secondary Education Act of 1965 to extend the authorizations through fiscal year 1971, to increase the appropriations authorized for fiscal year 1968 from $50 million in the existing law to $65 million, and to authorize appropriations of $80 million for each of fiscal years 1969 and 1970, and $85 million for fiscal year 1971.

Section 142. Inclusion of Trust Territory of Pacific Islands

This section would amend sections 502 and 701 of the Elementary and Secondary Education Act of 1965 to make the Trust Territory of the Pacific Islands eligible for grants out of the 2 percent reserved for outlying areas.

Section 143. Apportionment formula

This section would revise the formula for apportioning among the States the sums appropriated which remains after the set-aside for special projects. The present formula provides that up to 2 percent of this amount shall be reserved for the outlying areas, and that from the remainder $100,000 shall be apportioned to each State and the residue of such remainder apportioned among the States in proportion to their relative numbers of public school pupils. This bill would change the formula to provide that. of the amount remaining after the set-aside for outlying areas, 40 percent shall be apportioned equally among the States and 60 percent shall be apportioned among the States in proportion to their relative numbers of public school pupils.

Section 144. Encouragement of use of auxiliary personnel

This section amends section 503 of the act by inserting a new paragraph (7) describing programs and other activities to encourage the utilization and acceptance of auxiliary personnel (such as teacher aides) in elementary and secondary schools on a permanent basis.

Section 145. Comprehensive planning grants

This section further amends section 503 of such act by adding two new paragraphs. Paragraph (13) describes programs for providing grants to local educational agencies in metropolitan areas to enable them to engage in comprehensive planning, either alone or in cooperation with other agencies.

Paragraph (14) describes a program to be included in the overall program for each fiscal year under this section for distributing at least 10 percent of the apportionment of the State among local educational agencies on the basis of need to carry out any of the purposes of this title.

Subsection (b) of such section 145 would amend section 502 of such act to increase the portion of the sums appropriated pursuant to section 501 available to the State from 85 to 95 percent. Section 505 would be correspondingly amended to reduce the set-aside to the Commissioner for special projects from 15 to 5 percent.

Section 146. Grants to interstate commissions

This section would amend section 505 of the act, relating to the set-aside to the Commissioner for special projects, to authorize the Commissioner to make section 505 grants to public regional interstate commissions or agencies for educational planning and research.

Section 147. Comprehensive planning

This section would amend title V of the Elementary and Secondary Education Act of 1965 to make the existing sections of that title part A—headed "Grants for Strengthening Leadership Resources of Grants for Comprehensive Educational Planning and Evaluation"; and to add a new part B—Grants for Comprehensive Educational Planning and Evaluation.

Section 521 of the new part B authorizes the Commissioner of Education to make comprehensive planning and evaluation grants to the States in accordance with section 523 and special project grants pursuant to section 524, to the end of enhancing the capability of the several States to make effective progress, through comprehensive and continuing planning, toward the achievement of opportunities for high quality education for all segments of the population throughout the State. For this purpose, $15 million would be authorized for fiscal year 1968, and $20 million each for fiscal years 1969, 1970, and 1971.

Section 522 reserves 25 percent of the sums appropriated for carrying out this part for special projects under section 524. Of the remaining 75 percent, which will be available for grants to States under section 528, the Commissioner shall apportion not in excess of 2 percent among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. The remainder would be apportioned as follows: 40 percent would be apportioned among the States in equal amounts, and 60 percent would be apportioned among the States in proportion to their relative populations. This section provides that a State's apportionment for fiscal year 1968 would be available for obligation through fiscal year 1969 and provides that the Commissioner may reapportion to other States sums which he determines will not be required, during the period of their availability, for grants to the State to which they were originally apportioned.

Section 523(a) of the new part would provide that a State applying for a grant out of its apportionment under section 522 must designate or establish a single State agency for carrying out, or supervising the carrying out, of a comprehensive statewide program of systematic planning and evaluation relating to education at all levels (including remedial education and retraining of adults), except that the field of higher education would be included only if the State so elects, and that a separate State agency may, in that event, be designated or established for carrying out or supervising the carrying out of such planning and evaluation program with respect to higher education. If the State does include higher education and decides to make a separate State agency responsible for carrying out, or supervising the carrying out, of higher education planning, either combined or separate applications may be submitted from the two agencies, and the Commissioner could allocate a State's apportionment between the two planning agencies.

An application for a statewide program of planning and evaluation is to include provision for setting and establishing priorities among educational goals for the State, developing through analyses alternative means of achieving these goals, taking into account the resources available and the educational effectiveness of each of the alternatives, planning new programs and improvements in existing programs based on the results of these analyses, developing and strengthening the capabilities of the State to conduct, on a continuous basis, objective evaluations of the effectiveness of educational programs, and developing and maintaining a permanent system for obtaining and collating significant information necessary to the assessment of progress toward the State's educational goals. (The application must contain satisfactory assurance that assistance under this section, together with other available resources, will be so used as to result in the maximum possible effective progress toward the achievement of a high level of competence with respect to each of these purposes.)

Section 523(b) of the new part provides that the Commissioner may approve an application only if it has been submitted to the chief executive of the State for review and recommendations; if it sets forth arrangements, where the State has designated a separate State higher education planning agency, for coordination with the rest of the State's educational planning program; and if it contains satisfactory assurance that the assistance provided under this section will be used primarily in strengthening the capabilities of the planning and evaluation staff of the State planning agency involved, or agencies carrying out parts of the program under the supervision of that agency. (Part of the funds may be used by the State's planning agency or agencies involved, to employ consultants or to enter into contracts for special projects with public or private agencies, institutions, or organizations having special competence in the areas of planning and evaluation.) The application must also make adequate provision for using funds (other than funds granted for higher education planning) to make program planning and evaluation services available to local educational agencies and, in the case of local educational agencies in areas, particularly metropolitan areas, with school populations sufficiently large to warrant their own planning or evaluation staffs, to assist (financially or through technical assistance) such agencies to strengthen their planning and evaluation capabilites and to promote coordinated areawide planning for such areas.

Section 524 authorizes the Commissioner of Education to make grants to public or private nonprofit agencies, institutions, or organizations, or to make contracts with public or private agencies, institutions, or organizations, for special projects related to the purposes of part B, to be conducted on an interstate, regional, or metropolitan area basis. Examples of such projects include educational planning in metropolitan areas covering more than one State or large cities within a State with due regard to the complexities of adequate metropolitan planning, comparative and cooperative studies agreed upon between States or metropolitan areas, conferences involving different States, and publications of general use to the planning of more effective and efficient educational services and other activities for the dissemination of information related to the purposes of this part.

Section 525 of this part authorizes payments in installments, and in advance or by way of reimbursement, with necessary adjustments.

TITLE V, ESEA, COMMENTS—STRENGTHENING STATE EDUCATIONAL AGENCIES

The increasing demands made on State educational agencies prompted the committee to make special provisions for strengthening such agencies, when the act was first passed in 1965. The eagerness with which the States embraced the program is evidence that congressional concern was fully justified. Of the $17 million appropriated for the first year of operation, 85 percent was available to the States in the form of basic grants. Personnel needs ranked high, with funds for 1,800 positions being requested to perform the following functions:

Studying, planning, developing, and evaluating educational programs and educational research—24.5 percent of the funds and 27 percent of the positions;

Extending instructional aid to local school authorities—23 percent of the money and 26.5 percent of the jobs;

General administration—17 percent of the funds and 16 percent of the positions;

Statistics and data processing—11.5 percent of the funds and 9.5 percent of the jobs;

Administrative aid to local educational agencies—6 percent of the funds and 7 percent of the positions.

Unfortunately, of the 1,800 jobs State agencies sought to fill, they succeeded in filling only 1,000, roughly one-half of them, 522, professional. Scarcity of trained personnel proved the bottleneck.

Mr. MORSE. Mr. President, title VI is one of the titles of ESEA which is of great and continuing interest, not only to members of the committee, but also to the Senate as a whole, because it deals with the education of our handicapped children. We have added in this title to the administration recommendations, for resource centers and services devoted to solving the educational problems of the handicapped child—provisions for the child that is both deaf and blind. I was dumbfounded, as we listened to the testimony before the committee, to learn that there are so many.

These resources and centers are a complement to those recently enacted into law in the Vocational Amendments Act but which serve young people of age 16 and beyond. I ask unanimous consent that excerpts from the short summary and the body of the report and the section-by-section analysis of the title VI amendments be printed at this point in my remarks without my taking the time of the Senate. It will give the Senate the statistics in regard to the very sad plight of a very large group of little boys and girls in this country who are both deaf and blind, which fact, I am sure that many of my colleagues, as was true in my own case, are quite unaware of.

The ACTING PRESIDENT pro tempore. Without objection, the material will be printed in the Record, as follows:

Short Summary of the Principal Provisions of the Bill

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

Part A of title I of H.R. 7819 would:

In part E of H.R. 7819 are to be found amendments to title VI, ESEA, relating to education of handicapped children. The committee, as in the House bill, adopted administration recommendations providing for regional resource centers, dissemination of information in the area of special education. $7.5 million is provided for regional resource centers in fiscal year 1968, $8 million for fiscal year 1969, $10 million for fiscal year 1970, and $12 million for fiscal year 1971. The committee further established additional centers and related services for deaf-blind children authorized to be funded at $1 million for fiscal year 1968, $3 million for fiscal year 1969, $7 million for fiscal year 1970, and $9 million ending June 30, 1971.

In the captioned films for the deaf program (which hereafter will include all handicapped) authorizations were raised from $5 million to $8 million for the current fiscal year and fiscal year 1968 and from $7 million to $10 million for subsequent fiscal years.

Title VI—Education of Handicapped Children

During the 89th Congress a new title was added to the Elementary and Secondary Education Act, designed to specifically meet the educational needs of handicapped children by providing Federal support for personnel recruitment, training, programs, and research. To further meet this need the Congress directed the U.S. Commissioner of Education to establish a new Bureau for the Education of the Handicapped. Although $50 million was authorized in title VI for education of the handicapped for fiscal year 1967, only $2½ million was made available and this was limited to planning purposes. In the current year only $15 million of an authorized amount of $150 million was requested by the administration. The committee is distressed that this critically important program has not received more attention by those who control the budget requests in the executive branch of the Government.

The committee is somewhat encouraged, however, by the prompt creation of the Bureau for the Education of the Handicapped and urges continued support for personnel and funds. Further demonstrating its support of this program, the committee has recommended the extension of title VI for 3 additional years and authorized appropriations of $175 million in fiscal year 1969, $200 million in fiscal year 1970, and $225 million in fiscal year 1971.

Many children are unable to learn because of undiagnosed physical or mental handicapping conditions. Early identification and educational evaluation of every handicapped child, at easily accessible centers throughout the Nation, is essential to assure the optimum development for each individual. For this reason, the committee proposes the establishment of regional resource centers, with an authorization of $7.5 million for fiscal year 1968, $8 million for fiscal year 1969, $10 million for fiscal year 1970, and $12 million for fiscal year 1971. These centers would—

Provide testing and evaluation services to determine the special educational needs of the handicapped child;

Develop educational programs to meet these special needs; and

Assist schools and other agencies in a particular region to provide educational programs for the handicapped child.

The regional resource centers offer unique opportunities for providing consultation, evaluation, and other services to local schools and their teachers. As the program develops, centers will be expected to concern themselves with such diverse educational challenges as education of the handicapped in rural areas in one State or combinations of States, or education of the handicapped in a central urban city. Maximum flexibility in approaching unique educational situations will be provided by allowing local educational agencies to apply for such centers singly or in combinations with other local and State education agencies and institutions of higher learning.

In addition, the committee would like to point out that, at present, the majority of this Nation's deaf-blind children receive no special education and training services. They remain at home, untreated and uneducated, their potential for optimum development in our society neglected. Neither specialists in the area of the visually handicapped nor in the area of the auditorially handicapped know the best approaches for meeting the multiple needs of the deaf-blind child. What is needed is a special environment which would provide the opportunity for many diverse specialists to contribute their expertise to total education and training programs for deaf-blind children. In the current school year seven educational facilities in the United States are providing special services for 110 of the estimated 500 deaf-blind persons under 21 years. The problem of lack of services is further highlighted by statistics on the effects, both visual and auditory, of the 1963–65 rubella outbreak. From evaluation studies conducted thus far, it is estimated that 1,500–4,500 rubella-syndrome children may have significant visual and auditory handicaps.

To help alleviate the inadequacy of services for deaf-blind children the committee proposes an amendment to authorize the Secretary to make grants to or contracts with public or nonprofit private agencies organizations, or institutions to assist in the establishment or operation of centers and services for deaf-blind children—including research, development, demonstrations, dissemination, and training of personnel. For such centers and services for deaf-blind children, the committee authorizes $1 million for fiscal year 1968 and $3 million for fiscal year 1969, and rising to $9 million in fiscal year 1971. The centers would serve as models for comprehensive diagnostic, educational and related services and they would be located in various sections of the country. This amendment would provide a national program to meet a national need for a group of multiple-handicapped children who have been, for the most part, neglected in terms of educational and training opportunities which would help assure their full potential for communication, adjustment, participation, and self-fulfillment in society.

Although the statutory authority to provide for deaf-blind centers is lodged in the Secretary of Health, Education, and Welfare, the committee expects this authority to be delegated to the U.S. Commissioner of Education and that the Commissioner will place the responsibility for the operation and planning of this program in the Bureau of Education for the Handicapped. One of the requirements for making a grant or contract to establish a center for deaf-blind children is that the center will provide, among other services, "comprehensive diagnostic and evaluative services for deaf-blind children" and "a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor." In setting forth these requirements the committee does not intend that all services necessarily be available physically at the center established under this bill. The committee realizes that to provide some of the services it may be necessary for the deaf-blind center to utilize persons with the necessary professional competence from nearby metropolitan areas without having them located at the center. For example, a center might be established at a university with some diagnostic and evaluative services being provided from professionally trained individuals located in nearby metropolitan areas or on other nearby university campuses.

It is estimated that some 300,000 teachers and other professional personnel specially trained for work with handicapped children will be needed within the next decade. At the present time, such professionals number only about 70,000.

The need for more professional personnel has been documented many times in congressional hearings. However, data on needs which were documented as long ago as a year are not accurate today. Title VI of ESEA with funds to support educational programs for the handicapped will encourage more school districts across the nation to open new classes for their handicapped children. Attempts to improve existing programs through a reduction in pupil-teacher ratios will further accentuate the need for more teachers. The immediate problem is to attract top quality young people and to interest them in careers of service for handicapped children.

Parents of handicapped children are met with two major problems. One is learning to adjust to the fact that their child is handicapped and will need special education, care, and attention. The second problem is in finding where such special care, attention, and particularly education is available. The committee feels that a concerted effort must be made to assist parents of such children and to that end has authorized a program (1) to assist parents in obtaining information about available special services; (2) to organize in a meaningful way, information about such services; and (3) to alert parents as to the sources and availability of such information.

The committee has, therefore, recommended a nationwide recruitment and information dissemination program. We propose an authorization of $1 million for fiscal year 1968 and for each of the three succeeding fiscal years for such recruitment and information dissemination activities.

One of the most successful existing Federal programs in the area of special education is the captioned-films-for-the-deaf program, authorized by Public Law 85–905, as amended. This program has four major components: research, production, dissemination, and training. The committee proposes expansion of the captioned films program to provide assistance for all handicapped children, thereby assuring a program of successive steps from the inception of an idea through research, development, testing, and final dissemination of a finished product in an actual educational situation. In expanding the authority of the Secretary of Health, Education, and Welfare to engage in the production of educational media for the use of handicapped persons—the committee does not intend to authorize the Secretary to engage in the direct commercial production of such media within the Department of Health, Education, and Welfare. Eight million dollars would be authorized for this expanded media program for fiscal years 1968 and 1969 and $10 million for each fiscal year thereafter.

The committee also proposes to authorize the Commissioner of Education to contract with private educational or research agencies and organizations. This change would allow the research program to take advantage of the expertise of private, as well as public, educational and research agencies and organizations. The committee would also authorize the training of research personnel and a limited amount of research and evaluation by the Bureau of Education for the Handicapped.

Section-by-Section Analysis

PART E—AMENDMENTS TO TITLE VI OF THE ELEMENTARY AND SECONDARY ACT OF 1965, AND RELATED AMENDMENTS

Section 151. Regional resource centers, services for deaf-blind children, recruitment of personnel

New Part B—Regional Resource Centers

This section would amend title VI (Education of Handicapped Children) of the Elementary and Secondary Education Act of 1965 by grouping the present sections 601 through 607 in a part A—headed "Assistance of States for Education of Handicapped Children", and by adding a new part B which would provide assistance in establishing and operating regional resource centers for improvement of education of the handicapped. Appropriations of $7,500,000 for fiscal year 1968, $8,000,000 for fiscal year 1969, $10,000,000 for fiscal year 1970, and $12,000,000 for fiscal year 1971.

As the name implies, a regional resource center would serve a particular section of the country, usually including several States. An application for a project under this section would be made by an institution of higher education, a State educational agency, or, in most cases, by a combination of such institutions or agencies. Funds could be provided pursuant to grants or contracts to pay part or all of the cost of establishing (including construction) of facilities and operating the center.

A regional resource center would provide a bank of advice and technical services upon which educators in the region could draw in order to improve the education of handicapped children. The primary task of the center would be to focus on the special educational problems of individual handicapped children referred to it. The center would provide testing and educational evaluation of the child, and in the light of this evaluation would develop a program of education to meet the child's particular requirements. Working closely with the handicapped child's parents and teachers, the center would then assist the school (or other appropriate agency) in providing this program, periodically reexamining and reevaluating the program, and making any adjustments which are necessary to keep the program responsive to the educational needs of the handicapped child.

New Part C—Centers and Services for Deaf-Blind Children

A new section 609 would be added to title VI of the Elementary and Secondary Education Act authorizing the Secretary of Health, Education, and Welfare to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including construction, where necessary) or operation (or both) of centers for deaf-blind children.

In determining whether to make a grant or contract, the Secretary shall consider the need for a center for deaf-blind children in the light of the general availability and generality of existing services for such children in the part of the county involved.

A grant or contract under this section shall be made by the Secretary only if the center provides services including at least comprehensive diagnostic and evaluative services for deaf-blind children; a program for the adjustment, orientation, and education of deaf-blind children which integrates necessary professional and allied services; and effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist them in the process of their adjustment, orientation, and education.

Such services may be provided to deaf-blind children (and, where applicable, other persons) whether or not they reside in the center and such services may be provided at some place other than the center, and may include the provision of transportation for any such children, including an attendant, and for parents.

The Secretary would be further authorized to pay the cost of research, and of development and demonstration of new or improved methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children. Training of professional and allied personnel and the dissemination of materials and information is also authorized.

This section authorizes appropriation of $1 million for fiscal year 1968, $3 million for fiscal year 1969, $7 million for fiscal year 1970, and $9 million for fiscal year 1971.

New Part D—Recruitment of Personnel and Information on Educational Opportunities for the Handicapped

Title VI of the Elementary and Secondary Education Act of 1965 would be further amended by inserting a new part D (sec. 610) authorizing the Commissioner of Education to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, and institutions, for projects which will improve recruiting of personnel in the various fields of education of the handicapped, or which will improve dissemination of information about programs and services available for the education of the handicapped.

For these purposes, an appropriation of $1 million would be authorized for fiscal year 1968, and such sums as may be necessary would be authorized for each of the 4 succeeding fiscal years.

Section 152. Transfer of definition and other technical amendments

This section would make certain technical changes in title VI and title VII of the Elementary and Secondary Education Act of 1965 to accommodate the other amendments made by this part of the bill.

Section 153. Including schools for Indian children operated by the Department of the Interior and Defense Department overseas dependents schools in title VI

This section would amend section 603(a)(1) of the Elementary and Secondary Education Act of 1965 to provide that for the fiscal year 1968, schools for the fiscal year 1968, schools for Indian children operated by the Department of the Interior and Defense Department overseas dependents schools will be allotted funds for assistance in educating handicapped children from the special appropriation authorized by existing law for allotments to outlying areas (Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands).

Section 154. Short title of title VI of Elementary and Secondary Education Act of 1965

This section would add a new section 615 to title VI of the Elementary and Secondary Education Act of 1965 to provide that title VI may be cited as the "Education of the Handicapped Act."

Section 155. Expansion of instructional media programs to include all handicapped children

Subsection (a) amends paragraph (b) of the first section of the act dealing with captioned films for the deaf (42 U.S.C. 2491) to conform to objectives of Public Law 89–258. The amendment substitutes the word "handicapped" for the word "deaf" throughout such paragraph dealing with (1) research in the use of media, (2) distribution of educational media, and (3) the training of persons in the use of such media, for handicapped persons.

Subsection (b) amends section 2 of the act dealing with captioned films for the deaf (42 U.S.C. 2492) to define "handicapped" as "deaf, mentally retarded, speech impaired, visually handicapped, emotionally disturbed, crippled, or other health impaired persons."

Subsection (c). This section amends section 3 of the act dealing with captioned films for the deaf (42 U.S.C. 2493) to substitute the word "handicapped" for the word "deaf" throughout this section providing a loan service of captioned films and educational media.

Subsection (d) authorizes the payment of stipends to persons being trained in the use of films and media under this program.

Subsection (e) amends section 4 of the act dealing with captioned films for the deaf (42 U.S.C. 2494) to increase the authorization from $5 to $8 million for each of fiscal years 1968 and 1969 and from $7 to $10 million for each of fiscal years 1970 and 1971.

Section 156. Authorizing contracts, as well as grants, for research in education of the handicapped

This section amends section 302(a) of title III of Public Law 88–164 dealing with research and demonstration in the education of handicapped children to authorize the Commissioner to contract with public and private educational organizations, agencies, and institutions and to conduct research, surveys, or demonstrations, in addition to the authority the Commissioner now has to make grants to public and private nonprofit educational agencies, organizations, and institutions.

Mr. MORSE. Mr. President, in full committee, upon the recommendation of the Special Subcommittee on Bilingual Education, there was added to the Elementary and Secondary Education Act a new title VII.

I shall not speak at length in this statement of it because I know that my good friend and colleague, Senator YARBOROUGH, chairman of the special subcommittee, will wish to develop this program for the Senate.

I therefore ask unanimous consent, Mr. President, that there appear at this point in my remarks the section-by-section analysis relating to bilingual education which appear in Senate Report 726.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Section-by-Section Analaysis

TITLE VII—BILINGUAL EDUCATION PROGRAMS

Section 701. Findings of Congress

This section states that Congress finds that one of the most acute educational problems in the United States involves millions of children of limited English-speaking ability.

Section 702. Amendment to Elementary and Secondary Education Act of 1965

This section adds a new title VII to the Elementary and Secondary Education Act.

NEW TITLE VII—BILINGUAL EDUCATION PROGRAMS

Section 701 provides that the new title may be cited as the "Bilingual Education Act."

Section 702 contains the declaration of Congressional policy.

Section 703 authorizes $15 million for fiscal year 1968, $30 million for fiscal year 1969, and $40 million each for fiscal years 1970 and 1971.

Section 704 provides for uses of funds for bilingual education programs.

Section 705 sets forth the conditions of approval for grant applications.

Section 706 is the payments section.

Section 707 provides that the Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children.

Section 708 contains labor standards provisions.

Section 703. Conforming amendments

This section contains conforming, technical amendments.

Section 704. Amendments to Higher Education Act of 1965

This section amends title V of the Higher Education Act of 1965 to place emphasis upon bilingual education.

Section 705. Amendments to title XI of the National Defense Education Act of 1958

This section amends the title XI institutes program to place emphasis upon programs to prepare persons to engage in bilingual education programs.

Section 706. Amendments to Cooperative Research Act

This section amends the Cooperative Research Act to refer specifically to bilingual education.

Mr. MORSE. Mr. President, I turn now to the general provisions of the Elementary and Secondary Education Act. Senators will recall that in the 1966 amendments there was added for the dissemination of information purposes a $2 million authorization. This year we learned that this important function was not funded for fiscal year 1968. Budget requests for this item did not come to the Congress from the Bureau of the Budget and the White House. The matter was of considerable concern to the committee, and in extensive colloquy with administration witnesses we sought to make sure that in subsequent years the matter would not again be overlooked.

Further, and here I wish to pay tribute to Senator RANDOLPH, we increased the authorization by $1.5 million a year and directed that this amount be expended when appropriated for the purpose of providing technical services to rural schools at the elementary and secondary level. These would be schools serving children of communities whose population is less than 10,000 individuals. The Commissioner, upon receiving requests from State educational agencies, would provide counseling and technical assistance to elementary and secondary schools in rural areas in determining benefits available to them under Federal laws, in preparing applications and meeting other requirements for such benefits.

We also in this title authorized demonstration projects which hopefully will develop methods to prevent school dropouts. In the new section 707 of the Elementary and Secondary Education Act, the Commissioner of Education would be authorized to arrange by contract, grant, or otherwise, with the local educational agency to provide, upon the basis of a carefully thought-out plan of action, for the funding of projects which would involve the use of innovative methods, systems, materials, or programs which show promise of reducing the number of children who do not complete their education in elementary and secondary schools. This and the previous provision of title VI of H.R. 7819, which relates to a study and demonstration funding in the realm of school bus safety, we feel would apply intelligently Federal resources to the resolution of educational problems which are in the national interest.

I ask, Mr. President, that at this point in my remarks materials be printed from Committee Report No. 726 dealing with both of these matters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

Part A of title I of H.R. 7819 would: * * *

In part F of title I of H.R. 7819 relating to the title containing general provisions applicable to ESEA the committee has:

(1) added to the presently authorized dissemination of information program funded at $2 million for fiscal year 1968, a new program of technical assistance to rural areas and provided authorization for funding of the combined program at $3.5 million for fiscal year 1968, $3.7 million for fiscal year 1969, $4 million for fiscal year 1970, and $4.2 million for fiscal year 1971, and

(2) added a new 4-year program of demonstration projects to prevent dropouts starting in fiscal year 1969 at yearly authorized appropriations of $30 million. (Under this program the Commissioner is authorized to arrange by contract or grant with local educational agencies for funding of programs in schools in urban areas having a high percentage of educationally deprived children to carry out, through innovative methods, systems, and materials those programs which show promise of reducing the number of children who do not now complete their education in an elementary or secondary school.)

TITLE VIII—GENERAL PROVISIONS

TECHNICAL ASSISTANCE TO RURAL AREAS

During the hearings, this year and last, many comments were received as to the need for establishment of a program of technical assistance for small schools in rural areas in order that federal assistance under the various statutes which have been enacted could be brought to bear in the solution of their problems.

The committee can well appreciate, in light of the initiation of a great many such programs within a relatively short time, the importance of strengthening the dissemination of information function in the Office of Education to enable assistance to be given to all elementary and secondary educational entities to enable each to obtain pertinent benefits to which entitlement may have been given.

In the Elementary and Secondary Education Amendments of 1966, there was authorized for such purposes $2 million. Regrettably, in the view of the committee, the budget estimates submitted contained no funding request for this program.

In colloquy with administration witnesses, the committee members upon a number of occasions returned to this point. It arose also in connection with committee questioning of witnesses upon the substance of section 701.

Based upon the testimony received, it was decided to increase by $1.5 million the existing authorization for fiscal year 1968 so that $3.5 million would be authorized for this program, $1.5 million of which would be used to fund the new rural areas program.

The term "rural areas" as it appears in the section is not defined, by intention, to permit some flexibility in the application of the benefits. The committee understands that except in very rare and unusual cases, the Commissioner would provide the assistance contemplated to elementary and secondary schools serving children living in communities of less than 10,000 population to meet their needs prior to expending funds in areas having a greater population.

DROPOUT DEMONSTRATION PROJECTS

The committee recommends an amendment which authorizes an additional $30 million for dropout prevention projects designed to make a concerted and concentrated effort to reduce the number of, or prevent, dropouts.

The program is designed to give maximum flexibility and freedom at the local level for experimentation. It is based on the premise that answers have not as yet been found which will make dramatic changes in poverty area schools. Under the proposal, local educational agencies will, after receiving the approval of the State educational agency, submit innovative proposals which zero in on a particular school or a particular classroom in an effort to have a major impact on the dropout problem. The amendment requires that eligible schools be located in an urban area, have a high percentage of children from families of low income, and have a high percentage of children who drop out of school.

Before approving projects conceived at the local level, the local school district is required to identify the school, analyze the reasons for and tailor programs to meet the dropout problem, provide effective procedures, including objective measurements of educational achievement, for evaluating the program, and secure the approval of the State educational agency.

Dr. James Conant in 1961 in his book, entitled "Slums and Suburbs," warned that social dynamite was accumulating in our large cities. Of course, the Nation is making some progress. In January of 1967 it was estimated that 97 percent of the 5- to 17-year-olds in America were in school. This as compared to 80 percent of the same age group in 1900. Also in January of 1967 it was conjectured that of the 3.8 million youngsters in this country then enrolled in ninth grade, some 2.9 million, or 77 percent, would graduate from high school. This represents a significant increase over similar data collected for the 2.7 million ninth graders of 1956, of whom only 1.9 million, or 69 percent, ultimately graduated.

But reversed, the figures do not appear so reassuring. We are still faced, according to these 1967 predictions, with a possible 23 percent dropout rate in 1970.

It has been estimated that approximately 1 million students drop out of school each year. The seriousness of the problem is magnified by the technological changes in our society which demand skilled workers. Currently in the United States, for every 10 unskilled workers there are seven skilled job vacancies. And by 1970, it is estimated, no more than 5 percent of our jobs will be unskilled. Yet today there are more than 1 million young men and women under 21 who have left school and are unemployed. And it is estimated that the decade of the sixties, by its conclusion, will have produced some seven and a half million such school dropouts.

SCHOOLBUS SAFETY

The number of schoolbus passengers increased 40 percent from 1960 to 1965 while the accident rate has increased 75 percent.

Sixteen million pupils travel daily on schoolbuses and this number may be expected to mount as suburban education systems grow.

Schoolbus safety standards throughout the Nation are spotty, substandard, and lax. The president of the Physicians for Automotive Safety has said that in the area of school transportation, not a single State is doing all that safety authorities believe must be done to protect human life on the highway. He also stated that we were shocked to discover that known safety measures that can be taken to safeguard young people in school vehicles are largely being ignored at the local level. In the area of driver training, the PAS says their 1967 survey shows the majority of States do not conduct an adequate program. Other controls are equally spotty: Only 18 States forbid pupils to stand in moving buses; 35 States have no maximum age for schoolbus drivers and of those with age limits, four permit an age of 70 and the rest allow 65.

While the Department of Transportation has authorized a $52,000, 6-month study on schoolbus safety practices to be undertaken by the National Committee on Safety Education of the NEA there seems to be little other effort in this area.

The National Safety Council has urged that some testing and research is desirable on schoolbus design and safety practices and the Department of Health, Education, and Welfare has acknowledged that study and demonstration projects are needed in this area which has long been neglected.

Section 601 calls for the Secretary of HEW to request from and cooperate with the Secretary of Transportation to have studies made and conduct demonstration projects on school bus safety and further to facilitate the adoption of minimum standards in the community for school bus safety. This should be done with a view toward receiving recommendations by January 31, 1969, from the administration with respect to including provisions in education legislation for the establishment of minimum safety standards for schoolbuses.

SECTION-BY-SECTION ANALYSIS

TITLE VI—DEMONSTRATION PROJECTS AND STUDY FOR SCHOOLBUS SAFETY

Section 601. Study and demonstration projects authorized

This section would authorize the Secretary of DHEW together with the Secretary of DOT to make grants, contracts or other arrangements for a study to determine minimum safety standards for schoolbuses and for demonstration projects for the purposes of such study. The Secretary would be required to report the findings of the study to the Congress by January 31, 1969, together with legislative recommendations concerning such standards.

Section 602. Appropriations authorized

This section would authorize $1 million for the purposes of this title.

PART F—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Section 171. Technical assistance to rural areas

Section 706 of the Elementary and Secondary Education Act of 1965 would be amended by inserting a new subsection (b) providing that the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas in determining benefits available to such agencies and schools under Federal laws, and in preparing applications and meeting other requirements for such benefits.

The authorized appropriations in the present law for fiscal year 1968 would be increased from $2 million to $3,500,000, and appropriations would be authorized of $3,700,000 for fiscal year 1969, $4,000,000 for fiscal year 1970, and $4,200,000 for fiscal year 1971.

Section 172. Demonstration projects to prevent dropouts

A new section 707 would be added to Elementary and Secondary Education Act authorizing the Commissioner to assist local educational agencies in carrying out demonstration projects in schools which are located in an urban area, have a high percentge of children from low-income families, and have a high percentage of such children who do not complete their elementary or secondary education. Appropriations of not to exceed $30 million would be authorized for the period ending June 30, 1969, and $30 million each for fiscal years 1970 and 1971 for the purpose of this section.

Mr. MORSE. Mr. President, I have reserved until now my discussion of the reported bill as it concerns the perennial favorites of legislation, the federally impacted areas. Public Laws 815 and 874 since 1950 have been with us on an annual and biannual basis. Each session, however, their provisions are refined, and in each session we find that we can expand their concepts to cover additional purposes.

As Senators know, Public Law 89–313, the major school disaster bill, is on the statute books as an amendment to these laws. In title II of H.R. 7819 we have asked that the school disaster bill be authorized for an additional 3-year period and that there be incorporated within its provisions to cover what the majority leader and the junior Senator from Montana have fittingly described as pinpoint disaster. These are those sad occasions which occur with great frequency in this country, where as the result of tornado, or hurricane, or earthquake or other disaster, damage to school facilities occurs. This damage might not be extensive enough to warrant Presidential findings that a major disaster had occurred, but to the communities involved, the damage is as if it were a major disaster.

Essentially, these provisions are loans which are repaid to the Treasury, grant aspects covering a limited number of years following the disaster, and the amounts which are loaned or granted are only those amounts which the Governor of the State certifies are needed over and beyond the resources of the State or the community to meet.

Mr. President, with regard to the further provisions of the changes recommended in Public Laws 815 and 874, I believe they are fully covered in the committee report; and I therefore ask unanimous consent that relevant extracts from Senate Report No. 726 be printed at this point in my remarks.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF THE BILL

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

Part A of title I of H.R. 7819 would:

I. Provide that sums allotted to the State under the terms of the Labor-HEW appropriations act would be distributed within the State according to the following priorities:

* * * * *

In title II of H.R. 7819 which relates to federally impacted areas under Public Laws 815 and 875, the following changes are recommended: Adoption of language relating to:

(1) clarification of definitions,

(2) effective date provisions,

(3) extension of Public Law 89–313, the School Disaster Act,

(4) administration proposals modifying provisions relating to school construction assistance on Indian lands under Public Law 815,

(5) deletion from Public Law 874 of provisions requiring that certain contributions be deducted from entitlements under that act,

(6) the Chamizal international boundary change, and

(7) repeal of provisions requiring the use by States of mandatory group rate provisions under Public Law 874.

Further, the Commissioner of Education was provided with discretionary authority to waive certain requirements of Public Law 815.

The committee estimates, upon advice from the Office of Education, that the total cost would be under $10 million annually for the foregoing changes.

The committee, while extending for a 3-year period the major school disaster provisions of Public Law 89–313, has further expanded these provisions to provide protection to schools in communities which may in the future suffer pinpoint disasters such as fire, flood, hurricane, earthquake, storm, or other catastrophe. The loan program, which provides for replacement of facilities, would be invoked upon the certification of the Governor of the State that the pinpoint disaster had occurred and that loan assistance is needed, in addition to State and local funds which are available, to meet the emergency.

TITLE II, H.R. 7819—COMMENTS

AMENDMENTS TO PUBLIC LAWS 81–815 AND 81–874—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN IMPACTED AREAS

Extension of impact aid

The temporary provisions of Public Law 81–874 providing grants to local educational agencies to compensate for the burdens imposed by Federal activity in the school district are extended by the bill to June 30, 1971. The corresponding provisions of Public Law 81–815 relating to school construction in such areas are extended to June 30, 1971.

Clarifying definitions of "Federal property"

The bill would amend Public Law 81–815 and Public Law 81–874 to spell out plainly that the term "Federal property" includes any interest (under an easement, lease, license, permit, or other arrangement) in any property defined as "Federal property," and any improvements (other than pipelines or utility lines) on such property.

The bill would amend Public Law 81–874 by eliminating the definition of "other Federal payments" in section 2(b), by authorizing computation of entitlement under section 2(a) without considering the amount the local educational agency derived from other Federal payments with respect to the real property acquired by the Federal Government and which forms the basis for such entitlement; and would repeal section 3(e), thus eliminating the requirement that certain Federal contributions with respect to Federal property be deducted from entitlement under section 3.

MODIFYING PROVISIONS RELATING TO SCHOOL CONSTRUCTION IN OTHER FEDERALLY AFFECTED AREAS

The bill would change the reference to "Federal property" in section 14 of Public Law 81-815 to "Indian lands," and would liberalize existing law in two ways. First, it would amend the existing subsection (a) of section 14 in a manner which would retain the "burden and effort" requirements but would provide that once a local educational agency qualifies for assistance, it would receive sufficient funds to provide minimum school facilities for all the "unhoused" children in its school district. Second, the bill would add a new subsection (b) to section 14, basically patterned on subsection (2), but the burden and effort requirements would be eliminated. This will make qualifying for assistance easier, and the amount of assistance available in such cases would be limited to the cost of providing school facilities for children who reside on Indian lands. The bill would make section 14 applicable only to a local educational agency which provides free public education for children who reside on Indian lands, and then only if (1) the total number of such children represents a substantial percentage of the school population in that district, or (2) if the Indian lands constitute a substantial part of the school district of the local educational agency, or (3) if the agency provides free public education for at least 100 children who reside on Indian land outside the school district. The requirements in items (1) and (3) are in existing law; item (2) would be added.

The cost of these amendments is estimated to be, for fiscal year 1968, approximately $4 million.

MISCELLANEOUS AMENDMENTS

Public Law 89-750 amended Public Laws 81-874 and 81-815 to provide that, effective after fiscal year 1968, where free public education for children who reside on Federal property within the school district of a local educational agency is not or cannot be provided by such agency, there would be deducted from the Public Law 874 payments to that agency for the "B" category of children an amount equal to the additional expense to the United States of educating a full Federal expense the category "A" children on base. In addition, the 1966 amendment would prohibit school districts in a State from counting for purposes of entitlement for "B" category children if State law prohibits expenditures of State or local funds for the education of children living on that property. The present bill would defer to fiscal year 1970 the effective date for operation of these provisions in order to provide ample time for States to make appropriate adjustments, if it desires.

The bill would repeal the mandatory group rate provisions in subsection 3(d) of Public Law 81-874 as amended by section 201(b) of Public Law 89-750, to have been effective for fiscal years beginning after June 30, 1967.

Section 201(d) and section 227 of Public Law 89-750 authorized payments at the "B" category rates of payment under sections 3(b) of Public Law 81-874 and section 5(a)(4) of Public Law 81-815 because of children whose membership in the schools of a local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States. A provision in the 1966 law made appropriated fund unavailable during fiscal year 1967 to make the additional payments under Public Law 81-874. The bill would authorize payment of the additional amount a local educational agency would have been entitled to receive under the 1966 law to be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out the act may be used for such purpose.

The bill would authorize the Commissioner of Education to waive the requirement in subsection 5(f) of Public Law 81-815 where unusual circumstances exist to justify such waiver.

The limitation in existing law creates an inequity in some few school districts where, for example, a Federal grant is based in part on membership of children residing in Federal housing and the housing subsequently becomes non-Federal property, or on the membership of children whose parents are employed in a Federal activity, such as a dam or reclamation project, which activity was completed or greatly reduced. In these types of cases, the children formerly classified as federally connected because of such Federal housing or activity may nevertheless remain in the school district when the Federal housing is sold or the Federal activity ceases. This results in a substantial decrease in federally connected children, but little or no decrease in total enrollment in the district. At a subsequent time, increased or reactivated Federal activities may cause a substantial increase in the number of federally connected children in the district, and create a critical need for new school facilities; but under the provisions of subsection 5(f) the district is not eligible for additional Federal assistance to house the new increase in federally connected children until this increase exceeds the total number of federally connected children which formed the basis for payment on the last eligible applications.

The provisions of subsection 5(f) are considered to be reasonable and well adapted to the problem that exists in most federally impacted districts. It makes possible using the moving increase period and base year, on an overlapping basis, yet prevents paying twice for the same increase. It does not fit those few situations described above where at some period in the past, perhaps as long ago as 8 to 10 years, the federally owned housing became non-Federal or other Federal activities were discontinued or greatly decreased and most of the former federally connected children remained in the district as non-federally connected children.

This additional waiver provision is intended to relieve only the extreme hardship caused by the type of Federal impacts discussed above. It is intended to be used only in those situations where an impact that occurred a number of years earlier created a continuing need for the school facilities which were constructed to house the federally connected membership because they remained in the school district as nonfederally connected pupils, and the school facilities constructed earlier with the aid of Public Law 81-815 funds are not currently available to house the subsequent increase in federally connected membership resulting from a new or increased Federal activity.

The cost of these amendments are estimated, on the basis of fiscal year 1967, to be less than $6 million.

MINIMUM SCHOOL FACILITIES

The committee recommends establishment of a more up-to-date concept of "minimum" school facilities than was included when the law was originally enacted in 1950 and which has been followed since that time. Educational needs and programs have changed materially since 1950 and, insofar as possible, the type of the facilities to be constructed should meet current educational needs. It is intended that this more liberal concept of "minimum" school facilities apply to the entire Public Law 815 program, but it is particularly significant for section 14. The committee supports the following statement included in the House Report No. 188 which accompanied H.R. 7819:

"Public Law 815 was enacted September 23, 1950, to provide Federal assistance for the construction of school facilities in areas in which Federal activities have been or are being conducted. Section 210(10) of the original act (now sec. 15(9) defined school facilities as follows:

"The term 'school facilities' includes classrooms and related facilities; and initial equipment, machinery, and utilities necessary or appropriate for school purposes. Such term does not include athletic stadiums, or structures or facilities intended primarily for athletic exhibitions, contests, or games or other events for which admission is to be charged to the general public. Except as used in sections 203 and 204, such term does not include interests in land and off-site improvements."

Under the terms of this original act quoted above, eligible school districts could use the Federal grants to construct any type of school facility desired except those expressly prohibited by the second sentence of section 210(10). The term "minimum school facilities" had not been incorporated into the legislation introduced.

In 1953 there were major changes made in some provisions of Public Law 815 by the passage of Public Law 246. These changes incorporated into the act the concept of "minimum school facilities." The act, as amended by Public Law 246, provided that Federal payment to an eligible school district in no event could exceed the cost of constructing "minimum" school facilities in the district and the following provision was added to section 210(11) (now sec. 15(10)):

"Whether or not school facilities are minimum school facilities shall be determined by the Commissioner, after consultation with the State and local educational agencies, in accordance with regulations prescribed by him."

The amended act did not define minimum school facilities, but House Report 702, dated July 3, 1953, included the following statement:

"The term 'minimum' school facilities used in the bill does not mean that the test to be applied will be one based on the use of inferior materials or on the provision of inadequate space for the basic school needs of the children. *There is no substantive difference between 'minimum' and 'complete' school facilities so far as facilities for classroom, administrative, or operational purposes are concerned.* The difference between these two terms comes primarily in the fact that under the term 'minimum' school facilities, allowance is not made for a room which must be used *exclusively* as an auditorium, a gymnasium, or for some other special activity. It should be further pointed out that the term 'minimum facilities' merely insures against Federal participation in expenditures beyond those *needed to conduct an adequate school program,* and hence, spreads Federal funds as far as possible to meet adequately the basic needs. Under this concept, *the Federal payment to the school district will be based on the cost of the type of facility which the average school district has in recent years been building out of its own funds.*"

Since the Federal law did not specifically define "minimum school facilities," the Office of Education followed the guidelines given in the committee report. Under this concept Federal funds have been approved to construct school facilities of the size and type which school districts have been providing in recent years with their own funds but have generally excluded single-purpose auditorium, and single-purpose gymnasium.

The committee believes that the concept of minimum school facilities has served a useful purpose in this law for the past 14 years and that it should be retained in the act to prevent unnecessary or unwise expenditure of Federal funds. *However, the committee feels that the concept needs to be modernized to fit the current trends in educational programs, techniques, and pur-*

poses. The last session of Congress began this change with the passage of Public Law 89–750 by requiring the applicant to give consideration to excellence of architecture and design of any building constructed with the use of Federal funds, by authorizing not to exceed 1 percent of the project grant for incorporation of works of art in building plans and by requiring that all facilities having Federal funds be made readily usable by handicapped persons. The committee feels that it should give further guidelines in this report for updating the concept of minimum school facilities in line with current educational needs and technology.

A school district should not be prevented from using Federal funds to construct an auditorium or a gymnasium or both if justified by the size of the schools' enrollment, the educational program to be conducted and standards and practices in the State. With new devices for instruction becoming more widely used such as educational television, the auditorium or gymnasium may be used more intensively than any other special facilities in the entire school building. *The committee believes that minimum school facilities should include in addition to regular classrooms, special rooms for such purposes as speech therapy, remedial reading, music appreciation, language laboratories, electronic data processing, and other facilities and equipment necessary for and useful in conducting special programs or activities for educationally deprived children. No longer should the Commissioner refuse, as he has in the past, to approve inclusion of features in buildings or other specialized facilities until their use becomes common practice in a State. The criteria to be used should be their need in the light of the school program operated by the applicant school district.*

The committee also believes that it is within the concept of minimum facilities to use Federal funds particularly under section 14 in appropriate situations for construction of consolidated school facilities in cases of consolidation of small districts or to replace small isolated, inadequate buildings with modern facilities; even though the district may have enough classroom space to house all of the children. The Commissioner should have considerable leeway in determining what constitutes minimum school facilities in specific situations in consultation with the State educational agency. However, he should set forth in regulations or in operating instructions the guidelines to be followed in making these determinations.

This amendment to section 14 was recommended by the administration in a letter dated April 26, 1967, to Senator Lister Hill, chairman of the Senate Committee on Labor and Public Welfare, by Ralph K. Huitt, Assistant Secretary for Legislation. That recommendation reached the Congress too late to be included in the Elementary and Secondary Education Act amendments which have been passed by the House.

Excerpts from Senate Report No. 1154, dated May 1966, on the 1967 Interior Department appropriations

The committee urges the Department of the Interior to study the desirability of Federal financial assistance to public school districts for construction of public school facilities to serve Indian children; and if such assistance is determined to be desirable, to propose legislation to the Congress to authorize the assistance. A report on this matter will be made to the committee by January 15, 1967.

The committee feels that some thought should be given at this time to those children who are not now served by existing school facilities, particularly in Alaska. Regional high schools and boarding facilities or their equivalent would at least be a partial answer to the problem of keeping children in school and upgrading their general education and their economic efficiency.

Excerpts from the letter, dated January 27, 1967, from the Secretary of the Interior to the chairman of the Senate Appropriations Committee

In compliance with Senate Report No. 1154, dated May 10, 1966, on the 1967 Interior Department appropriation bill, we wish to make the following report:

"We have carefully studied construction proposals which have been requested by several public schools enrolling Indian children, and find that there is a dire need for additional classroom space to meet more adequately present and growing Indian enrollments, and also to provide facilities to accommodate special educational programs so necessary in improving Indian education.

"Inasmuch as funding for construction assistance to public schools enrolling Indian children already is a function of the Department of Health, Education, and Welfare under Public Law 81–815, we do not believe that the Department of the Interior, through its Bureau of Indian Affairs, is the best resource in meeting this growing need. With this in mind, the Bureau of Indian Affairs and the U.S. Office of Education officials have had a series of conferences to discuss needs and the most feasible procedures to meet these needs."

ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN MAJOR DISASTER AREAS

Assistance for disaster areas occurring after June 30, 1967

At present the provisions authorizing disaster relief under Public Law 81–815 and Public Law 81–874 apply only to major disasters occurring before July 1, 1967. The bill would make these provisions applicable to disasters occurring before July 1, 1971.

Authorizing, in cases in which the disaster has not destroyed or damaged public schools, assistance for construction of public school facilities needed because of destruction of private facilities which will not be replaced

The proposed amendment would correct a defect in existing law by amending section 16 of Public Law 81–815 to permit financial assistance for the construction of public school facilities to serve children who will be attending the public schools because the private schools they were attending have been destroyed by a major disaster and will not be replaced. Under the original section 16, this may be done only if there has also been destruction of, or damage to, a public school.

Modifying conditions of eligibility with respect to local effort and minimum damage required

This bill would amend both Public Law 81–815 and Public Law 81–874 in two respects: (1) It would relax the eligibility requirements for disaster relief assistance by substituting a requirement that the local educational agency is utilizing or will utilize all State and other financial assistance available for the replacement or restoration of damaged or destroyed school facilities for the present requirement that the local educational agency is making a reasonable tax effort and is exercising due diligence in availing itself of other financial assistance; (2) it would add a minimum need provision ($1,000 or one-half of 1 percent of the local educational agency's current operating expenditures during the preceding fiscal year, whichever is less) as a condition of eligibility.

The first change is necessary because the terms "reasonable tax effort" and "due diligence," in the context of Public Law 81–815 and Public Law 81–874, have acquired a gloss which imposes rather severe requirements on local educational agencies suffering damage from a major disaster.

The second change is necessary to discourage applications for insignificant amounts of assistance.

Determining level of education to be restored according to level at time of disaster instead of level during a base year

Section 7(a) of Public Law 81–874 at present limits disaster relief for current operating expenditures to that amount needed to restore the level of education provided during the last full fiscal year preceding the year in which the disaster occurred. Since this arbitrarily ignores any recent improvement, this proposal would amend this provision to specify an amount of assistance sufficient to restore the level of education provided immediately before the disaster occurred.

Authorizing disaster relief assistance for technical, vocational, and other special schools

The committee recommends amendment to the disaster relief provisions of Public Law 81–815 and Public Law 81–874 to make technical, vocational, and other special schools operated by public agencies other than local educational agencies eligible for assistance.

Clarifying authority to provide funds for minor repairs under Public Law 874

Local educational agencies commonly pay for minor repairs to school facilities from their funds for current operating expenditures. This amendment would merely make it explicit that assistance under the disaster relief provisions of Public Law 81–874 also may be used for that purpose.

ASSISTANCE FOR SCHOOL CONSTRUCTION AND FOR CURRENT SCHOOL EXPENDITURES IN CASES OF CERTAIN DISASTERS

The bill contains an alternate amendment which would further amend section 16 of Public Law 815 and section 7 of Public Law 874 to provide, in addition to assistance authorized to local school districts in declared major disaster areas, immediate loan assistance under Public Laws 874 and 815 in the case of "pinpoint" disasters, that is, those disasters which are localized and not large enough to be classed as a Federal disaster area. In the case of construction to replace destroyed facilities such assistance must be in the form of repayable advances. The provision in section 7 of Public Law 874 would also authorize grants where funds are required for renting temporary facilities, purchase of equipment, and operational expenses which cannot be repaid from other sources such as insurance proceeds and regular school funds. The additional assistance would be authorized upon a finding by the Commissioner that public elementary and secondary school facilities have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person, or other catastrophe and the Governor of the State certifies the need for disaster assistance and gives assurance of the expenditure of a reasonable amount of State and local funds for the same purpose.

SECTION-BY-SECTION ANALYSIS

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Assistance for school construction and current expenditures in impacted areas

Section 201. Clarifying definitions of "Federal property"

This section amends the definition of "Federal property" as used in section 15 of Public Law 81–815 and section 303 of Public Law 81–874 so as to make clear that the term "Federal property" includes any interest in real property owned by or leased from the United States and not specifically excluded from the term, whether such interest be created by an easement, lease, license, permit, or other arrangement, and includes as well, any improvements of any nature (other than pipelines or utility lines) on such property, even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia.

Section 202. Effective date of certain 1966 amendments

Section 204 of Public Law 89–750 added a new subsection (f) to section 6 of Public Law 81–874. The existing subsection 6(f) provides that if no tax revenues of a State or any political subdivision of the State may be spent for educating children who reside on Federal property within the State, or if no tax revenues of a State are allocated for educating these children, then the property on which the children reside may not be considered Federal property for purposes of making payments under sections 3 and 4 of the act. If none of these situations exist, but a local educational agency still refuses to educate children who reside on Federal property within the school district of the agency, there would be deducted from the payments to that agency for category "B" children an amount equal to the additional expense to the United States of educating the category "A" children on base. Section 229 of Public Law 89–750 added a new subsection (c) to section 10 of Public Law 81–815, which provides that if no tax revenues of a State or any political subdivision of the State may be spent for educating children who reside on Federal property within the State, or if no tax revenues of a State are allocated for educating these children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of Public Law 81–815. Section 241 of Public Law 89–750 provided that if the amendment made by section 204 or 229 would have reduced payments to a local educational agency for the fiscal year ending June 30, 1966, if it had been in effect for that year, the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968. Section 202 of the bill would make the provisions of sections 204 and 299 effective only with respect to fiscal years beginning after June 30, 1969.

Section 203. Modifying provisions relating to school construction resistance under section 14 of Public Law 81–815

When Public Law 815 was originally enacted it included as federally connected those children living on or whose parents were employed on Indian reservations. However, the requirement for eligibility in Public Law 815—a substantial increase in membership in a 2-year period—was characteristic of areas having military installations but not of the problems confronting districts with Indian reservations. As a result, very few Indian districts were eligible for assistance the first 2 years the law was in effect. Congress met this situation by adding section 14 which was designed specifically to meet this problem. The section has worked well. Under it approximately $58 million has been allocated to school districts to construct school facilities for about 50,000 Indian children in 22 States. However, some additional needs have developed which this section does not meet. As a result, there are a number of requests made to Congress each year for special appropriations to construct school facilities for children in specific districts having Indian reservation lands.

The amendment proposed by the Administration recommends two changes in section 14 to meet this relatively small number of critical school housing problems. The first change amends subsection 14(a) to meet the applicable school housing problem in those school districts having large Indian Reservations, a substantial impairment of the district's ability to finance education because of Federal ownership of property, and substantial numbers of "unhoused" children. It eliminates the present reference in the subsection to "Federal property" and substitutes in its place "Indian lands." The present eligibility requirement in this section is that the number of children who live on Indian lands represent a substantial percentage of the total number of children for whom the agency provides free public education. The amendment would add as an alternative eligibility requirement that *"Indian lands constitute a substantial part of the school district of the local educational agency."* It would continue the present financial burden and effort requirement but would relate this requirement to a *"substantial percentage of the children in membership of its schools"* rather than to "the total number of children in the school district." If a district meets requirements for eligibility and the test of financial need, the Commissioner could provide the financial assistance necessary for schoolchildren in the district for whom no school facilities were available after taking into account the amount that could reasonably be made available for this purpose from State and local sources.

The second change proposed by the amendment would add a subsection (b) to section 14 directed only to school facilities for children living on Indian Reservation lands. This change would continue the present "substantial percentage" requirement for eligibility and would also add to the alternative eligibility requirement added to subsection (a). It would eliminate for the purposes of providing facilities for children living on Indian lands the "burden" and "effort" requirements and would authorize the Commissioner to provide the amount he determined to be in the public interest to build necessary school facilities for children living on Indian lands once the eligibility requirements have been met. This provision is essentially the same concept now embodied in subsections 5(a)(1) and 5(a)(2) of providing the amount authorized by the formula to school districts that meet the eligibility requirements without imposing on them a test of financial need, burden, and effort.

The wording of the amendment restricts its provision to districts in isolated areas with very meager financial resources which have among their school population substantial numbers of Indian children who are among the most educationally disadvantaged children in the Nation. There are not a large number of districts covered by this amendment but their needs are urgent and critical. It is estimated that this amendment would increase the costs of this section from the present requirements of $3 million a year to an average of $5 million a year for perhaps 5 years with an additional million dollars each of the first two years.

Elsewhere in this report the committee proposes to establish a more up-to-date concept of "minimum" school facilities which is particularly significant for section 14.

Section 204. Deleting requirements that certain contributions be deducted

Section 204(a) would amend existing section 2(a) of Public Law 81–874 so that other Federal payments with respect to the property in the school district which has been acquired by the Federal Government are not required to be considered in determining whether the school district is being substantially compensated for the loss in revenue resulting from the acquisition of land by the Federal Government. Section 204(b) eliminates the provision requiring deduction of the amount a local educational agency derived from other Federal payments with respect to property acquired by the Federal Government from the amount of the agency's entitlement under section 2.

Section 204(c) makes a conforming amendment by eliminating the definition of "other Federal payments" in the existing subsection 2(b)(1) of Public Law 81–874, and redesignating as section 2(b) the existing subsection 2(b)(2), with wording modification. The redesignated section 2(b) continues to exclude any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, as Federal property for purposes of section 2.

Section 204(d) repeals the existing subsection (e) of section 3, including the caption heading of the subsection, and redesignates the existing subsection (f) as subsection (e). This would eliminate the requirement for making deductions of any other Federal payments from entitlements under sections 3 and 4 of Public Law 874.

Section 205. Children moving into an area as a result of an international boundary relocation

Section 201(d) of Public Law 89–750 added to section 3(b) of Public Law 81–874 a sentence that provided that, in addition to the children who otherwise may be counted for eligibility and payment under Public Law 81–874, a school may count for eligibility and payment under subsection 3(b) for the fiscal year ending June 30, 1967, only, the number of children in the district for whom such agency provided free public education during such year as a result of a charge in residence from land transferred to Mexico as a part of the relocation of an international boundary of the United States. A corresponding provision was added to section 5(a) of Public Law 81–815 by section 227 of Public Law 89–950. Public Law 89–787, approved November 7, 1966, appropriating funds for the Department of Health, Education, and Welfare for the 1967 fiscal year, included funds for payment under title I of Public Law 81–874 and imposed the following limitation on the use of funds appropriated for title I of Public Law 81–874: "Provided further that no part of this appropriation shall be available to carry out the provisions of legislation enacted after June 30, 1966." The effect of this provision in the appropriation act was that none of the funds appropriated for fiscal year 1967 for title I of Public Law 81–874 were available for payment to those school districts that became eligible under the above-mentioned amendment made by Public Law 89–750, enacted November 3, 1966. There was no such limitation on the appropriation for Public Law 81–815.

The amendment made by section 205(a) of the bill would provide that, in cases where the provisions of the last sentence of section 3(b) of Public Law 81–874 were not considered in computing the entitlement of a local educational agency for the fiscal year ending June 30, 1967, the additional amount to which such agency would have been entitled under the provision shall be added to the agency's entitlement for the first fiscal year for which funds appropriated to carry out the act may be used for such purposes. Subsection (b) of section 205 adds a similar provision to the corresponding subsection 5(a)(4) of Public Law 81–815.

Section 206. Repeal of mandatory group rate provisions

Public Law 89–750, in section 201(b), amended section 3(d) of Public Law 81–874, to provide that the local contribution rate for all school districts which do not use either of the alternative minimum rates of one-half of the State or one-half of the national average cost per pupil in average daily attendance, will be based on current expenditures per pupil derived from local revenue sources in groups of generally comparable districts determined by the Commissioner, after consultation with the State educational agency. The amendment was to become effective beginning with the 1967–68 school year, and would have eliminated individual selection of "comparable districts."

Section 206 repeals the 1966 amendment by restoring the wording in section 3(d) as it was effective during fiscal year 1967.

Section 207. Discretion to waive certain requirements

Section 207 would amend subsection 5(e) of Public Law 81–815 to give the Commissioner of Education, in addition to the authority he now has to waive or decrease certain eligibility requirements, discretionary authority to waive or reduce the requirements of subsection 5(f) in exceptional circumstances where it is necessary to do so in order to avoid inequity and avoid defeating the purposes of the act. Subsection 5(f) specifies that in determining the total of the payments which may be made to a local educational agency on the basis of a current application, the total number of federally connected children counted for payment may not exceed the estimated number of such children as of the end of the increase period covered by the current application minus the number of federally connected children which formed the basis for payment under the last eligible application of such agency.

Section 208. Effective date

This section provides that the amendments to Public Laws 81–874 and 81–815 made by sections 201, 203, 204, 205, 206 and 207 shall be deemed to have been enacted before June 30, 1967, and shall be effective for fiscal year beginning after that date.

Part B.—Assistance for School Construction and Current Expenditures in Disaster Areas

Section 217. School construction assistance in disasters occurring after July 1, 1967

This section extends until July 1, 1971, the authority to provide Federal assistance to local educational activities for the restoration or replacement of elementary and secondary schools in areas affected by a major disaster, which authority is contained in section 16 of Public Law 81–815 as a result of amendments to the act contained in Public Law 89–313, and amends the section to authorize disaster school assistance to any other publicly operated school providing technical, vocational, or other special education to children of elementary or secondary school age.

The proposed section 217 authorizes assistance also, in cases in which the disaster has not destroyed or damaged public elementary or secondary school facilities, but where private school facilities in the school attendance area of the local educational agency have been destroyed or seriously damaged and will not be replaced, thereby increasing the need of such agency for school construction assistance. Under the existing provision, assistance to a local educational agency may be provided only where public school facilities are damaged or destroyed. The amendment section retains the present requirement that assistance may be provided only if the local agency has made arrangements in conformity with section 7(a) of Public Law 81–874 for participation of private school children (also affected by the disaster) in programs the agency conducts. No assistance is provided, either under existing law or under the amendment, for the construction of facilities to accommodate private school children whose facilities are destroyed by a major disaster.

The amendment also authorizes assistance in the form of a repayable loan for the restoration or replacement of school facilities not in a declared disaster area where the Commissioner determines that public elementary and secondary school facilities of a local educational agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe, and the Governor of the State certifies the need for disaster assistance and gives assurance of the expenditure of a reasonable amount of State or local funds for the same purpose.

The amendment would eliminate the requirement of a "reasonable tax effort and the exercise of due diligence" by the educational agency in availing itself of State and other financial assistance, but would require such agency to use all State and other financial assistance available for the restoration of facilities as a condition to the receipt of assistance. The amendment provides a minimum amount of assistance that may be extended for construction consisting of the lesser of $1,000, or one-half of 1 percent of such agency's operating expenditures during the fiscal year preceding the one in which the disaster occurred.

The amendment finally includes among eligible facilities those of any public agency providing technical, vocational, or other special education to children of elementary or secondary school age.

Section 218. Current School Expenditures Assistance

This section extends until July 1, 1971, the provisions of Section 7(a) of Public Law 81–874 authorizing Federal assistance for current school expenditures in declared disaster areas and makes corresponding amendments to section 7(a) of the act noted above for section 16 of Public Law 81–815 with respect to (1) extension of assistance to publicly operated schools providing technical, vocational, or other special education to children of elementary and secondary school age; (2) assistance in cases of localized or "pinpoint" disasters to elementary and secondary educational agencies in other than declared disaster areas; (3) elimination of the requirement for a determination of reasonable tax effort and exercise of "due diligence" of the local educational or other public agency in availing itself of State and other financial assistance and the requirement that such agency use all State and other financial assistance available; and (4) establishing the minimum for assistance available to such agencies for school operating following a disaster.

Section 7(a) is further amended to authorize assistance to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of the disaster, and not to the "last full fiscal year" prior to the occurrence of disaster as is now required. Section 7(b), which authorizes additional assistance for cost of replacement of instructional and maintenance supplies, equipment, and materials (including textbooks), destroyed or seriously damaged as a result of the disaster, and to lease or otherwise provide school and cafeteria facilities needed to replace temporarily such facilities made unavailable as a result of the disaster, is amended to make clear the authority to use grant funds to make minor repairs to facilities where necessitated by a major disaster.

Mr. MORSE. Finally, Mr. President, I wish to address myself to title IV of H.R. 7819, in which are contained provisions for adequate leadtime for planning and evaluation in elementary and secondary school programs. At the beginning of my presentation I detailed the considerations which undergirded our decisions upon formula language of title I of ESEA. Yet a review of the testimony in our hearings record will reveal that almost as much testimony was received on late funding as on any other issue before us. From every level of school administration, from every kind of school district, rural, intermediate or urban-metropolitan, and from every citizen serving on the school boards of our country, there came an entreaty—represented through their associations—that a way be found for some certainty in our educational programs which would permit schools to plan their activities in an orderly fashion.

The provisions of title IV of H.R. 7819 are devoted to meeting this plea. In our executive sessions, we had presented to us a plan which resulted from the task force that had been working in this area at the request of the President of the United States. I ask unanimous consent that the basic document used in support of the proposal, together with the material contained in the study of the U.S. Office of Education, entitled "Report No. 1 of the Special Subcommittee on Education," be printed at this point in the RECORD, together with as many of the charts as are permissible.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMPROVING DHEW SUPPORT OF EDUCATIONAL PROGRAMS—A MODEL AUTHORIZATION AND FUNDING SYSTEM FOR ELEMENTARY AND SECONDARY EDUCATION, SEPTEMBER 1967

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., September 14, 1967.

Hon. JOHN W. GARDNER,
Secretary of Health, Education and Welfare,
Washington, D.C.

DEAR MR. SECRETARY: The President in his Health and Education Message to the Congress this past February 28, expressed his deep concern with the late funding of education programs in the section entitled, "A better education timetable" as follows:

"One condition which severely hampers educational planning is the congressional schedule for authorizations and appropriations. When Congress enacts and funds programs near the end of a session, the Nation's schools and colleges must plan their programs without knowing what Federal resources will be available to them to meet their needs. As so many Governors have said, the Federal legislative calendar often proves incompatible with the academic calendar.

"*I urge that the Congress enact education appropriations early enough to allow the Nation's schools and colleges to plan effectively*. I have directed the Secretary of Health, Education, and Welfare to work with the Congress toward this end."

Pursuant to the President's direction you formed a task force to develop approaches to this problem which would result in an improved system for authorizing, funding, and administering the federally-assisted educational programs.

I am pleased to submit to you a report of this task force which we believe offers promise of a constructive solution to the problem of timing DHEW appropriations for educational programs. We believe that the plan presented in this report if adopted would go a long way toward improving the effectiveness of these programs.

We recognize, of course, that the legislative recommendations implicit in this plan will be weighed by the President in the light of the overall requirements of the Government and the condition prevailing at the time his plans are submitted to the Congress.

Sincerely yours,

JAMES F. KELLY,
Assistant Secretary, Comptroller,
Chairman of the Task Force.

TASK FORCE ON TIMING OF DHEW APPROPRIATIONS FOR EDUCATIONAL PROGRAMS

Albert J. Abrams, Secretary of the Senate, State of New York, Albany, New York.

Ben Barnes, Speaker, House of Representatives, State of Texas, Austin, Texas.

Paul Carlin, Director of Federal and Congressional Relations, National School Boards Association, Washington, D.C.

Donald W. Dunnan, Superintendent, The St. Paul Public Schools, St. Paul, Minnesota.

J. W. Edgar, Commissioner of Education, State of Texas, Austin, Texas.

T. N. Hurd, Director of the Budget, State of New York, Albany, New York.

Robert F. Kerley, Vice President for Business Affairs and Treasurer, University of Kentucky, Lexington, Kentucky.

Jesse M. Unruh, Speaker of the California State Assembly, State of California, Sacramento, California.

DHEW members

James F. Kelly, Assistant Secretary, Comptroller, Department of Health, Education, and Welfare.*

J. Graham Sullivan, Deputy Commissioner, Office of Education, Department of Health, Education, and Welfare.

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Technical assistance and data were provided by the Bureau of the Budget.

BACKGROUND

President Johnson has directed the Secretary of Health, Education, and Welfare to study ways and means of improving the timing of key Federal actions affecting educational programs receiving grant support. In undertaking this study the Department has recognized the need to reconcile the requirements of the thoughtful and complex Congressional authorization and appropriation cycle with the requirements of the cycles of Federal, State, and local implementation. Recent studies by the Special Subcommittee on Education of the House Committee on Education and Labor,[1] and by the Council of State Governments [2] underscore the seriousness of the problems created by the disparities between these two cycles.

The Secretary established a task force of informed administrators, State legislators, and educators from States, cities, and universities to assist the Department in fully identifying and evaluating alternative solutions and developing recommendations. Because the solution ultimately recommended is a combination of several methods which we have tried and used with success in the past, the resulting report is felt to provide a basis for changes which are practical, effective and reasonable. Though the methods themselves are not new, the systematic melding of these methods into a comprehensive plan of action represents a new approach to the problem.

THE PROBLEM

The Federal process which results in the authorization, appropriation, and administration of national programs of educational support is an extended and complex process involving cooperation at all levels of Government. For example, Congress must carefully consider the substance and content of new programs, and it must determine a suitable level of funding. Federal agencies must develop necessary administrative rules and regulations. States must coordinate the actions of their legislatures with those of their local governments, and local school districts must plan, budget and hire necessary staff.

Nonetheless, the significance of the programs being enacted frequently induces a desire to achieve their earliest possible implementation. When the activities necessary for implementation are compressed, however, several significant problems result:

1. A tight time schedule makes it considerably more difficult for education officials to plan effectively for the development and implementation of school programs.

2. The recruitment and employment of teachers is substantially hindered if they cannot be hired at the time of the year when the most able of them are available for interviews and seeking new employment.

3. Initiation of new or expanded educational programs is unnecessarily delayed until well into the school year when they cannot produce the most effective results.

4. Community pressure for full utilization of Federal funds late in the school year often results in expenditures for lower priority school needs.

5. School districts which attempt to anticipate the amount of Federal assistance which will be available to them, at times, find themselves overcommitted when the subsequent allocation of appropriated funds results in their receiving less money than they had anticipated.

6. Public expectations for the Federally assisted program remain unfulfilled partly because school administrators are unable to utilize fully and most effectively funds which are received after the school year has begun.

7. Careful evaluation of Federally assisted programs is hampered by the lateness of available information concerning the nature and effectiveness of educational improvements which such assistance has made possible.

MAJOR ALTERNATIVES REVIEWED BY STUDY GROUP

The heavy workload of Congressional legislative and appropriation committees makes it impractical to anticipate that legislative authorization and appropriations can be speeded up to any appreciable extent. Even if such Congressional actions could be completed by July 1 of each year, it would not provide the kind of lead time necessary for effective program planning and implementation. The study group has found it necessary, therefore, to explore other alternative solutions that might improve effective program implementation within the present timing pattern of Congressional action. The following are alternatives which the study group has considered on the basis of their proven effectiveness in other programs and their possible applicability to State and local primary and secondary education programs:

1. *Fund programs from a Congressional appropriation which is made a fiscal year in advance of the grant period.* This arrangement has been used effectively in the support of graduate training programs, where it is necessary for colleges and universities to select students for training support several months in advance of the beginning of their training period. By approving grants between January and April from currently available appropriations for training programs to begin the following July it has been possible to permit the schools to follow a schedule in developing and conducting their training programs which conforms to the needs of both the students and the schools. Except when a Federal grant program adopts such a system at its inception, the use of this system requires for the first fiscal year of its implementation a doubled appropriation—one to support the on-going program for the current year and one to support the program for the upcoming year.

2. *Establish a different 12 month period from the traditional July 1–June 30 period for the availability of financial support for State and local program operations.* This approach has proved effective with respect to research grants and some types of demonstration programs. It has the advantage of permitting operations to start at any time during a fiscal year. Federal support would be available for 12 or more months from that date both for the initial period of funding and all subsequent periods of support. This approach has only limited applicability to most continuing State and local education programs, however, since the established operational cycle for these agencies is usually a September-August period.

3. *Provide that each fiscal year appropriation shall be available for use during two fiscal years.* This arrangement has worked well in a number of construction grant programs. It permits a longer lead time for the development of programs and avoids the tendency to commit funds for marginally important purposes near the end of fiscal year to prevent the funds from lapsing. This system has the disadvantage, however, of permitting a build-up of program costs in a fiscal year as a result of carry-over funds. If in a subsequent year for instance corresponding carry-over funds are not available, these costs can be sustained only with great difficulty, if at all.

4. *Provide a period of time and funds for advance planning before the initiation of a new program.* This arrangement provides an opportunity for both the Federal administering agency and the State and local agencies to do the necessary advance preparation for the initiation of a new program. It is a technique which was used effectively in the establishment of the Medicare program when the benefits under the program became effective 12 months or 18 months after the program was authorized.

5. *Provide authority in the appropriation act of one fiscal year for the Federal agency to obligate funds for grants during that year, although actual payment would come from funds included in the appropriation for the next fiscal year.* This arrangement is used in a limited way in the various HEW student loan programs. It would have the advantage of providing a firm commitment to State and local agencies at a time earlier than the beginning of the grant period without the necessity for the Congressional appropriation to be made at that earlier date.

RECOMMENDATION—THE PRINCIPLES

On the basis of its analysis of the problem, the study group has concluded that any proposal for corrective action should include the following principles if it is to prove most effective:

The period of program authorization should be sufficiently long and stable to permit an evaluation of program effectiveness prior to consideration of extension legislation.

Time and funds for planning on a continuing basis should be included.

The authorizing legislation should provide a basis for making firm advance commitments of funds to State and local agencies in the spring of the year.

A period of at least one year lead time should be provided on Congressional action to terminate, extend, or revise a Federal assistance program.

THE PLAN

In order to carry out these principles the study group recommends that the following specifications be included in legislation authorizing Federal grant assistance for State and local primary and secondary education programs:

1. The Federal assistance program should be authorized for a minimum of five years.

2. Authorizing legislation should provide that a planning and evaluation grant would be available to States and localities for each of the five years, with the amount for each year to be keyed to the level of operational funds authorized for the subsequent year.

3. The legislation should authorize grant funds for program operations for each of four years, beginning with the second of the five year program.

4. Appropriations should be advanced one year thus giving notice to officials at the Federal, State and local level of the amounts which will become available at the beginning of the next fiscal year. This will require appropriation action with respect to two years in order to put on-going programs

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*Chairman.

[1] House of Representatives, Committee on Education and Labor, Special Subcommittee on Education, Report No. 1, "Study of the United States Office of Education," 89th Cong., 2d sess., 1967. Report is incorporated in appendix 1.

[2] Council of State Governments, Chicago, Illinois, Report RM-401, "Cost to the States Resulting from Delays in Authorization or Appropriation of Federal Grants-in-Aid", May 1967.

on the new schedule. This will not constitute doubling up in as much as the funds for each year would be available for obligation only with respect to the year identified. This should give local officials sufficient notice of funds to become available so that they can with confidence enter into advance commitments for the employment of staff and long lead time equipment.

5. Recognize the school year September 1 to August 31 as the period for which the funds are available.

6. The legislation should require that an annual evaluation report be provided to the House and Senate legislative committees and that a comprehensive evaluation report be made during the fourth year.

7. The legislation should provide for Congress to consider the extension or modification of the program authorization during the fourth year in order to provide a year's lead time for State and local planning purposes.

8. The legislation should provide that appropriations are authorized to be made for one additional year (the sixth year) if legislation to authorize an extension has not been either enacted or rejected by the beginning of the fifth fiscal year of the authorization.

(See Appendix II for example of model in operation).

SUMMARY

The net effect of this recommended system would be to establish a Federal-State-local relationship which can better foster the planning necessary in order to meet pressing and long-run educational needs. In a word, this system provides for a firm commitment of Federal funds at a point in time which allows local school boards to take into account Federal as well as State and local funds in formulating their next year's school program and teacher employment requirements. It also allows for the continuing evaluation of program results with reports available to local, State, and Federal administrators and legislators, as well as providing lead time for any extension, termination, or revision of Federal assistance provisions. The study group is convinced that such a system is feasible and that in operation it would prove to be an effective and efficient arrangement for strengthening State and local education programs and for protecting and enhancing the Federal investment in such programs.

APPENDIXES

Appendix I. House of Representatives, Committee on Education and Labor, Special Subcommittee on Education, Report No. 1, "Study of the United States Office of Education," 89th Cong., 2nd sess., 1967.

Appendix II. Model System in Operation.

Appendix III, Report Presentation in Chart Form.

[Study of the United States Office of Education under the authority of House Resolution 614]

REPORT NO. 1 OF THE SPECIAL SUBCOMMITTEE ON EDUCATION

(By the Committee on Education and Labor, House of Representatives, 89th Cong., second session)

COMMITTEE ON EDUCATION AND LABOR—SPECIAL SUBCOMMITTEE ON EDUCATION

Edith Green, Oregon, Chairman.
John Brademas, Indiana.
Carlton R. Sickles, Maryland.
Sam Gibbons, Florida.
Hugh L. Carey, New York.
William D. Hathaway, Maine.
Phillip Burton, California.
Albert H. Quie, Minnesota.
John M. Ashbrook, Ohio.
Ogden R. Reid, New York.
John N. Erlenborn, Illinois.
William F. Gaul, Counsel.

STUDY OF THE U.S. OFFICE OF EDUCATION—LATE FUNDING

The detrimental effects of late funding on the various Federal programs (and especially on those under the Elementary and Secondary Education Act of 1965 and on the several student financial aid programs) have been brought home repeatedly to the subcommittee through its Washington hearings, its series of field investigations, its national survey of local and institutional program administrators, and its day-to-day contacts with the educational community at large. Indeed, of all the problem areas identified and discussed during the course of the subcommittee's study, late funding was perhaps brought up more frequently than any other matter, and the body of comments on it displayed the highest degree of uniformity.

The roots of the problem of late funding are easily discerned. They lie in the disparity that exists between the academic calendar and the Federal fiscal calendar.

Generally, the local school agency (and the institution of higher education) conducts its planning for the academic year during the spring of the preceding academic year. Of course, sensible planning must be predicated on a firm knowledge of the fiscal resources that will be available in the following September. When Federal funds represented only a minuscule portion of the agency's overall budget, the agency could form its plans without an exact knowledge of the amount of such funds it would ultimately receive. But as the flow of Federal money has increased, the feasibility of this sort of planning has decreased. Today, many agencies and institutions simply cannot lay adequate plans for the coming academic year unless they have a firm idea of the amount of Federal support they will be granted.

For the most part, however, the congressional appropriations process does not mesh with the educational planning process. The former, unlike the latter, is not directed at all to the spring of the year; rather, it is tied to the fiscal year running from July 1 to June 30. A firm commitment of Federal funds at the very beginning of this fiscal period would lead to difficulties for local agencies, since, by necessity, they must plan during the spring months. In practice, however, actual appropriations, at least for educational assistance programs, are more likely to be made in August, September, or even October than in July. (See app. 1.) It may be said that if July commitments would lead to difficulties, commitments made in September or October—after the school year has already begun—can lead only to something akin to chaos.

Yet it is just this sort of chaos that local school agencies are, all too often, faced with in the matter of Federal funds. The funding history of the Elementary and Secondary Education Act offers the prime case in point. That act was approved by the President on April 11, 1965—during the very period when many agencies were in the process of drawing up their budgets for the 1965–66 school year. The appropriation for the act, however, was not approved until September 23, or more than 5 months after enactment, and nearly a month into the school calendar. Up to this point, the onus of the late funding rested on Congress alone. But after final approval of the appropriation on September 23, it took the Office of Education another month to calculate State-by-State allocations and make the first commitment of funds. And added to the difficulties stemming from late funding per se were other difficulties originating from the slowness of OE in issuing guidelines and regulations for the various programs authorized under the act. (See app. 2.) In view of all this, it is small wonder that many local agencies could not get their programs underway until January of 1966.

It was apparent to all concerned that the late funding had exerted noticeable effects on the quality of the programs implemented in that first year of experience under ESEA. In fact, the National Advisory Council on the Education of Disadvantaged Children, in its first report on title I of the act, included the following among its 10 recommendations:

"There is no doubt that implementation of title I was greatly hampered this year by the nonavailability of funds until after the school year began. Most personnel in needed specialties were already under contract, and school administrators were forced to plan projects almost overnight. The pressures of time gave State departments of education little opportunity to revise substantially many quickly conceived programs. We strongly urge the Congress to enact the next title I appropriations bill as early as possible, but not later than early summer 1966, to permit more careful program development and thus assure more effective use of the funds."

Unfortunately, this recommendation, which was but an echo of what nearly every local school chief involved in the program had been saying, was not heeded by Congress in 1966. There were extenuating circumstances; the act was up for fairly major legislative amendments, which had to be considered before appropriations could be made. Due to the press of affairs, these amendments were not brought to the floor until early in October of 1966, and final agreement was not reached until October 20.

The fiscal year 1967 appropriation for title I of the amended act was contained in Public Law 89–697, which was signed on October 27. It was not until late November that the Office of Education could inform each State of its "estimated allocation." Worse still, it was almost the end of February 1967 before OE informed the States of their *actual* allotment funds for use in the school year which had begun nearly 6 months earlier.

Moreover, disparities between "estimated" title I allocations as of November 1966 and actual allocations as of February 1967 furnish a vignette of the hazards that lie in trying to plan without a firm knowledge of the amount of grants to be made. The November estimate for the State of California, for example, was $80.7 million; but the February actual proved to be only $74.3 million, or 92 percent of the estimate. On the other hand, Pennsylvania's estimated allocation was set at $46.4 million, while its actual allotment was calculated 3 months later at $48.6 million. Differences of this magnitude between estimated and actual grants, even if they occurred in the preceding spring rather than in the middle of the school year, could not help but set planning awry.

The consternation over late funding among State, local, and Federal schoolmen can be abundantly documented from the record of the subcommittee's Washington and field hearings. On the second day of the Washington hearings, for example, there was this from Commissioner of Education Harold Howe II:

"One of the problems to which I would like to call attention is the disparity between the appropriation timetable of the Congress and the planning timetable of schools and colleges. Any efforts which can be made to resolve the difficulties involved in this matter will be a boon to education. Typically, schools engage new personnel and plan during the early spring for new programs which start in September. As larger percentages of their commitments involve Federal funds, they have great difficulty in planning effectively, since these funds are not appropriated by the time decisions must be reached. Although "continuing resolutions" passed in late June are helpful, they are far from the ideal solution to this problem. If the Federal Government is going to have a significant role in school financing, it seems to me essential to look for appropriations practices which would prevent relationships with States and communities from being regularly conducted on a crisis basis."

A small sampling of other statements on this matter from representatives of the elementary-secondary level of education follows:

From the Deputy Commissioner of Education of Maine:

"I have a few conclusions or suggestions that I would like to make. * * * Failure to make appropriations on time. By that I mean prior to or at the beginning of a fiscal year has proven to be costly in terms of employment of competent personnel. We have the problem, for example, of employing personnel in September or October. Under the terms and code of ethics, teacher personnel are not expected to make changes after the first of August. This has been somewhat restrictive—in terms of employment, personnel, and organizations, effectiveness in evaluating and reporting, and probably has caused higher financial outlays."

From the deputy commissioner of the Missouri State Department of Education:

"An area of great concern is the late date we obtain appropriations from Congress for the various Federal programs. The U.S. Budget Office and the Office of Education further delay the actual time we receive the State allocations for the various acts.

"For instance, Congress did not appropriate funds this year until October 22, 1966, and as of December 1, 1966, the Missouri State Department of Education had not received information concerning official State allocations for any of the various Federal programs.

"This prevents the State department of education and the local school districts from making maximum use of provisions of the Federal programs. The degree of uncertainty concerning the appropriations, State allocations, and interpretation of new acts and amendments to existing acts limits the effective use of provisions of Federal programs and the funds appropriated by Congress.

"Large-sized school districts must begin budget planning by September, and medium-sized school districts by December of the prior fiscal year for efficient operation of their educational program.

"The total school budget consists of three interrelated parts: (1) Educational plan; (2) spending plan; and (3) financing plan.

"Federal funds should be included as an integral part of the total school budget. The budget must be completed by February so the board of education can study the budget and recommend the tax rate to be presented to the patrons of the district.

"In accordance with the budget, school districts employ personnel during April and May for the next school year.

"This type of planning is essential to effectively utilize the Federal funds to improve education at the local level to the greatest degree of efficiency.

"Congress should pass educational acts and make appropriations by September of the previous fiscal year in order to obtain the maximum results for funds invested."

From a spokesman for the California School Boards Association:

"Congressional appropriations calendar and school district budgeting: Once again there is almost unanimous opinion that the appropriations for local school districts must be made by Congress early in the year (in California before May 15), or the appropriations should be for more than 1 year. Otherwise, the program will lack continuity, and there will be a loss of trained personnel when they feel job uncertainty due to lack of funding. California law requires that a notice in writing be sent to teachers by May 15 if they are not going to be hired for the following year. When Congress does not appropriate funds by this date, superintendents must notify the teachers that they may not be rehired. The result is chaotic."

From a Minnesota school superintendent:

"Then in conclusion I just would like to say that one of the most difficult problems with Federal programs is the time of the year that appropriations are made by Congress. We do not know if the programs will be financed—or to what degree—until after the school year begins.

"This makes it difficult to keep personnel from year to year, and it makes it necessary to start many programs without the needed supplies and equipment.

"If we are to obtain the best results from the funds expended, the appropriations should be made a year in advance, or, at the latest, by March of each year.

"We have a very difficult time on our title I and to some extent title II programs because we never know if we can hire people for the following year. Because of the shortage of teachers, they have just about their own choice of where to go. Therefore, if we do not know until September or October, we cannot hold these teachers. This means we have to go out and hire a new staff the following year and this makes the program inefficient.

"I don't think under this type of situation we are getting true value for the money that the Federal Government is spending for the educational program."

From the director of Federal relations of the St. Louis public schools:

"Most of the school systems were very afraid of what would happen to the ESEA legislation in the hurried last days of the Congress. Every time we picked up a newspaper we noted some new direction in the legislation. At the same time we were committed to personnel and programs with no real assurance that the needed money would be appropriated. I suppose that there are few things on which all public school administrators agree but I am sure that they agree that they must know much earlier in the year how much money will be available for programs. The date on which funds are appropriated is not too important for the reimbursable programs like NDEA Title III and the Vocational Education Act. But the ESEA provides funds before programs start. Any program involving teachers and other personnel must be planned months in advance of the starting date. We therefore desperately need a firm commitment for program and funds in the spring of the year if the projects are to start in the fall."

From the Georgia State coordinator of title I, ESEA:

"One of my areas of concern is the late date in a given fiscal year on which firm figures are available for the amount of money which may be used by the various local educational agencies.

"Another concern is the altering of legislation affecting title I operations for a given fiscal year after much of the fiscal year has passed.

"I would suggest that legislation and appropriations be established well in advance of the fiscal year in which they are to become effective. This would, I believe, make for better planning, more effective programs, and wiser use of the money available.

"Mrs. GREEN. Thank you very much, Mr. Beemon.

"May I say that in all of the hearings we have been conducting the point which you raised in your last paragraph has become abundantly clear that Congress is still operating on the time schedule which existed prior to a major involvement by the Federal Government in education. I think that Congress has not taken notice of the problems of the school year in authorizing legislation or appropriating the funds.

"Mr. BEEMON. I appreciate your recognizing that fact."

And from the deputy State superintendent of public instruction, Wisconsin:

"Our school year starts with an upswing in September and ends with a downswing in June. Educational planning for this period must be done at least 3 to 6 months in advance. This leadtime is necessary not only for recruitment of personnel, but also for action to be taken on educational programs by local school boards and school electors during the annual school meetings in July. Crash programs initiated after the beginning of the school year and late appropriations cause problems."

This documentation could be extended for a great number of pages, especially if one wanted to add to this subcommittee's record the record of hearings on both the 1966 and 1967 amendments to ESEA. Rather than belaboring the point in piecemeal fashion, however, the subcommittee would present results of a questionnaire item which bears directly on it.

The subcommittee's questionnaire on ESEA was sent to approximately 3,500 local school agencies. About 2,500 completed questionnaires were returned. Item II–(H) on the questionnaire asked the local administrators: "What is the latest month you would like to have firm commitment of funds that will be available for the following school year?"

Viewed cumulatively, the response to this item show that 18 percent of the agencies would like to have a definite commitment of funds no later than the end of February of the school year preceding the year in which the funds would be used. Thirty-three percent asked for definite allocations by the end of March; 46 percent by April 30; 58 percent by the end of May; and fully 76 percent by the end of June. Only 22 percent of the agencies felt they could get by with July or August commitments, and none, it must be assumed, favored the current practice of delaying commitments until after commencement of the school year.

Finally, the Elementary and Secondary Education Act of 1965 as originally enacted and as first implemented afforded examples of two practices which the subcommittee feels have contributed to or exacerbated the problem of late funding.

The first of these centered on program authorizations. The authorization for title I of the Elementary and Secondary Education Act is based on a formula, and thus it must be computed anew each year to reflect changes in the several factors of the formula. Titles II, III, and V, however, were given dollar amount authorizations, but only for the first year of the 5-year period for which the programs were authorized. The original authorization language for title II is typical of the three:

"For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966; but for the fiscal year ending June 30, 1967, and the 3 succeeding fiscal years, *only such sums may be appropriated as the Congress may hereafter authorize by law.*"

Thus, as originally enacted, titles II, III, and V of ESEA, and also title III of the Higher Education Act of 1965, required a yearly enactment of authorizing legislation before any appropriation could be made. This year-by-year method is, of course, justifiable in new and highly original programs, since it allows Congress to subject the programs to a detailed annual review. At the same time, however, it is cumbersome and slow, and it acts as a definite brake on the speed of the appropriations process. Consequently, the subcommittee recommends that, in all save special circumstances, appropriations for education programs be authorized over a 2-year period; and further, that decisions as to the renewal or termination of these authorizations be taken 1 full year in advance of their scheduled expiration dates. In this way, appropriations would not be held up annually to wait on authorizing legislation, and the users of the programs might have a better idea of what level of support to expect under a particular program.

It should perhaps be noted that Congress is apparently already moving in the direction recommended above. Most of the new programs authorized under the Higher Education Act of 1965, for example, were given dollar-figure authorizations for a 3-year period. Again, the 1966 amendments to ESEA authorized appropriations under titles II, III, and V for fiscal years 1967 and 1968, rather than for fiscal year 1967 only.

It might also be pointed out that, as a practical matter, local school districts and colleges and universities can find little guidance with respect to the expected level of funding by reference to the authorization figures. Appropriation requests of the U.S. Office of Education for fiscal year 1968 offer an illustration. Across the board, the fiscal year 1968 request for programs for which there is a specific dollar authorization represents approximately only 58 percent of the statutory authorizations, and the subsequent requests by the Office of Education for only partial funding contribute greatly to the widespread uncertainty at the local level with respect to the level of funding. It is highly desirable that more careful consideration be given to the authorization levels established by the Congress when appropriations requests are presented.

The second area of difficulty associated with the original ESEA centered on the "crash" schedule for implementation of the programs. As noted, the law was enacted in April and was to go into full effect nationally during the school year which was to commence in but 5 months' time. After delays attributable to the deliberateness of the appropriations process and to the slowness of OE in getting out regulations, guidelines, and finally payments, many school agencies were faced with the pleasant-seeming but nonetheless pressing necessity of spending large sums of money within small periods of time, or of having that money taken away from them. And with the enactment of the Higher Education Act of 1965, the whole hurryup process was repeated, with even less leadtime in which prospective participants could familiarize themselves with the programs and plan their activities on an integrated basis.

Accepting the assertion that the Federal Government is now and will continue to be a bona fide junior partner in the educational system, the subcommittee would point out that the need for immediate action has given considerable way to that for careful planning. With respect to future educational enactments, the subcommittee therefore recommends that, whenever possible, a first year of limited funding be authorized, which year will serve as a time for planning and preparation in all the affected layers of the educational complex. Under such an arrangement, the Office of Education would have ample time to form up its program staff and attend to the matter of regulations, guidelines, and general program information in a far less frenetic and more thorough manner than has obtained; and the potential user in the educational community would be able to integrate the newly authorized assistance into its overall program rather than merely adding it to the top.

Turning from ESEA to view higher education assistance programs, and especially those affording aid to students, the deleterious effects of late funding are again quite evident. The typical institution of higher education is currently in the student assistance business in a large way. Its overall program is likely to involve its own funds—from State or private sources, or both—and funds under one or more of the several Federal programs of loans, grants, and work-study. It is becoming quite common for one student to receive an aid package made up of assistance from two or more of these multiple sources.

To figure such a package so that it meets a student's need in the most economical and useful manner, the institutional aid officer, it goes without saying, must know how much money he can count on from each source at the time of his determination. As was the case with elementary-secondary schools, the usual time for making these determinations is the spring preceding the academic year in which the aid will be used. This spring determination is especially essentially in the case of freshmen-to-be, since the very matriculation of an increasing proportion of those young men and women is dependent on the assistance they might be granted.

Yet the fact remains that the institutions are not given firm comitments under the Federal student assistance programs during the vital spring months. In fact, it is not uncommon for the institution to receive its Federal funds after the academic year has already begun.

Throughout the course of the study of the Office of Education, nearly every institutional financial aid officer with whom the subcommittee held converse directed remarks to the problem of late funding, either in formal statements or informally. The following excerpts from the record of the field hearings should suffice to give the tenor of their concern:

"I would like at this time to express concern over three major problems.

"1. The first of these is late notification of National Defense Student Loan Program funds.

"At this point I would like to stop and give the dates from 1962 to 1966, the dates on which the University of Maine received a firm commitment of National Defense funds. In 1962, we got our commitment on August 15; in 1963, on September 5; in 1964, on September 16; 1965 was a very good year, June 16; in 1966, on August 5.

"This causes great problems in committing money to students since we don't have a commitment ourselves as to exactly how much money we will have to loan.

"The U.S. Office of Education need not share the blame here. It seems that Congress insists on waiting until the 11th hour to appropriate the funds.

"However, the wrath of participating institutions must be borne by the Office of Education. It would seem advisable for Congress to put the appropriation of the money for this program at the top of the calendar in order to give participating institutions an opportunity to receive a commitment of their allocation at the earliest possible time. It seems that year after year, school is about to open before a firm commitment of funds is received" (assistant director of student aid, University of Maine).

"* * * the staff of HEW and those of us responsible for planning and administrating many and extensive student aid programs are severely handicapped by the disparity between the appropriation timetable and the timetable required by HEW and the colleges in planning and budgeting for student aid programs. Colleges should have a firm commitment of support funds for each student aid program not later than March preceding the next fiscal year's operation. I join other college administrators and personnel of HEW in appealing to you to help resolve the difficulties caused by the lateness in the appropriation of support funds. Much of our present difficulty can be alleviated if we could remove the crisis method of conducting student aid programs. Inefficiency and waste, for which we could be critizied can be largely eliminated if our time and energies could be directed toward planning and coordinating multiple student aid programs" (director, Bureau of Student Loans and Scholarships, University of Minnesota).

"Unanimous support was given the recommendation that the Federal programs be funded earlier in the year so that colleges would be aware of the amount of support at the time awards would be made. (For instance, admissions at Illinois State University for the 1966–67 school year were closed in March 1966, before we knew what funds would be available to students.)" (director, student financial aids, Southern Illinois University, reporting on a meeting of the Midwest Association of Financial Aids Administrators)

"* * * the NDSL programs seems to provide the greatest benefit for the largest number of students. We would urge that it be continued. Our suggestions for change are few: The most valuable change would be the firm commitment of our annual allocation somewhat earlier than in past years" (dean of students, University of Missouri at Kansas City).

In its attempt to measure the effects and isolate the defects of the several Federal student aid programs, the subcommittee again resorted to the questionnaire procedure. The instrument was sent to 600 institutions of higher education, of all types and in all parts of the country, and 470 of the institutions completed and returned it. Three of the items on the questionnaire bear directly on the matter of late funding. Responses to those items would seem to confirm that concern over the matter is fully as widespread as the excerpts cited above indicate.

Item VIII(2) put this question to the institutions: "Does late funding by Congress present problems in administering your financial aid programs?" To this query, 75 percent of the reporting institutions replied in the affirmative. Moreover, the survey indicates that in the larger institutions, where the incidence of participation in Federal student assistance programs is likely to be higher, the percentage of affirmative replies is even greater. Thus, of the smaller stratum of institutions—those with student enrollment of under 600—60 percent replied that late funding was an obstacle to the efficient administration of the programs. But of the schools with enrollment between 2,500 and 9,999 students, 82 percent found this to be the case. And for the largest schools (enrollment of 10,000 and above), fully 89 percent replied that late funding was indeed a problem.

The related questionnaire item VIII(3) asked those institutions which answered the item treated above with a "yes" to comment on the problems caused by late funding. A small random sampling of these comments is appended in the interest of completing the record:

"There have been occasions when the checks needed for the NDSL program have arrived after the registration period is over. We are required by State law to charge late registration fees for students who do not pay their registration fees on time."

"Late National Defense last year made us cautious in committing funds to entering students in April when letters are sent. We should know our funding by February or March each year for all 3 programs to gain maximum benefit to the student."

"How do you establish matching funds for an unknown budget?"

"Firm commitments cannot be made to students thereby creating a problem for those who preregister and for incoming students whose enrollment is dependent upon the financial aid package."

"The greatest of all problems—we must know in March for the fall and spring semesters."

"We can't prepare our institutional budget adequately when relying on late funds from

Congress. We have to make assumptions which may prove false."

"Late appropriations usually make it impossible for us to make a firm commitment to the students for the school year, thereby making it necessary for them to borrow from other sources, where the interest and repayment terms are not as satisfactory as the Federal loan programs."

"We find ourselves tentatively committing funds that we might not receive."

"It makes us nervous; we generally assume approval and make commitments; so far we have been lucky."

Finally from the student financial aid questionnaire, item VIII(4) asked those institutions which were troubled by late funding to indicate the latest month by which they would like to have a firm commitment of Federal funds for the next academic year. The single month cited most often was March, which was named by 30 percent of all the respondents. Cumulatively, 61 percent of the reporting institutions replied that commitments were desirable no later than the end of April, and 77 percent felt the need for commitments by the end of May.

The problem of late funding must be solved if the educational assistance programs of the Office of Education are to accomplish the purposes set for them by Congress. The subcommittee has already recommended: 2-year authorizations, with review a year before termination; and consideration of a low-funded first year for new programs to afford both OE and the potential users adequate planning time.

In addition, the subcommittee recommends that the problem of late funding be subjected to a thorough and concerted study by a joint committee to be composed of members from the House Committee on Education and Labor, the Senate Committee on Labor and Public Welfare, and from the Committees on Appropriations in both bodies. A decision must be made, and made shortly, if the best interests of American education are to be served.

Edith Green.
John Brademas.
Sam Gibbons.
Hugh L. Carey.
William D. Hathaway.
Phillip Burton.
Albert H. Quie.
John M. Ashbrook.
Ogden Reid.
John N. Erlenborn.

Appendixes

Appendix 1. Appropriation acts for selected programs of Federal educational assistance

I. National Defense Education Act of 1958 (Public Law 85–864, September 2, 1958)

Fiscal year 1959:

Independent Offices Appropriation Act, 1959 (Public Law 85–844, August 28, 1958). Second Supplemental Appropriation Act, 1959 (Public Law 86–30, May 20, 1959).

Fiscal year 1960:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1960 (Public Law 86–158, August 14, 1959). Second Supplemental Appropriation Act, 1960 (Public Law 86–424, April 13, 1960).

Fiscal year 1961:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1961 (Public Law 86–703, September 2, 1960). Second Supplemental Appropriation Act, 1961 (Public Law 86–722, September 8, 1960).

Fiscal year 1962:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1962 (Public Law 87–290, September 22, 1961). Supplemental Appropriation Act, 1962 (Public Law 87–332, September 30, 1961).

Fiscal year 1963:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1963 (Public Law 87–582, August 14, 1962).

Fiscal year 1964:

Departments of Labor, and Health, Education and Welfare Appropriation Act, 1964 (Public Law 88–136, October 11, 1963). Department of Health, Education and Welfare Supplemental Appropriation Act, 1964, (Public Law 88–268, February 10, 1964).

Fiscal year 1965:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965 (Public Law 88–605, September 19, 1964). [(Public Law 89–16, April 30, 1965, appropriated no additional funds for NDEA in fiscal year 1965, but it authorized the use of up to $516,810 of the amount appropriated under Public Law 88–605 for making payments to institutions for cancellation of student loans.)] Supplemental Appropriation Act, 1965 (Public Law 88–635, October 7, 1964).

Fiscal year 1966:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1966 (Public Law 89–156, August 31, 1965).

Fiscal year 1967:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1967 (Public Law 89–787, November 7, 1966).

II. Higher Education Facilities Act of 1963 (Public Law 88–204, December 16, 1963)

Fiscal year 1965:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965 (Public Law 88–605, September 19, 1964).

Fiscal year 1966:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1966 (Public Law 89–156, August 31, 1965).

Fiscal year 1967:

Supplemental Appropriation Act, 1967 (Public Law 89–697, October 27, 1966).

III. Vocational Education Act of 1963 (Public Law 88–210, December 18, 1963)

Fiscal year 1965:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965 (Public Law 88–605, September 19, 1964).

Fiscal year 1966:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1966 (Public Law 89–156, August 31, 1965).

Fiscal year 1967:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1967 (Public Law 89–787, November 7, 1966).

IV. Elementary and Secondary Education Act of 1965 (Public Law 89–10, April 11, 1965)

Fiscal year 1966:

Departments of Labor, and Health, Education, and Welfare Supplemental Appropriation Act, 1966 (Public Law 89–199, September 23, 1965). Second Supplemental Appropriation Act, 1966 (Public Law 89–426, May 13, 1966).

Fiscal year 1967:

Supplemental Appropriation Act, 1967 (Public Law 89–697, October 27, 1966).

V. Higher Education Act of 1965 (Public Law 89–329, November 8, 1965)

Fiscal year 1966:

Supplemental Appropriation Act, 1966 (Public Law 89–309, October 31, 1965). Second Supplemental Appropriation Act, 1966 (Public Law 89–426, May 13, 1966).

Fiscal year 1967:

Supplemental Appropriation Act, 1967 (Public Law 89–697, October 27, 1966). Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1967 (Public Law 89–787, November 7, 1966).

APPENDIX 2

A. TIME SEQUENCE AND ACTIVITY FOLLOWING PRESIDENT JOHNSON'S SIGNING OF THE APPROPRIATION ACTS FOR THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND THE ESEA AMENDMENTS OF 1966

Activity	1965												1966											
	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December
Appropriation signed by President Johnson (Sept. 23, 1965)									I–II III V															
Draft regulations (June 23, 1965)								I–II	III															
Regulations published in Federal Register (Sept. 15, 1965)									I–II V	III														
Draft guidelines issued (September–October 1965)									III	I														
Final guidelines issued ¹									II	III			I											
Funds available to local school district or State department									I–II		V		III											
	1966												1967											
Amendments to ESEA (1966) ²																								
President signed appropriation (Nov. 7, 1966)												I–II III												
Regulations published (Feb. 8, 1967)														I–II III										
Notified funds available (Nov. 19, 1966)												I–II III												
Final allocations (Feb. 17, 1967)														I–II										

[1] Title V has no guidelines.

[2] All allocations retroactive to July 1, 1966.

B. CHRONICLE OF ESEA

House:

1. Bill introduced: Jan. 12, 1965.
2. Bill reported from Education and Labor Committee (H.R. 143). Mar. 8, 1965.
3. Passed House: Mar. 29, 1965.

Senate:

1. Senate received: Mar. 29, 1965.
2. Bill reported from Labor and Public Welfare Committee: Apr. 6, 1965.
3. Passed Senate: Apr. 9, 1965.
4. Congress passed appropriations: Sept. 9, 1965.

Presidential action:

1. Signed: Apr. 11, 1965.
2. Signed appropriations: Sept. 23, 1965.

USOE action:

1. Draft regulations: June 23, 1965.
2. Regulations published: Sept. 15, 1965.
3. Draft guidelines: Oct. 13, 1965.
4. Final guidelines.[1]

Amendments to ESEA:

1. H.R. 13160, to amend Public Law 89-10, introduced: Mar. 1, 1966.
2. Approved by Education and Labor Committee: July 28, 1966.
3. Passed House: Oct. 6, 1966.
4. Passed Senate (S. 3046). Oct. 6, 1966.
5. President signed: Nov. 7, 1966.
6. Appropriations introduced (H.R. 14745): Jan. 24, 1966.
7. House passed: May 5, 1966.
8. Senate passed: Sept. 28, 1966.
9. President signed: Nov. 7, 1966.
10. Regulations published: Feb. 9, 1967.
11. Funds available to local school districts: Nov. 19, 1966.
12. Final allocations: Feb. 17, 1967.
13. Allocations retroactive to: July 1, 1966.

* * * * *

EXAMPLE OF SYSTEM IN OPERATION

FY-1: Appropriate FY-1 funds for planning and evaluation grants. Appropriate FY-2 funds for operations.

FY-2: Appropriate FY-2 funds for planning and evaluation grants. Appropriate FY-3 funds for program operations grants.

FY-3: Appropriate FY-3 funds for planning and evaluation grants. Appropriate FY-4 funds for program operations grants.

FY-4: Appropriate FY-4 funds for planning and evaluation grants. Appropriate FY-5 funds for program operations grants. Enact extension of program.

FY-5: Appropriate FY-5 funds for planning and evaluation grants. Appropriate FY-6 funds for program operations grants. Pursuant to new authorization.

Note: To convert an existing program to the proposed funding system it will be necessary to appropriate funds for the current year and the subsequent year in the same appropriation act. This will not constitute doubling up since each appropriation will be available for obligation only in the designated year.

APPENDIX 3. REPORT PRESENTATION IN CHART FORM

A proposal to make HEW support of education more effective.

A model authorization and funding system for elementary and secondary education.

The problem: The Federal fiscal year and the flow of annual appropriations for ESEA (and education programs generally) are out of phase with academic year.

The educational community contends that this—coupled with existing short-term authorizations (1-2 years) and abrupt legislative changes in Federal program support—creates uncertainties and impairs the effectiveness of Federal support.

Study of the problem

Representatives from State and local school systems, State governments, worked with HEW in a study of these problems.

They found that the problems are real and significant.

They concluded that—

1. The Federal funding cycle: Results in inadequate utilization of enlarged Federal support. Interferes with Federal/State coordination and State and local planning.

2. Short-term authorizations do create uncertainties for educational agencies.

3. Particular difficulties do arise during the period immediately before and after an authorization is scheduled to expire.

4. These factors adversely affect program quality and the achievement of program objectives.

5. These same problems and uncertainties exist among a number of federally-supported programs.

Let's look at the funding cycle and its relationship to planning and operation of a school year:

	Availability of Federal funds	*School spending and operating cycle*
JANUARY	President sends budget to Congress.	School board approves budget (September-August operating year) hiring interviews.
APRIL		Teacher and other contracts signed.
JULY	Federal fiscal year begins. Allotments (interim) made under continuing resolution.	Summer session begins (based on previous years budget).
SEPTEMBER		Regular school year begins.
SEPTEMBER–NOVEMBER	Appropriation act. Apportionment by Bureau of Budget. Allotments to States.	
SEPTEMBER–NOVEMBER OR LATER		Receipt of allocations by States and school districts.

Under the two cycles: School budgets are made 9-10 mo. ahead of Federal funds. Commitments to spend occur 6 mo. ahead of Federal funds.

Because of this: Schools don't know whether to expect Federal support at the same level, whether to accelerate, slow-down, stop, etc.

Is it true that authorizations are short-term—and that abrupt changes have been made in Federal support for education?

Examples of legislation with short-term authorizations:

1 year—ESEA (original law enacted for one year, 1966), title III Higher Education Act, Juvenile Delinquency Act (one year until 1967), partnership for health formula grants (1968).

2 years—ESEA amendments of 1966 (1967 and 1968), Adult Education Act (1967 and 1968), parts of Higher Education Act (1967 and 1968), Vocational Rehabilitation Act of 1966 (1966 and 1967), Older Americans Act (1966 and 1967).

Examples of late starting dates:

ESEA Amendments of 1966: Signed into law November 3, 1966, effective for entire year, beginning July 1, 1966.

ESEA Amendments of 1967: Change in formula now pending. House bill would make change effective for entire fiscal year 1968—although enactment won't occur before October.

Higher Education Act of 1965: Signed into law November 8, 1966, effective for entire year, beginning July 1, 1966.

Narcotics Rehabilitation Act: Signed into law in November 1966, effective as of July 1, 1966.

Examples of abrupt changes and uncertainties about extension legislation:

Title I ESEA: Formula has changed twice in two years—may change a third time (in middle of 1968); two of three changes will have affected one year (1968).

Teacher Corps: Scheduled to expire on 6/30/67; extended on 6/29.

Older Americans Act: Expired on 6/30/67; extended on 7/1.

Higher Education Facilities Act: Expired on 6/30/66; not extended until October 1966.

A model system to correct these problems:

The model is tailored to elementary and secondary education.

If Congress agrees and it proves workable, it could be applied to other programs.

The model is designed to: 1. Achieve longer program authorizations. 2. Provide a time period and special funds for planning. 3. Improve the federal funding cycle. 4. Provide lead-time of at least one year for any proposal to terminate, extend or significantly revise the program.

The model

A. Proposal for longer authorizations: Authorizations would be for a minimum of five years.

B. Provisions for planning and evaluation:

1. Planning and evaluation grants to States and localities would be available for each of the five years of authorization. Planning and evaluation grants authorized for each year would be related to and identified with the overall operational support grant authorized for the next year.

2. For new programs, regular program operation grants would be authorized first in the second year of the program. Allowing the first year for planning. A planning grant would be authorized for the first year of a new program.

3. Appropriation action would provide separate planning and evaluation grant funds.

4. The program administrator would be required to furnish annual reports to Congress and by the fourth year, a comprehensive "evaluation report" as a basis for congressional consideration of extension legislation.

C. Provision for advance funding: Appropriate operational funds in the appropriation act a year in advance to the effective date. This will give notice of funding levels and will facilitate early commitments for teachers. To convert existing programs to the new timetable appropriate funds for each of two years. Separately identify the amounts by period of availability to avoid doubling up.

D. Proposed bridge between expiring legislation and extension legislation:

1. Provide for consideration of extension legislation in the fourth year—to allow lead-time.

2. Appropriations would be authorized for one additional year (the 6th year) in the event extension legislation has not been enacted by the last year of the then current authorization (the 5th year).

Mr. MORSE. Although the presentation was based upon a 5-year authorization concept, upon questioning we were advised that the plan could work, albeit with difficulty, upon a 3-year basis, and it is in the latter form that it appears in title IV of our recommended bill.

In order that the Senate may have as

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[1] See preceding table.

full information as possible on this major area of concern, I ask unanimous consent that relevant excerpts from the committee report be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Short Summary of the Principal Provisions of the Bill

If H.R. 7819 were to be enacted as amended by the committee, the following changes would be made in existing law:

TITLES III AND IV, H.R. 7819, COMMENTS—DURATION OF AN AUTHORIZATION FOR PROGRAMS AND PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

The committee has long been concerned with the need to reconcile the requirements of the congressional authorization and appropriation cycle regarding education legislation with the requirements of Federal, State, and local implementation of education programs. The Federal process which results in the authorization, appropriation, and administration of national programs of educational support is an extended and complex process involving cooperation at all levels of government. The Congress must carefully consider the substance and content of new programs, and it must determine a suitable level of funding. Federal agencies must develop necessary administrative rules and regulations. States must coordinate the actions of their legislatures with those of their local governments, and local school districts must plan, budget, and hire necessary staff.

Perhaps no other aspect of the Elementary and Secondary Education Act of 1965, as amended, has disturbed the educational authorities in the States and communities more than the late funding of programs authorized by the law. The school year ordinarily begins on September 1. Planning for the opening of the school involves budgetary commitments by local educational agencies in the preceding March and April. In many States contracts are signed with teachers in late April. Other States under their contract laws specify that contracts are automatically extended if by a date certain termination notices have not been received. The Congressional appropriations cycle is, of course, governed by the dates the budget estimates are received by the Congress in January. The hearings process, committee action and floor action in the House of Representatives has traditionally preceded floor action in the Senate. Few, if any, of the major regular appropriations bills in recent years have been signed by the President prior to July 1. If school districts must plan to fund activities authorized under educational legislation only after the appropriations bill has been signed by the President, many vital activities of local school districts are compressed.

When these activities which are vital to the implementation of programs are compressed, however, significant problems result. Planning of high-quality programs becomes impossible; recruitment and employment of teachers and specialists needed to achieve the best results from new programs is difficult in the middle of an ongoing school year—often, auxiliary personnel are hired on the basis of availability rather than experience and ability; and finally, community pressure for full utilization of funds, often in a quarter of the time which would ordinarily be required, results in expenditures for low-priority school needs—funds are used for more of the same, antiquated approaches to critical educational problems.

As a result of these critical situations, public expectations and enthusiasm for federally assisted programs remain unfulfilled and considerably dampened.

This year, in his message to the Congress on health and education, President Johnson urged that the Congress enact education appropriations early enough to allow the Nation's schools and colleges to plan effectively. He directed Secretary John W. Gardner to work with the Congress toward this end. In September of this year, the Task Force on Timing of Department of Health, Education, and Welfare Appropriations for Educational Programs presented the findings and recommendations of its study to the Secretary. Title IV of the committee bill provides for program planning and evaluation, advance funding, contingent extension of expiring appropriation authority, and availability of appropriations on a school year basis. It is the result of our discussions with Department of Health, Education, and Welfare. The aforementioned amendments would authorize the following:

1. All programs amended by H.R. 7819 would be extended through fiscal year 1971.

2. Funds would be available to the Secretary for grants to States and localities and for contracts and other payments of expenses for planning and evaluation of programs under titles I, II, III, VI, VII, and VIII of the Elementary and Secondary Education Act for each fiscal year.

3. Appropriations are authorized to be advanced 1 year, thus giving notice to officials at the Federal, State, and local level of the amounts which will become available at the beginning of the next fiscal year. This will require appropriation action with respect to 2 years in order to put ongoing programs on the new schedule. This will not constitute doubling up inasmuch as the funds for each year would be available for obligation only with respect to the year identified.

4. The Secretary of DHEW shall make an annual evaluation report to the Congress on March 31 of each year. He shall make a comprehensive report based on the entire past life of a program to be submitted in the penultimate fiscal year for which appropriations are authorized for the program. This report would include legislative recommendations. Thus, the Congress would consider the extension or modification of the program authorization during the penultimate fiscal year in order to provide a year's leadtime for State and local planning purposes.

5. Appropriations are authorized to be made for 1 additional year if legislation to authorize an extension has not been either enacted or rejected by the end of the congressional session in which the comprehensive evaluation report for the past life of the program is filed with Congress. The committee further added a provision that if, by May 15 of any fiscal year, the appropriation for carrying out title I of the ESEA during the succeeding fiscal year has not been enacted, the Commissioner may execute grant agreements for such succeeding fiscal year, but only at the current appropriation level.

6. Appropriations for any fiscal year may be made available for expenditure by the agency or institution on the basis of an academic or school year different from such fiscal year.

Section-by-Section Analysis

TITLE III—DURATION OF AND AUTHORIZATION FOR PROGRAMS

Section 301. Extension of programs

Subsection (a) extends title I of the Elementary and Secondary Education Act of 1965 (title II, Public Law 81–874) to June 30, 1971.

Paragraph (b) extends title II of the Elementary and Secondary Education Act of 1965 (school library resources, textbooks, and other instructional materials) to June 30, 1971, and authorizes appropriations of $175,000,000 for fiscal year 1969, $200,000,000 for fiscal year 1970, and $225,000,000 for fiscal year 1971.

Subsection (c) extends part A of title VI of the Elementary and Secondary Education Act (relating to grants to the States for education of handicapped children) to June 30, 1971, and authorizes appropriations of $175,000,000 for fiscal year 1969, $200,000,000 for fiscal year 1970, and $225,000,000 for fiscal year 1971.

Subsection (d) extends the temporary provisions of Public Law 81–815 to June 30, 1971.

Subsection (e) extends the temporary provisions of Public Law 81–874 to June 30, 1971.

TITLE IV—PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

Section 401. Acts subject to this title

This section provides that the provisions of this title shall apply to title I, II, III, V, VI, VII, and VIII of the Elementary and Secondary Education Act, and the Adult Education Act.

Section 402. Program planning and evaluation

This section authorizes the appropriation, for each fiscal year for which appropriations are authorized under any legislation referred to in section 401, of such sums as may be necessary for expenses for planning and evaluation of programs or projects authorized under such legislation.

Section 403. Advance funding

This section authorizes the inclusion of appropriations to carry out the provisions of any of the acts referred to in section 401 in the appropriation act for the fiscal year preceding the fiscal year for which they are available for obligation. The section further provides that this authorization shall apply even though in its initial application two separate appropriations may be enacted in the same fiscal year, one for the then current fiscal year and one for the succeeding fiscal year.

Section 404. Evaluation reports and congressional review

This section provides that the Secretary of Health, Education, and Welfare, shall transmit to the committees having legislative jurisdiction and the appropriations committees of each house of Congress an evaluation report not later than March 31 of each year, and the Secretary shall include his recommendations relating thereto (including legislative recommendations). Subsection (b) provides that any such report in the next-to-the-last fiscal year for which appropriations are authorized for any such program, shall include a comprehensive review and evaluation which shall be cumulative for the entire past life of such program.

Section 405. Contingent extension of expiring appropriation authority

Subsection (a) provides that if Congress has not passed or formally rejected legislation extending the authorization for any legislation during the regular session in which a comprehensive report is required, in accordance with the preceding section, the authorization is automatically extended for one fiscal year beyond its expiration date and at the same level of the last year's authorization.

Subsection (b) provides that, if an appropriation for title I of the Elementary and Secondary Education Act has not been enacted prior to May 15 preceding the beginning of any fiscal year, the Commissioner may execute agreements for grants under title I for such fiscal year, at a level continuing at the same rate as the appropriation for the preceding fiscal year.

Section 406. Availability of appropriations on academic or school year basis.

This section provides that appropriations may be made available on an academic year or school year basis differing from a fiscal year, in accordance with regulations of the Secretary.

Mr. MORSE. Mr. President, this has been a very long presentation but the matter covered in this bill is of the greatest consequence to the future of American education.

In closing this presentation, I wish to pay unstinting tribute to each of my colleagues on the subcommittee, and in full committee, for each has contributed greatly to the result we bring to the Senate in accordance with the criterion that has ever guided our operations. I think I can say without fear of contradiction this year, even more than in all previous years, that the committee has acted as a committee without regard to partisan considerations in bringing to the Senate what we believe to be the best solutions to many problems. I urge that in floor consideration of the measure, Senators keep in mind this point; and it is my hope that we can bring from conference before long a conference report which will reflect the care and thought that has been given in both Houses to the proposed legislation. I pledge for myself that this will be my objective; and in order that the RECORD may contain the full history of this legislation. I ask unanimous consent that at this point in my remarks the text of H.R. 7819 as reported be printed, to be followed by the appendices for which permission has already been secured, together with sundry tables relevant to the provisions of the bill and Cordon print with changes in existing law made by the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 7819

An act to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1967".

ADMINISTRATION

SEC. 2. Rules, regulations, guidelines, or other published interpretations or orders issued by the Department of Health, Education, and Welfare or the United States Office of Education, or by any official of such agencies, in connection with, or affecting the administration of programs authorized by this Act or by any Act amended by this Act shall contain immediately following each substantive provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based. All such rules, regulations, guidelines, interpretations, or orders shall be uniformly applied and enforced throughout the fifty States.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

PART A—AMENDMENTS TO TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN

SEC. 101. The third sentence of section 203 (a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "June 30, 1967," and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969,".

RAISING THE DOLLAR LIMITATION FOR STATE ADMINISTRATIVE EXPENSES UNDER TITLE II OF PUBLIC LAW 874

SEC. 102. Effective for fiscal years beginning after June 30, 1967, section 207(b)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "$75,000" and inserting in lieu thereof "$150,000".

TECHNICAL CORRECTIONS WITH RESPECT TO PAYMENTS ON ACCOUNT OF NEGLECTED OR DELINQUENT CHILDREN

SEC. 103. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting "(other than such institutions operated by the United States)" immediately after "living in institutions for neglected or delinquent children", and by striking out "paragraph (5)" and inserting in lieu thereof "paragraph (7)".

(b) Section 205(c)(1)(C) of such Act is amended by striking out "(8)" and inserting in lieu thereof "(11)".

(c) Section 206(a)(3) and section 207(b) of such Act are each amended by striking out "section 205(a)(5)" and inserting in lieu thereof "section 205(a)(6)".

CONFORMING AMENDMENTS TO MAKE STATE OR NATIONAL AVERAGE PER PUPIL EXPENDITURE OPTION AVAILABLE TO STATE AGENCY PROGRAMS UNDER TITLE I

SEC. 104. (a)(1) The second sentence of section 203(a)(6) of the Act of September 30, 1950, is amended by striking out "average per pupil expenditure in the United States" and inserting in lieu thereof the following: "average per pupil expenditure in that State or, if greater, in the United States".

(2) The first sentence of section 203(a)(7) of such Act is amended by inserting after "average per pupil expenditure in that State" the following: "or, if greater, in the United States".

(b)(1) Section 203(a)(2) of such Act is amended by striking out the last sentence thereof.

(2) Section 203(a)(6) of such Act is amended by striking out the last sentence thereof.

(3) Section 203 of such Act is amended by adding at the end thereof the following subsection:

"(e) For purposes of this section, the 'average per pupil expenditure' in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States (which for the purposes of this subsection means the fifty States and the District of Columbia), as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

(4) The first sentence of section 203(a)(2) and the first sentence of section 203(a)(5) are each amended by striking out the matter in the parenthesis immediately after "United States".

USE OF RECENT CASELOAD DATA

SEC. 105. The third sentence of section 203(d) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "latest calendar or fiscal year data, whichever is later" and inserting in lieu thereof "caseload data for the month of January of the preceding fiscal year".

JOINT TRAINING PROGRAMS FOR EDUCATION AIDES AND PROFESSIONAL STAFF

SEC. 106. Section 205(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting a semicolon at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and the word "and", and by adding at the end thereof the following new paragraph:

"(11) in the case of projects involving the use of education aides, the local educational agency sets forth well-developed plans providing for coordinated programs of training in which education aides and the professional staff whom they are assisting will participate together."

ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

SEC. 107. (a) Section 208 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress) is amended (1) by dividing it into two subsections composed, respectively, of the first two sentences as subsection "(a)" and the remainder as subsection "(b)", and (2) by amending the first sentence of such section to read as follows: "If the sums appropriated for any fiscal year for making the payments provided in this title are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this title for such year—

"(1) the amount available for each grant to a State agency eligible for a grant under paragraph (5), (6), or (7) of section 203(a) shall be equal to the maximum grant as computed under such paragraph;

"(2) the minimum aggregate amount available for each county, for grants to local educational agencies having school districts in such county, shall be equal to the aggregate amount allocated for such county from appropriations for the preceding fiscal year: *Provided,* That, if the total of such allocations for all counties exceeds the amount remaining after allocations are made under paragraphs (1) and (3) of this sentence, the amounts of allocations pursuant to this paragraph shall be reduced ratably;

"(3) the minimum amount available for payments to each State educational agency for the purposes of section 207(b) shall be equal to 1 per centum of the aggregate amounts available within that State pursuant to paragraphs (1) and (2) of this sentence (including, when applicable, the proviso to paragraph (2)), except that no State shall receive less than the minimum amount provided for in section 207(b)(2); and

"(4) any amount of such appropriations remaining after making the allocations prescribed pursuant to the preceding paragraphs shall be allocated by computing such remainder in accordance with section 203(a)(2) and section 207(b)(1), as ratably reduced: *Provided,* That the aggregate amount allocated to any State under this paragraph and paragraph (3) for the purposes of section 207(b) shall not, except where necessary to provide the minimum amount specified in section 207(b)(2), exceed 1 per centum of the aggregate amount computed for other purposes under this paragraph and paragraphs (1) and (2) (including the proviso to paragraph (2)."

(b) Such section 208 is further amended by adding thereto the following subsections:

"(c) This section shall not apply to States to which allotments are made under section 203(a)(1).

"(d) In the case of any State (or multicounty part thereof) that consists of a single school district, the term 'county', as used in this section, means such State (or multicounty part thereof)."

SPECIAL INCENTIVE GRANTS

SEC. 108. (a) Title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is further amended by—

(1) inserting "PART A—BASIC GRANTS" immediately after the heading of such title;

(2) striking out "this title" wherever it appears in sections 201 through 208 and inserting in lieu thereof "this part";

(3) inserting "PART C—GENERAL PROVISIONS" immediately before the section heading of section 209;

(4) redesignating sections 209 through 214 and references thereto as sections 231 through 236; and

(5) inserting after section 208 thereof the following new part:

"PART B—INCENTIVE GRANTS

"SPECIAL INCENTIVE GRANTS

"SEC. 221. (a) A special incentive grant shall be made for any fiscal year beginning after June 30, 1967, to the State educational agency of each State which has an effort index for such year that exceeds the national effort index for such year. The amount of such special incentive grant shall be determined by multiplying the amount of $1 for each 0.01 per centum by which such State's effort index for such year exceeds the national effort index for such year times the aggregate number of children counted for purposes of entitling local educational agencies within such State to basic grants in accordance with classes (2), (5), (6), and (7) of section 203(a) of this Act. If the sum of the amounts so determined for all the States exceeds the amount appropriated pursuant to this part for any fiscal year, such amounts shall be ratably reduced. No State agency shall receive in any year a grant pursuant to this section which is in excess of 15 per centum of the total amount appropriated for such year for the purpose of this section. The State educational agency shall distribute such grant to those local educational agencies in such State which are in the greatest need of additional funds, for the purposes set forth in section 205(a), and amounts so distributed shall be used by such agencies in accordance with the provisions governing the use of grants to such agencies under this title.

"(b) Grants pursuant to this section shall be made upon application containing such information as the Commissioner may require for the purpose of this section. The Commissioner shall not finally disapprove such an application except after reasonable notice and opportunity for a hearing to the State educational agency.

"(c) For the purpose of this section the term 'State effort index' means the per centum expressing the ratio of expenditures from all sources in a State for public elementary and secondary education to the total personal income in such State, and the term 'national effort index' means the per centum expressing the ratio of such expenditures in all States to the total personal income in all States.

"(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 each for the fiscal year ending June 30, 1968 and the three succeeding fiscal years."

(b) Sections 232 and 233(a) of such Act (as redesignated by subsection (a) of this section) are each amended by striking out "or 206(b)" and inserting in lieu thereof ", 206(b) or 221(b)".

(c) The amendments made by this section shall be effective with respect to appropriations enacted after the date of enactment of this Act.

AGRICULTURAL WORKERS

SEC. 109. Section 205(c) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by adding at the end thereof the following new paragraph:

"(3) For purposes of this subsection, with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under this subsection."

REDESIGNATING SECTION NUMBERS IN TITLE II OF PUBLIC LAW 874

SEC. 110. For the purpose of avoiding confusion between references to section numbers of title II of the Elementary and Secondary Education Act of 1965 and references to section numbers of title II of Public Law 874, Eighty-first Congress (which latter title is also generally cited as title I of the Elementary and Secondary Education Act of 1965), sections 201 through 208, 221, and 231 through 236 of Public Law 874, Eighty-first Congress, as amended by the preceding sections of this Act, are redesignated as sections 101 through 108, 121, and 131 through 136, respectively, and all references to any such section in that or any other law, or in any rule, regulation, order, or agreement of the United States are amended so as to refer to such section as so redesignated.

STUDY OF IMPACT OF CHILDREN LIVING IN PUBLIC HOUSING

SEC. 111. The Secretary of Health, Education, and Welfare shall make a study of the burden imposed on a local educational agency by the presence of low-rent public housing within the boundaries of its school district. The Secretary shall submit a report on the results of his study to the Senate and House of Representatives on or before January 10, 1968. Such report shall include such recommendations for legislation as the Secretary deems appropriate.

COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

SEC. 112. Section 182 of title I of Public Law 89–750, Eighty-ninth Congress, is amended by striking the period at the end of section 182, inserting in lieu thereof a colon and the following language: "*Provided*, That, for the purpose of determining whether a local educational agency is in compliance with title VI of the Civil Rights Act of 1964 (Public Law 88–352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with such title VI, insofar as the matters covered in the order or judgment are concerned."

STUDY OF DATA USED TO ESTABLISH ENTITLEMENTS

SEC. 113. The Commissioner of Education and the Secretary of Commerce, acting together, shall prepare and submit to the Senate and House of Representatives, on or before May 1, 1968, a report setting forth a method of determining the information necessary to establish entitlements within each of the several States under title I of the Elementary and Secondary Education Act of 1965 on the basis of data later than 1960. Such report shall include recommendations for legislation necessary to permit the adoption of such method.

PART B—AMENDMENTS TO TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

EXTENDING FOR TWO YEARS PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS

SEC. 121. Section 202(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969".

PART C—REVISION OF TITLE III OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 131. Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

"APPROPRIATIONS AUTHORIZED

"SEC. 301. (a) The Commissioner shall carry out a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966; $175,000,000 for the fiscal year ending June 30, 1967; $500,000,000 for the fiscal year ending June 30, 1968; $525,000,000 for the fiscal year ending June 30, 1969; $550,000,000 for the fiscal year ending June 30, 1970; and $575,000,000 for the fiscal year ending June 30, 1971. In addition, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and each of the three succeeding fiscal years, such sums as may be necessary for the administration of State plans, the activities of advisory councils, and the evaluation and dissemination activities required under this title.

"ALLOTMENT AMONG STATES

"SEC. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1969, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301 (b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust territory of the Pacific Islands.

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be realloted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year.

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year.

"USES OF FEDERAL FUNDS

"SEC. 303. (a) Funds appropriated pursuant to section 301 shall, except as provided in subsection (b), be available only for grants in accordance with applications approved pursuant to this title for—

"(1) planning for and taking other steps leading to the development of programs or projects designed to provide supplementary educational activities and services described in paragraphs (2) and (3), including pilot projects designed to test the effectiveness of plans so developed;

"(2) the establishment or expansion of exemplary and innovative educational programs (including dual-enrollment programs and the lease or construction of necessary facilities) for the purpose of stimulating the adoption of new educational programs (including those described in section 503(4) and special programs for handicapped children) in the schools of the State; and

"(3) the establishment, maintenance, operation, and expansion of programs or projects, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, supplementary educational services and activities, such as—

"(A) comprehensive guidance and counseling, remedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

"(B) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

"(C) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

"(D) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis for the benefit of children in public and other nonprofit schools, organizations, and institutions;

"(E) developing, producing, and transmitting radio and television programs for classroom and other educational use;

"(F) in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs (including preschool education), because some or all of its schools are seriously overcrowded, obsolete, or unsafe, initiating and carrying out programs or projects designed to meet those needs, particularly those which will result in more effective use of existing facilities;

"(G) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods, and visiting teachers' programs;

"(H) encouraging community involvement in educational programs; and

"(I) other specially designed educational programs or projects which meet the purposes of this title.

"(b) In addition to the uses specified in subsection (a), funds appropriated for carrying out this title may be used for—

"(1) proper and efficient administration of State plans;

"(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory councils authorized by this title in carrying out their responsibilities; and

"(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

"APPLICATIONS FOR GRANTS—CONDITIONS FOR APPROVAL

"SEC. 304. (a) A grant under this title pursuant to an approved State plan or by the Commissioner for a supplementary educational center or service program or project may be made only to a local educational agency or agencies, and then only if there is satisfactory assurance that, in the planning of that program or project there has been, and in the establishment and carrying out thereof there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. The term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the appropriate State educational agency or to the Commissioner, as the case may be, at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in section 303(a) and provide for such methods of administration as are necessary for the proper and efficient operation of the programs;

"(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 303(a), and in no case supplant such funds;

"(4) provide, in the case of an application for assistance under this title which includes a project for the construction of necessary facilities, satisfactory assurance that—

"(A) reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities,

"(B) upon completion of the construction, title to the facilities will be in a State or local educational agency,

"(C) in developing plans for such facilities, (i) due consideration will be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and (ii) there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that, to the extent appropriate in view of the uses to be made of the facilities, such facilities are accessible to and usable by handicapped persons, and

"(D) the requirements of section 310 will be complied with;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—

"(1) meets the requirements set forth in subsection (a);

"(2) provides that the program or project for which application is made—

"(A) will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant;

"(B) to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project, makes provision for the participation of such children; and

"(3) has been reviewed by a panel of experts.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"STATE ADVISORY COUNCILS AND STATE PLANS

"SEC. 305. (a)(1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall (A) establish within its State educational agency a State advisory council (hereinafter referred to as the 'State advisory council') which meets the requirements set forth in paragraph (2), (B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and (C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

"(2) The State advisory council, established pursuant to paragraph (1) shall—

"(A) be broadly representative of the cultural and educational resources of the State (as defined in section 304(a)) and of the public, including persons representative of—

"(i) elementary and secondary schools,

"(ii) institutions of higher education,

"(iii) professional organizations of teachers and school administrators,

"(iv) organizations promoting the improvement of education, and

"(v) areas of professional competence in dealing with children needing special education because of physical or mental handicaps, but nothing in this subparagraph shall be construed to preclude the appointment of nonresidents of a State to the State advisory council of that State;

"(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria for approval of applications under such State plan;

"(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for grant under the State plan;

"(D) evaluate programs and projects assisted under this title;

"(E) prepare and submit a report of its activities, recommendations, and evaluations to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail as the National Advisory Council may prescribe; and

"(F) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

"(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

"(1) sets for a program (including educational needs, and their basis, and the manner in which the funds paid to the State under this title shall be used in meeting such educational needs) under which funds paid to the State under section 307(a) will be expended solely for the improvement of education in the State through grants to local educational agencies for programs or projects in accordance with sections 303 and 304: *Provided*, That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such program or project) that are fully equivalent to those otherwise required of a local educational agency;

"(2) sets forth the administrative organization and procedures in such detail as the Commissioner may prescribe by regulation to be used in carrying out the State plan, including the qualifications for personnel having responsibilities in the administration of the plan;

"(3) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities;

"(4) provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds and including where appropriated bilingual education, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe;

"(5) provides that, in approving applications for grants for programs or projects, applications proposing to carry out programs or projects planned under this title will receive special consideration;

"(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

"(7) provides that not less than 50 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for purposes of paragraphs (1) and (2) of section 303(a);

"(8) provides that not less than 15 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for special programs or projects for the education of handicapped children;

"(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

"(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

"(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commission may find necessary to assure the correctness and verification of such reports;

"(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

"(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

"(c) The Commissioner may, if he finds that a State plan for any fiscal year is in substantial compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 307) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided*, That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

"(d) A State which has had a State plan approved for any fiscal year may receive for the purpose of carrying out such plan an amount not in excess of 33⅓ per centum of its allotment pursuant to section 302 for the fiscal year ending June 30, 1969, 50 per centum thereof for the fiscal year ending June 30, 1970, and 66⅔ per centum thereof for the fiscal year ending June 30, 1971.

"(e)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under section 305 or with any requirement set forth in the application of a local educational agency approved pursuant to section 304, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, many remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(f)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari of certification as provided in section 1254 of title 28, United States Code.

"SPECIAL PROGRAMS AND PROJECTS

"SEC. 306. (a) From the amount allotted to any State, pursuant to section 302, which is not available for grants under a State plan approved pursuant to section 305, the Commissioner is authorized, subject to the provisions of section 304, to make grants to local educational agencies in such State for programs or projects which meet the purposes of section 303 and which, in the case of a local educational agency in a State which has a State plan approved, hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. The Commissioner may not approve an application under this section unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner regarding the disposition of the application.

"(b) Not less than 15 per centum of the funds granted pursuant to this section in any fiscal year shall be used for programs or projects designed to meet the special educational needs of handicapped children.

"PAYMENTS

"SEC. 307. (a) From the allotment to each State pursuant to section 302, for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 305 for that fiscal year, the amount necessary to carry out its State plan as approved.

"(b) The Commissioner is authorized to pay to each State amounts necessary for the activities described in section 303(b), during any fiscal year, except that (1) the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, and (2) in such payment, the amount paid for the administration of the State plan during such year shall not exceed an amount equal to 5 per centum of its allotment for that fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

"(c) The Commissioner shall pay to each applicant which has an application approved pursuant to section 306 the amount necessary to carry out the program or project pursuant to such application.

"(d) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(e) No payments shall be made under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for State aid (as defined by regulation) with respect to the provision of free public education in that State for the preceding fiscal year was not less than such fiscal effort for State aid for the second preceding fiscal year.

"RECOVERY OF PAYMENTS

"SEC. 308. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

"(a) the owner of the facility shall cease to be a State or local educational agency, or

"(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"NATIONAL ADVISORY COUNCIL

"SEC. 309. (a) The President shall, by January 31, 1968, appoint a National Advisory Council on Supplementary Centers and Services which shall—

"(1) advise the Commissioner in the preparation of general regulations;

"(2) review the administration and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

"(3) review each State plan and application submitted to the Commissioner pursuant to sections 305 and 306, and make recommendations to the Commissioner with respect to the action to be taken on such plan or application;

"(4) set forth procedures for the submission of reports by State advisory councils to the National Advisory Council;

"(5) review, evaluate, and transmit the reports of State advisory councils to the Congress, the President, and the Secretary;

"(6) evaluate programs and projects carried out under this title and disseminate the results thereof; and

"(7) make recommendations for the improvement of this title, and its administration and operation.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. The Secretary shall make available to the Council such technical, professional, secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel-time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

"(e) The Council is authorized to appoint without regard to the provisions of title 5, United States Code, covering appointment in the competitive service, and fix the compensation of, without regard to chapter 51 and subchapter III of chapter 53 of such title, such professional and technical personnel as may be necessary to enable it to carry out its duties.

"LABOR STANDARDS

"SEC. 310. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

EFFECTIVE DATE

SEC. 132. (a) The amendment made by section 131 shall be effective July 1, 1968, except as specifically provided in subsection (b).

(b)(1) That part of section 305(a) of the Elementary and Secondary Education Act of 1965, as amended by section 131, concerning State advisory councils, and section 309 of such Act, as so amended, shall be effective upon enactment of this Act.

(2) The second sentence of section 301(b) of such Act, as so amended, shall be effective upon enactment of this Act.

(c) The Commissioner is authorized, upon enactment of this Act, to take such steps as he may deem appropriate in order to prepare to implement the amendment made by section 131.

PART D—AMENDMENTS TO TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

DURATION OF AND FUNDS FOR TITLE

SEC. 141. (a) Section 501(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(b) Section 501(b) of such Act is amended by striking out "and $50,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$65,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970; and $85,000,000 for the fiscal year ending June 30, 1971,".

INCLUSION OF TRUST TERRITORY OF PACIFIC ISLANDS

SEC. 142. (a) The first and third sentences of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965, relating to apportionment of appropriations, are each amended by striking out "and" after "Samoa," and by inserting ", and the Trust Territory of the Pacific Islands" after "Virgin Islands".

(b)(1) Paragraph (j) of section 701 of such Act, defining the term "State", is amended by striking out "and for purposes of title II and title III, such term includes the Trust Territory of the Pacific Islands" and inserting in lieu thereof ", and for purposs of titles II, III, and V such term also includes the Trust Territory of the Pacific Islands".

(2) Such section 701 is further amended by inserting ", except when otherwise specified" immediately after "As used in titles II, III, and V of this Act".

REVISION OF APPORTIONMENT FORMULA

SEC. 143. The second sentence of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "The remainder of such per centum of such sums shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him."

ENCOURAGEMENT OF USE OF AUXILIARY PERSONNEL

SEC. 144. Section 503 of the Elementary and Secondary Education Act of 1965 is amended by redesignating paragraphs (7). (8), (9), (10), and (11) as (8), (9), (10), (11), and (12), respectively, and by inserting after paragraph (6) the following new paragraph:

"(7) programs and other activities specifically designed to encourage the full and adequate utilization and acceptance of auxiliary personnel (such as teacher aides) in elementary and secondary schools on a permanent basis;".

COMPREHENSIVE PLANNING GRANTS

SEC. 145. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" at the end of the next to the last paragraph, by striking out the period at the end thereof and inserting a semicolon, and by adding at the end thereof the following new paragraphs:

"(13) programs for providing grants to local educational agencies in metropolitan areas to enable them to engage in comprehensive planning to meet their particular needs, either alone or in cooperation with other such agencies; and

"(14) a program, which shall be included in each such overall program for each fiscal year pursuant to this section, for distributing in the State in an equitable manner on the basis of need among local educational agencies, within the State at least 10 per centum of such amount to be used by such agencies for any of the purposes of this title as applied to a local educational agency in lieu of a State educational agency."

(b)(1) Section 502(a) of such Act is amended by striking out "85" each time it appears and inserting "95" in lieu thereof.

(2) Section 502(a)(2) of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

(3) Section 505 of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

GRANTS TO INTERSTATE COMMISSIONS

SEC. 146. Section 505 of the Elementary and Secondary Education Act of 1965 is amended by striking out the period at the end of such section and inserting in lieu thereof the following: ", and for grants to public regional interstate commissions or agencies for educational planning and research."

COMPREHENSIVE EDUCATIONAL PLANNING

SEC. 147. (a) Title V of the Elementary and Secondary Education Act of 1965 is further amended by adding "AND FOR STATEWIDE EDUCATIONAL PLANNING" to its heading and by inserting the following immediately below its heading:

"PART A—GRANTS FOR STRENGTHENING LEADERSHIP RESOURCES OF STATE EDUCATIONAL AGENCIES"

(b) Title V of such Act is further amended by striking out the words "this title" wherever they appear and inserting in lieu thereof "this part", and by adding at the end thereof the following new part:

"PART B—GRANTS FOR COMPREHENSIVE EDUCATIONAL PLANNING AND EVALUATION

"AUTHORIZATION

"SEC. 521. To the end of enhancing the capability of the several States to make effective progress, through comprehensive and continuing planning, toward the achievement of opportunities for high-quality education for all segments of the population throughout the State, the Commissioner is authorized to make, in accordance with the provisions of this part, comprehensive planning and evaluation grants to States that have submitted, and had approved by the Commissioner, an application pursuant to section 523, and special project grants, related to the purposes of this part, pursuant to section 524. For the purpose of making such grants, there are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1968, $20,000,000 for the fiscal year ending June 30, 1969, and for each of the two succeeding fiscal years.

"APPORTIONMENT AMONG THE STATES

"SEC. 522. (a)(1) From the sums appropriated for carrying out this part for each fiscal year, 25 per centum shall be reserved for the purposes of section 524 and the remaining 75 per centum shall be available for grants to States under section 523.

"(2) The Commissioner shall apportion not in excess of 2 per centum of the amount available for grants under section 523 among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for carrying out the purposes of this part. The remainder of such amount shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the population of the State bears to the population of all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

For purposes of the preceding sentence, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The amount apportioned under this section to any State for the fiscal year ending June 30, 1968, shall be available for obligation for grants pursuant to applications approved during that year and the succeeding fiscal year.

"(c) The amount of any State's apportionment for any fiscal year under paragraph (2) of subsection (a) which the Commissioner determines will not be required for grants to that State under section 523 during the period for which such apportionment is available may from time to time be reapportioned by the Commissioner to other States, according to their respective needs, as the Commissioner may determine. Any amount so reapportioned to a State from funds appropriated for any fiscal year shall be deemed to be a part of the amount apportioned to it under subsection (a) for that year.

"COMPREHENSIVE PLANNING GRANTS

"SEC. 523. (a)(1) Any State desiring to receive a grant or grants under this section from its apportionment under section 522 for any fiscal year shall designate or establish a single State agency or office (hereafter in this part referred to as the State educational planning agency) as the sole agency for carrying out or supervising the carrying out of a comprehensive statewide program of systematic planning and evaluation relating to education at all levels (including remedial education and retraining of adults), except that—

"(A) the field of higher education shall be included only if the State so elects and so provides in an application (or amended or supplemental application) under this section, and

"(B) in the event of such election the State may designate or establish a separate State agency (hereafter in this part referred to as the State higher education planning agency) for carrying out or supervising the carrying out of such planning and evaluation program with respect to higher education.

"(2) A grant to a State may be made under this section only upon approval of an application submitted to the Commissioner through the State educational planning agency, except that, with respect to States electing to include the field of higher education as provided in clause (A) of paragraph (1) of this subsection and designating or establishing a State higher education planning agency as provided in clause (B) of paragraph (1), the Commissioner, by or pursuant to regulation—

"(A) shall authorize the submission of a combined application which includes higher education (or an amended or supplemental application filed upon the making of such election) jointly through both the State's planning agencies involved, or the submission of a separate application (or supplement) through the State's higher educational planning agency as to so much of the State's program as relates to planning and evaluation in the field of higher education, and

"(B) may provide for allocating, between the State's two planning agencies, the amount of any grant or grants under this section from the State's apportionment.

"(3) An application (or amendment or supplement thereto) under this section shall set forth, in such detail as the Commissioner deems necessary, the statewide program referred to in paragraph (1) (or, in the case of a separate application or amendment or supplement with respect to the field of higher education, so much of the statewide program as relates to that field), which shall include provision for—

"(A) setting statewide educational goals and establishing priorities among these goals;

"(B) developing through analyses alternative means of achieving these goals, taking into account the resources available and the educational effectiveness of each of the alternatives (including, in the case of higher education, the resources and plans of private institutions in the State bearing upon the State's goals and plans for public higher education);

"(C) planning new programs and improvements in existing programs based on the results of these analyses;

"(D) developing and strengthening the capabilities of the State to conduct, on a continuous basis, objective evaluations of the effectiveness of educational programs; and

"(E) developing and maintaining a permanent system for obtaining and collating significant information necessary to the assessment of progress toward the State's educational goals.

"(b) Applications (including amendments and supplements thereto) for grants under this section may be approved by the Commissioner only if the application—

"(1) has been submitted to the chief executive of the State for review and recommendations;

"(2) sets forth, if the State has elected to include the field of higher education and has designated or established a separate State higher education planning agency, such arrangements for coordination, between the State's educational planning program in that field and the remaining educational planning program submitted by the State, as will in the Commissioner's judgment be effective;

"(3) contains satisfactory assurance—

"(A) that the assistance provided under this section, together with other available resources, will be so used for the several purposes specified in subparagraphs (A) through (E) of paragraph (3) of subsection (a) of this section as to result in the maximum possible effective progress toward the achievement of a high level of competence with respect to each of them, and

"(B) that assistance under this part will, by the State planning agency involved, be used primarily in strengthening the capabilities of its own planning and evaluation staff or, to the extent that the program is to be carried out under the supervision of that agency by other agencies, the planning and evaluation staffs of such other agencies; but consistently with this objective part of the funds received under a grant under this section may be used, in appropriate circumstances, to employ consultants, or to enter into contracts for special projects with public or private agencies, institutions, or organizations having special competence in the areas of planning or evaluation;

"(4) makes adequate provision (consistent with such criteria as the Commisisoner may prescribe) for using funds granted to the applicant under this section, other than funds granted for planning and evaluation in the field of higher education, (A) to make program planning and evaluation services available to local educational agencies, and (B) in the case of such agencies in areas (particularly metropolitan areas) with school populations sufficiently large to warrant their own planning or evaluation staffs, to assist such agencies (financially or through technical assistance, or both) to strengthen their planning and evaluation capabilities and to promote coordinated areawide planning for such areas;

"(5) provides for such methods of administration as are necessary for the proper and efficient operation of the program;

"(6) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid under this part to the State (including any such funds paid by the State to agencies, institutions, or organizations referred to in paragraph (4)(B) or paragraph (3) of this subsection); and

"(7) provides for making such reports, in such form and containing such information as the Commissioner may reasonably require (copies of which shall also be sent to the chief executive of the State), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(c) A grant made pursuant to an approval of an application under this section may be used to pay all or part of the cost of activities covered by the approved application and included in such grant, but excluding so much, if any, of such cost as is paid for from grants under part A.

SPECIAL PROJECTS

"SEC. 524. (a) The sums reserved pursuant to section 522(a)(1) for the purposes of this section shall be used for grants for special projects in accordance with subsection (b) of this section.

"(b) The Commissioner is authorized to make grants to public or private nonprofit agencies, institutions, or organizations, or to make contracts with public or private agencies, institutions, or organizations for special projects related to the purposes of this part, to be conducted on an interstate, regional, or metropolitan area basis, including projects for such purposes as—

"(1) metropolitan planning in education in areas covering more than one State;

"(2) improvement and expansion in the educational planning of large cities within a State with due regard to the complexities of adequate metropolitan planning in such places;

"(3) comparative and cooperative studies agreed upon between States or metropolitan areas;

"(4) conferences to promote the purposes of this part and involving different States;

"(5) publications of general use to the planning of more effective and efficient educational services, and other activities for dissemination of information related to the purposes of this part.

"PAYMENTS

"SEC. 525. Payments under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine."

PART E—AMENDMENTS TO TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

REGIONAL RESOURCE CENTERS, SERVICES FOR DEAF-BLIND CHILDREN, RECRUITMENT OF PERSONNEL

SEC. 151. Title VI of the Elementary and Secondary Education Act of 1965 is amended by—

(1) inserting immediately below the heading of such title

"PART A—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) inserting immediately above the heading of section 608

"PART E—GENERAL PROVISIONS";

(3) redesignating sections 608, 609, and 610 and references thereto as sections 611, 612, and 613, respectively;

(4) striking out the words "this title" wherever they occur in sections 601, and 603 through 607, and inserting in lieu thereof "this part"; and

(5) inserting immediately after section 607 the following:

"PART B—REGIONAL RESOURCE CENTERS FOR IMPROVEMENT OF THE EDUCATION OF HANDICAPPED CHILDREN

"REGIONAL RESOURCE CENTERS

"SEC. 608. (a) For the purpose of aiding in the establishment and operation of regional centers which will develop and apply the best methods of appraising the special educational needs of handicapped children referred to them and will provide other services to assist in meeting such needs, there authorized to be appropriated $7,500,000 for the fiscal year ending June 30, 1968, $8,000,000 for the fiscal year ending June 30, 1969, $10,000,000 for the fiscal year ending June 30, 1970, and $12,000,000 for the fiscal year ending June 30, 1971.

"(b) Appropriations under this section shall be available to the Commissioner for grants to or contracts with institutions of higher education, State educational agencies, local educational agencies, or combinations of such agencies or institutions, within particular regions of the United States, to pay all or part of the cost of establishment (including construction) or operation of regional resource centers for the improvement of education of the handicapped in such regions. Centers established or operated under this section shall (1) provide testing and educational evaluation to determine the special educational needs of handicapped children referred to such centers, (2) develop educational programs to meet those needs, and (3) assist schools and other appropriate agencies, organizations, and institutions in providing such educational programs through services such as consultation (including, in appropriate cases, consultation with parents or teachers of handicapped children at such regional centers), periodic reexamination and reevaluation of special education programs, and other technical services.

"(c) In determining whether to approve an application for a project under this section, the Commissioner shall consider the need for such a center in the region to be served by the applicant and the capability of the applicant to develop and apply, with the assistance of funds under this section, new methods, techniques, devices, or facilities relating to educational evaluation or education of handicapped children.

"(d) Payment pursuant to grants or contracts under this section may be made (after necessary adjustments on account of previously made underpayments or overpayments) in advance or by reimbursement, and in such installments and on such conditions as the Commissioner may determine."

"PART C—CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"SEC. 609. (a) It is the purpose of this part to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

"(b) The Secretary is authorized, upon such terms and conditions (subject to the provisions of subsection (d)(1) of this section) as he deems appropriate to carry out the purposes of this part, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children.

"(c) In determining whether to make a grant or contract under subsection (b), the Secretary shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

"(d)(1) A grant or contract pursuant to subsection (b) shall be made only if the Secretary determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

"(A) comprehensive diagnostic and evaluative services for deaf-blind children;

"(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

"(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education.

"(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

"(e) The Secretary is further authorized, either as part of any grant or contract under subsection (b), or by separate grant to or contract with an agency, organization, or institution operating a center meeting the requirements prescribed by or pursuant to subsection (d), to provide for the payment of all or part of the cost of such activities as—

"(1) research to identify and meet the full range of special needs of deaf-blind children;

"(2) development or demonstration of new, or improvements in existing, methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

"(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

"(4) dissemination of materials and information about practices found effective in working with deaf-blind children.

"(f) For purposes of this part, the term 'construction' includes, in addition to those matters set forth in section 701(b), construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements.

"(g) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this part the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"(h) For purposes of this part, the determination of children who are both deaf and blind shall be made in accordance with regulations of the Secretary.

"(i) Payments pursuant to grants or contracts under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursements, and in such installments and on such conditions as the Secretary may determine.

"(j) For the purpose of carrying out this part, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, $3,000,000 for the fiscal year ending June 30, 1969, $7,000,000 for the fiscal year ending June 30, 1970, and $9,000,000 for the fiscal year ending June 30, 1971.

"PART D—RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"GRANTS OR CONTRACTS TO IMPROVE RECRUITING OF EDUCATIONAL PERSONNEL, AND TO IMPROVE DISSEMINATION OF INFORMATION CONCERNING EDUCATIONAL OPPORTUNITIES FOR THE HANDICAPPED

"SEC. 610. (a) The Commissioner is authorized to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, or institutions for projects for—

"(1) encouraging students and professional personnel to work in various fields of education of handicapped children and youth through, among other ways, developing and distributing imaginative or innovative materials to assist in recruiting personnel for such careers, or publicizing existing forms of financial aid which might enable students to pursue such careers, or

"(2) disseminating information about the programs, services, and resources for the education of handicapped children, or providing referral services, to parents, teachers, and other persons especially interested in the handicapped.

"(b) To carry out the purposes of this section, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, and for each of the three succeeding fiscal years."

TRANSFER OF DEFINITION AND OTHER TECHNICAL AMENDMENTS

SEC. 152. (a) Section 602 of title VI of the Elementary and Secondary Education Act of 1965 is redesignated as section 614 and transferred to the end of such title.

(b) Section 601 of such title is amended by—

(1) striking out the section heading and inserting in lieu thereof the heading

"GRANTS TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) striking out "(a)" in subsection (a);

(3) redesignating section 601(b) and references thereto as section 602 by striking out "(b)" in subsection (b) and inserting "SEC. 602." in lieu thereof; and

(4) inserting above section 602 as so redesignated the section heading

"APPROPRIATIONS AUTHORIZED"

(c) (1) The portion of section 701 of the Elementary and Secondary Education Act of 1965 (containing definitions) which precedes subsection (a), as amended by section 142(b) of this Act, is further amended by striking out "As used in titles II, III, and V" and inserting in lieu thereof "As used in titles II, III, V, and VI."

(2) Paragraph (j) of such section 701, as amended by section 142(b) of this Act, is further amended by striking out "and V" and inserting in lieu thereof "V, and VI."

INCLUDING SCHOOLS FOR INDIAN CHILDREN OPERATED BY THE DEPARTMENT OF THE INTERIOR AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS IN TITLE VI

SEC. 153. (a) So much of paragraph (1) of section 603(a) of the Elementary and Secondary Education Act of 1965 as follows the first sentence is amended to read as follows: "The Commissioner shall allot the amount appropriated pursuant to this paragraph among—

"(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs, and

"(B) for the fiscal year ending June 30, 1968, and the succeeding fiscal year, (i) the Secretary of the Interior according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance for the education of handicapped children in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part."

(b) The first sentence of paragraph (2) of section 603(a) of the Elementary and Secondary Education Act of 1965 is amended by changing the period at the end thereof to a comma and adding the following: "except that no State shall be allotted less than $100,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater."

SHORT TITLE OF TITLE VI OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 154. Title VI of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof the following new section:

"SHORT TITLE

"SEC. 615. This title may be cited as the 'Education of the Handicapped Act'."

EXPANSION OF INSTRUCTIONAL MEDIA PROGRAMS TO INCLUDE ALL HANDICAPPED CHILDREN

SEC. 155. (a) Subsection (b) of the first section of the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf" (42 U.S.C. 2491 et seq.), is amended to read as follows in order to conform its statement of objectives to amendments made to such Act by Public Law 89-258 and by this Act:

"(b) to promote the educational advancement of handicapped persons by (1) carrying on research in the use of educational media for the handicapped, (2) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (3) training persons in the use of educational media for the instruction of the handicapped."

(b) Section 2 of such Act is amended by adding the following at the end thereof:

"(4) The term 'handicapped' means deaf, mentally retarded, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons."

(c) Section 3 of such Act is amended by striking out the word "deaf" and inserting in lieu thereof "handicapped" each time it occurs therein.

(d)(1) Subsection (b)(5) of section 3 of such Act is amended by inserting immediately before the semicolon at the end thereof the following: ", including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs".

(2) This subsection shall take effect on the date of enactment of this Act, except that as to payments made pursuant to such section 3 prior to such date this subsection shall be effective as of September 28, 1962.

(e) Section 4 of such Act is amended by striking out "$5,000,000" and inserting "$8,-

000,000" in lieu thereof and by striking out "$7,000,000" and inserting "$10,000,000" in lieu thereof.

AUTHORIZING CONTRACTS, AS WELL AS GRANTS, FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

SEC. 156. (a) The first sentence of section 302(a) of Public Law 88-164 is amended by inserting ", and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in this section) and to conduct research, surveys, or demonstrations," immediately before "relating to education for mentally retarded," and by striking out "for research or demonstration project".

(b) The second sentence of such section 302(a) is amended by striking out "Such grants shall be made" and inserting in lieu thereof "Payments pursuant to grants or contracts under this section may be made".

PART F—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

TECHNICAL ASSISTANCE TO RURAL AREAS

SEC. 171. (a) Section 706 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (b) as subsection (c) and by inserting before such subsection a new subsection as follows:

"(b) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and (2) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance."

(b) Section 706 of such Act is amended in subsection (c), as redesignated by subsection (a), by striking out "and not to exceed $2,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$3,500,000 for the fiscal year ending June 30, 1968, $3,700,000 for the fiscal year ending June 30, 1969, $4,000,000 for the fiscal year ending June 30, 1970, and $4,200,000 for the fiscal year ending June 30, 1971".

DEMONSTRATION PROJECTS TO PREVENT DROPOUTS

SEC. 172. Title VII of the Elementary and Secondary Education Act of 1965 is amended to inserting at the end thereof a new section as follows:

"DROPOUT PREVENTION PROJECTS

"SEC. 707. (a) The Commissioner is authorized to arrange by contract, grant, or otherwise, with local educational agencies for the carrying out by such agencies in schools which (1) are located in an urban area, (2) have a high percentage of children from families with an income not exceeding the low-income factor, as defined in section 103(c), and (3) have a high percentage of such children who do not complete their education in elementary or secondary school, of demonstration projects involving the use of innovative methods, systems, materials, or programs which show promise of reducing the number of such children who do not complete their education in elementary and secondary schools.

"(b) The Commissioner shall approve arrangements pursuant to this section only on application by a local educational agency and upon his finding:

"(1) that the project will be carried out in one or more schools described in subsection (a);

"(2) that the applicant has analyzed the reasons for such children not completing their education and has designed a program to meet this problem;

"(3) that effective procedures, including objective measurements of educational achievements, will be adopted for evaluating at least annually the effectiveness of the project; and

"(4) that the project has been approved by the appropriate State educational agency.

"(c) There is authorized to be appropriated not to exceed $30,000,000 for the period ending June 30, 1969, and $30,000,000 each for the fiscal year ending June 30, 1970, and for the succeeding fiscal year for the purpose of this section."

TITLE II—FEDERALLY AFFECTED AREAS

PART A—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN IMPACTED AREAS

CLARIFYING DEFINITIONS OF "FEDERAL PROPERTY"

SEC. 201. Section 15(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), and section 303(1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by—

(a) striking out the second sentence thereof;

(b) striking out "also" in the penultimate sentence thereof; and

(c) inserting immediately before the last sentence thereof the following new sentence: "Such term also includes any interest in Federal property (as defined in the foregoing provisions of this paragraph) under an easement, lease, license, permit, or other arrangement, as well as any improvements of any nature (other than pipelines or utility lines) on such property even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia."

EFFECTIVE DATE FOR CERTAIN 1966 AMENDMENTS

SEC. 202. The amendment made by section 204, and the amendment made by section 229, of the Elementary and Secondary Education Amendments of 1966 shall be effective only with respect to fiscal years beginning after June 30, 1969.

MODIFYING PROVISIONS RELATING TO SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY AFFECTED AREAS

SEC. 203. (a) Subsection (a) of section 14 of the Act of September 23, 1950 (Public Law 813, Eighty-first Congress) is amended in the following respects:

(1) Paragraph (1) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands", and by inserting ", or that such Indian lands constitute a substantial part of the school district of such local educational agency," immediately after "such agency provides free public education".

(2) Paragraph (2) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands".

(3) Paragraph (4) is amended by striking out "in its school district" and inserting in lieu thereof "of a substantial percentage of the children in the membership of its schools".

(4) Such subsection (a) is further amended by—

(A) striking out "is attributable to children who reside on Federal property, and which" in the portion of the first sentence of subsection (a) which follows paragraph (4);

(B) striking out "in the case of any application for additional assistance on account of children who reside on Indian lands" in the second sentence of such subsection (a);

(C) striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" in the third sentence of such subsection (a); and

(D) striking out "third" and inserting in lieu thereof "second" in the last sentence of such section (a).

(b) Section 14 of such Act, as amended by this section, is further amended by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively, and by inserting immediately after subsection (a) the following new subsection (b):

"(b) If the Commissioner determines with respect to any local educational agency that—

"(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, or that such Indian lands constitute a substantial part of the school district of such local educational agency, or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds one hundred; and

"(2) the immunity of such Indian lands to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities; he may, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest, provide the additional assistance necessary to enable such agency to provide the minimum school facilities required for free public education of children in the membership of the schools of such agency who reside on Indian lands; but such additional assistance may not exceed the portion of the cost of constructing such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (d)) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' mean Indian reservations or other real property referred to in the second sentence of section 15(1)."

(c) Subsection (d) of section 14 of such Act, as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)" each time it occurs in such subsection.

(d) Subsection (e) of section 14 of such Act as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)".

DELETING REQUIREMENT THAT CERTAIN CONTRIBUTIONS BE DEDUCTED

SEC. 204. (a)(1) Paragraph (3) of section 2(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "(A) other Federal payments with respect to the property so acquired, or (B)".

(2) Section 2(a) of such Act is further amended by striking out in the matter following paragraph (3) of such section the following: ", to the extent such agency is not compensated for such burden by other Federal payments with respect to the property so acquired".

(b) The last sentence of section 2(a) of such Act is amended by striking out ", minus the amount which in his judgment the local educational agency derived from other Federal payments with respect to the property so acquired and had available in such year for current expenditures".

(c) Subsection (b) of section 2 of such Act is amended to read as follows:

"(b) For the purposes of this section any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property."

(d) Section 3 of such Act is amended by striking out subsection (e) thereof, including the heading of such subsection, and by redesignating subsection (f) of such section as subsection (e).

PROVISION FOR INTERNATIONAL BOUNDARY CHANGE

SEC. 205. (a) The last sentence of section 3(b) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting before the period at the end thereof the following: "; but if, by reason of any other provision of law, this sentence is not considered in computing the amount to which any local educational agency is entitled for the fiscal year ending June 30, 1967, the additional amount to which such agency would have been entitled had this sentence been so considered, shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

(b) Section 5(a)(4) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by inserting before the period at the end thereof the following: "; but if, by reason of any other provision of law, this clause is not considered in computing the maximum payments a local educational agency may receive for the fiscal year ending June 30, 1967, the additional amount such agency would have been entitled to receive shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

REPEAL OF MANDATORY GROUP RATE PROVISIONS

SEC. 206. (a) Effective for fiscal years beginning after June 30, 1967, subsection (d) of section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended as follows:

(1) The first sentence is amended by inserting "and the local educational agency" following "the State educational agency".

(2) Clauses (1) and (2) of the first sentence are amended to read as follows:

"(1) he shall determine which school districts within the State are in his judgment generally comparable to the school districts of the agency for which the computation is being made; and

"(2) he shall then divide (A) the aggregate current expenditures during the second fiscal year preceding the fiscal year for which he is making the computation, which the local educational agencies of such comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)" and inserting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)".

DISCRETION TO WAIVE CERTAIN REQUIREMENT

SEC. 207. Section 5(e) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended (1) by striking out "subsections (c) and (d)" and inserting in lieu thereof "subsections (c), (d), and (f)", and (2) by inserting before the period at the end thereof the following: "; or (3) he may waive or reduce the requirement contained in subsection (f)".

EFFECTIVE DATE

SEC. 208. The amendments made by sections 201, 203, 204, 205, 206, and 207 of this part shall be deemed to have been enacted prior to June 30, 1967, and shall be effective for fiscal years beginning thereafter.

PART B—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN DISASTER AREAS

SCHOOL CONSTRUCTION ASSISTANCE

SEC. 217. Section 16(a) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended to read as follows:

"SCHOOL CONSTRUCTION ASSISTANCE IN CASES OF CERTAIN DISASTERS

"SEC. 16. (a) In any case in which—

"(1) (A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe; and if the Commissioner determines with respect to such agency that—

"(3) as a result of such major disaster, (A) public elementary or secondary school facilities of such agency (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or (B) private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need of such agency for school facilities;

"(4) such agency is utilizing or will utilize all State and other financial assistance available for the replacement or restoration of such school facilities;

"(5) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance on such school facilities, and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, to provide the minimum school facilities needed (A) for the restoration or replacement of the school facilities of such agency so destroyed or seriously damaged or (B) to serve, in facilities of such agency, children who but for the destruction of the private facilities referred to in clause (3)(B) would be served by such private facilites; and

"(6) in the case of any such major disaster, to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(4) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate, the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from State, local, and other Federal sources (including funds available under other provisions of this Act, and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacements of the school facilities destroyed or damaged as a result of the disaster. In all cases determined pursuant to clause (1)(B) of this subsection, and in any other case deemed appropriate by the Commissioner, such assistance shall be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest."

CURRENT SCHOOL EXPENDITURES ASSISTANCE

SEC. 218. Section 7 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended to read as follows:

"ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN CASES OF CERTAIN DISASTERS

"SEC. 7. (a) In any case in which—

"(1) (A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe; and if the Commissioner determines with respect to such agency that—

"(3) such agency is utilizing or will utilize all State and other financial assistance available to it for the purpose of meeting the cost of providing free public education for the children attending the schools of such agency, but as a result of such disaster it is unable to obtain sufficient funds for such purpose and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, and

"(4) in the case of any such major disaster to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: *Provided*, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest. Such additional assistance may be provided for a period not greater than a five-fiscal-year period beginning with the fiscal year in which it is determined pursuant to clause (1) of this subsection that such agency suffered a disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster, taking into account the additional costs reasonably necessary to carry out the provisions of clause (4) of this subsection. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which it is so determined that such agency has suffered a disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provided for the first fiscal year following such determination.

"(b) In addition to and apart from the funds provided under subsection (a), the Commissioner is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such disaster, to make minor repairs, and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the disaster.

"(c) There is hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Commission may expend (without regard to subsections (a) and (e) of section 3679 of the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made.

"(d) No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with the regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approval applications.

"(e) Amounts paid by the Commissioner to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States."

TITLE III—DURATION OF AND AUTHORIZATIONS FOR PROGRAMS

EXTENSION OF CERTAIN PROGRAMS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND PUBLIC LAWS 815 AND 874, EIGHTY-FIRST CONGRESS

SEC. 301. (a)(1) Section 102 of title I of the Elementary and Secondary Education Act of 1965 (as redesignated by section 110 of this Act) is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

(2) The second sentence of section 103(c) of such Act (as redesignated by section 110 of this Act) is amended by inserting "and for each of the three succeeding fiscal years" after "June 30, 1968".

(b)(1) Section 201(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 10, 1966, and each of the four succeeding fiscal years,".

(2) Section 201(b) of such Act is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the fiscal year ending June 30, 1971."

(c)(1) Section 601 of such Act (as redesignated by section 152 of this Act) is amended by striking out "during the fiscal year ending June 30, 1967, and the succeeding fiscal year,".

(2) Section 602 of such Act (as redesignated by section 152 of this Act) is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: $150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the fiscal year ending June 30, 1971".

(d)(1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1971".

(2) Section 15(15) of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1966–1967".

(e) Section 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1968" wherever it occurs and inserting in lieu thereof "1971".

TITLE IV—PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

ACTS SUBJECT TO THIS TITLE

SEC. 401. The provisions of this title shall apply to title I of the Elementary and Secondary Education Act of 1965 (title II of Public Law 81–874), titles II, III, V, VI, VII, and VIII of the Elementary and Secondary Education Act of 1965, and the Adult Education Act of 1966 (title III of the Elementary and Secondary Education Amendments of 1966), as now in effect or hereafter time to time amended.

PROGRAM PLANNING AND EVALUATION

SEC. 402. There are authorized to be appropriated, for each fiscal year for which appropriations are otherwise authorized under any title or Act referred to in section 401, such sums as may be necessary, to be available to the Secretary, in accordance with regulations prescribed by him, for expenses, including grants, contracts, or other payments, for (1) planning for the succeeding year programs or projects authorized under such title or Act and (2) evaluation of programs or projects so authorized.

ADVANCE FUNDING

SEC. 403. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for education, appropriation for grants, contracts, or other payments under any Act referred to in section 401 are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

EVALUATION REPORTS AND CONGRESSIONAL REVIEW

SEC. 404. (a) No later than March 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401 and to the respective Committees on Appropriations a report evaluating the results and effectiveness of programs and projects assisted thereunder during the preceding fiscal year, together with his recommendations (including any legislative recommendations) relating thereto.

(b) In the case of any such program, the report submitted in the penultimate fiscal year for which appropriations are then authorized to be made for such program shall include a comprehensive and detailed review and evaluation of such program (as up to date as the due date permits) for its entire past life, based to the maximum extent practicable on objective measurements, together with the Secretary's recommendations as to proposed legislative action.

CONTINGENT EXTENSION OF EXPIRING APPROPRIATION AUTHORITY

SEC. 405. (a) Unless the Congress, in the regular session in which a comprehensive evaluation report required by section 404(b) is submitted to Congress, has passed or formally rejected legislation extending the authorization for appropriations then specified for any title, part, or section of law to which such evaluation relates, such authorization is hereby automatically extended for one fiscal year beyond, and at the level specified for, the terminal year of such authorization.

(b) In the event that no appropriation for the purpose of making payments pursuant to title I of the Elementary and Secondary Education Act of 1965 is made prior to the 15th day in May immediately preceding the beginning of any fiscal year, the Commissioner may execute grant agreements for grants pursuant to such title for such fiscal year. Such grant agreements shall be obligations of the United States. The amounts of such grant agreements shall be determined on the basis of an appropriation for the purposes of such title equal to the amount appropriated for such purposes prior to the 15th day in May for the fiscal year in which such day occurs.

AVAILABILITY OF APPROPRIATIONS ON ACADEMIC OR SCHOOL YEAR BASIS

SEC. 406. Appropriations for any fiscal year for grants, contracts, or other payments to educational agencies or institutions under any Act referred to in section 401 may, in accordance with regulations of the Secretary, be made available for expenditure by the agency or institution concerned on the basis of an academic or school year differing from such fiscal year.

TITLE V—EXTENSION OF ADULT EDUCATION PROGRAM

REVISION OF ALLOTMENTS

SEC. 501. The first sentence of section 305(a) of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended to read as follows: "From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot (1) not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section, and (2) $100,000 to each State."

INCLUDING PRIVATE NONPROFIT AGENCIES

SEC. 502. (a) Section 304(b) of the Adult Education Act of 1966 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and private nonprofit agencies."

(b) Section 306(a)(7) of such Act is amended by inserting immediately after "local educational agencies" the following: "and private nonprofit agencies".

FEDERAL SHARE

SEC. 503. The second sentence of section 307(a) of the Adult Education Act of 1966 is amended to read as follows: "For the fiscal year ending June 30, 1967, and succeeding fiscal years, the Federal share for each State shall be 90 per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum."

AUTHORIZATION EXTENDED

SEC. 504. Section 314 of the Adult Education Act of 1966 is amended by striking out "and" before "$60,000,000" and by inserting the following after "June 30, 1968,": "$70,000,000 for the fiscal year ending June 30, 1969, $80,000,000 for the fiscal year ending June 30, 1970, and $90,000,000 for the fiscal year ending June 30, 1971,".

TITLE VI—DEMONSTRATION PROJECTS AND STUDY FOR SCHOOLBUS SAFETY

STUDY AND DEMONSTRATION PROJECTS AUTHORIZED

SEC. 601. (a) The Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Transportation, is authorized to conduct or to make grants, contracts, or other arrangements for (1) a study and investigation in order to determine minimum safety standards for the operation of schoolbuses, and (2) demonstration projects for the purposes of such study. Such projects shall include such research and testing activities as the Secretary determines to be necessary to carry out the provisions of this title.

(b) The Secretary of Health, Education, and Welfare shall report the results of such study to the Congress not later than January 31, 1969, together with such recommendations for additional legislation for the establishment of minimum safety standards for schoolbuses as he deems advisable.

APPROPRIATIONS AUTHORIZED

SEC. 602. There is hereby authorized to be appropriated $1,000,000 to carry out the provisions of this title.

TITLE VII—BILINGUAL EDUCATION PROGRAMS

FINDINGS OF CONGRESS

SEC. 701. The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English; that additional efforts should be made to supplement present attempts to find adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 702. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 707 and references thereto as sections 801 through 807, respectively, and by inserting after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"SHORT TITLE

"SEC. 701. This title may be cited as the 'Bilingual Education Act'.

"DECLARATION OF POLICY

"SEC. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, 'children of limited English-speaking ability' means children who come from environments where the dominant language is other than English.

"AUTHORIZATION AND DISTRIBUTION OF FUNDS

"SEC. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated the sum of $15,000,000 for the fiscal year ending June 30, 1968, $30,000,000 for the fiscal year ending June 30, 1969, and $40,000,000 for the fiscal year ending June 30, 1970, and the succeeding fiscal year.

"(b) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

"USES OF FEDERAL FUNDS

"SEC. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

"(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aides, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

"(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as—

"(1) bilingual education programs;

"(2) programs designed to impart to students a knowledge of the history and culture associated with their languages;

"(3) efforts to establish closer cooperation between the school and the home;

"(4) early childhood educational programs related to the purposes of this title and designed to improve the potential for profitable learning activities by children;

"(5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

"(6) programs designed for dropouts or potential dropouts having need of bilingual programs;

"(7) programs conducted by accredited trade, vocational, or technical schools; and

"(8) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title:

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

"(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purposes of this paragraph, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"(b) Applications for grants under title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"PAYMENTS

"SEC. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of nine members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

"(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"LABOR STANDARDS

"SEC. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

CONFORMING AMENDMENTS

SEC. 703. (a) That part of section 801 (as so redesignated by section 702 of this Act) of the Elementary and Secondary Education Act of 1965 which precedes clause (a) is amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

(b) Clause (j) of such section 801 as amended by this Act is further amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

AMENDMENTS TO TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 704. (a) The third sentence of section 521 of the Education Professions Development Act (title V of the Higher Education Act of 1965) is amended (1) effective for the fiscal year ending June 30, 1968, only, by inserting after "a career of teaching in elementary or secondary schools" a new phrase as follows: ", a career of teaching children of limited English-speaking ability", and (2) effective with respect to subsequent fiscal years, by inserting ", and including teaching children of limited English-speaking ability" after "including teaching in preschool and adult and vocational education programs".

(b) Effective for the fiscal year ending June 30, 1968, only, section 522(a) of such Act is amended by striking out "ten thousand fellowships for the fiscal year ending June 30, 1968" and inserting in lieu thereof "eleven thousand fellowships for the fiscal year ending June 30, 1968".

(c)(1) Section 528 of such Act is amended, effective with respect to fiscal years ending after June 30, 1967, by striking out "$275,000,000" and inserting in lieu thereof "$285,000,000"; striking out "$195,000,000" and inserting in lieu thereof "$205,000,000"; striking out "$240,000,000" and inserting in lieu thereof "$250,000,000"; and striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970".

(2) The amendments made by this subsection shall, notwithstanding section 9(a) of Public Law 90–35, be effective with regard to fiscal years beginning after June 30, 1967.

(d) Section 531(b) of such Act is amended by redesignating clauses (8) and (9) thereof as clauses (9) and (10), respectively, and by inserting immediately after clause (7) the following new clause:

"(8) programs or projects to train or retrain persons engaging in special educational programs for bilingual students;".

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 705. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and for each of the two succeeding fiscal years" and inserting in lieu thereof "and for the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the period at the end of clause (3) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

"(4) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

SEC. 706. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a)(4)".

APPENDIX A

COUNTY ALLOTMENTS UNDER TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT, FOR FISCAL YEAR 1968 BASED UPON $1.2 BILLION APPROPRIATION DISTRIBUTED UNDER FAMILY INCOME FACTORS OF $2,000 AND $3,000 WITH COUNTY SAVINGS CLAUSE ADDED

FAMILY INCOME FACTOR UNDER $2,000

BUREAU OF ELEMENTARY AND SECONDARY EDUCATION

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I

ALABAMA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delin-quent	Neglected	In foster homes
State total	$33, 479, 278. 84	$62, 382. 370. 74	244, 311	242, 522	0	0	190	1, 599
Autauga	249, 815. 71	465, 484. 82	1, 823	1, 819	0	0	0	4
Baldwin	430, 976. 63	803, 044. 30	3, 145	3, 134	0	0	0	11
Barbour	579, 797. 18	1, 080, 343. 54	4, 231	4, 222	0	0	0	9
Bibb	199, 249. 60	371, 264. 36	1, 454	1, 443	0	0	0	11
Blount	283, 389. 40	528, 043. 12	2, 068	2, 053	0	0	0	15
Bullock	395, 484. 44	736, 911. 24	2, 886	2, 884	0	0	0	2
Butler	522, 653. 38	973, 866. 76	3, 814	3, 696	0	0	0	18
Calhoun	516, 897. 89	963, 142. 48	3, 772	3, 711	0	0	0	61
Chambers	405, 899. 13	756, 317. 08	2, 962	2, 953	0	0	0	9
Cherokee	205, 690. 28	383, 265. 34	1, 501	1, 492	0	0	0	9
Chilton	288, 322. 68	537, 235. 36	2, 104	2, 103	0	0	0	1
Choctaw	362, 321. 85	675, 118. 96	2, 644	2, 630	0	0	0	14
Clarke	418, 506. 40	779, 808. 36	3, 054	3, 049	0	0	0	5
Clay	124, 702. 30	232, 359. 40	910	909	0	0	0	1
Cleburne	106, 065. 47	197, 633. 16	774	771	0	0	0	3
Coffee	347, 247. 95	647, 031. 56	2, 534	2, 532	0	0	0	2
Colbert	399, 047. 36	743, 550. 08	2, 912	2, 895	0	0	0	17
Conecuh	376, 710. 58	701, 929. 66	2, 749	2, 735	0	0	0	14
Coosa	123, 331. 94	229, 806. 00	900	893	0	0	0	7
Covington	369, 858. 80	689, 162. 66	2, 699	2, 675	0	0	0	24
Crenshaw	326, 555. 58	608, 475. 22	2, 383	2, 365	0	0	0	18
Cullman	532, 519. 94	992, 251. 24	3, 886	3, 875	0	0	0	11
Dale	276, 263. 55	514, 765. 44	2, 016	2, 009	0	0	0	7
Dallas	1, 075, 180. 50	2, 003, 397. 64	7, 846	7, 830	0	0	0	16
De Kalb	560, 201. 10	1, 043, 829. 92	4, 088	4, 068	0	0	0	20
Elmore	328, 611. 12	612, 305. 32	2, 398	2, 350	0	0	0	48
Escambia	369, 447. 70	688, 396. 64	2, 696	2, 684	0	0	0	12
Etowah	694, 221. 82	1, 293, 552. 44	5, 066	5, 035	0	0	0	31
Fayette	208, 430. 99	388, 372. 14	1, 521	1, 521	0	0	0	0
Franklin	266, 534. 04	496, 636. 30	1, 945	1, 933	0	0	0	12
Geneva	369, 584. 73	688, 651. 98	2, 697	2, 688	0	0	0	9
Greene	460, 165. 19	857, 431. 72	3, 358	3, 358	0	0	0	0
Hale	537, 316. 18	1, 001, 188. 14	3, 921	3, 919	0	0	0	2
Henry	349, 029. 40	650, 350. 98	2, 547	2, 546	0	0	0	1
Houston	575, 823. 15	1, 072, 938. 68	4, 202	4, 187	0	0	0	15
Jackson	559, 652. 96	1, 042, 808. 56	4, 084	4, 051	0	0	0	33
Jefferson	3, 512, 219. 75	6, 544, 364. 20	25, 630	25, 297	0	0	45	288
Lamar	151, 013. 12	281, 384. 68	1, 102	1, 101	0	0	0	1
Lauderdale	435, 498. 80	811, 470. 52	3, 178	3, 151	0	0	0	27
Lawrence	436, 046. 94	812, 491. 88	3, 182	3, 164	0	0	0	18
Lee	430, 565. 53	802, 278. 28	3, 142	3, 133	0	0	0	9
Limestone	527, 175. 55	982, 292. 98	3, 847	3, 838	0	0	0	9
Lowndes	501, 138. 81	933, 778. 38	3, 657	3, 648	0	0	0	9
Macon	524, 982. 08	978, 207. 54	3, 831	3, 824	0	0	0	7
Madison	814, 813. 05	1, 518, 251. 64	5, 946	5, 862	0	0	28	56
Marengo	607, 204. 28	1, 131, 411. 54	4, 431	4, 424	0	0	0	7
Marion	298, 326. 27	555, 875. 18	2, 177	2, 176	0	0	0	1
Marshall	434, 128. 45	808, 917. 12	3, 168	3, 102	0	0	0	66
Mobile	1, 818, 735. 10	3, 388, 872. 48	13, 272	12, 967	0	0	117	188
Monroe	461, 946. 66	860, 751. 14	3, 371	3, 370	0	0	0	1
Montgomery	1, 233, 593. 53	2, 298, 570. 68	9, 002	8, 862	0	0	0	140
Morgan	477, 431. 66	889, 604. 56	3, 484	3, 418	0	0	0	66
Perry	443, 583. 89	826, 535. 58	3, 237	3, 234	0	0	0	3
Pickens	425, 495. 21	792, 830. 70	3, 105	3, 095	0	0	0	10
Pike	477, 020. 56	888, 838. 54	3, 481	3, 453	0	0	0	28
Randolph	249, 678. 67	465, 229. 48	1, 822	1, 813	0	0	0	9
Russell	568, 149. 16	1, 058, 639. 64	4, 146	4, 142	0	0	0	4
St. Clair	231, 727. 02	431, 779. 94	1, 691	1, 665	0	0	0	26
Shelby	299, 011. 45	557, 151. 88	2, 182	2, 170	0	0	0	12
Sumter	601, 859. 90	1, 121, 453. 28	4, 392	4, 385	0	0	0	7
Talladega	622, 278. 18	1, 159, 498. 94	4, 541	4, 518	0	0	0	23
Tallapoosa	281, 470. 91	524, 468. 36	2, 054	2, 047	0	0	0	7
Tuscaloosa	834, 957. 27	1, 555, 786. 62	6, 093	6, 030	0	0	0	63
Walker	599, 530. 29	1, 117, 112. 50	4, 375	4, 349	0	0	0	26
Washington	217, 201. 26	404, 713. 90	1, 585	1, 578	0	0	0	7
Wilcox	586, 374. 88	1, 092, 599. 86	4, 279	4, 279	0	0	0	0
Winston	180, 612. 79	336, 538. 12	1, 318	1, 309	0	0	0	9

ALASKA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $365.97]

State total	$1, 944, 866. 03	$2, 706, 714. 12	7, 396	4, 796	1, 400	0	676	524
Ketchikan-Prince of Wales	55, 373. 03	84, 905. 04	232	76	114	0	0	42
Wrangell-Petersburg	23, 216. 57	28, 545. 66	78	72	0	0	0	6
Sitka	32, 503. 85	32, 937. 30	90	60	0	0	0	30

Preliminary county aggregate maximum basic grants for fiscal year 1968 etc.—Continued

ALASKA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $365.67]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Juneau	$73,759.98	$110,156.97	301	43	109	0	65	84
Lynn Canal-Icy Straits	26,568.22	33,303.27	91	82	0	0	0	9
Cordova-Valdez	54,256.38	58,189.23	159	151	0	0	0	8
Palmer-Wassila-Talkeetna	56,770.71	76,853.70	210	167	0	0	30	13
Anchorage	196,919.66	304,853.01	833	388	238	0	26	181
Seward	8,182.07	28,179.69	77	16	58	0	0	3
Kenai-Cook Inlet	92,612.29	119,306.22	326	313	0	0	0	13
Kodiak	31,492.05	38,426.85	105	46	0	0	40	19
Aleutian Islands	34,283.31	37,328.94	102	102	0	0	0	0
Bristol Bay	32,462.06	47,210.13	129	85	0	0	38	6
Bethel	303,659.47	462,220.11	1,263	827	377	0	40	19
Yukon-Kuskokwim	167,553.66	227,267.37	621	450	0	0	168	3
Fairbanks-Fort Yukon	189,533.90	297,167.64	812	446	282	0	33	51
Barrow-Kobuk	159,130.73	179,325.30	490	480	0	0	0	10
Nome	179,299.56	269,353.92	736	477	222	0	11	26
Wade Hampton	227,288.53	271,183.77	741	515	0	0	225	1

ARIZONA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.96]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$9,066,234.99	$12,497,247.00	48,825	38,851	8,481	0	210	1,283
Apache	840,332.89	1,159,498.80	4,530	4,026	499	0	0	5
Cochise	311,893.43	420,286.32	1,642	1,503	118	0	0	21
Coconino	584,071.61	788,356.80	3,080	2,759	302	0	0	19
Gila	151,927.75	204,000.12	797	708	77	0	0	12
Graham	125,204.68	176,100.48	688	576	97	0	0	15
Greenlee	34,962.57	47,608.56	186	147	31	0	0	8
Maricopa	3,929,427.34	5,410,738.44	21,139	15,226	4,909	0	210	794
Mohave	56,950.03	74,740.32	292	256	28	0	0	8
Navajo	805,238.53	1,109,330.64	4,334	3,836	446	0	0	52
Pima	1,088,469.57	1,569,290.76	6,131	4,758	1,169	0	0	204
Pinal	677,935.37	913,521.24	3,569	2,991	504	0	0	74
Santa Cruz	77,016.58	103,151.88	403	291	108	0	0	4
Yavapai	134,534.82	178,404.12	697	634	38	0	0	25
Yuma	248,269.82	342,218.52	1,337	1,140	155	0	0	42

ARKANSAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$22,262,789.95	$38,241,505.78	149,767	148,158	0	20	810	779
Arkansas	229,370.32	393,734.28	1,542	1,541	0	0	0	1
Ashley	343,906.74	590,346.08	2,312	2,297	0	0	0	15
Baxter	136,551.21	234,402.12	918	917	0	0	0	1
Benton	231,006.57	396,543.02	1,553	1,549	0	0	0	4
Boone	163,028.45	279,852.64	1,096	1,064	0	0	24	8
Bradley	132,981.24	228,273.96	894	876	0	0	0	18
Calhoun	83,001.72	142,479.72	558	549	0	0	0	9
Carroll	93,860.36	161,119.54	631	631	0	0	0	0
Chicot	376,780.19	646,776.22	2,533	2,523	0	0	0	10
Clark	190,993.19	327,856.56	1,284	1,268	0	0	0	16
Clay	309,248.32	530,851.86	2,079	2,059	0	0	0	20
Cleburne	159,012.24	272,958.46	1,069	1,065	0	0	0	4
Cleveland	104,867.76	180,014.70	705	705	0	0	0	0
Columbia	354,765.39	608,985.90	2,385	2,375	0	0	0	10
Conway	242,747.16	433,056.64	1,696	1,542	0	0	150	4
Craighead	487,895.38	837,515.20	3,280	3,239	0	0	0	41
Crawford	187,720.73	322,239.08	1,262	1,248	0	0	0	14
Crittenden	993,045.59	1,704,649.84	6,676	6,664	0	0	0	12
Cross	374,400.21	642,690.78	2,517	2,472	0	0	0	45
Dallas	110,073.96	188,951.60	740	737	0	0	0	3
Desha	511,695.15	878,369.60	3,440	3,421	0	0	0	19
Drew	234,725.28	402,926.52	1,578	1,466	0	0	104	8
Faulkner	209,289.26	359,263.38	1,407	1,396	0	0	0	11
Franklin	119,296.37	204,782.68	802	802	0	0	0	0
Fulton	103,677.76	177,971.98	697	696	0	0	0	1
Garland	271,075.21	471,868.32	1,848	1,612	0	0	204	32
Grant	78,539.26	134,819.52	528	528	0	0	0	0
Greene	381,391.39	654,691.76	2,564	2,513	0	0	46	5
Hempstead	311,628.30	534,937.30	2,095	2,092	0	0	0	3
Hot Spring	151,128.57	259,425.44	1,016	1,000	0	0	0	16
Howard	122,122.59	209,634.14	821	821	0	0	0	0
Independence	264,028.75	453,228.50	1,775	1,775	0	0	0	0
Izard	88,059.16	151,161.28	592	592	0	0	0	0
Jackson	347,476.70	596,474.24	2,336	2,333	0	0	0	3
Jefferson	1,090,178.42	1,871,386.86	7,329	7,319	0	0	0	10
Johnson	142,501.14	244,615.72	958	957	0	0	0	1
Lafayette	254,508.84	436,886.74	1,711	1,704	0	0	0	7
Lawrence	251,682.62	432,035.28	1,692	1,692	0	0	0	0
Lee	597,225.59	1,025,190.10	4,015	4,013	0	0	0	2
Lincoln	337,659.30	579,621.80	2,270	2,270	0	0	0	0
Little River	134,914.97	231,593.38	907	906	0	0	0	1

***Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.*—Continued**

ARKANSAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Logan	$187, 125. 73	$321, 217. 72	1, 258	1, 255	0	0	0	3
Lonoke	415, 454. 82	713, 164. 62	2, 793	2, 792	0	0	0	1
Madison	170, 317. 13	292, 364. 30	1, 145	1, 130	0	0	0	15
Marion	83, 745. 45	143, 756. 42	563	563	0	0	0	0
Miller	338, 849. 29	58 , 664. 52	2, 278	2, 231	0	0	44	3
Mississippi	1, 347, 364. 74	2, 312, 869. 72	9, 058	9, 047	0	0	0	11
Monroe	370, 086. 50	635, 285. 92	2, 488	2, 483	0	0	0	5
Montgomery	45, 963. 31	78, 900. 06	309	308	0	0	0	1
Nevada	141, 311. 16	242, 573. 00	950	950	0	0	0	0
Newton	155, 293. 53	266, 574. 96	1, 044	1, 040	0	0	0	4
Ouachita	435, 684. 63	747, 890. 86	2, 929	2, 792	0	0	0	137
Perry	57, 714. 46	99, 071. 92	388	387	0	0	0	1
Phillips	977, 575. 74	1, 678, 094. 48	6, 572	6, 550	0	0	15	7
Pike	76, 456. 77	131, 244. 76	514	514	0	0	0	0
Poinsett	577, 293. 29	990, 974. 54	3, 881	3, 881	0	0	0	0
Polk	94, 157. 86	161, 630. 22	633	633	0	0	0	0
Pope	221, 635. 40	380, 456. 60	1, 490	1, 489	0	0	0	1
Prairie	159, 012. 24	272, 958, 46	1, 069	1, 065	0	0	0	4
Pulaski	1, 390, 353. 08	2, 386, 662. 98	9, 347	8, 993	0	0	212	142
Randolph	173, 143. 36	297, 215. 76	1, 164	1, 161	0	0	0	3
St. Francis	855, 155. 65	1, 467, 949. 66	5, 749	5, 730	0	0	0	19
Saline	122, 420. 09	210, 144. 82	823	816	0	0	0	7
Scott	96, 389. 09	165, 460. 32	648	648	0	0	0	0
Searcy	132, 237. 50	226, 997. 26	889	889	0	0	0	0
Sebastian	391, 049. 89	673, 842. 26	2, 639	2, 613	0	0	11	15
Sevier	76, 754. 27	131, 755. 44	516	516	0	0	0	0
Sharp	97, 727. 82	167, 758. 38	657	657	0	0	0	0
Stone	145, 773. 62	250, 233. 20	980	979	0	0	0	1
Union	360, 864. 08	619, 454. 84	2, 426	2, 411	0	0	0	15
Van Buren	96, 537. 84	165, 715. 66	649	649	0	0	0	0
Washington	284, 109. 81	487, 699. 40	1, 910	1, 877	0	20	0	13
White	395, 225. 01	678, 438. 38	2, 657	2, 641	0	0	0	16
Woodruff	363, 987. 80	624, 816. 98	2, 447	2, 447	0	0	0	0
Yell	117, 957. 63	202, 484. 62	793	792	0	0	0	1

CALIFORNIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $275.22]

State total	$77, 617, 112. 78	$131, 604, 424. 38	478, 179	206, 572	250, 367	3, 950	1, 550	15, 740
Alameda	4, 937, 874. 10	8, 141, 558. 04	29, 582	13, 149	14, 964	643	35	791
Alpine	3, 383. 81	6, 880. 50	25	8	16	0	0	1
Amador	20, 606. 44	32, 200. 74	117	73	37	0	0	7
Butte	454, 988. 96	842, 173. 20	3, 060	1, 194	1, 767	15	0	84
Calaveras	30, 447. 73	83, 943. 12	196	92	104	0	0	0
Colusa	69, 403. 36	104, 583. 60	380	205	129	38	0	8
Contra Costa	2, 146, 511. 75	3, 674, 462. 22	13, 351	4, 904	7, 918	65	38	426
Del Norte	68, 118. 69	115, 867. 62	421	180	179	28	0	34
El Dorado	117, 381. 91	217, 974. 24	792	324	422	0	12	34
Fresno	4, 026, 695. 56	6, 885, 729. 18	25, 019	8, 863	15, 585	35	0	536
Glenn	63, 009. 77	106, 785. 36	388	280	98	0	0	10
Humboldt	475, 743. 01	932, 445. 36	3, 388	1, 386	1, 828	0	0	174
Imperial	519, 195. 04	853, 457. 22	3, 101	1, 913	1, 082	0	0	106
Inyo	61, 084. 98	96, 327. 00	350	167	136	0	0	47
Kern	2, 375, 216. 85	4, 276, 643. 58	15, 539	6, 406	8, 677	0	0	456
Kings	624, 451. 66	1, 086, 293. 34	3, 947	1, 782	2, 101	0	0	64
Lake	79, 213. 79	149, 169. 24	542	244	279	0	0	19
Lassen	38, 329. 26	60, 548. 40	220	132	82	0	0	6
Los Angeles	27, 342, 261. 75	44, 784, 899. 28	162, 724	70, 389	85, 294	1, 484	660	4, 897
Madera	450, 085. 58	735, 663. 06	2, 673	1, 556	1, 069	0	0	48
Marin	408, 223. 18	743, 369. 22	2, 701	1, 235	1, 119	66	132	149
Mariposa	27, 364. 42	41, 833. 44	152	95	39	10	0	8
Mendocino	277, 954. 67	492, 368. 58	1, 789	918	708	0	94	69
Merced	767, 862. 11	1, 340, 596. 62	4, 871	2, 491	2, 261	0	0	119
Modoc	41, 981. 65	53, 667. 90	195	156	34	0	0	5
Mono	215. 39	4, 678. 74	17	6	11	0	0	0
Monterey	888, 425. 12	1, 561, 047. 84	5, 672	3, 022	2, 467	30	0	153
Napa	194, 983. 01	320, 356. 08	1, 164	601	483	0	0	80
Nevada	87, 807. 34	151, 646. 22	551	319	209	0	0	23
Orange	2, 084, 487. 55	3, 510, 706. 32	12, 756	7, 720	4, 696	106	0	234
Placer	257, 446. 02	450, 535. 14	1, 637	697	877	0	0	63
Plumas	49, 174. 53	100, 180. 08	364	134	214	0	0	16
Riverside	1, 725, 617. 93	2, 918, 432. 88	10, 604	4, 409	5, 526	253	0	416
Sacramento	2, 515, 974. 25	4, 512, 507. 12	16, 396	4, 633	10, 969	80	141	573
San Benito	73, 426. 75	117, 518. 94	427	254	138	25	0	10
San Bernardino	2, 841, 064. 50	4, 813, 873. 02	17, 491	6, 367	10, 330	287	0	507
San Diego	4, 500, 998. 67	7, 093, 245. 06	25, 773	14, 917	9, 610	107	58	1, 081
San Francisco	3, 497, 370. 26	5, 526, 142. 38	20, 079	7, 712	10, 865	74	166	1, 262
San Joaquin	1, 567, 656. 01	2, 814, 399. 72	10, 226	4, 497	5, 410	0	53	266
San Luis Obispo	427, 971. 93	686, 398. 68	2, 494	1, 109	1, 273	0	0	112
San Mateo	1, 068, 096. 55	1, 834, 891. 74	6, 667	3, 320	2, 914	145	0	288
Santa Barbara	629, 330. 34	1, 027, 671. 48	3, 734	1, 789	1, 710	90	0	145
Santa Clara	2, 928, 202. 84	5, 389, 908. 48	19, 584	6, 478	12, 108	159	110	729
Santa Cruz	328, 790. 95	593, 374. 32	2, 156	1, 151	912	0	12	81
Shasta	301, 278. 60	575, 760. 24	2, 092	925	1, 067	0	0	100

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

CALIFORNIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $275.22]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Sierra	$9, 151. 04	$14, 586. 66	53	43	6	0	0	4
Siskiyou	140, 725. 98	243, 019. 26	883	499	342	0	0	42
Solano	629, 494. 19	1, 097, 852. 58	3, 989	1, 744	2, 051	0	24	170
Sonoma	923, 080. 24	1, 639, 760. 76	5, 958	2, 403	3, 162	124	0	269
Stanislaus	1, 184, 739. 60	2, 287, 628. 64	8, 312	3, 799	4, 171	0	15	327
Sutter	189, 430. 63	301, 641. 12	1, 096	568	501	0	0	27
Tehama	145, 407. 14	238, 890. 96	868	582	257	0	0	29
Trinity	25, 126. 99	52, 016. 58	189	68	110	0	0	11
Tulare	1, 576, 338. 82	3, 293, 007. 30	11, 965	4, 478	7, 083	61	0	343
Tuolumne	58, 804. 02	129, 078. 18	469	118	313	0	0	38
Ventura	901, 514. 43	1, 598, 477. 76	5, 808	2, 814	2, 839	0	0	155
Yolo	243, 670. 24	515, 762. 28	1, 874	670	1, 144	0	0	60
Yuba	193, 920. 89	359, 987. 76	1, 308	584	671	25	0	28

COLORADO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $258.62]

State total	$8, 465, 982. 91	$12, 962, 293. 02	50, 121	33, 581	14, 872	68	500	1, 100
Adams	390, 843. 15	644, 998. 28	2, 494	1, 421	1, 018	0	0	55
Alamosa	72, 837. 52	110, 430. 74	427	349	77	0	0	1
Arapahoe	282, 359. 89	451, 550. 52	1, 746	1, 261	449	0	0	36
Archuleta	36, 987. 40	56, 379. 16	218	180	36	0	0	2
Baca	40, 771. 32	57, 413. 64	222	217	3	0	0	2
Bent	52, 283. 65	76, 810. 14	297	238	47	0	0	12
Boulder	189, 666. 37	301, 292. 30	1, 165	760	347	0	12	46
Chaffee	24, 836. 72	37, 758. 52	146	115	28	0	0	3
Cheyenne	7, 458. 57	9, 827. 56	38	37	0	0	0	1
Clear Creek	4, 598. 90	6, 982. 74	27	14	9	0	0	4
Conejos	149, 791. 05	215, 171. 84	832	733	86	0	0	13
Costilla	123, 072. 15	173, 972. 64	672	653	19	0	0	0
Crowley	53, 746. 78	78, 879. 10	305	279	23	0	0	3
Custer	6, 401. 17	9, 051. 70	35	35	0	0	0	0
Delta	135, 870. 96	188, 533. 98	729	666	54	0	0	9
Denver	2, 461, 144. 99	3, 713, 783. 20	14, 360	7, 377	6, 306	68	340	269
Dolores	8, 096. 92	9, 051. 70	35	35	0	0	0	0
Douglas	12, 383. 30	16, 551. 68	64	60	4	0	0	0
Eagle	28, 807. 06	42, 413. 68	164	150	14	0	0	0
Elbert	30, 881. 90	43, 189. 54	167	160	7	0	0	0
El Paso	508, 775. 90	781, 549. 64	3, 022	2, 035	892	0	30	65
Fremont	71, 141. 77	110, 430. 74	427	340	86	0	0	1
Garfield	45, 284. 06	69, 310. 16	268	231	29	0	0	8
Gilpin	0	0	0	0	0	0	0	0
Grand	21, 946. 89	31, 034. 40	120	113	7	0	0	0
Gunnison	21, 803. 94	31, 551. 64	122	119	3	0	0	0
Hinsdale	0	0	0	0	0	0	0	0
Huerfano	127, 674. 57	184, 137. 44	712	573	139	0	0	0
Jackson	199. 74	3, 879. 30	15	7	8	0	0	0
Jefferson	274, 182. 26	427, 757. 48	1, 654	1, 269	303	0	10	72
Kiowa	15, 755. 23	22, 758. 56	88	81	7	0	0	0
Kit Carson	35, 065. 29	51, 982. 62	201	185	10	0	0	6
Lake	20, 813. 12	32, 068. 88	124	107	17	0	0	0
La Plata	123, 265. 63	184, 137. 44	712	601	89	0	0	22
Larimer	245, 485. 27	390, 774. 82	1, 511	923	542	0	0	46
Las Animas	213, 450. 33	305, 430. 22	1, 181	943	206	0	0	32
Lincoln	14, 202. 43	22, 241. 32	86	76	9	0	0	1
Logan	73, 934. 87	111, 982. 46	433	354	67	0	0	12
Mesa	227, 157. 05	377, 326. 58	1, 459	1, 035	385	0	0	39
Mineral	0	0	0	0	0	0	0	0
Moffat	34, 207. 63	55, 086. 06	213	167	45	0	0	1
Montezuma	126, 717. 45	191, 896. 04	742	599	132	0	0	11
Montrose	150, 447. 05	231, 206. 28	894	728	156	0	0	10
Morgan	129, 232. 53	214, 395. 98	829	572	245	0	0	12
Otero	188, 873. 67	279, 309. 60	1, 080	792	221	0	36	31
Ouray	9, 536. 94	13, 965. 48	54	52	2	0	0	0
Park	8, 412. 98	11, 896. 52	46	46	0	0	0	0
Phillips	17, 128. 69	26, 379. 24	102	82	17	0	0	3
Pitkin	10, 790. 55	15, 258. 58	59	59	0	0	0	0
Prowers	95, 978. 49	148, 189. 26	573	455	114	0	0	4
Pueblo	597, 437. 66	955, 600. 90	3, 695	2, 153	1, 395	0	38	109
Rio Blanco	25, 528. 34	38, 017. 14	147	138	8	0	0	1
Rio Grande	150, 739. 19	223, 706. 30	865	720	134	0	0	11
Routt	39, 321. 50	55, 603. 30	215	181	31	0	0	3
Saguache	84, 007. 17	126, 465. 18	489	420	62	0	0	7
San Juan	2, 078. 37	4, 137. 92	16	11	5	0	0	0
San Miguel	15, 924. 81	22, 758. 56	88	83	5	0	0	0
Sedgwick	13, 038. 51	19, 396. 50	75	63	11	0	0	1
Summit	4, 389. 38	6, 206. 88	24	24	0	0	0	0
Teller	14, 724. 47	22, 499. 94	87	48	16	0	22	1
Washington	29, 096. 47	44, 741. 26	173	155	15	0	0	3
Weld	496, 792. 07	772, 756. 56	2, 988	1, 945	910	0	12	121
Yuma	68, 600. 87	100, 603. 18	389	356	22	0	0	11

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

CONNECTICUT

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $302.48]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$8, 583, 753. 96	$13, 138, 823. 76	43, 437	20, 731	19, 538	0	318	2, 850
Fairfield	2, 129, 515. 48	3, 235, 931. 04	10, 698	5, 524	4, 665	0	0	509
Hartford	2, 606, 524. 93	3, 975, 192. 16	13, 142	5, 275	6, 975	0	78	814
Litchfield	245, 675. 20	350, 876. 80	1, 160	782	228	0	0	150
Middlesex	303, 739. 22	444, 645. 60	1, 470	775	475	0	134	86
New Haven	2, 332, 588. 15	3, 668, 477. 44	12, 128	5, 461	5, 844	0	106	717
New London	577, 978. 67	889, 896. 16	2, 942	1, 790	914	0	0	238
Tolland	139, 333. 37	212, 945. 92	704	391	214	0	0	99
Windham	248, 398. 94	360, 858. 64	1, 193	733	223	0	0	237

DELAWARE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $314.96]

State total	$2, 070, 669. 01	$3, 618, 575. 44	11, 489	7, 422	3, 177	0	186	704
Kent	312, 649. 24	561, 888. 64	1, 784	1, 159	421	0	57	147
New Castle	1, 270, 289. 10	2, 227, 082. 16	7, 071	4, 204	2, 355	0	129	383
Sussex	487, 730. 67	829, 604. 64	2, 634	2, 059	401	0	0	174

DISTRICT OF COLUMBIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $307.52]

District	$5, 807, 331. 00	$7, 962, 307. 84	25, 892	14, 854	10, 061	0	0	977

FLORIDA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$28, 161, 690. 93	$37, 207, 889. 46	145, 719	142, 533	0	0	742	2, 444
Alachua	566, 445. 80	748, 401. 54	2, 931	2, 865	0	0	0	66
Baker	101, 848. 15	134, 564. 18	527	527	0	0	0	0
Bay	470, 588. 72	621, 752. 90	2, 435	2, 374	0	0	0	61
Bradford	102, 621. 19	135, 585. 54	531	531	0	0	0	0
Brevard	345, 162. 81	456, 037. 24	1, 786	1, 758	0	0	0	28
Broward	1, 461, 627. 30	1, 931, 136. 42	7, 563	7, 443	0	0	0	120
Calhoun	150, 163. 22	198, 399. 18	777	776	0	0	0	1
Charlotte	56, 045. 47	74, 048. 60	290	289	0	0	0	1
Citrus	77, 690. 62	102, 646. 68	402	401	0	0	0	1
Clay	179, 732. 04	237, 466. 20	930	930	0	0	0	0
Collier	112, 284. 21	148, 352. 54	581	581	0	0	0	0
Columbia	276, 362. 16	365, 136. 20	1, 430	1, 425	0	0	0	5
Dade	3, 641, 409. 71	4, 811, 116. 28	18, 842	18, 304	0	0	77	461
De Soto	72, 472. 60	95, 752. 50	375	374	0	0	0	1
Dixie	65, 515. 22	86, 560. 26	339	336	0	0	0	3
Duval	2, 548, 136. 45	3, 366, 657. 90	13, 185	12, 805	0	0	301	79
Escambia	1, 012, 683. 78	1, 337, 981. 60	5, 240	5, 060	0	0	16	164
Flagler	59, 524. 15	78, 644. 72	308	308	0	0	0	0
Franklin	94, 504. 26	124, 861. 26	489	489	0	0	0	0
Gadsden	707, 912. 31	935, 310. 42	3, 663	3, 661	0	0	0	2
Gilchrist	46, 382. 46	61, 281. 60	240	237	0	0	0	3
Glades	42, 903. 78	56, 685. 48	222	222	0	0	0	0
Gulf	76, 724. 32	101, 369. 98	397	393	0	0	0	4
Hamilton	136, 828. 26	180, 780. 72	708	708	0	0	0	0
Hardee	126, 971. 98	167, 758. 38	657	655	0	0	0	2
Hendry	62, 229. 80	82, 219. 48	322	322	0	0	0	0
Hernando	81, 362. 57	107, 498. 14	421	421	0	0	0	0
Highlands	127, 358. 51	168, 269. 06	659	655	0	0	0	4
Hillsborough	2, 218, 434. 46	2, 931, 047. 86	11, 479	11, 021	0	0	61	397
Holmes	261, 094. 60	344, 964. 34	1, 351	1, 348	0	0	0	3
Indian River	121, 947. 22	161, 119. 54	631	619	0	0	0	12
Jackson	670, 806. 34	886, 285. 14	3, 471	3, 460	0	0	0	11
Jefferson	205, 049. 13	270, 915. 74	1, 061	1, 061	0	0	0	0
Lafayette	40, 584. 65	53, 621. 40	210	210	0	0	0	0
Lake	472, 328. 07	624, 050. 96	2, 444	2, 327	0	0	81	36
Lee	268, 631. 75	354, 922. 60	1, 390	1, 382	0	0	0	8
Leon	509, 434. 03	673, 076. 24	2, 636	2, 587	0	0	0	49
Levy	108, 032. 48	142, 735. 06	559	553	0	0	0	6
Liberty	41, 357. 69	54, 642. 76	214	214	0	0	0	0
Madison	289, 310. 60	382, 243. 98	1, 497	1, 488	0	0	0	9
Manatee	317, 333. 34	419, 268. 28	1, 642	1, 611	0	0	0	31
Marion	569, 537. 96	752, 486. 98	2, 947	2, 937	0	0	0	10
Martin	63, 002. 85	83, 240. 84	326	314	0	0	0	12
Monroe	171, 035. 33	225, 975. 90	885	846	0	0	0	39
Nassau	188, 235. 49	248, 701. 16	974	974	0	0	0	0
Okaloosa	270, 564. 36	357, 476. 00	1, 400	1, 397	0	0	0	3
Okeechobee	45, 802. 68	60, 515. 58	237	217	0	0	16	4
Orange	1, 033, 942. 36	1, 366, 069. 00	5, 350	5, 233	0	0	0	117
Osceola	113, 443. 77	149, 884. 58	587	586	0	0	0	1
Palm Beach	1, 239, 184. 74	1, 637, 240. 08	6, 412	6, 263	0	0	0	149
Pasco	225, 148. 20	297, 471. 10	1, 165	1, 163	0	0	0	2
Pinellas	1, 222, 371. 11	1, 615, 025. 50	6, 325	6, 054	0	0	0	271

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

FLORIDA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Polk	$1, 118, 976. 87	$1, 478, 418. 60	5, 790	5, 684	0	0	0	106
Putnam	332, 987. 42	439, 950. 82	1, 723	1, 686	0	0	28	9
St. Johns	260, 708. 08	344, 453. 66	1, 349	1, 349	0	0	0	0
St. Lucie	219, 930. 17	290, 576. 92	1, 138	1, 125	0	0	0	13
Santa Rosa	190, 554. 61	251, 765. 24	986	986	0	0	0	0
Sarasota	269, 018. 27	355, 433. 28	1, 392	1, 349	0	0	0	43
Seminole	564, 899. 72	746, 358. 82	2, 923	2, 881	0	0	26	16
Sumter	121, 753. 96	160, 864. 20	630	630	0	0	0	0
Suwannee	248, 146. 16	327, 856. 56	1, 284	1, 251	0	0	30	3
Taylor	139, 533. 91	184, 355. 48	722	721	0	0	0	1
Union	46, 575. 72	61, 536, 94	241	240	0	0	0	1
Volusia	650, 900. 54	859, 985. 12	3, 368	3, 209	0	0	106	53
Wakulla	83, 681. 69	110, 562. 22	433	433	0	0	0	0
Walton	250, 658. 55	331, 175. 98	1, 297	1, 274	0	0	0	23
Washington	193, 260. 25	255, 340. 00	1, 000	1, 000	0	0	0	0

GEORGIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$37, 399, 729. 79	$62, 114, 263. 74	243, 261	239, 789	0	0	1, 705	1, 767
Appling	253, 368. 83	420, 800. 32	1, 648	1, 488	0	0	160	0
Atkinson	170, 193. 74	282, 661. 38	1, 107	1, 107	0	0	0	0
Bacon	110, 233. 89	183, 078. 78	717	717	0	0	0	0
Baker	130, 681. 74	217, 039. 00	850	850	0	0	0	0
Baldwin	149, 899. 64	248, 956. 50	975	975	0	0	0	0
Banks	48, 429. 12	80, 432. 10	315	304	0	0	0	11
Barrow	139, 445. 10	231, 593. 38	907	905	0	0	0	2
Bartow	250, 140. 22	415, 438. 18	1, 627	1, 624	0	0	0	3
Ben Hill	236, 457. 08	392, 712. 92	1, 538	1, 538	0	0	0	0
Berrien	207, 553. 35	344, 709. 00	1, 350	1, 350	0	0	0	0
Bibb	936, 911. 20	1, 556, 041. 96	6, 094	5, 724	0	0	318	52
Bleckley	133, 295. 37	221, 379. 78	867	867	0	0	0	0
Brantley	63, 034. 72	104, 689. 40	410	410	0	0	0	0
Brooks	374, 364. 75	621, 752. 90	2, 435	2, 435	0	0	0	0
Bryan	104, 545. 39	173, 631. 20	680	661	0	0	0	19
Bulloch	413, 569. 27	686, 864. 60	2, 690	2, 682	0	0	0	8
Burke	641, 109. 23	1, 064, 767. 80	4, 170	4, 170	0	0	0	0
Butts	98, 549. 40	163, 672. 94	641	641	0	0	0	0
Calhoun	222, 005. 22	368, 710. 96	1, 444	1, 444	0	0	0	0
Camden	71, 183. 11	118, 222. 42	463	463	0	0	0	0
Candler	156, 356. 85	259, 680. 78	1, 017	1, 017	0	0	0	0
Carroll	298, 415. 59	495, 614. 94	1, 941	1, 940	0	0	0	1
Catoosa	87, 941. 12	146, 054. 48	572	572	0	0	0	0
Charlton	43, 970. 56	73, 027. 24	286	286	0	0	0	0
Chatham	1, 105, 106. 28	1, 835, 383. 92	7, 188	6, 807	0	0	209	172
Chattahoochee	13, 221. 91	21, 959. 24	86	86	0	0	0	0
Chattooga	153, 435. 73	254, 829. 32	998	996	0	0	0	2
Cherokee	135, 447. 77	224, 954. 54	881	872	0	0	0	9
Clarke	216, 162. 97	359, 008. 04	1, 406	1, 406	0	0	0	0
Clay	141, 597. 51	235, 168. 14	921	892	0	0	0	29
Clayton	121, 457. 14	201, 718. 60	790	767	0	0	0	23
Clinch	81, 483. 90	135, 330. 20	530	530	0	0	0	0
Cobb	288, 883. 52	479, 783. 86	1, 879	1, 803	0	0	20	56
Coffee	378, 059. 94	614, 603. 38	2, 407	2, 407	0	0	0	0
Colquitt	456, 924. 86	758, 870. 48	2, 972	2, 962	0	0	0	10
Columbia	117, 306. 07	194, 824. 42	763	763	0	0	0	0
Cook	179, 110. 85	297, 471. 10	1, 165	1, 160	0	0	0	5
Coweta	248, 449. 04	412, 629. 44	1, 616	1, 608	0	0	0	8
Crawford	122, 379. 60	203, 250. 64	796	796	0	0	0	0
Crisp	340, 848. 72	566, 088. 78	2, 217	2, 215	0	0	0	2
Dade	90, 401. 01	150, 139. 92	588	588	0	0	0	0
Dawson	82, 867. 60	137, 628. 26	539	539	0	0	0	0
Decatur	319, 632. 16	530, 851. 86	2, 079	2, 077	0	0	0	2
De Kalb	656, 176. 07	1, 089, 791. 12	4, 268	3, 998	0	0	140	130
Dodge	337, 312. 63	560, 215. 96	2, 194	2, 194	0	0	0	0
Dooly	296, 109. 45	491, 784. 84	1, 926	1, 926	0	0	0	0
Dougherty	572, 693. 51	951, 141. 50	3, 725	3, 706	0	0	13	6
Douglas	115, 922. 39	192, 526. 36	754	715	0	0	0	39
Early	362, 065. 28	601, 325. 70	2, 355	2, 350	0	0	0	5
Echols	21, 370. 30	35, 492. 26	139	139	0	0	0	0
Effingham	142, 981. 20	237, 466. 20	930	924	0	0	0	6
Elbert	229. 077. 40	380, 456. 60	1, 490	1, 484	0	0	0	6
Emanuel	339, 157. 54	563, 280. 04	2, 206	2, 203	0	0	0	30
Evans	124, 839. 49	207, 336. 08	812	812	0	0	0	0
Fannin	185, 721. 81	308, 450. 72	1, 208	1, 208	0	0	0	0
Fayette	75, 180. 43	124, 861. 26	489	476	0	0	0	13
Floyd	350, 842. 03	582, 685. 88	2, 282	2, 223	0	0	22	37
Forsyth	112, 232. 55	186, 398. 20	730	728	0	0	0	2
Franklin	171, 884. 92	285, 470. 12	1, 118	1, 115	0	0	0	3
Fulton	2, 756, 923. 46	4, 578, 756. 88	17, 932	16, 769	0	0	459	704
Gilmer	159, 277. 98	264, 532. 24	1, 036	1, 036	0	0	0	0
Glascock	47, 045. 43	78, 134. 04	306	306	0	0	0	0
Glynn	247, 241. 89	402, 160. 50	1, 575	1, 575	0	0	0	0
Gordon	148, 515. 95	246, 658. 44	966	966	0	0	0	0
Grady	342, 386. 16	568, 642. 18	2, 227	2, 227	0	0	0	0
Greene	209, 090. 78	347, 262. 40	1, 360	1, 354	0	0	0	6
Gwinnett	239, 839. 43	398, 330. 40	1, 560	1, 550	0	0	0	10

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

GEORGIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Habersham	$127, 606. 87	$211, 932. 20	830	808	0	0	0	22
Hall	346, 075. 99	574, 770. 34	2, 251	2, 212	0	0	0	39
Hancock	264, 284. 60	438, 929. 46	1, 719	1, 719	0	0	0	0
Haralson	108, 542. 71	180, 270. 04	706	705	0	0	0	1
Harris	203, 248. 54	337, 559. 48	1, 322	1, 322	0	0	0	0
Hart	189, 719. 14	315, 089. 56	1, 234	1, 226	0	0	0	8
Heard	100, 394. 32	166, 737. 02	653	651	0	0	0	2
Henry	190, 487. 85	316, 366. 26	1, 239	1, 227	0	0	0	12
Houston	281, 811. 33	468, 038. 22	1, 833	1, 827	0	0	0	6
Irwin	220, 467. 78	366, 157. 56	1, 434	1, 434	0	0	0	0
Jackson	168, 195. 09	279, 341. 96	1, 094	1, 092	0	0	0	2
Jasper	109, 003. 95	181, 036. 06	709	702	0	0	0	7
Jeff Davis	115, 307. 42	191, 505. 00	750	750	0	0	0	0
Jefferson	413, 723. 01	687, 119. 94	2, 691	2, 684	0	0	0	7
Jenkins	213, 395. 59	354, 411. 92	1, 388	1, 386	0	0	0	2
Johnson	124, 224. 53	206, 314. 72	808	808	0	0	0	0
Jones	121, 457. 14	201, 718. 60	790	790	0	0	0	0
Lamar	114, 231. 21	189, 717. 62	743	743	0	0	0	0
Lanier	72, 105. 57	119, 754. 46	469	465	0	0	0	4
Laurens	525, 648. 07	873, 007. 46	3, 419	3, 416	0	0	0	3
Lee	148, 362. 21	246, 403. 10	965	965	0	0	0	0
Liberty	173, 729. 84	288, 534. 20	1, 130	1, 127	0	0	0	3
Lincoln	117, 459. 82	195, 079. 76	764	764	0	0	0	0
Long	100, 701. 81	167, 247. 70	655	655	0	0	0	0
Lowndes	464, 304. 53	771, 126. 80	3, 020	2, 952	0	0	35	33
Lumpkin	95, 320. 79	158, 310. 80	620	618	0	0	0	2
McDuffie	178, 803. 37	296, 960. 42	1, 163	1, 160	0	0	0	3
McIntosh	103, 753. 89	180, 780. 72	708	672	0	0	36	0
Macon	339, 311. 29	563, 535. 38	2, 207	2, 207	0	0	0	0
Madison	182, 031. 98	302, 322. 56	1, 184	1, 184	0	0	0	0
Marion	147, 286. 01	244, 615. 72	958	958	0	0	0	0
Meriwether	357, 760. 48	594, 176. 18	2, 327	2, 327	0	0	0	0
Miller	150, 053. 39	249, 211. 84	976	972	0	0	0	0
Mitchell	337, 158. 89	559, 960. 62	2, 193	2, 193	0	0	0	4
Monroe	144, 057. 40	239, 253. 58	937	935	0	0	0	2
Montgomery	132, 372. 92	219, 847. 74	861	861	0	0	0	0
Morgan	167, 118. 88	277, 554. 58	1, 087	1, 087	0	0	0	0
Murray	77, 947. 81	129, 457. 38	507	498	0	0	0	9
Muscogee	809, 458. 06	1, 344, 365. 10	5, 265	5, 234	0	0	19	12
Newton	143, 749. 91	238, 742. 90	935	934	0	0	0	1
Oconee	63, 188. 46	104, 944. 74	411	411	0	0	0	0
Oglethorpe	116, 076. 13	192, 781. 70	755	752	0	0	0	3
Paulding	84, 097. 54	139, 670. 98	547	543	0	0	0	4
Peach	144, 672. 37	240, 274. 94	941	941	0	0	0	0
Pickens	59, 806. 11	99, 327. 26	389	389	0	0	0	0
Pierce	158, 816. 74	263, 766. 22	1, 033	1, 030	0	0	0	3
Pike	188, 335. 45	312, 791. 50	1, 225	1, 167	0	0	58	0
Polk	239, 378. 20	397, 564. 38	1, 557	1, 443	0	0	109	5
Pulaski	132, 987. 88	220, 869. 10	865	865	0	0	0	0
Putnam	98, 088. 18	162, 906. 92	638	637	0	0	0	1
Quitman	80, 100. 22	133, 032. 14	521	520	0	1	0	1
Rabun	87, 787. 38	145, 799. 14	571	566	0	0	0	5
Randolph	277, 045. 28	460, 122. 68	1, 802	1, 802	0	0	0	0
Richmond	862, 499. 48	1, 432, 457. 40	5, 610	5, 554	0	0	12	44
Rockdale	73, 643. 00	122, 307. 86	479	452	0	0	26	1
Schley	88, 863. 58	147, 586. 52	578	577	0	0	0	1
Screven	352, 225. 72	584, 983. 94	2, 291	2, 290	0	0	0	1
Seminole	191, 871. 54	318, 664. 32	1, 248	1, 245	0	0	0	3
Spalding	255, 828. 72	424, 885. 76	1, 664	1, 644	0	0	0	20
Stephens	152, 667. 02	253, 552. 62	993	982	0	0	0	11
Stewart	219, 545. 32	364, 625. 52	1, 428	1, 428	0	0	0	0
Sumter	422, 486. 38	701, 674. 32	2, 748	2, 744	0	0	0	4
Talbot	177, 265. 93	294, 407. 02	1, 153	1, 153	0	0	0	0
Taliaferro	69, 491. 93	115, 413. 68	452	452	0	0	0	0
Tattnall	226, 310. 02	375, 860. 48	1, 472	1, 472	0	0	0	0
Taylor	202, 326. 08	336, 027. 44	1, 316	1, 316	0	0	0	0
Telfair	256, 136. 21	525, 396. 44	1, 666	1, 666	0	0	0	0
Terrell	300, 414. 25	498, 934. 36	1, 954	1, 954	0	0	0	0
Thomas	391, 430. 24	650, 095. 64	2, 546	2, 538	0	0	0	8
Tift	378, 362. 07	628, 391. 74	2, 461	2, 461	0	0	0	0
Toombs	259, 518. 56	431, 013. 92	1, 688	1, 668	0	0	20	0
Towns	69, 799. 42	115, 924. 36	454	454	0	0	0	0
Treutlen	120, 688. 43	200, 441. 90	785	785	0	0	0	0
Troup	491, 363. 34	816, 066. 64	3, 196	3, 189	0	0	0	7
Turner	155, 280. 65	257, 893. 40	1, 010	1, 008	0	0	0	2
Twiggs	102, 239. 25	169, 801. 10	665	664	0	0	0	1
Union	125, 608. 21	208, 612. 78	817	817	0	0	0	0
Upson	196, 483. 84	326, 324. 52	1, 278	1, 277	0	0	0	1
Walker	234, 919. 64	390, 159. 52	1, 528	1, 505	0	0	0	23
Walton	230, 153. 61	382, 243. 98	1, 497	1, 497	0	0	0	0
Ware	290, 113. 46	481, 826. 58	1, 887	1, 861	0	0	0	26
Warren	207, 399. 60	344, 453. 66	1, 349	1, 349	0	0	0	0
Washington	345, 768. 50	574, 259. 66	2, 249	2, 249	0	0	0	0
Wayne	235, 995. 84	391, 946. 90	1, 535	1, 532	0	0	0	3
Webster	116, 229. 87	193, 037. 04	756	756	0	0	0	0
Wheeler	121, 918. 37	202, 484. 62	793	793	0	0	0	0
White	87, 941. 12	146, 054. 48	572	572	0	0	0	0
Whitfield	196, 637. 58	326, 579. 86	1, 279	1, 243	0	0	16	20
Wilcox	186, 183. 05	309, 216. 74	1, 211	1, 211	0	0	0	0
Wilkes	179, 418. 34	297, 981. 78	1, 167	1, 133	0	0	33	1

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

GEORGIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Wilkinson	$86, 557. 43	$143, 756. 42	563	563	0	0	0	0
Worth	456, 771. 11	758, 615. 14	2, 971	2, 971	0	0	0	0

HAWAII

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $269.12]

State total	$2, 307, 394. 00	$3, 857, 835. 20	14, 335	8, 832	5, 193	0	0	310
Hawaii	326, 501. 16	533, 126. 72	1, 981	1, 467	464	0	0	50
Honolulu	1, 750, 365. 25	2, 946, 325. 76	10, 948	6, 345	4, 380	0	0	223
Kalawao	0	0	0	0	0	0	0	0
Kauai	89, 265. 22	149, 361. 60	555	350	183	0	0	22
Maui	141, 262. 37	229, 021. 12	851	670	166	0	0	15

IDAHO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$2, 687, 703. 03	$4, 111, 995. 36	16, 104	12, 257	3, 574	0	82	191
Ada	289, 342. 71	443, 525. 58	1, 737	1, 194	482	0	32	29
Adams	12, 603. 46	18, 895. 16	74	65	7	0	0	2
Bannock	150, 918. 68	233, 380. 76	914	624	285	0	0	5
Bear Lake	23, 488. 05	33, 449. 54	131	112	19	0	0	0
Benewah	22, 836. 59	33, 704. 88	132	98	32	0	0	2
Bingham	169, 032. 55	262, 489. 52	1, 028	809	211	0	0	8
Blaine	21, 940. 11	32, 428. 18	127	117	9	0	0	1
Boise	3, 074. 36	4, 851. 46	19	17	2	0	0	0
Bonner	75, 410. 38	109, 285. 52	428	343	78	0	0	7
Bonneville	147, 984. 17	228, 018. 62	893	660	230	0	0	
Boundary	30, 673. 12	43, 918. 48	172	156	16	0	0	0
Butte	8, 519. 04	13, 788. 36	54	36	12	0	0	6
Camas	5, 020. 35	7, 149. 52	28	24	4	0	0	0
Canyon	336, 933. 09	528, 809. 14	2, 071	1, 462	575	0	0	34
Caribou	38, 435. 53	55, 919. 46	219	197	22	0	0	0
Cassia	55, 394. 73	81, 964. 14	321	232	80	0	0	9
Clark	6, 275. 43	8, 936. 90	35	35	0	0	0	0
Clearwater	29, 138. 32	43, 152. 46	169	138	31	0	0	0
Custer	18, 865. 74	27, 576. 72	108	99	9	0	0	0
Elmore	30, 192. 58	47, 493. 24	186	147	37	0	0	2
Franklin	33, 454. 62	49, 535. 96	194	185	8	0	0	1
Fremont	23, 453, 37	36, 002. 94	141	113	28	0	0	0
Gem	32, 852. 12	57, 196. 16	224	152	72		0	0
Gooding	76, 175. 40	108, 008. 82	423	393	28	0	0	2
Idaho	83, 995. 15	124, 350. 58	487	421	60	0	0	6
Jefferson	52, 600. 08	76, 091. 32	298	275	23	0	0	0
Jerome	51, 030. 60	77, 878. 70	305	272	33	0	0	0
Kootenai	100, 246. 68	156, 012. 74	611	383	220	0	0	8
Latah	40, 320. 54	60, 260. 24	236	209	22	0	0	5
Lemhi	52, 438. 69	79, 410. 74	311	271	39	0	0	1
Lewis	13, 744. 98	21, 703. 90	85	71	11	0	0	3
Lincoln	12, 463. 60	19, 405. 84	76	67	9	0	0	0
Madison	38, 435. 53	55, 919. 46	219	195	24	0	0	0
Minidoka	62, 711. 27	94, 986. 48	372	346	24	0	0	2
Nez Perce	114, 254. 60	182, 823. 44	716	409	243	0	50	14
Oneida	17, 007. 03	23, 746. 62	93	90	3	0	0	0
Owyhee	30, 398. 17	48, 259. 26	189	157	32	0	0	0
Payette	72, 386. 11	121, 541. 84	476	352	119	0	0	5
Power	10, 749. 50	18, 384. 48	72	53	19	0	0	0
Shoshone	48, 617. 21	79, 410. 74	311	188	109	0	0	14
Teton	15, 021. 60	20, 682. 54	81	81	0	0	0	0
Twin Falls	165, 353. 42	245, 892. 42	963	696	246	0	0	21
Valley	6, 791. 79	12, 511. 66	49	31	18	0	0	0
Washington	57, 121. 98	83, 240. 84	326	282	43	0	0	1
Yellowstone National Park part	0	0	0	0	0	0	0	0

ILLINOIS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $282.93]

State total	$49, 655, 878. 80	$73, 573, 683. 06	260, 042	147, 518	99, 644	256	3, 028	9, 596
Adams	343, 431. 61	492, 015. 27	1, 739	1, 469	141	0	38	91
Alexander	358, 007. 60	508, 142. 28	1, 796	1, 291	494	0	0	11
Bond	92, 935. 59	132, 411. 24	468	441	20	0	0	7
Boone	54, 467. 40	79, 786. 26	282	253	10	0	0	19
Brown	82, 598. 72	121, 376. 97	429	419	9	0	0	1
Bureau	212, 159. 52	309, 808. 35	1, 095	1, 035	34	0	0	26
Calhoun	50, 732. 02	69, 883. 71	247	200	40	0	0	7
Carroll	165, 482. 24	241, 056. 36	852	834	4	0	0	14
Cass	86, 484. 71	122, 791. 62	434	396	28	0	0	10
Champaign	364, 443. 73	556, 523. 31	1, 967	1, 266	536	0	40	125
Christian	162, 128. 81	239, 358. 78	846	704	60	0	37	45
Clark	108, 246. 66	160, 421. 31	567	515	29	0	0	23

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

ILLINOIS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $282.93]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Clay	$111,468.38	$159,289.59	563	480	75	0	0	8
Clinton	89,424.12	127,318.50	450	435	10	0	0	5
Coles	167,174.60	246,149.10	870	696	120	0	0	54
Cook	27,839,905.50	41,098,411.80	145,260	61,301	77,170	163	1,632	4,994
Crawford	73,282.51	101,006.01	357	315	33	0	0	9
Cumberland	68,344.56	100,440.15	355	338	12	0	0	5
De Kalb	189,503.68	276,422.61	977	911	26	0	0	40
De Witt	82,622.58	117,981.81	417	377	11	0	0	29
Douglas	85,630.31	127,884.36	452	397	24	0	0	31
Du Page	515,087.35	756,271.89	2,673	2,323	138	0	21	191
Edgar	152,295.68	223,514.70	790	684	69	0	13	24
Edwards	58,421.72	86,576.58	306	298	7	0	0	1
Effingham	99,726.43	145,426.02	514	416	91	0	0	7
Fayette	143,506.30	214,460.94	758	681	60	0	0	17
Ford	81,778.88	119,396.46	422	366	39	0	0	17
Franklin	350,076.78	521,439.99	1,843	1,499	316	0	0	28
Fulton	192,872.74	282,364.14	998	890	70	0	0	38
Gallatin	131,920.71	180,509.34	638	600	31	0	0	7
Greene	113,060.33	170,040.93	601	475	82	0	0	44
Grundy	72,625.67	110,342.70	390	347	33	0	0	10
Hamilton	113,627.46	162,684.75	575	525	50	0	0	0
Hancock	153,466.17	225,212.28	796	721	46	0	0	29
Hardin	104,110.42	153,630.99	543	439	98	0	0	6
Henderson	45,557.00	64,225.11	227	214	13	0	0	0
Henry	216,749.30	314,618.16	1,112	998	40	0	32	42
Iroquois	182,820.67	269,632.29	953	896	36	0	0	21
Jackson	279,045.53	425,809.65	1,505	1,129	340	0	0	36
Jasper	86,864.19	127,035.57	449	423	26	0	0	0
Jefferson	313,467.21	469,663.80	1,660	1,196	386	0	38	40
Jersey	94,119.25	134,391.75	475	437	16	0	13	9
Jo Daviess	128,714.63	185,885.01	657	620	25	0	0	12
Johnson	77,394.88	111,191.49	393	369	17	0	0	7
Kane	330,634.43	494,561.64	1,748	1,311	198	0	62	177
Kankakee	331,585.97	499,371.45	1,765	1,210	456	0	0	99
Kendall	53,426.13	76,956.96	272	258	6	0	0	8
Knox	166,865.93	251,241.84	888	729	96	0	0	63
Lake	521,775.31	770,984.25	2,725	1,887	536	0	125	177
La Salle	263,065.25	387,331.17	1,369	1,172	174	0	0	23
Lawrence	145,351.76	215,026.80	760	593	159	0	0	8
Lee	177,838.26	260,295.60	920	778	23	0	18	101
Livingston	184,955.89	276,422.61	977	745	96	0	85	51
Logan	95,307.87	144,294.30	510	418	35	0	38	19
McDonough	119,324.35	171,738.51	607	563	29	0	0	15
McHenry	231,633.17	345,174.60	1,220	1,016	100	0	41	63
McLean	269,221.42	382,804.29	1,353	1,069	66	0	65	153
Macon	526,851.50	743,257.11	2,627	1,581	755	0	80	211
Macoupin	192,706.48	286,608.09	1,013	876	99	0	0	38
Madison	908,753.09	1,373,908.08	4,856	3,147	1,407	0	81	221
Marion	275,848.46	404,024.04	1,428	1,109	192	0	32	95
Marshall	62,581.81	89,971.74	318	294	4	0	0	20
Mason	90,507.36	134,957.61	477	406	36	0	0	35
Massac	173,638.65	256,051.65	905	703	173	0	0	29
Menard	40,057.67	59,415.30	210	152	34	0	0	24
Mercer	101,482.16	147,972.39	523	503	14	0	0	6
Monroe	59,555.18	91,386.39	323	273	33	0	0	17
Montgomery	184,966.58	272,744.52	964	872	65	0	0	27
Morgan	122,158.39	174,001.95	615	457	119	0	0	39
Moultrie	58,406.07	82,332.63	291	270	14	0	0	7
Ogle	173,364.55	254,071.14	898	797	53	0	0	48
Peoria	739,537.15	1,146,432.36	4,052	2,599	1,191	0	51	211
Perry	124,733.97	178,528.83	631	598	27	0	0	6
Piatt	59,489.32	89,971.74	318	280	28	0	0	10
Pike	181,283.88	263,973.69	933	857	52	0	0	24
Pope	51,973.32	80,917.98	286	223	63	0	0	0
Pulaski	241,855.67	381,106.71	1,347	906	422	0	0	19
Putnam	14,333.18	22,634.40	80	65	7	0	0	8
Randolph	121,557.49	168,909.21	597	562	28	0	0	7
Richland	102,391.72	147,972.39	523	486	24	0	0	13
Rock Island	345,397.28	518,610.69	1,833	1,249	410	20	16	138
St. Clair	2,454,219.11	4,073,060.28	14,396	6,763	7,431	0	61	141
Saline	347,718.47	490,317.69	1,733	1,495	229	0	0	9
Sangamon	491,023.94	716,095.83	2,531	1,907	296	0	14	314
Schuyler	75,151.84	98,176.71	347	316	29	0	0	2
Scott	53,518.32	78,937.47	279	243	25	0	0	11
Shelby	151,054.40	212,480.43	751	690	36	0	0	25
Stark	29,159.42	44,137.08	156	135	17	0	0	4
Stephenson	243,657.45	353,379.57	1,249	925	73	0	155	96
Tazewell	204,414.68	288,022.74	1,018	786	205	0	0	27
Union	118,667.50	181,075.20	640	567	59	0	0	14
Vermilion	438,324.65	658,661.04	2,328	1,665	491	0	58	114
Wabash	63,897.18	94,781.55	335	296	30	0	0	9
Warren	125,920.10	184,470.36	652	601	33	0	0	18
Washington	60,585.74	97,893.78	346	290	23	0	33	0
Wayne	180,896.20	267,368.85	945	832	99	0	0	14
White	139,067.14	201,163.23	711	629	69	0	0	13
Whiteside	280,920.60	411,380.22	1,454	1,284	128	0	15	27
Will	592,891.31	856,712.04	3,028	2,053	785	0	71	119
Williamson	336,352.70	496,259.22	1,754	1,307	392	0	0	55
Winnebago	842,137.73	1,150,393.38	4,066	2,687	1,018	73	63	225
Woodford	86,099.50	130,147.80	460	414	37	0	0	9

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

INDIANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $256.52]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$15,764,844.96	$23,433,102.00	91,350	76,386	9,985	307	1,336	3,336
Adams	75,180.68	107,738.40	420	404	11	0	0	5
Allen	637,939.80	988,884.60	3,855	2,888	707	54	152	54
Bartholomew	129,637.01	197,776.92	771	675	55	0	32	9
Benton	51,199.51	74,647.32	291	286	4	0	0	1
Blackford	33,608.12	50,277.92	196	185	8	0	0	3
Boone	78,719.04	112,355.76	438	434	0	0	0	4
Brown	37,026.41	49,251.84	192	179	11	0	0	2
Carroll	66,461.13	95,425.44	372	360	12	0	0	0
Cass	88,546.79	126,977.40	495	440	4	25	22	4
Clark	283,141.39	416,588.48	1,624	1,442	122	0	24	36
Clay	105,159.66	151,603.32	591	559	24	0	0	8
Clinton	90,980.30	132,620.84	517	479	18	0	0	20
Crawford	104,129.28	150,833.76	588	567	15	0	0	6
Daviess	134,873.00	196,750.84	767	714	34	0	0	19
Dearborn	93,938.83	142,112.08	554	491	40	0	0	23
Decatur	104,514.99	155,194.60	605	557	39	0	0	9
De Kalb	77,031.03	114,920.96	448	413	32	0	0	3
Delaware	367,628.15	538,435.48	2,099	1,834	122	0	76	67
Dubois	92,606.82	132,107.80	515	494	13	0	0	8
Elkhart	236,141.22	346,558.52	1,351	1,027	243	0	20	61
Fayette	94,353.41	137,238.20	535	490	27	0	0	18
Floyd	205,954.74	298,589.28	1,164	1,075	55	0	0	34
Fountain	70,524.51	103,890.60	405	394	10	0	0	1
Franklin	112,165.27	165,968.44	647	602	37	0	0	8
Fulton	69,341.85	103,377.56	403	373	20	0	0	10
Gibson	146,356.56	214,707.24	837	771	59	0	0	7
Grant	218,011.85	318,084.80	1,240	1,037	144	0	24	35
Greene	157,415.48	227,533.24	887	856	16	0	0	15
Hamilton	77,426.36	116,203.56	453	396	26	0	0	31
Hancock	62,018.73	89,268.96	348	338	0	0	0	10
Harrison	97,522.36	141,086.00	550	529	12	0	0	9
Hendricks	83,955.46	124,412.20	485	460	21	0	0	4
Henry	192,374.86	281,658.96	1,098	1,046	31	0	0	21
Howard	164,826.04	240,102.72	936	810	91	0	0	35
Huntington	84,843.18	122,360.04	477	454	13	0	0	10
Jackson	128,991.91	188,285.68	734	700	30	0	0	4
Jasper	97,434.94	142,625.12	556	520	15	0	10	11
Jay	75,349.27	111,073.16	433	414	18	0	0	1
Jefferson	119,044.52	181,103.12	706	620	47	0	0	39
Jennings	84,953.20	117,999.20	460	422	29	0	0	9
Johnson	90,458.62	132,107.80	515	448	34	0	22	11
Knox	210,662.79	303,463.16	1,183	1,007	53	0	106	17
Kosciusko	135,611.80	198,289.96	773	742	15	0	0	16
Lagrange	102,651.69	147,755.52	576	568	0	0	0	8
Lake	1,780,483.43	2,806,841.84	10,942	6,895	3,243	0	174	630
La Porte	250,577.05	380,419.16	1,483	1,224	205	0	0	54
Lawrence	142,114.96	205,985.56	803	770	10	0	0	23
Madison	297,379.33	443,266.56	1,728	1,455	163	18	0	92
Marion	2,059,524.06	3,063,874.88	11,944	9,196	1,583	97	145	923
Marshall	135,929.32	198,033.44	772	735	20	0	0	17
Martin	77,779.44	113,381.84	442	399	39	0	0	4
Miami	103,458.68	153,912.00	600	522	62	0	0	16
Monroe	137,180.17	203,163.84	792	742	24	0	0	26
Montgomery	102,486.45	147,755.52	576	517	12	0	30	17
Morgan	107,965.93	161,351.08	629	561	44	0	0	24
Newton	51,951.27	76,442.96	298	274	16	0	0	8
Noble	72,497.84	106,968.84	417	390	16	0	0	11
Ohio	13,009.68	18,725.96	73	69	0	0	0	4
Orange	118,130.43	169,559.72	661	632	20	0	0	9
Owen	80,990.65	121,333.96	473	444	20	0	0	9
Parke	85,711.67	126,464.36	493	463	18	0	0	12
Perry	106,105.97	157,246.76	613	533	65	0	0	15
Pike	77,141.05	110,560.12	431	422	8	0	0	1
Porter	116,325.70	169,816.24	662	523	44	0	80	15
Posey	87,280.05	131,338.24	512	468	38	0	0	6
Pulaski	86,712.76	123,386.12	481	467	9	0	0	5
Putnam	84,016.95	122,360.04	477	447	25	0	0	5
Randolph	98,552.75	141,855.56	553	528	10	0	0	15
Ripley	94,965.87	139,546.88	544	512	28	0	0	4
Rush	105,710.63	155,964.16	608	566	26	0	0	16
St. Joseph	616,471.58	913,980.76	3,563	2,497	852	0	0	214
Scott	94,560.91	141,342.52	551	495	31	0	0	25
Shelby	87,011.05	129,286.08	504	474	23	0	0	7
Spencer	80,634.22	120,820.92	471	416	40	0	12	3
Starke	106,336.05	158,529.36	618	586	23	0	0	9
Steuben	55,946.46	80,290.76	313	297	7	0	0	9
Sullivan	106,358.64	155,707.64	607	593	11	0	0	3
Switzerland	48,474.41	69,773.44	272	258	0	0	0	14
Tippecanoe	159,197.63	230,098.44	897	806	31	0	37	23
Tipton	48,778.96	69,260.40	270	242	21	0	0	7
Union	34,372.86	52,330.08	204	192	12	0	0	0
Vanderburgh	674,715.59	1,003,762.76	3,913	3,377	268	0	70	198
Vermillion	70,832.41	106,712.32	416	386	28	0	0	2
Vigo	443,742.59	664,643.32	2,591	2,007	336	113	90	45
Wabash	123,914.47	182,642.24	712	469	18	0	210	15
Warren	37,091.25	50,534.44	197	188	9	0	0	0
Warrick	154,411.78	223,685.44	872	786	68	0	0	18
Washington	155,225.03	223,428.92	871	838	21	0	0	12

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

INDIANA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $256.52]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Wayne	$202, 753. 58	$300, 641. 44	1, 172	1, 031	94	0	0	47
Wells	71, 593. 80	105, 429. 72	411	392	10	0	0	9
White	75, 206. 61	108, 251. 44	422	418	0	0	0	4
Whitley	72, 520. 43	104, 147. 12	406	384	17	0	0	5

IOWA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$16, 262, 728. 93	$21, 889, 787. 52	85, 728	71, 789	12, 787	0	210	942
Adair	118, 525. 10	158, 566. 14	621	602	18	0	0	1
Adams	69, 143. 67	93, 454. 44	366	343	23	0	0	0
Allamakee	205, 305. 66	277, 043. 90	1, 085	1, 005	80	0	0	0
Appanoose	126, 696. 52	172, 354. 50	675	534	141	0	0	0
Audubon	136, 019. 69	180, 780. 72	708	686	18	0	0	4
Benton	157, 023. 99	219, 592. 40	860	782	77	0	0	1
Black Hawk	392, 686. 16	547, 959. 64	2, 146	1, 090	923	0	0	133
Boone	135, 311. 16	184, 355. 48	722	571	147	0	0	4
Bremer	110, 065. 68	149, 629. 24	586	554	32	0	0	0
Buchanan	165, 078. 99	231, 082. 70	905	825	76	0	0	4
Buena Vista	170, 513. 92	225, 975. 90	885	849	36	0	0	0
Butler	141, 603. 26	185. 632. 18	727	705	19	0	0	3
Calhoun	99, 099. 19	136, 862. 24	536	483	49	0	0	4
Carroll	172, 881. 88	230, 572. 02	903	842	61	0	0	0
Cass	150, 858. 34	203, 250. 64	796	726	68	0	0	2
Cedar	196, 273. 65	267, 340. 98	1, 047	1, 003	44	0	0	0
Cerro Gordo	192, 336. 83	256. 361. 36	1, 004	816	187	0	0	1
Cherokee	175, 307. 90	243, 339. 02	953	861	79	0	0	13
Chickasaw	141, 900. 77	191, 505. 00	750	704	46	0	0	0
Clarke	66, 455. 50	86, 049. 58	337	331	6	0	0	0
Clay	126, 825. 87	174, 907. 90	685	568	94	0	0	23
Clayton	268, 380. 55	363, 093. 48	1, 422	1, 325	92	0	0	5
Clinton	242, 196. 87	330, 920. 64	1, 296	1, 102	174	0	0	20
Crawford	170, 610. 81	234, 912. 80	920	848	72	0	0	0
Dallas	112, 058. 24	160, 864. 20	630	495	120	0	0	15
Davis	87, 110. 54	117, 967. 08	462	440	22	0	0	0
Decatur	112, 770. 21	146, 820. 50	575	517	57	0	0	1
Delaware	186, 199. 96	258, 148. 74	1, 011	942	66	0	0	3
Des Moines	124, 852. 58	171, 077. 80	670	516	141	0	0	13
Dickinson	110, 078. 61	149, 884. 58	587	507	75	0	0	5
Dubuque	361, 741. 47	463, 952. 78	1, 817	1, 477	261	0	0	79
Emmet	106, 704. 61	142, 990. 40	560	496	63	0	0	1
Fayette	233, 618. 11	302, 067. 22	1, 183	1, 042	141	0	0	0
Floyd	125, 561. 11	167, 503. 04	656	574	78	0	0	4
Franklin	88, 876. 86	117, 711. 74	461	437	24	0	0	0
Fremont	68, 713. 38	95, 497. 16	374	317	53	0	0	4
Greene	98, 507. 33	128, 691. 36	504	438	66	0	0	0
Grundy	88, 155. 39	121, 031. 16	474	448	23	0	0	3
Guthrie	150, 971. 58	201, 973. 94	791	746	45	0	0	0
Hamilton	122, 824. 37	162, 651. 58	637	533	99	0	0	5
Hancock	179, 286. 96	244, 615. 72	958	894	51	0	0	13
Hardin	115, 484. 24	154, 736. 04	606	513	73	0	20	0
Harrison	125, 894. 26	170, 567. 12	668	592	75	0	0	1
Henry	75, 911. 20	100, 603. 96	394	354	34	0	0	6
Howard	171, 710. 83	228, 529. 30	895	843	52	0	0	0
Humboldt	82, 413. 44	109, 540. 86	429	363	62	0	0	4
Ida	108, 765. 28	145, 033. 12	568	554	14	0	0	0
Iowa	137, 931. 48	186, 908. 88	732	714	18	0	0	0
Jackson	204, 503. 40	275, 256. 52	1, 078	963	103	0	0	12
Jasper	115, 655. 83	147, 586. 52	578	448	130	0	0	0
Jefferson	73, 708. 24	95, 752. 50	375	357	13	0	0	5
Johnson	173, 295. 81	238, 742. 90	935	776	129	0	0	30
Jones	182, 059. 60	232, 614. 74	911	811	96	0	0	4
Keokuk	104, 158. 73	138, 394. 28	542	518	17	0	0	7
Kossuth	234, 255. 38	304, 109. 94	1, 191	1, 110	78	0	0	3
Lee	180, 800. 66	260, 446. 80	1, 020	761	237	0	0	22
Linn	400, 039. 48	542, 086. 82	2, 123	1, 458	665	0	0	0
Louisa	51, 810. 89	67, 409. 76	264	210	46	0	0	8
Lucas	78, 699. 69	106, 476. 78	417	342	74	0	0	1
Lyon	194, 245. 44	258, 914. 76	1, 014	990	24	0	0	0
Madison	96, 006. 60	132, 010. 78	517	483	32	0	0	2
Mahaska	147, 513. 37	200, 441. 90	785	657	117	0	0	11
Marion	166, 146. 80	217, 039. 00	850	700	148	0	0	2
Marshall	158, 997. 54	209, 378. 80	820	669	98	0	0	53
Mills	99, 552. 18	131, 755. 44	516	488	24	0	0	4
Mitchell	128, 834. 80	175, 929. 26	689	646	43	0	0	0
Monona	151, 699. 39	205, 804. 04	806	721	82	0	0	3
Monroe	100, 351. 26	129, 968. 06	509	462	47	0	0	0
Montgomery	109, 784. 27	147, 586. 52	578	546	31	0	0	1
Muscatine	147, 797. 95	206, 059. 38	807	642	153	0	0	12
O'Brien	116, 567. 92	158, 566. 14	621	592	29	0	0	0
Osceola	132, 904. 41	178, 993. 34	701	677	24	0	0	0
Page	127, 550. 77	161, 119. 54	631	579	52	0	0	0
Palo Alto	161, 297. 39	223, 167. 16	874	797	76	0	0	1
Plymouth	227, 853. 20	307, 684. 70	1, 205	1, 167	36	0	0	2
Pocahontas	112, 187. 86	149, 373. 90	585	532	52	0	0	1
Polk	1, 013, 262. 45	1, 330, 576. 74	5, 211	2, 740	2, 335	0	21	115
Pottawattamie	414, 612. 81	566, 344. 12	2, 218	1, 477	634	0	59	48

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

IOWA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Poweshiek	$113, 210. 01	$155, 502. 06	609	561	48	0	0	0
Ringgold	131, 338. 71	176, 184. 60	690	672	18	0	0	0
Sac	82, 963. 32	113, 370. 96	444	404	38	0	0	2
Scott	412, 451. 82	565, 833. 44	2, 216	1, 461	723	0	30	2
Shelby	199, 754. 56	265, 808. 94	1, 041	1, 029	11	0	0	1
Sioux	246, 577. 18	326, 069. 18	1, 277	1, 241	35	0	0	1
Story	120, 498. 40	162, 396. 24	636	558	62	0	0	16
Tama	196, 244. 61	263, 255. 54	1, 031	921	95	0	0	15
Taylor	136, 592. 28	181, 546. 74	711	690	20	0	0	1
Union	122, 610. 81	165, 460. 32	648	556	88	0	0	4
Van Buren	86, 081. 79	118, 733. 10	465	412	49	0	0	4
Wapello	239, 279. 04	322, 494. 42	1, 263	814	346	0	22	81
Warren	83, 675. 02	113, 370. 96	444	407	34	0	0	3
Washington	131, 846. 61	175, 673. 92	688	630	54	0	0	4
Wayne	98, 497. 56	132, 010. 78	517	477	38	0	0	2
Webster	201, 908. 96	273, 213. 80	1, 070	676	347	0	11	36
Winnebago	83, 024. 83	111, 072. 90	435	401	31	0	0	3
Winneshiek	213, 577. 38	289, 300. 22	1, 133	1, 093	37	0	0	3
Woodbury	466, 171. 34	635, 796. 60	2, 490	1, 679	735	0	47	29
Worth	88, 863. 93	117, 456. 40	460	413	37	0	0	10
Wright	94, 162. 65	130, 734. 08	512	468	41	0	0	2

KANSAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $250.45]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$10, 338, 310. 97	$14, 170, 380. 65	54, 617	40, 263	13, 155	102	467	630
Allen	$88, 606. 30	$112, 860. 75	435	388	44	0	0	3
Anderson	84, 203. 51	110, 006. 80	424	403	18	0	0	3
Atchison	124, 104. 14	167, 345. 25	645	434	199	0	0	12
Barber	40, 213. 79	52, 149. 45	201	194	7	0	0	0
Barton	113, 069. 21	140, 881. 35	543	482	58	0	0	3
Bourbon	124, 643. 89	159, 042. 85	613	508	101	0	0	4
Brown	89, 740. 26	112, 341. 85	433	411	22	0	0	0
Butler	148, 787. 22	195, 884. 75	755	585	166	0	0	4
Chase	31, 861. 42	40, 214. 75	155	138	17	0	0	0
Chautauqua	49, 366. 67	64, 603. 05	249	221	23	0	0	5
Cherokee	186, 253. 68	262, 303. 95	1, 011	683	328	0	0	0
Cheyenne	34, 863. 57	45, 922. 65	177	166	11	0	0	0
Clark	15, 964. 11	20, 756. 00	80	67	13	0	0	0
Clay	44, 376. 62	57, 857. 35	223	191	32	0	0	0
Cloud	56, 491. 57	75, 240. 50	290	242	46	0	0	2
Coffey	71, 388. 00	90, 288. 60	348	338	10	0	0	0
Comanche	23, 148. 86	28, 798. 95	111	108	3	0	0	0
Cowley	141, 435. 73	188, 360. 70	726	654	69	0	0	3
Crawford	213, 344. 71	288, 767. 85	1, 113	756	322	0	30	5
Decatur	22, 401. 80	29, 317. 85	113	105	8	0	0	0
Dickinson	115, 718. 62	158, 523. 95	611	456	137	0	0	18
Doniphan	67. 058. 94	92, 623. 65	357	301	55	0	0	1
Douglas	106, 218. 41	139, 324. 65	537	424	111	0	0	2
Edwards	35, 470. 62	46, 441. 55	179	158	21	0	0	0
Elk	36, 904. 90	47, 998. 25	185	159	26	0	0	0
Ellis	90, 234. 02	114, 417. 45	441	405	36	0	0	0
Ellsworth	44, 389. 98	58, 116. 80	224	214	10	0	0	0
Finney	76, 979. 18	108, 709. 55	419	322	97	0	0	0
Ford	77, 139. 48	111, 822. 95	431	326	88	0	14	3
Franklin	107, 826. 35	144, 254. 20	556	458	86	0	0	12
Geary	167, 874. 20	232, 207. 75	895	607	284	0	0	4
Gove	24, 082. 95	31, 912. 35	123	116	7	0	0	0
Graham	44, 376. 62	57, 857. 35	223	205	18	0	0	0
Grant	13, 195. 98	23, 350. 50	90	50	40	0	0	0
Gray	40, 267. 23	53, 187. 25	205	189	16	0	0	0
Greeley	4, 656. 59	7, 783. 50	30	20	10	0	0	0
Greenwood	96, 278. 39	126, 611. 60	488	426	61.	0	0	1
Hamilton	7, 345. 07	11, 156. 35	43	35	8	0	0	0
Harper	27, 545. 22	35, 285. 20	136	130	6	0	0	0
Harvey	88, 380. 71	131, 022. 25	505	317	136	0	42	10
Haskell	17, 011. 49	22, 312. 70	86	77	9	0	0	0
Hodgeman	16, 998. 13	22, 053. 25	85	82	3	0	0	0
Jackson	85, 891. 11	108, 969. 00	420	399	21	0	0	0
Jefferson	63, 649. 61	82, 764. 55	319	280	18	0	0	21
Jewell	62, 715. 52	79, 651. 15	307	292	7	0	0	8
Johnson	214, 799. 29	294, 475. 75	1, 135	921	205	0	0	9
Kearny	12, 241. 60	16, 085. 90	62	45	17	0	0	0
Kingman	65, 790. 89	83, 024. 00	320	314	5	0	0	1
Kiowa	16, 457. 86	22, 831. 60	88	73	12	0	0	3
Labette	241, 850. 23	320, 161. 30	1, 234	900	311	0	0	23
Lane	14, 476. 39	18, 161. 50	70	70	0	0	0	0
Leavenworth	217, 080. 57	293, 697. 40	1, 132	822	295	0	0	15
Lincoln	30, 293. 55	36, 063. 55	139	139	0	0	0	0
Linn	71, 681. 38	88, 472. 45	341	289	41	0	0	11
Logan	14, 116. 22	18, 680. 40	72	68	4	0	0	0
Lyon	147, 592. 88	191, 474. 10	738	651	71	0	0	16
McPherson	67, 879. 23	89, 769. 70	346	302	39	0	0	5
Marion	83, 929. 92	108, 450. 10	418	397	17	0	0	4
Marshall	121, 588. 82	159, 821. 20	616	564	52	0	0	0
Meade	38, 972. 96	50, 592. 75	195	182	12	0	0	1
Miami	105, 738. 52	145, 032. 55	559	424	127	0	0	8

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

KANSAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $259.45]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Mitchell	$42, 008. 25	$53, 187. 25	205	197	7	0	0	1
Montgomery	268, 175. 91	373, 089. 10	1, 438	1, 031	396	0	0	11
Morris	77, 618. 89	98, 591. 00	380	369	11	0	0	0
Morton	14, 116. 22	18, 680. 40	72	68	4	0	0	0
Nemaha	129, 200. 55	168, 642. 50	650	587	62	0	0	1
Neosho	114, 237. 33	152, 297. 15	587	509	77	0	0	1
Ness	45, 056. 90	56, 041. 20	216	216	0	0	0	0
Norton	64, 103. 30	84, 061. 80	324	299	19	0	0	6
Osage	68, 519. 44	87, 175. 20	336	299	33	0	0	4
Osborne	59, 053. 39	79, 910. 60	308	277	28	0	0	3
Ottawa	28, 959. 71	40, 214. 75	155	113	39	0	0	3
Pawnee	32, 615. 42	43, 587. 60	168	130	36	0	0	2
Phillips	54, 569. 96	67, 975. 90	262	261	0	0	0	1
Pottawatomie	101, 941. 79	127, 649. 40	492	473	18	0	0	1
Pratt	50, 347. 26	64, 862. 50	250	242	7	0	0	1
Rawlins	40, 367. 17	51, 371. 10	198	188	9	0	0	1
Reno	233, 631. 94	318, 345. 15	1, 227	964	248	0	0	15
Republic	82, 855. 81	106, 374. 50	410	400	10	0	0	0
Rice	26, 371. 18	35, 025. 75	135	101	34	0	0	0
Riley	131, 842. 53	174, 869. 30	674	553	114	0	0	7
Rooks	53, 949. 54	67, 197. 55	259	254	5	0	0	0
Rush	40, 587. 32	51, 890. 00	200	186	14	0	0	0
Russell	27, 625. 37	36, 841. 90	142	128	14	0	0	0
Saline	143, 090. 68	197, 960. 35	763	489	227	40	0	7
Scott	16, 251. 07	22, 572. 15	87	78	9	0	0	0
Sedgwick	1, 573, 166. 46	2, 319, 223. 55	8, 939	4, 216	4, 291	62	245	125
Seward	42, 942. 85	63, 824. 70	246	145	89	0	0	12
Shawnee	505, 765. 90	726, 978. 90	2, 802	1, 770	922	0	24	86
Sheridan	57, 392. 01	73, 943. 25	285	274	8	0	0	3
Sherman	35, 483. 98	46, 701. 00	180	152	23	0	0	5
Smith	63, 856. 42	83, 024. 00	320	302	16	0	0	2
Stafford	43, 569. 19	53, 446. 70	206	199	7	0	0	0
Stanton	4, 756. 53	5, 967. 35	23	23	0	0	0	0
Stevens	19, 893. 41	25, 685. 55	99	96	3	0	0	0
Sumner	64, 063. 73	90, 807. 50	350	301	49	0	0	0
Thomas	14, 603. 54	24, 388. 30	94	63	28	0	0	3
Trego	31, 241. 00	39, 436. 40	152	150	1	0	0	1
Wabaunsee	61, 928. 37	79, 391. 70	306	295	11	0	0	0
Wallace	10, 753. 89	13, 491. 40	52	52	0	0	0	0
Washington	124, 823. 98	158, 783. 40	612	594	14	0	0	4
Wichita	37, 965. 64	49, 814. 40	192	183	9	0	0	0
Wilson	66, 278. 22	88, 731. 90	342	299	38	0	0	5
Woodson	49, 079. 71	62, 786. 90	242	236	5	0	0	1
Wyandotte	896, 684. 52	1, 357, 442. 40	5, 232	2, 818	2, 204	0	112	98

KENTUCKY

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$29, 817, 764. 79	$54, 781, 409. 62	214, 543	193, 559	17, 990	496	1, 847	651
Adair	303, 226. 49	536, 980. 02	2, 103	2, 005	98	0	0	0
Allen	178, 508. 30	322, 749. 76	1, 264	1, 177	86	0	0	1
Anderson	58, 440. 58	104, 689. 40	410	383	24	0	0	3
Ballard	61, 151. 87	109, 285. 52	428	396	24	0	0	8
Barren	357, 377. 09	652, 904. 38	2, 557	2, 350	201	0	0	6
Bath	149, 973. 15	281, 604. 02	1, 103	983	117	0	0	3
Bell	756, 121. 21	1, 386, 240. 86	5, 429	4, 946	446	0	34	3
Boone	48, 110. 89	85, 538. 90	335	315	17	0	0	3
Bourbon	146, 691. 52	262, 489. 52	1, 028	969	59	0	0	0
Boyd	263, 628. 24	509, 913. 98	1, 997	1, 698	269	0	30	0
Boyle	158, 223. 30	289, 300. 22	1, 133	992	90	0	42	9
Bracken	49, 430. 71	84, 262. 20	330	325	2	0	0	3
Breathitt	496, 944. 52	916, 670. 60	3, 590	3, 270	317	0	0	3
Breckinridge	181, 483. 57	327, 090. 54	1, 281	1, 198	83	0	0	0
Bullitt	80, 544. 08	144, 267. 10	565	532	33	0	0	0
Butler	190, 988. 46	337, 814. 82	1, 323	1, 263	60	0	0	0
Caldwell	123, 507. 31	223, 422. 50	875	815	60	0	0	0
Calloway	117, 924. 58	208, 102. 10	815	777	35	0	0	3
Campbell	223, 238. 85	409, 820. 70	1, 605	1, 346	134	82	41	2
Carlisle	35, 246. 85	59, 749. 56	234	234	0	0	0	0
Carroll	62, 193. 84	110, 817. 56	434	411	23	0	0	0
Carter	325, 536. 92	589, 324. 72	2, 308	2, 145	160	0	0	3
Casey	376, 894. 34	664, 905. 36	2, 604	2, 493	111	0	0	0
Christian	319, 552. 02	622, 518. 92	2, 438	2, 093	345	0	0	0
Clark	139, 705. 62	263, 766. 22	1, 033	914	115	0	0	4
Clay	585, 405. 32	1, 081, 620. 24	4, 236	3, 852	381	0	0	3
Clinton	215, 774. 01	389, 904. 18	1, 527	1, 424	103	0	0	0
Crittenden	102, 324. 38	177, 205. 96	694	671	16	0	0	7
Cumberland	162, 827. 68	301, 556. 54	1, 181	1, 072	109	0	0	0
Daviess	397, 172. 76	686, 864. 60	2, 690	2, 464	158	0	64	4
Edmonson	149, 293. 87	259, 170. 10	1, 015	989	26	0	0	0
Elliott	130, 423. 74	234, 912. 80	920	860	59	0	0	1
Estill	211, 185. 71	395, 010. 98	1, 547	1, 388	158	0	0	1
Fayette	469, 735. 02	911, 308. 46	3, 569	3, 000	491	0	32	46
Fleming	117, 070. 53	207, 591. 42	813	768	39	0	0	6
Floyd	835, 902. 65	1, 475, 099. 18	5, 777	5, 516	248	0	0	13
Franklin	110, 363. 94	203, 250. 64	796	705	69	0	12	10
Fulton	132, 128. 90	241, 551. 64	946	868	75	0	0	3

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

KENTUCKY—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Gallatin	$15, 651. 37	$29, 108. 76	114	102	11	0	0	1
Garrard	108, 122. 82	188, 440. 92	738	713	22	0	0	3
Grant	74, 054. 66	133, 032. 14	521	489	32	0	0	0
Graves	206, 504. 56	361, 306. 10	1, 415	1, 309	48	54	0	4
Grayson	268, 619. 43	479, 017. 84	1, 876	1, 775	101	0	0	0
Green	125, 067. 69	218, 571. 04	856	826	28	0	0	2
Greenup	296, 021. 94	547, 959. 64	2, 146	1, 948	197	0	0	1
Hancock	51, 924. 83	95, 752. 50	375	342	33	0	0	0
Hardin	281, 403. 76	488, 976. 10	1, 915	1, 729	51	0	135	0
Harlan	953, 664. 89	1, 753, 675. 12	6, 868	6, 282	585	0	0	1
Harrison	91, 147. 23	169, 035. 08	662	597	62	0	0	3
Hart	251, 395. 24	454, 505. 20	1, 780	1, 659	121	0	0	0
Henderson	192, 791. 61	349, 305. 12	1, 368	1, 264	96	0	0	8
Henry	103, 237. 66	184, 610. 82	723	680	41	0	0	2
Hickman	88, 527. 34	157, 800. 12	618	585	33	0	0	0
Hopkins	283, 554. 96	507, 615. 92	1, 988	1, 864	115	0	0	9
Jackson	284, 646. 65	510, 169. 32	1, 998	1, 877	118	0	0	3
Jefferson	2, 000, 182. 76	4, 429, 638. 32	17, 348	11, 736	4, 247	230	873	262
Jessamine	72, 270. 53	133, 287. 48	522	476	46	0	0	0
Johnson	380, 453. 09	706, 781. 12	2, 768	2, 502	264	0	0	2
Kenton	288, 139. 59	533, 660. 60	2, 090	1, 808	193	0	86	3
Knott	474, 446. 69	886, 029. 80	3, 470	3, 121	349	0	0	0
Knox	665, 909. 17	1, 230, 738. 80	4, 820	4, 347	435	0	28	10
Larue	102, 672. 44	184, 355. 48	722	677	44	0	0	1
Laurel	454, 670. 82	792, 064. 68	3, 102	2, 996	91	0	0	15
Lawrence	243, 671. 55	449, 143. 06	1, 759	1, 601	154	0	0	4
Lee	170, 447. 54	313, 302. 18	1, 227	1, 123	104	0	0	0
Leslie	281, 854. 17	540, 810. 12	2, 118	1, 849	269	0	0	0
Letcher	611, 963. 31	1, 107, 664. 92	4, 338	4, 033	300	0	0	5
Lewis	211, 097. 23	396, 032. 34	1, 551	1, 386	163	0	0	2
Lincoln	330, 930. 99	580, 898. 50	2, 275	2, 190	85	0	0	0
Livingston	74, 155. 57	132, 266. 12	518	490	28	0	0	0
Logan	239, 354. 54	439, 950. 82	1, 723	1, 571	146	0	0	6
Lyon	24, 438. 96	42, 131. 10	165	161	3	0	0	1
McCracken	327, 125. 81	602, 091. 72	2, 358	2, 129	203	0	23	3
McCreary	330, 931. 72	603, 623. 76	2, 364	2, 139	182	43	0	0
McLean	82, 767. 67	144, 522. 44	566	548	18	0	0	0
Madison	312, 497. 39	562, 769. 36	2, 204	2, 060	141	0	0	3
Magoffin	337, 339. 97	601, 836. 38	2, 357	2, 209	128	0	19	1
Marion	193, 394. 12	350, 326. 48	1, 372	1, 271	96	0	0	5
Marshall	97, 790. 20	174, 907. 90	685	611	39	35	0	0
Martin	232, 652. 34	427, 183. 82	1, 673	1, 533	140	0	0	0
Mason	153, 330. 11	276, 788. 56	1, 084	1, 007	72	0	0	5
Meade	71, 736. 02	122, 307. 86	479	473	3	0	0	3
Menifee	105, 632. 34	194, 058. 40	760	696	64	0	0	0
Mercer	136, 020. 36	247, 679. 80	970	897	73	0	0	0
Metcalfe	139, 788. 97	248, 445. 82	973	924	49	0	0	0
Monroe	256, 454. 43	461, 910. 06	1, 809	1, 691	116	0	0	2
Montgomery	175, 976. 15	336, 027. 44	1, 316	1, 126	161	0	29	0
Morgan	221, 066. 44	407, 777. 98	1, 597	1, 426	141	25	0	5
Muhlenberg	335, 849. 05	593, 920. 84	2, 326	2, 221	105	0	0	0
Nelson	153, 777. 60	285, 980. 80	1, 120	1, 004	108	0	0	8
Nicholas	66, 122. 59	117, 711. 74	461	435	24	0	0	2
Ohio	238, 962. 61	420, 544. 98	1, 647	1, 580	66	0	0	1
Oldham	42, 914. 96	75, 325. 30	295	281	11	0	0	3
Owen	67, 678. 58	121, 286. 50	475	442	28	0	0	5
Owsley	180, 183. 49	314, 578. 88	1, 232	1, 193	39	0	0	0
Pendleton	54, 047. 51	96, 773. 86	379	357	22	0	0	0
Perry	719, 694. 93	1, 299, 425. 26	5, 089	4, 669	339	0	72	9
Pike	1, 410, 663. 88	2, 465, 818. 38	9, 657	9, 317	318	0	0	22
Powell	115, 022. 44	208, 102. 10	815	759	56	0	0	0
Pulaski	571, 947. 55	1, 037, 957. 10	4, 065	3, 770	292	0	0	3
Robertson	47, 082. 82	81, 453. 46	319	310	7	0	0	2
Rockcastle	245, 121. 53	439, 184. 80	1, 720	1, 619	101	0	0	0
Rowan	152, 993. 02	272, 703. 12	1, 068	954	57	0	44	13
Russell	288, 557. 85	502, 509. 12	1, 968	1, 911	57	0	0	0
Scott	86, 940. 63	164, 949. 64	646	568	75	0	0	3
Shelby	121, 176. 23	212, 442. 88	832	792	30	0	0	10
Simpson	142, 312. 36	252, 020. 58	987	941	46	0	0	0
Spencer	45, 977. 24	81, 453. 46	319	304	15	0	0	0
Taylor	142, 460. 06	257, 893. 40	1, 010	940	70	0	0	0
Todd	159, 797. 58	281, 895. 36	1, 104	1, 055	47	0	0	2
Trigg	165, 996. 71	295, 683. 72	1, 158	1, 093	61	0	0	4
Trimble	23, 999. 50	41, 620. 42	163	159	4	0	0	0
Union	116, 806. 57	207, 846. 76	814	765	42	0	0	7
Warren	386, 046. 06	702, 440. 34	2, 751	2, 435	205	0	90	21
Washington	143, 029. 66	249, 722. 52	978	947	31	0	0	0
Wayne	386, 306. 37	685, 077. 22	2, 683	2, 527	129	27	0	0
Webster	116, 620. 12	204, 016. 66	799	770	27	0	0	2
Whitley	493, 626. 32	919, 479. 34	3, 601	3, 242	353	0	0	6
Wolfe	209, 648. 00	380, 456. 60	1, 490	1, 275	107	0	104	4
Woodford	84, 648. 32	151, 927. 30	595	469	36	0	89	1

LOUISIANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$31, 232, 004. 92	$53, 179, 406. 46	208, 269	201, 090	2, 568	87	763	3, 761
Acadia	685, 270. 12	1, 190, 139. 74	4, 661	4, 180	158	0	0	323
Allen	239, 213. 01	400, 117. 78	1, 567	1, 480	0	0	0	87

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

LOUISIANA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Ascension	$277, 936. 63	$472, 889. 68	1, 852	1, 790	19	0	0	43
Assumption	225, 180. 96	380, 456. 60	1, 490	1, 477	4	0	0	9
Avoyelles	759, 261. 90	1, 281, 296. 12	5, 018	4, 937	17	0	20	44
Beauregard	193, 922. 37	326, 835. 20	1, 280	1, 246	0	0	0	34
Bienville	246, 342. 01	415, 182. 84	1, 626	1, 606	4	0	0	16
Bossier	457, 621. 71	772, 914. 18	3, 027	2, 951	7	0	0	69
Caddo	1, 665, 937. 17	2, 891, 980. 84	11, 326	10, 721	374	0	12	219
Calcasieu	660, 270. 34	1, 121, 963. 96	4, 394	4, 195	56	0	0	143
Caldwell	167, 106. 54	281, 640. 02	1, 103	1, 101	0	0	0	2
Cameron	29, 997. 37	50, 557. 32	198	198	0	0	0	0
Catahoula	243, 008. 97	409, 565. 36	1, 604	1, 589	0	0	0	15
Claiborne	303, 458. 21	511, 446. 02	2, 003	1, 997	0	0	0	6
Concordia	368, 542. 50	619, 965. 52	2, 428	2, 424	0	0	0	4
De Soto	441, 627. 90	744, 316. 10	2, 915	2, 877	0	0	0	38
East Baton Rouge	1, 014, 443. 53	1, 755, 717. 84	6, 876	6, 306	200	0	77	293
East Carroll	357, 998. 88	603, 368. 42	2, 363	2, 354	0	0	0	9
East Feliciana	269, 976. 31	455, 015. 88	1, 782	1, 772	0	0	0	10
Evangeline	655, 983. 70	1, 174, 564. 00	4, 600	4, 302	298	0	0	0
Franklin	671, 947. 62	1, 133, 198. 92	4, 438	4, 367	7	0	0	64
Grant	156, 779. 81	263, 766. 22	1, 033	1, 019	3	0	0	11
Iberia	394, 031. 72	663, 628. 66	2, 599	2, 583	5	0	0	11
Iberville	430, 363. 67	727, 208. 32	2, 848	2, 760	15	0	0	73
Jackson	148, 950. 93	251, 509. 90	985	978	2	0	0	5
Jefferson	705, 425. 66	1, 192, 437. 80	4, 670	4, 341	15	87	122	105
Jefferson Davis	328, 456. 68	562, 258. 68	2, 202	2, 096	37	0	0	69
Lafayette	729, 030. 80	1, 225, 887. 34	4, 801	4, 651	14	0	32	104
Lafourche	376, 027. 60	633, 753. 88	2, 482	2, 435	0	0	0	47
La Salle	114, 686. 91	193, 292. 38	757	737	0	0	0	20
Lincoln	238, 918. 43	402, 671. 18	1, 577	1, 406	0	0	107	64
Livingston	321, 573. 04	543, 618. 86	2, 129	2, 070	7	0	0	52
Madison	375, 421. 60	632, 732. 52	2, 478	2, 473	0	0	0	5
Morehouse	569, 123. 20	963, 653. 16	3, 774	3, 747	24	0	0	3
Natchitoches	685, 165. 19	1, 156, 179. 52	4, 528	4, 381	16	0	0	131
Orleans	3, 644, 242. 66	6, 312, 770. 82	24, 723	23, 202	763	0	176	582
Ouachita	867, 446. 52	1, 463, 864. 22	5, 733	5, 510	11	0	116	96
Plaquemines	153, 168. 37	258, 148. 74	1, 011	997	0	0	0	14
Pointe Coupee	541, 115. 42	911, 053. 12	3, 568	3, 465	10	0	0	93
Rapides	990, 429. 12	1, 670, 434. 28	6, 542	6, 284	19	0	78	161
Red River	227, 252. 78	383, 010. 00	1, 500	1, 468	0	0	0	32
Richland	581, 251. 10	978, 462. 88	3, 832	3, 814	6	0	0	12
Sabine	284, 067. 73	445, 057. 62	1, 743	1, 733	0	0	0	10
St. Bernard	89, 234. 59	150, 395. 26	589	579	0	0	0	10
St. Charles	145, 364. 09	246, 403. 10	965	935	6	0	0	24
St. Helena	244, 470. 90	413, 906. 14	1, 621	1, 596	8	0	0	17
St. James	249, 826. 55	421, 055. 66	1, 649	1, 619	0	0	0	30
St. John the Baptist	177, 408. 67	299, 003. 14	1, 171	1, 149	0	0	0	22
St. Landry	1, 865, 376. 94	3, 145, 533. 46	12, 319	12, 256	20	0	0	43
St. Martin	561, 957. 36	1, 002, 720. 18	3, 927	3, 674	239	0	0	14
St. Mary	376, 269. 10	632, 987. 86	2, 479	2, 462	0	0	0	17
St. Tammany	373, 210. 58	630, 179. 12	2, 468	2, 412	5	0	0	51
Tangipahoa	818, 941. 33	1, 381, 644. 74	5, 411	5, 304	6	0	0	101
Tensas	399, 358. 88	673, 076. 24	2, 636	2, 635	0	0	0	1
Terrebonne	394, 257. 03	665, 416. 04	2, 606	2, 553	4	0	23	26
Union	217, 253. 65	366, 157. 56	1, 434	1, 421	0	0	0	13
Vermilion	399, 899. 50	675, 629. 64	2, 646	2, 535	7	0	0	104
Vernon	243, 629. 92	445, 568. 30	1, 745	1, 564	149	0	0	32
Washington	505, 603. 13	858, 708. 42	3, 363	3, 283	28	0	0	52
Webster	394, 105. 53	665, 160. 70	2, 605	2, 572	4	0	0	29
West Baton Rouge	152, 865. 37	257, 638. 06	1, 009	988	0	0	0	21
West Carroll	375, 421. 60	632, 732. 52	2, 478	2, 465	0	0	0	13
West Feliciana	237, 026. 59	398, 075. 06	1, 559	1, 553	0	0	0	6
Winn	232, 546. 92	388, 882. 82	1, 523	1, 515	1	0	0	7

MAINE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$3, 703, 540. 01	$5, 831, 710. 26	22, 839	18, 408	2, 825	0	144	1, 462
Androscoggin	$220, 375. 63	$338, 836. 18	1, 327	1, 007	185	0	25	110
Aroostook	732, 599. 04	1, 136, 007. 66	4, 449	3, 843	377	0	0	229
Cumberland	556, 618. 32	879, 390. 96	3, 444	2, 569	621	0	76	178
Franklin	71, 703. 33	115, 158. 34	451	316	53	0	0	82
Hancock	138, 413. 80	215, 762. 30	845	745	49	0	0	51
Kennebec	275, 700. 98	430, 247. 90	1, 685	1, 251	259	0	0	175
Knox	113, 457. 53	184, 355. 48	722	579	103	0	0	40
Lincoln	75, 782. 11	114, 903. 00	450	404	34	0	0	12
Oxford	151, 108. 85	235, 678. 82	923	720	103	0	0	100
Penobscot	374, 617. 80	600, 049. 00	2, 350	1, 862	293	0	20	175
Piscataquis	68, 884. 07	107, 498. 14	421	332	39	0	0	50
Sagadahoc	92, 494. 98	148, 097. 20	580	462	75	0	23	20
Somerset	148, 578. 09	239, 508. 92	938	685	171	0	0	82
Waldo	91, 889. 49	142, 224. 38	557	455	77	0	0	25
Washington	271, 549. 52	432, 035. 28	1, 692	1, 498	162	0	0	32
York	319, 766. 47	511, 956. 70	2, 005	1, 680	224	0	0	101

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

MARYLAND

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $272.04]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$15, 451, 097. 97	$24, 610, 370. 64	90, 466	53, 716	29, 800	122	340	6, 488
Allegany	482, 168. 87	714, 377. 04	2, 626	2, 091	437	0	0	98
Anne Arundel	660, 056. 20	1, 081, 359. 00	3, 975	2, 615	1, 055	0	0	305
Baltimore	715, 589. 01	1, 162, 971. 00	4, 275	3, 152	519	0	251	353
Baltimore City	7, 864, 370. 71	12, 776, 630. 64	46, 966	21, 264	21, 944	122	0	3, 636
Calvert	178, 933. 80	294, 891. 36	1, 084	775	277	0	0	32
Caroline	174, 250. 35	264, 694. 92	973	756	153	0	0	64
Carroll	196, 647. 33	292, 715. 04	1, 076	906	89	0	12	69
Cecil	216, 525. 43	326, 175. 96	1, 199	922	187	0	0	90
Charles	298, 571. 19	499, 465. 44	1, 836	1, 235	515	0	0	86
Dorchester	301, 091. 74	459, 747. 60	1, 690	1, 465	183	0	0	42
Frederick	345, 399. 90	523, 404. 96	1, 924	1, 576	225	0	0	123
Garrett	211, 483. 17	316, 382. 52	1, 163	918	201	0	0	44
Harford	297, 027. 84	465, 732. 48	1, 712	1, 308	292	0	0	112
Howard	95, 957. 21	154, 790. 76	569	427	95	0	0	47
Kent	115, 522. 85	168, 392. 76	619	581	23	0	0	15
Montgomery	539, 461. 35	830, 538. 12	3, 053	2, 180	485	0	37	351
Prince Georges	804, 645. 62	1, 305, 792. 00	4, 800	2, 865	1, 370	0	0	565
Queen Annes	163, 128. 06	252, 181. 08	927	759	120	0	0	48
St. Marys	364, 754. 60	539, 727. 36	1, 984	1, 533	411	0	0	40
Somerset	236, 681. 49	347, 939. 16	1, 279	1, 104	101	0	0	74
Talbot	168, 889. 40	248, 644. 56	914	825	35	0	0	54
Washington	419, 184. 09	664, 865. 76	2, 444	1, 761	565	0	40	78
Wicomico	324, 927. 43	505, 722. 36	1, 859	1, 332	418	0	0	109
Worcester	275, 830. 33	413, 228. 76	1, 519	1, 366	100	0	0	53

MASSACHUSETTS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $295.90]

State total	$15, 474, 188. 97	$27, 703, 933. 40	93, 626	47, 065	43, 232	179	0	3, 150
Barnstable	230, 810. 98	419, 882. 10	1, 419	783	606	0	0	30
Berkshire	423, 543. 89	715, 486. 20	2, 418	1, 382	959	0	0	77
Bristol	1, 559, 501. 53	2, 783, 827. 20	9, 408	5, 193	4, 036	0	0	179
Dukes	27, 637. 30	47, 344. 00	160	126	33	0	0	1
Essex	1, 651, 227. 03	2, 859, 873. 50	9, 665	4, 949	4, 323	48	0	345
Franklin	178, 885. 65	308, 919. 60	1, 044	634	374	0	0	36
Hampden	1, 206, 339. 35	2, 013, 599. 50	6, 805	3, 665	2, 875	37	0	228
Hampshire	205, 908. 42	340, 580. 90	1, 151	783	295	0	0	73
Middlesex	2, 547, 969. 82	4, 653, 915. 20	15, 728	8, 114	6, 726	94	0	794
Nantucket	13, 759. 22	20, 713. 00	70	52	10	0	0	8
Norfolk	849, 966. 76	1, 376, 822. 70	4, 653	2, 946	1, 439	0	0	268
Plymouth	679, 454. 79	1, 254, 320. 10	4, 239	2, 163	1, 888	0	0	188
Suffolk	4, 331, 280. 63	8, 223, 948. 70	27, 793	11, 052	16, 198	0	0	543
Worcester	1, 567, 903. 60	2, 684, 700. 70	9, 073	5, 223	3, 470	0	0	380

MICHIGAN

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $268.48]

State total	$33, 075, 284. 85	$50, 984, 352. 00	189, 900	124, 712	59, 150	742	1, 467	3, 829
Alcona	41, 081. 97	60, 408. 00	225	197	16	0	0	12
Alger	63, 481. 10	93, 162. 56	347	262	80	0	0	5
Allegan	225, 540. 65	348, 755. 52	1, 299	914	354	0	0	31
Alpena	111, 244. 24	159, 477. 12	594	484	102	0	0	8
Antrim	69, 954. 01	98, 532. 16	367	313	41	0	0	13
Arenac	79, 922. 31	108, 197. 44	403	356	23	0	0	24
Baraga	57, 772. 27	92, 357. 12	344	270	70	0	0	4
Barry	106, 929. 91	161, 088. 00	600	439	151	0	0	10
Bay	325, 472. 76	497, 224. 96	1, 852	1, 308	482	0	0	62
Benzie	38, 539. 23	56, 917. 76	212	188	23	0	0	1
Berrien	649, 038. 95	1, 054, 857. 92	3, 929	2, 245	1, 637	0	0	47
Branch	120, 905. 79	182, 029. 44	678	535	118	0	0	25
Calhoun	539, 346. 67	827, 455. 36	3, 082	1, 778	1, 000	184	0	120
Cass	195, 438. 68	276, 802. 88	1, 031	879	136	0	0	16
Charlevoix	55, 221. 07	77, 053. 76	287	271	10	0	0	6
Cheboygan	125, 768. 91	180, 418. 56	672	547	102	0	0	23
Chippewa	146, 357. 11	244, 585. 28	911	569	316	0	21	5
Clare	72, 257. 54	104, 707. 20	390	294	83	0	0	13
Clinton	122, 538. 08	173, 975. 04	648	546	90	0	0	12
Crawford	24, 266. 42	33, 560. 00	125	108	16	0	0	1
Delta	137, 157. 11	227, 939. 52	849	535	306	0	0	8
Dickinson	99, 736. 51	148, 200. 96	552	473	70	0	0	9
Eaton	175, 526. 00	250, 223. 36	932	639	109	0	178	6
Emmet	104, 335. 09	148, 737. 92	554	406	51	0	91	6
Genesee	1, 223, 494. 36	2, 013, 868. 48	7, 501	4, 572	2, 748	0	36	145
Gladwin	58, 142. 33	80, 812. 48	301	274	20	0	0	7
Gogebic	92, 173. 06	146, 858. 56	547	419	119	0	0	9
Grand Traverse	121, 156. 25	171, 827. 20	640	506	94	0	0	40
Gratiot	183, 076. 79	251, 297. 28	936	775	99	0	22	40
Hillsdale	184, 730. 21	255, 324. 48	951	819	101	0	0	31
Houghton	177, 204. 75	254, 787. 52	949	737	209	0	0	3
Huron	317, 709. 38	437, 353. 92	1, 629	1, 510	109	0	0	10
Ingham	594, 175. 28	965, 991. 04	3, 598	2, 028	1, 337	0	36	197

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

MICHIGAN—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $268.48]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Ionia	$163, 036. 10	$249, 149. 44	928	721	164	0	0	43
Iosco	68, 351. 26	95, 578. 88	356	334	17	0	0	5
Iron	66, 264. 46	101, 753. 92	379	284	86	0	0	9
Isabella	187, 392. 54	257, 472. 32	959	735	199	0	0	25
Jackson	316, 061. 66	464, 470. 40	1, 730	1, 233	367	0	48	82
Kalamazoo	525, 121. 67	789. 599. 68	2, 941	1, 826	976	36	0	103
Kalkaska	39, 895. 73	58, 528. 64	218	177	37	0	0	4
Kent	1, 120, 622. 50	1, 760, 423. 36	6, 557	3, 914	2, 457	75	57	54
Keweenan	7, 445. 27	10, 470. 72	39	35	4	0	0	0
Lake	56, 104. 77	80, 275. 52	299	218	65	0	0	16
Lapeer	160, 287. 88	225. 791. 68	841	634	83	0	60	64
Leelanau	70, 616. 79	100, 948. 48	376	322	43	0	0	11
Lenawee	274, 214. 18	391, 712. 32	1, 459	1, 084	186	30	116	43
Livingston	137, 566. 51	190, 083. 84	708	638	42	0	0	28
Luce	43, 530. 42	65, 777. 60	245	188	38	0	0	19
Mackinac	35, 266. 20	61, 213. 44	228	141	83	0	0	4
Macomb	918, 772. 73	1, 436, 904. 96	5, 352	3, 939	1, 316	0	0	97
Manistee	65, 708. 63	97, 726. 72	364	285	64	0	0	15
Marquette	164, 707. 80	249, 686. 40	930	719	198	0	0	13
Mason	75, 828. 90	110. 613. 76	412	333	66	0	0	13
Mecosta	116, 166. 49	170, 753. 28	636	541	72	0	0	23
Menominee	159, 104. 50	239, 484. 16	892	706	182	0	0	4
Midland	208, 418. 31	299, 892. 16	1, 117	955	145	0	0	17
Missaukee	62, 767. 66	89, 672. 32	334	298	24	0	0	12
Monroe	347, 411. 69	496, 956. 48	1, 851	1, 467	364	0	0	20
Montcalm	172, 787. 67	246, 464. 64	918	752	141	0	0	25
Montmorency	53, 763. 25	73, 295. 04	273	263	9	0	0	1
Muskegon	673, 742. 89	1, 031, 768. 64	3, 843	2, 310	1, 330	0	18	185
Newaygo	152, 295. 25	223, 106. 88	831	656	152	0	0	23
Oakland	1, 994, 038. 14	3, 042, 415. 36	11, 332	7, 913	2, 873	250	146	150
Oceana	87, 615. 25	127, 796. 48	476	382	78	0	0	16
Ogemaw	90, 245. 22	125, 380. 16	467	373	87	0	0	7
Ontonagon	57, 960. 82	88, 598. 40	330	264	59	0	0	7
Osceola	87, 499. 54	117, 594. 24	438	418	16	0	0	4
Oscoda	36, 393. 31	50, 205. 76	187	158	26	0	0	3
Otsego	48, 154. 33	66, 851. 52	249	234	11	0	0	4
Ottawa	210, 168. 85	317, 611. 84	1, 183	959	198	0	0	26
Presque Isle	73, 820. 87	99, 069. 12	369	321	44	0	0	4
Roscommon	37, 296. 72	57, 723. 20	215	175	38	0	0	2
Saginaw	847, 971. 66	1, 363, 072. 96	5, 077	3, 042	1, 828	0	68	139
St. Clair	522, 671. 80	776, 444. 16	2, 892	2, 189	589	0	0	114
St. Joseph	104, 222. 53	154, 107. 52	574	441	117	0	0	16
Sanilac	192, 655. 31	268, 211. 52	999	919	55	0	0	25
Schoolcraft	74, 414. 70	103, 901. 76	387	335	50	0	0	2
Shiawassee	181, 084. 27	255, 592. 96	952	803	103	0	0	46
Tuscola	147, 851. 43	206, 461. 12	769	658	85	0	0	26
Van Buren	224, 852. 54	345, 802. 24	1, 288	889	382	0	0	17
Washtenaw	414, 583. 83	629, 585. 60	2, 345	1, 588	686	0	0	71
Wayne	14, 494, 667. 15	22, 845, 231. 68	85, 091	50, 512	32, 619	167	570	1, 223
Wexford	64, 167. 78	88, 329. 92	329	235	74	0	0	20

MINNESOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $285.18]

State total	$20, 366, 642. 92	$30, 401, 613. 90	106, 605	77, 280	21, 889	314	300	6, 822
Aitkin	171, 105. 35	240, 977. 10	845	735	58	0	0	52
Anoka	231, 398. 00	369, 878. 46	1, 297	456	623	0	46	172
Becker	282, 241. 43	415, 792. 44	1, 458	1, 206	157	0	0	95
Beltrami	298, 956. 39	432, 618. 06	1, 517	1, 146	287	0	0	84
Benton	161, 630. 69	236, 129. 04	828	766	50	0	0	12
Big Stone	134, 155. 60	199, 626. 00	700	651	39	0	0	10
Blue Earth	238, 811. 81	347, 919, 60	1, 220	1, 017	158	0	0	45
Brown	202, 193. 06	298, 298. 28	1, 046	948	63	0	0	35
Carlton	107, 575. 95	162, 552. 60	570	354	184	0	0	32
Carver	97, 297. 76	145, 156. 62	509	415	52	0	0	42
Cass	242, 268. 85	339, 364. 20	1, 190	863	243	0	0	84
Chippewa	188, 350. 98	276, 054. 24	968	871	44	0	0	53
Chisago	64, 740. 77	99, 242. 64	348	287	40	0	0	21
Clay	125, 122. 56	192, 496. 50	675	478	124	0	0	73
Clearwater	120, 558. 25	171, 108. 00	600	529	50	0	0	21
Cook	12, 593. 17	19, 392. 24	68	40	21	0	0	7
Cottonwood	166, 417. 24	239, 551. 20	840	797	22	0	0	21
Crow Wing	199, 299. 57	288, 316. 98	1, 011	721	237	0	0	53
Dakota	210, 757. 24	333, 375. 42	1, 169	639	392	0	0	138
Dodge	102, 098. 37	148, 863. 96	522	467	24	0	0	31
Douglas	231, 898. 75	335, 086. 50	1, 175	1, 069	99	0	0	7
Faribault	205, 294. 73	290, 028. 06	1, 017	872	103	0	0	42
Fillmore	231, 274. 29	333, 660. 60	1, 170	1, 118	42	0	0	10
Freeborn	264, 204. 46	372, 159. 90	1, 305	1, 148	93	0	0	64
Goodhue	163, 264. 96	235, 558. 68	826	744	51	0	0	31
Grant	116, 042. 67	165, 689. 58	581	558	13	0	0	10
Hennepin	3, 265, 373. 67	5, 068, 504. 14	17, 773	6, 113	9, 392	150	55	2, 063
Houston	152, 093. 23	215, 025. 72	754	701	43	0	0	10
Hubbard	100, 391. 90	151, 715. 76	532	430	60	0	0	42
Isanti	71, 332. 26	101, 809. 26	357	336	18	0	0	3
Itasca	251, 236. 22	363, 889. 68	1, 276	1, 024	189	0	0	63

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

MINNESOTA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $285.18]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Jackson	$219, 490. 28	$315, 694. 26	1, 107	1, 063	34	0	0	10
Kanabec	102, 242. 78	144, 301. 08	506	470	26	0	0	10
Kandiyohi	211, 127. 65	303, 431. 52	1, 064	928	95	0	10	31
Kittson	70, 436. 83	102, 379. 62	359	350	7	0	0	2
Koochiching	80, 008. 06	112, 931. 28	396	246	98	0	0	52
Lac Qui Parle	250, 529. 26	357, 045. 36	1, 252	1, 246	0	0	0	6
Lake	38, 604. 63	56, 180. 46	197	173	14	0	0	10
Lake of the Woods	40, 082. 32	56, 180. 46	197	193	3	0	0	1
Le Sueur	173, 840. 37	255, 236. 10	895	815	63	0	0	17
Lincoln	161, 604. 44	231, 851. 34	813	794	9	0	0	10
Lyon	227, 863. 21	335, 656. 86	1, 177	1, 077	89	0	0	11
McLeod	168, 404. 99	242, 403. 00	850	823	21	0	0	6
Mahnomen	114, 791. 89	166, 545. 12	584	441	27	0	0	116
Marshall	114, 135. 54	171, 963. 54	603	548	45	0	0	10
Martin	210, 204. 10	303, 431. 52	1, 064	991	42	0	0	31
Meeker	233, 416. 75	339, 649. 38	1, 191	1, 146	33	0	0	12
Mille Lacs	119, 506. 23	172, 248. 72	604	521	62	0	0	21
Morrison	385, 078. 66	564, 656. 40	1, 980	1, 840	130	0	0	10
Mower	215, 155. 65	317, 690. 52	1, 114	901	158	0	0	55
Murray	156, 008. 71	227, 003. 28	796	742	33	0	0	21
Nicollet	132, 000. 96	189, 644. 70	665	556	78	0	0	31
Nobles	284, 447. 67	408, 092. 58	1, 431	1, 272	54	0	0	105
Norman	81, 156. 64	117, 494. 16	412	383	27	0	0	2
Olmsted	261, 271. 56	383, 852. 28	1, 346	977	238	0	0	131
Otter Tail	498, 046. 89	712, 950. 00	2, 500	2, 322	94	0	0	84
Pennington	89, 862. 45	125, 479. 20	440	373	60	0	0	7
Pine	149, 746. 35	219, 873. 78	771	681	77	0	0	13
Pipestone	141, 044. 30	204, 474. 06	717	665	39	0	0	13
Polk	255, 037. 32	377, 293. 14	1, 323	1, 075	200	0	0	48
Pope	137, 436. 33	202, 477. 80	710	658	42	0	0	10
Ramsey	1, 459, 139. 60	2, 485, 343. 70	8, 715	3, 165	4, 393	145	29	983
Red Lake	47, 336. 69	68, 443. 20	240	224	14	0	0	2
Redwood	267, 479. 55	386, 133. 72	1, 354	1, 243	37	0	0	74
Renville	244, 975. 73	353, 052. 84	1, 238	1, 152	44	0	0	42
Rice	169, 963. 31	251, 528. 76	882	662	97	0	0	123
Rock	113, 412. 63	168, 541. 38	591	544	26	0	0	21
Roseau	130, 125. 72	189, 074. 34	663	590	31	0	0	42
St. Louis	863, 851. 67	1, 347, 475. 50	4, 725	2, 958	1, 223	19	97	428
Scott	125, 521. 99	189, 359. 52	664	508	103	0	0	53
Sherburne	46, 597. 84	68, 443. 20	240	194	36	0	0	10
Sibley	147, 063. 82	214, 170. 18	751	703	23	0	0	25
Stearns	680, 988. 74	980, 448. 84	3, 438	2, 977	185	0	39	237
Steele	124, 049. 94	178, 237. 50	625	540	43	0	0	42
Stevens	137, 383. 85	193, 922. 40	680	649	29	0	0	2
Swift	201, 841. 46	291, 168. 78	1, 021	910	47	0	0	64
Todd	381, 601. 02	557, 812. 08	1, 956	1, 847	99	0	0	10
Traverse	101, 518. 00	144, 586. 26	507	460	16	0	0	31
Wabasha	112, 645. 66	167, 971. 02	589	526	59	0	0	4
Wadena	150, 587. 40	214, 455. 36	752	699	37	0	0	16
Waseca	91, 691. 73	132, 608. 70	465	430	27	0	0	8
Washington	117, 296. 24	187, 363. 26	657	334	218	0	0	105
Watonwan	169, 794. 54	248, 106. 60	870	806	22	0	0	42
Wilkin	107, 182. 16	154, 567. 56	542	508	3	0	0	31
Winona	201, 104. 50	287, 461. 44	1, 008	897	66	0	24	21
Wright	204, 809. 03	295, 161. 30	1, 035	845	106	0	0	84
Yellow Medicine	236, 117. 10	338, 223. 48	1, 186	1, 140	36	0	0	10

MISSISSIPPI

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$26, 384, 291. 82	$65, 417, 086. 64	256, 196	254, 903	0	0	459	834
Adams	329, 860. 29	817, 854. 02	3, 023	3, 183	0	0	0	20
Alcorn	252, 930. 65	627, 115. 04	2, 456	2, 433	0	0	0	23
Amite	249, 120. 21	617, 667. 46	2, 419	2, 418	0	0	0	1
Attala	358, 593. 04	889, 093. 88	3, 482	3, 476	0	0	0	6
Benton	126, 362. 34	313, 302. 18	1, 227	1, 220	0	0	0	7
Bolivar	1, 127, 889. 45	2, 796, 483. 68	10, 952	10, 947	0	0	0	5
Calhoun	224, 815. 80	557, 407. 22	2, 183	2, 175	0	0	0	8
Carroll	226, 360. 57	561, 237. 32	2, 198	2, 198	0	0	0	0
Chickasaw	260, 654. 51	646, 265. 54	2, 531	2, 524	0	0	0	7
Choctaw	132, 335. 46	328, 111. 90	1, 285	1, 285	0	0	0	0
Claiborne	203, 703. 92	505, 062. 52	1, 978	1, 973	0	0	0	5
Clarke	208, 338. 24	516, 552, 82	2, 023	2, 020	0	0	0	3
Clay	236, 556. 06	586, 515. 98	2, 297	2, 291	0	0	0	6
Coahoma	750, 244. 21	1 860, 151. 90	7, 285	7, 267	0	0	0	18
Copiah	390, 518. 33	968, 249. 28	3, 792	3, 789	0	0	0	3
Covington	213, 590. 46	529, 575. 16	2, 074	2, 071	0	0	0	3
De Soto	389, 179. 53	964, 929. 86	3, 779	3, 771	0	0	0	8
Forrest	255, 814. 22	634, 264. 56	2, 484	2, 474	0	0	0	10
Franklin	85, 683. 34	212, 442. 88	832	832	0	0	0	0
George	77, 032. 62	190, 994. 32	748	740	0	0	0	8
Greene	95, 569. 89	236, 955. 52	928	928	0	0	0	0
Grenada	221, 417. 30	548, 981. 00	2, 150	2, 138	0	0	0	12
Hancock	90, 935. 57	225, 465. 22	883	859	0	0	0	24
Harrison	411, 424. 25	1, 020, 083. 30	3, 995	3, 890	0	0	0	105
Hinds	1, 199, 154. 93	2, 973, 178. 96	11, 644	11, 244	0	0	307	93
Holmes	661, 574. 31	1, 640, 304. 16	6, 424	6, 418	0	0	0	6

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

MISSISSIPPI—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Humphreys	$412, 866. 03	$1, 023, 658. 06	4, 009	4, 008	0	0	0	1
Issaquena	73, 737. 11	182, 823. 44	716	715	0	0	0	1
Itawamba	146, 959. 30	364, 370. 18	1, 427	1, 426	0	0	0	1
Jackson	152, 932. 41	379, 179. 90	1, 485	1, 443	0	0	0	42
Jasper	236, 762. 03	587, 026. 66	2, 299	2, 299	0	0	0	0
Jefferson	216, 680. 01	537, 235. 36	2, 104	2, 102	0	0	0	2
Jefferson Davis	257, 770. 94	639, 116. 02	2, 503	2, 501	0	0	0	2
Jones	373, 525. 84	926, 118. 18	3, 627	3, 529	0	0	45	53
Kemper	264, 567. 93	655, 968. 46	2, 569	2, 565	0	0	0	4
Lafayette	207, 308. 38	513, 999. 42	2, 013	2, 013	0	0	0	0
Lamar	94, 540. 04	234, 402. 12	918	915	0	0	0	3
Lauderdale	470, 949. 46	1, 167, 669. 82	4, 573	4, 541	0	0	0	32
Lawrence	126, 362. 34	313, 302. 18	1, 227	1, 215	0	0	0	12
Leake	324, 299. 11	804, 065. 66	3, 149	3, 148	0	0	0	1
Lee	317, 502. 11	787, 213. 22	3, 083	3, 033	0	0	40	10
Leflore	808, 018. 69	2, 003, 397. 64	7, 846	7, 835	0	0	0	11
Lincoln	211, 427. 78	524, 213. 02	2, 053	2, 032	0	0	0	21
Lowndes	425, 224. 20	1, 053, 298. 86	4, 129	4, 056	0	0	67	6
Madison	640, 050. 49	1, 586, 938. 10	6, 215	6, 214	0	0	0	1
Marion	272, 600. 75	675, 884. 98	2, 647	2, 621	0	0	0	26
Marshall	461, 577. 84	1, 144, 433. 88	4, 482	4, 479	0	0	0	3
Monroe	359, 416. 93	891, 136. 60	3, 490	3, 486	0	0	0	4
Montgomery	206, 175. 56	511, 190. 68	2, 002	1, 994	0	0	0	8
Neshoba	302, 981. 26	751, 210. 28	2, 942	2, 939	0	0	0	3
Newton	234, 908. 31	582, 430. 54	2, 281	2, 273	0	0	0	8
Noxubee	372, 290. 02	923, 054. 10	3, 615	3, 613	0	0	0	2
Oktibbeha	307, 306. 62	761, 934. 56	2, 984	2, 983	0	0	0	1
Panola	574, 243. 20	1, 423, 775. 84	5, 576	5, 568	0	0	0	8
Pearl River	156, 536. 88	388, 116. 80	1, 520	1, 515	0	0	0	5
Perry	88, 875. 87	220, 358. 42	836	863	0	0	0	0
Pike	317, 605. 10	787, 468. 56	3, 084	3, 074	0	0	0	10
Pontotoc	225, 021. 77	557, 917. 90	2, 185	2, 184	0	0	0	1
Prentiss	205, 351. 68	509, 147. 96	1, 994	1, 981	0	0	0	13
Quitman	477, 025. 56	1, 182, 734. 88	4, 632	4, 629	0	0	0	3
Rankin	240, 881. 43	597, 240. 26	2, 339	2, 336	0	0	0	3
Scott	290, 932. 03	721, 335. 50	2, 825	2, 823	0	0	0	2
Sharkey	220, 078. 49	545, 661. 58	2, 137	2, 135	0	0	0	2
Simpson	293, 918. 60	728, 740. 36	2, 854	2, 844	0	0	0	10
Smith	218, 430. 74	541, 576. 14	2, 121	2, 116	0	0	0	5
Stone	49, 020. 76	121, 541. 84	476	475	0	0	0	1
Sunflower	984, 122. 67	2, 440, 029. 04	9, 556	9, 543	0	0	0	13
Tallahatchie	563, 017. 85	1, 395, 943. 78	5, 467	5, 464	0	0	0	3
Tate	356, 018. 43	882, 710. 38	3, 457	3, 457	0	0	0	0
Tippah	188, 256. 20	466, 761. 52	1, 828	1, 824	0	0	0	4
Tishomingo	134, 292. 17	332, 963. 36	1, 304	1, 300	0	0	0	4
Tunica	416, 470. 50	1, 032, 594. 96	4, 044	4, 044	0	0	0	0
Union	259, 727. 65	643, 967. 48	2, 522	2, 522	0	0	0	0
Walthall	252, 621. 69	626, 349. 02	2, 453	2, 453	0	0	0	0
Warren	327, 594. 63	812, 236. 54	3, 181	3, 151	0	0	0	30
Washington	889, 273. 69	2, 204, 860. 90	8, 635	8, 601	0	0	0	34
Wayne	156, 742. 85	388, 627. 48	1, 522	1, 512	0	0	0	10
Webster	141, 501. 11	350, 837. 16	1, 374	1, 373	0	0	0	1
Wilkinson	263, 126. 15	652, 393. 70	2, 555	2, 550	0	0	0	5
Winston	264, 979. 87	656, 989. 82	2, 573	2, 569	0	0	0	4
Yalobusha	219, 048. 65	543, 108. 18	2, 127	2, 104	0	0	0	23
Yazoo	551, 174. 61	1, 366, 579. 68	5, 352	5, 351	0	0	0	1

MISSOURI

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255. 34]

State total	**$24, 874, 449. 93**	**$36, 933, 654. 30**	144, 645	125, 159	16, 522	457	545	1, 962
Adair	118, 447. 73	168, 013. 72	658	633	17	0	0	8
Andrew	76, 432. 21	114, 647. 66	449	438	11	0	0	0
Atchison	71, 272. 04	106, 987. 46	419	405	10	0	0	4
Audrain	109, 858. 74	152, 182. 64	596	570	20	0	0	6
Barry	200, 236. 83	291, 087. 60	1, 140	1, 102	37	0	0	1
Barton	99, 467. 48	145, 288. 46	569	552	15	0	0	2
Bates	114, 433. 03	170, 822. 46	669	637	29	0	0	3
Benton	76, 922. 41	111, 583. 58	437	432	4	0	0	1
Bollinger	115, 108. 69	171, 588. 48	672	636	35	0	0	1
Boone	141, 498. 61	208, 868. 12	818	736	62	0	0	20
Buchanan	272, 933. 29	397, 819. 72	1, 558	1, 275	178	40	34	31
Butler	488, 166. 88	734, 868. 52	2, 878	2, 625	253	0	0	0
Caldwell	78, 521. 00	118, 222. 42	463	456	7	0	0	0
Callaway	100, 172. 19	159, 842. 84	626	549	68	0	0	9
Camden	67, 647. 57	101, 369. 98	397	370	23	0	0	4
Cape Girardeau	253, 538. 09	383, 010. 00	1, 500	1, 323	155	0	0	22
Carroll	114, 641. 05	168, 524. 40	660	652	6	0	0	2
Carter	75, 363. 08	112, 349. 60	440	408	31	0	0	1
Cass	114, 533. 02	176, 184. 60	690	629	39	0	0	22
Cedar	76, 518. 75	116, 435. 04	456	439	12	0	0	5
Chariton	131, 717. 95	191, 505. 00	750	711	37	0	0	2
Christian	82, 710. 94	125, 627. 28	492	465	19	0	0	8
Clark	67, 167. 56	98, 050. 56	384	373	5	0	0	6
Clay	138, 402. 51	204, 272. 00	800	750	35	0	0	15
Clinton	73, 347. 39	106, 987. 46	419	407	5	0	0	7

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

MISSOURI—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Cole	$108, 546. 67	$158, 055. 46	619	567	47	0	0	5
Cooper	72, 684. 09	106, 476. 78	417	396	18	0	0	3
Crawford	110, 686. 01	165, 971. 00	650	588	55	0	0	7
Dade	93, 374. 19	138, 138. 94	541	530	11	0	0	0
Dallas	128, 265. 48	186, 142. 86	729	687	41	0	0	1
Daviess	86, 788. 53	127, 414. 66	499	498	0	0	0	1
De Kalb	78, 102. 81	116, 179. 70	455	441	11	0	0	3
Dent	98, 879. 44	149, 629. 24	586	536	49	0	0	1
Douglas	187, 448. 77	277, 554. 58	1, 087	1, 060	17	0	0	10
Dunklin	757, 634. 25	1, 123, 751. 34	4, 401	4, 083	316	0	0	2
Franklin	138, 759. 97	208, 357. 44	816	761	45	0	0	10
Gasconade	49, 058. 62	73, 537. 92	288	278	9	0	0	1
Gentry	97, 096. 50	142, 479. 72	558	558	0	0	0	0
Greene	505, 474. 35	749, 422. 90	2, 935	2, 656	224	0	27	28
Grundy	103, 511. 23	156, 268. 08	612	601	11	0	0	0
Harrison	139, 188. 36	204, 016. 66	799	776	22	0	0	1
Henry	129, 531. 34	189, 206. 94	741	721	17	0	0	3
Hickory	52, 977. 66	78, 644. 72	308	305	0	0	0	3
Holt	68, 445. 78	101, 369. 98	397	388	5	0	0	4
Howard	84, 406. 27	127, 670. 00	500	468	32	0	0	0
Howell	252, 159. 88	374, 328. 44	1, 466	1, 393	66	0	0	7
Iron	89, 528. 25	131, 244. 76	514	475	35	0	0	4
Jackson	2, 055, 938. 42	3, 074, 293. 60	12, 040	9, 123	2, 470	178	0	269
Jasper	416, 163. 23	606, 177. 16	2, 374	2, 153	153	0	38	30
Jefferson	179, 320. 47	281, 129. 34	1, 101	930	158	0	0	13
Johnson	122, 442. 02	177, 971. 98	697	639	48	0	0	10
Knox	50, 225. 57	74, 559. 28	292	292	0	0	0	0
Laclede	191, 710. 73	279, 852. 64	1, 096	1, 056	35	0	0	5
Lafayette	130, 613. 90	195, 079. 76	764	735	20	0	0	9
Lawrence	162, 949. 83	239, 764. 26	939	874	54	0	0	11
Lewis	35, 530. 94	51, 323. 34	201	181	18	0	0	2
Lincoln	79, 061. 74	119, 499. 12	468	407	52	0	0	9
Linn	118, 291. 33	177, 971. 98	697	659	30	0	0	8
Livingston	121, 435. 80	180, 270. 04	706	689	13	0	0	4
McDonald	146, 351. 86	216, 783. 66	849	834	4	0	0	11
Macon	119, 273. 91	178, 482. 66	699	687	6	0	0	6
Madison	77, 881. 34	114, 903. 00	450	436	10	0	0	4
Maries	95, 598. 98	144, 522. 44	566	554	11	0	0	1
Marion	170, 886. 80	252, 020. 58	987	912	54	0	0	21
Mercer	67, 500. 29	101, 625. 32	398	390	6	0	0	2
Miller	111, 166. 01	169, 290. 42	663	635	27	0	0	1
Mississippi	515, 876. 89	753 253. 00	2, 950	2, 511	437	0	0	2
Moniteau	95, 512. 43	142, 735. 06	559	536	17	0	0	6
Monroe	94, 246. 58	139, 670. 98	547	511	32	0	0	4
Montgomery	72, 931. 36	111, 583. 58	437	404	30	0	0	3
Morgan	69, 650. 89	106, 476. 78	417	387	28	0	0	2
New Madrid	895, 533. 11	1, 327, 512. 66	5, 199	4, 761	430	0	0	8
Newton	221, 223. 64	328, 877. 92	1, 288	1, 203	70	0	0	15
Nodaway	177, 497. 19	263. 255. 54	1, 031	1, 019	8	0	0	4
Oregon	166, 392. 10	251, 509. 90	985	932	45	0	0	8
Osage	93, 054. 91	138, 138. 94	541	541	0	0	0	0
Ozark	117, 800. 04	177, 716. 64	696	667	25	0	0	4
Pemiscot	1, 046, 221. 10	1, 548, 126. 42	6, 063	5, 234	826	0	0	3
Perry	115, 083. 96	171, 077. 80	670	639	31	0	0	0
Pettis	156, 242. 70	233, 125. 42	913	876	32	0	0	5
Phelps	123, 744. 97	181, 802. 08	712	646	56	0	0	10
Pike	147, 951. 52	226, 741. 92	888	821	60	0	0	7
Platte	69, 452. 01	99, 071. 92	388	368	10	0	0	10
Polk	117, 135. 66	173, 886. 54	681	669	11	0	0	1
Pulaski	79, 490. 14	115, 158. 34	451	439	5	0	0	7
Putnam	77, 549. 70	114, 647. 66	449	439	10	0	0	0
Ralls	42, 926. 09	58, 983. 54	231	210	21	0	0	0
Randolph	127, 026. 51	190, 228. 30	745	660	80	0	0	5
Ray	64, 011. 81	98, 816. 58	387	357	24	0	0	6
Reynolds	103, 251. 60	150, 905. 94	591	550	37	0	0	4
Ripley	208, 631. 24	312, 791. 50	1, 225	1, 119	106	0	0	0
St. Charles	102, 331. 92	154, 991. 38	607	543	57	0	0	7
St. Clair	135, 871. 89	201, 463. 26	789	770	19	0	0	0
St. Francois	217, 354. 07	324, 792. 48	1, 272	1, 021	151	0	84	16
St. Louis	985, 740. 27	1, 469, 481. 70	5, 755	4, 552	716	0	194	293
St. Louis City	4, 702, 709. 91	7, 009, 083. 00	27, 450	19, 409	6, 857	239	155	790
Ste. Genevieve	43, 518. 44	67, 920. 44	266	237	25	0	0	4
Saline	97, 194. 32	141, 203. 02	553	540	0	0	13	0
Schuyler	60, 029. 88	89, 113. 66	349	348	0	0	0	1
Scotland	44, 634. 86	64, 601. 02	253	253	0	0	0	0
Scott	354, 024. 17	526, 255. 74	2, 061	1, 776	268	0	0	17
Shannon	101, 447. 17	153, 204. 00	600	533	61	0	0	6
Shelby	54, 242. 43	78, 389. 38	307	303	4	0	0	0
Stoddard	509, 957. 78	752, 997. 66	2, 949	2, 725	222	0	0	2
Stone	90, 560. 29	132, 776. 80	520	518	0	0	0	2
Sullivan	77, 807. 16	113, 370. 96	444	437	5	0	0	2
Taney	121, 141. 24	180, 780. 72	708	648	56	0	0	4
Texas	187, 191. 30	278, 831. 28	1, 092	1, 021	71	0	0	0
Vernon	112, 135. 14	166, 226. 34	651	603	42	0	0	6
Warren	32, 152. 65	47, 493. 24	186	178	5	0	0	3
Washington	164, 813. 91	232, 104. 06	909	827	81	0	0	1
Wayne	130, 033. 90	186, 398. 20	730	683	46	0	0	1
Webster	156, 730. 75	223, 422. 50	875	852	22	0	0	1
Worth	60, 632. 44	91, 667. 06	359	352	7	0	0	0
Wright	189, 805. 23	273, 469. 14	1, 071	1, 006	63	0	0	2

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

MONTANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $267.72]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$3, 237, 560. 00	$4, 742, 927. 52	17, 716	14, 106	2, 716	60	600	234
Beaverhead	21, 915. 75	31, 858. 68	119	109	10	0	0	0
Big Horn	114, 857. 11	162, 506. 04	607	577	30	0	0	0
Blaine	75, 092. 24	112, 710. 12	421	308	111	0	0	2
Broadwater	13, 400. 06	17, 134. 08	64	60	4	0	0	0
Carbon	53, 008. 18	74, 158. 44	277	266	3	0	0	8
Carter	25, 119. 76	35, 874. 48	134	132	2	0	0	0
Cascade	263, 827. 65	412, 288. 80	1, 540	976	464	0	65	35
Chouteau	46, 153. 97	67, 733. 16	253	235	16	0	0	2
Custer	30, 282. 70	47, 118. 72	176	141	34	0	0	1
Daniels	23, 858. 03	35, 339. 04	132	119	13	0	0	0
Dawson	84, 971. 26	119, 670. 84	447	422	19	0	0	6
Deer Lodge	31, 326. 77	46, 851. 00	175	153	21	0	0	1
Fallon	20, 408. 80	29, 984. 64	112	107	5	0	0	0
Fergus	74, 439. 25	110, 300. 64	412	355	50	0	0	7
Flathead	103, 523. 37	151, 261. 80	565	457	90	0	0	18
Gallatin	67, 292. 68	94, 772. 88	354	345	6	0	0	3
Garfield	27, 238. 33	39, 354. 84	147	137	10	0	0	0
Glacier	141, 594. 75	219, 530. 40	820	626	193	0	0	1
Golden Valley	7, 603. 70	10, 708. 80	40	40	0	0	0	0
Granite	5, 242. 76	9, 370. 20	35	27	8	0	0	0
Hill	97, 407. 08	135, 198. 60	505	323	180	0	0	2
Jefferson	13, 824. 49	21, 953. 04	82	70	10	0	0	2
Judith Basin	17, 868. 68	25, 165. 68	94	94	0	0	0	0
Lake	97, 687. 88	130, 379. 64	487	431	45	0	0	11
Lewis and Clark	83, 861. 17	122, 080. 32	456	299	45	60	37	15
Liberty	4, 264. 73	7, 496. 16	28	22	6	0	0	0
Lincoln	45, 030. 08	69, 874. 92	261	204	56	0	0	1
McCone	42, 159. 14	58, 630. 68	219	217	2	0	0	0
Madison	55, 126. 77	77, 638. 80	290	134	0	0	156	0
Meagher	15, 207. 38	21, 417. 60	80	80	0	0	0	0
Mineral	5, 204. 31	12, 047. 40	45	21	19	0	0	5
Missoula	121, 227. 30	190, 348. 92	711	567	130	0	0	14
Musselshell	29, 070. 33	40, 693. 44	152	119	31	0	0	2
Park	58, 512. 86	88, 615. 32	331	288	40	0	0	3
Petroleum	6, 653. 23	9, 370. 20	35	34	0	0	0	1
Phillips	38, 781. 72	58, 095. 24	217	193	19	0	0	5
Pondera	43, 272. 13	59, 701. 56	223	197	26	0	0	0
Powder River	21, 698. 09	31, 055. 52	116	108	8	0	0	0
Powell	23, 149. 91	31, 858. 68	119	116	1	0	0	2
Prairie	16, 171. 63	23, 023. 92	86	76	7	0	0	3
Ravalli	97, 112. 48	139, 749. 84	522	484	34	0	0	4
Richland	91, 883. 51	130, 647. 36	488	455	30	0	0	3
Roosevelt	147, 506. 51	217, 924. 08	814	651	161	0	0	2
Rosebud	119, 328. 60	174, 018. 00	650	257	65	0	323	5
Sanders	28, 130. 77	36, 142. 20	135	128	5	0	0	2
Sheridan	27, 563. 38	38, 819. 40	145	136	9	0	0	0
Silver Bow	174, 205. 03	260, 491. 56	973	702	229	0	19	23
Stillwater	22, 213. 23	30, 787. 80	115	108	7	0	0	0
Sweet Grass	28, 662. 59	39, 622. 56	148	144	2	0	0	2
Teton	28, 133. 66	39, 622. 56	148	122	18	0	0	8
Toole	28, 841. 78	43, 102. 92	161	145	12	0	0	4
Treasure	3, 162. 64	3, 212. 64	12	11	1	0	0	0
Valley	80, 359. 69	119, 135. 40	445	367	74	0	0	4
Wheatland	10, 631. 38	14, 724. 60	55	53	0	0	0	2
Wibaux	17, 678. 59	24, 897. 96	93	93	0	0	0	0
Yellowstone	264, 810. 13	386, 855. 40	1, 445	1, 065	355	0	0	25
Yellowstone National Park part	0	0	0	0	0	0	0	0

NEBRASKA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$5, 792, 027. 93	$9, 659, 256. 86	37, 829	34, 417	1, 694	27	1, 352	353
Adams	$66, 523. 98	$108, 008. 82	423	408	13	0	0	2
Antelope	65, 376. 64	107, 753. 48	422	431	8	0	0	1
Arthur	0	0	0	0	0	0	0	0
Banner	2, 478. 73	4, 085. 44	16	16	0	0	0	0
Blaine	12, 858. 44	21, 193. 22	83	83	0	0	0	0
Boone	85, 981. 13	141, 713. 70	555	554	0	0	0	1
Box Butte	33, 927. 69	55, 919. 46	219	218	0	0	0	1
Boyd	91, 466. 26	149, 118. 56	584	584	0	0	0	0
Brown	29, 708. 22	51, 068. 00	200	187	9	0	0	4
Buffalo	80, 893. 25	144, 777. 78	567	493	62	0	0	12
Burt	73, 884. 15	121, 541. 84	476	469	6	0	0	1
Butler	89, 234. 47	147, 075. 84	576	576	0	0	0	0
Cass	76, 158. 22	127, 159. 32	498	478	19	0	0	1
Cedar	144, 465. 21	239, 508. 92	938	932	6	0	0	0
Chase	20, 759. 41	34, 215. 56	134	134	0	0	0	0
Cherry	26, 801. 32	44, 173. 82	173	167	0	0	0	6
Cheyenne	33, 439. 47	57, 451. 50	225	194	30	0	0	1
Clay	38, 730. 24	63, 835. 00	250	250	0	0	0	0
Colfax	66, 770. 94	110, 051. 54	431	431	0	0	0	0
Cuming	102, 867. 52	169, 545. 76	664	664	0	0	0	0
Custer	97, 841. 47	157, 289. 44	616	605	7	0	0	4
Dakota	42, 138. 50	69, 452. 48	272	270	0	0	0	2

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

NEBRASKA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Dawes	$29, 240. 62	$47, 493. 24	186	186	0	0	0	0
Dawson	76, 754. 45	130, 478. 74	511	474	31	0	0	6
Deuel	5, 267. 32	8, 681. 56	34	34	0	0	0	0
Dixon	53, 384. 84	89, 624. 34	351	344	7	0	0	0
Dodge	135, 091. 07	222, 656. 48	872	829	0	0	40	3
Douglas	846, 544. 95	1, 451, 352. 56	5, 684	3, 456	1, 075	0	1, 052	101
Dundy	34, 392. 45	56, 685. 48	222	222	0	0	0	0
Fillmore	41, 828. 66	68, 941. 80	270	269	0	0	0	1
Franklin	26, 956. 25	44, 429. 16	174	174	0	0	0	0
Frontier	28, 040. 69	46, 216. 54	181	181	0	0	0	0
Furnas	31, 913. 72	52, 600. 04	206	206	0	0	0	0
Gage	139, 583. 78	230, 061. 34	901	892	0	0	0	9
Garden	20, 139. 72	33, 194. 20	130	130	0	0	0	0
Garfield	19, 829. 88	32, 683. 52	128	127	0	0	0	1
Gosper	8, 055. 89	13, 277. 68	52	52	0	0	0	0
Grant	0	0	[1] 0	6	0	0	0	0
Greeley	47, 250. 89	77, 878. 70	305	299	6	0	0	0
Hall	114, 084. 71	186, 398. 20	730	694	28	0	0	8
Hamilton	29, 230. 31	50, 046. 64	196	187	8	0	0	1
Harlan	26, 880. 20	45, 705. 86	179	173	6	0	0	0
Hayes	13, 013. 36	21, 448. 56	84	83	0	0	0	1
Hitchcock	27, 575. 93	45, 450. 52	178	178	0	0	0	0
Holt	96, 825. 59	159, 587. 50	625	624	0	0	0	1
Hooker	10, 534. 62	17, 363. 12	68	67	0	0	0	1
Howard	46, 271. 62	78, 134. 04	306	298	8	0	0	0
Jefferson	62, 897. 91	103, 668. 04	406	405	0	0	0	1
Johnson	64, 447. 12	106, 221. 44	416	415	0	0	0	1
Kearney	17, 041. 30	28, 087. 40	110	109	0	0	0	1
Keith	17, 456. 32	30, 640. 80	120	111	8	0	0	1
Keya Paha	8, 365. 74	13, 788. 36	54	53	0	0	0	1
Kimball	18, 745. 43	30, 896. 14	121	120	0	0	0	1
Knox	115, 093. 13	189, 462. 28	742	728	13	0	0	1
Lancaster	226, 279. 46	377, 392. 52	1, 478	1, 255	54	0	72	07
Lincoln	91, 059. 77	154, 991. 38	607	572	31	0	0	4
Logan	8, 675. 57	14, 299. 04	56	38	0	0	18	0
Loup	14, 252. 73	23, 491. 28	92	91	0	0	0	1
McPherson	0	0	[1] 0	8	0	0	0	0
Madison	74, 467. 23	124, 605. 92	488	463	24	0	0	1
Merrick	47, 017. 09	76, 091. 32	298	295	0	0	0	3
Morrill	22, 618. 45	37, 279. 64	146	146	0	0	0	0
Nance	43, 222. 95	71, 239. 86	279	279	0	0	0	0
Nemaha	67, 700. 46	111, 583. 58	437	436	0	0	0	1
Nuckolls	67, 017. 88	112, 094. 26	439	432	7	0	0	0
Otoe	87, 992. 26	142, 224. 38	557	551	5	0	0	1
Pawnee	60, 109. 33	99, 071. 92	388	388	0	0	0	0
Perkins	20, 139. 72	33, 194. 20	130	130	0	0	0	0
Phelps	39, 969. 60	65, 877. 72	258	258	0	0	0	0
Pierce	68, 475. 06	112, 860. 28	442	438	0	0	0	4
Platte	104, 001. 71	169, 545. 76	664	657	7	0	0	0
Polk	45, 546. 76	75, 069. 96	294	290	0	0	0	4
Red Willow	39, 313. 32	66, 899. 08	262	249	9	0	0	4
Richardson	92, 256. 85	153, 459. 34	601	581	19	0	0	1
Rock	18, 784. 87	31, 662. 16	124	119	3	0	0	2
Saline	70, 024. 27	115, 413. 68	452	451	0	0	0	1
Sarpy	39, 247. 59	65, 622. 38	257	252	4	0	0	1
Saunders	114, 321. 36	190, 994. 32	748	733	11	0	0	4
Scotts Bluff	136, 667. 64	239, 508. 92	938	791	114	0	0	33
Seward	106, 625. 06	176, 439. 94	691	670	19	0	0	2
Sheridan	46, 248. 17	80, 432. 10	315	288	23	0	0	4
Sherman	51, 123. 91	84, 262. 20	330	330	0	0	0	0
Sioux	21, 534. 02	35, 492. 26	139	139	0	0	0	0
Stanton	58, 869. 96	97, 029. 20	380	380	0	0	0	0
Thayer	61, 193. 78	100, 859. 30	395	395	0	0	0	0
Thomas	3, 718. 11	6, 128. 16	24	24	0	0	0	0
Thurston	105, 840. 15	177, 716. 64	696	543	14	0	138	1
Valley	57, 165. 83	94, 220. 46	369	367	0	0	0	2
Washington	50, 349. 31	82, 985. 50	325	325	0	0	0	0
Wayne	40, 589. 29	66, 899. 08	262	262	0	0	0	0
Webster	31, 976. 61	51, 068. 00	200	199	0	0	0	1
Wheeler	10, 534. 62	17, 363. 12	68	68	0	0	0	0
York	52, 053. 45	85, 794. 24	336	272	0	27	32	5

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[1] Number of eligibles less than 10; total not used in computations.

NEVADA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $274.74]

State total	$955, 057. 00	$1, 462, 441. 02	5, 323	3, 238	1, 614	49	60	370
Churchill	38, 254. 82	54, 123. 78	197	171	21	0	0	5
Clark	453, 096. 16	745, 094. 88	2, 712	1, 188	1, 297	49	0	178
Douglas	15, 478. 84	23, 627. 64	86	76	10	0	0	0
Elko	47, 223. 00	64, 289. 16	234	203	5	0	0	26
Esmeralda	0	0	0	0	0	0	0	0
Eureka	0	0	[1] 0	8	0	0	0	0
Humboldt	20, 013. 86	35, 166. 72	128	83	39	0	0	6
Lander	3, 763. 62	3, 846. 36	14	14	0	0	0	0
Lincoln	49, 715. 42	68, 959. 74	251	241	10	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

NEVADA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $274.74]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Lyon	$21, 377. 47	$28, 847. 70	105	78	10	0	0	17
Mineral	28, 440. 74	38, 463. 60	140	120	8	0	0	12
Nye	19, 101. 00	24, 726. 60	90	83	0	0	0	7
Ormsby	36, 123. 58	49, 178. 46	179	93	7	0	60	19
Pershing	10, 897. 61	14, 835. 96	54	47	0	0	0	7
Storey	0	0	0	0	0	0	0	0
Washoe	186, 851. 32	275, 838. 96	1, 004	722	189	0	0	93
White Pine	24, 719. 56	35, 441. 46	129	111	18	0	0	0

[1] Number of eligibles less than 10; total not used in computations.

NEW HAMPSHIRE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$1, 385, 622. 00	$2, 289, 123. 10	8, 965	5, 932	1, 742	0	494	797
Belknap	72, 211. 31	113, 370. 96	444	307	99	0	0	38
Carroll	58, 958. 87	90, 901. 04	356	311	23	0	0	22
Cheshire	86, 528. 66	138, 904. 96	544	404	83	0	0	57
Coos	88, 743. 97	143, 756. 42	563	364	141	0	0	58
Grafton	122, 354. 93	194, 569. 08	762	532	123	0	0	107
Hillsboro	410, 168. 03	689, 673. 34	2, 701	1, 638	563	0	321	179
Merrimack	143, 055. 25	253, 041. 94	991	557	305	0	38	91
Rockingham	198, 346. 04	337, 304. 14	1, 321	874	307	0	24	116
Strafford	130, 433. 91	207, 591. 42	813	574	69	0	111	59
Sullivan	74, 821. 03	120, 009. 80	470	371	29	0	0	70

NEW JERSEY

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $321.81]

State total	$24, 716, 548. 99	$38, 426, 044. 86	119, 406	59, 845	52, 645	234	1, 137	5, 545
Atlantic	1, 158, 564. 87	1, 780, 896. 54	5, 534	2, 929	2, 395	0	0	210
Bergen	1, 214, 854. 19	1, 797, 308. 85	5, 585	3, 931	1, 144	0	360	150
Burlington	686, 599. 42	1, 008, 230. 73	3, 133	1, 890	926	0	40	277
Camden	1, 881, 888. 49	3, 023, 404. 95	9, 395	4, 277	4, 522	0	35	561
Cape May	230, 757. 72	352, 060. 14	1, 094	760	283	0	0	51
Cumberland	605, 819. 56	1, 038, 159. 06	3, 226	2, 361	761	0	0	104
Essex	6, 352, 502. 60	10, 254, 153. 84	31, 864	12, 153	18, 660	0	119	932
Gloucester	542, 308. 64	788, 434. 50	2, 450	1, 433	745	0	0	272
Hudson	2, 523, 488. 11	4, 053, 196. 95	12, 595	6, 544	5, 749	82	0	220
Hunterdon	188, 409. 14	280, 296. 51	871	529	208	0	0	134
Mercer	1, 345, 813. 42	1, 989, 107. 61	6, 181	2, 672	2, 966	0	190	353
Middlesex	1, 138, 660. 32	1, 686, 284. 40	5, 240	3, 047	1, 777	0	0	416
Monmouth	1, 521, 803. 16	2, 495, 958. 36	7, 756	3, 867	3, 325	53	150	361
Morris	558, 371. 25	825, 120. 84	2, 564	1, 623	556	65	77	243
Ocean	501, 304. 88	801, 306. 90	2, 490	1, 355	946	0	0	189
Passaic	1, 791, 581. 81	2, 636, 911. 14	8, 194	3, 723	4, 131	0	66	274
Salem	314, 469. 42	479, 496. 90	1, 490	956	431	12	0	91
Somerset	363, 980. 62	590, 843. 16	1, 836	1, 026	565	0	100	145
Sussex	204, 925. 03	308, 937. 60	960	589	270	0	0	101
Union	1, 274, 759. 30	1, 910, 585. 97	5, 937	3, 488	2, 111	22	0	316
Warren	225, 686. 84	325, 349. 91	1, 011	692	174	0	0	145

NEW MEXICO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$10, 255, 417. 94	$12, 156, 482. 06	47, 609	37, 554	8, 561	0	737	757
Bernalillo	1, 674, 676. 54	2, 082, 042. 36	8, 154	4, 848	3, 024	0	122	160
Catron	39, 237. 39	46, 471. 88	182	173	7	0	0	2
Chaves	351, 965. 64	411, 863. 42	1, 613	1, 266	260	0	10	77
Colfax	165, 252. 47	191, 760. 34	751	587	157	0	0	7
Curry	217, 437. 07	260, 702. 14	1, 021	770	226	0	0	25
De Baca	39, 566. 44	44, 684. 50	175	149	26	0	0	0
Dona Ana	572, 468. 61	674, 863. 62	2, 643	2, 168	431	0	0	44
Eddy	408, 467. 18	462, 420. 74	1, 811	1, 500	234	0	0	77
Grant	164, 371. 25	182, 823. 44	716	589	105	0	0	22
Guadalupe	122, 304. 61	138, 649. 62	543	439	104	0	0	0
Harding	26, 303. 12	28, 342. 74	111	102	9	0	0	0
Hidalgo	27, 460. 63	38, 556. 34	151	107	43	0	0	1
Lea	293, 201. 68	341, 900. 26	1, 339	1, 088	233	0	0	18
Lincoln	82, 843. 35	96, 007. 84	376	297	78	0	0	1
Los Alamos	14, 539. 70	16, 597. 10	65	64	0	0	0	1
Luna	120, 580. 84	137, 883. 60	540	420	117	0	0	3
McKinley	690, 272. 99	811, 981. 20	3, 180	2, 916	196	0	54	14
Mora	180, 042. 16	209, 123. 46	819	718	101	0	0	0
Otero	212, 555. 19	259, 936. 12	1, 018	828	176	0	0	14
Quay	151, 029. 24	160, 864. 20	630	545	84	0	0	1
Rio Arriba	731, 642. 82	842, 622. 00	3, 300	2, 757	361	0	145	37
Roosevelt	151, 331. 05	178, 993. 34	701	456	94	0	136	15
Sandoval	444, 255. 89	531, 873. 22	2, 083	1, 861	136	0	86	0

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

NEW MEXICO—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
San Juan	$803, 300. 28	$958, 546. 36	3, 754	3, 288	292	0	139	35
San Miguel	635, 101. 18	746, 358. 82	2, 923	2, 345	520	0	0	58
Santa Fe	509, 769. 36	622, 518. 92	2, 438	1, 756	608	0	0	74
Sierra	51, 277. 08	59, 494. 22	233	179	54	0	0	0
Socorro	222, 201. 01	250, 999. 22	983	836	135	0	0	12
Taos	563, 402. 77	662, 351. 96	2, 594	2, 187	395	0	0	12
Torrance	117, 646. 42	138, 138. 94	541	458	77	0	0	6
Union	52, 027. 21	57, 706. 84	226	209	12	0	0	5
Valencia	418, 886. 77	509, 403. 30	1, 995	1, 648	266	0	45	36

NEW YORK

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $416.70]

State total	$120, 023, 847. 72	$195, 277, 704. 30	468, 629	200, 060	237, 855	1, 525	7, 925	21, 264
Albany	1, 335, 015. 99	2, 083, 916. 70	5, 001	3, 157	1, 115	0	509	220
Allegany	325, 156. 46	491, 706. 00	1, 180	960	164	0	0	56
Bronx	14, 422, 588. 51	23, 224, 357. 80	55, 734	20, 115	33, 303	0	405	1, 911
Broome	760, 007. 21	1, 213, 847. 10	2, 913	1, 681	864	0	108	260
Cattaraugus	554, 933. 43	904, 239. 00	2, 170	1, 392	520	0	58	200
Cayuga	428, 395. 54	688, 805. 10	1, 653	1, 080	390	0	39	144
Chautauqua	721, 742. 24	1, 113, 839. 10	2, 673	1, 645	815	0	30	183
Chemung	446, 027. 72	685, 054. 80	1, 644	974	508	0	0	162
Chenango	301, 933. 88	475, 038. 00	1, 140	673	327	0	0	140
Clinton	519, 843. 01	783, 812. 70	1, 881	1, 217	462	0	26	176
Columbia	279, 313. 37	429, 617. 70	1, 031	676	120	160	0	75
Cortland	226, 253. 48	365, 445. 90	877	606	225	0	0	46
Delaware	378, 777. 04	610, 048. 80	1, 464	1, 125	251	0	0	88
Dutchess	666, 633. 31	1, 142, 591. 40	2, 742	1, 781	507	0	257	197
Erie	7, 004, 310. 80	11, 928, 454. 20	28, 626	12, 245	14, 754	0	303	1, 324
Essex	281, 249. 77	430, 034. 40	1, 032	701	252	0	0	79
Franklin	533, 333. 50	791, 313. 30	1, 899	1, 465	333	0	0	101
Fulton	304, 839. 49	466, 704. 00	1, 120	640	377	0	0	103
Genesee	238, 186. 77	398, 781. 90	957	528	326	0	23	80
Greene	132, 575. 80	221, 684. 40	532	340	137	0	0	55
Hamilton	15, 839. 20	22, 918. 50	55	50	1	0	0	4
Herkimer	275, 519. 76	460, 453. 50	1, 105	745	274	0	0	86
Jefferson	587, 785. 75	933, 824. 70	2, 241	1, 326	706	0	91	118
Kings	28, 951, 509. 91	44, 779, 415. 40	107, 462	40, 505	62, 443	0	667	3, 847
Lewis	171, 861. 33	254, 187. 00	610	415	127	0	0	68
Livingston	187, 870. 02	298, 773. 90	717	480	118	0	0	119
Madison	376, 244. 76	584, 630. 10	1, 403	949	405	0	0	49
Monroe	2, 530, 471. 54	4, 140, 747. 90	9, 937	4, 530	4, 456	28	173	750
Montgomery	310, 960. 69	468, 787. 50	1, 125	817	229	0	0	79
Nassau	3, 607, 804. 31	5, 866, 719. 30	14, 079	7, 458	5, 696	0	133	792
New York	23, 852, 974. 52	37, 915, 533. 00	90, 990	33, 300	54, 237	0	290	3, 163
Niagara	1, 088, 473. 01	1, 897, 651. 80	4, 554	2, 282	1, 983	0	38	251
Oneida	1, 479, 557. 01	2, 393, 524. 80	5, 744	2, 907	2, 536	0	55	245
Onondaga	2, 227, 667. 52	3, 754, 467. 00	9, 010	3, 570	4, 834	0	149	457
Ontario	338, 347. 81	552, 544. 20	1, 326	845	348	0	0	133
Orange	864, 978. 83	1, 446, 784. 00	3, 520	2, 056	1, 037	0	133	294
Orleans	208, 271. 14	367, 529. 40	882	481	368	0	0	33
Oswego	511, 722. 06	833, 816. 70	2, 001	1, 275	614	0	0	112
Otsego	368, 785. 14	589, 213. 80	1, 414	1, 073	247	0	0	94
Putnam	119, 997. 35	204, 183. 00	490	303	139	0	0	48
Queens	8, 004, 938. 13	12, 432, 661. 20	29, 836	11, 199	17, 399	108	67	1, 063
Rensselaer	770, 313. 20	1, 217, 597. 40	2, 922	1, 754	890	0	113	165
Richmond	1, 160, 454. 42	2, 267, 681. 40	5, 442	1, 593	2, 532	0	1, 166	151
Rockland	488, 381. 68	1, 287. 603. 00	3, 090	853	1, 056	0	1, 099	82
St. Lawrence	1, 007, 565. 60	1, 709, 720. 10	4, 103	2, 154	1, 740	0	0	209
Saratoga	442, 223. 31	643, 801. 50	1, 545	1, 287	107	42	0	109
Schenectady	643, 350. 61	1, 094, 670. 90	2, 627	1, 536	901	0	86	104
Schoharie	194, 934. 34	297, 523. 80	714	565	73	0	0	76
Schuyler	99, 186. 84	150, 428. 70	361	262	63	0	0	36
Seneca	152, 856. 71	227, 934. 90	547	394	93	0	0	60
Steuben	503, 587. 37	781, 729. 20	1, 876	1, 343	299	0	11	223
Suffolk	2, 956, 474. 43	6, 747, 206. 40	16, 192	6, 262	9, 007	92	126	705
Sullivan	276, 193. 62	582, 963. 30	1, 399	716	601	0	0	82
Tioga	219, 033. 76	333, 360. 00	800	561	196	0	0	43
Tompkins	259, 699. 63	437, 951. 70	1, 051	618	239	132	0	62
Ulster	576, 773. 27	980, 495. 10	2, 353	1, 547	461	0	143	202
Warren	337, 495. 02	545, 877. 00	1, 310	840	292	0	0	178
Washington	246, 038. 78	360, 862. 20	866	657	125	0	0	84
Wayne	332, 521. 64	532, 959. 30	1, 279	851	348	0	0	80
Westchester	3, 117, 487. 11	5, 955, 893. 10	14, 293	5, 835	4, 732	963	1, 627	1, 136
Wyoming	168, 453. 08	257, 520. 60	618	472	98	0	–0	48
Yates	128, 126. 19	196, 265. 70	471	393	55	0	0	23

NORTH CAROLINA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$49, 151, 799. 75	$86, 180, 569. 42	337, 513	323, 096	9, 149	0	2, 659	2, 609
Alamance	377, 737. 89	653, 415. 06	2, 559	2, 356	89	0	71	43
Alexander	88, 275. 96	154, 225. 36	604	578	11	0	0	15
Alleghany	96, 791. 61	169, 035. 08	662	650	10	0	0	2
Anson	538, 734. 59	940, 672. 56	3, 684	3, 665	16	0	0	3

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

NORTH CAROLINA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Ashe	$307, 341. 64	$541, 065. 46	2, 119	2, 057	62	0	0	0
Avery	203, 295. 47	358, 242. 02	1, 403	1, 288	20	0	94	1
Beaufort	744, 063. 53	1, 299, 169. 92	5, 088	5, 011	71	0	0	6
Bertie	618, 528. 97	1, 083, 662. 96	4, 244	4, 199	38	0	0	7
Bladen	613, 649. 78	1, 071, 661. 98	4, 197	4, 162	31	0	0	4
Brunswick	350, 329. 94	623, 795. 62	2, 443	2, 375	67	0	0	1
Buncombe	714, 530. 38	1, 244, 527. 16	4, 874	4, 634	8	0	142	90
Burke	285, 666. 59	495, 870. 28	1, 942	1, 804	25	0	46	67
Cabarrus	355, 306. 17	620, 731. 54	2, 431	2, 335	23	0	53	20
Caldwell	239, 055. 44	424, 885. 76	1, 664	1, 574	67	0	0	23
Camden	83, 149. 26	145, 543. 80	570	565	4	0	0	1
Carteret	176, 946. 25	305, 386. 64	1, 196	1, 155	21	0	0	20
Caswell	389, 905. 71	682, 779. 16	2, 674	2, 609	58	0	0	7
Catawba	252, 549. 41	433, 822. 66	1, 699	1, 524	80	0	42	53
Chatham	229, 809. 88	403, 181. 86	1, 579	1, 531	15	0	32	1
Cherokee	276, 231. 72	481, 571. 24	1, 886	1, 880	5	0	0	1
Chowan	209, 476. 14	366, 412. 90	1, 435	1, 426	9	0	0	0
Clay	93, 525. 36	162, 651. 58	637	632	5	0	0	0
Cleveland	708, 756. 10	1, 233, 547. 54	4, 831	4, 642	151	0	0	38
Columbus	1, 066, 524. 15	1, 855, 045. 10	7, 265	7, 176	10	0	67	12
Craven	617, 040. 29	1, 092, 089. 18	4, 277	3, 996	267	0	0	14
Cumberland	1, 138, 690. 56	2, 024, 846. 20	7, 930	7, 317	402	0	69	142
Currituck	56, 466. 01	97, 029. 20	380	371	5	0	0	4
Dare	44, 657. 88	78, 134. 04	306	301	2	0	0	3
Davidson	398, 121. 97	688, 396. 64	2, 696	2, 201	43	0	399	53
Davie	93, 022. 49	163, 417. 60	640	614	17	0	0	9
Duplin	907, 114. 18	1, 575, 703. 14	6, 171	6, 141	14	0	0	16
Durham	686, 392. 41	1, 273, 635. 92	4, 988	4, 015	924	0	0	49
Edgecombe	1, 137, 169. 46	1, 978, 374. 32	7, 748	7, 720	3	0	0	25
Forsyth	966, 009. 45	1, 749, 845. 02	6, 853	5, 100	1, 123	0	345	285
Franklin	638, 070. 40	1, 115, 069. 78	4, 367	4, 280	72	0	0	15
Gaston	617, 562. 07	1, 066, 044. 50	4, 175	3, 872	260	0	0	43
Gates	203, 201. 09	353, 390. 56	1, 384	1, 384	0	0	0	0
Graham	105, 711. 55	183, 844. 80	720	717	0	0	0	3
Granville	615, 474. 04	1, 073, 194. 02	4, 203	3, 724	12	0	455	12
Greene	563, 951. 72	983, 825. 02	3, 853	3, 838	13	0	0	2
Guilford	921, 781. 07	1, 638, 006. 10	6, 415	5, 422	657	0	0	336
Halifax	1, 342, 952. 49	2, 352, 192. 08	9, 212	9, 087	104	0	0	21
Harnett	688, 542. 95	1, 199, 331. 98	4, 697	4, 596	55	0	0	46
Haywood	276, 318. 24	480, 549. 88	1, 882	1, 870	0	0	0	12
Henderson	232, 625. 71	405, 735. 26	1, 589	1, 557	15	0	0	17
Hertford	433, 403. 19	756, 317. 08	2, 962	2, 944	16	0	0	2
Hoke	380, 670. 12	664, 139. 34	2, 601	2, 592	9	0	0	0
Hyde	125, 826. 11	218. 826. 38	857	857	0	0	0	0
Iredell	422, 365. 36	739, 464. 64	2, 896	2, 716	35	0	108	37
Jackson	223, 375. 95	389, 648. 84	1, 526	1, 520	5	0	0	1
Johnston	1, 320, 783. 97	2, 327, 934. 78	9, 117	8, 813	234	0	23	47
Jones	252, 277. 23	453, 739. 18	1, 777	1, 702	72	0	0	3
Lee	257, 452. 72	446, 334. 32	1, 748	1, 704	24	0	0	20
Lenoir	941, 576. 31	1, 657, 667. 28	6, 492	6, 208	122	0	142	20
Lincoln	205, 196. 29	355, 688. 62	1, 393	1, 345	24	0	0	24
McDowell	156, 485. 60	274, 490. 50	1, 075	1, 052	10	0	0	13
Macon	238, 291. 46	414, 416. 82	1, 623	1, 623	0	0	0	0
Madison	324, 755. 21	567, 365. 48	2, 222	2, 184	21	0	0	17
Martin	603, 066. 56	1, 053, 022. 16	4, 124	4, 098	24	0	0	2
Mecklenburg	1, 241, 069. 80	2, 192, 349. 24	8, 586	7, 620	706	0	50	210
Mitchell	187, 517. 41	323, 771. 12	1, 268	1, 249	19	0	0	0
Montgomery	199, 047. 60	353, 901. 24	1, 386	1, 323	54	0	0	9
Moore	443, 290. 59	771, 637. 48	3, 022	3, 001	10	0	0	11
Nash	1, 261, 897. 01	2, 208, 180. 32	8, 648	8, 484	71	0	77	16
New Hanover	554, 293. 47	973, 356. 08	3, 812	3, 603	145	0	0	64
Northampton	657, 848. 83	1, 157, 200. 88	4, 532	4, 470	61	0	0	1
Onslow	494, 442. 70	864, 581. 24	3, 386	3, 115	264	0	0	7
Orange	228, 888. 56	406, 501. 28	1, 592	1, 438	126	0	0	28
Pamlico	121, 765. 45	209, 889. 48	822	816	6	0	0	0
Pasquotank	243, 500. 46	427, 694. 50	1, 675	1, 632	34	0	0	9
Pender	375, 129. 18	652, 393. 70	2, 555	2, 554	0	0	0	1
Perquimans	158, 623. 42	282, 661. 38	1, 107	1, 068	39	0	0	0
Person	440, 703. 89	773, 935. 54	3, 031	2, 911	114	0	0	6
Pitt	1, 478, 275. 31	2, 600, 893. 24	10, 186	9, 993	166	0	0	27
Polk	129, 068. 24	224, 699. 20	880	859	21	0	0	0
Randolph	316, 384. 28	555, 619. 84	2, 176	2, 095	63	0	0	18
Richmond	496, 160. 52	861, 006. 48	3, 372	3, 208	152	0	0	12
Robeson	2, 394, 556. 93	4, 188, 086. 68	16, 402	16, 190	144	0	23	45
Rockingham	509, 572. 63	913, 861. 86	3, 579	3, 333	218	0	0	28
Rowan	416, 432. 19	727, 974. 34	2, 851	2, 618	97	0	59	77
Rutherford	416, 868. 45	734, 357. 84	2, 876	2, 610	108	0	138	20
Sampson	1, 031, 125. 99	1, 796, 061. 56	7, 034	6, 961	58	0	0	15
Scotland	523, 551. 66	913, 095. 84	3, 576	3, 529	36	0	0	11
Stanly	216, 551. 89	373, 562. 42	1, 463	1, 453	7	0	0	3
Stokes	255, 666. 74	442, 759. 56	1, 734	1, 707	25	0	0	2
Surry	452, 785. 74	787, 213. 22	3, 083	3, 016	58	0	0	9
Swain	130, 818. 04	227, 507. 94	891	890	1	0	0	0
Transylvania	125, 445. 95	219, 337. 06	859	846	5	0	0	8
Tyrrell	112, 598. 00	198, 399. 18	777	750	27	0	0	0
Union	405, 428. 43	714, 696. 66	2, 799	2, 755	41	0	0	3
Vance	521, 276. 97	907, 733. 70	3, 555	3, 542	5	0	0	8
Wake	1, 337, 342. 64	2, 350, 404. 70	9, 205	8, 522	395	0	177	111
Warren	572, 038. 97	998, 124. 06	3, 909	3, 879	27	0	0	3
Washington	201, 730. 77	353, 645. 90	1, 385	1, 372	12	0	0	1

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

NORTH CAROLINA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Watauga	$268, 214. 73	$471, 612. 98	1, 847	1, 802	45	0	0	0
Wayne	1, 126, 468. 74	1, 985, 779. 18	7, 777	7, 485	198	0	47	47
Wilkes	541, 868. 18	944, 247. 32	3, 698	3, 575	59	0	0	64
Wilson	994, 372. 34	1, 731, 205. 20	6, 780	6, 745	23	0	0	12
Yadkin	193, 154. 82	337, 559. 48	1, 322	1, 284	23	0	0	15
Yancey	219, 437. 98	380, 456. 60	1, 490	1, 484	6	0	0	0

NORTH DAKOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$4, 247, 497. 02	$6, 919, 714. 00	27, 100	23, 346	3, 170	0	106	478
Adams	28, 907. 31	44, 684. 50	175	168	7	0	0	0
Barnes	75, 612. 41	119, 243. 78	467	405	44	0	0	18
Benson	145, 664. 00	248, 190. 48	972	673	242	0	0	57
Billings	22, 196. 32	37, 790. 32	148	137	11	0	0	0
Bottineau	54, 940. 42	88, 092. 30	345	322	20	0	0	3
Bowman	20, 107. 02	31, 662. 16	124	113	11	0	0	0
Burke	55, 748. 42	86, 560. 26	339	325	14	0	0	0
Burleigh	121, 447. 31	202, 739. 96	794	677	106	0	0	11
Cass	166, 201. 33	279, 597. 30	1, 095	720	318	0	29	28
Cavalier	59, 279. 98	100, 603. 96	394	338	52	0	0	4
Dickey	72, 833. 42	116, 945. 72	458	412	46	0	0	0
Divide	48, 393. 59	$78, 644. 72	308	290	18	0	0	0
Dunn	91, 705. 34	147, 586. 52	578	522	50	0	0	6
Eddy	42, 076. 66	67, 920. 44	266	227	36	0	0	3
Emmons	98, 909. 16	158, 310. 80	620	610	10	0	0	0
Foster	27, 416. 02	44, 429. 16	174	153	20	0	0	1
Golden Valley	25, 901. 64	40, 854. 40	160	108	4	0	47	1
Grand Forks	94, 011. 75	163, 672. 94	641	400	203	0	0	38
Grant	117, 163. 54	188, 440. 92	738	721	15	0	0	2
Griggs	34, 754. 51	54, 898. 10	215	200	15	0	0	0
Hettinger	53, 816. 88	83, 496. 18	327	320	7	0	0	0
Kidder	84, 330. 61	133, 542. 82	523	502	20	0	0	1
La Moure	64, 650. 68	104, 434. 06	409	389	17	0	0	3
Logan	101, 405. 66	160, 864. 20	630	626	4	0	0	0
McHenry	112, 403. 63	179, 248. 68	702	666	31	0	0	5
McIntosh	94, 819. 39	150, 650. 60	590	581	9	0	0	0
McKenzie	64, 180. 95	103, 923. 38	407	355	47	0	0	5
McLean	166, 342. 39	273, 724. 48	1, 072	958	99	0	0	15
Mercer	71, 062. 85	114, 136. 98	447	428	17	0	0	2
Morton	158, 603. 09	261, 212. 82	1, 023	952	63	0	0	8
Mountrail	120, 983. 97	196, 611. 80	770	680	80	0	0	10
Nelson	34, 268. 43	56, 940. 82	223	199	24	0	0	6
Oliver	66, 907. 34	105, 200. 08	412	407	1	0	0	4
Pembina	71, 572. 02	115, 413. 68	452	378	71	0	0	3
Pierce	50, 417. 15	83, 496. 18	327	288	34	0	0	5
Ramsey	56, 908. 20	94, 731. 14	371	284	68	0	0	19
Ransom	50, 285. 68	80, 942. 78	317	304	9	0	0	4
Renville	35, 664. 49	58, 217. 52	228	202	23	0	0	3
Richland	126, 821. 22	203, 761. 32	798	709	82	0	0	7
Rolette	246, 947. 79	398, 075. 06	1, 559	1, 043	446	0	0	70
Sargent	72, 205. 92	113, 370. 96	444	416	21	0	0	7
Sheridan	90, 256. 69	145, 288. 46	569	551	18	0	0	0
Sioux	95, 571. 61	150, 905. 94	591	517	52	0	0	22
Slope	19, 824. 54	31, 917. 50	125	123	2	0	0	0
Stark	84, 071. 23	137, 117. 58	537	482	52	0	0	3
Steele	22, 991. 18	36, 002. 94	141	128	7	0	0	6
Stutsman	120, 110. 23	196, 867. 14	771	654	99	0	0	18
Towner	23, 056. 92	37, 279. 64	146	134	7	0	0	5
Traill	36, 778. 07	59, 749. 56	234	211	21	0	0	2
Walsh	73, 710. 71	125, 371. 94	491	392	84	0	0	15
Ward	171, 976. 39	294, 151. 68	1, 152	839	257	0	30	26
Wells	82, 330. 15	132, 010. 78	517	473	30	0	0	14
Williams	118, 950. 81	200, 186. 56	784	634	126	0	0	24

OHIO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$36, 839, 743. 81	$55, 924, 822. 14	219, 021	151, 895	54, 720	548	3, 874	7, 984
Adams	279, 677. 12	389, 904. 18	1, 527	1, 375	123	0	18	11
Allen	399, 835. 10	563, 280. 04	2, 206	1, 779	334	0	48	45
Ashland	95, 597. 16	130, 478. 74	511	460	21	0	0	30
Ashtabula	312, 409. 12	471, 612. 98	1, 847	1, 415	358	0	33	41
Athens	329, 794. 75	474, 421. 72	1, 858	1, 528	254	0	45	31
Auglaize	110, 810. 13	150, 650. 60	590	577	13	0	0	0
Belmont	351, 697. 64	494, 593. 58	1, 937	1, 731	119	0	39	48
Brown	224, 900. 29	314, 834. 22	1, 233	1, 090	116	0	0	27
Butler	613, 618. 01	903, 648. 26	3, 539	2, 763	600	0	55	121
Carroll	85, 468. 11	121, 031. 16	474	356	26	0	89	3
Champaign	102, 359. 70	150, 650. 60	590	499	74	0	0	17
Clark	398, 651. 25	582, 941. 22	2, 283	1, 823	270	0	89	101
Clermont	260, 992. 12	426, 673. 14	1, 671	1, 070	528	0	0	73
Clinton	184, 801. 08	263, 510. 88	1, 032	895	122	0	15	0
Columbiana	353, 634. 20	494, 593. 58	1, 937	1, 715	146	0	0	76

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

OHIO—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Coshocton	$154, 572. 77	$212, 442. 88	832	755	20	0	10	47
Crawford	186, 112. 99	261, 468. 16	1, 024	882	68	0	50	24
Cuyahoga	5, 999, 784. 54	9, 965, 409. 52	39, 028	19, 323	17, 473	161	419	1, 652
Darke	203, 539. 93	287, 512. 84	1, 126	1, 039	61	0	18	8
Defiance	81, 233. 14	113, 370. 96	444	401	13	0	29	1
Delaware	136, 825. 29	201, 973. 94	791	653	89	0	38	11
Erie	158, 684. 80	224, 954. 54	881	752	76	0	0	53
Fairfield	178, 557. 20	254, 318. 64	996	857	76	0	48	15
Fayette	149, 170. 64	209, 889. 48	822	744	31	0	27	20
Franklin	2, 731, 509. 67	4, 466, 662. 62	17, 493	9, 676	6, 569	82	408	758
Fulton	82, 016. 90	111, 328. 24	436	430	0	0	0	6
Gallia	199, 358. 09	284, 704. 10	1, 115	965	133	0	13	4
Geauga	142, 757. 89	197, 122. 48	772	694	57	0	0	21
Greene	294, 289. 80	427, 183. 82	1, 673	1, 360	197	0	36	80
Guernsey	191, 594. 93	280, 618. 66	1, 099	938	118	0	33	10
Hamilton	3, 716, 405. 33	6, 033, 428. 86	23, 629	14, 370	7, 368	187	513	1, 191
Hancock	139, 051. 08	189, 462. 28	742	706	11	0	0	25
Hardin	161, 757. 22	222, 911. 82	873	824	21	0	0	28
Harrison	108, 048. 75	148, 097. 20	580	561	13	0	0	6
Henry	77, 986. 99	108, 008. 82	423	399	24	0	0	0
Highland	268, 098. 59	375, 860. 48	1, 472	1, 354	92	0	0	26
Hocking	153, 091. 99	210, 910. 84	826	736	51	0	0	39
Holmes	206, 023. 89	284, 193. 42	1, 113	1, 064	39	0	0	10
Huron	137, 114. 77	208, 102. 10	815	650	132	0	0	33
Jackson	337, 353. 12	492, 806. 20	1, 930	1, 525	387	0	0	18
Jefferson	378, 369. 00	563, 535. 38	2, 207	1, 727	408	0	0	72
Knox	129, 833. 59	176, 950. 62	693	652	13	0	23	5
Lake	230, 690. 70	318, 153. 64	1, 246	851	281	0	21	93
Lawrence	408, 809. 79	634, 009. 22	2, 483	1, 706	735	0	15	27
Licking	295, 982. 80	429, 481. 88	1, 682	1, 391	144	0	61	86
Logan	146, 423. 64	200, 186. 56	784	714	26	0	33	11
Lorain	622, 474. 15	945, 779. 36	3, 704	2, 486	958	0	30	230
Lucas	1, 853, 629. 72	2, 798, 781. 74	10, 961	6, 759	3553	0	376	273
Madison	107, 062. 51	157, 034. 10	615	496	89	0	29	1
Mahoning	863, 229. 23	1, 305, 553. 42	5, 113	3, 982	910	0	0	221
Marion	207, 224. 92	287, 257. 50	1, 125	916	142	0	30	37
Medina	141, 887. 38	204, 782. 68	802	710	67	0	0	25
Meigs	240, 253. 11	334, 240. 06	1, 309	1, 250	34	0	13	12
Mercer	145, 155. 10	199, 420. 54	781	771	10	0	0	0
Miami	192, 117. 96	258, 148. 74	1, 011	933	20	0	32	26
Monroe	183, 515. 61	258, 659. 42	1, 013	823	184	0	0	6
Montgomery	1, 885, 137. 54	2, 951, 475. 06	11, 559	7, 189	3, 568	0	234	548
Morgan	61, 833. 47	86, 560. 26	339	312	19	0	0	8
Morrow	92, 915. 35	125, 882. 62	493	469	11	0	0	13
Muskingum	326, 729. 52	472, 889. 68	1, 852	1, 451	290	0	40	71
Noble	102, 405. 39	140, 437. 00	550	498	36	0	0	16
Ottawa	88, 270. 54	128, 180. 68	502	432	60	0	0	10
Paulding	65, 195. 36	90, 645. 70	355	341	9	0	0	5
Perry	151, 037. 39	219, 592. 40	860	727	93	0	40	0
Pickaway	164, 668. 21	232, 359. 40	910	795	59	0	24	32
Pike	268, 651. 11	395, 010. 98	1, 547	1, 194	350	0	0	3
Portage	225, 187. 45	328, 367. 24	1, 286	978	223	0	0	85
Preble	114, 138. 40	165, 204. 98	647	542	57	0	29	19
Putnam	191, 546. 44	260, 957. 48	1, 022	1, 015	4	0	0	3
Richland	378, 961. 84	531, 362. 54	2, 081	1, 642	283	0	16	140
Ross	383, 126. 99	548, 725. 66	2, 149	1, 709	364	0	0	76
Sandusky	152, 158. 87	224, 699. 20	880	757	92	0	0	31
Scioto	731, 229. 18	1, 067, 831. 88	4, 182	3, 101	972	0	71	38
Seneca	184, 359. 68	257, 893. 40	1, 010	848	82	0	45	35
Shelby	121, 076. 74	166, 737. 02	653	603	10	0	33	7
Stark	887, 299. 66	1, 285, 892. 24	5, 036	3, 914	834	0	91	197
Summit	1, 610, 872. 17	2, 377, 981. 42	9, 313	5, 960	2, 470	118	237	528
Trumbull	535, 124. 43	784, 915. 16	3, 074	2, 339	617	0	43	75
Tuscarawas	254, 877. 62	353, 135. 22	1, 383	1, 294	59	0	0	30
Union	84, 491. 36	118, 988. 44	466	423	34	0	0	9
Van Wert	97, 162. 37	133, 798. 16	524	418	15	0	78	13
Vinton	147, 291. 83	199, 931. 22	783	735	48	0	0	0
Warren	239, 510. 41	340, 878. 90	1, 335	1, 101	166	0	35	33
Washington	255, 984. 48	346, 751. 72	1, 358	1, 243	17	0	88	10
Wayne	262, 937. 45	359, 774. 06	1, 409	1, 327	18	0	34	30
Williams	100, 888. 43	138, 138. 94	541	524	10	0	0	7
Wood	154, 936. 93	212, 698. 22	833	741	46	0	0	46
Wyandot	73, 891. 90	99, 582. 60	390	372	7	0	0	11

OKLAHOMA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$18, 271, 999. 93	$29, 036, 498. 78	113, 717	84, 779	26, 657	70	1, 254	957
Adair	375, 586. 46	620, 731. 54	2, 431	1, 678	671	0	80	2
Alfalfa	27, 601. 68	40, 854. 40	160	147	10	0	0	3
Atoka	278, 480. 94	417, 991. 58	1, 637	1, 386	249	0	0	2
Beaver	33, 244. 53	47, 493. 24	186	180	5	0	0	1
Beckham	122, 216. 13	187, 164. 22	733	589	141	0	0	3
Blaine	118, 207. 04	173, 375. 86	679	596	66	0	0	17
Bryan	360, 405. 47	552, 811. 10	2, 165	1, 762	385	0	0	18
Caddo	422, 873. 64	663, 628. 66	2, 599	2, 027	534	0	0	38

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

OKLAHOMA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Canadian	$117, 364. 86	$183, 078. 78	717	601	93	0	0	23
Carter	361, 593. 52	579, 877. 14	2, 271	1, 594	650	0	0	18
Cherokee	320, 587. 38	539, 788. 76	2, 114	1, 416	596	0	85	17
Choctaw	398, 093. 48	629, 413. 10	2, 465	1, 810	581	0	63	11
Cimarron	18, 626. 66	27, 321. 38	107	96	9	0	0	2
Cleveland	131, 867. 96	207, 591. 42	813	584	196	0	0	33
Coal	109, 002. 58	168, 524. 40	660	561	97	0	0	2
Comanche	420, 537. 52	666, 692. 74	2, 611	1, 969	626	0	0	16
Cotton	81, 170. 89	119, 754. 46	469	404	63	0	0	2
Craig	119, 586. 11	181, 036. 06	709	608	89	0	0	12
Creek	310, 194. 38	494, 593. 58	1, 937	1, 483	435	0	0	19
Custer	103, 743. 14	176, 184. 60	690	421	262	0	0	7
Delaware	270, 400. 67	442, 248. 88	1, 732	1, 216	431	0	76	9
Dewey	62, 480. 36	91, 156. 38	357	324	23	0	0	10
Ellis	29, 899. 67	43, 663. 14	171	164	4	0	0	3
Garfield	192, 063. 19	299, 513. 82	1, 173	958	198	10	0	7
Garvin	241, 394. 08	379, 945. 92	1, 488	1, 220	261	0	0	7
Grady	228, 487. 01	364, 114. 84	1, 426	1, 105	310	0	0	11
Grant	40, 534. 40	60, 515. 58	237	219	18	0	0	0
Greer	63, 221. 04	99, 327. 26	389	320	67	0	0	2
Harmon	68, 672. 57	112, 094. 26	439	279	109	0	49	2
Harper	30, 040. 08	43, 152. 46	169	164	4	0	0	1
Haskell	209, 578. 74	311, 259. 46	1, 219	1, 042	177	0	0	0
Hughes	233, 733. 57	352, 879. 88	1, 382	1, 250	130	0	0	2
Jackson	252, 220. 60	407, 267. 30	1, 595	1, 190	382	0	13	10
Jefferson	91, 895. 02	138, 394. 28	542	468	74	0	0	0
Johnston	142, 093. 73	209, 634. 14	821	670	149	0	0	2
Kay	220, 915. 81	335, 516. 76	1, 314	1, 024	176	0	95	19
Kingfisher	74, 774. 69	108, 008. 82	423	389	28	0	0	6
Kiowa	149, 281. 70	230, 572. 02	903	760	139	0	0	4
Latimer	135, 761. 99	219, 081. 72	858	656	199	0	0	3
Le Flore	457, 625. 37	737, 932. 60	2, 890	2, 146	738	0	0	6
Lincoln	203, 987. 09	308, 961. 40	1, 210	1, 036	169	0	0	5
Logan	164, 142. 27	255, 595. 34	1, 001	686	251	0	47	17
Love	87, 401. 13	131, 500. 10	515	452	62	0	0	1
McClain	118, 309. 72	188, 696. 26	739	634	99	0	0	6
McCurtain	546, 021. 76	852, 385. 60	3, 340	2, 360	973	0	0	7
McIntosh	315, 428. 07	479, 783. 86	1, 879	1, 558	309	0	10	2
Major	37, 968. 25	55, 664. 12	218	211	6	0	0	1
Marshall	88, 396. 79	128, 180. 68	502	427	74	0	0	1
Mayes	233, 747. 03	376, 371. 16	1, 474	1, 124	326	0	0	24
Murray	107, 917. 50	170, 056. 44	666	516	144	0	0	6
Muskogee	703, 922. 10	1, 132, 943. 58	4, 437	3, 245	1, 105	0	20	67
Noble	54, 948. 08	83. 240. 84	326	301	25	0	0	0
Nowata	73, 179. 04	112, 604. 94	441	378	62	0	0	1
Okfuskee	230, 248. 01	339, 602. 20	1, 330	1, 130	195	0	0	5
Oklahoma	2, 134, 320. 54	3, 710, 345. 54	14, 531	8, 664	5, 474	43	220	130
Okmulgee	486, 618. 11	763, 466. 60	2, 990	2, 224	763	0	0	3
Osage	192, 152. 32	291, 342. 94	1, 141	987	145	0	0	9
Ottawa	211, 468, 46	322, 494. 42	1, 263	1, 106	151	0	0	6
Pawnee	85, 728. 56	124, 605. 92	488	419	64	0	0	5
Payne	135, 251. 04	208, 868. 12	818	673	140	0	0	5
Pittsburg	394, 785. 78	586, 515. 98	2, 297	1, 929	335	0	0	33
Pontotoc	204, 702. 32	319, 941. 02	1, 253	1, 014	237	0	0	2
Pottawatomie	274, 510. 57	414, 927. 50	1, 625	1, 311	291	0	0	23
Pushmataha	183, 407. 42	289, 044. 88	1, 132	908	219	0	0	5
Roger Mills	53, 479. 89	80, 432. 10	315	264	44	0	0	7
Rogers	143, 077. 20	225, 975. 90	885	694	172	0	0	19
Seminole	379, 606. 75	584, 983. 94	2, 291	1, 746	503	0	34	8
Sequoyah	329, 970. 48	538, 256. 72	2, 108	1, 527	539	0	24	18
Stephens	195, 739. 77	296, 705. 08	1, 162	999	151	0	0	12
Texas	65, 008. 18	95, 241. 82	373	341	26	0	0	6
Tillman	263, 773. 56	392, 712. 92	1, 538	1, 149	242	0	146	1
Tulsa	1, 600, 063. 91	2, 678, 005. 92	10, 488	6, 562	3, 480	17	292	137
Wagoner	254, 518. 10	393, 478. 94	1, 541	1, 222	304	0	0	15
Washington	106, 883. 23	162, 651. 58	637	538	91	0	0	8
Washita	97, 576. 19	145, 799. 14	571	507	55	0	0	9
Woods	47, 313. 61	73, 282. 58	287	256	31	0	0	0
Woodward	40, 368. 34	57, 196. 16	224	205	16	0	0	3

OREGON

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $293.44]

State total	$7, 563, 971. 00	$11, 284, 822. 08	38, 457	23, 933	11, 606	95	186	2, 637
Baker	76, 234. 44	105, 638. 40	360	279	67	0	0	14
Benton	78, 842. 36	116, 202. 24	396	266	94	0	0	36
Clackamas	454, 703. 99	665, 521. 92	2, 268	1, 549	555	0	25	139
Clatsop	121, 512. 94	167, 260. 80	570	438	61	0	0	71
Columbia	95, 848. 36	145, 839. 68	497	311	118	0	0	68
Coos	184, 180. 53	281, 995. 84	961	675	225	0	0	61
Crook	56, 902. 98	90, 966. 40	310	228	69	0	0	13
Curry	34, 465. 02	56, 047. 04	191	116	57	0	0	18
Deschutes	126, 824. 29	182, 226. 24	621	477	110	0	0	34
Douglas	252, 697. 99	406, 120. 96	1, 384	799	458	0	0	127
Gilliam	10, 410. 93	13, 791. 68	47	46	0	0	0	1
Grant	19, 271. 28	25, 529. 28	87	71	12	0	0	4
Harney	29, 047. 90	39, 027. 52	133	121	5	0	0	7

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

OREGON—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $293.44]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Hood River	$40, 052. 92	$56, 340. 48	192	156	29	0	0	7
Jackson	297, 150. 13	431, 650. 24	1, 471	1, 107	278	0	0	86
Jefferson	36, 911. 60	55, 460. 16	189	130	40	0	0	19
Josephine	147, 258. 43	206, 288. 32	703	478	206	0	0	19
Klamath	195, 643. 43	288, 158. 08	982	682	234	0	0	66
Lake	29, 626. 90	42, 255. 36	144	115	21	0	0	8
Lane	524, 721. 59	786, 712. 64	2, 681	1, 683	784	0	0	214
Lincoln	124, 402. 79	179, 291. 84	611	425	140	0	0	46
Linn	266, 013. 13	396, 144. 00	1, 350	882	381	0	0	87
Malheur	185, 117. 01	288, 158. 08	982	664	299	0	0	19
Marion	726, 024. 37	1, 120, 647. 36	3, 819	2, 326	1, 319	0	0	174
Morrow	15, 908. 45	24, 355. 52	83	64	17	0	0	2
Multnomah	2, 240, 526. 36	3, 340, 227. 52	11, 383	5, 620	4, 702	95	86	880
Polk	149, 675. 56	241, 207. 68	822	561	213	0	0	48
Sherman	5, 316. 22	7, 042. 56	24	24	0	0	0	0
Tillamook	71, 925. 14	102, 117. 12	348	274	52	0	0	22
Umatilla	198, 336. 87	296, 374. 40	1, 010	647	262	0	0	101
Union	70, 062. 40	98, 008. 96	334	262	47	0	0	25
Wallowa	23, 434. 63	30, 224. 32	103	93	8	0	0	2
Wasco	84, 792. 89	123, 538. 24	421	346	63	0	0	12
Washington	345, 423. 99	495, 326. 72	1, 688	1, 199	286	0	75	128
Wheeler	8, 669. 06	12, 031. 04	41	35	6	0	0	0
Yamhill	236, 034. 12	367, 093. 44	1, 251	784	388	0	0	79

PENNSYLVANIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $268.78]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$50, 099, 478. 82	$73, 441, 178. 42	273, 239	175, 394	80, 788	3, 106	5, 118	8, 743
Adams	183, 791. 18	273, 080. 48	1, 016	721	191	0	61	43
Allegheny	6, 715, 509. 05	9, 785, 742. 24	36, 408	20, 434	14, 527	338	331	778
Armstrong	418, 950. 77	597, 229. 16	2, 222	1, 812	363	0	0	47
Beaver	650, 116. 29	925, 947. 10	3, 445	2, 403	895	49	32	66
Bedford	295, 092. 86	421, 984. 60	1, 570	1, 287	263	0	0	20
Berks	688, 559. 58	986, 153. 82	3, 669	2, 615	586	61	253	154
Blair	598, 594. 77	867, 621. 84	3, 228	2, 328	707	0	81	112
Bradford	331, 610. 82	495, 899. 10	1, 845	1, 142	622	0	0	81
Bucks	599, 245. 72	976, 477. 74	3, 633	2, 373	677	250	200	133
Butler	369, 521. 20	520, 895. 64	1, 938	1, 589	227	0	90	32
Cambria	1, 218, 112. 03	1, 752, 714. 38	6, 521	5, 230	1, 179	39	0	73
Cameron	16, 646. 02	19, 889. 72	74	69	0	0	0	5
Carbon	218, 637. 99	306, 946. 76	1, 142	949	141	20	0	32
Centre	247, 977. 09	356, 133. 50	1, 325	1, 090	191	0	0	44
Chester	559, 213. 41	795, 051. 24	2, 958	2, 288	504	0	0	166
Clarion	188, 387. 36	273, 618. 04	1, 018	813	200	0	0	5
Clearfield	530, 859. 42	743, 445. 48	2, 766	2, 076	611	0	15	64
Clinton	146, 203. 73	215, 561. 56	802	587	169	0	0	46
Columbia	185, 059. 76	260, 985. 38	971	779	122	0	0	70
Crawford	428, 808. 52	592, 928. 68	2, 206	1, 740	311	0	76	79
Cumberland	333, 761. 19	475, 203. 04	1, 768	1, 261	236	0	49	222
Dauphin	1, 218, 284. 10	1, 780, 129. 94	6, 623	3, 006	1, 989	0	1, 324	304
Delaware	1, 564, 925. 62	2, 328, 172. 36	8, 662	5, 395	2, 375	452	181	259
Elk	72, 362. 33	105, 630. 54	393	316	64	0	0	13
Erie	1, 024, 455. 51	1, 475, 870. 98	5, 491	3, 717	1, 414	94	38	228
Fayette	2, 003, 877. 49	2, 883, 471. 84	10, 728	7, 234	3, 416	0	0	78
Forest	21, 324. 44	30, 103. 36	112	109	3	0	0	0
Franklin	375, 561. 83	540, 785. 36	2, 012	1, 601	197	0	9	95
Fulton	98, 153. 66	141, 378. 28	526	444	76	0	0	6
Greene	359, 147. 36	533, 797. 08	1, 986	1, 244	649	36	0	57
Huntingdon	354, 707. 49	505, 037. 62	1, 879	1, 459	361	19	110	40
Indiana	476, 829. 89	662, 542. 70	2, 465	1, 840	577	0	0	48
Jefferson	265, 594. 73	385, 161. 74	1, 433	1, 117	286	0	0	30
Juniata	96, 428. 48	147, 560. 22	549	435	111	0	0	3
Lackawanna	978, 414. 10	1, 385, 829. 68	5, 156	3, 805	1, 206	50	16	79
Lancaster	831, 608. 85	1, 204, 671. 96	4, 482	3, 470	675	0	95	242
Lawrence	420, 570. 48	608, 517. 92	2, 264	1, 641	559	0	0	64
Lebanon	205, 972. 52	294, 045. 32	1, 094	869	132	0	12	81
Lehigh	421, 476. 68	651, 791. 50	2, 425	1, 728	405	0	133	159
Luzerne	1, 874, 748. 17	2, 637, 806. 92	9, 814	7, 938	1, 685	0	94	97
Lycoming	417, 435. 45	580, 296. 02	2, 159	1, 672	405	0	0	82
McKean	228, 977. 23	309, 097. 00	1, 150	775	325	0	17	33
Mercer	556, 827. 68	798, 814. 16	2, 972	1, 866	607	335	70	94
Mifflin	337, 506. 40	465, 258. 18	1, 731	1, 348	333	0	0	50
Monroe	125, 798. 49	177, 663. 58	661	547	82	0	0	32
Montgomery	705, 569. 17	1, 029, 696. 18	3, 831	2, 645	616	267	134	1691
Montour	45, 695. 14	58, 862. 82	219	194	14	0	0	11
Northampton	518, 440. 68	759, 572. 28	2, 826	2, 116	593	0	33	84
Northumberland	526, 763. 69	769, 517. 14	2, 863	2, 399	404	0	27	33
Perry	145, 256. 99	206, 960. 60	770	542	110	92	0	26
Philadelphia	12, 752, 346. 80	19, 533, 586. 50	72, 675	35, 221	32, 264	757	1, 332	3, 101
Pike	26, 297. 70	42, 736. 02	159	128	31	0	0	0
Potter	123, 836. 80	178, 738. 70	665	494	119	0	23	29
Schuylkill	903, 801. 84	1, 298, 744. 96	4, 832	3, 938	775	0	88	31
Snyder	108, 362. 55	160, 461. 66	597	513	77	0	0	7
Somerset	653, 282. 12	935, 085. 62	3, 479	2, 838	573	0	20	48
Sullivan	35, 705. 37	52, 412. 10	195	150	27	0	0	18
Susquehanna	182, 864. 48	272, 811. 70	1, 015	719	240	0	0	56
Tioga	198, 543. 74	275, 768. 28	1, 026	769	215	0	0	42

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

PENNSYLVANIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $268.78]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Union	$90, 043. 26	$124, 176. 36	462	387	64	0	0	11
Venango	250, 237. 32	361, 509. 10	1, 345	937	363	0	0	45
Warren	99, 538. 03	135, 733. 90	505	418	34	0	22	31
Washington	1, 086, 605. 17	1, 558, 386. 44	5, 798	4, 005	1, 421	247	0	125
Wayne	117, 217. 89	166, 106. 04	618	520	71	0	0	27
Westmoreland	1, 400, 899. 13	2, 008, 055. 38	7, 471	5, 985	1, 327	0	49	110
Wyoming	107, 012. 79	151, 054. 36	562	377	91	0	71	23
York	765, 510. 51	1, 084, 258. 52	4, 034	2, 937	795	0	32	270

RHODE ISLAND

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $272.38]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$3, 780, 571. 00	$5, 816, 402. 52	21, 354	12, 083	8, 291	0	194	786
Bristol	109, 216. 46	155, 528. 98	571	437	94	0	0	40
Kent	338, 810. 20	515, 070. 58	1, 891	1, 187	564	0	0	140
Newport	557, 125. 27	784, 454. 40	2, 880	2, 474	351	0	0	55
Providence	2, 581, 374. 29	4, 079, 980. 02	14, 979	7, 266	7, 006	0	194	513
Washington	194, 044. 78	281, 368. 54	1, 033	719	276	0	0	38

SOUTH CAROLINA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$23, 694, 160. 88	$53, 194, 726. 86	208, 329	206, 638	0	0	848	843
Abbeville	184, 249. 63	413, 650. 80	1, 620	1, 617	0	0	0	3
Aiken	614, 051. 70	1, 378, 580. 66	5, 399	5, 367	0	0	0	32
Allendale	219, 393. 54	492, 550. 86	1, 929	1, 929	0	0	0	0
Anderson	562, 302. 56	1, 262, 400. 96	4, 944	4, 802	0	0	20	122
Bamberg	273, 758. 55	614, 603. 38	2, 407	2, 407	0	0	0	0
Barnwell	277, 398. 05	622, 774. 26	2, 439	2, 436	0	0	0	3
Beaufort	347, 572. 14	780, 319. 04	3, 056	3, 036	0	0	0	20
Berkeley	550, 133. 00	1, 235, 079. 58	4, 837	4, 836	0	0	0	1
Calhoun	328, 123. 56	736, 655. 90	2, 885	2, 883	0	0	0	2
Charleston	1, 630, 381. 74	3, 660, 298. 90	14, 335	14, 151	0	0	122	62
Cherokee	305, 604. 16	686, 098. 58	2, 687	2, 654	0	0	30	3
Chester	309, 243. 66	694, 269. 46	2, 719	2, 714	0	0	0	5
Chesterfield	561, 847. 63	1, 261, 379. 60	4, 940	4, 904	0	0	0	36
Clarendon	697, 191. 49	1, 565, 234. 20	6, 130	6, 093	0	0	37	0
Colleton	474, 613. 39	1, 065, 533. 82	4, 173	4, 168	0	0	0	5
Darlington	776, 009. 39	1, 742, 184. 82	6, 823	6, 790	0	0	0	33
Dillon	640, 210. 60	1, 437, 308. 86	5, 629	5, 628	0	0	0	1
Dorchester	298, 893. 84	671, 033. 52	2, 628	2, 625	0	0	0	3
Edgefield	238, 955. 84	536, 469. 34	2, 101	2, 101	0	0	0	0
Fairfield	305, 945. 37	686, 864. 60	2, 690	2, 690	0	0	0	0
Florence	1, 196, 826. 44	2, 686, 942. 82	10, 523	10, 479	0	9	26	18
Georgetown	555, 478. 51	1, 247, 080. 56	4, 884	4, 884	0	0	0	0
Greenville	803, 191. 89	1, 803, 211. 08	7, 062	6, 834	0	0	69	159
Greenwood	296, 164. 21	664, 905. 36	2, 604	2, 344	0	0	255	5
Hampton	316, 067. 72	709, 589. 86	2, 779	2, 777	0	0	0	2
Horry	888, 492. 65	1, 994, 716. 08	7, 812	7, 796	0	0	0	16
Jasper	190, 050. 07	426, 673. 14	1, 671	1, 666	0	0	0	5
Kershaw	436, 284. 92	979, 484. 24	3, 836	3, 805	0	0	18	13
Lancaster	240, 889. 33	540, 810. 12	2, 118	2, 093	0	0	0	25
Laurens	338, 700. 85	760, 402. 52	2, 978	2, 971	0	0	0	7
Lee	544, 332. 54	1, 222, 057. 24	4, 786	4, 783	0	0	0	3
Lexington	305, 945. 37	686, 864. 60	2, 690	2, 654	0	0	21	15
McCormick	112, 938. 19	253, 552. 62	993	991	0	0	0	2
Marion	598, 811. 29	1, 344, 365. 10	5, 265	5, 264	0	0	0	1
Marlboro	534, 323. 92	1, 199, 587. 32	4, 698	4, 676	0	0	0	22
Newberry	282, 629. 83	634, 519. 90	2, 485	2, 475	0	0	0	10
Oconee	269, 322. 91	604, 645. 12	2, 368	2, 160	0	0	202	6
Orangeburg	1, 099, 128. 64	2, 467, 605. 76	9, 664	9, 645	0	0	0	19
Pickens	166, 620. 81	374, 073. 10	1, 465	1, 451	0	0	0	14
Richland	1, 042, 602. 68	2, 340, 701. 78	9, 167	9, 074	0	0	0	93
Saluda	164, 004. 91	368, 200. 28	1, 442	1, 441	0	0	0	1
Spartanburg	846, 410. 94	1, 900, 240. 28	7, 442	7, 393	0	0	0	49
Sumter	973, 452. 20	2, 185, 455. 06	8, 559	8, 559	0	0	0	0
Union	236, 339. 95	530, 596. 52	2, 078	2, 076	0	0	0	2
Williamsburg	1, 145, 304. 79	2, 571, 273. 80	10, 070	10, 070	0	0	0	0
York	513, 965. 48	1, 153, 881. 46	4, 519	4, 446	0	0	48	25

SOUTH DAKOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$5, 826, 042. 83	$9, 630, 403. 44	37, 716	30, 712	4, 509	17	1, 931	547
Aurora	66, 585. 82	103, 412. 70	405	397	4	0	0	4
Beadle	148, 153. 71	236, 700. 18	927	845	67	0	0	15
Bennett	49, 382. 90	77, 878. 70	305	253	49	0	0	3
Bon Homme	121, 696. 98	188, 696. 26	739	723	13	0	0	3
Brookings	134, 857. 11	209, 889. 48	822	800	19	0	0	3

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

SOUTH DAKOTA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Brown	$209, 042. 55	$336, 282. 78	1, 317	1, 109	192	0	0	16
Brule	70, 952. 28	111, 072. 90	435	151	21	0	258	5
Buffalo	43, 894. 46	69, 197. 14	271	204	65	0	0	2
Butte	39, 188. 00	63, 835. 00	250	180	67	0	0	3
Campbell	38, 977. 65	59, 749. 56	234	220	14	0	0	0
Charles Mix	212, 407. 17	354, 156. 58	1, 387	866	147	0	362	12
Clark	102, 524. 35	157, 544. 78	617	603	8	0	0	6
Clay	53, 425. 68	82, 219. 48	322	278	38	0	0	6
Codington	161, 882. 32	263, 000. 20	1, 030	922	86	0	0	22
Corson	91, 664. 44	157, 289. 44	616	427	126	0	43	20
Custer	17, 810. 84	31, 406. 82	123	103	19	0	0	1
Davison	102, 815. 42	172, 099. 16	674	504	126	0	16	28
Day	123, 160. 79	196, 356. 46	769	694	60	0	0	15
Deuel	65, 437. 54	101, 880. 66	399	391	5	0	0	3
Dewey	68, 475. 81	146, 054. 48	572	358	213	0	0	1
Douglas	95, 669. 11	146, 054. 48	572	567	3	0	0	2
Edmunds	72, 624. 61	113, 881. 64	446	429	14	0	0	3
Fall River	48, 182. 04	75, 325. 30	295	238	46	0	0	11
Faulk	47, 020. 61	73, 537. 92	288	278	10	0	0	0
Grant	137, 704. 02	214, 740. 94	841	791	39	0	0	11
Gregory	75, 489. 65	122, 052. 52	478	437	39	0	0	2
Haakon	22, 630. 62	36, 002. 94	141	136	5	0	0	0
Hamlin	77, 649. 75	119, 499. 12	468	452	14	0	0	2
Hand	92, 145. 39	139, 926. 32	548	538	9	0	0	1
Hanson	107, 406. 71	169, 290. 42	663	636	27	0	0	0
Harding	12, 112. 04	18, 639. 82	73	73	0	0	0	0
Hughes	44, 249. 43	76, 091. 32	298	224	57	0	0	17
Hutchinson	159, 892. 63	245, 126. 40	960	942	17	0	0	1
Hyde	62, 245. 65	96, 263. 18	377	156	6	0	212	3
Jackson	11, 155. 97	17, 873. 80	70	58	6	0	0	6
Jerauld	64, 044. 46	98, 561. 24	386	386	0	0	0	0
Jones	14, 845. 61	24, 257. 30	95	89	6	0	0	0
Kingsbury	63, 180. 42	99, 582. 60	390	265	23	0	0	2
Lake	90, 970. 81	137, 883. 60	540	507	28	0	0	5
Lawrence	50, 020. 28	78, 389. 38	307	268	26	0	0	13
Lincoln	111, 436. 34	173, 375. 86	679	654	11	0	0	14
Lyman	43, 886. 29	72, 005. 88	282	238	41	0	0	3
McCook	110, 419. 53	174, 397. 22	683	650	24	0	0	9
McPherson	97, 891. 78	150, 650. 60	590	590	0	0	0	0
Marshall	72, 039. 82	114, 392. 32	448	413	32	0	0	3
Meade	58, 587. 29	93, 454. 44	366	306	54	0	0	6
Mellette	55, 489. 26	98, 561. 24	386	299	84	0	0	3
Miner	79, 466. 70	125, 116. 60	490	471	12	0	0	7
Minnehaha	276, 394. 55	472, 379. 00	1, 850	1, 266	474	17	0	93
Moody	67, 760. 39	105, 455. 42	413	403	5	0	0	5
Pennington	151, 956. 84	328, 367. 24	1, 286	607	622	0	0	57
Perkins	61, 289. 58	95, 497. 16	374	356	18	0	0	0
Potter	29, 804. 54	47, 748. 58	187	175	12	0	0	0
Roberts	222, 291. 54	365, 136. 20	1, 430	1, 065	250	0	112	3
Sanborn	30, 721. 17	47, 748. 58	187	179	8	0	0	0
Shannon	174, 818. 27	404, 458. 56	1, 584	841	263	0	461	19
Spink	137, 140. 52	212, 698. 22	833	819	12	0	0	2
Stanley	10, 466. 00	16, 341. 76	64	54	6	0	0	4
Sully	23, 233. 55	38, 811. 68	152	136	14	0	0	2
Todd	215, 598. 23	398, 330. 40	1, 560	716	349	0	467	28
Tripp	80, 445. 90	132, 266. 12	518	442	66	0	0	10
Turner	140, 026. 87	218, 315. 70	855	818	19	0	0	18
Union	97, 417. 16	156, 268. 08	612	563	46	0	0	3
Walworth	40, 927. 90	76, 857. 34	301	183	118	0	0	0
Washabaugh	3, 921. 30	7, 915. 54	31	10	21	0	0	0
Yankton	134, 037. 50	214, 740. 94	841	733	97	0	0	11
Ziebach	26, 997. 58	67, 409. 76	264	127	137	0	0	0

TENNESSEE

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$32, 003, 692. 88	$56, 941, 841. 36	223, 004	220, 048	0	56	1, 864	1, 036
Anderson	366, 309. 53	651, 627. 68	2, 552	2, 537	0	0	0	15
Bedford	158, 322. 65	281, 640. 02	1, 103	1, 088	0	0	0	15
Benton	101, 337. 98	180, 270. 04	706	704	0	0	0	2
Bledsoe	156, 456. 66	278, 320. 60	1, 090	1, 090	0	0	0	0
Blount	444, 537. 86	790, 787. 98	3, 097	3, 062	0	0	13	22
Bradley	235, 546. 22	419, 012. 94	1, 641	1, 526	0	0	106	9
Campbell	512, 287. 90	911, 308. 46	3, 569	3, 556	0	0	0	13
Cannon	87, 845. 39	156, 268. 08	612	612	0	0	0	0
Carroll	306, 454. 10	545, 150. 90	2, 135	2, 126	0	0	0	9
Carter	376, 357. 21	669, 501. 48	2, 622	2, 567	0	0	35	20
Cheatham	61, 577. 89	109, 540. 86	429	429	0	0	0	0
Chester	137, 653. 15	244, 871. 06	959	943	0	0	0	16
Claiborne	421, 858. 82	750, 444. 26	2, 939	2, 932	0	0	0	7
Clay	191, 623. 52	340, 878. 90	1, 335	1, 328	0	0	0	7
Cocke	372, 625. 22	662, 862. 64	2, 596	2, 587	0	0	0	9
Coffee	214, 733. 17	381, 988. 64	1, 496	1, 484	0	0	0	12
Crockett	243, 297. 28	432, 801. 30	1, 695	1, 692	0	0	0	3
Cumberland	284, 062. 13	505, 317. 86	1, 979	1, 974	0	0	0	5
Davidson	1, 495, 955. 31	2, 661, 153. 48	10, 422	10, 146	0	0	185	91

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

TENNESSEE—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Decatur	$118, 131. 96	$210, 144. 82	823	818	0	0	0	5
De Kalb	142, 820. 53	254, 063. 30	995	995	0	0	0	0
Dickson	151, 432. 81	269, 383. 70	1, 055	1, 044	0	0	0	11
Dyer	399, 466. 86	710, 611. 22	2, 783	2, 770	0	0	0	13
Fayette	808, 694. 32	1, 438, 585. 56	5, 634	5, 628	0	0	0	6
Fentress	299, 994. 88	533, 660. 60	2, 090	2, 090	0	0	0	0
Franklin	247, 603. 43	440, 461. 50	1, 725	1, 719	0	0	0	6
Gibson	556, 497. 67	989, 953. 18	3, 877	3, 872	0	0	0	5
Giles	301, 860. 87	536, 980. 02	2, 103	2, 099	0	0	0	4
Grainger	210, 570. 56	374, 583. 78	1, 467	1, 461	0	0	0	6
Greene	507, 981. 76	903, 648. 26	3, 539	3, 369	0	0	161	9
Grundy	188, 322. 14	335, 006. 08	1, 312	1, 312	0	0	0	0
Hamblen	217, 316. 86	386, 584. 76	1, 514	1, 498	0	0	0	16
Hamilton	1, 308, 331. 97	2, 337, 893. 04	9, 156	8, 763	0	0	342	51
Hancock	208, 991. 64	371, 775. 04	1, 456	1, 456	0	0	0	0
Hardeman	439, 370. 49	781, 595. 74	3, 061	3, 059	0	0	0	2
Hardin	294, 827. 51	524, 468. 36	2, 054	2, 048	0	0	0	6
Hawkins	428, 605. 12	762, 445. 24	2, 986	2, 986	0	0	0	0
Haywood	660, 849. 96	1, 175, 585. 36	4, 604	4, 595	0	0	0	9
Henderson	233, 249. 01	414, 927. 50	1, 625	1, 610	0	0	0	15
Henry	188, 035. 07	334, 495. 40	1, 310	1, 305	0	0	0	5
Hickman	142, 820. 53	254, 063. 30	995	995	0	0	0	0
Houston	60, 142. 51	106, 987. 46	419	419	0	0	0	0
Humphreys	108, 371. 66	192, 781. 70	755	753	0	0	0	2
Jackson	194, 207. 21	345, 475. 02	1, 353	1, 353	0	0	0	0
Jefferson	159, 183. 88	283, 172. 06	1, 109	1, 105	0	0	0	4
Johnson	235, 259. 14	418, 502. 26	1, 639	1, 639	0	0	0	0
Knox	1, 259, 547. 87	2, 240, 608. 50	8, 775	8, 540	0	0	81	154
Lake	219, 039. 32	389, 648. 84	1, 526	1, 525	0	0	0	1
Lauderdale	474, 106. 74	843, 388. 02	3, 303	3, 291	0	0	0	12
Lawrence	284, 205. 67	505, 573. 20	1, 980	1, 974	0	0	0	6
Lewis	72, 773. 88	129, 457. 38	507	507	0	0	0	0
Lincoln	302, 004. 41	537, 235. 36	2, 104	2, 096	0	0	0	8
Loudon	187, 604. 45	333, 729. 38	1, 307	1, 305	0	0	0	2
McMinn	335, 735. 90	597, 240. 26	2, 339	2, 333	0	0	0	6
McNairy	323, 965. 75	576, 302. 38	2, 257	2, 254	0	0	0	3
Macon	159, 183. 88	283, 172. 06	1, 109	1, 109	0	0	0	0
Madison	690, 992. 98	1, 229, 206. 76	4, 814	4, 790	0	0	0	24
Marion	291, 669. 66	518, 850. 88	2, 032	2, 030	0	0	0	2
Marshall	163, 346. 50	290, 576. 92	1, 138	1, 138	0	0	0	0
Maury	350, 376. 79	623, 284. 94	2, 441	2, 264	0	0	175	2
Meigs	115, 691. 80	205, 804. 04	806	806	0	0	0	0
Monroe	353, 104. 02	628, 136. 40	2, 460	2, 459	0	0	0	1
Montgomery	318, 511. 30	566, 599. 46	2, 219	2, 191	0	0	0	28
Moore	37, 032. 86	65, 877. 72	258	252	0	0	0	6
Morgan	242, 436. 05	431, 269. 26	1, 689	1, 689	0	0	0	0
Obion	266, 981. 09	474, 932. 40	1, 860	1, 858	0	0	0	2
Overton	270, 713. 08	481, 571. 24	1, 886	1, 880	0	0	0	6
Perry	88, 706. 62	157, 800. 12	618	618	0	0	0	0
Pickett	78, 228. 33	139, 160. 30	545	545	0	0	0	0
Polk	111, 242. 12	197, 888. 50	775	775	0	0	0	0
Putnam	292, 100. 28	519, 616. 90	2, 035	2, 020	0	0	0	15
Rhea	190, 618. 76	339, 091. 52	1, 328	1, 285	0	0	40	3
Roane	336, 597. 12	598, 772. 30	2, 345	2, 329	0	0	0	16
Robertson	288, 798. 89	513, 744. 08	2, 012	2, 005	0	0	0	7
Rutherford	320, 951. 45	570, 940. 24	2, 236	2, 223	0	0	0	13
Scott	297, 554. 73	529, 319. 82	2, 073	2, 061	0	0	0	12
Sequatchie	63, 730. 96	113, 370. 96	444	444	0	0	0	0
Sevier	313, 487. 47	557, 662. 56	2, 184	1, 992	0	0	159	33
Shelby	3, 901, 655. 86	6, 940, 651. 88	27, 182	26, 571	0	56	387	168
Smith	157, 461. 43	280, 107. 98	1, 097	1, 097	0	0	0	0
Stewart	114, 256. 42	203, 250. 64	796	794	0	0	0	2
Sullivan	690, 992. 98	1, 229, 206. 76	4, 814	4, 796	0	0	0	18
Sumner	317, 363. 00	564, 556. 74	2, 211	2, 210	0	0	0	1
Tipton	581, 186. 24	1, 033, 871. 66	4, 049	3, 997	0	0	50	2
Trousdale	60, 429. 59	107, 498. 14	421	420	0	0	0	1
Unicoi	146, 552. 52	260, 702. 14	1, 021	1, 021	0	0	0	0
Union	141, 385. 15	251, 509. 90	985	985	0	0	0	0
Van Buren	64, 448. 66	114, 647. 66	449	449	0	0	0	0
Warren	212, 293. 03	377, 647. 86	1, 479	1, 465	0	0	0	14
Washington	400, 328. 10	712, 143. 26	2, 789	2, 762	0	0	0	27
Wayne	193, 776. 59	344, 709. 00	1, 350	1, 348	0	0	0	2
Weakley	211, 001. 18	375, 349. 80	1, 470	1, 463	0	0	0	7
White	259, 804. 17	462, 165. 40	1, 810	1, 809	0	0	0	1
Williamson	272, 004. 92	483, 869. 30	1, 895	1, 764	0	0	130	1
Wilson	195, 929. 67	348, 539. 10	1, 365	1, 365	0	0	0	0

TEXAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$69, 895, 896. 36	$103, 152, 508. 54	403, 981	398, 224	0	613	3, 882	1, 262
Anderson	375, 195. 78	552, 811. 10	2, 165	2, 165	0	0	0	0
Andrews	19, 582. 97	28, 853. 42	113	113	0	0	0	0
Angelina	282, 479. 97	416, 204. 20	1, 630	1, 618	0	0	0	12
Aransas	46, 617. 85	68, 686. 46	269	269	0	0	0	0
Archer	18, 889. 77	27, 832. 06	109	109	0	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

TEXAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Armstrong	$4, 505. 81	$6, 638. 84	26	26	0	0	0	0
Atascosa	338, 282. 75	498, 423. 68	1, 952	1, 952	0	0	0	0
Austin	169, 141. 37	249, 211. 84	976	976	0	0	0	0
Bailey	69, 320. 23	102, 136. 00	400	400	0	0	0	0
Bandera	41, 938. 74	61, 792. 28	242	182	0	0	60	0
Bastrop	262, 550. 40	386, 840. 10	1, 515	1, 515	0	0	0	0
Baylor	40, 032. 43	58, 983. 54	231	231	0	0	0	0
Bee	359, 425. 42	529, 575. 16	2, 074	1, 957	0	0	117	0
Bell	523, 194. 48	770, 871. 46	3, 019	3, 019	0	0	0	0
Bexar	4, 646, 120. 88	6, 876, 561. 54	26, 931	26, 508	0	63	317	43
Blanco	28, 421. 29	41, 875. 76	164	164	0	0	0	0
Borden	3, 812. 61	5, 617. 48	22	22	0	0	0	0
Bosque	79, 891. 57	117, 711. 74	461	461	0	0	0	0
Bowie	603, 605. 95	889, 349. 22	3, 483	3, 469	0	0	0	14
Brazoria	361, 678. 32	532, 894. 58	2, 087	2, 068	0	0	0	19
Brazos	370, 343. 36	545, 661. 58	2, 137	2, 137	0	0	0	0
Brewster	58, 575. 60	86, 304. 92	338	338	0	0	0	0
Briscoe	24, 262. 08	35, 747. 60	140	140	0	0	0	0
Brooks	154, 757. 42	228, 018. 62	893	893	0	0	0	0
Brown	137, 947. 26	203, 250. 64	796	793	0	0	0	3
Burleson	191, 497. 15	282, 150. 70	1, 105	1, 105	0	0	0	0
Burnet	87, 343. 50	128, 691. 36	504	434	0	0	70	0
Caldwell	253, 885. 37	374, 073. 10	1, 465	1, 465	0	0	0	0
Calhoun	133, 094. 85	196, 101. 12	768	768	0	0	0	0
Callahan	39, 512. 53	58, 217. 52	228	228	0	0	0	0
Cameron	2, 729, 137. 70	4, 021, 094. 32	15, 748	15, 641	0	0	87	20
Camp	99, 994. 44	147, 331. 18	577	577	0	0	0	0
Carson	24, 781. 98	36, 513. 62	143	103	0	0	40	0
Cass	373, 982. 67	551, 023. 72	2, 158	2, 158	0	0	0	0
Castro	108, 486. 17	159, 842. 84	626	626	0	0	0	0
Chambers	64, 987. 72	95, 752. 50	375	375	0	0	0	0
Cherokee	377, 275. 38	555, 875. 18	2, 177	2, 174	0	0	0	3
Childress	50, 430. 47	74, 303. 94	291	291	0	0	0	0
Clay	37, 259. 62	54, 898. 10	215	215	0	0	0	0
Cochran	39, 010. 88	72, 261. 22	283	221	0	0	62	0
Coke	20, 449. 47	30, 130. 12	118	118	0	0	0	0
Coleman	106, 579. 86	157, 034. 10	615	615	0	0	0	0
Collin	289, 758. 59	426, 928. 48	1, 672	1, 663	0	0	0	9
Collingsworth	56, 495. 99	83, 240. 84	326	326	0	0	0	0
Colorado	202, 241. 78	297, 981. 78	1, 167	1, 167	0	0	0	0
Comal	101, 380. 84	149, 373. 90	585	585	0	0	0	0
Comanche	113, 858. 49	167, 758. 38	657	657	0	0	0	0
Concho	26, 514. 99	39, 067. 02	153	153	0	0	0	0
Cooke	130, 495. 34	192, 271. 02	753	753	0	0	0	0
Coryell	88, 210. 00	129, 968. 06	509	509	0	0	0	0
Cottle	60, 655. 20	89, 369. 00	350	350	0	0	0	0
Crane	16, 463. 56	24, 257. 30	95	95	0	0	0	0
Crockett	14, 903. 85	21, 959. 24	86	86	0	0	0	0
Crosby	107, 273. 07	158, 055. 46	619	618	0	0	0	1
Culberson	26, 861. 59	39, 577. 70	155	155	0	0	0	0
Dallam	34, 140. 21	50, 301. 98	197	197	0	0	0	0
Dallas	3, 207, 957. 83	4, 755, 196. 82	18, 623	17, 658	0	70	571	324
Dawson	148, 691. 91	219, 081. 72	858	856	0	0	0	2
Deaf Smith	115, 764. 79	170, 567. 12	668	668	0	0	0	0
Delta	78, 505. 17	115. 669. 02	453	453	0	0	0	0
Denton	168, 968. 07	248, 956. 50	975	953	0	0	22	0
De Witt	360, 118. 62	530, 596. 52	2, 078	2, 078	0	0	0	0
Dickens	54, 762. 99	80, 687. 44	316	316	0	0	0	0
Dimmit	243, 833. 93	359, 263. 38	1, 407	1, 407	0	0	0	0
Donley	24, 262. 08	35, 747. 60	140	140	0	0	0	0
Duval	264, 629. 99	389, 904. 18	1, 527	1, 527	0	0	0	0
Eastland	108, 139. 57	159, 332. 16	624	623	0	0	0	1
Ector	341, 402. 15	503, 019. 80	1, 970	1, 937	0	0	22	11
Edwards	21, 835. 87	32, 172, 84	126	126	0	0	0	0
Ellis	456, 300. 46	672, 310, 22	2, 633	2, 553	0	0	80	0
El Paso	1, 569, 236. 85	2, 312, 103, 70	9, 055	8, 876	0	0	95	84
Erath	90, 982. 81	134, 053. 50	525	487	0	0	38	0
Falls	477, 789. 73	703, 972. 38	2, 757	2, 757	0	0	0	0
Fannin	278, 840. 65	410, 842. 06	1, 609	1, 608	0	0	0	1
Fayette	307, 435. 25	452, 973. 16	1, 774	1, 772	0	0	0	2
Fisher	94, 275. 51	138, 904. 96	544	544	0	0	0	0
Floyd	88, 036. 69	129, 712. 72	508	508	0	0	0	0
Foard	38, 646. 03	56, 940. 82	223	223	0	0	0	0
Fort Bend	493, 213. 48	726, 697. 64	2, 846	2, 846	0	0	0	0
Franklin	59, 442. 10	87, 581. 62	343	343	0	0	0	0
Freestone	275, 721. 24	406, 245. 94	1, 591	1, 559	0	0	32	0
Frio	255, 445. 07	376, 371. 16	1, 474	1, 474	0	0	0	0
Gaines	78, 505. 17	115, 669. 02	453	449	0	0	0	4
Galveston	800, 648. 73	1, 179, 670. 80	4, 620	4, 547	0	0	57	16
Garza	38, 299. 43	56, 430. 14	221	221	0	0	0	0
Gillespie	47, 137. 75	69, 452. 48	272	272	0	0	0	0
Glasscock	0. 00	0	(1)	3	0	0	0	0
Goliad	110, 219. 17	162, 396. 24	636	636	0	0	0	0
Gonzales	325, 978. 41	480, 294. 54	1, 881	1, 881	0	0	0	0
Gray	99, 301. 23	146, 309. 82	573	573	0	0	0	0
Grayson	345, 388. 07	508, 892. 62	1, 993	1, 988	0	0	0	5
Gregg	497, 199. 39	732, 570. 46	2, 869	2, 869	0	0	0	0
Grimes	216, 625. 73	319, 175. 00	1, 250	1, 250	0	0	0	0
Guadalupe	279, 533. 85	411, 863. 42	1, 613	1, 613	0	0	0	0
Hale	279, 187. 25	411, 352. 74	1, 611	1, 605	0	0	0	6

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

TEXAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Hall	$81, 104. 67	$119, 499. 12	468	468	0	0	0	0
Hamilton	62, 561. 52	92, 177. 74	361	361	0	0	0	0
Hansford	17, 676. 66	26, 044. 68	102	102	0	0	0	0
Hardeman	72, 439. 64	106, 732. 12	418	418	0	0	0	0
Hardin	193, 923. 36	285, 725. 46	1, 119	1, 119	0	0	0	0
Harris	5, 045, 164. 18	7, 495, 505. 70	29, 355	28, 584	0	132	344	295
Harrison	600, 313. 24	884, 497. 76	3, 464	3, 464	0	0	0	0
Hartley	4, 332. 52	6, 383. 50	25	25	0	0	0	0
Haskell	116, 804. 59	172, 099. 16	674	674	0	0	0	0
Hays	254, 231. 96	374, 583. 78	1, 467	1, 467	0	0	0	0
Hemphill	19, 756. 26	29, 108. 76	114	114	0	0	0	0
Henderson	289, 758. 59	426, 928. 48	1, 672	1, 672	0	0	0	0
Hidalgo	3, 833, 409. 06	5, 648, 120. 80	22, 120	22, 102	0	0	0	18
Hill	290, 625. 09	428, 205. 18	1, 677	1, 614	0	0	63	0
Hockley	165, 328. 76	243, 594. 36	954	954	0	0	0	0
Hood	35, 006. 71	51, 578. 68	202	202	0	0	0	0
Hopkins	181, 099. 12	266, 830. 30	1, 045	1, 045	0	0	0	0
Houston	385, 767. 12	568, 386. 84	2, 226	2, 226	0	0	0	0
Howard	130, 841. 94	192, 781. 70	755	755	0	0	0	0
Hudspeth	22, 355. 78	32, 938. 86	129	129	0	0	0	0
Hunt	353, 186. 60	520, 382. 92	2, 038	1, 833	0	0	204	1
Hutchinson	56, 322. 69	82, 985. 50	325	325	0	0	0	0
Irion	1, 733. 01	2, 553. 40	10	10	0	0	0	0
Jack	20, 276. 17	29, 874. 78	117	117	0	0	0	0
Jackson	142, 453. 09	209, 889. 48	822	822	0	0	0	0
Jasper	228, 410. 17	336, 538. 12	1, 318	1, 317	0	0	0	1
Jeff Davis	8, 318. 43	12, 256. 32	48	48	0	0	0	0
Jefferson	1, 192, 481. 36	1, 756, 994. 54	6, 881	6, 838	0	0	17	26
Jim Hogg	82, 491. 08	121, 541. 84	476	476	0	0	0	0
Jim Wells	554, 041. 98	816, 321. 98	3, 197	3, 197	0	0	0	0
Johnson	118, 364. 30	174, 397. 22	683	683	0	0	0	0
Jones	121, 830. 32	179, 504. 02	703	703	0	0	0	0
Karnes	295, 130. 90	434, 844. 02	1, 703	1, 703	0	0	0	0
Kaufman	287, 505. 68	423, 609. 06	1, 659	1, 659	0	0	0	0
Kendall	25, 475. 19	37, 534. 98	147	146	0	0	0	1
Kenedy	20, 276. 17	29, 874. 78	117	117	0	0	0	0
Kent	13, 344. 15	19, 661. 18	77	77	0	0	0	0
Kerr	68, 107. 13	100, 348. 62	393	392	0	0	0	1
Kimble	35, 873. 22	52, 855. 38	207	207	0	0	0	0
King	7, 105. 32	10, 468. 94	41	41	0	0	0	0
Kinney	36, 566. 42	53, 876. 74	211	211	0	0	0	0
Kleberg	308, 821. 65	455, 015. 88	1, 782	1, 782	0	0	0	0
Knox	79, 891. 57	117, 711. 74	461	459	0	0	0	2
Lamar	445, 035. 92	655, 713. 12	2, 568	2, 567	0	0	0	1
Lamb	191, 497. 15	282, 150. 70	1, 105	1, 105	0	0	0	0
Lampasas	85, 957. 09	126, 648. 64	496	496	0	0	0	0
La Salle	176, 593. 30	260, 191. 46	1, 019	1, 019	0	0	0	0
Lavaca	336, 549. 74	495, 870. 28	1, 942	1, 942	0	0	0	0
Lee	156, 837. 03	231, 082. 70	905	905	0	0	0	0
Leon	201, 548. 58	296, 960. 42	1, 163	1, 163	0	0	0	0
Liberty	362, 371. 53	533, 915. 94	2, 091	2, 091	0	0	0	0
Limestone	267, 922. 71	394, 755. 64	1, 546	1, 546	0	0	0	0
Lipscomb	10, 224. 73	15, 065. 06	59	59	0	0	0	0
Live Oak	112, 645. 38	165, 971. 00	650	650	0	0	0	0
Llano	35, 006. 71	51, 578. 68	202	202	0	0	0	0
Loving	0. 00	0	(1)	4	0	0	0	0
Lubbock	681, 071. 32	1, 003, 486. 20	3, 930	3, 751	0	0	146	33
Lynn	91, 156. 11	134, 308. 84	526	526	0	0	0	0
McCulloch	83, 530. 88	123, 073. 88	482	482	0	0	0	0
McLennan	932, 010. 58	1, 373, 218. 52	5, 378	4, 974	0	0	400	4
McMullen	12, 650. 94	18, 639. 82	73	73	0	0	0	0
Madison	131, 015. 25	193, 037. 04	756	756	0	0	0	0
Marion	170, 181. 18	250, 743. 88	982	982	0	0	0	0
Martin	19, 756. 26	29, 108. 76	114	114	0	0	0	0
Mason	43, 325. 14	63, 835. 00	250	250	0	0	0	0
Matagorda	326, 844. 91	481, 571. 24	1, 886	1, 885	0	0	0	1
Maverick	327, 538. 11	482, 592. 60	1, 890	1, 890	0	0	0	0
Medina	229, 449. 98	338, 070. 16	1, 324	1, 320	0	0	0	4
Menard	44, 364. 95	65, 367. 04	256	256	0	0	0	0
Midland	190, 977. 25	281, 384. 68	1, 102	1, 090	0	0	0	12
Milam	322, 512. 40	475, 187. 74	1, 861	1, 861	0	0	0	0
Mills	39, 165. 94	57, 706. 84	226	226	0	0	0	0
Mitchell	128, 415. 74	189, 206. 94	741	741	0	0	0	0
Montague	88, 556. 60	130, 478. 74	511	511	0	0	0	0
Montgomery	299, 463. 42	441, 227. 52	1, 728	1, 728	0	0	0	0
Moore	24, 955. 28	36, 768. 96	144	144	0	0	0	0
Morris	119, 057. 51	175, 418. 58	687	687	0	0	0	0
Motley	34, 313. 52	50, 557. 32	198	198	0	0	0	0
Nacogdoches	327, 538. 11	482, 592. 60	1, 890	1, 888	0	0	0	2
Navarro	429, 265. 56	632, 477. 18	2, 477	2, 403	0	0	71	3
Newton	197, 389. 37	290, 832. 26	1, 139	1, 139	0	0	0	0
Nolan	76, 945. 46	113, 370. 96	444	440	0	0	0	4
Nueces	2, 006, 994. 13	2, 957, 092. 54	11, 581	11, 488	0	0	46	47
Ochiltree	19, 929. 57	29, 364. 10	115	111	0	0	0	4
Oldham	9, 184. 93	13, 533. 02	53	53	0	0	0	0
Orange	280, 227. 05	412, 884. 78	1, 617	1, 613	0	0	0	4
Palo Pinto	119, 057. 51	175, 418. 58	687	687	0	0	0	0
Panola	261, 683. 89	385, 563. 40	1, 510	1, 509	0	0	0	1
Parker	100, 167. 74	147, 586. 52	578	498	0	0	80	0
Parmer	41, 418. 84	61, 026. 26	239	231	0	0	0	8

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

TEXAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Pecos	$58, 055. 69	$85, 538. 90	335	335	0	0	0	0
Polk	221, 998. 06	327, 090. 54	1, 281	1, 281	0	0	0	0
Potter	330, 137. 62	486, 422. 70	1, 905	1, 516	0	348	0	41
Presidio	67, 587. 23	99, 582. 60	390	390	0	0	0	0
Rains	50, 777. 07	74, 814. 62	293	293	0	0	0	0
Randall	69, 320. 23	102, 136. 00	400	321	0	0	79	0
Reagan	16, 116. 95	23, 746. 62	93	93	0	0	0	0
Real	38, 299. 43	56, 430. 14	221	221	0	0	0	0
Red River	267, 056. 20	393, 478. 94	1, 541	1, 541	0	0	0	0
Reeves	160, 303. 04	236, 189. 50	925	925	0	0	0	0
Refugio	145, 572. 50	214, 485. 60	840	840	0	0	0	0
Roberts	3, 985. 91	5, 872. 82	23	23	0	0	0	0
Robertson	351, 453. 60	517, 829. 52	2, 028	2, 028	0	0	0	0
Rockwall	88, 383. 29	130, 223. 40	510	510	0	0	0	0
Runnels	167, 928. 27	247, 424. 46	969	969	0	0	0	0
Rusk	418, 520. 92	616, 646. 10	2, 415	2, 415	0	0	0	0
Sabine	109, 525. 97	161, 374. 88	632	632	0	0	0	0
San Augustine	115, 764. 79	170, 567. 12	668	668	0	0	0	0
San Jacinto	142, 799. 68	210. 400. 16	824	824	0	0	0	0
San Patricio	782, 452. 16	1, 152, 860. 10	4, 515	4, 513	0	0	0	2
San Saba	94, 448. 82	139, 160. 30	545	509	0	0	36	0
Schleicher	9, 704. 83	14, 299. 04	56	56	0	0	0	0
Scurry	93, 755. 62	138, 138. 94	541	539	0	0	0	2
Shackelford	12, 824. 24	18, 895. 16	74	74	0	0	0	0
Shelby	305, 182. 33	449, 653. 74	1, 761	1, 761	0	0	0	0
Sherman	9, 184. 93	13, 533. 02	53	52	0	0	0	1
Smith	616, 256. 90	907, 989. 04	3, 556	3, 540	0	0	0	16
Somervell	24, 262. 08	35, 747. 60	140	140	0	0	0	0
Starr	518, 168. 76	763, 466. 60	2, 990	2, 990	0	0	0	0
Stephens	33, 273. 71	49, 025. 28	192	192	0	0	0	0
Sterling	10, 744. 63	15. 831. 08	62	62	0	0	0	0
Stonewall	37, 432. 92	55, 153. 44	216	216	0	0	0	0
Sutton	14, 210. 65	20, 937. 88	82	82	0	0	0	0
Swisher	52, 510. 07	77, 368. 02	303	303	0	0	0	0
Tarrant	1, 966, 942. 00	2, 922, 876. 98	11. 447	11, 040	0	0	382	25
Taylor	294, 608. 65	441, 227. 52	1, 728	1, 603	0	0	103	22
Terrell	34, 660. 11	51, 068. 00	200	199	0	0	0	1
Terry	80, 411. 47	118, 477. 76	464	464	0	0	0	0
Throckmorton	8, 491. 72	12, 511. 66	49	49	0	0	0	0
Titus	129, 628. 84	190, 994. 32	748	748	0	0	0	0
Tom Green	350, 760. 39	516, 808. 16	2, 024	1, 950	0	0	64	10
Travis	1, 033, 564. 71	1, 522, 847. 76	5, 964	5, 879	0	0	35	50
Trinity	131, 708. 44	194, 058. 40	760	760	0	0	0	0
Tyler	135, 694. 36	199, 931. 22	783	783	0	0	0	0
Upshur	210, 560. 22	310, 238. 10	1, 215	1, 214	0	0	0	1
Upton	22, 182. 47	32, 683. 52	128	128	0	0	0	0
Uvalde	196, 869. 47	290, 066. 24	1, 136	1, 136	0	0	0	0
Val Verde	266, 189. 70	392, 202. 24	1, 536	1, 535	0	0	0	1
Van Zandt	183, 525. 32	270, 405. 06	1, 059	1, 059	0	0	0	0
Victoria	399, 977. 76	589, 324. 72	2, 308	2, 285	0	0	17	6
Walker	203, 628. 19	300, 024. 50	1, 175	1, 175	0	0	0	0
Waller	140, 026. 88	206, 314. 72	808	808	0	0	0	0
Ward	41, 765. 44	61, 536. 94	241	241	0	0	0	0
Washington	327, 538. 41	482, 592. 60	1, 890	1, 890	0	0	0	0
Webb	1, 211, 197. 82	1, 784. 571. 26	6, 989	6, 956	0	0	0	33
Wharton	541, 044. 44	797, 171. 48	3, 122	3, 118	0	0	0	4
Wheeler	42, 978. 55	63, 324. 32	248	248	0	0	0	0
Wichita	363, 584. 64	535, 703. 32	2, 098	2, 083	0	0	15	0
Wilbarger	96, 181. 82	141, 713. 70	555	555	0	0	0	0
Willacy	422, 853. 44	623, 029. 60	2, 440	2, 440	0	0	0	0
Williamson	440, 010. 20	648, 308. 26	2, 539	2, 429	0	0	110	0
Wilson	223, 037. 86	328, 622. 58	1, 287	1, 287	0	0	0	0
Winkler	30, 327. 60	44, 684. 50	175	175	0	0	0	0
Wise	90, 116. 31	132, 776. 80	520	520	0	0	0	0
Wood	144, 879. 29	213, 464. 24	836	835	0	0	0	1
Yoakum	29, 461. 09	43, 407. 80	170	170	0	0	0	0
Young	48, 004. 26	70, 729. 18	277	277	0	0	0	0
Zapata	112, 298. 78	165, 460. 32	648	648	0	0	0	0
Zavala	280, 573. 65	413, 395. 46	1, 619	1, 619	0	0	0	0

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[1] Number of eligibles less than 10; total not used in computations.

UTAH

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$2, 957, 368. 97	$4, 526, 667. 52	17, 728	11, 680	5, 200	0	25	823
Beaver	6, 516. 22	9, 702. 92	38	26	11	0	0	1
Box Elder	53, 585. 97	85, 283. 56	334	250	70	0	0	14
Cache	106, 021. 07	144, 777. 78	567	474	77	0	0	16
Carbon	87, 921. 46	119, 754. 46	469	383	56	0	0	30
Daggett	3, 448. 22	5, 106. 80	20	18	2	0	0	0
Davis	141, 475. 09	207, 846. 76	814	520	259	0	0	35
Duchesne	56, 541. 71	84, 262. 20	330	272	51	0	0	7
Emery	53, 977. 23	72, 261. 22	283	263	20	0	0	0
Garfield	11, 065. 64	15, 575. 74	61	58	3	0	0	0
Grand	18, 119. 84	28, 853. 42	113	87	24	0	0	2

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

UTAH—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Iron	$30, 292. 75	$41, 875. 76	164	135	9	0	0	20
Juab	19, 161. 37	25, 023. 32	98	93	4	0	0	1
Kane	11, 170. 82	17, 618. 46	69	58	11	0	0	0
Millard	82, 361. 82	108, 008. 82	423	409	13	0	0	1
Morgan	4, 778. 97	6, 894. 18	27	25	2	0	0	0
Piute	13, 346. 93	18, 639. 82	73	64	9	0	0	0
Rich	11, 596. 52	15, 575. 74	61	61	0	0	0	0
Salt Lake	1, 123, 508. 73	1, 828, 234. 40	7, 160	4, 005	2, 738	0	25	392
San Juan	133, 779. 83	202, 739. 96	794	549	219	0	0	26
Sanpete	69, 697. 48	95, 752. 50	375	329	41	0	0	5
Sevier	59, 149. 57	79, 921 42	313	281	31	0	0	1
Summit	11, 400. 37	18, 639. 82	73	51	20	0	0	2
Tooele	50, 791. 95	72, 261. 22	283	216	61	0	0	6
Uintah	66, 015. 76	106, 732. 12	418	257	109	0	0	52
Utah	317, 048. 21	483, 358. 62	1, 893	1, 230	562	0	0	101
Wasatch	11, 747. 19	15, 065. 06	59	40	12	0	0	7
Washington	52, 247. 08	73, 027. 24	286	237	37	0	0	12
Wayne	25, 474. 34	34, 215. 56	134	134	0	0	0	0
Weber	325, 126. 83	509, 658. 64	1, 996	1, 155	749	0	0	92

VERMONT

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$1, 605, 764. 00	$2, 362, 150. 34	9, 251	7, 208	1, 006	0	252	785
Addison	107, 878. 15	164, 949. 64	464	523	80	0	0	43
Bennington	58, 161. 84	85, 538. 90	335	293	23	0	0	19
Caledonia	122, 957. 26	177, 461. 30	695	604	60	0	0	31
Chittenden	251, 694. 05	370, 498. 34	1, 451	835	269	0	115	232
Essex	17, 666. 74	27, 321. 38	107	81	15	0	0	11
Franklin	193, 780. 17	280, 107. 98	1, 097	987	60	0	0	50
Grand Isle	27, 165. 37	37, 790. 32	148	141	7	0	0	0
Lamdille	47, 886. 21	76, 091. 32	298	196	41	0	0	61
Orange	72, 347. 46	106, 476. 78	417	327	50	0	10	30
Orleans	160, 250. 49	228, 273. 96	894	801	33	0	0	60
Rutland	188, 294. 88	273, 469. 14	1, 071	897	128	0	0	46
Washington	131, 151. 68	194, 824. 42	763	617	88	0	0	58
Windham	106, 801. 93	153, 714. 68	602	357	19	0	127	99
Windsor	119, 727. 77	185, 632. 18	727	549	133	0	0	45

VIRGINIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$25, 980, 237. 92	$47, 445, 236. 08	185, 812	167, 874	10, 776	0	1, 326	5, 836
Accomack	339, 042. 22	601, 070. 36	2, 354	2, 341	6	0	0	7
Albemarle	165, 696. 84	300, 535. 18	1, 177	1, 084	44	0	10	39
Alleghany	88, 350. 93	156, 268. 08	612	541	5	0	64	2
Amelia	115, 491. 41	204, 272. 00	800	797	0	0	0	3
Amherst	115, 491. 41	204, 272. 00	800	785	0	0	0	15
Appomattox	95, 342. 87	169, 801. 10	665	656	5	0	0	4
Arlington	160, 027. 76	295, 173. 04	1, 156	923	105	0	0	128
Augusta	194, 489. 19	347, 262. 40	1, 360	1, 304	14	0	0	42
Bath	45, 173. 51	79, 666. 08	312	299	5	0	0	8
Bedford	218, 667. 43	388, 627. 48	1, 522	1, 453	13	0	0	56
Bland	74, 203. 22	131, 244. 76	514	514	0	0	0	0
Botetourt	109, 063. 03	196, 867. 14	771	745	17	0	0	9
Brunswick	316, 038. 34	559, 449. 94	2, 191	2, 184	4	0	0	3
Buchanan	551, 510. 30	995, 059. 98	3, 897	3, 532	84	0	275	6
Buckingham	194, 458. 65	343, 942. 98	1, 347	1, 338	0	0	0	9
Campbell	225, 902. 29	409, 820. 70	1, 605	1, 507	56	0	0	42
Caroline	125, 910. 61	223, 167. 16	874	844	2	0	0	28
Carroll	199, 442. 00	354, 156. 58	1, 387	1, 340	6	0	35	6
Charles City	45, 034. 70	82, 219. 48	322	307	11	0	0	4
Charlotte	204, 708. 51	362, 072. 12	1, 418	1, 408	0	0	0	10
Chesterfield	129, 215. 71	239, 508. 92	938	755	57	0	53	73
Clarke	48, 135. 75	86, 304. 92	338	323	9	0	0	6
Craig	38, 978. 35	68, 941. 80	270	266	0	0	0	4
Culpeper	114, 133. 82	208, 868. 12	818	755	41	0	0	22
Cumberland	132, 815. 11	234, 912. 80	920	910	0	0	0	10
Dickenson	311, 465. 86	563, 024. 70	2, 205	2, 141	52	0	0	12
Dinwiddie	190, 127. 72	336, 282. 78	1, 317	1, 310	0	0	0	7
Essex	60, 344. 26	106, 732. 12	418	394	0	0	0	24
Fairfax	336, 837. 86	626, 093. 68	2, 452	1, 772	378	0	10	292
Fauquier	188, 539. 72	333, 474. 04	1, 306	1, 212	0	0	0	94
Floyd	96, 868. 42	171, 333. 14	671	671	0	0	0	0
Fluvanna	68, 717. 39	121, 541. 84	476	463	0	0	0	13
Franklin	235, 891. 19	417, 225. 56	1, 634	1, 626	0	0	0	8
Frederick	93, 917. 27	170, 311. 78	667	612	21	0	0	34
Giles	173, 084. 40	314, 068. 20	1, 230	1, 174	34	0	0	22
Gloucester	98, 223. 22	177, 461. 30	695	672	16	0	0	7
Goochland	80, 956. 42	145, 288. 46	569	551	9	0	0	9
Grayson	166, 520. 00	298, 492. 46	1, 169	1, 145	17	0	0	7
Greene	35, 287. 34	63, 579. 66	249	233	5	0	0	11
Greensville	304, 619. 68	544, 384. 88	2, 132	2, 066	24	0	38	4
Halifax	593, 033. 08	1, 059, 405. 66	4, 149	4, 087	45	0	0	17

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

VIRGINIA—(Continued)

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Hanover	$104, 099. 12	$184, 355. 48	722	682	8	0	0	32
Henrico	154, 600. 23	278, 575. 94	1, 091	830	25	0	154	82
Henry	201, 059. 14	365, 646. 88	1, 432	1, 359	47	0	0	26
Highland	34, 791. 79	61, 536. 94	241	240	0	0	0	1
Isle of Wight	132, 845. 65	238, 232. 22	933	898	18	0	0	17
James City	62, 075. 23	115, 158. 34	451	403	37	0	0	11
King and Queen	53, 282. 90	94, 475. 80	370	361	1	0	0	8
King George	39, 555. 81	69, 963. 16	274	272	0	0	0	2
King William	74, 347. 59	131, 500. 10	515	512	0	0	0	3
Lancaster	78, 790. 96	141, 458. 36	554	544	9	0	0	1
Lee	675, 785. 73	1, 203, 672. 76	4, 714	4, 641	36	0	0	37
Loudon	188, 777. 08	338, 325. 50	1, 325	1, 182	22	0	39	82
Louisa	127, 994. 17	228, 018. 62	893	863	7	0	0	23
Lunenburg	171, 102. 18	305, 897. 32	1, 198	1, 182	14	0	0	2
Madison	103, 892. 29	182, 823. 44	716	702	0	0	0	14
Mathews	33, 203. 78	58, 728. 20	230	229	0	0	0	1
Mecklenburg	629, 283. 79	1, 113, 027. 06	4, 359	4, 347	0	0	0	12
Middlesex	72, 357. 02	131, 244. 76	514	499	14	0	0	1
Montgomery	201, 978. 09	357, 476. 00	1, 400	1, 351	22	0	0	27
Nansemond	368, 520. 28	667, 203. 42	2, 613	2, 442	75	0	25	71
Nelson	163, 244. 05	290, 832. 26	1, 139	1, 123	9	0	0	7
New Kent	27, 334. 81	49, 280. 62	193	179	4	0	0	10
Norfolk	254, 765. 34	522, 680. 98	2, 047	1, 605	371	0	0	71
Northampton	262, 598. 58	464, 463. 46	1, 819	1, 808	0	0	0	11
Northumberland	89, 794. 56	158, 821. 48	622	618	0	0	0	4
Nottoway	167, 938. 65	300, 335. 18	1, 177	1, 144	15	0	0	18
Orange	114, 423. 93	204, 016. 66	799	764	7	0	0	28
Page	125, 821. 77	226, 741. 92	888	842	26	0	0	20
Patrick	116, 501. 96	206, 059. 38	807	798	0	0	0	9
Pittsylvania	770, 351. 26	1, 368, 367. 06	5, 359	5, 161	25	0	161	12
Powhatan	51, 769. 85	931, 199. 10	365	348	7	0	0	10
Prince Edward	161, 737. 93	287, 002. 16	1, 124	1, 113	4	0	0	7
Prince George	68, 459. 19	124, 350. 58	487	462	18	0	0	7
Prince William	126, 203. 50	231, 848. 72	908	736	68	0	0	104
Princess Anne	433, 525. 85	766, 786. 02	3, 003	3, 003	0	0	0	0
Pulaski	182, 357. 04	323, 005. 10	1, 265	1, 236	7	0	0	22
Rappahannock	51, 374. 24	93, 199. 10	365	339	10	0	0	16
Richmond	50, 527. 49	89, 369. 00	350	330	0	0	0	20
Roanoke	232, 812. 34	424, 375. 08	1, 662	1, 271	87	0	215	89
Rockbridge	164, 805. 67	298, 492. 46	1, 169	1, 116	33	0	0	20
Rockingham	214, 297. 63	385, 563. 40	1, 510	1, 431	32	0	0	47
Russell	381, 256. 26	687, 630. 62	2, 693	2, 610	57	0	0	26
Scott	444, 208. 81	785, 681. 18	3, 077	3, 050	0	0	0	27
Shenandoah	103, 051. 09	181, 802. 08	712	669	15	0	0	28
Smyth	239, 208. 78	433, 822. 66	1, 699	1, 607	46	0	0	46
Southampton	441, 991. 99	786, 191. 86	3, 079	3, 035	19	0	0	25
Spotsylvania	82, 669. 35	150, 650. 60	590	544	19	0	0	27
Stafford	61, 812. 88	109, 796. 20	430	406	2	0	0	22
Surry	113, 759. 03	201, 207. 92	788	788	0	0	0	0
Sussex	242, 318. 18	429, 992. 56	1, 684	1, 678	6	0	0	0
Tazewell	531, 941. 99	975, 143. 46	3, 819	3, 639	155	0	0	25
Warren	77, 849. 81	138, 394. 28	542	526	3	0	0	13
Washington	443, 739. 61	803, 044. 30	3, 145	3, 005	87	0	0	53
Westmoreland	114, 800. 12	206, 314. 72	808	775	20	0	0	13
Wise	530, 923. 13	957, 014. 32	3, 748	3, 648	85	0	0	15
Wythe	249, 811. 23	448, 377. 04	1, 756	1, 663	28	0	45	20
York	66, 407. 55	117, 456. 40	460	450	0	0	0	10
Alexandria City	170, 956. 42	311, 004. 12	1, 218	1, 014	52	0	0	152
Bristol City	120, 113. 82	225, 975. 90	885	712	104	0	26	43
Buena Vista City	27, 962. 25	51, 323. 34	201	181	16	0	0	4
Charlottesville City	83, 566. 07	155, 502. 06	609	524	33	0	0	52
Clifton Forge City	24, 435. 03	43, 918. 48	172	162	3	0	0	7
Colonial Heights City	18, 284. 29	31, 406. 82	123	108	3	0	0	12
Covington City	34, 647. 43	61, 281. 60	240	238	0	0	0	2
Danville City	253, 931. 15	470, 591. 62	1, 843	1, 584	132	0	0	127
Falls Church City	19, 332. 32	33, 960. 22	133	107	8	0	0	18
Fredericksburg City	51, 543. 59	93, 965. 12	368	286	51	0	0	31
Galax City	32, 701. 28	59, 238. 88	232	221	10	0	0	1
Hampton City	195, 931. 41	379, 435. 24	1, 486	1, 217	207	0	0	62
Harrisonburg City	46, 629. 66	82, 474. 82	323	298	0	0	0	25
Hopewell City	64, 096. 34	118, 733. 10	465	419	27	0	0	19
Lynchburg City	235, 961. 97	434, 844. 02	1, 703	1, 153	184	0	126	240
Martinsville City	78, 432. 81	142, 224. 38	557	529	16	0	0	12
Newport News City	473, 120. 48	880, 667. 66	3, 449	2, 624	551	0	0	274
Norfolk City	2, 127, 834. 32	4, 104, 079. 82	16, 073	13, 091	2, 393	0	0	589
Norton City	65, 295. 67	118, 988. 44	466	444	20	0	0	2
Petersburg City	272, 033. 56	525, 234. 38	2, 057	1, 726	282	0	0	49
Portsmouth City	750, 031. 87	1, 435, 521. 48	5, 622	4, 551	963	0	20	88
Radford City	24, 328. 15	44, 429. 16	174	162	6	0	0	6
Richmond City	1, 347, 927. 33	2, 656, 302. 02	10, 403	7, 004	2, 346	0	0	1, 053
Roanoke City	467, 127. 96	887, 561. 84	3, 476	2, 703	438	0	30	305
South Norfolk City	158, 158. 00	265, 042. 92	1, 038	966	0	0	0	72
Staunton City	59, 659. 91	106, 221. 44	416	385	16	0	0	15
Suffolk City	58, 409. 22	110, 306. 88	432	376	46	0	0	10
Virginia Beach City	39, 003. 31	93, 709. 78	367	138	140	0	0	89
Waynesboro City	35, 463. 63	61, 792. 28	242	215	4	0	0	23
Williamsburgh City	9, 075. 51	18, 384. 48	72	52	16	0	0	4
Winchester City	41, 839. 26	78, 900. 06	309	285	24	0	0	0
South Boston City	45, 907. 83	81, 198. 12	318	300	0	0	0	18

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

WASHINGTON

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $283.77]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$10, 654, 908. 98	$15, 823, 866. 51	55, 763	33, 072	18, 727	174	486	3, 304
Adams	46, 709. 96	66, 969. 72	236	206	29	0	0	1
Asotin	45, 592. 01	72, 361. 35	255	144	102	0	0	9
Benton	242, 334. 03	366, 063. 30	1, 290	771	420	0	0	99
Chelan	167, 124. 05	229, 569. 93	809	556	209	0	0	44
Clallam	122, 126. 83	176, 504. 94	622	376	164	0	0	82
Clark	286, 650. 68	421, 398. 45	1, 485	791	524	0	46	124
Columbia	15, 736. 98	22, 985. 37	81	54	23	0	0	4
Cowlitz	214, 311. 91	313, 565. 85	1, 105	722	254	0	18	111
Douglas	45, 017. 97	68, 956. 11	243	152	73	0	0	18
Ferry	11, 316. 59	18, 445. 05	65	37	23	0	0	5
Franklin	162, 087. 66	244, 042. 20	860	566	247	0	11	36
Garfield	5, 504. 88	6, 242. 94	22	20	0	0	0	2
Grant	225, 384. 88	385, 259. 66	1, 358	855	477	0	0	26
Grays Harbor	267, 194. 62	407, 493. 72	1, 436	849	512	0	0	75
Island	83, 522. 90	112, 089. 15	395	355	37	0	0	3
Jefferson	47, 721. 38	67, 253. 49	237	163	50	0	0	24
King	2, 554, 735. 75	3, 606, 716. 70	12, 710	7, 457	4, 069	75	172	937
Kitsap	312, 073. 98	446, 653. 98	1, 574	1, 106	364	0	0	104
Kittitas	85, 440. 20	129, 966. 66	458	289	120	0	0	49
Klickitat	61, 581. 62	92, 509. 02	326	234	71	0	0	21
Lewis	193, 230. 77	287, 459. 01	1, 013	741	218	0	0	54
Lincoln	26, 732. 13	35, 187. 48	124	120	3	0	0	1
Mason	51, 694. 99	78, 604. 29	277	180	73	0	0	24
Okanogan	176, 388. 55	246, 879. 90	870	705	117	0	0	48
Pacific	86, 013. 30	121, 737. 33	429	334	83	0	0	12
Pend Oreille	38, 729. 29	51, 362. 37	181	133	41	0	0	7
Pierce	1, 119, 157. 94	1, 617, 205. 23	5, 699	3, 581	1, 754	0	53	311
San Juan	11, 797. 79	16, 174. 89	57	52	2	0	0	3
Skagit	166, 425. 58	250, 852. 68	884	601	249	0	0	34
Skamania	16, 034. 39	32, 633. 55	115	48	60	0	0	7
Snohomish	663, 939. 61	973, 047. 33	3, 429	1, 879	1, 243	0	25	282
Spokane	1, 033, 761. 15	1, 542, 289. 95	5, 435	2, 644	2, 361	83	121	226
Stevens	136, 832. 59	194, 949. 99	687	546	119	0	0	22
Thurston	265, 301. 35	386, 210. 97	1, 361	719	545	0	0	97
Wahkiakum	13, 125. 47	18, 728. 82	66	45	8	0	0	13
Walla Walla	161, 584. 32	272, 986. 74	962	519	388	0	18	37
Whatcom	283, 825. 19	416, 858. 13	1, 469	835	529	0	0	105
Whitman	50, 016. 66	69, 239. 88	244	205	26	0	0	13
Yakima	1, 158, 149. 03	1, 956, 310. 38	6, 894	3, 482	3, 140	16	22	234

WEST VIRGINIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$16, 136, 753. 97	$28, 996, 155. 06	113, 559	106, 406	4, 476	25	592	2, 060
Barbour	203, 074. 58	366, 923. 58	1, 437	1, 358	65	0	0	14
Berkeley	137, 768. 55	243, 083. 68	952	879	19	0	0	54
Boone	353, 736. 38	638, 860. 68	2, 502	2, 351	112	0	0	39
Braxton	283, 037. 99	517, 318. 84	2, 026	1, 854	116	0	0	56
Brooke	69, 649. 83	129, 968. 06	509	453	40	0	0	16
Cabell	478, 161. 11	857, 431. 72	3, 358	2, 936	125	25	86	186
Calhoun	136, 234. 55	252, 531. 26	989	905	71	0	0	13
Clay	225, 354. 21	424, 375. 08	1, 662	1, 513	146	0	0	3
Doddridge	61, 169. 67	105, 966. 10	415	385	0	0	0	30
Fayette	782, 334. 43	1, 433, 478. 76	5, 614	5, 208	336	0	0	70
Gilmer	119, 171. 39	226, 231. 24	886	776	85	0	0	25
Grant	109, 940. 78	192, 781. 70	755	733	10	0	0	12
Greenbrier	422, 427. 48	755, 295. 72	2, 958	2, 769	101	0	48	40
Hampshire	130, 203. 43	226, 486. 58	887	873	4	0	0	10
Hancock	61, 906. 65	107, 242. 80	420	360	0	0	30	30
Hardy	118, 099. 68	207, 846. 76	814	777	14	0	0	23
Harrison	429, 281. 21	763, 211. 26	2, 989	2, 760	84	0	95	50
Jackson	144, 532. 03	265, 042. 92	1, 038	964	63	0	0	11
Jefferson	120, 570. 57	208, 868. 12	818	786	0	0	0	32
Kanawha	1, 352, 002. 21	2, 514. 843. 66	9. 849	8, 795	742	0	75	237
Lewis	151, 828. 39	281, 640. 02	1, 103	987	80	0	0	36
Lincoln	421, 720. 28	744, 060. 76	2, 914	2, 833	58	0	0	23
Logan	764, 091. 22	1, 389, 304. 94	5, 441	5, 132	282	0	0	27
McDowell	1, 148, 916. 43	2, 023, 824. 84	7, 926	7, 748	144	0	0	34
Marion	319, 977. 89	575, 025. 68	2, 252	2, 102	89	0	0	61
Marshall	118, 368. 88	215, 762. 30	845	754	46	0	0	45
Mason	218, 420. 62	383, 265. 34	1, 501	1, 411	21	0	40	29
Mercer	631, 367. 26	1, 126, 560. 08	4, 412	4, 220	141	0	0	51
Mineral	156, 934. 76	281, 640. 02	1, 103	1, 012	42	0	38	11
Mingo	717, 754. 37	1, 268, 529. 12	4, 968	4, 842	108	0	0	18
Monongalia	296, 007. 60	516, 042. 14	2, 021	1, 949	14	0	0	58
Monroe	203, 390. 79	362, 582. 80	1, 420	1, 361	44	0	0	15
Morgan	72, 623. 37	127, 670. 00	500	463	8	0	0	29
Nicholas	314, 679. 99	560, 726. 64	2, 196	2, 098	67	0	0	31
Ohio	238, 496. 82	415, 948. 86	1, 629	1, 477	12	0	104	36
Pendleton	93, 840. 55	177, 461. 30	695	626	64	0	0	5
Pleasants	54, 389. 41	94, 220. 46	369	361	0	0	0	8
Pocahontas	97, 685. 45	176, 439. 94	691	653	31	0	0	7
Preston	274, 158. 02	474, 932. 40	1, 860	1, 816	0	0	0	44
Putnam	174, 050. 43	316, 876. 94	1, 241	1, 149	66	0	0	26
Raleigh	976, 002. 36	1, 718, 693. 54	6, 731	6, 489	120	0	26	96

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

WEST VIRGINIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Randolph	$251, 811. 72	$466, 250. 84	1, 826	1, 657	129	0	0	40
Ritchie	109, 021. 99	195, 845. 78	767	724	30	0	0	13
Roane	176, 959. 76	329, 133. 26	1, 289	1, 172	97	0	0	20
Summers	238, 064. 77	441, 738. 20	1, 730	1, 575	126	0	0	29
Taylor	164, 347. 41	284, 704. 10	1, 115	1, 100	0	0	0	15
Tucker	93, 887. 56	165, 204. 98	647	608	11	0	0	28
Tyler	86, 179. 67	153, 714. 68	602	560	19	0	0	23
Upshur	179, 218. 59	336, 538. 12	1, 318	1, 183	112	0	0	23
Wayne	493, 927. 94	879, 390. 96	3, 444	3, 308	102	0	0	34
Webster	262, 137. 88	479, 017. 84	1, 876	1, 750	107	0	0	19
Wetzel	130, 811. 55	248, 956. 50	975	848	96	0	0	31
Wirt	44, 886. 73	79, 155. 40	310	293	6	0	0	11
Wood	266, 047. 44	471, 357. 64	1, 846	1, 641	45	0	50	110
Wyoming	456, 089. 34	796, 150. 12	3. 118	3, 069	26	0	0	23

WISCONSIN

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $276.12]

State total	$15, 510, 655. 94	$22, 693, 474. 44	82, 187	58, 446	18, 208	183	502	4, 848
Adams	63, 959. 94	86, 701. 68	314	278	35	0	0	1
Ashland	84, 094. 48	119, 836. 08	434	312	51	0	0	71
Barron	203, 022. 02	278, 052. 84	1, 007	856	107	0	0	44
Bayfield	89, 237. 37	123, 977. 88	449	396	37	0	0	16
Brown	293, 422. 09	446, 486. 04	1, 617	1, 035	320	76	82	104
Buffalo	112, 603. 49	163, 186. 92	591	510	50	0	0	31
Burnett	114, 557. 17	158, 492. 88	574	518	30	0	0	26
Calumet	63, 032. 21	90, 015. 12	326	289	17	0	0	20
Chippewa	230, 251. 05	335, 761. 92	1, 216	1, 009	140	0	0	67
Clark	214, 415. 84	311, 739. 48	1, 129	987	88	0	29	25
Columbia	181, 973. 76	248, 508. 00	900	749	99	0	0	52
Crawford	161, 374. 18	231, 388. 56	838	747	80	0	0	11
Dane	660, 893. 47	984, 091. 68	3, 564	1, 983	1, 297	0	17	267
Dodge	229, 590. 77	333, 552. 96	1, 208	954	176	0	0	78
Door	121, 455. 55	175, 612. 32	636	571	59	0	0	6
Douglas	183, 994. 95	277, 500. 60	1, 005	626	278	0	0	101
Dunn	185, 414. 91	269, 493. 12	976	863	84	0	0	29
Eau Claire	223, 731. 78	322, 508. 16	1, 168	795	299	0	0	74
Florence	27, 146. 05	41, 694. 12	151	98	26	0	0	27
Fond du Lac	308, 122. 07	433, 784. 52	1, 571	1, 268	220	0	14	69
Forest	51, 242. 89	80, 903. 16	293	202	72	0	0	19
Grant	336, 195. 85	472, 165. 20	1, 710	1, 508	170	0	0	32
Green	105, 030. 50	147, 171. 96	533	516	2	0	0	15
Green Lake	50, 316. 33	69, 858. 36	253	224	15	0	0	14
Iowa	177, 799. 83	252, 649. 80	915	859	42	0	0	14
Iron	23, 184. 02	32, 029. 92	116	91	11	0	0	14
Jackson	181, 369. 89	243, 813. 96	883	718	100	0	0	65
Jefferson	181, 481. 54	253, 202. 04	917	810	68	0	0	39
Juneau	124, 181. 47	178, 925. 76	648	563	62	0	0	23
Kenosha	254, 361. 64	378, 836. 64	1, 372	766	472	0	0	134
Kewaunee	74, 778. 84	105, 477. 84	382	362	15	0	0	5
La Crosse	303, 709. 62	433, 232. 28	1, 569	1, 085	291	0	96	97
Lafayette	134, 129. 63	191, 351. 16	693	647	36	0	0	10
Langlade	138, 415. 22	196, 597. 44	712	628	54	0	0	30
Lincoln	100, 786. 41	149, 933. 16	543	422	76	0	0	45
Manitowoc	190, 611. 55	303, 455. 88	1, 099	845	209	0	0	45
Marathon	367, 260. 05	544, 232. 52	1, 971	1, 621	266	0	0	84
Marinette	217, 141. 17	322, 232. 04	1, 167	843	274	0	0	50
Marquette	52, 732. 71	77, 865. 84	282	242	36	0	0	4
Milwaukee	3, 234, 667. 64	4, 930, 950. 96	17, 858	8, 354	7, 875	107	143	1, 379
Monroe	174, 034. 23	246, 851. 28	894	747	105	0	0	42
Oconto	189, 293. 63	266, 731. 92	966	880	45	0	0	41
Oneida	93, 058. 20	141, 649. 56	513	314	137	0	0	62
Outagamie	250, 568. 27	368, 896. 32	1, 336	972	295	0	0	69
Ozaukee	73, 064. 55	104, 097. 24	377	295	67	0	0	15
Pepin	57, 103. 07	77, 589. 72	281	229	32	0	0	20
Pierce	87, 367. 86	130, 328. 64	472	405	49	0	0	18
Polk	162, 680. 43	239, 119. 92	866	696	113	0	0	57
Portage	208, 501. 32	292, 411. 08	1, 059	952	76	0	0	31
Price	115, 540. 44	163, 463. 04	592	533	41	0	0	18
Racine	430, 417. 94	643, 911. 84	2, 332	1, 264	868	0	40	160
Richland	175, 327. 33	243, 537. 84	882	804	63	0	0	15
Rock	326, 527. 99	468, 851. 76	1, 698	1, 110	504	0	0	84
Rusk	130, 827. 02	194, 664. 60	705	569	100	0	0	36
St. Croix	154, 405. 06	220, 067. 64	797	727	46	0	0	24
Sauk	225, 095. 61	313, 396. 20	1, 135	990	120	0	0	25
Sawyer	122, 593. 74	176, 440. 68	639	421	146	0	0	72
Shawano	225. 685. 76	314, 224. 56	1, 138	975	68	0	0	95
Sheboygan	206, 251. 83	305, 664. 84	1, 107	836	210	0	0	61
Taylor	167, 612. 87	239, 119. 92	866	785	58	0	0	23
Trempealeau	176, 056. 89	257, 896. 08	934	794	121	0	0	19
Vernon	263, 622. 93	370, 553. 04	1, 342	1, 214	61	0	0	67
Vilas	48, 334. 88	70, 410. 60	255	203	43	0	0	9
Walworth	193, 563. 42	293, 239. 44	1, 062	809	201	0	0	52
Washburn	88, 745. 44	125, 082. 36	453	356	64	0	0	33
Washington	95, 067. 42	145, 239. 12	526	406	99	0	0	21
Waukesha	284, 010. 30	405, 068. 04	1, 467	1, 065	193	0	81	128
Waupaca	164, 014. 74	247, 403.52	896	717	130	0	0	49
Waushara	98, 201. 67	138, 612.24	502	450	30	0	0	22
Winnebago	222, 720. 44	316, 985.76	1, 148	724	282	0	0	142
Wood	186, 678. 77	279, 985.68	1, 014	832	131	0	0	51
Menominee	61, 991. 94	94, 709.16	343	222	71	0	0	50

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

WYOMING

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $276.88]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$1, 333, 603. 97	$1, 899, 673.68	6, 861	5, 408	1, 242	0	112	99
Albany	51, 051. 23	80, 295.20	290	208	59	0	21	2
Big Horn	68, 221. 78	93, 031.68	336	313	21	0	0	2
Campbell	17, 306. 10	26, 303.60	95	71	23	0	0	1
Carbon	72, 602. 41	105, 214.40	380	289	85	0	0	6
Converse	33, 633. 43	48, 177.12	174	128	25	0	18	3
Crook	34, 961. 35	48, 454.00	175	168	7	0	0	0
Fremont	184, 558. 50	253, 068.32	914	795	87	0	18	14
Goshen	73, 329. 25	97, 461.76	352	264	28	0	55	5
Hot Springs	16, 051. 78	23, 811.68	86	79	7	0	0	0
Johnson	27, 779. 97	36, 548.16	132	127	3	0	0	2
Laramie	152, 657. 08	227, 595.36	822	462	346	0	0	14
Lincoln	56, 942. 56	78, 080. 16	282	278	0	0	0	4
Natrona	170, 502. 35	246, 146. 32	889	609	261	0	0	19
Niobrara	14, 825. 99	21, 873. 52	79	70	6	0	0	3
Park	68, 347. 76	99, 123. 04	358	274	78	0	0	6
Platte	43, 931. 55	62, 298. 00	225	215	10	0	0	0
Sheridan	68, 276. 48	97, 738. 64	353	288	63	0	0	2
Sublette	8, 509. 32	12, 182. 72	44	38	6	0	0	0
Sweetwater	53, 060. 89	75, 588. 24	273	199	67	0	0	7
Teton	19, 239. 80	27, 411. 12	99	92	6	0	0	1
Uinta	30, 072. 41	40, 978. 24	148	138	7	0	0	3
Washakie	48, 473. 67	70, 327. 52	254	214	35	0	0	5
Weston	19, 268. 31	27, 964. 88	101	89	12	0	0	0
Yellowstone National Park part	0	0	0	0	0	0	0	0
National total	1, 105, 610, 100. 00	1, 754, 601, 427. 20	6, 377, 731	4, 948, 140	1, 211, 652	13, 882	55, 391	148, 695

FAMILY INCOME FACTOR UNDER $3,000

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874 title II or 89–10 title I

ALABAMA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$33, 616, 421. 89	$89, 546, 971. 98	350, 697	348, 908	0	0	190	1, 599
Autauga	251, 524. 05	687, 630. 62	2, 693	2, 689	0	0	0	4
Baldwin	438, 385. 31	1, 312, 958. 28	5, 142	5, 131	0	0	0	11
Barbour	575, 639. 54	1, 365, 302. 98	5, 347	5, 338	0	0	0	9
Bibb	200, 343. 25	540, 810. 12	2, 118	2, 107	0	0	0	11
Blount	285, 202. 12	776, 488. 94	3, 041	3, 026	0	0	0	15
Bullock	389, 723. 58	848, 239 48	3, 322	3, 320	0	0	0	2
Butler	520, 254. 41	1, 269, 039. 80	4, 970	4, 952	0	0	0	18
Calhoun	529, 739. 44	1, 687, 031. 38	6, 607	6, 546	0	0	0	61
Chambers	407, 014. 94	1, 070, 129. 94	4, 191	4, 182	0	0	0	9
Cherokee	205, 592. 03	523, 447. 00	2, 050	2, 041	0	0	0	9
Chilton	291, 246. 69	820, 662. 76	3, 214	3, 213	0	0	0	1
Choctaw	361, 662. 62	908, 244. 38	3, 557	3, 543	0	0	0	14
Clarke	419, 619. 34	1, 102, 302. 78	4, 317	4, 312	0	0	0	5
Clay	126, 586. 73	372, 541. 06	1, 459	1, 458	0	0	0	1
Cleburne	107, 740. 65	318, 919. 66	1, 249	1, 246	0	0	0	3
Coffee	350, 411. 14	978, 207. 54	3, 831	3, 829	0	0	0	2
Colbert	400, 690. 64	1, 067, 576. 54	4, 181	4, 164	0	0	0	17
Conecuh	374, 161. 26	891, 391. 94	3, 491	3, 477	0	0	0	14
Coosa	125, 222. 94	369, 221. 64	1, 446	1, 439	0	0	0	7
Covington	373, 079. 99	1, 037, 701. 76	4, 064	4, 040	0	0	0	24
Crenshaw	323, 183. 65	739, 719. 98	2, 897	2, 879	0	0	0	18
Cullman	539, 610. 09	1, 563, 702. 16	6, 124	6, 113	0	0	0	11
Dale	276, 883. 75	724, 399. 58	2, 837	2, 830	0	0	0	7
Dallas	1, 068, 554. 05	2, 562, 592. 24	10, 036	10, 020	0	0	0	16
De Kalb	560, 857. 93	1, 451, 863. 24	5, 686	5, 666	0	0	0	20
Elmore	333, 264. 79	972, 845. 40	3, 810	3, 762	0	0	0	48
Escambia	372, 651. 97	1, 036, 169. 72	4, 058	4, 046	0	0	0	12
Etowah	702, 443. 50	2, 009, 525. 80	7, 870	7, 839	0	0	0	31
Fayette	209, 875. 44	574, 259. 66	2, 249	2, 249	0	0	0	0
Franklin	267, 671. 21	714, 185. 98	2, 797	2, 785	0	0	0	12
Geneva	369, 098. 44	931, 735. 66	3, 649	3, 640	0	0	0	9
Greene	451, 022. 24	917, 691. 96	3, 594	3, 594	0	0	0	0
Hale	529, 540. 03	1, 153, 881. 46	4, 519	4, 517	0	0	0	2
Henry	345, 862. 72	803, 044. 30	3, 145	3, 144	0	0	0	1
Houston	579, 865. 69	1, 587, 959. 46	6, 219	6, 204	0	0	0	15
Jackson	559, 423. 89	1, 425, 307. 88	5, 582	5, 549	0	0	0	33
Jefferson	3, 559, 741. 09	10, 334, 886. 50	40, 475	40, 142	0	0	45	288
Lamar	153, 953. 15	469, 825. 60	1, 840	1, 839	0	0	0	1
Lauderdale	441, 007. 12	1, 270, 571. 84	4, 976	4, 949	0	0	0	27
Lawrence	434, 284. 31	1, 065, 533. 82	4, 173	4, 155	0	0	0	18

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

ALABAMA—Continued

[**Formula rate: ½ State** or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Lee	$436, 491. 39	$1, 269, 805. 82	4, 973	4, 964	0	0	0	9
Limestone	526, 167. 74	1, 320, 107. 80	5, 170	5, 161	0	0	0	9
Lowndes	491, 784. 17	1, 016, 508. 54	3, 981	3, 972	0	0	0	9
Macon	518, 282. 18	1, 152, 860. 10	4. 515	4, 508	0	0	0	7
Madison	818, 077. 03	2, 177, 284. 18	8, 527	8, 443	0	0	28	56
Marengo	600, 136. 37	1, 352, 791. 32	5, 298	5, 291	0	0	0	7
Marion	298, 262. 46	761, 423. 88	2, 982	2, 981	0	0	0	1
Marshall	441, 657. 82	1, 324, 448. 58	5, 187	5, 121	0	0	0	66
Mobile	1, 853, 305. 83	5, 634, 587. 78	22, 067	21, 762	0	0	117	188
Monroe	459, 289. 17	1, 106, 388. 22	4, 333	4, 332	0	0	0	1
Montgomery	1, 253, 531. 01	3, 722, 091. 18	14, 577	14, 437	0	0	0	140
Morgan	482, 902. 67	1, 376, 793. 28	5, 392	5, 326	0	0	0	66
Perry	438, 956. 77	1, 003, 486. 20	3, 930	3, 927	0	0	0	3
Pickens	422, 767. 82	1, 011, 146. 40	3, 960	3, 950	0	0	0	10
Pike	475, 253. 10	1, 170, 223. 22	4, 583	4, 555	0	0	0	28
Randolph	250, 482. 05	661, 585. 94	2, 591	2, 582	0	0	0	9
Russell	571, 804. 00	1, 557, 318. 66	6, 099	6, 095	0	0	0	4
St. Clair	233, 752. 28	650, 350. 98	2, 547	2, 521	0	0	0	26
Shelby	301, 574. 87	837, 770. 54	3, 281	3, 269	0	0	0	12
Sumter	591, 100. 70	1, 234, 313. 56	4, 834	4, 827	0	0	0	7
Talladega	630, 165. 69	1, 815, 978. 08	7, 112	7, 089	0	0	0	23
Tallapoosa	286, 559. 16	864, 581. 24	3, 386	3, 379	0	0	0	7
Tuscaloosa	841, 208. 47	2, 313, 635. 74	9, 061	8, 998	0	0	0	63
Walker	598, 756. 65	1. 511, 868. 14	5, 921	5, 895	0	0	0	26
Washington	217, 675. 57	569, 152. 86	2, 229	2, 222	0	0	0	7
Wilcox	580, 194. 62	1, 324, 703. 92	5, 188	5, 188	0	0	0	0
Winston	183, 646. 57	548, 214. 98	2, 147	2, 138	0	0	0	9

ALASKA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $365.97]

State total	$1, 935, 642. 00	$3, 478, 178. 88	9, 504	7, 976	328	0	676	524
Ketchikan-Prince of Wales	55, 123. 07	110, 156. 97	301	217	42	0	0	42
Wrangell-Petersburg	24, 170. 48	64, 776. 69	177	171	0	0	0	6
Sitka	32, 177. 29	36, 597. 00	100	70	0	0	0	30
Juneau	72, 716. 49	123, 697. 86	338	140	49	0	65	84
Lynn Canal-Icy Straits	27, 167. 63	61, 848. 93	169	160	0	0	0	9
Cordova-Valdez	53, 807. 25	68, 070. 42	186	178	0	0	0	8
Palmer-Wassila-Talkeetna	57, 085. 92	114, 182. 64	312	269	0	0	30	13
Anchorage	194, 889. 11	365, 238. 06	998	765	26	0	26	181
Seward	7, 539. 05	21, 592. 23	59	42	14	0	0	3
Kenai-Cook Inlet	92, 631. 34	164, 686. 50	450	437	0	0	0	13
Kodiak	31, 813. 97	61, 482. 96	168	109	0	0	40	19
Aleutian Islands	35, 401. 18	81, 245. 34	222	222	0	0	0	0
Bristol Bay	33, 331. 34	88, 198. 77	241	197	0	0	38	6
Bethel	297, 990. 36	484, 544. 28	1, 324	1, 187	78	0	40	19
Yukon-Kuskokwim	169, 613. 68	367, 799. 85	1, 005	834	0	0	168	3
Fairbanks-Fort Yukon	185, 406. 92	298, 631. 52	816	660	72	0	33	51
Barrow-Kobuk	160, 098. 99	272, 647. 65	745	735	0	0	0	10
Nome	177, 535. 77	323, 517. 48	884	800	47	0	11	26
Wade Hampton	227, 142. 16	369, 263. 73	1, 009	783	0	0	225	1

ARIZONA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.96]

State total	$9, 057, 383. 01	$16, 960, 933. 44	66, 264	64, 771	0	0	210	1, 2
Apache	833, 296. 20	1, 407, 524. 04	5, 499	5, 494	0	0	0	5
Cochise	313, 784. 27	628, 893. 72	2, 457	2, 436	0	0	0	21
Coconino	579, 164. 36	953, 706. 96	3, 726	3, 707	0	0	0	19
Gila	155, 693. 83	381, 380. 40	1, 490	1, 478	0	0	0	12
Graham	126, 442. 41	275, 412. 96	1, 076	1, 061	0	0	0	15
Greenlee	35, 757. 89	86, 770. 44	339	331	0	0	0	8
Maricopa	3, 912, 787. 65	7, 001, 017. 92	27, 352	26, 348	0	0	210	794
Mohave	56, 626. 12	94, 193. 28	368	360	0	0	0	8
Navajo	798, 208. 70	1, 338, 670. 80	5, 230	5, 178	0	0	0	52
Pima	1, 095, 222. 30	2, 339, 986. 32	9, 142	8, 938	0	0	0	204
Pinal	685, 938. 66	1, 471, 002. 12	5, 747	5, 673	0	0	0	74
Santa Cruz	78, 782. 86	189, 154. 44	739	735	0	0	0	4
Yavapai	136, 180. 67	289, 490. 76	1, 131	1, 106	0	0	0	25
Yuma	249, 497. 09	503, 729. 28	1, 968	1, 926	0	0	0	42

ARKANSAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$22, 375, 778. 95	$55, 674, 588. 94	218, 041	216, 432	0	20	810	779
Arkansas	235, 386. 28	708, 313. 16	2, 774	2, 773	0	0	0	1
Ashley	345, 100. 95	844, 154. 04	3, 306	3, 291	0	0	0	15
Baxter	134, 698. 58	270, 405. 06	1, 059	1, 058	0	0	0	1
Benton	238, 094. 68	742, 018. 04	2, 906	2, 902	0	0	0	4
Boone	165, 436. 33	451, 441. 12	1, 768	1, 736	0	0	24	8

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

ARKANSAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Bradley	$137, 750. 72	$446, 334. 32	1, 748	1, 730	0	0	0	18
Calhoun	85, 097. 79	254, 063. 30	995	986	0	0	0	9
Carroll	95, 550. 34	268, 362. 34	1, 051	1, 051	0	0	0	0
Chicot	377, 299. 59	902, 882. 24	3, 536	3, 526	0	0	0	10
Clark	193, 967. 55	533, 149. 92	2, 088	2, 072	0	0	0	16
Clay	311, 424. 45	789, 766. 62	3, 093	3, 073	0	0	0	20
Cleburne	159, 045. 29	375, 860. 48	1, 472	1, 468	0	0	0	4
Cleveland	105, 634. 56	268, 617. 68	1, 052	1, 052	0	0	0	0
Columbia	354, 186. 83	820, 407. 42	3, 213	3, 203	0	0	0	10
Conway	241, 585. 44	562, 514. 02	2, 203	2, 049	0	0	150	4
Craighead	494, 687. 81	1, 339, 513. 64	5, 246	5, 205	0	0	0	41
Crawford	192, 118. 81	565, 067. 42	2, 213	2, 199	0	0	0	14
Crittenden	992, 951. 41	2, 338, 914. 40	9, 160	9, 148	0	0	0	12
Cross	377, 258. 35	962, 376. 46	3, 769	3, 724	0	0	0	45
Dallas	114, 353. 06	378, 669. 22	1, 483	1, 480	0	0	0	3
Desha	505, 685. 06	1, 039, 233. 80	4, 070	4, 051	0	0	0	19
Drew	235, 389. 65	571, 961. 60	2, 240	2, 128	0	0	104	8
Faulkner	214, 529. 60	639, 371.36	2, 504	2, 493	0	0	0	11
Franklin	119, 941. 73	299, 258.48	1, 172	1, 172	0	0	0	0
Fulton	104, 343. 57	263, 000.20	1, 030	1, 029	0	0	0	1
Garland	278, 931. 81	866, 879.30	3, 395	3, 159	0	0	204	32
Grant	80, 481. 31	239, 253.58	937	937	0	0	0	0
Greene	382, 501. 66	930, 203.62	3, 643	3, 592	0	0	46	5
Hempstead	309, 401. 92	672, 820.90	2, 635	2, 632	0	0	0	3
Hot Spring	154, 159. 15	440, 716.84	1, 726	1, 710	0	0	0	16
Howard	123, 152. 27	316, 721.60	1, 240	1, 240	0	0	0	0
Independence	266, 659. 64	695, 801.50	2, 725	2, 725	0	0	0	0
Izard	88, 800. 46	228, 273.96	894	894	0	0	0	0
Jackson	347, 414. 61	817, 598.68	3, 202	3, 199	0	0	0	3
Jefferson	1, 092, 038. 20	2, 622, 341.80	10, 270	10, 260	0	0	0	10
Johnson	144, 528. 91	392, 457.58	1, 537	1, 536	0	0	0	1
Lafayette	251, 231. 95	508, 892.62	1, 993	1, 986	0	0	0	7
Lawrence	255, 276. 70	693, 503.44	2, 716	2, 716	0	0	0	0
Lee	591, 446. 37	1, 247, 335.90	4, 885	4, 883	0	0	0	2
Lincoln	332, 677. 72	657, 500.50	2, 575	2, 575	0	0	0	0
Little River	135, 750. 84	341, 389.58	1, 337	1, 336	0	0	0	1
Logan	188, 767. 48	486, 933.38	1, 907	1, 904	0	0	0	3
Lonoke	414, 523. 71	953, 694.90	3, 735	3, 734	0	0	0	1
Madison	169, 521. 05	379, 435.24	1, 486	1, 471	0	0	0	15
Marion	84, 797. 09	226, 741. 92	888	888	0	0	0	0
Miller	342, 728. 26	906, 967. 68	3, 552	3, 505	0	0	44	3
Mississippi	1, 344, 198. 24	3, 088, 847. 98	12, 097	12, 086	0	0	0	11
Monroe	370, 466. 60	883, 221. 06	3, 459	3, 454	0	0	0	5
Montgomery	47, 766. 16	158, 566. 14	621	620	0	0	0	1
Nevada	142, 513. 32	366, 668. 24	1, 436	1, 436	0	0	0	0
Newton	154, 999. 50	357, 986. 68	1, 402	1, 398	0	0	0	4
Ouachita	434, 470. 90	993, 527. 94	3, 891	3, 754	0	0	0	137
Perry	58, 879. 67	168, 524. 40	660	659	0	0	0	1
Phillips	971, 784. 24	2, 143, 834. 64	8, 396	8, 374	0	0	15	7
Pike	78, 208. 32	229, 039. 98	897	897	0	0	0	0
Poinsett	578, 935. 06	1, 406, 923. 40	5, 510	5, 510	0	0	0	0
Polk	97, 730. 48	321, 473. 06	1, 259	1, 259	0	0	0	0
Pope	223, 491. 06	574, 259. 66	2, 249	2, 248	0	0	0	1
Prairie	158, 971. 91	373, 817. 76	1, 464	1, 460	0	0	0	4
Pulaski	1, 406, 292. 73	3, 722, 091. 18	14, 577	14, 223	0	0	212	142
Randolph	174, 474. 35	445, 312. 96	1, 744	1, 741	0	0	0	3
St. Francis	850, 148. 26	1, 877, 004. 34	7, 351	7, 332	0	0	0	19
Saline	126, 176. 27	393, 223. 60	1, 540	1, 533	0	0	0	7
Scott	97, 497. 99	258, 148. 74	1, 011	1, 011	0	0	0	0
Searcy	134, 795. 24	383, 010. 00	1, 500	1, 500	0	0	0	0
Sebastian	398, 158. 65	1, 123, 496. 00	4, 400	4, 374	0	0	11	15
Sevier	79, 452. 89	256, 106. 02	1, 003	1, 003	0	0	0	0
Sharp	98, 686. 64	257, 127. 38	1, 007	1, 007	0	0	0	0
Stone	145, 176. 09	327, 090. 54	1, 281	1, 280	0	0	0	1
Union	367, 143. 49	1, 025, 700. 78	4, 017	4, 002	0	0	0	15
Van Buren	98, 523. 85	282, 916. 72	1, 108	1, 108	0	0	0	0
Washington	293, 423. 29	929, 182. 26	3, 639	3, 606	0	20	0	13
White	396, 007. 40	953, 694. 90	3, 735	3, 719	0	0	0	16
Woodruff	359, 913. 08	744, 826. 78	2, 917	2, 917	0	0	0	0
Yell	121, 183. 73	367, 944. 94	1, 441	1, 440	0	0	0	1

CALIFORNIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $275.22]

State total	$76, 369, 692. 80	$147, 425, 170. 86	535, 663	358, 247	156, 184	3, 950	1, 550	15, 740
Alameda	4, 849, 241. 46	8, 769, 059. 64	31, 862	21, 076	9, 317	643	35	791
Alpine	3, 381. 42	9, 632. 70	35	26	8	0	0	1
Amador	20, 920. 38	55, 044. 00	200	184	9	0	0	7
Butte	446, 109. 49	915, 932. 16	3, 328	2, 245	984	15	0	84
Calaveras	30, 012. 22	62, 750. 16	228	183	45	0	0	0
Colusa	68, 729. 28	126, 876. 42	461	331	84	38	0	8
Contra Costa	2, 102, 207. 51	3, 825, 833. 22	13, 901	8, 496	4, 876	65	38	426
Del Norte	67, 643. 68	148, 894. 02	541	395	84	28	0	34
El Dorado	114, 909. 77	231, 735. 24	842	485	212	0	12	34
Fresno	3, 955, 207. 58	7, 522, 863. 48	27, 334	17, 163	9, 600	35	0	536
Glenn	64, 192. 37	186, 874. 38	679	609	60	0	0	10

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

CALIFORNIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $275.22]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Humboldt	$464, 845. 37	$981, 434. 52	3, 566	2, 351	1, 041	0	0	174
Imperial	517, 475. 53	1, 151, 245. 26	4, 183	3, 413	664	0	0	106
Inyo	60, 835. 92	128, 252. 52	466	357	52	0	0	47
Kern	2, 338, 811. 97	4, 917, 355. 74	17, 867	11, 774	5, 637	0	0	456
Kings	616, 746. 54	1, 296, 286. 20	4, 710	3, 215	1, 431	0	0	64
Lake	77, 861. 36	168, 985. 08	614	438	157	0	0	19
Lassen	38, 335. 15	85, 593. 42	311	273	32	0	0	6
Los Angeles	26, 903, 576. 38	49, 733, 905. 32	180, 706	119, 268	54, 397	1, 484	660	4, 897
Madera	448, 049. 56	975, 379. 68	3, 544	2, 824	672	0	0	48
Marin	403, 533. 04	904, 923. 36	3, 288	2, 204	737	66	132	149
Mariposa	27, 064. 26	49, 814. 82	181	137	26	10	0	8
Mendocino	273, 808. 10	567, 503. 64	2, 062	1, 551	348	0	94	69
Merced	759, 623. 06	1, 638, 659. 88	5, 954	4, 434	1, 401	0	0	119
Modoc	41, 927. 05	74, 034. 18	269	252	12	0	0	5
Mono	0	0	[1] 0	8	0	0	0	0
Monterey	879, 971. 09	1, 943, 053. 20	7, 060	5, 399	1, 478	30	0	153
Napa	193, 258. 47	399, 069. 00	1, 450	1, 123	247	0	0	80
Nevada	86, 789. 96	182, 746. 08	664	506	135	0	0	23
Orange	2, 061, 338. 52	4, 243, 066. 74	15, 417	12, 265	2, 812	106	0	234
Placer	254, 892. 99	557, 320. 50	2, 025	1, 440	522	0	0	63
Plumas	48, 316. 96	115, 041. 96	418	268	134	0	0	16
Riverside	1, 703, 831. 71	3, 449, 332. 26	12, 533	8, 301	3, 563	253	0	416
Sacramento	2, 452, 849. 10	4, 431, 317. 22	16, 101	8, 379	6, 928	80	141	573
San Benito	74, 402. 62	195, 681. 42	711	574	102	25	0	10
San Bernardino	2, 797, 298. 13	5, 449, 631. 22	19, 801	12, 446	6, 561	287	0	507
San Diego	4, 446, 220. 14	8, 327, 606. 76	30, 258	23, 210	5, 802	107	58	1, 081
San Francisco	3, 439, 378. 71	6, 018, 510. 96	21, 868	13, 674	6, 692	74	166	1, 262
San Joaquin	1, 542, 791. 08	3, 208, 239. 54	11, 657	8, 132	3, 206	0	53	266
San Luis Obispo	421, 135. 19	758, 781. 54	2, 757	1, 914	731	0	0	112
San Mateo	1, 048, 814. 03	1, 997, 546. 76	7, 258	5, 166	1, 659	145	0	288
Santa Barbara	622, 105. 47	1, 228, 306. 86	4, 463	3, 165	1, 063	90	0	145
Santa Clara	2, 852, 061. 53	5, 270, 187. 78	19, 149	10, 452	7, 699	159	110	729
Santa Cruz	325, 994. 26	751, 350. 60	2, 730	2, 212	425	0	12	81
Shasta	296, 238. 98	657, 775. 80	2, 390	1, 709	581	0	0	100
Sierra	9, 126. 21	19, 815. 84	72	65	3	0	0	4
Siskiyou	138, 448. 12	273, 018. 24	992	741	209	0	0	42
Solano	620, 789. 87	1, 281, 974. 76	4, 658	3, 319	1, 145	0	24	170
Sonoma	907, 212. 19	1, 826, 910. 36	6, 638	4, 353	1, 892	124	0	269
Stanislaus	1, 166, 197. 82	2, 658, 900. 42	9, 661	6, 685	2, 634	0	15	327
Sutter	187, 804. 22	375, 675. 30	1, 365	1, 062	276	0	0	27
Tehama	143, 813. 33	288, 155. 34	1, 047	866	152	0	0	29
Trinity	24, 869. 99	65, 502. 36	238	151	76	0	0	11
Tulare	1, 554, 301. 98	3, 970, 048. 50	14, 425	9, 306	4, 715	61	0	343
Tuolumne	56, 948. 40	125, 225. 10	455	270	147	0	0	38
Ventura	887, 052. 93	1, 811, 773. 26	6, 583	4, 803	1, 625	0	0	155
Yolo	238, 653. 28	573, 833. 70	2, 085	1, 330	695	0	0	60
Yuba	191, 737. 07	440, 902. 44	1, 602	1, 170	379	25	0	28

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[1] Number of eligibles less than 10; total not used in computations.

COLORADO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $258.62]

State total	$8, 431, 092. 94	$16, 904, 954. 92	65, 366	59, 712	3, 999	68	500	1, 100
Adams	385, 317. 88	739, 911. 82	2, 861	2, 526	280	0	0	55
Alamosa	72, 764. 02	149, 999. 60	580	546	33	0	0	1
Arapahoe	278, 511. 79	518, 533. 10	2, 005	1, 873	96	0	0	36
Archuleta	36, 871. 38	74, 482. 56	288	272	14	0	0	2
Baca	42, 043. 82	113, 016. 94	437	435	0	0	0	2
Bent	53, 544. 47	139, 396. 18	539	512	15	0	0	12
Boulder	189, 868. 03	419, 998. 88	1, 624	1, 463	103	0	12	46
Chaffee	25, 060. 14	57, 930. 88	224	221	0	0	0	3
Cheyenne	8, 123. 42	31, 293. 02	121	120	0	0	0	1
Clear Creek	4, 578. 05	9, 051. 70	35	31	0	0	0	4
Conejos	151, 978. 73	354, 568. 02	1, 371	1, 346	12	0	0	13
Costilla	122, 755. 33	230, 689. 04	892	890	2	0	0	100
Crowley	54, 039. 87	116, 379. 00	450	447	0	0	0	3
Custer	7, 028. 56	29, 224. 06	113	113	0	0	0	0
Delta	138, 230. 29	322, 499. 14	1 247	1, 238	0	0	0	9
Denver	2, 418, 570. 05	3, 972, 661. 82	15, 361	12, 975	1, 709	68	340	269
Dolores	8, 443. 69	21, 724. 08	84	84	0	0	0	0
Douglas	13, 040. 62	40, 344. 72	156	156	0	0	0	0
Eagle	29, 264. 94	70, 603. 26	273	260	13	0	0	0
Elbert	31, 667. 55	80, 430. 82	311	311	0	0	0	0
El Paso	505, 828. 61	996, 721. 48	3, 854	3, 491	268	0	30	65
Fremont	71, 890. 77	171, 982. 30	665	653	11	0	0	1
Garfield	45, 489. 25	100, 861. 80	390	382	0	0	0	8
Gilpin	0	0	0	9	0	0	0	0
Grand	21, 742. 40	37, 241. 28	144	144	0	0	0	0
Gunnison	23, 072. 68	77, 327. 38	299	299	0	0	0	0
Hinsdale	0	0	(1)	4	0	0	0	0
Huerfano	127, 076. 71	237, 413. 16	918	876	42	0	0	0
Jackson	164. 50	4, 396. 54	17	11	6	0	0	0
Jefferson	273, 523. 54	571, 032. 96	2, 208	2, 041	85	0	10	72

[1] Number of eligibles less than 10; total not used in computations.

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

COLORADO—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $258.62]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Kiowa	$15, 676. 88	$29, 224. 06	113	113	0	0	0	0
Kit Carson	35, 494. 96	83, 017. 02	321	310	5	0	0	6
Lake	21, 203. 70	54, 568. 82	211	211	0	0	0	0
La Plata	122, 900. 01	243, 620. 04	942	901	19	0	0	22
Larimer	243, 760. 03	491, 636. 62	1, 901	1, 650	205	0	0	46
Las Animas	215, 325. 85	470, 429. 78	1, 819	1, 752	35	0	0	32
Lincoln	14, 876. 45	48, 620. 56	188	187	0	0	0	1
Logan	75, 087. 80	184, 913. 30	715	678	25	0	0	12
Mesa	228, 011. 16	542, 067. 52	2, 096	1, 986	71	0	0	39
Mineral	0	0	0	0	0	0	0	0
Moffat	34, 380. 75	80, 430. 82	311	297	13	0	0	1
Montezuma	126, 300. 70	252, 930. 36	978	954	13	0	0	11
Montrose	151, 567. 24	348, 102. 52	1, 346	1, 315	21	0	0	10
Morgan	130, 318. 33	324, 050. 86	1, 253	1, 158	83	0	0	12
Otero	188, 320. 26	369, 567. 98	1, 429	1, 321	41	0	36	31
Ouray	9, 601. 68	20, 948. 22	81	79	2	0	0	0
Park	8, 303. 63	13, 448. 24	52	52	0	0	0	0
Phillips	17, 415. 47	43, 965. 40	170	167	0	0	0	3
Pitkin	11, 137. 07	30, 258. 54	117	117	0	0	0	0
Prowers	97, 328. 30	239, 999. 36	928	906	18	0	0	4
Pueblo	590, 773. 47	1, 136, 893. 52	4, 396	3, 826	423	0	38	109
Rio Blanco	25, 632. 00	55, 086. 06	213	212	0	0	0	1
Rio Grande	152, 477. 77	354, 309. 40	1, 370	1, 326	33	0	0	11
Routt	39, 419. 60	79, 137. 72	306	303	0	0	0	3
Saguache	83, 475. 80	159, 827. 16	618	595	16	0	0	7
San Juan	2, 358. 82	13, 189. 62	51	46	5	0	0	0
San Miguel	15, 875. 49	29, 999. 92	116	116	0	0	0	0
Sedgwick	13, 210. 67	31, 293. 02	121	120	0	0	0	1
Summit	4, 302. 04	6, 206. 88	24	24	0	0	0	0
Teller	14, 872. 31	34, 913. 70	135	112	0	0	22	1
Washington	30, 440. 86	97, 499. 74	377	374	0	0	0	3
Well	501, 129. 11	1, 179, 307. 20	4, 560	4, 145	282	0	12	121
Yuma	69, 623. 64	165, 775. 42	641	630	0	0	0	11

CONNECTICUT

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $203.48]

State total	$8, 495, 116. 96	$15, 711, 416. 16	51, 942	36, 771	12, 003	0	318	2, 850
Fairfield	2, 110, 948. 39	3, 956, 740. 88	13, 081	9, 850	2, 722	0	0	509
Hartford	2, 566, 859. 69	4, 410, 158. 40	14, 580	9, 223	4, 465	0	78	814
Litchfield	248, 173. 20	549, 606. 16	1, 817	1, 546	121	0	0	150
Middlesex	300, 119. 05	515, 123. 44	1, 703	1, 213	270	0	134	86
New Haven	2, 304, 357. 81	4, 293, 703. 60	14, 195	9, 779	3, 593	0	106	717
New London	574, 441. 96	1, 130, 065. 28	3, 736	2, 923	575	0	0	238
Tolland	139, 618. 83	300, 665. 12	994	751	144	0	0	99
Windham	250, 598. 03	555, 353. 28	1, 836	1, 486	113	0	0	237

DELAWARE

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $314.96]

State total	$2, 047, 995. 01	$4, 373, 534. 56	13, 886	12, 691	305	0	186	704
Kent	313, 014. 92	782, 990. 56	2, 486	2, 221	61	0	57	147
New Castle	1, 243, 592. 21	2, 351, 176. 40	7, 465	6, 738	215	0	129	383
Sussex	491, 387. 88	1, 239, 367. 60	3, 935	3, 732	29	0	0	174

DISTRICT OF COLUMBIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $307.52]

District	$5, 774, 917. 00	$10, 090, 653. 76	32, 813	27, 220	4, 616	0	0	977

FLORIDA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$28, 699, 159. 89	$65, 711, 749. 00	257, 350	254, 164	0	0	742	2, 444
Alachua	574, 021. 33	1, 227, 419. 38	4, 807	4, 741	0	0	0	66
Baker	103, 181. 27	219, 847. 74	861	861	0	0	0	0
Bay	477, 149. 13	1, 027, 488. 16	4, 024	3, 963	0	0	0	61
Bradford	105, 632. 71	270, 149. 72	1, 058	1, 058	0	0	0	0
Brevard	352, 457. 99	826, 024. 90	3, 235	3, 207	0	0	0	28
Broward	1, 492, 257. 27	3, 490, 242. 46	13, 669	13, 549	0	0	0	120
Calhoun	150, 478. 16	275, 022. 54	1, 081	1, 080	0	0	0	1
Charlotte	57, 034. 87	128, 436. 02	503	502	0	0	0	1
Citrus	79, 383. 92	187, 419. 56	734	733	0	0	0	1
Clay	180, 793. 41	350, 326. 48	1, 372	1, 372	0	0	0	0
Collier	113, 200. 14	226, 231. 24	886	886	0	0	0	0
Columbia	278, 873. 27	564, 301. 40	2, 210	2, 205	0	0	0	5
Dade	3, 713, 391. 37	8, 569, 210. 40	33, 560	33, 022	0	0	77	461

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

FLORIDA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
De Soto	$74, 746. 74	$195, 079. 76	764	763	0	0	0	1
Dixie	65, 848. 54	126, 137. 96	494	491	0	0	0	3
Duval	2, 592, 417. 87	5, 818, 943. 26	22, 789	22, 409	0	0	301	79
Escambia	1, 032, 666. 01	2, 382, 066. 86	9, 329	9, 149	0	0	16	164
Flagler	60, 441. 64	132, 521. 46	519	519	0	0	0	0
Franklin	95, 654. 39	201, 463. 26	789	789	0	0	0	0
Gadsden	715, 658. 45	1, 483, 780. 74	5, 811	5, 809	0	0	0	2
Gilchrist	47, 382. 80	111, 583. 58	437	434	0	0	0	3
Glades	42, 889. 90	75, 835. 98	297	297	0	0	0	0
Gulf	78, 695. 50	139, 801. 06	759	755	0	0	0	4
Hamilton	139, 085. 97	308, 961. 40	1, 210	1, 210	0	0	0	0
Hardee	129, 199. 86	290, 576. 92	1, 138	1, 136	0	0	0	2
Hendry	63, 604. 25	150, 650. 60	590	590	0	0	0	0
Hernando	83, 856. 84	217, 294. 34	851	851	0	0	0	0
Highlands	131, 691. 26	352, 624. 54	1, 381	1, 377	0	0	0	4
Hillsborough	2, 262, 939. 45	5, 239, 576. 80	20, 520	20, 062	0	0	61	397
Holmes	262, 215. 24	496, 636. 30	1, 945	1, 942	0	0	0	3
Indian River	126, 872. 60	360, 284. 74	1, 411	1, 399	0	0	0	12
Jackson	674, 525. 40	1, 300, 446. 62	5, 093	5, 082	0	0	0	11
Jefferson	205, 749. 71	384, 797. 38	1, 507	1, 507	0	0	0	0
Lafayette	41, 088. 78	86, 815. 60	340	340	0	0	0	0
Lake	484, 055. 37	1, 181, 202. 84	4, 626	4, 509	0	0	81	36
Lee	275, 967. 31	691, 205. 38	2, 707	2, 699	0	0	0	8
Leon	520, 546. 15	1, 229, 206. 76	4, 814	4, 765	0	0	0	49
Levy	112, 360. 83	318, 153. 64	1, 246	1, 240	0	0	0	6
Liberty	42, 252. 65	99, 582. 60	390	390	0	0	0	0
Madison	293, 984. 19	650, 350. 98	2, 547	2, 538	0	0	0	9
Manatee	329, 670. 88	923, 564. 78	3, 617	3, 586	0	0	0	31
Marion	580, 419. 84	1, 329, 300. 04	5, 206	5, 196	0	0	0	10
Martin	65, 503. 88	184, 868. 16	724	712	0	0	0	12
Monroe	174, 378. 63	401, 394. 48	1, 572	1, 533	0	0	0	39
Nassau	190, 451. 48	399, 096. 42	1, 563	1, 563	0	0	0	0
Okaloosa	278, 158. 74	702, 185. 00	2, 750	2, 747	0	0	0	3
Okeechobee	46, 575. 58	103, 923. 38	407	387	0	0	16	4
Orange	1, 063, 919. 14	2, 711, 200. 12	10, 618	10, 501	0	0	0	117
Osceola	116, 759. 06	298, 237. 12	1, 168	1, 167	0	0	0	1
Palm Beach	1, 259, 523. 44	2, 794, 951. 64	10, 946	10, 797	0	0	0	149
Pasco	232, 112. 54	603, 113. 08	2, 362	2, 360	0	0	0	2
Pinellas	1, 245, 048. 57	2, 833, 252. 64	11, 096	10, 825	0	0	0	271
Polk	1, 148, 465. 00	2, 848, 062. 36	11, 154	11, 048	0	0	0	106
Putnam	338, 642. 33	756, 572. 42	2, 963	2, 926	0	0	28	9
St. Johns	263, 901. 89	556, 385. 86	2, 179	2, 179	0	0	0	0
St. Lucie	227, 711. 85	617, 667. 46	2, 419	2, 406	0	0	0	13
Santa Rosa	194, 424. 84	451, 441. 12	1, 768	1, 768	0	0	0	0
Sarasota	275, 463. 12	665, 926. 72	2, 608	2, 565	0	0	0	43
Seminole	568, 846. 91	1, 118, 899. 88	4, 382	4, 340	0	0	26	16
Sumter	126, 296. 97	348, 794. 44	1, 366	1, 366	0	0	0	0
Suwannee	251, 396. 23	535, 703. 32	2, 098	2, 065	0	0	30	3
Taylor	141, 241. 29	297, 726. 44	1, 166	1, 165	0	0	0	1
Union	47, 441. 65	108, 008. 82	423	422	0	0	0	1
Volusia	665, 021. 20	1, 568, 298. 28	6, 142	5, 983	0	0	106	53
Wakulla	85, 088. 62	189, 717. 62	743	743	0	0	0	0
Walton	251, 697. 10	475, 698. 42	1, 863	1, 840	0	0	0	23
Washington	196, 746. 57	445, 057. 62	1, 743	1, 743	0	0	0	0

GEORGIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$37, 851, 659. 67	$97, 676, 231. 56	382, 534	379, 062	0	0	1, 705	1, 767
Appling	256, 140. 19	653, 415. 06	2, 559	2, 399	0	0	160	0
Atkinson	169, 717. 20	372, 030. 38	1, 457	1, 457	0	0	0	0
Bacon	114, 328. 58	366, 923. 58	1, 437	1, 437	0	0	0	0
Baker	130, 309. 19	285, 470. 12	1, 118	1, 118	0	0	0	0
Baldwin	155, 672. 34	504, 807. 18	1, 977	1, 977	0	0	0	0
Banks	51, 082. 12	185, 632. 18	727	716	0	0	0	11
Barrow	140, 922. 32	358, 242. 02	1, 403	1, 401	0	0	0	2
Bartow	255, 175. 73	710, 866. 56	2, 784	2, 781	0	0	0	3
Ben Hill	235, 578. 37	510, 680. 00	2, 000	2, 000	0	0	0	0
Berrien	207, 723. 53	475, 187. 74	1, 861	1, 861	0	0	0	0
Bibb	955, 971. 93	2, 668, 303. 00	10, 450	10, 080	0	0	318	52
Bleckley	134, 054. 71	323, 771. 12	1, 268	1, 268	0	0	0	0
Brantley	65, 619. 73	216, 783. 66	849	849	0	0	0	0
Brooks	372, 817. 79	804, 065. 66	3, 149	3, 149	0	0	0	0
Bryan	107, 367. 95	317, 642. 96	1, 244	1, 225	0	0	0	19
Bulloch	416, 905. 65	1, 032, 594. 96	4, 044	4, 036	0	0	0	8
Burke	635, 855. 87	1, 302, 489. 34	5, 101	5, 101	0	0	0	0
Butts	102, 757. 41	343, 687. 64	1, 346	1, 346	0	0	0	0
Calhoun	220, 619. 97	463, 442. 10	1, 815	1, 815	0	0	0	0
Camden	72, 033. 64	185, 632. 18	727	727	0	0	0	0
Candler	155, 298. 28	324, 026. 46	1, 269	1, 269	0	0	0	0
Carroll	305, 071. 92	866, 623. 96	3, 394	3, 393	0	0	0	1
Catoosa	90, 900. 74	283, 938. 08	1, 112	1, 112	0	0	0	0
Charlton	45, 334. 33	138, 649. 62	543	543	0	0	0	0
Chatham	1, 128, 642. 18	3, 177, 450. 96	12, 444	12, 063	0	0	209	172
Chattahoochee	14, 272. 19	60, 004. 90	235	235	0	0	0	0
Chattooga	156, 625. 36	438, 929. 46	1, 719	1, 717	0	0	0	2

***Preliminary county aggregate maximum basic grants for fiscal year 1968*—Continued**

GEORGIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Cherokee	$143, 177. 57	$528, 043. 12	2, 068	2, 059	0	0	0	9
Clarke	224, 006. 05	714, 185. 96	2, 797	2, 797	0	0	0	0
Clay	140, 163. 88	279, 852. 64	1, 096	1, 067	0	0	0	29
Clayton	126, 010. 64	405, 479. 92	1, 588	1, 565	0	0	0	23
Clinch	83, 446. 51	240, 785. 62	943	943	0	0	0	0
Cobb	297, 571. 38	903, 137. 58	3, 537	3, 461	0	0	20	56
Coffee	373, 299. 24	931, 224. 98	3, 647	3, 647	0	0	0	0
Colquitt	461, 825. 47	1, 175, 585. 36	4, 604	4, 594	0	0	0	10
Columbia	120, 947. 66	369, 987. 66	1, 449	1, 449	0	0	0	0
Cook	182, 033. 99	489, 486. 78	1, 917	1, 912	0	0	0	5
Coweta	256, 367. 79	789, 511. 28	3, 092	3, 084	0	0	0	8
Crawford	122, 227. 32	272, 958. 46	1, 069	1, 069	0	0	0	0
Crisp	340, 778. 50	770, 360. 78	3, 017	3, 015	0	0	0	2
Dade	91, 933. 95	248, 701. 16	974	974	0	0	0	10
Dawson	82, 167. 70	167, 758. 38	657	657	0	0	0	0
Decatur	326, 071. 70	908, 499. 72	3, 558	3, 556	0	0	0	2
De Kalb	669, 295. 41	1, 862, 194. 62	7, 293	7, 023	0	0	140	130
Dodge	333, 086. 19	643, 456. 80	2, 520	2, 520	0	0	0	0
Dooly	295, 209. 44	645, 244. 18	2, 527	2, 527	0	0	0	0
Dougherty	578, 117. 28	1, 452, 884. 60	5, 690	5, 671	0	0	13	6
Douglas	119, 280. 83	358, 752. 70	1, 405	1, 366	0	0	0	39
Early	359, 859. 14	757, 338. 44	2, 966	2, 961	0	0	0	5
Echols	22, 257. 11	73, 793. 26	289	289	0	0	0	0
Effingham	142, 544. 81	311, 514. 80	1, 220	1, 214	0	0	0	6
Elbert	230, 827. 38	569, 152. 86	2, 229	2, 223	0	0	0	6
Emanuel	339, 373. 04	774, 701. 56	3, 034	3, 031	0	0	0	3
Evans	125, 233. 23	294, 151. 68	1, 152	1, 152	0	0	0	0
Fannin	185, 764. 74	422, 077. 02	1, 653	1, 653	0	0	0	0
Fayette	76, 598. 00	210, 910. 84	826	813	0	0	0	13
Floyd	360, 209. 61	1, 062, 980. 42	4, 163	4, 104	0	0	22	37
Forsyth	114, 517. 58	319, 685. 68	1, 252	1, 250	0	0	0	2
Franklin	173, 863. 01	446, 078. 98	1, 747	1, 744	0	0	0	3
Fulton	2, 831, 882. 56	8, 391, 493. 76	32, 864	31, 701	0	0	459	704
Gilmer	159, 764. 33	374, 839. 12	1, 468	1, 468	0	0	0	0
Glascock	47, 540. 78	120, 775. 82	473	473	0	0	0	0
Glynn	252, 723. 25	705, 504. 42	2, 763	2, 763	0	0	0	0
Gordon	154, 505. 37	507, 871. 26	1, 989	1, 989	0	0	0	0
Grady	342, 024. 55	765, 509. 32	2, 998	2, 998	0	0	0	0
Greene	209, 335. 54	480, 805. 22	1, 883	1, 877	0	0	0	6
Gwinnett	245, 387. 43	702, 185.00	2, 750	2, 740	0	0	0	10
Habersham	131, 673. 21	405, 479.92	1, 588	1, 566	0	0	0	22
Hall	353, 277. 15	990, 208.52	3, 878	3, 839	0	0	0	39
Hancock	264, 941. 59	617, 667.46	2, 419	2, 419	0	0	0	0
Haralson	110, 477. 34	301, 301.20	1, 180	1, 179	0	0	0	1
Harris	203, 884. 69	478, 762.50	1, 875	1, 875	0	0	0	0
Hart	192, 399. 99	506, 594.56	1, 984	1, 976	0	0	0	8
Heard	100, 126. 97	219, 847.74	861	859	0	0	0	2
Henry	194, 384. 26	543, 108.18	2, 127	2, 115	0	0	0	12
Houston	281, 865. 43	640, 137.38	2, 507	2, 501	0	0	0	6
Irwin	220, 632. 51	504, 296.50	1, 975	1, 975	0	0	0	0
Jackson	171, 813. 33	484, 635.32	1, 898	1, 896	0	0	0	2
Jasper	110, 214. 72	281, 640.02	1, 103	1, 096	0	0	0	7
Jeff Davis	118, 152. 22	342, 666.28	1, 342	1, 342	0	0	0	0
Jefferson	413, 521. 36	931, 735.66	3, 649	3, 642	0	0	0	7
Jenkins	212, 442. 43	456, 292.58	1, 787	1, 785	0	0	0	2
Johnson	124, 533. 08	290, 321.58	1, 137	1, 137	0	0	0	0
Jones	123, 600. 57	336, 538.12	1, 318	1, 318	0	0	0	0
Lamar	115, 643. 81	299, 258.48	1, 172	1, 172	0	0	0	0
Lanier	72, 856. 25	184, 866.16	724	720	0	0	0	4
Laurens	526, 666. 81	1, 220, 269.86	4, 779	4, 776	0	0	0	3
Lee	147, 454. 93	310, 238.10	1, 215	1, 215	0	0	0	0
Liberty	175, 142. 25	434, 078. 00	1, 700	1, 697	0	0	0	3
Lincoln	118, 625. 60	299, 513. 82	1, 173	1, 173	0	0	0	0
Long	99, 731. 71	200, 441. 90	785	785	0	0	0	0
Lowndes	473, 190. 77	1, 306, 319. 44	5, 116	5, 048	0	0	35	33
Lumpkin	95, 616. 02	224, 443. 86	879	877	0	0	0	2
McDuffie	181, 938. 31	494, 848. 92	1, 938	1, 935	0	0	0	3
McIntosh	106, 065. 84	312, 791. 50	1, 225	1, 189	0	0	36	0
Macon	337, 033. 12	703, 717. 04	2, 756	2, 756	0	0	0	0
Madison	183, 456. 19	453. 228. 50	1, 775	1, 775	0	0	0	0
Marion	147, 365. 53	336, 027. 44	1, 316	1, 316	0	0	0	0
Meriwether	358, 412. 53	829, 344. 32	3, 248	3, 248	0	0	0	0
Miller	150, 449. 26	351, 347. 84	1, 376	1, 372	0	0	0	4
Mitchell	338, 425. 32	800, 235. 56	3, 134	3, 134	0	0	0	0
Monroe	145, 579. 86	369, 987. 66	1, 449	1, 447	0	0	0	2
Montgomery	131, 759. 28	282, 406. 04	1, 106	1, 106	0	0	0	0
Morgan	168, 082. 03	406, 245. 94	1, 591	1, 591	0	0	0	0
Murray	81, 547. 31	279, 597. 30	1, 095	1, 086	0	0	0	9
Muscogee	834, 160. 92	2, 540, 888. 34	9, 951	9, 920	0	0	19	12
Newton	149, 956. 21	503, 275. 14	1, 971	1, 970	0	0	0	1
Oconee	64, 422. 36	178, 482. 66	699	699	0	0	0	0
Oglethorpe	118, 324. 47	327, 345. 88	1, 282	1, 279	0	0	0	3
Paulding	86, 228. 00	251, 509. 90	985	981	0	0	0	4
Peach	148, 109. 87	426, 162. 46	1, 669	1, 669	0	0	0	0
Pickens	62, 718. 29	218, 826. 38	857	857	0	0	0	0
Pierce	160, 419. 70	405, 735. 26	1, 589	1, 586	0	0	0	3
Pike	185, 109. 65	334, 495. 40	1, 310	1, 252	0	0	58	0
Polk	243, 034. 68	647, 031. 56	2, 534	2, 420	0	0	109	5
Pulaski	133, 655. 54	320, 451. 70	1, 255	1, 255	0	0	0	0
Putnam	100, 931. 31	303, 599. 26	1, 189	1, 188	0	0	0	1

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

GEORGIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Quitman	$79, 887. 32	$175, 418. 58	687	686	0	0	0	1
Rabun	89, 625. 55	251, 509. 90	985	980	0	0	0	5
Randolph	276, 066. 59	599, 793. 66	2, 349	2, 349	0	0	0	0
Richmond	885, 624. 92	2, 615, 958. 30	10, 245	10, 189	0	0	12	44
Rockdale	76, 021. 43	234, 912. 80	920	893	0	0	26	1
Schley	88, 884. 82	201, 973. 94	791	790	0	0	0	1
Screven	350, 602. 65	751, 720. 96	2, 944	2, 943	0	0	0	1
Seminole	189, 731. 34	373, 562. 42	1, 463	1, 460	0	0	0	3
Spalding	262, 073. 89	758, 359. 80	2, 970	2, 950	0	0	0	20
Stephens	157, 434. 99	482, 337. 26	1, 889	1, 878	0	0	0	11
Stewart	217, 462. 32	437, 908. 10	1, 715	1, 715	0	0	0	0
Sumter	424, 446. 92	1, 013, 444. 46	3, 969	3, 965	0	0	0	4
Talbot	176, 327. 35	374, 839. 12	1, 468	1, 468	0	0	0	0
Taliaferro	70, 039. 05	173, 120. 52	678	678	0	0	0	0
Tattnall	226, 967. 07	531, 617. 88	2, 082	2, 082	0	0	0	0
Taylor	200, 357. 44	402, 160. 50	1, 575	1, 575	0	0	0	0
Telfair	254, 555. 51	535, 192. 64	2, 096	2, 096	0	0	0	0
Terrell	299, 780. 22	662, 607. 30	2, 595	2, 595	0	0	0	0
Thomas	397, 600. 45	1, 063, 491. 10	4, 165	4, 157	0	0	0	8
Tift	380, 068. 94	906, 201. 66	3, 549	3, 549	0	0	0	0
Toombs	260, 249. 61	608, 985. 90	2, 385	2, 365	0	0	20	0
Towns	70, 357. 88	174, 141. 88	682	682	0	0	0	0
Treutlen	120, 384. 48	264, 787. 58	1, 037	1, 037	0	0	0	0
Troup	498, 722. 00	1, 323, 937. 90	5, 185	5, 178	0	0	0	7
Turner	157, 244. 05	408, 033. 32	1, 598	1, 596	0	0	0	2
Twiggs	104, 548. 25	297, 726. 44	1, 166	1, 165	0	0	0	1
Union	125, 771. 46	289, 300. 22	1, 133	1, 133	0	0	0	0
Upson	196, 816. 80	454, 760. 54	1, 781	1, 780	0	0	0	1
Walker	243, 151. 41	767, 807. 38	3, 007	2, 984	0	0	0	23
Walton	233, 451. 82	615, 880. 08	2, 412	2, 412	0	0	0	0
Ware	294, 785. 29	791, 043. 32	3, 098	3, 072	0	0	0	26
Warren	208, 313. 91	496, 125. 62	1, 943	1, 943	0	0	0	0
Washington	346, 111. 92	793, 341. 38	3, 107	3, 107	0	0	0	0
Wayne	240, 321. 94	658, 521. 86	2, 579	2, 576	0	0	0	3
Webster	114, 958. 03	226, 997. 26	889	889	0	0	0	0
Wheeler	121, 945. 45	277, 043. 90	1, 085	1, 085	0	0	0	0
White	88, 660. 26	219, 847. 74	861	861	0	0	0	0
Whitfield	205, 491. 81	698, 865. 58	2, 737	2, 701	0	0	16	20
Wilcox	186, 573. 26	433, 056. 64	1, 696	1, 696	0	0	0	0
Wilkes	180, 023. 09	423, 864. 40	1, 660	1, 626	0	0	33	1
Wilkinson	88, 305. 58	246, 147. 76	964	964	0	0	0	0
Worth	453, 828. 84	950, 886. 16	3, 724	3, 724	0	0	0	0

HAWAII

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $269.12]

State total	$2, 305, 769. 00	$5, 265, 332. 80	19, 565	16, 508	2, 747	0	0	310
Hawaii	331, 887. 74	877, 600. 32	3, 261	3, 021	190	0	0	50
Honolulu	1, 734, 913. 49	3, 641, 462. 72	13, 531	10, 938	2, 370	0	0	223
Kalawao	0	0	0	0	0	0	0	0
Kauai	92, 248. 42	285, 267. 20	1, 060	929	109	0	0	22
Maui	146, 719. 35	461, 002. 56	1, 713	1, 620	78	0	0	15

IDAHO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$2, 720, 579. 02	$6, 537, 214. 68	25, 602	23, 720	1, 609	0	82	191
Ada	290, 715. 59	647, 031. 56	2, 534	2, 251	222	0	32	29
Adams	13, 015. 87	37, 024. 30	145	143	0	0	0	2
Bannock	150, 758. 54	316, 876. 94	1, 241	1, 112	124	0	0	5
Bear Lake	24, 125. 58	63, 068. 98	247	234	13	0	0	0
Benewah	23, 699. 81	69, 452. 48	272	252	18	0	0	2
Bingham	170, 860. 77	410, 076. 04	1, 606	1, 508	90	0	0	8
Blaine	22, 534. 68	60, 515. 58	237	232	4	0	0	1
Boise	3, 311. 81	13, 022. 34	51	51	0	0	0	0
Bonner	76, 776. 81	186, 908. 88	732	688	37	0	0	7
Bonneville	148, 052. 35	315, 600. 24	1, 236	1, 160	73	0	0	3
Boundary	30, 867. 15	65, 622. 38	257	246	11	0	0	0
Butte	8, 707. 15	24, 001. 96	94	88	0	0	0	6
Camas	5, 110. 81	12, 256. 32	48	44	4	0	0	0
Canyon	339, 436. 95	794, 618. 08	3, 112	2, 799	279	0	0	34
Caribou	38, 728. 18	84, 772. 88	332	314	18	0	0	0
Cassia	56, 801. 71	150, 395. 26	589	537	43	0	0	9
Clark	6, 436. 28	16, 597. 10	65	65	0	0	0	0
Clearwater	29, 734. 83	75, 325. 30	295	283	12	0	0	0
Custer	19, 299. 30	49, 535. 96	194	194	0	0	0	0
Elmore	31, 415. 88	98, 050. 56	384	358	24	0	0	2
Franklin	34, 792. 48	103, 923. 38	407	406	0	0	0	1
Fremont	24, 675. 96	82, 219. 48	322	310	12	0	0	0
Gem	33, 413. 42	93, 709. 78	367	336	31	0	0	0
Gooding	76, 690. 41	162, 396. 24	636	610	24	0	0	2
Idaho	83, 831. 17	166, 737. 02	653	624	23	0	0	6
Jefferson	52, 847. 71	111, 328. 24	436	432	4	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

IDAHO—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Jerome	$52, 858. 11	$156, 012. 74	611	606	5	0	0	0
Kootenai	101, 079. 75	236, 955. 52	928	811	109	0	0	8
Latah	41, 316. 41	109, 540. 86	429	414	10	0	0	5
Lemhi	52, 419. 88	108, 774. 84	426	411	14	0	0	1
Lewis	14, 108. 32	39, 577. 70	155	149	3	0	0	3
Lincoln	13, 413. 39	52, 089. 36	204	199	5	0	0	0
Madison	39, 492. 48	105, 200. 08	412	399	13	0	0	0
Minidoka	63, 887. 22	162, 140. 90	635	627	6	0	0	2
Nez Perce	113, 802. 77	239, 508. 92	938	766	108	0	50	14
Oneida	17, 121. 88	35, 747. 60	140	140	0	0	0	0
Owyhee	31, 419. 61	93, 709. 78	367	348	19	0	0	0
Payette	73, 685. 16	201, 973. 94	791	714	72	0	0	5
Power	11, 541. 70	46, 471. 88	182	171	11	0	0	0
Shoshone	48, 254. 46	99, 582. 60	390	338	38	0	0	14
Teton	15, 523. 50	41, 875. 76	164	164	0	0	0	0
Twin Falls	169, 411. 93	446, 845. 00	1, 750	1, 615	114	0	0	21
Valley	6, 988. 32	22, 469. 92	88	76	12	0	0	0
Washington	57, 612. 93	127, 670. 00	500	495	4	0	0	1
Yellowstone National Park (part)	0	0	0	0	0	0	0	0

ILLINOIS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $282.93]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$49, 297, 281. 76	$91, 564, 070. 04	323, 628	256, 265	54, 483	256	3, 028	9, 596
Adams	346, 697. 29	781, 452. 66	2, 762	2, 598	35	0	38	91
Alexander	354, 894. 59	613, 392. 24	2, 168	1, 902	255	0	0	11
Bond	94, 740. 03	237, 944. 13	841	829	5	0	0	7
Boone	55, 803. 34	150, 801. 69	533	510	4	0	0	19
Brown	82, 273. 37	159, 006. 66	562	561	0	0	0	1
Bureau	212, 527. 87	441, 653. 73	1, 561	1, 528	7	0	0	26
Calhoun	51, 126. 67	108, 928. 05	385	358	20	0	0	7
Carroll	166, 085. 43	353, 096. 64	1, 248	1, 234	0	0	0	14
Cass	87, 467. 34	200, 031. 51	707	686	11	0	0	10
Champaign	369, 756. 56	932, 254. 35	3, 295	2, 836	294	0	40	125
Christian	166, 098. 75	451, 273. 35	1, 595	1, 488	25	0	37	45
Clark	109, 628. 37	264, 256. 62	934	901	10	0	0	23
Clay	112, 230. 08	244, 168. 59	863	832	23	0	0	8
Clinton	92, 318. 36	263, 407. 83	931	926	0	0	0	5
Coles	168, 668. 21	386, 765. 31	1, 367	1, 268	45	0	0	54
Cook	27, 420, 335. 53	44, 600, 519. 34	157, 638	107, 802	43, 047	163	1, 632	4, 994
Crawford	75, 724. 58	213, 329. 22	754	745	0	0	0	9
Cumberland	69, 562. 31	175, 982. 46	622	610	7	0	0	5
De Kalb	190, 222. 85	405, 721. 62	1, 434	1, 382	12	0	0	40
De Witt	84, 084. 93	207, 670. 62	734	705	0	0	0	29
Douglas	87, 380. 19	230, 022. 09	813	766	16	0	0	31
Du Page	513, 413. 65	1, 001, 289. 27	3, 539	3, 250	77	0	21	191
Edgar	154, 786. 08	385, 067. 73	1, 361	1, 292	32	0	13	24
Edwards	58, 920. 46	135, 240. 54	478	477	0	0	0	1
Effingham	101, 739. 86	262, 276. 11	927	875	45	0	0	7
Fayette	146, 162. 34	377, 428. 62	1, 334	1, 284	33	0	0	17
Ford	83, 118. 53	205, 973. 04	728	703	8	0	0	17
Franklin	349, 139. 79	696, 856. 59	2, 463	2, 299	136	0	0	28
Fulton	194, 357. 56	436, 843. 92	1, 544	1, 479	27	0	0	38
Gallatin	133, 447. 44	296, 510. 64	1, 048	1, 034	7	0	0	7
Greene	115, 377. 56	305, 564. 40	1, 080	1, 016	20	0	0	44
Grundy	72, 984. 51	164, 099. 40	580	554	16	0	0	10
Hamilton	113, 852. 12	232, 851. 39	823	811	12	0	0	0
Hancock	155, 820. 71	383, 370. 15	1, 355	1, 309	17	0	0	29
Hardin	103, 363. 76	191, 260. 68	676	629	41	0	0	6
Henderson	46, 840. 40	127, 601. 43	451	446	5	0	0	0
Henry	220, 731. 01	556, 240. 38	1, 966	1, 861	31	0	32	42
Iroquois	185, 153. 97	444, 483. 03	1, 571	1, 540	10	0	0	21
Jackson	278, 874. 51	586, 796. 82	2, 074	1, 895	143	0	0	36
Jasper	88, 824. 12	235, 114. 83	831	817	14	0	0	0
Jefferson	311, 520. 05	594, 718. 86	2, 102	1, 851	173	0	38	40
Jersey	94, 846. 13	208, 519. 41	737	715	0	0	13	9
Jo Daviess	131, 184. 93	332, 159. 82	1, 174	1, 158	4	0	0	12
Johnson	78, 292. 17	181, 358. 13	641	621	13	0	0	7
Kane	334, 387. 96	799, 560. 18	2, 826	2, 510	77	0	62	177
Kankakee	331, 155. 17	681, 295. 44	2, 408	2, 024	285	0	0	99
Kendall	54, 211. 60	130, 430. 73	461	447	6	0	0	8
Knox	168, 008. 78	383, 370. 15	1, 355	1, 240	52	0	0	63
Lake	520, 468. 44	1, 032, 694. 50	3, 650	3, 005	343	0	125	177
La Salle	266, 239. 26	633, 197. 34	2, 238	2, 119	96	0	0	23
Lawrence	145, 281. 16	296, 793. 57	1, 049	956	85	0	0	8
Lee	179, 791. 36	420, 151. 05	1, 485	1, 358	8	0	18	101
Livingston	185, 722. 43	407, 136. 27	1, 439	1, 240	63	0	85	51
Logan	97, 705. 59	272, 178. 66	962	888	17	0	38	19
McDonough	121, 723. 62	310, 374. 21	1, 097	1, 070	12	0	0	15
McHenry	231, 160. 56	465, 702. 78	1, 646	1, 476	66	0	41	63
McLean	276, 595. 01	752, 310. 87	2, 659	2, 401	40	0	65	153
Macon	526, 579. 52	1, 025, 055. 39	3, 623	2, 969	363	0	80	211
Macoupin	195, 594. 97	484, 659. 09	1, 713	1, 631	44	0	0	38
Madison	905, 302. 73	1, 806, 790. 98	6, 386	5, 299	785	0	81	221
Marion	278, 709. 68	647, 060. 91	2, 287	2, 080	80	0	32	95
Marshall	64, 836. 40	192, 392. 40	680	660	0	0	0	20

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

ILLINOIS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $282.93]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Mason	$91, 188. 96	$207, 953. 55	735	683	17	0	0	35
Massac	172, 473. 16	321, 125. 55	1, 135	1, 046	60	0	0	29
Menard	41, 707. 08	131, 845. 38	466	423	19	0	0	24
Mercer	104, 277. 16	289, 154. 46	1, 022	1, 016	0	0	0	6
Monroe	59, 574. 21	127, 601. 43	451	406	28	0	0	17
Montgomery	187, 609. 79	458, 063. 67	1, 619	1, 555	37	0	0	27
Morgan	125, 323. 97	336, 403. 77	1, 189	1, 132	18	0	0	39
Moultrie	59, 822. 45	156, 743. 22	554	540	7	0	0	7
Ogle	176, 734. 89	453, 819. 72	1, 604	1, 514	42	0	0	48
Peoria	731, 933. 20	1, 336, 551. 90	4, 830	4, 028	540	0	51	211
Perry	125, 907. 58	283, 212. 93	1, 001	990	5	0	0	6
Piatt	61, 687. 07	190, 694. 82	674	645	19	0	0	10
Pike	183, 511. 08	433, 448. 76	1, 532	1, 497	11	0	0	24
Pope	51, 645. 88	102, 703. 59	363	336	27	0	0	0
Pulaski	239, 558. 81	461, 175. 90	1, 630	1, 392	219	0	0	19
Putnam	14, 937. 61	49, 512. 75	175	160	7	0	0	8
Randolph	123, 330. 49	287, 739. 81	1, 017	996	14	0	0	7
Richland	104, 097. 12	256, 617. 51	907	894	0	0	0	13
Rock Island	345, 037. 31	710, 154. 30	2, 510	2, 138	198	20	16	138
St. Clair	2, 402, 161. 20	4, 107, 294. 81	14, 517	10, 179	4, 136	0	61	141
Saline	345, 994. 20	630, 085. 11	2, 227	2, 128	90	0	0	9
Sangamon	496, 270. 48	1, 152, 090. 96	4, 072	3, 635	109	0	14	314
Schuyler	75, 593. 80	149, 669. 97	529	510	17	0	0	2
Scott	54, 353. 72	134, 674. 68	476	460	5	0	0	11
Shelby	153, 414. 16	365, 828. 49	1, 293	1, 255	13	0	0	25
Stark	30, 383. 07	97, 893. 78	346	338	4	0	0	4
Stephenson	246, 839. 12	586, 230. 96	2, 072	1, 765	56	0	155	96
Tazewell	206, 877. 27	473, 907. 75	1, 675	1, 557	91	0	0	27
Union	119, 732. 05	283, 495. 86	1, 002	965	23	0	0	14
Vermilion	442, 028. 55	1, 026, 187. 11	3, 627	3, 240	215	0	58	114
Wabash	64, 951. 98	163, 250. 61	577	552	16	0	0	9
Warren	127, 167. 69	293, 681. 34	1, 038	998	22	0	0	18
Washington	62, 187. 31	183, 904. 50	650	612	5	0	33	0
Wayne	181, 961. 03	403, 458. 18	1, 426	1, 367	45	0	0	14
White	140, 485. 16	321, 974. 34	1, 138	1, 100	25	0	0	13
Whiteside	282, 643. 51	623, 294. 79	2, 203	2, 098	63	0	15	27
Will	591, 042. 58	1, 135, 681. 02	4, 014	3, 378	446	0	71	119
Williamson	336, 237. 33	686, 388. 18	2, 426	2, 183	188	0	0	55
Winnebago	836, 414. 89	1, 428, 230. 64	5, 048	4, 167	520	73	63	225
Woodford	86, 332. 29	187, 865. 52	664	631	24	0	0	9

INDIANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $256.52]

State total	$15, 890, 563. 90	$35, 640, 375. 76	138, 938	133, 058	901	307	1, 336	3, 336
Adams	75, 920. 97	168, 277. 12	656	651	0	0	0	5
Allen	633, 990. 48	1, 252, 330. 64	4, 882	4, 538	84	54	152	54
Bartholomew	131, 503. 13	322, 702. 16	1, 258	1, 197	20	0	32	9
Benton	52, 933. 70	149, 807. 68	584	583	0	0	0	1
Blackford	34, 867. 21	103, 377. 56	403	400	0	0	0	3
Boone	80, 942. 46	214, 963. 76	838	834	0	0	0	4
Brown	37, 648. 86	84, 651. 60	330	328	0	0	0	2
Carroll	67, 276. 88	153, 398. 96	598	598	0	0	0	0
Cass	91, 389. 15	251, 902. 64	982	931	0	25	22	4
Clark	285, 197. 11	628, 730. 52	2, 451	2, 375	16	0	24	36
Clay	106, 907. 92	256, 006. 96	998	990	0	0	0	8
Clinton	94, 339. 05	273, 706. 84	1, 067	1, 047	0	0	0	20
Crawford	104, 313. 06	212, 398. 56	828	822	0	0	0	6
Daviess	137, 611. 55	345, 019. 40	1, 345	1, 326	0	0	0	19
Dearborn	95, 846. 26	247, 285. 28	964	941	0	0	0	23
Decatur	106, 581. 58	269, 602. 52	1, 051	1, 042	0	0	0	9
De Kalb	78, 370. 22	194, 442. 16	758	755	0	0	0	3
Delaware	370, 993. 58	831, 894. 36	3, 243	3, 100	0	0	76	67
Dubois	94, 944. 59	245, 233. 12	956	948	0	0	0	8
Elkhart	237, 059. 30	501, 496. 60	1, 955	1, 848	26	0	20	61
Fayette	96, 318. 62	242, 154. 88	944	926	0	0	0	18
Floyd	209, 373. 46	503, 548. 76	1, 963	1, 929	0	0	0	34
Fountain	72, 119. 56	186, 233. 52	726	725	0	0	0	1
Franklin	113, 960. 68	277, 041. 60	1, 080	1, 064	8	0	0	8
Fulton	70, 594. 99	176, 229. 24	687	677	0	0	0	10
Gibson	148, 423. 08	351, 432. 40	1, 370	1, 348	15	0	0	7
Grant	218, 954. 71	463, 018. 60	1, 805	1, 731	15	0	24	35
Greene	159, 229. 70	362, 206. 24	1, 412	1, 397	0	0	0	15
Hamilton	78, 832. 76	198, 033. 44	772	741	0	0	0	31
Hancock	63, 296. 64	157, 503. 28	614	604	0	0	0	10
Harrison	98, 651. 68	224, 711. 52	876	867	0	0	0	9
Hendricks	85, 258. 10	206, 498. 60	805	801	0	0	0	4
Henry	195, 923. 28	483, 796. 72	1, 886	1, 865	0	0	0	21
Howard	168, 051. 46	417, 871. 08	1, 629	1, 578	16	0	0	35
Huntington	87, 796. 38	248, 567. 88	969	959	0	0	0	10
Jackson	129, 979. 70	285, 763. 28	1, 114	1, 110	0	0	0	4
Jasper	99, 137. 23	242, 411. 40	945	924	0	0	10	11
Jay	76, 119. 03	173, 664. 04	677	669	7	0	0	1
Jefferson	121, 414. 07	313, 467. 44	1, 222	1, 174	9	0	0	39
Jennings	86, 627. 22	207, 781. 20	810	801	0	0	0	9
Johnson	91, 749. 47	216, 759. 40	845	812	0	0	22	11

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

INDIANA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $256.52]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Knox	$215, 155. 54	$539, 461. 56	2, 103	1, 980	0	0	106	17
Kosciusko	137, 716. 07	329, 884. 72	1, 286	1, 270	0	0	0	16
Lagrange	105, 358. 45	276, 785. 08	1, 079	1, 071	0	0	0	8
Lake	1, 761, 218. 73	3, 335, 529.56	13, 003	11, 911	288	0	174	630
La Porte	250, 056. 75	508, 935.68	1, 984	1, 923	7	0	0	54
Lawrence	144, 528. 10	348, 867.20	1, 360	1, 337	0	0	0	23
Madison	302, 009. 89	735, 442.84	2, 867	2, 722	35	18	0	92
Marion	2, 057, 389. 52	4, 154, 854.44	16, 197	14, 864	168	97	145	923
Marshall	137, 518. 38	315, 519.60	1, 230	1, 213	0	0	0	17
Martin	78, 092. 94	164, 429.32	641	620	17	0	0	4
Miami	107, 363. 27	317, 828.28	1, 239	1, 216	7	0	0	16
Monroe	139, 179.50	333, 732.52	1, 301	1, 275	0	0	0	26
Montgomery	103, 872.77	240, 872.28	939	892	0	0	30	17
Morgan	110, 428.64	288, 841.52	1, 126	1, 102	0	0	0	24
Newton	53, 585.25	149, 551.16	583	575	0	0	0	8
Noble	75, 182.25	220, 094.16	858	847	0	0	0	11
Ohio	13, 383.39	35, 912.80	140	136	0	0	0	4
Orange	119, 678.25	275, 245.96	1, 073	1, 064	0	0	0	9
Owen	80, 864.38	163, 403.24	637	628	0	0	0	9
Parke	86, 948.28	207, 524.68	809	797	0	0	0	12
Perry	106, 097.56	215, 989.84	842	827	0	0	0	15
Pike	77, 748.11	168, 533.64	657	656	0	0	0	1
Porter	118, 134.07	282, 685.04	1, 102	1, 007	0	0	80	15
Posey	90, 382.96	264, 985.16	1, 033	1, 027	0	0	0	6
Pulaski	87, 822.05	199, 829.08	779	774	0	0	0	5
Putnam	84, 499.03	181, 359.64	707	702	0	0	0	5
Randolph	100, 850.42	257, 546.08	1, 004	983	6	0	0	15
Ripley	96, 635.15	237, 281.00	925	921	0	0	0	4
Rush	107, 889.21	273, 706.84	1, 067	1, 051	0	0	0	16
St. Joseph	612, 234.66	1, 141, 514.00	4, 450	4, 152	84	0	0	214
Scott	95, 997.94	233, 433.20	910	885	0	0	0	25
Shelby	89, 614.08	248, 567.88	969	962	0	0	0	7
Spencer	83, 344.55	239, 846.20	935	920	0	0	12	3
Starke	106, 753.25	229, 328.88	894	872	13	0	0	9
Steuben	56, 631.36	129, 029.56	503	494	0	0	0	9
Sullivan	109, 012.35	286, 276.32	1, 116	1, 113	0	0	0	3
Switzerland	49, 596.72	126, 464.36	493	479	0	0	0	14
Tippecanoe	162, 202.60	398, 119.04	1, 552	1, 492	0	0	37	23
Tipton	50, 634.59	145, 703.36	568	561	0	0	0	7
Union	34, 490.70	75, 160.36	293	293	0	0	0	0
Vanderburgh	680, 030.58	1, 524, 754.88	5, 944	5, 639	37	0	70	198
Vermillion	71, 417.08	162, 633.68	634	632	0	0	0	2
Vigo	445, 141.38	951, 945.72	3, 711	3, 455	8	113	90	45
Wabash	124, 951.78	279, 350.28	1, 089	864	0	0	210	15
Warren	38, 158.17	98, 503.68	384	384	0	0	0	0
Warrick	154, 637.93	313, 723.96	1, 223	1, 196	9	0	0	18
Washington	155, 256.65	308, 080.52	1, 201	1, 189	0	0	0	12
Wayne	207, 181.49	533, 818.12	2, 081	2, 028	6	0	0	47
Wells	73, 271.37	190, 594.36	743	734	0	0	0	9
White	76, 147.33	174, 433.60	680	676	0	0	0	4
Whitley	73, 819.55	178, 537.92	696	691	0	0	0	5

IOWA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$16, 362, 242. 87	$32, 809, 147. 28	128, 492	122, 306	5, 034	0	210	942
Adair	119, 144. 62	234, 912. 80	920	919	0	0	0	1
Adams	70, 522. 43	165, 971. 00	650	641	9	0	0	0
Allamakee	205, 312. 10	381, 222. 62	1, 493	1, 454	39	0	0	0
Appanoose	128, 733. 60	292, 364. 30	1, 145	1, 074	71	0	0	0
Audubon	135, 927. 65	246, 147. 76	964	960	0	0	0	4
Benton	158, 445. 54	340, 623. 56	1, 334	1, 289	44	0	0	1
Black Hawk	388, 231. 86	632, 732. 52	2, 478	2, 015	330	0	0	133
Boone	136, 476. 95	285, 214. 78	1, 117	1, 059	54	0	0	4
Bremer	111, 053. 29	232, 614. 74	911	907	4	0	0	0
Buchanan	166, 896. 53	367, 178. 92	1, 438	1, 408	26	0	0	4
Buena Vista	171, 649. 69	341, 644. 92	1, 338	1, 329	9	0	0	0
Butler	143, 579. 01	308, 961. 40	1, 210	1, 202	5	0	0	3
Calhoun	101, 833. 93	262, 489. 52	1, 028	1, 005	19	0	0	4
Carroll	173, 718. 98	339, 857. 54	1, 331	1, 313	18	0	0	0
Cass	152, 110. 84	313, 557. 52	1, 228	1, 200	26	0	0	2
Cedar	194, 552. 11	320, 962. 38	1, 257	1, 251	6	0	0	0
Cerro Gordo	193, 485. 08	383, 776. 02	1, 503	1, 456	46	0	0	1
Cherokee	176, 890. 15	377, 647. 86	1, 479	1, 429	37	0	0	13
Chickasaw	143, 362. 70	303, 088. 58	1, 187	1, 162	25	0	0	0
Clarke	67, 833. 19	155, 757. 40	610	610	0	0	0	0
Clay	129, 589. 44	315, 600. 24	1, 236	1, 169	44	0	0	23
Clayton	268, 955. 87	515, 020. 78	2, 017	1, 969	43	0	0	5
Clinton	242, 765. 62	470, 591. 62	1, 843	1, 714	109	0	0	20
Crawford	172, 808. 01	382, 754. 66	1, 499	1, 480	19	0	0	0
Dallas	113, 671. 11	265, 042. 92	1, 038	970	53	0	0	15
Davis	87, 388. 57	169, 801. 10	665	657	8	0	0	0
Decatur	113, 354. 64	217, 805. 02	853	831	21	0	0	1
Delaware	189, 543. 03	445, 823. 64	1, 746	1, 713	30	0	0	3
Des Moines	124, 791. 24	233, 636. 10	915	852	50	0	0	13
Dickinson	110, 235. 08	210, 400. 16	824	782	37	0	0	5

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

IOWA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Dubuque	$360, 922. 20	$615, 880. 08	2, 412	2, 228	105	0	0	79
Emmet	108, 461. 16	244, 360. 38	957	923	33	0	0	1
Fayette	235, 657. 96	470, 846. 96	1, 844	1, 815	29	0	0	0
Floyd	126, 884. 68	266. 319. 62	1, 043	1, 028	11	0	0	4
Franklin	91, 396. 76	230, 316. 68	902	894	8	0	0	0
Fremont	71, 041. 98	194, 569. 08	762	736	22	0	0	4
Greene	100, 254. 69	224, 443. 86	879	847	32	0	0	0
Grundy	90, 572. 96	232, 104. 06	909	889	17	0	0	3
Guthrie	152, 975. 31	332, 197. 34	1, 301	1, 283	18	0	0	0
Hamilton	124, 393. 71	266, 319. 62	1, 043	993	45	0	0	5
Hancock	179, 252. 74	335, 516. 76	1, 314	1, 272	29	0	0	13
Hardin	117, 463. 99	266, 574. 96	1, 044	1, 008	16	0	20	0
Harrison	129, 028. 20	319, 685. 68	1, 252	1, 208	43	0	0	1
Henry	77, 426. 22	179, 504. 02	703	692	5	0	0	6
Howard	173, 084. 04	135, 603. 18	1, 377	1, 364	13	0	0	0
Humboldt	84, 660. 72	211, 676. 86	829	795	30	0	0	4
Ida	108, 283. 47	186, 398. 20	730	722	8	0	0	0
Iowa	138, 497. 68	272, 447. 78	1, 067	1, 060	7	0	0	0
Jackson	203, 848. 00	360, 795. 42	1, 413	1, 364	37	0	0	12
Jasper	119, 276. 82	301, 301. 20	1, 180	1, 157	23	0	0	0
Jefferson	74, 838. 91	162, 396. 24	636	631	0	0	0	5
Johnson	175, 985. 53	401, 394. 48	1, 572	1, 493	49	0	0	30
Jones	183, 188. 22	350, 581. 82	1, 373	1, 312	57	0	0	4
Keokuk	105, 536. 81	227, 763. 28	892	880	5	0	0	7
Kossuth	238, 194. 96	525, 234. 38	2, 057	1, 998	56	0	0	3
Lee	182, 832. 90	413, 395. 46	1, 619	1, 509	88	0	0	22
Linn	399, 672. 82	735, 634. 54	2, 881	2, 615	266	0	0	0
Louisa	53, 521. 55	139, 160. 30	545	521	16	0	0	8
Lucas	79, 860. 76	177, 971. 98	697	675	21	0	0	1
Lyon	194, 700. 06	368, 455. 62	1, 443	1, 432	11	0	0	0
Madison	96, 024. 61	182, 057. 42	713	702	9	0	0	2
Mahaska	149, 246. 73	322, 749. 76	1, 264	1, 223	30	0	0	11
Marion	167, 613. 05	338, 325. 50	1, 325	1, 263	60	0	0	2
Marshall	159, 873. 76	311, 770. 14	1, 221	1, 131	37	0	0	53
Mills	100, 222. 65	199, 420, 54	781	770	7	0	0	4
Mitchell	128, 631. 15	236, 444. 84	926	916	10	0	0	0
Monona	151, 806. 82	285, 980. 80	1, 120	1, 088	29	0	0	3
Monroe	99, 757. 99	162, 651. 58	637	612	25	0	0	0
Montgomery	110, 800. 14	230, 572. 02	903	898	4	0	0	1
Muscatine	149, 002. 21	316, 110. 92	1, 238	1, 146	80	0	0	12
O'Brien	119, 341. 13	293, 385. 66	1, 149	1, 137	12	0	0	0
Osceola	132, 507. 91	235, 423. 48	922	905	17	0	0	0
Page	130, 185. 23	293, 130. 32	1, 148	1, 145	3	0	0	0
Palo Alto	162, 876. 41	349, 815. 80	1, 370	1, 337	32	0	0	1
Plymouth	229, 279. 31	461, 910. 06	1, 809	1, 791	16	0	0	2
Pocahontas	113, 856. 15	250, 743. 88	982	958	23	0	0	1
Polk	1, 000, 535. 53	1, 484, 546. 76	5, 814	4, 758	920	0	21	115
Pottawattamie	413, 299. 43	743, 294. 74	2, 911	2, 532	272	0	59	48
Poweshiek	115, 339. 05	271, 681. 76	1, 064	1, 048	16	0	0	0
Ringgold	131, 771. 05	254, 063. 30	995	992	3	0	0	0
Sac	86, 690. 62	257, 127. 38	1, 007	993	12	0	0	2
Scott	408, 794. 31	678, 949. 06	2, 659	2, 314	313	0	30	2
Shelby	199, 737. 65	365, 136. 20	1, 430	1, 424	5	0	0	1
Sioux	250, 260. 16	548, 470. 32	2, 148	2, 136	11	0	0	1
Story	122, 720. 20	283, 682. 74	1, 111	1, 069	26	0	0	16
Tama	197, 730. 15	402, 415. 84	1, 576	1, 530	31	0	0	15
Taylor	136, 865. 83	257, 127. 38	1, 007	995	11	0	0	1
Union	122, 486. 08	224, 188. 52	878	834	40	0	0	4
Van Buren	86, 979. 34	187, 674. 90	735	692	39	0	0	4
Wapello	237, 707. 14	400, 883. 80	1, 570	1, 333	134	0	22	81
Warren	85, 154. 58	196, 101. 12	768	762	3	0	0	3
Washington	134, 195. 18	305, 386. 64	1, 196	1, 165	27	0	0	4
Wayne	99, 070. 45	197, 122. 48	727	751	19	0	0	2
Webster	202, 899. 43	402, 671. 18	1, 577	1, 384	146	0	11	36
Winnebago	84, 404. 50	190, 228. 30	745	738	4	0	0	3
Winneshiek	214, 966. 14	435, 610. 04	1, 706	1, 697	6	0	0	3
Woodbury	468, 628. 24	941, 183. 24	3, 686	3, 316	294	0	47	29
Worth	90, 108. 31	195, 335. 10	765	729	26	0	0	10
Wright	96, 295. 58	237, 721. 54	931	928	0	0	0	3

KANSAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $259.45]

State total	$10, 398, 413. 97	$21, 106, 257. 50	81, 350	73, 014	7, 137	102	467	630
Allen	90, 017. 73	193, 030. 80	744	729	12	0	0	3
Anderson	84, 839. 67	168, 383. 05	649	639	7	0	0	3
Atchison	123, 991. 66	227, 278. 20	876	748	116	0	0	12
Barber	40, 635. 13	83, 024. 00	320	313	7	0	0	0
Barton	115, 377. 43	255, 558. 25	985	963	19	0	0	3
Bourbon	126, 172. 33	259, 709. 45	1, 001	959	38	0	0	4
Brown	91, 372. 56	198, 219. 80	764	764	0	0	0	0
Butler	149, 942. 83	300, 443. 10	1, 158	1, 085	69	0	0	4
Chase	32, 227. 43	65, 121. 95	251	251	0	0	0	0
Chautauqua	50, 632. 05	122, 719. 85	473	453	15	0	0	5
Cherokee	187, 406. 55	391, 769. 50	1, 510	1, 346	164	0	0	0
Cheyenne	35, 071. 60	68, 754. 25	265	256	9	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

KANSAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $259.45]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Clark	$17, 157. 28	$60, 451. 85	233	224	9	0	0	0
Clay	46, 562. 07	138, 027. 40	532	523	9	0	0	0
Cloud	57, 937. 31	142, 178. 60	548	530	16	0	0	2
Coffey	72, 660. 82	158, 264. 50	610	607	3	0	0	0
Comanche	23, 491. 08	48, 776. 60	188	188	0	0	0	0
Cowley	143, 211. 72	306, 669. 90	1, 182	1, 161	18	0	0	3
Crawford	213, 727. 16	407, 595. 95	1, 571	1, 369	167	0	30	5
Decatur	23, 882. 20	79, 910. 60	308	303	5	0	0	0
Dickinson	116, 128. 28	229, 094. 35	883	785	80	0	0	18
Doniphan	68, 454. 21	164, 750. 75	635	613	21	0	0	1
Douglas	108, 383. 51	249, 590. 90	962	911	49	0	0	2
Edwards	36, 370. 29	87, 953. 55	339	331	8	0	0	0
Elk	37, 831. 21	90, 807. 50	350	337	13	0	0	0
Ellis	92, 050. 67	206, 003. 30	794	777	17	0	0	0
Ellsworth	44, 639. 98	86, 656. 30	334	334	0	0	0	0
Finney	78, 478. 15	189, 657. 95	731	673	58	0	0	0
Ford	78, 361. 66	186, 544. 55	719	654	48	0	14	3
Franklin	109, 048. 40	231, 169. 95	891	854	25	0	0	12
Geary	168. 460. 42	335, 209. 40	1, 292	1, 108	180	0	0	4
Gove	24, 662. 87	59, 414. 05	229	224	5	0	0	0
Graham	44, 271. 09	76, 797. 20	296	291	5	0	0	0
Grant	13, 148. 91	30, 874. 55	119	85	34	0	0	0
Gray	40, 169. 17	70, 570. 40	272	261	11	0	0	0
Greeley	4, 915. 94	17, 642. 60	68	61	7	0	0	0
Greenwood	95, 797. 50	161, 377. 90	622	584	37	0	0	1
Hamilton	7, 440. 47	17, 902. 05	69	61	8	0	0	0
Harper	29, 087. 26	89, 769. 70	346	346	0	0	0	0
Harvey	88, 750. 25	190, 176. 85	733	597	84	0	42	10
Haskell	16, 775. 16	24, 388. 30	94	92	2	0	0	0
Hodgeman	17, 949. 77	55, 781. 75	215	215	0	0	0	0
Jackson	86, 638. 95	169, 939. 75	655	652	3	0	0	0
Jefferson	64, 562. 35	138, 286. 85	533	505	7	0	0	21
Jewell	64, 021. 54	144, 513. 65	557	549	0	0	0	8
Johnson	216, 800. 23	458, 707. 60	1, 768	1, 652	107	0	0	9
Kearny	12, 209. 39	21, 274. 90	82	77	5	0	0	0
Kingman	66, 505. 82	133, 357. 30	514	513	0	0	0	1
Kiowa	17, 282. 06	53, 446. 70	206	195	8	0	0	3
Labette	243, 208. 21	476, 869. 10	1, 838	1, 681	134	0	0	23
Lane	14, 978. 00	38, 398. 60	148	148	0	0	0	0
Leavenworth	217, 393. 65	412, 525. 50	1, 590	1, 402	173	0	0	15
Lincoln	31, 242. 19	74, 981. 05	289	289	0	0	0	0
Linn	71, 562. 45	118, 568. 65	457	435	11	0	0	11
Logan	14, 707. 61	41, 512. 00	160	160	0	0	0	0
Lyon	148, 218. 40	280, 206. 00	1, 080	1, 033	31	0	0	16
McPherson	69, 460. 28	165, 788. 55	639	612	22	0	0	5
Marion	84, 374. 42	161, 118. 45	621	605	12	0	0	4
Marshall	123, 999. 40	284, 357. 20	1, 096	1, 074	22	0	0	0
Meade	38, 901. 71	67, 716. 45	261	258	2	0	0	1
Miami	106, 221. 55	212, 489. 55	819	774	37	0	0	8
Mitchell	43, 783. 74	120, 644. 25	465	461	3	0	0	1
Montgomery	268, 866. 74	531, 872. 50	2, 050	1, 864	175	0	0	11
Morris	78, 580. 72	161, 377. 90	622	622	0	0	0	0
Morton	13, 921. 29	20, 496. 55	79	79	0	0	0	0
Nemaha	131, 370. 50	290, 065. 10	1, 118	1, 097	20	0	0	1
Neosho	115, 501. 52	243, 364. 10	938	915	22	0	0	1
Ness	45, 947. 68	100, 926. 03	389	389	0	0	0	0
Norton	64, 968. 65	138, 805. 75	535	521	8	0	0	6
Osage	70, 127. 29	162, 934. 60	628	609	15	0	0	4
Osborne	59, 375. 29	118, 568. 65	457	446	8	0	0	3
Ottawa	29, 432. 50	67, 975. 90	262	251	8	0	0	3
Pawnee	33, 992. 09	96, 774. 85	373	349	22	0	0	2
Phillips	55, 826. 70	127, 130. 50	490	489	0	0	0	1
Pottawatomie	102, 290. 84	184, 987. 85	713	704	8	0	0	1
Pratt	51, 327. 47	115, 455. 25	445	442	2	0	0	1
Rawlins	39, 974. 32	60, 192. 40	232	222	9	0	0	1
Reno	235, 102. 84	477, 388. 00	1, 840	1, 697	128	0	0	15
Republic	84, 630. 33	193, 809. 15	747	745	2	0	0	0
Rice	27, 470. 32	77, 575. 55	299	275	24	0	0	0
Riley	133, 565. 68	286, 692. 25	1, 105	1, 047	51	0	0	7
Rooks	54, 751. 28	113, 898. 55	439	439	0	0	0	0
Rush	41, 089. 97	84, 840. 15	327	322	5	0	0	0
Russell	29, 601. 76	103, 520. 55	399	395	4	0	0	0
Saline	144, 304. 44	304, 853. 75	1, 175	1, 002	126	40	0	7
Scott	16, 632. 37	41, 252. 55	159	152	7	0	0	0
Sedgwick	1, 559, 935. 23	2, 837, 864. 10	10, 938	7, 693	2, 813	62	245	125
Seward	43, 432. 87	100, 926. 05	389	312	65	0	0	12
Shawnee	505, 039. 38	80, 980. 45	3, 781	3, 171	500	0	24	86
Sheridan	57, 487. 25	104, 298. 90	402	399	0	0	0	3
Sherman	35, 894. 63	75, 240. 50	290	273	12	0	0	5
Smith	65, 047. 02	146, 070. 35	563	561	0	0	0	2
Stafford	44, 379. 98	95, 218. 15	367	360	7	0	0	0
Stanton	5, 410. 33	25, 685. 55	99	99	0	0	0	0
Stevens	19, 929. 96	36, 323. 00	140	140	0	0	0	0
Sumner	65, 892. 28	173, 831. 50	670	652	18	0	0	0
Thomas	14, 823. 38	39, 436. 40	152	142	7	0	0	3
Trego	32, 307. 20	82, 764. 55	319	138	0	0	0	1
Wafaunsee	62, 636. 17	128, 168. 30	494	494	0	0	0	0
Wallace	10, 777. 60	19, 199. 30	74	74	0	0	0	0
Washington	126, 695. 84	268, 530. 75	1, 035	1, 031	0	0	0	4
Wichita	37, 652. 95	60, 192. 40	232	225	7	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

KANSAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $259.45]

County name	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Wilson	$67, 446. 74	$153, 334. 95	591	574	12	0	0	5
Woodson	49, 390. 19	94, 699. 25	365	359	5	0	0	1
Wyandotte	882, 018. 65	1, 476, 011. 05	5, 689	4, 384	1, 095	0	112	98

KENTUCKY

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County name	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$29, 724, 824. 91	$72, 875, 823. 38	285, 407	281, 945	468	496	1, 847	651
Adair	299, 631. 37	638, 350. 00	2, 500	2, 500	0	0	0	0
Allen	178, 578. 48	446, 845. 00	1, 750	1, 749	0	0	0	1
Anderson	59, 846. 38	184, 100. 14	721	718	0	0	0	3
Ballard	62, 685. 65	194, 058. 40	760	752	0	0	0	8
Barren	356, 724. 09	881, 433. 68	3, 452	3, 446	0	0	0	6
Bath	149, 167. 76	365, 391. 54	1, 431	1, 428	0	0	0	3
Bell	749, 285. 33	1, 717, 161. 50	6, 725	6, 688	0	0	34	3
Boone	49, 123. 27	146, 565. 16	574	571	0	0	0	3
Bourbon	149, 830. 55	450, 675. 10	1, 765	1, 765	0	0	0	0
Boyd	263, 884. 90	710, 100. 54	2, 781	2, 736	15	0	30	0
Boyle	158, 614. 20	409, 820. 70	1, 605	1, 554	0	0	42	9
Bracken	51, 190. 63	165, 971. 00	650	647	0	0	0	3
Breathitt	486, 913. 99	979, 484. 24	3, 836	3, 833	0	9	0	3
Breckinridge	182, 154. 09	469, 825. 60	1, 840	1, 840	0	0	0	0
Bullitt	81, 258. 69	219, 081. 72	858	858	0	0	0	0
Butler	190, 099. 78	440, 461. 50	1, 725	1, 725	0	0	0	0
Caldwell	122, 857. 58	289, 555. 56	1, 134	1, 134	0	0	0	0
Calloway	118, 976. 62	316, 621. 60	1, 240	1, 237	0	0	0	3
Campbell	224, 084. 49	588, 814. 04	2, 306	2, 166	15	82	41	2
Carlisle	36, 008. 62	103, 923. 38	407	407	0	0	0	0
Carroll	63, 580. 88	192, 015. 68	752	752	0	0	0	0
Carter	324, 263. 50	776, 233. 60	3, 040	3, 037	0	0	0	3
Casey	372, 906. 50	803, 554. 98	3, 147	3, 147	0	0	0	0
Christian	320, 053. 56	872, 241. 44	3, 416	3, 369	47	0	0	0
Clark	141, 880. 65	425, 141. 10	1, 665	1, 661	0	0	0	4
Clay	579, 303. 14	1, 318, 065. 08	5, 162	5, 159	0	0	0	3
Clinton	213, 341. 56	468, 548. 90	1, 835	1, 835	0	0	0	0
Crittenden	102, 526. 70	249, 977. 86	979	972	0	0	0	7
Cumberland	160, 755. 11	356, 965. 32	1, 398	1, 395	3	0	0	0
Daviess	400, 593. 20	1, 043, 574. 58	4, 087	4, 011	8	0	64	4
Edmonson	149, 113. 39	352, 113. 86	1, 379	1, 379	0	0	0	0
Elliott	129, 422. 07	295, 428. 38	1, 157	1, 156	0	0	0	1
Estill	208, 964. 60	481, 571. 24	1, 886	1, 885	0	0	0	1
Fayette	477, 416. 11	1, 473, 567. 14	5, 771	5, 666	27	0	32	46
Fleming	118, 914. 00	338, 325. 50	1, 325	1, 319	0	0	0	6
Floyd	831, 820. 44	1, 917, 603. 40	7, 510	7, 497	0	0	0	13
Franklin	111, 120. 08	301, 556. 54	1, 181	1, 159	0	0	12	10
Fulton	131, 859. 19	325, 303. 16	1, 274	1, 271	0	0	0	3
Gallatin	17, 255. 47	85, 538. 90	335	334	0	0	0	1
Garrard	108, 337. 34	265, 808. 94	1, 041	1, 038	0	0	0	3
Grant	73, 539. 58	168, 779. 74	661	661	0	0	0	0
Graves	208, 196. 89	545, 916. 92	2, 138	2, 080	0	54	0	4
Grayson	267, 368. 03	624, 816. 98	2, 447	2, 447	0	0	0	0
Green	126, 548. 00	343, 176. 96	1, 344	1, 342	0	0	0	2
Greenup	292, 866. 30	665, 926. 72	2, 608	2, 607	0	0	0	1
Hancock	53, 486. 13	176, 184. 60	690	690	0	0	0	0
Hardin	287, 441. 44	844, 920. 06	3, 309	3, 174	0	0	135	0
Harlan	942, 424. 19	2, 098, 894. 80	8, 220	8, 219	0	0	0	1
Harrison	92, 739. 35	278, 065. 26	1, 089	1, 086	0	0	0	3
Hart	248, 460. 29	543, 363. 52	2, 128	2, 128	0	0	0	0
Henderson	199, 559. 32	673, 076. 24	2, 636	2, 620	8	0	0	8
Henry	103, 954. 28	274, 745. 84	1, 076	1, 074	0	0	0	2
Hickman	87, 852. 65	198, 399. 18	777	777	0	0	0	0
Hopkins	284, 635. 96	730, 272. 40	2, 860	2, 851	0	0	0	9
Jackson	282, 239. 48	635, 030. 58	2, 487	2, 484	0	0	0	3
Jefferson	1, 975, 613. 11	5, 409, 888. 58	21, 187	19, 513	309	230	873	262
Jessamine	73, 925, 48	230, 572. 02	903	903	0	0	0	0
Johnson	375, 238. 32	826, 535. 58	3, 237	3, 235	0	0	0	2
Kenton	289, 810. 48	762, 872. 44	3, 066	2, 977	0	0	86	3
Knott	471, 959. 35	1, 150, 817. 38	4, 507	4, 507	0	0	0	0
Knox	656, 732. 19	1, 436, 542. 84	5, 626	5, 585	3	0	28	10
Larue	103, 428. 54	275, 511. 86	1, 079	1, 078	0	0	0	1
Laurel	456, 721. 58	1, 149, 796. 02	4, 503	4, 488	0	0	0	15
Lawrence	241, 719. 12	563, 790. 72	2, 208	2, 204	0	0	0	4
Lee	168, 145. 87	366, 668. 24	1, 436	1, 436	0	0	0	0
Leslie	280, 696. 95	712, 653. 94	2, 791	2, 791	0	0	0	0
Letcher	607, 118. 39	1, 389, 560. 28	5, 442	5, 437	0	0	0	5
Lewis	210, 404. 61	526, 255. 74	2, 061	2, 059	0	0	0	2
Lincoln	326, 433. 37	673, 331. 58	2, 637	2, 637	0	0	0	0
Livingston	74, 056. 56	179, 504. 02	703	703	0	0	0	0
Logan	239, 950. 88	623, 284. 94	2, 441	2, 433	2	0	0	6
Lyon	25, 679. 66	93, 199. 10	365	364	0	0	0	1
McCracken	326, 800. 08	820, 662. 76	3, 214	3, 174	14	0	23	3
McCreary	328, 366. 98	759, 381. 16	2, 974	2, 931	0	43	0	0
McLean	83, 938. 81	232, 359. 40	910	910	0	0	0	0
Madison	315, 772. 37	868, 411. 34	3, 401	3, 398	0	0	0	3
Magoffin	333, 040. 54	707, 802. 48	2, 772	2, 752	0	0	19	1
Marion	194, 277. 21	507, 871. 26	1, 989	1, 984	0	0	0	5

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

KENTUCKY—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Marshall	$97, 292. 74	$226, 997. 26	889	854	0	35	0	0
Martin	231, 272. 91	549, 747. 02	2, 153	2, 153	0	0	0	0
Mason	154, 167. 76	405, 224. 58	1, 587	1, 582	0	0	0	5
Meade	73, 781. 18	226, 486. 58	887	884	0	0	0	3
Menifee	104, 076. 34	223, 422. 50	875	875	0	0	0	0
Mercer	135, 966. 37	339, 857. 54	1, 331	1, 331	0	0	0	0
Metcalfe	139, 291. 86	328, 367. 24	1, 286	1, 286	0	0	0	0
Monroe	253, 186. 05	544, 129. 54	2, 131	2, 129	0	0	0	2
Montgomery	174, 353. 82	417, 225. 56	1, 634	1, 601	4	0	29	0
Morgan	220, 189. 81	537, 235. 36	2, 104	2, 074	0	25	0	5
Muhlenberg	334, 000. 17	766, 275. 34	3, 001	3, 001	0	0	0	0
Nelson	156, 404. 32	468, 548. 90	1, 835	1, 827	0	0	0	8
Nicholas	67, 624. 93	204, 782. 68	802	800	0	0	0	2
Ohio	238, 194. 95	557, 917. 90	2, 185	2, 184	0	0	0	1
Oldham	44, 848. 42	158, 566. 14	621	618	0	0	0	3
Owen	68, 790. 46	198, 654. 52	778	773	0	0	0	5
Owsley	176, 484. 95	328, 877. 92	1, 288	1, 288	0	0	0	0
Pendleton	55, 360. 68	170, 567. 12	668	668	0	0	0	0
Perry	716, 526. 24	1, 701, 330. 42	6, 663	6, 576	6	0	72	9
Pike	1, 399, 827. 36	3, 091, 912. 06	12, 109	12, 087	0	0	0	22
Powell	114, 694. 67	277, 554. 58	1, 078	1, 087	0	0	0	0
Pulaski	569, 946. 00	1, 373, 984. 54	5, 381	5, 378	0	0	0	3
Robertson	46, 607. 65	98, 816. 58	387	385	0	0	0	2
Rockcastle	245, 015. 65	602, 347. 06	2, 359	2, 359	0	0	0	0
Rowan	153, 822. 13	399, 351. 76	1, 564	1, 507	0	0	44	13
Russell	284, 016. 48	564, 046. 06	2, 209	2, 209	0	0	0	0
Scott	88, 190. 52	262, 744. 86	1, 029	1, 026	0	0	0	3
Shelby	124, 650. 33	391, 180. 88	1, 532	1, 522	0	0	0	10
Simpson	141, 460. 85	323, 260. 44	1, 266	1, 266	0	0	0	0
Spencer	46, 079. 24	115, 158. 34	451	451	0	0	0	0
Taylor	143, 387. 86	381, 733. 30	1, 495	1, 495	0	0	0	0
Todd	159, 989. 82	393, 989. 62	1, 543	1, 541	0	0	0	2
Trigg	163, 542. 68	338, 070. 16	1, 324	1, 320	0	0	0	4
Trimble	26, 031. 62	114, 903. 00	450	450	0	0	0	0
Union	118, 475. 28	333, 729. 38	1, 307	1, 300	0	0	0	7
Warren	386, 561. 86	982, 803. 66	3, 849	3, 731	7	0	90	21
Washington	143, 236. 96	350, 071. 14	1, 371	1, 371	0	0	0	0
Wayne	382, 130. 14	826, 024. 90	3, 235	3, 208	0	27	0	0
Webster	117, 564. 42	307, 940. 04	1, 206	1, 204	0	0	0	2
Whitley	490, 195. 80	1, 170, 223. 22	4, 583	4, 577	0	0	0	6
Wolfe	206, 575. 23	437, 397. 42	1, 713	1, 605	0	0	104	4
Woodford	85, 522. 10	234, 146. 78	917	827	0	0	89	1

LOUISIANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$31, 499, 703. 92	$80, 407, 332. 02	314, 903	309, 245	1, 047	87	763	3, 761
Acadia	689, 235. 32	1, 741, 929. 48	6, 822	6, 412	87	0	0	323
Allen	242, 563. 34	642, 946. 12	2, 518	2, 431	0	0	0	87
Ascension	284, 475. 66	833, 174. 42	3, 263	3, 220	0	0	0	43
Assumption	229, 837. 98	653, 159. 72	2, 558	2, 549	0	0	0	9
Avoyelles	758, 215. 33	1, 724, 311. 02	6, 753	6, 689	0	0	20	44
Beauregard	198, 448. 94	576, 047. 04	2, 256	2, 222	0	0	0	34
Bienville	248, 858. 71	639, 882. 04	2, 506	2, 490	0	0	0	16
Bossier	462, 196. 96	1, 188, 097. 02	4, 653	4, 584	0	0	0	69
Caddo	1, 691, 494. 80	4, 685, 233. 66	18, 349	17, 926	192	0	12	219
Calcasieu	676, 425. 41	1, 994, 971. 42	7, 813	7, 663	7	0	0	143
Caldwell	167, 529. 18	397, 564. 38	1, 557	1, 555	0	0	0	2
Cameron	31, 389. 73	108, 774. 84	426	426	0	0	0	0
Catahoula	242, 956. 68	559, 194. 60	2, 190	2, 175	0	0	0	15
Claiborne	303, 592. 68	703, 972. 38	2, 757	2, 751	0	0	0	6
Concordia	365, 587. 43	764, 743. 30	2, 995	2, 991	0	0	0	4
De Soto	440, 958. 14	999, 911. 44	3, 916	3, 878	0	0	0	38
East Baton Rouge	1, 043, 028. 54	3, 215, 751. 96	12, 594	12, 142	82	0	77	293
East Carroll	358, 098. 96	828, 833. 64	3, 246	3, 237	0	0	0	9
East Feliciana	270, 825. 54	647, 031. 56	2, 534	2, 524	0	0	0	10
Evangeline	651, 883. 87	1, 491, 440. 94	5, 841	5, 729	112	0	0	0
Franklin	666, 524. 78	1, 397, 220. 48	5, 472	5, 408	0	0	0	64
Grant	160, 984. 08	480, 549. 88	1, 882	1, 871	0	0	0	11
Iberia	401, 724. 43	1, 127, 070. 76	4, 414	4, 403	0	0	0	11
Iberville	432, 710. 76	1, 062, 214. 40	4, 160	4, 087	0	0	0	73
Jackson	152, 137. 15	434, 844. 02	1, 703	1, 698	0	0	0	5
Jefferson	719, 829. 91	2, 041, 698. 64	7, 996	7, 682	0	87	122	105
Jefferson Davis	332, 487. 34	884, 242. 42	3, 463	3, 373	21	0	0	69
Lafayette	732, 154. 40	1, 766, 952. 80	6, 920	6, 784	0	0	32	104
Lafourche	386, 121. 14	1, 154, 392. 14	4, 521	4, 474	0	0	0	47
La Salle	118, 763. 88	380, 456. 60	1, 490	1, 470	0	0	0	20
Lincoln	243, 538. 60	682, 523. 82	2, 673	2, 502	0	0	107	64
Livingston	321, 873. 85	752, 742. 32	2, 948	2, 896	0	0	0	52
Madison	374, 232. 78	832, 408. 40	3, 260	3, 255	0	0	0	5
Morehouse	570, 197. 29	1, 349, 727. 24	5, 286	5, 277	6	0	0	3
Natchitoches	687, 199. 01	1, 640, 559. 50	6, 425	6, 294	0	0	0	131
Orleans	3, 703, 246. 66	10, 318, 544. 74	40, 411	39, 337	316	0	176	582
Ouachita	880, 896. 36	2, 386, 152. 30	9, 345	9, 133	0	0	116	96
Plaquemines	155, 576. 46	421, 821. 68	1, 652	1, 638	0	0	0	14
Pointe Coupee	538, 729. 89	1, 179, 415. 46	4, 619	4, 526	0	0	0	93

***Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.*—Continued**

LOUISIANA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Rapides	$1,009,490.89	$2,828,401.18	11,077	10,830	8	0	78	161
Red River	226,017.66	489,231.44	1,916	1,884	0	0	0	32
Richland	577,469.07	1,232,015.50	4,825	4,813	0	0	0	12
Sabine	267,023.23	693,248.10	2,715	2,705	0	0	0	10
St. Bernard	91,738.86	277,043.90	1,085	1,075	0	0	0	10
St. Charles	146,603.73	372,541.06	1,459	1,429	6	0	0	24
St. Helena	242,609.94	513,744.08	2,012	1,995	0	0	0	17
St. James	251,179.67	614,858.72	2,408	2,378	0	0	0	30
St. John the Baptist	180,724.05	503,530.48	1,972	1,950	0	0	0	22
St. Landry	1,852,488.29	3,939,896.20	15,430	15,387	0	0	0	43
St. Martin	561,643.52	1,363,770.94	5,341	5,217	110	0	0	14
St. Mary	383,020.74	1,058,384.30	4,145	4,128	0	0	0	17
St. Tammany	376,521.04	956,758.98	3,747	3,696	0	0	0	51
Tangipahoa	828,534.36	2,164,006.50	8,475	8,374	0	0	0	101
Tensas	392,658.87	731,038.42	2,863	2,862	0	0	0	1
Terrebonne	403,031.83	1,160,264.96	4,544	4,495	0	0	23	26
Union	220,496.81	593,410.16	2,324	2,311	0	0	0	13
Vermilion	404,165.41	1,046,127.98	4,097	3,988	5	0	0	104
Vernon	244,422.11	632,477.18	2,477	2,350	95	0	0	32
Washington	509,441.77	1,284,615.54	5,031	4,979	0	0	0	52
Webster	397,716.59	1,013,189.12	3,968	3,939	0	0	0	29
West Baton Rouge	153,698.52	376,371.16	1,474	1,453	0	0	0	21
West Carroll	371,087.61	743,039.40	2,910	2,897	0	0	0	13
West Feliciana	235,299.31	495,870.28	1,942	1,936	0	0	0	6
Winn	236,088.07	632,987.86	2,479	2,472	0	0	0	7
MAINE								
[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]								
State total	$3,778,358.00	$10,024,648.40	39,260	37,654	0	0	144	1,462
Androscoggin	226,116.64	619,710.18	2,427	2,292	0	0	25	110
Aroostook	748,083.14	1,977,097.62	7,743	7,514	0	0	0	229
Cumberland	557,733.36	1,239,931.04	4,856	4,602	0	0	76	178
Franklin	73,808.78	214,740.94	841	759	0	0	0	82
Hancock	143,574.70	434,844.02	1,703	1,652	0	0	0	51
Kennebec	284,416.61	825,003.54	3,231	3,056	0	0	0	175
Knox	115,592.38	310,748.78	1,217	1,177	0	0	0	40
Lincoln	79,075.82	246,147.76	964	952	0	0	0	12
Oxford	155,339.83	437,397.42	1,713	1,613	0	0	0	100
Penobscot	379,186.08	947,822.08	3,712	3,517	0	0	20	175
Piscataquis	71,001.78	204,527.34	801	751	0	0	0	50
Sagadahoc	93,611.45	233,636.10	915	872	0	0	23	20
Somerset	153,806.09	469,314.92	1,838	1,756	0	0	0	82
Waldo	97,263.60	339,346.86	1,329	1,304	0	0	0	25
Washington	276,227.41	719,548.12	2,818	2,786	0	0	0	32
York	323,520.33	804,831.68	3,152	3,051	0	0	0	101
MARYLAND								
[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $272.04]								
State total	$15,247,994.99	$28,383,293.40	104,335	97,228	157	122	340	6,488
Allegany	480,304.38	932,825.16	3,429	3,331	0	0	0	98
Anne Arundel	657,601.28	1,421,953.08	5,227	4,922	0	0	0	305
Baltimore	719,678.82	1,711,131.60	6,290	5,686	0	0	251	353
Baltimore City	7,631,576.76	11,294,012.64	41,516	37,606	152	122	0	3,636
Calvert	179,951.33	433,359.72	1,593	1,561	0	0	0	32
Caroline	174,520.61	371,606.64	1,366	1,302	0	0	0	64
Carroll	201,420.03	531,838.20	1,955	1,874	0	0	12	69
Cecil	218,838.85	511,435.20	1,880	1,790	0	0	0	90
Charles	295,753.23	611,273.88	2,247	2,161	0	0	0	86
Dorchester	302,904.10	681,732.24	2,506	2,464	0	0	0	42
Frederick	351,409.70	882,769.80	3,245	3,122	0	0	0	123
Garrett	215,352.45	539,999.40	1,985	1,936	5	0	0	44
Harford	300,800.50	742,941.24	2,731	2,619	0	0	0	112
Howard	98,231.15	274,488.36	1,009	962	0	0	0	47
Kent	116,570.45	260,070.24	956	941	0	0	0	15
Montgomery	540,247.69	1,164,331.20	4,280	3,892	0	0	37	351
Prince Georges	797,373.95	1,600,683.36	5,884	5,319	0	0	0	565
Queen Annes	164,579.31	386,296.80	1,420	1,372	0	0	0	48
St. Marys	363,248.45	702,135.24	2,581	2,541	0	0	0	40
Somerset	238,591.17	530,478.00	1,950	1,876	0	0	0	74
Talbot	170,873.12	395,818.20	1,455	1,401	0	0	0	54
Washington	423,072.89	1,020,150.00	3,750	3,632	0	0	40	78
Wicomico	327,730.43	771,777.48	2,837	2,728	0	0	0	109
Worcester	277,364.34	610,185.72	2,243	2,190	0	0	0	53
MASSACHUSETTS								
[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $295.90]								
State total	$15,342,627.99	$34,571,772.40	116,836	88,322	25,185	179	0	3,150
Barnstable	231,252.50	590,024.60	1,994	1,605	359	0	0	30
Berkshire	423,949.33	995,999.40	3,366	2,737	552	0	0	77
Bristol	1,560,495.36	3,859,423.70	13,043	10,519	2,345	0	0	179

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

Massachusetts—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $295.90]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Dukes	$27, 394. 32	$58, 588. 20	198	188	9	0	0	1
Essex	1, 638, 399. 22	3, 589, 267. 00	12, 130	9, 350	2, 387	48	0	345
Franklin	179, 242. 80	434, 973. 00	1, 470	1, 232	202	0	0	36
Hampden	1, 201, 840. 00	2, 650, 080. 40	8, 956	7, 067	1, 624	37	0	228
Hampshire	207, 167. 81	503, 030. 00	1, 700	1, 445	182	0	0	73
Middlesex	2, 524, 952. 83	5, 782, 773. 70	19, 543	14, 957	3, 698	94	0	794
Nantucket	13, 853. 39	31, 069. 50	105	90	7	7	0	8
Norfolk	849, 434. 93	1, 881, 036. 30	6, 357	5, 247	842	0	0	268
Plymouth	675, 070. 98	1, 607, 920. 60	5, 434	4, 145	1, 101	0	0	188
Suffolk	4, 248, 530. 54	9, 077, 620. 20	30, 678	20, 194	9, 941	0	0	543
Worcester	1, 561, 043. 89	3, 509, 965. 80	11, 862	9, 546	1, 936	0	0	380

MICHIGAN

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $268.48]

State Total	$32, 976, 182. 87	$67, 484, 327. 36	251, 357	213, 259	32, 060	742	1, 467	3, 829
Alcona	41, 149. 71	85, 376. 64	318	296	10	0	0	12
Alger	65, 067. 86	175, 048. 96	652	611	36	0	0	5
Allegan	225, 060. 97	467, 423. 68	1, 741	1, 508	202	0	0	31
Alpena	112, 482. 51	256, 398. 40	955	910	37	0	0	8
Antrim	71, 397. 57	178, 270. 72	644	635	16	0	0	13
Arenac	80, 405. 36	163, 504. 32	609	574	11	0	0	24
Baraga	57, 800. 74	128, 333. 44	478	439	35	0	0	4
Barry	107, 468. 36	238, 141. 76	887	823	54	0	0	10
Bay	326, 548. 78	717, 915. 52	2, 674	2, 398	214	0	0	62
Benzie	38, 927. 58	89, 940. 80	335	328	6	0	0	1
Berrien	641, 892. 03	1, 247, 089. 60	4, 645	3, 779	819	0	0	47
Branch	123, 217. 77	318, 954. 24	1, 188	1, 109	54	0	0	25
Calhoun	535, 954. 64	1, 043, 044. 80	3, 885	3, 119	462	184	0	120
Cass	195, 234. 02	376, 140. 48	1, 401	1, 282	103	0	0	16
Charlevoix	55, 888. 88	125, 917. 12	469	463	0	0	0	6
Cheboygan	126, 211. 98	262, 036. 48	976	902	51	0	0	23
Chippewa	146, 901. 61	353, 588. 16	1, 317	1, 098	193	0	21	5
Clare	73, 896. 02	192, 500. 16	717	676	28	0	0	13
Clinton	125, 587. 79	329, 424. 96	1, 227	1, 175	40	0	0	12
Crawford	24, 949. 30	66, 314. 56	247	237	9	0	0	1
Delta	139, 211. 59	374, 798. 08	1, 396	1, 191	197	0	0	8
Dickinson	100, 598. 48	229, 818. 88	856	834	13	0	0	9
Eaton	175, 804. 54	353, 588. 16	1, 317	1, 101	32	0	178	6
Emmet	105, 419. 43	237, 067. 84	883	763	23	0	91	6
Genesee	1, 215, 474. 14	2, 545, 458. 88	9, 481	7, 798	1, 502	0	36	145
Gladwin	58, 605. 30	125, 111. 68	466	454	5	3	0	7
Gogebic	94, 823. 08	280, 293. 12	1, 044	955	80	0	0	9
Grand Traverse	120, 683. 52	223, 375. 36	832	781	11	0	0	40
Gratiot	184, 956. 01	401, 914. 56	1, 497	1, 408	27	0	22	40
Hillsdale	185, 401. 13	372, 113. 28	1, 386	1, 316	39	0	0	31
Houghton	179, 350. 50	414, 433. 12	1, 544	1, 431	110	0	0	3
Huron	319, 985. 87	670, 394. 56	2, 497	2, 427	60	0	0	10
Ingham	591, 514. 01	1, 255, 680. 96	4, 677	3, 702	742	0	36	197
Ionia	165, 668. 00	420, 976. 64	1, 568	1, 468	57	0	0	43
Iosco	69, 319. 47	160, 282. 56	597	588	4	0	0	5
Iron	67, 996. 39	191, 157. 76	712	653	50	0	0	9
Isabella	188, 292. 40	381, 778. 56	1, 422	1, 322	75	0	0	25
Jackson	319, 572. 69	743, 958. 08	2, 771	2, 502	139	0	48	82
Kalamazoo	523, 139. 26	1, 032, 037. 12	3, 844	3, 230	475	36	0	103
Kalkaska	40, 116. 35	87, 256. 00	325	304	17	0	0	4
Kent	1, 115, 833. 42	2, 290, 134. 40	8, 530	6, 981	1, 363	75	57	54
Keweenaw	7, 520. 13	16, 645. 76	62	62	0	0	0	0
Lake	56, 079. 33	110, 076. 80	410	375	19	0	0	16
Lapeer	163, 085. 87	393, 591. 68	1, 466	1, 301	41	0	60	64
Leelanau	72, 028. 93	180, 687. 04	673	641	21	0	0	11
Lenawee	279, 561. 11	697, 242. 56	2, 597	2, 338	70	30	116	43
Livingston	138, 929. 75	302, 308. 48	1, 126	1, 079	19	0	0	28
Luce	43, 491. 66	89, 672. 32	334	284	31	0	0	19
Mackinac	36, 837. 19	130, 481. 28	486	435	47	0	0	4
Macomb	923, 850. 53	2, 132, 268. 16	7, 942	7, 128	717	0	0	97
Manistee	66, 428. 73	155, 986. 88	581	532	34	0	0	15
Marquette	168, 442. 78	453, 999. 68	1, 691	1, 580	98	0	0	13
Mason	77, 528. 21	202, 433. 92	754	733	8	0	0	13
Mecosta	116, 716. 87	251, 834. 24	938	889	26	0	0	23
Menominee	161, 063. 92	387, 953. 60	1, 445	1, 324	117	0	0	4
Midland	207, 977. 66	401, 109. 12	1, 494	1, 385	92	0	0	17
Missaukee	63, 225. 53	137, 193. 28	511	485	14	0	0	12
Monroe	349, 041. 65	733, 755. 84	2, 733	2, 522	191	0	0	20
Montcalm	175, 592. 09	422, 319. 04	1, 573	1, 492	56	0	0	25
Montmorency	53, 929. 49	106, 049. 60	395	391	3	0	0	1
Muskegon	667, 529. 19	1, 242, 525. 44	4, 628	3, 731	694	0	18	185
Newaygo	153, 128. 19	332, 378. 24	1, 238	1, 165	50	0	0	23
Oakland	1, 989, 442. 19	4, 065, 592. 64	15, 143	12, 923	1, 674	250	146	150
Oceana	88, 081. 99	190, 083. 84	708	642	50	0	0	16
Ogemaw	89, 991. 10	165, 652. 16	617	555	55	0	0	7
Ontonagon	58, 643. 65	142, 294. 40	530	479	44	0	0	7
Osceola	88, 301. 06	185, 788. 16	692	683	5	0	0	4
Oscoda	36, 410. 23	69, 804. 80	260	247	10	0	0	3
Otsego	47, 936. 47	85, 913. 60	320	313	3	0	0	4
Ottawa	212, 727. 06	513, 333. 76	1, 912	1, 802	84	0	0	26

***Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.*—Continued**

MICHIGAN—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $268.48]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Presque Isle	$74, 578. 57	$158, 940. 16	592	573	15	0	0	4
Roscommon	37, 234. 24	77, 859. 20	290	262	26	0	0	2
Saginaw	837, 661. 25	1, 580, 004. 80	5, 885	4, 745	933	0	68	139
St. Clair	523, 016. 35	1, 081, 974. 40	4, 030	3, 668	248	0	0	114
St. Joseph	107, 227. 82	300, 697. 60	1, 120	1, 057	47	0	0	16
Sanilac	195, 791. 63	462, 054. 08	1, 721	1, 671	25	0	0	25
Schoolcraft	74, 604. 99	149, 006. 40	555	528	25	0	0	2
Shiawassee	181, 944. 36	378, 019. 84	1, 408	1, 328	34	0	0	46
Tuscola	151, 359. 46	387, 685. 12	1, 444	1, 389	29	0	0	26
Van Buren	224, 970. 88	480, 847. 68	1, 791	1, 593	181	0	0	17
Washtenaw	414, 801. 23	875. 513. 28	3, 261	2, 830	360	0	0	71
Wayne	14, 355, 733. 00	27, 472, 216. 00	102, 325	81, 924	18, 441	167	570	1, 223
Wexford	65, 927. 47	173, 438. 08	646	604	22	0	0	20

MINNESOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $285. 18]

State total	$20, 445, 905. 87	$43, 975, 611. 54	154, 203	134, 111	12, 656	314	300	6, 822
Aitkin	173, 307. 19	392, 407. 68	1, 376	1, 289	35	0	0	52
Anoka	227, 048. 47	386, 989. 26	1, 357	782	357	0	46	172
Becker	286, 499. 07	689, 850. 42	2, 419	2, 259	65	0	0	95
Beltrami	300, 255. 01	630, 532. 98	2, 211	1, 977	150	0	0	84
Benton	162, 218. 75	340, 790. 10	1, 195	1, 161	22	0	0	12
Big Stone	135, 233. 54	304, 287. 06	1, 067	1, 033	24	0	0	10
Blue Earth	242, 977. 10	594, 029. 94	2, 083	1, 942	96	0	0	45
Brown	204, 147. 72	464, 273. 04	1, 628	1, 559	34	0	0	35
Carlton	108, 639. 57	252, 954. 66	887	771	84	0	0	32
Carver	99, 055. 48	248, 391. 78	871	805	24	0	0	42
Cass	246, 886. 76	594, 885. 48	2, 086	1, 858	144	0	0	84
Chippewa	188, 976. 51	396, 685. 38	1, 391	1, 329	9	0	0	53
Chisago	65, 476. 77	156, 849. 00	550	516	13	0	0	21
Clay	127, 237. 95	323, 394. 12	1, 134	998	63	0	0	73
Clearwater	120, 984. 97	246, 965. 88	866	825	20	0	0	21
Cook	12, 629. 80	27, 662. 46	97	77	13	0	0	7
Cottonwood	168, 290. 16	381, 285. 66	1, 337	1, 307	9	0	0	21
Crow Wing	201, 562. 21	459, 139. 80	1, 610	1, 464	93	0	0	53
Dakota	209, 948. 14	435, 469. 86	1, 527	1, 182	207	0	0	138
Dodge	104, 123. 69	260, 939. 70	915	878	6	0	0	31
Douglas	234, 321. 97	527, 868. 18	1, 851	1, 781	63	0	0	7
Faribault	208, 854. 95	497, 639. 10	1, 745	1, 645	58	0	0	42
Fillmore	233, 491. 44	520, 168. 32	1, 824	1, 790	24	0	0	10
Freeborn	266, 222. 30	567, 508. 20	1, 990	1, 876	50	0	0	64
Goodhue	167, 013. 60	428, 055. 18	1, 501	1, 440	30	0	0	31
Grant	116, 859. 46	250, 388. 04	878	862	6	0	0	10
Hennepin	3, 211, 317. 76	5, 457, 489. 66	19, 137	10, 667	6, 202	150	55	2, 063
Houston	154, 827. 59	371, 589. 54	1, 303	1, 261	32	0	0	10
Hubbard	102, 010. 42	253, 525. 02	889	828	19	0	0	42
Isanti	73, 313. 41	195, 063. 12	684	681	0	0	0	3
Itasca	255, 729. 73	625, 114. 56	2, 192	2, 034	95	0	0	63
Jackson	219, 461. 01	432, 903. 24	1, 518	1, 489	19	0	0	10
Kanabec	103, 674. 17	238, 125. 30	835	811	14	0	0	10
Kandiyohi	215, 797. 83	546, 975. 24	1, 918	1, 830	47	0	10	31
Kittson	71, 888. 25	181, 089. 30	635	629	4	0	0	2
Koochiching	80, 959. 59	181, 659. 66	637	548	37	0	0	52
Lac qui Parle	250, 508. 08	489, 939. 24	1, 718	1, 712	0	0	0	6
Lake	38, 311. 35	69, 013. 56	242	228	4	0	0	10
Lake of the Woods	41, 109. 58	105, 801. 78	371	370	0	0	0	1
Le Sueur	175, 072. 85	384, 993. 00	1, 350	1, 295	38	0	0	17
Lincoln	163, 253. 11	364, 460. 04	1, 278	1, 264	4	0	0	10
Lyon	229, 162. 98	497, 353. 92	1, 744	1, 702	31	0	0	11
McLeod	172, 287. 00	441, 173. 46	1, 547	1, 535	6	0	0	6
Mahnomen	115, 105. 82	237, 554. 94	833	704	13	0	0	116
Marshall	116, 372. 93	298, 583. 46	1, 047	1, 020	17	0	0	10
Martin	212, 304. 85	475, 395. 06	1, 667	1, 624	12	0	0	31
Meeker	236, 055. 14	540, 130. 92	1, 894	1, 865	17	0	0	12
Mille Lacs	122, 333. 53	315, 409. 08	1, 106	1, 061	24	0	0	21
Morrison	386, 079. 43	803, 637. 24	2, 818	2, 739	69	0	0	10
Mower	216, 409. 89	471, 402. 54	1, 653	1, 525	73	0	0	55
Murray	160, 670. 64	441, 743. 82	1, 549	1, 514	14	0	0	21
Nicollet	132, 281. 29	268, 354. 38	941	872	38	0	0	31
Nobles	283, 956. 41	546, 975. 24	1, 918	1, 781	32	0	0	105
Norman	83, 357. 25	222, 725. 58	781	775	4	0	0	2
Olmsted	263, 183. 67	580, 626. 48	2, 036	1, 753	152	0	0	131
Otter Tail	505, 144. 64	1, 177, 223. 04	4, 128	4, 015	29	0	0	84
Pennington	92, 201. 58	237, 554. 94	833	804	22	0	0	7
Pine	152, 528. 25	379, 574. 58	1, 331	1, 276	42	0	0	13
Pipestone	144, 360. 44	373, 300. 62	1, 309	1, 281	15	0	0	13
Polk	256, 996. 50	572, 926. 62	2, 009	1, 837	124	0	0	48
Pope	140, 246. 95	356, 475. 00	1, 250	1, 229	11	0	0	10
Ramsey	1, 430, 065. 48	2, 604, 548. 94	9, 133	5, 603	2, 373	145	29	983
Red Lake	47, 871. 81	108, 938. 76	382	377	3	0	0	2
Redwood	268, 081. 44	547, 260. 42	1, 919	1, 829	16	0	0	74
Renville	249, 553. 26	612, 566. 64	2, 148	2, 084	22	0	0	42
Rice	172, 944. 85	428, 625. 54	1, 503	1, 327	53	0	0	123
Rock	113, 013. 91	220, 444. 14	773	735	17	0	0	21
Roseau	132, 184. 67	317, 120. 16	1, 112	1, 060	10	0	0	42

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

MINNESOTA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $285. 18]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
St. Louis	$869, 118. 75	$1, 997, 971. 08	7, 006	5, 882	580	19	97	428
Scott	126, 573. 91	289, 457. 70	1, 015	892	70	0	0	53
Sherburne	47, 470. 77	118, 349. 70	415	373	32	0	0	10
Sibley	149, 093. 09	350, 771. 40	1, 230	1, 188	17	0	0	25
Stearns	687, 751. 96	1, 535, 409. 12	5, 384	5, 026	82	0	39	237
Steele	125, 343. 25	280, 902. 30	985	922	21	0	0	42
Stevens	138, 384. 77	294, 305. 76	1, 032	1, 012	18	0	0	2
Swift	203, 564. 23	448, 017. 78	1, 571	1, 486	21	0	0	64
Todd	385, 457. 58	873, 791. 52	3, 064	3, 006	48	0	0	10
Traverse	102, 863. 67	236, 129. 04	828	783	14	0	0	31
Wabasha	113, 677. 51	259, 513. 80	910	872	34	0	0	4
Wadena	152, 275. 03	341, 645. 64	1, 198	1, 172	10	0	0	16
Waseca	94, 836. 03	269, 780. 28	946	930	8	0	0	8
Washington	118, 078. 08	279, 191. 22	979	748	126	0	0	105
Watonwan	169, 218. 66	324, 820. 02	1, 139	1, 086	11	0	0	42
Wikin	108, 537. 20	250, 102. 86	877	846	0	0	0	31
Winona	204, 688. 93	494, 787. 30	1, 735	1, 653	37	0	24	21
Wright	208, 341. 31	503, 913. 06	1, 767	1, 618	65	0	0	84
Yellow Medicine	236, 379. 22	471, 972. 90	1, 655	1, 636	9	0	0	10

MISSISSIPPI

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$26, 255, 128. 89	$86, 533, 704. 64	338, 896	337, 603	0	0	459	834
Adams	329, 422. 90	1, 114, 559. 10	4, 365	4, 345	0	0	0	20
Alcorn	254, 682. 16	912, 585. 16	3, 574	3, 551	0	0	0	23
Amite	249, 722. 31	867, 645. 32	3, 398	3, 397	0	0	0	1
Attala	352, 130. 66	1, 045, 361. 96	4, 094	4, 088	0	0	0	6
Benton	126, 892. 22	446, 334. 32	1, 748	1, 741	0	0	0	7
Bolivar	1, 111, 057. 26	3, 385, 042. 38	13, 257	13, 252	0	0	0	5
Calhoun	224, 131. 95	748, 912. 22	2, 933	2, 925	0	0	0	8
Carroll	224, 788. 04	729, 506. 38	2, 857	2, 857	0	0	0	0
Chickasaw	255, 103. 50	736, 145. 22	2, 883	2, 876	0	0	0	7
Choctaw	131, 349. 32	424, 630. 42	1, 663	1, 663	0	0	0	0
Claiborne	200, 293. 45	601, 070. 36	2, 354	2, 349	0	0	0	5
Clarke	209, 726. 78	750, 188. 92	2, 938	2, 935	0	0	0	3
Clay	236, 046. 42	793, 852. 06	3, 109	3, 103	0	0	0	6
Coahoma	741, 206. 20	2, 311, 593. 02	9, 053	9, 035	0	0	0	18
Copiah	389, 212. 81	1, 297, 637. 88	5, 082	5, 079	0	0	0	3
Covington	210, 582. 17	646, 010. 20	2, 530	2, 527	0	0	0	3
De Soto	386, 815. 94	1, 263, 677. 66	4, 949	4, 941	0	0	0	8
Forrest	265, 678. 23	1, 147, 753. 30	4, 495	4, 485	0	0	0	10
Franklin	87, 272. 00	336, 793. 46	1, 319	1, 319	0	0	0	0
George	78, 131. 47	293, 641. 00	1, 150	1, 142	0	0	0	8
Greene	97, 523. 96	380, 711. 94	1, 491	1, 491	0	0	0	0
Grenada	220, 278. 03	724, 654. 92	2, 838	2, 826	0	0	0	12
Hancock	95, 620. 01	440, 716. 84	1, 726	1, 702	0	0	0	24
Harrison	423, 737. 27	1, 747, 291. 62	6, 843	6, 738	0	0	0	105
Hinds	1, 207, 334. 97	4, 323, 161. 54	16, 931	16, 531	0	0	307	93
Holmes	644, 162. 47	1, 776, 145. 04	6, 956	6, 950	0	0	0	6
Humphreys	405, 723. 19	1, 211, 843. 64	4, 746	4, 745	0	0	0	1
Issaquena	72, 979. 68	230, 827. 36	904	903	0	0	0	1
Itawamba	146, 969. 50	502, 253. 78	1, 967	1, 966	0	0	0	1
Jackson	159, 103. 08	693, 758. 78	2, 717	2, 675	0	0	0	42
Jasper	236, 732. 69	807, 895. 76	3, 164	3, 164	0	0	0	0
Jefferson	212, 354. 03	619, 965. 52	2, 428	2, 426	0	0	0	2
Jefferson Davis	252, 767. 62	741, 507. 36	2, 904	2, 902	0	0	0	2
Jones	380, 515. 62	1, 469, 992. 38	5, 757	5, 659	0	0	45	53
Kemper	261, 321. 25	813, 513. 24	3, 186	3, 182	0	0	0	4
Lafayette	208, 060. 52	728, 995. 70	2, 855	2, 855	0	0	0	0
Lamar	96, 721. 89	383, 520. 68	1, 502	1, 499	0	0	0	3
Lauderdale	476, 190. 23	1, 754, 185. 80	6, 870	6, 838	0	0	0	32
Lawrence	126, 644. 00	439, 440. 14	1, 721	1, 709	0	0	0	21
Leake	320, 684. 41	1, 007, 316. 30	3, 945	3, 944	0	0	0	1
Lee	320, 230. 16	1, 160, 264. 96	4, 544	4, 494	0	0	40	10
Leflore	798, 218. 95	2, 487, 777. 62	9, 743	9, 732	0	0	0	11
Lincoln	217, 897. 24	901, 860. 88	3, 532	3, 511	0	0	0	21
Lowndes	422, 730. 31	1, 383, 176. 78	5, 417	5, 344	0	0	67	6
Madison	628, 356. 26	1, 861, 428. 60	7, 290	7, 289	0	0	0	1
Marion	272, 834. 17	937, 608. 48	3, 672	3, 646	0	0	0	26
Marshall	456, 810. 36	1, 444, 203. 04	5, 656	5, 653	0	0	0	3
Monroe	358, 038. 29	1, 189, 373. 72	4, 658	4, 654	0	0	0	4
Montgomery	203, 601. 10	632, 732. 52	2, 478	2, 470	0	0	0	8
Neshoba	299, 533. 62	939, 140. 52	3, 678	3, 675	0	0	0	3
Newton	234, 775. 98	798, 703. 52	3, 128	3, 120	0	0	0	8
Noxubee	365, 945. 07	1, 095, 408. 60	4, 290	4, 288	0	0	0	2
Oktibbeha	306, 112. 63	1, 016, 508. 54	3, 981	3, 980	0	0	0	1
Panola	564, 997. 28	1, 704. 649. 84	6, 676	6, 668	0	0	0	8
Pearl River	161, 344. 93	668, 224. 78	2, 617	2, 612	0	0	0	5
Perry	90, 789. 00	356, 709. 98	1, 397	1, 397	0	0	0	0
Pike	325, 220. 55	1, 296, 361. 18	5, 077	5, 067	0	0	0	10
Pontotoc	224, 855. 00	763, 977. 28	2, 992	2, 991	0	0	0	1
Prentiss	208, 109. 58	778, 020. 98	3, 047	3, 034	0	0	0	13
Quitman	469, 687. 18	1, 425, 563. 22	5, 583	5, 580	0	0	0	3
Rankin	244, 022. 84	910, 031. 76	3, 564	3, 561	0	0	0	3
Scott	292, 137. 94	1, 027, 232. 82	4, 023	4, 021	0	0	0	2

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

MISSISSIPPI—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Sharkey	$218, 607. 42	$710, 866. 56	2, 784	2, 782	0	0	0	2
Simpson	290, 574. 21	911, 053. 12	3, 568	3, 558	0	0	0	10
Smith	215, 599. 44	667, 458. 76	2, 614	2, 609	0	0	0	5
Stone	50, 604. 27	211, 421. 52	828	827	0	0	0	1
Sunflower	960, 507. 46	2, 705, 582. 64	10, 596	10, 583	0	0	0	13
Tallahatchie	551, 714. 11	1, 609, 152. 68	6, 302	6, 299	0	0	0	3
Tate	349, 403. 80	1, 032, 339. 62	4, 043	4, 043	0	0	0	0
Tippah	187, 756. 78	629, 157. 76	2, 464	2, 460	0	0	0	4
Tishomingo	136, 365. 82	516, 297. 48	2, 022	2, 018	0	0	0	4
Tunica	405, 400. 09	1, 115, 069. 78	4, 367	4, 367	0	0	0	0
Union	257, 673. 80	830, 110. 34	3, 251	3, 251	0	0	0	0
Walthall	248, 564. 21	750, 188. 92	2, 938	2, 938	0	0	0	0
Warren	331, 251. 13	1, 220, 525. 20	4, 780	4, 750	0	0	0	30
Washington	888, 906. 77	3, 027, 311. 04	11, 856	11, 822	0	0	0	34
Wayne	160, 872. 84	650, 095. 64	2, 546	2, 536	0	0	0	10
Webster	141, 106. 93	472, 379. 00	1, 850	1, 849	0	0	0	1
Wilkinson	260, 681. 93	830, 876. 36	3, 254	3, 249	0	0	0	5
Winston	266, 729. 70	953, 694. 90	3, 735	3, 731	0	0	0	4
Yalobusha	214, 321. 06	616, 901. 47	2, 416	2, 393	0	0	0	23
Yazoo	542, 568. 47	1, 643, 623. 58	6, 437	6, 436	0	0	0	1

MISSOURI

[Formula rate: ½ State or National average current expenditure per pupil for 1965–1966: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$24, 989, 949. 88	$53, 942, 617. 72	211, 258	206, 047	2, 247	457	545	1, 962
Adair	120, 234. 54	281, 129. 34	1, 101	1, 093	0	0	0	8
Andrew	77, 747. 99	194, 569. 08	762	762	0	0	0	0
Atchison	73, 093. 89	198, 399. 18	777	773	0	0	0	4
Audrain	112, 817. 60	292, 619. 64	1, 146	1, 140	0	0	0	6
Barry	202, 201. 48	455, 015. 88	1, 782	1, 781	0	0	0	1
Barton	100, 543. 27	229, 806. 00	900	898	0	0	0	2
Bates	116, 525. 41	293, 641. 00	1, 150	1, 147	0	0	0	3
Benton	77, 836. 83	178, 993. 34	701	700	0	0	0	1
Bollinger	118, 056. 14	318, 919. 66	1, 249	1, 242	6	0	0	1
Boone	143, 416. 03	340, 878. 90	1, 335	1, 315	0	0	0	20
Buchanan	276, 326. 63	641, 924. 76	2, 514	2, 386	23	40	84	31
Butler	491, 398. 61	1, 099, 749. 38	4, 307	4, 258	49	0	0	0
Caldwell	79, 916. 02	201, 718. 60	790	790	0	0	0	0
Callaway	102, 706. 08	291, 087. 60	1, 140	1, 123	8	0	0	9
Camden	69, 489. 09	191, 249. 66	749	745	0	0	0	4
Cape Girardeau	256, 152. 57	599, 538. 32	2, 348	2, 303	23	0	0	22
Carroll	115, 700. 22	261, 212. 82	1, 023	1, 021	0	0	0	2
Carter	75, 014. 82	144, 267. 10	565	559	5	0	0	1
Cass	116, 600. 08	300, 279. 84	1, 176	1, 137	17	0	0	22
Cedar	77, 036. 06	174, 397. 22	683	678	0	0	0	5
Chariton	133, 205. 42	304, 875. 96	1, 194	1, 192	0	0	0	2
Christian	84, 504. 41	223, 167. 16	874	866	0	0	0	8
Clark	68, 196. 54	163, 672. 94	641	635	0	0	0	6
Clay	140, 957. 01	352, 624. 54	1, 381	1, 366	0	0	0	15
Clinton	73, 808. 48	159, 842. 84	626	619	0	0	0	7
Cole	112, 014. 21	315, 089. 56	1, 234	1, 229	0	0	0	5
Cooper	75, 134. 46	215, 506. 96	844	841	0	0	0	3
Crawford	111, 445. 26	249, 211. 84	976	969	0	0	0	7
Dade	94, 489. 77	221, 124. 44	866	866	0	0	0	0
Dallas	128, 777. 98	269, 894. 38	1, 057	1, 049	7	0	0	1
Daviess	87, 143. 70	184, 866. 16	724	723	0	0	0	1
De Kalb	77, 578. 12	144, 522. 44	566	563	0	0	0	3
Dent	100, 646. 23	255, 340. 00	1, 000	999	0	0	0	1
Douglas	186, 599. 18	356, 709. 98	1, 397	1, 380	7	0	0	10
Dunklin	756, 554. 48	1, 511, 102. 12	5, 918	5, 859	57	0	0	2
Franklin	142, 558. 52	393, 478. 94	1, 541	1, 525	6	0	0	10
Gasconade	51, 743. 09	176, 950. 62	693	692	0	0	0	1
Gentry	97, 298. 98	201, 207. 92	788	788	0	0	0	0
Greene	514, 516. 83	1, 284, 360. 20	5, 030	4, 940	35	0	27	28
Grundy	103, 767. 03	221, 635. 12	868	868	0	0	0	0
Harrison	139, 475. 26	288, 023. 52	1, 128	1, 127	0	0	0	1
Henry	132, 842. 30	353, 390. 56	1, 384	1, 375	6	0	0	3
Hickory	53, 396. 24	119, 754. 46	469	466	0	0	0	3
Holt	69, 350. 08	164, 694. 30	645	641	0	0	0	4
Howard	85, 334. 83	201, 463. 26	789	789	0	0	0	0
Howell	256, 140. 94	626, 349. 02	2, 453	2, 440	6	0	0	7
Iron	89, 508. 73	179, 504. 02	703	699	0	0	0	4
Jackson	2, 054, 533. 38	4, 177, 873. 08	16, 362	15, 576	339	178	0	269
Jasper	421, 111. 22	971, 824. 04	3, 806	3, 730	8	0	38	30
Jefferson	180, 803. 04	427, 694. 50	1, 675	1, 615	47	0	0	13
Johnson	124, 044. 05	289, 555. 56	1, 134	1, 112	12	0	0	10
Knox	52, 067. 55	154, 480. 70	605	605	0	0	0	0
Laclede	193, 327. 22	429, 737. 22	1, 683	1, 678	0	0	0	5
Lafayette	132, 730. 33	327, 601. 22	1, 283	1, 274	0	0	0	9
Lawrence	165, 074. 50	389, 138. 16	1, 524	1, 513	0	0	0	11
Lewis	37, 632. 86	129, 968. 06	509	501	6	0	0	2
Lincoln	80, 602. 21	207, 591. 42	813	794	10	0	0	9
Linn	120, 911. 68	318, 408. 98	1, 247	1, 232	7	0	0	8
Livingston	122, 746. 32	284, 448. 76	1, 114	1, 110	0	0	0	4
McDonald	147, 633. 68	333, 729. 38	1, 307	1, 296	0	0	0	11
Macon	121, 085. 51	296, 194. 40	1, 160	1, 148	6	0	0	6

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

MISSOURI—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–1966: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Madison	$78, 085. 33	$163, 417. 60	640	636	0	0	0	4
Maries	95, 864. 76	205, 804. 04	806	805	0	0	0	1
Marion	171, 075. 29	351, 092. 50	1, 375	1, 347	7	0	0	21
Mercer	67, 860. 54	149, 629. 24	586	584	0	0	0	2
Miller	114, 972. 70	340, 112. 88	1, 332	1, 331	0	0	0	1
Mississippi	509, 504. 16	852, 835.60	3, 340	3, 266	72	0	0	2
Moniteau	96, 153. 14	213, 974.92	838	832	0	0	0	6
Monroe	96, 044. 96	242, 573.00	950	946	0	0	0	4
Montgomery	73, 260. 02	162, 396.24	636	625	8	0	0	3
Morgan	71, 082. 93	186, 653.54	731	729	0	0	0	2
New Madrid	887, 948. 77	1, 606, 343.94	6, 291	6, 236	47	0	0	8
Newton	223, 314. 06	510, 424.66	1, 999	1, 976	8	0	0	15
Nodaway	179, 944. 32	430, 503.24	1, 686	1, 674	8	0	0	4
Oregon	166, 956. 76	361, 050.76	1, 414	1, 400	6	0	0	8
Osage	93, 512. 63	202, 484.62	793	793	0	0	0	0
Ozark	118, 720. 53	269, 894.38	1, 057	1, 043	10	0	0	4
Pemiscot	1, 039, 030. 23	1, 920, 156.80	7, 520	7, 376	141	0	0	3
Perry	118, 119. 22	320, 707.04	1, 256	1, 256	0	0	0	0
Pettis	160, 040. 56	427, 439.16	1, 674	1, 669	0	0	0	5
Phelps	126, 720. 57	333, 729.38	1, 307	1, 291	6	0	0	10
Pike	148, 426. 75	324, 537.14	1, 271	1, 257	7	0	0	7
Platte	71, 458. 87	192, 781.70	755	745	0	0	0	10
Polk	119, 250. 91	298, 492.46	1, 169	1, 168	0	0	0	1
Pulaski	83, 475. 69	270, 915.74	1, 061	1, 049	5	0	0	7
Putnam	79, 451. 24	211, 166.18	827	827	0	0	0	0
Ralls	43, 611. 75	100, 348.62	393	393	0	0	0	0
Randolph	128, 683. 94	307, 940.04	1, 206	1, 201	0	0	0	5
Ray	65, 427. 25	175, 673. 92	688	682	0	0	0	6
Reynolds	102, 640. 57	189, 717. 62	743	739	0	0	0	4
Ripley	205, 895. 28	351, 603. 18	1, 377	1, 364	13	0	0	0
St. Charles	102, 757. 68	224, 699. 20	880	851	22	0	0	7
St. Clair	134, 984. 73	251, 254. 56	984	984	0	0	0	0
St. Francois	218, 065. 25	465, 740. 16	1, 824	1, 705	19	0	84	16
St. Louis	987, 205. 59	2, 057, 529. 72	8, 058	7, 490	81	0	194	293
St. Louis City	4, 666, 355. 00	8, 585, 807. 50	33, 625	31, 526	915	239	155	790
Ste. Genevieve	44, 240. 00	113, 626. 30	445	433	8	0	0	4
Saline	100, 279. 28	281, 129. 34	1, 101	1, 088	0	0	13	0
Schuyler	60, 653. 49	139, 926. 32	548	547	0	0	0	1
Scotland	45, 499. 12	113, 115. 62	443	443	0	0	0	0
Scott	355, 758. 68	771, 126. 80	3, 020	2, 940	63	0	0	17
Shannon	103, 338. 26	263, 766. 22	1, 033	1, 019	8	0	0	6
Shelby	55, 727. 74	149, 629. 24	586	586	0	0	0	0
Stoddard	511, 419. 56	1, 074, 470. 72	4, 208	4, 171	35	0	0	2
Stone	91, 827. 35	218, 060. 36	854	852	0	0	0	2
Sullivan	80, 302. 21	226, 231. 24	886	884	0	0	0	2
Taney	121, 444. 76	256, 616. 70	1, 005	986	15	0	0	4
Texas	189, 470. 03	447, 100. 34	1, 751	1, 739	12	0	0	0
Vernon	115, 405. 30	320, 707. 04	1, 256	1, 250	0	0	0	6
Warren	33, 683. 04	108, 519. 50	425	422	0	0	0	3
Washington	168, 462. 97	421, 821. 68	1, 652	1, 637	14	0	0	1
Wayne	131, 462. 24	296, 194. 40	1, 160	1, 159	0	0	0	1
Webster	159, 565. 56	386, 840. 10	1, 515	1, 501	13	0	0	1
Worth	59, 708. 57	99, 582. 60	390	390	0	0	0	0
Wright	191, 694. 75	428, 715. 86	1, 679	1, 663	14	0	0	2

MONTANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $267.72]

State total	$3, 262, 821. 96	$7, 201, 935. 72	26, 901	25, 095	912	60	600	234
Beaverhead	22, 599. 34	62, 111. 04	232	232	0	0	0	0
Big Horn	116, 396. 75	264, 775. 08	989	989	0	0	0	0
Blaine	76, 240. 78	185, 797. 68	694	667	25	0	0	2
Broadwater	14, 340. 94	48, 725. 04	182	182	0	0	0	0
Carbon	53, 567. 32	116, 993. 64	437	429	0	0	0	8
Carter	25, 646. 67	63, 449. 64	237	237	0	0	0	0
Cascade	259, 698. 65	456, 998. 04	1, 707	1, 450	157	0	65	35
Chouteau	45, 741. 72	82, 190. 04	307	293	12	0	0	2
Custer	31, 222. 35	89, 953. 92	336	317	18	0	0	1
Daniels	24, 172. 10	57, 024. 36	213	213	0	0	0	0
Dawson	85, 861. 57	188, 474. 88	704	688	10	0	0	6
Deer Lodge	32, 901. 25	106, 552. 56	398	393	4	0	0	1
Fallon	20, 998. 56	57, 024. 36	213	213	0	0	0	0
Fergus	75, 020. 68	167, 325. 00	625	597	21	0	0	7
Flathead	105, 591. 88	263, 436. 48	984	942	24	0	0	18
Gallatin	68, 453. 23	161, 435. 16	603	600	0	0	0	3
Garfield	27, 576. 03	63, 181. 92	236	226	10	0	0	0
Glacier	141, 871. 16	309, 484. 32	1, 156	1, 104	51	0	0	1
Golden Valley	8, 003. 93	25, 433. 40	95	95	0	0	0	0
Granite	5, 571. 68	21, 685. 32	81	73	8	0	0	0
Hill	96, 806. 73	170, 002. 20	635	555	78	0	0	2
Jefferson	13, 926. 25	32, 929. 56	123	121	0	0	0	2
Judith Basin	18, 386. 02	48, 457. 32	181	181	0	0	0	0
Lake	100, 521. 04	255, 137. 16	953	913	29	0	0	11
Lewis and Clark	84, 767. 66	192, 222. 96	718	602	4	60	37	15
Liberty	4, 670. 11	21, 149. 88	79	79	0	0	0	0
Lincoln	45, 168. 68	99, 859. 56	373	353	19	0	0	1

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

MONTANA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $267.72]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
McCone	$43,056.99	$104,678.52	391	391	0	0	0	0
Madison	55,366.47	113,245.56	423	267	0	0	156	0
Meagher	15,436.88	35,606.76	133	133	0	0	0	0
Mineral	5,134.94	14,724.60	55	33	17	0	0	5
Missoula	121,233.21	262,097.88	979	910	55	0	0	14
Musselshell	29,228.92	60,237.00	225	201	22	0	0	2
Park	58,838.50	130,647.36	488	471	14	0	0	3
Petroleum	6,691.66	13,921.44	52	51	0	0	0	1
Phillips	38,975.90	85,134.96	318	304	9	0	0	5
Pondera	45,176.63	133,056.84	497	492	5	0	0	0
Powder River	21,711.83	43,102.92	161	155	6	0	0	0
Powell	23,543.01	54,347.16	203	201	0	0	0	2
Prairie	16,608.92	43,370.64	162	159	0	0	0	3
Ravalli	98,481.53	228,900.60	855	838	13	0	0	4
Richland	91,377.26	166,254.12	621	603	15	0	0	3
Roosevelt	147,034.22	287,263.56	1,073	1,021	50	0	0	2
Rosebud	118,332.24	212,837.40	795	464	3	0	323	5
Sanders	28,153.07	50,331.36	188	186	0	0	0	2
Sheridan	29,701.65	110,568.36	413	407	6	0	0	0
Silver Bow	174,906.71	377,217.48	1,409	1,264	103	0	19	23
Stillwater	22,300.86	44,709.24	167	167	0	0	0	0
Sweet Grass	28,685.99	55,150.32	206	204	0	0	0	2
Teton	29,709.69	96,646.92	361	350	3	0	0	8
Toole	28,766.13	57,292.08	214	210	0	0	0	4
Treasure	3,858.69	23,023.92	86	86	0	0	0	0
Valley	80,876.90	177,766.08	664	634	26	0	0	4
Wheatland	10,884.95	27,039.72	101	99	0	0	0	2
Wibaux	18,760.64	63,181.92	236	236	0	0	0	0
Yellowstone	264,264.49	517,770.48	1,934	1,814	95	0	0	25
Yellowstone National Park (part)	0	0	0	0	0	0	0	0

NEBRASKA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$5,909,647.90	$16,435,725.12	64,368	62,636	0	27	1,352	353
Adams	68,233.23	194,313.74	761	759	0	0	0	2
Antelope	67,901.55	215,762.30	845	844	0	0	0	1
Arthur	191.07	5,106.80	20	20	0	0	0	0
Banner	2,937.14	17,873.80	70	70	0	0	0	0
Blaine	12,885.03	29,874.78	117	117	0	0	0	0
Boone	87,311.61	230,572.02	903	902	0	0	0	1
Box Butte	35,319.04	114,136.98	447	446	0	0	0	1
Boyd	90,294.55	173,886.54	681	681	0	0	0	0
Brown	30,680.59	96,263.18	377	373	0	0	0	4
Buffalo	85,524.43	323,005.10	1,265	1,253	0	0	0	12
Burt	75,565.37	212,187.54	831	830	0	0	0	1
Butler	89,830.29	218,315.70	855	855	0	0	0	0
Cass	77,397.35	208,102.10	815	814	0	0	0	1
Cedar	147,438.48	409,054.68	1,602	1,602	0	0	0	0
Chase	21,605.89	69,707.82	273	273	0	0	0	0
Cherry	28,615.91	109,285.52	428	422	0	0	0	6
Cheyenne	34,771.04	114,647.66	449	448	0	0	0	1
Clay	40,468.77	134,308.84	526	526	0	0	0	0
Colfax	67,553.38	172,354.50	675	675	0	0	0	0
Cuming	104,303.13	271,681.76	1,064	1,064	0	0	0	0
Custer	100,882.63	297,726.44	1,166	1,162	0	0	0	4
Dakota	42,613.32	108,264.16	424	422	0	0	0	2
Dawes	30,397.05	96,263.18	377	377	0	0	0	0
Dawson	80,430.84	277,809.92	1,088	1,082	0	0	0	6
Deuel	5,747.03	24,767.98	97	97	0	0	0	0
Dixon	54,340.10	148,863.22	583	583	0	0	0	0
Dodge	136,620.03	347,262.40	1,360	1,317	0	0	40	3
Douglas	838,693.95	1,787,380.00	7,000	5,847	0	0	1,052	101
Dundy	34,607.46	83,751.52	328	328	0	0	0	0
Fillmore	43,724.62	145,543.80	570	569	0	0	0	1
Franklin	28,958.31	114,647.66	449	449	0	0	0	0
Frontier	29,129.10	92,688.42	363	363	0	0	0	0
Furnas	32,902.75	98,816.58	387	387	0	0	0	0
Gage	142,069.01	383,010.00	1,500	1,491	0	0	0	9
Garden	20,589.77	57,706.84	226	226	0	0	0	0
Garfield	20,048.27	50,812.66	199	198	0	0	0	1
Gosper	8,604.68	32,938.86	129	129	0	0	0	0
Grant	458.58	12,256.32	48	48	0	0	0	0
Greeley	48,037.05	128,180.68	502	502	0	0	0	0
Hall	117,767.16	354,922.60	1,390	1,382	0	0	0	8
Hamilton	30,732.96	109,030.18	427	426	0	0	0	1
Harlan	27,182.84	70,984.52	278	278	0	0	0	0
Hayes	13,475.84	41,875.76	164	163	0	0	0	1
Hitchcock	28,426.72	85,283.56	334	334	0	0	0	0
Holt	100,407.64	315,344.90	1,235	1,234	0	0	0	1
Hooker	10,500.47	22,980.60	90	89	0	0	0	1
Howard	47,732.50	146,565.16	574	574	0	0	0	0
Jefferson	64,735.12	191,760.34	751	750	0	0	0	1
Johnson	65,149.71	164,949.64	646	645	0	0	0	1
Kearney	18,919.85	88,858.32	348	347	0	0	0	1
Keith	19,222.50	89,369.00	350	349	0	0	0	1

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

NEBRASKA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Keya Paha	$9, 279. 94	$43, 407. 80	170	169	0	0	0	1
Kimball	19, 122. 72	52, 600. 04	206	205	0	0	0	1
Knox	117, 127. 42	315, 089. 56	1, 234	1, 233	0	0	0	1
Lancaster	231, 363. 20	655, 202. 44	2, 566	2, 397	0	0	72	97
Lincoln	95, 403. 91	329, 388. 60	1, 290	1, 286	0	0	0	4
Logan	8, 799. 18	22, 980. 60	90	72	0	0	18	0
Loup	14, 323. 41	34, 215. 56	134	133	0	0	0	1
McPherson	487. 24	13, 022. 34	51	51	0	0	0	0
Madison	76, 860. 08	235, 423. 48	922	921	0	0	0	1
Merrick	49, 385. 67	168, 013. 72	658	655	0	0	0	3
Morrill	25, 141. 50	118, 733. 10	465	465	0	0	0	0
Nance	43, 844. 58	114, 647. 66	449	449	0	0	0	0
Nemaha	68, 719. 30	180, 780. 72	708	707	0	0	0	1
Nuckolls	66, 892. 64	150, 905. 94	591	591	0	0	0	0
Otoe	89, 659. 49	240, 274. 94	941	940	0	0	0	1
Pawnee	60, 329. 75	142, 224. 38	557	557	0	0	0	0
Perkins	21, 019. 69	69, 197. 14	271	271	0	0	0	0
Phelps	40, 905. 54	115, 669. 02	453	453	0	0	0	0
Pierce	70, 469. 53	208, 612. 78	817	813	0	0	0	4
Platte	107, 424. 50	324, 792. 48	1, 272	1, 272	0	0	0	0
Polk	47, 127. 20	145, 543. 80	570	566	0	0	0	4
Red Willow	40, 368. 64	120, 265. 14	471	467	0	0	0	4
Richardson	93, 871. 07	254, 318. 64	996	995	0	0	0	1
Rock	18, 950. 76	48, 003. 92	188	186	0	0	0	2
Saline	70, 903. 23	182, 312. 76	714	713	0	0	0	1
Sarpy	41, 132. 94	140, 692. 34	551	550	0	0	0	1
Saunders	116, 515. 62	321, 473. 06	1, 259	1, 255	0	0	0	4
Scotts Bluff	139, 277. 87	399, 351. 76	1, 564	1, 531	0	0	0	33
Seward	106, 358. 63	235, 678. 82	923	921	0	0	0	2
Sheridan	47, 514. 30	144, 522. 44	566	562	0	0	0	4
Sherman	51, 973. 11	138, 649. 62	543	543	0	0	0	0
Sioux	21, 560. 02	49, 535. 96	194	194	0	0	0	0
Stanton	60, 533. 09	177, 971. 98	697	697	0	0	0	0
Thayer	63, 213. 81	192, 781. 70	755	755	0	0	0	0
Thomas	4, 176. 43	20, 682. 54	81	81	0	0	0	0
Thurston	105, 708. 61	241, 040. 96	944	805	0	0	138	1
Valley	58, 381. 24	162, 140. 90	635	633	0	0	0	2
Washington	52, 238. 72	164, 694. 30	645	645	0	0	0	0
Wayne	42, 848. 38	152, 437. 98	597	597	0	0	0	0
Webster	33, 579. 53	113, 115. 62	443	442	0	0	0	1
Wheeler	10, 681. 99	27, 832. 06	109	109	0	0	0	0
York	54, 237. 71	176, 439. 94	691	627	0	27	32	5

NEVADA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $274.74]

State total	$946, 813. 01	$1, 792, 129. 02	6, 523	5, 630	419	49	60	370
Churchill	38, 747. 30	87, 642. 06	319	314	0	0	0	5
Clark	442, 847. 58	751, 413. 90	2, 735	2, 138	370	49	0	178
Douglas	15, 465. 02	32, 144. 58	117	117	0	0	0	0
Elko	47, 572. 44	97, 807. 44	356	330	0	0	0	26
Esmeralda	0	0	0	0	0	0	0	0
Eureka	205.59	5, 494. 80	20	20	0	0	0	0
Humboldt	19, 642.35	38, 463. 60	140	134	0	0	0	6
Lander	4, 048.72	12, 912. 78	47	47	0	0	0	0
Lincoln	48, 971.17	75, 004. 02	273	267	6	0	0	0
Lyon	22, 163.96	60, 717. 54	221	197	7	0	0	17
Mineral	28, 639.61	58, 244. 88	212	200	0	0	0	12
Nye	18, 896.96	28, 572. 96	104	97	0	0	0	7
Ormsby	36, 140.83	68, 135. 52	248	164	5	0	60	19
Pershing	10, 719.68	15, 660. 18	57	50	0	0	0	7
Storey	0	0	10	5	0	0	0	0
Washoe	186, 773.16	377, 492. 76	1, 374	1, 250	31	0	0	93
White Pine	25, 978.64	82, 422. 00	300	300	0	0	0	0

NEW HAMPSHIRE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255. 34]

State total	$1, 404, 768.99	$3, 661, 830. 94	14, 341	12, 299	751	0	494	797
Belknap	72, 755.92	170, 567. 12	668	589	41	0	0	38
Carroll	59, 915.23	150, 650. 60	590	568	0	0	0	22
Cheshire	88, 194.77	235, 678. 82	923	826	40	0	0	57
Coos	88, 813.21	199, 675. 88	782	672	52	0	0	58
Grafton	126, 323.56	373, 817. 76	1, 464	1, 295	62	0	0	107
Hillsboro	413, 350.53	1, 034, 127. 00	4, 050	3, 329	221	0	321	179
Merrimack	143, 774.37	367, 434. 26	1, 439	1, 151	159	0	38	91
Rockingham	203, 191.25	593, 665. 50	2, 325	2, 043	142	0	24	116
Strafford	131, 639.78	317, 898. 30	1, 245	1, 052	23	0	111	59
Sullivan	76, 810.37	218, 315. 70	855	774	11	0	0	70

Preliminary county aggregate maximum basic grants for fiscal year 1968—Continued

NEW JERSEY

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $321.81]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	**$24, 479, 965.00**	**$46, 491, 247. 08**	**144, 468**	**106, 269**	**31, 283**	**234**	**1, 137**	**5, 545**
Atlantic	1, 151, 584.54	2, 269, 404. 12	7, 052	5, 617	1, 225	0	0	210
Bergen	1, 211, 196.36	2, 387, 830. 20	7, 420	6, 242	668	0	360	150
Burlington	690, 657.27	1, 515, 403. 29	4, 709	3, 846	546	0	40	277
Camden	1, 852, 980.58	3, 361, 627. 26	10, 446	7, 407	2, 443	0	35	561
Cape May	230, 885. 74	492, 047. 49	1, 529	1, 305	173	0	0	51
Cumberland	695, 764. 12	1, 438, 490. 70	4, 470	3, 998	368	0	0	104
Essex	6, 222, 407. 50	10, 478, 455. 41	32, 561	20, 560	10, 950	0	119	932
Gloucester	544, 571. 72	1, 158, 837. 81	3, 601	2, 919	410	0	0	272
Hudson	2, 505, 803. 35	5, 113, 239. 09	15, 889	12, 443	3, 144	82	0	220
Hunterdon	189, 960. 42	433, 478. 07	1, 347	1, 061	152	0	0	134
Mercer	1, 329, 472. 26	2, 288, 712. 72	7, 112	4, 806	1, 763	0	190	353
Middlesex	1, 136, 629. 54	2, 280, 667. 47	7, 087	5, 555	1, 116	0	0	416
Monmouth	1, 510, 293. 17	3, 130, 889. 49	9, 729	6, 879	2, 286	53	150	361
Morris	557, 011. 39	1, 105, 417. 35	3, 435	2, 689	361	65	77	243
Ocean	499, 192. 21	1, 050, 709. 65	3, 265	2, 501	575	0	0	189
Passaic	1, 775, 750. 98	3, 202, 009. 50	9, 950	6, 608	3, 002	0	66	274
Salem	314, 851. 02	676, 122. 81	2, 101	1, 793	205	12	0	91
Somerset	361, 579. 57	750, 460. 92	2, 332	1, 725	362	0	100	145
Sussex	205, 107. 57	433, 799. 88	1, 348	1, 090	157	0	0	101
Union	1, 265, 062. 63	2, 371, 096. 08	7, 368	5, 755	1, 275	22	0	316
Warren	229, 203. 06	552, 547. 77	1, 717	1, 470	102	0	0	145

NEW MEXICO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	**$10, 242, 921. 97**	**$16, 394, 615. 38**	**64, 207**	**62, 713**	**0**	**0**	**737**	**757**
Bernalillo	1, 655, 064. 99	2, 340, 957. 12	9, 168	8, 886	0	0	122	160
Catron	39, 042. 00	58, 728. 20	230	228	0	0	0	2
Chaves	359, 564. 15	769, 850. 10	3, 015	2, 928	0	0	10	77
Colfax	166, 394. 58	294, 407. 02	1, 153	1, 146	0	0	0	7
Curry	219, 051. 63	401, 905. 16	1, 574	1, 549	0	0	0	25
De Baca	40, 064. 97	74, 814. 62	293	293	0	0	0	0
Dona Ana	574, 216. 52	975, 398. 80	3, 820	3, 776	0	0	0	44
Eddy	411, 551. 84	718, 782. 10	2, 815	2, 738	0	0	0	77
Grant	165, 744. 21	288, 278. 86	1, 129	1, 107	0	0	0	22
Guadalupe	122, 694. 17	201, 207. 92	788	788	0	0	0	0
Harding	26, 515. 72	44, 684. 50	175	175	0	0	0	0
Hidalgo	28, 704. 61	86, 304. 92	338	337	0	0	0	1
Lea	294, 390. 13	502, 253. 78	1, 967	1, 949	0	0	0	18
Lincoln	83, 842. 53	158, 821. 48	622	621	0	0	0	1
Los Alamos	14, 411. 24	19, 405. 84	76	75	0	0	0	1
Luna	120, 895. 19	198, 143. 84	776	773	0	0	0	3
McKinley	690, 339. 74	1, 119, 155. 22	4, 383	4, 315	0	0	54	14
Mora	183, 538. 55	381, 222. 62	1, 493	1, 493	0	0	0	0
Otero	212, 928. 99	367, 689. 60	1, 440	1, 426	0	0	0	14
Quay	152, 395. 94	257, 893. 40	1, 010	1, 009	0	0	0	1
Rio Arriba	730, 103. 28	1, 118, 389. 20	4, 380	4, 198	0	0	145	37
Roosevelt	151, 573. 25	252, 786. 60	990	839	0	0	136	15
Sandoval	443, 525. 74	712, 398. 60	2, 790	2, 704	0	0	86	0
San Juan	795, 085. 03	1, 099, 494. 04	4, 306	4, 132	0	0	139	35
San Miguel	629, 499. 29	877, 348. 24	3, 436	3, 378	0	0	0	58
Santa Fe	506, 426. 09	767, 296. 70	3, 005	2, 931	0	0	0	74
Sierra	51, 796. 50	95, 752. 50	375	375	0	0	0	0
Socorro	221, 630. 55	330, 154. 62	1, 293	1, 281	0	0	0	12
Taos	563, 626. 18	917, 436. 62	3, 593	3, 581	0	0	0	12
Torrance	117, 240. 65	179, 248. 68	702	696	0	0	0	6
Union	54, 014. 40	132, 521. 46	519	514	0	0	0	5
Valencia	417, 049. 31	651, 883. 02	2, 553	2, 472	0	0	45	36

NEW YORK

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $416.70]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$118, 850, 533. 69	$237, 046, 878. 90	568, 867	374, 535	163, 618	1, 525	7, 925	21, 264
Albany	1, 331, 979. 08	2, 819, 392. 20	6, 766	5, 404	633	0	509	220
Allegany	330, 640. 01	854, 651. 70	2, 051	1, 923	72	0	0	56
Bronx	14, 252, 024. 28	27, 244, 262. 70	65, 381	39, 601	23, 464	0	405	1, 911
Broome	760, 337. 73	1, 706, 386. 50	4, 095	3, 215	512	0	108	260
Cattaraugus	553, 494. 87	1, 219, 680. 90	2, 927	2, 312	357	0	58	200
Cayuga	433, 197. 16	1, 109, 255. 40	2, 662	2, 250	229	0	39	144
Chautauqua	725, 024. 36	1, 656, 799. 20	3, 976	3, 287	476	0	30	183
Chemung	449, 527. 75	1, 064, 251. 80	2, 554	2, 113	279	0	0	162
Chenango	305, 465. 48	771, 728. 40	1, 852	1, 479	233	0	0	140
Clinton	522, 590. 14	1, 179, 261. 00	2, 830	2, 344	284	0	26	176
Columbia	282, 685. 67	703, 389. 60	1, 688	1, 384	69	160	0	75
Cortland	228, 046. 33	565, 461. 90	1, 357	1, 146	165	0	0	46
Delaware	382, 243. 52	958, 410. 00	2, 300	2, 061	151	0	0	88
Dutchess	666, 908. 77	1, 605, 128. 40	3, 852	3, 127	271	0	257	197
Frie	6, 897, 351. 99	13, 401, 905. 40	32, 162	21, 509	9, 026	0	303	1, 324
Essex	286, 362. 61	757, 143. 90	1, 817	1, 586	152	0	0	79
Franklin	537, 347. 08	1, 228, 431. 60	2, 948	2, 635	212	0	0	101
Fulton	304, 469. 25	640, 884. 60	1, 538	1, 243	192	0	0	103

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

NEW YORK—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $416.70]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Genesee	$240, 105. 15	$615, 882. 60	1, 478	1, 188	187	0	23	80
Greene	135, 406. 95	396, 281. 70	951	804	92	0	0	55
Hamilton	17, 382. 47	79, 173. 00	190	186	0	0	0	4
Herkimer	281, 259. 87	818, 815. 50	1, 965	1, 728	151	0	0	86
Jefferson	592, 768. 79	1, 457, 199. 90	3, 497	2, 844	444	0	91	118
Kings	28, 577, 974. 52	51, 165, 759. 60	122, 788	74, 279	43, 995	0	667	3, 847
Lewis	175, 620. 00	470, 037. 60	1, 128	972	88	0	0	68
Livingston	192, 371. 73	555, 044. 40	1, 332	1, 165	48	0	0	119
Madison	378, 336. 90	880, 903. 80	2, 114	1, 781	284	0	0	49
Monroe	2, 506, 649. 41	5, 058, 738. 00	12, 140	8, 447	2, 742	28	173	750
Montgomery	314, 641. 80	767, 516. 40	1, 842	1, 608	155	0	0	79
Nassau	3, 568, 892. 80	7, 009, 727. 40	16, 822	11, 661	4, 236	0	133	792
New York	23, 566, 802. 34	44, 242, 705. 80	106, 174	64, 508	38, 213	0	290	3, 163
Niagara	1, 076, 592. 53	2, 288, 933. 10	5, 493	4, 077	1, 127	0	38	251
Oneida	1, 465, 385. 45	2, 911, 899. 60	6, 988	5, 210	1, 477	0	55	246
Onondaga	2, 201, 587. 02	4, 449, 939. 30	10, 679	6, 763	3, 310	0	149	457
Ontario	340, 530. 03	838, 817. 10	2, 013	1, 646	234	0	0	133
Orange	866, 642. 67	2, 100, 584. 70	5, 041	3, 967	647	0	133	294
Orleans	206, 872. 33	470, 871. 00	1, 130	906	191	0	0	33
Oswego	511, 881. 71	1, 170, 093. 60	2, 808	2, 352	344	0	0	112
Otsego	371, 745. 19	913, 823. 10	2, 193	1, 987	112	0	0	94
Putnam	119, 127. 77	258, 770. 70	621	507	66	0	0	48
Queens	7, 902, 631. 85	14, 248, 639. 80	34, 194	20, 697	12, 259	108	67	1, 063
Rensselaer	772, 627. 34	1, 772, 225. 10	4, 253	3, 423	552	0	113	165
Richmond	1, 140, 104. 20	2, 547, 287. 10	6, 113	3, 012	1, 784	0	1, 166	151
Rockland	475, 380. 86	1, 402, 195. 50	3, 365	1, 428	756	0	1, 099	82
St. Lawrence	1, 009, 465. 25	2, 447, 279. 10	5, 873	4, 532	1, 123	0	0	209
Saratoga	446, 601. 04	1, 033, 416. 00	2, 480	2, 297	32	42	0	109
Schenectady	644, 222. 26	1, 556, 374. 50	3, 735	3, 040	505	0	86	104
Schoharie	196, 942. 49	477, 121. 50	1, 145	1, 038	31	0	0	76
Schuyler	100, 557. 98	252, 103. 50	605	530	39	0	0	36
Seneca	153, 846. 93	348, 777. 90	837	714	63	0	0	60
Steuben	510, 631. 03	1, 307, 604. 60	3, 138	2, 748	156	0	11	223
Suffolk	2, 899, 096. 53	7, 676, 030. 70	18, 421	10, 491	7, 007	92	126	705
Sullivan	271, 937. 42	684, 638. 10	1, 643	1, 310	251	0	0	82
Tioga	222, 376. 19	567, 962. 10	1, 363	1, 209	111	0	0	43
Tompkins	259, 798. 95	615, 049. 20	1, 476	1, 170	112	132	0	62
Ulster	576, 061. 29	1, 348, 441. 20	3, 236	2, 639	252	0	143	202
Warren	339, 368. 41	820, 065. 60	1, 968	1, 617	173	0	0	178
Washington	253, 852. 09	742, 976. 10	1, 783	1, 650	49	0	0	84
Wayne	335, 299. 67	829, 649. 70	1, 991	1, 675	236	0	0	80
Westchester	3, 079, 338. 73	7, 157, 655. 90	17, 177	10, 344	3, 107	963	1, 627	1, 136
Wyoming	171, 895. 58	465, 037. 20	1, 116	1, 002	66	0	0	48
Yates	130, 224. 09	338, 360. 40	812	764	25	0	0	23

NORTH CAROLINA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$49, 421, 681. 68	$125, 879, 300. 58	492, 987	487, 675	44	0	2, 659	2, 609
Alamance	388, 431. 49	1, 205, 204. 80	4, 720	4, 606	0	0	71	43
Alexander	92, 322. 53	328, 622. 58	1, 287	1, 272	0	0	0	15
Alleghany	97, 057. 30	239, 253. 58	937	935	0	0	0	2
Anson	536, 344. 97	1, 219, 248. 50	4, 775	4, 772	0	0	0	3
Ashe	308, 401. 19	771, 892. 82	3, 023	3, 023	0	0	0	0
Avery	204, 423. 62	523, 447. 00	2, 050	1, 955	0	0	94	1
Beaufort	743, 899. 32	1, 774, 868. 34	6, 951	6, 945	0	0	0	6
Bertie	613, 594. 10	1, 341, 301. 02	5, 253	5, 246	0	0	0	7
Bladen	615, 391. 73	1, 518, 506. 98	5, 947	5, 943	0	0	0	4
Brunswick	351, 126. 93	877, 603. 58	3, 437	3, 436	0	0	0	1
Buncombe	730, 954. 19	2, 181, 114. 28	8, 542	8, 310	0	0	142	90
Burke	294, 521. 74	936, 076. 44	3, 666	3, 553	0	0	46	67
Cabarrus	362, 639. 60	1, 062, 980. 42	4, 163	4, 090	0	0	53	20
Caldwell	252, 504. 62	972, 079. 38	3, 807	3, 784	0	0	0	23
Camden	83, 371. 14	205, 804. 04	806	805	0	0	0	1
Carteret	181, 116. 66	539, 278. 08	2, 112	2, 092	0	0	0	20
Caswell	389, 334. 30	918, 713. 32	3, 598	3, 591	0	0	0	7
Catawba	267, 266. 87	1, 021, 104. 66	3, 999	3, 904	0	0	42	53
Chatham	235, 841. 09	727, 208. 32	2, 848	2, 815	0	0	32	1
Cherokee	277, 055. 04	683, 545. 18	2, 677	2, 676	0	0	0	1
Chowan	211, 230. 83	552, 811. 10	2, 165	2, 165	0	0	0	0
Clay	94, 585. 57	253, 552. 62	993	993	0	0	0	0
Cleveland	713, 161. 56	1, 817, 510. 12	7, 118	7, 080	0	0	0	38
Columbus	1, 065, 381. 78	2, 507, 949. 48	9, 822	9, 743	0	0	67	12
Craven	619, 270. 10	1, 560, 638. 08	6, 112	6, 091	7	0	0	14
Cumberland	1, 151, 652. 86	3, 149, 618. 90	12, 335	12, 124	0	0	69	142
Currituck	57, 949. 20	175, 929. 26	689	685	0	0	0	4
Dare	44, 894. 14	113, 881. 64	446	443	0	0	0	3
Davidson	411, 803. 09	1, 339, 768. 98	5, 247	4, 795	0	0	399	53
Davie	96, 133. 07	314, 068. 20	1, 230	1, 221	0	0	0	9
Duplin	903, 547. 06	2, 054, 976. 32	8, 048	8, 032	0	0	0	16
Durham	688, 666. 75	1, 810, 615. 94	7, 091	7, 014	28	0	0	49
Edgecombe	1, 136, 453. 00	2, 689, 240. 88	10, 532	10, 507	0	0	0	25
Forsyth	966, 419. 82	2, 408, 877. 56	9, 434	8, 804	0	0	345	285
Franklin	634, 302. 18	1, 418, 158. 36	5, 554	5, 539	0	0	0	15
Gaston	636, 164. 93	1, 999, 822. 88	7, 832	7, 784	5	0	0	43
Gates	201, 520. 99	435, 354. 70	1, 705	1, 705	0	0	0	0

***Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.*—Continued**

NORTH CAROLINA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Graham	$106, 263. 82	$267, 851. 66	1, 049	1, 046	0	0	0	3
Granville	612, 380. 65	1, 380, 368. 04	5, 406	4, 939	0	0	455	12
Greene	556, 372. 13	1, 127, 836. 78	4, 417	4, 415	0	0	0	2
Guilford	946, 569. 64	2, 962, 710. 02	11, 603	11, 267	0	0	0	336
Halifax	1, 335, 805. 40	3, 014, 799. 38	11, 807	11, 786	0	0	0	21
Harnett	694, 300. 33	1, 809, 849. 92	7, 088	7, 038	4	0	0	46
Haywood	277, 726. 85	699, 120. 92	2, 738	2, 726	0	0	0	12
Henderson	237, 523. 86	697, 844. 22	2, 733	2, 716	0	0	0	17
Hertford	434, 051. 06	1, 054, 809. 54	4, 131	4, 129	0	0	0	2
Hoke	377, 545. 51	819, 130. 72	3, 208	3, 208	0	0	0	0
Hyde	126, 081. 97	307, 174. 02	1, 203	1, 203	0	0	0	0
Iredell	430, 042. 44	1, 235, 590. 26	4, 839	4, 694	0	0	108	37
Jackson	224, 068. 41	553, 832. 46	2, 169	2, 168	0	0	0	1
Johnston	1, 315, 539. 73	3, 036, 758. 62	11, 893	11, 823	0	0	23	47
Jones	249, 713. 73	547, 193. 62	2, 143	2, 140	0	0	0	3
Lee	260, 354. 10	695, 546. 16	2, 724	2, 704	0	0	0	20
Lenoir	935, 599. 41	2, 097, 362. 76	8, 214	8, 052	0	0	142	20
Lincoln	212, 290. 91	692, 992. 76	2, 714	2, 690	0	0	0	24
McDowell	163, 928. 90	591, 878. 12	2, 318	2, 305	0	0	0	13
Macon	238, 738. 52	580, 643. 16	2, 274	2, 274	0	0	0	0
Madison	323, 454. 47	739, 464. 64	2, 896	2, 879	0	0	0	17
Martin	603, 637. 55	1, 459, 012. 76	5, 714	5, 712	0	0	0	2
Mecklenburg	1, 268, 544. 63	3, 799, 969. 88	14, 882	14, 622	0	0	50	210
Mitchell	191, 127. 64	548, 214. 98	2, 147	2, 147	0	0	0	0
Montgomery	202, 889. 92	596, 218. 90	2, 335	2, 326	0	0	0	9
Moore	443, 531. 81	1, 064, 001. 78	4, 167	4, 156	0	0	0	11
Nash	1, 254, 790. 24	2, 818, 698. 26	11, 039	10, 946	0	0	77	16
New Hanover	565, 371. 05	1, 654, 603. 20	6, 480	6, 416	0	0	0	64
Northampton	655, 577. 11	1, 519, 273. 00	5, 950	5, 949	0	0	0	1
Onslow	499, 599. 96	1, 333, 896. 16	5, 224	5, 217	0	0	0	7
Orange	235, 018. 31	734, 613 18	2, 877	2, 849	0	0	0	28
Pamlico	124, 318. 67	361, 561. 44	1, 416	1, 416	0	0	0	0
Pasquotank	248, 391. 53	727, 719. 00	2, 850	2, 841	0	0	0	9
Pender	375, 535. 10	905, 435. 64	3, 546	3, 545	0	0	0	1
Perquimans	159, 579. 60	414, 927. 50	1, 625	1, 625	0	0	0	0
Person	439, 815. 30	1, 034, 382. 34	4, 051	4, 045	0	0	0	6
Pitt	1, 465, 148. 47	3, 182, 047. 08	12, 462	12, 435	0	0	0	27
Polk	129, 152. 39	310, 238. 10	1, 215	1, 215	0	0	0	0
Randolph	324, 178. 20	987, 144. 44	3, 866	3, 848	0	0	0	18
Richmond	496, 978. 95	1, 203, 162. 08	4, 712	4, 700	0	0	0	12
Robeson	2, 373, 781. 05	5, 134, 376. 72	20, 108	20, 040	0	0	23	45
Rockingham	519, 788. 90	1, 548, 126. 42	6, 063	6, 035	0	0	0	28
Rowan	427, 425. 23	1, 316, 022. 36	5, 154	5, 018	0	0	59	77
Rutherford	420, 613. 61	1, 114, 559. 10	4, 365	4, 207	0	0	138	20
Sampson	1, 028, 508. 32	2, 384, 364. 92	9, 338	9, 323	0	0	0	15
Scotland	523, 679. 48	1, 254, 485. 42	4, 913	4, 902	0	0	0	11
Stanly	226, 130. 25	789, 511. 28	3, 092	3, 089	0	0	0	3
Stokes	258, 948. 26	701, 674. 32	2, 748	2, 746	0	0	0	2
Surry	456, 085. 84	1, 174, 053. 32	4, 598	4, 589	0	0	0	9
Swain	132, 847. 27	370, 498. 34	1, 451	1, 451	0	0	0	0
Transylvania	128, 926. 38	401, 394. 48	1, 572	1, 564	0	0	0	8
Tyrrell	112, 304. 37	263, 255. 54	1, 031	1, 031	0	0	0	0
Union	410, 938. 60	1, 138, 816. 40	4, 460	4, 457	0	0	0	3
Vance	523, 154. 73	1, 297, 893. 22	5, 083	5, 075	0	0	0	8
Wake	1, 343, 653. 49	3, 402, 660. 84	13, 326	13, 038	0	0	177	111
Warren	567, 041. 51	1, 222, 312. 58	4, 787	4, 784	0	0	0	3
Washington	202, 979. 15	520, 638. 26	2, 039	2, 038	0	0	0	1
Watauga	268, 275. 83	647, 797. 58	2, 537	2, 537	0	0	0	0
Wayne	1, 131, 169. 18	2, 856, 488. 58	11, 187	11, 093	0	0	47	47
Wilkes	551, 230. 37	1, 564, 978. 86	6, 129	6, 065	0	0	0	64
Wilson	996, 235. 35	2, 425, 474. 66	9, 499	9, 487	0	0	0	12
Yadkin	194, 978. 10	515, 276. 12	2, 018	2, 003	0	0	0	15
Yancey	222, 712. 78	616, 135. 42	2, 413	2, 413	0	0	0	0

NORTH DAKOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$4, 297, 248. 96	$10, 851, 950. 00	42, 500	39, 967	1, 949	0	106	478
Adams	$28, 899. 49	$61, 281. 60	240	234	6	0	0	0
Barnes	78, 080. 71	230, 061. 34	901	846	37	0	0	18
Benson	144, 731. 81	316, 621. 60	1, 240	1, 007	176	0	0	57
Billings	22, 438. 38	58, 472. 86	229	218	11	0	0	0
Bottineau	55, 391. 77	133, 287. 48	522	513	6	0	0	3
Bowman	20, 034. 06	41, 620. 42	163	163	0	0	0	0
Burke	56, 431. 53	137, 372. 92	538	534	4	0	0	0
Burleigh	122, 635. 54	310, 748. 78	1, 217	1, 144	62	0	0	11
Cass	168, 476. 71	445, 568. 30	1, 745	1, 507	181	0	29	28
Cavalier	62, 278. 09	218, 571. 04	856	819	33	0	0	4
Dickey	72, 974. 29	164, 694. 30	645	637	8	0	0	0
Divide	48, 891. 91	121, 541. 84	476	464	12	0	0	0
Dunn	92, 188. 87	216, 017. 64	846	819	21	0	0	6
Eddy	42, 821. 43	113, 370. 96	444	411	30	0	0	3
Emmons	100, 311. 80	255, 340. 00	1, 000	992	8	0	0	0
Foster	28, 529. 59	90, 901. 04	356	350	5	0	0	1
Golden Valley	26, 998. 63	85, 538. 90	335	283	4	0	47	1
Grand Forks	96, 055. 47	279, 852. 64	1, 096	945	113	0	0	38

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

NORTH DAKOTA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Grant	$116, 403. 39	$238, 998. 24	936	921	13	0	0	2
Griggs	35, 319. 50	90, 645. 70	355	340	15	0	0	0
Hettinger	54, 600. 42	135, 840. 88	532	528	4	0	0	0
Kidder	84, 734. 71	194, 569. 08	762	753	8	0	0	1
LaMoure	66, 161. 83	184, 100. 14	721	709	9	0	0	3
Logan	101, 702. 35	229, 295. 32	898	895	3	0	0	0
McHenry	113, 263. 23	269, 639. 04	1, 056	1, 028	23	0	0	5
McIntosh	95, 431. 78	223, 677. 84	876	867	9	0	0	0
McKenzie	64, 810. 79	159, 842. 84	626	592	29	0	0	5
McLean	166, 866. 09	390, 670. 20	1, 530	1, 456	59	0	0	15
Mercer	71, 950. 22	180, 780. 72	708	698	8	0	0	2
Morton	160, 860. 13	419, 778. 96	1, 644	1, 599	37	0	0	8
Mountrail	120, 643. 85	261, 468. 16	1, 024	974	40	0	0	10
Nelson	35, 311. 02	106, 221. 44	416	413	3	0	0	0
Oliver	65, 961. 95	119, 499. 12	468	464	0	0	0	4
Pembina	75, 412. 64	261, 468. 16	1, 024	984	37	0	0	3
Pierce	51, 859. 90	153, 459. 34	601	565	31	0	0	5
Ramsey	57, 810. 70	154, 480. 70	605	530	56	0	0	19
Ransom	52, 194. 28	162, 396. 24	636	624	8	0	0	4
Renville	36, 125. 44	92, 433. 08	362	339	20	0	0	3
Richland	128, 912. 24	336, 282. 78	1, 317	1, 266	44	0	0	7
Rolette	246, 409. 47	533, 405. 26	2, 089	1, 667	352	0	0	70
Sargent	72, 750. 57	170, 567. 12	668	647	14	0	0	7
Sheridan	89, 521. 02	180, 270. 04	706	693	13	0	0	0
Sioux	94, 747. 34	185, 632. 18	727	680	25	0	0	22
Slope	19, 662. 00	39, 577. 70	155	155	0	0	0	0
Stark	88, 504. 48	307, 174. 02	1, 203	1, 174	26	0	0	3
Steele	23, 974. 93	75, 835. 98	297	291	0	0	0	6
Stutsman	123, 224. 98	354, 156. 58	1, 387	1, 325	44	0	0	18
Towner	24, 003. 59	76, 602. 00	300	291	4	0	0	5
Traill	38, 784. 28	135, 840. 88	532	513	17	0	0	2
Walsh	75, 414. 46	218, 060. 36	854	783	56	0	0	15
Ward	173, 129. 80	435, 610. 04	1, 706	1, 509	141	0	30	26
Wells	83, 233. 49	205, 804. 04	806	774	18	0	0	14
Williams	119, 382. 01	287, 002. 16	1, 124	1, 034	66	0	0	24

OHIO

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$36, 660, 609. 79	$72, 122, 315. 04	282, 456	258, 406	11, 644	548	3, 874	7, 984
Adams	281, 922. 04	605, 155. 80	2, 370	2, 319	22	0	18	11
Allen	401, 893. 84	839, 557. 92	3, 288	3, 133	62	0	48	45
Ashland	98, 082. 50	253, 297. 28	992	956	6	0	0	30
Ashtabula	312, 895. 51	666, 692. 74	2, 611	2, 451	86	0	33	41
Athens	330, 654. 14	681, 502. 46	2, 669	2, 518	75	0	45	31
Auglaize	112, 516. 97	258, 404. 08	1, 012	1, 012	0	0	0	0
Belmont	355, 989. 60	809, 938. 48	3, 172	3, 069	16	0	39	48
Brown	225, 172. 48	443, 525. 58	1, 737	1, 697	13	0	0	27
Butler	611, 464. 60	1, 187, 075. 66	4, 649	4, 382	91	0	55	121
Carroll	87, 370. 93	223, 167. 16	874	782	0	0	89	3
Champaign	105, 365. 61	296, 449. 74	1, 161	1, 117	27	0	0	17
Clark	403, 469. 20	947, 566. 74	3, 711	3, 476	45	0	89	101
Clermont	259, 564. 65	548, 470. 32	2, 148	1, 941	134	0	0	73
Clinton	185, 701. 63	390, 925. 54	1, 531	1, 482	34	0	15	0
Columbiana	359, 652. 44	860, 495. 80	3, 370	3, 262	32	0	0	76
Coshocton	156, 438. 36	348, 539. 10	1, 365	1, 308	0	0	10	47
Crawford	185, 401. 19	340, 878. 90	1, 335	1, 251	10	0	50	24
Cuyahoga	5, 869, 643. 57	9, 975, 112 44	39, 066	32, 912	3, 922	161	419	1, 652
Darke	206, 837. 70	494, 338. 24	1, 936	1, 901	9	0	18	8
Defiance	83, 480. 38	222, 656. 48	872	830	12	0	29	1
Delaware	136, 936. 01	282, 661, 38	1, 107	1, 039	19	0	38	11
Erie	161, 031. 75	379, 945. 92	1, 488	1, 421	14	0	0	53
Fairfield	181, 897. 23	449, 653. 74	1, 761	1, 664	34	0	48	15
Fayette	151, 540. 46	359, 774. 06	1, 409	1, 362	0	0	27	20
Franklin	2, 681, 600. 18	4, 717, 661. 84	18, 476	16, 072	1, 156	82	408	758
Fulton	83, 410. 31	194, 824. 42	763	757	0	0	0	6
Gallia	200, 800. 71	436, 120. 72	1, 708	1, 683	8	0	13	4
Geauga	144, 082. 98	311, 514. 80	1, 220	1, 186	13	0	0	21
Greene	293, 535. 70	568, 897. 52	2, 228	2, 096	16	0	36	80
Guernsey	192, 123. 28	403, 692. 54	1, 581	1, 497	41	0	33	10
Hamilton	3, 665, 590. 99	6, 858, 687. 74	26, 861	22, 920	2, 050	187	513	1, 191
Hancock	141, 923. 74	346, 241. 04	1, 356	1, 331	0	0	0	25
Hardin	164, 793. 53	397, 309. 04	1, 556	1, 520	8	0	0	28
Harrison	108, 821. 27	227, 507. 94	891	885	0	0	0	6
Henry	79, 249. 49	186, 398. 20	730	711	19	0	0	0
Highland	269, 498. 59	560, 981. 98	2, 197	2, 159	12	0	0	26
Hocking	153, 347. 26	299, 258. 48	1, 172	1, 133	0	0	0	39
Holmes	208, 371. 21	461, 910. 06	1, 809	1, 799	0	0	0	10
Huron	140, 859. 36	397, 564. 38	1, 557	1, 473	51	0	0	33
Jackson	334, 074. 60	585, 749. 96	2, 294	2, 157	119	0	0	18
Jefferson	376, 265. 64	718, 016. 08	2, 812	2, 676	64	0	0	72
Knox	132, 277. 20	316, 366. 26	1, 239	1, 211	0	0	23	5
Lake	230, 300. 41	428, 715. 86	1, 679	1, 508	57	0	21	93
Lawrence	407, 745. 43	845, 941. 42	3, 313	3, 093	178	0	15	27
Licking	295, 965. 85	593, 665. 50	2, 325	2, 136	42	0	61	86
Logan	148, 266. 60	330, 920. 64	1, 296	1, 245	7	0	33	11

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

OHIO—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Lorain	$619, 551. 17	$1, 222, 823. 26	4, 789	4, 293	236	0	30	230
Lucas	1, 828, 756. 70	3, 143, 490. 74	12, 311	10, 932	730	0	376	273
Madison	109, 775. 60	296, 705. 08	1, 162	1, 107	25	0	29	1
Mahoning	864, 872. 46	1, 854, 279. 08	7, 262	6, 883	158	0	0	221
Marion	208, 346. 40	430, 247. 90	1, 685	1, 604	14	0	30	37
Medina	143, 574. 27	332, 708. 02	1, 303	1, 278	0	0	0	25
Meigs	241, 544. 14	500, 211. 06	1, 959	1, 926	8	0	13	12
Mercer	146, 371. 64	311, 514. 80	1, 220	1, 220	0	0	0	0
Miami	195, 564. 79	458, 079. 96	1, 794	1, 736	0	0	32	26
Monroe	182, 169. 25	318, 408. 98	1, 247	1, 192	49	0	0	6
Montgomery	1, 861, 090. 19	3, 378, 914. 22	13, 233	11, 843	588	0	234	568
Morgan	63, 586. 02	171, 077. 80	670	655	7	0	0	8
Morrow	93, 856. 65	201, 718. 60	790	772	5	0	0	13
Muskingum	330, 311. 72	759, 125. 82	2, 973	2, 819	43	0	40	71
Noble	101, 630. 38	171, 588. 48	672	647	9	0	0	16
Ottawa	89, 539. 21	214, 485. 60	840	821	9	0	0	10
Paulding	65, 813. 33	143, 501. 08	562	557	0	0	0	5
Perry	152, 800. 65	355, 433. 28	1, 392	1, 312	40	0	40	2
Pickaway	167, 641. 86	408, 544. 00	1, 600	1, 533	11	0	24	30
Pike	266, 801. 19	492, 295. 52	1, 928	1, 842	83	0	0	3
Portage	225, 613. 76	466, 761. 52	1, 828	1, 695	48	0	0	85
Preble	117, 067. 10	314, 323. 54	1, 231	1, 163	20	0	29	19
Putnam	194, 023. 60	433, 567. 32	1, 698	1, 695	0	0	0	3
Richland	379, 651. 15	755, 295. 72	2, 958	2, 771	31	0	16	140
Ross	384, 539. 30	800, 490. 90	3, 135	2, 971	88	0	0	76
Sandusky	153, 367. 03	346, 241. 04	1, 356	1, 296	29	0	0	31
Scioto	727, 510. 34	1, 368, 367. 06	5, 359	5, 035	215	0	71	38
Seneca	188, 638. 11	482, 081. 92	1, 888	1, 795	13	0	45	35
Shelby	123, 183. 27	292, 364. 30	1, 145	1, 105	0	0	33	7
Stark	891, 754. 85	1, 909, 432. 52	7, 478	7, 072	118	0	91	197
Summit	1, 594, 621. 01	2, 813, 846. 80	11, 020	9, 779	358	118	237	528
Trumbull	536, 443. 62	1, 124, 517. 36	4, 404	4, 155	131	0	43	75
Tuscarawas	257, 324. 96	560, 215. 96	2, 194	2, 157	7	0	0	30
Union	86, 351. 18	219, 081. 72	858	838	11	0	0	9
Van Wert	99, 264. 23	246, 658. 44	966	875	0	0	78	13
Vinton	147, 272. 36	276, 022. 54	1, 081	1, 051	30	0	0	0
Warren	240, 243. 72	493, 061. 54	1, 931	1, 849	14	0	35	33
Washington	259, 919. 08	594, 942. 20	2, 330	2, 232	0	0	88	10
Wayne	266, 605. 64	605, 155. 80	2, 370	2, 306	0	0	34	30
Williams	103, 212. 45	259, 170. 10	1, 015	1, 008	0	0	0	7
Wood	156, 912. 52	352, 113. 86	1, 379	1, 328	5	0	0	46
Wyandot	75, 665. 77	189, 717. 62	743	725	7	0	0	11

OKLAHOMA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$18, 196, 358. 96	$37, 915, 181. 26	148, 489	140, 979	5, 229	70	1, 254	957
Adair	369, 505. 91	687, 630. 62	2, 693	2, 459	152	0	80	2
Alfalfa	28, 441. 81	79, 410. 74	311	308	0	0	0	3
Atoka	273, 937. 32	450, 675. 10	1, 765	1, 693	70	0	0	2
Beaver	33, 659. 81	76, 857. 34	301	300	0	0	0	1
Beckham	123, 711. 75	299, 003. 14	1, 171	1, 152	16	0	0	3
Blaine	118, 732. 67	253, 297. 28	992	952	23	0	0	17
Bryan	358, 316. 21	703, 972. 38	2, 757	2, 687	32	0	0	18
Caddo	420, 053. 30	836, 493. 84	3, 276	3, 134	104	0	0	38
Canadian	119, 565. 61	312, 791. 50	1, 225	1, 184	18	0	0	23
Carter	361, 340. 18	791, 809. 34	3, 101	2, 958	125	0	0	18
Cherokee	315, 876. 19	613, 837. 36	2, 404	2, 128	174	0	85	17
Choctaw	393, 525. 97	741, 252. 02	2, 903	2, 736	93	0	63	11
Cimarron	19, 235. 03	54, 387. 42	213	211	0	0	0	2
Cleveland	133, 834. 64	340, 112. 88	1, 332	1, 263	36	0	0	33
Coal	107, 981. 11	204, 016. 66	799	753	44	0	0	2
Comanche	420, 401. 46	914, 627. 88	3, 582	3, 452	114	0	0	16
Cotton	82, 579. 91	203, 761. 32	798	786	10	0	0	2
Craig	120, 776. 28	282, 150. 70	1, 105	1, 075	18	0	0	12
Creek	310, 767. 15	697, 078. 20	2, 730	2, 620	91	0	0	19
Custer	105, 055. 46	278, 831. 28	1, 092	1, 001	84	0	0	7
Delaware	267, 852. 03	539, 022. 74	2, 111	1, 894	132	0	76	9
Dewey	62, 445. 40	124, 605. 92	488	478	0	0	0	10
Ellis	30, 395. 28	73, 793. 26	289	286	0	0	0	3
Garfield	194, 197. 69	471, 357. 64	1, 846	1, 794	35	10	0	7
Garvin	240, 441. 44	497, 146. 98	1, 947	1, 891	49	0	0	7
Grady	228, 780. 72	509, 658. 64	1, 996	1, 944	41	0	0	11
Grant	41, 030. 79	97, 029. 20	380	380	0	0	0	0
Greer	63, 899. 36	155, 502. 06	609	596	11	0	0	2
Harmon	68, 712. 21	155, 502. 06	609	522	36	0	49	2
Harper	30, 264. 50	65, 622. 38	257	256	0	0	0	1
Haskell	208, 659. 02	403, 437. 20	1, 580	1, 562	18	0	0	0
Hughes	233, 828. 94	488, 720. 76	1, 914	1, 886	26	0	0	2
Jackson	248, 927. 51	470, 336. 28	1, 842	1, 718	101	0	13	10
Jefferson	91, 861. 56	189, 717. 62	743	731	12	0	0	0
Johnston	142, 020. 15	286, 746. 82	1, 123	1, 114	7	0	0	2
Kay	222, 259. 98	499, 189. 70	1, 955	1, 825	16	0	95	19
Kingfisher	75, 871. 82	178, 993. 34	701	687	8	0	0	6

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

OKLAHOMA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Kiowa	$149, 811. 29	$332, 197. 34	1, 301	1, 271	26	0	0	4
Latimer	134, 631. 58	270, 660. 40	1, 060	1, 012	45	0	0	3
Le Flore	456, 855. 72	995, 315. 32	3, 898	3, 720	172	0	0	6
Lincoln	203, 284. 33	406, 245. 94	1, 591	1, 568	18	0	0	5
Logan	165, 645. 57	393, 478. 94	1, 541	1, 418	59	0	47	17
Love	87, 610. 54	186, 908. 88	732	714	17	0	0	1
McClain	120, 498. 37	320, 196. 36	1, 254	1, 201	47	0	0	6
McCurtain	543, 250. 26	1, 098, 472. 68	4, 302	4, 076	219	0	0	7
McIntosh	311, 975. 37	565, 833. 44	2, 216	2, 124	80	0	10	2
Major	39, 495. 55	118, 733. 10	465	464	0	0	0	1
Marshall	88, 790. 81	187, 419. 56	734	716	17	0	0	1
Mayes	232, 416. 84	481, 826. 58	1, 887	1, 783	80	0	0	24
Murray	108, 228. 89	242, 828. 34	951	928	17	0	0	6
Muskogee	697, 597. 85	1, 386, 496. 20	5, 430	5, 136	207	0	20	67
Noble	55, 485. 29	129, 457. 38	507	507	0	0	0	0
Nowata	73, 907. 15	175, 163. 24	686	685	0	0	0	1
Okfuskee	229, 783. 56	455, 015. 88	1, 782	1, 738	39	0	0	5
Oklahoma	2, 092, 020. 88	3, 946, 279. 70	15, 455	14, 049	1, 013	43	220	130
Okmulgee	480, 147. 85	873, 518. 14	3, 421	3, 240	178	0	0	3
Osage	193, 731. 18	444, 802. 28	1, 742	1, 708	25	0	0	9
Ottawa	213, 797. 92	508, 381. 94	1, 991	1, 975	10	0	0	6
Pawnee	86, 987. 61	206, 314. 72	808	798	5	0	0	5
Payne	139, 166. 11	395, 521. 66	1, 549	1, 530	14	0	0	5
Pittsburg	398, 605. 02	913, 095. 84	3, 576	3, 454	89	0	0	33
Pontotoc	204, 841. 25	444, 546. 94	1, 741	1, 699	40	0	0	2
Pottawatomie	274, 367. 30	567, 620. 82	2, 223	2, 131	69	0	0	23
Pushmataha	182, 059. 68	361, 050. 76	1, 414	1, 363	46	0	0	5
Roger Mills	54, 046. 33	126, 393. 30	495	476	12	0	0	7
Rogers	146, 238. 44	398, 330. 40	1, 560	1, 508	33	0	0	19
Seminole	376, 992. 95	733, 847. 16	2, 874	2, 709	123	0	34	8
Sequoyah	328, 154. 94	691, 460. 72	2, 708	2, 570	96	0	24	18
Stephens	198, 283. 70	478, 762. 50	1, 875	1, 863	0	0	0	12
Texas	65, 195. 40	136, 351. 56	534	528	0	0	0	6
Tillman	262, 191. 51	497, 402. 32	1, 948	1, 711	90	0	146	1
Tulsa	1, 580, 615. 50	3, 153, 449. 00	12, 350	11, 344	560	17	292	137
Wagoner	252, 489. 72	486, 167. 36	1, 904	1, 848	41	0	0	15
Washington	108, 724. 18	274, 745. 84	1, 076	1, 054	14	0	0	8
Washita	99, 351. 45	249, 722. 52	978	957	12	0	0	9
Woods	48, 525. 18	134, 308. 84	526	526	0	0	0	0
Woodward	41, 809. 72	118, 477. 76	464	461	0	0	0	3

OREGON

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $293. 44]

State total	$7, 536, 997. 04	$14, 808, 156. 16	50, 464	42, 599	4, 947	95	186	2, 637
Baker	77, 163. 32	170, 195. 20	580	554	12	0	0	14
Benton	80, 665. 62	208, 635. 84	711	628	47	0	0	36
Clackamas	454, 198. 91	902, 328. 00	3, 075	2, 661	250	0	25	139
Clatsop	120, 762. 19	210, 103. 04	716	638	7	0	0	71
Columbia	97, 419. 24	242, 674. 88	827	695	64	0	0	68
Coos	183, 560. 91	371, 495. 04	1, 266	1, 144	61	0	0	61
Crook	56, 094. 99	103, 584. 32	353	325	15	0	0	13
Curry	35, 795. 32	112, 680. 96	384	345	21	0	0	18
Deschutes	125, 840. 98	224, 481. 60	765	716	15	0	0	34
Douglas	253, 285. 09	574, 555. 52	1, 958	1, 637	194	0	0	127
Gilliam	10, 359. 58	17, 606. 40	60	59	0	0	0	1
Grant	20, 053. 88	56, 047. 04	191	187	0	0	0	4
Harney	29, 322. 15	61, 035. 52	208	201	0	0	0	7
Hood River	41, 499. 87	116, 202. 24	396	374	15	0	0	7
Jackson	298, 245. 34	623, 266. 56	2, 124	1, 980	58	0	0	86
Jefferson	37, 338. 87	87, 738. 56	299	252	28	0	0	19
Josephine	146, 792. 90	271, 432. 00	925	830	76	0	0	19
Klamath	194, 585. 76	368, 267. 20	1, 255	1, 102	87	0	0	66
Lake	30, 053. 35	69, 545. 28	237	214	15	0	0	8
Lane	524, 125. 05	1, 066, 654. 40	3, 635	3, 157	264	0	0	214
Lincoln	124, 569. 69	251, 184. 64	856	768	42	0	0	46
Linn	265, 390. 17	528, 485. 44	1, 801	1, 570	144	0	0	87
Malheur	186, 375. 97	430, 183. 04	1, 466	1, 301	146	0	0	19
Marion	722, 166. 92	1, 439, 029. 76	4, 904	4, 046	684	0	0	174
Morrow	15, 939. 01	34, 332. 48	117	115	0	0	0	2
Multnomah	2, 213, 065. 09	3, 862, 550. 72	13, 163	10, 015	2, 087	95	86	880
Polk	148, 784. 52	308, 112. 00	1, 050	880	122	0	0	48
Sherman	5, 579. 43	16, 726. 08	57	57	0	0	0	0
Tillamook	72, 552. 23	157, 283. 84	536	502	12	0	0	22
Umatilla	197, 449. 04	384, 112. 96	1, 309	1, 121	87	0	0	101
Union	70, 330. 10	142, 024. 96	484	444	15	0	0	25
Wallowa	24, 184. 10	61, 622. 40	210	202	6	0	0	2
Wasco	85, 206. 38	181, 052. 48	617	579	26	0	0	12
Washington	344, 634. 99	660, 533. 44	2, 251	1, 919	129	0	75	128
Wheeler	8, 587. 60	14, 378. 56	49	49	0	0	0	0
Yamhill	235, 018. 48	478, 013. 76	1, 629	1, 332	218	0	0	79

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

PENNSYLVANIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $268.78]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$50, 081, 775. 83	$100, 584, 733. 06	374, 227	323, 070	34, 190	3, 106	5, 118	8, 743
Adams	187, 399. 14	483, 266. 44	1, 798	1, 625	69	0	61	43
Allegheny	6, 662, 870. 63	11, 907, 222. 78	44, 301	36, 743	6, 111	338	331	778
Armstrong	422, 293. 21	921, 646. 62	3, 429	3, 258	124	0	0	47
Beaver	648, 923. 72	1, 239, 344. 58	4, 611	4, 103	361	49	32	66
Bedford	298, 947. 30	695, 602. 64	2, 588	2, 457	111	0	0	20
Berks	694, 882. 89	1, 545, 753. 78	5, 751	5, 022	261	61	253	154
Blair	603, 807. 82	1, 349, 544. 38	5, 021	4, 552	276	0	81	112
Bradford	333, 805. 83	748, 014. 74	2, 783	2, 336	366	0	0	81
Bucks	598, 425. 22	1, 319, 978. 58	4, 911	4, 024	304	250	200	133
Butler	373, 442. 08	833, 755. 56	3, 102	2, 888	92	0	90	32
Cambria	1, 229, 545. 93	2, 753, 113. 54	10, 243	9, 758	373	39	0	73
Cameron	16, 909. 19	35, 210. 18	131	126	0	0	0	5
Carbon	222, 467. 63	536, 484. 88	1, 996	1, 904	40	20	0	32
Centre	251, 861. 43	605, 830. 12	2, 254	2, 136	74	0	0	44
Chester	564, 315. 53	1, 246, 332. 86	4, 637	4, 280	191	0	0	166
Clarion	189, 864. 62	420, 640. 70	1, 565	1, 459	101	0	0	5
Clearfield	536, 949. 73	1, 204, 671. 96	4, 482	4, 103	300	0	15	64
Clinton	146, 925. 26	318, 235. 52	1, 184	1, 089	49	0	0	46
Columbia	188, 811. 91	470, 902. 56	1, 752	1, 626	56	0	0	70
Crawford	429, 991. 19	851, 495. 04	3, 168	2, 911	102	0	76	79
Cumberland	338, 712. 83	801, 501. 96	2, 982	2, 624	87	0	49	222
Dauphin	1, 210, 599. 14	2, 222, 273. 04	8, 268	5, 789	851	0	1. 324	304
Delaware	1, 555, 566. 65	2, 927, 014. 20	10, 890	8, 911	1, 087	452	181	259
Elk	73, 717. 38	185, 726. 98	691	658	20	0	0	13
Erie	1, 025, 306. 74	2, 057, 242. 12	7, 654	6, 681	613	94	38	228
Fayette	1, 997, 967. 39	3, 794, 098. 48	14, 116	12, 297	1, 741	0	0	78
Forest	22, 271. 62	69, 614. 02	259	259	0	0	0	0
Franklin	382, 502. 41	950, 943. 64	3, 538	3, 252	72	0	119	95
Fulton	99, 164. 29	224, 700. 08	836	810	20	0	0	6
Greene	358, 964. 31	729, 468. 92	2, 714	2, 288	333	36	0	57
Huntingdon	357, 247. 65	770, 861. 04	2, 868	2, 688	121	19	0	40
Indiana	479, 344. 89	986, 960. 16	3, 672	3, 404	220	0	0	48
Jefferson	268, 650. 38	621, 150. 58	2, 311	2, 165	116	0	0	30
Juniata	100, 469. 80	323, 342. 34	1, 203	1, 153	47	0	0	3
Lackawanna	985, 629. 90	2, 122, 555. 66	7, 897	7, 375	377	50	16	79
Lancaster	848, 756. 66	2, 168, 517. 04	8, 068	7, 471	260	0	95	242
Lawrence	420, 073. 45	823, 004. 36	3, 062	2, 774	224	0	0	64
Lebanon	211, 447. 81	567, 663. 36	2, 112	1, 979	40	0	12	81
Lehigh	426, 613. 29	1, 050, 123. 46	3, 907	3, 459	156	0	133	159
Luzerne	1, 892, 565. 61	4, 161, 520. 74	15, 483	14, 633	659	0	94	97
Lycoming	423, 351. 29	974, 865. 06	3, 627	3, 401	144	0	0	82
McKean	228, 405. 32	408, 545. 60	1, 520	1, 335	135	0	17	33
Mercer	556, 558. 86	1, 091, 784. 36	4, 062	3, 351	212	335	70	94
Mifflin	338, 092. 23	657, 973. 44	2, 448	2, 254	144	0	0	50
Monroe	128, 102. 67	313, 128. 70	1, 165	1, 114	19	0	0	32
Montgomery	709, 045. 25	1, 521, 026. 02	5, 659	4, 825	264	267	134	169
Montour	48, 004. 20	149, 710. 46	557	546	0	0	0	11
Northampton	524, 661. 07	1, 230, 743. 62	4, 579	4, 234	228	0	33	84
Northumberland	536, 581. 67	1, 351, 425. 84	5, 028	4, 796	172	0	27	33
Perry	148, 130. 03	370, 378. 84	1, 378	1, 239	21	92	0	26
Philadelphia	12, 578, 672. 93	21, 728, 175. 20	80, 840	61, 846	13, 804	757	1, 332	3, 101
Pike	26, 913. 12	77, 139. 86	287	267	20	0	0	0
Potter	123, 361. 88	231, 957. 14	863	769	42	0	23	29
Schuylkill	916, 721. 16	2, 172, 279. 96	8, 082	7, 559	404	0	88	31
Snyder	110, 432. 86	282, 487. 78	1, 051	1, 012	32	0	0	7
Somerset	661, 391. 17	1, 528, 551. 86	5, 687	5, 352	267	0	20	48
Sullivan	36, 632. 02	99, 717. 38	371	348	5	0	0	18
Susquehanna	184, 297. 73	418, 221. 68	1, 556	1, 388	112	0	0	56
Tioga	200, 147. 41	427, 360. 20	1, 590	1, 430	118	0	0	42
Union	91, 660. 43	219, 055. 70	815	768	36	0	0	11
Venango	250, 447. 46	503, 962. 50	1, 875	1, 668	162	0	0	45
Warren	101, 731. 82	252, 115. 64	938	875	10	0	22	31
Washington	1, 088, 833. 17	2, 211, 790. 62	8, 229	7, 239	618	247	0	125
Wayne	120, 915. 79	338, 662. 80	1, 260	1, 207	26	0	0	27
Westmoreland	1, 409, 956. 75	3, 033, 988. 64	11, 288	10, 708	421	0	49	110
Wyoming	109, 292. 65	275, 768. 28	1, 026	902	30	0	71	23
York	771, 422. 43	1, 668, 586. 24	6, 208	5, 567	339	0	32	270

RHODE ISLAND

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $272.38]

State total	$3, 751, 839. 00	$7, 236, 047. 08	26, 566	21, 734	3, 852	0	194	786
Bristol	109, 840. 64	230, 705, 86	847	766	41	0	0	40
Kent	337, 483. 22	673, 323. 36	2, 472	2, 038	294	0	0	140
Newport	553, 057. 19	970, 762. 32	3, 564	3, 384	125	0	0	55
Providence	2, 558, 101. 21	4, 992, 453. 02	18, 329	14, 374	3, 248	0	194	513
Washington	193, 356. 74	368, 802. 52	1, 354	1, 172	144	0	0	38

***Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.*—Continued**

SOUTH CAROLINA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$23, 803, 543. 89	$76, 154, 388.98	298, 247	296, 556	0	0	848	843
Abbeville	186, 583. 07	633, 243.20	2, 480	2, 477	0	0	0	3
Aiken	616, 533. 28	1, 963, 819.94	7, 691	7, 659	0	0	0	32
Allendale	218, 178. 27	643, 456.80	2, 520	2, 520	0	0	0	0
Anderson	576, 547. 62	2, 129, 790.94	8, 341	8, 199	0	0	20	122
Bamberg	272, 625. 37	813, 513.24	3, 186	3, 186	0	0	0	0
Barnwell	276, 430. 97	829, 344.32	3, 248	3, 245	0	0	0	3
Beaufort	353, 861. 70	1, 246, 825.22	4, 883	4, 863	0	0	0	20
Berkeley	550, 756. 88	1, 715, 118.78	6, 717	6, 716	0	0	0	1
Calhoun	321, 160. 68	819, 896.74	3, 211	3, 209	0	0	0	2
Charleston	1, 644, 851. 15	5, 432, 358.50	21, 275	21, 091	0	0	122	62
Cherokee	308, 474. 47	1, 022, 636.70	4, 005	3, 972	0	0	30	3
Chester	310, 500. 07	989, 187.16	3, 874	3, 869	0	0	0	5
Chesterfield	558, 924. 51	1, 653, 071.16	6, 474	6, 438	0	0	0	36
Clarendon	693, 974. 38	2, 062, 636.52	8, 078	8, 041	0	0	37	0
Colleton	471, 998. 16	1, 392, 369.02	5, 453	5, 448	0	0	0	5
Darlington	775, 691. 38	2, 386, 152.30	9, 345	9, 312	0	0	0	33
Dillon	630, 820. 85	1, 715, 884.80	6, 720	6, 719	0	0	0	1
Dorchester	301, 792. 79	1, 002, 720.18	3, 927	3, 924	0	0	0	3
Edgefield	239, 064. 54	740, 486.00	2, 900	2, 900	0	0	0	0
Fairfield	306, 490. 39	959, 312.38	3, 757	3, 757	0	0	0	0
Florence	1, 198, 239. 21	3, 732, 815.46	14, 619	14, 575	0	0	26	18
Georgetown	551, 485. 38	1, 603, 790.54	6, 281	6, 281	0	0	0	0
Greenville	832, 003. 51	3, 276, 522.88	12, 832	12, 604	0	0	69	159
Greenwood	301, 876. 04	1, 072.172.66	4, 199	3, 939	0	0	255	5
Hampton	314, 303. 86	926, 628.86	3, 629	3, 627	0	0	0	2
Horry	891, 157. 62	2, 815, 889.52	11, 028	11, 012	0	0	0	16
Jasper	190, 565. 63	600, 815.02	2, 353	2, 348	0	0	0	5
Kershaw	434, 225. 54	1, 289, 467.00	5, 050	5, 019	0	0	18	13
Lancaster	247, 450. 54	925, 096.82	3, 623	3, 598	0	0	0	25
Laurens	342, 649. 91	1, 154, 647.48	4, 522	4, 515	0	0	0	7
Lee	537, 874. 34	1, 501, 143.86	5, 879	5, 876	0	0	0	3
Lexington	313, 370. 57	1, 149, 796.02	4, 503	4, 467	0	0	21	15
McCormick	114, 357. 92	387, 861.46	1, 519	1, 517	0	0	0	2
Marion	594, 654. 41	1, 732, 992.58	6, 787	6, 786	0	0	0	1
Marlboro	529, 571. 68	1, 517, 485.62	5, 943	5, 921	0	0	0	22
Newberry	285, 469. 57	950, 886.16	3, 724	3, 714	0	0	0	10
Oconee	275, 066. 34	990, 208.52	3, 878	3, 670	0	0	202	6
Orangeburg	1, 099, 839. 14	3, 411, 853.08	13, 362	13, 343	0	0	0	19
Pickens	174, 922. 08	744, 060.76	2, 914	2, 900	0	0	0	14
Richland	1, 062, 959. 68	3, 781, 330.06	14, 809	14, 716	0	0	0	93
Saluda	166, 178. 75	566, 344.12	2, 218	2, 217	0	0	0	1
Spartanburg	870, 589. 23	3, 281, 629.68	12, 852	12, 803	0	0	0	49
Sumter	971, 073. 33	2, 938, 452.72	11, 508	11, 508	0	0	0	0
Union	239, 128. 94	806, 619.06	3, 159	3, 157	0	0	0	2
Williamsburg	1, 123, 150. 95	2, 921, 344.94	11, 441	11, 441	0	0	0	0
York	526, 119. 19	1, 922, 710.20	7, 530	7, 457	0	0	48	25

SOUTH DAKOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$5, 825, 783. 03	$13, 245, 507. 16	51, 874	47, 441	1, 938	17	1, 931	547
Aurora	66, 888. 47	150, 395. 26	589	585	0	0	0	4
Beadle	148, 663. 42	339, 346. 86	1, 329	1, 265	49	0	0	15
Bennett	49, 070. 39	98, 816. 58	387	370	14	0	0	3
Bon Homme	121, 105. 22	243, 849. 70	955	945	7	0	0	3
Brookings	136, 785. 47	340, 368. 22	1, 333	1, 324	6	0	0	3
Brown	208, 829. 23	457, 058. 60	1, 790	1, 686	88	0	0	16
Brule	70, 860. 52	150, 395. 26	589	317	9	0	258	5
Buffalo	43, 465. 26	83, 751. 52	328	297	29	0	0	2
Butte	39, 569. 91	98, 050. 56	384	353	28	0	0	3
Campbell	39, 235. 52	89, 113. 66	349	337	12	0	0	0
Charles Mix	210, 509. 27	436, 631. 40	1, 710	1, 266	70	0	362	12
Clark	102, 724. 45	222, 145. 80	870	864	0	0	0	6
Clay	55, 211. 23	160, 864. 20	630	612	12	0	0	6
Codington	161, 152. 54	342, 410. 94	1, 341	1, 289	30	0	0	22
Corson	91, 839. 47	221, 124. 44	866	754	49	0	43	20
Custer	18, 324. 25	56, 940. 82	223	218	4	0	0	1
Davison	103, 307. 50	249, 977. 86	979	882	53	0	16	28
Day	124, 104. 48	295, 428. 38	1, 157	1, 114	28	0	0	15
Deuel	66, 850. 87	177, 971. 98	697	694	0	0	0	3
Dewey	68, 121. 07	191, 505. 00	750	643	106	0	0	1
Douglas	94, 865. 35	179, 504. 02	703	701	0	0	0	2
Edmunds	71, 776. 79	134, 053. 50	525	522	0	0	0	3
Fall River	47, 819. 47	93, 965. 12	368	344	13	0	0	11
Faulk	47, 944. 29	125, 882. 62	493	488	5	0	0	0
Grant	136, 640. 66	267, 085. 64	1, 046	1, 024	11	0	0	11
Gregory	75, 721. 07	174, 141. 88	682	661	19	0	0	2
Haakon	22, 515. 69	46, 471. 88	182	177	5	0	0	0
Hamlin	78, 031. 75	174, 652. 56	684	682	0	0	0	2
Hand	92, 125. 28	192, 015. 68	752	744	7	0	0	1
Hanson	105, 616. 75	185, 121. 50	725	712	13	0	0	0
Harding	12, 356. 08	32, 172. 84	126	126	0	0	0	0
Hughes	43, 914. 29	95, 752. 50	375	340	18	0	0	17
Hutchinson	160, 121. 35	343, 432. 30	1, 345	1, 333	11	0	0	1

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

SOUTH DAKOTA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Hyde	$62, 037. 46	$126, 903. 98	497	282	0	0	212	3
Jackson	11, 573. 21	35, 747. 60	140	134	0	0	0	6
Jerauld	64, 501. 36	147, 841. 86	579	579	0	0	0	0
Jones	15, 583. 83	53, 110. 72	208	208	0	0	0	0
Kingsbury	64, 530. 55	173, 120. 52	678	661	15	0	0	2
Lake	91, 524. 02	204, 527. 34	801	787	9	0	0	5
Lawrence	50, 503. 09	120, 775. 82	473	452	8	0	0	13
Lincoln	113, 123. 78	283, 682. 74	1, 111	1, 097	0	0	0	14
Lyman	43, 694. 64	93, 965. 12	368	355	10	0	0	3
McCook	111, 051. 24	256, 872. 04	1, 006	992	5	0	0	9
McPherson	96, 794. 04	177, 971. 98	697	697	0	0	0	0
Marshall	73, 812. 10	204, 782. 68	802	781	18	0	0	3
Meade	60, 281. 61	173, 886. 54	681	654	21	0	0	6
Mellette	54, 876. 14	119, 243. 78	467	419	45	0	0	3
Miner	80, 209. 12	192, 015. 68	752	745	0	0	0	7
Minnehaha	277, 485. 67	679, 204. 40	2, 660	2, 361	189	17	0	93
Moody	70, 155. 22	209, 123. 46	819	810	4	0	0	5
Pennington	150, 517. 39	413, 395. 46	1, 619	1, 268	294	0	0	57
Perkins	60, 585. 82	112, 604. 94	441	438	3	0	0	0
Potter	29, 830. 04	66, 388. 40	260	252	8	0	0	0
Roberts	221, 270. 94	475, 187. 74	1, 861	1, 632	114	0	112	3
Sanborn	31, 558. 74	88, 092. 30	345	345	0	0	0	0
Shannon	169, 537. 46	415, 438. 18	1, 627	1, 078	69	0	461	19
Spink	136, 707. 79	281, 129. 34	1, 101	1, 094	5	0	0	2
Stanley	10, 522. 64	24, 001. 96	94	86	4	0	0	4
Sully	23, 432. 58	58, 728. 20	230	216	12	0	0	2
Todd	210, 346. 32	407, 777. 98	1, 597	914	188	0	467	28
Tripp	80, 982. 62	196, 356. 46	769	727	32	0	0	10
Turner	140, 757. 08	319, 941. 02	1, 253	1, 228	7	0	0	18
Union	97, 071. 55	205, 804. 04	806	787	16	0	0	3
Walworth	40, 725. 29	100, 348. 62	393	357	36	0	0	0
Washabaugh	4, 325. 81	21, 703. 90	85	83	2	0	0	0
Yankton	133, 786. 21	288, 789. 54	1, 131	1, 059	61	0	0	11
Ziebach	26, 020. 31	66, 643. 74	261	194	67	0	0	0

TENNESSEE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$32, 293, 761. 83	$86, 188, 740. 30	337, 545	334, 589	0	56	1, 864	1, 036
Anderson	372, 055. 09	1, 055, 064. 88	4, 132	4, 117	0	0	0	15
Bedford	162, 807. 46	512, 722. 72	2, 008	1, 993	0	0	0	15
Benton	101, 719. 03	257, 638. 06	1, 009	1, 007	0	0	0	2
Bledsoe	157, 109. 80	399, 607. 10	1, 565	1, 565	0	0	0	0
Blount	448, 073. 27	1, 182, 990. 22	4, 633	4, 598	0	0	13	22
Bradley	245, 972. 51	869, 177. 36	3, 404	3, 289	0	0	106	9
Campbell	511, 981. 70	1, 239, 165. 02	4, 853	4, 840	0	0	0	13
Cannon	89, 890. 97	271, 937. 10	1, 065	1, 065	0	0	0	0
Carroll	306, 143. 88	737, 677. 26	2, 889	2, 880	0	0	0	9
Carter	378, 526. 57	978, 207. 54	3, 831	3, 776	0	0	35	20
Cheatham	63, 358. 35	200, 441. 90	785	785	0	0	0	0
Chester	139, 030. 60	374, 328. 44	1, 466	1, 450	0	0	0	16
Claiborne	420, 936. 68	1, 001, 443. 48	3, 922	3, 915	0	0	0	7
Clay	188, 920. 12	390, 159. 52	1, 528	1, 521	0	0	0	7
Cocke	374, 754. 94	967, 993. 94	3, 791	3, 782	0	0	0	9
Coffee	219, 117. 69	647, 286. 90	2, 535	2, 523	0	0	0	12
Crockett	244, 460. 31	625, 583. 00	2, 450	2, 447	0	0	0	3
Cumberland	288, 191. 04	808, 917. 12	3, 168	3, 163	0	0	0	5
Davidson	1, 536, 942. 23	4, 805, 243. 46	18, 819	18, 543	0	0	185	91
Decatur	118, 457. 07	296, 960. 42	1, 163	1, 158	0	0	0	5
De Kalb	143, 807. 84	375, 860. 48	1, 472	1, 472	0	0	0	0
Dickson	154, 968. 95	469, 059. 58	1, 837	1, 826	0	0	0	11
Dyer	400, 460. 63	1, 001, 188. 14	3, 921	3, 908	0	0	0	13
Fayette	798, 082. 84	1, 669, 157. 58	6, 537	6, 531	0	0	0	6
Fentress	300, 456. 21	743, 805. 42	2, 913	2, 913	0	0	0	0
Franklin	250, 216. 59	677, 161. 68	2, 652	2, 646	0	0	0	6
Gibson	560, 023. 68	1, 455, 438. 00	5, 700	5, 695	0	0	0	5
Giles	302, 945. 78	766, 020. 00	3, 000	2, 996	0	0	0	4
Grainger	210, 906. 32	522, 425. 64	2, 046	2, 040	0	0	0	6
Greene	508, 550. 37	1, 253, 464. 06	4, 909	4, 739	0	0	161	9
Grundy	189, 218. 76	484, 124. 64	1, 896	1, 896	0	0	0	0
Hamblen	222, 578. 67	678, 438. 38	2, 657	2, 641	0	0	0	16
Hamilton	1, 328, 903. 55	3, 784, 138. 80	14, 820	14, 427	0	0	342	51
Hancock	207, 129. 16	456, 292. 58	1, 787	1, 787	0	0	0	0
Hardeman	436, 140. 93	978, 718. 22	3, 833	3, 831	0	0	0	2
Hardin	293, 444. 14	678, 949. 06	2, 659	2, 653	0	0	0	6
Hawkins	426, 382. 12	981, 016. 28	3, 842	3, 842	0	0	0	0
Haywood	653, 702. 15	1, 407, 178. 74	5, 511	5, 502	0	0	0	9
Henderson	233, 582. 23	577, 579. 08	2, 262	2, 247	0	0	0	15
Henry	190, 010. 71	513, 999. 42	2, 013	2, 008	0	0	0	5
Hickman	144, 204. 34	387, 095. 44	1, 516	1, 516	0	0	0	0
Houston	60, 874. 87	167, 247. 70	655	655	0	0	0	0
Humphreys	110, 454. 71	323, 005. 10	1, 265	1, 263	0	0	0	2
Jackson	194, 354. 61	477, 230. 46	1, 869	1, 869	0	0	0	0
Jefferson	162, 062. 71	469, 314. 92	1, 838	1, 834	0	0	0	4
Johnson	234, 022. 23	538, 001. 38	2, 107	2, 107	0	0	0	0
Knox	1, 284, 415. 20	3, 772, 648. 50	14, 775	14, 540	0	0	81	154

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

TENNESSEE—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Lake	$217, 709. 86	$495, 870. 28	1, 942	1, 941	0	0	0	1
Lauderdale	472, 387. 81	1, 106, 132. 88	4, 332	4, 320	0	0	0	12
Lawrence	286, 474. 89	756, 572. 42	2, 963	2, 957	0	0	0	6
Lewis	74, 574. 12	228, 273. 96	894	894	0	0	0	0
Lincoln	301, 319. 75	716, 228. 70	2, 805	2, 797	0	0	0	8
Loudon	191, 410. 30	564, 812. 08	2, 212	2, 210	0	0	0	3
McMinn	340, 730. 42	959, 312. 38	3, 757	3, 751	0	0	0	6
McNairy	322, 231. 25	739, 975. 32	2, 898	2, 895	0	0	0	3
Macon	161, 603. 13	456, 292. 58	1, 787	1, 787	0	0	0	0
Madison	693, 022. 91	1, 740, 652. 78	6, 817	6, 793	0	0	0	24
Marion	292, 558. 30	735, 634. 54	2, 881	2, 879	0	0	0	2
Marshall	164, 677. 97	435, 610. 04	1, 706	1, 706	0	0	0	0
Maury	353, 653. 13	946, 290. 04	3, 706	3, 529	0	0	175	2
Meigs	114, 127. 01	237, 466. 20	930	930	0	0	0	0
Monroe	353, 784. 91	879, 390. 96	3, 444	3, 443	0	0	0	1
Montgomery	324, 986. 54	959, 312. 38	3, 757	3, 729	0	0	0	28
Moore	37, 147. 52	93, 454. 44	366	360	0	0	0	6
Morgan	243, 402. 77	617, 922. 80	2, 420	2, 420	0	0	0	0
Obion	268, 883. 67	704, 227. 72	2, 758	2, 758	0	0	0	2
Overton	271, 096. 31	670, 267. 50	2, 625	2, 619	0	0	0	6
Perry	88, 524. 42	210, 910. 84	826	826	0	0	0	0
Pickett	79, 208. 23	218, 315. 70	855	855	0	0	0	0
Polk	113, 132. 76	324, 537. 14	1, 271	1, 271	0	0	0	0
Putnam	296, 898. 92	847, 473. 46	3, 319	3, 304	0	0	0	15
Rhea	194, 426. 90	572, 216. 94	2, 241	2, 198	0	0	40	3
Roane	337, 669. 72	850, 282. 20	3, 330	3, 314	0	0	0	16
Robertson	291, 619. 46	783, 383. 12	3, 068	3, 061	0	0	0	7
Rutherford	325, 739. 04	917, 436. 62	3, 593	3, 580	0	0	0	13
Scott	300, 055. 15	795, 639. 44	3, 116	3, 104	0	0	0	12
Sequatchie	65, 173. 13	196, 101. 12	768	768	0	0	0	0
Sevier	316, 285. 35	842, 877. 34	3, 301	3, 109	0	0	159	33
Shelby	3, 967, 737. 70	11, 376, 163. 02	44, 553	43, 942	0	56	387	168
Smith	156, 847. 69	366, 157. 56	1, 434	1, 434	0	0	0	0
Stewart	114, 292. 91	279, 341. 96	1, 094	1, 092	0	0	0	2
Sullivan	702, 638. 14	2, 013, 100. 56	7, 884	7, 866	0	0	0	18
Sumner	322, 927. 67	930, 714. 30	3, 645	3, 644	0	0	0	1
Tipton	575, 939. 44	1, 266, 997. 08	4, 962	4, 910	0	0	50	2
Trousdale	61, 632. 90	181, 291. 40	710	709	0	0	0	1
Unicoi	146, 534. 13	356, 454. 64	1, 396	1, 396	0	0	0	0
Union	141, 693. 82	353, 135. 22	1, 383	1, 383	0	0	0	0
Van Buren	64, 801. 83	166, 992. 36	654	654	0	0	0	0
Warren	217, 815. 49	673, 586. 92	2, 638	2, 624	0	0	0	14
Washington	411, 980. 49	1, 305, 298. 08	5, 112	5, 085	0	0	0	27
Wayne	195, 673. 19	525, 745. 06	2, 059	2, 057	0	0	0	2
Weakley	214, 760. 32	620, 476. 20	2, 430	2, 423	0	0	0	7
White	258, 881. 34	606, 687. 84	2, 376	2, 375	0	0	0	1
Williamson	273, 637. 84	708, 823. 84	2, 776	2, 645	0	0	130	1
Wilson	201, 101. 58	623, 795. 62	2, 443	2, 443	0	0	0	0

TEXAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$70, 812, 117. 25	$166, 683, 398. 60	652, 790	647, 026	0	613	3, 882	1, 269
Anderson	375, 850. 03	765, 509. 32	2, 998	2, 998	0	0	0	0
Andrews	20, 165. 87	56, 430. 14	221	221	0	0	0	0
Angelina	287, 870. 05	723, 378. 22	2, 833	2, 821	0	0	0	12
Aransas	48, 719. 06	155, 757. 40	610	610	0	0	0	0
Archer	19, 841. 76	66, 133. 06	259	259	0	0	0	0
Armstrong	4, 734. 76	15, 831. 08	62	62	0	0	0	0
Atascosa	341, 695. 86	774, 956. 90	3, 035	3, 035	0	0	0	0
Austin	170, 163. 29	366, 923. 58	1, 437	1, 437	0	0	0	0
Bailey	71, 091. 88	190, 994. 32	748	748	0	0	0	0
Bandera	42, 487. 20	99, 837. 94	391	331	0	0	60	0
Bastrop	264, 429. 33	578, 345. 10	2, 265	2, 265	0	0	0	0
Baylor	40. 298. 88	87, 581. 62	343	343	0	0	0	0
Bee	360, 443. 51	745, 082. 12	2, 918	2, 801	0	0	117	0
Bell	531, 228. 96	1, 281, 296. 12	5, 018	5, 018	0	0	0	0
Bexar	4, 742, 030. 77	12, 157, 503. 42	47, 613	47, 190	0	63	317	43
Blanco	29, 363. 02	84, 772. 88	332	332	0	0	0	0
Borden	4, 444. 67	26, 555. 36	104	104	0	0	0	0
Bosque	81, 992. 34	221, 890. 46	869	869	0	0	0	0
Bowie	606, 290. 51	1, 280, 530. 10	5, 015	5, 001	0	0	0	14
Brazoria	367, 352. 51	889, 349. 22	3, 483	3, 464	0	0	0	19
Brazos	372, 730. 72	807, 895. 76	3, 164	3, 164	0	0	0	0
Brewster	59, 825. 50	153, 970. 02	603	603	0	0	0	0
Briscoe	25, 258. 08	78, 314. 04	306	306	0	0	0	0
Brooks	156, 502. 13	360, 029. 40	1, 410	1, 410	0	0	0	0
Brown	142, 659. 12	415, 693. 52	1, 628	1, 625	0	0	0	3
Burleson	191, 855. 26	391, 436. 22	1, 533	1, 533	0	0	0	0
Burnet	87, 947. 26	191, 760. 34	751	681	0	0	70	0
Caldwell	258, 574. 84	645, 499. 52	2, 528	2, 528	0	0	0	0
Calhoun	134, 649. 51	311, 259. 46	1, 219	1, 219	0	0	0	0
Callahan	40, 425. 76	105, 966. 10	415	415	0	0	0	0
Cameron	2, 753, 788. 29	6, 165, 439. 64	24, 146	24, 039	0	0	87	20
Camp	100, 134. 75	202, 995. 30	795	795	0	0	0	0
Carson	25, 820. 09	80, 432. 10	315	275	0	0	40	0
Cass	371, 349. 31	664, 394. 68	2, 602	2, 602	0	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

TEXAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Castro	$109, 246. 38	$238, 487. 56	934	934	0	0	0	0
Chambers	66, 561. 47	176, 439. 94	691	691	0	0	0	0
Cherokee	382, 129. 43	895, 732. 72	3, 508	3, 505	0	0	0	3
Childress	52, 398. 30	159, 332. 16	624	624	0	0	0	0
Clay	37, 565. 08	83, 240. 84	326	326	0	0	0	0
Cochran	40, 126. 46	130, 989. 42	513	451	0	0	62	0
Coke	20, 617. 79	45, 705. 86	179	179	0	0	0	0
Coleman	107, 449. 29	237, 976. 88	932	932	0	0	0	0
Collin	294, 581. 67	720, 824. 82	2, 823	2, 814	0	0	0	9
Collingsworth	57, 807. 04	151, 671. 96	594	594	0	0	0	0
Colorado	203, 836. 06	449, 909. 08	1, 762	1, 762	0	0	0	0
Comal	103, 683. 15	270, 660. 40	1, 060	1, 060	0	0	0	0
Comanche	114, 960. 37	259, 425. 44	1, 016	1, 016	0	0	0	0
Concho	27, 115. 17	70, 729. 18	277	277	0	0	0	0
Cooke	133, 630. 08	335, 516. 76	1, 314	1, 314	0	0	0	0
Coryell	91, 273. 84	267, 340. 98	1, 047	1, 047	0	0	0	0
Cottle	61, 826. 93	155, 757. 40	610	610	0	0	0	0
Crane	16, 359. 99	29, 619. 44	116	116	0	0	0	0
Crockett	16, 043. 22	63, 835. 00	250	250	0	0	0	0
Crosby	109, 219. 23	271, 681. 76	1, 064	1, 063	0	0	0	1
Culberson	26, 860. 48	53, 366. 06	209	209	0	0	0	0
Dallam	34, 958. 40	92, 433. 08	362	362	0	0	0	0
Dallas	3, 276, 621. 11	8, 477, 288. 00	33, 200	32, 235	0	70	571	324
Dawson	152, 649. 79	414, 416. 82	1, 623	1, 621	0	0	0	2
Deaf Smith	118, 203. 29	303, 343. 92	1, 188	1, 188	0	0	0	0
Delta	79, 115. 83	174, 397. 22	683	683	0	0	0	0
Denton	172, 850. 61	452, 462. 48	1, 772	1, 750	0	0	22	0
De Witt	360, 189. 29	718, 016. 08	2, 812	2, 812	0	0	0	0
Dickens	55, 023. 62	116, 690. 38	457	457	0	0	0	0
Dimmit	245, 387. 27	531, 362. 54	2, 081	2, 081	0	0	0	0
Donley	25, 360. 14	81, 198. 12	318	318	0	0	0	0
Duval	265, 231. 57	544, 129. 54	2, 131	2, 131	0	0	0	0
Eastland	110, 929. 88	298, 747. 80	1, 170	1, 169	0	0	0	1
Ector	345, 705. 85	807, 895. 76	2, 164	3, 131	0	0	22	11
Edwards	22, 176. 05	53, 621. 40	210	210	0	0	0	0
Ellis	459, 196. 29	994, 038. 62	3, 893	3, 813	0	0	80	0
El Paso	1, 613, 860. 07	4, 459, 257. 76	17, 464	17, 285	0	0	95	84
Erath	92, 442. 73	224, 699. 20	880	842	0	0	38	0
Falls	474, 295. 79	844, 920. 06	3, 309	3, 309	0	0	0	0
Fannin	279, 947. 11	587, 537. 34	2, 301	2, 300	0	0	0	1
Fayette	309, 761. 12	680, 991. 78	2, 667	2, 665	0	0	0	2
Fisher	94, 505. 33	194, 313. 74	761	761	0	0	0	0
Floyd	91, 095. 01	266, 830. 30	1, 045	1, 045	0	0	0	0
Foard	38, 800. 16	81, 453. 46	319	319	0	0	0	0
Fort Bend	496, 429. 22	1, 077, 024. 12	4, 218	4, 218	0	0	0	0
Franklin	60, 209. 38	141, 203. 02	553	553	0	0	0	0
Freestone	273, 649. 29	485, 912. 02	1, 903	1, 871	0	0	32	0
Frio	255, 515. 16	509, 913. 98	1, 997	1, 997	0	0	0	0
Gaines	79, 158. 35	175, 673. 92	688	684	0	0	0	4
Galveston	811, 216. 74	1, 908, 921. 84	7, 476	7, 403	0	0	57	16
Garza	38, 884. 75	93, 709. 78	367	367	0	0	0	0
Gillespie	50, 301. 67	188, 696. 26	739	739	0	0	0	0
Glasscock	178. 60	5, 362. 14	21	21	0	0	0	0
Goliad	109, 444. 31	195, 845. 78	767	767	0	0	0	0
Gonzales	326, 438. 58	661, 841. 28	2, 592	2, 592	0	0	0	0
Gray	100, 261. 38	226, 231. 24	886	886	0	0	0	0
Grayson	353, 586. 75	932, 757. 02	3, 653	3, 648	0	0	0	5
Gregg	503, 663. 74	1, 182, 479. 54	4, 631	4, 631	0	0	0	0
Grimes	218, 951. 55	500, 466. 40	1, 960	1, 960	0	0	0	0
Guadalupe	284, 072. 91	691, 971. 40	2, 710	2, 710	0	0	0	0
Hale	287, 584. 97	807, 129. 74	3, 161	3, 155	0	0	0	0
Hall	81, 925. 93	185, 887. 52	728	728	0	0	0	6
Hamilton	64, 729. 67	189, 462. 28	742	742	0	0	0	0
Hansford	18, 181. 67	50, 301. 98	197	197	0	0	0	0
Hardeman	73, 775. 11	184, 100. 14	721	721	0	0	0	0
Hardin	196, 451. 16	461, 399. 38	1, 807	1, 807	0	0	0	0
Harris	5, 120, 981. 04	12, 389, 352. 14	48, 521	47, 750	0	132	344	295
Harrison	605, 665. 23	1, 354, 068. 02	5, 303	5, 303	0	0	0	0
Hartley	4, 394. 34	10, 468. 94	41	41	0	0	0	0
Haskell	117, 890. 01	264, 787. 58	1, 037	1, 037	0	0	0	0
Hays	256, 585. 15	576, 047. 04	2, 256	2, 256	0	0	0	0
Hemphill	19, 808. 89	40, 854. 40	160	160	0	0	0	0
Henderson	290, 771. 48	606, 432. 50	2, 375	2, 375	0	0	0	0
Hidalgo	3, 867, 718. 96	8, 650, 663. 86	33, 879	33, 861	0	0	0	18
Hill	293, 026. 44	649, 840. 30	2, 545	2, 482	0	0	63	0
Hockley	170, 396. 31	480, 805. 22	1, 883	1, 883	0	0	0	0
Hood	35, 631. 45	88, 347 64	346	346	0	0	0	0
Hopkins	183, 140. 80	421, 311. 00	1, 650	1, 650	0	0	0	0
Houston	384, 420. 14	726, 442. 30	2, 845	2, 845	0	0	0	0
Howard	135, 488. 46	399, 607. 10	1, 565	1, 565	0	0	0	0
Hudspeth	23, 435. 47	76, 857. 34	301	301	0	0	0	0
Hunt	354, 473. 20	740, 741. 34	2, 901	2, 696	0	0	204	1
Hutchinson	57, 449. 61	145, 799. 14	571	571	0	0	0	0
Irion	2, 315. 66	20, 937. 88	82	82	0	0	0	0
Jack	21, 672. 17	82, 219. 48	322	322	0	0	0	0
Jackson	144, 774. 38	352, 879. 88	1, 382	1, 382	0	0	0	0
Jasper	232, 762. 31	584, 728. 60	2, 290	2, 289	0	0	0	1
Jeff Davis	9, 085. 89	39, 577. 70	155	155	0	0	0	0
Jefferson	1, 210, 443. 55	2, 909, 854. 64	11, 396	11, 353	0	0	17	26
Jim Hogg	83, 892. 42	206, 059. 38	807	807	0	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

TEXAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Jim Wells	$557, 482. 44	$1, 204, 694. 12	4, 718	4, 718	0	0	0	0
Johnson	123, 649. 92	393, 989. 62	1, 543	1, 543	0	0	0	0
Jones	125, 083. 40	339, 857. 54	1, 331	1, 331	0	0	0	0
Karnes	296, 264. 34	620, 731. 54	2, 431	2, 431	0	0	0	0
Kaufman	291, 219. 22	683, 034. 50	2, 675	2, 675	0	0	0	0
Kendall	26, 782. 08	89, 879. 68	352	351	0	0	0	1
Kenedy	20, 506. 99	47, 237. 90	185	185	0	0	0	0
Kent	13, 285. 54	24, 767. 98	97	97	0	0	0	0
Kerr	70, 384. 35	203. 761. 32	798	797	0	0	0	1
Kimble	35, 964. 31	74, 048. 60	290	290	0	0	0	0
King	7, 213. 18	17, 363. 12	68	68	0	0	0	0
Kinney	36, 747. 69	78, 134. 04	306	306	0	0	0	0
Kleberg	314, 398. 15	781, 340. 40	3, 060	3, 060	0	0	0	0
Knox	80, 742. 12	184, 355. 48	722	720	0	0	0	2
Lamar	444, 680. 32	874, 028. 82	3, 423	3, 422	0	0	0	1
Lamb	197, 570. 56	563, 024. 70	2, 205	2, 205	0	0	0	0
Lampasas	87, 775. 31	225, 465. 22	883	883	0	0	0	0
La Salle	175, 242. 20	310, 493. 44	1, 216	1, 216	0	0	0	0
Lavaca	337, 126. 41	686, 353. 92	2, 688	2, 688	0	0	0	0
Lee	156, 564. 46	303, 599. 26	1, 189	1, 189	0	0	0	0
Leon	201, 921. 53	411, 863. 42	1, 613	1, 613	0	0	0	0
Liberty	366, 945. 21	857, 687. 06	3, 359	3, 359	0	0	0	0
Limestone	268, 961. 14	563, 790. 72	2, 208	2, 208	0	0	0	0
Lipscomb	10, 500. 26	28, 598. 08	112	112	0	0	0	0
Live Oak	114, 661. 07	284, 448. 76	1, 114	1, 114	0	0	0	0
Llano	35, 716. 50	90, 901. 04	356	356	0	0	0	0
Loving	102. 06	3, 064. 08	12	12	0	0	0	0
Lubbock	697, 056. 65	1, 833, 851. 88	7, 182	7, 003	0	0	146	33
Lynn	93, 727. 20	258, 404. 08	1, 012	1, 012	0	0	0	0
McCullock	85, 322. 64	219, 847. 74	861	861	0	0	0	0
McLennan	944, 919. 87	2, 240, 353. 16	8, 774	8, 370	0	0	400	4
McMullen	12, 680. 77	26, 044. 68	102	102	0	0	0	0
Madison	129, 798. 92	223, 933. 18	877	877	0	0	0	0
Marion	169, 620. 37	321, 473. 06	1, 259	1, 259	0	0	0	0
Martin	20, 693. 40	67, 409. 76	264	264	0	0	0	0
Mason	44, 053. 96	108, 008. 82	423	423	0	0	0	0
Matagorda	327, 902. 59	681, 502. 46	2, 669	2, 668	0	0	0	1
Maverick	329, 800. 11	719, 037. 44	2, 816	2, 816	0	0	0	0
Medina	233, 401. 58	574, 770. 34	2, 251	2, 247	0	0	0	4
Menard	44, 582. 66	94, 731, 14	371	371	0	0	0	0
Midland	196, 124. 02	534, 171. 28	2, 092	2, 080	0	0	0	12
Milam	322, 411. 11	638, 094. 66	2, 499	2, 499	0	0	0	0
Mills	39, 983. 04	120, 391. 34	401	401	0	0	0	0
Mitchell	128, 689. 90	263, 510. 88	1, 032	1, 032	0	0	0	0
Montague	90, 330. 26	229, 295. 32	898	898	0	0	0	0
Montgomery	302, 096. 01	674, 352. 94	2, 641	2, 641	0	0	0	0
Moore	25, 190. 96	56, 685. 48	222	222	0	0	0	0
Morris	118, 845. 58	230, 316. 68	902	902	0	0	0	0
Motley	34, 448. 34	72, 261. 22	283	283	0	0	0	0
Nacogdoches	331, 645. 67	774, 446. 22	3, 033	3, 031	0	0	0	2
Navarro	430, 740. 76	903, 648. 26	3, 539	3, 465	0	0	71	3
Newton	197, 486. 90	395, 266. 32	1, 548	1, 548	0	0	0	0
Nolan	79, 554. 99	231, 338. 04	906	902	0	0	0	4
Nueces	2, 036, 213. 76	4, 867, 035. 74	19, 061	18, 968	0	0	46	47
Ochiltree	20, 285. 40	50, 301. 98	197	193	0	0	0	4
Oldham	9, 401. 72	24, 767. 98	97	97	0	0	0	0
Orange	285, 834. 35	725, 420. 94	2, 841	2, 837	0	0	0	4
Palo Pinto	120, 470. 02	279, 086. 62	1, 093	1, 093	0	0	0	0
Panola	262, 012. 77	530, 085. 84	2, 076	2, 075	0	0	0	1
Parker	103, 962. 18	313, 046. 84	1, 226	1, 146	0	0	80	0
Parmer	43, 626. 16	148, 607. 88	582	574	0	0	0	8
Pecos	59, 816. 29	168, 269. 06	659	659	0	0	0	0
Polk	223, 798. 05	495, 359. 60	1, 940	1, 940	0	0	0	0
Potter	336, 811. 64	856, 665. 70	3, 355	2, 966	0	348	0	41
Presidio	68, 589. 12	164, 438. 96	644	644	0	0	0	0
Rains	50, 757. 32	100, 348. 62	393	393	0	0	0	0
Randall	69, 765. 12	151, 161. 28	592	513	0	0	79	0
Reagan	16, 495. 61	43, 407. 80	170	170	0	0	0	0
Real	38, 416. 98	79, 666. 08	312	312	0	0	0	0
Red River	267, 709. 75	550, 513. 04	2, 156	2, 156	0	0	0	0
Reeves	164, 036. 41	430, 758. 58	1, 687	1, 687	0	0	0	0
Refugio	146, 717. 69	323, 771. 12	1, 268	1, 268	0	0	0	0
Roberts	4, 172. 74	13, 533. 02	53	53	0	0	0	0
Robertson	348, 721. 57	616, 646. 10	2, 415	2, 415	0	0	0	0
Rockwall	88. 356. 89	174, 907. 90	685	685	0	0	0	0
Runnels	168, 350. 11	346, 496. 38	1, 357	1, 357	0	0	0	0
Rusk	421, 247. 77	913, 861. 86	3, 579	3, 579	0	0	0	0
Sabine	111, 620. 64	280, 618. 66	1, 099	1, 099	0	0	0	0
San Augustine	118, 866. 67	323. 260. 44	1, 266	1, 266	0	0	0	0
San Jacinto	142, 342. 45	270, 149. 72	1, 058	1, 058	0	0	0	0
San Patricio	788, 764. 90	1, 744, 993. 56	6, 834	6, 832	0	0	0	2
San Saba	94, 114. 34	177, 716. 64	696	660	0	0	36	0
Schleicher	10, 822. 74	52, 855. 38	207	207	0	0	0	0
Scurry	95, 074. 47	225, 975. 90	885	883	0	0	0	2
Shackelford	13, 437. 93	43, 918. 48	172	172	0	0	0	0
Shelby	308, 992. 65	721, 080. 16	2, 824	2, 824	0	0	0	0
Sherman	9, 197. 60	18, 639. 82	73	72	0	0	0	1
Smith	626, 787. 29	1, 541, 232. 24	6, 036	6, 020	0	0	0	16
Somervell	24, 365. 07	51, 323. 34	201	201	0	0	0	0
Starr	517, 648. 39	1, 014, 465. 82	3, 973	3, 973	0	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

TEXAS—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Stephens	$33, 979. 19	$87, 326.28	342	342	0	0	0	0
Sterling	10, 713. 57	20, 427.20	80	80	0	0	0	0
Stonewall	37, 140. 08	65, 622.38	257	257	0	0	0	0
Sutton	15, 880. 71	78, 389.38	307	307	0	0	0	0
Swisher	55, 420. 32	191, 760.34	751	751	0	0	0	0
Tarrant	2, 001, 815. 65	4, 990, 620.30	19, 545	19, 138	0	0	382	25
Taylor	300, 345. 53	767, 552. 04	3, 006	2, 881	0	0	103	22
Terrell	34, 789. 00	72, 771. 90	285	284	0	0	0	1
Terry	84, 969. 76	296, 705. 08	1, 162	1, 162	0	0	0	0
Throckmorton	8, 516. 29	17, 618. 46	69	69	0	0	0	0
Titus	132, 084. 89	331, 431. 32	1, 298	1, 298	0	0	0	0
Tom Green	359, 003. 06	944, 758. 00	3, 700	3, 626	0	0	64	10
Travis	1, 060, 510. 12	2, 863, 638. 10	11, 215	11, 130	0	0	35	50
Trinity	131, 101. 10	243, 594. 36	954	954	0	0	0	0
Tyler	138, 488. 70	353, 645. 90	1, 385	1, 385	0	0	0	0
Upshur	212, 113. 98	465, 229. 48	1, 822	1, 821	0	0	0	1
Upton	22, 822. 88	63, 324. 32	248	248	0	0	0	0
Uvalde	199, 814. 55	479, 783. 86	1, 879	1, 879	0	0	0	0
Val Verde	268, 508. 05	598, 772. 30	2, 345	2, 344	0	0	0	1
Van Zandt	185, 431. 86	422, 077. 02	1, 653	1, 653	0	0	0	0
Victoria	406, 747. 56	998, 379. 40	3, 910	3, 887	0	0	17	6
Walker	205, 445. 35	459, 356. 66	1, 799	1, 799	0	0	0	0
Waller	139, 889. 31	274, 235. 16	1, 074	1, 074	0	0	0	0
Ward	43, 405. 50	132, 266. 12	518	518	0	0	0	0
Washington	328, 039. 60	666, 182. 06	2, 609	2, 609	0	0	0	0
Webb	1, 213, 215. 73	2, 468, 371. 78	9, 667	9, 634	0	0	0	33
Wharton	544, 205. 86	1, 170, 478 56	4, 584	4, 580	0	0	0	4
Wheeler	43, 203. 01	92, 177. 74	361	361	0	0	0	0
Wichita	372, 424. 00	988, 165.80	3, 870	3, 855	0	0	15	0
Wilbarger	98, 522. 20	261, 468.16	1, 024	1, 024	0	0	0	0
Willacy	426, 849. 81	960, 589.08	3, 762	3, 762	0	0	0	0
Williamson	447, 233. 56	1, 091, 578.50	4, 275	4, 165	0	0	110	0
Wilson	222, 931. 94	440, 206.16	1, 724	1, 724	0	0	0	0
Winkler	30, 768. 88	73, 537.92	288	288	0	0	0	0
Wise	91, 922. 77	233, 380.76	914	914	0	0	0	0
Wood	146, 725. 25	343, 432.30	1, 345	1, 344	0	0	0	1
Yoakum	29, 959. 75	73, 537.92	288	288	0	0	0	0
Young	49, 647. 96	144, 777.78	567	567	0	0	0	0
Zapata	112, 177. 18	219, 592.40	860	860	0	0	0	0
Zavala	285, 103. 39	693, 758.78	2, 717	2, 717	0	0	0	0

UTAH

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$2, 945, 994. 95	$5, 925, 164.70	23, 205	21, 461	896	0	25	823
Beaver	6, 857. 37	22, 469.92	88	87	0	0	0	1
Box Elder	53, 427. 21	113, 115.62	443	413	16	0	0	14
Cache	106, 821. 20	220, 613.76	864	841	7	0	0	16
Carbon	88, 748. 89	186, 908.88	732	696	6	0	0	30
Daggett	3, 491. 00	8, 170.88	32	32	0	0	0	0
Davis	140, 308. 13	254, 829.32	998	913	50	0	0	35
Duchesne	57, 190. 28	133, 287.48	522	510	5	0	0	7
Emery	54, 813. 79	121, 797.18	477	477	0	0	0	0
Garfield	11, 887. 82	43, 407.80	170	170	0	0	0	0
Grand	17, 809. 35	31, 406.82	123	121	0	0	0	2
Iron	30, 601. 52	65, 877.72	258	238	0	0	0	20
Juab	20, 299. 62	64, 856.36	254	253	0	0	0	1
Kane	11, 199. 95	25, 023.32	98	87	11	0	0	0
Millard	83, 918. 21	190, 228.30	745	739	5	0	0	1
Morgan	4, 873. 03	12, 000.98	47	47	0	0	0	0
Piute	13, 562. 31	31, 406.82	123	123	0	0	0	0
Rich	11, 893. 24	29, 364.10	115	115	0	0	0	0
Salt Lake	1, 106, 045. 54	2, 049, 103.50	8, 025	7, 118	490	0	25	392
San Juan	131, 901. 33	228, 784.64	896	819	51	0	0	26
Sanpete	71, 025. 09	167, 247.70	655	650	0	0	0	5
Sevier	59, 381. 54	116, 179.70	455	454	0	0	0	1
Summit	12, 255. 85	48, 514.60	190	188	0	0	0	2
Tooele	52, 067. 99	133, 542. 82	523	507	10	0	0	6
Uintah	66, 653. 85	163, 928. 28	642	581	9	0	0	52
Utah	315, 997. 68	637, 073. 30	2, 495	2, 299	95	0	0	101
Wasatch	12, 758. 07	47, 748. 58	187	180	0	0	0	7
Washington	53, 865. 82	143, 756. 42	563	551	0	0	0	12
Wayne	25, 575. 63	49, 791. 30	195	195	0	0	0	0
Weber	320, 763. 64	584, 728. 60	2, 290	2, 057	141	0	0	92

VERMONT

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$1, 641, 921. 01	$4, 216, 940. 10	16, 515	15, 296	182	0	252	785
Addison	111, 594. 86	326, 324. 52	1, 278	1, 213	22	0	0	43
Bennington	59, 929. 31	164, 949. 64	646	619	8	0	0	19
Caledonia	125, 905. 57	323, 005. 10	1, 265	1, 228	6	0	0	31
Chittenden	254, 457. 59	583, 707. 24	2, 286	1, 885	54	0	115	232

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

VERMONT—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Essex	$18, 323. 62	$55, 153. 44	216	199	6	0	0	11
Franklin	198, 751. 99	518, 340. 20	2, 030	1, 980	0	0	0	50
Grand Isle	27, 560. 28	62, 558. 30	245	238	7	0	0	0
Lamoille	50, 235. 65	167, 503. 04	656	588	7	0	0	61
Orange	75, 635. 49	234, 402. 12	918	878	0	0	10	30
Orleans	162, 139. 80	364, 625. 52	1, 428	1, 361	7	0	0	60
Rutland	191, 946. 17	473, 911. 04	1, 856	1, 790	20	0	0	46
Washington	133, 779. 21	338, 325. 50	1, 325	1, 252	15	0	0	58
Windham	109, 234. 13	276, 533. 22	1, 083	857	0	0	127	99
Windsor	122, 427. 34	327, 601. 22	1, 283	1, 208	30	0	0	45

VIRGINIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$26, 172, 518. 87	$70, 480, 478. 84	276, 026	268, 565	299	0	1, 326	5, 836
Accomack	344, 629. 92	981, 271. 62	3, 843	3, 836	0	0	0	7
Albemarle	170, 498. 64	546, 938. 28	2, 142	2, 093	0	0	10	39
Alleghany	89, 793. 48	254, 829. 32	998	932	0	0	64	2
Amelia	118, 127. 69	354, 156. 58	1, 387	1, 384	0	0	0	3
Amherst	118, 246. 07	357, 476. 00	1, 400	1, 385	0	0	0	15
Appomattox	96, 032. 25	252, 275. 92	988	984	0	0	0	4
Arlington	162, 241. 62	467, 016. 86	1, 829	1, 652	49	0	0	128
Augusta	201, 940. 45	685, 332. 56	2, 684	2, 642	0	0	0	42
Bath	45, 410. 05	115, 924. 36	454	446	0	0	0	8
Bedford	223, 584. 90	671, 033. 52	2, 628	2, 572	0	0	0	56
Bland	74, 547. 95	189, 717. 62	743	743	0	0	0	0
Botetourt	111, 578. 96	340, 623. 56	1, 334	1, 325	0	0	0	9
Brunswick	318, 908. 85	847, 984. 14	3, 321	3, 318	0	0	0	3
Buchanan	558, 392. 89	1, 558, 084. 68	6, 102	5, 821	0	0	275	6
Buckingham	194, 905. 62	484, 379. 98	1, 897	1, 888	0	0	0	9
Campbell	228, 152. 83	625, 327. 66	2, 499	2, 407	0	0	0	42
Caroline	127, 959. 36	363, 604. 16	1, 424	1, 396	0	0	0	28
Carroll	206, 738. 08	690, 439. 36	2, 704	2, 663	0	0	35	6
Charles City	46, 867. 41	164, 183. 62	643	639	0	0	0	4
Charlotte	203, 476. 24	462, 165. 40	1, 810	1, 800	0	0	0	10
Chesterfield	131, 739. 81	399, 351. 76	1, 564	1, 433	5	0	53	73
Clarke	50, 351. 38	180, 525. 38	707	701	0	0	0	6
Craig	38, 956. 43	93, 965. 12	368	364	0	0	0	4
Culpeper	117, 264. 63	374, 328. 44	1, 466	1, 444	0	0	0	22
Cumberland	133, 160. 01	331, 942. 00	1, 300	1, 290	0	0	0	10
Dickenson	313, 323. 69	824, 492. 86	3, 229	3, 214	3	0	0	12
Dinwiddie	192, 342. 75	523, 447. 00	2, 050	2, 043	0	0	0	7
Essex	62, 033. 99	193, 803. 06	759	735	0	0	0	24
Fairfax	338, 751. 66	912, 585. 16	3, 574	3, 090	182	0	10	292
Fauquier	193, 533. 01	597, 495. 60	2, 340	2, 246	0	0	0	94
Floyd	98, 693. 98	286, 236. 14	1, 121	1, 121	0	0	0	0
Fluvanna	70, 483. 90	216, 272. 98	847	834	0	0	0	13
Franklin	239, 573. 39	675, 629. 64	2, 646	2, 638	0	0	0	8
Frederick	97, 195. 18	325, 558. 50	1, 275	1, 241	0	0	0	34
Giles	172, 934. 99	426, 673. 14	1, 671	1, 649	0	0	0	22
Gloucester	98, 683. 51	256, 361. 36	1, 004	997	0	0	0	7
Goochland	82, 981. 69	256, 106. 02	1, 003	994	0	0	0	9
Grayson	170, 492. 89	520, 893. 60	2, 040	2, 033	0	0	0	7
Greene	37, 977. 38	162, 651. 58	637	626	0	0	0	11
Greensville	307, 881. 22	838, 281. 22	3, 283	3, 241	0	0	38	4
Halifax	591, 412. 96	1, 407, 944. 76	5, 514	5, 497	0	0	0	17
Hanover	107, 864. 65	358, 497. 36	1, 404	1, 372	0	0	0	32
Henrico	157, 544. 17	464, 718. 80	1, 820	1, 584	0	0	154	82
Henry	207, 301. 30	676, 651. 00	2, 650	2, 624	0	0	0	26
Highland	35, 541. 95	105, 455. 42	413	412	0	0	0	1
Isle of Wight	136, 297. 32	423, 609. 06	1, 659	1, 642	0	0	0	17
James City	63, 635. 00	201, 718. 60	790	779	0	0	0	11
King and Queen	54, 843. 79	173, 375. 86	679	671	0	0	0	8
King George	40, 084. 94	110, 817. 56	434	432	0	0	0	2
King William	74, 861. 95	194, 824. 42	763	760	0	0	0	3
Lancaster	80, 329. 75	237, 210. 86	929	928	0	0	0	1
Lee	666, 906. 85	1, 402, 327. 28	5, 492	5, 455	0	0	0	37
Loudoun	191, 301. 95	534, 937. 30	2, 095	1, 974	0	0	39	82
Louisa	132, 164. 11	429, 737. 22	1, 683	1, 660	0	0	0	23
Lunenburg	172, 536. 37	459, 867. 34	1, 801	1, 799	0	0	0	2
Madison	103, 662. 24	244, 360. 38	957	943	0	0	0	14
Mathews	34, 218. 85	109, 030. 18	427	426	0	0	0	1
Mecklenburg	627, 280. 35	1, 470, 758. 40	5, 760	5, 748	0	0	0	12
Middlesex	73, 011. 37	198, 399. 18	777	776	0	0	0	1
Montgomery	205, 696. 89	594, 686. 86	2, 329	2, 302	0	0	0	27
Nansemond	371, 655. 50	1, 003, 230. 86	3, 929	3, 833	0	0	25	71
Nelson	164, 477. 35	433, 567. 32	1, 698	1, 691	0	0	0	7
New Kent	28, 311. 27	94, 986. 48	372	362	0	0	0	10
Norfolk	255, 874. 23	748, 146. 20	2, 930	2, 859	0	0	0	71
Northampton	263, 222. 90	654, 691. 76	2, 564	2, 553	0	0	0	11
Northumberland	92, 824. 18	302, 833. 24	1, 186	1, 182	0	0	0	4
Nottoway	168, 414. 94	425, 651. 78	1, 667	1, 649	0	0	0	18
Orange	115, 169. 48	300, 790. 52	1, 178	1, 150	0	0	0	28
Page	127, 814. 01	366, 923. 58	1, 437	1, 417	0	0	0	20

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

VIRGINIA—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Patrick	$121, 309. 16	$417, 480. 90	1, 635	1, 626	0	0	0	9
Pittsylvania	775, 187. 81	2, 012, 845. 22	7, 883	7, 710	0	0	161	12
Powhatan	53, 620. 86	179, 759. 36	704	691	3	0	0	10
Prince Edward	163, 012. 93	429, 481. 88	1, 682	1, 675	0	0	0	7
Prince George	70, 060. 96	215, 506. 96	844	837	0	0	0	7
Prince William	130, 668. 67	443, 270. 24	1, 736	1, 632	0	0	0	104
Princess Anne	436, 014. 23	1, 121, 708. 62	4, 393	4, 393	0	0	0	0
Pulaski	187, 170. 44	578, 089. 76	2, 264	2, 242	0	0	0	22
Rappahannock	52, 259. 97	152, 693. 32	598	582	0	0	0	16
Richmond	51, 555. 08	151, 416. 62	593	573	0	0	0	20
Roanoke	236, 445. 25	684, 055. 86	2, 679	2, 369	6	0	215	89
Rockbridge	166, 420. 02	454, 760. 54	1, 781	1, 761	0	0	0	20
Rockingham	221, 240. 92	723, 633. 56	2, 834	2, 787	0	0	0	47
Russell	381, 115. 47	939, 395. 86	3, 679	3, 653	0	0	0	26
Scott	441, 092. 06	990, 463. 86	3, 879	3, 852	0	0	0	27
Shenandoah	106, 495. 34	345, 985. 70	1, 355	1, 327	0	0	0	28
Smyth	241, 751. 12	666, 437. 40	2, 610	2, 564	0	0	0	46
Southampton	442, 984. 53	1, 106, 388. 22	4, 333	4, 308	0	0	0	25
Spotsylvania	84, 113. 56	247, 169. 12	968	941	0	0	0	27
Stafford	62, 842. 75	179, 504. 02	703	681	0	0	0	22
Surry	113, 112. 14	257, 893. 40	1, 010	1, 010	0	0	0	0
Sussex	243, 053. 62	610, 517. 94	2, 391	2, 391	0	0	0	0
Tazewell	534, 571. 96	1, 411, 519. 52	5, 528	5, 503	0	0	0	25
Warren	78, 473. 08	207, 336. 08	812	799	0	0	0	13
Washington	445, 364. 65	1, 147, 242. 62	4, 493	4, 440	0	0	0	53
Westmoreland	117, 728. 03	365, 136. 20	1, 430	1, 417	0	0	0	13
Wise	532, 263. 68	1, 350, 493. 26	5, 289	5, 274	0	0	0	15
Wythe	253, 708. 62	724, 399. 58	2, 837	2, 772	0	0	45	20
York	68, 419. 48	217, 549. 68	852	842	0	0	0	10
Alexandria City	173, 761. 68	505, 317. 86	1, 979	1, 827	0	0	0	152
Bristol City	120, 276. 74	314, 578. 88	1, 232	1, 163	0	0	26	43
Buena Vista City	28, 756. 80	92, 688. 42	363	359	0	0	0	4
Charlottesville City	85, 328. 40	262, 744. 86	1, 029	977	0	0	0	52
Clifton Forge City	24, 471. 80	61, 281. 60	240	233	0	0	0	7
Colonial Heights City	18, 614. 48	52, 344. 70	205	193	0	0	0	12
Covington City	34, 690. 68	85, 283. 56	334	332	0	0	0	2
Danville City	257, 451. 96	744, 316. 10	2, 915	2, 788	0	0	0	127
Falls Church City	19, 346. 35	46, 982. 56	184	166	0	0	0	18
Fredericksburg City	52, 227. 93	148, 097. 20	580	549	0	0	0	31
Galax City	34, 164. 90	122, 307. 86	479	478	0	0	0	1
Hampton City	199, 786. 97	628, 647. 08	2, 462	2, 392	8	0	0	62
Harrisonburg City	$47, 220. 51	129, 712. 72	508	483	0	0	0	25
Hopewell City	64, 397. 56	171, 333. 14	671	652	0	0	0	19
Lynchburg City	240, 348. 46	719, 548. 12	2, 818	2, 452	0	0	126	240
Martinsville City	81, 536. 85	282, 150. 70	1, 105	1, 093	0	0	0	12
Newport News City	476, 502. 59	1, 303, 000. 02	5, 103	4, 829	0	0	0	274
Norfolk City	2, 103, 227. 55	4, 940, 318. 32	19, 348	18, 758	1	0	0	589
Norton City	64, 518. 95	141, 458. 36	554	552	0	0	0	2
Petersburg City	272, 771. 65	741, 252. 02	2, 903	2, 854	0	0	0	49
Portsmouth City	744, 880. 55	1, 824, 914. 98	7, 147	7, 001	38	0	20	88
Radford City	24, 795. 25	74, 048. 60	290	284	0	0	0	6
Richmond City	1, 336, 245. 64	3, 288, 523. 86	12, 879	11, 826	0	0	0	1, 053
Roanoke City	469, 280. 33	1, 277, 976. 70	5, 005	4, 670	0	0	30	305
South Norfolk City	158, 503. 98	373, 307. 08	1, 462	1, 390	0	0	0	72
Staunton City	61, 210. 72	189, 206. 94	741	726	0	0	0	15
Suffolk City	58, 776. 66	161, 630. 22	633	623	0	0	0	10
Virginia Beach City	37, 414. 45	84, 006. 86	329	240	0	0	0	89
Waynesboro City	36, 392. 53	110, 817. 56	434	411	0	0	0	23
Williamsburg City	8, 904. 54	20, 427. 20	80	76	0	0	0	4
Winchester City	43, 042. 12	141, 969. 04	556	552	4	0	0	0
South Boston City	47, 963. 53	169, 035. 08	662	644	0	0	0	18

WASHINGTON

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $283.77]

State total	$10, 638, 764. 00	$21, 343, 760. 55	75, 215	62, 082	9, 169	174	486	3, 304
Adams	47, 434. 50	111, 521. 61	393	379	13	0	0	1
Asotin	44, 754. 23	77, 185. 44	273	216	47	0	0	9
Benton	241, 843. 80	490, 638. 33	1, 729	1, 388	242	0	0	99
Chelan	167, 460. 97	324, 916. 65	1, 145	1, 008	93	0	0	44
Clallam	123, 380. 38	276, 391. 98	974	844	48	0	0	82
Clark	287, 059. 33	590, 809. 14	2, 082	1, 700	212	0	46	124
Columbia	15, 923. 17	36, 606. 33	129	115	10	0	0	4
Cowlitz	216, 715. 79	495, 746. 19	1, 747	1, 502	116	0	18	111
Douglas	46, 532. 10	135, 358. 29	477	419	40	0	0	18
Ferry	12, 394. 83	54, 200. 07	191	174	12	0	0	5
Franklin	160, 575. 21	295, 404. 57	1, 041	866	128	0	11	36
Garfield	5, 586. 90	10, 783. 26	38	36	0	0	0	2
Grant	224, 007. 29	493, 476. 03	1, 739	1, 418	295	0	0	26
Grays Harbor	264, 040. 34	476, 449. 83	1, 679	1, 359	245	0	0	75
Island	83, 293. 98	148, 127. 94	522	507	12	0	0	3
Jefferson	48, 123 40	103, 292. 28	364	309	31	0	0	24
King	2, 538, 169. 67	4, 520, 456. 10	15, 930	13, 008	1, 738	75	172	937
Kitsap	310, 056. 81	560, 729. 52	1, 976	1, 722	150	0	0	104

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

WASHINGTON—Continued

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $283.77]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Kittitas	$86, 446. 15	$205, 733. 25	725	614	62	0	0	49
Klickitat	61, 405. 27	122, 588. 64	432	392	19	0	0	21
Lewis	194, 536. 81	430, 479. 09	1, 517	1, 390	73	0	0	54
Lincoln	27, 192. 54	60, 726. 78	214	213	0	0	0	1
Mason	51, 937. 28	114, 643. 08	404	357	23	0	0	24
Okanogan	176, 524. 36	343, 361. 70	1, 210	1, 110	52	0	0	48
Pacific	85, 754. 78	160, 613. 82	566	505	49	0	0	12
Pen Oreille	39, 747. 78	97, 900. 65	345	313	25	0	0	7
Pierce	1, 124, 345. 56	2, 364, 087. 87	8, 331	7, 162	805	0	53	311
San Juan	12, 249. 70	34, 336. 17	121	118	0	0	0	3
Skagit	169, 478. 38	426, 790. 08	1, 504	1, 373	97	0	0	34
Skamania	15, 734. 42	36, 890. 10	130	98	25	0	0	7
Snohomish	662, 382. 49	1, 297, 396. 44	4, 572	3, 653	612	0	25	282
Spokane	1, 027, 187. 68	1, 946, 662. 20	6, 860	5, 349	1, 081	83	121	226
Stevens	138, 867. 09	322, 646. 49	1, 137	1, 046	69	0	0	22
Thurston	264, 240. 92	503, 124. 21	1, 773	1, 397	279	0	0	97
Wahkiakum	14, 125. 40	52, 497. 45	185	169	3	0	0	13
Walla Walla	160, 195. 44	338, 537. 61	1, 193	955	183	0	18	37
Whatcom	283, 618. 21	568, 107. 54	2, 002	1, 617	280	0	0	105
Whitman	50, 879. 13	118, 332. 09	417	381	23	0	0	13
Yakima	1, 154, 561. 91	2, 596, 211. 73	9, 149	6, 900	1, 977	16	22	234

WEST VIRGINIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$16, 131, 533. 98	$39, 760, 778. 78	155, 717	153, 038	2	25	592	2, 060
Barbour	203, 486. 50	516, 042. 14	2, 021	2, 007	0	0	0	14
Berkeley	141, 268. 43	428, 971. 20	1, 680	1, 626	0	0	0	54
Boone	352, 326. 71	841, 089. 96	3, 294	3, 255	0	0	0	39
Braxton	278, 922. 89	600, 815. 02	2, 353	2, 297	0	0	0	56
Brooke	70, 724. 19	207, 846. 76	814	796	2	0	0	16
Cabell	480, 564. 51	1, 244, 782. 50	4, 875	4, 578	0	25	86	186
Calhoun	135, 194. 24	319, 430. 34	1, 251	1; 238	0	0	0	13
Clay	223, 612. 73	536, 980. 02	2, 103	2, 100	0	0	0	3
Doddridge	61, 556. 77	156, 268. 08	612	582	0	0	0	30
Fayette	775, 868. 85	1, 798, 104. 28	7, 042	6, 972	0	0	0	70
Gilmer	118, 781. 37	300, 790. 52	1, 178	1, 153	0	0	0	25
Grant	113, 271. 25	355, 177. 94	1, 391	1, 379	0	0	0	12
Greenbrier	422, 659. 16	1, 045, 617. 30	4, 095	4, 007	0	0	48	40
Hampshire	132, 014. 12	360, 540. 08	1, 412	1, 402	0	0	0	10
Hancock	62, 654. 37	167, 758. 38	657	597	0	0	30	30
Hardy	119, 857. 92	333, 474. 04	1, 306	1, 283	0	0	0	23
Harrison	429, 241. 77	1, 049, 192. 06	4, 109	3, 964	0	0	95	50
Jackson	145, 114. 85	380, 456. 60	1, 490	1, 479	0	0	0	11
Jefferson	124, 802. 66	401, 649. 82	1, 573	1, 541	0	0	0	32
Kanawha	1, 345, 756. 18	3, 292, 098. 62	12, 893	12, 581	0	0	75	237
Lewis	152, 993. 52	419, 012. 94	1, 641	1, 605	0	0	0	36
Lincoln	417, 737. 83	916, 415. 26	3, 589	3, 566	0	0	0	23
Logan	758, 411. 47	1, 758, 526. 58	6, 887	6, 860	0	0	0	27
McDowell	1, 143, 107. 90	2, 628, 214. 62	10, 293	10, 259	0	0	0	34
Marion	320, 933. 56	817, 088. 00	3, 200	3, 139	0	0	0	61
Marshall	119, 799. 23	335, 516. 76	1, 314	1, 269	0	0	0	45
Mason	218, 037. 20	517, 063. 50	2, 025	1, 956	0	0	40	29
Mercer	634, 854. 72	1, 644, 389. 60	6, 440	6, 389	0	0	0	51
Mineral	157, 484. 97	402, 415. 84	1, 576	1, 527	0	0	38	11
Mingo	710, 749. 19	1, 556, 552. 64	6, 096	6, 078	0	0	0	18
Monongalia	298, 258. 21	770, 871. 46	3, 019	2, 961	0	0	0	58
Monroe	201, 545. 40	449, 143. 06	1, 759	1, 744	0	0	0	15
Morgan	73, 304. 03	194, 058. 40	760	731	0	0	0	29
Nicholas	317, 717. 53	853, 601. 62	3, 343	3, 312	0	0	0	31
Ohio	240, 269. 03	620, 220. 86	2, 429	2, 289	0	0	104	36
Pendleton	95, 492. 42	288, 789. 54	1, 131	1, 126	0	0	0	5
Pleasants	53, 965. 76	118, 222. 42	463	455	0	0	0	8
Pocahontas	98, 273. 07	258, 659. 42	1, 013	1, 006	0	0	0	7
Preston	279, 583. 08	799, 980. 22	3, 133	3, 089	0	0	0	44
Putnam	173, 806. 90	429, 481. 88	1, 682	1, 656	0	0	0	26
Raleigh	976, 299. 95	2, 373. 129. 96	9, 294	9, 172	0	0	26	96
Randolph	253, 412. 78	684, 821. 88	2, 682	2, 642	0	0	0	40
Ritchie	109, 074. 30	270, 915. 74	1, 061	1, 048	0	0	0	13
Roane	176, 857. 63	450, 164. 42	1, 763	1, 743	0	0	0	20
Summers	237, 226. 05	585, 239. 28	2, 292	2, 263	0	0	0	29
Taylor	164, 495. 43	395, 777. 00	1, 550	1, 535	0	0	0	15
Tucker	94, 499. 29	243, 849. 70	955	927	0	0	0	28
Tyler	87, 348. 85	243, 083. 68	952	929	0	0	0	23
Upshur	181, 964. 91	537, 235. 36	2, 104	2, 081	0	0	0	23
Wayne	489, 526. 06	1, 091, 323. 16	4, 274	4, 240	0	0	0	34
Webster	261, 300. 00	636, 562. 62	2, 493	2, 474	0	0	0	19
Wetzel	130, 142. 70	324, 537. 14	1, 271	1, 240	0	0	0	31
Wirt	45, 543. 36	126, 648. 64	496	485	0	0	0	11
Wood	268, 343. 62	710, 611. 22	2, 783	2, 623	0	0	50	110
Wyoming	451, 494. 56	971, 568. 70	3, 805	3, 782	0	0	0	23

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

WISCONSIN

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $276.12]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	**$15, 638, 752. 94**	**$34, 686, 746. 64**	**125, 922**	**110, 329**	**9, 760**	**183**	**502**	**4, 848**
Adams	65, 755. 32	167, 880. 96	608	599	8	0	0	1
Ashland	87, 133. 27	247, 127. 40	895	797	27	0	0	71
Barron	208, 210. 10	522, 971. 28	1, 894	1, 830	20	0	0	44
Bayfield	91, 270. 22	225, 590. 04	817	789	12	0	0	16
Brown	296, 966. 62	710, 180. 64	2, 572	2, 173	137	76	82	104
Buffalo	114, 928. 59	287, 440. 92	1, 041	992	18	0	0	31
Burnett	116, 396. 68	267, 836. 40	970	942	2	0	0	26
Calumet	65, 322. 13	185, 828. 76	673	651	2	0	0	20
Chippewa	235, 760. 25	611, 053. 56	2, 213	2, 089	57	0	0	67
Clark	221, 941. 12	632, 590. 92	2, 291	2, 190	47	0	29	25
Columbia	185, 073. 13	425, 777. 04	1, 542	1, 451	39	0	0	52
Crawford	163, 976. 79	388, 776. 96	1, 408	1, 369	28	0	0	11
Dane	661, 884. 08	1, 380, 600. 00	5, 000	3, 921	795	0	17	267
Dodge	233, 141. 90	555, 001. 20	2, 010	1, 830	102	0	0	78
Door	122, 333. 42	265, 351. 32	961	933	22	0	0	6
Douglas	184, 682. 91	400, 374. 00	1, 450	1, 205	144	0	0	101
Dunn	188, 957. 41	466, 642. 80	1, 690	1, 626	35	0	0	29
Eau Claire	225, 284. 25	485, 695. 08	1, 759	1, 549	136	0	0	74
Florence	27, 393. 61	64, 059. 84	232	192	13	0	0	27
Fond du Lac	309, 058. 62	622, 098. 36	2, 253	2, 058	112	0	14	69
Forest	51, 497. 15	118, 179. 36	428	367	42	0	0	19
Grant	342, 025. 50	807, 374. 88	2, 924	2, 799	93	0	0	32
Green	107, 567. 61	271, 149. 84	982	967	0	0	0	15
Green Lake	51, 488. 73	127, 843. 56	463	446	3	0	0	14
Iowa	180, 933. 52	432, 403. 92	1, 566	1, 533	19	0	0	14
Iron	24, 422. 36	77, 589. 72	281	260	7	0	0	14
Jackson	182, 413. 09	363, 650. 04	1, 317	1, 188	64	0	0	65
Jefferson	184, 128. 23	419, 978. 52	1, 521	1, 440	42	0	0	39
Juneau	125, 553. 89	283, 299. 12	1, 026	970	33	0	0	23
Kenosha	251, 858. 78	453, 389. 04	1, 642	1, 244	264	0	0	134
Kewaunee	76, 895. 01	202, 395. 96	733	728	0	0	0	5
La Crosse	305, 357. 53	640, 598. 40	2, 320	1, 994	133	0	96	97
Lafayette	136, 849. 24	336, 866. 40	1, 220	1, 189	21	0	0	10
Langlade	141, 378. 19	350, 672. 40	1, 270	1, 223	17	0	0	30
Lincoln	102, 428. 52	250, 716. 96	908	822	41	0	0	45
Manitowoc	192, 071. 42	456, 978. 60	1, 655	1, 481	129	0	0	45
Marathon	373, 242. 19	910, 643. 76	3, 298	3, 093	121	0	0	84
Marinette	220, 084. 48	522, 971. 28	1, 894	1, 677	167	0	0	50
Marquette	53, 804. 20	136, 127. 16	493	471	18	0	0	4
Milwaukee	3, 192, 428. 96	5, 639, 751. 00	20, 425	14, 548	4, 248	107	143	1, 379
Monroe	177, 829. 70	442, 344. 24	1, 602	1, 504	56	0	0	42
Oconto	192, 140. 14	444, 000. 96	1, 608	1, 552	15	0	0	41
Oneida	95, 111. 02	250, 440. 84	907	791	54	0	0	62
Outagamie	254, 628. 46	617, 404. 32	2, 236	2, 012	155	0	0	69
Ozaukee	73, 455. 92	153, 798. 84	557	494	48	0	0	15
Pepin	58, 596. 53	147, 171. 96	533	481	32	0	0	20
Pierce	89, 220. 80	229, 455. 72	831	794	19	0	0	18
Polk	166, 287. 41	426, 605. 40	1, 545	1, 409	79	0	0	57
Portage	211, 419. 86	481, 277. 16	1, 743	1, 670	42	0	0	31
Price	118, 004. 49	291, 582. 72	1, 056	1, 025	13	0	0	18
Racine	427, 725. 01	812, 897. 28	2, 944	2, 163	581	0	40	160
Richland	176, 965. 88	379, 388. 88	1, 374	1, 328	31	0	0	15
Rock	329, 211. 46	717, 635. 88	2, 599	2, 216	299	0	0	84
Rusk	132, 745. 95	319, 746. 96	1, 158	1, 066	56	0	0	36
St. Croix	157, 878. 65	396, 784. 44	1, 437	1, 391	22	0	0	24
Sauk	229, 915. 68	561, 628. 08	2, 034	1, 958	51	0	0	25
Sawyer	121, 981. 32	226, 142. 28	819	685	62	0	0	72
Shawano	232, 462. 66	615, 747. 60	2, 230	2, 089	46	0	0	95
Sheboygan	209, 088. 46	497, 292. 12	1, 801	1, 633	107	0	0	61
Taylor	172, 810. 83	469, 680. 12	1, 701	1, 649	29	0	0	23
Trempealeau	178, 220. 31	413, 351. 64	1, 497	1, 422	56	0	0	19
Vernon	266, 395. 51	584, 822. 16	2, 118	2, 024	27	0	0	67
Vilas	48, 897. 90	112, 104. 72	406	376	21	0	0	9
Walworth	195, 328. 22	451, 180. 08	1, 634	1, 468	114	0	0	52
Washburn	89, 528. 94	193, 284. 00	700	640	27	0	0	33
Washington	98, 386. 05	289, 649. 88	1, 049	976	52	0	0	21
Waukesha	287, 741. 97	658, 270. 08	2, 384	2, 034	141	0	81	128
Waupaca	166, 262. 56	401, 202. 36	1, 453	1, 355	49	0	0	49
Waushara	98, 807. 64	207, 090. 00	750	716	12	0	0	22
Winnebago	227, 307. 13	560, 247. 48	2, 029	1, 726	161	0	0	142
Wood	189, 728. 93	467, 747. 28	1, 694	1, 583	60	0	0	51
Menominee	62, 768. 53	151, 313. 76	548	473	25	0	0	50

Preliminary county aggregate maximum basic grants for fiscal year 1968, etc.—Continued

WYOMING

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $276.88]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	**$1, 337, 908. 96**	**$2, 729, 206. 16**	**9, 857**	**9, 646**	**0**	**0**	**112**	**99**
Albany	52, 013. 96	136, 224. 96	492	469	0	0	21	2
Big Horn	69, 771. 90	169, 450. 56	612	610	0	0	0	2
Campbell	16, 967. 02	27, 134. 24	98	97	0	0	0	1
Carbon	71, 370. 44	111, 859. 52	404	398	0	0	0	6
Converse	33, 773. 89	70, 050. 64	253	232	0	0	18	3
Crook	35, 450. 15	79, 741. 44	288	288	0	0	0	0
Fremont	186, 777. 98	407, 567. 36	1, 472	1, 440	0	0	18	14
Goshen	74, 205. 80	157, 544. 72	569	509	0	0	55	5
Hot Springs	16, 338. 28	40, 424. 48	146	146	0	0	0	0
Johnson	27, 752. 56	49, 561. 52	179	177	0	0	0	2
Laramie	150, 510. 98	255, 837. 12	924	910	0	0	0	14
Lincoln	58, 071. 13	137, 609. 36	497	493	0	0	0	4
Natrona	167, 432. 17	256, 667. 76	927	908	0	0	0	19
Niobrara	15, 295. 16	42, 639. 52	154	151	0	0	0	3
Park	69, 314. 89	162, 251. 68	586	580	0	0	0	6
Platte	44, 774. 59	108, 260. 08	391	391	0	0	0	0
Sheridan	68, 268. 56	134, 286. 80	485	483	0	0	0	2
Sublette	8, 918. 02	27, 688. 00	100	100	0	0	0	0
Sweetwater	53, 167. 84	106, 875. 68	386	379	0	0	0	7
Teton	19, 009. 46	31, 564. 32	114	113	0	0	0	1
Uinta	30, 169. 14	58, 975. 44	213	210	0	0	0	3
Washakie	48, 810. 04	105, 768. 16	382	377	0	0	0	5
Weston	19, 745. 00	51, 222. 80	185	185	0	0	0	0
Yellowstone National Park part	0	0	0	0	0	0	0	0
National total	1, 074, 176, 972. 45	2, 414, 513, 069. 13	8, 848, 067	8, 025, 875	604, 250	13, 882	55, 391	148, 695

APPENDIX B

County Allotments Under Title I, Elementary and Secondary Education Act, for Fiscal Year 1968 Based Upon $1,200,000,000 Appropriation Distributed Under Family Income Factor of $2,000

TITLE I, ESEA—PUBLIC LAW 89-10 AS AMENDED

Fiscal year 1968 authorizations and appropriations, $2,000 and $3,000 low-income levels

Program	Children		Authorization		Amount available	
	$2,000	$3,000	$2,000 [1]	$3,000 [2]	$2,000 [1]	$3,000 [2]
Local educational agencies	6,377,731	8,848,067	$1,754,601,427	$2,414,513,071	$1,105,610,100	$1,120,008,128
State agencies:						
Handicapped	87,389	87,389	24,746,993	24,746,993	15,636,111	11,535,226
Juvenile delinquents	36,630	36,630	9,168,720	9,168,720	5,793,907	4,298,882
Neglected and dependent	4,764	4,764	1,113,455	1,113,455	709,336	525,959
Migrant	163,282	163,282	41,692,425	41,692,425	26,362,223	19,312,324
Outlying areas and Indians	----	----	50,361,591	68,509,144	31,771,472	31,795,485
Administration	----	----	20,451,612	25,866,995	14,116,851	12,523,996
Total	6,669,796	9,140,132	1,902,136,223	2,585,610,803	1,200,000,000	1,200,000,000

[1] State administration, $150,000.
[2] State administration, $75,000.

Note.—All programs receive 63 percent of the authorization at the $2,000 level and 46 percent at the $3,000 level.

Fiscal year 1967 authorizations and appropriations

Program	Children	Maximum authorization	Amount available
Local educational agencies	6,019,192	$1,312,005,182	$989,935,591
State agencies:			
Handicapped	82,797	20,462,448	15,078,410
Juvenile delinquents	36,247	8,451,281	[1] 2,037,344
Neglected and dependent	4,406	932,549	[1] 224,809
Migrant	169,910	40,394,401	[1] 9,737,847
Outlying areas and Indians	----	33,815,410	25,217,066
Administration	----	14,702,675	11,178,933
Total	6,312,552	1,430,763,947	1,053,410,000

[1] $12,000,000 earmarked in appropriation language.

Authorizations for fiscal year 1968 ($2,000 income level, $150,000 minimum administration)

	Local educational agencies	Handicapped children (State agencies)	Juvenile delinquents in institutions (State agencies)	Dependent and neglected children in institutions (State agencies)	Migratory children (State agency)	Total program	Administration	Total
United States, outlying parts, and the Department of the Interior	$1,804,963,018	$24,746,993	$9,168,720	$1,113,455	$41,692,425	$1,881,684,611	$20,451,612	$1,902,136,223
50 States and the District of Columbia	1,754,601,427	24,746,993	9,168,720	1,113,455	41,692,425	1,831,323,020	19,947,996	1,851,271,016
Alabama	62,382,371	244,616	114,105	----	425,652	63,166,744	631,667	63,798,411
Alaska	2,706,714	----	10,979	----	----	2,717,693	150,000	2,867,693
Arizona	12,497,247	222,941	165,606	----	1,165,372	14,051,166	150,000	14,201,166
Arkansas	38,241,506	346,752	92,047	----	379,435	39,059,740	390,597	39,450,337
California	131,604,424	883,294	894,795	----	6,150,119	139,532,632	1,395,326	140,927,958
Colorado	12,962,293	593,274	116,638	29,483	1,134,220	14,835,908	150,000	14,985,908
Connecticut	13,138,824	728,372	111,403	25,711	290,066	14,294,376	150,000	14,444,376
Delaware	3,618,575	235,275	67,716	----	147,587	4,069,153	150,000	4,219,153
Florida	37,207,889	689,163	344,390	----	5,454,573	43,696,015	436,960	44,132,975
Georgia	62,114,264	276,789	136,445	----	438,419	62,965,917	629,659	63,595,576
Hawaii	3,857,835	181,925	22,229	----	----	4,061,989	150,000	4,211,989
Idaho	4,111,995	69,452	37,594	----	512,723	4,731,764	150,000	4,881,764
Illinois	73,573,683	462,308	351,682	79,503	375,350	74,842,526	748,425	75,590,951
Indiana	23,433,102	805,473	139,034	110,329	338,581	24,826,519	248,265	25,074,784
Iowa	21,889,788	323,005	75,789	79,341	42,642	22,410,565	224,106	22,634,671
Kansas	14,170,381	338,323	83,283	----	465,229	15,057,216	150,572	15,207,788
Kentucky	54,781,410	174,397	27,507	----	186,398	55,169,712	551,697	55,721,409
Louisiana	53,179,406	456,293	278,977	----	408,033	54,322,709	543,227	54,865,936
Maine	5,831,710	134,820	62,151	----	5,617	6,034,298	150,000	6,184,298
Maryland	24,610,371	318,287	421,390	----	153,204	25,503,252	255,033	25,758,285
Massachusetts	27,703,933	1,115,839	221,037	----	155,247	29,196,056	291,961	29,488,017
Michigan	50,984,352	1,211,650	303,382	----	2,084,085	54,583,469	545,835	55,129,304
Minnesota	30,401,614	778,541	217,307	----	157,289	31,554,751	315,548	31,870,299
Mississippi	65,417,087	118,478	73,133	----	579,622	66,188,320	661,883	66,850,203
Missouri	36,933,654	723,378	189,342	----	418,247	38,264,621	382,646	38,647,267
Montana	4,742,928	158,490	46,048	26,772	441,483	5,415,721	150,000	5,565,721
Nebraska	9,659,257	182,744	49,107	17,652	112,861	10,021,621	150,000	10,171,621
Nevada	1,462,441	17,583	49,178	----	16,852	1,546,054	150,000	1,696,054
New Hampshire	2,289,123	98,306	37,586	----	6,639	2,431,654	150,000	2,581,654
New Jersey	38,426,045	1,325,535	267,424	----	1,013,700	41,032,704	410,327	41,443,031
New Mexico	12,156,482	201,412	99,716	----	564,301	13,021,911	150,000	13,171,911
New York	195,277,704	3,191,922	1,026,749	----	1,102,303	200,598,678	2,005,987	202,604,665
North Carolina	86,180,569	768,829	324,376	----	934,544	88,208,318	882,083	89,090,401
North Dakota	6,919,714	89,114	21,434	----	314,579	7,344,841	150,000	7,494,841
Ohio	55,924,822	411,353	406,715	110,614	716,995	57,570,499	575,705	58,146,204
Oklahoma	29,036,499	219,592	80,814	61,793	529,575	29,928,273	299,283	30,227,556
Oregon	11,284,822	325,132	166,380	----	952,163	12,728,497	150,000	12,878,497
Pennsylvania	73,441,178	1,965,588	207,229	146,485	327,346	76,087,826	760,878	76,848,704
Rhode Island	5,816,403	158,525	40,176	14,164	----	6,029,268	150,000	6,179,268
South Carolina	53,194,727	305,387	128,978	39,098	396,798	54,064,988	540,650	54,605,638
South Dakota	9,630,403	112,605	23,666	----	29,619	9,796,293	150,000	9,946,293
Tennessee	56,941,841	269,894	196,388	112,992	75,070	57,596,185	575,962	58,172,147

Authorizations for fiscal year 1968 ($2,000 income level, $150,000 minimum administration)—Continued

	Local educational agencies	Handicapped children (State agencies)	Juvenile delinquents in institutions (State agencies)	Dependent and neglected children in institutions (State agencies)	Migratory children (State agency)	Total program	Administration	Total
50 States and the District of Columbia—Continued								
Texas	$103,152,509	$848,750	$472,044	$107,830	$10,433,192	$115,014,325	$1,150,143	$116,164,468
Utah	4,526,668	292,875	49,325	--------	115,414	4,984,282	150,000	5,134,282
Vermont	2,362,150	238,232	39,758	--------	3,064	2,643,204	150,000	2,793,204
Virginia	47,445,236	434,333	148,154	--------	433,057	48,460,780	484,608	48,945,388
Washington	15,823,867	779,232	224,576	--------	1,121,964	17,949,639	179,496	18,129,135
West Virginia	28,996,155	158,566	62,887	9,298	40,344	29,267,250	292,672	29,559,922
Wisconsin	22,693,474	444,001	233,045	--------	308,961	23,679,481	236,795	23,916,276
Wyoming	1,899,674	81,403	30,706	19,382	233,891	2,265,056	150,000	2,415,056
District of Columbia	7,962,308	234,945	178,300	123,008	--------	8,498,561	150,000	8,648,561
Outlying parts and the Department of the Interior	50,361,591	--------	--------	--------	--------	50,361,591	503,616	50,865,207

Allotments for fiscal year 1968 ($2,000 income level, $150,000 minimum administration)

	Local educational agencies	Handicapped children (State agencies)	Juvenile delinquents in institutions (State agencies)	Dependent and neglected children in institutions (State agencies)	Migratory children (State agency)	Total program	Administration	Total
United States, outlying parts, and Department of Interior	$1,137,381,572	$15,636,111	$5,793,907	$709,336	$26,362,223	$1,185,883,149	$14,116,851	$1,200,000,000
50 States and District of Columbia	1,105,610,100	15,636,111	5,793,907	709,336	26,362,223	1,154,111,677	13,799,136	1,167,910,813
Alabama	39,098,524	153,315	71,516	--------	266,779	39,590,134	395,901	39,986,035
Alaska	1,800,885	--------	7,305	--------	--------	1,808,190	150,000	1,958,190
Arizona	7,900,423	140,937	104,692	--------	736,717	8,882,769	150,000	9,032,769
Arkansas	23,968,092	217,329	57,691	--------	237,813	24,480,925	244,809	24,725,734
California	82,483,855	553,610	560,818	--------	3,854,624	87,452,907	874,529	88,327,436
Colorado	8,125,085	371,879	73,112	18,481	710,956	9,299,513	150,000	9,449,513
Connecticut	8,238,862	456,735	69,857	16,122	181,889	8,963,465	150,000	9,113,465
Delaware	2,328,284	151,383	43,570	--------	94,961	2,618,198	150,000	2,768,198
Florida	23,987,768	444,300	222,027	--------	3,516,540	28,170,635	281,706	28,452,341
Georgia	38,930,484	173,479	85,518	--------	274,782	39,464,263	394,643	39,858,906
Hawaii	2,482,386	117,062	14,304	--------	--------	2,613,752	150,000	2,763,752
Idaho	2,632,591	44,465	24,069	--------	328,256	3,029,381	150,000	3,179,381
Illinois	46,112,743	289,754	220,419	49,829	235,253	46,907,998	469,080	47,377,078
Indiana	14,686,836	504,835	87,140	69,149	212,208	15,560,168	155,602	15,715,770
Iowa	15,056,361	222,171	52,130	54,573	29,330	15,414,565	154,146	15,568,711
Kansas	9,403,977	224,523	55,270	--------	308,743	9,992,513	150,000	10,142,513
Kentucky	34,334,575	109,304	17,240	--------	116,827	34,577,946	345,779	34,923,725
Louisiana	33,330,510	285,985	174,850	--------	255,737	34,047,082	340,471	34,387,553
Maine	3,708,827	85,742	39,527	--------	3,572	3,837,668	150,000	3,987,668
Maryland	15,424,696	199,488	264,109	--------	96,022	15,984,315	159,843	16,144,158
Massachusetts	17,363,606	699,359	138,536	--------	97,302	18,298,803	182,988	18,481,791
Michigan	31,954,746	759,409	190,146	--------	1,306,213	34,210,514	342,105	34,552,619
Minnesota	19,054,393	487,956	136,198	--------	98,582	19,777,129	197,771	19,974,900
Mississippi	41,000,550	74,257	45,837	--------	363,281	41,483,925	414,839	41,898,764
Missouri	23,148,388	453,382	118,671	--------	262,139	23,982,580	239,826	24,222,406
Montana	3,024,745	101,075	29,367	17,074	281,550	3,453,811	150,000	3,603,811
Nebraska	6,085,992	115,099	30,929	11,118	71,084	6,314,222	150,000	6,464,222
Nevada	996,938	11,968	33,474		11,471	1,053,851	150,000	1,203,851
New Hampshire	1,508,142	64,767	24,763	--------	4,374	1,602,046	150,000	1,752,046
New Jersey	24,083,753	830,786	167,610	--------	635,343	25,717,492	257,175	25,974,667
New Mexico	9,268,100	153,556	76,023	--------	430,224	9,927,903	150,000	10,077,903
New York	122,391,465	2,000,556	643,521	--------	690,875	125,726,417	1,257,264	126,983,681
North Carolina	54,014,185	481,868	203,305	--------	585,731	55,285,089	552,851	55,837,940
North Dakota	4,381,727	56,429	13,573	--------	199,199	4,650,928	150,000	4,800,928
Ohio	35,051,215	257,818	254,911	69,328	449,381	36,082,653	360,827	36,443,480
Oklahoma	18,198,799	137,631	50,651	38,729	331,914	18,757,724	187,577	18,945,301
Oregon	7,085,325	204,138	104,464	--------	597,829	7,991,756	150,000	8,141,756
Pennsylvania	46,477,536	1,243,930	131,146	92,704	207,162	48,152,478	481,525	48,634,003
Rhode Island	3,699,166	100,821	25,551	9,008	--------	3,834,546	150,000	3,984,546
South Carolina	33,340,112	191,403	80,838	24,505	248,695	33,885,553	338,856	34,224,409
South Dakota	6,067,657	70,946	14,911	--------	18,662	6,172,176	150,000	6,322,176
Tennessee	35,688,637	169,158	123,087	70,818	47,051	36,098,751	360,988	36,459,739
Texas	64,652,569	531,959	295,856	67,583	6,539,066	72,087,033	720,870	72,807,903
Utah	2,893,562	187,213	31,530	--------	73,776	3,186,081	150,000	3,336,081
Vermont	1,549,018	156,225	26,072	--------	2,009	1,733,324	150,000	1,883,324
Virginia	29,736,585	272,221	92,856	--------	271,421	30,373,083	303,731	30,676,814
Washington	9,917,702	488,388	140,754	--------	703,198	11,250,042	150,000	11,400,042
West Virginia	18,173,513	99,381	39,415	5,828	25,286	18,343,423	183,434	18,526,857
Wisconsin	14,223,270	278,281	146,062	--------	193,643	14,841,256	150,000	14,991,256
Wyoming	1,256,911	53,860	20,316	12,824	154,753	1,498,664	150,000	1,648,664
District of Columbia	5,286,029	155,975	118,370	81,663	--------	5,642,037	150,000	5,792,037
American Samoa Guam Puerto Rico Trust Territories Virgin Islands	22,771,472	--------	--------	--------	--------	22,771,472	317,715	23,089,187
Department of Interior	9,000,000	--------	--------	--------	--------	9,000,000	--------	9,000,000

FAMILY INCOME FACTOR UNDER $2,000

BUREAU OF ELEMENTARY AND SECONDARY EDUCATION

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I

ALABAMA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$39,098,524.00	$62,382,370.74	244,311	242,522	0	0	190	1,599
Autauga	291,745.39	465,484.82	1,823	1,819	0	0	0	4
Baldwin	503,312.82	803,044.30	3,145	3,134	0	0	0	11
Barbour	677,111.78	1,080,343.54	4,231	4,222	0	0	0	9
Bibb	232,692.16	371,264.36	1,454	1,443	0	0	0	11
Blount	330,954.18	528,043.12	2,068	2,053	0	0	0	15
Bullock	461,863.53	736,911.24	2,886	2,884	0	0	0	2
Butler	610,376.82	973,866.76	3,814	3,696	0	0	0	18
Calhoun	603,655.31	963,142.48	3,772	3,711	0	0	0	61
Chambers	474,026.25	756,317.08	2,962	2,953	0	0	0	9
Cherokee	240,213.84	383,265.34	1,501	1,492	0	0	0	9
Chilton	336,715.48	537,235.36	2,104	2,103	0	0	0	1
Choctaw	423,134.85	675,118.96	2,644	2,630	0	0	0	14
Clarke	488,749.55	779,808.36	3,054	3,049	0	0	0	5
Clay	145,632.64	232,359.40	910	909	0	0	0	1
Cleburne	123,867.77	197,633.16	744	771	0	0	0	8
Coffee	405,530.90	647,031.56	2,534	2,532	0	0	0	2
Colbert	466,024.46	743,550.08	2,912	2,895	0	0	0	17
Conecuh	439,938.61	701,929.66	2,749	2,735	0	0	0	14
Coosa	144,032.28	229,806.00	900	893	0	0	0	7
Covington	431,936.82	689,162.66	2,699	2,675	0	0	0	24
Crenshaw	381,365.48	608,475.22	2,383	2,365	0	0	0	18
Cullman	621,899.40	992,251.24	3,886	3,875	0	0	0	11
Dale	322,632.32	514,765.44	2,016	2,009	0	0	0	7
Dallas	1,255,641.45	2,003,397.64	7,846	7,830	0	0	0	16
De Kalb	654,226.65	1,043,829.92	4,088	4,068	0	0	0	20
Elmore	383,766.02	612,305.32	2,398	2,350	0	0	0	48
Escambia	431,456.71	688,396.64	2,696	2,684	0	0	0	12
Etowah	810,741.73	1,293,552.44	5,066	5,035	0	0	0	31
Fayette	243,414.56	388,372.14	1,521	1,521	0	0	0	0
Franklin	311,269.77	496,636.30	1,945	1,933	0	0	0	12
Geneva	431,616.75	688,651.98	2,697	2,688	0	0	0	9
Greene	537,400.46	857,431.72	3,358	3,358	0	0	0	0
Hale	627,500.65	1,001,188.14	3,921	3,919	0	0	0	2
Henry	407,611.37	650,350.98	2,547	2,546	0	0	0	1
Houston	672,470.73	1,072,938.68	4,202	4,187	0	0	0	15
Jackson	653,586.50	1,042,808.56	4,084	4,051	0	0	0	33
Jefferson	4,101,719.40	6,544,364.20	25,630	25,297	0	0	45	288
Lamar	176,359.53	281,384.68	1,102	1,101	0	0	0	1
Lauderdale	508,594.00	811,470.52	3,178	3,151	0	0	0	27
Lawrence	509,234.15	812,491.88	3,182	3,164	0	0	0	18
Lee	502,832.71	802,278.28	3,142	3,133	0	0	0	9
Limestone	615,658.00	982,292.98	3,847	3,838	0	0	0	9
Lowndes	585,251.18	933,778.38	3,657	3,648	0	0	0	9
Macon	613,097.43	978,207.54	3,831	3,824	0	0	0	7
Madison	951,573.30	1,518,251.64	5,946	5,862	0	0	28	56
Marengo	709,118.95	1,131,411.54	4,431	4,424	0	0	0	7
Marion	348,398.09	555,875.18	2,177	2,176	0	0	0	1
Marshall	506,993.64	808,917.12	3,168	3,102	0	0	0	66
Mobile	2,123,996.10	3,388,872.48	13,272	12,967	0	0	117	188
Monroe	539,480.93	860,751.14	3,371	3,370	0	0	0	1
Montgomery	1,440,642.92	2,298,570.68	9,002	8,862	0	0	0	140
Morgan	557,564.98	889,604.56	3,484	3,418	0	0	0	66
Perry	518,036.12	826,535.58	3,237	3,234	0	0	0	3
Pickens	496,911.38	792,830.70	3,105	3,095	0	0	0	10
Pike	557,084.87	888,838.54	3,481	3,453	0	0	0	28
Randolph	291,585.36	465,229.48	1,822	1,813	0	0	0	9
Russell	663,508.73	1,058,639.64	4,146	4,142	0	0	0	4
St. Clair	270,620.66	431,779.94	1,691	1,665	0	0	0	26
Shelby	349,198.27	557,151.88	2,182	2,170	0	0	0	12
Sumter	702,877.55	1,121,453.28	4,392	4,385	0	0	0	7
Talladega	726,722.90	1,159,498.94	4,541	4,518	0	0	0	23
Tallapoosa	328,713.68	524,468.36	2,054	2,047	0	0	0	7
Tuscaloosa	975,098.57	1,555,786.62	6,093	6,030	0	0	0	63
Willker	700,156.94	1,117,112.50	4,375	4,349	0	0	0	26
Washington	253,656.86	404,713.90	1,585	1,578	0	0	0	7
Wacox	684,793.50	1,092,599.86	4,279	4,279	0	0	0	0
Winston	210,927.28	336,538.12	1,318	1,309	0	0	0	9

ALASKA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $365.97]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$1,800,885.00	$2,706,714.12	7,396	4,796	1,400	0	676	524
Ketchikan-Prince of Wales	56,490.71	84,905.04	232	76	114	0	0	42
Wrangell-Petersburg	18,992.57	28,545.66	78	72	0	0	0	6
Sitka	21,914.50	32,937.30	90	60	0	0	0	30
Juneau	73,291.83	110,156.97	301	43	109	0	65	84
Lynn Canal-Icy Straits	22,158.00	33,303.27	91	82	0	0	0	9
Cordova-Valdez	38,715.62	58,189.23	159	151	0	0	0	8
Palmer-Wassila-Talkeetna	51,133.84	76,853.70	210	167	0	0	30	13
Anchorage	202,830.88	304,853.01	833	388	238	0	26	181
Seward	18,749.07	28,179.69	77	16	58	0	0	3
Kenai-Cook Inlet	79,379.19	119,306.22	326	313	0	0	0	13
Kodiak	25,566.92	38,426.85	105	46	0	0	40	19
Aleutian Islands	24,836.43	37,328.94	102	102	0	0	0	0
Bristol Bay	31,410.78	47,210.13	129	85	0	0	38	6
Bethel	307,533.50	462,220.11	1,263	827	377	0	40	19
Yukon-Kuskokwim	151,210.06	227,267.37	621	450	0	0	168	3
Fairbanks-Fort Yukon	197,717.50	297,167.64	812	446	282	0	33	51
Barrow-Kobuk	119,312.28	179,325.30	490	480	0	0	0	10
Nome	179,211.92	269,353.92	736	477	222	0	11	26
Wade Hampton	180,429.39	271,183.77	741	515	0	0	225	1

FAMILY INCOME FACTOR UNDER $2,000—Continued

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—
Continued

ARIZONA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.96]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$7,900,423.00	$12,497,247.00	48,825	38,851	8,481	0	210	1,283
Apache	733,033.91	1,159,498.80	4,530	4,026	499	0	0	5
Cochise	265,693.69	420,286.32	1,642	1,503	118	0	0	21
Coconino	498,377.94	788,356.80	3,080	2,759	302	0	0	19
Gila	128,963.38	204,000.12	797	708	77	0	0	12
Graham	111,325.98	176,100.48	688	576	97	0	0	15
Greenlee	30,096.85	47,608.56	186	147	31	0	0	8
Maricopa	3,420,523.13	5,410,738.44	21,139	15,226	4,909	0	210	794
Mohave	47,248.82	74,740.32	292	256	28	0	0	8
Navajo	701,288.96	1,109,330.64	4,334	3,836	446	0	0	52
Pima	992,063.36	1,569,290.76	6,131	4,758	1,169	0	0	204
Pinal	577,503.53	913,521.24	3,569	2,991	504	0	0	74
Santa Cruz	65,209.84	103,151.88	403	291	108	0	0	4
Yavapai	112,782.28	178,404.12	697	634	38	0	0	25
Yuma	216,341.33	342,218.52	1,337	1,140	155	0	0	42

ARKANSAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$23,968,092.00	$38,241,505.78	149,767	148,158	0	20	810	779
Arkansas	246,775.31	393,734.28	1,542	1,541	0	0	0	1
Ashley	370,002.93	590,346.08	2,312	2,297	0	0	0	15
Baxter	146,912.93	234,402.12	918	917	0	0	0	1
Benton	248,535.70	396,543.02	1,553	1,549	0	0	0	4
Boone	175,399.31	279,852.64	1,096	1,064	0	0	24	8
Bradley	143,072.07	228,273.96	894	876	0	0	0	18
Calhoun	89,300.01	142,479.72	558	549	0	0	0	9
Carroll	100,982.63	161,119.54	631	631	0	0	0	0
Chicot	405,370.86	646,776.22	2,533	2,523	0	0	0	10
Clark	205,486.06	327,856.56	1,284	1,268	0	0	0	16
Clay	332,714.57	530,851.86	2,079	2,059	0	0	0	20
Cleburne	171,078.34	272,958.46	1,069	1,065	0	0	0	4
Cleveland	112,825.29	180,014.70	705	705	0	0	0	0
Columbia	381,685.55	608,985.90	2,385	2,375	0	0	0	10
Conway	271,420.83	433,056.64	1,696	1,542	0	0	150	4
Craighead	524,917.65	837,515.20	3,280	3,239	0	0	0	41
Crawford	201,965.27	322,239.08	1,262	1,248	0	0	0	14
Crittenden	1,068,399.46	1,704,649.84	6,676	6,664	0	0	0	12
Cross	402,810.28	642,690.78	2,517	2,472	0	0	0	45
Dallas	118,426.54	188,951.60	740	737	0	0	0	3
Desha	550,523.39	878,369.60	3,440	3,421	0	0	0	19
Drew	252,536.60	402,926.52	1,578	1,466	0	0	104	8
Faulkner	225,170.47	359,263.38	1,407	1,396	0	0	0	11
Franklin	128,348.77	204,782.68	802	802	0	0	0	0
Fulton	111,545.00	177,971.98	697	696	0	0	0	1
Garland	295,746.29	471,868.32	1,848	1,612	0	0	204	32
Grant	84,498.94	134,819.52	528	528	0	0	0	0
Greene	410,331.97	654,691.76	2,564	2,513	0	0	46	5
Hempstead	335,275.15	534,937.30	2,095	2,092	0	0	0	3
Hot Spring	162,596.44	259,425.44	1,016	1,000	0	0	0	16
Howard	131,389.45	209,634.14	821	821	0	0	0	0
Independence	284,063.67	453,228.50	1,775	1,775	0	0	0	0
Izard	94,741.23	151,161.28	592	592	0	0	0	0
Jackson	373,843.79	596,474.24	2,336	2,333	0	0	0	3
Jefferson	1,172,902.88	1,871,386.86	7,329	7,319	0	0	0	10
Johnson	153,314.36	244,615.72	958	957	0	0	0	1
Lafayette	273,821.37	436,886.74	1,711	1,704	0	0	0	7
Lawrence	270,780.69	432,035.28	1,692	1,692	0	0	0	0
Lee	642,544.01	1,025,190.10	4,015	4,013	0	0	0	2
Lincoln	363,821.42	579,621.80	2,270	2,270	0	0	0	0
Little River	145,152.53	231,593.38	907	906	0	0	0	1
Logan	201,325.12	321,217.72	1,258	1,255	0	0	0	3
Lonoke	446,980.18	713,164.62	2,793	2,792	0	0	0	1
Madison	183,241.07	292,364.30	1,145	1,130	0	0	0	15
Marion	90,100.19	143,756.42	563	563	0	0	0	0
Miller	364,561.71	581,664.52	2,278	2,231	0	0	44	3
Mississippi	1,449,604.90	2,312,869.72	9,058	9,047	0	0	0	11
Monroe	398,169.24	635,285.92	2,488	2,483	0	0	0	5
Montgomery	49,451.08	78,900.06	309	308	0	0	0	1
Nevada	152,034.08	242,573.00	950	950	0	0	0	0
Newton	167,077.45	266,574.96	1,044	1,040	0	0	0	4
Ouachita	468,745.06	747,890.86	2,929	2,792	0	0	0	137
Perry	62,093.92	99,071.92	388	387	0	0	0	1
Phillips	1,051,755.73	1,678,094.48	6,572	6,550	0	0	15	7
Pike	82,258.44	131,244.76	514	514	0	0	0	0
Poinsett	621,099.21	990,974.54	3,881	3,881	0	0	0	0
Polk	101,302.70	161,630.22	633	633	0	0	0	0
Pope	238,453.44	380,456.60	1,490	1,489	0	0	0	1
Prairie	171,078.34	272,958.46	1,069	1,065	0	0	0	4
Pulaski	1,495,855.27	2,386,662.98	9,347	8,993	0	0	212	142
Randolph	186,281.75	297,215.76	1,164	1,161	0	0	0	3
St. Francis	920,046.21	1,467,949.66	5,749	5,730	0	0	0	19
Saline	131,709.52	210,144.82	823	816	0	0	0	7
Scott	103,703.24	165,460.32	648	648	0	0	0	0
Searcy	142,271.89	226,997.26	889	889	0	0	0	0
Sebastian	422,334.66	673,842.26	2,639	2,613	0	0	11	15
Sevier	82,578.51	131,755.44	516	516	0	0	0	0
Sharp	105,143.57	167,758.38	657	657	0	0	0	0
Stone	156,835.15	250,233.20	980	979	0	0	0	1
Union	388,247.02	619,454.84	2,426	2,411	0	0	0	15
Van Buren	103,863.28	165,715.66	649	649	0	0	0	0

FAMILY INCOME FACTOR UNDER $2,000—Continued

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

ARKANSAS—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Washington	$305,668.51	$487,699.40	1,910	1,877	0	20	0	13
White	425,215.30	678,438.38	2,657	2,641	0	0	0	16
Woodruff	391,607.77	624,816.98	2,447	2,447	0	0	0	0
Yell	126,908.44	202,484.62	793	792	0	0	0	1

CALIFORNIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $275.22]

State total	$82,483,855.00	$131,604,424.38	478,179	206,572	250,367	3,950	1,550	15,740
Alameda	5,102,769.88	8,141,558.04	29,582	13,149	14,964	643	35	791
Alpine	4,312.39	6,880.50	25	8	16	0	0	1
Amador	20,182.01	32,200.74	117	73	37	0	0	7
Butte	527,837.06	842,173.20	3,060	1,194	1,767	15	0	84
Calaveras	33,809.17	83,943.12	196	92	104	0	0	0
Colusa	65,548.39	104,583.60	380	205	129	38	0	8
Contra Costa	2,302,991.03	3,674,462.22	13,351	4,904	7,918	65	38	426
Del Norte	72,620.72	115,867.62	421	180	179	28	0	34
El Dorado	136,616.65	217,974.24	792	324	422	0	12	34
Fresno	4,315,671.68	6,885,729.18	25,019	8,863	15,585	35	0	536
Glenn	66,928.36	106,785.36	388	280	98	0	0	10
Humboldt	584,415.67	932,445.36	3,388	1,386	1,828	0	0	174
Imperial	534,909.38	853,457.22	3,101	1,913	1,082	0	0	106
Inyo	60,373.52	96,327.00	350	167	136	0	0	47
Kern	2,680,411.78	4,276,643.58	15,539	6,406	8,677	0	0	456
Kings	680,840.81	1,086,293.34	3,947	1,782	2,101	0	0	64
Lake	93,492.71	149,160.24	542	244	279	0	0	19
Lassen	37,949.07	60,548.40	220	132	82	0	0	6
Los Angeles	28,069,201.74	44,784,899.28	162,724	70,389	85,294	1,484	660	4,897
Madera	461,081.19	735,663.06	2,673	1,556	1,069	0	0	48
Marin	465,911.08	743,369.22	2,701	1,235	1,119	66	132	149
Mariposa	26,219.36	41,833.44	152	95	39	10	0	8
Mendocino	308,594.93	492,368.58	1,789	918	708	0	94	69
Merced	840,226.90	1,340,596.62	4,871	2,491	2,261	0	0	119
Modoc	33,636.68	53,667.90	195	156	34	0	0	5
Mono	2,932.43	4,678.74	17	6	11	0	0	0
Monterey	978,396.01	1,561,047.84	5,672	3,022	2,467	30	0	153
Napa	200,785.08	320,356.08	1,164	601	483	0	0	80
Nevada	95,045.17	151,646.22	551	319	209	0	0	23
Orange	2,200,356.05	3,510,706.32	12,756	7,720	4,696	106	0	234
Placer	282,375.58	450,535.14	1,637	697	877	0	0	63
Plumas	62,788.46	100,180.08	364	134	214	0	0	16
Riverside	1,829,145.15	2,918,432.88	10,604	4,409	5,526	253	0	416
Sacramento	2,828,240.65	4,512,507.12	16,396	4,633	10,969	80	141	573
San Benito	73,653.60	117,518.94	427	254	138	25	0	10
San Bernardino	3,017,123.52	4,813,873.02	17,491	6,367	10,330	287	0	507
San Diego	4,445,733.49	7,093,245.06	25,773	14,917	9,610	107	58	1,081
San Francisco	3,463,542.57	5,526,142.38	20,079	7,712	10,865	74	166	1,262
San Joaquin	1,763,941.75	2,814,399.72	10,226	4,497	5,410	0	53	266
San Luis Obispo	430,204.45	686,398.68	2,494	1,109	1,273	0	0	112
San Mateo	1,150,029.30	1,834,891.74	6,667	3,320	2,914	145	0	288
Santa Barbara	644,099.21	1,027,671.48	3,734	1,789	1,710	90	0	145
Santa Clara	3,378,157.17	5,389,908.48	19,584	6,478	12,108	159	110	729
Santa Cruz	371,900.88	593,374.32	2,156	1,151	912	0	12	81
Shasta	360,861.15	575,760.24	2,092	925	1,067	0	0	100
Sierra	9,142.28	14,586.66	53	43	6	0	0	4
Siskiyou	152,313.77	243,019.26	883	499	342	0	0	42
Solano	688,085.63	1,097,852.58	3,989	1,744	2,051	0	24	170
Sonoma	1,027,729.80	1,639,760.76	5,958	2,403	3,162	124	0	269
Stanislaus	1,433,784.84	2,287,628.64	8,312	3,799	4,171	0	15	327
Sutter	189,055.36	301,641.12	1,096	568	501	0	0	27
Tehama	149,726.33	238,890.96	868	582	257	0	0	29
Trinity	32,601.70	52,016.58	189	68	110	0	0	11
Tulare	2,063,911.89	3,293,007.30	11,965	4,478	7,083	61	0	343
Tuolumne	80,900.52	129,078.18	469	118	313	0	0	38
Ventura	1,001,855.43	1,598,477.76	5,808	2,814	2,839	0	0	155
Yolo	323,257.07	515,762.28	1,874	670	1,144	0	0	60
Yuba	225,624.47	359,987.76	1,308	584	671	25	0	28

COLORADO

[Formula rate; ½ State or National average current expenditure per pupil for 1965–66; $258.62]

State total	$8,125,065.00	$12,962,293.02	50,121	33,581	14,872	68	500	1,100
Adams	404,300.83	644,988.28	2,494	1,421	1,018	0	0	55
Alamosa	69,220.71	110,430.74	427	349	77	0	0	1
Arapahoe	283,043.00	451,550.52	1,746	1,261	449	0	0	36
Archuleta	35,339.85	56,379.16	218	180	36	0	0	2
Baca	35,988.29	57,413.64	222	217	3	0	0	2
Bent	48,146.49	76,810.14	297	238	47	0	0	12
Boulder	188,857.45	301,292.30	1,165	760	347	0	12	46
Chaffee	23,667.97	37,758.52	146	115	28	0	0	3
Cheyenne	6,160.16	9,827.56	38	37	0	0	0	1
Clear Creek	4,376.95	6,982.74	27	14	9	0	0	4
Conejos	134,875.02	215,171.84	832	733	86	0	0	13
Costilla	108,937.51	173,972.64	672	653	19	0	0	0
Crowley	49,443.37	78,879.10	305	279	23	0	0	3
Custer	5,673.83	9,051.70	35	35	0	0	0	0
Delta	118,177.75	188,533.98	729	666	54	0	0	9
Denver	2,327,890.91	3,713,783.20	14,360	7,377	6,306	68	340	269
Dolores	5,673.83	9,051.70	35	35	0	0	0	0
Douglas	10,375.00	16,551.68	64	60	4	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

COLORADO—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Eagle	$26,585.94	$42,413.68	164	150	14	0	0	0
Elbert	27,072.27	43,189.54	167	160	7	0	0	0
El Paso	489,894.59	781,549.64	3,022	2,035	892	0	30	65
Fremont	69,220.71	110,430.74	427	340	86	0	0	1
Garfield	43,445.32	69,310.16	268	231	29	0	0	8
Gilpin	0	0	0	0	0	0	0	0
Grand	19,453.13	31,034.40	120	113	7	0	0	0
Gunnison	19,777.35	31,551.64	122	119	3	0	0	0
Hinsdale	0	0	0	0	0	0	0	0
Huerfano	115,421.89	184,137.44	712	573	139	0	0	0
Jackson	2,431.64	3,879.30	15	7	8	0	0	0
Jefferson	268,128.94	427,757.48	1,654	1,269	303	0	10	72
Kiowa	14,265.63	22,758.56	88	81	7	0	0	0
Kit Carson	32,583.99	51,982.62	201	185	10	0	0	6
Lake	20,101.56	32,068.88	124	107	17	0	0	0
La Plata	115,421.89	184,137.44	712	601	89	0	0	22
Larimer	244,947.30	390,774.82	1,511	923	542	0	0	46
Las Animas	$191,451.20	$305,430.22	1,181	943	206	0	0	32
Lincoln	13,941.41	22,241.32	86	76	9	0	0	1
Logan	70,193.37	111,982.46	433	354	67	0	0	12
Mesa	236,517.61	377,326.58	1,450	1,035	385	0	0	30
Mineral	0	0	0	0	0	0	0	0
Moffat	34,529.30	55,086.06	213	167	45	0	0	1
Montezuma	120,285.17	191,896.04	742	599	132	0	0	11
Montrose	144,925.80	231,206.28	894	728	156	0	0	10
Morgan	134,388.69	214,395.98	829	572	245	0	0	12
Otero	175,078.15	279,309.60	1,080	792	221	0	36	31
Ouray	8,753.91	13,965.48	54	52	2	0	0	0
Park	7,457.03	11,896.52	46	46	0	0	0	0
Phillips	16,535.16	26,379.24	102	82	17	0	0	3
Pitkin	9,564.45	15,258.58	59	59	0	0	0	0
Prowers	92,888.68	148,189.26	573	455	114	0	0	4
Pueblo	598,994.21	955,600.90	3,695	2,153	1,395	0	38	109
Rio Blanco	23,830.08	38,017.14	147	138	8	0	0	1
Rio Grande	140,224.63	223,706.30	865	720	134	0	0	11
Routt	34,853.52	55,603.30	215	181	31	0	0	3
Saguache	79,271.49	126,465.18	489	420	62	0	0	7
San Juan	2,593.75	4,137.92	16	11	5	0	0	0
San Miguel	14,265.63	22,758.56	88	83	5	0	0	0
Sedgwick	12,158.20	19,396.50	75	63	11	0	0	1
Summit	3,890.63	6,206.88	24	24	0	0	0	0
Teller	14,103.52	22,499.94	87	48	16	0	22	1
Washington	28,044.93	44,741.26	173	155	15	0	0	3
Weld	484,382.87	772,756.56	2,988	1,945	910	0	12	121
Yuma	63,060.55	100,603.18	389	356	22	0	0	11

CONNECTICUT

[Formula rate; ½ State or National average current expenditure per pupil for 1965-66; $302.48]

State total	$8,238,862.00	$13,138,823.76	43,437	20,731	19,538	0	318	2,850
Fairfield	2,029,130.59	3,235,931.04	10,698	5,524	4,665	0	0	509
Hartford	2,492,693.43	3,975,192.16	13,142	5,275	6,975	0	78	814
Litchfield	220,021.64	350,876.80	1,160	782	228	0	0	150
Middlesex	278,820.52	444,645.60	1,470	775	475	0	134	86
New Haven	2,300,364.17	3,668,477.44	12,128	5,461	5,844	0	106	717
New London	558,020.40	889,896.16	2,942	1,790	914	0	0	238
Tolland	133,530.37	212,945.92	704	391	214	0	0	99
Windham	226,280.87	360,858.64	1,193	733	223	0	0	237

DELAWARE

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $314.96]

State total	$2,328,284.00	$3,618,575.44	11,489	7,422	3,177	0	186	704
Kent	361,533.52	561,888.64	1,784	1,159	421	0	57	147
New Castle	1,432,961.63	2,227,082.16	7,071	4,204	2,355	0	129	383
Sussex	533,788.85	829,604.64	2,634	2,059	401	0	0	174

DISTRICT OF COLUMBIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $307.52]

District	$5,286,029.00	$7,962,307.84	25,892	14,854	10,061	0	0	977

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I— **Continued**

FLORIDA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$23,987,768.00	$37,207,889.46	145,719	142,533	0	0	742	2,444
Alachua	482,419.29	748,401.54	2,931	2,865	0	0	0	66
Baker	86,752.95	134,564.19	527	527	0	0	0	0
Bay	400,841.15	621,752.90	2,435	2,374	0	0	0	61
Bradford	87,411.42	135,585.54	531	531	0	0	0	0
Brevard	294,005.27	456,037.24	1,786	1,758	0	0	0	28
Broward	1,244,995.43	1,931,136.42	7,563	7,443	0	0	0	120
Calhoun	127,907.11	198,299.18	777	776	0	0	0	1
Charlotte	47,738.82	74,048.60	290	289	0	0	0	1
Citrus	66,175.88	102,646.68	402	401	0	0	0	1
Clay	153,093.45	237,466.20	930	930	0	0	0	0
Collier	95,642.25	148,352.54	581	581	0	0	0	0
Columbia	235,401.75	365,136.20	1,430	1,425	0	0	0	5
Dade	3,101,706.19	4,811,116.28	18,842	18,304	0	0	77	461
De Soto	61,731.23	95,752.50	375	374	0	0	0	1
Dixie	55,805.03	86,560.26	339	336	0	0	0	3
Duval	2,170,470.02	3,366,657.90	13,185	12,805	0	0	301	79
Escambia	862,591.04	1,337,981.60	5,240	5,060	0	0	16	164
Flagler	50,701.92	78,644.72	308	308	0	0	0	0
Franklin	80,497.52	124,861.26	489	489	0	0	0	0
Gadsden	602,990.65	935,310.42	3,663	3,661	0	0	0	2
Gilchrist	39,507.99	61,281.60	240	237	0	0	0	3
Glades	36,544.89	56,685.48	222	222	0	0	0	0
Gulf	65,352.79	101,369.98	397	393	0	0	0	4
Hamilton	116,548.56	180,780.72	708	708	0	0	0	0
Hardee	108,153.11	167,758.38	657	655	0	0	0	2
Hendry	53,006.55	82,219.48	322	322	0	0	0	0
Hernando	69,303.59	107,498.14	421	421	0	0	0	0
Highlands	108,482.35	168,269.06	659	655	0	0	0	4
Hillsborough	1,889,634.08	2,931,047.86	11,479	11,021	0	0	61	397
Holmes	222,397.04	344,964.34	1,351	1,348	0	0	0	3
Indian River	103,873.08	161,119.54	631	619	0	0	0	12
Jackson	571,384.26	886,285.14	3,471	3,460	0	0	0	11
Jefferson	174,658.22	270,915.74	1,061	1,061	0	0	0	0
Lafayette	34,569.49	53,621.40	210	210	0	0	0	0
Lake	402,323.00	624,050.96	2,444	2,327	0	0	81	36
Lee	228,817.09	354,922.60	1,390	1,382	0	0	0	8
Leon	433,929.39	673,076.24	2,636	2,587	0	0	0	49
Levy	92,020.69	142,735.06	559	553	0	0	0	6
Liberty	35,227.95	54,642.76	214	214	0	0	0	0
Madison	246,431.07	382,243.98	1,497	1,488	0	0	0	9
Manatee	270,300.48	419,268.28	1,642	1,611	0	0	0	31
Marion	485,125.15	752,486.98	2,947	2,937	0	0	0	10
Martin	53,665.02	83,240.84	326	314	0	0	0	12
Monroe	145,685.70	225,975.90	885	846	0	0	0	39
Nassau	160,336.58	248,701.16	974	974	0	0	0	0
Okaloosa	230,463.26	357,476.00	1,400	1,397	0	0	0	3
Okeechobee	39,014.14	60,515.58	237	217	0	0	16	4
Orange	880,698.87	1,366,069.00	5,350	5,233	0	0	0	117
Osceola	96,629.95	149,884.58	587	586	0	0	0	1
Palm Beach	1,055,521.71	1,637,240.08	6,412	6,263	0	0	0	149
Pasco	191,778.35	297,471.10	1,165	1,163	0	0	0	2
Pinellas	1,041,200.07	1,615,025.50	6,325	6,054	0	0	0	271
Polk	953,130.18	1,478,418.60	5,790	5,684	0	0	0	106
Putnam	283,634.42	439,950.82	1,723	1,686	0	0	28	9
St. Johns	222,067.81	344,453.66	1,349	1,349	0	0	0	0
St. Lucie	187,333.70	290,576.92	1,138	1,125	0	0	0	13
Santa Rosa	162,311.98	251,765.24	986	986	0	0	0	0
Sarasota	229,146.32	355,433.28	1,392	1,349	0	0	0	43
Seminole	481,174.35	746,358.82	2,923	2,881	0	0	26	16
Sumter	103,708.47	160,864.20	630	630	0	0	0	0
Suwannee	211,367.73	327,856.56	1,284	1,251	0	0	30	3
Taylor	118,853.19	184,355.48	722	721	0	0	0	1
Union	39,672.60	61,536.94	241	240	0	0	0	1
Volusia	554,428.75	859,985.12	3,368	3.209	0	0	106	53
Wakulla	71,278.99	110,562.22	433	433	0	0	0	0
Walton	213,507.74	331,175.98	1,297	1,274	0	0	0	23
Washington	164,616.61	255,340.00	1,000	1,000	0	0	0	0

GEORGIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$38,930,484.00	$62,114,263.74	243,261	239,789	0	0	1,705	1,767
Appling	263,739.10	420,800.32	1,648	1,488	0	0	160	0
Atkinson	177,159.70	282,661.38	1,107	1,107	0	0	0	0
Bacon	114,745.71	183,078.78	717	717	0	0	0	0
Baker	136,030.48	217,039.00	850	850	0	0	0	0
Baldwin	156,034.97	248,956.50	975	975	0	0	0	0
Banks	50,411.30	80,432.10	315	304	0	0	0	11
Barrow	145,152.53	231,593.38	907	905	0	0	0	2
Bartow	260,378.35	415,438.18	1,627	1,624	0	0	0	3
Ben Hill	246,135.16	392,712.92	1,538	1,538	0	0	0	0
Berrien	216,048.41	344,709.00	1,350	1,350	0	0	0	0
Bibb	975,258.55	1,556,041.96	6,094	5,724	0	0	318	52
Bleckley	138,751.09	221,379.78	867	867	0	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

GEORGIA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Brantley	$65, 614. 70	$104, 689. 40	410	410	0	0	0	0
Brooks	389, 687. 33	621, 752. 90	2, 435	2, 435	0	0	0	0
Bryan	108, 824. 39	173, 631. 20	680	661	0	0	0	19
Bulloch	430, 496. 47	686, 864. 60	2, 690	2, 682	0	0	0	8
Burke	667, 349. 55	1, 064, 767. 80	4, 170	4, 170	0	0	0	0
Butts	102, 582. 99	163, 672. 94	641	641	0	0	0	0
Calhoun	231, 091. 79	368, 710. 96	1, 444	1, 444	0	0	0	0
Camden	74, 096. 60	118, 222. 42	463	463	0	0	0	0
Candler	162, 756. 47	259, 680. 78	1, 017	1, 017	0	0	0	0
Carroll	310, 629. 61	495, 614. 94	1, 941	1, 940	0	0	0	1
Catoosa	91, 540. 51	146, 054. 48	572	572	0	0	0	0
Charlton	45, 770. 26	73, 027. 24	286	286	0	0	0	0
Chatham	1, 150, 337. 78	1, 835, 383. 92	7, 188	6, 807	0	0	209	172
Chattahoochee	13, 763. 08	21, 959. 24	86	86	0	0	0	0
Chattooga	159, 715. 70	254, 829. 32	998	996	0	0	0	2
Cherokee	140, 991. 59	224, 954. 54	881	872	0	0	0	9
Clarke	225, 010. 42	359, 008. 04	1, 406	1, 406	0	0	0	0
Clay	147, 393. 03	235, 168. 14	921	892	0	0	0	29
Clayton	126, 428. 33	201, 718. 60	790	767	0	0	0	23
Clinch	84, 819. 01	135, 330. 20	530	530	0	0	0	0
Cobb	300, 707. 39	479, 783. 86	1, 879	1, 803	0	0	20	56
Coffee	385, 206. 32	614, 603. 38	2, 407	2, 407	0	0	0	0
Colquitt	475, 626. 58	758, 870. 48	2, 972	2, 962	0	0	0	10
Columbia	122, 107. 36	194, 824. 42	763	763	0	0	0	0
Cook	186, 441. 78	297, 471. 10	1, 165	1, 160	0	0	0	5
Coweta	258, 617. 95	412, 629. 44	1, 616	1, 608	0	0	0	8
Crawford	127, 388. 55	203, 250. 64	796	796	0	0	0	0
Crisp	354, 799. 51	566, 088. 78	2, 217	2, 215	0	0	0	2
Dade	94, 101. 09	150, 139. 92	588	588	0	0	0	0
Dawson	86, 259. 33	137, 628. 26	539	539	0	0	0	0
Decatur	332, 714. 56	530, 851. 86	2, 079	2, 077	0	0	0	2
DeKalb	683, 033. 06	1, 089, 791. 12	4, 268	3, 908	0	0	140	130
Dodge	351, 118. 68	560, 215. 96	2, 194	2, 194	0	0	0	0
Dooly	308, 229. 07	491, 784. 84	1, 926	1, 926	0	0	0	0
Dougherty	596, 133. 59	951, 141. 50	3, 725	3, 706	0	0	13	6
Douglas	120, 667. 04	192, 526. 36	754	715	0	0	0	39
Early	376, 884. 46	601, 325. 70	2, 355	2, 350	0	0	0	5
Echols	22, 244. 98	35, 492. 26	139	139	0	0	0	0
Effingham	148, 833. 35	237, 466. 20	930	924	0	0	0	6
Elbert	238, 453. 44	380, 456. 60	1, 490	1, 484	0	0	0	6
Emanuel	353, 039. 11	563, 280. 04	2, 206	2, 203	0	0	0	30
Evans	129, 949. 12	207, 336. 08	812	812	0	0	0	0
Fannin	193, 323. 32	308, 450. 72	1, 208	1, 208	0	0	0	0
Fayette	78, 257. 54	124, 861. 26	489	476	0	0	0	13
Floyd	365, 201. 84	582, 685. 88	2, 282	2, 223	0	0	22	37
Forsyth	116, 826. 18	186, 398. 20	730	728	0	0	0	2
Franklin	178, 920. 09	285, 470. 12	1, 118	1, 115	0	0	0	3
Fulton	2, 869, 763. 09	4, 578, 756. 88	17, 932	16, 769	0	0	459	704
Gilmer	165, 797. 15	264, 532. 24	1, 036	1, 036	0	0	0	0
Glascock	48, 970. 97	78, 134. 04	306	306	0	0	0	0
Glynn	252, 056. 48	402, 160. 50	1, 575	1, 575	0	0	0	0
Gordon	154, 594. 64	246, 658. 44	966	966	0	0	0	0
Grady	356, 399. 87	568, 642. 18	2, 227	2, 227	0	0	0	0
Greene	217, 648. 77	347, 262. 40	1, 360	1, 354	0	0	0	6
Gwinnett	249, 655. 95	398, 330. 40	1, 560	1, 550	0	0	0	10
Habersham	132, 829. 77	211, 932. 20	830	808	0	0	0	22
Hall	360, 240. 73	574, 770. 34	2, 251	2, 212	0	0	0	39
Hancock	275, 101. 65	438, 929. 46	1, 719	1, 719	0	0	0	0
Haralson	112, 985. 32	180, 270. 04	706	705	0	0	0	1
Harris	211, 567. 41	337, 559. 48	1, 322	1, 322	0	0	0	0
Hart	197, 484. 25	315, 089. 56	1, 234	1, 226	0	0	0	8
Heard	104, 503. 42	166, 737. 02	653	651	0	0	0	2
Henry	198, 284. 43	316, 366. 26	1, 239	1, 227	0	0	0	12
Houston	293, 345. 74	468, 038. 22	1, 833	1, 827	0	0	0	6
Irwin	229, 491. 43	366, 157. 56	1, 434	1, 434	0	0	0	0
Jackson	175, 079. 23	279, 341. 96	1, 094	1, 092	0	0	0	2
Jasper	113, 465. 43	181, 036. 06	709	702		0	0	7
Jeff Davis	120, 026. 90	191, 505. 00	750	750	0	0	0	0
Jefferson	430, 656. 51	687, 119. 94	2, 691	2, 684	0	0	0	7
Jenkins	222, 129. 78	354, 411. 92	1, 388	1, 386	0	0	0	2
Johnson	129, 308. 98	206, 314. 72	808	808	0	0	0	0
Jones	126, 428. 33	201, 718. 60	790	790	0	0	0	0
Lamar	118, 906. 65	189, 717. 62	743	743	0	0	0	0
Lanier	75, 056. 82	119, 754. 46	469	465	0	0	0	4
Laurens	547, 162. 61	873, 007. 46	3, 419	3, 416	0	0	0	3
Lee	154, 434. 61	246, 403. 10	965	965	0	0	0	0
Liberty	180, 840. 52	288, 534. 20	1, 130	1, 127	0	0	0	3
Lincoln	122, 267. 40	195, 079. 76	764	764	0	0	0	0
Long	104, 823. 49	167, 247. 70	655	655	0	0	0	0
Lowndes	483, 308. 30	771, 126. 80	3, 020	2, 952	0	0	35	33
Lumpkin	99, 222. 23	158, 310. 80	620	618	0	0	0	2
McDuffie	186, 121. 71	296, 960. 42	1, 163	1, 160	0	0	0	3
McIntosh	113, 305. 39	180, 780. 72	708	672	0	0	36	0
Macon	353, 199. 15	563, 535. 38	2, 207	2, 207	0	0	0	0
Madison	189, 482. 46	302, 322. 56	1, 184	1, 184	0	0	0	0
Marion	153, 314. 36	244, 615. 72	958	958	0	0	0	0
Meriwether	372, 403. 45	594, 176. 18	2, 327	2, 327	0	0	0	0
Miller	156, 195. 00	249, 211. 84	976	972	0	0	0	0
Mitchell	350, 958. 65	559, 960. 62	2, 193	2, 193	0	0	0	4
Monroe	149, 953. 60	239, 253. 58	937	935	0	0	0	2
Montgomery	137, 790. 88	219, 847. 74	861	861	0	0	0	0
Morgan	173, 958. 98	277, 554. 58	1, 087	1, 087	0	0	0	0
Murray	81, 138. 18	129, 457. 38	507	498	0	0	0	9
Muscogee	842, 588. 82	1, 344, 365. 10	5, 265	5, 234	0	0	19	12
Newton	149, 633. 53	238, 742. 90	935	934	0	0	0	1
Oconee	65, 774. 74	104, 944. 74	411	411	0	0	0	0

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I*—Continued**

GEORGIA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Oglethorpe	$120,827.08	$192,781.70	755	752	0	0	0	3
Paulding	87,539.62	139,670.98	547	543	0	0	0	4
Peach	150,593.75	240,274.94	941	941	0	0	0	0
Pickens	62,253.95	99,327.26	389	389	0	0	0	0
Pierce	165,317.05	263,766.22	1,033	1,030	0	0	0	3
Pike	196,043.93	312,791.50	1,225	1,167	0	0	58	0
Polk	249,175.84	397,564.38	1,557	1,443	0	0	109	5
Pulaski	138,431.02	220,869.10	865	865	0	0	0	0
Putnam	102,102.88	162,906.92	638	637	0	0	0	1
Quitman	83,378.68	133,032.14	521	520	0	1	0	1
Rabun	91,380.48	145,799.14	571	566	0	0	0	5
Randolph	288,384.62	460,122.68	1,802	1,802	0	0	0	0
Richmond	897,801.19	1,432,457.40	5,610	5,554	0	0	12	44
Rockdale	76,657.18	122,307.86	479	452	0	0	26	1
Schley	92,500.73	147,586.52	578	577	0	0	0	1
Screven	366,642.16	584,983.94	2,291	2,290	0	0	0	1
Seminole	199,724.76	318,664.32	1,248	1,245	0	0	0	3
Spalding	266,299.68	424,885.76	1,664	1,644	0	0	0	20
Stephens	158,915.61	253,552.62	993	982	0	0	0	11
Stewart	228,531.21	364,625.52	1,428	1,428	0	0	0	0
Sumter	439,778.55	701,674.32	2,748	2,744	0	0	0	4
Talbot	184,521.35	294,407.02	1,153	1,153	0	0	0	0
Taliaferro	72,336.21	115,413.68	452	452	0	0	0	0
Tattnall	235,572.79	375,860.48	1,472	1,472	0	0	0	0
Taylor	210,607.20	336,027.44	1,316	1,316	9	0	0	0
Telfair	266,619.75	425,396.44	1,666	1,666	0	0	0	0
Terrell	312,710.08	498,934.36	1,954	1,954	0	0	0	0
Thomas	407,451.31	650,095.64	2,546	2,538	0	0	0	8
Tift	393,848.26	628,391.74	2,461	2,461	0	0	0	0
Toombs	270,140.54	431,013.92	1,688	1,668	0	0	20	0
Towns	72,656.28	115,924.36	454	454	0	0	0	0
Treutlen	125,628.15	200,441.90	785	785	0	0	0	0
Troup	511,474.62	816,066.64	3,196	3,189	0	0	0	7
Turner	161,636.22	257,893.40	1,010	1,008	0	0	0	2
Twiggs	106,423.85	169,801.10	665	664	0	0	0	1
Union	130,749.30	208,612.78	817	817	0	0	0	0
Upson	204,525.83	326,324.52	1,278	1,277	0	0	0	1
Walker	244,534.80	390,159.52	1,528	1,505	0	0	0	23
Walton	239,573.69	382,243.98	1,497	1,497	0	0	0	0
Ware	301,987.67	481,826.58	1,887	1,861	0	0	0	26
Warren	215,888.38	344,453.66	1,349	1,349	0	0	0	0
Washington	359,920.65	574,259.66	2,249	2,249	0	0	0	0
Wayne	245,655.05	391,946.90	1,535	1,532	0	0	0	3
Webster	120,987.11	193,037.04	756	756	0	0	0	0
Wheeler	126,908.44	202,484.62	793	793	0	0	0	0
White	91,540.51	146,054.48	572	572	0	0	0	0
Whitfield	204,685.87	326,579.86	1,279	1,243	0	0	16	20
Wilcox	193,803.43	309,216.74	1,211	1,211	0	0	0	0
Wilkes	186,761.85	297,981.78	1,167	1,133	0	0	33	1
Wilkinson	90,100.19	143,756.42	563	563	0	0	0	0
Worth	475,466.55	758,615.14	2,971	2,971	0	0	0	0

HAWAII

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $269.12]

State total	$2,482,386.00	$3,857,835.20	14,335	8,832	5,193	0	0	310
Hawaii	343,048.95	533,126.72	1,981	1,467	464	0	0	50
Honolulu	1,895,860.61	2,946,325.76	10,948	6,345	4,380	0	0	223
Kalawao	0	0	0	0	0	0	0	0
Kauai	96,109.12	149,361.60	555	350	183	0	0	22
Maui	147,367.32	229,021.12	851	670	166	0	0	15

IDAHO

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$2,632,591.00	$4,111,995.36	16,104	12,257	3,574	0	82	191
Ada	283,954.95	443,525.58	1,737	1,194	482	0	32	29
Adams	12,097.10	18,895.16	74	65	7	0	0	2
Bannock	149,415.56	233,380.76	914	624	285	0	0	5
Bear Lake	21,415.14	33,449.54	131	112	19	0	0	0
Benewah	21,578.61	33,704.88	132	98	32	0	0	2
Bingham	168,051.64	262,489.52	1,028	809	211	0	0	8
Blaine	20,761.24	32,428.18	127	117	9	0	0	1
Boise	3,106.01	4,851.46	19	17	2	0	0	0
Bonner	69,967.02	109,285.52	428	343	78	0	0	7
Bonneville	145,982.60	228,018.62	893	660	230	0	0	0
Boundary	28,117.59	43,918.48	172	156	16	0	0	0
Butte	8,827.62	13,788.36	54	36	12	0	0	6
Camas	4,577.28	7,149.52	28	24	4	0	0	0
Canyon	338,555.39	528,809.14	2,071	1,462	575	0	0	34
Caribou	35,800.88	55,919.46	219	197	22	0	0	0
Cassia	52,475.27	81,964.14	321	232	80	0	0	9
Clark	5,721.60	8,936.90	35	35	0	0	0	0
Clearwater	27,627.17	43,152.46	169	138	31	0	0	0
Custer	17,655.23	27,576.72	108	99	9	0	0	0
Elmore	30,406.23	47,493.24	186	147	37	0	0	2
Franklin	31,714.02	49,535.96	194	185	8	0	0	1
Fremont	23,049.88	36,002.94	141	113	28	0	0	0
Gem	36,618.26	57,196.16	224	152	72	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—Continued

IDAHO—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Gooding	$69, 149. 65	$108, 008. 82	423	393	28	0	0	2
Idaho	79, 612. 01	124, 350. 58	487	421	60	0	0	6
Jefferson	48, 715. 36	76, 091. 32	298	275	23	0	0	0
Jerome	49, 859. 68	77, 878. 70	305	272	33	0	0	0
Kootenai	99, 882. 83	156, 012. 74	611	383	220	0	0	8
Latah	38, 579. 95	60, 260. 24	236	209	22	0	0	5
Lemhi	50, 840. 52	79, 410. 74	311	271	39	0	0	1
Lewis	13, 895. 32	21, 703. 90	85	71	11	0	0	3
Lincoln	12, 424. 05	19, 405. 84	75	67	9	0	0	0
Madison	35, 800. 88	55, 919. 46	219	195	24	0	0	0
Minidoka	60, 812. 46	94, 986. 48	372	346	24	0	0	2
Nez Perce	117, 047. 64	182, 823. 44	716	409	243	0	50	14
Oneida	15, 203. 11	23, 746. 62	93	90	3	0	0	0
Owyhee	30, 896. 65	48, 259. 26	189	157	32	0	0	0
Payette	77, 813. 79	121, 541. 84	476	352	119	0	0	5
Power	11, 770. 15	18, 384. 48	72	53	19	0	0	0
Shoshone	50, 840. 52	79, 410. 74	311	188	109	0	0	14
Teton	13, 241. 42	20, 682. 54	81	81	0	0	0	0
Twin Falls	157, 425. 80	245, 892. 42	963	696	246	0	0	21
Valley	8, 010. 24	12, 511. 66	49	31	18	0	0	0
Washington	53, 292. 64	83, 240. 84	326	282	43	0	0	1
Yellowstone National Park part	0	0	0	0	0	0	0	0

ILLINOIS

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $282.93]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$46, 112, 743. 00	$73, 573, 683. 06	260, 042	147, 518	90, 644	256	3, 028	9, 596
Adams	308, 373. 49	492, 015. 27	1, 739	1, 469	141	0	38	91
Alexander	318, 481. 19	508, 142. 28	1, 796	1, 291	494	0	0	11
Bond	82, 989. 53	132, 411. 24	468	441	20	0	0	7
Boone	50, 006. 51	79, 786. 26	282	253	10	0	0	19
Brown	76, 073. 74	121, 376. 97	429	419	9	0	0	1
Bureau	194, 174. 22	309, 808. 35	1, 095	1, 035	34	0	0	26
Calhoun	43, 800. 03	69, 883. 71	247	200	40	0	0	7
Carroll	151, 083. 51	241, 056. 36	852	834	4	0	0	14
Cass	76, 960. 38	122, 791. 62	434	396	28	0	0	10
Champaign	348, 804. 29	556, 523. 31	1, 967	1, 266	536	0	40	125
Christian	150, 019. 54	239, 358. 78	846	704	60	0	37	45
Clark	100, 545. 01	160, 421. 31	567	515	29	0	0	23
Clay	99, 835. 70	159, 289. 59	563	480	75	0	0	8
Clinton	79, 797. 63	127, 318. 50	450	435	10	0	0	5
Coles	154, 275. 41	246, 149. 10	870	696	120	0	0	54
Cook	25, 758, 673. 76	41, 098, 411. 80	145, 260	61, 301	77, 170	163	1, 632	4, 994
Crawford	63, 306. 12	101, 006. 01	357	315	33	0	0	9
Cumberland	62, 951. 46	100, 440. 15	355	338	12	0	0	5
De Kalb	173, 249. 51	276, 442. 61	977	911	26	0	0	40
De Witt	73, 945. 80	117, 981. 81	417	377	11	0	0	29
Douglas	80, 152. 28	127, 884. 36	452	397	24	0	0	31
Du Page	473, 997. 90	756, 271. 89	2, 673	2, 323	138	0	21	191
Edgar	140, 089. 17	223, 514. 70	790	684	69	0	13	24
Edwards	54, 262. 39	86, 576. 58	306	298	7	0	0	1
Effingham	91, 146. 62	145, 426. 02	514	416	91	0	0	7
Fayette	134, 414. 67	214, 460. 94	758	681	60	0	0	17
Ford	74, 832. 44	119, 396. 46	422	366	39	0	0	17
Franklin	326, 815. 61	521, 439. 99	1, 843	1, 499	316	0	0	28
Fulton	176, 973. 40	282, 364. 14	998	890	70	0	0	38
Gallatin	113, 135. 30	180, 509. 34	638	600	31	0	0	7
Greene	106, 574. 16	170, 040. 93	601	475	82	0	0	44
Grundy	69, 157. 94	110, 342. 70	390	347	33	0	0	10
Hamilton	101, 963. 63	162, 684. 75	575	525	50	0	0	0
Hancock	141, 153. 13	225, 212. 28	796	721	46	0	0	29
Hardin	96, 289. 14	153, 630. 99	543	439	98	0	0	6
Henderson	40, 253. 47	64, 225. 11	227	214	13	0	0	0
Henry	197, 188. 80	314, 618. 16	1, 112	998	40	0	32	42
Iroquois	168, 993. 64	269, 632. 29	953	896	36	0	0	21
Jackson	266, 878. 73	425, 809. 65	1, 505	1, 129	340	0	0	36
Jasper	79, 620. 30	127, 035. 57	449	423	26	0	0	0
Jefferson	294, 364. 58	469, 663. 80	1, 660	1, 196	386	0	38	40
Jersey	84, 230. 83	134, 391. 75	475	437	16	0	13	9
Jo Daviess	116, 504. 53	185, 885. 01	657	620	25	0	0	12
Johnson	69, 689. 93	111, 191. 49	393	369	17	0	0	7
Kane	309, 969. 45	494, 561. 64	1, 748	1, 311	198	0	62	177
Kankakee	312, 984. 02	499, 371. 45	1, 765	1, 210	456	0	0	99
Kendall	48, 233. 23	76, 956. 96	272	258	6	0	0	8
Knox	157, 467. 32	251, 241. 84	888	729	96	0	0	63
Lake	483, 218. 96	770, 984. 25	2, 725	1, 887	536	0	125	177
La Salle	242, 762. 11	387, 331. 17	1, 369	1, 172	174	0	0	23
Lawrence	134, 769. 32	215, 026. 80	760	593	159	0	0	8
Lee	163, 141. 81	260, 295. 60	920	778	23	0	18	101
Livingston	173, 249. 51	276, 422. 61	977	745	96	0	85	51
Logan	90, 437. 31	144, 294. 30	510	418	35	0	38	19
McDonough	107, 638. 13	171, 738. 51	607	563	29	0	0	15
McHenry	216, 340. 23	345. 174. 60	1, 220	1, 016	100	0	41	63
McLean	239, 924. 86	382, 804. 29	1, 353	1, 069	66	0	65	153
Macon	465, 840. 81	743, 257. 11	2, 627	1, 581	755	0	80	211
Macoupin	179, 633. 32	286, 608. 09	1, 013	876	99	0	0	38
Madison	861, 105. 05	1, 373, 908. 08	4, 856	3, 147	1, 407	0	81	221
Marion	253, 224. 47	404, 024. 04	1, 428	1, 109	192	0	32	95
Marshall	56, 390. 32	89, 971. 74	318	294	4	0	0	20
Mason	84, 585. 48	134, 957. 61	477	406	36	0	0	35
Massac	160, 481. 89	256, 051. 65	905	703	173	0	0	29
Menard	37, 238. 89	59, 415. 30	210	152	34	0	0	24
Mercer	92, 742. 57	147, 972. 39	523	503	14	0	0	6
Monroe	57, 276. 96	91, 386. 39	323	273	33	0	0	17
Montgomery	170, 944. 25	272, 744. 52	964	872	65	0	0	27
Morgan	109, 056. 76	174, 001. 95	615	457	119	0	0	39
Moultrie	51, 602. 46	82, 332. 63	291	270	14	0	0	7
Ogle	159, 240. 60	254, 071. 14	898	797	53	0	0	48
Peoria	718, 533. 29	1, 146, 432. 36	4, 052	2, 599	1, 191	0	51	211
Perry	111, 894. 00	178, 528. 83	631	598	27	0	0	6

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I*—Continued**

ILLINOIS—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Piatt	$56,390.32	$89,971.74	318	280	28	0	0	10
Pike	165,447.08	263,973.69	933	857	52	0	0	24
Pope	50,715.82	80,917.98	286	223	63	0	0	0
Pulaski	238,860.89	381,106.71	1,347	906	422	0	0	19
Putnam	14,186.24	22,634.40	80	65	7	0	0	8
Randolph	105,864.85	168,909.21	597	562	28	0	0	7
Richland	92,742.57	147,972.39	523	486	24	0	0	13
Rock Island	325,042.33	518,610.69	1,833	1,249	410	20	16	138
St. Clair	2,552,814.73	4,073,060.28	14,396	6,763	7,431	0	61	141
Saline	307,309.53	490,317.69	1,733	1,495	229	0	0	9
Sangamon	448,817.32	716,095.83	2,531	1,907	296	0	14	314
Schuyler	61,532.84	98,176.71	347	316	29	0	0	2
Scott	49,474.53	78,937.47	279	243	25	0	0	11
Shelby	133,173.37	212,480.43	751	690	36	0	0	25
Stark	27,663.18	44,137.08	156	135	17	0	0	4
Stephenson	221,482.74	353,379.57	1,249	925	73	0	155	96
Tazewell	180,519.96	288,022.74	1,018	786	205	0	0	27
Union	113,489.96	181,075.20	640	567	59	0	0	14
Vermilion	412,819.72	658,661.04	2,328	1,665	491	0	58	114
Wabash	59,404.90	94,781.55	335	296	30	0	0	9
Warren	115,617.89	184,470.36	652	601	33	0	0	18
Washington	61,355.51	97,893.78	346	290	23	0	33	0
Wayne	167,575.02	267,368.85	945	832	99	0	0	14
White	126,080.25	201,163.23	711	629	69	0	0	13
Whiteside	257,835.00	411,380.22	1,454	1,284	128	0	15	27
Will	536,949.36	856,712.04	3,028	2,053	785	0	71	119
Williamson	311,033.41	496,259.22	1,754	1,307	392	0	0	55
Winnebago	721,015.89	1,150,393.38	4,066	2,687	1,018	73	63	225
Woodford	81,570.91	130,147.80	460	414	37	0	0	9

INDIANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $256.52]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$14,686,836.00	$23,433,102.00	91,350	76,386	9,985	307	1,336	3,336
Adams	67,525.68	107,738.40	420	404	11	0	0	5
Allen	619,789.30	988,884.60	3,855	2,888	707	54	152	54
Bartholomew	123,957.86	197,776.92	771	675	55	0	32	9
Benton	46,785.65	74,647.32	291	286	4	0	0	1
Blackford	31,511.99	50,277.92	196	185	8	0	0	3
Boone	70,419.64	112,355.76	438	434	0	0	0	4
Brown	30,868.88	49,251.84	192	179	11	0	0	2
Carroll	59,808.46	95,425.44	372	360	12	0	0	0
Cass	79,583.84	126,977.40	495	440	4	25	22	4
Clark	261,099.31	416,588.48	1,624	1,442	122	0	24	36
Clay	95,018.28	151,603.32	591	559	24	0	0	8
Clinton	83,120.90	132,620.84	517	479	18	0	0	20
Crawford	94,535.96	150,833.76	588	567	15	0	0	6
Daviess	123,314.76	196,750.84	767	714	34	0	0	19
Dearborn	89,069.59	142,112.08	554	491	40	0	0	23
Decatur	97,269.14	155,194.60	605	557	39	0	0	9
De Kalb	72,027.39	114,920.96	448	413	32	0	0	3
Delaware	337,467.64	538,435.48	2,099	1,834	122	0	76	67
Dubois	82,799.35	132,107.80	515	494	13	0	0	8
Elkhart	217,207.61	346,558.52	1,351	1,027	243	0	20	61
Fayette	86,014.86	137,238.20	535	490	27	0	0	18
Floyd	187,142.61	298,589.28	1,164	1,075	55	0	0	34
Fountain	65,114.05	103,890.60	405	394	10	0	0	1
Franklin	104,021.71	165,968.44	647	602	37	0	0	8
Fulton	64,792.50	103,377.56	403	373	20	0	0	10
Gibson	134,569.04	214,707.24	837	771	59	0	0	7
Grant	199,361.54	318,084.80	1,240	1,037	144	0	24	35
Greene	142,607.81	227,533.24	887	856	16	0	0	15
Hamilton	72,831.27	116,203.56	453	396	26	0	0	31
Hancock	55,949.85	89,268.96	348	338	0	0	0	10
Harrison	88,426.49	141,086.00	550	529	12	0	0	9
Hendricks	77,976.09	124,412.20	485	460	21	0	0	4
Henry	176,531.43	281,658.96	1,098	1,046	31	0	0	21
Howard	150,485.81	240,102.72	936	810	91	0	0	35
Huntington	76,689.88	122,360.04	477	454	13	0	0	10
Jackson	118,009.17	188,285.68	734	700	30	0	0	4
Jasper	89,391.14	142,625.12	556	520	15	0	10	11
Jay	69,615.76	111,073.16	433	414	18	0	0	1
Jefferson	113,507.46	181,103.12	706	620	47	0	0	39
Jennings	73,956.70	117,999.20	460	422	29	0	0	9
Johnson	82,799.35	132,107.80	515	448	34	0	22	11
Knox	190,197.34	303,463.16	1,183	1,007	53	0	106	17
Kosciusko	124,279.41	198,289.96	773	742	15	0	0	16
Lagrange	92,606.65	147,755.52	576	568	0	0	0	8
Lake	1,759,204.81	2,806,841.84	10,942	6,895	3,243	0	174	630
La Porte	238,429.97	380,419.16	1,483	1,224	205	0	0	54
Lawrence	129,102.67	205,985.56	803	770	10	0	0	23
Madison	277,819.95	443,266.56	1,728	1,455	163	18	0	92
Marion	1,920,301.80	3,063,874.88	11,944	9,196	1,583	97	145	923
Marshall	124,118.64	198,033.44	772	735	20	0	0	17
Martin	71,062.74	113,381.84	442	399	39	0	0	6
Miami	96,465.26	153,912.00	600	522	62	0	0	14
Monroe	127,334.14	203,163.84	792	742	24	0	0	26
Montgomery	92,606.65	147,755.52	576	517	12	0	30	17
Morgan	101,127.75	161,351.08	629	561	44	0	0	24
Newton	47,911.08	76,442.96	298	274	16	0	0	8
Noble	67,043.36	106,968.84	471	390	16	0	0	11
Ohio	11,736.61	18,725.96	73	69	0	0	0	4
Orange	106,272.56	169,559.72	661	632	20	0	0	9
Owen	76,046.78	121,333.96	473	444	20	0	0	9
Parke	79,262.29	126,464.36	493	463	18	0	0	12
Perry	98,555.34	157,246.76	613	533	65	0	0	15
Pike	69,294.21	110,560.12	431	422	8	0	0	1
Porter	106,433.34	169,816.24	662	523	44	0	80	15

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I— Continued

INDIANA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Posey	$82,317.02	$131,338.24	512	468	38	0	0	6
Pulaski	77,332.98	123,386.12	481	467	9	0	0	5
Putnam	76,689.88	122,360.04	477	447	25	0	0	5
Randolph	88,908.82	141,855.56	553	528	10	0	0	15
Ripley	87,461.84	139,546.88	544	512	28	0	0	4
Rush	97,751.46	155,964.16	608	566	26	0	0	16
St. Joseph	572,842.87	913,980.76	3,563	2,497	852	0	0	214
Scott	88,587.26	141,342.52	551	495	31	0	0	25
Shelby	81,030.82	129,286.08	504	474	23	0	0	7
Spencer	75,725.23	120,820.92	471	416	40	0	12	3
Starke	99,359.22	158,529.36	618	586	23	0	0	9
Steuben	50,322.71	80,290.76	313	297	7	0	0	9
Sullivan	97,590.69	155,707.64	607	593	11	0	0	3
Switzerland	43,730.92	69,773.44	272	258	0	0	0	14
Tippecanoe	144,215.57	230,098.44	897	806	31	0	37	23
Tipton	43,409.37	69,260.40	270	242	21	0	0	7
Union	32,798.19	52,330.08	204	192	12	0	0	0
Vanderburgh	629,114.28	1,003,762.76	3,913	3,377	268	0	70	198
Vermillion	66,882.58	106,712.32	416	386	28	0	0	2
Vigo	416,569.15	664,643.32	2,591	2,007	336	113	90	45
Wabash	114,472.11	182,642.24	712	469	18	0	210	15
Warren	31,672.76	50,534.44	197	188	9	0	0	0
Warrick	140,196.18	223,685.44	872	786	68	0	0	18
Washington	140,035.40	223,428.92	871	838	21	0	0	12
Wayne	188,428.81	300,641.44	1,172	1,031	94	0	0	47
Wells	66,078.70	105,429.72	411	392	10	0	0	9
White	67,847.23	108,251.44	422	418	0	0	0	4
Whitley	65,274.83	104,147.12	406	384	17	0	0	5

IOWA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$15,056,361.00	$21,889,787.52	85,728	71,789	12,787	0	210	942
Adair	109,065.88	158,566.14	621	602	15	0	0	1
Adams	64,280.38	93,454.44	366	343	23	0	0	0
Allamakee	190,557.95	277,043.90	1,085	1,005	80	0	0	0
Appanoose	118,549.87	172,354.50	675	534	141	0	0	0
Audubon	124,345.65	180,780.72	708	686	18	0	0	4
Benton	151,041.32	219,592.40	860	782	77	0	0	1
Black Hawk	376,900.79	547,959.64	2,146	1,090	923	0	0	133
Boone	126,804.46	184,355.48	722	571	147	0	0	4
Bremer	102,918.85	149,629.24	586	554	32	0	0	0
Buchanan	158,944.65	231,082.70	905	825	76	0	0	4
Buena Vista	155,432.06	225,975.90	885	849	36	0	0	0
Butler	127,682.61	185,632.18	727	705	19	0	0	3
Calhoun	94,137.38	136,862.24	536	483	49	0	0	4
Carroll	158,593.39	230,572.02	903	842	61	0	0	0
Cass	139,801.04	203,250.64	796	726	68	0	0	2
Cedar	183,884.03	267,340.98	1,047	1,003	44	0	0	0
Cerro Gordo	176,331.96	256.361.36	1,004	816	187	0	0	1
Cherokee	167,374.86	243,339.02	953	861	79	0	0	13
Chickasaw	131,722.08	191,505.00	750	704	46	0	0	0
Clarke	59,187.12	86,049.58	337	331	6	0	0	0
Clay	120,306.17	174,907.90	685	568	94	0	0	23
Clayton	249,745.07	336,093.48	1,422	1,325	92	0	0	5
Clinton	227,615.76	330,920.64	1,296	1,102	174	0	0	20
Crawford	161,579.09	234,912.80	920	848	72	0	0	0
Dallas	110,646.55	160,864.20	630	495	120	0	0	15
Davis	81,140.80	117,967.08	462	440	22	0	0	0
Decatur	100,986.93	146,820.50	575	517	57	0	0	1
Delaware	177,561.37	258,148.74	1,011	942	66	0	0	3
Des Moines	117,671.73	171,077.80	670	516	141	0	0	13
Dickinson	103,094.48	149,884.58	587	507	75	0	0	5
Dubuque	319,118.70	463,952.78	1,817	1,477	261	0	0	79
Emmet	98,352.49	142,990.40	560	496	63	0	0	1
Fayette	207,769.63	302,067.22	1,183	1,042	141	0	0	0
Floyd	115,212.92	167,503.04	656	574	78	0	0	4
Franklin	80,965.17	117,711.74	461	437	24	0	0	0
Fremont	65,685.41	95,497.16	374	317	53	0	0	4
Greene	88,517.24	128,691.36	504	438	66	0	0	0
Grundy	83,248.36	121,031.16	474	448	23	0	0	3
Guthrie	138,922.89	201,973.94	791	746	45	0	0	0
Hamilton	111,875.96	162,651.58	637	533	99	0	0	5
Hancock	168,253.01	244,615.72	958	894	51	0	0	13
Hardin	106,431.44	154,736.04	606	513	73	0	20	0
Harrison	117,320.47	170,567.12	668	592	75	0	0	1
Henry	69,198.00	100,603.96	394	354	34	0	0	6
Howard	157,188.35	228,529.30	895	843	52	0	0	0
Humboldt	75,345.03	109,540.86	429	363	62	0	0	4
Ida	99,757.52	145,033.12	568	554	14	0	0	0
Iowa	128,560.75	186,908.88	732	714	18	0	0	0
Jackson	189,328.54	275,256.52	1,078	963	103	0	0	12
Jasper	101,513.82	147,586.52	578	448	130	0	0	0
Jefferson	65,861.04	95,752.50	375	357	13	0	0	5
Johnson	164,213.53	238,742.90	935	776	129	0	0	30
Jones	159,998.42	232,614.74	911	811	96	0	0	4
Keokuk	95,191.16	138,394.28	542	518	17	0	0	7
Kossuth	209,174.67	304,109.94	1,191	1,110	78	0	0	3
Lee	179,142.03	260,446.80	1,020	761	237	0	0	22
Linn	372,861.31	542,086.82	2,123	1,458	665	0	0	0
Louisa	46,366.17	67,409.76	264	210	46	0	0	8
Lucas	73,237.48	106,476.78	417	342	74	0	0	1
Lyon	178,088.26	258,914.76	1,014	990	24	0	0	0
Madison	90,800.42	132,010.78	517	483	32	0	0	2
Mahaska	137,869.11	200,441.90	785	657	117	0	0	11
Marion	149,285.03	217,039.00	850	700	148	0	0	2
Marshall	144,016.14	209,378.80	820	669	98	0	0	53
Mills	90,624.79	131,755.44	516	488	24	0	0	4
Mitchell	121,068.69	175,929.26	689	646	43	0	0	0
Monona	141,557.33	205,804.04	806	721	82	0	0	3

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

IOWA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Monroe	$89,395.39	$129,968.06	509	462	47	0	0	0
Montgomery	101,513.82	147,586.52	578	456	31	0	0	1
Muscatine	141,732.96	206,059.38	807	642	153	0	0	12
O'Brien	109,065.88	158,566.14	621	592	29	0	0	0
Osceola	123,116.24	178,993.34	701	677	24	0	0	0
Page	110,822.18	161,119.54	631	579	52	0	0	0
Palo Alto	153,500.13	223,167.16	874	797	76	0	0	1
Plymouth	211,633.48	307,684.70	1,205	1,167	36	0	0	2
Pocahontas	102,743.22	149,373.90	585	532	52	0	0	1
Polk	915,205.03	1,330,576.74	5,211	2,740	2,335	0	21	115
Pottawattamie	389,546.11	566,344.12	2,218	1,477	634	0	59	48
Poweshiek	106,958.33	144,502.06	609	561	48	0	0	0
Ringgold	121,184.32	176,184.60	690	672	18	0	0	0
Sac	77,979.47	113,370.96	444	404	38	0	0	2
Scott	389,194.85	565,833.44	2,216	1,461	723	0	30	2
Shelby	182,830.25	265,808.94	1,041	1,029	11	0	0	1
Sioux	224,278.80	326,069.18	1,277	1,241	35	0	0	1
Story	111,700.33	162,396.24	636	558	62	0	0	16
Tama	181,073.96	263,255.54	1,031	921	95	0	0	15
Taylor	124,872.53	181,546.74	711	690	20	0	0	1
Union	113,807.88	165,460.32	648	556	88	0	0	4
Van Buren	81,667.69	118,733.10	465	412	49	0	0	4
Wapello	221,819.99	322,494.42	1,263	814	346	0	22	81
Warren	77,979.47	113,370.96	444	407	34	0	0	3
Washington	120,833.06	175,673.92	688	630	54	0	0	4
Wayne	90,800.42	132,010.78	517	477	38	0	0	2
Webster	187,923.51	273,213.80	1,070	676	347	0	11	36
Winnebago	76,398.81	111,072.90	435	401	31	0	0	3
Winneshiek	198,988.16	289,300.22	1,133	1,093	37	0	0	3
Woodbury	437,317.32	635,796.60	2,490	1,679	735	0	47	29
Worth	80,789.54	117,456.40	460	413	37	0	0	10
Wright	89,922.38	130,734.08	512	468	41	0	0	3

KANSAS

[**Formula rate:** ½ State or National average current expenditure per pupil for 1965–66: $259.45]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$9,403,977.00	$14,170,380.65	54,617	40,263	13,155	102	467	630
Allen	74,898.47	112,860.75	435	388	44	0	0	3
Anderson	73,004.49	110,006.80	424	403	18	0	0	3
Atchison	111,056.36	167,345.25	645	434	199	0	0	12
Barber	34,608.26	52,149.45	201	194	7	0	0	0
Barton	93,493.96	140,881.35	543	482	58	0	0	3
Bourbon	105,546.59	159,042.85	613	508	101	0	0	4
Brown	74,554.11	112,341.85	433	411	22	0	0	0
Butler	129,996.20	195,884.75	755	585	166	0	0	4
Chase	26,687.96	40,214.75	155	138	17	0	0	0
Chautauqua	42,872.92	64,603.05	249	221	23	0	0	5
Cherokee	174,074.39	262,303.95	1,011	683	328	0	0	0
Cheyenne	30,475.93	45,922.65	177	166	11	0	0	0
Clark	13,774.43	20,756.00	80	67	13	0	0	0
Clay	38,396.23	57,857.35	223	191	32	0	0	0
Cloud	49,932.32	75,240.50	290	242	46	0	0	2
Coffery	59,918.78	90,288.60	348	338	10	0	0	0
Comanche	19,112.02	28,798.95	111	108	3	0	0	0
Cowley	125,002.97	188,360.70	726	654	69	0	0	3
Crawford	191,636.79	288,767.85	1,113	756	322	0	30	5
Decatur	19,456.39	29,317.85	113	105	8	0	0	0
Dickinson	105,202.23	158,523.95	611	456	137	0	0	18
Doniphan	61,468.40	92,623.65	357	301	55	0	0	1
Douglas	92,460.88	139,324.65	537	424	111	0	0	2
Edwards	30,820.29	46,441.55	179	158	21	0	0	0
Elk	31,853.37	47,998.25	185	159	26	0	0	0
Ellis	75,931.56	114,417.45	441	405	36	0	0	0
Ellsworth	38,568.41	58,116.80	224	214	10	0	0	0
Finney	72,143.59	108,709.55	419	322	97	0	0	0
Ford	74,209.75	111,822.95	431	326	88	0	14	3
Franklin	95,732.30	144,254.20	556	458	86	0	0	12
Geary	154,101.46	232,207.75	895	607	284	0	0	4
Gove	21,178.19	31,912.35	123	116	7	0	0	0
Graham	38,396.23	57,857.35	223	205	18	0	0	0
Grant	15,496.24	23,350.50	90	50	40	0	0	0
Gray	35,296.98	53,187.25	205	189	16	0	0	0
Greeley	5,165.41	7,783.50	30	20	10	0	0	0
Greenwood	84,024.04	126,611.60	488	426	61	0	0	1
Hamilton	7,403.73	11,156.35	43	35	8	0	0	0
Harper	23,416.53	35,285.20	136	130	6	0	0	0
Harvey	86,951.10	131,022.25	505	317	136	0	42	10
Haskell	14,807.51	22,312.70	86	77	9	0	0	0
Hodgeman	14,635.33	22,053.25	85	82	3	0	0	0
Jackson	72,315.77	108,969.00	420	399	21	0	0	0
Jefferson	54,925.55	82,764.55	319	280	18	0	0	21
Jewell	52,859.38	79,651.15	307	292	7	0	0	8
Johnson	195,424.76	294,475.75	1,135	921	205	0	0	9
Kearny	10,675.18	16,085.90	62	45	17	0	0	0
Kingman	55,097.73	83,024.00	320	314	5	0	0	1
Kiowa	15,151.88	22,831.60	88	73	12	0	0	3
Labette	212,470.62	320,161.30	1,234	900	311	0	0	23
Lane	12,052.63	18,161.50	70	70	0	0	0	0
Leavenworth	194,908.21	293,697.40	1,132	822	295	0	0	15
Lincoln	23,933.08	36,063.55	139	139	0	0	0	0
Linn	58,713.52	88,472.45	341	289	41	0	0	11
Logan	12,396.99	18,680.40	72	68	4	0	0	0
Lyon	127,069.14	191,474.10	738	651	71	0	0	16
McPherson	59,574.42	89,769.70	346	302	39	0	0	5
Marion	71,971.41	108,450.10	418	397	17	0	0	4
Marshall	106,063.13	159,821.20	616	564	52	0	0	0
Meade	33,575.18	50,592.75	195	182	12	0	0	1
Miami	96,248.84	145,032.55	559	424	127	0	0	8
Mitchell	35,296.98	53,187.25	205	197	7	0	0	1
Montgomery	247,595.42	373,089.10	1,438	1,031	396	0	0	11

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I— Continued

KANSAS—Continued

County	Ratably reduced amount	Maximum amount authorized	Eligible total	Children aged 5 to 17 years: In low-income families	AFDC	Delinquent	Neglected	In foster homes
Morris	$65, 428. 55	$98, 591. 00	380	369	11	0	0	0
Morton	12, 396. 99	18, 680. 40	72	68	4	0	0	0
Nemaha	111, 917. 26	168, 642. 50	650	587	62	0	0	1
Neosho	101, 069. 90	152, 297. 15	587	509	77	0	0	1
Ness	37, 190. 97	56, 041. 20	216	216	0	0	0	0
Norton	55, 786. 45	84, 061. 80	324	299	19	0	0	6
Osage	57, 852. 61	87, 175. 20	336	299	33	0	0	4
Osborne	53, 031. 56	79, 910. 60	308	277	28	0	0	3
Ottawa	26, 687. 96	40, 214. 75	155	113	39	0	0	3
Pawnee	28, 926. 31	43, 587. 60	168	130	36	0	0	2
Phillips	45, 111. 27	67, 975. 90	262	261	0	0	0	1
Pottawatomie	84, 712. 76	127, 649. 40	492	473	18	0	0	1
Pratt	43, 045. 10	64, 862. 50	250	242	7	0	0	1
Rawlins	34, 091. 72	51, 371. 10	198	188	9	0	0	1
Reno	211, 265. 35	318, 345. 15	1, 227	964	248	0	0	15
Republic	70, 593. 96	106, 374. 50	410	400	10	0	0	0
Rice	23, 244. 35	35, 025. 75	135	101	34	0	0	0
Riley	116, 049. 59	174, 869. 30	674	553	114	0	0	7
Rooks	44, 594. 72	67, 197. 55	259	254	5	0	0	0
Rush	34, 436. 08	51, 890. 00	200	186	14	0	0	0
Russell	24, 449. 62	36, 841. 90	142	128	14	0	0	0
Saline	131, 373. 65	197, 960. 35	763	489	227	40	0	7
Scott	14, 979. 69	22, 572. 15	87	78	9	0	0	0
Sedgwick	1, 539, 120. 61	2, 319, 223. 55	8, 939	4, 216	4, 291	62	245	125
Seward	42, 356. 38	63, 824. 70	246	145	89	0	0	12
Shawnee	482, 449. 48	726, 978. 90	2, 802	1, 770	922	0	24	86
Sheridan	49, 071. 41	73, 943. 25	285	274	8	0	0	3
Sherman	30, 992. 47	46, 701. 00	180	152	23	0	0	5
Smith	55, 097. 73	83, 024. 00	320	302	16	0	0	2
Stafford	35, 469. 16	53, 446. 70	206	199	7	0	0	0
Stanton	3, 960. 15	5, 967. 35	23	23	0	0	0	0
Stevens	17, 045. 86	25, 685. 55	99	96	3	0	0	0
Sumner	60, 263. 14	90, 807. 50	350	301	49	0	0	0
Thomas	16, 184. 96	24, 388. 30	94	63	28	0	0	3
Trego	26, 171. 42	39, 436. 40	152	150	1	0	0	1
Wabaunsee	52, 687. 20	79, 391. 70	306	295	11	0	0	0
Wallace	8, 953. 38	13. 491. 40	52	52	0	0	0	0
Washington	105, 374. 41	158, 783. 40	612	594	14	0	0	4
Wichita	33, 058. 64	49, 814. 40	192	183	9	0	0	0
Wilson	58, 885. 70	88, 731. 90	342	299	38	0	0	5
Woodson	41, 667. 66	62, 786. 90	242	236	5	0	0	1
Wyandotte	900, 847. 86	1, 357, 442. 40	5, 232	2, 818	2, 204	0	112	98

KENTUCKY

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	Children aged 5 to 17 years: In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$34, 334, 575. 00	$54, 781, 409. 62	214, 543	193, 559	17, 990	496	1, 847	651
Adair	336, 555. 43	536, 980. 02	2, 103	2, 005	98	0	0	0
Allen	202, 285. 34	322, 749. 76	1, 264	1, 177	86	0	0	1
Anderson	65, 614. 71	104, 689. 40	410	383	24	0	0	3
Ballard	68, 495. 35	109, 285. 52	428	396	24	0	0	8
Barren	409, 211. 71	652, 904. 38	2, 557	2, 350	201	0	0	6
Bath	176, 519. 56	281, 640. 02	1, 103	983	117	0	0	3
Bell	868, 834. 72	1, 386, 240. 86	5, 429	4, 946	446	0	34	3
Boone	53, 612. 02	85, 538. 90	335	315	17	0	0	3
Bourbon	164, 516. 87	262, 489. 52	1, 028	969	59	0	0	0
Boyd	319, 591. 63	509, 913. 98	1, 997	1, 698	269	0	30	0
Boyle	181, 320. 64	289, 300. 22	1, 133	992	90	0	42	9
Bracken	52, 811. 84	84, 262. 20	330	325	2	0	0	3
Breathitt	574, 528. 76	916, 677. 60	3, 590	3, 270	317	0	0	3
Breckinridge	205, 005. 95	327, 090. 54	1, 281	1, 198	83	0	0	0
Bullitt	90, 420. 26	144, 267. 10	565	532	33	0	0	0
Butler	211, 727. 45	337, 814. 82	1, 323	1, 263	60	0	0	0
Caldwell	140, 031. 38	223, 422. 50	875	815	60	0	0	0
Calloway	130, 429. 23	208, 102. 10	815	777	35	0	0	3
Campbell	256, 857. 57	409, 820. 70	1, 605	1, 346	134	82	41	2
Carlisle	37, 448. 39	59, 749. 56	234	234	0	0	0	0
Carroll	69, 455. 57	110, 817. 56	434	411	23	0	0	0
Carter	369, 362. 78	589, 324. 72	2, 308	2, 145	160	0	0	3
Casey	416, 733. 40	664, 905. 36	2, 604	2, 493	111	0	0	0
Christian	390, 167. 44	622, 518. 92	2, 438	2, 093	345	0	0	0
Clark	165, 317. 05	263, 766. 22	1, 043	914	115	0	0	4
Clay	677, 911. 93	1, 081, 620. 24	4, 236	3, 852	381	0	0	3
Clinton	244, 374. 77	389, 904. 18	1, 527	1, 424	103	0	0	0
Crittenden	111, 064. 89	177, 205. 96	694	671	16	0	0	7
Cumberland	189, 002. 36	301, 556. 54	1, 181	1, 072	109	0	0	0
Daviess	430, 496. 48	686, 864. 60	2, 690	2, 646	158	0	64	4
Edmonson	162, 436. 40	259, 170. 10	1, 015	989	26	0	0	0
Elliott	147, 233. 00	234, 912. 80	920	860	59	0	0	1
Estill	247, 575. 49	395, 010. 98	1, 547	1, 388	158	0	0	1
Fayette	571, 168. 01	911, 308. 46	3, 569	3, 000	491	0	32	46
Fleming	130, 109. 16	207, 591. 42	813	768	39	0	0	6
Floyd	924, 527. 20	1, 475, 099. 18	5, 777	5, 516	248	0	0	13
Franklin	127, 388. 55	203, 250. 64	796	705	69	0	12	10
Fulton	151, 393. 93	241, 551. 64	946	868	75	0	0	3
Gallatin	18, 244. 09	29, 108. 76	114	102	11	0	0	1
Garrard	118, 106. 47	188, 440. 92	738	713	22	0	0	3
Grant	83, 378. 69	133, 032. 14	521	489	32	0	0	0
Graves	226, 450. 75	361, 306. 10	1, 415	1, 309	48	54	0	4
Grayson	300. 227. 29	479, 017. 84	1, 876	1, 775	101	0	0	0
Green	136, 990. 70	218, 571. 04	856	826	28	0	0	2
Greenup	343, 436. 97	547, 959. 64	2, 146	1, 948	197	0	0	1
Hancock	60, 103. 45	95, 752. 50	375	342	33	0	0	0
Hardin	306, 468. 68	488, 976. 10	1, 915	1, 729	51	0	135	0
Harlan	1, 099, 126. 33	1, 753, 675. 12	6, 868	6, 282	585	0	0	1
Harrison	105, 943. 74	169, 035. 08	662	597	62	0	0	3
Hart	284, 863. 84	454, 505. 20	1, 780	1, 659	121	0	0	0
Henderson	218, 929. 07	349, 305. 12	1, 368	1, 264	96	0	0	8
Henry	115, 705. 93	184, 610. 82	723	680	41	0	0	2

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

KENTUCKY—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Hickman	$98,902.17	$157,800.12	618	585	33	0	0	0
Hopkins	318,151.30	507,615.92	1,988	1,864	115	0	0	9
Jackson	319,751.66	510,169.32	1,998	1,877	118	0	0	3
Jefferson	2,776,302.22	4,429,638.32	17,348	11,736	4,247	230	873	262
Jessamine	83,538.72	133,287.48	522	476	46	0	0	0
Johnson	442,979.28	706,781.12	2,768	2,502	264	0	0	2
Kenton	334,474.96	533,660.60	2,090	1,808	193	0	86	3
Knott	555,324.46	886,029.80	3,470	3,121	349	0	0	0
Knox	771,372.88	1,230,738.80	4,820	4,347	435	0	28	10
Larue	115,545.90	184,355.48	722	677	44	0	0	1
Laurel	496,431.26	792,064.68	3,102	2,996	91	0	0	15
Lawrence	281,503.09	449,143.06	1,759	1,601	154	0	0	4
Lee	196,364.01	313,302.18	1,227	1,123	104	0	0	0
Leslie	338,955.97	540,810.12	2,118	1,849	269	0	0	0
Letcher	694,235.59	1,107,664.92	4,338	4,033	300	0	0	5
Lewis	248,215.63	396,032.34	1,551	1,386	163	0	0	2
Lincoln	364,081.60	580,898.50	2,275	2,190	85	0	0	0
Livingston	82,898.58	132,266.12	518	490	28	0	0	0
Logan	275,741.80	439,950.82	1,723	1,571	146	0	0	6
Lyon	26,405.92	42,131.10	165	161	3	0	0	1
McCracken	377,364.57	602,091.72	2,358	2,129	203	0	23	3
McCreary	378,324.79	603,623.76	2,364	2,139	182	43	0	0
McLean	90,580.30	144,522.44	566	548	18	0	0	0
Madison	352,719.05	562,769.36	2,204	2,060	141	0	0	3
Magoffin	377,204.54	601,836.38	2,357	2,209	128	0	19	1
Marion	219,569.21	350,326.48	1,372	1,271	96	0	0	5
Marshall	109,624.57	174,907.90	685	611	39	35	0	0
Martin	267,740.01	427,183.82	1,673	1,533	140	0	0	0
Mason	173,478.88	276,788.56	1,084	1,007	72	0	0	5
Meade	76,657.18	122,307.86	479	473	3	0	0	3
Menifee	121,627.26	194,058.40	760	696	64	0	0	0
Mercer	155,234.79	247,679.80	970	897	73	0	0	0
Metcalfe	155,714.90	248,445.82	973	924	49	0	0	0
Monroe	289,504.88	461,910.06	1,809	1,691	116	0	0	2
Montgomery	210,607.20	336,027.44	1,316	1,126	161	0	29	0
Morgan	255,577.28	407,777.98	1,597	1,426	141	25	0	5
Muhlenberg	372,243.43	593,920.84	2,326	2,221	105	0	0	0
Nelson	179,240.17	285,980.80	1,120	1,004	108	0	0	8
Nicholas	73,776.53	117,711.74	461	435	24	0	0	2
Ohio	263,579.07	420,544.98	1,647	1,580	66	0	0	1
Oldham	47,210.58	75,325.30	295	281	11	0	0	3
Owen	76,017.04	121,286.50	475	442	28	0	0	5
Owsley	197,164.19	314,578.88	1,232	1,193	39	0	0	0
Pendleton	60,653.59	96,773.86	379	357	22	0	0	0
Perry	814,422.53	1,299,425.26	5,089	4,669	339	0	72	9
Pike	1,545,466.37	2,465,818.38	9,657	9,317	318	0	0	22
Powell	130,429.23	208,102.10	815	759	56	0	0	0
Pulaski	650,545.80	1,037,957.10	4,065	3,770	292	0	0	3
Robertson	51,051.44	81,453.46	319	310	7	0	0	2
Rockcastle	275,261.69	439,184.80	1,720	1,619	101	0	0	0
Rowan	170,918.31	272,703.12	1,068	954	57	0	44	13
Russell	314,950.59	502,509.12	1,968	1,911	57	0	0	0
Scott	103,383.17	164,949.64	646	568	75	0	0	3
Shelby	133,149.84	212,442.88	832	792	30	0	0	10
Simpson	157,955.40	252,020.58	987	941	46	0	0	0
Spencer	51,051.44	81,453.46	319	304	15	0	0	0
Taylor	161,636.23	257,893.40	1,010	940	70	0	0	0
Todd	176,679.60	281,895.36	1,104	1,055	47	0	0	2
Trigg	185,321.53	295,683.72	1,158	1,093	61	0	0	4
Trimble	26,085.85	41,620.42	163	159	4	0	0	0
Union	130,269.20	207,846.76	814	765	42	0	0	7
Warren	440,258.67	702,440.34	2,751	2,435	205	0	90	21
Washington	156,515.08	249,722.52	978	947	31	0	0	0
Wayne	429,376.23	685,077.22	2,683	2,527	129	27	0	0
Webster	127,868.66	204,016.66	799	770	27	0	0	2
Whitley	576,289.16	919,479.34	3,601	3,242	353	0	0	6
Wolfe	238,453.44	380,456.60	1,490	1,275	107	0	104	4
Woodford	95,221.34	151,927.30	595	469	36	0	89	1

LOUISIANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

State total	$33,330,510.00	$53,179,406.46	206,209	201,090	2,566	87	73	3,761
Acadia	745,927.18	1,190,139.74	4,661	4,180	158	0	0	323
Allen	250,776.20	400,117.78	1,567	1,480	0	0	0	87
Ascension	296,386.43	472,889.68	1,852	1,790	19	0	0	43
Assumption	238,453.44	380,456.60	1,490	1,477	4	0	0	9
Avoyelles	803,059.98	1,281,296.12	5,018	4,937	17	0	20	44
Beauregard	204,845.91	326,835.20	1,280	1,246	0	0	0	34
Bienville	260,218.32	415,182.84	1,626	1,606	4	0	0	16
Bossier	484,428.57	772,914.18	3,027	2,951	7	0	0	69
Caddo	1,812,566.23	2,891,980.84	11,326	10,721	374	0	12	219
Calcasieu	703,197.60	1,121,963.96	4,394	4,195	56	0	0	143
Caldwell	176,519.56	281,640.02	1,103	1,101	0	0	0	2
Cameron	31,687.10	50,557.32	198	198	0	0	0	0
Catahoula	256,697.53	409,565.36	1,604	1,589	0	0	0	15
Claiborne	320,551.84	511,446.02	2,003	1,997	0	0	0	6
Concordia	388,567.08	619,965.52	2,428	2,424	0	0	0	4
De Soto	466,504.55	744,316.10	2,915	2,877	0	0	0	38
East Baton Rouge	1,100,406.62	1,755,717.84	6,876	6,306	200	0	77	293
East Carroll	378,164.75	603,368.42	2,363	2,354	0	0	0	9
East Feliciana	285,183.91	455,015.88	1,782	1,772	0	0	0	10
Evangeline	736,164.99	1,174,564.00	4,600	4,302	298	0	0	0
Franklin	710,239.18	1,233,198.92	4,438	4,367	7	0	0	64
Grant	165,317.05	263,766.22	1,033	1,019	3	0	0	11
Iberia	415,933.22	663,628.66	2,599	2,583	5	0	0	11
Iberville	455,782.15	727,208.32	2,848	2,760	15	0	0	73
Jackson	157,635.33	251,509.90	985	978	2	0	0	5
Jefferson	747,367.50	1,192,437.80	4,670	4,341	15	87	122	105
Jefferson Davis	352,398.98	562,258.68	2,202	2,096	37	0	0	69

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

LOUISIANA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Lafayette	$768, 332. 20	$1, 225, 887. 34	$4, 801	$4, 651	14	0	32	104
Lafourche	397, 209. 02	633, 753. 88	2, 482	2, 435	0	0	0	47
La Salle	121, 147. 15	193, 292. 38	757	737	0	0	0	20
Lincoln	252, 376. 56	402, 671. 18	1, 577	1, 406	0	0	107	64
Livingston	340, 716. 36	543, 618. 86	2, 129	2, 070	7	0	0	52
Madison	396, 568. 88	632, 732. 52	2, 478	2, 473	0	0	0	5
Morehouse	603, 975. 36	963, 653. 16	3, 774	3, 747	24	0	0	3
Natchitoches	724, 642. 40	1, 156, 179. 52	4, 528	4, 381	16	0	0	131
Orleans	3, 956, 566. 74	6, 312, 770. 82	24, 723	23, 202	763	0	176	582
Ouachita	917, 485. 62	1, 463, 864. 22	5, 733	5, 510	11	0	116	96
Plaquemines	161, 796. 26	258, 148. 74	1, 011	997	0	0	0	14
Pointe Coupee	571, 007. 97	911, 053. 12	3, 568	3, 465	10	0	0	93
Rapides	1, 046, 954. 64	1, 670, 434. 28	6, 542	6, 284	19	9	78	161
Red River	240, 053. 80	383, 010. 00	1, 500	1, 468	0	0	0	32
Richland	613, 257. 44	978, 462. 88	3, 832	3, 814	6	0	0	12
Sabine	278, 942. 52	445, 057. 62	1, 743	1, 733	0	0	0	10
St. Bernard	94, 261. 13	150, 395. 26	589	579	0	0	0	10
St. Charles	154, 434. 61	246, 403. 10	965	935	6	0	0	24
St. Helena	259, 418. 14	413, 906. 14	1, 621	1, 596	8	0	0	17
St. James	263, 899. 14	421, 055. 66	1, 649	1, 619	0	0	0	30
St. John the Baptist	187, 402. 00	299, 003. 14	1, 171	1, 149	0	0	0	22
St. Landry	1, 971, 481. 84	3, 145, 533. 46	12, 319	12, 256	20	0	0	43
St. Martin	628, 460. 85	1, 002, 720. 18	3, 927	3, 674	239	0	0	14
St. Mary	396, 728. 91	632, 987. 86	2, 479	2, 462	0	0	0	17
St. Tammany	394, 968. 52	630, 179. 12	2, 468	2, 412	5	0	0	51
Tangipahoa	865, 954. 08	1, 381, 644. 74	5, 411	5, 304	6	0	0	101
Tensas	421, 854. 54	673, 076. 24	2, 636	2, 635	0	0	0	1
Terrebonne	417, 053. 47	665, 416. 04	2, 606	2, 553	4	0	23	26
Union	229, 491. 43	366, 157. 56	1, 434	1, 421	0	0	0	13
Vermilion	423, 454. 90	675, 629. 64	2, 646	2, 535	7	0	0	104
Vernon	279, 262. 59	445, 568. 30	1, 745	1, 564	149	0	0	32
Washington	538, 200. 62	858, 708. 42	3, 363	3, 283	28	0	0	52
Webster	416, 893. 43	665, 160. 70	2, 605	2, 572	4	0	0	29
West Baton Rouge	161, 476. 19	257, 638. 06	1, 009	988	0	0	0	21
West Carroll	396, 568. 88	632, 732. 52	2, 478	2, 465	0	0	0	13
West Feliciana	249, 495. 92	398, 075. 06	1, 559	1, 553	0	0	0	6
Winn	243, 734. 63	388, 882. 82	1, 523	1, 515	1	0	0	7

MAINE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$3, 708, 827. 00	$5, 831, 710. 26	22, 839	18, 408	2, 825	0	144	1, 462
Androscoggin	215, 491. 63	338, 836. 18	1, 327	1, 007	185	0	25	110
Aroostook	722, 473. 46	1, 136, 007. 66	4, 449	3, 843	377	0	0	229
Cumberland	559, 271. 43	879, 390. 96	3, 444	2, 569	621	0	76	178
Franklin	73, 237. 93	115, 158. 34	451	316	53	0	0	82
Hancock	137, 219. 62	215, 762. 30	845	745	49	0	0	51
Kennebec	273, 627. 28	430, 247. 90	1, 685	1, 251	259	0	0	175
Knox	117, 245. 64	184, 355. 48	722	579	103	0	0	40
Lincoln	73, 075. 54	114, 903. 00	450	404	34	0	0	12
Oxford	149, 886. 04	235, 678. 82	923	720	103	0	0	100
Penobscot	381, 616. 68	600, 049. 00	2, 350	1, 862	293	0	20	175
Piscataquis	68, 366. 22	107, 498. 14	421	332	39	0	0	50
Sagadahoc	94, 186. 25	148, 097. 20	580	462	75	0	23	20
Somerset	152, 321. 89	239, 508. 92	938	685	171	0	0	82
Waldo	90, 451. 27	142, 224. 38	557	455	77	0	0	25
Washington	274, 764. 01	432, 035. 28	1, 692	1, 498	162	0	0	32
York	325, 492. 11	511, 956. 70	2, 005	1, 680	244	0	0	101

MARYLAND

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $272.04]

State total	$15, 424, 606. 00	$24, 610, 370. 64	90, 466	53, 716	29, 800	122	340	6, 488
Allegany	447, 740. 05	714, 377. 04	2, 626	2, 091	437	0	0	98
Anne Arundel	677, 748. 18	1, 081, 359. 00	3, 957	2, 615	1, 055	0	0	305
Baltimore	728, 898. 98	1, 162, 971. 00	4, 275	3, 152	519	0	251	353
Baltimore City	8, 007, 829. 15	12, 776, 630. 64	46, 966	21, 264	21, 944	122	0	3, 636
Calvert	184, 824. 91	294, 891. 36	1, 084	775	277	0	0	32
Caroline	165, 899. 11	264, 694. 92	973	756	153	0	0	64
Carroll	183, 460. 89	292, 715. 04	1, 076	906	89	0	12	69
Cecil	204, 432. 72	326, 175. 96	1, 199	922	187	0	0	90
Charles	313, 042. 93	499, 465. 44	1, 836	1, 235	515	0	0	86
Dorchester	288, 149. 54	459, 747. 60	1, 690	1, 465	183	0	0	42
Frederick	328, 047. 17	523, 404. 96	1, 924	1, 576	225	0	0	123
Garrett	198, 294. 62	316, 382. 52	1, 163	918	201	0	0	44
Harford	291, 900. 60	465, 732. 48	1, 712	1, 308	292	0	0	112
Howard	97, 016. 03	154, 790. 76	569	427	95	0	0	47
Kent	105, 541. 16	168, 392. 76	619	581	23	0	0	15
Montgomery	520, 544. 70	830, 538. 12	3, 053	2, 180	485	0	37	351
Prince Georges	818, 412. 89	1, 305, 792. 00	4, 800	2, 865	1, 370	0	0	565
Queen Annes	158, 055. 99	252, 181. 08	927	759	120	0	0	48
St. Marys	338, 277. 33	539, 727. 36	1, 984	1, 533	411	0	0	40
Somerset	218, 072. 94	347, 939. 16	1, 279	1, 104	101	0	0	74
Talbot	155, 839. 45	248, 644. 56	914	825	35	0	0	54
Washington	416, 708. 56	664, 865. 76	2, 444	1, 761	565	0	40	78
Wicomico	316, 964. 49	505, 722. 36	1, 859	1, 332	418	0	0	109
Worcester	258, 993. 58	413, 228. 76	1, 519	1, 366	100	0	0	53

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

MASSACHUSETTS

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $295.90]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$17,363,606.00	$27,703,933.40	93,626	47,065	43,232	179	0	3,150
Barnstable	263,163.62	419,882.10	1,419	783	606	0	0	30
Berkshire	448,435.26	715,486.20	2,418	1,382	959	0	0	77
Bristol	1,744,780.35	2,783,827.20	9,408	5,193	4,036	0	0	179
Dukes	29,673.14	47,344.00	160	126	33	0	0	1
Essex	1,792,442.82	2,859,873.50	9,665	4,949	4,323	48	0	345
Franklin	193,617.21	308,919.60	1,044	634	374	0	0	36
Hampden	1,262,035.53	2,013,599.50	6,805	3,665	2,875	37	0	228
Hampshire	213,461.12	340,580.90	1,151	783	295	0	0	73
Middlesex	2,916,869.19	4,653,915.20	15,728	8,114	6,726	94	0	794
Nantucket	12,982.00	20,713.00	70	52	10	0	0	8
Norfolk	862,931.86	1,376,822.70	4,653	2,946	1,439	0	0	268
Plymouth	786,152.63	1,254,320.10	4,239	2,163	1,888	0	0	188
Suffolk	5,154,409.04	8,223,948.70	27,793	11,052	16,198	0	0	543
Worcester	1,682,652.22	2,684,700.70	9,073	5,223	3,470	0	0	380

MICHIGAN

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $268.48]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$31,954,746.00	$50,984,352.00	189,900	124,712	59,150	742	1,467	3,829
Alcona	37,861.07	60,408.00	225	197	16	0	0	12
Alger	58,390.19	93,162.56	347	262	80	0	0	5
Allegan	218,584.60	348,755.52	1,299	914	354	0	0	31
Alpena	99,953.23	159,477.12	594	484	102	0	0	8
Antrim	61,755.62	98,532.16	367	313	41	0	0	13
Arenac	67,813.39	108,197.44	403	356	23	0	0	24
Baraga	57,885.37	92,357.12	344	270	70	0	0	4
Barry	100,962.86	161,088.00	600	439	151	0	0	10
Bay	311,638.70	497,224.96	1,852	1,308	482	0	0	62
Benzie	35,673.54	56,917.76	212	188	23	0	0	1
Berrien	661,138.48	1,054,857.92	3,929	2,245	1,637	0	0	47
Branch	114,088.03	182,029.44	678	535	118	0	0	25
Calhoun	518,612.57	827,455.36	3,082	1,778	1,000	184	0	120
Cass	173,487.85	276,802.88	1,031	879	136	0	0	16
Charlevoix	48,293.90	77,053.76	287	271	10	0	0	6
Cheboygan	113,078.41	180,418.56	672	547	102	0	0	23
Chippewa	153,295.28	244,585.28	911	569	316	0	21	5
Clare	65,625.86	104,707.20	390	294	83	0	0	13
Clinton	109,039.89	173,975.04	648	546	90	0	0	12
Crawford	21,033.93	33,560.00	125	108	16	0	0	1
Delta	142,862.45	227,939.52	849	535	306	0	0	8
Dickinson	92,885.83	148,200.96	552	473	70	0	0	9
Eaton	156,828.98	250,223.36	932	639	109	0	178	6
Emmet	93,222.38	148,737.92	554	406	51	0	91	6
Genesee	1,262,204.05	2,013,868.48	7,501	4,572	2,748	0	36	145
Gladwin	50,649.70	80,812.48	301	274	20	0	0	7
Gogebic	92,044.48	146,858.56	547	419	119	0	0	9
Grand Traverse	107,693.72	171,827.20	640	506	94	0	0	40
Gratiot	157,502.07	251,297.28	936	775	99	0	22	40
Hillsdale	160,026.14	255,324.48	951	819	101	0	0	31
Houghton	159,689.59	254,787.52	949	737	209	0	0	3
Huron	274,114.17	437,353.92	1,629	1,510	109	0	0	10
Ingham	605,440.63	965,991.04	3,598	2,028	1,337	0	36	197
Ionia	156,155.89	249,149.44	928	721	164	0	0	43
Iosco	59,904.63	95,578.88	356	334	17	0	0	5
Iron	63,774.87	101,753.92	379	284	86	0	0	9
Isabella	161,372.31	257,472.32	959	735	199	0	0	25
Jackson	291,109.59	464,470.40	1,730	1,233	367	0	48	82
Kalamazoo	494,886.30	789,599.68	2 941	1 826	976	36	0	103
Kalkaska	36 683.17	58,528.64	218	177	37	0	0	4
Kent	1,103,355.82	1,760,423.36	6 557	3 914	2 457	75	57	54
Keweenan	6 562.59	10 470.72	39	35	4	0	0	0
Lake	50,313.16	80,275.52	299	218	65	0	0	16
Lapeer	141,516.28	225,791.68	841	634	83	0	60	64
Leelanau	63,270.06	100,948.48	376	322	43	0	0	11
Lenawee	245,508.03	391,712.32	1,459	1,084	186	30	116	43
Livingston	119,136.18	190,083.84	708	638	42	0	0	28
Luce	41,226.50	65,777.60	245	188	38	0	0	19
Mackinac	38,365.89	61,213.44	228	141	83	0	0	4
Macomb	900,588.73	1,436,904.96	5,352	3,939	1,316	0	0	97
Manistee	61,250.80	97,726.62	364	285	64	0	0	15
Marquette	156,492.44	249,686.40	930	719	198	0	0	13
Mason	69,327.83	110,613.76	412	333	66	0	0	13
Mecosta	107,020.63	170,753.28	636	541	72	0	0	23
Menominee	150,098.12	239,484.16	892	706	182	0	0	4
Midland	187,959.20	299,892.16	1,117	955	145	0	0	17
Missaukee	56,202.66	89,672.32	334	298	24	0	0	12
Monroe	311,470.43	496,956.48	1,851	1,467	364	0	0	20
Montcalm	154,473.18	246,464.64	918	752	141	0	0	25
Montmorency	45,938.10	73,295.04	273	263	9	0	0	1
Muskegon	646,667.13	1,031,768.64	3,843	2,310	1,330	0	18	185
Newaygo	139,833.56	223,106.88	831	656	152	0	0	23
Oakland	1,906,851.93	3,042,415.36	11,332	7,913	2,873	250	146	150
Oceana	80,097.20	127,796.48	476	382	78	0	0	16
Ogemaw	78,582.76	125,380.16	467	373	87	0	0	7
Ontonagon	55,529.57	88,598.40	330	264	59	0	0	7
Osceola	73,702.89	117,594.24	438	418	16	0	0	4
Oscoda	31,466.76	50,205.76	187	158	26	0	0	3
Otsego	41,899.59	66,851.52	249	234	11	0	0	4
Ottawa	199,065.11	317,611.84	1,183	959	198	0	0	26
Presque Isle	62,092.16	99,069.12	369	321	44	0	0	4
Roscommon	36,178.36	57,723.20	215	175	38	0	0	2
Saginaw	854,314.09	1,363,072.96	5,077	3,042	1,828	0	66	139

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—
Continued

MICHIGAN—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
St. Clair	$486,641.00	$776,444.16	2,892	2,189	589	0	0	114
St. Joseph	96,587.81	154,107.52	574	441	117	0	0	16
Sanilac	168,103.17	268,211.52	999	919	55	0	0	25
Schoolcraft	65,121.05	103,901.76	387	335	50	0	0	2
Shiawassee	160,194.41	255,592.96	952	803	103	0	0	46
Tuscola	129,400.74	206,461.12	769	658	85	0	0	26
Van Buren	216,733.61	345,802.24	1,288	889	382	0	0	17
Washtenaw	394,596.52	629,585.60	2,345	1,588	686	0	0	71
Wayne	14,318,384.88	22,845,231.68	85,091	50,512	32,619	167	570	1,223
Wexford	55,361.30	88,329.92	329	235	74	0	0	20

MINNESOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $285.18]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$19,054,393.00	$30,401,613.90	106,605	77,280	21,889	314	300	6,822
Aitkin	151,033.84	240,977.10	845	735	58	0	0	52
Anoka	231,823.53	369,878.46	1,297	456	623	0	46	172
Becker	260,600.39	415,792.44	1,458	1,206	157	0	0	95
Beltrami	271,145.95	432,618.06	1,517	1,146	287	0	0	84
Benton	147,995.29	236,129.04	828	766	50	0	0	12
Big Stone	125,116.79	199,626.00	700	651	39	0	0	10
Blue Earth	218,060.69	374,919.6	1,220	1,017	158	0	0	45
Brown	186,960.23	298,298.28	1,046	948	63	0	0	35
Carlton	101,880.81	162,552.60	570	354	184	0	0	32
Carver	90,977.78	145,156.62	509	415	52	0	0	42
Cass	212,698.54	339,364.20	1,190	863	243	0	0	84
Chippewa	173,018.64	276,054.24	968	871	44	0	0	53
Chisago	62,200.92	99,242.64	348	287	40	0	0	21
Clay	120,648.33	192,496.50	675	478	124	0	0	73
Clearwater	107,242.96	171,108.00	600	529	50	0	0	21
Cook	12,154.20	19,392.24	68	40	21	0	0	7
Cottonwood	150,104.14	239,551.20	840	797	22	0	0	21
Crow Wing	180,704.39	388,316.98	1,011	721	237	0	0	53
Dakota	208,945.03	333,375.42	1,169	639	392	0	0	138
Dodge	93,301.38	148,863.96	522	467	24	0	0	31
Douglas	210,017.46	335,086.50	1,175	1,069	99	0	0	7
Faribault	181,776.82	290,028.06	1,017	872	103	0	0	42
Fillmore	209,123.77	333,660.60	1,170	1,118	42	0	0	10
Freeborn	233,253.44	372,159.90	1,305	1,148	93	0	0	64
Goodhue	147,637.81	235,558.68	826	744	51	0	0	31
Grant	103,846.93	165,689.58	581	558	13	0	0	10
Hennepin	3,176,715.22	5,068,504.14	17,773	6,113	9,392	150	55	2,063
Houston	134,768.65	215,025.72	754	701	43	0	0	10
Hubbard	95,088.76	151,715.76	532	430	60	0	0	42
Isanti	63,809.56	101,809.26	357	336	18	0	0	3
Itasca	228,070.03	363,889.68	1,276	1,024	189	0	0	63
Jackson	197,863.26	315,694.26	1,107	1,063	34	0	0	10
Kanabee	90,441.56	144,301.08	506	470	26	0	0	10
Kandiyohi	190,177.52	303,431,52	1,064	928	95	0	10	31
Kittson	64,167.04	102,379.62	359	350	7	0	0	2
Koochiching	70,780.35	112,931.28	396	246	98	0	0	52
Lac Qui Parle	223,780.31	357,045.36	1,252	1,246	0	0	0	6
Lake	35,211.44	56,180.46	197	173	14	0	0	10
Lake of the Woods	35,211.44	56,180.46	197	193	3	0	0	1
Le Sueur	159,970.75	255,236.10	895	815	63	0	0	17
Lincoln	145,314.21	231,851.34	813	794	9	0	0	10
Lyon	210,374.94	335,656.86	1,177	1,077	89	0	0	11
McLeod	151,927.53	242,403.00	850	823	21	0	0	6
Mahnomen	104,383.15	166,545.12	584	441	27	0	0	116
Marshall	107,779.18	171,963.54	603	548	45	0	0	10
Martin	190,177.52	303,431.52	1,064	991	42	0	0	31
Meeker	212,877.28	339,649.38	1,191	1,146	33	0	0	12
Mille Lacs	107,957.91	172,248.72	604	521	62	0	0	21
Morrison	353,901.77	564,656.40	1,980	1,840	130	0	0	10
Mower	199,114.43	317,690.52	1,114	901	158	0	0	55
Murray	142,275.66	227,033.28	796	742	33	0	0	21
Nicollet	118,860.95	189,644.70	665	556	78	0	0	31
Nobles	255,774.46	408,092.58	1,431	1,272	54	0	0	105
Norman	73,640.17	117,494.16	412	383	27	0	0	2
Olmsted	240,581.71	383,852.28	1,346	977	238	0	0	131
Otter Tail	446,845.67	712,950.00	2,500	2,322	94	0	0	84
Pennington	78,644.84	125,479.20	440	373	60	0	0	7
Pine	137,807.20	219,873.78	771	681	77	0	0	13
Pipestone	128,155.34	204,474.06	717	665	39	0	0	13
Polk	236,470.73	377,293.14	1,323	1,075	200	0	0	48
Pope	126,904.17	202,477.80	710	658	42	0	0	10
Ramsey	1,557,704.00	2,485,343.70	8,715	3,165	4,393	145	29	983
Red Lake	42,897.18	68,443.20	240	224	14	0	0	2
Redwood	242,011.61	386,133.72	1,354	1,243	37	0	0	74
Renville	221,277.97	353,052.84	1,238	1,152	44	0	0	42
Rice	157,647.15	251,528.76	882	662	97	0	0	123
Rock	105,634.32	168,541.38	591	544	26	0	0	21
Roseau	118,503.47	189,074.34	663	590	31	0	0	42
St. Louis	844,538.31	1,347,475.50	4,725	2,958	1,223	19	97	428
Scott	118,682.21	189,359.52	664	508	103	0	0	53
Sherburne	42,897.18	68,443.20	240	194	36	0	0	10
Sibley	134,232.44	214,170.18	751	703	23	0	0	25
Stearns	614,502.16	980,448.84	3,438	2,977	185	0	39	237
Steele	111,711.42	178,237.50	625	540	43	0	0	42
Stevens	121,542.02	193,922.40	680	649	29	0	0	2
Swift	182,491.77	291,168.78	1,021	910	47	0	0	64
Todd	349,612.05	557,812.08	1,956	1,847	99	0	0	10
Traverse	90,620.30	144,586.26	507	460	16	0	0	31
Wabasha	105,276.84	167,971.02	589	526	59	0	0	4
Wadena	134,411.18	214,455.36	752	699	37	0	0	16
Waseca	83,113.29	132,608.70	465	430	27	0	0	8
Washington	117,431.04	187,363.26	657	334	218	0	0	105
Watonwan	155,502.29	248,106.60	870	806	22	0	0	42
Wilkin	96,876.14	154,567.56	542	508	3	0	0	31

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

MINNESOTA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Winona	$180,168.17	$287,461.44	1,008	897	66	0	24	21
Wright	184,994.11	295,161.30	1,035	845	106	0	0	84
Yellow Medicine	211,983.58	338,223.48	1,186	1,140	36	0	0	10

MISSISSIPPI

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $225.34]

State total	$41,000,550.00	$65,417,086.64	256,196	254,903	0	0	459	834
Adams	512,594.89	817,854.02	3,023	3,183	0	0	0	20
Alcorn	393,048.10	627,115.04	2,456	2,433	0	0	0	23
Amite	387,126.77	617,667.46	2,419	2,418	0	0	0	1
Attala	557,244.90	889,093.88	3,482	3,476	0	0	0	6
Benton	196,364.01	313,302.18	1,227	1,220	0	0	0	7
Bolivar	1,752,712.86	2,796,483.68	10,952	10,947	0	0	0	5
Calhoun	349,358.31	557,407.22	2,183	2,175	0	0	0	8
Carroll	351,758.84	561,237.32	2,198	2,198	0	0	0	0
Chichasaw	405,050.79	646,265.54	2,531	2,524	0	0	0	7
Choctaw	205,646.09	328,111.90	1,285	1,285	0	0	0	0
Claiborne	316,550.95	505,062.52	1,978	1,973	0	0	0	5
Clarke	323,752.57	516,552.82	2,023	2,020	0	0	0	3
Clay	367,602.40	586,515.98	2,297	2,291	0	0	0	6
Coahoma	1,165,861.32	1,860,151.90	7,285	7,267	0	0	0	18
Copiah	606,856.02	968,249.28	3,792	3,789	0	0	0	3
Covington	331,914.40	529,575.16	2,074	2,071	0	0	0	3
De Soto	604,775.56	964,929.86	3,779	3,771	0	0	0	8
Forrest	397,529.10	634,264.56	2,484	2,474	0	0	0	10
Franklin	133,149.84	212,442.88	832	832	0	0	0	0
George	119,706.83	190,994.32	748	740	0	0	0	8
Greene	148,513.29	236,955.52	928	928	0	0	0	0
Grenada	344,077.12	548,981.00	2,150	2,138	0	0	0	12
Hancock	141,311.67	225,465.22	883	859	0	0	0	24
Harrison	639,343.30	1,020,083.30	3,995	3,890	0	0	0	105
Hinds	1,863,457.68	2,973,178.96	11,644	11,244	0	0	307	93
Holmes	1,028,070.43	1,640,304.16	6,424	6,418	0	0	0	6
Humphreys	641,583.81	1,023,658.06	4,009	4,008	0	0	0	1
Issaquena	114,585.68	182,823.44	716	715	0	0	0	1
Itawamba	228,371.19	364,370.18	1,427	1,426	0	0	0	1
Jackson	237,653.27	379,179.90	1,485	1,443	0	0	0	42
Jasper	367,922.47	587,026.66	2,299	2,299	0	0	0	0
Jefferson	336,715.47	537,235.36	2,104	2,104	0	0	0	2
Jefferson Davis	400,569.78	639,116.02	2,503	2,501	0	0	0	2
Jones	580,450.10	926,118.18	3,627	3,529	0	0	45	53
Kemper	411,132.15	655,968.46	2,569	2,565	0	0	0	4
Lafayette	322,152.21	513,999.42	2,013	2,013	0	0	0	0
Lamar	146,912.93	234,402.12	918	915	0	0	0	3
Lauderdale	731,844.04	1,167,669.82	4,573	4,541	0	0	0	32
Lawrence	196,364.01	313,302.18	1,227	1,215	0	0	0	12
Leake	503,952.96	804,065.66	3,149	3,148	0	0	0	1
Lee	493,390.59	787,213.22	3,083	3,033	0	0	40	10
Leflore	1,255,641.44	2,003,397.64	7,846	7,835	0	0	0	11
Lincoln	328,553.64	524,213.02	2,053	2,032	0	0	0	21
Lowndes	660,788.11	1,054,298.86	4,129	4,056	0	0	67	6
Madison	994,622.94	1,586,938.10	6,215	6,214	0	0	0	1
Marion	423,614.95	675,884.98	2,647	2,621	0	0	0	26
Marshall	717,280.77	1,144,433.88	4,482	4,479	0	0	0	3
Monroe	558,525.19	891,136.60	3,490	3,486	0	0	0	4
Montgomery	320,391.81	511,190.68	2,002	1,994	0	0	0	8
Neshoba	470,825.53	751,210.28	2,942	2,939	0	0	0	3
Newton	365,041.82	582,430.54	2,281	2,273	0	0	0	8
Noxubee	578,529.67	923,054.10	3,615	3,613	0	0	0	2
Oktibbeha	477,547.04	761,934.56	2,984	2,983	0	0	0	1
Panola	892,360.02	1,423,775.84	5,576	5,568	0	0	0	8
Pearl River	243,254.52	338,116.80	1,520	1,515	0	0	0	5
Perry	138,110.96	220,358.42	836	863	0	0	0	0
Pike	493,550.63	787,468.56	3,084	3,074	0	0	0	10
Pontotoc	349,678.38	557,917.90	2,185	2,184	0	0	0	1
Prentiss	319,111.53	509,147.96	1,994	1,981	0	0	0	13
Quitman	741,286.15	1,182,734.88	4,632	4,629	0	0	0	3
Rankin	374,323.90	597,240.26	2,339	2,336	0	0	0	3
Scott	452,101.34	721,335.50	2,825	2,823	0	0	0	2
Sharkey	341,996.66	545,661.58	2,137	2,135	0	0	0	2
Simpson	456,742.38	728,740.36	2,854	2,844	0	0	0	10
Smith	339,436.08	541,576.14	2,121	2,116	0	0	0	5
Stone	76,177.07	121,541.84	476	475	0	0	0	1
Sunflower	1,529,302.78	2,440,029.04	9,556	9,543	0	0	0	13
Tallahatchie	874,916.11	1,395,943.78	5,467	5,464	0	0	0	3
Tate	553,244.01	882,710.38	3,457	3,457	0	0	0	0
Tippah	292,545.57	466,761.52	1,828	1,824	0	0	0	4
Tishomingo	208,686.78	332,963.36	1,304	1,300	0	0	0	4
Tunica	647,185.06	1,032,594.96	4,044	4,044	0	0	0	0
Union	403,610.47	643,967.48	2,522	2,522	0	0	0	0
Walthall	392,567.99	626,349.02	2,453	2,453	0	0	0	0
Warren	509,074.11	812,236.54	3,181	3,151	0	0	0	30
Washington	1,381,909.75	2,204,860.90	8,635	8,601	0	0	0	34
Wayne	243,574.60	388,627.48	1,522	1,512	0	0	0	10
Webster	219,889.29	350,837.16	1,374	1,373	0	0	0	1
Wilkinson	408,891.65	652,393.70	2,555	2,550	0	0	0	5
Winston	411,772.30	656,989.82	2,573	2,569	0	0	0	4
Yalobusha	340,396.30	543,108.18	2,127	2,104	0	0	0	23
Yazoo	856,511.98	1,366,579.68	5,352	5,351	0	0	0	1

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—
Continued

MISSOURI

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$23,148,388.00	$36,933,654.30	144,645	125,159	16,522	457	545	1,962
Adair	105,303.60	168,013.72	658	633	17	0	0	8
Andrew	71,856.10	114,647.66	449	438	11	0	0	0
Atchison	67,055.03	106,987.46	419	405	10	0	0	4
Audrain	95,381.38	152,182.64	596	570	20	0	0	6
Barry	182,440.89	291,087.60	1,140	1,102	37	0	0	1
Barton	91,060.41	145,288.46	569	552	15	0	0	2
Bates	107,064.00	170,822.46	669	637	29	0	0	3
Benton	69,935.67	111,583.58	437	432	4	0	0	1
Bollinger	107,544.10	171,588.48	672	636	35	0	0	1
Boone	130,909.34	208,868.12	818	736	62	0	0	20
Buchanan	249,335.88	397,819.72	1,558	1,275	178	40	34	31
Butler	460,583.23	734,868.52	2,878	2,625	253	0	0	0
Caldwell	74,096.61	118,222.42	463	456	7	0	0	0
Callaway	100,182.45	159,842.84	626	549	68	0	0	9
Camden	63,534.24	101,369.98	397	370	23	0	0	4
Cape Girardeau	240,053.80	383,010.00	1,500	1,323	155	0	0	22
Carroll	105,623.67	168,524.40	660	652	6	0	0	2
Carter	70,415.78	112,349.60	440	408	31	0	0	1
Cass	110,424.75	176,184.60	690	629	39	0	0	22
Cedar	72,976.36	116,435.04	456	439	12	0	0	5
Chariton	120,026.90	191,505.00	750	711	37	0	0	2
Christian	78,737.65	125,627.28	492	465	19	0	0	8
Clark	61,453.77	98,050.56	384	373	5	0	0	6
Clay	128,028.60	204,272.00	800	750	35	0	0	15
Clinton	67,055.03	106,987.46	419	407	5	0	0	7
Cole	99,062.20	158,055.46	619	567	47	0	0	5
Cooper	66,734.96	106,476.78	417	396	18	0	0	3
Crawford	104,023.31	165,971.00	650	588	55	0	0	7
Dade	86,579.40	138,138.94	541	530	11	0	0	0
Dallas	116,666.15	186,142.86	729	687	41	0	0	1
Daviess	79,857.90	127,414.66	499	498	0	0	0	1
De Kalb	72,816.32	116,179.70	455	441	11	0	0	3
Dent	93,781.02	149,629.24	586	536	49	0	0	1
Douglas	173,958.90	277,554.58	1,087	1,060	17	0	0	10
Dunklin	704,317.85	1,123,751.34	4,401	4,083	316	0	0	2
Franklin	130,589.27	208,357.44	816	761	45	0	0	10
Gasconade	46,090.33	73,537.92	288	278	9	0	0	1
Gentry	89,300.01	142,479.72	558	558	0	0	0	0
Greene	469,705.27	749,422.90	2,935	2,656	224	0	27	28
Grundy	97,941.95	156,268.08	612	601	11	0	0	0
Harrison	127,868.66	204,016.66	799	776	22	0	0	1
Henry	118,586.58	189,206.94	741	721	17	0	0	3
Hickory	49,291.05	78,644.72	308	305	0	0	0	3
Holt	63,534.24	101,369.98	397	388	5	0	0	4
Howard	80,017.93	127,670.00	500	468	32	0	0	0
Howell	234,612.58	374,328.44	1,466	1,393	66	0	0	7
Iron	82,258.44	131,244.76	514	475	35	0	0	4
Jackson	1,926,831.84	3,074,293.60	12,040	9,123	2,470	178	0	269
Jasper	379,925.15	606,177.16	2,374	2,153	153	0	38	30
Jefferson	176,199.49	281,129.34	1,101	930	158	0	0	13
Johnson	111,545.00	177,971.98	697	639	48	0	0	10
Knox	46,730.47	74,559.28	292	292	0	0	0	0
Laclede	175,399.31	279,852.64	1,096	1,056	35	0	0	5
Lafayette	122,267.40	195,079.76	764	735	20	0	0	9
Lawrence	150,273.68	239,764.26	939	874	54	0	0	11
Lewis	32,167.21	51,323.34	201	181	18	0	0	2
Lincoln	74,896.79	119,499.12	468	407	52	0	0	9
Linn	111,545.00	177,971.98	697	659	30	0	0	8
Livingston	112,985.32	180,270.04	706	689	13	0	0	4
McDonald	135,870.45	216,783.66	849	834	4	0	0	11
Macon	111,865.07	178,482.66	699	687	6	0	0	6
Madison	72,016.14	114,903.00	450	436	10	0	0	4
Maries	90,580.30	144,522.44	566	554	11	0	0	1
Marion	157,955.40	252,020.58	987	912	54	0	0	21
Mercer	63,694.28	101,625.32	398	390	6	0	0	2
Miller	106,103.78	169,290.42	663	635	27	0	0	1
Mississippi	472,105.81	753,253.00	2,950	2,511	437	0	0	2
Moniteau	89,460.05	142,735.06	559	536	17	0	0	6
Monroe	87,539.62	139,670.98	547	511	32	0	0	4
Montgomery	69,935.67	111,583.58	437	404	30	0	0	3
Morgan	66,734.96	106,476.78	417	387	28	0	0	2
New Madrid	832,026.47	1,327,512.66	5,199	4,761	430	0	0	8
Newton	206,126.20	328,877.92	1,288	1,203	70	0	0	15
Nodaway	164,996.98	263,255.54	1,031	1,019	8	0	0	4
Oregon	157,635.33	251,509.90	985	932	45	0	0	8
Osage	86,579.40	138,138.94	541	541	0	0	0	0
Ozark	111,384.96	177,716.64	696	667	25	0	0	4
Pemiscot	970,297.46	1,548,126.42	6,063	5,234	826	0	0	3
Perry	107,224.03	171,077.80	670	639	31	0	0	0
Pettis	146,112.75	233,125.42	913	876	32	0	0	5
Phelps	113,945.54	181,802.08	712	646	56	0	0	10
Pike	142,111.85	226,741.92	888	821	60	0	0	7
Platte	62,093.92	99,071.92	388	368	10	0	0	10
Polk	108,984.43	173,886.54	681	669	11	0	0	1
Pulaski	72,176.18	115,158.34	451	439	5	0	0	7
Putnam	71,856.10	114,647.66	449	439	10	0	0	0
Ralls	36,968.29	58,983.54	231	210	21	0	0	0
Randolph	119,226.72	190,228.30	745	660	80	0	0	5
Ray	61,933.88	98,816.58	387	357	24	0	0	6
Reynolds	94,581.20	150,905.94	591	550	37	0	0	4
Ripley	196,043.94	312,791.50	1,225	1,119	106	0	0	0
St. Charles	97,141,77	154,991.38	607	543	57	0	0	7
St. Clair	126,268.30	201,463.26	789	770	19	0	0	0
St. Francois	203,565.62	324,792.48	1,272	1,021	151	0	84	16
St. Louis	921,006.42	1,469,481.70	5,755	4,552	716	0	194	293
St. Louis City	4,392,984.55	7,009,083.00	27,450	19,409	6,857	239	155	790

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—* Continued**

MISSOURI—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Ste. Genevieve	$42,569.54	$67,920.44	266	237	25	0	0	4
Saline	88,499.83	141,203.02	553	540	0	0	13	0
Schuyler	55,852.52	89,113.66	349	348	0	0	0	1
Scotland	40,489.07	64,601.02	253	253	0	0	0	0
Scott	329,833.92	526,255.74	2,061	1,776	268	0	0	17
Shannon	96,021.52	153,204.00	600	533	61	0	0	6
Shelby	49,131.01	78,389.38	307	303	4	0	0	0
Stoddard	471,945.77	752,997.66	2,949	2,725	222	0	0	2
Stone	83,218.65	132,776.80	520	518	0	0	0	2
Sullivan	71,055.92	113,370.96	444	437	5	0	0	2
Taney	113,306.39	180,780.72	708	648	56	0	0	4
Texas	174,759.17	278,831.28	1,092	1,021	71	0	0	0
Vernon	104,183.35	166,226.34	651	603	42	0	0	6
Warren	29,766.67	47,493.24	186	178	5	0	0	3
Washington	145,472.60	232,104.06	909	827	81	0	0	1
Wayne	116,826.18	186,398.20	730	683	46	0	0	1
Webster	140,031.38	223,422.50	875	852	22	0	0	1
Worth	57,452.88	91,667.06	359	352	7	0	0	0
Wright	171,398.41	273,469.14	1,071	1,006	63	0	0	2

MONTANA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $267.72]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$3,024,745.00	$4,742,927.52	17,716	14,106	2,716	60	600	234
Beaverhead	20,317.49	31,858.68	119	109	10	0	0	0
Big Horn	103,636.27	162,506.04	607	577	30	0	0	0
Blaine	71,879.52	112,710.12	421	308	111	0	0	2
Broadwater	10,927.05	17,134.08	64	60	4	0	0	0
Carbon	47,293.65	74,158.44	277	266	3	0	0	8
Carter	22,878.52	35,874.48	134	132	2	0	0	0
Cascade	262,932.22	412,288.80	1,540	976	464	0	65	35
Chouteau	43,196.01	67,733.16	253	235	16	0	0	2
Custer	30,049.40	47,118.72	176	141	34	0	0	1
Daniels	22,537.05	35,339.04	132	119	13	0	0	0
Dawson	76,318.64	119,670.84	447	422	19	0	0	6
Deer Lodge	29,878.66	46,851.00	175	153	21	0	0	1
Fallon	19,122.34	29,984.64	112	107	5	0	0	0
Fergus	70,342.91	110,300.64	412	355	50	0	0	7
Flathead	96,465.39	151,261.80	565	457	90	0	0	18
Gallatin	60,440.26	94,772.88	354	345	6	0	0	3
Garfield	25,098.08	39,354.84	147	137	10	0	0	0
Glacier	140,002.87	219,530.40	820	626	193	0	0	1
Golden Valley	6,829.41	10,708.80	40	40	0	0	0	0
Granite	5,975.73	9,370.20	35	27	8	0	0	0
Hill	86,221.28	135,198.60	505	323	180	0	0	2
Jefferson	14,000.29	21,953.04	82	70	10	0	0	2
Judith Basin	16,049.11	25,165.68	94	94	0	0	0	0
Lake	83,148.05	130,379.64	487	431	45	0	0	11
Lewis and Clark	77,855.26	122,080.32	456	299	45	60	37	15
Liberty	4,780.59	7,496.16	28	22	6	0	0	0
Lincoln	44,561.89	69,874.92	261	204	56	0	0	1
McCone	37,391.01	58,630.68	219	217	2	0	0	0
Madison	49,513.21	77,638.80	290	134	0	0	156	0
Meagher	13,658.82	21,417.60	80	80	0	0	0	0
Mineral	7,683.08	12,047.40	45	21	19	0	0	5
Missoula	121,392.73	190,348.92	711	567	130	0	0	14
Musselshell	25,951.75	40,693.44	152	119	31	0	0	2
Park	56,513.35	88,615.32	331	288	40	0	0	3
Petroleum	5,975.73	9,370.20	35	34	0	0	0	1
Phillips	37,049.54	58,095.24	217	193	19	0	0	5
Pondera	38,073.95	59,701.56	223	197	26	0	0	0
Powder River	19,805.28	31,055.52	116	108	8	0	0	0
Powell	20,317.49	31,858.68	119	116	1	0	0	2
Prairie	14,683.23	23,023.92	86	76	7	0	0	3
Ravalli	89,123.78	139,749.84	522	484	34	0	0	4
Richland	83,318.78	130,647.36	488	455	30	0	0	3
Roosevelt	138,978.46	217,924.08	814	651	161	0	0	2
Rosebud	110,977.89	174,018.00	650	257	65	0	323	5
Sanders	23,049.25	36,142.20	135	128	5	0	0	2
Sheridan	24,756.61	38,819.40	145	136	9	0	0	0
Silver Bow	166,125.36	260,491.56	973	702	229	0	19	23
Stillwater	19,634.55	30,787.80	115	108	7	0	0	0
Sweet Grass	25,268.81	39,622.56	148	144	2	0	0	2
Teton	25,268.81	39,622.56	148	122	18	0	0	8
Toole	27,488.37	43,102.92	161	145	12	0	0	4
Treasure	2,048.82	3,212.64	12	11	1	0	0	0
Valley	75,977.17	119,135.40	445	367	74	0	0	4
Wheatland	9,390.44	14,724.60	55	53	0	0	0	2
Wibaux	15,878.37	24,897.96	93	93	0	0	0	0
Yellowstone	246,712.38	386,855.40	1,445	1,065	355	0	0	25
Yellowstone National Park part	0	0	0	0	0	0	0	0

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

NEBRASKA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$6,085,992.00	$9,659,256.86	37,829	34,417	1,604	27	1,352	353
Adams	68,052.94	108,008.82	423	408	13	0	0	2
Antelope	67,892.06	107,753.48	422	431	8	0	0	1
Arthur	0	0	0	0	0	0	0	0
Banner	2,574.11	4,085.44	16	16	0	0	0	0
Blaine	13,353.18	21,193.22	83	83	0	0	0	0
Boone	89,289.32	141,713.70	555	554	0	0	0	1
Box Butte	35,233.08	55,919.46	219	218	0	0	0	1
Boyd	93,954.88	149,118.56	584	584	0	0	0	0
Brown	32,176.33	51,068.00	200	187	9	0	0	4
Buffalo	91,219.90	144,777.78	567	493	62	0	0	12
Burt	76,579.67	121,541.84	476	469	6	0	0	1
Butler	92,667.83	147,075.84	576	576	0	0	0	0
Cass	80,119.06	127,159.32	498	478	19	0	0	1
Cedar	150,906.99	239,508.92	938	932	6	0	0	0
Chase	21,558.14	34,215.56	134	134	0	0	0	0
Cherry	27,832.53	44,173.82	173	167	0	0	0	6
Cheyenne	36,198.37	57,451.50	225	194	30	0	0	1
Clay	40,220.41	63,835.00	250	250	0	0	0	0
Colfax	69,339.99	110,051.54	431	431	0	0	0	0
Cuming	106,825.42	169,545.76	664	664	0	0	0	0
Custer	99,103.10	157,289.44	616	605	7	0	0	4
Dakota	43,759.81	69,542.48	272	270	0	0	0	2
Dawes	29,923.99	47,493.24	186	186	0	0	0	0
Dawson	82,210.52	130,478.74	511	474	31	0	0	6
Deuel	5,469.98	8,681.56	34	34	0	0	0	0
Dixon	56,469.46	89,624.34	351	344	7	0	0	0
Dodge	140,288.80	222,656.48	872	829	0	0	40	3
Douglas	914,451.31	1,451,352.56	5,684	3,456	1,075	0	1,052	101
Dundy	35,715.73	56,685.48	222	222	0	0	0	0
Fillmore	43,438.05	68,941.80	270	269	0	0	0	1
Franklin	27,993.41	44,429.16	174	174	0	0	0	0
Frontier	29,119.58	46,216.54	181	181	0	0	0	0
Furnas	33,141.62	52,600.04	206	206	0	0	0	0
Gage	144,954.37	230,061.34	901	892	0	0	0	9
Garden	20,914.61	22,194.20	130	130	0	0	0	0
Garfield	20,592.85	32,683.52	128	127	0	0	0	1
Gosper	8,365.85	13,277.68	52	52	0	0	0	0
Grant	0	0	[1] 0	6	0	0	0	0
Greeley	49,068.90	77,878.70	305	299	6	0	0	0
Hall	117,443.61	186,398.20	730	694	28	0	0	8
Hamilton	31,532.80	50,046.64	196	187	8	0	0	1
Harlan	28,797.82	45,705.86	179	173	6	0	0	0
Hayes	13,514.06	21,448.56	84	83	0	0	0	1
Hitchcock	28,636.93	45,450.52	178	178	0	0	0	0
Holt	100,551.03	159,587.50	625	624	0	0	0	1
Hooker	10,939.95	17,363.12	68	67	0	0	0	1
Howard	49,229.79	78,134.04	306	298	8	0	0	0
Jefferson	65,317.95	103,668.04	406	405	0	0	0	1
Johnson	66,926.77	106,221.44	416	415	0	0	0	1
Kearney	17,696.98	28,087.40	110	109	0	0	0	1
Keith	19,305.80	30,640.80	120	111	8	0	0	1
Keya Paha	8,687.61	13,788.36	54	53	0	0	0	1
Kimball	19,466.68	30,896.14	121	120	0	0	0	1
Knox	119,374.19	189,462.28	742	728	13	0	0	1
Lancaster	237,783.08	377,392.52	1,478	1,255	54	0	72	97
Lincoln	97,655.16	154,991.38	607	572	31	0	0	4
Logan	9,009.37	14,299.04	56	38	0	0	18	0
Loup	14,801.11	23,491.28	92	91	0	0	0	1
McPherson	0	0	[1] 0	8	0	0	0	0
Madison	78,510.25	124,605.92	488	463	24	0	0	1
Merrick	47,942.73	76,091.32	298	295	0	0	0	3
Morrill	23,488.72	37,279.64	146	146	0	0	0	0
Nance	44,885.98	71,239.86	279	279	0	0	0	0
Nemaha	70,305.28	111,583.58	437	436	0	0	0	1
Nuckolls	70,627.04	112,094.26	439	432	7	0	0	0
Otoe	89,611.08	142,224.88	557	551	5	0	0	1
Pawnee	62,422.08	99,071.92	388	388	0	0	0	0
Perkins	20,914.61	33,194.20	130	130	0	0	0	0
Phelps	41,507.47	65,877.72	258	258	0	0	0	0
Pierce	71,109.69	112,860.28	442	438	0	0	0	4
Platte	106,825.42	169,545.76	664	657	7	0	0	0
Polk	47,299.21	75,069.96	294	290	0	0	0	4
Red Willow	42,150.99	66,899.08	262	249	9	0	0	4
Richardson	96,689.87	153,459.34	601	581	19	0	0	1
Rock	19,949.32	31,662.16	124	119	3	0	0	2
Saline	72,718.51	115,413.68	452	451	0	0	0	1
Sarpy	41,346.58	65,622.38	257	252	4	0	0	1
Saunders	120,339.48	190,994.32	748	733	11	0	0	4
Scotts Bluff	150,906.99	239,508.92	938	791	114	0	0	33
Seward	111,169.22	176,439.94	691	670	19	0	0	2
Sheridan	50,677.72	80,432.10	315	288	23	0	0	4
Sherman	53,090.94	84,262.20	330	330	0	0	0	0
Sioux	22,362.55	35,492.26	139	139	0	0	0	0
Stanton	61,135.03	97,029.20	380	380	0	0	0	0
Thayer	63,548.25	100,859.30	395	395	0	0	0	0
Thomas	3,861.16	6,128.16	24	24	0	0	0	0
Thurston	111,973.63	177,716.64	696	543	14	0	138	1
Valley	59,365.33	94,220.46	369	367	0	0	0	2
Washington	52,286.54	82,985.50	325	325	0	0	0	0
Wayne	42,150.99	66,899.08	262	262	0	0	0	0
Webster	32,176.33	51,068.00	200	199	0	0	0	1
Wheeler	10,939.95	17,363.12	68	68	0	0	0	0
York	54,056.23	85,794.24	336	272	0	27	32	5

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[1] Number of eligibles less than 10; total not used in computations.

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I— Continued

NEVADA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $274.74]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$996,938.00	$1,462,441.02	5,323	3,238	1,614	49	60	370
Churchill	36,895.88	54,123.78	197	171	21	0	0	5
Clark	507,927.08	745,094.88	2,712	1,188	1,297	49	0	178
Douglas	16,106.83	23,627.64	86	76	10	0	0	0
Elko	43,825.57	64,289.16	234	203	5	0	0	26
Esmeralda	0	0	0	0	0	0	0	0
Eureka	0	0	[1]0	8	0	0	0	0
Humboldt	23,972.96	35,166.72	128	83	39	0	0	6
Lander	2,622.04	3,846.36	14	14	0	0	0	0
Lincoln	47,009.48	68,959.74	251	241	10	0	0	0
Lyon	19,665.32	28,847.70	105	78	10	0	0	17
Mineral	26,220.42	38,463.60	140	120	8	0	0	12
Nye	16,855.99	24,726.60	90	83	0	0	0	7
Ormsby	33,524.69	49,178.46	179	93	7	0	60	19
Pershing	10,113.59	14,835.96	54	47	0	0	0	7
Storey	0	0	0	0	0	0	0	0
Washoe	188,037.90	275,838.96	1,004	722	189	0	0	93
White Pine	24,160.25	35,441.46	129	111	18	0	0	0

NEW HAMPSHIRE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$1,508,142.00	$2,289,123.10	8,965	5,932	1,742	0	494	797
Belknap	74,692.14	113,370.96	444	307	99	0	0	38
Carroll	59,888.29	90,901.04	356	311	23	0	0	22
Cheshire	91,514.70	138,904.96	544	404	83	0	0	57
Coos	94,710.98	143,756.42	563	364	141	0	0	58
Grafton	128,187.86	194,569.08	762	532	123	0	0	107
Hillsboro	454,377.19	689,673.34	2,701	1,638	563	0	321	179
Merrimack	166,711.51	253,041.94	991	557	305	0	38	91
Rockingham	222,225.94	337,304.14	1,321	874	307	0	24	116
Strafford	136,767.37	207,591.42	813	574	69	0	111	59
Sullivan	79,066.01	120,009.80	470	371	29	0	0	70

NEW JERSEY

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $321.81]

State total	$24,083,753.00	$38,426,044.86	119,406	59,845	52,645	234	1,137	5,545
Atlantic	1,116,187.54	1,780,896.54	5,534	2,929	2,395	0	0	210
Bergen	1,126,474.05	1,797,308.85	5,585	3,931	1,144	0	360	150
Burlington	631,914.63	1,008,230.73	3,133	1,890	926	0	40	277
Camden	1,894,937.10	3,023,404.95	9,395	4,277	4,522	0	35	561
Cape May	220,655.79	352,060.14	1,094	760	283	0	0	51
Cumberland	650,672.39	1,038,159.06	3,226	2,361	761	0	0	104
Essex	6,426,852.13	10,254,153.84	31,864	12,153	18,660	0	119	932
Gloucester	494,156.03	788,434.50	2,450	1,433	745	0	0	272
Hudson	2,540,365.38	4,053,196.95	12,595	6,544	5,749	82	0	220
Hunterdon	175,677.51	280,296.51	871	529	208	0	0	134
Mercer	1,246,685.07	1,989,107.61	6,181	2,672	2,966	0	190	353
Middlesex	1,056,888.81	1,686,284.40	5,240	3,047	1,777	0	0	416
Monmouth	1,564,356.80	2,495,958.36	7,756	3,867	3,325	53	150	361
Morris	517,149.41	825,120.84	2,564	1,623	556	65	77	243
Ocean	502,223.88	801,306.90	2,490	1,355	946	0	0	189
Passaic	1,652,699.80	2,636,911.14	8,194	3,723	4,131	0	66	274
Salem	300,527.54	479,496.90	1,490	956	431	12	0	91
Somerset	370,314.48	590,843.16	1,836	1,026	565	0	100	145
Sussex	193,628.48	308,937.60	960	589	270	0	0	101
Union	1,197,471.16	1,910,585.97	5,937	3,488	2,111	22	0	316
Warren	203,915.00	325,349.91	1,011	692	174	0	0	145

NEW MEXICO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$9,268,100.00	$12,156,482.06	47,609	37,554	8,561	0	737	757
Bernalillo	1,587,348.76	2,082,042.36	8,154	4,848	3,024	0	122	160
Catron	35,430.15	46,471.88	182	173	7	0	0	2
Chaves	314,004.61	411,863.42	1,613	1,266	260	0	10	77
Colfax	146,198.05	191,760.34	751	587	157	0	0	7
Curry	198,759.27	260,702.14	1,021	770	226	0	0	25
De Baca	34,067.46	44,684.50	175	149	26	0	0	0
Dona Ana	514,515.92	674,863.62	2,643	2,168	431	0	0	44
Eddy	352,549.50	462,420.74	1,811	1,500	234	0	0	77
Grant	139,384.56	182,823.44	716	589	105	0	0	22
Guadalupe	105,706.45	138,649.62	543	439	104	0	0	0
Harding	21,608.50	28,342.74	111	102	9	0	0	0
Hidalgo	29,395.35	38,556.34	151	107	43	0	0	1
Lea	260,664.70	341,900.26	1,339	1,088	233	0	0	18
Lincoln	73,196.36	96,007.84	376	297	78	0	0	1
Los Alamos	12,653.63	16,597.10	65	64	0	0	0	1
Luna	105,122.43	137,883.60	540	420	117	0	0	3
McKinley	619,054.34	811,981.20	3,180	2,916	196	0	54	14
Mora	159,435.69	209,123.46	819	718	101	0	0	0
Otero	198,175.26	259,936.12	1,018	828	176	0	0	14
Quay	122,642.84	160,864.20	630	545	84	0	0	1
Rio Arriba	642,414.88	842,622.00	3,300	2,757	361	0	145	37
Roosevelt	136,464.49	178,993.34	701	456	94	0	136	15

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[1] Number of eligibles less than 10; total not used in computations.

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

NEW MEXICO—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Sandoval	$405,500.06	$531,873.22	2,083	1,861	136	0	86	0
San Juan	730,795.59	958,546.36	3,754	3,288	292	0	139	35
San Miguel	569,023.85	746,358.82	2,923	2,345	520	0	0	58
Santa Fe	474,608.33	622,518.92	2,438	1,756	608	0	0	74
Sierra	45,358.38	59,494.22	233	179	54	0	0	0
Socorro	191,361.77	250,999.22	983	836	135	0	0	12
Taos	504,977.03	662,351.96	2,594	2,187	395	0	0	12
Torrance	105,317.11	138,138.94	541	458	77	0	0	6
Union	43,995.69	57,706.84	226	209	12	0	0	5
Valencia	388,368.99	509,403.30	1,995	1,648	266	0	45	36

NEW YORK

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $416.70]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$122,391,465.00	$195,277,704.30	468,629	200,060	237,855	1,525	7,925	21,264
Albany	1,306,107.21	2,083,916.70	5,001	3,157	1,115	0	509	220
Alleghany	308,179.67	491,706.00	1,180	960	164	0	0	56
Bronx	14,556,004.65	23,224,357.80	55,734	20,115	33,303	0	405	1,911
Broome	760,785.90	1,213,847.10	2,913	1,681	864	0	108	260
Cattaraugus	566,737.18	904,239.00	2,170	1,392	520	0	58	200
Cayuga	431,712.70	688,805.10	1,653	1,080	390	0	39	144
Chautauqua	698,105.29	1,113,839.10	2,673	1,645	815	0	30	183
Chemung	429,362.18	685,054.80	1,644	974	508	0	0	162
Chenango	297,732.90	475,038.00	1,140	673	327	0	0	140
Clinton	491,259.28	783,812.70	1,881	1,217	462	0	26	176
Columbia	269,265.45	429,617.70	1,031	676	120	160	0	75
Cortland	229,045.40	365,445.90	877	606	225	0	0	46
Delaware	382,351.72	610,048.80	1,464	1,125	251	0	0	88
Dutchess	716,125.97	1,142,591.40	2,742	1,781	507	0	256	197
Erie	7,476,229.75	11,928,454.20	28,626	12,245	14,754	0	303	1,324
Essex	269,526.62	430,034.40	1,032	701	252	0	0	79
Franklin	495,960.33	791,313.30	1,899	1,465	333	0	0	101
Fulton	292,509.51	466,704.00	1,120	640	377	0	0	103
Genesee	249,938.93	398,781.90	957	528	326	0	23	80
Greene	138,942.02	221,684.40	532	340	137	0	0	55
Hamilton	14,364.31	22,918.50	55	50	1	0	0	4
Herkimer	288,591.97	460,453.50	1,105	745	274	0	0	86
Jefferson	585,280.20	933,824.70	2,241	1,326	706	0	91	118
Kings	28,065,765.44	44,779,415.40	107,462	40,505	62,443	0	667	3,847
Lewis	159,313.22	254,187.00	610	415	127	0	0	68
Livingston	187,258.32	298,773.90	717	480	118	0	0	119
Madison	366,420.40	584,630.10	1,403	949	405	0	0	49
Monroe	2,595,238.42	4,140,747.90	9,937	4,530	4,456	28	173	750
Montgomery	293,815.36	468,787.50	1,125	817	229	0	0	79
Nassau	3,677,001.28	5,866,719.30	14,079	7,458	5,696	0	133	792
New York	23,763,786.25	37,915,533.00	90,990	33,300	54,237	0	290	3,163
Niagara	1,189,364.57	1,897,651.80	4,554	2,282	1,983	0	38	251
Oneida	1,500,155.93	2,393,524.80	5,744	2,907	2,536	0	55	246
Onondaga	2,353,134.57	3,754,467.00	9,010	3,570	4,834	0	149	457
Ontario	346,310.37	552,544.20	1,326	845	348	0	0	133
Orange	919,315.61	1,446,784.00	3,520	2,056	1,037	0	133	294
Orleans	230,351.24	367,529.40	882	481	368	0	0	33
Oswego	522,599.59	833,816.70	2,001	1,275	614	0	0	112
Otsego	369,293.26	589,213.80	1,414	1,073	247	0	0	94
Putnam	127,972.91	204,183.00	490	303	139	0	0	48
Queens	7,792,244.49	12,432,661.20	29,836	11,199	17,399	108	67	1,063
Rensselaer	763,136.43	1,217,597.40	2,922	1,754	890	0	113	165
Richmond	1,421,282.83	2,267,681.40	5,442	1,593	2,532	0	1,166	151
Rockland	807,012.85	1,287,603.00	3,090	853	1,056	0	1,099	82
St. Lawrence	1,071,577.26	1,709,720.10	4,103	2,154	1,740	0	0	209
Saratoga	403,506.43	643,801.50	1,545	1,287	107	42	0	109
Schenectady	686,091.51	1,094,670.90	2,627	1,536	901	0	86	104
Schoharie	186,474.81	297,523.80	714	565	73	0	0	76
Schuyler	94,282.08	150,428.70	361	262	63	0	0	36
Seneca	142,859.56	227,934.90	547	394	93	0	0	60
Steuben	489,953.43	781,729.20	1,876	1,343	299	0	11	223
Suffolk	4,228,851.82	6,747,206.40	16,192	6,262	9,007	92	126	705
Sullivan	365,375.72	582,963.30	1,399	716	601	0	0	82
Tioga	208,935.37	333,360.00	800	561	196	0	0	43
Tompkins	274,488.84	437,951.70	1,051	618	239	132	20	42
Ulster	614,531.15	980,495.10	2,353	1,537	461	0	143	203
Warren	342,131.66	545,877.00	1,310	840	292	0	0	178
Washington	226,172.53	360,862.20	866	657	125	0	0	84
Wayne	334,035.42	532,959.30	1,279	851	348	0	0	80
Westchester	3,732,891.49	5,955,893.10	14,293	5,835	4,732	963	1,627	1,136
Wyoming	161,402.57	257,520.60	618	472	98	0	0	48
Yates	123,010.70	196,265.70	471	393	55	0	0	23

NORTH CAROLINA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$54,014,185.00	$86,180,569.42	337,513	323,096	9,140	0	2,659	2,618
Alamance	409,531.78	653,415.06	2,559	2,356	89	0	71	43
Alexander	96,661.66	154,225.36	604	578	11	0	0	15
Alleghany	105,943.74	169,035.08	662	650	10	0	0	2
Anson	589,572.13	940,672.56	3,684	3,665	16	0	0	3
Ashe	339,116.00	541,065.46	2,119	2,057	62	0	0	0
Avery	224,530.32	358,242.02	1,403	1,288	20	0	94	1
Beaufort	814,262.48	1,299,169.92	5,088	5,011	71	0	0	6
Bertie	679,192.21	1,083,662.96	4,244	4,199	38	0	0	7
Bladen	671,670.53	1,071,661.98	4,197	4,162	31	0	0	4
Brunswick	390,967.62	623,795.62	2,443	2,375	67	0	0	1
Buncombe	780,014.81	1,244,527.16	4,874	4,634	8	0	142	90

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—Continued

NORTH CAROLINA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Burke	$310,789.65	$495,870.28	1,942	1,804	25	0	46	67
Cabarrus	389,047.19	620,731.54	2,431	2,335	23	0	53	20
Caldwell	266,299.68	424,885.76	1,664	1,574	67	0	0	23
Camden	91,220.44	145,543.80	570	565	4	0	0	1
Carteret	191,402.89	305,386.64	1,196	1,155	21	0	0	20
Caswell	427,935.90	682,779.16	2,674	2,609	58	0	0	7
Catawba	271,900.93	433,822.66	1,699	1,524	80	0	42	53
Chatham	252,696.63	403,181.86	1,579	1,531	15	0	32	1
Cherokee	301,827.64	481,571.24	1,886	1,880	5	0	0	1
Chowan	229,651.47	366,412.90	1,435	1,426	9	0	0	0
Clay	101,942.85	162,651.58	637	632	5	0	0	0
Cleveland	773,133.26	1,233,547.54	4,831	4,642	151	0	0	38
Columbus	1,162,660.56	1,855,045.10	7,265	7,176	10	0	67	12
Craven	684,473.39	1,092,089.18	4,277	3,996	267	0	0	14
Cumberland	1,269,084.41	2,024,846.20	7,930	7,317	402	0	69	142
Currituck	60,813.63	97,029.20	380	371	5	0	0	4
Dare	48,970.97	78,134.04	306	301	2	0	0	3
Davidson	431,456.69	688,396.64	2,696	2,201	43	0	399	53
Davie	102,422.95	163,417.60	640	614	17	0	0	9
Duplin	987,581.32	1,575,703.14	6,171	6,141	14	0	0	16
Durham	798,258.89	1,273,635.92	4,988	4,015	924	0	0	49
Edgecombe	1,239,957.88	1,978,374.32	7,748	7,720	3	0	0	25
Forsyth	1,096,725.78	1,749,845.02	6,853	5,100	1,123	0	345	285
Franklin	698,876.62	1,115,069.78	4,367	4,280	72	0	0	15
Gaston	668,149.74	1,066,044.50	4,175	3,872	260	0	0	43
Gates	221,489.64	353,390.56	1,384	1,384	0	0	0	0
Graham	115,225.82	183,844.80	720	717	0	0	0	3
Granville	672,630.74	1,073,194.02	4,203	3,724	12	0	455	12
Greene	616,618.19	983,825.02	3,853	3,838	13	0	0	2
Guilford	1,026,630.07	1,638,006.10	6,415	5,422	657	0	0	336
Halifax	1,474,250.39	2,352,192.08	9,212	9,087	104	0	0	21
Harnett	751,688.46	1,199,331.98	4,697	4,596	55	0	0	46
Haywood	301,187.50	480,549.88	1,882	1,870	0	0	0	12
Henderson	254,296.99	405,735.26	1,589	1,557	15	0	0	17
Hertford	474,026.23	756,317.08	2,962	2,944	16	0	0	2
Hoke	416,253.28	664,139.34	2,601	2,592	9	0	0	0
Hyde	137,150.74	218,826.38	857	857	0	0	0	0
Iredell	463,463.87	739,464.64	2,896	2,716	35	0	108	37
Jackson	244,214.73	389,648.84	1,526	1,520	5	0	0	1
Johnston	1,459,046.98	2,327,934.78	9,117	8,813	234	0	23	47
Jones	284,383.73	453,739.18	1,777	1,702	72	0	0	3
Lee	279,742.69	446,334.32	1,748	1,704	24	0	0	20
Lenoir	1,038,952.84	1,657,667.28	6,492	6,208	122	0	142	20
Lincoln	222,929.96	355,688.62	1,393	1,345	24	0	0	24
McDowell	172,038.55	274,490.50	1,075	1,052	10	0	0	13
Macon	259,738.21	414,416.82	1,623	1,623	0	0	0	0
Madison	355,599.69	567,365.48	2,222	2,184	21	0	0	17
Martin	659,987.91	1,053,022.16	4,124	4,098	24	0	0	2
Mecklenburg	1,374,067.94	2,192,349.24	8,586	7,620	706	0	50	210
Mitchell	202,925.48	323,771.12	1,268	1,249	19	0	0	0
Montgomery	221,809.71	353,901.24	1,386	1,323	54	0	0	9
Moore	483,628.38	771,637.48	3,022	3,001	10	0	0	11
Nash	1,383,990.16	2,208,180.32	8,648	8,484	71	0	77	16
New Hanover	610,056.72	973,356.08	3,812	3,603	145	0	0	64
Northampton	725,282.54	1,157,200.88	4,532	4,470	61	0	0	1
Onslow	541,881.44	864,581.24	3,386	3,115	264	0	0	7
Orange	254,777.10	406,501.28	1,592	1,438	126	0	0	28
Pamlico	131,549.48	209,889.48	822	816	6	0	0	0
Pasquotank	268,060.07	427,694.50	1,675	1,632	34	0	0	9
Pender	408,891.64	652,393.70	2,555	2,554	0	0	0	1
Perquimans	177,159.70	282,661.38	1,107	1,068	39	0	0	0
Person	485,068.71	773,935.54	3,031	2,911	114	0	0	6
Pitt	1,630,125.32	2,600,893.24	10,186	9,993	166	0	0	27
Polk	140,831.56	224,699.20	880	859	21	0	0	0
Randolph	348,238.04	555,619.84	2,176	2,095	63	0	0	18
Richmond	539,640.94	861,006.48	3,372	3,208	152	0	0	12
Robeson	2,624,908.26	4,188,066.68	16,402	16,190	144	0	23	45
Rockingham	572,768.36	913,861.86	3,579	3,333	218	0	0	28
Rowan	456,262.25	727,974.34	2,851	2,618	97	0	59	77
Rutherford	460,263.15	734,357.84	2,876	2,610	108	0	138	20
Sampson	1,125,902.27	1,796,061.56	7,034	6,961	58	0	0	15
Scotland	572,288.25	913,095.84	3,576	3,529	36	0	0	11
Stanly	234,132.47	373,562.42	1,463	1,453	7	0	0	3
Stokes	277,502.19	442,759.56	1,734	1,077	25	0	0	2
Surry	493,390.57	787,213.22	3,083	3,016	58	0	0	9
Swain	142,591.96	227,507.94	891	890	1	0	0	0
Translyvania	137,470.81	219,337.06	859	846	5	0	0	8
Tyrrell	124,347.87	198,399.18	777	750	27	0	0	0
Union	447,940.39	714,696.66	2,799	2,755	41	0	0	3
Vance	568,927.50	907,733.70	3,555	3,542	5	0	0	8
Wake	1,473,130.14	2,350,404.70	9,205	8,522	395	0	177	111
Warren	625,580.20	998,124.06	3,909	3,879	27	0	0	3
Washington	221,649.67	353,645.90	1,385	1,372	12	0	0	1
Watauga	295,586.24	471,612.98	1,847	1,802	45	0	0	0
Wayne	1,244,598.92	1,985,779.18	7,777	7,485	198	0	47	47
Wilkes	591,812.63	944,247.32	3,698	3,575	59	0	0	64
Wilson	1,085,043.16	1,731,205.20	6,780	6,745	23	0	0	12
Yadkin	211,567.41	337,559.48	1,322	1,284	23	0	0	15
Yancey	238,453.44	380,456.60	1,490	1,484	6	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—Continued

NORTH DAKOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$4,381,727.00	$6,919,714.00	27,100	23,346	3,170	0	106	478
Adams	$28,295.29	$44,684.50	175	168	7	0	0	0
Barnes	75,507.99	119,243.78	467	405	44	0	0	18
Benson	157,160.10	248,190.48	972	673	242	0	0	57
Billings	23,929.73	37,790.32	148	137	11	0	0	0
Bottineau	55,782.13	88,092.30	345	322	20	0	0	3
Bowman	20,049.23	31,662.16	124	113	11	0	0	0
Burke	54,812.01	86,560.26	339	325	14	0	0	0
Burleigh	128,379.75	202,739.96	794	677	106	0	0	18
Cass	177,047.64	279,597.30	1,095	720	318	0	29	21
Cavalier	63,704.81	100,693.96	394	338	52	0	0	4
Dickey	74,052.80	116,945.72	458	412	46	0	0	0
Divide	49,799.70	78,644.72	308	290	18	0	0	0
Dunn	93,455.28	147,586.52	578	522	50	0	0	6
Eddy	43,008.83	67,920.44	266	227	36	0	0	3
Emmons	100,246.15	158,310.80	620	610	10	0	0	0
Foster	28,133.60	44,429.16	174	153	20	0	0	1
Golden Valley	25,869.97	40,854.40	160	108	4	0	47	1
Grand Forks	103,641.59	163,672.94	641	400	203	0	0	38
Grant	119,325.26	188,440.92	738	721	15	0	0	2
Griggs	34,762.78	54,898.10	215	200	15	0	0	0
Hettinger	52,871.76	83,496.18	327	320	7	0	0	0
Kidder	84,562.48	133,542.82	523	502	20	0	0	1
La Moure	66,130.12	104,434.06	409	389	17	0	0	3
Logan	101,863.03	160,864.20	630	626	4	0	0	0
McHenry	113,504.51	179,248.68	702	666	31	0	0	5
McIntosh	95,395.53	150,650.60	590	581	9	0	0	0
McKenzie	65,806.75	103,923.38	407	355	47	0	0	5
McLean	173,328.83	273,724.48	1,072	958	99	0	0	15
Mercer	72,274.24	114,136.98	447	428	17	0	0	2
Morton	165,406.15	261,212.82	1,023	952	63	0	0	8
Mountrail	124,499.25	196,611.80	770	680	80	0	0	10
Nelson	36,056.28	56,940.82	223	199	24	0	0	6
Oliver	66,615.19	105,200.08	412	407	1	0	0	4
Pembina	73,082.68	115,413.68	452	378	71	0	0	3
Pierce	52,871.76	83,496.18	327	288	34	0	0	5
Ramsey	59,986.00	94,731.14	371	284	68	0	0	19
Ransom	51,254.89	80,942.78	317	304	9	0	0	4
Renville	36,864.71	58,217.52	228	202	23	0	0	3
Richland	129,026.50	203,761.32	798	709	82	0	0	7
Rolette	252,070.57	398,075.06	1,559	1,043	446	0	0	70
Sargent	71,789.18	113,370.96	444	416	21	0	0	7
Sheridan	92,000.10	145,288.46	569	551	18	0	0	0
Sioux	95,557.22	150,905.94	591	517	52	0	0	22
Slope	20,210.92	31,917.50	125	123	2	0	0	0
Stark	86,826.10	137,117.58	537	482	52	0	0	3
Steele	22,797.92	36,002.94	141	128	7	0	0	6
Stutsman	124,660.94	196,867.14	771	654	99	0	0	18
Towner	23,606.35	37,279.64	146	134	7	0	0	5
Traill	37,834.84	59,749.56	234	211	21	0	0	2
Walsh	79,388.49	125,371.94	491	392	84	0	0	15
Ward	186,263.82	294,151.68	1,152	839	257	0	30	26
Wells	83,592.36	132,010.78	517	473	30	0	0	14
Williams	126,762.88	200,186.56	784	634	126	0	0	24

OHIO

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$35,051,215.00	$55,924,822.14	219,021	151,895	54,720	548	3,874	7,984
Adams	244,374.76	389,904.18	1,527	1,375	123	0	18	11
Allen	353,039.12	563,280.04	2,206	1,779	334	0	48	45
Ashland	81,778.33	130,478.74	511	460	21	0	0	30
Ashtabula	295,586.24	471,612.98	1,847	1,415	358	0	33	41
Athens	297,346.64	474,421.72	1,858	1,528	254	0	45	31
Auglaize	94,421.16	150,650.60	590	577	13	0	0	0
Belmont	309,989.47	494,593.58	1,937	1,731	119	0	39	48
Brown	197,324.22	314,834.22	1,233	1,090	116	0	0	27
Butler	566,366.92	903,648.26	3,539	2,763	600	0	55	121
Carroll	75,857.00	121,031.16	474	356	26	0	89	3
Champaign	94,421.16	150,650.60	590	499	74	0	0	17
Clark	365,361.88	582,941.22	2,283	1,823	270	0	89	101
Clermont	267,419.93	426,673.14	1,671	1,070	528	0	0	73
Clinton	165,157.01	263,510.88	1,032	895	122	0	15	0
Columbiana	309,989.47	494,593.58	1,937	1,715	146	0	0	76
Coshocton	133,149.84	212,442.88	832	755	20	0	10	47
Crawford	163,876.72	261,467.16	1,024	882	68	0	50	24
Cuyahoga	6,245,879.70	9,965,409.52	39,028	19,323	17,473	161	419	1,652
Darke	180,200.38	287,512.84	1,126	1,039	61	0	18	8
Defiance	71,055.92	113,370.96	444	401	13	0	29	1
Delaware	126,588.37	201,973.94	791	653	89	0	38	11
Erie	140,991.60	224,954.54	881	752	76	0	0	53
Fairfield	159,395.72	254,318.64	996	857	76	0	48	15
Fayette	131,549.48	209,889.48	822	744	31	0	27	20
Franklin	2,799,507.37	4,466,662.62	17,493	9,676	6,569	82	408	758
Fulton	69,775.64	111,328.24	436	430	0	0	0	6
Gallia	178,439.99	284,704.10	1,115	965	133	0	13	4
Geauga	123,547.69	197,122.48	772	694	57	0	0	21
Greene	267,740.00	427,183.82	1,673	1,360	197	0	36	80
Guernsey	175,879.41	280,618.66	1,099	938	118	0	33	10
Hamilton	3,781,487.43	6,033,428.86	23,629	14,370	7,368	187	513	1,191
Hancock	118,746.61	189,462.28	742	706	11	0	0	25
Hardin	139,711.31	222,911.82	873	824	21	0	0	28
Harrison	92,820.80	148,097.20	580	561	13	0	0	6
Henry	67,695.17	108,008.82	423	399	24	0	0	0
Highland	235,572.79	375,860.48	1,472	1,354	92	0	0	26
Hocking	132,189.62	210,916.84	826	736	51	0	0	39
Holmes	178,119.92	284,193.42	1,113	1,064	39	0	0	10
Huron	130,429.23	208,102.10	815	650	132	0	0	33

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I— Continued

OHIO—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Jackson	$308, 869. 22	$492, 806. 20	1, 930	1, 525	387	0	0	18
Jefferson	353, 199. 15	563, 535. 38	2, 207	1, 727	408	0	0	72
Knox	110, 904. 85	176, 950. 62	693	652	13	0	23	5
Lake	199, 404. 69	318, 153. 64	1, 246	851	281	0	21	93
Lawrence	397, 369. 05	634, 009. 22	2, 483	1, 706	735	0	15	27
Licking	269, 180. 32	429, 481. 88	1, 682	1, 391	144	0	61	86
Logan	125, 468. 12	200, 186. 56	784	714	26	0	33	11
Lorain	592, 772. 84	945, 779. 36	3, 704	2, 486	958	0	30	230
Lucas	1, 754, 153. 11	2, 798, 781. 74	10, 961	6, 759	3, 553	0	376	273
Madison	98, 422. 06	157, 034. 10	615	496	89	0	29	1
Mahoning	818, 263. 37	1, 305, 553. 42	5, 113	3, 982	910	0	0	221
Marion	180, 040. 35	287, 257. 50	1, 125	916	142	0	30	37
Medina	128, 348. 76	204, 782. 68	802	710	67	0	0	25
Meigs	209, 486. 95	334, 240. 06	1, 309	1, 250	34	0	13	12
Mercer	124, 988. 01	199, 420. 54	781	771	10	0	0	0
Miami	161, 796. 26	258, 148. 74	1, 011	933	20	0	32	26
Monroe	162, 116. 33	258, 659. 42	1, 013	823	184	0	0	6
Montgomery	1, 849, 854. 55	2, 951, 475. 06	11, 559	7, 189	3, 568	0	234	548
Morgan	54, 252. 16	86, 560. 26	339	312	19	0	0	8
Morrow	78, 897. 68	125, 882. 62	493	469	11	0	0	13
Muskingum	296, 386. 42	472, 889. 68	1, 852	1, 451	290	0	40	71
Noble	88, 019. 73	140, 427. 00	550	498	36	0	0	16
Ottawa	80, 338. 00	128, 180. 68	502	432	60	0	0	10
Paulding	56, 812. 73	90, 645. 70	355	341	9	0	0	5
Perry	137, 630. 84	219, 592. 40	860	727	93	0	40	0
Pickaway	145, 632. 64	232, 359. 40	910	795	59	0	24	32
Pike	247, 575. 48	395, 010. 98	1, 547	1, 194	350	0	0	3
Portage	205, 806. 12	328, 367. 24	1, 286	978	223	0	0	85
Preble	103, 543. 20	165, 204. 98	647	542	57	0	29	19
Putnam	163, 556. 65	260, 957. 48	1, 022	1, 015	4	0	0	3
Richland	333, 034. 63	531, 362. 54	2, 081	1, 642	283	0	61	140
Ross	343, 917. 07	548, 725. 66	2, 149	1, 709	364	0	0	76
Sandusky	140, 831. 56	224, 699. 20	880	757	92	0	0	31
Scioto	669, 269. 98	1, 067, 831. 88	4, 182	3, 101	972	0	71	38
Seneca	161, 636. 22	257, 893. 40	1, 010	848	82	0	45	35
Shelby	104, 503. 42	166, 737. 02	653	603	10	0	33	7
Stark	805, 940. 61	1, 285, 892. 24	5, 036	3, 914	834	0	91	197
Summit	1, 490, 414. 00	2, 377, 981. 42	9, 313	5, 960	2, 470	118	237	528
Trumbull	491, 950. 25	784, 915. 16	3, 074	2, 339	617	0	43	75
Tuscarawas	221, 329. 60	353, 135. 22	1, 383	1, 294	59	0	0	30
Union	74, 576. 71	118, 988. 44	466	423	34	0	0	9
Van Wert	83, 858. 79	133, 798. 16	524	418	15	0	78	13
Vinton	125, 308. 08	199, 931. 22	783	735	48	0	0	0
Warren	213, 647. 88	340, 878. 90	1, 335	1, 101	166	0	35	33
Washington	217, 328. 70	346, 751. 72	1, 358	1, 243	17	0	88	10
Wayne	225, 490. 53	359, 774. 06	1, 409	1, 327	18	0	34	30
Williams	86, 579. 40	138, 138. 94	541	524	10	0	0	7
Wood	133, 309. 87	212, 698. 22	833	741	46	0	0	46
Wyandot	62, 413. 99	99, 582. 60	390	372	7	0	0	11

OKLAHOMA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$18, 198, 799. 00	$29, 036, 498. 78	113, 717	84, 779	26, 657	70	1, 254	957
Adair	389, 047. 20	620, 731. 54	2, 431	1, 678	671	0	80	2
Alfalfa	25, 605. 74	40, 854. 40	160	147	10	0	0	3
Atoka	261, 978. 72	417, 991. 58	1, 637	1, 386	249	0	0	2
Beaver	29, 766. 67	47, 493. 24	186	180	5	0	0	1
Beckham	117, 306. 29	187, 164. 22	733	589	141	0	0	3
Blaine	108, 664. 36	173, 375. 86	679	596	66	0	0	17
Bryan	346, 477. 66	552, 811. 10	2, 165	1, 762	385	0	0	18
Caddo	415, 933. 23	663, 628. 66	2, 599	2, 027	534	0	0	38
Canadian	114, 745. 72	183, 078. 78	717	601	93	0	0	23
Carter	363, 441. 46	579, 877. 14	2, 271	1, 594	659	0	0	18
Cherokee	338, 315. 83	539, 788. 76	2, 114	1, 416	596	0	85	17
Choctaw	394, 488. 42	629, 413. 10	2, 465	1, 810	581	0	63	11
Cimarron	17, 123. 84	27, 321. 38	107	96	9	0	0	2
Cleveland	130, 109. 16	207, 591. 42	813	584	196	0	0	33
Coal	105, 623. 67	168, 524. 40	660	561	97	0	0	2
Comanche	417, 853. 66	666, 692. 74	2, 611	1, 969	626	0	0	16
Cotton	75, 056. 82	119, 754. 46	469	404	63	0	0	2
Craig	113, 465. 43	181, 036. 06	709	608	89	0	0	12
Creek	309, 989. 48	494, 593. 58	1, 937	1, 483	435	0	0	19
Custer	110, 424. 75	176, 184. 60	690	421	262	0	0	7
Delaware	277, 182. 13	442, 248. 88	1, 732	1, 216	431	0	76	9
Dewey	57, 312. 81	91, 156. 38	357	324	23	0	0	10
Ellis	27, 366. 13	43, 663. 14	171	164	4	0	0	3
Garfield	187, 722. 08	299, 513. 82	1, 173	958	198	10	0	7
Garvin	238, 133. 37	379, 945. 92	1, 488	1, 220	261	0	0	7
Grady	228, 211. 15	364, 114. 84	1, 426	1, 105	310	0	0	11
Grant	37, 928. 50	60, 515. 58	237	219	18	0	0	0
Greer	62, 253. 95	99, 327. 26	389	320	67	0	0	2
Harmon	70, 255. 75	112, 094. 26	439	279	109	0	49	2
Harper	27, 046. 06	43, 152. 46	169	164	4	0	0	1
Haskell	195, 083. 73	311, 259. 46	1, 219	1, 042	177	0	0	0
Hughes	221, 169. 57	352, 879. 88	1, 382	1, 250	130	0	0	2
Jackson	255, 257. 21	407, 267. 30	1, 595	1, 190	382	0	13	10
Jefferson	86, 739. 44	138, 394. 28	542	468	74	0	0	0
Johnston	131, 389. 45	209, 634. 14	821	670	149	0	0	2
Kay	210, 287. 13	335, 516. 76	1, 314	1, 024	176	0	95	19
Kingfisher	67, 695. 17	108, 008. 82	423	389	28	0	0	6
Kiowa	144, 512. 39	230, 572. 02	903	760	139	0	0	4
Latimer	137, 310. 78	219, 081. 72	858	656	199	0	0	3
Le Flore	462, 503. 66	737, 932. 60	2, 890	2, 146	738	0	0	6
Lincoln	193, 643. 40	308, 961. 40	1, 210	1, 036	169	0	0	5
Logan	160, 195. 91	255, 595. 34	1, 001	686	251	0	47	17
Love	82, 418. 47	131, 500. 10	515	452	62	0	0	1

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I— Continued

OKLAHOMA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
McClain	$118,266.51	$188,696.26	739	634	99	0	0	6
McCurtain	534,519.80	852,385.60	3,340	2,360	973	0	0	7
McIntosh	300,707.40	479,783.86	1,879	1,558	309	0	10	2
Major	34,887.82	55,664.12	218	211	6	0	0	1
Marshall	80,338.01	128,180.68	502	427	74	0	0	1
Mayes	35,892.87	376,371.16	1,474	1,124	326	0	0	24
Murray	106,583.89	170,056.44	666	516	144	0	0	6
Muskogee	710,079.15	1,132,943.58	4,437	3,245	1,105	0	20	67
Noble	52,171.69	83,240.84	326	301	25	0	0	0
Nowata	70,575.82	112,604.94	441	378	62	0	0	1
Okfuskee	212,847.71	339,602.20	1,330	1,130	195	0	0	5
Oklahoma	2,325,481.22	3,710,345.54	14,531	8,664	5,474	43	220	130
Okmulgee	478,507.25	763,466.60	2,990	2,224	763	0	0	3
Osage	182,600.93	291,342.94	1,141	987	145	0	0	9
Ottawa	202,125.30	322,494.42	1,263	1,106	151	0	0	6
Pawnee	78,097.50	124,605.92	488	419	64	0	0	5
Payne	130,909.34	208,868.12	818	673	140	0	0	5
Pittsburg	367,602.39	586,515.98	2,297	1,929	335	0	0	33
Pontotoc	200,524.94	319,941.02	1,253	1,014	237	0	0	2
Pottawatomie	260,058.29	414,927.50	1,625	1,311	291	0	0	23
Pushmataha	181,160.60	289,044.88	1,132	908	219	0	0	5
Roger Mills	50,411.30	80,432.10	315	264	44	0	0	7
Rogers	141,631.74	225,975.90	885	694	172	0	0	19
Seminole	366,642.18	584,983.94	2,291	1,746	503	0	34	8
Sequoyah	337,355.61	538,256.72	2,108	1,527	539	0	24	18
Stephens	185,961.68	296,705.08	1,162	999	151	0	0	12
Texas	59,693.38	95,241.82	373	341	26	0	0	6
Tillman	246,135.17	392,712.92	1,538	1,149	242	0	146	1
Tulsa	1,678,456.20	2,678,005.92	10,488	6,562	3,480	17	292	137
Wagoner	246,615.28	393,478.94	1,541	1,222	304	0	0	15
Washington	101,942.85	162,651.58	637	538	91	0	0	8
Washita	91,380.48	145,799.14	571	507	55	0	0	9
Woods	45,930.29	73,282.58	287	256	31	0	0	0
Woodward	35,848.03	57,196.16	224	205	16	0	0	3

OREGON

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $293.44]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$7,085,325.00	$11,284,822.08	38,457	23,933	11,606	95	186	2,637
Baker	66,326.47	105,638.40	360	279	67	0	0	14
Benton	72,959.12	116,202.24	396	266	94	0	0	36
Clackamas	417,856.75	665,521.92	2,268	1,549	555	0	25	139
Clatsop	105,016.91	167,260.80	570	438	61	0	0	71
Columbia	91,567.37	145,839.68	497	311	118	0	0	68
Coos	177,054.82	281,995.84	961	675	225	0	0	61
Crook	57,114.46	90,966.40	310	228	69	0	0	13
Curry	35,189.88	56,047.04	191	116	57	0	0	18
Deschutes	114,413.16	182,226.24	621	477	110	0	0	34
Douglas	254,988.42	406,120.96	1,384	799	458	0	0	127
Gilliam	8,659.29	13,791.68	47	46	0	0	0	1
Grant	16,028.90	25,529.28	87	71	12	0	0	4
Harney	24,503.95	39,027.52	133	121	5	0	0	7
Hood River	35,374.12	56,340.48	192	156	29	0	0	7
Jackson	271,017.32	431,650.24	1,471	1,107	278	0	0	86
Jefferson	34,821.40	55,460.16	189	130	40	0	0	19
Josephine	129,520.85	206,288.32	703	478	206	0	0	19
Klamath	180,923.87	288,158.08	982	682	234	0	0	66
Lake	26,530.59	43,255.36	144	115	21	0	0	8
Lane	493,947.95	786,712.64	2,681	1,683	784	0	0	214
Lincoln	112,570.76	179,291.84	611	425	140	0	0	46
Linn	248,724.26	396,144.00	1,350	882	381	0	0	87
Malheur	180,923.87	288,158.08	982	664	299	0	0	19
Marion	703,613.29	1,120,647.36	3,819	2,326	1,319	0	0	174
Morrow	15,291.94	24,355.52	83	64	17	0	0	2
Multnomah	2,097,206.09	3,340,227.52	11,383	5,620	4,702	95	86	880
Polk	151,445.44	241,207.68	822	561	213	0	0	48
Sherman	4,421.76	7,042.56	24	24	0	0	0	0
Tillamook	64,115.59	102,117.12	348	274	52	0	0	22
Umatilla	186,082.59	296,374.40	1,010	647	262	0	0	101
Union	61,536.22	98,008.96	334	262	47	0	0	25
Wallowa	18,976.74	30,224.32	103	93	8	0	0	2
Wasco	77,565.12	123,538.24	421	346	63	0	0	12
Washington	310,997.44	495,326.72	1,688	1,199	286	0	75	128
Wheeler	7,553.85	12,031.04	41	35	6	0	0	0
Yamhill	230,484.48	367,093.44	1,251	784	388	0	0	79

PENNSYLVANIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $268.78]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$46,477,536.00	$73,441,178.42	273,239	175,394	8 ,788	3,106	5,118	8,743
Adams	172,820.05	273,080.48	1,016	721	191	0	61	43
Allegheny	6,192,945.11	9,785,742.24	36,408	20,434	14,527	338	331	778
Armstrong	377,958.80	597,229.16	2,222	1,812	363	0	0	47
Beaver	585,989.23	925,947.10	3,445	2,403	895	49	32	66
Bedford	267,054.60	421,984.60	1,570	1,287	263	0	0	20
Berks	624,091.29	986,153.82	3,660	2,651	586	61	253	154
Blair	549,077.86	867,621.84	3,228	2,328	707	0	81	112
Bradford	313,831.68	495,899.10	1,845	1,142	622	0	0	81
Bucks	617,967.74	976,477.74	3,633	2,373	677	250	200	133
Butler	329,650.84	520,895.64	1,938	1,589	227	0	90	32
Cambria	1,109,212.13	1,752,714.38	6,521	5,230	1,179	39	0	73

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

PENNSYLVANIA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Cameron	$12,587.29	$19,889.72	74	69	0	0	0	5
Carbon	194,252.45	306,946.76	1,142	949	141	20	0	32
Centre	225,380.47	356,133.50	1,325	1,090	191	0	0	44
Chester	503,151.28	795,051.24	2,958	2,288	504	0	0	166
Clarion	173,160.24	273,618.04	1,018	813	200	0	0	5
Clearfield	470,492.37	743,445.48	2,766	2,076	611	0	15	64
Clinton	136,418.97	215,561.56	802	587	169	0	0	46
Columbia	165,165.61	260,985.38	971	779	122	0	0	70
Crawford	375,237.23	592,928.68	2,206	1,740	311	0	76	79
Cumberland	300,734.10	475,203.04	1,768	1,261	236	0	49	222
Dauphin	1,126,562.17	1,780,129.94	6,623	3,006	1,989	0	1,324	304
Delaware	1,473,392.95	2,328,172.36	8,662	5,395	2,375	452	181	259
Elk	66,848.70	105,630.54	393	316	64	0	0	13
Erie	934,010.70	1,475,870.98	5,491	3,717	1,414	94	38	228
Fayette	1,824,816.39	2,883,471.84	10,728	7,234	3,416	0	0	78
Forest	19,051.03	30,103.36	112	109	3	0	0	0
Franklin	342,238.12	540,785.36	2,012	1,601	197	0	119	95
Fulton	89,471.80	141,378.28	526	444	76	0	0	6
Greene	337,815.56	533,797.08	1,986	1,244	649	36	0	57
Huntingdon	319,615.03	505,037.62	1,879	1,459	361	19	0	40
Indiana	419,292.73	662,542.70	2,465	1,840	577	0	0	48
Jefferson	243,751.11	385,161.74	1,433	1,117	286	0	0	30
Juniata	93,384.06	147,560.22	549	435	111	0	0	3
Lackawanna	877,027.71	1,385,829.68	5,156	3,805	1,206	50	16	79
Lancaster	762,381.34	1,204,671.96	4,482	3,470	675	0	95	242
Lawrence	385,102.94	608,517.92	2,264	1,641	559	0	0	64
Lebanon	186,087.73	294,045.32	1,094	869	132	0	12	81
Lehigh	412,488.79	651,791.50	2,425	1,728	405	0	133	159
Luzerne	1,669,346.39	2,637,806.92	9,814	7,938	1,685	0	94	97
Lycoming	367,242.60	580,296.02	2,159	1,672	405	0	0	82
McKean	195,613.24	309,097.00	1,150	775	325	0	17	33
Mercer	505,532.65	798,814.16	2,972	1,866	607	335	70	94
Mifflin	294,440.45	465,258.18	1,731	1,348	333	0	0	50
Monore	112,435.09	177,663.58	661	547	82	0	0	32
Montgomery	651,647.24	1,029,696.18	3,831	2,645	616	267	134	1,691
Montour	37,251.57	58,862.82	219	194	14	0	0	11
Northampton	480,698.28	759,572.28	2,826	2,116	593	0	33	84
Northumberland	486,991.92	769,517.14	2,863	2,399	404	0	27	33
Perry	130,975.82	206,960.60	770	542	110	92	0	26
Philadelphia	12,361,906.34	19,533,586.50	72,675	35,221	32,264	757	1,332	3,101
Pike	27,045.66	42,736.02	159	128	31	0	0	0
Potter	113,115.48	178,738.70	665	494	119	0	23	29
Schuylkill	821,915.81	1,298,744.96	4,832	3,938	775	0	88	31
Snyder	101,548.79	160,461.66	597	513	77	0	0	7
Somerset	591,772.58	935,085.62	3,479	2,838	573	0	20	48
Sullivan	33,169.20	52,412.10	195	150	27	0	0	18
Susquehanna	172,649.95	272,811.70	1,015	719	240	0	0	56
Tioga	174,521.03	275,768.28	1,026	769	215	0	0	42
Union	78,585.49	124,176.36	462	387	64	0	0	11
Venango	228,782.44	361,509.10	1,345	937	363	0	0	45
Warren	85,899.73	135,733.90	505	418	34	0	22	31
Washington	986,230.93	1,558,386.44	5,798	4,005	1,421	247	0	125
Wayne	105,120.85	166,106.04	618	520	71	0	0	27
Westmoreland	1,270,805.67	2,008,055.38	7,471	5,985	1,327	0	49	110
Wyoming	95,595.34	151,054.36	562	377	91	0	71	23
York	686,177.23	1,084,258.52	4,034	2,937	795	0	32	270

RHODE ISLAND

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $272.38]

State total	$3,699,166.00	$5,816,402.52	21,354	12,083	8,291	0	194	786
Bristol	98,914.67	155,528.98	571	437	94	0	0	40
Kent	327,579.04	515,070.58	1,891	1,187	564	0	0	140
Newport	498,904.10	784,454.40	2,880	2,474	351	0	0	55
Providence	2,594,820.99	4,079,980.02	14,979	7,266	7,006	0	194	513
Washington	178,947.20	281,368.54	1,033	719	276	0	0	38

SOUTH CAROLINA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

State total	$33,340,112.00	$53,194,726.86	208,329	206,638	0	0	848	843
Abbeville	259,258.10	413,650.80	1,620	1,617	0	0	0	3
Aiken	864,033.64	1,378,580.66	5,399	5,367	0	0	0	32
Allendale	308,709.19	492,550.86	1,929	1,929	0	0	0	0
Anderson	791,217.32	1,262,400.96	4,944	4,802	0	0	20	122
Bamberg	385,206.33	614,603.38	2,407	2,407	0	0	0	0
Barnwell	390,327.48	622,774.26	2,439	2,436	0	0	0	3
Beaufort	489,069.61	780,319.04	3,056	3,036	0	0	0	20
Berkeley	774,093.49	1,235,079.58	4,837	4,836	0	0	0	1
Calhoun	461,703.47	736,655.90	2,885	2,883	0	0	0	2
Charleston	2,294,114.14	3,660,298.90	14,335	14,151	0	0	122	62
Cherokee	430,016.37	686,098.58	2,687	2,654	0	0	30	3
Chester	435,137.52	694,269.46	2,719	2,714	0	0	0	5
Chesterfield	790,577.18	1,261,379.60	4,940	4,904	0	0	0	36
Clarendon	981,019.86	1,565,234.20	6,130	6,093	0	0	37	0
Colleton	667,829.67	1,065,533.82	4,173	4,168	0	0	0	5
Darlington	1,091,924.72	1,742,184.82	6,823	6,790	0	0	0	33
Dillon	900,841.89	1,437,308.86	5,629	5,628	0	0	0	1
Dorchester	420,574.26	671,033.52	2,628	2,625	0	0	0	3

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I— **Continued**

SOUTH CAROLINA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Edgefield	$336, 235. 36	$536, 469. 34	2, 101	2, 101	0	0	0	0
Fairfield	430, 496. 48	686, 864. 60	2, 690	2, 690	0	0	0	0
Florence	1, 684, 057. 42	2, 686, 942. 82	10, 523	10, 479	0	9	26	13
Georgetown	781, 615. 17	1, 247, 080. 56	4, 884	4, 884	0	0	0	0
Greenville	1, 130, 173. 29	1, 803, 211. 08	7, 062	6, 834	0	0	69	159
Greenwood	416, 733. 40	664, 905. 36	2, 604	2, 344	0	0	255	5
Hampton	444, 739. 67	709, 589. 86	2, 779	2, 777	0	0	0	2
Horry	1, 250, 200. 19	1, 994, 716. 08	7, 812	7, 796	0	0	0	16
Jasper	267, 419. 93	426, 673. 14	1, 671	1, 666	0	0	0	5
Kershaw	613, 897. 58	979, 484. 24	3, 836	3, 805	0	0	18	13
Lancaster	338, 955. 96	540, 810. 12	2, 118	2, 093	0	0	0	25
Laurens	476, 586. 81	760, 402. 52	2, 978	2, 971	0	0	0	7
Lee	765, 931. 66	1, 222, 057. 24	4, 786	4, 783	0	0	0	3
Lexington	430, 496. 48	686, 864. 60	2, 690	2, 654	0	0	21	15
McCormick	158, 915. 62	253, 552. 62	993	991	0	0	0	2
Marion	842, 588. 84	1, 344, 365. 10	5, 265	5, 264	0	0	0	1
Marlboro	741, 848. 50	1, 199, 587. 32	4, 698	4, 676	0	0	0	22
Newberry	397, 689. 13	634, 519. 90	2, 485	2, 475	0	0	0	10
Oconee	378, 964. 93	604, 645. 12	2, 368	2, 160	0	0	202	6
Orangeburg	1, 546, 586. 61	2, 467, 605. 76	9, 664	9, 645	0	0	0	19
Pickens	234, 452. 54	374, 073. 10	1, 465	1, 451	0	0	0	14
Richland	1, 467, 048. 79	2, 340, 701. 78	9, 167	9, 074	0	0	0	93
Saluda	230, 771. 72	368, 200. 28	1, 442	1, 441	0	0	0	1
Spartanburg	1, 190, 986. 92	1, 900, 240. 28	7, 442	7, 393	0	0	0	49
Sumter	1, 369, 746. 98	2, 185, 455. 06	8, 559	8, 559	0	0	0	0
Union	332, 554. 53	530, 596. 52	2, 078	2, 076	0	0	0	2
Williamsburg	1, 611, 561. 17	2, 571, 273. 80	10, 070	10, 070	0	0	0	0
York	723, 202. 08	1, 153, 881. 46	4, 519	4, 446	0	0	48	25

SOUTH DAKOTA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$6, 067, 657. 00	$9, 630, 403. 44	37, 716	30, 712	4, 509	17	1, 931	547
Aurora	65, 155. 40	103, 412. 70	405	397	4	0	0	4
Beadle	149, 133. 47	236, 700. 18	927	845	67	0	0	15
Bennett	49, 067. 65	77, 878. 70	305	253	49	0	0	3
Bon Homme	118, 888. 50	188, 696. 26	739	723	13	0	0	3
Brookings	132, 241. 33	209, 889. 48	822	800	19	0	0	3
Brown	211, 875. 71	336, 282. 78	1, 317	1, 109	192	0	0	16
Brule	69, 981. 73	111, 072. 90	435	151	21	0	258	5
Buffalo	43, 597. 81	69, 197. 14	271	204	65	0	0	2
Butte	40, 219. 38	63, 835. 00	250	180	67	0	0	3
Campbell	37, 645. 34	59, 749. 56	234	220	14	0	0	0
Charles Mix	223, 137. 14	354, 156. 58	1, 387	866	147	0	362	12
Clark	99, 261. 44	157, 544. 78	617	603	8	0	0	6
Clay	51, 802. 57	82, 219. 48	322	278	38	0	0	6
Codington	165, 703. 86	263, 000. 20	1, 030	922	86	0	0	22
Corson	99, 100. 56	157, 289. 44	616	427	126	0	43	20
Custer	19, 787. 94	31, 406. 82	123	103	19	0	0	1
Davison	108, 431. 46	172, 099. 16	674	504	126	0	16	28
Day	123, 714. 82	196, 356. 46	769	694	60	0	0	15
Deuel	64, 190. 14	101, 880. 66	399	391	5	0	0	3
Dewey	92, 021. 95	146, 054. 48	572	358	213	0	0	1
Douglas	92, 021. 95	146, 054. 48	572	567	3	0	0	2
Edmunds	71, 751. 38	113, 881. 64	446	429	14	0	0	3
Fall River	47, 458. 87	75, 325. 30	295	238	46	0	0	11
Faulk	46, 332. 73	73, 537. 92	288	278	10	0	0	0
Grant	135, 298. 00	214, 740. 94	841	791	39	0	0	11
Gregory	76, 899. 46	122, 052. 52	478	437	39	0	0	2
Haakon	22, 683. 73	36, 002. 94	141	136	5	0	0	0
Hamlin	75, 290. 69	119, 499. 12	468	452	14	0	0	2
Hand	88, 160. 89	139, 926. 32	548	538	9	0	0	1
Hanson	106, 661. 80	169, 290. 42	663	636	27	0	0	0
Harding	11, 744. 06	18, 639. 82	73	73	0	0	0	0
Hughes	47, 941. 50	76, 091. 32	298	224	57	0	0	17
Hutchinson	154, 442. 43	245, 126. 40	960	942	17	0	0	1
Hyde	60, 650. 83	96, 263. 18	377	156	6	0	212	3
Jackson	11, 261. 43	17, 873. 80	70	58	6	0	0	6
Jerauld	62, 098. 73	98, 561. 24	386	386	0	0	0	0
Jones	15, 283. 37	24, 257. 30	95	89	6	0	0	0
Kingsbury	62, 742. 24	99, 582. 60	390	265	23	0	0	2
Lake	86, 873. 87	137, 883. 60	540	507	28	0	0	5
Lawrence	49, 389. 40	78, 389. 38	307	268	26	0	0	13
Lincoln	109, 235. 84	173, 375. 86	679	654	11	0	0	14
Lyman	45, 367. 46	72, 005. 88	282	238	41	0	0	3
McCook	109, 879. 35	174, 397. 22	683	650	24	0	0	9
McPherson	94, 917. 74	150, 650. 60	590	590	0	0	0	0
Marshall	72, 073. 13	114, 392. 32	448	413	32	0	0	3
Meade	58, 881. 18	93, 454. 44	366	306	54	0	0	6
Mellette	62, 098. 73	98, 561. 24	386	299	84	0	0	3
Miner	78, 829. 99	125, 116. 60	490	471	12	0	0	7
Minnehaha	297, 623. 43	472, 379. 00	1, 850	1, 266	474	17	0	93
Moody	66, 442. 42	105, 455. 42	413	403	5	0	0	5
Pennington	206, 888. 51	328, 367. 24	1, 286	607	622	0	0	57
Perkins	60, 168. 20	95, 497. 16	374	356	18	0	0	0
Potter	30, 084. 10	47, 748. 58	187	175	12	0	0	0
Roberts	230, 054. 87	365, 136. 20	1, 430	1, 065	250	0	112	3
Sanborn	30, 084. 10	47, 748. 58	187	179	8	0	0	0
Shannon	254, 830. 01	404, 458. 56	1, 584	841	263	0	461	19
Spink	134, 010. 98	212, 698. 22	833	819	12	0	0	2
Stanley	10, 296. 16	16, 341. 76	64	54	6	0	0	4
Sully	24, 453. 38	38, 811. 68	152	136	14	0	0	2
Todd	250, 968. 95	398, 330. 40	1, 560	716	349	0	467	28
Tripp	83, 334. 56	132, 266. 12	518	442	66	0	0	10
Turner	137, 550. 29	218, 315. 70	855	818	19	0	0	18
Union	98, 457. 05	156, 268. 08	612	563	46	0	0	3
Walworth	48, 424. 14	76, 857. 34	301	183	118	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—Continued

SOUTH DAKOTA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delin quent	Ne-glected	In foster homes
Washabaugh	$4,987.20	$7,915.54	31	10	21	0	0	0
Yankton	135,298.00	214,740.94	841	733	97	0	0	11
Ziebach	42,471.67	67,409.76	264	127	137	0	0	0

TENNESSEE

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delin quent	Ne-glected	In foster homes
State total	$35,688,637.00	$56,941,841.36	223,004	220,048	0	56	1,864	1,036
Anderson	408,411.52	651,627.68	2,552	2,537	0	0	0	15
Bedford	176,519.55	281,640.02	1,103	1,088	0	0	0	15
Benton	112,985.32	180,270.04	706	704	0	0	0	2
Bledsoe	174,439.09	278,320.60	1,090	1,090	0	0	0	0
Blount	495,631.06	790,787.98	3,097	3,062	0	0	13	22
Bradley	262,618.85	419,012.94	1,641	1,526	0	0	106	9
Campbell	571,167.99	911,308.46	3,569	3,556	0	0	0	13
Cannon	97,941.95	156,268.08	612	612	0	0	0	0
Carroll	341,676.56	545,150.90	2,135	2,126	0	0	0	9
Carter	419,614.03	669,501.48	2,622	2,567	0	0	35	20
Cheatham	68,655.38	109,540.86	429	429	0	0	0	0
Chester	153,474.39	244,871.06	959	943	0	0	0	16
Claiborne	470,345.39	750,444.26	2,939	2,932	0	0	0	7
Clay	213,647.87	340,878.90	1,335	1,328	0	0	0	7
Cocke	415,453.09	662,862.64	2,596	2,587	0	0	0	9
Coffee	239,413.65	381,988.64	1,496	1,484	0	0	0	12
Crockett	271,260.78	432,801.30	1,695	1,692	0	0	0	3
Cumberland	316,710.97	505,317.86	1,979	1,974	0	0	0	5
Davidson	1,667,893.73	2,661,153.48	10,422	10,146	0	0	185	91
Decatur	131,709.51	210,144.82	823	818	0	0	0	5
De Kalb	159,235.68	254,063.30	995	995	0	0	0	0
Dickson	168,837.83	269,383.70	1,055	1,044	0	0	0	11
Dyer	445,379.80	710,611.22	2,783	2,770	0	0	0	13
Fayette	901,642.04	1,438,585.56	5,634	5,628	0	0	0	6
Fentress	334,474.95	533,660.60	2,090	2,090	0	0	0	0
Franklin	276,061.86	440,461.50	1,725	1,719	0	0	0	6
Gibson	620,459.03	989,953.18	3,877	3,872	0	0	0	5
Giles	336,555.41	536,980.02	2,103	2,099	0	0	0	4
Grainger	234,772.61	374,583.78	1,467	1,461	0	0	0	6
Greene	566,366.91	903,648.26	3,539	3,369	0	0	161	9
Grundy	209,967.05	335,006.08	1,312	1,312	0	0	0	0
Hamblen	242,294.29	386,584.76	1,514	1,498	0	0	0	16
Hamilton	1,465,288.34	2,337,893.04	9,156	8,763	0	0	342	51
Hancock	233,012.21	371,775.04	1,456	1,456	0	0	0	0
Hardeman	489,869.77	781,595.74	3,061	3,059	0	0	0	2
Hardin	328,713.66	524,468.36	2,054	2,048	0	0	0	6
Hawkins	477,867.08	762,445.24	2,986	2,986	0	0	0	0
Haywood	736,805.10	1,175,585.36	4,604	4,595	0	0	0	9
Henderson	260,058.27	414,927.50	1,625	1,610	0	0	0	15
Henry	209,646.98	334,495.40	1,310	1,305	0	0	0	5
Hickman	159,235.68	254,063.30	995	995	0	0	0	0
Houston	67,055.03	106,987.46	419	419	0	0	0	0
Humphreys	120,827.07	192,781.70	755	753	0	0	0	2
Jackson	216,528.52	345,475.02	1,353	1,353	0	0	0	0
Jefferson	177,479.77	283,172.06	1,109	1,105	0	0	0	4
Johnson	262,208.77	418,502.26	1,639	1,639	0	0	0	0
Knox	1,404,314.67	2,240,608.50	8,775	8,540	0	0	81	154
Lake	244,214.72	389,648.84	1,526	1,525	0	0	0	1
Lauderdale	528,598.45	843,388.02	3,303	3,291	0	0	0	12
Lawrence	316,871.00	505,573.20	1,980	1,974	0	0	0	6
Lewis	81,138.18	129,457.38	507	507	0	0	0	0
Lincoln	336,715.45	537,235.36	2,104	2,096	0	0	0	8
Loudon	209,166.77	333,729.38	1,307	1,305	0	0	0	2
McMinn	374,323.88	597,240.26	2,339	2,333	0	0	0	6
McNairy	361,200.94	576,302.38	2,257	2,254	0	0	0	3
Macon	177,479.77	283,172.06	1,109	1,109	0	0	0	0
Madison	770,412.63	1,229,206.76	4,814	4,790	0	0	0	24
Marion	325,192.87	518,850.88	2,032	2,030	0	0	0	2
Marshall	182,120.81	290,576.92	1,138	1,138	0	0	0	0
Maury	390,647.53	623,284.94	2,441	2,264	0	0	175	2
Meigs	128,988.90	205,804.04	806	806	0	0	0	0
Monroe	393,688.22	628,136.40	2,460	2,459	0	0	0	1
Montgomery	355,119.57	566,599.46	2,219	2,191	0	0	0	28
Moore	41,289.25	65,877.72	258	252	0	0	0	6
Morgan	270,300.57	431,269.26	1,689	1,689	0	0	0	0
Obion	297,666.70	474,932.40	1,860	1,858	0	0	0	2
Overton	301,827.63	481,571.24	1,886	1,880	0	0	0	6
Perry	98,902.16	157,800.12	618	618	0	0	0	0
Pickett	87,219.54	139,160.30	545	545	0	0	0	0
Polk	124,027.79	197,888.50	775	775	0	0	0	0
Putnam	325,672.98	519,616.90	2,035	2,020	0	0	0	15
Rhea	212,527.62	339,091.52	1,328	1,285	0	0	40	3
Roane	375,284.09	598,772.30	2,345	2,329	0	0	0	16
Robertson	321,992.15	513,744.08	2,012	2,005	0	0	0	7
Rutherford	357,840.18	570,940.24	2,236	2,223	0	0	0	13
Scott	331,754.34	529,319.82	2,073	2,061	0	0	0	12
Sequatchie	71,055.92	113,370.96	444	444	0	0	0	0
Sevier	349,518.32	557,662.56	2,184	1,992	0	0	159	33
Shelby	4,350,094.75	6,940,651.88	27,182	26,571	0	56	387	168
Smith	175,559.34	280,107.98	1,097	1,097	0	0	0	0
Stewart	127,388.54	203,250.64	796	794	0	0	0	2
Sullivan	770,412.63	1,229,206.76	4,814	4,796	0	0	0	18
Sumner	353,839.29	564,556.74	2,211	2,210	0	0	0	1
Tipton	647,985.20	1,033,871.66	4,049	3,997	0	0	50	2
Trousdale	67,375.10	107,498.14	421	420	0	0	0	1
Unicoi	163,396.61	260,702.14	1,021	1,021	0	0	0	0
Union	157,635.32	251,509.90	985	985	0	0	0	0
Van Buren	71,856.10	114,647.66	449	449	0	0	0	0

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I*—Continued**

TENNESSEE—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Warren	$236,693.04	$377,647.86	1,479	1,465	0	0	0	14
Washington	446,340.01	712,143.26	2,789	2,762	0	0	0	27
Wayne	216,048.41	344,709.00	1,350	1,348	0	0	0	7
Weakley	235,252.71	375,349.80	1,470	1,463	0	0	0	0
White	289,664.91	462,165.40	1,810	1,809	0	0	0	2
Williamson	303,267.96	483,869.30	1,895	1,764	0	0	130	1
Wilson	218,448.95	348,539.10	1,365	1,365	0	0	0	1

TEXAS

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$64,652,569.00	$103,152,508.54	403,981	398,224	0	613	3,882	1,269
Anderson	346,483.65	552,811.10	2,165	2,165	0	0	0	0
Andrews	18,084.37	28,853.42	113	113	0	0	0	0
Angelina	260,862.98	416,204.20	1,630	1,618	0	0	0	12
Aransas	43,050.39	68,686.46	269	259	0	0	0	0
Archer	17,444.21	27,832.06	109	109	0	0	0	0
Armstrong	4,161.00	6,638.84	26	26	0	0	0	0
Atascosa	312,395.42	498,423.68	1,952	1,952	0	0	0	0
Austin	156,197.71	249,211.84	976	976	0	0	0	0
Bailey	64,015.46	102,136.00	400	400	0	0	0	0
Bandera	38,729.35	61,792.28	242	182	0	0	60	0
Bastrop	242,458.54	286,840.10	1,515	1,515	0	0	0	0
Baylor	36,968.93	58,983.54	231	231	0	0	0	0
Bee	331,920.13	529,575.16	2,074	1,957	0	0	117	0
Bell	483,156.65	770,871.46	3,019	3,019	0	0	0	0
Bexar	4,310,000.55	6,876,561.54	26,931	26,508	0	63	317	43
Blanco	26,246.34	41,875.76	164	164	0	0	0	0
Borden	3,520.85	5,617.48	22	22	0	0	0	0
Bosque	73,777.81	117,711.74	461	461	0	0	0	0
Bowie	557,414.58	889,349.22	3,483	3,469	0	0	0	14
Brazoria	334,000.64	532,894.58	2,087	2,068	0	0	0	19
Brazos	342,002.57	545,661.58	2,137	2,137	0	0	0	0
Brewster	54,093.06	86,304.92	338	338	0	0	0	0
Briscoe	22,405.41	35,747.60	140	140	0	0	0	0
Brooks	142,914.50	228,018.62	893	893	0	0	0	0
Brown	127,390.76	203,250.64	796	793	0	0	0	3
Burleson	176,842.69	282,150.70	1,105	1,105	0	0	0	0
Burnet	80,659.47	128,691.36	504	434	0	0	70	0
Caldwell	234,456.60	374,073.10	1,465	1,465	0	0	0	0
Calhoun	122,909.67	196,101.12	768	768	0	0	0	0
Callahan	36,488.81	58,217.52	228	228	0	0	0	0
Cameron	2,520,288.47	4,021,094.32	15,748	15,641	0	0	87	20
Camp	92,342.29	147,331.18	577	577	0	0	0	0
Carson	22,885.53	36,513.62	143	103	0	0	40	0
Cass	345,363.38	551,023.72	2,158	2,158	0	0	0	0
Castro	100,184.19	159,842.84	626	626	0	0	0	0
Chambers	60,014.49	95,752.50	375	375	0	0	0	0
Cherokee	348,404.11	555,875.18	2,177	2,174	0	0	0	3
Childress	46,571.24	74,303.94	291	291	0	0	0	0
Clay	34,408.31	54,898.10	215	215	0	0	0	0
Cochran	45,290.93	72,261.22	283	221	0	0	62	0
Coke	18,884.56	30,130.12	118	118	0	0	0	0
Coleman	98,423.76	157,034.10	615	615	0	0	0	0
Collin	267,584.60	426,928.48	1,672	1,663	0	0	0	9
Collingsworth	52,172.60	83,240.84	326	326	0	0	0	0
Colorado	186,765.09	297,981.78	1,167	1,167	0	0	0	0
Comal	93,622.60	149,373.90	585	585	0	0	0	0
Comanche	105,145.39	167,758.38	657	657	0	0	0	0
Concho	24,485.91	39,067.02	153	153	0	0	0	0
Cooke	120,509.09	192,271.02	753	753	0	0	0	0
Coryell	81,459.67	129,968.06	509	509	0	0	0	0
Cottle	56,013.52	89,369.00	350	350	0	0	0	0
Crane	15,203.67	24,257.30	95	95	0	0	0	0
Crockett	13,763.32	21,959.24	86	86	0	0	0	0
Crosby	99,063.92	158,055.46	619	618	0	0	0	1
Culberson	24,805.99	39,577.70	155	155	0	0	0	0
Dallam	31,527.61	50,301.98	197	197	0	0	0	0
Dallas	2,980,399.55	4,755,196.82	18,623	17,658	0	70	571	324
Dawson	137,313.15	219,081.72	858	856	0	0	0	2
Deaf Smith	106,905.81	170,567.12	668	668	0	0	0	0
Delta	72,497.50	115,669.02	453	453	0	0	0	0
Denton	156,037.67	248,956.50	975	953	0	0	22	0
De Witt	332,560.29	530,596.52	2,078	2,078	0	0	0	0
Dickens	50,572.21	80,687.44	316	316	0	0	0	0
Dimmit	225,174.36	359,263.38	1,407	1,407	0	0	0	0
Donley	22,405.41	35,747.60	140	140	0	0	0	0
Duval	244,379.00	389,904.18	1,527	1,527	0	0	0	0
Eastland	99,864.11	159,332.16	624	623	0	0	0	1
Ector	315,276.12	503,019.80	1,970	1,937	0	0	22	11
Edwards	20,164.87	32,172.84	126	126	0	0	0	0
Ellis	421,381.73	672,310.22	2,633	2,553	0	0	80	0
El Paso	1,449,149.87	2,312,103.70	9,055	8,876	0	0	95	84
Erath	84,020.28	134,053.50	525	487	0	0	38	0
Falls	441,226.52	703,972.38	2,757	2,757	0	0	0	0
Fannin	257,502.17	410,842.06	1,609	1,608	0	0	0	1
Fayette	283,908.54	452,973.16	1,774	1,772	0	0	0	2
Fisher	87,061.02	138,904.96	544	544	0	0	0	0
Floyd	81,299.63	129,712.72	508	508	0	0	0	0
Foard	35,688.62	56,940.82	223	223	0	0	0	0
Fort Bend	455,469.96	726,697.64	2,846	2,846	0	0	0	0
Franklin	54,893.25	87,581.62	343	343	0	0	0	0
Freestone	254,621.47	406,245.94	1,591	1,559	0	0	32	0
Frio	235,896.95	376,371.16	1,474	1,474	0	0	0	0
Gaines	72,497.50	115,669.02	453	449	0	0	0	4
Galveston	739,378.51	1,179,670.80	4,620	4,547	0	0	57	14
Garza	35,368.54	56,430.14	221	221	0	0	0	0
Gillespie	43,530.51	69,452.48	272	272	0	0	0	0

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

TEXAS—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Glasscock	0	0	(1)	3	0	0	0	0
Goliad	101,784.57	162,396.24	636	636	0	0	0	0
Gonzales	301,032.68	480,294.54	1,881	1,881	0	0	0	0
Gray	91,702.14	146,309.82	573	573	0	0	0	0
Grayson	318,957.01	508,892.62	1,993	1,988	0	0	0	5
Gregg	459,150.85	732,570.46	2,869	2,869	0	0	0	0
Grimes	200,048.30	319,175.00	1,250	1,250	0	0	0	0
Guadalupe	258,142.32	411,863.42	1,613	1,613	0	0	0	0
Hale	257,822.25	411,352.74	1,611	1,605	0	0	0	6
Hall	74,898.08	119,499.12	468	468	0	0	0	0
Hamilton	57,773.95	92,177.74	361	361	0	0	0	0
Hansford	16,323.94	26,044.68	102	102	0	0	0	0
Hardeman	66,896.15	106,732.12	418	418	0	0	0	0
Hardin	179,083.24	285,725.46	1,119	1,119	0	0	0	0
Harris	4,697,934.21	7,495,505.70	29,355	28,584	0	132	344	295
Harrison	554,373.84	884,497.76	3,464	3,464	0	0	0	0
Hartley	4,000.97	6,383.50	25	0	0	0	0	0
Haskell	107,866.04	172,099.16	674	674	0	0	0	0
Hays	234,776.68	374,583.78	1,467	1,467	0	0	0	0
Hemphill	18,244.40	29,108.76	114	114	0	0	0	0
Henderson	267,584.60	426,928.48	1,672	1,672	0	0	0	0
Hidalgo	3,540,054.67	5,648,120.80	22,120	22,102	0	0	0	18
Hill	268,384.80	428,205.18	1,677	1,614	0	0	63	0
Hockley	152,676.86	243,594.36	954	954	0	0	0	0
Hood	32,327.80	51,578.68	202	202	0	0	0	0
Hopkins	167,240.38	266,830.30	1,045	1,045	0	0	0	0
Houston	356,246.01	568,386.84	2,226	2,226	0	0	0	0
Howard	120,829.17	192,781.70	755	755	0	0	0	0
Hudspeth	20,644.98	32,938.86	129	129	0	0	0	0
Hunt	326,158.74	520,382.92	2,038	1,833	0	0	204	1
Hutchinson	52,012.56	82,985.50	325	325	0	0	0	0
Irion	1,600.39	2,553.40	10	10	0	0	0	0
Jack	18,724.52	29,874.78	117	117	0	0	0	0
Jackson	131,551.76	209,889.48	822	822	0	0	0	0
Jasper	210,930.92	336,538.12	1,318	1,317	0	0	0	1
Jeff Davis	7,681.85	12,256.32	48	48	0	0	0	0
Jefferson	1,101,225.87	1,756,994.54	6,881	6,838	0	0	17	26
Jim Hogg	76,178.39	121,541.84	476	476	0	0	0	0
Jim Wells	511,643.52	816,321.98	3,197	3,197	0	0	0	0
Johnson	109,306.39	174,397.22	683	683	0	0	0	0
Jones	112,507.16	179,504.02	703	703	0	0	0	0
Karnes	272,545.80	434,844.02	1,073	1,703	0	0	0	0
Kaufman	265,504.10	423,609.06	1,659	1,659	0	0	0	0
Kendall	23,525.68	37,534.98	147	146	0	0	0	1
Kenedy	18,724.52	29,874.78	117	117	0	0	0	0
Kent	12,322.98	19,661.18	77	77	0	0	0	0
Kerr	62,895.18	100,348.62	393	392	0	0	0	1
Kimble	33,128.00	52,855.38	207	207	0	0	0	0
King	6,561.58	10,468.94	41	41	0	0	0	0
Kinney	33,768.15	53,876.74	211	211	0	0	0	0
Kleberg	285,188.85	455,015.88	1,782	1,782	0	0	0	0
Knox	73,777.81	117,711.74	461	459	0	0	0	2
Lamar	410,979.22	655,713.12	2,568	2,567	0	0	0	1
Lamb	176,842.69	282,150.70	1,105	1,105	0	0	0	0
Lampasas	79,379.16	126,648.64	496	496	0	0	0	0
La Salle	163,079.37	260,191.46	1,019	1,019	0	0	0	0
Lavaca	310,795.03	495,870.28	1,942	1,942	0	0	0	0
Lee	144,834.97	231,082.70	905	905	0	0	0	0
Leon	186,124.94	296,960.42	1,163	1,163	0	0	0	0
Liberty	334,640.79	533,915.94	2,091	2,091	0	0	0	0
Limestone	247,419.73	394,755.64	1,546	1,546	0	0	0	0
Lipscomb	9,442.28	15,065.06	59	59	0	0	0	0
Live Oak	104,025.11	165,971.00	650	650	0	0	0	0
Llano	32,327.80	51,578.68	202	202	0	0	0	0
Loving	0	0	(1)	4	0	0	0	0
Lubbock	628,951.85	1,003,486.20	3,930	3,751	0	0	146	33
Lynn	84,180.32	134,308.84	526	526	0	0	0	0
McCulloch	77,138.62	123,073.88	482	482	0	0	0	0
McLennan	860,687.79	1,373,218.52	5,378	4,974	0	0	400	4
McMullen	11,682.82	18,639.82	73	73	0	0	0	0
Madison	120,989.21	193,037.04	756	756	0	0	0	0
Marion	157,157.94	250,743.88	982	982	0	0	0	0
Martin	18,244.40	29,108.76	114	114	0	0	0	0
Mason	40,009.66	63,835.00	250	250	0	0	0	0
Matagorda	301,832.87	481,571.24	1,886	1,885	0	0	0	1
Maverick	302,473.03	482,592.60	1,890	1,890	0	0	0	1
Medina	211,891.16	338,070.16	1,324	1,320	0	0	0	4
Menard	40,969.89	65,367.04	256	256	0	0	0	0
Midland	176,362.58	281,384.68	1,102	1,090	0	0	0	12
Milam	297,831.90	475,187.74	1,861	1,861	0	0	0	0
Mills	36,168.73	57,706.84	226	226	0	0	0	0
Mitchell	118,588.63	189,206.94	741	741	0	0	0	0
Montague	81,779.74	130,478.74	511	511	0	0	0	0
Montgomery	276,546.77	441,227.52	1,728	1,728	0	0	0	0
Moore	23,045.56	36,768.96	144	144	0	0	0	0
Morris	109,946.54	175,418.58	687	687	0	0	0	0
Motley	31,687.65	50,557.32	198	198	0	0	0	0
Nacogdoches	302,473.03	482,592.60	1,890	1,888	0	0	0	2
Navarro	396,415.71	632,477.18	2,477	2,403	0	0	71	3
Newton	182,284.01	290,832.26	1,139	1,139	0	0	0	0
Nolan	71,057.16	113,370.96	444	440	0	0	0	4
Nueces	1,853,407.46	2,957,092.54	11,581	11,488	0	0	46	47
Ochiltree	18,404.44	29,364.10	115	111	0	0	0	4
Oldham	8,482.05	13,533.02	53	53	0	0	0	0
Orange	258,782.48	412,884.78	1,617	1,613	0	0	0	4
Palo Pinto	109,946.54	175,418.58	687	687	0	0	0	0
Panola	241,658.34	385,563.40	1,510	1,509	0	0	0	1
Parker	92,502.33	147,586.52	578	498	0	0	80	0
Parmer	38,249.23	61,026.26	239	231	0	0	0	8
Pecos	53,612.94	85,538.90	335	335	0	0	0	0
Polk	205,009.49	327,090.54	1,281	1,281	0	0	0	0
Potter	304,873.60	486,422.70	1,905	1,516	0	348	0	41

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I—Continued

TEXAS—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Presidio	$62,415.07	$99,582.60	390	390	0	0	0	0
Rains	46,891.32	74,814.62	293	293	0	0	0	0
Randall	64,015.46	102,136.00	400	321	0	0	79	0
Reagan	14,883.59	23,746.62	93	93	0	0	0	0
Real	35,368.54	56,430.14	221	221	0	0	0	0
Red River	246,619.54	393,478.94	1,541	1,541	0	0	0	0
Reeves	148,035.74	236,189.50	925	925	0	0	0	0
Refugio	134,432.46	214,485.60	840	840	0	0	0	0
Roberts	3,680.89	5,872.82	23	23	0	0	0	0
Robertson	324,558.36	517,829.52	2,028	2,028	0	0	0	0
Rockwall	81,619.71	130,223.40	510	510	0	0	0	0
Runnels	155,077.44	247,424.46	969	969	0	0	0	0
Rusk	386,493.31	616,646.10	2,415	2,415	0	0	0	0
Sabine	101,144.42	161,374.88	632	632	0	0	0	0
San Augustine	106,905.81	170,567.12	668	668	0	0	0	0
San Jacinto	131,871.84	210,400.16	824	824	0	0	0	0
San Patricio	722,574.45	1,152,860.10	4,515	4,513	0	0	0	2
San Saba	87,221.06	139,160.30	545	509	0	0	36	0
Schleicher	8,962.16	14,299.04	56	56	0	0	0	0
Scurry	86,580.90	138,138.94	541	539	0	0	0	2
Shackelford	11,842.86	18,895.16	74	74	0	0	0	0
Shelby	281,828.04	449,653.74	1,761	1,761	0	0	0	0
Sherman	8,482.05	13,533.02	53	52	0	0	0	1
Smith	569,097.40	907,989.04	3,556	3,540	0	0	0	16
Somervell	22,405.41	35,747.60	140	140	0	0	0	0
Starr	478,515.53	763,466.60	2,990	2,990	0	0	0	0
Stephens	30,727.42	49,025.28	192	192	0	0	0	0
Sterling	9,922.40	15,831.08	62	62	0	0	0	0
Stonewall	34,568.35	55,153.44	216	216	0	0	0	0
Sutton	13,123.17	20,937.88	82	82	0	0	0	0
Swisher	48,491.71	77,368.02	303	303	0	0	0	0
Tarrant	1,831,962.29	2,922,876.98	11,447	11,040	0	0	382	25
Taylor	276,546.77	441,227.52	1,728	1,603	0	0	103	22
Terrell	32,007.73	51,068.00	200	199	0	0	0	1
Terry	74,257.93	118,477.76	464	464	0	0	0	0
Throckmorton	7,841.89	12,511.66	49	49	0	0	0	0
Titus	119,708.90	109,994.32	748	748	0	0	0	0
Tom Green	323,918.20	516,808.16	2,024	1,950	0	0	64	10
Travis	954,470.44	1,522,847.76	5,964	5,879	0	0	35	50
Trinity	121,629.36	194,058.40	760	760	0	0	0	0
Tyler	125,310.25	199,931.22	783	783	0	0	0	0
Upshur	194,446.94	310,238.10	1,215	1,214	0	0	0	1
Upton	20,484.95	32,683.52	128	128	0	0	0	0
Uvalde	181,803.89	290,066.24	1,136	1,136	0	0	0	0
Val Verde	245,819.35	392,202.24	1,536	1,535	0	0	0	1
Van Zandt	169,480.92	270,405.06	1,059	1,059	0	0	0	0
Victoria	369,369.18	589,324.72	2,308	2,285	0	0	17	6
Walker	188,045.40	300,024.50	1,175	1,175	0	0	0	0
Waller	129,311.22	206,314.72	808	808	0	0	0	0
Ward	38,569.31	61,536.94	241	241	0	0	0	0
Washington	302,473.03	482,592.60	1,890	1,890	0	0	0	0
Webb	1,118,510.04	1,784,571.26	6,989	6,956	0	0	0	33
Wharton	499,640.63	797,171.48	3,122	3,118	0	0	0	4
Wheeler	39,689.58	63,324.32	248	248	0	0	0	0
Wichita	335,761.06	535,703.32	2,098	2,083	0	0	15	0
Wilbarger	88,821.44	141,713.70	555	555	0	0	0	0
Willacy	399,494.28	623,029.60	2,440	2,440	0	0	0	0
Williamson	406,338.10	648,308.26	2,539	2,429	0	0	110	0
Wilson	205,969.73	328,622.58	1,287	1,287	0	0	0	0
Winkler	28,006.76	44,684.50	175	175	0	0	0	0
Wise	83,220.09	132,776.80	520	520	0	0	0	0
Wood	133,792.30	213,464.24	836	835	0	0	0	1
Yoakum	27,206.57	43,407.80	170	170	0	0	0	0
Young	44,330.70	70,729.18	277	277	0	0	0	0
Zapata	103,705.04	165,460.32	648	648	0	0	0	0
Zavala	259,102.55	413,395.46	1,619	1,619	0	0	0	0

[1] Number of eligibles less than 10; total not used in computations.

UTAH

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$2,893,562.00	$4,526,667.52	17,728	11,680	5,200	0	25	823
Beaver	6,202.36	9,702.92	38	26	11	0	0	1
Box Elder	54,515.44	85,283.56	334	250	70	0	0	14
Cache	92,545.67	144,777.78	567	474	77	0	0	16
Carbon	76,550.12	119,754.46	469	383	56	0	0	30
Daggett	3,264.40	5,106.80	20	18	2	0	0	0
Davis	132,860.98	207,846.76	814	520	259	0	0	35
Duchesne	53,862.56	84,262.20	330	272	51	0	0	7
Emery	46,191.23	72,261.22	283	263	20	0	0	0
Garfield	9,956.41	15,575.74	61	58	3	0	0	0
Grand	18,443.85	28,853.42	113	87	24	0	0	2
Iron	26,768.06	41,875.76	164	135	9	0	0	20
Juab	15,995.55	25,023.32	98	93	4	0	0	1
Kane	11,262.17	17,618.46	69	58	11	0	0	0
Millard	69,042.01	108,008.82	423	409	13	0	0	1
Morgan	4,406.94	6,894.18	27	25	2	0	0	0
Piute	11,915.05	18,639.82	73	64	9	0	0	0
Rich	9,956.41	15,575.74	61	61	0	0	0	0
Salt Lake	1,168,654.33	1,828,234.40	7,160	4,005	2,738	0	25	392
San Juan	129,596.58	202,739.96	794	549	219	0	0	26
Sanpete	61,207.45	95,752.50	375	329	41	0	0	5
Sevier	51,087.82	79,921.42	313	281	31	0	0	1
Summit	11,915.05	18,639.82	73	51	20	0	0	2

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—Continued

UTAH—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Tooele	$46,191.23	$72,261.22	283	216	61	0	0	6
Uintah	68,225.91	106,732.12	418	257	109	0	0	52
Utah	308,975.23	483,356.62	1,893	1,230	562	0	0	101
Wasatch	9,629.97	15,065.06	59	40	12	0	0	7
Washington	46,680.80	73,027.24	286	237	37	0	0	12
Wayne	21,871.46	34,215.56	134	134	0	0	0	0
Weber	325,786.88	509,658.64	1,996	1,155	749	0	0	92

VERMONT

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$1,549,018.00	$2,362,150.34	9,251	7,208	1,006	0	252	785
Addison	108,168.37	164,949.64	474	523	80	0	0	43
Bennington	56,093.51	85,538.90	335	293	23	0	0	19
Caledonia	116,373.10	177,461.30	695	604	60	0	0	31
Chittenden	242,960.23	370,498.34	1,451	835	269	0	115	232
Essex	17,916.43	27,321.38	107	81	15	0	0	11
Franklin	183,685.30	280,107.98	1,097	987	60	0	0	50
Grand Isle	24,781.61	37,790.32	148	141	7	0	0	0
Lamdille	49,898.10	76,091.32	298	196	41	0	0	61
Orange	69,823.86	106,476.78	417	327	50	0	10	30
Orleans	149,694.31	228,273.96	894	801	33	0	0	60
Rutland	179,331.78	273,469.14	1,071	897	128	0	0	46
Washington	127,759.24	194,824.42	763	617	88	0	0	58
Windham	100,800.87	153,714.68	602	357	19	0	127	99
Windsor	121,731.28	185,632.18	727	549	133	0	0	45

VIRGINIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$29,736,585.00	$47,445,236.08	185,812	167,874	10,776	0	1,326	5,836
Accomack	376,724.44	601,070.36	2,354	2,341	6	0	0	7
Albemarle	188,362.22	300,535.18	1,177	1,084	44	0	10	39
Alleghany	97,941.95	156,268.08	612	541	5	0	64	2
Amelia	128,028.70	204,272.00	800	797	0	0	0	3
Amherst	128,028.70	204,272.00	800	785	0	0	0	15
Appomattox	106,423.85	169,801.10	665	656	5	0	0	4
Arlington	185,001.47	295,173.04	1,156	923	105	0	0	128
Augusta	217,648.78	347,262.40	1,360	1,304	14	0	0	42
Bath	49,931.19	79,666.08	312	299	5	0	0	8
Bedford	243,574.59	388,627.48	1,522	1,453	13	0	0	56
Bland	82,258.44	131,244.76	514	514	0	0	0	0
Botetourt	123,387.66	196,867.14	771	745	17	0	0	9
Brunswick	350,638.59	559,449.94	2,191	2,184	4	0	0	3
Buchanan	623,659.78	995,059.98	3,897	3,532	84	0	275	6
Buckingham	215,568.32	343,942.98	1,347	1,338	0	0	0	9
Campbell	256,857.57	409,820.70	1,605	1,507	56	0	0	42
Caroline	139,871.35	223,167.16	874	844	2	0	0	28
Carroll	221,969.75	354,156.58	1,387	1,340	6	0	35	6
Charles City	51,531.55	82,219.48	322	307	11	0	0	4
Charlotte	226,930.86	362,072.12	1,418	1,408	0	0	0	10
Chesterfield	150,113.65	239,508.92	938	755	57	0	53	73
Clarke	54,092.12	86,304.92	338	323	9	0	0	6
Craig	43,209.68	68,941.80	270	266	0	0	0	4
Culpeper	130,909.34	208,868.12	818	755	41	0	0	22
Cumberland	147,233.00	234,912.80	920	910	0	0	0	10
Dickenson	352,879.09	563,024.70	2,205	2,141	52	0	0	12
Dinwiddie	210,767.24	336,282.78	1,317	1,310	0	0	0	7
Essex	66,894.99	106,732.12	418	394	0	0	0	24
Fairfax	392,407.95	626,093.68	2,452	1,772	378	0	10	292
Fauquier	209,006.85	333,474.04	1,306	1,212	0	0	0	94
Floyd	107,384.07	171,333.14	671	671	0	0	0	0
Fluvanna	76,177.07	121,541.84	476	463	0	0	0	13
Franklin	261,498.61	417,225.56	1,634	1,626	0	0	0	8
Frederick	106,743.92	170,311.78	667	612	21	0	0	34
Giles	196,844.12	314,068.20	1,230	1,174	34	0	0	22
Gloucester	111,224.93	177,461.30	695	672	16	0	0	7
Goochland	91,060.41	145,288.46	569	551	9	0	0	9
Grayson	187,081.93	298,492.46	1,169	1,145	17	0	0	7
Greene	39,848.93	63,579.66	249	233	5	0	0	11
Greensville	341,196.47	544,384.88	2,132	2,066	24	0	38	4
Halifax	663,988.82	1,059,405.66	4,149	4,087	45	0	0	17
Hanover	115,545.90	184,355.48	722	682	8	0	0	32
Henrico	174,599.13	278,575.94	1,091	830	25	0	154	82
Henry	229,171.36	365,646.88	1,432	1,359	47	0	0	2
Highland	38,568.64	61,536.94	241	240	0	0	0	1
Isle of Wight	149,313.47	238,232.22	933	898	18	0	0	17
James City	72,176.18	115,158.34	451	403	37	0	0	11
King and Queen	59,213.27	94,475.80	370	361	1	0	0	8
King George	43,849.83	69,963.16	274	272	0	0	0	2
King William	82,418.47	131,500.10	515	512	0	0	0	3
Lancaster	88,659.87	141,458.36	554	544	9	0	0	1
Lee	754,409.09	1,203,672.76	4,714	4,641	36	0	0	37
Loudon	212,047.53	338,325.50	1,325	1,182	22	0	39	82
Louisa	142,912.03	228,018.62	893	863	7	0	0	23
Lunenburg	191,722.97	305,897.32	1,198	1,182	14	0	0	2
Madison	114,585.68	182,823.44	716	702	0	0	0	14
Mathews	36,808.25	58,728.20	230	229	0	0	0	1
Mecklenburg	697,596.35	1,113,027.06	4,359	4,347	0	0	0	12
Middlesex	82,258.44	131,244.76	514	499	14	0	0	1
Montgomery	224,050.22	357,476.00	1,400	1,351	22	0	0	27
Nansemond	418,173.73	667,203.42	2,613	2,442	75	0	25	71
Nelson	182,280.86	290,832.26	1,139	1,123	9	0	0	7

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I*—Continued**

VIRGINIA—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
New Kent	$30,886.92	$49,280.62	193	179	4	0	0	10
Norfolk	327,593.42	522,680.98	2,047	1,605	371	0	0	71
Northampton	291,105.25	464,463.46	1,819	1,808	0	0	0	11
Northumberland	99,542.31	158,821.48	622	618	0	0	0	4
Nottoway	188,362.22	300,335.18	1,177	1,144	15	0	0	18
Orange	127,868.66	204,016.66	799	764	7	0	0	28
Page	142,111.85	226,741.92	888	842	26	0	0	20
Patrick	129,148.95	206,059.38	807	798	0	0	0	9
Pittsylvania	857,632.22	1,368,367.06	5,359	5,161	25	0	161	12
Powhatan	58,413.09	93,199.10	365	348	7	0	0	10
Prince Edward	179,880.32	287,002.16	1,124	1,113	4	0	0	7
Prince George	77,937.47	124,350.58	487	462	18	0	0	7
Prince William	145,312.57	231,848.72	908	736	68	0	0	104
Princess Anne	480,587.72	766,786.02	3,003	3,003	0	0	0	0
Pulaski	202,445.37	323,005.10	1,265	1,236	7	0	0	22
Rappahannock	58,413.09	93,199.10	365	339	10	0	0	16
Richmond	56,012.55	89,369.00	350	330	0	0	0	20
Roanoke	265,979.61	424,375.08	1,662	1,271	87	0	215	89
Rockbridge	187,081.93	298,492.46	1,169	1,116	33	0	0	20
Rockingham	241,654.16	385,563.40	1,510	1,431	32	0	0	47
Russell	430,976.60	687,630.62	2,693	2,610	57	0	0	26
Scott	492,430.37	785,681.18	3,077	3,050	0	0	0	27
Shenandoah	113,945.54	181,802.08	712	669	15	0	0	28
Smyth	271,900.94	433,822.66	1,699	1,607	46	0	0	46
Southampton	492,750.44	786,191.86	3,079	3,035	19	0	0	25
Spotsylvania	94,421.16	150,650.60	590	544	19	0	0	27
Stafford	68,815.42	109,796.20	430	406	2	0	0	22
Surry	126,108.27	201,207.92	788	788	0	0	0	0
Sussex	269,500.40	429,992.56	1,684	1,678	6	0	0	0
Tazewell	611,176.99	975,143.46	3,819	3,639	155	0	0	25
Warren	86,739.44	138,394.28	542	526	3	0	0	13
Washington	503,312.81	803,044.30	3,145	3,005	87	0	0	53
Westmoreland	129,308.98	206,314.72	808	775	20	0	0	13
Wise	599,814.44	957,014.32	3,748	3,648	85	0	0	15
Wythe	281,022.99	448,377.04	1,756	1,663	28	0	45	20
York	73,616.50	117,456.40	460	450	0	0	0	10
Alexandria City	194,923.69	311,004.12	1,218	1,014	52	0	0	152
Bristol City	141,631.74	225,975.90	885	712	104	0	26	43
Buena Vista City	32,167.21	51,323.34	201	181	16	0	0	4
Charlottesville City	97,461.84	155,502.06	609	524	33	0	0	52
Clifton Forge City	27,526.17	43,918.48	172	162	3	0	0	7
Colonial Heights City	19,684.41	31,406.82	123	108	3	0	0	12
Covington City	38,408.61	61,281.60	240	238	0	0	0	2
Danville City	294,946.11	470,591.62	1,843	1,584	132	0	0	127
Falls Church City	21,284.77	33,960.22	133	107	8	0	0	18
Fredericksburg City	58,893.20	93,965.12	368	286	51	0	0	31
Galax City	37,128.32	59,238.88	232	221	10	0	0	1
Hampton City	237,813.30	379,435.24	1,486	1,217	207	0	0	62
Harrisonburg City	51,691.59	82,474.82	323	298	0	0	0	25
Hopewell City	74,416.68	118,733.10	456	419	27	0	0	19
Lynchburg City	272,541.09	434,844.02	1,730	1,153	184	0	126	240
Martinsville City	89,139.98	142,224.38	557	529	16	0	0	12
Newport News City	551,963.71	880,667.66	3,449	2,624	551	0	0	274
Norfolk City	2,572,256.53	4,104,079.82	16,073	13,091	2,303	0	0	580
Norton City	74,576.72	118,988.44	466	444	20	0	0	2
Petersburg City	329,193.78	525,234.38	2,057	1,726	282	0	0	49
Portsmouth City	899,721.66	1,435,521.48	5,622	4,551	963	0	20	88
Radford City	27,846.24	44,429.16	174	162	6	0	0	6
Richmond City	1,664,853.15	2,656,302.02	10,403	7,004	2,346	0	0	1,053
Roanoke City	556,284.68	887,561.84	3,476	2,703	438	0	30	305
South Norfolk City	166,117.23	265,042.92	1,038	966	0	0	0	72
Staunton City	66,574.92	106,221.44	416	385	16	0	0	15
Suffolk City	69,135.50	110,306.88	432	376	46	0	0	10
Virginia Beach City	58,733.16	93,709.78	367	138	140	0	0	89
Waynesboro City	38,728.68	61,792.28	242	215	4	0	0	23
Williamsburgh City	11,522.58	18,384.48	72	52	16	0	0	4
Winchester City	49,451.08	78,900.06	309	285	24	0	0	0
South Boston City	50,891.41	81,198.12	318	300	0	0	0	18

WASHINGTON

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $283.77]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$9,917,702.00	$15,823,866.51	55,763	33,072	18,727	174	486	3,304
Adams	41,973.67	66,969.72	236	206	29	0	0	1
Asotin	45,352.90	72,361.35	255	144	102	0	0	9
Benton	229,432.34	366,063.30	1,290	771	420	0	0	99
Chelan	143,884.31	229,569.93	809	556	209	0	0	44
Clallam	110,625.52	176,504.94	622	376	164	0	0	82
Clark	264,113.97	421,398.45	1,485	791	524	0	46	124
Columbia	14,406.22	22,985.37	81	54	23	0	0	4
Cowlitz	196,529.25	313,565.85	1,105	722	254	0	18	111
Douglas	43,218.65	68,956.11	243	152	73	0	0	18
Ferry	11,560.54	18,445.05	65	37	23	0	0	5
Franklin	152,954.89	244,042.20	860	566	247	0	11	36
Garfield	3,912.80	6,242.94	22	20	0	0	0	2
Grant	241,526.45	385,259.66	1,358	855	477	0	0	26
Grays Harbor	255,399.10	407,493.72	1,436	849	512	0	0	75
Island	70,252.54	112,089.15	395	355	37	0	0	3
Jefferson	42,151.52	67,253.49	237	163	50	0	0	24
King	2,260,531.04	3,606,716.70	12,710	7,457	4,069	75	172	937
Kitsap	279,943.03	446,653.98	1,574	1,106	364	0	0	104
Kittitas	81,457.37	129,966.66	458	289	120	0	0	49
Klickitat	57,980.58	92,509.02	326	234	71	0	0	21
Lewis	180,166.64	287,459.01	1,013	741	218	0	0	54
Lincoln	22,053.96	35,187.48	124	120	3	0	0	1

***Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89-10, title I*—Continued**

WASHINGTON—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years					
			Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Mason	$49,265.70	$78,604.29	277	180	73	0	0	24
Okanogan	154,733.44	246,879.90	870	705	117	0	0	48
Pacific	76,299.59	121,737.33	429	334	83	0	0	12
Pend Oreille	32,191.67	51,362.37	181	133	41	0	0	7
Pierce	1,013,592.95	1,617,205.23	5,699	3,581	1,754	0	53	311
San Juan	10,137.71	16,174.89	57	52	2	0	0	3
Skagit	157,223.40	250,852.68	884	601	249	0	0	34
Skamania	20,453.27	32,633.55	115	48	60	0	0	7
Snohomish	609,863.17	973,047.33	3,429	1,879	1,243	0	25	282
Spokane	966,639.35	1,542,289.95	5,435	2,644	2,361	83	121	226
Stevens	122,186.06	194,949.99	687	546	119	0	0	22
Thurston	242,060.01	386,210.97	1,361	719	545	0	0	97
Wahkiakum	11,738.40	18,728.82	66	45	8	0	0	13
Walla Walla	171,096.06	272,986.74	962	519	388	0	18	37
Whatcom	261,268.30	416,858.13	1,469	835	529	0	0	105
Whitman	43,396.50	69,239.88	244	205	26	0	0	13
Yakima	1,226,129.11	1,956,310.38	6,894	3,482	3,140	16	22	234

WEST VIRGINIA

[Formula rate: ½ State or National average current expenditure per pupil for 1965-66: $255.34]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$18,173,513.00	$28,996,155.06	113,559	106,406	4,476	25	592	2,060
Barbour	229,971.54	366,923.58	1,437	1,358	65	0	0	14
Berkeley	152,354.14	243,083.68	952	879	19	0	0	54
Boone	400,409.74	638,860.68	2,502	2,351	112	0	0	39
Braxton	324,232.67	517,318.84	2,026	1,854	116	0	0	56
Brooke	81,458.26	129,968.06	509	453	40	0	0	16
Cabell	537,400.44	857,431.72	3,358	2,936	125	25	86	186
Calhoun	158,275.47	252,531.26	989	905	71	0	0	13
Clay	265,979.61	424,375.08	1,662	1,513	146	0	0	3
Doddridge	66,414.88	105,966.10	415	385	0	0	0	30
Fayette	898,441.35	1,433,478.76	5,614	5,208	336	0	0	70
Gilmer	141,791.78	226,231.24	886	776	85	0	0	25
Grant	120,827.08	192,781.70	755	733	10	0	0	12
Greenbrier	473,386.09	755,295.72	2,958	2,769	101	0	48	40
Hampshire	141,951.81	226,486.58	887	873	4	0	0	10
Hancock	67,215.06	107,242.80	420	360	0	0	30	30
Hardy	130,269.20	207,846.76	814	777	14	0	0	23
Harrison	478,347.21	763,211.26	2,989	2,760	84	0	95	50
Jackson	166,117.23	265,042.92	1,038	964	63	0	0	11
Jefferson	130,909.34	208,868.12	818	786	0	0	0	32
Kanawha	1,576,193.25	2,514,843.66	9,849	8,795	742	0	75	237
Lewis	176,519.56	281,640.02	1,103	987	80	0	0	36
Lincoln	466,344.52	744,060.76	2,914	2,833	58	0	0	23
Logan	870,755.15	1,389,304.94	5,441	5,132	282	0	0	27
McDowell	1,268,444.28	2,023,824.84	7,926	7,748	144	0	0	34
Marion	360,400.77	575,025.68	2,252	2,102	89	0	0	61
Marshall	135,230.31	215,762.30	845	754	46	0	0	45
Mason	240,213.84	383,265.34	1,501	1,411	21	0	40	29
Mercer	706,078.24	1,126,560.08	4,412	4,220	141	0	0	51
Mineral	176,519.56	281,640.02	1,103	1,012	42	0	38	11
Mingo	795,058.19	1,268,529.12	4,968	4,842	108	0	0	18
Monongalia	323,432.49	516,042.14	2,021	1,949	14	0	0	58
Monroe	227,250.93	362,582.80	1,420	1,361	44	0	0	15
Morgan	80,017.93	127,670.00	500	463	8	0	0	29
Nicholas	351,438.76	560,726.64	2,196	2,098	67	0	0	31
Ohio	260,698.43	415,948.86	1,629	1,477	12	0	104	36
Pendleton	111,224.93	177,461.30	695	626	64	0	0	5
Pleasants	59,053.23	94,220.46	369	361	0	0	0	8
Pocahontas	110,584.78	176,439.94	691	653	31	0	0	7
Preston	297,666.71	474,932.40	1,860	1,816	0	0	0	44
Putnam	198,604.51	316,876.94	1,241	1,149	66	0	0	26
Raleigh	1,077,201.42	1,718,693.54	6,731	6,489	120	0	26	96
Randolph	292,225.49	466,250.84	1,826	1,657	129	0	0	40
Ritchie	122,747.51	195,845.78	767	724	30	0	0	13
Roane	206,286.23	329,133.26	1,289	1,172	97	0	0	20
Summers	276,862.05	441,738.20	1,730	1,575	126	0	0	29
Taylor	178,439.99	284,704.10	1,115	1,100	0	0	0	15
Tucker	103,543.21	165,204.98	647	608	11	0	0	28
Tyler	96,341.59	153,714.68	602	560	19	0	0	23
Upshur	210,927.27	336,538.12	1,318	1,183	112	0	0	23
Wayne	551,163.52	879,390.96	3,444	3,308	102	0	0	34
Webster	300,227.29	479,017.84	1,876	1,750	107	0	0	19
Wetzel	156,034.97	248,956.50	975	848	96	0	0	31
Wirt	49,611.12	79,155.40	310	293	6	0	0	11
Wood	295,426.21	471,357.64	1,846	1,641	45	0	50	110
Wyoming	498,991.83	796,150.12	3,118	3,069	26	0	0	23

WISCONSIN

[Formula rate; ½ State or National average current expenditure per pupil for 1965-66: $276.12]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$14,223,270.00	$22,693,474.44	82,187	58,446	18,206	183	502	4,848
Adams	54,340.79	86,701.68	314	278	35	0	0	1
Ashland	75,107.98	119,836.08	434	312	51	0	0	71
Barron	174,271.27	278,052.84	1,007	856	107	0	0	44
Bayfield	77,703.87	123,977.88	449	396	37	0	0	16
Brown	279,837.78	446,486.04	1,617	1,035	320	76	82	104
Buffalo	102,278.37	163,186.92	591	510	50	0	0	31
Burnett	99,336.35	158,492.88	574	518	30	0	0	26
Calumet	56,417.51	90,015.12	326	289	17	0	0	20
Chippewa	210,440.78	335,761.92	1,216	1,009	140	0	0	67

Preliminary county aggregate maximum basic grants for fiscal year 1968 under Public Law 874, title II, or Public Law 89–10, title I—Continued

WISCONSIN—Continued

County	Ratably reduced amount	Maximum amount authorized	Children aged 5 to 17 years: Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
Clark	$195,384.57	$311,739.48	1,129	987	88	0	29	25
Columbia	155,753.87	248,508.00	900	749	99	0	0	52
Crawford	145,024.16	231,388.56	838	747	80	0	0	11
Dane	616,785.31	984,091.68	3,564	1,983	1,297	0	17	267
Dodge	209,056.30	333,552.96	1,208	954	176	0	0	78
Door	110,066.07	175,612.32	636	571	59	0	0	6
Douglas	173,925.15	277,500.60	1,005	626	278	0	0	101
Dunn	168,906.41	269,493.12	976	863	84	0	0	29
Eau Claire	202,133.91	322,508.16	1,168	795	299	0	0	74
Florence	26,132.04	41,694.12	151	98	26	0	0	27
Fond du Lac	271,877.03	433,784.52	1,571	1,268	220	0	14	69
Forest	50,706.54	80,903.16	293	202	72	0	0	19
Grant	295,932.35	472,165.20	1,710	1,508	170	0	0	32
Green	92,240.90	147,171.96	533	516	2	0	0	15
Green Lake	43,784.14	69,858.36	253	224	15	0	0	14
Iowa	158,349.76	252,649.80	915	859	42	0	0	14
Iron	20,074.94	32,029.92	116	91	11	0	0	14
Jackson	152,811.85	243,813.96	883	718	100	0	0	65
Jefferson	158,695.88	253,202.04	917	810	68	0	0	39
Juneau	112,142.78	178,925.76	648	563	62	0	0	23
Kenosha	237,438.12	378,836.64	1,372	766	472	0	0	134
Kewaunee	66,108.86	105,477.84	382	362	15	0	0	5
La Crosse	271,530.91	433,232.28	1,569	1,085	291	0	96	97
Lafayette	119,930.48	191,351.16	693	647	36	0	0	10
Langlade	123,218.61	196,597.44	712	628	54	0	0	30
Lincoln	93,971.50	149,933.16	543	422	76	0	0	45
Manitowoc	190,192.78	303,455.88	1,099	845	209	0	0	45
Marathon	341,100.97	544,232.52	1,971	1,621	266	0	0	84
Marinette	201,960.85	322,232.04	1,167	843	274	0	0	50
Marquette	48,802.88	77,865.84	282	242	36	0	0	4
Milwaukee	3,090,502.82	4,930,950.96	17,858	8,354	7,875	107	143	1,379
Monroe	154,715.51	246,851.28	894	747	105	0	0	42
Oconto	167,175.82	266,731.92	966	880	45	0	0	41
Oneida	88,779.70	141,649.56	513	314	137	0	0	62
Outagamie	231,207.96	368,896.32	1,336	972	295	0	0	69
Ozaukee	65,243.56	104,097.24	377	295	67	0	0	15
Pepin	48,629.82	77,589.72	281	229	32	0	0	20
Pierce	81,684.25	130,328.64	472	405	49	0	0	18
Polk	149,869.83	239,119.92	866	696	113	0	0	57
Portage	183,270.38	292,411.08	1,059	952	76	0	0	31
Price	102,451.43	163,463.04	592	533	41	0	0	18
Racine	403,575.57	643,911.84	2,332	1,264	868	0	40	160
Richland	152,638.79	243,537.84	882	804	63	0	0	15
Rock	293,855.63	468,851.76	1,698	1,110	504	0	0	84
Rusk	122,007.20	194,664.60	705	569	100	0	0	36
St. Croix	137,928.70	220,067.64	797	727	46	0	0	24
Sauk	196,422.93	313,396.20	1,135	990	120	0	0	25
Sawyer	110,585.24	176,440.68	639	421	146	0	0	72
Shawano	196,942.11	314,224.56	1,138	975	68	0	0	95
Sheboygan	191,577.26	305,664.84	1,107	836	210	0	0	61
Taylor	149,869.83	239,119.92	866	785	58	0	0	23
Trempealeau	161,637.90	257,896.08	934	794	121	0	0	19
Vernon	232,246.32	370,553.04	1,342	1,214	61	0	0	67
Vilas	44,130.26	70,410.60	255	203	43	0	0	9
Walworth	183,789.56	293,239.44	1,062	809	201	0	0	52
Washburn	78,396.11	125,082.36	453	356	64	0	0	33
Washington	91,029.48	145,239.12	526	406	99	0	0	21
Waukesha	253,878.80	405,068.04	1,467	1,065	193	0	81	128
Waupaca	155,061.63	247,403.52	896	717	130	0	0	49
Waushala	86,876.05	138,612.24	502	450	30	0	0	22
Winnebago	198,672.71	316,985.76	1,148	724	282	0	0	142
Wood	175,482.69	279,985.68	1,014	832	131	0	0	51
Menominee	59,359.53	94,709.16	343	222	71	0	0	50

WYOMING

[Formula rate: ½ State or National average current expenditure per pupil for 1965–66: $276.88]

County	Ratably reduced amount	Maximum amount authorized	Eligible total	In low-income families	AFDC	Delinquent	Neglected	In foster homes
State total	$1,256,911.00	$1,899,673.68	6,861	5,408	1,242	0	112	99
Albany	53,126.98	80,295.20	290	208	59	0	21	2
Big Horn	61,554.01	93,031.68	336	313	21	0	0	2
Campbell	17,403.66	26,303.60	95	71	23	0	0	1
Carbon	69,614.66	105,214.40	380	289	85	0	0	6
Converse	31,876.19	48,177.12	174	128	25	0	18	3
Crook	32,059.38	48,454.00	175	168	7	0	0	0
Fremont	167,441.58	253,068.32	914	795	87	0	18	14
Goshen	64,485.16	97,461.76	352	264	28	0	55	5
Hot Springs	15,754.90	23,811.68	86	79	7	0	0	0
Johnson	24,181.93	36,548.16	132	127	3	0	0	2
Laramie	150,587.50	227,595.36	822	462	346	0	0	14
Lincoln	51,661.41	78,080.16	282	278	0	0	0	4
Natrona	162,861.66	246,146.32	889	609	261	0	0	19
Niobrara	14,472.52	21,873.52	79	70	6	0	0	3
Park	65,584.34	99,123.04	358	274	78	0	0	6
Platte	41,219.21	62,298.00	225	215	10	0	0	0
Sheridan	64,668.35	97,738.64	353	288	63	0	0	2
Sublette	8,060.64	12,182.72	44	38	6	0	0	0
Sweetwater	50,012.64	75,588.24	273	199	67	0	0	7
Teton	18,136.45	27,411.12	99	92	6	0	0	1
Uinta	27,113.08	40,978.24	148	138	7	0	0	3
Washakie	46,531.90	70,327.52	254	214	35	0	0	5
Weston	18,502.84	27,964.88	101	89	12	0	0	0
Yellowstone National Park part	0	0	0	0	0	0	0	0
National total	1,105,610,100.00	1,754,601,427.20	6,377,731	4,948,140	1,211,652	13,882	55,391	148,666

The tables which follow set forth as understood relevant statistical information concerning the various titles of H.R. 7819 as reported:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION

TABLE I—ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

[H.R. 7819]

New obligational authority	1968	1969	1970	1971
Title I—Amendments to the Elementary and Secondary Education Act of 1965, and related amendments:				
Pt. A, title I—Assistance for education of children of low-income families		$2,725,959,699	$2,862,175,945	$3,005,201,677
Special incentive grants	$50,000,000	50,000,000	50,000,000	50,000,000
Pt. B, title II—School library resources, textbooks, and other instructional materials		180,250,000	206,000,000	231,750,000
Pt. C, title III—Supplementary educational centers and services		540,750,000	566,500,000	592,250,000
Pt. D, title V:				
Pt. A.—Strengthening State departments of education	[1] 65,000,000	80,000,000	80,000,000	85,000,000
Pt. B.—Comprehensive educational planning	15,000,000	20,000,000	20,000,000	20,000,000
Pt. E, title VI—Education of handicapped children:				
Regional resource centers	7,500,000	8,000,000	10,000,000	12,000,000
Centers and services for deaf-blind children	1,000,000	3,000,000	7,000,000	9,000,000
Recruitment of personnel and information	1,000,000	1,000,000	1,000,000	1,000,000
Instructional media programs	[2] 3,000,000	[2] 8,000,000	[3] 10,000,000	[3] 10,000,000
Grants to States		180,250,000	206,000,000	231,750,000
Pt. F, title VIII—Dissemination of information	[4] 3,500,000	3,700,000	4,000,000	4,200,000
Title II—Federally affected areas: Pt. A—School construction (Public Law 815)	[5] 62,000,000	[5] 66,000,000	[5] 66,000,000	[5] 64,000,000
Maintenance and operations (Public Law 874)	[5] 15,884,000	[5] 386,223,000	[5] 421,723,000	[5] 456,723,000
Title V—Extension of adult education programs		70,000,000	80,000,000	90,000,000
Title VI—Demonstration projects and study for school bus safety		1,000,000	([6])	
Title VII—Bilingual education	15,000,000	30,000,000	40,000,000	40,000,000
Title VIII—Dropout prevention projects	([7])	[7] 30,000,000	30,000,000	30,000,000
Total	243,884,000	4,384,132,699	4,660,398,945	4,932,874,677

[1] Includes $50,000,000 currently authorized.
[2] Includes $5,000,000 currently authorized.
[3] Includes $7,000,000 currently authorized.
[4] Includes $2,000,000 currently authorized.
[5] Excludes amounts currently authorized.
[6] Total of $1,000,000 authorized for both fiscal years.
[7] Total of $30,000,000 authorized for both fiscal years.

TABLE II—INCREASES OVER CURRENT 1968 AUTHORIZATIONS

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

[H.R. 7819]

New obligational authority	1968	1969	1970	1971
Title I—Amendments to the Elementary and Secondary Education Act of 1965, and related amendments:				
Part A—Title I, "Assistance of Education of Children of Low-Income Families"		$140,348,896	$276,565,142	$419,590,874
Special incentive grants	$50,000,000	50,000,000	50,000,000	50,000,000
Part B—Title II, "School Library Resources, Textbooks, and Other Instructional Materials"		25,750,000	51,500,000	77,250,000
Part C—Title III, "Supplementary Educational Centers, and Services"		25,750,000	51,500,000	77,250,000
Part D—Title V, part a, "Strengthening State Departments of Education"	15,000,000	30,000,000	30,000,000	35,000,000
Part B, "Comprehensive Educational Planning"	15,000,000	20,000,000	20,000,000	20,000,000
Part E—Title VI, "Education of Handicapped Children":				
Regional resource centers	7,500,000	8,000,000	10,000,000	12,000,000
Centers and services for deaf-blind children	1,000,000	3,000,000	7,000,000	9,000,000
Recruitment of personnel and information	1,000,000	1,000,000	1,000,000	1,000,000
Instructional media programs	3,000,000	3,000,000	5,000,000	5,000,000
Grants to States		25,750,000	51,500,000	77,250,000
Part F—Title VII, "Dissemination of Information"	1,500,000	1,700,000	2,000,000	2,200,000
Title II—"Federally Affected Areas"; Part A—"School Construction" (Public Law 815)	62,000,000	66,000,000	66,000,000	64,000,000
Maintenance and operations (Public Law 874)	15,884,000	386,223,000	421,723,000	456,723,000
Title V—"Extension of Adult Education Programs"		10,000,000	20,000,000	30,000,000
Title VI—"Demonstration Projects and Study for School Bus Safety"		1,000,000		
Title VII—"Bilingual Education"	15,000,000	30,000,000	40,000,000	40,000,000
Title VIII—"Dropout Prevention Projects"	([1])	30,000,000	30,000,000	30,000,000
Total	186,884,000	857,521,896	1,133,788,142	1,406,263,874

[1] $30,000,000 shown under fiscal year 1969 available for expenditure in fiscal year 1968 also.

TABLE III-A.—TOTAL ESTIMATED AUTHORIZATIONS UNDER PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, PART A OF TITLE I, FISCAL YEAR 1968

TITLE I (PUBLIC LAW 89-10), TOTAL GRANTS AND ADMINISTRATION ($3,000 PER ANNUM—$150,000)

	Total authorizations, fiscal year 1968	Total authorizations, title I, estimated program grants [1]	Administration amounts [1] [2]
United States and outlying areas	$2,589,932,402	$2,563,067,584	$26,864,818
50 States and the District of Columbia	2,520,648,507	2,494,469,668	26,178,839
Alabama	91,295,812	90,391,893	903,919
Alaska	3,693,158	3,489,158	150,000
Arizona	18,702,858	18,517,681	185,177
Arkansas	57,098,115	56,532,787	565,328
California	157,390,476	155,832,154	1,558,322
Colorado	18,981,071	18,793,140	187,931
Connecticut	17,089,633	16,920,429	169,204
Delaware	5,008,573	4,858,573	150,000
Florida	72,983,575	72,260,965	722,610
Georgia	99,576,511	98,590,605	985,906
Hawaii	5,619,595	5,469,595	150,000
Idaho	7,316,883	7,166,883	150,000
Illinois	93,802,205	92,873,470	928,735
Indiana	37,405,686	37,035,333	370,353
Iowa	33,675,462	33,342,042	333,420
Kansas	22,220,588	22,000,582	220,006
Kentucky	74,010,763	73,277,983	732,780
Louisiana	82,418,346	81,602,323	816,023
Maine	10,394,240	10,244,240	150,000
Maryland	29,579,056	29,286,194	292,862
50 States, District of Columbia—Con.			
Massachusetts	$36,449,441	$36,088,555	$360,886
Michigan	71,902,600	71,190,693	711,907
Minnesota	45,598,602	45,147,131	451,471
Mississippi	88,242,870	87,369,178	873,692
Missouri	55,842,690	55,289,792	552,898
Montana	8,046,134	7,896,134	150,000
Nebraska	16,975,753	16,807,676	168,077
Nevada	2,027,023	1,877,023	150,000
New Hampshire	3,957,630	3,807,630	150,000
New Jersey	49,855,410	49,361,792	493,618
New Mexico	17,435,862	17,263,230	172,632
New York	245,495,088	243,064,444	2,430,644
North Carolina	129,329,157	128,048,670	1,280,487
North Dakota	11,429,900	11,279,900	150,000
Ohio	74,544,403	73,816,241	738,162
Oklahoma	39,233,838	38,845,384	388,454
Oregon	16,557,845	16,393,906	163,939
Pennsylvania	104,281,097	103,248,611	1,032,486
Rhode Island	7,599,048	7,449,048	150,000
South Carolina	77,895,412	77,124,170	771,242
South Dakota	13,565,818	13,415,818	150,000
Tennessee	87,886,975	87,016,807	870,168
Texas	180,441,307	178,654,759	1,786,548

See footnotes at end of table.

TABLE III-A.—TOTAL ESTIMATED AUTHORIZATIONS UNDER PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, PART A OF TITLE I, FISCAL YEAR 1968—Continued

TITLE I (PUBLIC LAW 89-10), TOTAL GRANTS AND ADMINISTRATION ($3,000 PER ANNUM—$150,000)

	Total authorizations, fiscal year 1968	Total authorizations, title I, estimated program grants [1]	Administration amounts [1] [2]
50 States, District of Columbia—Con.			
Utah	$6,538,352	$6,388,352	$150,000
Vermont	4,652,154	4,502,154	150,000
Virginia	72,249,610	71,534,267	715,343
Washington	23,830,283	23,594,340	235,943
West Virginia	40,469,406	40,068,719	400,687
Wisconsin	$36,054,877	$35,697,898	$356,979
Wyoming	3,264,347	3,114,347	150,000
District of Columbia	10,776,969	10,626,969	150,000
Outlying areas	69,283,895	68,597,916	685,979

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[1] Total of estimated authorizations for county local educational agencies and for State agency programs.

[2] 1 percent of total authorizations of $150,000, whichever is higher. The administration amount for outlying areas is estimated at 1 percent of grant amount, without regard to minimum.

TABLE III-B.—ESTIMATED AUTHORIZATIONS UNDER PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, PART A OF TITLE I, FISCAL YEAR 1968

TOTAL AUTHORIZATIONS, TITLE I (PUBLIC LAW 89-10), GRANTS ($3,000 PER ANNUM—$150,000)

	Estimated total authorizations	Estimated authorizations, county local educational agencies [1]	Estimated authorizations, State agency programs [2]
United States and outlying areas	$2,563,067,584		
50 States and the District of Columbia	2,494,469,668	$2,414,513,071	$79,956,597
Alabama	90,391,893	89,546,972	844,921
Alaska	3,489,158	3,478,179	10,979
Arizona	18,517,681	16,960,933	1,556,748
Arkansas	56,532,787	55,674,589	858,198
California	155,832,154	147,425,171	8,406,983
Colorado	18,793,140	16,904,955	1,888,185
Connecticut	16,920,429	15,711,416	1,209,013
Delaware	4,858,573	4,373,535	485,038
Florida	72,260,965	65,711,749	6,549,216
Georgia	98,590,605	97,676,232	914,373
Hawaii	5,469,595	5,265,333	204,262
Idaho	7,166,883	6,537,215	629,668
Illinois	92,873,470	91,564,070	1,309,400
Indiana	37,035,333	35,640,376	1,394,957
Iowa	33,342,042	32,809,147	532,895
Kansas	22,000,582	21,106,258	894,324
Kentucky	73,277,983	72,875,823	402,160
Louisiana	81,602,323	80,407,332	1,194,991
Maine	10,244,240	10,024,648	219,592
Maryland	29,286,194	28,383,293	902,901
Massachusetts	36,088,555	34,571,772	1,516,783
Michigan	71,190,693	67,484,327	3,706,366
Minnesota	45,147,131	43,975,612	1,171,519
Mississippi	87,369,178	86,533,705	835,473
50 States, District of Columbia—Con.			
Missouri	$55,289,792	$53,942,618	$1,347,174
Montana	7,896,134	7,201,936	694,198
Nebraska	16,807,676	16,435,725	371,951
Nevada	1,877,023	1,792,129	84,894
New Hampshire	3,807,630	3,661,831	145,799
New Jersey	49,361,792	46,491,247	2,870,545
New Mexico	17,263,230	16,394,615	868,615
New York	243,064,444	237,046,879	6,017,565
North Carolina	128,048,670	125,879,301	2,169,369
North Dakota	11,279,900	10,851,950	427,950
Ohio	73,816,241	72,122,315	1,693,926
Oklahoma	38,845,384	37,915,181	930,203
Oregon	16,393,906	14,808,156	1,585,750
Pennsylvania	103,248,611	100,584,733	2,663,878
Rhode Island	7,449,048	7,236,047	213,001
South Carolina	77,124,170	76,154,389	969,781
South Dakota	13,415,818	13,245,507	170,311
Tennessee	87,016,807	86,188,740	828,067
Texas	178,654,759	166,683,399	11,971,360
Utah	6,388,352	5,925,165	463,187
Vermont	4,502,154	4,216,940	285,214
Virginia	71,534,267	70,480,479	1,053,788
Washington	23,594,340	21,343,761	2,250,579
West Virginia	40,068,719	39,760,779	307,940
Wisconsin	35,697,898	34,686,747	1,011,151
Wyoming	3,114,347	2,729,206	385,141
District of Columbia	10,626,969	10,090,654	536,315
Outlying areas	68,597,916		

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[1] Estimated authorizations for fiscal year 1968 for county local educational agencies based on the county total of estimated 5 to 17 population in families with incomes of less than $3,000 per annum (1959), in families with incomes of more than $3,000 per annum from AFDC payments (January 1967), estimated 5 to 17 average daily population in institutions for neglected or delinquent children (May 1967) not counted for the purpose of a grant to a State agency, and estimated 5 to 17 population being supported in foster homes with public funds (January 1967) and 50 percent of the State or national average current expenditure per pupil in average daily attendance, 1965–66, whichever is greater. Authorizations revised to exclude ineligible counties (26 children in 4 counties in 3 States).

[2] Total of estimated authorizations for fiscal year 1968 based on estimated migratory children of migratory agricultural workers (FTE, 1965–66), estimated ADA in State-supported or State-operated institutions for juvenile delinquents (May 1967), dependent and neglected children (May 1967), and handicapped children, 1965–66 and 50 percent State or national average current expenditure per pupil in average daily attendance, 1965–66, whichever is greater.

TABLE III-C.—ESTIMATED AUTHORIZATIONS UNDER PART A OF TITLE I, PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, FISCAL YEAR 1968

AUTHORIZATIONS AND ALLOTMENTS—GRANTS TO STATE AGENCIES ($3,000 PER ANNUM)

	Estimated total amounts, State agency programs	Amounts for migratory children (FTE, 1965–66) [1]	Amounts for juvenile delinquents (May 1967) [2]	Amounts for handicapped children (1965–66) [2]	Amounts for dependent and neglected children (May 1967)
50 States and the District of Columbia	$79,956,597	$43,798,850	$10,149,843	$24,746,993	$1,260,911
Alabama	844,921	425,652	174,653	244,616	0
Alaska	10,979	0	10,979	0	0
Arizona	1,556,748	1,168,201	165,606	222,941	0
Arkansas	858,198	379,435	132,011	346,752	0
California	8,406,983	6,628,949	894,740	883,294	0
Colorado	1,888,185	1,148,790	116,638	593,274	29,483
Connecticut	1,209,013	343,617	111,313	728,372	25,711
Delaware	485,038	182,047	67,716	235,275	0
Florida	6,549,216	5,454,573	405,480	689,163	0
Georgia	914,373	438,419	199,165	276,789	0
Hawaii	204,262	0	22,337	181,925	0
Idaho	629,668	512,723	47,493	69,452	0
Illinois	1,309,400	415,907	351,682	462,308	79,503
Indiana	1,394,957	340,146	139,034	805,473	110,304
Iowa	532,895	42,642	81,709	323,005	85,539
Kansas	894,324	472,718	83,283	338,323	0
Kentucky	402,160	186,398	41,365	174,397	0
Louisiana	1,194,991	408,033	330,665	456,293	0
Maine	219,592	5,617	79,155	134,820	0
Maryland	902,901	163,224	421,390	318,287	0
Massachusetts	1,516,783	179,907	221,037	1,115,839	0
Michigan	3,706,366	2,191,334	303,382	1,211,650	0
Minnesota	1,171,519	175,671	217,307	778,541	0
Mississippi	835,473	579,622	137,373	118,478	0
Missouri	1,347,174	418,247	205,549	723,378	0
50 States and the District of Columbia—Continued					
Montana	$694,198	$462,888	$46,048	$158,490	$26,772
Nebraska	371,951	112,860	56,175	182,744	20,172
Nevada	84,894	18,133	49,178	17,583	0
New Hampshire	145,799	6,639	40,854	98,306	0
New Jersey	2,870,545	1,277,586	267,424	1,325,535	0
New Mexico	868,615	564,301	102,902	201,412	0
New York	6,017,565	1,798,894	1,026,749	3,191,922	0
North Carolina	2,169,369	934,544	465,996	768,829	0
North Dakota	427,950	314,579	24,257	89,114	0
Ohio	1,693,926	716,995	444,547	411,353	121,031
Oklahoma	930,203	529,575	102,647	219,592	78,389
Oregon	1,585,750	1,094,238	166,380	325,132	0
Pennsylvania	2,663,878	344,576	207,229	1,965,588	146,485
Rhode Island	213,001	0	40,312	158,525	14,164
South Carolina	969,781	396,798	205,293	305,387	62,303
South Dakota	170,311	29,619	28,087	112,605	0
Tennessee	828,067	75,070	306,663	269,894	176,440
Texas	11,971,360	10,433,192	561,237	848,750	128,181
Utah	463,187	115,414	54,898	292,875	0
Vermont	285,214	3,064	43,918	238,232	0
Virginia	1,053,788	433,057	186,398	434,333	0
Washington	2,250,579	1,246,885	224,462	779,232	0
West Virginia	307,940	40,344	94,986	158,566	14,044
Wisconsin	1,011,151	334,105	233,045	444,001	0
Wyoming	385,141	253,622	30,734	81,403	19,382
District of Columbia	536,315	0	178,362	234,945	123,008

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[1] Estimated migratory children of migratory agricultural workers (FTE, 1965–66) and 50 percent State or National average CE per pupil in ADA, 1965–66.

[2] Estimated ADA in State-supported or State-operated schools for such children and 50 percent State or National average CE per pupil in ADA, 1965–55.

TABLE III-D.—ESTIMATED STATE ALLOTMENTS UNDER PART A OF TITLE I, PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, FISCAL YEAR 1968 [1]

PROVISIONAL ESTIMATE, TITLE I, TOTAL GRANTS AND ADMINISTRATION ($3,000 PER ANNUM—$150,000)

	Total State allotments	Estimated allotments, title I, grants [2]	Estimated allotment, title I, administration [3]
United States and outlying areas	$1,200,000,000	$1,185,932,375	$14,067,625
50 States and the District of Columbia	1,167,883,211	1,154,133,574	13,749,637
Alabama	34,807,922	34,461,343	346,579
Alaska	2,096,621	1,946,621	150,000
Arizona	10,764,131	10,614,131	150,000
Arkansas	23,467,148	23,233,977	233,171
California	85,631,491	84,776,676	854,815
Colorado	10,469,278	10,319,278	150,000
Connecticut	9,854,130	9,704,130	150,000
Delaware	2,683,033	2,533,033	150,000
Florida	35,602,905	35,248,376	354,529
Georgia	39,156,094	38,766,033	390,061
Hawaii	2,660,031	2,510,031	150,000
Idaho	3,500,247	3,350,247	150,000
Illinois	51,116,345	50,606,682	509,663
Indiana	17,458,607	17,285,521	173,086
Iowa	17,064,281	16,895,138	169,143
Kansas	11,442,738	11,292,738	150,000
Kentucky	30,429,783	30,126,985	302,798
Louisiana	33,023,429	32,694,695	328,734
Maine	4,147,950	3,997,950	150,000
Maryland	16,312,521	16,150,896	161,625
Massachusetts	17,028,193	16,859,411	168,782
Michigan	37,051,565	36,682,549	369,016
Minnesota	21,834,268	21,617,425	216,843
Mississippi	27,362,729	27,090,602	272,127
Missouri	26,601,640	26,337,124	264,516
Montana	4,107,020	3,957,020	150,000
50 States and the District of Columbia—Continued			
Nebraska	$6,431,599	$6,281,599	$150,000
Nevada	1,181,707	1,031,707	150,000
New Hampshire	1,700,568	1,550,568	150,000
New Jersey	27,625,263	27,350,510	274,753
New Mexico	11,261,537	11,111,537	150,000
New York	126,127,878	124,868,099	1,259,779
North Carolina	52,110,658	51,591,051	519,607
North Dakota	4,875,199	4,725,199	150,000
Ohio	38,740,440	38,354,536	385,904
Oklahoma	19,318,244	19,126,562	191,682
Oregon	9,272,747	9,122,747	150,000
Pennsylvania	53,276,923	52,745,654	531,269
Rhode Island	4,114,840	3,964,840	150,000
South Carolina	25,022,045	24,773,325	248,720
South Dakota	6,146,094	5,996,094	150,000
Tennessee	33,454,878	33,121,829	333,049
Texas	83,618,160	82,783,478	834,682
Utah	3,559,182	3,409,182	150,000
Vermont	2,077,135	1,927,135	150,000
Virginia	27,499,805	27,226,307	273,498
Washington	13,039,343	12,889,343	150,000
West Virginia	16,604,014	16,439,474	164,540
Wisconsin	16,816,570	16,649,904	166,666
Wyoming	1,873,050	1,723,050	150,000
District of Columbia	6,461,232	6,311,232	150,000
Outlying areas	32,116,789	31,798,801	317,988

[1] Estimated reduction of authorization for Public Law 89-10, title I, at the $3,000 per annum income level, $150,000 minimum administration amount, to the proposed total appropriation amount of $1,200,000,000, fiscal year 1968, under H.R. 7819, proposed amendment, Senate committee. Neither the income level, the minimum administration amount nor the appropriation amount is definite as of this date.

[2] Total estimated grant allotment for all title I programs. Total allocations were computed as in proposed amendment to Public Law 89-10, title I.

[3] 1 percent of the aggregate amount available within the State, as provided in the proposed amendment, or $150,000, whichever is greater.

TABLE III-E—ESTIMATED STATE ALLOTMENTS UNDER PART A OF TITLE I, PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, FISCAL YEAR 1968

PROVISIONAL ESTIMATE, TITLE I, GRANTS ($3,000 PER ANNUM—$150,000)

	Estimated allotments, title I, grants [1]	Estimated allotments, grants, county local educational agencies [2]	Estimated allotments, grants, State agency [3]
United States and outlying areas	$1,185,932,375	----------------	----------------
50 States and the District of Columbia	1,154,133,574	$1,074,176,977	$79,956,597
Alabama	34,461,343	33,616,422	844,921
Alaska	1,946,621	1,935,642	10,979
Arizona	10,614,131	9,057,383	1,556,748
Arkansas	23,233,977	22,375,779	858,198
California	84,776,676	76,369,693	8,406,983
Colorado	10,319,278	8,431,093	1,888,185
Connecticut	9,704,130	8,495,117	1,209,013
Delaware	2,533,033	2,047,995	485,038
Florida	35,248,376	28,699,160	6,549,216
Georgia	38,766,033	37,851,660	914,373
Hawaii	2,510,031	2,305,769	204,262
Idaho	3,350,247	2,720,579	629,668
Illinois	50,606,682	49,297,282	1,309,400
Indiana	17,285,521	15,890,564	1,394,957
Iowa	16,895,138	16,362,243	532,895
Kansas	11,292,738	10,398,414	894,324
Kentucky	30,126,985	29,724,825	402,160
Louisiana	32,694,695	31,499,704	1,194,991
Maine	3,997,950	3,778,358	219,592
Maryland	16,150,896	15,247,995	902,901
Massachusetts	16,859,411	15,342,628	1,516,783
Michigan	36,682,549	32,976,183	3,706,366
Minnesota	21,617,425	20,445,906	1,171,519
Mississippi	27,090,602	26,255,129	835,473
Missouri	26,337,124	24,989,950,	1,347,174
50 States and the District of Columbia—Continued			
Montana	$3,957,020	$3,262,822	$694,198
Nebraska	6,281,599	5,909,648	371,951
Nevada	1,031,707	946,813	84,894
New Hampshire	1,550,568	1,404,769	145,799
New Jersey	27,350,510	24,479,965	2,870,545
New Mexico	11,111,537	10,242,922	868,615
New York	124,868,099	118,850,534	6,017,565
North Carolina	51,591,051	49,421,682	2,169,369
North Dakota	4,725,199	4,297,249	427,950
Ohio	38,354,536	36,660,610	1,693,926
Oklahoma	19,126,562	18,196,359	930,203
Oregon	9,122,747	7,536,997	1,585,750
Pennsylvania	52,745,654	50,081,776	2,663,878
Rhode Island	3,964,840	3,751,839	213,001
South Carolina	24,773,325	23,803,544	969,781
South Dakota	5,996,094	5,825,783	170,311
Tennessee	33,121,829	32,293,762	828,067
Texas	82,783,478	70,812,118	11,971,360
Utah	3,409,182	2,945,995	463,187
Vermont	1,927,135	1,641,921	285,214
Virginia	27,226,307	26,172,519	1,053,788
Washington	12,889,343	10,638,764	2,250,579
West Virginia	16,439,474	16,131,534	307,940
Wisconsin	16,649,904	15,638,753	1,011,151
Wyoming	1,723,050	1,337,909	385,141
District of Columbia	6,311,232	5,774,917	536,315
Outlying areas	31,798,801	----------------	----------------

[1] Total estimated grant allotments for all title I programs.

[2] Estimated allotments for title I grants to county local educational agencies.

[3] Estimated allotments for title I grants to State agency local educational agencies. Under the proposed revision the allotments and the authorizations for State agency programs are the same amounts.

TABLE III-F.—ESTIMATED STATE ALLOTMENTS UNDER PART A OF TITLE I, PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, FISCAL YEAR 1968

PROVISIONAL ESTIMATE, TITLE I, GRANTS TO LEA ($3,000 PER ANNUM—$150,000)

	Estimated allotments, grants, county local educational agency	Allotments, fiscal year 1967 grants, county local educational agency	Estimated allotment, fiscal year 1968 additional allotment, county, local educational agency [1]
50 States and the District of Columbia	$1,074,176,977	$989,935,591	$84,241,386
Alabama	33,616,422	30,462,526	3,153,896
Alaska	1,935,642	1,805,503	130,139
Arizona	9,057,383	8,422,776	634,607
Arkansas	22,375,779	20,375,839	1,999,940
California	76,369,693	71,558,472	4,811,221
Colorado	8,431,093	7,798,580	632,513
Connecticut	8,495,117	7,907,261	587,856
Delaware	2,047,995	1,884,356	163,639
Florida	28,699,160	26,445,029	2,254,131
Georgia	37,851,660	34,437,083	3,414,577
Hawaii	2,305,769	2,108,762	197,007
Idaho	2,720,579	2,475,984	244,595
Illinois	49,297,282	46,230,999	3,066,283
Indiana	15,890,564	14,580,136	1,310,428
Iowa	16,362,243	15,153,804	1,208,439
Kansas	10,398,414	9,608,706	789,708
Kentucky	29,724,825	27,150,913	2,573,912
Louisiana	31,499,704	28,669,931	2,829,773
Maine	3,778,358	3,403,277	375,081
Maryland	15,247,995	14,197,635	1,050,360
Massachusetts	15,342,628	14,067,878	1,274,750
Michigan	32,976,183	30,670,217	2,305,966
Minnesota	20,445,906	18,867,365	1,578,541
Mississippi	26,255,129	23,139,525	3,115,604
Missouri	24,989,950	23,086,158	1,903,792
Montana	3,262,822	2,993,356	269,466
50 States and the District of Columbia—Continued			
Nebraska	$5,909,648	$5,294,692	$614,956
Nevada	946,813	879,759	67,054
New Hampshire	1,404,769	1,267,759	137,010
New Jersey	24,479,965	22,865,209	1,614,756
New Mexico	10,242,922	9,629,504	613,418
New York	118,850,534	111,091,007	7,759,527
North Carolina	49,421,682	45,081,410	4,340,272
North Dakota	4,297,249	3,891,214	406,035
Ohio	36,660,610	34,197,997	2,462,613
Oklahoma	18,196,359	16,819,413	1,376,946
Oregon	7,536,997	6,982,937	554,060
Pennsylvania	50,081,776	46,699,583	3,382,193
Rhode Island	3,751,839	3,481,096	270,743
South Carolina	23,803,544	21,052,884	2,750,660
South Dakota	5,825,783	5,330,191	495,592
Tennessee	32,293,762	29,251,987	3,041,775
Texas	70,812,118	65,260,201	5,551,917
Utah	2,945,995	2,724,300	221,695
Vermont	1,641,921	1,484,141	157,780
Virginia	26,172,519	23,658,931	2,513,588
Washington	10,638,764	9,840,169	798,595
West Virginia	16,131,534	14,658,391	1,473,143
Wisconsin	15,638,753	14,357,585	1,281,168
Wyoming	1,337,909	1,235,793	102,116
District of Columbia	5,774,917	5,397,367	377,550

[1] Distribution of additional amount available under fiscal year 1968 proposed appropriation amount, title I of $1,200,000,000.

TABLE III-G.—ESTIMATED AUTHORIZATIONS UNDER PART A OF TITLE I, PUBLIC LAW 89-10, AS PROPOSED TO BE AMENDED, FISCAL YEAR 1968

AUTHORIZATIONS AND ALLOTMENTS, GRANTS TO STATE AGENCIES ($3,000 PER ANNUM)

	Estimated total amounts, State agency programs	Amounts for migratory children (FTE, 1965-66) [1]	Amounts for juvenile delinquents (May 1967) [2]	Amounts for handicapped children (1965-66) [2]	Amounts for dependent and neglected children (May 1967)
50 States and the District of Columbia	$79,956,597	$43,798,850	$10,149,843	$24,746,993	$1,260,911
Alabama	844,921	425,652	174,653	244,616	0
Alaska	10,979	0	10,979	0	0
Arizona	1,556,748	1,168,201	165,606	222,941	0
Arkansas	858,198	379,435	132,011	346,752	0
California	8,406,983	6,628,949	894,740	883,294	0
Colorado	1,888,185	1,148,790	116,638	593,274	29,483
Connecticut	1,209,013	343,617	111,313	728,372	25,711
Delaware	485,038	182,047	67,716	235,275	0
Florida	6,549,216	5,454,573	405,480	689,163	0
Georgia	914,373	438,419	199,165	276,789	0
Hawaii	204,262	0	22,337	181,925	0
Idaho	629,668	512,723	47,493	69,452	0
Illinois	1,309,400	451,907	351,682	462,308	79,503
Indiana	1,394,957	340,146	139,034	805,473	110,304
Iowa	532,895	42,642	81,709	323,005	85,539
Kansas	894,324	472,718	83,283	338,323	0
Kentucky	402,160	186,398	41,365	174,397	0
Louisiana	1,194,991	408,033	330,665	456,293	0
Maine	219,592	5,617	79,155	134,820	0
Maryland	902,901	163,224	421,390	318,287	0
Massachusetts	1,516,783	179,907	221,037	1,115,839	0
Michigan	3,706,366	2,191,334	303,382	1,211,650	0
Minnesota	1,171,519	175,671	217,307	778,541	0
Mississippi	835,473	579,622	137,373	118,478	0
Missouri	1,347,174	418,247	205,549	723,378	0
Montana	694,198	462,888	46,048	158,490	26,772
50 States and the District of Columbia—Con.					
Nebraska	$371,951	$112,860	$56,175	$182,744	$20,172
Nevada	84,894	18,133	49,178	17,583	0
New Hampshire	145,799	6,639	40,854	98,306	0
New Jersey	2,870,545	1,277,586	267,424	1,325,535	0
New Mexico	868,615	564,301	102,902	201,412	0
New York	6,017,565	1,798,894	1,026,749	3,191,922	0
North Carolina	2,169,369	934,544	465,996	768,829	0
North Dakota	427,950	314,579	24,257	89,114	0
Ohio	1,693,926	716,995	444,547	411,353	121,031
Oklahoma	930,203	529,575	102,647	219,592	78,389
Oregon	1,585,750	1,094,238	166,380	325,132	0
Pennsylvania	2,663,878	344,576	207,229	1,965,588	146,485
Rhode Island	213,001	0	40,312	158,525	14,164
South Carolina	969,781	396,798	205,293	305,387	62,303
South Dakota	170,311	29,619	28,087	112,605	0
Tennessee	828,067	75,070	306,663	269,894	176,440
Texas	11,971,360	10,433,192	561,237	848,750	128,181
Utah	463,187	115,414	54,898	292,875	0
Vermont	285,214	3,064	43,918	238,232	0
Virginia	1,053,788	433,057	186,398	434,333	0
Washington	2,250,579	1,246,885	224,462	779,232	0
West Virginia	307,940	40,344	94,986	158,566	14,044
Wisconsin	1,011,151	334,105	233,045	444,001	0
Wyoming	385,141	253,622	30,734	81,403	19,382
District of Columbia	536,315	------------	178,362	234,945	123,008

[1] Estimated migratory children of migratory agricultural workers (full time equivalency 1965-66) and 50 percent State or national average CE per pupil in ADA, 1965-66.

[2] Estimated ADA in State-supported or State-operated schools for such children and 50 percent State or national average CE per pupil in ADA, 1965-66.

TABLE III-H.—ESTIMATED AUTHORIZATIONS UNDER PART A OF TITLE I, PUBLIC LAW 89-10, FISCAL YEAR 1969 ($3,000 PER ANNUM—$150,000)

	Estimated total authorizations	Estimated title I, grants [1]	Estimated administration amount [2]
United States and outlying areas	$2,725,959,699	$2,697,798,392	$28,161,307
50 States and the District of Columbia	2,646,597,280	2,619,221,740	27,375,540
Alabama	95,861,674	94,912,549	949,125
Alaska	3,813,630	3,663,630	150,000
Arizona	19,638,148	19,443,711	194,437
Arkansas	59,953,691	59,360,090	593,601
California	165,261,643	163,625,389	1,636,254
50 States and the District of Columbia—Continued			
Colorado	$19,933,617	$19,736,254	$197,363
Connecticut	17,943,888	17,766,226	177,662
Delaware	5,521,532	5,101,532	150,000
Florida	76,633,611	75,874,862	758,749
Georgia	104,556,506	103,521,293	1,035,213
Hawaii	5,893,156	5,743,156	150,000
Idaho	7,675,311	7,525,311	150,000
Illinois	98,493,475	97,518,292	975,183
Indiana	39,276,553	38,887,676	388,877

Footnotes at end of table.

TABLE III–H.—ESTIMATED AUTHORIZATIONS UNDER PART A OF TITLE I, PUBLIC LAW 89–10, FISCAL YEAR 1969 ($3,000 PER ANNUM—$150,000)—Continued

	Estimated total authorizations	Estimated title I, grants [1]	Estimated administration amount [2]
50 States, District of Columbia—Continued			
Iowa	$35, 9,631	$35,009,536	$350,095
Kansas	23,331,403	23,100,399	231,004
Kentucky	77,712,171	76,942,744	769,427
Louisiana	86,540,232	85,683,398	856,834
Maine	10,906,573	10,756,573	150,000
Maryland	31,057,792	30,750,289	307,503
Massachusetts	38,272,529	37,893,593	378,936
Michigan	75,496,660	74,749,168	747,492
Minnesota	47,878,692	47,404,646	474,046
Mississippi	92,656,049	91,738,662	917,387
Missouri	58,635,480	58,054,931	580,549
Montana	8,441,058	8,291,058	150,000
Nebraska	17,824,824	17,648,341	176,483
Nevada	2,122,338	1,972,338	150,000
New Hampshire	4,148,056	3,998,056	150,000
New Jersey	52,348,103	51,829,805	518,298
New Mexico	18,307,915	18,126,649	181,266
New York	257,772,788	255,220,582	2,552,206
North Carolina	135,797,133	134,452,607	1,344,526
North Dakota	11,994,027	11,844,027	150,000
Ohio	$78,282,999	$77,507,920	$775,079
Oklahoma	41,195,992	40,788,111	407,881
Oregon	17,385,624	17,213,489	172,135
Pennsylvania	109,495,540	108,411,426	1,084,114
Rhode Island	7,971,528	7,821,528	150,000
South Carolina	81,791,098	80,981,285	809,813
South Dakota	14,236,768	14,086,768	150,000
Tennessee	92,282,358	91,368,671	913,687
Texas	189,465,492	187,589,596	1,875,896
Utah	6,857,844	6,707,844	150,000
Vermont	4,877,316	4,727,316	150,000
Virginia	75,862,939	75,111,821	751,118
Washington	25,021,924	24,774,182	247,742
West Virginia	42,493,352	42,072,626	420,726
Wisconsin	37,858,143	37,483,310	374,833
Wyoming	3,420,019	3,270,019	150,000
District of Columbia	11,308,455	11,158,455	150,000
Outlying areas	79,362,419	78,576,652	785,267

[1] Estimated on the basis of fiscal year 1968 population and 50 percent estimated State or national average current expenditure per pupil in ADA, 1966–67. Current expenditure estimated at 5-percent increase over 1965–66. Outlying areas estimated at 3 percent of U.S. total grant amount.

[2] 1 percent of col. 2 or $150,000, whichever is greater.

TABLE III–I.—ESTIMATED AUTHORIZATIONS UNDER PART A OF TITLE I, PUBLIC LAW 89–10, FISCAL YEAR 1970 ($3,000 PER ANNUM—$150,000)

	Estimated total authorizations	Estimated title I grants [1]	Estimated administration amount [2]
United States and outlying areas	$2,286,175,945	$2,832,718,776	$29,475,169
50 States and the District of Columbia	2,778,844,509	2,750,212,404	28,632,105
Alabama	100,656,367	99,659,769	996,598
Alaska	3,996,778	3,846,778	150,000
Arizona	20,620,201	20,416,041	204,160
Arkansas	62,952,382	62,329,091	623,291
California	173,525,296	171,807,224	1,718,072
Colorado	20,930,480	20,723,248	207,232
Connecticut	18,841,083	18,654,538	186,545
Delaware	5,506,678	5,356,678	150,000
Florida	80,466,577	79,669,878	796,699
Georgia	109,786,086	108,699,095	1,086,991
Hawaii	6,180,334	6,030,334	150,000
Idaho	8,051,703	7,901,703	150,000
Illinois	103,416,823	102,392,894	1,023,992
Indiana	41,240,744	40,832,420	408,324
Iowa	37,128,206	36,760,600	367,606
Kansas	24,497,887	24,255,334	242,553
Kentucky	81,599,085	80,791,173	807,912
Louisiana	90,868,696	89,969,006	899,690
Maine	11,444,582	11,294,582	150,000
Maryland	32,610,464	32,287,588	322,876
Massachusetts	40,186,772	39,788,883	397,889
Michigan	79,272,832	78,487,952	784,880
Minnesota	50,272,308	49,774,562	497,746
Mississippi	97,290,406	96,327,135	963,271
Missouri	61,568,239	60,958,652	609,587
50 States, District of Columbia—Con.			
Montana	$8,855,744	$8,705,744	$150,000
Nebraska	18,716,365	18,531,054	185,311
Nevada	2,220,927	2,070,927	150,000
New Hampshire	4,348,026	4,198,026	150,000
New Jersey	54,966,283	54,422,062	544,221
New Mexico	19,223,619	19,033,286	190,333
New York	270,663,195	267,983,361	2,679,834
North Carolina	142,589,269	141,177,494	1,411,775
North Dakota	12,586,428	12,436,428	150,000
Ohio	82,198,463	81,384,617	813,846
Oklahoma	43,256,483	42,828,201	428,282
Oregon	18,255,159	18,074,415	180,744
Pennsylvania	114,969,930	113,831,614	1,138,316
Rhode Island	8,362,604	8,212,604	150,000
South Carolina	85,882,025	85,031,708	850,317
South Dakota	14,941,342	14,791,342	150,000
Tennessee	96,898,024	95,938,638	959,386
Texas	198,941,946	196,972,224	1,969,722
Utah	7,193,349	7,043,349	150,000
Vermont	5,113,761	4,963,761	150,000
Virginia	79,657,360	78,868,673	788,687
Washington	26,273,189	26,013,058	260,131
West Virginia	44,618,733	44,176,963	441,770
Wisconsin	39,751,507	39,357,928	393,579
Wyoming	3,583,564	3,433,564	150,000
District of Columbia	11,866,205	11,716,205	150,000
Outlying areas	83,331,436	82,506,372	825,064

[1] Estimated on the basis of fiscal year 1968 population and 50 percent estimated State or National average current expenditure per pupil in ADA, 1967–68. Current expenditure estimated at 10-percent increase over 1965–66. Outlying areas estimated at 3 percent of U.S. total grant amount.

[2] 1 percent of col. 2 or $150,000, whichever is greater.

TABLE III–J.—ESTIMATED AUTHORIZATIONS UNDER PART A OF TITLE I, PUBLIC LAW 89–10: FISCAL YEAR 1971 ($3,000 PER ANNUM—$150,000)

	Estimated total authorizations	Estimated title I, grants [1]	Estimated administration amount [2]
United States and outlying areas	$3,005,201,677	$2,974,378,611	$30,823,066
50 States and District of Columbia	2,917,702,966	2,887,746,224	29,956,742
Alabama	105,690,616	104,644,174	1,046,442
Alaska	4,189,079	4,039,079	150,000
Arizona	21,651,211	21,436,843	214,368
Arkansas	66,100,895	65,446,431	654,464
California	182,200,703	180,396,736	1,803,967
Colorado	21,977,262	21,759,665	217,597
Connecticut	19,782,911	19,587,041	195,870
Delaware	5,774,474	5,624,474	150,000
Florida	84,491,049	83,654,504	836,545
Georgia	115,276,950	114,135,594	1,141,356
Hawaii	6,481,942	6,331,942	150,000
Idaho	8,446,901	8,296,901	150,000
Illinois	108,588,825	107,513,688	1,075,137
Indiana	43,302,636	42,873,897	428,739
Iowa	38,985,114	38,599,152	385,992
Kansas	25,722,610	25,467,931	254,679
Kentucky	85,680,198	84,831,879	848,319
Louisiana	95,413,422	94,468,735	944,687
Maine	12,009,472	11,859,472	150,000
Maryland	34,241,422	33,902,398	339,024
Massachusetts	42,195,864	41,778,083	417,781
Michigan	83,236,474	82,412,350	824,124
Minnesota	52,785,842	52,263,210	522,632
Mississippi	102,156,310	101,144,861	1,011,449
Missouri	64,647,525	64,007,450	640,075
50 States, District of Columbia—Con.			
Montana	$9,291,075	$9,141,075	$150,005
Nebraska	19,652,449	19,457,870	194,570
Nevada	2,324,439	2,174,439	150,002
New Hampshire	4,557,987	4,407,987	150,000
New Jersey	57,714,598	57,143,166	571,430
New Mexico	20,185,072	19,985,220	199,852
New York	284,195,765	281,381,946	2,813,812
North Carolina	149,720,759	148,238,375	1,482,389
North Dakota	13,208,426	13,058,426	150,004
Ohio	86,309,554	85,455,004	854,550
Oklahoma	45,419,921	44,970,219	449,700
Oregon	19,168,144	18,978,360	189,782
Pennsylvania	120,719,784	119,524,539	1,195,244
Rhode Island	8,773,371	8,623,371	150,005
South Carolina	90,177,347	89,284,502	892,840
South Dakota	15,686,431	15,531,120	155,311
Tennessee	101,744,302	100,736,933	1,007,369
Texas	208,891,870	206,823,634	2,068,236
Utah	7,545,616	7,395,616	150,000
Vermont	5,362,019	5,212,019	150,000
Virginia	83,641,359	82,813,227	828,132
Washington	27,586,596	27,313,461	273,135
West Virginia	46,850,303	46,386,439	463,864
Wisconsin	41,738,887	41,325,631	413,256
Wyoming	3,755,209	3,605,209	150,000
District of Columbia	12,451,946	12,301,946	150,000
Outlying areas	87,498,711	86,632,387	865,324

[1] Estimated on the basis of fiscal year 1968 population and 50 percent estimated State or national average current expenditure per pupil in ADA, 1968–69, Current expenditure estimated at 15 percent increase over 1965–66. Outlying areas estimated at 3 percent of United States total grant amount.

[2] 1 percent of col. 2, or $150,000, whichever is greater.

TABLE IV-A.—ESTIMATED AMOUNTS UNDER SEC. 108 OF H.R. 7819 TO PROVIDE FOR SPECIAL INCENTIVE GRANTS UNDER A NEW PART B TO TITLE I OF PUBLIC LAW 89-10

	Estimated State amounts [1]
50 States and District of Columbia	$50,000,000
Alabama	2,953,769
Alaska	560,387
Arizona	1,569,472
Arkansas	1,026,301
California	7,034,141
Colorado	1,347,622
Connecticut	0
Delaware	122,992
Florida	2,098,931
Georgia	0
Hawaii	290,170
Idaho	0
Illinois	0
Indiana	696,020
Iowa	411,600
Kansas	0
Kentucky	0
Louisiana	6,636,744
Maine	0
Maryland	179,649
Massachusetts	0
Michigan	884,987
Minnesota	3,258,272
Mississippi	3,679,771
Missouri	0
Montana	$765,623
Nebraska	0
Nevada	96,346
New Hampshire	0
New Jersey	0
New Mexico	4,099,262
New York	1,081,562
North Carolina	464,921
North Dakota	524,227
Ohio	0
Oklahoma	1,720,694
Oregon	921,948
Pennsylvania	0
Rhode Island	0
South Carolina	952,081
South Dakota	867,045
Tennessee	0
Texas	0
Utah	1,224,693
Vermont	9,808
Virginia	3,428,408
Washington	662,923
West Virginia	0
Wisconsin	0
Wyoming	429,631
District of Columbia	0

[1] Amounts estimated on basis of "one dollar per each .01 per centum" by which "a State's index exceeds the national effort index" and the sum of the 5–17 population, low-income factor, $3,000 per annum AFDC (January 1967); migratory children of migratory agricultural workers (F.T.E., 1965–66); children in foster homes (public) January 1967; dependent and neglected children (May 1967); juvenile delinquent (May 1967); estimated A.D.A. handicapped children 1965-66. Effort index based on estimated total expenditures for public elementary and secondary education from all sources, 1966–67 and total personal income, 1966.

TABLE IV-B.—EFFORT INDEX UNDER SEC. 108 OF H.R. 7819 TO PROVIDE FOR SPECIAL INCENTIVE GRANTS UNDER PROPOSED NEW PART B OF TITLE I OF PUBLIC LAW 89-10

	Total personal income, 1966 (millions) [1]	Total expenditures from all sources public schools, 1966–67 (thousands) [2]	Effort index (percent) [3]
50 States and the District of Columbia	$580,483	$28,315,565	4.88
Alabama	7,254	387,000	5.33
Alaska	907	73,030	8.05
Arizona	4,078	246,758	6.05
Arkansas	3,931	201,706	5.13
California	65,002	3,610,000	5.55
Colorado	5,700	334,875	5.88
Connecticut	10,621	410,600	3.87
Delaware	1,811	96,160	5.31
Florida	15,410	813,952	5.28
Georgia	10,579	502,994	4.75
Hawaii	2,230	125,929	5.65
Idaho	1,704	79,000	4.64
Illinois	38,089	1,412,000	3.71
Indiana	15,230	782,487	5.14
Iowa	8,258	417,335	5.05
Kansas	6,511	313,535	4.82
Kentucky	7,143	301,206	4.22
Louisiana	8,235	494,020	6.00
Maine	2,422	112,700	4.65
Maryland	11,573	575,450	4.97
Massachusetts	17,675	671,500	3.80
Michigan	27,685	1,400,000	5.06
Minnesota	10,373	621,015	5.99
Mississippi	4,153	226,900	5.46
Missouri	12,856	517,582	4.03
Montana	1,842	115,750	6.28
Nebraska	4,181	185,450	4.44
Nevada	1,507	85,060	5.64
New Hampshire	$1,901	$92,240	4.85
New Jersey	23,767	1,094,000	4.60
New Mexico	2,390	194,827	8.15
New York	63,669	3,173,000	4.98
North Carolina	11,321	558,143	4.93
North Dakota	1,533	84,550	5.52
Ohio	31,670	1,266,000	4.00
Oklahoma	6,099	334,898	5.49
Oregon	5,738	331,220	5.77
Pennsylvania	34,434	1,619,452	4.70
Rhode Island	2,730	104,203	3.82
South Carolina	5,310	268,000	5.05
South Dakota	1,643	94,750	5.77
Tennessee	8,611	400,500	4.65
Texas	27,319	1,251,000	4.58
Utah	2,502	188,132	7.52
Vermont	1,066	52,359	4.91
Virginia	11,641	645,000	5.54
Washington	9,797	520,000	5.31
West Virginia	3,937	190,300	4.83
Wisconsin	12,390	558,735	4.51
Wyoming	874	60,680	6.94
District of Columbia	3,182	119,582	3.76
American Samoa	(4)	(4)	(4)
Canal Zone	(4)	(4)	(4)
Guam	(4)	(4)	(4)
Puerto Rico	(4)	(4)	(4)
Virgin Islands	(4)	(4)	(4)

[1] U.S. Department of Labor, Office of Business Economics, Survey of Current Business, August 1967, table 1, p. 30.

[2] U.S. Department of Health, Education, and Welfare, Office of Education, Fall 1966 Statistics of Public Schools, OE-20007-66, table 12, pp. 26–27.

[3] Col. 2 as percent of col. 1.

[4] Not immediately available.

TABLE V.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO PUBLIC LAW 89-10, TITLE II, FISCAL YEARS 1969, 1970, AND 1971

	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971
United States and outlying areas	$180,250,000	$206,000,000	$231,750,000
50 States and the District of Columbia	175,000,000	200,000,000	225,000,000
Alabama	3,195,626	3,652,144	4,108,662
Alaska	225,764	258,016	290,268
Arizona	1,475,920	1,686,766	1,897,612
Arkansas	1,637,712	1,871,672	2,105,631
California	16,879,172	19,290,480	21,701,790
Colorado	1,924,529	2,199,461	2,474,393
Connecticut	2,531,495	2,893,138	3,254,780
Delaware	470,192	537,362	604,532
Florida	4,788,045	5,472,051	6,156,058
Georgia	3,890,950	4,446,800	5,002,650
Hawaii	698,124	797,856	897,588
Idaho	651,298	744,340	837,382
Illinois	9,647,640	11,025,874	12,404,108
Indiana	4,581,767	5,236,305	5,890,844
Iowa	2,619,205	2,993,378	3,367,550
Kansas	2,017,024	2,305,169	2,593,316
Kentucky	$2,721,903	$3,110,746	$3,499,590
Louisiana	3,439,439	3,930,788	4,422,136
Maine	916,063	1,046,929	1,177,795
Maryland	3,307,986	3,780,555	4,253,124
Massachusetts	4,805,709	5,492,239	6,178,769
Michigan	8,377,954	9,574,805	10,771,655
Minnesota	3,578,175	4,089,343	4,600,510
Mississippi	2,120,869	2,423,850	2,726,831
Missouri	4,043,588	4,621,244	5,198,900
Montana	671,974	767,970	863,967
Nebraska	1,342,009	1,533,724	1,725,440
Nevada	395,586	452,099	508,612
New Hampshire	603,895	690,166	776,436
New Jersey	5,811,315	6,641,502	7,471,690
New Mexico	1,058,234	1,209,410	1,360,587
New York	14,681,903	16,779,317	18,876,731
North Carolina	4,254,626	4,862,430	5,470,234
North Dakota	598,488	683,987	769,485
Ohio	9,684,176	11,067,630	12,451,083

TABLE V.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO PUBLIC LAW 89-10, TITLE II, FISCAL YEARS 1969, 1970, AND 1971—Continued

	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971
50 States and the District of Columbia—Con.			
Oklahoma	$2,189,826	$2,502,659	$2,815,492
Oregon	1,804,421	2,062,195	2,319,970
Pennsylvania	10,106,217	11,549,962	12,993,706
Rhode Island	764,889	874,159	983,429
South Carolina	2,326,174	2,658,486	2,990,796
South Dakota	682,134	779,581	877,029
Tennessee	3,207,241	3,665,418	4,123,596
Texas	9,620,956	10,995,379	12,369,801
Utah	1,053,526	1,204,031	1,354,534
50 States and the District of Columbia—Con.			
Vermont	$376,094	$429,821	$483,548
Virginia	3,753,037	4,289,185	4,825,333
Washington	2,873,408	3,283,895	3,694,382
West Virginia	1,552,287	1,774,043	1,995,799
Wisconsin	4,117,416	4,705,619	5,293,822
Wyoming	315,046	360,052	405,058
District of Columbia	608,973	695,969	782,966
Outlying areas	5,250,000	6,000,000	6,750,000

Note: Estimated distribution of funds, with 3 percent of the U.S. total amount reserved for the outlying areas and the balance distributed on the basis of the total public and nonpublic school enrollment, fall 1966.

TABLE VI-A.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO TITLE III, PUBLIC LAW 89-10, SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, FISCAL YEAR 1968

	Estimated State total amounts [1]
United States and outlying areas	$515,000,000
50 States and the District of Columbia	500,000,00
Alabama	9,322,523
Alaska	914,593
Arizona	4,335,874
Arkansas	5,111,898
California	46,170,313
Colorado	5,229,772
Connecticut	7,205,237
Delaware	1,496,941
Florida	14,475,412
Georgia	11,583,035
Hawaii	2,062,233
Idaho	2,035,852
Illinois	26,696,694
Indiana	12,717,064
Iowa	7,187,725
Kansas	5,896,634
Kentucky	8,324,473
Louisiana	9,680,553
Maine	2,685,334
Maryland	9,246,027
Massachusetts	13,313,389
Michigan	21,942,477
Minnesota	9,452,856
Mississippi	6,390,084
Missouri	11,309,003
50 States and the District of Columbia—Continued	
Montana	$2,043,590
Nebraska	3,880,682
Nevada	1,287,283
New Hampshire	1,883,219
New Jersey	16,832,124
New Mexico	2,965,231
New York	43,757,254
North Carolina	12,946,483
North Dakota	1,915,462
Ohio	26,480,206
Oklahoma	6,257,144
Oregon	5,098,310
Pennsylvania	28,754,145
Rhode Island	2,369,343
South Carolina	6,998,344
South Dakota	1,992,716
Tennessee	9,953,965
Texas	27,622,982
Utah	2,930,566
Vermont	1,224,879
Virginia	11,448,239
Washington	7,748,433
West Virginia	4,840,005
Wisconsin	10,839,678
Wyoming	1,062,786
District of Columbia	2,060,935
Outlying areas	15,000,000

[1] Estimated distribution of $515,000,000 with 3 percent of U.S. total amount reserved for the outlying areas, and $500,000,000 distributed with a basic amount of $200,000 to each State and the District of Columbia and ½ of the remainder on the estimated 5 to 17 population, July 1, 1965, and ½ on the estimated total resident population, July 1, 1965.

TABLE VI-B.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO TITLE III, PUBLIC LAW 89-10, SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, FISCAL YEAR 1969

	Estimated State total amount [1]	Estimated amounts, State responsibility [2]
United States and outlying areas	$540,750,000	------------
50 States and the District of Columbia	525,000,000	$174,982,499
Alabama	9,788,148	3,262,390
Alaska	951,067	316,991
Arizona	4,546,974	1,515,506
Arkansas	5,362,607	1,787,357
California	48,516,695	16,170,614
Colorado	5,486,498	1,828,650
Connecticut	7,562,793	2,520,679
Delaware	1,563,138	520,994
Florida	15,204,047	5,067,509
Georgia	12,164,039	4,054,274
Hawaii	2,157,284	719,023
Idaho	2,129,556	709,781
Illinois	28,049,118	9,348,771
Indiana	13,355,951	4,451,538
Iowa	7,544,387	2,514,544
Kansas	6,187,397	2,062,259
Kentucky	8,739,156	2,912,761
Louisiana	10,164,452	3,387,812
Maine	2,812,189	937,303
Maryland	9,707,748	3,235,592
Massachusetts	13,982,712	4,660,438
Michigan	23,052,240	7,683,312
Minnesota	9,925,133	3,308,047
Mississippi	6,706,033	2,235,121
Missouri	11,876,020	3,958,277
50 States and the District of Columbia—Continued		
Montana	$2,137,689	$712,492
Nebraska	4,068,549	1,356,047
Nevada	1,342,779	447,548
New Hampshire	1,969,132	656,312
New Jersey	17,681,048	5,893,093
New Mexico	3,127,392	1,042,360
New York	45,980,471	15,325,291
North Carolina	13,597,079	4,531,906
North Dakota	2,003,021	667,607
Ohio	27,821,581	9,272,933
Oklahoma	6,566,308	2,188,550
Oregon	5,348,326	1,782,597
Pennsylvania	30,211,585	10,069,521
Rhode Island	2,480,069	826,607
South Carolina	7,345,340	2,448,202
South Dakota	2,084,219	694,670
Tennessee	10,451,820	3,483,592
Texas	29,022,686	9,673,261
Utah	3,069,937	1,023,210
Vermont	1,277,190	425,687
Virginia	12,022,363	4,007,054
Washington	8,133,714	2,710,967
West Virginia	5,076,836	1,692,109
Wisconsin	11,382,741	3,793,868
Wyoming	1,106,823	368,904
District of Columbia	2,155,920	718,568
Outlying areas	15,750,000	------------

[1] Estimated distribution of $540,750,000 with 3 percent of U.S. total amount reserved for the outlying areas, and $525,000,000 distributed with a basic amount of $200,000 to each State and the District of Columbia and ½ of the remainder on the estimated 5-17 population, July 1, 1965, and ½ on the estimated total resident population, July 1, 1965.

[2] State responsibility for distribution: ⅓ of col. 1.

TABLE VI-C.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO TITLE III, PUBLIC LAW 89-10, SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, FISCAL YEAR 1970

	Estimated State total amount[1]	Estimated amounts, State responsibility[2]
United States and outlying areas	$566, 500, 000	------------
50 States and the District of Columbia	550, 000, 000	$275, 000, 000
Alabama	10, 253, 773	5, 126, 886
Alaska	987, 540	493, 770
Arizona	4, 758, 074	2, 379, 037
Arkansas	5, 613, 316	2, 806, 658
California	50, 863, 078	25, 431, 539
Colorado	5, 743, 224	2, 871, 612
Connecticut	7, 920, 349	3, 960, 174
Delaware	1, 629, 336	814, 668
Florida	15, 932, 682	7, 966, 341
Georgia	12, 745, 044	6, 372, 522
Hawaii	2, 252, 335	1, 126, 168
Idaho	2, 223, 260	1, 111, 630
Illinois	29, 401, 543	14, 700, 772
Indiana	13, 994, 837	6, 997, 418
Iowa	7, 901, 049	3, 950, 524
Kansas	6, 478, 160	3, 239, 080
Kentucky	9, 153, 839	4, 576, 920
Louisiana	10, 648, 351	5, 324, 176
Maine	2, 939, 043	1, 469, 522
Maryland	10, 169, 468	5, 084, 734
Massachusetts	14, 652, 036	7, 326, 018
Michigan	24, 162, 002	12, 081, 001
Minnesota	10, 397, 410	5, 198, 705
Mississippi	7, 021, 983	3, 510, 992
Missouri	12, 443, 037	6, 221, 518
50 States and the District of Columbia—Continued		
Montana	$2, 231, 788	$1, 115, 894
Nebraska	4, 256, 415	2, 128, 208
Nevada	1, 398, 276	699, 138
New Hampshire	2, 055, 046	1, 027, 523
New Jersey	18, 529, 973	9, 264, 986
New Mexico	3, 269, 554	1, 634, 777
New York	48, 203, 687	24, 101, 843
North Carolina	14, 247, 676	7, 123, 838
North Dakota	2, 090, 580	1, 045, 290
Ohio	29, 162, 955	14, 581, 478
Oklahoma	6, 875, 472	3, 437, 736
Oregon	5, 598, 342	2, 799, 171
Pennsylvania	31, 669, 024	15, 834, 512
Rhode Island	2, 590, 795	1, 295, 394
South Carolina	7, 692, 336	3, 846, 168
South Dakota	2, 175, 721	1, 087, 860
Tennessee	10, 949, 674	5, 474, 837
Texas	30, 422, 389	15, 211, 194
Utah	3, 209, 309	1, 604, 654
Vermont	1, 329, 501	664, 750
Virginia	12, 596, 487	6, 298, 244
Washington	8, 518, 995	4, 259, 498
West Virginia	5, 313, 668	2, 656, 834
Wisconsin	11, 925, 803	5, 962, 902
Wyoming	1, 150, 861	575, 430
District of Columbia	2, 250, 904	1, 125, 451
Outlying areas	16, 500, 000	------------

[1] Estimated distribution of $566,500,000 with 3 percent of U.S. total amount reserved for the outlying areas, and $550,000,000 distributed with a basic amount of $200,000 to each State and the District of Columbia and ½ of the remainder on the estimated 5–17 population, July 1, 1965, and ½ on the estimated total resident population, July 1, 1965.

[2] State responsibility for distribution: ½ of col. 1.

TABLE VI-D.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO TITLE III, SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, FISCAL YEAR 1971

	Estimated State total amount[1]	Estimated amounts, State responsibility[2]
United States and outlying areas	$592, 250, 000	----------------
50 States and the District of Columbia	575, 000, 000	$383, 352, 500
Alabama	10, 719, 398	7, 146, 623
Alaska	1, 024, 014	682, 710
Arizona	4, 969, 175	3, 312, 949
Arkansas	5, 864, 026	3, 909, 546
California	53, 209, 459	35, 474, 746
Colorado	5, 999, 949	4, 000, 166
Connecticut	8, 277, 905	5, 518, 879
Delaware	1, 695, 533	1, 130, 412
Florida	16, 661, 317	11, 108, 100
Georgia	13, 326, 048	8, 884, 476
Hawaii	2, 347, 385	1, 565, 002
Idaho	2, 316, 965	1, 544, 721
Illinois	30, 753, 966	20, 503, 669
Indiana	14, 633, 724	9, 756, 304
Iowa	8, 257, 712	5, 505, 417
Kansas	6, 768, 923	4, 512, 841
Kentucky	9, 568, 522	6, 379, 334
Louisiana	11, 132, 250	7, 421, 871
Maine	3, 065, 898	2, 044, 034
Maryland	10, 631, 189	7, 087, 814
Massachusetts	15, 321, 360	10, 214, 751
Michigan	25, 271, 765	16, 848, 686
Minnesota	10, 869, 687	7, 246, 820
Mississippi	7, 337, 932	4, 892, 199
Missouri	13, 010, 054	8, 673, 803
50 States and the District of Columbia—Con.		
Montana	$2, 325, 887	$1, 550, 669
Nebraska	4, 444, 282	2, 963, 003
Nevada	1, 453, 772	869, 230
New Hampshire	2, 140, 960	1, 427, 378
New Jersey	19, 378, 897	12, 919, 911
New Mexico	3, 411, 716	2, 274, 591
New York	50, 426, 903	33, 619, 616
North Carolina	14, 898, 272	9, 932, 678
North Dakota	2, 178, 140	1, 452, 166
Ohio	30, 504, 329	20, 337, 236
Oklahoma	7, 184, 637	4, 789, 997
Oregon	5, 848, 357	3, 899, 100
Pennsylvania	33, 126, 462	22, 085, 412
Rhode Island	2, 701, 521	1, 801, 104
South Carolina	8, 039, 332	5, 359, 823
South Dakota	2, 267, 224	1, 511, 558
Tennessee	11, 447, 529	7, 632, 068
Texas	31, 822, 091	21, 215, 788
Utah	3, 348, 680	2, 232, 565
Vermont	1, 381, 812	921, 254
Virginia	13, 170, 611	8, 780, 846
Washington	8, 904, 277	5, 936, 481
West Virginia	5, 550, 500	3, 700, 518
Wisconsin	12, 468, 865	8, 312, 992
Wyoming	1, 194, 899	796, 639
District of Columbia	2, 345, 889	1, 564, 004
Outlying areas	17, 250, 000	----------------

[1] Estimated distribution of $592,250,000 with 3 percent of the U.S. total amount reserved for the outlying areas, and $575,000,000 distributed with a basic amount of $200,000 to each State and the District of Columbia and ½ of the remainder on the estimated age 5 to 17 population, July 1, 1965 and ½ on the estimated total resident population, July 1, 1965.

[2] State responsibility for distribution: ⅔ of col. 1.

TABLE VI-E.—ESTIMATED FUNDS COMMITTED UNDER TITLE III OF PUBLIC LAW 89-10 FOR FISCAL YEARS 1969 AND 1970[1]

	Fiscal year 1969 estimated		Fiscal year 1970 estimate	
	Authorization	Funds committed	Authorization	Funds committed
Total, 50 States and the District of Columbia	$525, 000, 000	$220, 466, 926	$550, 000, 000	$55, 000, 000
Alabama	9, 788, 148	3, 923, 820	10, 253, 773	1, 405, 580
Alaska	951, 067	358, 024	987, 540	75, 000
Arizona	4, 546, 974	1, 599, 514	4, 758, 074	653, 780
Arkansas	5, 362, 607	2, 756, 363	5, 613, 316	0
California	48, 516, 695	20, 613, 682	50, 863, 078	8, 748, 735
Colorado	5, 486, 498	1, 935, 778	5, 743, 224	625, 085
Connecticut	7, 562, 793	3, 370, 352	7, 920, 349	0
Delaware	1, 563, 138	381, 634	1, 629, 336	0
District of Columbia	2, 155, 920	1, 348, 947	2, 250, 904	903, 300
Florida	15, 204, 047	8, 150, 732	15, 932, 682	3, 619, 660
Georgia	12, 164, 039	6, 519, 353	12, 745, 044	2, 277, 709
Hawaii	2, 157, 284	1, 471, 051	2, 252, 335	0
Total, 50 States and the District of Columbia—Continued				
Idaho	$2, 129, 556	$948, 958	$2, 223, 260	$242, 794
Illinois	28, 049, 118	10, 150, 929	29, 401, 543	1, 000, 000
Indiana	13, 355, 951	4, 645, 565	13, 994, 837	191, 000
Iowa	7, 544, 387	3, 824, 257	7, 901, 049	446, 600
Kansas	6, 187, 397	1, 888, 976	6, 478, 160	1, 181, 353
Kentucky	8, 739, 156	4, 350, 993	9, 153, 839	986, 000
Louisiana	10, 164, 452	3, 156, 127	10, 648, 351	0
Maine	2, 812, 189	996, 117	2, 939, 043	30, 300
Maryland	9, 707, 748	7, 256, 809	10, 169, 468	3, 721, 000
Massachusetts	13, 982, 712	4, 677, 241	14, 652, 036	223, 700
Michigan	23, 052, 240	8, 522, 426	24, 162, 002	3, 461, 563
Minnesota	9, 925, 133	5, 720, 703	10, 397, 410	2, 643, 847

See footnote at end of table.

TABLE VI-E.—ESTIMATED FUNDS COMMITTED UNDER TITLE III OF PUBLIC LAW 89-10 FOR FISCAL YEARS 1969 AND 1970[1]—Continued

	Fiscal year 1969 estimated		Fiscal year 1970 estimate	
	Authorization	Funds committed	Authorization	Funds committed
50 States, District of Columbia—Continued				
Mississippi	$6, 706, 033	$3, 858, 191	$7, 021, 983	$2, 309, 170
Missouri	11, 876, 020	6, 572, 415	12, 443, 037	2, 334, 426
Montana	2, 137, 689	670, 326	2, 231, 788	0
Nebraska	4, 068, 549	2, 100, 079	4, 256, 415	507, 709
Nevada	1, 342, 779	606, 620	1, 398, 276	75, 000
New Hampshire	1, 969, 132	841, 100	2, 055, 046	72, 900
New Jersey	17, 681, 048	4, 631, 303	18, 529, 973	1, 030, 600
New Mexico	3, 127, 392	1, 029, 507	3, 269, 554	387, 000
New York	45, 980, 471	20, 531, 052	48, 203, 687	4, 873, 281
North Carolina	13, 597, 079	6, 846, 678	14, 247, 676	1, 741, 52
North Dakota	2, 003, 021	1, 231, 018	2, 090, 580	199, 65
Ohio	27, 821, 581	9, 006, 369	29, 162, 955	1, 060, 00
Oklahoma	6, 566, 308	2, 307, 947	6, 875, 472	216, 000
Oregon	5, 348, 326	1, 652, 804	5, 598, 342	901, 071
Pennsylvania	30, 211, 585	10, 772, 337	31, 669, 024	1, 418, 00
				0
Rhode Island	$2, 480, 069	$684, 426	$2, 590, 795	0
South Carolina	7, 345, 340	2, 766, 728	7, 692, 336	$855, 903
South Dakota	2, 084, 219	1, 421, 164	2, 175, 721	0
Tennessee	10, 451, 820	6, 242, 300	10, 949, 674	1, 956, 399
Texas	29, 022, 686	9, 342, 088	30, 422, 389	1, 518, 000
Utah	3, 069, 937	1, 955, 289	3, 209, 309	913, 650
Vermont	1, 277, 190	299, 802	1, 329, 501	0
Virginia	12, 022, 363	6, 072, 644	12, 596, 487	1, 925, 000
Washington	8, 133, 714	2, 456, 693	8, 518, 995	505, 409
West Virginia	5, 076, 836	2, 724, 881	5, 313, 668	768, 000
Wisconsin	11, 382, 741	4, 583, 991	11, 925, 803	1, 000, 000
Wyoming	1, 106, 823	145, 870	1, 150, 861	60, 883
Outlying areas	15, 750, 000	4, 533, 074	16, 500, 000	0

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[1] Amount of funds estimated as committed does not include new projects started in fiscal year 1969.

TABLE VII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER TITLE V, PUBLIC LAW 89-10, FISCAL YEARS 1969, 1970 AND 1971

SENATE COMMITTEE PRINT NO. 105

TITLE V-A	Fiscal years 1969 and 1970	Fiscal year 1971
United States and outlying areas	$76, 000, 000	$80, 750, 000
50 States and the District of Columbia	74, 480, 000	79, 135, 000
Alabama	1, 489, 967	1, 583, 090
Alaska	648, 020	688, 521
Arizona	981, 930	1, 043, 301
Arkansas	1, 052, 214	1, 117, 977
California	5, 107, 347	5, 426, 555
Colorado	1, 101, 534	1, 170, 380
Connecticut	1, 203, 641	1, 278, 869
Delaware	701, 073	744, 891
Florida	1, 892, 089	2, 010, 345
Georgia	1, 698, 586	1, 804, 748
Hawaii	756, 233	803, 498
Idaho	765, 305	813, 136
Illinois	2, 825, 290	3, 001, 871
Indiana	1, 782, 887	1, 894, 317
Iowa	1, 244, 574	1, 322, 360
Kansas	1, 119, 482	1, 189, 450
Kentucky	1, 284, 203	1, 364, 466
Louisiana	1, 435, 934	1, 525, 679
Maine	814, 579	865, 490
Maryland	1, 405, 082	1, 492, 900
Massachusetts	1, 708, 387	1, 815, 152
Michigan	2, 675, 581	2, 842, 805
Minnesota	1, 450, 969	1, 541, 655
Mississippi	1, 186, 642	1, 260, 807
Missouri	1, 584, 542	1, 683, 576
Montana	758, 511	805, 918
Nebraska	915, 067	972, 259
Nevada	695, 961	739, 458
New Hampshire	722, 933	768, 117
New Jersey	1, 960, 448	2, 082, 976
New Mexico	864, 980	919, 041
New York	3, 956, 073	4, 203, 327
North Carolina	1, 812, 741	1, 926, 037
North Dakota	737, 328	783, 411
Ohio	2, 992, 134	3, 179, 142
Oklahoma	1, 205, 249	1, 280, 577
Oregon	1, 076, 405	1, 143, 680
Pennsylvania	2, 879, 529	3, 059, 498
Rhode Island	749, 908	796, 777
South Carolina	1, 250, 928	1, 329, 111
South Dakota	758, 384	805, 783
Tennessee	1, 491, 616	1, 584, 842
Texas	3, 244, 452	3, 447, 230
Utah	887, 053	942, 494
Vermont	675, 077	717, 270
Virginia	1, 625, 254	1, 726, 832
Washington	1, 365, 786	1, 451, 148
West Virginia	1, 021, 086	1, 084, 904
Wisconsin	1, 508, 364	1, 602, 637
Wyoming	672, 289	714, 307
District of Columbia	736, 362	782, 385
Outlying areas	1, 520, 000	1, 615, 000

TITLE V-B	Fiscal years 1969 and 1970 [1]	Fiscal year 1971 [2]
United States and outlying areas	$11, 250, 000	$15, 000, 000
50 States and the District of Columbia	11, 025, 000	14, 700, 000
Alabama	205, 464	273, 952
Alaska	95, 584	127, 446
Arizona	140, 232	186, 977
Arkansas	152, 726	203, 635
California	714, 653	952, 870
Colorado	152, 999	203, 999
Connecticut	183, 072	244, 096
Delaware	103, 640	138, 187
Florida	284, 316	379, 087
Georgia	236, 356	315, 141
Hawaii	110, 706	147, 608
Idaho	110, 125	146, 834
Illinois	449, 699	599, 598
Indiana	253, 492	337, 989
Iowa	180, 614	240, 819
Kansas	163, 205	217, 607
Kentucky	194, 780	259, 707
Louisiana	207, 990	277, 320
Maine	120, 127	160, 170
Maryland	207, 103	276, 137
Massachusetts	269, 467	359, 289
Michigan	370, 370	493, 825
Minnesota	208, 058	277, 411
Mississippi	165, 287	220, 383
Missouri	239, 804	319, 738
Montana	110, 467	147, 290
Nebraska	136, 273	181, 697
Nevada	101, 285	135, 047
New Hampshire	109, 443	145, 924
New Jersey	317, 939	423, 918
New Mexico	121, 083	161, 444
New York	704, 516	939, 353
North Carolina	254, 926	339, 901
North Dakota	108, 726	144, 968
Ohio	436, 045	581, 393
Oklahoma	170, 032	226, 710
Oregon	152, 623	203, 498
Pennsylvania	481, 854	642, 471
Rhode Island	116, 884	155, 846
South Carolina	173, 514	231, 352
South Dakota	109, 887	146, 516
Tennessee	217, 889	290, 519
Texas	447, 992	597, 322
Utah	120, 400	160, 534
Vermont	100, 260	133, 681
Virginia	237, 346	316, 461
Washington	187, 953	250, 604
West Virginia	148, 425	197, 900
Wisconsin	227, 788	303, 718
Wyoming	97, 735	130, 313
District of Columbia	113, 846	151, 795
Outlying areas	225, 000	300, 000

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[1] Distribution of $15,000,000 with 25 percent ($3,750,000) reserved for sec. 524 and the remainder ($11,250,000) distributed with 2 percent ($225,000) withheld for the outlying areas, and the balance ($11,025,000) distributed (a) 40 percent ($4,410,000) among the States in equal amounts and (b) 60 percent ($6,615,000) on the basis of total resident population, July 1, 1965.

[2] Estimated distribution of $20,000,000 with 25 percent reserved for special projects. Of the balance of $15,000,000, 2 percent withheld for outlying areas; of the remainder of $14,700,000, 40 percent ($5,880,000) distributed in equal payments to 50 States and the District of Columbia, and 60 percent ($8,820,000) distributed on basis of total resident population, July 1, 1965.

Note: Estimated distribution of 95 percent of total authorization, with 2 percent reserved for the outlying areas and 40 percent of the balance distributed in equal payments, 60 percent distributed on the basis of total public school enrollment, fall 1966.

TABLE VIII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT TO PUBLIC LAW 89-10, TITLE VI, EDUCATION OF HANDICAPPED CHILDREN: FISCAL YEAR 1969, FISCAL YEAR 1970, AND FISCAL YEAR 1971

	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971
United States and outlying areas	$180,250,000	$206,000,000	$231,750,000
50 States and District of Columbia	175,900,000	200,000,000	225,000,000
Alabama	3,548,461	4,055,384	4,562,307
Alaska	247,082	282,379	317,676
Arizona	1,396,679	1,596,204	1,795,730
Arkansas	1,850,798	2,115,198	2,379,598
California	14,899,247	17,027,711	19,156,175
Colorado	1,772,641	2,025,875	2,279,110
Connecticut	2,295,904	2,623,890	2,951,876
Delaware	432,593	494,392	556,191
Florida	4,575,148	5,228,740	5,882,333
Georgia	4,240,834	4,846,667	5,452,501
Hawaii	702,342	802,677	903,011
Idaho	726,947	830,797	934,646
Illinois	9,252,172	10,573,911	11,895,651
Indiana	4,630,887	5,292,443	5,953,998
Iowa	2,690,016	3,074,304	3,458,592
Kansas	2,104,567	2,405,220	2,705,872
Kentucky	3,169,047	3,621,768	4,074,489
Louisiana	3,547,191	4,053,933	4,560,674
Maine	956,776	1,093,458	1,230,141
Maryland	3,069,011	3,507,441	3,945,871
Massachusetts	4,665,467	5,331,963	5,998,458
Michigan	7,883,897	9,010,168	10,136,438
Minnesota	3,434,147	3,924,739	4,415,332
Mississippi	2,483,754	2,838,576	3,193,398
Missouri	3,988,249	4,557,999	5,127,749
50 States, the District of Columbia—Con.			
Montana	$697,825	$797,514	$897,203
Nebraska	1,351,321	1,544,367	1,737,413
Nevada	266,736	304,841	342,947
New Hampshire	577,546	660,053	742,559
New Jersey	5,386,579	6,156,090	6,925,601
New Mexico	1,092,963	1,249,101	1,405,238
New York	14,487,263	16,556,872	18,626,481
North Carolina	5,003,611	5,718,412	6,433,214
North Dakota	678,282	775,179	872,077
Ohio	9,445,042	10,794,334	12,143,626
Oklahoma	2,280,084	2,605,810	2,931,537
Oregon	1,734,111	1,981,841	2,229,572
Pennsylvania	10,390,636	11,875,014	13,359,390
Rhode Island	793,522	906,882	1,020,242
South Carolina	2,789,055	3,187,491	3,585,928
South Dakota	705,788	806,614	907,441
Tennessee	3,682,232	4,208,265	4,734,298
Texas	9,935,929	11,355,348	12,774,766
Utah	1,029,149	1,176,170	1,323,192
Vermont	393,619	449,851	506,082
Virginia	4,103,145	4,689,308	5,275,472
Washington	2,808,707	3,209,951	3,611,194
West Virginia	1,951,709	2,230,525	2,509,340
Wisconsin	3,886,570	4,441,794	4,997,018
Wyoming	340,835	389,526	436,216
District of Columbia	623,884	713,010	802,136
Outlying areas	5,250,000	6,000,000	6,750,000

Note: Estimated distribution of funds on basis of 3 to 21 population, Apr. 1, 1960, or 50 States and District of Columbia, 3 percent additional for outlying areas.

TABLE IX.—ESTIMATED ADDITIONAL AMOUNT FOR TITLE I GRANTS, FISCAL YEAR 1968 PROVISIONAL ESTIMATE ($3,000 PER ANNUM—$150,000)

	Total additional amount	Provisional additional allotment, county LEA [1]	Provisional additional allotment, State agency LEA [2]
50 States and the District of Columbia	$137,119,573	$84,241,386	$52,878,187
Alabama	3,755,316	3,153,896	601,420
Alaska	138,431	130,139	8,292
Arizona	1,731,362	634,607	1,096,755
Arkansas	2,579,152	1,999,940	579,212
California	11,152,624	4,811,221	6,341,403
Colorado	1,837,719	632,513	1,205,206
Connecticut	1,221,148	587,856	633,292
Delaware	462,798	163,639	299,159
Florida	7,077,741	2,254,131	4,823,610
Georgia	4,040,967	3,414,577	626,390
Hawaii	283,606	197,007	86,599
Idaho	699,349	244,595	454,754
Illinois	3,892,886	3,066,283	826,603
Indiana	2,060,750	1,310,428	750,322
Iowa	1,480,573	1,208,439	272,134
Kansas	1,300,225	789,708	510,517
Kentucky	2,792,694	2,573,912	218,782
Louisiana	3,684,121	2,829,773	854,348
Maine	499,746	375,081	124,665
Maryland	1,628,246	1,050,360	577,886
Massachusetts	2,090,331	1,274,750	815,581
Michigan	4,595,882	2,305,966	2,289,916
Minnesota	2,160,703	1,578,541	582,162
Mississippi	3,761,159	3,115,604	645,555
Missouri	2,654,865	1,903,792	751,073
Montana	740,215	269,466	470,749
Nebraska	834,434	614,956	219,478
Nevada	120,805	67,054	53,751
50 States, District of Columbia—Con.			
New Hampshire	$233,055	$137,010	$96,045
New Jersey	3,376,863	1,614,756	1,762,107
New Mexico	1,183,634	613,418	570,216
New York	11,193,407	7,759,527	3,433,880
North Carolina	5,864,240	4,340,272	1,523,968
North Dakota	653,802	406,035	247,767
Ohio	3,575,379	2,462,613	1,112,766
Oklahoma	2,008,954	1,376,946	632,008
Oregon	1,670,545	554,060	1,116,485
Pennsylvania	4,593,176	3,382,193	1,210,983
Rhode Island	384,005	270,743	113,262
South Carolina	3,471,665	2,750,660	721,005
South Dakota	588,647	495,592	93,055
Tennessee	3,630,378	3,041,775	588,603
Texas	14,578,952	5,551,917	9,027,035
Utah	441,997	221,695	220,302
Vermont	337,173	157,780	179,393
Virginia	3,239,427	2,513,588	725,839
Washington	2,285,854	798,595	1,487,259
West Virginia	1,663,862	1,473,143	190,719
Wisconsin	1,866,409	1,281,168	585,241
Wyoming	331,106	102,116	228,990
District of Columbia	669,195	377,550	291,645
American Samoa	-----------	-----------	-----------
Canal Zone	-----------	-----------	-----------
Guam	-----------	-----------	-----------
Puerto Rico	-----------	-----------	-----------
Virgin Islands	-----------	-----------	-----------

[1] Difference between fiscal year 1967 allotment and fiscal year 1968 provisional estimated allotment ($3,000 per annum income level) for county LEA grants.

[2] Difference between fiscal year 1967 allotment and fiscal year 1968 provisional estimated allotment (and authorizations) for State agency programs.

TITLE II, H.R. 7819, AMENDMENTS TO PUBLIC LAW 874 AND PUBLIC LAW 815

TABLE X.—ESTIMATED DEDUCTIONS UNDER SECTIONS 2 AND 3, PUBLIC LAW 81-874, FOR FISCAL YEAR 1968

State or territory	Sec. 2	Sec. 3
Total	$133,200	$5,589,600
Alabama	-----------	36,300
Alaska	-----------	224,800
Arizona	-----------	218,500
Arkansas	-----------	10,700
California	2,400	1,336,200
Colorado	-----------	207,003
Connecticut	-----------	-----------
Delaware	-----------	-----------
Florida	-----------	21,100
Georgia	-----------	185,500
Hawaii	-----------	59,300
Idaho	-----------	174,700
Illinois	3,900	37,800
Indiana	-----------	-----------
Iowa	-----------	-----------
Kansas	11,600	315,500
Kentucky	2,600	26,900
Louisiana	-----------	20,200
Maine	-----------	$1,000
Maryland	-----------	12,800
Massachusetts	-----------	97,900
Michigan	$19,400	11,800
Minnesota	-----------	42,500
Mississippi	100	14,700
Missouri	84,000	39,800
Montana	-----------	233,800
Nebraska	-----------	85,100
Nevada	-----------	32,500
New Hampshire	-----------	-----------
New Jersey	-----------	11,500
New Mexico	-----------	200,300
New York	-----------	55,000
North Carolina	-----------	2,900
North Dakota	-----------	10,400
Ohio	-----------	303,000
Oklahoma	7,600	31,800
Oregon	-----------	261,200
Pennsylvania	-----------	-----------

TITLE II, H.R. 7819, AMENDMENTS TO PUBLIC LAW 874 AND PUBLIC LAW 815—Continued

TABLE X.—ESTIMATED DEDUCTIONS UNDER SECTIONS 2 AND 3, PUBLIC LAW 81-874, FOR FISCAL YEAR 1968—Continued

State or territory	Sec. 2	Sec. 3
Rhode Island	-----------	-----------
South Carolina	-----------	$7,500
South Dakota	-----------	5,800
Tennessee	-----------	117,500
Texas	$1,600	313,200
Utah	-----------	204,400
Vermont	-----------	-----------
Virginia	-----------	59,600
Washington	-----------	$417,200
West Virginia	-----------	17,200
Wisconsin	-----------	14,300
Wyoming	-----------	101,800
Guam	-----------	5,800
Puerto Rico	-----------	-----------
Virgin Islands	-----------	2,500
Wake Island	-----------	-----------

TABLE XI.—COMPARISON OF TITLE I ALLOCATIONS FOR MAJOR CITIES UNDER HOUSE AND SENATE BILLS

	H.R. 7819	Public Law 89-10 ($3,000)	Senate version ($3,000)
Atlanta	$2,757,842	$3,674,535	$2,721,440
Baltimore	8,007,829	5,602,473	7,631,576
Birmingham	2,112,385	2,425,229	1,833,267
Boston	4,834,836	3,879,848	3,985,122
Buffalo	5,666,982	4,764,579	5,228,193
Chicago	23,363,116	20,355,903	24,870,245
Cincinnati	3,195,357	2,732,428	3,097,424
Cleveland	5,527,604	4,162,096	5,869,644
Dallas	2,440,948	3,163,593	2,683,553
Detroit	10,881,972	9,513,647	10,910,357
Houston	3,406,002	4,092,855	3,712,711
Kansas City, Mo	1,817,002	1,795,175	1,937,425
Los Angeles	16,364,345	13,741,067	15,684,785
Memphis	3,327,822	3,965,491	3,035,317
Miami (Dade County)	3,101,706	3,904,636	3,713,391
Milwaukee	2,732,004	2,271,705	2,822,107
Minneapolis	2,506,428	1,962,048	2,533,730
Nashville	$1,667,894	$2,189,551	$1,536,942
Newark	5,141,482	4,093,157	4,977,926
New Orleans	3,956,567	4,701,736	3,703,247
New York City	75,599,083	65,403,817	75,439,537
Norfolk	2,572,257	2,251,099	2,103,228
Oakland	2,806,524	2,285,678	2,667,083
Omaha	870,557	775,342	798,437
Philadelphia	12,361,906	10,135,150	12,578,673
Pittsburgh	3,238,910	2,904,819	3,484,682
Portland, Oreg	1,644,210	1,388,586	1,735,043
St. Louis	4,392,985	3,912,199	4,666,355
St. Paul	1,327,164	1,011,141	1,218,415
San Diego	2,356,238	2,091,681	2,356,497
San Francisco	3,463,543	2,852,255	3,439,379
Seattle	1,471,606	1,340,921	1,652,349
Tampa (Hillsborough County)	1,889,634	2,387,459	2,262,939
Washington, D.C	5,642,037	5,642,037	6,311,232

TABLE XII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED AMENDMENT UNDER PUBLIC LAW 89-750, ADULT EDUCATION ACT, TITLE V OF H.R. 7819, FISCAL YEAR 1969, FISCAL YEAR 1970, FISCAL YEAR 1971 [1]

	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971
United States and outlying areas	$70,000,000	$80,000,000	$90,000,000
50 States and the District of Columbia	68,600,000	78,400,000	88,200,000
Alabama	2,145,342	2,461,001	2,776,660
Alaska	167,099	177,455	187,810
Arizona	617,991	697,933	777,875
Arkansas	1,218,983	1,391,677	1,564,370
California	3,904,532	4,491,688	5,078,845
Colorado	428,007	478,629	529,250
Connecticut	852,902	969,098	1,085,294
Delaware	217,500	235,633	253,767
Florida	2,077,894	2,383,144	2,688,394
Georgia	2,735,010	3,141,673	3,548,336
Hawaii	384,636	428,564	472,492
Idaho	198,216	213,374	228,532
Illinois	2,962,537	3,404,314	3,846,092
Indiana	1,086,268	1,238,480	1,390,691
Iowa	487,850	547,707	607,564
Kansas	437,948	490,103	542,259
Kentucky	1,805,236	2,068,406	2,331,576
Louisiana	2,554,097	2,932,840	3,311,583
Maine	293,776	323,681	353,587
Maryland	1,185,005	1,352,454	1,519,904
Massachusetts	1,467,842	1,678,942	1,890,042
Michigan	1,976,462	2,266,058	2,555,654
Minnesota	647,686	732,210	816,735
Mississippi	1,639,052	1,876,575	2,114,098
Missouri	1,451,979	1,660,631	1,869,283
50 States, District of Columbia—Con.			
Montana	$219,348	$237,767	$256,186
Nebraska	327,051	362,092	397,133
Nevada	144,345	151,189	158,033
New Hampshire	211,583	228,803	246,024
New Jersey	2,113,644	2,424,411	2,735,178
New Mexico	498,040	559,469	620,899
New York	6,088,633	7,012,864	7,937,094
North Carolina	3,037,014	3,490,286	3,943,557
North Dakota	244,659	266,985	289,310
Ohio	2,431,705	2,791,559	3,151,412
Oklahoma	905,599	1,029,928	1,154,257
Oregon	364,351	405,148	445,945
Pennsylvania	3,589,272	4,127,774	4,666,276
Rhode Island	369,697	411,320	452,942
South Carolina	1,863,230	2,135,351	2,407,471
South Dakota	221,474	240,221	258,968
Tennessee	2,228,825	2,557,368	2,885,911
Texas	5,161,295	5,942,408	6,723,521
Utah	197,142	212,134	227,126
Vermont	165,787	175,940	186,093
Virginia	2,273,419	2,608,844	2,944,270
Washington	533,402	600,289	667,176
West Virginia	936,893	1,066,052	1,195,210
Wisconsin	1,032,409	1,176,308	1,320,207
Wyoming	151,812	159,808	167,804
District of Columbia	345,521	384,412	421,304
Outlying areas	1,400,000	1,600,000	1,800,000

[1] Distribution of $70,000,000 for fiscal year 1969 with 2 percent reserved for outlying areas; $100,000 basic amount to 50 States and the District of Columbia, balance distributed on basis of the population 18 and over with less than 6 grades of school completed. Distribution of $80,000,000 for fiscal year 1970 and $90,000,000 for 1971 with distribution made as described for fiscal year 1969.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (P.L. 89-10)

An act to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Act of 1965".

TITLE I—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES AND EXTENSION OF PUBLIC LAW 874, EIGHTY-FIRST CONGRESS [1]

* * * * *

TITLE II—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

APPROPRIATIONS AUTHORIZED

SEC. 201. (a) The Commissioner shall carry out **[**during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,**]** a program for making grants for the acquisition of school library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools.

(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $125,000,000 for the fiscal year ending June 30, 1967, **[**and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.**]** *$150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the fiscal year ending June 30, 1971.*

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[1] For amendments to title I of the Elementary and Secondary Education Act of 1965 see title II of Public Law 874, 81st Congress.

ALLOTMENT TO STATES

SEC. 202. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending [June 30, 1967] *June 30, 1968 and the fiscal year ending June 30, 1969,* he shall allot from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children so enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Somoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

* * * * *

TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

APPROPRIATIONS AUTHORIZED

SEC. 301. (a) The Commissioner shall carry out a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 [,] for the fiscal year ending June 30, 1966; $175,000,000 for the fiscal year ending June 30, 1967; [and] $500,000,000 for the fiscal year ending June 30, 1968; [but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law] *$525,000,000 for the fiscal year ending June 30, 1969; $550,000,000 for the fiscal year ending June 30, 1970; and $575,000,000 for the fiscal year ending June 30, 1971. In addition, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and each of the three succeeding fiscal years, such sums as may be necessary for the administration of State plans, the activities of advisory councils, and the evaluation and dissemination activities required under this title.*

[APPORTIONMENT] *Allotment* AMONG STATES

SEC. 302. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall [apportion] *allot* the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for [the fiscal year ending June 30, 1967,] *each fiscal year ending prior to July 1, 1969,* he shall [apportion] *allot* from such amount to (A) the Secretary of the Interior the amount necessary [for such assistance for children and teachers in] *to provide programs and projects for the purpose of this title for individuals on reservations serviced by* elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

(2) From the sums appropriated for [carrying out] *making grants under* this title for any fiscal year pursuant to section 301(b), the Commissioner shall [apportion] *allot* $200,000 to each State and shall [apportion] *allot* the remainder of such sums among the States as follows:

(A) He shall [apportion] *allot* to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

(B) He shall [apportion] *allot* to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

[(c) The amount apportioned under this section to any State for the fiscal year ending June 30, 1966, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year.]

[(d)] (*c*) The amount [apportioned] *allotted* to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available [shall be available for reapportionment], *shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallottment may be reallotted* from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion of the amounts originally [apportioned] *allotted* among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions [shall] *may* be similarly [reapportioned] *reallotted* among the States whose proportionate amounts were not so reduced. Any amount [reapportioned] *reallotted* to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount [apportioned] *allotted* to it under subsection (a) for that year.

(*d*) *The amounts made available under the first sentence of subsection* (*c*) *for any fiscal year shall remain available for grants during the next succeeding fiscal year.*

USES OF FEDERAL FUNDS

SEC. 303. (a) [Grants under this title may be used, in accordance with applications approved under section 304(b), for—] *Funds appropriated pursuant to section 301 shall, except as provided in subsection* (b), *be available only for grants in accordance with applications approved pursuant this title for:*

[(a)] (*1*) planning for and taking other steps leading to the development of programs *or projects* designed to provide supplementary educational activities and services described in [paragraph (b)], *paragraphs* (*2*) *and* (*3*), including pilot projects designed to test the effectiveness of plans so developed; and

(*2*) *the establishment or expansion of exemplary and innovative educational programs (including dual-enrollment programs and the lease or construction of necessary facilities) for the purpose of stimulating the adoption of new educational programs* (*including those described in section 503*(*4*) *and special programs for handicapped children*) *in the schools of the State; and*

[(b)] (*3*) the establishment, maintenance, [and] operation, *and expansion* of, programs *or projects,* including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by [providing] *providing, especially through new and improved approaches,* supplementary educational services and activities such as—

[(1)] (*A*) comprehensive guidance and counseling, remedial instruction, and school health, physical education, recreation, psychological, [and] social work, *and other* services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

[(2)] (*B*) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

[(3) developing and conducting exemplary educational programs, including dual-enrollment programs, for the purpose of stimulating the adoption of improved or new educational programs (including those programs described in section 503(4) in the schools of the State;]

[(4)] (*C*) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

[(5)] (*D*) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis [to] *for the benefit of children in* public and other nonprofit schools, organizations, and institutions;

[(6)] (*E*) developing, producing, and transmitting radio and television programs for classroom and other educational use;

(*F*) *in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs (including preschool education), because some or all of its schools are seriously overcrowded, obsolete, or unsafe, initiating and carrying out programs or projects designed to meet those* *needs, particularly those which will result in more effective use of existing facilities;*

[(7)] (*G*) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, *bilingual education methods,* and visiting teachers' programs; [and]

(H) encouraging community involvement in educational programs; and

[(8)] (*I*) other specially designed educational programs *or projects* which meet the purposes of this title.

(b) In addition to the uses specified in subsection (a), funds appropriated for carrying out this title may be used for—

(1) proper and efficient administration of State plans;

(2) obtaining technical, professional, and clerical assistance, and the services of experts and consultants to assist the advisory councils authorized by this title in carrying out their responsibilities; and

(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

APPLICATION FOR GRANTS AND CONDITIONS FOR APPROVAL

SEC. 304. (a) A grant under this title [for a program of supplementary educational services] *pursuant to an approved State plan or by the Commissioner for a supplementary educational center or service program or project* may be made *only* to a local educational agency or agencies, [but] *and then* only if there is satisfactory assurance that, in the planning of that program *or project* there has been, and in the establishment and carrying out [of that program] *thereof* there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. [For the purposes of this section, the] *The* term "cultural and educational resources" includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application *to the appropriate State educational agency or* to the Commissioner, *as the case may be,* at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) set forth a program for carrying out the purposes set forth in [paragraph (a) or paragraph (b) of] section 303(*a*) and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in [paragraphs (a) and (b) of] section 303(*a*), and in no case supplant such funds;

[(4) in the case of an application for assistance under this title which includes a project for construction of necessary facilities, provide satisfactory assurance (A) that reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities, (B) that upon completion of the construction title to the facilities will be in a State or local educational agency, (C) that, in developing plans for such facilities, due consideration will be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than one per centum of the cost of the project), and there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons, and (D) that the requirements of section 308 will be complied with on all construction projects, assisted under this title;]

(4) provide, in the case of an application for assistance under this title which includes a project for the construction of necessary facilities, satisfactory assurance that—

(A) reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities,

(B) upon completion of the construction, title to the facilities will be in a State or local educational agency,

(C) in developing plans for such facilities, (i) due consideration will be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and (ii) there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that, to the extent appropriate in view of the uses to be made of the facilities, such facilities are accessible to and usable by handicapped persons, and

(D) the requirements of section 310 will be complied with;

(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) [Applications for grants under this title may be approved by the Commissioner only if—] *An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—*

(1) [the application] meets the requirements set forth in subsection (a);

[(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the size and population of the State, (B) the geographic distribution of the population within the State, (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in paragraph (b) of section 303, and their financial ability to provide those services and activities, and (D) the relative ability of particular local educational agencies within the state to provide those services and activities;]

(2) provides that the program or project for which application is made—

(A) will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant,

(B) to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project, makes provision for the participation of such children; and

(3) has been reviewed by a panel of experts.

[(3) in the case of an application for assistance for a program for carrying out the purposes described in paragraph (b) of section 303, the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the supplementary educational activities and services provided under the program are to meet, provision has been made for participation of such children; and

[(4) the application has been submitted for review and recommendations to the State educational agency.

[(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe.]

[(d)] (*c*) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

State advisory councils and State plans

Sec. 305. (a)(1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall (A) establish within its State educational agency a State advisory council (hereinafter referred to as the "State advisory council") which meets the requirements set forth in paragraph (2), (B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and (C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

(2) The State advisory council, established pursuant to paragraph (1), shall—

(A) be broadly representative of the cultural and educational resources of the State (as defined in section 304(a)) and of the public, including persons representative of—

(i) elementary and secondary schools,

(ii) institutions of higher education,

(iii) professional organizations of teachers and school administrators,

(iv) organizations promoting the improvement of education, and

(v) areas of professional competence in dealing with children needing special education because of physical or mental handicaps,

but nothing in this subparagraph shall be construed to preclude the appointment of nonresidents of a State to the State advisory council of that State;

(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria

for approval of applications under such State plan;

(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for a grant under the State plan;

(D) evaluate programs and projects assisted under this title;

(E) prepare and submit a report of its activities, recommendations, and evaluations to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail as the National Advisory Council may prescribe; and

(F) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

(1) sets forth a program (including educational needs, and their basis, and the manner in which the funds paid to the State under this title shall be used in meeting such educational needs) under which funds paid to the State under section 307(a) will be expended solely for the improvement of education in the State through grants to local educational agencies for programs or projects in accordance with sections 303 and 304: Provided, That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such program or project) that are fully equivalent to those otherwise required of a local educational agency;

(2) sets forth the administrative organization and procedures in such detail as the Commissioner may prescribe by regulation to be used in carrying out the State plan, including the qualifications for personnel having responsibilities in the administration of the plan;

(3) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities;

(4) provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds and including where appropriate bilingual education, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe;

(5) provides that, in approving applications for grants for programs or projects, applications proposing to carry out programs or projects planned under this title will receive special consideration;

(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

(7) provides that not less than 50 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for purposes of paragraphs (1) and (2) of section 303(a);

(8) provides that not less than 15 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for special programs or projects for the education of handicapped children;

(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

(c) The Commissioner may, if he finds that a State plan for any fiscal year is in substantial compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 307) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: Provided, That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

(d) A State which has had a State plan approved for any fiscal year may receive for the purpose of carrying out such plan an amount not in excess of 33⅓ per centum of its allotment pursuant to section 302 for the fiscal year ending June 30, 1969, 50 per centum thereof for the fiscal year ending June 30, 1970, and 66⅔ per centum thereof for the fiscal year ending June 30, 1971.

(e)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under section 305 or with any requirement set forth in the application of a local educational agency approved pursuant to section 304, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

(3) (A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(f)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification

as provided in section 1254 of title 28, United States Code.

Special programs and projects

Sec. 306. (a) From the amount allotted to any State, pursuant to section 302, which is not available for grants under a State plan approved pursuant to section 305, the Commissioner is authorized, subject to the provisions of section 304, to make grants to local educational agencies in such State for programs or projects which meet the purposes of section 303 and which, in the case of a local educational agency in a State which has a State plan approved, hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. The Commissioner may not approve an application under this section unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner regarding the disposition of the application.

(b) Not less than 15 per centum of the funds granted pursuant to this section in any fiscal year shall be used for programs or projects designed to meet the special educational needs of handicapped children.

PAYMENTS

[Sec. 305. (a) From the amounts apportioned to each State under section 302 the Commissioner shall pay to each applicant in that State which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.]

Sec. 307. (a) from the allotment of each State pursuant to section 302 for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 305 for that fiscal year, the amount necessary to carry out its State plan as approved.

(b) The Commissioner is authorized to pay to each State amounts necessary for the activities described in section 303(b), during any fiscal year, except that (1) the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, and (2) in such payment, the amount paid for the administration of the State plan during such year shall not exceed an amount equal to 5 per centum of its allotment for that fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

(c) The Commissioner shall pay to each applicant which has an application approved pursuant to section 306 the amount necessary to carry out the program or project pursuant to such application.

[(b)] *(d)* Payments under this [title] *section* may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(e) payments shall be made under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for State aid (as defined by regulation) with respect to the provision of free public education in the State for the preceding fiscal year was not less than such fiscal effort for State aid for the second preceding fiscal year.

[ADVISORY COMMITTEE

[Sec. 306. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on Supplementary Educational Centers and Services, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

[(b) The Advisory Committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Committee.

[(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.]

RECOVERY OF PAYMENTS

Sec. [307] *308.* If within twenty years after completion of any construction for which Federal funds have been paid under this title—

(a) the owner of the facility shall cease to be a State or local educational agency, or

(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so.

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

National Advisory Council

Sec. 309. (a) The President shall, by January 31, 1968, appoint a National Advisory Council on Supplementary Centers and Services which shall—

(1) advise the Commissioner in the preparation of general regulations;

(2) review the administration and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

(3) review each State plan and application submitted to the Commissioner pursuant to sections 305 and 306, and make recommendations to the Commissioner with respect to the action to be taken on such plan or application;

(4) set forth procedures for the submission of reports by State advisory councils to the National Advisory Council;

(5) review, evaluate, and transmit the reports of State advisory councils to the Congress, the President, and the Secretary;

(6) evaluate programs and projects carried out under this title and disseminate the results thereof; and

(7) make recommendations for the improvement of this title, and its administration and operation.

(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. The Secretary shall make available to the Council such technical, professional, secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The Council is authorized to appoint without regard to the provisions of title 5, United States Code, covering appointment in the competitive service, and fix the compensation of, without regard to chapter 51 and subchapter III of chapter 53 of such title, such professional and technical personnel as may be necessary to enable it to carry out its duties.

LABOR STANDARDS

Sec. [308] *310.* All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in the Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176); and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

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Title V—Grants to Strengthen State Departments of Education *and for Statewide Educational Planning*

Part A—Grants for Strengthening Leadership Resources of State Educational Agencies

APPROPRIATIONS AUTHORIZED

Sec. 501. (a) The Commissioner shall carry out [during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,] a program for making grants to stimulate and assist States in strengthening the leadership resources of their State educational agencies, and to assist those agencies in the establishment and improvement of programs to identify and meet the educational needs of States.

(b) For the purpose of making grants under this [title] *part*, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $30,000,000 for the fiscal year ending June 30, 1967, [and $50,000,000 for the fiscal year ending June 30, 1968] *$65,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970; and $85,000,000 for the fiscal year ending June 30, 1971,*.

APPORTIONMENT AMONG STATES

SEC. 502. (a) (1) From [85] *95* per centum of the sums appropriated for carrying out this [title] *part* for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum of such [85] *95* per centum of such sums, as he may determine and shall apportion such amount among the Commonwealth of Puerto Rico, Guam, American Samoa [and] the Virgin Islands *and the Trust Territory of the Pacific Islands* according to their respective needs for assistance under this title. [From the remainder of such 85 per centum of such sums the Commissioner shall apportion $100,000 to each State, and shall apportion to each State such part of the remainder of such 85 per centum of such sums as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.] *The remainder of such per centum of such sums shall be apportioned by the Commissioner as follows;*

(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

For purposes of this paragraph, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, [and] the Virgin Islands, *and the Trust Territory of the Pacific Islands*.

(2) [Fifteen] *Five* per centum of the sums appropriated pursuant to section 501 for each fiscal year shall be reserved by the Commissioner for grants for special projects pursuant to section 505.

(b)(1) The amount apportioned to any State under paragraph (1) of subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reapportionment from time to time, on such dates during that year as the Commissioner may fix, to other States in proportion to the amounts originally apportioned among those States under subsection (a)(1) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that year; and the total of these reductions shall be similarly reapportioned among the States whose proportionate amounts were not so reduced. Any amount reapportioned to a State under this subsection from funds appropriated pursuant to section 501 for any fiscal year shall be deemed part of the amount apportioned to it under subsection (a)(1) for that year.

(2) In accordance with regulations of the Commissioner any State may file with him a request that a specified portion of the amount apportioned to it under subsection (a)(1) be added to the amount apportioned to another State under that subsection for the purpose of meeting a portion of the cost of carrying out one or more programs or activities under an approved application of that other State. If the Commissioner finds that the programs or activities with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of the amount apportioned to that State, as requested by it, would assist in carrying out the purposes of this [title] *part*, that portion shall be added to the amount apportioned to the other State under subsection (a)(1) to be used for the purpose referred to above.

GRANTS FROM APPORTIONED FUNDS

SEC. 503. From the amount apportioned to any State for any fiscal year under section 502 the Commissioner may, upon approval of an application or applications therefor submitted to him by such State through the State educational agency, make a grant or grants to such agency equal to the expenditures incurred by such agency for the planning of, and for programs for, the development, improvement, or expansion of activities promoting the purposes set forth in section 501(a) and more particularly described in such application and for which such application is approved, such as—

(1) educational planning on a statewide basis, including the identification of educational problems, issues, and needs in the State and the evaluation on a periodic or continuing basis of education programs in the State;

(2) providing support or services for the comprehensive and compatible recording, collecting, processing, analyzing, interpreting, storing, retrieving, and reporting of State and local educational data, including the use of automated data systems;

(3) dissemination or support for the dissemination of information relating to the condition, progress, and needs of education in the State;

(4) programs for conducting, sponsoring, or cooperating in educational research and demonstration programs and projects such as (A) establishing and maintaining curriculum research and innovation centers to assist in locating and evaluating curriculum research findings, (B) discovering and testing new educational ideas (including new uses of printed and audio-visual media) and more effective educational practices, and putting into use those which show promise of success, and (C) studying ways to improve the legal and organizational structure for education, and the management and administration of education in the State;

(5) publication and distribution, or support for the publication and distribution, of curricular materials collected and developed at curriculum research centers and elsewhere;

(6) programs to improve the quality of teacher preparation, including student-teaching arrangements, in cooperation with institutions of higher education and local educational agencies;

(7) Programs and other activities specifically designed to encourage the full and adequate utilization and acceptance of auxiliary personnel (such as teacher aides) in elementary and secondary schools on a permanent basis;

[7] *(8)* studies or support for studies concerning the financing of public education in the State;

[8] *(9)* support for statewide programs designed to measure the educational achievement of pupils;

[9] *(10)* training and otherwise developing the competency of individuals who serve State or local educational agencies and provide leadership, administrative, or specialist services throughout the State, or throughout the area served by a local educational agency, through the initiation, improvement, and expansion of activities such as (A) sabbatical leave programs, (B) fellowships and traineeships (including educational expenses and the cost of travel) for State educational agency personnel to pursue graduate studies, and (C) conducting institutes, workshops, and conferences (including related costs of operation and payment of the expenses of participants);

[(10)] *11* providing local educational agencies and the schools of those agencies with consultative and technical assistance and services relating to academic subjects and to particular aspects of education such as the education of the handicapped, school building design and utilization, school social work, the utilization of modern instructional materials and equipment, transportation, educational administrative procedures, and school health, physical education, and recreation; [and]

[(11)] *(12)* evaluation and demonstration projects to insure that benefits obtained by children in Headstart and other pre-school programs are not lost during their early elementary school years, but are instead enhanced so as to provide continuity in and accelerated development of the child's learning, academic and other social achievements[.];

(13) programs for providing grants to local educational agencies in metropolitan areas to enable them to engage in comprehensive planning to meet their particular needs, either alone or in cooperation with other such agencies; and

(14) a program, which shall be included in each such overall program for each fiscal year pursuant to this section, for distributing in the State in an equitable manner on the basis of need among local educational agencies, within the State at least 10 per centum of such amount to be used by such agencies, for any of the purposes of this part as applied to a local educational agency in lieu of a State educational agency.

APPROVAL OF APPLICATIONS FOR GRANTS FROM APPORTIONED FUNDS

SEC. 504. An application for a grant under section 503 may be approved by the Commissioner only upon his determination that—

(a) each of the proposed projects, programs, and activities for which it is approved meets the requirements of section 503 and will make a significant contribution to strengthening the leadership resources of the applicant or its ability to participate effectively in meeting the educational needs of the State;

(b) the application contains or is supported by adequate assurance that Federal funds made available under the approved application will be so used as to supplement, and to the extent practical, increase the amounts of State funds that would in the absence of such Federal funds be made available for projects and activities which meet the requirements of section 503;

(c) the application sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to agencies, institutions, or organizations) under this [title] *part*; and

(d) the application provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

SPECIAL PROJECT GRANTS

SEC. 505. [Fifteen] *Five* per centum of the sums appropriated pursuant to section 501 for each fiscal year shall be used by the Commissioner to make grants to State educational agencies to pay part of the cost of experimental projects for developing State leadership or for the establishment of special services which, in the judgment of the Commissioner, hold promise of making a substantial contribution to the solution of problems common to the State educational agencies of all or several States[.] , *and for grants to public regional interstate commissions or agencies for educational planning and research.*

PAYMENTS

SEC. 506. Payments pursuant to grants under this [title] *part* may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine.

* * * * *

ADMINISTRATION OF STATE PLANS

SEC. 508. (a) The Commissioner shall not finally disapprove any application submitted under section 504, or any modification thereof, without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency administering a program under an application approved under this [title] *part,* finds—

(1) that the application has been so changed that it no longer complies with the provisions of section 504(a), or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State educational agency that the State shall not be regarded as eligible to participate in the program under this [title] *part* until he is satisfied that there is no longer any such failure to comply.

* * * * *

PERIODIC REVIEW OF PROGRAM AND LAWS

SEC. 510. (a) The Secretary shall, within ninety days after the date of enactment of this title, appoint an Advisory Council on State Departments of Education for the purpose of reviewing the administration of the programs for which funds are appropriated pursuant to this [title] *part* and making recommendations for improvement of such administration, and reviewing the status of and making recommendations with respect to such programs and this [title] *part* and with respect to other Acts under which funds are appropriated to assist State educational agencies to administer Federal programs relating to education.

(b) The Council shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall, to the extent possible, include persons familiar with the educational needs of the Nation, persons familiar with the administration of State and local educational programs, and persons representative of the general public.

(c) The Secretary is authorized to engage such technical assistance as may be required to carry out the functions of the Council, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

(d) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this [title] *part* and of other education Acts) to the Secretary not later than March 31 of each calendar year beginning after the enactment of this [title] *part.* The Secretary shall transmit each such report to the President and the Congress together with his comments and recommendations.

(e) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in Government service employed intermittently.

Part B—Grants for Comprehensive Educational Planning and Evaluation

Authorization

Sec. 521. To the end of enhancing the capability of the several States to make effective progress, through comprehensive and continuing planning, toward the achievement of opportunities for high-quality education for all segments of the population throughout the State, the Commissioner is authorized to make, in accordance with the provisions of this part, comprehensive planning and evaluation grants to States that have submitted, and had approved by the Commissioner, an application pursuant to section 523, and special project grants, related to the purposes of this part, pursuant to section 524. For the purpose of making such grants, there are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1968, $20,000,000 for the fiscal year ending June 30, 1969, and for each of the two succeeding fiscal years.

Apportionment among the States

Sec. 522. (a) (1) From the sums appropriated for carrying out this part for each fiscal year, 25 per centum shall be reserved for the purposes of section 524 and the remaining 75 per centum shall be available for grants to States under section 523.

(2) The Commissioner shall apportion not in excess of 2 per centum of the amount available for grants under section 523 among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for carrying out the purposes of this part. The remainder of such amount shall be apportioned by the Commissioner as follows:

(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the population of the State bears to the population of all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

For purposes of the preceding sentence, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(b) The amount apportioned under this section to any State for the fiscal year ending June 30, 1968, shall be available for obligation for grants pursuant to applications approved during that year and the succeeding fiscal year.

(c) The amount of any State's apportionment for any fiscal year under paragraph (2) of subsection (a) which the Commissioner determines will not be required for grants to that State under section 523 during the period for which such apportionment is available may from time to time be reapportioned by the Commissioner to other States, according to their respective needs, as the Commissioner may determine. Any amount so reapportioned to a State from funds appropriated for any fiscal year shall be deemed to be a part of the amount apportioned to it under subsection (a) for that year.

Comprehensive planning grants

Sec. 523. (a) (1) Any State desiring to receive a grant or grants under this section from its apportionment under section 522 for any fiscal year shall designate or establish a single State agency or office (hereafter in this part referred to as the State educational planning agency) as the sole agency for carrying out or supervising the carrying out of a comprehensive statewide program of systematic planning and evaluation relating to education at all levels (including remedial education and retraining of adults), except that—

(A) the field of higher education shall be included only if the State so elects and so provides in an application (or amended or supplemental application) under this section, and

(B) in the event of such election the State may designate or establish a separate State agency (hereafter in this part referred to as the State higher education planning agency) for carrying out or supervising the carrying out of such planning and evaluation program with respect to higher education.

(2) A grant to a State may be made under this section only upon approval of an application submitted to the Commissioner through the State educational planning agency, except that, with respect to States electing to include the field of higher education as provided in clause (A) of paragraph (1) of this subsection and designating or establishing a State higher education planning agency as provided in clause (B) of paragraph (1), the Commissioner, by or pursuant to regulation—

(A) shall authorize the submission of a combined application which includes higher education (or an amended or supplemental application filed upon the making of such election) jointly through both of the State's planning agencies involved, or the submission of a separate application (or supplement) through the State's higher education planning agency as to so much of the State's program as relates to planning and evaluation in the field of higher education, and

(B) may provide for allocating, between the State's two planning agencies, the amount of any grant or grants under this section from the State's apportionment.

(3) An application (or amendment or supplement thereto) under this section shall set forth, in such detail as the Commissioner deems necessary, the statewide program referred to in paragraph (1) (or, in the case of a separate application or amendments or supplement with respect to the field of higher education, so much of the statewide program as relates to that field), which shall include provision for—

(A) setting statewide educational goals and establishing priorities among these goals;

(B) developing through analyses alternatives means of achieving these goals, taking into account the resources available and the educational effectiveness of each of the alternatives (including, in the case of higher education, the resources and plans of private institutions in the State bearing upon the State's goals and plans for public higher education);

(C) planning new programs and improvements in existing programs based on the results of these analyses;

(D) developing and strengthening the capabilities of the State to conduct, on a continuous basis, objective evaluations of the effectiveness of educational programs; and

(E) developing and maintaining a permanent system for obtaining and collating significant information necessary to the assessment of progress toward the State's educational goals.

(b) Applications (including amendments and supplements thereto) for grants under this section may be approved by the Commissioner only if the application—

(1) has been submitted to the chief executive of the State for review and recommendations;

(2) sets forth, if the State has elected to include the field of higher education and has designated or established a separate State higher education planning agency, such arrangements for coordination, between the

State's educational planning program in that field and the remaining educational planning program submitted by the State, as will in the Commissioner's judgment be effective;

(3) contains satisfactory assurance—

(A) that the assistance provided under this section, together with other available resources, will be so used for the several purposes specified in subparagraphs (A) through (E) of paragraph (3) of subsection (a) of this section as to result in the maximum possible effective progress toward the achievement of a high level of competence with respect to each of them, and

(B) that assistance under this part will, by the State planning agency involved, be used primarily in strengthening the capabilities of its own planning and evaluation staff or, to the extent that the program is to be carried out under the supervision of that agency by other agencies, the planning and evaluation staffs of such other agencies; but consistently with this objective part of the funds received under a grant under this section may be used, in appropriate circumstances, to employ consultants, or to enter into contracts for special projects with public or private agencies, institutions, or organizations having special competence in the areas of planning or evaluation;

(4) makes adequate provision (consistent with such criteria as the Commissioner may prescribe) for using funds granted to the applicant under this section, other than funds granted for planning and evaluation in the field of higher education, (A) to make program planning and evaluation services available to local educational agencies, and (B) in the case of such agencies in areas (particularly metropolitan areas) with school populations sufficiently large to warrant their own planning or evaluation staffs, to assist such agencies (financially or through technical assistance, or both) to strengthen their planning and evaluation capabilities and to promote coordinated areawide planning for such areas;

(5) provides for such methods of administration as are necessary for the proper and efficient operation of the program;

(6) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of an accounting for Federal funds paid under this part to the State (including any such funds paid by the State to agencies, institutions, or organizations referred to in paragraph (4)(B) or paragraph (3) of this subsection); and

(7) provides for making such reports, in such form and containing such information as the Commissioner may reasonably require (copies of which shall also be sent to the chief executive of the State), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(c) A grant made pursuant to an approval of an application under this section may be used to pay all or part of the cost of activities covered by the approved application and included in such grant, but excluding so much, if any, of such cost as is paid for from grants under part A.

Special projects

Sec. 524. (a) The sums reserved pursuant to section 522(a)(1) for the purposes of this section shall be used for grants for special projects in accordance with subsection (b) of this section.

(b) The Commissioner is authorized to make grants to public or private nonprofit agencies, instititituons, or organizations, or to make contracts with public or private agencies, institutions, or organizations, for special projects related to the purposes of this part, to be conducted on an interstate, regional, or metropolitan area basis, including projects for such purposes as—

(1) metropolitan planning in education in areas covering more than one State;

(2) improvement and expansion in the educational planning of large cities within a State with due regard to the complexities of adequate metropolitan planning in such places;

(3) comparative and cooperative studies agreed upon between States or metropolitan areas;

(4) conferences to promote the purposes of this part and involving different States;

(5) publications of general use to the planning of more effective and efficient educational services, and other activities for dissemination of information related to the purposes of this part.

Payments

Sec. 525. Payments under this part may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine.

TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

Part A—Assistance to States for Education of Handicapped Children

[APPROPRIATIONS AUTHORIZED]

Grants to States for Education of Handicapped Children

SEC. 601. [(a)] The Commissioner is authorized to make grants pursuant to the provisions of this [title] *part* [during the fiscal year ending June 30, 1967, and the succeeding fiscal year,] for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) for the education of handicapped children (as defined in section 602) at the preschool, elementary and secondary school levels.

Appropriations authorized

[(b)] *Sec. 602.* For the purpose of making grants under this [title] *part* there is authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1967, [and] $150,000,000 for the fiscal year ending June 30, 1968, *$175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the fiscal year ending June 30, 1971.*

[DEFINITION OF "HANDICAPPED CHILDREN"]

[SEC. 602. As used in this title, the term "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.] [2]

ALLOTMENT OF FUNDS

SEC. 603. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 601(b). [The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Island according to their respective need for assistance under this title.] *The Commissioner shall allot the amount appropriated pursuant to this paragraph among—*

(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs, and

(B) for the fiscal year ending June 30, 1968, and the succeeding fiscal year, (i) the Secretary of the Interior according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance for the education of handicapped children in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part.

(2) From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States, *except that no State shall be allotted less than $100,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater*. For purposes of this subsection, the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during year shall be deemed part of its allotment under subsection (a) for that year.

STATE PLANS

SEC. 604. Any State which desires to receive grants under this [title] *part* shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this [title] *part* unless the plan meets the following requirements:

(a) The plan must provide satisfactory assurance that funds paid to the State under this [title] *part* will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (A) which are designed to meet the special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (C) which may include the acquisition of equipment and where necessary the construction of school facilities. Nothing in this [title] *part* shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this [title] *part*.

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[2] Section 602 is deleted at this point and transferred to end of title, redesignated as section 614.

The plan may provide up to 5 per centum of the amount allotted to the State for any fiscal year or $75,000 ($25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level.

(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this [title] *part*.

(c) The plan must provide satisfactory assurance that the control of funds provided under this [title] *part*, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this [title] *part*, and that a public agency will administer such funds and property.

(d) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this [title] *part* will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

(e) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

(f) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

(g) The plan must provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this [title] *part*, including reports of the objective measurements required by paragraph (e) of this subsection; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(h) The plan must provide satisfactory assurance that such fiscal control and fund-accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this [title] *part* to the State, including any such funds paid by the State to local educational agencies.

(i) The plan must provide satisfactory assurance that funds paid to the State under this [title] *part* shall not be made available to any school for handicapped children eligible for assistance under section [203] *103* (a)(5) of title II of Public Law 874, Eighty-first Congress.

(j) The plan must provide satisfactory assurance, in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 610 will be complied with on all such construction projects.

(k) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers and administrators of handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.

PAYMENTS

SEC. 605. From the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

ADMINISTRATION OF STATE PLANS

SEC. 606. (a) The Commissioner shall not finally disapprove any State plan submitted under this [title] *part*, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this [title] *part* until he is satisfied that there is no longer any such failure to comply.

JUDICIAL REVIEW

SEC. 607. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 604 or with his final action under section 606(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 to title 28, United States Code.

Part B—Regional Resource Centers for Improvement of the Education of Handicapped Children

Regional resource centers

Sec. 608. (a) for the purpose of aiding in the establishment and operation of regional centers which will develop and apply the best methods of appraising the special educational needs of handicapped children referred to them and will provide other services to assist in meeting such needs, there are authorized to be appropriated $7,500,000 for the fiscal year ending June 30, 1968, $8,000,000 for the fiscal year ending June 30, 1969, $10,000,000 for the fiscal year ending June 30, 1970, and $12,000,000 for the fiscal year ending June 30, 1971.

(b) *Appropriations under this section shall be available to the Commissioner for grants to or contracts with institutions of higher education, State educational agencies, local educational agencies, or combinations of such agencies or institutions, within particular regions of the United States, to pay all or part of the cost of establishment (including construction) or operation of regional resource centers for the improvement of education of the handicapped in such regions. Centers established or operated under this section shall (1) provide testing and educational evaluation to determine the special educational needs of handicapped children referred to such centers, (2) develop educational programs to meet those needs, and (3) assist schools and other appropriate agencies, organizations, and institutions in providing such educational programs through services such as consultation (including in appropriate cases, consultation with parents or teachers of handicapped children at such regional centers), periodic reexamination and reevaluation of special educational programs, and other technical services.*

(c) In determining whether to approve an application for a project under this section, the Commissioner shall consider the need for such a center in the region to be served by the applicant and the capability of the applicant to develop and apply, with the assistance of funds under this section, new methods, techniques, devices, or facilities relating to educational evaluation or education of handicapped children.

(d) Payment pursuant to grants or contracts under this section may be made (after necessary adjustments on account of previously made underpayments or overpayments) in advance or by reimbursement, and in such installments and on such conditions as the Commissioner may determine.

Part C—Centers and Services for Deaf-Blind Children

Sec. 609. (a) It is the purpose of this part to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

(b) The Secretary is authorized, upon such terms and conditions (subject to the provisions of subsection (d)(1) of this section) as he deems appropriate to carry out the purposes of this part, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children.

(c) In determining whether to make a grant or contract under subsection (b), the Secretary shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

(d)(1) A grant or contract pursuant to subsection (b) shall be made only if the Secretary determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

(A) comprehensive diagnostic and evaluative services for deaf-blind children;

(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the special problems of such children and to

assist in the process of their adjustment, orientation, and education.

(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

(e) The Secretary is further authorized, either as part of any grant or contract under subsection (b), or by separate grant to or contract with an agency, organization, or institution operating a center meeting the requirements prescribed by or pursuant to subsection (d), to provide for the payment of all or part of the cost of such activities as—

(1) research to identify and meet the full range of special needs of deaf-blind children;

(2) development or demonstration of new, or improvements in existing, methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

(4) dissemination of materials and information about practices found effective in working with deaf-blind children.

(f) For purposes of this part, the term "construction" includes, in addition to those matters set forth in section 701(b), construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements.

(g) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this part the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligations, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

(h) For purposes of this part, the determination of children who are both deaf and blind shall be made in accordance with regulations of the Secretary.

(i) Payments pursuant to grants or contracts under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursements and in such installments and on such oonditions as the Secretary may determine.

(j) For the purpose of carrying out this part, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, $3,000,000 for the fiscal year ending June 30, 1969, $7,000,000 for fiscal year ending June 30, 1970, and $9,000,000 for the fiscal year ending June 30, 1971.

Part D—Recruitment of Personnel and Information on Education of the Handicapped

Grants or contracts to improve recruiting of educational personnel, and to improve dissemination of information concerning educational opportunities for the handicapped

Sec. 610. (a) The Commissioner is authorized to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, or institutions, for projects for—

(1) encouraging students and professional personnel to work in various fields of education of handicapped children and youth through, among other ways, developing and distributing imaginative or innovative materials to assist in recruiting personnel for such careers, or publicizing existing forms of financial aid which might enable students to pursue such careers, or

(2) disseminating information about the programs, services, and resources for the education of handicapped children, or providing referral services, to parents, teachers, and other persons especially interested in the handicapped.

(b) To carry out the purposes of this section, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, and for each of the three succeeding fiscal years.

Part E—General Provisions

NATIONAL ADVISORY COMMITTEE ON HANDICAPPED CHILDREN

SEC. [608] *611*. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws.

(b) The Advsory Committee shall review the administration and operation of this Act, title II of Public Law 874, Eighty-first Congress, and other provisions of law administered by the Commissioner, with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. These recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than January 31 of 1968 and each fiscal year thereafter. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

(d) The Commissioner may, at the request of the Advisory Committee, appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

BUREAU FOR EDUCATION AND TRAINING OF THE HANDICAPPED

SEC. [609] *612*. The Commissioner shall establish at the earliest practicable date not later than July 1, 1967, and maintain within the Office of Education a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

LABOR STANDARDS

SEC. [610] *613*. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Definition of "Handicapped Children"

Sec. 614. As used in this title, the term "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

Short title

Sec. 615. This title may be cited as the "Education of the Handicapped Act".

TITLE VII—BILINGUAL EDUCATION PROGRAMS

Short title

Sec. 701. This title may be cited as the "Bilingual Education Act".

Declaration of policy

Sec. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, "children of limited English-speaking ability" means children who come from environments where the dominant language is other than English.

Authorization and distribution of funds

Sec. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated the sum of $15,000,000 for the fiscal year ending June 30, 1968, $30,000,000 for the fiscal year ending June 30, 1969, and $40,000,000 for the fiscal year ending June 30, 1970, and the succeeding fiscal year.

(2) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

Uses of Federal funds

Sec. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs

of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aids, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as—

(1) bilingual education programs;

(2) programs designed to impart to students a knowledge of the history and culture associated with their languages;

(3) efforts to establish closer cooperation between the school and the home;

(4) early childhood educational programs related to the purpose of this title and designed to improve the potential for profitable learning activities by children;

(5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

(6) programs designed for dropouts or potential dropouts having need of bilingual programs;

(7) programs conducted by accredited trade, vocational, or technical schools; and

(8) other activities which meet the purposes of this title.

Applications for grants and conditions for approval

Sec. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;

(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

(7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purpose of this paragraph, the term "cultural and educational resources" includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

(b) Applications for grants under title may be approved by the Commissioner only if—

(1) the application meets the requirements set forth in subsection (a);

(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

(3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

Payments

Sec. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

Advisory Committee

Sec. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of nine members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

Labor standards

Sec. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

TITLE [VII] *VIII*—GENERAL PROVISIONS

DEFINITIONS

SEC. [701] *801*. As used in titles II, III, [and] *V, VI, and VII*, of this Act, *except when otherwise specified*—

(a) The term "Commissioner" means the Commissioner of Education.

(b) The term "construction" means (1) erection of new or expansion of existing structures, and the acquisition and installation of equipment therefor; or (2) acquisition of existing structures not owned by any agency or institution making application for assistance under this Act; or (3) remodeling or alteration (including the acquisition, installation, modernization, or replacement of equipment) of existing structures; or (4) a combination of any two or more of the foregoing.

(c) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(d) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials.

(c) The term "institution of higher education" means an educational institution in any State which—

(1) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) is legally authorized within such State to provide a program of education beyond high school;

(3) provides an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(4) is a public or other nonprofit institution; and

(5) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this paragraph or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited: *Provided, however,* That in the case of an institution offering a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which requires the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions to participate under this Act and shall also determine whether particular institutions meet such standards. For the purposes of this paragraph the Commission shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(f) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(g) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(h) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(i) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(j) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands and for purposes of [title II and title III,] *titles II, III, V, VI, and VII* such term *also* includes the Trust Territory of the Pacific slands.

(k) The term "State educational agency" means the State board of educational or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

ADVISORY COUNCILS

SEC. [702] *802.* (a) The Commissioner may, without regard to the civil service laws, and subject to the Secretary's approval in such cases as the Secretary may prescribe, from time to time appoint, in addition to the advisory councils and committees authorized in preceding titles, an advisory council of ten members to advise and consult with the Commissioner with respect to his functions under this law.

(b) Members of such an advisory council who are not regular full-time employees of the United States shall, while attending meetings or conferences of such council or otherwise engaged on business of such council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

FEDERAL ADMINISTRATION

SEC. [703] *803.* (a) The Commissioner may delegate any of his functions under this Act or any Act amended by this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act or any Act amended by this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

(c) In administering the provisions of this Act and any Act amended by this Act, the Commissioner shall consult with other Federal departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to such Acts, and to the extent practicable for the purposes of such Acts shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate the development and operation of programs and projects carried out under such Acts with other public and private programs having the same or similar purposes, including community action programs under title II of the Economic Opportunity Act of 1964.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. [704] *804.* Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system, or to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

LIMITATION ON PAYMENTS UNDER THIS ACT

SEC. [705] *805.* Nothing contained in this Act shall be construed to authorize the making of any payment under this Act, or under any Act amended by this Act, for religious worship or instruction.

DISSEMINATION OF INFORMATION

SEC. [706] *806.* (a) For the purpose of carrying out more effectively the provisions of this Act and title II of Public Law 874, Eighty-first Congress, the Commissioner—

(1) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

(2) may upon request provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies or institutions of higher education undertaking to initiate or expand programs under this Act or such title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

(3) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of projects carried out pursuant to this Act and such title; and

(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

(b) *For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and* (2) *in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance.*

[(b)] *(c)* There are authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1967, [and not to exceed $2,000,000 for the fiscal year ending June 30, 1968] *$3,500,000 for the fiscal year ending June 30, 1968, $3,700,000 for the fiscal year ending June 30, 1969, $4,000,000 for the fiscal year ending June 30, 1970, and $4,200,000 for the fiscal year ending June 30, 1971,* to carry out the provisions of this section.

Dropout prevention projects

Sec. 807. (a) The Commissioner is authorized to arrange by contract, grant, or otherwise, with local educational agencies for the carrying out by such agencies in schools which (1) are located in an urban area, (2) have a high percentage of children from families with an income not exceeding the low-income factor, as defined in section 103(c), and (3) have a high percentage of such children who do not complete their education in elementary or secondary school, of demonstration projects involving the use of innovative methods, systems, materials, or programs which show promise of reducing the number of such children who do not complete their education in elementary and secondary schools.

(b) The Commissioner shall approve arrangements pursuant to this section only on

application by a local educational agency and upon his finding:

(1) that the project will be carried out in one or more schools described in subsection (a);

(2) that the applicant has analyzed the reasons for such children not completing their education and has designed a program to meet this problem;

(3) that effective procedures, including objective measurements of educational achievements, will be adopted for evaluating at least annually the effectiveness of the project; and

(4) that the project has been approved by the appropriate State educational agency.

(c) There is authorized to be appropriated not to exceed $30,000,000 for the period ending June 30, 1969, and $30,000,000 each for the fiscal year ending June 30, 1970, and for the succeeding fiscal year for the purpose of this section.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966 (P.L. 89-750)

An act to strengthen and improve programs of assistance for elementary and secondary schools, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".

Title I—Amendments to the Elementary and Secondary Education Act of 1965

* * * * *

Part H—Racial Imbalance and Compliance with Civil Rights Act of 1964

* * * * *

COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

Sec. 182. The Commissioner of Education shall not defer action or order action deferred or any application by a local educational agency for funds authorized to be appropriated by this Act, by the Elementary and Secondary Education Act of 1965, by the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), or by the Cooperative Research Act, on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 for more than sixty days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided in section 602 of title VI of the Civil Rights Act of 1964, such hearing to be held within sixty days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Commissioner, and such deferral shall not continue for more than thirty days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with the provisions of title VI of the Civil Rights Act of 1964: *Provided, That, for the purpose of determining whether a local educational agency is in compliance with title VI of the Civil Rights Act of 1964 (Public Law 88-352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with such title VI, insofar as the matters covered in the order or judgment are concerned.*

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Title III—Adult Education Act of 1966

* * * * *

GRANTS TO STATES FOR ADULT BASIC EDUCATION

Sec. 304. (a) From the sums appropriated pursuant to section 314, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies *and private nonprofit agencies.*

ALLOTMENT FOR ADULT EDUCATION

Sec. 305. (a) [From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section.] *From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot (1) not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section, and (2) $100,000 to each State.* From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who have completed not more than five grades of school (or have not achieved an equivalent level of education) in such State bears to the number of such adults in all States.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commisisoner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education approved under this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

STATE PLANS

Sec. 306. (a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

(2) provide for the administration of such plan by the State educational agency;

(3) provide for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

(4) provide for grants to public and private nonprofit agencies for special projects, teacher-training and research;

(5) provide for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the anti-poverty effort;

(6) provide that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies *and private nonprofit agencies*); and

(8) provide such further information and assurances as the Commissioner may by regulation require.

(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

PAYMENTS

Sec. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. [For the fiscal year ending June 30, 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.] *For the fiscal year ending June 30, 1967, and succeeding fiscal years, the Federal share for each State shall be 90 per per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum.*

(b) No payments shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

(c) Payments to a State under this title may be in installments and in advance or by way or reimbursement with necessary adjustments on account of overpayments or underpayments.

* * * * *

APPROPRIATIONS AUTHORIZED

Sec. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, [and] $60,000,000 for the fiscal year ending June 30, 1968, *$70,000,000 for the fiscal year ending June 30, 1969, $80,000,000 for the fiscal year ending June 30, 1970, and $90,000,000 for the fiscal year ending June 30, 1971,* for the purposes of this title.

PUBLIC LAW 874, 81ST CONGRESS

Title I—Financial Assistance for Local Educational Agencies in Areas Affected by Federal Activity

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FEDERAL ACQUISITION OF REAL PROPERTY

Sec. 2. (a) Where the Commissioner, after consultation with any local educational agency and with the appropriate State educational agency, determines for any fiscal year ending prior to July 1, [1968] *1971*—

(1) that the United States owns Federal property in the school district of such local educational agency, and that such property (A) has been acquired by the United States since 1938, (B) was not acquired by exchange for other Federal property in the school district which the United States owned before 1939, and (C) had an assessed value (determined as of the time or times when so acquired) aggregating 10 per centum or more of the assessed value of all real property in the school district (similarly determined as of the time or times when such Federal property was so acquired); and

(2) that such acquisition has placed a substantial and continuing financial burden on such agency; and

(3) that such agency is not being substantially compensated for the loss in revenue resulting from such acquisition by [(A) other Federal payments with respect to the property so acquired, or (B)] increases in revenue accruing to the agency from the carrying on Federal activities with respect to the property so acquired,

then the local educational agency shall be entitled to receive for such fiscal year such amount as, in the judgment of the Commissioner, is equal to the continuing Federal responsibility for the additional financial burden with respect to current expenditures placed on such agency by such acquisition of property [, to the extent such agency is not compensated for such burden by other Federal payments with respect to the property so acquired]. Such amount shall not exceed the amount which, in the judgment of the Commissioner, such agency would have derived in such year, and would have had available for current expenditures, from the property acquired by the United States (such amount to be determined without regard to any improvements or other changes made in or on such property since such acquisition), [minus the amount which in his judgment the local educational agency derived from other Federal payments with respects to the property so acquired and had available in such year for current expenditures].

[(b) For the purposes of this section—

[(1) The term "other Federal payments" means payments in lieu of taxes, and any other payments, made with respect to Federal property pursuant to any law of the United States other than this title, and property taxes paid with respect to Federal property whether or not such taxes are paid by the United States, but shall not include payments pursuant to contract or other arrangement under section 1 of the Act of April 16, 1934, commonly referred to as the Johnson-O'Malley Act (25 U.S.C. 452).

[(2) Any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property.]

(*b*) *For the purposes of this section any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property.*

(c) Where the school district of any local educational agency shall have been formed at any time after 1938 by the consolidation of two or more former school districts, such agency may elect (at the time it files application under section 5) for any fiscal year to have (1) the eligibility of such local educational agency, and (2) the amount which such agency shall be entitled to receive, determined under this section only with respect to such of the former school districts comprising such consolidated school district as the agency shall designate in such election.

CHILDREN RESIDING ON, OR WHOSE PARENTS ARE EMPLOYED ON FEDERAL PROPERTY

SEC. 3. (a) For the purpose of computing the amount to which a local educational agency is entitled under this section for any fiscal year, the Commissioner shall determine the number of children who were in average daily attendance at the schools of such agency, and for whom such agency provided free public education, during such fiscal year, and who, while in attendance at such schools, resided on Federal property and (1) did so with a parent employed on Federal property situated in whole or in part in the same State as the school district of such agency or situated within reasonable commuting distance from the school district of such agency, or (2) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949).

CHILDREN OF PERSONS WHO RESIDE OR WORK ON FEDERAL PROPERTY

(b) For the purpose of computing the amount to which a local educational agency is entitled under this section for any fiscal year ending prior to July 1, [1968] *1971*, the Commissioner shall also determine the number of children (other than children to whom subsection (a) applies) who were in average daily attendance at the schools of a local educational agency, and for whom such agency provided free public education, during such fiscal year and who, while in attendance at such schools, either (1) resided on Federal property, or (2) resided with a parent employed on Federal property situated in whole or in part in the same State as such agency or situated within reasonable commuting distance from the school district of such agency, or (3) had a parent who was on active duty in the uniformed services (as defined in section 201 of the Career Compensation Act of 1949). For the purpose of computing the amount to which a local educational agency is entitled under this section for the fiscal year ending June 30, 1967, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at such schools and for whom such agency provided free public education, during such fiscal year, as a result of a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States; *but if, by reason of any other provision of law, this sentence is not considered in computing the amount to which any local educational agency is entitled for the fiscal year ending June 30, 1967, the additional amount to which such agency would have been entitled had this sentence been so considered, shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose.*

(c)(1) The amount to which a local educational agency is entitled under this section for any fiscal year shall be an amount equal to (A) the local contribution rate (determined under subsection (d) multiplied by (B) the sum of the number of children determined under subsection (a) and one half of the number determined under subsection (b).

(2) No local educational agency shall be entitled to receive any payment for a fiscal year with respect to a number of children determined under subsection (a) or subsection (b), as the case may be, unless the number of children who were in average daily attendance during such year and to whom such subsection applies—

(A) is ten or more; and

(B) amount to, whichever is the lesser, four hundred such children, or a number of such children equal to 3 per centum or more of the total number of children who were in average daily attendance during such year and for whom such agency provided free public education, except that such 3 per centum requirement need not be met by such agency for any period of two fiscal years which follows a fiscal year during which such agency met such requirement and was entitled to payment under the provisions of this section, but the payment, under the provisions of this section to such agency for the second fiscal year of any such two-year period during which such requirement is not met, shall be reduced by 50 per centum of the amount thereof.

For the purposes of this paragraph, a local educational agency may count as children determined under subsection (b) any number of children determined under subsection (a). Notwithstanding the provisions of clause (B) of this paragraph, the Commissioner may waive the 3 per centum condition of entitlement contained in such clause whenever, in his judgment, exceptional circumstances exist which would make the application of such condition inequitable and would defeat the purposes of this title.

(4) If—

(A) the amount computed under paragraph (1) for a local educational agency for any fiscal year, together with the funds available to such agency from State, local, and other Federal sources (including funds available under section 4 of this title, but excluding funds available under title II) is, in the judgment of the Commissioner, less than the amount necessary to enable such agency to provide a level of education equivalent to that maintained in the school districts of the State which, in the judgment of the Commissioner, are generally comparable to the school district of such agency;

(B) such agency is, in the judgment of the Commissioner, making a reasonable tax effort and exercising due diligence in availing itself of State and other financial assistance;

(C) not less than 50 per centum of the total number of children who were in average daily attendance at the schools of such agency, and for whom such agency provided free public education, during such fiscal year resided on Federal property; and

(D) the eligibility of such agency under State law for State aid with respect to the free public education of children residing on Federal property, and the amount of such aid, is determined on a basis no less favorable to such agency than the basis used in determining the eligibility of local educational agencies for State aid, and the amount thereof, with respect to the free public education of other children in the State;

the Commissioner may increase the amount computed under paragraph (1) to the extent necessary to enable such agency to provide a level of education equivalent to that maintained in such comparable school districts; except that this paragraph shall in no case operate to increase the amount computed for any fiscal year under paragraph (1) for a local educational agency above the amount determined by the Commissioner to be the cost per pupil of providing a level of education equivalent to that maintained in such comparable school districts, multiplied by the number of children who were in average daily attendance at the schools of such agency, and for whom such agency provided free public education, during such year, and who resided on Federal property during such year, minus the amount of State aid which the Commissioner determines to be available with respect to such children for the year for which the computation is being made.

(5) The determinations whether a local educational agency has met the requirements for eligibility under paragraphs (2)(B) and (4)(C) of this subsection for any fiscal year shall be made on the basis of estimates by the Commissioner made prior to the close of such year, except that an underestimate made by the Commissioner pursuant to the foregoing provisions of this sentence shall not operate to deprive an agency of its entitlement to any payments under this section to which it would be entitled had the estimate been accurate.

(d) The local contribution rate for a local educational agency (other than a local educational agency in Puerto Rico, Wake Island, Guam, American Samoa, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency, or in a State in which there is only one local educational agency) for any fiscal year shall be computed by the Commissioner of Education, after consultation with the State educational agency and *the local educational agency,* in the following manner:

[(1) he shall place each school district within the State into a group of generally comparable school districts; and

[(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year.]

(1) he shall determine which school districts within the State are in his judgment generally comparable to the school districts of the agency for which the computation is being made; and

(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which the local educational agencies of such comparable school district made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year.

The local contribution rate shall be an amount equal to the quotient obtained under clause (2) of this subsection. If, in the judgment of the Commissioner, the current expenditures in [the school districts within the generally comparable group as determined] *those school districts which he has selected* under clause (1) are not reasonably comparable because of unusual geographical factors which affect the current expenditures necessary to maintain, in the school district of the local educational agency for which the computation is being made, a level of education equivalent to that maintained in such other districts, the Commissioner may increase the local contribution rate for such agency by such amount as he determines will compensate such agency for the increase in current expenditures necessitated by such unusual geographical factors. In no event shall the local contribution rate for any local educational agency in any State (other than Puerto Rico, Wake Island, Guam, American Samoa, or the Virgin Islands) for any fiscal year be less than (i) 50 per centum of the average per pupil expenditures in such State or (ii) 50 per centum of the average per pupil expenditure in the United States (which for purposes of this sentence and the next sentence means the fifty States and the District of Columbia), but not to exceed the average per pupil expenditure in the State: *Provided,* That if, for the fiscal year ending June 30, 1959, the application of clause (ii) of this sentence results in a lower local contribution rate than resulted from the application of such clause during the fiscal year ending June 30, 1958, as such clause was then in effect, then such clause, as in effect during the fiscal year ending June 30, 1958, shall be in effect during the fiscal year ending June 30, 1959. For the purposes of the preceding sentence the "average per pupil expenditure" in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, or in the United States, as the case may be, plus any direct current expenditures by the States for the operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding fiscal year. The local contribution rate for any local educational agency in Puerto Rico, Wake Island, Guam, American Samoa, or the Virgin Islands, or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency, or in any State in which there is only one local educational agency, shall be determined for any fiscal year by the Commissioner in accordance with policies and principles which will, in his judgment, best effectuate the purposes of this title and most nearly approximate the policies and principles provided herein for determining local contribution rates in other States.

[CERTAIN FEDERAL CONTRIBUTIONS TO BE DEDUCTED

[(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c)(4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b)(1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000.]

ADJUSTMENT FOR CERTAIN DECREASES IN FEDERAL ACTIVITIES

[(f)] *(e)* Whenever the Commissioner determines that—

(1) a local educational agency has made preparations to provide during a fiscal year free public education for a certain number of children to whom subsection (a) or (b) applies;

(2) such preparations were in his judgment reasonable in the light of the information available to such agency at the time such preparations were made; and

(3) such number has been substantially reduced by reason of a decrease in or cessation of Federal activities or by reason of a failure of any of such activities to occur,

the amount to which such agency is otherwise entitled under this section for such year shall be increased to the amount to which, in the judgment of the Commissioner, such agency would have been entitled but for such decrease in or cessation of Federal activities or the failure of such activities to occur, minus any reduction in current expenditures for such year which the Commissioner determines that such agency has effected, or reasonably should have effected, by reason of such decrease in or cessation of Federal activities or the failure of such activities to occur.

SUDDEN AND SUBSTANTIAL INCREASES IN ATTENDANCE

INCREASES HEREAFTER OCCURRING

SEC. 4. (a) If the Commissioner determines for any fiscal year ending prior to July 1 [1968] *1967*—

(1) that, as a direct result of activities of the United States (carried on either directly or through a contractor), and increase in the number of children in average daily attendance at the schools of any local educational agency has occurred in such fiscal year, which increase so resulting from activities of the United States is equal to at least 5 per centum of the difference between the number of children in average daily attendance at the schools of such agency during the preceding fiscal year and the number of such children whose attendance during such year resulted from activities of the United States (including children who resided on Federal property or with a parent employed on Federal property);

(2) that such activities of the United States have placed on such agency a substantial and continuing financial burden; and

(3) that such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance but is unable to secure sufficient funds to meet the increased educational costs involved,

then such agency shall be entitled to receive for such fiscal year an amount equal to the product of—

(A) the number of children which the Commissioner determines to be the increase, so resulting from activities of the United States, in such year in average daily attendance; and

(B) the amount which the Commissioner determines to be the current expenditures per child necessary to provide free public education to such additional children during such year, minus the amount which the Commissioner determines to be available from State, local, and Federal sources for such purpose (not counting as available for such purpose either payments under this Act or funds from local sources necessary to provide free public education to other children).

For the next fiscal year (except where the determination under the preceding sentence has been made with respect to the fiscal year ending June 30 [1968] *1971* such agency shall be entitled to receive 50 per centum of such product reduced by the amount of such product which is attributable to children with respect to whom such agency is, or upon application would be, entitled to receive any payment under section 3 for such fiscal year, but not to exceed for such year the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds (exclusive of funds available under title II) available to it for such purpose, to provide a level of eduction equivalent to that maintained in the school districts in such State which in his judgment are generally comparable to the school district of such agency. The determinations whether an increase has occurred for purposes of clause (1) hereof and whether such increase meets the 5 per centum requirement contained in such clause, for any fiscal year, shall be made on the basis of estimates by the Commissioner made prior to the close of such year, except that an underestimate made by the Commissioner pursuant to the foregoing provisions of this sentence shall not operate to deprive an agency of its entitlements to any payment under this section to which it would be entitled had the estimate been accurate. The determination under clause (B) shall be made by the Commissioner after considering the current expenditures per child in providing free public education in those school districts in the State which, in the judgment of the Commissioner, are generally comparable to the school district of the local educational agency for which the computation is being made.

* * * * *

ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN MAJOR DISASTER AREAS

CASES OF CERTAIN DISASTERS

[SEC. 7. (a) If the Director of the Office of Emergency Planning determines with respect to any local educational agency that—

[(1) (A) such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1967, has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President, pursuant to section 2(a) of the Act of September 30, 1950 (42

U.S.C. 1855(a)), is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government, and

[(B) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds for the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe.

and if the Commissioner determines with respect to such local educational agency that—

[(2) such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance, but as a result of such major disaster it is unable to secure sufficient funds to meet the cost of providing free public education for the children attending the schools of such agency, and

[(3) to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provision for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: *Provided*, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest. Such additional assistance may be provided for a period not greater than a five fiscal year period beginning with the fiscal year in which the President has determined that such area suffered a major disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency during the last full fiscal year prior to the occurrence of such major disaster, taking into account the additional costs reasonably necessary to carry out the provisions of subparagraph (3) of this section. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which the President determined that such area has suffered a major disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provided for the first fiscal year following such determination.]

Sec. 7. (a) In any case in which—

(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe;

and if the Commissioner determines with respect to such agency that—

(3) such agency is utilizing or will utilize all State and other financial assistance available to it for the purpose of meeting the cost of providing free public education for the children attending the schools of such agency, but as a result of such disaster it is unable to obtain sufficient funds for such purpose and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, and

(4) in the case of any such major disaster to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: Provided, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools by such agency, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest. Such additional assistance may be provided for a period not greater than a five-fiscal-year period beginning with the fiscal year in which it is determined pursuant to clause (1) of this subsection that such agency suffered a disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster, taking into account the additional costs reasonably necessary to carry out the provisions of clause (4) of this subsection. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which it is so determined that such agency has suffered a disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provided for the first fiscal year following such determination.

(b) In addition to and apart from the funds provided under subsection (a), the Commissioner is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such [major] disaster, *to make minor repairs,* and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the [major] disaster.

(c) There is hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Commissioner may expend (without regard to subsections (a) and (e) of section 3679 of the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made.

(d) No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with *the* regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications.

(e) Amounts paid by the Commissioner to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

TITLE II—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES

Part A—Basic Grants

DECLARATION OF POLICY

SEC. [201] *101.* In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in this [title] *part* to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means (including pre-school programs) which contribute particularly to meeting the special educational needs of educationally deprived children.

DURATION OF ASSISTANCE

SEC. [202] *102.* The Commissioner shall, in accordance with the provisions of this [title] *part,* make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, [1968] *1971.*

GRANTS—AMOUNT AND ELIGIBILITY

SEC. [203] *103.* (a)(1)(A) There is hereby authorized to be appropriated for each fiscal year for the purpose of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section [207(a)] *107(a)* (other than payments under such section to jurisdictions excluded from the term 'State' by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, [1967] *1968, and the fiscal year ending June 30, 1969,* the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this [title] *part*.

(B) The terms on which payments shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child, one-half the average per pupil expenditure in the State in which the agency is located.

(2) In any case in which the Commissioner determines that satisfactory data for that purpose are available, the maximum grant which a local educational agency in a State shall be eligible to receive under this [title] *part* for any fiscal year shall be (except as provided in paragraph (3)) an amount equal to the Federal percentage (established pursuant to subsection (c)) of the average per pupil expenditure in that State or, if greater, in the United States [(which for purposes of this and the last sentence of the paragraph means the fifty States and the District of Columbia)], multiplied by the number of children in the school district of such agency who are aged five to seventeen, inclusive, and are (A) in families having an annual income of less than the low-income factor (established pursuant to subsection (c)), (B) in families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, or (C) living in institutions for neglected or delinquent children (*other than such institutions operated by the United States*) but not counted pursuant to paragraph [(5)] *(7)* of this subsection for the purpose of a grant to a State agency, or being supported in foster homes with public funds. In any other case, the maximum grant for any local educational agency in a State shall be determined on the basis of the aggregate maximum amount of such grants for all such agencies in the county or counties in which the school district of the particular agency is located, which aggregate maximum amount shall be equal to the Federal percentage of such per pupil expenditure multiplied by the number of children of such ages in such county or counties who are described in clause (A), (B), or (C), of the previous sentence, and shall be allocated among those agencies upon such equitable basis as may be determined by the State educational agency in accordance with basic criteria prescribed by the Commissioner. [For purposes of this subsection, the "average per pupil expenditure" in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.]

(3)(A) If the maximum amount of the grant determined pursuant to paragraph (1) or (2) for any local educational agency for the fiscal year ending June 30, 1967, is greater than 50 per centum of the sum budgeted by that agency for current expenditures for that year (as determined pursuant to regulations of the Commissioner), such maximum amount shall be reduced to 50 per centum of such budgeted sum.

(B) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this [title] *part*.

(4) For purposes of this subsection, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(5) In the case of a State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education), the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State or, if greater, in the United States [(which for purposes of this sentence means the fifty States and the District of Columbia)] multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for handicapped children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this [title] *part* only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children.

(6) A State educational agency which has submitted and had approved an application under section [205(c)] *105(c)* for any fiscal year shall be entitled to receive a grant for that year under this [title] *part* for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure *in that State, or, if greater,* in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. [For purposes of this paragraph, the "average per pupil expenditure" in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States (including only the fifty States and the District of Columbia), plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.]

(7) In the case of a State agency which is directly responsible for providing free public education for children in institutions for neglected or delinquent children, the maximum grant which that agency shall be eligible to receive under this [title] *part* for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State *or, if greater, in the United States* multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this [title] *part* only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children.

(b) A local educational agency shall be eligible for a grant for a fiscal year under this [title] *part* only if it meets the following requirements with respect to the number of children aged five to seventeen, inclusive, described in clauses (A), (B), and (C) of the first sentence of paragraph (2) of subsection (a):

(1) In any case (except as provided in paragraph (3)) in which the Commissioner determines that satisfactory data for the purpose of this subsection as to the number of such children are available on a school district basis, the number of such children in the school district of such local educational agency shall be at least ten.

(2) In any other case, except as provided in paragraph (3), the number of children in the county which includes such local educational agency's school district shall be at least ten.

(3) In any case in which a county includes a part of the school district of the local educational agency concerned and the Commissioner has not determined that satisfactory data for the purpose of this subsection are available on a school district basis for all the local educational agencies for all the counties into which the school district of the local educational agency concerned extends, the eligibility requirement with respect to the number of children for such local educational agency shall be determined in accordance with regulations prescribed by the Commissioner for the purposes of this subsection.

(c) For the purposes of this section, the "Federal percentage" shall be 50 per centum and the "low-income factor" shall be $2,000 for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967. For the fiscal year ending June 30, 1968, *and for each of the three succeeding fiscal years,* they shall be 50 per centum and $3,000 respectively.

(d) For the purposes of this section, the Commissioner shall determine the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor (as established pursuant to subsection (c)) on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a county are available in the Department of Commerce, such data shall be used in making calculations under this section. The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, and the number of children of such ages living in institutions for neglected or delinquent children, or being supported in foster homes with public funds, on the basis of the [latest calendar or fiscal year data, whichever is later] *caseload data for the month of January of the* *preceding fiscal year*. When requested by the Commissioner, the Secretary of Commerce shall make a special estimate of the number of children of such ages from families having an annual income less than the low income factor (established pursuant to subsection (c)) in each county or school district, and the Commissioner is authorized to pay (either in advance or by way or reimbursement) the Secretary of Commerce the cost of making this special estimate. The Secretary of Commerce shall give consideration to any request of the chief executive of a State for the collection of additional census information.

(e) For purposes of this section, the "average per pupil expenditure" in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6) (A) in the State, or in the United States (which for the purposes of this subsection means the fifty States and the District of Columbia), as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.

SEC. [204] *104*. * * * [Repealed by P.L. 89–750.]

APPLICATION

SEC. [205] *105*. (a) A local educational agency, may receive a grant under this [title] *part* for any fiscal year only upon application therefor approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish)—

(1) that payments under this [title] *part* will be used for programs and projects (including the acquisition of equipment, and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities) (A) which are designed to meet the special educational needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families and (B) which are of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting those needs and to this end involve an expenditure of not less than $2,500, except that the State educational agency may with respect to any applicant reduce the $2,500 requirement if it determines that it would be impossible, for reasons such as distance or difficulty or travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting the requirement; and nothing herein shall be deemed to preclude two or more local educational agencies from entering into agreements, and their option, for carrying out jointly operated programs and projects under this title: *Provided*, That the amount used for plans for any fiscal year shall not exceed 1 per centum of the maximum amount determined for that agency for that year pursuant to section [203] *103* or $2,000, whichever is greater.

(2) that, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate;

(3) that the local educational agency has provided satisfactory assurance that the control of funds provided under this [title] *part*, and title to property derived therefrom shall be in a public agency for the uses and purposes provided in this [title] *part*, and that a public agency will administer such funds and property;

(4) in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section [209] *109* will be complied with on all such construction projects;

(5) in the case of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this [title] *part*, and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this [title] *part*, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this [title] *part*.

(6) that effective procedures, including provision for appropriate objective measurements of educational achievement will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of educationally deprived children;

(7) that the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this [title] *part* including information relating to the educational achievement of students participating in programs carried out under this [title] *part* and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports;

(8) in the case of a project for the construction of school facilities, that, in developing plans for such facilities due consideration has been given to compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of federal funds under this [title] *part* shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons;

(9) that effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;

(10) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project); *and*

(11) in the case of projects involving the use of education aides, the local educational agency sets forth well-developed plans providing for coordinated programs of training in which education aides and the professional staff whom they are assisting will participate together.

(b) The State educational agency shall not finally disapprove in whole or in part any application for funds under this [title] *part* without first affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this [title] *part* to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including transmittal of pertinent information with respect to school records of such children;

(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through [(8)]*(11)* of subsection (a), and of section [206] *106*(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs of migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States.

(3) For purposes of this subsection, with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under this subsection.

ASSURANCES FROM STATES

SEC. [206] *106*. (a) Any State desiring to participate under this [title] *part* (except with respect to the program described in section [205] *105*(c) relating to migratory children of migratory agricultural workers) shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance—

(1) that, except as provided in section [207] *107*(b), payments under this [title] *part* will be used only for programs and projects which have been approved by the State educational agency pursuant to section [205] *105*(a) and which meet the applicable requirements of that section and of section [203] *103*(a)(5) and that such agency will in all other respects comply with the provisions of this [title] *part*, including the enforcement of any obligations imposed upon a local educational agency under section [205] *105*(a);

(2) that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this [title] *part*; and

(3) that the State educational agency will make to the Commissioner (A) periodic reports (including the results of objective measurements required by section [205]

105(a)[(5)](*6*)) evaluating the effectiveness of payments under this title and of particular programs assisted under it in improving the educational attainment of educationally deprived children, and (B) such other reports as may be reasonably necessary to enable the Commissioner to perform his duties under this [title] *part* (including such reports as he may require to determine the amounts which the local educational agencies of that State are eligible to receive for any fiscal year), and assurance that such agency will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve an application which meets the requirements specified in subsection (a), and he shall not finally disapprove an application except after reasonable notice and opportunity for a hearing to the State educational agency.

PAYMENT

Sec. [207] *107*. (a)(1) The Commission shall, subject to the provisions of section [208] *108*, from time to time pay to each State, in advance or otherwise, the amount which it and the local educational agencies of that State are eligible to receive under this [title] *part*. Such payments shall take into account the extent (if any) to which any previous payment to such State educational agency under this [title] *part* (whether or not in the same fiscal year) was greater or less than the amount which should have been paid to it.

(2) From the funds paid to it pursuant to paragraph (1) each State educational agency shall distribute to each local educational agency of the State which is not ineligible by reason of section [203] *103*(b) and which has submitted an application approved pursuant to section [205] *105*(a) the amount for which such application has been approved, except that this amount shall not exceed the maximum amount determined for that agency pursuant to section [203] *103*.

(b) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this [title] *part* (including technical assistance for the measurements and evaluations required by section [205] *105*(a)[(5)] (*6*)), except that the total of such payments in any fiscal year shall not exceed—

(1) 1 per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections [203] *103*, and [208] *108*, or

(2) [$75,000] *$150,000*, or $25,000 in the case of Puerto Rico, Wake Island, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands,

whichever is greater.

(c)(1) No payments shall be made under this [title] *part* for any fiscal year to a State which has taken into consideration payments under this [title] *part* in determining the eligibility of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year of the proceeding fiscal year.

(2) No payments shall be made under this [title] *part* to any local educational agency for any fiscal year unless the State educational agency finds that the combined fiscal effort (as determined in accordance with regulations of the Commissioner) of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year.

ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

Sec. [208] *108*. (*a*) [If the sums appropriated for any fiscal year for making the payments provided in this title are not sufficient to pay in full the total amount which all local and State educational agencies are eligible to receive under this title for such year, such amounts shall be reduced ratably.] *If the sums appropriated for any fiscal year for making the payments provided in this part are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this part for such year—*

(1) the amount available for each grant to a State agency eligible for a grant under paragraph (5), (6), or (7) of section 203(a) shall be equal to the maximum grant as computed under such paragraph;

(2) the minimum aggregate amount available for each county, for grants to local educational agencies having school districts in such county, shall be equal to the aggregate amount allocated for such county from appropriations for the preceding fiscal year: Provided, That, if the total of such allocations for all counties exceeds the amount remaining after allocations are made under paragraphs (1) and (3) of this sentence, the amounts of allocations pursuant to this paragraph shall be reduced ratably;

(3) the minimum amount available for payments to each State educational agency for the purposes of section 207(b) shall be equal to 1 per centum of the aggregate amounts available within that State pursuant to paragraphs (1) and (2) of this sentence (including, when applicable, the proviso to paragraph (2)), except that no State shall receive less than the minimum amount provided for in section 207(b)(2); and

(4) any amount of such appropriations remainder in accordance with section 203(a) scribed pursuant to the preceding paragraphs shall be allocated by computing such remainder in accordance with section 203(a) (2) and section 207(b)(1), as ratably reduced: Provided, That the aggregate amount allocated to any State under this paragraph and paragraph (3) for the purposes of section 207(b) shall not, except where necessary to provide the minimum amount specified in section 207(b)(2), exceed 1 per centum of the aggregate amount computed for other purposes under this paragraph and paragraphs (1) and (2) (including the proviso to paragraph (2)).

In case additional funds became available for making payments under this [title] *part* for that year, such reduced amounts shall be increased on the same basis that they were reduced.

(b) In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section [203] *103*(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all education agencies of any State under section [2] *103*, as ratably reduced under this section over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset proportionately ratable reductions made under this section.

(*c*) *This section shall not apply to States to which allotments are made under section 203*(*a*)(*1*).

(*d*) *In the case of any State* (*or multicounty part thereof*) *that consists of a single school district, the term "county", as used in this section, means such State* (*or multicounty part thereof*).

Part B—Incentive Grants

Special Incentive Grants

Sec. 121. (*a*) *A special incentive grant shall be made for any fiscal year beginning after June 30, 1967, to the State educational agency of each State which has an effort index for such year that exceeds the national effort index for such year. The amount of such special incentive grant shall be determined by multiplying the amount of $1 for each 0.01 per centum by which such State's effort index for such year exceeds the national effort index for such year times the aggregate number of children counted for purposes of entitling local educational agencies within such State to basic grants in accordance with clauses (2), (5), (6), and (7) of section 203*(*a*) *of this Act. If the sum of the amounts so determined for all the States exceeds the amount appropriated pursuant to this part for any fiscal year, such amounts shall be ratably reduced. No State agency shall receive in any year a grant pursuant to this section which is in excess of 15 per centum of the total amount appropriated for such year for the purpose of this section. The State educational agency shall distribute such grant to those local educational agencies in such State which are in the greatest need of additional funds, for the purposes set forth in section 205*(*a*), *and amounts so distributed shall be used by such agencies in accordance with the provisions governing the use of grants to such agencies under this title.*

(*b*) *Grants pursuant to this section shall be made upon application containing such information as the Commissioner may require for the purpose of this section. The Commissioner shall not finally disapprove such an application except after reasonable notice and opportunity for a hearing to the State educational agency.*

(*c*) *For the purpose of this section the term "State effort index" means the per centum expressing the ratio of expenditures from all sources in a State for public elementary and secondary education to the total personal income in such State, and the term "national effort index" means the per centum expressing the ratio of such expenditures in all States to the total personal income in all States.*

(*d*) *For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 each for the fiscal year ending June 30, 1968 and the three succeeding fiscal years.*

Part C—General Provisions

LABOR STANDARDS

Sec. [209] *131*. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a, 276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 2176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

WITHHOLDING

Sec. [210] *132*. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any assurance set forth in the application of that State approved under section [205] *105*(c) [or 206] *106*(b) *or 221*(*b*), the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title be specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure as the case may be.

JUDICIAL REVIEW

SEC. [211] *133*. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section [205] *105*(c) [or 206] *106*(*b*) *or 221*(*b*) or with his final action under section [210] *110*, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

NATIONAL ADVISORY COUNCIL

SEC. [212] *134*. (a) The President shall, within ninety days after the enactment of this title appoint a National Advisory Council on the Education of Disadvantaged Children for the purpose of reviewing the administration and operation of this title, including its effectiveness in improving the educational attainment of educationally deprived children, and making recommendations for the improvement of this title and its administration and operation. These recommendations shall take into consideration experience gained under this and other Federal educational programs for disadvantaged children and, to the extent appropriate, experience gained under other public and private educational programs for disadvantaged children.

(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve persons. When requested by the President, the Secretary of Health, Education, and Welfare shall engage such technical assistance as may be required to carry out the functions of the Council, and the Secretary shall make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this title. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in Government service employed intermittently.

TREATMENT OF EARNINGS FOR PURPOSES OF AID TO FAMILIES WITH DEPENDENT CHILDREN

SEC. [213] *135*. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan or (B) in determining the need of any other individual under such approved State plan.

(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the fourth month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Education Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section.

SHORT TITLE

SEC. [214] *136*. This title may be cited as "Title I of the Elementary and Secondary Education Act of 1965."

TITLE III—GENERAL

* * * * *

DEFINITIONS

SEC. 303. For the purposes of this Act—

(1) The term "Federal property" means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State or by the District of Columbia. [Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon, even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia.] Such term [also] includes (A) except for purposes of section 6, real property held in trust by the United States for individual Indians or Indian tribes, and real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States, (B) for one year beyond the end of the fiscal year in which occurred the sale or transfer thereof by the United States, any property considered prior to such sale or transfer to be Federal property for the purposes of this Act, and (C) any school which is providing flight training to members of the Air Force under contractual arrangements with the Department of the Air Force at an airport which is owned by a State or a political subdivision of a State. *Such term also includes any interest in Federal property (as defined in the foregoing provisions of this paragraph) under an easement, lease, license, permit, or other arrangement, as well as any improvements of any nature (other than pipelines or utility lines) on such property even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia.* Notwithstanding the foregoing provisions of this paragraph, such term does not include, (A) any real property used for a labor supply center, labor home, or labor camp or migratory farmworkers, (B) any real property under the jurisdiction of the Post Office Department and used primarily for the provision of postal services, or (C) any low-rent housing project held under title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, the United States Housing Act of 1937, the Act of June 28, 1940 (Public Law 671 of the Seventy-sixth Congress), or any law amendatory of or supplementary to any of such Acts.

* * * * *

SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITIES

(Public Law 815, 81st Cong.)

An act Relating to the construction of school facilities in areas affected by Federal activities, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

ESTABLISHMENT OF PRIORITIES

SEC. 3. The Commissioner shall from time to time set dates by which applications for payments under this Act with respect to construction projects must be filed, except that the last such date with respect to applications for payments on account of children referred to in paragraphs (2) or (3) of section 5(a) shall be not later than [June 30, 1967] *June 30, 1971*. The Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, to be followed in approving applications in the event the funds appropriated under this Act and remaining available on any such date for payment to local educational agencies are less than the Federal share of the cost of the projects with respect to which applications have been filed prior to such date (and for which funds under this Act have not already been obligated). Only applications meeting the conditions for approval under this Act (other than section 6(b)(2)(C) shall be considered applications for purposes of the preceding sentence.

* * * * *

LIMITATION ON TOTAL PAYMENTS TO ANY LOCAL EDUCATIONAL AGENCY

SEC. 5. (a) Subject to the limitations in subsections (c) and (d), the total of the payments to a local educational agency under this Act may not exceed the sum of the following:

(1) the estimated increase, since the base year, in the number of children residing on Federal property, (A) who so resided with a parent employed on Federal property (situated in whole or in part in the same State as the school district of such agency or within reasonable commuting distance from such school district), or (B) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949) multiplied by 95 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated; and

(2) the estimated increase, since the base year, in the number of children (A) residing on Federal property, or (B) residing with a parent employed on Federal property (situated in whole or in part in the same State as the school district of such agency or within reasonable commuting distance from such school district), or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949), multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated; and

(3) the estimated increase, since the base year, in the number of children whose membership results directly from activities of the United States (carried on either directly or through a contractor), multiplied by 45 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated. For purposes of this paragraph, the Commissioner shall not consider as activities of the United States those activities which are carried on in connection with real property excluded from the definition of Federal property by the last sentence of paragraph (1) of section 15, but shall (if the local educational agency so elects pursuant to subsection (b)) consider as children whose membership results directly from activities of the United States children residing on Federal property or residing with a parent employed on Federal property; and

(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated; *but if, by reason of any other provision of law, this clause is not considered in computing the maximum payments a local educational agency may receive for the fiscal year ending June 30, 1967, the additional amount such agency would have been entitled to receive shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose.*

In computing for any local educational agency the number of children in an increase under paragraph (1), (2), or (3), the estimated number of children described in such paragraph who will be in the membership of the schools of such agency at the close of the increase period shall be compared with the estimated number of such children in the average daily membership of the schools of such agency during the base year.

(b) If two or more of the paragraphs of subsection (a) apply to a child, the local educational agency shall elect which of such paragraphs shall apply to such child, except that, notwithstanding the election of a local educational agency to have paragraph (2) apply to a child instead of paragraph (1), the determination of the maximum amount for such agency under subsection (a) shall be made without regard to such election.

(c) A local educational agency shall not be eligible to have any amount included in its maximum by reason of paragraph (1), (2), or (3) of subsection (a) unless the increase in children referred to in such paragraph, prior to the application of the limitation in subsection (d), is at least twenty and is equal to at least 6 per centum in the case of paragraph (1) or (2), and 10 per centum in the case of paragraph (3), of the number of all children who were in the average daily membership of the schools of such agency during the base year, and unless, in the case of paragraph (3), the construction of additional minimum school facilities for the number of children in such increase will, in the judgment of the Commissioner, impose an undue financial burden on the taxing and borrowing authority of such agency: *Provided*, That children residing on any housing property which, prior to sale or transfer by the United States, was considered to be Federal property for the purposes of this Act, shall not be considered as having been federally connected in determining the eligibility of the local educational agency under this subsection.

(d) If (1) the estimated number of nonfederally connected children who will be in the membership of the schools of a local educational agency at the close of the increase period is less than (2) 106 per centum of the number of such children who were in the average daily membership of such agency during the base year, the total number of children counted for purposes of subsection (a) with respect to such agency shall be reduced by the difference between (1) and (2) hereof. For purposes of this subsection, all children in the membership of a local educational agency shall be counted as nonfederally connected children except children whose membership in the base year and increase period was compared in computing an increase which meets the requirements of subsection (c).

(e) Notwithstanding the provisions of subsections [(c) and (d)] *(c), (d), and (f)* of this section, whenever and to extent that, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this Act, the Commissioner may do any one or more of the following: (1) he may waive or reduce the minimum number requirement or any percentage requirement or requirements in subsection (c); (2) he may waive the requirement contained in the first sentence of subsection (d) or reduce the percentage specified in clause (2) of such sentence; *or (3) he may waive or reduce the requirement contained in subsection (f).*

(f) In determining under the section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency.

* * * * *

SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY AFFECTED AREAS

SEC. 14. (a) If the Commissioner determines with respect to any local educational agency that—

(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who resides on [Federal property], *Indian lands,* and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, *or that such Indian lands constitute a substantial part of the school district of such local educational agency,* or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds 100;

(2) the immunity of such [Federal property] *Indian lands* to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities;

(3) such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance available for the purpose; and

(4) such agency does not have sufficient funds available to it from other Federal, State, and local sources to provide the minimum school facilities required for free public education [in its school district] *of a substantial percentage of the children in the membership of its schools,*

he may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance may not exceed the portion of the cost of such facilities which the Commissioner estimates [attributable to children who reside on Federal property, and which] has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) [in the case of any application for additional assistance on account of children who reside on Indian lands] whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purpose of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and [subsection (c)] *subsection (d)* to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purpose of this subsection "Indian lands" means Indian reservations or other real property referred to in the [third] *second* sentence of section 15(1).

(b) *If the Commissioner determines with respect to any local educational agency that—*

(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, or that such Indian lands constitute a substantial part of the school district of such local educational agency, or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds one hundred; and

(2) the immunity of such Indian lands to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities;

he may, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest, provide the additional assistance necessary to enable such agency to provide the minimum school facilities required for free public education of children in the membership of the schools of such agency who reside on Indian lands; but such additional assistance may not exceed the portion of the cost of constructing such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (d)) *to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection "Indian lands" means Indian reservations or other real property referred to in the second sentence of section 15(1).*

[(b)] *(c)* There are hereby authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the provisions of this section. There are also authorized to be appropriated such sums as may be necessary for administration of such provisions. Amounts so appropriated, other than amounts appropriated for administration, shall remain available until expended.

[(c)] *(d)* No payment may be made to any local educational agency under subsection (a) *or (b)* except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with regulations prescribed by him, and which meets the requirements of section 6(b)(1). In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications and the nature and extent of the Federal responsibility. No payment may be made under subsection (a) unless the Commissioner finds, after consultation with the State and local educational agencies, that the project or projects with respect to which it is made are not inconsistent with over-all State plans for the construction of school facilities. All determinations made by the Commissioner under this section shall be made only after consultation with the appropriate State educational agency and the local educational agency.

[(d)] *(e)* Amounts paid by the Commissioner to local educational agencies under subsection (a) *or (b)* may be paid in advance of, or by way of reimbursement for, work performed or purchases made pursuant to the agreement with the Commissioner under this section, and may be paid in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purpose for which paid shall be repaid to the Treasury of the United States.

[(e)] *(f)* None of the provisions of sections 1 to 10, both inclusive, other than section 6(b)(1), shall apply with respect to determinations made under this section.

DEFINITIONS

SEC. 15. For the purposes of this Act—

(1) The term "Federal property" means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State or by the District of Columbia. [Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon, even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia.] Such term [also] includes (A) except for purposes of section 6, real property held in trust by the United States for individual Indians or Indian tribes, and real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States, (B) for one year beyond the end of the fiscal year in which occurred the sale or transfer thereof by the United States, any property considered prior to such sale or transfer to be Federal property for the purposes of this Act, and (C) any school which is providing flight training to members of the Air Force under contractual arrangements with the Department of the Air Force at an airport which is owned by a State or a political subdivision of a State. *Such term also includes any interest in Federal property (as defined in the foregoing provisions of this paragraph) under an easement, lease, license, permit, or other arrangement, as well as any improvements of any nature (other than pipelines or utility lines) on such property even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia.* Notwithstanding the foregoing provisions of this paragraph, such term does not include, (A) any real property used for a labor supply center, labor home, or labor camp of migratory farmworkers, (B) any real property under the jurisdiction of the Post Office Department and used primarily for the provision of postal services, or (C) any low-rent housing project held under title II of the National Industrial Recovery Act, the Emergency Relief Appropriations Act of 1935, the United States Housing Act of 1937, the Act of June 28, 1940 (Public Law 671 of the Seventy-sixth Congress), or any law amendatory of or supplementary to any of such Acts.

* * * * *

(15) The term "base year" means the third or fourth regular school year preceding the fiscal year in which an application was filed under this Act, as may be designated in the application, except that in the case of an application based on children referred to in paragraph (2) or (3) of section 5(a), the base year shall in no event be later than the regular school year [1962–1963] *1966–1967;* and

* * * * *

SCHOOL CONSTRUCTION ASSISTANCE IN [MAJOR DISASTER AREAS]

Cases of certain disasters

[SEC. 16. (a) If the Director of the Office of Emergency Planning determines with respect to any local educational agency that—

[(1)(A) such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1967, has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government, and

[(B) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe,

and if the Commissioner determines with respect to such local educational agency that—

[(2) public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of this major disaster;

[(3) such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance available for the replacement or restoration of such school facilities;

[(4) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds) available under other provisions of this Act), and from the proceeds of insurance on such school facilities, to provide the minimum school facilities needed for the restoration or replacement of the schools facilities so destroyed or seriously damaged; and

[(5) to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(3) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate, the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from State, local, and other Federal sources (including funds available under the other provisions of this Act), and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster. In any case deemed appropriate by the Commissioner such assistance may be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest.]

Sec. 16. (a) In any case in which—

(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe;

and if the Commissioner determines with respect to such agency that—

(3) as a result of such major disaster, (A) public elementary or secondary school facilities of such agency (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or (B) private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need of such agency for school facilities;

(4) such agency is utilizing or will utilize all State and other financial assistance available for the replacement or restoration of such school facilities;

(5) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance on such school facilities, and requires an amount of

additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, to provide the minimum school facilities needed (A) for the restoration or replacement of the school facilities of such agency so destroyed or seriously damaged or (B) to serve, in facilities of such agency, children who but for the destruction of the private facilities referred to in clause (3) (B) would be served by such private facilities; and

(6) in the case of any such major disaster, to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a) (4) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate,

the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster. In all cases determined pursuant to clause (1) (B) of this subsection, and in any other case deemed appropriate by the Commissioner, such assistance shall be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest.

Captioned Film (for the Deaf) for the Handicapped

(Public Law 89–258)

An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the objectives of this Act are—

(a) to promote the general welfare of deaf persons by (1) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (2) providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (3) providing a wholesome and rewarding experience which deaf persons may share together; and

(b) [to promote the educational advancement of deaf persons by (1) carrying on research in the use of educational media for the deaf, (2) producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf, and (3) training persons in the use of educational media for the instruction of the deaf.] *to promote the educational advancement of handicapped persons by (1) carrying on research in the use of educational media for the handicapped, (2) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (3) training persons in the use of educational media for the instruction of the handicapped.*

SEC. 2. As used in this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(2) The term "United States" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

(3) The term "deaf person" includes a person whose hearing is severely impaired.

(4) *The term "handicapped" mean deaf, mentally retarded, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons.*

SEC. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to [deaf] *handicapped* persons, parents of [deaf] *handicapped* persons, and other persons directly involved in activities for the advancement of the [deaf] *handicapped* in accordance with regulations promulgated by the Secretary.

(b) In carrying out the provisions of this Act, the Secretary shall have authority to—

(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

(2) acquire by lease or purchase equipment necessary to the administration of this Act;

(3) provide for the captioning of films;

(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the [deaf] *handicapped* and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution;

(5) provide for the conduct of research in the use of educational and training films and other educational media for the [deaf] *handicapped,* for the production and distribution of educational and training films and other educational media for the [deaf] *handicapped* and the training of persons in the use of such films and media, *including the payment those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs;*

(6) utilize the facilities and services of other governmental agencies; and

(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

SEC. 4. There are hereby authorized to be appropriated not to exceed $3,000,000 annually for each of the fiscal years 1966, 1967, [$5,000,000] *$8,000,000* annually for each of the fiscal year 1968 and 1969 and [$7,000,000] *$10,000,000* annually for fiscal year 1970 and each succeeding fiscal year thereafter.

Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963

(Public Law 88–164)

An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963".

* * * * *

Title III—Training of Teachers of Mentally Retarded and Other Handicapped Children

* * * * *

RESEARCH AND DEMONSTRATION PROJECTS IN EDUCATION OF HANDICAPPED CHILDREN

SEC. 302. (a) There is authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1966; $9,000,000 for the fiscal year ending June 30, 1967; $12,000,000 for fiscal year ending June 30, 1968; and $14,000,000 for fiscal year ending June 30, 1969, to enable the Commissioners of Education to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations, *and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in this section) and to conduct research, surveys, or demonstrations,* [for research or demonstration projects] relating to education for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereunder in this section referred to as "handicapped children"). [Such grants shall be made] *Payments pursuant to grants or contracts under this section may be made* in installments in advance or by way or reimbursement, and on such conditions as the Commissioner of Education may determine.

(b) The Commissioner of Education is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy relating to particular fields of education of handicapped children or relating to special services necessary thereto or special problems involved therein.

(c) The Commissioner of Education shall also from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of such a panel before making any such grant in the field in which such experts are competent.

(d) Members of any committee or panel appointed under this section who are not regular full-time employees of the United States shall, while serving on the business of such committee or panel, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time; and, while so serving away from their homes or regular place of business, they may be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Commissioner of Education is authorized to delegate any of his functions under this section, except the promulgation of regulations, to any officer or employee of the Office of Education.

(f) For the purposes of this section the Commissioner of Education may make grants to institutions of higher education for the construction, equipping, and operation of a facility for research, or for research and related puroses (as defined in this section).

(g) All laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of any project under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this clause, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(h) As used in this section the terms construction and cost of construction include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered.

(i) As used in this section, the term "research and related purposes" means research, research training, surveys, or demonstrations in the field of education of handicapped children, or the dissemination of information derived therefrom, or all of such activities, including (but without limitation) experimental schools.

* * * * *

NATIONAL DEFENSE EDUCATION ACT OF 1958

(Public Law 85–864)

TITLE XI—INSTITUTES

PART I—GENERAL

Authorization of institutes

SEC. 1101. There are authorized to be appropriated $32,750,000 for the fiscal year ending June 30, 1965, $50,000,000 for the fiscal year ending June 30, 1966, [and for each of the two succeeding fiscal years] *and for the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968* to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation by them of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals—

(1) who are engaged in or preparing to engage in the teaching or supervising or training of teachers, of history, geography, economics, civics, and industrial arts, modern foreign languages, reading, or English in elementary or secondary schools,

(2) who are engaged in or preparing to engage in the teaching of disadvantaged youth and are, by virtue of their service or future service in elementary or secondary schools enrolling substantial numbers of culturally, economically, socially, and educationally handicapped youth, in need of specialized training; except that no institute may be established under this title for teachers of disadvantaged youth unless such institute will offer a specialized program of instruction designed to assist such teachers in coping with the unique and peculiar problems involved in teaching of such youth.

(3) who are engaged as, or are preparing to engage as, educational media specialists, *or*

(4) who are engaged in or preparing to engage in special educational programs for bilingual students.

* * * * *

COOPERATIVE RESEARCH ACT (P.L. 531, 83RD. CONG.), AS AMENDED BY TITLE IV OF PUBLIC LAW 89–10

An act to authorize cooperative research in education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURPOSE

SEC. 1. The purpose of this Act is to enable the Office of Education more effectively to accomplish the purposes and to perform the duties for which it was originally established.

EDUCATIONAL RESEARCH AND RESEARCH TRAINING

SEC. 2. (a) (1) The Commissioner of Education (hereinafter in this Act referred to as the "Commissioner") is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations and to individuals, for research, surveys, and demonstrations in the field of education (including programs described in section 503(a) (4) *and title VII* of the Elementary and Secondary Education Act of 1965), and for the dissemination of information derived from educational research (including but not limited to information concerning promising educational practices developed under programs carried out under the Elementary and Secondary Education Act of 1965) and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

(2) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection until the Commissioner has obtained the advice and recommendations of a panel of specialists who are not employees of the Federal Government and who are competent to evaluate the proposals as to the soundness of their design, the possibilities of securing productive results, the adequacy of resources to conduct the proposed research, surveys, or demonstrations, and their relationship to other similar educational research or dissemination programs already completed or in progress.

(b) (1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(a) (4) *and title VII* of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or enter upon some other religious vocation or to prepare them to teach theological subjects.

(4) Prior to January 31, 1968, the Commissioner shall make a complete report to the Congress with respect to contracts and other arrangements made pursuant to this subsection with private organizations, including benefits received from such contracts and arrangements, and the Commissioner's recommendations with respect to the continuation of the authority to make such contracts and arrangements with private organizations.

* * * * *

HIGHER EDUCATION ACT OF 1965

(Public Law 89–329)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Act of 1965".

* * * * *

TITLE V—TEACHER PROGRAMS

PART C—FELLOWSHIPS FOR TEACHERS

STATEMENT OF PURPOSE [3]

SEC. 521. The Congress hereby declares it to be the policy of the United States to improve the quality of education offered by the elementary and secondary schools of the Nation by improving the quality of the education of persons who are pursuing or who plan to pursue a career in elementary and secondary education. The purpose of this part is to carry out this policy by awarding fellowships for graduate study at institutions of higher education and by developing or strengthening teacher education programs in institutions of higher education. For the purpose of this part the term "career in elementary and secondary education" means a career of teaching in elementary or secondary schools, *a career of teaching children of limited English-speaking ability,* a career of teaching, guiding, or supervising such teachers or persons who plan to become such teachers, or a career in fields which are directly related to teaching in elementary or secondary schools, such as library science, school social work, guidance and counseling, educational media, and special education for handicapped children.

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[3] The amendment to this section is effective for fiscal year 1968 (the effective date of Public Law 90–35), only; thereafter the section will read as follows:

"STATEMENT OF PURPOSE

"SEC. 521. The Congress hereby declares it to be the policy of the United States to improve the quality of education offered by the schools of the Nation by improving the quality of the education of persons who are pursuing or who plan to pursue a career in elmentary and secondary education or post-secondary vocational education. The purpose of this part is to carry out this policy by awarding fellowships for graduate study at institutions of higher education and by developing or strengthening programs for the education of teachers and related educational personnel in institutions of higher education. For the purposes of this part the term 'elementary and secondary education' includes preschool and adult and vocational education, and the term 'career in elementary and secondary education or post-secondary vocational education', means a career of teaching in elementary or secondary schools (including teaching in preschool and adult and vocational education programs, *and including teaching children of limited English-speaking ability*) or in post-secondary vocational schools, a career of teaching, guiding, or supervising such teachers or persons who plan to become such teachers, or a career in fields which are directly related to teaching in such schools, such as library science, school social work, guidance and counseling, educational media (including educational and instructional television and radio), child development and special education for handicapped children."

FELLOWSHIPS AUTHORIZED [4]

SEC. 522. (a) The Commissioner is authorized to award not to exceed four thousand five hundred fellowships for the fiscal year ending June 30, 1966, ten thousand fellowships for the fiscal year ending June 30, 1967, and [ten] *eleven* thousand fellowships for the fiscal year ending June 30, 1968. Fellowships awarded under the provisions of this part shall be for graduate study leading to an advanced degree other than a doctor of philosophy, or equivalent degree, for persons who are pursuing a plan to pursue a career in elementary and secondary education. Such fellowships shall be awarded as provided in sections 523 and 524 of this part and for such periods as the Commissioner may determine but not to exceed twenty-four months.

(b) In addition to the number of fellowships authorized to be awarded by subsection (a) of this section, the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under this part but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study, not in excess of the remainder of the period for which the fellowship which it replaces was awarded, as the Commissioner may determine.

* * * * *

APPROPRIATIONS

SEC. 528. There are hereby authorized to be appropriated to carry out this part $40,000,000 for the fiscal year ending June 30, 1966, $160,000,000 for the fiscal year ending June 30, 1967, [$275,000,000] *$285,000,000* for the fiscal year ending June 30, 1968, [$195,000,000] *$205,000,000* for the fiscal year ending June 30, 1969, and [$240,000,000] *$250,000,000* for the fiscal year ending June 30, 1970, and such sums for the two suceeding fiscal years as may be necessary to enable persons who have been awarded fellowships prior to July 1, [1968] *1970*, to complete their study under the fellowships.

* * * * *

PART D—IMPROVING TRAINING OPPORTUNITIES FOR PERSONNEL SERVING IN PROGRAMS OF EDUCATION OTHER THAN HIGHER EDUCATION

ADVANCED TRAINING AND RETRAINING [5]

SEC. 531. (a) The Commisisoner is authorized to make grants to, or contracts with, institutions of higher education and State educational agencies, and to make grants to, or contracts with, local educational agencies if, after consultation with the State educational agency, such State agency is satisfied that the program or project will be coordinated with programs carried on under part B, for carrying out programs or projects to improve the qualifications of persons who are serving or preparing to serve in educational programs in elementary and secondary schools (including preschool and adult and vocational education programs) or postsecondary vocational schools or to supervise or train persons so serving.

(b) Programs or projects under this section may include, among others—

(1) programs or projects to train or retrain teachers, or supervisors or trainers of teachers, in any subject generally taught in the schools;

(2) programs or projects to train or retrain other educational personnel in such fields as guidance and counseling (including occupational counseling), school social work, child psychology, remedial speech and reading, child development, and educational media (including educational or instructional television or radio);

(3) programs or projects to train teacher aides and other nonprofessional educational personnel;

(4) programs or projects to provide training and preparation for persons participating in educational programs for children of preschool age;

(5) programs or projects to prepare teachers and other educational personnel to meet the special needs of the socially, culturally, and economically disadvantaged;

(6) programs or projects to prepare teachers and other educational personnel to meet the special needs of exceptionally gifted students;

(7) programs or projects to train or retrain persons engaging in programs of special education for the handicapped;

(8) programs or projects to train or retrain persons engaging in special educational programs for bilingual students;

[8] *(9)* programs or projects to provide inservice and other training and preparation for school administrators;

[9] *(10)* programs or projects to prepare artists, craftsmen, scientists, artisans, or persons from other professions or vocations, or homemakers to teach or otherwise assist in programs or projects of education on a long-term, short-term, or part-time basis.

(c) Grants or contracts under this section may provide for use of funds received thereunder only to pay the cost of—

(1) short-term or regular-session institutes; or

(2) other preservice and inservice training programs or projects designed to improve the qualifications of persons entering and reentering the field of elementary and secondary education or postsecondary vocational education, except that funds may not be used for seminars, symposia, workshops or conferences unless these are part of a continuing program of inservice or preservice training.

(d) The Commissioner may include in the terms of any grant or contract under this section provisions authorizing the payment to persons participating in training programs supported under this section, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs.

Mr. President, I have spoken about this being a nonpartisan bill. I point out that it was reported with support from both parties and without objection to reporting on the part of any Senator present at our final session.

This does not mean that we were unanimous throughout the consideration of the bill in respect to all its sections. From time to time, Democrats and Republicans alike, on both sides of the committee table, offered amendments; and in many instances those amendments were rejected, both in the subcommittee and in the full committee. However, as the manager of the bill, I made very clear that I would see that a Senator whose amendment was defeated in committee would have a full opportunity—to the extent that a manager of a bill on the floor of the Senate can guarantee such an opportunity—to present his amendment and have it voted upon on the floor of the Senate.

I said again this year—and I serve notice on my colleagues in the Senate, hoping they will cooperate with me in making good on the promise that I made in committee—that I shall always try to get a rollcall vote in the Senate for a Senator who desires to obtain it, on any amendment that he seeks to offer on the floor of the Senate; this applies also to a Senator who is not a member of the committee.

Mr. President, I believe when you deal with a bill as pregnant with public policy as this bill any Senator is entitled, as a matter of courtesy, if not parliamentary right, to have a record vote in the Senate.

The vote in the committee was not a matter of formality. It was a matter of conviction, for each Senator, even though he may have lost on an amendment that he considered to be very important, was of the opinion when we closed the record, so to speak, in our subcommittee markup and the full committee markup, that this bill is a bill that should be passed in its present form if it cannot be improved in the sights of that Senator on the floor of the Senate. What more could a chairman ask for than that kind of support?

I wish to express my thanks at the close of the action on the bill, whatever form that action may take, to a staff of the majority and minority members that I think is not surpassed by a professional staff on any committee in this body, and I have a high regard for professional staffs generally.

When one stops to consider what has come out of the Committee on Labor and Public Welfare, which has jurisdiction over education legislation, since the first year of the Kennedy administration, a record of passing quantitatively and qualitatively more education legislation through Congress than was passed during the entire combined preceding history of the Republic, then one has some understanding of what President Johnson has called the legislative miracle in the field of education legislation that has been brought about by the two committees of Congress, Senate and House of Representatives, and both bodies of the Congress.

Mr. President, we do not deserve the major credit as Senators and Representatives. The major credit goes to the professional staff of our committees, and I would not want to close this legislative history speech without making this general reference of appreciation to the staff. I shall particularize it when the debate and Senate action is completed.

Mr. President, I thank the Senate for permitting me to make this legislative history speech uninterrupted, for I think it is important to have it in continuity in the RECORD for reference during debate and for future reference by the courts, for everyone knows the speech on legislative history, unless reversed or modified in some particular by Senate or House action subsequently, becomes binding on the courts as far as expression of legislative intent is concerned in connection with any item of the bill when enacted into law dealing with congressional intent. That is why I wanted to present it in this form. I appreciate the Senate permitting me to proceed in this manner.

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[4] After June 30, 1968 (the effective date of Public Law 90–35) this section will read as follows:

"FELLOWSHIPS AUTHORIZED

"SEC. 522. The Commissioner is authorized to award fellowships in accordance with the provisions of this part for graduate study leading to an advanced degree for persons who are pursuing or plan to pursue a career in elementary and secondary education or post-secondary vocational education."

[5] This section will become effective July 1, 1969, at which time it would be amended as shown.

Mr. President, I ask unanimous consent that remarks of the ranking minority member of our committee, my very good friend the distinguished Senator from Vermont [Mr. Prouty], be printed in the Record following my remarks, together with insertions to which he refers in his remarks. The Senator is in the hospital for some tests and these remarks are the remarks which the Senator from Vermont would have made in his opening statement and for presentation in behalf of the Elementary and Secondary Education Act Amendments of 1967. I want him to know and the Senate to know that I shall see to it that during the course of debate during his absence, attention will be focused on the comments he has made.

The PRESIDING OFFICER (Mr. Brooke in the chair). Without objection, it is so ordered.

STATEMENT BY SENATOR PROUTY

Mr. Prouty. First, may I congratulate my esteemed friend and distinguished Chairman, Senator Morse, for his discerning leadership and work on one of the most important legislative bills to come before this body.

I know that I speak for every child, for every parent, for every educator, for every Senator in thanking him for his stewardship of our Education Subcommittee and for his efforts in seeking to provide quality educational opportunities for every American child.

The bill which we are considering this afternoon is in no small measure a product of the Senior Senator from Oregon's diligence and dedication.

Also, Mr. President, as the ranking Minority member of the Subcommittee on Education, I wish to express deep appreciation to my Republican colleagues who serve with me on that Subcommittee. The distinguished Senator from New York, Mr. Javits, the distinguished Senator from Colorado, Mr. Dominick, and the distinguished Senator from California, Mr. Murphy, have rendered yeoman service in the development and refinement of programs under the Elementary and Secondary Education Act. Citizens of the Nation should be grateful to each of them as well as to the Majority members of the Subcommittee for the time, thought and inspiration which they have given in such abundance.

This legislation has immeasurably expanded the scope of educational opportunities for the children of this country, and especially those who are disadvantaged.

Two years ago for the first time major focus was turned to American education's greatest failure: the education of our disadvantaged children.

Title I has enabled the children caught in the cycle of poverty to move to the center of attention. Education systems across the country are now receiving aid to start, expand and improve programs that spell opportunity for our Nation's poor. And to their credit, the States and local districts have acted quickly in designing and implementing projects to help these deprived children. The broadening and enriching experiences which are taken for granted by their more fortunate contemporaries are now offered to underprivileged children.

Today, Mr. President, as we approach for the second time discussion of possible changes in the historic education bill, we will consider means of improving the program which has already, in its short span of operation, resulted in more beneficial changes in the schools of our Nation than any other single Congressional enactment. The bill before us is not the work of any one man or agency. It combines contributions from the Administration, from both Houses of this Congress, from both political parties, and, most important, from practicing schoolmen across the country. The bill before us is not a perfect and final response to every problem area which has developed over two years of ESEA program operation. It is, however, an honest and creditable effort toward that end, and one which, I feel, merits the support of every member of this body.

The law we adopted in 1965 has worked. It has succeeded because local school districts have been given the primary responsibility for policy determination. For the first time in the history of this nation, the resources and talents of local, State and national education officials have been combined for the greatest benefit of individual school students.

In years past we discussed the future hopes and aspirations of the Elementary and Secondary Education Act. Today, we are in a position to talk about what it has done, why it is important and point to many of the achievements under this milestone legislation. Education faces its greatest challenges in the slums of our central cities and the depressed rural areas where poverty and despair exist. Since the passage of the Elementary and Secondary Education Act in 1965, these impoverished school districts across this nation have been receiving badly needed Federal money to help youngsters who need it the most—the children of the poor.

Title I of the Act provides grants to local school systems through State Departments of Education for programs to meet the needs of educational disadvantaged children—the children of both the urban and rural slums.

It is a massive program of assistance to school districts which have concentrations of students from low income families. Last year, over 8 million deprived children benefited from these programs sponsored by more than 17,000 school districts.

The ESEA has made possible special programs of remediation, health and nutritional services and specialized instruction as specifically designed under Title I to reach the needs of the educationally disadvantaged. More than 22,000 projects have been conducted and over one-half million non-public school children are participating under this Title.

It has caused administrators and teachers to examine their practices and programs concerning the instructional opportunities for culturally deprived pupils. And, as I have repeatedly mentioned it in this body, since our Nation's greatest asset is its people—particularly its youth—the greatest service that we could render them is to provide for their proper education.

The second part of ESEA, Title II, makes $125 million available to States for the provision of textbooks, library books and other instructional materials for the use of both public and non-public school children and their teachers.

Under this provision 49 million students and 2 million teachers now have access to books and materials under this program. Thirteen states have developed instructional centers for demonstration and evaluation and State Departments of Education have assigned 285 full time personnel to administer the program.

When Title II was passed more than 2 out of 3 public elementary schools had no libraries at all. Public schools spent on an average of only $2.28 per pupil per year on books—well below the recommended professional standards of $4.00 to $6.00.

Today, more than 3800 new public school libraries were open as a result of the Title II programs; 3627 of these were located in public elementary schools and 259 in public secondary schools. It has been reported that 1,545,000 public and non-public school children are being served by these new libraries. About 89%, or 43 million school children are enrolled in the 91,000 schools participating in ESEA Title II.

Title II, while not allocated on a basis of the number of disadvantaged children, is also essentially compensatory in nature. Since it is operated on a state planning basis, 5%, or a minimum of $50,000 of each State's allotment is available to cover administrative expenses.

Title III, a very important part of this bill, provides a stimulus to educators to innovation at supplementary centers which may serve as models for regular school programs. It has reached 10 million public and non-public elementary and secondary school pupils. In addition, 93,000 pre-school children, 250,000 out-of-school youths, 255,000 classroom teachers and 131,000 parents and other adults have benefited under Title III.

Under Title III school superintendents, the teachers and the principals are encouraged to use their imaginations to change and to innovate in order to meet the pressing educational problems of the 1960s.

While Titles I and II are designed primarily to overcome quantitative educational deficiencies, Title III is designed to stimulate and encourage quality. Colleges, State agencies, cultural organizations and various non-profit institutions work with local educational agencies by providing leadership, direction and services in developing programs adopted to the requirements of individual communities.

Title IV, which we do not amend in this bill, provides support for research and for the training of researchers in the field of education.

Title V authorizes grants to strengthen the State Departments of Education. It has enabled the States to create 1,000 new positions, thereby helping the States to meet their responsibilities and provide leadership and technical assistance to local schools.

I realize that it is not possible to deal with priorities when we are speaking about the education of American children and I shall not attempt to do so. But, we do have in this country a very large group of children, estimated at 10% of the school age population, who cannot learn or function in a regular school setting.

This long neglected and lonesome legion of deprived children in American education comprise the children served by Title VI.

Last year, after extensive hearings by your Education Subcommittee this body wisely enacted a new Title to the ESEA designed especially to meet the needs of handicapped children. For the first time, we offered to provide these 6 million boys and girls who came to the classrooms with a built-in disadvantage, an opportunity to prepare for the challenges of tomorrow. We offered them a bright beacon to shine the way for their hopes and aspirations.

But, the "Credibility Gap" reached down on these most helpless of children and all but extinguished the small candle that we extended to brighten their paths of learning.

It is incredible, Mr. President, that this largest of all nations, a nation that is expending two and one-half billion dollars a month on Vietnam, had seen fit to appropriate only two and one-half million dollars for fiscal 1967 and fifteen million dollars for fiscal 1968, despite our authorization of fifty million dollars and one hundred fifty million dollars for each of these respective years.

Our continued failure to make this investment in what I believe to be the most neglected field of education can no longer be tolerated.

The clock runs slow for the handicapped children and with every passing day that his intellectual development lags, so also do his chances for a satisfying and productive youth and adulthood. Too little too late has been his lot for too long.

There are an estimated six million physically and mentally handicapped children in the United States. Of these only about two million are enrolled in the schools of local educational agencies. These children, it goes without saying require special services which make their education much more expensive than that of our more fortunate children. Yet, we were asked to fund Title VI at a level of only $15 million—less than $5 per child—in the current fiscal year.

As one staff member remarked—this is enough to take each of these unfortunate children to see "Gone With the Wind" but it is not enough to make even a valid start toward the goals we have written into Title VI.

The distinguished Chairman of the Subcommittee on Education has already gone over the provisions of H.R. 7819 in detail. Rather than retrace the steps, I would instead speak briefly on only a few provisions, most of which differ from the provisions of this bill as sent to us from the House of Representatives.

In Title I of ESEA the Committee did leave the basic factor of the distribution formula as established last year for fiscal year 1968 in effect. That is, the low income factor would increase from $2,000 in fiscal year 1967 to $3,000 in the present fiscal year and the Federal share will remain at 50%.

The original Act allotted funds for school districts under Title I on the basis of school aged children estimated by the 1960 Census to be in families with less than a $2,000 income; second, the number of such children in 1965 in families receiving welfare aid in excess of $2,000; and third, the total number of children thus counted multiplied by one half of the State's average per pupil cost.

This was a most unfair formula because, for the most part, only the wealthy States could afford to pay welfare in excess of $2,000. Last year the Congress corrected this inequity. It is expected that continuance of the formula at the level authorized by this body last year will enable an additional 3 million disadvantaged children to be counted in the computation of allotments to local school districts. Because of our action many disadvantaged children heretofore excluded will be able to benefit from special educational programs.

The bill also provides that, except in special circumstances, no county will receive less in grants for its local educational agencies than was allocated to that county from appropriations of the preceding fiscal year.

The Committee has also added to Title I a new section authorizing special incentive grants of up to $50 million in the aggregate per year. To qualify for an incentive grant, a State's effort index, based on the ratio of its total expenditure for elementary and secondary education to its total personal income, must exceed the national effort index for that year.

With respect to Title III of ESEA, this bill reflects two basic decisions of the Committee: First, that there is merit in the argument which holds that to build the State agencies up through Title V, but to ignore them in the administrative pattern of Title III, is questionable policy. And second, that to turn the program over to the State agencies completely and at once, regardless of their degree of readiness, would be equally questionable. From these two decisions has come what I feel will prove to be a viable compromise.

Under the proposal before us, one-third of the Title III moneys for fiscal year 1969 would be granted by the Commissioner of Education to State agencies with approved State plans, while two-thirds of the funds would remain with the Commissioner for use in direct funding of local applications. The money granted to the State agencies would be used in funding the same types of projects as are now funded under Title III, but the State agencies, rather than the Commissioner, would have approval authority.

In fiscal year 1970, the Title III appropriation would be split down the middle—one-half for the State agencies with approved plans, one-half for use by the Commissioner in funding local projects. In fiscal year 1971, two-thirds of the funds would be in the State plan sector of the program, while one-third would remain at the disposal of the Office of Education for direct funding of local activities.

The bill would also add two other provisions to the Title III program which are of special interest to me. The first provision would require each State to establish a State advisory council for Title III. This council would be representative of the State's cultural and educational resources, and it would include members from the various levels and areas of the educational system. The council would, among other duties, advise the State educational agency with respect to drawing up and implementing its State plan.

The final Title III provision I would mention has to do with the use of funds, both in projects funded under State plans and in special projects funded directly by the Commissioner. The Committee has learned that, in the first two years of program operation, only about six and one-half percent of all Title III grant moneys have been allocated to special educational activities for handicapped children. This is simply not sufficient when compared to the scope of the problem posed to our schools by these specially circumstanced children. Therefore, the bill under consideration would require that at least 15 percent of the money granted State agencies under State plans, and at least 15 percent of the funds retained by the Commissioner for local grants, be used for activities designed to meet the special educational needs of handicapped children.

With regard to Title V of ESEA, I would call my colleagues' attention to three proposed amendments. First, the existing division of appropriations calls for 85 percent to be apportioned among the States and leaves 15 percent in the hands of the Commissioner for making special project grants. H.R. 7819 would alter these percentages to 95 to 5, respectively. Second, the bill before us would amend Tile V so that each State agency would have to distribute 10 percent of its grant moneys among its local educational agencies, these moneys to be used by the local agencies for any of the purposes of the Title which can be applied at the local level. And finally on Title V, your Committee has reinstituted, with some changes, a new Part B, providing grants for comprehensive educational planning and evaluation.

With regard to Title VI, the education of the handicapped act, the bill before us authorizes the establishment of regional resource centers to provide testing and evaluation services to determine whether a child is physically or mentally handicapped and to develop programs to meet the child's needs.

These facilities include specialists in all the physical and mental disorders and disabilities and will thus be able to provide answers, help and services to the parents and teachers of the child who does not seem to fit into the usual and recognizable disability categories. If we are ever to provide these children with an educational bill of rights, diagnostic centers are of primary importance.

Almost of equal importance is a financial incentive for the dissemination of information, recruiting and information activities to enlist professional teachers to undertake the training of the handicapped. At present there are approximately only 70,000 in the field where it is estimated that a minimum of 300,000 is needed.

We have also provided that the smaller states will receive a minimum of $100,000 per year. This is a minimal amount and since the program is already more than 150 years late the smaller States are in dire need of the funds above and beyond those which could be expected under the present formula.

A new program also authorizes grants and contracts for the establishment and operation of model centers for the education, care and training of deaf blind children. The problem of how to prepare a child who is both deaf and blind for optimum development in our society has long been a perplexing one. Neither the group of specialists serving the visually handicapped, nor the group serving the auditory handicapped have known quite how to approach the problem.

Obviously, what is required is a special environment designed to meet the multiple needs of such a child.

The problem has been highlighted by the recent German Measles epidemic (1963–1965) which is one major cause of visual and auditory handicaps. In non-epidemic years there are annually 2,000 children born to rubella—exposed mothers—where as during an epidemic year estimates of various agencies range from 10,000 to 30,000 children were born with rubella syndrome.

In 1967 and 1968 school year, seven educational facilities in the United States are providing special services for 110 deaf blind children. The American Foundation for the Blind reports some 564 deaf blind persons under age 21.

In light of the American Foundation for the Blind's figure and the conservative estimates of the dually handicapped outgrowth of the rubella epidemic current services are grossly inadequate for the proper care of these children.

The legislation in H.R. 7810 provides for the model development of local centers to provide deaf blind children with comprehensive diagnostic educational and related services beginning as early in life as feasible. The center will also make available to parents and professionals consultive services, special training and other information that will assist them in caring for and educating deaf blind children.

Mr. President, I would respectfully call the attention of my colleagues to Title IV of the bill as added by the Committee. This new Title addresses itself to what has probably been the most troublesome aspect of ESEA program administration for local schoolmen; the problem of late funding and its concomitant insufficient planning time. I am sure that every Senator is aware through his constituent mail of the problem created by the disparity between the Federal appropriation calendar and the academic calendar. Rather than rehearse the voluminous testimony on this matter, I shall merely sketch the situation as it developed last year.

The fiscal year 1967 appropriation for Title I of ESEA was contained in PL 89–697, which was signed on October 27, 1966. It was late November before OE could inform each State of its "estimated" allocation. It was late February, 1967, before the States learned their actual allocations of funds for use in the school year which was then 6 months old. This sort of scheduling, of course, can only lead to chaos in planning. And the fiscal year 1967 instance was not a one-of-a-kind happening. For here we are in November of a new school year, without a final decision on the authorization or appropriation for ESEA programs.

To solve this problem, the Committee has drafted language to put the ESEA programs on an advanced funding basis. That is, funds would be appropriated in one fiscal year for obligation in the next fiscal year. Under this method of financing, the States and local school districts would have the necessary fiscal data in time for adequate planning. To assure this end, the new Title IV also contains language authorizing the Commissioner, in the event that no Title I appropriation has been made by May 15th of a fiscal year for use in the next fiscal year, to execute grant agreements for the next fiscal year.

Mr. President, two and one-half years ago this body decided, in what I consider to have been a laudable and final manner, that there would be broad-based Federal assistance to the Nation's elementary and secondary schools. In so deciding, however, we did not absolve ourselves of future responsibilities in that area of the public spectrum. Rather, we set for ourselves a continuing and vital assignment, an assignment of which another portion is now due. I urge that we complete this year's installment of that continuing assignment by passing the Elementary and Secondary Education Amendments of 1967, and I urge that we do it today.

Mr. President, I wish to take this opportunity to express my personal appreciation to Senator Yarborough and to the members of the Special Subcommittee on Bilingual Education for their initiative and outstanding leadership in their effort to promote the cause of bilingual education.

For all children, reading is the most academic tool and the one in which failure causes the greatest discouragement.

This is especially true for the child whose mother or family tongue is not English. There is considerable evidence that children from these backgrounds are frustrated in the schools. They learn in neither English or their family language.

I have been greatly encouraged by the correspondence I have received from the Vermont educators and administrators in support of the bilingual educational act.

Sharing in the benefits of this legislation will be American school children from a wide variety of family linguistic and cultural backgrounds, including French, Spanish, Syrian, Oriental, Portuguese, Eskimo, Greek, Italian, Polish, Hungarian and many more.

The concern under this Act is for the mother tongue and English. It will assist local school districts with special teaching programs to help overcome the serious language barriers that handicap 4 million children because English is a foreign language to them. Since it has been our public school tradition either to ignore that mother tongue or to discourage its use, non-English speaking students are forced to either fit into the mold or fall by the wayside.

Yet experience has proven that if education is to succeed, it must be designed wherever practicable to the educational needs of the students.

The inadequacy of our present educational system in this regard has produced a fruitless dissipation of our tax dollars, teacher efforts and student's potential.

The legislation before the Senate this afternoon seeks to correct this anomaly. Today, job opportunities, income levels, economic advancement, in fact all the aspects of personal and family well-being are closely linked to educational achievement and the ability to communicate effectively with one another.

I urge this body, Mr. President, to strike at the roots of poverty by providing these more than 4 million non-English speaking children an adequate opportunity for the kind of education long denied them.

Mr. President, the ringing of school bells reminds us that two years have gone by since the funding of the ESEA. Its success can be measured by the innovation of creative projects which are already underway in a number of our Nation's schools.

Its shortcomings were also measured more dramatically and more destructively than ever during our long hot summer.

Since its enactment, the ESEA has brought the beginning of hope to the poor and minorities of our Nation. Enacted substantially as a bipartisan effort, its drafting was the work of dedicated members on both sides of the aisle. It is in this spirit that we should move ahead this afternoon to assure the continuation of what we have already accomplished.

But despite all our efforts, I do not view the present form of Federal Assistance to education as UTOPIC.

The original act was far from perfect. We altered it last year to increase its effectiveness. We are in the process of doing so again this afternoon in the amendments contained in H.R. 7819.

The new amendments make requirements that have proven necessary as inadequacies in the operation of the law have made themselves apparent. But as we refine year by year it becomes more apparent that the Congress should turn to general aid rather than categorical grants for particular purposes. Let us hope and plan for the time when the chief role of the Federal partnership in education will be to supply funds to States and Colleges to use for whatever educational purpose will best serve the needs of their students.

We have long known of the inequitable distribution of funds in the original Act which resulted in the ten wealthiest counties of the U.S. receiving much more than the ten poorest counties received for theirs.

How can such a disposition of funds in a law supposedly designed to improve school programs for impoverished children be justified?

While it is true that wealthy areas have a small percentage of disadvantaged children, these youngsters are attending some of the best financed and most advanced public schools available. Since the Federal funds are limited, the money funnelled into wealthy school districts necessarily reduces the amounts available for desperately underfinanced schools in areas of very high concentration of poverty such as city slums and economically depressed rural areas.

Clemenceau once remarked that war was too important a matter to be left to the generals. In the scale of today's values and tomorrow's, the responsibilities for education are too important to be left only to the educators. We will move much more rapidly toward the solution of our educational problems when there is general recognition of the fact that they are equally the concern and the responsibility of every citizen.

This problem was underscored succinctly and well in the following editorial in the November sixth New York Times, entitled "Educational Emergency":

"The story told by the school system's 1966–67 reading scores represents alarmingly bad news. And the news is rendered worse by the manner in which the Board of Education tried to indicate progress where the stark facts permit only the conclusion that no solution to the most basic problem of the slum schools has yet been found.

"One out of three pupils is a year or more behind in reading, and the gap, instead of being closed, becomes wider in the upper grades. To say that the problem exists virtually only in the ghetto areas merely underlines the nature of the emergency: the schools' current priority mission is not to prove that they can do a creditable job with affluent middle-class youngsters but rather to find ways of halting the retardation, and attending alienation, of the underprivileged.

"To succeed, the schools admittedly need the mobilization of virtually all the other community resources, from improved housing to greater support on the part of ghetto parents themselves. But first and foremost the schools must mobilize their own resources, with the full acknowledgment that the conditions are those of a crisis and the disease is one of epidemic proportions. Attempts to cover up the extent of the emergency by jargon-ridden and soothing publicity releases can only serve to lessen the very community concern and professional commitment without which there can be no hope at all—for the future of the deprived children and of the city itself.

"The bright spot in a desperately grim situation is that the reading scores also pinpoint a few—all too few—islands of real progress and accomplishment, despite ghetto conditions. School Superintendent Bernard E. Donovan acknowledged this and attributed it to the "creative leadership" of individual principals. Thus he underscored the plea, repeatedly made by this newspaper, to reorganize the system in a fashion that identifies and recruits such leadership and subsequently gives it full freedom to forge ahead.

"Until this happens, all the grandiose slogans, from "More Effective Schools" to "Focus on Fundaments" will—as the scores show—be palliatives at best and ineffective window dressing at worst. The city's most fundamental education crisis cannot be attacked with imagination and without regard for the status quo of organization and methods."

Mr. Prouty. As we note, Mr. President, we still have a long way to go to meet the educational needs of this Nation. There is still an enormous amount of unfinished business on hand.

ESEA has responded to the educational challenges at many levels and with increasing means, but vast backwaters of educational poverty still exist in America—from the slums of our great cities to the remote areas of Vermont. Despite our immense educational efforts this Nation has more unemployable adolescents in the 16 to 19 year age group than any country in Europe.

Three out of ten young Americans this year will not finish high school. Only four out of ten will continue their education beyond the 12th grade. Several million will become our unemployables—the drop-outs from tomorrow's world.

The job of our nation's school is especially critical in view of the large number of workers under twenty-five years. By 1970 it is estimated that there may be close to twelve million of the young adult workers, representing about fourteen percent of the total labor force compared to ten percent in 1960. A large percentage of these youngsters will never have had the educational opportunities to prepare them for their life's vocation. The failure of education to meet the needs of students in high schools lessens their employment opportunities. The unemployment rate among those who fail to finish high school is fifty percent greater than among those who complete high school.

The responsibility of children is to learn and the responsibility of the schools is to make this learning possible and meaningful. It is a simple fact that some children enjoy school more than others. By the same token the schools are going to have to assume the responsibility when the child walks into the classroom to help him to get to the next step.

School systems must begin thinking in terms of assisting the poor child and his parents. Public schools must be ready to take on new partners. They must realize that new voices are clamoring to be heard. Educators must welcome and encourage a responsible interest in the schools by laymen who hold no official position except that of citizen.

The concerns many of us have about the deficiencies of the schools and their lack of adequate service are concerns which Harry Golden, the sage of North Carolina, expressed in the following article, entitled "There Are Just Too Many Experts on Education":

"THERE ARE JUST TOO MANY EXPERTS ON EDUCATION

"(By Harry Golden)

"One of the many problems afflicting American education is that it is constantly subjected to criticism and review by a whole nation of experts.

"All of us, more or less, have been educated and almost all of us have sent our children to school. These two facts alone make a man or woman an expert, fully competent to judge and direct any school anywhere.

"As the result, now all of us know there are at least 15 different programs to produce bilingual high school graduates but each of our high schools has all it can do to produce, on occasion, a student able to read and write English with some facility.

"While I have no statistics, nor will I seek any, I am willing to bet that half of the budget for all of our municipalities goes to the cause of education. This half, of course, includes plant as well as curricula, maintenance as well as faculty. Yet every municipality is eager for state or Federal aid. There is never enough money.

"Too many boards?

"Every municipality, however, is usually able to run its police, fire, sanitation and road departments at far less cost and with far less mismanagement. It may be that the assorted boards of education and boards of regents are an anomaly in a society as highly centralized as ours.

"It would seem one of the functions of such boards is to relate education to the total needs of the community. But in the long run the Board of Education serves a divisive interest.

"The board often dissolves its functions in interminable arguments about whether a merit system will jazz up the school or whether the tracking system, which divides students into smart, mediocre and dumb, ought to persevere.

"Here and there, I suppose, a board has solved the problem of integration. But I know when New York City's Board of Education tried to solve racial imbalances in the school system by busing, the outrage that greeted the plan made the annoyance that greeted President Johnson's proposed surtax look like joy over the receipt of a Federal bonus.

"The number one problem in our schools is integration. This problem is usually solved by the principal. It is the captain who saves the ship in a typhoon and rarely the shipping company's board of directors.

"What kind of man?

"The second problem besetting our educational system is that few educators, let alone parents and students, have any idea of the sort of man a school system should produce. For centuries, the faculty, say, at Oxford and Cambridge could predict exactly the graduates turned out each year. They knew what attitudes, what values, what expectations each student would need to pass into the ebb and flow of English life. Apparently these were just the sort of men England needed to win its Empire and its wars. But with the advent of the industrial revolution this graduate became passe.

"No one has yet been able to figure out exactly how and for what we should educate students. There are an inordinate number of farmers sitting on fallow land waiting for the city to grow to make them millionaires. But if an agricultural college anyway has made a determined effort to re-educate these farmers, to put the land to use, then I am unaware of it.

"We have land-poor farmers and language-poor students and between them multi-million dollar complexes able to reach neither. The farmers don't know there are granaries anxious for millet and the students don't know what a dependent clause is. It takes millions of dollars to get this far."

Mr. PROUTY. As Commissioner Harold Howe expressed it at the Harvard Summer School Conference on Educational Administration last summer:

"If we claim that laymen sometimes hamper the advance of the schools, we must also recognize that laymen built and paid for them. And they have done a remarkable job. Considering the sacrifices that citizens who are not educators have made and continue to make on behalf of education, it seems to me more accurate to think of them as amateurs—in the best sense of the word—rather than as laymen. For though both words connote a lack of professional qualification, the word "amateur," in addition, signifies a man who does what he does for the love of it, not for what he can get out of it.

"I suspect that in the surge of faith in education that has characterized the last few years, too many Americans have neglected to pay enough attention to what kinds of education we are talking about—what standards of quality we have in mind and how universal we believe quality education should be. I congratulate all of those—who have taken on the responsibility of leading the drive to give *all* our children the best education that money, talent, training, and initiative can provide."

The Elementary and Secondary Education Act has not achieved perfection, Mr. President. H.R. 7819 is the second of many steps we will have to take if we are to provide the youth of America the necessary tools and vital weapons it needs to face the complex and technical challenges of today and tomorrow. There is a demonstrated need that further action on our part is needed for financing the education programs at a greater level than now exists if we are to meet our commitments. However, the act has, on the whole justified the faith the Senate has shown it.

I support the program strongly and ask for its continuation and expansion. I expect the local education leaders who are in charge of the various projects to make every effort to assure that every dollar spent produces a dollar's worth of benefits.

And, I hope that every local resident will complain constructively when errors are made.

I strongly believe that H.R. 7819 is a step forward in educational excellence. This legislation is greatly needed if we are to insure the future development of the local educational systems. And since this body time and time again has indicated its belief in the importance of education for all citizens, I call upon my colleagues to give their close attention and support to the bipartisan amendments being proposed today.

Mr. MORSE. Mr. President, before questioning begins I wish to say that several Senators spoke to me before I began this morning. I assured them I would suggest the absence of a quorum at the conclusion of my speech because they were aware that the first part of my presentation would be this speech on legislative history. They, too, are busy men—some of them are meeting in committee at this moment—but they wanted to come to the Chamber to participate in this debate when the appropriate moment arrived.

The Senator from Ohio [Mr. LAUSCHE] has just indicated that he wishes to ask some questions. I am sure that he will permit me to take at least a few minutes for a quorum call, not a complete quorum call, before responding to questions.

Mr. President, I shall withhold my request at the suggestion of the acting majority leader. I yield the floor for such action as he wishes to take, with the understanding that when he has completed his matter he will suggest the absence of a quorum.

Mr. BYRD of West Virginia. I thank the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

The PRESIDING OFFICER. The nominations on the Executive Calendar will be stated.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of Paul G. Clark, of Massachusetts, to be an Assistant Administrator for the Agency for International Development.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the diplomatic and foreign service placed on the Secretary's desk.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing programs of education for the handicapped; to improve authority for assistance in schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

Mr. MORSE obtained the floor.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. I have had a number of letters from school superintendents in Ohio expressing distress on the basis of their understanding that the qualifying condition for receiving aid in elementary schools has been changed by setting the high income amount of a family at $2,000 instead of $3,000 which was contained in the 1965 act. In other words, in 1965, we declared by law that any family earning less than $3,000 was in the low-income bracket and schools were entitled to elementary school aid on that basis.

The school superintendents stated in their letters that action has been taken to reduce the $3,000 qualifying amount down to $2,000.

I understand that there is some difference between what the House has done and what the Senate has done.

I wish the Senator from Oregon would clarify the situation as it exists on the basis of the pending bill, which the Senator has already discussed.

Mr. MORSE. I appreciate the question. It is a question that is in the mind not only of the Senator from Ohio, but also in the minds of several other Senators who have already spoken to me about it. It is a very important question dealing with the legislative history of this measure. I want no doubt about it left in the Record this morning. Before I turn to the committee report, let me say by way of summary what has happened.

It is true that the House changed the low-income factor for fiscal year 1968 from $3,000 to $2,000 to be effective for that year and every year thereafter, until title I is fully funded. As far as our committee was concerned, one of the reasons for our action was the problem of funding.

We passed the bill in 1966 with a $3,000 level income factor in the formula. There developed thereafter a difference of opinion over authorizations and appropriations.

I have spoken about that in my major legislative history address this morning.

There is nothing my committee can do about the level of funding recommended by the Bureau of the Budget. I think a great mistake has been made in cutting back on the education funds. It happens to be one of the realities of our time. However, we have to move from that.

The Senate committee did not accept the House action to cure the difficulties caused by under funding, we followed what we believe to be a better course. The Senate bill retains the $3,000 figure, but adds a county savings feature. We will be in conference. All I can say is that we will be in conference with the House. I am for the Senate language. Unless the Senate reverses me in debate, I shall go to conference urging the Senate approach. I do not have to tell the Senator from Ohio that no one can guarantee what the final figure will be.

With regard to the formula factor I cannot tell the Senator whether it will be $3,000 or $2,000. My suspicion is that there will be a practical solution. But, that is fortunately one of the realities of the legislative process.

I have already had material placed in the Record earlier for the country as a whole, on title I county grants. I have here the comparative allocations for major cities under the House and Senate bills. In looking at it, my eye lights upon Cleveland. Under the House bill, Cleveland would receive $5,527,604. Under the Senate version, Cleveland would receive $5,869,644.

There is no doubt about the fact that Cleveland would do better under the Senate bill than under the House bill. But, let me say most respectfully to Senators, and to the Senator from Ohio in particular, that it will be true that some cities will be favored by the Senate bill and other cities will be favored by the House bill.

Certainly, I, as chairman of the committee, cannot be whipsawed into reaching my decisions by the fact that some cities will get less and some more. I must look at the totality of the bill and find out whether I think the interests of education will be better served by the formula of the House bill or the formula of the Senate bill.

We reached the conclusion in committee that educational interests would be better served by the Senate bill. That is why we retained the $3,000 figure. I do not know what the final result will be. I cannot give it to both groups. One or the other will lose, depending on whether they fare better or worse under one bill or the other.

Mr. LAUSCHE. Am I correct in my understanding that the formula under which a local school district can qualify is not only different with respect to the definition of a poverty-level family, which in the House bill has been set at $2,000 and in the Senate bill at $3,000, but that there are also different elements in the formula fixing the allocation?

Mr. MORSE There is a basic difference in allocating appropriated funds.

Mr. LAUSCHE. That is the basic difference; yes.

Mr. MORSE. Let me say to the Senator from Ohio that counsel has just whispered in my ear that he thinks I should make perfectly clear to the Senator—although I thought I had covered it—that the act as we brought it to the floor is unchanged with respect to the family income factor of existing law. Existing law is unchanged. The point we need to keep in mind is what we are talking about is distributing the funds appropriated equitably.

Mr. President, I know that the Senator from Ohio has read it, but for the record, I wish to insert in the Record, without taking time to read it, a more detailed clarification of what I have just said. It is on page 10 of the committee report under the heading "Adjustments Where Necessitated by Appropriations."

This is the matter that I went into earlier this morning in great detail. I am sure that the Senator from Ohio would not want me to take the time to repeat it now. I have given it to him in the printed form of the committee report, and it answers the questions that he has asked in greater detail than I have in this brief summary.

Mr. President, I ask unanimous consent to have it printed in the Record.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

Adjustments where necessitated by appropriations

The committee recommends amendments to section 208 (relating to adjustments necessitated by appropriations) designed to mitigate the impact of the title I fiscal year 1968 appropriation for title I, which is only $147 million more than the appropriations for fiscal year 1967. Under existing law, the low-income factor effective for fiscal year 1968 is $3,000. In addition, beginning in fiscal year 1968 States which are below the national average in per-pupil expenditures receive title I allocations on the basis of the national average per pupil expenditure instead of the State average per-pupil expenditure.

If the maximum grants computed under the authorization formula are prorated down to the funds level appropriated, certain changes take place in the relative allocations of various school districts. In addition, the increased numbers of children counted under the $3,000 formula has produced the side effect of reducing the per-pupil amount available for the State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions. Fortunately the HEW appropriations bill for fiscal year 1968 provides that the aggregate allocations in no State will be any less in fiscal year 1968 than allocations for the preceding fiscal year. This reduces to a minimum interstate transfers of funds for fiscal year 1968 which would otherwise have occurred.

The committee recommends langauge providing that when the sums appropriated are insufficient to fund fully all maximum grants—

1. The State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions will be allocated their maximum grants without any ratable reduction.

2. Every county in each State will be allocated an amount equal to its allocation in the preceeding fiscal year for grants to local educational agencies within each county.

3. Every State educational agency will re-

ceive for administrative expenses 1 percent of the amounts allocated to State agencies and counties as provided in paragraphs 1 and 2, above, with the minimum specified in section 207(b) ($150,000 to every State).

4. Amounts remaining after allocations are made as described in paragraphs 1, 2, and 3: shall be allocated to local educational agencies and to State educational agencies for administrative expenses in accordance with computations under the formula in section 203(a)(2).

The $3,000 low-income factor and the option to the State to choose either one-half the State per pupil expenditure or one-half the national average per pupil expenditure in existing law are retained even though the budgeted sums for title I fall below the maximum grant authorization approximately $2.4 billion is authorized compared with $1.2 billion appropriated for fiscal year 1968.

The amounts generated by the formula under existing law, which is not modified by the proposed amendment, bear no 1-to-1 relationship to the number of children to be served by local educational agencies. The latter is, and remains, the number of children participating in programs carried on in schools serving high concentrations of educationally deprived children.

The committee therefore does not expect there will be any dilution in the quality of programs funded. It hopes that the impact upon children participating in them will be strengthened. A program designed to provide more individualized attention for educationally deprived children (for example, a higher ratio of aides and other educational personnel per pupil) should not be expanded to cover more children merely because of the changed low-income factor if this would defeat the purposes of intensive educational effort when the sums available for the program are but slightly greater than for the preceding year.

The numbers of children participating in a local program should be based on the need to be served with the funds available rather than on the hypothetical numbers of children counted under the formula for computing maximum grants.

A mere proration of funds defeats the ends of the act. In providing to each county greater certainty by assuring that it will first receive allocations equal to the amounts allocated to local educational agencies within such county during the preceding year, the committee desires to provide some flexibility to the county, not only because school district boundaries may change but also to take into account shifting low-income population patterns. Beyond such considerations, however, the committee expects that a school district will be allocated first an amount equal to its allocation for the preceding year, and then its pro rata share of that county's allocations over and above the previous year's allocation. Among the reasons the committee did not specify in the amendment to section 208 that the adjustments would go down to school districts is that it desired to avoid rigidity and to fit the formula to the availability of census data, which is not always available at the school district level. Further, in the committee view, the role of the State education agency under the act ought not to be circumscribed. Under the reported bill no change is made in the important responsibilities exercised by the State educational agencies in selecting criteria governing title I participation of school districts within the county.

Where more recent satisfactory data is available on the various components which comprise educational deprivation which is appropriately applicable to school districts within counties, the State educational agency under the statutes can use such data in making subcounty allocations in order to assure that funds go to school districts in proportion to their current need. Thus, there may be some shifts of allocations among school districts within counties under these conditions.

Mr. LAUSCHE. Mr. President, I have a tabulation of what will be the impact upon the principal cities of the country in the House version and in the Senate version of the bill. May I assume that the increase in the amounts, as reflected by this tabulation dealing with Cleveland, will generally be applicable to all the school districts in Ohio on the basis of the formula adopted by the Senate committee?

Mr. MORSE. The formula will be applicable, but I cannot tell the Senator what the effect of the formula will be on all the other cities in Ohio, because I do not know.

Mr. LAUSCHE. It may vary. That is, in some instances they will get more?

Mr. MORSE. That is correct.

Mr. LAUSCHE. And in some instances, less?

Mr. MORSE. That is right.

Mr. LAUSCHE. Is that so?

Mr. MORSE. Yes. I have inserted in the RECORD a tabulation, county by county, of what would flow to the counties under one formula or the other. I have already done that, but I want counsel to get the tabulation and hand it to the Senator from Ohio, because that will give him the basic data.

Let us take the exhibit to which the Senator from Ohio is referring. I have already placed it in the RECORD. I point out that Cleveland will get more under the Senate version. Now, drop down to Oakland, Calif., which will get less.

I have not yet heard from the two Senators from California, but I will before the day is over, in that they are going to be concerned about the fact that they will get less for some cities in their State. They undoubtedly will say, "I prefer the House formula." But I go back to the committee's point: We took a look at the whole picture and we decided the educational interests of the country would be best served by the Senate formula.

Let me finish with this thought, and then I will be glad to listen to the Senator from Ohio again.

It is true—and it is the point I made in the beginning—that what is really controlling in this matter, and the whole problem is created by it, is the shortage of funding. If the authorized funds had been made available, then we would not have had the House version. It is because the House ran into the fund shrinkage that caused them, on the basis of representations that were made from areas in their constituencies, other than areas like Cleveland, to make the change. So they came out with the $2,000 figure, which in those areas would be more helpful. That is the only explanation I can give for the House version.

Well, we tried to be responsive to the needs of their constituents, just as the Senator from Ohio is, and rightly so. We took a look at that, and we said, as this particular exhibit shows, if it is examined, that, taking the country as a whole, in spite of the funds, we think the present law, with its $3,000 figure, serves education best.

Mr. LAUSCHE. Is it fair to say that, under the Senate formula, the greater the number of people in the poverty class in a county, the greater the help that comes from the Federal Government?

Mr. MORSE. That is true of the formula operation, plus the fact that the formula also contains factors relating to States per pupil expenditure and the national average per pupil expenditure. Do not forget that we have the State per pupil expenditure factor that is involved in the formula. Of course, if we are dealing with a State that is below the national average level of pupil support, that could change the amounts received.

Mr. LAUSCHE. I understand that, but, basically, the Senate version did have in mind helping especially the poverty stricken areas?

Mr. MORSE. That is correct.

Mr. LAUSCHE. But the help that was to be accorded to the poverty-stricken areas would vary, because the contribution made by the State in some instances was high and in some instances was low. Is that correct?

Mr. MORSE. That is true. Let us get it out on top of the table: That created in our committee a considerable amount of discussion among the Senators who represent States with high State contributions, like New York. I see my good friend from Texas here [Mr. YARBOROUGH]. He will smile when I call attention to this discussion in the committee, because he was on one side of the argument and the Senators from New York and the Senator from Pennsylvania and the Senator from Massachusetts were on the other side. I thought the Senator from Texas did a magnificent job in presenting his point of view. We worked out those adjustments which we thought were the most equitable adjustments we could make.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MORSE. If the Senator will permit, the Senator from Ohio wants to put a final question.

Mr. LAUSCHE. It is my understanding that under this $3,000 low-income qualification, the school superintendent computes the number of children in school coming from families with incomes of less than $3,000, and then takes that number and multiplies the figure by one-half of what the State contributes, and that product——

Mr. MORSE. This is a technical matter, the allocations to the State are computed in the Office of Education. The State educational agency sets the criteria for within county distribution.

I am talking now about money appropriated, not about the money authorized by the formula.

I ought to point out to the Senator that school districts get a prorated amount based upon the amount that is authorized.

If the Senator from North Carolina will yield, I wish now to yield to the Senator from Texas [Mr. YARBOROUGH], since I mentioned him.

Mr. YARBOROUGH. Mr. President, the Senator from Oregon was generous enough to answer an inquiry by the Senator from Ohio about some discussion in the committee on the title I formula.

It developed in the committee hearings that this past year, under the Elementary and Secondary Education Act, with the formula originally in it, for Westchester County, one of the richest counties in the United States, allocations were made on the basis of some $416 per child; but in the mountain counties in Appalachia, with some of the poorest counties, allocations were made on the basis of approximately $119 per child. So the richest county was getting almost four times per child as much as the poorest counties in the United States. I thought then that it was a gross injustice. So we have this modified formula whereby no county will receive less than the national average. I still think it is not just. I voted for the first Elementary and Secondary Education bill, it is true, because for so long we had been trying to get an education bill passed, despite an inequitable formula. We have a more just formula, in my opinion, although it is not sufficiently just.

Why should a child in one State have an allocation of $121, while a child in Westchester County, N.Y., gets an allocation of $416? To have the children in one of the richest counties in the country receive four times as much as is allocated to the children in a poor county is unfair.

We have a formula in this bill, which the Senator from Oregon has described, in which no State will get less than the national average, which is around $255. So no State and no county or school district will be authorized to receive an allocation of less than $255 per child. Is that correct?

Mr. MORSE. Also, the reason we have put in a county savings formula in this bill is to see to it that they get no less than they received in the last fiscal year, to try to lessen the impact of possible curtailments which otherwise could have occurred.

Mr. YARBOROUGH. The Senator has pointed out that under the House formula some counties would get less; so the Senate committee added the provision to make sure no county would get less money than received the preceding year. In the many poverty-stricken areas, that is an important provision. In summary, I feel we have improved the formula although it still is not perfectly fair. I favor the bill, although I am reluctant about the formula.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. LAUSCHE. The Senator mentioned Westchester County, N.Y. I am quite certain in my recollection that that was one of the subjects of discussion back in 1965, when it was pointed out that the richest county in the Nation was getting the highest amount under the formula, while the poorest counties were getting substantially less.

Mr. YARBOROUGH. Getting very little in relation to the need.

Mr. LAUSCHE. Getting very little. And it is the position of the Senator from Texas that the bill as now written is intended to give some assurance that the greater the poverty, the greater the help will be that comes from the Federal Government.

Mr. YARBOROUGH. Yes. I think that this should be like the formula under the Hill-Burton law. I see that the distinguished senior Senator from Alabama is present. Under such formulas used in the past, the amount of money received was on the basis of the impoverished condition of the area. In other words, the poorer the area, the more money was received. The formula followed an inverse ratio: The richer the area, the less money it received because there was not as great a need.

As this Elementary and Secondary School Act was originally passed, it followed a formula which was the opposite of that. The richer you were, the more you got. That has been one great inequity in the law as it heretofore existed. We have come a considerable way along the road toward correction of that inequity. We have not come all the way, but we have come part way.

Under this compromise formula subject to appropriations, no county will receive less than $255 per child; and no county will receive less than they got under the bill last year. I am sure the Senator from Ohio will agree that this is a great step toward correcting the injustice which previously existed.

Mr. LAUSCHE. Yes.

Mr. YARBOROUGH. I am correct, am I not, that that is the minimum amount which will now go to any child?

Mr. MORSE. Two hundred and fifty-five dollars and thirty-four cents is one-half the national average per pupil expenditure. The option to use that figure or one-half the State per pupil expenditure remains unchanged from existing law.

Mr. YARBOROUGH. So that, in the very impoverished counties, where a county school district was receiving, under the old formula $119 per child this will represent a substantial increase.

Mr. MORSE. The minimum figure of $255.34, I point out to the Senator from Ohio, was a part of a compromise made in conference last year. As the Senator from Texas and the chairman of the committee, the Senator from Alabama [Mr. HILL] can tell the Senator, we thus reconciled what would otherwise have been irreconcilable differences. Unfortunately, that is, in plain terms, what was involved.

Mr. YARBOROUGH. Unfortunately for my State, we are 34th in the Nation in per capita income. In a State of about 10½ million we have about 2½ million people in the poverty bracket, with family incomes of less than $3,000 a year. That represents more people within the poverty bracket than in any other State in the Union. As I say, it is unfortunate; and I have devoted my political life to attempting to remedy that situation.

One cause of it is that we are one of only 13 States in the Union without a minimum wage law. The Federal minimum wage law, passed by this body, affects more people in my State than in any other State, because it has no minimum wage law of its own. It has been backward in that, as in many other areas of State legislation.

Against the background of that situation, needing this school money, I thought it was grossly unjust that poor counties receive so little money, and told the distinguished Senator from Oregon that I thought it was time for a showdown fight for justice. He agreed; and under his leadership, the compromise was reached.

Though one book referred to the Senator from Oregon as "The Tiger in the Senate," I have never seen a Senator work more diligently to achieve harmony than he has on this matter. He is devoted to the interests of the schools. Certainly, in the work of this committee, he was Mr. Conciliation; and due to his masterful efforts, I believe the pending bill represents a vast improvement over previous bills, and I take my hat off to the Senator from Oregon, not only for his patience in sitting through the committee hearings and his devotion to education, but for his spirit of conciliation in dealing with vast differences of point of view between Senators.

I thank the Senator from Oregon for what I think is a great addition to the achievement of justice for the poor children of our poorer school districts, when compared with the old bill.

Mr. MORSE. Mr. President, as always the Senator from Texas is very kind, but I tell him again, as I have told him heretofore, that he did as much toward that end as any member of the committee. Every member of the committee deserves credit for whatever good we have been able to accomplish.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I am about to yield the floor so that the Senator from North Carolina may proceed in his own right, and shall do so as soon as I answer the question of the Senator from Ohio. I yield to the Senator.

Mr. LAUSCHE. According to the chart dealing with large cities, the city of Cleveland, in my State, will receive $300,000 more, under the Senate version, than it would receive under the House verison; but Cincinnati, which is also in Ohio, will receive $100,000 less under the Senate version that it would receive under that of the House of Representatives.

What is the Senator's answer or explanation for that apparent disparity of treatment?

Mr. MORSE. That is just the way the statistics add up with respect to the number of poverty-stricken children under one formula in comparison to the other. It is just a matter of a mathematical calculation.

Mr. LAUSCHE. That is, the answer would be that there are more poverty-stricken children in the Cleveland area than in the Cincinnati area?

Mr. MORSE. That is right. The Senator is correct.

Mr. President, I yield the floor.

AMENDMENT NO. 483

Mr. ERVIN. Mr. President, I rise for the purpose of calling up Amendment No. 483. Before doing so, however, I ask unanimous consent that the name of the distinguished Senator from Florida [Mr. SMATHERS] may be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, on behalf of myself and Senators Cooper, Yarborough, Holland, and Smathers, I call up an amendment to H.R. 7819 to permit the Supreme Court to enforce the constitutional guarantees of freedom of religion and separation of church and state.

The PRESIDING OFFICER. The amendment will be stated.

Mr. ERVIN. I ask unanimous consent that the reading of the amendment be dispensed with, and that the amendment be printed in the Record at this point.

Mr. Ervin's amendment (No. 483), ordered to be printed in the Record, is on page 151, following line 6, insert the following:

TITLE VIII—ENFORCEMENT OF THE ESTABLISHMENT AND FREE EXERCISE CLAUSES OF THE FIRST AMENDMENT TO THE CONSTITUTION

Sec. 801. The approval or disapproval of an application of any public or other nonprofit agency or institution for a loan or grant under—

(1) the Higher Education Facilities Act of 1963,

(2) title VII of the Public Health Service Act,

(3) the National Defense Education Act of 1958,

(4) the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963,

(5) title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress),

(6) the Elementary and Secondary Education Act of 1965,

(7) the Cooperative Research Act,

(8) the Higher Education Act of 1965, or

(9) the Economic Opportunity Act of 1964,

shall be effected by an order of the Federal officer making such grant or loan which shall be conclusive except as otherwise provided in this title. Notice of such order shall be published in the Federal Register and shall contain such information as the Federal officer issuing the order deems necessary to effectuate the purposes of this title.

Sec. 802. Any public or other nonprofit agency or institution which is or may be prejudiced by the order of the Federal officer making a loan or grant under the authority of any of the Acts enumerated in section 801, in a particular year to another such agency or institution, by virtue of the fact that the making of such loan or grant serves to reduce the amount of funds available for loans or grants in such year to the agency or institution which is or may be prejudiced, and which deems a loan or grant to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment. Defendants in such action shall be the Federal officer and the agency or institution whose application has been approved. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register.

Sec. 803. (a) Any citizen of the United States upon whose taxable income there was imposed an income tax under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year and who has paid any part of such income tax and who deems a loan or grant made under any of the Acts enumerated in section 801 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. No additional showing of direct or indirect financial or other injury, actual or prospective, on the part of the plaintiff shall be required for the maintenance of any such action. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff may sue either on behalf of himself or on behalf of all other taxpayers similarly situated.

(b) Any citizen of the United States who deems a loan or grant made under any of the Acts enumerated in section 801 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff sues not only for himself but also in behalf of all other citizens to vindicate the public interest in the observance of the provisions of the first amendment relating to religion.

(c) For the purpose of this section the term "citizen" shall include a corporation.

Sec. 804. Any public or other nonprofit institution or agency whose application for a loan or grant under any of the Acts enumerated in section 801 has been denied by the Federal officer having appropriate authority on the ground that such loan or grant would be inconsistent with the provisions relating to religion in the first amendment to the Constitution may bring an action to review the final decision of such Federal officer within sixty days after such loan or grant has been denied.

Sec. 805. (a) Any action under this title shall be brought in the District Court of the United States for the District of Columbia, and such court shall have jurisdiction without regard to the amount in controversy. In the event two or more civil actions are brought under the provisions of this title challenging the constitutional validity of the same loan or grant, such court may consolidate such civil actions for the purpose of trial and judgment. Any action under this title pending before the district court or court of appeals for hearing, determination, or review shall be heard, determined, or reviewed at the earliest practicable time and shall be expedited in every practicable manner. All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. In any action under this title the court shall have authority to determine all matters of fact or law appropriate to a decision of the case. No costs shall be assessed against the United States in any proceeding under this title. In all litigation under this title, the Federal officer shall be represented by the Attorney General.

(b) The judgment of the district court shall be subject to review as provided in sections 1252, 1253, 1254, and 1291 of title 28 of the United States Code.

Sec. 806. (a) An interlocutory injunction enjoining the payment of a grant or loan, or any portion thereof, made pursuant to the order which is claimed to be invalid in an action under this title may be granted by the court at any stage of the proceedings authorized by this title.

(b) When and if any judgment becomes final that declares invalid an order of the Federal officer under this title, the agency or institution receiving the grant made by the Federal officer pursuant to such order shall refund the unexpended portion of the same, and if a loan has been made pursuant to such order it shall be refunded with accrued interest at the rate fixed therefor, for credit to the appropriation from which it was paid. The Federal officer may in his discretion permit deferment for a reasonable time of repayment of the grant or loan including interest thereon.

Sec. 807. If any provision of any Act referred to in section 801, or the application of such provision to any person or circumstance, shall be held invalid under this title, the remainder of such Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Mr. MORSE. Mr. President, will the Senator yield for a moment?

Mr. ERVIN. I yield.

Mr. MORSE. I shall make a statement on the amendment when the Senator finishes, but at this point, may I say I should like to join the Senator also as a cosponsor of the amendment. I ask that my name be added, together with that of the Senator from Florida [Mr. Smathers], as a cosponsor of the amendment.

Mr. ERVIN. Mr. President, in accordance with the Senator's request, I ask unanimous consent that the name of the Senator from Oregon [Mr. Morse] be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. The amendment would remove a technical obstacle for those citizens and institutions who wish to challenge Federal aid to church-related institutions on the grounds that it violates the first amendment.

This amendment is not strange to the Senate. It is identical to S. 3 which the Senate passed without objection earlier this year, and S. 2097 which the Senate passed, also overwhelmingly, in the 89th Congress. This legislation was cosponsored by Senators Morse, Cooper, Clark, Yarborough, Smathers, Holland, Fong, and myself.

The Senate will recall the origin of the legislation in the debate that occurred when the Higher Education Facilities Act was passed in 1963. Because of the importance and complexity of the constitutional implications of sectarian participation in that program, the Senate adopted an amendment providing for judicial determination of first amendment questions arising under the act. In conference, the Senate receded from the amendment at the insistence of the House.

In 1965, the distinguished floor manager of the Elementary and Secondary Education Act, then as now, the senior Senator from Oregon [Mr. Morse], stated that he would introduce and support a judicial review measure if it were considered as separate legislation. He was true to his promise, and his efforts have been instrumental in developing a bill which the Senate enacted on two occasions, the measure we offer today. The Senator's bill was a joint project of himself, the then Attorney General of the United States, and the then Solicitor General of the United States. The amendment has that distinguished a paternity.

The bill S. 2097 of the 89th Congress, was the subject of hearings before the Constitutional Rights Subcommittee of the Senate Judiciary Committee in early 1966. Distinguished legal and constitutional scholars testified in support of the bill. They were joined by religious leaders, civil liberties groups, and representatives of major educational organizations. With the close assistance of these participants, the bill was revised and perfected. I do not believe that this body has ever considered a measure more carefully drafted than this one. On July 29, 1966, the Senate approved the bill and it was sent to the House. There it died.

On the first day of the 90th Congress, the bill was again introduced, this time as S. 3. Once again the Senate adopted it without dissenting vote. It was sent to the House on April 11, and referred to Committee. There it languishes still and will apparently continue to languish.

It is no secret that I and other supporters of judicial review were skeptical of the chances that a separate bill would ever be enacted by Congress. I made my opinion quite clear in 1963. I said:

> In my considered judgment, it is necessary to have the Cooper-Ervin amendment, providing for judicial review, inserted in the higher education bill before it is enacted into law. I say this because I have no hope that we shall be able to obtain enactment, within any reasonable period of time, of a separate bill providing for judicial review of the constitutionality of the loans or grants authorized by the bill.
>
> * * * * *
>
> If we wish to make certain that we shall obtain a judicial review of the question, we must get it by this [amendment] process; this is so because the House has rejected a proposal for a judicial review every time it has had an opportunity to do so.
>
> When the bill was originally introduced in the House, it provided for a judicial review—a provision which the House Committee eliminated.
>
> The House itself refused to agree to a provision for judicial review. Moreover, the conference committee removed the Cooper-Ervin amendment from the bill at the insistence of House conferees.

Despite my pessimism, I reluctantly agreed with the distinguished Senator from Oregon that the Senate should try to have a separate bill enacted. After all this time, I regret to say that my prediction in 1963 has been vindicated. We have gotten no action from the House—none in the 89th Congress on S. 2097, and none in the 90th Congress on S. 3.

We have now decided to offer this bill as an amendment to the Elementary and Secondary Education Act for a number of reasons. First, the number and the size of Federal aid programs involving sectarian participation have mushroomed in recent years. As important as the first amendment issue was in 1963 and 1965, it has become even more so since then because of the way in which the programs have been implemented. Some measure of the sophistry and administrative inconsistency connected with these programs can be gathered from an article in the Washington Post of Sunday, November 26, 1967. The situation portrayed in this article is a direct result of our failure to provide judicial review. I ask unanimous consent that the Post article be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. Mr. President, second, recent judicial decisions, both State and Federal, have clouded the constitutional lines to such an extent that a definite ruling by the Supreme Court as to the proper constitutional limits is even more important than ever before in our history. At the same time, the growing confusion over the proper relationship between church and state has caused increased divisions within our country. One has only to look at a daily newspaper to see evidence of the emotion-laden controversy which has developed.

Third, despite the importance of providing for judicial resolution of the church-state question, for 4 long years the Senate has waited in vain for House action on enabling legislation. I now despair of any other means by which the legislation can be enacted.

Finally, events of the past few weeks make quick congressional action imperative. The Supreme Court on October 16 accepted certiorari in the case of Flast against Gardner which involves a general constitutional attack on the Elementary and Secondary Education Act. If the Congress does not act immediately, it is altogether possible that the decision in this case will create chaos in the program and in the many others in which the church-state issue is intimately entwined.

The Flast case involves more than merely the Elementary and Secondary Education Act and the $1.677 billion which Congress appropriated for it in 1967. No one seems to know how much money has been distributed to church-related institutions under the Elementary and Secondary Education Act or under the Economic Opportunity Act; but in fiscal 1966, $60 million was allocated to these groups under the Higher Education Facilities Act of 1963.

The implementation of these and other Federal programs has increased the concern of many that the constitutional prohibitions against establishment of religion have been violated. A similar situation exists with respect to title VII of the Public Health Services Act, the National Defense Education Act of 1958, the Mental Retardation Facilities Act of 1963, the Cooperative Research Act of 1954, the Higher Education Act of 1965, and Title II of the Act of September 30, 1950—Public Law 874, 81st Congress. The total appropriations for these nine programs—all of them involving aspects of the church-state issue—amounted to some $4½ billion in fiscal 1967.

Ever since the judicial review legislation was first presented, the argument has been made that cases were in the courts which would eventually enable the Supreme Court to rule on the church-state question without the need for Congress to expressly permit review. But each time the argument has been presented that the Court would decide the issue without Congress help, it has refused to do so. The most recent time was last year. A case indirectly challenging the constitutionality of the Higher Education Facilities Act arose in the Maryland courts. The excuse given at that time for not proceeding with the judicial review bill was that the Court could decide the constitutional issues in this case and the bill was unnecessary.

The Court, however, refused to accept the case and felt standing the Maryland Supreme Court decision. So at present we have the peculiar result that in Maryland certain State grants are ruled unconstitutional under the first amendment according to interpretation of the State supreme court. But at the same time, these same colleges continue to receive Federal funds.

As I said earlier this year:

> These same three colleges which cannot constitutionally receive funds from the State of Maryland have each been recipients of Federal grants during the last 2 years. The effect, then, is that while the establishment clause was originally intended to apply only to Congress, today it is only enforced against State legislatures. On religion and the first amendment, the law of the land is less majestic than ironic.

Or, as Judge Frankel of the second circuit has said:

> It seems perfectly obvious that those who wrote the First Amendment would have been astonished by the suggestion that it might come to be enforceable *only* against the States and not against the Federal Government. The familiar words are that "*Congress* shall make no law respecting an establishment of religion. . . ." When they were written, they were applicable only to the Federal Government, and they remained so confined until just a generation ago. It was the national power that the Founders feared and undertook to curb.
>
> There is no question now, of course, that the First Amendment applies with full force to the States. But it is a ludicrous anomoly to close the circle . . . by making at least the Establishment Clause a substantial nullity with respect to the Federal Government.

Contrary to the expectations of those who have counseled delay by the Congress in the hopes that the church-state issue would be resolved by the courts, the result of congressional inaction has been more uncertainty, not less. The Maryland case is only one of a number of recent instances in which the lack of Supreme Court guidance has resulted in increased constitutional confusion and the political and religious turmoil that we see today.

The House has had Senate-approved judicial review legislation pending before it for almost 2 years, as well as similar legislation which originated there. Since 1963, the Senate sponsors have written letters to members of the House Judiciary Committee asking for early consideration of the measure. Private organizations representing nationwide religious and educational groups have personally called upon the committee for action. I am informed by members of the House committee staff that hundreds of letters have been received from private citizens urging favorable action on the bill.

Within the past year, enactment of S. 3 has been endorsed by the New York Times, the Chicago Tribune, the Washington Post, the Charlotte Observer, the Wichita Beacon, the Winston-Salem Journal, the Denver Post, the Pittsburgh Post-Gazette, the Washington Star, and countless other newspapers. When such unanimity comes from such diversity, I know we must be on the right track.

Among the educational, religious and civil liberties organizations supporting the bill are the following: Baptist Joint Committee on Public Affairs, American Civil Liberties Union, Americans for Public Schools, National Education Association, the American Federation of Teachers, National Congress of Parents and Teachers, Council of Chief State School Officers, Americans United for Separation of Church and State, American Jewish Committee, the Unitarian Universalist Association, Seventh-day Adventists, Union of American Hebrew Congregations, National School Boards Association, National Association of Evangelicals, American Association of School Administrators, American Association of University Professors, Antidefamation League, Association of State Colleges and Universities, and the Association of Land-Grant Colleges.

Despite this overwhelming public support, and despite the fact that the Senate has approved this legislation on three separate occasions in the past 4 years, no action—not even hearings at the subcommittee level—has been taken. It is now evident that the only chance for enactment of judicial review legislation is by amendment to the Elementary and Secondary Education Act. The Senate has tried the other route, and that has failed.

There should be no doubt about the purpose of this amendment. It takes no stand on the substantive issue itself; it does not involve a congressional judgment on the limits of Federal cooperation with sectarian institutions, nor does it decree that one or another Federal aid program is valid or invalid under the first amendment. The bill concerns something even more fundamental than that. The issue raised by the amendment is whether the Supreme Court can hear and adjudicate legal issues raised under the first clause of the first amendment to the Constitution.

The great questions of church and state have been fought in this country since before our independence. The leaders of our country at its birth had had experience with the problem, and they recognized the danger to both church and state from too close an association with each other. Indeed, it was because of this experience that the drafters of the Bill of Rights placed the establishment clause in the first article and in its first provision. In the list of basic freedoms, the establishment clause is most preferred.

All other constitutional rights which are susceptible of judicial resolution may be placed before the Federal courts for protection. Yet, despite the priority which is given this constitutional principle, it is the only personal liberty which, because of a legal technicality, cannot adequately be resolved by the Supreme Court.

Congress has a responsibility to remove this technical disability and permit the controversy to be resolved in the courts. A Court decision delineating the boundaries of church-state cooperation in the Federal sphere would free our country from much of the religious politics that is dividing the Nation.

The whole of the problem which stands in the way of a judicial solution is a case decided in 1923. That was Frothingham against Mellon. Mrs. Frothingham sued for an injunction against the grant of Federal funds for maternal benefits. Mrs. Frothingham did not sue under the first amendment, nor could she have pointed to a legislative authorization to sue, as plaintiffs proceeding under the judicial review bill might. She did not sue on behalf of all taxpayers, or even a class of taxpayers, but only for her own individual benefit. She asked for an injunction and could not show that clear and irreparable injury which is traditionally required before a court will exercise its equity powers.

Despite obvious distinctions, Mrs. Frothingham's suit has thus far prevented the Federal courts from accepting taxpayer suits based upon alleged first amendment violations of Federal assistance programs.

Each year we allow the problem to go uncorrected, the church-state issue becomes more important and emotions more intense. There can be no question but that we have reached a constitutional crisis in church-state relationship upon which the Supreme Court must speak. All other voices, except that of the House of Representatives, have said their piece.

This amendment could not be more critical today. Earlier this year, a group of plaintiffs in New York, representing a number of highly respected citizens' groups, filed a challenge to the Elementary and Secondary Education Act. The issue in the Flast against Gardner case is the same as the one in this amendment—whether Federal courts may consider suits by citizens challenging the validity of Federal programs under the first amendment. The court has accepted the case, and argument is set for early in 1968.

Whatever happens in that case, this bill will be necessary. If the court rules against the plaintiffs, then only by the passage of this measure can a test ever be had in the Supreme Court on the validity under the first amendment of the Elementary and Secondary Education Act programs and other Federal programs. If the court rules in favor of the plaintiffs, then this measure will be needed to insure orderly judicial procedure and to prevent havoc in the administration of programs which are challenged.

In suits brought pursuant to this amendment, plaintiffs will have to commence their case within 60 days of the official notice approving a questionable grant. This notice is published in the Federal Register. Without this legislation, grants could be attacked at any time, even long after the money has been expended.

All cases would have to be brought in the District Court for the District of Columbia. This eliminates the danger of suits arising all across the country and the confusion that would result when different courts ruled differently on similar grants. Without such a limitation, it is possible that a grant could be held unconstitutional in one Federal court and permitted in another. Indeed, grants to schools in the same State could be both proper and improper at the same time, even when they were made to the same institution.

The amendment also reduces the likelihood of frivolous and harassing suits which could bedevil and paralyze all Federal programs touched by the church-state controversy. Because of the considerable resources needed to pursue a challenge, the joinder provision, and the exclusive venue in the District of Columbia, I anticipate that few cases will arise under the bill and that they will all be on substantial issues.

A suit under the act will be heard in a special three-judge Federal court. All decisions of the court will be reviewable directly and speedily by the Supreme Court. Further, the measure provides that only grants or loans made after the approval of the amendment can be the subject of a challenge. I might add that this is a very important provision against the eventuality that the Supreme Court, in Flast against Gardner, will hold that the courts have inherent jurisdiction to review these cases. In the absence of this provision, the courts would necessarily hold that one may go back into the past and recover grants unconstitutionally made which have already been expended. This would create havoc in the educational field and in many other fields.

The amendment prevents the issuance of a court order requiring the repayment of funds already expended by a recipient before the grant was declared unconstitutional. That schools, colleges, hospitals, and scholarship holders might suddenly be faced with the prospect of having to repay millions of dollars already granted them would be unthinkable. Provision is also made for repayment over a delayed period of grants received but not actually expended.

From this description of the amendment, it should be clear that its supporters are not out to scuttle the Elementary and Secondary Education Act or the other affected programs, nor to bring financial ruin to the schools, colleges, hospitals, and citizens who have received funds under them. In fact, each of the cosponsors of S. 3 has consistently supported Federal aid to education. What we want is to end once and for all the doubt, controversy, and the divisiveness created by the church-state issue. Supporters include those who are convinced that there has been no violation of the Constitution in the enactment or administration of these programs as well as those who have constitutional doubts. But on this we are agreed: the Court should have the opportunity to decide. And, in any case, none of us wish to see either the first amendment unvindicated because of technical rules of law or vindicated in such a way that the important programs are paralyzed by litigation.

Congress should adopt this measure with its limitations and controls on litigation before the Court acts in the Flast case.

Mr. President, I ask unanimous consent that a Washington Post editorial, calling for enactment of the judicial review bill, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ERVIN. In addition to the Washington Post article I referred to earlier, I also ask unanimous consent to have printed as part of my remarks, the text of the amendment, and an excerpt from the committee Report No. 85 on S. 3, which explains in greater detail the history of the bill, its need, its provisions, and the legal and constitutional issues involved in it.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 3 and 4.)

EXHIBIT 1

[From the Washington (D.C.) Post, Nov. 26, 1967]

CHURCH-STATE AGREEMENT ON SCHOOL AID ATTACKED

(By J. W. Anderson)

CHICAGO, November 25.—Federal school aid paid for new closed-circuit line that runs from a studio at Hinton School here to the boundary of the nearby St. Brendan School.

St. Brendan is a Catholic parochial school, and the Archdiocese of Chicago provided the money to carry the line across the school boundary, into the building, to a wall socket.

And then Federal aid paid for the plug, cord and television receiver in a St. Brendan classroom.

That television line illustrates the intricacy of the compromise between public and Catholic schools that underlies the historic Elementary and Secondary Education Act of 1965.

Federal officials hope that the 1965 compromise settled the issue of relations between church and state. But six suits have already been filed to attack it.

If any of these suits succeed, benefits to parochial school children will be reduced. And that, in turn, will jeopardize the uneasy alliance in Congress that passes the annual school aid appropriations.

Under the compromise, Federal funds must not be used to benefit private schools.

But the same law requires each community receiving Federal aid to provide some benefits to the children in private schools.

A television set, for example, is considered portable equipment. And, under Federal rules, portable equipment can be loaned to parochial schools.

Congress adopted the theory that equipment does not benefit parochial schools as long as it is merely loaned to them. But, as a loan, it benefits the parochial school children who use it, the theory holds.

The Supreme Court has now agreed to hear an appeal by a group of New York City plaintiffs who are claiming the right to sue over the loan of textbooks to private schools.

Similar suits have been filed in Ohio and Pennsylvania, charging that these loans violate the constitutional separation of church and state.

If the Court gives these plaintiffs the right to sue, litigation throughout the country will begin systematically to test the constitutionality of the whole operation of the Education Act.

A survey by The Washington Post of Chicago, Detroit and Philadelphia—three big cities with heavy Federal programs and large, politically influential Catholic school systems—suggests this conclusion:

Federal school aid is unquestionably raising the quality of education in the Catholic schools that serve deprived neighborhoods in these cities.

But the Federal aid does not necessarily save money for these parochial schools. To the contrary, it usually costs the schools still more money.

BOOKS ON LOAN

St. Brendan, for example, has received several stacks of Federally-purchased library books on loan from the Chicago School Board.

Now St. Brendan needs a trained librarian. But there is no Federal money for that.

Incidentally, the term "on loan" needs an explanation. The loaned books and equipment remain the property of the public schools. But they are physically in the nonpublic schools. And no one really expects the loans to be recalled.

The church-state compromise gets even more complicated where it involves teachers.

For one hour a week, Sister Madonna Marie is a Detroit public school teacher.

A Catholic nun, she is on the faculty of St. Martin de Porres High School, in a neighborhood badly hurt during Detroit's riots last summer.

DePorres High is running part of Detroit's federally-supported afternoon program for school children, and Sister Madonna Marie is organizing a choral group.

But Federal funds cannot be used to pay a non-public school teacher.

The solution: From 3:30 to 4:30 every Tuesday afternoon, Sister Madonna Marie becomes a public school teacher.

She remains in her customary classroom at DePorres. But any neighborhood child may enroll in her singing group, regardless of the school he regularly attends.

"PUBLIC" FOR HOUR

And, for that hour, she is certified as a public school teacher, under the supervision and control of Detroit's city School Board.

Karen Wessel, on the other hand, is a full-time public school teacher in Philadelphia who spends two hours a day at Cathedral School, a small Catholic parochial school. It serves a crowded Puerto Rican slum just north of Philadelphia's stately Parkway.

Two-thirds of Cathedral School's children speak Spanish as a first language, and some of them hear no other except in school.

Miss Wessel's job is to teach them English. Her salary is paid out of Philadelphia's share of Federal school aid. Like Sister Madonna Marie's choral group, Miss Wessel's language lessons are provided by the Education Act.

Miss Wessel can go into a parochial school because she represents a "supplementary" service. She is not a regular classroom teacher.

Most of the nuns in the afternoon programs teach many more hours than the Federal money pays them for.

"They never see the money anyway," observed DePorres's principal, Joseph Dulin. "They take the vow of poverty."

The nuns are carried on the public payroll under their maiden names, as a mild concession to the proprieties of the church-state relationship.

But here again, the long-run effect of participation in the Federal programs can be costly to the parochial schools. When nuns go to work teaching neighborhood afternoon classes, the strain on the schools' limited classroom teaching staff is further increased.

In Washington, where the parochial system is small, its relationship to the Federal programs is relatively simple.

Federal aid buys books, some of which go on loan into the libraries of parochial schools. The public schools hire remedial reading teachers, counsellors and speech therapists with Federal funds, and send some of them part time into the Catholic schools to work with children there.

Among the big cities, the local variations in policy are wide.

In Detroit, some of the federally-financed after-school programs are located in parochial schools. In a Detroit slum known as Corktown, the nuns at Most Holy Trinity School call the afternoon program "fun school." The fun currently includes an imaginative science course for a group of bright second-graders.

But in Chicago, all of the afternoon programs are in the public schools.

DIFFICULTIES PRESENT

This practice makes real difficulties for the parochial school children in tough neighborhoods, according to St. Brendan's Rev. Gerald Millin.

St. Brendan's children are supposed to go to the city's Bass School, only three blocks away, for afternoon activities.

Last year, about 300 St. Brendan children enrolled. This year, there are exactly eight who go to Bass in the afternoon, Father Millin said.

"Our children are molested," he explained. "There's always rivalry between schools. Our children are in uniform. I'd say we should drop the uniform."

The St. Brendan case is interesting because the friction is not, as an outsider might suppose, racial.

St. Brendan's children are all Negro. The public school children who harass them are also all Negro.

Neither is the friction religious. Three-fourths of St. Brendan's children are Protestant. (Throughout central Chicago, the Catholic schools' enrollments average about one-third Protestant.)

The trouble in the streets seems merely to be a matter of turf. But it very effectively discourages St. Brendan's children from going to Bass school for programs that end after dark.

Where children are older, exchanges are easier.

In Detroit, DePorres is now beginning joint after-school activities with Central High, the nearest public high school. Youngsters go from DePorres for modern dance at Central, they go from Central to bowl in DePorres's big recreation center.

Central is now almost entirely Negro in enrollment. But DePorres continues to attract children whose families have moved to the suburbs. It is now about 60 per cent Negro, although the proportion is higher in the lower grades.

DePorres' principal Dulin candidly explains that he is turning away Negro applicants to hold the racial balance.

SIGN OF CHANGE

Dulin himself, incidentally, is a sign of change in Catholic education. He is a Negro, a layman and, until this year, a teacher in Detroit's public schools.

Local differences in policy are particularly sharp in the crucial issue of Federal support for teacher training.

Chicago declines to spend public money to train parochial school teachers.

"This is a gray area," said Mrs. Evelyn Carlson, assistant superintendent of Chicago's schools.

"They are told what we are having, and when. And they are welcome to come. We cannot pay them."

But in Detroit, Catholic school administrators carried the issue to Washington and got a ruling from the U.S. Office of Education that parochial school teachers were entitled to the same training as public school teachers.

Detroit's public school system does not pay salary to parochial school teachers for attending training sessions. But it gives them a stipend of $15 a day, plus reimbursement for meals and travel.

Detroit uses Federal funds to run special training programs for parochial school teachers alone, where they have special requirements not found in public schools.

In Philadelphia, policy lies somewhere between Chicago's caution and Detroit's boldness. Philadelphia pays nuns stipends for attending training sessions, but it will not organize special sessions for them as Detroit does.

Not all parochial schools are Roman Catholic. Detroit, for example, has 22 Lutheran schools, as well as a long list of schools run by other denominations including the Black Muslim's University of Islam.

At least one of the Lutheran schools is currently getting Federal benefits for its pupils.

POLITICAL PULL

But only the Catholics have the political influence to make a public issue of school aid.

One very sharp point of contention between public and Catholic school administrators is the use of Federal aid to reduce the size of classes.

Reducing class size is one benefit in which Catholic school children cannot participate at all, because Federal funds cannot be used to pay classroom teachers in parochial schools.

Chicago uses Federal aid to reduce classes to 25 children in the slum schools' primary grades. Detroit's school board has recently begun the same program, and relations between the School Board and the Archdiocese are not quite so warm as they were a year ago.

The two greatest financial needs of the parochial schools are funds for classroom teachers and for construction.

Since private schools cannot get this kind of help from the Federal Government, they are increasingly turning to the state legislatures to rescue them.

In Pennsylvania the legislature has been embroiled over a bill to provide $26 million a year in subsidies for classroom teaching in the parochial schools.

Philadelphia Republicans blame the bill for their defeat in this month's mayoral election. Their candidate, Arlen Specter, had refused to endorse the bill and the Catholic wards voted heavily against him.

In Michigan, the legislature three years ago enacted a law requiring all public schools to share their auxiliary services—like remedial reading instruction and speech therapy—equally with parochial schools.

Unlike the Federal programs, this Auxiliary Services Act has had the effect of reducing services in the public schools.

When the Auxiliary Services Act first went into effect the Detroit School Board's lawyer said that it was unconstitutional.

But the School Board never challenged it.

All school tax increases in Michigan have to be passed in referendum elections. Detroit's School Board did not want to antagonize Catholic voters.

Private litigants filed a suit two years ago, but it has not come to a resolution.

But the new Federal aid is giving a national breadth to the church-state issues arising locally over schools.

The Elementary and Secondary Education Act is currently putting $1.6 billion a year into the country's school systems.

Two and a half years ago, when the Act was passed, the separation of church and state was being debated in principle. Now judges, politicians and school administrations are beginning to see what that $1.6 billion is doing in actual practice.

Exhibit 2

[From the Washington (D.C.) Post, Apr. 7, 1967]

Weighing the Law

From the moment it was introduced at President Johnson's behest, there was vehement disagreement and debate regarding the constitutionality of the Elementary and Secondary Education Act of 1965. The disagreement was not resolved by the debate over the bill in Congress; many members, it is fair to say, voted to enact the bill into law, despite uncertainty as to whether application of some of its clauses would be constitutionally valid, because they were convinced of the urgent need for Federal aid to education and because they believed that the constitutional questions would, in time, be settled by the courts.

But there is a serious impediment to judicial determination of these questions. In 1923, in a case known as *Frothingham* v. *Mellon*, the Supreme Court held that an ordinary taxpayer seeking to prevent the appropriation of Federal funds to the States for maternal benefits had no standing to sue because "the effect upon future taxpayers is so remote that no basis is afforded for an appeal to the preventive powers of the court." Relying on this rule, a Federal District Court the other day dismissed a suit challenging the Education Act, brought in Dayton, Ohio, by Protestants and Other Americans United for Separation of Church and State.

But POU did not come to court as a mere taxpayer. It came as a plaintiff asserting a deprivation of religious liberty and of the right to be free of any "establishment of religion." In Dayton, it asserted, Federal funds were used by the State of Ohio to put books into a parochial school library where they were made available to children attending that school; the effect of this, POU contended, was to give Federal aid to religion in contravention of the First Amendment. Had the books been loaned directly by some public authority to children who attended the parochial school, or made available to them through a public school or a public library, no question of constitutionality would have arisen.

The question of standing to sue is a difficult and delicate one. Whether the District Court in Ohio was right in dismissing the POU suit will have to be determined by a Court of Appeals and perhaps ultimately by the Supreme Court. Senator Sam Ervin reintroduced last January his bill designed to remove any doubt as to the power of taxpayers, citizens and institutions to obtain judicial review of the validity of Federal grants and loans under the First Amendment provisions relating to religion. In reporting this bill favorably last year, the Senate Judiciary Committee concluded that the *Forthingham* decision of 1923 was not based on constitutional grounds but was rather an exercise of judicial restraint and could therefore be changed by legislation.

If this is so, the Ervin bill would be most useful. For it can hardly be doubted that the Federal courts would not be indifferent to a direct congressional request that they decide a clouded constitutional issue. It seems to us, moreover, that there is much merit to the POU argument that a great deal more than a taxpayer's suit is involved in a challenge to specific ways of administering Federal aid to education. Commenting a year or more ago on the Ervin bill, Prof. Paul Freund of the Harvard Law School said that litigation under it would be brought "to vindicate rights secured by the First Amendment, a right to be free of a Federal religious establishment, a right closely allied to the right of free exercise of religion and one that traditionally took the form of freedom from enforced contribution to support religious activities. In this view, the quantum of the financial stake is not central to the right; any such use of a citizen's tax payments would constitute the heart of the offense to his autonomy in the religious sphere."

When one recognizes that a Federal program of grants-in-aid to the States necessarily entails diversity of application and when one acknowledges that differing opinions will be conscientiously held as to the constitutional validity of these applications, judicial review seems to be the only way to get an authoritative determination. The controversy can best be concluded by the patient judicial process of inclusion and exclusion.

Exhibit 3

Amendment No. 483

TITLE VIII—ENFORCEMENT OF THE ESTABLISHMENT AND FREE EXERCISE CLAUSES OF THE FIRST AMENDMENT TO THE CONSTITUTION

Sec. 801. The approval or disapproval of an application of any public or other nonprofit agency or institution for a loan or grant under—

(1) the Higher Education Facilities Act of 1963,

(2) title VII of the Public Health Service Act,

(3) the National Defense Education Act of 1958,

(4) the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963,

(5) title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress),

(6) the Elementary and Secondary Education Act of 1965,

(7) the Cooperative Research Act,

(8) the Higher Education Act of 1965, or

(9) the Economic Opportunity Act of 1964,

shall be effected by an order of the Federal officer making such grant or loan which shall be conclusive except as otherwise provided in this title. Notice of such order shall be published in the Federal Register and shall contain such information as the Federal officer issuing the order deems necessary to effectuate the purposes of this title.

Sec. 802. Any public or other nonprofit agency or institution which is or may be prejudiced by the order of the Federal officer making a loan or grant under the authority of any of the Acts enumerated in section 801, in a particular year to another such agency or institution, by virtue of the fact that the making of such loan or grant serves to reduce the amount of funds available for loans or grants in such year to the agency or institution which is or may be prejudiced, and which deems a loan or grant to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment. Defendants in such action shall be the Federal officer and the agency or institution whose application has been approved. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register.

Sec. 803. (a) Any citizen of the United States upon whose taxable income there was imposed an income tax under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year and who has paid any part of such income tax and who deems a loan or grant made under any of the Act enumerated in section 801 to be inconsistent with the provisions relating to religion in the first amendment of the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. No additional showing of direct or indirect financial or other injury, actual or prospective, on the part of the plaintiff shall be required for the maintenance of any such action. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff may sue either on behalf of himself or on behalf of all other taxpayers similarly situated.

(b) Any citizen of the United States who deems a loan or grant made under any of the Acts enumerated in section 801 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff sues not only for himself but also in behalf of all other citizens to vindicate the public interest in the observance of provisions of the first amendment relating to religion.

(c) For the purpose of this section the term "citizen" shall include a corporation.

Sec. 804. Any public or other nonprofit institution or agency whose application for a loan or grant under any of the Acts enumerated in section 801 has been denied by the

Federal officer having appropriate authority on the ground that such loan or grant would be inconsistent with the provisions relating to religion in the first amendment to the Constitution may bring an action to review the final decision of such Federal officer within sixty days after such loan or grant has been denied.

SEC. 805. (a) Any action under this title shall be brought in the District Court of the United States for the District of Columbia, and such court shall have jurisdiction without regard to the amount in controversy. In the event two or more civil actions are brought under the provisions of this title challenging the constitutional validity of the same loan or grant, such court may consolidate such civil actions for the purpose of trial and judgment. Any action under this title pending before the district court or court of appeals for hearing, determination, or review shall be heard, determined, or reviewed at the earliest practicable time and shall be expedited in every practicable manner. All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. In any action under this title the court shall have authority to determine all matters of fact or law appropriate to a decision of the case. No costs shall be assessed against the United States in any proceeding under this title. In all litigation under this title, the Federal officer shall be represented by the Attorney General.

(b) The judgment of the district court shall be subject to review as provided in sections 1252, 1253, 1254, and 1291 of title 28 of the United States Code.

SEC. 806. (a) An interlocutory injunction enjoining the payment of a grant or loan, or any portion thereof, made pursuant to the order which is claimed to be invalid in an action under this title may be granted by the court at any stage of the proceedings authorized by this title.

(b) When and if any judgment becomes final that declares invalid an order of the Federal officer under this title, the agency or institution receiving the grant made by the Federal officer pursuant to such order shall refund the unexpended portion of the same, and if a loan has been made pursuant to such order it shall be refunded with accrued interest at the rate fixed therefor, for credit to the appropriation from which it was paid. The Federal officer may in his discretion permit deferment for a reasonable time of repayment of the grant or loan including interest thereon.

SEC. 807. If any provisions of any Act referred to in section 801, or the application of such provision to any person or circumstance, shall be held invalid under this title, the remainder of such Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

EXHIBIT 4

EXCERPTS FROM SENATE REPORT NO. 85

PURPOSE OF S. 3

The purpose of S. 3 is to provide effective procedures for the enforcement of the establishment and free exercise clauses of the first amendment to the Constitution of the United States. The bill achieves this ambition by affording the judicial machinery necessary for instituting an equitable action for declaratory judgment to obtain judicial review of the constitutionality of grants or loans made under certain enumerated acts of Congress.

It is envisaged that the classes of plaintiffs participating in litigation under this act shall include the following: (1) individual and corporate Federal taxpayers, or groups thereof; (2) any public or other nonprofit institution or agency which has made application for a Federal grant or loan; and (3) citizens of the United States.

It is intended that the classes of plaintiffs identified in sections 2, 3, and 4, be given the requisite "standing to sue" in litigation which qualifies as a "case or controversy" within the meaning of article III of the Constitution of the United States. Furthermore, this bill in no way defines a case or controversy but merely grants standing to the parties involved in any case or controversy which may arise under the establishment and free exercise clauses of the first amendment to the Constitution. Since an interpretation of the provisions of the first amendment relating to religion is indispensable to the decision in the actions to be brought under the bill, a case or controversy within the meaning of article III necessarily exists.

The acts enumerated in section 1 are not intended to be inclusive although review is expressly limited to those acts. Instead, they are representative of legislation which affords substantial and direct financial aid to denominationally controlled and denominationally "related" institutions. Such aid, it has been asserted, is of doubtful constitutionality.

The bill is not intended to deal directly with the problem of the principle of separation of church and state nor with the constitutionality of any of the enumerated acts. It is designed, however, to remove any of the existing doubt as to the power of taxpayers, citizens, and institutions to obtain judicial review of the validity of Federal grants or loans under the provisions relating to religion in the first amendment.

LEGISLATIVE HISTORY

During the course of the 88th Congress, the Subcommittee on Constitutional Rights received numerous requests for an investigation of the expenditure of Federal funds to aid sectarian institutions. It began preliminary research in this area of constitutional law at that time. As the subcommittee continued its background study, there was increased interest and concern by taxpayers and nonprofit organizations because of the passage of the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965, both of which authorize extensive allocations of Federal funds to nonsecular schools.

When the Senate deliberated the Elementary and Secondary Education Act, Senators Ervin and Cooper offered an amendment to provide for judicial review to determine whether disbursement under that act would be consistent with the first amendment to the Constitution. Discussion on this amendment elicited concern, expressed by Senator Morse and others, that such an amendment might jeopardize the passage of the Education Act. A similar amendment, which Senators Ervin and Cooper proposed to the Higher Education Facilities Act, was passed by the Senate in 1963, although later deleted in conference. The more recent amendment, however, failed to pass the Senate in 1965. At that time, Senator Morse showed his willingness to support an independent judicial review bill and subsequently introduced S. 2097. In introducing S. 2097, Senator Morse said that he, the Attorney General of the United States, and the Solicitor General of the United States, drafted the measure. Senator Morse pointed out that the bill, drafted in 1961, was reworked in 1963. On April 8, 1965, CONGRESSIONAL RECORD, volume 111, part 6, page 7595, he also said:

"I took the same position then which I take tonight, that if we are going to have a judicial review provision in our law, we should have it as a separate and independent bill. It should cover not only education legislation, but also all other Federal programs involving Federal grants and loans. I am satisfied that the bill would meet all the constitutional tests. I am satisfied that the bill, if enacted into law, would bring the first amendment under a review by the U.S. Supreme Court. It would end up by giving us, as we lawyers say, 'a decision on the nose.'"

In a memorandum originally submitted in 1961 by the Secretary of Health, Education, and Welfare to Senator Morse as chairman of the Senate Subcommittee on Education and endorsed again in 1965, the Department stated, with regard to judicial review of Federal aid to sectarian institutions:

"If Congress wishes to make possible a constitutional test of Federal aid to sectarian schools, it might authorize judicial review in the context of an actual case or controversy between the Federal Government and an institution seeking some form of assistance * * *. In the absence of some statutory provisions, there appears to be no realistic likelihood that Federal legislation raising the constitutional issues discussed in this memorandum will be resolved by judicial decision." [1]

On July 29, 1966, the Senate approved S. 2097 as amended by the committee. It was referred to the House Committee on the Judiciary on August 1 but no action was taken on the bill before Congress adjourned. S. 3, identical to that which passed in 1966, was introduced in the 90th Congress on January 11 by Senator Ervin and other Senators. Because extensive hearings were conducted on S. 2097 in 1966, no further hearings were had on S. 3.

NEED FOR LEGISLATION TO ENFORCE THE FIRST AMENDMENT TO THE CONSTITUTION

The principle of separation of church and state as emanating from the proscriptions of the first amendment is not under examination in this report. Suffice it to say, that in reaching the approximately 50 decisions handed down by the Supreme Court relating to the establishment and free exercise clauses of the first amendment, and more particularly in the five or six most recent and significant cases, the Court has agreed to this conclusion: *neither a State nor the Federal Government may pass laws nor levy taxes which support religious activities either directly or indirectly*. [Emphasis added.]

The reason this legislation was introduced was well stated by Prof. Louis L. Jaffe, Byrne professor of administrative law, Harvard Law School:

"* * * many of the States, and perhaps even the Federal Government, are or soon will be undertaking expenditures for education which allegedly violate constitutional prohibitions against aid to religious establishments. The law appears to be that a taxpayer suit to test the constitutionality of such expenditures by State and locality can be brought in some jurisdictions and not in others, and—somewhat of a crowning paradox—that the constitutionality of State and local expenditures can be adjudicated by the Supreme Court but not the constitutionality of Federal expenditure." [2]

Senator Ervin, in his opening statement, noted that:

"Many Americans share the conviction that the making of grants and loans of tax-raised moneys to religious institutions violates the first amendment to the Constitution. Unfortunately, there is grave doubt whether these Americans can obtain a judicial determination of this question. The doubt exists because of the decision of an old case, *Frothingham* v. *Mellon*, 262 U.S. 447 (1923) * * *. The point in this case most relevant to our inquiry is that portion of the decision which involves the claim set forth by Mrs. Frothingham, an individual plaintiff. She sued to enjoin the execution of an appropriation of Federal funds for grants to the States for maternal benefits. The Court held that under existing laws, applicable to a plaintiff seeking equitable relief in the form of an injunction she failed to make a case in her complaint.

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[1] "Constitutionality of Federal Aid to Education in Its Various Aspects," S. Doc. No. 29, 87th Cong. First sess., p. 27.

[2] Jaffe, Louis L., "Judicial Control of Administrative Action," pp. 459–460 (1965).

"In the only portion of the opinion which is not obiter dicta, the Court said, at page 487, that a taxpayer's interest in the moneys of the Treasury 'is shared with millions of others; is comparatively minute and indeterminable; the effect upon future taxation * * * is so remote * * * that no basis is afforded for an appeal to the preventive powers of the Court.' "[3]

The question was posed by Prof. Paul A. Freund of Harvard Law School, in a statement submitted to the subcommittee, "[I]s the defect in a Federal taxpayer's suit, under the *Frothingham* rule, one of lack of standing in the lesser sense, or is it so fundamental that article III prevents any change in the prevailing Federal rule?"[4] A major purpose of the recent hearings conducted on S. 2097 was to answer that question; for if it were determined that the *Frothingham* decision was grounded on constitutional considerations, this legislation would be legally impermissible. Testimony at the hearings and the statements submitted to the subcommittee point out that the *Frothingham* decision was founded on grounds other than purely constitutional ones. Indeed, Professor Freund answered his own question.

"The defect in Federal taxpayers' suits does not rise to the level of an article III infringement * * * the present situation is not beyond repair through provision by Congress for a straightforward Federal taxpayer's suit * * *."[5]

Accordingly, Mr. William J. Butler of the New York Bar and counsel for the petitioner in *Engel* v. *Vitale*, 370 U.S. 421 (1962), stated:

"Of all the interpretations of *Frothingham* v. *Mellon* that have been offered, it would seem to me that the only one that is still viable is that the Constitution itself does not authorize a taxpayer suit to review the constitutionality of Federal expenditures. However, I suggest that it is certain that Congress has the right, by appropriate legislation, to grant a remedy for violations of the first amendment * * *."[6]

Addressing himself to the question of whether citizens should be allowed to sue to challenge the constitutionality of Federal expenditures under the first amendment, Prof. Leo Pfeffer said, "I think the initial question should be 'why not?' The burden of proof, it seems to me, would be upon those who assert that there should be no such right."[7] Professor Pfeffer went further. In reference to the *Frothingham* case, he said:

"It was decided in 1923 at the time when judicial attacks upon social welfare legislation, child labor laws, maximum hour laws, minimum wage laws, and so on, were frequent. The Court, while it invalidated a number of these laws, sought to exercise some degree of judicial restraint. And one of the means it applied for the exercise of this judicial restraint was to assert that a taxpayer, suing to invalidate such a law, must show that he has suffered some special damage or injury not shared by the common public or by all taxpayers. This was a decision based upon judicial discretion, upon the Court's interpretation of judicial policy. It was not based upon any constitutional limitation on the Court's power to act * * *."[8]

It has been suggested by various constitutional authorities, particularly Professor Jaffe and Kenneth Culp Davis, that the Supreme Court would even now hear a taxpayer's suit challenging a Federal appropriation which, in the words of the *Frothingham* case, is a "matter which admits of the exercise of the judicial power." And, in his statement submitted to the subcommittee, Professor Jaffe added, "But we know from *Everson*[9] that the questions which would be adjudicated under the proposed statute, are matters which admit of the exercise of the judicial power."[10] In such cases, the Court may still refuse to take jurisdiction of such a suit not for constitutional reasons but on grounds of public policy. In his testimony before the subcommittee, Professor Jaffe stated, however, that if "Congress mandates jurisdiction the Court may well be prepared to accept the congregational action as a definitive expression of a policy favoring the assumption of jurisdiction."[11]

It is important to remember that the constitutionality of none of the acts enumerated in section 1 has been ascertained by the Supreme Court of the United States. Furthermore, Prof. Leo Pfeffer pointed out in his testimony before the subcommittee that judicial review is available for every aspect of the Bill of Rights except the establishment clause of the first amendment. He stated. "* * * ironically, even though the first amendment says 'Congress shall make no law respecting the establishment of religion,' and does not say 'no State shall make a law respecting the establishment, the Court accepted jurisdiction of a suit against a State law alleged to violate that provision of the first amendment."[12]

In reference to the desirability of filling the procedural gap between the first amendment's guarantees regarding the freedom of religion and the enjoyment of that freedom, Professor Pfeffer noted that—

"* * * James Madison, when defending the Bill of Rights specifically stated that he expected that the courts would make themselves the special guardian of the Bill of Rights, which in fact they have done. They have done it except for this technical obstacle in establishment cases involving Federal expenditures. * * * and James Madison * * * did have that foresight and that intelligence to realize that the Bill of Rights without judicial enforcement would be what he called a parchment barrier."[13]

Interpretation of the religion clauses of the first amendment has remained fairly constant throughout its existence. This is apparent, at least, from an observation of the decisions of the Supreme Court and more particularly of the Court's repeated references to history as they are called upon to interpret and apply the first amendment. In spite of the precautionary adhered to by the Court, that no act of legislation will be declared void unless the act is unconstitutional beyond all reasonable doubt, recently, presumptions of invalidity have appeared to prevail against statutes alleged to interfere with the freedom of religion. This freedom has been said to occupy a preferred position in the Constitution.[14]

In this regard, Professor Pfeffer explained:

"* * * Of all the guarantees of the Bill of Rights none is more important, according to the thinking and decisions of the U.S. Supreme Court, than the first amendment. It was no accident that the Bill of Rights started with the first amendment, nor that the first amendment started with the words 'Congress shall make no law respecting an establishment of religion.' This, as the Supreme Court pointed out recently, was put first in the Bill of Rights because it was first in the minds of the Constitutional Fathers."[15]

There have been times in the history of the United States that the Supreme Court has declared that certain issues brought before it were of a political nature and that it would not enter this "political thicket." The Department of Health, Education, and Welfare, through its representative spokesman, suggested that since the President and the Congress have decided that the legislation to be subjected to review by this bill is constitutional, there was no need nor desirability of having the judicial branch of the Government lend its approval or disapproval to the question. The subcommittee submits, however, that the case of *Marbury* v. *Madison*, 1 Cr. 137 (1803), is still good law and applicable to the problem now confronting the Congress. In S. 3 Congress has not abdicated its responsibility for determining the constitutionality of its actions to the Supreme Court. To the contrary, it carefully deliberated upon the constitutional issues posed by the acts enumerated in section 1 of the bill. But, "the controversy over them is not stilled."[16] As Professor Freund submitted:

"The authority of government to aid religious groups is an area of dispute that does not lend itself to political settlement. In fact, it was precisely to keep religious differences out of the arena of politics that the first amendment was adopted.[17]

One of the initial sponsors of this legislation, Senator Wayne Morse, declared in his testimony before the subcommittee: "I think we will greatly strengthen our whole system of three coordinate and coequal branches of government if we provide in a broad bill a jurisdictional basis for judicial review."[18] The bill recognizes that the final power to adjudicate controversies arising under the Constitution rests in the courts rather than the Congress.

The case of *Horace Mann League* v. *Board of Public Works*, 242 Md. 645, 220 A. 51 (1966); certiorari denied, appeal denied, 385 U.S. 97 (1966), had been cited by opponents of judicial review as potentially productive of judicial guidelines in this area of constitutional law. On November 14, 1966, however, the Supreme Court refused to review the Maryland court of appeals decision declaring three construction grants to three church-controlled colleges unconstitutional under the first amendment to the U.S. Constitution. Commenting on the case when S. 3 was introduced, Senator Ervin said:

"These same three colleges which cannot constitutionally receive funds from the State of Maryland have each been recipients of Federal grants during the last 2 years. The effect, then, is that while the establishment clause was originally intended to apply only to Congress, today it is only enforced against State legislatures. On religion and the first amendment, the law of the land is less majestic than ironic."

Several cases are now pending which challenge the constitutionality of the Elementary and Secondary Education Act of 1965. The pendency of these cases may be cited by opponents of judicial review as a substitute for legislation. The committee feels, however, that if the question of standing is raised by the defendants in these cases, they will undoubtedly be successful under the present state of the law. Moreover, the failure of the Maryland case to produce new insight in our understanding of the first amendment should serve as an example to the Senate.

The U.S. Office of Education now indicates that it would welcome court rulings on the constitutionality of its programs. Commissioner Howe has stated that without such rulings, Federal and State educational agencies will continue to have problems.

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[3] Hearings, 1966.

[4] Id.

[5] Freund, hearings, 1966.

[6] Hearings, 1966.

[7] Id.

[8] Id.

[9] *Everson* v. *Board of Education*, 330 U.S. 1 (1947).

[10] Hearings, 1966.

[11] Id.

[12] Id.

[13] Id.

[14] See the opinion of Mr. Justice Reed in *Kovacs* v. *Cooper*, 336 U.S. 77, 88 (1949).

[15] Hearings, 1966.

[16] See Freund, hearings, 1966.

[17] Hearings, 1966.

[18] Id.

ACTS SUBJECT TO REVIEW UNDER S. 3

The following is an outline of the existing laws which may be affected by this act:

These nine acts include, by application, church-related institutions among their beneficiaries. The extent of this inclusion is not, according to Department officials, accurately definable. In some cases the acts have not been in operation long enough to make a determination but the legislative history portends broad utilization of such institutions in these new Federal education programs.

Higher Education Facilities Act of 1963 (Public Law 88-204, as amended)

The Higher Education Facilities Act of 1963 authorizes the following programs:

Title I.—Federal matching grants for construction of undergraduate academic facilities at public 2-year institutions of higher education and at public and private 4-year institutions of higher education.

Title II.—Federal matching construction grants to public and private institutions of higher education and cooperative graduate center boards for the improvement of existing graduate schools and cooperative graduate centers and for assistance in the establishment of new graduate schools and cooperative graduate centers.

Title III.—Loans to public and private institutions of higher education for the construction of academic facilities. [As a result of amendments to Public Law 88-204 contained in Public Law 89-429, Participation Sales Act of 1966, construction loans are to be made from a separate revolving loan fund created in the Treasury.]

Fiscal year 1967 appropriations

Title I	$453,000,000
Title II	60,000,000
Title III	200,000,000
State administrative expenses and technical services	9,744,000

Title VII of the Public Health Service Act

The provisions of this title authorize Federal assistance to health research and teaching facilities and to various health professional personnel.

Part A provides for matching grants-in-aid to public and nonprofit institutions for the construction of facilities for research in the health sciences. Administration of this part is aided by the creation of the National Advisory Council on Health Research Facilities. The appropriation for fiscal year 1967 is $50,000,000.

Part B provides for grants for the construction of teaching facilities for medical, dental, and other related personnel. For this purpose $135 million has been appropriated for fiscal year 1967.

Part C authorizes the establishment of a student loan fund to assist schools in providing loans to students of medicine, dentistry, osteopathy, optometry, and veterinary medicine. The fiscal year 1967 appropriation is $25,325,000.

Part D is discussed in another section of this outline, under the Mental Retardation Facilities and Community Mental Health Act of 1963.

Part E authorizes a program of improvement grants to assist schools of medicine, dentistry, osteopathy, optometry, and podiatry in improving the quality of their educational instruction. For fiscal year 1967 the appropriation is $30 million.

Part F provides for a scholarship program for students of medicine, osteopathy, dentistry, optometry, podiatry, or pharmacy, allowing them assistance of up to $2,500 annually. The appropriation for fiscal year 1967 is $4,030,000.

Part G authorizes grants to be awarded to training centers of the allied health professions in junior colleges, colleges, and universities for construction, basic and special curriculum improvements, traineeships for students, and development of new methods of training. The appropriation for fiscal year 1967 is $3,735,000, none of which will be available for construction grants.

National Defense Education Act of 1958 (Public Law 85-864, as amended)

This act, as currently in effect, authorizes the following programs:

1. Federal contributions to public and private institutions of higher education for use in establishing funds for making low-interest loans to students. Fiscal year 1967 appropriation: $192 million.

2. Federal matching grants to State educational agencies for the acquisition of laboratory and other special equipment and for improvements in State services necessary for strengthening instruction in science, mathematics, history, civics, geography, economics, industrial arts, modern foreign language, English, and reading in public elementary and secondary schools: Federal loans to nonprofit private elementary and secondary schools for same purposes. Fiscal year 1967 appropriation: $88,200,000.

3. Graduate fellowships for persons interested in college teaching. Fiscal year 1967 appropriation: $81,957,000.

4. Federal matching grants to State educational agencies to assist them in carrying out programs of testing, guidance, and counseling in the public schools. [Private schools may also participate in the testing program, either under the State plan or under special arrangement with the Commissioner of Education.] Fiscal year 1967 appropriation: $24,500,000.

Federal grants to or contracts with public and private institutions of higher education for the operation by them of guidance and counseling institutes. Fiscal year 1967 appropriation: $7,250,000.

5. Federal grants to or contracts with public and private institutions of higher education for the operation by them of modern foreign language and area studies centers. Fellowships for individuals engaged in advanced training in modern foreign languages and area studies. Fiscal year 1967 appropriation: $15,800,000.

6. Federal grants to or contracts with public or nonprofit private agencies, organizations, or individuals for research and experimentation projects in the more effective use of educational media, and for dissemination of the results of such projects. Fiscal year 1967 appropriation: $4,400,000.

7. Federal matching grants to State educational agencies for the improvement of State statistical services. Fiscal year 1967 appropriation: $2,250,000.

8. Federal grants to or contracts with public and private institutions of higher education for the operation by them of advanced training institutes for teachers of history, geography, economics, civics, industrial arts, modern foreign languages, reading, international affairs, or English; for teachers of disadvantaged youth; and for school library personnel and educational media specialists. Fiscal year 1967 appropriation: $30 million.

Fiscal year 1967 appropriations.—$446,357,000 in the aggregate.

Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164)

Title I of this act authorizes (1) project grants for the construction of mental retardation research centers; (2) project grants for the construction of clinical facilities for the mentally retarded to be associated with a college or university; and (3) formula grants for the construction of public and other nonprofit facilities to provide comprehensive services to the mentally retarded.

Title II authorizes formula grants for the construction of public and private nonprofit community mental health centers.

Title III provides for grants for training, research, and demonstrations with respect to the education of handicapped children.

Public Law 89-105 authorizes grants to pay part of the cost of professional and technical personnel staffing the community mental health centers.

The total appropriation for this act for fiscal year 1967 is $113,600,000.

Title II of the act of September 30, 1950 (Public Law 874, 81st Cong.)

Title II of Public 874 was enacted as title I of the Elementary and Secondary Education Act of 1965 and is treated under that act below.

Elementary and Secondary Education Act of 1965 (Public Law 89-10, as amended)

The Elementary and Secondary Education Act of 1965 authorizes the following programs:

Title I.—Federal grants [through fiscal year 1968] to local educational agencies serving areas with concentrations of children from low-income families. Agencies may use grants for any of a wide range of programs designed to meet the special needs of educationally deprived children.

Local agency may qualify for grants on behalf of: (1) children from families with annual income of less than low-income factor [$2,000 fiscal year 1967; $3,000 fiscal year 1968]; (2) children from families with income in excess of low-income factor due to AFDC payments; and (3) children in local institutions for neglected or delinquent children, or in foster homes at public expense.

Additionally, State educational agencies may receive grants for use in educational programs for migratory children of migratory farm laborers and for handicapped children and children in institutions for the neglected and delinquent. Finally, grants may be made to the Department of the Interior for use in schools for Indian children [fiscal year 1967 only].

Pupils in private elementary and secondary schools are eligible to participate in certain title I programs administered by local educational agencies.

Title II.—Federal grants [through fiscal year 1970] to State educational agencies for the acquisition of school library resources, textbooks, and other instructional materials for use of the pupils and teachers in public and private elementary and secondary schools in the State.

Grants to Department of the Interior for acquisition of library resources, texts, and other materials for Indian schools [fiscal year 1967 only].

Grants to Department of Defense for acquisition of library resources, texts, and other materials for DOD overseas dependents schools [fiscal year 1967 only].

Title III.—Federal grants [through fiscal year 1970] to local educational agencies for establishment and operation of supplementary educational centers and services for the teachers and pupils of public and private elementary and secondary schools.

Grants [fiscal year 1967 only] to Secretary of Defense and Secretary of the Interior for use in providing special services in overseas dependents schools and Indian schools, respectively.

[*Title IV.*—Amends Cooperative Research Act; discussed below.]

Title V.—Grants [through fiscal year 1970] to State educational agencies for use in broad range of projects designed to strengthen and improve their educational leadership resources.

Arrangements for interchange of personnel between State educational agencies and U.S. Office of Education.

Title VI [added by Public Law 89-750, November 3, 1966].—Grants [through fiscal year 1968] to State educational agencies to assist them in programs for the improvement of education of handicapped children at preschool, elementary, and secondary levels. Handicapped children enrolled in private elementary and secondary schools are eligible to participate in programs assisted under this title.

Fiscal year 1967 appropriations

$1,342,410,000[1] in the aggregate—

Title I	$1,070,410,000
Title II	105,000,000
Title III	145,000,000
Title V	22,000,000

[1] Up to $30,000,000 of this sum to be available for use under the Adult Basic Education Act of 1966, enacted as title IV of Public Law 89-750, Nov. 3, 1966.

Cooperative Research Act of 1954 (Public Law 531, 83d Cong., as amended)

The Cooperative Research Act, as amended by Public Law 89-10 and by Public Law 89-750, authorizes the following programs:

1. Grants to colleges and universities; other public and nonprofit private agencies, institutions, and organizations; and to individuals for research in education, and for disseminating information derived therefrom.

2. Contracts or jointly financed cooperative arrangements with colleges and universities; other public and nonprofit or profitmaking private agencies, institutions, and organizations; and with individuals for purposes described in 1, above.

3. Grants to colleges and universities and other public or nonprofit private agencies, institutions, and organizations to assist them in providing training programs in educational research.

4. Contracts or jointly financed cooperative arrangements with colleges and universities and other public or private (nonprofit or profitmaking) agencies, institutions, and organizations for purposes described in 3, above.

5. Grants to or contracts with universities, colleges or other appropriate public or nonprofit private agencies or institutions, or combinations of such agencies and institutions, for part or all of the cost of constructing regional facilities for educational research and related purposes. (Funds for construction authorized through fiscal year 1970 only.)

Fiscal year 1967 appropriations.—$70,000,000 in the aggregate, of which sum up to $12,400,000 will remain available until expended for construction of regional facilities for research and related purposes.

Higher Education Act of 1965 (Public Law 89-329, as amended)

This act, as amended by Public Law 89-698 (October 29, 1966) and by Public Law 89-752 (November 3, 1966), authorizes the following programs:

Title I.—Grants to public and private institutions of higher education for strengthening their community service programs and increasing their effectiveness as agents for the solution of community problems such as housing, poverty, government, land use, health, and transportation. Fiscal year 1967 appropriation: $10 million.

Title II.—

Part A: Grants to public and private IHE for assistance in acquiring needed library resources such as books, periodicals, documents, and tapes. Fiscal year 1967 appropriation: $25 million.

Part B: Grants to public and private IHE for assistance in training persons in librarianship. Grants to or contracts with public and private IHE and other appropriate public or private agencies for research in the improvement of libraries and librarianship. Fiscal year 1967 appropriation: $7,300,000.

Part C: Transfer of funds to the Library of Congress for acquisition of library materials from around the world which are of value to scholarship and for distribution of bibliographic information on such materials. Fiscal year 1967 appropriation: $3 million.

Title III.—Grants for assisting developing institutions of higher education—public and private—in improving their academic quality by entering into cooperative arrangements with other, better developed institutions and agencies. Teaching fellowships for qualified graduate students and junior faculty members to encourage them to teach in developing institutions. Fiscal year 1967 appropriation: $30 million.

Title IV.—Part A: Grants to public and private IHE for use in making educational opportunity awards to needy students.

Contracts with State and local educational agencies and other public or nonprofit private organizations and institutions for identifying qualified but needy youth and encouraging them to continue their educations. Fiscal year 1967 appropriation: $114,500,000.

Part B: Advances to assist in establishing or strengthening reserve funds of State and nonprofit private student loan programs. Interim program of Federal insurance of student loans, to remain in effect until State and nonprofit private insurance programs are accessible to all students. Federally subsidized interest on federally insured student loans and loans insured under approved State and nonprofit private programs. Fiscal year 1967 appropriation: $46 million.

Part C: Grants to public and private IHE to assist them in operating student work-study programs. (Pt. C amended and expanded the college work-study program originally enacted as part of the Economic Opportunity Act of 1964, and transferred authority over the program from the Office of Economic Opportunity to the Office of Education.) Fiscal year 1967 appropriation: $134,100,000.

(Part D: Amendments to the National Defense Education Act, treated above.)

Title V.—(Part A: Establishment of an Advisory Committee on Quality Teacher Preparation.)

Part B: Establishment of a National Teachers Corps to attract and train qualified teachers and inexperienced teacher-interns who will be available, upon request of local educational agencies, for teaching in economically depressed areas. The local educational agency may use Teachers Corps members in providing certain educational services in which pupils of private schools can participate. Fiscal year 1967 appropriation: $7,500,000.

Part C: Graduate fellowships to enable teachers or prospective teachers to study at public and private IHE. Grants to and contracts with public and private IHE to assist them developing or strengthening graduate programs for teachers and prospective teachers. Fiscal year 1967 appropriation: $30 million.

Title VI.—Part A: Federal matching grants to public and private IHE for acquisition of laboratory, television, and other special equipment and materials needed for improving undergraduate instruction in science, mathematics, foreign languages, history, geography, government, English, other humanities, the arts, or education. Fiscal year 1967 appropriation: $14,500,000.

Part B: Grants to or contracts with public and private IHE for the operation by them of training institutes for individuals engaged in (or preparing to engage in) the use of educational media equipment in institution of higher education. Fiscal year 1967 appropriation: $2,500,000.

(*Title VII.*—Amendments to the Higher Education Facilities Act of 1963, treated above.)

Fiscal year 1967 appropriation.—$424,400,000 in the aggregate.

Economic Opportunity Act of 1964 (Public Law 88-452 as amended by Public Laws 89-253 and 89-794)

The following is a summary of the relevant portions of this act:

Title I establishes the Job Corps, which provides work experience and training for disadvantaged young men and women aged 16 through 21. This training takes place in residential rural conservation camps and urban training centers. The Neighborhood Youth Corps was also established to provide programs which will give employment and training in their own communities to young men and women aged 15 through 21 who live at home. The 1966 amendments authorized a new special impact program to employ and train unemployed and low-income residents of high-concentration poverty areas in activities designed to improve life in their neighborhood: $412.5 million was appropriated for fiscal year ending June 30, 1965; 1966 and 1967 appropriations were not earmarked by title: however, 1966 authorizations were $700 million and 1967 authorizations were $696 million; $211 million for the Job Corps, $410 million for the Neighborhood Youth Corps, and $75 million for the special impact program.

Title II authorizes general community action programs. Both public and private resources are to be mobilized to combat poverty within the community. Grants may be made to meet the costs of developing programs for technical assistance, research training and demonstration, and for special programs aimed at the chronically unemployed poor. The 1966 amendments add a new provision for grants to finance adult work training and employment programs for poor persons involved in community improvement activities. The Headstart and legal services programs which were not specified in the 1964 act are included in the 1966 amendments. Headstart includes the furnishing of health, nutritional, social, educational, and mental health services to young children: $340 million was appropriated for fiscal year ending June 30, 1965; 1966 and 1967 appropriations were not earmarked by title; however, 1966 authorizations were $850 million and 1967 authorizations were $846 million.

Adult basic education was transferred to the Office of Education under Public Law 89-750. Under this program grants may be made to States to initiate basic education programs for those 18 years of age and over whose inability to read and write seriously impairs their ability to get or retain employment.

Title III established special programs to combat poverty in rural areas, including assistance for migrants and seasonally employed agricultural workers, and authorizes loans with 15 years maximum maturity in amounts not exceeding $3,500 to low-income families, $35 million was appropriated for fiscal year ending June 30, 1965, 1966 authorizations were $55 million, and 1967 authorizations $57 million.

The Office of Economic Opportunity has stated that in respect to title II, it has often found that church related institutions are the most viable resource in a community for perfecting the purposes of this title. In this regard Mr. Sargent Shriver stated:

"Three or four years ago it was practically impossible for a Federal agency to give a direct grant to a religious group. Today we have given hundreds without violating the principle of separation of church and state."

Testimony elicited from agency representatives indicates that approximately 6 percent of the community action programs are operated or coordinated by church-affiliated organizations.

ANALYSIS OF PROVISIONS OF S. 3

In general

All the acts described above pose the problem of the extent to which the first amendment proscribes church-state interaction. Recent Supreme Court cases have engendered serious doubts as to the constitutionality of the type of public assistance which is offered by these acts to denominational institutions.

Furthermore, witnesses asserted that any distinction between limited and general aid would be specious. Likewise, to achieve direct aid, which is undoubtedly unconstitutional, by categorizing the funds or justifying such allocations in the interest of national defense or public welfare may also be fallacious.

In reference to the constitutionality of certain acts affected by this legislation and of his efforts to have them enacted by the Senate, Senator Wayne Morse made the following statement in his testimony before the subcommittee:

"* * * I could not speak with finality, no one could, until the court rules. I do not think that as Senators we ought to be put in a position where we have to move in legislatively by the back door. That is the way I described it.

"I said to the Senate, 'I am asking for this through the back door because I cannot walk through the front door for a general Federal aid-to-education bill, because I feel existing court decisions bar my entrance there.'

"So what did we do? Let us be frank about it. It is not a very nice term, it is a frank and accurate description of some of our legislation, to say we used what amounts to a subterfuge approach on this constitutional question. We had no other choice. We used the national defense education approach, we used the contract approach, we used the categorical approach. Why did we use those approaches? Because we were afraid, let us be frank about it, that we could have been beaten on the constitutional argument on a general aid bill."[19]

The basic purpose for this legislation can be seen in section 1. It is a twofold purpose. Primarily, the bill is designed to provide a feasible and practical test of the constitutionality of acts of Congress. As noted later in this report, all sections of the Constitution may be and generally have been, tested or enforced by the courts with one exception—the establishment clause of the first amendment. Thus, we see a second reason for S. 3 the enumerated acts in section 1 of the bill.

This bill is couched in terms of "the provisions relating to religion" although it is the establishment clause of the first amendment which is the particular right to be enforced. It is understood, however, that both the establishment clause and the free exercise clause can be read together. In fact, it is the free exercise of religion that is ultimately sought to be protected by a proscription against establishment. This interpretation of the first amendment has been endorsed on numerous occasions by the Supreme Court. Mr. Justice Goldberg, concurring in *Abington School District* v. *Schempp*, 374 U.S. 203, 305 (1963), said:

"These two proscriptions are to be read together, and in light of the single end which they are designed to serve. The basic purpose of the religion clause of the first amendment is to promote and assure the fullest possible scope of religious liberty and tolerance for all and to nurture the conditions which secure the best hope of attainment of that end."

The distinction is recognized here because the infringement on religious liberty in general occurs, if at all, by virtue of the fact that the Federal Government may be approaching through various acts the "establishment of religion" which is proscribed in the establishment clause of the first amendment.

The establishment clause is not confined to the protection of particular religious exercises. As Mr. Justice Douglas stated in the *Abington* case, at page 229:

"[I]t also forbids the State to employ its facilities or funds in a way that gives any church, or all churches, greater strength in our society than it would have by relying on its members alone."

The scope of this bill is focused more readily on the establishment clause for two additional reasons. All of the legislation enumerated in this section involves education in some way and *"the most effective way to establish any institution is to finance it; and this truth is reflected in the appeals by church groups for public funds to finance their religious schools."*[20] [Emphasis added.]

Mr. Justice Douglas continued—

"But the institution is an inseparable whole, a living organism, which is strengthened in proselytizing when it is strengthened in any department by contributions from other than its own members.

"Such contributions may not be made by the State even in a minor degree without violating the establishment clause * * *. What may not be done directly may not be done indirectly lest the establishment clause become a mockery."

The *Abington* case is particularly helpful in an understanding of the constitutional significance of S. 3. It explains another reason for placing this legislation in the framework of the establishment clause. In footnote 9 in the opinion of the court, Mr. Justice Clark explains "[*B*]*ut the requirements for standing to challenge State action under the establishment clause, unlike those relating to the free exercise clause do not include proof that particular religious freedoms are infringed.*" [Emphasis added.]

Section by section

Publication of the order of the Federal officer approving or disapproving a grant or loan under any of the acts enumerated in section 1 is a condition precedent to the effectuation of such order. Furthermore, this publication will constitute official notice to any party or parties wishing to challenge such order as violative of the establishment clause of the first amendment to the Constitution and the limitation on the bringing of an action shall commence on the date of such publication.

Section 2 of the bill is an authorization granting standing to "any public or other nonprofit agency or institution which is or may be prejudiced by the order of the Federal officer making a loan or grant under the authority of any of the Acts enumerated in section 1." Prejudice occurs to the complaining party when the making of such grant or loan serves to reduce the amount of funds available in a given year for a grant or loan under any of these acts to such complaining agency or institution and when such grant or loan is deemed inconsistent with the establishment clause of the first amendment. The complaining party may bring an action for declaratory judgment within 60 days after the publication of the order of the Federal officer in the Federal Register. The defendants will be the Federal officer and the agency or institution whose application has been approved.

It is understood that no potential beneficiary of Federal appropriations has a constitutional right to receive financial benefits from the Federal Government. Nevertheless, a potential nondenominational beneficiary has an interest in these appropriations because but for the allegedly unconstitutional aid to church-related institutions the plaintiff institution would have received Federal aid for its own needs. It would, therefore, be prejudiced to such an extent that equitable relief should be made available. Additionally, the injury is "direct" enough to support standing.

Section 3(a) authorizes corporate and individual taxpayers to bring an action for declaratory judgment against the Federal officer making a grant or loan under any of the acts enumerated in section 1. The action shall be based on allegations that such grant or loan is inconsistent with the establishment clause of the first amendment of the Constitution. In order to maintain an action under this section a plaintiff need only show that it has paid any part of such income tax imposed upon its taxable income under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year. A 60-day limitation on the bringing of an action is also provided in this section. This subsection also provides that "[N]o additional showing of direct or indirect financial or other injury, actual or prospective, on the part of the plaintiff shall be required for the maintenance of any such action."

The type of action contemplated here is, of course, couched in term of the first amendment and is essentially different from that in the *Frothingham* case. Professor Freund, in a statement submitted to the subcommittee, states that this action—

"* * * does not rest on a quantitative comparison of the financial stake of various classes of taxpayers. The object of the challenge in that case (*Frothingham* v. *Mellon*) was on expenditure asserted not to fall within the national power to tax and spend for the general welfare but to fall within the realm of State authority."[21]

The following additional statement by Professor Freund is of critical importance to an understanding of this legislation:

"Under this bill, however, the litigation would be brought to vindicate rights secured by the first amendment, a right to be free of a Federal religious establishment, a right closely allied to the right of free exercise of religion, and one that traditionally took the form of freedom from enforced contribution to support religious activities. In this view, the quantum of the financial stake is not central to the right; any such use of a citizen's tax payments would constitute the heart of the offense to his autonomy in the religious sphere."[22]

Under subsection (b) all citizens are afforded identical relief to that of the taxpayer in subsection (a). The right which is sought to be protected is not one of monetary concern at all but is one of citizenship under the first amendment. The challenge is to an expenditure which allegedly constitutes a forbidden law respecting the establishment of religion. The plaintiff sues not only for himself but also in behalf of all other citizens to vindicate the public interest in the observance of the provisions relating to religion in the first amendment.

William J. Butler, testifying before the subcommittee, asserted that "Congress has the right, duty, and power to provide a procedure whereby citizens of the United States may control the unlawful acts of public officials through the courts * * *. It is his interest as a citizen of the United States that would motivate him to initiate a lawsuit under this act."[23] The actions of the public officials which are challenged as being unlawful under this bill are those which are unlawful only because the acts authorizing their action may be unconstitutional.

Mr. Butler also noted—

"Moreover, over a period of a substantial number of years and in a number of leading cases, apparently because of the importance of the first clause of the first amendment, the U.S. Supreme Court has recognized standing to sue where there is no financial basis at all. Thus, in *Everson, McCollum, Zorach, Engel, Murray,* and *Schempp,* the Court has recognized parenthood of a child in the school affected as sufficient basis for standing to sue. *Everson* v. *Board of Education*, 330 U.S. 1 (1947); *McCollum* v. *Board of Education*, 333 U.S. 203 (1948); *Zorach* v. *Clauson*, 343 U.S. 306 (1952); *Engel* v. *Vitale*, *supra; School District of Abington Township, Pa.*, v. *Schempp*, 374 U.S. 203 (1963)." [24]

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[19] Hearings, 1966.

[20] *Abington School District* v. *Schempp* at 229, concurring opinion of Justice Douglas citing II Stokes, *Church and State in the U.S.* (1950).

[21] Hearings, 1966.

[22] Id.

[23] Id.

Finally, Prof. Louis Jaffe concluded that—

"It seems to me clear that the procedural conditions relevant to case or controversy do not differ in the slightest as between a State and a Federal taxpayer suit. In both cases there is a plaintiff prepared to carry the burden of persuasion and a defendant ready to defend. There is little risk that the Court will not be adequately briefed.

"A citizen or taxpayer sufficiently concerned to bring a lawsuit in which he does not have a monetary concern is for that very reason likely to take seriously the presentation of the lawsuit. The judgment will be definitive; it will determine either that the defendant does or does not have a duty to enforce the law in question. There need be nothing contingent or speculative about the question to be decided and if there is, jurisdiction can be refused on that ground." [25]

Finally, it should be noted that Congress has in the past authorized defined classes of persons to seek review of administrative orders where they qualify as "aggrieved persons." The most common form of relief has been obtained through an injunction or action for declaratory judgment. Typically, Federal courts have recognized standing in consumers, licensees, and television viewers. In *Associated Industries* v. *Ickes*, 134 F. 2d 694 (1943), the Court of Appeals, Second Circuit, held that an association of industrial firms, including consumers, had standing to review an order by the Secretary of the Interior purporting to increase the minimum price of coal. After reviewing a series of cases dealing with standing to challenge official action, Judge Frank declared:

"While Congress can constitutionally authorize no one, in the absence of an actual justifiable controversy, to bring a suit for the judicial determination either of the constitutionality of a statute or the scope of powers conferred by a statute upon Government officers, it can constitutionally authorize one of its own officials, such as the Attorney General to bring a proceeding to prevent another official from acting in violation of his statutory powers; for then an actual controversy exists, and the Attorney General can properly be vested with authority, in such a controversy, to vindicate the interest of the public or the Government. Instead of designating the Attorney General, or some other public officer, to bring such proceedings, Congress can constitutionally enact a statute conferring on any nonofficial person, or on a designated group of nonofficial persons, authority to bring a suit to prevent action by an officer in violation of his statutory powers; for then, in like manner, there is an actual controversy, and there is nothing constitutionally prohibiting Congress from empowering any person, official or not, to institute a proceeding involving such a controversy, even if the sole purpose is to vindicate the public interest. Such persons, so authorized, are, so to speak private attorney generals." 134 F. 2d at 704.

Prof. Kenneth Culp Davis in his "Administrative Law Treatise," volume 3, section 22.05, points out that "the basic idea of the private attorney general who can sue to vindicate the public interest is a very old one." The action by citizens under subsection (b) may be brought in behalf of the individual plaintiff and all others in similar circumstances. This principle has never been repudiated by any Federal court and thus affords an additional ground on which a plaintiff may base his claim.

Section 4 authorizes any public or other nonprofit institution or agency to bring a civil action to review the final decision of a Federal officer which denies a loan or grant applied for under any act enumerated in section 1. The denial must have been on the ground that such grant or loan would be inconsistent with the establishment clause of the first amendment to the Constitution. The challenge to such denial must be instituted within 60 days after the order of disapproval appears in the Federal Register.

Section 5 contains the procedural and jurisdictional provisions for the operation of this proposed act. All actions would be brought in the District Court of the United States for the District of Columbia which would have jurisdiction without regard to the amount in controversy. The District of Columbia is the obvious jurisdiction since the defendant in all three types of actions under this act includes the Federal officer issuing the order which is to be challenged, and, with the exception of section 2 actions, the Federal officer is the only defendant.

This section also provides that "in the event two or more civil actions are brought under the provisions of this Act challenging the constitutional validity of the same loan or grant, such court may consolidate such civil actions for the purpose of trial and judgment." This provision will reduce any possible increase in the case load of the Federal courts. Furthermore, since jurisdiction is limited to the District of Columbia, there is a geographical barrier to the prosecution of frivolous suits. It should be noted also that litigation such as that contemplated by this act will be a substantial financial undertaking and must be undertaken within 60 days after publication of the order approving or disapproving the grant or loan.

The provision in section 5 which calls for expediting review and appeal should guarantee speedy and orderly processing of cases under this act.

The remaining portions of subsection (a) of section 5 include the following:

"All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. In any action under this Act the court shall have authority to determine all matters of fact or law appropriate to a decision of the case. No costs shall be assessed against the United States in any proceeding under this Act. In all litigation under this Act, the Federal officer shall be represented by the Attorney General."

Subsection (b) of section 5 provides "the judgment of the district court shall be subject to review as provided in sections 1252, 1253, 1254, and 1291 of title 28 of the United States Code" which read as follows:

"§ 1252. Direct appeals from decisions invalidating Act of Congress.

"Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and any court of record of Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies, or any officer or employee thereof, as such officer or employee, is a party.

"A party who has received notice of appeal under this section shall take any subsequent appeal or cross appeal to the Supreme Court. All appeals or cross appeals taken to other courts prior to such notice shall be treated as taken directly to the Supreme Court.

"§ 1253. Direct appeals from decisions of three-judge courts.

"Except as otherwise provided by law, any party may appeal to the Supreme Court from an order granting or denying, after notice and hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges.

"§ 1254. Courts of appeals; certiorari; appeal; certified questions.

"Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

"(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree;

"(2) By appeal by a party relying on a State statute held by a court of appeals to be invalid as repugnant to the Constitution, treaties or laws of the United States, but such appeal shall preclude review by writ of certiorari at the instance of such appellant, and the review on appeal shall be restricted to the Federal questions presented;

"(3) By certification at any time by a court of appeals of any question of law in any civil or criminal case as to which instructions are desired, and upon such certification the Supreme Court may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

"§ 1291. Final decisions of district courts.

"The courts of appeals shall have jurisdiction of appeals from all final decisions of the district courts of the United States, District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands, except where a direct review may be had in the Supreme Court."

Section 6(a) provides: An interlocutory injunction enjoining the payment of a grant or loan, or any portion thereof, made pursuant to the order which is claimed to be invalid in an action under this act may be granted by the court at any stage of the proceedings authorized by this act. To avoid interrupting important education and welfare programs already in operation, none of these programs will be subject to attack through the procedures provided by this legislation. Furthermore, a grant or loan once perfected may not be refunded under the provisions of this bill. The intent is to bring under review those orders authorizing a grant or loan under any of the acts enumerated in section 1 which occur after enactment of this bill. To provide otherwise would be to create grave and obvious hardships. Thus, it is anticipated that refunding shall only occur in those instances wherein a specific order, effected by this act, is successfully challenged as being inconsistent with the establishment clause of the first amendment.

An objection to the bill particularly aimed at section 6(a) concerns the possibility of a multitude of lawsuits which may impede the administration's program for health, education, and welfare. This objection is not, however, supported by the evidence. In the recent case of *Office of Communication of the United Church of Christ* v. *F.C.C.*, 359 F. 2d 994 (C.A. D.C. Cir. 1966), the court met these fears in the following manner:

"The fears of regulatory agencies that their processes will be inundated by expansion of standing criteria are rarely borne out. Always a restraining factor is the expense of participation in the administrative process, an economic reality which will operate to limit the number of those who will seek participation; legal and related expenses of administrative proceedings are such that even those with large economic interests find the costs burdensome."

The bill is designed to insure that no Federal programs will be suspended until a final judgment by the court declaring the particular grant or loan to be unconstitutional. The court, however, may in its discretion, grant an interlocutory injunction enjoining the payment of a grant or loan which is claimed to be invalid in an action under this act.

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[24] Id.

[25] Hearings, 1966.

It should be remembered that actions arising under this proposed legislation would be heard by a three-judge Federal court, 28 U.S.C. 2282 provides:

"An interlocutory or permanent injunction restraining the enforcement, operation or execution of any Act of Congress for repugnance to the Constitution of the United States shall not be granted by any district court or judge thereof unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title." [Emphasis added.]

The main thrust of the bill is, of course, section 6 subsection (b). Upon a final determination by the court that the order of the Federal officer which is challenged is invalid the agency or institution receiving the grant or loan shall refund the unexpended portion of the same. In the case of a loan it shall be repaid with accrued interest at the rate fixed therefor. Deferred payment is permitted for a reasonable length of time.

Any refunding after final judgment would be applied to the current appropriation from which it was paid and may be reallotted in accordance with existing law. Typically in most of the programs which may be affected by this act there is a standard reallotment provision in each act. An example is section 203(c) in the Economic Opportunity Act of 1964. It reads in part—

"(c) The portion of any State's allotment * * * for a fiscal year which the Director determines will not be required for such fiscal year for carrying out this part shall be available for reallotment from time to time, on such dates during such year as the Director may fix, to other States in proportion to their original allotments for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Director estimates such State needs and will be able to use for such year for carrying out this part; and the total of such reductions shall be similarly realloted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment * * *."

Section 7 is a standard separability provision.

Section 8 provides that the act may be cited as "an Act to enforce the first amendment to the Constitution.

The committee feels it is likely there will be only a few and important cases arising under this bill, most of which will be sponsored by organizations representing the views of large numbers of citizens or taxpayers. The committee is also mindful of the statements and attitudes of the Supreme Court in this respect and toward litigation in general.

The Supreme Court in *N.A.A.C.P.* v. *Button* stated as follows:

"* * * under the conditions of modern government, litigation may well be the sole practicable avenue open to a minority to petition for redress of grievances * * *. For such a group, association for litigation may be the most effective form of political association."[26]

Mr. Justice Harlan further elaborated:

"Freedom of expression embraces more than the right of an individual to speak his mind. It includes also his right to join with his fellows in an effort to make that advocacy effective * * * so it must include the right to join together for the purposes of obtaining judicial redress. We have passed the point where litigation is regarded as an evil that must be avoided if some accommodation short of a lawsuit can possibly be worked out. Litigation is often the desirable and orderly way of resolving disputes of broad public significance, and of obtaining vindication of fundamental rights."[27]

This legislation is a partial answer to the demanding question of Justice Douglas:

"What are courts for, if not for removing clouds on title, as well as adjudicating the rights of those against whom the law is aimed, though not immediately applied."[28] [Emphasis added.]

The Subcommittee on Constitutional Rights conducted extensive hearings on this legislation in the 89th Congress. On February 28, 1967, it reported S. 3 to the full committee.

The committee has concluded that this legislation is meritorious, and having considered the same, reports favorably thereon without amendment, and recommends that it be considered favorably.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

That the approval or disapproval of an application of any public or other nonprofit agency or institution for a loan or grant under—

(1) the Higher Education Facilities Act of 1963,

(2) title VII of the Public Health Service Act,

(3) the National Defense Education Act of 1958,

(4) the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963,

(5) title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress),

(6) the Elementary and Secondary Education Act of 1965,

(7) the Cooperative Research Act,

(8) the Higher Education Act of 1965, or

(9) the Economic Opportunity Act of 1964,

shall be effected by an order of the Federal officer making such grant or loan which shall be conclusive except as otherwise provided in this Act. Notice of such order shall be published in the Federal Register and shall contain such information as the Federal officer issuing the order deems necessary to effectuate the purposes of this Act.

Sec. 2. Any public or other nonprofit agency or institution which is or may be prejudiced by the order of the Federal officer making a loan or grant under the authority of any of the Acts enumerated in section 1, in a particular year to another such agency or institution, by virtue of the fact that the making of such loan or grant serves to reduce the amount of funds available for loans or grants in such year to the agency or institution which is or may be prejudiced, and which deems a loan or grant to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment. Defendants in such action shall be the Federal officer and the agency or institution whose application has been approved. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register.

Sec. 3. (a) Any citizen of the United States upon whose taxable income there was imposed an income tax under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year and who has paid any part of such income tax and who deems a loan or grant made under any of the Acts enumerated in section 1 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. No additional showing of direct or indirect financial or other injury, actual or prospective, on the part of the plaintiff shall be required for the maintenance of any such action. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff may sue either on behalf of himself or on behalf of all other taxpayers similarly situated.

(b) Any citizen of the United States who deems a loan or grant made under any of the Acts enumerated in section 1 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff sues not only for himself but also in behalf of all other citizens to vindicate the public interest in the observance of the provisions of the first amendment relating to religion.

(c) For the purpose of this section the term "citizen" shall include a corporation.

Sec. 4. Any public or other nonprofit institution or agency whose application for a loan or grant under any of the Acts enumerated in section 1 of this Act has been denied by the Federal officer having appropriate authority on the ground that such loan or grant would be inconsistent with the provisions relating to religion in the first amendment to the Constitution may bring an action to review the final decision of such Federal officer within sixty days after such loan or grant has been denied.

Sec. 5. (a) Any action under this Act shall be brought in the District Court of the United States for the District of Columbia, and such court shall have jurisdiction without regard to the amount in controversy. In the event two or more civil actions are brought under the provisions of this Act challenging the constitutional validity of the same loan or grant, such court may consolidate such civil actions for the purpose of trial and judgment. Any action under this Act pending before the district court or court of appeals for hearing, determination, or review shall be heard, determined, or reviewed at the earliest practicable time and shall be expedited in every practicable manner. All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. In any action under this Act the court shall have authority to determine all matters of fact or law appropriate to a decision of the case. No costs shall be assessed against the United States in any proceeding under this Act. In all litigation under this Act, the Federal officer shall be represented by the Attorney General.

(b) The judgment of the district court shall be subject to review as provided in sections 1252, 1253, 1254, and 1291 of title 28 of the United States Code.

Sec. 6. (a) An interlocutory injunction enjoining the payment of a grant or loan, or any portion thereof, made pursuant to the order which is claimed to be invalid in an action under this Act may be granted by the court at any stage of the proceedings authorized by this Act.

(b) When and if any judgment becomes final that declares invalid an order of the Federal officer under this Act, the agency or institution receiving the grant made by the

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[26] *N.A.A.C.P.* v. *Button*, 371 U.S. 415, pp. 430, 331, 337 (1963).

[27] Ibid. 371 U.S. 452.

[28] *Public Affairs Associates, Inc.* v. *Rickover*, 369 U.S. 111, 116 (1966). See testimony of Franklin C. Salisbury, hearings, 1966.

Federal officer pursuant to such order shall refund the unexpended portion of the same, and if a loan has been made pursuant to such order it shall be refunded with accrued interest at the rate fixed therefor, for credit to the appropriation from which it was paid. The Federal officer may in his discretion permit deferment for a reasonable time of repayment of the grant or loan including interest thereon.

Sec. 7. If any provision of any Act referred to in the first section, or the application of such provision to any person or circumstance, shall be held invalid under this Act, the remainder of such Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Sec. 8. This Act may be cited as "an Act to enforce the first amendment to the Constitution".

Mr. MORSE. Mr. President, I appreciate what the Senator from North Carolina has said about his amendment. I agree thoroughly with him. I agreed thoroughly with him in regard to S. 3, as he knows.

In fact, the Senator from Pennsylvania [Mr. CLARK] and I some years ago introduced, in the first instance, the Morse-Clark judicial review bill. The Senator from North Carolina and the Senator from Kentucky [Mr. COOPER] subsequently, after our understanding on the floor of the Senate 2 or 3 years ago, in the consideration of an education bill, introduced S. 3, which I was privileged to cosponsor. The RECORD shows that I seek also to cosponsor this amendment.

I do not believe that there are any answers to the basis of the argument of the Senator from North Carolina.

Mr. President, I have discussed the matter with Senators on the committee. As the Senator knows, a number of us will be happy to associate ourselves with him.

In taking this language to conference, candor compels me to inform the Senate and the Senator from North Carolina that on previous occasions we have fought for this provision in conference but we have not been able to get anywhere with House conferees, not because of the lack of merit of our position but because of a situation which exists in the House of Representatives concerning jurisdictional areas on the House side.

House conferees tell us they cannot go into this matter in conference with us because it involves jurisdiction of another House committee and might jeopardize the bill. Maybe it is my inexperience with House rules that causes me not to place great merit or great emphasis, or any enthusiastic support for that House argument, but it is their argument.

Therefore, Mr. President, in taking the matter to conference this year I want to take it to conference with a rollcall vote because I want to have conferees know that this was not simply a case, as so often happens in the handling of a bill on the floor of the Senate, where the manager of the bill says, "I will take something to conference," only to get to conference and have it pointed out—and I have sat through this kind of situation in conference—that it was taken to conference as a matter of form.

I want the Senator from North Carolina to know that I am not taking this language to conference as a matter of form. I am taking it to conference because I think it should be in the bill. I think the best way to show House conferees that that is what we mean is to have a rollcall vote on it.

Therefore, I am going to suggest, at the request of the acting majority leader, the absence of a quorum so that we can request a rollcall vote and so that the Senator from New York [Mr. JAVITS], who has views on this matter, can have all the time he needs to go into the matter.

The acting majority leader has informed me that we do have a sufficient number of Senators to make the request now.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a brief statement before the Senator from New York makes his presentation?

Mr. MORSE. I first yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, will the Senator yield to me so that I may make a unanimous-consent request, without losing his right to the floor?

Mr. MORSE. I yield.

Mr. ERVIN. Mr. President, the distinguished Senator from Pennsylvania [Mr. CLARK], who is one of the original sponsors of the legislation in this amendment is desirous of being made a cosponsor of this amendment. On his behalf I ask unanimous consent that his name be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I yield to the Senator from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, I desire to commend the distinguished senior Senator from North Carolina for his diligence in pressing this legislation over the years. In past years I have been a cosponsor of this amendment. I agree with the distinguished author of the amendment and the chairman of the Senate Labor Subcommittee that this is a matter we should support and stand for in the conference, and a matter which we should insist on.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the statement of C. Stanley Lowell, associate director, Americans United for Separation of Church and State, presented by Franklin C. Salisbury, general counsel, which appears in the printed hearings on pages 1906 through the first three paragraphs of 1909, part 6 of the hearings.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PREPARED STATEMENT BY C. STANLEY LOWELL, ASSOCIATE DIRECTOR, AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE

Our organization, with members and locals in all the states, was established 20 years ago for the sole purpose of defending and extending this country's traditional arrangement between church and state which is frequently described as the separation of church and state. We are an educational group. I am in the legal department of Americans United and we support plaintiffs in many litigations in the church-state field, and our representatives have frequently appeared at hearings of both the Senate and the House where the legislation being considered involved church-state issues.

ADMINISTRATION OF PROGRAMS

It has become evident, Mr. Chairman, that there are two principal problems in connection with the aid-to-education legislation which you are currently reviewing. One is that in the administration of the programs involved there is apparently at times an overriding or contravening of state laws in the area of education. When billions of dollars are poured into the states for programs which are forbidden by the constitutions of some of them a serious kind of tension is created. The second is the problem of the constitutionality of certain of the programs in the light of the First Amendment which forbids Congress to make laws respecting establishment of religion. Let us deal with the latter of these problems first.

CONSTITUTIONALITY OF PROGRAMS

As the result of a 1923 decision of the Supreme Court, taxpayers have since been denied standing to sue in Federal court to challenge constitutionality of Federal expenditures. In view of this denial of standing, I strongly urged the Senate committee when this legislation first came before you to include a provision which would provide for prompt judicial review of the constitutional issue. I am pleased to recall that the committee did recognize this problem and that it did include an amendment to this effect which was subsequently passed with the Senate version of the bill. Unfortunately, this amendment was dropped by the joint conferees. We had, therefore, these provisions which in effect made possible aid to religious institutions—provisions which were of highly dubious constitutionality—and unfortunately, no ready access to the courts to test them. We have, as a result, been confronted with a strange spectacle. We have had the Federal Office of Education supplying funds for religious schools which obviously violate the laws and constitutional provisions of many states, and possibly the First Amendment as well, and the people are left without protection or recourse. The possibility that the taxpayers are being compelled to pay a tax for religion, and that Congress has made a law respecting an establishment of religion is considerable. But there seems to be no way to reach the moment of truth in the courts.

COURT TESTS

To complete this record of frustration, let me cite our experience in Dayton, Ohio, where our effort to challenge expenditures of Title II funds for the libraries of sectarian schools in Americans United vs. United States was thrown out of Federal Court on the technicality of lack of standing, and the similar fate of a comparable effort in Flast v. Gardner, a New York case.

As an act of semidesperation, Mr. Chairman, my organization joined with other groups in supporting the lawsuit of Horace Mann vs. Maryland Board of Public Works. This was a case in the Maryland Court which challenged constitutionality of acts by the State of Maryland which were identical with acts being performed by the Federal Office of Education. In the Maryland Court we had no problem with standing. Hence, we were able to bring a test case in regard to four public laws of Maryland which conferred grants for construction purposes to as many church-related colleges.

Frankly, Mr. Chairman, we had thought of this as a round-about way of bringing to the Supreme Court the issue of the constitutionality of aid to religious institutions under the Higher Education Facilities Act of 1963, and also of raising a similar question in regard to the sectarian features of the Elementary and Secondary Education Act as well. In a split decision the Maryland Court of Appeals held that in the case of three of the institutions the grants were in violation of the establishment clause of the First Amendment. To our immense disappointment, Mr. Chairman, the Supreme Court refused to review this decision when it was appealed by the Maryland attorney general. It was permitted to stand as a just and proper decision, but we had failed to achieve the Supreme Court's adjudication of the issue.

What are we to deduce from this development? Let us note, first of all, that the First Amendment was initially a restraint on the Federal power only. The states could provide establishment of religion and some of them did so provide for a considerable period after the passage of the First Amendment—up until 1833, to be specific. It was only as a result of the Fourteenth Amendment that the proscription of religious establishment in the First Amendment was made applicable to the states. Now we have a curious reversal of this situation. The states are, in effect, forbidden to make grants to religious institutions because they violate the First Amendment, but the Office of Education can make them with impunity because there is no way to enforce the First Amendment upon them. As a matter of fact, Mr. Chairman, the three church-related colleges to which I referred—Western Maryland, St. Joseph's and Notre Dame—all promptly went to the Federal Government and got grants identical with those which the State of Maryland was forbidden to give! If there is any logic in this, Mr. Chairman, it eludes me.

It would seem desirable that this curious ambivalence be promptly resolved. What we would recommend, then, would be the elimination from Titles I, II and III of all provisions under which Federal aid is going to sectarian institutions. Federal assistance in the form of books, equipment and instruction to private, religious schools should be terminated at least until such time as its constitutionality can be determined.

JUDICIAL REVIEW

The Senate is certainly to be commended for having passed on a voice vote and without controversy a special bill which would permit residents of the District of Columbia to bring lawsuits designed to test the constitutionality of the sectarian features of this legislation and other related legislation. It is only to be hoped that the Judiciary Committee of the House will show interest in this bill and expedite it to the floor of that body.

I turn now to the second of the two problems in connection with this legislation—the problem of the overriding of state laws and constitutional provisions in regard to church and state. The debate in the House on aid-to-education certainly indicated that this has become a most serious matter. I recall that when the aid-to-education legislation was before you two years ago, I stated in my testimony that many of the states, would encounter serious problems in the church-state area with Titles I and II, and probably with Title III as well. I quoted at length from the constitutional provisions of a number of the states to illustrate the difficulties they would have with programs and practices set forth in the legislation which seemed on the face to be forbidden by these instruments. Experience with the legislation has amply borne out these fears, Mr. Chairman.

ADMINISTRATION OF PROGRAMS

We have, in a study published by the American Civil Liberties Union called "The Church-State Problem—A Guide for Community Groups," an account of how various Titles are being administered in regard to sectarian schools in certain areas. It shows that in New York City sectarian interests have actually preempted the programs and have operated them in such a way as to show gross favoritism to the children attending these institutions and discrimination against those so unfortunate as to be attending the public schools. Guidelines and regulations have been practically ignored and the courts have been closed to the complaints of the people. Our own studies indicate that such abuse of the program is rife in other areas, that the legislation and regulations as now drafted have invited sectarian abuse and that this invitation has been accepted.

Now we see the eroding effect on church-state separation proceed a step further in New York State. Here the sectarians, not satisfied with the substantial benefits that have accrued to their institutions, are now making a frontal attack on Article XI, Section 3 of the New York Constitution which clearly and specifically bars use of the state's funds for churches or their schools. And what is the pretext of this drive, Mr. Chairman? So that the practice of New York State may be brought into conformity with the Federal practice! Surely the Congress will not wish to continue programs whose practical effect is to erode the protection in state laws against the tax for religion which our people have so long enjoyed.

We have, indeed, come face to face with the question as to whether the states are to be permitted any policy-making role at all, or whether they are to be altogether subsumed by the Federal power. To be specific, are the states to be permitted in their laws a tight, strict concept of separation of church and state? Or, will the Federal power simply override and beat down this concept by the sheer weight of its money power, forcing on the states programs and procedures which are specifically forbidden by their laws. To put it another way, shall the states which desire to establish and sustain a single system of public schools serving the entire community have forced on them, instead, the business of planning for and supporting various systems of religious schools as well?

SHARED TIME CASES

Consider, for example, the matter of shared time or dual enrollment between public and religious schools which the legislation diligently seeks to foster and stimulate. This issue has been in the courts of at least two states in lawsuits which were supported by Americans United. These suits were—Special District vs. Wheeler and Morton v. Board of Education. Both suits were on statutory grounds. The Missouri Court forbade such practice in the schools of that state, while the Illinois Court held it was not a violation of its laws. Rulings of attorneys general vary from state to state. Some sustain the practice; some forbid state participation. We have here a confused situation, a situation of controversy and dissension. Some public school officials are firmly convinced that shared time arrangements will undermine the public system.

Comes now into this situation the United States Office of Education which actively seeks to promote shared time in the form of jointly operated public-religious schools. In Swanton, Vermont, the Office of Education has paid a salary of $13,500 to a Roman Catholic priest to promote a public school and a center of Catholic instruction to be housed on the same campus, operated under a joint management with the escape technicality that the church will buy its own piece of land and erect its own center. The Office of Education has already expended $56,000 to prepare plans for this project and to sell it to the citizens of the area. An additional request of $97,000 has now been submitted. The plan is being pressed as a "pilot project" for the nation.

DISCLAIMER PROVISION

If there is concern for state laws and state arrangements in education, and for constitutional provisions, then we would recommend that this legislation be amended with the addition of a disclaimer which would differ from the one which the legislation presently contains. The present law provides that if state officials are estopped by their laws from carrying out the programs of aid to religious schools that the Federal Office of Education will step in and do it anyway and will deduct the amount so expended from that state's allocation. We would recommend that in place of this provision the bill include a disclaimer providing assurance that where a state desires to expend funds only for public schools and is so confined by its constitution and laws, that no Federal aid programs overriding or contravening such provisions be effectuated in such state, and that amounts as would have been available for these programs be allocated, instead, to programs permissible under that state's laws.

The action of the House in transferring initiative and management of Title III and Title V programs to state auspices is a progressive development and it is to be hoped that the Senate will concur.

We urge alert regard for the separation of church and state as expressed in the First Amendment and state constitutions lest the commendable purposes of aid to education be unwittingly used to erode this historic and useful concept of government.

Mr. YARBOROUGH. Mr. President, without reviewing the entire statement at this time, I point out that in the case of Horace Mann against Maryland Board of Public Works, it was held to be unconstitutional because of the violation of the principle of separation of church and state, to grant moneys to three specified colleges because they were church-related—the State supreme court having held it to be unconstitutional. The U.S. Office of Education subsequently turned around and made an identical grant to one of those very colleges.

The statement points out that in Swanton, Vt., the Office of Education paid a salary of $13,500 to a religious cleric to promote a public school and a center of religious instruction to be housed on the same campus, operated under joint management, with the escape technicality that the church would buy its own piece of land and erect its own center. The Office of Education expended $56,000 to prepare the plans and to sell the project to the citizens of the area, and an additional request of $97,000 has been submitted. It is said that the plan is being pressed as a pilot project for the Nation.

Mr. President, that instance in Vermont is a clear violation of the Constitution. I believe in the Jeffersonian concept that we must have freedom of religion, a Government free of religious domination, and a church free from state domination. We must have separation of church and state or otherwise there will be coalescence of church and state with all the tragedy that it brought in wherever there has been a union of church and state. The greatness of America is built upon religious freedom of the people. In actions such as the ones to which I have referred it is not being eroded away a little, but it is galloping away.

I congratulate the Senator from North Carolina for placing this at the top of the agenda, as a matter our conferees should fight for.

Mr. MORSE. I yield the floor.

Mr. JAVITS. Mr. President, I wish to ask the author of the amendment several questions. Drawing upon my recollection, I recall I voted for this proposal when it was before the Senate in April of this year. At that time I was not charged with the same responsibility that I am now. I shall be for the amendment, but we need to sharpen it and refine it. There are a few things that occur to me as a lawyer about which I wish to ask certain questions of the Senator from North Carolina.

I notice that the measure provides for the operative action to be an order published in the Federal Register. It may be that we can settle this in conference, but I do want to know how the Senator would view the matter.

It may be in many of these applications there is no order published and it may be burdensome to publish it. It may be we should provide that there should be notice of the denial or granting of a loan, and that the notice should start the operative period to run. For example, in connection with the antipoverty bill we find that the word "order" is not defined in the program, which may be very onerous. Has the Senator done any work on this at all?

Mr. ERVIN. I have given serious consideration to that question in connection with other parts of the bill; but this is the only way we could devise a method by which any member of the public who might be interested in receiving notice could receive it. Under the bill, suits may be brought by any institution which may believe it has been denied its rights.

Mr. JAVITS. Yes, I know.

Mr. ERVIN. Suits may be brought by an individual taxpayer, suing either for himself or for other taxpayers who are similarly situated. Suits may be brought by citizens who believe that the first amendment has been violated. We could not think of any better way to give notice. Everyone knows that under existing law the Federal Register is a publication of which every citizen of the United States is required to take judicial notice.

Mr. JAVITS. We shall have the help of every Government department to see if we can provide some better means.

Mr. ERVIN. The Senator from New York knows that the Federal Register is quite a large document. The last time I practiced law, I had copies for a period of 18 months bound. They occupied 18 inches of shelf space compared with 10 inches of shelf space for the annotated statutes passed by Congress since 1789.

Mr. JAVITS. We may find that it is an overwhelming problem.

My other question is this: I notice a certain curtailment of the power of a court to consolidate actions. This would require separate actions to be maintained for each loan or grant, even if consolidated. Might it not be desirable merely to let the court ruling obtain on that score? That provision of the amendment is at page 5, lines 15 to 17.

Mr. ERVIN. Yes; this provision is designed to prevent a multiplicity of suits on the same grant or loan. It is provided that the suits may be consolidated for the purpose of decision.

Mr. JAVITS. Does not the Senator feel that it would be better to strike out the sentence and leave that question to be decided according to the Rules of Civil Procedure rather than to limit or expand them?

Mr. ERVIN. I think it is better to incorporate this provision. I have been a judge myself. Sometimes judges do not want to decide too many questions at one time.

Mr. JAVITS. In other words, does the Senator feel that his proposal would broaden the power of the court, or limit it?

Mr. ERVIN. I think it would expand the power of the court to consolidate similar actions. All cases brought in the U.S. District Court for the District of Columbia relating to the same grant or loan could be tried together. Rather than rely on existing rules for consolidation of suits, we declare to the courts our intention to reduce the amount of litigation by permitting these cases to be tried together.

Mr. JAVITS. It would expand rather than contract the power of consolidation, in the Senator's judgment?

Mr. ERVIN. Yes.

Mr. JAVITS. Again, we shall test the provision.

Mr. ERVIN. It is a provision which seeks to avoid a multiplicity of actions.

Mr. JAVITS. We shall look into that.

Mr. ERVIN. Yes.

Mr. JAVITS. Mr. President, I shall take 1 more minute.

Mr. ERVIN. I should like to add this: The Senator from New York recognizes that the courts may take jurisdiction over these cases even if we do not enact judicial review. If the Supreme Court, in the Flast against Gardner case, rules that the Federal courts have jurisdiction over these challenges, we will have chaos in all the Federal programs. Suits could then be brought to compel repayment or reimbursement to the Federal Government for all those past expended grants on the grounds that they were made in violation of the first amendment.

My amendment permits suits only with respect to future grants or loans, so that no past grant which has been expended will have to be repaid to the Treasury.

Mr. JAVITS. I noticed that.

Mr. ERVIN. The amendment will afford great protection to the Federal aid programs. One of the defects in the original bill was that it did not have this limitation. The amendment will enable us, as I often say, to legislate in constitutional light rather than in constitutional darkness, but without creating havoc among those institutions which have previously been receiving grants.

Mr. JAVITS. Mr. President, I had in the 89th Congress opposed the amendment by the Senator from North Carolina [Mr. Ervin], because it carried with it the automatic cutoff. That correction has been made in this amendment, and I shall therefore support it with the understanding that if we find greater refinements in practice, and so forth, I would feel free, as a conferee, to win over the other conferees to refining the techniques which are employed in this amendment.

I join with the Senator from Oregon [Mr. Morse] in what is known as the congressional compromise on this question of aid to pupils in private or parochial schools.

Mr. ERVIN. Mr. President, before the Senator proceeds to another aspect of this subject, would the Senator yield to me to make an observation, without losing his right to the floor?

Mr. JAVITS. Yes; I shall be glad to.

Mr. ERVIN. I have no criticism of the Senator from New York as to the previous legislation offered by me in this field. His past objection and his making this constructive criticism, have been very instrumental in bringing forth a bill which I think is free from substantial defect.

Mr. JAVITS. I was saying that I joined with the Senator from Oregon [Mr. Morse] in the congressional compromise which gives aid directly to the pupils studying academic subjects. It does not subserve religion or violate the first amendment. I stood by that at the recent controversy in New York about a new constitution. I intend to stand by it hereafter, as I have a deep conviction there. So long as there is no interference with the power of the United States to deal with loans and grants until when, as, and if the courts act, either by injunction or otherwise, and the procedure is intelligent and appropriate, I see no reason why we should not liberalize the Federal rule relating to suits. If there be a proliferation of suits, I think we have to endure it. The consolidation factor, the single jurisdiction factor, and the fact that it costs money to sue are, I think, built-in inhibitions to prevent this from being abused.

For those reasons I shall join the Senator from Oregon [Mr. Morse] in supporting the amendment.

Mr. MORSE. Mr. President, I want to thank the Senator from New York for his usual complete cooperation with the chairman of the committee. He was very instrumental in helping us to bring about the compromise to which he has referred by way of getting some aid to an individual boy or girl in private and parochial schools.

For the benefit of the people of New York, I want this Record to show my very deep thanks to the Senator from New York for his leadership and his help on this as well as many other controversial issues.

Mr. President, I am ready for the rollcall vote.

Mr. JAVITS. I thank the Senator from Oregon.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from North Carolina [Mr. Ervin]. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Cannon], the Senator from Louisiana [Mr. Ellender], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Wisconsin [Mr. Nelson], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], and the Senator from Connecticut [Mr. Ribicoff] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney], the Senator from Georgia [Mr. Russell], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Gruening], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney], the Senators from Rhode Island [Mr. Pastore] and [Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Hruska], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from California [Mr. Kuchel], the Senator from Illinois [Mr. Percy], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

The Senator from Vermont [Mr. Prouty] is absent because of illness.

The Senator from Michigan [Mr. Griffin] and the Senator from Idaho [Mr. Jordan] are detained on official business.

If present and voting, the Senator from Idaho [Mr. Jordan], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from Nebraska [Mr. Hruska], the Senator from California [Mr. Kuchel], the Senator from Illinois [Mr. Percy], the Senator from Vermont [Mr. Prouty], the Senator from Pennsylvania [Mr. Scott], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 71, nays 0, as follows:

[No. 367 Leg.]

YEAS—71

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Eastland
Ervin
Fong
Fulbright
Gore
Hansen
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Pearson
Proxmire
Randolph
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—29

Cannon
Cooper
Dodd
Dominick
Ellender
Fannin
Griffin
Gruening
Harris
Hartke
Hruska
Inouye
Jordan, Idaho
Kuchel
Long, Mo.
McCarthy
McGee
Monroney
Nelson
Pastore
Pell
Percy
Prouty
Ribicoff
Russell
Scott
Symington
Tower
Tydings

So Mr. Ervin's amendment was agreed to.

Mr. ERVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, while we have this many Senators on the floor, I want to make a very brief announcement.

I am speaking only for myself; I have not had the chance to consult with the leadership as yet. However, I am sure they understand the reason for my suggestion.

I have been advised that if we try to get a final vote on the bill today, there will be some speeches that will prevent our getting a final vote today. I do not want to be a party to forcing any such arrangement as that.

I only ask the Senate to go along with me, to cooperate with me in getting action on whatever amendments may be offered that do not involve the particular controversy that is causing some Senators to want the matter to go over to Monday. I will cooperate with them in having the measure go over to Monday for final passage. However, I think that what we ought to do is to take up all the amendments that can be considered this afternoon, so that on Monday when we come to the one issue on which some Senators have viewpoints that differ from the viewpoints of the committee, we can take that up then and try to dispose of the bill as soon as possible in the first part of the week.

I have had chance to talk to only a couple of the Senators who say that they will not let the bill come to a final vote this afternoon. I know how that is. I have done it myself many times. I extend the same cooperation that I have received in the past to those who are using the same technique now on me.

I want the Senators to know that when we finish the consideration of those things that are ready to be considered this afternoon, as far as I am concerned I am ready to lay the matter aside until Monday or recess until Monday.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. YARBOROUGH. Mr. President, the Elementary and Secondary Education Act Amendments (H.R. 7819) include a new, major title, title VII, on page 138 of the bill that is now on the desks of Senators. The title is the "Bilingual Education Act."

I introduced the Bilingual Education Act, S. 428, on January 17 of this year, the first bilingual education bill ever introduced in either House of the Congress.

It was introduced with the cosponsorship of the senior Senator from New York [Mr. Javits], the junior Senator from New York [Mr. Kennedy], the senior Senator from Massachusetts [Mr. Kennedy], the senior Senator from California [Mr. Kuchel], the junior Senator from New Mexico [Mr. Montoya], the senior Senator from Oregon [Mr. Morse], the junior Senator from California [Mr. Murphy], the senior Senator from West Virginia [Mr. Randolph], the junior Senator from Texas [Mr. Tower], and the junior Senator from New Jersey [Mr. Williams].

Mr. President, the concept of the bill is really very simple—so simple that it is amazing that in all of our years in Congress of striving for improved education, the problem has never before been given congressional attention.

The problem is that many of the school-age children of this Nation come from homes where the mother tongue is not English. As a result, these children enter schools not speaking English, the national language, and not able to understand instruction that is all conducted in English.

While most of these children are Spanish-speaking, other languages are also covered by this new title.

It is significant that both of the Senators from Texas, both of the Senators from California, and both of the Senators from New York have cosponsored that measure. It is bipartisan in the support it has received, having the sponsorship of all of the Senators from the three States which contain the largest number of non-English-speaking children.

In my own State of Texas, and indeed in the entire Southwest, this is not an isolated problem, but one which involves millions of school children. Despite the severity of the problem, our solution has generally been to continue teaching these children in traditional ways, hoping in vain that by some miracle they will all of a sudden learn English without the loss of educational content. This hope has been maintained even though all the evidence before us pointed to tremendous dropout rates among the Spanish-speaking children.

My State, unfortunately, leads in this category of dropouts.

Mr. ANDERSON. I was shocked when the Senator mentioned the people from Texas——

Mr. YARBOROUGH. I did not mean to infer that these are the only States involved.

Mr. ANDERSON. The Senator did not mention New Mexico at all.

Mr. YARBOROUGH. New Mexico and Arizona are vitally affected. I mentioned these three States as having the most

Spanish-speaking children in sheer numbers. California, Texas, and New York have more Spanish-speaking children than any other States.

Mr. ANDERSON. Percentagewise?

Mr. YARBOROUGH. No, I did not say percentagewise. For certainly the home State of the distinguished Senator from New Mexico would rank higher in such a comparison. However, my State has more counties in which over 50 percent of the people are Mexican-American than all other States in the United States combined, including that of the distinguished senior Senator from New Mexico.

To alleviate this problem, I introduced S. 428 to provide Federal assistance to local school districts in establishing and operating bilingual programs to create a more feasible transition into our schools for these children by giving them special educational programs aimed at solving their problem. I ask unanimous consent that that portion of the committee report on H.R. 7819 related to the Bilingual Education Act, on page 48 to 50 be printed at this point in my remarks. The report gives a short history of the bill and an explanation of its purposes.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE VII—COMMENTS

Title VII authorizes a 4-year program of grants to local educational agencies to develop, establish, and operate programs of bilingual education, as well as provide preservice training and inservice training for professional personnel participating in such programs. Beginning with the fiscal year ending June 30, 1968, $15 million is authorized for these purposes; $30 million for the fiscal year ending June 30, 1969; and $40 million for each of the next 2 years.

HISTORY OF THE BILINGUAL EDUCATION ACT

On January 17, 1967, Senator Ralph Yarborough introduced S. 428, the Bilingual Education Act for himself, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Kuchel, Mr. Montoya, Mr. Morse, Mr. Murphy, Mr. Randolph, Mr. Tower, and Mr. Williams of New Jersey. Hearings before the Special Subcommittee on Bilingual Education of the Committee on Labor and Public Welfare on S. 428 were held on May 18 and 19 in Washington, D.C., on May 26, 29, and 31 in Corpus Christi, Edinburg, and San Antonio, Tex., respectively, on June 24 in Los Angeles, Calif., and on July 21, 1967, in New York City. During the course of the hearings, extensive testimony was taken on all aspects of the bill from well over a hundred witnesses in addition to the testimony which was submitted by numerous groups and individuals. Two printed volumes of 681 pages contain these hearings.

In the House of Representatives, more than 35 similar bills were introduced. There were 2 days of hearings on bilingual education held on June 28 and 29, 1967, in Washington. The House General Education Subcommittee reported H.R. 13103 to the Education and Labor Committee on October 25 and the full committee voted to report the bill on November 1.

On August 8, 1967, the Senate Special Subcommittee on Bilingual Education reported S. 428 to the full committee. The Senate Labor and Public Welfare Committee adopted S. 428, as amended, as an amendment to H.R. 7819 on November 2, 1967.

PURPOSE OF THE BILINGUAL EDUCATION ACT

The purpose of this new title is to provide a solution to the problems of those children who are educationally disadvantaged because of their inability to speak English. These children, who number around 3 million of school age, are deprived of equal educational opportunity because of their limited communication skills. This is evidenced by the fact that in the five Southwestern States, which contain approximately 1½ million Spanish-speaking children of school age, the average years of school completed is 7.1 for Spanish surnamed, 9 for nonwhite, and 12.1 for whites. There is a similar correlation between low-family incomes and the inability to speak English. For example, in the same five Southwestern States, 34.8 percent of the Spanish-surnamed population are from families with incomes below $3,000, as compared to 21 percent of the general population.

The solution to this problem lies in the ability of our local educational agencies with high concentrations of children of limited English-speaking ability to develop and operate bilingual programs of instruction.

Title VII—Financial assistance to local educational agencies for bilingual education programs

The close relationship between conditions of poverty, low educational achievement and non-English speaking ability illustrates the almost impossible burden which is placed on non-English speaking children in our schools. Of the estimated 3 million persons of school age who have retained the use of a non-English mother tongue, 1.75 million are Spanish-speakers. There are another million or so under school age who will enter school in the future.

Testimony presented before the subcommittee illustrated the inability of present methods of instruction to deal with this problem and the relatively few efforts to solve the problem.

Distribution of funds

Under this title, the distribution of funds will be by need, as determined by the numbers of children from limited English-speaking ability between the ages of 3 and 18.

We agree with the following statement from the report from the Department of Health, Education, and Welfare:

"This bill should, we believe, be directed to persons from non-English speaking backgrounds because that factor—the language problem—has educational significance and that is the justification for legislation in the field of bilingual education. Let us make clear that, in administering such a program, benefits must go to those areas where the problem is most severe. Clearly, the bulk of the assistance would be made available to assist persons of Spanish-speaking background."

Because the language barrier affects persons from Spanish-speaking backgrounds to a substantially greater extent than any other non-English-speaking group, is expected that most programs would be directed to Spanish-speaking groups.

Uses of funds

Under the terms of the legislation, a local public school may use funds granted to it for the broad purpose of programs which will meet the special educational needs of educationally disadvantaged children because of limited English-speaking ability in schools having a high concentration of such children from families with incomes below $3,000 per year or receiving payments under a program of aid to families with dependent children.

Because of the need for extensive research, pilot projects and demonstrations, the proposed legislation does not intend to prescribe the types of programs or projects that are needed. Such matters are left to the discretion and judgment of the local school districts to encourage both varied approaches to the problem and also special solutions for a particular problem of a given school. The legislation enumerates types of programs as being illustrative of possible solutions.

Mr. YARBOROUGH. When a child from a non-English-speaking family goes to a school which permits only English to be read, spoken, and written, the child usually does not learn English well, drops out, and is left illiterate in both languages.

Our hearings received broad testimony as to the urgent need for this legislation to provide equal educational opportunity for those children who do not come to school with English-speaking ability. We received almost unanimous enthusiasm and support for this legislation as being an effective remedial program.

Our committee held hearings on this bill in Texas, New York, Washington, D.C., and Los Angeles, Calif. The results are contained in the two volumes of hearings on the bilingual education bill. The distinguished Senator from California [Mr. MURPHY] participated in the hearings that were held in California. Both the distinguished Senators from New York [Mr. JAVITS and Mr. KENNEDY] participated in the hearings held in New York City.

Mr. President, we cannot continue to devote major national attention to the educational improvement of some of our children, while we suffer wholesale neglect of others. There is a strong correlation between the limited English-speaking ability of these children and under-achievement in education and resulting poverty conditions. It is inconsistent to deprive them of educational opportunity and yet try to improve their conditions of poverty—we cannot ask them to lift themselves up by their bootstraps while we stand on their toes.

In my own State of Texas, the years of school completed for Anglos is 10.8 years, for nonwhite 8.1 years, but only 4.7 years for the Spanish-surnamed. Over one-half of the Spanish-surnamed families have incomes under the poverty level of $3,000 and 13.6 percent have incomes under $1,000 in Texas.

The adoption of the Bilingual Education Act as a new title VII of the Elementary and Secondary Education Act will be a significant step forward in the educational progress of this Nation. It will mean recovery of a valuable human resource from the slagheap of educational neglect.

Mr. President, I wish to pay tribute to the distinguished Senator from Oregon [Mr. MORSE], as principal author of the bill, who accepted our bill S. 428 as a new title to amend the Elementary and Secondary Education Act. It was with his consponsorship and his warm support of this bill that it has made such progress.

I also wish to pay tribute to the chairman of the full committee, the distinguished Senator from Alabama [Mr. HILL], who set up a Special Subcommittee on Bilingual Education which enabled us to hold extensive hearings to develop the evidence of educational needs and the remedy for the needs.

I thank the Senator from Vermont [Mr. PROUTY], who is not present this morning because of illness, for the kind remarks he made about me in his statement.

Through their cooperation, through the bipartisan support of this measure, we have brought it along to the point of passage.

I believe that the testimony dealing with this problem indicates that we face a breakthrough in education for millions of children whose immediate predecessors, in their environmental background, were forced out of school in their early years and remained at the bottom of the scale in education and economic opportunity.

Mr. LAUSCHE. Mr. President, I believe the Senator has already answered my question.

The provisions of the bill do not confine it merely to the two languages of English and Spanish?

Mr. YARBOROUGH. The original bill, as introduced, did confine it to Spanish-speaking children. First, it applied to children of Mexican-American backgrounds and Puerto Rican backgrounds. On the suggestion of the Senators from Florida, it was modified to apply to all Spanish-speaking children, because they pointed out the problem in Florida with respect to Cuban refugees.

Later, at the request of many Senators who pointed out other problems, I offered an amendment to include all children of limited English-speaking ability. Because of the hearings and the requests of many Senators, it has been changed to embrace any language where this problem exists to an appreciable extent.

Mr. LAUSCHE. Is it confined to specific languages, or shall aid be given to a school district that decides to teach two languages?

Mr. YARBOROUGH. The aid is to be given wherever this is an educational problem. It will not be set up for the education of these children simply because it is nice to teach two languages. It will be where the children come from homes that are non-English speaking and if it has proved to be a problem for them with respect to their educational achievement. The standards for the Commissioner of Education are set forth in the bill.

If there are one or two families in a town, it is not contemplated that this aid would be given, as it would not be a substantial problem.

Mr. LAUSCHE. Would the Spanish children who are going to a school in Texas be taught Spanish or would they be taught English?

Mr. YARBOROUGH. In our hearings we had demonstrations that are now taking place in areas where this has been such an acute problem, since Texas has 750,000 children from Spanish-speaking homes.

We were given a demonstration involving first graders and second graders in schools in San Antonio, Tex., and we also saw another class of children and a teacher from Laredo, Tex., at our hearing in Edinburg, Tex. I explain this to illustrate that different methods are being tried. This is experimental at the present time but it is contemplated that grants will be made to find new and improved methods.

In Edinburg, Tex., we observed a very competent teacher from Laredo. She had a class that was composed of both English-speaking and Spanish-speaking children. She was teaching them a word in both languages. She would speak the words and then put the words on the board. Then, the children learn both words. They had known "gato" all of their lives now they learned "cat." Also in the demonstration we heard the children recite.

In this method the children learn both words simultaneously, as I have indicated. That is one method we observed.

Then, we saw another method in Edinburg where they had a pilot school program with closed circuit television. There was a central room where we could observe the class but the teacher and the children could not see us.

The method there was for one teacher to be identified with one language. There they have the children go in one room with an English-speaking teacher and she teaches them for 1 hour in English. During the next hour the students who had been taught by an English-speaking teacher for an hour are then taught by a teacher speaking only in Spanish.

In San Antonio we saw still another system being used.

The hope is to make the child literate in both languages. Which method is the best is something the local school district must decide, since every situation is different and solutions may be different.

Mr. LAUSCHE. I understand that the child is being taught both languages.

Mr. YARBOROUGH. Yes.

Mr. LAUSCHE. Why teach them Spanish if they come from Spanish-speaking families?

Mr. YARBOROUGH. That is done in some instances because through years of experience educators and teachers have learned that if a child is not literate in his mother tongue it is hard to become literate in a new language. In other words, if he is illiterate in his mother tongue, he will be illiterate in English, also. If a child comes from an environment where he has little acquaintance with English and he is not literate in Spanish, it may be quicker to give him literacy in Spanish first to form a basis for learning English. Otherwise he may drop out of school being illiterate in both languages. I also emphasize that this is one method, not necessarily the only method.

It illustrates why this bill is needed. We may know our goals, but we need more experience to decide the best way to achieve them.

Mr. LAUSCHE. Does not the school system, under present authority and without further money from the Federal Government, have the ability and the right to choose whatever technique it desires to instruct a pupil in a given field? If the technique in teaching English to a Spanish student is to use Spanish at the same time they are teaching English, why can they not do it without the Federal Government pouring in more money?

Mr. YARBOROUGH. The answer is the same reason that we need the Elementary and Secondary Education Act. They do not have the money to do it. I was in Starr County, Tex., twice this year, once in connection with the bilingual education bill, and I was there again in connection with Hurricane Beulah. They have people there whose average income is $300 a year. I have seen statistics indicating that families have earnings of less than $1,000 a year for the entire family.

There is not the money for it. Our school system is based on taxes with State aid. This will not finance the entire program. This is a meager amount of money.

Many districts there want to do this, but they do not have the money. In many areas of Texas there is financial impoverishment. They do not have the means to take care of themselves, and this is without question.

The same theory behind the request for Federal money here is the same theory in back of all Federal education programs that we have passed in the last 6 years. We put money into impoverished areas to help them.

Mr. LAUSCHE The reason why I ask these questions is that I spoke Slovenian in my home, and I speak it now. That was the language in the home. I went to a grammar school where they taught English. They did not teach me Slovenian in order to learn English. I did it in the school by studying English. I think that I learned the English without them teaching me the Slovenian which I already knew.

Mr. YARBOROUGH. I wish to say to the Senator from Ohio that his command of English is superior and I think he is a living testimonial to the fact that because he spoke Slovenian first it was no impediment of his mastery of English.

Mr. LAUSCHE. That is the point I wish to make.

Mr. YARBOROUGH. However, in a community where the overwhelming majority in a vast area speak a language other than English and the only English a child hears is in the school, it creates an educational barrier for most children. It is hard for a child to become fluent in English if he never hears it, never has an opportunity to use it, and is never taught it, but only expected to absorb it.

Mr. LAUSCHE. What are we to do if there is a Hungarian neighborhood in Toledo that finds that it wants Hungarian taught in its schools.

Mr. YARBOROUGH. We give the commissioner of education permission to determine whether that has been a problem and whether it meets the criteria set forth in the bill with the clarification of legislative history.

If all other children who are similarly situated to the situation in which the Senator from Ohio found himself, in which he spoke Slovenian and moved into English, made superior attainments as did the Senator from Ohio, there would be no problem. However, that has not happened in most instances.

In the four valley counties in the Rio Grande Valley next to the Gulf of Mexico, 70 percent of the children in the public schools are from Spanish-speaking families. This past fall 90 percent of all first graders entering school were from Spanish-speaking families. Where that situation is so dominant, there is definitely a need for extensive bilingual education.

Mr. LAUSCHE. The Senator's answer to my question is that the language in the bill is so written that there will be no opportunity to institute the teaching of two languages except where the Secretary of Health, Education, and Welfare concludes there is a peculiar problem in existence because of the large number of pupils who do not speak English as their native tongue; is that correct?

Mr. YARBOROUGH. That is its purpose. My purpose in doing this is not to keep any specific language alive. It is not the purpose of the bill to create pockets of different languages throughout the country.

It is the main purpose of the bill to bring millions of school children into the mainstream of American life and make them literate in the national language of the country in which they live; namely, English. Not to stamp out the mother tongue, and not to try to make the mother tongue their dominant language, but just try to make these children fully literate in English, so that the children can move into the mainstream of American life. If they are going to get full opportunity in this country, they must speak English.

A child that does not learn to become literate in English is not going to get a real opportunity in American life.

Mr. LAUSCHE. I think it resolves itself further to the question of whether all of us should not be expert in at least 2 languages—perhaps 3.

I am a deep believer in the great help that comes from knowing other languages. When we think of the ability to write sentences in a form sometimes different from ordinary conversational English, we find a richness and beauty of expression.

If we have a knowledge of Latin and are able quickly to put the verb at the end of the sentence instead of immediately following the subject at the beginning of the sentence, one can develop a variety of expression which has a color and appeal which we do not ordinarily find in using simple, everyday English idioms.

I have elicited the information I want, and I thank the Senator from Texas.

Mr. YARBOROUGH. What the Senator from Ohio has said is borne out by the fine educators and psychologists who have testified that it would be better for a person's education if he were taught more than one language. They gave the example of Switzerland where the children there grow up trilingual, becoming proficient in German, French, and Italian. There is no impediment to their progress on that account. So there should be no impediment to the children of this country learning two languages. The educators testified that the Swiss children learned very quickly and with a minimum of trouble, and as they grew up, their knowledge and education improved perceptibly. It is considered to be a normal development.

We could take identical twins, say, with the same I.Q., and teach one one language and the other two, and we would see how it would open up new avenues of intellectual stimulation for the one who had learned the two languages over the twin who had learned only one.

The children would be stimulated to a greater potential of achievement in life. That sort of thing goes all through these volumes of testimony. They will have a better opportunity to succeed in life because they can think in at least two languages.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President, I want to say to the Senator from Texas that the committee expressed great interest in his amendment, and in what he has done in connection with the bilingual amendment which was adopted in committee, as well as his great contribution to improving education, where thousands and thousands of boys and girls come from bilingual homes, or homes which may not be bilingual in the sense that the mothers and fathers speak pretty much a language other than English. That, of course, has its effect on the upbringing of the child from the standpoint of his language ability. The Senator from Texas recognizes that. Also, that this is not limited to children of Mexican ancestry. It goes to our Puerto Ricans in New York. It goes to our Indians. It goes to quite a number of children who come from homes where a foreign language is spoken most of the time and serves as a great disadvantage to the child in school.

The Senator from Texas has faced that situation with his amendment.

What I want to say for this RECORD is that my deep thanks go to the Senator from Texas for his amendment. It is sound. I am glad it is part of the bill.

Mr. YARBOROUGH. I thank the Senator from Oregon. The minute this amendment was mentioned, his great experience as an educator, as dean of a law school in Oregon, and his other educational experience, saw the importance of the problem and he quickly cosponsored the amendment.

I thank the Senator from Oregon.

Mr. KENNEDY of New York. Mr. President, I want to congratulate the Senator from Texas [Mr. YARBOROUGH] on his outstanding work on bilingual education. He introduced S. 428, which I was proud to cosponsor, early this year, and held hearings on it not just in Washington but in Texas, California, and New York.

The hearings, which were a careful and scholarly investigation, demonstrated beyond a doubt the need for special attention to the problem of bilingual education. In New York City over 20 percent of our public school students are Puerto Rican. Yet, of 21,000 academic diplomas granted in a recent year, only 331—1.6 percent—went to Puerto Rican youngsters. One of the basic problems underlying this failure of our educational system—and failure is the only word for it if so few children in particular ethnic groups finish school—is the fact that our schools have not taken account of the heritage and culture and language background of the Puerto Rican child.

We must develop programs by which our schools build up the cultural strength which all the children bring to the classroom, whether they be Puerto Rican or Mexican American, Negro or Indian. We must cultivate ancestral pride and self-respect. We must capitalize on the bicultural situation from which he comes and by which he lives.

To do this, special attention and special effort are needed. Teachers must be trained in bilingual education. Curricula must be planned and developed. Indeed, in New York City, just having more Puerto Rican teachers would help, for only 1 percent of the teachers in our schools in New York City are Puerto Rican.

All of this will require additional funding, and that is why the bilingual education provisions which have been incorporated in the pending legislation are so critical. I urge their enactment along with the rest of the pending legislation, and I congratulate Senator YARBOROUGH for the initiative he has taken in regard to this vital matter.

Mr. MORSE. Mr. President, if someone will please get the majority leader into the Chamber, I should like to confer with him for a moment.

What I want to ask is for Senators to come into the Chamber to offer any amendments they may be planning to offer to the bill, or at least to advise the Senator in charge of the bill of any such amendments. I know of none at this moment, Mr. President, except the discussion that will take place on Monday in regard to the Fountain amendment in the House bill. It is not in the Senate bill, because the Senate committee is overwhelmingly opposed to it.

I have stated to those who want to have us keep the Fountain amendment in the Senate committee that I am ready to consider it at any time. In fact, I am ready to consider it this afternoon, but the proponents are not. I said a few moments ago that they seek to consider it on Monday. They have the parliamentary power to consider it on Monday. Therefore, this afternoon, I have no intention to involve the Senate in what would amount to shadow boxing until Monday.

If there are no more amendments, if I can have the attention of the majority leader, or as soon as he gets here, I am willing to lay this bill aside until Monday, if there is other business the leadership wants to take up. I would be the first to insist that Senators who have the viewpoints they have on the Fountain amendment, and some corollary civil rights issues which are connected with it—to wit, the view which has been expressed by 2 or 3 Senators that they want to consider an amendment which seeks to deal with the question of busing students from one school to another, even though there are no overcrowded conditions existing, and other Senators that think they want to have an amendment, or have the Senator in charge of the bill and his colleagues on the committee make some legislative history on the matter of whether the Department of Health, Education, and Welfare is following a course of action contrary to congressional intent with respect to the issue of free choice.

I think they want to discuss the so-called civil rights points on Monday. I am going to guarantee them the right to discuss them on Monday, even if I have to join in seeing to it that we do not act on them until Monday.

Mr. STENNIS. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. Holland in the chair). Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. MORSE. I yield.

Mr. STENNIS. I want expressly to thank the Senator from Oregon for his remarks. They do present a matter that needs to be gone into. Some Senators who are vitally interested in this subject just cannot be here this afternoon.

I want to especially thank him for his attitude about about it. I think we will be ready, however, on Monday. I know it is the purpose now to be ready. The Senator from Oregon knows of these problems. He has been very considerate. I mention the Fountain matter, and various kindred subjects, because it could take some other form.

I thank the Senator for his attitude in not asking for the third reading. I think the way he is handling the bill is very commendable.

Mr. MORSE. Mr. President, I am about to suggest the absence of a quorum, but first I yield to the Senator from California [Mr. Murphy].

Mr. MURPHY. Mr. President, I have been in touch with the minority leader, and he thanks the distinguished Senator from Oregon for his consideration in agreeing to hold this discussion off until Monday. I believe the minority leader is on the way to the chamber now from his office. I would suggest that, in the meantime, I may take this opportunity to congratulate the chairman of the committee for the excellent, considerate, and most effective manner in which he handled the committee. I was pleased with the opportunity to serve on the committee with him. I have had many experiences since I have come to Washington which are outstanding, but to watch such a performance as that exhibited by the Senator from Oregon was a rare treat and privilege for me, and I want to thank him for it.

Mr. MORSE. I thank the Senator from California for his comments. I want to say in his presence what I have said outside his presence in his own State, as well as elsewhere in the country—that Senator Murphy has been of great help to me in bringing bipartisan education legislation to the floor of the Senate. This bill would not be here today in its present form with some of the improvements over the way it was first introduced had it not been for some of the amendments offered by the distinguished Senator from California and the support he gave to the chairman of the committee in getting a bill out of committee.

I know he will agree with me that we ought to follow the procedural course of action I have suggested, of postponing further action on the bill, if there are no amendments Senators are ready to offer this afternoon, until Monday, because we would be wasting our time if we did not follow that procedure.

I spoke to Senator Dirksen a few moments ago to tell him that is the situation. I have not had a chance to talk with Senator Mansfield until this moment.

So to the two leaders, if I may have their attention, I wish to say we are in this situation. I know of no amendments that are going to be offered this afternoon. Some Senators have asked me, as manager of the bill, to prevent the third reading of this bill this afternoon. I told them I would. They want to discuss certain civil rights angles of the bill and have the bill go over until Monday. Certain of their members cannot be here until Monday. I was told a 6-hour speech was ready to be delivered only to force consideration of the bill over until Monday. I think it would be inexcusable to take the Senate's time by forcing that speech to be given. Of course, the Senator has the right to give it. I have done it myself in order to have consideration of a bill go over until some later date.

So my recommendation to the leadership, the majority leader and the minority leader, is that we lay the bill aside at this time and take up any other business the leadership has that can be taken up this afternoon or, if not, to recess until Monday. I am very sorry, may I say to the majority leader, that I find myself in that position as manager of the bill, but I have no suggestion to make other than the one I have made.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. I can understand very well the predicament in which the senior Senator from Oregon, manager of the bill, finds himself. I agree completely with what he has said and am in accord with the postulate he has just raised. Evidently there are no amendments which are going to be offered this afternoon—at least, no major amendments. It is my understanding that there will be at least one amendment, and perhaps more, on Monday.

NAVAL VESSEL LOANS

Mr. MANSFIELD. Therefore, Mr. President, I ask unanimous consent, if there is no objection, that the pending bill be laid aside and that the Senate proceed to the consideration of Calendar No. 717, H.R. 6167, an act to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none, and the clerk will state the bill by title.

The Legislative Clerk. A bill (H.R. 6767) to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services and the Committee on Foreign Relations with amendments.

Mr. MANSFIELD. Mr. President——

Mr. HICKENLOOPER. Mr. President, will the Senator yield for just an observation in the matter? I must leave the floor.

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. We had this matter up before the committee. These naval vessels have already been in the possession of these countries for years and years and years. Those countries have reconstructed the insides of the vessels to their own standards. In my opinion, we would not use them, anyhow, if we got them back, and we might just as well continue the loan of the vessels as we are. We are not giving them new naval vessels.

Mr. MURPHY. Mr. President, will the Senator yield so I may ask him a question?

Mr. HICKENLOOPER. I yield.

Mr. MURPHY. In the lending of these vessels and in continuing to lend these vessels, is there any consideration of our balance of payments, which we have heard so much about?

The PRESIDING OFFICER. The Senator from Montana has the floor. Does the Senator yield, and if so, to whom?

Mr. HICKENLOOPER. Mr. President, the majority leader had already yielded to me to answer the question.

Mr. MANSFIELD. Yes.

Mr. HICKENLOOPER. I do not know. Maybe the Senator from Montana can answer that question. I do not know of any real contribution to the balance of trade.

Mr. MANSFIELD. None at all.

Mr. HICKENLOOPER. It is just a continuation of arrangements that have been going on for years.

Mr. MANSFIELD. Exactly.

Mr. HICKENLOOPER. I raised the question in the committee, myself, as to any advantage to us in demanding the return of any of these vessels. We were told clearly there was no advantage whatsoever, because these countries have taken them and have revamped them to their advantage. They are old, antiquated vessels. It is more of a gesture than anything else.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, as soon as I can answer.

This measure primarily involves an extension of the loans of vessels to a number of nations; 10 in all, I believe. The loan agreements covering the vessels involved were originally entered into, more than 10 years ago. If we wanted to recapture them, we would have to put them in mothballs or recondition them and that would cost money. So, in fact, the measure does not affect our balance of payments.

Mr. HICKENLOOPER. We would not put them in mothballs under any circumstances. We would have to rip out the old machinery, gut them, and put in new machinery.

Mr. MANSFIELD. Mr. President, may I say that it was thought last week that this bill would be brought up on Monday last. I believe I made an announcement to that effect. There is opposition to it on the part of at least one Senator, and perhaps two Senators. What the reasons for the opposition are, I do not know. But, on my own initiative, I stated it would not be taken up last Monday because of the difficult situation then existing in the Mediterranean, centering on the island of Cyprus, between Turkey and Greece. Now that that matter has been settled, through the good offices of former Assistant Secretary of Defense Cyrus R. Vance, who did a splendid job in bringing those parties together and working out an amicable agreement, I decided that this afternoon would be an opportune time to consider the measure. After all, the Senate convened at 9 o'clock this morning and now we find that nothing further can be done today on the education bill with a view to bringing it to a conclusion.

The naval vessel bill has been on the calendar for some time. And, I repeat, the delay in proceeding to consider it after last Monday was a decision made purely on the initiative of the leadership, and it was based, as I said, on the difficulty in the eastern Mediterranean.

Mr. **MURPHY.** Will the Senator yield for one brief remark?

Mr. **MANSFIELD.** I yield.

Mr. **MURPHY.** I believe one of the countries in Latin America which has been a recipient has been misusing some of these ships. I would ask that some provision be made whereby we respectfully request that they not use the ships which they have on loan to interfere with our California tuna fishing boats, some of which have had some bad experiences in the last several years.

Mr. **HICKENLOOPER.** I was afraid to raise that question just a minute ago.

Mr. **MANSFIELD.** I can well understand the Senator's concern.

Mr. **HICKENLOOPER.** I think there is another way to reach that problem.

Mr. **MANSFIELD.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MANSFIELD.** Mr. President, the pending proposal before the Senate (H.R. 6167) was referred to the Committee on Foreign Relations after it had first been reported unanimously by the Committee on Armed Services.

This legislation seeks to authorize extension—and I wish to emphasize the word "extension" because this is not a new proposal—of certain naval vessel loans now in existence, and a new loan, and has other purposes; and has received the consideration of the Committee on Foreign Relations. That Committee reported it to the Senate for consideration after the measure had first been reviewed and reported by the Armed Services Committee.

The purpose of the bill is to authorize the extension of existing loans of 25 naval vessels to 10 foreign countries. The countries and the types of ships covered by the bill are as follows:

Argentina, three destroyers; Brazil, two destroyers, two submarines; Chile, two destroyers, two submarines; Colombia, one destroyer; Germany, one destroyer; Greece, two destroyers, 1 submarine; Korea, three destroyer escorts, one destroyer; Portugal, two destroyer escorts; Spain, two destroyers; Peru, one destroyer.

All loan extensions authorized by this bill may be for periods of not more than 5 years.

Public Law 82–3, approved in 1951, requires specific congressional authorization for the transfer or sale of a major warship on the Naval Vessel Register to a foreign country. Since 1951, 14 laws authorizing loans of ships to foreign countries have been enacted, and there are now 76 ships out on loan to 18 countries.

Loans are generally for a period of 5 years though some authorizing acts have allowed an additional extension of 5 years. The ships may be recalled at any time when required for the defense needs of the United States.

The loans which could be extended under provisions of this bill have either expired, or will expire by the end of the 1968 calendar year. Loan agreements on 20 ships in the hands of nine countries have already expired—Argentina, Brazil, Chile, Colombia, Peru, Korea, Greece, Portugal, and Spain.

H.R. 6167, as reported by the Committee on Armed Services, contains the loan extensions which would have been authorized in H.R. 9796, combining the two extension bills passed by the House of Representatives into one measure. When H.R. 6167 was reported from the Committee on Armed Services on October 24, Senator Russell, chairman of the committee, at the request of Senator Fulbright, obtained unanimous consent to have the bill referred to the Committee on Foreign Relations under instructions to report the bill back to the Senate within 14 days.

Mr. President, I ask unanimous consent that an excerpt from the committee report (No. 734) covering committee discussion and a section-by-section analysis of the bill, as well as the minority views by the distinguished Senator from Pennsylvania [Mr. Clark] be printed in the Record at this point.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

COMMITTEE DISCUSSION

The Committee on Foreign Relations has this year given considerable study to U.S. military assistance and sales policies. Two subcommittees, chaired by Senator Gore and Senator Symington, held extensive hearings and the full committee, during its work on the foreign aid bill, went into this subject in great detail. As a result of this review, a substantial majority of the committee members reached the conclusion that drastic revisions in our arms aid and sales policies were required. Accordingly, a number of major changes in the military assistance and sales program were recommended by the committee and later adopted by the full Senate; repeal of the basic authority for sale of arms on long-term credit to underdeveloped countries, tightened restrictions on arms sales and grants to Latin America and Africa, a prohibition against providing aid to countries spending excessive amounts for military purposes, and, finally, a severe cutback in arms grants. The agreement reached in the conference on the foreign aid authorization bill in substance reflects the committee's position.

The committee's concern over U.S. policies which encourage or condone excessive military spending by poor, underdeveloped countries prompted it to ask for an opportunity to examine the foreign policy implications of the proposed ship loan extensions. Its review of the program leaves the committee with considerable doubt that loans to most underdeveloped countries particularly those in Latin America, further our long-range foreign policy objectives.

The committee noted that 13 of the 25 ships covered by this bill are in the hands of Latin American countries. A total of 20 ships are now out on loan to these countries. All of these nations receive substantial economic aid from the United States. Secretary McNamara, in discussing the security needs of Latin America during testimony on the foreign aid bill before the committee this year, said:

"It is highly unlikely that any Latin American country will soon face a direct military attack from any nation outside the hemisphere, or from Cuba. The principal threat to Latin America takes the form of materiel and leadership support for internal subversion and insurgency, sometimes imported."

Our military assistance programs, he said, "* * * thus continue to be directed to the support of internal security and civic action measures." The committee finds it difficult to understand how major warships, submarines and destroyers, can contribute in a meaningful way to supporting these objectives.

The Department of Defense seeks to justify ship loans to Latin America on the grounds that they improve hemispheric capability against Soviet submarines. The committee is not persuaded that this is so or that U.S. security is, in any way, increased by this program. These ships do not come cheap. They are expensive to man, operate, and maintain, sapping resources which should be devoted to building a better life for the citizens of the region. The annual cost, for example, for a Latin American country to keep a destroyer, destroyer escort, and submarine in operation is about $2 million, an amount which would build a good many classrooms or buy considerable amounts of medicine, food, and clothing. Even if it is assumed that these ships do, in some way, add to our capacity to counter a Soviet submarine threat to the hemisphere in the event of all-out war, the price the United States pays in thus interfering with the goals of the Alliance for Progress is far too high for such dubious benefits.

In order to provide for greater congressional control over this program, the committee has amended the bill to eliminate the proposed authority for a second 5-year extension, at the President's discretion. The committee believes that the Congress should take a hard look at the results of this extension before any further extensions are allowed.

The committee has also amended the bill to require the President to recapture ships, whose loan would be extended under this authority, in the hands of any country which seizes U.S. fishing vessels while they are operating in international waters. U.S. naval vessels should not continue to be available to any country which flagrantly violates the rights of American fishing vessels. This amendment will insure that U.S.-owned naval vessels do not contribute, directly or indirectly, to the capacity of a foreign country to harass our fishing vessels while they are engaged in lawful operations in international waters.

Although the committee has agreed to the basic provisions of the bill reported by the Committee on Armed Services, it has done so reluctantly, not because it is persuaded that these loans make a contribution to achieving our basic policy objectives, but only because the ships have been in foreign hands for so many years that there would be considerable adverse reaction if the ships were reclaimed at this stage. These nations have, rightly or wrongly, been led to believe that the loans would be continued, otherwise the ships for which the loan agreements have expired would have been recalled by now. Under the circumstances, the benefits of recall would probably be outweighed by repercussions in the borrowing country. In future diplomatic dealings on ship loan matters it should be made perfectly clear to the foreign borrower that possession does not create a vested right to extension of the loan.

The committee plans to follow this program more closely than it has in the past.

SECTION-BY-SECTION ANALYSIS

Section 1.—This section provides the President with the authority to extend the existing loans of the ships listed below under such conditions as he deems appropriate.

Argentina, 3 destroyers.
Brazil, 2 destroyers, 2 submarines.
Chile, 2 destroyers, 2 submarines.
Colombia, 1 destroyer.
Germany, 1 destroyer.
Greece, 2 destroyers, 1 submarine.
Korea, 3 destroyer escorts, 1 destroyer.
Portugal, 2 destroyer escorts.
Spain, 2 destroyers.
Peru, 1 destroyer.

Section 2.—This section authorizes the loans to be extended for periods of not to exceed 5 years.

All loan extensions shall be made on the condition that they can be terminated at any time if needed to meet U.S. defense requirements.

The section provides that all extension agreements shall contain a condition that the ships shall be returned to the United States if the borrowing country seizes U.S. fishing vessels operating in international waters. The ships on loan shall be recaptured whether or not they are actually involved in the seizure. The condition would not apply in any case governed by international agreement to which the United States is a party. The provision is patterned after a similar restriction relating to foreign aid contained in section 620(o) of the Foreign Assistance Act of 1961, as amended.

Section 3.—This section requires the Secretary of Defense to find that the loan extension is in the national interest, and in doing so he must consult with the Secretary of State and the Joint Chiefs of Staff.

Section 4.—This section authorizes the President to issue such rules and regulations as may be necessary to implement the loan extensions authorized.

MINORITY VIEWS OF MR. CLARK

It is a disappointment to me that the Committee on Foreign Relations, which has acted so constructively to inject a measure of sanity in our military aid programs, has approved this bill to extend for 5 years the authority of the President to lend 25 major U.S. warships to 10 foreign countries, two-thirds of which must be classified as underdeveloped. I believe that the committee acted wisely in deleting the authority of the President to extend the loans for an additional 5 years, and I wish the same wisdom had been exercised with respect to the immediate continuation of the program.

This bill would, among other things, extend the loan of 13 ships to five nations of Latin America—Argentina, Brazil, Chile, Colombia, and Peru. Under the foreign assistance program presented to Congress this year, these five countries were scheduled to receive a total of $560 million in U.S. economic and food aid in fiscal 1968. It makes little sense for the United States to put dollars in the economic development pocket of these countries only to have them dispensed out of the military pocket. The costs to the recipient country of operating the loaned vessels is far from inconsiderable. For example, the annual cost to Peru of operating a destroyer, a destroyer escort, and a submarine is $1,702,000, plus overhaul costs every 4 years of $1 million per destroyer and $500,000 per destroyer escort and submarine. Our programs in these countries should be designed to discourage—not encourage—spending on sophisticated weapons like tanks, jet fighters—and U.S. Navy-owned warships. It is far more likely that these weapons—ships as well as tanks and planes—will be used against another recipient of our military assistance than against a common enemy.

In addition, the bill would authorize the President to extend the loan of two destroyers and one submarine to the Government of Greece. It contains no authority for the loan of any U.S. warships to Israel. In the committee I proposed an amendment to recall these three vessels from the Government of Greece and transfer their possession to Israel.

In my view the extension of ship loans to Greece is completely contrary to the spirit of the present embargo on military aid to the ruling military regime in that country. If it is right to deny such assistance to this illegal government, and I firmly believe that it is right to do so, it seems to me impossible to justify the continued loan of these vessels to that same government.

It was contended by the Defense Department that the ships presently on loan to Greece make an important contribution to NATO. I find it difficult to believe that our real security against Soviet submarines in Mediterranean waters rests with any naval vessels other than those of the U.S. 6th Fleet. And, as a practical matter, it seems far more likely to me that these Greek-manned, U.S.-owned ships would be used against Turkish-manned, U.S.-owned ships, than against Soviet submarines. The experience of the Indian-Pakistani conflict, in which two allies of the United States employed weapons supplied by this country against each other, provides a clear warning of the danger.

On the other hand, the recent sinking of the *Elath* has left the naval forces at the disposal of Israel seriously depleted. Although no formal request for such assistance has yet been received from the Government of Israel, it seems to me that the Congress ought nevertheless to direct the President to take these ships away from the illegal and undemocratic junta now in power in Greece, which neither needs them to safeguard Greece's national security, nor deserves our help or blessing, and authorize him to lend them instead to the democratic Government of Israel which both needs and deserves our support in resisting the threat of Soviet-backed Egyptian aggression.

Much to my regret the amendment which I offered to make possible this transfer was rejected by the committee. In addition, the committee rejected a much milder amendment proopsed by Senator Pell to limit to 1 year the loan extension to Greece, with authority to extend it for the remaining 4 years only if, before the end of the first year, the President finds that the citizens of Greece have, through a national referendum, approved a new constitution or that other appropriate steps have been or are being taken to bring about a return to constitutional government in that country.

I supported the Pell amendment. It represents, it seems to me, the very least this country should do to make plain its determination not to associate itself with the present illegal regime in Greece. To fail thus to do so is to act detrimentally both to the national interests of the United States and the cause of constitutional democracy throughout the world.

JOSEPH S. CLARK.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. With deep regret I must make a statement for the RECORD which is quite close to a question of personal privilege. As the Senator well knows, I am opposed to this bill, as were two other members of the Committee on Foreign Relations. I have sent to the desk and had printed three amendments to the bill, each one of which I had hoped to discuss in reasonable detail. With respect to at least one of them, I contemplated a rollcall vote.

I have requested the Senator from Montana not to bring this bill up while I was acting as the chairman of the House and Senate conferees on the poverty bill. That bill must result in a conference agreement by next Tuesday because of certain provisions in House procedures, or else there will be no poverty bill this year. The conferees are deadlocked on a number of important matters. This morning, for the first time, I was able to get enough of my Senate conferees to join me in the conference to make some meaningful progress.

We were in the process of doing so when I was called, 5 minutes ago, to come to the floor of the Senate because, despite my earnest urging that this bill be put over until the poverty conference could be concluded, the bill had been called up.

I am now faced with the unhappy dilemma of either deserting my duties as the chairman of the House and Senate conferees on the poverty bill or letting this bill go to final passage without making the rather positive fight against it I had planned. I regret very much having been put to this difficult choice.

I shall have to go back to the poverty conference now and see what we can do. If this bill is passed by voice vote in my absence, without my amendments being called up, that is the privilege of the majority and minority leaders.

However, I would hope that they would not do that.

I yield the floor.

Mr. MANSFIELD. Mr. President, I would hope that the Senator from Pennsylvania would stay on the floor briefly. What he has said is, in essence, true. I see no reason, however, for anyone to think that it comes even close to meeting a question of personal privilege.

This measure has been on the calendar since November 7, over 3 weeks ago. It was announced last Friday that it would be taken up on Monday last.

It was not taken up on that day because of my instruction that it was not to be taken up. As I have already mentioned, the decision to delay the matter was occasioned because of the difficulties then existing in the eastern Mediterranean, centering on the island of Cyprus and engaging the full attention at that time of Greece and Turkey.

The Senator from Pennsylvania mentions duties. Well, the majority leader has a duty, too. And the Senator from Pennsylvania put a hold on this measure for at least 2 weeks. It was accordingly held. He can oppose it as strongly as he wishes. The Senate is not going to ram it down his throat. We certainly will see to it, insofar as possible, that he is given every consideration in offering his amendments. But I think he ought to understand that scheduling legislation is a leadership matter, that getting legislation through is a two-way street and not a one-way street, unless he desires to take the authority unto his own hands and dictate to the Senate and to the leadership when a bill is or is not going to come up.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. Does the Senator want an antipoverty bill?

Mr. MANSFIELD. Yes.

Mr. CLARK. Then I am going to get him one.

Mr. MANSFIELD. Mr. President, the Senator will be assured, if he later checks on this, that there will be no highjinks so far as this bill is concerned. We will do our best to hold back and let him offer his amendments and give him every possible consideration.

I am indeed sorry that some Senators fail at times to appreciate fully the difficult and delicate problems that must be considered when faced with operating under the orderly rules of parliamentary procedure. There are handicaps that the leadership works under constantly in trying to keep the legislative mills rolling in an effort to get a reasonable adjournment date this year as in prior years. I would hope that those handicaps could be recognized. In any event, this bill—on the calendar for more than 3 weeks—will be considered today.

Mr. DIRKSEN. Mr. President, I want to add a postscript to the remarks of the distinguished majority leader.

He has bent over backward day after day and week after week and month after month to accommodate the Members of the Senate on both sides of the aisle. He accommodated them when they were away on speaking engagements or were engaged in whatever business may have taken them away from the Senate so that they could not be here to vote or participate in the debate.

The majority leader is certainly not only within his right, but he has also acted with grace and propriety in this matter.

I fully endorse everything he has said with respect to the fact that the art of legislation on this floor is a two-way street.

The majority leader could have been sumptuary and arbitrary about it, and simply not have made allowances for conveniencing all Members. However, he has constantly convenienced all Members. And I applaud him to the fullest for being so gracious about it and for always undertaking to accommodate Senators on both sides of the aisle.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator.

The PRESIDING OFFICER. The first amendment by the Committee on Foreign Relations will be stated.

The LEGISLATIVE CLERK. On page 4, lines 17 to 19, strike out the following: "but the President may in his discretion extend such loans for an additional period of not more than 5 years."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will report the second amendment by the Committee on Foreign Relations.

The LEGISLATIVE CLERK. On page 4, beginning on line 23, to page 5, line 7, insert the following:

> Any agreement for the extension of a loan executed pursuant to the first section of this Act shall be subjected to the condition that the agreement will be immediately terminated upon a finding made by the President that the country with which such agreement was made has seized any United States fishing vessel on account of its fishing activities in international waters, except that such condition shall not be applicable in any case governed by international agreement to which the United States is a party.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum without losing my right to the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, H.R. 6167 was referred to the Committee on Foreign Relations by unanimous consent on October 24 as a result of discussions with the chairman of the Committee on Armed Services, Senator RUSSELL.

This year, the Committee on Foreign Relations has given much study to U.S. arms sales and grant programs. As a direct consequence of this study, a number of major changes were made by the Foreign Aid Authorization Act in the military assistance program: repeal of the basic authority for sales of arms on long-term credit to underdeveloped countries, tightened restrictions on arms sales and grants to Latin America and Africa, and a prohibition on aid to countries spending excessive amounts for military purposes.

The committee's general concern over U.S. policies which encourage or condone useless military spending by poor, underdeveloped countries prompted it to ask for an opportunity to examine the foreign policy implications of the proposed ship loan extensions. A review of the program left members of the committee with considerable doubt that ship loans to most underdeveloped countries—particularly those in Latin America—further our long-range foreign policy objectives. Members of the committee have strong doubts that the ships loans to most of the countries involved increases U.S. security in any way. But it is clear that the operation and maintenance of these warships sap scarce resources which could be devoted to building a better society.

Although the Committee on Foreign Relations has agreed to the basic provisions of the bill reported by the Committee on Armed Services, it has done so reluctantly, not because it is persuaded that these ship loans make a contribution to achieving our basic policy objectives, but only because the ships have been in foreign hands for so many years that there would be much adverse reaction if the ships were reclaimed at this stage. Rightly or wrongly, these nations have been led to believe that the loans would be extended. Under the circumstances, the benefits of recall would probably be outweighed by repercussions in the borrowing country.

The committee has recommended two amendments to the bill. First, in order to provide for greater congressional control over the program, the committee has proposed that the authority for a second 5-year extension be eliminated. The committee believes that Congress should take a hard look at the results after 5 years before any further extensions are authorized. The second amendment added by the committee would require the President to reclaim the ships, whose loan would be extended by this bill, in the hands of any country which seizes U.S. fishing vessels while they are operating in international waters. This amendment will insure that U.S.-owned naval vessels do not contribute—directly or indirectly—to the capacity of a foreign country to harass our fishing vessels while they are engaged in lawful operations in international waters.

Mr. President, with these two amendments, the Committee on Foreign Relations recommends that the bill be passed.

I wish to express, on behalf of the Committee on Foreign Relations, our appreciation to the senior Senator from Georgia [Mr. RUSSELL] for his cooperation in arranging for our committee to examine this bill.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 734), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to authorize extension of existing loans of 25 naval vessels to 10 foreign countries. The countries and the types of ships covered by the bill are as follows:

Argentina: 3 destroyers.
Brazil: 2 destroyers, 2 submarines.
Chile: 2 destroyers, 2 submarines.
Colombia: 1 destroyer.
Germany: 1 destroyer.
Greece: 2 destroyers, 1 submarine.
Korea: 3 destroyer escorts, 1 destroyer.
Portugal: 2 destroyer escorts.
Spain: 2 destroyers.
Peru: 1 destroyer.

All loan extensions authorized by this bill may be for periods of not more than 5 years.

BACKGROUND

Public Law 82–3 (10 U.S.C. 7307), approved in 1951, requires specific congressional authorization for the transfer or sale of a major warship on the Naval Vessel Register to a foreign country. Since 1951, 14 laws authorizing loans of ships to foreign countries have been enacted and there are now 76 ships out on loan to 18 countries as follows:

Argentina, 2 SS, 3 DD; Brazil, 3 SS, 5 DD; Canada, 1 SS; Chile, 2 SS, 2 DD; Colombia, 1 DD; Germany, 6 DD; Greece, 2 SS, 6 DD; Italy, 5 SS; Japan, 1 SS, 4 DD, 2 DE; Korea, 1 DD, 3 DE; Netherlands, 2 SS; Pakistan, 1 SS; Peru, 2 DD; Portugal, 2 DE; Spain, 1 SS, 5 DD, 1 helo-carrier; Republic of China, 5 DD; Thailand, 1 DD; Turkey, 5 SS, 2 DD.

Loans are generally for a period of 5 years though some authorizing acts have allowed an additional extension of 5 years. The ships may be recalled at any time when required for the defense needs of the United States.

The loans which could be extended under provisions of this bill have either expired, or will expire by the end of the 1968 calendar year. Loan agreements on 20 ships in the hands of nine countries have already expired (Argentina, Brazil, Chile, Colombia, Peru, Korea, Greece, Portugal, and Spain).

H.R. 6167, as reported by the Committee on Armed Services, contains the loan extensions which would have been authorized in H.R. 9796, combining the two extension bills passed by the House of Representatives into one measure. When H.R. 6167 was reported from the Committee on Armed Services on October 24, Senator Russell, chairman of the committee, at the request of Senator Fulbright, obtained unanimous consent to have the bill referred to the Committee on Foreign Relations under instructions to report the bill back to the Senate within 14 days.

COMMITTEE DISCUSSION

The Committee on Foreign Relations has this year given considerable study to U.S. military assistance and sales policies. Two subcommittees, chaired by Senator Gore and Senator Symington, held extensive hearings and the full committee, during its work on the foreign aid bill, went into this subject in great detail. As a result of this review, a substantial majority of the commttee members reached the conclusion that drastic revisions in our arms aid and sales policies were required. Accordingly, a number of major changes in the military assistance and sales program were recommended by the committee and later adopted by the full Senate: repeal of the basic authority for sale of arms on long-term credit to underdeveloped countries, tightened restrictions on arms sales and grants to Latin America and Africa, a prohibition against providing aid to countries spending excessive amounts for military purposes, and, finally, a severe cutback in arms grants. The agreement reached in the conference on the foreign aid authorization bill in substance reflects the committee's position.

The committee's concern over U.S. policies which encourage or condone excessive military spending by poor, underdeveloped countries prompted it to ask for an opportunity to examine the foreign policy implications of the proposed ship loan extensions. Its review of the program leaves the committee with considerable doubt that loans to most underdeveloped countries, particularly those in Latin America, further our long-range foreign policy objectives.

The committee noted that 13 of the 25 ships covered by this bill are in the hands of Latin American countries. A total of 20 ships are now out on loan to these countries. All of these nations receive substantial economic aid from the United States. Secretary McNamara, in discussing the security needs of Latin America during testimony on the foreign aid bill before the committee this year, said:

> "It is highly unlikely that any Latin American country will soon face a direct military attack from any nation outside the hemisphere, or from Cuba. The principal threat to Latin America takes the form of materiel and leadership support for internal subversion and insurgency, sometimes imported."

Our military assistance programs, he said, "* * * thus continue to be directed to the support of internal security and civic action measures." The committee finds it difficult to understand how major warships, submarines and destroyers, can contribute in a meaningful way to supporting these objectives.

The Department of Defense seeks to justify ship loans to Latin America on the grounds that they improve hemisphere capability against Soviet submarines. The committee is not persuaded that this is so or that U.S. security is, in any way, increased by this program. These ships do not come cheap. They are expensive to man, operate, and maintain, sapping resources which should be devoted to building a better life for the citizens of the region. The annual cost, for example, for a Latin American country to keep a destroyer, destroyer escort, and submarine in operation is about $2 million, an amount which would build a good many classrooms or buy considerable amounts of medicine, food, and clothing. Even if it is assumed that these ships do, in some way, add to our capacity to counter a Soviet submarine threat to the hemisphere in the event of all-out war, the price the United States pays in thus interfering with the goals of the Alliance for Progress is far too high for such dubious benefits.

In order to provide for greater congressional control over this program, the committee has amended the bill to eliminate the proposed authority for a second 5-year extension, at the President's discretion. The committee believes that the Congress should take a hard look at the results of this extension before any further extensions are allowed.

The committee has also amended the bill to require the President to recapture ships, whose loan would be extended under this authority, in the hands of any country which seizes U.S. fishing vessels while they are operating in international waters. U.S. naval vessels should not continue to be available to any country which flagrantly violates the rights of American fishing vessels. This amendment will insure that U.S.-owned naval vessels do not contribute, directly or indirectly, to the capacity of a foreign country to harass our fishing vessels while they are engaged in lawful operations in international waters.

Although the committee has agreed to the basic provisions of the bill reported by the Committee on Armed Services, it has done so reluctantly, not because it is persuaded that these loans make a contribution to achieving our basic policy objectives, but only because the ships have been in foreign hands for so many years that there would be considerable adverse reaction if the ships were reclaimed at this stage. These nations have, rightly or wrongly, been led to believe that the loans would be continued, otherwise the ships for which the loan agreements have expired would have been recalled by now. Under the circumstances, the benefits of recall would probably be outweighed by repercussions in the borrowing country. In future diplomatic dealings on ship loan matters it should be made perfectly clear to the foreign borrower that possession does not create a vested right to extension of the loan.

The committee plans to follow this program more closely than it has in the past.

SECTION-BY-SECTION ANALYSIS

Section 1.—This section provides the President with the authority to extend the existing loans of the ships listed below under such conditions as he deems appropriate.

Argentina: 3 destroyers.
Brazil: 2 destroyers, 2 submarines.
Chile: 2 destroyers, 2 submarines.
Colombia: 1 destroyer.
Germany: 1 destroyer.
Greece: 2 destroyers, 1 submarine.
Korea: 3 destroyer escorts, 1 destroyer.
Portugal: 2 destroyer escorts.
Spain: 2 destroyers.
Peru: 1 destroyer.

Section 2.—This section authorizes the loans to be extended for periods of not to exceed 5 years.

All loan extensions shall be made on the condition that they can be terminated at any time if needed to meet U.S. defense requirements.

The section provides that all extension agreements shall contain a condition that the ships shall be returned to the United States if the borrowing country seizes U.S. fishing vessels operating in international waters. The ships on loan shall be recaptured whether or not they are actually involved in the seizure. The condition would not apply in any case governed by international agreement to which the United States is a party. The provision is patterned after a similar restriction relating to foreign aid contained in section 620(o) of the Foreign Assistance Act of 1961, as amended.

Section 3.—This section requires the Secretary of Defense to find that the loan extension is in the national interest, and in doing so he must consult with the Secretary of State and the Joint Chiefs of Staff.

Section 4.—This section authorizes the President to issue such rules and regulations as may be necessary to implement the loan extensions authorized.

MINORITY VIEWS OF MR. CLARK

It is a disappointment to me that the Committee on Foreign Relations, which has acted so constructively to inject a measure of sanity in our military aid programs, has approved this bill to extend for 5 years the authority of the President to lend 25 major U.S. warships to 10 foreign countries, two-thirds of which must be classified as underdeveloped. I believe that the committee acted wisely in deleting the authority of the President to extend the loans for an additional 5 years, and I wish the same wisdom had been exercised with respect to the immediate continuation of the program.

This bill would, among other things, extend the loan of 13 ships to five nations of Latin America—Argentina, Brazil, Chile, Colombia, and Peru. Under the foreign assistance program presented to Congress this year, these five countries were scheduled to receive a total of $560 million in U.S. economic and food aid in fiscal 1968. It makes little sense for the United States to put dollars in the economic development pocket of these countries only to have them dispensed out of the military pocket. The costs to the recipient country of operating the loaned vessels is far from inconsiderable. For example, the annual cost to Peru of operating a destroyer, a destroyer escort, and a submarine is $1,702,000, plus overhaul costs every 4 years of $1 million per destroyer and $500,000 per destroyer escort and submarine. Our programs in these countries should be designed to discourage—not encourage—spending on sophisticated weapons like tanks, jet fighters—and U.S. Navy-owned warships. It is far more likely that these weapons—ships as well as tanks and planes—will be used against another recipient of our military assistance than against a common enemy.

In addition, the bill would authorize the President to extend the loan of two destroyers and one submarine to the Government of Greece. It contains no authority for the loan of any U.S. warships to Israel. In the committee I proposed an amendment to recall these three vessels from the Government of Greece and transfer their possession to Israel.

In my view the extension of ship loans to Greece is completely contrary to the spirit of the present embargo on military aid to the ruling military regime in that country. If it is right to deny such assistance to this illegal government, and I firmly believe that it is right to do so, it seems to me impossible to justify the continued loan of these vessels to that same government.

It was contended by the Defense Department that the ships presently on loan to Greece make an important contribution to NATO. I find it difficult to believe that our real security against Soviet submarines in Mediterranean waters rests with any naval vessels other than those of the U.S. 6th Fleet. And, as a practical matter, it seems far more likely to me that these Greek-manned, U.S.-owned ships would be used against Turkish-manned, U.S.-owned ships, than against Soviet submarines. The experience of the Indian-Pakistani conflict, in which two allies of the United States employed weapons supplied by this country against each other, provides a clear warning of the danger.

On the other hand, the recent sinking of the *Elath* has left the naval forces at the disposal of Israel seriously depleted. Although no formal request for such assistance has yet been received from the Government of Israel, it seems to me that the Congress ought nevertheless to direct the President to take these ships away from the illegal and undemocratic junta now in power in Greece, which neither needs them to safeguard Greece's national security, nor deserves our help or blessing, and authorize him to lend them instead to the democratic Government of Israel which both needs and deserves our support in resisting the threat of Soviet-backed Egyptian aggression.

Much to my regret the amendment which I offered to make possible this transfer was rejected by the committee. In addition, the committee rejected a much milder amendment proposed by Senator Pell to limit to 1 year the loan extension to Greece, with authority to extend it for the remaining 4 years only if, before the end of the first year, the President finds that the citizens of Greece have, through a national referendum, approved a new constitution or that other appropriate steps have been or are being taken to bring about a return to constitutional government in that country.

I supported the Pell amendment. It represents, it seems to me, the very least this country should do to make plain its determination not to associate itself with the present illegal regime in Greece. To fail thus to do so is to act detrimentally both to the national interests of the United States and the cause of constitutional democracy throughout the world.

JOSEPH S. CLARK.

Mr. STENNIS. Mr. President, this bill was referred to the Committee on Armed Services first, and the Committee on Armed Services gave unanimous approval of the bill in its rewritten form. With those amendments, the committee reported the bill unanimously. Later, the bill was referred to the Committee on Foreign Relations, and the amendments proposed by that committee already have been presented and adopted, with the support of the members of the Committee on Armed Services. The Committee on Armed Services has supported the bill.

The bill does not involve any money or additional loans of ships. It refers only to those who are already in control of these ships, as lessees. That is all reflected by the report and by the bill itself.

That is the position of the committee, and at this point I have nothing further to say.

Mr. CLARK. Mr. President, this is a bad bill, and I hope it will be defeated. In the event there is no rollcall vote, I should like the RECORD to show that I would vote against it.

For reasons which I outlined on the floor a few minutes ago, dealing with the poverty conference, it will be impossible for me to make an adequate presentation of the reasons why I believe the bill should be defeated. The poverty conference, however, has adjourned for a little more than an hour, and I am a little overweight, anyway, so I can get along with not much lunch.

I should like to state briefly why I believe this is a bad bill. Two other members of the Committee on Foreign Relations joined me within the committee in opposing the bill.

My general views have been placed in the RECORD by the distinguished majority leader at an earlier point in the debate. They are contained in my minority views as printed in the report of the Committee on Foreign Relations.

Generally speaking, I do not think it serves the national interest of the United States to lend warships to the countries of Latin America. It seems to me far more likely that the recipients of these vessels will use them against each other than against any Communist nation.

Moreover, the cost to the borrowing countries of operating these vessels is quite substantial. As an example, the Peruvians must pay out $1,702,000 per year in operating costs for the destroyer, destroyer escort, and submarine which they have, plus overhaul costs every 4 years of $1 million per destroyer and $500,000 per destroyer escort and submarine. Yet every dollar thus diverted is badly needed for Peru's own economic development.

It is not at all clear to me why the United States should lend warships to West Germany. Yet page 2 of the report indicates that six destroyers are now on loan to that country.

There are five submarines and two destroyers on loan to Turkey, and two submarines and six destroyers on loan to Greece. We have just seen, in the recent Cyprus crisis, a situation in which these vessels might well have been used by the two borrowing nations against each other.

Mr. President, all of this reminds me of the Pakistan-India conflict in which American hardware, intended for the defense of those countries against Communist China, was nonetheless used by them against each other. I think that we put ourselves in a most untenable position when, having had a lesson that we seem not to have learned, we go on again to make the same mistake over and over again.

There may be some logic in lending destroyers to Korea. I do not object to that. But what of the destroyers loaned to Portugal? Will they be used to put down the just aspirations of the citizens of Mozambique and Angola? Does Spain need the two destroyers we have loaned it to defend itself against Portugal?

While I have been speaking in a lighter vein, there is a serious point. Although it is earnestly asserted that these vessels are needed to assist NATO powers in defending against possible attack by the Soviet Union, in my judgment, our real security against Soviet naval forces in the Mediterranean rests solely with the U.S.-owned and U.S.-operated vessels of the 6th Fleet.

But this is a waste of resources, not so much of the United States, because we do not need this obsolete hardware, but a waste to the underdeveloped nations of the world with respect to whom we have been so niggardly in terms of economic assistance in the current foreign aid bill. These countries will have to take scarce resources, desperately needed to improve their economic condition, and use them to satisfy the status ambitions of a few generals and a few admirals.

Mr. President, I had intended to offer an amendment which would have recalled two destroyers and a submarine from Greece, and turned them over to Israel. In view of the fact that an Israel destroyer was recently sunk by vessels of the United Arab Republic using rockets furnished to it by Russia, it seemed to me only just that the United States make good this loss and provide additional military assistance to Israel.

Moreover, I believe that we should not encourage the present totalitarian junta ruling in Greece by extending the loan of these destroyers and submarines. Goodness knows, little Israel deserves all the help we can give her. The fact is that Israel is not requesting these destroyers, and we have 120 more—I would ask my friend from Mississippi for corroboration. We could bring them out at any time in the event Israel did desire to have its navy somewhat augmented. If it did I would be wholeheartedly in support of lending to Israel any naval vessels it reasonably needs to defend its coast in the eastern Mediterranean.

In committee my good friend, the Senator from Rhode Island [Mr. PELL] offered an amendment which would have put the Government of Greece on probation by extending the loan for 1 year, and only extending it further if the President made certain specified findings indicating that Greece is back on the road to constitutional government.

I understand that the Greek junta has made an announcement that a proposed new constitution is to be submitted to it in secret some time this month. But that is only a draft and nobody knows when they will be prepared to submit it to the people of Greece for their approval.

I have no doubt that the Greek junta is dragging its heels and I also have no doubt that if our State Department were more aggressive in pressing the Greek Government, within appropriate bounds, to this end, a return to constitutional government in Greece would come much sooner.

I regret that the Senator from Rhode Island [Mr. PELL] felt impelled not to offer his amendment on the floor of the Senate. But I do not wish to impinge on his right. If he does not want to offer it, I shall not offer it for him.

However, I believe, for the reasons I stated, that this bill is a bad bill and should be defeated.

I would hope very much that the manager of the bill would be willing to accept my amendment No. 481, which I now call up and ask that it be stated.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The amendment will be stated.

The assistant legislative clerk read as follows:

On page 4, line 19, after the period insert: "Any agreement for the extension of a loan executed under the first section of this Act shall be made subject to the condition that the agreement may be terminated by the President if he finds that the armed forces of the borrowing country have engaged, at any time after the date of such agreement, in acts of warfare against any country which is a party to a mutual defense treaty ratified by the United States."

On page 4, line 19, strike out "They" and insert in lieu thereof "All extensions".

Mr. CLARK. Mr. President, this amendment is self-explanatory. Its purpose is to suggest to the President that when two recipients of our weapons—as, for instance, Greece and Turkey—start using them to shoot at each other, he should take them away from them.

I think the amendment needs no further explanation. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I see no objection to the amendment.

I think the Senator is quite correct. We have had unfortunate examples where our arms have been used by two countries who have been at one time or another allied with us, against each other. The Senator gives the example that that might occur. I am in accord with that principle. I do not think our ships should be used by Greece against Turkey. I may call his attention to the fact that his amendment relates only to ships included in the bill.

Mr. CLARK. The Senator is correct. I would hope that my good friend from Mississippi would be prepared to accept it.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I would prefer to have a brief colloquy with the Senator from Mississippi [Mr. STENNIS] first, after which I shall be very glad to yield to the Senator from New York.

Mr. STENNIS. Mr. President, I promptly reply that the Senator from Pennsylvania has a good amendment. I commend him for the substance of it. I feel that I can speak for the full membership of the committee, although there has been no opportunity to confer. I am referring to amendment No. 481.

Mr. CLARK. The Senator is correct.

Mr. STENNIS. That is the one at point. It is the general principle of the amendment to which my remarks are addressed, and to which the general principle of approval applies, without any indication about the specific country or anything of that kind, which is a matter the Senator wants the President to pass on in view of the facts that may develop at that time.

Mr. CLARK. I thank my good friend from Mississippi, and I am now happy to yield to the Senator from New York.

Mr. JAVITS. Mr. President, I am deeply concerned with the problems of Greece and Turkey and whether any specificity is needed so that the amendment may be properly understood, to define the term "acts of warfare" against any country.

This worries me, in view of the fact that there was "warfare" at the community level between the national guard there which has important Greek forces, and the Turkish community which allegedly is supported by some form of Turkish forces. I do not know whether the words "acts of warfare" should not, at least for the legislative record, be somewhat spelled out as representing war which involves the governments in both countries in some appreciable and major way—whatever the Senator thinks would be suitable.

Mr. CLARK. Mr. President, what I had in mind in the amendment and I should like this to stand as legislative history, and would ask both the Senator from Arkansas and the Senator from Mississippi whether they agree with me, was action against each other by the regular armed forces of two or more countries.

Mr. JAVITS. I think that would be very desirable.

Mr. STENNIS. Yes; I think that is a very good interpretation of it. I approve of it.

Mr. FULBRIGHT. I understood it that way at the beginning, and that isolated conflicts between various informal groups which have taken place, of course, would not bring this into effect.

Mr. JAVITS. I thank my colleague.

Mr. CLARK. Mr. President, if there is no further debate on this subject, could we vote on the amendment now?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendent was agreed to.

Mr. PELL. Mr. President, I thank the Senator from Pennsylvania for referring to the amendment I introduced in the Committee on Foreign Relations concerning the condition I should like to see attached to the continuation of the loan of the two destroyers and the submarine to Greece.

I should like to read the text of the amendment and its explanation into the RECORD:

(1) On page 4, line 13, strike out "All" and insert in lieu thereof "Except as hereafter provided, all".

(2) On page 4, line 16, after the period insert "Any agreement for the extension of a loan to Greece executed under the first section of this Act shall be limited to one year but may be extended for periods of not to exceed four and five years, respectively, if before the end of the first year the President finds that the citizens of Greece have, through a national referendum, approved a new constitution or that other appropriate steps have been or are being taken to bring about a return to constitutional government in that country."

(3) On page 4, line 16, strike out "They" and insert in lieu thereof "All extensions".

EXPLANATION OF AMENDMENT

This amendment limits any ship loan extensions to Greece to one year. The loans may be extended for additional periods of four and five years, respectively, (to equate the authorizations for the other countries involved) *only* if the President finds before the end of the first year that by that time the Greek citizens have approved a new constitution or that other appropriate steps are being taken to bring about a return to constitutional government. It leaves the President with considerable flexibility in determining whether or not sufficient progress toward democratic government is being made in Greece.

Mr. President, the purpose of this amendment was to insure that, if the Greek Government did not follow the timetable set forth by its able and well-respected Ambassador in Washington, or our President had not determined that other appropriate steps were being taken to bring about a return to constitutional government, then the ships would be returned.

The amendment was defeated in the Committee on Foreign Relations by the close margin of 6 to 5.

Mr. President, I am not offering this amendment on the floor of the Senate because I think it would again be defeated; but I am making reference to it at this time in the hope that attention might be directed to it in Athens and that the Greek Government might be aware of how close that vote was.

I think our able ambassador in Athens, Ambassador Talbot, and our able Assistant Secretary of State, Lucius Battle, are aware of this amendment and of how it almost passed.

I trust that the Greek Government is aware of the fact that this vote lost in committee by only one vote, and that if that vote had gone the other way the amendment would have been agreed to.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I am glad to yield to the Senator from New York.

Mr. JAVITS. Would the Senator kindly repeat for me the drift of what his amendment stated?

Mr. PELL. The amendment would have provided that if at the end of 1 year, Greece had not moved along the road toward constitutional government the United States would have the right to retrieve the two destroyers and the submarine.

Mr. JAVITS. My interest is concerned in efforts to develop economic cooperation between Greece and Turkey in a very official way.

It has been very substantially financed and is rather far advanced and has the tremendous support of both countries. I should like to say to the peoples of both Greece and Turkey that I know of nothing that would be more sure to torpedo what I am and supporters of this project are trying to do—which I am doing with a very full heart and in the deep belief that it is the right thing to do. If the present Government of Greece does not give us confidence in its good faith that it is really going to travel the road back to constitutional and representative government—with all deliberate speed—it will frustrate anything that I or any other friend of Greece and Turkey are trying to do in this field.

The Senator knows, I believe, that we have a very great design which may prove to be another TVA for power irrigation, and land reclamation projects on the Thracian border between Greece and Turkey involving the Meric-Erros River. It is a several-hundred-million-dollar project. It will need World Bank cooperation. It will need United Nations cooperation. It will need the cooperation of the countries concerned in the area. It will all be hopeless unless this kind of progress is made.

I thank the Senator from Rhode Island for yielding to me.

Mr. PELL. I thank my friend very much indeed.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I wish to take this occasion to express my deepest thanks to the distinguished Senator from Mississippi [Mr. STENNIS], the Senator in charge of the bill for the Armed Services Committee. When called upon to handle this measure, he graciously and generously agreed. The magnificent manner in which he rose to the task was certainly in keeping with the high traditions he has established in the Senate.

To the Senator from Arkansas [Mr. FULBRIGHT], the Senator in charge of the bill for the Committee on Foreign Relations, goes our sincere thanks for his splendid contribution. The same commendation also goes to the distinguished Senator from Rhode Island [Mr. PELL] for his cooperation and understanding; to the distinguished Senator from Pennsylvania [Mr. CLARK] for strengthening the bill, making it a better measure and for laying down the prognosis which I think will be of good use in the future; and to the Senator from New York [Mr. JAVITS] for his deep interest in this matter.

Mr. President, to all I express my deepest thanks for making possible the passage of the bill at this time.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Committee on Armed Services in the nature of a substitute, as amended which the clerk will state.

The legislative clerk read as follows:

That, notwithstanding section 7307 of title 10, United States Code, or any other law, the President may extend on such terms and under such conditions as he deems appropriate the loan of ships, previously authorized as indicated, as follows: (1) Argentina, three destroyers (Act of July 18, 1958 (72 Stat. 376)); (2) Brazil, two destroyers and two submarines (Act of July 18, 1958 (72 Stat. 376)); (3) Chile, two submarines and two destroyers (Act of July 18, 1958 (72 Stat. 376)); (4) Colombia, one destroyer (Act of July 18, 1958 (72 Stat. 376)); (5) Federal Republic of Germany, one destroyer (Act of August 5, 1953 (67 Stat. 363), as amended by Act of August 3, 1956 (70 Stat. 967)); (6) Greece, one submarine (Act of August 5, 1953 (67 Stat. 363), as amended by Act of August 3, 1956 (70 Stat. 967)), two destroyers (Act of October 4, 1961 (75 Stat. 815)); (7) Korea, two destroyer escorts (Act of August 5, 1953 (67 Stat. 363), as amended), one destroyer and one destroyer escort (Act of October 4, 1961 (75 Stat. 815)); (8) Portgual, two destroyer escorts (Act of August 5, 1953 (67 Stat. 363), as amended by Act of August 3, 1956 (70 Stat. 967)); (9) Spain, two destroyers (Act of August 5, 1953 (67 Stat. 363), as amended by Act of August 3, 1956 (70 Stat. 967)); (10) Peru, one destroyer (Act of July 18, 1958 (72 Stat. 376)).

SEC. 2. All loan extensions executed under this Act shall be for periods not exceeding five years.

Any agreement for the extension of a loan executed under the first section of this Act shall be made subject to the condition that the agreement may be terminated by the President if he finds that the armed forces of the borrowing country have engaged, at any time after the date of such agreement, in acts of warfare against any country which is a party to a mutual defense treaty ratified by the United States.

All extensions shall be made on the condition that they may be terminated at an earlier date if necessitated by the defense requirements of the United States.

Any agreement for the extension of a loan executed pursuant to the first section of this Act shall be subject to the condition that the agreement will be immediately terminated upon a finding made by the President that the country with which such agreement was made has seized any United States fishing vessel on account of its fishing activities in international waters, except that such condition shall not be applicable in any case governed by international agreement to which the United States is a party.

SEC. 3. No loan may be extended under this Act unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that such extension is in the best interest of the United States.

SEC. 4. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute as amended.

The amendment in the nature of a substitute as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment in the nature of a substitute and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is; Shall it pass?

The bill (H.R. 6167) was passed.

And the title was amended, so as to read: "An act to authorize the extension of certain naval vessel loans now in existence, and for other purposes."

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STENNIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF FLAMMABLE FABRICS ACT

Mr. MANSFIELD. Mr. President, on behalf of the distinguished senior Senator from Washington [Mr. MAGNUSON], I ask that a message from the House on S. 1003 be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1003) to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics, which was, strike out all after the enacting clause and insert:

That section 2 of the Flammable Fabrics Act (15 U.S.C. 1191; 67 Stat. 111) is amended by—

(1) amending paragraph (b) to read as follows:

"(b) The term 'commerce' means commerce among the several States or with foreign nations or in any territory of the United States or in the District of Columbia or between any such territory and another, or between any such territory and any State or foreign nation, or between the District of Columbia or the Commonwealth of Puerto Rico and any State or territory or foreign nation, or between the Commonwealth of Puerto Rico and any State or territory or foreign nation or the District of Columbia."

(2) amending paragraph (c) to read as follows:

"(c) The term 'territory' includes the insular possessions of the United States and also any territory of the United States."

(3) amending paragraph (d) to read as follows:

"(d) The term 'article of wearing apparel' means any costume or article of clothing worn or intended to be worn by individuals."

(4) repealing paragraph (f);

(5) redesignating paragraphs (e), (g), and (h) as paragraphs (f), (i), and (j), respectively;

(6) inserting therein, immediately after paragraph (d), the following new paragraph:

"(e) The term 'interior furnishing' means any type of furnishing made in whole or in part of fabric or related material and intended for use or which may reasonably be expected to be used, in homes, offices, or other places of assembly or accommodation."

(7) amending redesignated paragraph (f) to read as follows:

"(f) The term 'fabric' means any material (except fiber, filament, or yarn for other than retail sale) woven, knitted, felted, or otherwise produced from or in combination with any natural or synthetic fiber, film, or substitute therefor which is intended for use or which may reasonably be expected to be used, in any product as defined in subsection (h)."

(8) inserting therein, immediately after redesignated paragraph (f), the following new paragraphs:

"(g) The term 'related material' means paper, plastic, rubber, synthetic film, or synthetic foam which is intended for use or which may reasonably be expected to be used in any product as defined in subsection (h).

"(h) The term 'product' means any article of wearing apparel or interior furnishing."

SEC. 2. Section 3 of the Flammable Fabrics Act is amended to read as follows:

"PROHIBITED TRANSACTIONS

"SEC. 3. (a) The manufacture for sale, the sale, or the offering for sale, in commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported, in commerce, or the sale or delivery after a sale or shipment in commerce, of any product, fabric, or related material which fails to conform to an applicable standard or regulation issued or amended under the provisions of section 4 of this Act, shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

"(b) The manufacture for sale, the sale, or the offering for sale, of any product made of fabric or related material which fails to conform to an applicable standard or regulation issued or amended under section 4 of this Act, and which has been shipped or received in commerce shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act."

SEC. 3. Section 4 of the Flammable Fabrics Act is amended to read as follows:

"REGULATION OF FLAMMABLE FABRICS

"SEC. 4. (a) Whenever the Secretary of Commerce finds on the basis of the investigations or research conducted pursuant to section 14 of this Act that a new or amended flammability standard or other regulation, including labeling, for a fabric, related material, or product may be needed to protect the public against unreasonable risk of the occurrence of fire leading to death or personal injury, or significant property damage, he shall institute proceedings for the determination of an appropriate flammability standard (including conditions and manner of testing) or other regulation or amendment thereto for such fabric, related material, or product.

"(b) Each standard, regulation, or amendment thereto promulgated pursuant to this section shall be based on findings that such standard, regulation, or amendment thereto is needed to adequately protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage, is reasonable, technologically practicable, and appropriate, is limited to such fabrics, related materials, or products which have been determined to present such unreasonable risks, and shall be stated in objective terms. Each such standard, regulation, or amendment thereto, shall become effective twelve months from the date on which such standard, regulation, or amendment is promulgated, unless the Secretary of Commerce finds for good cause shown that an earlier or later effective date is in the public interest and publishes the reason for such finding. Each such standard or regulation or amendment thereto shall exempt fabrics, related materials, or products in inventory or with the trade as of the date on which the standard, regulation, or amendment thereto, becomes effective except that, if the Secretary finds that any such fabric, related material, or product is so highly flammable as to be dangerous when used by consumers for the purpose for which it is intended, he may under such conditions as the Secretary may prescribe, withdraw, or limit the exemption for such fabric, related material, or product.

"(c) The Secretary of Commerce may obtain from any person by regulation or subpena issued pursuant thereto such information in the form of testimony, books, records, or other writings as is pertinent to the findings or determinations which he is required or authorized to make pursuant to this Act. All information reported to or otherwise obtained by the Secretary or his representative pursuant to this subsection which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"(d) The provisions of sections 551 through 559 of title 5, United States Code, shall apply to the issuance of all standards or regulations or amendments thereto under this section.

"(e)(1) Any person who will be adversely affected by any such standard or regulation or amendment thereto when it is effective may at any time prior to the sixtieth day after such standard or regulation or amendment thereto is issued file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review thereof. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based the standard or regulation, as provided in section 2112 of title 28 of the United States Code.

"(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original standard or regulation or amendment thereto, with the return of such additional evidence.

"(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the standard or regulation in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.

"(4) The judgment of the court affirming or setting aside, in whole or in part, any such standard or regulation of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

(5) Any action instituted under this subsection shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

"(6) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

"(f) A certified copy of the transcript of the record and proceedings under subsection (e) shall be furnished by the Secretary to any interested party at his request, and payment of the costs thereof, and shall be admissible in any criminal, exclusion of imports, or other proceeding arising under or in respect of this Act, irrespective of whether proceedings with respect to the standard or regulation or amendment thereto have previously been initiated or become final under subsection (e)."

SEC. 4. (a) Subsection (c) of section 5 of the Flammable Fabrics Act is amended to read as follows:

"(c) The Commission is authorized and directed to prescribe such rules and regulations, including provisions for maintenance of records relating to fabrics, related materials, and products, as may be necessary and proper for administration and enforcement of this Act. The violation of such rules and regulations shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice, in commerce, under the Federal Trade Commission Act."

(b) Subsection (d) of section 5 of the Act is amended by substituting "product," for "article of wearing apparel or" and by inserting "or related material" immediately after "fabric" in paragraph (1) thereof; and by striking out ", Territory, or possession or with the District of Columbia" and inserting in lieu thereof "or territory or with the District of Columbia or the Commonwealth of Puerto Rico" in paragraph (2) thereof.

SEC. 5. (a) Subsection (a) of section 6 of the Flammable Fabrics Act is amended by inserting ", or a rule or regulation prescribed under section 5(c)," immediately after "section 3"; and by striking out "or in United States court of any Territory for the district or Territory in which such person resides or transacts business" and inserting in lieu thereof the following: "for the district in which such person resides or transacts business, or, if such person resides or transacts business in Guam or the Virgin Islands, then in the District Court of Guam or in the District Court of the Virgin Islands (as the case may be)".

(b) Subsections (b), (c), and (d) of section 6 of the Flammable Fabrics Act are amended to read as follows:

"(b) Whenever the Commission has reason to believe that any product has been manufactured or introduced into commerce or any fabric or related material has been introduced in commerce in violation of section 3 of this Act, it may institute proceedings by process of libel for the seizure and confiscation of such product, fabric, or related material in any district court of the United States within the jurisdiction of which such product, fabric, or related material is found. Proceedings in cases instituted under the authority of this section shall conform as nearly as may be to proceedings in rem in admiralty, except that on demand of either party and in the discretion of the court, any issue of fact shall be tried by jury. Whenever such proceedings involving identical products, fabrics, or related materials are pending in two or more jurisdictions, they may be consolidated for trial by order of any such court upon application seasonably made by any party in interest upon notice to all other parties in interest. Any court granting an order of consolidation shall cause prompt notification thereof to be given to other courts having jurisdiction in the cases covered thereby and the clerks of such other courts shall transmit all pertinent records and papers to the court designated for the trial of such consolidated proceedings.

"(c) In any such action the court, upon application seasonably made before trial, shall by order allow any party in interest, his attorney or agent, to obtain a representative sample of the product, fabric, or related material seized.

"(d) If such products, fabrics, or related materials are condemned by the court they shall be disposed of by destruction, by delivery to the owner or claimant thereof upon payment of court costs and fees and storage and other proper expenses and upon execution of good and sufficient bond to the effect that such products, fabrics, or related materials will not be disposed of until properly and adequately treated or processed so as to render them lawful for introduction into commerce, or by sale upon execution of good and sufficient bond to the effect that such products, fabrics, or related materials will not be disposed of until properly and adequately treated or processed so as to render them lawful for introduction into commerce. If such products, fabrics, or related materials are disposed of by sale the proceeds, less costs and charges, shall be paid into the Treasury of the United States."

SEC. 6. Section 8 of the Flammable Fabrics Act is amended to read as follows:

"GUARANTY

"SEC. 8. (a) No person shall be subject to prosecution under section 7 of this Act for a violation of section 3 of this Act if such person (1) establishes a guaranty received in good faith signed by and containing the name and address of the person by whom the product, fabric, or related material guaranteed was manufactured or from whom it was received, to the effect that reasonable and representative tests made in accordance with standards issued or amended under the provisions of section 4 of this Act show that the fabric or related material covered by the guaranty, or used in the product covered by the guaranty, conforms with applicable flammability standards issued or amended under the provision of section 4 of this Act, and (2) has not, by further processing, affected the flammability of the fabric, related material, or product covered by the guaranty which he received. Such guaranty shall be either (1) a separate guaranty specifically designating the product, fabric, or related material guaranteed, in which case it may be on the invoice or other paper relating to such product, fabric, or related material; (2) a continuing guaranty given by seller to buyer applicable to any product, fabric, or related material sold or to be sold to buyer by seller in a form as the Commission by rules and regulations may prescribe; or (3) a continuing guaranty filed with the Commission applicable to any product, fabric, or related material handled by a guarantor, in such form as the Commission by rules or regulations may prescribe.

"(b) It shall be unlawful for any person to furnish, with respect to any product, fabric, or related material, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person by whom the product, fabric, or related material guaranteed was manufactured or from whom it was received) with reason to believe the product, fabric, or related material falsely guaranteed may be introduced, sold, or transported in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act."

SEC. 7. Section 9 of the Flammable Fabrics Act is amended to read as follows:

"SHIPMENTS FROM FOREIGN COUNTRIES

"SEC. 9. An imported product, fabric, or related material to which flammability standards under this Act are applicable shall not be delivered from customs custody except as provided in section 499 of the Tariff Act of 1930, as amended. In the event an imported product, fabric, or related material is delivered from customs custody under bond, as provided in section 499 of the Tariff Act of 1930, as amended, and fails to conform with an applicable flammability standard in effect on the date of entry of such merchandise, the Secretary of the Treasury shall demand redelivery and in the absence thereof shall assert a claim for liquidated damages for breach of a condition of the bond arising out of such failure to conform or redeliver in accordance with regulations prescribed by the Secretary of the Treasury or his delegate. When asserting a claim for liquidated damages against an importer for failure to redeliver such nonconforming goods, the liquidated damages shall be not less than 10 per centum of the value of the nonconforming merchandise if, within five years prior thereto, the importer has previously been assessed liquidated damages for failure to redeliver nonconforming goods in response to a demand from the Secretary of the Treasury as set forth above."

SEC. 8. Section 11 of the Flammable Fabrics Act is amended to read as follows:

"EXCLUSIONS

"SEC. 11. The provisions of this Act shall not apply (a) to any common carrier, contract carrier, or freight forwarder in transporting a product, fabric, or related material shipped or delivered for shipment into commerce in the ordinary course of its business; (b) to any converter, processor, or finisher in performing a contract or commission service for the account of a person subject to the provisions of this Act: *Provided,* That said converter, processor, or finisher does not cause any product, fabric, or related material to become subject to this Act contrary to the terms of the contract or commission service; or (c) to any product, fabric, or related material shipped or delivered for shipment into commerce for the purpose of finishing or processing such product, fabric, or related material so that it conforms with applicable flammability standards issued or amended under the provisions of section 4 of this Act."

SEC. 9. Section 13 of the Flammable Fabrics Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 13. There are hereby authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1968, and $2,250,000 each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970, to carry out the provisions of this Act."

SEC. 10. The Flammable Fabrics Act is further amended by adding at the end thereof the following new sections:

"INVESTIGATIONS

"SEC. 14. (a) The Secretary of Health, Education, and Welfare in cooperation with the Secretary of Commerce shall conduct a continuing study and investigation of the deaths, injuries, and economic losses resulting from accidental burning of products, fabrics, or related materials. The Secretary of Health, Education, and Welfare shall submit annually a report to the President and to the Congress containing the results of the study and investigation.

"(b) In cooperation with appropriate public and private agencies, the Secretary of Commerce is authorized to—

"(1) conduct research into the flammability of products, fabrics, and materials;

"(2) conduct feasibility studies on reduction of flammability of products, fabrics, and materials;

"(3) develop flammability test methods and testing devices; and

"(4) offer appropriate training in the use of flammability test methods and testing devices.

The Secretary shall annually report the results of these activities to the Congress.

"EXPORTS

"SEC. 15. (a) This Act shall not apply to any fabric, related material, or product which is to be exported from the United States, if such fabric, related material, or product, and any container in which it is enclosed, bears a stamp or label stating that such fabric, related material, or product is intended for export and such fabric, related material, or product is in fact exported from the United States; except that this Act shall apply to any fabric, related material, or product manufactured for sale, offered for sale, or intended for shipment to any installation of the United States located outside of the United States.

"(b) This Act shall not apply to any fabric, related material, or product which is imported into the United States for dyeing, finishing, other processing, or storage in bond, and export from the United States, if such fabric, related material, or product, and any container in which it is enclosed, bears a stamp or label stating that such fabric, related material, or product is intended for export, and such fabric, related material, or product is in fact exported from the United States; except that this Act shall apply to any such imported fabric, related material, or product manufactured for sale, offered for sale, or intended for shipment to any installation of the United States located outside of the United States.

"PREEMPTION

"SEC. 16. This Act is intended to supersede any law of any State or political subdivision thereof inconsistent with its provisions.

"NATIONAL ADVISORY COMMITTEE FOR THE FLAMMABLE FABRICS ACT

"SEC. 17. (a) The Secretary of Commerce shall appoint a National Advisory Committee for the Flammable Fabrics Act, composed of not less than nine members, fairly representative of manufacturers, distributors, and the consuming public. Each member appointed by the Secretary shall hold office for not more than two years, except that any member may be reappointed.

"(b) Members of the Committee who are not officers or employees of the United States shall, while attending meetings or conferences of such Committee or otherwise engaged in the business of such Committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

"(c) The Secretary shall consult with the National Advisory Committee before prescribing flammability standards or other regulations established under this Act."

SEC. 11. Notwithstanding the provisions of this Act, the standards of flammability in effect under the provisions of the Flammable Fabrics Act, as amended, on the day preceding the date of enactment of this Act, shall continue in effect for the fabrics and articles of wearing apparel to which they are applicable until superseded or modified by the Secretary of Commerce pursuant to the authority conferred by the amendments made by this Act.

Mr. MANSFIELD. Mr. President, I move that the amendment of the House be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

INCREASE OF BASIC PAY FOR MEMBERS OF UNIFORMED SERVICES—APPOINTMENT OF SENATE CONFEREES

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House on H.R. 13510.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 13510) to increase the basic pay for members of the uniformed services, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. Mr. President, I move that the Senate agree to the request of the House of Representatives and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND conferees on the part of the Senate.

EXTENSION AND RENEWAL OF INTERSTATE COMPACT TO CONSERVE OIL AND GAS

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 35.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 35) consenting to an extension and renewal of the interstate compact to conserve oil and gas which were: On page 1, line 4, strike out "four" and insert "two".

On page 1, line 5, strike out "1971" and insert "1969".

On page 16, line 1, strike out "1970" and insert "1968".

Mr. MANSFIELD. Mr. President, the House amended Senate Joint Resolution 35 in accordance with the recommendation of its Committee on Interstate and Foreign Commerce to limit the approval of Congress to an extension of the compact to 2 years, or until 1969, instead of the 4 years provided for in the Senate bill. Also, the Attorney General of the United States is required to report on the operations of the compact not later than December 31, 1968, instead of December 31, 1970, as in the Senate version.

While the Interior Committee believes the 2-year limitation period may result in increasing the administrative burdens of the Compact Commission and its staff, nevertheless, in the interest of authorizing the continued functioning of the Commission, we are willing to accept the shortened period.

Therefore, I move, on behalf of the distinguished Senator from Washington [Mr. JACKSON] that the Senate concur in the amendment of the House to Senate Joint Resolution 35.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 808, and the rest of the calendar be considered in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVEYANCE OF CERTAIN PROPERTY TO TEMPLE JUNIOR COLLEGE, TEMPLE, TEX.

The bill (H.R. 2730) authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 822), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

The bill H.R. 2730 authorizes the Administrator of Veterans' Affairs to convey to Temple Junior College, Temple, Tex., approximately 73 acres of land which have been reported as being excess to the needs of the Veterans' Administration. The land is to be used for educational purposes. Transfer would be made without monetary consideration, and the exact legal description and tract would be determined by the Administrator of Veterans' Affairs. The deed would contain such limitations as are necessary to protect the interests of the United States.

The 73 acres referred to in this bill were acquired without cost to the Government, being a portion of a tract donated by the city of Temple as a part of properties to be used in construction of a veterans hospital. The facility itself, McCloskey General Hospital, together with 289 acres, was transferred to the Veterans' Administration in 1946 from the then War Department. The city of Temple has no objection to the transfer of the 73-acre tract to Temple Junior College.

A swimming pool and golf course on the land in question are presently being used by patients at the VA Center, and would continue to be utilized by patients at the Center and students at Temple Junior College. Cost of operation and maintenance of the swimming pool and golf course would be assumed by the college until construction of educational facilities on the 73 acres takes place. Joint use would also continue until such time as future college expansion makes further operation impossible. Expenses thus assumed by the college are expected to amount to approximately $10,000 annually. These expenditures may be considered as an amortization of the value of improvements on the 73 acres. In less than 3 years the value of remaining improvements would be amortized as VA patients continued to make use of the swimming pool and golf course while the Government would be relieved of operating and maintenance costs. For this reason it is anticipated that transfer of the property would be without cost to the Government, and no expenditure of Federal funds would result.

AMENDMENT OF THE INTERSTATE COMMERCE ACT

The bill (S. 2711) to amend section 13a(1) of the Interstate Commerce Act as amended, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2711

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13a(1) of the Interstate Commerce Act (49 U.S.C. 13a(1)), is amended as follows:

(1) The second sentence is amended by inserting after the word "may" the word "not" and by striking out the word "otherwise".

(2) The third sentence is amended by striking the word "authority" and inserting in lieu thereof the word "jurisdiction" and by changing the period to a comma and inserting immediately after, the phrase "or to permit the proposed discontinuance or change at the expiration of said thirty-day period."

(3) The fourth sentence is amended by striking the word "otherwise" both times it appears and by inserting in lieu of the word "otherwise" the first time it appears the word "have".

(4) The fifth sentence is amended by striking the word "has" and inserting in lieu thereof the words "would have" and by inserting after the fourth comma the phrase "or if the carrier or carriers discontinue or change such operation or service in contravention of the provisions of this paragraph,".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 824), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The provisions of this bill are designed to close a jurisdictional loophole in section 13a (1) created as a result of a recent ICC decision involving removal of certain Santa Fe Railway Co., interstate passenger train service.

This bill will confirm Interstate Commerce Commission jurisdiction upon the filing by a carrier of a notice of discontinuance of an interstate train under the provisions of section 13a(1).

SUMMARY

This bill provides that whenever a carrier files a notice of interstate passenger train discontinuance under section 13a(1) of the Interstate Commerce Act, the Commission shall have jurisdiction; and, the Commission must within 20 days enter an order either instituting an investigation or permitting the proposed discontinuance at the expiration of the statutory 30 days; and further, the Commission shall have authority to require restoration of service if a train is discontinued in violation of the statute or its orders.

NEED FOR LEGISLATION

Section 13a of the Interstate Commerce Act was enacted as a part of the Transportation Act of 1958. Prior to the enactment of this section, jurisdiction over interstate passenger train discontinuances was entirely a matter of State law, except where such discontinuance was part of a line abandonment. Under section 1(18)–(22) of the Interstate Commerce Act, enacted as part of the Transportation Act of 1920, a carrier seeking to abandon a line of railroad was required to apply to the Commission for a certificate of public convenience and necessity, and the Commission was authorized to attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require.

Section 13a(1) provides that a carrier seeking to discontinue or change any interstate train or ferry service may, but shall not be required to, file with the Commission notice at least 30 days in advance of any such proposed discontinuance or change. Thereafter, under the present provisions of section 13a (1), a carrier filing such notice may discontinue or change its passenger train service or operation pursuant to such notice except as otherwise ordered by the Commission, the laws, constitution or orders of a State authority to the contrary notwithstanding. Section 13a(1) permits the Commission within 20 days of the filing of such a notice to institute an investigation and require that the passenger train service be continued for an additional 4 months, pending hearing and decision. If, after hearing in such investigation, the Commission finds that the passenger train service or operation is required by the public convenience and necessity and will not unduly burden interstate or foreign commerce, the Commission may by order require the continuance or restoration of operation or service of such train, in whole or in part, for a period not to exceed 1 year from the date of the Commission's order.

According to recent Interstate Commerce Commission statistics, since the enactment of section 13a the Commission has considered 239 passenger train discontinuance proposals; 194 of these arose under section 13a(1) dealing with interstate train service, while 45 arose under section 13a(2), which covers passenger service operated solely within a single State.

Of these proposals, the Commission has permitted the discontinuance to take effect in 125 cases involving 476 trains under section 13a(1) and has required continuance of service in 31 proceedings involving 349 trains. Under section 13a(2), the Commission has authorized 331 trains to be discontinued while requiring 37 trains to be continued.

In all of the proceedings under section 13a(1) since its 1958 enactment, with one exception, the public was given 30 days' notice before passenger train service was discontinued. The plain language of section 13a(1) guarantees to the public 30 days' notice before train service changes by a carrier availing itself of the provisions of this section. The one exception since 1958 is the recent action by the Santa Fe Railway Co. in removing four of its passenger trains from service prior to the expiration of the statutory 30 days' notice period.

On October 9, 1967, the Santa Fe Railway filed with the Commission under section 13a(1) two notices proposing discontinuance, effective November 10, 1967, of its trains Nos. 3, 4, 7, and 8.

Nine days later, on October 18, Mr. E. S. Marsh, chairman and chief executive officer, Santa Fe Railway Co., wired the Chairman of the Commission, with copies to the other Commissioners, in part as follows:

"Our obligation to avoid waste and unnecessary cost of transportation strongly suggests that we annul trains 7 and 8 for remainder of this period and as a matter of commonsense we propose to do this unless we are required by insistence of regulatory authority to continue the unproductive operation of the last 3 days for no other reason than technical compliance with procedural provisions. We would appreciate the benefit of Commission direction in this regard as to whether you will insist on this operation pending consideration of application on which we urge prompt handling."

By notices dated October 19, 1967, and served on October 20, 1967, the Commission, division 3, concluded not to enter upon an investigation of these proposed passenger train discontinuances. On October 24, 1967, the Railway Labor Executives' Association sent a letter to the members of division 3 of the Commission advising that the Santa Fe Railway Co. had discontinued these four trains on October 19 and 20, and requested that the Commission take immediate action to require restoration of these trains until November 10, 1967.

Division 3 of the Commission, acting as an appellate division, treated the letter of RLEA as a petition for reconsideration, and by orders dated October 30 and served October 31, 1967, found:

"*It appearing,* That section 13a(1) of the statute specifically prescribes that notice of a proposed discontinuance be properly posted and filed 'at least thirty days in advance of any such proposed discontinuance or change' and that the carrier may discontinue or change any such operation or service 'pursuant to such notice . . .';

"*It further appearing,* That the discontinuance of the said trains by the Atchison, Topeka and Santa Fe Railway Company prior to the expiration of this 30-day period was a breach of its own notice and of this provision of the statute and therefore vitiates our jurisdiction in this matter;

"*It is ordered,* That the notice and supporting data filed herein be, and they are hereby, dismissed for failure by the carrier to sustain the jurisdiction of this Commission."

The Railway Labor Executives' Association on November 1, 1967, by telegram, requested that the entire Commission find this a matter of general transportation importance and review the action of Division 3. The entire Commission rejected RLEA's petition on procedural grounds, but on the Commission's own motion, because "these proceedings raise novel issues which are significant as to our jurisdiction in such cases," recalled these proceedings from Division 3.

On November 9, 1 day before the end of the statutory 30 days' notice period, the entire Commission entered and served its order in finance docket No. 24772, *Atchison, Topeka and Santa Fe Railway Co. Discontinuance of Trains Nos. 3 and 4 Between Kansas City, Mo., and Gallup, N. Mex.*, and finance docket No. 24774, *Atchison, Topeka and Santa Fe Railway Co. Discontinuance of Trains Nos. 7 and 8 Between Chicago, Ill., and Los Angeles and Bakersfield, Calif.*, holding on reconsideration, that the orders of Division 3, acting as an appellate division, dated October 30, 1967, be, and they are hereby, affirmed.

In this order, the Commission found, in part:

"*And it further appearing,* That a carrier which files a notice of a proposed discontinuance with the Commission under section 13a(1) of the Interstate Commerce Act is thereby sheltered from prosecution, restriction, or other action by any State by reason of such discontinuance, but that actual discontinuance of operations otherwise than pursuant to the notice filed under said section removes that shelter and exposes the carrier to the provisions of the laws and constitution of any State served by the discontinued trains;

"*And it further appearing,* That on October 30, 1967, the Commission by Division 3, acting as an Appellate Division, issued an order in each of these proceedings dismissing the notices and their supporting data filed by the Atchison, Topeka and Santa Fe Railway Company proposing discontinuance of its trains Nos. 3 and 4 and Nos. 7 and 8, respectively, for failure by the carrier to sustain the jurisdiction of this Commission, in that the carrier, by actually discontinuing operation of said trains other than in accord with its notices filed with the Commission herein vitiated our jurisdiction under section 13a(1);"

As a result of this ICC decision, a carrier can now file a section 13a(1) notice and thereafter violate Federal law with impunity ("vitiate" ICC jurisdiction) by the removal of such train service. Thus, the Commission's decision would eliminate Federal protection of the public's right to 30 days' notice before train discontinuances under section 13a(1) if a carrier chooses to violate Federal law. The sole public recourse indicated by the Commission would be State action, if any is applicable to attempt to have train service restored.

If removal of passenger train service in violation of section 13a(1) would "vitiate" Federal jurisdiction within the statutory 30 days' notice period, it would appear to be equally true that ICC jurisdiction would also be "vitiated" by discontinuance of train service in violation of Commission's orders within the 1-year statutory continuance of service period.

No such results were contemplated in the enactment of section 13a(1). No such results can be permitted by interpretation of the Commission or otherwise.

PROVISIONS OF BILL

The provisions of this bill would confirm ICC jurisdiction upon the filing by a carrier of a notice of discontinuance of an interstate passenger train under section 13a(1). A carrier retains the option of applying to the States under applicable State law to discontinue interstate train service, but if a carrier files a notice under section 13a(1) the Commission's jurisdiction cannot be "vitiated" by action of the carrier.

The proposed bill would amend section 13a(1) to—

(1) Provide that a railroad may not, after the filing of a notice, discontinue or change passenger train service except upon order by the Commission;

(2) Confirm jurisdiction of the Commission upon the filing of a notice, by substituting the word "jurisdiction" for the word "authority";

(3) Provide that within 20 days after the filing by a carrier of a notice to discontinue, the Commission must either enter an order instituting an investigation or permitting the proposed discontinuance or change at the expiration of the statutory 30 days' notice period:

(4) Provide that if a carrier discontinues or changes its passenger train service in violation of the provisions of section 13a(1), the Commission may require the continuance or restoration of such service; and

(5) Delete the word "otherwise" and substitute the words "would have" to confirm that after the filing of a notice a carrier may not change or discontinue passenger train service except upon order by the Commission.

HEARINGS

No hearings were held on this proposed bill, however, hearings were held before the Surface Transportation Subcommittee on May 24, 25, July 31, August 1, 2, 3, and 25, 1967, on five measures relating to passenger train service: S. 1175, S. 1685, and S. 512, bills proposing to amend section 13a; and Senate Concurrent Resolution 25, and Senate Joint Resolution 52, resolutions proposing a study of rail passenger transportation, and related matters, and providing for "moratoriums" during the pendency of such studies.

The committee at its November 9, 1967, executive session thoroughly discussed this matter and determined to report the instant bill. The committee action on the instant bill arose out of a situation occurring after the close of the committee hearings, and is not intended to prejudice subsequent consideration of these other pending bills and measures.

ACADIA NATIONAL PARK, MAINE

The bill (S. 269) to authorize an exchange of lands at Acadia National Park, Maine, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may, in his discretion, accept title to certain land in the town of Bar Harbor, Hancock County, Maine, held by the Jackson Laboratory, a nonprofit corporation organized and existing under the laws of the State of Maine, said land being more particularly described as follows:

Beginning at a stone bound set in the ground in the southerly side of State Highway Numbered 3 leading from Bar Harbor to Seal Harbor, said stone bound also marking the northeasterly corner of land of the United States of America and the northwesterly corner of land of the Jackson Laboratory;

thence north 72 degrees 58 minutes east and following the southerly side of State Highway Numbered 3, 80 feet to a stone bound set in the ground;

thence south 32 degrees 13 minutes east 762.5 feet to an iron pin set in the ledge;

thence north 88 degrees 16 minutes east 270.54 feet to a stone bound set in the ground in the southerly side of the old Morrell Park Racetrack;

thence north 61 degrees 56 minutes east 673.2 feet to an iron pipe driven in the ground, said iron pipe also being in a northwesterly line of land of the United States of America;

thence south 24 degrees 30 minutes west and always following a northwesterly line of land of the United States of America, 149 feet to an iron pipe driven in the ground;

thence south 64 degrees 05 minutes west and always following a northwesterly line of land of the United States of America, 577 feet to a stone bound set in the ground;

thence south 78 degrees 50 minutes west and always following a northerly line of land of the United States of America, 115 feet to an iron pin in a large boulder;

thence north 84 degrees 00 minutes west and always following a northerly line of land of the United States of America, 357 feet to an iron pin in the ledge;

thence north 22 degrees 40 minutes west and always following a northeasterly line of land of the United States of America, 460 feet to an iron pin in the ledge;

thence north 14 degrees 05 minutes west and always following an easterly line of land of the United States of America, 281.7 feet to the point of beginning, and containing 4.828 acres.

Said land, upon acceptance of title thereto, shall become a part of the Acadia National Park.

SEC. 2. In exchange for the conveyance to the United States of the land described in section 1 of this Act, the Secretary of the Interior may convey to the Jackson Laboratory all right, title, and interest of the United States in and to the following described land in the town of Bar Harbor, Hancock County, Maine, more particularly described as follows:

Beginning at a stone bound set in the ground in the southeasterly side line of State Highway Numbered 3 leading from Bar Harbor to Seal Harbor, said stone bound marking the northeasterly corner of lot formerly belonging to the trustees of Louise D. Morrell, now owned by the Jackson Laboratory; said stone bound also marking the northwesterly corner of land belonging to the United States of America;

thence in a northeasterly direction but always following the southeasterly side line of State Highway Numbered 3, 31.0 feet to a point which marks the northwesterly corner of land belonging to the Jackson Laboratory;

thence south 23 degrees 40 minutes east and always following a southwesterly line of land belonging to the Jackson Laboratory, 603 feet, more or less, to a point in the old road originally leading to the Bear Brook Campground;

thence south 71 degrees 04 minutes east 20 feet, more or less, to a stone bound set in the ground in a southwesterly line of land belonging to the Jackson Laboratory;

thence following the same course; namely, south 71 degrees 04 minutes east and always following a southwesterly line of land belonging to the Jackson Laboratory, 183.2 feet to a stone bound set in the ground;

thence north 84 degrees 46 minutes east and always following a southeasterly line of land belonging to the Jackson Laboratory, 89.9 feet to a stone bound set in the ground in the northwesterly side of an old crossroad leading from the old Campground Road to State Highway Numbered 3;

thence north 23 degrees 16 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 160.0 feet to an angle in said line;

thence north 9 degrees 16 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 79 feet to an angle point in said line;

thence north 20 degrees 31 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 445 feet to a stone bound set in the ground;

thence following the same course; namely, north 20 degrees 31 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 888.38 feet to a stone bound set in the ground; said stone bound marking the northeasterly corner of land belonging to the Jackson Laboratory and the southeasterly corner of a lot of land belonging to the United States of America;

thence in a general easterly direction 38 feet more or less to a point in the westerly side line of the Schooner Head Road so called;

thence in a general southerly direction and always following the westerly side line of the Schooner Head Road, 202 feet more or less to a stone bound set in the ground;

thence south 20 degrees 31 minutes west across the land of the United States of America, 1,164 feet to a point in said line, said last described line being 100 feet distant from and parallel with the southeasterly line of land of the Jackson Laboratory;

thence following the same course; namely south 20 degrees 31 minutes west across the land belonging to the United States of America, 137.3 feet to a stone bound set in the ground;

thence south 61 degrees 56 minutes west across the land belonging to the United States of America, 617.6 feet to an iron pipe driven in the ground, said iron pipe being in a southeasterly line of land formerly belonging to the trustees of Louise D. Morrell and now belonging to the Jackson Laboratory;

thence north 24 degrees 30 minutes east and following a southeasterly line of last mentioned land, 277 feet to an iron pipe driven in the ground;

thence following an easterly line of land belonging to the Jackson Laboratory along a curve to the left, 111 feet, the radius of said curve being 373 feet;

thence north 23 degrees 40 minutes west and always following a northeasterly line of land belonging to the Jackson Laboratory, said land belonging formerly to the trustees of Louise D. Morrell, 492 feet to the point of beginnng, and containing 4.632 acres.

The conveyance of title to the lands described in this section shall eliminate them from the Acadia National Park.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 825), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The bill, S. 269, authorizes the Secretary of the Interior to accept title to approximately 4.8 acres of land within the town of Bar Harbor, Maine, and adjacent to the Bear Valley picnic area in Acadia National Park. The property, to become part of Acadia National Park, is presently owned by the Jackson Laboratory, a nonprofit corporation engaged in cancer research.

In exchange for these lands, the bill authorizes the Secretary to convey to the Jackson Laboratory approximately 4.6 acres of Federal land, which comprises a 16-foot road right-of-way leading from State Highway No. 3, which bisects the property held by the laboratory, and approximately 1,500 feet of an old road which formerly served a park campground, but which now serves only the laboratory.

COST

No additional costs to the Government are anticipated in that an independent appraisal indicates that the properties are of equal value—$475.

NEED

Advantages to the Government are several: The National Park Service would give up maintenance of the road; the transferred lands would become a needed buffer zone adjoining the Bear Valley picnic area, and a section of irregular park boundary would be straightened.

The land to be transferred to the Jackson Laboratory is essential to the laboratory's development plan, involving $3,750,000 in new construction, and the laboratory must show title to it when approaching sources for construction funds.

COMMITTEE RECOMMENDATIONS

The Senate Interior and Insular Affairs Committee favorably reports S. 269, and urges its enactment.

ACADIA NATIONAL PARK, MAINE

The bill (S. 1821) to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1821

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may convey to one Maurice Rich, Senior, a portion of the Acadia National Park, comprising approximately one and eight-tenths acres in the town of Southwest Harbor, Maine, and in exchange therefor the Secretary may accept from said Maurice Rich, Senior, any property which in his judgment is suitable for addition to the park. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Any cash payment received by the Secretary shall be credited to the land and water conservation fund in the Treasury of the United States. A conveyance of the federally owned lot shall eliminate it from the park.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 826), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The bill, S. 1821, authorizes the Secretary of the Interior to convey to one Maurice Rich, Sr., approximately 1.8 acres of park land within the town of Southwest Harbor, Maine, in exchange for a conveyance to the Federal Government of any property owned by Mr. Rich which the Secretary determines is suitable for addition to the park. The bill requires that the values of the properties either be approximately equal or that they be equalized by the Secretary receiving or paying money.

NEED

Mr. Rich has informally agreed to convey, in exchange for 1.8 acres of park land, a nearby parcel of approximately 10 acres which is completely surrounded by park land. This 10-acre tract has been in agricultural use as mixed pastureland and woodlot. Conveyance to the Government would eliminate one of the many inholdings within Acadia National Park and would permit improved management and protection of the surrounding park land.

The 1.8-acre parcel which the Government would convey to Mr. Rich is unimproved and contains no unusual scenic or natural values requiring its retention within the park.

COST

An independent appraiser has found the value of the Rich property to be $350 and the value of the Federal parcel to be $150.

COMMITTEE RECOMMENDATION

The Senate Interior and Insular Affairs Committee favorably reports S. 1821 and urges enactment.

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

The bill (S. 2452) to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the obtaining or retaining of exclusive jurisdiction or any other measure of legislative jurisdiction by the United States over lands or interests therein which have been or shall hereafter be acquired as part of the Crab Orchard National Wildlife Refuge in Illinois shall not be required. The Secretary of the Interior may relinquish to the State of Illinois such measure of legislative jurisdiction as he may deem desirable over any lands or interests in the said refuge that are under his immediate jurisdiction, custody, or control. Such relinquishment of jurisdiction on the part of the United States shall be indicated by filing a notice thereof in such manner as may be prescribed for this purpose by the laws of the State of Illinois, and unless and until a notice is filed in accordance with such State laws, or with the Governor if the laws of such State do not prescribe another manner, it shall be conclusively presumed that no transfer of jurisdiction pursuant to this Act has taken place, nor shall any transfer of legislative jurisdiction pursuant to this Act take place unless and until the State of Illinois has accepted jurisdiction in such manner as its laws may provide. Upon a relinquishment by the United States of all of its legislative jurisdiction over said refuge to the State of Illinois, the State thereafter shall, with respect to such area, exercise the same jurisdiction which it would have had if legislative jurisdiction over such area had never been in the United States.

Sec. 2. Any civil or criminal process, lawfully issued by competent authority of the State of Illinois or political subdivision thereof may be served and executed within any area of the Crab Orchard National Wildlife Refuge under the exclusive, partial, or concurrent jurisdiction of the United States to the same extent and with the same effect as though such area were not subject to the legislative jurisdiction of the United States: *Provided,* That this section shall not be construed to affect the rights of authorized officers of the Federal Government or of any department or agency thereof to issue rules and regulations at any time for the purpose of preventing interference with the carrying out of Federal functions.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 827), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 2452 is well summed up in its title: To provide for the adjustment of the legislative jurisdiction exercised by the United States within the Crab Orchard National Wildlife Refuge in Illinois. The bill was submitted as an executive recommendation and introduced by Senator Jackson.

NEED

Crab Orchard National Wildlife Refuge comprises approximately 43,000 acres of land—over which uniform Federal and State jurisdiction does not exist. Various jurisdictional and law enforcement problems, involving both capital offenses and minor crimes, have arisen within the refuge.

BACKGROUND

The northeastern portion of the refuge, 21,000 acres, was formerly administered by the War Department as the Illinois Ordnance Plant. Exclusive jurisdiction of these lands was accepted by the United States from the State in 1942 and has never been relinquished. About 21,500 acres in the western half of the refuge was acquired by the Resettlement Administration in the Department of Agriculture as part of the Crab Orchard land utilization project. The United States has something less than exclusive jurisdiction over this area.

S. 2452 would authorize the Secretary of Interior, at his discretion, to relinquish to the State of Illinois such legislative jurisdiction as he deems desirable.

COMMITTEE RECOMMENDATION

The Senate Interior and Insular Affairs Committee favorably reports S. 2452, and urges enactment.

DISCLAIMING RIGHT, TITLE, OR INTEREST IN CERTAIN LANDS IN THE STATE OF ARIZONA BY THE UNITED STATES

The bill (H.R. 4983) to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 828), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill, H.R. 4983, would disclaim any rights, title, or interest of the United States in a 40-acre tract located in Coconino County, Ariz., in order to remove a cloud on the title.

NEED

The cloud arises from the action of one Cormick E. Boyce on July 13, 1902, in recording a deed in the office of the county recorder in Coconino County, Ariz., purportedly conveying the tract to the United States as a lieu selection. Mr. Boyce was, however, a complete stranger to the title and had no interest in the land to convey. The existence of this deed, however, constitutes a cloud on the title which can be removed only by legislation.

The land is presently owned by the Raymond Educational Foundation, a charitable Arizona corporation. The Foundation wishes to convey certain lands, of which this tract is a part, to the Boy Scouts of America as a site for a summer camp.

The United States does not claim any interest in the land, and the records of the Bureau of Land Management do not reflect any conveyance by Mr. Boyce or any application for a lieu selection. The land was patented February 10, 1896, and, with this one exception, title passed down to the Raymond Educational Foundation without defects.

Enactment of H.R. 4983 would permit the Raymond Educational Foundation to convey the land to the Boy Scouts of America with a clear title.

COST

No increase in budgetary requirements is involved in H.R. 4983.

HUALAPAI RESERVATION, ARIZ.

The Senate proceeded to consider the bill (H.R. 4919) to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona, which had been reported from the Committee on Interior and Insular Affairs, with an amendment to strike out all after the enacting clause and insert:

That section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby amended to read as follows: "Any restricted Indian lands, whether tribally or individually owned, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, business, farming, or grazing purposes, including the development or utilization of natural resources in connection with operations under such leases, but no lease shall be executed under this Act for purposes that are subject to the laws governing mining leases of Indian lands. The term of a grazing lease or a farming lease that does not require the making of a substantial investment in the improvement of the land shall not exceed ten years. The term of a farming lease that requires the making of a substantial investment in the improvement of the land shall not exceed forty years. The term of any other lease shall not exceed sixty-five years, except such other leases of land on the Agua Caliente (Palm Springs) Reservation, the Dania Reservation, the Southern Ute Reservation, the Fort Mojave Reservation, the Pyramid Lake Reservation, the Pueblo of Pojoaque, the Pueblo of Tesuque, the Pueblo of Cochiti, the Pueblo of Zuni, the Hualapai Reservation, the Yavapai Reservation, the San Carlos Apache Reservation, the Gila River Reservation, the Havasupai Reservation, the Tulalip Reservation, the Swinomish Reservation, the Lummi Reservation, and the Navajo Reservation which may be for a term of not to exceed ninety-nine years. No lease shall contain an option to renew which, if exercised, would extend the term beyond the maximum term permitted by this Act. The Secretary of the Interior shall not approve any lease with a term that is longer than is necessary in his judgment to obtain maximum economic benefits for the Indian owners."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 829), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 4919, as amended, is to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona, and other reservations, by amending section 1 of the 1955 Indian Leasing Act (69 Stat. 539) relating to leases of individual and tribal lands for public, religious, educational, recreational, residential, and business purposes.

The bill authorizes the addition of the Hualapai Reservation to those reservations already permitted to negotiate leases for periods up to 99 years. Also, the bill would amend the 1955 law by increasing the maximum 50-year term of leases applicable on most reservations for terms up to 65 years; authorize leases for up to 99 years for several more Indian pueblos and reservations in the States of New Mexico, Arizona, and Washington; and provide for farming leases up to 40 years in length under certain circumstances on all reservations.

NEED

The Hualapai Reservation is located in the northwestern part of Arizona along the Colorado River. While its location is distant from most major cities of the Southwest, several development proposals have been offered which would benefit the tribe—some of these have been withdrawn because the maximum lease term is limited, at most, to 50 years. This tribe needs to utilize its reservation lands in the most beneficial way possible in order to enhance the economic well-being of its members. To do this, more flexible lease terms are essential if the tribe is to attract desirable developments and satisfy the requirements of the lending institutions.

Beginning in 1959, the 1955 act has been amended six times to allow development leases to be made for terms of up to 99 years on the Palm Springs, Navajo, Dania, Southern Ute, Fort Mojave, and Pyramid Lake Reservations. Congress has also granted 99-year-lease authority on the Colorado River, the San Xavier, and the Salt River Reservations by legislation which does not amend the 1955 act.

The Department of the Interior has for some time recommended that the Long-Term Leasing Act be amended to provide up to 99-year-leasing authority on all reservations in order to maximize economic returns for Indians.

There are several reasons why a general 50-year lease term or a 25-year farming term are inadequate to permit the proper development of Indian property:

First, a 50-year-lease term excludes much financing which should be available. Such a term effectively prevents obtaining FHA mortgage insurance and loans from Federal savings and loan associations because of statutory or regulatory limitations. It also excludes loans from other institutional sources, which although they may not be inhibited by law, require lease terms exceeding 50 years before they will loan on the security of a lease.

Second, a 50-year-lease term makes no allowance for a large development which must be carried out over a period of years. A large residential-recreational complex such as is contemplated on some reservations may require 10, 15, or even 20 years to complete.

Third, a 50-year term does not allow for any buffer to protect a developer. Most reservations are, to one degree or another, removed from existing developed areas and therefore anyone proposing to develop land there faces risks and uncertainties not existing in established communities. Furthermore, in almost every area, a buyer's resistance to leases exists which must be overcome. These and similar factors may prevent development at as rapid a pace as anticipated when a lease is made.

Fourth, a 50-year term does not take into consideration the problem of refinancing when a holder of a lease wishes to sell his interest. This is particularly critical where housing developments are concerned. The same limitations apply in refinancing already mentioned for original financing and some latitude must exist, either in the original lease term or in the ability to extend that term later, so that refinancing will be possible.

Fifth, the Bureau of Indian Affairs has encountered difficulty in leasing certain Indians lands for farming purposes where, under existing 25-year authority, the lessee is required to make a substantial investment. This is demonstrated most dramatically in those reservation areas best suited for orchard purposes. Studies indicate that a lease period of not less than 40 years is necessary to permit the amortization of cost of subjugating land and planting citrus and apple orchards.

AMENDMENTS

Although the Department of the Interior recommended 99-year leasing on all reservations, the committee believes it is desirable to amend the 1955 act to permit leases for public, religious, educational, recreational, residential, and business purposes on all Indian reservations where the 50-year limitation applies for terms not to exceed a maximum of 65 years. It also recommends that a maximum lease term for farm leases of up to 40 years should be available with respect to all reservations where substantial investment is required to maximize economic development. H.R. 4919 has been amended to reflect these recommendations and to include in the 1955 act, as amended, the Hualapai Reservation as well as the following tribes who have also requested and need leasing authority for terms up to 99 years:

Pueblo of Pojoaque, Pueblo of Tesuque, Pueblo of Cochiti, Pueblo of Zuni, Yavapai, San Carlos Apache, Havasupai, Gila River, Tulalip, Swinomish, and Lummi.

The bill as reported omits the reference in the present law to the production of specialized crops, but it retains the basic provision about substantial investments in the improvement of the land. Farming leases that do not require substantial investments in improvements are included in the bill in order that all nonmineral leasing authority may be included in one act.

H.R. 4919, as amended, reduces the existing authority for farming leases that require the making of a substantial investment in the improvement of the land on the Agua Caliente (Palm Springs), Dania (Hollywood), Southern Ute, Fort Mojave, Navajo, Pyramid Lake, and Colorado River Reservations, from 99 years to a maximum of 40 years.

The bill retains the language of the present law to the effect that business leases may include the "development or utilization of natural resources in connection with operations under such leases," but adds a clarifying statement that the authority to lease land for the development or utilization of natural resources does not extend to leases for purposes that are subject to the Indian mineral leasing laws.

The Secretary of the Interior may not approve any lease with a term longer than is necessary to obtain maximum economic benefits for the Indian owners.

COST

No expenditure of Federal funds would be required by enactment of this legislation.

The title was amended, so as to read: "An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona, and other reservations."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 9 A.M. MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 9 o'clock Monday morning next.

The motion was agreed to; and (at 1 o'clock and 35 minutes p.m.) the Senate adjourned until Monday, December 4, 1967, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate December 1, 1967:

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

Margaret M. Smith, Ferndale, Calif., in place of D. D. Lawton, resigned.

Rosemary M. Cox, Running Springs, Calif., in place of J. R. Bean, resigned.

FLORIDA

Corinne M. Collier, Crescent City, Fla., in place of C. B. Flowers, retired.

Mary C. Hurst, Glen St. Mary, Fla., in place of J. E. Combs, resigned.

GEORGIA

Charlie T. Kellogg, Canton, Ga., in place of R. B. Sims, retired.

MINNESOTA

Carter G. Randall, Ashby, Minn., in place of Donovan Grover, transferred.

NEW JERSEY

Alberta J. Stoddard, Green Village, N. J., in place of L. M. Headley, retired.

Jason G. Spangenberg, Jr., Layton, N. J., in place of C. V. Layton, retired.

NEW YORK

John J. Portanova, Purchase, N. Y., in place of A. J. Portanova, retired.

PENNSYLVANIA

S. Jay Martin, Ronks, Pa., in place of R. D. Hoffecker, deceased.

WASHINGTON

John P. Yarr, Quilcene, Wash., in place of M. B. Larson, retired.

WISCONSIN

Eileen T. Williams, Eldorado, Wis., in place of E. L. Williams, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 1, 1967:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Paul G. Clark, of Massachusetts, to be an Assistant Administrator of the Agency for International Development.

IN THE DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Arch K. Jean, of Pennsylvania, to be a consular officer of the United States of America, and ending Mitchell Wolfson, Jr., of Florida, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 20, 1967.

HOUSE OF REPRESENTATIVES

MONDAY, DECEMBER 4, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Beloved, if God so loved us, we ought also to love one another.—1 John 4: 11.

O Thou who art from everlasting to everlasting, in whose will is our peace, at the beginning of another week we pause before Thee with reverent hearts and humble spirits. Make us realize that Thou art God, that this is Thy world and that though the wrong seems oft so strong Thou art the ruler yet.

Grant unto us the grace to repent, the courage to turn from our evil ways and to look to Thee who alone can forgive us and cleanse us and heal us. Bring us into fellowship with Thee that we may have good will in our hearts and through us may good will flow into the heart of our Nation and into the life of our world. May love which is the light of life become the law of our lives. So may we grow in spirit and so may our people increase in faith, in fortitude and in fellowship with Thee and with one another.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, November 30, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Bradley, one of its clerks, announced that the Senate had passed, without amendment, bills and concurrent resolutions of the House of the following titles:

H.R. 2154. An act to provide long-term leasing for the Gila River Indian Reservation;

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.;

H.R. 2828. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets numbered 138 and 79, and for other purposes;

H.R. 4920. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona;

H.R. 4983. An act to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona;

H. Con. Res. 487. Concurrent resolution providing for printing as a House document the study entitled "Study of the U.S. Office of Education";

H. Con. Res. 519. Concurrent resolution authorizing certain printing for the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate; and

H. Con. Res. 557. Concurrent resolution to provide for the printing of the Constitution of the United States as amended to February 10, 1967, together with the Declaration of Independence.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona;

H.R. 6167. An act to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes; and

H.R. 12121. An act to amend the act of September 19, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to an amendment of the Senate to a bill of the House of the following title:

H.R. 2275. An act for the relief of Dr. Ricardo Vallejo Samala.

The message also announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 814. An act to establish the National Park Foundation;

S. 1003. An act to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics;

S. 2565. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes; and

S.J. Res. 35. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13510) entitled "An act to increase the basic pay for members of the uniformed services, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2171) entitled "An act to amend the Subversion Activities Control Act of 1950 so as to accord with certain decisions of the courts," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. ERVIN, Mr. MCCLELLAN, Mr. DIRKSEN, and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that Mr. MAGNUSON was appointed a conferee on the joint resolution (H.J. Res. 888) entitled "Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes" in lieu of Mr. ELLENDER, excused.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6111) entitled "An act to provide for the establishment of a Federal Judicial Center."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10805) entitled "An act to extend the life of the Civil Rights Commission."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 260. An act to authorize an exchange of lands at Acadia National Park, Maine;

S. 1699. An act to permit negotiation of a modification to a contract for sale of certain real property by the United States to the city of Lawton, Okla.;

S. 1821. An act to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park;

S. 2452. An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois;

S. 2711. An act to amend section 13a(1) of the Interstate Commerce Act, as amended, and for other purposes; and

S.J. Res. 123. Joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes.

CONGRESSIONAL DIRECTORY, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BURLESON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BURLESON. Mr. Speaker, the Congressional Directory for 1968 is scheduled to go to press about mid-December. In order that House and Senate Members may acquire additional copies above their regular allotments, arrangements have been made to order extra copies at a reduced rate of $2.05 for the thumb indexed and $1.45 for the nonindexed.

Orders are to be placed with the CONGRESSIONAL RECORD clerk, room H-112, Capitol, extension 2100. All orders must be received on or before December 8. An order form for this purpose has been sent to each office, attached to each Member's personal office announcement.

APPOINTMENT OF CONFEREES ON H.R. 4765, INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS PURSUANT TO THE BANK HOLDING COMPANY ACT OF 1956, AS AMENDED

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KARSTEN, HERLONG, BYRNES of Wisconsin, CURTIS, UTT, and BETTS.

APPOINTMENT OF CONFEREES ON H.R. 12080, SOCIAL SECURITY AMENDMENTS OF 1967

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KARSTEN, HERLONG, BYRNES of Wisconsin, CURTIS, UTT, and BETTS.

AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts, insist upon the House amendment thereto, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RYAN. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

DESALINATION PLANT FOR ISRAEL

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the United States can make a major contribution to stability in the Middle East by helping Israel in the development of water resources.

Today I have introduced a bill to provide assistance to Israel in the construction of a nuclear desalination plant to produce from 100 million to 150 million gallons of fresh water, and 300,000 to 400,000 kilowatts of electricity daily. The Secretary of Interior would be authorized to enter into an agreement with Israel to provide financial, technical, and other assistance to the Government of Israel. The United States would share construction cost through either loan or grant assistance in order to reduce the cost of water to a level which would make it economically usable for agriculture and industrial purposes.

In February 1964 President Johnson proposed U.S. cooperation with Israel in a research program regarding the use of nuclear energy for desalination, which would significantly add to Israel's short supply of fresh water. A year later, the two countries set up a special study team to examine the feasibility of constructing a nuclear plant to produce both fresh water and electricity.

The study is not complete, but it is expected to show the feasibility if financing can be obtained at low interest rates.

A major desalination project would make it possible for Israel to cultivate much of the desert which stands so wastefully idle. It would provide land and jobs, allowing Israel to continue its economic growth and raising the standard of living in the entire area. It would serve as an example to the Arabs of what can be done in an atmosphere of peace and cooperation.

The United States should give top priority to the development of a nuclear desalting plant in Israel.

THE HONORABLE MICHAEL J. KIRWAN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, when MIKE KIRWAN was a boy the population of the entire State of California was less than that of the city of Philadelphia, and the population of Philadelphia then was less than 1,200,000. Years later, in 1943–53 when Earl Warren, now Chief Justice of the Supreme Court of the United States, was Governor of the great State of California, which had grown by leaps and bounds in population and in wealth, he said that the two men to whom generations of Americans must forever be indebted for the preservation of the great outdoors and the development of our natural resources were Theodore Roosevelt and MICHAEL J. KIRWAN.

The truth of Governor Warren's evaluation of the service of Theodore Roosevelt and MIKE KIRWAN as pioneers and effective conservationists strikes us with dramatic force when coupled with the recent announcement that the population of the United States now exceeds 200 million and at the present rate will soon reach 300 million. I am afraid there now would be little left of the out-of-doors where American men and women and children could meet with God and nature but for the foresight, the vision, and the constant crusading efforts of Teddy Roosevelt and our colleague whose 81st birthday we celebrate tomorrow.

MIKE KIRWAN is one of the greatest Americans that ever served in this historic body. Perhaps in larger measure than any man in history he in a very true sense has been a builder of public works that enlarged the dominion of everyone and brought into a dynamic partnership the skills and the ambitions of man with the mighty forces of nature. He is as ageless as the azure in the skies. He is as eternal as the sunshine. There is no acre anywhere under the American flag that he overlooks. Ask our countrymen in the Virgin Islands or those in the trust territories of the Pacific for which we have moral and physical responsibility, the name of their patron saint and I confidently venture the answer will be "MIKE KIRWAN."

My warmest wishes for many happy returns of the day to a great and beloved American.

HEARINGS ON EAST-WEST TRADE

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, I am taking the floor of the House to announce that beginning this Thursday, on December 7, 1967, the Subcommittee on Europe of the Committee on Foreign Affairs will hold further hearings on East-West trade.

We had planned to hold these hearings some months ago, in the spring. Unfortunately, our prolonged consideration of the foreign aid program, and of other legislation delayed the start of that project. Now that all of the major legislative bills referred to the Committee on Foreign Affairs have been cleared by the House, we can move ahead with our plans.

I wish to take this opportunity to invite all Members who introduced legislation relating to East-West trade, and all other interested colleagues, to give us their views and suggestions. I have sent letters to many of them last week. I wish now to reiterate that invitation and to extend it to all those that can contribute to our study.

I may add, Mr. Speaker, that I have been concerned about some developments since our last review of East-West trade issues. The shipment of free world goods to North Vietnam, and the high content of advanced technology embodied in Western European exports to Eastern Europe and the Soviet Union, are among them.

We intend to look into these matters thoroughly and to invite witnesses from various agencies of the executive branch. Although we are not able to do as much as we would like during the short time remaining this year, we will continue these hearings after the Congress reconvenes in January, and do a comprehensive job.

A UNIFIED BUDGET

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing a resolution expressing the sense of Congress that the President shall present his budget in the form of a unified budget as recommended by the President's Commission on Budget Concepts.

The budget of the U.S. Government is the key instrument in national policymaking, but public and congressional understanding of this document has been muddled.

This situation has been due to the fact that not one, but three budgets are actually in use: The administrative budget, the consolidated cash budget, and the national income accounts budget. Each gives but a partial picture of our total fiscal policy. Rather than being complementary, these three budgets actually compete and overlap, thus giving a distorted picture of our economic situation.

The President's Commission on Budget Concepts has recommended that a unified budget be adopted with complementing concepts.

This Congress has to date endeavored to hold the line on Federal spending, but I firmly believe that this task would have been much easier had we been able to have a clear picture of what money is coming in, what money is going out, and where it is going.

I might also add that I believe sincere thought should be given to reverting to a budget based on a calendar year, rather than continuing to operate on a fiscal year basis.

We are presently taking so long to appropriate for a fiscal year, that the very reason for fiscal year policies has been virtually eliminated.

The increasing workload of the Congress will demand year-long sessions and I believe we should plan our fiscal policies accordingly, and the sooner the better.

I would hope that this resolution will receive early consideration by the House.

ACTION OF THE ATTORNEYS FOR THE COMMUNITY LEGAL SERVICE IN THE CITY OF PHILADELPHIA

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to

the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, the attorneys for the community legal service in the city of Philadelphia submitted to me the entire legal proceedings presented to the Federal courts in Philadelphia. They concerned the representation of young children of grammar school and high school age who were beaten in what has been referred to as a riot.

It was not, in fact, a riot. The situation arose because the president of the board of education gave them permission to assemble and present their grievances to the board of education. In accordance with that permission, they assembled. Now, it should have been supposed by the adults on the board of education that because of the natural exuberance of youth they would have been loud and they would not have been as orderly as adults—and they were not. The police descended upon them and they were not temperate in their handling of this crowd.

The point I make, Mr. Speaker, is any such legal service is entitled to represent the poor. These children are the poor of our community. I point out they have been convicted of nothing, they were charged with nothing. If it is to be said that because the Federal Government is furnishing money for representation of the poor that the poor cannot be represented before they are accused or convicted, then I do not know why we should ever furnish opportunity for anyone to be represented. I take the position that not until they are charged, tried, and convicted would they become ineligible to representation under the funds.

PERMISSION FOR SELECT COMMITTEE ON SMALL BUSINESS TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Government Procurement of the Select Committee on Small Business may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

A GREAT AMERICAN STEPS DOWN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, anyone who has been in Washington for any length of time knows that this city is the world's No. 1 rumor mill.

We have seen the rumors fly over the resignation of Secretary McNamara. And we have read all the idle speculation that his leaving is the result of a rift between himself and the Chiefs of Staff, the President, and our military leaders in Vietnam.

Those of us who have closely followed the course of America's involvement in Vietnam know better. We know that President Johnson has had no more valued colleague and adviser than Robert McNamara. We know too, that, in the President's words, the course of this war "is firmly set."

I think that rumors to the contrary are a grave disservice to the American effort in Vietnam, are unfair to the close trust and friendship established over the years between the President and Mr. McNamara, and are little more than malicious rumor mongering.

Robert Strange McNamara has served his country well and honorably. He deserves a more fitting conclusion to his years of service as Secretary of Defense than cheap rumors and unfounded allegations that surround his departure.

I am certain that President Johnson accepted his resignation only with the deepest reluctance. And I am equally certain that the Secretary's wisdom and judgment shall be sorely missed in the highest councils of this Government.

ESTABLISHMENT OF A FEDERAL JUDICIAL CENTER—CONFERENCE REPORT

Mr. ROGERS of Colorado submitted a conference report and statement on the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

INTERNATIONAL BRIDGE AT PHARR, TEX.

The Clerk called the bill (H.R. 470) to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.

There being no objection, the Clerk read the bill, as follows:

H.R. 470

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pharr Municipal Bridge Corporation of Pharr, Texas, is authorized to construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Pharr, Texas, and for a period of sixty-six years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906 (33 U.S.C. 491 to 498, inclusive), subject to—

(1) the conditions and limitations contained in this Act;

(2) the approval of the International Boundary and Water Commission, United States and Mexico; and

(3) the approval of the proper authorities in the Republic of Mexico; with respect to the construction, operation, and maintenance of such bridge.

Sec. 2. The Pharr Municipal Bridge Corporation may fix and charge tolls for transit over the bridge referred to in the first section of this Act in accordance with the laws of the State of Texas, and the laws of the United States, applicable to such tolls, and the rates of toll so fixed shall be legal rates until changed under the authority contained in section 4 of the Act of March 23, 1906 (33 U.S.C. 494).

Sec. 3. The Pharr Municipal Bridge Corporation may sell, assign, transfer, or mortgage the rights, powers, and privileges conferred on such company by this Act to any public agency, or to an international bridge authority or commission, and any such agency, authority, or commission is authorized to exercise the rights, powers, and privileges acquired under this section (including acquisition by mortgage foreclosure) in the same manner as if such rights, powers, and privileges had been granted by this Act directly to such agency, authority, or commission.

Sec. 4. Notwithstanding the provisions of section 6 of the Act of March 23, 1906 (33 U.S.C. 496), this Act shall be null and void unless the actual construction of the bridge referred to in the first section of this Act is commenced within three years and completed within five years from the date of enactment of this Act.

Sec. 5. The right to alter, amend, or repeal this Act is expressly reserved.

With the following committee amendments:

On page 2, immediately after line 10, insert the following:

"Sec. 2. The consent of Congress is hereby granted to the city of Pharr, Texas, to enter into an agreement or agreements, not in conflict with the Constitution of the United States or any law thereof, with the Government of Mexico or a subdivision thereof for the operation and maintenance, or the reconstruction, alteration or modification, of the bridge, provided that the agreement or agreements are approved prior to their conclusion by the Department of State."

On page 2, line 11, strike out "Sec. 2." and insert in lieu thereof "Sec. 3.".

On page 2, line 18, strike out "Sec. 3." and insert in lieu thereof "Sec. 4.".

On page 3, line 3, strike out "Sec. 4." and insert in lieu thereof "Sec. 5.".

On page 3, line 9, strike out "Sec. 5." and insert in lieu thereof "Sec. 6.".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE OF TIMBER SURVEY AUTHORIZATION

The Clerk called the bill (S. 1136) to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

NAME BUILDING IN HONOR OF LATE PATRICK V. McNAMARA

The Clerk called the bill (S. 343) to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966.

There being no objection, the Clerk read the bill, as follows:

S. 343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal office building to be constructed in Detroit, Michigan, shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a distinguished Member of the United States Senate from the State of Michigan from 1955 to 1966. Any reference to such building in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Patrick V. McNamara Federal Office Building."

Mr. O'HARA of Michigan. Mr. Speaker, today we are considering legislation, S. 343, to name the to-be-constructed Federal building in Detroit, Mich., the Patrick V. McNamara Federal Office Building in tribute to Michigan's great Senator.

Mr. Speaker, we recognize that the achievements of Senator McNamara, in 11½ years in the Senate, and before that as a member of the Detroit Common Council, the Detroit Board of Education and as Rent Control Administrator for the Office of Price Administration, were much greater than a single office building.

Many of the Nation's highways are a tribute to this man because he performed a major role in the Nation's highway legislation, including the interstate highway program and the Federal Aid to Highways Act.

Many of the most significant education bills enacted during his terms in the Senate bear his mark. He would probably be proudest of this—or the amendments to the Civil Rights Acts of 1957 and 1960, which helped guarantee every American equal rights and opportunity.

Senior citizens lead better lives today because of Senator McNamara's efforts as chairman of the Senate Special Committee on Aging.

Finally, virtually every Federal building project reflects the work of Patrick V. McNamara, who served on the Public Works Committee of the Senate his entire time with that body. He was chairman of that committee when the construction of this new Detroit Federal building was authorized.

Mr. Speaker, we in Michigan do not need a building to remember Senator McNamara. Yet we humbly search for ways to honor this man. It is appropriate to have a symbol of his achievements to constantly remind us of his hopes, desires, optimism, and courage, and inspire these virtues in us each day.

This Federal building, 28 stories tall, looming magnificently on the Detroit skyline, a fresh, bold addition to the downtown city, bearing the name of Patrick V. McNamara, will, I trust, do just that.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POST OFFICE-FEDERAL OFFICE BUILDING, BRONX, N.Y.

The Clerk called the bill (H.R. 13833) to provide that the post office and Federal office building to be constructed in Bronx, N.Y., shall be named the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley, a Member of the U.S. House of Representatives from the State of New York from 1935 through 1964.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RESTORE AND RETURN MERCHANT SHIP "KAIULANI"

The Clerk called the joint resolution (S.J. Res. 101) amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani,* and for other purposes.

Mr. HALL. Mr. Speaker, since this bill is listed among the bills to be considered under a suspension of the rules today, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SHIP MORTGAGE INSURANCE

The Clerk called the bill (H.R. 11354) to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges.

There being no objection, the Clerk read the bill, as follows:

H.R. 11354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of subsection (a) of section 1104 of the Merchant Marine Act, 1936 (46 U.S.C. 1274), is amended by striking the semicolon at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further,* That in the case of any tug of more than two thousand five hundred horsepower, and of any barge of more than two thousand five hundred gross tons, the obligation may be in an amount which does not exceed 87½ per centum of such actual cost;".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the fourth sentence of section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159), is amended by inserting immediately before the words 'the applicant' the following: 'or in the case of an oceangoing tug of more than two thousand five hundred horsepower or oceangoing barge of more than two thousand five hundred gross tons,'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill, S. 2247.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2247

A bill to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth sentence of section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159) is amended by inserting immediately before the words "the applicant" the following: "or in the case of a tug of more than twenty-five hundred horsepower, and of any barge of more than twenty-five hundred gross tons".

AMENDMENT OFFERED BY MR. GARMATZ

Mr. GARMATZ. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARMATZ: Strike out all after the enacting clause of S. 2247 and insert the provisions of H.R. 11354 as passed, as follows:

"That the fourth sentence of section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159), is amended by inserting immediately before the words 'the applicant' the following: 'or in the case of an oceangoing tug of more than two thousand five hundred horsepower or oceangoing barge of more than two thousand five hundred gross tons,'."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11354) was laid on the table.

RELEASE OF RESTRICTIONS ON LAND IN NORTH CAROLINA

The Clerk called the bill (S. 320) to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of North Carolina in order that such land may be used in connection with a proposed water supply lake, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

S. 320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to release on behalf of the United States the land use restriction applicable to a tract of land constituting a portion of a larger tract of land heretofore conveyed by the United States to the State of North Carolina pursuant to the Act entitled "An Act to provide for the conveyance of a portion of the Camp Butner Military Reservation, North Carolina, to the State of North Carolina", approved April 2, 1954 (68 Stat. 50), so that such tract with respect to which such release is given may be used by such State for water supply lake purposes: *Provided, however,* That the State of North Carolina would pay the fair market value, as determined by the Secretary of the Army, of the interests released under this section. The exact description of the tract with respect to which such restriction is released by the Secretary pursuant to this section shall be agreed upon by the Secretary and the State of North Carolina, but in no event shall the total area of such tract exceed one hundred and seventy-one acres.

SEC. 2. In order to settle a dispute between the State of North Carolina and one W. T. Gantt over the boundary line between lands conveyed to the State of North Carolina pursuant to the Act referred to in the first section of this Act and lands adjacent thereto owned by the said W. T. Gantt, the Secretary of the Army is authorized to take such action as he determines necessary or appropriate to obtain an equitable settlement of such boundary dispute. The authority conferred upon the Secretary under this section shall include authority to release the land use restriction referred to in the first section of this Act from any lands included in the boundary dispute agreement which may be quitclaimed to the said W. T. Gantt under the terms of the boundary agreement.

SEC. 3. The Secretary of the Army is authorized to impose such terms and conditions upon any actions taken by him under authority of this Act as he deems appropriate to protect the interests of the United States. All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this Act shall be borne by the State of North Carolina or W. T. Gantt, as appropriate.

Mr. LENNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, S. 320, while technical in nature, is really a rather simple bill and would permit the Federal Government to remove certain restrictions on land originally conveyed to the State of North Carolina in 1954 in exchange for approximately $7,500, the fair market value of the rights involved.

It also would permit the title to be cleared on a tract of private land originally conveyed by the War Assets Administration to W. T. Gantt. This private land adjoins the land conveyed by the Federal Government to the State of North Carolina.

On September 27, 1954, the Secretary of the Army executed a deed conveying 4,750.39 acres of land to the State of North Carolina under authority of the act of April 2, 1954. As required by the authorizing act, the deed of conveyance reserved mineral rights to the United States and further provided that, first, the property shall be used for military purposes only and if not so used, shall revert to the United States, together with improvements made by the State, without payment of compensation; and second, the United States has the right to use the property during a state of war or other national emergency declared by Congress or the President, subject to payment of fair rental for any improvements added by the State without Federal aid.

The circumstances leading to the introduction of this bill are set out in the following subparagraphs:

(a) Section 1: The Attorney General of North Carolina has informed the Corps of Engineers that the State desires to construct a dam on property adjacent to its Camp Butner lands for a source of water supply and that the impounded water would cover a portion of the land conveyed to the State by the above-mentioned deed of September 27, 1954. According to a metes and bounds description furnished by the State, the area to be inundated would total 127 acres. Since this action would conceivably constitute a breach of the condition restricting land use to military purposes only, the State of North Carolina in 1963 requested a release from the use restriction over the area involved in order to preclude possibility of a reverter. Whether this use would, in fact, constitute a breach could be established definitely only by a court of competent jurisdiction. The adjutant general of North Carolina has advised this Department that, although the area which would be inundated continues to be required as a safety zone for a firing range, flooding of the area would not interfere with this requirement.

(b) Section 2: The War Assets Administration conveyed to W. T. Gantt two tracts of surplus Camp Butner lands adjoining the property conveyed by the Secretary of the Army to the State of North Carolina for military use. The deed to W. T. Gantt used the same descriptions of the tracts as were used when the United States originally acquired them for establishing Camp Butner. In 1963, the State of North Carolina attempted to survey its Camp Butner lands and in so doing found that the line dividing the State and Gantt properties could not be placed on the ground. Subsequently, the State and Mr. Gantt negotiated and reached an agreement to establish a boundary line, whereby the State agreed to convey approximately 25 to 30 acres of land to Mr. Gantt who, in turn, agreed to grant rights-of-way to the State over all roads on his land. The land-use restrictions earlier referred to must be removed before the State of North Carolina can convey to Mr. W. T. Gantt the 25 or 30 acres involved in a boundary dispute.

To the extent that the area to be inundated for water supply purposes constitutes a portion of the firing range safety zone, it is the intention of the Secretary of the Army, in event of enactment, to require, as one of the terms and conditions authorized by section 3, that any release or deed be conditioned upon an undertaking by the State and any other grantee to indemnify and save the Government harmless against liability for injury to any person who trespasses during any period of notice that the range is in use. Such condition is considered essential in order not to confront the Government, as the result of surrender of the control which it now enjoys, with additional liabilities arising out of trespass during such periods of exclusion.

The Department of the Army on behalf of the Department of Defense and Bureau of the Budget, is in favor of the enactment of this legislation as amended in the Senate which provides for payment of fair market value of the rights released to the Federal Government.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN

The Clerk called the bill (H.R. 12323) to amend chapter 73 of title 10, United States Code, relating to the retired serviceman's family protection plan, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 12323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 73 of title 10, United States Code is amended as follows:

(1) Section 1431(b) is amended to read as follows:

"(b) To provide an annuity under section 1434 of this title, a person covered by subsection (a) may elect to receive a reduced amount of the retired pay or retainer pay to which he may become entitled as a result of service in his armed force. Except as otherwise provided in this section, unless it is made before he completes nineteen years of service for which he is entitled to credit in the computation of his basic pay, the election must be made at least two years before the first day for which retired pay or retainer pay is granted. However, if, because of military operations, a member is assigned to an isolated station or is missing, interned in a neutral country, captured by a hostile force, or beleaguered or besieged, and for that reason is unable to make an election before completing nineteen years of that service, he may make the election, to become effective immediately, within one year after he ceases to be assigned to that station or returns to the jurisdiction of his armed force, as the case may be. A member to whom retired pay or retainer pay is granted retroactively, and who is otherwise eligible to make an election, may make the election within ninety days after receiving notice that such pay has been granted to him. An election made after the date of enactment of this amendment is not effective if—

"(1) the elector dies during the first thirty-day period he is entitled to retired pay as a result of a physical condition which led to his being granted retired pay under chapter 61 of title 10 with a disability of 100 per centum under the standard schedule of rating disabilities in use by the Veterans' Administration at the time of the determination of the per centum of his disability;

"(2) the disability was not the result of injury or disease received in line of duty as a direct result of armed conflict; and

"(3) his widow or children are entitled to dependency and indemnity compensation under chapter 13 of title 38 based upon his death."

(2) Section 1431(c) is amended to read as follows:

"(c) An election may be changed or revoked by the elector before the first day for which retired or retainer pay is granted. Unless it is made on the basis of restored mental competency under section 1433 of this title, the change or revocation is not effective if it is made less than two years before the first day for which retired or retainer pay is granted. The elector may, however, at any time before the first day for which retired or retainer pay is granted, change or revoke his election (provided the change does not increase the amount of the annuity elected) to reflect a change in the marital or dependency status of the member or his family that is caused by death, divorce, annulment, remarriage, or acquisition of a child."

(3) The text of section 1434 is amended to read as follows:

"(a) The annuity that a person is entitled to elect under section 1431 or 1432 of this title shall, in conformance with actuarial tables selected by the Board of Actuaries under section 1436(a) of this title, be the amount specified by the elector at the time of the election, but not more than 50 per centum nor less than 12½ per centum of his reduced retired or retainer pay, in no case less than $25. He may make the annuity payable—

"(1) to, or on behalf of, the surviving spouse, ending when the spouse dies or remarries;

"(2) in equal share to, or on behalf of, the surviving children eligible for the annuity at the time each payment is due, ending when there is no surviving eligible child; or

"(3) to, or on behalf of, the surviving spouse, and after the death or remarriage of that spouse, in equal shares to, or on behalf of, the surviving eligible children, ending when there is no surviving eligible child.

If a member elects the annuity provided in clause (3) and, after he becomes entitled to retired or retainer pay, there is no eligible spouse because of death or divorce, upon the retired member's application, the cost of the annuity shall be computed, effective on the first day of the month following the month in which his application is received by the Secretary concerned, as if the annuity provided in clause (2) had been elected. No amounts by which the member's retired or retainer pay is reduced before that date may be refunded to, or credited on behalf of, that person.

"(b) A person may elect to provide both the annuity provided in clause (1) of subsection (a) and that provided in clause (2) of subsection (a), but the combined amount of the annuities may not be more than 50 per centum nor less than 12½ per centum of his retired or retainer pay, but in no case less than $25.

"(c) An election of any annuity under subsection (a), or any combination of annuities under subsection (b), shall provide that no deduction may be made from the elector's retired or retainer pay after the last day of the month in which there is no beneficiary who would be eligible for the annuity if the elector died.

"(d) Under regulations prescribed under section 4444 (a) of this title, a person may, before or after the first day for which retired or retainer pay is granted, provide for allocating, during the period of the surviving spouse's eligibility, a part of the annuity under subsection (a)(3) for payment to those of his surviving children who are not children of that spouse.

(4) Section 1436(b) is amended to read as follows:

"(b) Under regulations prescribed under section 1444(a) of this title, the Secretary concerned may, upon application by the retired member, allow the member—

"(1) to reduce the amount of the annuity specified by him under section 1434(a) and 1434(b) of this title but not less than the prescribed minimum; or

"(2) to withdraw from participation in an annuity program under this title.

A retired member may not be allowed to reduce an annuity or withdraw earlier than the first day of the seventh calendar month beginning after he applies for reduction or withdrawal. No amounts by which a member's retired or retainer pay is reduced may be refunded to, or credited on behalf of, the member by virtue of an application made by him under this subsection."

(5) Section 1436 is amended by adding the following subsection:

"(c) If a member has elected an annuity under this chapter but, because of administrative error not caused by fraudulent action on his part, no reduction is made in his retired or retainer pay because of that election within one hundred and twenty days after the date of his initial check for retired or retainer pay, the election may not be considered valid without his consent. In the absence of that consent, no annuity may be paid to a beneficiary if death occurs after the one-hundred-and-twenty-day period and no reduction has been made in the member's retired or retainer pay."

SEC. 2. Notwithstanding any other provision of this Act, elections in effect on the date of enactment will remain under the cost tables applicable on the date of retirement.

With the following committee amendment:

Strike all after the enacting clause and substitute in lieu thereof the following:

"That chapter 73 of title 10, United States Code, is amended as follows:

"(1) Section 1431(b) is amended to read as follows:

"'(b) To provide an annuity under section 1434 of this title, a person covered by subsection (a) may elect to receive a reduced amount of the retired pay or retainer pay to which he may become entitled as a result of service in his armed force. Except as otherwise provided in this section, unless it is made before he completes nineteen years of service for which he is entitled to credit in the computation of his basic pay, the election must be made at least two years before the first day for which retired pay or retainer pay is granted. However, if, because of military operations, a member is assigned to an isolated station or is missing, interned in a neutral country, captured by a hostile force, or beleaguered or besieged, and for that reason is unable to make an election before completing nineteen years of that service, he may make the election, to become effective immediately, within one year after he ceases to be assigned to that station or returns to the jurisdiction of his armed force, as the case may be. A member to whom retired pay or retainer pay is granted retroactively, and who is otherwise eligible to make an election, may make the election within ninety days after receiving notice that such pay has been granted to him. An election made after the date of enactment of this amendment is not effective if—

"'(1) the elector dies during the first thirty-day period he is entitled to retired pay as a result of a physical condition which led to his being granted retired pay under chapter 61 of title 10 with a disability of 100 per centum under the standard schedule of rating disabilities in use by the Veterans' Administration at the time of the determination of the per centum of his disability;

"'(2) the disability was not the result of injury or disease received in line of duty as a direct result of armed conflict; and

"'(3) his widow or children are entitled to dependency and indemnity compensation under chapter 13 of title 38 based upon his death.'

"(2) Section, 1431(c) is amended to read as follows:

"'(c) An election may be changed or revoked by the elector before the first day for which retired or retainer pay is granted unless it is made on the basis of restored mental competency under section 1433 of this title, the change or revocation is not effective if it is made less than two years before the first day for which retired or retainer pay is granted. The elector may, however, before the first day for which retired or retainer pay is granted, change or revoke his election (provided the change does not increase the amount of the annuity elected) to reflect a change in the marital or dependency status of the member or his family that is caused by death, divorce, annulment, remarriage, or acquisition of a child, if such change or revocation of election is made within two years of such change in marital or dependency status.'

"(3) The text of section 1434 is amended to read as follows:

"'(a) The annuity that a person is entitled to elect under section 1431 or 1432 of this title shall, in conformance with actuarial tables selected by the Board of Actuaries under section 1436(a) of this title, be the amount specified by the elector at the time of the election, but not more than 50 per centum nor less than 12½ per centum of his retired or retainer pay, in no case less than $25. He may make the annuity payable—

"'(1) to, or on behalf of, the surviving spouse, ending when the spouse dies or remarries;

"'(2) in equal share to, or on behalf of, the surviving children eligible for the annuity at the time each payment is due, ending when there is no surviving eligible child; or

"'(3) to, or on behalf of, the surviving spouse, and after the death or remarriage of that spouse, in equal shares to, or on behalf of, the surviving eligible children, ending when there is no surviving eligible child.

If a member elects the annuity provided in clause (3) and, after he becomes entitled to retired or retainer pay, there is no eligible spouse because of death or divorce, upon the retired member's application, the cost of the annuity shall be computed, effective on the first day of the month following the month of such death or divorce, as if the annuity provided in clause (2) had been elected. No amounts by which the member's retired or retainer pay is reduced before that date may be refunded to, or credited on behalf of, that person.

"'(b) A person may elect to provide both the annuity provided in clause (1) of subsection (a) and that provided in clause (2) of subsection (a), but the combined amount of the annuities may not be more than 50 per centum nor less than 12½ per centum of his retired or retainer pay, but in no case less than $25.

"'(c) An election of any annuity under subsection (a), or any combination of annuities under subsection (b), shall provide that no deduction may be made from the elector's retired or retainer pay after the last day of the month in which there is no beneficiary who would be eligible for the annuity if the elector died.

"'(d) Under regulations prescribed under section 1444(a) of this title, a person may, before or after the first day for which retired or retainer pay is granted, provide for allocating, during the period of the surviving spouse's eligibility, a part of the annuity under subsection (a)(3) for payment to those of his surviving children who are not children of that spouse.'

"(4) Section 1435(2)(B) is amended to read as follows:

"'(B) under 18 years of age, or incapable of supporting themselves because of a mental defect or physical incapacity existing before their eighteenth birthday, or at least 18, but under 23, years of age and pursuing a full-time course of study or training in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institute;'.

"(5) Section 1435 is amended by adding the following flush sentences at the end:

"'For the purposes of clause (2)(B), a child is considered to be pursuing a full-time course of study or training during an interval between school years that does not exceed 150 days if he has demonstrated to the satisfaction of the Secretary concerned that he has a bona fide intention of commencing, resuming, or continuing to pursue a full-time course of study or training in a recognized educational institution immediately after that interval. However, a child at least 18 years of age shall not be eligible as a beneficiary of, or to receive payments under, an annuity elected under this chapter, during any period while he is pursuing a course of study or training leading to the award of an academic degree above the baccalaureate level, or during an interval between school years which immediately precedes or immediately follows such a period.'

"(6) Section 1436(b) is amended to read as follows:

"'(b) Under regulations prescribed under section 1444(a) of this title, the Secretary concerned may, upon application by the retired member, allow the member—

"'(1) to reduce the amount of the annuity specified by him under section 1434(a) and 1434(b) of this title but not less than the prescribed minimum; or

"'(2) to withdraw from participation in an annuity program under this title.

"'A retired member may not be allowed to reduce an annuity earlier than the first day of the seventh month beginning after he applies for reduction. A retired member may not be allowed to withdraw earlier than the first day of the thirteenth calendar month beginning after he applies for withdrawal. No amounts by which a member's retired or retainer pay is reduced may be refunded to, or credited on behalf of, the member by virtue of an application made by him under this subsection.'

"(7) Section 1436 is amended by adding the following subsection:

"'(c) If a member has elected an annuity under this chapter but, because of administrative error not caused by fraudulent action on his part, no reduction is made in his retired or retainer pay because of that election within one hundred and twenty days after the date of his initial check for retired or retainer pay, the election may not be considered valid without his consent. In the absence of that consent, no annuity may be paid to a beneficiary if death occurs after the one-hundred-and-twenty-day period and no reduction has been made in the member's retired or retainer pay.'

"(8) Section 1437 is amended to read as follows:

"'§ 1437. Payment of annuity

"'(a) Except as provided in subsections (b) and (c), each annuity payable under this chapter accrues as of the first day of the month in which the person upon whose reduced pay the annuity is based dies. Payments shall be made in equal installments and not later than the fifteenth day of each month following that month. However, no annuity accrues for the month in which entitlement thereto ends.

"'(b) If a person has—

"'(1) met all the age and service requirements prescribed by section 1331(a) of this title for retired pay under chapter 67 of this title:

"'(2) applied for retired pay under chapter 67 of this title, to be effective under section 8301 of title 5 on the first day of the month following the month in which he first met all those requirements; and

"'(3) elected to provide an annuity under section 1434 of this title;

but dies before that day, the annuity shall be paid under this chapter, effective as of that day, upon application by the beneficiary under regulations prescribed by the Secretary concerned. However, the annuity shall be appropriately reduced to recover the amount by which the person's retired pay under chapter 67 of this title would have been reduced under this chapter to provide the annuity elected by him if he had become entitled to that pay on the day he first met all the age and service requirements prescribed by section 1331(a) of this title. This subsection applies only in the case of a person who dies on or after the effective date of this subsection.

"'(c) Each annuity payable to or on behalf of an eligible child as defined in section 1435(2)(B) of this title who is at least 18 years of age and pursuing a full-time course of study or training at a recognized educational institution, accrues—

"'(1) as of the first day of the month in which the member upon whose reduced pay the annuity is based dies, if the eligible child's eighteenth birthday occurs in the same or a preceding month.

"'(2) as of the first day of the month in which the eighteenth birthday of an eligible child occurs, if the member upon whose reduced pay the annuity is based died in a preceding month.

"'(3) as of the first day of the month in which a child first becomes or again becomes eligible, if that eligible child's eighteenth birthday and the death of the member upon whose reduced pay the annuity is based both occurred in a preceding month or months.

However, no such annuity is payable or accrues for any month prior to the effective date of this subsection.'

"(9) Section 1446(a)(2) is amended by striking out '18' and inserting in lieu thereof '19'.

"Sec. 2. For members to whom section 1431 of title 10, United States Code, applies on the date of enactment of this Act, the provisions of section 1434(c) of that title, as amended by this Act, are effective immediately and automatically.

"Sec. 3. A retired member who elected an annuity under chapter 73 of title 10, United States Code, before the date of enactment of this Act, but did not make the election that was then provided by section 1434(c) of that title, may, before the first day of the thirteenth calendar month beginning after the date of enactment of this Act, make that election if at the time of making such election he has a living spouse or child, or both, otherwise eligible to receive the annuity. That election becomes effective on the first day of the month following the month in which the election is made. On or before the effective date, the retired member must deposit in the Treasury the total additional amount that would otherwise have been deducted from his retired or retainer pay to reflect such an election, had it been effective when he retired, plus the interest which would have accrued on that additional amount. No amounts by which a member's retired or retainer pay was reduced may be refunded to, or credited on behalf of, the retired member by virtue of an application made by him under this section. A retired member who does not make the election provided under this section, will not be allowed under section 1436(b) of title 10, to reduce an annuity or withdraw from participation in an annuity program under that title.

"Sec. 4. Notwithstanding any other provision of this Act, elections in effect on the date of enactment will remain under the cost tables applicable on the date of retirement.

"Sec. 5. Clause (6) of section 1, and sections 2 and 3 of this Act are effective on the date of enactment. Remaining provisions of this Act are effective on the first day of the third calendar month following the date of enactment."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO RESERVE RETIREMENT CREDIT

The Clerk called the bill (H.R. 9833) to amend section 1331(c) of title 10, United States Code, to authorize the granting of retired pay to persons otherwise qualified who were Reserves before August 16, 1945, and who served on active duty during the so-called Berlin crisis.

There being no objection, the Clerk read the bill, as follows:

H.R. 9833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1331(c) of title 10, United States Code, is amended to read as follows:

"(c) No person who, before August 16, 1945, was a Reserve of an armed force, or a member of the Army without component or other category covered by section 1332(a)(1) of this title except a regular component, is eligible for retired pay under this chapter, unless he performed active duty after April 5, 1917, and before November 12, 1918, or after September 8, 1940, and before January 1, 1947, or unless he performed active duty (other than for training) after June 26, 1950, and before July 28, 1953, or after August 13, 1961, and before June 1, 1963."

With the following committee amendment:

On page 2, line 5, delete the period, substitute a comma, and insert the following: "or after August 4, 1964, and before the date designated by proclamation of the President or concurrent resolution of the Congress."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPENDENTS ELIGIBLE FOR MILITARY MEDICAL CARE

The Clerk called the bill (H.R. 12899) to amend section 1072(2)(F) of title 10, United States Code, to include other than natural parents and parents-in-law within the category of dependents eligible for medical care.

There being no objection, the Clerk read the bill, as follows:

H.R. 12899

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1072(2)(F) of title 10, United States Code, is amended to read as follows:

"(F) a parent or parent-in-law, including an adoptive parent or parent-in-law, a stepparent or stepparent-in-law, or any person who stood in loco parentis to the service member or his spouse for a continuous period of not less than five years during the minority of such individual, who is, or was at the time of the member's or former member's death, in fact dependent on him for over one-half of his support and residing in his household."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUAL MEETINGS—NATIONAL ADVISORY COMMITTEE

The Clerk called the bill (S. 1477) to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ADVANCE PAYMENTS TO WHEAT PRODUCERS

The Clerk called the bill (H.R. 6437) to amend the Agricultural Adjustment Act of 1938, as amended, to permit advance payments to wheat producers.

There being no objection, the Clerk read the bill, as follows:

H.R. 6437

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 879(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new sentence:

"The Secretary shall make not to exceed 50 per centum of the payments represented by domestic marketing certificates issued pursuant to this Act to producers in advance of determination of performance and the balance of such payments shall be made at such times as the Secretary may prescribe."

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I rise in support of H.R. 6437, a bill I introduced March 1 to benefit U.S. wheat producers.

The bill further amends the Agricultural Adjustment Act of 1938 and has two purposes: First, to permit partial, advance payments to wheat producers who participate in the wheat program, and, second, requires the balance to be paid by the Secretary at such times as he may prescribe.

The payments would be up to 50 percent of the value of domestic wheat certificates in advance of determination of performance.

A similar provision has been in effect for feed grains and cotton growers since 1961. H.R. 6437 would essentially put the wheat program and wheat producers on a par with these other programs and producers.

Under the feed grains program, farmers indicate in the spring, at the time of signup, which usually starts about February 1, their intent to take part in the feed grains program. The feed grain producers may receive his diversion payment shortly after signup and often before the crop is actually planted.

Cotton growers are also entitled to advance payment in the spring, even though their crop is harvested in late summer.

Kansas wheat is a fall-planted crop, but under the present program, the wheat farmer cannot receive payment on his wheat certificates until after harvest and compliance has been determined—5 to 6 months later than advance payments to feed grain and cotton growers.

Present procedures for issuing wheat certificates provide that farmers declare their intent to participate in the wheat program at the time of spring signup—usually starting about February 1. Payments on the wheat certificates are made starting about July 1 after compliance has been determined.

Participants, in a single program, wheat for example, usually will receive payment sometime in July. Those taking part in both the wheat and feed grains program normally receive their payments in August.

I believe advance payments on wheat certificates made soon after spring signup are justified to an even greater degree than advance payments on feed grains and cotton, which, as I have pointed out, are spring-planted crops for the most part.

If a fall signup were followed now, farmers could receive advance payments on wheat certificates in September—some 10 months earlier than now.

Agriculture's first responsibility is to provide an abundant supply of quality food and other farm products at reasonable prices for both domestic and export needs. If the farmer is to produce adequately, then he should be compensated adequately for his labor and investment.

Kansas alone produces on the average about 200,000,000 bushels of wheat each year. Participation in the wheat certificate program averages about $140 million a year. A 50-percent advance payment would inject $70 million into the agricultural economy 5 or 6 months sooner than under present procedures.

In addition, advance payments on wheat certificates would materially help the farmer finance his investment in both fall- and spring-planted crops. Operating costs are high, necessitating that many wheat farmers secure high interest loans to finance their spring planting operation.

The administration and, specifically, Secretary of Agriculture Orville Freeman and Under Secretary John Schnittker, have consistently opposed this bill. They point out they feel the bill is not needed and that advance payments would deter good implementation of the present program.

To the contrary, I believe the wheat program should be designed to benefit the wheat producer to the maximum extent possible. I believe H.R. 6437 would help do just this.

The wheat program should also allow the wheat farmer the maximum number of options. H.R. 6437 permits the wheat farmer, not the U.S. Department of Agriculture, to decide whether advance payments are needed.

There is no complication or violation of the theory of the present wheat programs. The advance payments under my bill would be based on an estimate of what the full parity price for wheat would be in July. If the parity price in July were different than the estimate, the second payment could easily be adjusted for the change.

I might also point out the cost of the program would not be increased. The only additional administrative burden imposed on the Secretary by this bill is issuance of two checks rather than one to cooperating wheat farmers.

We could and should support the farmer through advance payments on wheat certificates because of his key role in the overall national economy and as guardian of our food supplies—a strategic weapon for national security.

The net farm income picture is not encouraging, and the farmer needs all the help we can offer. Department of Agriculture data for November shows U.S. wheat farmers receive $1.39 per bushel—53 percent of parity.

Mr. Speaker, I respectfully urge passage of H.R. 6437.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I would like to express my support for this bill, which would enable our wheat ranchers to draw up to 50 percent of the payments represented by their domestic marketing certificates in advance of their harvests.

For many of our wheat ranchers the early payments would provide a source of cash as much as 6 months in advance of the time when it would ordinarily become available.

As our distinguished Agriculture Committee chairman, the gentleman from Texas, pointed out in his report, this legislation would serve to give wheat farmers an option which is already available to growers of feed grains and cotton.

I believe it is significant that the program has been supported by the Farmers Union, the National Farmers Organization, the National Grange, and the National Association of Wheat Growers.

I would like to present some rough estimates of what this legislation would do for the wheat producers in my own State of Colorado. Based on average annual wheat domestic marketing certificate payments of approximately $28 million, the advance payments could total up to $14 million per year, for Colorado wheat producers. Under the other programs, however, it has been the experience that not all ranchers sign up for the advanced payments. If two-thirds elected to take advantage of the early payments, and had the benefit of the extra cash for approximately 6 months, the interest saved on loans, or otherwise, could be anywhere from $250,000 up.

Of course this savings to Colorado wheat producers is only a small percentage of what the savings would be to wheat producers across the Nation.

With farm parity ratios dipping to as low as 72 in the past year, it would seem that this measure would help in relieving the high cost of interest to farmers in these days of the cost-price squeeze.

I therefore urge the unanimous adoption of this legislation as one means by which we can relieve the burden now resting on our wheat producers.

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I join with my distinguished colleague, the gentleman from Kansas [Mr. Dole] in urging passage today of H.R. 6437. I collaborated with him in the drafting of this bill, and in fact, I introduced H.R. 6438, which is identical, simultaneously.

Much constructive legislation will be needed, Mr. Speaker, if our hard-pressed farmers are to survive the current vicious circle of lower profits and higher operating costs this side of bankruptcy.

H.R. 6437 is a step in the right direction.

There is general agreement among most of the farm organizations in the State of Colorado on the need for advance payments for participants in the Federal wheat certificate program. With the current situation of tight credit, our wheatgrowers are badly in need of operating capital at planting time. H.R. 6437 would accomplish this.

There is ample precedence for this act, Mr. Speaker. Similar programs are now in effect in the feed grain and cotton-growing industries.

America's wheat farmers need and deserve the same assistance.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARSHALL COUNTY, IND.

The Clerk called the bill (H.R. 11542) for the relief of the town of Bremen, Ind.

There being no objection, the Clerk read the bill, as follows:

H.R. 11542

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the town of Bremen, Marshall County, Indiana, is relieved of liability to the United States in the amount of $1,801.25, representing the amount of Federal civil defense matching funds advanced to the town of Bremen in July 1961 toward the cost of radio equipment purchased by it for civil defense purposes prior to the required approval of the project under which such equipment was purchased and prior to the date of availability of the applicable Federal appropriation. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the town of Bremen, Indiana, an amount equal to the aggregate of the amounts paid by it, or withheld from sums otherwise due it, on account of the liability to the United States referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 3, strike "the town of Bremen,".

Page 1, line 6, strike "the town of Bremen" and insert "Marshall County, Indiana".

Page 2, line 6, strike "the town of Bremen, Indiana," and insert "Marshall County, Indiana,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Marshall County Indiana."

A motion to reconsider was laid on the table.

AMEND SECTION 312, IMMIGRATION AND NATIONALITY ACT

The Clerk called the bill (H.R. 555) to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to query someone from the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary as to whether or not this would not have an indirect effect, quite aside from the question of literacy involved in the elderly, insofar as advancing on the preference quotas, the dependents of such foreign illiterates if this bill should pass?

In other words, if a person was admitted under this bill and had dependents, and that person was naturalized without gaining literacy—in the 20 or 24 years as it would work out under this bill or the amendment to the act—would it not give that person's issue an advanced position or preference on the quotas?

Mr. FEIGHAN. If the gentleman will yield, when he or she would become a citizen——

Mr. HALL. Mr. Speaker, I am sorry, I cannot hear the gentleman.

Mr. FEIGHAN. For one who would take advantage of this provision, which is in the law now, of course, effective as of the cutoff date of December 24, 1952, when they became a citizen, their issue would be given only the same privileges that are given under the present act.

Mr. HALL. Which would advance them over and above the position of others in preference on the quotas?

Mr. FEIGHAN. No.

Mr. HALL. Where they now reside; is that correct?

Mr. FEIGHAN. No. No. It would not. The only conceivable benefit, if possible, that I can see, would be in the fourth preference. If the person so naturalized had a married son or daughter who was abroad, that married son or daughter would be put into the fourth preference which provides for 10 percent of the entire total of 170,000 per year.

Mr. HALL. Exactly; this would be an advantage, then, to the person so considered or his or her heirs, and a waiver under this amendment; is that not correct?

Mr. FEIGHAN. Under those circumstances, but the chances of that occurring are very slim. I doubt if there would be many persons in this category.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's answers to the previous questions, but does the gentleman not feel that someone who was here for 20 or 24 years should learn the language, or at least to read a ballot, before they are given citizenship?

Mr. FEIGHAN. My first answer is "absolutely," however, when one gets to know some of the people who are in that category, there are many fine persons of foreign birth who come to the United States, and they usually live in an area where people from their own land have a community while their children learn English, some of them find it very difficult. In fact, the Immigration Service in some communities has started schools to prepare some of these people to learn the English language.

There is absolutely no naturalization requirement, as far as the qualifications are concerned, that is waived, except that they can take the naturalization examinations in their native language and not in the English language. But they have to qualify in every respect, mentally, physically and in every other respect, under the law, except that they answer the question in their native language.

The purpose of H.R. 555 as amended is to bring three sections of the Immigration and Nationality Act to a modern perspective.

The first section of the bill amends section 312 to waive the naturalization requirement of an understanding of the English language for any person who is over 50 years of age and has been living in the United States for 20 years or more on the date of filing his petition. Under existing law, this requirement is waived for persons who were over 50 years old on December 24, 1952, and who have lived in the United States for periods totaling at least 20 years. The committee finds that this waiver should in all equity be extended to all persons over 50 years of age and in the United States for 20 years, rather than limited just to those qualifying in 1952. This waiver does not apply to any other requirement for naturalization, but permits the petitioning alien to demonstrate in his own native tongue his knowledge and understanding of the history, and of the principles and form of government, of the United States.

The second section of the bill amends section 301(b) of the Immigration and Nationality Act to provide that any person who acquired U.S. citizenship at birth abroad under section 301(a)(7) of the act shall not lose such citizenship if he enters the United States to reside permanently prior to attaining age 18 and his alien parent acquires U.S. citizenship prior to the child's 18th birthday. This section is designed to remove a present inequity in the law by putting the child born abroad to a U.S. citizen parent and acquiring U.S. citizenship at birth on an equal footing with the child born abroad to a U.S. citizen parent who does not acquire U.S. citizenship at birth, but subsequently derives it.

Under section 301(a)(7) a child born abroad to an alien-citizen parent combination acquires U.S. citizenship at birth if his U.S. citizen parent resided in the United States for 10 years before the birth of the child, at least 5 of which were after attaining the age of 14 years.

The present law requires that in order to retain this citizenship, the child must return to the United States and reside here for 5 years between the ages of 14 and 28. Section 320 of the present law provides that the child born abroad to the alien-citizen parent combination who does not acquire U.S. citizenship at birth because his citizen parent cannot qualify, can derive U.S. citizenship if the alien parent naturalizes and the child begins to reside in the United States before the child is 16 years of age. The child thus deriving U.S. citizenship does not have any further retention requirements, and is accordingly, at an advantage over the child who acquired U.S. citizenship at birth, but must then return to the United States for 5 years to retain it. The amendment in this section thus gives the child acquiring U.S. citizenship at birth the option to retain his citizenship either through returning to the United States for 5 years, as presently provided in the law, or through the naturalization of his alien parent and beginning residence before the age of 18 as provided in the amendment.

Sections 3 and 4 of the bill amend sections 320 and 321 to change the critical age for automatic acquisition of U.S. citizenship through the naturalization of an alien parent or parents from 16 to 18 years. Under present law, children between the ages of 16 and 18 can acquire U.S. citizenship only through judicial naturalization proceedings commenced by the parent or parents on behalf of the children. Prior to the age of 16, the child can acquire citizenship through the naturalization of the alien parent. Over 18 years, the child can petition for himself. Accordingly, this section would remove a burdensome and time-consuming process for a child between the ages of 16 and 18 and by so doing, restores the law as it existed prior to the effective date of the Immigration and Nationality Act in December 1952.

Mr. HALL. I thank the gentleman.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the distinguished gentleman from West Virginia.

Mr. MOORE. I would like to add in further response to the question raised by the gentleman that there are several private bills pending at the present time that seek to waive this English language requirement. In most instances where these have come to the attention of the subcommittee it has been found that the entire family unit is in the United States. It is a situation in which the sons by and large have distinguished themselves by service in the armed service of our country and the parent by reason of this language disability is unable to become a citizen.

The law presently does provide, and this is in the present law as of December 24, 1952, that if that individual has reached the age of 50 and has been here for 20 years previous to that, the English language requirement is waived.

In other respects, if I may add to that which has already been said in response to the gentleman's question, about whether or not this is going to advance anybody in the preference category, the affirmative action of the House in this legislation would not add an additional incoming immigrant at all in the particular preference categories that are affected by the passage of this legislation. It is controlled by the present law. Ten percent of the figure is allocated to the fourth-preference provision and there would be no acceleration.

They would take—and perhaps the gentleman's query would be to this point—they would take perhaps the number of somebody they had been waiting behind previously as a nonpreference visa applicant and they would go over ahead of that individual as a fourth-preference visa applicant in the event that the parents were naturalized citizens.

Mr. HALL. I thank the gentleman.

Second, regardless of the nice picture, of a person living in a foreign-tongue-speaking enclave of the United States with a hero son in the armed services, I am still personally not quite convinced that we should give them the voting franchise. But I do appreciate the gentleman's remarks.

Mr. MOORE. Actually, I know of no particular instance in which we have been asked for a private bill to grant an English language waiver in which there has been any of the family unit left in the country of origin.

In most of these instances you will find the immigrant mother or father in the United States has been here for a period of 20 years or even longer, the family unit is here—and only in rare instances do you find anybody remaining in the country of origin who would benefit from any action taken under this bill.

Mr. HALL. I thank the gentleman.

Apparently, both the gentleman and the distinguished chairman of the subcommittee feel that this might diminish the number of private bills under that same program.

Mr. Speaker, I withdraw my reservation of objection.

Mr. MOORE. Mr. Speaker, I urge passage of H.R. 555, a bill which will correct certain inequities and improve the administration of our naturalization laws in three instances.

First, the bill will update the Immigration and Nationality Act in its provision for waiver of the requirement of an understanding of the English language for aged persons who have been residents of the United States for more than 20 years.

The second section of the proposed legislation will correct a longstanding inequity by which certain persons born outside the United States as U.S. citizens at birth have been less favorably treated than those who derived their U.S. citizenship through the naturalization of an alien parent.

Finally, the bill would change the age limit for automatic acquistion of citizenship upon the naturalization of parents from 16 to 18 years.

These changes are part of a general program by the Immigration and Nationality Subcommittee to update the Immigration and Nationality Act and to correct inequities revealed by operating experience. With respect to the first change, under existing law section 312 of the Immigration and Nationality Act waives the requirement of an understanding of the English language for any person, who, on December 24, 1952, was over 50 years old and who then had lived in the United States for periods totaling at least 20 years. The proposed change merely means that hereafter whenever a permanent resident alien reaches the age of 50 and has been in the United States for a minimum of 20 years the English language requirement, is waived.

The proposed change presents no new question of policy. The Immigration and Nationality Act resolved in the affirmative the question whether persons over 50 years of age with 20 years of residence, who are otherwise qualified for naturalization, should be excused from the test of their ability to read, write, and speak English.

Fourteen years have elapsed since the cutoff date prescribed in the 1952 legislation. Those who could claim the exemptions today would have to be at least 64 years of age and have lived in this country for as much as 34 years. Those who reached age 50 or who completed the 20 years of residence after 1952 remain ineligible for the exemption, even though they may now be over age 60 and have lived here for as much as 30 years.

The committee felt that those persons over 50 years of age who have resided in the United States for 20 years, and who are otherwise qualified for naturalization should be excused from the test of their ability to read, write, and speak English. The State and Justice Departments have indicated they favor the change.

The bill has been amended in section 2 to provide for retention of U.S. citizenship in cases of certain U.S. citizens who acquired such citizenship at birth. The purpose of this amendment is to remove an obvious discrimination in the immigration law. Under existing law, a child born abroad one of whose parents is a U.S. citizen and one an alien, in order to retain U.S. citizenship acquired at birth, must be continuously physically present in the United States for 5 years between the ages of 14 and 28 years.

However, a child born abroad one of whose parents is a U.S. citizen and one an alien who cannot qualify for at-birth citizenship but can acquire derivative citizenship—section 320(a)—if the alien parent is naturalized while he is under 16 years of age and if he begins to reside permanently in the United States while under 16 years of age. Upon acquiring this derivative citizenship, no action is necessary to retain it.

Thus, a child who acquired citizenship at birth must reside in the United States for a continuous period of 5 years in order to retain that citizenship while a child obtaining derivative citizenship need not meet any requirement. This distinction is discriminatory and entirely unjustified.

Under this amendment, any person who is a national and citizen of the United States at birth under section 301(a)(7) of that act shall not lose his nationality and citizenship if the alien parent is naturalized while such person is under the age of 18 years and such person begins residing in the United States permanently while under the age of 18 years.

This change was also favored by the administrative departments concerned.

The final changes proposed by this legislation provide that children under 18 years of age may acquire U.S. citizenship through the naturalization of their parents. Under existing law, the critical age for automatic acquisition of U.S. citizenship by children by operation of law through the naturalization of a parent or parents is 16 years. Children between the ages of 16 and 18 can acquire that status through judicial naturalization proceedings commenced by the parent or parents on behalf of the children. This amendment would change the critical age for automatic acquisition of citizenship by children from age 16 to 18. In so doing, it restores the law as it existed under the Nationality Act of 1940 until the effective date of the Immigration and Nationality Act, December 24, 1952. It is believed that the present law is burdensome, time consuming, and without any apparent useful purpose.

The Departments of State and Justice have recommended the enactment of this legislation also.

Mr. Speaker, I urge the passage of H.R. 555 by the House.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 555

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso contained in paragraph (1) of section 312 of the Immigration and Nationality Act (8 U.S.C. 1423) is amended by striking out "or to any person who, on the effective date of this Act, is over fifty years of age and has been living in the United States for periods totaling at least twenty years" and by inserting in lieu thereof the following: "or to any person who, on the date of the filing of his petition for naturalization as provided in section 334 of this Act, is over fifty years of age and has been living in the United States for periods totaling at least twenty years".

With the following committee amendment:

On page 2, at the end of the bill, add three new sections to read as follows:

"Sec. 2. Section 301(b) of the Immigration and Nationality Act (8 U.S.C. 1401) is amended to read as follows:

"'(b) Any person who is a national and citizen of the United States at birth under paragraph (7) of subsection (a) shall lose his nationality and citizenship unless—

"'(1) he shall come to the United States prior to attaining the age of twenty-three years and shall, immediately following such coming, be continuously physically present in the United States for at least five years: *Provided*, That such physical presence follows the attainment of the age of fourteen years and precedes the age of twenty-eight years; or

"'(2) the alien parent is naturalized while the child is under the age of eighteen years and the child begins to reside permanently in the United States while under the age of eighteen years.'

"Sec. 3. Paragraphs (1) and (2) of section 320(a) of the Immigration and Nationality Act (8 U.S.C. 1431) are amended to delete the word 'sixteen' and substitute in lieu thereof the word 'eighteen'.

"Sec. 4. Paragraphs (4) and (5) of section 321(a) of the Immigration and Nationality Act (8 U.S.C. 1432) are amended to delete the word 'sixteen' and substitute in lieu thereof the word 'eighteen'."

The committee amendment was agreed to.

Mrs. MINK. Mr. Speaker, I rise to urge the approval of H.R. 555 pending before us today. This legislation will amend the Immigration and Nationality Act in several ways to remove what I believe to be inequities or inconsistencies in the present law. It will authorize the waiving of the requirement for understanding the English language for anyone wishing to become naturalized who has reached the age of 50 and has lived in the United States for at least 20 years; it will allow individuals acquiring U.S. citizenship at birth in foreign countries to retain that citizenship by taking up residence in the United States before reaching the age of 18; and it will raise the age for automatic acquisition of U.S. citizenship by children through naturalization of parents from 16 to 18 years.

I am in thorough accord with the provisions of this legislation and in fact have introduced two bills earlier this year, H.R. 3596 and H.R. 3597, to accomplish the first two amendments set forth in H.R. 555. There were many aliens in my State of Hawaii who, through enactment of Public Law 82–414 in 1952, were enabled to acquire citizenship without having to understand the English language. This waiver provision in the 1952 act, however, was limited to those persons who had attained the age of 50 and had lived in this country for 20 years, as of the effective date of the act. Thus any alien born after December 20, 1902, would not be enabled to be naturalized without passing the English language test. There are still many elderly people in Hawaii, Mr. Speaker, who came to this country long after having completed their schooling in the land of their birth.

To attain fluency in the language in their declining years, after having spoken their native tongue all their lives, poses a very difficult problem for many of them, and we must keep in mind that Congress recognized in its 1952 action that it concurred in the principle that a person could demonstrate loyalty to this country and an understanding and appreciation of the principles of our way of life even if his naturalization test were conducted in a language other than English. I am not here concerned with young immigrants to our shores, who have ample time and capacity for learning English, but those older aliens who in many cases are moved late in life to demonstrate their allegiance for this country by acquiring American citizenship. The 20-year residence requirement I am convinced is a safeguard against injudicious application of this waiver, and I believe that it will be in our best interests to extend the opportunity first enunciated in Public Law 82–414 to those resident aliens who have subsequently attained the age of 50 and wish to become citizens of the United States.

The second section in H.R. 555 is designed to amend section 301(b) of the Immigration and Nationality Act, which presently requires a child acquiring citizenship at birth abroad of a citizen and alien parent to come to the United States between the ages of 14 and 28 and reside here for 5 continuous years to retain his citizenship. However, a child likewise born of an alien and a citizen parent abroad, which child does not acquire citizenship at birth because of the citizen parent's not having met certain U.S. residence requirements before going abroad, may acquire derivative U.S. citizenship if he begins to reside permanently in this country while less than 16 years of age and if his alien parent also becomes a naturalized citizen before the child reaches 16. In this latter case, the individual deriving such citizenship does not have to meet a 5-year continuous residence requirement to maintain his status, and thus he is given an advantage over the individual who is a citizen of the United States at birth in a foreign country. H.R. 555 as reported out of the Judiciary Committee will eliminate this inequity by amending the law to read that any person born a citizen of the United States overseas may retain this citizenship if he begins to reside permanently in this country before he is 18 years old and if his alien parent is also naturalized while such person is still under 18. Thus natural-born citizens of the United States will no longer have to meet the 5-year residency requirement that present law imposes upon them.

The final two amendments in this legislation will allow children under 18 years of age to acquire U.S. citizenship through the naturalization of their parents, rather than only up to the age of 16 as the law presently reads. These are perfecting amendments recommended by the Department of Justice to bring the statutes into conformity with the Nationality Act of 1940 which was changed by the 1952 act.

I would like to commend the Judiciary Committee for taking affirmative action on these matters and for reporting out a bill which I believe highly commendable and deserving of early passage. The Department of Justice recommends passage of H.R. 555 whose principles are worthy of our unanimous support.

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, I welcome the opportunity to rise in support of favorable consideration of H.R. 555, for the purpose of amending section 312(1) of the Immigration and Nationality Act. This section contains the general requirements that applicants for naturalization be able to speak, understand, read, and write the English language, and an exemption from those requirements.

Indeed, I respectfully submit that the bill merely implements an existing congressional policy which has become largely ineffective with the passage of time. It is safe to state that, during the interim period of the past 13 years, the vast majority of aliens who could qualify for the English language exemption under section 312(1), in its present context, have availed themselves of the benefit and, if otherwise eligible, have become naturalized citizens of the United States. Accordingly, to a very considerable extent, the exemption provision has a relatively negligible application at the present time.

On the other hand, among the more than 3 million aliens residing permanently in the United States, there are a very great many who were not eligible for the English language exemption in 1952, either because they lacked a year or more of residence, or were 1 or more years under the age of 50. Although otherwise worthy of citizenship, these deserving persons have been unable to achieve their desire to become citizens, because of their inability to satisfy the English language requirements. Within this large group are persons who have now lived in the United States for well over 30 years, and others who are more than 60 years of age. Logic and commonsense should convince us, I think, that aliens who have accumulated lengthy residence and have arrived at an advanced age during the past 13 years are no less worthy of the exemption than those who qualified for the benefit on December 24, 1952.

The aliens who will benefit from this bill are representative of diverse foreign nationalities, and live in all sections of the United States. I have been fortunate enough to meet, observe, and know personally many men and women in this elderly group. They are, for the most part, the fathers and mothers of a fine, representative generation of young American citizens, born and reared in this country. I am familiar with the extent to which these parents have sacrificed themselves to educate their children, and bring them up in the traditional American manner. To me, these sacrifices show a spirit of loyalty and devotion to democratic ideals, and a dedication to the welfare of the United States, which betoken a sense of good citizenship in its highest form. Elderly longtime residents who have demonstrated their qualifications for citizenship in this fundamental manner should not be deprived of the opportunity to become citizens merely because they have been unable to learn the English language.

Of particular concern to me are the many members of this elderly group who have come from Mexico and other Spanish-speaking countries, and have been residing in my home State of Texas and other parts of the Southwest for many years. I have visited these Spanish-speaking people in their homes, have watched them work, and I know their problems well.

In the past, I have taken the floor of the House to speak of the need of special measures to improve their living conditions and assure them better educational and job opportunities. Devoted as they have been to the solidarity of the home and the welfare of their families, their lives have been years of backbreaking toil, hardship, and poverty, years of constant struggle to earn the bare necessities of life for themselves and their children. Although their burdens have been far greater than those of other residents of foreign birth, who have been enjoying the good American life, these God-fearing people have withstood them with courage and forbearance, ever obedient to the law and loyal to the United States and the principles of its Government.

The great majority, despite the heavy demands upon them, have successfully raised and educated children who have served this country well in agriculture, industry, the professions, and the Armed Forces. The cost of these accomplishments, however, has been a heavy one, for these elderly fathers and mothers have had to forgo the opportunity to improve their lot by education. Throughout the years, few, if any of them, have had the time to attend citizenship classes where they could receive assistance in learning the English language. Moreover, with the passing of the years, the infirmities of advanced age and a diminished capacity to learn make it virtually impossible for them to acquire this knowledge.

Mr. Speaker, I say to you with the utmost sincerity, that these elderly Spanish-speaking men and women, my neighbors and friends, have been good citizens in fact for many years. Above all, my meetings with them have disclosed their fervent, heartfelt yearning to become citizens in name as well. This privilege is being denied them solely because, in the twilight of a life of sacrifice, they have been unable to master the intricacies of the English language. I counsel you to remove this obstacle, and to permit them to achieve full citizenship of the adopted country they have served so well. Indeed, how can we deny this assistance to them when, in some instances, their sons have surrendered their lives in the cause of freedom and justice upon battlefields abroad?

H.R. 555 will materially assist many of these deserving persons to become citizens and, again, I strongly urge you to accord the measure favorable consideration today.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 312, 301(b), 320(a), and 321(a) of the Immigration and Nationality Act."

A motion to reconsider was laid on the table.

LAND CONVEYANCE, GLENDALE, ARIZ.

The Clerk called the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I wonder if someone could give us some justification for the fact that this bill provides that the city would acquire this land at less than the market value.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I thank the gentleman for yielding.

Mr. Speaker, this represents a unique situation in that initially some 20 acres were deeded to the city of Glendale for the purpose of the poultry experiment station named in the bill. Ten of those acres were acquired by the deeding from an individual as a gift to the city for the purpose of conveyance to the Federal Government. As a result, it was felt by all parties concerned that it would be unfair, since the Federal Government in effect received this as a gift from an individual initially, to charge the full price for the land involved.

Mr. PELLY. If the gentleman will permit an interruption, I am wondering whether possibly the fact that this land will be used for recreational purposes alone might be justification for paying less than the market value for the property.

Mr. STEIGER of Arizona. If the gentleman will yield further, I thank the gentleman for bringing that point to our attention. In addition to the unique factor of the gift made initially by the individual to whom I have referred, the factor of recreation, of course, was one of the significant deciding situations in that the city of Glendale is completely deficient in recreational areas. It was felt that this was in keeping with the national trust to provide recreation areas for urban communities.

Mr. PELLY. Mr. Speaker, in view of the explanation of the gentleman from Arizona, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DINGELL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

RICE MARKETING EXCESS—DELIVERY TO COMMODITY CREDIT CORPORATION

The Clerk called the bill (S. 2195) to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, may I interrogate the chairman of the committee, the gentleman from Texas [Mr. POAGE]?

The SPEAKER. The gentleman from Pennsylvania reserves the right to object?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I notice that this bill provides that if a rice grower plants more than his quota of acreage and has an excess crop, under present law he would have to destroy it within 30 days of harvest time. This measure would permit him to keep the rice on the ground, and he would have to turn it over to the Commodity Credit Corporation.

First, how much would this rice amount to; second, will it upset the marketing quotas, and will it upset market conditions if this rice is not destroyed? Would it throw the rice program out of balance?

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Texas.

Mr. POAGE. Frankly, there is so little

involved we do not anticipate it would have any material effect on the supply and demand of the commodity whatsoever. All this measure requires is that if a farmer overplants, instead of having to go out into his fields and drain all the water off this rice—as you know, rice is planted under water and present law would require him to plow it up—this measure would provide that instead of causing him to drain all the water off his entire crop, dry it so he could plow it, and then plow it up, he could harvest the entire crop and turn over the proportionate part of the crop that was attributable to the excess acres and give it to the U.S. Government at no cost whatever to the Government and without any benefit whatever to the individual. The measure would protect the farmer so that he would not have to destroy the rest of his crop in order to come into compliance.

Mr. JOHNSON of Pennsylvania. Do you have any idea what the Commodity Credit Corporation would do with the rice?

Mr. POAGE. What they would do with it? They would probably give it to the school lunch program or for some use of that kind.

Mr. JOHNSON of Pennsylvania. The fact that the ricegrowers would not have to destroy it but could give it away to the Government—would that encourage large-scale and indiscriminate overplanting, which would afterward glut the market?

Mr. POAGE. As I tried to explain a moment ago, and I realize it could not be heard, I sought to explain the present penalty is extremely expensive for any farmer who overplants. It has always been expensive to him, because if he overplants rice, unlike overplanting of cotton or wheat, he cannot simply go out and plow it up without any cost except that of plowing it up. The rice farmer has to get the water off that rice before he can plow it up. To do that, he has to remove water from his entire ricefield—most of which, of course, is within his allotment—or he has to build a special levee. Either of these would be extremely expensive.

So that he may be treated like other farmers are treated, he is allowed, under the terms of this bill, to go ahead and let all the rice mature, to harvest all the rice, and he has to pay the expenses of harvesting it all. Then he has to turn over an amount proportionate to his overplanting. If he has 2 percent overplanted, he has to turn over 2 percent of his production to the Government, without any payment from the Government. So he has the cost of doing the planting, cultivation, and harvesting, with no return whatsoever. Nobody will incur such an expense deliberately or intentionally, but it is very difficult sometimes to figure the exact acreage of these rice allotments and that is the purpose of this bill—to discourage overplanting without imposing an unfair penalty.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I thank the gentleman.

With the assurance that this is a very small item and will not upset the market, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 2195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end of subsection (e) thereof a new sentence as follows: "If the farm marketing excess of rice determined for any farm is delivered to Commodity Credit Corporation or any other agency within the Department, in accordance with regulations prescribed by the Secretary, such farm shall be considered to be in compliance with the rice acreage allotment for such year."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

AUTHORIZING EXCHANGE OF CERTAIN VESSELS FOR CONVERSION AND OPERATION IN UNSUBSIDIZED SERVICE BETWEEN THE WEST COAST OF THE UNITED STATES AND THE TERRITORY OF GUAM

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12638) to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of Commerce (hereinafter referred to as the 'Secretary'), acting by and through the Maritime Administration, pursuant to the provisions of section 510(i) of the Merchant Marine Act, 1936 (46 U.S.C. 1160(i)), is authorized to trade out in exchange for obsolete vessels two C-4-type vessels for the purpose of conversion and operation in unsubsidized service between the west coast of the United States and the Territory of Guam by the person acquiring the traded-out vessels without regard to whether such person receives operating-differential subsidy under the Merchant Marine Act, 1936, for any other of his operations. The Secretary shall exchange the vessels under authority of this Act under such terms and conditions as he deems necessary to insure that if the person who acquires the two C-4-type vessels discontinues his operation of such service, the vessels will be sold to his successor in such service at their fair and reasonable value as determined by the Secretary and subject to such other requirements as the Secretary determines necessary to protect the interests of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendment was concurred in.

The title was amended so as to read: "An act to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the Territory of Guam."

A motion to reconsider was laid on the table.

NAMING THE POST OFFICE AND FEDERAL OFFICE BUILDING, BRONX, N.Y., IN HONOR OF THE LATE CHARLES A. BUCKLEY

Mr. GRAY. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 13833) to provide that the post office and Federal office building to be constructed in Bronx, N.Y., shall be named the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley, a Member of the U.S. House of Representatives from the State of New York from 1935 through 1964.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the post office and Federal office building to be constructed in Bronx, New York, shall be named the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley, a distinguished Member of the United States House of Representatives from the State of New York from 1935 through 1964. Any reference to such building in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Charles A. Buckley Post Office and Federal Office Building".

The SPEAKER. Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 420]

Abbitt
Adair
Annunzio
Ashley
Aspinall
Bates
Battin
Bell
Betts
Bolling
Brock
Broomfield
Button
Celler
Clausen, Don H.
Corbett
Curtis
Daddario
Dent
Dickinson
Diggs
Dorn
Dwyer
Edmondson
Frelinghuysen
Fulton, Tenn.
Green, Oreg.
Halleck
Hansen, Wash.
Hardy
Heckler, Mass.
Horton
Irwin
Jones, Mo.
Kornegay
Kupferman
Landrum
Latta
Lukens
Madden
Mathias, Md.
Monagan
Morgan
Multer
Nelsen
Nichols
Pickle
Pirnie
Pool
Resnick
Rivers
Roberts
Ronan
Sandman
St. Onge
Saylor
Scott
Sikes
Sisk
Skubitz
Steed
Stephens
Stratton
Stuckey
Tuck
Tunney
Van Deerlin
Vanik
Watson
Watts
Williams, Miss.
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt

The SPEAKER. On this rollcall 358 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NAMING THE POST OFFICE AND FEDERAL OFFICE BUILDING, BRONX, N.Y., IN HONOR OF THE LATE CHARLES A. BUCKLEY

The SPEAKER. The gentleman from Illinois is recognized for 20 minutes.

Mr. GRAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill, H.R. 13833, would name a Federal building that is now under design by the General Services Administration in the Bronx, N.Y., after the late and distinguished Charles A. Buckley, who was chairman of the full House Committee on Public Works, and who served in Congress for 30 years. Many of the progressive pieces of legislation that this Congress has passed were passed by the House Committee on Public Works while Mr. Buckley served as its chairman. I would mention just a few: The Interstate Highway Act of 1956; the Antipollution Control Act; the Public Works Acceleration Act; and many, many other pieces of legislation.

The naming of a public building in this manner is not an uncommon practice. We have previously named Federal buildings after distinguished Members of Congress. For example, just before taking up this bill, by unanimous consent we passed a similar bill to name a Federal building in Detroit, Mich., after the late Senator Pat McNamara, of Michigan.

This measure would not cost the Government any money.

As I explained earlier, the building in the Bronx, N.Y., is now in the planning stages by the General Services Administration.

The House Committee on Public Works passed this bill out unanimously, feeling that it would be a fitting tribute to pay to the distinguished former chairman of the House Committee on Public Works. Charley A. Buckley, of New York.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and to include extraneous matter and tables on the bill H.R. 13833.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Speaker, I wholeheartedly support this legislation.

Mr. Speaker, it is most fitting and proper that the Committee on Public Works has reported legislation honoring my late and great friend, former chairman of the committee, the distinguished member from New York, Charlie Buckley, by designating that a post office and Federal office building be named in his memory.

Charlie Buckley, whom I knew during his entire tenure of office in the House of Representatives, was a New Yorker in the true sense of the word. He was both born and bred in the borough of the Bronx and, for him, the Bronx was the ultimate place to live and carry on his work.

He had a long and distinguished career of public service, for the city and State of New York and, for 30 years, eventually as chairman of the Committee on Public Works. During this entire period of service one always knew where they stood with Charlie Buckley. He was a man of few words, but he was direct. He was gruff but was friendly and a true friend in the real sense of the word. He was a legislator who voted the courage of his convictions over the years and with force threw his weight behind those bills which would help the people of Bronx, N.Y., and the United States as well.

I know, as a member of the Subcommittee on Public Buildings and Grounds, of the work Charlie Buckley did to obtain the authorization for the Bronx post office and Federal office building, which will serve the entire area of the Bronx. He worked diligently and for long hours to obtain the authorization for the building and was delighted when his beloved Bronx was recognized as a site for a post office of its own.

It is redundant for me to say I support H.R. 13833 today. I support the legislation wholeheartedly and sincerely, and I recommend its enactment.

Mr. GRAY. Mr. Speaker, I have no further requests for time.

The SPEAKER. The gentleman from New York [Mr. GROVER] is recognized.

Mr. GROVER. Mr. Speaker, I yield to the gentleman from Iowa as much time as he may consume.

Mr. GROSS. Mr. Speaker, I wonder if anyone has a record of the attendance of the former chairman of the Committee on Public Works during the time that he was supposed to be the chairman of that committee?

Mr. GRAY. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. Yes, I am glad to yield to get some information on that subject.

Mr. GRAY. I would say to the distinguished gentleman that I do not have that information. However, I do have information that is pertinent to this bill.

The Members who served on the House Committee on Public Works, and who worked very closely with the late Charles Buckley, will testify that he worked very hard on a number of bills that have national import. I have already enumerated some of them. There are many more.

This bill was reported out of the committee by a unanimous vote. I would hope that the gentleman would not object. The late Charles Buckley served 30 years in this House, and he served on the city council of the great city of New York for three terms, and as tax assessor for 5 years for the State of New York.

Mr. GROSS. Mr. Speaker, that information is to be found in the report, but what I am trying to find out—and I have been here a few years myself—is whether a beneficiary of this honor, and in this case it may be called an honor, was actually chairman of the Public Works Committee and was there when the committee sessions were held. This is the question, and I would like to hear from some of the other Members of the committee, if they care to comment.

Mr. GRAY. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Speaker, I would state that the fact the bill was reported out unanimously is a pretty good testimonial to the work of the late Charles A. Buckley.

Mr. GROSS. I have heard of any number of bills being reported out unanimously.

Mr. GRAY. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Yes, I yield to the gentleman, but first a question.

Is there any intention of naming a Federal building in the city of New York for Adam Clayton Powell?

Mr. GRAY. A good question, but the answer is absolutely not.

Mr. GROSS. I do not seem to be able to get very far with the proposition presently before the House, insofar as the beneficiary of it is concerned.

Mr. Speaker, let the RECORD show that I did not oppose legislation approved earlier today that honors the late Senator McNamara of Michigan, by naming a building for him. It is not pleasant to intervene in matters of this kind and I believe it is the first time that I have done so. In the pending case I simply do not feel that this action is warranted and I want the RECORD to show that I am opposed to it.

Mr. FALLON. Mr. Speaker, I am pleased that the Committee on Public Works has unanimously reported H.R. 13833, a bill to name the post office and Federal office building in Bronx, N.Y., the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley. Charlie Buckley and I served together in Congress for many years. We worked shoulder to shoulder in the Committee on Public Works during his tenure in Congress and with the committee.

Charlie Buckley was a good friend of mine and a man who, I know, was dedicated to his State, city, and county, Bronx County in New York.

During the years we worked together closely on many major pieces of legislation, including the Federal-Aid Highway Act of 1956, the water pollution program, public works acceleration program, and the Appalachian program.

It was during Mr. Buckley's tenure of office and as a result of his unceasing efforts that there was finally authorized by the committee the post office and Federal office building for the Bronx. This building is now on the drawing board and in a few years it will be a physical reality. It is altogether fitting and proper and a unique honor, in my opinion as Mr. Buckley's successor as chairman of the Public Works Committee, that this building, to which he devoted so much of his time and energy, should be named after him.

Charlie Buckley was a Bronxite first, last, and always; and I believe if he were here today no one would be more pleased than himself to be identified with this building in his home.

Mr. FINO. Mr. Speaker, I rise in support of the proposal to name the new Bronx County Post Office and Federal Building in New York City after our distinguished former colleague, the Honorable Charles A. Buckley, who served the Bronx so well in Congress for 30 years until his retirement in 1964.

As everyone knows, Charles A. Buckley served for some years as chairman of the House Public Works Committee, and one of his greatest concerns was the new Federal building we are considering here today. No one worked harder for this project than Charlie Buckley. Nobody was more instrumental in bringing this new building off the drawing boards than Charlie Buckley. I think that it is only fitting, therefore, that the new Bronx Federal building be named Charles A. Buckley. As chairman of the Public Works Committee when the Federal building was first approved, Charlie Buckley is the man who gave this Federal building life.

The new Charles A. Buckley Post Office and Federal Building is to be built right in the center of the Bronx, only a few blocks away from the district which I have the honor to represent. The building is going to make a great contribution to the redevelopment of its immediate neighborhood, and I am sure that this would have pleased Charlie Buckley greatly. I can also say that it will please many of the people who live in the immediate neighborhood of the new Federal building to have it named for Charlie Buckley. He was a very well-liked man in this part of the Bronx and you could say he was something of a native son. His home was not very far away.

In closing, let me once again urge this House to favorably consider this legislation. In naming the new Bronx Post Office and Federal Building after our late distinguished colleague, Charles A. Buckley, we are paying a fitting tribute to a great Bronxite and a great public servant.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois [Mr. Gray] that the House suspend the rules and pass the bill H.R. 13833.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADULT EDUCATION AMENDMENTS

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11276), to authorize appropriations to carry out the Adult Education Act of 1966 for 2 additional years, as amended.

The Clerk read as follows:

H.R. 11276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 304(b) of the Adult Education Act of 1966 is amended by striking out "the establishment or expansion of adult basic education programs to be carried out by local educational agencies" and inserting in lieu thereof the following: "carrying out the State plan".

Sec. 2. The second sentence of section 307 of such Act is amended to read as follows: "For the fiscal year ending June 30, 1967, and the three succeeding fiscal years, the Federal share for each State shall be 90 per centum, except that with respect to the Trust Territory of the Pacific Islands, such Federal share shall be 100 per centum."

Sec. 3. Section 314 of such Act is amended by striking out "and" after "1967," and by inserting after "1968," the following: "$60,000,000 for the fiscal year ending June 30, 1969, and, for the fiscal year ending June 30, 1970, such sums as may be necessary,".

The SPEAKER. Is a second demanded?

Mr. SCHERLE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, H.R. 11276 proposes to authorize expenditures in the present ongoing adult basic education program for the next 2 fiscal years.

For the fiscal year 1969 it will be $60 million, the amount which is presently authorized for fiscal year 1968. For fiscal year 1970 it will be such sums as may be appropriated by the Congress.

The diligent efforts of the chairman of the subcommittee, the gentleman from Illinois, Congressman Pucinski, and the bill's sponsor, our distinguished colleague from California, Mr. Hawkins, are responsible for guiding this legislation through the subcommittee and committee deliberations. The broad support for this legislation is attributable in large part to the hard work and leadership of the bill's sponsor, the gentleman from California, Gus Hawkins. I am pleased to advise you that this bill was unanimously reported out of the committee. Not one dissenting vote was heard attesting to the bipartisan support accorded this vital program.

I know the gentleman from Illinois [Mr. Pucinski] will provide you with a complete analysis of this bill, and I will not therefore take the time to go into it extensively. With your indulgence, however, I would like to mention a few thoughts I have on this subject. Mr. Speaker, this legislation from its inception back in 1962, at which time hearings were conducted both in Washington and my home State of Kentucky, has directed its underlying goal toward reaching a somewhat forgotten segment of our population. During these hearings, I remember saying that "few of us stop to realize what the inability to fill out employment forms, read instructions accurately, read a newspaper, or read a Bible can mean to an individual." Need I stress the fact that this is one statement that does not change with the passage of time. It is just as difficult today—just as frustrating today—just as embarrassing today—not to be able to fill out forms, read the Bible or the newspaper, and to comprehend written instructions.

Just recently an item appeared in the Pikeville, Ky., Pike County News, that Morehead State University would receive $96,000 in Federal funds to promote adult basic education in the Appalachian region. This project was part of the Adult Education Act of 1966, and will develop and demonstrate ways of improving the adult education program in this area. The article told about an important part of the 1966 act—the special projects provision—and these are the programs which have meant a great deal to Kentucky. Morehead State University is coordinating the efforts of eight State advisory councils involved in the Appalachian project, in an attempt to reach the people who live in isolated portions of the Appalachian area in an all-out effort to combat illiteracy.

We have how many times been told that it is with the youth of this country that we must concern ourselves. We have as a result directed the major thrust of our congressional activity toward assisting them and making it possible for them to better equip themselves to be more highly competitive in our specialized society. This was—and surely is today—a great effort, and who doubts the tremendous task involved which requires a massive concentration of our resources in this direction.

Nevertheless, we cannot disregard the millions of our adult citizens who, for whatever reason, do not have benefit of a basic education. These people have the intelligence—they just need the opportunity. And the adult basic education program provides this opportunity. The needs of the undereducated are discussed a great deal today. But even though the terminology and statistics are easily heard or spoken, the actual picture still requires an audience which will listen and apply, observe, and act.

Before the Adult Education Act of 1966 came into being, 38,000 people were enrolled in various parts of the country in adult basic education programs. Today, the enrollment figure exceeds 400,000, and every one of the 50 States is operating classes. This is astonishing growth, to be sure. But there are yet 24 million Americans, age 18 or over, who have not completed the eighth grade. They need to be included in the adult basic education program. The main purpose of the program is to provide the basic skills needed to lead to on-the-job training, work-study, vocational training, high school equivalency, and higher education. For those the program has reached, the future offers hope. For those it has not, there is continued doubt, frustration, humiliation, and economic deprivation.

In Kentucky last year, more than 9,000 people were enrolled in programs of adult basic education. Funds in the amount of $637,872 were spent on just teaching fundamental reading and writing. Looking at the program nationally, the worth of this legislation can be illustrated by a glance at the enrollment figures in a few States of people who have availed themselves of the opportunity to better themselves economically, culturally, and socially. In California, during fiscal year 1967, 28,795 adults participated in adult basic education programs; 32,771 in Florida; 18,300 in New Jersey; 17,597 in Illinois; 4,833 in Indiana; and 1,458 in Oregon. Across the Nation, special projects are seeking to discover more about the learning characteristics—and educational requirements—of the urban ghetto dweller, the migrant worker, the Indian, the unemployed, and the underemployed.

The youth of our country who have been provided the opportunity of a higher education are repeatedly cautioned that they must learn to speak the language, to express their thoughts—to sell themselves via the spoken and written word. Is this not as crucial a concern for our adults today who, because of a lack of basic educational attainment, have not been able to "sell themselves completely" even though they have the basic potential and the untapped ability. This bill makes it even more possible for these people to stop shortchanging themselves by enrolling in adult education classes, which are today, as I stated and I now wish to stress again, being conducted in every State of the Union. The amendments to the program which we are now considering will facilitate greater participation of private nonprofit agencies in adult education programs in accordance with State policy. This means that more facilities will be made available which in turn means more people will be reached and given the chance to pull themselves out from under.

The Adult Education Amendments of 1967 includes provisions for more participation of the Trust Territory of the Pacific Islands in adult basic education programs by increasing the Federal share of the costs of programs conducted in this area. Finally, the bill authorizes appropriations of $60,000,000 for fiscal year 1969, the same as that authorized for the present fiscal year; and extends the authorization of funds for the program through fiscal year 1970.

Mr. Speaker, I know from firsthand experience the great worth of these programs, and how much they mean to so many of our citizens. Under the able guidance of the Kentucky superintendent of public instruction, Dr. Harry Sparks, the statewide development of adult education classes in Kentucky has increased in quantity and in quality. I have seen the results of this legislation, and I am therefore able to stand before you today and give you unreserved recommendation that the Federal funds expended under this program go for a very worthwhile program, and the amendments which we lay before you today will increase the value of the program, and increase the return on this investment in countless ways. The Adult Education Amendments of 1967, H.R. 11276, deserves your affirmative vote today in this body.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. Yes. I yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Speaker, I do not rise in opposition to this bill, in fact I am very much in favor of this legislation as amended. I think the original problem, Mr. Speaker, was that in the process of printing the bill a phrase of the committee amendment was unintentionally left out which would render the 1970 authorization useless.

Mr. PERKINS. The gentleman is correct, one phrase is left out of the bill "and for fiscal year 1970." Those words were erroneously omitted in the printing but are accurately reported in the committee report.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman yielding.

I would simply like to know, because of the confusion under the legislative situation in which we find ourselves, if the proposed amendment which will be acted on later will take the "open-ended" feature out of this as set forth in line 12, page 2, of H.R. 11276, which is under present consideration?

Mr. PERKINS. No. The correction of the clerical error of omitting a phrase from the language will not take out the open-ended feature for fiscal year 1970. I will state to the gentleman that during the course of the fiscal year 1969 our committee will consider an appropriate authorization level for 1970. I do not approve of open-ended authorizations myself. I think we should place a ceiling on authorizations for the fiscal year 1970. We will be back here during fiscal 1969 in order to give the States a leadtime to know exactly what will be appropriated for 1970, and at that time the ceiling will be placed on the bill.

Mr. HALL. But in the meantime there is a limitation of $60 million through fiscal year 1969?

Mr. PERKINS. That is correct.

Mr. HALL. I thank the gentleman for his explanation.

Mr. SCHERLE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of the Adult Education Amendments of 1967, H.R. 11276. The bill extends the program for two additional years and provides an authorization of $60 million for fiscal year 1969 and such sums as may be necessary for fiscal year 1970. In addition, 100 percent—rather than the existing 90 percent—Federal financing is made available for the Trust Territory of the Pacific Islands. Finally, the legislation is amended to permit private nonprofit agencies to undertake general adult education projects in States which find this approach necessary to supplement the facilities provided by local education agencies.

The extensions and improvements, Mr. Speaker, in adult education contemplated by the bill are urgently needed to assist the 4 million adults who cannot read and have less than a fourth-grade education, as well as those 20 million "functional illiterates" who never reached the eighth grade. Their lack of basic education frequently makes it difficult for them to obtain and to retain a job of permanence and substance. In its 2 years of operation the program increased from 38,000 enrollees to 400,000 in all of the 50 States.

Mr. Speaker, the future of these individuals and the economic and social health of our Nation are dependent, to a large degree, upon the continuation and the improvement of this vital legislation.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. Hawkins].

Mr. HAWKINS. Mr. Speaker, I thank the distinguished gentleman from Kentucky for yielding this time to me.

Mr. Speaker, I rise in support of H.R. 11276, a bill to meet our educational crisis of men and women who are struggling through life not knowing how to read or write, or so inadequately they cannot obtain or keep jobs adequate to support themselves and family in human decency.

Three million Americans 18 years and over have never been to school.

Eleven million have less than 6 years in school.

Twenty-four million have not reached the eighth grade.

Since this program began in 1965 we have reached only about 600,000 individuals, or less than 3.5 percent of the immediate target of those with less than 6 years schooling.

This legislation is a vital part of the war on poverty, for the ability to read and write is often the essential part of finding decent jobs or qualifying for training programs.

In today's mechanized world even those who work in the ordinary occupations such as domestics, laborers, cabdrivers, night watchmen must be able to read and write for employment and advancement.

I am proud to be the author of this legislation and to have my name identified with this subject.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentlewoman from Hawaii [Mrs. Mink].

Mrs. MINK. Mr. Speaker, I rise to urge early speedy action on the bill before the House today, the Adult Education Amendments of 1967, H.R. 11276.

This highly successful program has been in operation just over 3 years and has produced impressive results in providing basic education to adult Americans who have less than an eighth-grade education or its equivalent. I am pleased to report that over a half million of our citizens in this category have been reached by the Federal adult education programs, but we realize that we have only scratched at the surface when we view the 1960 census report pointing to the 4 million adult Americans who cannot read and the 24 million without the 8 years of schooling who are referred to nonderogatorily as functional illiterates. People like these, in an era of expanding education for young people, are consigned to the unemployment rolls or at best to only the most menial and insecure types of jobs. By making grants to States to enable such individuals to receive instruction in reading, writing, speaking, computation, home management, and other basic skills, we are doing what I regard as one of the highest purposes of public policy—helping our fellow citizens to help themselves become independent and self-supporting. The $64.5 million obligated in the past 3 years is a small sum when weighed against the removal of so many from the welfare roles and the renewed self-pride made possible by this educational effort.

The Adult Education Amendments of 1967 will extend the authorization, due to expire on June 30, 1968, an additional 2 years, and calls for a $60 million appropriation in fiscal 1969, the same as authorized for 1968, with the 1970 authorization left open for the present. The first major amendment in H.R. 11276 will allow the Commissioner of Education to pay to States with approved plans the Federal share of the cost of carrying out the State plan, a provision which will allow States to utilize private nonprofit agencies in general ABE programs as well as special programs when needed and where State law does not prohibit such use. This amendment will merely give the States more flexibility and broaden the potential resources available to them for operating their programs, but will in no way remove the control of funds from the public agency. Such private facilities could be used for special projects, teacher training, or research in localities where governmental facilities are unavailable for specific facets of the program.

Another amendment that the committee saw fit to include in this bill will make the Trust Territory of the Pacific Islands, the territory we have been administering since World War II under United Nations mandate, eligible for 100 percent Federal funding rather than the 90 percent which the 50 States and three other territories receive. The reason is simply that the low-level economy of this territory in the western Pacific does not produce a tax base to provide the requisite 10 percent local funds.

I believe that these amendments should receive speedy approval, Mr. Speaker, so that the benefits of this act can continue to be made available to adult Americans lacking sufficient education. Whereas adult basic education was initiated as a Federal program under the Office of Economic Opportunity in 1964 with 38,000 enrollees, by 1967 there were close to 400,000 enrolled under the 1966 Act which transferred administration over to the U.S. Office of Education. As I pointed out previously in this Chamber, the 1966 annual report of the Commissioner showed impressive figures. Over 1,641 local programs were in operation throughout America, with an enrollment of 378,906 adults, the majority of whom were from 25 to 49 years old. There were 17,791 teachers, more than 1,000 guidance and counseling personnel, and 1,385 teacher aids moving the program along. When we consider that 125,000 of the adult students were receiving instruction at grade levels 1 to 3 and another 155,000 were only at grades 4 to 6, we get an idea of the depth of the need for a continuing expanded Federal effort if we are to reach more of the 24 million Americans needing this sort of assistance.

In my own State of Hawaii, this effective and well-received program provides free class instruction in grades 1 to 8 and free textbooks. Classes are taught in speech improvement, pre-high-school remedial reading, basic parent education, arithmetic, preparation for the 8th grade diploma, and experimental classes. Federl funds have made possible the installation of a pilot language lab facility at McKinley High School, the equipping of a programed instruction center, rental of churches and other private buildings for daytime classes, and even a pilot ETV program entitled "Operation Alphabet." State funds pay the hourly wages of part-time teachers and supervisors, operating expenses of the 57 centers on six islands, and the free books. The program is so important to Hawaii that a State deficiency appropriation of $100,000 earlier this year helped prevent any operational cutbacks when the Federal funding fell short of the amount needed to fully implement the act.

The nationwide need for continuation of the Adult Basic Education Act is apparent if we are to make equality of educational opportunity operative for Americans of all ages, Mr. Speaker, and I urge speedy approval of H.R. 11276 to that end.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I rise in support of this legislation, H.R. 11276, legislation which came out of the General Subcommittee on Education of the Committee on Education and Labor by unanimous vote. It was also approved unanimously by the full Committee on Education and Labor, with amendments.

Mr. Speaker, in my opinion this is extremely important legislation. It is directed at one of the most serious problems with which our country is confronted, not only the problem of undereducation, but underemployment.

Mr. Speaker, there are other reasons, with which every Member of this House is well familiar.

Mr. Speaker, on October 25, 1967, the General Subcommittee on Education, by unanimous vote, reported favorably H.R. 11276, with amendments, to extend adult basic education programs for 2 additional years. In turn, on November 1, 1967, the full Committee on Education and Labor passed upon the bill favorably, with amendments, and by unanimous vote, ordered it reported to the House.

H.R. 11276 will authorize appropriations to carry out the Adult Education Act of 1966 for an additional 2 years. The present authorization under the 1966 act expires on June 30, 1968. The bill will also amend the act to permit States to utilize private nonprofit agencies in general programs as well as special programs where such resources are needed and are authorized by State law to be included in adult basic education programs. The bill, as reported, also proposes that the Federal share for the Trust Territory of the Pacific Islands be set at 100 percent.

As I am sure my colleagues know, the program originated as title II-B of the Economic Opportunity Act of 1964, and in 1966 it was transferred to the U.S. Office of Education by the Adult Education Act of 1966.

Mr. Speaker, this is a State grant-in-aid program administered by the Department of Health, Education, and Welfare through the Office of Education. The programs objective is the education of illiterate and undereducated adults over 18 years of age.

At present, the program is primarily limited to adults with less than an eighth-grade education.

After approval of State plans by the Office of Education, the States through the local school systems, operate the program, which is funded on a 90 percent Federal, 10 percent State matching basis. All 50 States, the District of Columbia, and four territories are now receiving ABE funds.

The specific mission of this program is to educate adults whose inability to speak, read, or write English constitutes a substantial impairment of their ability to get or retain employment based on their real abilities, with the view of making them less likely to become dependent on others.

Mr. Speaker, I am firmly convinced that this is one Federal program that people were really ready for. The response from around the country, in the comparatively short time that the program has been in operation, has been overwhelming, far in excess of what had been predicted.

I would like to outline some of the accomplishments of the program and how the success of the program to date has been stimulated by cooperation between government and private agencies.

There are approximately 4 million people now living in the United States who cannot read a voting ballot. These are adults who have under a fourth-grade education.

Add to these the "functional illiterates" who went beyond the fourth grade in school, but never reached the eighth, and we have a total of 24 million undereducated Americans. They fill the welfare and unemployment rolls because they do not have the basic education needed to get and keep a job.

To reach this population, Congress initially included adult basic education in the Economic Opportunity Act of 1964, title II-B. In 1966, Congress passed the Adult Education Act of 1966, which transferred adult education programs to the U.S. Office of Education.

The long-range goal of this act, and the previous legislation, is to provide a way for these people to attain educational competence.

The three "R's" are the first step in an adult basic education program that can lead the way toward on-the-job training, work-study, vocational training, high school equivalency and possibly even higher education. Adult basic education can get an adult started. The momentum gained from overcoming embarrassment, economic shame, and self-consciousness can carry him far as his abilities and ambitions will take him.

In 1965, when the adult basic education program began under OEO, 38,000 people enrolled. In just 2 years, the number has increased to 400,000 in 1967. Each State is now operating classes for illiterate adults.

The student in an adult basic education class cannot be described by statistics alone. Adulthood must be equated with the obligations an individual is carrying—not by the years he has lived.

If a person is self-supporting or the head of a family, he is an adult whether he is 18 or 59. The student may be a school dropout in Kentucky, an unskilled worker in Chicago, an immigrant in California, a working mother in Brooklyn, a nonworking father in Mississippi.

He may be poor as in Appalachia where the physical environment cannot support him, or he may be poor as in the urban ghetto where society cannot support him. Because of his social and economic circumstances, he cannot lead the full and productive life he desires. Education alone can help him to achieve his goals.

Through cooperation among various Government and private agencies, more students for adult basic education are being located, recruited, and enrolled.

In one major eastern city, the public transportation service showed 500 posters in buses to announce ABE classes. The sanitation department displayed a poster on each of its trucks. Ten thousand flyers went out with county welfare checks, and the same number was sent with rent receipts to tenants in housing projects. Both radio and television stations donated time for daily spot announcements.

All over the country, the list of people who want and need ABE classes continues to grow, but the list far outnumbers the classroom space and the teachers which the available funds can provide.

Teachers in adult basic education are most often "moonlighters," holding one teaching or skilled job by day and instructing adults at night. Few are trained specifically to teach adults, and few are acquainted with the materials and methods especially suited for adults.

Congress recognized this shortage of qualified, well-prepared teachers for the ABE program and made provisions for a unique program to combat this problem in the Adult Education Act of 1966.

In the summer of 1966, the U.S. Office of Education sponsored the first nationwide program to train ABE teachers. Nine colleges and universities all over the country held 4-week intensive instruction for 982 teachers. In 1967, the total increased to 20 institutes not only for teachers, but also for State and local adult basic education administrators as well.

The institute participants learned of developments in the use of innovative teaching techniques such as individualized learning, team teaching, and tutorial procedures for use with adults. Besides this technical competence, the institutes stressed an understanding of the students' background and problems. In one institute, teachers pretending to be illiterate adults went out to the streets to find a job.

From these institutes, teachers and administrators learned of the technical advances and the personal attitudes that can make them effective teachers of adults. But the process does not stop there. When they return to their States, the participants will pass this information on to many more adult educators in local teacher-training workshops. The end result of this "ripple effect" will be classes of illiterate adults who can learn more in less time.

Time is a vital factor in the adult basic education program. An adult needs to learn much more rapidly than a child. Adults are impatient students. Teachers are finding out that when an adult wants some new knowledge, a new skill, he wants it now. All our comforting words about "It's coming," or "Tomorrow," are not going to keep him in a program that does not produce quickly or cannot persuade his quickly to want to produce.

To make adult basic education more effective, new curriculums related to the adult student's world are being developed. This is a world of menial jobs, crowded living conditions, and little family security. He is first of all an adult and secondly a student, and the curriculum he uses must reflect an objective recognition of his status and recognize his urgent need to improve that status.

Instruction in the basic language and arithmetic skills is the core of the adult basic education program. But a program designed for today's adults cannot be effective if it deals with Dick, Jane, and Spot.

New adult curriculum and materials must guide the student toward a greater knowledge of the society he lives in today. He needs to learn what it means to be a citizen; how to manage family situations; how to read a package label; how to read a ballot. This will make him aware that he has a choice in everything he does, and this awareness will provide him with the freedom of choice that everyone is entitled to have and exercise.

To aid in the development and testing of new and effective materials and methods for teaching adults, the Adult Education Act of 1966 set aside funds for special experimental demonstration projects.

In fiscal year 1967, 10 projects were funded. They were designed to meet the needs of special target populations, including the little educated migrant in the east and west coast migrant stream, the rural poor in Appalachia, and the unemployed neighborhood corpsmen in Washington, D.C.

Each project is developing new levels of cooperation between private agencies and local, State, and Federal governments.

In Columbus, Ohio, Local No. 423 of the Laborer's International Union is working with the city board of education to design an adult basic education program for union members and potential members.

The New York State Department of Education and the New York City Headstart program held adult basic education classes this summer for parents whose children were in Headstart classes.

The Southwestern Cooperative Educational Laboratory, Inc., is working with the State of California and the University of Colorado to develop a program for Spanish-speaking migrants using mobile television units.

In Philadelphia, Pa., the Opportunities Industrialization Center is holding basic education classes in 21 neighborhood homes.

Some projects like North Carolina State University's are developing their own materials for special adult problems. Other projects in Virginia and Kentucky are testing already prepared programed learning and computer assisted systems for their effectiveness with adult populations.

The positive results of each of these special projects are being and will be made available for incorporation into adult basic education programs all over the country. They bring innovative devices and materials into the classroom, and they, in turn, bring classrooms to a variety of locations.

In its short span of operation, the adult basic education program has demonstrated a marked degree of success. In my judgment, this is one of the most beneficial education programs in existence. Its impact per dollar is, I believe, greater than the average educational program, because the simple change from being illiterate to knowing how to read and write is such a major transformation in an adult's life.

It has led the way to new opportunities to self-respect, and to self-sufficiency for many thousands of adults throughout our country.

But it has hardly begun to scratch the surface.

There are more ABE classes, better trained teachers, and more efficient methods and materials, but how many more adults are there still in each of our districts who still cannot read a ballot?

Our society is advancing so rapidly and these people are already so far behind.

We must continue to give them more of the educational tools they need to become full and responsible members of our society. This we owe to them and this we owe to our society.

Mr. Speaker, I would like to include at this point in the record a statistical summary of this program since its beginning in fiscal year 1965 through fiscal year 1968.

The first column—fiscal year 1965—under "Federal funding" indicates only the funds that were obligated by the States but not Federal funds available. Columns 2 and 3—fiscal year 1966 and fiscal year 1967—show only actual Federal allotments to the States. The fourth column—fiscal year 1968—under "Federal funding" is the same as column 3—fiscal year 1967—because of the current continuing resolution which is holding the funding level to the fiscal year 1967 level.

The remaining columns show the number of program participants as reported by the States:

ADULT BASIC EDUCATION PROGRAM

50 States, the District of Columbia and territories	Federal funding				Program participants			
	Fiscal year 1965[1]	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968[2]	Fiscal year 1965	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968
Alabama	0	$880,000	$825,000	$825,000		8,085	9,647	9,647
Alaska	0	45,000	50,000	50,000	0	110	200	200
Arizona	0	463,000	209,000	209,000	0	3,294	3,263	3,263
Arkansas	0	393,000	451,000	451,000	0	4,329	5,503	5,503
California	$1,077,000	1,823,000	1,535,000	1,535,000	1,481	18,873	28,795	28,795
Colorado	0	184,000	132,000	132,000	125	2,144	2,599	2,599
Connecticut	90,000	392,000	304,000	304,000	0	7,858	8,008	8,008
Delaware	0	100,000	50,000	50,000	66	726	611	611
District of Columbia	0	174,000	99,000	99,000	0	1,349	1,400	1,400
Florida	515,000	888,000	798,000	798,000	5,049	24,847	32,771	32,771
Georgia	0	1,364,000	1,063,000	1,063,000	300	17,173	12,997	12,997
Hawaii	27,000	196,000	115,000	115,000	500	10,006	10,000	10,000
Idaho	0	25,000	50,000	50,000	0	18	100	100
Illinois	0	1,579,000	1,155,000	1,155,000	0	17,134	17,597	17,597
Indiana	0	210,000	398,000	398,000	0	1,208	1,500	1,500
Iowa	35,000	217,000	156,000	156,000	256	2,503	2,834	2,834
Kansas	0	139,000	136,000	136,000	0	952	1,592	1,592
Kentucky	483,000	1,321,000	688,000	688,000	7,800	16,126	9,142	9,142
Louisiana	0	1,903,000	990,000	990,000	0	14,795	11,436	11,436
Maine	0	110,000	78,000	78,000	0	1,037	1,300	1,300
Maryland	0	306,000	438,000	438,000	43	4,944	6,000	6,000
Massachusetts	0	722,000	552,000	552,000	0	1,697	2,200	2,200
Michigan	0	2,167,000	757,000	757,000	1,424	13,000	13,898	13,898
Minnesota	0	158,000	221,000	221,000	0	1,222	1,440	1,440
Mississippi	0	332,000	621,000	621,000	0	180	9,813	9,813
Missouri	43,000	485,000	545,000	545,000	0	4,554	4,266	4,266
Montana	0	12,000	50,000	50,000	0	0	100	100
Nebraska	0	132,000	92,000	92,000	175	327	703	703
Nevada	0	96,000	50,000	50,000	200	1,160	1,400	1,400
New Hampshire	0	80,000	50,000	50,000	0	417	657	657
New Jersey	108,000	1,116,000	812,000	812,000	1,200	11,113	14,000	14,000
New Mexico	0	111,000	161,000	161,000	0	1,407	2,974	2,974
New York	828,000	3,698,000	2,416,000	2,416,000	134	19,421	24,000	24,000
North Carolina	832,000	1,384,000	1,185,000	1,185,000	17,000	20,956	25,000	25,000
North Dakota	0	62,000	58,000	58,000	0	90	162	162
Ohio	0	703,000	941,000	941,000	0	7,245	8,526	8,526
Oklahoma	18,000	461,000	325,000	325,000	0	6,707	4,961	4,961
Oregon	0	99,000	107,000	107,000	0	810	1,200	1,200
Pennsylvania	0	1,360,000	1,408,000	1,408,000	0	4,807	9,003	9,003
Rhode Island	28,000	106,000	109,000	109,000	39	1,074	1,616	1,161
South Carolina	0	1,344,000	711,000	711,000	0	21,342	17,406	17,406
South Dakota	0	13,000	50,000	50,000	0	31	100	100
Tennessee	0	1,174,000	859,000	859,000	75	15,374	16,200	16,200
Texas	0	3,914,000	2,042,000	2,042,000	0	49,398	31,675	31,675
Utah	20,000	100,000	50,000	50,000	141	1,257	1,140	1,140
Vermont	0	129,000	50,000	50,000	0	786	1,000	1,000
Virginia	0	133,000	877,000	877,000	0	1,506	6,674	6,674
Washington	64,000	175,000	175,000	175,000	1,983	3,827	5,000	5,000
West Virginia	0	417,000	338,000	338,000	0	9,896	16,374	16,374
Wisconsin	0	26,000	376,000	376,000	0	541	1,000	1,000
Wyoming	0	70,000	50,000	50,000	0	291	500	500
Guam	0	28,000	23,000	23,000	0	234	597	597
Puerto Rico	0	480,000	435,000	435,000	0	19,208	15,624	15,264
Virgin Islands	0	32,000	23,000	23,000	0	262	328	328
Totals	4,169,000	34,132,000	26,280,000	26,280,000	37,991	377,660	406,375	406,375

[1] Funds obligated by States.

[2] Continuing resolution, fiscal year 1967 funding level.

Mr. SCHERLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is my opinion that the Committee on Education and Labor has done an excellent job in bringing forth, this vital piece of legislation.

Mr. Speaker, this continuity in the field of adult education is needed, particularly for the advancement of the poor and undereducated.

It is my further opinion that this bill will be considered favorably—and I am sure it will pass unanimously. Legislation such as this will represent a great step forward in our efforts to alleviate the poverty which exists in our society today.

Mr. Speaker, I yield back the balance of my time.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 11276, which would authorize appropriations to carry out the Adult Education Act of 1966 for 2 additional years.

As the author of legislation enacted in 1955 by the Hawaii Territorial Legislature which first established an adult education program in Hawaii, I have a special interest in the measure we are now considering. I have always regarded the education of illiterate and undereducated adults as a continuing responsibility of government. How else can we hope to have what President Kennedy called "an improved citizenry"—in a society where equal opportunity is said to be within the grasp of all men and women.

While the immediate result of an adult education program may be the improvement of the economic status of millions of undereducated Americans, a goal which alone is worthy of our best efforts to achieve, there are other important benefits which are inherent in such a program. One of these is the selfconfidence education brings to its adult participants. With increased self-confidence comes greater utilization of the abilities of the participating adult and more effective citizenship. Another benefit is the personal satisfaction that is derived from a greater facility to speak, read, and write English, something that does not lend itself easily to measurement with an economic yardstick.

Mr. Speaker, the Adult Education Act of 1966 has only begun to meet a vital need. Our Committee on Education and Labor reports that all over the country, the list of people who want and need adult basic education classes continues to grow, but the list far outnumbers the classroom space and the teachers which available funds can provide. H.R. 11276 is designed to meet this urgent need by authorizing appropriations which would carry out the Adult Education Act of 1966 for 2 additional years. Truly, in the words of our late President, "the education of our people is a national investment."

Mr. Speaker, adult education in America has earned our continuing support.

The **SPEAKER** pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 11276, as amended.

The question was taken.

Mr. SCHERLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent

Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 352, nays 0, not voting 80, as follows:

[Roll No. 421]

YEAS—352

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baring
Barrett
Bennett
Berry
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corman
Cowger
Cramer
Culver
Cunningham
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dingell
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Langen
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Selden
Shipley
Shriver
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Whalen
Whalley
White
Whitener
Whitten
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—80

Abbitt
Adair
Annunzio
Ashley
Aspinall
Bates
Battin
Belcher
Bell
Betts
Boland
Bolling
Broomfield
Button
Celler
Clausen, Don H.
Conyers
Corbett
Curtis
Daddario
Dent
Dickinson
Diggs
Dorn
Dwyer
Edmondson
Evins, Tenn.
Frelinghuysen
Gallagher
Green, Oreg.
Gude
Halleck
Hardy
Heckler, Mass.
Horton
Jones, Mo.
King, Calif.
Kupferman
Landrum
Latta
Lukens
Madden
Mathias, Md.
Monagan
Morgan
Morton
Multer
Nelsen
Nichols
O'Neill, Mass.
Pickle
Pirnie
Pool
Quillen
Resnick
Roberts
Ronan
Sandman
St. Onge
Saylor
Scott
Sikes
Sisk
Skubitz
Smith, Calif.
Steed
Stephens
Stratton
Tuck
Tunney
Van Deerlin
Vanik
Watson
Watts
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Halleck.

Mr. Annunzio with Mrs. Heckler of Massachusetts.

Mr. Daddario with Mr. Horton.

Mr. Roberts with Mr. Latta.

Mr. Charles H. Wilson with Mr. Morton.

Mr. Sikes with Mr. Adair.

Mr. St. Onge with Mr. Mathias of Maryland.

Mr. Dent with Mr. Kupferman.

Mr. Wolff with Mr. Saylor.

Mr. Monagan with Mr. Pirnie.

Mr. Multer with Mr. Widnall.

Mr. Nichols with Mr. Quillen.

Mr. Edmondson with Mr. Frelinghuysen.

Mr. Dorn with Mr. Dickinson.

Mr. Stratton with Mr. Broomfield.

Mr. Resnick with Mr. Conyers.

Mr. Abbitt with Mr. Battin.

Mr. Hardy with Mr. Bates.

Mr. Steed with Mr. Bell.

Mr. Willis with Mr. Nelsen.

Mr. Celler with Mr. Lukens.

Mr. Aspinall with Mr. Scott.

Mr. Landrum with Mr. Curtis.

Mr. Wright with Mr. Don H. Clausen.

Mr. Watts with Mr. Watson.

Mrs. Green of Oregon with Mr. Wyatt.

Mr. Sisk with Mr. Gude.

Mr. Morgan with Mrs. Dwyer.

Mr. Ronan with Mr. Button.

Mr. Pickle with Mr. Betts.

Mr. Madden with Mr. Sandman.

Mr. Tuck with Mr. Skubitz.

Mr. Tunney with Mr. Vanik.

Mr. Van Deerlin with Mr. Stephens.

Mr. Ashley with Mr. Boland.

Mr. Evins of Tennessee with Mr. Corbett.

Mr. King of California with Mr. Belcher.

Mr. Gallagher with Mr. Diggs.

Mr. Pool with Mr. Smith of California.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to authorize appropriations to carry out the Adult Education Act of 1966 for 2 additional years, and for other purposes."

A motion to reconsider was laid on the table.

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13054) relative to age discrimination in employment.

The Clerk read as follows:

H.R. 13054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Age Discrimination in Employment Act of 1967".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that—

(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;

(2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;

(3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;

(4) the existence in industries affecting commerce, of arbitrary discrimination in employment because of age, burdens commerce and the free flow of goods in commerce.

(b) It is therefore the purpose of this Act to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.

EDUCATION AND RESEARCH PROGRAM

SEC. 3. (a) The Secretary of Labor shall undertake studies and provide information to labor unions, management, and the general public concerning the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy. In order to achieve the purposes of this Act, the Secretary of Labor shall carry on a continuing program of education and information, under which he may, among other measures—

(1) undertake research, and promote research, with a view to reducing barriers to the employment of older persons, and the promotion of measures for utilizing their skills;

(2) publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment;

(3) foster through the public employment service system and through cooperative effort the development of facilities of public and private agencies for expanding the opportunities and potentials of older persons;

(4) sponsor and assist State and community informational and educational programs.

(b) Not later than six months after the effective date of this Act, the Secretary shall recommend to the Congress any measures he may deem desirable to change the lower or upper age limits set forth in section 12.

PROHIBITION OF AGE DISCRIMINATION

SEC. 4. (a) It shall be unlawful for an employer (1) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age;

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's age; or

(3) to reduce the wage rate of any employee in order to comply with this Act.

(b) It shall be unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of such individual's age, or to classify or refer for employment any individual on the basis of such individual's age.

(c) It shall be unlawful for a labor organization—

(1) to exclude or to expel from its membership or otherwise to discriminate against any individual because of his age;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's age;

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member or applicant for membership, has opposed any practice made unlawful by this section, or because such individual, member or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this Act.

(e) It shall be unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on age.

(f) It shall not be unlawful for an employer, employment agency, or labor organization—

(1) to take any action otherwise prohibited under subsections (a), (b), (c), or (e) of this section where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where the differentiation is based on reasonable factors other than age;

(2) to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this Act, except that no such employee benefit plan shall excuse the failure to hire any individual; or

(3) to discharge or otherwise discipline an individual for good cause.

STUDY BY SECRETARY OF LABOR

SEC. 5. The Secretary of Labor is directed to undertake an appropriate study of institutional and other arrangements giving rise to involuntary retirement, and report his findings and any appropriate legislative recommendations to the President and to the Congress.

ADMINISTRATION

SEC. 6. The Secretary shall have the power—

(a) to make delegations, to appoint such agents and employees, and to pay for technical assistance on a fee for service basis, as he deems necessary to assist him in the performance of his functions under this Act;

(b) to cooperate with regional, State, local, and other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this Act.

RECORDKEEPING, INVESTIGATION, AND ENFORCEMENT

SEC. 7. (a) The Secretary shall have the power to make investigations and require the keeping of records necessary or appropriate for the administration of this Act in accordance with the powers and procedures provided in sections 9 and 11 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 209 and 211).

(b) The provisions of this Act shall be enforced in accordance with the powers, remedies, and procedures provided in sections 11(b), 16 (except for subsection (a) thereof), and 17 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(b), 216, 217), and subsection (c) of this section. Any act prohibited under section 4 of this Act shall be deemed to be a prohibited act under section 15 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 215). Amounts owing to a person as a result of a violation of this Act shall be deemed to be unpaid minimum wages or unpaid overtime compensation for purposes of sections 16 and 17 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 216, 217): *Provided*, That liquidated damages shall be payable only in cases of willful violations of this Act. In any action brought to enforce this Act the court shall have jurisdiction to grant such legal or equitable relief as may be appropriate to effectuate the purposes of this Act, including without limitation judgments compelling employment, reinstatement or promotion, or enforcing the liability for amounts deemed to be unpaid minimum wages or unpaid overtime compensation under this section. Before instituting any action under this section, the Secretary shall attempt to eliminate the discriminatory practice or practices alleged, and to effect voluntary compliance with the requirements of this Act through informal methods of conciliation, conference, and persuasion.

(c) Any person aggrieved may bring a civil action in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this Act: *Provided*, That the right of any person to bring such action shall terminate upon the commencement of an action by the Secretary to enforce the right of such employee under this Act.

(d) No civil action may be commenced by any person under this section until the person has given the Secretary not less than sixty days' notice of an intent to file such action. Upon receiving such notice, the Secretary shall promptly seek to eliminate any alleged unlawful practice by informal methods of conciliation, conference, and persuasion.

(e) (1) Any suit brought to enforce any cause of action granted by this Act shall be forever barred unless commenced within two years after the cause of action accrued, except that a cause of action arising out of a willful violation may be commenced within three years after the cause of action accrued.

(2) In any action or proceeding under this Act, no employer, labor organization, or employment agency shall be subject to any liability based on any act or omission if such employer, labor organization, or employment agency pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any written administrative regulation, order, ruling, approval, or interpretation by the Secretary of Labor, or any administrative practice or enforcement policy of the Secretary of Labor with respect to the class of employers, labor organizations, or employment agencies to which such employer, labor organization, or employment agency belonged. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that after such act or omission, such administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect.

NOTICES TO BE POSTED

SEC. 8. Every employer, employment agency, and labor organization shall post and keep posted to conspicuous places upon its premises a notice to be prepared or approved by the Secretary setting forth information as the Secretary deems appropriate to effectuate the purposes of this Act.

RULES AND REGULATIONS

SEC. 9. The Secretary of Labor may issue such rules and regulations as he may consider necessary or appropriate for carrying out this Act, and may establish such reasonable exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest.

CRIMINAL PENALTIES

SEC. 10. Whoever shall forcibly resist, oppose, impede, intimidate or interfere with a duly authorized representative of the Secretary while he is engaged in the performance of duties under this Act shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both: *Provided, however*, That no person shall be imprisoned under this section except when there has been a prior conviction hereunder.

DEFINITIONS

SEC. 11. For the purposes of this Act—

(a) The term "person" means one or more individuals, partnerships, associations, labor organizations, corporations, business trusts, legal representatives, or any organized groups of persons.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year: *Provided*, That prior to June 30, 1968, employers having fewer than fifty employees shall not be considered employers. The term also means any agent of such a person, but such term does not include the United States, a corporation wholly owned by the Government of the United States, or a State or political subdivision thereof.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means

a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is fifty or more prior to July 1, 1968, or twenty-five or more on or after July 1, 1968, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by any employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

LIMITATION

SEC. 12. The prohibitions in this Act shall be limited to individuals who are at least forty years of age but less than sixty-five years of age.

ANNUAL REPORT

SEC. 13. The Secretary shall submit annually in January a report to the Congress covering his activities for the preceding year and including such information, data, and recommendations for further legislation in connection with the matters covered by this Act as he may find advisable. Such report shall contain an evaluation and appraisal by the Secretary of the effect of the minimum and maximum ages established by this Act, together with his recommendations to the Congress. In making such evaluation and appraisal, the Secretary shall take into consideration any changes which may have occurred in the general age level of the population, the effect of the Act upon workers not covered by its provisions, and such other factors as he may deem pertinent.

FEDERAL-STATE RELATIONSHIP

SEC. 14. (a) Nothing in this Act shall affect the jurisdiction of any agency of any State performing like functions with regard to discriminatory employment practices on account of age except that upon commencement of action under this Act such action shall supersede any State action.

(b) In the case of an alleged unlawful practice occurring in a State which has a law prohibiting discrimination in employment because of age and establishing or authorizing a State authority to grant or seek relief from such discriminatory practice, no suit may be brought under section 7 of this Act before the expiration of sixty days after proceedings have been commenced under the State law, unless such proceedings have been earlier terminated: *Provided,* That such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State law. If any requirement for the commencement of such proceedings is imposed by a State authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State authority.

EFFECTIVE DATE

SEC. 15. This Act shall become effective one hundred and eighty days after enactment, except (a) that the Secretary of Labor may extend the delay in effective date of any provision of this Act up to an additional ninety days thereafter if he finds that such time is necessary in permitting adjustments to the provisions hereof, and (b) that on or after the date of enactment the Secretary of Labor is authorized to issue such rules and regulations as may be necessary to carry out its provisions.

APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. ERLENBORN. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PERKINS. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, H.R. 13054, a bill to bar arbitrary discrimination in employment based on age, in fact is more than a bill to bar age discrimination. It is a bill to promote employment of middle aged and older persons based on their ability. We do not undertake to tackle the whole problem of age discrimination in employment in this bill, but we feel that we strike at the heart of the situation, that is, attacking discriminatory practices between ages 40 and 65 where discrimination is most prevalent. In this bill we require a clear and unequivocal statement of public policy supported by an extensive research and educational effort and backed up by civil enforcement procedures.

It is true that there have been surveys, studies, reports and conferences at the Federal level that were concerned with the problem. It is also true that the Department of Labor and its affiliated State employment agencies provided special services for older job seekers and that, through Executive order, Federal contractors and subcontractors are prohibited from practicing age discrimination in hiring workers. However, there is no Federal law that deals with this critical issue directly, comprehensively, and adequately. As a result there is a very large segment of our employable population being subjected to arbitrary age prerequisites which automatically preclude employment opportunities. Enactment of H.R. 13054 would be a significant first step by the Federal Government toward alleviating the unnecessary squandering of the Nation's manpower resources and the debilitating effects of chronic unemployment.

A person at age 40 or 45 already is considered an older worker for employment purposes, and he often finds that his age is a great handicap in finding a job. In my own district in Kentucky, thousands of former coal miners have been plagued with this problem for many years. Despite the fact that these men are educable, retrainable, and desirous of gainful employment, they have been denied employment opportunities merely because they have reached or passed age 40. Although surveys and studies have shown that the employed older worker is highly regarded for his reliability, productivity, and attendance, a prejudice still persists when it comes to hiring an older worker. It is this long-standing misconception about the employability of older workers and certain economic factors which we seek to clarify and amend through the enactment of H.R. 13054.

The General Subcommittee on Labor conducted 6 days of hearings on the legislation. Based on these hearings and previous investigations by our labor subcommitees, the Committee on Education and Labor approved and reported H.R. 13054, the Age Discrimination in Employment Act of 1967. H.R. 13054 deals with the barriers to employment of workers between 40 and 65 years of age.

The bill makes it unlawful for an employer to refuse to hire such a person because of his age or to discharge him or to discriminate against him in the matter of wages or other working conditions because of his age. It also makes it illegal for an employment agency or a labor union to fail to refer a person to employment or otherwise to discriminate against him because of his age. Exceptions are provided in order not to disrupt employee benefit programs, seniority systems, and the like. The employee as well as the Secretary of Labor may bring violators to court but the Secretary of Labor must first attempt to procure voluntary compliance before either he or the employee files civil action. And most importantly, the Secretary of Labor is directed to carry on educational and research programs to help eliminate age discriminatory employment practices.

Almost half of the States have age discrimination legislation. One clear effect of such legislation has been the elimination of age specifications in the job openings advertised in the newspapers, thus giving older persons a chance to be interviewed and to be judged on ability and other qualifications rather than arbitrarily being denied this opportunity because of age. I think it is vital that the weight of the Federal Government be placed behind the policy of hiring on the basis of ability instead of age.

Now, what do the middle-aged and older workers find when they look for employment? I have a few statistics here that I think will be revealing. They find that the setting of the specific age limitation beyond which an employer will not consider a worker for a vacant job regardless of ability has become a common practice. That is what we are trying to eliminate here. In the States that do not prohibit such practices, over half of all employers are presently applying such limitations using maximum age limits typically set at 45 to 55 years of age.

In other words, approximately one-half of the job openings which develop in the private economy each year are closed to applicants over the age of 55 years.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Kentucky has expired.

Mr. PERKINS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, one-quarter of these jobs are closed to applicants over 45 years of age and even a greater percent are closed to applicants over the age of 55 years.

The same report shows—that is, the report that has been made of the matter by the Employment Service of the U.S. Department of Labor—that in 70 percent of the establishments surveyed by the Employment Service, less than 5 percent of the newly hired are workers over the age of 45, and that one-half of all our workers in this age group constitute anywhere from 25 to 30 percent of the unemployed.

Mr. Speaker, we expend three-quarters of a billion dollars annually in unemployment insurance and workmen's compensation upon this age group, a group which comprises 27 percent of all the unemployed and 40 percent of the long-term unemployed.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has again expired.

Mr. PERKINS. Mr. Speaker, I yield myself 1 additional minute.

Mrs. MINK. Mr. Speaker, will the distinguished gentleman from Kentucky [Mr. PERKINS], the chairman of the Committee on Education and Labor, yield to me at this point?

Mr. PERKINS. I am delighted to yield to the distinguished gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I was prepared to offer an amendment to this bill designed to direct specific attention to a very flagrant violation of the general principles of equity in employment relations and I have specific reference to the stewardesses who work on our airlines. However, in view of the fact that this bill has been called up for consideration under a suspension of the rules, I shall not be able to offer such amendment.

Mr. Speaker, I would hope that the distinguished chairman of the Committee on Education and Labor would yield for the purpose of developing the legislative history with reference to this particular amendment which I had proposed to offer.

Mr. Speaker, my first question is, Would the distinguished gentleman from Kentucky agree that section 3(b) of this bill, directing the Secretary of Labor to forward to the Congress recommendations on adjustment in the age limits of the bill, is directed primarily toward the question of arbitrary age discrimination against airline stewardesses?

The SPEAKER pro tempore. The time of the gentleman from Kentucky has again expired.

Mr. PERKINS. Mr. Speaker, I yield myself 1 additional minute in order to answer the question which has been propounded to me by the distinguished gentlewoman from Hawaii.

The Congress and the distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT], did an outstanding job in bringing this legislation to the floor. In the full committee that question was discussed at length and it was decided that we could not take care of all age discrimination problems in this particular piece of legislation and be able to move forward with legislation in this field in this session. However, it was my understanding, based upon discussion in the full committee, that the Secretary is given the authority here to make recommendations to Congress with reference to the question of age and the committee had in mind the airline stewardesses.

Mrs. MINK. Mr. Speaker, if the gentleman will yield further, the second question is as follows:

Is it true that there was virtually no defense in the committee of the existing practices of some air carriers, and that, as the report implies, only the need to secure immediate action against the broader spectrum of age discrimination precluded the committee from developing language to combat such discrimination?

Mr. PERKINS. As a result of the determined effort of the gentlewoman from Hawaii and others on the committee, I believe the question she has proposed should be answered in the affirmative.

Mrs. MINK. The final question that I would present to our distinguished chairman, the gentleman from Kentucky, is, Do you agree with me that a majority of the sponsors of this bill fully expect the Secretary to make his recommendations under section 3(b) as promptly as possible and that it is by no means the intent of this bill to legitimize age discrimination even at the youthful age of 30 or 32?

Mr. PERKINS. In reality, I believe that the gentlewoman's final question is two questions, both of which should be answered in the affirmative.

Mr. ERLENBORN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. STEIGER].

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of this significant legislation, and want to pay tribute to the House Committee on Education and Labor and the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT], for their leadership in this field.

As Charles Rowan, of Mequon, Wis., chairman of the Jobs After 40 Committee of the Fraternal Order of Eagles, said in his testimony before the Education and Labor Committee:

> Since the turn of the century the life expectancy of the average American has increased 20 years. Yet the hiring policies of many employers are rooted in past prejudices and practices. How irrational is a society which with one hand does everything possible to extend the life span of man but with the other hand throws him on the industrial scrapheap as unusable because of his chronological age! Man's true age lies in the life span ahead of him, not the span behind him.
>
> There is a growing group of long time unemployed developing among these older workers. As the unemployment period lengthens, the worker's self confidence weakens. The man becomes depressed and bitter. Eventually he may stop applying for work, despite his great need for means of support for himself and his family. It is for these disadvantaged, down-hearted, discouraged, sometimes desperate and always discriminated against older workers that the Fraternal Order of Eagles appears before you today.
>
> There is nothing new about unfair discrimination in the hiring of employees. Seventy years ago there could be found in New York and Boston newspapers help wanted ads, stating, "Irish need not apply" or "Protestants only."
>
> The term, "Gentiles only," frequently appeared. All of these, thank the Lord, have disappeared. More recently ads have stated "Whites only," and something has been done about that. Then there were employers who refused to hire men who belonged to labor unions, and something has been done about that. But the cruel, senseless discrimination against older people in employment goes on unchecked.
>
> A dozen years ago The Fraternal Order of Eagles started its "Jobs After 40" program for the purpose of striking down age discrimination in employment. It presented to Congress petitions signed by over a million people, asking that Congress pass a law prohibiting discrimination in employment against persons who happen to be between the ages of 40 and 65. Unfortunately the bill died in committee, but it is heartening to note that many of our friends who helped us back in that day are supporting the "Jobs After 40" bills of today.
>
> Having been blocked in Congress in our attempts to get a federal law passed, the Eagles concentrated on the states, and I am pleased to report that anti-age discrimination laws have now been enacted in 25 states. The latest is the State of Illinois. It was during our National Convention at Kansas City that the distinguished Governor of Illinois, Otto Koerner, a member of the Eagles, delighted the delegates assembled there by signing the Illinois "Jobs After 40" bill into law.

The Fraternal Order of Eagles has been in the forefront in this fight to eliminate employment barriers due to age.

I received the following letter from the Eagles Lodge in Fond du Lac, Wis., which I would like to call to the attention of my colleagues:

FRATERNAL ORDER OF EAGLES,
FOND DU LAC AERIE NO. 270,
Fond du Lac, Wis., November 23, 1967.
Hon. WILLIAM A. STEIGER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN STEIGER: We, the members of the Fraternal Order of Eagles, residing in the City of Fond du Lac and surrounding areas have been informed the bill "Jobs After 40", is now being acted on by different committees in Congress.

Our organization has 748 members and this subject has been discussed at numerous meetings and we would appreciate everything you can do to favor the passing of this bill.

Yours truly,
DARRELL E. MARQUARDT,
President.
NORMAN F. LEARY,
Secretary.

The State of Wisconsin passed a similar law in 1959, and Mr. Rowan in his testimony described the experience in Wisconsin under this law:

> We passed this type of law in Wisconsin in 1959. The National Manufacturers Association took the lead in acquainting its members with the requirements of the new law and urging its members to comply with it. The large daily newspapers quickly did their part by instructing their ad takers not to accept help wanted ads which specified an age limitation. The Wisconsin Industrial Commission sent out several letters and pamphlets to all employers, employment agencies and labor unions, advising them of what the law prohibits and what it permits.
>
> Compliance has been very satisfactory considering the small amount of personnel enforcing it. Almost all cases have been settled by conciliation, that is, by voluntary compliance by the employer. In the case of some complaints the employer has been exonerated.
>
> Virginia Huebner, Director of the Equal Opportunities Division of the Industrial Commission, informs me that only seven complaints involving age discrimination have been received during the past year. One involved a 61 year old custodial worker who had been discriminated against because of age in denying him permanent status and the privileges which accompany it. After conciliation, he was granted permanent status and reimbursed for his financial loss (full wages, vacation pay, etc.).
>
> Another involved a woman who wished to hire a "young" employee. When the ad takers for the newspapers refused to take her ad, she went to an employment agency which refused to service her and reported the matter to the Industrial Commission.
>
> A third involved a 51 year old domestic science teacher in a small up-state high school. The school board refused to renew her contract and instead signed a contract with a young girl who had just graduated from college, apparently because they wanted a prettier, more glamorous domestic science teacher. The Industrial Commission thought since when is a 51 year old woman too old to teach kids how to cook and bluntly ordered the school board to renew the teacher's contract and figure out for itself what to do with two domestic science teachers.
>
> The Wisconsin Industrial Commission is presently focusing attention on the age requirements which have for so long been prevailing in the field of training to determine what changes may practically be effected.

Mr. Speaker, the needs of those over 40 are critical in our society. This bill will, in my judgment, do much to insure that all our citizens have an opportunity, commensurate with their abilities, for productive employment.

Mr. BURKE of Massachusetts. Mr. Speaker, I rise in support of H.R. 13054, an act to prevent age discrimination in employment and I wish to commend the Committee on Education and Labor for adopting this measure.

Many years ago, I introduced legislation of this nature to protect persons over 40 years of age, and at that time I brought to the attention of the administration the situation which had developed and was threatening the security of millions of workers. Although H.R. 13054 is not as strong as the bills I have introduced in the past, nor as strong as I would like, it is a beginning and a step toward solving a problem which increases each year.

The middle-aged worker in the United States is chronologically sandwiched between the beginner and the retiree. And, although we rarely realize it, he is feeling the pressure of both groups in his effort to maintain his place in the labor force. The young are crowding in from behind and the trend to rigid retirement standards is mandatorily limiting his work span in spite of the fact that he can look forward to longer and healthier later years than his grandfather or his father.

The problem usually does not arise unless the older worker suddenly finds himself without a job. It is one of the cruel paradoxes of our time that older workers holding jobs are considered invaluable because of their experience and stability. But let that same worker become unemployed and he is considered "too old" to be hired. Once unemployed, the older worker can look forward to longer stretches between jobs than a young worker in the same position.

Age discrimination is not the same as the insidious discrimination based on race or creed prejudices and bigotry. These discriminations result in nonemployment because of feelings about a person entirely unrelated to his ability to do a job. This is hardly a problem for the older jobseeker. Discrimination arises for him because of assumptions that are made about the effects of age on performance. As a general rule, ability is ageless. A young man with ability does not lose it with age, unless his capabilities are dependent upon his physical characteristics or the speed of his reactions. In most instances a worker's skills are honed and sharpened by experience. Studies have shown that the older worker brings qualities to a job that tend to make him a very desirable employee. He is dependable, has a lower rate of absenteeism than young coworkers, he has a high rate of job stability, and his rate of work injuries is lower than that of the younger worker.

In the last several years, significant legislation to bar employment discrimination on the basis of race, religion, color, and sex has been enacted. It is only just that we do the same against discrimination on the basis of age.

The Federal Government sets a good example by its policy banning age discrimination and backs up its stated policy to protect the older worker against unfair elimination from job searches through the efforts of the U.S. Employment Service. This country now needs to have its private industries and businesses follow the Federal example in their attitude toward the older worker. The advantages are manifold. Not only would business and industry gain skills, wisdom, and experience accumulated during long working years, but they would be doing the workers themselves a service by showing that they have not outlived their productivity when they are merely on the threshold of middle age.

It is an old saying that "life begins at 40." It can be just as true that new work can begin at 40 as well.

I urge my colleagues in the House to give H.R. 13054 their full support.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 13054, the Age Discrimination in Employment Act of 1967. I introduced similar legislation which would remove age discrimination in employment and promote the employment of older workers based on their ability.

The legislation now before us is designed to aid Americans at least 40 years of age but less than 65, who are employable but not employed. Most of them are skilled, experienced, competent, and in good health, but because they are also over 40, they cannot find a suitable job—in many cases, any job.

Title VI of the 1964 Civil Rights Act outlaws discrimination in employment practices on the basis of race, religion, color, or national origin. However, it does not encompass the important area of age, and it is vital that Federal legislation now be enacted to correct the widespread discriminatory employment practices found in this area. Twenty-four States, including my own State of Hawaii, have already passed legislation making it unlawful to discriminate merely on the basis of age, but most of these laws are inadequate to bring about effective compliance.

A survey conducted by the Secretary of Labor showed that in 1964 there were millions of older workers who were involuntarily unemployed at one time or another. Aside from the dispiriting effect caused by long periods of unemployment, older workers who are unemployed generally face problems which are very serious. Their family expenses are greatest at this time. Their children need more clothes and incur substantial school expenses, especially if they are going to college.

Employers generally advance several reasons to justify their practice of not hiring older workers. One of these is the insupportable assumption that most of the workers over 40 have health problems which would detrimentally affect their efficiency and work attendance. Studies have shown, however, that the job performance of the older worker at many tasks does not decrease significantly with age. Even after 55, the older worker is usually able to keep up with the pace set by his younger coworkers. These studies also reflect an absence of any appreciable difference in the work attendance between the age groups.

The additional expense of short-term pension plans for older workers is advanced as another reason by some employers who fail to hire them. However, other companies have found that any additional pension cost is more than offset by the skill and experience the older worker brings to the job. The cost of training an older worker is less, and any savings effected could be used to meet the extra pension cost.

I mentioned earlier that although age discrimination in employment laws are found in about one-half of our States, such laws generally are not considered to be very effective. There are, of course, some notable exceptions. Whatever other reasons may be attributed to this lack of success, the principal reason seems to be the absence of uniformity in these laws throughout the country. Several members of our Committee on Education and Labor in their supplemental views deplored the lack of provisions banning age discrimination by many airlines against stewardesses. Because of the 40 to 65 age limitation, the bill would not cover this situation. However, the airlines constitute one of the most striking examples of the need for uniformity in this area. It would be difficult for an airline with interstate air routes to determine what its hiring policy should be if every State in which its aircraft landed had its own set of regulations governing hiring practices relating to older workers. A uniform code is needed throughout the country to avoid confusion and to produce the desired nationwide result.

Admittedly, it will take a great deal of education to convince employers that older workers are in every way as fit as younger workers for most jobs. There is also the consideration that appropriate assistance must be given to older workers in their quest for jobs. They must be informed of the places where they should apply for jobs and how they should conduct themselves in an employment interview. It has been demonstrated by the States which have embarked upon a successful program to eliminate age discrimination policies and to place older workers in jobs formerly barred to them that counseling and job placement agencies have been the most valuable part of their program.

These employment aids have been provided for in H.R. 13054, and these provisions add an important dimension to the bill.

Mr. Speaker, I urge unanimous support for H.R. 13054.

Mrs. MINK. Mr. Speaker, I rise in support of this bill.

The bill is, in my opinion, an excellent solution to a very widespread problem. As it now reads, it will meet most of the cases of age discrimination head-on, and will go a long way toward removing from the economy one of the last artificial barriers to the full utilization of our manpower resources.

I was prepared to offer an amendment directed at what I consider to be the most flagrant and least defensible case of age discrimination which has yet been demonstrated before the Education and Labor Committee's two sets of hearings on this problem.

The General Subcommittee on Labor, under the able chairmanship of the gentleman from Pennsylvania [Mr. DENT], held hearings on this particular bill earlier this year, and testimony was taken on the question of age discrimination against airline stewardesses at that time.

In the previous Congress, the Select Subcommittee on Labor under the leadership of the distinguished gentleman from Pennsylvania [Mr. HOLLAND] also held hearings on employment problems of the older worker, and two full days were devoted to the airline stewardess case.

The facts that were elicited at both of these hearings were simple and pose a clear case against this practice. The uncontested facts are that some of our commercial airlines have long insisted, and continue to insist, that the hardworking and dedicated women who work as stewardesses or flight cabin attendants, must be removed from their jobs at an arbitrary age limit—set variously at 32 or 35 by various lines—without any regard to their actual capability to perform their duties.

The air carriers have asserted, without further explanation, that the age limit they place upon their stewardesses constitutes a "bona fide occupational qualification." It is difficult for me to understand, Mr. Speaker, how one airline can insist that no stewardess possesses the occupational qualifications needed to perform her duties the day she becomes 32, while another airline, whose stewardesses perform the same functions, can insist that this onslaught of calendar senility occurs on the 35th birthday, while yet others have been willing to drop the age limit altogether, and, Mr. Speaker, to top the list, many airlines which employ male stewards as well as female stewardesses, have applied the age limit to the stewardesses while letting the stewards carry on in the same job until a much later age.

To cast further doubt on the legitimacy of chronological age as a "bona fide occupational qualification," I call the House's attention to the fact that the pilots of these same planes can continue in their jobs until they reach the age of 60, subject, of course, to rigorous and periodic physical examinations.

I submit, Mr. Speaker, that it seems to me perfectly legitimate to set very high standards of physical ability, even, if the airlines think it absolutely necessary, of appearance, for the job of stewardess. But these criteria should be objective criteria. They should not be reinforced by the apparent assumption that a stewardess becomes senile, incapable of assisting passengers and generally so repulsive as to drive customers out of the air simply because they have reached the age of 32.

Mr. Speaker, it is possible that there are other industries in which there are equally arbitrary age limitations directed against people in their thirties or even their twenties. I do not know of any. For the most part, as the hearings during two Congresses have so clearly shown, the specter of age discrimination arises to haunt people when they turn 40 or 45 and begin to wonder what they can do if and when they should lose their present job. The problem of what to do when a life's work is no longer relevant is a very cruel one. And this bill meets that problem in most of the cases we know of. But special cases deserve special remedies, and the airline stewardess is in a special case.

Because the time is late, and because this bill does meet most of the problems of age discrimination, I offer no objection to its consideration under suspension, even though this precludes my offering my amendment.

I pose no objection because there is a section in the bill—section 3(b)—which provides for a study by the Secretary of Labor of adjustments in the age limits, and directs him to come back to the Congress with his recommendations within 1 years of enactment of the bill. This section was put into the bill, Mr. Speaker, precisely to provide for careful but expeditious consideration of the very question I have been discussing.

The practice of arbitrary age discrimination against airline stewardesses is gradually being eliminated through the processes of collective bargaining. In order to move without delay against age discrimination in other industries, and other circumstances, we are, in effect, giving the airlines one additional year to end this practice. I do believe, however, that it is only fair on the basis of the colloquy I have just had with the gentleman from Pennsylvania [Mr. DENT] to emphasize that the Secretary is expected to have his recommendations ready in time for the opening days of the 91st Congress, if not earlier, and to point out that the sponsors of this bill, a majority of whom are on record against the existing discrimination against stewardesses, do not mean to allow the consideration of this bill under suspension to be interpreted as implying any approval whatsoever of the existing practices of arbitrary age discrimination in the air transport industry.

Mrs. KELLY. Mr. Speaker, I am opposed to all discrimination and in particular to age discrimination in employment. I therefore welcome the opportunity to support H.R. 13054 which, if enacted, would prohibit age discrimination in employment, and for other purposes. It is the purpose of this legislation, cited as the "Age Discrimination in Employment Act of 1967," to promote the employment of older workers based on their ability. This would be accomplished through an education and information program to assist employers and employees in meeting employment problems which are real and dispelling those which are illusory, and through the utilization of informal and formal remedial procedures. The prohibitions in the bill would apply to employers, employment agencies, and labor organizations.

In his Older American message to the Congress of January 23, 1967, President Johnson recommended the Age Discrimination in Employment Act of 1967, which was transmitted to the Congress by the Secretary of Labor in February.

The President's message, in the section on job opportunities, stated:

> Hundreds of thousands not yet old, not yet voluntarily retired, find themselves jobless because of arbitrary age discrimination. Despite our present low rate of unemployment, there has been a persistent average of 850,000 people age 45 and over who are unemployed.

> Today, more than three-quarters of a billion dollars in unemployment insurance is paid each year to workers who are 45 or over. They comprise 27 percent of all the unemployed—and 40 percent of the long-term unemployed. In 1965, the Secretary of Labor reported to the Congress and the President that approximately half of all private job openings were barred to applicants over 55; a quarter were closed to applicants over 45.
>
> In economic terms, this is a serious—and senseless—loss to a nation on the move. But the greater loss is the cruel sacrifice in happiness and well-being which joblessness imposes on these citizens and their families.
>
> Opportunity must be opened to the many Americans over 45 who are qualified and willing to work. We must end arbitrary age limits on hiring.

In line with the President's recommendations and because of many individuals who reside in the 12th Congressional District of New York who have experienced this type of discrimination. I introduced H.R. 8535, similar legislation to the bill we are debating today to prohibit age discrimination in employment.

While H.R. 13054 is what we refer to as a "clean bill," it does contain the principal objectives, functions, and structure of the bill I introduced. On August 17, 1967, I submitted a statement to the General Subcommittee on Labor of the Committee on Education and Labor in support of my bill or similar legislation. At that time, in calling for early action on this legislation, I stated that:

> During my service in the Congress, I have fought for and witnessed the enactment of legislation which removed the discriminatory practices with respect to color and sex. Of course, I refer to the Equal Pay Act of 1963 (Public Law 88–38) which prohibited discrimination by sex; and the Civil Rights Act of 1964 (Public Law 88–352) which prohibited discrimination by employers because of race, religion, or national origin. It is time that we took still another step towards removing all discriminatory employment practices.

Mr. Speaker, this bill seeks no special privileges, because age should not be a factor in employment. Therefore, I urge my colleagues to vote for passage of H.R. 13054.

Mr. PUCINSKI. Mr. Speaker, I rise in support of this legislation and am proud to have my name appear on this bill. This is a historic day for me. For years now I have stubbornly fought for legislation to bar discrimination in hiring practices against people past the age of 40. That struggle comes to fruition today as we prepare to enact this landmark legislation. This bill makes me proud to be a Congressman.

Mr. Speaker, the idea which is expressed in H.R. 13054, the age discrimination bill, is not new. It is aimed at practices which all of us have known about for a long time. We all know that many workers at the older ages have difficulty in getting a new job if something happens to lose their present employment. We have all heard that part of the problem is that many older workers lose their jobs to automation and new machinery that make their skills obsolete. I am sure that this is true to some degree, and yet we have all known people as young as their early forties who have lost their job not because their skills are no longer needed but for a host of other reasons. The bookkeeper who loses his job because his employer goes out of business or moves to a city where the worker cannot follow; the middle-management executive whose employer has had to cut down production and lay off a proportion of his labor force; and the office manager whose employer sold the business to a larger firm which does not need him—all these kinds of cases and many more will suddenly leave a loyal and effective employee without a job. Moreover, the skills which many of these people have are needed; they are not obsolete skills.

But what actually happens to many of these people is that they receive a double shock. First there is the shock of losing a job unexpectedly, and this can certainly be hard for a man who has served a firm loyally and well for many years. But the biggest shock awaits him because he will soon find that his skill, his proven loyalty and good references, count for nothing when faced with reply after reply that he is too old for a job.

It is precisely this kind of problem that this bill will help to alleviate. There are programs which help older workers with outdated skills to learn new skills and adjust to a changing economy. But these programs will not help if the older worker with a newly learned skill and high expectations runs into arbitrary discrimination based solely on his chronological age.

I do not claim that this bill will be the final or only answer to this problem. But it will be a big step. I firmly believe that if we can reduce the arbitrary policies and procedures which surround hiring practices that many older workers will be able to get jobs that they cannot now get and that their employers will be glad that they have the experience and steadiness of the older worker in their businesses. For example, under the bill, employers would not be able to set arbitrary age limits in their advertisements or orders to employment agencies. If this practice can be stopped I can visualize cases where an employer will start hiring workers older than his previous limit because the older worker will have a chance to compete for the job—letting his experience and work record speak for him. Today, the employer does not even have the chance to hire such a worker. H.R. 13054 will help to see that the older worker has a fair chance at the jobs which are open.

Mr. Speaker, I urge the Members of the House to support this bill. We have legislation against discrimination in employment based on factors unrelated to the job. I believe it is now time to legislate against one of the cruelest forms of discrimination that too many employers follow out of old beliefs and myths that have been proved untrue. The older workers of America will be grateful and so, I most certainly believe, will the employers who find that they were needlessly cutting themselves out of an important supply of experienced and loyal workers.

Mr. HAWKINS. Mr. Speaker, the time has now come for a concerted effort to eliminate job discrimination based solely on age. H.R. 13054 would make a major contribution to that effort, and I urge my colleagues to give it serious consideration. It is my hope that the 90th Congress will pass this bill and by so doing, declare a national policy with respect to the right of Americans to employment without regard to age.

We are all aware of the so-called revolution in aging. Improved medical care, health education, conquest of many of the more serious diseases, higher standards of living, and better sanitation—all have contributed to this revolution, with the result that the life expectancy of an American born today is 23 years longer than it was at the beginning of the century. And there is every reason to believe that with further medical and scientific advances this trend will continue, resulting in an even longer, healthier span of life.

But it is rare indeed to find an unmixed blessing—and so it is with our increased life expectancy. We may have added many years to the lives of the average woman and man but to what purpose if at the same time those additional years must be lived without opportunities for fulfillment, independence, or—as the case may be—a dignified subsistence?

Employment opportunities for older Americans have not kept pace with the revolution in aging. Unless we can bring about a closer relationship between employment and ability—regardless of age—our longer lifespan is of little avail. We must consider individuals on the basis of what they can contribute, not on the basis of chronological age. Otherwise, we will be creating special problems not only for the older worker, but for the Nation itself as well. We must ask ourselves these questions: Can we afford to continue wasting the ability and experience of 850,000 Americans over the age of 45? And can this country support the financial burden of an ever larger number of persons requiring compensation for unemployment?

The purpose of H.R. 13054, as stated in its accompanying report, is "to promote the employment of older workers based on their ability." To implement this, an education and information program would provide assistance to employers and employees in meeting employment problems, and would promote the development of private and public agencies for expanding employment opportunities for older workers. The bill is commendable not only because it offers flexible procedures for removing discrimination in hiring, but also because it emphasizes the need to bring about a basic change in public attitude toward the value of the older worker.

The need to end arbitrary discrimination in hiring is obvious. As the American Medical Association's Committee on Aging has so succinctly put it:

> There is no action more important in the new era of aging, from the standpoint of social, economic and health needs, than the elimination of job discrimination based on chronological age.

H.R. 13054 seeks to redress the balance between age and ability.

Mr. REID of New York. Mr. Speaker, I rise in strong support of H.R. 13054, the Age Discrimination in Employment Act of 1967.

Americans between 45 and 65 comprise some 27 percent of the unemployed.

Their talents and experience can be put to productive use in our communities. Many of our ablest citizens are in their senior years and they have yet to make some of their most valuable contributions to meaningful jobs and in service to their country. In my judgment, we must—and we are not now fully—doing everything possible as a nation to forget the word "aged," to recognize that chronological age has very little to do what the capacity to make a useful, indeed frequently a more important, contribution in many areas. Legislation such as this is an important corollary to the Older Americans Act Amendments, passed earlier this year; it has the potential to make real the job opportunities that that act is designed to encourage.

In February of this year, I introduced legislation, along with Senator JAVITS, that was similar to the age discrimination bill that was sponsored by the administration. I am pleased that one of the principal provisions in our bill has been incorporated into the bill reported by the committee. Rather than utilizing enforcement procedures patterned after the National Labor Relations Act, H.R. 13054 adopted the recommendation of our bill to follow essentially the well-tested compliance mechanisms of the Fair Labor Standards Act. This approach emphasizes conciliation conference and persuasion before permitting the Secretary of Labor to move directly to the U.S. district courts in a civil action.

Further, I believe that in lowering the age at which this bill becomes effective from 45 to 40, the legislation will provide an additional measure of assistance to those 24 States which now have some sort of age discrimination law and will make even more widespread the application of this policy in States which will afford this basic protection for this first time.

Mr. EILBERG. Mr. Speaker, I strongly support the provisions of the Age Discrimination in Employment Act of 1967. This statement of national policy is long overdue.

We have in the United States today the means with which to add productive and meaningful years to the lives of millions of older Americans. And, at a time when we desperately need the talents and energies of these people, we are indeed grateful that we have this capability to extend life. Yet ironically, and without purpose, we deny to many older workers the opportunities to remain productive contributors in the economy, due to discriminatory practices in hiring, often because of age. Such practices are the result of only stereotyped thinking, thoughtlessness, and prejudice about the abilities of older workers.

Age discrimination in employment is no longer just a problem for the jobseeker who is nearing retirement age. Age discrimination is today at the bottom of denied employment opportunities among workers in their early forties, and, in some instance, for persons as young as 35. The harm which these practices bring to the lives and families of these American workers is incalculable; the harm such practices bring to the strength of this Nation is intolerable. The Age Discrimination in Employment Act, now before the House, can mark the first step in the effort to overcome the tragic waste of human resources brought about as a result of misconception, ignorance, and lack of information.

Age barriers to employment are costly in a social sense, are costly financially to workers and their families, and most of all are costly in terms of human welfare.

The social costs of age discrimination are obvious; when older workers cannot find employment, the balance between dependent and productive workers is upset. If those who remain employed become increasingly more productive, we might expect little or no problem. But we know that productivity increases are slow for the economy as a whole, while the demand for goods and services is moving at a much more accelerated rate. Under these circumstances, any potentially productive worker who cannot be employed becomes a dependent not only for himself, but for the Nation as a whole. And, if this worker is perfectly suited for the employment which he seeks, the loss to society because of age prejudice borders on the irresponsible.

The financial costs of age barriers are also rather obvious. Barred from productive work because of age discrimination, many people are forced to retire at the earliest possible moment, usually at substantially reduced retirement incomes. Suffering over increasingly longer periods of life with smaller pensions is a tragedy which need not happen, if early retirees had opportunities for employment open to them on the basis of their capabilities, rather than closed on account of their ages.

The financial and social costs, of course, are nothing compared with the costs in terms of human suffering and welfare which come about as the result of discriminatory practices in employment because of age. Employment plays a very important role in the makeup of the modern American and this role cannot be measured in the dollars he carries home on payday. Self-esteem, self-satisfaction, and personal security are important byproducts of employment in industrial America. To deny a person the opportunity to compete for jobs on the basis of ability and desire, solely because of unfounded age prejudice, is a most vicious, cruel, and disastrous form of inhumanity.

The bill before the House, is, of course, no panacea. By itself, this legislation cannot compel men to change their attitudes or ignore their prejudices. But this piece of legislation will help to focus attention upon a very serious problem. At the same time, the bill contains very real and effective tools with which to launch new educational and persuasive programs designed to eradicate discriminatory practices in employment. And, where these tools fail, the bill provides machinery to enable governments and agencies to prevent practices which cannot be otherwise overturned. The success, or failure, of this legislation will, in the end, depend upon coordinated efforts by Government, employers, unions, educational institutions, and private interested agencies and parties.

As America moves into the 1970's, the changes we will witness will be even more dramatic than they have been in the past. Unless we act now, the difficulties the older worker experiences today may be multiplied manifold. We must be prepared to find solutions now, and the Age Discrimination in Employment Act of 1967 can be one of these solutions. Thank you.

Mr. SMITH of Iowa. Mr. Speaker, this bill contains a serious flaw. I hesitate to vote against this bill but under the procedure, it cannot be amended and the flaw is so serious that I feel I should vote "No" to show my protest and direct attention toward a correction.

The flaw is with regard to including older employees in pension plans. The report explains section 4(f) by saying that an employer need not pay contributions for older employees, where doing so would violate the terms of a bona fide pension plan. In other words, where a plan will not have enough money to pay the stipulated benefits under a pension plan if they include workers who are over 40 when hired, they may exclude them from the pension plan. Many plans are supported by a contribution of from 5 to 12 percent of the base wage. This provision would provide a legal way and a cash reward for the employer who will exclude some employees from the pension plan.

Most of these plans are negotiated in labor contracts and the contribution for all employees taken into consideration at the time the contract is agreed to. We should not by law interfere with rights already negotiated under those contracts.

In order for a pension plan to remain actuarily sound, the age of beginning employees must be considered when seniority rights assure that most employees will be over middle age; however, that could be taken care of by gearing benefits to age at the beginning of employment rather than excusing contributions to the plan.

Since the language of section 4(f) is not clear, the language of the report is important. The report states that:

> This exception serves to emphasize the primary purpose of the bill—hiring older workers—by permitting employment without necessarily including such workers in employee benefit plans.

Mr. DANIELS. Mr. Speaker, the Congress has been concerned with the problem of discrimination against older workers for a number of years. Finally, through the combined efforts of the administration, the public, and, most importantly, those Members of Congress who have diligently studied the problem, we have been presented with a bill which offers effective solutions. The bill emphasizes positive programs, and provides for punitive actions if they prove necessary.

H.R. 13054, which has been favorably reported by the Committee on Education and Labor, has the affirmative purpose of promoting employment of older workers based on their ability. It commits the Federal Government, or more specifically, the Department of Labor, to develop an education and research program to help older workers overcome the frequently unfair and unjustifiable attitudes of many employers against hiring anyone over age 40.

Under the provisions of the bill the Secretary of Labor would undertake and promote research designed to reduce barriers to the employment of older persons. He would make available to the interested public the results of studies and any other materials developed to promote the employment of older workers. He would give assistance in the development of State and community information and education programs.

Equally important, the Secretary of Labor would be directed to make use of the public employment service system to develop facilities to expand the opportunities and potentials of older workers.

These measures strike at the heart of the problem. It is difficult for an individual older worker to affect employer attitudes. But with the resources of the Federal Government behind him, he can have hope that unfounded prejudices will be overcome, and that employers will learn to judge prospective employees on the basis of ability, without unwarranted discrimination on the basis of age.

I would hope that this campaign of persuasion and education would go far in helping older workers find employment. In order to make the bill as effective as possible, however, a provision is included which would make it unlawful for an employer, employment agency, or labor organization to discriminate against a worker on the basis of age. This legal prohibition against age discrimination in employment would be a powerful backup provision to the older worker in his efforts to overcome prejudice.

The point should be made, however, that the bill takes into full consideration the problems and interests of employers. It allows for situations in employment where age is a bona fide occupational qualification for a particular job. It also takes account of the problems of employers in the field of pension and other benefit plans. The bill would permit the hiring of older workers without requiring that they necessarily be included in all employee benefit plans. This provision is designed to maximize employment possibilities without working an undue hardship on employers in providing special and costly benefits.

I believe that H.R. 13054 is a well-balanced bill. It emphasizes education and services, and is not unduly coercive in intent or in fact. It recognizes the needs of both employees and employers. It fits in well with existing Federal programs which are designed to help older workers upgrade their skills and become more competitive with younger workers.

I believe the Congress can have no greater goal than to maximize our labor resources through full employment of the skills and experience of all our people. I respectfully urge my colleagues to join me in supporting H.R. 13054, the Age Discrimination in Employment Act of 1967.

Mr. OLSEN. Mr. Speaker, a statement of national policy to promote the employment of older workers on the basis of their ability alone has long been overdue. H.R. 13054, the Age Discrimination in Employment Act of 1967, will prohibit arbitrary age discrimination practices in employment and help employers and workers find ways of overcoming the problems arising from the impact of age on employment.

Unfavorable beliefs and generalizations about older persons have grown up over the years and, in many instances, have hardened into restrictive policies and practices in the hiring of new employees. While the employment rates among older workers has been consistently higher than for younger segments of the labor force and would indicate that the older worker is of great value to his employer, once the older worker leaves an employer, his opportunity for reemployment is usually a difficult, painful, and slow process. Very often, the older worker is excluded from consideration for positions for which he is eminently qualified solely because of his age. Suddenly, the man of 40 or 50 years of age finds himself "too old to work and too young to retire." Such a situation cannot be permitted to continue. The United States can ill afford not to utilize the skills and experience of these workers, particularly at a time when our need for their skills has never been greater.

The supporters of this bill recognize that any program aims at reducing and ultimately eliminating age prejudice and bias must be a continuing and long-term effort. The major thrust of this legislation is designed, therefore, to expand and promote the educational and informational programs which overcome the many problems, actual or imagined, anticipated in the employment of older workers. But the bill also contains investigative and enforcement provisions, and represents, in my opinion, a balanced approach to problems of discrimination in employment because of an applicant's age.

We know that employers have, in many cases, contradictory attitudes toward older workers. While employed, the employer regards the older employee as experienced, reliable, a good producer, and as an employee with a good attendance record. But, as soon as this worker becomes unemployed and becomes an applicant for a new job for which he is fully qualified, the employer's attitude changes. The stereotype of an inflexible person, in physical decline, capable of only low productivity, bars the employer from a fair evaluation of the applicant's actual ability and performance record.

Arbitrary age discrimination also has a damaging effect not immediately felt at the time the worker is looking for employment. Since most of our retirement systems, public and private, are wage-related, long spells of unemployment or employment in marginal positions much beneath the worker's capability and worth mean that when the older person does reach retirement age, he is forced to get by on the smallest of retirement benefits. Discriminatory practices can, therefore and do, result in long-term effects on the economic well-being of our older worker. As the retirement age in the United States continues to drop, we can expect that larger and larger numbers of workers, many displaced by technological advances, will suddenly be thrust into unemployment at earlier and earlier ages. The time has come for this Nation to affirm its belief that employment opportunity is a matter of ability—not a matter of sex, race, or the applicant's age.

Mr. Speaker, I strongly urge every Member to give his support to this bill and to work for its enactment. Thank you.

Mr. DENT. Mr. Speaker, the occasions are infrequent when we all can recognize and admit the existence of a problem within our society and want to do something about it. But the problem addressed by H.R. 13054 is so obvious that to belabor it is to dull it. I am talking about the frustration and failure many workers incur in trying to gain employment when they happen to be 40, 50, or even 60 years of age. I am sure everyone in this Chamber knows this is so and yet, curiously, this bill represents the first serious attempt at the Federal level to try to do something about age discrimination in employment. We have long known it existed. We know it because we see it happening in our home districts and because we have the factual evidence supplied by commission studies, those of private groups, and our own Government. Surely, we no longer need wait while the illogical forces of employment discrimination on account of age force thousands of our good workers into productive and economic oblivion.

Mr. Speaker, let us review the facts.

There are over three-quarters of a million workers 45 years of age or older—most of them under 65—who are looking for work today and cannot find it. Over $750 million is being paid out each year to this group in unemployment insurance benefits.

Half of all private job openings are barred to applicants over 55; a quarter to those over 45.

Over a third of all men who have been unemployed 27 weeks or more—the "hard core" unemployed—are over 45—although this group makes up slightly less than a quarter of the work force. The percentage of older workers in this "hard core" category was 34.3 percent last year—up from 30.2 percent in 1965.

More than half of the Nation's poor families are headed by persons 45 or over; more than a third by persons 55 or over.

Mr. Speaker, the facts are clear and study after study has reinforced them. Once an older worker becomes unemployed, his chances for finding a new job are much less than for younger unemployed workers, and the longer the duration of his unemployment. And history has shown that no substantial progress in this fight can be expected without legislation to back it up.

Dr. Harold L. Sheppard of the Upjohn Institute for Employment Research, cogently illustrated for the committee this very point. He compared the experience of Negroes and older workers following the 1956 shutdown of the Packard plant in Detroit. A study carried out 1 year after the shutdown showed that ex-Packard Negroes were relatively as successful as whites in getting new jobs with Ford, General Motors, or Chrysler. By contrast, cross-tabulation of the proportions who obtained new jobs with the Big Three by age showed the following relationships:

Age of workers:	Percent reemployed
Under 45	58
45 to 54	30
55 to 64	15

His explanation of the differential reemployment experience of Negroes and older workers was that Michigan had a fair employment practices law which prohibited job discrimination on the basis of race, while there was no parallel legal prohibition of discrimination because of age.

Mr. Speaker, this waste of humanity is so indecent and unnecessary. It is indecent because pure and simple age discrimination is among the important factors that cause serious economic and personal problems of unemployed workers; workers who have achieved an abundance of skills and maturity. It is unnecessary because most of this discrimination on the basis of age is the result of either, first, a failure to realize how technology and the life sciences have combined to increase the value of older people's work; or second, a failure to adjust welfare and pension fund planning, and seniority provisions in collective bargaining agreements, to the facts of life and of the increasing mobility of labor.

The surveys and studies contained in the Secretary of Labor's 1965 report, "The Older American Worker—Age Discrimination in Employment," document the common ability of older people to compensate in a variety of ways for whatever failings they are heir to because of age. The evidence is that, in general, the experience that older people possess fully compensates for any loss of work capacity which might otherwise in varying degrees be occasioned by their age.

We are learning quite a bit about the age factor from our experience in the programs conducted under the Manpower and Development Training Act. It has been observed, for example:

That although younger trainees perform better "on the average," as high as 40 percent of the older trainees perform "above average."

Although younger trainees perform better in shorter training courses. their elders often average higher in the longer courses involving the more extensive exercise of judgment; and

That there are unlimited possibilities for redesigning jobs to which older workers can apply their skills, thus contributing substantially to the employer's needs.

Mr. Speaker, the central point is, of course, whether the situation of age discrimination in employment can be significantly improved by legislative action; specifically, by the bill now before us.

Mr. Speaker, any exuberant certainty on this score would be an attempt at deception. We must remember that we are dealing with a maze of attitudes difficult to identify or cure. H.R. 13054 reflects no more than a conservative—but determined—approach to the situation.

The bill recognizes fully the legitimacy of employment decisions, practices, and arrangements which take account of the facts—where they are facts—of the relationship between age and capacity. If someone cannot perform his or her job, the bill provides no relief simply because the individual is between the ages of 40 and 65. It provides relief only when a qualified person who is ready, willing, and able to work is unfairly denied or deprived of a job solely on the basis of age.

The bill recognizes two distinct types of unfair discrimination based on age: First, the discrimination which is the result of misunderstanding of the relationship of age to usefulness; and second, the discrimination which is the result of a deliberate disregard of a worker's value solely because of age. The results of the two types of discrimination are the same, but the remedies called for are different.

The obvious remedy for discrimination born of misunderstanding is the use of education, information, and research—as provided for in section 3.

The second type of unfair discrimination is more pernicious. To eliminate this more serious discrimination, H.R. 13054 provides prohibitions against specific practices of arbitrary discrimination.

Mr. Speaker, before summarizing the major provisions of the bill, I would like to emphasize its essential purpose as the promotion of the employment of older workers based on their ability. This would be done through an education and information program to assist employers and employees in meeting employment problems which are real and dispelling those which are illusory, and through the utilization of informal and formal remedial procedures. The prohibitions in the bill apply to employers, employment agencies, and labor organizations.

Mr. Speaker, I will now summarize the major provisions of the bill.

EDUCATION AND RESEARCH PROGRAM

Section 3 of the bill authorizes the Secretary of Labor:

First. To carry on a continuing program of education and information to reduce barriers to the employment of workers between 40 and 65 years of age;

Second. To publish his findings for the promotion of the employment of these workers;

Third. To foster through the public employment service and through cooperative effort, the development of public and private agencies for expanding employment opportunities for older workers; and

Fourth. To sponsor and assist State and community informational and educational programs.

These functions can do much to correct age discriminatory employment practices and are therefore vital to the overall effectiveness of the bill. They are means of affecting salutary changes in attitude which will induce compliance with the simple justice the proposal espouses, thereby making enforcement measures unnecessary. This viewpoint was corroborated by many of the witnesses, including representatives of State agencies and labor and management.

PROHIBITION OF AGE DISCRIMINATION

Section 4 of the bill provides that:

A. It shall be unlawful for an employer (of 50 or more persons—25 or more after June 30, 1968):

1. To fail or refuse to hire, or to discharge or discriminate against any individual as to compensation, terms, conditions, or privileges of employment, because of age;

2. To limit, segregate, or classify employees to deprive them of employment opportunities or adversely affect their status; or

3. To reduce the wage rate of any employee in order to comply with this act.

B. It shall be unlawful for an employment agency, including the U.S. Employment Service, to fail or refuse to refer any individual for employment, or to classify any individual for employment on the basis of age.

C. It shall be unlawful for a labor organization (with 50 or more members—25 or more after June 30, 1968):

1. To discriminate against any individual because of age by excluding or expelling him from membership, by limiting, segregating, or classifying its membership;

2. To fail to refer for employment because of age in deprivation of employment opportunities; or

3. To cause an employer to discriminate against an individual because of age.

D. It shall be unlawful for an employer, employment agency, or labor organization:

1. To discriminate against a person for opposing a practice made unlawful by this act, or for participating in any proceeding hereunder; or

2. To use printed or published notices or advertisements indicating a preference, specification, or discrimination, based on age.

E. Exceptions:

1. Where age is a bona fide, occupational qualification reasonably necessary to the particular business.

2. Where differentiation is based on reasonable factors other than age.

3. To comply with the terms of any bona fide seniority system or employee benefit plan which is not a subterfuge to evade the purposes of this act, except that no employee benefit plan shall excuse the failure to hire an individual.

4. To discharge or discipline an individual for good cause.

It is important to note that exception (3) applies to new and existing employee benefit plans, and to both the establishment and maintenance of such plans. This exception serves to emphasize the primary purpose of the bill—hiring of older workers—by permitting employment without necessarily including such workers in employee benefit plans. The specific exception was an amendment to the original bill, is considered vital to the legislation, and was favorably received by witnesses at the hearings.

STUDY, RECOMMENDATIONS, AND REPORTING

Section 5 directs the Secretary to study institutional and other arrangements giving rise to involuntary retirement and report his findings with appropriate legislative recommendations to the President and the Congress.

Section 13 directs the Secretary to make an annual report to the Congress regarding the activities carried on in the administration of this act, including an evaluation of the minimum and maximum ages established by the act, with his recommendations to the Congress. Section 3(b) further directs the Secretary, not later than 6 months after the effective date of the act, to recommend to the Congress any measures he may deem desirable to change the lower or upper age limits established herein.

INVESTIGATION AND ENFORCEMENT

The investigation and enforcement provisions of the bill essentially follow those of the Fair Labor Standards Act. The enforcement provisions replace those in the original bill which were similar to the National Labor Relations Act approach. The former authorizes the employee, as well as the Secretary of Labor, to seek remedies through court action.

The bill, in section 7, also provides that the Secretary may bring action to require compliance, As was stated, aggrieved persons may similarly bring action, but a condition precedent to the bringing of action by an individual is notice to the Secretary and the elapse of a period of 60 days. This is to allow the Secretary to mediate the grievance.

It is intended that the responsibility for enforcement, vested in the Secretary by section 7, be initially and exhaustively directed through informal methods of conciliation, conference, and persuasion, and formal methods applied only in the ultimate sense.

In order for the Secretary to discharge his responsibilities to achieve to the optimum the purposes of the act, section 7(c) provides that rights of individuals to bring actions shall terminate when the Secretary commences an action covering the particular grievance for which vindication is sought.

In summary section 7 of the bill:

First. Authorizes the Secretary to make investigations and to require appropriate recordkeeping in accordance with the powers and procedures provided in sections 9 and 11 of the Fair Labor Standards Act of 1938.

Second. Directs the Secretary to attempt to secure voluntary compliance through conciliation before instituting action, and requires 60 days' notice to the Secretary by persons intending to file civil actions to provide time for informal methods to bring about compliance with the act.

Third. Provides for enforcement of the act in accordance with the powers, remedies, and procedures of sections 11(b), 16—except (a) thereof—and 17 of the Fair Labor Standards Act of 1938, and section 7 of this act. Provides that amounts owing as a result of violation of this act shall be deemed to be unpaid minimum wages or unpaid overtime compensation for the purposes of sections 16 and 17 of the Fair Labor Standards Act of 1938, and that liquidated damages will be payable only for willful violations.

Fourth. Gives the Secretary or aggrieved individuals power to bring civil actions for legal or equitable relief. However, commencement of an action by the Secretary to enforce rights of an individual terminates that individual's right to bring such action.

Fifth. Requires that suits to enforce the act must be brought within 2 years after the cause of action accrued, or in the case of a willful violation, within 3 years; but provides that suits shall be barred against any employer who has relied in good faith upon regulations, administrative practices, or enforcement policies later modified, rescinded or determined to be invalid.

FEDERAL-STATE RELATIONSHIP

Section 14 provides for concurrent Federal and State actions, except that in States having laws prohibiting discrimination in employment because of age, no suit may be brought under this act before the expiration of 60 days after proceedings have been commenced under the State law—120 days during the first year after the effective date of the State law—unless such proceedings have been earlier terminated, and commencement of an action under this act shall be a stay on any State action previously commenced.

RULES AND REGULATIONS

Sections 6 and 9 empower the Secretary:

First. To issue rules and regulations to administer the act.

Second. To delegate authority and pay for technical assistance on a fee-service basis for aid in administering the act.

Third. To cooperate with regional, State, local or other agencies and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of the act.

CRIMINAL PENALTIES

Section 10 provides criminal penalties in the case of willful interference with duly authorized representatives of the Secretary.

AGE LIMITATIONS

Section 12 limits the prohibitions in the act to persons who are at least 40, but less than 65 years of age. The committee altered the lower age limit from 45 in the original bill to 40, in that testimony indicated this to be the age at which age discrimination in employment becomes evident. It is also that lower age limit found in most State statutes bearing on this subject.

EFFECTIVE DATE

Under section 15, the act becomes effective 180 days after enactment, and the Secretary may extend that period or the effective date of any provision for an additional 90 days. It is not intended by these provisions to delay the implementation of the legislation. Rather, it is intended, that a well-planned and vigorous research, education, and information program shall be launched on enactment.

Mr. Speaker, there are now 24 States which have age-discrimination legislation of the type proposed in H.R. 13054. Over the years, other State legislatures have passed resolutions declaring age discrimination to be against public policy.

Studies have been made to determine the relative effectiveness of State laws, but the findings have been somewhat inconclusive as many of the laws' effects are difficult to measure with any degree of accuracy. In an analysis of responses to a survey conducted by the Manpower Administration of the Department of Labor in May–June 1963 the following conclusions were made regarding the laws:

First. The most easily measured effect of such laws is the reduction of age discriminatory specifications in job advertisements. Of the 11 States which have such provisions in their laws, seven stressed this effect.

Second. Another important effect was the reduction in age discriminatory specification in job orders filed with employment agencies.

Third. There appears to be a general underlying presumption of a lessening of discrimination in actual hiring, but only one State was positive and only three others indicated their belief that this is an effect.

Fourth. The volume of complaints is related to public awareness of the law as a result of promotional activity, rather than to the effect of discrimination.

Fifth. The overall reaction to the laws is favorable.

Sixth. While promotion, education, and persuasion are most effective, enforcement procedures are necessary to get the required attention of employers and others.

Mr. Speaker, this bill can have at least the same salutary effects. It already enjoys a consensus of approval from business, labor, and other groups. At no time since the committee began consideration of the measure have I been advised of opposition from any group. During that consideration, incidentally, we heard from all interested parties and accepted a variety of their suggestions for improving the bill.

Mr. Speaker, the case for H.R. 13054 is clear. A similar measure has been passed in the other body, and I hope we will today—with overwhelming approval—put this legislation a step closer to public law. By doing so, we will be reasserting our dedication to equal employment opportunity for all, and filling the most obvious remaining void in the Federal approach to this principle.

Mr. VAN DEERLIN. Mr. Speaker, in most respects, I strongly support H.R. 13054, the bill to ban discrimination because of age in employment, but I think it is unfortunate that the bill was brought before this body under a suspension of the rules.

Many of us would have supported an amendment on the floor to bring airline stewardesses under the protective coverage of H.R. 13054.

As matters now stand, these girls can be cast aside by their employers at an age when most of us consider ourselves very much in our prime.

Ironically, stewardesses—who all too frequently are forced out of their jobs while still in their mid-30's—were regarded as too young for the protection afforded by this otherwise laudable legislation.

Not all our airlines are guilty of this kind of the discrimination against the girls, of course. But many are—and in at least six cases the mandatory retirement age is a tender 32.

Like stewardesses, commercial pilots must meet the most stringent physical requirements. Yet pilots who meet all the standards are allowed to keep flying until they are 60. What, then, is the logic in grounding the girls a quarter century or more before the men directly responsible for the lives and safety of the passengers?

I hope that eventually we in Government will see our way clear to helping these young ladies get a firmer hold on their glamorous but transitory jobs.

Mr. HALPERN. Mr. Speaker, I rise in enthusiastic support of H.R. 13054, the Age Discrimination in Employment Act of 1967.

For many years our increasingly youthful society has allowed thousands of skilled and competent people to slip into a backwash of hopelessness and despair. The cause? They were considered by this society to be too old. Of course, it is academic to debate the question of how old is too old, but it is patently obvious that as medical science enables us to live longer, healthier, and more productive lives, it is extremely foolhardy, if not criminal, to continue to lower the age ceiling in business and industry.

As clearly stated in this bill, the setting of arbitrary age limits regardless of potential for job performance has become a common practice. Thousands of men and women, not yet ready for retirement, are being elbowed out of productivity by a youth fixation which ignores their skills and capabilities.

This bill, very similar to one which I introduced in this House (H.R. 13283), is carefully designed to promote employment of older persons based on ability rather than age. It will prohibit arbitrary age discrimination in employment and help employers and workers find ways of meeting problems arising from the impact of age on employment.

Rather than being a stopgap measure, this legislation has obviously been drawn carefully and inclusively. Not only are direct employers enjoined from practicing age discrimination, but also employment agencies, and labor unions. This legislation provides not only for employment of these thousands of people, but also for advancement and equitable wage payments. Further, it directs the Secretary of Labor to undertake a study of the institutional and social conditions which give rise to involuntary retirement and report his findings, and any further legislative recommendations, to the President and Congress. And most importantly, it gives the aggrieved persons, along with, and through, the Secretary of Labor, just and adequate channels to enforce the provisions of the bill.

While nearly half of the States already have antiage discrimination laws, there are still over a million Americans over the age of 40 who are out of work. Many thousands of these men and women are not yet ready for voluntary retirement, yet, while they may be at the crest of their skills and capabilities, employers ignore these skills and discard these capabilities.

As President Johnson pointed out in his message to the Congress on older Americans:

> Too many of our senior citizens have been left behind by the progress they worked most of their lives to create.
>
> We should look upon the growing number of older (Americans) not as a problem or a burden for our democracy, but as an opportunity to enrich their lives and, through them, the lives of all of us.

I call on my colleagues, Mr. Speaker, to grant overwhelming approval to this legislation so that our goals are defined and our commitment clear.

Mr. DONOHUE. Mr. Speaker, as the author of similar legislation in this Congress, H.R. 11301, and as one who has been a consistent advocate of such legislation through the past several years, I most earnestly urge and hope that the House will promptly approve the measure now before us, H.R. 13054, designed to prohibit age discrimination in employment.

Mr. Speaker, one of the most disturbing problems increasingly affecting our American society, from the humane as well as economic standpoint, has been that of providing employment opportunities for our older citizens.

Paradoxically and unfortunately, although the blessings of advancing medical research and science serve to bestow longer lives in our times, we nevertheless have fallen into the custom, particularly in industry, of classifying men and women of 40 as "too old."

There are, of course, a great number of varied and practical reasons why business, industry, and even the Government itself feels that those citizens entering middle age are too old to begin any new employment. Probably first of all, these older people, often with families, cannot support themselves and their families decently at a salary acceptable to a younger beginner; pension systems developed as modern blessings too often prevail upon employers to deny positions to the middle agers; industrial insurance programs also often serve as a bar, as well as a host of other prejudices.

The seriousness of this situation is further frightening when we reflect that we have not yet really entered into the promising era of peaceful production through the use of atomic science developments.

Mr. Speaker, our learned psychologists and psychiatrists repeatedly testify that experience and statistics clearly demonstrate that the best employee is one of maturity and stability and possessed of a high sense of responsibility. This is a summarized but exact description of the economic value of our middle-aged citizens without reference to their greater values.

It has been further found that older workers have a 20-percent better attendance record than younger employees; that employees 45 and over had 2.5 percent fewer disabling injuries, and 25 percent fewer nondisabling injuries than the younger workers; that voluntary turnover rates are less among older employees; that the older worker is very likely to possess more skills, training, and all-around knowledge than younger people.

In summary, study and experience has demonstrated the economic wisdom of hiring older workers, not to mention the great contribution that would thus be given to the national welfare and the personal health and happiness of the individuals concerned.

There is then, Mr. Speaker, the obvious need for the establishment, now, of this public policy, and approval of this legislation ought not to be further delayed.

All of the provisions proposed in this bill are in full accord with our basic American tradition; they are all economically feasible, and they are all in the best national interest.

In patriotic consideration of the national welfare and in Christian concern for our older workers, I earnestly urge the immediate and overwhelming approval of this measure.

Mr. RANDALL. Mr. Speaker, it is a privilege to support H.R. 13054, entitled "The Age Discrimination Employment Act of 1967."

The passage of this bill today will be something of a personal satisfaction because both in the 88th Congress and 89th Congress I introduced bills similar to the one under consideration today. In the 89th Congress, our bill, H.R. 10211, introduced in August of 1965, incorporates the spirit and many of the provisions of the measure we are now considering. Our bill went further, however, and called for the establishment of a Bureau of Older Workers in the Department of Labor.

On January 23, 1967, the President, in his Older American message, recommended this act. He pointed out the age situation involved hundreds of thousands, not yet old enough to voluntarily retire, who find themselves jobless because of arbitrary age discrimination. We have pretty near full employment today but it is rather startling that there is a hard core of 850,000 people over 45 who are presently unemployed. It is these persons who draw the millions of dollars in unemployment insurance. They make up nearly half of the long-term unemployment.

It is encouraging to note that there has been a lot of State legislation in this area. There are now 24 States which have age discrimination legislation of the type proposed in H.R. 13054.

Another reason I am so pleased to support the passage of this bill today is because it has the strong support of the Fraternal Order of Eagles, an organization in which I have had membership in Aerie No. 385 for many years. This great organization has been engaged in strong efforts for many long years in behalf of this legislation. Membership in the Fraternal Order of Eagles is a family custom with the Randalls. Some of my near relatives who have now passed on would have regarded this as a proud day to see a bill such as this on its way to being passed into law.

In the hearings before the General Subcommittee on Labor I noted Mr. Charles Rowan, chairman, Jobs after 40 Committee, Fraternal Order of Eagles, testified, as did William A. "Red" McCawley, of Belleville, Ill., grand worthy president of the million member Fraternal Order of Eagles.

It was significant that both of these gentlemen testified that while there is concern for our older folks 65 and older, some of the most completely forgotten and neglected workers in the country today are those between 40 and 65, too young to retire on social security, but too old to find a job. Put in different language, this means persons in this age bracket are regarded as too old to work and too young to die.

There is no problem as long as a man of 40–65 in the prime of life continues to hold a job. At that point he is regarded as a valuable employee because of his experience and good judgment. Just let him lose his job and he will have a most difficult time trying to find another one. For this reason those who are in this age bracket live in constant fear that if they lose their job they will not be able to find another. This is an anomalous situation because during this century the life expectancy of the average American has increased 20 years. Yet the hiring policies of many employers are rooted in past prejudices and past practices. It seems irrational for society on the one hand to do everything possible to extend the life span of a man, and on the other hand throw him out to a sort of scrap heap as unusuable, solely because of his chronological age.

This bill certainly represents a definite step in the right direction but unfortunately it leaves some important things as yet undone. Because of the parliamentary situation this bill was considered under a suspension of the rules which precludes the offering of perfecting amendments. First, there is no provision for a worker, in the 40 to 65 range, to participate in some of the pension or retirement programs available to his fellow workers. There should be specific provisions to make certain that workers in the 40-to-65 age bracket can participate in all pension and retirement programs available to other workers regardless of age.

The second thing that we would hope could be added without too great a delay in a later enactment would be a provision to make the hiring of older workers more enthusiastically supported by employers. In our bill, H.R. 10211, in the 89th Congress, we provided for a Bureau of Older Workers which was to investigate tax policies leading to employment of persons over 40. Testimony in the hearings leading up to this bill revealed that because of pension plans and fringe benefits and other items it cost employers $265 a year more to hire a man aged 55, as against a man aged 25. Now if we could provide for a tax credit so that the employer could claim the $265 as a complete tax credit, we would eliminate altogether and completely what is described as the economic factor or barrier against the hiring of older persons. Once this were accomplished it would mean that some teeth could be put into a bill that would bar discrimination because of age just as much as because of sex or race.

A favorable result of such a tax deduction equal to the added cost of doing business because of the hiring of older workers would be that employers would cooperate in support of such legislation and in addition those thousands of employers with fewer than 25 workers would, I expect, voluntarily extend employment opportunity to older workers.

We are moving in the right direction by the passage of this bill today, yet we cannot say our responsibilities to older workers have been fully discharged until the two improvements I enumerated above, to wit, full participation of older workers, in pension, and retirement programs are available, as well as some sort of tax deduction or credit is granted to employers to eliminate the economic factor or burden on the employer, due to the added cost of hiring older workers.

Mr. HECHLER of West Virginia. Mr. Speaker, I rise in support of H.R. 13054. As so well pointed out by the chairman of the Committee on Education and Labor, the able gentleman from Kentucky [Mr. PERKINS], there are many older workers who have held jobs in the mines who are now being discriminated against because of age. I believe that passage of this bill will be particularly helpful in the State of West Virginia.

West Virginia does not have a State law, as do 24 other States having laws against age discrimination. But the conditions are such as to make a Federal law help the men and women of West Virginia a great deal. More than one out of every five residents of West Virginia are between the ages of 45 and 64. From 1960 to 1966, the actual number of men and women in this age group rose from 372,000 to 385,000—which is an increase of 3.5 percent. At the same time, the total population of the State decreased by 3.6 percent over the same period, largely due to the number of young people leaving the State for jobs elsewhere.

For too many men and women in West Virginia and the Nation, age is frequently used as an excuse for refusing a job to a person. This is not only unfair; it is uneconomic. Frequently, older workers make better workers because they are more experienced, more level-headed and also more stable—they hold their jobs more steadily than any younger workers looking around to see if the grass might not be greener someplace else.

For all these reasons, I hope that the bill will pass by an overwhelming vote.

Mr. PEPPER. Mr. Speaker, I am very much gratified at the prospect that the House will today pass a very monumental piece of legislation for which I have long labored. It will prohibit, after the effective date of this act, any employer, employment agency, or labor union employing more than 50 people from discriminating against any employee on account of age. After 1968 it will prohibit any employer, employing more than 25 employees from discriminating on account of age. In addition to this prohibition this bill contains many statutory provisions which will be very valuable to older persons in enjoying fair opportunity to work in America. The Full Employment Act of 1946, in the introduction and passage of which I had a part, never intended to limit the intent of that act to exclude employment on the grounds of race, sex, and age. It intended that the Government of the United States should pursue provisions which would provide an economic climate which would provide a fair opportunity to work at decent conditions to all people ready, willing, and able to work. I introduced, on August 17, H.R. 12405, a comprehensive bill aimed at attacking many different problems confronting senior citizens including this problem of discrimination against employees on account of age.

I appeared on that date before the General Labor Subcommittee of the House Education and Labor Committee considering this legislation, H.R. 13054, and my bill H.R. 12405, attacking other problems confronting senior citizens other than age discrimination. The distinguished chairman [Mr. DENT] assured me that at a later time his subcommittee would act on the other parts of my bill dealing with age discrimination, employment, and recreation. I also pointed out the need for Congress to go further. In addition, I testified about the many other needs of our senior citizens which must be met if we are to deal equitably and fairly with their problems.

Mr. Speaker, when I say discrimination on account of age I mean discrimination at all ages. For example, I certainly think there should be some prohibition against airlines from excluding their stewardesses merely on account of age.

Mr. Speaker, I include my statement before the Subcommittee of the Education and Labor Committee of August 17, chaired by the distinguished chairman of the subcommittee [Mr. DENT] at this point in the RECORD:

STATEMENT OF THE HONORABLE CLAUDE PEPPER BEFORE THE HOUSE GENERAL LABOR SUBCOMMITTEE OF THE EDUCATION AND LABOR COMMITTEE

Mr. Chairman: I would like to thank the members of the excellent House General Subcommittee on Labor for giving me this opportunity to testify as to the need to provide greater working opportunities for older workers. I would also like to commend this committee for the excellent job of investigation it has been doing and, I am sure, will continue to do on this matter of vital importance to our nation.

The problems facing our senior citizens have been receiving increased attention in the past several years, both in the executive and legislative branches of the Federal Government. All of the investigations and studies made so far point to the inescapable conclusion that something must be done to solve the employment problems of older workers, yet very few substantive programs have resulted from these reports and hearings. We must provide meaningful opportunities for employment to the thousands of workers 45 and over who are well qualified but nevertheless denied jobs which they may desperately need because someone has arbitrarily decided that they are "too old."

Although statistics show that as a nation we are growing younger, the absolute number of olders persons in the society continues to increase. By 1975, it is estimated that almost 65 million persons will be 45 and over. Today, the worker aged 45 or over comprises 27% of all the unemployed and 40% of the long-term unemployed and these workers receive more than ¾ of a billion dollars in unemployment insurance each year. In 1965, the Secretary of Labor reported to the Congress that approximately half of all private job openings were barred to applicants over 55; a quarter to those over 45; and almost all to those over 65. At the same time that the older workers are being forced by new technological advances to retire earlier, medical science is discovering ways to enable them to live longer. We are thus faced with the serious prospect of privation and poverty for a great number of this expanding population who will be involuntarily retired in the years ahead. There are, of course, many areas of study which should be pursued in order to solve this dilemma, but the most important single thing which we can do is to provide older workers with the opportunity to work and to support themselves as they have been doing all their lives.

Not only is employment important to the economic well-being of our older population, it is also important to their mental and physical health. In a recent position statement on the employment of older people the American Medical Association stated, "It is difficult to prove that physical or mental illness can be directly caused by denial of employment opportunities . . . However, few physicians deny that such a relationship exists." Many older persons, educated to the pioneer concept of work as a good in itself and leisure time as wasted time, are unable or unwilling to adapt to the creative use of their leisure time. They need to feel that they are in some way performing a contribution to society.

The bill which I introduced yesterday—The Older Workers Employment Act of 1967—attempts to attack this problem facing the older American on several fronts, combining all the best features of several earlier bills I introduced, including H.R. 9207 and H.R. 9893. It not only prohibits arbitrary discrimination against hiring older workers, but also offers meaningful job opportunities to many who could not otherwise find employment, provides for the construction of senior centers, and provides for the study and investigation of possible alternative answers to the problems now confronting us.

I am primarily concerned with emphasizing that the problem of the older worker is one of the greatest importance. Considered purely from the psychological point of view, if the involuntary unemployment of the older worker continues to increase, we shall have on our hands a great problem in the re-education of these people so that they may face the prospect of 20 to 25 years of retirement without anxiety and depression. Economic aspects of involuntary unemployment—or early retirement—are of even more serious consequence, for the importance of earned income in the budget of many of the elderly is paramount.

The bill which I have introduced is aimed at these problems. It will operate by "providing these age groups with opportunities for useful work, part-time and full-time, paid and volunteer, will bring them needed income, will benefit their physical and mental health; and will be a means of providing services needed by all age groups which are, not now being provided."

Older workers often find it very difficult to surmount the assumption that they are unable physically or mentally to handle any new work because of their age. Title II of my bill would attempt to fight this discrimination by making it unlawful for employers, employment agencies, or labor organizations to discriminate against any individual solely because of age, except in cases where age is a bona fide occupational qualification. Violation of these prohibitions would be punishable by civil penalties. Administration of the bill would be in the Wage and Hour Division of the Department of Labor, with the Secretary of Labor empowered to carry on a continuing program of education and information.

The elimination of age discrimination in employment will be a major step towards the goal of a better life for older citizens, but while it insures that available jobs will not be refused to qualified applicants, it does not insure a job for every older worker who wants one. In this day of rapidly improving technology, many older workers find their skills outmoded and their jobs abolished as new and more efficient methods of production are adopted. In order to combat the tightening job market, it will be necessary to provide work opportunities for older persons. Title III of my bill will help to increase the availability of work by anticipating jobs on Federally supported programs and authorizing the Secretary of Labor to provide training for older workers to fill these jobs.

To create further job openings, the Older Americans Act of 1965 will be amended to provide for a Senior Service Corps. The Secretary of Health, Education and Welfare will be authorized to supply part-time paid jobs in community service programs to workers aged 60 and over who are unable to secure full-time employment or to those who need to supplement an inadequate retirement income. Such jobs would provide a viable solution to the problem facing the worker who has exhausted his other means of support, but has not as yet found suitable employment. Those senior citizens who do not need jobs, but desire to work in community service programs on a volunteer basis, would be encouraged to work in the Senior Service Corps, and they would be eligible to receive out-of-pocket expenses from the program.

The Act would be further amended to provide the authorization of a special grant program to provide for the construction and operation of senior citizen activity centers. Some of these have been operated by pioneering communities for a number of years and represent the most significant and promising new instrumentality yet devised to meet the many and varied needs of older people. A center facility, adequately staffed and effectively operated, permits older people to develop programs which explore their interests and provide new opportunities for self-improvement. Centers can provide intellectual and recreational stimulation, offer private and personal counseling, provide referral services, and offer information about other services available to the elderly in their communities.

Many communities which are anxious to begin such a program, do not have the available funds. My bill would provide "seed money" to enable communities to begin developing these programs.

In order to open the way to constructive and satisfying roles in employment and retirement, a great deal of further study is needed. Therefore, the Secretary of Labor and the Secretary of Health, Education and Welfare are authorized under Title IV of my bill to conduct and support research programs in such areas as: early or flexible retirement plans, continuing education and retraining program for workers who are employed in order to prepare them for new jobs, and advance planning of manpower requirements. In addition, there is authorized to be appointed by the President, a Commisssion on Lifetime Adult Education. This commission may hold hearings and study the aforementioned proposals in order to make legislative recommendations on these problems, and shall cease to exist after its report has been filed.

Finally, the Secretary of Labor is directed to study the feasibility and desirability of a transitional allowance system for older workers between the ages of 55 and 65 who are unemployed and have exhausted their unemployment compensation. Within two years of the Secretary's report, the President will be directed to submit a report to Congress on the means to eliminate the gaps and inadequacies in workmen's compensation and disability insurance systems, particularly as they adversely affect the employment of older workers.

Mr. Chairman, the problems which plague the older worker today are indeed serious. As the longevity of our population increases, we shall probably move into an era where the periods of education, work, and retirement in a man's lifetime will assume equal importance. By acting now to give each man the opportunity to work as long as he chooses and to enter retirement willingly, we will have taken a great step toward insuring a happy and satisfying working life culminating in a constructive and useful retirement. But we must act now, for today's older worker has no time to wait.

I urge the members of this excellent subcommittee to recommend an expanded program to solve the employment problems of the older worker and the senior citizen, so that they may be able to increase their standard of living, while at the same time aid in decreasing the growing poverty which has ensnarled so much of our nation.

Mrs. DWYER. Mr. Speaker, few if any bills which Congress has passed this year can surpass the pending legislation in the potential for removing discrimination and for promoting social justice.

Of the multitude of ways in which man discriminates against his fellow man, one of the most difficult to oppose effectively—and to overcome personally—is discrimination in employment because of age.

The bill before us, Mr. Speaker, marks a major step in the direction of eliminating this particular form of discrimination and of assuring greater equality of opportunity for all our people.

As a sponsor of very similar legislation during the past 3 years, together with a series of related bills aimed at advancing these same objectives, I wholeheartedly support the present bill. Its enactment into law will be a fitting and effective companion to the bill we enacted last year which made special provision for counseling, training, and placement services for older workers under the Manpower Development and Training Act, a bill which I was also privileged to cosponsor.

Few social probems have become so serious and widespread in so short a time, chiefly because of the unfortunate trend in much of business and industry which denies to persons over 40 or 45 or 55, as the case may be, the opportunity even to be considered for employment, regardless of their qualifications or capabilities.

Men and women who, through no fault of their own, find themselves out of work and over 40 have been the forgotten people of our time. They have been victims of the myth that holds they are too settled, too hard to retrain, and have too little time left to make valuable contributions to new employers. The facts are otherwise, however, and it is up to Congress to help relieve the anxieties that beset millions of the middle-aged and eliminate the obstacles that stand in the way of full opportunity for all.

When a man or woman of 55, for instance, loses his job, he faces the prospect of long months of frustration, fear, and insecurity as he searches for a new one. And the odds are heavily against his finding new employment similar in kind and pay to his former position—no matter how skilled and experienced and vigorous he may be. The cost of such an experience in terms of mental anguish, family suffering, lost income, and damaged self-respect is too high to measure. One must observe it at firsthand—as I am confident many of our colleagues have—to appreciate how painful and how unnecessary it all is.

A number of recent studies, Mr. Speaker, including those undertaken by the Departments of Commerce and Labor, document the seriousness of age discrimination. Here are some of their findings:

First, over three-quarters of a million persons 45 years of age or older—most of them under 65—are looking for work and cannot obtain it; they comprise 27 percent of the unemployed but 40 percent of the long-term unemployed; and they account for three-quarters of the $1 billion in unemployment benefits which are disbursed annually.

Second, one-half of all the job openings that develop in the private economy each year—nationally—are closed to applicants over 55, and one-quarter are unavailable to persons over 45.

Third, though 24 of the States, including New Jersey, do have laws banning age discrimination, many of the laws have not been implemented and most of the States lack the resources to assure compliance.

Fourth, 26 of the 50 States have no laws at all prohibiting age discrimination in employment, and in those States more than half of all employers set specific age limits—usually between 45 and 55—beyond which workers will not be considered for employment regardless of ability.

Fifth, once a person over 45 loses a job, the chances against finding another like it are 6 to 1 against him. And the older a person is and the less education and training he has, the more hopeless his problem becomes. The number of older workers continues to grow, and should the economy fail to continue growing as rapidly as the working-age population, conditions for the older worker can only become much worse.

There are reasons, of course, why age discrimination is so dishearteningly widespread. They are not malicious reasons, for business and industry do not seek to persecute middle-aged workers. Employers are concerned, however, that older workers may be less physically capable, less adaptable to new conditions, that they sometimes lack special skills and training and have a shorter period of work expectancy, that pension plans cost more for older workers, and that younger workers can be employed for less money—all of which may add to the cost of doing business in a highly competitive field.

On the other hand, when older applicants are, in fact, more capable and dependable, as these studies have demonstrated is often the case, or when retraining and the acquisition of new skills is feasible—and the study made for the Bureau of Labor Statistics by the University of Michigan's Survey Research Center as well as the experience under experimental retraining programs demonstrate the adaptability and employability of older workers—then job discrimination hurts not only the deprived applicants but the employers and our economy and society as well.

This is especially true when discrimination consists of the blunt, blind refusal, rigid and unbending, to employ workers once they have passed an arbitrary age, however able or qualified they may be. As we have seen, such a closed-door policy only adds to long-term unemployment, higher relief costs, and extensive human suffering and despair.

The pending bill, Mr. Speaker, will deal wtih this problem directly and effectively. I would illustrate this contention by including herewith, as a part of my remarks, a portion of the November 13 issue of section 2 of the Prentice-Hall Lawyer's weekly report, "What's Happening in Washington." Though I do not share the fears of this analysis, assuming a responsible attitude on the part of business, this report indicates that the legislation is considered significant and potentially effective enough to warrant the immediate and active interest of private enterprise.

The report follows:

CONGRESS MOVES TO BAN AGE DISCRIMINATION IN EMPLOYMENT

Congress is putting the finishing touches on legislation to prohibit employers from arbitrarily discriminating in hiring because of applicant's age (S. 830 and H.R. 13054). The Senate has already passed S. 830, with some modifications to meet industry objections. The House is expected to act shortly. While being hailed by proponents as non-controversial, *the legislation could open a Pandora's box for employers, some business spokesmen feel.*

How the legislation would work: It would cover workers *between 40 to 65*. You could *not:* discriminate because of age when *hiring or firing, or in compensation, terms, conditions or privileges of employment; limit, segregate or classify employees by age* if it would adversely affect their employment opportunities; specify age for eligibility *when advertising* for new employees, or *give preference because of age.*

However, there would be these *exceptions:* (1) When age is a *bonafide occupational qualification.* (2) Companies wouldn't have to take recently hired older workers into their *pension plans.* (3) *Seniority rules* that apply to newly hired older workers.

Not excepted from the bills are *management training programs.* Congress feels that such a broad exception could be a big loophole in age-job discrimination. However, the committees handling the bill did recognize that age might be a *legitimate consideration* for management training.

Enforcement could be tough. Unlike the roundabout method the Equal Employment Opportunity Commission has to follow (through individual suits and referring violations to Justice for action), the Secretary of Labor would be able to start injunction proceedings on his own. Proceedings for willful obstruction of administration of the Act could result in fines of up to $500, a year in jail, or both. However, private citizens who want to prosecute under the Act would have to give the Secretary 60 days in which to seek compliance through conciliation before they could start suit. The Secretary will issue Regulations on record keeping, investigations and the like, when the bill becomes law.

What to do. Start now to look over your age policies in hiring, for promotions and other job benefits. If age is a factor in personnel decisions, be prepared to prove the reasons aren't discriminatory.

Mr. Speaker, about 40 million older workers would be protected by this legislation. The protection is needed, and the pending bill would provide it in a reasonable, workable, and just way. I urge our colleagues to pass this bill.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 13054.

The question was taken.

Mr. **ERLENBORN**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 344, nays 13, not voting 75, as follows:

[Roll No. 422]

YEAS—344

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baring
Barrett
Belcher
Bennett
Berry
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dingell
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Langen
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
Patman
Patten
Pelly
Pepper
Perkins

Pettis
Philbin
Pike
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Selden
Shipley
Shriver
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Vander Jagt
Vigorito
Waldie
Walker
Wampler
Watkins
Whalen
Whalley
White
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—13

Abernethy
Colmer
Fountain
Jonas
Kleppe
Montgomery
O'Neal, Ga.
Passman
Rarick
Satterfield
Smith, Iowa
Waggonner
Whitener

NOT VOTING—75

Abbitt
Adair
Annunzio
Ashley
Aspinall
Bates
Battin
Bell
Betts
Boland
Bolling
Broomfield
Button
Celler
Clausen,
  Don H.
Curtis
Daddario
Dickinson
Diggs
Dorn
Dwyer
Edmondson
Findley
Frelinghuysen
Green, Oreg.
Gude
Halleck
Hardy
Heckler, Mass.
Horton
Jones, Mo.
Kupferman
Landrum
Latta
Lukens
Madden
Mathias, Md.
Monagan
Morgan
Morton
Multer
Nelsen
Nichols
O'Neill, Mass.
Ottinger
Pickle
Pirnie
Resnick
Roberts
Ronan
St. Onge
Sandman
Saylor
Scott
Sikes
Sisk
Skubitz
Steed
Stephens
Stratton
Taft
Thompson, N.J.
Tuck
Tunney
Van Deerlin
Vanik
Watson
Watts
Widnall
Williams, Miss.
Willis
Wilson,
  Charles H.
Wolff
Wright
Wyatt

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Halleck.

Mr. Annunzio with Mrs. Heckler of Massachusetts.

Mr. Daddario with Mr. Horton.

Mr. Roberts with Mr. Latta.

Mr. Charles H. Wilson with Mr. Morton.

Mr. Sikes with Mr. Adair.

Mr. Onge with Mr. Mathias of Maryland.

Mr. Ottinger with Mr. Kupferman.

Mr. Wolff with Mr. Saylor.

Mr. Monagan with Mr. Pirnie.

Mr. Multer with Mr. Widnall.

Mr. Nichols with Mr. Findley.

Mr. Edmondson with Mr. Frelinghuysen.

Mr. Dorn with Mr. Dickinson.

Mr. Stratton with Mr. Broomfield.

Mr. Resnick with Mr. Taft.

Mr. Abbitt with Mr. Battin.

Mr. Hardy with Mr. Bates.

Mr. Steed with Mr. Bell.

Mr. Willis with Mr. Nelsen.

Mr. Celler with Mr. Lukens.

Mr. Aspinall with Mr. Scott.

Mr. Landrum with Mr. Curtis.

Mr. Wright with Mr. Don H. Clausen.

Mr. Watts with Mr. Watson.

Mrs. Green of Oregon with Mr. Wyatt.

Mr. Sisk with Mr. Gude.

Mr. Morgan with Mrs. Dwyer.

Mr. Ronan with Mr. Button.

Mr. Pickle with Mr. Betts.

Mr. Madden with Mr. Sandman.

Mr. Tuck with Mr. Skubitz.

Mr. Tunney with Mr. Vanik.

Mr. Van Deerlin with Mr. Stephens.

Mr. Ashley with Mr. Boland.

Mr. Thompson of New Jersey with Mr. Diggs.

Mr. Scheuer with Mr. Williams of Mississippi.

Messrs. O'NEAL of Georgia, MONTGOMERY, WAGGONNER, RARICK, and PASSMAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 830) to prohibit age discrimination in employment.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Age Discrimination in Employment Act of 1967".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that—

(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;

(2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;

(3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;

(4) the existence in industries affecting commerce of arbitrary discrimination in employment because of age burdens commerce and the free flow of goods in commerce.

(b) It is therefore the purpose of this Act to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.

EDUCATION AND RESEARCH PROGRAM

SEC. 3. (a) The Secretary of Labor shall undertake studies and provide information to labor unions, management, and the general public concerning the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy. In order to achieve the purposes of this Act, the Secretary of Labor shall carry on a continuing program of education and information, under which he may, among other measures:

(1) undertake research, and promote research, with a view to reducing barriers to the employment of older persons, and the promotion of measures for utilizing their skills;

(2) publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment;

(3) foster, through the public employment service system and through cooperative effort, the development of facilities of public and private agencies for expanding the opportunities and potentials of older persons;

(4) sponsor and assist State and community informational and educational programs.

(b) Not later than six months after the effective date of this Act, the Secretary shall recommend to the Congress any measures he may deem desirable to change the lower or upper age limits set forth in section 12.

PROHIBITION OF AGE DISCRIMINATION

SEC. 4. (a) It shall be unlawful for an employer—

(1) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age;

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's age; or

(3) to reduce the wage rate of any employee in order to comply with this Act.

(b) It shall be unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of such individual's age, or to classify or refer for employment any individual on the basis of such individual's age.

(c) It shall be unlawful for a labor organization—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his age;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's age;

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member, or applicant for membership, has opposed any practice made unlawful by this section, or because such individual, member, or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this Act.

(e) It shall be unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on age.

(f) It shall not be unlawful for an employer, employment agency, or labor organization—

(1) to take any action otherwise prohibited under subsection (a), (b), (c), or (e) of this section where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where the differentiation is based on reasonable factors other than age;

(2) to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this Act, except that no such employee benefit plan shall excuse the failure to hire any individual; or

(3) to discharge or otherwise discipline an individual for good cause.

STUDY BY SECRETARY OF LABOR

SEC. 5. The Secretary of Labor is directed to undertake an appropriate study of institutional and other arrangements giving rise to involuntary retirement, and report his findings and any appropriate legislative recommendations to the President and to the Congress.

ADMINISTRATION

SEC. 6. The Secretary shall have the power—

(a) to make delegations, to appoint such agents and employees, and to pay for technical assistance on a fee-for-service basis, as he deems necessary to assist him in the performance of his functions under this Act;

(b) to cooperate with regional, State, local, and other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this Act.

RECORDKEEPING, INVESTIGATION, AND ENFORCEMENT

SEC. 7. (a) The Secretary shall have the power to make investigations and require the keeping of records necessary or appropriate for the administration of this Act in accordance with the powers and procedures provided in sections 9 and 11 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 209 and 211).

(b) The provisions of this Act shall be enforced in accordance with the powers, remedies, and procedures provided in sections 11 (b), 16 (except for subsection (a) thereof), and 17 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211 (b), 216, 217) and subsection (c) of this section. Any act prohibited under section 4 of this Act shall be deemed to be a prohibited act under section 15 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 215). Amounts owing to an individual as a result of a violation of this Act shall be deemed to be unpaid minimum wages or unpaid overtime compensation for purposes of sections 16 and 17 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 216, 217): *Provided,* That liquidated damages shall be payable only in cases of willful violations of this Act. In any action brought to enforce this Act the court shall have jurisdiction to grant such legal or equitable relief as may be appropriate to effectuate the purposes of this Act, including without limitations judgments compelling employment, reinstatement or promotion, or enforcing the liability for amounts deemed to be unpaid minimum wages or unpaid overtime compensation under this section. Before instituting any action under this section, the Secretary shall attempt to eliminate the discriminatory practice or practices alleged, and to effect voluntary compliance with the requirements of this Act through informal methods of conciliation, conference, and persuasion.

(c) Any aggrieved individual may bring a civil action in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this Act: *Provided,* That the right of any individual to bring such action shall terminate upon the commencement of an action by the Secretary to enforce the right of such individual under this Act.

(d) No civil action may be commenced by any individual under this section until the individual has given the Secretary not less than sixty days' notice of an intent to file such action. Such notice shall be filed—

(1) within one hundred and eighty days after the alleged unlawful practice occurred, or

(2) in a case to which section 13(b) applies, within three hundred days after the alleged unlawful practice occurred or within thirty days after receipt by the individual of notice of termination of proceedings under State law, whichever is earlier.

Upon receiving a notice of intent to sue, the Secretary shall promptly notify all persons named therein as prospective defendants in the action and shall promptly seek to eliminate any alleged unlawful practice by informal methods of conciliation, conference, and persuasion.

(e) Sections 6 and 10 of the Portal-to-Portal Act of 1947 shall apply to actions under this Act.

NOTICES TO BE POSTED

SEC. 8. Every employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice to be prepared or approved by the Secretary setting forth information as the Secretary deems appropriate to effectuate the purposes of this Act.

RULES AND REGULATIONS

SEC. 9. In accordance with the provisions of subchapter II of chapter 5 of title 5, United States Code, the Secretary of Labor may issue such rules and regulations as he may consider necessary or appropriate for carrying out this Act, and may establish such reasonable exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest.

CRIMINAL PENALTIES

SEC. 10. Whoever shall forcibily resist, oppose, impede, intimidate, or interfere with a duly authorized representative of the Secretary while he is engaged in the performance of duties under this Act shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both: *Provided, however,* That no person shall be imprisoned under this section except when there has been a prior conviction hereunder.

DEFINITIONS

SEC. 11. For the purposes of this Act—

(a) The term "person" means one or more individuals, partnerships, associations, labor organizations, corporations, business trusts, legal representatives, or any organized groups of persons.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year: *Provided,* That prior to June 30, 1968, employers having fewer than fifty employees shall not be considered employers. The term also means any agent of such a person, but such term does not include the United States, a corporation wholly owned by the Government of the United States, or a State or political subdivision thereof.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is fifty or more prior to July 1, 1968, or twenty-five or more on or after July 1, 1968, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States, or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

LIMITATION

SEC. 12. The prohibitions in this Act shall be limited to individuals who are at least forty years of age but less than sixty-five years of age.

ANNUAL REPORT

SEC. 13. The Secretary shall submit annually in January a report to the Congress covering his activities for the preceding year and including such information, data, and recommendations for further legislation in connection with the matters covered by this Act as he may find advisable. Such report shall contain an evaluation and appraisal by the Secretary of the effect to the minimum and maximum ages established by this Act, together with his recommendations to the Congress. In making such evaluation and appraisal, the Secretary shall take into consideration any changes which may have occurred in the general age level of the population, the effect of the Act upon workers not covered by its provisions, and such other factors as he may deem pertinent.

FEDERAL-STATE RELATIONSHIP

SEC. 14. (a) Nothing in this Act shall affect the jurisdiction of any agency of any State performing like functions with regard to discriminatory employment practices on account of age except that upon commencement of an action under this Act such action shall supersede any State action.

(b) In the case of an alleged unlawful practice occuring in a State which has a law prohibiting discrimination in employment because of age and establishing or authorizing a State authority to grant or seek relief from such discriminatory practice, no suit may be brought under section 7 of this Act before the expiration of sixty days after proceedings have been commenced under the State law, unless such proceedings have been earlier terminated, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State law. If any requirement for the commencement of such proceedings is imposed by a State authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State authority.

EFFECTIVE DATE

SEC. 15. This Act shall become effective one hundred and eighty days after enactment (except (a) that the Secretary of Labor may extend the delay in effective date of any provision of this Act up to an additional ninety days thereafter if he finds that such time is necessary in permitting adjustments to the provisions hereof, and (b) that on or after the date of enactment the Secretary of Labor is authorized to issue such rules and regulations as may be necessary to carry out its provisions).

APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums, not in excess of $3,000,000 for any fiscal year, as may be necessary to carry out this Act.

AMENDMENT OFFERED BY MR. DENT

Mr. DENT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: Strike out all after the enacting clause of S. 830 and insert in lieu thereof the provisions of H.R. 13054, as passed by the House.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13054) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks and to include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

IMPROVING CERTAIN BENEFITS FOR EMPLOYEES WHO SERVE IN HIGH-RISK SITUATIONS

Mr. HAYS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13798) to improve certain benefits for employees who serve in high-risk situations, and for other purposes, as amended.

The Clerk read as follows:

H.R. 13798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 911 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1136), is amended by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) the travel expenses of officers and employees of the Service for up to two round trips each year for purposes of family visitation in situations where the family of the officer or employee is prevented by official order from accompanying such officer or employee to, or has been ordered evacuated from, his assigned post because of danger from hostile activity, except that, with respect to any such officer or employee whose dependents are located abroad, the Secretary may authorize such additional trips as he deems appropriate not to exceed the equivalent cost of two round trips of less than first class to the District of Columbia, and the travel expenses of officers or employees stationed abroad (or their dependents located abroad), for purposes of family visitation in emergency situations involving personal hardship: *Provided,* That the facilities of the Military Airlift Command shall be utilized whenever possible for travel authorized under this section."

SEC. 2. Immediately after section 943 of the Foreign Service Act of 1946, as amended, add the following new section:

"SEC. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee."

SEC. 3. (a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section:

"§ 6325. Absence resulting from hostile action abroad

"No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to any injury incurred while serving abroad and resulting from war, insurgency, mob violence, or similar hostile action: *Provided,* That the injury shall not have been due to vicious habits, intemperance, or willful misconduct on the part of the officer or employee."

(b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof:

"6325. Absence resulting from hostile action abroad."

(c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

The SPEAKER. Is a second demanded?

Mrs. BOLTON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HAYS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 13798 contains three sections which were included in similar or identical language in the so-called Hays bill that passed the House of Representatives in 1965. The other body failed to act on that bill and sent it back to the House of Representatives in 1966, a substitute bill with many provisions that had never been considered by the House committee.

Let me explain briefly each of the three sections of H.R. 13798. Section 1, page 1, line 8; page 2, line 14, authorizes the payment of travel expenses for family visitation of employees stationed abroad at posts where dependents may not accompany them.

There is authority for the payment of a separation allowance, but not for a separation travel allowance. This section provides such authority. The Department of State attempted to deal with the matter by regulation, but the GAO challenged the legality of the regulation.

Although this amendment is occasioned by the situation in Vietnam from which dependents have been excluded since early 1965, it would be applicable to comparable situations in other parts of the world.

The maximum allowance is the cost of two round trips per year between the officer's post and Washington—economy or tourist class, not first class. The present cost of a round trip between Saigon and Washington is $1,207, economy class. More frequent trips are permissible within this maximum if the family is living closer to the officer's post, as, for example, in Bangkok or Manila. Wherever possible, the Military Airlift Command is to be used.

Incidentally, Mr. Speaker, the amendment to this bill is a simple amendment to change the name which we used as Military Air Transport to the new official title, Military Airlift Command.

This authority does not guarantee an officer these trips. Its availability at all times is subject to the needs of the service. No extra money accrues to the officer if he does not or cannot use the authorized travel.

This section also authorizes—page 2, lines 9 and 10—family visitation travel in emergency situations involving personal hardship for an officer or his dependents located abroad, for example, a death in the family. Existing law does not authorize this type of payment.

Section 2, page 2, lines 15 to 21, authorizes medical benefits now available under the Foreign Service Act for officers and employees to be continued beyond the date of separation and for dependents beyond the date of the death or separation of an officer or employee.

Under existing law medical benefits for officers and employees cannot be continued beyond the date of separation from the service, and dependent benefits cease automatically at the time the employee dies or is separated from the service.

This is not an elaborate postretirement medical plan. It deals only with emergency and accute hardship cases. As an example, the wife of an officer is hospitalized, and the officer dies while she is hospitalized. Her medical benefits cease immediately. This would permit a continuation of the benefits until she recovers.

Section 3, page 2, line 22; page 3, line 13, provides that no charge against leave for a period up to 1 year will be made for absence from employment resulting from hostile activity. This makes it possible to retain an employee in a full pay status for a period up to 1 year plus any sick and annual leave that may be due him.

The purpose of this provision is to take care of longtime recovery. The Federal Employees Compensation Act—FECA—deals with payments and benefits arising from partial or complete disability.

If any individual must retire for disability, he chooses disability under the Foreign Service Act if he is covered by that act—which provides a 40-percent minimum of his salary—or under FECA—which provides 66⅔ of his salary with a range from $245 per month to $1,437 per month, depending upon his salary.

This amendment is made retroactive in its application to January 1, 1965, to cover those injured in the attack upon the chancery in Saigon. About 30 individuals would be covered by the amendment, 10 of whom were injured in connection with the attack upon the chancery in Saigon.

May I say, Mr. Speaker, that among those injured in this attack were several people who were young in years, and young in service with the Government. I am thinking especially of one who was a girl who was in her early twenties, who was partially blinded as a result of this bomb, and who had to spend a long time in the hospital. Because of her age, she had been with the Government only a few months, and thus had only a few days of sick leave. If this bill is not passed she would lose all the pay for all the time she was in the hospital. I understand that she is in rather serious financial straits because of the extra medical expenses incurred and the loss of her earning power.

The estimated costs of the first year for the three agencies covered would be for section 1, $197,760; section 2, $17,500; section 3, $15,000; a total of $230,250.

This bill came out of the Committee on Foreign Affairs unanimously. One Member voted present but otherwise all votes were in favor of it.

I urge that the House pass this bill.

The SPEAKER. The Chair recognizes the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Foreign Service offers many compensations to those who serve their country abroad. Some of these are tangible; some are intangible. But today Foreign Service also presents these individuals with hazards and difficulties not foreseen when Congress passed the Foreign Service Act in 1946.

The chairman of our Subcommittee on State Department Organization and Foreign Operations, my colleague, the gentleman from Ohio [Mr. HAYES], has amply described the circumstances that have created the need for this bill. I can assure the members of the House that the subcommittee examined all the angles and issues involved.

In this bill we are not embarking upon costly and elaborate fringe benefits for our overseas personnel. Rather we have confined our amendments of the basic law to those few provisions that will provide some small but significant benefits for service in hazardous areas. The prolonged separation of families presents strains and emotional involvement with which many of us are familiar. In authorizing occasional travel for family visitation under carefully drawn language, we are attempting to permit those serving in posts in Vietnam to have some normal family association.

Our Foreign Service personnel are unarmed, yet serving in a war-torn area. They are killed and injured just as our military personnel are. Many of them are individuals with little or no previous Government service. Hence the lack of opportunity to accumulate sick leave upon which they may draw when they are seriously injured, presents them with a most distressing situation. I might inform the House that at least two civilian employees have been permanently blinded as a result of service in Vietnam. In all, about 30 individuals thus far would benefit from the extended sick leave given them. Many of them can, after medical attention and vocational rehabilitation, return to Government service. The very least we can do for these people is to provide some period during which they may be able to be treated and returned as productive citizens.

I hope that this House will pass H.R. 13798 by a unanimous vote.

The SPEAKER. The question is on the motion of the gentleman from Ohio, that the House suspend the rules and pass the bill H.R. 13798, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. HAYS. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 1785) to improve certain benefits for employees who serve in high-risk situations, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

S. 1785

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 911 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1136), is amended by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) the travel expenses of officers and employees of the Service for up to two round trips each year for purposes of family visitation in situations where the family of the officer or employee is prevented by official order from accompanying such officer or employee to, or has been ordered evacuated from, his assigned post because of danger from hostile activity, and the travel expenses of officers or employees stationed abroad, for purposes of family visitation in emergency situations involving personal hardship: *Provided*, That the facilities of the Military Air Transport Service shall be utilized whenever possible for travel authorized under this section."

SEC. 2. Immediately after section 943 of the Foreign Service Act of 1946, as amended, add the following new section:

"SEC. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee."

SEC. 3. (a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section:

"§ 6325. Absence resulting from hostile action abroad

"No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to any injury incurred while serving abroad and resulting from war, insurgency, mob violence, or similar hostile action: *Provided*, That the injury shall not have been due to vicious habits, intemperance, or willful misconduct on the part of the officer or employee."

(b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof:

"6325. Absence resulting from hostile action abroad."

(c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

AMENDMENT OFFERED BY MR. HAYS

Mr. HAYS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS: Strike out all after the enacting clause of S. 1785, and insert in lieu thereof the provisions of H.R. 13798, as passed by the House.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13798) was laid on the table.

INCREASE OF TIMBER SURVEY AUTHORIZATION

Mr. DOW. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1136) to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes.

The Clerk read as follows:

S. 1136

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 9 of the Act of May 22, 1928, as amended (45 Stat. 699, 702;

16 U.S.C. 581h), is hereby amended by striking out "$2,500,000" and inserting in lieu thereof "$5,000,000".

The SPEAKER. Is a second demanded?

Mr. HANSEN of Idaho. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DOW. Mr. Speaker, I yield myself such time as I may require.

For a number of years, since 1928, the Forest Research Act has provided funds for the taking of a survey of American forest lands. The increased cost of this survey over the years finally led the Congress in 1962 to set an annual ceiling of $2.5 million for the taking of this survey.

The timber survey is a basic inventory of one of our most important natural resources. Through periodic inventories in each State, the public is furnished comprehensive facts on the area and condition of forest lands, the volume, quality, and location of standing timber; present and prospective growth of timber stands; losses from fire, insects, and other destructive agents; and the harvest of timber for industrial uses. Since about one out of every three trees in the United States is in Federal ownership, it is important for intelligent management of our national forests, as well as State and privately owned forests, to have current and accurate data on the extent, location, and composition of our timber supply as a sound basis for program and policy decisions.

The purport of this bill, S. 1136, is to raise the ceiling that has prevailed up to this time from $2.5 million to $5 million. This is brought about because the actual money spent on these surveys annually is hovering close to the ceiling at this time. It is believed from experience that the requirement will increase with the coming years. A 6-percent increase in research related to the survey has been the experience in connection in recent years. Moreover, there will be pay increases to foresee in connection with this as with other like activities. Accordingly, the Congress is asked to be foresighted and to provide a higher ceiling of $5 million for carrying on this survey.

The forest survey provides the only comprehensive source of basic information on one of the Nation's most important natural resources. It provides facts on the area, condition, and productivity of forest lands; the volume, kind, quality, and location of standing timber; the present and prospective growth of timber of various species; losses to fire, insects, diseases, and other destructive agents; the present and prospective volumes of timber cut for various forest products; and interpretations of information on timber supplies and timber use to provide factual guides to the conservation and use of the Nation's forest land and timber resources.

Mr. Speaker, this survey is of immense value to industry, and in the time ahead I am sure it will be even more so because of the increasingly technical and scientific operations of industry in its use of forest products.

Accordingly, Mr. Speaker, I urge the passage of S. 1136.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DOW. I yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman could inform the House why, on page 4 of the report, under the paragraph entitled "Cost," the statement appears that—

> Based on the experience since 1962, the committee would expect an increased cost of $150,000 during the first year with proportionate future increases—

But still we are doubling the ceiling, making it a total of $5 million annually through the mid-1970's, instead of taking this up at another time annually. I ask this question particularly in view of the alleged economy wave that is before us at this particular time.

Mr. DOW. There is no bar to the action of the Appropriations Committee from year to year.

What this bill does is to provide leeway, so that we do not have to come to this body every year to raise the ceiling, and it permits flexibility in the performance of this survey. That I think is the purpose of this bill. We might note also that the appropriation demanded by the House for $2.5 million for this year, was cut slightly by the Senate. It is not considered adequate by the Department of Agriculture. Initially the Department of Agriculture had asked for elimination of the ceiling altogether. In response to the wishes of the Senate, under this bill S. 1136, we settled for a stated ceiling of $5 million, based on the understanding of the authorities in the Department of Agriculture about the need in the next few years.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I think all of us appreciate the need for good and excellent husbandry in our national forests. It is rather amazing to see in this report that one out of every three trees in the United States is now under direct control of the National Forest Service. Certainly we must do our job well, but none of us on this floor is fooled by an authorization which is in excess of an appropriation. We quite often hear the counterargument that if we do not want to appropriate in times of expenditure tightening, we should not authorize it. This works both ways.

Besides, I submit there is nothing wrong with coming to the people's Representatives regularly to justify any authorization, whether it be with each Congress, or whether it be annually. On that basis, although the intent of the bill is good, I would decry the cost ceiling of more than double.

Mr. Speaker, I thank the gentleman for yielding.

Mr. DOW. Mr. Speaker, let me say to the gentleman, I am delighted that he believes the intent of the bill is good. From year to year the Appropriations Committee is in a position to carry out the intent by its control of the funds. There is nothing here that prevents that. We are simply carrying out the intent suggested by the gentleman, which is to look forward with some vision of the growing needs of our Forestry Service and forestry industries in the years to come.

Mr. HANSEN of Idaho. Mr. Speaker, I rise to support S. 1136.

This bill is noncontroversial and in light of the changes of the times and ever-increasing inflation and demands on the Forest Service is certainly in line with economy and good management practices.

Mr. ULLMAN. Mr. Speaker, I rise in support of S. 1136, to increase the timber survey authorization.

In this period of budgetary stress, the Congress must examine carefully proposals to expand expenditures. The forest survey, through the encouragement of sound resource development, is one program which returns many times its original investment.

The costs of conducting the forest survey have risen substantially since the present authorization was established in 1962. The Department of Agriculture—which wholeheartedly endorses this legislation—informs me that the program is bumping the $2½ million maximum.

The surveys periodically inventory the area and condition of forest lands; the volume, quality, and location of standing timber; present and prospective growth of timber stands; losses from fire, insects, and other destructive agents; and the harvest of timber for industrial uses. In addition, the surveys provide current estimates of timber supplies and the outlook for future timber demands.

When the McSweeney-McNary Forest Research Act was originally enacted in 1928, a single nationwide survey was authorized. However, since timber supplies are continually changing, and modern industrial development requires up-to-date resource information, subsequent authorizations have recognized the need for periodic reinventory of our forest resources.

The U.S. Forest Service has attempted to establish the resurvey on a 10-year rotation basis, but increasing costs have made this goal impossible with the existing $2½ million limitation.

Because of dollar limitations, the Department has been forced in the past to rotate the survey on a region-by-region basis. Many studies vital to the continued growth of our Nation's forest resources and development have been postponed for lack of funds. For example, the Forest Service has, for some time, sought to extend their timber supply survey of Douglas-fir in the regions west of the Cascade Mountains to the Ponderosa pine regions in eastern Oregon and Washington. This study, crucial to lumbermen in the Pacific Northwest, has not been conducted because of insufficient funds.

I am greatly concerned that the studies at this time must be limited to the Douglas-fir region when the pine regions of Oregon, Washington, Idaho, Montana, and California have an urgent need for and a great dependence upon the level of Federal timber management.

Mr. Speaker, extending the authorization for the forest survey will insure adequate and continuing inventories of our forest resources and provide the information necessary for timber conservation and management. I strongly recommend to my colleagues S. 1136.

The SPEAKER. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill S. 1136.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DOW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks with respect to the legislation just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REMOVING CERTAIN LIMITATIONS ON OCEAN CRUISES

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 12639, to remove certain limitations on ocean cruises, as amended.

The Clerk read as follows:

H.R. 12639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 613(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1183), is amended to read as follows:

"(b) If the Secretary of Commerce finds that the operation of any passenger vessel with respect to which a contract for the payment of an operating-differential subsidy has been entered into under section 603 of this title effective before January 2, 1960, is required for at least one-third of each year, but not for all of each year, in order to furnish adequate service on the service, route, or line covered by such contract, he may amend such contract to agree to pay an operating-differential subsidy for operation of the vessel (1) on such service, route, or line for such part of each year, and (2) on cruises for all or part of the remainder of each year if such specific cruise is approved by the Secretary of Commerce under subsection (d) of this section."

SEC. 2. (a) Subsection (d) of section 613 of the Merchant Marine Act, 1936, as amended, is hereby repealed.

(b) Subsections (e) and (f) of section 613 of the Merchant Marine Act, 1936, as amended, are hereby redesignated as subsections (d) and (e), respectively, including any references thereto.

SEC. 3. Section 613 of the Merchant Marine Act, 1936, as amended, is repealed effective on the last day of the three-year period which begins on the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, the purpose of this bill is to amend the Merchant Marine Act, 1936, so as to provide greater flexibility than is available under existing law with regard to American passenger vessels in cruise trades.

When the 1936 act was enacted, passenger vessels were essential for overseas travel. Under that act the Secretary of Commerce is authorized to pay operating-differential subsidy for the operation of vessels, including passenger vessels, on trade routes determined to be essential by the Secretary under section 211 of the act.

In recent years, largely through the development of large-scale, safe, and dependable overseas air transport, operators of passenger vessels have found that such vessels go through slow seasons each year during which they earn little profit, or even operate at a loss on their prescribed essential trade routes.

In other words, the demand for point-to-point transportation by a passenger ship in most areas today is insufficient to maintain successful operations on a year-round basis. This fact has affected foreign passenger lines as much as it has American.

In fact, the foreigners were first to go "off route" during the slack seasons on their regular services. Thus, there has been a substantial upsurge in ocean cruises during the very period of the year when traffic is slack on regular routes.

In 1961, the Secretary of Commerce proposed legislation which would authorize the payment of operating-differential subsidy under the 1936 act for the operation of passenger vessels on cruises not on the essential trade routes during the slack season on the essential service to which such vessels were assigned.

On the basis of the recommendations of the Department of Commerce, and after full hearings in 1961, there was enacted into law Public Law 87–45, which recognized the prevailing situation concerning the diminishing demand for year-round point-to-point passenger ship operations, and the increased demand for cruise operations.

Under that act, subject to certain safeguards set forth therein, the former Federal Maritime Board was authorized to approve applications for the payment of operating-differential subsidy for the operation of passenger vessels on cruises for up to 120 days in each year.

The operations of Public Law 87–45 have generally been successful and have enabled operators of American-flag passenger vessels to participate in the growing cruise trade, with significant reductions in losses previously experienced during the slack season on the essential trade routes.

Since 1961, there have been further shifts in the pattern of operations on the essential trade routes and in the cruise business. Both the slack season on the regular routes and the cruise season have become longer. Accordingly, this legislation is necessary in order to enable the existing American passenger operators to accommodate their operations to the increasing cruise trade and diminishing passenger requirements on point-to-point operations.

By doing so these operators will be able to minimize their losses on their regular trade routes; enhance American-flag participation in the rapidly growing cruise business from our shores; and, of course, make significant contributions to our balance-of-payments problem.

In 1964, the latest year for which the Maritime Administration submitted figures, about 220,000 passengers traveled between the Atlantic coast and the Caribbean in passenger vessels and of this total only about 28,000 traveled in American-flag vessels. American-flag vessels, therefore, obtained about 13 percent of this business.

The Maritime Administration, testifying on behalf of the Department of Commerce, expressed the belief that more extended cruising than is permitted by existing law, with permission to carry one-way passengers and mail and cargo under the conditions stated in the bill, would tend to reduce the losses suffered by some passenger ships.

This is permissive legislation only. Specific cruises must be approved by the Secretary of Commerce, and then only to the extent adequate service is otherwise furnished on the essential trade route.

The bill as reported would, first, limit the cruising privilege to existing subsidized passenger-ship operators; second, require the vessels of such operators to serve their regular trade routes for at least one-third of each year; and third, provide for repeal of section 613 of the Merchant Marine Act, 1936, effective on the last day of the 3-year period which begins on the date of enactment of the act.

This legislation will not result in any increased cost to the Government. On the contrary, it is expected that enactment hereof will be beneficial to the Government by virtue of decreased losses to the operator.

A quorum being present, it was the unanimous view of the committee that this is desirable legislation and the committee urges its prompt enactment.

Mr. HALL Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Missouri.

Mr. HALL. In the broad experience of the chairman of the subcommittee of the Committee on Merchant Marine and Fisheries, is there a shortage of berths on spaces in U.S. ships, on the currently allowable 4-months' cruise basis in the Latin American and Caribbean routes?

I have not heard of anyone who has not been able to get on an American bottom in a cruise ship in this area. I was just wondering if there was a general shortage of spaces available.

Mr. GARMATZ. There is some shortage, but as I said before, only 13 percent of the total number of passengers are going on American ships and the rest on foreign ships.

Mr. HALL Then this would help our outflow of dollars if we used American bottoms instead of foreign ships for the traveling American public. Is that the gentleman's position?

Mr. GARMATZ. The gentleman is absolutely correct.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, is there any subsidy built into this legislation which would permit American lines to go on cruises rather than the original intent of subsidies, which was, of course, to make American bottoms competitive with foreign bottoms in foreign commerce?

Mr. GARMATZ. It would be the same if they were on a cruise run or a regular trade route. It would be the same subsidy.

Mr. HALL. But we would not be subsidizing it in 8 months more than we would be for the 4 months out of the year?

Mr. GARMATZ. No.

Mr. HALL. We would just be allowing more American bottoms to compete. Is that correct?

Mr. GARMATZ. That is correct.

Mr. HALL. Is there any question of competition with the additional American bottoms that would be allowed for this additional period of time with those who have already assigned routes in the Latin American or Caribbean area? I am simply trying to determine whether this legislation brought up here under suspension of rules today, would allow additional lines franchised by the United States—or American bottoms as we refer to them—to operate in an area where we already have franchised American bottoms that have regularly assigned routes.

Mr. GARMATZ. They could operate in the area but not in direct competition with the regular lines.

Mr. HALL. There is no way under this additional legislation, permissible or otherwise, where they would be in direct competition with existing assigned regular commercial routes for cruising or other purposes?

Mr. GARMATZ. There would not be.

Mr. HALL. It would seem to me that this might double the competition on existing assigned routes, but the gentleman assures us that this will not be true?

Mr. GARMATZ. That is correct.

Mr. HALL. It would not be true by virtue of assigning 8 months for cruising instead of 4 months?

Mr. GARMATZ. That is correct.

Mr. HALL. How could this be? Would it be because they would be precluded from using existing routes already franchised, or could the gentleman explain it to the House?

Mr. GARMATZ. No, they do not directly serve the same routes.

Mr. HALL. And they would not be competitive?

Mr. GARMATZ. That is correct. They would not be.

Mr. HALL. I thank the gentleman for yielding.

Mr. MAILLIARD. Mr. Speaker, I rise in support of this bill.

Mr. Speaker, in further response to the gentleman from Missouri, I think the point is that the basic legislation which we passed some years ago specifically requires that the Maritime Administration approve each such off-route cruise, and under the policy guidelines they are not supposed to approve it if they find that there is a possibility of injury to another American-flag operator operating in the same area. So while conceivably, from a legal point of view, it might increase competition, still the experience under the law as it now exists would indicate this has not been the case, and I would not anticipate it would be any more so simply because we extend the time in which U.S.-flag vessels would be allowed to engage in the cruise trade.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Can the gentleman explain why we have to have this legislation?

Mr. MAILLIARD. Yes. The answer to that is really very simple. It is a byproduct of a very dramatic shift in passenger ship travel. With the advent of jet aircraft and rapid transportation, nobody except maybe a few people who for one reason or another do not like to fly use a ship as a means of transportation. They may go somewhere by ship because they like to travel on a ship, but the point-to-point transportation of passengers has declined at a very rapid rate as the cruise business, that is, taking a ship for leisure rather than to get somewhere, increased.

Mr. BYRNES of Wisconsin. Why would one increase the traffic, in a sense, of a particular route, since it is limited anyway?

Mr. MAILLIARD. What we are saying is that vessels which were built with Government subsidy and operated with subsidy are running unprofitable voyages, particularly on the long-haul routes such as between here and the east coast of South America, where the time at sea is very great and people do not seem to be willing to spend that amount of time on such trips.

Therefore, there are periods in the year when these vessels can operate profitably. However, if they are required to operate as they were at one time, all year, increasingly, voyages are being made at a substantial loss, a loss which is not only one to the company and to the vessel involved, but indirectly a loss to the Treasury of the United States.

Mr. BYRNES of Wisconsin. Mr. Speaker, if the gentleman will yield further, as I understand this bill, this would make it possible for an additional operator to run on the same route that is presently certified as a route of carrier A, let us say. So, you are just using the competition which everyone has to admit results in a reduction in the potential traffic.

Mr. MAILLIARD. The only place where this might provide indirect—because it cannot provide direct—competition, and there is only one instance about which I know, and that is where the trade route overall happens to be a cruise trade. This is a short run, and although it does serve commerce between specific points, it is my opinion that something in the neighborhood of 15 percent of their total passenger travel is point to point and 85 percent of it is cruise. They have not been injured by the fact that a few years ago we permitted up to one-third off the specific route.

Mr. Speaker, I would not be advocating the passage of this bill if it provided for an increase of this competition to two-thirds if I felt it were going to injure any existing U.S. carrier.

Mr. Speaker, I support the passage of the bill H.R. 12639. This bill would vest permissive, not mandatory, authority in the Secretary of Commerce to permit an American subsidized passenger vessel to engage in ocean cruises for up to 8 months of the year, if he finds that such vessel is not required to furnish adequate point-to-point service on its assigned trade route. This is an increase of 4 months over the present statutory limitation. However, it would be applicable only to presently subsidized American passenger vessels and limited to a period of 3 years.

H.R. 12639 is simply a byproduct of the dramatic shift in passenger ship travel—from one of point-to-point carriage to one of cruising. It reflects a need for providing prompt, albeit temporary relief giving American passenger ship operators greater flexibility to more effectively meet increasing foreign-flag competition in the ocean cruise market.

However, I cannot emphasize too strongly that this legislation does not make any radical departure from the basic philosophy of the Merchant Marine Act of 1936, such as the concept of essential trade routes. Early in the hearings on the original bill, it became apparent that certain provisions could have had the untoward result of making very marked changes in the concept of existing law. It was for this very reason that the legislation now before us was amended.

For example, H.R. 12639 will not allow a subsidized passenger ship operator to compete with one which does not receive subsidy. However, in its original form the bill could have had this result. These original provisions were deleted. Consequently, the bill now before you still preserves such protective provisions of the Merchant Marine Act, 1936, barring subsidized competition, for example, as the prohibition against the payment of operating-differential subsidy and the requirement that a pro rata share of construction-differential subsidy be returned to the Government whenever a subsidized vessel is allowed to engage in a domestic trade.

Some of the issues to which I have addressed myself have been raised in the minority views filed on this legislation by the distinguished gentleman from Ohio on the other side of the aisle. I find it particularly significant that his views contain the statement that:

> **Until such time as we can come up with a comprehensive national policy for strengthening our merchant marine . . . we should not chip away at the basic principles of the 1936 Merchant Marine Act.**

This simply begs the question: Where is the "new" policy for our merchant marine? Almost 3 years ago, in his state of the Union message of January 1965, the President said that he would "recommend a new policy for our merchant marine." Yet, as of this date, I know of no formal submission by the President of this so-called new policy.

Frankly, it is largely owing to this "no show" maritime policy that H.R. 12639 is before us today for consideration. By executive default, the Congress has become the sole heir to our maritime ills, and such interim measures as this bill are necessary pending resolution of the even greater issue of a policy or program to revitalize American shipping.

I earnestly urge that the House do pass the bill, H.R. 12639.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the distinguished gentleman from Florida.

Mr. PEPPER. If this legislation is adopted, will it permit a subsidy to be paid, if it is found to be in the public interest to do so, to American-flag vessels or proprietors of American-flag vessels cruising, let us say, from Boston down the Atlantic seaboard, after a trip out on the Caribbean and back, and up and down the Atlantic seaboard?

Mr. GARMATZ. No.

Mr. PEPPER. Mr. Speaker, if the gentleman will yield further, does not the able gentleman from Maryland think that it would be very much in the public interest to afford that kind of transportation which was formerly enjoyed by our people who would like to go up and down the coast, perhaps, going from one American port to another? Would not that keep a lot of money at home, money that is now going out on cruises to foreign areas, thereby increasing the dollar deficit; does not the gentleman believe that?

Mr. GARMATZ. We do not pay subsidies to domestic lines.

Second, those trips about which the gentleman speaks have been very costly and the companies have not been able to afford these small trips such as those about which the gentleman from Florida is speaking as, probably, for instance from Boston to Norfolk, stop at Norfolk, and then go on to Florida.

Mr. PEPPER. Mr. Speaker, if the gentleman will yield further, would a ship be able to get the portion of this provision of subsidy that you are providing for, a ship, say, taking a passenger aboard in Massachusetts, in Boston, and stop over as long as he might wish to—a reasonable length of time—let us say in Miami, then go on to the Caribbean and come back to Miami and go back to Boston?

Would that be proper?

Mr. GARMATZ. No.

Mr. PEPPER. Mr. Speaker, I want to commend the able gentleman for the progress he has made, but I also want to express the very firm hope that he will progress further in the future and make it possible to restore the splendid coastwise cruising service that our people used to be able to enjoy in coming up and going down the Atlantic Ocean coast, and the Pacific coast, and even to Hawaii, or in the Gulf of Mexico.

I believe that these shipping lines all ought to be eligible for the subsidy because they will be keeping our people at home traveling in our own country, and enjoying the luxury and the recreation in such cruise travel as I believe they ought to have the right to enjoy.

Mr. GARMATZ. I agree with the gentleman. However, there is the other factor involved, and that is that such trips have been rather expensive, and they have not been paying off to the cruise ship owners.

I might also say to the gentleman that, as he knows, in these days time is of the essence. For example, I left the gentleman's fair city of Miami and was here in 2 hours. So I am sure the gentleman can see how our modes of transportation have changed quite a bit recently.

Mr. PEPPER. In reply to the gentleman, might I say that it was necessary for him to be in Washington as quickly as possible, but if the gentleman were going on a cruise and wanted to have time for the usual cruise luxuries and recreation, then he would like to take a longer time than 2 hours.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I am happy to yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, I thank the gentleman for yielding.

I would like to explain my understanding of this to the gentleman from Florida, because I was very much interested in Americans taking cruises on American ships. My understanding is that if the ship would leave from New York and make two or three stops at any of the U.S. ports, and then go on to maybe Nassau, or to some other place, and then come back, that if a person were to take such a trip as a passenger, and it would be a round trip, and he would not leave the ship and come back in some other way, then it was my understanding that this would be subsidized.

Mr. PEPPER. Mr. Speaker, may I ask does the able chairman agree with the interpretation of the distinguished gentlewoman from Missouri on the bill.

Mr. GARMATZ. Yes. But I can assure the gentleman that you cannot get any shipping companies that will make such trips because they are too costly and there are not enough passengers who would avail themselves of it, consequently it is not a paying proposition.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. Yes; I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I would ask the gentleman: Does this mean that the Government will be subsidizing competition to a nonsubsidized company now serving, say, Hawaii, from either San Francisco or Los Angeles?

Mr. GARMATZ. No. This bill merely increases it from 4 to 8 months; it makes no other change.

Mr. MATSUNAGA. But will this bill allow a subsidized cruise from, say, Los Angeles to Hawaii, during these additional 5 months in competition with a nonsubsidized steamship company?

Mr. GARMATZ. No.

Mr. MATSUNAGA. It will not?

Mr. GARMATZ. No.

Mr. MATSUNAGA. I thank the gentleman.

Mr. PEPPER. Mr. Speaker, will the gentleman yield once more?

Mr. GARMATZ. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I believe this is very vital to much of our country and if I understood the able gentleman he did agree with the interpretation of the possibilities under the act with the lovely and distinguished gentlewoman from Missouri [Mrs. Sullivan], that if somebody started, let us say, from New York, and stopped at perhaps Charleston, S.C., and then Miami, and then went on, say, to the Bahamas, and then maybe came back and stopped at some other ports on the coast and then returned to New York, that if those persons made the round trip and did not have to get off the ship, that that would be subject to this program, and I believe the gentleman answered in the affirmative in that situation?

Mr. GARMATZ. Yes.

Mr. PEPPER. Mr. Speaker, I believe that this is going to encourage a great deal of that kind of transportation on American-owned flag vessels.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 12639, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR THE RESTORATION AND RETURN TO THE UNITED STATES OF THE "KAIULANI"

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 101) amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes.

The Clerk read as follows:

S.J. Res. 101

Whereas the Kaiulani, the last surviving American-built square-rigged merchant ship, was a gift of the people of the Philippines to the people of the United States; and

Whereas the President of the Philippines formally presented the gift to President Lyndon B. Johnson in a ceremony at the White House on October 5, 1964; and

Whereas the task of restoring the Kaiulani was assigned by President Johnson to the National Maritime Historical Society as trustee for the people of the United States; and

Whereas the Kaiulani is presently being restored in the Philippines by the National Maritime Historical Society; and

Whereas, upon completion of restoration, the Kaiulani will be sailed to the United States and permanently berthed on the Washington Channel waterfront in the Nation's Capital as a nonprofit museum devoted to the maritime heritage of this great country; and

Whereas the restoration of the Kaiulani and its preparation for the return voyage to the United States is being unduly delayed because of the lack of funds for the completion of this project: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That title XI of the Merchant Marine Act, 1936, is amended by adding at the end thereof the following new section:

"Sec. 1112. (a) Notwithstanding any other provision of law including sections 1101(f), 1104(a) (2), and 1104(a) (8) of this Act, the Secretary of Commerce is hereby authorized to insure all or any part of the principal of and interest on any mortgage made within the three-year period beginning on the date of enactment of this section, by the National Maritime Historical Society of the District of Columbia for the purpose of restoring and returning to the United States the vessel,

> Kaiulani, the last surviving American-built, square-rigged merchant ship presented as a gift to the people of the United States from the people of the Philippines.
>
> "(b) An insurance contract issued under this section shall be made only with respect to a mortgage which, in the opinion of the Secretary of Commerce, is economically sound and such contract and the related mortgage shall be subject to such reasonable terms and conditions as he may deem necessary to protect the interests of the United States.
>
> "(c) The Secretary of Commerce is authorized to make commitments to insure a mortgage under this section.
>
> "(d) The aggregate unpaid principal amount of any mortgage insured under this section shall not exceed $500,000.
>
> "(e) The faith of the United States is solemnly pledged to the payment of interest on and the unpaid balance of the principal amount of each mortgage insured under this section.
>
> "(f) Notwithstanding any other provision of law, the vessel Kaiulani shall be entitled to be registered or enrolled under the laws of the United States at any time, and shall be exempt from all United States customs duties and tonnage taxes, if any, upon her return to the United States.
>
> "(g) Such of the provisions of this title as the Secretary of Commerce determines, shall apply to the insurance granted under this section."

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Speaker, the purpose of this resolution, as hereby reported, is to amend title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce, subject to such reasonable terms and conditions as he may deem necessary to protect the interests of the United States, to guarantee certain loans, not to exceed an aggregate unpaid principal amount of $500,000, made to the National Maritime Historical Society of the District of Columbia for the purpose of restoring and returning to the United States the vessel *Kaiulani*, the last surviving American-built, square-rigged merchant ship, which was presented as a gift to the people of the United States from the people of the Philippines; provided, that in the opinion of the Secretary of Commerce such loans are economically sound; to provide for the U.S. documentation of the vessel *Kaiulani;* and to exempt the vessel *Kaiulani* from the payment of any U.S. customs duties and tonnage taxes upon her return to the United States.

The vessel *Kaiulani* is the last surviving American-built square-rigged merchant ship. Maritime historians have estimated that during the course of American history, approximately 17,000 merchant square-rigged ships have been built in the United States.

The *Kaiulani*, the only survivor, ended her working career as a log barge in the Philippines. Her last owner recognized the *Kaiulani's* historical and sentimental importance to the United States, and in 1964 offered the vessel to then Philippine President Diosdado Macapagal to present to the people of the United States as a gift from the people of the Philippines.

President Macapagal presented, and President Johnson accepted, the vessel as a gift of "good will and friendship" between the Philippines and the United States, in a White House ceremony on October 5, 1964. The gift was evidenced by a deed of absolute donation to the Maritime Historical Society of the District of Columbia—as trustee for the American people.

The society has diligently undertaken to raise funds on a voluntary basis and, indeed, raised some $100,000 by this means. Through cooperation from both United States and Philippine navies, in services such as towing, drydocking, and use of shipyard repair facilities, materials, and tools have been generously donated by Philippine and other sources.

Substantial progress has been made in restoring *Kaiulani's* steel hull. Unfortunately, the campaign to restore the *Kaiulani* by public donations has not been a complete success.

Moreover, depending upon funds from such haphazard sources will not permit carrying on the restoration in the most expeditious and economical manner.

The Secretary of Commerce, acting through the Acting Maritime Administrator, recommended favorable consideration of the legislation if several amendments of a technical nature to facilitate the granting of insurance under title XI were made. These same recommendations were made in the Senate and we embodied them in this joint resolution.

The Department of State reported that it "strongly favors this legislation."

The Smithsonian Institution reported:

> We feel that it would be to the interest of the American people to have on exhibition such a specimen of an example of our early days in maritime interests.

No witness or agency reported or testified in opposition.

The only cost to the Government involved in this legislation is the administrative expense of issuing the insurance. In the event of default on the mortgage, of course, the Government is pledged to repay the amount due. The principal amount of the mortgage may not exceed $500,000.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman.

Mr. HALL. Mr. Speaker, is this organization that is going to be established to demonstrate this old square rigger, which I am sure we all appreciate as a gift from the Republic of the Philippines, a national—in the Federal sense of the word—maritime historical society; or is it a District of Columbia society?

Mr. GARMATZ. I think it is District of Columbia.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's response. Traditionally and repeatedly the House has refused to take up individual District, city, or State organizations, bring them into its own, and underwrite its mortgage or otherwise, even though they are housed in the District of Columbia. I think it is important, if we are going to use the Federal taxpayer's money to underwrite this half-million-dollar guarantee, to know whether this so-called National Maritime Historical Society of the District of Columbia is for Federal use or for District use, although we recognize that people who come to the District of Columbia participate on a Federal basis, and we are indeed a Federal area.

My second question is, under this underwriting or pledge of faith by the United States, would we have any limitation on attorneys' fees, for which reason the joint resolution was put over on the Consent Calendar? Is there in the proposed legislation any limitation on attorneys' fees or corporate fees or others who are interested in bringing the *Kaiulani* back and putting her on display as a museum?

Mr. GARMATZ. No; there are not necessarily any attorneys' fees in here.

Mr. HALL. I could not find any. You do not know of any intent to limit attorneys' fees or those of corporate investors or otherwise who might derive from this before the mortgage which we are to underwrite is paid off?

Mr. GARMATZ. I might say the Maritime Historical Society of the District of Columbia is the proper name.

Mr. HALL. Is that a nonprofit corporation?

Mr. GARMATZ. That is correct. It is a nonprofit organization.

Mr. MAILLIARD. Mr. Speaker, I rise to express my support for the passage of Senate Joint Resolution 101, which would aid in restoring the vessel *Kaiulani* and returning her to the Nation's Capital for operation as a nonprofit maritime museum.

The United States built approximately 17,000 square-rigged merchant ships. Today the *Kaiulani* is the sole survivor and, unless Senate Joint Resolution 101 is passed, then she, too, is doomed like her sister ships.

Passage of this legislation will involve no additional direct cost to the Government, except for minimal administrative expenses in the issuance of ship mortgage insurance. It simply authorizes the Secretary of Commerce to issue insurance, pledging the faith of the United States to the payment of the interest on and the unpaid balance of the principal amount, not exceeding $500,000, of any ship mortgage on the *Kaiulani*. This then would assist the National Maritime Historical Society in obtaining a loan from a private financial institution and enable it to proceed with the restoration of the *Kaiulani*.

As for protection of the Government's interest, the resolution provides that before issuing the ship mortgage insurance contract, the Secretary of Commerce must find that the proposal is economically sound. It also provides that the contract and related mortgage is subject to such reasonable terms and conditions as the Secretary may deem necessary to protect the interest of the United States.

Our committee received compelling testimony from two knowledgeable witnesses—Mr. Karl Kortum, director of the

San Francisco Maritime Museum, and Mr. M. Belmont Ver Standig, trustee for the National Maritime Historical Society—that the *Kaiulani* proposal is economically sound.

Mr. Kortum is in charge of a similar square-rigged vessel, which serves as a museum in my own city of San Francisco—the former English sailing ship, the *Balclutha*. I myself am familiar with the operation of this restored ship as a maritime museum. It has an impressive record of economic success. As Mr. Kortum stated:

> The *Balclutha* supports not only herself, but an active and popular maritime museum five blocks away.

It, therefore, was Mr. Kortum's opinion that, because of the even greater number of tourists in the Nation's Capital than in San Francisco the *Kaiulani* cannot only pay off her bank loan in short order, but support herself handsomely in the future.

Mr. Ver Standig, with 25 years of experience in the advertising and marketing field, supported Mr. Kortum's opinion by concluding that, and I quote:

> Based on my experience in the promotional field, I would say the National Maritime Historical Society should experience no difficulty whatsoever in repaying a $500,000 loan out of the proceeds of admission charges from the *Kaiulani*.

Based upon the favorable proposed berthing site for the *Kaiulani* along Maine Avenue on the Washington Channel waterfront in close proximity to both existing and proposed tourist attractions, plus great, free, worldwide publicity for the *Kaiulani*, and the past experience of the *Balclutha*, it was Mr. Ver Standig's considered opinion that the *Kaiulani* could generate an annual net income of about $400,000. There is every reason, therefore, to believe that the restoration of the *Kaiulani* is not only economically sound but probably will constitute a highly successful financial venture. However, since it is not an ordinary business proposal, some assurances on the payment of the loan is necessary to secure the necessary monies to finance the vessel's restoration and return.

Equally important is the fact that the *Kaiulani* represents a gift from the people of the Philippines to the people of the United States, not only as a reminder of our own maritime heritage, but also as a constant and unchanging symbol of the good will and friendship between the two countries. The latter point—good will and friendship between the two countries—I feel is particularly significant and points up the need for passage of the legislation.

In this connection, I invite the attention of my colleagues to the following statement in the report submitted by the Department of State:

> It is clear the possible loss of the *Kaiulani*, beyond being a loss of great historical value, would be a disappointment, *indeed a possible affront*, to the Philippines and especially those Filipinos, including two Presidents, whose participation, along with that of President Johnson, have given this project the character of an expression of the good will and friendship between the two countries.

Accordingly, we in the House constitute a court of last resort, if you will, for the restoration of the *Kaiulani*. Solicitation of funds from the public, both here and in the Philippines, by the National Maritime Historical Society have failed to raise the necessary moneys. If the *Kaiulani* is to be restored and returned to the Nation's Capital, the House must pass Senate Joint Resolution 101, and I strongly urge all my colleagues to support it. Thank you.

Mr. Speaker, I think perhaps to clarify two very important points brought up by the gentleman from Missouri, I should point out that this is a nonprofit corporation, incorporated under the laws of the District of Columbia, but its charter is national in scope. So I would suppose that the only way it could become more national would be if it could be chartered by Congress, which I think would be like using an elephant gun to shoot a fly, so to speak. I think that would be out of proportion to the scope and purpose of the measure.

As to the second point——

Mr. HALL. Mr. Speaker, will the gentleman yield on the first point?

Mr. MAILLIARD. I yield to the gentleman from Missouri.

Mr. HALL. I would agree with the gentleman's simile, perhaps, about using a gun to swat a fly. But there is the question of precedent involved here. That is what I was trying to point out. I am sure the gentleman will recall, for example, when the objectors put over the question of forgiving taxation or other underwriting of the District of Columbia chapter, I believe it was, of property owned in the District of Columbia by the DAR, whereas they were perfectly willing to do it as far as Constitution Hall or the national organization of the DAR is concerned. Like the simile the gentleman is using, this is probably farfetched, but I think the question of precedent is present in both.

Mr. MAILLIARD. I would not disagree with the gentleman, although I think there are instances where an organization, national in its scope and incorporated under the laws of a State or the District of Columbia, which would properly be covered, and I think this is something that one must judge case by case.

On the gentleman's second point, I think there are two safeguards. One is the laws of the District of Columbia governing a nonprofit association or corporation. The other is the Secretary of Commerce has, under the basic law, a great deal of discretion as to the application of funds under a federally guaranteed mortgage.

Mr. GARMATZ. Mr. Speaker, I yield to the gentleman from Hawaii [Mr. MATSUNAGA] such time as he may consume.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of Senate Joint Resolution 101, which provides for the restoration and return to the United States of the last surviving American square-rigged merchant ship, the *Kaiulani*.

The saga of the *Kaiulani* is one of the most fascinating and inspiring sea stories of modern times. The vessel was named in honor of a fragile Hawaiian princess who died in 1899 at the age of 24. Princess Kaiulani, the "Child of Heaven," had been the heir apparent to the Hawaiian throne from the time of the accession of her aunt, Queen Liliuokalani, in 1891, until Hawaii became a Republic in 1894.

The ship, built in Bath, Maine, by the famous shipbuilding firm of Arthur Sewall & Sons, was completed in 1899, the year that the princess passed away. The *Kaiulani* was the largest three-masted merchant vessel ever built in the United States. She was designed for the Honolulu-San Francisco sugar trade. On her maiden crossing from San Francisco to Honolulu, the *Kaiulani* arrived in Hawaii on December 26, 1900, after a voyage of 24 days.

By 1919, steamers had put the sailing ships out of business on the Hawaii-San Francisco run, and the years which followed found the *Kaiulani* plying the oceans of the world laden with cargos ranging from salmon from Alaska to coal from Australia.

On September 25, 1941, the *Kaiulani* was towed to sea so she could set sail into the Pacific for the last commercial-cargo-carrying voyage of an American-built square rigged merchant vessel.

It is a tribute to her builders that this noble lady survived the deadly still of the doldrums, the tempests of typhoons, the abuses of rigorous work, and, perhaps worst of all, the years of neglect as her rusty hulk languished in a dilapidated shipyard near Manila Bay.

The *Kaiulani* was presented to the United States by former Philippine President Diosdado Macapagal as a good will gesture from the people of the Philippines. President Johnson accepted the old ship at a White House ceremony in 1964, and directed the National Maritime Historical Society of the District of Columbia to restore it and get it back to the United States.

In November 1964, Capt. James Kleinschmidt and National Maritime Historical Society President Alan Hutchison journeyed to Manila to survey the vessel and to formally accept it on behalf of the American people. The history-scarred vessel was found to be sound and seaworthy, and while watching her ride out another typhoon, the laconic maritime historian, Captain Kleinschmidt, remarked:

> I'm convinced that the old girl definitely leads a charmed life.

The resolution we are considering would authorize the Secretary of Commerce to guarantee certain loans, not to exceed an aggregate unpaid principal amount of $500,000, made to the National Maritime Historical Society for the restoration of the *Kaiulani* and to have the priceless relic of our maritime past returned to the United States.

When the restoration work has been accomplished, plans call for the *Kaiulani* to set sail on her final voyage, with a volunteer American crew, from Manila to Washington, D.C., carrying a Philippine cargo and following the traditional China Clipper route through the South China Sea, past Java Head into the Indian Ocean, around the Cape of Good Hope, and up to the east coast of the United States.

The end of her voyage will be at the waterfront of our Nation's Capital, where her tall masts on the skyline will identify her final port of call. Here, she will serve as a floating museum, providing an opportunity for all who wish to do so to board an authentic Yankee square rigger—the lone survivor of 17,000 merchant square-rigged ships built in this country—and to gain an insight into and an appreciation for America's maritime heritage, of which Hawaii is an inseparable part in the *Kaiulani.*

Mr. Speaker, Senate Joint Resolution 101 deserves our unanimous support.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to a member of the committee, the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. Mr. Speaker, before the turn of the century, sailing ships by thousands dominated American commerce. They founded three centuries of trade at a time when infant manufacturers groped for markets and land transport was still primitive. The fleet expanded, carrying with it a growing prosperity and influence.

Maine played a decisive role. From the Kennebec and smaller inlets all along the coast, large parts of the American merchant fleet first sailed. Most popular were the square riggers. Seventeen thousand of them sailed out of American shipyards. Many of them, perhaps most sailed out of Maine, at least the last of them did.

In 1899, the Sewall Co. of Bath built for the sugar trade between Hawaii and San Francisco, a steel hulled square rigger christened the *Kaiulani* after a Hawaiian princess. The ship was the last square rigger built and today she is the last surviving of the 17,000 America did build.

World War II caught her with explosives aboard, running between South Africa and Sydney, Australia. Nearing Sidney, her skipper was warned that Japanese submarines waited. She docked at Tasmania, off the Australian coast, where the United States took control, demasted her and used the hull as a barge to carry war supplies. At the war's end, she was sold to a Philippine lumber company, which later ceded her to the Philippine Government. In 1964 President Macapagal of the Philippines presented the ship to President Johnson as a gift to the American people. Since then, the National Maritime Historical Society has been, with a very limited budget, restoring the ship. The resolution we are considering today will allow the society to complete its assignment. When complete, the *Kaiulani* would be sailed back to Washington, berthed, and put on display as a national maritime museum. I urge my colleagues to support this measure to make a valuable addition to our Nation's Capital, and to preserve the last of our square-rigged merchant ships.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. HATHAWAY. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I too join in the endorsement of this resolution together with my distinguished colleague from Maine and also my colleague from Hawaii, and indicate my strong support for the restoration of this vessel which has deep historic and sentimental attachments for both the State of Maine and the State of Hawaii, the ship having been built in Bath, Maine, for the purpose of use in the shipping trade between Hawaii and the west coast, and in addition, bearing the distinguished name of *Kaiulani*, a princess of the royal family who died in 1899 the year this ship was launched.

I urge the House to grant approval of this resolution and preserve the *Kaiulani* for this Nation.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the Senate Joint Resolution 101.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

AMENDING THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13273) to amend the Marine Resources and Engineering Development Act of 1966, as amended, to extend the period of time within which the Commission on Marine Science, Engineering, and Resources is to submit its final report and to provide for a fixed expiration date for the National Council on Marine Resources and Engineering Development, as amended.

The Clerk read as follows:

H.R. 13273

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Marine Resources and Engineering Development Act of 1966 is amended as follows:

Subparagraph (h) of section 5 is amended by striking out "eighteen" and inserting "twenty-four" in lieu thereof.

SEC. 2. Subparagraph (f) of section 3 is amended by striking out "one hundred and twenty days after submission of the final report of the Commission pursuant to section 5(h)," and inserting in lieu thereof "'on June 30, 1969.'".

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. MOSHER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina [Mr. LENNON].

Mr. LENNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill "To amend the Marine Resources and Engineering Development Act of 1966, as amended, to extend the period of time within which the Commission on Marine Science, Engineering, and Resources is to submit its final report and to provide for a fixed expiration date for the National Council on Marine Resources and Engineering Development," is a very simple bill—but it is most important.

The Marine Resources Act of 1966 established a 15-member Commission on Marine Science, Engineering, and Resources, appointed by the President, and composed of individuals drawn from Federal and State governments, industry, universities, laboratories, and other institutions engaged in marine scientific or technological pursuits.

Provision was also made for the appointment by the President of four advisory members from among the Members of the Senate and House of Representatives.

The Commission's responsibility is to investigate and study, "all aspects of marine science in order to recommend an overall plan for an adequate National Oceanographic Program that will meet the present and future National needs."

The functions of the Commission are at the very core of the act.

On June 21, after the marine sciences bill had become law, I wrote to President Johnson expressing my gratification upon its enactment. I expressed my personal confidence, and that of my colleagues, that he would select as Commission members people of wide experience and specialized knowledge, able to spare the time to make a real contribution toward the objective for which the Commission was provided.

I commented that the conclusions and recommendations of the men who comprise the Commission would contribute greatly to the effectiveness of the broad national purposes contemplated by the act.

The President's response to the requirements of the act in regard to the establishment of the Commission has even exceeded the confident hopes that we had, that men of the highest qualifications and dedication would be appointed to this important body.

The act requires that this high-level Commission complete and submit its report with findings and recommendations to the President not later than 18 months after its establishment. Thirty days after submission of its final report the Commission shall cease to exist.

The act also established, in the Executive Office of the President, the National Council on Marine Resources and Engineering Development, composed of the Vice President as chairman and the heads of eight departments and agencies extensively involved in various aspects of the marine sciences and the national oceanographic program.

It is the council's responsibility to advise and assist the President in carrying out the provision of the act with particular reference to current and ongoing activities until the Congress can act upon the Commission's recommendations for the future.

The council, just as the Commission, has a limited life. Under existing law it would expire 120 days after the submission of the final report by the Commission.

The Marine Resources Act was enacted on June 17, 1966. The council was activated on August 17, 1966. But the important date to bear in mind is the establishment of the Commission—January 9, 1967. Thus, the Commission did not come into being until more than 6 months after the enactment of the law establishing it.

The intervening time was well spent in the careful selection of competent and dedicated individuals who are qualified to carry out the intent of the law. In the circumstances, however, matters of organization, selection of staff, et cetera, further slowed the process of getting into full effectiveness.

Based on the date of its establishment on January 9 of this year, the Commission must submit its report not later than July 9, next year—close to the time when we will all be preoccupied with national election matters. By the same token, the council will expire not later than November 9—again, a time when other thoughts will be in the mind of the Nation.

Our committee—particularly Congressman Mosher, the gentleman from Ohio—and I, as chairman and ranking minority members of our Subcommittee on Oceanography and fellow congressional advisors to the Commission have discussed this matter in detail with the chairman of the Commission, Dr. Julius A. Stratton, and Dr. Edward Wenk, executive secretary of the council. We held a hearing on the subject so we could determine the proper course to take.

It was the unanimous feeling of all concerned that in view of first, the timing of the date by which the Commission's report must be submitted and second, the delays—necessary though they may be—in the setting up of the Commission the maximum effectiveness of the purposes of the Commission could best be achieved by a reasonable extension of the time in which its report must be filed. For similar reasons we agreed that the life of the council should also be extended beyond that prescribed in the act.

This bill will accomplish this twofold purpose by:

First, extending the time in which the Commission's report could be submitted for an additional 6 months, to January 9, 1969; and

Second, changing the expiration date of the National Council on Marine Resources and Engineering Development from a date 120 days following the rendering of the Commission's report to June 30, 1969. As under the current law, the Commission would remain in existence for an additional 30 days following the rendering of its report.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include the following testimony taken from the hearings on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, I include the following testimony from the hearings on the bill at this point:

Mr. Lennon. Gentlemen, we will return to the statements of Dr. Stratton and Dr. Geyer. I am happy to recognize our distinguished colleague, the ranking minority member on the subcommittee and a member of the Advisory Committee, Mr. Mosher.

Mr. Mosher. Thank you, Mr. Chairman.

Since I have to leave soon, also, I do want to raise a rather delicate question, the same question that Mr. Karth raised in the committee recently, concerning the timing of the Commission's report.

Dr. Stratton has given us a very eloquent definition of the nature, difficulties, and importance of the Commission's work, which only confirms the importance that this subcommittee attaches to the Commission's work. Because it is so important, I think we have to be concerned that the Commission's report have the maximum impact on the Congress and the public.

The Commission got a late start, that is, late in terms of what we thought of at the time we adopted the legislation. Unfortunately, as now scheduled, the deadline for the Commission's report will be at the tag end of this Congress. Really, this Congress has become a Lame Duck Congress. It will be right in the middle of the Presidential election. There conceivably would be what I think would be the horrible prospect that it might become a factor in the election. I would hope it would not, but it might become a partisan factor in the election.

At any rate, it is likely to come when the nation and the Members of Congress would give the least possible attention to it. Therefore, I am very hopeful, and I know you are, Mr. Chairman, and I know others on this committee are hopeful, that the Congress may extend the deadline so the report will be made to the public and to the Congress just ahead of the convening of the 91st Congress or at the time it convenes, and therefore have a much greater impact.

For these very practical political reasons, I am hopeful that this committee will recommend to the Congress that the deadline for the report of the Commission be extended at least six months.

Mr. Downing. Why do you make that request?

Mr. Mosher. For the reasons I have just outlined.

Mr. Downing. Political reasons?

Mr. Mosher. Political in the broadest sense, public relations reasons, having this report come fresh to the new Congress rather than come in the waning days of the old Congress when we are all involved in campaigns and will have no chance to give it any attention. It will be an old, outdated report, I am afraid, when the 91st Congress convenes.

Moreover, even though the Commission may complete its studies on the original schedule, I think it has very serious practical problems, Mr. Downing, in terms of getting the proper amount of time to put the report together and to get it printed. I seems to me to be a very important matter.

Mr. Downing. I agree with the gentleman, but I feel it would be better to go ahead and release the report as quickly as we can in order to get reaction to it.

Mr. Mosher. I think you will get a much more urgent start and a much better start and more effective start by postponing the release of the report.

Dr. Stratton, I am not really asking your opinion on this unless you want to venture it. I think this is a decision the Congress has to make, rather than the Commission itself. If the Commission would feel a little leeway would solve some of its practical problems in getting the report out, that would be one element that we should consider.

Dr. Stratton. If the chairman will permit me to comment, I shall proceed to do so.

Mr. Lennon. Yes. Go ahead, Doctor.

Dr. Stratton. This question of timing has been very much on my mind in the last weeks, and was the subject of discussion in the Commission itself at our last meeting, and I propose to bring it to them tomorrow.

I should like particularly to respond to Mr. Downing's question. As you indicated earlier, the Commission was established in January. I have learned the problems of organizing a Commission which draws heavily from a variety of nongovernmental instruments are much greater, as you may understand, than in the case of the Council where you call upon the agencies and it is more or less in being. The purely practical problems of organizing the Commission, of finding a staff, and getting started, took perhaps not longer than I anticipated, but than I would have wished. So, it was in the late spring before we really got in motion.

As we begin to project the plan or schedule of events, the tightness of this timing has become more and more apparent, even from the standpoint of doing the job we have been asked to do.

Let me say informally that all of us, I particularly, have been most reluctant even to consider the question of an extension. We had a mandate. We had a job to do with a deadline. We started out, as I stated in my initial remarks, to meet that deadline. We will still do so if that seems most advisable.

We recognize also that, of course, you can go on indefinitely in a study of this kind. It is never-ending. There is some pressure of time where added effort increases the return, but the return for the additional time and effort begins to drop off.

As it seems to us at the moment, now leaving out all the other considerations, the factor of elections and timing—we are conscious of that, but putting that all aside except insofar as we, too, desire that our results be useful and effective, beyond that it looks to us as if the best plan would be to complete our work, as far as the first decisions and tentative conclusions are concerned, on schedule, that is, in June or July, but we believe it would be most fruitful to have a little time to test those out, not suddenly to put this all together and pour it out on an unsuspecting world.

There will be some very basic recommendations here, and we would like to be sure we know all the implications and have an opportunity to discuss them with you gentlemen and the agencies and make our own judgments. Then, of course, the time for the final processing and printing.

So, I must say, Mr. Chairman, I have reluctantly come to the conclusion that we will give you a much better report and result with an extension of about six months, but we will abide by whatever your judgment is on that matter.

Mr. Lennon. I would like to comment on that by saying that we must recall that the Commission was appointed on January 9 of this year. Under the legislative mandate they had 18 months, or until July 9, 1968, to file their report. As I understand, since the decision was made, and I think properly so, to divide the Commission into several panels to make studies in depth of the various facets of oceanography, oceanology and marine sciences, and to have hearings throughout the country, I would assume in the next several months, perhaps into early spring, these panels will be engaged in this activity. Then they will have to report to the full Commission. Assuming these reports came in from the several panels to the Commission in, say, late February of next year, that would give the Commission only approximately 30 days, at the most 45 days, to assess the findings, conclusions and recommendations and to make your final report.

Then you run into the question of the editing and the printing, which can vary from six weeks to three months.

On the other hand, if the statutory limitation of July 9, 1968, were extended, you could carry on your activity until approximately August or early September, but by early September of next year you would have had to have all of your reports in from your panels, assess them, evaluate them, and then you would be faced with six weeks to three months for editing and printing, which gives a target date, as I see it, of approximately December 9, or thereabouts, of next year.

It is Mr. Mosher's understanding and my understanding that we were selected only as advisers to the Commission by reason of the fact that Mr. Mosher and I happened to be the respective ranking members on the committee. I want to make it crystal clear if I did not think the nation and the world would benefit by this extension of time, if I did not have the sincere conviction that the Commission was of the caliber that it is and that it is rendering the service that it is, I would be the first one to say stay within the legislative mandate deadline.

I think it might be well to comment, too, on the attitude of the National Council. You remember, Mr. Downing and others, how wide a variance of opinion we had with respect to whether there should be a Council. The Executive Branch of the Government was opposed to a Council. I had my trepidations about the Council, especially a permanent Council. You recall when we went to conference we provided through a change in the legislation that the Council, instead of phasing out 60 days after the Commission's expiration date, which was 30 days after they filed the report, would continue 120 days. We were persuaded, and I am certainly happy we were. I recall I made the compromise that was accepted by our counterparts in the Senate on the conference to 120 days.

I have been delighted with the caliber of work and interest and concern and time and dedication that the Council has demonstrated, led by the Vice President. I was furnished, at my request, by Dr. Ed Wenk, the Executive Secretary of the Council, a synopsis of the meetings of that Council since it came into being and individuals by title and name who attended each of these meetings. Before we finish today, I am going to ask unanimous consent to put that in the record.

I am advised that the Council is of the judgment that the legislation ought to be amended to extend the life of the Commission for a period of six months and to extend the life of the Council for a period of six months rather than 120 days after the Commission files its final report.

I say this because Mr. Mosher and I have been especially privileged to follow both the work of the Commission and the Council. The political connotation of it does not concern me except that I know if the Commission was forced to comply with the legislative statutory language and file its report by July 9 of next year that hopefully all of us in the Congress will be busily engaged in our own personal activities as I anticipate it.

I share the view of Mr. Mosher here, not for the political connotation but for the fact that I do not believe in the throes of a political campaign from July until the first or second Tuesday in November next year that the Commission report would get the attention of the interested scientists, science writers, scientific magazines and the periodicals as well as the general news media. I am so pleased, Mr. Downing, with the Council's activity I think we would be making a tragic mistake to phase them out of existence because they will hold together, and I anticipate it will take the Congress somewhere in the neighborhood of six months or better to analyze and digest the Commission report and to translate that report into meaningful legislation.

I have expressed myself in the past hopefully that the Commission report would meet the acclaim of the legislative branch of the government, the executive branch of the government, universities and laboratories in the private sector. That is the status of the thing.

I happen to know that Dr. Stratton's goal was to meet this deadline, I happen to know it was the goal of a number of the members of the Commission to meet this deadline of July 9 of next year, but I think now there has become an awareness and a recognition on the part of both the Commission and on the Council, and when we speak of the Council we speak of the Vice President, the various Secretaries at the Cabinet level and other high officials in the Federal Government.

Mr. Lennon. Mr. Downing?

Mr. Downing. Mr. Chairman, this is such an enormously complex subject which you are undertaking that I doubt that you could ever say your study is complete, and if we gave you five years, a man as dedicated as you and your colleagues would still not be able to tell us this is the final word.

I would never be arbitrary about the extension of your time, and if you need it in your judgment, I would certainly support it. But my point is, Mr. Chairman, I do not think the submission of this report should be based on the political efficacy of the report.

Mr. Lennon. I thank the gentleman, and having the admiration and respect for him I do not think he meant to say this report would become a political issue at the national level.

Hopefully this subcommittee and the full committee has over the years been bipartisan in all of its objectives. In the throes of adjournment and with the publicity all aimed at the political aspects next year, I do not believe this report would get the proper imagery. It would be just too competitive. You cannot compete with politics not even the report of such a fine Presidential Commission as this.

I think that is what the gentleman referred to.

I will say one thing else: If we did not have the National Council doing the job that it is doing and moving on as it is moving on, then I would be like you, I would insist on the Commission trying to meet its deadline, whatever loss the scientific world might suffer. But I happen to have such high faith—you remember, Mr. Downing, in the hearings on this particular legislation that we had furnished us a list of those people who attended the Inter-Agency Ad Hoc Committee on Oceanography, and I believe at the first few meetings they just did not attend.

I want to show you this morning the people who have attended every meeting of the Council since they came into being almost a year ago now. Last December I believe it was. It has surprised me, pleased me and amazed me.

I know if we continue their life for six months, then by that time the Congress will have either resolved this question of the governmental agency to operate this whole thing or we will have thrown up our hands and quit.

I share your feeling about it. We have felt like this. In fact, I feel strongly. I know that is your concern. I say to you in absolute good faith I think we are making progress, I think we are making excellent progress. If I did not think so, I would be the first one to want to repeal the law and not even give them to July 9 next year to file the report.

Mr. Pelly. Mr. Chairman, may I say Dr. Stratton, as one who has had part in the framing of the law and been in conference with the Senate and seen it work out, it is certainly gratifying to me to have you here today.

It has been a long time coming. I intend personally to use this whole matter as a political issue in my district. My district is very much interested in this subject and whether your report comes out or not, I am going to point with pride to your report.

I might add, too, that I do not think, generally speaking, there will be full recognition of the importance of your report when it comes out. The scientific fraternity, yes. So this is the way I feel about it. I think this is a very important day, your being with us.

I wonder if you know, Dr. Stratton, as far as the land laws and planning that a commission is laboring similar to the one you are on, and I had the pleasure of being invited to attend one of their hearings out in my district during the Labor Day recess. They are all tied up with problems that have to do with the laws of 50 states, there are knots and they are trying to untangle them. You have international problems but it is not nearly as difficult, I think, as it is to discuss the uses of lands as far as recreation, as far as wilderness areas or national parks.

So while you have difficulties, you still are in the infancy actually of resolving the international legal difficulties.

I just want to conclude by saying that we await the report when it does come, and I will be glad to wait six months additional and support that if you feel you need it. But we are very anxious to get going and today, as I said, I think is a milestone to many of us who have waited for years to get as far as we are today.

Thank you.

Dr. Stratton. Thank you very much.

Mr. Lennon. Mr. Dow?

Mr. Dow. Dr. Stratton, I want to salute you for making a very splendid presentation. I like particularly the whole tenor of your statement as far as a broad overview of the whole problem of oceanography and, thankfully, you and your Commission have not been lured into the depths of detail to a point where they have lost the broad picture. I think it has been able to maintain that broad picture.

I have only one question really and that is relating to page 12, your subparagraph: "What organizational changes and initiatives are necessary to achieve our objectives?"

I rather hope that your Commission will make some recommendations so that our nation will have an organization of a unified sort and a constant review in the future of these oceanographic problems, taking them as a whole, and that we will not lapse back into a fragmented situation.

Mr. Speaker, I know my distinguished counterpart on the Subcommittee on Oceanography [Mr. Mosher], who is quite well informed on this subject matter, would like to comment on this.

Mr. MOSHER. Mr. Speaker, I certainly do join my distinguished colleague from North Carolina, the chairman of our Subcommittee on Oceanography, to support the bill, H.R. 13273.

There is a crucial need for it in the Nation's interest.

And I believe it is important to note that the bill had unanimous bipartisan support in both our subcommittee, and in the full committee.

As has been pointed out, this legislation would serve to extend the life of the Commission on Marine Science, Engineering, and Resources established pursuant to the Marine Resources and Engineering Development Act of 1966 for an additional 6 months. This would result in the submission of the Commission's report no later than January 9, 1969, rather than July 9, 1968.

In altering the time for the submission of the Commission's report, the bill, H.R. 13273, would make the necessary concomitant change in the law altering the expiration date of the National Council on Marine Resources and Engineering Development. Under current law, the expiration date of the Council will be 120 days after the submission of the final report of the Commission, whereas under the legislation under consideration here today the Council would expire on a set date—June 30, 1969.

Since September of this year, our Subcommittee on Oceanography has been conducting a series of hearings to receive testimony from various Government witnesses on the activities of their respective agencies with respect to the national oceanographic program, and more particularly the developments flowing from the establishment of the Council and Commission pursuant to the Marine Resources and Engineering Development Act of 1966. Although the progress to date has been made principally along organizational lines in establishing the necessary mechanism to carry out the purposes of the act, the reports have been exceedingly gratifying.

Mr. Speaker, in connection with the efforts and direction of the Council and the Commission, I do speak with some personal knowledge in the matter, since I, in company with my esteemed colleague from North Carolina serve as an advisory member on the Commission. The Commission itself is composed of distinguished members from the scientific community and represents a wide spectrum and well-founded basis to meet the issues which must be resolved by the Commission. It is imperative, however, that the Commission and the Council have sufficient time to adequately and effectively discharge their respective responsibilities.

The additional cost, if any, of this legislation would be minimal. Moreover, this cost would be far outweighed by the benefits inuring to the Congress and to the Nation in the development of a truly comprehensive and effective national oceanographic program.

Perhaps no single action more dramatically underscores the need for permitting the Council and Commission to effectively work its will than the proposal by the Malta delegation recently tabled at the United Nations, proposing to vest jurisdiction over the unknown and untapped resources of the ocean floor underlying the seas beyond the limits of present national jurisdiction in an international body.

Several Members of Congress have introduced resolutions either favoring or opposing the Malta proposal, but perhaps the most significant fact brought to the fore by the Malta proposal is the immensity of the problem and the many uncertainties and imponderables over this area of inner space—the oceans of the world—which cover the major portion of the very planet on which we live.

The key to these problems is not to be found through precipitous action, but rather through the deliberations of the best minds at our disposal. The Commission on Marine Science, Engineering, and Resources constitutes just such a vehicle, and it is for this reason that I urge the House to approve the bill, H.R. 13273.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina [Mr. Lennon] that the House suspend the rules and pass the bill H.R. 13273, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 6167, LOAN OF NAVAL VESSELS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and, without objection, appoints the following conferees: Messrs. Rivers, Hébert, Price of Illinois, Fisher, Arends, O'Konski, and Bob Wilson.

There was no objection.

SUBVERSIVE ACTIVITIES CONTROL ACT

Mr. ICHORD. Mr. Speaker, by direction of the Committee on Un-American Activities, I call up House Resolution 996 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 996

Resolved, That immediately upon the adoption of this resolution the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts, with the House amendment thereto, be, and the same is hereby, taken from the Speaker's table; that the House insist upon its amendment to the said bill and agree to the conference requested by the Senate on the disagreeing votes thereon.

Mr. ICHORD. Mr. Speaker, this resolution was made necessary by reason of the objection of the gentleman from New York [Mr. Ryan] to the unanimous-consent request. It is merely a perfunctory manner in which to get the bill to conference.

Mr. Speaker, at the conclusion of the debate and the passage of H.R. 12601, the chairman of the committee, the distinguished gentleman from Louisiana [Mr. Willis] moved that the provisions of H.R. 12601 be substituted for the Senate bill, S. 2171.

Mr. Speaker, the other body refused to accept the House amendment and requested a conference.

Mr. Speaker, this resolution is merely for the purpose of insisting upon the House amendment and granting the request of the other body for a conference.

Mr. Speaker, the only request for time which I have is on behalf of the gentleman from New York [Mr. Ryan], and at the gentleman's request, I yield the gentleman 2 minutes.

Mr. RYAN. Mr. Speaker, I do not regard this resolution as a perfunctory one, as was stated by the gentleman from Missouri [Mr. Ichord].

The Senate bill, as I understand it, imposes a time limitation upon the life of the Subversive Activities Control Board by requiring that it cease to exist on June 30, 1969, unless between the date of enactment and December 31, 1968, proceedings shall have been instituted before the Board and hearings conducted. This restriction recognizes the fact that Supreme Court decisions have negated any function for the Board and resulted in its dormancy.

The pending resolution instructs the conferees to insist on the House amendment which does not provide any limitation. The purpose is to circumvent the Supreme Court and keep alive a Board which came into existence over the veto of a great President, Harry S. Truman, and which over the span of the past 17 years, in my judgment, has proved the former President to have been correct in the first place.

Mr. Speaker, it is significant to recall some of the statements which have been made concerning this Board. Therefore, I would like to quote from a courageous former U.S. Senator, Herbert H. Lehman, who opposed the bill in 1950 and voted to sustain the veto of President Truman. He said then:

> This bill is based upon misconception, hysteria, and suspicion. People have been led to believe that this is simply a bill to require registration, that under its provisions there are no complications, no further responsibilities, no further duties, no further consequences.
>
> It is not so. In my opinion * * * this bill would in no way help to combat communism. It would do communism no harm. It would harm the country. It would harm the things for which we have stood and for which our forefathers have fought for 200 years and more.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. ICHORD. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. RYAN. Mr. Speaker, the experience of the past 17 years have justified the wisdom of Senator Lehman.

During the recent debate in the Senate, a former Attorney General of the United States, now a Member of the other body, the Honorable Robert F. Kennedy, said:

> We know the act will be challenged and we know that the Supreme Court will very likely throw it out, as it has done in the case of sections of the law now on the books. This law had not helped us to advance in the last 17 years in connection with subversive activities, and if this legislation is passed, we will still not have taken a step forward. We will be standing still.

In view of this assessment by the former Attorney General who had the responsibility of implementing the Internal Security Act of 1950, it seems to me clear that it would be a monstrous waste of time for the conferees and the Congress to deal any further with this matter.

Therefore, I oppose the resolution and urge that it be defeated.

Mr. ICHORD. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the

Speaker pro tempore announced that the ayes appeared to have it.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 287, nays 59, not voting 86, as follows:

[Roll No. 423]

YEAS—287

Abernethy
Addabbo
Albert
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashmore
Ayres
Baring
Belcher
Bennett
Bevill
Biester
Blackburn
Blanton
Boggs
Bolton
Bow
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clawson, Del
Collier
Colmer
Conable
Corbett
Cowger
Cramer
Cunningham
Curtis
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dole
Donohue
Dowdy
Dulski
Duncan
Dwyer
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Ford, Gerald R.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gibbons
Goodell
Goodling
Gray
Griffiths
Gross
Grover
Gurney
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hays
Hébert
Hechler, W. Va.
Henderson
Herlong
Holifield
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Minshall
Mize
Montgomery
Moore
Morris, N. Mex.
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Poage
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Satterfield
Schadeberg
Scherle
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Ullman
Utt
Vander Jagt
Vigorito
Waggonner
Walker
Wampler
Watkins
Whalen
Whalley
White
Whitener
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—59

Adams
Blatnik
Brademas
Brasco
Brown, Calif.
Burton, Calif.
Cleveland
Cohelan
Conte
Conyers
Culver
Dawson
Dingell
Dow
Eckhardt
Edwards, Calif.
Eilberg
Farbstein
Foley
Ford, William D.
Fraser
Gallagher
Giaimo
Gilbert
Gonzalez
Green, Pa.
Gude
Halpern
Hathaway
Hawkins
Helstoski
Hicks
Jacobs
Joelson
Karsten
Karth
Kastenmeier
Leggett
McCarthy
Mink
Moorhead
Mosher
Nedzi
O'Hara, Ill.
Ottinger
Rees
Reid, N.Y.
Reuss
Rodino
Rosenthal
Roybal
Ryan
St Germain
Scheuer
Schneebeli
Tenzer
Tiernan
Waldie
Yates

NOT VOTING—86

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Annunzio
Ashbrook
Ashley
Aspinall
Barrett
Bates
Battin
Bell
Berry
Betts
Bingham
Boland
Bolling
Broomfield
Button
Celler
Clausen, Don H.
Corman
Daddario
Dickinson
Diggs
Dorn
Downing
Edmondson
Frelinghuysen
Green, Oreg.
Gubser
Halleck
Hardy
Heckler, Mass.
Holland
Horton
Hunt
Jones, Mo.
King, N.Y.
Kupferman
Landrum
Latta
Lukens
Macdonald, Mass.
Madden
Mathias, Md.
Monagan
Morgan
Morse, Mass.
Morton
Multer
Nelsen
Nichols
Nix
O'Neal, Ga.
Passman
Pickle
Pirnie
Poff
Quillen
Resnick
Roberts
Ronan
St. Onge
Sandman
Saylor
Sikes
Sisk
Skubitz
Steed
Stephens
Stratton
Tuck
Tunney
Van Deerlin
Vanik
Watson
Watts
Whitten
Widnall
Williams, Miss.
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. O'Neal of Georgia with Mr. Halleck.

Mr. Annunzio with Mrs. Heckler of Massachusetts.

Mr. Daddario with Mr. Horton.

Mr. Roberts with Mr. Latta.

Mr. Charles H. Wilson with Mr. Mathias of Maryland.

Mr. Sikes with Mr. Adair.

Mr. St. Onge with Mr. Kupferman.

Mr. Wolff with Mr. Saylor.

Mr. Monagan with Mr. Pirnie.

Mr. Multer with Mr. Widnall.

Mr. Nichols with Mr. Frelinghuysen.

Mr. Edmondson with Mr. Dickinson.

Mr. Dorn with Mr. Broomfield.

Mr. Stratton with Mr. Battin.

Mr. Resnick with Mr. Diggs.

Mr. Abbitt with Mr. Quillen.

Mr. Hardy with Mr. Bates.

Mr. Steed with Mr. Bell.

Mr. Willis with Mr. Nelsen.

Mr. Celler with Mr. Lukens.

Mr. Aspinall with Mr. Poff.

Mr. Landrum with Mr. Don H. Clausen.

Mr. Wright with Mr. Watson.

Mr. Watts with Mr. Wyatt.

Mrs. Green of Oregon with Mr. Morse of Massachusetts.

Mr. Sisk with Mr. Button.

Mr. Morgan with Mr. Sandman.

Mr. Ronan with Mr. Skubitz.

Mr. Pickle with Mr. Betts.

Mr. Madden with Mr. Morton.

Mr. Tuck with Mr. Berry.

Mr. Tunney with Mr. Gubser.

Mr. Van Deerlin with Mr. Anderson of Illinois.

Mr. Ashley with Mr. Ashbrook.

Mr. Corman with Mr. Hunt.

Mr. Boland with Mr. King of New York.

Mr. Barrett with Mr. Anderson of Tennessee.

Mr. Vanik with Mr. Nix.

Mr. Whitten with Mr. Holland.

Mr. Downing with Mr. Passman.

Mr. Macdonald of Massachusetts with Mr. Stephens.

Mr. HALPERN changed his vote from "yea" to "nay."

Mr. HANLEY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. WILLIS, TUCK, ICHORD, ASHBROOK, and WATSON.

WAR AGAINST HIGH INTEREST RATES LAUNCHED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last Thursday, the unofficial steering committee in opposition to high interest rates was reestablished. Membership on this committee is open to all Members of the House and I hope my colleagues will lend their time and talents to this effort. I hope every Member who is sincerely concerned about interest rates will join this war against high interest rates.

The unofficial committee will hold a broader membership meeting as soon as an appropriate time can be worked out. At that time, we plan to establish working subcommittees to study and gather information in specific areas affecting interest rates and monetary policy.

Members attending last Thursday's meeting considered a resolution setting forth the group's concern over high interest rates and urging specific steps by the Congress, the administration, and the Federal Reserve System. Later I plan to introduce this as a House resolution and I hope as many of my colleagues as possible will place their names on this resolution.

Mr. Speaker, the time to launch a war against high interest rates is now. We should not wait until there is another crunch in the money markets. The Congress must act now to protect the economy, particularly sensitive areas such as housing.

Mr. Speaker, I place in the RECORD a copy of the resolution considered by the unofficial steering committee last week, as follows:

RESOLUTION

Interest rates have climbed to the highest levels of this century and are today placing a heavy burden on the Federal budget, the American worker, the home buyer, the small businessman and the consumer; and

Billions of dollars of Federal revenues are being transferred from needed domestic programs—such as education, health, and poverty—to meet the rising cost of Government borrowings; and

At the same time, rising interest rates are forcing the cancellation or postponement of many local bond issues for schools, highways, recreational facilities, water and sewerage projects and a multitude of other essential public programs; and

High interest rates once again threaten to crush the homebuilding industry; further worsening a nationwide shortage of homes, particularly for low and moderate income families; and

High interest rates are exacting their greatest toll on the people who must borrow to survive, thereby placing an unfair and inequitable burden on the low income citizen: Therefore, be it

Resolved, That we express our deep concern over worsening monetary conditions and urge immediate and vigorous action by all agencies of the Government to halt the upward spiral of interest rates.

We specifically urge action in these areas:

THE FEDERAL RESERVE SYSTEM

We urge that the Federal Reserve Board reexamine its policies and reorient its programs to bring about a lower level of interest rates and to protect the American consumer from unstable monetary conditions which have plagued the economy over the past 24 months. We urge that the Federal Reserve Board follow the letter of the Full Employment Act of 1946 and coordinate its actions with the Congress and the executive branch so as to support rather than to contradict national policies and programs.

We urge that the Federal Reserve keep its promises to support the housing market. We specifically refer to Public Law 89–597, enacted September 21, 1966, reaffirming the Federal Reserve's power to purchase housing mortgage paper in the open market.

We urge that the Federal Reserve make the fullest use of its open market and discount window operations to support directly and indirectly the credit needs of public or quasi-public programs.

We further urge that the Federal Reserve resume full support of the Government bond market so as to maintain a reasonable level of interest rates on Treasury borrowings. We deplore any attempt to artificially raise interest rates on Government securities to provide an excuse for raising bank interest rates on time deposits.

THE U.S. CONGRESS

We urge that the Banking and Currency Committee initiate at the earliest possible time a full investigation of our monetary policies with specific emphasis on the role of the Federal Reserve System. We urge that the committee determine what the Federal Reserve is willing and able to do to lower interest rates under present law. If the committee determines that additional and/or remedial legislation is needed in this area, we urge that it bring such measures to the floor early in the second session of the 90th Congress and that they be given highest priority on the calendar of the House.

We urge that the Ways and Means Committee, which has authority over the bonded indebtedness of the Nation, hold the line on statutory ceilings on interest rates, particularly the 4¼-percent ceiling on long-term Government obligations.

THE EXECUTIVE BRANCH

We urge that the President use the full power and influence of his office to require the Federal Reserve Board to bring its policies in line with those of the administration and the Congress. We urge that the President exercise his constitutional power to carry out monetary policy in the public interest.

We urge that Secretary of the Treasury, Henry Fowler, exercise the full authority of his office to see that Government borrowings are made at the lowest possible interest rates. We urge that he demand Federal Reserve cooperation in this program. We further urge that the Secretary show a greater concern for support of lower interest rates than for support of the Federal Reserve Board.

We urge that the administration recommend and fully support legislation to bring about lower interest rates and monetary reform.

THE PARTY WRECKERS HAVE TROUBLE ANSWERING SOME VERY BIG QUESTIONS

Mr. GRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAY. Mr. Speaker, yesterday, on "Meet the Press," Allard Lowenstein, an official of the Americans for Democratic Action, demonstrated the kind of fuzzy and irresponsible thinking so prevalent these days among certain liberals.

Mr. Lowenstein is opposed to the nomination next year of Lyndon Johnson. He opposes the President not only because of Vietnam, but also, in his words, because he is "dissatisfied with the direction of the party" under the President's leadership. Mr. Lowenstein said that the party's platform has not been implemented by this administration.

I do not know what Mr. Lowenstein has been reading. But I do know that Lyndon Johnson has kept more than 90 percent of his campaign pledges of 1964—and by so doing he has enacted most of the basic legislation that ADA has been agitating for nearly a generation.

I think it is pertinent to note that when asked what alternatives he would offer to the administration policies in Vietnam, Mr. Lowenstein has very little to say, indeed. Yet, Vietnam is supposedly the heart of his discontent.

All in all, the American people had a very revealing glimpse of the kind and quality of criticism being directed against the President from certain liberal quarters.

I feel certain that they saw nothing that would impress them or encourage them to believe that Mr. Lowenstein and his followers really understand what they are supposed to be opposing.

Mr. Speaker, the protests at home concerning our involvement in the Vietnam war are prominently displayed by our news media every day, but the feelings and statements of the young Americans who are facing the brunt of the battle go almost unheard.

I have recently received a letter from my friend and constituent Mr. Herschel Smith, post adjutant of the American Legion Post 169 at Eldorado, Ill. enclosing a letter written by Capt. Richard A. Romer to his father-in-law, Mr. Bill Schribner, who is a member of the American Legion Post at Eldorado, Ill.

Mr. Speaker, under unanimous consent previously granted I hereby enclose for printing in the RECORD at this point the letters to which I have referred. I recommend the reading of this message from Captain Romer. I want to congratulate the good captain and express to him our appreciation for the great contribution he and his comrades are making to world peace.

The letters referred to follow:

ELDORADO POST 169,
THE AMERICAN LEGION,
Eldorado, Ill., November 9, 1967.

Representative KENNETH J. GRAY,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE GRAY: Enclosed is a copy of a letter written by a Captain now serving in Vietnam to his father-in-law, who is a member of our American Legion.

We feel that this young man has expressed the feelings of all our young men who are over there.

The members of this Post stand behind these fine soldiers 100%. We feel that if less TV coverage and Newspaper articles were given to the demonstrations etc. this country would be much better off.

Thank you,

HERSCHEL SMITH,
Post Adjutant.

OCTOBER 25, 1967.

DEAR BILL: As I put myself on the line each day (two mortar and grenade barrages up-country plus the usual Viet Cong terrorism in and around Saigon), I am impressed by the ever mounting attention being given to the draft-dodging peace protestors at home. I find their ignorant statements on conditions in Viet Nam being widely disseminated while the quotes from people who have been here are suppressed. I personally can refute the lies these people foist onto the gullible public, but my statements would be suspect (after all, I'm a Prussian).

Therefore, I ask, "What are the responsible *Veterans* and civic organizations doing to counteract this subversive current in our society?" As far as the combat troops in Viet Nam can detect, there is no appreciable support for them at home and it is eating the Hell out of their morale.

The United States has a proper role in South East Asia if only because it is our defense perimeter in a nuclear age. The '68 elections cannot change our role here regardless of the victor—Republican or Democrat. But, the continuing and increasing dissent at home (storming the Pentagon, for Christ's sake) only encourages the enemy and results in more dead GI's.

None of us are happy about being separated from our families and risking death each day, but it is our job. The people whom we're defending could at least defend us.

RICH.

RHODESIA SURVIVES

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, at this time I wish to place in the CONGRESSIONAL RECORD an editorial, "Rhodesia Survives," which appeared in a recent edition of the Tampa Tribune.

The editorial reflects upon Rhodesia

and the U.S. relationship to that country, to Great Britain, and to Vietnam. There are many of us who do not understand why the United States continues to follow Great Britain's leadership in upholding the United Nations sanctions upon that country, and particularly the economic boycott. It is certainly difficult to comprehend the fact that we would impose sanctions against a friendly Rhodesia while Great Britain continues to engage in trade with Cuba and North Vietnam.

The Tribune editorial expresses the thoughts of many people in my congressional district.

RHODESIA SURVIVES

Rhodesia celebrated quietly and in good health last weekend the second anniversary of its declaration of independence.

The fact that life goes on normally in Rhodesia is evidence of the failure of economic sanctions imposed by the United Nations in an effort to force the breakaway government back under British rule.

That failure is to be applauded by citizens of all nations who are concerned with practical rather than theoretical freedom.

Rhodesia is under U.N. sanctions because the government of Prime Minister Ian Smith represents a white minority which is not willing to turn over the country to an untrained, unprepared black majority.

The chaos, slaughter and tyranny which have followed black rule in the Congo, Nigeria and other African states are proof enough of the wisdom of the Rhodesian government. But the social theorists hold, of course, that native populations must be given control, no matter how disastrous the result; the Afro-Asian bloc in the U.N. opposes Rhodesia's independence as an issue of race and the Communist states attack it to gain favor with the Africans and Asians. Britain has taken a hard line against the Smith government to preserve its influence—and trade—with the undeveloped countries. And the United States has gone alone for a mixture of reasons, none of them sound.

There is a nauseating smell of hypocrisy in the whole system of sanctions against Rhodesia.

Nations which piously joined in the boycott, including even some of the African states, are permitting undercover trade with Rhodesia for their own profit.

The United States is caught in a particularly foolish position. It supports Britain in sanctions against Rhodesia, a peaceful country which offers no threat to world peace. Yet Britain continues to trade with North Vietnam, an aggressor whose armies are killing American soldiers in the effort to conquer South Vietnam.

Failure of the economic war against Rhodesia will bring renewed pressure by the radical African governments, encouraged by the Communist bloc, for U.N. military action against Rhodesia.

It is time for the Western nations not only to squelch any idea of military action but to end economic warfare against Rhodesia. Rhodesia has shown it can survive. But the United States ought to take the lead in correcting an international injustice and abandoning a venture in organized hypocrisy.

MEAT INSPECTION IN THE DISTRICT OF COLUMBIA

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, it had been my hope that it would be unnecessary to further comment on the sharp difference of opinion which has developed in regard to the most effective method of meat inspection. There are some Members of this House, and there are a great many self-appointed advisers, who assume that we will only get clean meat by mandatory Federal inspection of each and every slaughtering establishment, and that this can be achieved without any cooperation whatever with the local authorities.

I have felt, and many Members of the House have felt, that it was at least advisable, if not entirely essential, to elicit the support and cooperation of local authorities. This is, Mr. Speaker, the real crux of the differing viewpoints.

I find no fault with those who reach conclusions contrary to my own so long as they do it with full consideration of the facts as they exist. I must, however, protest when, in an effort to bolster the plausibility of their conclusions, they misinterpret the facts. For several days there have been a number of articles appearing in the local press which have referred to "meat inspection in the District of Columbia." They have suggested that there was something terribly wrong in the District of Columbia, and that the people of the District were being victimized through the sale of unclean meat.

I do not want to pass upon sanitary conditions in the District of Columbia, but I do want to point out, Mr. Speaker, that the District of Columbia is the only jurisdiction in the United States where every pound of meat legally sold has been federally inspected. It is true that some meat is ground into sausage; some is cut into steaks; and some is otherwise reprocessed in the District; but I am informed there is not a slaughterhouse in this District. Therefore, every bit of meat so reprocessed has already been federally inspected. Since all the meat sold in this District moves in interstate commerce, it is all presently subject to the Federal meat inspection laws.

If unclean meat is sold in the District, it has to be the result of one of three situations. Either the Federal law has been violated by moving uninspected meat in interstate commerce, or Federal inspection is not actually adequate and does not give the protection it is supposed to give, or the meat was contaminated after it was brought into the District. In either event, merely extending Federal inspection to plants doing an intrastate business, as the Senate bill proposes, will have no effect whatever on the quality of the meat sold in the District of Columbia. The law in regard to moving nonfederally inspected meat across State lines will remain just as it is—and meat can be contaminated just as easily after Federal inspection as it can after State inspection.

Mr. Speaker, there may have been contaminated meat sold in this District, just as there has undoubtedly been counterfeit money passed in this District, but if our present laws have been enforced that contaminated meat was federally inspected before it ever reached the District, passage of the proposed Senate bill would not in anywise change the situation.

It seems clear to me that the recent charges that unwholesome meat is being sold in the District of Columbia are for the purpose of prejudicing the public against our existing dual inspection system and are deliberately intended to leave the false understanding that Federal inspection would correct the situation when, as a matter of fact, all meat in the District is presently federally inspected.

FEDERAL MEAT INSPECTION

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, a week ago I called the attention of the House to information developed that the AMI, which is one of the organizations representing the meatpackers which had opposed what I believed to be an adequate meat inspection law, represents a substantial number of firms which had been cited by USDA investigators for a variety of improper conditions. It has now been developed that the Western States Meatpackers, currently represented in Congress by Mr. Liljenquist, also has among its membership 45 substantial packers and processors whose handling of their products left a great deal to be desired. I am setting forth the article in the RECORD today, and urge the Members to scrutinize the list so that they may be better informed as to why some of these operators have been so anxious to prevent enactment of a strong law protecting the consumers of that area.

Mr. Speaker, the conferees are meeting today and it is hoped, but certainly not assured, that they will bring back to us a recommendation that will protect the public from contaminated meat; however, the State secretaries of agriculture in some States are still at this 11th hour extremely busy representing the viewpoint of the purveyors of dirty meat and mislabeled products.

Some of the State secretaries of agriculture who have had the duty to protect the public from contaminated meat have consistently peddled the same line and taken the same position as is taken by those meat merchants who want to bilk the public. At first some of them said there is nothing wrong and we need no law whatever; later they shifted to accepting the bill that passed the House. The public demands became loud enough that they finally closed down some plants and cleaned up a few situations. If nothing was wrong, where did they find these plants that needed to be closed?

Most of them are operating under extremely weak laws and they could have forthrightly said they did not have the tools or enough inspectors to do the job, but instead many of the State inspection heads have consistently acted as defenders for those guilty of the bad practices. Their failure to act responsibly makes one wonder if they should ever be trusted to protect the public against those who want to bilk consumers. The latest line that they are peddling is that the House-passed bill requires imported meat to come up to our Federal standards, but that other proposals I have supported do not make such a requirement. The fact is that the import provision in all the bills under consideration is almost word for word out of my bill. I have always maintained that all meat should come up to our Federal standards whether it is imported or domestic. Some of the opponents of a strong bill are for imported meat coming up to high standards but they do not want all domestic meat to meet those same standards. They even fight against the protection against mislabeling going into effect immediately on 25 percent of our domestic processed meat and meat products, but they do not oppose these provisions going into effect immediately on imported meat. It is bad enough for them to be thoroughly inconsistent on this, but it is untenable for these State secretaries of agriculture to now repeat the completely false line put out by some of the contaminated meat peddlers that the Smith-Foley, Montoya-Mondale bills do not require imported meat to come up to Federal standards.

I do not think there is any more of an argument for a long delay in bringing the present nonfederally inspected plants up to Federal standards than there would have been for a long delay in requiring imported meat to meet these standards. Following is a newspaper article that has been given to me from the Chicago Sun-Times which illustrates some of the points that I have mentioned, and includes the completely false allegations by a State secretary of agriculture that the House-passed bill contained more protection on imported meat than the Smith-Foley bill.

The House-Senate conferees are to meet today on this meat inspection bill. I sincerely hope they will be able to report a bill back to us that will protect the American public and protect producers against the loss of markets by inferior products replacing wholesome domestic meat. The American public needs protection from contaminated and adulterated meat whether it is imported or domestic.

[From the Chicago (Ill.) Sun-Times, Nov. 30, 1967]

Illinois Meat Control Raises Questions

(By Burnell Heinecke)

SPRINGFIELD, ILL.—According to Agriculture Director Robert M. Schneider Jr., Illinois has the "best meat inspection" of any of the states.

Dr. Paul B. Doby, who in July was named to take over a combined new division of meat, poultry and livestock inspection in Schneider's department puts it a little differently.

"We are determined to make our meat inspection the best of any of the states," he said.

The record since Doby and his chief assistant, Dr. George V. Lantis, took over in midsummer is a whirlwind of action, or so it would seem.

The disturbing question that keeps arising is this: If, as Schneider maintains, Illinois has had the best meat inspection at the state level of any of the states that have regulations, why was this Doby-led whirlwind of enforcement needed, or possible?

How is it possible that some packing plants are still shut down, or are still under notice to comply fully with all standards, if everything was just fine before?

Schneider, at a press conference last week, waxed long on the subject of federal legislation that would not take over state inspection, where it existed, but would merely assist it in terms of funding and training.

He said the bill by Rep. Graham Purcell (D-Tex.) requires a check on imported meat, something not found in the Smith-Foley bill.

Schneider then disclosed that an unannounced federal inspection had been made in Illinois-licensed plants the week before, at the insistence of congressional investigators. Schneider and Doby were pleased at the copies of the reports sent to Washington by inspectors who visited 18 establishments.

Over-all, the reports could be interpreted as pleasing. There were laudatory covering remarks about the performance of Doby since July. Some minor deviations from federal standards were noted. Federal rules insist on all-metal cutting and work tables, while the state approves wood tables or those with formica or steel tops over wood.

And then there was one bad case, so bad the inspector said he couldn't begin to summarize the faults. There were a few other instances of handling of meat after slaughter where questions were raised.

Schneider offered the opinion that things are better than they were before and besides, "You've never heard of anybody dying from inspected meat."

Doby explains part of the 77 shutdowns or enforcement actions that have taken place since July by pointing they pertain in many instances to new standards that became effective Oct. 1.

What was the situation before, if these new standards have caused trouble for 77 installations? Doby says he doesn't know because he was in livestock inspection before the consolidation with meat and poultry inspection this year.

Centralized data has been lacking, partly as the result of the death in June of Dr. Fred. C. Mau, who had been in charge of meat and poultry inspection since its inception in Illinois in 1960.

Mau, state officials said, operated heavily via telephone when he found conditions in need of correction. Records of violations are scattered by the individual files for the 540 meat and poultry processing plants outside Chicago, and 800 locker plants, the officials said.

In several instances, processing plant or locker operators have sold their businesses to new owners since the inspection change occurred in Illinois last summer.

A recent shutdown order involved a new owner of Malta Freeze Center, at Malta, Dekalb County. Although the plant was largely a husband-wife operation, according to state reports, it engaged largely in so-called "country slaughter" for farmers or nearby residents while also selling quarters and halves of federally-inspected beef.

The facility was licensed July 31. On Oct. 13, it was warned about violations, and on Nov. 17, it was ordered to halt operations.

Thomas J. Willis, area chief inspector, said the chill and holding coolers in the plant "were the only areas in the whole plant which could come close to compliance. In view of the other rooms I inspected, this stands out like a palace."

The owner in this case pleaded that he had not owned the plant long and was willing to do whatever was necessary to bring it into compliance.

The shock of many operators at the crackdown is spelled out in inspectors' reports examined by The Sun-Times. There apparently existed a disbelief, apparently based on past history, that the state really would shut them down for failing to comply with regulations.

[From the Minneapolis (Minn.) Tribune, Dec. 3, 1967]

Faults Uncovered in Some Plants of Meat Group

(By Nick Kotz)

WASHINGTON, D.C.—Agriculture Department (USDA) investigators have reported finding improper conditions in 45 meat packing plants whose owners are members of the Western States Meat Packers Association, Inc.

USDA investigators found 28 plants that did not meet federal standards in a 1962 investigation, and 14 in a 1967 investigation. Three plants were cited in both surveys.

USDA investigators found conditions in 1,000 nonfederally inspected plants in 1962 and 180 nonfederally inspected plants in 1967. The plants were selected at random, and are not under federal inspection because they do not sell products across state lines.

Western States, through its president, L. Blaine Liljenquist, has been lobbying here against passage of the strong Senate-approved meat inspection bill.

It would require states to meet federal inspection standards within three years or the federal government would take over the state function of inspecting intrastate meat.

Liljenquist has been severely criticized for soliciting meat packers to contribute campaign funds to "friendly" congressmen at the same time Congress is considering the controversial legislation.

According to its membership list, the organization has 295 meat packer members in 14 Western states. The organization has declined to make public its membership, but The Minneapolis Tribune obtained the list from other sources.

Liljenquist first strongly opposed all legislation, but now says his organization favors the House-approved Purcell bill. Proponents of strong legislation do not believe that would result in corrective action by the many states with inadequate meat inspection systems.

Liljenquist could not be reached for comment Saturday.

The investigative reports on plants operated by Western states members ranged from findings of grossly unsanitary conditions to use of improper chemicals in products to relatively minor infractions. Two plants were praised for good operating conditions.

The investigators reported improper conditions in at least six plants operated by members of the Western States board of directors.

At the Portland Provision Co., Portland, Ore., inspectors in 1967 reported finding "bits of hemp" in pork products used to make sausage.

At the Delmonte Meat Co., Portland, Ore., inspectors in 1967 reported that walls were "splattered with emulsion from grinders and stuffers" and that water was ankle deep on the floors.

At the Gem Packing Co., Boise, Idaho, 1967 investigators said they found "unclean beef in the coolers."

Investigators in 1967 criticized the Talone Packing Co., Escondido, Calif., for having "very poor sanitation equipment."

The investigators in 1967 criticized the Davis Packing Co., Boise, Idaho, for "very poor sanitation" shown in part by "considerable mold on walls and ceilings."

The C&C Packing Co., Phoenix, Ariz., was criticized for dirty equipment and for lack of clean sewers and drains.

Liljenquist indicated in his Senate testimony that investigators had visited mostly small plants that did not contribute significantly to the nation's meat supply. However, the investigators criticized conditions in numerous large plants, whose owners are members of Western States.

Investigators criticized Lewis Brothers, Inc., Portland, Ore., in 1962 for "sawdust contamination" on meat, and reported on the same plant in 1967 that rails, smokesticks and racks were "badly in need of cleaning."

The OK Meat Co., Phoenix, Ariz., was criticized in 1962 for poor sanitation in the slaughtering department. In 1967, investigators said sanitation should be further improved.

Here is a summary of some of the conditions reported at other plants in 1967.

Tempe Packing Co., Tempe, Ariz.: Building in need of repair. Odors of sewer gas. Meat handling and sanitation need improvement.

Grand Taste Packing Co., Los Angeles, Calif.: Working area cluttered. Floor of the canning department completely under water.

Triangle Market Co., San Diego, Calif.: Sanitation could be improved. Working area lacks sterilizers.

Central Meat Co., San Diego, Calif.: Working area overcrowded. Scaling paint on walls. No sterilizers used. Sanitation could be improved.

Boise Valley Packing Co., Eagle, Idaho: The sausage material cooler was "dark, damp, and musty."

Van's Packing Plant, Boise, Idaho: Poor sanitation on killing floor. Unclean beef found in cooler.

Conditions reported during the 1962 survey included:

William C. Parke & Sons, Ogden, Utah: Employes washed hands in barrels also used to wash edible meat.

Hopper Meat Packing Co., Phoenix, Ariz.: Fat used in making of hamburger "badly soiled by dirt and black grease."

Independent Meat Co., Twin Falls, Idaho: Hams being pumped with water without any control over putting excessive amounts of water in them.

Milwaukee Sausage Co., Seattle, Wash.: Modern plant was very clean, but no control was exercised over the amount of nitrate, phosphate, cereal, water, and other restricted items that were added to processed meat products.

Stephens Meat Co., Albuquerque, N. Mex.: Rat poisoning materials used in several areas of the meat cooler.

S-J Meat Co., Portland, Oreg.: The sausage-making operation included nearly double the federally permitted amount of nonmeat fillers put in products.

Alpine Meat Co., Inc., Grants Pass, Oreg.: "Sanitation here appeared to be impossible. Considerable dirt and hair on beef shanks."

Peerless Food Products Co., Chehalis, Wash.: Meat product in containers was contaminated with sawdust from the floor.

The fate of the strong meat inspection bill cosponsored by Sens. Walter F. Mondale, D-Min., and Joseph Montoya, D-N.M., will be determined next by a Senate-House conference committee that will meet this week.

Mondale and Rep. Neal Smith, D-Iowa, cosponsor of a strong measure defeated in the House, have vowed they will carry the fight back to the floors of the House and Senate if the conferees attempt to weaken appreciably the Mondale-Montoya bill.

Liljenquist and other representatives of his organization have been busy lobbying congressmen to oppose the Mondale-Montoya bill.

FEDERAL MEAT INSPECTION FOR THE DISTRICT OF COLUMBIA

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I listened with interest to the speech of the gentleman from Texas [Mr. POAGE]. Though I did not read all of the articles, I am sure, that appeared in the Washington press, the ones I did read pinpointed exactly where the dirty meat was coming from. It was coming from plants adjacent to the District, which are not inspected, and meat which is brought into the District illegally, presumably.

But, in spite of the gentleman's speech, the only way we can stop this meat from coming in from uninspected plants, is to station guards at all bridges to the District of Columbia, and stop every vehicle which might carry meat and check it out. Anyone knows that is not feasible. The only feasible way to do it would be to see that all meat came from inspected plants in the first place.

SHALL WE RING THE BELL, OR TOLL IT?

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, no prefacing remarks are really necessary for the following poem written in South Vietnam by Lance Cpl. David F. Neckermann, with the 3d Marine Division, the son of Mr. and Mrs. Clarence Neckermann, of Boonville, Mo., and the grandson of Mr. and Mrs. Frank Neckermann and Mrs. Frank Campbell, also of Boonville.

Corporal Neckermann has said "it" better than I could; and coming from one risking his life in the defense of our country, I am deeply humbled by this sincere patriotism and genuine spirit of service of a real American.

Corporal Neckermann's poem had an impelling impact on the local townspeople. Published in the Cooper County Record on November 30, it was supplemented by an appropriate editorial and a personal message to the fighting marine by Editor E. J. Melton.

The deeply moving poem written in the thick of battle in Vietnam by a dedicated American and marine follows:

SHALL WE RING THE BELL, OR TOLL IT?

PROTEST WHILE YOU MAY

(By Lance Cpl. David F. Neckermann, 3d Marine Division, Vietnam)

You protest from day to day,
But you have, as of yet to show us a way
Of how this battle can justly be won,
Not with marches nor songs can it be done

It's easy to say get out U.S.,
But you're not the ones being oppressed
Things you do are so insincere
That you haven't the faintest feeling of fear

Fear you see in people's eyes,
As they watch their families and neighbors die
A fear so great, it leaves a deep-scarred mark
But all you think of, are Love-ins in parks

Your fore-fathers fought for what was right
What gives you the right, to dim that light?
The light that shines upon our doors,
Why can't it shine on foreign shores?

A lurking shadow rears its head,
Blood and death stain it red
All the result of a greedy man's dream,
Now has become an ebbing stream,

Allow this stream of Red to grow,
And soon a giant river flows
A river which spans the widest seas,
And brings the strongest nation to its knees

We have fought many times before,
When evil was knocking at our door
Should it be any different now,
For a farmer and his plow?

Why should we worry, when it's so far away?
It only moves closer with each passing day
For now be safe in your beds,
No bullets do whine o'er your heads

Someday you too will wear a uniform,
And like ours, it won't keep you warm
Your feet will no longer be bare,
But the uniform won't be ours, but theirs

Continue to march and sing your songs,
Though deep in your heart you know you're wrong,
Can your want of public fame,
Be worth the sacrifice of America's name?

OEO ATTORNEYS SEEKING TO HAVE STATE AND FEDERAL WELFARE RESIDENCY REQUIREMENTS DECLARED UNCONSTITUTIONAL

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I have stated before that when we gave OEO the wide latitude it seems to have in the selection of personnel and projects, we could well be sowing the seeds of our own destruction. Already we are reaping some of what we have sown.

In four separate Federal district courts—in Connecticut, Delaware, Pennsylvania, and the District of Columbia—attorneys paid by legal units of OEO-financed poverty agencies, attorneys under oath, I presume to protect and defend the Constitution, have instituted court actions leading to judicial rulings that knock down all residency requirements for those seeking welfare payments from the American taxpayers.

Instead of protecting the interests of the American people who employed them, they directed their efforts toward destruction of the safeguards of our society.

They sought to have all welfare residency requirements, both State and Federal, declared unconstitutional. They are succeeding.

In the case of Harrell against the Board of Commissioners of the District of Columbia, Minnie Harrell's attorneys, Laurens Silver and Peter Smith, are salaried employees of neighborhood legal services project, reform and education division, United Planning Organization. UPO is, Mr. Speaker, Washington's antipoverty agency.

The similar case of Green against Department of Public Welfare was filed in Delaware district court in Wilmington by Harry A. Pogach, director and chief attorney for Community Law Service, of Wilmington, the legal branch of Community Action of Greater Wilmington, Inc.

The case of Thompson against Shapiro was filed in Connecticut district court, at Hartford, by Bryan L. Hollander, of Neighborhood Legal Services, Inc., the legal section of Community Renewal Team of Greater Hartford.

The similar case of Smith against Reynolds, before a three-judge Federal court in the eastern district of Pennsylvania, was filed by Thomas K. Gilhool, of Community Legal Services, the legal arm of Philadelphia Antipoverty Action Committee.

Mr. Speaker, the Congress appropriated money to pay these attorneys, and they have gone into court and challenged the constitutionality of State and Federal statutes. Not only are welfare residency requirements of the States and the District being stricken down, but also, by necessary implication, provisions of title 42 of the United States Code, providing social security grants to States for aid and services to needy children must be striken in their wake.

Ironically, the Attorney General, whose responsibility it is to defend the United States and its laws, declined to enter the case in the District of Columbia even upon invitation of the court to do so under provisions of title 28 of the United States Code. He explained to our distinguished colleague, the gentleman from North Dakota [Mr. KLEPPE], who questioned his reasons, that he felt his intervention was unnecessary "since district court cases are often disposed of on grounds other than constitutionality." However, to the surprise of absolutely no one, it was decided on constitutional grounds by the three-judge court Judge Bazelon convened to review Judge Holtzoff's earlier dismissal of the case. The assistant corporation counsel who represented the District of Columbia government failed in his efforts in our behalf.

Mr. Speaker, if the Congress wishes to change the law, then we should do it. But we are approaching insanity when we employ attorneys to go into the courts to get the courts to declare the laws we have enacted unconstitutional.

COAL-NUCLEAR WRANGLE SELF-DEFEATING

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I have no particular desire to engage in a public debate over the relative merits of nuclear and coal-fired electric powerplants, although I am aware that there are those affiliated with the coal industry who would do so. I think this is a very unwise decision on their part. And if a little knowledge is a dangerous thing, these people can be very dangerous since they have so very little knowledge about nuclear power.

For several years now, the coal and nuclear power industries have operated under a very informal and unwritten understanding that neither would resort to scare techniques in their very healthy competition to provide fuel for the Nation's electric powerplants. Now I see that this tenuous truce is being violated.

A Mr. W. A. "Tony" Boyle, president of the United Mine Workers of America, is charging around on some sort of a campaign to uninvent the peaceful uses of atomic energy. It is clear enough to me—and I am sure to most of us in Congress—that Mr. Boyle is properly concerned with the continued health and welfare of the Mine Workers' Union—more so than he is about the health and welfare of the general public. If he were as concerned about the public health and safety as he professes to be, I would imagine that he would have done his homework better.

Mr. Boyle apparently does not realize that those who will be hurt by his antinuclear scare campaign are the Nation's electric utilities, the coal industry itself, and the miners themselves. The utilities are among the biggest customers of the coal companies, and if I were in the coal business, I would not want to get my best customers mad at me. They can take all their business elsewhere, then what about the miners?

If the coal industry and the nuclear industry start shooting at each other again, the utilities are liable to be caught in a crossfire and, either way, they are going to get hurt. Their consumers are either going to get all riled up about pollution from coal plants or about the alleged dangers in nuclear plants. And those of us who believe in nuclear power development would have an easier time proving our case than Mr. Boyle would have proving his.

As I said, I have no burning desire to become involved in such a fight, which would serve no one's purpose. In the first place, responsible people in the coal industry realize that the presence of nuclear power does not present any mortal threat to their livelihood. And Mr. Boyle's scare campaign is not going to undo what this country has been trying to do since the end of World War II; namely, apply the tremendous potential of the atom to peaceful ends. There is plenty of energy business for both coal and the atom. It might make sense to fight over a deficiency of potential sales. It makes no sense at all to quarrel when there is plenty of business for everyone, unless, of course, your real purpose is just to create an image of being very zealous and protective, or you are just spoiling for a fight and you do not really care what gets damaged by the fracas.

If Mr. Boyle wants to continue this fight, there are plenty of good scrappers around in the nuclear forces who can escalate it right up to the top of those ugly, smoke-belching, air-polluting and, for that matter, radiation-spewing smokestacks. I do not particularly want to see it happen, but I will not be the least bit shy about getting into it myself if I feel it is necessary to stop this fear mongering.

It can be shown that a relatively greater quantity of radioactive materials is released to the atmosphere from coal-fired plants than from nuclear powerplants. Studies by the Federal Power Commission and the President's Science Advisory Committee indicate that on the basis of radiochemical analyses, the quantity of radium-226 and radium-228 from fly ash and pulverized coal is relatively greater than the release of iodine-131 and krypton-85 from nuclear plants although neither presents a health hazard to the public.

I would suggest that the coal companies have a long, heart-to-heart talk with Mr. Boyle. Maybe they can convince him that he is tilting at windmills and/or playing bull in the china shop.

This is not to say that the nuclear industry is above criticism. We have our problems, but I wish that our critics would take some time to learn a little about what they are criticizing. To suggest that the Atomic Energy Commission answers to no one—as Mr. Boyle has done—borders on the absurd. The AEC answers to the President of the United States. And for that matter, it answers to me as a member of the Joint Committee on Atomic Energy, frequently and in detail. And if the President or the Joint Committee on Atomic Energy thought the AEC, or the private nuclear industry was deliberately endangering the lives of the public—as Mr. Boyle charges—they would be put out of business quicker than an Arab on the Sinai Peninsula.

My friend and colleague, the gentleman from Pennsylvania [Mr. SAYLOR], has introduced to this body a joint resolution to establish a Federal committee to investigate the civilian atomic energy programs. I am already on record as being in accordance with the objectives of this resolution, although I have had a difficult time convincing anyone, including the gentleman from Pennsylvania's coal fields, that I am serious.

I support the principle of the resolution because I think that such a study would help put an end to a lot of these poorly informed and highly emotional tirades against nuclear power development. The critics would have to put up or shut up, based on the facts rather than someone's personal vendetta. I think that such a study, if fairly and thoroughly conducted, would tell the American people the same thing that we in the nuclear field have been telling them for years; namely, that the benefits of the peaceful atom far outweigh any potential hazards, and that these hazards, like those associated with driving a car, or even taking a bath, are being kept at an acceptable level and constantly reduced through science and technology.

The resolution—House Joint Resolution 599—and a couple dozen more like it have been referred to the Joint Committee on Atomic Energy, and I hope the committee will meet early next year to consider them.

And I can promise one thing. If the Joint Committee should decide that such a study can make a significant contribution to a full public understanding of the benefits and problems—benefits and problems—of atomic energy, and reports accordingly, I will do everything in my power to see that Mr. Boyle is offered a seat on the study group. All things considered, we may not be able to change his mind about the nuclear industry, but at least he might be better informed as a critic.

NEW PARITY LEVEL DRAMATIZES FARM DEPRESSION

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, rising costs which are illustrated by the new low in parity-ratio have caused a full-blown farm depression.

The Federal Government must devise ways to protect the interests of farmers and other consumers who presently have no representation at bargaining tables where labor costs are established.

The new round of wage increases now taking shape will hold down farm prices and farm income and make today's severe farm depression even worse.

Farmers have a big stake in labor costs but have no representation during the negotiations where they are established. Labor contracts should not be left to settlement entirely through bargaining between management and employees.

An economic crisis that has every characteristic of a full-blown depression has hit the American farmer with unexpected fury.

Its latest and most dramatic manifestation is the continued drop in parity ratio for Illinois farmers, which dropped two more points during the past month, hitting 66, the lowest since records for the month were kept beginning in 1937.

According to information released over the weekend by the Illinois Crops Reporting Service, an affiliate of the U.S. Department of Agriculture, the parity ratio for Illinois farmers slid downward from another record low of 68 in October. The November figure of 66 compares with 75 a year before. Parity ratio shows the relationship between the prices farmers must pay to stay in business and the prices they receive for their products. A parity ratio of 100 is considered officially to be the fair level, at which the economic position of farmers is comparable to urban citizens.

The farm depression is due to a vicious combination of rising costs and dropping prices.

Much of the trouble can be traced to the adverse impact on commodity prices caused by Federal farm policies and programs, but a factor of equal impact is the cost side of the ledger.

The steady upward swing of prices and taxes hits farmers three different ways: They get less of the consumer dollar spent for food because inflation pushes up the cost of processing and distributing farm products; they pay more for farm equipment and supplies; they pay more for the products and services required by their families.

To illustrate, marketing costs of the $83 billion consumers spent for food in 1966 were $2.6 billion higher than the year before. Farm operating costs hit $33 billion the same year, up 8 percent from the year before. Products and services purchased by farm families increased 3 percent during the same period. Unlike a generation ago, modern farm families buy practically all the food and other products needed by the family and therefore have no way to cushion inflationary pressures.

FEDERAL FORMULA FOR MAKING CHERRY PIE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the women of this Nation stand deeply in debt to the benevolent bureaucrats of the Food and Drug Administration, who have turned their time and attention and our tax dollars to the solution of a problem that has vexed every cook in every kitchen across this land.

Thanks to their unceasing efforts to mind our business for us, we now have the official Federal formula for making cherry pie.

We also now know—I presume this is unclassified information—that—

> Cherry pie is the food prepared by incorporating in a filling contained in a pastry shell, mature, whole, pitted, stemmed, red, sour (tart) cherries . . .

Now is that not nice?

I was about to suggest that Members might ask their wives to include this invaluable pie recipe in the next edition of the Congressional Cook Book, but I have the feeling that those who did might not be around tomorrow.

CAN YOU BAKE A CHERRY PIE, BILLY BOY?

(By Marshall McNeil)

Your Federal Government does not leave you unarmed and unprotected in the extremity of your doubt and frustration. It's always in there helping.

It may not be able to tell you with precision the long-term effects either of pot or the pill. But it's ready to protect you from substandard cherry pies, and to arm you with information on how to judge them.

It knows precisely how many cherries there must be in a pie. And, using its instructions, you may readily learn whether your friendly baker is indeed an honest, law-abiding man.

THE RULES

The Food and Drug Administration of the immense department of Health, Education and Welfare has proposed—and officially published in the Federal register—rules that define and fix the standards of identity and quality of cherry pie. Otherwise, how would you know?

Hear this:

"Sec. 28.1 (A) cherry pie is the food prepared by incorporating in a filling contained in a pastry shell mature, whole, pitted, stemmed, red, sour (tart) cherries (fresh, frozen, or canned) that have not been treated with a chemical preservative."

Then in Sub-section (C) of the same section the question of identity is nailed down:

"The name of the food for which a definition and standard of identity is established by this section is cherry pie, except that if the maximum diameter of the food (measured across opposite outside edges of the pastry shell) is not more than 4 inches the food alternatively may be designated by the name of cherry tart."

Then in Sub-section (A) of Section 28.2 the FDA decrees that the standard of quality for cherry pie is as follows:

"(A) The pie contains not less than 2.7 cherries per ounce of net weight of the pie when examined in accordance with paragraph (B) (1) of this section."

Now we get to the heart of the matter, the simple instructions on how you, just a plain everyday citizen, may check on your friendly baker to see if he is an honest man.

SUBSECTION B

For Sub-section (B) says:

"The number of cherries per ounce of pie, as required in paragraphs (A) (1) of this section, is determined as follows: Remove the filling and cherries from the pie and distribute evenly over the surface of a 12-inch diameter U.S. No. 8 sieve (0.094-inch openings) stacked on a U.S. No. 20 sieve. Wash the cherries and cherry fragments free from adhering material with a gentle water spray. Drain the cherry contents on the No. 8 sieve for 2 minutes in an inclined position (15–30 degree slope). Do not discard the contents of No. 20 sieve. Transfer the whole cherries to a tared pan and determine the weight of all whole cherries. Count the whole cherries and calculate the average weight per whole cherry.

"Collect the cherry fragments from both the No. 8 and No. 20 sieves. Weigh the cherry fragments and calculate the whole cherry equivalent based on the average weight per cherry. The number of whole cherries plus the number of whole cherry equivalents is the total number of cherries in the pie. Calculate the number of cherries per ounce of net weight of pie."

And if it doesn't turn out to not less than 2.7 cherries per ounce, you'll know it's not a cherry pie. And your baker's in trouble.

Doesn't it give you a nice, warm feeling to know that the good old Federal Government is right in there, spending your tax dollars to protect you?

P.S.—Democratically, the FDA says if you have any proposed changes in these, or its other cherry pie rules "submit views in writing, preferably in quintuplicate," to hearing clerk, HEW.

ARMY-NAVY GAME

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I seize this opportunity today to pay tribute to two great football teams who on Saturday represented the Military Academy at West Point and the Naval Academy at Annapolis on a field of friendly strife, where in the words of the late Gen. Douglas MacArthur were "sown the seeds that in other days and other fields will bear the fruits of victory."

Of course I am talking about the greatest of all spectacles, the Army-Navy game at Philadelphia, where a capacity crowd of 102,000 Americans looked down on boys who will be our future officers and will lead us in our country's battles when the chips are down and wherever they may fall.

Was this gigantic struggle before a gigantic audience overemphasis of football? I think not.

It was in the real tradition of American sports and caused hearts to swell with pride whether they be partisan to the Army gray or the Navy blue.

The Army was favored to win, but did not. The Army lost nothing, however, in its demonstration, even though let down by the Secretary of the Army Stanley Resor and Army Chief of Staff Harold K. Johnson, who denied the team the right to show their great spirit in other sections of the Nation to other Americans. The Army team would not let down their comrades and colleagues.

I must recall to you that when the announcement was made by the Pentagon that Army could not participate in a postseason bowl game, I made this statement:

> Secretary of the Army Stanley Resor and Chief of Staff Harold K. Johnson, in refusing to allow West Point to accept a football bowl invitation delivered a body-blow to the morale of the West Point football squad, the corps of cadets, and the entire Army.

Within days after the decision which denied the West Point team a right which it had earned, Army met the University of Pittsburgh. A top-heavy favorite, Army staggered to a close victory. It had not yet recovered from the frustration felt and the blow to its morale as a result of the denial of bowl participation.

To the ever-crowning glory of Gen. William C. Westmoreland, he personally went to that game. As a former superintendent of the Military Academy, and as one who did not think it was overemphasizing football to make a winner out of the Army team, he went to the dressing room to lift the spirit and morale, which had been shaken by the decision of the Secretary of the Army a few days before.

Nobody can deny that the Army team in that game suffered from frustration almost to the point of defeat. But to its credit, it dug in, rallied, and came through with a victory, close as it was.

But it took the performance on the field at Philadelphia Saturday to bring out the determination and real fighting spirit of the Black Knights of the Hudson. Favored to win the game, and routed by a great Navy team in the first half, the spirit of West Point was not to be denied.

This gallant Army team made a brilliant comeback, which demonstrated beyond any doubt that it would have brought honor and glory to West Point, the Army, and all men in uniform if permitted to play in a bowl game.

In recovering and making the comeback it did, it did so in the tradition of true obedience of the military and in subjugation to heartbreak and denial to carry out the orders of superiors, though ill advised and damaging as they might be.

This was indeed the modern version of the charge of the Light Brigade at Balaclava where it was:

> Theirs not to reason why,
> Theirs but to do and die.

It must be made known that if the Army had been allowed to go to a bowl game, the invitation would not have hinged upon defeating Navy.

I have a deep feeling that a bowl invitation and acceptance would have had its affect on the outcome of Saturday's game just as I am sure the denial to accept had its affect.

On the other side of the coin, the Navy must be recognized for playing a brilliant game, and coming from the underdog position to the summit of victory.

It is all over now. The Navy has won and the Army has lost, but who will stand up and dare say that every participant in that game failed to learn something which will make him a better officer in the military service of his country. And who among that crowd of 102,000 cheering Americans will say that such contests overemphasize football.

WALT ROSTOW'S SECURITY CLEARANCE—WHO MADE THE EVALUATION?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on November 22, in the light of recent revelations concerning the British superspy, Harold Philby, I placed in the CONGRESSIONAL RECORD extensive material concerning security practices at the State Department in recent years. Philby, it will be remembered, was fantastically successful in relaying to the Soviet Union highly secret material over a long period of time. The Evening Star here in Washington was evidently concerned, too, for in an editorial on November 11, it was stated in part:

> Certain questions nag the mind. How did this living lie manage to get away with his crime for so long? Why did the British and American espionage people fail to make swift and thorough tests of the validity of the suspicions they felt every now and then, from 1945 on? A fearful degree of official laxity and slipshod security seems to have been Philby's salvation.

The Star recommended "quiet, complete, systematic, continuous vigilance against treason such as Philby's." This is, of course, prudent advice.

My concern with this issue extends beyond the extremely dangerous issue of treason and encompasses, also, the area of suitability in sensitive positions. An applicant for an important position might well be completely loyal but still unsuitable for a sensitive position due to a number of reasons. For whatever reason, then, I am concerned with "official laxity and slipshod security," as the Evening Star so clearly termed it.

There is no intention here to intimate or infer that there is any parallel in the motivations of Harold Philby and Walt Rostow. My concern, as I have stated, is with any case of possible official laxity and slipshod security in sensitive positions.

The charge has been made that Rostow was three times denied a high-level security clearance in the 1950's. According to Willard Edwards, in the Chicago Tribune of November 24, James M. Stewart, of Wood Dale, Ill., wrote to the White House concerning these alleged denials. In reply, W. Marvin Watson, special assistant to the President, informed Stewart that last year the President had called upon executive department heads to assess security and other programs for the protection of sensitive information, and to so inform the President. Mr. Watson's reply further stated:

> In this connection, the President thought that you would want to know that this requirement was strictly followed with respect to Mr. Walt Rostow. The last occasion on which a pre-employment investigation of Mr. Rostow was conducted by the FBI was in 1966 in connection with his current assignment as special assistant to the President.

Mr. Watson's reference to the FBI deserves clarification. The FBI is a fact-finding agency and does not make security evaluations. The Bureau in its pamphlet, "99 Facts About the FBI—Questions and Answers," amply emphasizes this point. Here is question No. 31 and the Bureau's answer:

> Question. How can I get an FBI Security clearance?
>
> Answer. The FBI does not issue security clearances. It does conduct applicant-type investigations in certain cases at the request of other Government agencies concerning individuals requiring security clearances. *The results of these investigations are furnished to the requesting agency which then decides whether or not to grant the individual a security clearance.* (Emphasis added.)

Again, in question No. 63, the FBI pamphlet stresses the nature of its function as one of fact finding and not evaluation:

> Question. If the FBI has investigated an organization and knows that it is subversive, why does it not make this information public?
>
> Answer. The FBI does not render opinions on the facts it gathers. *Being strictly an investigative agency, the FBI neither makes evaluations nor draws conclusions as to the character or integrity of any organization, publication or individual.* In addition, FBI files are confidential and available for official use only. (Emphasis added.)

A number of pertinent questions are in order at this juncture.

Who made the security evaluation in the case of Rostow?

Upon what security standards was the evaluation based?

Were the standards of the U.S. Intelligence Board applied in the Rostow case?

The U.S. Intelligence Board consists of representatives of the 10 executive agencies which have dealings in the intelligence field. Allen Dulles in his book, "The Craft of Intelligence," states that the USIB is sometimes referred to as "the intelligence community." The standards set by the USIB covering high-level security clearances are certainly applicable in the Rostow case.

To date the inquiry of Mr. James Stewart has not been adequately answered. Until it is, this case cannot be closed.

I include the article, "L. B. J. Aid Tells Rostow Check," from the Chicago Tribune of November 24 and written by Willard Edwards, in the RECORD at this point:

L. B. J. AIDE TELLS ROSTOW CHECK

(By Willard Edwards)

WASHINGTON, November 23.—President Johnson was disclosed today to have insisted that Walt W. Rostow undergo a full field investigation by the Federal Bureau of Investigation before his appointment last year as special White House assistant on national security affairs.

W. Marvin Watson, special assistant to the President, was the authority for this statement. This was the first official comment on reports published six weeks ago that Rostow was rejected three times as "undesirable" for employment by the Eisenhower administration.

Altho Rostow, a former professor of economic history, has held state department posts since World War II and was a White House aide to the late President Kennedy, Johnson insisted that he undergo another exhaustive background investigation by the FBI in 1966, Watson said.

ANSWER TO LETTER

Watson responded to a letter from James M. Stewart, Wood Dale, Ill., director of the American Defense fund, formed to help pay legal expenses for Otto F. Otepka in a four-year battle to clear his name. A brief filed by Otepka's lawyer, Roger Robb, in the Otepka case disclosed that Rostow had been turned down for government employment in 1955, 1956, and 1957.

Stewart wrote Watson in reply, rejecting the implication that the FBI had cleared Rostow.

The FBI does not evaluate its findings, Stewart noted, permitting the hiring agency to interpret the evidence presented. The only way to resolve the "questions and allegations" in the Rostow case was to publish the results of the FBI inquiry, he asserted.

Watson's letter described the President as deeply concerned over security standards in government departments where employees have access to secret records.

"The President last year called upon the head of every executive department and agency to assess security and other programs for the protection of sensitive information, and to inform the President of steps being taken to maintain adequate and effective safeguards," Watson wrote.

"With regard to the personnel security processing of members of the White House staff, the President insists upon a full field investigation by the FBI as a prerequisite to consideration of each appointee.

GUIDE STIRS ROW

"In this connection, the President thought that you would want to know that this requirement was strictly followed with respect to Mr. Walt Rostow. The last occasion on which a pre-employment investigation of Mr. Rostow was conducted by the FBI was in 1966 in connection with his current assignment as special assistant to the President.

HISTORY AND DEVIATION FROM THE TRUTH

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, there is much to be gained from the study of history and the knowledge of events and reactions to them. No person can deny his use of history and no student can believe himself directed toward an education without study of it. It is therefore disturbing to note that Richard Jensen, professor of American history at Washington University in St. Louis, in studying history texts concludes that "historians of repute have sold their skill for a mess of royalties."

In a treatment contained in Russell Kirk's, "The University Bookman," Professor Jensen discusses the bias and balance of eight common, or frequently used, history texts presented to college students and advances examples of what are at best, shoddy evaluations and interpretations presented as a coin without a reverse side.

He shows the "camps" which ignore or disregard the legislative branch but promote an ever stronger executive. The theory that Franklin Roosevelt was the savior of business—business being a lowly thing in many of the texts—justifications of losing China, anti-anti-communism and the like prevail.

After reading the reviews of Professor Jensen one can only caution more critical evaluation and an increase in skepticism when confronted with what might be a jaundiced history. It is sad commentary that the historians who would promote one particular phase of political ideas are not well enough founded in their own ideas to let them stand against solid opposition, but this appears to be the case.

I include the Jensen article at this point:

AMERICAN HISTORY: THE EMERGENCE OF A NEW CONSERVATISM

(By Richard Jensen)

Every fall hundreds of thousands of college sophomores trek to their school bookstores to obtain the necessary textbook for their course in American history. With his cursory knowledge of American history derived from a high school survey, and confused by snatches of hearsay and scores of old movies, the student is not prepared to evaluate the validity or balance of the text. He does soon discover that it is well-written, quite up-to-date, fast-paced, exciting, and sophisticated. The classroom lectures that infuse coherence and pattern into the course, moreover, are probably delivered with more wit, sophistication, and stage presence than the average student is accustomed to, for the sophomore history course is the main source of history majors, and the department intends to lure the brightest youth into its domain.

The texts do not seem to reveal any particular bias during the first semester of the course. Up to the Civil War or Reconstruction, there are few controversies that would involve the student one way or the other in any profound sense. Perhaps the only interesting question of bias and balance comes in the assignment of blame for causing the Civil War. The South bears the burden of inflaming war in most of the newer texts, with only one or two Southern-oriented texts allocating a share of the guilt to Northern abolitionists. The history of Reconstruction is pregnant with relevance to the current issues of civil rights and the role of the Negro in American society. But curiously, the textmakers have not yet caught up with the recent trend in historiography, which criticizes the North for not going far enough, for not more significantly providing equality for the freedmen. Although nearly all the textmakers are highly sympathetic to the current drive for enlarging the rights of Negroes, they tend to mourn the haste with which Negroes were enfranchised and given a share of the power in the states in which they constituted a large portion of the population.

As the material approaches closer to modern times and living controversies, the quality of the texts deteriorates, and the biases of the authors become more apparent. In part, the lack of adequate historical scholarship on the main political, social, and economic developments of the last quarter century has forced the authors to rely upon their own hasty research, and their own vivid (but unreliable) memories of the nation's experiences. In part, the textmakers write with an awareness of their potential impact on the students; no author has fully overcome the temptation to instruct the students in what the right course of action ought to be.

The textmakers admire the Roosevelts, and Wilson, and Harry Truman. ("Truman was a strong and in many ways a successful President," says John Garraty's new text.) They are sorry for Taft, dislike Harding, and are especially displeased with Coolidge. Ridiculed for his supposed ignorance of politics, Eisenhower suffers from various innuendos or slanted barbs. Defense Secretary Wilson's statement that "what was good for our country was good for General Motors, and *vice versa*," is quoted and requoted, always with an insidious or mocking twist, in half of the texts. Stronger charges can be leveled against some of the texts. In *The National Experience*, Arthur Schlesinger Jr. unleashes his disgust with the Eisenhower achievements by maintaining that the rise of the consumer price index of 11 per cent in eight years under Eisenhower meant, "The Administration thus failed to preserve the value of the dollar." (Page 775) On the other hand, the rise in the same index of 29 per cent in Franklin Roosevelt's third term represented "substantial price stability" and constituted a "brilliant success." (Page 704)

In a broader perspective the peccadillos of the textmakers for or against one or another particular public figure are of minor importance. More significant is the fundamental thrust of the entire text—the basic evaluation of the stability, rightness, and promise of American institutions and ideas. In about a third of the most popular texts, attention is focused so heavily on factual material that a subtle search is necessary to find any interpretation.

A generation ago the interpretive texts paid homage to Charles Beard's "Authorized Version" of American history, which presented the nation's development in terms of economic or class conflicts, especially the supposed conflict pitting the democratic, agrarian poor against the aristocratic, commercially oriented rich. No one versed in Beard's *Rise of American Civilization* (1927) doubted who were the saints and the devils, nor were they unaware that after the Armageddon the farmers, laborers, and intellectuals would drive the selfish rich from the seats of power. The textmakers of the old days were not wholly uncritical devotees of the Authorized Version; they usually tried to be fair, but most of the interpretive scholarship upon which their texts were based was itself infused with the Beardian outlook.

Beginning in the late 1940's, at a time when Samuel Eliot Morison, himself a distinguished historian, declared it was difficult "to find a good general history of the United States that did not follow the Jefferson-Jackson-F. D. Roosevelt line," a major revolution took place in American historiography. The old dogmas and liturgies of the Beards, Schlesingers, Parringtons, and Hackers gave way before the more informed and critical investigations of young scholars who did not hope the old hopes, nor fear the old fears. The versatility and broad-gauged success of the American economy during and after World War II undercut the old semi-socialist critiques. The revelations about the meaning of Communism in Europe and Asia drove scholars out of "popular front" organizations, and into various anti-Communist groups. Simultaneously with the purge of Communists and fellow travelers from the labor unions, the government, the universities, and the political parties, some younger scholars purged themselves of their old faith in leftist action.

Out of the soul searching and rethinking emerged a new consensus regarding the nature of the American experience. By the late 1950's or early 1960's it become possible to identify a "New Orthodoxy" that summarized the views of a majority of working historians and textmakers This New Orthodoxy is characterized in the latest textbooks by the downgrading of old heroes in the Authorized Version (Jefferson, for example), by the promotion of ex-devils to heroic, if not saintly stature (Hamilton and Hoover), and by the change of reasons for keeping some of the old boys (the Roosevelts and Jackson, among others). Secondly, by the increased prestige allotted to the conservative tradition. Students read in the 1962 edition of Morison and Commager's textbook (a decade ago the front-runner in sales) that, "History may eventually record Franklin D. Roosevelt as the greatest American conservative since Hamilton." (Vol. 2, page 749.)

In the liturgy of the New Orthodoxy "conservatism" is not associated with the American Right, but rather with elements of the American liberal tradition. Following the suggestion of Louis Hartz and others that the tradition ethos of America has been the liberalism of Locke, and not the rigidities of a feudalistic conservatism, the new view hails the growth of the welfare state, the centralization of power in Washington, and the development of the Presidency as a balancer or arbiter of all major disputes in the nation's economy and society.

The New textbook Orthodoxy rejects the core idea of the leftists and Beardian interpretations, the thesis that American history is a history of the conflict of rival economic classes. Similarly the Turnerian thesis that the environmental impact of frontier conditions essentially structured the American character is explicitly repudiated. Harmony of interests, commonality of outlook, consensus of the major elements in society are the new themes.

One of the most notorious triumphs of the Authorized Version was its debunking of the Constitution as a counter-revolutionary document foisted upon the democratic farmers by the aristocratic speculators and commercial interests. By impugning the motives of the Founders, Beard and his readers were able to ridicule and attack the opponents of Progressivism and Socialism who shouted "unconstitutional" all the time. But now, few major scholars accept Beard's *Economic Interpretation of the Constitution*. All of the texts explicitly reject Beard's thesis, and hail the Constitution as an unusually wise document, most impressive and significant because it gave the federal government enough power, either manifest or latent, to handle all of the problems and crises that might arise in America. As a corollary implicit in new interpretation, all disputes *can* be solved, and the federal government is the proper agency to do it.

While the "Jacksonian Democracy" upon which the Authorized Version has heaped great praise is now in eclipse, the Jacksonian Presidency has become perhaps the main new focus of adulation. As John Hicks writes in the confidential "Instructor's Manual" to accompany the 1966 edition of his text:

If Congress, or even the Supreme Court, failed to reflect his views he [Jackson] did not hesitate to bring the other departments into line. . . . Many later Presidents, especially Lincoln, Wilson, and both the Roosevelts, have taken a wide view of presidential powers. Always there is protest, but in general the view of the Presidency that Jackson developed has pleased the American people, and has succeeded whenever a given President has had the ability to justify the assumption of responsibility involved.

Adulation of the Presidency seldom appears in such unrestrained form in the textbooks themselves, but all the textmakers subscribe to the same line of thought. The Jacksonian Presidency, as advocated traditionally by the Democratic Party, sees the President as more than the Chief Executive and Head of State. He is the tribune of the people, who alone draws power and support from all the states of the land, and who alone is capable of articulating and sponsoring the legislation and executive action, and even judicial decisions, demanded by the common will of the people and the destiny of the nation. No textmaker, nor for that matter any prominent historian, inclines toward the opposing Whig-Republican conception of the powers of the executive. As enunciated by Henry Clay, and practiced by Lincoln and every other Republican President except Roosevelt, that theory is wary of the demagogic or dictatorial threat in the exaltation of the Presidency, and prefers instead to place reliance upon Congress.

So thoroughly does the Jacksonian ideal of the Presidency pervade the texts, that even some of the devils of the Authorized Version have acquired halos. Most dramatically, Herbert Hoover is fast becoming the prophet of the modern controlled society, and has lost (or is soon to lose) the reputation as a do-nothing failure who personified the false promises and misguided hopes of business-oriented, laissez-faire political economy. Hoover's transfiguration is not yet complete, but probably all the textmakers will soon follow the lead of Hicks who (again in the "Instructor's Manual" only) wrote of Hoover's prophetic role:

Herbert Hoover was in line with the "great man" tradition of American Presidents. . . . In making full use of the influence his office gave him to promote recovery, and in mobilizing the government . . . to defeat depression, Hoover was taking far more advanced ground than any preceding depression President had even thought of taking. Had he continued in office after 1932, it is probable that he would have been obliged to adopt many of the measures that Roosevelt adopted. Similarly, had Roosevelt been President during Hoover's term, it is unlikely that he would have moved much more rapidly than Hoover moved. Roosevelt after 1933 had the benefit of Hoover's experience, and could begin where Hoover left off. . . . Many of the Measures usually associated with Roosevelt began with Hoover [such as the unbalanced budget, extensive public works projects, the RFC, and extensive farm support programs].

Other textmakers are not so sweeping as Hicks, but year by year each new text, or new edition, upgrades the reputation of the Great Engineer. Garraty, for example, declares that "Hoover's plans were theoretically sound, but they failed to check the economic slide, partly because of curious limitations in his conception of how they should be implemented." (Page 726) The point is important, because no philosophy of strong, expansive Presidencies can afford to be tied to one particular bag of economic nostrums. If strong Presidents are a good thing, then they have to be good even if the President is not a liberal.

With Franklin Roosevelt the New Orthodoxy already has developed its interpretation: Roosevelt saved American capitalism. By ramming the needed reforms through Congress and the Courts he purged the weaknesses from the body politic, and rescued America from the perils of the far Left and the far Right (i.e., Socialism and individualism, so described that the New Deal might be in the center). Praised for his conservation activities, and his restoration of "hope" to millions of Americans, Roosevelt emerges primarily as the man who transformed the basic commitment of the federal government from carelessness to compassion.

The opponents of the New Deal never are portrayed as responsible statesmen with alternative programs. A few passages from the Hofstadter-Miller-Aaron book typify the textbook characterization of the conservatives as old-fashioned, contemptible fools:

Often the [Roosevelt] administration's techniques for recovery [sic] and relief irritated the conservative opponents—sometimes almost to the point of madness (Vol. 2, page 516) After two years of New Deal legislation, the battle lines were drawn between a violently [sic] hostile conservative opposition and a powerful coalition dedicated to the President's support. (Vol. 2, pages 516-17) Old-fashioned Americans, whether wealthy or not, bemoaned what they thought would be the inevitable destruction of American individualism if New Deal policies were continued. (Vol. 2, page 519)

In handling perhaps the most controversial episode in Roosevelt's career, the American entry into the Second World War, the texts run the gamut from cautious to enthusiastic approval for his policies, while ignoring or repudiating the entire "revisionist" interpretation that accuses Roosevelt of deliberately fomenting Pearl Harbor. Hicks-Mowry-Burke encapsulate the typical emphasis that only Japan wanted war: "At stake was Japanese domination of East Asia as against the traditional American position of respect for the sovereignty of all Asian nations and the equalitarian commercial principle of the open door." (*The American Nation*, Vol. 2, page 651) But Hofstadter-Miller-Aaron unexpectedly say (in a small-type footnote): "That Roosevelt wanted to enter the war by November [1941], and that he knew that a firm stand against Japan might bring about drastic action on her part, seems beyond doubt."

Schlesinger, in his segment of *The National Experience*, asserts that Roosevelt "had good reason for not wishing to abandon China; and, in any case, such abandonment might simply have encouraged the extremists." (Page 697) What that "good reason" was, Schlesinger leaves to the imagination of the student—who a few pages further on discovers that China inevitably would have been won by "the efficiency, incorruptibility, and ruthless fanaticism of Mao Tse-tung," because of "the ancient resentments against foreign domination, the pent-up demand for agrarian reform [sic], the growing revulsion against the corruption and terrorism of the Kuomintang, and the skill and tenacity with which the Chinese Communists were to exploit these discontents." (Pages 737-38) Thus it would seem that America went to war against Japan to preserve China for the inevitable Communist triumph!

To most of the textmakers, an internal Communist menace is a bogey—a red herring thrown out by the real menace, the businessman. Hofstadter-Miller-Aaron, for example, state:

Actually, the avowed adherents of communism and anarchism [in 1919] could call on the support of no more than a fraction of 1 per cent of the adult population of the country, but in business propaganda this fact was ignored and in the general hysteria it was overlooked. (Vol. 2, page 432)

Of course, the authors do not tell the student what less than one per cent of the Russian population could do in 1917. In discussing the security problems of the Roosevelt and Truman years, all the texts stress the danger of McCarthyism, and none even suggests the extent of Communist influence in various government departments and labor unions. Alger Hiss, in most texts, appears possibly guilty, but Garraty emphasizes that "many thought [Whittaker] Chambers a pathological liar and Hiss the innocent victim of anti-communist hysteria" (Page 790), while Caughey-May, the most intensely anti-Communist text, reports, "Hiss was hard to disbelieve. Most [sic] people found his denials wholly convincing." (Page 676)

While the hostility of the textmakers towards businessmen is seldom hidden, the New Orthodoxy has strongly emphasized the achievement of the entrepreneur and financier in the creation of the modern, rich American economy. Hicks-Mowry-Burke still flays the businessman of the late nineteenth century:

> A similar lack of ethics permeated business. The pursuit of wealth was in itself notorious, but the devious means men used to gain it hit at the very foundations of American society. . . . With monopoly as a goal, the struggle for survival among competitors was intense, and usually only the ruthless had a chance to win. (One vol. *History of American Democracy*, page 466)

C. Vann Woodward typifies a broader, wiser view of the era in his section of *The National Experience*: "The costs of industrialization have never been low . . . when reckoned in human suffering and social turmoil the price has been even more appaling in other countries." (Page 440) Williams-Current-Freidel admits that, "Even the most ruthless of the big tycoons were builders rather than wreckers." (Vol. 2, Page 89)

The New Orthodoxy is confident when dealing with the Roosevelts, but it encounters more difficulty in handling contemporaries. Something of an absurd extreme in the exaltation of "strong" Presidents emerges in the coverage of Harry Truman. Garraty, not much of a hero worshiper, measures Truman's stature in surprisingly laudatory terms: "Like Jackson, Wilson and the two Roosevelts, he effectively epitomized the national will and projected a sense of dedication and purposefulness in his management of national affairs. His greatest triumph came in the 1948 election." (Page 806) It would seem that Truman's greatest achievement, and perhaps his only one, was winning reelection! Schlesinger, injecting a little plug for the New Orthodoxy, says of Truman: "His wide knowledge of history gave him a vigorous sense of the dignity and power of the presidency. He worked hard. He accepted responsibility." (*The National Experience*, page 731)

The Eisenhower of the New Orthodoxy is a weak President, and so whatever his achievements may have been, he is destined in the polls of historians to rank near the bottom of the mediocre group. Schlesinger, again, summarizes the Orthodox evaluation:

> Eisenhower began as an exponent of the Whig theory of the Presidency. He was convinced that Roosevelt and Truman had aggrandized the executive branch at the expense of the other branches of government and that it was his duty to "restore" the constitutional balance. (*The National Experience*, page 760)

Garraty laments that Eisenhower "almost never attempted personally to dragoon reluctant congressmen into supporting administration measures." (Page 808) Like the other preachers of the New Orthodoxy, he has little use for Congress. Its primary function apparently is supposed to be the approval of Presidential action—and in times of weak Presidents, it is supposed to prod the Chief Executive into more dynamic action.

In the New Orthodoxy Congress is not only ignorant and careless, it is also largely ignored. Issues of major importance, at least since 1860, are always presented from the executive viewpoint. Students will not learn much about the structure of Congress, about the committee systems, the leadership organizations, the importance of the Rules and Ways and Means and Appropriations committees—nor anything about their growth and checkered history. Seniority, to the students as to the textmaker, is a strange and nasty thing, that does not have any origins, nor any reason to be, but does (for reasons mysterious) impede Presidents; therefore it ought to be abolished.

The federal bureaucracy, too, is given slight notice. The fact that career civil service men exert a substantial day-to-day control over the decisions of the government is seldom mentioned in the texts—although there is proper condemnation of the unpleasantries of the bureaucracies before the passage of the civil service laws. Nowhere will the students sniff the suggestion that the regulatory agencies of the executive branch may not have improved the conditions they were supposed to correct. That the Federal Reserve System could have been the villain behind the Great Depression does not occur to the textmakers, for such thoughts are heretical, and might tend to cast the least suspicion on the ability of Washington to handle all the problems and ills of American society, and by firm executive action, to end them.

The New Orthodoxy will not soon be threatened from the Right, and probably will achieve a modus vivendi with the historians of the Left, who want to talk of economic and racial injustices and conflicts. But the textmaker, as Morison pointed out back in 1950, is always tempted: ". . . to deviate from the truth in order to satisfy school committees on whom he depends for 'adoptions'; or the prejudices of reviewers and the emotions of the public for whom he looks for circulation. Historians of repute have sold their skill for a mess of royalties; and I hope we do not envy them."

LYNDON JOHNSON AND THE DEMOCRATIC PARTY—THE PARTY OF THE FUTURE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a speech delivered on December 2, 1967, by the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, West Virginia is a State where almost everyone knows a good political speech when he hears one.

And last weekend, President Johnson made an excellent political speech to his fellow Democrats gathered in my home State.

It was an excellent speech, not because it took out after his opponents, but because it took out after the opponents of progress, the men, the President said, "who fear progress more than they fear anything else in the world."

It was a good political speech because it discussed the fundamental things politics are all about—welfare, public responsibility, standing up for your position even though it may seem to be initially unpopular.

And it was a good political speech because it used West Virginia and the Appalachian area as an illustration of what a concerned Government can do for its citizens through a broad series of economic and social and educational measures.

The Democratic Party is more than one man, but it is strong and proud when it is led by a strong and proud President like Lyndon Johnson.

The Democratic Party has a record of accomplishment to carry to the country unparalleled by any political party in the world. And Lyndon Johnson has enhanced that record tenfold during his days in the White House.

I take pleasure and pride in asking consent to insert in the RECORD the remarks of President Johnson to the regional Democratic conference in Charleston, W. Va., delivered by telephone on December 2:

REMARKS OF THE PRESIDENT TO A REGIONAL DEMOCRATIC CONFERENCE IN CHARLESTON, W. VA., BY TELEPHONE

Thank you, Governor Hulett Smith, Chairman Bailey, Distinguished Democrats:

I want to talk to you this morning about the future of the Democratic Party.

Contrary to what you may have heard, I have much more than just a passing interest in this subject.

I hope you won't think that I'm being premature in bringing up this subject this morning. We really haven't had our primaries. We haven't had our convention. So there's really no way of guessing who the Democratic candidate is going to be.

But I do want to say this: I fully intend to support him.

I believe we already have several volunteers for next year's ticket. In general, I like to stay out of these internal party matters. But there's one aspirant—a very well-known liberal from Minnesota—a well-known liberal from Minnesota—about whom I am going to say just a few words this morning.

Despite the few differences that we have had over the years, we have both always tried to do what we believed best for our country. And I have always considered him to be a friend, to be a loyal Democrat, and to be a great statesman.

I am only sorry—I'm deeply sorry—that Hubert Humphrey could not have been with us this morning.

The Vice President has been going around the country lately keeping his finger on the political pulse. And I don't mind telling you that some of his reports make pretty grim reading.

Just the other day he showed me a letter to a newspaper editor. This particular critic had something to say about seven years of Democratic administration. He wrote that the Democratic Party "has deluded the American people, demoralized American democracy, discouraged American business, and disorganized American industry."

He said that seven years of a Democratic administration "has deluded the American people into believing that a government is . . . an inexhaustible giver-out of jobs, doles, and pensions."

Doesn't that sound familiar? I doubt if there has ever been a Democratic administration that didn't get that kind of criticism. The letter I just read you, the letter that the Vice President was showing me, in fact, was written on June 17, 1940—not about Lyndon Johnson and the Great Society, but about Franklin D. Roosevelt and the New Deal.

There are always people in this country—and they are loud and vocal people—who fear progress more than they fear anything else in the world.

They confuse decency with dole.

They confuse welfare with waste.

They confuse responsibility with radicalism.

And always, always, they try to confuse the American people.

Fortunately, there are more Democrats than Republicans in the United States. Fortunately, most Americans would rather look ahead; most Americans are more concerned about where we are going than where we have been.

As Emerson said, America has always had a party of hope, and a party of memory.

I am a Democrat because, in our time, the Democrats have been the party of hope. Many of those hopes have been realized.

Nobody knows better than you that many of those hopes are being realized now—today—for the first time. More than four years ago, the Democratic Party and a Democratic administration pledged to transform the fabric of a vast poverty-ridden area of America.

And it was more than two years ago, with the Appalachian Regional Development Act, that we joined the Appalachian States and the Federal Government together in a great program to brighten the lives of more than 18 million people.

We recognized that poverty cannot be confined by borders. Mines closed down in one community can signal distress many miles away. Farms that lie fallow because there is no market for their products can put men out of work in another country.

In two years, through this partnership for economic progress and development, changes have come to the landscape of Appalachia:

New schools and libraries, hospitals and nursing homes.

Airports and highways opened this landlocked region to commerce.

Strip mines were reclaimed to restore the land as a productive base for the future.

Plants to purify the rivers and streams.

With this physical change, new hope has come to the people of this region. For construction means jobs, and schools bring learning, and hospitals provide health care where little—or none—ever existed before.

We renewed our national commitment to help the poor who live in the towns, who reside in the hollows of America, where the promise has dimmed and where life is bleak. We reiterated and reaffirmed our pledge to harness the talents and efforts of Government at its best—cooperative government—all that government is really about, bettering humanity.

We have engaged in a pursuit of new solutions on how to better humanity, how to help people.

The agenda for defeating poverty is already crowded with unfinished work.

But we have begun. We claim no great victories. We have claimed only that the time of inaction is past and behind us.

Now I know, and you know, that there are many voices in this land which tell us that we must return to stagnation because of the war in Vietnam. But I also remember, and you remember, that most of those very same voices were crying for stagnation when there was no war of any kind in Vietnam.

The noise of cannons in Vietnam has not made them deaf to the cries of the poor or the pleas of the sick. They have always been deaf to cries like that. It is not really the war that bothers them all the time. What bothers them is the idea of social progress.

There are others who are deaf to the cries of help from people in distant lands. There are those who say that we cannot defend freedom in the world at the same time that we achieve social justice here at home.

We can—and don't you believe them when they say we can't. We can and we are going to and we must do both.

As President Kennedy wrote in a speech intended for delivery the night of his death:

"We in this country, in this generation are—by destiny rather than choice—the watchmen on the walls of world freedom."

And I would add to this that by destiny and choice the Democratic Party guards our heritage of social responsibility, and is the watchman against indifference—which is isolationism in its domestic form.

To both groups—to those who would turn their backs on the problems at home, and to those who want to quit, cut and run, and abandon the fight for freedom in Southeast Asia—I would like this morning to repeat a very simple message. It is a message that has been on the record for more than 20 years. I hope it will soon be delivered to those who never seem to have heard it.

It was in his last inaugural address that Franklin Roosevelt counseled the Nation in these words that I am going to repeat:

"Today in this year of war, 1945, we have learned lessons—at a fearful cost—and we shall profit by them. We have learned that we cannot live alone, at peace; that our own well-being is dependent on the well-being of other nations far away . . ."

It has been said many times that those who cannot learn from history are condemned to repeat it. We do not intend to repeat it. The Democratic Party does not intend to repeat it.

I believe that when the American people understand this message, and it is a part of your job to get with it and to get it to them—they are going to respond, as they have always responded, with both the compassion and the courage that history demands from the citizens of the richest, most powerful nation to be found on this earth.

It is your task and my task to make sure, that as men sit in the wings, plan and deliberate to divide, to conquer and to defeat the great movement that is bettering humanity in America—it is our task to make sure that the American people really realize how the road forks—and which turn and which fork they must take.

I wish I could be there with you this morning. I envy you. I want so much to do the job that you are doing.

I will be seeing you.

CONGRESSMAN FOUNTAIN'S STATEMENT ON PEACEKEEPING OPERATIONS

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Broomfield] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, my colleague the Honorable L. H. Fountain, of North Carolina, made a statement on November 28 before the Special Political Committee of the United Nations in which he made some very thoughtful observations about the United Nations peacekeeping capacity, effectiveness, and areas needing improvement.

I am especially impressed with the three practical requirements for a workable and durable system of collective action which he outlined. These requirements concerned the need for new methods of financing, as well as providing the necessary standby forces and facilities and administering authority and responsibility to the Office of the Secretary General. His suggestions concerning the development of procedure whereby a suitable waiting period would elapse between the time host country consent for the stationing of forces is withdrawn and the time United Nations peacekeepers depart is especially noteworthy.

I commend Congressman Fountain's statement to every Member of this body:

Statement by Congressman L. H. Fountain, U.S. Representative in the Special Political Committee, on Peacekeeping Operations, November 28, 1967

At the very outset, let me state on behalf of my Government that the United States assigns particularly high priority to the peace and security activities of the United Nations. The United States has supported United Nations peacekeeping in the past. We shall continue to do so. But we must also emphasize that we believe in collective action, in shared responsibilities for peace.

Within recent weeks, the United States Congress, of which I have the honor to be a member, passed an amendment to the Foreign Aid Act expressing the sense of the Congress that the cause of international order and peace can be enhanced by the establishment within the United Nations of improved arrangements for standby forces. The amendment requested the President, through the United States Representative to the United Nations and in cooperation with other members of the United Nations and the United Nations Secretariat, to explore both the means and the prospects of establishing such peacekeeping arrangements.

We believe that the United Nations can succeed as peacekeeper only to the extent that sovereign states are willing to make the necessary political commitments and provide the required financial support. Responsibility for peace cannot rest with the great powers alone—although peace is a vain hope without their support. No one power or group of powers can or should assert such responsibility.

Mr. Chairman, with each passing year it becomes clearer that the key test of this Organization is its will and ability to respond—rapidly and effectively—to peacekeeping emergencies. For much of mankind, this is what the United Nations is all about. Nations should be able to put their trust in this Organization as an impartial and effective guardian of peace. To merit this trust, the United Nations must demonstrate its readiness and its capacity to respond to appeals for help when peace is threatened—or when violence menaces the sovereignty or political independence of member states.

In all candor it must be said—in fact we all know—that skepticism and pessimism about the prospects for effective United Nations peacekeeping have mounted since this matter was considered by the Special General Assembly six months ago. The Special Committee on Peacekeeping Operations has remained deadlocked in its search for acceptable guidelines for the successful conduct of future peacekeeping operations. The precipitate withdrawal of UNEF six months ago also stirred serious doubts about the practicality and reliability of the United Nations in emergencies. Let us not minimize the effect of these events on the calculations and attitude of many governments.

Despite these doubts, however, we should not forget that UNEF helped keep the peace in a troubled area for ten years—and that fighting was brought to a halt by the intervention of the UN, which was able to move impartial truce observers, acceptable to both sides, to the cease fire lines.

The lesson to be learned from these events is that a new dedication is needed to the work of building a stronger foundation for United Nations peacekeeping.

Mr. Chairman, our purpose here today is to consider how to provide the United Nations with the tools and support it needs to enable it to keep and make peace in the family of nations. It is in this spirit that I wish to address myself to the item under consideration.

Through the Committee of 33, various working groups that antedate that committee, informal consultations, and discussions in the General Assembly, we have for many years been wrestling with this question. We have faced the double task of defining acceptable guidelines for future peacekeeping and of improving the capacity and reliability of the United Nations to undertake peacekeeping operations.

Unfortunately, despite very broad support, both in the General Assembly and in the Special Committee, on the procedure which should be followed in authorizing, financing, conducting and manning such operations, there has been no agreement thus far on guidelines for the future.

Imaginative and constructive suggestions for strengthening peacekeeping have been made by member states—but the Assembly has been reluctant to implement these suggestions because of the stubborn opposition of a few recalcitrant powers.

Despite these disagreements, the capacity of the United Nations, limited though it may be, to send peacekeeping forces promptly to a troubled spot must be preserved. If precise and agreed "principles" cannot be arrived at to govern United Nations peacekeeping in the future, there is all the more need to persevere in efforts to meet the United Nations' practical requirements for successful peacekeeping.

I should like to summarize the position of the United States on three practical requirements for a workable and durable system of collective action for peacekeeping. I will also point out the direction in which I believe we should move to help meet these requirements.

First and foremost, we must persevere in efforts to devise reliable and equitable methods of financing peacekeeping operations.

There are many obstacles that must be overcome before these efforts can bear fruit. The most immediate obstacle is the substantial unliquidated deficit.

Members are reluctant to assume new financial burdens so long as this deficit—caused by the failure of certain countries to pay their apportioned share of the costs of particular operations—hangs over the Organization. Moreover, this unliquidated debt places an unfair burden on members of whom bills are owing for the past services. There is great danger that failure to honor long overdue bills could discourage participation in future operations, particularly by smaller and less affluent members.

For example, the United Nations owes governments almost $12 million for unpaid bills on the Congo account. A large part of this is owed to developing countries. Let me mention some: $1,879,000 is still owed to India; $1,200,000 to Ghana; $955,000 to Nigeria; $244,000 to Liberia; $105,000 to Senegal. The honor and the credit of the United Nations are involved in this matter.

In all honesty, Mr. Chairman, is it not dismaying that more than two years have passed since the consensus of August 1965 which ended the impasse over Article 19—and yet the long-promised substantial voluntary contributions to overcome this deficit have not yet been received from the Soviet Union or France?

In adopting the formula that broke the deadlock over Article 19, this Organization (and certainly the United States which considered this a matter of principle) yielded a critical point on the applicability of collective financing. This point was yielded in order to get the General Assembly moving, with the clear understanding that substantial voluntary contributions would be forthcoming. Yet they have not appeared—and once again, early this year, indications that these countries would tender voluntary contributions proved illusory and new conditions were posed.

Let us clear up this deficit once and for all and restore the United Nations to solvency. Financial implications of political decisions should be recognized and honored. It is irresponsible and in the end self-defeating to call on the United Nations to undertake an activity and then turn one's back when the bills are presented.

I should like to stress that this remains a matter of deep concern to the people of the United States and to our Congress, where I have had the honor of serving for fifteen years. The continued generous support of the people of the United States and the Congress can not be taken for granted if others who benefit from United Nations peacekeeping do not lend their own support.

Mr. Chairman, in addition to overcoming the liabilities of the past, my delegation believes the following considerations for future methods of financing must be clearly established:

Expenses should, in so far as possible, be the collective responsibility of all. If peacekeeping is to be a truly collective effort, its costs must be both widely and equitably shared.

At the same time, flexibility must be maintained. A variety of ways to finance an operation should be considered—regular budget apportionment, sharing of costs by beneficiaries, voluntary contributions, and various formulas for fair-shares allocation. All practical methods for any given operation should be carefully considered and the most appropriate methods adopted.

Also, Mr. Chairman, *a renewed effort should be made to devise a fair-share scale for operations involving heavy expenditures. Any such scale should take into account capacity to pay and other relevant considerations.* My Government's views on this matter are clear. We support the principle of a special scale. We hold that a practical and equitable approach would be to draw up such a scale to serve as a model or guideline for allocation of shares to be adapted case by case.

We continue to believe that in applying a special scale the United Nations must take steps to make sure financial support will be forthcoming by assuring the larger contributors an appropriate voice in financing decisions. One way to do this is through a finance committee—an idea put forward in various forms by delegations of Nigeria, France, the United States and others. My Government urges a renewed examination of the possibilities of such a finance committee especially for operations involving heavy expenditures.

The second requirement for efficient peacekeeping is that the Secretary General must have the latitude and staff and tools he needs to administer operations effectively.

United Nations peacekeeping, like any other complex operation, requires a single executive. There is no substitute—in practice—for the Secretary General and the Secretariat as the administrative center for implementing peacekeeping assignments. Responsibility and authority must be given if the United Nations is to act efficiently in the collective interest of us all. The Secretary General must, of course, operate within the scope of this authority, remaining fully responsible to the authorizing body. But under the United Nations Charter and notably Chapter XV thereof, the administering authority and responsibility are his. There is no viable substitute. It is sophistry to suggest that peacekeeping operations can be administered under the committee system.

The third practical requirement for effective peacekeeping operations is that the necessary forces and facilities must be in readiness—skilled, mobile and equipped.

The most practical way to accomplish this is to encourage and aid countries to earmark standby forces—including police units and service units and facilities—to be made available to the UN in event of emergency.

Out of our deliberations over the years—and particularly discussions in the Committee of 33—have come many constructive suggestions for steps to improve the readiness and competence of volunteer standby forces. My Government supports the provision—adopted by this Committee last year—that members inform the UN about forces and facilities which they are prepared to place at its disposal. This would provide the Secretariat with useful information on which to draw when a new peacekeeping operation is authorized.

Mr. Chairman, these three requirements are not new, although we believe they need continuing re-emphasis. They are needs long-recognized and pointed up by actual peacekeeping operations. Let us concentrate our energies on how best to meet these practical requirements.

SUPPORT FOR A PEACEKEEPING STUDY

At this stage my Delegation believes that the most constructive step would be to support the suggestion in the Secretary General's Introduction to his Annual Report for a study of standby forces, the relationship of the UN to governments providing such forces, and the constitutional and financial aspects of employing them.

Such a study would assist the development of peacekeeping concept and techniques. Although the members would not be committed to any of its conclusions, the study could point up the lessons of experience and provide useful practical ideas. It could examine measures that the UN and member states might take to improve their readiness to respond to a UN call. As part of this work, it could consider what agreements between governments and the Secretary General might contribute to the stability of future peacekeeping operations.

We are all aware of the great practical difficulties involved in carrying out effective peacekeeping operations in situations in which the host country may withdraw its consent, or the troop contributors withdraw their troops, without advance notice or consultation.

Obviously, peacekeeping operations rest upon the consent of the host country.

Nonetheless, my Government believes that it should be possible to draw up arrangements which would give greater stability to UN peacekeeping operations without infringing in any way on the sovereign rights of member nations. The distinguished Foreign Minister of Ireland last Friday made several valuable suggestions for the drawing up of a standard arrangement between the UN and countries to which UN peacekeeping forces were sent. My Delegation believes these proposals deserve serious consideration. This subject could be approached either through the study of peacekeeping operations recommended by the Secretary General or in other ways.

We believe that the UN might also explore the possibility of arrangements whereby a suitable waiting period, during which consultations could take place, would elapse between the time host country consent is withdrawn and the time UN peacekeepers depart.

Such arrangements could be entered into on an *ad hoc* and voluntary basis. But if a country desires a UN presence—if it desires the UN to commit its resources and its prestige to keeping the peace on its borders or between hostile factions within its own country—it seems only reasonable that the UN should in turn receive the cooperation it needs to make its operations effective.

It is equally difficult for the Secretary General to plan peacekeeping operations satisfactorily when the troops or facilities which have been committed to the UN can be withdrawn by the contributor country without advance notice or consultation.

Peacekeeping operations would be stabilized—and the effectiveness and ability of the UN to keep the peace would be enhanced—if advance notice were required for withdrawal of troops or facilities. Exception could be made in the event of national emergency in the contributing country. Such arrangements would in practice require very little additional obligation on the part of the contributing country than under present arrangements. But the added stability would contribute greatly to the effectiveness of United Nations peacekeeping and to the ability of the UN to carry out its Charter purpose of maintaining international peace and security.

Some members have suggested that the study of peacekeeping operations be entrusted to a committee, and true enough, the Secretary General himself suggested the alternative of a committee especially authorized by the General Assembly for this purpose.

My Delegation believes, however, that this would head us down the wrong path. No international committee suddenly seized of a problem of such complexity and in which it has had no experience—no matter how able its members could make this study as effectively as the Secretary General. The Secretary General and his staff can draw on the experience and expertise of twenty years and on studies of individual cases already undertaken by the Secretariat. Apart from other considerations, the Secretary General and his staff would be able to complete such a study expeditiously.

We do not believe that the Military Staff Committee should be expected to undertake this task. The Military Staff Committee has never been concerned with consent-type peacekeeping. Its realm is enforcement action. The provision for consent-type peacekeeping is another matter. We must be sure that no steps taken will in any way impair the availability of volunteer standby units. Countries which have indicated a readiness to do so might be discouraged from proceeding with plans to train and equip contingents for peacekeeping if we bring into this effort the Military Staff Committee, which was set up under the Charter to provide backstopping for enforcement action.

Of course, progress in strengthening peacekeeping arrangements need not and should not await completion of the study. Numerous interim steps can be taken by the UN and by members to improve readiness to respond to peacekeeping needs.

INTERIM STEPS

One such step is to support and cooperate with the UN in the peacekeeping operations now under way, particularly in Cyprus and in meeting the expanded responsibilities of UNTSO. It is unconscionable that the Secretary General should be faced month after month with a running deficit for the Cyprus force, and that as a consequence the continuance in service of some contingents remains in doubt. Only 49 members have made contributions and the burden falls inequitably.

Another step is for each of us to consider how best we can provide UN peacekeeping operations with the technical skills and services that may be needed. This is apart from earmarking and training regular troop contingents and military observers. In almost every operation the UN needs specialists in supply, in transportation, and in communications under crisis conditions. The UN may at times need skilled engineers to build and repair roads and bridges. It may need medical personnel and equipment for mobile medical units. Each of us should be taking a good look at what we can best do.

The United States is prepared to aid and cooperate in two ways.

First, my Government reaffirms its readiness to cooperate in practical plans to aid countries which earmark troop contingents for UN peacekeeping.

Second, the U.S. will continue to consider various actions we might take to assist in sustaining UN peacekeepers and to assure that an operation will not be hampered for lack of ready logistical support.

Our nation is deeply concerned with ensuring the adequacy of procedures and arrangements for effective UN peacekeeping. We are prepared to do our full share in advancing this objective.

THE IRISH PROPOSAL

Mr. Chairman, at this point let me say a word about the proposal for a special scale of assessments for costly peacekeeping operations, submitted by the distinguished Foreign Minister of Ireland on behalf of Ceylon, Costa Rica, Ghana, Ireland, Ivory Coast, Liberia, the Philippines, Togo and Upper Volta.

My delegation wishes to reaffirm what Ambassador Goldberg and Senator Case have said on this proposal in the past two years—that we consider Foreign Minister Aiken's approach a constructive contribution to UN thinking on the complex problem of peacekeeping. Special credit is due to Mr. Aiken for his perserverance and the leading role he has played in stimulating a meaningful discussion on the need for reliable and equitable means of financing. We agree with his thought that we need to find a more equitable distribution of the burden of peacekeeping.

However, we continue to have reservations about the specific proposal. We are unable to subscribe to a plan which could require the United States either to pay up to 50 per cent of the cost of any operation that it supported or to opt out entirely.

Among other problems, under existing legislation we could not vote for any assessment for which the United States share would be more than one-third—although, as members know, the United States, including assessed and voluntary contributions, has paid 40 per cent and more toward the cost of larger peacekeeping operations in the past. Therefore, the United States will abstain on the Irish proposal.

PEACEMAKING—AN INTEGRAL PART OF PEACEKEEPING

Mr. Chairman, one dimension of the peacekeeping problem has been neglected. I refer to peacemaking—the development of procedures for coping with underlying causes of conflict and achieving a settlement.

The United Nations has often intervened successfully to stop fighting—but too often it has been unable to go to the root of the trouble and proceed from peacekeeping to peacemaking. The point was made in the Secretary General's Introduction to the Annual Report that "the capacity of the UN to settle disputes or promote constructive and peaceful solutions to disputes is as much—perhaps even more—in need of study as the problems of peacekeeping."

Mr. Chairman, there are several ways in which we can make further progress in developing the UN's capacity for peacemaking.

First of all, we need to *underscore again the Charter obligations of member states to resort to peaceful settlement of disputes.* The conflict in the Middle East points up forcefully that the primary requirement of a peaceful resolution of conflict is the readiness of the parties concerned to make the necessary accommodations and to use whatever processes are available to them for moving toward a just and lasting peace.

Second, while the primary responsibility rests on the parties to a conflict, others can help. *We can improve our methods and machinery for peaceful settlement and make greater use of the machinery which we already have.* I grant you that methods or machinery have limited utility without the underlying political will to resolve an item. But they can play a significant part in encouraging recourse to peaceful processes and in achieving an acceptable settlement.

We need to take a fresh and imaginative look at existing institutions both inside and outside the UN system and at various new proposals for improved methods of arbitration and fact-finding, such as the proposals now being discussed by the Sixth Committee, as a result of the initiative of the Netherlands. Future consideration of these proposals might also be aided by studies by UNITAR.

I should also like to suggest, as an interim measure, that the Assembly give serious consideration to reviving the Panel for Inquiry and Conciliation. A regularly constituted panel of experts might advise the Secretary General on ways in which the officials of the United Nations, as well as special representatives, might be more widely used to promote the peaceful settlement of disputes.

The panel might include as members ex-officio the Presidents of each of the five preceding General Assemblies. It should meet frequently with the Secretary General to examine current activities by the UN for the peaceful settlement of disputes and to consider measures for improving these activities. The members of this panel could also be available for specific UN assignments whenever their services were needed.

Finally, our concern with peacekeeping is inadequate unless we recognize that *the peaceful settlement of disputes is an integral part of the process of maintaining or restoring peace and security.* As Ambassador Goldberg pointed out in this committee two years ago:

"Clearly peacekeeping operations should not be a sofa to provide a comfortable respite from efforts at peaceful settlement—they should be a springboard for accelerated efforts to eliminate the root causes of conflict. And no less clearly, we must develop the same sense of urgency in dealing with the causes of conflict that we have demonstrated in the containment of conflict."

We have learned from the harsh lessons of Kashmir, of Cyprus and of the Middle East that we cannot be content with keeping the lid on trouble, to live with unresolved issues that fester and then erupt periodically into war. Our first concern should of course be to stop the fighting. Beyond this, we need to examine each situation which calls for a peacekeeping operation to determine how the UN can best move the conflict to a settlement.

In some cases this may mean the appointment of a mediator as part of the UN peacekeeping presence. In others UN involvement in peacemaking may more profitably be undertaken as a separate activity. My Delegation urges wherever possible, that specific actions for peacemaking be made an integral part of the mandate of future peacekeeping operations.

Mr. Chairman, the United States is proud of its record over the years as one of the staunch supporters of UN peacekeeping efforts.

We are pledged to cooperate in improving the effectiveness of the UN's peacekeeping arrangement and will continue to support them.

The UN's future depends on its success in involving itself actively in the cause of peace.

Much has been made in Assembly discussions of the limitations in the Charter, limitations on the UN and on members. Some have tended to emphasize the don'ts in the Charter—what is prohibited, stressing non-interference and non-involvement.

Of course, we must operate within the limits of the Charter. But in most instances, the perils of inaction outweigh the perils of action. Our preference should be to *act* to carry out the purposes of the Charter.

Let me conclude by saying that, important as adequate machinery is, the key problem is not machinery but political will.

Improvements in peacekeeping machinery will not serve the cause of peace without the readiness of all of us to back UN peacekeepers both with our political commitment and with our financial support. We must reject negativism and resignation. We must choose renewed dedication to the hard work of keeping the peace.

HOUSE REPUBLICAN ACCOMPLISHMENTS—FIRST SESSION, 90TH CONGRESS

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, in the first session of the 90th Congress, the Republican Members of the House of Representatives have compiled a remarkable record of achievement and progress. In committee and on the House floor, many legislative measures that update existing programs or establish a new and sound approach to problem solving at the Federal level have been developed or substantially improved through Republican efforts.

On January 19, 1967, the minority leader, GERALD R. FORD, presented the domestic portion of the Republican appraisal of the state of the Union. In this appraisal, there was presented a 40-point program of constructive Republican proposals for consideration by the 90th Congress. Thirty of these proposals were in the area of Republican alternatives to the tired and outdated approaches of the Johnson administration and the Democratic congressional majority. This was admittedly an ambitious program, but it was a program that responded to the needs of the 1960's and the challenges of the 1970's.

Since the first of the year, the House Republican policy committee has held 29 meetings and adopted 30 policy statements. The discussion at these meetings and the action taken by the committee have played an important part in formulating sound legislation and fostering the broadest possible public understanding of the Republican proposals. In the 30 policy statements, the policy committee: First, recommended 10 affirmative measures to implement Republican programs; second, supported 13 legislative proposals that provide solutions to major problems or basic improvements in present laws; third, proposed constructive changes and substantive improvements to five key measures; and, fourth, twice opposed debt ceiling increases that failed to deal with nonessential spending and greater budget deficits.

In the 24 cases where a rollcall vote was taken on the amendment or position supported by the policy committee, 96.1 percent of the Republican Members voting, voted in agreement with the policy committee. And in 18 cases, the bill or amendment supported by the policy committee was adopted by the House of Representatives.

The policy committee statements, and the positions that they contain, have been addressed to the vital issues and problems that presently challenge this country. They reflect hours of study and provide specific and workable suggestions for improving old programs or initiating needed new legislation. They express a determination that the basic changes and improvements demanded by the American people in the 1966 election shall be given at least a fair hearing and, if at all possible, enacted into law by this Congress.

FIGHTING INFLATION AND WILD GOVERNMENT SPENDING

The first session of the 90th Congress has witnessed a continuing battle by House Republicans against the spending policies of the Johnson administration—spending policies that fed the inflationary fires, skyrocketed interest rates and dramatically increased an already swollen budgetary deficit.

The budget for fiscal 1958 totaled $73.3 billion. Today the Federal Government is spending at an annual rate in excess of $140 billion. In the 5-year period of the Johnson administration, the Federal Government has spent $60.487 billion more than it has taken in. The nondefense spending by the Federal Government in 1960 was $48.6 billion. The estimated nondefense spending for fiscal year 1968 is $95.6 billion. And now, the administration's January 1967 forecast of an $8.7 billion deficit for fiscal 1968 has been shot upward by President Johnson to a staggering $30 to $35 billion.

The second and third installments on the grandiose Great Society programs that were hastily enacted by President Johnson and his rubberstamp Democratic majority in the 89th Congress are now due. The combination of Great Society spending and increased defense expenditures has resulted in an inflationary spiral that has reached an annual rate of 4.4 percent and the cost of living has risen 12.6 percent since January 1961. Key interest rates are soaring out of control and may zoom to heights not reached since the 19th century.

Despite the seriousness of the present situation, the Johnson administration refused to cut back on nonessential spending and establish spending priorities. It waited until August 3, 1967, to request a tax increase and then offered dubious promises of future frugality. Only recently has President Johnson finally faced up to the fact that "the cruelest tax of all is the inflation tax." It was not until November 29, 1967, 11 days after the fateful devaluation of the British pound, that a specific plan for expenditure reduction was submitted to Congress by the Johnson administration.

In an effort to stem the inflationary tide, House Republicans led the fight to cut nondefense spending. An increase in the public debt ceiling that sanctioned the Johnson administration's dangerous and irrespondsible approach to Federal spending and budget deficits was opposed on three different occasions. On March 22, 1967, the policy committee urged the adoption of a Republican resolution that would return the 1968 budget to the President and request that he indicate the places and amounts where he believes that reductions can be made. This resolution was pigeonholed by the Democratic majority. However, a Republican proposal that imposed a $131.5 billion limitation on Government spending except for added expenditures that might be necessary for Vietnam, and could lead to a spending reduction of at least $5 billion, was adopted by the House of Representatives on October 18, 1967. And, as a result of Republican efforts, approximately $4 billion has been pared from the administration's request for new spending authority.

Repblicans have made it abundantly clear that if the President is sincere about wanting a tax increase, he must take the first step toward reestablishing his fiscal credibility. He must cooperate in making a significant cut in the expenditure level of this Government—see February 8, March 22, June 7 and 21, and October 18, 1967, policy committee statements.

THE CRISIS IN THE CITIES

Although billions and billions of dollars have been spent by an ever-increasing Washington bureaucracy, solutions have not been found to the many problems that face urban America. It is interesting to note that even liberal Democrats such as Daniel P. Moynihan, former Assistant Secretary of Labor and now director of the Harvard-MIT Joint Center for Urban Affairs, has stated that:

> We must abandon the notion that the nation, especially the cities of the nation, can be run from agencies in Washington.

The Great Society program that is built around the concept of the categorical grants administered by huge Federal bureaucracies has not delivered the goods. Waste, inefficiency, and few real results have been the rule rather than the exception. In an effort to counter this trend, the Republican Members of Congress have advocated a system of block grants that encourages maximum State coordination and permits the States and localities to establish priorities and run their own programs with a minimum of Federal interference.

The recently enacted Comprehensive Health Act provides one of the best examples of what can be done under the block grant approach. This Republican-sponsored and supported act consolidated 16 separately administered public health programs and permitted the States to develop plans, establish priorities, and coordinate local activities. Under this approach, the priority health problems in each State and community whether they stem from communicable disease, narcotics, or rat infestation can be identified and programs designed to combat the problems established and properly funded. The bill will provide more than $900 million for comprehensive health grants to the various States during the next 3 years. See September 19, 1967, policy committee statement.

The House-passed Law Enforcement and Criminal Justice Assistance Act as it was improved and perfected by Republican amendments, employs the block grant approach. It provides maximum State and local control over law enforcement and minimum Federal interference. The Republican-initiated and supported

Air Quality Act encourages the solution of air pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by States. And the House-adopted Meat Inspection Act establishes a viable Federal-State cooperative meat inspection program.

The principle of block grants also prevailed in the final House version of the Elementary and Secondary Education Act. In this legislation, a portion of the massive educational program has been returned to State control and planning.—See April 19 and August 2, 1967, policy committee statements.

PUBLIC SAFETY—ASSISTING STATE AND LOCAL LAW ENFORCEMENT AGENCIES

This year alone urban rioting has caused more than $100,000,000 in property damage. Cities, counties, and States have spent millions in overtime for police and fire departments and calling up of National Guard units. More than 16,000 persons have been arrested during outbreaks of violence in 67 cities, more than 3,200 injured and 85 killed.

The current "Uniform Crime Reports" reveal that serious crime in the United States increased 11 percent in 1966 when compared with 1965. All crime index offenses showed substantial increases in volume. Crimes of violence were up 11 percent with a 9-percent increase in murder, 10 percent in aggravated assault, 10 percent in forcible rape, and 14 percent in robbery.

These statistics starkly dramatize the crisis in law enforcement in this country. The very ability of government to maintain law and order and to provide personal safety has been challenged as never before. Local law enforcement, criminal justice, techniques of correction and rehabilitation must be updated and improved.

In response to this challenge, Republican-sponsored legislation that would impose criminal penalties upon persons traveling in or using the facilities of interstate commerce with the intent to incite a riot was enacted by the House of Representatives. This legislation represents the legitimate exercise of Federal power under authority based on the commerce clause of the Constitution. Historically, certain types of conduct have been prohibited by Federal statute when the facilities of interstate commerce are used. The Republican-sponsored antiriot legislation follows this pattern of asserting Federal authority. The provisions of the bill supplement not supersede local law enforcement. By assuring Federal jurisdiction over out-of-state inciters, State and local authorities are assisted in keeping the peace and protecting the public safety. See July 12, 1967, policy committee statement.

Republicans also supported the Law Enforcement and Criminal Justice Assistance Act of 1967. This legislation establishes a Federal program to provide assistance to local law enforcement agencies. Key Republican amendments offered and adopted on the floor of the House materially strengthened this bill. These amendments, which were supported by the National Governor's Conference, curb the unlimited power of the Attorney General and provide essential State coordination and control. Each State is authorized to develop a statewide comprehensive law enforcement plan and establish a State agency to administer the plan. Once this plan is accepted, all Federal assistance goes to the State agency which in turn distributes the aid to local law enforcement agencies. See August 2, 1967, policy committee statement.

ANTIBALLISTIC MISSILE SYSTEM

On August 9, 1967, the Republican policy committee urged the Johnson administration to provide the American people with an effective antiballistic missile system. In calling for immediate action, the committee noted: First, the Soviets have been building and deploying their ABM system for some time. Second, the Joint Chiefs of Staff unanimously support the position that this country should now proceed to deploy. Third, Congress has appropriated sufficient funds for this purpose. Fourth, the Joint Committee on Atomic Energy has warned:

> A low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

On September 19, 1967, the Johnson administration finally heeded these warnings and announced that the United States this year would start building a $5 billion missile defense system. The importance of this decision to go forward with the establishment of a defense against missiles has been underlined by the recent announcement that the Soviet has developed a fractional orbital bombardment system that would cut the warning time of targets in America from 15 to 3 minutes. See August 9, 1967, policy committee statement.

S O S—S O S—THE AMERICAN MERCHANT MARINE

Deeply concerned that the Johnson administration has permitted the American maritime industry to drift into a major crisis, the policy committee issued a call for immediate action and endorsed legislation sponsored by the Republican members of the Merchant Marine and Fisheries Committee that would establish an independent Maritime Administration. It is both ironic and deeply disturbing that in a period of continued American decline the other maritime nations of the world are building up their merchant fleets. In 1963, the Russians constructed 115 ships while America launched 31. Between 1959 and 1963, the American fleet increased by 20 fewer ships than the Russians produced in the single year 1963.

In response to the Republican call to action, legislation establishing an independent Federal Maritime Administration was enacted by the House of Representatives. This legislation can facilitate the development of a forward-looking maritime program and help to bring an end to the present period of neglect, confusion, and inactivity. Unless our shipbuilding effort is increased, our defense commitments throughout the world will be in jeopardy. Our national survival may depend upon the shipping that should be under construction but which the Johnson administration has scuttled—see May 3 and October 11, 1967, policy committee statement.

CONGRESSIONAL REFORM AND REORGANIZATION

Unless Congress is strengthened and new procedures and techniques developed, the historic role of Congress as an essential check on the massive power of the executive branch may be dangerously diluted. The enactment of a mass of open-ended legislation has created an escalating bureaucracy that is in no way responsible to the voters of the country. Congress, limited as to staff and access to pertinent information, cannot adequately audit the mass of Federal activities and programs. A spittoon approach to the problems of a computerized society is no longer adequate. Early in the session, the policy committee advocated legislation that would update and modernize Congress. This legislation would:

First. Establish a Joint Committee on Congressional Operations with continuing authority to study the structure and procedures of Congress and to recommend additional reforms and changes.

Second. Protect the rights of the minority through the provision of additional committee staff and the right to present minority views and reports.

Third. Authorize measures designed to assist Members of Congress in the performance of their congressional duties.

Fourth. Implement fiscal controls and budgetary reforms that would include a greater utilization of the General Accounting Office.

Fifth. Establish a bill of rights for congressional committees.

The policy committee also urged the immediate establishment of a Select Committee on Congressional Standards and Conduct which would be provided with the authority to establish a code of ethics, investigate alleged breaches of conduct, recommend appropriate action, and report violations of law to the proper local and State authorities. Legislation has been enacted and a code of ethics is now being drafted. This is an important first step in recapturing the public confidence and respect that has been lost through the highly publicized allegations of misconduct against a few Members of Congress—see February 8 and May 10, 1967, policy committee statements.

EXECUTIVE REORGANIZATION

As a result of hastily enacted and oftentimes competing programs that have been stacked one upon another, it is impossible for State and local officials to know what Federal programs are available for what purpose or even where to go for specific information. Moreover, old departments and agencies created and organized to meet the problems of the first half of the 20th century are now woefully antiquated. In order to provide a careful and thoughtful study well above partisan politics and interagency power fights, the policy committee recommended the establishment of a Commission on the Organization of the Executive Branch similar to the first and second Hoover Commissions.

This Commission would be empowered to conduct an in-depth study of the Federal Government's bureaucratic sprawl. It could probe a war on poverty that now includes more than 260 Federal programs. An answer might even be found to a mushrooming Federal bureaucracy that defies a Presidential order to cut back by adding 192,000 employees to the rolls. Recently, the Johnson administration has taken an important first step by announcing that it, too, will recommend the establishment of a Hoover-type commission to help weed out obsolete Government programs—see February 23, 1967, policy committee statement.

RESPONDING TO PUBLIC DEMANDS FOR CLEAN ELECTIONS

For some time, there has been general agreement that the laws dealing with election campaigns should be revised and updated. The Federal Corrupt Practices Act was enacted in 1925. The Hatch Act was passed 27 years ago. Recent studies such as the 1962 Report of President Kennedy's Commission on Campaign Costs reveal that present laws invite evasion and are filled with loopholes. Unless there is basic reform, public confidence in the election process will be impaired.

At the start of the 90th Congress, the policy committee urged the House leadership to schedule the Election Reform Act as one of the first pieces of legislation to receive floor consideration. Thereafter, with unanimous Republican support, an election reform bill, H.R. 11233, was reported by the subcommittee of the House Administration Committee on June 27, 1967. This is sound legislation. Through the incorporation of the following major Republican provisions, honest reporting of campaign contributions and expenditures and streamlined enforcement procedures would be insured:

First. A five-member bipartisan Federal Elections Commission is established to receive reports and statements regarding campaign contributions and expenditures.

Second. The Commission has been granted full and complete authority to enforce the provisions of the act. It is also authorized to make reports and statements available for public inspection and to prepare and publish summaries and reports.

Third. Candidates for Federal office, and political committees supporting such candidates, that accept contributions or make expenditures exceeding $1,000 in any calendar year, are required to report contributions and expenditures.

Fourth. Donations by an individual of more than $5,000 to any candidate or any committee supporting such candidate in any calendar year are prohibited

Fifth. Campaign contributions by political action committees financially supported by a corporation, trade association or labor organization are regulated.

Sixth. Conventions, primaries, and party caucuses have been placed under the reporting and disclosure provisions of the bill.

Seventh. The disclosure of gifts or honorariums of more than $100 is required of candidates for the House and Senate as well as incumbents.

At a series of committee meetings, Republican Members consistently urged that this important legislation be reported so that it could receive early floor consideration. However, their efforts were met by delaying tactics and late in the session, the election reform bill did not even appear on the administration's list of must legislation. Certainly, congressional action cannot be delayed much longer if this legislation is to be in effect and operative during the 1968 campaigns. It must receive early consideration in the second session of Congress. The American public demands and deserves an election process that commands respect and confidence.

SKILL DEVELOPMENT AND TRAINING FOR THE UNEMPLOYED

The Republican Members of Congress have long been interested in establishing a sound program that would solve this Nation's manpower problems by upgrading and developing the skills of our labor force. The Republican effort in this area began with Operation Employment in 1961–62. In this study by the Republican policy committee, leading authorities in the fields of education and on-the-job training were contacted for their comments and recommendations. The results of this study were incorporated into the Republican-proposed Manpower and Development Training Act of 1962 which was adopted in great part and enacted into law by the 87th Congress. This act has proven to be an important step in a greatly expanded war on unemployment and underemployment. For example, from August 1962 to April 1967 there were 635,000 trainees enrolled in MDTA institutional training and 163,000 trainees enrolled in MDTA on-the-job training.

HUMAN INVESTMENT ACT

Despite the efforts that have been made under the MDTA and other costly Federal training programs, there remain today an estimated 2.7 million Americans who are chronically unemployed and hundreds of thousands of others who are underemployed. In order to meet this need, the Republicans in the House of Representatives have urged the immediate consideration of the Human Investment Act of 1967. This act is designed to encourage on-the-job training by private industry and skill development by individuals. It would offer a tax credit toward certain specified expenses of programs designed to train prospective employees and to retrain current employees for more demanding jobs. It is a proven fact that the most effective employee trainer in the Nation is private enterprise. The Human Investment Act would encourage employers throughout this country to develop and implement additional training programs that will equip thousands and thousands of individuals to cash in on the job opportunities that will be provided by the many technological changes and advances that are being developed and implemented by American industry.

HELPING THOSE ON WELFARE

One of the most perplexing problems facing this country today is the welfare problem. We have second and third generation welfare families. Their business is welfare and the payments are so good that they cannot afford to go to work. A way must be found to get these individuals trained, into private employment and off the welfare rolls.

An important first step in the solution of this terribly complicated problem has been taken by the House of Representatives during this session of Congress. The House-adopted Social Security Act Amendments make a number of important changes in the program that provides aid to families with dependent children—AFDC. In the last 10 years, this program has grown from 646,000 families that included 2.4 million recipients to 1.2 million families and nearly 5 million recipients. It is estimated that the amount of Federal funds allocated to this program will increase from $1.46 billion to $1.84 billion over the next 5 years unless constructive and concerted action is taken. In order to reduce the AFDC rolls by restoring more families to employment and self-reliance, the States would be required to:

First. Establish a program for each AFDC adult or older child not attending school which would equip them for work and place them in a job.

Second. Establish community work and training programs throughout the State by July 1, 1969.

Third. Provide that protective payments and vendor payments be made where appropriate to protect the welfare of children.

Fourth. Furnish day-care services and other services to make it possible for adult members of the family to take training and employment.

Fifth. Have an earnings exemption to provide incentives for work by AFDC recipients.

See August 16, 1967, policy committee statement.

UPDATING SOCIAL SECURITY BENEFITS

During the 89th Congress and again in the January Republican state of the Union message, the Republican leadership in the House of Representatives called for an immediate increase in social security benefits. Due to the Great Society inflation, many of our elderly citizens have been faced with a serious situation. Last year alone, the cost of living rose 3.3 percent. Cash benefits fell 7 percentage points behind the Consumer Price Index. It is unfortunate that the administration delayed action on this legislation for so long. There are nearly 40 million retired Americans who do not enjoy the benefit of rising wages and income to cope with rising prices.

The Republican-supported social security bill that has been adopted by the House, provides an across-the-board increase by 12½ percent, increases the amount an individual may earn and still get full benefits, strengthens the benefit formula and improves the health insurance benefits.

Under the provisions of this bill, the amount that a person may earn and still get his benefits would be increased from $1,500 to $1,680 and the amount to which the $1 for $2 reduction would apply would range from $1,680 to $2,880 a year. The amount a person may earn in 1 month would be increased from $125 to $140. Also, the number of days of hospitalization would be increased from 90 to 120 days. A patient would be permitted to submit his itemized bill directly to the insurance carrier for payment. And a physician no longer would be required to certify that a patient requires hospitalization at the time he enters or that a patient requires hospital outpatient services. See August 16, 1967, policy committee statements.

IMPROVING FEDERAL AND STATE MEAT INSPECTION

The Republican-supported Meat Inspection Act establishes a cooperative Federal-State inspection system under which the Federal Government assists the States in meeting their responsibilities to provide high quality meat inspection. Federal cooperation and assistance to the States includes program planning and technical and laboratory assistance as well as financial aid up to 50 percent of the total cost of the State program.

The prohibition against counterfeiting, forgery, and other unauthorized use of official certificates, labels, and marking devices is clarified. The authority of the Department of Agriculture to regulate the marking, labeling and packaging of carcasses, meats, and meat food products is clearly defined. The same standards that apply to meat and meat products produced and processed within the United States is extended to imported meat.

This legislation does not preempt the jurisdiction of the States over intrastate commerce. An amendmemnt that would have virtually eliminated State inspection programs and assigned the responsibility of State and local health protection, at an additional annual cost of $31.2 million, to the Federal Government was rejected.

Under the provisions of this act, a viable Federal-State cooperative meat inspection program is established. New protection is afforded to the consumer. This legislation strengthens and improves a meatpacking and processing industry that has $16 billion in annual gross sales and that provides $13 billion in yearly sales of livestock to the American farmer—see October 31, 1967, policy committee statement.

LEGISLATION TO IMPROVE THE QUALITY OF OUR AIR HAS A HIGH PRIORITY

The Republican-supported Air Quality Act of 1967 encourages the solution of air pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the States. It provides $428 million over a 3-year period for air control research, studies, planning and grants to States and air pollution agencies.

Air pollution is no longer just a threat, it is a present menace to the health and well-being of the American people. Approximately 130 million tons of pollutants are discharged annually into the Nation's atmosphere, an average of 1,400 pounds for each American. This pollution is a byproduct of our highly developed economy. It stems from the rising number of motor vehicles, and from the trend toward urbanization which concentrates the highest levels of pollution in the most populated areas. Economic and mechanical progress has meant the deterioration of our precious air supply. Smog, damage to health and property, and even death have resulted from the pollution of our air.

For some time, the Republican Party has recognized that steps must be taken to improve this Nation's knowledge and technical capability to meet the air pollution problem. In his 1955 state of the Union address, President Eisenhower urged the enactment of air pollution legislation. With the support of Republicans of both Houses of Congress, the first legislation in this field was enacted by the 84th Congress. The Air Quality Act materially strengthens and improves this basic legislation. See October 25, 1967, policy committee statement.

REPUBLICAN POLICY COMMITTEE STATEMENTS AND FLOOR VOTES

First. February 8, 1967: Adopted a statement urging the immediate consideration and enactment of the Election Reform Act of 1967 which has been sponsored and introduced by Republican Members. This act would establish a five-member bipartisan Federal Elections Commission which would receive, investigate, and audit campaign contributions and expenditure reports and statements.

Second. February 8, 1967: Adopted a statement urging the immediate establishment of a Select Committee on Standards and Conduct. This 12-member committee would be empowered to recommend rules and regulations to insure proper standards of conduct by Members and officers and employees of the House. Also, it would have the authority to investigate alleged breaches of conduct, recommend appropriate action and report violations of law to the proper Federal and State authorities.

H. Res. 418 (Apr. 13, 1967), final passage:

Yea	175
Nay	0
Not voting	12
Percentage	100

Third. February 8, 1967: Opposed H.R. 4573 which would raise the debt ceiling to $336 billion without making certain basic budgetary reforms. Urged the adoption of an amendment which would include as a part of the public debt participation certificates sold as full faith and credit obligations. Also, urged the adoption of an amendment which would permit the Secretary of the Treasury to save as much as $50 million in annual interest payments by issuing up to $6 billion long-term Treasury obligations on the same interest basis as short-term obligations.

Motion to recommit:

Yea	153
Nay	23
Not voting	11
Percentage	86 9

Final passage:

Yea	2
Nay	173
Not voting	12
Percentage	98.8

Fourth. February 23, 1967: Adopted a statement urging the immediate consideration and enactment of legislation sponsored and introduced by Republican Members that would establish a Commission on the Reorganization of the Executive Branch of the Government—new Hoover Commission.

Fifth. March 8, 1967: Adopted a statement urging the immediate consideration of legislation introduced by Republican Members that would eliminate political favoritism and insure the recognition and promotion of able and experienced career postal employees.

Sixth. March 15, 1967: Adopted a statement urging the immediate consideration of the Human Investment Act of 1967. This Republican-sponsored legislation would encourage American business to invest in our No. 1 resource—the American working man and woman. It would stimulate the initiation and expansion of job training and retraining programs by providing a tax credit for certain expensese of such programs.

Seventh. March 22, 1967: Commended the Republican members of the Joint Economic Committee for their excellent analysis and review of the 1967 Economic Report of the President. Urged the enactment of a Republican resolution that would return the 1968 budget to the President and request that he indicate the places and amounts where he believes substantial reductions may be made.

Eighth. April 5, 1967: Urged the updating and revision of the copyright law, H.R. 2512. This law would insure that authors receive the encouragement they need to create and the remuneration they deserve for their creations.

Final passage:

Yea	182
Nay	1
Not voting	4
Percentage	99.4

Ninth. April 5, 1967: Urged the creation of a bipartisan Congressional Committee on Captive Nations. There is an obligation to promote the enjoyment of human rights and fundamental freedoms wherever they may be denied or threatened. If we are to consider building bridges to the East, such an effort should start with the people in the captive nations.

Tenth. April 19, 1967: Urged basic reforms in the Elementary and Secondary Education Act. Under the present law, Federal support intended to improve elementary and secondary education has been used to undermine State and local initiative and responsibility. Urged an amendment to provide block grants to the States for educational purposes. Such grants would replace the multiplicity of categorical grant-in-aid programs now in operation.

Block grant amendment:

Yea	154
Nay	26
Not voting	7
Percentage	85.5

Eleventh. April 26, 1967: Adopted a statement regarding congressional redistricting which noted that the establishment of precise criteria for congressional redistricting is a matter for Congress. If Congress does not establish guidelines for the States to follow, the districts in 22 States or 297 congressional districts may be ruled invalid. H.R. 2508 would provide congressional standards for the States to follow in the establishment of districts for the election of representatives to Congress.

Motion to recommit:

Yea	158
Nay	3
Not voting	26
Percentage	98.1

Final passage:

Yea	141
Nay	15
Not voting	31
Percentage	90.3

Twelfth. May 3, 1967: Urged the prompt enactment of legislation to prohibit the deliberate and defiant desecration of the American flag.

H.R. 10480 final passage:

Yea	175
Nay	0
Not voting	12
Percentage	100

Thirteenth. May 3, 1967: Adopted a statement that warns of a national crisis in the American maritime industry that has been triggered by the neglect, confusion, and general inability of the Johnson-Humphrey administration to meet the mounting maritime problem. Urged the revitalization and modernization of our shipbuilding industry so that the demands of the future can be met. Called for the development of a meaningful maritime policy that will incorporate a forward-looking ship replacement program.

Fourteenth. May 10, 1967: Adopted a statement which urged prompt action on the congressional reorganization legislation, S. 355. The awesome problems of today and the challenges of the 1970's demand an efficient and effective Congress. Unless Congress is strengthened, there is grave danger that the historic role of Congress as an essential check on the massive power of the Executive may be dangerously diluted.

Fifteenth. May 24, 1967: Adopted a statement supporting the Military Selective Service Act of 1967, S. 1432. This legislation updates and improves the present Selective Service System in a number of important respects. It establishes uniform criteria for future undergraduate college student deferments.

Final passage:

Yea	164
Nay	0
Not voting	22
Percentage	100

Sixteenth. June 7, 1967: Adopted a statement in opposition to H.R. 10328 which would increase the public debt ceiling by $29 billion. Urged a cutback in nonessential spending and honest reporting of anticipated Government expenditures. This must be done if we are to avoid a runaway economy that may lead to Government control of wages, prices, and credit as well as further increases in taxes.

Final passage:

Yea	0
Nay	176
Not voting	11
Percentage	100

Seventeenth. June 14, 1967: Adopted a statement on the railroad labor dispute legislation, House Joint Resolution 559, pointing out that due to the vacillating performance of the Johnson-Humphrey administration, the country is faced with a tragic situation. Legislation must be enacted, for in this period of international tensions and war, a chaotic nationwide railway strike cannot be permitted. No record vote.

Eighteenth. June 21, 1967: Opposed H.R. 10867 which would increase the borrowing authority of the Treasury to a maximum of $365 billion. Urged the continuation of the present $336 billion debt limit. This would be adequate to finance the Government expenditures through September 30, 1967, and would afford the Johnson-Humphrey administration another opportunity to review and reassess its fiscal policies and forward to Congress up-to-date and credible information regarding anticipated expenditures and revenues.

Motion to recommit:

Yea	169
Nay	10
Not voting	7
Percentage	94.4

Final passage:

Yea	0
Nay	176
Not voting	10
Percentage	100

Nineteenth. July 12, 1967: Urged the prompt enactment of antiriot legislation, H.R. 421. This Republican-sponsored legislation would impose criminal penalties upon persons traveling in or using the facilities of interstate commerce with the intent to incite a riot.

Final passage:

Yea	180
Nay	4
Not voting	2
Percentage	97.8

Twentieth. July 19, 1967: Urged the House-Senate conference on the National Aeronautics and Space Administration authorization bill to accept the key Republican amendments which were adopted on the floor of the House. These amendments reduce the funds requested by NASA by $201.4 million, establish an independent safety panel in NASA and require the Space Administration on its own initiative to keep Congress fully and currently informed of problem areas in the space effort.

Motion to recommit:

Yea	157
Nay	20
Not voting	9
Percentage	88.7

Twenty-first. August 2, 1967: Adopted a statement with respect to the Law Enforcement and Criminal Justice Assistance Act of 1967, H.R. 5037 which urged the adoption of three key amendments. The States must be given the authority to coordinate applications for assistance and distribute aid to local law enforcement activities. An appropriate allocation formula should be adopted that would limit the Attorney General's unchecked discretion to distribute funds. A National Institute of Law Enforcement and Criminal Justice which would be authorized to establish regional training institutes should be established.

Amendment that would grant authority to States:

Yea	172
Nay	4
Not voting	10
Percentage	98.8

Final passage:

Yea	173
Nay	1
Not voting	12
Percentage	99.4

Twenty-second. August 9, 1967: Urged the Johnson-Humphrey administration to provide the American people with an effective antiballistic missile system. The Joint Chiefs of Staff unanimously support the position that this country should deploy an antiballistic missile system. The Joint Committee on Atomic Energy has warned:

> A low order of magnitude attack could possibly be launched by the Chinese Communist against the United States by the early 1970's.

Twenty-third. August 16, 1967: Supported H.R. 12080, the Social Security Amendments of 1967. This bill provides an across-the-board increase of 12½ percent, increases the amount an individual may earn and still get full benefits, strengthens the benefit formula, improves the health insurance benefits, and requires the development of programs under Aid to Families with Dependent Children—AFDC—that would insure that individuals receiving aid would be trained to enter the labor force as soon as possible.

Final passage:

Yea	182
Nay	1
Not voting	3
Percentage	99.4

Twenty-fourth. September 13, 1967: Adopted a statement with respect to the Appalachian Regional Development Act Amendment of 1967 and Amendments to the Public Works and Economic Development Act of 1965, S. 602, which urged that the Appalachian region be retained in its present size, that the authorization be restricted to its current amount and that the amendments to the Public Works and Economic Development Act be deleted.

Amendment to reduce authorization by $50 million:

Yea	146
Nay	14
Not voting	26
Percentage	91.2

Motion to recommit:

Yea	143
Nay	17
Not voting	26
Percentage	89.3

Twenty-fifth. September 19, 1967: Supported the Partnership for Health Amendments of 1967—H.R. 6418. This Republican-sponsored and supported proposal provides $892 million in comprehensive health grants to the States during the next 3 years. With these funds each State and locality will be able to zero in on its most serious public health problem whether it is due to rat infestation or some other cause.

Final Passage:

Yea	172
Nay	4
Not voting	10
Percentage	97.7

Twenty-sixth. October 11, 1967: Supported H.R. 159 which would create an independent Federal Maritime Administration.

Final Passage:	
Yea	162
Nay	5
Not voting	19
Percentage	97

Twenty-seventh. October 18, 1967: Adopted a statement supporting a reduction of at least $5 billion in governmental expenditures. Urged that a spending ceiling be imposed so that the anticipated Budget expenditures for fiscal year 1968 would be reduced from $136.5 to $131.5 billion.

H.J. Res. 888—Spending ceiling amendment:	
Yea	171
Nay	9
Not voting	6
Percentage	95

Twenty-eighth. October 25, 1967: Supported the Air Quality Act of 1967, S. 780. This legislation encourages the solution of air pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the States. It provides $362.3 million over a 3-year period for air control research, studies, planning, and grants to States and air pollution agencies.

Final passage:	
Yea	161
Nay	0
Not voting	25
Percentage	100.0

Twenty-ninth. October 31, 1967: Supported the Federal Meat Inspection Act, H.R. 12144. This legislation updates and revises the act of March 4, 1907, the Horsemeat Act and the Imported Meat Act into a single new statute. It broadens the present meat inspection service by establishing a Federal-State cooperative meat inspection program. The Department of Agriculture is provided with authority to eliminate practices that could defraud consumers and endanger the public health.

Final passage:	
Yea	179
Nay	1
Not voting	6
Percentage	99.4

Thirtieth. November 8, 1967: Urged the prompt consideration of clean elections legislation. On June 27, 1967, a bipartisan election reform bill, H.R. 11233, was reported by a subcommittee of the House Administration Committee. This legislation contains the basic reforms advocated and supported by President Johnson and the Republican congressional leadership. With the next presidential and congressional elections less than 1 year away, congressional action cannot be delayed if this legislation is to be in effect and operative during the 1968 campaigns.

	Percent
Total average	96.1

A STATEMENT BY ROBERT HENNEN

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ZWACH. Mr. Speaker, almost everyone in my Sixth Congressional District of Minnesota is concerned about the sorry plight of agriculture. And this is only natural because my district is one of the most predominantly rural in the entire Nation.

Last week, one of my constituents, Mr. Robert Hennen, of Morris, Minn., was a caller in Washington. He visited my congressional office, the Department of Agriculture, the Office of the Vice President of the United States, and some other congressional offices.

This young man was very greatly concerned about the low prices of farm products and well he could be. He farms 2,750 acres of land and is obligated to approximately $500,000. This is a lot of money for a man 35 years of age.

Mr. Speaker, Mr. Hennen prepared a statement about his visit to Washington and his views of the agriculture situation which he asked me to insert into the RECORD. I will do so at this time:

Recently I enjoyed a trip to Washington, D.C. To me this is a great city. I enjoyed talking with many people during my stay there which lasted not quite three days. To me everyone was interesting, each with his or her own problem. My talks also included visits with government officials, Congressmen and Senators. I was amazed at the long, hard and honest hours these people must put in trying to accomplish their tasks.

The purpose of my visit there would possibly be called a one man mission to try to get an answer to a problem we have had for years. I am a farmer from West Central Minnesota. My operation involves farming 2,750 acres of lands and possibly feeding 100 head of cattle yearly. I have expanded to this many acres only for one reason: to try to be efficient and produce a volume. I am obligated to approximately $500,000. This would include machinery—both paid for and not paid for—land of which some I own, some rented on shares and some rented for cash rent. The crops of which include corn, beans and small grains have been average or above this year. I should take in approximately $100,000 and yet I don't think I will realize much, if any, net income! I suppose that we could try harder next year as I am only 35 years old and both of my helpers are younger. Both are eager to work hard but there is a limit!!

With this problem in mind my first contacts were with the United States Department of Agriculture. Here I was very fortunate to spend some time with some of the top officials. I was very impressed at the amount of pressure these people have on their minds as a result of criticisms from both the farmer and political authorities. As a result we talked some on the possibilities of farm organizations. Suddenly it came into our minds as to what we were discussing—this would be taking government out of agriculture. Government is people; agriculture is people. How in this United States of ours can we separate people from people. Now think about it—this would be a problem! Actually, if we really think, wasn't our government formed by a group of people who were basically farmers.

With this simple conclusion, my next step was to contact Congressmen to try to get support for U.S.D.A.'s recommendations to help give the farmer a better income. After several contacts, I find all these people are working hard for the farmer in their own way, but possibly, for some reason, mistrusting U.S.D.A.'s recommendations. This may be as a result of previous mistakes or apparent mistakes. I am sure they will frankly admit some if they are wrong. Let's not forget, though, their job is a hard one. It's not only making their best judgments of crops here in the United States, but also for the other parts of the world. It also depends on the farmers participation of their recommendations. I'm sure this will be much better in the future than it has been in the past. One thing I am sure of: the U.S.D.A. is working very hard to get the better price the farmer needs but they need everyone's cooperation.

I was rather discouraged in contacting some Congressmen who are from areas representing largely consumers. They seem to have a tendency to fight higher farm prices because it will result in higher food prices. I have personally talked with many consumers in large cities and they will wholeheartedly agree that the farmers should have a better share in our economy. Somewhere there seems to be a great amount of misunderstanding or is it just confusion. Maybe we should just stop and think!

One thing I am very sure of and that is this: anything that we produce here in this United States does create our economy. If we as farmers could get a better income we would spend it. Don't ever forget it!

Maybe the farmer would have to be subsidized as it is called to achieve this goal. Sometimes we have to do this in our society. I very much understand this as in taking a jet from Washington, D.C. to Minneapolis I noticed approximately twenty-five passengers on it. Well, I'm very sure it would be impossible for this huge jet to operate on this amount of income. As a result, we taxpayers are subsidizing the airlines so they can keep their schedules. My ticket would have been much higher if this were not true. The truth of the matter is I really couldn't afford the ticket at its original price. There is one thing I must say, I didn't feel very guilty riding on this plane that I knew was subsidized by taxpayers. The reason—I am a farmer who produced a great amount of food for almost nothing in return for it!

I think we taxpayers should realize that when we pay taxes it goes either to local, state or federal governments, and from there is disbursed by proper authority to places in our society showing the greatest need. Naturally, we would hope that after putting this money in the hands of our great leaders it would be used properly. With a little effort on everyone's part, this country would be a great place to enjoy. God bless America!

ROBERT HENNEN.

"THE HOG FACTORY"

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ZWACH. Mr. Speaker, we are all well aware of the many problems facing the family farmer in America today. He sees his foreign market shrinking. Prices are down and costs are up. He gets less for what he produces and pays more for everything he buys, including his own food after it is processed. He suffers from competition from lower priced subsidized imports.

But now he is faced with a far greater threat, that of corporation farming. We have seen the big corporations get into the broiler industry and bring prices to such a low state that the family farmer cannot survive in it. We see corporate wheat farms, corporation egg factories, and now we are faced with the corporation hog factory.

Mr. Speaker, I insert at this point, an editorial printed in the Ortonville Independent about this new threat to the family farm and I most sincerely recommend to my colleagues that they read and think about the implications of this development:

THE HOG FACTORY

One of our readers brought to our attention some clippings from the Worthington Daily Globe in regard to a $500,000 "hog factory" to be built in that area. Environmental Applications, Inc., New York based investment firm, had received county commissioner approval to build a complex designed for intensive confinement hog raising with an annual capacity of 13,700 animals.

That's a lot of pork!

The corporate venture would include 17 round steel buildings, each with a capacity of 460 animals; a rectangular steel breeding house; maintenance shop; lagoon system to treat sewage from the operation; and a new home for the farm manager.

When in full production, the plant would be marketing hogs daily, with three full-time workers assisting the manager in handling the entire operation. The breeding herd of 753 sows and 26 boars, plus the litters being raised for market, would require about 5,000 tons of feed per year. The "factory" is to be located on 80 acres of land.

Farmers in the area are concerned about the operation, and we believe rightly so. They have seen what "egg factories" have done to the farm price of eggs and "broiler factories" have done to the market price of chickens. Now hogs are being raised on a production line basis, and the trend continues to dairy, beef and grain. What can stop the movement? Under present law, nothing can.

Corporate farming takes capital—and that is something which most farmers today don't have and can't readily obtain . . . at least not in the amount that is needed. The individual farmer can not compete on a volume basis with the corporate farm.

Rural communities do not succeed because of agricultural production volume. They succeed because there are people producing that volume and those people require goods and services for which a price is charged.

We agree with the farmer writing a public opinion letter to the Worthington paper and suggesting that it would be better for the community if 27 farmers raised 500 hogs each than if one corporate farm raised the 13,700 projected. The 27 farmers would also need building construction, could be financed locally, would require feed mixing and certainly require more locally-purchased goods and services than the corporate venture.

The Worthington paper states that "large land ownership is one of the root causes of unrest, revolution and the advance of communism throughout the earth" because "communism has thrived on pledges of land reform."

"And it is not improbable," the Globe continues, "considering present trends, that vast areas of whole states may one day be in the hands of a small list of individuals and corporations. Should that time come, the experiences of all history establishes that little can be done short of revolution to break the grip of the great landowners."

TROHAN ON HOFFMAN

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HUTCHINSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, Walter Trohan's excellent column on the career of the late Clare E. Hoffman has come to my attention and under leave to extend my remarks, I include it as it was published in the Chicago Tribune on November 10, 1967:

FAREWELL TO AN OLD HOUSE CRUSADER ON SPENDING RESTRAINT

Former Rep. Clare E. Hoffman, who died last Friday in Allegan, Mich., at the age of 92, was a one-man party during his 28 years of embattled service in the House.

Hoffman was a conservative long before it became fashionable to be conservative. He was a champion against spending and for integrity in government.

He came to Congress on Jan. 3, 1935, at the height of the New Deal when many of his Republican colleagues chose silence as the way to re-election and handouts. He armed himself with a book of rules and studied them. Then he chose his target—the high and mighty.

Where leaders of his own party held back, Hoffman launched his own offensive. He fought spending by leaping to his feet to cut off a million here or a million there thru parliamentary weapons, making a point of order or a point of no quorum. He was also a foe of congressional junketing.

He was the first to level an accusing finger against crooked labor leaders, extortionists, and racketeers at a time when most of his colleagues were fearful that any attack on any labor segment was political suicide. He blazed the trail for the Taft-Hartley act and for the investigation into labor racketeering, so ably conducted by Sen. John McClellan [D., Ark.].

Hoffman was feared for his acid tongue, which seared members of his own party as well as the opposition. As a minority member of the House committee on government operations, Hoffman wielded almost as much power as any chairman, being a master at questions and doing his homework.

PARLIAMENTARY PROCEDURES ARE KEY

Hoffman was one of the best friends the people ever had in Congress. Fortunately, he has left behind him Rep. H. R. Gross [R., Ia.], a fighter of the same mold who has saved millions of tax dollars thru exercise of parliamentary procedures.

At one time, Hoffman was thought indestructible, but time caught up to him in 1962, when he suffered a stroke. He retired at the age of 87.

Hoffman was an interesting man in and out of Congress. He didn't smoke, drink, or chew. He once explained that he blew his pay to get drunk at a church social when he was 16 years old and never touched a drop afterwards.

He didn't have pockets in his suits. He explained that when he was a young lawyer he found too many of his legal colleagues distracted juries by jingling coins or strutting around with their hands in their pants pockets.

HE WOULD PICK UP THE TAB

His pants were made with only a rear pocket for his wallet. He did carry money and he did pick up checks, where many of his congressional colleagues are known to have impediments in their reach. His coats had no outside pockets.

A story illustrative of Hoffman's thinking and tactics relates to the late Robert Frost, the New England poet, who delivered a poem at the inaugural of John F. Kennedy. Some member of Congress proposed honoring Frost with a special medal at a cost of $2,500. Hoffman objected.

"I don't even know Frost," he said. "He's undoubtedly a fine fellow. But if Congress is going to give a medal to every American who has done a good job, that would cover at least two-thirds of the women and maybe even a third of the men."

Hoffman didn't pick up any votes, but that didn't surprise or discourage him. Too seldom was he successful in fighting for economy.

SPENDING CUTS SHOULD BE CLARIFIED

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PELLY. Mr. Speaker, the House hearings on L. B. J.'s tax increase proposal apparently are concluded for this year. The gentleman from Arkansas [Mr. MILLS] says the administration cuts as proposed are not deep enough and where that leaves the situation is not clear. Nor is it clear, Mr. Speaker, how the President would carry out these economies in the absence of an immediate tax increase.

Meanwhile, the emphasis, whereby the House is attempting to force the President to reduce the fiscal 1968 deficit has shifted from the gentleman from Arkansas [Mr. MILLS] to the gentleman from Texas [Mr. MAHON], the chairman of the House Appropriations Committee, who spoke in this Chamber last Thursday on what he called "the unacceptably high Federal budget deficit."

The distinguished gentleman from Texas referred to the deadlock between the House and Senate on House Joint Resolution 888, the so-called continuing resolution, which, as passed by the House on October 18, contained an expenditure limitation. The distinguished committee chairman said a way may be found to give support to further reductions in spending. He indicated he would explore this avenue of economy.

Mr. Speaker, House Joint Resolution 888 adopted an expenditure reduction of roughly $5 billion, but the Senate deleted this provision. In five meetings of the House-Senate conference, the conferees had sought to work out some compromise and were deadlocked. The gentleman from Texas [Mr. MAHON] said that spending cuts proposed by the administration possibly could open a way for an agreement.

The point I wish to make is that it is essential, Mr. Speaker, that the cuts, where they are, and how they affect programs must be clarified as soon as possible. We are half way through fiscal 1968, and it is not fair to contractors and those engaged in Government work, nor is it sensible to anyone to operate a government with its agencies not knowing where and how much they must be cut.

SENATOR PAT McNAMARA

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. McDONALD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. McDONALD of Michigan. Mr. Speaker, the late Senator Pat McNamara was a man who overcame much to represent his State in Washington. I had the great privilege of knowing him personally and of working with him. He fought hard all his life for his ideals and when he came to Washington he did not let up.

Many here today will recall Pat McNamara's distinguished career in the Senate.

As a member of the House Public Works Committee, I am especially impressed by his record as chairman of the Senate Public Works Committee.

During Senator McNamara's chairmanship, the Air and Water Pollution Subcommittee was created—and his leadership in this area is now beginning to bear fruit, and none too soon.

The traditional concerns of the Public Works Committee received their just consideration, too—highways, flood control, reservoir, and navigation programs.

Senator McNamara was a careful man, too. He believed in thorough study of any project before giving it the green light, but he acted quickly once the merit and soundness of the project was determined.

He had the practical wisdom of the worker—and he was a workingman all his life. And he also felt deep compassion for people, no matter who they were or what their station in life.

He was a big man, physically and spiritually; he never resorted to subtle argument, and he was always direct.

He fought on many fronts.

He fought for better education, a battle all the more remarkable because he only reached the sixth grade. Our progress in education owes much to his dedicated work.

He also fought for reasonable health care for the aged.

During more than 11 years in the Senate, Pat McNamara had a leading role in many other programs—the increase in the minimum wage, the civil rights acts, the Economic Development Act, manpower training; these are just a few.

The Federal building in Detroit that will bear his name is the only tangible way we in Congress can salute him.

The legislative record he left behind—and the great things he did while here—are a living tribute to his memory.

DE GAULLE'S DEBT TO THE UNITED STATES

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, this week the case for U.S. action again President de Gaulle, of France, is stronger than ever before. It is time that U.S. silence be ended. Our Government should begin acting like a leader and expose De Gaulle's latest outrages.

Our policy toward De Gaulle, just like so many other aspects of our foreign policy in recent years, appears to be totally paralyzed. And this paralysis is one of the reasons we are having so much difficulty around the world.

Last June 24 I asked President Johnson to speak up in defense of this country against De Gaulle who at that time was clearly intent on making trouble for us.

In my letter I said we should demand French payment of the $6.8 billion she owes to us, and I said we should take economic action again France unless they agreed to stop trading with Cuba and North Vietnam.

Of course the President took no action. The United States was silent, offering no response to De Gaulle's criticism of our Vietnam effort, and thereby adding to L. B. J.'s own troubles in trying to justify the U.S. position which is so widely attacked both at home and abroad.

The U.S. silence might possibly make sense if De Gaulle's behavior were limited to mere words of criticism. We could chalk it up to De Gaulle's delusions of grandeur and wait for a change in French leadership.

But the proud and elderly French President last week stepped beyond international decency, and of four nations which he attacked, ours is the only one to remain silent.

He went further than ever before in blasting Britain's effort to join the Common Market, and the British Prime Minister rightfully spoke up for his country's interests.

De Gaulle angered Canada in saying the Province of Quebec ought to become an independent state as a kind of semicolony of France. This outrage was met with a proper protest from the Canadian Government.

He also criticized Israel, and the Israeli Government responded as it should have. Even the Italian Government spoke up against De Gaulle.

De Gaulle is doing more than criticizing this country. He is waging economic warfare against us. He is doing everything he can to damage world confidence in the U.S. dollar, and dividing the unity of the non-Communist world which is exactly the same thing Moscow is trying to do.

De Gaulle is smart enough to take advantage of the huge U.S. budget deficit and the serious U.S. problem in balance of international payments. Both of these have become real problems under the Johnson administration and both do have harmful effects on the dollar in world money markets.

The French leader says these deficits have destroyed the worth of the dollar as a standard for international exchange, and says that gold should be used instead.

To bolster his case France has withdrawn more than $2.3 billion in gold from this country since 1962. Russia has also accumulated large supplies of gold.

In all of this there are at least two clear needs for action by the Johnson administration.

First, our own fiscal management must be put in order by reducing or eliminating the gigantic budget deficits of the past few years, and by dealing seriously with the balance-of-payments problem instead of just tinkering with it as L. B. J. has done.

Second, it is important that we meet De Gaulle head on by taking steps against him. We should demand payment of the French debt to this country, and demand that French trading with Cuba and North Vietnam stop. We should stop selling gold to France, and stop making Government purchases from France.

We should also consider freezing all French assets in this country and banning American tourism in France as well as imports of French products. We also ought to consider selling wheat to some of the French wheat customers.

De Gaulle's excessive behavior is not supported by most of the French people, who have a long history of friendship with our country. But they cannot be expected to organize effective opposition to him if we continue to be silent in the face of his attacks.

Our Government should take the initiative in restoring traditional French-American friendship whether De Gaulle is interested or not.

At this point in my remarks, under unanimous consent, I include with my remarks an article from the Christian Science Monitor of December 1, 1967. It sheds light on French public feeling toward De Gaulle's position:

ANTI-DE GAULLE RUMBLINGS GROW—FRENCH AWE STAGGERED?

(By Carlyle Morgan)

PARIS.—Rarely has a great national figure in 100 minutes damaged his world reputation more than President de Gaulle did at his 16th palace press conference.

Political observers here agree, too, that he may have begun to undermine seriously the almost awe-struck French regard on which he has based nearly 10 years of virtual one-man rule of France.

"This ex-statesman," a Scandinavian newspaper has just called him.

"A Machiavellian genius with an insatiable lust for power," is the way the leading diplomatic Paris newspaper, the very sober and nonsensational Le Monde describes him.

ADVERSARIES UNITED?

Combat, a Paris daily which grew out of the French Resistance movement after World War II, said that by his method of attack he had united all his adversaries in the world against France.

"The international reaction to General de Gaulle's press conference have given the measure of the isolation of France: it has never been greater, or more total." it said.

These are sample statements from a nearly universally bad international press reaction to General de Gaulle's Nov. 27 press conference.

At that meeting he attacked the United States, Britain, Canada, and Israel, and voiced implied threats to the European Common Market to deter that body from negotiating on British membership.

President de Gaulle's declarations on Israel and Canada produced more than press reactions. In both those countries special Cabinet meetings were called to prepare answers.

ISRAEL CALLED "AGGRESSOR"

He dubbed Israel the "aggressor" in last June's Middle East war and demanded independence for French-speaking Quebec.

An Israeli communiqué said: "The Government of Israel expresses deep regret at the statement by the President of France which constitutes an historic falsification and is a severe insult to the Jewish people and to Israel."

Canadian Prime Minister Lester B. Pearson told the Canadian House of Commons that President de Gaulle's proposals for an independent Quebec were "intolerable."

He said the French President's statement "was not merely a commentary on Canadian domestic and foreign policies which could have been ignored; it was an intervention in those policies by the head of a foreign state. As such, it remains unacceptable."

QUEBEC FORAY "UNACCEPTABLE"

"Unacceptable" was the word Mr. Pearson used last summer to describe President de Gaulle's personal foray into Canadian affairs at the time of his visit to Montreal's Expo 67.

It is a strong word in diplomatic language. The French Government last summer referred to it in explaining why President de Gaulle cut short his Canadian visit and returned to France without paying his respects at Ottawa.

At that time French officials also said that the general had not meant to call for Quebec independence when using the separatist slogan "Vive le Québec Libre." But at his press conference President de Gaulle told the world plainly, regardless of his own officials' earlier statement, that that is just what he did mean.

The general's venture into Canadian affairs last summer was regarded as a bad mistake by many of his own countrymen, who had before that supported him. Some even went so far as to say that it was his "finish." His revival of the question in most explicit terms Nov. 27 was seen here as the most surprising feature of one of his most dramatic press conferences.

Specially shocking to French opinion, however, was his reference to Israel. This, according to the noted editor of Le Monde, Hubert Beuve-Méry, had an "unpleasant smell of anti-Semitism" about it. It recalled for many French commentators the tragedy that racial fallacies had helped create for all Europe including France, in the Hitler era before and during World War II.

On the political left, the French socialist paper, Populaire, said he had "suavely knifed Israel."

On the political right the big conservative Paris daily, L'Aurore said: "It seems unthinkable that after the Hitlerian genocide, a responsible Frenchman could pose such a racial distinction."

THE DANGERS OF MARIHUANA

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I believe most of us were shocked and dismayed a few weeks ago when Dr. Goddard, Commissioner of the Food and Drug Administration, suggested the removal of penalties for use or possession of marihuana and indicated that the drug was no more dangerous than alcohol. As a consequence, many persons interpreted Dr. Goddard's remarks as sanctioning the use of marihuana. In fact, the New York Times even began running ads for a book calling for the legalization of marihuana in which Dr. Goddard's statements were cited as authoritative support.

Following Dr. Goddard's initial statement, the Government Operations Committee, on which I serve, examined into the subject of marihuana. During hearings by the subcommittee which conducted the investigation, Dr. Goddard appeared to back down considerably from his earlier statements. He acknowledged that marihuana was a harmful drug; he admitted that insufficient scientific research had been conducted to determine how dangerous marihuana may actually be. He also indicated that he considered alcohol a serious social and medical problem and that his equating marihuana with alcohol was meant to point out the harmful potential of both.

In spite of Dr. Goddard's partial retreat, however, the harmful ramifications of his unfortunate statement continue to exist. For that reason, I believe it essential that the potential dangers of marihuana be broadcast far and wide.

A good summary of these dangers is contained in an excellent speech presented recently by Mr. Donald E. Miller, Chief Counsel, U.S. Bureau of Narcotics, before the International Narcotic Enforcement Officers Association at Louisville, Ky.

The Bureau of Narcotics has the responsibility within the Federal Government for enforcing the narcotic laws, including marihuana. This Bureau, rather than Dr. Goddard's Food and Drug Administration, has acquired the knowledge and experience on the subject of marihuana. Its day-to-day confrontation with the drug addict on the street, in cheap rooming houses, and in every other seamy corner of the world has given the Bureau a firsthand view of the evils of marihuana.

Contrary to Dr. Goddard's stated or implied views and contrary to the views of others who advocate the legalization and encourage the use of marihuana, Mr. Miller points out how marihuana can produce a severe psychosis in any individual and can trigger suicidal and homicidal tendencies. Persons who use marihuana chronically can acquire an acute dependency for the drug which is similar to drug addiction. And, as Mr. Miller indicates, experimentation with marihuana can lead a user down the road to heroin and other forms of drug addiction.

The enforcement efforts of the Bureau of Narcotics have greatly limited the importation and sale of marihuana in the United States. This has had the effect of holding down its illicit use, especially by youths bent on experimentation. These efforts have also had the effect of limiting the type of marihuana sold so that, generally, only a weak variety of the drug finds its way into the illicit market. Yet, we know from the sad experience in other countries that legalization of use and possession of marihuana can not only encourage a significantly increased use among a population, but also lead to the importation and sale of far more potent and dangerous varieties of the drug, such as hashish. It is especially from these more ptoent varieties that the truly dangerous and harmful effects of marihuana ensue.

I, therefore, recommend that everyone read Mr. Miller's speech in order to realize the problems our country will encounter if we permit ourselves to be lulled into believing that marihuana is a relatively harmless substance. Under unanimous consent I place Mr. Miller's speech in the RECORD at this point:

WHAT POLICEMEN SHOULD KNOW ABOUT THE MARIHUANA CONTROVERSY

(Address before the International Narcotic Enforcement Officers Association, October 22–26, 1967, at Louisville, Ky., by Donald E. Miller, Chief Counsel, U.S. Bureau of Narcotics)

At the outset, I want to say that I am over 30 years old, I have never smoked "pot", I do not wear beads, and I shall not throw flower petals at you while I speak. I am a policeman's lawyer, and because I have done some studies into social, emotional, and motivational reactions to marihuana, I cannot hide the fact that I am biased. That, I suppose, marks me as a "square", and in some quarters disqualifies me to speak authoritatively about marihuana. But, I shall try.

It is becoming fashionable to charge that marihuana is less dangerous to society than people generally suppose. Completely contradicted by rational, scientific information as to the harm of marihuana use, there is a growing opinion, including persons of a very tender age, that it is only a matter of time before the present "prohibition" on marihuana will go by the board as did the prohibition against liquor.

I am sure you have seen dozens of news clippings, editorials, and magazine articles in recent months which have literally sold wrong ideas. Many of the writers failed to present a full and objective discussion of the other side of the coin—the side that indicates marihuana abuse is deleterious to the health, safety and welfare of our society. If these writers are wrong (and I believe they are), they are indulging our communities in a very dangerous gamble. By presenting only the pro-marihuana arguments, which sell copy, the public has been deprived of the real, the vital, the contrary facts necessary to make an intelligence choice respecting marihuana legislation.

A few articulate people with only limited, and often no training or experience in the field of drug abuse, are putting forth tyrannical opinions and are developing a prominence calculated to influence the young and impressionable. Public opinion regarding the vice of marihuana abuse is being deliberately and consistently corrupted through propaganda. Cleverly devised appeals are coming from people who have decided to tamper with the soul of America. Some of these persons claim to be the fountainhead of all wisdom in the field, and are busy stirring emotional response against the marihuana laws by adroit misrepresentation of facts; by reiteration of certain psuedoscientific fallacies designed to confuse the unscientific mind; by downright false statements; and by insidious innuendoes that those who oppose the changes are doing so only to keep their jobs. Most of their aphorisms strike me as both groundless and insulting.

I sometimes think that law enforcement officers are the sole voices in the wilderness warning that today's growing permissive attitude about marihuana is bound to lead to a spreading of all types of drug abuse rather than its control. It is becoming readily apparent that the removal of restraints and the dilution of personal responsibility has not strengthened our social order, but in fact has weakened it. One thing is clear to me. Concern for public safety, health and welfare, requires that there must be restrictions on persons to prevent them from staging unfettered chasing after whatever they think may please them.

Today, America may be "sleeping" while antisocial activity grows in intensity. Certainly, this is true concerning the creeping plague of marihuana abuse. The struggle for answers as to whether our society should elect to have another vice in its midst is one to which every American should lend his voice since the problem is not one for a handful of people to solve alone. Why can't we, the policemen who defend society from the depredations of drug dependence, show the people what is happening and set a course that will lead to regeneration of the concept of self-reliance and individual responsibility?

Unfortunately, many adolescent experimenters are trying marihuana because it is the "in" thing to do, along with losing one's virginity, being sophisticated about illegal acts or other antisocial attitudes and manners, or being righteous and indignant about the social evils of another generation. Too many young people will become confirmed abusers of marihuana and move on to stronger drugs in the process. What I hope to do with the remainder of my time is to highlight the points against marihuana. I can convince you that marihuana is an extremely dangerous drug—but, I hope to do more. I hope to encourage more of you to study the reports; to become more knowledgeable about the dangers of the drug; and to carry the truth to more people.

In doing this, you do not need to base your arguments entirely on our old, strong puritanical streak. A more effective case can be shown by those who, for reasons of public health, safety and welfare, deplore the use of marihuana.

First, let me discuss the basic marihuana controls. The Marihuana Tax Act of 1937[1] (the basic Federal control) requires registration and payment of a graduated occupational tax by all persons who import, produce, sell, dispense, administer, or give away marihuana. A tax is imposed on all transfers of marihuana at the rate of $1 per ounce or fraction thereof, provided the transfer is between persons properly qualified under the Act; or at the rate of $100 per ounce if between persons who are not taxpayers registered under the Act. Transfers are limited generally to those made pursuant to official order forms obtainable from the District Director of Internal Revenue. The Act is designed to make extremely difficult the acquisition of marihuana for abusive use and to develop an adequate means of publicizing dealings in marihuana in order to tax and control the traffic effectively.

The controls over marihuana by the States are dissimilar to the Federal Act. The majority of the States cover marihuana within the definition of a "narcotic drug", and the substance is controlled in the same manner as opium and its derivatives, cocaine, and the synthetics known as "opiates".

It is not possible to continue discussing marihuana without digressing somewhat by getting into the area of confusing terminology. The term "marihuana" embraces all of the fancy and vernacular names you hear, the so-called "American type", the so-called "Mexican type", "hashish", "bhang", "ganja", "charas", "cannabis", "cannabis resins", "cannabidol", "cannabinol", "tetrahydrocannabinol", "pot", "tea", or "weed". It is true that there are varying degrees of potency ranging from almost innocuous effects of poorly harvested marihuana to the severe effects of "hashish" or "charas". Most of the marihuana consumed in the United States is made up of the leaves and flowering tops of the marihuana plant. To a lesser extent, but which is definitely on the increase, "hashish" is also being consumed by the users in the United States. Whether a person is using the so-called "Mexican type" marihuana or the more potent "hashish", the potential for abusive use is ever present. The only difference is, that a user of "hashish" will not need to smoke as much to reach the desired result, as the person who uses the less potent substance. But, make no mistake about it, a person can continue the intake of the weaker substance and become just as stupefied as the person using "hashish".

Marihuana does differ significantly from the opium and "opiate" classes of drugs in that it does not produce addiction of the morphine type. Abstinence does not produce a physiological withdrawal syndrome in the user, however, its use does result in a psychological dependence, and according to Dr. David Ausubel, chronic users go to great lengths to insure that they will not be without the drug. Moreover, deprivation may result in "anxiety, restlessness, irritability, or even a state of depression with suicidal fantasies, sometimes self-mutilating actions or actual suicidal attempts",[2] all symptoms of a psychological withdrawal syndrome. For these reasons, marihuana is more often said to be habituating rather than addicting, although one of the most recent investigators claims, that at least from a psychiatric point of view, there is little difference.[3] It is somewhat incredible that the lack of physical dependence liability has been cited by some observers as though it were a positive virtue of marihuana.

In the past, efforts to find a proper medical use for marihuana were not successful. As stated by the American Medical Association's Committee on Alcoholism and Drug Dependence, "marihuana has no known use in medical practice in most countries of the World, including the United States".[4] This is not surprising since the World Health Organization and the United Nations Economic and Social Council has long resolved that there is no medical use for marihuana preparations.[5] Of interest, too, is that there is a special category in the 1961 Single Convention on Narcotic Drugs naming the drugs which are particularly liable to abuse, to produce ill effects, and which liability and ill effects are not offset by substantial therapeutic advantages not possessed by less harmful drugs. The flowering tops and resins of marihuana are included in that category, along with three other potent narcotic drugs, desomorphone, heroin, and ketobemidone. The decision to link up marihuana with these other exceedingly dangerous substances is the result of a consensus of some of the world's greatest scientific minds—the drug experts of the World Health Organization. The treaty requires us to maintain special measures of control, "having regard to the particularly dangerous properties of the drug so included", and unless there is good reason for not so doing, we should "prohibit the production, manufacture, export and import of, trade in, possession or use of the drug except for amounts which may be necessary for medical and scientific research only".[6]

The immediate physiological effects of marihuana intoxication include some loss of coordination in the limbs; an increase in pulse rate; an abnormal lowering of body temperature; an insatiable hunger; and inflammation of the mucous membranes and the bronchial tubes. Other effects include fantasia, exhilaration of mood; the feeling of being above reality; there is a loss of spatial sense, near objects seem far away; there is a loss of timing, minutes seem like hours; and there is often uncontrollable hilarity over something which is not particularly amusing to a normal person. When larger doses are used, extremely vivid hallucinations often occur; there may be panic and fear of deaths; illusions; periods of paranoia; and a high enough dose can result in a condition resembling toxic psychosis.

It is the effects upon the operation of the central nervous system which are most profound, but which have been the least explored by research. Little is known about the psychopharmacological aspects of marihuana, even though it has been the most widely used psychoactive drug in the world. However, there is still a lot of literature indicating its effects are detrimental to the central nervous system. For example, Dr. Donald Louria in his book *Nightmare Drugs* states that marihuana may produce all of the hallucinogenic effects of which LSD is capable.[7]

A recent medical symposium sponsored by the Ciba Foundation summarizes much of the current research and opinions of leading medical authorities. To quote briefly from the conclusions of these studies:

"One can easily imagine the difficult situation to which society would be condemned if the selling of hashish were legal.

"It is well known that taking hashish causes both pathological and psychic disturbances, thus rendering the addict a burden to society." [8]

Research conducted by Dr. Harris Isbell, et al., on human beings using a natural occurring tetrahydrocannabinol of marihuana, which he calls THC, has led to the conclusion that in sufficient dosage the properties of marihuana "can cause psychotic reaction in almost any individual".[9]

Because of these findings, marihuana has earned a reputation for inducing criminal behavior. One prominent team of researchers which has studied the problem in India where there has been long and widespread abuse of marihuana in all of its potent forms concludes that:

"Excessive indulgence in cannabis is apt to produce in healthy individuals and more so in susceptible individuals, mental confusion which may lead to delusions with restlessness and disordered movements. Intellectual impairment as well as disorientation may show itself in various ways, such as weakening of moral sense, habit of telling lies, prostitution, theft, pilfering, sex perversions and other disgraceful practices. Sometimes indulgence may release subconscious impulses and lead to violent crimes."[10]

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[1] 26 U.S.C., 4741 et seq.

[2] Ausubel, D. P., *Drug Addiction*, p. 97, Random House, 1958.

[3] Chapple, P. A. L., *Cannabis, a toxic and dangerous substance—a study of 80 takers*, British J. Addictions 61: p. 279, 1966.

[4] *Dependence on Cannabis* (*marihuana*), JAMA, v. 201, no. 6, p. 371, Aug. 7, 1967.

[5] ECOSOC E/RESOLUTION (XIII)/8, 13 July 1954.

[6] Single Convention on Narcotic 1961. Substances Under Control, Article 2, par. 5 (a) and (b).

[7] Louria, D., *Nightmare Drugs*, Pocket Books, 1966, p. 32/

[8] Joachimoglu, G., Natural and smoked hashish, Ciba Foundation Study Group No. 21, *Hashish, its chemistry and pharmacology*, Little, Brown, 1965, p. 5.

[9] Isbell, H et al., *Studies of tetrahydrocannabinol*. Paper presented to the Committee on Problems of Drug Dependence, NAS–NRC, Feb. 1967.

Earlier studies in 1939 in New Orleans disclosed that the number of marihuana users among criminals was very high.[11] Even the LaGuardia report of 1944, which is so often cited as support for the harmlessness of marihuana, found that in a number of test subjects:

". . . there were alterations in behavior giving rise to antisocial expression. This was shown by unconventional acts not permitted in public, anxiety reactions, opposition and antagonism, and eroticism. Effects such as these would be considered conducive to acts of violence."[12]

And further that:

"The conclusion seems warranted that given the potential make-up and the right time and environment, marihuana may bring on a true psychotic state."[13] Moreover, it is important to note that these observations were based on the study of subjects in a rigidly controlled environment and who were not themselves chronic users. Even Dr. Ralph Metzner, an advocate of the hallucinogenic drug experience, has concluded that the immediate mood and environment are of utmost importance in determining the outcome of the experience.[14] The street environment is, of course, not nearly so restraining as that of a prison clinic.

Of special significance is the investigation of Professor C. G. Gardikas in which he analyzed a group of 379 hashish-smoking criminals. He found that 117 of these became criminally inclined only after their habituation to hashish. Nevertheless, they had between them more than 420 sentences for assaults, woundings, threats, robberies, manslaughter, and sex offenses.[15] P. O. Wolff refers to various other reports from Greece, Turkey, Tunis, and Egypt which bear out this finding.[16] Wolff also lists a number of specific incidents taken from his own observations in Latin America. In India, the Chopras state that:

"Fits of aggressive mania are not infrequently observed after indulgence in cannabis, particularly by smoking. . . . The studies carried out in mental hospitals and in prisons show that not infrequently addiction to cannabis preparations was the immediate cause of sudden crime such as murder."[17]

The manner in which marihuana causes or induces criminal behavior is not clear and seems to vary with the individual, the dosage, and the circumstances. A general survey of the literature indicates that it may stimulate criminal conduct in any of the following ways: (1) use by criminals to fortify their courage prior to committing crimes; (2) chronic use resulting in general derangement and demoralization; (3) use resulting in the lowering of inhibitions and bringing out suppressed criminal tendencies, and (4) use resulting in panic, confusion or anger induced in otherwise normal persons who have not been previous users. Here are just a few examples of statements compiled by Dr. Victor Vogel of the California Rehabilitation Center from 100 consecutive heroin addicts concerning their experiences with marihuana:[18]

"I got in quite a bit of trouble while I was high on marihuana—steal to get money to party and to buy marihuana; got involved in gang fights and was arrested twice for rape."

"Under the influence of marihuana, I broke into a church and robbed the collection box."

"I feel stubborn and get into arguments when I am high."

"Marihuana makes me paranoid and I get into fights."

"I got arrested for quite a few fights and scrapes when I was high on marihuana which gives you a false courage and you talk big and then blow it by starting a fight."

"I did about 15 drugstore robberies with a partner for narcotics. We used to get high on marihuana beforehand."

"I was walking down the road one time with a fellow and we were both high on marihuana. All of a sudden, for no reason, he jumped about four feet in the air and began beating a man. He was like a wild man and we had to call the State Police."

"I have gotten into plenty of trouble while high on marihuana, gang fights, and I beat up my wife."

A psychoactive drug such as marihuana does different things to different people, and even to the same person, depending on external and internal circumstances. Environmental and psychological factors, mood, disposition, attitude, suggestion, expectancy, motivation, and any abnormal behavioral patterns will determine the drug's effects. As stated by J. H. Jaffe, "The subjective effects (of marihuana) are exquisitely dependent, not only on the personality of the users, but also on the dose, the routine of administration, and the specific circumstances in which the drug is used".[19]

We are now in a wave of ever-increasing juvenile delinquency. More youngsters are getting arrested every year—at lower ages and for more serious offenses. These young people are often predisposed to impulsive and aggressive behavior. Coupled with an equally complex adult problem involving hundreds of thousands of neurotic and psychotic persons in our midst, wouldn't it be ridiculous to make available to them a chemical agent which would most likely release their inhibitions? I do not mean to exaggerate the hazards of smoking a marihuana cigarette by a college student, who may be otherwise normal, and is seeking social acceptance from a group of his peers. But, on the other hand, I am appalled by the statements we so often read that "there is no reliable evidence that marihuana causes crime". Both the logic and the evidence clearly support the proposition that marihuana can be a potent triggering chemical in persons predisposed to criminal behavior. I have absolutely no doubt about it, even from a strictly criminogenic standpoint, our communities are much better off without marihuana.

One particularly grave danger of habitual marihuana use is that there is often a clear pattern of graduation from marihuana to the stronger addictive opiates. Those who seek personal well-being and exhilaration through the stimuli of drugs ultimately discover that the opiates have more to offer. This point has been disputed, of course, particularly in the case of student experimentation. Certainly, it is true that not all persons who ever smoked a marihuana cigarette have gone on to the use of heroin, but actual experience leaves little room for doubt that a large majority of addicts began their drug taking with marihuana. This pattern of graduation has been observed in the United States, the Near East, and in Africa,[20] though admittedly, the exact causal connection is unknown. In a sample of 96 heroin users examined in the United States, 83 admitted to the use of marihuana prior to their addiction.[21]

A recent review of the subject is that of P. A. L. Chapple who studied 80 English heroin addicts. He found that 70 of these had first used marihuana and apparently considered its effects to be second only to those of heroin.[22] In studying these patients Dr. Chapple was led to the conclusion that the connection between marihuana and heroin could not be accounted for, simply on the basis of the "mutual influence of availability in illegal society . . ."[23] In an intensive research project conducted by Dr. John C. Ball, Chief Sociologist of the Public Health Service Hospital in Lexington, it was found that of 2,213 narcotic addicts examined, 70.4 percent had used marihuana prior to their addiction. This sample included addicts from all classes and professions, representing 46 States. Moreover, in those States classified as areas in which marihuana is often available, it was found that of 1,759 addicts, 80 percent had first used marihuana.[24]

Again, I would like to quote a few statements of the persons interviewed by Dr. Vogel.[25] Their reasons for seeking other drugs to achieve the effects they desired ran along these lines:

"You smoke a stick of marihuana in the morning, get lazy on the job, and get fired. In my case it led to fixing with heroin."

"The first time I took a heroin fix was when I ran out of marihuana."

"At first I laughed all the time because everything was funny, then it started making me paranoid, leery, and frightened. That's why I stopped and started using heroin."

"After awhile, it did not agree with me. I stopped because I was not getting any satisfaction and switched to heroin."

It seems perfectly clear to me that the more people we have who are experimenting with marihuana, the greater the danger that many of them will not be able to rid themselves of a new habit. They will then be contaminated as a consequence of association in sub-cultures involved with all types of drug abuse, barbiturates, amphetamines, LSD, and even heroin. If this assumption is true, and if the apparent increase in marihuana abuse continues unabated, it is certainly within reason that there will be a sharp rise in the incidence of narcotic addiction in the near future.

What about the right of the States to classify marihuana as a narcotic drug? My review of the law leads me to believe that so long as the prevention of use of marihuana is a valid legislative purpose, and, so long as the means that have been adopted by the legislature to further this purpose are reasonable to effect it, then, the legislative enactment cannot be upset. The dangers of marihuana which must be prevented are characteristics of the class which the legislature has the responsibility to control. Whether the class is called "narcotic drugs" or something else does not appear to be all important. It is not necessary that the controls over each harmful drug fit like some finely balanced equation within a specified category each according to its similarity with other drugs.

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[10] Chopra, I. C. and R. C. Chopra, *The use of the cannabis drug in India,* Bulletin on Narcotics, v. 9, no. 1: p. 23, Jan.-Mar., 1957.

[11] Bromberg, W., *Marihuana—a psychiatric study,* JAMA, v. 113, no. 1, p. 1–9, 1939 (reprint).

[12] The Mayor's Committee on Marihuana, *The marihuana problem in the city of New York,* p. 215, Jacques Cattell Press, 1944.

[13] Ibid, p. 51.

[14] Metzner, et al, *The relation of expectation and mood to psilocybin reactions—A questionnaire study,* Psychedelic Review, no. 5, p. 3–34, 1965.

[15] Gardikas, C. G., *Hashish and crime,* p. 5, Engephale, no. 2–3, Aug. 1950.

[16] Wolff, P. O., *Marihuana in Latin America, the threat it constitutes,* p. 27, Linacre Press, 1949.

[17] Chopra, I. C. and R. N., op. cit. (note 4), p. 24.

[18] Vogel, V., unpublished paper sent to the Commissioner of Narcotics, Sept. 1967, entitled *Exerpts from statements regarding marihuana use made by one-hundred consecutive heroin addicts interviewed by Dr. Victor H. Vogel at the California Rehabilitation Center during Release Hearings beginning August 18, 1967.*

[19] Jaffe, J. H., Drug Addiction and Drug Abuse, In Goodman, L. and Gilman, A. (Editors), *The Pharmacological Basis of Therapeutics,* 3rd ed., MacMillan, p. 300, 1965.

[20] Maurer, D. W. and V. H. Vogel, *Narcotics and narcotic addiction,* 2nd ed., p. 245, Thomas, 1962.

[21] Chein, I. et al., *The Road to H.,* p. 149, Basic Books, 1964.

[22] Chapple, op. cit. (note 3), p. 293.

[23] Ibid, p. 276.

[24] Ball, J. C., et al., *The association of marihuana smoking with opiate addiction in the United States,* presented at the Annual Meeting of the Am. Sociological Assoc.

[25] Vogel, op cit. (note 18).

Statutes defining marihuana as a narcotic drug have been sustained as being reasonable in a number of States. In the case of *People v. Stark*,[26] the Supreme Court of Colorado upheld the proper inclusion of marihuana into their own "narcotic drugs" statute as not being an arbitrary and unreasonable classification. Many more cases have been decided in support of classifying marihuana as a "narcotic drug".[27]

So far as I can see, I do not think it is irrational to legally define marihuana as a "narcotic drug". At least, the definitons of "narcotic" which appear in several leading dictionaries are sufficiently broad to encompass marihuana.[28] Other dictionaries even include marihuana in the examples of drugs defined as "narcotic".[29] Significantly, the countries of the world have placed marihuana in the same class as narcotic drugs by including it within the controls of the Single Convention on *Narcotic Drugs*, 1961. (Emphasis added by writer).

There is a problem of semantics, and responsible persons in different disciplines cannot agree on a single definition of marihuana which requires equating it to "hallucinogenic drugs", or "psychedelic drugs", and to nothing else. So long as this is true, it seems to me that the legislature can reasonably choose to call marihuana a "narcotic drug". Consequently, the classification should not be upset merely because it is not made with mathematical nicety or because in practice it results in some inexact reasoning.

One argument used by the permissivists that strikes me as naive is the comparison of marihuana and alcohol. Their reasoning is, "What is so bad about marihuana, it is no worse than alcohol". My reply to this is that a public health problem is not the less odious because it is sanctioned by a majority of the people. Surely it is not valid to justify the adoption of a new and dangerous socially acceptable vice by arguing that it is no worse than a presently existing one. The result in any case can only be added damage from a new source.

We are told that people use marihuana to "escape" from problems and insecurities—much the same as alcohol is used. I take exception to this rationalization for the use of marihuana. I am not here in defense of alcohol abuse but I do want to show that the controlled use of alcohol—although in itself not without danger—is substantially different from the use of marihuana. Dr. Benjamin Kissen, Associate Professor of Psychiatry at the Downstate Medical Center in Brooklyn, states that psychoactive drugs may be used in two ways: to diminish emotional tension and permit a person to function within reasonable limits, or the other, to allow the person to escape from reality. The first group (the sedatives), when used in moderation to allay excessive anxiety, often permits a person to function more effectively. On the other hand, the psychedelic drugs, such as marihuana, allow the individual to escape from reality so that he need not function at all. "The first group of drugs is often useful to society; the second group would only destroy it." [30] I think Dr. Kissen is saying that literally millions of persons consume controlled portions of alcohol, a drug which has been engrained in our culture, and which is most often self-titrated for its beneficial effects. This is quite different from the marihuana users who have one motive when they use the substance—to achieve a physical and mental "thrill", to smoke more and more until there is an altering of the mental process.

Another point I want to make here is a legal one. It is not necessary that the legislature regulate all harmful drugs in order for it to regulate some drugs. The rule is fundamental that the State may direct its law against what seems to be the evil as it actually exists without covering the whole field of possible abuses.[31]

The State may legislate in such manner even though the forbidden act does not differ in kind from those that are allowed. This is because the legislature is free to recognize degrees of harm and may confine its restrictions to that class of cases where the need is deemed to be clearest.[32] The United States Supreme Court has laid down the rule several times that legislation is not unconstitutional because it is not all embracing and does not include all evils within its reach.[33]

The Congress of the United States and the legislators of most States have seen fit to make provisions for substantial penalties which may be imposed where the court deems it suitable. The law-givers have given serious consideration to the need to reduce marihuana abuse, and have utilized every reasonable means to that end. Included in those controls are penalties for possession of marihuana.

As a means of preventing abuse, I cannot see any alternative but to retain such controls. To permit an individual to keep drugs in his possession is to condone potential sources of illegal marihuana traffic and defeats the very purpose of the controls. It is well established that marihuana abuse is a socially communicated vice in which the experienced user plays the key role. We can make one generalization: marihuana abuse spreads from person to person. While the calculated contrivance of pushers may contribute to the problem, the users who possess marihuana are the persons who breed new users. Accordingly, in addition to serving as a preventive measure, the laws are of equal value in suppressing the spread of marihuana abuse by segregating those individuals who communicate the habit to others.

I fear that more and more youngsters toying with the use of marihuana are doing so on the assumption that they may proceed with the understanding that they are learning new modes of behavior and need the drugs because they are frustrated in their search for meaningful identity. Of course, we should respect persons who are in search of a life beyond the mere acceptance of a pattern to which they are expected to conform. Surely, we must expect that they may temporarily settle for not being what society expects them to be. But, we who have established the present social environment can rightfully insist that their behavior should not jeopardize others. Even if the effects of prolonged exposure remain speculative, it is nevertheless irresponsible to encourage a more permissive attitude toward the drug.

It is well recognized that the use of hallucinogenic drugs is destructive to culture. Dr. Timothy Leary has made a particular point of this fact in his proselytizing. The drugs eliminate the patterns of learned culture and produce a state of "ecstasis," which he admits is synonymous with what society and the scientific community refers to as "psychotic." [34] It is this very ability which drugs destroy, the ability to create and sustain culture, which has been most revered by leading anthropologists and biologists as the source of man's superiority. Without it, society would be quickly reduced to a state of chaos. Fortunately, culture is the spontaneous creation of the normal human mind. But the use of "mind changing" drugs destroys this normalcy, and their extensive use is bound to be destructive to the values of any society.

When it became apparent that the Harvard experiments of Drs. Leary and Alpert had left the realm of science and turned to the evangelism of the drug experience, Dr. McClelland, their original sponsor, correctly observed:

"It is probably no accident that the society which most consistently encouraged the use of these substances, India, produced one of the sickest social orders ever created by mankind, in which thinking men spent their time lost in the Buddha position under the influence of drugs exploring consciousness, while poverty, disease, social discrimination, and superstition reached their highest and most organized form in all history." [35]

In my own view from the Nation's Capitol, I have seen a slow ebbing, a steady receding of what we perceive to be a meaningful role by law enforcement in the attainment of a productive society free of psychedelic drugs. With God's grace, and with some dedicated service, our country will not have to experience the mistakes of the past in India, Egypt, and Morocco.

COURT ACTS ON SECOND MORTGAGES

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. CAHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CAHILL. Mr. Speaker, in the absence of effective State or Federal regulation, unscrupulous secondary mortgage lending institutions continue to victimize homeowners. The following article, which appeared in the Evening Star of Wednesday, November 29, 1967, indicates the increasing extent to which litigation involving fraudulent mortgages is crowding court dockets. However, the public's anger, expressed by letters to State and Federal officials and by numerous articles in the Nation's press, clearly indicates that a vast majority of such transactions never reach the courts. Generally, the victims of these schemes are already oppressed by debts and can little afford to defend themselves against the privileged attack of finance agencies which wield the legal shield provided by the holder-in due course doctrine.

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[26] *People of Colorado* v. *David H. Stark*, 400 P 2d, 923.

[27] *United States* v. *Eramdjian*, 155 F. Supp. 914 (S. D. Calif.); *Spence* v. *Sacks*, 173 Ohio St. 419; 183 NE 2d. 363; *Gonzales* v. *State*, 168 Tex. Cr. R. 49, 323 S. W. 2d 55.

[28] *Steadman's Medical Dictionary*, 21st ed, 1966; *Dorlans's Illustrated Medical Dictionary*, 24th ed., 1965; *Webster's Seventh New Collegiate Dictionary*.

[29] *Blakistons New Goald Medical Dictionary*, 2nd ed., 1956; *J. E. Schmidt's Attorney's Dictionary of Medicine*.

[30] Kissen, B., Faculty, Byline "On Marihuana", Brooklyn Downtown Medical Center *Reporter*, vol. 2, no. 7, April 1967.

[31] *Greenside Hills Realty Co.* v. *Saxl*, 328 U.S. 80; *James Dickenson Farm-Mortgage Co.* v. *Harry*, 273 U.S. 119; *NLRB* v. *Jones and Laughlin Steel Corp.*, 301 U.S. 1; *N.Y. ex rel Bryant* v. *Zimmerman*, 278 U.S. 63; *Whitney* v. *California*, 274 U.S. 357.

[32] *Hall* v. *Geiger-Jones Co.*, 242 U.S. 539; *Skinner* v. *Oklahoma*, 316 U.S. 535; *West Coast Hotel Co.* v. *Parrish*, 300 U.S. 379; *Bryant* v. *Zimmerman*, supra.

[33] *Zucht* v. *King*, 260 U.S. 174; *Hughes* v. *Superior Court of California*, 339 U.S. 460; *NLRB* v. *Jones and Laughlin Steel Corp.*, supra.

[34] Blum R., and Associates, *Utopiates, The Use and Users of LSD-25*, p. 179, 1964.

[35] Gordon, N., The Hallucinogenic Drug Cult, *The Reporter*, p. 37 August 1963.

Judge McGuire is to be commended for his request to the U.S. attorney that the secondary mortgage situation in the District of Columbia be investigated. Since all available data indicates that secondary mortgage schemes are flourishing throughout most of our Nation, I would urge that the Members of the Congress heed Judge McGuire's warning that "something is radically wrong" with the regulation of secondary mortgage lending. The article follows:

Judge Requests Probe of Mortgage Cases

A U.S. District Court judge yesterday held up foreclosure on a District homeowner's mortgage and declared that "the worst situation in 50 states regarding these mortgages exists in this jurisdiction." He asked the U.S. attorney to look into the situation.

Meanwhile, in another District Court case, former Rep. Merwin Coad of Iowa has been accused by a Washington widow of malicious intent to defraud in a mortgage refinancing deal.

A hearing is set for tomorrow on Mrs. Lillian P. Ross's request for an injunction against foreclosure by Coad, now president of Apex Investment Corp., and other firms and individuals.

Yesterday, Judge Matthew F. McGuire issued a temporary restraining order on behalf of Abraham Williams, a 65-year-old retired janitor of 1812 M St. NE.

Williams has challenged a foreclosure move by the Montgomery Federal Savings and Loan Association, contending interest on his mortgage was usurious and that a note resulting from refinancing of existing mortgages, tied in with home improvement work, had been obtained by fraud.

Judge McGuire said he would refer "this whole business to the U.S. attorney for his consideration because this doesn't smell good."

"This is about the sixth such case I have had in the past month," the jurist said. "There is something radically wrong here . . . I don't say that about Montgomery Federal, but it just doesn't look good on its face."

McGuire set a hearing Dec. 8 on a motion by Williams' attorney, Mark Sandground, for a preliminary injunction that would have the effect of preventing Montgomery Federal from collecting the mortgage payments pending a trial of Williams' suit seeking to void the mortgage.

Montgomery Federal defended itself as a "holder in due course," having innocently purchased Williams' note with no knowledge of any fraud that may have existed in connection with it.

Williams' suit contends that Montgomery Federal had conspired with a number of companies to defraud him, and that he did not realize when he signed papers that he was signing notes totaling $12,340, plus 7 percent interest, rather than a note for $9,200 plus interest.

COMPANIES NAMED

The companies are named as the Maryland Financial Corp. of Hyattsville and Richard Construction Corp. of Silver Spring, and the chief officer of both firms, Harold Rothman; and Empire Mortgage Corp., Congressional Credit Corp., and Berks Title Insurance Co., of Washington.

According to the suit, the financial arrangements stemmed from the undertaking of $1,500 worth of improvements to Williams' home.

In the case set for tomorrow, Carol Coad, who married Coad while he was in Congress and who is named as a director of Apex Investment Corp., also is named in the suit.

Mrs. Ross contends Coad employes induced her to sign a promissory note and deed of trust for $3,800 plus interest after Coad personally offered to lend her $1,706 for repayment of two mortgages against her home.

She holds that such repayment exceeds Washington usury laws, that the repayment agreement was never legally notarized and that Coad and his employes are not licensed to lend money in Washington.

She asks cancellation and $15,000 compensatory and punitive damages.

Coad, a Democrat was elected to Congress in 1955, and served three two-year terms as 6th District representative from Iowa.

REVISED BILL TO AMEND THE INTERNAL REVENUE CODE TO LIMIT EXEMPTION FROM TAX FOR OBLIGATIONS ISSUED BY LOCAL GOVERNMENTAL AUTHORITIES TO SO-CALLED GENERAL REVENUE BONDS, SO AS TO EXCLUDE FROM THE EXEMPTION FUTURE ISSUES OF SO-CALLED INDUSTRIAL DEVELOPMENT BONDS

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Byrnes] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, more than 4 months ago—on July 24—I introduced a bill (H.R. 11645) to amend the Internal Revenue Code in order to limit the exemption from tax for obligations issued by local governmental authorities to so-called general revenue bonds, so as to exclude from the exemption future issues of so-called industrial development bonds. That bill would require the inclusion as income subject to tax of interest on industrial development bonds issued on or after December 31, 1967.

When I introduced the bill, I selected December 31, 1967, as the cutoff date in order to give ample notice to all parties who might be considering this type of financing.

The details of my proposed bill had been submitted in advance to the Treasury Department, and I understood that the bill would meet with the approval and support of that department.

I had every reason to believe that the Treasury Department would expedite its report, and that this report would support early enactment of the legislation.

I also fully expected that the Ways and Means Committee would have occasion to consider the proposed legislation in advance of its effective date.

Regrettably, more than 4 months have elapsed. The Treasury Department has failed to submit any report—favorable or unfavorable—with respect to the proposed legislation. I have been unable to obtain any assurance as to when, if ever, such a report could be anticipated.

It is obvious now that the bill cannot be acted upon before December 31, 1967, which is the effective date of the proposed legislation.

While I am firmly convinced that the practice of extending tax exemption to industrial development bonds is a flagrant loophole in our tax laws, and that action to close this loophole is long overdue, I am equally opposed to the use of the threat of retroactivity as a deterrent to the issuance of these bonds.

It was never my intention that the law, if enacted, would have a retroactive effect. An effective date of December 31, 1967, was selected to give ample opportunity to those who may be contemplating this type of financing.

In order to make my position clear, I am today introducing a revised bill, in all respects identical to the bill previously introduced, except that the new bill will become effective only upon enactment into law by the Congress.

I am also pleased to report that I have been joined in the introduction of the revised bill by the following cosponsors of the original legislation, namely:

Hon. Joel T. Broyhill, of Virginia, Hon. George Bush, of Texas, Hon. Harold R. Collier, of Illinois, Hon. Barber B. Conable, Jr., of New York, Hon. Thomas B. Curtis, of Missouri, Hon. Glenn R. Davis, of Wisconsin, Hon. Melvin R. Laird, of Wisconsin, Hon. Alvin E. O'Konski, of Wisconsin, Hon. Henry C. Schadeberg, of Wisconsin, Hon. Herman T. Schneebeli, of Pennsylvania, Hon. William A. Steiger, of Wisconsin, Hon. Vernon W. Thomson, of Wisconsin, and Hon. James B. Utt, of California.

CLEVELAND FACES THE FUTURE—FROM THE RABBI'S DESK

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Bolton] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the city of Cleveland recently elected a mayor, the first time a man of his race has been elected to the highest office of a great American city. Every Clevelander wishes him well in the very difficult task he has before him.

On November 12, Rabbi Daniel Jeremy Silver, the highly respected son of a very eminent father preached a sermon in which he painted a clear and important picture of the problems facing Mayor Stokes. To me this picture should be spread across the Nation that Cleveland may have the sympathetic understanding and support of all Americans searching for ways to make the many urban communities strong in the support of justice and freedom under law on which this Nation was founded.

Mr. Speaker, I include herewith Rabbi Silver's sermon:

Cleveland Faces the Future—From the Rabbi's Desk

Tomorrow Cleveland inaugurates a new mayor. Carl Stokes happens to be black and our election happened to have been of national significance. For the first time a man of his race has been elected to the highest office of a great American city. The Stokes campaign had all the elements of high American drama since it pitted a son of the slums and the grandson of slaves against a son of privilege and the grandson of a president. For those of us who take a romantic view of the American dream the election had a happy denouement. It offered another proof that this land is a land of wide opportunity; that a man can come from the bottom rungs of the economic ladder to the top of his community. His election came at an opportune time because the headlines had been black. These past months the nation has seemed to have made little, if any, progress in breaking down the high color wall which has separated the races. Carl Stokes' victory was one small bit of evidence that this wall is not insurmountable—there are toe-holds and at least the most agile can climb over the barrier.

In a small way Mr. Stokes' victory is a sign of progress. But it must be underscored that the vast majority of negroes are still outside the wall.

All events are ambiguous and all history is paradoxical. On one level Carl Stokes' election marked a breakthrough and a restatement of the proposition that this is a land of broad opportunity; on another level is signaled the breakdown of community living—a shattering of the American dream which images the city as a broad mix of neighbors and neighborhoods living together under one governmental umbrella. Two elections ago, 35% of Cleveland's electorate was negro; in this election 38%, by 1970 the percentage will rise to 40%. These figures testify to white flight and abandonment. The white exodus from the center city continues. The high barriers of real estate and rental restriction remain in force. True, a trickle of negroes do manage to break out of the iron belt which bands the east side ghetto; but most can not and do not. Demographers insist that if present patterns of racial discrimination continue by the year 2,000 almost every one of our great cities will become what they call a "Negropolis," a large, black concentration surrounded by clusters of largely white suburbs. Social distance between the races has widened. The hope that we would come closer and closer together is vanishing. Today there is the central city carefully gerrymandered to exclude the more expensive whiter suburbs where people connive through zoning and housing restrictions to keep out "undesirables", and finally, there are the new counter cities being built here and there around the country for carefully selected people, where the "riffraff" and the "rabble" are not welcome. In one sense, Carl Stokes' election must be understood as no more than a declaration of independence by the increasing black community of the center city that if they are unwelcome as neighbors at least they will govern themselves.

One of the tragedies in Carl Stokes' election, perhaps the only one, is that he comes to office at a time when the war against poverty and the attack on racial prejudice is running out of steam. Ten years ago Americans were speaking of cooperative effort, of joining forces, of shared enterprise, of community responsibility. Ten days ago the Secretary of Health, Education and Welfare, Mr. Gardner described our society as abrasive. Increasingly each group wants only what it needs for itself and seems not to care how to adjust its wants to the common weal. Extremists of all shades, demand what they want, now, all or nothing. Each of us has noticed the fraying of the social fabric. We have seen men and women who looked upon the Civil Rights crusade as difficult but urgent ten years ago absent themselves and begin to talk more of stability and social order than of the necessity of protest. They have come up hard against the obduracy of hate, the obstinacy of human nature and the inevitable concomitant of violence to social change. Ten years ago, except for extremist fringes, this country seemed united in a determination to achieve a homogeneous society. Today, I sense that fewer and fewer are ultimately concerned with this sacred purpose. More and more are living unto themselves, living their own lives, asking not what they can do for the nation, but asking only that the nation protect them from change and violence.

A few years ago the war on poverty was launched with great eclat. Gunner Myrdahl estimates that to be successful this war will require several trillions of dollars. Against this background the government proposes a budget of a few billion and Congress refuses to vote even that. A recent survey estimates that it costs about $9,000 a year to sustain a family of four with any dignity in one of our thronging cities. The gap between the Other America, the 30,000,000 poor and our America of abundance widens every week of every month of every year. The poor are poorer. There is inflation. There is the rising cost of living. There is less employment for the unskilled and for the semi-skilled, and programs of re-training lack the necessary sweep and scope.

Carl Stokes comes to office at a time when the American dream is often stated in word but belied in deed. We hope and dream, but vote against taxes, complain about bureaucracy and limit our personal involvement. I am afraid that all too many of us have assummed that somehow Carl Stokes' election will solve the problems of the urban crisis and racial antipathy which trouble us. We want him to press a magic button and make danger and need disappear. We have invested far too much in the single fact of a change of mayors. He will, somehow, turn on the money tap in Washington. Funds will flow for urban renewal, for job re-training, for our school system, for every worthwhile project. By his very presence in office he will, somehow, moderate the black militants, keep violence from our streets, and by the moderation of his acts quiet the fears of the white militants and prevent racial tensions from becoming more exacerbated. We expect our new mayor to solve all the vast problems of urban living and, being human, of course, he cannot perform miracles.

We have seen square blocks of our city convulsed in violence. We have seen square miles of our city demolished for urban renewal and not renewed. We have seen the slums set in motion, the displaced pouring over into other areas which quickly become blighted; thousands of dropouts, children who lack shoes and winter clothing to wear to school, garbage piling up on street curbs, lines of unemployed. Our beaches are polluted, our air is polluted, our water is polluted, our streets are congested, crime rates are on the rise; Cleveland suffers all of the classic failures of urban life. And far too many of us, I am afraid, assume that by changing mayors we have solved these problems. We have not. We have only elected a new mayor. It might be wise, therefore, this morning, to make up a tally sheet of what can legitimately be expected of the mayor, what he can accomplish if he is vigorous, enterprising and decisive and what he can not be expected to do; what we must do for him; we, the citizen, we, the government.

What can be expected of Mayor Stokes? He can be expected to bring new administrative energies to the city. He can be expected to appoint men of skill and vigor. We had what was essentially a single administration for almost thirty years, and many officials have grown old and comfortable in office and have kept to archaic ways and old habits. Through his control of top-level appointments we can expect the mayor to improve the exacerbated relationship between the police force and the neighborhoods, and create a new climate of understanding between the servants and those whom they serve.

We can expect the new mayor to update and upgrade the level of city operations. Cleveland is an old-fashioned enterprise. I had occasion, this week, to read through the twenty-nine reports of last year's Little Hoover Commission. Each of them details a city operation which is behind the times. Of the police department, the Little Hoover Commission said simply that it "is a generation behind standard procedures in police management." In urban renewal the city has failed to complete the legal work on its first urban renewal project, Garden Valley, begun in 1956. On and on and on. The mayor will need money. Good men rightly command a good salary. The mayor will need to support his nominees. There must be dignity and scope to their office. But this problem is within the competence of the mayor. And it is within his competence to improve relationships with all groups within the city. In the last 30 years we have been governed essentially by the interests of business balanced by those of the cosmopolitan groups. The negro group has been tolerated but it has had to come hat in hand. No longer will the ministers of the negro community be kept cooling their heels in the mayor's office. We can expect, and do expect, the new mayor to listen carefully to all in the community, black and white, and we can expect him to alert us to the harsh realities of the urban crises. We need clear explanations and clear priorities—the requirements of urban change rather than public relations about "the best location in the nation."

Today, 140 million out of 200 million Americans live in cities. By the year 2,000, 280 million of 340 million Americans, almost 9 out of 10, will live in our cities; and our cities are not ready for them. We lack institutions, schools, roads, employment, recreational facilities, clean air, clean water, the amenities even for the smaller numbers who live here today. We have not resolved or begun to resolve the deep-seated historic problems of poverty, racial antipathy, deteriorating housing, cultural and educational deprivation.

Our new mayor must make clear the depths of the problems we face and the cost involved in their solutions. We have tried to run our city on the cheap. Betwen 1940 and 1965, Americans actually decreased the percentage of tax monies allocated to their cities. You cannot run a city on the cheap. It is going to cost you three, four, five, perhaps ten times more to run Cleveland and the mayor must make clear why, how much, and for what.

But, what can the mayor do about the nearly two in ten who live in slum areas and who are unemployed? What can he do about the three in ten who drop out of poverty area high schools before they have the skills which would make them employable? What can he do about the plants which are outside the city lines and spew their dust into the air and their filth into our rivers? What can he do when regional planners draw highways through neighborhoods and destroy what stability there is in order to make it easier for suburbanites to come into their offices and to leave for their grass-enclosed homes? What can he do about a city which must give to the state more tax monies for welfare and education than it receives back for these same services?

There are definite limits to a mayor's power. He can be effective within administrative limits but he can not begin to solve the problems of the city, unless he has the active and energetic help of Columbus and Washington and the citizenry. Is our state committed to the welfare of the city of Cleveland? Has Washington escalated the war on poverty with speed and determination? President Johnson said, two days ago, that it was bunk to argue that we could not make progress both in Vietnam and in the war against poverty. Not so! This year the Federal Government allocated to the cities less than $1.00 per citizen to solve the transportation crises and less than 10c per person for the model cities' bill. The level of Federal aid to welfare has actually decreased. At first the Office of Economic Opportunity was appropriated 2.4 billion. That was cut in its present budget of 1.6 million and the Office of Economic Opportunity may come out of this Congress with only 1.2 billion. The effects of these cuts can be seen in our own city.

I sit on the Board of the Cleveland Office of Economic Opportunity. Last year we cancelled 16 programs touching almost 40,000 lives because these programs cost 2.7 million dollars which were no longer available. These were not luxury programs. They included literacy training for adults, job training for high school dropouts, advice on maternity and health care for teen-aged mothers, and a program of high school courses for adults who never completed their degree. We did not cut these programs because they were unworthy or had proved themselves misdirected, but because funds were not available.

Washington talks about a war upon poverty but, in effect, supports a probing action; demonstration projects, a beginning, and nothing more. We are not keeping up with the growing population, much less solving our problem. If you want to know the real limitations of this war on poverty consider Operation Head Start, which is the most approved and widely-respected of all its programs. Head Start is designed to provide preschool training for four and five-year olds from deprived homes where they have not been read to or spoken to or been taught hygiene or to dress properly. Competent psychological investigation has shown that one in two children from poverty areas have little, if any, chance of success in school, unless they receive such preschool training. There are today, 7800 youngsters between the ages of 4 and 5 in the poverty areas of Cleveland who ought to be receiving the Head Start opportunity. Only twelve-hundred, one in five, are and the reasons are purely fiscal. What is true of Operation Head Start is true in heightened degrees of less-fully accepted programs. Because of Vietnam the Federal government has not accelerated its demands upon the Congress and because of the war-related budget deficit Congress has cut even further the Administration's limited requests. Thirty-plus billion dollars a year in Vietnam spells a very limited war on the ills of our cities.

Carl Stokes can not be expected to solve those problems for which he needs the help of the Federal and the State government, the help of industry and labor, and the help of all who live in greater Cleveland. I submit that there is every indication that he will not receive the vigorous support he requires. Our nation is tragically burdened by war and, surprisingly, mesmerized by ideology. Our many problems require imaginative, even radical solutions; yet, many judge all proposals not by the standard of need but by some inherited political theory. Instead of experimenting we debate theory: Federalism vs. state's rights, capitalism vs. socialism, public works vs. industrial incentive. Increasingly this nation has become separated into competing ideological sects; the new left, the new right; the old left, the old right. Once we prided ourselves on our pragmatism. We said that our greatness lay in our ability to face a problem and find practical solutions. It was never either/or; either government or industry, either Federal or state control, but both/and. Today, any project which smacks of federal aid to the communities is anathema to some, any project which is to be partially managed by the free enterprise sector is anathema to others, and any project which is not under the total control of the poor is anathema to others.

Why must it be one or the other? Accommodation and compromise are of the essence of a democratic system. Tragically, but increasingly we are voting ideology—not need, and this is the way of divisiveness and failure.

We need to take a good look at our own involvement. Most suburbanites, most of you, believe that you can create a counter city, a city out there, where there will be security and safety, quietness and tranquillity and all of the amenities, where you will be spared the violence and the turbulence of the city. This attitude is characterized by a piece of ground which most of us pass almost every day, the Shaker Lakes. The Shaker Lakes belong to the City of Cleveland. Cleveland spends $6,900 a year to maintain them. But, woe betide the youngster of black skin who rides his bike up to the Shaker Lakes. A police cruiser will come by and tell him he is trespassing. Yet, you and I can come down to Rockefeller Park or to the Zoo or to the Aquarium and be welcome. We can go anywhere but "they" can't come here. Of course such isolation is impossible. The city intrudes regardless. Our children wear the clothes of the sidewalk, speak the idiom of the city street, take its drugs, and are endangered by its violence. The slum rolls across suburban lines. Crime has wheels. Wish it or not we can not escape the city. It is to our advantage and right to join forces.

The Bible describes the city as a mother, the city creates the environment which creates the man. The city gives us our dignity or drags us into the gutter. The quality of city life is ultimately the standard of the life of its citizens. And who will say that the quality of life in Cleveland is what we would wish it to be? If we truly want to support a new start for the city then we must begin, each in his own way, to take an entirely new attitude towards the responsibilities of citizenship. Taxes are not citizenship, though a willingness to vote major taxes for major services may be. It is not citizenship to go to a Parent-Teacher's Association meeting in a white suburb about your child. It is citizenship to encourage the 34 school systems of this county to cooperate to overcome urban alienation and suburban trivialization. It is not citizenship to complain about the mayor of Cleveland but work only in suburban politics. It is citizenship to see that your representatives in Washington and Columbus give him the money to meet our needs, vote to enlarge the war on poverty, and the ambit of Civil Rights.

It is citizenship to see that by your vote, by your act, by your energy, by your awareness, you help America come of age. For this is a new age which demands an entirely new formulation of governmental authority, of private initiative, and of citizenship responsibility. Some dimensions of this new age are already clear. We have learned that you can not band-aid a city's problems and cure them. We have learned that to maintain the amenity of city life we can not scrap useful institutions simply to rebuild them on raw acreage nestled among expensive shacks that will be the slums of the next decade. We have learned that cities need clinics and parks; schools of quality and medicine of quality; low-cost housing and strict housing inspection; alert and effective police careful of the rights and sensitivities of each and every citizen; adequate welfare and community service; monies and power to control industrial waste and traffic congestion.

The cost is staggering. Certainly we will not be able to pay that cost if we continue draining our treasury for pointless wars. Certainly we will not be able to pay if by inaction we multiply the numbers of delinquents, of the unemployable, of the emotionally disturbed who must be rehabilitated at a prohibitive cost. We are a wealthy nation; we are the wealthiest nation the world has ever known. If any nation can meet the problems of the urban crises, then it should be this nation—but will it be?

A few days ago Martin Luther King commented much as I have this morning, that Carl Stokes will need the united support of the community.

Dr. King signaled the need for the cooperation of the business and industrial leadership. He said, using a phrase from our Bible, that the mayor will be like the sheep led onto the slaughter unless such support is forthcoming. Whatever he does will not be enough, and we will blame him for whatever be the failures. He will be our scapegoat. Whatever happens the next two years let us not blame the man, until we have blamed ourselves. Let us not see his shortcomings until we are sharply aware of our own, and can say that we have acted with the wisdom and will that is required of urban Americans in this century. By our vote, by our civic energy, by whatever influence and leverage we may have in Columbus or in Washington, we must find a way to give those mayors of our cities who represent the emerging classes, the support which they need so they can do their job and we can have a stable and happy city. We must, for whatever our estate, we can not escape the fate of our city. If Cleveland continues to deteriorate, if the quality of life becomes harsher, if violence becomes even more widespread, if the quality of communication between people becomes even more attenuated and exacerbated, each of us will suffer and each of us will pay the price.

Cleveland, in this fall of 1967, has an opportunity, nothing more. There are no miracles but there is clearly an opportunity for greater things. We have a much-needed infusion of new vigor in City Hall. We need new vigor at all other levels of our community lives and all other levels of government, and, dear friends, that is our task.

CONGRESSMAN HORTON CITES MONROE COUNTY, N.Y., BAR ASSOCIATION AS OUTSTANDING EXAMPLE OF BAR ASSOCIATION SERVICE TO LEGAL PROFESSION AND COMMUNITY ON DIAMOND JUBILEE, DECEMBER 7, 1967

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HORTON. Mr. Speaker, on the 7th of this month, the members of the Monroe County Bar Association will gather to celebrate the association's diamond jubilee—75 years of service to the community and to the profession of law.

The history of bar associations in this Nation is a distinguished one, Mr. Speaker. More than most professional associations, the activities of bar associations have had a direct bearing upon the welfare of the communities they serve.

This has certainly been true of the Monroe County Bar Association. I have an intimate knowledge of its record of service, since I served as secretary of the Monroe County Bar Association, and as president of the Federation of Bar Associations of Western New

York. I would like to share our story with you and our colleagues, Mr. Speaker.

During its first 75 years, the Monroe County Bar Association has amply demonstrated the high ideals for which legal associations everywhere strive.

The original founders of the association lost no time in making it an active participant in community affairs. The articles of incorporation were filed on December 2, 1892. At its meeting two months later, February 14, 1893, the association adopted a resolution to petition the legislature to authorize a new county courthouse. Its efforts were a significant factor in the final decision for a courthouse.

This interest in doing its part in keeping the Rochester, N.Y., area in the forefront of progress, and in extending the benefits of legal services to everyone continues today with a vastly increased array of services and activities.

Notable among the 70 present committees and activities of the Monroe County Bar Association are the following:

The lawyer reference service, established in 1949, with headquarters in the bar association office, for persons who do not have a family attorney. This was one of the first lawyer reference services set up in the United States.

The coordinated assigned counsel system was created in 1963 for the defense of criminal actions.

In the field of public education, there are the speaker bureau, which provides lawyers to speak on legal topics; the adult education committee, which gives an adult legal education course in the high schools; and the Law Day committee which organizes public ceremonies for Law Day.

The Monroe County Bar Foundation, which was established in 1951 to increase interest in the science of jurisprudence, collects books and other material of a legal historical nature and sponsors lectures on legal topics for association members.

By 1958 the association's activities had grown to the point that good organization and management made it apparent that the activities should be directed by an executive director. My fellow members of the Monroe County Bar Association were extremely fortunate in obtaining the services of Mr. Milford E. "Bert" Wheeler, who has held that position since January 1, 1959. Bert's skill as an administrator and his dedication to the principles of the legal profession and the bar association have contributed significantly to the growth of the association's activities. Bert has been instrumental in translating ideas into active programs which have benefited association members and the public.

In 1959, the bar association began publication of its own magazine, Summing Up. During the 1960's the association ran a very successful weekly radio program under the title of "Justice," which included a dramatic presentation and a discussion of the drama by a panel of lawyers. This and other radio and television work won New York State Bar Association awards for 4 consecutive years.

Mr. Speaker, on December 7, at the Sheraton Hotel in Rochester, N.Y., the members of the Monroe County Bar Association will gather to celebrate our group's 75th anniversary.

At that time, David Boehn, a prominent Rochester attorney and president of the Monroe County Bar Association, will present to the association on my behalf a scroll commemorating the association's diamond anniversary. The scroll reads:

> Whereas on December 2, 1892, the Articles of Incorporation were filed for the Monroe County Bar Association of New York; and
>
> Whereas the Seventy-fifth Anniversary of this event is to be celebrated this year;
>
> Now, therefore, we, the Attorneys and Lawyers of the 90th Congress of the United States do hereby join with our distinguished colleague and member of the Monroe County Bar Association, Frank Horton, in sending greetings and hearty congratulations on the celebration of this historic event.

The scroll was signed by the 244 of our colleagues in the House of Representatives who are lawyers.

A framed copy of this statement will also be presented, along with an American flag which was flown over the Capitol on December 2, 1967—75 years after the incorporation of the bar association.

I would like to publicly commend my fellow members of the Monroe County Bar Association who are directly involved in the celebration activities:

Henry W. Williams, Jr., Esq., overall program chairman.

W. Smith O'Brien, Esq., chairman, 75th anniversary observance.

Nathan J. Robfogel, Esq., chairman, 75th anniversary dinner.

James M. Hartman, Esq., chairman, publicity, 75th anniversary dinner.

James F. Glynn., Esq., author, "History of the Monroe County Bar Association."

Mr. Speaker, laws make civilized society possible. Lawyers represent the law in action, and stand as guardians of the borders between what is right and wrong, and fair and unfair. Through their bar associations, they have helped forge the legal principles and practices which keep the law a living, viable code of rules by which society can change and progress without disturbing the fundamental rights guaranteed by the Constitution.

The record of the Monroe County Bar Association is outstanding in service to its members, the profession of law, and the community and public.

Mr. Speaker, I am proud to be a member of the Monroe County Bar Association, and very glad to have this opportunity to share with you and our colleagues the story of its first 75 years, and to predict an equally productive and creative second 75 years.

GUDE POSITION ON ROLLCALLS NOS. 421 AND 422

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GUDE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GUDE. Mr. Speaker, this afternoon I was attending the funeral services for a close personal friend and fine public servant, Jack Marshall Stark, of Montgomery County, Md.

During my absence, H.R. 11276, a bill to authorize appropriations for the Adult Education Act of 1966 for 2 additional years, and H.R. 13054, the Age Discrimination in Employment Act of 1967, were considered by the House. I would like the RECORD to show that had I been present, I would have voted in favor of these two measures.

THE PROMISE OF BLACK PRIDE

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I have read with renewed hope the essay in the December 1 Time magazine—"Black Power and Black Pride." The reporters of Time have uncovered a shift in the philosophy of American Negro leaders which, if accepted by most Negroes, promises to ease racial tensions and begin constructive actions toward uplifting and improving the status and well-being of our fellow Negro citizens. The article notes that the Negro is "looking to himself for salvation, and there discovering strengths that he never knew he possessed." And, "black pride is dictating the new posture, which is not that of a needy applicant begging for white assistance, but that of an equal who proclaims his self-sufficiency and his value as any man's ally." And lastly, Time reports that "the major part of the black power movement, at least now, is far more moderate than its reputation. It desires neither to shoot its way out of white America, nor to enter a supremacy contest with the white establishment. Its goals lie within democracy's permissive framework, which has stretched many times before to assimilate minority groups and which, as far as the U.S. Negro is concerned, must stretch again for him. The black to fear is the one who has not yet been exposed to the discipline of self-pride—the unawakened 75 percent Negro majority that lies outside the civil rights movement, and has felt almost none of its effects. This Negro has nothing to lose by venting his frustrations in violence. The new Negro knows how much damage violence can do to his own cause."

Mr. Speaker, I commend Time's article to the consideration of all thoughtful Americans.

IN DEFENSE OF THE PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Virgnia [Mr. BROYHILL] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I regret to call to the attention of the House a recent action taken by the District of Columbia Board of Education in which a little girl was allowed to lead the Board in an initial step in what I hope is not going to be a pattern of the Board's efforts to make District schools a model for the Nation.

At the behest of something called the National Capital Area Civil Liberties Defense and Education Fund, a 15-year-old high school girl in District schools protested reciting the pledge of allegiance to the flag of the United States on the grounds that it did not offer her the liberty and justice it pledges to the people of our Nation.

She and her teen-age friends, who may fall under the influence of the adult patriots of the National Capital Area Civil Liberties Defense and Education Fund, will no longer be required to pledge allegiance to the American flag with their classmates, just as they are no longer required to mention God in any reference or reverence to the Nation of their birthright.

In the wake of the School Board's capitulation on this matter, I can only assume that the next step will be to outlaw flying the American flag from the flagpoles in front of our schools.

Those of us who protested the Supreme Court decision on prayer and reference to God in the classroom, warned at the time that the question of the pledge of allegiance to the flag would soon be raised.

A lot of people in this world, Mr. Speaker, would be delighted to pledge allegiance to the flag of the United States of America. The flag and the pledge, as I need not remind the House, are symbols of freedom and reverence—a right to participate in the affairs of a great nation, just as there is a right of dissent, of free speech and of redress against personal grievance. There is also the right to public education, including obedience to the rules and regulations accompanying the privilege of attending the public schools of the Nation.

If the rules and regulations, established for the common good by the common taxpayers of the Nation, include opening the day's activities with a pledge of allegiance to the Nation furnishing our children with this education, then let it be enforced for all pupils, the National Capital Area Civil Liberties Defense and Education Fund and the District of Columbia School Board notwithstanding. If not, let the teenage puppets of this so-called civil liberties organization seek education for their youthful followers elsewhere, not at public expense.

Despite the impact and influence of the liberal masterminds of our society, there are still some requirements for getting that must include some giving. A pledge of allegiance is little enough giving for what the District of Columbia school system and the taxpayers are trying to provide.

Mr. Speaker, I suggest that the District of Columbia School Board look at both sides of the flag the next time a liberal or leftwing organization confronts it with a schoolchild who has been brainwashed into protesting her obligations to her country.

PROPOSED SUBWAY SYSTEM FOR THE DISTRICT OF COLUMBIA

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Kyl] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KYL. Mr. Speaker, there is still serious question as to the cost and extent of the proposed subway system for the District of Columbia. The following letters offer some suggestions which should help lead to clarification. Copies of both letters were presented to the press today, and are as follows:

The American University,
Washington, D.C., December 4, 1967.

Re S. 2094 and H.R. 11395, the District of Columbia subway relocation bills.

Hon. Alan Bible,
Chairman, Senate Committee on the District of Columbia, Old Senate Office Building, Washington, D.C.

Dear Senator Bible: In my recent testimony before the Senate District Committee I pointed out several deficiencies in the Voorhees Report, which the WMATA has advanced as the sole technical justification for abandonment of the Columbia Heights subway line and addition of the Independence Avenue loop.

Last Thursday, at a meeting arranged through General Jackson Graham, both the Director and the Deputy Director of WMATA's Planning Department conceded that the Voorhees Report is indeed deficient in the respects which Mr. William Scheirer (a professional economist and statistician) and I pointed out to the Committee and more fully described to those officials. They further agreed that they *can and will* correct these methodological deficiencies in order to find out precisely what effect the corrections will have on the Report, and will convey their findings to Mr. Scheirer "soon."

Mr. Scheirer and I believe that the correction of these deficiencies in the Voorhees Report may well show that the Columbia Heights route will not be a "money-loser," and may actually be at least as good an investment as the Independence Avenue line.

Therefore, we urgently implore you to delay Committee approval of the drastic alterations proposed in these two bills for a few days, until WMATA has had an opportunity to correct the Report which they themselves now concede to be in error, and to present the corrected figures to the Committee.

In any event, and whatever the economic merits of the Columbia Heights line versus the Independence Avenue line, I respectfully urge that the bills should be amended so as to provide concrete assurance to the residents of this City that *one* subway line will be built, soon, to serve *their* needs, rather than solely the needs of suburban commuters. I have recently discussed with the General Counsel of WMATA the question of amending the bills, and I have reason to believe WMATA could accept an amendment, which could be incorporated as a new subsection 3(b)(5), along the following lines:

"Construction of the Southwest Washington portion of the subway system shall not commence unless and until final route approval has been obtained and funds have been authorized and appropriated for construction of a line or lines and/or modification of an existing line or lines, so as to serve the north central section of the District of Columbia (the area between Rock Creek Park and the Old Soldiers Home)."

Such an amendment would not, I am informed, conflict with WMATA's existing program schedules; it would leave complete freedom to choose a 7th Street, 14th Street, Columbia Heights or any other inner city route; and it would help to bridge the "credibility gap" between WMATA's announced intentions and the belief of many residents of this City concerning what WMATA can or will bring to pass.

Montgomery County Councilman David Scull's statements on Friday, as reported in the attached press clipping, show that suburban leaders now realize the crucial importance of providing subway lines into inner city residential areas, not only so as to reduce unrest and reduce welfare costs in the inner city, but also to serve the growing suburban job markets.

Thank you for this opportunity to bring the above two suggestions to your attention.

Very truly yours,
George F. Bason, Jr.,
Professor of Law.

The 18th and Columbia
Road Business Association,
Washington, D.C., December 4, 1967.

Re District of Columbia Subway.

Hon. Hubert H. Humphrey,
Vice President of the United States,
Washington, D.C.

Dear Mr. Vice President: Your letter of November 30 in reply to ours of November 17 gives no indication that you are aware that the D.C. Subway is in deep trouble, yet the D.C. Examiner published by Roy Chalk, your good friend, on November 30 reported (page 4): "Subway stalled. The word on the Hill is that both the White House and Congress may move to slow down construction of the $2.3 billion subway system in Washington. Federal share of the project is about $1 billion, and big budget deficits over the next several years may roadblock the rapid transit plan." Other roadblocks are also evident, as listed below.

In this situation it is clear that you should have done more than rely on the handouts from the Washington Metropolitan Area Transit Authority. Not a single Democrat on the Senate District Committee cared enough about the subway issue to put in an appearance during the two days of hearings on November 14 and 15, according to some critics who attended the hearings.

David Scull, Montgomery County, Maryland, Councilman, was reported by the Washington Post of December 2 as saying: "relatively few people in his County may use rapid transit to commute to jobs in Washington. . . . I'm less interested in locating it to serve the 25 percent of our people who might use it than in moving the undertrained and underemployed out here to where the action is." Mr. Scull is a highly respected Republican leader.

Carl L. Shipley, Chairman of the D.C. Republican Party, in a statement issued November 25 said:

"I think a subway serving the inner city Negro ghettos of the District is absolutely essential, and should have as high a priority as the Independence Avenue loop which I also support. Such an inner city line should be made a part of the first phase, and should be included as an amendment to the bills

(S. 2094 and H.R. 11395) now before the Senate D.C. Committee.

"I simply cannot understand how the Administration has been able to ignore the needs of the inner city Negro ghettos—since poor transit was such an important factor in the Watts area and other cities as Secretary Robert Weaver of HUD pointed out.

"Any plan which does not make adequate provision for a major part of the District's Negro citizens is a bad plan.

"The Senate Bill should also provide, as part of the first phase, for a line into Prince Georges County—which is the fastest growing part of Maryland at this time.

"One way to meet these two problems which seems to me to have merit would be to (1) retain the Columbia Heights line and (2) extend it into Prince Georges County on the New Hampshire Avenue radial.

"This would serve a natural corridor, and would link the District and the suburbs."

Change, Inc., which runs the poverty program in the Columbia Heights-Cardozo area says:

"The D.C. Subway, which the Congress authorized in 1965 to provide rapid transit for all District citizens would, under S. 2094 and H.R. 11395, be changed to provide rapid transit for affluent suburbanites, and for affluent families west of Rock Creek Park, while the desperate needs of the inner-city poor would be relegated to a second phase. We believe this step would be a very serious mistake. Subway service for the inner city poor must have an equal, if not higher priority than that provided for the affluent and office employees during working hours.

"S. 2094 and H.R. 11395 are based on the assumption that the Congress will appropriate $1.1 billion in addition to the appropiration authorized by the Congress in the 1965 Subway Act. We have the gravest doubts that the Congress, or the American taxpayers, pressed by the costs of local needs, and the Vietnam Conflict, will be willing to appropriate such a vast sum. Yet the failure to do so, if the Columbia Heights Line is deleted, would put the line serving the inner-city Negro ghettos in a permanent limbo from which it would never be rescued. The Washington Post said (March 15) 'This will be the only subway in history to serve the classes instead of the masses.'"

It is clear that Roy Chalk's *D.C. Examiner* and Change, Inc. have come to the same conclusion, particularly as to the indisputed fact that "big budget deficits over the next several years may roadblock the rapid transit plan."

We think it is high time your Administration told the American people where it is going to get the $1.1 billion needed to complete the second phase of the subway system which includes the proposed line in the inner city Negro ghettos of Washington. The *Washington Post* (Nov. 27) said:

"Warren Quenstedt, deputy general manager of the Washington Metropolitan Area Transit Authority, said yesterday the American taxpayer may have to foot some of the bill for construction of the District's subway system.

"He said no provision has yet been made to obtain $1.1 billion of the $2.4 billion needed to build the system.

"Transit authority officials have previously said that they believed that subway fares would be enough to pay off $700 million in bonds. They also have said that a Federal grant of about $1 billion is likely.

"The $1 billion, however, is the uncertain portion of the subway funds. The remaining $600 million would be paid by the localities that will benefit directly from the system in the District and suburban Maryland and Virginia.

"In an interview on the WRC–TV show 'Dimension Washington', Quenstedt said citizens across the country would be the logical source for the revenue.

" 'Millions of American citizens come to this city every year', he pointed out."

John R. Immer, president of the Federation of Citizens Associations of the District of Columbia, a frequent critic of the Administration, wrote Chairman Alan Bible of the Senate District Committee on December 1st in part as follows:

"We request you to recall WMATA officials to bring this entire matter out, and to determine how and when this request for a $1.1 billion Federal grant is to be presented to the Congress and the taxpayers of the Nation. Such a huge grant is pure fantasy."

Mr. Immer added:

"We charge that the subway line serving the inner city areas of Washington into the Negro ghettos is being held hostage by the Administration to force the Congress to appropriate this $1.1 billion Federal grant. We don't think an inner city line will ever be built, if the Columbia Heights Line is deleted on 14th Street, 7th Street, or anywhere else. WMATA officials are now talking about a Sherman Avenue Line, so there is nothing firm or decided about an inner city line. If the Columbia Heights Line is extended into Prince Georges County, Maryland, it would undoubtedly provide the heaviest travelled line in the entire system. It would pay for itself, and would not require any Federal subsidy at all. . . . This sensible and eminently practical plan would cost approximately as much as the (Administration plan for a $98,000,000 loop on Independence Avenue. . . . It would cost one-tenth as much as the $1.1 billion grant by the Federal government (needed to complete the system). . . . Isn't the Senate D. C. Committee interested in saving $1 billion which it could do by retaining the Columbia Heights Line?"

The *Washington Post* (Nov. 16) reported that Professor George F. Bason, Jr. of American University told the Senate District Committee that "a credibility gap" exists between the planners of the city's subway system and "the people who live in the inner city." He challenged the Voorhees Report, and said:

"First, simply as a matter of common sense, it is very puzzling that the most heavily traveled and most profitable bus line in the entire system would become the least heavily traveled and least profitable subway line.

"Second, the Voorhees Report contains a built-in bias against the Columbia Heights line, since it is based on providing service along that line only half or one-quarter as frequently as along other lines in the system. If people have to wait twice as long for a subway, they will naturally be less likely to take the subway, wherever the line is located.

"Third, the Voorhees Report bases its findings on a comparison of rush-hour, weekday traffic only. The daily and annual traffic figures in that Report are simply multiplications of rush-hour, weekday traffic figures, based on a city-wide average. But the Columbia Heights line has a larger proportion of non-rush-hour and weekend traffic, and other lines (especially the proposed Independence Avenue line) have a larger proportion of rush-hour traffic and a smaller proportion of weekend traffic, than the city-wide average. Thus the annual traffic figures in the Report are bound to be weighted against the Columbia Heights line and in favor of the Independence Avenue line. If the Report has thus underestimated Columbia Heights annual traffic by 10% and overestimated Independence Avenue annual traffic by 10%, then, according to other figures in the Report itself, the Columbia Heights line would be equally as profitable as the Independence Avenue line.

"Fourth, the Report itself recognizes that the 'major effort' and 'the more detailed investigation' in 'deriving passenger estimates' must be placed on determining the numbers of people who would switch from bus to subway transportation, rather than on determining the numbers who would switch from auto-riding to subway-riding. Yet, in computing bus-subway diversion, the Report simply assumes that, if their total trip and waiting time is equal, 50% will choose to wait on a street-corner for a bus and 50% will choose to wait indoors, in an air-conditioned or heated station, for a subway. By contrast, in computing auto-subway diversion, the Report does not make an assumption but makes a finding, based on facts, that 57.5% of auto riders will switch to subway if the total trip and waiting time is equal. Most subway-riders along Columbia Heights will be former bus-riders, whereas most subway-riders along Independence Avenue will be former auto-riders. Thus, here again, there is a serious distortion of at least 10% and probably 20% against Columbia Heights and in favor of Independence Avenue.

"The correction of these two distortions in the figures will result in showing the Columbia Heights line actually more profitable than the Independence Avenue line."

In a letter today sent to every Senator on the Senate District of Columbia Subcommittee, Professor Bason writes:

"WMATA's Director and Deputy Director of Planning have conceded that the Voorhees Report (which is the sole justification for the proposed subway change) is indeed deficient, as I recently testified before the Senate District Committee, and they have agreed to correct these deficiencies "soon." I respectfully suggest that, before the subway relocation bills are approved, that WMATA should be given an opportunity to correct the Report and to present the corrected figures to the Committee.

"In any event, the bills should be amended so as to provide concrete assurance that *some* line will be built to serve the needs of inner city residents. A suggested form of amendment is set forth in the attached letter, and, based on my recent discussion with WMATA's General Counsel, I believe WMATA could accept such an amendment. The amendment would not, I believe, conflict with WMATA's existing schedules."

Life magazine has several times pointed out that after decades of ignoring the deterioration of its cities, the U.S. at last is trying to save them by pouring in billions of tax dollars (somewhere between $10 billion and $40 billion a year). *Life* editorials have charged that:

"The trouble is that precious little of the money ever actually reaches the urban poor * * * funds are * * * diverted to projects like middle-class housing and superhighways, which help some people, but hardly the urban poor."

The D.C. Subway is yet another example of this soulless and heartless diversion. The *Washington Post* in an article on March 15, 1967 said:

"To return to the charge made by *Life magazine* that funds designed for the urban poor are diverted to projects like middle-class housing—the SW Urban Renewal Project where Vice President Humphrey lives is a classic example of this.

"Now the subway, which was originally designed to serve the urban poor of the District is to be diverted, under the provisions of H.R. 11395 (and S. 2094), to serve the commuters of the suburban metropolitan areas. Subways, historically, in other cities, are designed to serve all the people. This will be the only subway in history to serve the classes instead of the masses."

We are writing to advise you of the major points raised by the critics of the D.C. Subway as planned, and to point out that if S. 2094 and H.R. 11395 are adopted without major corrective surgery in the form of amendments to provide a subway for all of the people all of the time, that the Administration may well find that this subway will return to haunt it. For the sound reasons advanced by the critics, we ask you to intervene with the Senate District Committee to (1) save $1 billion dollars by (2) retaining the Columbia Heights Line and extending it into Prince Georges County—as suggested by Carl L. Shipley, D.C. Republican Leader—this line to serve the poor must have as high a priority as the Connecticut Avenue-B&O-Independence Avenue-Rosslyn lines to serve the affluent lily-white suburbs, and the 25% of whose people may use these lines while the inner city festers.

You may have seen the report of the U.S. Civil Rights Commission on November 22 to President Johnson urging that "the nation's first priority" be given to solving the problems of ghettos and poverty and race.

We urge you to give a subway serving the poor in the Nation's Capital and Prince Georges County, Maryland "the nation's first priority" in order to deal effectively with the problems of ghettos and poverty and race.

We feel that the priorities included in S. 2094, and H.R. 11395 as it passed the House of Representatives on October 9 are not only wrong, they are immoral.

Respectfully yours,

GEORGE FRAIN,
Administrative Secretary.

PROPOSED SURTAX INCREASE

The **SPEAKER**. Under a previous order of the House, the gentleman from Ohio [Mr. WHALEN] is recognized for 60 minutes.

Mr. **WHALEN**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **WHALEN**. Mr. Speaker, whether there should be a tax increase is the most critical fiscal issue confronting the 90th Congress. As Congress convened last January 10, the President, in his annual state of the Union message, declared:

> I recommend to the Congress a surcharge of 6 percent on both corporate and individual income taxes—to last for two years or for so long as the unusual expenditures associated with our efforts in Vietnam continue.[1]

This was needed, the President explained, "in order to try to hold our budget deficit in fiscal 1968 within prudent limits and to give our country and our fighting men the help they need in this hour of trial."[2]

No action was taken by Congress to implement this 6-percent surtax proposal.

Then on August 3, 1967, the President submitted to Congress Document No. 152 in which he outlined a three-point tax program designed to raise $7.8 billion in fiscal 1968. The principal element of the administration's new proposal is a temporary 10-percent surtax which "should be placed on corporate income tax liabilities, effective July 1, 1967"[3] and "on individual income tax liabilities, effective October 1, 1967."[4] These surcharges "will yield $6.3 billion in revenues for fiscal 1968" and "would expire on June 30, 1969, or continue for so long as the unusual expenditures associated with our efforts in Vietnam require higher revenue."[5]

The following rationale was used by the President in defense of his August 3 tax proposal:

> Without a tax increase and tight expenditure control, the deficit (for FY 1968) could exceed $28 billion . . . This Congress and this Administration must not accept so large a deficit. Under these circumstances, we must choose between two alternatives:
>
> 1. The deficit could be accepted and totally financed by additional borrowing, which itself would drive up interest rates, or
>
> 2. The deficit could be reduced by rigidly controlling expenditures, raising as much money as possible through increased taxes, and then borrowing the difference.
>
> The first alternative would be fiscally and financially irresponsible under present conditions. The second alternative is the only way to maintain a strong, a healthy economy.[6]

On August 14, 1967, the Committee on Ways and Means held the first of 11 public hearings on the President's tax proposals. During these sessions testimony was presented by 54 witnesses.[7] Leadoff witness, Treasury Secretary Henry H. Fowler, outlined five reasons in support of a 10 percent surcharge:

First, to meet the special cost of Vietnam;

Second, to hold down the deficit;

Third, to avoid excessively high interest rates and tight money;

Fourth, to protect healthy economic growth and price stability; and

Fifth, to protect our balance of payments.[8]

The Secretary's conclusions, in part, were predicated upon the economic projections of Dr. Gardner Ackley, Chairman, Council of Economics Advisers. In his statement of August 14, Dr. Ackley indicated to the committee:

> Current evidence clearly indicates that most of the drag of the inventory adjustments is behind us and that final sales are continuing to advance briskly. Economic growth has resumed and the economy is picking up speed.[9]

Four months have elapsed since Dr. Ackley made his predictions. Despite the effects of the Federal deficit, the sales-to-inventories ratio showed a deterioration between June 30 and September 30—latest available figures. For the month of June, total sales were $88.549 billion; inventories were $137.076 billion. During September sales totaled $88.592 billion, while inventories increased to $138.342 billion.[10]

Likewise, the anticipated second half "speedup" has not materialized. In fact, our economy has experienced a relative regression since the end of the second quarter. For instance, the Business Week Index, an aggregate of 11 key economic indicators, stood at 159.3 percent—1957–59 equals 100—for the week ended July 1, 1967.[11] The index for the week ended November 19, 1967, had declined to 158.5 percent.[12]

I recently observed a highway billboard which read: "The Best Sight is Hind Sight." The foregoing statistics were not supplied to "second guess" the chairman of the council of economic advisers. "Monday morning quarterbacking" should be reserved for those "who do not care to play the game."

Rather, there is a twofold purpose in calling attention to Dr. Ackley's failure to "hit the mark." First, it is essential to understand that economic projections can be fallible. Second, actions based upon erroneous assumptions are equally fallible.

II. THE ISSUE

Today I shall address myself to a single question; namely, the economic impact of a Federal tax increase. By "tax increase" I refer specifically to the proposed 10-percent surtax.

This means that within this limited context I shall not discuss—

First, the "morality" of an unbalanced budget or the "sanctity" of a balanced budget;

Second, the propriety of the Vietnam war which is contributing so substantially to the fiscal year 1968 deficit estimate;

Third, the equity of our present tax structure—hopefully, tax reform will be considered next year by the Ways and Means Committee.

III. BACKGROUND

Before assessing the effects of a surtax enactment, a brief background discussion seems in order.

A. FISCAL POLICY AS AN ECONOMIC STABILIZER

The 1930's saw a marked change in economic theory, especially in the area of fiscal policy. Prior to that time economists accepted the proposition that Government budgets should be balanced annually. During the past 35 years, however, fiscal policy—defined as "the spending, taxing, and borrowing programs of Government"—has been accepted as a means of achieving economic stabilization.

Thus, during a period when there is underutilization of economic resources—land, labor, machinery, and equipment—Government seeks to "compensate" by stimulating demand through increased expenditures and/or reduced tax rates. Conversely, when overall demand exceeds the Nation's ability to meet it, Government can "dampen" the economy by cutting its spending levels and/or increasing tax percentages.

Another tool which countries utilize in the quest for economic stability is monetary policy. A nation's central bank—in the United States it is the Federal Reserve System—seeks to achieve economic balance by adjusting total money supply in response to changes in production-demand ratios. For example, if a nation's resources are underutilized, its money managers will pursue policies which will make credit plentiful at low interest rates so as to encourage consumer and industrial borrowing. However, when the economy is operating at full capacity, excessive demand for money must be tempered. Central bankers accomplish this through various "tightening" devices, such as increased discount rates, open market sales of government-held securities, or higher cash reserve requirements.

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[1] CONGRESSIONAL RECORD, volume 113, part 1, page 38.

[2] Ibid.

[3] CONGRESSIONAL RECORD, volume 113, part 2, page 21180.

[4] Ibid.

[5] Ibid.

[6] Ibid.

[7] "Hearings Before the Committee on Ways and Means, House of Representatives, 90th Congress, First Session, on The Tax Proposal of the President Contained in His Message Transmitted to the Congress August 3, 1967," parts 1 and 2.

[8] Ibid., part 1, pages 16, 17, 18, 24, and 25.

[9] Ibid., part 1, page 49.

[10] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 21.

[11] Business Week, July 1, 1967, page 2.

[12] Washington Star, November 26, 1967.

Such action ultimately leads to higher interest rates and an accompanying reduction in loan demands and total aggregate spending.

B. THE CAUSES OF INFLATION

Definition of "inflation": In a so-called perfect market economy, where supply and demand operate unimpeded, an "inflationary period" is described as one in which "prices, employment, and production are rising." However, in an imperfect market economy, such as now exists in the United States, prices can expand while employment and total output decline. Thus, for the purposes of this discussion, I shall refer to inflation simply as "a period of rising prices."

Causes of inflation: Inflation, as just defined, is attributable to one of two causes.

First, higher prices occur when aggregate demand overtaxes the economy's ability to supply this demand. This is described by economists as "demand-pull" inflation.

As suggested previously, fiscal policy can affect aggregate demand—reducing it by limiting government expenditures and/increasing tax rates; stimulating it by increasing government spending and/or reducing tax percentages.

Second, price increases may also stem from increased production costs. Economists term this "cost-push" inflation.

In the United States today businessmen's willingness to supply and consumers' willingness to buy no longer is determined solely by price considerations. Thus, even during periods of declining demand, wage increases may be passed on to consumers in the form of higher prices by those firms producing nonsubstitutable items—food, steel, and so forth.

Fiscal and monetary policy, while influencing aggregate demand, cannot attack the forces—rigidity of labor-management wage contracts, oligopolistic competition, and so forth—which have generated "cost-push" inflation. In fact, during the 1958 recession our Nation witnessed the seeming contradiction of an expansionist fiscal-monetary program at a time when prices also were rising—as a consequence of the 1955–57 "demand-pull" inflation.

In passing, just how is cost-push inflation combated? In the long run, market forces do prevail, thus abating wage and price demands. In the short run, the most effective answer is labor-management bargaining statesmanship. In the absence of this, one can look to Presidential "wage-price guidelines" or governmental wage and price controls. The former, by virtue of its unenforceability has only limited value. The latter approach seems unacceptable in a free economy whose resources are only minimally mobilized for war.

IV. THE SURTAX AND TODAY'S INFLATION

In the preceding discussion we have defined inflation, determined its causes, and have analyzed the capabilities of fiscal and monetary authorities to deal with rising prices.

Let us now apply these principles to today's economy. Just what is the current status of the American economy? Unquestionably, inflationary forces are at work. The cost of living, as reflected by the Consumer Price Index—published by the Bureau of Labor Statistics—has increased 2.4 percent from March through October 1967, as follows: [13]

March	115.0
April	115.3
May	115.6
June	116.0
July	116.5
August	116.9
September	117.1
October	117.4

Is this price rise of the "demand-pull" or the "cost-push" variety?

An analysis of key economic indicators reveals that aggregate demand is exerting no pressure upon our Nation's productive resources. For example, the Business Week Index has declined during the past 12 months. For the week ending November 19, 1967, the index stood at 158.5 percent of the 1957–59 average.[14] During the corresponding week in 1966 the index was 158.6 percent.[15]

Many specific indexes also support the contention that our Nation's economic resources are underutilized.

First, industrial plants during the third quarter of 1967 operated at only 83.8 percent of rated capacity.[16] In the second quarter 1966 plant utilization reached 90.9 percent of rated capacity.[17]

Second, industrial production in October 1967, stood at 156.2 percent [18] of the 1957–59 average. This is a 0.5-percent reduction from the previous month,[19] and is 3.2 percent less than the October 1966 level.[20]

Third, expenditures for new plant and equipment—which serve as a prime economic accelerator—were less in each of the first three quarters of 1967—$15.41 billion, $15.325 billion, and $15.625 billion—than in the final quarter of 1966—$15.70 billion.[21]

Fourth, the Nation's jobless rate rose to 4.3 percent in October.[22] This was the highest point in 2 years.

Fifth, the 0.5-percent rise in unemployment in September and October was the biggest 2-month expansion in 7 years.[23]

Sixth, the average hours worked per week declined in October to 40.7,[24] as compared with 40.8 hours in September,[25] and 41.3 hours in October 1966.[26]

Seventh, orders for durable goods in October fell 3 percent to a seasonally adjusted $22.5 billion from September's $23.2 billion and last October's—1966—$24.2 billion.[27]

Eighth, shipments of durable goods in October fell 2.6 percent to a seasonally adjusted $22.2 billion from September's $22.8 billion and the $23.5 billion level of October 1966.[28]

Ninth, corporate profits in each of the first three quarters of 1967—$19.52 billion, $19.57 billion, and $19.82 billion—were less than those achieved during the fourth quarter of 1966—$21.15 billion.[29]

Tenth, during the middle 10 days of November, new car sales, despite the full resumption of Ford deliveries, fell to an annual 6.7 million rate. This compares unfavorably with August's annual rate of 7.5 million automobiles, September's 7.66 million cars, and October's 7.1 million deliveries.[30]

The foregoing evidence strongly indicates that the Nation's economy, despite a growing Federal deficit, has been in a state of stagnation since 1966.

The real inflationary culprit is clearly identified by the Department of Labor's Output Per Man-Hour Index. Unit labor costs declined during each of the 4 years from 1962 through 1965, inclusive.[31] However, 1966 witnessed a 3.3-percent increase in the total cost per unit of output. This was occasioned by a mere 1.6-percent growth in output per man-hour last year contrasted with a 4.9 percent boost in compensation per man-hour.[32]

Thus, price increases which have occurred this year are the inevitable consequence of 1966's spiraling production costs. Compounding this "cost-push" dilemma are recent industrial wage boosts. According to the U.S. Department of Labor:

> Major collective bargaining settlements negotiated during the first nine months of 1967 covered nearly 2¾ million workers, more than twice the number who were affected by settlements concluded during the comparable period of 1966 . . . when actual timing of wage and benefit changes were taken into account, the median (1967) in-

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[13] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 26. And telephone inquiry, U.S. Department of Labor.

[14] Washington Star, November 26, 1967.

[15] Ibid.

[16] Telephone inquiry, Department of Labor, Bureau of Labor Statistics, November 27, 1967.

[17] Ibid.

[18] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 18.

[19] Ibid.

[20] Ibid.

[21] Ibid., page 9.

[22] Ibid., page 11.

[23] Washington Star, November 7, 1967.

[24] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 14.

[25] Ibid.

[26] Ibid.

[27] Ibid., page 22.

[28] Ibid.

[29] Ibid., page 7.

[30] Telephone inquiry, U.S. Department of Commerce, November 30, 1967.

[31] Monthly Labor Review, October 1967, Volume 90, Number 10, "Productivity in Manufacturing," by Martin Ziegler, pages 1, 2, and 3.

[32] Ibid.

crease amounted to 4.9% compared with 4.5% in 1966.[33]

V. THE SURTAX AND HIGHER INTEREST RATES

Thus far our diagnosis has been confined to a dissection of aggregate demand.

Let us next turn to the question of interest rates.

In his August 3 message the President stated:

> Additional borrowing [by the federal government as a result of a projected fiscal year 1968 deficit] would be imposed on financial markets already strained by the unprecedented demands of private borrowers and state and local governments . . . without a tax increase, I am informed by Chairman Martin that nothing the Federal Reserve System could responsibly do could avoid the spiraling of interest rates.[34]

Yesterday's fear is today's fact. As you know, on Sunday, November 19, the Board of Governors of the Federal Reserve System increased the discount rate—the interest charged member banks when they borrow from the Federal Reserve System—from 4 percent to 4½ percent.

As I stated on the House floor on November 21,[35] this action was influenced by external, rather than domestic, considerations. The discount rate increase was a response to Great Britain's decision to devalue the pound sterling and increase its national bank rate to 8 percent. Its objective is to encourage foreign holders of American dollars—acquired through U.S. balance-of-payments deficits—to retain their dollars rather than exchange them for gold for later conversion abroad into higher yield securities.

While a 4½ percent discount rate may lessen the strain on our dwindling bullion supply, it also tends to restrain an already "dampened" economy. Commercial banks, for instance, followed the Federal Reserve's action by boosting the prime interest rate—that charged the most credit-worthy customers—to 6 percent. This increase in credit costs, for two distinct reasons, will reduce business and consumer purchases of houses, new plant facilities, automobiles, and other durable items.

The first reason is obvious. Faced with higher interest costs, some consumers and businessmen may cancel previously made buying plans.

The second reason is less apparent. Let me explain it by means of an illustration. A friend of mine has been transferred by his firm from Dayton to Washington. He told me he has contracted to purchase a new home immediately after January 1. Since he has not made the necessary loan as yet, he will pay $500 in additional interest next year. This simply means that my friend will have $500 less to spend in 1968 on other goods and services. In his case, at least, retailers of consumer products will suffer from the interest rate increase to the tune of $500.

As I suggested previously, our economy already is "soggy." Increased interest rates will dampen it further. To superimpose another "deflator" in the form of a 10-percent surtax, in my opinion, would lead to a serious recession.

VI. IS A SURTAX NEEDED TODAY?

At this point, let us pause and summarize our observations.

First, the cost of living has increased 2.4 percent from March through October 1967.

Second, this inflation clearly stems from increased per unit production costs.

Third, inasmuch as fiscal policy cannot cure "cost-push" inflation, it would be futile to raise taxes with the expectation of combating today's cost-spawned price increases.

Fourth, the economy is not now confronted with excessive demand pressures. Instead, it has undergone a relative regression during the past 12 months.

Fifth, recent interest rate increases, while necessary to ease international monetary pressures, will serve as an added economic depressant.

Sixth, since there is no need to abate aggregate demand, a surtax is not now required. In fact, adoption of a tax increase at this time would weaken further an already slack economy.

VII. WHAT WILL HAPPEN IN 1968 WITHOUT A TAX INCREASE?

A fair question, I believe, is: "What will happen to the economy in 1968 if Congress does not impose a surtax?"

First, the full effects of this year's 4.9-percent median wage boost will be felt in 1968. This rise in costs, coupled with higher wages resulting from automobile—not included in the Bureau of Labor Statistics October 31 release—copper, and 1968's steel settlements, will not be matched by a corresponding increase in productivity. During the last 2 years, average output per man-hour has improved only 3 percent annually.[36]

Second, as observed previously, fiscal and monetary policy are ineffective in dealing with cost-generated inflation. Consequently, the cost of living in 1968 will increase by an anticipated 3 to 3½ percent even with a 10-percent surcharge. A rise, therefore, in the Consumer Price Index should not be accepted carte blanche as a reason for a tax increase.

Third, productive resources will continue to be underutilized in 1968.

Despite today's 83.8-percent plant utilization and our 4.3-percent unemployment rate, production capacity will be increased next year.

The Department of Labor expects 2,950,000 new persons to enter the labor market next year as compared with 2,891,000 this year.[37]

As explained previously, expenditures for new plant and equipment now are running at an annual rate of $62.5 billion. While this level no longer provides the "accelerating" effect which 1966's 16½-percent increase[38] generated, it, nevertheless, will result in a significant increase in production capacity. In fact, Louis J. Paradiso, Associate Director, Office of Business Economics, U.S. Department of Commerce, foresees "a 6-percent addition to manufacturing capacity"[39] in 1968.

No "demand-pull" pressures are evident for 1968.

Government fiscal policy should be less stimulative in 1968 than in 1967. During the second and third quarters of calendar 1967, the Federal budget, on a national income accounts basis, showed deficits of $14.7 billion and $13.1 billion, respectively.[40] The Department of Commerce forecasts a $9 to $10 billion national income accounts deficit—seasonally adjusted, averaged among the four quarters—in 1968.[41] This is predicated primarily upon the very rapid reduction in the rate of increase in defense expenditures.

Despite inventory reductions earlier this year, the manufacturers' inventory-shipment ratio has increased from 1.78 in July to 1.83 in September 1967.[42] In view of this deteriorating sales to stock relationship, substantial inventory increases in 1968 seem unlikely.

The automobile market shows evidence of further decline. Whereas purchases of 1966 domestically produced models were 8.4 million units, 1967 sales were only 7.7 million.[43] As mentioned earlier, a further decline—to an annual 6.7 million level—was experienced during the middle 10 days of November.

While new housing starts have advanced throughout 1967, higher interest rates, occasioned by international developments, should temper this demand in the months ahead.

From the foregoing it is clear that in 1968—

First, excess production capacity will make a tax increase unnecessary.

Second, using a "multiplier"—the cumulative effects of a dollar of tax increase or decrease—of 2.0, an $8 billion surtax in calendar 1968 can be expected to reduce gross national product by approximately $16 billion. This, in turn, will cut the net tax gain to somewhere between $5 and $6 billion.

VIII. CONCLUSIONS

Fiscal policy today is accepted by economists and Government officials as one means of achieving balance between output and consumption. Aggregate demand for goods and services can be stimulated or curbed by a change in spending, taxing, and borrowing programs. Fiscal, along with monetary, policy, however, is unable to cope with inflation stemming from increased per unit production costs.

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[33] News, U.S. Department of Labor, Office of Information, Washington, D.C. USDL–8477, Tuesday, October 31, 1967, "Major Wage Developments, First Nine Months, 1967."

[34] CONGRESSIONAL RECORD, volume 113, part 2, page 21182.

[35] CONGRESSIONAL RECORD, volume 113, part 24, page 33368.

[36] Monthly Labor Review, October 1967, Volume 90, Number 10, "Productivity in Manufacturing" by Martin Ziegler, page 1.

[37] Telephone inquiry, U.S. Department of Labor, November 30, 1967.

[38] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 9.

[39] CONGRESSIONAL RECORD, volume 113, part 24, page 33134.

[40] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 37.

[41] Telephone inquiry, U.S. Department of Commerce, November 30, 1967.

[42] "Economic Indicators," November 1967, prepared for the Joint Economic Committee by the Council of Economic Advisors, page 22.

[43] CONGRESSIONAL RECORD, volume 113, part 24, page 33135.

Prices have risen during 1967. However this inflation has been ignited by "cost-push" sparks. "Demand-pull" pressures, on the other hand, have been notably absent this year. Thus, a tax increase today not only is unjustified but entails serious economic risk.

The same reasoning applies to 1968. While next year will see a continuation of current per unit labor cost pressures, total demand, nevertheless, should be less than that which the economy is able to produce.

Earlier in this discussion I stated that "economic projections can be fallible." Certainly my predictions for 1968 are subject to error, especially if my assumptions prove invalid.

In particular, there are two elements which are subject to change in 1968.

First, there may be an escalation or a termination of our military effort in Vietnam.

Second, a reversion by consumers to their former rate of savings could pour another $8 billion [44] into the economy. Higher interest rates, of course, may persuade consumers to maintain their current higher-than-average savings level.

Any decisive reversal in either, or both, of these two areas would make a reassessment of a tax increase inevitable. Thus, while present and anticipated future economic conditions argue against a surcharge, Congress should not unequivocably "close the door" on a tax increase for 1968. By the same token, it should be remembered that if changes in demand pressures ultimately do warrant imposition of a surtax, its dampening effects, thanks to our withholding systems, can be felt immediately.

A PLEA TO SUSPEND REDWOOD LOGGING

The SPEAKER pro tempore. (Mr. MATSUNAGA). Under a previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 15 minutes.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, regretfully, I had to inform this body last week that the Georgia-Pacific Corp., in a letter delivered to me on Wednesday, November 29, refused a request from 34 Members of this House asking the corporation's cooperation in suspending logging on one small area of its holdings until we can work our will on the design of the Redwood National Park. Senator METCALF, a principal sponsor of the Redwood National Park bill in the other body has joined us in our request.

The House has deliberated long and carefully to be sure that we secure the very best Redwood National Park possible. It is almost within our grasp, and the national spotlight is now focused on us to see what we will choose in our final deliberations.

The Senate indicated its choice of design in a bill passed overwhelmingly on November 1. That body included significant stands of redwoods, including some of the Redwood Creek area. In the legislative tradition, we will want to study the Senate's action, but we will want also to consider other, perhaps better, designs.

Adjacent to the Senate park boundaries are virgin, old-growth redwoods, lovely enough to grace the best Redwood National Park. On the land between McArthur and Elam Creeks stands park-quality timber described by the Hammon, Jensen, and Wallen study of redwood types as "old growth, large size, diameter of over 6 feet common, with height tall to average." These trees are now being fed to the sawmills of the Georgia-Pacific Corp., forever blocking the opportunity for us to choose if they should dignify a Redwood National Park worthy of its name.

In view of past assurances by Georgia-Pacific to the Senate that "it has been the longstanding policy of the Georgia-Pacific Corp., that the special interest of the corporation must be sacrificed if the national interest requires it," 34 Members of the House had reason to hope that a plea to the company to suspend logging operations in this area for a few short months would be heeded. Similar requests from the Senate had been honored voluntarily by the company.

We thus wrote the following to the Georgia-Pacific Corp.:

> We, therefore, respectfully ask you to refrain from further logging operations in the area designated in green on the attached map (NOTE: This was 3,000 acres adjacent to the Senate Park boundary) until the House has had the opportunity to define the boundaries of the Redwood National Park.
>
> As you know, the total acreage of Georgia-Pacific timberlands in the Senate-passed bill, in addition to that relatively small area in which we now ask you to suspend operations, lies well within the original area which was under moratorium by your gentleman's agreement with the Senate. Since the entire question of the precise lines and acreage of the proposed park should be finally determined some time next spring, we hope that this request to suspend further logging operations in the McArthur-Elam Creek area will be favorably considered.
>
> We pledge our efforts to finally define the area of the proposed park and to enact the legislation at the earliest possible time.

It was with surprise, and deep regret, that I received an answer from the Washington representative of the Georgia-Pacific Corp. refusing our request:

> You asked specifically that we "refrain from further logging operations" in the McArthur-Elam Creek Area adjacent to the boundary proposed in S. 2515. This general area holds most of our high-grade, old growth redwood, and it is necessary for us to do some harvesting in this area in order to run our plants on an economically sound basis. For the above reason and in the interest of our employees, our stock holders and good forest management and indeed as a corporate citizen, we respectfully must decline your request.

This, the second largest lumbering concern in the world, with holdings of 3.5 million acres of timberland, says it cannot, at the request of elected representatives from 13 States stretching from Massachusetts to Hawaii, suspend logging operations on 3,000 acres of land—less than one-tenth of 1 percent of its total timber holdings—for an additional few months.

The second largest lumbering concern in the world, it says it cannot accord to the Members of the House of Representatives of the United States the same consideration it voluntarily gave to the Senate of the United States.

Mr. Speaker, I deplore this indifference to the public interest. The public has a right to expect Georgia-Pacific Corp. to continue to cooperate in the public interest during the legislative process. The House of Representatives should not be preempted because of Senate action, as encouraging as that action is. I urge our colleagues to join with me again in asking the Georgia-Pacific Corp. to cooperate with us, as it did with the other body, until this issue is finally determined.

Mr. Speaker, I am inserting in the RECORD at this point the letter sent by 34 Members of the House to the Georgia-Pacific Corp. asking them to suspend logging operations in the McArthur-Elam Creek area and the response received Wednesday from the corporation.

So that our colleagues may have further background information on this entire situation, I am inserting also the correspondence between the Senate Interior and Insular Affairs Committee and the Georgia-Pacific Corp. in which moratoriums on cutting were arranged. Following this is recent press coverage and comment on the issue:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C. November 22, 1967.

Mr. R. B. PAMPLIN,
President,
Georgia-Pacific Corp.,
Portland, Oreg.

DEAR MR. PAMPLIN: Those of us in the House who are interested in the establishment of a Redwood National Park were pleased when the Senate passed a bill to establish a two-unit Redwood National Park in northern California. The proposed park contains many fine stands of park quality timber.

While the House of Representatives will undoubtedly pay particular attention to the Senate boundary lines, nevertheless, we will want to have the opportunity to choose what we feel is the best possible Redwood National Park. The McArthur-Elam Creek area adjacent to the Senate boundary is one area we want to consider for inclusion in the park.

Recent reports by the National Park Service confirm that logging is being done in this area by your corporation. If this logging continues, the options of the House of Representatives to increase or change the boundaries of the Senate bill will be hampered, and the House will not have had the opportunity to work its will in choosing the best park boundaries.

We, therefore, respectfully ask you to refrain from further logging operations in the area designated in green on the attached map until the House has had the opportunity to define the boundaries of the Redwood National Park.

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[44] Telephone inquiry, U.S. Department of Commerce, November 30, 1967.

As you know, the total acreage of Georgia-Pacific timberlands in the Senate-passed bill, in addition to that relatively small area in which we now ask you to suspend operations, lies well within the original area which was under moratorium by your gentleman's agreement with the Senate. Since the entire question of the precise lines and acreage of the proposed park should be finally determined some time next spring, we hope that this request to suspend further logging operations in the McArthur-Elam Creek area will be favorably considered.

We pledge our efforts to finally define the area of the proposed park and to enact the legislation at the earliest possible time.

Sincerely yours,

JEFFERY COHELAN,
Member of Congress.

P.S.—Joined by: William R. Anderson (Tenn.), Jonathan B. Bingham (N.Y.), Edward P. Boland (Mass.), George E. Brown, Jr., (Calif.), Phillip Burton (Calif.), John Conyers, Jr. (Mich.), Dominick V. Daniels (N.J.), John D. Dingell (Mich.), John G. Dow (N.Y.), Donald M. Fraser (Minn.), Henry Helstoski (N.J.), Joseph E. Karth (Minn.), Robert W. Kastenmeier (Wis.), Theodore R. Kupferman (N.Y.), Richard D. McCarthy (N.Y.), Patsy T. Mink (Hawaii), William S. Moorhead (Pa.), John E. Moss (Calif.), Lucien N. Nedzi (Mich.), Barratt O'Hara (Ill.), James G. O'Hara (Mich.), Arnold Olsen (Mont.), Thomas P. O'Neill (Mass.), Richard L. Ottinger (N.Y.), Claude Pepper (Florida), Philip J. Philbin (Mass.), Ogden Reid (N.Y.), Peter W. Rodino (N.J.), William F. Ryan (N.Y.), Frank Thompson, Jr. (N.J.), John V. Tunney (Calif.), Lionel Van Deerlin (Calif.), Charles H. Wilson (Calif.).

GEORGIA-PACIFIC CORP.,
Washington, D.C., November 29, 1967.

Hon. JEFFERY COHELAN,
House of Representatives,
Washington, D.C.

DEAR MR. COHELAN: Mr. Robert B. Pamplin, President of Georgia-Pacific Corporation, has instructed that I reply to your letter of November 22nd, regarding the proposed creation of a Redwood National Park in northern California.

We appreciate your writing as you did, and we assure you that we share your concern that a National Redwood Park should contain "fine stands of park-quality timber." It is for this precise reason that Georgia-Pacific consistently has opposed Federal acquisition for redwood park purposes of thousands of acres of valuable commercial timberland. These private lands do not contain redwood stands comparable to those already preserved in State redwood parks. As proof of this, I refer you to the Hammon, Jensen, and Wallen study of redwood types, conducted at the request of the National Park Service earlier this year. This study concluded *that there was not a single acre of "000-type" timber—"the superlative timber"—on Georgia-Pacific lands* included in pending park legislation.

That same firm has now advised that as of January, 1967, the Redwood State Parks of Del Norte and Humboldt Counties alone contain several thousand acres of 000 superlative timber. The fact is that these and the other State parks already include more than 117,000 acres containing almost all the superlative redwood timber there is. They support over one and three-quarter million giant trees—more than eight feet in diameter and hundreds of feet high. That's a lot of trees, and if they were placed side by side, it would take a jet plane, flying 600 miles an hour, over five hours to fly over them. This is why Newton Drury, the former Director of the National Park Service, and an official of the Save-the-Redwoods League, said several years ago, "The best and most representative of (these) redwood forests are now in California State Parks."

Georgia-Pacific never has opposed creation of a Redwood National Park if it be the decision of Congress that this is in the public interest. We have, though, consistently expressed the hope that Congress would not be rushed or stampeded into hasty action by a hoax that the redwoods are in danger of extinction. Nothing is further from the truth.

You mention in your letter the arrangement relating to our redwood operations, which Georgia-Pacific, voluntarily, initiated with the Senate last year. I wish to state emphatically that Georgia-Pacific has "consistently" honored this agreement, and in spite of the burden and threat to sound forestry management, has operated so as to minimize cutting in the various proposed redwood park areas.

Realizing that you and other Members of the House of Representatives would be subject to a barrage of emotional propaganda, urging precipitous House action following Senate passage of S. 2515, Georgia-Pacific, again voluntarily, advised the Chairman of the House Interior Committee, on November 9th, that it would do *no* cutting on its lands included in this bill. We re-affirmed this commitment to Mr. Aspinall and Senator Jackson on November 17th. Of course, it would be extremely helpful if we had an accurate legal description and map of the lands covered by S. 2515. At present these lands are very poorly defined.

We want the members of the House Committee—as you have done—to come to California and look at the whole situation. We want them to compare the redwood stands proposed for a National Park with those in State parks. They can then decide for themselves if it is truly in the public interest to commit many millions of taxpayers' dollars to preserve additional redwood timberlands to fill a non-existent need. In these days of crises in our cities—whether it be Berkeley or Boston—we believe this money could be committed far more wisely to the development of needed recreational outlets closer to the urban masses. Then, many millions of our citizens most in need could take advantage of them, rather than the very few who seek their solace in a locked-up wilderness. There are enough redwoods preserved for them, and all future generations, to enjoy the thrill of "seeing a redwood cathedral grove."

You asked specifically that we "refrain from further logging operations" in the McArthur-Elam Creek area adjacent to the boundary proposed in S. 2515. This general area holds most of our high-grade, old growth redwood, and it is necessary for us to do some harvesting in this area in order to run our plants on an economically sound basis. For the above reason and in the interest of our employees, our stockholders and good forest management and indeed as a corporate citizen, we respectfully must decline your request.

However, let me assure you again that we are not harvesting any timber on our lands covered by S. 2515 and will do no harvesting on this land through the next session of Congress.

Sincerely yours,

THOMAS F. MITCHELL,
Executive Representative.

SEPTEMBER, 7, 1966.

Senator HENRY JACKSON,
U.S. Senate, Washington, D.C.:

It has been the longstanding policy of Georgia-Pacific Corp. that the special interests of the Corporation, its employees and their families must be sacrificed if the national interest requires it. We earnestly believe however that this national interest must be clearly established before such a sacrifice is required. Under pending Redwood National Park proposals Georgia-Pacific Corp. could lose as much as 75 percent of its timber reserves in the redwood region. This loss would jeopardize our entire industrial complex in Humboldt County representing 1,500 jobs and annual payroll of $8 million.

Our opposition to the further acquisition of privately held timberlands for Redwood Park purposes is a matter of record with you and the Congress. All of the parklike groves are already preserved in existing parks or are voluntarily set aside by industry awaiting public acquisition. Existing Redwood Parks are largely unused and undeveloped. Most of our Redwood Creek holdings are commercial timberlands which are unsuitable for national park purposes.

Nevertheless we recognize that some people believe it is in the public interest to establish a National Redwood Park on our land and that they are concerned our harvesting operations might impair the alleged parklike quality of the land pending congressional action. We wish to let you know Georgia-Pacific Corp. is and always has been willing to work out any reasonable adjustment in our harvesting program on our redwood lands in order to minimize cutting in proposed Redwood Park areas. We believe a 1-year period would give everyone sufficient time to study carefully the needs for more Redwood Parks and the suitability or unsuitability of our land for such parks.

GEORGIA-PACIFIC CORP.,
GRAY EVANS,
Vice President.

GEORGIA-PACIFIC CORP.,
Portland, Oreg., June 1, 1967.

Hon. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: On September 7, 1966, I advised you by telegram that Georgia-Pacific Corporation was "willing to work out any reasonable adjustment in our harvesting program on our redwood lands in order to minimize cutting in proposed Redwood Park areas."

In December 1966, we furnished to Staff members of the Senate Interior and Insular Affairs Committee a map showing those areas in which we proposed to conduct logging operating during the ensuing months. At that time we were requested to delay for as long as possible operations in five of these areas. The areas selected were those closest to the mouth of Redwood Creek which, I am sure, was the only factor considered in their selection rather than the quality of the trees and the land involved. For your information, these areas, for the most part, contain slope stands of mixed redwoods and fir. These are extremely valuable commercial forest lands but, in my opinion, they are not of "park quality" and certainly not representative of the magnificent redwood specimens which dominate the alluvial flats in the State parks to the north.

I have stressed on several occasions before your Committee that as much as 75% of our mature timber reserves in the redwood region are affected by proposed legislation which would establish a 90,000-acre park in Redwood Creek.

In voluntarily complying to the best of our ability with the understanding reached with your Committee Staff, it has been necessary to concentrate our operations in a very restricted area rather than to spread them evenly over our entire holdings as had been our original intention.

I realize this is a most complex problem and that you and other members of your Committee have made and are making every effort to resolve it in what you feel to be the best public interest. I fully understand the nature of developments which have made this impossible to date and I commend you for the manner in which you have acted.

However, I would like you to be aware of the serious nature of the hardship imposed on the redwood operations of the Georgia-Pacific Corporation if we are asked to delay any longer resumption of operations in all areas specified by the Committee Staff. To do so would irreparably damage our long-range plans for many years to come. For these reasons I want you to be aware of our intention to resume operations in some of these areas. We will, however, still continue to refrain from cutting in the most critical areas, those areas adjacent to Redwood Creek at least until September 7, 1967.

We are most anxious to work in harmony with you and your staff members and I sincerely hope you understand the compelling circumstances which force me to take this action. Corporation personnel are available to consult further with you on this or any related issue.

Very truly yours,

G. Gray Evans,
Vice President.

June 16, 1967.

Mr. G. Gray Evans,
Vice President, Georgia-Pacific Corp., Portland, Oreg.

Dear Mr. Evans: Thank you for your letter of June 1, 1967, informing me of your company's desire to harvest timber near the mouth of Redwood Creek within the boundaries of the proposed Redwood National Park described in S. 514, introduced by Senator Metcalf.

I intend to present this matter to the full committee at the earliest opportunity in order to obtain the views of the membership.

I will advise you as soon as the Committee has reviewed the situation.

Sincerely yours,

Henry M. Jackson,
Chairman.

July 25, 1967.

Mr. G. Gray Evans,
Vice President, Georgia-Pacific Corp.,
Portland, Oreg.

Dear Mr. Evans. Pursuant to my letter to you of June 16, the Full Committee reviewed, at its July 17 meeting, the matter discussed in your letter of July 1 in which you stated that Georgia Pacific desired to initiate cutting in the near future close to the mouth of Redwood Creek.

Although no decision was reached concerning further action on the proposed Redwood National Park bills, it was understood that the Committee would attempt to complete its action on this legislation within the next 30 days, which is within the time limit agreed upon last year for the moratorium. I trust that this will not interfere too seriously with whatever plans you may have for the area in question, and the Committee regrets that due to a request by the State of California we were unable to act earlier.

You will be advised as soon as final Committee action is taken.

Sincerely yours,

Henry M. Jackson,
Chairman.

Senate Interior Committee,
August 30, 1967.

G. Gray Evans,
Vice President Georgia-Pacific Corp.,
Portland, Oreg.:
Harold A. Miller,
President Miller-Rellim Lumber Co.,
Portland, Oreg.:
Starr W. Reed,
Vice President, Simpson Timber Co.,
Seattle, Wash.:
Robert O. Dehlendorf II,
President, Arcata National Corp.,
Palo Alto, Calif.:

We expect the Senate to act on a Redwoods National Park bill before adjournment of the Congress this year. Therefore, we request the continued cooperation of your company in extending, for the balance of this session of the Congress, the expiration date of the understanding reached with you last year affecting lumber operations in areas involved in pending park bills. Your continued forbearance in the public interest will be appreciated by this committee.

Henry M. Jackson,
Chairman,
Thomas H. Kuchel,
Ranking Minority Member, Senate Interior and Insular Affairs Committee.

Portland, Oreg.,
September 1, 1967.

Senator Thomas H. Kuchel,
Senator Henry M. Jackson:
Senate Office Building,
Washington, D.C.:

In reply to your wire asking extension of the understanding which we proposed on Sept. 7 last year for certain redwood timberlands, let me say that the terms of the understanding are imposing a burden. Continuance of this is not in the interest of good forest management. We are aware of the complexities of the problem but had hoped that a year would be sufficient time to decide if a need for more than the 140,000 acres of already preserved redwood lands even exists. We remain convinced that the lands involved in the understanding are not of Redwood Park quality, but we shall abide by our understanding for another 60 days as a reasonable length of time. This does not mean that at the end of the period the timber involved would be harvested. It simply means that intelligent management calculated to maintain redwood forests forever on all the land would be put back into effect. As your consideration of the matter proceeds, I hope you will consult us prior to making final decisions if any of our lands are involved.

Georgia Pacific Corp.,
R. B. Pamplin,
President.

October 18, 1967.

Hon. Thomas H. Kuchel,
U.S. Senate,
Washington, D.C.:

Am authorized as chairman of Redwood Industry Land Committee to advise on behalf of Arcata National, Georgia-Pacific, Miller Redwood, Pacific Lumber and Simpson Timber that the companies will individually make every effort to withhold logging within boundaries of new Senate redwood park proposal S. 2515 pending investigation of impact and Senate consideration urge your assistance in obtaining postponement of Senate floor consideration while impact on companies, employees and communities is evaluated. There is no question but that S. 2515 will eliminate at least one company and seriously affect others.

Starr Reed,
Simpson Timber Co., Seattle.

[From the Washington Post, Nov. 21, 1967]

Redwoods Going Down

Reports that the Georgia-Pacific Corp. has been cutting trees within the boundaries of the proposed Redwood National Park has brought a proper outcry of indignation. Whether or not the company is bound by a specific pledge to leave the trees in the proposed park undisturbed, the 77-to-6 vote of the Senate for the Redwood Park bill should have been ample warning against further mutilation. The whole country should be shocked by this callous disregard of the national interest.

Not all of the indignation should be directed at the Georgia-Pacific Corp., however. The Redwood National Park bill could have been law by now if Chairman Wayne N. Aspinall of the House Interior Committee had been on the job. His dilatory tactics in dealing with the bill invite an arbitrary response even though they do not justify it.

[From the New York Times, Sept. 15, 1967]

A Redwood Truce

Another brief, uneasy truce has been arranged in the struggle to save California's finest remaining redwoods. At the behest of the senior members of the Senate Interior Committee, four lumber companies have agreed to extend the existing one-year moratorium on cutting quality redwood trees within the boundaries of proposed national parks. Two firms agreed to hold off until this session of Congress adjourns, another only until Nov. 1, and the fourth for an undefined period.

It is distasteful to see private interests, including such a giant of the lumber industry as the Georgia-Pacific Corporation, putting the gun to Congress's head. The cutting of these trees sixty days from now or at any other time would be a national disgrace. Redwoods require seventy to eighty years to reach their full, majestic height and, once fully grown, they may live for several hundred years. No civilized society would countenance the destruction of the superb, ancient redwoods in Redwood Creek Valley simply to make more fence posts or more rumpus-room paneling.

The arbitrary deadline imposed by the private companies may do some good, however, in pushing Congress to act. Senate hearings on a bill to establish a Redwood National Park were completed last spring and a final draft has been expected but not forthcoming from the Interior Committee since June. As we have stated in the past, the ideal solution would be a two-unit national park to protect both Redwood Creek and Mill Creek valleys—without unhealthy, precedent-setting concessions to the state of California. If a choice had to be made between the two sites, Redwood Creek is—contrary to the Administration's compromise position—by far the more important. But both must be saved.

Since agreement on the exact size of the park may not be reached this year, particularly with House action not scheduled until next session, it is imperative that the Senate bill contain a declaration of intent setting forth Congress's decision ultimately to acquire both sites. Such a declaration would serve notice on the private companies that profits-as-usual cannot prevail at the expense of a unique national heritage.

[From the San Francisco Chronicle, Nov. 20, 1967]

Redwood Depreciation

Both the National Park Service and the Sierra Club have publicly charged that the Georgia Pacific Corporation has violated its formal promises and a moratorium by cutting redwood trees on its lands within boundaries of the proposed Redwood National Park in Northern California.

Senators Henry Jackson of Washington and Thomas Kuchel of California, members of the Interior Committee, have made the allegations the basis for stiff protests, while company officials are in one breath denying the allegations and in another explaining that they really didn't know where the proposed park limits are.

But photographic evidence appears to refute the company denials. Its explanation loses credibility through its suggestion that the company follows the improbable practice of cutting timber first, and then examining its title thereto.

As one gainful result of the charges, the company now promises to refrain from further cutting within the park boundaries until the House Interior Committee makes a field inspection of the area early next year. The promise, one hopes, will be religiously adhered to now that the National Park Service, the Sierra Club and the United States Senate have all revealed their continuing surveillance of the park area.

[From the Sacramento (Calif.) Union]

PARK BILL CALLED HOAX ON PUBLIC

(By Michael O'Connor)

A proposed national redwood park in Northern California was described Friday as a "hoax on the American people."

"I would call it a fraudulent proposal," said John Callahan, secretary-manager of the California Forest Protective Association, representing timber companies, in remarks to an American Right of Way Association seminar at Hotel El Dorado.

However, J. Michael McCloskey, conservation director for the Sierra Club, defended a Senate-approved redwood park bill as a "widely accepted compromise" which was a significant step forward in ending the more than 50-year-old controversy over how best to preserve the stately trees.

Callahan and McCloskey, who spoke for conservation interests, appeared on a panel during the association's one-day session in Sacramento. Also speaking was Raymond Paschke, field representative for Rep. Don Clausen, R-Calif. Assemblyman Edwin Z'berg, D-Sacramento, was moderator.

McCloskey conceded that the bill which passed the Senate 77–6 on Nov. 1 under sponsorship of Sen. Thomas Kuchel, R-Calif., was far short of the Sierra Club's goal of a comprehensive 90,000-acre national park. The bill now under study by a House committee, calls for preservation of some 60,000 acres primarily in two areas along the northern coast.

"There is a widespread acceptance of this compromise," McCloskey said.

He said the Kuchel bill, which the administration supports, would save about 12,000 acres of virgin redwoods which otherwise would be harvested by timber companies.

McCloskey and Callahan differed on the adequacy of an estimated $100 million planned by Congress to finance park acquisition. If the plan is approved the park would be assembled from existing state redwood parks, private timber holdings, and an exchange with other federally held forest lands.

McCloskey said the influx of an estimated 2½ million visitors after the park is developed in 1969 would serve to compensate for the investment.

Callahan said the estimate of land acquisition costs were low, citing the high expenditure the federal government had encountered in buying land near the Pt. Reyes National Seashore.

Paschke and Callahan both said many of the prime redwood stands already were preserved in state parks which could be made more attractive to tourists by development of additional visitor facilities, including better access roads.

McCloskey also criticized policies of some redwood companies holding land set aside for development in the Senate park bill. He said the companies had violated an agreement with congressional committees by cutting timber on acreage earmarked for the park.

Callahan said the proposal was "fraudulent" because it would siphon needed money for park and recreation development in the north to establish a park for redwoods which are now protected by the state.

LUMBER FIRM VOWS NO PARK CUTTING

WASHINGTON.—Georgia Pacific Corp. promised Friday not to cut any more redwood trees in Northern California within the boundary of the Senate-approved Redwood National Park.

Thomas Mitchell, executive representative of the lumber company, said the pledge to key members of Congress would extend through next year's session of Congress while the House considers the park bill.

He said the company had advised Sen. Jackson in June that it would be necessary to resume limited operations in some areas, but it would not cut adjacent to Redwood Creek.

He said in August, the company did start cutting a mixed stand of redwoods and fir trees three-fourths of a mile from the creek.

This area, he said, may be in the boundary of the park as proposed in the bill passed by the Senate Nov. 1, but it is difficult to determine because of the absence of precise information.

[From the Sacramento (Calif.) Bee, Nov. 17, 1967]

GEORGIA-PACIFIC DENIES KNOWING PARK BOUNDARIES

The Georgia-Pacific Corp., says is did not know a 40-acre site it has been logging in Humboldt County is included in the proposed boundaries of the redwood national park.

Robert Lee, head of public relations for the Portland, Ore., firm, asserted "the minute we had a clear definition of what the boundaries were going to be our orders were to cut nothing and we are not cutting anything in this area.

"We have removed some downed timber in this piece of ground that is now included but we are not cutting now."

LOBBYIST CONFIRMS

Thomas F. Mitchell, the company's Washington lobbyist, also claimed yesterday the cuting was done before the new park boundaries were known.

A staff member of the Senate Interior Committee said last night that Mitchell was furnished complete maps, began tracing them, then tired and quit before he was through.

ARCATA FIRM CONGRATULATED

A representative of the Arcata Co., one of the four logging companies with land within the proposed boundaries, did finish, however, and this firm has been congratulated for its observance of the future park lines.

Georgia-Pacific, Arcata, Simpson Siber and the Miller-Rellim Redwood Co. in 1966 voluntarily agreed to halt cutting on land under consideration for the park.

The bill with its boundaries came out of a senate committee on Oct. 12 and the conservationist Sierra Club reported fresh cutting Oct. 22 and said the area cut has expanded since.

THE WEST VIRGINIA VOTER AND MIDWAY AIRPORT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, it is not always simple to raise sufficient local and Federal funds to build a modern airport. Ever since the Federal Aviation Administration concluded on May 15, 1967, that—

> The long-range airport requirements of the people of southern West Virginia are best met, and the public interest best served, by the least-cost development of a midway regional airport—

Between Charleston and Huntington, efforts have been underway to raise the necessary local funds. Cabell and Putnam Counties successfully voted their supporting local matching funds in separate bond elections, and although Kanawha County rejected their bond issue, the total vote in these three counties was 34,000 to 28,000 in favor of funding the Midway Airport. I am confident that this vital jetport will be built.

Numerous references have been made to the possible handicaps imposed on West Virginia University if a Midway Airport were constructed. In the light of these references, I was interested to read recently an article by Thomas D. Hankins on this issue. Mr. Hankins is an economic geographer specializing in urban studies and development for the West Virginia University Appalachian Center. I do not agree with some of his conclusions concerning the use of STOL-type aircraft, which both the aviation experts in the Federal Government, and the potential airline users now agree are only on the drawing board and are many years away for commercial use; and when used, they will be utilized primarily for short hops between crowded urban areas instead of serving trunkline traffic. However, I have long since come to the conclusion that all cannot be black and white in the complex issue of airport problems. If everyone recognized the fact that he occasionally can be wrong, we would make faster progress toward solving these perplexing problems.

I believe that Mr. Hankins analysis is well worth pondering by those who are sincerely interested in achieving progress in West Virginia. Under unanimous consent, I am having reprinted the text of Mr. Hankins' article which appeared in "Jus et Factum," the publication of the Student Bar Association, College of Law, West Virginia University, for November 1967:

THE BAFFLING WEST VIRGINIA VOTER

(By Thomas D. Hankins)

(NOTE.—Recently, the voters of Kanawha County defeated several bond issues. One of these was for the building of a jet airport between the cities of Huntington and Charleston. In light of the results of this vote, Jus et Factum is offering the comments of an economic geographer who has specialized in urban studies and development for the West Virginia University Appalachian Center.)

West Virginians baffle most observers because they so often act against their own self-interest. The most recent example of this was provided by the voters of Kanawha County. On October 24th, the electorate of that county rejected four proposals to bond themselves for expenditures both within their county and also in neighboring Putnam County. The proposal involving Putnam County was the most publicized of the four issues. For months after Congressman Hechler began advocating a midway location as an alternative to Kanawha County site, the debate raged over the proper location for a jetport to serve Charleston, Huntington, and surrounding areas. The three other rejected issues were to have provided money for school construction and a wide variety of general improvements, including an outstanding park system, initial financing for a graduate study center, a new court house, and local flood and fire protection facilities—all in Kanawha County. The following remarks are addressed first to the significance of the rejection of these proposals and second to the question of why the proposals were rejected.

The Charleston-Huntington area may face a deterioration of airline service as a result of the midway rejection, especially over the short-run. This will not, in my opinion, be a crippling blow to the region's present economy or future development. Alternatives to midway will be considered, and out of necessity something will be done to provide the needed facilities. Also, it is very possible that STOL-type aircraft, able to use the shorter runways of close-in airports like Kanawha, will be developed for efficient service. It is other more serious reasons that this possible loss of airline service cause me sorrow over the rejection of the midway proposal.

No West Virginia county has the population or the resources to construct by itself many of the facilities demanded by today's citizens. A jetport is one example; health centers for referral of patients requiring special skills and equipment and centers for graduate study are others. To get the additional resources necessary for such projects, counties may seek state support, federal support, or support from other counties. Federal and state support are common today. Cooperative efforts among counties are not.

POTENTIAL OF COOPERATIVE ACTION

Midway could have been an outstanding example of the potential of this type of cooperative county action. Each of the three counties would have benefited from a first-class facility which would serve its citizens at least as well as any facility it could develop alone, and this would have been only the beginning. On at least one problem Cabell and Kanawha Counties would have been working together rather than against one another. The cities of Charleston and Huntington would have been forced to concentrate their attention on the area towards which both are growing and which both strongly influence. Each county could hardly help but become more aware of how significantly it is affected by developments in the other or in Putnam County. The success of this attempt could have stimulated a multitude of such cooperative efforts throughout the state, thereby producing tremendous improvements in the quality of facilities and services available to West Virginia's residents.

All of this could have been. The voters of Kanawha County have said that it will not be.

Midway may have been to radical or too far away for the voters of Kanawha County to support. The same cannot be said for the three other proposals. The schools, fire protection, flood protection, and park proposals were simple plans for projects that were to have been carried out inside of Kanawha County and that would have benefited *directly* and *appreciably* every inhabitant of the county. When they rejected the midway proposal, Kanawha County voters merely stabbed themselves in the back. When they rejected the schools and general improvements issues, they twisted the knife.

NEW ADVANTAGES IN KANAWHA COUNTY

The labor force in the United States is more prosperous and has more opportunities today than ever before. Skilled white-collar and blue-collar workers have the opportunity to choose their place of employment and their employer. Business and industry realize this, and for that reason amenities are now considered, along with raw materials, markets, transportation facilities, and other traditional factors, in determining sites for new or expanding businesses. A recently published bibliography of industrial location studies lists over 25 reports documenting the importance of educational, recreational, and cultural facilities in influencing business location. Extremely favorable circumstances are required to lure an employer into an area that has less than average schools, parks, and fire protection, to say nothing of the presence of flood hazards. Kanawha County provides such an advantageous location for only very, very few employers.

The schools and general improvements issues would have cost very little, but they would have paid for themselves many times over by allowing Kanawha County to remain competitive with other areas as a safe, pleasant place to live. Without such improvements as those the voters rejected, it will not compete, and its residents are destinued to continue to see more people moving out of the county than moving into it.

The question of why these bond issues failed is a fascinating one. It is also one for which nearly everyone has an answer, and, of course, they should. After all, this sort of thing has been going on throughout West Virginia for years. I have no new answer to the question, only comments about three of the statements frequently offered as reasons for rejection of the issues.

SPREADING COSTS FOR TAXPAYERS

The midway location in Putnam County obviously played an important role in the defeat of the jetport issue. The usual explanation for this is that the Kanawha voters did not want to authorize the use of their money outside of Kanawha County, where they would have no control over it. If, indeed, the voters did think this, they were foolish. The bond issue proposal spread the cost of the jetport over a large number of people making the cost to the Kanawha taxpayer a minimum. The difference between the total cost and Kanawha County's share remained in the taxpayer's pockets. What more control over his money can a man have than to have it in his own pocket?

A major aspect of sharing expenditures among counties is that it makes it possible for the counties to have projects which would otherwise be possible only with federal or state aid. This means that there is much more local control because the only requirements or restrictions are those which the citizens of the local counties agree upon. The efficiency of the tax funds is much greater when used this way too, because the money is not filtered through some large and bungling bureaucracy that siphons off a large portion of the funds. This type of approach is that traditionally espoused by the GOP, but many of the voters of normally Republican Kanawha County appear to have rejected this bit of philosophy.

PERSONAL BENEFIT FOR KANAWHA COUNTY

A second reason given for voting "no" is the fact that Kanawha residents saw little, or only uncertain, personal benefit to be derived from the issues. This is probably the most important factor of all. Time and again, studies of individual behavior have shown that unless there is a clear gain to be received, people will not invest their time or money.

In this case, the benefits to be derived were certainly not clear to most of the electorate. Doubts are easily raised. Those vested interests who stood to profit by maintenance of the *status quo* raised them. Witness the advertisements by the Kanawha County Tax Fact Finders Association in the Charleston papers. Making matters still worse were the misleading claims by the proponents and opponents of the various issues. Midway opponents claimed an unrealistic travel time to midway by conveniently ignoring the fact that by the time an airport was built, a limited access expressway would link Cow Creek with Capitol Street. Midway supporters implied that all airport users living west of Charleston could reach midway more quickly than Kanawha, a claim that is scarcely true. What does a voter do when confronted with so many conflicting opinions and half truths? Many take the "safe" alternative and vote "no." Not until the local electorate becomes more aware of the many direct relationships between community action and improvements in its own living standards will we see election results that show evidence of some sort of weighing of the individual issues rather than the safe and sure "no" vote.

Finally, some may claim that the school proposals failed because they were on the same ballot with the mid-way issue. If this is true, it is an indication of the electorate, not the officials who decided to put all of the issues on a single ballot. The officials did their duty at the least expense to the taxpayers. Maybe 60 per cent of the Kanawha voters did favor the school proposals, but by not voting they made a bed in which they and their children must now lie.

All is not dark for this aspect of southern West Virginia's future, however. Putnam and Cabell Counties have shown a willingness to work together. Perhaps they will find another $2.5 million from their own sources (equal to only about $1.00 per person per year) to build midway. And just perhaps they, and maybe even Mason and Lincoln Counties, as well, will be so happy with the results of their cooperation that they will not stop with midway but will go on to build a regional park system, a network of flood control projects, and a graduate study center.

CONGRESSIONAL PAGES

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to include an article by Catharine Clark which appeared in the December 3, 1967, issue of the Parkersburg News:

SERVING AS CONGRESSIONAL PAGES WILL ENRICH LIFE FOR AREA BOYS

(By Catharine Clark)

Because four lucky chaps from Wood county high schools are going to have the exciting experience of being pageboys in the Congress of the United States, many others of us are going to learn more about this worthwhile opportunity that comes only to a few young men each year.

The Hon. Ken Hechler, Congressman from the Fourth Congressional District, is using his opportunity to appoint pageboys (of which there are only 50 serving at any time in the Congress) by offering a two-month appointment to each school in the fourth district. He is starting with Parkersburg High School to be followed by Parkersburg South, Williamstown and Parkersburg Catholic, from where he will move on to selections from each of the other 12 counties in the district.

Each boy will be in the eleventh grade, will be between 14 and 18 years of age, will have maintained an average of at least "C" before his selection, and will keep his marks that high in the Capitol Page School while he is in Washington.

IN CLASS AT 6:30 A.M.

The Capitol Page School will be an experience in itself. It is located in the Library of Congress, and classes are conducted from 6:30 a.m. until 9:45 a.m.!

"Six-thirty a.m. often finds sleepy students, especially when there has been a late session, for the boys are on duty until the Congress recesses," wrote Curtis May, page boy a few years back, in an article for the Washington Star.

"On these mornings-after, there is understandably little preparation, but by way of compensation for early and late sessions, the small classes permit much individual attention."

How is it to teach in such a school?

LOVE OR HATE

"You either love to teach here or you hate it," Dr. Henry DeKeyser, principal of the Capitol Page School, says.

It is rather interesting to explore the way that class requirements at home will be met while the first Wood county boy has his great experience on the floor of the Congress and meets his early classes at Capitol Page.

Principal J. D. Fultineer says that programmed courses (if the page should happen to be taking something like a programmed mathematics course) will easily move along on the same pattern as the home course. Programmed material allows the student to proceed at his own rate of speed. For other courses the assignments will be sent to Washington.

The pages from here will not feel like true wearers of the colors; they will be rather like transients in page school, it would appear, for some pages attend there for the full four years. Most pages are studying college entrance programs.

Although pages have been on the Capital scene for more than 150 years when Daniel Webster and Henry Clay appointed a nine-year-old boy to be the first Senate page, the Capitol Page School has been in existence only since December, 1931. It's small, versatile, resilient faculty copes with the education needed to fit the systems of 50 states and the requirements of as many colleges as the students plan to apply to.

One can imagine the practical classroom discussions that must go on in school after the students have spent a day with the most powerful legislative group in the world.

ON CALL

On the job Congressional pages are seated on a bench near a set of lights that respond to call buttons located between the representatives seats. Pages may be sent to libraries, document rooms or office buildings to secure materials. Before they report to their seats they will have filed the Congressional Records and the calendar of business on the Representatives' desks. They will have placed a supply of paper, ink, pens and pencils at each seat.

In addition to going out for materials, they carry bills and resolutions from the Congressmen to the desk for introduction, or memoranda to the rostrum; they will call Members to the telephone or let them know when constituents are in the lobby or reception room.

Pages still look back to their most exciting day as March 1, 1954, when four Puerto Rican Nationalists shot five Congressmen and just missed a number of pages. That day they added stretcher bearing to their duties.

There are 28 Senate pages and four from the Supreme Court. There was a day when Supreme Court pages could not be taller than the height of the high backed chairs of the justices, and when they wore dark blue knicker suits. Today, height is not a part of the requirement and all pages wear long-trousered blue suits, white shirts, black ties, black socks and black shoes.

One of the highlights of the page's career that remains as background for the remainder of his life is the opportunity to see, and sometimes to meet, celebrities from his own government, the governments of foreign states, the stage, world of sports and if anyone drops in from Mars—to take a peek at him too.

Thanks, Ken Hechler, for an outstanding opportunity a selected group of our youth will have to share with all the rest!

THE LATE FRANCIS CARDINAL SPELLMAN

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House the gentleman from New York [Mr. MURPHY] is recognized for 60 minutes.

Mr. MURPHY of New York. Mr. Speaker, I rise today to pay tribute to the memory of the late Francis Cardinal Spellman.

Cardinal Spellman's life can best be summarized, I think, in his own words on the occasion of his appointment as archbishop of New York in 1939, when he said:

> I shall pray as if everything depended on God. I shall work as if everything depended on me.

Since 1939, his congregation has doubled to almost 2 million; in that span of time he initiated construction valued at more than $500 million which was spread over an archdiocese of 4,717 square miles from Staten Island to Ulster County; the number of parishes increased to over 400 and the number of schools from 130 to more than 425. The $11 million Foundling Hospital is one of his crowning achievements, the administration of the world's largest orphanage, Mount Loretto, and the system of Catholic-supported schools bears his personal mark.

But while his record of growth and construction is impressive, we honor him today for much more than tangible achievements. As vicar general for Roman Catholics in the U.S. Armed Forces for 27 years, Cardinal Spellman was responsible for the spiritual care of millions of Roman Catholic service men and women serving at home and abroad. His service as vicar general went far beyond the requirements of the job, however, because he loved his country with a dedicated patriotism which inspired men everywhere. This year in a speech at West Point, when he received the Sylvanus Thayer Award, he expressed this patriotism in a simple but eloquent manner. He said:

> Before the world "America stands for material wealth and for power, but she stands for so much more. The Flag in which we glory symbolizes freedom, justice, compassion toward our fellow man. It is the very contradiction of tyranny, and the message of that Flag is peace.
>
> With rapt heart I recall the sight of our Flag at the masthead of a ship, weaving bright colors above the turbulent waters, beneath a sullen grey sky—which seemed to reflect the world of today, dark with foreboding of troubles yet to come, grey with the clouds of present evils and errors of the past.
>
> But suddenly a gust of wind catches the listless standard and there, challenging the somber colors of the sky, our Nation's banner flies: red with charity for all men and all Nations of good-will—red too with courage to achieve the liberties of man by personal suffering and sacrifice; white for the basic righteousness of our national purpose; blue for our trust and confidence in God.
>
> This is what America means to me.

This deep feeling of patriotism went beyond words; he devoted much of his time to his country. Beginning in World War II and during the Korean conflict he visited servicemen at Christmastime both at home and overseas, Korea, and he spent the last two Christmases with our fighting men in Vietnam.

Mr. Speaker, the world has lost a great man, but we have not lost what he represented and what he left behind; these are things that do not pass with the death of a man, and they will be ours forever.

Mr. DELANEY. Mr. Speaker, will the gentleman from New York yield?

Mr. MURPHY of New York. I will be happy to yield to my colleague from New York.

Mr. DELANEY. Mr. Speaker, I join with my colleague from New York in mourning the passing of one of our great religious leaders, Francis Cardinal Spellman. It was my privilege to know the cardinal during his lifetime, and know of his dedication to all humans of all races throughout the world. His passing leaves a void, and I am sure that all those who knew him or had come in contact with him at any time realize the great loss that we suffer here today.

Mr. Speaker, it is with a deep sadness that I rise today to note the passing and honor the memory of one of the world's truly great religious leaders, Francis Cardinal Spellman, archbishop of New York.

A man of deep religious convictions, His Eminence was profoundly dedicated to the principle of equal justice for all. Constantly concerned for the poor, the sick, and the unfortunate, Cardinal Spellman expended his substance in numerous charitable endeavors. He died as he lived, and it is noteworthy that his last public appearance on the eve of his death was at a charity dinner.

A militant anti-Communist and a devoted American, the cardinal continually stressed the virtues of patriotism. As military vicar of our Armed Forces, he considered it his duty, even at an advanced age, to visit our military forces throughout the world at Christmastime to bring them spiritual comfort and the sure knowledge that their sacrifices were not forgotten.

Cardinal Spellman had jurisdiction over the second largest archdiocese in the United States, comprising some 4,717 square miles and nearly 2 million Catholics. Responsible for the construction and operation of hundreds of churches, schools, hospitals, and other charitable institutions, His Eminence was widely recognized as an exceptionally talented administrator who had a keen insight into the complexities of business and finance.

His unusual talents and abilities were recognized at an early age when he was singled out for service at the Vatican prior to World War II, and there became a close friend and confidant of the late Pope Pius XII. Later, his friendship with the present Pope, Paul VI, resulted in the historic appearance of His Holiness before the United Nations in 1965. The true value of his uncommon abilities was perhaps best illustrated last year when the Vatican requested all bishops over age 75 to submit their resignations. When Francis Cardinal Spellman submitted his it was turned down.

I knew His Eminence for many years, and always found him a genial and warm friend with a sparkling sense of humor and a diverse knowledge of national and international affairs. His passing is a great loss, not only to those who knew him, but also to those of every race and creed throughout the world who knew only of his great works on behalf of his fellow men.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I yield to

the gentlewoman from Brooklyn [Mrs. KELLY].

Mrs. KELLY. Mr. Speaker, I thank my colleague from New York, a resident of the archdiocese of New York, for securing this time, so that we can pay personal tribute to our beloved Francis Cardinal Spellman.

Mr. Speaker, Robert Southwell, an English poet who was martyred in 1595, in his last letter to a dear friend, Thomas Howard, wrote:

> Death is too ordinary a thing to seem any novelty, being a familiar guest in every house. Since his coming is expected and his errand not unknown, neither should his presence be feared, nor his effects lamented.

Francis Cardinal Spellman was no stranger to death, as he himself moved among the soldiers of many wars in his capacity as the Military Vicar to the American Catholics of the U.S. Armed Forces. He feared it not.

On December 2, 1967, my very dear friend and the respected spiritual leader of over 2 million members of the Roman Catholic archdiocese of New York, His Eminence Francis Cardinal Spellman, the dean of American cardinals, passed to his eternal reward. I wish to express not only my personal sorrow and the sorrow of my entire family at His Eminence's passing, but the sorrow of my constituents of the 12th Congressional District of New York.

As a religious leader, His Eminence commanded the respect and the admiration of not only Roman Catholics, but of persons of all faiths and denominations. He was a valiant and courageous leader, whose energy, sense of humor, and kindliness made him a figure prominent around the world.

Cardinal Spellman's greatest attribute was his charitableness. No one can deny or forget his gifts to all peoples and nations. His generosity, however, cannot be measured in material gifts alone. His true charity was his giving of himself to help others and his concerns for the rights of all people. And this was especially exemplified by his numerous journeys to be with our servicemen throughout the world.

As a man, Francis Cardinal Spellman gave generously of himself. In his daily appointments, His Eminence met with many persons of varying beliefs and listened sympathetically to their problems. He enjoyed meeting and conversing with "the man on the street," and he was sought after to grace the dais of many public affairs.

In this age of evolution and change, he was a man of firm convictions and at times, to some, he expressed controversial opinions on public matters. For this and many other reasons, I know that he will be missed.

My feelings at this time are best expressed by the 50th chapter of the Book of Ecclesiasticus:

> He shone in his days as the morning star in the midst of a cloud, and as the moon at the full. And as the sun when it shineth, so did he shine in the Temple of God. And as the rainbow giving light in the bright clouds, and as the flower of roses in the days of the spring, and as the lilies that are on the brink of the water, and as the sweet-smelling frankincense in the time of summer; as a bright fire, and frankincense burning in the fire; as a massy vessel of gold, adorned with every precious stone; as an olive tree budding forth, and as a cypress tree rearing itself on high, when he put on the robe of glory, and was clothed with the perfection of power. When he went up to the holy altar, he honored the vesture of holiness.

Mr. Speaker, my life was made richer for having known Cardinal Spellman, and I assure you I will always revere the memories of his friendship, his kindness, and his understanding.

Mr. MURPHY of New York. Mr. Speaker, I yield to my colleague, the gentleman from Queens County [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I commend the gentleman from New York [Mr. MURPHY] for his beautiful words. I wish to join with my colleagues from the Empire State in paying tribute to one of mankind's great spiritual leaders.

Mr. Speaker, the world lost a beautiful human being, as well as an exemplification of a man of God, when the archbishop of New York, Francis Cardinal Spellman, passed on to his eternal reward on December 2, 1967.

Already honored for his dedicated work for his church, Cardinal Spellman was known in the minds and hearts of mankind everywhere as a man forthright in the expression of his principles and skillful in the elucidation of the basic truths of complex affairs. As a planner of almost intuitive foresight, he erected both material and spiritual monuments to his God and his country. As an administrator, he carefully, but firmly guided his plans and dreams into fruition. As a sensitive, but dedicated human being, he held strongly to his convictions without ever losing his sense of humor, or his kindness. As a clergyman, he served a vast and varied diocese, while always maintaining the simple, unaffected, and humble spirit of the parish priest.

I, and I am sure the whole country, will long cherish the memory of a wonderful human being, Francis Cardinal Spellman.

Mr. MURPHY of New York. Mr. Speaker, I yield to my colleague from Kings County [Mr. CAREY].

Mr. CAREY. Mr. Speaker, I join in the gentleman's very eloquent message of eulogy for His Eminence Francis Cardinal Spellman.

Mr. Speaker, as did many other men in public life, I had the good fortune to have the friendship of His Eminence Francis Cardinal Spellman. To observe him close at hand there was immediately evidenced his great humility. To watch him from afar as he moved through the life of a world churchman, the life of a priest, and the life of a great citizen, his stature became epochal in effect.

As the gentleman from New York [Mr. MURPHY] has said, the men at the front will miss their beloved friend, Francis Cardinal Spellman, this Christmas. As the vicar of the military ordinariate and chaplain of great charity in the last 15 years, he spent every Christmas while God gave him strength in some far and sometimes forgotten part of the world with the GI's.

To recount his travel is to wonder at the source of his stamina and to know that it must have been superhuman and supernatural.

In 1951, he visited Korea, India, Hong Kong, Rome, and the U.S.S. *Wisconsin* in the Sea of Japan.

In 1952, Japan, Korea, Formosa, Okinawa, the carriers *Kearsarge* and *Essex* and the battleship *Missouri.*

In 1953, he visited Japan and Korea, speaking 31 times to 28,000 men. He visited Alaska en route to the Far East. He first went to Alaska in 1942 after a Japanese raid on the Aleutians.

In 1954, Japan, Korea, and Vietnam, where there were 500,000 refugees. He visited Alaska and delivered a radio broadcast to the servicemen there.

In 1955, he visited Thule Air Force Base in Greenland and troops in Alaska, as well as those in Korea, Japan, Okinawa, and Bangkok.

In 1957, he again visited Alaska, Korea, Japan, Formosa, and also went to Greece.

In 1958, Germany, Iceland, Greenland, Newfoundland, and Labrador.

In 1959, Germany, Morocco, Turkey, and Spain.

In 1960, he made a 17-day trip to Alaska, Canada, Greenland, Labrador, and Newfoundland.

In 1961, he went to Berlin, France, and England.

In 1962, Alaska, the Philippines, Okinawa, Formosa, Saigon, Bangkok, Japan, Korea, Karachi, Iran, Frankfort, and Berlin.

In 1963, he visited Antarctica, New Zealand, the Fiji Islands, and Hawaii.

In 1964, Puerto Rico and Guantanamo Bay in Cuba.

In 1965, he visited Vietnam.

In 1966, he visited Vietnam and Frankfort, Istanbul, Bangkok, Manila, Taiwan, Okinawa, and Hawaii.

I am certain that if God had seen fit to spare him, he would have been with the GI's again in South Vietnam in 1967.

But this Christmas, responding to the call of his Commander on High, Francis Cardinal Spellman, good Christian soldier of America, is going home for Christmas. His mortal remains will be laid to rest in his home on earth in the crypt below the main altar of St. Patrick's Cathedral in New York City.

His soul—his spirit—his great heart, in love of humankind and in love of his God, now rests with his Creator.

He will be home for the birthday of the Infant of Bethlehem. I do not know anywhere else that Francis Cardinal Spellman was more at home than when he was among the infants of this country in foundling homes and orphanages or wherever the needy and deprived children of God were gathered.

Cardinal Spellman was a man of great humility. I had the good fortune to sit with him on public platforms. On occasion I asked him if he would mind if I said something about him in the speech I was about to make.

Always he gave the same admonition:

> If you say anything about me, be brief.

The best way in which I could describe the cardinal now on his passing would be to repeat his own words from "What America Means to Me," as follows:

Would we America immortal make?
Then must we learn to live in unity—
Neighbor with neighbor, group with groups
be strong
In charity, and generous with strength
To open wide our hearts in friendly aid
And feed and clothe the hungry and the cold.
Thus may our land achieve enduring life:
For only in God may men have strength to
rise
Above the Stygian levels of man's hate,
Only in God may men have strength to build
A city and a nation that shall endure.

The city and the Nation of Francis Cardinal Spellman shall and will endure by reason of the great gifts he brought to them, and the example he has given us.

His desires were great for all men, and parsimonious only toward himself.

He had three loves in music. He loved to hear "America," "Arrivederci Roma," and "Danny Boy"—for the eternal city of his religious heritage and for the country he loved and the ancestry he cherished.

He had one burning zeal, and overwhelming dedication. He loved education. He wished the finest in learning to be available to every man, woman, and child in this country. Some have said he was a conservative. If it be conservative to bring to bear upon the problems of the world all the force, faith, and energy that he could find in his church, then he was that kind of conservative. If you wish to know what effect he had in the affairs of his church, then read carefully the document, "the Constitution on the Church in the Modern World," as this was promulgated after the second Vatican Council.

In chapter and verse, word for word, and line by line, you will find engraved in this immortal document the learning, the teaching, and the philosophy of Francis Cardinal Spellman. Individual, religious freedom everywhere in the world, was the credo of Cardinal Spellman.

The enunciation of the embracing Judeo-Christian principles for the church in its works, its operations, and propagation, this was the credo of Cardinal Spellman. The oneness of church and charity, in aid to underdeveloped nations, to people in illness and in ignorance, this was the credo of Cardinal Spellman.

As he had so much to do with the legacy of Vatican II, with Pope John, and Pope Paul, Cardinal Spellman will be with us through the ages. His was a life, short in duration, as all lives are short; his service to mankind in length, depth, and breadth will be so long remembered that future generations will say to the memory of Francis Cardinal Spellman: Eternal rest grant to him and may the perpetual light shine upon him.

As President Johnson remarked on the death of Cardinal Spellman:

> The Lord has called home a man who served Him and all His children well.

Cardinal Spellman was a Catholic, whose voice, in the President's words, "was heard on the smallest parish street and in the highest councils of his church."

The loss of this extraordinary but humble man of God deprives humanity of one of its most gallant servants.

I join President Johnson and the Nation in mourning his death. But, as the President remarked, we can find consolation in our grief because "the good that he has done remains to enrich and enlighten us all."

In tribute to the life and good works of Cardinal Spellman, I insert into the RECORD President Johnson's remarks, reflecting the sadness of a nation at its great loss:

STATEMENT BY THE PRESIDENT

> The Lord has called home a man who served Him and all His children well.
>
> Cardinal Spellman gave his life to God. For half a century, his faith and works were testament to God's enduring and universal love of men.
>
> The race of man mourns him now, for mankind was his ministry. The grace of his goodness touched all manner of men and nations. He brought to all who opened their heart to his spirit the miracles on which men must build their earthly hopes—truth and charity, mercy and compassion, trust in God and in the destiny of God's human family.
>
> Cardinal Spellman was a Catholic. His lifetime was devoted to uniquely catholic purpose. His voice was heard on the smallest parish street and in the highest councils of his Church. He was both pastor and statesman, an apostle of progress whose influence was felt wherever problem or promise touched his pulpit or his world.
>
> Americans will never forget that he was the Vicar of our Armed Forces. This will be the first Christmas for many years when thousands of our sons will not know the comfort of his presence. But this Christmas in Vietnam, men will recall the courage of his faith that peace on earth will come to men of good will.
>
> For all the extraordinary fullness and diversity of his life, this Prince of the Church lived and died a humble priest.
>
> That is all he wished. That is how he would wish us to remember him. "Those ministers," he once said, "who are endowed with sacred power are servants of their brethren. The higher one rises in the Church, the lower, in a sense, does he become."
>
> This good and gallant servant of our world is gone. But the good that he has done remains to enrich and enlighten us all. In my own grief, I find comfort in that thought. Cardinal Spellman was my close and cherished friend of many years. I pray that the American family, as my own, will be consoled by this truth: As God has taken away this day, He has given us the blessings of His disciple's works for all our days.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I yield to the gentleman from New York.

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding. As a resident of the diocese of Buffalo, neighboring the archdiocese of New York, I would like to say a few words for myself and for some of my constituents. Cardinal Spellman was well known in the Buffalo diocese, which has over 1 million Catholics, and he had many friends and admirers in Buffalo. He made many visits to our city.

Indeed, I have the memory of his presenting me with my diploma when I graduated in 1950 from the Jesuit college in Buffalo, Canisius College.

I think all of us in public life admired the Cardinal for his devotion to the underdeveloped countries of the world, to the American servicemen, to infants, and for his many other good works.

I know that I speak for all those whom I represent in saying that it is indeed a time of sadness for us to lose this dedicated religious leader.

Mr. MURPHY of New York. Mr. Speaker, I thank the gentleman.

I am privileged to yield now to my colleague from New York [Mr. SMITH].

Mr. SMITH of New York. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am tremendously honored to be able to join at this time with my colleagues in paying respect to this great man, Francis Cardinal Spellman, who died on Saturday at the age of 78. He was spiritual adviser to millions of Roman Catholics in New York, Vicar General of the Roman Catholics in the armed services, and a man of tremendous and constant friendship, of firm patriotism, and of great ecumenical spirit.

I am sure all Christians and men of good will throughout this world will join with Cardinal Spellman's Lord, who, I am sure, said:

> Well done, thou good and faithful servant.

FRANCIS CARDINAL SPELLMAN—LOVER OF PEACE AND THE LITTLE PEOPLE

Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, I join my colleagues in expressing great sorrow and a sense of personal loss at the passing of Francis Cardinal Spellman.

I regret not only the death of an outstanding churchman at a time when the church is moving forward in a new era of involvement in social problems and ecumenical activity—but also the loss of a neighbor and friend. Cardinal Spellman's hometown was Whitman, Mass—next door to my hometown of Brockton, and one of the towns in my congressional district.

The people of Whitman remember the cardinal as a warm, gentle man, who was never too busy to greet an old friend or make a new one. Despite his position of power and responsibility, he never forgot his hometown and his friends. Clinton G. Bradshaw, chairman of the Whitman Board of Selectmen, summed up the consensus among Whitman residents when he said:

> The town has lost its most famous son, but his accomplishments as one of the most eminent churchmen of the time will be a legacy of which we will always be proud. He was a great but humble man and Whitman will always boast of him as her native son.

Yesterday, Ralph Tedeschi, a friend and constituent, reflected on the cardinal's courage and stamina during World War II:

> Whenever he met someone overseas from around here or from Boston, he always took down their name and address and wrote a personal letter to the parents of each one. There must have been thousands.

Mr. Speaker, I was one of those thousands. I saw "Powerhouse," as he was affectionately called by those of us at the front, several times during my overseas service. He had an extraordinary memory for names and faces—and he seemed to treasure particularly his boyhood friends. He invariably would ask me when our paths crossed to say hello to mutual friends in Brockton and Whitman.

His friends were legion—of all religions, social classes, and professions. His passing has created a void for all of us who knew, loved, and respected him. In an outstanding editorial, the Brockton Enterprise today paid tribute to Whitman's famous son, who is remembered by those who knew him best for "his love of peace and the little people." Mr. Speaker, my own words could not improve upon the sentiments expressed in this editorial, and I would like to bring it to the attention of my colleagues:

CARDINAL SPELLMAN

> Francis Cardinal Spellman was one of the great men of our times. He not only was a prince of the Roman Catholic Church, he was the friend and confident of Popes and Heads of State, Mighty Financiers and other shapers of the world destiny.
>
> But those who knew Cardinal Spellman best remember him for his love of peace and the little people.
>
> His kindly smile and words of wisdom will long be remembered by the thousands to whom he gave First Communion in his long service, first as a Curate and later as a Parish Priest and Bisnop.
>
> In his post as vicar of the Armed Forces of the United States, he traveled hundreds of thousands of miles at Christmastime each year to be with the servicemen of all faiths on far-flung battle fronts of the world. His advancing years and failing health did not stop him. He returned each time grieved by the misery and suffering he had seen. That was the kind of man he was.
>
> We in the Brockton area felt a sense of pride when we boasted that he was born in Whitman and as a youngster was a carrier boy for this newspaper. Only a few short weeks ago, his home town dedicated a monument to him on the lawn of the town hall. He came from New York for the occasion and his eyes twinkled as he gave humble thanks and spoke proudly of his "Hometown."
>
> His passing will leave a void for his family and the hundreds of thousands who knew him. May his love of peace and people be an example to others, whether they be greats the world over or just little people.

Mr. TENZER. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I yield to the gentleman from New York.

Mr. TENZER. Mr. Speaker, I thank my friend [Mr. MURPHY] the gentleman from New York for yielding.

I join with his remarks and the sentiments expressed in behalf of the late Francis Cardinal Spellman. I thank my friend for permitting me to take this time to pay my personal respects to a humble man, a great religious leader, and a great American.

It is my prayer that the one God who created us all will look kindly upon the late Francis Cardinal Spellman, and may he be a messenger for good and for peace to all mankind.

Mr. MURPHY of New York. Mr. Speaker, I am privileged to yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, as the bells tolled yesterday in the great Cathedral of St. Patrick in New York's Fifth Avenue, thousands of mourners came through the rain to say goodbye to a loved and respected friend, and to offer their prayers. Cardinal Spellman's friends were many, and included a good many people whom he had never met, but who had been touched by his kindness throughout the many years of his priesthood. A cathedral usher said yesterday:

> I see many persons crying, and not only women.

Conspicous among the mourners were a number of American servicemen. Those men present at the cathedral were joined in spirit by the thousands of Roman Catholic men and women of our Armed Forces the world over, as well as for members of our Armed Forces of all other religious creeds and convictions. As vicar general for Roman Catholics in the U.S. Armed Forces, the cardinal held a special place in the hearts of servicemen, and they in his.

He spent the past two Christmas seasons with the troops in Vietnam. At his last public appearance Friday evening, he discussed the plans for this year's trip, despite his recent decline in health.

Although the tasks of administrator to the world's largest archdiocese are almost overwhelming, Cardinal Spellman always found the time to carry on his work with servicemen. This dedication was characteristic of the zeal and energy the cardinal carried into every undertaking he was engaged in. Under difficulties, he gave of himself fully. His trips each year to visit the fighting men were long and exhausting. He packed more into a day than three normal men could have, and through it all, never lost the good humor, the twinkling eye, and the kindness of manner for which he was so well known and so well loved.

Like the servicemen for whom he cared, Cardinal Spellman saw his duty and never turned from it. He was a man of deep convictions, and he would fight for those principles in which he believed. He was indeed a soldier of the Lord.

Bishop Fulton J. Sheen yesterday commented on Cardinal Spellman's service to the men and women of the Armed Forces when he said:

> The battlefields and soldiers will mourn.

The bishop, in one of the most eloquent of all yesterday's tributes, went on to say:

> The missions will grieve, for they have lost their open-handed friend. Church history will write *finis* to him who wrote so large on its pages. The death of a great man like Cardinal Spellman gathers up all humanity into one heart shedding one common tear. In life, he claimed our attention, our respect and our love. That does not deny him in death the more beautiful tribute of our prayers.

Cardinal Spellman was an outstanding administrator. His abilities will be sorely missed in New York, for he was a tireless worker and planner, capable of seeing effects far into the future, and a very skillful manager. Nothing was too complex for his administrative skills, and he dismissed each task only after it had been done thoroughly and well.

Cardinal Spellman was a leader in ecumenism, not only in church councils, but in his own personal and official dealings with members and leaders of other faiths. Personal tributes poured in from all churches—from their leaders, and their members.

These heartfelt tributes speak for themselves, and speak also of the warm and human spirit of this man who was more than a Catholic prelate. He was a man of God, and as such, a friend to all.

The rector of a Fifth Avenue Episcopal church spoke of the cardinal as "our good friend and neighbor, a great Christian and a great American." He spoke of Cardinal Spellman's "constant friendliness" and his ecumenical spirit.

The archbishop who heads the Greek Orthodox Church in the Americas called the cardinal's death a loss to all humanity. In a warm sermon, the Reverend Dr. Norman Vincent Peale said "The cardinal was one of the most lovable human beings I ever knew. He also had an enormous sense of humor." And he went on to recall some of the many incidents in his own association with Cardinal Spellman which showed the warmth and humanity of this man we mourn.

But it was His Holiness Pope Paul who summed up the spirit and soul of Cardinal Spellman:

> With profound sadness we have learned of the death of our dear son, Francis Cardinal Spellman.
>
> His devoted and loyal service to the Holy Mother Church, as a priest and bishop, his dedication to the Holy See, his generosity and the spirit of sacrifice for the good of souls, in the most difficult moments, are reasons of pride for all those who worked with him and knew him closely, and of sadness for his death.

Cardinal Spellman was an outstanding churchman, a great American dedicated to God, to mankind, and to country.

While all of us, without regard to our religious convictions, will mourn his passing, in particular he will always be remembered by the members of the Armed Forces of our country.

Cardinal Spellman was a close and valued friend of both Mrs. McCormack and myself.

To the people of the Archdiocese of New York I know I speak the sentiments of all the Members of the House when I extend to them our deep sympathy in their great loss.

I also extend not only to the people of the Archdiocese of New York but also to the members of his immediate family left behind the deep sympathy of Mrs. McCormack and myself.

Mr. PHILBIN. Mr. Speaker, I am deeply saddened to learn of the sudden passing of His Eminence, the noted and beloved Francis Cardinal Spellman, of New York, one of our greatest spiritual leaders of the Nation and the world.

His brilliant career in the church has been marked by extraordinary leadership and enduring contributions to the holy cause to which he was pledged, the Nation which he loved, and the people whom he served with all his heart.

Cardinal Spellman was an inspiring and beloved churchman whose compassion for humanity and unselfish devotion to God and country will be enshrined in the annals of history.

Endowed with many great natural

gifts, he rose from humble beginnings to be an admired and beloved prince of his great church, and the honored leader of more than 2 million Catholics of the New York diocese.

He was a very great American, deeply devoted to his country and all who served it, and a world figure whose renown and fame knew no bounds of race, creed, or station.

His interests were as broad as humanity; his vision and love of his fellow man divinely ordained; and his spirit of humility and service so deep that it embraced the whole human race.

Much has been written and spoken of the life and the achievements of this great man, whom so many people mourn today. But it would be impossible for any of us at this time of grief, and sense of loss, adequately to measure, let alone pay fitting tribute, to his stature, his piety, his accomplishments, his remarkable career and the widespread, profound, esteem and respect in which he was held by innumerable people in our own country and in the world.

Cardinal Spellman was indeed a rare spirit possessed of amiable qualities that endeared him to all those who knew him and he was universally recognized as one of the great citizens of the world.

I have known this great and holy man since my early years, and have been privileged to view at close range his true greatness, his great talents, his lofty vision, his noble outlook and his supreme dedication to the cause of mankind.

He was charged with great responsibilities and was concerned with great affairs, yet he always kept the common touch—his deep concern and his love of his friends and the rank and file of the people.

An author, lecturer, orator of great repute, his sense of humor was ever present, and he was truly the poet, as well as the champion, of the lowly, the unfortunate, the afflicted and the oppressed and he struggled constantly to improve their lot and hold out to them an eager, firm hand of encouragement and help.

In the very nature of things, while he was engaged in many noteworthy activities, his life was of necessity a lonely one, and he had to deny himself, all too often, the companionship of family and friends whom he loved so dearly.

His life was in truth the light that never failed, his voice, the one that rang out against injustice and social wrong, his spirit, the one that spurred others to reach toward high goals with unfaltering courage.

It is true, Mr. Speaker, that in the passing of this great man of God, who has been so suddenly called to his eternal, heavenly reward, a great, shining figure, a noble leader, a devoted friend and a great American has been called to his Maker.

Yet the memory of his holiness and goodness, his greatness, his friendliness to so many, his love of humanity, and his great work for the cause of God and country, for social justice and for better relations between all peoples, will always remain with us, and will serve to enhance the greatness, the goodness and the unforgettable contributions of this great churchman and to give fresh impetus to our own humble struggles for a better world of peace and justice.

My heart goes out to his aggrieved family, and all his dear ones, whom he loved so much, and I extend to his distinguished brothers, Dr. John Spellman, Dr. Martin Spellman and his beloved sisters, Mrs. Marian Pegnam, Mrs. Helene Garrity, their families, and all their dear ones, the heartfelt prayers and profound sympathy of myself and my family for the truly irreparable loss they have suffered, and which I so feelingly share.

Mr. Speaker, as part of my remarks I include in the Record certain newspaper articles from the Boston Herald Traveler and the New York Times:

[From the New York Times, Dec. 4, 1967]

THOUSANDS MOURN SPELLMAN AT ST. PATRICK'S

(By Paul Hofmann)

In a somber rite, the body of Cardinal Spellman was taken to St. Patrick's Cathedral last night and placed in a catafalque in the center aisle for the first of a five-day series of requiem masses.

The Cardinal, who died Saturday morning at the age of 78, will be buried in a crypt of St. Patrick's on Thursday after a service that is expected to be attended by all seven American Cardinals.

After the requiem mass ended at 7:15 P.M., most members of the congregation of 2,000 people remained in the cathedral and started filing past the catafalque. The body was lying in state clad in white liturgical vestments and resting in an open coffin of African mahogany with a lining of bronze.

Outside the church, hundreds of persons waited on 51st Street in a triple line that stretched from Fifth Avenue to Madison Avenue, to enter the church. Thousands more are expected to view Cardinal Spellman's body until Thursday.

The coffin was taken processionally to the prepared, black-draped catafalque, around which were six tall candles. The cathedral was filled to capacity. Hundreds of mourners had occupied front pews since early in the afternoon.

The coffin was borne into the cathedral through the bronze doors of its Fifth Avenue entrance under the crossed swords held by 12 Knights of Columbus with white-plumed hats. Votive candles lighted by hundreds of mourners flickered along the church's walls.

On its long way down the cathedral's nave, the coffin was preceded by clergymen in purple and black mourning vestments, and followed by members of the city's Police and Fire Departments, and some of the Cardinal's relatives.

At 6:30 P.M. the cathedral's bells tolled and eight bishops and ten other prelates gathered around the main altar to concelebrate a funeral mass.

Concelebration is a form of offering mass jointly by more than one priest. It is believed to have been common in early Christianity and has been revived in the recent reforms of Roman Catholic liturgy.

The main celebrant was the Most Rev. John J. Maguire, who as newly named Administrator of the Archdiocese is its head until a successor, to be named by Pope Paul VI, takes over.

The 17 other celebrants were members of the Board of Consultors, a body appointed by Cardinal Spellman that conferred on Archbishop Maguire on Saturday the task of administering the archdiocese during the see's vacancy.

President Johnson or Vice President Humphrey may attend Cardinal Spellman's funeral. In Washington a White House spokesman said yesterday that no decision as to who would represent the Government at Thursday's rites had yet been taken.

The United Nations also is expected to be represented at the funeral, either by Secretary General Thant or by another leading official. The world organization, whose East River headquarters is in the archdiocese, maintains cordial relations with the church.

The Vatican has a permanent observer at the United Nations, and Pope Paul VI's unprecedented trip to New York in 1965, a highlight of Cardinal Spellman's tenure, was formally a visit to the world organization to plead for peace.

POPE EXTOLS CARDINAL

In a message of condolence yesterday to the New York Archdiocese, Pope Paul extolled Cardinal Spellman's services to the church and the Holy See, and his "generosity and the spirit of sacrifice for the good of souls in the most difficult moments." The Pope's message was addressed to Archbishop Maguire.

Officials of the archdiocese said that all, or nearly all, of the seven American Cardinals would be present at the funeral and would concelebrate the solemn requiem mass in St. Patrick's at 1 P.M. Thursday. One of the seven, Francis J. Cardinal Brennan, serves in Rome as the dean of the Sacred Rota, a high ecclesiastical tribunal.

It was not immediately known yesterday whether Cardinal Brennan planned to come to New York for the funeral.

The other American cardinals, in order of seniority, are James Francis Cardinal McIntyre of Los Angeles, Richard Cardinal Cushing of Boston, Lawrence J. Cardinal Shehan of Baltimore, John Joseph Cardinal Krol of Philadelphia, Patrick A. Cardinal O'Boyle of Washington, and John Patrick Cardinal Cody of Chicago.

Cardinal Cushing, who has been in poor health lately, called archdiocesan officials here on Saturday, offering any help they might require and expressing the hope he would be able to attend the rites. Cardinal McIntyre also was said to be ailing but hopeful of coming to New York.

Hundreds of archbishops, bishops and other prelates, as well as representatives of other faiths and official delegations from governments and many organizations will be in St. Patrick's during the funeral services, leaving little space for other mourners.

CATHEDRAL SEATS 2,500

"Space is our problem," the Very Rev. Msgr. Thomas J. McGovern, director of the archdiocese's information bureau, said yesterday. The bureau said later that the cathedral could accommodate no more than 2,500 people and that no tickets would be distributed to private persons.

Expressions of mourning continued to flow into the archdiocese offices all yesterday by cable, telegram, letter and telephone. At times the chancery switchboard was swamped and calls to PL 9–1400, the archdiocese's general telephone number, remained unanswered for long periods.

One of the world's most progressive Catholic churchmen, Bernard Cardinal Alfrink, Archbishop of Utrecht and Primate of the Netherlands, went on the air to eulogize Cardinal Spellman.

In Madrid, Foreign Minister Fernando Maria Castiella y Maiz praised Cardinal Spellman as "a great friend of Spain."

Masses in memory of Cardinal Spellman will be offered today, tomorrow and Wednesday at 2 P.M., 5:30 P.M. and 8 P.M., the archdiocese announced.

Today's 2 P.M. mass will be celebrated for representatives of the 250,000 pupils of the archdiocese's school system. The 2 P.M. mass tomorrow will be offered for members of religious women's orders, and the 2 P.M. mass on Wednesday for members of the Armed Forces. Cardinal Spellman was military vicar, or bishop, for all Catholic military chaplains in the United States services.

SPIRITUAL TESTAMENT

If Cardinal Spellman left a "spiritual testament," or posthumous message, to the people of the archdiocese, it is expected to be published before or during the burial rites. Many aging churchmen prepare such a farewell to their flock.

"It's quite probable that the Cardinal left such a message," the Most Rev. Joseph F. Flannelly, administrator of St. Patrick's, said yesterday. "But we don't know anything about this yet.

Archbishop Maguire and archdiocesan aides were reported yesterday to have examined a formal will that Cardinal Spellman is known to have left. Its contents were not disclosed, but officials explained that was in keeping with church practice for the Cardinal to have made dispositions for the event of his death, and that he may also have formulated desires concerning his burial.

The Cardinal is known to have wished to be interred in his cathedral. His body will be placed in a crypt under the high altar of St. Patrick's where all his predecessors since the first Archbishop of New York, the Most Rev. John Hughes, who died in 1864, before the cathedral opened, are buried.

The broad-brimmed, flat red hat that Cardinal Spellman received from Pope Pius XII in 1946 as badge of his new dignity as a prince of the church will be suspended from the ceiling of the cathedral.

WORE RED HAT ONLY ONCE

Cardinal Spellman wore his red hat only once—in the moments when Pope Pius XII placed it on his head during the solemn consistory for the creation of new cardinals in St. Peter's Cathedral in Rome in 1946. But according to age-old tradition, the red hat follows a cardinal throughout his life—it is normally kept in a conspicuous place in his residence—and marks his tomb.

The red hats of New York's previous cardinals—John Cardinal McCloskey, John Cardinal Farley and Patrick Cardinal Hayes—also hang from the ceiling of St. Patrick's.

Yesterday, thousands of New Yorkers and some out-of-town visitors defied heavy downpours to attend scheduled masses in St. Patrick's or offer private prayers for the Cardinal. The solemn mass at 10 A.M., the main service in the morning, was celebrated by the Rev. Timothy Flynn, pastor of Holy Family Church, the Catholic chapel for the United Nations.

Many mourners stopped at the northwest corner of the cathedral's interior yesterday morning and afternoon to look at a color portrait of the Cardinal that had been placed there. Underneath were two tall burning candles and bunches of white chrysanthemums and red roses. Two prayer stools were in front of the Cardinal's portrait and many persons knelt for a brief devotion.

A life-size statute of Pope Pius XII in a glass enclosure that normally is in the cathedral's northwest corner was moved to the main entrance to make place for the improvised mourning area.

Two policewomen, Elaine Bershaw and Lucerita Belardo, kept a discreet eye on visitors to the cathedral.

Among early worshipers were a group of Catholics from South Africa in flowing tribal costumes. Many United States servicemen also were noted in the cathedral throughout the day.

A few persons tried unsuccessfully yesterday to see the Cardinal's body at Abbey Funeral Directors, 66th Street and Lexington Avenue, before the coffin was taken to the cathedral. They were told that the body was not on view.

RELATIVES AT FUNERAL HOME

About 40 relatives of Cardinal Spellman saw the body privately at the funeral home shortly before its removal to St. Patrick's. Among them were the Cardinal's sisters, Mrs. Marian Pegnam of Whitman, Mass., and Mrs. Helene Garrity of Abington, Mass., and a brother, Dr. John Spellman, of Brookline, Mass. The Cardinal's other brother, Martin Spellman of Boston, was scheduled to arrive in New York later yesterday.

Dr. Spellman was the recipient yesterday of a message from Pope Paul saying, "We share in the grief for the death of this great churchman."

Following is the text of the Pope's message to the New York Archdiocese:

"With profound sadness we have learned of the death of our dear son, Francis Cardinal Spellman.

"His devoted and loyal service to the Holy Mother Church, as a priest and bishop, his dedication to the Holy See, his generosity and the spirit of sacrifice for the good of souls, in the most difficult moments, are reasons of pride for all those who worked with him and knew him closely, and of sadness for his death.

"We express our sincere sympathy to you, Venerable Brother [Archbishop Maguire], to the clergy, to the religious and to the faithful of the Archdiocese of New York, and from our heart we impart, as a token of consoling, heavenly grace, in this unhappy circumstance, our paternal apostolic benediction."

[From the Sunday Herald-Traveler, Whitman, Mass., Dec. 3, 1967]

A WHITMAN GROCER'S SON

(By Charles H. Ball)

Francis Cardinal Spellman was a Prince of the Roman Catholic Church, but he also was a grocer's son from Whitman.

And he never thought of the two as being mutually exclusive.

"I think of the many people of Whitman who have helped me along the path of life," he said on his last visit to his home town two months ago. "I am revitalized when I come back here."

Cardinal Spellman, born Francis Joseph Spellman in a small house on Temple Street, Whitman, on May 4, 1889, was unashamedly sentimental about Whitman, about his childhood experiences there and about the people he had known in his early years.

To some who heard him speak there in September, when he was honored by veterans' organizations for his 27 years as military vicar of the armed forces, it seemed then that he did not expect to return.

"You can imagine how deeply my emotions run," he told the townspeople. "I think of you with affection. I think of my school teachers. I think of my companions. I think of my Sunday school teachers."

He said that Whitman has been his "mother town," where 78 years before his own mother "beheld my infant face."

"I have the most poignant and pleasant recollections of my youth here and I am very grateful to all who have helped me."

The man who spoke was an international figure, the head of America's second largest Catholic archdiocese, a sometimes controversial and always influential churchman, one of the world's most traveled clergyman.

But in his soft voice, that all his life had showed its Massachusetts origins, he was speaking of something else again.

Cardinal Spellman's grandfather, Patrick, had settled in what is now Whitman, in the mid-1800's, coming from Conmel, Tipperary. The prelate's father, William, opened his own grocery store when he was only 22 years old, and married Ellen Conway of nearby Plympton, after she had come to the store on a shopping trip.

Francis was their first child.

His boyhood is described in the following manner in "The Cardinal Spellman Story," by Robert I. Gannon, SJ.:

"Francis Joseph, who was Frank by the time he could walk, lived the life typical of a lucky American boy at the turn of the century—small town, good schools, active parish, brothers and sisters, a store to tend, newspapers to sell, delivery wagon to drive, horses in the stable, with a pony for his little sister, enough prosperitly to provide a comfortable home and the prospect of college—all brought to a happy focus by a good, hard-working father and devoted mother."

The home to which the family had moved was at 96 Beula St., "a large white frame building of Georgian design and practically new, on five acres of land covered with fruit trees and shrubs."

Beyond the home, there was the Dyer Grammar School and the Holy Ghost Church, where Frank was baptized and made his first communion, and Whitman High School.

Young Frank Spellman did not distinguish himself as a scholar, or even as a grocery clerk.

The fact was that he was much more interested in doing things with his neighborhood pals, whether it meant boxing, or playing baseball (he was a good shortstop) or any of the other activities that drew youngsters together.

As a grocery clerk, the boy had entirely too much fun joking with customers and waving at passersby.

His father was to say in later years, probably only half seriously: "The boy has done all right after all; a whole lot better than I ever thought he would. Seems to have taken the advice I gave him when he was growing up. I used to tell him, 'Always go with people who are smarter than you are—and in your case it won't be difficult to find them'."

Of 22 boys and girls who graduated from Whitman High School in 1907, Frank was one of eight who went on to college, because, as one biographer has recalled it, "his mother had quietly made up her mind that he would."

Fordham in New York city was the choice.

Frank had told his mother that he might want to be a priest, and Mrs. Spellman took him to see The Rt. Rev. Walter H. Gill, the pastor for many years of St. Patrick's Church in nearby Brockton.

Msgr. Gill was to recall later the young Spellman, at the end of the interview, "seemed glad to be released from the intimate questions I threw at him."

But he added: "I decided there was sufficient foundation on which to build and with God's grace he might weather the storms and sunshine of college and seminary life and come back to us a priest."

At Fordham, Spellman began to catch on as a student, apparently aided by a phenomenal memory that he attributed to a childhood incident.

While working in his father's store, he said, he had lost an order slip, causing him to mess up a delivery when he tried to fill the order from memory. As a result, he made it a point to memorize the orders as he wrote them.

In later years, he was seldom, if ever, to forget a name, face, incident, or even date.

Although Spellman did well at Fordham, he was anything but a bookworm.

He was known as one of the most fastidious dressers in his class, and he cut quite a figure at social events. During his junior year, he was a member of the prom committee.

However, in the year he also won the Hughes Medal for Religion, a much coveted prize.

When he returned to Whitman that summer after being awarded the prize, Fr. Gannon recalls, "he arrived a little after bedtime, but felt that the good news of his success could not wait until morning. So he went up to his parents' room, ostensibly to say good night, but really to hear them express their pride and gratitude in words that he could cherish always."

His father met him at the door, looked at the medal for a moment, and said, "Did you put the light out downstairs?"

It was his father's way of challenging and instructing his eldest son.

That same summer, Frank worked for old Bay Street Railway Line, on a run from Grove street, Boston, to East Walpole, as a conductor. All summer long, he rang up fares, called out the names of streets and generally did a fine job.

"But success as a conductor and the lure of a private income could never go to his head with around," wrote Fr. Gagnon.

"Once, when he squandered an extra dollar to get home an hour faster by train, his father warned him, 'Don't do that again until your time is worth a dollar an hour—and I don't think it ever will be'."

Spellman was graduated in 1911, and went on to the North American College at Rome.

From shipboard, he wrote his father: "I will do my best for you."

His message to his mother read: "Thank you for my life and hopes. May they both end happily."

It was the beginning, of course, of an extraordinary life.

Ordained a priest on May 14, 1916, he returned to Boston, where his first post was as an assistant at All Saints Church in Roxbury. This period in his life has been described in the New York Times as "nine drab years of drudgery in menial church jobs in Boston, where he labored under the displeasure of his superior, William Cardinal O'Connell."

Among the tasks he was given, and succeeded at, was to develop the circulation of the diocesan weekly newspaper, "The Pilot."

However, in a 1925 visit to Rome, Father Spellman won an appointment to the Vatican Secretary of State, where he became a friend of powerful churchmen, including Eugenic Pacelli, who became Pope Pius XII in 1939.

In 1932, the then Cardinal Pacelli consecrated Fr. Spellman to bishop.

While crossing the Atlantic to become the new auxiliary bishop of Boston, Bishop Spellman received a cable. It read:

"Welcome to Boston Conformations begin on Monday. You are expected to be ready. Cardinal O'Connell."

Bishop Spellman was made pastor of the Church of the Sacred Heart in Newton.

During this time he had continued to write—he authorized several books that returned thousands of dollars in royalties to charitable and educational organizations—and to make his stamp collection one of the finest in the world.

At Sacred Heart Church, he found a studious and interested nun on the faculty of the high school, to whom he entrusted the care of his collection. On his appointment as Cardinal in 1939, he arranged that she should continue to care for his stamps at Regis College, where the collection is now housed.

As archbishop of New York, the most important see in the United States, Cardinal Spellman could make only infrequent visits to his beloved Whitman.

One of these occasions was in May of 1964, when he returned to his home town for the observance of his 75th birthday.

It was an emotional occasion for the town, and for Cardinal Spellman.

And when it was over, a fellow priest would write:

"Cardinal Spellman came home last night.

"The welcoming seemed a bit incongruous.

"Though he has slept in the Vatican, said Mass in the White House, crunched through Antarctic snows and toured the trenches in Korea, he has never left Whitman."

Mr. HORTON. Mr. Speaker, I share the sadness felt by every American at the death of Francis Cardinal Spellman, the Roman Catholic Archbishop of New York. Those of us from New York, however, felt particularly close to this great American and are particularly grieved by his passing. I personally feel the loss particularly deeply because of my close friendship with Bishop Fulton Sheen, of Rochester. As many of our colleagues will recall, Bishop Sheen was for many years a very close friend and adviser to Cardinal Spellman. Also, my wife and I were privileged to spend time with the cardinal in New York City when we collaborated on a foreign affairs project.

Cardinal Spellman was ordained a priest in 1916 and rose through the ranks of the church hierarchy to become one of its most distinguished leaders. His service to his church, his country, and his fellow men has been extremely varied and always exemplary.

Immediately prior to his elevation to the rank of bishop in 1932, Cardinal Spellman served in the Vatican Secretariat of State. In 1939, after having served for some time as the auxiliary bishop of Boston, Cardinal Spellman's old friend Pope Pius XII designated him as spiritual leader of the some 1.5 million Catholics in the archbishopric of New York.

His highly competent management of the church's financial affairs during his tenure as archbishop enabled the archbishopric to construct religious and educational buildings valued at hundreds of millions of dollars. In recognition of his successful administration of the See he was awarded a cardinal's hat in 1946. This event merely acknowledged what was by then already fact: he stood at the head of the American church.

Despite his great administrative talents, Cardinal Spellman will probably be best remembered for his concern for his fellow man, his devotion to children and simply his "human touch." Cardinal Spellman found perhaps his greatest satisfaction in distributing diplomas to graduating high school seniors, visiting American servicemen overseas and similar activities which gave him an opportunity to meet people and fulfill the pastoral functions which he so enjoyed. As vicar general for Roman Catholics in the U.S. Armed Forces, Cardinal Spellman has visited American troops stationed overseas for the past 16 Christmas seasons. For the past 2 years he has spent the holidays in Vietnam and was planning another trip this year at the time of his death.

Cardinal Spellman's death leaves a great void in both the hierarchy of the American Catholic Church and the hearts of millions of people. The man who succeeds him as archbishop of New York faces a tremendous challenge in attempting to fill the shoes which are now vacant.

Mr. CONTE. Mr. Speaker, the people of the First District of Massachusetts join the entire Nation and, indeed, the world in mourning the passing of one of the great churchmen of our time—His Eminence Francis Cardinal Spellman.

Cardinal Spellman was the most widely known prelate in the American hierarchy. Honors were heaped on him in all parts of the world, yet coming home to Whitman, Mass., was one of the greatest satisfactions in his adult life.

Along with his ability to manage the affairs of a tremendous archdiocese and his intimate knowledge of the politics of the church and the country, the key to his character and his life was a simple but overwhelming faith in God and loyalty to his church.

As a Massachusetts grocer's son he rose from parish priest to prince of the church and military vicar of the U.S. Armed Forces.

He will long be remembered for the comfort, solace and inspiration he brought to our fighting men on his visits to the front lines wherever Americans were serving.

No Catholic clergyman was more vigorous in his condemnation of communism.

No single American played a more vital role in the history of his church.

His influence and interest in every facet of humanitarian endeavor has been felt for almost half a century.

His simple and uncomplicated patriotism and his dedication as a worker for world peace will be missed by free men of every faith.

Mr. FINO. Mr. Speaker, I was deeply sorrowed to hear this weekend of the death of New York's beloved Francis Cardinal Spellman.

In his years as cardinal and archbishop of the Catholic archdiocese of New York, His Eminence became a man not only admired but greatly loved by New Yorkers of all races, creeds, and colors. His passing will leave a great void in the hearts of New Yorkers everywhere.

Among other things, the Cardinal was a man of deep patriotism. Just before his untimely death, he was once again preparing to leave for Vietnam to spend Christmas with our fighting men in the field. His concern for the men wearing the uniform of the United States has always been the highest—in World War II, the Korean war, and in Vietnam.

The cardinal will also leave a mark as a man of charity and work on behalf of his fellow man. Under the cardinal's sponsorship tens of millions of dollars have been raised for needy persons throughout the city and Nation. He will be remembered by the sick and the feeble, the young and the old, for many, many years.

Francis Cardinal Spellman died as he had lived—a servant of his God, his church, and his Nation and of people everywhere.

Mr. GALLAGHER. Mr. Speaker, Americans of all faiths are today mourning the passing of Francis Cardinal Spellman. His entire life was devoted to his church and his country and both were strengthened by his boundless energy, unfailing enthusiasm, and deep concern for the human condition.

As vicar general of the Armed Forces of the United States, he brought comfort and compassion to those who were in the front lines. He went everywhere Americans were engaged in the defense of freedom and he never let personal considerations interfere with what he saw his duty to be.

He led the wealthiest Roman Catholic

diocese in the Nation and yet he was a crusader in the fields of welfare and civil rights. His innate graciousness was never more visible than when he was host for Pope Paul during his visit to America. His talents as a parish priest were visable daily to thousands of Catholics in all walks of life.

Some may say that what motivated Francis Cardinal Spellman has become unfashionable, but his human warmth, his unyielding devotion to his church, and his dedicated patriotism are virtues which reflect the best in our society. Our national life was made richer by his time amongst us and we are all poorer by his passing.

Mr. ST. ONGE. Mr. Speaker, it is with the deepest sorrow that I note the death of one of the great princes and statesmen of the Roman Catholic Church, Francis Cardinal Spellman. His passing brings to a close a remarkable chapter in the history of the church and leaves a void in the diocese of New York which will be most difficult to fill.

While at times controversial in his activities outside the church, he was, however, universally respected for having the courage of his convictions and widely recognized for his administrative ability. When he came to the archdiocese of New York it was $28 million in debt, yet so great was his ability to raise funds that during his tenure more than $500 million were spent on hospitals, churches, and schools.

His most enduring memory will undoubtedly be that of a true humanitarian whose concern was for the welfare of all mankind. This was graphically demonstrated by his Christmas trips each year to Vietnam while well into his seventies. These voyages to cheer up and encourage our fighting men were made at great physical stress to him, and yet he never hesitated to make this personal sacrifice in order to bring comfort to the men at the front and the wounded in the hospitals.

Cardinal Spellman's able leadership and his warm and endearing smile will be sorely missed, but as solace we may take comfort in the fact that the world has been greatly enriched by his having been among us. May his memory be blessed and may his name endure forever among all men.

Mr. DADDARIO. Mr. Speaker, I join my colleagues in mourning the late Cardinal Spellman, who had risen to the summit of the American Catholic hierarchy, and had served his country loyally as well in the military ordinariate. The Nation marveled at his faithful and regularly long and exhausting tours around the world to visit American servicemen.

His death takes from us one who had labored long and hard to build the New York archdiocese. As one of Connecticut's neighbors, he was known well and respected greatly among our people. The thousands of Americans who have waited to pay their respects in these last few days are a measure of his accomplishment and their love and grief.

Mr. ROONEY of New York. Mr. Speaker, I was profoundly saddened on Saturday to learn of the passing of His Eminence Francis Cardinal Spellman. Little can be added by us here to the record which he leaves behind for he was, in every sense, a true prince of the Roman Catholic Church, a great and strong American and a man dedicated to serving the needs of his fellow man—be he Catholic, Protestant, or Jew. His field of interest concerned not only the great archdiocese of New York which he headed for more than two decades, nor the Catholic Church in America, nor for that matter the Catholic Church itself. His concern was every man, everywhere. He was a warm and kindly man and yet if need be could strike sparks like carbon steel. His sense of humor was almost pixyish, yet on the very rare occasions when he took to the pulpit in his beloved St. Patrick's Cathedral he left no doubt of his deep, intense feeling on issues, no matter how controversial. He had a special place in his heart for the men who wear our military uniforms, and each year during the Christmas holy season tried to see as many as he could in outposts around the world. At the time of his passing, plans were underway for his annual trip. He had, too, a special feeling for the unfortunates, the orphans of this world—who indeed could forget his "The Foundling"? He worked hard to foster the ecumenical spirit and the fight to insure the rights of all peoples. He was, truly, a great churchman and a great American. I last had the privilege of being in his company at the American Embassy in Rome in June.

To his brothers and sisters and their families, his many friends and to the clergy of the archdiocese of New York. I extend my deepest sympathy and prayers.

Mr. GILBERT. Mr. Speaker, the Roman Catholic Church in America has lost the dean of its American Cardinals. Francis Cardinal Spellman said, when he was ordained Archbishop at St. Patrick's Cathedral in 1939:

> I shall pray as if everything depended upon God.

This seemed to have been his philosophy throughout his many years of devotion and hard work for members of his faith in New York, for Catholics in the armed services and throughout the world. He earned the reputation as the church's "master builder," and he was admired and respected by Catholics and non-Catholics alike.

Cardinal Spellman was educated in the Bronx at Fordham University and he visited my district in the Bronx many times. Pope Paul VI, in his message of condolence from Rome cited Cardinal Spellman's service as "a source of pride for all who labored with him and knew him," and praised the Cardinal for his "devotion and loyalty to service as a priest and bishop, his generosity and self-sacrifice for the good of souls."

Mr. Speaker, I extend my condolence to the New York Archdiocese and I join Cardinal Spellman's many friends and followers in mourning his death.

Mr. FARBSTEIN. Mr. Speaker, Saturday our Nation lost a great American, Francis Cardinal Spellman. As head of the largest archdiocese in this Nation Cardinal Spellman was more than just a leader of his church; he was a leader of causes, and thus a leader of men. He was a man who possessed compassion and foresight, who blended a warm sense of humor with a deep dedication both to his faith and to the country in which he was born.

Cardinal Spellman was vicar general to the U.S. armed services, a post he held and served with honor. He was known to most Americans for the trips he took during the Christmas holidays to Korea in the 1950's to bring God to our servicemen on duty in that far away country. During the past 2 years he made similar trips to Vietnam to again preach the Word of God to all his fellow Americans during a time of conflict. Just last week he was known to be making plans for yet another trip to Vietnam. Although his health was uncertain, his faith in God and in man was still strong.

Cardinal Spellman will be missed by men of all faiths for he was truly a leader in the movement to break down the barriers between men. His absence will be felt by all men of good will for he combined the rare qualities of dedication to service with a belief in the dignity of man.

Mr. ZABLOCKI. Mr. Speaker, many Americans and people throughout the world were beneficiaries of the dedication and service of Francis Cardinal Spellman. He will be sorely missed.

It was with unfailing dedication that Cardinal Spellman performed his duties as dean of the American Catholic hierarchy and vicar general of our Armed Forces. His skill as an administrator, complemented by a devotion which was universally acknowledged, made his contribution to the world deeply significant.

Cardinal Spellman was one of the early practitioners of real Christian ecumenism. Dr. Arthur Flemming, president of the National Council of Churches, said of him:

> An outstanding and well-loved Christian leader, Cardinal Spellman has been a living symbol of profound devotion to his Church and to his fellow American.

Certainly those of all creeds who came in contact with the cardinal respected him highly. Those close to him who knew his generosity and humor loved him deeply.

It is perhaps fitting, if tragic, that death came to the cardinal at a time when he was planning another of his annual Christmas trips to visit our Armed Forces abroad.

Let us give thanks for the example this man who, as a friend of Presidents and paupers alike in his life's work, strove to bring a greater measure of peace and justice to the world. May his life be an inspiration to us in our efforts to bring about peace in this troubled world. Most assuredly the good Lord has called him unto himself to be numbered among His very own.

Mr. ADDABBO. Mr. Speaker, we were deeply saddened this weekend at the death of Francis Cardinal Spellman of New York.

Cardinal Spellman's life was dedicated to the work of God, both temporal and spiritual. He loved people and continued to be with them and work with them right to the very end.

The cardinal worked diligently through the years that he served the archdiocese of New York and he leaves behind many notable accomplishments. While we will all remember him for many years to come, I know that our servicemen whom he visited at every opportunity will miss him and long cherish his revered memory. We, the church, our Nation, and, I believe, the world, will miss this great man of God, and we are comforted only in the thought that he is enjoying well-earned peace. Our prayers are that his memory shall long survive and his good works continue.

Mr. RYAN. Mr. Speaker, I wish to join my colleagues in paying respect to Cardinal Spellman whose sudden passing reminds us of the mortality of man and the finiteness of man's opportunity to contribute to his fellow man. It also serves to make us appreciate how much an unusually dedicated person can devote in a mere lifetime to causes he cherishes. When a man who has done a great deal dies, we turn naturally to the process of judging critically our own efforts and venerating his.

Francis Cardinal Spellman's life was marked by untiring devotion to his church. Perhaps the most successful of his endeavors was his building up of the New York archdiocese. When he was appointed archbishop in 1939, the archdiocese of New York was having severe organizational and financial difficulties. Reportedly, outstanding debts amounted to $28 million. At that time Archbishop Spellman was widely quoted as having said:

> I shall pray as if everything depended upon God. I shall work as if everything depended on me.

The future cardinal accomplished wonders—tremendous amounts of money were raised and schools, churches, hospitals were the concrete evidence of a rebirth of the archdiocese's vitality. In 1946 the archbishop became Francis Cardinal Spellman.

Not content with temporal accomplishments, the cardinal made every effort to exert his spiritual influence to the fullest extent. As Catholic military vicar to the U.S. Armed Forces, he made regular Christmas trips to the Korean war zone and later to Vietnam. The night before he died he is reported to have told Archbishop John Maguire that he wanted to spend Christmas in Vietnam once again this year. Just last Friday night, despite ill health, he attended the annual fiesta of a favorite charity—the Casita Maria Fiesta, which raises money for two community centers serving New York City's Puerto Rican population. His doctors allowed him to go only because of the urgency of his wish to attend.

Francis Cardinal Spellman can perhaps be best appreciated by the admiration and gratitude he evoked in so many to whom he was a symbol of spiritual values and stability in the world. It is appropriate yet insufficient that we take time today to pay tribute to Cardinal Spellman. I am sure that Americans everywhere share in this expression.

Mr. WYDLER. Mr. Speaker, I join with my colleagues in expressing deepest sorrow at the passing of a great American and a great churchman, Francis Cardinal Spellman. No man gave more of himself, particularly to the young Americans who are giving their lives and their blood in defense of our country. Cardinal Spellman was a man of peace and he was a man that understood the need to stand firm against the Communist ideology. His passing will be mourned by all those who put God and country above all else.

Mr. BINGHAM. Mr. Speaker, it is hard to imagine New York without Cardinal Spellman.

My colleagues have ably and eloquently described his achievements and the multitude of contributions that he made to our city.

In these remarks, I would prefer to speak in a more personal vein of some of the memories I have of this remarkable man.

I can see him vividly, only a few years ago, marching down Fifth Avenue in a Memorial Day parade, his sturdy stride somehow expressing his love of his city and his country and his determination to carry on all his obligations, even at an age when most men would have been slowing down.

One of the many facets of Cardinal Spellman's personality which was not often mentioned was his wit. I witnessed this on the day of dedication ceremonies at Misericordia Hospital. The mayor was delayed in arriving, and the cardinal kept a crowd that would otherwise have been restive in gales of laughter with one sally after another. Finally, after his own supply of amusing remarks and anecdotes had been exhausted, he looked out hopefully at the crowd and asked, "Can anybody sing?"

The cardinal's energy was amazing. A close friend of mine, a much younger man, than the cardinal, accompanied him on a tour of Latin America. After 10 days, my friend was utterly exhausted from the pace, although he ruefully admitted it was not he who was making all the speeches, receiving all the dignitaries, maintaining a smiling presence in the midst of all kinds of unforeseen frustrations. Yet, the cardinal, who had been doing all these things, seemed to be as fresh at the end of a series of 18-hour days as he had been at the beginning.

The stories of Cardinal Spellman's ability to raise money for enterprises in which he believed are many. One institution in which he was deeply interested was the Lavelle School for the Blind in the Bronx. One of the officers of that institution told me of the incredible fashion in which the cardinal would walk into a room full of businessmen gathered for the purpose and, with a few words and a cherubic smile, proceed to extract from them pledges of several times the amounts they had planned to give. Seemingly it was impossible to refuse or disappoint him.

The throngs of mourners who have been passing through St. Patrick's Cathedral all this week attest to the deep affection felt for the cardinal by millions of New Yorkers. It is an understatement to say that he will be sorely missed.

Mr. HANLEY. Mr. Speaker, the death of any great leader of men requires that we pause to reflect on his achievements, our loss, and the necessity to continue in the spirit and in the direction his leadership had provided.

The passing of Francis Cardinal Spellman, archbishop of New York, is indeed a time of sadness and a time for reflection. The cardinal was truly a great man and a strong and respected leader.

Cardinal Spellman's personal qualities, his love for others, his kindness, his humility, his boundless energy, will always be a source of constant inspiration to all men. The cardinal's public qualities, his devotion to duty, his administrative skill, his warm and zealous leadership, will remain as goals for all of those who serve in public life.

Those in our Armed Forces will certainly miss the cardinal. In fulfilling his responsibility to our men and women in uniform, Cardinal Spellman showed us that he was a man who accepted all of the difficult and exhausting aspects of his duty. The great religious leaders celebrated the warmest of Christian feasts by visiting with those who could not be home.

Francis Cardinal Spellman is dead. May the memory of his life, lived completely in the service of God and man, serve as a source of rededication to those qualities he perfected and to the principles he served so well.

Mr. DULSKI. Mr. Speaker, people of all faiths mourn the passing of His Eminence Francis Cardinal Spellman.

During his lifetime, he contributed much not only to God and to His church, but also as a citizen and patriot to the betterment of mankind.

Ironically, death came as Cardinal Spellman was considering making another Christmas pilgrimage to the frontlines of our fighting forces in far-off lands.

At Christmastime for each of the past 16 years, the cardinal visited with U.S. troops overseas. He spent Christmas in Vietnam the past 2 years and was planning to return there this month.

My home city of Buffalo, N.Y., is part of the archdiocese of New York which Cardinal Spellman had headed since 1939. The cardinal made a number of visits to Buffalo and was widely revered.

Cardinal Spellman was a great American. He was a leader of causes, a leader of men. The Nation and the world are the richer for his having been with us.

Mr. Speaker, with permission, I include the texts of editorials from Buffalo's two daily newspapers:

[Editorial from the Buffalo (N.Y.) Evening News, Dec. 4, 1967]

CARDINAL SPELLMAN

The worldwide outpouring of tributes to the late Francis Cardinal Spellman is a recognition of a lifetime of service by a devout, dedicated and tireless prince of the church but it is also a simple response from some of the countless persons whose lives this warm, friendly man had touched.

Cardinal Spellman spontaneously reached out across the artificial lines of society, recognizing the basic humanity of all mankind. He was as much at home trading Irish banter with a Manhattan cab driver as engaging in large and small talk with the President of the United States. FDR called him "my favorite bishop."

The cardinal also reached out across religious lines, living his life in the spirit of ecumenism long before it became a worldwide movement. He reached out from the bounds of his archdiocese to Catholics of the nation and of the world. His voice was heard in the highest councils of the Vatican and on remote battlefields where Americans served. At his death, he was considering spending his 17th Christmas overseas with the troops, but last May he already had spoken prophetically when he commented: "The next trip I make, I think, will be up in heaven."

His genial informality was combined with a keen administrative talent for getting things done. His priests all familiarly called him "the boss," and he gave demanding leadership in church affairs, whether in conducting charity drives or guiding church construction. A conservative in ecclesiastical affairs, he never shrank from controversy in crusading for his convictions on such issues as film censorship, the church-state relationship or communism.

Cardinal Spellman established especially warm ties in Buffalo during his many visits on church occasions. In the church hierarchy, he held a special relationship to the Diocese of Buffalo throughout his long tenure as archbishop of New York, for Buffalo as a part of the Province of New York revered him as its metropolitan archbishop. But in death, the cardinal is mourned and remembered mainly as a friend—a prince of the church who was a friend of the high and the lowly, of priests and laymen, of popes and Presidents.

[Editorial from the Buffalo (N.Y.) Courier-Express, Dec. 5, 1967]

His Eminence, Francis Cardinal Spellman

In the career of the late Francis Cardinal Spellman, there was more than enough achievement and human interest to fill a book—like that already written about him, and others due to be written. It would be impossible here to list all aspects of his personality that automatically engendered a wide range of human relationships and made him an impressive human figure independently of his ecclesiastical rank as Senior Cardinal of the Roman Catholic Church in the United States.

As a churchman and loyally motivated citizen, he lived a life as significantly full as was possible or even conceivable for him to live in his given time. He played an activist role in both ecclesiastical and world affairs in keeping with his eminence as Prince of his Church and inspirational leader to countless persons of his own and other faiths. As a modern apostle of social involvement in the welfare of humanity, he inevitably became a controversial figure; but the courage of conviction wherewith he reacted to criticism invariably added to his stature as a spokesman for his cherished beliefs.

In review, it seems altogether likely that the personal distinction he achieved will hold longer lasting luster than any attained by his critics, and that his outgoing regard for humanity will assure him of indelible remembrance and esteem.

Mr. MORGAN. Mr. Speaker, I wish to take this opportunity to join my colleagues in paying tribute to the memory of a great American, Francis Cardinal Spellman. I am a Protestant, but I have long been an admirer of His Eminence Cardinal Spellman because I recognized in him a great and patriotic American whose selfless devotion to his ideals led him to accomplish so much that was good and constructive for his fellow men. He was regarded as a conservative in his faith, but I knew him as a man of kindly understanding and tolerance for the views of others. All his life he was an indefatigable worker and Americans of all creeds are the better for his zeal in our behalf. His was a long and fruitful life indeed and his passing will long be mourned by Americans of all denominations.

Mr. ST GERMAIN. Mr. Speaker, few men in our times have so captured the hearts of Americans as did the late Francis Cardinal Spellman.

In his passing, the Catholic Church has lost one of its most admired princes and the United States has lost a great patriot whose particular devotion to the men in the military knows no equal.

This humble priest, who gave himself so generously to the service of God and his country, will always live in the hearts of the people of this land.

He was a living symbol of peace and courage whose inspiring example of unselfish service to others shall always remain a bright beacon for those whom he has left behind.

May we all continue along the path that he illuminated so well. In so doing, we may, to some degree, repay the great debt that we owe to him.

Mr. CELLER. Mr. Speaker, in the death of Francis Cardinal Spellman, the Catholic Church in America has lost a vital and energetic leader who proved by his every deed that he was a prince among priests if not finally a prince among men. His pastoral efforts were unflaggingly directed toward the service of his God, his flock, and his country, and he succeeded in serving all three with uncommon success.

We in New York are especially bereaved by his passing, but it is surely no exaggeration to say that the Nation as a whole has suffered the loss of one of its foremost patriots and good-will ambassadors. To our Armed Forces overseas, Cardinal Spellman brought solace and spiritual regeneration; to the poor and unfortunate here and abroad, he furnished the fruits of his abundant charity.

Perhaps there is no better index to the character of this man than the crucial role he came to play in the ecumenical movement with its implications for intrareligious and interreligious dialog among men of good conscience throughout the world. In his demonstrated wisdom and humility, he undersood better than any of us that the first principle of Judeo-Christian humanism is the brotherhood of man under the fatherhood of God.

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks, I would like to include an editorial published in the East Side News, a local weekly publication with wide circulation in my congressional district. The editorial was written by my good friend, Abraham Schlacht, publisher of the East Side News:

Francis Cardinal Spellman: 1899–1967

(By Abraham Schlacht)

We mourn with great sorrow the loss of Francis Cardinal Spellman, Prince of Peace and Vicar General of our Armed Forces, whose death came unexpectedly last Saturday morning.

It is indeed difficult to contemplate that he is gone from our midst, that he will be seen no longer addressing his flock in his Cathedral, at public affairs, on television, or mingling among the poor and the mighty.

It is truly hard to realize that his voice will be heard no more, a voice that had ebbed and flowed with the waves of gentleness and compassion.

During his long distinguished church career, he pleaded in the most stirring tones for the glory of his faith and the dignity of his worshippers.

He labored not for his own alone, but for the prestige and honor of other races and creeds.

We who shared the friendship of His Eminence never misinterpreted his charm of disposition for weakness or lack of resolution. When the issues of the day affected the teachings and traditions of his Church, he spoke up with commanding logic for all the world to hear and ponder. Sometimes, his anger, his rage, his indignation assumed a sudden deep, penetrating surge of emotion, felt at once by those within the sound of his voice.

It cannot be denied that he loved people, who reciprocated their love, which was transported into other religions, of which the world took full cognizance.

Now he lies interred with his predecessors in serene peace under the high, solemn altar of St. Patrick's Cathedral amid the prayers of millions of people.

Although he is no longer with us, he will ever be remembered, for his deeds and utterances, for the memories he left behind to be treasured by people everywhere.

Gone is life's light, and gone too is life's song.

But his death is but the night that has passed away, and its dawn is the light of eternal day!

GENERAL LEAVE TO EXTEND

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this matter at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

REMEDY FOR THE HIGH COST OF DRUGS

The SPEAKER pro tempore (Mr. Matsunaga). Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, for the American consumer and patient, the present situation in the drug industry is intolerable. The prices of pharmaceuticals he must have are arbitrarily set at exorbitant levels. Whether he lives in a small town or a large city has a great bearing on the price the consumer pays. Within the city, prescription drugs are fixed at higher prices in some areas than in others.

All income levels are hit by high drug prices. In New York City, low-income groups feel the greatest squeeze in buying drugs, while middle-income groups pay the highest prices. From responsible sources, I hear that American pharmaceutical firms sell drugs to Europeans at prices so much lower than Americans pay that there is a flourishing black market on drugs shipped back to the United States.

Witnesses before the House Select Committee on Small Business and its Senate counterpart have pointed out that the corner drugstore retailer is often falsely blamed for the price tag on his goods. Actually the retailer himself is a victim of the industry's pricing structure. The drug manufacturer, more than the wholesaler or retailer, makes excessive profits. The pharmaceutical industry was the greatest profitmaker in the Nation last year.

A basic cause of the consumer's predicament is the unique relationship of the consumer to the drug manufacturer. The brunt of the industry's $600 million-a-year advertising assault is directed at the doctor through "detailmen" who promote the product in the field and in medical publications. In writing the prescription, the doctor specifies drugs by trade name, despite the fact that nonpatented—or generic—drugs are frequently equivalent.

By law and custom, pharmacists are prohibited from substituting one brand of drug for another without express permission of the physician. The trade-name drug is almost always purchased at a high markup over the price of its generic equivalent.

Also unique is the extremely low price-elasticity of demand for many prescription drugs. Patients must fill prescriptions regardless of price.

Competition in the drug industry manifests itself not in price flexibility, but in product differentiation. Competition to differentiate products results in the frequent appearance of new modifications of existing products. As slightly modified drug products have possibly successful, but relatively short sales lives, the research emphasis in the industry is on the continual invention of new combination products, not on totally new products or on the cutting of production costs to benefit the consumer.

Product differentiation and patent protection impede the entry into the market of smaller firms which would be likely to introduce price competition. There is also a definite reluctance on the part of the major firms to license smaller rivals, even when licenses are granted to larger firms. The motive here, too, is fear of instigating price competition.

More than two-thirds of all prescription sales are for drugs patented for 17 years. Although patents do not always foster monopoly in the drug industry, they are chiefly responsible for the lack of price competition.

For the good of the country, and for the benefit of the drug industry as a whole, it is imperative that the 90th Congress adopt strong legislation. Because so many consumers suffer from exorbitant drug prices, the structure of the industry is likely to be more fundamentally challenged in the future if the industry is not able, or willing, to correct the situation now.

There has been much good legislation introduced in this session. Bills of Congressman FARBSTEIN (H.R. 3047) and HELSTOSKI (H.R. 7547) provide that generic names be furnished along with trade names on all doctors' prescriptions.

Senator HART's medical restraint of trade bill (S. 260) would prohibit the funneling of prescriptions by some doctors to drug stores in which they have a financial interest. Senator NELSON's bill (S. 270) provides for the compilation of a desperately needed U.S. Drug Compendium which would list generic names of drugs.

Senator LONG (S. 1303) would amend the Social Security Act to establish a formulary of the United States. This would list acceptable drugs with their generic and trade names. On the basis of this formulary, the Secretary of Health, Education, and Welfare would set a reasonable cost range for each qualified drug. State medical aid under social security would then be restricted to drugs priced within the established ranges. The Long bill also provides for registration and inspection of drug producers by HEW.

The common denominator of all this legislation is the desire to institute some price competition in the drug industry. This can be accomplished only by attacking both the patent and generic-versus-trade-name problems.

My own bill (H.R. 10777), dealing with patents, would significantly contribute to price competition. It provides that any manufacturer who charges more than five times the cost of producing a drug, would be required to license any other drug company which asks the right to produce the same drug at least 3 years after the patent is granted. I am all for drug manufacturers making adequate profits under our free enterprise system, and I am all for ample reserves to meet the costs of research and encourage development, but surely after 3 years of marketing a drug and making no less than a 500-percent profit, this, Mr. Speaker, is more than reasonable. The product should then be on the open market for competition in order to bring the price level more in line with a free enterprise level set by the law of supply and demand.

Harvard economics professor, William S. Comanor, has given cogent reasons why legislation such as H.R. 10777 is most valuable. Compulsory licensing 3 years after a patent has been granted would not significantly lower the rate of introduction of important new drug products. Rather, Comanor points out, there would be a beneficial decline in the wasteful differentiation of drug products. He concludes that an actively enforced procompetitive policy is not likely to dampen the range of technical change. Actually, Mr. Speaker, I feel that research and development would be spurred, rather than hindered, by restricting the patents since it would provide the strong incentive for competitive innovation.

As presently constituted, the drug industry cannot possibly operate on full price competition. But the American public demands that the industry not completely destroy competition. When this occurs, the consumer suffers. Enactment of the important legislation I have highlighted, together with increased activity on the part of FDA, the FTC, and HEW would serve to introduce some essential competition at the manufacturing level where prices are currently arbitrarily set. The drug industry should eagerly accept these improvements. Legitimate profits will not be denied pharmaceutical houses. The provisions of my bill are ample, and no one could claim that this hinders the manufacturers in any way.

But if they block these measures, or if, for other reasons, these measures prove inadequate, the industry will be in for more substantial Federal control in the interest of the American consumer. This legislation is vitally needed to protect the American public from price gouging, while stimulating competition, encouraging essential research and protecting reasonable profits.

Unfortunately, it is the poorest among us who are most often forced to pay the most unconscionably high prices for the drugs they need. We must no longer allow the prescription drug industry to take advantage of patent protection in setting arbitrary prices which bear no relationship to the cost of developing, perfecting, and producing the drug.

Mr. Speaker, we must not allow an "all the traffic will bear" attitude to exist in an industry so crucial to the public welfare. The monopolies allowed by our unrealistic and antiquated laws must be brought under control. I feel, Mr. Speaker, that the need for action exists now, and the time for action is indeed now.

SETTING THE RECORD STRAIGHT

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, not too long ago, there were a series of reports in circulation around the country about a number of flagrant violations of California's new medicaid program to help the poor. Some reports said that a few individual doctors had received as much as $110,000 during the first 18 months of the program's operation. They also claimed that the 1,200 doctors involved in the program had averaged some $70,000 during the same period.

Apparently, the perpetrators of these reports did not thoroughly check out their stories. The California medicaid program uses a system of vendor numbers by which payments are made more efficiently through the use of computers. As Dr. Richard S. Wilbur, chairman of the board of directors of California Blue Shield, pointed out, what the reporters failed to realize was that many of these vendor numbers actually involved a large number of doctors all working at the same clinic. Instead of averaging $70,000 in 18 months, these doctors, numbering far more than the 1,200 vendor numbers indicate, earned an average of $3,000 a year under the program. This is not an unreasonable amount.

Mr. Speaker, I therefore submit into the RECORD the following editorial, printed in a recent edition of the American Medical Association News, in order to set the record straight on the alleged abuses of the California medicaid program.

MEDI-CAL PAYMENTS

News stories from Washington last month said the Senate Finance Committee was investigating reports of possible abuses in the new medicaid program involving payments to some individual doctors of as much as $110,000 during the first 16 months of operation.

Finance Committee members reportedly were informed of "possible excess payments" under California's Title 19 program. Figures cited were that 1,200 of the state's 20,000 physicians shared almost half of the $167 million paid to California doctors under medicaid since January, 1966.

Some doctors, the news reports said, got as much as $110,000 while the whole 1,200 got an average of $70,000.

The chairman of the board of directors of California Blue Shield, Richard S. Wilbur, MD, told the 1967 Blue Shield Annual Program Conference in Washington, D.C., that the report of possible abuses in medicaid "was simply one more example of the misfortunes inherent in allowing government employees lacking in experience with medical programs to have access to computer printouts."

Dr. Wilbur continued:

"What the printout really meant was that over an 18-month period, 1,200 vendor numbers, as they are listed on the computer, had received this money. Five of the first six numbers on the list are actually chains of dentists who, of course, include many individuals. The other top vendor numbers belong either to physician clinics, such as the Palo Alto Medical Clinic, with 130 doctors, all of whom share one vendor number, chains of optometrists, dispensing opticians, ambulance services, drugstores, etc. The truth of the matter is, the [1,200 physicians who received the most money] under the Medi-Cal program actually averaged about $14,000 in 18 months, or something less than $10,000 gross income apiece per year, hardly a startling figure. The average California MD grosses about $3,000 per year from the program."

The explanation is reasonable. Unfortunately, few who heard those news stories about possible abuses in the new medicaid program will hear the explanation. As so often happens, the facts chase after the charges and never seem to catch up. The situation may satisfy those who are always ready to rap the members of the medical profession, but it does not inform the public. Dr. Wilbur, however, has provided the facts for those who are concerned.

CONGRESSIONAL REFORM—ACTION NEEDED

Mr. HAMMERSCHMIDT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I would like to call the attention of this House to the lead editorial in last Saturday's Washington Post entitled "Our Muddling Congress."

In particular, I want to repeat the following lines:

> But there is not much point in having expert studies for a Congress that has even failed to enact the modest reorganization bill recommended by its own joint committee. The congressional reform bill is still languishing in the House Rules Committee.

On next Saturday, December 9, the Legislative Reorganization Act of 1967 will have been before the House Rules Committee for 9 months. Not even a full day's hearings have been held on the bill; the Rules Committee will not even deign to offer an excuse as to why this legislation is being bottled up.

Mr. Speaker, the final report of the Joint Committee on the Organization of the Congress, containing more than 100 recommendations for the improvement of Congress, was endorsed unanimously by the six Senators and six Representatives who make up the evenly bipartisan joint committee. The rules adopted by the committee—I refer specifically to rule V of the joint committee's rules—precluded it from making any recommendations that were not bipartisan. Rule V says quite clearly:

> No recommendation shall be made by the committee except upon a majority vote of the members representing each House, taken separately.

The joint committee's final report was filed with the Congress on July 28, 1966.

The resolution which created the joint committee, early in 1965, was passed by a unanimous vote of both Houses.

In my judgment, the committee's work, as far as it went, was careful and thorough. The record is contained in 16 volumes running in excess of 2,300 pages.

The bill is not all that I would have it be, but if we will pass the Legislative Reorganization Act that passed the Senate on March 7, at least we will have brought Congress into the 19th century.

The permanent Joint Organization Committee which would be created by the enactment of this legislation can then set about the task of providing us with suggestions for improvement which will lead to a 20th-century Congress.

Mr. Speaker, the House Republican Policy Committee strongly urged passage of the reorganization bill in the 89th Congress. In the 90th Congress, after waiting patiently for the House Rules Committee to report out the Senate-passed bill, the policy committee again urged the leadership to schedule the reorganization bill for action by the House. Finally, in October, the full House Republican conference, by a unanimous vote, adopted a resolution calling upon the leadership to schedule the reorganization bill for House action, under an open rule of debate, without further delay.

I have repeatedly stressed the bipartisan nature of the joint committee's work and emphasized that, indeed, the reorganization bill which emerged from these deliberations and with the help of many interested groups could have been nothing but a bipartisan bill. Our Republican Task Force has worked unstintingly, throughout this whole period of time, for the best legislation that it seemed possible to have for the benefit of both parties, the Congress, and the country. We are proud of our efforts in helping to shape a modest but still meaningful and much-needed bipartisan reform measure.

But that is as far as a minority can go. We can offer our ideas and suggestions—and we did so, both in testimony before the joint committee and through the publication of our book, "We propose: A Modern Congress." We can work inside the committee, deliberating on the recommendations and hammering out an acceptable piece of legislation. We did both—we deliberated, and we hammered.

We can issue policy statements—we did so, in both the 89th and the present Congress—and a conference resolution; and we can keep pounding away on this issue on the floor of the House.

But it is up to the majority leadership to schedule the bill. In blunter words, while we share equally in the credit for shaping a modest reform bill, the failure to get that bill to the House floor and passed will rest 100 percent on the Democratic Party in the House. The Republican record could hardly be clearer.

OUR MUDDLING CONGRESS

The spectacle of Congress rushing—far beyond the eleventh hour—to rescue Government workers who had been denied half their pay is a pathetic commentary on the lagging legislative branch. The two houses have supposedly been working on appropriation bills since January. The last one should have been passed before the end of the fiscal year, now five months ago. Yet, despite many stop-gap resolutions, AID employes were reduced to half pay, some officials were spending without authority in order to avoid perilous consequences, and supervisors in the OEO had to set up a welfare association—a poverty program within a poverty program—to save unpaid workers in the lower grades from acute distress.

What a travesty for a Nation with annual expenditures in the neighborhood of $139 billion! Congress has miserably botched its first obligation to provide financing for the Government's operations. Representative Holland was so outraged by the denial of funds of agencies in the congressional doghouse that he introduced a resolution the other day calling for a change in the rules so as to withhold the pay of Congressmen themselves whenever they impose payless paydays on other Federal workers.

In ordinary circumstances it would make sense to call for a study of the appropriating process by a group of experts comparable to that which recently made recommendations on the executive budget. The object, of course, would be the systematic handling of the spending bills so as to get them all enacted before June 30. But there is not much point in having expert studies for a Congress that has even failed to enact the modest reorganization bill recommended by its own joint committee. The congressional reform bill is still languishing in the House Rules Committee.

What is basically at fault is the leadership of the two houses which permits them to dilly-dally over the appropriations bills and other legislation. Good management calls for an agenda for the reporting and passage of each appropriation in the early months of each session so that differences could be ironed out well in advance of the beginning of the fiscal year. But a tired Congress under loose and unimaginative leadership simply meanders from bad to worse.

This critical weakness in our democratic system demands far more attention than it has been given to date. Every fresh failure of Congress to function as a responsible legislative body undercuts the stability of representative government. It is time to face the fact that we cannot have a virile democracy in this age of rapid transitions with a Congress bogged down by frustrations carried over from the 19th century.

Congressman Holland suggested that the congressional slogan for the last 11 months has been: "We aren't going to do much, but what we do, we'll do wrong." The most discouraging fact is that no one seems to be emerging out of the 1967 malaise with the determination and dynamism to set things right on the Hill.

FAA DESERVES PRAISE FOR PROPOSED ELIMINATION OF SPECIAL VFR FLIGHTS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I have frequently criticized the Federal Aviation Administration for what I felt to be inexcusable failures to make vital improvements to aviation safety in this Nation. I will continue to criticize the FAA when I feel such criticism is warranted, and I know the FAA accepts this criticism in the constructive manner in which it is intended. However, I also intend to see that the FAA receives due recognition when it takes positive steps to promote air safety.

Such a step was taken recently when the FAA proposed to eliminate Special Visual Flight Rules for all fixed-wing aircraft. According to testimony presented to the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee:

> Certain minimum visibility and distances from clouds are specified by the regulations for VFR operations within controlled airspace. No reduction in these minima is permitted along controlled airways. When weather is such that these minima cannot be observed along the airways, flights must be conducted under instrument fight rules (IFR). By contrast, however, within airport control zones, even those with a high volume of traffic, a reduction in the basic VFR weather minima is permitted for special VFR operations. Although a one-mile minimum visibility is stipulated for such operations, there is no minimum ceiling specified. Pilots are merely required to remain clear of clouds.

I have written to FAA Administrator, Gen. William F. McKee, commending the regulation he has proposed to eliminate this obvious hazard. I present herewith for inclusion in the Record the text of my letter to General McKee:

> Dear General McKee: I am writing to commend the Federal Aviation Administration for its proposed regulation eliminating Special Visual Flight Rules (VFR) for all aircraft except helicopters. This praiseworthy—if somewhat overdue—action should serve to materially promote aviation safety in the nation's more crowded air corridors.
>
> You may recall that last September I urged the FAA to eliminate the Special VFR on the grounds that such traffic intermixes with IFR operations in airport control zones although there is no requirement that the Special VFR pilot have an instrument rating nor that his aircraft be equipped for instrument flying. Your proposal to drop all Special VFR operations for fixed-wing aircraft would appear to be an acknowledgment that this situation presented an unwarranted hazard.
>
> I am aware that the FAA has received many adverse comments on the proposed rule from general aviation interests and that you are under severe pressure to substantially modify or abandon altogether this regulation. I urge you to resist this pressure. Measures to promote air safety should not be taken or avoided because the airlines, general aviation, the pilots or the controllers approve or disapprove of them. They should be taken because the safety of the public demands it and I agree with you completely that this is clearly the case with respect to Special VFR flights.
>
> I have every confidence that my colleagues will recognize the importance of the proposed regulation and will support your efforts.
>
> With best wishes,
>
> Sincerely,
>
> Richard L. Ottinger,
> *Member of Congress.*

THE MIGRANT WORKER: A CHANGING WAY OF LIFE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the outstanding citizens of the congressional district I have the honor to represent is James F. Walsh, who is the executive of the Catholic Social Service in South Bend, Ind.

Recently Mr. Walsh published a most interesting article concerning the work of his agency in support of legislation on behalf of migrant workers.

Under unanimous consent I place this article, entitled "The Migrant Worker: A Changing Way of Life," published in the November 1967 issue of the Catholic Charities Review, at this point in the Record:

The Migrant Worker: A Changing Way of Life

(Note.—It is not hard to find a cause that needs championing. It is harder to champion the cause once it has been found. Migrant labor is a cause that cries out for help but its voice is generally neither heard nor understood. The author describes how his agency became involved in work with migrants and was able to effect the enactment of legislation in their behalf.)

(By James F. Walsh)

Hidden in the trees on the back acres of the farms with accessibility restricted, employed throughout the daylight hours of nearly every day of the week, and shunned while in our towns, migrants are out of sight and out of mind.

Early in 1964, Father Peter J. Meade, S.C.J., of Divine Heart Seminary in Donaldson, Indiana, a priest fluent in the Spanish language and dedicated to improving the conditions of migrants, asked Catholic Social Service of South Bend to help—not only with the classic financial assistance—food orders, a night's lodging, second-hand clothes—but also with an urban grass roots approach to the devastating poverty of these almost unknown citizens. He told of conditions both appalling and challenging.

I found he was right. If I had ever been a child with masses of lumps from myriads of stinging mosquitoes, many bites festering from scratching; if I had ever lived on a diet of beans and tortillas; if I had fresh meat and milk only after a weekly late evening shopping trip because we had no refrigeration or storage space safe from vermin and rats; if I could stomach the stench that permeated every pore of the camp from the outhouse long-used and never treated; if I had stood in pools of stagnant water, waiting in line to fill my pail with water from the camp's rusted tap; if I had ever slept eight abreast in our combined living, dining, family, bedroom, and kitchen, separated from the floor by a blanket; if I had been battered by bouncing springs and knocking motors through hundreds of hostile towns . . . and if all these "ifs" were true—then I was a migrant! If I had a successful summer, my annual income of one thousand dollars might sustain my family through the winter until the wheel of my life took another grinding turn and it was spring and the crops were ripening—somewhere!

Migration is a way of life. It was fostered a century and a half ago when the Mexican government allowed relocation of families throughout its Texas colony to work the land and cotton fields. It is suffered by the man who knows no other work, yet so loves his family that he keeps them near. It is perpetuated by growers and processors who through loans and bonuses recruit labor, using their crew chiefs and State Employment Systems as agents. The debts of the migrants become the assets of the growers and processors to plant, harvest, and prepare the annual multi-million dollar crop. Migrating labor meets the current cost consciousness of the industry, studiously testing farm machines, increasing acreage yields, preparing for the decreasing dependence on stoop labor.

ORGANIZING FOR THE JOB

Could our urban-oriented techniques apply to these special circumstances? No city in Indiana had such a program. Yet, Father Meade asked that we try to make South Bend aware!

How do you make a city aware? I had an idea to sell, but I felt trepidation in the thought that a new social problem was the last thing the city needed. South Bend was still staggering from the impact of closing of the Studebaker Corporation plant, though fighting to make a comeback. The spirit of the city was fiercely determined to win, to live again wth a strong economy. The Board of Catholic Social Service felt one more problem was but another opportunity, that agency involvement was necessary to prevent future family turmoil. I was directed to organize a community-wide approach.

The community, people of all faiths and from all walks of life, joined to form the urban center. The Ladies of Charity offered clerical help and the Neighborhood Study Help Program gave tutoring services. The Council of Churches extended their child care and clothing programs, while the Sisters and students of St. Mary's College provided Spanish songs and dances. The Laubach Literacy Council agreed to assist, and the St. Vincent de Paul Society gave free use of a house. Students from Notre Dame and Divine Heart Seminary worked hours to clean, repair, and paint. Donations of desks, chairs, and general office equipment came from Associates Investment Company; drapes and lamps arrived from the Holy Cross School of Nursing; rugs from hotels and other equipment from individuals. Several hours of loaned staff time were arranged with the Department of Public Welfare, the

Urban League, the St. Vincent de Paul Thrift Store, and Catholic Social Service. A thousand-dollar grant was obtained from the Merrill Trust Fund through the recommendation of Rt. Rev. Msgr. Peter O'Rourke of the National Catholic Rural Life Conference. Our sign, painted and donated by Drewry's Limited, showed our name:

CENTRO CRISTIANO DE LA COMUNIDAD: CHRISTIAN COMMUNITY CENTER

How do you intervene? Those who work with migrants—the migrant ministry and migrant apostolate—Protestant and Catholic efforts—pointed to the growing effectiveness of their child care programs. Children were being removed from the camps, even if for but six hours, eating good food, receiving medical care, being taught to read and write. In turn, the parents gladly accepted evening and Sunday camp-centered programs of religion, literacy, and recreation of themselves, and their older sons and daughters were seldom too tired to play baseball or to sing. Children offered the hope of the future, the possible break from the cycle of migrant life.

Farm-based people came bringing their children, glad to have a place—any place away from the camps—to sit and talk, to be comfortable without a hundred stares. This was something to do, "like home and the fiestas." It was belonging. Spanish was spoken here and the "Anglo" understood a bit about needs. He taught sewing and literacy. Tutors and children were teamed, and even though the books were old ones from South Bend schools, the principles were the same and attendance was strong. The seeds of community acceptance were sown.

Then there came a national call for War on Poverty. We responded, joining with the migrant ministry and apostolate to form a state-wide planning program, establishing the Indiana Associated Migrant Opportunity Services, Inc. (AMOS). The emerging plan of action visualized a state-wide system of full-time remedial schools, day care centers, camp centered literacy programs, and Centro Cristiano's urban center concept funded by the Office of Economic Opportunity.

REVISING PROGRAM

Yet something wasn't right. A growing realization came that we were touching only symptoms and just making the migrants more comfortable in their poverty. We were developing a system of company stores—carrying out a philosophy of "shoes and food, books, prayers, and compliance!" We had the mistaken idea that child-centered programs would eventually break the cycle of poverty. For while we planned, we watched migrant parents coming and going, cars groaning with the weight of family and goods, moving on to Michigan, or Ohio, or home. Their children's vaccinations, whether medical, dietary, or educational, had not even taken yet, and they were gone.

I called for a program of Adult Education, and developed a concept of leadership training accepted by AMOS that would prepare the most capable migrant leaders to help their people in the camps, and throughout the migrant stream. If you can train a leader, through him you can touch the lives of hundreds more.

The Office of Economic Opportunity, after extensive negotiations, agreed to fund AMOS for $484,000. Centro Cristiano sub-contracted for $191,000, of which $89,000 was budgeted for Adult Education.

The Program for the Advancement of Capabilities (PAC), a twelve-week training course recruiting the most promising migrant adults, taught the art of establishing and teaching classes to migrants in camps. Field Sanitation, Budgeting, Child Care, Literacy, Civil Procedures, and Organizational Techniques were the main topics. Field work was performed in permanent area migrant camps.

A surprising development occurred. Several of the migrants, although interested in their people, were more interested in breaking from the stream. Most wanted to get out of the stream and settle down anywhere they could make a living. They could not do so in Texas, or on the farms, and if they could in Indiana, they would. Knowing only farm work, however, they were uncertain of breaking away. Centro Cristiano helped to place many PAC trainees and other migrants in permanent urban employment. It was inconceivable to encourage them to continue following the stream.

Urban life offered attractions. The migrant might be unskilled, but he knew how to work. He had tremendous manual dexterity. Urban poverty was not fearsome. On the contrary, the two or three thousand dollars he might earn represented much more than he could earn in Texas or in the fields, while his wife and children could return to area fields each summer if necessary. The fear of prejudice was present but not deep. Even the fear of urban social turmoil, delinquency, and family stress was negated by feelings of deep family ties and paternal authority. The migrant wanted retraining and relocation.

The entire leadership program was redrafted with the migrant directing the revisions. It now offers a greater opportunity for retraining with emphasis on community living and organization, bringing the migrant from the farm into the city with a hand guiding him to his own path. A basic education unit prepares those more fluent in Spanish than English to an earned promotion to the Program for the Advancement of Capabilities. The most promising PAC graduates are retrained for further work in the Advanced Leadership Course, offering staff level employment concentrating on trainees, migrating, and relocating families. The length of training extends to twenty weeks, a time more favorable to the assimilation of community contracts and organizational techniques. It also offers an extended period of urban orientation, and in many instances, sharply reduces personal anxiety about relocation. The Office of Economic Opportunity refunded Centro Cristiano for $324,000 for 1966–67, of which over $200,000 is for Adult Education!

RESULTS

Does it work? Arnold L. Solomon, perhaps the only Jewish Director of a Christian Community Center anywhere, reports: Over three hundred migrant families are relocated in Indiana and many of the adults retrained. Thirty-one former migrant families are regularly employed in Marion, eighty in Bluffton, and over two hundred in South Bend. Forty South Bend families are purchasing homes. Personnel directors at large firms like the Bendix Corporation openly state their extreme satisfaction with the quality of the work done by former migrants. Turnover has been no greater than normal factory turnover. Several other leadership graduates are hired as staff employees of other states' migrant programs, as well as by AMOS and its several county components. The families are stabilized and the children have an opportunity to attend school on a full-time basis. Their agile minds and pleasant dispositions enable them to blend in readily with area children. High school graduation is becoming a strong possibility, and has been accomplished already by several former migrant children in South Bend. This potential for education and graduation is in direct contrast to the 75% dropout rate of Spanish-speaking children throughout the nation.

Yet, thousands of migrants remain on the farms, and until approaching mechanization displaces them (predictions say within ten years), they will pursue this way of life with its continuous debilitation.

PROTECTION OF LAW ESSENTIAL

Legislative action is necessary to cause change on the farms! I felt that documented and reasoned requests to elected officials from respected community citizens and groups might be effective. Through letters and personal visits, many legislators (including the Speaker of the House and the House Minority Leader), interested groups, and community leaders were reached. A presentation of the migrant situation was given, with a call to join in this fight for dignity for farm workers. Many responded, forming the Friends of the Migrants, and establishing a base of power of Indiana citizens who would and could speak to the 1967 Indiana General Assembly for their fellow Americans.

Indiana and national law was researched by the Legislative Bureau of the University of Notre Dame Law School and three bills were drafted: Child Labor, Migrant Minimum Wage, and the "Bonus." Children of migrants of any age could work any number of hours in the fields while their parents were paid wages varying from farm to farm, from county to county. The "bonus" perpetuates a form of debt bondage. Growers often loan money to field hands, or provide their crew chiefs with cash to loan, plus paying him a bonus for each worker recruited. Economic need leads to loan requests which in turn lead to work obligations and favorable grower contracts. These contracts, frequently approved by the State Employment System, establish a base pay per hour or unit, adding a bonus payable at the end of the season. The grower determines the season's end, tying families to farms during the late fall with but a few days of work and small pay a week, necessitating the use of savings. The alternative is to break the contract which means forfeiture of the bonus, future loans, and sometimes future employment.

The Legislative Committee hearings found our presentations competing with those of the professional lobbyist of the canners and growers. Our views were respected, but not prevailing. Eventually, however, a modification of our child labor bill was enacted during the session and became law—the first protection ever afforded migrant children in the history of the State of Indiana! The other two bills did not survive the session.

Still there was more we could do! The 1967 General Assembly passed a law establishing a Legislative Council, authorizing it to establish study committees, and we went before them. On June 7, 1967 a Legislative study committee was authorized to study migrant wages and general working conditions. The highest levels of state government are now becoming aware of migrant problems!

A CALL TO CATHOLIC AGENCIES

We have miles to go. The many social ills besetting migrants in Indiana and the nation are barely being touched. Behind this is the non-involvement of our uninformed citizens and the status quo maintained by national processors and growers. Some are being met, as in Delano and the Rio Grande Valley, but others are disassociating themselves, preparing for mechanization.

Processors and growers must become involved. Migrant labor has built for them a multi-billion dollar national and international industry at minimal cost. They have an obligation to reinvest large sums of private funds in the retraining and relocation of their field laborers, many perhaps within the framework of their own industries. They must match the advertised quality of their product with the quality of training and treatment of their field laborers.

Motivation frequently comes from without. Processors, growers, and migrants, like Catholic Social Service offices, are in most of our states and cities. The Catholic Social Services can provide the necessary motivation. It must! Four hundred thousand migrant workers and their families are coming off the back acres!

THE LATE DR. ALAN F. WATERMAN

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Daddario] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DADDARIO. Mr. Speaker, the late Dr. Alan F. Waterman, who was head of the National Science Foundation from its organization in 1950 until he retired in 1963, died late on Thursday, November 30, from complications following surgery performed several weeks ago. As one whose subcommittee has been close to the great accomplishments of the NSF in its service to the country and who is aware of the magnificent contributions which Dr. Waterman made to the growth and stability of that institution, I should like to pay a personal tribute to the quality and integrity of his work on behalf of science and the Nation.

It was my privilege to present the first Edwin Bidwell Wilson Award to Dr. Waterman at the vicennial convocation of the Office of Naval Research on May 4, 1966. Dr. Waterman was the first Chief Scientist and the Deputy Chief of Naval Research from 1946 to 1951, after his years in World War II with the Office of Scientific Research and Development, work that won him the Presidential Medal of Merit.

I noted in my remarks at the convocation that the Office of Naval Research which he had headed during its formative years had demonstrated "during the 20 years since its creation, that a Federal agency can approach, with skill, vigor, and imagination, the complex problems involving science, the university community, and government."

He brought his special skills to the National Science Foundation, to which was entrusted by the Congress the realization nourished in World War II that science is an endless frontier, and he maintained stoutly and vigorously the importance of basic research to the country's future. When he wrote the Director's statement to the 13th annual report of the NSF, his last such statement as Director, he could assert:

> The national program in basic research has developed a variety and comprehensive strength that is a trbute to the generous and tireless collaboration of the country's scientists and engineers, in rendering consulting service on planning and evaluation. It is of the greatest importance to understand the significance of national support for basic research, so essential to the progress of science itself and to the training of scientists and engineers. It should never be regarded as competing with developmental programs. It represents the seedbed of technology. It brings to light new discoveries in many fields with wide potentialities for applied research and technological development. Basic research makes possible intelligent planning for the future.

From the close of World War I until he came to Washington in 1942 to join the OSRD, Dr. Waterman was a member of the Yale University faculty in New Haven, Conn., after first having done both his graduate and undergraduate work at Princeton. His years of teaching molded his manner, and he was always a gentle and thorough teacher, able and effective in explaining his cause.

Although he reached the compulsory retirement age prior to the expiration of his second term as head of the National Science Foundation, he continued to serve in that post until June 1963, at the special request of President Kennedy.

Long after his retirement, he maintained an interest in the Congress and matters of science policy, and he was a consistent attendant and participant in the annual seminars and panel discussions which the House Committee on Science and Astronautics has organized. He was, needless to say, an honored invitee to the next session which is now being planned for January, and we will miss him.

Mrs. Daddario and I extend our heartfelt sympathies to Mrs. Waterman and the others of his family.

PRESIDENT JOHNSON'S SEARCH FOR PEACE AND PROSPERITY IN A WORLD OF NUCLEAR POWER

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Daddario] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DADDARIO. Mr. Speaker, 25 years ago, the United States became a pioneer in the nuclear age when the first sustained nuclear reaction took place at the University of Chicago.

A short time later, we became the first country to explode successfully an atomic device.

Today, the United States is a pioneer in the peaceful uses of atomic energy and in seeking the worldwide control of the proliferation of atomic weapons.

As one who has a deep interest in the development of science for peaceful uses, I recall with pride the trailblazing efforts of Connecticut's Senator Brien MacMahon in structuring the civilian control of atomic energy, and in building a flexible organization within which such magnificent gains as we have witnessed in civilian development in recent years could be fostered. I recall with pride the steps which President Truman pronounced in seeking an effective control plan for atomic energy, with inspection, which could enable the world to beat its swords into the proverbial plowshares.

Today, President Johnson is pursuing a treaty to bring the nations of the world together to control the spread and use of atomic weapons. The way is difficult, but a serious and earnest effort is being made.

We must never forget that the American President, since that day on which thermonuclear weapons came within the world's arsenals, has been one of few men in history to hold in his hands the power to destroy not just a nation, but the world. And President Johnson has used that power with the utmost respect, restraint, and understanding.

For a nation as powerful as the United States, the restraint has been sober. Much more attention has been directed to the peaceful uses of atomic energy, in such needed areas as medicine, health, agriculture, and electric power. Indeed, by 1980, 34 percent of all American generating capacity will be nuclear, according to the AEC forecasts.

Last week, President Johnson commemorated the 25th anniversary of the age of nuclear energy with a message to a gathering at the University of Chicago. The world has come a long way since 1942. Let us join our President in his tribute to the men of science who combined their talents to increase man's available energy more than a thousandfold.

POST OFFICE DEPARTMENT ESTABLISHES FORECASTING SYSTEM

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Charles H. Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, to meet the challenge of the Nation's constantly growing and changing mail volume, the Post Office Department must try to determine the extent and nature of the demands that will be made upon it in the future. The Department has developed a forecasting system to survey what the future might hold for mail delivery service as much as 20 years from now. This interesting innovation was explained in a Department announcement which I hereby make part of the Record:

> Postmaster General Lawrence F. O'Brien said today the Post Office Department has established a forecasting system to determine what mail service will be like as much as 20 years ahead.
>
> The idea, Mr. O'Brien explained, is to anticipate future circumstances under which the Postal System must operate and to provide for the fastest possible mail deliveries and the most efficient management under conditions that will exist 5, 10 and even 20 years hence.
>
> The new "Departmental Forecasting System" is developing a "spectrum of forecasts" covering such possible developments as the "little black box"—or an electronic device in the home which can receive all kinds of communications such as mail and even newspapers.
>
> The forecasting project is spearheaded by the Department's Office of Planning and Systems Analysis which Mr. O'Brien set up 18 months ago to develop long-range postal planning. Compilation of the forecasts, however, will require the coordinated effort of all Bureaus and Offices.
>
> The objective is to avoid a "fireman" approach to service problems which may arise where new difficulties must be met by hastily-improvised solutions rather than with measures developed in anticipation of the problems.
>
> The postal forecast is divided into 3 major segments:
>
> 1. Basic national trends, such as popula-

tion growth, mail volume and housing developments, advances in electronics and transportation, and use of other methods of communication.

2. Internal factors influencing postal service such as advances in mechanization, training requirements, skills that will be needed in the future, size of the probable work force and plant needs.

3. Future developments that will have a direct bearing on specific existing program "categories" of the Department.

For example, one of these program categories involves the entire field of transportation and how it may be used for the speediest transport of mail.

The development of high-speed rail transportation along the Eastern corridor from Washington to Boston will accordingly be studied to determine to what extent this could apply to the mails.

Other long-range forecasts will deal with such matters as improved services to mailers, better internal processing of mail, accelerated research and development, improved methods of delivery, and auxiliary services performed by the Postal Service.

STUDY OF ACTIVITIES OF INSTITUTIONAL INVESTORS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOSS. Mr. Speaker, the gentleman from Massachusetts, the Honorable HASTINGS KEITH, and I have today introduced a resolution to authorize a study and investigation by the Securities and Exchange Commission of the activities of institutional investors in the securities markets. Institutional participation in the market has been growing rapidly, both in dollar amount and in relation to that of other investors. Holdings of financial institutions in stocks listed on the New York Stock Exchange have nearly doubled in the 1960's going from about $53 billion at the end of 1959 to $101 billion at end of 1966. At the latter date, bank-administered personal trust funds held an additional $56 billion. If you include such bank trust funds, institutional holdings at the end of 1966 amounted to some 33 percent of all the stock listed on the exchange, which in turn amount to some 90 percent of the publicly held stock in the country. Institutional trading has also been growing rapidly and now amounts to about a third of the trading on the exchange.

This so-called institutionalization of the markets has significant impacts which require careful study. The auction markets on the exchanges have traditionally been geared to a steady flow of relatively small orders from a multitude of individual investors who buy and sell for a variety of personal reasons. Institutions, on the other hand, buy and sell in large blocks, often amounting to tens or hundreds of thousands of shares. The number of transactions in blocks of 10,000 shares or more on the New York Stock Exchange has tripled since 1964.

Institutionalization means not only trading in large blocks, it means a concentration of investment decisions in the hands of a relatively small group of professional money managers who, it has been suggested, may have a tendency to reach decisions to buy or sell particular securities at or about the same time. This throws a serious strain on the securities markets, and may induce sudden and often violent fluctuations in the prices of individual securities to the detriment of ordinary investors. The growth of institutional investment has implications which go beyond the functioning of the market itself. The very large institutional holdings in the stock of many companies raises questions as to the relationship between institutional investors and the managements of publicly held companies, as well as possible problems as to the concentration of influence if not control of significant segments of American industry in the hands of professional money managers.

This growing phenomenon of institutional investment has not gone unnoticed. As long ago as 1955 the staff of the Senate Committee on Banking and Currency made a limited study of institutional trading in a selected group of securities, and in more recent years there have been numerous articles and discussions on the matter in the press and particularly in the financial journals. Nevertheless, it seems clear that despite the importance of this phenomenon, not enough is presently known about it. In 1963 the "Special Study of Securities Markets" concluded with respect to this subject:

> Institutional participation has become increasingly important in the total business of securities markets and, since the institutions tend to deal in larger blocks and for other reasons, such participation presents special problems from the point of view of the exchanges and in relation to the public interest and protection of investors. In view of the growing importance of institutional transactions and the probability that needs and problems associated with them will not remain static, it is particularly important that there be an adequate body of information about them on a continuous basis for the use of the Commission, the self-regulatory bodies and the investing public.

The Commission itself made the same point in its recent "Report on the Public Policy Implications of Investment Company Growth," as follows:

> The changes to which institutionalization has led require a reappraisal of existing practices and procedures in those markets by the Commission, the securities industry, and the institutional investors themselves. Such a reappraisal requires fuller data concerning securities holdings and trading patterns of institutional investors than is now available. While this information can be obtained by the Commission with respect to investment companies, there is a lack of reliable and comprehensive data concerning the securities holdings and trading activities of most other types of institutional investors, including pension funds.

Mr. Speaker, in closing, I want it made very clear that the resolution my colleague and I are introducing, and the study provided for therein, are not intended as a substitute for, or as a prerequisite to, the legislative proposals contained in H.R. 9510 and 9511. These two bills embody recommendations contained in the Securities and Exchange Commission report on public policy implications of investment company growth, and our subcommittee has already completed hearings on them. Rather, this resolution is intended as a supplementary measure to enable the Congress and the Commission to deal with further problems which the Commission referred to in its report, but on which it did not make any legislative recommendations, since further information would be needed before this could be done.

Mr. KEITH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, as my distinguished colleague and good friend, the gentleman from California, JOHN MOSS, has said, institutional investors are a relatively new yet powerful force in the securities markets, and their activities require careful study. We just do not have sufficient knowledge to appreciate the implications of institutional investment activity for the securities markets and the economy in general.

Another aspect of institutional activity in the securities markets has been of particular concern to us and our colleagues, and that is the apparent increase in short-term and, perhaps, speculative trading by certain institutions.

Institutions have traditionally been thought of as conservative long-term investors, but in the short period since 1965, they have increased their turnover rate significantly, in the case of mutual funds, from 21 percent to 33.5 percent. A limited group of funds, referred to as the "go-go" funds, have concentrated on very short-term trading which may well be characterized as speculative. We need to know more about this activity which has given rise to serious concern on the part of well-informed persons. Speaking last May 16, on the occasion of the 175th anniversary of the New York Stock Exchange, William McChesney Martin, the distinguished Chairman of the Federal Reserve Board, warned that the trading activities of institutional investors "contain poisonous qualities, reminiscent in some respects of the 1920's." In discussing this with Mr. Martin just 2 weeks ago, he told me his concern about this situation is as strong as it was last May.

The SEC agrees that a study which will gather the necessary facts with respect to institutional investment is not only desirable but necessary, and has so stated in testimony before our subcommittee as well as before the Senate Committee on Banking and Currency. Although this resolution directs the SEC to conduct the study and investigation and the report to the Congress is the responsibility of the SEC alone, we are hopeful that the SEC will receive the assistance and support of all interested parties, including other Federal agencies, universities, and other research institutions concerned with the workings of the economy, the stock exchanges, and the institutional investors themselves. In all respects, the resolution follows the general form of the 1961 resolution which created the Special Study of the Securities Markets.

The resolution we are introducing will set up a study of the impact of institutional growth in the securities markets. Such growth poses many questions which no one can answer with certainty. Among other matters, these questions bear on the ability of the market to accommodate to this growth and at the same time maintain stability and public confidence. By obtaining answers to these questions, we can assure ourselves that our securities markets will continue to be a strong and healthy basis for our free enterprise system.

The resolution follows:

House Joint Resolution 946

Joint resolution to amend the Securities and Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors

Whereas there has been a very significant increase in the amount of securities held and traded by institutional investors both in absolute terms and in relation to other types of investors; and

Whereas such an increase may have an impact upon the maintenance of fair and orderly securities markets, upon the issuers of securities traded in such markets and upon the interests of investors and the public interest: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(e) The Commission is authorized and directed to make a study and investigation of the purchase, sale and holding of securities by institutional investors of all types including, but not limited to, bank, insurance companies, mutual funds, employee pension and welfare funds, foundation and college endowments, in order to determine the effect of such purchases, sales and holdings upon the maintenance of fair and orderly securities markets and upon the stability of such markets, both in general and for individual securities, and upon the interests of the issuers of such securities and upon the interests of the public so that the Congress may determine what measures, if any, may be necessary and appropriate in the public interest and for the protection of investors. The Commission shall report to the Congress on or before January 20, 1969, the results of its study and investigation, together with its recommendations, including such recommendations for legislation as it deems advisable. For the purposes of the study and investigation authorized by this subsection the Commission shall have all the power and authority which it would have if such investigation were being conducted pursuant to section 21 of this Act. The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and to pay, without regard to the provision of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such personnel as the Commission deems advisable to carry out the study and investigation authorized by this subsection, but no such rates shall exceed the per annum rate in effect for a GS–18. For the purposes of this subsection, there is authorized ------."

DE GAULLE WAS BAD EVEN FOR DE GAULLE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOSS. Mr. Speaker, French President Charles de Gaulle has shown increasing evidence of the eroding of character which one has a right to expect of an "ally."

His annual press conference—conducted in a manner far more typical of the courts of the Louis' than of a Republic—was, as the following editorial from the Sacramento Bee, notes—not his finest hour.

The editorial follows:

De Gaulle Was Bad Even for De Gaulle

It was one of the grand Charles' most shameful hours.

In a press conference in Paris before 1,000 newsmen President Charles de Gaulle sought to elevate himself on Britain's crisis and succeeded only in assuring that he would go down in history as a man of egomaniacal and vindictive smallness.

"Britain," he said, "is incompatible with Europe" because of the economic instability exposed in London's devaluation of the pound.

Britain was not incompatible with Europe when it gave refuge to De Gaulle during the second world war. Nor was it incompatible with Europe when it liberated France and made it possible for De Gaulle to play spoiler. Perhaps Britain's only act of incompatibility with Europe was in imposing De Gaulle on the continent.

De Gaulle was not satisfied with playing the ingrate. He became the only major leader in modern history to encourage the citizens of a friendly nation to secede. He did exactly this when he called anew and with unprecedented clarity for the creation of a free Quebec.

He mixed his egomania with overtones of paranoia when he proclaimed with chauvinistic fervor that Quebec needed to be free to stand against invasion by the United States.

De Gaulle is preaching an irredentism as rhetorically violent as any practiced by Hitler when he aggressed against European nations with large German populations.

In expressing almost absolute opposition to Britain's entry into the Common Market, in assailing the sovereign Canadian government and in spewing enmity toward the US, De Gaulle put on a performance of egomania, ingratitude, international anarchy and impaired judgment that can only evoke sympathy for the good people of France.

MIKE KIRWAN

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Clark] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLARK. Mr. Speaker, Mike Kirwan may be one of the few octogenarians in the House of Representatives, but in energy, ability and pep he ranks with our younger colleagues. His years have not slowed him down. I have known Mike ever since I came to the House 13 years ago and, like so many others, have found in him a valuable friend never too busy to help others and to give them sound advice.

Mike is an outstanding example of the opportunities America offers. From a most humble background, he rose from the ranks of laborer to one of the most powerful positions in our Government. He did it on his own, through ability, hard work and an understanding of his people. His humility is underscored by the fact that his biography in the Congressional Directory is less than two lines long. To list all of his accomplishments would require more than two pages.

HOUSE JOINT RESOLUTION 940—A CALL FOR A NEW NATIONAL WHITE HOUSE CONFERENCE ON AGING

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PEPPER. Mr. Speaker, on November 28, I introduced legislation calling for a new White House Conference on Aging to be held in January of 1970. The purpose of the Conference would be to review the objectives established on behalf of the elderly in previous national conferences and report on how successful we, as a nation, have been in moving toward realizing these goals for older people.

The first National Conference on Aging was called by former President Truman in the summer of 1950, and was the result of a rising awareness of the needs and problems of a growing proportion of our population. Although no action was proposed or taken by this conference, the 3-day gathering afforded for the first time a truly national opportunity to exchange ideas about the challenges of growing older in 20th-century America. The report of the first Conference, "Man and His Years," served as a blueprint for action on behalf of the elderly throughout the 1950's.

In 1958, the late John Fogarty, of Rhode Island, introduced legislation calling for a White House Conference on Aging to be held in 1960. The purpose of Congressman Fogarty's bill was to stimulate joint cooperation between the States, the Federal Government, and the agencies and organizations who were working to improve the lives of all older Americans. As many Members of the House will remember, the Congress unanimously endorsed the need for such a conference and the meeting took place in January of 1961.

Unlike its predecessor, the 1961 White House Conference on Aging was a working conference. The participants at once saw that they were being called upon to take an active part in identifying the needs and problems of the aged, and more important, to find solutions and answers. The report of the conference, entitled "The Nation and Its People," was and still is the most valuable guide for action on behalf of older Americans. The report contains concrete and specific recommendations of ways in which governments at all levels can help the elderly overcome problems which they cannot solve solely by themselves.

In the nearly 7 years which have passed since the 1961 conference gathered, Congress has done much toward implementing many of the recommendations contained in the report. The Older Americans Act, medicare, improvements in social security, and the welfare programs—these are but some of the things which the conferees touched upon and urged action. Many other recommendations have been implemented by State and local governments; voluntary organizations and agencies are making major breakthroughs with experimental and innovative programs to make growing older today a challenge, rather than a burden.

Why, then, do we need another National Conference on Aging? As I see it, there are two reasons: First, the needs and problems of older people, like the needs and problems of other age groups, are constantly changing. New "generations" of older Americans are entering the ranks of our older population each day, each year, and most certainly each decade. These are Americans whose ideals, goals, values, experiences, and hopes differ from the elderly of the 1950's, and will most likely differ from those who have retired in the 1960's. It would be a tragedy to think that all older Americans are alike, that their problems are alike, or that their ideas are the same—just as it would be tragic to believe that other age groups are not influenced by new attitudes, changing outlooks, and modern pressures.

For these reasons alone we can justify calling together the Nation's leading expertise to evaluate and measure these changes, identify and separate the new from the recurring problems, and find new solutions. The second reason for calling a National Conference on Aging in the 1970's is to present the challenges of the future. Those who are 55 today expect to be 65 10 years from now; those who are 45 expect to reach 55, and so on down the line. The future for older Americans can and will hold a new promise and meaning if we take the opportunity now to anticipate the problems of the future. Considering the rate of change in the attitudes and values of Americans today, the retiree of 1975 may face a whole new set of problems with which he has had little or no experience. We must be able to propose action today which will prevent or solve the problems of tomorrow.

Mr. Speaker, the joint resolution which I have introduced—House Joint Resolution 940—would provide that it is the sense of Congress that a new conference be called in January 1970. Each State would be entitled a small planning grant to enable the State to plan and conduct a State conference on aging for the purpose of developing facts, making recommendations, and preparing a report of the findings for presentation to the national conference. The amount of these grants would be between $5,000 and $25,000; these are one-time planning grants only, I might add.

The final report of the national conference would be submitted to the President within 90 days after the conference was called, and the findings and recommendations would be made public at that time.

Mr. Speaker, I think sometimes that many Americans overlook the urgency of coming to grips with the problems of aging in the United States—most people, I guess, do not see themselves as growing older. Yet, most of us expect that tomorrow will be as rewarding, productive, and challenging as is this day. To assure that this hope becomes a reality will be the goal of the 1970 National Conference on Aging. I urge every Member to support this resolution.

Mr. Speaker, I include House Joint Resolution 940 immediately following my remarks:

H.J. RES. 940

Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970, to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes

Whereas the primary responsibility for meeting the challenge and problems of aging is that of the States and communities, all levels of government are involved and must necessarily share responsibility; and it is therefore the policy of the Congress that the Federal Government shall work jointly with the States and their citizens, to develop recommendations and plans for action, consistent with the objectives of this joint resolution, which will serve the purposes of—

(1) assuring middle-aged and older persons equal opportunity with others to engage in gainful employment which they are capable of performing; and

(2) enabling retired persons to enjoy incomes sufficient for health and for participation in family and community life as self-respecting citizens; and

(3) providing housing suited to the needs of older persons and at prices they can afford to pay; and

(4) assisting middle-aged and older persons to make the preparation, develop skills and interests, and find social contacts which will make the gift of added years of life a period of reward and satisfaction; and

(5) stepping up research designed to relieve old age of its burdens of sickness, mental breakdown, and social ostracism; and

Whereas it is essential that in all programs developed for the aging, emphasis should be upon the right and obligation of older persons to free choice and self-help in planning their own futures: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to call a White House Conference on Aging in January 1970 in order to develop recommendations for further research and action in the field of aging, which will further the policies set forth in the preamble of this joint resolution, shall be planned and conducted under the direction of the Secretary who shall have the cooperation and assistance of such other Federal departments and agencies as may be appropriate.

(a) For the purpose of arriving at facts and recommendations concerning the utilization of skills, experience, and energies and the improvement of the conditions of our older people, the conference shall bring together representatives of Federal, State, and local governments, professional and lay people who are working in the field of aging, and of the general public including older persons themselves.

(b) A final report of the White House Conference on Aging shall be submitted to the President not later than ninety days following the date on which the conference is called and the findings and recommendations included therein shall be immediately made available to the public.

GRANTS

SEC. 2. (a) There is hereby authorized to be paid to each State which shall submit an application for funds for the exclusive use in planning and conducting a State conference on aging prior to and for the purpose of developing facts and recommendations and preparing a report of the findings for presentation to the White House Conference on Aging, and in defraying costs incident to the State's delegates attending the White House Conference on Aging, a sum to be determined by the Secretary, but not less than $5,000 nor more than $25,000; such sums to be paid only from funds specifically appropriated for this purpose.

(b) Payment shall be made by the Secretary to an officer designated by the Governor of the State to receive such payment and to assume responsibility for organizing and conducting the State conference.

ADMINISTRATION

SEC. 3. In administering this joint resolution, the Secretary shall—

(a) request the cooperation and assistance of such other Federal departments and agencies as may be appropriate in carrying out the provisions of this joint resolution;

(b) render all reasonable assistance to the States in enabling them to organize and conduct conferences on aging prior to the White House Conference on Aging;

(c) prepare and make available background materials for the use of delegates to the White House Conference as he may deem necessary and shall prepare and distribute such report or reports of the Conference as may be indicated; and

(d) in carrying out the provisions of this joint resolution, engage such additional personnel as may be necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service, and without regard to chapter 57 and subchapter 111 of chapter 53 of such title relating to classification and General Schedule pay rates.

ADVISORY COMMITTEES

SEC. 4. The Secretary is authorized and directed to establish an Advisory Committee to the White House Conference on Aging composed of professional and public members, and, as necessary, to establish technical advisory committees to advise and assist in planning and conducting the Conference. Appointed members of such committees, while attending conferences or meetings of their committees or otherwise serving at the request of the Secertary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $50 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

DEFINITIONS

SEC. 5. For the purposes of this joint resolution—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) the term "State" includes the District of Columbia, Commonwealth of Puerto Rico,

Guam, American Samoa, and the Virgin Islands.

AUTHORIZATION OF APPROPRIATIONS

SEC. 6. There is hereby authorized to be appropriated such sums as Congress determines to be necessary for the administration of this joint resolution.

CONGRESSMAN CLAUDE PEPPER INTRODUCES HOUSE JOINT RESOLUTION 393 TO ESTABLISH A JOINT COMMITTEE TO STUDY THE COSTS OF HEALTH CARE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PEPPER. Mr. Speaker, on November 28, 1967, I introduced House Joint Resolution 393, a resolution calling for the creation of a joint committee of both Houses for the purpose of making a full and complete study of the costs of medical care in the United States.

Since World II, the price of medical care has continually outpaced all other prices in our economy. From 1946 to 1966, for example, all consumer prices rose 66 percent, while the medical care prices rose 110 percent. Over the same period, the price index for hospital daily service charges rose a phenomenal 354 percent.

Medical care price changes during the first year of the medicare program not only show that prices continue to rise faster than prices for other goods and services, but that the pace of these increases is skyrocketing. For example, between July 1966 and June 1967, the Consumer Price Index for all items increased 2.7 percent—the medical care component rose 2½ times as much, 7.3 percent; and hospital daily service charges increased 21.9 percent over this 12-month period.

Mr. Speaker, the time has come for the Congress to carefully look into the reasons for both the long-term and recent fantastic rise in the costs of medical care in the United States. Unless we can identify the causes of these increases and, unless we can find ways in which to bring these pressures on medical care prices under control, I fear that the right to high-quality care, a right we have worked so hard to establish for all Americans, will become meaningless, as fewer and fewer people can afford to pay the price of care.

The concern of the Congress about the economical use of our health resources is, of course, not a new issue. As the chairman of the Subcommittee on Wartime Health and Education, I had an opportunity to review some of the many complex issues relating to the costs of health care some 25 years. We found at that time, for example, that—

> Shortages of doctors, dentists, nurses, and other medical personnel are marked in many communities, and in general, medical personnel are inequably distributed throughout the country.

We knew then and we know now that manpower shortages and an uneven distribution of resources in the face of ever-increasing demand for health services are major factors which force the price of medical care higher and higher. Regrettably the distribution of facilities and manpower today still remains very uneven, helping to sustain the inefficient and wasteful allocation of our health resources.

While medical knowledge and technology have increased a great deal since the Second World War, we have done all too little to improve our methods of organizing our health resources and controlling medical care costs. The time has come for Congress to investigate ways in which we can provide a rational basis for financing health care costs. Our responsibility must not stop simply at the point where, in such programs as medicare and medicaid, we are willing to underwrite the costs of care, without trying to control their spiraling advance.

The resolution I have introduced would establish a joint committee composed of 12 members, six from each House of Congress. This joint committee would be empowered to take the expert testimony of the Nation's leading health professionals and other interested parties for the purpose of studying with precision the reasons for the recent unusual price increases and to suggest methods and procedures for preventing similar increases in the future.

Efforts to bring about a slowing down of rapidly rising health care costs cannot, of course, begin in a vacuum. This joint committee would have to take into account the wide differences in customs, facilities, and practices which are part of the Nation's health effort. Congress has long recognized and supported a pluralistic approach to the provision of health care, since this approach represents a sound and workable philosophy. Congressional health programs have time and again endorsed the principle that private and public resources working together can best reach our national health objectives. As I see it, however, this joint committee, while recognizing the need for flexibility in our health programs in order that they be responsive to diverse economic and social needs, should be able to point out where socially and economically undesirable differences can be eradicated. Only in this manner can we ever hope to halt the growing pressures on health care prices.

Mr. Speaker, I hope that the Members will see this resolution as a commitment on the part of the Congress to meet its responsibility to assure high-quality medical care at reasonable costs to the Nation and its people.

PRESIDENT JOHNSON SIGNS MENTAL RETARDATION BILL INTO LAW

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PEPPER. Mr. Speaker, it was my privilege to be present at the stirring ceremony today at the White House in which President Johnson signed into law the mental retardation bill to make available extended funds for facilities, research, and training for mental retardation patients.

As the President noted today, mental retardation used to be a subject that no one really wanted to talk about. Now, the people and their Government are very much aware of the problems of retardation—and we are doing something about them.

As one who has strongly supported this legislation, I believe that we are on the threshold of making important breakthroughs in the treatment and rehabilitation of mental retardation cases.

We now possess both the will and the resources to bring new hope to 2 million seriously retarded children. And this bill, which President Johnson signed today, is a vital step toward the progress we all seek to rehabilitate those suffering from mental retardation.

As the President said today:

> Our goal is a society where children born with a chance for a full life shall truly have it.

Today we have made a big step toward achieving this worthy objective.

I insert into the RECORD, President Johnson's remarks at the signing ceremonies for the mental retardation bill:

REMARKS OF THE PRESIDENT UPON SIGNING THE MENTAL RETARDATION BILL, H.R. 6430

> Mrs. Humphrey, Secretary Gardner, distinguished Members of the Senate and the House, Chairman Staggers and other very able Members of the Congress and members of the President's Committee on Mental Retardation, Ladies and Gentlemen:
>
> We are very happy this morning, Mrs. Johnson and I, to welcome all of you here to the East Room of the White House. This is the poor man's wedding chapel.
>
> That is one of the fringe benefits of the Presidency. You can have a wedding here in the house and no one in the country really thinks it is cheap. Actually, we decided to have the wedding here because of one of my most recent experiences in a church.
>
> For the information of any who recognize this as a political year, I want it on the record in advance that we are still, Mrs. Johnson and I, personally paying for Luci's wedding. However, that is no excuse for deficit financing, after all, and there is no truth whatever in the story that George Woods resigned because I asked him for a small wedding loan for Lynda's wedding.
>
> Of course, I do feel a little better that I have a real, warm friend over at the World Bank these days.
>
> After spending all day yesterday babysitting and tasting the wedding cake and giving some very high fashion counsel about bridesmaids' gowns and hair-dos, I hope that all of you understand that I feel relieved to come here again this morning and to turn back to the Nation's business, particularly to sign some very vital legislation.
>
> One of the first, and one of the most important bills that I signed as President was the Mental Retardation Act of 1963 which was passed under the leadership and guidance and strong support of President Kennedy.
>
> Not many years ago mental retardation was a subject that no one really wanted to talk about. It was shrouded in fear and shame and ignorance. Then a very small handful of courageous women like Mrs. Joseph P. Ken-

nedy, Mrs. Sargent Shriver and Mrs. Hubert Humphrey took up the cudgels to see if they couldn't ask the American people to help them search for the understanding of the cause of mental retardation, and what the American people could do about it.

Slowly, the idea grew that with encouragement and with training, mentally retarded children could be brought around to leading rather useful lives.

The national government was then primarily interested and started a movement to try to stir all the people of America to action in this very important field.

I think we have made considerable progress since 1963. Yet, I think we should know that there still are a million and a half retarded Americans who are without any community support whatever. There are many millions more who need care who don't get it.

Three-fourths of the retarded in this country who do receive residential care receive this residential care in old, dilapidated buildings, buildings that are more than 50 years old. That is where three-fourths of the children are taken care of.

The waiting lines for residential care are expanding year after year. They are growing longer and longer. Some children today must wait as long as five or six years to be received.

We have less than half the specialists that we really need to provide care and training.

Although we have come a long way toward dispelling the medieval mystery that surrounded retardation, we still care for thousands in facilities that are really not much better than medieval.

We have asked some of our ablest citizens, the medical man and laymen, to probe the causes of retardation, to tell us what can be done to prevent it, and guide us in caring for those who have been afflicted.

At this point, I want to pay a special tribute to the members of the President's Committee on Mental Retardation. I doubt if there has ever been a committee that has approached the subject with more dedication, and I hope to say, when their labors have been concluded, that there has never been one that was more effective.

The fact is, we are still far behind. We are tragically behind in building schools that could help. This bill that Congress has brought to me today will help build some of the facilities needed. Thousands of children will benefit from it. It will mean the difference between darkness and just a ray of light.

This bill is an achievement for the Nation. It is a signal of hope for millions of Americans and it is addressed to at least 2 million seriously retarded children. In great part, these people have not been crippled by the errors of nature; they have been stunted, rather, by the errors of man. Their minds suffer from the culture of poverty, physical or spiritual poverty, into which they were all born.

Members of the President's Committee have told me about millions of children who are born with normal capacities who emerge from impoverished homes and schools and these experts have shown me maps I wish each member of the Congress could see, each member of the Chambers of Commerce and labor organizations could see. These maps show each case of retardation and they locate it with a green pin.

In the suburbs the pins are quite scattered. You see one here, and then another one over there. Downtown the pins are in a clump. They are much closer together. In the inner city and teeming ghettos, the pins cluster to form a solid green mass.

On these maps that I have seen, the ghetto areas are where the green pins are. Those areas are completely green. They look like a good pasture in the springtime when we have had a lot of rain. These areas need attention. These clusters of green pins signify the mental inadequacy of these poor, unfortunate people who need our help.

Retardation may afflict a child not only before he is born, but afterwards. It may be a blow of nature or it may be the result of countless human blows. In either event, the Nation suffers as the child suffers and, of course, as his family bears an unbearable burden. In either event, I think it is clearly the obligation of the Nation to act to relieve this suffering. It is our obligation to do more than we are doing.

That is the point I want to make. We are not doing enough. We must do more. We are going to do more.

Today we have come here to begin an effort to care for some of those who have suffered most grievously. Our goal is a society where children born with a chance for a full life shall truly have it. This is another step in that platform that we are building.

For what all of you have done—and no one invited himself to this meeting—those who have been active in this effort and who have shown a conscience and a leadership are here this morning, and to those, my friends, who have inspired these efforts, have provided this leadership, on behalf of the 200 million people of this Nation, I say for what you have done, well done; for what you are going to do, I am extremely curious and very anxious. I will be waiting and I will be helping in any way I can.

Thank each and every one of you.

ESTATE TAX INEQUITIES

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PURCELL. Mr. Speaker, today I have introduced legislation to amend the Internal Revenue Code to provide for the valuation of a decedent's interest in a closely held business for estate tax purposes. The avowed purpose of this legislation, Mr. Speaker, is to help a family keep from losing a family business because of estate tax valuations based on inflated real estate values which are not really relevant to the earning power of the business.

I first became concerned about this problem when I saw what was happening to many farmers and ranchers in my part of north Texas. I was distressed when I saw ranches and farms which had been in families for years broken up or sold off to pay estate taxes when the father died. This is taking place because estate taxes are based on current market value of the real estate involved.

One of the most serious problems in agriculture today is that the only way a farmer or rancher, or any businessman for that matter, can take advantage of higher land prices is to go out of business. At least he must move the business. I do not believe this is a proper answer.

I believe the estate taxes charged by the Federal Government should be based on the earning power of the business involved. This is the only way to keep the small business in the family after the father is gone.

The present requirement in the Federal estate tax regulations is that the estate tax be imposed on the "fair market value" of the assets at the time of the owner's death. In the case of real estate the fair market value is usually established by comparing land in the estate with prices recently paid for other land in the area. More often than not, these prices are vastly inflated and are in no way comparable to the decedent's ranch, farm, or business, based on its ability to earn. The economic fact today is that ranch and farm land being sold is based on these inflated property values to speculators who may intend the land for purposes other than to produce food and fiber.

Additionally, in the case of smaller and older businesses, the property may be in an area which has developed significantly since the family came into ownership of the property. Property prices have risen so fast that the type of business involved could not exist if property had to be acquired at present prices.

Unfortunately, even in light of this economic fact, no consideration is given under present regulations to the earning capacity of the property in calculating estate taxes. To show the discrimination involved, I would point out that when shares of corporate stock in an estate are taxed, the earning power of the shares is generally considered the most important factor in determining value.

I believe the bill I have introduced can bring some relief to the estates of small businessmen, ranchers, and farmers caught in the stranglehold of the estate tax.

The bill, simply put, would allow the estate's representatives to have the opportunity of having the decedent's interest in the business valued at either its market value—the present system—or the higher of first, the decedent's cost basis; or second, value based on the reasonable earning power of the business.

In order to prevent the heirs from profiting by selling the business after estate taxes are paid, the bill additionally provides that the decedent must have been in the business for 10 years prior to his death and that his heirs would have to continue in the business for at least 5 years after his death.

Mr. Speaker, I hope that Members of Congress will take time to familiarize themselves with both the problem and provisions of the bill and that the Congress will give this matter serious consideration early in 1968. I believe the present discrimination in estate tax legislation must be corrected. Fairness demands it.

Thank you, Mr. Speaker.

H. L. HUNT'S VIEWS ON USE OF TAX INCREASE TO COMBAT INFLATION

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WHITENER. Mr. Speaker, the

question as to the effect that an increase in the Federal income tax would have on inflationary pressures in the Nation is being debated in and out of Government.

There are many who feel that the only answer to the increase in prices and the general cost of living is additional Federal taxes. On the other hand, there are those who advance sound arguments that a Federal income tax increase would be self-defeating and actually serve to depress the Nation's economy.

Over the weekend I was interested to note in reading a recent book by H. L. Hunt entitled "Alpaca Revisited," his views on the use of a tax increase to combat inflation. Mr. Hunt takes the position that a tax increase would actually result ultimately in higher taxes.

His views on the subject are as follows:

> A reasonable constancy of the value of the monetary unit is essential for national existence. Seldom, if ever, has the departure from the first established value of the unit been towards deflation. Deflation cannot destroy the value of a nation's money and inflation, unless sensibly held within restraint, must inevitably destroy it and destroy the nation.
>
> Inflation is caused when there is more money and credit than goods, resulting in high prices and a decrease in the value of the monetary unit; deflation occurs in reverse. Conventional economists supposed that by imposing higher taxes, purchasing power would be decreased, and deflation, or lower prices, would result. But these economists were better acquainted with distribution than with production. They did not foresee the adverse effect which higher taxes would have upon production. As followers of the Keynesian theory of managed currency, they supposed that any economic problem could be solved merely by increasing or decreasing the monetary supply.
>
> In countries which have adopted this remedy of higher taxes to halt inflation, the result has been more inflation. Higher taxes absorb some purchasing power, but they increase all costs of doing business, in production, transportation and distribution and again more high taxes on the resulting higher taxed product. This results in higher prices for everything, the very condition which higher taxes are intended to prevent. In every instance where this supposed remedy has been applied, higher taxes have become a self-feeding fire, increasing inflation. Another unexpected result was that higher taxes lowered the value of money, so that a given sum of money paid fewer taxes.

STATEMENT BY AUTO LIABILITY INSURANCE UNDERWRITERS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RODINO. Mr. Speaker, on behalf of the gentleman from New Jersey, Congressman CAHILL, and myself, I would like to call to the attention of the House the press conference held last Thursday, November 30, by the National Association of Independent Insurers, a trade association composed of some 350 casualty and property insurance companies. These companies, who write more than 50 percent of all private auto liability insurance in the United States, issued a 28-page statement of policy.

Mr. Speaker, I would like to include in the RECORD at this point the printed summary of the statement covering seven principles of underwriting practices adopted by the association:

SUMMARY

The policies our Association has adopted are capsuled in the following summary:

I. UNDERWRITING PRINCIPLES

Neither *race, creed nor color* shall in itself be the basis for unwillingness to insure.

The fact that an applicant was *previously rejected or terminated* by another insurer shall not in itself be the basis for unwillingness to insure.

Individual consideration shall be given to applicants for insurance regardless of *occupation*, so long as it is a lawful occupation.

The age of a *senior citizen* who holds a valid driver's license shall not in itself be the basis for unwillingness to insure.

Each company will furnish the *reasons for cancellation* to a policyholder requesting such information, provided the company is protected by law from libel action.

Individual consideration shall be given to each application for insurance.

The companies are dedicated to providing an *adequate market* supply of insurance for our expanding motoring population.

Each company will endeavor to *provide continued coverage* to each policyholder as long as considerations of sound operations and fairness to its other policyholders permit.

Companies will *review any action* which is alleged to be unfair or unreasonable or contravene these guiding principles.

In addition to the above principles, our companies are meeting a public need in two other areas of vital public concern:

Companies writing a preponderance of NAII volume reported in a recent survey that they have no prohibitions against insuring *divorced persons*.

NAII companies are providing a widespread market for *military personnel*, currently insuring upwards of 1,500,000 servicemen of all ages and ranging from the lowest enlisted grades to general rank.

II. INSURING EVERY PERSON WITH DRIVER'S LICENSE

The NAII supports the principle of affording automobile insurance to *every person who holds a valid driver's license—provided* that there is a uniform, all-out government effort throughout the country to remove the irresponsible, unfit and reckless drivers from the road, and provided that adequate recognition of the hazards involved is reflected in the rates charged.

Helping remove this group of drivers from the road is an area where Congressmen, state legislators and other government officials concerned with the auto insurance problem can make a vital contribution.

To furnish this insurance, the NAII is willing to support dropping all but two of the eligibility requirements from the assigned risk plans: (1) possession of a valid driver's license, and (2) good faith (applicant attempted but was unable to obtain insurance in the voluntary market, and he truthfully reported all material information.)

(Note: Assigned risk plans now operate in every state and provide basic bodily injury coverage to drivers who cannot obtain coverage on the voluntary market. Under the NAII proposal, present eligibility rules pertaining to driving records, accident experience, etc., would be eliminated.)

Also, to make the assigned risk plans more responsive to the public's needs, the NAII has urged its members to voluntarily offer motorists who are in those plans these protections in addition to basic bodily injury liability coverage: higher liability limits, medical payments, collision, comprehensive and uninsured motorist coverage.

III. CANCELLATION

Company-initiated policy cancellations and non-renewals by our members occur very infrequently. Voluntary policy restrictions on cancellation were pioneered within NAII, and most of our companies have non-cancellation provisions in their policies. In addition, we will support (and have supported) model laws regulating cancellation practices and procedures in every state where legislators and state insurance commissioners feel there is a problem. Nineteen states now have laws or regulations pertaining to cancellations.

IV. THE LIABILITY SYSTEM

We approach objectively all criticisms of the present liability system and the operation of the insurance industry under it. Our business is not opposed to change but has thrived on it. Thus, it has inaugurated broader forms of protection such as automobile medical pay coverage and death and disability insurance (guaranteeing recovery regardless of fault); it has instituted advance payment and rehabilitation procedures to speed up the claim settlement process; and it is constantly experimenting with other new concepts and techniques.

NAII committees are now engaged in study of this subject at three levels: (1) areas for better serving our policyholders and claimants through improvements in claim-handling practices, (2) areas for improvement in the legal-judicial framework within which we operate, and (3) evaluation of current proposals from academic quarters for elimination or modification of the fault concept and the adversary system.

The overriding consideration in all these studies is *what the public most needs and wants* in the automobile insurance system of the future.

V. UNINSURED MOTORISTS AND INSOLVENCIES

We support and have long taken a lead in—

Extending to all 50 states measures requiring that uninsured motorist (UM) coverage with insolvency protection be offered with every automobile liability insurance policy. Forty-two states now have UM laws, and 25 states have the insolvency protection.

Enacting legislation to give state insurance department tools and staff needed to guard against insolvencies.

Promoting effective financial responsibility laws and adequate motor vehicle department budgets and staffs for enforcement.

Compulsory automobile insurance laws have proved expensive failures, and we oppose them for that reason. Likewise, we are opposed to unsatisfied judgment funds and insolvency funds as being costly and unnecessary.

The three steps outlined above will reduce to very limited proportions the social problem posed by uninsured motorists and by insolvencies among automobile insurers. That small residual problem is under study by our Association.

VI. COMPETITIVE RATE LAW

As we have done for 22 years. We will continue to actively support the enactment of a competitive-type rate regulatory law in every state not having one. We feel that competition is the best regulator yet devised by man. Under a competitive law, the public enjoys the lowest possible prices, broadest coverages, best service, latest product developments, and least trouble. Fourteen jurisdictions now have laws making competition the prime regulator of rates. All should have them.

VII. TRAFFIC SAFETY

NAII companies are leaders in local traffic safety programs, and they also contribute about half the budget of the Insurance Institute for Highway Safety, long a major national force in the battle to reduce carnage on our highways. Among its many other activities, the IIHS is now embarked on a program to determine what areas of traffic safety can be most effectively researched to reduce traffic accidents. We will urge the initiation of and support programs to carry out this research.

Mr. Speaker, we wish to compliment the members of the NAII, and their president, Mr. Vestol Lemmon, for embarking upon a program of underwriting practices reform. We fully appreciate the difficulties involved in bringing together such a diverse group of major insurance companies to hammer out and agree upon the proven and admitted necessity to answer the growing number of complaints from the driving public. Let us hope that this is only the beginning, that now, since the industry recognizes the many abuses presently existing, we can look forward to further vigorous statements, and action, designed to restore public confidence.

Particularly, Mr. Speaker, we look forward to the day when fundamental changes in the system of automobile insurance will not only solve the flagrant abuses of geographic, racial, occupational, and age discrimination, abuses connected with cancellations, nonrenewals, and dissolutions; but the day when auto insurance is available to all at reasonable rates. At that time the questions of congressional investigations and Federal regulation will rather automatically disappear.

The NAII's policy statement of nondiscrimination is commendable. If, however, in practice, it serves to push more and more people into the assigned risk category, we will find more and more policyholders paying astronomical premium rates. The public outcry then will dwarf whatever we hear today, and predictably the NAII and other associations will be called upon to again take up the difficult task of further reform.

Mr. Speaker, today the Washington Daily News published the first of a promised series of articles titled "The Auto Insurance Mess." We found it representative of the problems currently confronting the industry and the public, and commend it to our colleagues:

THE AUTO INSURANCE MESS: PREMIUMS SOAR AND DRIVERS ROAR

(By Tom Talburt)

A Connecticut attorney who has paid auto insurance premiums to the same company for 10 years was notified recently by the company that his policy would not be renewed at the end of the year.

Reason: His car had been damaged in two accidents in the last two years at a cost to the insuring company of $90—an amount less than the attorney paid each year in premiums.

The attorney wrote the company, pointing out that his car was struck by other autos in both instances and that both were hit-and-run cases.

"Your information definitely appears to be correct," the company replied; but added: "Our statistics indicate drivers involved in accidents have a greater tendency to be involved in future accidents. This has applied to drivers involved both in fault and nonfault accidents."

DECISION STANDS

The attorney angrily replied in a followup letter that "the net result is protection for yourself and not the policyholder." But the company's decision stood.

Similarly, a Ludlow, Ky., youth was informed his policy would not be renewed altho the only claims he filed against his company was two years before when the window of his parked car was smashed, apparently by a tossed rock.

He paid $178 a year for his original policy. Now his insurance agent says he can get him another policy—for $418 a year.

In Chicago, a father was notified that his son's auto insurance, included in a family policy, will cost $315 annually beginning next year—about double what it cost before.

Reason: His son had entered the Army and—tho he'd had neither an accident nor a traffic violation—the insurance company feels military personnel are "highly questionable risks."

These may seem to be unusual cases, but they are not according to Congressional investigators who have been looking into the auto insurance industry as a result of the mounting public outcry which centers on:

Soaring costs of auto insurance premiums. They have risen, on the average, 55 per cent in the last decade and have doubled in many metropolitan areas.

Refusals by some companies to renew policies, or their decisions to cancel policies, for reasons the policyholders feel are unfair—when they can get the companies to tell them the reasons.

Efforts by some insurance companies to skim the "cream" off the market by insuring only "safe" risks and refusing to insure persons who hold certain types of jobs or live "on the wrong side of the tracks."

Long delays in settlement of accident cases which go to a jury. Some accident victims must wait years before a jury decides and their claims are paid.

HEARING SLATED

Three Congressional committees are studying the auto insurance industry and hearings will be held next year. In addition the Federal Trade Commission and the Transportation Department are being urged to undertake long-range, comprehensive studies.

In a move to soften public and congressional criticism, representatives of two major groups of auto insurance companies announced plans last week to curb abuses.

The National Association of Independent Insurers issued a "policy statement" pledging that its more than 350 affiliated companies no longer would turn down insurance applicants solely on the basis of race, occupants, divorce, old age—or because the applicants had been rejected previously by a company or had their policies cancelled. But the statement said these factors still could be considered in evaluating applications.

Two other organizations, representing some 180 companies, said once new policies had been in effect 60 days the companies would cancel them for only two reasons—nonpayment of premiums and suspension of drivers' licenses or auto registrations. Under this plan, companies still could refuse to renew expiring policies for any reason.

"This industry has come to a crossroads," says Donald P. McHugh, vice president and general counsel of State Farm Insurance Co., the nation's top auto insurer which collected premiums totaling $941 million last year.

"It's probably no exaggeration to state that the future of the automobile insurance industry may be at stake, certainly in its present form."

Critics and insurance officials alike agree that what has placed the industry on a collision course with Congress is money—the soaring cost of getting your car insured.

Americans will pay more than $9.6 billion for auto accident and liability insurance this year.

Last year, car owners in 32 states had their insurance premiums increased. In the first three months of this year, liability rates rose in seven states and 10 states approved higher premiums for collision and comprehensive coverage.

HIGHER COSTS

In Columbus, O., in 1960 a family with an 18-year-old son who drove paid $96 a year for auto liability insurance providing $10,000 for bodily injury (or $20,000 for injuries to more than one person) and $5000 for property damage. The cost as of July 1 this year: $147.

In Denver the same insurance cost $62 in 1960. The price this year: $118. In the District of Columbia the price shot from $130 in 1960 to $207 this year.

Despite spiraling premium costs the auto insurance companies claim they are not making money on their policies, but in fact are losing.

The industry, in the aggregate, says it had a total auto underwriting loss of $1.67 billion in the decade 1956–66. This would mean that claims and expenses exceeded premiums by that amount. Last year was the first year since 1962 that the industry reported an auto underwriting profit—a narrow one per cent on premiums.

Insurance officials point to the skyrocketing rate of traffic accidents as the real reason behind frequent jumps in insurance costs. They insist rates permitted by many states still are inadequate and will have to go up even further.

Since 1957 deaths resulting from auto accidents have risen 37 per cent to 53,000 deaths last year; injuries shot up 74 per cent to 4.4 million.

SLOW JURY TRIALS

Largely as a result of accident rate increases, which in many areas account for more than half of all civil cases tried, it now takes an average of 30 months to obtain a jury trial in cities. In Chicago it takes more than five years.

cost increases affecting insurance claims show that in the last decade there has been a 92 per cent rise in hospital costs and a 40 per cent increase in doctors' fees. Auto repair costs have risen more than 50 per cent.

Federal investigators have received complaints that some auto repair shops tend to jack up prices when they know an insurance company is paying the bill. Repairmen deny it. Some companies require their policyholders to get repair estimates from three different garages before approving a claim.

Critics maintain the underwriting losses claimed by insurance companies are an artifical bookkeeping device to justify higher rates and lower taxes, and has no real relevance in an assessment of the auto insurance industry's over-all performance.

They contend insurance firms should figure at least a portion of their income on investments into calculations of underwriting loss or profit. Underwriting losses now are figured entirely apart from income on investments.

NEW ENGLAND TELEPHONE & TELEGRAPH CO.'S CONTRIBUTION TO AIR POLLUTION CONTROL

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLAND. Mr. Speaker, last month Congress passed the Air Quality Act signed into law by President Johnson on November 21.

I supported this law which broadens and extends the Clean Air Act of 1963 and authorizes the establishment of air quality regions in this Nation. The act expands the authority to conduct and assist in research relating to fuels and vehicles to eliminate pollution of air by preventing and controlling the discharge into the air by various types of pollutants.

Enactment of this law by the Congress is another step in the right direction to avert situations in which there may be imminent and serious danger to the public health or welfare from air pollutants.

Several communities in my area of western Massachusetts are benefiting from a project to establish an air pollution control program in the lower Pioneer Valley air pollution control district, funded with a $51,000 grant from the National Center for Air Pollution Control in the U.S. Public Health Service, through the Massachusetts Department of Public Health.

Mr. Speaker, it is encouraging to note the steps that are being taken by Government and private enterprise to control and abate air pollution. The New England Telephone & Telegraph Co. is making such a contribution, the New England Telephone News of September 1967, carried a story on what the company is doing, entitled "Let's Curb Air Pollution."

I include the article with my remarks at this point in the RECORD:

LET'S CURB AIR POLLUTION

New England Telephone is a maze of central offices, switching equipment, telephones, computers, business offices and many other things. It's also a big company on wheels. Over 5,000 company cars and trucks carry out a multitude of operations that help make this complicated network function.

However, there's a problem with being "big." Each of these trucks and cars is a potential contributor to air pollution.

Each day some 2,600 tons of pollutants are released into metropolitan Boston's air alone. Some 300 tons of this are hydrocarbons released from auto exhausts. Remember the choking smog that obliterated Boston's skyline and dimmed out the entire eastern seaboard from Maine to Virginia Thanksgiving week last year.

A stagnant air condition common to that time of year trapped pollutants from combustion in cars, power plants, industries, residential and commercial heating plants, incinerators and dumps.

President Johnson in his message to Congress on January 30, 1967, stated that in late November, 1966, ". . . a mass of heavily polluted air—filled with poisons from incinerators, industrial furnaces, power plants, car, bus and truck engines—settled down upon the 16 million people of Greater New York.

"For four days, anyone going out on the streets inhaled chemical compounds that threatened his health. Those who remained inside had little protection from the noxious gases that passed freely through cooling and heating systems.

"An estimated 80 persons died."

THE PUBLIC HAS NOT FORGOTTEN

Corrective action through government regulation of air polluters has already started. President Johnson's recommendation for the Air Quality Act of 1967, now being considered by the Senate, is one of many suggestions for federal action to cleanse America's poisoned air. If such regulation is passed, industry will be forced to bear a part of the financial burden to solve the problem.

Business and industry has a critical part to play in any plan to cut down air pollution, and the Bell System is taking its role seriously.

As operator of the world's largest private motor vehicle fleet—more than 113,000 vehicles—the Bell System obviously can make an important contribution toward eliminating air pollution.

Although federal legislation will order exhaust emission devices be standard equipment on 1968 autos, AT&T recommended last fall that the devices be factory installed on all 1967 models, cars, vans and half-ton trucks that will be purchased as replacements or additions to the Bell System's motor vehicle fleet.

New England Telephone has ordered over 800 of these devices factory installed at an additional cost of $68 each.

There has been criticism that the two exhaust systems currently available—General Motor's air injector reactor system and Ford's thermoreactor system—are unproven and result in operating and maintenance problems. However, AT&T believes that these problems are being solved and the experience gained by purchasing the various devices this year will be invaluable when making 1968 purchases.

New England Telephone's public announcement on December 27, 1966, that it intended to purchase smog devices prompted over half a dozen favorable editorials and over 60 favorable newspaper articles in the five state area within a month.

Now, other associated companies, plus Long Lines, are purchasing vehicles with exhaust emission control devices. All have received favorable press results from their actions.

Western Electric's North Andover, Mass., plant also received favorable comments on its announcement of a new $1.5 million waste treatment facility on the Merrimack River. The new system will incorporate the latest technological advances—portions of which will be housed in a new 10,000-square-foot building. Western Electric's $28 million expenditure for water and air pollution control in Cicero, Ill., also received an excellent response from the press.

In addition, the use of incinerators has been halted in 181 Bell System buildings, and plans are being made to deactivate more. Nine out of 10 heating plants are being fired by gas or light oil, instead of heavy oil—which has a high sulphur content—and the Bell System is working to increase this proportion.

Industry is attacking the problem in many areas. M. A. Wright, president of the Chamber of Commerce of the United States, says:

"In just the last 10 years, for example, the electric power industry has spent about $750 million on air and water conservation. Over the same period, the chemical and petroleum industries have spent additional millions of dollars a year to operate, improve and expand this (pollution control) equipment. In all of its operations this year, the petroleum industry will spend more than $10 million just on air and water conservation research with the aim of making its future efforts even more effective than those of the past."

No one, of course, is satisfied that the war on pollution has been won.

And as is the case with most modern problems, the solutions to air pollution are closely tied to economics. Forecasters predict varying cleanup costs. A recent article in Harvard Business Review estimated that $105 billion would be required over the next 34 years to abate and control air pollution.

So far, one cost is certain. Required auto exhaust control equipment will raise the price of next year's cars.

It's quite likely that eventually the cost of controlling air pollution will become as normal an expense as water bills.

Then, everyone can breathe easier. But no one doubts that it will take time.

WHAT'S THE MESSAGE?

It means that we as a company must do more than just sell telephone service. New England Telephone must be aware of community problems and respond to them immediately.

The company saw that its vehicles could pollute the air in surrounding communities and action was taken. This favorable public response indicates that whenever and wherever an employee sees any evidence of pollution by the company it should be reported to your immediate supervisor. Thereby we can continue to be a responsible company aware of community problems.

POSTMASTER GENERAL O'BRIEN'S PROPOSAL FOR GOVERNMENT POSTAL CORPORATION

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLAND. Mr. Speaker, Postmaster General Lawrence O'Brien's efforts to modernize the postal service and his proposal to convert it into a Government corporation were discussed in an excellent article that appeared recently in the Springfield, Mass., Union. With permission I include the article, published on November 24, with my remarks at this point in the RECORD:

LARRY O'BRIEN WONDERS: CAN THE PONY EXPRESS FIND HAPPINESS TODAY?

(By Noel Grove)

WASHINGTON.—Machines that read handwriting, letters sent electronically within seconds, and a corporation to replace a government department.

GENERAL CONCESSION

That's the talk in the United States Post Office these days, where a long-tardy revolution in the mails is toddling in its infancy. Everyone, including the postal people, concedes it's about time.

In a period when the air industry has advanced from the Spad to the 707 and personal hygiene has progressed from Grandpa's Lye Soap to five-day deodorant, the U.S. Post Office has gone from sorting mail by hand to . . . sorting mail by hand.

And PO officials feel that neither rain nor sleet nor increased mail rates are likely to change things much, under the present structure. Their present hopes lie in the proposal by Postmaster General Lawrence O'Brien to turn the Post Office Department over to a government-owned corporation.

Though generally well-received, the proposal, now under study by a presidential commission, has also been widely misinterpreted by many who thought "corporation" meant private enterprise. There's no talk of an industry-owned postal system, assure postal officials. Forget the possibility of postmarks touting slogans such as "Better Mailing—Through Chemistry."

"We're speaking in terms of a government-owned corporation resembling TVA," said the postmaster general in an NEA interview, "but I really don't like to use TVA as an example because it's a much smaller operation.

WOULD PROVIDE FUNDS

One advantage of a corporation, O'Brien suggested would be the availability of funds now badly needed for modernization, through the issuance of bonds to provide a capital fund.

As it is now, Congress makes all appropriations to the department, but revenues from postal rates go directly into the Treasury, not the Post Office. And in these times when the hue and cry for federal purse-tightening is at its loudest, extra funds for postal reform are hard to come by, although a record amount for research and development was allotted by Congress this year.

"Say we need $1 billion a year for modernization of facilities across the country," O'Brien said.

FRUSTRATION NOTED

"Congress isn't going to allot us an extra $1 billion when they have all the other departments to account for."

Some of O'Brien's strongest critics agree that managing the mails is one of the most frustrating jobs in the government. But many still oppose the corporation idea on the basis of practicality and even sentimentality.

"There are a number of laws which do not allow O'Brien to move the mail in the most efficient manner," said a mail users' lobbyist. "But I doubt that Congress is going to divest itself of a constitutional authority it has held throughout the history of the Post Office."

CARLSON'S OBJECTION

Sen. Frank Carlson (R-Kan.) says his main objection to the corporation is sentimental, although he questions the practicality of it as well.

Painting a verbal picture of local Post Offices as folksy, community gathering places in America's hinterlands, the senator said, "A corporation sounds like such a cold-blooded type of operation. There's such a feeling of warmth between the local postmaster and the people under our present system that you just wouldn't have if he was working for a corporation.

"And what about the rural mail service which pays only 30 per cent of costs and is 70 per cent public service? Would a corporation continue to operate such a service?"

HEADED FOR AVALANCHE

Corporation or department, the Post Office is headed for an avalanche of letters, parcels, cards and flats. Already, the nation that constitutes only six per cent of the earth's population staggers under half the world's mail. And predictions are for a 20 per cent increase in that burden within a few years.

Meeting it will take money and modernization. Employees flipping items of mail in cubbyholes can only result in more fiascos such as the eight million-piece pile-up in Chicago last Christmas.

Ideas for advanced technology in the Post Office exist, but participants in that technology are scarce. The department has turned to private industry and universities, asking their help in postal research.

Mechanical needs include equipment such as a high-speed culler for separation of letters of assorted mix. Already installed in several large cities are machines capable of reading typewritten zip codes and advanced development of the same machine that can read handwritten addresses is slated for 1971.

ZIP CODE HELPS SOME

Zip code itself has helped but not enough. A mass advertising campaign has resulted in a 74 per cent usage on all mailed items, according to an O'Brien aide.

In the way-out department, basic research is beginning on facsimile mailing, in which letters would be sent electronically. After being deposited at the Post Office, they would be opened electronically, transmitted to the desired location and reproduced there on another piece of paper, which would in turn be electronically sealed in an envelope. Letters could be sent thousands of miles within seconds and the contents never seen by the human eye while in transit.

Though such thinking is more in step with the modern world than manual handling and five-day delivery, facsimile mail is still in the postal dream world.

For now, that Pony Express rider on the Post Office Department's official seal seems more a trademark than a historic memento.

THE NEW ENGLAND HOMESTEAD, VENERABLE 112-YEAR-OLD PUBLICATION, CHANGES FORMAT UNDER EDITOR JOHN M. GORDON

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLAND. Mr. Speaker, the venerable New England Homestead magazine, which has been publishing for 112 years in my home city of Springfield, Mass., now has a new editor, John M. Gordon, who is breathing new life and vigor into the publication.

Mr. Gordon a well-known, respected, and perceptive former reporter, city editor, and drama editor for the Springfield Union, has changed the format of the New England Homestead to meet modern times.

Once considered to be a publication for the New England farmer, Editor Gordon now features articles spotlighting the vacation, leisure time, historical, and culinary advantages of New England, as well as the agricultural. Thus the magazine is publicizing the beauty and charm of New England and stimulating interest in the area among the many readers who live outside of New England.

Mr. Speaker, I want to take this opportunity to congratulate Editor Gordon for his format innovations and the New England Homestead on its rejuvenation, interesting feature articles, and appeal. With permission I include with my remarks at this point in the Record a stimulating "Letter From the Editor," signed by John M. Gordon, concerning the changes in the New England Homestead:

Letter From the Editor

From Sarasota, Fla., last month came this letter.

"Gentlemen: Enclosed is check for one year subscription to New England Homestead at $3. For my last five year subscription I paid only $3. Are you now printing on gold leaf."

We like the letter for a number of reasons. First, it seems to demonstrate a spirit, which augurs well for the future of the 112-year-old New England institution. Secondly, it gives us an opportunity to again outline the aims and ambitions of the new management of the New England Homestead.

There is one obvious reason for the increased subscription rate. The costs of all phases of publishing the New England Homestead have increased just as have prices of almost everything, including the basic necessities of life. The number of pages of this magazine has been increased, the quality of the paper stock used is vastly improved, the staff has been enlarged to better serve our readers and advertisers. The costs of printing, postage and needed equipment have all increased.

The second reason for the increase should, but may not be quite as obvious, for the present at least. The broadened horizons of this venerable magazine are easily recognized. The New England Homestead will continue in its efforts to furnish informative news for the agricultural population of New England but will also try to attract readership among urban residents, potential tourists and those interested in travel and leisure time activities. This, and future issues, will contain feature articles on places of historical, cultural and culinary interest throughout the six state area.

To obtain the stories, the Homestead management has engaged the services of the best available free lance writers. George Michael, outstanding authority on antiques, Richard McLaughlin, author, lecturer and world traveler, Dorise Fonda, an expert on interior design and Dick Boyce, recognized authority on garden, lawn and flower care will be regular contributors to this magazine. Other outstanding writers will travel throughout New England, visiting places of interest and good dining and report their first hand impressions.

We believe that whatever stimulates interest in New England and outside New England, benefits New England. We also believe readers and subscribers will not object to the increased rate for the New England Homestead considering the wealth of good reading and information it will contain.

We welcome your comments; we will give consideration to your criticism; we will closely study your suggestions. Comments, suggestions and criticism will help us make the New England Homestead the outstanding magazine of its kind in the region.

No, we are not printing on gold leaf but we intend to put gold nuggets of news and information between the covers.

Sincerely,
The New England Homestead,
John M. Gordon, *Editor*.

HUMAN RIGHTS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Cohelan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COHELAN. Mr. Speaker, the United Nations Declaration of Human Rights is 20 years old. Until 3 weeks ago, the United States had not ratified or approved a single one of the United Nations human rights conventions which embody the principles of the declaration.

The President of the United States has, by proclamation, declared that the ratification of these conventions is long overdue.

The U.S. Ambassador to the United Nations has said:

> Our delay in ratifying the conventions has confused our friends and provided ammunition against us for our foes.

Mr. Speaker, the principles embodied in these conventions are the very ones which are at the root of our society. These principles are embodied in our Constitution. We have fought wars and sacrificed our men to preserve these principles. We have declared to the world that these are the principles for which we stand.

How then can we continue to uphold these principles and to declare our support of them if we refuse to approve of their incorporation in an international treaty?

Mr. Speaker, the eminent and exceptionally able dean of the School of Law of the University of California at Berkeley, Prof. Frank Newman, has recently written an article for the University of Chicago Law Review in which he explains the importance and the promise of the "ombudsmen" provisions of the three of these human rights conventions—of the international covenant on the elimination of all forms of racial discrimination.

I think my colleagues will find this article and the concepts it describes to be most significant.

Therefore, Mr. Speaker, in the interests of furthering greater understanding of the United Nations human rights conventions and of fostering their ratification by the United States, I insert Professor Newman's excellent article in the RECORD at this point:

OMBUDSMEN AND HUMAN RIGHTS: THE NEW U.N. TREATY PROPOSALS

(By Frank C. Newman)†

It is this problem of the right of the individual to invoke the Covenants in his own right and in his own behalf which I respectfully commend to you as claiming the most earnest attention on the part of the scholar and statesman, of the man of thought and the man of action.[1]

On December 16, 1966, the General Assembly of the United Nations approved three remarkable documents: (1) the International Covenant on Economic, Social and Cultural Rights, (2) the International Covenant on Civil and Political Rights, and (3) the Optional Protocol to the International Covenant on Civil and Political Rights.[2]

Drafts of the documents, forwarded after eight years of study by the United Nations Commission on Human Rights, had been on the Assembly's agenda for twelve years. Some observers had concluded that certain clauses never would be accepted by influential governments.[3] But objections apparently were met; the two Covenants were adopted unanimously; and in its resolution-to-adopt, the Assembly expressed hope "that the Covenants and the Optional Protocol will be signed and ratified . . . without delay and come into force at an early date."[4]

Each covenant will come into force when thirty-five nations have ratified. For the Protocol, ten nations are enough once the Civil and Political Rights Covenant has become operative. To promote ratification the Assembly asked all governments and nongovernmental organizations "to publicize the text of these instruments as widely as possible, using every means at their disposal, including all the appropriate media of information."[5]

Thus, during the very week that enthusiasts in the United States were celebrating the 175th anniversary of our own Bill of Rights, the states of the world were challenged to enact a United Nations Bill of Rights—idealized by revered statesmen for more than two decades.[6] Predictably, the politics of ratification—in America, for example—will be complex and even perverse.[7] Yet the endorsement of related treaties by many nations suggests that these documents will become operative.[8] It is necessary, therefore, to examine their texts and consider their likely impact on individuals and governments.

The aim of this paper is to outline the "ombudsmen clauses" of the documents, and also of the International Convention on the Elimination of All Forms of Racial Discrimination, which the General Assembly adopted unanimously on December 21, 1965.[9] The ombudsmen that these clauses create are called the Human Rights Committee and the Committee on the Elimination of Racial Discrimination. The ombudsmen idea, the idea that *ex officio* experts can investigate and criticize what the governors do that the governed do not like, has been expounded in American notably by Walter Gellhorn of Columbia and Stanley Anderson of California. It enjoys great popularity vis-a-vis national, state, and local affairs.[10] Its acceptance for worldwide concerns is a radical innovation,[11] and comments on the prospects internationally may illumine some variations on the theme. My hope is that readers will be persuaded that the new United Nations committees could contribute significantly to human rights progress.

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† Frank C. Newman is Professor of Law, University of California, Berkeley. For research assistance he is grateful to Professor Michael Smith of Berkeley and the Boalt Hall Committee on International Legal Studies.

[1] Moskowitz, *The Convenants on Human Rights: Basic Issues of Substance,* 53 Proceedings of the American Society of International Law 230, 234 (1959). *Cf.* Hoffman, *Implementation of International Instruments of Human Rights, id.* at 235: "At no point of the history of the modern state system would the establishment of a mechanism which would allow individuals to bring up complaints against their governments have failed to provoke violent objections from state representatives."

[2] U.N. Doc. No. A/RES/2200 (XXI) (1967). For a guide to the legislative history (not analyzed in this article), see U.N. Doc. No. A/6546, at 4–8, 52–55 (1966). For U Thant's comments see U.N. Monthly Chron., Feb. 1967, p. 40.

[3] See Ezejiofor, Protection of Human Rights Under the Law 137 (1964) ("concrete results in this field can only be expected from groups of states who share the same conceptions of democracy and of the relationship between the state and the individual"); Buergenthal, *The United Nations and the Development of Rules Relating to Human Rights,* 59 Proceedings of the American Society of International Law 132, 136 (1965) ("for a long time to come probably only regional international organizations will be able to establish an effective machinery for the protection of truly *individual* human right"); Hoffman, *Panel Discussion, id.* at 252 ("we cannot influence the way states treat their citizens; we can only explain why"); Waelbroeck, *Le colloque de Vienne sur la Convention Européene des droits de l'homme,* 1 Rev. Trim. de droit Européen 553, 564 (1965) ("Il n'existerait pas de droit de recours individuel . . . analogue à celui qui est prévu par l'article 25 de la Convention Européene: cette carence, quoique grave, parait inevitable dans l'état actuel des relations internationales."); Hula, Book Review, 60 Am. J. Int'l L. 885 (1966) ("the Draft Covenant on Civil and Political Rights . . . [is] still today a mere draft with very little chance of ever becoming law proper"); *cf.* McDougal & Bebr, *Human Rights in the United Nations,* 58 Am. J. Int'l L. 603, 640 (1964).

[4] U.N. Doc. No. A/RES/220 (XXI), at 2 (1967). The unanimous votes are recorded in U.N. Doc. No. A/PV.1496, at 27–29 (1966) (General Assembly), and in U.N. Doc. No. A/6546, at 152 (1966) (Third Committee). In the Assembly the vote favoring the *Protocol* was 66 to 2 with 38 abstentions; in the Third Committee, 59 to 2 with 32 abstentions, Togo and Niger casting the negative votes. The amendment to separate the Protocol from the Civil and Political Rights Covenant passed by vote of 41 to 39 with 16 abstentions. See *id.* at 123. "Mr. Nasinovsky (Union of Soviet Socialist Republics) . . . was . . . glad that the Protocol—which was unacceptable and, moreover, of secondary importance—was not contained in the body of the Covenant." U.N. Doc. No. A/C.3/SR 1455, at 11 (1966).

[5] *Id.* at 44. The effective-date clauses are at 14, 33, 37, and 41.

[6] See Human Rights: A Symposium Prepared by unesco (1949); Blaustein, *Human Rights—A Challenge to the United Nations and to our Generation,* Dag Hammerskjold Memorial Lecture, Columbia Univ., Dec. 4, 1963. *Cf.* IV Doc. Hist. of Const. 411, 412 (1905) (Jefferson's letter to Madison, Dec. 20, 1787) ("A bill of rights is what the people are entitled to against every government on earth, general or particular, & what no just government should refuse, or rest on inference."); Schwelb, *The United Nations and Human Rights,* 11 How. L.J. 356 (1965).

[7] All three treaties "extend to all parts of federal States without any limitations or exceptions." U.N. Doc. No. A/RES/2200, *supra* note 4, at 14, 37, 41; see McDougal & Bebr, *supra* note 3, at 628 n.97; Schwelb, *The International Convention on the Elimination of All Forms of Racial Discrimination,* 15 Int'l & Comp. L.Q. 996, 1054 n.67 (1966) ("The United States, changing the position it had taken in the early years of the United Nations work in the field of human rights—and also in other contexts—voted for the deletion of the Federal States clause . . ."); Simsarian, *Progress in Drafting Two Covenants on Human Rights in the United Nations,* 46 Am. J. Int'l. L. 710, 716 (1952); 52 A.B.A.J. 400 (1966). *Cf.* Stein & Jacobson, Diplomats, Scientists and Politicians (1966); Oakland Tribune, June 19, 1966, p. 18 ("'The United Nations will be dictatorial and destructive of human rights according to the prophecies in the *Book of Revelation,*' states the Rev. John Myers, an Oakland author."). See generally note 31 *infra.*

[8] See Schwelb, *International Conventions on Human Rights,* 9 Int'l & Comp. L.Q. 654 (1960); Marsh, Book Review, 15 In'l & Comp. L.Q. 311 (1966); *cf. Status of Multilateral Treaties in the Field of Human Rights Concluded Under the Auspices of the United Nations,* U.N. Doc. No. E/CN.4/907/Rev. 1 (1967).

[9] U.N. Doc. No. A/RES/2106 (XX) (1966), reprinted in 60 Am. J. In'l L. 650 (1966). See Dr. Schwelb's excellent analysis, *The International Convention on the Elimination of All Forms of Racial Discrimination,* 15 In'l & Comp. L.Q. 996 (1966). *Cf.* U.N. Doc. No. E/CN.4/L.919/Add. 1, at 9 (1967) (draft *re* religious intolerance); Commission on Human Rights, *Report on the 22d Session,* U.N. Doc. No. E/4184, at 83 (1966) [hereinafter cited as *22d Session Report*] (measures for the speedy implementation of the Declaration on the Elimination of All Forms of Racial Discrimination); Ferguson, the *United Nations Convention on Racial Discriminaton: Civil Rights by Treaty,* 1 Law in Transition Q. 61 (1964); Whitehead, *The Elimination of Racial Discrimination: The United Nation's Proposed Solution,* 11 How. L.J. 583 (1965).

[10] Gellhorn, Ombudsmen and Others (1966); Gellhorn, When Americans Complain (1966); Anderson, *Ombudsmen Proposals,* 7 Bull. Inst. Govt'l Studies, U.C. Berkeley, No. 6 (1966); King, *What This Country Needs Is a Good Ombudsman,* Kiwanis Magazine, April 1967, at 23; Time, Jan. 1967, p. 21; Unruh, *The Need for an Ombudsman in California.* 53 Calif. L. Rev. 1212 (1965); *Symposium—The Ombudsman,* 19 Admin. L. Rev. 6–106 (1966); Newman, Book Review, 67 Colum. L. Rev. 784 (1967).

[11] "[T]he Committee on the Elimination of Racial Discrimination . . . is the first organ of its kind established on a world-wide plane." Schwelb, *supra* note 9, at 1058. "[I]n the ten-year period from 1947 to 1957 . . . more than 63,000 communications charged specific violations of human rights." Buergenthal, *supra* note 3, at 135 n.7. See Carey, *The United Nations' Double Standard on Human Rights Complaints,* 60 Am. J. Int'l L. 792, 793 (1966) ("Most . . . communications . . . are given scant attention"); *cf.*

I. THE RIGHT TO PETITION

The United Nations have never endorsed adequately, as a human right, the right to petition one's own government.[12] The New Protocol, however, states that individuals who believe that their rights enumerated in the Civil and Political Rights Covenant have been violated "may submit a written communication to the [Human Rights] Committee for consideration." The Committee then (1) "shall bring any [such] communications . . . to the attention of the State . . . alleged to be violating," (2) "shall consider [such] communications in the light of all written information made available to it by the individual and by the State," (3) "shall forward its views to the State . . . and to the individual," and (4) "shall include in its annual report . . . a summary of its activities"

We note immediately that this procedure applies only to the Civil and Political Rights Covenant. Individuals who suffer because of violations of the Economic, Social and Cultural Rights Covenant are given no such remedy; and the Committee is powerless respecting the right of everyone "to an adequate standard of living," "to education," "to the enjoyment of the highest attainable standard of physical and mental health," "to take part in cultural life," and similar rights. But the Civil and Political Rights Covenant has immense scope. Its enumerations include basic criminal justice, equal protection of the law, first amendment liberties such as free speech, free press, freedom of religion, and many "new" rights;[13] for example: "Everyone shall have . . . the right to form and join trade unions for the protection of his interests." (art. 22, § 1) "Every child shall have . . . the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State." (art. 24, § 1) "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their groups, to enjoy their own culture, to profess and practise their own religion, or to use their own language." (art. 27) Thus, the Committee's cognizance is broad indeed.

II. RESTRICTIONS AND PROCEDURES

There are, however, certain restrictions. First, individuals may petition only (1) when they claim to be victims of a violation of a right set forth in the Covenant, (2) when they are subject to the jurisdiction of the government that they allege has violated that right, and (3) when that government has ratified both the Protocol and the Covenant.

Second, the communication to the Committee must be written, must not be anonymous, and must be neither "an abuse of the right of submission of such communications" nor "incompatible with the provisions of the Covenant."[14]

Third, the Committee may not consider an individual's communication until it has ascertained (1) that he has exhausted all available domestic remedies, and (2) that the same matter is not being examined under another procedure of international investigation or settlement. But this rule does not apply "where the application of the remedies is unreasonably prolonged."

The Committee establishes its own rules of procedure.[15] Twelve of its eighteen members constitute a quorum; its decisions are by majority vote of the members present; and it "shall hold closed meetings when examining communications under the . . . Protocol." It must bring each of these communications to the attention of the allegedly violating government. "Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State." Then, after considering each communication in the light of written information made available by the individual and by the State, the Committee forwards its views to both.

III. MEMBERSHIP OF THE COMMITTEE[16]

The Committee is composed of eighteen nationals of countries that have ratified the Covenant—"persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience." Each party to the Covenant may nominate two of its nationals. The eighteen are elected by secret ballot at a parties' meeting that the Secretary-General convenes. The elections are for four-year terms, except that half of those first chosen serve only a two-year term.

In the election "consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems." Though two may be nominated, only one national of a State may be elected. Committeemen are elected and serve "in their personal capacity" and each receives "emoluments from United Nations resources on such terms and conditions as the General Assembly may decide, having regard to the importance of the Committee's responsibilities." The Secretary-General is to provide staff and facilities for the "effective performance" of the Committee's functions.

IV. FUNCTIONS OTHER THAN CONSIDERING PETITIONS

My subject is ombudsmen. I will merely refer to important Committee functions that do not involve "communications from individuals." Briefly listed, they are (1) to request and receive from parties to the Civil and Political Rights Covenant "reports on the measures they have adopted which give effect to the rights recognized . . . and on the progress made in the enjoyment of those rights"; (2) to transmit reports and "such general comments as it may consider appropriate" to the parties, and also to the United Nations Economic and Social Council; (3) "to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant," then to "make available its good offices . . . with a view to a friendly solution of the matter"; and (4) when the matter cannot thus be resolved to those parties' satisfaction, with their consent to appoint an ad hoc conciliation commission.

That is a quick summary which justifies only this comment: for further details, articles 40–42 of the Covenant must be studied with care. We can observe that item 3 in the list above might result in action relating to an individual's grievance. To illustrate, consider these words of article 13:

"An alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority."

If an alien lawfully in the United States were denied any of those rights, and if the United States had ratified the Covenant and also had recognized the Committee's cognizance, under article 41, of complaints by other countries, and if the alien could persuade another country (*e.g.,* his own) to plead for him, then, if that country too had declared its desire to participate in article 41

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id. at 799 (nations' comments on the Racial Discrimination Covenant); GARDNER, IN PURSUIT OF WORLD ORDER 256 (1964) ("the right of individual petition to world-wide international bodies in human-rights cases is not a practical possibility at this time").

Most commentators have treated the concept of ombudsman as exportable nationally but not internationally. See *22d Session Report* 75 ("Some representatives, while expressing their admiration for this institution [of ombudsman], felt that its application on an international scale was, at best, a remote objective."); INTERNATIONAL COMMISSION OF JURISTS, THE RULE OF LAW AND HUMAN RIGHTS 16 (1966 ("Control through the institution of an ombudsman"); *id.* at 69–71; *cf. Blix, A Pattern of Effective Protection: The Ombudsman,* in *Symposium on The International Law of Human Rights,* 11 How. L.J. 257, 386 (1965); Smyth, *The European Commission of Human Rights,* in THE OMBUDSMAN 162 (Rowat ed. 1965); see also notes 26 & 27 *infra.*

[12] See DROST, HUMAN RIGHTS AS LEGAL RIGHT: 65 (1951); *cf.* Gen. Ass. Res. 217 B(III), Dec. 10, 1948 ("the right of petition is an essential human right"); LAUTERPACHT, INTERNATIONAL LAW AND HUMAN RIGHTS 337 (1950) ("no Bill of Rights can disregard it"); Edmund G. Brown, *The Right to Petition: Political or Legal Freedom?* 8 U.C.L.A.L. REV. 729 (1961).

[13] See articles 1–27 of the Covenant. For insights on non-Western implications see Berman, *Human Rights in the Soviet Union,* 11 How. L.J. 333 (1965); Carey, *Implementing Human Rights Conventions—The Soviet View,* 53 KY. L.J. 115 (1964); Jakovljevic, *The Problem of the Protection of Human Rights and International Law,* 1962–1963 YEARBOOK OF HAGUE AC.; KOROWICZ, *Protection and Implementation of Human Rights Within the Soviet Legal System,* 53 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 248 (1959); *Panel—Problems of Self-Determination and Political Rights in the Developing Countries,* 60 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 129–150 (1966); Peselj, *Recent Codification of Human Rights in Socialist Constitutions,* 11 How. L.J. 342 (1965); Zhogin, *Vyshinsky's Distortions in Soviet Legal Theory and Practice,* 4 SOVIET L. & GOV'T 48 (1965).

"[I]t is a shock to be told by the Vice President of the Soviet Supreme Court that our system is not fair to the defendant. However, . . . to serve on a defendant a little paper merely saying, 'You did such a thing at such a place and time, and you are guilty of this or that crime,' and then to save the evidence to produce at the trial, may not be the fairest method of conducting a trial to ascertain the guilt of the accused." JACKSON, THE NUREMBERG TRIAL 321 (1947).

[14] See WEIL, THE EUROPEAN CONVENTION ON HUMAN RIGHTS 126 (1963). *Cf.* art. 5, § 1: "Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant." May we infer that those words do not preclude activities aimed at restricting the Covenant by amendment, pursuant to its Article 51? *Cf.* Schwelb, *On the Operation of the European Convention on Human Rights,* 18 INT. ORG. 558, 567 (1964); Smith, *The European Convention on Human Rights and the Right of Derogation: A Solution to the Problem of Domestic Jurisdiction,* 11 How. L.J. 594, 601 (1965).

[15] See also articles 37 & 39 of the Covenant.

[16] See articles 28–36, 38 & 43.

proceedings, the Committee could serve as ombudsman. Those are a lot of if's.[17]

V. THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

The committee organized under the Convention on the Elimination of All Forms of Racial Discrimination is to have functions comparable to those of the Human Rights Committee. The Convention, like the Civil and Political Rights documents, provides that once it is operative ten parties may empower the Committee to receive petitions. Twenty-seven nations must ratify the Convention as a whole; and the draftsmen assumed, of course, that not all governments who ratify will choose to subject themselves to the Committee's jurisdiction.[18]

Differences between the Civil-Political and the Racial Discrimination procedures seem to be of limited significance. Thus, governments charged with racial violations are allowed only three months instead of six to submit exceptions; the racial committee's deliberations seem not to be restricted to written information; and a secrecy requirement is imposed.[19] The Convention does include this unique paragraph (art. 14, § 2):

"Any State Party which makes a declaration [recognizing the competence of the Racial Discrimination Committee to receive and consider communications from individuals] . . . may establish or indicate a body within its national legal order which shall be competent to receive and consider petitions from individuals and groups of individuals within its jurisdiction who claim to be victims of a violation of any of the rights set forth in this Convention and who have exhausted other available local remedies."

The gain to a government that does set up such a petition-considering body is that its accusers may then resort to the United Nations Committee only "in the event of failure to obtain satisfaction from the body." (Art. 14, §5.) The gain to individuals is that they get another body to watch over their government; and a national ombudsman, though potentially subservient in some countries, will often be less remote and more effective than the international committee. In our country, for instance, the United States Commission on Civil Rights might well be structured to help racial discrimination victims "obtain satisfaction." In most cases (though not necessarily all), its services would be superior to those of the Committee.[20]

Thus, with respect to racial discrimination the creation of national ombudsmen was pronounced worthwhile. As to human rights in general, the Assembly was less ambitious, but it did approve the following invitation and request:

"*Considering* the advisability of the proposals for the establishment of national commissions on human rights or the designation of other appropriate institutions to perform certain functions pertaining to the observance of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, [the General Assembly]

"1. *Invites* the Economic and Social Council to request the Commission on Human Rights to examine the question in all its aspects and to report, through the Council, to the General Assembly;

"2. *Requests* the Secretary-General to invite Member States to submit their comments on the question, in order that the Commission on Human Rights may take these comments into account when considering the proposals."[21]

VI. CONCLUDING COMMENTS

In three treaty proposals—the Civil and Political Rights Covenant, its accompanying Protocol, and the Convention on Racial Discrimination—the United Nations have constructed two committees that could serve powerfully as ombudsmen for worldwide human rights. Some critics will continue to urge that the United Nations create a court and appoint an attorney general or high commissioner for human rights, and such officials may in fact be required for some needs.[22] In response to the need for external criticism, however, a fine structure has been designed. The new committees can meet the tests of the formula set out by Walter Gellhorn: "readily accessible, professionally qualified, wholly detached critics to inquire objectively into asserted administrative shortcomings . . . advisors, not commanders . . . [who] rely on recommendaton, not on compulsion."[23] Are eighteen committeemen, too many? I think not. "Capability and objectivity . . . are qualities that can be attributed to a collectivity as well as to a man." Gellhorn reminds us, and "nothing in the concept of external criticism precludes a collegial organization instead of a one-man band."[24]

That is not to say that revisions never will be necessary. All the treaties we are discussing set forth a process of amendment, and the ombudsmen clauses, like several other clauses, obviously could be strengthened.[25] Also, by no means will it be easy for the committeemen to "serve in their personal capacity," to insulate themselves from compulsions of global politics. Their work can be potent only if it is bold and resourceful, only if it displays dedication and integrity and courage, in addition to the qualities that inhere in Gellhorn's prescription.

The critical fact, though, is that the right to petition an ombudsman—long sought as a basic reform in international affairs[26]—is now recognized. The nurturing of that right is to begin as soon as enough nations have ratified the Civil-Political Covenant and Protocol and the Racial Discrimination Convention. Like many United Nations agencies, the human rights ombudsmen will develop strengths, and they will enhance the pioneer work of the European Commission of Human Rights and other transnational bodies.[27] That jurisprudence could be instructive on some important issues is quite apparent; for example, when is the application of domestic remedies "unreasonably prolonged"?[28]

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[17] *Cf.* Schwelb, *supra* note 9, at 1037. On individual petitions introduced via "comments" from non-government organizations, see Carey, *supra* note 13, at 130; *cf. 22d Session Report,* 106–17.

[18] *Cf.* Buergenthal, Book Review, 13 Am. J. Comp. L., 301, 305–06 (1964). The effective-date clauses appear in 60 Am. J. Int'l L. at 659–60 (1966).

[19] *Cf.* Schwelb, *supra* note 9, at 1043: "The principle of a fair hearing (Art. 10 of the Universal Declaration of Human Rights) requires . . . that the petitioner should have an opportunity to comment on the 'information' presented by the State and *vice versa.*" That idea would also apply to the Civil Political Rights Protocol and would indeed be a liberal extension of what we call "due process" and the British call "natural justice." *Compare* requirements in Art. 11, § 5 of the Racial Discrimination Convention, *with* Art. 41, § 1(g) of the Civil and Political Rights Covenant; and see Carey, *supra* note 11, at 803, n.49.

[20] See Bernhard, *Role of the United States Commission on Civil Rights,* 23 Law in Transition 107 (1963); *cf.* U.N. Doc. No. E/CN.4/932/Add. 2, at 2 (1967) ("The Commission offers a good example of . . . a National Commission in the field of human rights."); Taper, *A Lover of Cities—II,* New Yorker, Feb. 11, 1967, pp. 45, 104–10; Witherspoon, *Civil Rights Policy in the Federal System: Proposals for a Better Use of Administrative Process,* 74 Yale L.J. 1171 (1965).

[21] *Supra* note 4, at 44. Should commissions on economic, social, and cultural rights exercise ombudsman-like functions? The Third Committee's vote to seek a report and comments on that question was 74 to 0; but the United States, the United Kingdom, Portugal, and Japan abstained. U.N. Doc. No. A/6546, at 158 (1968); *cf.* Papadatos, *The European Social Charter*, 7 I.C.J.J. 214 (1966).

[22] See *Report of the Working Group to Study the Proposal to Create the Institution of a United Nations High Commissioner for Human Rights,* U.N. Doc. No. E/CN.4/934 (1967); U.N. Doc No E/CN.4/L.974 (1967); Etra, *International Protection of Human Rights: The Proposal for a U.N. High Commissioner,* 5 Col. J. Transnat'l L. 150 (1966); Goldberg, *The Need for a World Court of Human Rights,* 11 How. L.J. 621 (1965); *cf.* Brennan, *International Due Process and the Law,* 48 Va. L. Rev. 1258 (1962); Carey, *supra* note 11, at 794, 802; Simsarian, *Human Rights Among Diverse World Orders,* 53 Proceedings of the American Society of International Law 245, 247, (1959); Yntema, Book Review, 12 Am. J. Comp. L. 135 (1963).

[23] Gellhorn, Ombudsmen and Others, 422, 436 (1966). Query whether international slowness and stiffness inevitably will impede efforts to achieve the quick, informal, negotiatory strength that can characterize the work of national ombudsmen. Would a commissioner contribute? See note 22 *supra.*

[24] Gellhorn, When Americans Complain 226 (1966).

[25] *Cf.* Note, *The Legal Programme of the Council of Europe,* 14 Int'l & Comp. L.Q. 646–47 (1965): "Three protocols to the European Convention on Human Rights were signed in 1963. They extend the protection offered by the Convention. Experts are still working on other proposals to extend the Convention, and the Legal Committee of the Council of Europe's Consultative Assembly . . . is studying ways on ensuring a fuller application . . . ." See also New Protocol on Status of Refugees, U.N. Press Release WS/279, at 7 (Feb. 3, 1967).

[26] See Bruegel, *The Right to Petition an International Authority,* 2 In't & Comp. L.Q. 542 (1953); see also Lauterpacht, International Law and Human Rights 291 (1950) ("we are not at liberty to permit the fundamental right of petition to founder").

[27] Article 7 of the Protocol mentions the petition rights of colonial peoples. *Cf.* Schwelb, *supra* note 9, at 1045–48. "The acceptance by United Nations bodies of petitions as well as the hearing of petitioners on various subjects, including the denial of human rights, has expanded from the trust territories contemplated by Article 87(b) [of the Charter] to non-self governing territories and even to one independent state, South Africa." Carey, *supra* note 11, at 792; *cf.* U.N. Doc. No. E/CN.4/L.944/Add. 4, at 28 (1967) ("receive communications and hear witnesses and use such modalities of procedure as . . . appropriate [*re* South African prisoners]").

See also Simmonds, *The United Kingdom and the European Convention on Human* Rights, 15 Int'l & Comp. L.Q. 539 (1966); Thirlway, *A New Jurisdiction: The European Convention on Human Rights,* 110 Sol. J. 299 (1966); McNulty, *The Practice of the European Commission of Human Rights,* 11 How. L.J. 430 (1965; *cf.* Gormley, *The Emerging Protection of Human Rights by the International Labour Organization,* 30 Albany L. Rev. 13, 21 (1966); Thomas & Thomas, *The Inter-American Commission on Human Rights,* 20 Sw. L.J. 282, 293 (1966).

[28] See Gellhorn Ombudsmen, and Others 428 (1966) ("Exhaustion of Remedies"); Weil, The European Convention on Human Rights 104 (1963); *cf.* Mummery, *The Content of the Duty to Exhaust Local Judicial Remedies,* 58 Am. J. Int'l L. 389 (1964); *Panel—Using a Country's Own Legal System to Cause It to Respect International Rights,* 58 Proceedings of the American Society of International Law 100–122 (1964).

The Great Question of course is ratification. These proposed treaties, like other human rights treaties now in effect,[29] demonstrate dramatically the world's repudiation of this dismal dictum of John Foster Dulles:

"[W]hile we shall not withhold our counsel from those who seek to draft a treaty or covenant on human rights, we do not ourselves look upon a treaty as the means which we would now select as the proper and most effective way to spread throughout the world the goals of human liberty to which this Nation has been dedicated since its inception . . . . [Specifically, the Eisenhower] administration does not intend to sign the Convention on Political Rights of Women . . . because we do not believe that this goal can be achieved by treaty coercion or that it constitutes a proper field for exercise of the treaty-making power."[30]

Those words have not yet had a decent burial. We have witnessed mere preliminary rituals.[31] How humiliating it is that the United States has ratified not a single United Nations convention on human rights. How belittling that, notwithstanding the Dulles comment regarding "treaty coercion" and what is not "a proper field for exercise of the treaty-making power," the Convention on Political Rights of Women has now been ratified by more than fifty nations.[32] How presumptuous that we baldly urge the United Nations to "encourage all eligible States to become Parties as soon as possible to all Conventions which aim to protect human rights and fundamental freedoms. . . ."[33] How awkward that our delegates still must resort to this hollow, tiresome, "Anyway we're better than you" dialogue:

It was significant [certain delegates observed] that some delegations most strongly supporting the establishment of a High Commission for Human Rights represented Governments which had a very poor record in the matter of ratifying such instruments. In reply, one representative said that, without belittling the importance of ratifying such instruments which were given very careful consideration in his own country, a more important test was the degree in which the principles of such instruments were observed."[34]

It is true that in the United States such instruments are given "very careful consideration"? I fear not. With due consideration of the new treaties, the most crucial treaties on human rights yet adopted, our nation could mend its ways. For freedom, once again, America might assume a leader's role—a role that history, past and present, surely commands.

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[29] See note 8 *supra*.

[30] U.S. Participation in the U.N.: Report by the President to the Congress for the Year 1953, at 155; *cf*. Ganji, International Protection of Human Rights 221 (1962).

[31] See Gardner, *Human Rights—Some Next Steps,* 49 Dep't State Bull. 320 (1963); cf. Gardner, *The International Promotion of Human Rights: Problems and Opportunities,* State Dep't Press Release No. 4333 (Dec. 6, 1963); Cleveland *Switch On the Lights,* State Dep't Press Release No. 199 (April 30, 1964); Goldberg, State Dep't Press Release No. 4887 (July 6, 1966) at 13: "And the importance of international progress here cannot be overstated. For just as it is in the interest of the developed nations to encourage the use of multilateral institutions and machinery to advance the economic growth of the less developed nations, so it is in the interest of all nations to do so in the realm of human rights."

[32] In 1963 President Kennedy did submit to the Senate the Convention on the Political Rights of Women, along with the slavery and forced labor conventions. *Cf*. note 8 *supra;* see Carey, *supra* note 13, at 115 n. 2; Gardner, *ICY Plus One: An Inventory,* Saturday Review of Literature, Nov. 5, 1966, pp. 24, 73; *Hearings on Human Rights Conventions Before a Subcommittee of the Senate Foreign Relations Committee,* 90th Cong., 1st Sess. 1 (1967).

[33] *22d Session Report* 39; *cf*. U.N. Doc. No. E/SR.1412, at 69 (1966).

[34] *22d Session Report,* 73.

"[T]he Russians . . . brought in their hardest-hitting spokesman . . . [A]s I sat and listened to him, I felt indeed like the 'embarrassed American,' described in an article in the *Saturday Review* [Oct. 31, 1964, p. 24], which pointed out the harmful effects on the credibility of our role in the international human rights field of our record of nonratification . . . We participate in drafting human rights treaties, in criticizing them, in proposing this addition and that deletion—and then we fail to ratify any of them.

"Of course, we . . . retorted that America does not need to ratify a genocide treaty in order to prevent genocide; . . . and we do not need a convention on the right to leave one's country and to return . . . and so forth.

"This was all fine as polemic, but it could not hide the fact that we have failed to ratify any human rights conventions, which are the principal U.N. means of international standard-setting and cooperation in the human rights field." Abram, *The Quest for Human Dignity,* Vista, Sept.-Oct., 1966, p. 35. See also Goldberg, State Dep't Press Release No. 4855, at 6 (May 12, 1966): "Our delay in ratifying these conventions has confused our friends and provided ammunition against us for our foes." *Cf*. Ezejiofor, Protection of Human Rights Under the Law 145 n.20 (1964) ("It is difficult to see what chances the [Inter-American] Convention has of early adoption unless the U.S.A. relaxes its opposition."); Korey, *Human Rights Treaties: Why Is the U.S. Stalling?,* 45 Foreign Affairs 414 (1967); and see Thomas & Thomas, The Organization of American States 233 (1963).

THE URBAN PROPERTY PROTECTION, REHABILITATION, AND REINSURANCE ACT OF 1968

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. **Moorhead**] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I am today introducing legislation to increase the availability of essential property insurance in urban areas and to provide Federal reinsurance for insurance industry losses stemming from riots.

Joining me as cosponsors of the Urban Property Protection, Rehabilitation, and Reinsurance Act of 1968 are the distinguished gentleman from Wisconsin [Mr. **Reuss**] and the distinguished gentleman from Ohio [Mr. **Ashley**].

It was my privilege earlier in this session to cosponsor with these very able gentlemen the Low- and Moderate-Income Housing Act of 1968, a bill designed to increase tenfold in 20 years the Nation's supply of low- and moderate-income housing and to eliminate conditions that perpetuate urban ghettos.

I look forward to continued cooperation with these gentlemen when the Housing Subcommittee, on which we all serve, begins deliberations on the measures we have introduced and will introduce to attack the economic, educational, and social ills of our cities.

We are all delighted that a distinguished member of the Judiciary Committee, the gentleman from Ohio [Mr. **Feighan**] is also a cosponsor.

Mr. Speaker, recent statistics show that nearly 70 percent of our population lives in cities, and it is therefore clear that the continued economic health of our cities is essential to the economic health of the Nation as a whole.

The economic health of many of our cities is being threatened by the deterioration of their core areas. This body has enacted a variety of measures to attack the root causes of this deterioration—the Housing Act of 1949, the Housing Act of 1964, the Housing and Urban Development Act of 1965, the war on poverty, and others. But our arsenal is by no means complete.

The bill I am introducing with my esteemed colleagues today is designed to deal with the threat that two distinct, but related, insurance problems pose to the economic health of our cities.

The first problem is the increasing unavailability of fire and extended coverage insurance for properties in inner city areas.

The second problem, a product of the riots which have swept more than 80 American cities in the past 3 years, concerns the ability of the private insurance industry to continue to furnish riot protection in the broad range of property insurance policies it now offers.

Basically, the bill provides that any private insurer participating in a voluntary plan to make fire and extended coverage insurance available to all urban homeowners and businessmen whose property meets reasonable underwriting standards can obtain Federal reinsurance for the riot coverage offered in all lines of property insurance.

It is my hope that the prospect of reinsurance for the huge losses that continued riot coverage might entail will provide a powerful incentive for the private insurance industry to make insurance protection available for urban homeowners and businessmen no matter where they live or work.

The bill also provides Federal rehabilitation loans and grants for those homeowners or businessmen whose properties do not meet minimum standards of insurability and who cannot obtain credit in the private market to make the repairs needed to qualify for reasonably priced fire and extended coverage protection.

A more detailed examination of the relation of insurance to urban economic health will make the need for this bill clear, Mr. Speaker.

In recent years, residents and businessmen in deteriorating areas of our cities have found it increasingly difficult to obtain basic property insurance at reasonable rates. There have been widespread complaints of insurance being denied a property on the basis of its location only, without regard to its merits. Similarly, there have been charges of cancellation or nonrenewal of existing fire and extended coverage policies.

Unavailability of insurance accelerates the deterioration process because it discourages lenders and others from investing in the deteriorating areas. Without credit, homes cannot be improved and businesses cannot expand. The families and the businessmen move out, and a blighted area develops and grows.

The recent civil disorders have aggravated these problems, and reasonably priced insurance is nearly impossible to obtain in or near riot-damaged or riot-prone urban areas.

The scale of last summer's rioting not only increased the insurance industry's reluctance to offer fire and extended coverage insurance to property owners in central city areas; it also threatened the ability of the industry to continue to provide riot protection in a broad range of property policies.

Insured losses from last summer's rioting ran to more than $100 million. Many more hundreds of millions of dollars worth of destroyed property was uninsured. The industry was able to make good the claims made against it after the riots, but it is uncertain that it will be able to continue to provide riot protection—and guarantee payment of claims for riot losses—in the face of a peril as huge, as potentially catastrophic and as totally unpredictable as riot.

Many factors underlie this uncertainty, and an examination of some of them, I believe, will make it clear that it is imperative that the insurance industry continue to provide riot and civil commotion coverage.

First, damage caused by riot and civil commotion is covered by all normal named-peril policies which have extended coverage endorsements, by normal all-risk policies, both personal and commercial, and by standard automobile comprehensive coverage. Only rarely have policies been marketed with riot damage specifically excluded by special endorsement.

If coverage of the riot and civil commotion peril were withdrawn from the marketplace, the various lines of property insurance now available would be difficult to sell, particularly in view of the recent trend toward more frequent and more costly riots in our cities. Without the opportunity to purchase insurance covering this peril, homeowners and businessmen would be exposing themselves to the possibility of uninsured losses, and might choose to buy no insurance at all. This situation would be as costly to the insurance industry as to property owners.

Second, because the peril of riot and civil commotion is not a measurable risk, and because losses from this peril until recently have been nominal, the cost of this coverage has been an insignificant portion of the premium charged for a whole policy. If the insurance industry were to charge a premium for riot protection based on the last 3 years' experience, prices for most property insurance policies would be beyond the means of most property owners, except for those in "safe" areas. This situation would be intolerable.

Third, again because of the immeasurability of the riot peril and its nominal cost to insurers until recently, losses from riot and civil commotion have been paid mainly from reinsurance carried by the primary insurer against a broad range of losses.

The staggering losses that reinsurers have absorbed as a result of recent riots may force them to offer protection to primary insurers only at prohibitive cost, or to withdraw from the market altogether. Without reinsurance, the primary insurers would have two alternatives, both of which would be unacceptable: either to cancel existing policies on a wholesale basis or to raise premium rates to prohibitive levels.

The drying up of the reinsurance market would be critical not only to our urban areas, but also to the entire national economy, for without evidence of insurance on property pledged as security for loans, banks would not extend credit.

Insurance plays such a vital role in the extension of credit to homeowners and businessmen that we cannot tolerate the withdrawal of the industry from our inner city areas. At the same time, it is unfair and unreasonable to expect the private insurance industry to continue to expose itself, without certainty of reinsurance, to the potentially catastrophic losses that riot coverage now entails.

The bill I am introducing today meets these problems as follows:

It authorizes the Secretary of Housing and Urban Development to work with State insurance authorities to encourage private insurers to develop voluntary statewide programs to make fire and extended coverage insurance available at reasonable rates for homeowners and businessmen who have been unable to obtain it in the normal market.

These voluntary programs would be similar to the "urban areas plans" already established by the insurance industry in eight American cities for residential properties, but they would include both residential and commercial properties.

Under these programs, a property cannot be denied insurance unless a physical inspection reveals that the building is not insurable at standard rates because of physical hazards or other special circumstances. If an inspection reveals such hazards, the property owner is advised by the insurer of the specific measures he must take to meet reasonable underwriting standards and to obtain insurance.

If all the measures are taken, the property is usually insured at standard rates. If some but not all defects are corrected, surcharges are applied to the rates to reflect uncorrected hazards. If none of the indicated repairs are made, the insurer may decline to insure the property.

The insurance inspection plans proposed in my bill will go a long way toward eliminating the problem of insurance availability in our central cities. But they cannot accommodate the low-income homeowners or businessmen who either cannot afford to bring their properties up to reasonable underwriting standards or cannot secure the credit needed to make the necessary repairs. Nor can they accommodate properties whose owners do not wish to put their buildings in insurable condition.

To make sure that no homeowner or businessman who wants to make his property insurable is denied that opportunity, my bill provides for the extension of existing Federal rehabilitation loan and grant programs to persons who have been denied insurance under an urban areas plan.

For low-income homeowners who cannot afford to borrow money to make needed repairs, the bill amends section 115 of the Housing Act of 1949 to provide for rehabilitation grants of up to $1,500 for each applicant who has been denied insurance and whose property can be made insurable.

For homeowners and businessmen who can afford to borrow money to make needed repairs, but who cannot secure credit in the private market, the bill amends section 312 of the Housing Act of 1964 to make 20-year, 3-percent loans available.

Insurers who agree to participate in the programs described above may—if they wish—buy Federal reinsurance against excessive losses they might sustain on virtually all lines of property insurance as a result of riots.

The bill authorizes the establishment of a Federal reinsurance fund in the Department of Housing and Urban Development. The fund will receive the premiums from participating companies or associations of companies. Industry sources say these reinsurance premiums could amount to between $50 million and $100 million annually.

The Federal reinsurance contracts will be made on a State-by-State basis, and will provide for payment of riot losses in excess of a certain percentage of the premiums the companies have earned on each line of property insurance each year.

I want to emphasize that the Federal reinsurance will cover only losses resulting directly from riots, and that it will be paid only if the losses exceed the amount the insurance companies agree to absorb themselves.

In addition to the premiums collected, the bill provides for the reinsurance fund to draw on an initial appropriation of $500 million, which will be available as needed over the years. In the unlikely event that riot losses in a given year exceed the combined total of premiums and appropriations in the fund, the bill authorizes the President to allow the Secretary of Housing and Urban Development to borrow enough money from the Treasury to make good the Federal reinsurance commitment.

With Federal riot reinsurance, the private insurance industry will be able both to continue to provide riot protection for property owners and to survive the potentially catastrophic losses such coverage entails.

The gentleman from Wisconsin [Mr. REUSS], the gentleman from Ohio [Mr. ASHLEY], and I hope that premiums paid into the Federal reinsurance fund will more than cover the cost of claims made against it.

More importantly, we hope that none

of the premiums or appropriations in the fund will ever have to be expended.

I urge my colleagues to read, study, support and themselves introduce the Urban Property Protection, Rehabilitation, and Reinsurance Act of 1968, for I believe that it offers a sound and realistic solution to the twin challenges of the unavailability of fire and extended coverage insurance in urban areas and the ability of the private insurance industry to continue to furnish riot coverage in all lines of property insurance.

Mr. Speaker, I ask unanimous consent that the text of H.R. 14263, the Urban Property Protection, Rehabilitation, and Reinsurance Act of 1968, be appended in the RECORD at the conclusion of my remarks:

H.R. 14263

A bill to authorize a cooperative Federal-State-industry program to assure that adequate property insurance protection is made available for all insurable residential and business property in urban areas; to provide rehabilitation assistance for property owners whose properties do not meet reasonable standards of insurability; to provide adequate reinsurance against abnormally high property insurance losses resulting from riots and other civil commotion; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Urban Property Protection, Rehabilitation, and Reinsurance Act of 1968".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that—

(1) The economic health of American cities is essential to the economic health of the Nation as a whole. The economic health of many American cities is being threatened by the deterioration of their core areas. In many of these areas, owners of residential and business properties are unable to secure policies or coverages for various lines of property insurance at standard rates, because individual properties in these areas are being rejected because of their location and are not being considered for insurance on their individual merits. Lack of insurance accelerates the deterioration of these areas because it discourages investment therein. This deterioration poses a serious threat to the national economic well-being.

(2) Many owners of residential and business properties in these areas cannot afford to borrow, or cannot borrow at reasonable rates, money to effect repairs needed to make their properties insurable at standard rates.

(3) Recent riots and other civil commotion in American cities have resulted in abnormally high losses for the property insurance industry. Riot and civil commotion risks cannot continue to be reinsured at reasonable cost, and the risk of such losses due to riots makes adequate property insurance even more difficult to obtain in urban areas. Consequently the ability of the property insurance industry to continue to provide adequate property insurance is threatened; and the continuity of such insurance protection is essential to the extension of credit in these areas.

(4) The national interest demands urgent action by the Congress to assure that property insurance, including riot and civil commotion protection, remains available to urban property owners at reasonable cost.

(b) The purposes of this Act are, therefore—

(1) To encourage the various State insurance authorities and the private property insurance industry to develop and carry out statewide programs under which essential property insurance coverage will be more readily available in urban areas to owners of residential and business properties meeting reasonable underwriting standards who have been unable to secure coverage, as well as others to whom continued property insurance may become unavailable as a result of riots and other civil commotion in these areas.

(2) To make rehabilitation assistance available in urban areas to owners of properties not meeting reasonable underwriting standards who wish to obtain property insurance coverage at reasonable rates.

(3) To provide a program of Federal reinsurance against abnormally high property insurance losses resulting from riots and other civil commotion in order to assist in achieving the objective of making property insurance more generally available in urban areas.

PROGRAM AUTHORITY

SEC. 3. The Secretary of Housing and Urban Development shall establish and carry out—

(1) a cooperative program with the separate State insurance authorities and the private property insurance industry which will facilitate the adoption of voluntary statewide urban areas plans for property insurance designed to make fire and extended coverage insurance available for residential, commercial, and other properties which meet reasonable underwriting standards.

(2) a program of rehabilitation assistance to persons in urban areas in which urban area property insurance plans under section 4 of this Act are in effect, but whose property does not meet reasonable underwriting standards and who wish to obtain property insurance coverage pursuant to such plans.

(3) a program of excess of loss reinsurance under which any insurer or association of insurers may secure reinsurance coverage against losses attributable to riots and other civil commotion in all major lines of property insurance.

URBAN AREA PROPERTY INSURANCE PLANS

SEC. 4. (a) Upon the receipt of evidence, in writing, from the appropriate insurance authority of any State that

(1) there exists a need in that State for a statewide urban area plan under which—

(A) fire and extended coverage insurance is made available for residential, commercial, and other properties located in urban areas where property insurance has been difficult to obtain or threatens to become difficult to obtain, and

(B) such insurance coverage, consistent with reasonable underwriting standards, will be made available to such properties regardless of location,

(2) the adoption of such urban area plan will serve to improve the availability of fire and extended coverage insurance in urban areas of that State, and

(3) necessary measures for the development of such urban area plan will be undertaken in cooperation with the private property insurance industry, and that any such plan will be submitted to the Secretary for approval before January 1, 1970,

the Secretary shall take such action as may be necessary to encourage and assist such insurance authority and the private property insurance industry to adopt a voluntary statewide urban area plan meeting the criteria specified under subsection (c).

(b) In accordance with such regulations as the Secretary may prescribe, the insurance authority shall—

(1) submit to the Secretary for his approval any such urban area plan, or amendment thereto, and provide appropriate assurance that such plan will remain in effect in that State for at least the duration of such reasonable time as may be specified at the time of approval;

(2) advise the Secretary with respect to the insurers who are participating in such plan;

(3) make such reports, from time to time, as may be required by the Secretary concerning the operation of such plan and its effectiveness in providing fire and extended coverage insurance in urban areas,

and the Secretary shall approve any such plan which meets the criteria specified under subsection (c).

(c) Following such consultation as may be necessary with representatives of the State insurance authorities and the private property insurance industry, and with the advisory board authorized under section 15, the Secretary shall prescribe, by regulation, general criteria which such urban area plans must meet for approval, including, but not limited to,

(1) procedures for inspection or other suitable appraisal to assure that—

(A) when application is made for insurance pursuant to any such plans, no property will be denied insurance coverage unless there first has been an inspection or appraisal of the property;

(B) if the inspection or appraisal discloses that the property is uninsurable because of physical hazards, the owner is advised of specified repairs or improvements which must be made to meet reasonable underwriting standards;

(C) rejections are made only for conditions or reasons stated after the inspection or appraisal; and

(2) requirements to assure that, following inspection or appraisal, an insurer must—

(A) agree to insure the property at standard premium rates or at reasonable surcharge rates;

(B) agree to insure the property only if specified repairs or improvements are made and verified by reinspection, at standard premium rates or at reasonable surcharge rates; or

(C) decline to write the coverage because the property is uninsurable, stating the reasons therefor.

REHABILITATION LOANS AND GRANTS

SEC. 5. (a) Section 312(a) of the Housing Act of 1964 (78 Stat. 769) is amended—

(1) by inserting "(1)" immediately after "(a)";

(2) by adding the following new paragraph at the end of the first sentence thereof:

"(2) To assist rehabilitation in urban areas of any State in which a statewide urban area property insurance plan has been approved by the Secretary under section 4 of the Urban Property Protection, Rehabilitation, and Reinsurance Act of 1968, and in which properties have been determined to be uninsurable because of physical hazards, after an inspection or appraisal pursuant to such plan, and thereby to facilitate the availability of essential property insurance in such areas, the Secretary is hereby authorized, through the utilization of local public and private agencies where feasible, to make loans as herein provided to the owners or tenants of property in such areas to finance rehabilitation required to make such property meet reasonable underwriting standards imposed under such plan."; and

(3) by inserting "(3)" immediately before the second sentence of such section, and by striking out "(1)" and "(2)" in such sentence and inserting in lieu thereof "(A)" and "(B)", respectively.

(b) The first sentence of subsection (a) of section 115 of the Housing Act of 1949 (79 Stat. 457) is amended to read: "Notwithstanding any other provision of this title, the Administrator may—

"(1) authorize a local public agency to make grants (and the urban renewal project may include the making of such grants) as prescribed in this section; and

"(2) make grants (or authorize a local public agency to make such grants) to an individual or family, as described in subsection (b), owning and occupying a structure which—

"(A) is located in an urban area of any State in which a statewide urban property insurance plan has been approved by the Secretary under section 4 of the Urban Property Protection, Rehabilitation, and Reinsurance Act of 1968, and

"(B) is determined to be uninsurable because of physical hazards, after an inspection or appraisal pursuant to such plan,

for the purpose of covering the cost of repairs and improvements necessary to make such structure meet reasonable underwriting standards imposed under such plan."

EXCESS OF LOSS REINSURANCE

SEC. 6. (a) The Secretary is authorized to make available such excess of loss reinsurance coverage to any insurer or association of insurers against property losses resulting from riot or other civil commotion as will maintain the capacity of the insurer or association of insurers to continue to provide property insurance with riot and other civil commotion coverage.

(b) The Secretary shall make reinsurance coverage under this section available in a State as soon as is practicable, but only if the appropriate insurance authority of that State has met the requirements under section 4(a).

(c) The reinsurance coverage authorized under this section shall be made available on uniform bases in all eligible States to insurers or associations of insurers doing business in those States, for each, several, or all of the following lines of property insurance:

(1) fire, extended coverage, and other allied lines.

(2) homeowners' multiple peril.

(3) commercial multiple peril.

(4) ocean marine.

(5) inland marine.

(6) automobile physical damage.

(7) aircraft physical damage.

(8) glass.

(9) burglary and theft.

(10) boiler and machinery.

(d) Reinsurance coverage to any insurer or association of insurers for any line of insurance specified in subsection (c) shall be based on the difference between—

(1) an amount equal to the amount for total proved and approved claims for losses of the insurer or association of insurers resulting from riot or other civil commotion for each line of insurance, and

(2) an amount equal to the amount of retention of losses for that line of insurance, as determined pursuant to section 7(b).

(e) (1) The Secretary is authorized to enter into a contract, agreement, treaty, or other arrangement for reinsurance coverage, in consideration of payment of such premium, fee, or other charge as may be reasonable. Contracts, agreements, treaties, and other arrangements under this section may be entered into without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(2) Any contract, agreement, treaty, or other arrangement under this section shall be for a term not exceeding twelve months and expiring at the end of the calendar year, except that in the event of nonrenewal of reinsurance, coverage shall continue for policies written during the time the arrangement was in force.

(f) All reinsurance claims for losses shall be submitted on a portfolio basis by the insurer or association of insurers in accordance with such terms and conditions as may be established by the Secretary.

(g) No reinsurance coverage under this section shall be continued to any insurer or association of insurers after January 1, 1970, unless the Secretary has received evidence that the insurer or association of insurers has agreed to participate in a statewide urban area plan approved by the Secretary under section 4 in the State in which the reinsurance arrangement is applicable.

INDUSTRY RETENTION OF LOSSES

SEC. 7. (a) At least 90 days prior to the expiration of each calendar year, the Secretary shall enter into negotiations with representatives of the private property insurance industry for the purpose of establishing retention of loss percentages which shall be used to determine the amount of each insurer's or each association of insurers' aggregate retention of losses resulting from riot or other civil commotion for the ensuing calendar year.

(b) Such retention of loss percentages shall be applied to the annual earned premiums of each insurer or, in the aggregate, of each association of insurers in any State with respect to each line of insurance specified in section 6(c) and shall be included in the governing reinsurance contracts, agreements, treaties, or other arrangements entered into under section 6.

ARBITRATION

SEC. 8. The Secretary may make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this Act. With the consent of the parties concerned, the Secretary may refer any disputes relating to any such claims or demands to arbitration, but the arbitration shall be advisory only, and any award, decision, or recommendation which may be made shall become binding only upon the approval of the Secretary.

AUTHORIZATION OF REINSURANCE FUNDS

SEC. 9. (a) There are authorized to be appropriated such sums, not exceeding $500,000,000 in the aggregate, as may be necessary to meet liabilities for excess of loss reinsurance claims in accordance with reinsurance arrangements entered into under section 6. Any sums appropriated pursuant to this subsection shall remain available until advanced to the Secretary at his request for deposit in the Reinsurance Fund established under section 10.

(b) (1) Upon a determination by the President that moneys of the Reinsurance Fund established under section 10 are or will be insufficient to meet obligations of the fund arising from claims for losses of any insurer under the excess of loss reinsurance coverage provided under section 6, the Secretary may issue to the Secretary of the Treasury notes or other obligations, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury, in such amounts approved by the President as may be necessary to meet the obligations of the fund.

(2) Obligations issued under authority of this subsection shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the obligations.

(3) The Secretary of the Treasury shall purchase any obligations issued under this section, and for such purposes, he may use as public debt receipts the proceeds of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under that Act are extended to include any purchases of any obligations issued under this section.

(4) The Secretary of the Treasury may at any time sell any obligation acquired by him under this section, and all redemptions, purchases, and sales by the Secretary of the Treasury of any obligations issued under this section shall be treated as public debt transactions of the United States.

(5) Any funds which are borrowed by the Secretary under this section shall be deposited in the Reinsurance Fund established under section 10.

EXCESS OF LOSS REINSURANCE FUND

SEC. 10. (a) To carry out the reinsurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a Reinsurance Fund, and that fund shall be available, without fiscal year limitation—

(1) to pay excess of loss reinsurance claims under the excess of loss reinsurance coverage provided under section 6, and

(2) to repay to the Secretary of the Treasury such sums, including interest thereon, as may be borrowed from him in accordance with the authority provided in section 9(b) of this Act.

(b) The fund shall be credited with—

(1) such sums as may be appropriated under authority of section 9(a) and deposited in the fund;

(2) reinsurance premiums, fees, or other charges which are paid in connection with the excess of loss reinsurance coverage provided under section 6;

(3) any funds which are borrowed under authority of section 9(b) and are deposited in the fund;

(4) any amounts advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(5) interest which may be earned on investments of the fund under subsection (c); and

(6) receipts from any other operations under this Act which are credited to the fund, including salvage proceeds, if any, resulting from excess of loss reinsurance coverage.

(c) If, after all obligations have been liquidated, and any amount (including interest thereon at the rate prescribed under section 9 (b)) which may have been advanced to the fund from appropriations have been credited to the appropriation from which advanced, the Secretary determines that the monies of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

USE OF INSURERS AS FISCAL INTERMEDIARIES AND SERVICING AGENTS

SEC. 11. (a) In order to provide for maximum efficiency in the administration of the excess of loss reinsurance program and in order to facilitate the expeditious payment of any Federal funds under the program, the Secretary may enter into contracts with any insurer or other private organization for the purpose of providing for the performance of any or all of the following functions:

(1) the estimation or determination of any amounts of payments for reinsurance claims;

(2) receiving from the Secretary and disbursing and accounting for funds in making payments for reinsurance claims;

(3) auditing the records of any insurer to the extent necessary to assure that proper payments are made;

(4) establishing the basis of liability for excess of loss reinsurance, including the total amount of proved and approved claims payable to any insurer or association of insurers, and the total amount of premiums earned in the respective States for the lines of property insurance specified in section 6(c); and

(5) otherwise assisting in any manner provided in the contract to further the purposes of this Act.

(b) Any contract with any insurer or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out any function referred to under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out the functions covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No contract may be entered into under this section with any insurer or other private organization unless the Secretary finds that it will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e) (1) Any such contract may require the insurer or organization, or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) In the absence of gross negligence or intent to defraud the United States—

(A) no individual designated pursuant to a contract under this section to certify payments is liable with respect to any payment certified by him under this section; and,

(B) no officer of the United States disbursing funds is liable with respect to any otherwise proper payment by him if it was based on a voucher signed by an individual designated pursuant to a contract under this section to certify payments.

(f) Any contract entered into under this section may be for any term, and may be automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the term, except that the Secretary may terminate any such contract at any time (after reasonable notice) if he finds that the insurer or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the excess of loss reinsurance program.

AUDIT

SEC. 12. The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any insurer or other organization that are pertinent to the cost of the excess of loss reinsurance program provided under this Act.

DEFINITIONS

SEC. 13. As used in this Act, the term—

(1) "losses resulting from riot or other civil commotion" means direct losses resulting from damage to or the destruction of property occurring during and at the immediate place of a riot or other civil commotion, and direct loss from pillage and looting occurring during and at the immediate place of a riot or other civil commotion, as determined under regulations of the Secretary.

(2) "insurer" includes any insurance company or group of companies under common ownership which is authorized to engage in the property insurance business under the laws of any State.

(3) "association of insurers" includes any voluntary pool or association of insurers in any State which is formed, associated, or otherwise created for the purpose of carrying out this Act.

(4) "urban area" includes any municipality or other political subdivision of a State, subject to population limitations defined in regulations of the Secretary.

(5) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

REGULATIONS

SEC. 14. The Secretary is authorized to prescribe such regulations as he may deem necessary to carry out the purposes of this Act.

ADVISORY BOARD

SEC. 15. (a) The Secretary shall appoint an insurance advisory board without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service. The board shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act and with respect to policy matters arising in the administration of this Act. The board shall perform such other responsibilities as the Secretary may, from time to time, assign to it.

(b) The board shall consist of not more than fifteen persons, who shall be selected from among representatives of—

(1) the insurance industry;

(2) State and local governments, including appropriative representatives of the insurance authorities of the several States; and

(3) the general public.

(c) Members of the board are entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including travel time, for attendance at conferences or meetings thereof. While so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

ADVANCE PAYMENTS AND FINALITY OF FINANCIAL TRANSACTIONS

SEC. 16. (a) Any payment under authority of this Act may be made, after necessary adjustments on account of previous underpayments or overpayments, in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

(b) Any financial transaction carried out under color of authority of this Act (including any payment made or received in connection therewith) is final and conclusive upon all officers of the United States.

APPROPRIATIONS

SEC. 17. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, including such sums as may, from time to time, be necessary to maintain the fund established under section 10 in an operative condition, and such sums for the repayment of any obligations which may, from time to time, be incurred under this Act to the Secretary of the Treasury.

THE MIDDLE EAST: EXODUS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I have noted a spate of newspaper stories lately alleging cruelties on Israel's part in dealing with the Arab populations under its control. These stories, for the most part, concede that Israel's objective is not to terrorize Arabs but, on the contrary, is to put an end to the terrorism in which marauding Arab bands have been engaged. Let us contrast that conduct with the treatment by Arab countries of the Jews living under their jurisdiction. Certainly there has been unspeakable cruelty, and it has been cruelty motivated by frustration and revenge. War is miserable, Mr. Speaker. It does not bring out the warmest virtues in man, whether he be Israeli or Arab. If for that reason alone, sensible men want peace in the Middle East.

Mr. Speaker, I include in the RECORD an account from the Newsweek issue of November 27, 1967, which recounts in detail the inhumanity that Arab lands have shown to Jews who have lived as friends and neighbors of the Arab people.

THE MIDDLE EAST: EXODUS

No sooner had Israel struck its first blow against the Arab forces last June than the mobs began to gather. In the North African cities of Tunis and Tripoli, thousands of Arab rioters went swarming through the narrow alleyways of the local Jewish ghettos ransacking shops and homes, gutting synagogues and attacking any Jews they could find. In Damascus, Syrian authorities cordoned off the Jewish quarter to prevent Arab rioters from getting in and the Jews from getting out. In Baghdad, the Iraqi state radio fanned public anger by broadcasting anti-Jewish quotes from the Koran. And in Cairo and Alexandria, Egyptian authorities arrested nearly every Jewish male over the age of 20.

For the small Jewish minority living in Arab nations, these harassments were no new turn of events. Though some of their communities date back more than three millennia, Jewish life in the Moslem world has frequently been precarious. And while Arab spokesmen claim their fight is with Zionism, not Jews, the Jewish minority has always provided a convenient scapegoat for Arab humiliation in the chronic wars with Israel.

As a result, hundreds of thousands of Jews have fled their native Arab lands, and, since 1948, a once-thriving community of more than 800,000 has dwindled to about 100,000 Many of the Jews who remain there were forbidden to leave by the authorities for fear they would emigrate to Israel. Indeed, more than half a million Arab Jews have emigrated to Israel, and Israeli officials often argue that they represent a fair exchange for the Palestine Arab refugees. Still others were simply unwilling to leave their ancestral homes and property behind. But in the wake of last summer's six-day war with Israel, a new wave of anti-Jewish fervor has swept across much of the Arab world, threatening ultimately to eliminate even this tiny remnant.

In Syria, the fanatic Ba'athist regime has set up a 2.4-mile radius beyond which the Jews of the Damascus ghetto may not venture. The Jews' telephones are tapped, their mail censored, and they dare not communicate even with relatives in nearby Beirut. Though Jewish leaders who were arrested at the outbreak of the war have been released and Jewish shops reopened, work permits are difficult to obtain for Syria's 3,000 Jews, and they are banned from buying land, dealing in imports and, worst of all, from leaving the country.

Egypt's 2,500 Jews fare no better. Though President Gamal Abdel Nasser cabled them his greetings during the recent Jewish New Year, the recipients considered it a rather poor joke. Within the first hours of the June war, 500 Jews—including the chief rabbi of Alexandria—had been rounded up and crammed into tiny white-walled cells in the Abu Za'abal prison near Ismailia and the El Barga prison near Alexandria. Many detainees were beaten and tortured. Subsequently, all Jewish property in Egypt was confiscated by the state. Some of the prisoners have been released, but the majority are still in jail. Those Jews who have received the government's permission to do so, have begun to leave Egypt with their families.

While Iraq's 3,000 Jews have long been subject to government restrictions, their situation has deteriorated harshly since the end of the war. Some 100 Jewish leaders are being held by Baghdad police, and the rest of the community is under virtual house arrest. Under instructions from the Iraqi Government, licenses to Jewish shop owners have been withdrawn; commercial firms have been ordered to fire all Jewish employees. The Jewish community's assets were frozen and all Jews have been strictly forbidden to leave Iraq.

Though North African governments sought to protect their Jewish communities, they were unable to prevent Arab mob passion from exploding into cruel persecutions in Libya, Morocco and Tunisia. (Ironically, Algeria—which adopted North Africa's most strident position during the war—was virtually free of anti-Jewish incidents.) As a result, since June, 4,500 of Libya's 5,000 Jews have been evacuated to refugee camps in Italy, 10,000 of Morocco's remaining 60,000 Jews have emigrated, and Tunisia's 20,000 Jews are fleeing at a rate of 1,000 per month.

"This is the beginning of the end for these ancient communities," says a spokesman for the American Jewish Committee which is trying to expedite their exodus. "One way or another, within the next few years, there will be no Jews left in the Arab world."

AFFILIATED YOUNG DEMOCRATS, INC., OF NEW YORK STATE, ADOPT LEGISLATIVE PROGRAM FOR 1968

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, the affiliated Young Democrats of New York at their State legislative committee meeting held December 2, 1967, at the Hotel Piccadilly, 227 West 45th Street, New York City, unanimously endorsed their State legislative program for 1968, which program will be introduced in the State senate and assembly when it convenes on January 3, 1968.

This legislative program will be sponsored by their 21 members in the State senate, and 46 members in the assembly:

AFFILIATED YOUNG DEMOCRATS STATE LEGISLATIVE PROGRAM FOR 1968

A. Constitutional Amendments Bills—

1. National Resources and Conservation, Article VIII of New Constitution.
2. Local Governments, and Financers, Article XI of New Constitution.
3. State Taxation and Finance, Article X of New Constitution.

B. Legislation by Bills of the State Legislature—

1. Civil Rights Articles in New Constitution.
2. State require records of all Governmental Agencies be kept open to the public.
3. Raise drinking age to 21 years.
4. Lower voting age to 18 years.
5. Stronger code of Ethics.
6. Raise Minimum Wage to $1.75 per hour.
7. Liberalize the Abortion Laws.
8. Require the State Legislature to keep transcripts of all proceedings.
9. Mandatory free education at all State and City Universities and Community Colleges.
10. State and Local Governments be allowed to make grants and loans to private enterprise for slum rebuilding.
11. The creation of One-Man, One-Vote Standards for redistricting local Legislative Bodies.
12. Expansion of Public Service Commission.
13. Citizens' right to sue the State.
14. Change Penal Law to allow Tenants and Property Owners to protect their property by using force.
15. Legislature to meet in Mid-December after each election to organize and elect officers.
16. Strengthen Laws to combat air and water pollution.
17. Tighten Law to enforce Compulsory Auto Insurance Law.
18. State-wide Recreation Department be created.

Richard H. Wels, chairman of the State Legislative Committee of New York presided at this important meeting.

JUSTICE AFTER THE RIOTS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the summer's riot fires have cooled, the blood has dried on the streets. Now we talk of prosecution and ultimate punishment of the rioters.

Those who are found guilty of breaking the law should be punished to a degree commensurate with the crime they have committed.

Yet in this demand for quick, strict punishment, there is a very grave danger that we may sacrifice the American goal of equal justice for all.

Recently, William T. Gossett, president-elect of the American Bar Association, discussed this danger in a speech to the Chicago Bar Association. Gossett, a Detroit attorney and former general counsel for the Ford Motor Co., spoke of the causes of the riots and their aftermath, with specific reference to the observance of law and the pursuit of justice.

Of riot and violence, Gossett declares:

> Obviously, mob violence and destruction cannot be tolerated by any nation that counts itself civilized—much less by a nation that has had thrust upon it by the forces of history a sobering burden of leadership among the family of the nations.

He tells of a Detroit kangaroo court conducted by a Negro agitator in which two policemen were "tried" for the fatal shooting of two Negroes during the course of the riot. The accused were, he says, "convicted," although "none of them was present or represented in the proceedings to face his accusers or to cross-examine those who 'testified' against him."

Says Gossett—

> All such mock trials are wholly repugnant to our sense of justice, to the integrity of our legal system, and to the standards of a civilized society, because in them all of our constitutional safeguards are ignored; and, of course, they are wholly devoid of "due process".

But he continues:

> No less reprehensible, on the other hand, are such indiscriminate police devices as dragnet arrests and haphazard counter-sniper fire. It is just not good enough that some of those shot down or some of those arrested may have been guilty. We have got to find more efficient police methods to deal with riots, and we have got to evolve more specialized reinforcements to supplement large-scale rioting.
>
> And above all, in the court proceedings that follow, we must avoid the temptation, imposed by the stresses and strains of the moment, to take short-cuts in dealing with the fundamental rights of the individual.

But the essence of his speech was this cogent observation:

> We cannot win universal respect for the law—the indispensable ingredient of a free society—unless the law respects all men equally.

He adds—

> Justice is at best an elusive ideal. But it is a powerful one—capable of profoundly changing the hearts and lives of men whatever their lot.

I think this address is a most penetrating analyses of the pressures riots place upon our judicial system, lawyers, law enforcement officials and citizens. It also clearly defines the responsibilities to these same groups in the pursuit of justice. I recommend its careful reading to my colleagues and ask that it be printed in the RECORD.

The address follows:

AN ADDRESS BY WILLIAM T. GOSSETT, PRESIDENT-ELECT OF THE AMERICAN BAR ASSOCIATION AT THE QUARTER ANNUAL MEETING OF THE CHICAGO BAR ASSOCIATION, NOVEMBER 21, 1967

It is a privilege to be with you tonight.

Several years ago, when I was practicing law in New York, it seemed to me that the Chicago Bar was the second best in the country. I am pleased to report to you tonight, however, that in the light of many more years of experience, and of much more maturity, I am prepared to concede that you are at least tied for first!

Seriously, I have always had great respect for the Chicago Bar, both in terms of sheer professional competence and in its fulfillment as well as its conception of the demanding and growing social obligations of the profession. The American Bar Association has been enriched and strengthened by the Chicago Bar at least as early as 1905–1906 when George R. Peck served as our president. As you know, since those days, the ABA has been led by several Chicago lawyers: J. M. Dickinson, Stephen S. Gregory, Silas H. Strawn, and most recently, Tappan Gregory, who served also as Chairman of the House of Delegates and Editor of the ABA Journal.

Now, in these turbulent times, we are blessed with the services and guidance of some stalwarts of the Chicago Bar, such as Joe Stecher, Dick Bentley, Tom Boodell, Bert Jenner, Barney Sears, Russell Baird, Bill Avery, Malcolm Moss, and many others.

The last time I had the privilege of addressing a Chicago Bar Association dinner was on June 15, 1950. The subject of my talk that night was "Big Labor in a Democratic Society". Tonight, 17½ years later, that would be a timely subject, especially in the light of the recent Ford and Chrysler settlements with the U.A.W. For we have made little, if any, progress in solving the problems that I described that evening. Indeed, they have grown in size and complexity.

Let me say, though, that my subject tonight was selected, as it was in 1950, with due regard for the philosophy so aptly stated by Mr. Justice Fortas, that "a lawyer is not merely a craftsman—or even an artist. He has a special role in our society. He is a professional. He is not merely a practitioner of a difficult, exacting and subtle art form. He is a professional, specially ordained to perform at the crisis time of the life of other people; and almost daily, to make moral judgments of great sensitivity. He is the principal laboratory worker in the mixing of government prescriptions. His is an important hand at the wheel of our economy because, as lawyer, he has a profoundly important voice in business transactions. And, of course, he is the custodian of the flaming sword of individual justice and personal liberty, as well as the public order."

Violence is not new to us as a people. It took tough physical struggle and often brutal physical conflict to convert a continental wilderness into a great nation. Socially, violence has also been a ready avenue of expression to those who have deeply felt grievances and think they have waited too long for reforms. Much of our national history, from colonial times through the struggle for abolition, including troubled periods in this century, has been characterized by violent explosions. Now, in our own day, relative handfuls of extremists among our people, most of whom deplore violence, have resorted to mob action as an instrument of social protest. We have witnessed it even in so-called peace demonstrations, and we have witnessed it on a fearful scale in the ghettos.

We are told that the ghetto outbursts are episodic; that they are not truly revolutionary, being but unorganized manifestations of long-smoldering feelings of anger and injustice; and that they were wholly predictable in this period of rapid change because, as a matter of social history, only after change begins to occur does mob action come to speed up and help institutionalize change.

However that may be, we all know that mobs do not generate human progress; they retard it. We know that mobs do not establish rights; they trample them. We know that mobs do not inspire the advancement of civilization; they impede it.

A wise and experienced journalist, who had witnessed some of the great social upheavals of our troubled century all over the world, Dorothy Thompson, said not many years ago: "It has required centuries of evolution to take the conduct of justice out of the hands of the multitude; away from the mob and the marketplace where rumor, hearsay, passion . . . and mass emotion so easily hold sway; to take justice out of the hands of those who, for such reasons, 'know not what they do', and to take it into quiet chambers, surround it with rules and restrictions, conduct it with dignity and decorum, and establish the conditions and atmosphere to make it possible, at least, than those who sit in judgment do know what they do."

Mobbism is, then, the antithesis of civilization—the dire step that moves backward precipitously and fiercely, undoing in a few wild hours the forward movement of generations. Obviously, mob violence and destruction cannot be tolerated by any nation that counts itself civilized—much less by a nation that has had thrust upon it by the forces of history a sobering burden of leadership among the family of nations. And although we who have devoted our lives to the law must leave to the social scientists the clinical aspects of mob behavior, we must constantly and repeatedly insist that once lawful procedures for the resolution of conflicts and the redress of wrongs are abandoned or violated, the collapse of a free and secure society is inevitable.

I do not need to tell this audience—dedicated, as it is, to progress by mutual counseling—that this is not to put undue emphasis on the *means* at the risk of obscuring the *end*. The distinguished late presiding Judge of the Philadelphia Court of Common Pleas, Curtis Bok, once said, "In the whole history of law and order, the longest step forward was taken by primitive man, when, as if by common consent, the tribe sat down in a circle and allowed one man to speak at a time. An accused who is shouted down has no rights whatever. Unless people have an instinct for procedure, this conception of basic human rights is a "waste of effort, and wherever we see a negation of those rights it can be traced to a lack, an inadequacy, or a violation of procedure."

We of the legal profession long ago developed a term to describe the ancient custom of allowing one person to speak at a time, of allowing the accused to speak without being shouted down. We call it "due process of law". Due process represents procedural decency and fairness; it came down to us from Magna Carta, through the common law; and it is embedded in the Constitution of this nation.

There are many areas of life today that cry out for a sharpened sense of due process on the part of all of us. Equal access to the law is one. A person without legal advice because he cannot afford it is, because of that fact alone, deprived of due process. Unpopular people and those serving unpopular causes can be and often are, because of that fact alone, deprived of due process. An accused who is detained in ignorance of his rights or denied a prompt and fair hearing, because of that fact alone, is deprived of due process.

Following the Detroit riot last summer, there were suggestions of general amnesty for all charged with violations. One of the most radical and emotional of the Negro agitators came to the city and spoke at a mass meeting from which all whites—including representatives of the news media—were excluded. He demanded that two policemen and two others, who had been charged with shooting to death two Negroes during the course of the riot, be tried before a kangaroo court, masquerading as a "people's tribunal". If the "defendants" were convicted, he said, they were to be "lynch executed". In due course, the so-called trial was held before 1,500 spectators, and all the accused were "convicted", although none of them was present or represented in the proceedings to face his accusers or to cross-examine those who "testified" against him.

Manifestly, all such mock trials are wholly repugnant to our sense of justice, to the integrity of our legal system, and to the standards of a civilized society because in them all of our constitutional safeguards are ignored; and, of course, they are wholly devoid of "due process".

No less reprehensible, on the other hand, are such indiscriminate police devices as dragnet arrests and haphazard counter-sniper fire. It is just not good enough that *some* of those shot down or *some* of those arrested may have been guilty. We have got to find more efficient police methods to deal with riots, and we have got to evolve more specialized reinforcements to supplement them in large-scale rioting. And above all, in the court proceedings that follow, we must avoid the temptation, imposed by the stresses and strains of the moment, to take short-cuts in dealing with the fundamental rights of the individual. Such practices as mass arraignments on the warrant, with inadequate or no advice about constitutional rights—the right to counsel, for example—and the fixing of bail bonds on a mass basis, with no attempt to handle cases individually, lack the decency of treatment that is the foundation of due process of law.

Due process is threatened, then, not only by mobs in the streets, but also by imperfections in the administration of justice; and each violation of due process tends to multiply the other kind: that is, mob action leads to police repression and careless or vindictive court action; and poor administration of justice leads to resentment and mob action.

This is not to compromise with firmness in subduing insurrections wherever they occur and for whatever reasons. It does mean, though, subduing them with discipline and control, with a sense of responsibility, and with a respect for the lives and property of the innocent. It means, clearly, emphatically and without using what Theodore Roosevelt called "weasel words," outlawing the indiscriminate traffic in firearms both on an interstate and an intrastate level. It means, too, that punishment be not merely vindictive, for a reason that Mr. Justice Brandeis made memorably clear in *Whitney v. California* (274 U.S. 357, 375), when he reminded us that the founders of our nation "knew that order cannot be secured merely through fear of punishment for its infraction . . . that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supported grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones."

Our Negro citizens, representing approximately a tenth of all our people, today are being repeatedly exposed to "evil counsels"—counsels of despair, of malice and of destruction. The "evil counsels" are men who move from city to city, inciting people to burn and loot and kill—death-dealing gadflies of destruction and revolution against law and order.

American Negroes number almost 25 million people, an excessive percentage of whom live out their lives deprived of adequate education, adequate living standards and, worst of all, adequate hope; and they offer fertile ground to demagogues, agitators and anarchists. Let us consider that figure—25 million—in order to get a real perspective on the dimensions of the problem to which the recent occurrences of injury, death and destruction have given tragic expression in many of our cities.

In historic terms, our 25 million Negroes exceed in number the entire population of the United States in 1850, and their number is not much less than that of both the North and South together at the outbreak of the Civil War. In contemporary terms our Negro citizens exceed in number the total populations of every country in Africa except one, every country of North and Central America except two, and every country of South America except one. Indeed, only seventeen of the world's 150 countries have populations exceeding that of Negroes in the United States.

And we have had a continuing mass migration of Negroes to the large cities of the North and of white people to the suburban areas. It is estimated that by 1970 fifty of our largest cities will have majorities of black inhabitants. Another projection is that in eight years, by 1975, the 14 largest cities in the U.S. will have black majorities of 60 to 80 per cent. Those figures emphasize the absolute necessity of our gauging the significance of the uprisings of the past summer as accurately as humanly possible.

It is not enough for us to deplore riots and lawlessness as such. It is not enough to insist upon firmness in dealing with them, when they do occur, and upon due process in their aftermath. All this is necessary, to be sure, but we must do more. The legal profession cannot provide a complete solution to the deeply absorbing plight, of which riots have been a frightening symptom. But lawyers certainly can make an enormous, perhaps a basic, contribution. We can help provide the "fitting remedy" of good counsels; counsels of hope, of good will and of construction, to which Mr. Justice Brandeis referred—counsels that can correct the atmosphere of these explosive demonstrations.

This is going to take a very sure reading of history and a sharp insight into the forces at work in our society. Nothing could be more disastrous than for us to rush to the easy assumption that every city's riots are inspired from without, that they are meaningless phenomena, or that they are isolated coincidences. Even the most cursory reading of the deeply perceptive report of the President's Commission on Law Enforcement and Administration of Justice, appropriately entitled *The Challenge of Crime in a Free Society*, will quickly dispel any such comfortable illusion.

In a document that should be read by every citizen in this country, there is a succession of observations that we can ill afford to ignore. In essence they put in broad context, in contemporary terms, the social genesis of the mob behavior that we witnessed last summer:

"There have always been slums in the cities", the Report states, "and they have always been places where there was the most crime. What has made this condition even more menacing in recent years is that the slums, with all their squalor and turbulence, have more and more become ghettos, neighborhoods in which racial minorities are sequestered with little hope of escape. People who, though declared by the law to be equal, are prevented by society from improving their circumstances, even when they have the ability and the desire to do so, are people with extraordinary strains on their respect for the law and society."

What are some of those "extraordinary strains" to which the Commission refers? One of them is clear—and it is a fact very hard for us in the legal profession to acknowledge: it is simply, and without glossing over an unpalatable truth, that the poor, black and white, resent and fear the law. And the reason seems to me obvious. The conditions under which the poor live their hapless lives seldom expose them directly to the law as their protector. They experience far more often and far more vividly instances of the law doing something *to* them rather than something *for* them. Mr. Justice Fortas has pointed out how easily this can happen: "The law has always been the hostile policeman on the beat, the landlord who has come to serve an eviction notice, the installment seller who has come to repossess. . . ."

We must make it a reality—not an empty theory—that the law is the servant—not the despot—of all the people. This is not a simple or an easy assignment. Much of it will go against the grain of the experience of lawyers as custodians of stable values that come much more readily to us. We need to move into these troubled areas and offer preventive counsel to these people who are suspicious of the law. We need to show them—not just tell them—that the law can protect them from the predatory landlord, from the unscrupulous installment seller, and from the overzealous cop on the beat. We need to prove to them, by what we do—not just by what we say—that the law is on their side—not against them.

In connection with the Detroit riot, more than 6,500 people were taken into custody, only 4,180 of whom were booked. Of those, 1,044 were charged with misdemeanors and 3,166 with felonies. Fifty-seven per cent of those booked were held for further proceedings. Some of these have pleaded guilty, some have been released, and others bound over for trial. The Detroit Bar Association, supported by the State Bar and the American Bar Association, called for volunteers to defend those who lacked funds to pay lawyers fees. The response was a credit to the profession: 700 lawyers offered their services; and many of them have made substantial sacrifices of time and energy, all to the end that those accused might be accorded the benefits of a fair trial—of due process of law!

We already have in existing bar organizations fundamental machinery directed in part towards the achievement of equal justice under law. And the ABA and the American Bar Foundation have undertaken general studies in depth of the availability of legal services in our society.

But we need also to move on to new approaches on a new scale. We cannot win universal respect for the law—the indispensable ingredient of a free society—unless the law respects all men equally. Seventeen years ago, Reginald Heber Smith, one of the great pioneers in legal aid, said: "Nothing rankles more in the human heart than a brooding sense of injustice. Illness we can put up with; but injustice makes us want to pull things down."

Justice is at best an elusive ideal. But it is a powerful one—capable of profoundly changing the hearts and minds and lives of men whatever their lot. To achieve this metamorphosis, however, the law—the only avenue to justice known to men—must constantly battle through to new frontiers of concern and interest.

The Legal Services Program of the Office of Economic Opportunity (with 800 offices and 1,800 lawyers in 47 states) has charted some of these frontiers that are today in crying need of penetration. They are: tenant-landlord relationships; consumer protection, particularly in installment buying; welfare law; and due process for juveniles, usually the unwanted children of the ghetto.

As every lawyer knows, there are appalling injustices in the laws governing the relations between landlords and tenants; indeed, those laws are relics of feudal times when judges tended to view each side of a contract as independent of the other; and so, in most states, the tenant still is obligated to keep paying the rent even if the landlord has broken all his promises.

The tenant cannot make needed repairs and deduct their cost from the rent, nor can he hold back the rent until the landlord has fulfilled his obligations; and the tenant can be evicted for nonpayment of rent, however justified his nonpayment may have been. After eviction, he can sue the landlord for damages for failure to keep his promises or to observe the housing code; but in Michigan he cannot even protest his eviction in court unless he posts a bond equal to nine months rent. And if the tenant complains to officials about building code violations, the landlord can retaliate by evicting him. And that action can come much faster than the results of a housing code enforcement process.

So in most states, legislative changes in landlord and tenant laws are long overdue. And there are other pressing needs. Much could be done, for example, in improving the standards of criminal justice. Many years ago, Chief Justice Taft, who was no radical, said that the administration of criminal justice in this nation was a disgrace. Reforms were suggested by the Wickersham Report, and others, in the Twenties and Thirties; but few of them have been made.

Shortly after the Detroit disaster, Governor Romney and Mayor Cavanagh created a citizens organization, known as the "New Detroit Committee". Its mission is to recommend action designed not only to bring about reconstruction of the burned and ravished areas but also to remove or mitigate such underlying causes of social unrest, hate and anger at high unemployment among Negroes, mistreatment by the police, profiteering by unscrupulous landlords, credit agencies, and neighborhood merchants, substandard housing, and general feelings of injustice and frustration.

Serving on the 39 member Committee are the chief executives of the city's largest industrial enterprises, and also representatives from education, unions, government and community organizations. Combined with that unusual but not unprecedented community mixture are representatives of neighborhood groups of Negroes, of leaders of militant racial groups, bipartisan leadership of the state legislature, the chairmen of the tri-county Boards of Supervisors, and the chairman of the League of Women Voters. The Committee is supported by a staff of lawyers, businessmen, sociologists, and financial experts. At the outset, the Committee recognized that the problems demanding immediate solution were primarily in the areas of jobs, housing, schools, public order and safety. It further recognized that if we are to look ahead with confidence, or even hope, to a unified and constructive society, the Detroit community—indeed, the whole nation—must face up to the need for social and economic innovation in our cities, and do it now!

The Committee has made a series of recommendations and is formulating a program of action. In making decisions the Committee has been motivated less by political expediency than by what seems to be fair and just; and its practice has been to speak through its actions and achievements rather than by promises. To this end, the Committee has strongly recommended state and local legislation to assure open housing and enlargement of tenants' rights as well as the construction of low cost housing in slum areas; it has requested larger appropriations for the Detroit school system; it has stimulated job and job training opportunities for hard core unemployment areas; it has brought about the appointment of an outside expert to review the organization and administration of the Detroit police department; it has devised means to provide equity financing and counseling for small businesses in the ghetto area; and generally it has worked diligently with all of the resources available in the community to develop programs of self help and progress.

Obviously, it has not been possible to develop quickly a fully comprehensive and effective plan of action for a community that has overlooked or misjudged most of these needs for too many years. But the Committee has the will and the ability as well, I think, to get the job done: to save the community from further anarchy, further anguish and further impairment.

I pass this report along to you, because I think it essential that we exchange information and experience among our cities. And I pass it along, too, because vast as the problems are, by determined action, we can face them, we can understand them, and we can solve them.

Last spring the Secretary of Health, Education, and Welfare told the American Law Institute, "I try to remember—and ask you to remember—that this great nation was conceived and designed by human beings, imperfect as you and I are imperfect; capable of mistakes, even as you and I; subject to weariness, doubt and confusion, as all of us are. But with all their human fallibility, they had the courage and heart to believe that man might create a free and just society."

Let me suggest to you tonight with confidence that this generation of Americans also has courage and heart. Let me suggest that we have the capacity and the will to attain in our time the American dream of a free and a just society for all men under law.

UNITED NATIONS WORLD GRAINS AGREEMENT

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RARICK. Mr. Speaker, what is proposed to be done to the American people next?

The establishment of a one-world welfare system—with the U.S. taxpayer picking up the tab—is the latest scheme about to be slipped over on Mr. and Mrs. U.S. Citizen.

Our Government is about to be cajoled into agreeing to supply a minimum of 42 percent of the world's grain supply for distribution over the globe.

What happens if this agreement is ratified and for some reason not complied with? Will U.N. troops be sent into the United States to take over our agricultural production?

Is this a world monopoly to fix world prices, or a humanitarian scheme to feed the hungry?

Mr. Speaker, I include the Geneva agreement—GATT—of June 30, 1967, and the publication of the U.S. Department of Agriculture entitled "International Grains Arrangement 1967" in the RECORD for all to study:

GENERAL AGREEMENT ON TARIFFS AND TRADE

(Legal instruments embodying the results of the 1964–67 Trade Conference—Volume V, June 30, 1967, Geneva—Memorandum of agreement on basic elements for the negotiation of a World Grains Arrangement)

The Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States, and the European Economic Community and its member States

Have agreed as follows:

ARTICLE 1

Each signatory to this Agreement agrees to negotiate a world grains arrangement, on as wide a basis as possible, in a conference promptly called for such purpose, that contains the provisions set forth in Article 2, to work diligently for the early conclusion of the negotiation, and upon completion of the negotiation to seek acceptance of the arrangement in accordance with its constitutional procedures as rapidly as possible.

ARTICLE 2

Principal items of world grains arrangement

I. Pricing provisions

1. The Schedule of minimum and maximum prices, basis f.o.b. Gulf ports, is established for the duration of this arrangement as follows:

[In U.S. dollars per bushel]

	Minimum price	Maximum price
Canada:		
Manitoba No. 1	1.95½	2.35½
Manitoba No. 3	1.90	2.30
United States:		
Dark Northern Spring No. 1, 14 percent	1.83	2.23
Hard Red Winter No. 2 (ordinary)	1.73	2.13
Western White No. 1	1.68	2.08
Soft Red Winter No. 1	1.60	2.00
Argentina: Plate	1.73	2.13
Australia: F.a.q	1.68	2.08
European Economic Community: Standard	1.50	1.90
Sweden	1.50	1.90

2. The minimum prices and maximum prices for the specified Canadian and US wheats, f.o.b. Pacific NW ports shall be 6 cents less than the prices in paragraph 1.

3. The schedule of minimum prices may be adjusted in accordance with the provisions of IV below.

4. The minimum price and maximum price for FAQ Australian wheat f.o.b. Australian ports shall be 5 cents below the price equivalent to the c. and f. price in United Kingdom ports of the minimum price and maximum price for US Hard Red Winter No. 2 (ordinary), f.o.b. Gulf ports, specified in paragraph 1, computed by using currently prevailing transportation costs.

5. The minimum prices and maximum prices for Argentine wheat, f.o.b. Argentine ports, for destinations bordering the Pacific and Indian Oceans, shall be the prices equivalent to the c. and f. prices in Yokohama of the minimum prices and maximum prices for US 2 Hard Red Winter (ordinary) wheat f.o.b. Pacific NW ports, specified in paragraph 2, computed by using currently prevailing transportation costs.

6. The minimum prices and maximum prices for

——the specified US wheats, f.o.b. US Atlantic, Great Lakes and Canadian St. Lawrence ports,

——the specified Canadian wheats, f.o.b. Ft. William/Port Arthur, St. Lawrence ports, Atlantic ports, and Churchill,

——Argentine wheat, f.o.b. Argentine ports, for destinations other than those specified in paragraph 5,

shall be the prices equivalent to the c. and f. prices in Antwerp/Rotterdam of the minimum prices and maximum prices specified in paragraph 1, computed by using currently prevailing transportation costs.

7. The minimum prices and maximum prices for the EEC standard wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for Hard Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs 1 and 2, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

8. The minimum prices and maximum prices for Swedish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for Hard Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs 1 and 2, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

II. Commercial purchases and supply commitments

1. Each member country when exporting wheat undertakes to do so at prices consistent with the price range.

2. Each member country importing wheat undertakes that the maximum possible share of its total commercial purchases of wheat in any crop year shall be purchased from member countries, except as provided in paragraph 4 below. This share will have to be determined at a later stage and will be dependent upon the extent to which other countries accede to the Arrangement.

3. Exporting countries undertake, in association with one another, that wheat from their countries shall be made available for purchase by importing countries in any crop year at prices consistent with the price range in quantities sufficient to satisfy on a regular and continuous basis the commercial requirements of those countries subject to the other provisions of this Agreement

4. Under extraordinary circumstances a member country may be granted by the Council partial exemption from the commitment contained in paragraph 2 upon submission of satisfactory supporting evidence to the Council.

5. Each member country when importing wheat from non-member countries shall undertake to do so at prices consistent with the price range.

III. Role of maximum prices

1. The rôle of maximum prices shall be in general conformity with that set forth in the International Wheat Agreement of 1962.

2. Provision shall be made for continuous review by the Secretariat of the Grains Council of the situation with regard to the arrangements in respect of maximum prices and for initiating the necessary action.

3. Durum wheat and certified seed wheat shall be excluded from the provisions relating to maximum prices.

IV. Role of minimum prices

The purpose of the schedule of minimum prices is to contribute to market stability by making it possible to determine when the level of market prices for any wheat is at or approaching the minimum of the range. Since price relationships between types and qualities of wheat fluctuate with competitive circumstances, provision is made for review of and adjustments in minimum prices, on the basis of the following principles:

1. If the Secretariat of the Grains Council in the course of its continuous review of market conditions is of the opinion that a situation has arisen, or threatens imminently to arise, which appears to jeopardize the objectives of the Arrangement with regard to the minimum price provisions, or if such a situation is called to the attention of the Secretariat of the Council by any member country, the Executive Secretary shall convene a meeting of the Prices Review Committee within two days and concurrently notify all member countries.

2. The Prices Review Committee shall review the price situation with the view of reaching agreement on action required by member participants to restore price stability and to maintain prices at or above minimum levels and shall notify the Executive Secretary when agreement has been reached and of the action taken to restore market stability.

3. If after three market days the Prices Review Committee is unable to reach an agreement on the action to be taken to restore market stability, the Chairman of the Council shall convene a meeting of the Council within two days to consider what further measures might be taken. If after not more than three days of review by the Council, any member country is exporting or offering wheat below the minimum prices as determined by the Council, the Council shall decide whether provisions of the agreement shall be suspended and if so, to what extent.

4. When any minimum price has been adjusted in accordance with the foregoing, such adjustments shall terminate when the Prices Review Committee or the Council finds that the conditions requiring the adjustments no longer prevail.

5. Denatured wheat shall be excluded from the provisions relating to minimum prices.

V. International food aid

1. The countries party to this Agreement agree to contribute wheat, coarse grains, or the cash equivalent thereof, as aid to the developing countries, to an amount of 4.5 million metric tons of grain annually. Grains covered by the programme shall be suitable for human consumption and of an acceptable type and quality.

2. The minimum contribution of each country party to this Agreement is fixed as follows:

	Percent	Metric tons (thousands)
United States	42.0	1,890
Canada	11.0	495
Australia	5.0	225
Argentina	.5	23
European Economic Community	23.0	1,035
United Kingdom	5.0	225
Switzerland	.7	32
Sweden	1.2	54
Denmark	.6	27
Norway	.3	14
Finland	.3	14
Japan	5.0	225

Countries acceding to the Arrangement may make contributions on such a basis as may be agreed.

3. The contribution of a country making the whole or part of its contribution to the programme in the form of cash shall be calculated by evaluating the quantity determined for that country (or that portion of the quantity not contributed in grain) at U.S. $1.73 per bushel.

4. Food aid in the form of grain shall be supplied on the following terms:

(a) Sales for the currency of the importing country which is not transferable and is not convertible into currency or goods and services for use by the contributing country.[1]

(b) A gift of grain or a monetary grant used to purchase grain for the importing country.

Grain purchases shall be made from participating countries. In the use of grant funds, special regard shall be had to facilitating grain exports of developing member countries. To this end priority shall be given so that not less than 25 per cent of the cash contribution to purchase grain for food aid or that part of such contribution required to purchase 200,000 metric tons of grain shall be used to purchase grains produced in developing countries. Contributions in the form of grains shall be placed in f.o.b. forward position by donor countries.

5. Countries party to the Arrangement may, in respect of their contribution to the food aid programme, specify a recipient country or countries.

VI. Miscellaneous

A grains arrangement must include, among other things, acceptable provisions relating to such issues as voting rights, definition of commercial transactions, guidelines for noncommercial transactions, safeguards for commercial transactions, and provisions concerning wheat flour which take into account the special nature of international trade in flour.

VII. Duration

The Arrangement shall be effective for a three-year period.

VIII. Accession

The terms and conditions of accession of countries not original signatories to this Agreement shall be decided upon in subsequent negotiations.

IX. Subsequent negotiations

Nothing in subsequent negotiations shall prejudice the commitments undertaken in this Memorandum of Agreement.

ARTICLE 3

This Memorandum of Agreement shall be opened for acceptance by signature on 30 June 1967 and shall enter into force when accepted by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, and the United States, and by the European Economic Community and its member States.

ARTICLE 4

This Memorandum of Agreement shall be deposited with the Director-General to the CONTRACTING PARTIES, who shall promptly furnish a certified copy thereof to each contracting party to the General Agreement and to the European Economic Community.

ARTICLE 5

This Memorandum of Agreement shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

DONE at Geneva this thirtieth day of June one thousand nine hundred and sixty-seven in a single copy in the English and French languages, both texts being authentic.

[From the U.S. Department of Agriculture, Foreign Agricultural Services, November 1967]

THE INTERNATIONAL GRAINS ARRANGEMENT 1967

INTRODUCTION

Negotiations to reach agreement on an international arrangement for grains were completed in August of this year. The result—the International Grains Arrangement of 1967—was opened for signature in Washington on October 17, 1967. This Arrangement, which replaces the 18-year-old International Wheat Agreement, essentially incorporates provisions of an earlier Geneva agreement, reached in the Kennedy Round Cereals negotiations, with the administrative and institutional structure of the IWA. The Arrangement consists of two parts: a Wheat Trade Convention and a Food Aid Convention.

Wheat Trade Convention

The Wheat Trade Convention combines basic price provisions negotiated in Geneva with a number of substantive and administrative provisions formerly contained in the IWA. Exporters and importers agreed in Geneva that the world trading prices for wheat should be higher than those in the IWA. It sets minimum and maximum prices for fourteen major wheats moving in world trade and spells out procedures to be followed when prices reach the limits of the range. The Wheat Trade Convention also sets up guidelines relating to concessional transactions, which provide for member countries to avoid harmful interference with normal commercial trade, and establishes procedures for prior consultation by donor countries with exporting countries whose commercial sales might be affected by such transactions.

Pricing provisions

In a significant departure from the IWA, the new arrangement establishes a series of minimum prices for major wheats based primarily on differences in market value and quality at a common location. For U.S. wheats, the new minimum prices are generally about 23 cents a bushel higher than the minimums under the IWA. Maximum prices are set 40 cents above the minimum for each wheat, providing a range in which prices may fluctuate in response to supply and demand. The schedule of minimum and maximum prices f.o.b. Gulf ports is as follows:

[In U.S. dollars per bushel]

	Minimum price	Maximum price
Canada:		
Manitoba No. 1	1.95½	2.35½
Manitoba No. 3	1.90	2.30
United States:		
Dark Northern Spring, No. 1, 14 percent	1.83	2.23
Hard Red Winter No. 2 (ordinary)	1.73	2.31
Western White No. 1	1.68	2.08
Soft Red Winter No. 1	1.60	2.00
Argentina: Plate	1.73	2.13
Australia: F.a.q	1.68	2.08
European Economic Community: Standard	1.50	1.90
Sweden	1.50	1.90
Greece	1.50	1.90
Spain:		
Fine wheat	1.60	2.00
Common wheat	1.50	1.90

Minimum and maximum prices for Canadian and U.S. wheat, f.o.b. Pacific Northwest ports are fixed in the Arrangement at 6 cents less than the corresponding f.o.b. Gulf port prices. Minimum and maximum prices were also established for Mexican wheat, f.o.b. Mexican Pacific ports or at the Mexican border at $1.55 and $1.95 per bushel, respectively. Price ranges for other non-Gulf positioned wheats are adjusted according to a formula which takes into account prevailing freight rates.

Prices for wheats not listed in the Arrangement will be established by a Prices Review Committee, to which is also given power to adjust minimum prices in response to changes in competitive conditions. This Committee is new. It had no counterpart in the IWA.

Under the IWA, a price range was established for only one type and grade of wheat—Manitoba No. 1, in store Fort William/Port Arthur. Equivalent minimum and maximum prices for other types and grades of wheat in other locations were calculated using formulas which took into account differences in quality between Manitoba No. 1 and other wheats. Although the IWA included formulas for calculating equivalent minimum and maximum prices for other than the base wheat, whether the sale price of a particular transaction was within the price range was a matter of agreement between the exporting and importing countries concerned. As a consequence, there was no identifiable floor for wheats generally and considerable uncertainty as to when price minimums were reached. This, together with the fact that the base wheat was little traded and the basing point was closed to navigation much of the year, made the IWA largely ineffective as a means of bringing precision to world wheat trade.

Role of minimum prices

The purpose of the new schedule of minimum prices is to contribute to market stability by making it possible to determine when the level of market prices for any wheat is at or approaching the minimum of the range, rather than to fix a rigid floor for all wheats. Since price relationships between types and qualities of wheat fluctuate with competitive circumstances, provision is made for review of and adjustments in *minimum prices.*

The United States would expect that, in most instances, agreement could be reached on the adjustments required through action by the Prices Review Committee. Nevertheless, if agreement were not reached regarding adjustments required in the schedule of minimum prices, or on means of keeping prices above minimum levels, the procedures recognize that an exporting country can offer its wheat at competitive prices even though such prices might be below the published schedule of minimum prices of the Arrangement. When any minimum price has been adjusted in accordance with the procedures provided in the Arrangement, provision is made for such adjustments to terminate once the conditions requiring the original action no longer exist. In other words, if prices fall to the minimum and adjustments are made, and prices subsequently rise above the minimum, the adjustments would automatically terminate. If prices later again fall to the minimum, adjustments the second time would again be made in the published schedule of minimum prices, not in the adjusted schedule.

Purchases consistent with the price range

The new Arrangement continues the obligation provided for in the IWA requiring the exporters and importers to buy and sell at prices consistent with the established range of prices, with some important changes and clarifications. For the first time, importers who export some wheat, whether to members or non-members, will be covered by these provisions. They were not covered under the IWA. The Arrangement continues the provisions of the IWA assuring importing countries of specified "datum" quantities of wheat, based on average imports during a recent period, when prices are at the maximums listed in the Arrangement. An innovation is the upward adjustment of this formula when prices are at the maximum to take account of the rapid growth of import requirements of countries like Japan. The Arrangement also provides that member countries undertake to import a maximum share of their import requirements from other members, with a stipulated minimum that they are obliged to take, and provides new requirements when importing from non-members to do so only at prices consistent with the agreed price range. Prices are considered consistent with the agreed price range when above the maximum or below the minimum, if such prices are not in conflict with the provisions of the Arrangement pertaining to maximum price declarations and the role of minimum prices.

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[1] Under exceptional circumstances an exception of not more than 10 per cent could be granted.

The EEC has undertaken obligations both as an exporting country and as an importing country, except that in lieu of quantitative "datum" export commitments when a maximum price declaration is in effect, it has agreed to conduct its export operation with equivalent effect.

The Arrangement also specifies that commercial purchases of wheat flour should be consistent with the wheat price provisions.

GUIDELINES RELATING TO CONCESSIONAL TRANSACTIONS

The Arrangement reaffirms the principle (originally stated in the IWA) that concessional grains transactions should be conducted in such a way as to avoid harmful interference with normal patterns of production and international commercial trade, and it specifies that to this end, member countries shall undertake appropriate measures to ensure that concessional sales are additional to normal commercial marketings. This, of course, is current United States practice. Its statement in the International Grains Agreement was deemed necessary due to the number of countries committed under the Food Aid Convention of the new Arrangement to supply grains to needy nations on concessional terms.

The Arrangement also establishes requirements for prior consultations by a member country offering wheat on concessional terms with any member whose commercial exports might be affected by such transaction. Measures to be taken by members to ensure that concessional transactions are additional to commercial sales are to be consistent with the Principles of Surplus Disposal and Guiding Lines recommended by the Food and Agriculture Organization of the United Nations.

Administrative provisions

The provisions for administering the Wheat Trade Convention generally follow the pattern set down in the IWA. The Secretariat and the Wheat Council continue in force, essentially with the same functions as in the past. Decisions in the Council will be by a majority vote of importers and exporters voting separately, with a two-thirds majority required for certain major decisions. The importing and exporting countries collectively will hold 1,000 votes each and allocation of votes will be decided by agreement among the importer and exporter groups, acting independently. The EEC holds votes in both importer and exporter groups.

Food Aid Convention

This Convention incorporates the Food Aid provisions of the Geneva memorandum and establishes a Food Aid Committee to review the operation of this Convention. In Geneva the principal commercial exporters and importers agreed upon a program providing a total 4.5 million metric tons of grain a year to the needy nations of the world. 4.2 million tons has been subscribed. Of this, the United States will provide almost 1.9 million tons, or 42 percent. The European Economic Community will contribute one million tons. Other importers and exporters will contribute lesser amounts.

The list of minimum contributions was fixed as follows, although during the Rome Conference, several additional countries indicated an intention to join the program.

Country	Percent	Metric tons (thousands)
United States	42.0	1,890
Canada	11.0	495
Australia	5.0	225
Argentina	.5	23
European Economic Community	23.0	1,035
United Kingdom	5.0	225
Switzerland	.7	32
Sweden	1.2	54
Denmark	.6	27
Norway	.3	14
Finland	.3	14
Japan	5.0	225

Contributions to the food aid program can be in the form of wheat, coarse grains suitable for human consumption, or the cash equivalent thereof. It is expected that the great bulk of the contributions will be in the form of wheat, although some grain deficit countries may contribute cash. Japan maintains the option to give other aid in substitution for grain. Food aid under this program will be supplied on soft terms (grants or local currency which will, except for amounts up to 10 percent, not be available for use by the contributing country). Contributing countries may select the recipients of their contributions. They may administer their programs directly with recipient countries, or may channel their contributions through an international organization such as the World Food Program.

The Convention provides for the establishment of a Food Aid Committee, consisting of representatives of the contributing countries. This Committee will receive reports from contributing countries concerning the operation of their food aid programs, review purchases of grain financed by cash contributions, and provide a forum for the exchange of information on the overall functioning of the Food Aid Convention, in particular regarding its effects on food production in the recipient countries. In addition, the Committee may at any time make arrangements for an exchange of views to deal with emergency conditions. In case of default, the Committee shall meet and take appropriate action.

Implementation

The United States is the depository Government for this Agreement, as it was for its predecessor, the International Wheat Agreement. It will be open for signature in Washington, D.C. until November 30, 1967. Signatories to the earlier Geneva agreement must join both the Wheat Trade and Food Aid Conventions in order for the Arrangement to enter into force. Other countries can participate in one or both of the Conventions. While it is not known how many countries will join, 52 governments registered attendance at the negotiating conference. Those governments, plus members of the present IWA (including the U.S.S.R.) will be eligible to sign.

The two Conventions of the Arrangement will enter into force for a three-year period on July 1, 1968. The Arrangement will be submitted to the United States Senate for its advice and consent.

PREAMBLE

The signatories to this Arrangement,

Considering that the International Wheat Agreement of 1949 was revised, renewed or extended in 1953, 1956, 1959, 1962, 1965, 1966 and 1967,

Considering that the substantive economic provisions of the International Wheat Agreement of 1962 expired on 31 July 1967, that the administrative provisions of the same Agreement expire on 31 July 1968 or on an earlier date to be decided by the International Wheat Council and that it is desirable to conclude an Arrangement for a new period,

Considering that the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States of America and the European Economic Community and its Member States agreed on 30 June 1967 to negotiate an Arrangement on Grains, on as wide a basis as possible, that would contain provisions on wheat trade and food aid, to work diligently for the early conclusion of the negotiation and upon completion of the negotiation to seek acceptance of the Arrangement in conformity with their constitutional and institutional procedures as rapidly as possible.

Considering that these Governments and the European Economic Community and its Member States, in accordance with these prior mutual commitments, shall both sign the Wheat Trade Convention and the Food Aid Convention and that other Governments should have the possibility of joining either one of the Conventions or of joining both Conventions, have agreed that this International Grains Arrangement 1967 shall consist of two legal instruments, on the one hand a Wheat Trade Convention, and on the other hand a Food Aid Convention, and that each of these two Conventions, or either of them as appropriate, shall be submitted for signature and ratification, acceptance or approval in conformity with their respective constitutional or institutional procedures, by the Governments concerned and the European Economic Community and its Member States.

WHEAT TRADE CONVENTION

Part I—General

Article 1

Objectives

The objectives of this Convention are:

(a) To assure supplies of wheat and wheat flour to importing countries and markets for wheat and wheat flour to exporting countries at equitable and stable prices;

(b) To promote the expansion of the international trade in wheat and wheat flour and to secure the freest possible flow of this trade in the interests of both exporting and importing countries, and thus contribute to the development of countries, the economies of which depend on commercial sales of wheat; and

(c) In general to further international cooperation in connection with world wheat problems, recognizing the relationship of the trade in wheat to the economic stability of markets for other agricultural products.

Article 2

Definitions

(1) For the purposes of this Convention:

(a) "Balance of commitment" means the amount of wheat which an exporting country is obliged to make available at not greater than the maximum price under Article 5, that is, the amount by which its datum quantity with respect to importing countries exceeds the actual commercial purchases from it by those countries in the crop year at the relevant time;

(b) "Balance of entitlement" means the amount of wheat which an importing country is entitled to purchase at not greater than the maximum price under Article 5, that is, the amount by which its datum quantity with respect to the exporting country or countries concerned, as the context requires, exceeds its actual commercial purchases from those countries in the crop year at the relevant time;

(c) "Bushel" means in the case of wheat sixty pounds avoirdupois or 27.2155 kilogrammes;

(d) "Carrying charges" means the costs incurred for storage, interest and insurance in holding wheat;

(e) "Certified seed wheat" means wheat which has been officially certified according to the custom of the country of origin and which conforms to recognized specification standards for seed wheat in that country;

(f) "c. & f." means cost and freight;

(g) "Council" means the International Wheat Council established by the International Wheat Agreement, 1949 and continued in being by Article 25;

(h) "Country" includes the European Economic Community;

(i) "Crop year" means the period from 1 July to 30 June;

(j) "Datum quantity" means

(*i*) In the case of an exporting country the average annual commercial purchases from that country by importing countries as established under Article 15;

(*ii*) In the case of an importing country the average annual commercial purchases from exporting countries or from a particular exporting country, as the context requires, as established under Article 15;

and includes, where applicable, any adjustment made under paragraph (1) of Article 15;

(k) "Denatured wheat" means wheat which has been denatured so as to render it unfit for human consumption;

(l) "Executive Committee" means the Committee established under Article 30;

(m) "Exporting country" means, as the context requires, either:

(*i*) the Government of a country listed in Annex A which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(*ii*) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(n) "f.a.q." means fair average quality;

(o) "f.o.b." means free on board;

(p) "Grains" means wheat, rye, barley, oats, maize and sorghum;

(q) "Importing country" means, as the context requires, either:

(*i*) the Government of a country listed in Annex B which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(*ii*) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(r) "Marketing costs" means all usual charges incurred in marketing, chartering and forwarding;

(s) "Maximum price" means the maximum prices specified in or determined under Article 6 or 7 or one of those prices, as the context requires;

(t) "Maximum price declaration" means a declaration made in accordance with Article 9;

(u) "Member country" means

(*i*) The Government of a country which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(*ii*) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(v) "Metric ton", of 1,000 kilogrammes, means in the case of wheat 36.74371 bushels;

(w) "Minimum price" means the minimum prices specified in or determined under Article 6 or 7 or one of those prices, as the context requires;

(x) "Price range" means prices between the minimum and maximum prices specified in or determined under Article 6 or 7 including the minimum prices but excluding the maximum prices;

(y) "Prices Review Committee" means the Committee established under Article 31;

(z) (*i*) "Purchase" means a purchase for import of wheat exported or to be exported from an exporting country or from other than an exporting country, as the case may be, or the quantity or such wheat so purchased, as the context requires;

(*ii*) "Sale" means a sale for export of wheat imported or to be imported by an importing country or by other than an importing country, as the case may be, or the quantity or such wheat so sold, as the context requires;

(*iii*) Where reference is made in this convention to a purchase or sale, it shall be understood to refer not only to purchases or sales concluded between the Governments concerned but also to purchases or sales concluded between private traders and to purchases or sales concluded between a private trader and the Government concerned. In this definition "Government" shall be deemed to include the Government of any territory in respect of which the rights and obligations of any Government ratifying, accepting, approving or acceding to this Convention apply under Article 42;

(aa) "Sub-Committee on Prices" means the Sub-Committee established under Article 31;

(bb) "Territory" in relation to exporting or importing country includes any territory in respect of which the rights and obligations under this Convention of the Government of that country apply under Article 42;

(cc) "Wheat" includes wheat grain of any description, class, type, grade or quality and, except in Article 6 or where the context otherwise requires, wheat flour.

(2) All calculations of the wheat equivalent of purchases of wheat flour shall be made on the basis of the rate of extraction indicated by the contract between the buyer and the seller. If no such rate is indicated, seventy-two units by weight of wheat flour shall, for the purpose of such calculations, be deemed to be equivalent to one hundred units by weight of wheat grain unless the Council decides otherwise.

Article 3

Commercial purchases and special transactions

(1) A commercial purchase for the purposes of this Convention is a purchase as defined in Article 2 which conforms to the usual commercial practices in international trade and which does not include those transactions referred to in paragraph (2) of this Article.

(2) A special transaction for the purposes of this Convention is one which, whether or not within the price range, includes features introduced by the Government of a country concerned which do not conform with usual commercial practices. Special transactions include the following:

(a) Sale on credit in which, as a result of government intervention, the interest rate, period of payment, or other related terms do not conform with the commercial rates, periods or terms prevailing in the world market;

(b) Sales in which the funds for the purchase of wheat are obtained under a loan from the Government of the exporting country tied to the purchase of wheat;

(c) Sales for currency of the importing country which is not transferable or convertible into currency or goods for use in the exporting country;

(d) Sales under trade agreements with special payments arrangements which include clearing accounts for settling credit balances bilaterally through the exchange of goods, except where the exporting country and the importing country concerned agree that the sale shall be regarded as commercial;

(e) Barter transactions

(*i*) which result from the intervention of governments where wheat is exchanged at other than prevailing world prices, or

(*ii*) which involve sponsorship under a government purchase programme, except where the purchase of wheat results from a barter transaction in which the country of final destination was not named in the original barter contract;

(f) A gift of wheat or a purchase of wheat out of a monetary grant by the exporting country made for that specific purpose;

(g) Any other categories of transactions that include features introduced by the Government of a country concerned which do not conform with usual commercial practices, as the Council may prescribe.

(3) Any question raised by the Executive Secretary or by any exporting or importing country as to whether a transaction is a commercial purchase as defined in paragraph (1) of this Article or a special transaction as defined in paragraph (2) of this Article shall be decided by the Council.

Part II—Commercial

Article 4

Commercial purchases and supply commitments

(1) Each member country when exporting wheat undertakes to do so at prices consistent with the price range.

(2) Each member country importing wheat undertakes that the maximum possible share of its total commercial purchases of wheat in any crop year shall be purchased from member countries, except as provided in paragraph (4) below. This share shall be not less than a percentage established by the Council in argeement with the country concerned.

(3) Exporting countries undertake, in association with one another, that wheat from their countries shall be made available for purchase by importing countries in any crop year at prices consistent with the price range in quantities sufficient to satisfy on a regular and continuous basis the commercial requirements of those countries subject to the other provisions of this Convention.

(4) Under extraordinary circumstances a member country may be granted by the Council partial exemption from the commitment contained in paragraph (2) of this Article upon submission of satisfactory supporting evidence to the Council.

(5) Each member country when importing wheat from non-member countries undertakes to do so at prices consistent with the price range.

(6) Prices shall be regarded as consistent with the price range when wheat is being made available or when sales and purchases are taking place:

(a) at or above the maximum prices provided for in Article 6 when such actions are not in conflict with the provisions of Articles 5, 9 and 10, or

(b) at prices consistent with the minimum prices provided for in Article 6 or with the provisions concerning the role of minimum prices as set out in Article 8.

Article 5

Purchases at the maximum price

(1) If the Council makes a maximum price declaration in respect of an exporting country, that country shall make available for purchase by importing countries at not greater than the maximum price its balance of commitment towards those countries to the extent that the balance of entitlement of any importing country with respect to all exporting countries is not exceeded.

(2) If the Council makes a maximum price declaration in respect of all exporting countries, each importing country shall be entitled, while the declaration is in effect,

(a) to purchase from exporting countries at prices not greater than the maximum price its balance of entitlement with respect to all exporting countries; and

(b) to purchase wheat from any source without being regarded as committing any breach of paragraph (2) of Article 4.

(3) If the Council makes a maximum price declaration in respect of one or more exporting countries, but not all of them, each importing country shall be entitled while the declaration is in effect,

(a) to make purchases under paragraph (1) of this Article from such one or more exporting countries and to purchase the balance of its commercial requirements within the price range from the other exporting countries, and

(b) to purchase wheat from any source without being regarded as committing any breach of paragraph (2) of Article 4 to the extent of its balance of entitlement with respect to such one or more exporting countries as at the effective date of the declaration, provided such balance is not larger than its balance of entitlement with respect to all exporting countries.

(4) Purchases by any importing country from an exporting country in excess of the balance of entitlement of that importing country with respect to all exporting countries shall not reduce the obligation of that exporting country under this Article. Any wheat purchased from an importing country by a second importing country which originated during that crop year from an exporting country shall be deemed to have been purchased from that exporting country by the second importing country provided the balance of entitlement of the second importing country with respect to all exporting countries is not thereby exceeded. Subject to the provisions of Article 19, the preceding sentence shall apply to wheat flour only if the wheat flour originated from the exporting country concerned.

(5) In determining whether it has fulfilled its required percentage under paragraph (2) of Article 4, purchases made by any importing country while a maximum price declaration is in effect, subject to the limitations in paragraphs (2)(b) and (3)(b) of this Article,

(a) shall be taken into account if those purchases were made from any member country, including an exporting country in respect of which the declaration was made, and

(b) shall be entirely disregarded if those purchases were made from a non-member country.

(6) Wheat made available in accordance with the provisions of this Article shall so far as practicable be of types and qualities that would enable the trade in that crop year between the two countries to conform to the usual pattern. Arrangements to give effect to this should be agreed upon as necessary between the countries concerned.

Article 6

Prices of wheat

(1) The Schedule of minimum and maximum prices, basis f.o.b. Gulf ports, is established for the duration of this Convention as follows:

[In U.S. dollars per bushel]

	Minimum price	Maximum price
Canada:		
Manitoba No. 1	1.95½	2.35½
Manitoba No. 3	1.90	2.30
United States:		
Dark Northern Spring No. 1, 14 percent	1.83	2.23
Hard Red Winter No. 2 (ordinary)	1.73	2.13
Western White No. 1	1.68	2.08
Soft Red Winter No. 1	1.60	2.00
Argentina: Plate	1.73	2.13
Australia: F.a.q	1.68	2.08
European Economic Community: Standard	1.50	1.90
Sweden	1.50	1.90
Greece	1.50	1.90
Spain:		
Fine wheat	1.60	2.00
Common wheat	1.50	1.90

(2) The minimum prices and maximum prices for the specified Canadian and US wheats, f.o.b. Pacific north-west ports shall be 6 cents less than the prices in paragraph (1) of this Article.

(3) The minimum and maximum prices for Mexican wheat on sample or description f.o.b. Mexican Pacific ports or at the Mexican border, whichever is applicable, shall be US dollars 1.55 and 1.95 per bushel respectively.

(4) The minimum prices under this Article may be adjusted in accordance with the provisions of Articles 8 and 31.

(5) The minimum price and maximum price for f.a.q. Australian wheat f.o.b. Australian ports shall be 5 cents below the price equivalent to the c. and f. price in United Kingdom ports of the minimum price and maximum price for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. Gulf ports, specified in paragraph (1) of this Article, computed by using currently prevailing transportation costs.

(6) The minimum prices and maximum prices for Argentine wheat f.o.b. Argentine ports, for destination bordering the Pacific and Indian Oceans shall be the prices equivalent to the c. and f. prices in Yokohama of the minimum prices and maximum prices for US Hard Red Winter No. 2, (ordinary) wheat f.o.b. Pacific northwest ports, specified in paragraph (2) of this Article, computed by using currently prevailing transportation costs.

(7) The minimum prices and maximum prices for—

The specified US wheats, f.o.b. US Atlantic, Great Lakes and Canadian St. Lawrence ports,

The specified Canadian wheats, f.o.b. Fort William/Port Arthur, St. Lawrence ports Atlantic ports and Port Churchill,

Argentine wheat, f.o.b. Argentine ports, for destinations other than those specified in paragraph (6) of this Article,

shall be the prices equivalent to the c. and f. prices in Antwerp/Rotterdam of the minimum prices and maximum prices specified in paragraph (1) of this Article computed by using currently prevailing transportation costs.

(8) The minimum prices and maximum prices for the European Economic Community standard wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(9) The minimum prices and maximum prices for Swedish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(10) The minimum prices and maximum prices for Greek wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices of US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(11) The minimum prices and maximum prices for Spanish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(12) In relation to other wheats of countries referred to in paragraph (1) of this Article, the ways of computing minimum and maximum prices set out in paragraph (2) or the equivalent thereof set out in paragraphs (5) to (11) of this Article shall apply in the same way as they apply to the wheats referred to in those paragraphs.

(13) The Prices Review Committee may in consultation with the Sub-Committee on Prices:

(a) determine the equivalent minimum and maximum prices for wheats at points other than those referred to in paragraphs (1), (2) and (3) and paragraphs (5) to (11) of this Article, and

(b) specify, basis f.o.b. United States Gulf ports, minimum and maximum prices for any description, class, type, grade or quality of wheat other than those specified in paragraphs (1) and (3) of this Article, provided that the difference between the minimum and maximum prices so specified shall be 40 cents per bushel, and in the case of wheat of a country not mentioned in those paragraphs the Committee shall act in accordance with the preceding sub-paragraph if it has not already done so in respect of that wheat.

(14) In the case of any wheat for which minimum and maximum prices have not been specified, the minimum and maximum prices for the time being, basis f.o.b. United States Gulf ports, shall be derived from the minimum and maximum prices of the description, class, type, grade or quality of wheat specified in paragraphs (1) and (3) or under paragraphs (13)(b) of this Article, which is most closely comparable to such wheat by the addition of an appropriate premium or by the deduction of an appropriate discount. Such premiums or discounts may be fixed and adjusted as necessary by the Prices Review Committee. The Prices Review Committee shall act in accordance with this paragraph at any meeting called under paragraphs (1), (3) or (6) of Article 9.

(15) No minimum or maximum price, basis f.o.b. United States Gulf ports, specified under the provisions of paragraph (13)(b) of this Article, shall respectively be higher than the minimum or maximum price for Manitoba Northern No. 1 wheat specified in paragraph (1) of this Article.

(16) The equivalent minimum and maximum prices referred to in paragraphs (5) to (11) of this Article shall be computed at regular intervals by the Secretariat of the Council with the assistance of the Sub-Committee on Prices, having regard to the costs of ocean transportation which reflect the current method of movement generally employed and on the most comparable basis between the ports concerned.

(17) For the purposes of comparing the price of any wheat quoted in other than United States currency with the minimum and maximum prices or the equivalents thereof computed in accordance with the provisions of this Article, that price shall be converted into United States currency at the prevailing rate of exchange. Any dispute as to the conversion of prices shall be decided by the Prices Review Committee.

(18) The minimum and maximum prices and the equivalents thereof shall exclude such carrying charges and marketing costs as may be agreed between the buyer and the seller, provided that carrying charges shall accrue for the buyer's account only after an agreed date specified in the contract under which the wheat is sold.

(19) Durum wheat and certified seed wheat shall be excluded from the provisions relating to maximum prices and denatured wheat from the provisions relating to minimum prices.

(20) Without prejudice to the operation of Article 8 if any member country represents to the Prices Review Committee that any computation of an equivalent minimum or maximum price under the provisions of paragraphs (5) to (11) or paragraph (13) of this Article is, in the light of current transportation costs, no longer fair, that Committee shall consider the matter and may in consultation with the Sub-Committee on Prices make such adjustments as it considers desirable.

(21) All decisions of the Prices Review Committee under paragraphs (13), (14), (17) or (20) of this Article shall be binding on all member countries, provided that any member country which considers any such decision is disadvantageous to it may ask the Council to review that decision.

(22) Each country which has one or more wheats listed in this Article shall provide to the Council each crop year a copy of the current official specifications, standards or descriptions for those wheats where they exist. Upon request by the Secretariat, countries which export wheat shall provide to the Council the current official specifications, standards or descriptions of wheats, where they exist, not listed in this Article.

Article 7

Prices of wheat flour

(1) Commercial purchases of wheat flour will be deemed to be at prices consistent with the prices for wheat specified in or determined under Article 6, unless a statement to the contrary, with supporting information, is received by the Council from any member country, in which case the Council shall, with the assistance of any countries concerned, consider the matter and decide whether the price is so consistent.

(2) If one or more member countries deem that certain practices in the field of international trade have in certain cases distorted the consistency which must exist between the prices for flour and the prices for wheat, and consider that their interests have been seriously hurt by these practices, they may ask for consultations with the member country or member countries concerned.

(3) The Council may in co-operation with member countries carry out studies of the prices of wheat flour in relation to the prices of wheat.

Article 8

Role of minimum prices

The purpose of the schedule of minimum prices is to contribute to market stability by making it possible to determine when the level of market prices for any wheat is at or approaching the minimum of the range. Since price relationships between types and qualities of wheat fluctuate with competitive circumstances, provisions are made for review of and adjustments in minimum prices.

(1) If the Secretariat of the Council in the course of its continuous review of market conditions is of the opinion that a situation has arisen, or threatens imminently to arise, which appears to jeopardize the objectives of this Convention with regard to the minimum price provisions, or if such a situation is called to the attention of the Secretariat of the Council by any member country, the Executive Secretary shall convene a meeting of the Prices Review Committee within two days and concurrently notify all member countries.

(2) The Prices Review Committee shall review the price situation with the view to reaching agreement on action required by member participants to restore price stability and to maintain prices at or above minimum levels and shall notify the Executive Secretary when agreement has been reached and of the action taken to restore market stability.

(3) If after three market days the Prices Review Committee is unable to reach agreement on the action to be taken to restore market stability, the Chairman of the Council shall convene a meeting of the Council within two days to consider what further measures might be taken. If after not more than three days of review by the Council any member country is exporting or offering wheat below the minimum prices as determined by the Council, the Council shall decide whether provisions of this Convention shall be suspended and if so to what extent.

(4) When any minimum price has been adjusted in accordance with the foregoing, such adjustments shall terminate when the Prices Review Committee or the Council finds that the conditions requiring the adjustments no longer prevail.

Article 9

Maximum price declarations

(1) The Executive Secretary, who shall keep the prices of wheat under continual review, shall immediately convene a meeting of the Prices Review Committee if he is of the opinion, or the Sub-Committee on Prices or any member country informs him that it is of the opinion that a situation has arisen in which an exporting country is making any wheat available for purchase by importing countries at a price near the maximum price. If the Prices Review Committee decides that such a situation has arisen, the Executive Secretary shall immediately inform all member countries.

(2) As soon as any of its wheat is made available for purchase by importing countries at prices not less than the maximum price, an exporting country shall notify the Council to that effect. On receipt of such notification the Executive Secretary acting on behalf of the Council shall, except as otherwise provided in paragraph (6) of this Article and paragraph (6) of Article 16 make a declaration accordingly, referred to in this Convention as a maximum price declaration. The Executive Secretary shall communicate that maximum price declaration to all member countries as soon as possible after it has been made.

(3) In making a notification under paragraph (2) of this Article, the exporting country shall

(a) if any of the wheats in respect of which the notification is made is not one for which a maximum price is specified in, or has been specified under the provisions of, Article 6, state what it considers the maximum price for the time being, basis f.o.b. United States Gulf ports, for any such wheats to be, and

(b) in the case of all wheats in respect of which the notification is made, state what it computes the maximum prices to be on the date of notification at the points from which those wheats are commonly exported,

and the Executive Secretary shall inform all other member countries accordingly. If any member country represents to the Executive Secretary that any of the prices referred to above are not the maximum prices of the wheats concerned, he shall immediately convene a meeting of the Prices Review Committee which shall decide the maximum prices in respect of which representations have been made in consultation with the Sub-Committee on Prices.

(4) As soon as all of its wheat which has been made available at not less than the maximum price, is again made available for purchase by importing countries at prices less than the maximum price, an exporting country shall notify the Council to that effect. Thereupon, the Executive Secretary, acting on behalf of the Council, shall terminate the maximum price declaration in respect of that country by making a further declaration accordingly. He shall communicate such further declaration to all exporting and importing countries as soon as possible after it has been made.

(5) The Council shall in its rules of procedure, prescribe regulations to give effect to paragraphs (2) and (4) of this Article, including regulations determining the effective date of any declaration made under this Article.

(6) If at any time in the opinion of the Executive Secretary an exporting country has failed to make a notification under paragraph (2) or (4) of this Article, or has made an incorrect notification, he shall without prejudice in the latter case to the provisions of paragraph (2) or (4), immediately convene a meeting of the Sub-Committee on Prices. If at any time in the opinion of the Executive Secretary an exporting country has made a notification under paragraph (2) but the facts relating thereto do not warrant a maximum price declaration, he shall not make such a declaration but shall refer the matter to the Sub-Committee at a meeting immediately convened for this purpose. If the Sub-Committee advises either under this paragraph or in accordance with Article 31 that a declaration under paragraph (2) or (4) should be or should not be made or is incorrect, as the case may be, the Prices Review Committee may make or refrain from making a declaration accordingly, or cancel any declaration then in effect, whichever is appropriate without delay. The Executive Secretary shall communicate any such declaration or cancellation to all member countries as soon as possible.

(7) Any declaration made under this Article shall specify the crop year or crop years to which it relates, and this Convention shall apply accordingly.

(8) If any exporting or importing country considers that a declaration under this Article should be or should not have been made, as the case may be, it may refer the matter to the Council. If the Council finds that the representations of the country concerned are well founded, it shall make or cancel a declaration accordingly.

(9) Any declaration made under paragraphs (2), (4) or (6) of this Article which is canceled in accordance with this Article shall be regarded as having full force and effect until the date of its cancellation, and such cancellation shall not affect the validity of anything done under the declaration prior to its cancellation.

(10) For the purpose of this Article, "wheat" excludes durum wheat and certified seed wheat.

Article 10

Status of European Economic Community

(1) The European Economic Community which regularly and continuously engages in import and export operations on the international market is listed simultaneously in Annex A and in Annex B of this Convention as an exporting country and as an importing country with all the rights and obligations deriving therefrom.

(2) In regard however to the obligations of the European Economic Community as an exporting country in a situation of a maximum price declaration concerning the wheat of the European Economic Community, the European Economic Community shall make wheat available to importing countries which are members of this Convention at a price which shall not be greater than the maximum price. Moreover, it shall take all useful measures in conformity with the regulations resulting from its common agricultural policy

to channel its quantities available for export in an equitable way to importing countries which are members of this Convention.

Article 11

Adjustment in case of short crop

(1) Any exporting country which fears that it may be prevented by a short crop from carrying out its obligations under this Convention in respect of a particular crop year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of a part or the whole of its obligations for that crop year. An application made to the Council pursuant to this paragraph shall be heard without delay.

(2) The Council shall, in dealing with a request for relief under this Article, review the exporting country's supply situation and the extent to which the exporting country has observed the principle that it should, to the maximum extent feasible, make wheat available for purchase to meet its obligations under this Convention.

(3) The Council shall also, in dealing with a request for relief under this Article, have regard to the importance of the exporting country's maintaining the principle stated in paragraph (2) of this Article.

(4) If the Council finds that the country's representations are well founded, it shall decide to what extent and on what conditions that country shall be relieved of its obligations for the crop year concerned. The Council shall inform the exporting country of its decision.

(5) If the Council decides that the exporting country shall be relieved of the whole or part of its obligations under Article 5 for the crop year concerned, the Council shall increase the commitments as represented by the datum quantities of the other exporting countries to the extent agreed by each of them. If such increases do not offset the relief granted under paragraph (4) of this Article, it shall reduce by the amount necessary the entitlements, as represented by the datum quantities of the importing countries to the extent agreed by each of them.

(6) If the relief granted under paragraph (4) of this Article cannot be entirely offset by measures taken under paragraph (5), the Council shall reduce pro rata the entitlement as represented by the datum quantities of the importing countries, account being taken of any reductions under paragraph (5).

(7) If the commitment as represented by the datum quantity of an exporting country is reduced under paragraph (4) of this Article, the amount of such reduction shall be regarded for the purpose of establishing its datum quantity and that of all other exporting countries in subsequent crop years as having been purchased from that exporting country in the crop year concerned. In the light of the circumstances, the Council shall determine whether any adjustment shall be made, and if so in what manner, for the purpose of establishing the datum quantities of importing countries in such subsequent crop years as a result of the operation of this paragraph.

(8) If the entitlement as represented by the datum quantity of an importing country is reduced under paragraph (5) or (6) of this Article to offset the relief granted to an exporting country under paragraph (4), the amount of such reduction shall be regarded as having been purchased in the crop year concerned from that exporting country for the purposes of establishing the datum quantity of that importing country in subsequent crop years.

Article 12

Adjustment in case of necessity to safeguard balance of payments or monetary reserves

(1) Any importing country which fears that it may be prevented by the necessity to safeguard its balance of payments or monetary reserves from carrying out its obligations under this Convention in respect of a particular crop year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of a part or the whole of its obligations for that crop year. An application made to the Council pursuant to this paragraph shall be heard without delay.

(2) If an application is made under paragraph (1) of this Article, the Council shall seek and take into account, together with all facts which it considers relevant, the opinion of the International Monetary Fund, as far as the matter concerns a country which is a member of the Fund, on the existence and extent of the necessity referred to in paragraph (1).

(3) The Council shall, in dealing with a request for relief under this Article, have regard to the importance of the importing country's maintaining the principle that it should to the maximum extent feasible make purchases to meet its obligations under this Convention.

(4) If the Council finds that the representations of the importing country concerned are well founded, it shall decide to what extent and on what conditions that country shall be relieved of its obligations for the crop year concerned. The Council shall inform the importing country of its decision.

Article 13

Adjustments and additional purchases in case of critical need

(1) If a critical need has arisen or threatens to arise in its territory, an importing country may appeal to the Council for assistance in obtaining supplies of wheat. With a view to relieving the emergency created by the critical need, the Council shall give urgent consideration to the appeal and shall make appropriate recommendations to exporting and importing countries regarding the action to be taken by them.

(2) In deciding what recommendation should be made in respect of an appeal by an importing country under the preceding paragraph, the Council shall have regard to its actual commercial purchases from member countries or to the extent of its obligations under Article 4, as may appear appropriate in the circumstances.

(3) No action taken by an exporting or importing country pursuant to a recommendation made under paragraph (1) of this Article shall affect the datum quantity of any exporting or importing country in subsequent crop years.

Article 14

Other adjustments

(1) An exporting country may transfer part of its balance of commitment to another exporting country, and an importing country may transfer part of its balance of entitlement to another importing country for a crop year, subject to approval by the Council.

(2) Any importing country may at any time, by written notification to the Council, increase its percentage undertaking referred to in paragraph (2) of Article 4 and such increase shall become effective from the date of receipt of the notification.

(3) Any importing country which considers that its interests in respect of its percentage undertaking under paragraph (2) of Article 4 are seriously prejudiced by the withdrawal from this Convention of any exporting country holding not less than 50 votes may, by written notification to the Council, apply for a reduction in its percentage undertaking. In such a case, the Council shall reduce that importing country's percentage undertaking by the proportion that its maximum annual commercial purchases during the years determined under Article 15 with respect to the withdrawing country bears to its datum quantity with respect to all countries listed in Annex A and shall then further reduce such revised percentage undertaking by subtracting two and one half.

(4) The datum quantity of any country acceding under paragraph 2 of Article 38 shall be offset, if necessary, by appropriate adjustments by way of increase or decrease in the datum quantities of one or more exporting or importing countries, as the case may be. Such adjustments shall not be approved unless each exporting or importing country whose datum quantity is thereby changed has consented.

(5) The Council may at the request of any country delete that country from either Annex to this Convention and transfer it to the other.

Article 15

Establishment of datum quantities

(1) Datum quantities as defined in Article 2 shall be established for each crop year on the basis of average annual commercial purchases during the first four of the immediately preceding five crop years. In the case of steadily expanding markets where, taking the same period, the average annual commercial purchases are in excess of the average datum quantity figures calculated by the above method, the datum quantities shall be adjusted by the addition of the difference of the two averages. For the purpose of this paragraph steadily expanding market is a market in which the commercial imports were higher than the datum quantity figures calculated under the first sentence of this paragraph in at least 3 out of the 4 years used in such calculation and the percentage undertaking of such a country is not less than eighty per cent.

(2) Before the beginning of each crop year, the Council shall establish for that crop year the datum quantity of each exporting country with respect to all importing countries and the datum quantity of each importing country with respect to all exporting countries and to each such country, except that in calculating datum quantities exports by or imports from the European Economic Community shall be disregarded.

(3) The datum quantities established in accordance with the preceding paragraph shall be reestablished whenever a change in the membership of this Convention occurs, regard being had where appropriate to any conditions of accession prescribed by the Council under Article 38.

Article 16

Recording and reporting

(1) The Council shall keep separate records for each crop year

(a) for the purposes of the operation of this Convention and in particular of Articles 4 and 5, of all commercial purchases by member countries from other member and nonmember countries and of all imports by member countries from other member and nonmember countries on terms which render them special transactions, and

(b) of all commercial sales by member countries to non-member countries and of all exports by member countries to non-member countries on terms which render them special transactions.

(2) The records referred to in the preceding paragraph shall be kept so that

(a) records of special transactions are separate from records of commercial transactions and

(b) at all times during a crop year a statement of the balance of commitment of each exporting country with respect to all importing countries and of the balance of entitlement of each importing country with respect to all exporting countries and to each such country is maintained. Statements of such balances shall, at intervals, prescribed by the Council, be circulated to all exporting and importing countries.

(3) In order to facilitate the operation of the Prices Review Committee under Article 31 the Council shall keep records of international market prices for wheat and wheat flour and of transportation costs.

(4) In the case of any wheat which reaches the country of final destination after re-sale in, passage through, or transshipment from the ports of, a country other than that in which the wheat originated, member countries shall to the maximum extent possible make available such information as will enable the purchase of transaction to be entered in the records referred to in paragraphs (1) and (2) of this Article as a purchase or transaction between the country of origin and the country of final destination. In the case of a re-sale, the provision of this paragraph shall only apply if the wheat originated in the country of origin during the same crop year.

(5) For the purposes of paragraph (2) of this Article and of paragraph (2) of Article 4, commercial purchases by a member country from another member country entered in the Council's records shall also be entered as against the obligations of each of the two member countries under Articles 4 and 5 respectively, or those obligations as adjusted under other Articles of this Convention, provided that the loading period falls within the crop year and, in relation to obligations under Article 5, that the purchases are by an importing country from an exporting country at prices not in excess of the maximum price. Commercial purchases of wheat flour entered in the Council's records shall also be entered as against the obligations of member countries under the same conditions.

(6) Where a customs union, or a special association status with a customs union, exists between any member country and one or more other countries which permits or obliges wheat to be purchased at prices above the maximum price, any such purchases shall not be regarded as a breach of Article 4 or 5, and shall be entered against the obligations, if any, of the member country or countries concerned. No maximum price declaration shall be made in respect of such purchases from an exporting country, nor shall they in any way affect the obligations of the exporting country concerned to other importing countries under Article 4.

(7) In the case of durum wheat and certified seed wheat, a purchase entered in the Council's records shall also be entered as against the obligations of member countries under the same conditions whether or not the price is above the maximum price.

(8) Provided that the conditions prescribed in paragraph (5) of this Article are satisfied, the Council may authorize purchases to be recorded for a crop year if

(a) the loading period involved is within a reasonable time up to one month, to be decided by the Council before the beginning or after the end of that crop year, and

(b) the two member countries concerned so agree.

(9) For the purpose of this Article

(a) member countries shall send to the Executive Secretary such information concerning the quantities of wheat involved in commercial sales and purchases and special transactions as within its competence the Council may require, including

(*i*) in relation to special transactions, such detail of the transactions as will enable them to be classified in accordance with Article 3;

(*ii*) in respect of wheat, such information as may be available as to the type, class, grade and quality, and the quantities relating thereto;

(*iii*) in respect of flour, such information as may be available to identify the quality of the flour and the quantities relating to each separate quality;

(b) member countries when exporting on a regular basis, and such other member countries as the Council shall decide, shall send to the Executive Secretary such information relating to prices of commercial and, where available, special transactions in such descriptions, classes, types, grades and qualities of wheat and wheat flour as the Council may require.

(c) the Council shall obtain regular information on currently prevailing transportation costs and member countries shall to the extent practicable report such supplementary information as the Council may require.

(10) The Council shall make rules of procedure for the reports and records referred to in this Article. Those rules shall prescribe the frequency and the manner in which those reports shall be made and shall prescribe the duties of member countries with regard thereto. The Council shall also make provision for the amendment of any records or statements kept by it, including provision for the settlement of any dispute arising in connection therewith. If any member country repeatedly and unreasonably fails to make reports as required by this Article, the Executive Committee shall arrange consultations with that country to remedy the situation.

Article 17

Estimates of requirements and availability of wheat

(1) By 1 October in the case of Northern Hemisphere countries and 1 February in the case of Southern Hemisphere countries, each importing country shall notify the Council of its estimate of its commercial requirements of wheat from exporting countries in that crop year. Any importing country may thereafter notify the Council of any changes it may desire to make in its estimate.

(2) By 1 October in the case of Northern Hemisphere countries and 1 February in the case of Southern Hemisphere countries, each exporting country shall notify the Council of its estimate of the wheat it will have available for export in that crop year. Any exporting country may thereafter notify the Council of any changes it may desire to make in its estimate.

(3) All estimates notified to the Council shall be used for the purpose of the administration of this Convention and may only be made available to exporting and importing countries on such conditions as the Council may prescribe. Estimates submitted in accordance with this Article shall in no way be binding.

(4) Exporting and importing countries shall be free to fulfill their obligations under this Convention through private trade channels or otherwise. Nothing in this Convention shall be construed to exempt any private trader from any laws or regulations to which he is otherwise subject.

(5) The Council may, at its discretion, require exporting and importing countries to co-operate together to ensure that an amount of wheat equal to not less than ten per cent of the datum quantities of exporting countries for any crop year shall be available for purchase by importing countries under this Convention after 31 January of that crop year.

Article 18

Consultations

(1) In order to assist an exporting country in assessing the extent of its commitments if a maximum price declaration should be made and without prejudice to the rights enjoyed by any importing country, an exporting country may consult with an importing country regarding the extent to which the rights of that importing country under Articles 4 and 5 will be taken up in any crop year.

(2) Any exporting or importing country experiencing difficulty in making sales or purchases of wheat under Article 4 may refer the matter to the Council. In such a case the Council, with a view to the satisfactory settlement of the matter, shall consult with any exporting or importing country concerned and may make such recommendations as it considers appropriate.

(3) If an importing country should find difficulty in obtaining its balance of entitlement in a crop year at prices not greater than the maximum price while a maximum price declaration is in effect, it may refer the matter to the Council. In such a case the Council shall investigate the situation and shall consult with exporting countries regarding the manner in which their obligations shall be carried out.

Article 19

Performance under articles 4 and 5

(1) The Council shall as soon as practicable after the end of each crop year review the performance of exporting and importing countries in relation to their obligations under Articles 4 and 5 during that crop year.

(2) For the purpose of this review each member country may be permitted in the fulfillment of its obligations a degree of tolerance to be presented by the Council for that country on the basis of the extent of those obligations and other relevant factors.

(3) In considering the performance of any importing country in relation to its obligations in the crop year.

(a) the Council shall disregard any exceptional importation of wheat from non-member countries provided that it can be shown to the satisfaction of the Council that such wheat has been or will be used only as feed and that such importation was not at the expense of quantities normally purchased by that importing country from member countries;

(b) the Council shall disregard any importation of denatured wheat from non-member countries.

Article 20

Defaults under articles 4 and 5

(1) If, on the basis of the review made under Article 19, any country appears to be in default of its obligations under Article 4 or 5, the Council shall decide what action should be taken.

(2) Before reaching a decision under this Article, the Council shall give any exporting or importing country concerned the opportunity to present any facts which it considers relevant.

(3) If the Council finds that an exporting country or an importing country is in default under Article 4 or 5, it may deprive the country concerned of its voting rights for such period as the Council may determine, reduce the other rights of that country to the extent which it considers commensurate with the default, or expel that country from participation in this Convention.

(4) No action taken by the Council under this Article shall in any way reduce the obligation of the country concerned in respect of its financial contributions to the Council unless that country is expelled from participation in this Convention.

Article 21

Action in cases of serious prejudice

(1) Any exporting or importing country which considers that its interests as a party to this Convention have been seriously prejudiced by actions of any one or more exporting or importing countries affecting the operation of this Convention may bring the matter before the Council. In such a case, the Council shall immediately consult with the countries concerned in order to resolve the matter.

(2) If the matter is not resolved through such consultations, the Council may refer the matter to the Executive Committee or the Prices Review Committee for urgent investigation and report. On receipt of any such report, the Council shall consider the matter further and may make recommendations to the countries concerned.

(3) If, after action has or has not been taken, as the case may be, under paragraph (2) of this Article, the country concerned is not satisfied that the matter has been

satisfactorily dealt with, it may apply to the Council for relief. The Council may, if it deems appropriate, relieve that country of part of its obligations for the crop year in question. Two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries shall be required for a decision granting relief.

(4) If no relief is granted by the Council under paragraph (3) of this Article and the country concerned still considers that its interests as a party to this Convention have suffered serious prejudice, it may withdraw from this Convention at the end of the crop year by giving written notice to the Government of the United States of America. If the matter was brought before the Council in one crop year and the Council's consideration of the application for relief was concluded in the subsequent crop year the withdrawal of the country concerned may be effected within thirty days of such conclusion by giving similar notice.

Article 22

Disputes and complaints

(1) Any dispute concerning the interpretation or application of this Convention other than a dispute under Articles 19 and 20 which is not settled by negotiation shall, at the request of any country party to the dispute, be referred to the Council for decision.

(2) In any case where a dispute has been referred to the Council under paragraph (1) of this Article, a majority of countries, or any countries holding not less than one-third of the total votes, may require the Council, after full discussion, to seek the opinion of the advisory panel referred to in paragraph (3) on the issues in dispute before giving its decision.

(3) (a) Unless the Council unanimously agrees otherwise, the panel shall consist of:

(i) two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting countries;

(ii) two such persons nominated by the importing countries; and

(iii) a chairman selected unanimously by the four persons nominated under (i) and (ii) or, if they fail to agree, by the Chairman of the Council.

(b) Persons from countries whose Governments are parties to this Convention shall be eligible to serve on the advisory panel. Persons appointed to the advisory panel shall act in their personal capacities and without instructions from any Government.

(c) The expenses of the advisory panel shall be paid by the Council.

(4) The opinion of the advisory panel and the reasons therefore shall be submitted to the Council which, after considering all the relevant information, shall decide the dispute.

(5) Any complaint that any exporting or importing country has failed to fulfill its obligations under this Convention shall, at the request of the country making the complaint, be referred to the Council, which shall make a decision on the matter.

(6) Any finding that an exporting or importing country is in breach of this Convention shall specify the nature of the breach and if the breach involves default by that country in its obligations under Article 4 or 5, the extent of such default.

(7) Subject to the provisions of Article 20, if the Council finds that an exporting country or an importing country has committed a breach of this Convention it may deprive the country concerned of its voting rights until it fulfills its obligations or expel that country from participation in this Convention.

Article 23

Annual review of the world grains situation

(1) (a) In the furtherance of the objectives of this Convention as set forth in Article 1, the Council shall annually review the world grains situation and shall inform member countries of the effects upon the international trade in grains of the facts which emerge from the review, in order that these effects be kept in mind by these countries in determining and administering their internal agricultural and price policies.

(b) The review shall be carried out in the light of information obtainable in relation to national production, stocks, consumption, prices and trade, including both commercial and special transactions, of grains.

(c) Each member country may submit to the Council information which is relevant to the annual review of the world grains situation and is not already available to the Council either directly or through the Food and Agriculture Organization of the United Nations.

(2) In carrying out the annual review, the Council shall consider the means through which the consumption of grains may be increased, and may undertake, in co-operation with member countries, studies of such matters as:

(a) factors affecting the consumption of grains in various countries; and

(b) means of achieving increased consumption, particularly in countries where the possibility of increased consumption is found to exist.

(3) For the purposes of this Article, the Council shall pay due regard to work done by the Food and Agriculture Organization of the United Nations and other intergovernmental organizations, in order in particular to avoid duplication of work, and may, without prejudice to the generality of paragraph (1) of Article 35, make such arrangements regarding co-operation in any of its activities as it considers desirable with such intergovernmental organizations and also with any Governments of Members of the United Nations or the specialized agencies not parties to this Convention which have a substantial interest in the international trade in grains.

(4) Nothing in this Article shall prejudice the complete liberty of action of any member country in the determination and administration of its internal agricultural and price policies.

Article 24

Guidelines relating to concessional transactions

(1) Member countries undertake to conduct any concessional transactions in grains in such a way as to avoid harmful interference with normal patterns of production and international commercial trade.

(2) To this end member countries shall undertake appropriate measures to ensure that concessional transactions are additional to commercial sales which could reasonably be anticipated in the absence of such transactions. Such measures shall be consistent with the Principles of Surplus Disposal and Guiding Lines recommended by the Food and Agriculture Organization of the United Nations and may provide that a specified level of commercial imports of wheat, agreed with the recipient country, be maintained on a global basis by that country. In establishing or adjusting this level full regard shall be had to the commercial import levels in a representative period and to the economic circumstances of the recipient country, including in particular, its balance of payments situation.

(3) Member countries when engaging in concessional export transactions shall consult with exporting member countries whose commercial sales might be affected by such transactions, to the maximum possible extent before such arrangements are concluded with recipient countries.

(4) The Executive Committee shall furnish an annual report to the Council on developments in concessional transactions in wheat.

Part III—Administration

Article 25

Constitution of the Council

(1) The International Wheat Council, established by the International Wheat Agreement 1949, shall continue in being for the purpose of administering this Convention, with the membership, powers and functions provided in this Convention.

(2) Each member country shall be a voting member of the Council and may be represented at its meeting by one delegate, alternates, and advisers.

(3) Such intergovernmental organizations as the Council may decide to invite to any of its meetings, may each have one nonvoting representative in attendance at those meetings.

(4) The Council shall elect a Chairman and Vice-Chairman who shall hold office for one crop year. The Chairman shall have no vote and the Vice-Chairman shall have no vote while acting as Chairman.

Article 26

Powers and functions of the Council

(1) The Council shall establish its rules of procedure.

(2) The Council shall keep such records as are required by the terms of this Convention and may keep such other records as it considers desirable.

(3) The Council shall publish an annual report and may also publish any other information (including, in particular, its annual review or any part or summary thereof) concerning matters within the scope of this Convention.

(4) In addition to the powers and functions specified in this Convention the Council shall have such other powers and perform such other functions as are necessary to carry out the terms of this Convention.

(5) The Council may, by two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries, delegate the exercise of any of its powers or functions. The Council may at any time revoke such delegation by a majority of the votes cast. Subject to the provisions of Article 9, any decision made under any powers or functions delegated by the Council in accordance with this paragraph shall be subject to review by the Council at the request of any exporting or importing country made within a period which the Council shall prescribe. Any decision, in respect of which no request for review has been made within the prescribed period, shall be binding on all member countries.

(6) In order to enable the Council to discharge its functions under this Convention, member countries undertake to make available and supply such statistics and information as are necessary for this purpose.

Article 27

Votes

(1) The exporting countries shall together hold 1000 votes and the importing countries shall together hold 1000 votes.

(2) At the beginning of the first session of the Council held under this Convention, the exporting countries which have by that date deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application shall divide the votes of the exporting countries among them as they shall decide and the importing countries fulfilling the same condition shall similarly divide their votes.

(3) Any exporting country may authorize any other exporting country, and any importing country may authorize any other importing country, to represent its interests and to exercise its votes at any meeting or meetings of the Council. Satisfactory evidence of such authorization shall be submitted to the Council.

(4) If at any meeting of the Council an importing country or an exporting country is not represented by an accredited delegate

and has not authorized another country to exercise its votes in accordance with paragraph (3) of this Article, and if at the date of any meeting any country has forfeited, has been deprived of, or has recovered its votes under any provisions of this Convention, the total votes to be exercised by the exporting countries shall be adjusted to a figure equal to the total of votes to be exercised at that meeting by the importing countries and redistributed among exporting countries in proportion to their votes.

(5) Whenever any country becomes or ceases to be a party to this Convention subsequent to the date of the Council session referred to in paragraph (2) of this Article, the Council shall redistribute the votes of the other exporting or importing countries, as the case may be, proportionally to the number of votes held by each such country or, with respect to exporting countries, as otherwise agreed.

(6) No member country shall have less than one vote and there shall be no fractional votes.

Article 28

Seat, sessions and quorum

(1) The seat of the Council shall be London unless the Council decides otherwise.

(2) The Council shall meet at least once during each half of each crop year and at such other times as the Chairman may decide, or as otherwise required by this Convention.

(3) The Chairman shall convene a Session of the Council if so requested by (a) five countries or (b) one or more countries holding a total of not less than ten per cent of the total votes or (c) the Executive Committee.

(4) The presence of delegates with a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries prior to any adjustment of votes under Article 27 shall be necesary to constitute a quorum at any meeting of the Council.

Article 29

Decisions

(1) Except where otherwise specified in this Convention, decisions of the Council shall be by a majority of the votes cast by the exporting countries and a majority of the votes cast by the importing countries, counted separately.

(2) Each member country undertakes to accept as binding all decisions of the Council under provisions of this Convention.

Article 30

Executive Committee

(1) The Council shall establish an Executive Committee. The members of the Executive Committee shall be not more than four exporting countries elected annually by the exporting countries and not more than eight importing countries elected annually by the importing countries. The Council shall appoint the Chairman of the Executive Committee and may appoint a Vice-Chairman.

(2) The Executive Committee shall be responsible to and work under the general direction of the Council. It shall have such powers and functions as are expressly assigned to it under this Convention and such other powers and functions as the Council may delegate to it under paragraph (5) of Article 26.

(3) The exporting countries on the Executive Committee shall have the same total number of votes as the importing countries. The votes of the exporting countries on the Executive Committee shall be divided among them as they shall decide, provided that no such exporting country shall have more than forty per cent of the total votes of those exporting countries. The votes of the importing countries on the Executive Committee shall be divided among them as they shall decide, provided that no such importing country shall have more than forty per cent of the total votes of those importing countries.

(4) The Council shall prescribe rules of procedure regarding voting in the Executive Committee and may make such other provision regarding rules of procedure in the Executive Committee as it thinks fit. A decision of the Executive Committee shall require the same majority of votes as this Convention prescribes for the Council when making a decision on a similar matter.

(5) Any exporting or importing country which is not a member of the Executive Committee may participate, without voting, in the discussion of any question before the Executive Committee whenever the latter considers that the interests of that country are affected.

Article 31

Prices Review Committee

(1) The Council shall establish a Prices Review Committee consisting of a maximum of 13 members. The members of the Committee shall include the European Economic Community and at least five other importing countries and five other exporting countries chosen annually by the importing and exporting countries respectively. Any additional importing and exporting countries shall be similarly chosen. The Council shall appoint the Chairman of the Committee and may appoint a Vice-Chairman.

(2) Any member country which is not a member of the Committee may participate in the discussion of any question before the Committee whenever the latter considers that the interests of that country are directly affected.

(3) The Prices Review Committee shall have such powers and functions as are expressly assigned to it under this Convention and such other powers and functions as the Council may delegate to it under paragraph (5) of Article 26.

(4) The Committee shall reach its conclusions by agreement. Agreement on a matter under discussion by the Committee shall be understood to have been reached if the conclusion is not disputed by any member of the Committee having a direct interest in the matter. A conclusion shall be regarded as disputed if the country challenging the conclusion declares its intention to refer the matter to the Council.

(5) The Committee's conclusions shall be communicated to all member countries.

(6) If the Committee fails to reach agreement, a meeting of the Council shall be convened. All decisions of the Council on issues arising out of the Prices Review Committee shall be by a two-thirds majority of the votes cast by the exporting countries and a two-thirds majority of the votes cast by the importing countries, counted separately.

(7) The Prices Review Committee shall establish a Sub-Committee on Prices, which shall consist of representatives of not more than four exporting countries and not more than four importing countries. Member countries shall have particular regard to the technical qualifications of representatives nominated by them. The Chairman of the Sub-Committee shall be appointed by the Council.

(8) The Sub-Committee on Prices shall assist the Secretariat in keeping market prices for wheat under continuous review and in computing minimum and maximum prices as provided for under this Convention. The Sub-Committee shall give technical advice to the Prices Review Committee and the Council in accordance with the relevant Articles of this Convention, and on such other matters as that Committee or the Council may refer to it. The Sub-Committee shall in particular immediatly inform the Executive Secretary whenever in its opinion an exporting country is making any wheat available for purchase by importing countries at a price near the maximum price. The Sub-Committee shall in the exercise of its functions under this paragraph, take into account any representations made by any member country.

Article 32

The Secretariat

(1) The Council shall have a Secretariat consisting of an Executive Secretary, who shall be its chief administrative officer, and such staff as may be required for the work of the Council and its Committees.

(2) The Council shall appoint the Executive Secretary who shall be responsible for the performance of the duties devolving upon the Secretariat in the administration of this Convention and for the performance of such other duties as are assigned to him by the Council and its Committees.

(3) The staff shall be appointed by the Executive Secretary in accordance with regulations established by the Council.

(4) It shall be a condition of employment of the Executive Secretary and of the staff that they do not hold or shall cease to hold financial interest in the trade in wheat and that they shall not seek or receive instructions regarding their duties under this Convention from any Government or from any other authority external to the Council.

Article 33

Privileges and immunities

(1) The Council shall have in the territory of each member country, to the extent consistent with its laws, such legal capacity as may be necessary for the exercise of its functions under this Convention.

(2) The Government of the territory in which the seat of the Council is situated (hereinafter referred to as "the host Government") shall conclude with the Council an international agreement relating to the status, privileges and immunities of the Council, its Executive Secretary and its staff and of representatives of member countries at meetings convened by the Council.

(3) The agreement envisaged in paragraph (2) of this Article shall be independent of the present Convention. It shall however terminate:

(a) by agreement between the host Government and the Council, or

(b) in the event of the seat of the Council being moved from the territory of the host Government, or

(c) in the event of the Council ceasing to exist.

(4) Pending the entry into force of the agreement envisaged in paragraph (2) of this Article, the host Government shall grant exemption from taxation on the assets, income and other property of the Council and on remuneration paid by the Council to its employees other than nationals of the member country in whose territory the seat of the Council is situated.

Article 34

Finance

(1) The expenses of delegations to the Council and of representatives on its Committees and Sub-Committees shall be met by their respective Governments. The other expenses necessary for the administration of this Convention shall be met by annual contributions from the exporting and importing countries. The contribution of each such country for each crop year shall be in the proportion which the number of its votes bears to the total of the votes of the exporting and importing countries at the beginning of that crop year.

(2) At its first Session after this Convention comes into force, the Council shall approve its budget for the period ending 30 June 1969 and assess the contribution to be paid by each exporting and importing country.

(3) The Council shall, at a Session during

the second half of each crop year, approve its budget for the following crop year and assess the contribution to be paid by each exporting and importing country for that crop year.

(4) The initial contribution of any exporting country acceding to this Convention under paragraph (2) of Article 38 shall be assessed by the Council on the basis of the votes to be distributed to it and the period remaining in the current crop year, but the assessments made upon other exporting and importing countries for the current crop year shall not be altered.

(5) Contributions shall be payable immediately upon assessment. Any exporting or importing country failing to pay its contribution within one year of its assessment shall forfeit its voting rights until its contribution is paid, but shall not be relieved of its obligations under this Convention, nor shall it be deprived of any of its rights under this Convention unless the Council so decides.

(6) The Council shall, each crop year, publish an audited statement of its receipts and expenditures in the previous crop year.

(7) The Council shall, prior to its dissolution, provide for the settlement of its liabilities and the disposal of its records and assets.

Article 35

Co-operation with other intergovernmental organizations

(1) The Council may make whatever arrangements are desirable for consultation and co-operation with the appropriate organs of the United Nations and its specialized agencies and with other intergovernmental organizations.

(2) If the Council finds that any terms of this Convention are materially inconsistent with such requirements as may be laid down by the United Nations or through its appropriate organs and specialized agencies regarding intergovernmental commodity agreements, the inconsistency shall be deemed to be a circumstance affecting adversely the operation of this Convention and the procedure prescribed in paragraphs (3), (4) and (5) of Article 41 shall be applied.

Part IV—Final provisions

Article 36

Signature

This Convention shall be open for signature in Washington from 15 October 1967 until and including 30 November 1967

(a) by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States and by the European Economic Community and its Member States provided they sign both this Convention and the Food Aid Convention, and

(b) by other Governments listed in Annexes A and B if they so wish.

Article 37

Ratification, acceptance or approval

This Convention shall be subject to ratification, acceptance or approval by each signatory in accordance with its respective constitutional or institutional procedures, provided that any Government required to sign the Food Aid Convention as a condition to signature of this Convention also ratifies, accepts or approves the Food Aid Convention. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 17 June 1968 except that the Council may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance or approval by that date.

Article 38

Accession

(1) This Convention shall be open for accession

(a) by the European Economic Community and its Member States or by any other Government listed in Article 36(a) provided the Government also accedes to the Food Aid Convention, and

(b) by other Governments listed in Annexes A and B.

Instruments of accession under this paragraph shall be deposited not later than 17 June 1968 except that the Council may grant one or more extensions of time to any Government that has not deposited its instrument of accession by that date.

(2) The Council may by two-thirds of the votes cast by exporting countries and by two-thirds of the votes cast by importing countries approve accession to this Convention by the Government of any Member of the United Nations or its specialized agencies on such conditions as the Council considers appropriate.

(3) If any Government not listed in Annex A or B wishes to apply for accession to this Convention prior to its entry into force, and the Council chooses to receive and act on such application in accordance with the provisions of this Article, the approval and conditions established by the Council shall be as valid under this Convention as if that action had been taken by the Council under this Convention after its entry into force.

(4) Accession shall be effected by deposit of an instrument of accession with the Government of the United States of America.

(5) Where, for the purposes of the operation of this Convention, reference is made to countries listed in Annexes A or B, any country the Government of which has acceded to this Convention on conditions prescribed by the Council in accordance with this Article, shall be deemed to be listed in the appropriate Annex.

Article 39

Provisional application

The European Economic Community and its Member States and any other Government listed in Article 36(a) may deposit with the Government of the United States of America a declaration of provisional application of this Convention provided it also deposits a declaration of provisional application of the Food Aid Convention. Any other Government eligible to sign this Convention or whose application for accession is approved by the Council may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Convention and be provisionally regarded as a party thereto provided that any Government listed in Article 36(a) shall only be regarded as a provisional party to this Convention as long as it provisionally applies the Food Aid Convention.

Article 40

Entry into force

(1) This Convention shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession as follows:

(a) on 18 June 1968 with respect to all provisions other than Articles 4 to 10 and

(b) on 1 July 1968 with respect to Articles 4 to 10 provided that the European Economic Community and its Member States and all other Governments listed in Article 36(a) have deposited such instruments or a declaration of provisional application by 17 June 1968 and that the Food Aid Convention will enter into force on 1 July 1968.

(2) This Convention shall enter into force for any Government that deposits an instrument of ratification, acceptance, approval or accession after 17 June 1968 on the date of such deposit except that no part of it shall enter into force for such a Government until that part enters into force for other Governments under paragraph (1) or (3) of this Article.

(3) If this Convention does not enter into force in accordance with paragraph (1) of this Article the Governments which have deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession, provided the Food Aid Convention enters into force on the first date that all the provisions of this Convention are in force, or they may take whatever other action they consider the situation requires.

(4) The Council may before this Convention enters into force establish for any country, in agreement with that country, the percentage referred to in paragraph (2) of Article 4 in accordance with that paragraph, and shall at its first session after any part of this Convention comes into force so establish the percentage for any member country for which a percentage has not been established.

Article 41

Duration, amendment and withdrawal

(1) This Convention shall remain in force until and including 30 June 1971.

(2) The Council shall, at such time as it considers appropriate, communicate to the member countries its recommendations regarding renewal or replacement of this Convention. The Council may invite any Government of a Member of the United Nations or the specialized agencies not party to this Convention which has a substantial interest in the international trade in wheat to participate in any of its discussions under this paragraph.

(3) The Council may recommend an amendment of this Convention to the member countries.

(4) The Council may fix a time within which each member country shall notify the Government of the United States of America whether or not it accepts the amendment. The amendment shall become effective upon its acceptance by exporting countries which hold two-thirds of the votes of the exporting countries and by importing countries which hold two-thirds of the votes of the importing countries.

(5) Any member country which has not notified the Government of the United States of America of its acceptance of an amendment by the date on which such amendment becomes effective may, after giving such written notice of withdrawal to the Government of the United States of America as the Council may require in each case, withdraw from this Convention at the end of the current crop year, but shall not thereby be released from any obligations under this Convention which have not been discharged by the end of that crop year. Any such withdrawing country shall not be bound by the provisions of the amendment occasioning its withdrawal.

(6) Any member country which considers its interests to be seriously prejudiced by the non-participation in this Convention of any Government listed in Article 36(a) may withdraw from this Convention by giving written notice of withdrawal to the Government of the United States of America before 1 July 1968. If an extension of time has been granted by the Council under Article 37 or 38, notice of withdrawal in accordance with this paragraph may be given before the expiry of 14 days after the extension granted.

(7) Any member country which considers its national security to be endangered by the outbreak of hostilities may withdraw from this Convention by giving thirty days' written notice of withdrawal to the Government of the United States of America or may apply in the first instance to the Council for the suspension of any or all of its obligations under this Convention.

(8) Any exporting country which considers its interests to be seriously prejudiced

by the withdrawal from this Convention of any importing country holding not less than 50 votes or any importing country which considers its interests to be seriously prejudiced by the withdrawal from this Convention of any exporting country holding not less than 50 votes may withdraw from this Convention by giving written notice of withdrawal to the Government of the United States of America before the expiry of 14 days from the withdrawal of the country which is considered to cause such serious prejudice.

Article 42

Territorial application

(1) Any Government may, at the time of signature or ratification, acceptance, approval, provisional application of or accession to this Convention, declare that its rights and obligations under this Convention shall not apply in respect of all or any of the non-metropolitan territories for the international relations of which it is responsible.

(2) With the exception of territories in respect of which a declaration has been made in accordance with paragraph (1) of this Article, the rights and obligations of any Government under this Convention shall apply in respect of all non-metropolitan territories for the international relations of which that Government is responsible.

(3) Any Government may, at any time after its ratification, acceptance, approval, provisional application of or accession to this Convention, by notification to the Government of the United States of America, declare that its rights and obligations under this Convention shall apply in respect of all or any of the non-metropolitan territories regarding which it has made a declaration in accordance with paragraph (1) of this Article.

(4) Any Government may, by giving notification of withdrawal to the Government of the United States of America, withdraw from this Convention separately in respect of all or any of the non-metropolitan territories for whose international relations it is responsible.

(5) For the purpose of the establishment of datum quantities under Article 15 and the redistribution of votes under Article 27, any change in the application of this Convention in accordance with this Article shall be regarded as a change in participation in this Convention in such manner as may be appropriate to the circumstances.

Article 43

Notification by depositary authority

The Government of the United States of America as the depositary authority will notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, provisional application of, and accession to, this Convention, as well as each notification and notice received under Article 41 and each declaration and notification received under Article 42.

Article 44

Relationship of preamble to Convention

This Convention includes the Preamble to the International Grains Arrangement 1967.

In witness whereof the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention on the dates appearing opposite their signature.

The texts of this Convention in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

ANNEX A

Argentina, Australia, Canada, European Economic Community, Greece, Mexico, Spain, Sweden, Union of Soviet Socialist Republics, United States of America.

ANNEX B

Afghanistan, Algeria, Austria, Barbados, Bolivia, Brazil, Bulgaria, Ceylon, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, European Economic Community.

Finland, Ghana, Guatemala, Haiti, Iceland, India, Indonesia, Iran, Ireland, Israel, Japan, Kingdom of the Netherlands (with respect to the interests of Netherlands Antilles and Surinam).

Republic of Korea, Lebanon, Libya, Malaysia, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania.

Republic of San Marino, Saudi Arabia, Sierra Leone, South Africa, Southern Rhodesia, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, United Arab Republic, United Kingdom, Uruguay, Vatican City, Venezuela, Republic of Viet-nam, Western Samoa, Yugoslavia.

FOOD AID CONVENTION

Article I

Objective

The objective of this Convention is to carry out a food aid programme with the help of contributions for the benefit of developing countries.

Article II

International food aid

(1) The countries party to this Convention agree to contribute wheat, coarse grains, or the cash equivalent thereof, as aid to the developing countries, to an amount of 4.5 million metric tons of grain annually. Grains covered by the programme shall be suitable for human consumption and of an acceptable type and quality.

(2) The minimum contribution of each country party to this Convention is fixed as follows:

	Percent	Metric tons (thousands)
United States	42.0	1,890
Canada	11.0	495
Australia	5.0	225
Argentina	.5	23
European Economic Community	23.0	1,035
United Kingdom	5.0	225
Switzerland	.7	32
Sweden	1.2	54
Denmark	.6	27
Norway	.3	14
Finland	.3	14
Japan	5.0	225

Countries acceding to this Convention shall make contributions on such a basis as may be agreed.

(3) The contribution of a country making the whole or part of its contribution to the programme in the form of cash shall be calculated by evaluating the quantity determined for that country (or that portion of the quantity not contributed in grain) at US $1.73 per bushel.

(4) Food aid in the form of grain shall be supplied on the following terms:

(a) sales for the currency of the importing country which is not transferable and is not convertible into currency or goods and services for use by the contributing country.[1]

(b) a gift of grain or a monetary grant used to purchase grain for the importing country.

Grain purchases shall be made from participating countries. In the use of grant funds, special regard shall be had to facilitating grain exports of developing member countries. To this end priority shall be given so that not less than 25 per cent of the cash contribution to purchase grain for food aid or that part of such contribution required to purchase 200,000 metric tons of grain shall be used to purchase grains produced in developing countries. Contributions in the form of grains shall be placed in f.o.b. forward position by donor countries.

(5) Countries party to this Convention may, in respect of their contribution to the food aid programme, specify a recipient country or countries.

Article III

Food aid committee

(1) There shall be established a Food Aid Committee whose membership shall consist of countries listed in Article VI of this Convention and of other countries that accede to this Convention. The Committee shall appoint a Chairman and Vice-Chairman.

(2) The Committee may when appropriate invite representatives of the Secretariats of other international organizations whose membership is limited to Governments that are also Members of the United Nations or its specialized agencies to attend as observers.

(3) The Committee shall:

(a) receive regular reports from contributing countries on the amount, content, channelling and terms of their food aid contributions under this Convention;

(b) keep under review the purchase of grains financed by cash contributions with particular reference to the obligation in the second paragraph of Article II (4) concerning purchase of grain from developing participating countries.

(4) The Committee shall:

(a) examine the way in which the obligations undertaken under the food programme have been fulfilled;

(b) exchange information on a regular basis on the functioning of the food arrangements under this Convention, in particular, where information is available, on its effects on food production in recipient countries.

The Committee shall report as necessary.

(5) The Committee may at any time make arrangements for an exchange of views, particularly in order to deal with emergency conditions.

(6) For the purposes of paragraphs (4) and (5) of this Article the Committee may receive information from recipient countries and may consult with them.

Article IV

Administrative provisions

The Food Aid Committee as set up according to the provisions of Article III shall use the services of the Secretariat of the International Wheat Council for the performance of such administrative duties as the Committee may request including the processing and distribution of documentation and reports.

Article V

Defaults and disputes

In the case of a dispute concerning the interpretation or application of this Convention or of a default in obligations

(a) examine the way in which the obligations undertaken under the food aid programme have been fulfilled;

(b) exchange information on a regular basis on the functioning of the food aid arrangements under this Convention, in particular, where information is available, on its effects or food production in recipient countries.

The Committee shall report as necessary.

(5) The Committee may at any time make arrangements for an exchange of views, particularly in order to deal with emergency conditions.

(6) For the purposes of paragraphs (4) and (5) of this Article the Committee may receive information from recipient countries and may consult with them.

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[1] Under exceptional circumstances an exception of not more than 10 per cent could be granted.

Article VI

Signature

This Convention shall be open for signature in Washington from 15 October 1967 until and including 30 November 1967 by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States and by the European Economic Community and its Member States, provided they sign both this Convention and the Wheat Trade Convention.

Article VII

Ratification, acceptance or approval

This Convention shall be subject to ratification, acceptance or approval by each signatory in accordance with its respective constitutional or institutional procedures, provided that it also ratifies, accepts or approves the Wheat Trade Convention. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 1 July 1968 except that the Food Aid Committee may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance or approval by that date.

Article VIII

Accession

(1) This Convention shall be open for accession by the European Economic Committee and its Member States or by any other Government listed in Article VI provided the Government also accedes to the Wheat Trade Convention. Instruments of accession under this paragraph shall be deposited not later than 1 July 1968 except that the Food Aid Committee may grant one or more extensions of time to any Government that has not deposited its instrument of accession by that date.

(2) The Food Aid Committee may approve accession to this Convention by the Government of any Member of the United Nations or its specialized agencies on such conditions as the Food Aid Committee considers appropriate.

(3) If any Government not referred to in Article VI wishes to apply for accession to this Convention prior to its entry into force, the signatories to this Convention may approve accession on such conditions as they consider appropriate. Any such approval and conditions shall be as valid under this Convention as if this action had been taken by the Food Aid Committee after the entry into force of this Convention.

(4) Accession shall be effected by deposit of an instrument of accession with the Government of the United States of America.

Article IX

Provisional application

The European Economic Community and its Member States and any other Government listed in Article VI may deposit with the Government of the United States of America a declaration of provisional application of this Convention, provided it also deposits a declaration of provisional application of the Wheat Trade Convention. Any other Government whose application for accession is approved may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Convention and be provisionally regarded as a party thereto.

Article X

Entry into force

(1) This Convention shall enter into force on 1 July 1968 among those Governments that have deposited instruments of ratification, acceptance, approval or accession by that date provided that the European Economic Community and its Member States and all other Governments listed in Article VI have deposited such instruments or a declaration of provisional application by that date and that all the provisions of the Wheat Trade Convention are in force. This Convention shall enter into force for any other Government that deposits an instrument of ratification, acceptance, approval or accession after the Convention enters into force on the date of such deposit.

(2) If this Convention does not enter into force on 1 July 1968 the Governments which by that date have deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession, provided that all the provisions of the Wheat Trade Convention are in force, or they may take whatever other action they consider the situation requires.

Article XI

Duration

This Convention shall be effective for a three-year period.

Article XII

Notification by depositary authority

The Government of the United States of America as the depositary authority will notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, provisional application of, and accession to, this Convention.

Article XIII

Relationship of preamble to Convention

This Convention includes the Preamble to the International Grains Arrangement 1967.

In witness whereof the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention on the dates appearing opposite their signatures.

The texts of this Convention in the English French, Russian and Spanish languages shall be equally authentic. The originals shall be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

INTERPRETATIONS TO INTERNATIONAL GRAINS ARRANGEMENT 1967

The following document sets out certain interpretations which were agreed during the International Wheat Conference 1967.

Wheat Trade Convention

Article 10—Status of the E.E.C.

Concerning paragraph (2) of Article 10, the representative of the European Economic Community explained that notwithstanding the fact that the Community assumed no quantitative commitment under the provisions of Article 5, it nevertheless undertook, to the extent supplies were available for export, to conduct its export operations with equivalent effect in the circumstances of a maximum price declaration concerning E.E.C. wheat and would have full regard to the structure of its trade with the countries which are members of the Convention.

Food Aid Convention

Article II—International food aid

The Conference declared that the member countries should take the greatest care in order to ensure that the fulfillment of the food aid obligations under the Food Aid Convention should not introduce interference with free and fair competition in shipping.

Paragraph (3): Contributing countries, unless making available as food aid domestic grain suitable for human consumption and of an acceptable type and quality, shall evaluate their quantitative commitments under paragraph (2), or that part of their quantitative commitments not contributed in domestic grain, on the basis of US$1.73 per bushel and shall make available grains or cash in relation to the value so determined.

Paragraph (4)—Second part: In the second and third sentences of the second part of this paragraph the words "developing member countries" and "developing countries" shall be taken to mean "developing *participating* countries".

Paragraph (5): Countries party to the Food Aid Convention may, if they so wish, in respect of their commitments to the Food Aid Programme contribute through an international organization such as the World Food Programme, or bi-laterally.

DRAZA MIHAJLOVIC: YUGOSLAVIAN MARTYR

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RARICK. Mr. Speaker, last week's leading social event here in Washington, D.C., was the gala celebration at the Yugoslavian Embassy of the anniversary of the Communist Party of Yugoslavia takeover.

According to the banner-lined account in the society section of the local newspaper, some 700 guests were present, including Dean Rusk and his wife, and other U.S. dignitaries.

Have our people forgotten history so readily that we now turn our backs on the past to fraternize with the bloody slaughter of millions of human souls and those who even today enslave millions?

The Yugoslavian Ambassador Crnobrnja is a member of the Central Committee of the Communist Party of his country. He is in our country as the Communist agent of his boss, Marshal Tito, who butchered as many Yugoslavs as did the legions of Hitler. Are we to teach hate of Hitler but encourage admiration for Tito?

How could any thinking American toast the Yugoslav dictatorship knowing of the blood bath suffered by our allies of World War II—those Christian cetniks and their leader Draza Mihajlovic at the hands of the Soviet puppet, Tito?

The facts from history strangely disappear in time. Books are burned, facts deleted, the truth—unfavorable to communism—is suppressed. Far too few remember even the name of Mihajlovic and his fate for being an ally to the West—his betrayal to his death.

Some 432 American airmen shot down by the Nazis over Yugoslavia live today because they were rescued by Mihajlovic. Are we to conclude that his efforts were for naught, to be so easily forgotten that our Government and people now toast the success of his assassins and murderers? Can any government or regime founded on violence and programed genocide become legitimate or is gangsterism under any name to remain gangsterism?

Mihajlovic and his cetniks preferred death to living under the domination of either Hitler or Tito.

So that our colleagues may amply refresh themselves on the background of the present so-called Socialist Republic of Yugoslavia, which was established by the massacre of thousands of Christian anti-Communists, I insert an official study by the subcommittee of the U.S. Senate Committee on the Judiciary captioned, "Yugoslav Communism—A Critical Study," followed by the society news account from the Washington Evening Star of November 30, as follows:

YUGOSLAV COMMUNISM—A CRITICAL STUDY

(Prepared for the Subcommittee to investigate the Administration of the Internal Security Act and other Internal Security Laws of the Committee on the Judiciary, U.S. Senate, October 18, 1961)

Resistance

CETNICI AND DRAZA MIHAILOVIC

As soon as the unconditional surrender of the Yugoslav army on June 15, 1941, was accepted by the Germans, and while the Axis forces were busy gathering Yugoslav soldiers and sending them to prisoner-of-war camps, some groups of patriotic officers who refused to accept the capitulation took to the hills and woods with their small detachments and light armament. With the arrival of civilian refugees fleeing from the ustase, these groups soon expanded. A colonel of the former Yugoslav General Staff, Draza Mihailovic, united the groups under his command and began to harass the occupying troops in Bosnia and Serbia. These patriots called themselves cetnici. In May, 1941, Colonel Mihailovic established his headquarters in Ravna Gora in western Serbia. Mihailovic's prestige was greatly increased among the civilian population and his cetnici when he was promoted to general and appointed Minister of War of the Royal Yugoslav Government in exile. From April to October, 1941, the cetnici made serious trouble for the Germans by attacking and disorganizing their armed forces and military transports, and for Croatian ustase who persecuted the Serbian population in Croatia, Bosnia and Hercegovina. It must be noted that, while Communist partisan units which had come into existence after the invasion of Russia, also participated in the fighting, it was primarily the cetnici who fought the Germans. "For almost three months the better part of Montenegro, Serbia, and Bosnia was in the hands of the insurgents."[1]

However, German and Italian reprisals on the civilian population were horrible. With his decree *"Nacht und Nebel"* Hitler ordered reprisals hitherto unknown in modern European history; 100 Yugoslavs were to be executed for every German killed, and 50 for every German wounded. The Germans began to shoot hostages *en masse,* 400 to 500 at a time,[2] and to deport civilian population by the thousands.[3]

An attack by cetnici and partisans, on October 16, 1941, against a train transporting German troops near Kragujevac, which resulted in about 100 Germans killed and about 50 wounded, was the pretext for frightful reprisals. The Germans first completely destroyed three nearby villages, Meckovac, Marsic and Grosnica, killing at least 266 inhabitants. Then they gathered the population of the town of Kragujevac and its surrounding area, including people over seventy years old and all pupils from the fifth grade on of the local Gymnasium and normal school, together with their professors, led them by groups of several hundreds to the fields and machine-gunned them. According to an official statement, on October 20 and 21, about seven thousand men and children were massacred.[4] Kragujevac had at that time, a population of about twenty thousand. On October 19 and 20, in another small town of about eight thousand population, Kraljevo, 2,300 civilians were executed for 23 Germans killed.

These reprisals carried out against villages and small towns had quite a different bearing on Mihailovic's and Tito's movements. While the sympathizers of Mihailovic were known by everybody, those of Tito always operated surreptitiously. This is the reason why Germans picked hostages mainly from among non-Communists. On the other hand, the partisans themselves often raided the anti-Communist villages for supplies. The result was that the villagers then joined the partisans from fear of German and Italian reprisals.[5]

Winston Churchill justified British support of Tito on the ground that the partisans were killing more Germans than the cetnici and that certain cetnik "commanders made accommodations with German and Italian troops to be left alone in certain mountain areas in return for doing little or nothing against the enemy."[6]

The British insistence on "killing Germans" at all times and under all circumstances, was both inhuman and politically blind. To the resistance forces in France and Belgium and other North European countries, the instructions were to lie low, to husband their forces, to avoid premature action that might bleed them, to prepare themselves for the final act of liberation. Apparently another standard applied to the Balkan peoples. The killing of one German soldier in Yugoslavia was of greater importance than the massacre of 100 Yugoslav civilians in reprisal.

While Tito may have killed somewhat more Germans than did Mihailovic, from the standpoint of military consequence this killing of Germans added up to very little. German losses in Yugoslavia during the occupation were very light and, by and large, they moved their forces about at will. From the standpoint of political consequence, however, the strategy of "killing Germans" played directly into the hands of the Communists by provoking the Germans to mass reprisals. Every destroyed village meant so many more recruits for the partisan army.

Neither Mihailovic nor any other national leader could have been indifferent to the mass reprisals that every anti-German action was bound to provoke. As Mihailovic saw it, he was performing a far greater service by tying down German divisions than the partisans were performing by killing a few Germans here and a few Germans there. On this point, the record of the occupation will reveal that, from the beginning of the war until the end, the Germans were obliged to maintain far more troops in Serbia proper, which was Mihailovic's stronghold, than they maintained in the territory where the partisans were active. But despite mass reprisals, Mihailovic did not hesitate to engage in action against the Germans when he felt that the objectives justified the sacrifice.

In 1941, in 1942, and in the late 1943, cetnici were engaged in large-scale actions against the Germans. However, from January to December 1944, having been under repeated attacks by the partisans, who had been trained and equipped by the western Allies, Mihailovic's forces observed a more or less tacit truce with the Germans. But even during this period, cetnici were performing acts of sabotage against German communications, engaging in minor battles, and rescuing Allied airmen who were shot down in Yugoslavia. A Canadian journalist, David Martin, who was the first western author, to study the problems of Yugoslav guerrilla fighting and its political intricacies, and who interviewed most of the members of the British and American military missions to Mihailovic's headquarters and also a great number of Allied airmen rescued by Mihailovic's forces, describes how—

"between August 9 and December 27, 1944, the American Air Crew Rescue Unit evacuated from Mihailovic's territory 432 American airmen who had been shot down at various times in various parts of Yugoslavia, had been rescued by the Chetniks, and had been brought together at several concentration points where American aircraft could land. In addition to 432 Americans, the Rescue Unit evacuated 4 British airmen, 2 Canadians, 2 Belgians, 30 Russians, and 76 Italians."[7]

The same author vividly describes how, in October 1943, cetnici blew up three small railroad bridges near the town Visegrad, in Bosnia, overpowered an enemy garrison of more than 800 in Visegrad, destroyed another garrison of 300 enemy troops at the main bridge itself and blew it up. The destruction of this 500-foot double-track steel bridge "was probably the biggest single bridge-busting job carried out by Balkan guerrillas during the war."[8] British Brigadier Armstrong and American Colonel Albert Seitz[9] who had arrived at Mihailovic's headquarters a few weeks earlier, in mid-September 1943, to assume command of the respective British and American military missions, were eye witnesses of the cetnik performance. They sent reports to their headquarters, What was their astonishment when, a few days later, they heard a B.B.C. broadcast which attributed the destruction of four bridges of the railroad Uzice-Visegrad to the partisans. Brigadier

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[1] Martin, *op. cit.*, p. 127.

[2] Churchill, *Second W.W.*, V, pp. 461–462. Cf. also Görlitz, *op. cit.*, II, p. 133.

[3] On the basis of Hitler's decree, the Chief of the OKW (*Oberkommando der Wehrmacht*), Field Marshal Wilhelm Keitel, issued his famous "Richtlinien fur die Verfolgung von Straftaten gegen das Reich oder die Besatzungsmacht in den besetzten Gebieten vom 7, Dezember 1941." Document 090L, International Military Tribunal, Nuremberg, *Trial of Major War Criminals* * * *, XXXVI, pp. 570–576.

The German diplomatic and economic coordinator for the Balkan area, Hermann Neubacher, published a telegram which he had sent to the German Foreign Minister. It reads in part: "Political consequences of such misadventures are * * * catastrophic. It is clear madness to massacre babies, children, women and the aged because heavily-armed red bandits took up by force quarters in their houses and because they killed two German soldiers in the vicinity of their village. Political consequences of this insane butchery without any doubt by far surpasses the effect of all propaganda efforts in our fight against communism." *Op. cit.*, p. 142.

[4] Yugoslavia. Drzavna komisija za utvrdjivanje zlocina okupatora i njihovih pomagaca, *Izvestaj Medjunarodnom vojnom sudu u Nurnbergu* [Report to the International Military Tribunal in Nuremberg] (Beograd, 1947), pp. 19–20. Cf. also Odbor za izgradnju spomen-parka oktobarskim zrtvama 1941 godine u Kragujevcu, *Zbornik dokumenata i materijala o Oktobarskom pokolju 1941 godine u Kragujevcu* [Collection of Documents and Materials on the October 1941 Massacre in Kragujevac] (Kragujevac, 1953); and Bosko Kostic, *Za istoriju nasih dana; odlomci iz zapisa za vreme okupacije* [For the History of Our Days; Fragments from the Notes during the Occupation] (Lille, 1949).

[5] Rendel, *op cit.*, p. 227. Cf. also Pridonff, *op. cit.*, p. 14.

[6] Churchill, *Second W.W.*, V, p. 462.

[7] Martin, *op. cit.*, pp. 245–259.

[8] *Ibid.*, 41.

[9] Colonel Albert Seitz, who also organized the repatriation of American airmen from Yugoslavia, recorded his impressions on the cetnik movement in the book *Mihailovic, Hoax or Hero?* (Columbus, Ohio: Leigh House Publishers, 1953).

Armstrong asked the British command in Cairo to rectify the broadcast, but his request was ignored; B.B.C. reproduced instead a partisan communique, describing the action and giving it thus an apparent authenticity.[10]

Additional testimony concerning the fighting of resistance forces in Yugoslavia was given by Colonel Robert McDowell, chief of the final American military mission to Mihailovic. The question of how much damage cetnici did to the German war machine was answered by Colonel McDowell thus:

"On the basis of all the evidence available, it is my judgment that the Germans held greater hatred and fear of Mihailovic than of Tito and concentrated proportionally more Axis troops in cetnik than in partisan territory. * * * The most important acts of sabotage against Axis communications were performed by Chetniks." [11]

Mihailovic was not a politician. He was a Serbian patriot, and, as an officer, devoted to the king.[12] He depended on political advisers, all of whom, domestic and foreign, failed him terribly.

Until the end of 1943, most of Mihailovic's counsellors in the Serbian mountains had no program other than the restoration of the pre-war political order, viz Serbian hegemony in a unitary Yugoslavia, or rather, in a Greater Serbia, and revenge upon the Croats as a nation.[13] The chief of Mihailovic's political committee "was a rabid pan-Serb by the name of Dr. Molyevich" [14] (Moljevic). "Serbian cetnici rejected Yugoslavia and demanded a 'Great Serbia' in which they could wreak vengeance on the non-Serbian population for previous slaughtering of Serbs by the ustase," [15] writes Dr. Topalovic. "The anti-Yugoslav and anti-Crotian policy of Serbian cetnici created such a gap between Draza Mihailovic and the Croatian and Moslem population, that all Mihailovic's effort to win collaboration of this population had to end in failure." [16]

The unfortunate situation that existed in the Yugoslav government in London already has been discussed. From this source Mihailovic received advice that only served to further confuse and misdirect him.

Toward the end of 1943, Mihailovic apparently realized that he had to have a program broadly acceptable to the Yugoslav peoples, and that the government-in-exile could not provide him with such a program or with any meaningful advice or help. In January of 1944, he convoked a National Congress in the town of Ba, near the mountain of Suvobor in Serbia. In effect, although nothing was said about this, the act of convening the Congress constituted a repudiation of the worthless government-in-exile. Though the program adopted by the Congress was vaguely worded, it did commit the Mihailovic movement for the first time to a federal state structure. More significant was the fact that Moljevic and other pan-Serb extremists who had previously served as Mihailovic's chief advisers, were replaced in this capacity by more moderate elements like Adam Pribicevic, head of the Independent Democratic Party, and Zivko Topalovic, head of the Social Democratic Party.

Pursuant to the Congress of Ba, Mihailovic sent Mr. Predavec, a Croatian engineer and son of the first vice-president of the Croatian Peasant Party, to Zagreb, in an effort to reach an entente with Dr. Macek. Predavec's mission came to naught, and he was finally arrested by the Germans.

A Mihailovic-Macek entente was the one thing that might have saved Yugoslavia. But, in the absence of British support for such a move, the Congress of Ba and the Predavec mission came too late. It is, however, to Mihailovic's credit that he made this effort, however belated. From the British side and the side of the Croatian Peasant Party no move was made in the direction of this obvious and only solution.[17]

COLLABORATION WITH THE ENEMY

The problem of cetnik fighting and occasional collaboration with the Axis forces was extremely complex.[18] It is all the more complex because "accommodations with the enemy" are, traditionally, an essential part of guerrilla strategy. The successful guerrilla movement attacks when it is to its advantage to attack; it avoids engagements, and even seeks temporary accommodations, when engagements or accommodations are to its advantage.

At the beginning of the occupation, the cetnici did fight the occupying troops; as a matter of fact, at that time, they were the only ones who fought. After the ustasa massacres of Serbs in Croatia and Bosnia in 1941, the fighting degenerated into a "war of peoples," [19] of Serbian and of Croatian peoples. During this, first, civil war—

"Draza Mihailovic set as his task to begin fighting the ustasa authority, which he correctly estimated as an ordinary occupation authority, and therefore this struggle seemed to him to be identical with the war against Italian and German occupiers." [20]

However, for cetnici in Hrvatsko Primorje and western Bosnia, that is in the regions far from General Mihailovic's headquarters, this "war of peoples" became more important than the war against foreign occupiers, and consequently soon made accommodations with the Italians and were left by them more or less undisturbed. These accommodations were facilitated by the anti-Croatian attitude of the Italians, who gave shelter in Dalmatia to Serbian refugees from the ustasa massacres and even protected Serbian villages against ustasa militia units.

These subordinated commanders—among them certain *vojvode* [21]—usually operated far from Mihailovic's headquarters in Serbia. They acted out of vengeance against Moslems and Croats in Bosnia and monarchy. If on the question of federalism the declaration was rather vague, it emphatically stressed the reaffirmation of allegiance to King Peter. The resolution envisaged a Yugoslavia divided into three federal units: Slovenia, Croatia, and Serbia, or rather Greater Serbia (combining Serbia proper, Vojvodina, Montenegro, Bosnia, Hercegovina, and Macedonia).[22] Whatever this political organization was, or was to become, the action came very late—almost too late to have any chance of success.[23] The sole remaining hope was that somehow Great Britain and the United States could be persuaded to reverse their policies, and give their moral and material backing to a broadened anti-Communist resistance movement, based on a Mihailovic-Macek entente. It seems that the Congress of Ba was aware of this. Consequently, it sent a four-man delegation,[24] headed by Dr. Zivko Topalovic, to Italy to make contact with the Allied forces and governments in a last attempt to save their cause. Simultaneously it dispatched a young Croatian engineer by the name of Predavec to Zagreb in a desperate effort to achieve an entente with Dr. Macek.

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[10] Martin, *op. cit.*, p. 42.

Other illuminating chapters on how the Communist propaganda, contributing to the making of Tito and the belittling of Mihailovic, worked in London, and how the Allied military intelligence was falsified, are to be found in the same work, pp. 34–46, 84–102, esp. 189 ff.

[11] As quoted by Martin, *ibid.*, p. 151.

[12] "Mihailović was a patriot, but a Serb rather than a Yugoslav patriot," writes Wolff in his *The Balkans in Our Time*, p. 207.

Milhailović himself admitted that "Destiny was merciless toward me when it threw me into the most difficult whirlwinds; I wanted much, I began much, but the whirlwind, the world whirlwind, carried me and my work away." As quoted by C. L. Sulzberger, "For Eden Destiny Held no Mercy," *The New York Times Book Review*, Feb. 28, 1960, p. 1.

[13] In his telegram No. 1181 of December 22, 1942, to the Royal Yugoslav Government in London, General Mihailović said: "We are exterminating the Ustashi wherever we find them. We shall destroy everything that is of the Ustashi mercilessly because of the 600,000 Serbians massacred by them. At present, the Ustashi are maintaining contact with the Communists. My collaborators, Bircanin and Jevdjevic, have never worked for the Italians and are always ready to attack them on my orders, but, for the present, my first aim is to annihilate the Ustashi and their creation, the Croatia of Pavelich." Zivan Knezevic, *Why the Allies Abandoned the Yugoslav Army of General Mihailovich, with Official Memoranda and Documents, by Lt. Colonel Zivan Knezevich*. Reproduced from typewritten copy. (Washington, 1945), p. 8.

That Jevdjevic had not worked for, or with the Italians before December 1942 may be possible. However, the fact is that during 1944 he was in Rome with a band of his cetnici and moved around quite undisturbed either by the Italian fascists or Germans.

[14] Martin, *op. cit.*, p. 63.

According to the same author, "Molyevich did not completely dominate Mihailovich, but his influence was strong enough to create a very bad impression on both the British and American officers at the General's Headquarters." *Ibid.*, p. 64.

[15] *Pokreti narodnog otpora u Jugoslaviji 1941–1945*, p. 103.

[16] *Ibid.*, p. 104.

[17] Cf. Martin, *op. cit.*, p. 190.

[18] Mihailovic, defendant, *The Trial of Dragoljub-Draza Mihailovic*, pp. 303, 348, 353, 431–434, 449–450, 459. See also Evgueniye Yourichitch, *Le Procès Tito-Mihailovitch* (Paris: Société d'éditions françaises et internationales, 1950).

[19] The noted French historian and expert in Yugoslav affairs, Professor Albert Mousset, who had defended Serbian centralism for two decades, finally reviewed his opinion with regard to the Serbo-Croatian question: "The national question, the key of which is the arrangement of Serbo-Croatian relations, remains. * * * In their innermost heart, the Croats—in spite of the catastrophic adventure of Pavelic—keep hoping to have, a day, their own state. * * * Radic gave to the Croatian people a social and national consciousness which is more alive than the consciousness which formerly they derived from their 'historical rights' and passive resistance to the Magyar domination. His assassination in the Parliament of Belgrade dug between the Serbs and Croats a bloodstained ditch which has never been filled up. And there was in 1941–1943, a war between them which was not a civil war, but a war of peoples." "Un Bonaparte Marxiste: Tito; a propos d'un congrès," *Le Monde* (Paris), Nov. 8, 1952.

[20] Radotic, *op. cit.*, p. 134.

[21] *Vojvoda* means military leader or leader of a detachment. During the Serbian fighting against Turks, there were several heroic leaders whom the people called *vojvode*. Some of these guerrilla leaders covered themselves with glory during World War I, while during World War II, certain *vojvode* became the first collaborators with the enemy.

"Individual cetnik leaders [*vojvode*] often acted independently and made accommodations with the enemy without the consent of their 'supreme command.' Loose organization and lack of discipline, together with the brutal excesses perpetrated on non-conformists by a number of cetnik commanders, were the main reason, according to observers, for Mihailovic's failure to produce an efficient army." Wayne S. Vucinich "The Second World War and Beyond," R. Kerner (ed.), *Yugoslavia*, p. 360.

"Djukanovic, later Djurisic, Jevjevic and Djujic, also formally recognized Draza Mihailovic as supreme commander, but in reality they acted as they wanted and, especially, they continued keeping good relations with the occupier." Radotic, *op. cit.*, p. 134.

[22] Cf. Martin, *op cit.*, p. 191.

[23] Some chances for a successful action perhaps still existed even at that time, if the Serbian and Croatian democrats in Yugoslavia joined their forces and efforts. For any such action, Dr. Vladko Macek's participation would be indispensable. But during the

Dr. Topalovic's plea fell on deaf ears. During a conversation with the British ambassador in Rome, on October 21, 1944, Dr. Topalovic handed him an *aide-memoire* by which he notified the British commander-in-chief of the Mediterranean theater that General Mihailovic was prepared to give the Allies 50,000 cetnici, quartered at that time in Bosnia. In case this offer was unacceptable, General Mihailovic would like to know if the Allied commander-in-chief was interested in the fate of the Royal Yugoslav Army. The *aide-memoire* of October 21, and two letters, of November 13 and 29, dealing with the same problem, remained unanswered.[25]

ANNIHILATION OF ANTI-COMMUNIST FIGHTERS; THE ROLE OF THE RED AND BRITISH ARMIES

Mihailovic's cetnici lost their battle for Serbia in September, 1944, when the Red Army entered northern Serbia and the Bulgarian Army entered southern Serbia.[26] The cetnici split into two groups. One group retreated to the north trying to reach the Soviet forces and surrender to them rather than to the partisans. In the Yugoslav revolutionary war, the fate of prisoners of war was always uncertain. In the life-and-death struggle, there were few prisoners taken. Only a part of the northern cetnik group reached the Red Army. Most of them were captured and annihilated by the partisans. At any rate, the fate of those captured by the Soviets or by the partisan forces did not vary—both groups disappeared. The second group of cetnici, under the command of General Mihailovic, refusing to surrender, went into central Bosnia in the same mountains where the partisans had engaged in guerrilla tactics during the earlier years of the war. This group intended to continue the resistance against the Communists. Until May, 1945, they were constantly fighting the partisans who were far better equipped, having Allied arms and air support.[27]

Early in 1945, the Montenegrin cetnici, under the command of Pavle Djurisic, decided to march north, but after they had lost contact with Mihailovic's main forces and entered the area controlled by ustase, they were destroyed by the latter, near Lijevce Polje, between the Vrbas and Sava Rivers, in northern Bosnia.[28]

The cetnici fought a decisive battle on the Sutjeska River in Bosnia on May 12. After a week-long battle the last cetnik group began to disintegrate. General Mihailovic was able to escape with a small number of faithful followers and avoided capture for almost a year.

It seems that Tito, when he fled from Vis in September, 1944, was not very sure of his military strength. He asked for and received from Stalin necessary aid in the form of tanks and troops for the liberation of Serbia and Yugoslavia's capital, Belgrade. Liberation of Belgrade would be of great political significance, especially in the development of the civil war in Serbia. The leader who held the nation's capital would gain great political and military prestige. The presence of the Red Army in Yugoslavia had not only military, but "also favorable political consequences," acknowledged Professor Makso Snuderl; "it spread the demoralization in the ranks of the pro-fascist reactionary [i.e. anti-Communist] elements. It consolidated the position and authority of the National Liberation Government and the new people's authority of Yugoslavia."[29]

The last phase of the Yugoslav civil war was marked by the intervention of the Soviet, Bulgarian and western Allied forces on the side of partisans.[30] Tito asked the western Allies not only to bomb certain cities, but also, to send heavy artillery units into Bosnia.[31]

The other anti-Communist forces, comprising Serbian nationalists of the Ljotic movement, General Nedic's cetnici, Croatian ustase, and Sloveanian *domobranci* (Home Guards) of General Leon Rupnik, retreated toward Carinthia which was occupied by British forces. The British extradited to the partisans thousands of these anti-Communists without any distinction as to who had collaborated with the Axis forces and who had merely fought against the Communists. Most of these anti-Communists were liquidated immediately after their repatriation. Only those who were able to take haven in the American Zone of Austria were saved. Under the pretext of transferring them to Palmanova, Italy, the British military authorities extradited to the Yugoslav Communists over 11,000 Slovenian *domobranci* and civilians.[32] Almost all of them were executed without any trial.[33] The British extradited also several thousand Croatian soldiers. about 3,000 anti-Communist fighters belonging to Ljotic's movement, and about 1,000 Montenegrin cetnici.[34]

General Draza Mihailovic was finally captured in March 1946. On March 24, Aleksandar Rankovic, Minister of the Interior and chief of the secret police, announced the news to the members of the People's Assembly in session in Belgrade. According to the principle that "the revolution, if successful, is *summum ius,* and if unsuccessful *summa iniuria,*" the defeated general was tried, condemned to death, and executed on July 17, 1946, as it was reported in the Yugoslav press. His mock trial could hardly qualify as a trial in most uncivilized countries. The general's execution and burial was performed under most secret circumstances.

Characteristic of the trial of General Mihailovic is the fact that, soon after its end, his defender, Dr. Dragic Joksimovic, was imprisoned as a "people's enemy" and sentenced to three years in jail. He "died" while serving his prison term. The request of the lawyer's family for the body was denied under the pretext that it could not be handed over "until the end of the prison term."[35] Dr. Topalovic's conclusion is that the real reason of the denial was to "retain Joksimovic's dead body in jail until it became decomposed and

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entire war, Dr. Macek remained in a state of complete aloofness, which seems not to be the mark of great politicians and statesmen. Anyhow, Dr. Macek preferred to follow the example of Abbé de Sieyès and when, in 1945, Dr. Macek left the country and came to Paris, all he was able to say about his activities during the war, was: *"J'ai vécu."*

[24] Dr. Zivko Topalovic, Adam Pribicevic, Dr. Vladimir Bjelajcic, Ivan Kovac, Topalcobic, Pribicevic and Bjelajcic were Serbs and representatives of Socialists, Independent Democrats, and the Gymnastical Society *Sokol,* respectively; Kovac, a navy officer and former gymnastics coach of King Peter, was Slovene.

[25] Topalovic, "Poslednji pokusaj" [The Last Endeavor] *Poruka* (London), no. 37 (June 16, 1956), pp. 5–7.

[26] For the movements of the Soviet and Bulgarian armies in Yugoslavia see map "Opérations principale de nos forces dans la deuxème moitié de 1944," Belgrade. Vojni istoriski institut, *Les efforts de guerre de la Yougoslavie, 1941–1945* (Beograd, 194–); issued also in English as *The War Effort of Yugoslavia, 1941–1945.*

Cf. also Belgrade. Vojni istoriski institut, *Zavrsne operacije za oslobodjenje Jugoslavije 1944–1945;* for the joint military operations of the Yugoslav Army, the Red Army, and the Bulgarian Army in Serbia and Vojvodina, pp. 94–140; for the Red Army in Serbia and Vojvodina, pp. 191–196; and for the Bulgarian Army in Macedonia, pp. 158–189.

[27] Yourichitch, *op. cit.*, p. 79. Cf. also *Conf. Yalta,* p. 801.

[28] Topalovic, *Pokreti narodnag otpora u Jugoslaviji 1941–1945,* pp. 166–169.

[29] Snuderl, *Zgodovina ljudske oblasti,* p. 307.

[30] Tito, *Pol. Rep. V Con.,* pp. 103–104.

[31] Dedijer, *Tito,* p. 233.

In regard to the bombardment of Yugoslav cities, Representative Wayne L. Hays, of Ohio, gave, on December 13, 1950, in the House of Representatives, the following statement: "I do know this, that on [Orthodox] Easter Sunday in Belgrade during the last year of the war . . . Tito asked that American bombers bomb the city of Belgrade, which was not strategically important; he specified that day and he specified that hour. That day and hour happened, purely by accident I suppose, to be on Easter Sunday when the Serbs were coming out of the Orthodox churches." *U.S. Congressional Record;* Proceedings and Debates, 81st Cong., 2d Sess., Dec. 13, 1950, XCVI, Part 12, p. 16532.

[32] Janez Martinc, "Ob desetletnici vetrinjske tragedije" [The Tenth Anniversary of the Vetrinje Tragedy] *Svobodna Slovenija; zbornik koledar, 1955* (Buenos Aires: Zalozba Svobodne Slovenije, 1954), pp. 23–24.

[33] See the note in English in Tine Debeljak, *Velika crna msa za pobite Slovence* [Requiem for Massacred Slovenes] (Buenos Aires: Zalozba Svobodne Slovenije, 1949), p. 214, which reads: "In May 1945 * * * the British military authorities gave orders that this army of voluntary anti-Communist fighters should be repatriated to Yugoslavia, and more than 12,000 young Slovenes were handed over to Tito's bands. All were massacred. * * * The quiet mountains and hidden valleys of Slovenia were the scene of mass executions during the whole of the months of May and June 1945. By a terrible mistake the Christian leaders of the Western world had sent to their deaths over ten thousands of convinced anti-Communists; these young men were the first victims in the defence of the West against Eastern barbarism."

Cf. also Extension of remarks of Representative Walt Horan of Washington in the House of Representatives, January 28, 1957, which includes an article by Bishop Bernard J. Topel of Spokane. The article reads in part: "* * * Not only men, but also women and children, even babies and grandparents were murdered at Tito's whim. Sometimes the killing came after sadistic torture that is so much a part of Communism. * * * Early that summer of 1945 some 11,000 refugees were forced by the British Army to return to Yugoslavia. Ten thousand of them * * * were killed." *U.S. Congressional Record*: 85th Cong., 1st Sess., Appendix, CIII (Jan. 28, 1957), p. A531.

[34] *Vetrinjska tragedija: v spomin nesmrtnim junakom izdanim v Ventrinju od 27.–31. maja 1945 in pomorjenim za velike ideje svobode* [The Tragedy of Viktring; in Memory of Immortal Heroes Betrayed in Viktring, May 27–31, 1945 and Slaughtered for the Great Ideas of Freedom] (Cleveland: Zveza slovenskih protikomunisticnih borcev, 1960), p. 41.

Cf. also Bor. M. Karapandzic, *Kocevje, Titov najkrvaviji zlocin* [Kocevje, Tito's Bloodiest Crime] (Klivland [i.e., Cleveland] Ohio, 1954), p. 61.

[35] Topalovic, *Pokreti narodnog otpora u Jugoslaviji, 1941–1945,* pp. 103–104.

disintegrated, and with that disappeared the trace of a premeditated murder."[38]

AN ANALYSIS OF THE COMMUNIST SUCCESS

Analyzing the Communist revolution, Mosa Pijade gave the following reasons for the success of the CPY:

(*a*) The CPY was capable, at the very beginning, of taking for itself the undivided and undisputed leadership of the National Liberation Struggle;

(*b*) The CPY saw clearly that the destruction of the old state apparatus was indispensable for the success of the revolution;

(*c*) The CPY saw that it was indispensable to organize a people's army;

(*d*) The CPY was aware of the necessity to insure the revolutionary character of the people's army by the creation of proletarian brigades.

[From the Washington Evening Star, Nov. 30, 1967]

YUGOSLAV AMBASSADOR AND 700 CELEBRATE

(By Jean Powell)

"Now, if you can pronounce the name of the new ambassador, you might get some sort of prize," one guest told another at the Yugoslav anniversary party last night.

It was the first meeting for the many of the 700 guests and the hosts, Ambassador and Mrs. Bogdan Crnobrnja. Prior to their arrival several months ago, the post was filled by Dr. Mirko Bruner as charge d'affaires.

The envoy was President Tito's general secretary for seven years. Prior to that he was deputy foreign secretary and, even earlier, ambassador to India and deputy secretary in the ministry of foreign trade.

Ambassador Crnobrnja was and still is a member of the Central Committee of the Yugoslav Communist party.

SON STUDIES HERE

The newcomers brought with them to Washington one of two sons. The 15-year-old is here attending school. The elder is a university student, studying electronics and cybernetics.

Acting as chief greeter after the guests had said their hellos to the hosts and Col. and Mrs. Milan Mavric, military and naval attache, who made up the receiving line, was the amiable press and cultural counselor, Cvijeto Job.

A veteran of more than five years in the post here, Job was on a first-name basis with many of the guests. He back-slapped the men and kissed the women on the cheek, in addition to scattering warm words of welcome.

Last night's reception was the anniversary of the Yugoslavian Socialist Republic, born in 1943.

Although in Washington just a short time, the ambassadorial couple already has branched out from the city to meet their countrymen. They were hosts at a reception in Boston for members of the Yugoslav community there.

Early arrivals at the 6–8 p.m. fete were mostly from the Yugoslav community here. Reception rooms were beginning to comfortably fill on the dot of 6 o'clock, and the stream of visitors filing in to greet the hosts was constant until well past 7.

AMBASSADOR'S CALL

Among those first to arrive were Australian Ambassador and Mrs. Waller and George Allen, former U.S. ambassador to Yugoslavia. Attending without his lovely wife was Venezuelan Ambassador Tejera-Paris.

Others included Burk Elbrick, U.S. ambassador to Belgrade, William Warner, and Mrs. Charles Lucet, wife of the French ambassador.

Arriving midway in the festivities were the dean of the Diplomatic Corps, Nicaraguan Ambassador Sevilla-Sacasa, and Chief of Protocol James Symington.

As evidence of the book-burning procedures afoot in our country today, I also insert the topic on Draza Mihajlovic from the Encyclopedia Britannica. To the student in research, it would appear the same person discussed in the official U.S. Government publication.

[From Encyclopaedia Britannica, vol. 15, Maryborough to Mushet Steel]

Mihajlovic, Draza (1893–1946), Yugoslav army officer, leader of the royal Yugoslav underground army during World War II, was born on March 27, 1893, at Ivanjica, near Cacak, Serbia. Educated at the Serbian Military academy, he fought in the Balkan Wars (1912–13) and in World War I. When, on April 6, 1941, Germany attacked Yugoslavia, he was chief of staff of a motorized unit in Bosnia.

After the swift conquest and partition of Yugoslavia, Mihajlovic organized underground *cety* (plural form *ceta*, "band") of resistance in Serbia; but another underground organization controlled by the Yugoslav Communist party and led by Josip Broz-Tito (*q.v.*) was operating mainly in Bosnia and Montenegro. In the autumn of 1941 the *cetnici* (called Chetniks in English) and the partisans fought the Germans together, but their political aims were totally divergent.

On Jan. 12, 1942, Mihajlovic was appointed minister of war of the Yugoslav government in exile. One month later a "Free Yugoslavia" radio station, broadcasting from Tiflis, Georgia, accused him of collaboration with the enemy. In fact he was preparing for a general uprising in the event of an Allied landing in the Balkans and was also trying to repulse incursions of the partisans into his territory.

Support from London, however, was accorded to Tito who was judged more useful, and in May 1944 King Peter abandoned Mihajlovic.

After the country's liberation Mihajlovic went into hiding but was captured on March 13, 1946. He was tried and sentenced to death for treason, and was shot in Belgrade on July 17, 1946.

BIBLIOGRAPHY.—*The Trial of Drazha Mihailovich* (1946), the official transcript of the trial; Branko Lazitch, *The Tragedy of General Mihailovich* (1946); *General Mihailovich: The World's Verdict*, with a preface by F. A. Voigh (1947).

(K. SM.)

RESIGNATION OF JOHN M. DOAR

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, during his years in the Department of Justice, John M. Doar produced a record of achievement virtually unmatched in the field of civil rights. Wherever the battle for equal justice and equal education was being fought, John Doar brought his intellectual gifts and his physical courage. This history of the struggle for human rights in our Nation will long be indebted to this man who disdained personal safety or the easy moralizing from a distance and who used his mind, his body, and his heart as effective instruments of social action.

Mr. Doar's resignation has been called the end of an era. But it is my judgment that his service represents only the end of the beginning. All of us at the Federal level have an obligation to continue to build on the solid groundwork he has laid, while he turns his immense talents to helping to rebuild and transform the ghettos in the city of New York.

The accomplishments of John Doar are a living legacy which will help turn us away from a nightmare of racial turmoil and bring the American dream of racial harmony closer to reality.

CONCERNED DEMOCRATS—A BOY TO DO A MAN'S JOB

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. EILBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EILBERG. Mr. Speaker, in politics, when a boy is sent to do a man's job, you are in trouble.

Mr. Allard Lowenstein, vice chairman of a group called Concerned Democrats, is vainly trying to pass himself off as a profound political prophet through attacks on President Johnson from within his own party.

We all know how easy it is to get publicity by attacking the President of the United States, specially when you say you are trying to help the party, the country, and the world.

It seems to me that Mr. Lowenstein is only a boy trying to make a man's reputation by playing the role of alleged public giant killer.

Seeing Mr. Lowenstein face sophisticated newsmen on "Meet the Press," Sunday, I found an eager, nervous young man who had a glib but vague answer for almost every question. He sometimes had two answers for every question—answers which seemed to contradict one another.

In general, I must conclude that if Mr. Lowenstein represents the strongest leadership voice the Concerned Democrats can offer the people, then his movement will do worse than any other dissident movement in recent history.

GRAIN SALES TO INDIA IMPORTANT TO U.S. AGRICULTURE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ALBERT. Mr. Speaker, I want to comment on Secretary Freeman's announcement of Saturday that 3.5 million tons of grain will be sent to India in the first half of next year under the food-for-freedom program.

While many will comment on the hu-

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[38] *Ibid.*, p. 26.

manitarian aspects of this plan—and I would also commend the administration for helping India with its monumental food problem—I want to point out also what these shipments will mean to the American farmer and to all the other segments of our economy involved in agricultural exporting.

For several years now, we have been exporting the output of one U.S. acre in every four harvested. Our continued ability to maintain a high level of exports is vital to the continued prosperity of our farmers and other farm-connected enterprises—storage, processing, shipping, and scores of others.

So far as the American wheat farmer is concerned, exports are even more important. They currently account for nearly 60 percent of his total market. And India in recent years has been taking around a fourth of all the wheat we export.

To the American farmer, a bushel of grain exported is a bushel marketed, whether it is purchased commercially or under Government programs. However, it should be pointed out that India buys substantial quantities of grain from us commercially in addition to the amounts it receives under food for freedom. In calendar 1967, for instance, its commercial grain purchases from us are estimated at a half million tons.

Secretary Freeman has announced export targets of 750 million bushels of wheat from both the 1967 and 1968 crops. He and his associates are convinced that those goals can be attained if Government and business work together, even though world wheat supplies appear to be at an alltime high.

A continued high level of wheat exports to India will help meet those goals and put money in the pockets of American farmers and businessmen.

Under the unanimous consent agreement, I include the press release of the Department of Agriculture on this subject which was issued Saturday, December 4:

STATEMENT BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN ON PUBLIC LAW 480 NEGOTIATIONS WITH INDIA

Negotiations have been authorized with India for the sale of 3.5 million tons of food grains under Public Law 480, to be provided in the first half of Calendar Year 1968. Negotiations will take place in New Delhi between U.S. Embassy and Indian officials.

Following two years of drought which saw its food grain stocks almost depleted, India is now experiencing excellent growing conditions resulting from an exceptionally good monsoon. This favorable weather, plus the cumulative effect of agricultural policy reforms, have resulted in a prospective crop this year now estimated at 95 million tons, as compared with the previous record of 89 million tons in 1964–65.

However, even with a record crop, India will need to import substantial quantities of food grains during 1968 both to provide for the needs of its increasing population and to rebuild depleted stocks. Part of our food grain offer would be used for buffer stock building.

The Government of India is giving high priority to accelerated agricultural development directed toward the time when food aid would no longer be required. This proposed agreement will reflect further self-help efforts to achieve this objective.

India is expected to seek assistance from food surplus countries to help meet its needs for the years ahead. We will continue to encourage such countries to provide needed assistance to food deficit countries.

GADSDEN GI WINS SECOND AIR MEDAL

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BEVILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BEVILL. Mr. Speaker, a Gadsden, Ala., soldier has received his second Air Medal for heroism in combat in Vietnam. This young man's outstanding record brilliantly portrays his love for his country and his dedication to duty.

Under unanimous consent, I insert in the RECORD an article about this young man's valor, which appeared in the Gadsden Times of November 24, 1967, and commend it to the attention of my colleagues:

GADSDEN GI WINS SECOND AIR MEDAL

A Gadsden GI has received his second Air Medal for heroism in combat. He is Army Sp-5 Tommy R. Balfour. His mother, Mrs. Flora O. Balfour, and wife, Laura, live at 301 Ellis, Ave., Gadsden Rt. 4.

Balfour recently received his medal at ceremonies held near Phu Loi, Vietnam.

His act of heroism occurred while he was serving as crew chief and door gunner of an armed helicopter during a mission July 8 in support of ground troops advancing on a village, Ap Dong Soc.

Circling low over the village the helicopter crew observed a large force of Viet Cong maneuvering through the undergrowth. As the helicopter made low level passes over the enemy, Balfour leaned far out the craft's door to get a better view of the Cong position and bring more accurate fire on them.

In the face of heavy fire aimed at his craft, Spec. Balfour continued firing his machine gun at the ground force, killing and wounding many of them.

The Gadsden soldier, assigned to Troop D, First Squadron of the First Infantry Division's Fourth Cavalry, entered the Army in January, 1965, at Ft. Eustis, Va. He arrived overseas in November, 1966.

THE PRESIDENT SALUTES SECRETARY McNAMARA

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MORGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORGAN. Mr. Speaker, President Johnson has issued a statement on the impending departure of Secretary McNamara which reflects the friendship and esteem which exist between these two great public servants.

The President said of Secretary McNamara:

> This Nation as well as its President owe him a debt of gratitude and the highest honors which can be bestowed. I shall miss him greatly as a member of my Cabinet, as one of my closest colleagues and as my valued friend. He has richly earned relief from the arduous labors and stress of the position which he has so well occupied. I am glad that he will continue to render service to the Nation and the world in the important post to which he has been named.

President Johnson and Secretary McNamara have worked together on the most difficult problems for 4 years.

They have shared ideas and visions of what this country and the world need in terms of military and economic security. And they have seen eye to eye on every major policy announced and implemented.

I know that Secretary McNamara will continue to be a close adviser and friend of President Johnson.

I know, too, that the Nation will look to him for counsel in the future.

I know that whoever succeeds Secretary McNamara will be building on a great edifice of security constructed by a very great and imaginative public servant.

The President and the Congress wish Secretary McNamara well.

We wish him a long and productive career in his new task of nation-building at the World Bank.

The United States has given one of its finest sons to the cause of humanity.

Under unanimous consent, I insert in the RECORD the statement by President Johnson on the impending departure of Secretary McNamara from the Department of Defense:

[From the New York Times, Nov. 30, 1967]

STATEMENT BY PRESIDENT JOHNSON

A few weeks ago, Secretary Fowler advised me that the World Bank had asked this Government to submit to the bank's board of directors its recommendations for president of the bank to succeed Mr. George Woods. He informed me that Mr. Woods had recommended Secretary Robert McNamara, and that he and Mr. Livingston Merchant heartily concurred.

Some time ago, Mr. McNamara reported to me that Mr. Woods had talked to him about succeeding Mr. Woods as president of the bank. Mr. McNamara said that he was interested in the World Bank post as an opportunity for continued service. He assured me of his willingness to remain as Secretary of Defense so long as the President considered it to be necessary, but he believed the service would benefit from the appointment of a fresh person.

Mr. McNamara is obviously qualified for the presidency of the World Bank by background, skills and interest, and he is certainly entitled to appointment to any appropriate post in which he is interested and to relief from the extraordinary burdens that he has been carrying as soon as the national interest will permit. He deserves no less from his President and his country.

Accordingly, I told Secretary Fowler that I concurred in the submission of Secretary McNamara's name to the board of the World Bank, and I am informed that upon inquiry by representatives of the board, Secretary McNamara today has indicated his availability, subject to the President's consent and agreement as to the time when he will assume his post.

I do not minimize the loss to the Government and to me personally that will result from Secretary McNamara's departure from the Cabinet and the post of Secretary of Defense.

He has been a great administrator of the defense establishment. He has been a wise, resourceful and prudent originator and collaborator with respect to policies and programs of vital importance to this nation and the world.

His service as a member of my Cabinet and as a wise counselor in matters of domestic as well as foreign policy has been excellent.

The nation as well as its President owe him a debt of gratitude and the highest honors which can be bestowed. I shall miss him greatly as a member of my Cabinet, as one of my closest colleagues and as my valued friend. He has richly earned relief from the arduous labors and stress of the position which he has so well occupied; and I am glad that he will continue to render service to the nation and the world in the important post to which he has been named.

But I could not justify asking Secretary McNamara indefinitely to continue to bear the enormous burdens of his position, nor could I in justice to him and to this nation's obligations to the World Bank refrain from recommending that he be selected as president of the bank.

The course of our participation in the war in Vietnam is firmly set; major defense policies are clearly defined, and it will be possible for Secretary McNamara's successor to continue his able and effective administration of the defense establishment and our program without loss of momentum or effectiveness.

No precise date has yet been fixed for Secretary McNamara's departure, but I have asked him to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969.

PERSONAL EXPLANATION

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REES. Mr. Speaker, during the week of November 27, it was necessary for me to be in my district on official business. So that my constituents and colleagues will know my position on the matters which arose while I was away, I wish to state how I would have voted, had I been present.

On rollcall No. 411, the Flammable Fabrics Act, I would have voted "yea."

On rollcall No. 413, to further extend the continuing appropriations, I would have voted "yea."

On rollcall No. 414, providing for consideration of congressional redistricting legislation. I was paired in favor and would have voted "yea."

On rollcall No. 415, relating to registration of Communist organizations, I was paired against and would have voted "nay."

On rollcall No. 417, to accept the Senate amendments to the Meat Inspection Act, I would have voted "yea."

On rollcall No. 418, to recommit the Federal Farm Loan Act with instructions designed to remove 6 percent interest rate legislations for a period of 2 years, I would have voted "yea."

H.R. 12639—TO IMPROVE THE MERCHANT MARINE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, for several years there has been much discussion but little action to improve the U.S. merchant marine. We now have a start toward action in the form of the pending legislation, H.R. 12639. This bill proposes to remove certain limitations on ocean cruise operations of our U.S.-flag liners.

The world cruise voyage market is increasing and becoming a major market for passenger vessel operations. This is one of the most profitable passenger markets and our merchant vessel operators should have an opportunity to compete for this business.

Visible results of these limitations are the transfer of outstanding passenger vessels from the U.S.-flag service to foreign flags. In recent years such ships as the SS *America*, the *Lurline*, and others have been sold to foreign-flag operators. A nation's merchant marine is not complete without passenger vessels as well as other types of vessels.

One of the fastest growing cruise markets is between the North Atlantic ports and Florida and between Florida and Puerto Rico ports. Removal of the present restrictions would encourage further growth. Not only would the operators of the cruise vessels benefit but also the port areas involved.

The people in my district in the south of Florida have long considered the cruise ship trade vital to their economy. A resolution recently received from the Dade County Commissioners reflects their concern and urges support of H.R. 12639. U.S.-flag operators should not only be permitted but should also be encouraged to operate their vessels in full-time voyaging to generate revenue instead of loss now incurred by many liner vessels. Many liner vessels are not required for regular route operation for much of the year and they should be permitted to engage in cruise operations with the fewest restrictions possible.

H.R. 12639 should be enacted as a step in the right direction; a start toward a more effective U.S.-flag merchant marine.

MAYOR DOORLEY AND THE OEO

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, citizens of Providence are justificably proud of their mayor. As mayor, Joseph A. Doorley, Jr., has distinguished himself as a compassionate and sensible man who knows how to deal effectively with urban problems. But among all his other accomplishments, Mayor Doorley's record as a major proponent of the war on poverty is worthy of special mention.

Mr. Speaker, Mayor Doorley has long been deeply committed to solving the problem of poverty in America. Like all other major cities, Providence has some citizens who live in the hopelessness and frustration of poverty. To assist them, Mayor Doorley welcomed the OEO antipoverty program into Rhode Island, and his encouragement has helped it achieve success.

When it appeared earlier this fall that Congress might break its promise to the poor and cut back the OEO effort, Mayor Joe Doorley decided to do something. He knew that mayors throughout the country, in agreement with the importance of OEO, were deeply worried. He decided to weld their individual concern into a resounding expression of united support for the OEO and the war on poverty. The positive results of the mayor's work in recent days speaks for itself. It testifies to the impact one dedicated man can have when he commits himself wholeheartedly to a cause of such paramount importance.

Mr. Speaker, I would like to include in the RECORD at this point a sampling of the many telegrams and letters mayor Doorley has received. They voice the strong support for OEO which is shared by the mayors of our cities all across the country:

CITY OF FARGO, N. DAK.,
November 8 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Chairman, Mayors Coordinating Committee,
Providence, R.I.

DEAR MR. DOORLEY: I am pleased to advise you that at a meeting of the City of Fargo's governing body held last night, a Resolution was adopted by a two to one vote requesting our Congressmen to support the legislation pending before the House of Representatives for the authorization and funding of the Office of Economic Opportunity and its antipoverty programs.

The text of my telegram is as follows:

"Hon. MARK ANDREWS,
"Member of Congress
"House Office Building,
"Washington, D.C.

"I respectfully call to your attention the Resolution adopted by Fargo's City Commission last evening urging you to support position of United States Conference of Mayors and National League of Cities as set forth in its National Municipal Policy regarding Office of Economic Opportunity and antipoverty programs, its authorization and its appropriations now pending before the House of Representatives.

"The crisis in American urban centers requires strong bi-partisan support of antihighly respected organizations representing American cities.

"With kindest regards.

"HERSCHEL LASHKOWITZ,
Mayor of Fargo, N. Dak.

I am sorry that long-standing commitments make it impossible for me to be in Washington; however, I hope that the telegram containing the resolution will be helpful in your worthwhile endeavor.

It is apparent that in these uncertain and dangerous times through which we are passing, that a much greater understanding of the various programs will be necessary by people throughout this country if we are to develop the necessary support to meet the urban crisis. I hope that we will have a chance to evaluate in some depth, after the

Congress will have acted, as to ways and means that can be taken to develop a greater awareness and a greater sense of individual responsibility of the crisis facing American cities. Our task is a great one and I think it is necessary that we review in depth all of these programs and their administration. There is a great wave of indifference, cynicism, and hostility to many of our programs which can only be offset and counteracted by a process of self-evaluation and careful study.

I hope that the Resolution will be helpful and please advise me as to the progress of these matters.

With kindest regards.

Sincerely,

Herschel Lashkowitz,
Mayor and President, Board of City Commissioners, City of Fargo, N. Dak.

Office of the Mayor,
Wooster, Ohio, November 7, 1967.

Mayor Joseph A. Doorley, Jr.,
City of Providence,
Providence, R.I.

Dear Mayor Doorley: This will acknowledge receipt of your recent letters regarding the bill on the poverty program that is in the hopper, perhaps for some rough sledding.

I have been working closely with the group here in Wayne and adjoining counties. I have written them at their request urging continuation of funds for their various activities.

I regret that due to very urgent business here in Wooster I will not be able to join with you in Washington. I wish you good luck in your efforts on this most important problem.

Yours very truly,

R. E. Cuthbertson,
Mayor.

Office of the Mayor,
Oakland, Calif., November 7, 1967.

Mayor Joseph A. Doorley, Jr.,
Congressional Hotel,
Washington, D.C.

Dear Mayor Doorley: Thank you for your communication regarding the Office of Economic Opportunity program.

It is not possible for me to be present personally in Washington. I have obtained a copy of the proposed O.E.O. Legislation and will contact Representatives George Miller and Jeffery Cohelan whose districts include the City of Oakland.

Sincerely,

John H. Reading,
Mayor.

Baton Rouge, La.

Mayor Joseph A. Doorley,
City Hall,
Providence, R.I.:

I enthusiastically support the increased appropriation for the anti-poverty programs. I am recommending to our congressional delegation that they support this bill, and I emphatically stated to Sgt. Shriver that if it were not for the anti poverty programs that have been in existence since 1965 many of the problems created in other cities may have been created here in Baton Rouge. It is of utmost importance that Congress appropriate these funds for all the cities and especially for the City of Baton Rouge.

W. W. Woody Dumas,
Mayor, City of Baton Rouge Parish.

City of San Jose, Calif.,
November 8, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence,
Providence, R.I.

Dear Mayor Doorley: Thank you very much for your recent letters to Mayor Ronald R. James.

Mayor James is presently out of the State on city business and not expected to return until November 20.

I am certain that the Mayor would join me in commending you for your dedication in the struggle for the authorization bill from Congress for the Office of Economic Opportunity program which, at least, attempts to be adequate.

In the absence of the Mayor and City Manager of San Jose, the pressure of duties makes it impossible for me to join you in Washington at this time.

Please accept the sincere thanks of the Mayor and my thanks for your dedicated efforts in this matter.

Sincerely,

Robert G. Miller,
Vice Mayor.

City of Redding, Calif.,
November 7, 1967.

Major Joseph A. Doorley, Jr.,
City of Providence,
Providence, R.I.

Dear Joe: In reply to your letter November 4th, although I will be unable to join you in Washington in support of the authorization bill for the Office of Economic Opportunity, I am enclosing a Certified copy of the resolution adopted at the regular meeting of the Redding City Council last night in support of this Bill.

Certified copies of this resolution have been forwarded to Congressman Harold T. "Bizz" Johnson; Congressman Carl D. Perkins, Chairman of the House Committee on Education and Labor; and Congressman Gerald Ford, House Minority Leader.

Sincerely,

George K. Moty,
Mayor.

City of Chester, Pa.,
November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of Providence,
Providence, R.I.

Dear Mayor Doorley: We have a common interest in the OEO Programs and I have been in contact with our Congressmen and our Senators and leaders of both houses to give us the necessary funds and legislation to do the work in urban areas that must be done to insure their future.

Thanks for your letter and be assured of my cooperation.

Very truly yours,

James H. Gorbey,
Mayor.

November 8, 1967.

Hon. J. J. Pickle,
U.S. Congressman,
Cannon House Office Building,
Washington, D.C.:

Urge your continued full support of the poverty program under the direction of the Office of Economic Opportunity. Next summer's problems in all urban centers must be anticipated now. Best wishes.

Bob Tinstman,
City Manager.

City of Boston,
November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor,
Providence, R.I.

Dear Joe: I have taken the liberty of answering your letter of October 27, as well as the one I received today, November 6. I agree with your position and I can assure you that I have been contacting Congress on a continual basis.

I regret that I cannot join you in Washington, as I am trying to get a lot of business cleaned up before going out of State on Friday.

With kindest personal regards.

John F. Collins,
Mayor.

City of Albuquerque, N. Mex.,
November 8, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence,
Providence, R.I.

Dear Mayor Doorley: Thank you for your letter of November 2, 1967, to former City Commission Chairman Ralph S. Trigg.

We understand the importance of continued Federal funding of the Economic Opportunity Programs at helpful levels for the local communities, and we will do everything possible to urge upon our Senators and Representatives the maximum possible current appropriation.

Best regards.

Sincerely yours,

Pete V. Domenici,
Chairman.

City of Baltimore, Md.,
November 3, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence,
Providence, R.I.

Dear Mayor Doorley: This is to acknowledge receipt of your recent letter in which you urge an organized concerted effort by the Mayors of the Nation's cities to prevent the house from cutting the anti-poverty appropriation or the passage of the "Continuing Resolution," which would cut Community Action programs to a mere $600,000,000. I heartedly endorse your recommendation that the heads of city governments convey to the Congress their sense of urgency for the continuation and expansion of the programs funded by the Office of Econcmic Opportunity.

I can attest to the value of these programs, which seek to give the poor "maximum feasible participation," in helping them help themselves. I have urged the Congressmen from Maryland to maintain the Office of Economic Opportunity and to support an effort that would increase the appropriation to the agency. I also have urged the Congress to support the appropriations for Model Cities, Urban Renewal, and most other domestic programs.

The apparent insensitiveness of many of our Congressmen who seem bent on drastically slashing appropriation for domestic programs alarms me. One of the reasons for civil disturbances last summer was said to be city governments that were not responsive to the legal grievances of the disadvantaged and poor.

Of course, I will do whatever I can to further impress upon the Congress the need for a continuation and expansion of Community Action programs, and I am prepared to assist in a concerted effort by heads of municipal governments to further emphasize this sense of urgency to Washington.

Sincerely,

Theodore R. McKeldin,
Mayor.

City of Helena, Mont.,
November 7, 1967.

Mayor Joseph A. Doorley, Jr.
Executive Chamber,
Providence, R.I.

Dear Mayor Doorley: Thank you for your recent letter concerning the authorization bill for the Office of Economic Opportunity.

It will be impossible for me to join you in Washington, but I would appreciate being advised of developments and I stand ready to help in any way possible.

Sincerely,

David A. Lewis,
Mayor.

City of Coos Bay, Oreg.,
November 6, 1967.

Hon. Joseh A. Doorley, Jr.,
Mayor of Providence,
Providence, R.I.

Dear Mayor Doorley: Thank you for your letter of November 4th and the invitation to meet with you and others who share your concern.

Due to previous commitments it will not be possible for me to be present.

We do hope that the picture will brighten and I know that you will do all possible to make it so.

Very truly yours,

WILLIAM L. MORIN,
Mayor.

CITY OF SALISBURY, N.C.,
November 8, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Mayor of Providence,
Providence, R.I.

DEAR MAYOR DOORLEY: Thank you for keeping us posted on the status of the Economic Opportunity Program.

It will not be possible for Mayor Bernhardt or the writer to come to Washington at the present time. However, we will have a representative there. Councilman O. K. Beatty left Salisbury yesterday for Washington. The main purpose of his visit will be to encourage our legislators to support the requested funding of the Economic Opportunity Program and to do what he can to discourage any setback in the program.

Councilman Beatty is the only Negro serving on our City Council. He is a college professor and is well qualified to speak for the Salisbury City Government.

Very truly yours,

C. L. LINEBACK,
City Manager.

CENTERDALE, R.I.,
November 9, 1967.

Mayor JOSEPH DOORLEY,
Congressional Hotel,
Washintgon, D.C.

DEAR MAYOR DOORLEY: The North Providence Town Council is in complete agreement and supports your efforts in securing the money for the anti-poverty program.

JOSEPH T. MORRISSEY,
Council President.

BRISTOL, R.I.,
November 8, 1967.

Hon. JOSEPH A. DOORLEY,
Washington, D.C.:

The Town Council of Bristol supports you in your efforts to have the House of Representatives pass an OEO fundings bill similar to the Senate bill S. 1545 passed.

ARTHUR R. ROERICK,
President, Bristol Town Council.

RESOLUTION No. 3964

(Resolution of the city council of the city of Redding urging Congress to enact legislation which would continue the programs now instituted pursuant to the Economic Opportunity Act)

Whereas, the City Council of the City of Redding is advised that there has been passed by the Senate and is now being considered by the House of Representatives certain legislation which would authorize the continuation of existing programs now operated in accordance with the provisions of the Economic Opportunity Act, and

Whereas, this City Council is familiar with the Shasta County Community Action Program and collectively feel that this program has been of benefit to the citizens of the City of Redding and of Shasta County, and

Whereas, it is the collective opinion of this City Council that the discontinuation of this program would work a hardship on all of the citizens of this City and particularly upon the disadvantaged citizens of this City,

Now, therefore, be it resolved by the City Council of the City of Redding, California, that they do collectively and unanimously urge the House of Representatives of the United States of America to favorably consider and enact the necessary legislation required to authorize the continuation of the programs presently instituted and carried on under the provisions of the Economic Opportunity Act.

Be it further resolved that the City Clerk be and she is hereby instructed to send copies of this Resolution to Congressman Harold T. "Bizz" Johnson; Congressman Carl D. Perkins, Chairman of the House Committee on Education and Labor; and Congressman Gerald Ford, House Minority Leader.

GEORGE K. MOTY,
Mayor of the City of Redding.

MIDDLETOWN, CONN.

Hon. WILLIAM ST. ONGE,
House of Representatives,
Washington, D.C.:

Community Action for Greater Middletown, Inc., has developed a comprehensive human resources program showing definite progress in community relations; neighborhood improvement; improved opportunities for education and employment.

A sense of community spirit is emerging that is vital to success of Middletown's community improvement and urban renewal programs.

Any cutback in program and funding as proposed by the House Committee of Education and Labor in amending S. 2388 would seriously curtail greater Middletown program.

We urge you to vote against any cutback to S. 2388.

KENNETH J. DOOLEY,
Mayor.

CITY OF DANBURY, CONN.,
November 6, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Mayor of the City of Providence, R.I.

DEAR MAYOR DOORLEY: I sincerely regret that I can't accompany you personally on your trip to Washington, but I have made my feelings known and that of the entire city administration.

Cordially yours,

GINO J. ARCONTI,
Mayor.

CITY OF GETTYSBURG, PA.,
November 7, 1967.

Mayor JOSEPH A. DOORLEY, Jr.,
Washington, D.C.

DEAR MAYOR: Thank you for your letter of November 4, 1967 and the invitation to join you in Washington.

I regret that I cannot get away this week but, like you, I fully support the concept of the poverty program where such programs are needed. However in our small town of 8,000 we have not had the need to request help under the program. Our housing is adequate and there is no racial problem involved in our borough. We are truly most fortunate.

My kindest regards and best wishes for success of your mission.

Very truly yours,

W. G. WEAVER,
Mayor.

YUMA, ARIZ.,
November 8, 1967.

Mayor JOSEPH A. DOORLEY, Jr.,
Washington, D.C.:

Sorry I can't be with you at the bullfights. But will be backing you all the way. Have strongly urged our congressional delegations support.

THOMAS F. ALT,
Mayor.

ST. LOUIS, MO.,
November 8, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Mayor, City of Providence, R.I.,
Washington, D.C.:

Members of Congress who represent St. Louis have given me their personal assurance that they will support the authorization bill for the Office of Economic Opportunity.

Their previous support of this legislation would indicate favorable action on their part. A telegram has been sent to Congressman Hungate who represents an area immediately north of St. Louis. He has been asked to give the authoriaztion bill his complete support.

ALFONSO S. CERVANTES,
Mayor.

CHICOPEE, MASS.,
November 8, 1967.

Mayor JOSEPH A. DOORLEY, Jr.,
Washington, D.C.:

Count on our full support in your efforts to restore funds for the Economic Opportunity program. I have already contacted Senators Edward Kennedy, Edward Brooke, and Congressman Boland for their support in this effort. Our local superintendent of schools, Dr. George Memering has already contacted Secretary Wirtz and recorded his protest in the cutting of funds for the various neighborhood programs. If at all possible, I will attempt to be in Washington on Thursday, Nov. 9th to give local support to your efforts.

RICHARD H. DEVERS,
Mayor.

RUTLAND, VT.
November 3, 1967.

Mayor JOSEPH A. DOORLEY, Jr.,
City of Providence, R.I.

DEAR MAYOR DOORLEY: I have your letter dated November 2, 1967 regarding the $2,060,000,000 authorization bill for the Office of Economic Opportunity.

I have already contacted our Representative in Congress from the State of Vermont and I am sure that he will do all possible to retain as much money as possible for the Office of Economic Opportunity.

Sincerely,

HAROLD J. NICHOLS,
Mayor.

CITY OF JACKSON, MICH.,
November 6, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Mayor of Providence, R.I.

DEAR JOE: It is impossible for me to get to Washington just now. I am finishing a strenuous campaign for re-election. But I wish you success in your efforts to stem the "blood letting" of the OEO authorization bill and hope that enough mayors will join you to make an impression on the Congress.

Congress must be made to understand the serious trouble that is caused by starting programs which cannot be completed for lack of funds, or promising programs which never materialize.

I should think the National Advisory Committee on Civil Disorders might put in a word on this matter.

Sincerely yours,

MARY ALBERTA BENNETT,
Mayor.

CITY OF WORCESTER, MASS.,
November 6, 1967.

Mayor JOSEPH A. DOORLEY, Jr.,
Executive Department,
Providence, R. I.

DEAR MAYOR DOORLEY: Your letter of November 2, 1967 is appreciated.

I am pleased to advise that I have communicated with our Congressman Harold D. Donohue and requested his favorable action on the $2,060,000,000 bill for the Office of Economic Opportunity.

Thank you for your interest in this matter.

Sincerely yours,

FRANCIS J. MCGRATH,
City Manager.

SYRACUSE, N.Y.

Hon. JOSEPH A. DOORLEY, Jr.
Office of the Mayor,
Providence, R. I.

Poverty program in Syracuse is being reorganized we have not lost faith in this program and we urge Congress to appropriate sufficient funds to carry on a meaningful fight against all facets of poverty paramount importance is that local share of these continued programs not exceed ten per cent grants in aid and cash otherwise local governments will not be able to continue financial support of these badly needed programs.

William F. Walsh,
Mayor.

Portland, Oreg.

Joseph A. Doorley,
Mayor, City of Providence:

Urge consider adequate funding OEO, especially in light of limits on local tax load to otherwise continue existing programs.

Stanley V. Earl,
Acting Mayor.

Yonkers, N.Y.,
November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, Executive Department,
City of Providence, R.I.

Dear Mayor Doorley: I have read, with great interest and concern, your letter of November 2, 1967, regarding the Economic Opportunity Program.

Please be assured of our continued support for this Program. I concur with you that it would have a devastating impact on the two (2,000) thousand communities which have the Head Start, legal services, health centers, neighborhood centers, and many other worthwhile programs designed to meet the needs of the poor. I trust that the outcome on November 7, 1967, will be, indeed, favorable.

Best regards.

Sincerely yours,

James F. X. O'Rourke, M.D.,
Mayor.

City of Chicago,
November 3, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence, R.I.

Dear Mayor Doorley: Thanks for your letter relative to the legislation affecting the Office of Economic Opportunity. Be assured, Mayor, that I am doing everything I possibly can to be of help and assistance in impressing upon Congress that the plight of the cities is urgent and that every possible aid should be granted to them in order to carry out the various programs for the good of all of our people.

Best regards.

Sincerely,

Richard J. Daley,
Mayor.

City of Monroe, Mich.,
November 1, 1967.

Joseph A. Doorley, Jr.,
Mayor of Providence, R.I.

Dear Mayor Doorley: This will acknowledge receipt of your letter of October 28. I totally concur with your opinion and have forwarded these sentiments to Representative Marvin Esch this date.

Very truly yours,

Morton R. Cohen,
Mayor.

City of Hattiesburg, Miss.,
November 2, 1967.

Joseph A. Doorley, Jr.,
Mayor of Providence, R.I.

Dear Mayor Doorley: Thank you for your letter of October 27. I agree that as municipal chiefs we are certainly on the firing line when the trouble occurs.

I concur that a concentrated effort should be made and I appreciate your interest in this matter.

Visit with us when you are in this area, and warm personal regards.

Sincerely yours,

Paul E. Grady,
Mayor.

City of Woonsocket, R.I.,
November 8, 1967.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Sir: As Mayor of the City of Woonsocket, Rhode Island, may I express my opposition to any reductions of funding for Community Action Programs to a $600,000,000 level as opposed to the requested fiscal year funding of $1,022,000,000, as requested by President Johnson.

The City of Woonsocket, Rhode Island has been conducting a Community Action Program for two years. It is partially funded by the Office of Economic Opportunity with an annual grant of $137,206 to conduct four neighborhood multi-service centers, a comprehensive manpower program, and Headstart program.

Cutbacks in funding would necessitate the discontinuance of the following listed local programs:

1. Closing half our Neighborhood Centers with additional termination of other programs such as child care, home economics, consumer education, health education and referral.

2. Termination of Headstart and Manpower Programs.

3. There will be no funding for Neighborhood Youth Corps program for twenty school drop outs, a Legal Service Program and a youth center.

Any cutbacks in funding for the Office of Economic Opportunity is destructive to the concepts of community action and to programs initiated to meet local needs in providing opportunities for our unfortunate citizens.

If we are to protect and restore man's satisfaction in belonging to a community where he can find security, we must move forward by providing the necessary monies.

Very truly yours,

A. Edgar Lussier,
Mayor.

Ludington, Mich.

Hon. Sargent R. Shriver,
Director, Office of Economic Opportunity,
Washington, D.C.:

My agency was closed Thursday but we haven't quit. Your resignation would hurt us worse than Congress can. General demoralization and mass resignation would follow. It would provide excuse for all of us to quit an impossible job. If the situation is hopeless attack.

Father Ernst K. St. Johns,
Executive Director, Fiv Cap, Inc., Baldwin, Mich.

Phoenix, Ariz.

Sargent Shriver, OEO,
Washington, D.C.:

The city of Phoenix and its community action program, Operation Leap, have enjoyed a fine working relationship with the Office of Economic Opportunity. We look forward to continuing this relationship which has been a great help in solving poverty and related problems here. We feel it vital, and have so notified our congressional delegation, that the House approve S2388 as reported out by the Education and Labor Committee with no reduction in total funding or in funding for community action program.

Mayor Milton Graham.

Rochester, N.Y.

Hon. Sargent Shriver,
Director, Office of Economic Opportunity,
Washington, D.C.:

We have today sent the following telegram to Speaker McCormack and to Congressmen Frank J. Horton, Barber Conable, Jr., and Samuel Stratton: We urge strong and unqualified support of the full $2.06 billion authorization for poverty programs and your total opposition to any efforts to reduce appropriation or transfer programs from the Office of Economic Opportunity. Curtailment of O.E.O. programs or funding would have disastrous effect on local antipoverty efforts. Fate of local programs affecting hopes of thousands of Rochester's poor is at stake.

Frank T. Lamb,
Mayor.
Seymour Scher,
City Manager.

Sargent Shriver,
Office of Economic Opportunity,
Executive Office of the President,
Washington, D.C.:

Poverty program in Syracuse is being reorganized. We have not lost faith in this program and we urge Congress to appropriate sufficient funds to carry on a meaningful fight against all facets of poverty of paramount importance is that local share of these continued programs not exceed ten percent grants in aid and cash otherwise local governments will not be able to continue financial support of these badly needed programs.

William F. Walsh,
Mayor of Syracuse.

From Mayor Graham.

To: Congressmen Gerald Ford, Udall, Rhodes, and Sam Steiger.

We are making significant progress on an all-out attack on poverty in Phoenix. We cannot continue this work without full funding of much needed programs presently in existence. I strongly urge your full support on S2388 as reported out by the Education & Labor Com. to extend the OEO program for 2 more years and for authorization of a $2.06 billion funding for these projects. We strongly oppose any reduction in the proposed $2.06 billion funding. Any such reduction would seriously affect our ability to continue our existing vital programs.

Milton Graham,
Mayor of the City of Phoenix.

[Telegram sent by Mayor Blaisdell,
Oct. 11, 1967]

Hon. Everett Dirksen,
U.S. Senate,
Washington, D.C.
Hon. Gerald R. Ford,
U.S. House of Representatives,
Washington, D.C.:

We, the undersigned Mayors and Members of the Republican Party endorse the continuation or expansion of the programs fostered by the Office of Economic Opportunity.

All of us are greatly concerned as we are continually pushing forward those projects in our individual cities which are aimed at improving neighborhoods that can be rehabilitated and to also raise the economic, educational, and social standing of those citizens who are living in poverty. We feel the implementation of our local programs as sponsored by OEO are giving great impetus toward our goal and any slowing up of such programs will greatly deter the progress which has been made thus far.

We fully realize that in any new program, such as the War on Poverty, there are bound to be certain imperfections and criticisms from some corners. But in our daily activities of actually seeing these programs administered they are proving to be successful and getting the job done. It is our considered opinion that the programs are a positive force in lessening social tensions in our cities. All of us are confident they will continue to improve and are so meaningful as to give our less fortunate citizens a new hope in life. You can readily see people involved and active. These programs are realities and are no longer in the talking stage. The strong leadership provided by this agency in administering the various projects has been most impressive.

We strongly urge each of you to encourage members of Congress to support the OEO budget so that these dynamic and imaginative programs may be carried on in a successful manner.

Neal S. Blaisdell, Honolulu, Hawaii; John S. Ballard, Akron, Ohio; J. D. Braman, Seattle, Wash.; Stanley A. Cmich, Canton, Ohio; Frank M. Dulan, Utica, N.Y.; Dave Hall, Dayton, Ohio; James M. Hewgley, Tulsa, Okla.; Orville L. Hubbard, Dearborn, Mich.; Floyd H. Hyde, Fresno, Calif.; Ronald R. James, San Jose, Calif.; Erik Jonsson, Dallas, Tex.; Lawrence F. Kramer, Jr., Paterson, N.J.;

Robert J. Lehnhausen, Peoria, Ill.; John V. Lindsay, New York City, N.Y.; Theodore R. McKeldin, Baltimore, Md.; John W. Potter, Toledo, Ohio; Kenneth A. Schmeid, Louisville, Ky.; A. V. Sorenson, Omaha, Nebr.; Edwin W. Wade, Long Beach, Calif.; George C. Whitmer, Des Moines, Iowa; Charles W. Wright, Jr., Topeka, Kans.; Clarence E. Vollmer, Wichita, Kans.

City of Amarillo, Tex.,
November 9, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of Providence, R.I.

Dear Mayor Doorley: Thank you for your letter of November 4 concerning the Office of Economic Opportunity authorization bill and may I say that I appreciate your courage.

Thank you for the invitation to meet with you in Washington and I am sorry that I was unable to make the trip but due to other commitments, I was out of the City until last night and only today read your letter.

I certainly do appreciate your keeping me informed.

Sincerely yours,
J. Ernest Stroud,
Mayor.

New Haven, Conn.,
November 7, 1967.

Dear Mayor Doorley: In the absence of Mayor Lee from his office, I am taking the liberty of acknowledging your letter to him.

I will bring your letter to the Mayor's attention, but, unfortunately, it will be impossible for him to join you in Washington this week. He is a candidate for his eighth term as Mayor, but he has been confined to his home since October 5 with viral pneumonia and a viral infection of the vocal chords. He is unable to speak, is under strict doctor's orders, and therefore, cannot accept any engagement until such time as he is out and around, once again.

My best wishes to you.

Sincerely,
Mrs. Robert C. Puckett,
Executive Assistant.

Providence, R.I.

Mayor Joseph Doorley,
City Hall, Providence, R.I.:

The League of Women voters of Providence applauds your efforts on behalf of the antipoverty program.

Barbara C. Summer,
President.

November 7, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of Providence,
Executive Department,
Providence, R.I.

Dear Mayor Doorley: I received your letter of November 4 and I think it is wonderful that your concern for the passage of the Authorization Bill has taken you to Washington to further emphasize to your Congressional delegation the urgent need for positive action on this bill. Because I share this concern with you, I have maintained a continuous correspondence with by Congressional delegation, and I am confident that these honorable men will support the Authorization Bill.

However, I will be watching with great interest the deliberations on this bill and will be prepared to do whatever I can to assure its favorable consideration by the Congress.

Sincerely,
Theodore R. McKeldin,
Mayor.

City of Phoenix, Ariz.,
November 8, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of Providence, R.I.

Dear Mayor Doorley: We sincerely appreciate the efforts of you and other top city office holders in presenting and fighting for the city point of view at these Congressional debates and decisions on the authorization bill for the OEO programs. We have already been in contact with our own Congressional delegation both by wire and by telephone to inform them of the tremendous impact of any cuts in the OEO Program.

The press of a heavy campaign schedule renders it impossible for us to leave town this week, but we will be doing everything we can from here in Phoenix to push for a full funding of the OEO Program.

We do sincerely appreciate the work that you and the other groups such as the National League of Cities are doing in keeping the war on poverty going.

Very truly yours,
Milt Graham,
Mayor.

City of Seattle,
November 9, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of the City of Providence, R.I.

Dear Mayor Doorley: I have your letter of November 4, in which you solicit support for the Economic Opportunity program in its battle for existence in Congress.

I will not be able to attend the sessions in Washington, but can assure you that we have lined up our entire Congressional delegation, in both the Senate and the House, in support of this measure.

Best personal regards.

Sincerely yours,
J. D. Braman,
Mayor.

City of Trenton, N.J.,
November 10, 1967.

Hon. Joseph A. Doorley, Jr.,
City of Providence,
Executive Chamber,
Providence, R.I.

Dear Mayor Doorley: I view with equal concern the current status of the authorization bill for the Office of Economic Opportunity.

Trenton, as you know, has an extensive Poverty Program, the discontinuation of which would seriously jeopardize the well being of many people.

With this in mind, I have contacted New Jersey's representatives in the House and Senate urging them to unequivocally support an appropriation allowing New Jersey community action agencies to spend at last year's level.

Sincerely yours,
Carmen J. Armenti,
Mayor.

Congress of the United States,
House of Representatives,
Washington, D.C., November 9, 1967.

Mr. Joseph A. Doorley, Jr.,
Mayor of Providence,
Executive Chamber,
Providence, R.I.

Dear Mr. Doorley: I want to express my appreciation for your taking your valuable time to send me your nice letter expressing your concern with regard to the anti-poverty legislation. I have received a great number of letters expressing either opposition or support for this program.

You may rest assured that I will keep your views, and the views of all who wrote me, in mind as I determine my ultimate position on this legislation.

I hope that, if you ever have any problems concerning the Federal Government, you will be kind enough to write to me as I would appreciate having the opportunity to be of assistance to you.

Again, thank you for giving me the benefit of your good judgment.

Sincerely yours,
William H. Harsha,
Representative to Congress.

City of Richmond, Va.,
November 7, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of Providence,
Executive Chamber,
Providence, R.I.

Dear Mayor Doorley: This will acknowledge your two recent letters requesting support of the OEO funding bill which comes up for House consideration this week.

I led a delegation of six citizens to Washington yesterday, left petitions containing 1500 names with our Richmond Congressman and the two Virginia Senators, and strongly requested their support of adequate funding for the OEO program.

I regret that I cannot be with you in Washington the middle of this week because of prior commitments.

Sincerely,
Morrill M. Crowe,
Mayor.

Note.—The Richmond Congressman is the Honorable David E. Satterfield, III.

Office of the Mayor,
Atlantic City, N.J., November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence, R.I.

Dear Mayor Dooley: I have your letter of October 30, and at the insistance of local interested parties, the City of Atlantic City had contacted our area representatives in Congress.

I concur in your thoughts on this subject.

Sincerely,
Richard S. Jackson,
Mayor.

Office of the Mayor,
Washington, Pa., November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor of Providence
Providence, R.I.

Dear Mayor: Thank you for your letter of November 4, 1967.

I regret that I will be unable to meet with you and other Mayors in Washington, D.C., this week.

I read the same report about the knock down and drag out fight over the Economic Opportunity Bill.

I wish you and your fellow Mayors luck.

Sincerely,
Bartley P. Osborne,
Mayor.

Office of the Mayor,
Russellville, Ark., November 6, 1967.

Mr. Joseph A. Doorley, Jr.,
Mayor of Providence,
Executive Chamber,
Providence, R.I.

Dear Mr. Doorley: Your letter of November 4, 1967, just received, and while it is impossible for me to join with you people in Washington this week in an attempt to straighten out the Economic Opportunity Programs, I am in sympathy with it.

Our Congressman from this district is aware of the situation, and he has indicated that he will be for maintaining the funding of this program somewhat in line with the President's request.

Sincerely,
C. A. Hughes,
Mayor.

City of Newport,
Newport, Ark., November 6, 1967.

Joseph A. Doorley, Jr.,
Mayor, City Hall,
Executive Department,
Providence, R.I.

Dear Mayor Doorley: Thank you very much for your letters of November 2nd and 4th concerning the proposed cutback in the Economic Opportunity Program. Copies of your correspondence have been sent to the local office of the Economic Opportunity for their files.

As a member of the Executive Board of the Economic Opportunity here in Newport, I am fully aware of your concern over the proposed legislation for cutting back funds to this department. We, too, have a large program in operation here in Jackson County and would feel a significant loss in program accomplishment should the Congress decide to delete the necessary funds. The local OEO director and myself will contact our delegations and let them know of our feelings.

Please contact us if we can be of any assistance. I regret that I will be unable to come to Washington, however, I do thank you for the invitation.

Sincerely yours,

Charles B. Delgado,
City Manager.

Office of the Mayor,
Lincoln, Nebr., November 6, 1967.

Hon. Robert V. Denney,
House of Representatives,
Washington, D.C.

Dear Bob: It has come to my attention that any serious cutback by the House of the proposed authorization bill of economic opportunity could have an impact on Lincoln.

The Lincoln Action Program in Lincoln now has such O.E.O. programs including Head Start, legal service, day care center, recovery home for alcoholics and neighborhood staff.

I urge your support of the authorization bill for the Office of Economic Opportunity and opposition to the House of Representatives continuing resolution which has the effect of reducing funding of the community action program to a $600,000,000 level as opposed to the requested fiscal year funding of $1,022,000,000.

Sincerely,

Sam Schwartzkopf,
Mayor.

TREASURY TAKES ACTION TO CORRECT JAPANESE DUMPING

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PATMAN. Mr. Speaker, very recently the Federal Register carried an announcement by the Department of the Treasury that its 2-year investigation of widespread dumping of ceramic glazed wall tile from Japan has been completed and that concrete steps have been taken to guard against any resumption of dumping in the future. The Department of the Treasury is to be commended for the fine and thorough job it has done in this important case.

Treasury's action ending the investigation was based upon upward price revisions by the seven Japanese producers investigated and the receipt of assurances from them that dumping will not occur again. The Bureau of Customs had previously found that six of the seven producers had made sales in the United States at dumping prices.

The U.S. industry is composed of small producers scattered across the country, including significant producers in Texas, one of which is in my district. All of them have been seriously injured by the widespread dumping activities of the Japanese wall tile industry. In December 1965, the U.S. industry submitted one of the most comprehensive dumping complaints ever received by the Department of the Treasury. Treasury investigated these charges and, in July 1967, advised that the seven Japanese producers, comprising virtually the entire Japanese wall tile industry, had been investigated to determine whether their sales of wall tile in the United States were at prices below their home market in Japan. All of the producers except one were found to have engaged in sales below home market price in the time period covered by the investigation.

After the investigation was announced, all seven of the Japanese producers made upward revisions in their prices so as to eliminate sales below fair value with respect to the six; and, at the same time, all of the Japanese producers submitted to Treasury specific and unconditional assurances that they will never again dump tile in the United States.

On the basis of these price revisions and promises not to dump in the future, Treasury concluded that dumping is not presently taking place. In addition, the Department of the Treasury has assured me, and has announced, that it plans a continuing surveillance of imports from Japan to insure that dumping will not be resumed.

In addition to continuing surveillance, the Department of the Treasury has taken other measures designed to prevent further injury to small U.S tile producers. Specifically, Treasury has:

First, issued proposed new regulations to preclude further falsification of special customs invoices covering tile imports;

Second, issued a Bureau of Customs field circular prohibiting further importation from Japan of improperly marked and misleading advertising and promotional materials.

These actions by Treasury, coupled with the receipt of binding assurances from all the Japanese producers that they will never dump again, and Treasury's plan for continuing surveillance to insure adherence to such promises, lead me to join the U.S. industry in commending Treasury for its handling of this matter. As I said to the Tariff Commission in May of this year, I am not opposed to Japanese nationals or the nationals of any country coming to the United States and doing business here. However, when such persons accept this privilege, they must assume the obligation of observing our laws. I would hope that Treasury's actions will enable Japanese producers to observe this obligation in the future.

In view of the substantial injury suffered by many small tile firms in the United States, I am sure Members of Congress will follow with interest future developments in import practices in the ceramic tile market.

EMPEROR GOLD MINE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OLSEN. Mr. Speaker, my attention has been invited to the fact that the Fiji Legislative Council has recently approved a gold subsidy of $2,600,000 for a 3-year period to the Emperor Gold Mine of that country.

Recognition of the desirability of increasing gold production has long been realized by both Canada and Australia, where gold operators for many years have been the recipients of substantial relief payments. It is more than passing strange that Canada, Australia, and even the Fiji Islands take cognizance of this problem.

The United States has displayed complete neglect for its own domestic gold mining industry, so that in 1966 domestic consumption in this country was over three times domestic production. I suspect that when the official figures are released for 1967 they will establish an even greater disparity between domestic consumption and production which creates, of course, a very obvious serious drain on U.S. gold monetary reserves.

It is time the Congress took action to revive our almost nonexistent domestic gold mining industry by enacting H.R. 3274, which has been approved by the House Interior and Insular Affairs Committee and is now before the House Rules Committee. This bill has as its objective the stabilization of the few existing gold mines by the payment of modest subsidies and, more important, the reopening of our dormant gold mines by providing substantial financial relief payments.

The bill does not change the $35 price of gold since producers have to sell their bullion at the official Treasury price, but it does provide relief payments in the year following production, which would greatly stimulate and increase the annual production of this precious metal in the United States.

Bearing in mind the fact that this Nation has recently gone through a silver crisis, with the result that our subsidiary silver coinage has been debased—except 40 percent silver in half dollars—and the further fact that we are tottering on the brink of a gold crisis, as witnessed by the hectic financial events of the past ten days, brought on by the sudden devaluation of the British pound, I submit that any measure is desirable which has as its objective increasing U.S. gold reserves by any amount because it will quiet fears in European quarters that the dollar is losing its acceptance as the sound key currency of the world.

The deep reverence of the peoples of the world for gold has been more than amply demonstrated by the fact that last year every ounce of world gold production of $1.5 billion in value went into investment, private hoarding, or to a small extent, industrial production, rather than into the monetary stocks of any nation. The same was true in 1965, except the $250 million in gold sold on the London market by Russia.

I believe our Treasury Department officials are very shortsighted when they continue to oppose gold subsidy legislation which to some extent will strengthen our national gold reserves, thereby increasing confidence in the dollar in European financial circles. We should at least display the wisdom of the Fiji Islander.

CALLS FOR HEARINGS ON RAILROAD MERGER

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OLSEN. Mr. Speaker, last week the Interstate Commerce Commission (ICC) announced approval of the Northern Lines railroad merger. The merger would include the Great Northern Railway, the Northern Pacific Railway, the Chicago, Burlington and Quincy Railroad, the Pacific Coast Railroad Co., and the Spokane, Portland, and Seattle Railway Co.

I was very disappointed in this decision and I have protested it to the ICC because I believe it will destroy the competitive factor among railroads in my State of Montana as well as in the States of Minnesota, North Dakota, Idaho, and Washington. Already shippers in my State face inequitable freight rates. I submit the proposed merger would only make matters worse.

The only way to insure good service to citizens living in Montana is to preserve the competition that now exists among the railroads serving our area. A merger of these lines will certainly create monopoly and both shippers and receivers will be subject to a situtation in which they will be unable to bargain with competing lines.

I cannot accept the ICC judgment that strengthening of the Milwaukee and North Western railroads will result in a "viable trancontinental rail competitor." I submit these lines do not—and will not—provide a service to our States which will compete with the merged lines. I believe this is a point which should be subjected to investigation by the Department of Justice under the antitrust laws.

Furthermore, the ICC statement to the effect that there is to be an elimination of duplication and better car utilization appears to be a smokescreen and a foreshadowing of the removal of at least one more passenger train serving our area.

Mr. Speaker, I am hopeful the distinguished chairman of the Interstate and Foreign Commerce Committee, Representative Harley O. Staggers, will schedule hearings on this matter in his committee. I believe an investigation is in order to determine the reasons behind this decision. I also want to urge my colleagues in the House to support such an effort because of the devastating effect this merger would have on the entire northwestern part of the United States.

VETERANS DAY TALK

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Kornegay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, at this point in the Record, I should like to insert a talk recently made in my congressional district by Col. Southgate Jones, Jr., of Durham, N.C.

At the same time, I should like to give a little background regarding the occasion at which Colonel Jones delivered this address. Annually, on Veterans Day, November 11, American Legion Post No. 63 of Burlington, N.C., a city located in my congressional district, serves a delicious country ham breakfast from 6:30 a.m. to 9 a.m., after which the Post meeting starts. This is a fine, patriotic occasion which is attended not only by members of the Post but by many city and county officials and other invited guests.

I have been privileged to attend this breakfast and meeting on many occasions and from time to time have had the honor of being the speaker. It is a wonderful and inspiring way in which to start the observance of Veterans Day.

In addition to the interest and efforts of the commander of Post No. 63, Mr. Silas Atkins, of Burlington, one of the chief organizers and promoters of the annual Veterans Day breakfast, is Mr. James K. Finch, one of the most knowledgeable, effective, and dedicated veterans' service officers in the country.

On Veterans Day this year, the address given by Colonel Jones, I feel, is a most thoughtful and timely message of inspiration and rededication to American ideals, and I believe it is worthy of the attention of every Member of the Congress and every citizen of the United States. Colonel Jones' address follows:

Veterans Day Talk: Col. Southgate Jones, Jr., INF–USAR

I bring you greetings from MG Ian M. Davidson, CG of 108th Division, who was prevented by a prior commitment from being with you today. In conveying his regrets may I also express my own appreciation for this opportunity to address you in his stead.

Veterans Day is a day set aside to honor those who have served our Country in the Army, Navy, Air Force, Marine Corps, and Coast Guard. Originally the commemoration of signing of the World War I Armistice, it is now the occasion for honoring all those who have fought in all our Wars. How many can remember the reverence of 1100 hours on 11 November each year in the days before WW II? The pause for silent prayer, joined in by school child and industrial worker alike, the rededication to the memory of those whose sacrifices made it possible for us to wage and win the war to end all wars.

Today then, to all Americans, this Day is a symbol of Hope, of Confidence, and of reflection—Hope for a more peaceful world, Confidence in the Nation's strength, and Reflection to express the Nation's gratitude to those men and women who have served in the Armed Forces, at home and in distant lands.

On this observance of Veterans Day, more than 450,000 of the 3¼ million members of our Armed Forces are on duty in South Vietnam. They serve on the front line of the defense of freedom. They are engaged in war winning and peace making tasks of the utmost importance to world peace, as well as to South Vietnam's survival against aggression. They are a part of the Free World's stand in that part of the world President Johnson has called "The crucial arena of man's striving for Independence and Order."

On this 1967 Veteran's Day, then, let us first of all take special note of the gallant soldiers, sailors, airmen, marines, and coast guardsmen who are performing their combat and support missions in Southeast Asia with matchless valor and superb skill. They are giving their best. They do honor to the highest traditions of American Fighting Men. We honor and salute them!

What of this Man—America's Fighting Man? What is his proficiency, his attitude, his performance under conditions of stress, in environments not of his choosing, in wars not of his making. Is he the weak-kneed, non-conforming, unconventional hippietype whose seeming goal is public notoriety and sensationalism, whose reactionary antics provoke anger—but pity also from most of us?

No, he is not! As one who participates in his basic training and shares later in his continuing military concerns after he returns from active duty, let me tell you about this man. He reports to his first duty station, a typical young American, in slacks and scuffs, or ivy league suit. If shaggy he is shorn. He joins others like him, where the slouchy are made straight—where the pudgy are made lean, the slim ones made stout—where all are made more active and more alert—and yet, where intellectual individuality and personality are nowhere surrendered, but instead voluntarily recede behind a new sense of community, of belonging, of interdependence. This transition is remarkable, from easygoing civilian to alert soldier; from uncertain adolescent to purposeful citizen. The stereotypes about American youth; spoiled, willful, overindulged by fond parents, fall apart in the face of this man's performance. Only 3% fail to complete basic training, and most failures can be traced to factors unrelated to training. He goes forward to do battle with the enemy, well trained, well informed, and well led by other motivated typical young Americans. He goes not as a hero, seeking events of valor, but surely not as a coward, to be found lacking to the demands of duty.

Hear what has been said of him: 1—"The American Soldier Is an Individualist". I am obliged to say to him "This Is Why You Ought to do This" and then he does." Gen. Von Steuben (Prussian) 1776 (Continental Army), or,

2—"It is difficult to compare the American Soldier with any of the Soldiers of Europe. He possesses the good qualities of some, together with the most opposite faults of others. He is tireless on the march, is contented even amidst great hardships, and is resolute in the attack, although dispassionate. He does not require the urging of drum or bugle. . . . once engaged, he is tenacious even to rashness and disobedience . . . neither complaints nor groans are heard from the wounded. . . . The death of the American Soldier is always stoical; he may ask you to give him a little water or to place him in a more comfortable position . . . but he will wait patiently". Gen. Francois Dechenal (French) 1864.

These are statements about the American Fighting Man of earlier times—the veteran of another era whom we honor today. How similar are our own recollections of the WWI and WWII Soldier! But what of the Fighting Man of Today in Vietnam—The Veteran of Tomorrow?

Does he measure up to the standards of his predecessor: Commander after Commander, from Gen. Westmoreland to the youngest fire team leader, sings his raise loud and clear. "The young American's performance in Vietnam has exploded the myth that he is soft, undisciplined, irresponsible. He is the toughest, most-resourceful and dedicated soldier the U.S. Army has ever put in the Field." LTC David H. Hackworth (Bn. Comdr.) 1967

Our Veteran of Tomorrow, also honored by us today, is rightfully proud of his accomplishments. He returns home with the easy gait of the confident. He takes up civilian citizenship responsibilities alongside each of us and with typical though deceiving, nonchalance, discharges the remainder of his military contract with Uncle Sam by performing his duties in various reserve units in an exemplary manner.

Veteran of tomorrow, we salute you!

But What of the Veteran of *Today*—You and Me? What is our role, our stake in protecting the Heritage of past Veterans and guiding tomorrow's veteran?

We have fought in WWI—The War to *End* all Wars, and returned Home to Honorably retire our armor, content that future generations were safe from conflict.

We have yet again fought in WWII—The War that Ended All Wars; the War that ended in a blaze of blood and guts and glory, when the most powerful military forces that any nation has ever raised disintegrated into disuse—burst into oblivion. Satisfied that they had done a great job, and in response to the clamor at home, our citizen warriors hurried off to renew their pursuits in a world—so far as they could see—of lasting peace, freedom and justice; there was no potential enemy on the horizon—nothing but blue skies overhead. And, to top it off, we had the ultimate weapon and *we alone* possessed its secrets. Could anyone have doubted that WWII was truly the War that Ended all Wars?

But the final curtain that was rung down on WWII had an echo—A clanging metallic sound which signalled the beginning of the Cold War. Eastern Europe fell to Russia's conspiracy for World Domination—we countered the Berlin Blockade and thwarted the attempted takeover of Greece and Turkey.

Then, only Five Years after WWII, Korea erupted one peaceful summer morning in a blaze of communist aggression. And, once again we were involved in a War for which we were almost totally unprepared, and once again American ingenuity and force were made to rise to the occasion, to cope with the new menace to World Peace.

And Now, Vietnam. I am sure that the continuous acts of international violence that we have witnessed during the past 25 years have made us all acutely aware that WWI did *not* make the World safe for democracy; that WWII was *not* the war that ended all wars; and, that even the ultimate weapons of unlimited destructive power have *not* yet deterred man from finding a way to prey on his fellow man.

So, what is our role in this unpopular struggle against the forces of World Communism, where national unity simply does not respond to the call of patriotism? How did we get involved in such an unlikely place as Vietnam? What are we doing there? Why?

Well, Hitler had his book and Marx, his. There is no guile to the intent of World Communism—it has been announced for all to heed or ignore, at will—We are involved because the World has come to us—because it's no further from Moscow or Peking to Burlington than from breakfast to lunch—because a bullet fired in anger in Con Thien Province can mushroom into an atomic cloud over Washington.

You know, the World today is united as never before in a sinister way—and divided as never before. United by the universal threat of nuclear warfare which—we tell ourselves—only the foolish or desperate nation would carelessly employ. But, divided by a curtain of iron and a gulf of ideology. On our side, we strain in the darkness for sounds that will tell us what goes on in the camp beyond the wall. We know far less of their aims and capabilities than they of ours—We *hope* that revolution will dilute or obliterate communism in China. . . . We *wish* that differences in Marxist Philosophy would sap the otherwise historically unnatural sino-soviet marriage. But one thing we *know:* The power that could be turned against us is immense; it can creep, crawl, seep, erode, erupt—retreat, entreat, mollify, or mesmerize—working inexorably, 24 hours each day, toward its announced goal of World Conquest—the lean and hungry hun of ancient history coming from the barren mountains to conquer the fat and happy occupants of the fertile valleys below. In the current ideological conflicts between peaceful coexistence and world revolution, we have no reason to doubt that the end remains the same, World domination. Only the means of getting there being argued.

So then, what is our role as Veterans' of today—you and me? Do the preceding words smack of fire and brimstone, to be merely tolerated as expressions of an archaic philosophy which, though sincere, has simply failed to adjust to today's sophisticated values?

I say to you no—the nature of the threat is clear and the call is thrust upon the conscience of all who would love and defend their Country. Just as you have, in the past, pledged your life to protect our national security, so today do you have the privilege and the responsibility to support the fulfillment of our policies as a Nation. To furnish through democratic process the political sinew so necessary for sustained military strength. Never, in our lifetime has there been more national uncertainty, more divisive influences to deter reason and sound judgment. Never has there been more need for plain, old fashioned individual patriotism.

We have, then, and may we recognize, our privilege and our responsibility—and may none among us be found lacking. Let me close with the often used words of John Donne, who lived and died more than 200 years ago, but whose message is as current as today's news: "No man is an island, entire of itself. Every Man is a continent, a piece of the main; any Man's death diminishes me for I am involved in mankind".

We are indeed involved, just as Veterans before us were and those yet to come will be. And we stand united in this Veterans Day, 1967, to meet the challenge—to enjoy our privilege—to accept our responsibility.

THERE ARE CLEAR SIGNS OF PROGRESS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HUNGATE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HUNGATE. Mr. Speaker, since events in Vietnam are a matter of prime concern to all Members, I think the following report by the respected military analyst of the New York Times, Mr. Hanson W. Baldwin, would be of interest:

VIETNAM: THERE ARE CLEAR SIGNS OF PROGRESS

(By Hanson W. Baldwin)

SAIGON, SOUTH VIETNAM.—Between 11:45 p.m. and 3:10 a.m. one night last week, about 30 widely scattered towns, cities or military installations in the Mekong Delta were hit by Vietcong mortar and recoilless rifle fire.

Route 4—the important market highway from the rich rice-growing delta of Saigon—was simultaneously cut or cratered in many different places. Even though the military damage was negligible and the food still rolled to market only a few hours later, the coordinated attacks were an impressive example by the enemy of what the Pentagon calls "command and control."

In late October at Locninh, thousands of North Vietnamese and Vietcong in two reinforced regiments tried at great cost to overrun the district capital. For three weeks in November, four other North Vietnamese regiments, fighting in the jungles and mountains of the central highlands a few miles from their sanctuary bases in Cambodia and Laos, expended thousands of rounds of ammunition against U.S. Army units.

These and other indications of enemy combat vitality dramatically demonstrated the continued strength and tenacity of the North Vietnamese-Vietcong forces.

In the words of a senior U.S. commander, the enemy's mainforce units are "well-equipped, well-trained, well-clothed and have plenty of ammunition. At Locninh their leadership was poor, at Dakto it was excellent. Their will to fight is excellent and they fought a damn good fight."

Despite these facts, despite some of the heaviest American casualties of the war in November, there are clear signs of progress.

To one returning to Vietnam after two years, the indications that the United States and South Vietnam are slowly winning at least the military phase of the struggle are unmistakable—even dramatic though the end is not in sight. The costs are still incalculable and the accomplishments to date are inconclusive. Even the bloody battles of the frontiers—along the demilitarized zone separating the two Vietnams, in the central highlands and near the Cambodian border in the III Corps area in the South—are encouraging. For they mean that the principal efforts of the Communist mainforce units now are being mounted from the sanctuaries across South Vietnam's borders in Cambodia, Laos and North Vietnam rather than from bases in the heart of South Vietnam.

The political situation in South Vietnam is far more stable than most Americans dared hope two to three years ago. Despite terrorism and war, national elections have been held successfully and the new government—though it has little flair—appears to be starting its tenure in a workmanlike manner and some experts here predict it will endure.

Economically, the piaster has remained relatively stable, and inflation has been contained if not controlled.

The shipping congestion and supply problems that plagued U.S. forces two years ago have now been largely solved. Shortages of spare parts, helicopters and other items still exist but new parts, new airfields, warehouses, ammunition depots, roads, piers, barracks, pipe lines, quarries, asphalt and cement plants have changed the face of Vietnam.

The armed forces of South Vietnam are still spotty but slowly improving. The First Division, which was considered dissident and unreliable some months ago during the Buddhist troubles, has a new commander and has chalked up a good record near the DMZ with the U.S. Marines. In the Delta, the South Vietnamese Seventh, Ninth and 21st Divisions, which were losing several hundred men in each clash with the Vietcong two years ago, are now exacting high casualties from the enemy with moderate losses to themselves.

Most important, two years of attrition have weakened the enemy even though the weakening may appear imperceptible to the veterans of Dak To.

In total numbers, the reduction in enemy strength has not been dramatic. In fact, in the past two years the Allied escalation in numbers has been more or less matched by the enemy. The Allied ratio of superiority is now perhaps five-to-one as compared to somewhat less than four-to-one two years ago.

More important is the reduction in quality of many units and what appears to be the reduced rate of recruitment and of infiltration. Enemy recruitment in South Vietnam is now believed to be less than half of the estimated maximum peak of about 7,000 monthly achieved in 1965 and most of 1966, and the infiltration rate is believed to have been reduced to about 6,000.

The total is not enough to provide full replacements for the enormous casualties the enemy has suffered in the past two years.

The bombing of North Vietnam has intensified both the manpower and economic strain upon Hanoi, though intelligence experts here estimate the enemy might be able to send at least two more of the 10 divisions he maintains in the North to South Vietnam.

Pacification—the destruction of the Vietcong infrastructure in the villages and hamlets—and nation-building, which alone can confirm and expand the military progress so far made, have achieved only slight gains and nearly all experts here believe the process will require years of effort.

POVERTY BILL

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Hungate] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I am sure we are all interested in the progress of the poverty bill now in conference because of the differing House and Senate versions. According to press reports, the retention of the controversial city hall amendment would be to leave 90 percent of the existing community action agencies in charge of the programs as they are now.

The report indicated that the other body told OEO that salaries paid by its contractors were, in many cases, "exorbitant and substantially above the rates of pay which would be paid Federal employees performing the same functions," and that OEO salaries in its community action program are "entirely too high." However, the bill from the other body, unlike the House measure, would include the OEO's 3,000 employees in a 4.5-percent pay raise.

LEAVE OF ABSENCE

Mr. Adair (at request of Mr. Gerald R. Ford), through December 10, on account of official business.

Mr. Pirnie (at the request of Mr. Gerald R. Ford), through December 10, on account of official business.

Mrs. Heckler of Massachusetts (at the request of Mr. Gerald R. Ford), for the week of December 4, on account of injury.

Mr. Monagan, for the period from December 4, 1967 to December 9, 1967, inclusive, on account of official business.

Mr. Charles H. Wilson (at the request of Mr. Albert), for the week of December 4, on account of official business.

Mr. Daddario, for the week of December 4, 1967, on account of attending Interparliamentary Union meeting.

Mr. Nichols (at the request of Mr. Albert), for today, on account of official business.

Mr. Wolff, for Monday, December 4, 1967, on account of official business.

Mr. Bray (at the request of Mr. Gerald R. Ford), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Cohelan, for 15 minutes, today.

Mr. Murphy of New York (at the request of Mr. Boggs), for 60 minutes, today; to revise and extend his remarks and to include extraneous matter upon the passing of Francis Cardinal Spellman.

Mr. Halpern (at the request of Mr. Hammerschmidt), for 10 minutes, today.

(The following Members (at the request of Mr. Tenzer) and to revise and extend their remarks and include extraneous matter:)

Mr. Selden, for 30 minutes, on December 5.

Mr. Edmondson, for 45 minutes, on December 6.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Hammerschmidt) and to include extraneous matter:)

Mr. O'Konski.

Mr. Jonas.

Mr. Blackburn.

Mr. Gude.

(The following Members (at the request of Mr. Tenzer) and to include extraneous matter:)

Mr. Long of Maryland.

Mr. Evins of Tennessee.

Mr. Brooks.

Mr. Kee.

Mr. McCarthy.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 269. An act to authorize an exchange of lands at Acadia National Park, Maine; to the Committee on Interior and Insular Affairs.

S. 1699. An act to permit negotiation of a modification to a contract for sale of certain real property by the United States to the city of Lawton, Okla.; to the Committee on Interior and Insular Affairs.

S. 1821. An act to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park; to the Committee on Interior and Insular Affairs.

S. 2452. An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois; to the Committee on Merchant Marine and Fisheries.

S. 2711. An act to amend section 13a(1) of the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S.J. Res. 13. Joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 814. An act to establish the National Park Foundation;

S. 1003. An act to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics;

S. 2565. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes; and

S. 2644. An act to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2154. An act to provide long-term leasing for the Gila River Indian Reservation;

H.R. 2275. An act for the relief of Dr. Ricardo Vallejo Samala and to provide for congressional redistricting;

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.;

H.R. 2828. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska, and of Oklahoma in Indian Claims Commission dockets Nos. 138 and 79, and for other purposes;

H.R. 4920. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona; and

H.R. 4983. An act to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on November 30, 1967, present to the President, for his approval, a bill of the House of the following title:

H.R. 8629. An act to amend the act of July 4, 1966 (Public Law 89-491).

ADJOURNMENT

Mr. TENZER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p.m.)

the House adjourned until tomorrow, Tuesday, December 5, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1249. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to provide for the operation of the William Langer Jewel Bearing Plant at Rolla, N. Dak., and for other purposes; to the Committee on Armed Services.

1250. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 1, and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1251. A letter from the Secretary of the Army, transmitting a report of the number of officers on duty with Headquarters, Department of the Army and the Army general staff on September 30, 1967, pursuant to the provisions of section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

1252. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the 24th semiannual report of the activities of the Foreign Claims Settlement Commission of the United States, pursuant to the provisions of section 9 of the War Claims Act of 1948, as amended, and section 3(c) of the International Claims Settlement Act of 1949, as amended; to the Committee on Foreign Affairs.

1253. A letter from the Chairman, Board of Foreign Scholarships, Department of State, transmitting the fifth annual report of the Board of Foreign Scholarships, pursuant to the provisions of Public Law 87-256; to the Committee on Foreign Affairs.

1254. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, relating to the disposal of foreign excess property and for other purposes; to the Committee on Government Operations.

1255. A letter from the Acting Chairman, Federal Power Commission, transmitting a copy of the publication "Statistics of Privately Owned Electric Utilities in the United States, 1966"; to the Committee on Interstate and Foreign Commerce.

1256. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases of aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1257. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of conference. H.R. 6111. An act to provide for the establishment of a Federal Judicial Center (Rept. No. 996). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BELCHER:

H.R. 14240. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 14241. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin (for himself, Mr. Broyhill of Virginia, Mr. Bush, Mr. Collier, Mr. Conable, Mr. Curtis, Mr. Davis of Wisconsin, Mr. Laird, Mr. O'Konski, Mr. Schadeberg, Mr. Schneebeli, Mr. Steiger of Wisconsin, Mr. Thomson of Wisconsin, and Mr. Utt):

H.R. 14242. A bill to amend the Internal Revenue Code of 1954 to provide that industrial development bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 14243. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits, and for other purposes; to the Committee on Education and Labor.

By Mr. CONYERS (for himself, Mr. Brown of California, Mr. Burton of California, Mr. Edwards of California, Mr. Roybal, Mr. Ryan, Mr. Resnick, Mr. Rosenthal, Mr. Gilbert, and Mr. Farbstein):

H.R. 14244. A bill to provide to every American a full opportunity to have adequate employment, housing, and education, free of any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. DELLENBACK:

H.R. 14245. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries; to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States; and to specify the exceptions applicable thereto; to the Committee on Merchant Marine and Fisheries.

By Mr. JOELSON:

H.R. 14246. A bill to amend the Communications Act of 1934 to authorize certain communications services to be provided at reduced rates; to the Committee on Interstate and Foreign Commerce.

By Mr. O'KONSKI:

H.R. 14247. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 14248. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 14249. A bill to amend the Internal Revenue Code of 1954 to provide for the valuation of a decedent's interest in a closely held business for estate tax purposes; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 14250. A bill to authorize participation by the United States in the construction of a dual-purpose electrical power generation and desalting plant in Israel; to the Committee on Foreign Affairs.

By Mr. SCHERLE (for himself, Mr. Denney, Mr. Findley, Mr. Langen, Mr. Dole, Mr. Gross, Mr. Kyl, Mr. Schwengel, Mr. Mayne, Mr. Mathias of California, Mr. Zwach, Mr. Skubitz, Mr. Miller of Ohio, Mr. Hall, Mr. Smith of Oklahoma, Mr. Roudebush, Mr. Burke of Florida, Mr. Bray, Mr. Brock, Mr. Michel, Mr. Wampler, Mr. Hansen of Idaho, Mr. Nelsen, Mr. Zion, and Mr. Price of Texas):

H.R. 14251. A bill to amend the act of March 4, 1909, as amended, to obtain information for agricultural estimates from county extension agents; to the Committee on Agriculture.

By Mr. TEAGUE of California:

H.R. 14252. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 14253. A bill to amend section 1774 of title 38 of the United States Code to permit State and local agencies to be reimbursed for certain expenses incurred by such agencies in administering educational benefits under chapter 34 and 35 of such title; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 14254. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 14255. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. BEVILL (for himself, Mr. Nichols, Mr. Andrews of Alabama, Mr. Edwards of Alabama, and Mr. Dickinson):

H.R. 14256. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 14257. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 14258. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments resulting from enactment of the Social Security Amendments Act of 1967; to the Committee on Veterans' Affairs.

By Mr. HAGAN:

H.R. 14259. A bill to provide a comprehensive program for the control of drunkenness and the prevention and treatment of alcoholism in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. LIPSCOMB:

H.R. 14260. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mr. PURCELL:

H.R. 14261. A bill to provide for U.S. standards and a national inspection system for grain, and for other purposes; to the Committee on Agriculture.

By Mr. TAYLOR:

H.R. 14262. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD (for himself, Mr. Reuss, Mr. Ashley, and Mr. Feighan):

H.R. 14263. A bill to authorize a cooperative Federal-State-industry program to assure that adequate property insurance protection is made available for all insurable residential and business property in urban areas; to provide rehabilitation assistance for property owners whose properties do not meet reasonable standards of insurability; to provide adequate reinsurance against abnormally high property insurance losses resulting from riots and other civil commotion; and for other purposes; to the Committee on Banking and Currency.

By Mr. KYROS:

H.R. 14264. A bill to provide for the construction by the Chief of Engineers, U.S. Army, of a high-level bridge over Cowseagan Narrows to connect Wiscasset on the mainland with the northwestern end of the Island of Westport, Maine; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 14265. A bill to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MEEDS:

H.J. Res. 945. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MOSS (for himself and Mr. KEITH):

H.J. Res. 946. Joint resolution to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.J. Res. 947. Joint resolution authorizing the President to proclaim the period February 11 through February 17, 1968, as LULAC Week; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.J. Res. 948. Joint resolution to provide for the designation of the year 1968 as the National Helium Centennial Year; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. Con. Res. 591. Concurrent resolution expressing the sense of Congress that the President's budget presented to Congress should be in the form of a unified budget, as recommended by the President's Commission on Budget Concepts; to the Committee on Government Operations.

By Mr. FALLON:

H. Res. 997. Resolution to grant additional travel authority to the Committee on Public Works; to the Committee on Rules.

By Mr. PERKINS:

H. Res. 998. Resolution to authorize the General Subcommittee on Education of the Committee on Education and Labor to conduct an investigation of the operation in the Trust Territory of the Pacific Islands of all programs carried on which are in the jurisdiction of the committee; to the Committee on Rules.

By Mr. RESNICK (for himself, Mr. BROWN of California, Mr. CONYERS, Mr. FARBSTEIN, Mr. GRAY, Mr. HALPERN, Mr. HAWKINS, Mr. MIZE, and Mr. REES):

H. Res. 999. Resolution proposing a ceasefire in Nigeria; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 14266. A bill for the relief of Eleanor Villareal Abiera; to the Committee on the Judiciary.

By Mr. BELCHER:

H.R. 14267. A bill for the relief of A. G. Bartlett Co.; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 14268. A bill for the relief of Vito Gullo, Giuseppa Gullo, and their child, Baldassare Gullo; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 14269. A bill for the relief of Matthew Louie; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 14270. A bill for the relief of Antonio Laezza; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 14271. A bill for the relief of Elizabeth B. Borgnino; to the Committee on Interior and Insular Affairs.

By Mr. CONTE:

H.R. 14272. A bill for the relief of Mr. Michele Trotta and Mrs. Reparata Trotta; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 14273. A bill for the relief of Itzhak Knobel; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 14274. A bill for the relief of Richard H. Novak; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 14275. A bill for the relief of Luigi Curatolo; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 14276. A bill for the relief of George Tilson Weed; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 14277. A bill for the relief of Pietro Bertolino; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 14278. A bill for the relief of Guiseppe Caputo; to the Committee on the Judiciary.

H.R. 14279. A bill for the relief of Nicola Caputo; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 14280. A bill for the relief of Mr. and Mrs. Joseph A. Ponne; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 14281. A bill for the relief of Sgt. John E. Scott, USAF (retired); to the Committee on the Judiciary.

By Mr. SISK:

H.R. 14282. A bill for the relief of Jagjit Singh; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 14283. A bill for the relief of Rocco Riccio; to the Committee on the Judiciary

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

212. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to firearms control legislation; to the Committee on the Judiciary.

213. Also, petition of city of Anaheim, Calif., relative to Federal tax sharing; to the Committee on Ways and Means.

SENATE

MONDAY, DECEMBER 4, 1967

The Senate met at 9 a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, who art the hope of all the ends of the earth, help us who grope in the darkness of earth's dim ways to remember that even the shadows themselves are born of light.

Make us tall enough for these testing days. Cast out our pride—national, racial, and personal. Join us to those who labor to bring sense and system to this disordered world: and, grant that our eyes may yet look upon a world that will have found a path leading to the plains of peace, universal and righteous.

In the name of the Prince of Peace, we ask it. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, December 1, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 13094) to amend the Commodity Exchange Act, as amended, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 13094) to amend the Commodity Exchange Act, as amended, was read twice by its title and referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 5910. An act to declare that the United States holds certain lands in trust for the Pawnee Indian Tribe of Oklahoma (Rept. No. 831).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 286. A bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable (Rept. No. 830).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1058. A bill to authorize the Secretary of the Interior to sell lands embraced in certain terminated entries, and for other purposes (Rept. No. 833).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with amendments:

S. 1059. A bill to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such act (Rept. No. 834).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with amendments:

H.R. 3399. An act to amend section 2 of Public Law 88–240 to extend the termination date for the Corregidor-Bataan Memorial Commission (Rept. No. 832).

By Mr. RANDOLPH, from the Committee on Public Works, with an amendment:

S. 1017. A bill to authorize the Secretary of the Army to pay for the cost of surfacing $1\frac{8}{10}$ miles of a certain access road in Putnam County, Fla. (Rept. No. 835).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with amendments:

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes (Rept. No. 836).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a protocol was submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations, without reservation:

Executive K, 90th Congress, first session, the protocol for the further prolongation of the International Sugar Agreement of 1958, done at London, November 14, 1966 (Ex. Rept. No. 19).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARRIS (for himself and Mr. MONRONEY):

S. 2715. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2716. A bill to amend Federal laws relating to the State of Oklahoma; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. HILL, Mr. TALMADGE, Mr. HOLLINGS, and Mr. JORDAN of North Carolina):

S. 2717. A bill directing the Secretary of Agriculture to make a study and investigation of ways and means to provide a more effective crop insurance program for farmers; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE CHICKASAW NATION OF INDIANS

Mr. HARRIS. Mr. President, for myself and the senior Senator from Oklahoma [Mr. MONRONEY], I introduce a bill which provides for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation of Indians, and for other purposes. Last year this identical legislation was introduced. However, no action was taken on it by the Senate Subcommittee on Indian Affairs. I ask that the bill be printed in the RECORD. In support of this bill I ask that a letter from the governor of the Chickasaw Nation, Overton James, be inserted in the RECORD. Further, I ask unanimous consent to have printed in the RECORD at this point a description of the bill as prepared by the Assistant Secretary of the Interior, and a document showing an updated financial statement of funds on deposit in the U.S. Treasury to the credit of the Chickasaw Nation, dated October 19, 1967.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, description of the bill, and document will be printed in the RECORD.

The bill (S. 2715) to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes, introduced by Mr. HARRIS (for himself and Mr. MONRONEY), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States that were appropriated by the Act of March 31, 1961, to pay a judgment by the Indian Claims Commission in docket No. 269 and any interest thereon, less payment of attorney fees and expenses, and any other funds heretofore or hereafter deposited in the United States Treasury to the credit of the Chickasaw Nation or Tribe of Oklahoma from sources other than claims may be used, advanced, expended, deposited, invested or reinvested for any purpose that is authorized by the Governor of the Chickasaw Nation and approved by the Secretary of the Interior.

The letter, description, and document, presented by Mr. HARRIS, are as follows:

CHICKASAW NATION,
September 25, 1967.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FRED: Enclosed is a prepared bill to provide for disposition of certain Chickasaw Tribal funds. We will greatly appreciate it if you will again introduce this bill in the Senate.

With kindest regards.

Sincerely yours,

OVERTON JAMES,
Governor.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 12, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation of Indians, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

Funds were appropriated by the Act of March 31, 1961 (75 Stat. 2400), to pay a judgment of $190,934.79 recovered by the Chickasaw Nation in Indian Claims Commission docket No. 269. The judgment was for inadequate consideration for one quarter interest in 266,435.13 acres of land in Oklahoma allotted to the Choctaw Freedmen by agreement of March 21, 1902 (32 Stat. 641), supplemental to the "Atoka" Agreement of April 23, 1897 (30 Stat. 495). These judgment funds are credited to the account of this group and draw interest at the rate of 4 percent per annum.

The Chickasaws were closely associated, territorially, historically, and culturally, with the Choctaws. At the time of the first European contact, the Chickasaws were living in what is now northeastern Mississippi, northwestern Alabama, and western Tennessee. They parted with these lands by treaties made in 1805, 1816, 1818, and 1832, but actual migration to their new home, in what is now Oklahoma, did not begin until 1837 and extended to 1847.

Since provision for a place of resettlement was overlooked in earlier treaties with the Chickasaws, it was necessary to enter into agreement with the Choctaws under which a portion of their land was used for the Chickasaw people. About one-fourth of the total land area set aside for the Choctaws was allocated for this purpose. As a consequence, the two tribes have been closely related and continue to share in unallotted tribal property and in money derived from the sale of tribal lands.

At the outbreak of the Civil War the Chickasaws signed a treaty with the Confederacy. As a result of this alliance, their former lands were subdivided and opened to settlement by other Indian tribes. Part of the land which they held jointly with the Choctaws was later allotted to the Choctaw Freedmen. This award arises out of a claim for inadequate compensation to the Chickasaw Indians in connection with these alloted lands.

The 1866 "reconstruction" treaty signed by the United States and the Chickasaws and Choctaws re-established the governments of both Indian nations. A new constitution was adopted by the Chickasaw Nation and tribal government under a Governor and council continued until the conclusion of the Dawes Agreements of the 1890's which were ratified by the Act of April 26, 1906. After that the Governor was allowed to continue in office during his lifetime but with the provision that the President could remove him for failure to perform his duties and would have the authority to appoint a successor in case of death or removal. The council was discontinued. The system of an appointed Governor has continued to the present time. The Dawes Agreements also provided for the allotment of the tribal lands in severalty.

The Chickasaw Tribe of Indians of Oklahoma is today located in those counties which until statehood were recognized as the territory of the "Chickasaw Nation." The Tribe should be regarded as the successor of the "Chickasaw Nation." The group has no written constitution and no formal organization, but still maintains a Governor. The Tribe maintains no business enterprises or activities. Tribal funds in the U.S. Treasury are allocated each year for expenses of the Governor.

A tribal roll, totaling 6,304, was completed and made final as of March 4, 1907.

The net amount of the judgment, plus accrued interest to September 30, 1965, is $200,802.75. The other funds of the Tribe on deposit in the U.S. Treasury (consisting almost entirely of the proceeds of lands and interest thereon) amount to $148,825.80, making a total of $349,628.55. This amount is too small to distribute per capita, considering administrative costs. It would amount to something less than $53 per share, and much less than that in the case of heirs.

The proposed bill therefore provides that the funds on deposit in the U.S. Treasury to the credit of the Chickasaw Nation as beneficiaries of this award, and all other funds, including interest, on deposit in the U.S. Treasury to the credit of the Chickasaw Nation, may be advanced or expended for any purpose authorized by the Governor of the Chickasaw Nation and approved by the Secretary of the Interior. A similar provision was contained in the Act of October 9, 1962 (76 Stat. 776), relating to the Cherokee judgment. Under that Act approximately $267,000 of the judgment reverted to the Tribe subject to expenditure for purposes authorized by the Principal Chief and approved by the Secretary. The Chickasaw Nation is considering ways to utilize a portion of these funds for tribal enterprises and other program activities.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

Harry R. Anderson,
Assistant Secretary of the Interior.

Award of Indian Claims Commission, Chickasaw Nation, Docket No. 269

These funds are on deposit in the U.S. Treasury and draw interest at the rate of 4 percent per annum:	
Net award (14X7495, awards of Indian Claims Commission, Chickasaw Nation)	$190,934.78
Less: Attorney fees	−19,093.47
Balance of judgment fund principal	171,841.31
Interest accrued as of June 30, 1967 (14X7995, interest and accruals on interest, awards of Indian Claims Commission, Chickasaw Nation)	42,711.72
Total judgment fund, principal plus interest (10–19–67)	214,553.03
Balances in all other accounts on deposit in U.S. Treasury to credit of the Chickasaw Nation:	
Proceeds of lands, etc., five civilized tribes (Chickasaw) (14X7149)	141,745.27
Interest (14X7649, interest on proceeds of lands, etc., five civilized tribes, chickasaw)	2,974.48
Proceeds of labor, Chickasaw Indians (unallotted lands) (14X7212)	26.00
Interest (14X7712, interest on proceeds of labor, Chickasaw Indians, unallotted lands)	----------
Total balances of other accounts	144,745.75
Grand total of all funds on deposit in U.S. Treasury to credit of the Chickasaw Nation	359,298.78

Mr. HARRIS. Mr. President, I hope that the Senate Subcommittee on Indian Affairs will be able to hold hearings on this bill at an early date and, thereafter, the Senate will pass this legislation which has been recommended favorably by the Department of the Interior.

AMENDMENT OF FEDERAL LAWS RELATING TO THE STATE OF OKLAHOMA

Mr. HARRIS. Mr. President, earlier this year Oklahoma voters approved a court reform amendment to our State's constitution which abolished all trial courts except district courts, effective January 13, 1969.

It has been brought to my attention by Prof. George B. Fraser, of the University of Oklahoma College of Law, that several Federal statutes relating to Indian matters make reference to Oklahoma courts which will be abolished by this amendment. At Professor Fraser's suggestion I have had drafted legislation which would correct this situation. I introduced, for appropriate reference, this bill, and ask that it be printed in the Record.

Mr. President, I ask that there be included at this point in the Record the letters from Professor Fraser which called attention to the problem which has been created by the passage of the amendment to the Oklahoma constitution.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the Record.

The bill (S. 2716) to amend Federal laws relating to the State of Oklahoma, introduced by Mr. Harris, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 2716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Act of April 26, 1906 (34 Stat. 145), is amended by deleting "or a judge of a county court of the State of Oklahoma" and inserting in lieu thereof "or a judge of a district court of the State of Oklahoma".

Sec. 2. The Act of May 27, 1908 (35 Stat. 312), is amended by adding at the end thereof the following new section:

"Sec. 15. Wherever the term 'probate court' is used in this Act, such term shall mean the proper district court of the State of Oklahoma."

Sec. 3. (a) Section 7 of the Act of April 18, 1912 (37 Stat. 86), is amended by deleting "county court of Osage County, State of Oklahoma" and inserting in lieu thereof "district court of the State of Oklahoma having jurisdiction over the district within which is located Osage County".

(b) The Act of April 18, 1912 (37 Stat. 86), is further amended by adding at the end thereof the following new section:

"Sec. 12. Wherever the term 'county court' is used in this Act, such term shall mean the proper district court of the State of Oklahoma."

Sec. 4. (a) The first section of the Act of August 4, 1947 (61 Stat. 731), is amended (1) by deleting "county court of the county in Oklahoma in which the land is situated; (b) that petition for approval of conveyance shall be set for hearing not less than ten days from date of filing, and notice of hearing thereon, signed by the county judge" and inserting in lieu thereof "district court of the State of Oklahoma of the district in which the land is situated; (b) that petition for approval of conveyance shall be set for hearing not less than ten days from date of filing, and notice of hearing thereon, signed by the district judge"; and (2) by deleting "(e) that the probate attorney shall have the right to appeal from any order approving conveyances to the district court of the county in which the proceedings are conducted within the time and in the manner provided by the laws of the State of Oklahoma in cases of appeal in probate matters generally, except that no appeal bond shall be required;".

(b) Section 9 of the Act of August 4, 1947 is amended by deleting "county court in Oklahoma" and inserting in lieu thereof "district court of Oklahoma".

Sec. 5. (a) Subsection (b) of section 2 of the Act of August 11, 1955 (69 Stat. 666), is amended by deleting "county court" and inserting in lieu thereof "district court of the State of Oklahoma".

(b) Subsection (c) of section 2 of the Act of August 11, 1955 (69 Stat. 666), is amended by deleting "county court for the county in which he, or she, resides for an order removing restrictions. If the Secretary issues an order removing restrictions without application therefor in accordance with the provisions of subsection (b) of this section, either the Indian affected or the board of county commissioners may apply to the county court for the county in which the Indian resides for an order setting aside such order." and inserting in lieu thereof "district court of the State of Oklahoma for the district in which he, or she, resides for an order removing restrictions. If the Secretary issues an order removing restrictions without application therefor in accordance with the provisions of subsection (b) of this section, either the Indian affected or the board of county commissioners may apply to the district court for the district in which the Indian resides for an order setting aside such order."

Sec. 6. Whenever the term "county court" is used in any statute of the United States relating to the State of Oklahoma, such term, so far as it is applicable to the State of Oklahoma, shall be considered to mean a district court of the State of Oklahoma.

Sec. 7. The provisions of this Act shall take effect as of January 13, 1969.

The letters, presented by Mr. Harris, are as follows:

The University of Oklahoma,
Norman, Okla., October 23, 1967.

Hon. Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Fred: On July 11, 1967, the Oklahoma voters approved a Constitutional amendment that abolished all trial courts except District Courts on January 13, 1969, and the District Courts are given original jurisdiction of all justiciable matters, including probate matters at that time. See § 7(a) of the enclosed article.

County courts will be abolished and actions pending therein will be transferred to the District Court. § 7(b), (c) and (d).

In some statutes that relate to Indian matters, such as the Act of 1908, reference is made to "the probate courts of the State of Oklahoma." Oklahoma did not have a court named a Probate Court. Therefore, the Supreme Court held that the reference was to the court that exercised probate jurisdiction. Harris v. Bell, 254 U.S. 103, 41 S. Ct. 49, 52 (1920).

Some later statutes, however, specifically refer to the County Court. E.g., Act of August 4, 1947, §§ 1, 9 (61 Stat. 731). Since there is a specific reference to a court which will be abolished, many attorneys believe that these later acts should be amended.

It could be urged that Congress meant the court with probate jurisdiction when it referred to the County Courts of Oklahoma. However, it should not be necessary to litigate this issue if litigation can be avoided by legislation.

A copy of the new judicial article is enclosed.

Respectfully yours,
George B. Fraser,
Boyd Professor of Law.

The University of Oklahoma,
Norman, Okla., October 5, 1967.

Hon. Fred R. Harris,
Washington, D.C.

Dear Senator Harris: As you know, the Oklahoma voters have approved a Constitutional amendment that abolishes all state courts except district courts, effective January 13, 1969. Specifically, county courts are abolished.

In numerous federal statutes relating to Indians, reference is made to county courts. A brief list includes:

Act of May 27, 1908, § 8 (35 Stat. 312).

Act of April 12, 1926, § 1 (44 Stat. at L. 239).

Act of January 27, 1933, § 8 (47 Stat. 777).

Act of August 4, 1947, §§ 1, 9 (61 Stat. 731).

Act of August 11, 1955, § 2(c), Chap. 786, P.L. 348.

These provisions, and there may be others, need to be amended. I assume that the appropriate legislation should be drafted in Washington, but if necessary, I will draft a bill. I am presently drafting bills for the Legislative Council to implement the Constitutional amendments.

If you desire, I can have a more formal request for Congressional action made. Also, I assume that the whole Oklahoma delegation should jointly introduce the needed legislation. We can contact each of them if this would be appropriate.

Respectfully yours,
George B. Fraser,
Boyd Professor of Law.

The University of Oklahoma,
Norman, Okla., November 20, 1967.

Hon. Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Fred: The draft bill that was prepared by the Senate Legislative Counsel is sufficient. No additions or deletions are needed.

Thank you for taking care of this matter so promptly.

Respectfully yours,
George B. Fraser,

Mr. HARRIS. Mr. President, I hope that the Senate will be able to act with the necessary speed so that references to courts soon to be abolished may be removed from Federal statutes.

PROVISION OF A MORE EFFECTIVE CROP INSURANCE PROGRAM FOR FARMERS

Mr. SPARKMAN. Mr. President, last Friday I introduced a bill to amend the Consolidated Farmers Home Administration Act of 1961. The purpose of that bill was to provide some relief to farmers generally who suffer crop losses as a result of a natural disaster. I was prompted to introduce my bill by the terrible plight of the cotton farmers in the northern half of my State, and those in other States of the Southeast, whose crops have been virtually totally destroyed by a hard freeze several weeks ago.

My bill would make available to farmers adequate long-term credit for the purpose of paying off their creditors and continuing to function as an operating farm.

Mr. President, for myself and for Senator Hill, Senator Talmadge, Senator Jordan of North Carolina, and Senator Hollings, I introduce now for appropriate reference a bill which hopefully will result in some long-range solution to the problems faced by farmers who suffer crop losses. Mr. President, the bill I now introduce calls for a study by the Department of Agriculture which may provide a long-range solution to the problem of crop losses. My bill authorizes and directs the Secretary of Agriculture to undertake a study of the Federal crop insurance program in an effort to identify ways in which crop insurance can be provided for farmers at rates that they can afford to pay. The farmers of my State tell me that crop insurance is simply too expensive.

It is my feeling that a thorough evaluation and study of our existing program of crop insurance may very well turn up ways in which it can be improved and made more economical. I am told that in Canada the central government shares a part of the cost of crop insurance. This would, of course, be an expensive undertaking for our Government. However, the study called for in my bill may reveal that such a program would be less expensive than the existing programs that provide aid to the farmer after the loss of his crop.

In any event, I hope that my bill will receive early action, and that this much-needed study can be undertaken as soon as possible.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2717) directing the Secretary of Agriculture to make a study and investigation of ways and means to provide a more effective crop insurance program for farmers introduced by Mr. Sparkman (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

CHANGE OF CONFEREE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Washington [Mr. Magnuson] be appointed a conferee on the part of the Senate on House Joint Resolution 888, making continuing appropriations for the fiscal year 1968, and for other purposes, and I also request that the name of the Senator from Louisiana [Mr. Ellender] be removed as a conferee on this joint resolution in view of the fact that he is out of the country on official business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967—AMENDMENTS

AMENDMENT NO. 485

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 486

Mr. GRIFFIN submitted an amendment, intended to be proposed by him, to the amendment of the Senator from Illinois [Mr. Dirksen], amendment No. 485 to House bill 7819, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 487

Mr. HARTKE submitted amendments, intended to be proposed by him, to House bill 7819, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. METCALF. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. Nelson] be added as a cosponsor of the bill (S. 2613) to amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Mississippi [Mr. Stennis] be added as a cosponsor of my bill (S. 2714) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, in order to provide additional loan assistance under such act to farmers who have suffered severe production losses as the result of a national disaster.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF CLYDE O. MARTZ, OF COLORADO, TO BE ASSISTANT ATTORNEY GENERAL

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, December 7, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Clyde O. Martz, of Colorado, to be Assistant Attorney General, vice Harold Barefoot Sanders, Jr., resigned.

At the indicated time and place persons interested in the above nomination may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

RESCUE OPERATIONS IN VIETNAM

Mr. YOUNG of North Dakota. Mr. President, I rise today to speak on a matter of great interest and grave concern to the Nation—the plight of our fighting men captured in Vietnam. I realize little can be done to prevent the capture of some, but it seems we should be able to do more to save our Air Force and Navy fliers shot down by the enemy.

We have all read articles and seen pictures of these fine young men being paraded by their captors. I am sure people from the entire Nation are voicing the same concern that I hear daily from the citizens of North Dakota: "Why can't we rescue more of these valiant young men?"

Because this question has been posed to me so often recently, some of my staff and I have begun to look into the matter. We are continuing to probe in greater depth, but the subject is so compelling that I want to share our early findings with you immediately.

We find that our rescue crews do an absolutely remarkable job with the equipment they have at hand. If human, or superhuman, effort could spell the difference between rescue and capture, most of our downed airmen would be saved. But such is not the case. We find that only some one-fourth of them are rescued.

Upon learning this, we searched further. If our men fall outside regions such as Hanoi and our rescue teams can pick them up within 15 to 20 minutes, they are usually brought out safely. If it takes much longer, and it usually does, then it is a different story. The enemy will then reach our man first and capture him, or at least get close enough to the scene to drive away our rescue helicopters with heavy ground fire. So, the key to success is to get there in a hurry.

Why cannot our crews get there soon enough? Last week the Chief of the Air Force Air Rescue Service presented a briefing to some Members of the House and showed a film on the rescue operation in Vietnam. I was not present, but I understand it was very good and pointed up the high ability of our fighting men. I intend to ask for the same briefing in the near future, as part of my probe into this subject.

As I understand it, the presentation showed a masterpiece of planning, coordination, and split-second timing by our rescue teams. It also showed, I am told, an amazing array of complicated machines to do the job—not merely the rescue helicopters.

The helicopter, of course, holds center stage. It is the only thing we have in Vietnam that will go straight up and down or hover overhead to rescue our airmen. The helicopter is sent forward early in the day in case it is needed. There it waits for a rescue call while other airplanes fly above it for protection. When a call comes, the helicopter goes at top speed—from about 140 to 160 miles per hour—to the rescue scene. The protective airplanes go with it, and tankers stand by in case the helicopter needs more fuel. Other tankers also stand by to refuel the jet airplanes waiting in the area trying to protect the downed airmen until the helicopter arrives. The helicopter cannot fly fast enough, unfortunately, to refuel from the same tanker used by the jets. While this is going on, a control ship is circling the area to coordinate the operation. All is well if the rescue scene is within 25 or 30 miles. Again, unfortunately, it is usually much farther, and our rescue team cannot do their job in the necessary 15 to 20 minutes. Our downed airman is lost and all of our best efforts, risking many lives, were wasted.

The problem sounds bad enough as it is, but it would be much worse if Vietnam were not the arena and the targets were even farther away. Obviously, it seems what is needed is something that will go much faster and much farther than the helicopter. We need something that can leave with the combat airplanes and be overhead within minutes if an airman is shot down. Obviously, we need a machine with the speed of an airplane that can also land or hover at the scene.

We all know that we have voted substantial money for several years to develop aircraft such as are needed. We all know these as V/STOL airplanes. We also all know that several of our allied countries are looking seriously at the problem as well. These countries include England, Germany, France, Italy, and Canada. In fact, we are jointly working with some of our foreign friends. It seems to me it is time to look closely at what is being done both here and abroad. It seems it is time to take the best and begin to use it as soon as possible to rescue our downed airmen.

Surely, we can and must do better to rescue more of our fighting airmen. Our colleagues in the House of Representatives have also voiced their concern in this grave matter. They have urged action to improve our ability to rescue our fliers from hostile territory. Early action must be taken, lives must be saved.

I plan to ask Secretary McNamara to advise the Senate, in detail, our current rescue capability, what steps can be taken to improve the situation and what help the Senate can provide. I am sure you all share my grave concern. Something more must be done.

I hope many of you will find time to join me for the presentation by our Defense Department. We must leave no stone unturned in our efforts. I am sure the entire Nation shares our anxiety over the plight of our captured airmen and their anguished families.

HOUSE-PASSED VERSION OF S. 2171 IMPERILS SENATE COMPROMISE ON SACB LEGISLATION

Mr. PROXMIRE. Mr. President, on Tuesday, November 28, the House of Representatives passed S. 2171, which relates to the Subversive Activities Control Board, after substituting the language contained in H.R. 12601, as reported by the House Un-American Activities Committee, for the language in S. 2171 as it was passed by the Senate. This bill is intended to give the Subversive Activities Control Board, which has been almost completely idle over the past 20 months, something to do. Its proponents hope that the measure will successfully meet objections, raised and sustained in the Federal courts, to the registration provisions of the act—objections that have rendered the Board impotent.

Many of my colleagues will recall that there was long-drawn-out Senate debate on this measure. A number of us felt that the new legislation would not give the Board one iota more to do than it does now. We believed the bill would not be utilized by the Attorney General because it posed serious constitutional problems. We argued that in passing the bill we would simply be prolonging the life of the Board—with its five $26,000-a-year sinecures—without adding to its responsibilities. For these reasons, we were unwilling to fool the American public into believing that we were bolstering the authority of the Board, giving its members more to do, when in reality, nothing could be further from the truth.

The House-passed bill differs in many respects from the bill passed by the Senate. However, these differences do not seem to touch on the question as to whether or not we can expect the Board to be more effective with the passage of this measure. This is amply attested to by Representative Anderson's of Illinois statement on the floor of the House when the bill was taken up last Tuesday. At that time he said:

> I seriously question whether this bill is going to do very much to unmask the Communist threat to our country, whether it is gong to do very much good to have this, I think, utterly useless appendage on the body politic, this vestigial organ that has been in existence 17 years and has not accomplished anything that I can see . . .

One very important difference, however, between the House and Senate versions has to do with abolition of the Board, if the Attorney General has not instituted proceedings before the Board under the new legislation by December 31, 1968, and if hearings have not been conducted by the Board prior to this date.

On Friday, October 20, an amendment granting this right was proposed by the majority leader and cosponsored by myself and the minority leader. It was a put-up-or-shut-up amendment. It meant in effect that either the legislation would be used, and used effectively, or the Board would be abolished. In either event we would stop squandering tax dollars.

This amendment was not included in the bill as it passed the House of Representatives despite the fact that it was literally the sole reason why many Senators agreed to have a vote on the legislation and support it on final passage.

Now S. 2171 is in conference. The Senate conferees have been appointed. They have a deep and solemn obligation to uphold the Senate on this point. On the day the bill passed the Senate, our majority leader, who was instrumental in resolving a virtual deadlock situation through the introduction of his amendment, stated:

The amendment was offered in good faith. I would expect the Senate conferees to hold firm.

It is very clear, Mr. President, that without the Mansfield-Dirksen-Proxmire amendment the bill would never have passed the Senate—would not be in conference now. Consequently I want to state without equivocation that I will fight tooth and nail any bill agreed to by the conference that does not contain this amendment. Just as it would not have passed the Senate without the Mansfield amendment, so it will not be approved by the Senate in its conference version—as far as this Senator is concerned—unless it contains that amendment. I hope that I can count on the strong support of the Senate conferees in this matter and that we can dispose of a Subversive Activities Control bill containing the Mansfield-Dirksen-Proxmire amendment, an amendment that was approved by a 74-to-2 Senate vote promptly.

OREGON PRESIDENTIAL PREFERENTIAL PRIMARY

Mr. MORSE. Mr. President, the State of Oregon has a presidential preferential primary law on the statute books, and the presidential primary will be held in my State on May 28, 1968.

As the Senate is well aware, there undoubtedly will be several names of very prominent Democratic leaders which will appear on that presidential preferential ballot. Undoubtedly the President's name will be on it. The senior Senator from Minnesota [Mr. McCARTHY] has announced that his name will be on it. There may be others. In fact, it is possible that even the name of George Wallace of Alabama may be on it because under the law the secretary of state of the State of Oregon has not only the authority but the statutory duty to place on the presidential preferential primary ballot the name of any prominent leader of either party who is frequently mentioned and who is generally considered as a potential candidate for the party nomination of his respective party at the national convention.

Mr. President, our law has been changed since 1960. Up until 1960 an individual's name could be put on the Oregon presidential preferential ballot and he could not take it off. In other words, it could be put on the ballot without his consent and it would stay there, and the individual would be subjected to a campaign involving his name in the presidential preferential primary.

I am a competent witness to speak on the application of the old law because in 1960 my name was placed on the ballot by petition. The law then provided that if a thousand signatures of an individual's party appeared on a petition filed with the secretary of state requesting that an individual's name be placed on the ballot, the secretary of state had no choice but to put the name on the ballot and the person named could not get his name off.

Mr. President, many friends of mine in late 1959 announced that they were going to file a petition to put my name on that ballot. I made use of the radio, television, and the platforms of my State pleading that it not be done. I was not successful in persuading those who subsequently filed the petition not to file it.

Some of those persons were not my friends because some signed petitions to put my name on the ballot because they thought that would make it difficult for me, and it was bound to. So my name went on the ballot. That is the only presidential preferential primary in my State in which I have permitted myself to be involved. I was involved in that one as a matter of self-preservation. Once the petition was filed I had to at least present my points of view to the people of my State on the issues of the 1960 campaign.

Mr. President, I have given an account of this situation because of an insertion I wish to place in the RECORD shortly.

Subsequent to 1960, the law was changed so that if a person's name is placed on the ballot by the secretary of state, then that person can file an affidavit requesting that his name be taken off the ballot because he is not a candidate. I think, Mr. President, that even that is unfair. I believe that though a person is prominently mentioned as a potential candidate for the nomination of his party in the national convention of his party, no State, including my own, should have the right to place a person's name on the presidential preferential primary ballot without his consent. I do not think it is fair to force one to go to all the expense and all the trials and tribulations of involving himself in a presidential preferential primary when he prefers not to have his name on the ballot. Therefore, I was even opposed to the provision in our present law that provides that the person must file an affidavit that he is not a candidate. However, that is the law in my State.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the senior Senator from Oregon be permitted to proceed for an additional 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. I thank the Senator from West Virginia.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I believe that an individual should have the right to take his name off the ballot without filing an affidavit that he is not a candidate. However, that is not the law of my State.

Therefore, I think there will be several names of Democrats in the primary of my party, and probably also in the Republican primary, that will go on the ballot, when the individuals, if they had a free choice, would say, "Take my name off." However, they will not file an affidavit that they are not candidates or might not be candidates because the net effect of that is obvious to everyone.

I have always taken the position that I will not involve myself in presidential preferential primaries.

I remember in 1948, when I was a Republican, Tom Dewey came to me and asked if I would help him in the presidential preferential primary and I said that I would not. I said that it would be presumptuous for me to tell the voters of Oregon what they should do in the presidential preferential primary. They will make their own decisions. Within 10 days after that conference with Dewey, Harold Stassen—he had been a student of mine for 4 years at the University of Minnesota—asked me if I would endorse him and help him. I said no, that I would not, that I never involved myself in a presidential primary, that it was up to the people of my State to make their own decisions without my trying to influence their decisions. That has always been my position.

I say this, Mr. President, because some people seem to have some difficulty, particularly newsmen, in getting my record through their heads.

After Senator McCARTHY's announcement, I was deluged, of course, with calls, telegrams, and conversations about "What is going to be your position in the Democratic presidential preferential primary?"

On Friday, December 1, 1967, I issued a press release from my office. I have yet to read one accurate account of it in a single newspaper in this country.

I am being deluged again as to exactly what I meant. So that there can be no doubt about it, I ask unanimous consent to have printed in the RECORD the press release of December 1, 1967, which I issued last Friday, announcing my nonparticipation and noninvolvement in a presidential preferential primary campaign in my State on behalf of anyone.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the office of Senator WAYNE MORSE, Democrat, of Oregon, Dec. 1, 1967]

Senator Wayne Morse, Democrat, Oregon, issued the following statement today:

"Senator Eugene McCarthy's announcement that he will enter the Oregon presidential primary next May calls for the following comments on my part:

"I welcome Senator McCarthy and any other national recognized Democratic leader to submit his name to the voters of Oregon in our presidential preferential primary.

"I do not intend to involve myself in the presidential primary candidacy of any of the candidates whose names will be on the Oregon primary ballot next May. We all know that the names of several very prominent and highly qualified Democrats, such as Senator McCarthy, will probably be on that ballot if for no other reason than because of the provisions of the Oregon law regulating presidential primaries.

"Under that law, the Secretary of State is required to place on the ballot the names of individuals who are prominently mentioned as possible candidates for the presidential nomination unless the individual concerned notifies the Secretary of State that he is not a candidate for the presidency and therefore, wants his name left off the Oregon ballot. The decision to put his name on the ballot rests with the discretion of the Oregon Secretary of State.

"Therefore, I assume that in addition to Senator McCarthy's name, the names of others, including President Johnson, himself, Senator Robert Kennedy, and for that matter, probably George Wallace, may very well be on the Oregon ballot.

"Ever since I have held office in the Senate, I have made clear that I would not involve myself, either by way of endorsement or campaigning for any candidate for the presidential nomination whose name appears on the Oregon ballot. In 1960, my name appeared on the presidential primary ballot in Oregon by petition contrary to my expressed wish that it not be. I took to the television, radio and platforms in advance of the filing of those petitions, urging that my friends not place my name in nomination by signing and filing petitions. At that time, the law did not protect an individual whose name was placed on the Oregon ballot by the Secretary of State as a result of petitions filed. He could not demand that the Secretary of State not place his name on the ballot.

"Except in 1960, when my own political interests were involved, I have not taken sides in any presidential race in the Oregon primaries. I shall follow that same course of action of non-involvement in the 1968 presidential primary and for these reasons:

"First, I think it is presumptuous for a United States Senator to attempt to tell the members of his Party whom they should nominate as their Party's candidate. The voters of Oregon are perfectly capable of making their own choices in a presidential primary without a Senator or any other elected official seeking to influence their vote.

"Second, I hope to be the Democratic Party's Senatorial nominee and one of its delegates to the 1968 Democratic Convention in Chicago. Under Oregon law, each delegate to that Convention is bound to support for the presidential nomination the choice selected by the voters in the Democratic primary. In view of that statutory mandate, I feel that one holding an office of such responsibility as that of a United States Senator should keep himself in a position where he can carry out the decision of the voters. He should not handicap himself with a background of having supporting in the primary some candidate who was not selected by the voters but who may very well still be one of the principal contenders for the nomination at the Party Convention.

"Further, I wish to say I have already made clear that I hope President Johnson will have so modified his position on some issues, both foreign and domestic, but particularly his position in respect to escalating the war in Vietnam, that all Democrats who at the present time differ with him on his foreign policy can unite behind him at the National Convention. This certainly is a political goal devoutly to be wished. I do not see how anyone can deny that the Democratic Party will be in a stronger position to win the historic election of 1968 if the President, in the very near future and well in advance of the National Convention, sees fit to modify his position on foreign policy. There are only a few issues which at the present time are creating such severe rifts within the Party as to cause Senator McCarthy and possibly some other potential candidate or candidates to enter the presidential primaries.

"The entry of Senator McCarthy and any other candidates in the Oregon presidential primary will provide the people of Oregon with a highly informative discussion of the pros and cons of the issues that have already divided the Democratic Party. A better understanding of those issues I think will strengthen the Democratic Party in the historic election of November 1968."

Mr. MORSE. Mr. President, I read the following from the press release:

I welcome Senator McCarthy and any other nationally recognized Democratic leader to submit his name to the voters of Oregon in our presidential preferential primary.

I do not intend to involve myself in the presidential primary candidacy of any of the candidates whose names will be on the Oregon primary ballot next May. We all know that the names of several very prominent and highly qualified Democrats, such as Senator McCarthy, will probably be on that ballot if for no other reason than because of the provisions of the Oregon law regulating presidential primaries.

Then I discuss the provisions of the law, and say:

Therefore, I assume that in addition to Senator McCarthy's name, the names of others, including President Johnson, himself, Senator Robert Kennedy, and for that matter, probably George Wallace, may very well be on the Oregon ballot.

I then set forth, as I already have in my comments on the floor of the Senate, my position in regard to my nonparticipation in the Oregon primary election. I said this about the President:

Further, I wish to say I have already made clear that I hope President Johnson will have so modified his position on some issues, both foreign and domestic, but particularly his position in respect to escalating the war in Vietnam, that all Democrats who at the present time differ with him on his foreign policy can unite behind him at the National Convention. This certainly is a political goal devoutly to be wished. I do not see how anyone can deny that the Democratic Party will be in a stronger postition to win the historic election of 1966 if the President, in the very near future and well in advance of the National Convention, sees fit to modify his position on foreign policy. There are only a few issues which at the present time are creating such severe rifts within the Party as to cause Senator McCarthy and possibly some other potential candidate or candidates to enter the presidential primaries.

The entry of Senator McCarthy and any other candidates in the Oregon presidential primary will provide the people of Oregon with a highly informative discussion of the pros and cons of the issues that have already divided the Democratic Party. A better understanding of those issues I think will strengthen the Democratic Party in the historic election of November 1968.

Mr. President, the press release is clear. I am very sorry that apparently the press, in its necessity to digest and abbreviate, sent some stories into Oregon which have left many people in doubt as to how I stand.

The press release leaves no doubt as to my position and I welcome having it printed in the Record.

A PLAN TO STOP THE GOLD DRAIN

Mr. SYMINGTON. Mr. President, I ask unanimous consent that a thought-provoking article entitled "A Plan To Stop the Gold Drain," written by Dr. N. R. Danielian, president of the International Economic Policy Association, and published in the December issue of Reader's Digest, be printed in the Record. I hope that it will be read by all who believe in the integrity of our currency and a sound economy.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Plan To Stop the Gold Drain

(By N. R. Danielian, president of the International Economic Policy Association, Washington, D.C., and editor of the book, The United States Balance of Payments: An Appraisal of U.S. Economic Strategy)

Newspapers carry gloomy reports about it, financiers lose sleep over it, politicians in Washington try to dismiss it. Nevertheless, it persists—indeed it worsens every day. It? A remote-sounding threat called the balance-of-payments problem. But it is far from remote. Unless we take steps to remedy it, and *soon*, untold Americans will suffer the consequences—right in their pocketbooks. We *can* solve the balance-of-payments mess. But it won't be easy, for we are in deep trouble.

In all but one of the last 17 years the United States has been spending more dollars abroad for imports, military expenditures, foreign aid, tourism and investments than it has taken in from exports, and earnings overseas on investments, royalties and services. The result is a balance-of-payments deficit, an underlying dollar loss which this year will climb to at least $4 billion—the highest level in ten years. Result: The U.S. gold supply is perilously low.

TO PARIS BY THE TON

Many will recall the Depression-racked winter of 1933 when people lined up at banks to demand gold for their paper money. That same nightmarish run on gold has been taking place again—but with one major difference—while U.S. citizens can no longer own gold, foreign nations can. France's Charles de Gaulle was No. 1 in line at the Federal Reserve Bank of New York last year, cashing in his paper dollars for 45 tons of gold worth $50 million *every month*. Armored trucks load the heavy bars on ocean liners, and the gold winds up in the vaults of the Bank of France in Paris. Many other nations, too, have been carting off our gold with the result that since 1958 our gold reserves have shrunk from $23 billion to $13.1 billion.

But that isn't all. More than 100 nations have accumulated 30 billion in dollar claims most of which, through their central banks, they can redeem for U.S. gold. If they continue to demand as much of it as they have in recent years, our supply will soon vanish—or we will be forced to stop all gold sales. In either case, the consequence will be an economic and political debacle.

Without a plentiful supply of gold behind it, our paper currency would soon bring lower exchange rates and buy less in world markets. We'd have to pay more for our imports—copper, sugar, coffee, iron ore, oil. And for the American tourist, prices would rise on everything from hotel bills to souvenirs. Moreover, without a stable world-accepted currency to pay for troops and arms abroad our military capability would be undermined. Our enemies might then be tempted to challenge us on other fronts besides Vietnam.

What we must do, obviously, is to spend less and earn more overseas. To accomplish this, and thus solve the balance-of-payments problem, our government leaders must take five fundamental steps:

1. Tighten the foreign-aid spigot. By Treasury Secretary Henry Fowler's own calculations, the $5-billion annual foreign-assistance program increases our international deficit by about $750 million a year—more than $2 million a day. These are dollars spent by the recipients outside the United States.

Another dollar-losing proposition is the Food for Peace program, under which we sell wheat, corn, cotton, even tobacco, for local currencies—Indian rupees, Brazilian cruzeiros—which we cannot turn into dollars.

Congress intended these local currency sales to help the hungry people of the world, not to be a substitute for commercial dollar transactions. But look at Egypt, which used to buy, commercially, substantial amounts of tallow from us to make soap and oleomargarine. In 1959 we began to supply that country with tallow under foreign aid (even as Nasser became increasingly belligerent toward us.) Inevitably, our commercial sale of tallow to Egypt was quickly displaced by exchange of surplus tallow for unusable Egyptian currency. A single review by the watchdog U.S. General Accounting Office reveals a score of other countries in which we have kicked away $715 million worth of commercial sales, thanks to such foreign-aid substitutions.

Recently, Congress has achieved some success in restraining the State Department's overeager largess. But more reform is needed, particularly in curbing huge blank-check grants and in limiting aid to specific projects that require the purchase of U.S. equipment such as pumps, tractors and earthmovers; in selling more agricultural products for hard cash; and in concentrating on a few countries of strategic importance where *visible* resultes can be obtained through demonstrated self-help.

2. *Corral loose loans*. Financial institutions such as the International Development Association (IDA) must be brought under stricter discipline by the U.S. government. They are knocking gaping holes in our balance of payments by doling out hundreds of millions of dollars a year. IDA, the World Bank's "soft loan" window, lends at *no* interest with a final maturity of 50 years sums of $101 to $354 million, of which 40 percent is from the United States. Only a fraction of every U.S. dollar lent by IDA returns here to buy goods.

Because these "loans" are helpfully interest free, the U.S. government should insist that the money be spent here to finance specific aid projects. "Unless this program is cut down to size," warns Sen. Stuart Symington of Missouri, "we will have that much more difficulty in finding our way out of the quagmire of international deficits."

3. *Trim military fat abroad*. With billions pouring into the Vietnam war, it is imperative for our brass to pull in their belts. There are more than a million U.S. servicemen all over the world. This means a total out-of-pocket foreign-exchange cost of $3.6 billion a year—dollars which are often used to withdraw our gold. U.S. soldiers and their families are pumping $1.5 billion into the European economies alone. Can any of these Americans be safely brought home?

Former President Eisenhower declares: "I do not believe that today the common security requires an American ground strength the equivalent of the six divisions now present in Europe." He would reduce these forces to no more than two divisions with reinforcing artillery and a reconnaissance regiment. Forty-four members of the U.S. Senate, including Armed Services Committee Chairman Richard B. Russell, have echoed Eisenhower's view, introducing a resolution calling for a "substantial reduction of U.S. forces permanently stationed in Europe."

Recently Defense Secretary McNamara announced withdrawal of 35,000 U.S. troops from West Germany, but more should follow. Senator Russell makes sense when he says, "If the United States has one division of troops anywhere, we're not going to leave them there to be chopped up."

Our military presence in the Far East used to add $1.6 billion a year to our balance-of-payments deficit. Now the Vietnam war itself runs a staggering $24 billion a year, and not every nut and bolt can be shipped from home. So hundreds of millions are spent for war supplies in Japan, Taiwan, the Philippines and Australia, and the Far Eastern military expenditures now increase our balance-of-payments deficit by $2 billion a year. We should press these countries to spend the equivalent of our increased military expenditures on additional purchases in the United States of goods now bought elsewhere. That way we can reduce the impact of unfavorable balance of payments without limiting military capability.

4. *Expand our exports*. The time has come for tough bargaining in trade negotiations to spur commercial exports. Administration officials claim that our 1966 trade "surplus"—the difference between total exports and total imports of goods—was $3.7 billion. But nearly $3 billion of this comforting figure is a mirage. It represents exports paid for not by foreign buyers but by Washington.

For example, a jeep on the municipal pier in Toledo, Ohio, marked for Pakistan looks like good business. In truth, however, payment comes right out of the U.S. taxpayers' pockets and doesn't earn us a dime. How? Foreign aid bankrolls such sales by handing nations money to buy our goods, often displacing a potential cash sale.

The remainder of this $3.7 billion also vanishes into thin air if one is aware of what Sen. Everett Dirksen calls "seduction by statistics": our imports are made to appear smaller by omitting such charges as transportation and insurance from overseas to U.S. ports of entry.

Instead of engaging in such double-standard statistics, our government should be concentrating on reducing foreign-trade obstacles. For instance, the European common market has set up a protectionist agricultural policy. Tariffs on corn, barley, chickens and dairy products run from 40 to 75 percent. An American grain exporter can deliver wheat in Rotterdam for $1.80 a bushel, but he has to pay $1.09 duty, plus an extra surcharge of three cents a bushel, forcing his price above that of the local producer. And even if the price of U.S. wheat should be reduced by, say, 30 cents, the tariff would automatically go up the same amount.

Incredibly, U.S. trade negotiators have all too often accepted these obnoxious tariffs as non-negotiable! This "no-win" policy simply slams the door in the face of the American farmer and exporter.

5. *Avoid quickie solutions*. Since 1961 our policy makers in Washington have merely nabbled at the dollar-deficit problem with "quickie" solutions. For example: the government cut duty-free imports by tourists from $500 to $100 per trip while raising the valuation from wholesale to retail price. This has had insignificant effect on total tourist expenditures abroad, but it touched off bitter anti-American resentment among Europe's small tradesmen.

Other strange "remedies": a special federal tax on those who buy foreign securities. Thus, it is all right for a tourist to spend money at a nightclub in Paris, but unpatriotic to buy interest-bearing French securities!; And the Department of Commerce is continually pressuring American businessmen to curtail their foreign investments in Europe although income on private investments is one of the largest sources of earnings which help our balance of payments: since 1945 it has brought us a net income of $20 billion. Moreover, when a pharmaceutical or automobile plant is established in a foreign country, American machinery and raw materials are often sold to the plant, thus boosting our exports.

A glance at individual company reports dramatically tells how their overseas activities have helped our balance-of-payments position. From 1950 to 1965 Ford Motor Co. returned a net $3.3 billion to the United States. In ten years, Chrysler gave our balance of payments a $1-billion boost. International Telephone & Telegraph Corp. brought home $54 million in 1965 alone. Clearly, by putting roadblocks in the way of private investments which enhance our earning power abroad, the Administration is cutting off its nose to spite its face.

TO HALT THE HEMORRHAGE

What is needed above all is a change of attitude starting at the White House and extending deep into our federal bureaucracy. We must stop prescribing tranquilizers and Band-Aids to the balance-of-payments malady. The health of the dollar and its universal acceptance directly determine the projection of our power and influence all over the world. We must never forget that the declared intent and strategy of communism is the attrition of U.S. economic strength. The British Empire's decline began when it ceased to earn enough abroad from exports and investments. It can happen to us.

It is not my purpose to alarm, but to flash warning signals before we commit further economic blunders. From London to Frankfurt to Tokyo I have talked to scores of international bankers who understand the seriousness of the U.S. malady. "What you have is a severe dollar hemorrhage, and it could bleed you to death," one warned me.

Let's stop that hemorrhage now.

NEED FOR STABILITY IN FEDERAL FUNDS FOR EDUCATION

Mr. SYMINGTON. Mr. President, in Missouri, as elsewhere throughout the Nation, State and local educational officials have been concerned, and rightfully so, about the certainty and the amount of Federal funds that they will receive during the present school year.

A problem arises under title I of the Elementary and Secondary Education Act because that program to improve the educational opportunities for low-income families has not and cannot be fully funded this year under the liberalized formula established by Congress last year.

In the current fiscal year, under that formula, funds are to be distributed based on the multiplication of the average per pupil expenditure in the State or the Nation whichever is higher and the number of families with income of less than $3,000. Previously, $2,000 was the determining low-income factor when coupled with the average per pupil expenditure in the State.

Discussion of the title I formula may not be an exhilarating topic. Nevertheless it is mighty important to public school officials who need assurance of some firm level of Federal funding if these resources are to be helpful in improving the educational opportunities of young Americans.

With about $2.4 billion authorized and only $1.2 billion appropriated this year, the net effect of the liberalized formula is to shift Federal school dollars from one State to another and from one school district to another within each State.

The shifting of the limited funds from State to State has been in part ameliorated by the rider to the appropriation bill making a minimum allotment to each State in no less amount than the 1967 allocation of such grants to local educational agencies within the State.

But the problem of the intrastate transfer of funds remains. Intrastate application of the formula in many cases produces a level of funding less than that of the previous year and this means a cutback of programs already underway.

Use of the $3,000 low-income factor in the formula results in a lesser allocation to urban areas where there is the heaviest concentration of low-income families. Many will agree, I am sure, that expanded and improved educational programs are vital to the solution of the critical problems in our cities.

Because of these pressing needs and in the interest of all communities for some measure of certainty in respect to the amount of their allocation of Federal funds, I had expressed the view to the Committee on Labor and Public Welfare that the restoration of the $2,000 low-income factor coupled with the State average per pupil expenditure would be desirable. Although the committee bill before us would continue in effect the liberalized formula, provision is made to mitigate some of the undesirable effects that result when the liberalized formula is not matched by liberalized funds.

The bill provides that when the sums appropriated are insufficient to fund fully all maximum grants, every county in each State will be allocated an amount equal to its allocation in the preceding fiscal year for grants to local educational agencies within each county.

In short, it would appear that intrastate transfer of funds would be minimized and programs of local educational agencies already underway would not be threatened by a reduction in funds.

For example, under existing law, the city of St. Louis would have received $3,912,199, about $500,000 less than last year. It is estimated that under the Senate version of the bill, St. Louis would be entitled to $4,666,355.

The estimate for Kansas City is $1,937,425 compared with $1,795,175 under the House version of H.R. 7819.

The solution provided is of a temporary nature. Let us hope that in the near future the cost of activities of the United States elsewhere in the world will permit greater use of our resources for education and for our many other domestic needs.

MILWAUKEE SENTINEL SUPPORTS TRUTH IN CREDIT: CALLS FOR STRONG BILL

Mr. PROXMIRE. Mr. President, the Milwaukee Sentinel is developing a fine reputation in Wisconsin and throughout the country for the thoughtfulness and balance of its editorials. The Sentinel is a forthrightly conservative newspaper. It supported Barry Goldwater in the 1964 presidential campaign and it generally favors candidates who emphasize the conservative viewpoint.

At the same time it is vigorously in favor of civil rights, and it is scrupulously fair in the way it discusses all officials, including those with whom it disagrees.

For this reason, I was particularly impressed by a recent editorial in the Sentinel calling for a stronger truth-in-credit bill than has passed the Senate or has emerged from the House Committee on Banking and Currency.

As the author of S. 5, the truth-in-credit bill that passed the Senate, I welcome this perceptive criticism. My original bill, as I introduced it, allowed no loophole for revolving credit. As Representative Leonor Sullivan, of Missouri, introduced the bill in the House, it also did not permit this loophole, and it was stronger than the Senate version in many other respects. I am hopeful that Representative Sullivan can win her fight for a stronger truth-in-credit bill on the floor of the House. Support of vigorous conservative papers like the Milwaukee Sentinel can be most helpful.

I ask unanimous consent that the Sentinel editorial, entitled "Credit Loophole" be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Credit Loophole

If the nation is to have a truth in lending law, let it be one that will be good and effective.

To be good and effective it should set a simple, standard method of stating credit costs and it should cover all types of consumer credit.

The price of money in all credit transactions ought to be stated in terms of annual interest rates. The traditional method of computation of interest is amount times rate times time.

Truth in lending legislation, passed by the senate and expected to be taken up by the house early next year, fulfills the need to set a simple, standard method of stating credit costs.

Where the legislation falls short is in providing coverage of all types of consumer credit. Both senate and house versions exempt revolving credit accounts—those in which a customer may keep adding to his purchases while paying off the balance. It is a fast growing type of credit.

Exempting revolving credit from truth in lending coverage would stimulate its growth for it would be substituted for other types of credit.

Interest charges on revolving credit generally are stated on a monthly basis. The annual rate on a revolving rate of 1½% a month, for example, would be 18%. It is obvious why a retailer would be reluctant to have to state the charges in these terms.

But the consumer is entitled to know what the charges are according to a simple, standard method of stating credit. This is the only way he can intelligently compare prices on what his money is costing him.

It is quite possible that the consumer would be prefectly willing to pay the equivalent of 18% interest a year on his purchases, figuring it is worth the shopping convenience it gives him. The point is, however, that he ought to know approximately what credit is costing him in comparison with what he might be able to get it for from other sources.

To make the truth in lending law truly effective, the House should include revolving credit in its coverage.

URBAN PROBLEMS AND SOLUTIONS

Mr. MUNDT. Mr. President, from time to time I am moved to urge upon my colleagues in Congress that we give greater encouragement to State governments to face up to their responsibilities in coping with the mounting problems in our great urban centers. From a long-range standpoint, I have repeatedly stated my belief that we must formulate in this country some more effective policies at all levels of government for achieving a better balance in future population trends and economic development between our rural and urban areas. We should not go on encouraging and subsidizing the movement of population from the farms and small towns of America to the great metropolises. I have introduced legislation to provide for a long-range study of this problem; Senate Joint Resolution 64 passed the Senate last month and is now pending in the other body.

I concede, of course, that while we search for long-range solutions we must also cope with the urban problems that confront us today. We already have great population concentrations in our metropolitan areas; we already have increasing difficulties in transportation, housing, employment, and other aspects of urban life; we already have a crisis of disorder and disaffection in our large central cities—in fact, the greatest crisis in our domestic affairs since the Civil War.

Since 1959 I have been serving as one of the representatives from the Senate on the Advisory Commission on Intergovernmental Relations, together with the senior Senator from North Carolina [Mr. Ervin] and the junior Senator from Maine [Mr. Muskie]. The commission was created for the purpose of giving continuing study to the relationships among levels of government and to making recommendations as to ways to strengthen our Federal form of Government with shared powers among National, State, and local levels. Despite the wide range of political philosophy represented by its members, the commission since its inception has been unanimous in its concern that State and local government in this country be modernized and strengthened lest all governmental power drift eventually to the Central Government.

In dealing with the so-called urban problem there is a deplorable tendency on the part of many to look only to the Federal Government for the solution of these ills. We fail to recognize that the State governments have a large and growing responsibility for doing what they can to make our cities livable and safe for the law-abiding citizen. Too often in the past, however, State governments have stood aside and have declined to involve themselves with the problems of their local governments. The result has been a rapid growth in Federal programs. Now, however, I am glad to note that the tide is beginning to turn in a number of State capitals. Some States are beginning to organize for proper attention to urban problems and many are beginning to provide financial and technical assistance to their local governments.

One of the best expositions of the role of the State in urban affairs that I have seen recently was an address by Ohio Gov. James A. Rhodes to the Ohio Municipal Conference held in Columbus, Ohio, on September 20, 1967, and printed in the October issue of Ohio Cities and Villages, published by the Ohio Municipal League. For the past year Governor Rhodes has been serving as one of the Governor members of the advisory commission, and I have been impressed with his sincerity and dedication to the concept of States' responsibilities as well as States' rights. This concept underlies his excellent address to the Ohio Municipal Conference.

I ask unanimous consent to place the text of Governor Rhodes' address in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

URBAN PROBLEMS AND SOLUTIONS

(By Gov. James A. Rhodes, delivered before the Ohio Municipal Conference, September 20, 1967, Columbus, Ohio)

Executives have a problem-solving function. Their role was aptly described by former President Harry S. Truman. He had a little sign in his office reading: "The buck stops here." Governors soon find that the same is true of their office.

Our urban problems are many and growing. Between now and the year 2000 urban population will double. Land occupied by the cities will double. We will need to build and replace more homes and commercial buildings than have been built since colonial days.

Improving the quality of urban life must be one of our major goals. At the core of problems to be solved are people. A good community life has long been a basic American value. We must not lose it. We must link projects and activities designed to develop human resources with those for improving physical environment. Failure to understand the need for this, and thus its realization, will result in an inadequate physical and social environment.

Delegates assembled here today represent the large majority of Ohioans. What you do in your council chambers and executive offices affects people in all walks of life. The array of problems facing you is enormous. They involve the people, and the environment in which people live. A healthy metropolitan area must have a healthy heart. What affects suburbia affects rural areas.

Latest population figures show that 80 per cent of our people live in 14 metropolitan areas. Problems facing these communities are housing, employment, industrial development, health, crime delinquency, transportation, and the overlapping of services offered by different jurisdictions.

HOUSING

The housing problem can be clearly stated. One-fourth of the housing in Ohio urban areas is substandard.

There is not enough private money available for investment in housing in declining urban areas. Financial backing is hard to obtain for new construction, or repairs, by individuals interested in their neighborhood.

The solutions appear obvious.

Building codes must be based upon performance standards, and rigidly enforced. Updated building codes would remove restraints preventing construction economies by permitting use of new structural components. The Department of Urban Affairs is studying state involvement in the housing field. Solutions for provision of more and better housing are being sought. Our urban affairs personnel have met with many housing officials throughout the nation. They seek the best possible program for Ohio. Clearly indicated is a need for a State Housing Commission. In all probability, legislation establishing a state rotary fund for planning and initiating programs for housing will be prescribed. Let there be no doubt, however, that state and local government must involve the private sector in housing finance.

EMPLOYMENT

The employment problem is rooted in lack of vocational education and training, a deficiency which we are remedying at all possible speed. The problem is the high rate of unemployment among youth, including those entering the labor market for the first time. The rate is very high in ghetto areas. Much unemployment results from technological changes. Further, there is underemployment of existing workers. Solutions are indicated.

Jobs are created by combining public and private resources. Government and private enterprise must work together. A climate for growth has been created over the past four years. It is a guiding principle of public administration that all public administrators must nurture a viable economy. We must accelerate our growth climate by increasing vocational and technical education opportunities for our labor force. We must be bold enough to realize and say that some areas in our state naturally have more growth potential than others. We also must be bold enough to designate target areas and supplement state and local capital investment programs to accelerate economic growth. We have a long-range capital investment plan for industrial growth. Its goal is to open dormant areas to increased economic activity.

Other methods of meeting the employment problems are local manpower training programs, and special training programs such as the Mahoning Valley Vocational Training School, and the Jackson Vocational School, sponsored by the Ohio Bureau of Unemployment Services.

Vocational education coupled with on-the-job training programs is also a part of the overall emphasis. An increase of 1,000 classroom units for vocational education in Ohio was provided by the last General Assembly. This is the greatest expansion of vocational education facilities ever to occur in Ohio.

We are creating branch colleges and technical schools.

We are providing retraining programs to advance skills and thus upgrade earning ability. Retraining creates a reservoir of skilled manpower which attracts new industry and expansion of existing industry.

Increased technical skills result in increased earning power. Additional income means more revenue for the community. Additional per capita income also means additional house buying and construction, and that means more income to the community.

HEALTH

Some of the nation's most air polluted cities are in Ohio. Virtually every city is in need of new and expanded water supply and sewage disposal facilities for elimination of water pollution.

Inadequate and overloaded sewer systems and septic tanks are causing severe water pollution problems. Volume increase per household and the growth in population presents our cities with an enormous refuse disposal problem. Adequate treatment of mental illness is an increasing problem. A sufficiency of open spaces for recreation is an urgent need.

Legislation enacted by the last General Assembly aims at meeting these problems. The powers of the Director of Natural Resources in areas of water management has been broadened. More power has been given to the Water Pollution Control Board to adopt water standards. Legislation enacted by our General Assembly establishes an Air Pollution Control Board in The Department of Health to prescribe air quality standards. Air and water pollution prevention is being stepped up.

Existing pollution which has developed over the past century must be eliminated. In all probability, a mode for doing this will go before Ohio voters next May. No increase in taxes is involved.

We are formulating a request to the Ohio State University Agricultural Research and Development Center for development of a rat control program for urban areas.

In mental health, the new Community Mental Health and Retardation Service Act is hailed as the most significant legislation in the field since the state accepted responsibility for treatment of the mentally ill in the year 1815. Counties will be reimbursed 75 percent of their approved operating expenditures. Forty per cent of the U.S. Department of Interior funds being allocated to Ohio for recreation are being distributed among local governments. The money is for parks improvement, recreation areas, and neighborhood playgrounds.

CRIME AND DELINQUENCY

Thirty-one per cent of all serious offenses are being committed by persons less than 21 years of age. Serious crimes by persons 18 years of age and under increased 47 percent from 1960 through 1965. The increase in numbers in that age group was only 17 percent. Again, we have prescribed a solution to the problem. The last legislature established a Crime Study Commission to recommend means of modernizing penal and judicial codes. The Division of Psychiatric Criminology therein established will prescribe special treatment for mentally ill prisoners. Ohio Youth Commission programs for rehabilitating youth in trouble and preventing delinquency in the communities also have been provided.

TRANSPORTATION

The transportation problem in our cities is enormous. We can drive between our cities at speeds of 60 miles per hour, but inside of those cities, we are held to 10 miles per hour. It is possible to travel 50 miles on an interstate highway in less time than is required to drive a dozen blocks in town. Cities need new crosstown expressways.

Mass transportation is critical for our future growth and development. A coordinated effort for this development is one of the assignments of our new Ohio Transportation Research and Development Center now under development. Eleven transportation studies are being made in urban areas. The goal is solution of problems relating to movement of goods and people. These studies must be expedited. We must crack the bottlenecks so that workers can get to work and get home in a reasonable time. And we must smash bottlenecks which delay the transportation of products of Ohio industry to the marketplaces of the world.

We need to greatly improve intergovernmental relations. It is one of the most important areas in public administration today. Ben Franklin told the colonists that, "We must hang together or we shall most surely hang separately." The words should echo in the ears of all public officials. The massive problems confronting us know no jurisdictional lines. They go beyond all corporate lines.

Communities planned without regard to neighboring communities duplicate public facilities and equipment. The result is a waste of taxpayers' money. Local governments purchase on a unit basis, and thus pay too much for equipment and services. There is a serious failure to plan such facilities as water supply, sewage disposal, and refuse disposal. There is a confusing proliferation and dismal lack of coordination in federal grant-in-aid programs. Solutions have been prescribed. Our new Department of Urban Affairs was created to do the following:

1. Provide technical assistance to local governments.
2. Serve as a clearinghouse for information and data helpful or necessary to local governments.
3. Coordinate activities of state agencies whose functions are related to solving community problems.
4. Encourage and assist local governments to develop cooperative solutions to common problems.
5. Study existing law affecting structure, operations, and financing of local government, and recommending to the legislature and the Governor any changes found to be needed.
6. Provide continuing analyses of problems facing our communities. Ohio law now enables the establishment of Councils of Governments to promote intergovernmental coordination and cooperative action in community policy making and planning.

A Council of Governments is a voluntary association of local elected officials representing municipalities, counties, townships, school districts, and other special districts.

In Ohio 11 urban regions are forming such councils. They intend to take advantage of grants for planning and development, to achieve economies by cooperative purchasing, and to confront such problems as air and water pollution, traffic congestion, and insufficient open space recreation areas on an areawide basis.

The need for communities to combine safety and service facilities along areawide lines is evident. We do not need another level of government. We need intergovernmental cooperation.

The Department of Urban Affairs is actively engaged in forming these organizations. The Department Director, or a person designated by him, may serve as a member of a Council of Governments to coordinate state and local resources. I strongly urge creation of Little Hoover Commissions at local levels, and action upon the recommendations made by them.

We must always strive to eliminate waste and extravagance. The aging process is nothing new. Systems, like people, grow old. We have many antiquated systems in our local governments. Scrutiny by management engineers is needed.

Modes of correction prescribed by them must be transformed into policy.

ADULT DELINQUENCY

On November 7th of this year the new father's responsibility law becomes effective. This measure provides for the bringing back of fathers who have walked away from their family responsibilities. Seventy to ninety per cent of the persons on our Aid to Dependent Children rolls are there because their fathers have abandoned them. This is going to stop in Ohio. The lion's share of expenditure of local and state tax money for the ADC program is due to such men. We are going to make them assume the responsibility which is both legally and morally theirs. We are going to end their practice of shifting their obligations to society.

LOCAL EMPHASIS

The determination to overcome our urban problems must be locally generated and powered. This includes private as well as public interests. The greatest sources of talent and energy resources are the cities. The state and federal governments do have responsibilities in this area. But neither the federal government nor the state alone can arouse your interest in such problems, or stimulate your desire to solve them.

There is a growing recognition that these problems must be met and solved at the local level where they have developed. When we have strong cities, we have a strong state. I am confident that our cities will meet the problems, and that by working together in a genuine spirit of intergovernmental cooperation, we can solve them.

AN INTERVIEW WITH SENATOR CHURCH

Mr. McGOVERN. Mr. President, the distinguished Senator from Idaho [Mr. Church], in a recent interview with television newsman Joseph McCaffrey, made a concise, definitive analysis of the problems that face Congress both abroad and on the homefront. I commend it to Senators as a frank, intelligent discussion of the dilemma presented by the war in Vietnam and its domestic ramifications.

I ask unanimous consent that the text of the interview be printed in the Record.

There being no objection, the interview was ordered to be printed in the Record, as follows:

Joseph McCaffrey—Interview With Senator Frank Church

Mr. McCaffrey. I seem to feel that this is a very frustrated and frustrating Congress. I don't know how you feel. How do you feel?

Senator Church. I agree.

Mr. McCaffrey. And I think that probably it's due to the War.

Senator Church. Undoubtedly.

Mr. McCaffrey. Would you sum up your position on the war in Vietnam?

Senator Church. Well, that's a big question, Joe. As you know, I've been a long-time critic of the American policy in Southeast Asia. It goes back a number of years.

Mr. McCaffrey. There are a lot more people on your side today——

Senator Church. When I first spoke up for negotiation, it was a dirty word here in Washington.

I suppose a fateful decision—one of the most fateful decisions made—dates back to February, 1965, when the Administration decided to do two things in Vietnam. It decided to commit American combat troops to the war in the South, and to commence the bombing in the North. This, in the jargon of the bureaucracy, is being called "the policy of escalation." Well, it's been nearly three years now since that policy commenced, and, if one were to make an appraisal of it, I think it is inescapable, really, to conclude that the policy has failed.

It was started, Joe, if you will recall, to accomplish three things: First, to interdict and stem the flow of men and material from the North into the South; second, to inflict such punishment on the North that Ho Chi Minh would give up the fight and come to the negotiating table and accept a settlement on our terms; and third, to bolster the morale of the fighting factions in the South which we have supported, that is to say, the Saigon forces.

Well, thirty-three months later, and after having dropped bombs on North Vietnam at the rate that we dropped them on Europe in the closing months of the Second World War, it is clear that we have not stemmed the flow of men and material from the North into the South. In fact, the flow has increased during the very period of the bombing. Secondly, it is clear, from everything we are told by correspondents and other observers who have gone into North Vietnam, that there seems to be a general agreement that the bombing has not weakened the resolve of the Hanoi government, but has rather firmed up its determination to continue the fight. And, so far as the morale of the Saigon government and its forces are concern, it is clear that our combat troops are now assuming the main burden of the fight, while the South Vietnamese, more and more, retire behind the lines to pursue the "pacification" of their own villages. So, consider the objectives and look at our situation today. I think it is almost unarguable that the policy of escalation has failed. Yet we persist with it.

Mr. McCaffrey. It has become our war, hasn't it? It originally was a civil war and, of course, here is the basis of the dispute in this country.

People say, well, it really isn't a civil war, it's a great invasion of Communism.

Senator Church. Well, I think, Joe, in that connection, that two things have to be remembered. You know, Secretary of State Dean Rusk is fond of saying that he is pursuing the same firm policy of three American Presidents. I think that this cannot be accepted as a valid proposition. Eisenhower agreed to come to the support of the Saigon government under very limited terms and no significant number of military men were committed to South Vietnam during his presidency.

Kennedy increased the number of military men but kept them in an advisory role and just before he left—he was assassinated—two or three months before he was assassinated—he emphasized on a nationwide television broadcast that it was their war, not ours, and only they could win it.

It was not until February 1965, following the last Presidential election, that we chose to make it our war. The policy changed once escalation began, once we committed our troops to the fight, and once we commenced the bombing of North Vietnam. And now it has, indeed, become an American War. But an American war of our making.

Mr. McCaffrey. But this wasn't what the election of '64 was to have proved, was it?

Senator Church. No, in fact, it was the opposite of what most people felt the election of '64 meant. If there was any mandate at all that came out of that election it was a mandate on the side of restraint, on the side of an energetic quest for a peaceful solution, as against the far more militant and belligerent posture that Senator Goldwater assumed.

Mr. McCaffrey. Senator Church, the other day one of the cameramen said "I don't remember the Korean War." He said, "I am only 22 years old. Was there all this opposition to the Korean War?"

I said, "No, not at all." Why wasn't there as much opposition to the Korean War as there is today to the war in Vietnam?

Senator Church. Well, first of all, the Korean War commenced with a classical invasion of South Korea by North Korea.

Mr. McCaffrey. It was clean.

Senator Church. It was clean, it was clear-cut. Now, we continue to insist that Vietnam consists of two parts, that there are two countries, despite the fact that the Geneva Accord in 1954 stressed that the line of demarcation was to be only a temporary boundary, and that the people of Vietnam as a whole were to vote, two years later, on whether or not the country was to be reunited or remain divided.

The elections never took place. Eisenhower said, at the time, that according to his best experts, 80% of the people favored Ho Chi Minh. Historically and traditionally, there have not been two countries at all. Indeed, the first paragraph of the new constitution adopted by the South Vietnamese stresses the unity of the country and the fact that the two halves will ultimately be rejoined In fact, I understand that this is one provision of the constitution that cannot be repealed. So, even the Vietnamese don't agree with us, when we contend that there are two separate countries here, and that Ho Chi Minh, who won independence for all of Vietnam in the war against the French, is an aggressor in his own country. I think that the Vietnamese view of this is different from our own.

Mr. McCaffrey. What would you, at this point, like to see done? What do you think should be done that they are not doing now?

Senator Church. Joe, I think that the war has proceeded so far, and its intensity and fury has grown so great, that there is not much likelihood of a negotiated setttlement in the near future, regardless of what we do. I am not one who believes that a suspension of the bombing, for example, would lead to an early negotiated settlement of the war. But I do believe that, since it was our choice to commence this escalation, and since, as I have tried to point out, the policy has clearly failed when judged by its own standards, it is also in our choice to begin a policy of de-escalation.

Now, if we don't do that, where is this continuing policy of escalation going to lead? There aren't many targets left in the North that we haven't hit. Nobody really believes that when we hit them, Ho Chi Minh is going to crumble and come begging us for peace. There is nothing to indicate that at all. Once these targets have been hit, if we persist in escalation, the next hue and cry will be for invading North Vietnam, actually occupying the country. Now I don't know of a case where any people have been beaten in their own land by bombing from the sky. I know of many cases where it has been necessary, in order to bring an end to a war, to occupy the target country and bring down its government. But bombing alone has never won a war. So, I would expect, if we continue to escalate, that three months from now, or six months from now, we are going to be hearing people calling for an American invasion of North Vietnam. And that will parallel our Korean experience where we turned a defense of the South, which was legitimate, into a counter-invasion of the North, and you know what happened with China.

Mr. McCAFFREY. I have been reading Nancy Ridgeway's new book, the Korean War, which is an excellent book, and it is almost as if I am getting a replay of what's happening today in Vietnam.

Senator CHURCH. But, Joe, even if the Chinese were not to come in, and even supposing that we were to subdue the Hanoi government and occupy North Vietnam with a million American troops, then what would we have on our hands? Instead of one guerrilla war in the South to suppress, we would have two guerrilla wars; one in the North, the other in the South, greatly compounding our present problem.

So, I think that the end result of this escalation makes no sense at all. Instead, we should proceed to de-escalate the war by terminating the bombing of the North, concentrating on the South where alone we can keep the commitment we made to the Saigon government, and focus our attention on the suppression of the guerrilla war there. If we begin to change our tactics in the direction of de-escalation, then, perhaps, some time in the future we can achieve a satisfactory political settlement, extricating us from this quagmire into which we have led ourselves in Southeast Asia.

Mr. McCAFFREY. Some of your colleagues, Senator, tell me off the record that they are very much afraid that we are trying to deliberately provoke Red China's entrance into the war. Now certainly, what we are doing, we're coming within the minute or less than the minute of Red China in our bombing raids at the present time. What guarantee do we have that Red China will stay out? The same people are telling us this that told us that with Korea, and they were wrong then.

Senator CHURCH. Precisely. We have no guarantee. The only previous experience was Korea, where the Chinese intervened, and transformed the whole character of the war, and prolonged it for two years. We suffered 135,000 American casualties as a result.

If we can't learn from experiences of this kind, then we are indeed in trouble, Joe, in this country.

Mr. McCAFFREY. Now, this is a war that, despite the Tonkin Resolution in 1964, Congress has never approved. This is the undeclared limited war that some theoreticians think were going to engage in for the next, probably, century. What does this mean, in terms of presidential power in relationship to congressional power, where the Constitution says that it is up to the Congress to declare war?

Senator CHURCH. Joe, this is a matter that disturbs me very greatly because I think that the responsibility assigned to Congress by the Constitution has almost entirely evaporated. One can say this is the result of Congressional abdication, and that is so. One can say that it is the result of Presidential usurpation, and that also is so.

In any case, the Constitution is clear. If you go back and read the Constitutional Convention—the debates in the Constitutional Convention—one of the principle focuses had to do with where the power of declaring war should rest. And the experience of the old Colonial period had been such that the delegates did not want to place that power in the hands of one man, the Chief Executive. They remembered the adventuresome nature of some of the English kings and wars into which the colonists had been drawn. And so the Constitution placed the power to declare war in the Congress.

The early Presidents recognized this. It was understood that if the country were attacked, the President had, as Commander-in-Chief, the right to immediately go to the defense of the country. But Jefferson drew a clear distinction when he sent our ships in against the Barbary pirates. He came to the Congress, first. And the Presidents after Jefferson recognized that they did not have the power to commit American troops to foreign wars, without first obtaining the consent of Congress. It wasn't until after the turn of the century with President Roosevelt—Theodore Roosevelt—and Woodrow Wilson that Presidents began to dispatch American troops into foreign countries without first obtaining congressional consent. This happened, in Wilson's case, with Mexico and in the Caribbean. But even Wilson came to the Congress, as did Franklin Roosevelt after him, to get a Declaration of War before commiting this country to a major international conflict.

Now, since the end of the Second World War, we have seen the President's power extended even further. Now the President asserts the right to dispatch American troops into foreign wars, to decide when and where and on what terms the United States will fight. This was done in the case of Korea, it was done again in the case of Vietnam, without any congressional declaration of war whatever. And, of course, once American troops are committed to a fight, then the Congress has no recourse but to vote the money to equip them and to give them the necessary measure of protection and support.

So, Joe, the original Constitutional arrangement has all but been reversed, and I think the time has come for the Senate in particular, and the Congress in general, to begin to reassert its responsibility under the Constitution. That's one of the lessons we must draw from this national tragedy in Southeast Asia, and I am glad that the distinguished chairman of our committee, Senator Fulbright, has introduced a resolution to make it clear that a national commitment only arises as a result of the full Constitutional process, including such participation as the Constitution requires from the Congress. This is the first step in an effort to recover lost authority which the Constitution vested in Congress.

Mr. McCAFFREY. Senator, we mentioned the election of 1964, in reference to Vietnam and the election of Johnson, apparently on at that time, it was thought generally more or less a peace platform as compared with the Goldwater candidacy on the Republican side.

Next year, you are going to be a candidate for re-election for the Senate and you will be running on the same ticket, undoubtedly, with Lyndon Johnson. How does this strain your compatibility—political compatibility?

Senator CHURCH. Well, the people of Idaho know my own stand on the Vietnam question and so does the President. I have made it as clear in public as I thought I could. I don't know that I am faced with the kind of question you are posing until the two parties choose their respective nominees.

Mr. McCAFFREY. Suppose the two parties choose Vietnam war hawks, as the Republicans seem to say.

Senator CHURCH. I rather think that this is what is going to happen. The hierarchy of both parties will choose men who will remove the war as a question—as an issue—in the election.

Mr. McCAFFREY. Where does that leave several million people who believe that this is the most important question to be voted on?

Senator CHURCH. Where does it leave the democratic process? I don't know. I suppose that if we were to treat the war as the main issue, a logical ticket would be Johnson and Dirksen on one side, and Romney and Fulbright on the other.

Mr. McCAFFREY. I don't think you are going to see that. Will the war be the leading issue in your candidacy, do you think, or will there be other matters such as—what about balancing the budget, what about taxes?

Senator CHURCH. Well, there are many issues, of course, that figure into an election. I think that the war is an important one in all likelihood. But there are many other issues that concern the people of my state. There is the question of deficit spending, increased taxes, of a great society program that doesn't relate particularly to the conditions of life in my state; so that I should think that the national administration, given all of these problems, will be hard put to win majority support in Idaho.

Mr. McCAFFREY. You mentioned deficit spending, and of course, this is brought on mainly by the war in Vietnam which is costing us—well there are all kinds of estimates—somewhere around $8 million a day, I think is one of them.

Senator CHURCH. It is 75 million a day, Joe.

Mr. McCAFFREY. How long can we go on trying to run the government as usual here at home, on domestic issues, and run the war and also have more and more people getting off the war. There are more people today who oppose the war than yesterday, and tomorrow there will be more people than today. How long can we sustain this war under these conditions?

Senator CHURCH. Well Joe, you mentioned at the beginning of the program the kind of stalemate that has developed here in Washington. I think that this is the reason. I have said to the President that, in my opinion, the American people are not buying the guns-and-butter formula and that, if you cannot silence the guns, you must slice the butter; but he must do it all along the front, the whole budget front, and I see no indication that this is going to be done; the President will pick and choose, and then the Congress will pick and choose, and no overall savings will be realized. And the general frustration will continue to grow.

But there's been something rather wrong, maybe something immoral, about the proposition that we can fight a tidy war that the theoreticians and geo-politicians say is necessary out on the opposite side of the world, involving half a million American men, and that we can do it without costing anybody anything here at home. All other programs will continue as usual, including a foreign aid program to 60 or 70 foreign governments.

No wonder the people won't buy this. No wonder the mounting resistance in the Congress. It isn't right to fight a war and have no one sacrifice for it except the men engaged in the jungle facing the enemy. That's wrong, and the people sense that it is wrong, and it can't possibly be justified in face of a $29 billion deficit and all the inflationary pressures that this brings to bear upon the economy. No agency is willing to cut back, and the Congress, I am afraid, is as representative of the bureaucracy as it is of the people. There is a kind of feeling that everything we start must continue, and that nothing can be cut back, and that this country can't change course. Imagine, for example, this frantic crash program to the moon, Joe, costing now $5¼ billion a year. How can you justify that kind of spending in face of the war in Southeast Asia and the critical human problems that remain to be solved in the major cities in this country?

Mr. McCAFFREY. How can you justify the SST, how can you justify a lot of things that apparently go through unscathed.

Senator CHURCH. Well, that's the reason for the mounting public resistance, and I think that the repercussions from all of this are going to be felt in the near future.

Mr. McCAFFREY. Let me ask you a question—it may be rhetorical—but do the majority of the members of the Senate support the war? The majority of the members of the House support the war, at least publicly. Privately, they tell me some different things, they have a lot of doubts. Why is it, then, that they won't vote a tax increase? Because it seems to me that you have to have a tax increase to pay for this war that's costing $7 or $8 million a day.

Senator Church. Of course, you do. It's—I don't want to quibble about that figure—but it's between 70 and 80 million dollars a day. I've sought to cut foreign aid, for example, Joe, and we've made the biggest cuts yet, but all these cuts—$750 million worth—will only pay for a week or ten days of the war in Vietnam. You can cut about one-half billion dollars off the space program, but it will only pay for five or six days of fighting in Vietnam, or you can take the whole war against poverty, in all of its aspects, and cut it out entirely, and it won't pay for more than a month of the war.

Mr. McCaffrey. I think we are ending this program, Senator, and the mood of Washington, in a general sense of frustration.

I'll be back in one minute.

(Commercial.)

Mr. McCaffrey. Senator Church, I want to thank you for joining me here on Close Up.

Senator Church. It has been a pleasure.

Mr. McCaffrey. This is Joseph McCaffrey thanking you for viewing.

EAST AFRICAN COMMUNITY

Mr. PEARSON. Mr. President, it has been written that "union gives strength." Certainly this is true in the field of economic development where progress demands large-scale units of production. In the underdeveloped world, where the cry for economic growth is loudest, development has been hindered by the small markets most countries offer. In the rush for independence, economic considerations were often slighted as political freedom took precedence over economic stability.

Nowhere has this been more evident than in the awakening continent of Africa. Since this decade began, 30 African countries have gained their freedom and are now looking toward the future with hope and vision. Unfortunately, their hopes will often go unfulfilled and their visions will fade unless a serious effort at regional economic cooperation is made. For it is only in this way that they will gain the resources and infrastructure they need to insure self-sustaining growth and free them from continued dependence on foreign assistance.

It is thus with great pleasure that I call this body's attention to the formation, just 3 days ago, of an east African common market called the East African Community. Uniting the countries of Tanzania, Kenya, and Uganda, the East African Community represents a serious attempt to improve the prospects for low-cost industrialization. It will allow large-scale production and marketing and offer greater incentives to attract overseas capital and technical skills.

Mr. President, it was recently my privilege and pleasure to visit both Tanzania and Kenya, and to stop at Arusha, Tanzania, which has become the headquarters for the new cooperative venture. I was also fortunate enough to be able to meet with Tanzanian President Julius Nyerere and other east African leaders, all of whom stressed their desire to become fully self-supporting states. And all expressed a great determination to make the dream symbolized by their new joint effort a reality. East Africa is an area with great potential for balanced economic development. To fulfill this potential, however, its present inequities and economic divisions must be eliminated. At present, Kenya is the most industrialized and richest of the three states. In 1966, for example, Kenya supplied 70 percent of all manufactured goods traded among the three states.

As two recent articles from the Washington Post described it, the new East African Community is designed not only to produce greater wealth for all but also to insure Tanzania and Uganda a greater proportion of the increased trade. An East African Development Bank with an initial capital of $16.7 million will make 38.75 percent of its investments in Tanzania, 38.75 percent in Uganda, and only 22.5 percent in Kenya over a 5-year period.

A common market with a common external tariff and a ban on customs, duties, quotas, and quantitative restrictions on internal trade will also be established. A transfer tax will be the chief exception to completely free trade. A state which has a deficit in its trade in manufactured goods with its fellow market members will be allowed to impose a limited tax on similar goods produced by its partners.

These taxes will only be allowed if the deficit country is manufacturing such goods itself or expects to be within 3 months. In no event will they be permissible for longer than 8 years.

The Community will also have a special tribunal to settle disputes among the members composed of three special ministers to the organization, one each appointed by the trading partners.

While the prospects for the fledging organization's success are bright, future actions must equal present promises if the Community is not to go the way of previous attempts at east African economic integration. The recent unanimous decision of the three countries not to devalue their currencies after Britain devalued hers has been seen in some quarters as evidence of east Africa's determination to succeed.

Mr. President, 6 years ago the Central American States banded together to form a common market. And in the same year the Treaty of Montevideo went into effect creating the Latin American Free Trade Association. The new East African Community is a continuation of this worldwide trend toward regional association for economic growth. It is an effort to make political independence an economic reality, and as such it deserves our heartiest commendation.

Mr. President, I ask unanimous consent that the two articles from the Washington Post be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, Dec. 2, 1967]

New East African Trading Group Is Launched

(By Anthony Astrachan)

Nairobi, December 1.—The presidents of Kenya, Tanzania and Uganda today inaugurated the East African Community at Arusha, Tanzania, giving a new legal basis and—it is hoped—new life to the East African Common Market.

Zambia reportedly has formally applied for membership in the new Community, although it is not clear whether it is to be full or associate membership. Ethiopia also expressed its intention of applying for membership.

Supporters of the new Treaty for East African Cooperation acknowledge that it is just one step in the right direction, toward reviving the regional economic collaboration that has been deteriorating for years.

The East African Community has two purposes: to make industrialization cheaper than it would be for separate states by allowing large-scale production, marketing and related specialization, and to attract more investment of capital and skills than the members could attract individually.

The problem in East Africa, with its population of 26 million, is that efforts at regional cooperation to date have made Kenya the most industrialized and richest of the three states.

Foreign companies usually pick Kenya, and particularly Nairobi, for their headquarters and factories. It has better transport and communications than any other place in East Africa, along with more skilled labor and managerial potential, plus a large local market for manufactured goods.

The result is that Kenya supplied 65.7 per cent of the 44 million pounds sterling (more than $123 million) of East Africa's internal trade in 1966, and 70 percent of all manufactured goods traded among the three countries. Kenya had a favorable trade balance of $49.5 million with Tanzania and Uganda.

The new treaty, under which Tanzania and Uganda hope to achieve a greater share in East Africa's industrial development, established these institutions for the Community:

A Common Market with a common external tariff and a ban on customs duties, quotas or quantitative restrictions on trade between the three "partner states"—with certain exceptions. A common tariff has been in effect, but there have been many quantitative restrictions, some recently imposed, that are now cancelled.

A transfer tax system as the chief exception to free trade (other exceptions affect existing contracts for commodities like oil, and agriculture). A state which has a deficit in its total trade in manufactured goods with the other members may impose "transfer taxes"—a euphemism for duties—on such goods produced by its partners up to carefully specified limits, if it is manufacturing such goods itself or expects to within three months. No transfer tax may be imposed for longer than eight years.

A common excise tariff on goods manufactured in East Africa.

An East African Development Bank with an initial capital of $16.7 million. It will further balance industrialization by making 38.75 per cent of its investments in Tanzania, 38.75 per cent in Uganda and only 22.5 per cent in Kenya over five-year periods.

An array of institutions replacing the existing East African Common Services Organization and its subsidiaries. Officers will be decentralized to provide further balance between the members.

[From the Washington Post, Dec. 4, 1967]

East Africa Vests Hopes in Tribunal

(By Anthony Astrachan)

Nairobi.—One measure counted on for helping the new East African Community revive the region's flagging economic cooperation is a special tribunal to settle disputes among the three partner states.

Previous efforts at integrating the economies of Tanzania, Uganda and Kenya foundered in part on inability to settle disagreements.

Mwai Kibaki, Kenya's Minister of Commerce and Industry thinks the tribunal and the appointment of three Cabinet ministers for East Africa proves the determination of the three nations to make the new Community succeed.

DIDN'T DEVALUE

The ministers, one from each member state, will make collective decisions on problems such as tariff revision, which formerly had to take long routes through each government's bureaucracy.

Kibaki said in an interview that this is important because "we will have ministers whose job it will be to speak for East Africa. National ministers used to find it difficult to become advocates for the East African cause."

Even before the Community was inaugurated in ceremonies at Arusha, Tanzania, on Saturday, the unanimous decision of the three countries not to devalue their currencies after Britain devalued the pound was seen as evidence of their determination to make economic integration function.

Kenya officials deny it, but it seems certain that Kenya wanted to devalue and allowed itself to be persuaded by Tanzania's desire to maintain the old rate, primarily because it did not want to imperil the embryonic Community.

Kenya Minister for Economic Planning and Development, Tom Mboya described the Treaty for East African Cooperation, which created the Community, as an "historic landmark," and many foreign diplomats agree that it marks an important first step toward making regional cooperation here a reality.

Though they soft-pedal any talk of an East African Federation growing out of the Community, this long range goal is in many minds. Zambia already has applied for membership in the Community, and Ethiopia has declared its intention of applying.

PROBLEMS ACKNOWLEDGED

Optimism over the East African Community's chances is far from universal, however. Some observers here, including a number of foreign businessmen, say that the very modesty of its charter—the exceptions and loopholes intended to keep the treaty realistic—indicate that it is not to be taken seriously until there is some sign that achievements will match intentions.

Tanzania's President Julius Nyerere, in his speech at the Community's inauguration, acknowledged the difficulties the Community faces. But he went on to say:

"We in East Africa believe that the institutions and the machinery which we have established will enable this Community to be quickly recognized as a great contribution to African unity and African development . . . We are confident that each East African will pledge unstinting effort to ensure the unqualified success and growth of the East African Community."

A major obstacle to economic integration of this region's 26 million inhabitants has been the tendency of foreign companies to locate in Kenya, rather than in Tanzania or Uganda. Kenya accordingly has the largest pool of skilled labor, the most developed facilities and the richest consumer market of the three countries.

Tanzania, and to a lesser extent Uganda, want the Community to insure them a larger share in the region's industrial growth. The treaty makes an effort to redress the economic imbalance, and some of this effort makes the Community fall short of what it could be.

CONTAINS LOOPHOLES

While banning customs duties, quotas or restrictions on trade between the three countries, the Community's treaty makes exceptions for existing contracts and for agricultural produce, among other items, And any state having a trade deficit in manufactured goods can impose a "transfer tax" on such goods produced by the other members if it is making such products itself or expects to manufacture them within three months.

This is expected to protect some industries in Tanzania and Uganda—probably cotton fabrics, soaps, blankets and rugs—from Kenyan competition.

In another effort to close the gap between Kenya and its neighbors, the East African Development Bank created under the treaty is pledged to make 38.75 per cent of its investments in Tanzania, a like amount in Uganda, and not more than 22.5 per cent in Kenya.

The same spirit is reflected in the decentralization of the Community's offices. While its headquarters are in Arusha, the Community's Harbors Corp. is at Dar es Salaam in Tanzania, the Railway Corp. and Airways Corp. are in Nairobi, and the bank and the Posts and Telecommunications Corp. are in Kampala, Uganda.

VICE PRESIDENT HUMPHREY SPEAKS TO YOUNG DEMOCRATS

Mr. BAYH. Mr. President, recently Vice President HUBERT H. HUMPHREY delivered a major address at the national convention of the Young Democrats held in Hollywood, Fla. On this occasion the Vice President had the opportunity to review the basic programs, both domestic and foreign, which have been sponsored by the Johnson administration, and to set forth the alternatives now facing the American people.

Pointing out that the choice on the homefront is clear—progress or retreat—the Vice President stated his convictions that the Nation is ready "to bring those now excluded into the mainstream of American society" and "to tackle the complex economic and social disabilities our legal progress in civil rights has exposed." In sum, he believes that "we are ready to complete democracy's house."

With regard to foreign policy, Mr. HUMPHREY expressed confidence in the unwillingness of the public to return to protectionism, to drastically reduce foreign aid, or to withdraw from its firm commitments in Southeast Asia. Our interest in the latter is not new; as the Vice President pointed out, more Americans lost their lives during World War II in the Pacific theater than in Europe, and in the last 20 years more casualties have been suffered and more than $25 billion in nonmilitary aid has gone to nations in Asia.

The conflict in Vietnam itself, according to the views of the Vice President, is "a test that is being closely watched by our friends and enemies alike." While the tide of battle has turned "from a seemingly inevitable victory for the Communists in 1965 to a situation where Communist victory is today impossible," the world is wondering whether "we can win the war on the American homefront." Although he defended the right of conscientious dissent, the Vice President called upon those who disagree to become fully acquainted with the facts and to realize the potential effects their comments and deeds might have on our adversaries before speaking or acting in haste and without substantial reason.

Finally, the Vice President reaffirmed his faith that the United States would continue to strive toward building a better world with freedom from poverty, ignorance, discrimination, and fear for all, and that America can remain the "center of man's peaceful revolution toward a better chance, a fuller dignity, a life of freedom."

Mr. President, because of the significance and timeliness of the Vice President's remarks, I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY BEFORE THE YOUNG DEMOCRATS' NATIONAL CONVENTION, HOLLYWOOD, FLA., NOVEMBER 18, 1967

Next year will be an important year for America.

We, the people, are going to do more than elect a President and a new Congress.

We are going to have to decide some basic and fundamental issues of this last third of the twentieth century:

Does this country want a successful war on Poverty—or not?

Do we want the best in education for every American child—or not?

Do we want the 70 per cent of the American people who live in our cities to have a clean, safe, rewarding environment—or not?

Do we want to continue our path toward responsibility and peaceful development around the world—or not?

Do we have the patience and courage to use our power with restraint, and our wealth with compassion—or not?

There have been elections in the United States where issues were secondary.

Not in 1968. Not in the nuclear age.

The American people want to hear fundamental issues responsibly debated.

They want the facts.

And they want to measure one man and his policies against another, asking this basic question: Which man has the capacity, the experience, the prudence and the political philosophy best suited to leading this country through the demanding years immediately ahead?

I look forward to that kind of a campaign. I think it will be healthy for America, and healthy for the Democratic party.

I have seen the polls.

I have read a thousand pessimistic reports. And I am confident.

I am confident because I believe the hard cross-fire of 1968 will expose the doubters . . . the nay-sayers . . . the people who think this country can afford A Pause, for what they are—people unwilling to face up to the fundamental challenges of this time and place.

I believe, before November 1968, the American people will come to know that second-guessing . . . that nostalgia . . . that wishfulness . . . that a show-business smile are not substitutes for the clear, forward-looking commitments of a party and a President dedicated to freedom and human dignity—at home and in the world.

The choice before the American voter on the home front is clear-cut—progress or retreat.

It is a choice between the party and the President that gave this country the Model Cities program, and the party that voted 80 per cent against it, between the President and the party that wanted a rat control program—and the party that voted 87 per cent against it, between the President and the party that conceived rent supplements—and the party that voted 93 per cent against it, between the President and the party that wanted a strong program of federal aid to elementary and secondary education—and the party that voted 86 per cent against it.

Most of that legislation is now on the books, along with the great Civil Rights Act of 1964 . . . the Voting Rights Act of 1965 . . . Medicare . . . a minimum wage soon to reach a dollar and sixty cents.

Some look at that record of achievement and call for A Pause. "Enough for now."

To pause is to turn back. And let me tell you that there is a Coalition of Retreat in Congress today that *is* moving us back.

They cut President Johnson's Model Cities request by half: three-fourths off the rent supplements request.

The appropriations bill for the Department of Health, Education and Welfare is three times what it was when President John F. Kennedy came into office in 1961, and twice what it was when Lyndon Johnson became President.

But here again the cold wind of retreat was blowing.

The Teachers Corps was cut from 36 million dollars to 13.5 million. President Johnson wanted to see 25 hundred young teachers serving poor children in urban and rural areas of this country next year, but the Coalition of Retreat thought three hundred and fifty would be enough.

We have all followed that hair-raising new serial—The Perils of the Poverty Program—over the last few weeks. Will the poverty authorization be cut by a third? Will your Community Action center be strangled by lack of funds?

Will 60 Job Corps camps be closed down, and 20 thousand jobless, untrained youth sent home to live on welfare?

Can American cities make it through another hot, explosive summer with no federally-funded programs for disadvantaged youngsters?

Our program has survived its passage through the Authorization Swamp, but will it make it through Appropriations Gulch?

If the War on Poverty has a chance this year, it is for one reason: People all over the country have spoken up for it—and not only the poor ones who are waiting to see how this rich country means to treat their new-found hopes.

Certainly progress costs something. But so does hard-core unemployment . . . preventable disease . . . inadequate education that prevents a young man from earning—or hoping.

I don't think the American public is "penny wise and people foolish," to use Adlai Stevenson's words.

I think this rich nation, with its liberal traditions, is ready to bring those now excluded into the mainstream of American society. I think we are ready to tackle the complex economic and social disabilities our legal progress in civil rights has exposed.

I think we are ready to complete Democracy's House.

And it is going to be the party of Franklin D. Roosevelt, Harry S. Truman, John F. Kennedy and Lyndon Baines Johnson that does it.

The Coalition of Retreat on foreign policy is non-partisan. It runs from far right to far left. And its objectives are not homogeneous.

The Retreaters will have trouble settling on one Presidential candidate who will suit all their divergent views of the world, but I think I can simplify their choice:

Those who think America is involved in the world for keeps, and who want this nation to play a role of firm and creative leadership will vote for President Lyndon Johnson.

Those who want to let the world settle the issues of war and peace, development and starvation, without American participation will find themselves another candidate.

I don't think a majority of the American people are ready to scrap liberal trade and economic growth around the world and return to the days of Smoot-Hawley protectionism.

I doubt if they will be satisfied with a foreign aid authorization, passed last week, that amounts to less than a third of one per cent of our GNP . . . which, in the words of President Johnson, "reduces the margin of hope to the danger point." So I am confident of support on these issues.

Then there is the issue of America's role in Asia . . . and I mean all of Asia, not just Vietnam.

I recently returned from a visit to three Asian nations—South Vietnam, Malaysia and Indonesia.

Each has its own character. But all share two vital common denominators: past and present resistance to Asian Communist subversion and aggression—covert or overt; urgent and priority efforts toward constructive nation-building.

These are the common denominators, in fact, among *all* the independent nations of that area.

Do we have any business there?

More American lives were lost in the Pacific than in Europe during World War II. Add to that our casualties in Korea and Vietnam.

Since 1946 we have committed more than 25 billion dollars worth of loans, grants, food and technical assistance to countries in the arc between West Pakistan and Japan.

That commitment to national security, and to national development, in Asia has been upheld by four American Presidents.

It has been upheld because they have seen it in our clear national interest that a continent at the strategic crossroads of the world . . . rich in resources . . . possessing more than half the world's people should not be nakedly exposed to Communist pressure.

It has been upheld because we as a nation have believed—or at least I though we did—that peoples of all colors, races and religions deserved their chance to grow and develop free of coercion and tyranny.

What has our support for the efforts of free Asians achieved?

Japan is a prosperous, stable democracy.

South Korea is secure and on the verge of economic self-sufficiency.

Formosa has achieved economic self-sufficiency.

India and Pakistan have stable, progressive governments. They are making substantial progress in agriculture, population control and industrial development.

Indonesia, potentially the richest nation in Southeast Asia, gained time to throw off—for and by itself—a flagrant attempt at a Communist coup, and is now embarking on the long road to economic development.

All the nations of Asia have joined together in new regional cooperation.

Looking ahead, we can predict that economic development will be painfully slow . . . but that without it there will be chaos.

We can predict that mainland China will soon emerge as a nuclear power . . . still preaching and supporting the dogma of the cynically-misnamed "wars of national liberation."

We can predict that Asian communism will continue for the foreseeable future to retain its militancy.

We can predict that free Asian nations will continue to reach out to us for help.

That is the broad context in which the American people must decide what they want to do about the immediate issue of Vietnam.

Are we going to last it out until there is a just and peaceful settlement?

Or are we going to withdraw, short of such a settlement, . . . abandon the people of South Vietnam . . . and prove to the aggressors that might, after all, does make right?

Or—at the other extreme—are we going to impetuously reach for the weapons that would settle the issue in Vietnam by burying it in World War III?

Make no mistake about it. Vietnam is a test that is being closely watched by our friends and enemies alike.

They have no doubt about what is happening in the field.

They see the best-trained, best-equipped American soldiers in our history standing firm against aggression.

They have seen five successive elections, free and fair, take place when the critics said it couldn't be done.

They have seen the South Vietnamese Army steadily improving just as the South Korean Army did 15 years ago.

They have seen the tide of battle turning from a seemingly inevitable victory for the Communists in 1965 to a situation where Communist victory is today impossible.

But they are also watching the situation here at home . . . and they are wondering: Can we win the war on the American home front?

As a long-time dissenter myself, I defend the right of any American to dissent in good conscience.

But I ask all Americans, before they dissent, to search their hearts . . . to examine the facts . . . to know the effect of what they say on our civilians and soldiers in Vietnam—and on our adversaries.

I ask them to face, before they raise their voices, the hard fact of cynical Communist-initiated aggression and terror in Vietnam.

I ask them to recognize that we face in Vietnam no peaceful reformer seeking power through parliamentary means.

We face not handbills but hand grenades.

I ask them to realize the importance of our stake in Vietnam as part of our historic commitment to a free Asia.

I ask them to understand that an honorable peace through negotiation can come only when all parties agree to talk.

I am ready to hear those issues debated responsibly by the American people.

And I am ready to predict that they will stand behind the Administration which has had the courage to take the difficult middle path—to stand fast against aggression, to insist on the development of democratic institutions even under the most adverse conditions, and to show restraint when it has the power to do otherwise.

For I believe that, under a few inches of American topsoil, there lies determination and strength of solid rock.

My friends, our President and our party can stand before the people in 1968 with a proud record of accomplishment at home, and a record of patient, untiring building for a better tomorrow in the world at large.

But we can offer them even more—a Manifesto of Freedom consistent with the strength and vision of America in the last third of the twentieth century:

Freedom from poverty, for all;
Freedom from ignorance, for all;
Freedom from discrimination, for all;
Freedom from fear, for all.

That is the Democratic Party's promise to America—and America's promise to the world.

And with that message—working for it and believing in it—we can make America stand for the best that is in it.

We can keep America strong and free—and the center of man's peaceful revolution toward a better chance, a fuller dignity, a life of freedom.

FAVORABLE COMMENT BY WICHITA, KANS., EAGLE ON ADDRESS BY UNDER SECRETARY OF AGRICULTURE SCHNITTKER

Mr. McGOVERN. Mr. President, in the Congressional Record of November 28, 1967, pages 33943–33945, I placed an address delivered by the Under Secretary of Agriculture, John A. Schnittker, on the occasion of a Farm-City Week luncheon sponsored by the chamber of commerce in Wichita, Kans.

Under Secretary Schnittker urged cooperation between businessmen and farmers to establish town-country communities to reduce the migration of rural residents to metropolitan cities and thus allay ghetto problems.

The Wichita, Kans., Eagle commented favorably on Mr. Schnittker's proposal in an editorial published November 27, 1967. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wichita (Kans.) Eagle Nov. 27, 1967]

TOWN-COUNTRY IDEA APPEALING

"The challenge before America is to offer people a real choice of where they want to live and to work—not just a geographical option between slums."

The speaker was John Schnittker, Kansas-born undersecretary of agriculture, who was addressing a Farm-City Week audience here under the auspices of the Wichita Area Chamber of Commerce.

Schnittker went on to say: "The unhappy fact is that in this moment in time a great many Americans have no real choice, for their dreary options are often either a decaying countryside or an exploding ghetto."

He's right. As farm employment declines, otherwise unskilled laborers are moving to the cities at the rate of half a million a year. There they wind up in slums, unable to earn a decent living and unable to get out of the degraded areas in which they live.

Schnittker has a solution. He believes America must encourage the survival of smaller cities and revive the countryside. It's the only way to save our cities, he believes.

It would have the twin advantages of stemming the flow of people from the country to the city and of making rural areas more viable.

Schnittker suggests the establishment of "town-country" communities outside of major population areas, made up of smaller cities, towns and open country. They would have factories to provide employment, farms to supply food, small towns and cities to act as shopping centers, and cooperatively financed recreation areas and other niceties to make living in these areas as stimulating as city-dwelling.

It sounds sensible. It may, in fact, be the most practical way to meet the problems of the big cities and keep them from proliferating.

DEATH OF MRS. LENA HARVEY, FORT FAIRFIELD, MAINE

Mrs. SMITH. Mr. President, one of the greatest women in the history of the State of Maine passed away Saturday, December 2, 1967. Mrs. Lena Harvey, of Fort Fairfield, Maine, the publisher of the Fort Fairfield, Maine, Review, was 87 years young at the time of her death, having been born in 1880 and being the widow of C. C. Harvey, the founder of the Fort Fairfield Review.

Mrs. Harvey was the mother of four, the grandmother of 12, and the great grandmother of 16 children, all of whom were deeply and justifiedly proud of her.

Lena Harvey had one of the keenest minds it has ever been my privilege with which to have had contact. She was truly a brilliant thinker and an outstanding intellectual.

Yet, she was equally a productive leader of women's organizations and she was one of the most warmhearted persons I have ever known.

There was absolutely not the slightest ounce of pettiness in her makeup. For she was truly a big person who always rose above pettiness and snide attack on anyone, regardless of how much she might disagree with a person.

Lena Harvey was young in heart and mind. It was my privilege to make an annual visit to her home in my annual coverage of the State of Maine after the Senate had adjourned for the year. One of my great losses stemming from the tragic failure of Congress to complete its business earlier this year was being deprived of my annual visit with Lena Harvey in her lovely little house.

For I came away from each visit with her with renewed hope and courage and with my spirits uplifted. She made me feel young. She made me feel that my efforts were not in vain and that my efforts were really appreciated. She made me forget the persistent petty detractors.

Her death is truly a great personal loss to me for there is no one to take her place in my life—no one who can cheer me and lift my spirits as she did with her letters to me as well as those precious visits with her in her home.

PASTORS DEPLORE L. B. J. PULPIT REBUFF

Mr. SMATHERS. Mr. President, much has been written about the controversial sermon of the Reverend Cotesworth P. Lewis, the Episcopal priest in Williamsburg, Va., who used his Sunday sermon to deliver a lecture on Vietnam while the President was a guest in his church. Of all the commentary on this particular episode, I have seen no better article on the subject than the one recently written by Jack Roberts for the Miami, Fla., News. Mr. Roberts went beyond merely expressing his personal reaction to the sermon by Reverend Lewis, and—as a good reporter should—talked with Episcopal clergymen in his own community. The result is an exceptionally good assessment of the situation.

I ask unanimous consent that Mr. Roberts' column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PASTORS DEPLORE L. B. J. PULPIT REBUFF

(By Jack Roberts)

I managed to loathe The Rev. Cotesworth Pinckney Lewis this week without ever having met the man.

Rev. Lewis, you probably recall, is the Episcopal minister in Williamsburg, Va., who changed his sermon to a harrangue against the war in Vietnam when he discovered President Lyndon Johnson would be a guest in his church for Sunday services.

I'm disenchanted with both the war and many of President Johnson's programs, but I felt a great welling up of sympathy for the President when I saw the wirephoto of him leaving the Williamsburg church.

There was The Rev. Lewis smirking. He seemed so pleased with himself. The President, who had gone to church for an hour of peace and comfort, was gamely forcing a smile after having had mud slung in his face.

I wondered how Episcopal priests in Miami would have reacted to a visit from the President, so I made a few inquiries.

WOULDN'T TAKE ADVANTAGE

Fr. Arthur J. Rantz, canon of St. Thomas, said he would never have treated the President or anyone else in that fashion. "I never take advantage of a captive audience," said Fr. Rantz. "I want people to answer back.

"I feel that we're here (in the pulpit) to give direction, not directives. It's our job to give advice on what's right. No one can ride to heaven on our backs. We don't really know if we're going to get there ourselves. But it's our job to help people."

Fr. Rranz said he supports the federal government in the same sense that he supports the bishops who direct the workings of the Episcopal Church. "We elect our bishops and accept their authority while they're in office," said Fr. Rantz.

Fr. Newton C. Wilbur, of St. Faith's Church, said:

"I know the President of the United States has enormous problems, so many problems it's hard for us to comprehend. I feel that he went to church seeking comfort and moral guidance and that he didn't receive that comfort.

"I know I'm criticizing my own clergy, but it seems to me that The Rev. Lewis wasn't much of an expert on the subject of the war. He was asking the President to state his views on the war. Surely, anyone who has read any of the thousands of words written about the war knows the President's position."

Fr. Wilbur said the worst part about Lewis' diatribe was that he apparently altered his sermon after learning the President would be visiting his church.

PASTORS NOT ALWAYS EXPERTS

This was the only point which bothered Fr. Dave Heil of St. Simon's Church. "I don't expect that the President will ever visit my church," said Fr. Heil, "but I like to think that I'd go on with the sermon I had prepared."

Fr. Heil, who worked as a newsman for the Miami Herald in Palm Beach before entering the Seminary in 1958, said he couldn't criticize the Williamsburg minister.

"There was an old Indian in West Palm Beach who said, 'Never judge a man until you've walked a mile in his shoes.' It isn't bad advice. But I do feel that ministers have a tendency to speak out on all subjects without really being expert on their subject."

None of the ministers said what I felt about The Rev. Cotesworth Pinckney Lewis.

I've been in the newspaper business long enough to spot a publicity seeker when I see one. I don't think that the obscure Williamsburg minister doubted for a second that his remarks could be confined to his church. The White House press corps follows President Johnson everywhere.

I think he saw a cheap shot at publicity and grabbed it. It's a black eye for all ministers. And they don't deserve it.

WEST VIRGINIA DEMOCRATS HEAR PRESIDENT JOHNSON

Mr. BYRD of West Virginia. Mr. President, on the past Saturday a regional Democratic conference was held in Charleston, W. Va.

I believe the keynote for 1968 was sounded at that meeting when President Johnson, addressing it by a telephone hookup, said:

> Most Americans would rather look ahead; most Americans are more concerned about where we are going than where we have been.

> It is your task and my task to make sure—

The President said—

> that as men sit in the wings, plan and deliberate to divide, to conquer and to defeat the great movement that is bettering humanity in America—it is our task to make sure that the American people really realize how the road forks—and which turn and which fork they must take.

Mr. President, as we look toward 1968 the Democratic record speaks for itself. Under the President's leadership the Democratic Party has provided firm and decisive direction during years of danger and difficulty both at home and abroad.

I believe with the President that—

> When the American people understand this . . . they are going to respond, as they have always responded, with both the compassion and the courage that history demands from the citizens of the richest, most powerful nation to be found on this earth.

Mr. President, I ask unanimous consent that the text of President Johnson's remarks to the regional Democratic conference in Charleston be inserted in the Record.

There being no objection, the remarks of the President were ordered to be printed in the Record, as follows:

Telephoned Remarks of the President to a Regional Democratic Conference in Charleston, W. Va.

Thank you, Governor Hulett Smith, Chairman Bailey, Distinguished Democrats:

I want to talk to you this morning about the future of the Democratic Party.

Contrary to what you may have heard, I have much more than just a passing interest in this subject.

I hope you won't think that I'm being premature in bringing up this subject this morning. We really haven't had our primaries. We haven't had our convention. So there's really no way of guessing who the Democratic candidate is going to be.

But I do want to say this: I fully intend to support him.

I believe we already have several volunteers for next year's ticket. In general, I like to stay out of these internal party matters. But there's one aspirant—a very well-known liberal from Minnesota—a well-known liberal from Minnesota—about whom I am going to say just a few words this morning.

Despite the few differences that we have had over the years, we have both always tried to do what we believed best for our country. And I have always considered him to be a friend, to be a loyal Democrat, and to be a great statesman.

I am only sorry—I'm deeply sorry—that Hubert Humphrey could not have been with us this morning.

The Vice President has been going around the country lately keeping his finger on the political pulse. And I don't mind telling you that some of his reports make pretty grim reading.

Just the other day he showed me a letter to a newspaper editor. This particular critic had something to say about seven years of Democratic administration. He wrote that the Democratic Party "has deluded the American people, demoralized American democracy, discouraged American business, and disorganized American industry."

He said that seven years of a Democratic administration "has deluded the American people into believing that a government is . . . an inexhaustible giver-out of jobs, doles, and pensions."

Doesn't that sound familiar? I doubt if there has ever been a Democratic administration that didn't get that kind of criticism. The letter I just read you, the letter that the Vice President was showing me, in fact, was written on June 17, 1940—not about Lyndon Johnson and the Great Society, but about Franklin D. Roosevelt and the New Deal.

There are always people in this country—and they are loud and vocal people—who fear progress more than they fear anything else in the world.

They confuse decency with dole.

They confuse welfare with waste.

They confuse responsibility with radicalism.

And always, always, they try to confuse the American people.

Fortunately, there are more Democrats than Republicans in the United States. Fortunately, most Americans would rather look ahead; most Americans are more concerned about where we are going than where we have been.

As Emerson said, America has always had a party of hope, and a party of memory.

I am a Democrat because, in our time, the Democrats have been the party of hope. Many of those hopes have been realized.

Nobody knows better than you that many of those hopes are being realized now—today—for the first time. More than four years ago, the Democratic Party and a Democratic administration pledged to transform the fabric of a vast poverty-ridden area of America.

And it was more than two years ago, with the Appalachian Regional Development Act, that we joined the Appalachian States and the Federal Government together in a great program to brighten the lives of more than 18 million people.

We recognized that poverty cannot be confined by borders. Mines closed down in one community can signal distress many miles away. Farms that lie fallow because there is no market for their products can put men out of work in another country.

In two years, through this partnership for economic progress and development, changes have come to the landscape of Appalachia:

New schools and libraries, hospitals and nursing homes;

Airports and highways opened this landlocked region to commerce;

Strip mines were reclaimed to restore the land as a productive base for the future;

Plants to purify the rivers and streams.

With this physical change, new hope has come to the people of this region. For construction means jobs, and schools bring learning, and hospitals provide health care where little—or none—ever existed before.

We renewed our national commitment to help the poor who live in the towns, who reside in the hollows of America, where the promise has dimmed and where life is bleak. We reiterated and reaffirmed our pledge to harness the talents and efforts of Government at its best—cooperative government—all that government is really about, bettering humanity.

We have engaged in a pursuit of new solutions on how to better humanity, how to help people.

The agenda for defeating poverty is already crowded with unfinished work.

But we have begun. We claim no great victories. We have claimed only that the time of inaction is past and behind us.

Now I know, and you know, that there are many voices in this land which tell us that we must return to stagnation because of the war in Vietnam. But I also remember, and you remember, that most of those very same voices were crying for stagnation when there was no war of any kind in Vietnam.

The noise of cannons in Vietnam has not made them deaf to the cries of the poor or the pleas of the sick. They have always been deaf to cries like that. It is not really the war that bothers them all the time. What bothers them is the idea of social progress.

There are others who are deaf to the cries of help from people in distant lands. There are those who say that we cannot defend freedom in the world at the same time that we achieve social justice here at home.

We can—and don't you believe them when they say we can't. We can and we are going to and we must do both.

As President Kennedy wrote in a speech intended for delivery the night of his death:

"We in this country, in this generation are—by destiny rather than choice—the watchman on the walls of world freedom."

And I would add to this that by destiny and choice the Democratic Party guards our heritage of social responsibility, and is the watchman against indifference—which is isolationism in its domestic form.

To both groups—to those who would turn their backs on the problems at home, and to those who want to quit, cut and run, and abandon the fight for freedom in Southeast Asia—I would like this morning to repeat a very simple message. It is a message that has been on the record for more than 20 years. I hope it will soon be delivered to those who never seem to have heard it.

It was in his last inaugural address that Franklin Roosevelt counseled the Nation in these words that I am going to repeat:

"Today in this year of war, 1945, we have learned lessons—at a fearful cost—and we shall profit by them. We have learned that we cannot live alone, at peace; that our own well-being is dependent on the well-being of other nations far away . . ."

It has been said many times that those who cannot learn from history are condemned to repeat it. We do not intend to repeat it. The Democratic Party does not intend to repeat it.

I believe that when the American people understand this message, and it is a part of your job to get with it and to get it to them—they are going to respond, as they have always responded, with both the compassion and the courage that history demands from the citizens of the richest, most powerful nation to be found on this earth.

It is your task and my task to make sure, that as men sit in the wings, plan and deliberate to divide, to conquer and to defeat the great movement that is bettering humanity in America—it is our task to make sure that the American people really realize how the road forks—and which turn and which fork they must take.

I wish I could be there with you this morning. I envy you. I want so much to do the job that you are doing.

I will be seeing you.

JOHN DOAR, BRILLIANT FIGHTER FOR CIVIL RIGHTS

Mr. PROXMIRE. Mr. President, those who serve in the administrative branch of the Government below Cabinet rank rarely get the recognition they deserve for their service. Even those who serve the country with the most brilliant dedication and ability are rarely known to the public.

A few days ago John Doar, of Wisconsin, the Chief of the Civil Rights Division of the Justice Department, resigned. He left a record of superb service to the cause of civil rights. He worked within the law, but he worked as a remarkably effective advocate of equal rights for those whose rights have been sadly denied.

The Washington Daily News has paid tribute to Mr. Doar in an excellent and concise editorial entitled "A Stalwart Leaves." I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Stalwart Leaves

John Doar, chief of the Civil Rights Division of the Justice Department, is resigning to go into private practice.

For seven years, Mr. Doar has been a kingpin in this branch of the Government. He became a Government lawyer at the tag end of the Eisenhower Administration, was held on as No. 2 man on civil rights by President Kennedy and promoted to chief by President Johnson.

He has been a dedicated official, with a rare flair for accomplishment in a steady, non-blustery fashion. He believed in results, not simply noise.

He won conviction of the seven men charged with murdering three civil rights workers in Mississippi, a milestone in evenness of justice. Two Ku Kluxers went to prison in Alabama for the killing of Mrs. Viola Gregg Liuzzo as a result of his prosecution.

Mr. Doar rates top billing as a lawyer and a merit badge for sensible, effective work in the civil rights field. It is too bad he is going elsewhere.

IRRESPONSIBLE CRITICS OF VIETNAM WAR

Mr. FANNIN. Mr. President, the Governor of my State of Arizona, the Honorable Jack Williams, has brought to my attention a letter of a young Marine Corps officer in Vietnam which clearly brings into focus one of the burning issues of our time, namely the irresponsible anti-Vietnam critics in our country who are permitted international immobility for the purpose of attacking, downgrading, and demoralizing our troops as well as our total commitment in Vietnam.

Because this young officer has put his finger on this matter so clearly, I ask unanimous consent that his letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Third Marine Division, FMF,
Vietnam, November 13, 1967.

Dear Governor Williams: Since I have lived my entire life in Arizona, and graduated from the University of Arizona, I was very pleased to hear the message you had for all Arizona servicemen over the Armed Forces Network in Viet Nam. It is a real fine feeling to know our trials and ordeals so far from home do not go unnoticed by our fellow Americans.

I was deeply angered recently by something which happened over here. I'm presently with the Marines just below the DMZ at Con Thien as a tank platoon leader. We had just turned into the well known "Hanoi Hannah" to laugh at her latest absurd claims of victories over the American "imperialistic aggressors" when the unmistakable voice of Stokely Carmichael, former director of SNCC, came over the airwaves denouncing America's efforts in Viet Nam and urging all colored servicemen to throw down their arms and "refuse to fight whitey's war". He said, "Their war is in Mississippi against the white man. After he finished, the announcer thanked Stokely Carmichael for his "wise words".

Governor Williams, I realize that we are fighting to preserve the same freedoms for the Vietnamese that we enjoy in America such as freedom of speech. But, I believe strongly that Carmichael overdid himself this time, and he is guilty of treason of the highest form against the United States government. This man is as much a traitor as any spy who sells government secrets for profit because he has sold out his country.

Stokely Carmichael would be chagrined to know how his words were received by my Negro Marines. He was not only ridiculed, but he enraged several men who suggested he be hanged as a traitor. I'm proud of all Marines over here, whether white or colored, and we all agree that his actions should not go unnoticed or unpunished if he ever attempts to reenter the United States.

I'm writing this to you because I want all Arizonans and even all Americans to learn of Carmichael's action over here. But, I especially want you to know that his words only strengthened the individual resolve of every Marine hearing him to see this difficult struggle to its inevitable finish as a blow against Communism in Asia.

Thank you for taking the time to read this letter. I promised my men that I would write someone over what happened, and you were elected.

Second Lieutenant James P. Coan,
U.S. Marine Corps.

U.S. SERVICEMEN IN VIETNAM DECLARE AGAINST THE CRIME OF SILENCE

Mr. GRUENING. Mr. President, millions of sincerely troubled men and women throughout the United States have already signed declarations to the Secretary General of the United Nations attesting to the fact that they are "appalled and angered by the conduct of our country in Vietnam" and stating that since they believe that the U.S. military involvement in Vietnam is "immoral" and "illegal" they must "oppose it."

The organization coordinating these mass protests—a nonprofit organization named "Individuals Against the Crime of Silence," located in Los Angeles, Calif.—has received protests also from many servicemen fighting in Vietnam or about to fight in Vietnam. As usual the bravery and competence of the U.S. fighting men is beyond compare. But while skillfully carrying out their orders and fighting with great heroism, many of them have gone on record as opposed to U.S. military involvement in Vietnam.

Many have written to "Individuals Against the Crime of Silence" sincerely protesting what they are ordered to do.

One of those writing stated:

> One of my relatives signed the Declaration of Independence and the Constitution I can do no less.

I ask unanimous consent that some of the letters received by "Individuals Against the Crime of Silence" be printed in the Record, without the identifying names or addresses.

There being no objection, the letters were ordered to be printed in the Record, as follows:

October 1, 1967.

Dear People: The list of signatures I am enclosing may be impure with motives of confusion and fear. My motives are not so.

Although these aren't many signatures, it is only a 100% of two infantry platoons.

I'm destined for Vietnam to witness the crime for myself, maybe even to partake in it, but I hope that with this gesture, I'm on record for what I believe to be the right human course and not the policies of our State.

Hopefully,

——— ———.

Individuals Against the Crime of Silence

A declaration of our fellow citizens of the United States, to the people of the World, and to future generations:

1. We are appalled by the conduct of our country in Vietnam.
2. In the name of liberty, we have unleashed the awesome arsenal of the greatest military power in the world upon a small agricultural nation, killing, burning and mutilating its people. In the name of peace, we are creating a desert. In the name of security we are inviting world conflagration.
3. We, the signers of this declaration, believe this war to be immoral. We believe it to be illegal. We must oppose it.
4. At Nuremberg, after World War II, we tried, convicted, and executed men for the crime of obeying their government, when that government demanded of them crimes against humanity. Millions more, who were not tried, were still guilty of the Crime of Silence.
5. We have a commitment to the laws and principles we carefully forged in the American Constitution, at the Nuremberg Trials, and in the United Nations Charter. And our own deep democratic traditions and our dedication to the ideal of human decency among men demand that we speak out.

We therefore wish to declare our names to the office of the Secretary General of the United Nations, both as a permanent witness to our opposition to the war in Vietnam and as a demonstration that the conscience of America is not dead.

The following is a list of our signatures.

(Over 35 signatures of privates and privates first class.)

Individuals Against the Crime of Silence,
Los Angeles, Calif.

To Those Who Are Concerned:

On August 22, 1967, I informed my commanding officers of my stand and of my refusal to serve in the U.S. Army. I was informed that I could not be discharged until I had committed an illegal act. By signing this statement, I have committed the crime of wanting freedom and will probably go to jail because of it. I must shout for both freedom and humanity.

One of my relatives signed the Declaration of Independence, and the Constitution. I can do no less.

Sincerely yours,

——— ———.

Sirs: Unfortunately, as a draftee, I am compelled to follow my orders under penalty of imprisonment, and thus, prostitute my ideals.

I have been ordered to the Viet Namese Republic as a Military Policeman.

In spirit and in my mind, however, I firmly believe in the 5 above articles.

Armed Helicopter Company,
APO, San Francisco.

Dear Sirs: As you can clearly see I did not send any money. In order to send a money order to your organization I would have to take my business to a military post office where, without a doubt, I would be needlessly interrogated by an inept, ingenuous officer or non-commissioned officer as to my reasons for sending the money. With only 4 months to go in Vietnam I do not wish to have that type of problem.

I suppose that by my refusal to send money I would be branded by some as a conspirator in the "Crime of Silence". I hope not. All I can offer to you is my sincere wishes of good luck to your organization. Thank you. I remain,

Sincerely,

——— ———,
Specialist 4.

Vietnam.

Dear Sirs: In a matter of days I will be commissioned a 2nd Lt. in the USMC and as such will have a legal obligation to carry out the orders of the Commander-in-Chief without reservation. Before coming under this restriction, I would like to register myself as an objector to the war in Vietnam.

——— ———.

Dear Sirs: You must note by my return address, I am a paradox. Thus the reason for this note. I have, to now, allowed my government to make me an infantry soldier, a tool for its inhumanity. I hardly know whether to begin with a thank you for your efforts or a plea for help.

Of course, it goes without saying, and I'm in a better position to know than most, your resolve has the sort of dignity that may someday make all Americans realize, they have a debt to humanity and themselves, that they are a mankind of ideals and humanity first—Americans second.

I have not lost all hope for my country the place I continue to call home or I would not be here. I have a deep faith the American people are naturally more honest and thoughtful than the now prevailing but wayward thinking shows them.

I'm hoping for a graceful and lawful release from criminality. I cannot continue to obey my government while I watch men tortured and beaten, for fighting, sometimes dying for their rightful voice in government, women and children shot by gunships or grenaded in their own bunkers—their sole and last stand of simple and even undignified preservation. I need legal advice and hope you can offer some, direct me to one of those eighty, or to the ACLU. Payments would be nominal.

What is the nature of my crime if I desert, if I lay down my weapon refusing to take part in my government's crimes? What are their penalities? Do I have any help from the Nuremberg decisions for my kind of supposedly moral, not religious objections. Do you know of someone who would help GI's seek political asylum.

I am already grateful to you and will be even more if you can help.

Sincerely,

——— ———.

THANKSGIVING DAY FOR OUR BOYS IN VIETNAM

Mr. SPARKMAN. Mr. President, on November 30, 1967, the Sand Mountain Reporter, an Alabama newspaper edited and published by Jesse Culp, published a letter received by a mother from her son who is now serving in Vietnam. The letter also contained the menu and the program generally for Thanksgiving Day as it was observed by our boys in Vietnam.

Because the article is interesting reading, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Jesse Culp's Corner

Mrs. L. J. Thompson of Albertville sent me a copy of the Thanksgiving Day menu for the boys in Vietnam which she received from her son, SFC. Myrl M. Thompson.

This paragraph from her letter prompted me to feature it in this column today:

"I am so thankful for the food, the prayer on the menu and the general's message to each of our soldiers there that I wanted to pass it on to you, with the hope that you will do a writeup in The Reporter. Other boys less fortunate than ours may not be able to mail this to their loved ones. Most of us know that at times the soldiers do not have warm food. Our son said this Thanksgiving food was excellently prepared and was truly a feast. For this I am thankful to the Almighty, and I feel that any relative who has a soldier there will help me in giving thanks."

The menu included shrimp cocktail, crackers, roast turkey, turkey gravy, cornbread dressing, cranberry sauce, mashed potatoes, glazed sweet potatoes, buttered mixed vegetables, assorted crisp relishes, hot rolls, butter, fruit cake, mincemeat pie, pumpkin pie with whipped topping, assorted nuts, assorted candy, assorted fresh fruits, and tea with lemon or milk.

Included with the menu, which was printed on a colorful four page leaflet, was this commander's message from the Commanding General in Vietnam, General W. C. Westmoreland:

"On this traditional Thanksgiving Day, as we find ourselves half way around the world from home, we should pause for a few moments to count our many blessings as Americans. We should never forget that in Vietnam, our actions are defending free men everywhere. We pray that peace will come to all the world and that all of us can return to our loved ones in the not too distant future."

And as the soldiers opened their menu to read it, they also found this prayer printed alongside the dinner menu:

"Father of mercies and giver of all good, by whose power we were created, by whose bounty we are sustained, and by whose spirit we are transformed, accept, we beseech Thee, our prayer of thanks.

"For those who love us and of whose love we would be more worthy; for those who believe in us and whose hopes we cannot disappoint; for every good gift of healing happiness and renewal, we bless Thy name, we thank Thee for our homeland, for all that is just and true, noble and right, wise and courageous in our history. We praise Thee for our place in the community of nations and we invoke Thy blessings on men of good will wherever they may be and who labor for a world of justice, freedom and fraternity.

"Most of all, Eternal Father, we thank Thee for Thyself, the nearness of Thy presence and the warmth of Thy love, whereby our minds and hearts find joy and peace. Freely we have received, O God; freely let us give ourselves to Thy gracious purposes. For Thy love's sake. Amen."

"COMMUNISM"—AN ADDRESS BY CHARLES T. MACDONALD, GRAND MASTER, MASONIC LODGE, WASHINGTON, D.C.

Mr. MUNDT. Mr. President on November 13, 1967, Mr. Charles T. Macdonald, grand master of the Masonic Lodge in Washington, D.C., delivered before the grand visitation of the Grand Lodge an address on communism which I found to be most thought provoking. I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

My friends, the collapse in morals, the disintegration of family life and the deterioration of the standards of personal honor which we presently note with alarm in America are conditions not peculiar to our country alone, but they are characteristic of a state of existence among the lower animals.

This may well signify the beginning of the final decay of humanity. It took nature 300 million years to raise man from a mere blob of living matter to a rational thinking being and it has taken but 50 years for a small group of selfish men to enslave half the population of the world and reduce them again to the state of soulless, godless animals whose only aim in life is the satisfaction of their animal appetites.

The Russian Soviets are now celebrating the 50th anniversary of the beginning of this enslavement. This has not been accomplished without cost. Indeed not! Some 30 million of their own countrymen have paid with their lives for their disagreement with the communist philosophy; add another 50 million in Red China, and hundreds of thousands more in Yugoslavia, Checkoslovakia, Poland, Latvia, Lithuania, Estonia, Austria and East Germany. Need I name more?

The communist doctrine is to destroy a man's individuality, his freedom of thought and speech, his faith in God, take away his firearms and render him defenseless, indulge his animal instincts, satisfy his primitive appetites, and you have a slave.

This is the bill of goods which is being sold to the American people by the long haired, middle aged weed eaters, teeny boopers and other types of graduated weirdos who have been deficated by the Communist jerk factories. These together with some, perhaps well intentioned but unbelievably naive college professors and idealistic young students of our universities, represent an infinitismal portion of our total population, but they are voluable and a sympathetic press has expanded their influence beyond all reason, to the great detriment of our way of life.

If Communism is so good, so desirable, so utopian, so ideal, so sweet, why do the communists erect barbed wire barriers and stone walls to keep imprisoned those who would flee from that "best of all possible worlds"? Why do they man their frontiers with soldiers and machine guns to shoot down all who would escape from the "communist heaven"?

Can it be that the masses have become disenchanted? Can it be that the tinsel of the greatest atheistic governmental experiment involving human souls, has tarnished and the slaves imprisoned behind those fearful walls have finally learned the awful truth, that the heaven of communism is more terrible, more painful, more frustratingly hopeless than any hell of which they ever dreamed, and even to die in an attempt to escape would be sweet relief from a continued existence under the unspeakable oppression of their communist masters.

RATIFICATION OF HUMAN RIGHTS CONVENTIONS WOULD BE LOGICAL AFFIRMATION OF CONSTITUTION

Mr. PROXMIRE. Mr. President, the United States has always manifested concern for the rights of man. We, as a Nation, have constantly been the inspiration to other peoples seeking the freedoms we Americans so frequently take for granted.

The Declaration of Independence was intended by its authors for all men everywhere:

> We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness . . .

President Abraham Lincoln, studying the Declaration, said that it gave liberty "not alone to the people of this country but the hope for all the world for all future time."

I am certain President Lincoln did not intend his words to be misconstrued into the notion that the United States would bend other nations to its will. Indeed, not that at all.

I do believe strongly that in the handling of our foreign policy we ought to be faithful to these great traditions. I feel that our following these traditions, being an exponent of the ideals of liberty and equality on an international scale, is not an insubstantial factor in the affairs of the world.

Our ratification of the Human Rights Conventions on Forced Labor, Genocide, Freedom of Association, and the Political Rights of Women would be a logical affirmation of our Constitution and the Declaration of Independence.

These conventions deal with human life, human rights, and the fundamental question of human dignity. We must face up to our responsibility and act now. Let us get on with it for the sake of our honor and destiny.

THE FOURTH MONTH OF THE COPPER STRIKE

Mr. McGEE. Mr. President, when the Senate abruptly and unexpectedly adjourned last Friday, the Senator from Utah was precluded from delivering a speech and placing a letter in the Record. Since Senator Moss is absent on official business today, I ask that his prepared remarks and a letter attached be printed in the Record.

There being no objection, the statement and letter were ordered to be printed in the Record, as follows:

Statement by Senator Moss

I commend the majority leader [Mr. Mansfield] and his colleague from Montana [Mr. Metcalf] for dispatching to the President of the United States a letter concerning the copper strike, which is now in its fourth month, and requesting that the President appoint a special commission to look into the copper situation for the purpose of seeing what can be done to bring the companies and the unions together "on a bedrock basis." Their letter also recommends that, if the bargaining does not become effective, that the commission recommend ways and means to alleviate the threat to the economy of Montana and the other states of the Union. I would like to add my voice to that of the Majority Leader and Senator Metcalf in urging immediate action. In so doing, I call attention to the fact that on the 26th day of August, when the copper strike entered its 43rd day, three Senators directed a letter to the President of the United States urging that he appoint a fact-finding committee to study the effects of the strike on the national interest and to study the character of the negotiations and to recommend what, if any, action should be taken. Joining me in this letter were the senior Senator from Nevada [Mr. Bible] and the junior Senator from New Mexico [Mr. Montoya]. That letter was acknowledged by the Administrative Assistant to the President on the 28th of August, with assurance that a further reply could be expected in the near future. To date, no further reply has come from the White House.

On the 26th day of September, 1967, I addressed the Senate, pointing out that more than 74 days had elapsed during which the employees of Kennecott Copper and other copper producers in the West, had been off the job and at that time expressed my concern that the companies and representatives of the workers were not engaging in effective bargaining. In my address, which appears in the Record on page 26713, I renewed my request to the President to appoint a study committee which would be able to gather together all the facts associated with the almost total work stoppage in this vital industry. At that time I placed in the Record copies of letters from Governor Calvin L. Rampton of Utah, addressed to Frank R. Milliken of the Kennecott Copper Corporation, and to Joseph Maloney of the United Steelworkers. In his letters, Governor Rampton called upon these men to meet with him in an attempt to get effective collective bargaining under way. It is my understanding that Mr. Maloney accepted the Governor's invitation and travelled to Utah to meet with him. But Mr. Milliken declined the Governor's invitation and did not confer wtih him about the strike. It should be pointed out, however, that some representatives of Kennecott Copper Corporation did meet with Governor Rampton following this invitation.

There is no doubt that effects of the copper strike in Utah have reached crisis proportions. It is my opinion that the strike has reached a state where the economy of the entire country is being adversely affected. Consequently, I am dispatching to the President of the United States another appeal for action to determine the extent and the impact of the copper strike, and to bring about, in any way possible, effective collective bargaining.

There have been those who urged the use of the Taft-Hartley Act to require workmen to return to their jobs for 80 days. However, I think that this remedy is not adequate to meet this situation. If the companies and unions were bargaining in good faith, perhaps within an 80 day period we could expect that there would be an agreement reached. However, when the unions and the management have not even met to talk about the contract for weeks or even months, there does not appear to be any hope that a mere resumption of work for 80 days would have any favorable outcome.

I recognize that some observers place the blame on one side, and some on the other, and I am not going to arrogate to myself the judgment as to who is more to blame in this present impasse. The refusal of President Milliken to meet with the Governor of the State of Utah appeared significant to me, and there have been some other events from which I draw certain conclusions. However, my present position is simply, that the parties to the labor dispute are not in effective bargaining, and until this can be brought about, we have no prospect of a voluntary work contract. This intolerable situation must be terminated at the earliest possible date.

December 2, 1967.

The President,
The White House,
Washington, D.C.

Dear Mr. President: On the 26th day of August, the senior Senator from Nevada, Mr. Bible, and the junior Senator from New Mexico, Mr. Montoya, joined with me in sending a letter to you pointing out that the nationwide copper strike had entered its 43rd day, and that no progress had been made toward reaching a settlement. We urged at that time the immediate appointment of a fact-finding committee to study the effects of the strike on the national interest and to study the character of the negotiations, and to recommend what, if any, action should be taken. That letter was acknowledged on the 28th of August, and we were told that we might expect a further reply in the near future.

On the 26th day of September, I addressed the Senate of the United States on this subject, and placed in the Record copies of letters that Governor Calvin L. Rampton had dispatched to Mr. Frank R. Milliken, President of Kennecott Copper Corporation, and Mr. Joseph Maloney, Vice President of the United Steelworkers of America. In my address to the Senate, I pointed out that no meaningful bargaining sessions have been held, and I renewed my request that the President appoint a study committee to gather all the facts associated with the almost total work stoppage in this vital industry.

The copper strike, Mr. President, is now in its fifth month, and its impact on Utah, the western states, and indeed the entire country, has become intolerable. The companies and workmen are still not engaging in collective bargaining. As a matter of fact, they have not even met for a matter of weeks or even months. Something must be done.

On November 30, Mr. Mansfield, the Majority Leader of the United States Senate, and his colleague, Senator Metcalf, addressed a letter to you on this same subject, asking that you appoint a special commission to look into the copper situation for the purpose of seeing what it can do to bring the companies and the unions together on a bedrock basis; and if unable to do so, to make recommendations to you as to the ways and means by which this threat to the economy of Montana and other states of the Union be met and overcome. I join wholeheartedly in that request. I cannot emphasize too strongly the grave economic impact that is being felt in my state and throughout the entire nation, and particularly in time of conflict such as we are experiencing in Vietnam. It is of overreaching importance that a work contract be negotiated and production of copper be resumed. Your immediate personal attention will be deeply appreciated.

Sincerely,

Frank E. Moss,
U.S. Senator.

WISCONSIN STUDENT YOUTH VOLUNTEERS

Mr. NELSON. Mr. President, not too long ago, a group of students from several Wisconsin State universities visited Washington. They are members of the Student Youth Volunteers, led by Frank Boyle of Phillips, Wis. These youngsters came to Washington in support of a proposal by Dean John Haugland, of Wisconsin State University, Superior, for a project to make use of these student volunteers next summer in community action projects throughout the Nation. At a time when so much attention in the national press is given to the negative activities of many college students, it is most reassuring to come in contact with such a group of imaginative and constructive young people.

During the proposed summer program these students would receive $200 a month and would pay their own living expenses. On the campus they would receive no Federal funds except a maximum of $100 to the chapter for operating expenses. The Student Youth Volunteers has now organized chapters on six Wisconsin State university campuses.

I ask unanimous consent that the recent article, describing this innovative plan, published in the Stoughton Hub, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Stoughton Hub, Nov. 20, 1967]

Student Group Goes to Washington This Week

Students from several Wisconsin State Universities are in Washington, D.C., this week not to protest but to try to get help in helping others. They have appointments to see several Congressmen and they are neatly dressed. The men students are wearing suits, white shirts and neckties.

They are members of Student Youth Volunteers (SYV) and they are led by a founder of the group, Frank Boyle of Phillips, Wis., a soft-voiced graduate student at WSU-Superior.

Four carloads of the students met at midnight Friday (Nov. 17) at a restaurant at Tomah, then headed southeast on Interstate 90 toward Washington. In the cars were students from Wisconsin State Universities at Superior, Eau Claire, Menomonie (Stout), La-Crosse and Platteville, and from Minnesota colleges at St. Cloud and Bemidji.

Other volunteers planned to hitch-hike to Washington.

In Washington they are supporting a proposal of Dean John Haugland of WSU-Superior for a federal project to make use of Student Youth Volunteers next summer in community action projects in many parts of the nation.

The proposal provides for training some 60 student leaders for three weeks next June at WSU–Superior, sending them to communities to work for eight weeks in a variety of health and social service programs and returning them to Superior for a week of evaluation before they go to their campuses in September as SYV leaders.

During the summer program the students would receive $200 a month and pay their own living costs. On their own campuses they would receive no federal funds except a maximum of $100 a month to the chapter for operating expenses.

The Student Youth Volunteer movement was started in 1965 when Boyle and four other students spent the summer on the Bad River Indian Reservation in northern Wisconsin as volunteer workers.

The group recently received a $1,000 grant from the Johnson Foundation of Racine.

Boyle reports that SYV now has organized chapters on six WSU campuses in Wisconsin and three private and public colleges in Minnesota. The student volunteers work with hospitals, homes for the elderly, youth centers and similar institutions and agencies. Boyle's goal is to have chapters on 30 to 35 midwestern campuses by next June. He will try to organize a chapter at the University of Wisconsin in Madison on Dec. 4–5.

DR. HECTOR P. GARCIA, LONGTIME LEADER OF SPANISH-SPEAKING TEXANS, NOW LEADING AMERICA INTO BETTER RELATIONS WITH LATIN AMERICA IN UNITED NATIONS POST

Mr. YARBOROUGH. Mr. President, it was a great joy to me recently that my longtime good friend, Dr. Hector P. Garcia, was appointed to the position of Assistant Ambassador to the United Nations. Dr. Garcia has long led our State in its move to improve relations between the Spanish-speaking and English-speaking communities. His leadership has been characterized by an intelligence and understanding of all factions of our communities that could not but benefit his cause.

It is with great pride that I invite the attention of the Senate to the recent "first" achieved by Dr. Garcia—his addressing of the assembled nations of the U.N. in Spanish, his other tongue. As noted in the recent article entitled "World Issues Close to Garcia," published in the Corpus Christi Caller-Times—

> It was the first time a U.S. paper had ever been delivered at the U.N. in a foreign tongue.

This is a high compliment to our Spanish-speaking neighbors. Furthermore, as Ambassador Goldberg wrote Dr. Garcia—

> There was universal pleasure among the Latin Americans over your speaking in Spanish in the First Committee.

This is a very good step forward for the U.S. delegation. As a nation made up of all the peoples of all the nations of the world, America does well to acknowledge her very close and personal ties with these nations whose heritage has added to our own.

I commend the President on his excellent choice, in appointing Dr. Garcia to represent us in the U.N. Again, the President has moved to improve the relations between America and her Latin American neighbors. I commend Dr. Garcia, too, on his very good work for America.

These ties of language, of national heritage, and of pride are close ones, and Dr. Garcia's bridgebuilding in Spanish is a good example of the kind of progress that can and should be made by increased recognition of these ties. I am hopeful for the adoption today of my amendment, title VII, to the Elementary-Secondary Education Act, for the further improvement as these international, as well as intranational, relations.

Mr. President, I ask unanimous consent that the article, written by Edward H. Harte, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Corpus Christi Caller-Times,
Nov. 19, 1967]

WORLD ISSUES CLOSE TO GARCIA—DOCTOR LEFT PRACTICE TO TAKE U.N. POSITION

(By Edward H. Harte)

UNITED NATIONS.—Until recently colonialism, the cold war and the arms race were interesting—but remote—topics to which Dr. Hector P. Garcia gave only passing interest.

Today they dominate and absorb his daily life.

The reason is that since Sept. 20, Garcia has been an alternate U.S. representative to the United Nations. As such he is a member of a team which weighs nearly everything of importance that happens in the world in the light of American interests and aims.

His appointment will expire with the present session of the General Assembly, expected to close Dec. 20. At that time, Garcia will return to his family and his medical practice in Corpus Christi.

Meanwhile, in the three months of the General Assembly's 22nd session, he is gaining what he considers to be the equivalent of at least two years of post-graduate work as he observes and participates in the work of the U.S. Mission to the United Nations.

REPRESENTATIVES

The U.S. Mission consists of our permanent representative, former Justice Arthur J. Goldberg, four other representatives and five alternates. All 10 of them carry the rank of ambassador. Garcia is one of the five alternates.

Only a representative or an alternate can cast a member country's vote in the General Assembly or any of the many other deliberative bodies of the U.N.

The representatives and alternates are backed up by a permanent staff of 120 advisers and administrative personnel. During General Assembly sessions, this staff is beefed up. The entire U.S. Mission is housed in an office building directly across United Nations Plaza from the U.N.

A typical work day for Garcia begins with a walk—now the fastest means of locomotion in Manhattan—from his residence at the Roosevelt Hotel to his office.

MESSAGES

There he checks the official calendar of the day's meetings and the U.S. Mission's special journal. He reads 50 to 100 messages which have come in overnight from the State Department and from U.S. agencies throughout the world.

Two or three mornings a week the nine ambassadors meet with Goldberg, who prefers to be called "Justice" rather than "Ambassador."

Then the representatives and alternates fan out to man U.S. seats on the Security Council, in the General Assembly and on the various committees. There are six standing committees, simply known as "First Committee," "Second Committee," etc., plus boards, conferences and special committees.

AFRICAN STATES

Garcia is assigned to the Fourth Committee, which deals with independence of colonies, with trusteeships and nonself-governing territories. Last week this committee was hearing from the emerging states of Africa, which were protesting Portugal's presence in Angola and Mozambique. Whenever possible, Garcia finds, the so-called "Afro-Asian Bloc" is more than willing to implicate the United States in its problems. For instance, in protesting Portuguese rule in Angola and Mozambique, African speakers attempted to show that U.S. aid, military and otherwise, to Portugal enabled the country to keep Africans in subjection.

The United States has a position on nearly every issue which comes up before any U.N. body. This position is stated by Garcia and his fellow representatives.

These position papers are prepared by the advisers on the mission's staff. Then they are submitted to the representative who is to enunciate them. The representative, Garcia said, is given the opportunity to suggest changes, and then the paper is submitted to the State Department in Washington for final approval.

NEVER AD LIB

"After that, no changes are made." Garcia said. "We stay strictly to the printed text—we never ad lib, as do some of the delegations."

Garcia managed to import a personal touch to such a prepared address about three weeks ago when he stated the position of the United States on nuclear weapons in Latin America in a speech given in Spanish. It was the first time a U.S. paper had ever been delivered at the U.N. in a foreign tongue.

Goldberg wrote Garcia that "there was universal pleasure among the Latin Americans over your speaking in Spanish in the First Committee." Several newspapers commented favorably on the propriety of the United States addressing her Latin Neighbors in their own language.

EXPLOIT CONTACTS

Aside from official meetings, U.S. representatives are expected to exploit their many contacts with other delegates to inform them of our government's position and, if possible, gain their support.

Much of this "winning friends and influencing people" work takes place in the delegates' lounge and the delegates' dining room.

At night, Garcia and his fellow delegates are called upon to represent the United States at social functions, which kept them busy nearly every night for the first month of the session.

"Justice Goldberg never attends those parties," Garcia explained. "But they are official receptions, and protocol demands that the United States be represented by someone with ambassadorial rank. I have attended as many as three in one night."

THREE PARTIES

If Garcia's before-dinner drinking is no heavier than his before-lunch drinking, three parties a night is not as hard on him as it might be on others. Before lunch last week he followed the seemingly universal custom in the delegates dining room of ordering a drink before lunch. He ordered Dubonnet. He gazed into the Dubonnet as he listened. He moved the Dubonnet about the table as he talked. But when the table was cleared, the Dubonnet glass was still full.

What does Garcia think of the U.N. as a force of world stability?

He is neither cynical nor naive.

"It's our only hope in the long run," he said. "But for the present, it is only a conference, a useful forum where we can keep the dialogue going."

UNJUST CRITICISM OF FEDERAL BUREAU OF INVESTIGATION

Mr. MUNDT. Mr. President, recently, some uninformed individuals have directed criticism against the Federal Bureau of Investigation for its alleged lack of cooperation with the Department of Justice "Strike Force" on crime. Anyone familiar with FBI operations would know that such charges are false. Certainly there is no agency of Government, Federal, State, or local, more dedicated to the destruction of organized crime than the FBI.

During the last fiscal year—1967—197 convictions were recorded in cases investigated by the FBI concerning violations of various Federal laws concerning racketeering activities. In the same year the FBI immediately disseminated more than 287,000 items of information to other Federal, State, and local law enforcement agencies. Some 3,600 arrests of persons involved with organized criminal activities resulted from this dissemination.

On Friday, December 1, 1967, Assistant Attorney General Fred M. Vinson made a statement which should stop forever the FBI critics who have wrongly accused this agency of a lack of cooperation. I ask unanimous consent that the United Press International article reporting Mr. Vinson's statement be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Crime

Washington.—Assistant Atty. Gen. Fred M. Vinson said today that relations are excellent between the Federal investigative agencies engaged in the war against organized crime.

Vinson, Chief of the Justice Department's criminal division, made the statement when asked about reports that some investigators felt the FBI could cooperate better with the Department's "strike force" on crime.

One source said FBI information needed to fight the underworld was provided only when "we press for it."

The FBI also was asked for reaction and a spokesman said the "Bureau has and will continue to cooperate to the full extent of our manpower and abilities."

"We are totally committed to the destruction of the organized criminal element in this country and no effort will be spared to achieve this goal," he said.

According to the FBI spokesman, the only limit on Bureau participation is the question of how FBI's 6,000 agents can best be used to fight crime and still meet other broad responsibilities.

"Detaching agents for organized crime duty alone could hamper our ability to meet our responsibilities," he said. "In addition, there is a danger of losing impartiality when investigators and prosecutors work too closely."

Vinson said the FBI and the Internal Revenue Service (IRS) have been the "principal investigative agencies in organized crime" for years. The strike force, he said, was designed to get maximum advantage from their experience and expertise along with that of other participating agencies.

Beside Justice, IRS and the FBI, the strike force also calls on Treasury and Labor Department investigators.

FBI spokesman said the intelligence it develops through a network of informants is made available to other Federal investigative units as fully and quickly as possible.

According to one Justice Department official, the FBI provides 98 per cent of the intelligence information used by the strike force.

The FBI spokesman said that in the Buffalo, N.Y., area alone, where one strike force is now operating, the agency delivered to U.S. Attorneys there between 1960 and 1967 more than 1,000 reports containing 10,000 pages of data.

COMPETITION IN THE FUNERAL INDUSTRY

Mr. HART. Mr. President, it is my feeling that funeral prices will soon drop in this country with the advent of something relatively new in that industry—price advertising.

I base my prediction on the recent Department of Justice suit which charged the National Funeral Directors Association with coercing undertakers to keep them from advertising their prices.

This is a subject with which I am most familiar. The Subcommittee on Antitrust and Monopoly of which I am honored to be the chairman, held extensive hearings on the antitrust aspects of the funeral industry.

Funeral service is big business—exceeding $1.6 billion a year.

Competition in the industry, according to testimony presented to the subcommittee, was choked off because undertakers could not advertise their prices to the public.

Why? Because strong influential associations felt that it was "unprofessional," that it somehow was not right to advertise the cost of dying. And they made this the unwritten policy of the industry.

For many people, the cost of a funeral is the fourth largest expense that they will incur during their lifetime.

Only a house, a car, and a college education will cut a bigger hole in most family budgets. The Department of Commerce estimated personal expenditures for funeral and burial services at an average $988. And that was back in 1963.

When a man buys a home or a car or selects the college he can afford to send his children to, he has the time to shop and has a good idea of what it will cost him.

But certainly a grieving family does not have the time, or even more important, the will, to shop around for the best price.

In time of sorrow, a bereaved family wants to make sure their departed has the very best service they can afford. They will not question cost because of their emotional state and out of fear of diminishing the solemnity of the occasion.

I would say that 95 percent of the people who make funeral arrangements do not realize that even the cost of the casket they purchase can determine what they will pay for the rest of the funeral expenditures.

Many funeral directors in the country do provide and are willing to provide at reasonable prices the same services for which many people are being greatly overcharged. But the problem is, How do you find them?

The Department of Justice suit noted that there are more than 25,000 funeral directors in the country. The 14,000 affiliated with the association annually conduct more than 75 percent of the Nation's funerals.

To find a funeral home that meets one's needs, he can call every funeral home in the "Yellow Pages." Or we can act now to stimulate price information by making sure that funeral directors feel free to advertise their costs.

One point I want to make is that advertising not only makes a potential shopper more aware of costs; it also greatly contributes to price competition.

In the funeral industry, where profits are often so high, I would welcome the competitive aspect.

OMBUDSMAN FOR THE DISTRICT

Mr. LONG of Missouri. Mr. President, I wish to invite an interesting development at the attention of Senators. Recently, the National Capital Area Civil Liberties Union proposed to the new District City Council the creation of an ombudsman for the District of Columbia. It is my understanding that both the City Council and the Mayor's office look favorably on the necessity of such an office.

The Washington Post, in an editorial published on November 28, 1967, wrote that "it is imperative for the District to devise a way of dealing satisfactorily and conclusively with citizen complaints of official misconduct." Ombudsman certainly is one effective way of dealing with citizen complaints, and on January 24, 1967, I introduced S. 626, to create such a District of Columbia ombudsman. The bill cosponsored by the Senator from Michigan [Mr. Hart] and the Senator from New York [Mr. Kennedy], is presently pending before the Committee on the District of Columbia.

Mr. President, the concept and office of ombudsman has wide potential for all levels of government. Early in January, my Subcommittee on Administrative Practice and Procedure will hold hearings on S. 1195, a bill I introduced to create an Administrative Ombudsman for the United States, with jurisdiction over the Internal Revenue Service, Veterans' Administration, Bureau of Prisons, and the Social Security Administration. We shall also be watching with interest the developments in the District of Columbia.

I ask unanimous consent that the Washington Post editorial of November 28, 1967, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INVESTIGATING COMPLAINTS

The proposal put forward by the National Capital Area Civil Liberties Union to establish an Ombudsman here offers a thoughtful adaptation to a crying community need. It is imperative for the District to devise a way of dealing satisfactorily and conclusively with citizen complaints of official misconduct, especially when they relate to the police.

How confused and unsatisfactory the situation is at present can be readily seen from the handling, or mishandling, of charges brought recently by Southeast Washington residents against 11th Precinct Pvt. Ralph Johnson. At first, the new City Council undertook to conduct an investigation of these charges on its own account. The effort, however well intentioned, was, we think, quite mistaken. The Council, like the Congress of the United States (which also acts as a municipal council for this community) is a legislative body. It ought not intervene in the administration of executive responsibilities. Nothing but mischief has resulted from attempts by legislative committees—the House Committee on Un-American Activities affording the most flagrant example—to intervene in executive responsibilities or. even worse, to serve as a judicial tribunal.

But how are citizen charges against the police to be sifted? Mayor Washington's decision to let Police Chief Layton investigate is likely to produce no satisfaction at all. Those who made the charges have little confidence in the detachment of the Police Department. They want disinterested investigators serving an eminent outside official or commission whose recommendations in a case would be generally recognized as absolutely impartial. An Ombudsman could fill this role. So could the existing Civilian Complaint Review Board—if it were given independent investigators and the power to subpoena witnesses. Investigation, to be quite plain about it, is a job for outsiders, not insiders. There is no other way to gain public confidence in its results.

LYNDON JOHNSON AND THE WISE USES OF ATOMIC ENERGY

Mr. ANDERSON. Mr. President, never before has a President of the United States held in his hands the instruments of such awesome nuclear power as does Lyndon Johnson, and never has a man used it with such restraint, with such foresight, and with such interest in its peaceful applications.

While the world worries about the destructive power of atomic energy, President Johnson has devoted major efforts to finding ways to control such energy.

While the world worries about the proliferation of atomic weapons, President Johnson has united this Government in the determined search for a workable nuclear nonproliferation treaty.

While the world sees dark clouds on the horizon, Lyndon Johnson sees a civilization lighted and powered and improved through the peaceful uses of atomic energy in industry, medicine, agriculture, commerce.

Last week, the President sent a special message to a group in Chicago commemorating the success of the very first sustained nuclear reaction. It was a justly deserved tribute to the men and women who gave the United States the lead in such experimentation and discovery.

Today, it is the Nation which should congratulate the President on the responsible manner in which he has sought the peaceful and useful fruits of atomic energy.

As one who has been closely associated with the Government's interest in atomic energy and atomic power, and as one who has stood strongly for the peaceful uses of atomic energy, I am pleased to ask unanimous consent that the remarks of President Johnson on the occasion of the 25th anniversary of the atomic age be printed in the RECORD.

Mr. PASTORE. Mr. President, last Saturday marked the 25th anniversary of the first controlled nuclear reaction. Dr. Enrico Fermi was the genius who directed this magnificent breakthrough which portends great blessings and potential dangers to all of mankind. In commemorating this anniversary, President Johnson paid tribute to Dr. Fermi and proposed that the new 200 billion electron volt accelerator to be built at Weston, Ill., be dedicated to him. I wholeheartedly agree with this wonderful tribute that President Johnson has given to this great man of science.

In his speech President Johnson, referring to the nonproliferation treaty currently being discussed in Geneva, said that the United States is not asking any country to accept safeguards that we are unwilling to accept ourselves. He then made a most significant pronouncement which I would like to quote here:

> I am today announcing that when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance.

It seems to me that this offer is without precedence in its scope and magnitude. Beyond question, our country is demonstrating to the world the sincerity of our stand for a realistic nonproliferation treaty with adequate safeguards. I think it is well that we call on the Soviet Union to show its good will by stating that it would make the same type of gesture. I know that it is unrealistic to ask that an equal number of facilities be open to inspection in the Soviet Union, but at least they could make a token move to show that they accept the principal of inspection on their territory.

I commend the President's speech to all Senators. I join the Senator from New Mexico [Mr. ANDERSON] in asking unanimous consent that the speech be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

[From the office of the White House Press Secretary, Dec. 2, 1967]

TEXT OF REMARKS BY THE PRESIDENT OF THE 25TH ANNIVERSARY OF ATOMIC ENERGY

I believe history will record that on this day 25 years ago, mankind reached the turning point of his destiny.

The book of Genesis tells us that, in the beginning, God directed man to: "Be fruitful, and multiply, and replenish the earth, and subdue it . . ."

But only in our lifetime have we acquired the ultimate power to fulfill all of that command. Throughout history, man has struggled to find enough power—enough energy—to do his work in the world. He domesticated animals, he sold his brother into slavery, and enslaved himself to the machine—all in the desperate search for energy.

Desperation ended in the experiment conducted in Chicago, 25 years ago, by Enrico Fermi and his fellow scientists. In a single stroke, they increased man's available energy more than a thousand-fold.

They placed in our hands the power of the universe itself.

Nothing could have been more appropriate than the words used by Dr. Arthur Compton to describe what happened on that day: "The Italian navigator has just landed in the New World."

This modern "Italian Navigator" was a great man of science. But he was also something more. He was one of millions who, in the long history of the world, have been compelled to leave a beloved native land to escape the forces of tyranny. Like millions before him, Enrico Fermi found here a new home, among free men, in a new world. His life and career have a special meaning to all who love freedom.

There are today millions of young Americans with an Italian heritage who feel a deep personal pride in Enrico Fermi. America was born out of the voyages of a great Italian Navigator. In a time of greatest danger, another—equally willing to pursue his dream beyond existing charts—took us into a new epoch.

Today we commemorate our debt to him. And in doing so, we also honor the historic bond between the old world and the new.

In a short time, we will be dedicating, in Illinois, a new National Accelerator Laboratory. This laboratory, with its 200 billion electron-volt accelerator, will maintain our country's position in the forefront of nuclear research.

I suggest that we dedicate this great new laboratory to the memory of the modern-day "Italian navigator".

In so honoring Enrico Fermi, we will also honor the immeasurable contributions made, over the centuries, by the people of Italy to the people of the United States.

Much has already happened in that new world which began 25 years ago.

Giant nuclear reactors, direct descendants of Fermi's first atomic pile, are producing millions of kilowatts of power for peaceful purposes. Other reactors are powering nuclear submarines under the seas of the earth—our first line of defense against tyranny, whatever its contemporary doctrine or disguise, which Enrico Fermi dedicated himself to resist.

But it is really the peaceful uses of atomic energy about which Enrico Fermi would have wished us to speak— and they are many.

When I became President, nuclear energy was generating about 1,000,000 kilowatts of electric power in the United States.

Today, the atom is giving us more than 28,000,000 kilowatts—almost three times as much. And more than 70 additional nuclear power plants are already planned or under construction.

This will equal about 20 percent of the whole electric generating capacity in the United States today. It is enough to meet the total requirements of 45 million people. All this from what was, 25 years ago—before the success of Fermi's experiment—only a scientist's dream.

The dream has been realized. By learning the secret of the atom, we can have given mankind—for the first time in history—all the energy he can possibly use.

It took the genius of countless generations of dedicated scientists to find the secret. It remains to us to use it wisely.

What began as the most terrible instrument of war man has ever seen, can become the key to a Golden Age of Mankind. But this will not happen unless we make it happen.

We cannot forget that another, darker future also opened on this day, 25 years ago.

The power to achieve the promise of Genesis is also power to fulfill the prophecy of Armageddon. We can either remake life on earth—or we can end it forever.

Let me be specific.

If Enrico Fermi's reactor had operated ten thousand years, it would not have produced enough plutonium for one atomic bomb.

Today, a single reactor, can while generating electricity, produce enough plutonium to make dozens of bombs every year. And scores of these reactors are now being built all over the world.

Their purpose is peaceful. Yet the fact remains that the secret diversion of even a small part of the plutonium they create could soon give every nation power to destroy civilization—if not life on this earth.

We cannot permit this to happen.

Nor can mankind be denied the unlimited benefits of the peaceful atom.

We must find a way to remove the threat while preserving the promise.

The American people made their own desires crystal clear when their representatives in the United States Senate voted unanimously to support an effective non-proliferation treaty for nuclear weapons.

We are now engaged in a major effort to achieve such a treaty, in a form acceptable to all nations.

We are trying to assure that the peaceful benefits of the atom will be shared by all mankind—without increasing the threat of nuclear destruction.

We do not believe that the safeguards we propose in that treaty will interfere with the peaceful activities of any country.

And I want to make it clear to the world that we in the United States are not asking any country to accept safeguards that we are unwilling to accept ourselves.

So I am, today, announcing that when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance.

Under this offer the Agency will be able to inspect a broad range of U.S. nuclear activities, both governmental and private, including the fuel in nuclear power reactors owned by utilities for generating electricity, and the fabrication and chemical reprocessing of such fuel.

This pledge maintains the consistent policy of the United States since the beginning of the nuclear age.

Just 14 years ago, a President of the United States appeared before the General Assembly of the United Nations to urge the peaceful use of the atom. President Eisenhower said on that occasion: ". . . the United States pledges . . . before the world . . . its determination to help solve the fearful atomic dilemma—to devote its entire heart and mind to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecreated to his life."

We renew that pledge today. We reaffirm our determination to dedicate the miraculous power of the atom, not to death, but to life.

We invite the world's nations to join with us.

Let us use this historic anniversary to deepen and reaffirm the search for peace.

Let us so conduct ourselves that future generations will look back upon December 2, 1942—not as the origin of sorrow and despair—but as the beginning of the brightest, most inspiring chapter in the long history of man.

PRESIDENT JOHNSON LEADS NATION IN MOURNING FOR CARDINAL SPELLMAN

Mr. LAUSCHE. Mr. President, President Johnson spoke for the entire Nation in his remarks mourning the loss of Francis Cardinal Spellman.

His death was a blow to people of all faiths. But his lasting contributions for the benefit of mankind will not die with him. As the President noted "the good that he has done remains to enrich and enlighten us all."

His influence was felt in the mightiest councils of the Catholic Church, yet he found time to bring inner tranquillity to the smallest parishioner.

This statesman for peace was heard by leaders the world over, yet always remained a humble servant of God and noble worker for mankind.

His parish was in the United States, but his frequent visits to our Armed Forces overseas brought comfort to millions of our frontline troops.

People of all faiths and from all nations mourn his death, for his ministry was mankind, his parish the universe.

Yet we can draw consolation in our mourning from President Johnson's thought that Cardinal Spellman "gave his life to God" in a full life whose "good works were testament to God's enduring and universal love of man."

I ask unanimous consent that the President's tribute to Francis Cardinal Spellman be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by the President, December 2, 1967

The Lord has called home a man who served Him and all His children well.

Cardinal Spellman gave his life to God. For half a century, his faith and works were testament to God's enduring and universal love of men.

The race of man mourns him now, for mankind was his ministry. The grace of his goodness touched all manner of men and nations. He brought to all who opened their heart to his spirit the miracles on which men must build their earthly hopes—truth and charity, mercy and compassion, trust in God and in the destiny of God's human family.

Cardinal Spellman was a Catholic. His lifetime was devoted to uniquely catholic purpose. His voice was heard on the smallest parish street and in the highest councils of his Church. He was both pastor and statesman, an apostle of progress whose influence was felt wherever problem or promise touched his pulpit or his world.

Americans will never forget that he was the Vicar of our Armed Forces. This will be the first Christmas for many years when thousands of our sons will not know the comfort of his presence. But this Christmas in Vietnam, men will recall the courage of his faith that peace on earth will come to men of good will.

For all the extraordinary fullness and diversity of his life, this Prince of the Church lived and died a humble priest.

That is all he wished. That is how he would wish us to remember him. "Those ministers," he once said, "who are endowed with sacred power are servants of their brethren. The higher one rises in the Church, the lower, in a sense, does he become."

This good and gallant servant of our world is gone. But the good that he has done remains to enrich and enlighten us all. In my own brief, I find comfort in that thought. Cardinal Spellman was my close and cherished friend of many years. I pray that the American family, as my own, will be consoled by this truth: As God has taken away this day, He has given us the blessings of His disciples works for all our days.

PACIFIC REPORT

Mr. THURMOND. Mr. President, one of our more able and perceptive newsmen in South Carolina, Mr. W. D. Workman, Jr., editor of the State newspaper, Columbia, S.C., recently completed an extensive tour of the Pacific Far East. During his travels he sent back to his newspaper office a number of reports and editorials based on his observations. His dispatches have been assembled into a brochure entitled, "Pacific Report." Some of these are of interest primarily to South Carolinians but others are of national concern.

Mr. Workman visited Honolulu, Guam, Manila, Taipei, Seoul, Panmunjom, and Tokyo. He talked with many prominent persons as well as the man in the street. His articles ranged from penetrating analyses of the international situation in the Pacific to a touching editorial on questions asked by a GI from Texas about the riots back home. Fourteen of Mr. Workman's reports during this Pacific journey are extremely interesting, informative and pertinent to vital affairs of the day.

Mr. President, I ask unanimous consent that the reports be printed in the Record.

There being no objection, the reports were ordered to be printed in the Record, as follows:

[From the Columbia (S.C.) State, Aug. 31, 1967]

The Lesson of Korea

Panmunjom, Korea.—The futility of trying to do business with the Communists is nowhere better illustrated than in the small, shed-like building which serves as the conference room for the Military Armistice Commission administering the uneasy truce between North and South Korea.

On one side of a rectangular table covered with green felt sit the hard-core Communists who represent both the North Korean government and the Chinese "volunteers" who sought to bring all of Korea under Communist domination.

On the other side sit the representatives of the United Nations Command, backed up by the military strength of the United States and the Republic of Korea and the international approval of free nations throughout the world.

It should be remembered that 53 members of the United Nations joined in condemning North Korea's unprovoked attack on South Korea in June of 1950. Sixteen of those nations sent combat forces to help drive the aggressors back across the 38th parallel—that once synthetic but now visibly significant line dividing Korea.

Today, only the troops of the United States and of the Republic of Korea (plus a token but fully operational company from Thailand) stand guard against any further Communist effort to overrun the entire country.

But if Communist aggression has been thwarted by physical resistance, it has not diminished one whit in ideological intensity. Fourteen years have elapsed since a cease-fire terminated the large-scale fighting and ushered in what purports to be a truce.

But during those years, the Communists have violated the terms of the armistice more than 5,000 times (a tally now a year old). Only twice, and that early in the game, have the Communists so much as acknowledged the violations—despite such irrefutable evidence as weapons, documents, and even dead bodies of North Korean infiltrators slain in South Korean territory.

Today, the rate of violations and border incidents is increasing—not decreasing—as the Communists defy not only the terms of the truce but the collective authority of the United Nations. The Communists persist in their perfidy in utter disregard of international morality and the rules of warfare.

Yet there are agitations and emotional appeals throughout the world—*including* segments of the United States—for repeating the whole shoddy performance in Southeast Asia.

The cry goes out to "bring North Vietnam to the conference table," as though *that* would end Communist aggression in that peninsula. By their practices and their own preachments, the Communists demonstrate their utter conviction that political as well as military power grows "out of the mouth of a gun."

Communists are responsive only to force. Non-Communists who yearn for a softening of Red attitudes or a genuine spirit of "peaceful coexistence" delude themselves and endanger mankind.

Fourteen years ago, the Communists of North Korea were "brought to the conference table." Today, they are as intransigent as ever, as threatening as ever, as fanatic as ever. The military might of the United States and of the Republic of Korea keeps them at bay—not any regard for world opinion or international morality.

The war in Korea should have been *won*, not compromised. The Korean experience could be truly helpful in determining American (and world) policy in Vietnam. By now, we should know, as General Douglas MacArthur knew, that "there is no substitute for victory."

[From the Columbia (S.C.) State, Aug. 30, 1967]

At Panmunjom, the Feel of War Is Still in the Air

(By W. D. Workman, Jr.)

Panmunjom, Korea.—The road to Panmunjom is like a journey back into history—spanning not only the miles but the years which separate today's bustling capital city of Seoul from the bleak hills where North and South Koreans have stared at one another over gunsights for 14 years.

The state of war between the Republic of Korea (South Korea) and the puppet regime established in North Korea by the Russians after World War II has never ended officially, although a cease fire was proclaimed on July 27, 1953.

Sudden death still lurks along the line which separates the two warring parts of a nation which had been unified (although often subjugated) for a thousand years before Marx, Lenin, Stalin and Mao Tse-tung spawned their respective versions of Communism.

Today, the Communists of North Korea's Kim Il Sung show no more intention of observing the terms of the 1953 armistice than those of the original Allied agreement for free elections at the end of World War II.

The 151-mile-long demilitarized zone which divides North from South Korea reverberates frequently to the sounds of rifle fire, land mines and grenade explosions. These are punctuated occasionally by demolition charges such as those which cost the lives of several American soldiers whose billets—far south of the Military Demarcation Line (MDL)—were demolished by infiltrating North Koreans.

But Communist soldiers and agents also are dying along the line, usually while on illegal forays south of the 4,000-meter-wide buffer strip which straddles the MDL. Periodic reports of friendly and enemy forces which have been killed in action or wounded in these border incidents are released by United States sources. Harder to come by are figures which accurately reflect the casualties and linecrossings of the North and South Koreans into their opposing lines.

One thing is obvious to the visitor who makes the trip to Panmunjom, where seemingly interminable "negotiations" have dragged on since 1953: The feel of war is in the air.

Even among troops who have been stationed here for months, there is a discernible increase in tension as the DMZ is approached. Sniping and ambushing by the North Koreans has been on the increase in recent months, and the careless soldier can become a dead soldier in short order.

But there is nothing to indicate any carelessness among the troops of the U.S. Second Infantry Division who man the American sector of the demilitarized zone. As their wheeled and tracked vehicles, interspersed with tanks, slither along muddy roads (or stir dust clouds when those same roads are dry) the men cradle their weapons and wear their protective "flak vests" to deflect or absorb at least some of the impact of small arms fire or grenade fragments.

The same intense alertness is apparent among the carefully selected officers and men who shepherd visitors in and out of the Joint Security Area. This small tract, roughly a half-mile in diameter, contains a cluster of jerry-built buildings. These provide officers' billets, and meeting rooms for the continuing round of negotiations, charges, and counter-charges between the Communist and non-Communists representatives on the Military Armistice Commission.

The buildings allotted to the North Koreans are painted green; those assigned to United Nations personnel are painted blue. There is no fraternization between opposing sides. Even the pigeons which were brought by the Communists into the area under the propaganda label of "freedom birds" will not light upon the blue buildings, reflecting some sort of ingenious technique of training or breeding.

Although the military and other official representatives of the two sides deal with one another in chilling formality, the North Koreans occasionally mingle with South Korean civilians who work on construction projects below the Military Demarcation Line within the Joint Security Area.

Perhaps "mingling" is not the right word, for the Communists use such opportunities to browbeat, to denounce, or to seek to subvert the South Koreans, telling them of the attractions of the Communist way of life.

Their verbal arguments are supplemented by an artificially created but visually impressive "Freedom Village" and collective farm which lies just north of the Demilitarized Zone. From observation posts south of the line, visitors can see a wide expanse of carefully tended farmland along the river which marks the MDL at that point.

Neat, modern farm houses are spotted here and there among the cultivated fields, but—here is the joker—no farm families are in evidence. Even in the dead of winter, no smoke arises from the chimneys of the cottages, giving further evidence that these are bits of window dressing.

Old hands among the Americans who have been on extended duty along the lines say flatly that some of the farm houses do not even have four complete walls, and that they are no more than movie-type sets designed to create an impression of rural well-being upon the distant viewer.

But such "play-acting" is fully in keeping with some of the truly juvenile actions of the high-ranking officials of the North Koreans and Chinese People's Volunteers who represent the Communists at the conference table.

They have insisted, for example, that the North Korean flag which sits on the conference table be larger than the United Nations flag, and that its staff be taller (although only by about a quarter of an inch).

In recent weeks, the North Korean members of the Armistice Commission—in addition to refusing to accept documented evidence of Communist violations of the truce—tore up the documents in which the incidents were detailed and flung them to the floor. There they lie today, squarely astride the painted line which denotes the passage of the Military Demarcation Line through the conference building.

The United Nations representatives will not remove them because they are formal allegations of truce violations. And the North Koreans, ignoring the evidence and refusing even to accept the presentment, will make no move toward cleaning up the litter.

That little pile of paper is perhaps as fitting a symbol as any for the stalemate at Panmunjom. The negotiations have been going on now for 14 long years. The visitor wonders if they will still be going on at the end of 14 more years—and if those torn-up documents will still be on the floor.

[From the Columbia (S.C.) State, Aug. 25, 1967]

A Soldier's Question

Seoul.—He was a clean-cut lad from Texas, twice-wounded in South Vietnam, and serving out the remaining few days of his two-year Army hitch in the relatively soft job as a driver with the U.S. forces in Korea.

His name doesn't matter, but his questions do.

"Sir," he asked with a combination of Southern and soldierly politeness, "what's going on back in the States with all these riots?"

But before an answer could be framed to that difficult question, all of the pent-up emotions of a puzzled young man came pouring forth:

"I'm from Texas, and I don't believe in some of the things people want to do about mixing everybody up. But white soldiers and colored soldiers have been fighting together over here and we don't want to go home and start fighting each other.

"There were Negroes in my fire team, and one of them was wounded the same time I was, and a Negro medic saved my life when I was hit by mortar fire while we were fixing to be evacuated by helicopter on account of my first wound.

"We talk about all the things we read about and hear about back home and we just don't understand what's going on. It's been kinda rough out here and we like to think that it will be peaceful when we get back to the States. But we just don't know."

It didn't help much for us to tell him we just didn't know either. We tried to explain that the decent, responsible Negroes of America were the real victims of the riots, that only a tiny percentage of militant—and mindless—hoodlums were responsible for most of the trouble and that the genuine civil rights leaders condemned the lawbreaking and violence just as strongly as did white citizens and officials.

"It looks to us," he broke in, "that people could get together and sit down and talk things over."

They're doing that, we told him, but it's sort of like the preacher in church—the folks who really need the message aren't there.

"What we're afraid of," the young GI said, "is that we may wind up shooting at each other because people will stick by their own kind."

We told him that things had not come to that pass, and that the riots were not so much black versus white as hoodlums, beatniks, and bums versus society.

We don't know whether we got through to him or not, but he seemed glad to know that the country appeared ready to crack down on rabble-rousers like Rap Brown and Stokely Carmichael.

He was polite as we parted, but we had the feeling that he was still shaking his head in bewilderment.

And it didn't help us to know that, down inside, we were shaking our head too.

W. D. W.

[From the Columbia (S.C.) State, Aug. 20, 1967]

Perilous Pull-Back

Manila.—Speculation over a possible withdrawal of United States forces from advanced positions in the Far East has created a Pacific reaction which is both concerned and critical.

The possibility of deliberately falling back to the Marianas from bases in Korea, Japan, Okinawa, and the Philippines was seriously discussed in the prestigious U.S. News & World Report this month. Despite official disavowals of any such pending plan, the Pacific peoples, who are joined—militarily, economically, or traditionally—with the United States, are profoundly worried, publicly as well as privately.

We share their concern, for some of their reasons and some of our own. Whether the United States wanted it or now likes it, America is today the greatest power in the Pacific. So long as we occupy that position, it is to our advantage and that of a Free Asia that the American presence be not only real but manifest.

True, Red China's accelerating development of a nuclear bombing potential injects a new dimension to the pattern of American military establishments in the Far East. If the Chinese Communists continue to ignore the schedule periodically revealed by U.S. Defense Secretary McNamara's clouded crystal ball, we can assume that the day is not far distant when they will have not only a stockpile of nuclear bombs but the means of delivering them on target.

At that time, U.S. bases in and around Japan, Okinawa, and the Philippines will be—quite literally—"under the gun." On the other hand, U.S. bases on the Marianas (Guam, Rota, Saipan, and Tinian) presumably would be out of range—2,000 miles to the east of the China Mainland. But the picture involves more than military considerations of tactics and strategy, whether defensive or offensive.

If the United States forsakes its westernmost bases, it will be opening dozens of doors through which the Chinese (or even the Russian) Communists can move eastward into the Pacific and closer to whatever line the United States must ultimately defend.

Recalling an earlier redefining (by former Secretary of State Dean Acheson) of the U.S. Far Eastern defense perimeter, Felino Neri, a former Filipino secretary of foreign affairs, has made this observation:

"Should the projected British withdrawal and the reported American 'pull-back' from the area ever come to pass, the resulting power vacuum may prove more inviting than that which attracted the Communists in 1950."

It is quite obvious that no anti-Communist nation from Japan to Australia, acting individually or in concert, can forestall a determined Communist push in the Pacific without major reliance upon the United States.

It is equally apparent that the idea of pulling back to the American-controlled Mariana Islands might be attractive to U.S. military commanders who feel frustrated and impeded by political involvements with host nations elsewhere. Perhaps the talk of withdrawal is merely a device, planned or unplanned, whereby Rota, Tinian, and Saipan might be developed into military bases comparable with Guam.

Such development should proceed, but not at the expense of the forward bases. Any such retrenchment would leave our friends—and we have many in the far Pacific—utterly at the mercy of the Communists, and there is precious little mercy in that collection of cutthroats.

W. D. W.

[From the Columbia (S.C.) State, Sept. 1, 1967]

South Koreans Know the Enemy—ROK Force Bedevils Reds

(By W. D. Workman, Jr.)

Seoul.—The Republic of Korea, just now entering upon its 20th year as a modern nation, today maintains the strongest anti-Communist military force in all of Asia.

South Korea's military establishment numbers about 600,000 men, most of the tough, well-trained and battle-ready ROK Army soldiers. More than 40,000 of them are in South Vietnam, fighting Communists. Additional ROK forces may be sent there in response to American requests.

The South Korean involvement in Vietnam has much more than a purely military significance. National policy, national pride, and national appreciation (of the U.S.-led fight which saved their country in the early 1950's) all contribute to the presence of South Koreans in a battle arena 2,000 miles from their homes.

With good cause, the South Koreans feel that they understand the true nature of Communism better than their Asian neighbors and certainly better than their American friends across the Pacific.

The Koreans have felt the full weight of Communist aggression and of Communist arms. They have seen and suffered the tragic separation not only of one part of a nation from the other, but of friends and families.

Other Asians have undergone similar ordeals, it is true, but only the South Koreans thus far have regained both their freedom and their lands—thanks to the United States and to the United Nations.

Now, the South Koreans are in position to demonstrate their own viability as a nation—and as a fighting force. And fight they will against Communism wherever the need exists. To them, the threat to Asia did not end with the Korean cease fire, it simply shifted to another theater (Vietnam) in a somewhat different context.

There is some political opposition to the presence of South Korean troops in Vietnam, but it seems to be more a matter of form than of substance.

In the involved and (to Western eyes) incomprehensible machinations of Korean politics, there appears a large measure of automatic opposition to the government in power—growing not so much out of any genuine difference in policy as out of the belief that the "outs" must differ with the "ins" on all matters regardless of merit.

Nevertheless, South Koreans, high and low, manifest an intense pride in the fact that their countrymen are fighting—and fighting extraordinarily well—against Communist aggression. And government officials, especially those concerned with the nation's defense, see a highly desirable by-product to the South Korean participation in the Vietnamese war.

They know that citizens of the Republic of Korea are steadfastly united in their determination to resist Communism in whatever form it might appear. This attitude is not just a matter of ideology. It stems from the bitter experience of being overrun by ruthless, brutal foes whose chief distinguishing feature was acceptance of Communism.

Having tasted terror at the hands of other—but Communist—Koreans, the South Koreans will not forget what a difference a doctrine can make.

There is the fear that younger generations, unfamiliar with the tragedies of the Korean war, may be more susceptible to Communist propaganda or less inclined to concern themselves with the problem.

But the young men who today are fighting Communist aggression in Vietnam are learning for themselves the nature of the enemy. Each returning South Korean soldier is regarded as an individual missionary who will keep alive the anti-Communist spirit of the Republic of Korea.

Furthermore, the two years of compulsory military service (now extended to 30 months on what is termed a temporary basis) provides young Koreans with invaluable training. Along with their military skills, they learn techniques and trades which make them all the more productive when they enter South Korea's burgeoning civilian economy.

Maintaining such a military establishment is dreadfully expensive, especially for such a young republic. And with the tapering off of U.S. aid, the burden increases upon the South Korean government.

Today, approximately 30 per cent of the nation's total budget goes to national defense. This percentage is higher than that of South Vietnam, is almost three times that of the Philippines and Japan, and, except for Nationalist China, is the highest in Asia.

But these expenditures sustain a powerful deterrent force for the free world in one of the most critical areas of the globe.

The South Korean navy is the weakest of the armed services, but the continuing efforts of the Communists to bring in infiltrators (and possibly guerrillas) by seas is expected to be met by increased attention to the size and suitability of the South Korean navy.

But no such inadequacy applies to the other services. More than 500,000 men, armed with modern (if perhaps not the latest) tanks, artillery, missiles, and other weapons, make up the ROK Army.

The Marine Corps is growing in size and reputation and has a brigade of its own along with two Army divisions and other troops serving in Vietnam.

The Air Force, with almost as many men as the 30,000-plus Marine Corps, could be improved with more effective aircraft, but is a potent force for fighting as well as training.

These ROK forces stand solidly in the path of any physical push of Communism toward the east. The free world owes much to the hardy people of South Korea today. Only history will tell how large that debt will loom in the future. It could be incalculable.

[From the Columbia (S.C.) State, Sept. 2, 1967]

Bloody Doves

Seoul, Korea.—The besetting sin of the "doves" who cry for peace by appeasement in Vietnam is their callous disregard for the lives of non-Communist men, women, and children.

The doves wring their hands and raise their voices in anguish over the bombing of North Vietnam and the inevitable side-effects upon civilians in that aggressor nation. But they have precious little to say about what is happening to the civilians of non-Communist South Vietnam.

Since the Viet Cong and the North Vietnamese began their massive campaigns of terror and intimidation in 1961, more than 11,000 South Vietnamese village chieftains, community leaders, and others of major or minor importance have been assassinated by the Communists. Furthermore, some like 40,000 South Vietnamese of various ages and stations have been kidnaped by the same Communists during the same period. No one knows (except the Communists) what *their* fate is, or will be.

But tragic as these figures are, they are chicken feed when compared to the blood bath which would follow if the United States and her allies were to turn South Vietnam over to the Communists. History has recorded in red letters the unfailing custom of Communists, whether Russian, Chinese or otherwise, to liquidate their opposition once they gain power.

Literally millions of Russians and Chinese have forfeited their lives to the likes of Josef Stalin or Mao Tse-tung by being anti-Communist, or just non-Communists, or just *suspected* of being either. Here in South Korea, memories are still fresh (and bitter) even after a lapse of 14 years from the time when Communist North Koreans overran the country. South Koreans who sought only peace and freedom were brutally butchered or abused by other Koreans who—before the advent of Communism on the peninsula—were of the same people and often of the same families.

Today, an absolute knowledge of what can be expected under Communist oppression undergirds that staunch resistance of South Koreans to Communism wherever they confront it. There are numerous recorded instances in which grieving parents or other relatives have turned in their own kin when they were found to be Communist infiltrators.

If the Communists now operating in South Vietnam have slain 11,000 of their opponents in the face of organized opposition, it beggars imagination to conceive of what they would do if their enemies were turned over to their tender mercies without any protection whatever.

Yet there are doves throughout the world, including such incredibly bemused Americans as Sen. J. William Fulbright, who seems to have no compassion whatever for the non-Communists of Vietnam. They prate of peace through negotiation, little caring that they are, in effect, drawing up a collective death warrant for untold numbers of South Vietnamese.

If the doves have their way, they—not the hawks—will go down in history as birds of prey.

W. D. W.

[From the Columbia (S.C.) State, Sept. 4, 1967]

JAPAN AND THE RED FOX

TOKYO.—The physical differences between this great Asian metropolis and the capital cities of the Philippines, Taiwan, and South Korea are many—but none are as impressive as the philosophical difference of attitude toward Communism.

In sharp contrast with the Filipinos' nagging concern over domestic Communism and the militant antagonism toward all Communism by the free Chinese and the South Koreans, the Japanese casually recognize the Communist Party and show little worry over the possibility of any armed Communist aggression.

This conclusion may be hastily drawn and overly simplified, but it nevertheless grips the traveler who seeks to measure the anti-Communist commitment in the Far East. There may be Japanese who share their neighbors' apprehension about the threat of Communism in the Pacific, but their voices lack the clarion quality of anti-Communist warnings audible elsewhere around the rim of Asia.

The voices which are heard here, in both governmental and economic circles, seldom refer to Communism in an adversary sense. In some instances, there seems almost a deliberate blindness to Red aggression in the Orient, accompanied by an obvious hope that if the matter is not discussed, it will evaporate.

Japan, like Great Britain, puts world trade ahead of all else and seems much more concerned with commercial profit than with political principle.

At this moment, the international line in Japan is one of "regional cooperation." This laudable mission has a tremendous potential, and Japan manifestly desires to play a leading role in linking the nations of Asia into some form (or forms) of Pacific cohesion.

The problem becomes sticky when all Pacific nations, from the United States on the east, Australia on the south, Burma in the west and Korea on the north, are brought together under one tent—or even a collection of tents. Japanese spokesmen think the chances are much better for regional cooperation if the subject of Communism is not broached.

Thus, there is a studied avoidance of denunciation or even of accurate assessment of Communist aggression in Asia. For example, here is a characteristic excerpt from a speech delivered fairly recently by one of Japan's chief proponents of regional cooperation, Foreign Minister Takeo Miki:

"The cause of the war (in Vietnam) can be traced to the following developments. The Diem regime failed to come up to the expectations of the people of Vietnam in tackling the problem of poverty. As a result, the people began to vent their dissatisfaction on the Diem policies, but the regime failed to cope with the problem with constructive measure.

"On the contrary, the Diem regime tried to suppress the people, thus intensifying their dissatisfaction. This dissatisfaction spread into a wide-scale anti-Government movement, which in turn was utilized by Communist elements in North Vietnam, resulting in the outbreak of the war. The people's dissatisfaction against poverty is the cause of civil war."

This old "belly" explanation of Communism sounds plausible but is not sustained by the facts. How, for example, can it relate to the invasion of South Korea by the Communists of North Korea? There was (and still is) appreciable poverty in both parts of Korea, but the South Koreans want no Communist solutions to their problems.

And the "belly" argument fails utterly to explain the presence of North Vietnamese Communists in South Vietnam.

The Japanese promotion of regional cooperation can contribute much to the development of a more prosperous and progressive Asia. But unless it includes a realistic appraisal and countering of Communism, the end result might be the grown of fatter chickens for the Communist fox.

W.D.W.

[From the Columbia (S.C.) State, Sept. 29, 1967]

UNLIKELY THREAT

The doves who seek to end the Vietnam war through appeasement rather than victory advance the idea, usually as their trump card, that further escalation on our part might bring Red China into the war.

To many Americans, that possibility may seem to be as logical as it is ominous. The prospect of becoming involved in a massive land war with hordes of Red Chinese is a chilling thought, especially in light of our obvious difficulty in coping with the Communist ground forces in South Vietnam.

But the situation takes on a different aspect when viewed from the vantage (*or disadvantage*) point of Red China.

The China mainland today seems in total ferment from border to border, except for the sacrosanct area in Sinkiang province where Chi-Com scientists are developing both a nuclear capability and a nuclear arsenal.

Domestic strife, amounting to outright internecine warfare in a number of areas, has disrupted Red China's economy as well as its government. The capacity of a nation in upheaval to wage modern war is highly questionable, even allowing for the possibility that the war itself might serve as a unifying force.

Furthermore, Red China's involvement in full-scale war with the United States (or any other major power, not excluding Russia) inevitably would increase the likelihood of positive action by the Nationalist Chinese toward regaining control of mainland China. There is some evidence, along with a great deal of hope, that the mainland Chinese would forcibly reject Communism if given the chance—a factor which must penetrate even the most addled minds in Mao Tse-tung's hierarchy.

But there is still another consideration which argues against Red China's overt entry into the Vietnam conflict. Herein lies the greatest negation of the contention that the United States cannot risk war with Red China by clobbering North Vietnam.

Communist China's hope for military (and thereby political) ascendancy in Asia is hinged upon its rapid development as a nuclear power. At present, the facilities devoted to that program lie exposed in pin-pointed areas of Sinkiang province. And though Sinkiang is in the remote reaches of central Asia, it is not immune from devastating nuclear attack.

Even the most foolhardy Chinese Communist must realize that any act of outright warfare against the United States would bring sudden destruction to the nuclear installations which have been built at terrific cost and with tremendous commitment by the Red Chinese. (There are anti-Communists in the United States and elsewhere who would welcome just such an opportunity.)

Red China *is* a threat, not only to the United States but to the world. But at *this* moment, Red China is not about to become a belligerent in the Vietnam conflict. We delude ourselves and dilute our own war effort when we base United States policy on that remote contingency.

[From the Columbia (S.C.) State, Sept. 10, 1967]

THE PRIDE OF CHINA

TAPEI, TAIWAN.—One fact, and one fact alone, emerges with undisputed clarity out of the chaos generated in Red China by Mao Tse-tung's "cultural revolution": .

All factions, whether pro-Mao, anti-Mao, or otherwise, are carefully avoiding any action or agitation which might interfere with Red China's development of a nuclear warfare capability.

In the secluded reaches of far-western Sinkiang province, Chinese Communist scientists, engineers and technicians are busily (and rapidly) making false prophets of those who scoffed at their ability or who predicted a lengthy period of development. They are bringing Red China into the world's nuclear club with a rush, as witness the series of atomic blasts punctuated last June by the awesome detonation of a hydrogen device.

Such ominous progress is continuing in what seems to be complete insulation from the domestic turmoil which is tearing mainland China apart. There is an obvious, although presumably tacit, agreement among all of the rival cliques of Red China that nothing should hinder the nuclear program.

This situation, which strikes the Westerner as a phenomenon of strange tranquility amid bloody civil strife, stems from an Oriental mystique which is understood—and to some degree shared—by the Nationalist Chinese here in the Republic of China.

Bitter enemies though they be to the Communists who drove them from the mainland, they nevertheless sense the emotions, the pride, and the pragmatism which vest the Sinkiang nuclear complex with immunity from strife.

Cutting across all political, ideological, and geographic differences which separate Chinese people throughout the entire world is a strong sense of racial pride and identity. Whether they be Nationalist Chinese, Communist Chinese, overseas Chinese, or westernized Chinese who have been absorbed into free world nations, they still are Chinese in heritage.

They look back on an ancient and distinguished history which, in times past, made Western man look barbaric and ignorant. They also look back over a shorter span and see—with varying degrees of resentment and regret—the subjugation of the Chinese by enemies from without, from both the East and the West.

Today, they see a revival of Chinese skill and capacity in the development, albeit at the hands of Communist Chinese, of an awe-inspiring nuclear potential. Once more, the Chinese are showing themselves to be a force—and a people—to be reckoned with on the world scene. Even the deadly differences which separate the Chinese people today do not entirely suppress that new-found sense of pride in Chinese accomplishment.

Perhaps the idea can be conveyed most clearly by simply repeating the observation of one Nationalist Chinese, an able, intelligent, freedom-loving, anti-Communist Chinese, but nonetheless a Chinese:

"No longer will the Chinese be thought of as mere laundrymen."

Westerners who cling to the "no tickee—no washee" concept had best take notice of what is going on in Sinkiang province. Otherwise, their awakening to the 20th century threat from China may be fearsome—and fatal.

W. D. W.

[From the Columbia (S.C.) State, Sept. 12, 1967]

Handcuffed Ally

Taipei, Taiwan.—The Nationalist Chinese who throng this strategic island could well be described as a human arsenal of democracy—ready, willing, and able to combat Communism on any front.

But there are two other factors which affect the readiness of free China to do battle with the Communists: Restraints imposed by the United States, and the realization that little can be done until those restrictions are lifted, or at least modified.

This realistic appraisal of the existing situation is evident in the notable lessening of talk about an armed attack on Communist China as a means of achieving the prime goal of a "return to the mainland." Instead, there seems a concensus—attributed in part to the reported attitude of President and Generalissimo Chiang Kai-shek himself—that the return will be a combination of circumstances and actions anticipated as being "70 per cent political, 30 per cent military."

This takes into account the current upheaval provoked on the mainland by Mao Tse-tung's "cultural revolution" and the chaos wrought by the Red Guard. The Nationalist Chinese are openly hopeful that these developments will lead to a complete disintegration of Red China's governmental structure, and that they—the Nationalists—can move into the vacuum with adequate military force but with substantial popular acceptance by the mainlanders.

In the meanwhile, the impression is inescapable (even if not officially confirmed) that the Nationalists have stepped up the tempo of such anti-Communist activities as espionage, subversion, and promotion of disaffection on the mainland.

It is beyond question that recovery of continental China remains the overriding goal of the elder statesmen and soldiers who control the Kuomintang, President Chiang's all-powerful party. If there is any appreciable willingness among younger Chinese here on Taiwan to adjust to the status quo of two Chinas, it is not evident in any public statements or discussions.

What *is* evident is a blend of impatience, disappointment, and frustration over the reluctance of the United States to use Nationalist China's military and manpower assets against the Communists. The Republic of China offered to send three divisions of troops to aid in driving the Communists out of South Korea in the 1950's. Additional troops were offered, and are still on call, for service against the Communists in South Vietnam.

But Uncle Sam, presumably out of fear of triggering a war with Red China, not only blocks the Nationalist Chinese from attacking the mainland but refuses to use Nationalist troops against Communists with whom the United States is fighting.

In the meanwhile, the well-trained fighting forces of Chiang Kai-shek, more than a half-million strong, stand at the gate. Something like 80,000 Nationalist troops are literally on the threshold of the mainland, firmly holding the offshore islands of Quemoy and Matsu within a few thousand yards of the mainland itself.

The Nationalist Chinese are among America's staunchest, and certainly strongest, friends and allies. They yearn to play a larger role in the free world's fight against Communist aggression. They cannot fully comprehend why they are denied greater participation.

Neither can we.

W. D. W.

[From the Columbia (S.C.) State, Sept. 8, 1967]

Hard-Working Japanese Are Becoming Prosperous

(By W. D. Workman, Jr.)

Toyko.—An Indonesian statesman, visiting this bustling beehive of commerce and industry, is reported to have said:

"Japan is an economic animal."

The description is apt—and well-deserved. The Land of the Rising Sun is riding the crest of an economic upsurge which already exceeds those of many countries in Western Europe and which conceivably could rival that of the United States in the years to come.

One contributing factor to Japan's present boom is, ironically enough, the fact that Japan emerged from World War II as a loser rather than as a winner. War settlements which stripped Japan of her far-flung empire and of most of her military establishment today is turning out to be an economic boost to the country.

Prohibited from developing any vast military machine of pre-World War II proportions and sheltered by the nuclear (and non-nuclear) umbrella which the United States has raised over free Asia, the Japanese have been free to turn their ample talents, industrial know-how, and driving energy to the business of business rather than of war.

As a result Japan has become one of the industrial giants of the post-war age. Within recent months, she has forged ahead of West Germany in the production of automobiles and now ranks third in that field (behind the United States and Great Britain). A continuation of the present rate of economic growth soon will have Japan clearly established as the third largest industrial power in the free world.

A thumping increase of 16.3 per cent in Gross National Product for the fiscal year ending in March of 1967 has placed Japan ahead of Great Britain. Today, only the United States, West Germany, and France exceed Japan in GNP.

Per capita income still is relatively low (at $790 a year) and stands about 20th among the industrialized nations of the world. But this picture likewise is improving rapidly and the Japanese anticipate overtaking most of the leading nations within a matter of a few years.

Prime Minister Eisaku Sato declared only last week that Japan was well on its way toward becoming runner-up to the United States in national income. Within 10 years, he said, the Japanese people would be enjoying living standards comparable to those in Western Europe. And, he added, within 20 years the Japanese would be enjoying the standard of living now prevailing in the United States.

Even a passing glance at Japanese newspapers discloses the intense interest of the general public in economic affairs. Economic analyses and reports of business news are sprinkled liberally throughout each day's edition of newspapers.

One interesting facet of Japan's economic expansion is the degree to which the country is involved with industrial developments elsewhere in the world. Within the space of a few days, news items appeared in the Japanese press telling of Japan's participation in the construction of a steel mill in East Pakistan, a tire factory in Thailand, and a communications satellite tracking station in Mexico.

Japan's trade with South and Central American countries is flourishing to such an extent that trade missions are kept busy and special business sections of The Japan Times are printed in Spanish. And in early October, a 36-member trade mission from Scotland is scheduled to visit Japan.

Two members of the Japanese cabinet, the ministers of Labor and of International Trade and Industry, will visit a number of nations in September to solicit their participation in the Japan World Exposition to be held in Osaka in 1970. And the Japan External Trade Organization is launching a series of surveys to develop export markets in the United States, Europe, and Southeast Asia.

Mingled with Japan's far-flung trade is a degree of less-publicized commerce with Communist countries, including Red China, Soviet Russia, and North Korea. Understandably, such trade infuriates non-Communist nations such as the United States, Nationalist China, and South Korea, with the result that Japanese officials stay rather busy trying to smooth over the frictions which develop out of such trade.

A complicating factor lies in the unwillingness of some non-Communist nations, particularly the United States, to let down tariff barriers and engage in free trade with Japan. Some progress has been made in that direction through completion of the Kennedy round of tariff talks, but there still remains such opposition to free trade on the part of segments of U.S. industry, including the textile component.

But trade is the lifeblood of Japan's economy, and the Japanese will serve markets where they can find them. The road to world trade is beset with obstacles and detours, but there is no other for this industrial island to follow.

[From the Columbia (S.C.) State, Sept. 7, 1967]

Profit-Conscious Taiwan Farmers Wrought Miracle

(By W. D. Workman, Jr.)

Taipei, Taiwan.—The Nationalist Chinese, under conditions which would have defeated or at least discouraged a less intelligent and resolute people, have wrought an agricultural miracle here on Taiwan.

The island, lying 100 miles off the shore of mainland China across the Taiwan Straits, was fittingly called Ilha Formosa (beautiful island) when it first was seen by Europeans (Portuguese) in the mid-16th century. But not all that is beautiful is productive, and the agricultural potential of the island is limited by geography, geology, and climate.

Taiwan is shaped somewhat like a leaf of tobacco (which is one of its crops) and is about 250 miles long and 90 to 120 miles wide, totalling less than 14,000 square miles in area. Relating its size to that of South Carolina would be like carving out of the Palmetto State's 31,000 square miles that portion which lies between the Savannah and the Saluda rivers as they course to the sea.

Mountain ranges and rugged peaks (30 of them exceeding 10,000 feet in height) dominate much of Taiwan, leaving only about 25 per cent of the land suitable for full cultivation. But what the Chinese have done with that land, most of which lies in the western plain, has been nothing short of phenomenal. The achievement is all the more exemplary in the light of the population pressure experienced since Generalissimo Chiang Kai-shek's forces were driven to Taiwan from the Communist-held mainland in 1949.

The shift of the Nationalist government to Taiwan added 1,000,000 anti-Communist mainlanders and about 600,000 soldiers to an island which already had almost 7,000,000 inhabitants. Today, there are an estimated 13,000,000 persons on Taiwan, creating a population density of 883 per square mile, a figure exceeded by only one other nation, the Netherlands.

Three major factors made it possible for the free Chinese to surmount their inadequacies in natural resources and their abundance of people. One was the "land-to-the-tiller" legacy left by the father of the first Chinese Republic, Dr. Sun Yat-sen.

The second was the Nationalist government's awareness that the development of a strong agricultural base should precede, not follow, industrial growth.

The third factor was the research, the planning, and the application of farm programs developed by the Joint Commission on Rural Reconstruction, an agricultural agency through which the United States and Nationalist China seek to improve rural life for the Chinese. The JCRR program actually was started on the mainland in 1946, and was transferred, along with the government, to Taiwan in 1949.

The first major specific step taken by the Republic of China to implement land reform on Taiwan was a sweeping revision of land rents, begun in 1949. All cultivated lands were classified according to productivity, and rents were based at 37.5 percent of standard yield, considerably below many of the rent levels then prevailing for tenant farmers.

Next came an equally sweeping sale of public lands to individual farmers, shifting the vast governmental holdings (amounting to about 20 percent of all land under cultivation) to private owners.

Finally, beginning in 1953, came the "land-to-the-tiller" program. Large landowners were persuaded (compelled when necessary) to sell off all but a prescribed allowance of their holdings. The government paid for this land with a combination of land (crop yield) bonds and stocks in government-owned industries.

The net result of these three land reform measures was to reduce the incidence of tenant farming from 41 per cent to 16 per cent and to greatly increase agricultural yields, diversity, and general productivity.

Through the experimental and extension work fostered by the Joint Commission on Rural Reconstruction, new crops were introduced, soils were improved through fertilizer and crop rotation, and a remarkable pattern of multiple cropping was perfected.

Here, the variations in Taiwan's climate and terrain proved helpful, for supplemental crops were fitted in between the growing seasons of the traditional main crop, rice.

Two crops of rice became routine, with third, and in some areas, even fourth, crops of other produce being interspersed whenever and wherever possible.

Among such added crops are many familiar to South Carolina farmers: Sweet potatoes, watermelons, soybeans, corn, tobacco, peas, and other vegetables.

The agricultural research, farm planning, and farmer cooperation involved in all this were made most effective by one major ingredient—the incentive of private ownership.

Here's how that thought is expressed by one of the true pioneers in JCRR work, Dr. T. H. Shen, who holds a master's degree from the University of Georgia and a doctorate from Cornell University:

"Our farmers are very sensitive to profits—the best incentive to agricultural production."

That incentive, plus know-how and hard work, has brought Taiwan from a crop-deficient state to self-sufficiency in virtually every important area of food production. Furthermore, by the end of 1966, agricultural exports amounted to more than $262 million in American dollars.

Thus, during a period when Americans have witnessed a growing threat to the survival of the small family farm, the Chinese have proved that individual initiative (and ownership), coupled with a pooling of effort to meet harvesting, marketing and other problems, can make the small farm not only personal but profitable.

[From the Columbia (S.C.) State, Sept. 7, 1967]

Korea's Example

South Vietnam today could well be described as the South Korea of yesterday. Pursuing the analogy one logical step further, the South Vietnam of tomorrow could be the South Korea of today.

This optimistic vindication of the American presence in Southeast Asia is not just the hopeful conclusion of *The State,* it is the openly expressed conviction of American diplomats and military men in the Far East. And, more to the point, it is a view shared and promulgated by many Asians who count on the United States as their chief bulwark—at least for the present—against a Communist tide which, if unchecked, would soon roll over all of the Orient.

The road ahead for South Vietnam is beset with obstacles, detours, and slippery places. But so was the path taken by the non-Communists of North Korea in the early 1950's.

All of the derogatory and discouraging things being said about South Vietnam today were being said of South Korea when that courageous nation began fighting for its life against Communist aggressors. Go back through the files of the Korean War days and you will find the same sort of charges which today are being leveled against the South Vietnamese.

They won't fight for themselves, so why should Americans fight for them?

There is too much corruption in the government.

They don't know anything about democracy and it won't work there.

You can't depend on their military forces.

There's no real hope of winning the war against an enemy backed by Red China.

If the United States carries the fight to the enemy, Red China would begin World War III.

The people don't have any real interest in who rules them.

So much for the allegations. Now, what of the consequences?

Today, thanks to the United States and the United Nations, Korea stands as a strong and developing nation, possessed of a large and highly competent military establishment, a surging economy, a boisterously democratic government, and an unflagging determination to thwart the spread of Communism.

In short, the free world—by its timely aid to a fledging nation in desperate straits—has fostered the growth of a viable and vigorous ally in its resistance to Communism.

The Korean experience stands both as an example and incentive to South Vietnam. Bit by bit, the South Vietnamese are overcoming the same sort of criticism which was laid, justly or unjustly, at the door of the South Koreans.

But it is not the Vietnamese who need to ponder the Korean analogy so much as the Americans who despair of their involvement in Asian affairs. Today, the free world is stronger because of the fight made in—and for—South Korea. Tomorrow, the same can be said of South Vietnam if we and our allies persevere through these difficult days.

[From the Columbia (S.C.) State, Sept. 13, 1967]

Dragon's Eggs

TAIPEI, TAIWAN.—The workings of the Oriental mind are reputed to be mysterious and subtle to the Western observer. But there is nothing devious or obscure about the suggestion that Red China's nuclear capability be destroyed before it becomes an even greater threat to world peace and stability.

That suggestion—amounting more to an outright proposal than a mere recommendation—is readily available to the visitor who raises the nuclear question in Nationalist Chinese circles, whether high or low.

With utter realism, many Chinese on this crowded little bastion of freedom bluntly declare that Red China's nuclear facilities in far-distant Sinkiang province should be wiped from the face of the earth. That action, they add, should have been taken years ago, before the Chinese Communists had brought their production and know-how to the present level of achievement.

Now, the task will be more difficult and less decisive, for the Chi-Coms reportedly are moving more and more of their installations underground and are dispersing both facilities and finished products. There is the uneasy feeling that as many as 30 or more atomic devices (meaning bombs in one shape or another) already have been manufactured. These are thought to be dispersed throughout Red China rather than being clustered in remote Sinkiang province.

Just what Mao Tse-tung (or his successors) intend doing with the bombs is debatable. But it is beyond dispute that his associates are philosophically and psychologically capable of placing such bombs where and when they could serve the cause of Chinese Communism.

There is here some feeling—admittedly hard to substantiate—that Mao would not use the bomb against other Asian people. But there seems no doubt whatever that the bomb can, and possibly will, be used against the United States or other non-Asian enemies of Red China.

But even the possibility that Mao would turn the awesome force of nuclear explosion against the Nationalist Chinese doesn't weaken the willingness of Chiang Kai-shek's followers to assume whatever risks may be involved. As much as they favor United States action toward obliterating Red China's nuclear potential, they would prefer even more that *they,* as the ones most concerned with the overthrow of Communism on the Chinese mainland, be given the opportunity.

"We are more afraid of Communism," they say, "than of the atom bomb."

Their fear is understandable. So, too, is their desire to stamp out the dragon's nest in Sinkiang province where deadly nuclear eggs are being hatched in increasing number and potency.

They are under no illusions about the degree of death and destruction which can, and probably will, come to Asia and the world when the Chi-Coms have reached the point of readiness—or of desperation—to turn loose their atomic dogs of war.

Even the hint of such a preventive war against Red China is cause for alarm and condemnation in official Washington, and throughout much of the United States. But there are military men and other clear-eyed Americans who sincerely believe that the ultimate cause of peace would be served by the elimination—*now*—of Communist China's capacity to make good the continuing threats to re-make the world into a Communist image, *by violence.*

The implications, on both sides of the question, are dreadful. But they should be faced in America with the same pragmatism which they receive here in the Republic of China.

It is quite possible that the fate of the world may hinge on the determination of that single question. W. D. W.

SPECULATION ABOUT RECENT EVENTS

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the Record a speculative article entitled "City Still in Dark About the Sunrise," which appeared in the Sunday Washington Post under the byline of editor J. R. Wiggins. The article speaks for itself. I would only add that it makes as much sense as most of the other speculation about recent events which have appeared in the press.

There being no objection, the article was ordered to be printed in the Record, as follows:

City Still in Dark About the Sunrise

(By J. R. Wiggins)

Washington, December 2, 1967.—The sun rose this morning at 7:06 Eastern Standard Time, under circumstances that provoked a wave of political speculation in informed circles in Washington.

An unidentified source disclosed to reporters for *The Washington Post* that the Weather Bureau until 7:07 a.m. had not informed the Defense Department that the sun had risen. This was widely construed to mean that the Commerce Department secretly acting for the President intended a deliberate affront to the Defense Department.

At the Defense Department, it was learned that there had been no word from the Commerce Department or the Weather Bureau within the previous five hours, but that the President had discussed the matter three weeks earlier with the Acting Director of the Weather Bureau. The Director could not be reached for comment.

It is well known that there have been differences of opinion in the Commerce Department. The wife of the Undersecretary of Commerce did not attend a reception for underprivileged children given the week before by the wife of the Director of the Weather Bureau, and this slight did not go unnoticed in a great many governmental circles.

Many had felt for a long time that the sun was going to rise at 7:06 but even friends of the President acknowledged that it was not considerate of the White House to let the Department of Defense be surprised in this manner. It would have been more stylish of the Administration, it was said, if someone had forwarded to the Secretary of Defense an engraved announcement conveying the precise hour at which the first rays of the morning sun would fall across the Pentagon.

Senator Robert Kennedy (D-N.Y.) could not be reached for comment, but it is known that he rushed to the Pentagon for hurried conferences with the Secretary of Defense and emerged after several hours looking very grave and troubled. It is well known that the Senator has been for a long time annoyed at the graceless way that President Johnson allows the day to break without tactfully informing everyone in advance. His friends say that he is greatly pained to see Federal power handled in this awkward way.

Representative Gerald Ford (R-Mich.) condemned the whole episode as another case of bureaucratic fumbling and expressed the view that the whole episode disclosed fundamental differences of opinion between the Commerce Department and the Defense Department on how the day ought to start.

Vice President Humphrey declined to make any comment on the situation, but said that he was in thorough agreement with whatever the President had done, although he acknowledged that he wasn't exactly sure what had been done. Later, the Vice President's aides, as a matter of caution, withdrew this statement.

At the White House there was no comment of any kind, but it is known that the President was characteristically annoyed that anyone had seen the event before he announced it. It is understood that steps are being taken to tighten up security at the Weather Bureau.

The failure of the White House to comment promptly on the whole controversy enlarged and prolonged the confusion. An explanation for this delay was not forthcoming in any authoritative quarter but hitherto reliable sources believe the delay due to Presidential pique. They point out that daybreak always irritates the President, particularly when he has not planned or initiated it. It is felt that the delay in making any comment tended to confuse the public as to the responsibility for the whole event, leaving everyone in doubt as to whether the sun came up before or after the President ordered it to do so.

Friends of the President deny that today's spectacular event means, necessarily, that there are going to be a lot more sunrises in the immediate future. This, they say, is a matter of political timing at which the President is very expert. It may not happen, again, therefore, until after election.

The whole affair has plunged Washington into a tumultuous two days of frantic conjecture and speculation. On the surface, it looks as though the sun just went ahead and rose, but reporters who have been frustrated before in the search for truth will not be satisfied with this pat explanation. Many of them are confident that there is a lie here somewhere and the frantic effort to discover where it is goes on unabated.

QUAGMIRE FOR A SMALL BUSINESSMAN

Mr. LONG of Missouri. Mr. President, from time to time, we hear great gnashing of the teeth and breast-beating over the great increase in business concentration and the equally great decrease in the number of successful small businesses.

The squeeze is on.

The number of bankruptcies among small businesses is rising at an alarming rate.

There are many causes for this general trend but one of the most salient and poignant is harassment by the Federal Government.

There are myriad forms.

There are questionnaires.

There are investigations.

There are inquiries.

However, the champion harasser of all apparently is the Internal Revenue Service.

I have received a quantity of mail from small businessmen complaining bitterly about their time consuming experiences and general harassment at the hands of IRS.

Understandably, most of these citizens prefer to have their cases remain out of the public domain.

One exception is Mr. Edward F. Frume, a small businessman in Villa Park, Ill. He is so exasperated that he wants his case publicized in the hope that it might bring about some reform in the system that will help other small businessmen. As Mr. Frume says, the inefficiencies of IRS "rob me of my most valuable property, my time." I ask unanimous consent that Mr. Frume's letter of September 4 be printed in the Record; the letter speaks for itself and requires no further comment.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Winter, Kahn, Nielsen, Ross &
Buckwalter, Inc.,
September 4, 1967.

Senate Judiciary Subcommittee on Administrative Practice and Procedure,
New Senate Office Building,
Washington, D.C.

My Dear Senators: Having read, not without a great deal of concern, how other tax payers have been treated by the Internal Revenue Service, I would like to offer a concrete example of how a small business man can suffer damage without any possibility of defending himself. My example, while less dramatic, for it does not involve any spectacular abuse of administrative powers by Internal Revenue Agents, is nevertheless very alarming. Such inefficiencies as I will describe are very costly. They rob me of my most valuable property, my time. As a further cost to the national economy, these practices are very expensive to the Government, since they divert valuable manpower and computer time from useful employment to a useless and destructive activity.

I am an international marketing consultant who travels a great deal in foreign countries. I am also an inventor who patented a tuck pointing machine. For both of these occupations, I need part time office help. The law provides that such help must pay income tax through payroll deductions if their salary exceeds a certain minimum and social security through FICA deductions irrespective of how little they might earn during a given period. There are certain forms to be filled out at the beginning of the employment, others at the end of each quarter and finally, an annual report in January of each year. Due to the fact that my secretary did not do this work very often, she spent probably a day a year filling out these reports.

On October 20, 1965, just a few days before leaving on an extended South American marketing trip, I received an IRS notification that my second semester, 1965 report had not been received and that I was delinquent in not filing it. I immediately called the Internal Revenue and spoke to a woman employee whose name I failed to take, because I did not foresee the subsequent complications. She instructed me to file a duplicate report and mail another check. I consented to this procedure, pointing out however that under these circumstances, I should stop payment of the first check. This, the IRS employee agreed I should do. Consequently, I instructed my bank to stop payment on my check, filled out the substitute report form I had received and mailed both to the Internal Revenue Service. About a day later, my banker called to tell me that my check could not be stopped for it had been cashed a few days ago. I once more phoned the IRS, spoke to another woman employee and was told not to worry for apparently my first report had been found. What about my double payment then? Oh, I could stop payment on the second check, which I did and left for South America.

In my absence, my wife received a notification we were delinquent in not filing a report and stopping a Government check, consequently, the principal sum of money $27.16 was due plus a $5.00 penalty for stopping a Government check. My wife wrote to the collector of IRS pointing out our report had been filed within the limits of the law that we had made the payment required and that consequently we were not delinquent. No reply was ever received from the IRS, but notices began arriving from Chicago, Ill., Springfield, Ill., Springfield, Mo., and Kansas City, Mo. In most of these notices, the balance due was different (the penalty was $5.00 in some, $4.07, in others; the interest varied from zero to $0.87 plus a notice assessment of $0.32). Some were undated, all of them seemed to be printed or written by a computer; none showed a person or an office to whom one might direct an inquiry or a protest. I tried to call and to write upon my return from South America in order to correct this evident error. However, the people I talked to on the phone either were not very helpful or could not help me and my letters never were acknowledged, except perhaps by a printed form stating that my communication had been received and in due time, action would be taken, but this never happened.

In the spring, 1966, I had to make another marketing trip to Europe. During my absence additional notices arrived plus a government check in the amount of $23.20 which came from Birmingham, Alabama. Immediately upon my return from Europe, I advised the IRS of that location that their remittance had been received and asked for an explanation. Another printed notice arrived referring me to Springfield, Ill. Then, instructions came from Kansas City, Mo. to refund the check, which I did.

In August, 1966, I received another notice, this time from the IRS in Chicago at 5817 W. Madison Street, telling me I owed a tax liability of $6.02, because of interest and other taxes, and if I did not pay the Internal Revenue code authorized filing a tax lien and/or seizure of my property. I once more tried to call and resolve this additional error. I found out that nobody except a Mr. Hassel was able to get this matter corrected, unfortunately, he was on vacation. Finally, in desperation I called the District Director of IRS Chicago District and asked to talk to him personally. I did not succeed, but talked to the Chief Cashier, Mr. Richard W. Witcher. I told Mr. Witcher that I would protest to the Secretary of the Treasury if this ridiculous harassment for paltry sums which I did not owe, did not cease immediately. Mr. Witcher assured me he would investigate and resolve this matter. I never heard from him again, but I did not receive and more notices and must assume the matter has been settled. Because of these difficulties, I decided to dissolve my office and to use typing services instead. This compelled us to file a report for the first quarter of 1966, attaching a check for $33.73, a final report for the second quarter of 1966, plus an annual reconciliation at the beginning of 1967. Although all this was done strictly in accordance with the requirements of the IRS, we received a notice dated April 14, 1967 requiring us to pay the tax we had already paid plus $1.69 penalty and $0.41 interest by April 24, 1967. In looking back upon the trivial amounts involved, totaling $35.83 we should simply have mailed IRS a check without more ado. I assume this is what many businessmen do, for it is less expensive to pay the IRS a few dollars, rather than engage in lengthy correspondence. However, I felt a penalty was a slur on the efficiency of my operation and I should not accept it if I did not owe it. Consequently I wrote to the District Director of Internal Revenue on April 20 and to the Director of the IRS Center in Kansas City, Mo. pointing out that these payments were not due since the original tax (FICA) had been paid on time, in full and, therefore, no interest or penalty should have been assessed.

I then left for another trip to Europe. Upon my return, I found another billet doux from IRS, 5817 W. Madison Street, Chicago, dated August 14, 1967 with a no nonsense summons to pay without further delay another interest charge plus previous interest, penalty and the base sum. I immediately called up and found that the tax inspector Mr. Terry Belgrave was not in. I spoke to his supervisor Mr. Zalas, and explained the matter fully. He told me Mr. Belgrave would get in touch with me immediately upon his return. This, Mr. Belgrave has not done, and I have no way of foretelling what will be the final outcome of this tax claim. I can only say this:

The value of my wife's and my own time spent to satisfy the IRS, plus secretarial and letter services, represents a sum of money many times in excess of the sums claimed which were not even due. The amount of time the IR must have spent on my tax matters is totally out of proportion to the money involved.

I assume eventually the second claim will also be cleared up and I will be able to close my file on it. However, I am appalled at the thought of the irreparable loss inflicted on our economy through such incompetence. Certainly, it is bad enough when large corporations who have accounting services of their own become entangled in futile tax claims. However, the sum under contest would seem to justify this Tug of War. Also, these businesses have specialized people to take care of such claims. But, when a small businessman like myself is being constantly pestered for payment of amounts anywhere from a few pennies to $35.00 which he has dutifully paid, then there must be something radically wrong in our IRS. I firmly believe the law should provide for simplified procedures to relieve small businessmen from such onerous burdens. It would be one of my suggestions that small businessmen who employ part time help averaging less than 35 hours per week should not be required to submit any reports, or, perhaps, one report only per year. The processing alone of the reports I have been submitting to the IRS, while I had my part-time employee yet, must have cost considerably in excess of the FICA payments which these reports covered.

I hope this matter will be brought to the attention of the IRS and immediate action will result.

Sincerely yours,

Edward F. Frume.

Villa Park, Ill.

AMERICAN TAXPAYER ALREADY HIT TOO HARD AND FROM TOO MANY ANGLES

Mr. PROXMIRE. Mr. President, for many months I have argued in the Senate that a tax increase is unwise in view of the state of the economy. The economy is soft. We are producing less industrially than we were last year. Vacant plant capacity has been growing all year. Unemployment has been rising sharply in recent months.

Today I invite attention to another argument against the tax increase. Taxpayers have always complained about their burden. I suppose they always will. But their complaints now have more validity. The tax burden has become heavier than ever; and when I say the tax burden, I mean the total tax burden—not only the Federal income tax, but the social security tax, the State taxes, and the local property tax. The whole ball of wax is a bigger proportion of the country's income than ever before.

The Wall Street Journal this morning makes an excellent analysis of this immense tax burden. It is a perfectly proper and sensible argument against a Federal tax increase now, on top of everything else we pay. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE OUTLOOK: APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

The old saw about the certainty of taxes would seem to have a corollary: Those taxes usually rise. It was as recent as the fiscal year 1956 that taxes collected by all levels of government in the U.S. first exceeded $100 billion. In fiscal 1967, receipts broke through the $200 billion level. Measured on a per capita basis, since 1956 the tax bite has declined in only two years.

Now comes the growing likelihood of higher Social Security taxes, plus the strong drive the Administration will continue to make in next year's Congressional session for a 10% boost in income taxes. The effect of these and other possible actions on the Federal tax front could lead to an increase in the total tax bill at a yearly rate of $12 billion to $14 billion or more if the economy does not go into a nose dive. Deepening the gloom for taxpayers—and that includes nearly all of us—are the increasing warnings from officials of states and cities that they must seek increased revenues.

Thus it would seem a timely exercise to look at the overall tax picture. Some light is shed on the tax load Americans bear in studies by the nonprofit Tax Foundation and New York's Chase Manhattan Bank.

Last year, Chase reports, we paid some $213 billion in taxes and fees to all governmental units. That amount is equal to almost 29% of the gross national product. The Federal share of these collections amounted to about 19% of GNP. That's below the 20% to 23% paid in the United Kingdom, France and West Germany, but much more than Canada's 15.5% and Japan's 13%.

Over the long range, our tax burden has risen sharply. In 1939, the total tax "take" was equal to only 17% of GNP, compared with last year's 29%. In 1929 the figure was a mere 11%. Two world wars, many smaller conflicts, the Depression and growing public responsibility for social welfare among a rising population have fueled the increase.

Another way to look at the tax burden is to relate all tax receipts to total population and the number of families. The following table shows total Federal, state and local government tax receipts for selected fiscal years, ending June 30, and on a per capita and per family basis. Total taxes exclude government fees but include social insurance payments and business taxes; the Tax Foundation, which compiled the figures, assumes the burden of the corporate tax is shifted to individuals as a cost of doing business.

Year	Total taxes (billions)	Per capita	Per family
1956	$100	$600	$1,897
1960	127	709	2,264
1965	166	860	2,768
1967	207	1,048	3,385

While Uncle Sam remains king of the tax collectors—over two-thirds of total receipts in fiscal 1967—the tax receipts of the other 90,000 governmental units in the U.S. are rising considerably faster. State-local tax revenue per person rose by about 79% from 1957 to 1967, compared with the 54% climb in Federal taxes.

Moreover, hard-pressed states and localities find a growing proportion of their general revenues coming from taxes Washington has levied. Federal grants in aid last year accounted for 16% of state-local governments' general revenues, making Washington the third largest source of funds for these governments, ranking right after real estate and sales taxes.

The increasing tax appetite of nonfederal governments is shrinking the untapped sources for new revenues. Today, New Hampshire remains the only state without taxes on general sales, corporate or individual income (except from dividends and interest). Thirty-five states now tax individual income; 40, corporate income; 44, general sales. The lure of the levy on personal income has brought some 1,300 municipalities into that taxation area.

Though nearly everyone shares the tax load, the bulk of it is borne by individuals and families with yearly incomes between $5,000 and $25,000; they pay two-thirds of the huge Federal income tax alone.

If we "soaked the rich" or near-rich, couldn't we erase the expected towering Federal deficit without raising taxes generally?

Figures from the Congressional Joint Committee on Internal Revenue Taxation show that a 100% tax—complete confiscation—on all taxable income in excess of $25,000 ($50,000 for joint returns) would produce a revenue gain of only $2.1 billion. Extending the 100% tax to all taxable income over $10,000 ($20,000 for joint returns) would net $31.2 billion. Those sums compare with a budget deficit of as much as $35 billion that's envisioned by President Johnson unless he gets the 10% tax surcharge.

Americans are well aware that the biggest chunk of their Federal taxes goes to maintain the military establishment. But it may surprise some that the next biggest tax outlay goes for interest on the national debt. A married man with two children who earns $10,000 a year pays $1,114 in Federal income taxes; $623 goes for defense, $117 for interest on the national debt.

Interest costs on the mounting national debt put severe upward pressure on taxes. These interest costs are estimated at $14 billion-plus for fiscal 1968, nearly double the cost in 1957. Adding to taxpayers' woe is the high cost of refinancing the $343 billion national debt. The Treasury now must pay the highest interest rates since the post-Civil War days.

Even without the Vietnam war, the cost of which has been rising from $100 million in fiscal year 1965 to an estimated $25 billion-plus this fiscal year, the tax burden will remain heavy. Without the war, pressures for expanded domestic spending programs will be greater. The U.S. economy is a mighty machine for producing tax revenue; when healthy it generates an additional $10-$12 billion yearly, with no change in tax rates. But even if Federal revenue demands should slacken, chances are high that the public's appetite for improving the "quality" of living will keep the total tax bill moving upward in coming years.

Sterling E. Soderlind.

MANDATORY ASSISTANCE TO FAMILIES HEADED BY UNEMPLOYED FATHERS

Mr. HARRIS. Mr. President, the Senate has every right to be quite proud of its vote, during the consideration of H.R. 12080, the social security bill, to make the presently permissive assistance to families headed by unemployed fathers mandatory in all the States. The reaction to that vote around the country from those knowledgeable about our welfare system has been highly favorable, and I certainly hope this amendment will be retained in conference. Recently, I received a letter from Mr. Joseph H. Reid, executive director of the Child and Welfare League of America, Inc., on this subject. I ask unanimous consent that the portion of that letter dealing with the amendment be printed in the Record.

I have also recently received two letters from Elizabeth Wickenden, technical consultant on public social policy, National Social Welfare Assembly, Inc., commending the Senate action on the amendment and attaching certain supportive material. I ask unanimous consent that these two letters and the material attached to them be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Child Welfare League
of America, Inc.,
December 1, 1967.

Senator Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: The Child Welfare League of America is grateful to you for your leadership in amending H.R. 12080 to include a mandatory AFDC program for children of unemployed fathers. We have long sought this provision, and so testified both before the House Ways and Means Committee and the Senate Finance Committee. We hope you will continue to use your influence in support of this amendment until it is, in fact, part of the Social Security Act.

Your action to improve the public welfare provisions of H.R. 12080 was of great service to the children and needy families of this nation.

Sincerely yours,
Joseph H. Reid,
Executive Director.

National Social Welfare
Assembly Inc.,
New York, N.Y., December 1, 1967.

Hon. Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: In connection with your amendment to make the inclusion of assistance to children in need because of the unemployment of the father a mandatory part of Aid to Families with Dependent Children I believe the attached article which appeared in yesterday's Wall Street Journal is particularly germane.

Perhaps you would like to bring this to the attention of the conferees on H.R. 12080 or to the Congress through its inclusion in the Congressional Record.

Sincerely yours,
Elizabeth Wickenden,
Technical Consultant on Public Social Policy.

[From the Wall Street Journal, Nov. 30, 1967]

Cash Premium To Break Up the Family

(By Dennis Farney)

Kansas City, Mo.—In November 1965 Harold J., a middle-aged Negro, reluctantly turned his back on wife and children and found another home in this city's decaying Negro district. He was gone for 18 months, and in that time his family came apart.

Three step-children were charged with crimes ranging from shop-lifting to robbing a bus driver at gunpoint. One went to a juvenile home. Mr. J.'s wife took a job, leaving eight unattended children free to run wild at home. And the lonely children "were all the time asking Mama where I'm at, where I'm at," Mr. J. says.

Technically, Mr. J. deserted. Actually, he was forced from his home by the welfare program whose purposes include "helping maintain and strengthen family life." The program is the nation's largest and most conspicuous welfare plan, Aid to Families with Dependent Children.

Mr. J. is by no means an isolated case. He was a victim of Missouri's law that denies AFDC payments to children of unemployed parents if the father is able-bodied and living with his family; payments are allowed only if the father is absent. Twenty-seven other states have similar laws, all apparently predicated on the assumption that, given a choice unemployed men would simply lie around the house and live off welfare.

CRUEL CHOICE

Undoubtedly this would sometimes happen. But in a majority of states, including Missouri, AFDC is the only welfare program to which an able-bodied but unemployed man can turn. For men like Mr. J.—whose job skills are too marginal for steady employment even in the best of times—a law like Missouri's forces a cruel choice. They may either watch their children go hungry or leave, knowing that through AFDC the children will be fed. Harold J. is one who left.

In 1961, a quarter-century after the nation established AFDC, Congress amended the law. Children of unemployed fathers were made eligible for aid, and their fathers could remain at home. But since the individual states administer AFDC (Federal funds largely finance it), the amendment is meaningless until state legislatures implement it. So far, only 22 states have; prospects for quick action by the remaining 28 aren't good.

Most of those 28 states lack general assistance welfare programs to aid the unemployed, and they fear the amended Federal program would add new costs, especially if unemployment rose. More basic, says John J. Hurley, deputy director of the Federal Assistance Payments Administration, is a barrier of attitude: Many legislators associate AFDC with illegitimacy or handouts to the lazy. "It's the grant case that everybody knows about," he says.

Even among the 22 states that have adopted the amendment, restrictive eligibility requirements limit the number of beneficiary families to about 60,400. Of this total, Kansas has only about 200 unemployed families with fathers at home on its AFDC rolls; Delaware has 200. Maryland 340 and Oklahoma 570.

The problem of the deserting father has attracted some attention, but nothing like the urgency of periodic moves in Congress to "get tough" with welfare recipients and hold costs down. Recently, the House passed a bill that would freeze AFDC payments at a predetermined level and force many AFDC mothers to take jobs, a provision now being discsused by a House-Senate conference committee.

But Mr. J.'s experience typifies a different kind of problem: A self-defeating approach that pervades the entire AFDC program. Laws like Missouri's help perpetuate generation-to-generation welfare dependency, and—under the guise of holding costs down—they actually create new and costlier social problems.

"I don't know of any other time in history when tax money has been used to put a cash premium on the breakup of the family structure," declares Mayor Ilus Davis of this city.

"We should restructure our basic welfare program—turn it into a family-oriented operation instead of an individual-oriented one," Mayor Davis adds. "We should study the European system of family allowances and put something similar into effect."

Others share these views. At hearings last summer of a Senate subcommittee, Daniel Patrick Moynihan testified that ours is "the only industrial democracy in the world that does not have a family or children's allowance, and we are the only industrial democracy in the world whose streets are filled with rioters each summer." Mr. Moynihan, head of the Harvard-MIT Joint Center for Urban Studies, is author of the controversial "Moynihan report" made in 1965 when he was an assistant secretary of labor. The report concluded that the family structure of the lower-class Negro is crumbling in the urban slum.

COERCIVE ELEMENTS

In a recent welfare conference called by New York Gov. Nelson Rockefeller, 90 top executives of major industrial concerns were generally critical of the coercive elements of the House-passed bill limiting AFDC payments; some executives recommended a family allowances system.

All this is academic to Harold J., who was finally able to return home last May when enrollment in a Federal work-experience program made him self-supporting again. Balding and a little tired-looking, a quiet, unemotional man who came here from Arkansas 30 years ago, Mr. J. sits in the old frame house his family rents and talks of his time away from home.

Mr. J. is neither shiftless nor irresponsible, but his marriage hardly conforms to middle-class standards. He began living with his wife, Mary, about 15 years ago. Her first husband had deserted her and three children; she hasn't heard from him since. Mr. J. and Mary had eight children of their own; and between the fifth and the sixth, they were formally married.

When he has been able to find work as a plumber's assistant, Mr. J. has earned as much as $3.10 an hour. But steady work for a man with a third-grade education is hard to find; in the entire year before he left home Mr. J. made less than $600. Then a bad fire forced the family from a rented house into a housing project, and sent both him and his wife on a round of appeals to local welfare agencies.

"I went everywhere," Mr. J. says. "One place gave me a free grocery order."

Then Mr. J. moved out, enabling Mrs. J. to apply for AFDC. Her request was rejected. "It was found that Harold was still visiting in the home," a welfare worker explained. But three months later, in February 1966, the welfare department approved a second application, authorizing monthly welfare payments of $282.

A caseworker explained the ground rules to Mrs. J. "She said as long as he wasn't in the house I could get help," Mrs. J. recalls. "She said he was never to be caught in the house, anytime—that if we were caught together, they'd cut us off."

It wasn't an idle threat. One day a man, apparently a welfare investigator, dropped in. When Mrs. J. started down the stairs to answer his knock, he called: "That's OK—I'm coming up." He searched the upstairs bedrooms, and finding no one, left.

FURTIVE VISITS

The investigator was close to the truth: Mr. J. was living in an apartment about a half-dozen blocks away. And like other fathers caught in the contradictions of AFDC regulations, he was seeing his family—furtively, and away from his home.

For 18 months "I never once set foot in there (his home), but I'd see my kids practically every Friday or Saturday," Mr. J says. It appears he missed his children more than his wife: "Being away from my kids day and night, that was the worst," he says. Mr. J. insists he saw his wife only "four or five times" the entire year and a half. But almost every weekend the children went to his apartment, sometimes staying overnight.

Shortly before Christmas 1965 the Js went shopping. They didn't have much money, so they bought "presents" their children would need anyway—shoes and clothing, mostly, with a scattering of toys and a small Christmas tree for Mr. J's apartment.

The children spent Christmas day with their father. They opened his presents and then, after dark, he loaded them into his brother's car and drove them back to where their mother waited with dinner and a few more gifts. Mr. J. talked with his wife while their children climbed from the car. It was the only time he saw her all day.

Thus has AFDC, humane in its intent, become vindictive in its application. The reason may lie in some attitudes this nation holds about its poor.

"By and large, people in our culture think there's something wrong with a person who can't take care of himself, especially with full employment," says Mr. Hurley.

Another Federal official puts it more bluntly. "We can't let the people starve, but we don't want to make it so attractive they'll get to enjoy it either," he says bitterly. "We want to help the poor—but we want them to know they're being helped, too. We want them to suffer a little."

NATIONAL SOCIAL WELFARE ASSEMBLY, INC.,
New York, N.Y., November 28, 1967.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARRIS: I write to thank you for your contributions to a more rational, equitable, and constructive policy toward needy families with children in connection with Senate consideration of H R 12080 last week.

All of those associated with the attached statement were, of course, especially pleased by your successful efforts to incorporate a mandatory AFDC–UP provision in the bill. It is an obvious absurdity to seek to discourage desertion by fathers and yet give no assistance to families with an unemployed father in the home.

Even though I realize that you are not yourself a member of the conference committee it is our sincere hope that you will encourage your colleagues from the Senate Finance Committee to stand firm on this and other improvements made by the Senate in the welfare provisions of H R 12080.

Sincerely yours,
ELIZABETH WICKENDEN,
Technical Consultant on Public Social Policy.

NATIONAL SOCIAL WELFARE ASSEMBLY, INC., JOINT STATEMENT ON WELFARE POLICY IMPLICATIONS OF H.R. 12080—SOCIAL SECURITY AMENDMENTS OF 1967 NOVEMBER 15, 1967

All of us signing this statement have long been concerned with an effective over-all welfare policy, governmental and voluntary, that would so strengthen family life, child development and individual capacity to meet the pressures and obligations of modern life as to constitute a real bulwark for the social order and its members.

We were, therefore, greatly distressed by the provisions of H.R. 12080, the Social Security Amendments of 1967, as passed by the House, which would convert public welfare provisions for families with young children from an instrument of protection and assistance to children to one of compulsion with respect to work and behavior on their mothers. We do not believe that members of the House were aware of the self-defeating implications of this reversal of policy. We have, therefore, welcomed the opportunity to present our views to the Senate Finance Committee and other members of the Senate. We particularly welcomed the action of Senator Robert Kennedy and eleven other Senators in proposing the changes incorporated in Amendment #425 which would preserve the strengths of HR 12080 without threatening or undermining the basic effectiveness of the program.

The Senate Finance Committee has made a number of decisions which substantially improve the bill but do not overcome all of its weaknesses. In evaluating the actions taken by the Senate Finance Committee and hence the need for further floor action we believe the following statement of basic principles may be useful.

Compulsion to work. We believe that no mothers should be forced to leave their children and go out to work against their own best judgment of their children's needs. Caring for children is itself a demanding job; the latch-key children of today become the drop-outs and delinquents of tomorrow; the mother forced by her children's hunger to take a job or training is likely to be neither an effective worker or mother. The very capacity of a welfare agency to assist a mother toward employment at the time appropriate in her own best judgment is thwarted by the mistrust fostered by compulsion.

Purposes of Services. For the same reason we believe that the effectiveness of any social services and counselling offered to parents of dependent children—whether with respect to employment, day care, child support, child welfare, family planning or any other social objective—depends on the confidence of those assisted by such services that the welfare of their children is the prime consideration. To subordinate such services to the sole objectives of employment and reducing illegitimacy—however desirable these goals in a larger context destroys not only their immediate effectiveness but the confidence basic to any effective present or future welfare programs. This is even more true when provisions such as protective services, intended to safeguard the welfare of children, or the unprecedented authority for the long-discarded policy of voucher relief are used as a punishment for a mother who does not feel she can work outside the home.

Equality of treatment. We are opposed to any policies that make second-class citizens of persons dependent on public assistance, by applying discriminatory standards to their behavior or offering them lesser protections than those available to other persons. We, therefore, oppose provisions that single out assistance recipients for discriminatory treatment with respect to child neglect, day care, support and paternity actions, family planning, or standards of employment. Experience shows that such differential treatment not only undermines the family relationships which are the very heart of child welfare but deters applications for assistance in behalf of the very children for whose welfare they were designed.

Adequacy of assistance. We hope that the bill as finally enacted will reduce the need for public assistance by improvements in social insurance benefits, especially for beneficiaries at the lowest levels. However, for those who must seek assistance more adequate levels of aid are essential if children are to grow up in health and self respect. We, therefore, favor the requirement that states meet full budgetary need with special federal financing aid to facilitate the transition, a non-restrictive policy on assistance to children in need because of unemployment of the parent, a generous exemption of earned income, and a maintenance of the present requirements and eligibility levels in medical assistance for the needy. We are, of course, strongly opposed to the freeze on AFDC reimbursement to the states for payments to mothers of deserted and illegitimated children.

While we understand that the Senate Finance Committee has recommended modification of some elements of compulsion on mothers, we wish to reiterate our common concern for these additional implications for an effective welfare policy.

American Foundation for the Blind, Harold G. Roberts, Associate Director; American Parents Committee, Inc., George P. Hecht, Chairman; American Public Welfare Association, Guy R. Justis, Director; Child Study Association of America, A. D. Buchmueller, Executive Director.

Child Welfare League of America, Joseph H. Reid, Executive Director; Council of Jewish Federations and Welfare Funds, Philip Bernstein, Executive Director; Episcopal Church—Division of Community Services, Executive Council, Rev. Reinhart B. Gutmann, Executive Secretary; Family Service Association of America, Clark W. Blackburn, General Director.

Florence Crittenton Association of America, Mary Louise Allen, Executive Director; Industrial Union Department AFL–CIO, Walter P. Reuther, President; National Association of Social Workers, Rudolph T. Danstedt, Director; National Committee for Day Care of Children, Inc., Mrs. Richard Lansburgh, President.

National Conference of Catholic Charities, Very Rev. Msgr. Lawrence J. Corcoran, Secretary; National Council of Churches, John McDowell, Director for Social Welfare; National Council on Crime and Delinquency, Milton G. Rector, Director; National Federation of Settlements and Neighborhood Centers, Margaret Berry, Executive Director.

United Presbyterian Church, USA, Office of Church and Society, The Rev. Robert D. Bulkley, Secretary; National Presbyterian Health and Welfare Association, The Rev. Arthur M. Stevenson, President; National Social Welfare Assembly, Inc., C. F. McNeil, Director; National Urban League, Whitney M. Young, Jr., Executive Director.

Planned Parenthood—World Population, Paul H. Todd, Jr., Chief Executive Officer; Salvation Army, Lt. Com. John Grace, National Chief Secretary; Travelers Aid Association of America, Paul L. Mullaney, President, Paul Guyler, General Director; United Church of Christ, Council for Christian Social Action, Huber F. Klemme, Associate Executive Director.

YWCA of the USA, Helen J. Claytor, President, Edith N. Lerrigo, Executive Director, National Council of Jewish Women, Hannah Stein, Executive Director; the Mayor's Advisory Board, New York City Department of Social Services, John Seder, Chairman; Community Council of Greater New York, James W. Fogarty, Executive Director.

Federation of Jewish Philanthropies, Milton D. Levine, Director, Committee on Social Legislation; United Neighborhood Houses of New York, Inc., Helen M. Harris, Executive Director.

Council of Social Agencies, Inc., Rochester, New York, Kenneth M. Storandt, Executive Director; Eli E. Cohen, Executive Secretary, National Committee on Employment of Youth; Lyman S. Ford, Executive Director, United Community Funds and Councils of America; Mitchell I. Ginsberg, Commissioner of Social Services, New York City Department of Welfare; Sanford Solender, Executive Vice President, National Jewish Welfare Board; Harold N. Weiner, Executive Director, National Public Relations Council; Dr. Ellen Winston, Former Commissioner of Welfare, U.S. Department of Health, Education, and Welfare; Elizabeth Wickenden, Social Welfare Consultant; John W. Ferree, M.D., Executive Director, National Society for the Prevention of Blindness; Paul R. Cherney, Staff Associate, United Community Funds and Councils of America; Isabel B. Lindsay, Social worker; Katherine B. O'Neil, Catholic services; Frank Furstenberg, M.D.

Lutheran Council in the USA, Division of Welfare Services, Rev. G. S. Thompson, Executive Secretary; John M. Warnes, Associate Executive Secretary; Dorothy Z. Mundt, Consultant; Theodore W. Barry, Jr., Assistant Director, Office of Scholarship and Recruitment; Virgil Fuchs, Director, Rev. Walter J. Baepler, Associate Secretary, Institutional Chaplaincy and Clinical Pastoral Education; Dr. Henry H. Cassler, Secretary, Institutional Chaplaincy and Clinical Pastoral Education; Dr. Henry J. Whiting, Secretary for Social Research and Planning; Mrs. Henry Steeger, Chairman, National Council on Illegitimacy; John F. Larberg, Staff Consultant, National Social Welfare Assembly; Jane M. Pearce, Director, Information Service, Council of Social Agencies of Rochester and Monroe County, N.Y.; Muriel C. Henry, Associate General Director, National League for Nursing; Virginia P. Boyce, Assistant Executive Director, National Society for Prevention of Blindness; Sal J. Prezioso, Executive Vice-president, National Recreation and Park Association; John H. Moore, Director, National Study Service; Leonard W. Mayo, Professor of Human Development, Colby College; W. O. Heinze, President, Child Welfare League of America; Elmer L. Anderson, Past President, Child Welfare League of America; Edward J. Sette, Executive Director, United Seamens Service.

U.S. GRAIN TO HELP TIDE INDIA OVER

Mr. BURDICK. Mr. President, I was pleased over the weekend to note Secretary Freeman's announcement that negotiations have been authorized with India for the sale of 3.5 million tons of foodgrains under Public Law 480 to be provided in the first half of calendar year 1968. These negotiations are taking place in New Delhi between U.S. Embassy and Indian officials.

This offer of foodgrains is of real importance to the Indian people and comes at a time when India needs the grain to keep its food pipelines full and to provide for rebuilding its food reserves.

India has experienced 2 consecutive years of extreme drought during which time its foodgrain stocks have almost been depleted. The United States has an abundant supply of wheat and is in a position to assist India in meeting its immediate requirements and provide for a buffer stock.

Fortunately, India is now experiencing excellent growing conditions resulting from an exceptionally good monsoon. This favorable weather plus the accumulative effect of agricultural policy reforms have resulted in a prospective crop this year now estimated at 95 million tons as compared with the previous record of 89 million tons in 1964–65.

However, even with a record crop India will need to import substantial quantities of foodgrains during 1968 both to provide for the needs of its increasing population and to rebuild depleted stocks.

The Indians are working hard to improve their foodgrain production to a point where they can become more nearly self-sufficient. The Government of India is giving high priority to accelerated agricultural development directed toward the time when food aid will no longer be required.

As a condition of receiving continued food aid under Public Law 480, India is undertaking a score of self-help measures to meet its food needs, such as increasing its fertilizer production, streamlining its transportation system to improve distribution, using improved varieties of rice and wheat and expanding acreage. In addition, India has stepped up its family planning program.

During this time of accelerating agricultural development, India will continue to need our help and that of other countries to meet its most urgent needs. This is being done now. I am pleased to note that Secretary Freeman's announced plan indicates that the United States will continue to encourage other countries to provide needed assistance to food deficit countries.

NATIONAL FEDERATION OF SETTLEMENTS AND NEIGHBORHOOD CENTERS

Mr. JAVITS. Mr. President, I wish to call to the attention of the Senate the outstanding work that has been done in the slums of Caracas, Venezuela, by the National Federation of Settlements and Neighborhood Centers, a private nonprofit organization headquartered in New York.

For the past several years, the National Federation of Settlements—NFS—has been endeavoring to improve living conditions in the slums—the barrios—of Caracas with considerable success. Under its leadership, communities have been organized in several barrios, and homes and community centers have been built with the financial support of the city of Caracas, the Venezuelan Foundation for Community Development, and the business community.

It is with regret that I note that this project was terminated on October 31 due to limitation of Alliance for Progress funds, as I believe projects such as this represent a key element in the success of our aid to Latin America's development.

I ask unanimous consent that the Washington Daily News article of July 28, 1967, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SELF-HELP IN VENEZUELA—IMPROVEMENT PROJECT REACHES INTO THE BARRIOS

(By Donald F. Bibeau)

A few years ago Venezuelan officials recognized an eyesore which surrounded Caracas and other cities: the slum neighborhoods, or barrios, of migrated rural peasants.

Mass unemployment, overpopulation, hunger, squalid living conditions sat on the cities' doorstep.

PROBLEM

Venezuela secured assistance thru the Agency for International Development and invited the National Federation of Settlements (NFS) to work with them on the barrio problem.

NFS—a private agency founded in 1911—specializes in improving neighborhood conditions. "Program" is everything the agency does in partnership with its neighbors to make the community a better place to live.

A report last year covered the first two years of the "pilot project" in the barrios of Caracas.

Because of success there the Venezuelan government requested Robert F. Hafey, of Springfield, Mass., to continue the project in the Northeast region of the country.

Mr. Hafey's work began by awakening the

responsibility in the residents of the barrios, and by helping them get organized. He was then able to draw in government and private resources aimed at improving conditions.

TOGETHER

"Once a community is brought together," he says, "the people define their needs and methods of implementing solutions. My job is to stay in the background giving sympathetic, friendly, professional advice. I do not direct or take the responsibility for a program. That's the local official's job."

He worked in several barrios and on various programs. Some of the results:

Barrio Camino Nuevo—committees of men, women and youth were formed to build homes. Twenty-four houses have been built. Plumbing will be installed and the homes will be ready for occupancy by fall 1967.

Barrio Sucre—a community center has been built. The residents made the cement blocks that went into its construction. The government and the business community helped with finances and materials. There is discussion about starting a manufacturing co-operative.

HOUSES READY

Barrio Las Charas—eight houses have been completed. In March, 1967, the cornerstone was laid for a community center. When finished it will be the largest in Venezuela—about the size of a football field—and it will serve several barrios.

The center is being financed jointly by the local city government and the Venezuelan Foundation for Community Development. The barrio women have started a clothing co-operative.

"The programs have demonstrated that previously unrelated residents can work together in improving their conditions. The business community has shown interest by contributing skill and money," said Mr. Hafey.

But the NFS project now faces a crisis. The project is being phased out, AID has not renewed the contract. The NFS staff will be withdrawn this fall.

At this late date an unexpected source of help seems to be developing for the project: the amendment to the Foreign Assistance Act of 1966 known as Title IX.

The new Title IX directs that . . . "emphasis shall be placed on assuring maximum participation in the task of economic development on the part of the people of the developing countries."

POTENTIAL

The House Committee on Foreign Affairs found that, "The great potential for planning and implementation of development activities, contained in the mass of the people of the developing countries, is still largely untapped."

The NFS project has demonstrated its ability to get things done. Bob Hafey explains that time—and a lot of it—will be necessary to measure the long range success of the NFS project.

"Most experts feel it takes three years to get a project rolling, and five to 10 years to evaluate it. By this standard the project should continue for several more years," he said.

MAN FACES MACHINE

Mr. PELL. Mr. President, I ask unanimous consent to have printed in the RECORD an interview with Mr. G. William Miller, published recently in the Washington Post, Mr. Miller, president of Textron, Inc., of Rhode Island, and an outgoing member of the National Council on the Humanities, discussed the impact of the humanities upon rapid social change in America. He is a most articulate, imaginative, and creative member of the business community, and I believe his comments merit inclusion in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NO MYTH: MAN FACES MACHINE

The story of the machine that eventually makes a servant its master is no myth to G. William Miller.

He believes that man's inventive mind has created a technology that is in danger of running berserk and molding him to its ends.

Consequently, the president of Textron Inc., a mammoth business firm in Providence, R.I., which grossed $1.4 billion last year and has 60,000 employees, thinks it is time for us all to decide where our knowledge is taking us while the direction is still reversible.

Bill Miller was in Washington last week with a distinguished group of men and women who are examining these issues and doing something about them. The National Council on the Humanities, of which he is an outgoing member, met for two days to award $1 million in grants. (The National Council on the Humanities was formed two years ago under the National Foundation on the Arts and Humanities Act, which established a similar council for the arts.)

Since that time the Humanities Council has been attempting, with little fanfare and less money, to make Americans aware of the relevance of its disciplines, and humanism, to today's issues.

Rapid social change is the direct outgrowth of rapid technological development and we are, Miller said, spending more today on research for everything from computers and weapons systems to insecticides and hybrid corn varieties ($25 billion) than we ever have before.

Much of the social change that comes about is irreversible, Miller continued. The decline of the cities as manufacturing centers is a simple outcome of big business' needs for space, natural resources and other facilities which cities could not supply.

But we should stop being so fatalistic about the inevitability of change, Miller thinks.

"What we need now is an explosion of understanding so that instead of being governed by the forces of change, we can control them."

As for the effects on man's nervous system of the noise created by supersonic jets, he said, "The designs of airplanes must adjust to man's needs, rather than the reverse . . ."

And medicine, he said, is a field in which moral judgments are imperative. "It's not inconceivable that death will be optional within our lifetime. But is biological life, life?" His particular *bete noire* is the American fondness for molding people of many different cultural and racial backgrounds to conform to a stereotype.

Instead, he thinks we should be making the most of the unique values such cultures have to offer, whether from Oriental, Latin American or African Negro sources.

A nation in which a number of cultures can flourish side by side "can create a prototype to show the world how it can resolve its own conflicts," he said.

Miller continued, "I don't believe it's inconsistent for business to be concerned with wise management of a country's resources. The exploitive days of big business ended 50 years ago . . .

"Nor is it inconsistent for business to be concerned with human and spiritual values, because it is in our long term interests.

"If American cities are to disintegrate slowly, can business afford to sit back and watch it happen?"

"Life has to have a meaning and it can't unless you relate it to culture, history, literature and the basis for all the arts, and develop an appreciation of the mind, the eye and the ear . . ."

RAISE SOCIAL SECURITY—BUT TAKE IT EASY

Mr. BENNETT. Mr. President, I wish to make it perfectly clear that I am in favor of increasing social security benefits for our Nation's aged. I believe an increase is justified and necessary, but as I indicated when the Senate passed its version of the social security bill on November 16, "this measure is highly inflationary, politically motivated and fraught with ominous implications." I do support the more reasonable and modest version of the social security bill which was earlier passed by the House of Representatives.

The Senate bill is irresponsible in that it does not provide the necessary financing to implement the increase in benefits, and it saddles the middle aged and young to pay for increases in benefits which they personally will never get. It is my hope that the conferees will accept the more moderate House bill, which is acceptable, sound, and in keeping with fiscal integrity.

The Salt Lake Tribune, in an editorial dated November 27, 1967, clearly echoes my own views on this important legislation. The editorial notes:

> Prices rise, benefits rise to pay the higher benefits, wages go up to pay the increased taxes, and prices rise again setting off another cycle . . . Over ambitious programs such as those in the Senate bill will do great damage now and in the future. It is time to stop playing footsy with inflation.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune, Nov. 27, 1967]

RAISE SOCIAL SECURITY—BUT TAKE IT EASY

Because of inflation Social Security checks now going to millions of Americans no longer buy life's necessities.

In attempting to bring benefits into line with economic reality, both the House of Representatives and the Senate have passed new Social Security legislation which now is before a conference committee.

A record $1,200,000,000 increase in benefits to 23,800,000,000 Social Security recipients would be provided by the Senate bill. This is four billion dollars more than the measure approved by the House last summer.

The Senate bill provides the largest increase in benefits and taxes in the 31 years since Social Security was started. It gives a 15 per cent across the board increase in payments compared to 12½ per cent in the House version. In addition, the Senate bill contains so many "extras" that Senator Spessard Holland (D-Fla.) said it "looks like a Thanksgiving turkey with so much stuffing it couldn't be absorbed."

President Johnson, however, called the Senate bill "a major victory for millions of American families" and Acting Secretary Wilbur J. Cohen of the Department of Health, Education and Welfare said it "marks the largest single step ever made toward lifting Americans out of poverty."

We wonder.

Assuming the resulting compromise bill offers benefits and tax rates about midway between the House bill and the more generous Senate version, American workers and the companies that employ them can expect to pay substantially increased and constantly expanding Social Security taxes for years to come. The main burden will fall on middle income wage earners, although all consumers will ultimately bear the added costs through higher prices.

Social Security, like other segments of the economy, is caught up in the inflation spiral and pending legislation, even the relatively modest House bill, will further contribute to the very evil that has made increases in benefits and taxes necessary.

This will be accomplished by the simple (and classic) device of paying out more money than is collected in taxes. Extra benefits provided in the Senate bill for 1968, '69, and '70, for instance, are expected to exceed extra taxes levied in the same years by 1.9 billion, 3.2 billion and 3.1 billion dollars, respectively, piping a total of more than 8 billion dollars into an economy already plagued by an excess of money over goods.

Even the obvious solution—raising Social Security taxes to equal cost of new benefits right now—carries the seeds of inflation. As the minority report of the Senate Finance Committee noted, "Employes must and do think in terms of take-home pay. Added Social Security taxes and any other factor that affects take-home pay have a bearing on wage demands and wage contracts."

And so it goes. Prices rise, benefits rise to meet them, taxes rise to pay the higher benefits, wages go up to pay the increased taxes and prices rise again setting off another cycle.

We cannot deny that present Social Security payments are, in most cases, inadequate in terms of what they will buy. We offer two suggestions for ultimately working out the Social Security puzzle.

First, realistic increases in benefits and taxes to pay for them must be made now to relieve immediate inadequacy. Second, the government must take immediate steps to halt inflation before rising costs wipe out these increases.

The Tribune believes the House bill offers the greatest hope of realizing these goals. Over-ambitious programs like that of the Senate will do great damage, now and in the future. It is time to stop playing footsy with inflation.

L. B. J. PROVIDES NEW HOPE FOR THE NATION'S RETARDED

Mr. CLARK. Mr. President, Franklin Delano Roosevelt once said that the worth of a nation consists not so much in what it does for those who already have much, but in what it does for those who have little.

The greatness of a President is also shown in his compassion for those who can help themselves the least.

President Johnson's consistent and persistent efforts to help the poor, the helpless, and the handicapped are to be highly commended.

Today, the President signed the newest extension of the Mental Retardation Act.

Mental retardation, as the President noted in his remarks, was a subject which no one really wanted to talk about just a few short years ago.

But, now the Nation has been mobilized by a group of courageous men and women to act and to act sympathetically on behalf of the retarded. Government has demonstrated its full intention to play a new and more vigorous role in combating mental retardation, and providing facilities for therapy and help.

The Mental Retardation Act provides new funds for construction of facilities for the retarded, and will be a signal of hope especially for 2 million seriously retarded children.

This is a responsible act which I am happy to endorse. And I congratulate all those who have been associated with this compassionate effort throughout the years and in the future.

I ask unanimous consent that the remarks made by President Johnson at the signing of the bill at the White House on December 4 be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT UPON SIGNING H.R. 6430—MENTAL RETARDATION BILL

Mrs. Humphrey, Secretary Gardner, distinguished Members of the Senate and the House, Chairman Staggers and other very able Members of the Congress and members of the President's Committee on Mental Retardation, Ladies and Gentlemen:

We are very happy this morning, Mrs. Johnson and I, to welcome all of you here to the East Room of the White House. This is the poor man's wedding chapel.

That is one of the fringe benefits of the Presidency. You can have a wedding here in the house and no one in the country really thinks it is cheap. Actually, we decided to have the wedding here because of one of my most recent experiences in a church.

For the information of any who recognize this as a political year, I want it on the record in advance that we are still, Mrs. Johnson and I, personally paying for Luci's wedding. However, that is no excuse for deficit financing, after all, and there is no truth whatever in the story that George Woods resigned because I asked him for a small wedding loan for Lynda's wedding.

Of course, I do feel a little better that I have a real, warm friend over at the World Bank these days.

After spending all day yesterday babysitting and tasting the wedding cake and giving some very high fashion counsel about bridesmaids' gowns and hair-dos, I hope that all of you understand that I feel relieved to come here again this morning and to turn back to the Nation's business, particularly to sign some very vital legislation.

One of the first, and one of the most important bills that I signed as President was the Mental Retardation Act of 1963 which was passed under the leadership and guidance and strong support of President Kennedy.

Not many years ago mental retardation was a subject that no one really wanted to talk about. It was shrouded in fear and shame and ignorance. Then a very small handful of courageous women like Mrs. Joseph P. Kennedy, Mrs. Sargent Shriver and Mrs. Hubert Humphrey took up the cudgels to see if they couldn't ask the American people to help them search for the understanding of the cause of mental retardation, and what the American people could do about it.

Slowly, the idea grew that with encouragement and with training, mentally retarded children could be brought around to leading rather useful lives.

The national government was then primarily interested and started a movement to try to stir all the people of America to action in this very important field.

I think we have made considerable progress since 1963. Yet, I think we should know that there still are a million and a half retarded Americans who are without any community support whatever. There are many millions more who need care who don't get it.

Three-fourths of the retarded in this country who do receive residential care receive this residential care in old, dilapidated buildings, buildings that are more than 50 years old. That is where three-fourths of the children are taken care of.

The waiting lines for residential care are expanding year after year. They are growing longer and longer. Some children today must wait as long as five or six years to be received.

We have less than half the specialists that we really need to provide care and training.

Although we have come a long way toward dispelling the medieval mystery that surrounded retardation, we still care for thousands in facilities that are really not much better than medieval.

We have asked some of our ablest citizens, the medical men and laymen, to probe the causes of retardation, to tell us what can be done to prevent it, and guide us in caring for those who have been afflicted.

At this point, I want to pay a special tribute to the members of the President's Committee on Mental Retardation. I doubt if there has ever been a committee that has approached the subject with more dedication, and I hope to say, when their labors have been concluded, that there has never been one that was more effective.

The fact is, we are still far behind. We are tragically behind in building schools that could help. This bill that Congress has brought to me today will help build some of the facilities needed. Thousands of children will benefit from it. It will mean the difference between darkness and just a ray of light.

This bill is an achievement for the Nation. It is a signal of hope for millions of Americans and it is addressed to at least 2 million seriously retarded children. In great part, these people have not been crippled by the errors of nature; they have been stunted, rather, by the errors of man. Their minds suffer from the culture of poverty, physical or spiritual poverty, into which they were all born.

Members of the President's Committee have told me about millions of children who are born with normal capacities who emerge from impoverished homes and schools and these experts have shown me maps I wish each member of the Congress could see, each member of the Chambers of Commerce and labor organizations could see. These maps show each case of retardation and they locate it with a green pin.

In the suburbs the pins are quite scattered. You see one here, and then another one over there. Downtown the pins are in a clump. They are much closer together. In the inner city and teeming ghettos, the pins cluster to form a solid green mass.

On these maps that I have seen, the ghetto areas are where the green pins are. Those areas are completely green. They look like a good pasture in the springtime when we have had a lot of rain. These areas need attention. These clusters of green pins signify the mental inadequacy of these poor, unfortunate people who need our help.

Retardation may afflict a child not only before he is born, but afterwards. It may be a blow of nature or it may be the result of countless human blows. In either event, the Nation suffers as the child suffers and, of course, as his family bears an unbearable burden. In either event, I think it is clearly the obligation of the Nation to act to relieve this suffering. It is our obligation to do more than we are doing.

That is the point I want to make. We are not doing enough. We must do more. We are going to do more.

Today we have come here to begin an effort to care for some of those who have suffered most grievously. Our goal is a society where children born with a chance for a full life shall truly have it. This is another step in that platform that we are building.

For what all of you have done—and no one invited himself to this meeting—those who have been active in this effort and who have shown a conscience and a leadership are here this morning, and to those, my friends, who have inspired these efforts, have provided this leadership, on behalf of the 200 million people of this Nation, I say for what you have done, well done; for what you are going to do, I am extremely curious and very anxious. I will be waiting and I will be helping in any way I can.

Thank each and every one of you.

SAN FRANCISCO EXAMINER CALLS NEWS CONFERENCE PRESIDENT'S FINEST HOUR

Mr. MONRONEY. Mr. President, the San Francisco Examiner has beautifully summed up the editorial sentiment of the Nation's newspapers by stating that the President's news conference "may go down in history as his own finest hour."

As the Examiner notes, no President save Abraham Lincoln has had to shoulder the pressures to which President Johnson is subjected and no President has borne them so well.

In straight-forward terms, the President thoroughly discussed every major issue, foreign and domestic, facing the American Nation. With enormous self-possession and compelling logic, he defended his administration's admirable record over the past 4 years and in the process devasted the arguments of his bitterest critics.

President Johnson displayed all the attributes which have distinguished America's greatest leaders, courage of conviction in the face of criticism; determination to place the public interest above transient popularity; and a dynamic vision of a better tomorrow for the Nation and the world.

The Examiner sums up the emotional feeling so many Americans experienced in watching the President's performance in stating, "no fair-minded American can doubt for a moment that this was a display of leadership in our very best tradition."

This truly was the President's finest hour.

I ask unanimous consent to insert into the RECORD the excellent editorial from the San Francisco Examiner.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the San Francisco Examiner, Nov. 21, 1967]

L. B. J. IN ACTION

Lyndon Johnson's press conference on Friday may go down in history as his own finest hour. No fair-minded American who witnessed his enormous self-possession on television, or who has read the compelling words he spoke with such restrained authority, can doubt for a moment that this was a display of leadership in our very best tradition.

Probably no President with the exception of Lincoln has had to undergo the enormous pressures to which Mr. Johnson is being subjected. Yet here, in the East Room of the White House, he not only successfully faced and answered the representatives of some of his bitterest critics—he did so with wit, vigor and devastating logic.

What the President did, primarily, was to place in proper perspective the barrage of criticism being directed at him over the Vietnam war. He noted with no false modesty that every other war-time President had to endure similar violent dissent by those who would prefer compromise to the pain of battle for the right. And he made it unmistakably clear, again with no false modesty, that he thinks in the end he will emerge with the honors now accorded those once-maligned predecessors.

The words spoken extemporaneously by President Johnson were the words of an American patriot. They also were the words of a suffering but iron-willed leader who will never be swayed from doing the right as he sees it. It is not too much to say that there was a grandeur and certain majesty to them, and in the appearance of the man who spoke them.

FORMER SECRETARY OF STATE DEAN ACHESON DOUBTS UNITED STATES WILL BE ABLE TO NEGOTIATE "WAY OUT OF VIETNAM"

Mr. RANDOLPH. Mr. President, there are strong reasons to believe that Dean Acheson, former Secretary of State, is right in being dubious about the success of talks to bring an end to the conflict in Vietnam.

Yesterday in a television interview with four college students, Mr. Acheson spoke from experience on this subject. I ask unanimous consent that the coverage of this program, as carried in today's New York Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 4, 1967]

ACHESON DUBIOUS OF TALKS ON WAR—SAYS UNITED STATES MUST CONVINCE FOE OF FAILURE IN VIETNAM

(By John Sibley)

Dean Acheson, the former Secretary of State, asserted last night there was "no possibility of negotiating our way out of Vietnam."

The only way to end the war, he said in a television discussion, is to convince the Communists that their effort has failed.

"Too many people have a completely wrong idea of negotiation as conceived of by the Communists and as conceived of by us—a different idea," Mr. Acheson asserted.

"With us, negotiation is a David Harum business in which both parties want to reach a result and each one wants to get a slight advantage in reaching a predetermined result—sale of a horse, end of a war, whatever it may be."

REDS' AIMS DESCRIBED

"The Communists have a Clausewitz idea toward negotiation. Karl von Clausewitz was an 18th-century Prussian general and military writer. Negotiation is war carried out by other means, and what they hope to do in a negotiation is not to bring about peace, but to disadvantage somebody in the course of a war, separate you from your allies, cause you domestic trouble at home, and so forth."

The 74-year-old former Secretary, who served under President Harry S. Truman, voiced his views in a two-hour interview with four college students on the Public Broadcasting Laboratory on Channel 13.

"In all the experience I have had with the Communists," he said, "negotiation never preceded a settlement or got anywhere." He said this experience included the Communist operations against Greece, the Berlin blockade and the Korean war.

Turning to the war in Vietnam, he said:

"When the Communists feel that this effort has not succeeded, they will stop the effort. But if they get to talking with us, then we get on this eternal flypaper, in which half the United States will be negotiating for them."

One of the students then asked: "If negotiation isn't a realistic possibility, how will we ever get out of Vietnam?"

"Well," replied Mr. Acheson, they just stop. This is what they did in Korea. They just stopped. After a while they got tired of it. After a while they just got tired of it in Berlin. After a while they got tired of the guerrilla warfare in Greece. After a while they got tired of the pressure in Turkey.

"They just stop. They don't negotiate a stop. There's a lot of talk connected with it, but it's not a negotiation."

Regarding the Berlin situation, he said: "The negotiation really came to nothing. It was merely a dialectical prelude to their doing what they were going to do anyway, which was stopping."

Asked how the United States could hasten this desire to stop, Mr. Acheson replied:

"Do everything that is necessary to weaken the enemy in that particular military battle. As you weaken them, and as they do want to stop, indicate that as they stop, this particular weapon will be less used or not used at all.

"You don't have to talk to them about it. You just have to do it.

A JOHNSON SUPPORTER

Mr. Acheson proclaimed himself a strong supporter of President Johnson and of Secretary of State Dean Rusk, whom he had recommended to President Kennedy for the post.

His only criticism of Mr. Johnson, he said, was that the President devoted too much energy to placating opponents of his Vietnam policy.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 710, H.R. 7819, the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rule VIII, the junior Senator from Ohio may be allowed to proceed out of order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN BUSINESSMEN AND WORKING MEN AND WOMEN SHOULD NOT BE DENIED BENEFITS OF TRADE WITH EASTERN EUROPE

Mr. YOUNG of Ohio. Mr. President, England, West Germany, France, Italy, and other European countries have enjoyed economic prosperity largely because of trade with Communist nations in Eastern Europe. American businessmen are not permitted to engage in much of this trade. They are losing markets which soon may be of much greater value.

Commerce between Eastern Europe and the non-Communist world is growing tremendously. Total trade—exports and imports—climbed from $2.29 billion in 1953 to almost $14 billion in 1966. Between 1960 and 1966 this trade has grown at an average annual rate of 15.6 percent. Eastern Europe has become a major market for industrial products and for consumer goods. Many economists predict a business boom in Communist Europe within 5 years. The United States has deprived millions of American workers and many thousands of industrialists of the gains of this growing market by our restrictions. Why should we Americans stand on the sidelines while Canada, Great Britain, and West Germany trade on a huge scale with Communist countries?

Ohio industrialists have often called on me seeking assistance when they have lost contracts with Communist countries to our allies for nonstrategic materials because of our arbitrary policies against such trade. Washington bureaucrats also create delays and interpose redtape making it more difficult for American producers to compete effectively. Trade would be an effective means of advancing the cause of peace and the improving of living conditions for people the world over. Furthermore, increased trade between East and West will certainly accelerate the policies in Poland, Rumania, and other Communist nations toward greater independence from the Soviet Union.

Yugoslavia, for example, is not a Soviet satellite. But if American businessmen were permitted to freely engage in trade with Tito's Yugoslavia, that would be an illustration of another Communist country that would become even less dependent upon the Soviet Union than it has been during recent years.

Mr. President, Congress should liberalize present trade restrictions which discriminate against American businessmen and working men and women. This would be another step in that long journey toward peace. I am hopeful that when Congress meets in January, one of the first legislative proposals on our agenda will be the enactment of legislation to liberalize present restrictions on American businessmen and industrialists on trading with nations of Eastern Europe. The longer we delay in doing so, the greater the loss in potential income to American farmers, American businessmen and to the working men and women of our Nation, to whom we desire to accord steady employment and economic security.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia and the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance in schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

Mr. YARBOROUGH. Mr. President, the Elementary and Secondary Education Act which we have before us in this bill—H.R. 7819—is one of the most significant pieces of legislation to be considered in this session of Congress. For the more than 50 million school age children in the United States, this bill signifies the concern we have for their future and for that of the Nation. In my own State of Texas, this bill means increased opportunity for the almost 3 million children of school age who represent 27 percent of our almost 11 million population.

In monetary terms, title I of this bill alone will mean more than $83 million to Texas. I am pleased that the committee retained my amendment of last year to the title I formula, which allows a State's allotment to be based on one-half of the national average expenditure per pupil in those States which have an average per pupil expenditure of less than the national average. This improvement in the formula gives a more equitable distribution than simply matching the expenditures of a State, but I am still desirous of further improvement in the formula to give States with low per capita incomes, such as my home State, their fair share.

This subject was developed in colloquy on the floor last week between the distinguished Senator from Oregon and me, pointing out that under the old formula, in Appalachia and some other areas, the allocation per child in each district last year was a little over $100, while in some of the richest counties in the Nation the allocation for each child was over $400.

It was also developed in that colloquy that under this bill's formula, the children in the poorer States in per capita income will receive at a minimum the national average which is around $255. This would more than double the amount allocated to some children in the poorer States of the Nation. The children in the poorer States would receive twice as much per child as under the old law, and this is a vast improvement.

In my opinion, the old law, under which the allocation per child in the richer areas was in some instances four times that in the poorer areas, contained the worst formula I have ever seen in a Federal bill for the distribution of funds for the purpose of alleviating distress in poorer areas. This measure applies to families in the poverty bracket only, and to allow the larger amount of money to the richest areas is a negation of the stated purpose of the law.

I also support the provision which was added to the formula which insures that no county will receive less than its allocation last year. We all know the difficulty which our local schools have in planning on the basis of money which they have not received from the Federal Government, and I believe that this savings provision will help to avoid upsetting the budgets of local educational agencies for this year.

Mr. President, the complaint is widespread about the failure of Congress to pass these laws early enough in the year before the school year begins, in September. We are considering this measure in December, and the school year began in September. This has a very upsetting effect on the budgets of the local school districts. They do not know what plans to make. So there is a provision in this bill stating that no county will receive less than it received last year, so each county will know that there will not be a reduction in funds.

There are other provisions of this bill that are of particular interest and benefit to my home State. For instance, the adoption of the pinpoint disaster amendment, which authorizes a loan program for replacement of school facilities if they are destroyed by fire, flood, hurricane, earthquake, storm, or other catastrophe, is especially important to Texas. We have only recently suffered extensive disaster from Hurricane Beulah, which caused our State to be declared a disaster area by the President.

The early estimates of the damage done by Hurricane Beulah were $1 billion. I saw the water standing at the middle of windows of the school buildings there, and it remained there for days, until the school desks fell apart and the walls bulged from the weight of the water. It pushed out stucco walls and wooden walls and other types of walls. These buildings must be rebuilt.

Yet, there is no comparable program for an individual school that is destroyed by an isolated tornado. This provision creates such a needed program.

This bill also includes my Chamizal amendment, to give relief to those school districts which had a sudden increase in school enrollment because of the relocation of families caused by the Chamizal Treaty.

This involves an area along the Rio Grande River, between El Paso and Juarez, which was the subject of dispute between Mexico and the United States for many years.

An agreement was reached between President John F. Kennedy, when he visited Mexico City in 1962, and President Lopez Mateos, of Mexico, to settle the controversy. The settlement thereafter was carried out by President Johnson and President Mateos. I was at El Paso with them in 1964, when President Mateos and President Johnson agreed to carry out the agreement made by President Kennedy and President Mateos.

This action finally culminated in El Paso by President Diaz Ordaz, of Mexico, and President Johnson on October 28 of this year, when they met at the great monument to the peaceful settlement of a century-old dispute between the two nations which had worsened the relations not only between Mexico and the United States but between all of Latin America and this Nation as well.

As a result, hundreds of school children from the Chamizal part of the Chamizal zone in south El Paso were dislocated. Most of them moved down the Rio Grande, southeasterly, into a small district, which experienced a sudden increase in school population, without the means to take care of it.

This amendment will give effect to a similar provision which was passed last year but was frustrated by a rider on the appropriations bill, which cut off the money. As a result of the amendment, the relocated children will be included in a school district's entitlement for federally affected area funds.

The amendment to provide technical assistance to rural areas is especially relevant to the problems of Texas. This provision would provide an additional $1½ million to my dissemination of information amendment of last year to assist rural school districts in qualifying for Federal programs which would benefit them.

After my amendment was put into the bill last year, it was thwarted by the Office of Education, which did not request funds for this year. The distinguished Senator from West Virginia [Mr. RANDOLPH], who is a member of our committee, adds a provision to the amendment this year.

The amendment provides that in the small rural districts the Office of Education will explain the provisions of the law and help the school district. Those districts do not have trained personnel or accountants to fill out applications for grants. They are sent a 150-page directive and are told to file an application.

My amendment of last year—known as the dissemination of information amendment—and the amendment of Senator RANDOLPH this year provide assistance for the smaller districts in filing their applications. First, to tell them if they are entitled to Federal funds. Some of the smaller and poorer districts do not have sufficient money to go through the complicated procedures of determining if they are qualified for the funds.

This amendment would remedy that situation. It tells the Office of Education that they must do this. In many instances these districts do not have the personnel and expertise to apply for Federal programs which would improve their schools. This is an excellent addition to provide them the assistance they need and to allow them to share in the educational revolution now occurring in this Nation.

Mr. President, within the last 4 or 5 years I spoke with the president of Encyclopaedia Britannica. He said that never in the history of the human race has there been such an explosion of learning as has taken place in the United States and which has bloomed to its height in the last 10 years—never in the history of the world. He said:

> At Encyclopaedia Britannica we have to change 10 million out of 37 or 38 million words to describe the new way of living because things change so fast.

For instance there is an entire new field of scientific terminology which is used in our daily lives. Our lives and the way we are living are changing so fast that this is the situation we face.

Mr. President, that is one of the reasons why we need the Federal money at the different levels of our educational effort.

This bill also contains money for a major bilingual education program. I addressed myself to that portion of the bill last Friday, and I shall not repeat that now. It is in the RECORD. We had two volumes of hearings on the bill introduced last January. This is the first bilingual educational bill introduced in either branch of Congress.

Our special Subcommittee on Bilingual Eduaction was set up with the foresight of the distinguished Senator from Alabama [Mr. HILL], and with the concurrence and approval of the senior Senator from Oregon [Mr. MORSE], who is the chairman of the Education Subcommittee.

Under that special subcommittee we held hearings, as I narrated last Friday, in Texas, California, New York City, and Washington, D.C. The cosponsors included the distinguished Senator from Oregon [Mr. MORSE], who is chairman of the Subcommittee on Education, both Senators from California, both Senators from Texas, and both Senators from New York, regardless of party. Those are the three States where the greatest number of Spanish-speaking people are.

(At this point, Mr. HARRIS assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. LAUSCHE. I am looking at page 54 of the report. Am I correct that the cost of the bilingual program will be $15 million in 1968, $30 million in 1969, and $40 million in 1970?

Mr. YARBOROUGH. The Senator is correct. As the Senator knows, this is not a sufficient amount of money to take care of this bilingual educational program. However, we did not provide money for bilingual programs everywhere they are needed. This is a pilot program to develop programs in the most needed areas. We hope that these programs can then be utilized by other schools. This is a new area for American education and there is a large need for programs.

We intend to have constant evaluation of these programs. I am glad that the Senator has brought up this point. That amount of money would not provide for bilingual education everywhere it is needed, but we want to be certain that programs are done properly, and that they achieve the desired results. We have proceeded carefully to provide money for a limited number of pilot projects so that the money is not carelessly spent.

Even though this is a modest amount of money, this will have a measure of beneficial impact on the areas of Texas and the Southwestern States where the mother language of millions of children in their homes is not English.

If these children are to have a fair chance in life, and if the child is to have a full opportunity to accomplish whatever his drive and intellect indicates they must be given the opportunity. The purpose of the measure is to make them bilingually literate in their mother tongues and the national language.

Mr. President, the total impact of this bill on my home State of Texas would be substantial. In laying down the bill and its description, the senior Senator from Oregon has described what the bill would do for the Nation. I shall not repeat that description. I shall only indicate what it means to one State.

Although this bill is being enacted under a ceiling appropriation of $1.2 billion for title I, the benefits to Texas are revealed by the following table which shows the amounts which Texas would receive under the various titles this year:

Texas allotments under Senate version of H.R. 7819 for fiscal year 1968 (based on appropriations)

Title I	$83, 618, 160
Administration	834, 682
Local education agencies	70, 812, 118
State	11, 971, 360
Migratory programs	10, 433, 192
Juvenile delinquency	561, 237
Handicapped	848, 750
Dependent and neglected children	128, 181
Title II	5, 600, 000
Title III	12, 800, 000
Title V	1, 080, 000
Total	103, 098, 160

Mr. President, I also ask unanimous consent to have printed in the Record at this point the table for 1969, 1970, and 1971, which show the authorizations under the Senate bill.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Tables indicating the amounts authorized for Texas for fiscal years of 1969, 1970, and 1971

FOR FISCAL YEAR 1969 (AUTHORIZATIONS)

Title I	$189,465,492
Title II	9,620,956
Title III	29,022,686
Title V:	
Part A	3,244,452
Part B	447,992
Total	231,792,578

FOR FISCAL YEAR 1970 (AUTHORIZATIONS)

Title I	198,941,342
Title II	10,995,379
Title III	30,422,389
Title V:	
Part A	3,244,452
Part B	447,992
Total	244,051,554

FOR FISCAL YEAR 1971 (AUTHORIZATIONS)

Title I	208,891,870
Title II	12,369,801
Title III	31,822,680
Title V:	
Part A	3,447,230
Part B	597,322
Total	257,128,903

Mr. YARBOROUGH. Mr. President, the tables will show the totals increasing appreciably as the cost of overseas commitments in wars declines. We will be able to put in this bill what the Nation needs. For example, in my State in fiscal year 1969, instead of the 1968 level of $103 million, the amount would be $231 million. The amount goes up correspondingly all over the Nation, to show what we envision in connection with the bill.

Mr. President, in stating the purpose of the bill, I wish to point out one item of $848,000 for handicapped children. In my opinion, the small amount for handicapped children is one of the weakest points of the bill.

Mr. President, it has been shown that this year out of 50 million schoolchildren in this Nation of school age, ages 5 through 17, 10 million were found to be from impoverished families. In other words, about 20 percent of our school-age children come from families in the poverty bracket. It is interesting how closely educational deprivation follows poverty. There are not many families in the poverty brackets who get the best schooling in elementary schools, secondary schools, or high schools. Nearly all of this money in this bill is for those children from economically deprived homes.

Out of that number of 50 million children there are 5 million handicapped children. There are 5 million children with mental retardation or physical handicaps, or one-tenth of all children of school age in America.

We have in this bill a somewhat minor amount of money for these purposes. I think that is one of the great weaknesses of the bill. If we have 10 million children from economically deprived families and 5 million children who are handicapped, we need to put more money into the handicapped program because there is required special teachers and techniques.

The average teacher can teach a child from an economically deprived home, but a teacher cannot teach the handicapped child without special education.

Mr. President, the evidence shows that it takes three or four times the money to train a handicapped child than it does to train a child from a poverty family in a poverty-stricken district, without special education. It costs more money. Yet, we are putting very little money in this bill for the handicapped children. This program needs more money.

The end product is not merely giving that child an opportunity in life and it is not merely enriching the child, but it is also enriching the Nation, because with special training these people can make a real contribution that they could not otherwise make.

In some areas we find that deaf children receiving the proper training operate more efficiently than those who can hear. This was demonstrated at the Internal Revenue Center in Austin, Tex. Under authority of the President's message to help the handicapped, they took graduates from deaf schools in Austin, Tex., and although the Internal Revenue Center was reluctant to take them, after they had had the special training to run computers, they agreed to take some. After the first year, the Internal Revenue Center was begging for more. These deaf children had a lower percentage of error than those who could hear.

They could sit at the machines and inasmuch as they could not hear they were not distracted by unwelcome sounds. They were able to concentrate on their work with no distractions to annoy them and, therefore, they were able to work much more efficiently than other workers.

This illustrates how, with proper training, those who are handicapped can be an asset to the country. With our growing technology, if we train these people properly, the whole Nation will gain. Instead of these people being charges on their families and on the public, we will be able to make them assets to their families and to the Nation.

So, that is the weakest point in the legislation. We all know what the budget problems are. We all know the drain on our resources because of the war overseas. This is a very modest amount of money for the great problem of giving the next generation an opportunity which now goes only to some of our children. Now we want to see that every child gets that opportunity in life—not 70 percent, but 100 percent.

As the present and the next generation grow up, we will find our country greatly improved as a result of opportunities for 100 percent of our people.

Mr. President, I want to voice my wholehearted support for this important legislation. As a member of the Subcommittee on Education, this is now the 10th year I have had the privilege of working on education bills, beginning with being a cosponsor of the National Defense Education Act of 1958.

Mr. President, I have taken the time to review some of these problems, which constitute only a small percentage of the major provisions in the bill, but they are indicative of the need for enactment of the pending bill at this time.

I should now like to pay tribute to the Senator from Oregon [Mr. MORSE]. He deserves great credit for the skill, ability, and knowledge which he has combined in his work to forge this worthwhile bill.

This bill is one of the great monuments to the brilliant leadership of the senior Senator from Oregon. This is a deserved tribute to him. In fact, if I took time to account for all that he has done on the Subcommittee on Education, I would use up all the time reserved for consideration of the bill.

Mr. MORSE. Mr. President, I want to thank the Senator from Texas [Mr. YARBOROUGH] very much for taking the floor this morning and making the remarks he did on the bilingual amendment, which is the Yarborough amendment. I called him and asked him if he would take that matter up first because I had to go to the Supreme Court to move the admission of a very able lawyer from Portland, Oreg., Mr. Victor C. Hefferin.

I want the Senator from Texas to know that I not only thank him for the unfailing cooperation which he always extends to me as a member of my subcommittee, but I also want to reinforce what he said in respect to the bilingual amendment.

It is a sorely needed amendment for all the reasons that the Senator from Texas brought out. I would only capsule it by saying that we need to carry out our obligations to the boys and girls from bilingual homes, or from the homes in which a language other than English predominates, that we need to make them bilingual, and that one of the best ways to make them bilingual is to see to it that we get language education to the children from those homes so that they may become effective teachers of their parents, effective teachers of their relatives—who frequently live in the same home, and effective teachers of their brothers and sisters not yet in school or on their way to growing up within the home.

I am pleased to tell the Senate that the amendment of the Senator from Texas came to the floor without objection being voiced by any Senator. I am sure that when we finally pass upon the bill it will receive the same vote of confidence in the Senate.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield

Mr. MORSE. I yield.

Mr. LAUSCHE. I am looking at page 53 of the report, and I should like to receive from the Senator from Oregon either confirmation or rejection of my understanding of what the cost of the bill will be for the years 1968, 1969, 1970, and 1971. That is, for the year 1968, the increased cost over the 1967 program will be $243,884,000, in round numbers.

Mr. MORSE. Yes, that is what the statistics on authorizations show. We are doing much more, in addition, under the promulgated program.

Mr. LAUSCHE. For 1969, the cost will be $4,384,000,000 over the 1967 program.

Mr. MORSE. That is correct in part. But since it is an extension of a continuing program—title I for example is increased from $2.6 billion of fiscal year 1968 by $100 million to make the $2.7 billion authorization for fiscal year 1969—this is not a total increase. It is still not enough, but the amount is correct.

Mr. LAUSCHE. In 1970, it will be $4,660,000,000 over the 1967 program.

Mr. MORSE. The authorization for fiscal year 1970 would be $4.66 billion; for fiscal year 1968 it is $3.9 billion so our increase for fiscal year 1970 is $700 million more than the current fiscal year.

Mr. LAUSCHE. And for 1971—and that is the final year of the authorization contained in the bill—it will be $4,932,000,000 over the 1967 program.

Mr. MORSE. That is correct since neither the House nor the administration proposed figures for fiscal year 1971. But we want a 3-year program to be authorized for many reasons. I would point out that the $4.9 billion is $1 billion more than now authorized but new programs are included.

Mr. LAUSCHE. May I ask whether the committee took into consideration at all the fact that the President is asking for a 10-percent surtax, which will produce about $6.5 billion, while the recommendation of the committee, if the 10-percent surtax is passed, will absorb $4,384 million of that $6.5 billion?

Mr. MORSE. The Senator knows that I cannot say in behalf of the individual members of my committee that each member of the committee at any time during the hearings specifically referred to the substance of the question the Senator from Ohio has just raised, but I think I am completely correct when I say that every member of the committee is fully aware of the President's fiscal policy and voted this program in spite of the President's fiscal policy. During the course of the debate, speaking for myself, I shall set forth in some detail why I think the President is so dead wrong in his fiscal policy that I do not intend to sacrifice the educational interests of the boys and girls of the country because the President will not make the cuts where the cuts ought to be made.

Mr. LAUSCHE. In any event, the committee recommends that in this year of 1967 we obligate ourselves with an authorization that will increase the cost of Government for the fiscal year of 1969 in the sum of $4,384 million?

Mr. MORSE. Yes, but the Senator overlooks the fact that these figures are the President's figures. This is the President's bill.

Mr. LAUSCHE. Yes, but the fact also remains that if the bill is passed, we will have put an added expense upon the Government of $4,384 million for the fiscal year of 1969, at a time when there is a cry for a 10 percent surtax and a cry for a reduction of spending. Nevertheless we are going to, as I said, increase the cost of Government in this field alone by $4,384 million.

Mr. MORSE. We are going to make the increase, but I do not share what I think are the clear implications of the question of the Senator from Ohio that it would be a bad thing to do.

Mr. LAUSCHE. Why would it not be better to wait until next year and determine whether we are in a position to increase the expenditure by $4.384 billion?

Mr. MORSE. Because the best economic interests of the country could not possibly justify waiting. When I talk about investing in education, I am talking about investing in the greatest wealth-producing investment the American taxpayers could invest in. There is nothing that produces so much for the taxpayer as an investment in the brainpower of the boys and girls of America. They are the ones who will create the economic productive power of this country as we train them for the economic needs of their generation.

The cost of the investment we are talking about will be paid back to the taxpayers over and over again. This is not the place—and I speak respectfully—to proceed in a line of false economy.

Mr. LAUSCHE. Why could we not defer the bilingual education program?

Mr. MORSE. Because we would be cheating little boys and girls of the training that they ought to get in order to allow them to adjust to our society. We cannot afford not to let them do so.

Mr. LAUSCHE. We teach them English, and the Senator proposes to teach them Spanish and Portuguese in certain sections.

Mr. MORSE. Because those problems exist in certain sections of the country.

Mr. LAUSCHE. That is so in certain States, but the Senator proposes to undertake a program to teach children Spanish and Portuguese. I do not know whether it is proposed to teach other languages. I can understand a program to teach English. It may be argued that if they were taught English and Spanish they would learn their English better and their Spanish better. It is a new program. I doubt very much the advisability of introducing it at this time of fiscal strain from which the country is suffering.

Mr. MORSE. I respect the Senator's views. As he knows, I always respect his views. But let me say that his argument against the bilingual language provision is answered in this volume which I offer as exhibit A and rest my case.

Mr. LAUSCHE. In my own family, my mother came from Slovenia, and the seven children of my family spoke Slovenian at the dinner and breakfast table. We did not have a special class in Slovenian in the public schools. We had a class in English.

Mr. MORSE. That is interesting, but I do not know what that has to do with the need for carrying on this very sound declaration which will be found in this volume.

The Senator from Texas [Mr. YARBOROUGH] is on his feet. I yield to him for any comments he may wish to add to what the Senator from Oregon has said.

Mr. YARBOROUGH. Mr. President, it is not the purpose of the bilingual education provision to teach foreign languages. This Nation is spending at least a billion dollars—it is in the record, far more than is to be undertaken under the bilingual education provision of the bill—to teach people foreign languages. The purpose of the bilingual education provision, and I refer to the volumes of the hearings, is to make children literate in the English language. Many educators say the best way to do that is to make them literate in their mother tongue at the same time. So the bilingual measure would permit both languages to be used in the school at the same time, while now in some areas it is illegal to make use of any other language than English. Last year California repealed a law making it illegal to use any other language than English in the classroom.

What we authorize to be spent on bilingual education is a drop in the bucket compared to what is being spent to teach foreign languages in high schools and colleges.

Mr. LAUSCHE. That is a different issue.

Mr. YARBOROUGH. The bilingual education provision is to help make those who have a foreign language as a mother tongue literate in English. One might call it the reverse of teaching a foreign language. The best educators have testified that it aids in the teaching of English to a child who speaks some other language, who came from a home or community where some other language was spoken and who did not speak English until he got to school, if he is made literate in that other language.

And they would start when the children are young. Some of the educational psychologists say that if you wait until a man is an adult, he can never learn another language. He can learn to speak it, but he will never know all the nuances in the meanings of words.

So the basic purpose is to make literate in English these millions of children who are now dropping out of school—in my State after 4.7 years of schooling—without being literate in any language.

Mr. MORSE. I yield to the Senator from Virginia.

Mr. BYRD of Virginia. Without regard to the merits of the legislation, may I ask the Senator some questions to attempt to get a better understanding of the costs?

As I understand it, for the current fiscal year, the authorization is $243 million, in round figures.

Mr. MORSE. The column that the Senator refers to on page 53 represents new obligational authority. That is new obligational authority above that in the present law.

Mr. BYRD of Virginia. That is the increase?

Mr. MORSE. That column is the increase. I do not know whether I made that clear to my friend from Ohio.

Mr. LAUSCHE. Yes, we were speaking of the same thing. These are increases.

Mr. BYRD of Virginia. This $243 million is the increase?

Mr. MORSE. That is right.

Mr. BYRD of Virginia. Over the amount already authorized for this year?

Mr. MORSE. That is correct.

Mr. BYRD of Virginia. Of course, that same situation would not apply to the next column.

Mr. MORSE. That is the total authorization figure above what is authorized by present law.

Mr. BYRD of Virginia. That is the total figure for the fiscal year 1969?

Mr. MORSE. The column under "1969" represents obligational authority for fiscal 1969 which is not authorized by present law.

Mr. LAUSCHE. That is the increase.

Mr. MORSE. The final figure under the column headed "1970" is the total for

1970, and the same is true for the total under 1971.

Mr. BYRD of Virginia. The Senator from Ohio says it is the increase. I am not clear on that.

Mr. LAUSCHE. For 1969, the figure is $4,384,132,699. It is an increase over what the total was for 1967; namely, $3.9 billion, approximately.

Mr. BYRD of Virginia. Are all of these increases over 1967?

Mr. LAUSCHE. That is correct.

Mr. BYRD of Virginia. That is what I did not understand.

Mr. MORSE. The figure at the bottom of the column for each year is the total budget. If the Senator will go to the top of the column for 1969 on page 53, he will note that the first figure is $2,725,959,699. That is new obligational authority, because the present authorization expires with fiscal year 1968.

Mr. BYRD of Virginia. What I am trying to get clear in my mind is——

Mr. MORSE. When you take that figure at the top and add the other increases, you end up with $4,384,132,699.

Mr. BYRD of Virginia. Is that an increase over fiscal year 1967?

Mr. MORSE. While it is an increase, since the present authorization will have expired, it is the total amount that the bill will cost for that particular year.

Let us go back to what our present authorization is for this year. That will help. I will have the figure in just a moment.

If the Senator will turn to page 55, the total authorization table, the total for fiscal year 1968 is shown at the top of that column as $2,589,932,402.

Mr. BYRD of Virginia. That is the total authorization for fiscal 1968?

Mr. MORSE. That is correct for title I of the Elementary and Secondary Education Act.

Mr. BYRD of Virginia. So, then, if we refer back——

Mr. MORSE. Referring back to page 53, this bill proposes additional expenditures of $243,844,000 during fiscal year 1968.

Mr. BYRD of Virginia. For the current fiscal year, which is already half gone?

Mr. MORSE. That is right.

Mr. BYRD of Virginia. Let us clear up the next figure, then, if we may.

Mr. LAUSCHE. That is for the year 1969. We had better get it clarified.

Mr. MORSE. I will.

Mr. BYRD of Virginia. As I recall it, in response to the Senator from Ohio, the Senator from Oregon indicated that the $4,384 million figure represented an increase over the current fiscal year.

Mr. MORSE. I am sorry if I did. That is the total authorization. The increase will be the difference between $4,384,132,699, and the figure for present obligational authority for fiscal year 1968 which is about $3.9 billion. The same goes for 1970 and 1971.

Mr. BYRD of Virginia. Then, in the year 1969, you establish an entirely new program, costing $2,725 million?

Mr. MORSE. It extends the existing program plus whatever new projects are added to it. We have the elementary-secondary school program now. That is the foundation program. Then we add some additional things to it for 1969, 1970, and 1971, and the figures at the bottom of those columns on page 53 represent the total cost of this program extended into 1969, 1970, and 1971, with the additional projects covered in the new proposals within the bill.

Mr. BYRD of Virginia. So we have the existing program, at a total cost, now, before this bill is enacted, of $2.52 billion; am I correct on that?

Mr. MORSE. Two billion five hundred eighty-nine million nine hundred thirty-two thousand four hundred and two dollars is the present authorization for title I of the Elementary and Secondary Education Act.

Mr. LAUSCHE. Where is that figure?

Mr. BYRD of Virginia. That is on page 55.

Mr. MORSE. That is authorized, not appropriated. May I say to the Senator from Virginia and the Senator from Ohio, that is the figure on page 55, under the column "Total Authorizations, Fiscal Year 1968." The top line is the total.

Mr. BYRD of Virginia. So then it is proposed, almost but not quite, in 1 fiscal year, to double the amount of money now authorized?

Mr. MORSE. This figure we are dealing with here on page 55 is for title I. The other titles are taken up in other parts of the bill. But I think the Senator from Virginia and the Senator from Ohio have asked for information which ought to be provided for them at one point; and so I, from the floor, now notify representatives of the department, who are within my hearing but not on the floor, to get me a table forthwith, by noon, that I can put into this RECORD, to meet the inquiries of the Senator from Virginia and the Senator from Ohio, as follows: First, a table that will show the total authorization of the 1968 program.

Mr. BYRD of Virginia. Will the Senator make that for 1967 also?

Mr. MORSE. Let me finish, and then the Senator may add to it if more information is desired.

Include the funds for the additional projects that are being added to the 1968 program. Second, prepare a table that shows the total authorization for all titles of the bill—not only title I, but all titles of the bill—for 1968, 1969, 1970, and 1971; and a table that will show the amount of the increase per title.

Mr. LAUSCHE. And per total.

Mr. MORSE. For that bill, and the total.

Mr. BYRD of Virginia. Will the Senator add 1967 to that?

Mr. MORSE. Yes. Add the year 1967. That table, when received, I shall have placed in the CONGRESSIONAL RECORD at this point in our discussion.

Counsel for the committee has just whispered to me another very desirable suggestion. I want the Department also to provide in that table another column, showing existing appropriations wherever appropriations have been made, and the difference between authorizations and appropriations, because that will bear on one of the major arguments that I as manager of the bill, intend to make throughout this discussion.

Although this administration does a lot of talking these days about what ought to be done on the domestic front, there nevertheless is quite a difference between what Congress has already authorized and what this administration has recommended for appropriations. And that bears upon the comments of the Senator from Ohio.

The figures I am talking about, as far as authorization is concerned, are administration figures. I am taking the administration bill to the floor of the Senate as far as most of the financial items are concerned. There is quite a difference, however, between what the administration is apparently willing to go along with on authorization and what the Bureau of the Budget is willing to sanction for appropriations. And that is where they lose me.

I cannot believe they can possibly justify the difference. It averages out 40 to 60 percent when we consider the difference between what they are willing to sanction for authorizations and what they are willing to recommend for appropriations. And the American people do not understand it. They do not understand, for example, some $150 million being authorized for handicapped children. The recommendation being made by the administration was $15 million. The $75 billion defense budget has become a sacred bull.

That is where we ought to make the cuts, of the $75 billion giveaway program under which this administration gives billions of dollars to dictators and juntas all around the world. I am not talking about the money spent in Vietnam, because only $22 billion of that $75 billion is connected with Vietnam.

Mr. LAUSCHE. Mr. President, with reference to the information the Senator is asking the officials of the Department of Education to provide, I would also like to have them provide a list showing the authorization and appropriation for each of the years that we have discussed from 1967 to 1971, both inclusive.

Mr. MORSE. The Senator means for the years in which there have been appropriations.

Mr. LAUSCHE. The Senator is correct.

Mr. MORSE. That will be included in my instructions.

Mr. LAUSCHE. I want the information in simple form, and not gobbledygook. I would like to have the amount authorized and the amount appropriated.

Mr. MORSE. Let me say to my good friend, the Senator from Ohio, that although I am not a walking computer machine, it is pretty hard to perform gobbledygook with figures. They add up. Two and two is four. I cannot perform gobbledygook with that. We are asking for the fiscal facts from the Department of Health, Education, and Welfare.

Mr. LAUSCHE. Mr. President, to illustrate the difficulty of taking the figures contained in the report, we have had a discussion for a half-hour and we have diverged completely from the actual facts.

Mr. MORSE. If counsel for the committee will proceed to make certain that the representatives of the Department that are in the gallery get these instructions, tell them I would like to have them go forthwith and prepare the table.

(The following colloquy, which occurred later in the day, is printed at this point in the RECORD on request of Mr. MORSE and by unanimous consent.)

Mr. MORSE. Mr. President, earlier today the distinguished senior Senator from Ohio [Mr. LAUSCHE] and his able colleague, the senior Senator from Virginia [Mr. BYRD] raised certain questions with me concerning the authorizations and appropriations for fiscal years 1967 and 1968. I have received from the Department of Health, Education, and Welfare a summary for each of those years which partially answer the questions and I ask unanimous consent that the tables containing these data be printed at the point in my remarks this morning when we had the colloquy with the distinguished Senator from Ohio and the distinguished Senator from Virginia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPARISON OF AUTHORIZATIONS AND APPROPRIATIONS, H.R. 7819 PROGRAMS

	Fiscal year 1967	
	Authorization	Appropriation
Title I—Amendments to the Elementary and Secondary Education Act of 1965, and related amendments:		
Pt. A, title I:		
Assistance for education of children of low income families	$1,430,763,947	$1,053,410,000
Special incentive grants		
Pt. B, title II—School library resources, textbooks, and other instructional materials	128,750,000	102,000,000
Pt. C, title III—Supplementary educational centers and services	180,250,000	135,000,000
Pt. D, title V:		
Pt. A—Strengthening State departments of education	30,000,000	22,000,000
Pt. B—Comprehensive educational planning		
Pt. E, title VI—Education of handicapped children:		
Pt. A—Grants to States	51,500,000	2,475,000
Pt. B—Regional resource centers		
Pt. C—Centers and services for deaf-blind children		
Title I—Amendments to the Elementary and Secondary Education Act, etc.—Continued		
Pt. E. title VI—Education of—Continued		
Pt. D—Recruitment of personnel and information		
Pt. E—Captioned "Films for the Handicapped"	$3,000,000	$2,800,000
Pt. F:		
Dissemination of information (sec. 706)	2,000,000	
Dropout prevention projects (sec. 707)		
Title II—Federally affected areas:		
Pt. A—School construction (Public Law 815)	57,380,000	52,317,000
Maintenance and operations (Public Law 874)	433,400,000	416,200,000
Title V—Adult education programs	40,000,000	29,200,000
Title VI—Demonstration projects and study for school bus safety		
Title VII—Bilingual education		
Total	2,357,043,947	1,815,402,000

	Present law	Fiscal year 1968 (New obligational authority)			Appropriation
		Authorization House bill	(H.R. 7819) Senate bill	Senate-House difference	
Title I—Amendments to the Elementary and Secondary Education Act of 1965, and related amendments:					
Pt. A, title I:					
Assistance for education of children of low income families	$2,563,067,584				$1,191,000,000
Special incentive grants			$50,000,000	+$50,000,000	
Pt. B, title II—School library resources, textbooks, and other instructional materials	154,500,000				104,457,000
Pt. C, title III—Supplementary educational centers and services	515,000,000				208,750,000
Pt. D, title V:					
Pt. A—Strengthening State departments of education	50,000,000	$15,000,000	15,000,000		29,750,000
Pt. B—Comprehensive educational planning			15,000,000	+15,000,000	
Pt. E, title VI—Education of handicapped children:					
Pt. A—Grants to States	154,000,000				15,000,000
Pt. B—Regional resource centers		7,500,000	7,500,000		
Pt. C—Centers and services for deaf-blind children			1,000,000	+1,000,000	
Pt. D—Recruitment of personnel and information		1,000,000	1,000,000		
Pt. E—Captioned films for the handicapped	5,000,000	1,000,000	3,000,000	+2,000,000	2,800,000
Pt. F:					
Dissemination of information (sec. 706)	2,000,000		1,500,000	+1,500,000	
Dropout prevention projects (sec. 707)					
Title II—Federally affected areas:					
Pt. A—School construction (Public Law 815)			62,000,000	62,000,000	
Maintenance and operations (Public Law 874)	461,500,000		15,884,000	15,884,000	416,200,000
Title V—Adult education programs	60,000,000				40,250,000
Title VI—Demonstration projects and study for schoolbus safety			1,000,000	+1,000,000	
Title VII—Bilingual education			15,000,000	+15,000,000	
Total	3,965,067,584	24,500,000	187,884,000	163,384,000	2,008,207,000

	Fiscal year 1969		
	Authorization House bill	(H.R. 7819) Senate bill	Senate-House difference
Title I—Amendments to the Elementary and Secondary Education Act of 1965, and related amendments:			
Pt. A, title I:			
Assistance for education of children of low-income families	$2,725,959,699	$2,725,959,699	
Special incentive grants		50,000,000	+$50,000,000
Pt. B, title II—School library resources, textbooks, and other instructional materials	154,500,000	180,250,000	+25,750,000
Pt. C, title III—Supplementary educational centers and services	515,000,000	540,750,000	+25,750,000
Pt. D, title V:			
Pt. A—Strengthening State departments of education	80,000,000	80,000,000	
Pt. B—Comprehensive educational planning		20,000,000	+20,000,000
Pt. E, title VI—Education of handicapped children:			
Pt. A—Grants to States	154,500,000	180,250,000	+25,750,000
Pt. B—Regional resource centers	7,500,000	8,000,000	+500,000
Pt. C—Centers and services for deaf-blind children		1,000,000	+1,000,000
Pt. D—Recruitment of personnel and information	1,000,000	1,000,000	
Pt. E—Captioned "Films for the Handicapped"	6,000,000	8,000,000	+2,000,000
Pt. F:			
Dissemination of information (sec. 706)	2,000,000	3,700,000	+1,700,000
Dropout prevention projects (sec. 707)		30,000,000	+30,000,000
Title II—Federally affected areas:			
Pt. A—School construction (Public Law 815)		66,000,000	+66,000,000
Maintenance and operations (Public Law 874)	495,000,000	510,000,000	+15,000,000
Title V—Adult education programs		70,000,000	+70,000,000
Title VI—Demonstration projects and study for schoolbus safety		1,000,000	+1,000,000
Title VII—Bilingual education		30,000,000	+30,000,000
Total	4,141,459,699	4,505,909,699	+364,450,000

COMPARISON OF AUTHORIZATIONS AND APPROPRIATIONS, H.R. 7819 PROGRAMS—Continued

	Only Senate bill contains authorizations for—	
	Fiscal year 1970	Fiscal year 1971
Title I—Amendments to the Elementary and Secondary Education Act of 1965, and related amendments:		
Pt. A, title I:		
Assistance for education of children of low income families	$2,862,175,945	$3,005,201,677
Special incentive grants	50,000,000	50,000,000
Pt. B, title II—School library resources, textbooks, and other instructional materials	206,000,000	231,750,000
Pt. C, title III—Supplementary educational centers and services	566,500,000	592,250,000
Pt. D, title V:		
Pt. A.—Strengthening State departments of education	8,000,000	85,000,000
Pt. B.—Comprehensive educational planning	20,000,000	20,000,000
Pt. E, title VI—Education of handicapped children:		
Pt. A—Grants to States	206,000,000	231,750,000
Pt. B—Regional resource centers	10,000,000	12,000,000
Pt. C—Centers and services for deaf-blind children	7,000,000	9,000,000
Title I—Amendments to the Elementary and Secondary Education Act, etc.—Continued		
Pt. E, title VI—Education of—Continued		
Pt. D—Recruitment of personnel and information	$1,000,000	$1,000,000
Pt. E—Captioned films for the handicapped	10,000,000	10,000,000
Pt. F:		
Dissemination of information (sec. 706)	4,000,000	4,200,000
Dropout prevention projects (sec. 707)	30,000,000	30,000,000
Title II—Federally affected areas:		
Pt. A—School construction (Public Law 815)	66,000,000	64,000,000
Maintenance and operations (Public Law 874)	545,000,000	580,000,000
Title V—Adult education programs	80,000,000	90,000,000
Title VI—Demonstration projects and study for school-bus safety	----------	----------
Title VII—Bilingual education	40,000,000	40,000,000
Total	4,711,675,945	5,056,151,677

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION

SUMMARY OF FUNDING, FISCAL YEAR 1967 TO FISCAL YEAR 1968, ALL PROGRAMS OF OFFICE OF EDUCATION

Activity	Fiscal year 1967		Fiscal year 1968 [1]					
	Authorization [2]	Appropriation	Authorization [2]	Request to Bureau of Budget	Budget estimate	House allowance	Senate allowance	Appropriation
Elementary and secondary educational activities	$1,973,313,947	$1,464,610,000	$3,376,909,876	$3,315,909,876	$1,692,000,000	[3] $1,645,707,000	[3] $1,696,707,000	[3] $1,677,907,000
School assistance in federally affected areas	491,400,000	649,137,000	488,916,000	466,200,000	439,137,000	439,137,000	472,937,000	439,137,000
Teachers Corps	64,715,000	[4] 11,323,700	33,000,000	[5] 46,000,000	33,000,000	([6])	18,100,000	13,500,000
Higher educational activities	1,243,950,000	[4] 1,179,373,775	1,766,950,000	1,593,350,000	1,173,194,000	1,158,194,000	1,158,194,000	1,158,194,000
Expansion and improvement of vocational education	297,516,000	268,016,000	288,491,000	275,591,000	259,900,000	[7] 252,900,000	[7] 252,900,000	252,900,000
Libraries and community services	234,315,000	146,950,000	281,770,000	252,020,000	165,950,000	155,500,000	156,500,000	156,500,000
Educational improvement for the handicapped	93,000,000	[4] 37,875,000	205,500,000	101,000,000	53,400,000	53,400,000	58,400,000	53,400,000
Research and training	30,000,000	91,050,000	29,900,000	199,100,000	99,900,000	90,967,000	90,967,000	90,967,000
Educational research and training (special foreign currency program)	----------	1,000,000	----------	4,600,000	4,600,000	0	0	0
Salaries and expenses	----------	[4] 32,836,000	----------	47,236,000	40,253,000	37,385,000	37,385,000	37,385,000
Colleges for agriculture and the mechanic arts (permanent)	2,550,000	2,550,000	2,550,000	2,550,000	2,550,000	2,550,000	2,550,000	2,550,000
Promotion of vocational education, act of Feb. 23, 1917 (permanent)	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455
Student loan insurance fund	----------	3,200,000	----------	0	0	0	0	0
Higher education facilities loan fund	200,000,000	200,659,000	400,000,000	3,200,000	2,625,000	2,625,000	[8] 1,700,000	2,625,000
Civil rights educational activities	----------	[4] 8,028,000	----------	37,867,000	30,000,000	10,000,000	10,000,000	10,000,000
Arts and humanities educational activities	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Total	4,638,921,402	[4] 3,924,769,930	6,882,148,331	6,352,785,331	4,004,670,455	3,856,526,455	3,964,501,455	3,903,226,455

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[1] Excludes proposed legislation.

[2] Excludes indefinite authorizations.

[3] Excludes $10,793,000 requested for Indian and overseas dependent schools pending enactment of authorizing legislation.

[4] Includes supplemental appropriation.

[5] Request based on proposed authorization.

[6] Deferred action pending enactment of authorizing legislation.

[7] Excludes $7,000,000 requested for Appalachia regional development pending enactment of authorizing legislation.

[8] An additional $100,000,000 in participation sales authorization for construction loans was disallowed. With the carryover from 1967, this would result in a $100,000,000 lending level rather than the $200,000,000 level requested, allowed by the House, and appropriated.

Note: 1967 appropriation adjusted for comparability with 1965 new appropriation structure.

ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Educationally deprived children	$1,430,763,947	$1,053,410,000	$2,441,359,876	$2,441,359,876	$1,200,000,000	[1] $1,191,000,000	[1] $1,191,000,000	[1] $1,191,000,000
Local educational agencies	(1,345,820,593)	(1,015,152,657)	(2,340,574,732)	(2,340,574,732)	(1,148,461,733)	(1,139,461,733)	(1,139,461,733)	(1,139,461,733)
Handicapped children	(20,462,448)	(15,078,410)	(22,948,165)	(22,948,165)	(11,465,299)	(11,465,299)	(11,465,299)	(11,465,299)
Juvenile delinquents in institutions	(8,451,281)	(2,037,344)	(9,826,642)	(9,826,642)	(4,902,017)	(4,902,017)	(4,902,017)	(4,902,017)
Dependent and neglected children in institutions	(932,549)	(224,809)	(1,135,509)	(1,135,509)	(561,395)	(561,395)	(561,395)	(561,395)
Migratory children	(40,394,401)	(9,737,847)	(42,412,937)	(42,412,937)	(22,078,765)	(22,078,765)	(22,078,765)	(22,078,765)
State administration	(14,702,675)	(11,178,933)	(24,461,891)	(24,461,891)	(12,530,791)	(12,530,791)	(12,530,791)	(12,530,791)
Supplementary educational centers and services	180,250,000	135,000,000	515,000,000	487,000,000	240,000,000	[2] 208,750,000	[3] 213,750,000	[3] 208,750,000
Guidance, counseling, and testing	30,000,000	24,500,000	30,000,000	30,000,000	24,500,000	24,500,000	24,500,000	24,500,000
Strengthening State departments of education:								
Grants to States	25,500,000	18,700,000	42,500,000	42,500,000	25,287,500	25,287,500	25,287,500	25,287,500
Grants for special projects	4,500,000	3,300,000	7,500,000	7,500,000	4,462,500	4,462,500	4,462,500	4,462,500
Statistical services	2,800,000	2,250,000	2,800,000	2,800,000	----------	----------	----------	----------
NDEA supervisory services	8,000,000	5,500,000	8,000,000	6,000,000	----------	----------	----------	----------
Equipment and minor remodeling:								
Grants to States	88,000,000	79,200,000	96,800,000	88,000,000	47,000,000	47,000,000	88,000,000	79,200,000
Loans to nonprofit private schools	12,000,000	1,500,000	13,200,000	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000
State administration	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	[4] 7,000,000	2,000,000
Library resources	128,750,000	102,000,000	154,500,000	150,000,000	105,000,000	[5] 104,457,000	[5] 104,457,000	[5] 104,457,000
Teacher training institutes:								
Institutes for advanced study	53,500,000	30,000,000	56,000,000	50,000,000	35,500,000	30,000,000	30,000,000	30,000,000
Institutes for counseling personnel	7,250,000	7,250,000	7,250,000	7,250,000	7,250,000	7,250,000	7,250,000	7,250,000
Total	1,973,313,947	1,464,610,000	3,376,909,876	3,315,909,876	1,692,000,000	1,645,707,000	1,696,707,000	1,677,907,000

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[1] Excludes $9,000,000 requested for Indian schools pending enactment of authorizing legislation.

[2] Excludes $350,000 requested for Indian schools and $900,000 for overseas dependent schools pending enactment of authorizing legislation.

[3] $1,250,000 pending for BIA and DOD.

[4] Includes supervision.

[5] Excludes $128,000 requested for Indian schools and $415,000 for overseas dependent schools pending enactment of authorizing legislation.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION—Continued

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Maintenance and operations (Public Law 874):								
Payments to local educational agencies	$408,900,000	$391,700,000	$434,500,000	$389,200,000	$389,200,000	$389,200,000	$423,000,000	$389,200,000
Payments to other Federal agencies	24,500,000	24,500,000	27,000,000	27,000,000	27,000,000	27,000,000	27,000,000	27,000,000
Construction (Public Law 815):								
Assistance to local educational agencies	44,380,000	[1] 42,317,000	[2] 13,796,000	39,380,000	12,317,000	12,317,000	12,317,000	12,317,000
Assistance for school construction on Federal properties	13,000,000	10,000,000	[2] 13,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
Technical services	620,000	620,000	620,000	620,000	620,000	620,000	620,000	620,000
Total	491,400,000	[1] 469,137,000	488,916,000	466,200,000	439,137,000	439,137,000	472,937,000	439,137,000

[1] Includes supplemental appropriation of $30,000,000.

[2] Without extension of temporary provisions.

TEACHER CORPS

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Teacher Corps	$64,715,000	[1] $11,323,700	$33,000,000	[2] $46,000,000	$33,000,000	(3)	$18,100,000	$13,500,000

[1] Includes $3,823,700 supplemental appropriation.

[2] Request based on proposed authorization.

[3] Deferred action until authorization is enacted.

HIGHER EDUCATIONAL ACTIVITIES

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Program assistance:								
Strengthening developing institutions	$30,000,000	$30,000,000	$55,000,000	$50,000,000	$30,000,000	$30,000,000	$30,000,000	$30,000,000
Colleges of A. & M. arts	11,950,000	11,950,000	11,950,000	11,950,000	11,950,000	11,950,000	11,950,000	11,950,000
Undergraduate instructional equipment and other resources:								
Television equipment	10,000,000	1,500,000	10,000,000	7,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Other equipment	50,000,000	13,000,000	60,000,000	40,000,000	13,000,000	13,000,000	13,000,000	13,000,000
Construction:								
Public community colleges and technical institutes	104,500,000	99,660,000	167,440,000	107,800,000	89,700,000	100,000,000	100,000,000	100,000,000
Other undergraduate facilities	370,500,000	353,340,000	560,560,000	382,200,000	300,300,000	300,000,000	300,000,000	300,000,000
Graduate facilities	60,000,000	60,000,000	120,000,000	90,000,000	50,000,000	50,000,000	50,000,000	50,000,000
State administrative expenses	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000
Technical services	(1)	2,744,000	(1)	4,000,000	2,744,000	2,744,000	2,744,000	2,744,000
Major disaster areas	------------	[2] 2,122,775	------------	------------	------------	------------	------------	------------
Teacher education:								
Elementary and secondary teacher programs—Fellowships:								
Experienced teachers	160,000,000	12,500,000	275,000,000	41,500,000	15,000,000	15,000,000	15,000,000	15,000,000
Prospective teachers		12,500,000		41,500,000	12,500,000	12,500,000	12,500,000	12,500,000
Strengthening graduate schools		5,000,000		7,500,000	7,500,000	7,500,000	7,500,000	7,500,000
College teacher fellowships	(1)	80,842,000	(1)	107,300,000	96,600,000	86,600,000	86,600,000	86,600,000
Institutes in use of equipment and other teaching aids	5,000,000	2,500,000	5,000,000	5,000,000	2,500,000	2,500,000	2,500,000	2,500,000
Student aid: Educational opportunity grants:								
Grants to higher education institutions	(3)	112,000,000	(3)	180,000,000	155,600,000	140,600,000	140,600,000	140,600,000
Encouragement of educational talent	(1)	2,500,000	(1)	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
Direct loans:								
Contributions to loan funds	190,000,000	190,000,000	225,000,000	195,000,000	190,000,000	190,000,000	190,000,000	190,000,000
Loans to institutions	(4)	2,000,000	(4)	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Teacher cancellations	(1)	1,115,000	(1)	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000
Insured loans:								
Advances for reserve funds	[5] 10,000,000	10,000,000	(6)	42,000,000	------------	------------	------------	------------
Interest payments	(1)	33,000,000	(1)	94,100,000	40,000,000	40,000,000	40,000,000	40,000,000
Work-study programs	165,000,000	134,100,000	200,000,000	171,600,000	139,900,000	139,900,000	139,900,000	139,900,000
Total	1,243,950,000	1,179,373,775	1,766,950,000	1,593,350,000	1,173,194,000	1,158,194,000	1,158,194,000	1,158,194,000

[1] Indefinite.

[2] Supplemental appropriation.

[3] Continuation costs plus $70,000,000 for new awards.

[4] Total of $25,000,000 authorized from fiscal year 1959 through duration of act.

[5] Represents balance of $17,500,000 total authorization for fiscal years 1966 through 1968; $7,500,000 appropriated in 1966.

[6] Total of $17,500,000 authorized for fiscal years 1966 through 1968; total authorization was appropriated in 1966 and 1967.

EXPENSION AND IMPROVEMENT OF VOCATIONAL EDUCATION

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Vocational Education Act of 1963: Grants to States	$202,500,000	$198,225,000	$202,500,000	$202,500,000	$199,309,000	$199,309,000	$199,309,000	$199,309,000
Grants to States under George-Barden and supplemental acts:								
George-Barden Act	49,686,000	49,686,000	49,686,000	49,686,000	49,686,000	49,686,000	49,686,000	49,686,000
Supplemental acts	305,000	305,000	305,000	305,000	305,000	305,000	305,000	305,000
Grants to States under Appalachian Regional Development Act of 1965	[1] 8,000,000	8,000,000	(2)	7,000,000	7,000,000	(3)	(3)	------------
Work-study program	35,000,000	10,000,000	35,000,000	10,000,000	------------	------------	------------	------------
Residential vocational schools		------------		------------	------------	------------	------------	------------
Vocational student loan assistance:								
Advances for reserve funds	[4] 1,025,000	1,025,000	(5)	2,000,000	------------	------------	------------	------------
Interest payments	(6)	775,000	(6)	3,600,000	3,600,000	3,600,000	3,600,000	3,600,000
Direct loans	1,000,000	------------	1,000,000	500,000	------------	------------	------------	------------
Total	297,516,000	268,016,000	288,491,000	275,591,000	259,900,000	252,900,000	252,900,000	252,900,000

[1] Represents balance of $16,000,000 total authorization for fiscal years 1965 through 1967; $8,000,000 appropriated in 1965.

[2] Authorization expires June 30, 1967. Extension to be proposed.

[3] Action deferred pending enactment of authorizing legislation.

[4] Represents balance of $1,875,000 total authorization for 1966 through 1968; $850,000 appropriated in 1966.

[5] Total of $1,875,000 authorized for fiscal years 1966–68; total authorization was appropriated in 1966 and 1967.

[6] Indefinite.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION—Continued

LIBRARIES AND COMMUNITY SERVICES

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Library services:								
Grants for public libraries (title I, LSCA)	$35,000,000	$35,000,000	$45,000,000	$40,000,000	$35,000,000	$35,000,000	$35,000,000	$35,000,000
Interlibrary cooperation (title III, LSCA)	5,000,000	375,000	7,500,000	5,000,000	2,375,000	2,375,000	2,375,000	2,375,000
State institutional library services, title III, pt. A, LSCA	5,000,000	375,000	7,500,000	4,875,000	2,120,000	2,120,000	2,120,000	2,120,000
Library services to the physically handicapped (title IV, pt. B, LSCA)	3,000,000	250,000	4,000,000	2,625,000	1,320,000	1,320,000	1,320,000	1,320,000
Construction of public libraries (title II, LSCA)	40,000,000	40,000,000	50,000,000	45,000,000	27,185,000	127,185,000	27,185,000	27,185,000
College library resources (title II, pt. A, HEA)	50,000,000	25,000,000	50,000,000	50,000,000	25,000,000	25,000,000	25,000,000	25,000,000
Acquisition and cataloging by Library of Congress (title II, pt. C, HEA)	6,315,000	3,000,000	7,770,000	7,770,000	4,000,000	4,000,000	5,000,000	5,000,000
Librarian training (title II, pt. B, HEA)	(1)	3,750,000	(1)	8,250,000	8,250,000	8,250,000	8,250,000	8,250,000
University community services programs, title I, HEA	50,000,000	10,000,000	50,000,000	30,000,000	16,500,000	10,000,000	10,000,000	10,000,000
Adult basic education:								
Grants to States	40,000,000	26,280,000	60,000,000	43,500,000	32,200,000	32,200,000	32,200,000	32,200,000
Special projects		1,720,000		13,500,000	10,500,000	6,550,000	6,550,000	6,550,000
Teacher training		1,200,000		1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Total	234,315,000	146,950,000	281,770,000	252,020,000	165,950,000	155,500,000	156,500,000	156,500,000

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[1] An amount of $15,000,000 is authorized for pt. B of title II, HEA, including library research, which is included under the appropriation "Research and training."

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Preschool and school programs (title VI, ESEA)	$51,500,000	[1] $2,475,000	$154,500,000	$50,000,000	$15,000,000	$15,000,000	$20,000,000	$15,000,000
Teacher education	29,500,000	24,500,000	34,000,000	34,000,000	24,500,000	24,500,000	24,500,000	24,500,000
Research and demonstration	9,000,000	8,100,000	12,000,000	12,000,000	11,100,000	11,100,000	11,100,000	11,100,000
Captioned films for the deaf	[2] 3,000,000	2,800,000	[2] 5,000,000	5,000,000	2,800,000	2,800,000	2,800,000	2,800,000
Total	93,000,000	[1] 37,875,000	205,500,000	101,000,000	53,400,000	53,400,000	58,400,000	53,400,000

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[1] Includes $2,475,000 supplemental appropriation.

[2] Includes $200,000 for administration which is reflected under "Salaries and expenses" in appropriation and request.

RESEARCH AND TRAINING

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Educational laboratories and research and development centers (title IV, ESEA):								
Operational assistance:								
Laboratories	(1)	$19,230,000	(1)	$35,500,000	$24,300,000	$34,600,000	$34,600,000	$34,600,000
Centers	(1)	10,370,000	(1)	17,500,000	11,800,000			
Construction	( )	12,400,000	(2)	27,600,000				
Research:								
General education:								
General education	(1)	16,085,000	(1)	25,850,000	18,850,000	17,467,000	17,467,000	17,467,000
Evaluation studies	(1)	----------	(1)	----------	2,500,000	1,250,000	1,250,000	1,250,000
National achievement study	(1)	----------	(1)	----------	2,000,000	1,000,000	1,000,000	1,000,000
Demonstration and development	(1)	3,000,000	(1)	36,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Vocational education (Vocational Education Act, 1963)	$22,500,000	10,000,000	$22,500,000	22,500,000	17,100,000	13,550,000	13,550,000	13,550,000
Foreign language education	3,100,000	3,100,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Educational media	4,400,000	4,400,000	4,400,000	4,400,000	4,400,000	4,400,000	4,400,000	4,400,000
Library improvement	(3)	3,550,000	(3)	3,550,000	3,550,000	3,550,000	3,550,000	3,550,000
Training	(1)	6,500,000	(1)	20,000,000	7,000,000	6,750,000	6,750,000	6,750,000
Dissemination	(1)	2,415,000	(1)	3,200,000	2,400,000	2,400,000	2,400,000	2,400,000
Total	30,000,000	91,050,000	29,900,000	199,100,000	99,900,000	90,967,000	90,967,000	90,967,000

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[1] Not specified.

[2] $100,000,000 authorized over a 5-year period.

[3] An amount of $15,000,000 is authorized for pt. B of title II, HEA, including librarian training, which is included under the appropriation "Libraries and community services."

EDUCATIONAL RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Research in foreign education	(1)	$500,000	(1)	$1,800,000	$1,800,000	0	0	0
Training, research, and study grants:								
Higher education	(1)	450,000	(1)	2,300,000	2,300,000	0	0	0
Elementary and secondary education	(1)	50,000	(1)	500,000	500,000	0	0	0
Total	----------	1,000,000	----------	4,600,000	4,600,000	0	0	0

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[1] Indefinite.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION—Continued

SALARIES AND EXPENSES

Number of positions	(1)	[2] 2,450	(1)	2,830	2,735	2,580	2,580	2,580
Amount	(1)	[2] $32,836,000	(1)	$47,236,000	$40,253,000	$37,385,000	$37,385,000	$37,385,000

[1] Indefinite.

[2] In order to reflect comparability with the 1968 estimate, the amount for 1967 includes adult basic education program which has been transferred from "Elementary and Secondary Educational Activities." The amount excludes activities which have been transferred to "Higher Education for International Understanding," "Salaries and Expenses, Office of the Secretary," and "Educational Improvement for the Handicapped." Includes $740,000 supplemental for pay increase.

COLLEGES FOR AGRICULTURE AND THE MECHANIC ARTS (PERMANENT)

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Grants to States	$2,550,000	$2,550,000	$2,550,000	$2,550,000	$2,550,000	$2,550,000	$2,550,000	$2,550,000

PROMOTION OF VOCATIONAL EDUCATION—ACT OF FEB. 23, 1917 (PERMANENT)

Grants to States	$7,161,455	$7,161,455	$7,161,455	$7,161,455	$7,161,455	$7,161,455	$7,161,455	$7,161,455

STUDENT LOAN INSURANCE FUND

Higher education student loans	(1)	$3,000,000	(1)					
Vocational student loans	(1)	200,000	(1)					
Total		3,200,000						

HIGHER EDUCATION LOAN FUND

Participation sales insufficiencies:								
Appropriated funds	(1)	$659,000	(1)	$3,192,000	$2,625,000	[2] $2,625,000	$1,700,000	[2] $2,625,000
Payments from revolving fund	(1)	1,196,000	(1)	2,508,000	1,354,000	1,354,000	1,285,000	1,354,000
Total		1,855,000		5,700,000	3,979,000	3,979,000	2,985,000	3,979,000
Other expenses:								
Appropriated funds	(1)		(1)	8,000				
Payments from revolving fund	(1)	4,000	(1)		8,000	8,000	6,000	8,000
Total		4,000		8,000	8,000	8,000	6,000	8,000
Higher education construction loans:								
Appropriated funds	200,000,000	200,000,000	400,000,000					
Obligations from appropriated funds		100,000,000		100,000,000	100,000,000	100,000,000	100,000,000	100,000,000
Participation sales	(1)	100,000,000	(1)	200,000,000	100,000,000	100,000,000		100,000,000
Total lending level		200,000,000		300,000,000	200,000,000	200,000,000	100,000,000	200,000,000
Total appropriated funds		200,659,000		3,200,000	2,625,000	[2] 2,625,000	1,700,000	[2] 2,625,000

[1] Indefinite.

[2] Includes $1,700,000 under permanent appropriation in Independent Offices Appropriation Act, 1967; and $925,000 under annual appropriation to Office of Education.

CIVIL RIGHTS EDUCATIONAL ACTIVITIES

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Institutes for school personnel	(1)	$3,385,000	(1)	$11,600,000	$5,500,000	$3,255,000	$3,255,000	$3,255,000
Grants to school boards	(1)	3,150,000	(1)	24,367,000	22,600,000	5,245,000	5,245,000	5,245,000
Administration	(1)	[2] 1,493,000	(1)	1,900,000	1,900,000	1,500,000	1,500,000	1,500,000
Total		[2] 8,028,000		37,867,000	30,000,000	10,000,000	10,000,000	10,000,000

[1] Not specified.

[2] Includes $28,000 supplemental for pay increase.

ARTS AND HUMANITIES EDUCATIONAL ACTIVITIES

Activity	Fiscal year 1967		Fiscal year 1968					
	Authorization	Appropriation	Authorization	Request to BOB	Budget estimate	House allowance	Senate allowance	Appropriation
Instructional assistance:								
Grants to States	$440,000	$440,000	$440,000	$440,000	$440,000	$440,000	$440,000	$440,000
Loans to nonprofit private schools	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Teacher training institutes	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Total	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000

Mr. MORSE. Mr. President, I direct counsel for the committee to notify the Senator from Ohio [Mr. LAUSCHE] and the Senator from Virginia [Mr. BYRD] that it was our understanding that whatever factual corrections were necessary in their statements and my statement this morning will be made in the RECORD in accordance with the official information which I have obtained for them and for myself.

Mr. President, at this time I only wish to say that the figures show that for the fiscal year 1967 the total authorization for elementary and secondary education programs is $4,638,921,402. The appropriation for the fiscal year 1967 is $3,924,769,903. The authorization for the fiscal year 1968 is $6,882,148,331.

The request on the part of the Department for appropriations: $6,352,785,331.

Budget estimates: $4,004,670,455.

House allowance in the House bill: $3,856,526,455.

Senate allowance: $3,964,501,455.

Appropriations: $3,903,226,455.

This will give to Senators, and to me especially, the active information we need to support the colloquy we had this morning.

Mr. HANSEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. HANSEN. I am not certain I understood the Senator. Do the Senator's tables include the total amount authorized as well as the total amount appropriated?

Mr. MORSE. The total amount authorized and the total amount appropriated, yes.

This morning, the Senator from Wyoming was in the Chamber when we had this colloquy. Remember, we were talking about 1969, 1970, and 1971. But, of course, we cannot talk in terms of figures until the authorization bill and the appropriation bill for those years are passed.

Mr. HANSEN. What is the total amount authorized, say, for fiscal year 1969?

Mr. MORSE. Two authorizations for 1967. The authorized amount of $4,638,921,402. The authorization for 1968 is $6,882,000,000, as compared with $6,882,148,331.

For the amount requested in the budget estimates, $4,004,670,455. The House, $3,856,526,045. For the Senate, $3,964,501,455.

Appropriations for 1968—and, remember, we were talking about that this morning, so that there will be that much of a continued program—$3,903,226,455.

Mr. HANSEN. I thank the Senator.

Mr. MORSE. Mr. President, while we are waiting, I should like to read into the RECORD the AP ticker story on a Supreme Court decision of today which reads as follows:

> The Supreme Court affirmed today court-ordered desegregation of all Alabama public school systems.
>
> Alabama's appeal from the ruling, issued March 22 by a three-judge Federal court in Montgomery, was rejected. Instead, the Supreme Court affirmed the ruling without a hearing, as urged by the Justice Department.
>
> Alabama had claimed State officials do not have the authority to control local school boards in assignment and transfer of pupils and teachers.
>
> In its blanket desegregation order, the three-judge Federal court directed Gov. Lurleen B. Wallace and other State officials to "take affirmative action to disestablish all State-enforced or encouraged public school segregation and to eliminate the effects of past . . . discrimination."
>
> The three judges, Richard T. Rives, H. H. Grooms, and Frank M. Johnson, Jr., said Alabama officials by their "relentless opposition . . . flouted every effort to make the Fourteenth Amendment a meaningful reality to Negro school children in Alabama."
>
> Finding a "broad spectrum" of State interference, they ordered State cooperation with desegregation. This included required desegregation of school bus routes, faculty integration and school construction and consolidation plans.
>
> The Federal court also declared unconstitutional a State law providing tuition grants of $185 a year to students attending private schools.
>
> Alabama Atty. Gen. MacDonald Gallion, in appealing to the Supreme Court, said the ruling destroyed the academic freedom of State and local officials.

Mr. President, the ruling, however, is very much in line with the general educational philosophy which I have expressed this morning, as I regretfully announced that I would be opposed to the amendments to the bill of which I had been apprised to date involving any so called civil rights issues.

Mr. President, I yield the floor.

(This marks the end of the colloquy which was ordered to be printed in the RECORD at this point.)

Mr. BYRD of Virginia. Mr. President, if the Senator will yield further, as I understand the proposal that the Senate will be called upon to vote on, it will amount to an authorization for over a 3-year period of $14 billion plus.

Mr. MORSE. The Senator is partially correct. The bill authorizes $243 million for fiscal 1968 and almost $14 billion in the 3 succeeding fiscal years.

Mr. BYRD of Virginia. I would certainly hope that the Senate will not rush in to pass the pending legislation. We should have a reasonable length of time to consider this measure.

We are in some doubt on the floor of the Senate today as to how much it will cost over what we are already spending. We have not even got the figures as yet. I appreciate the Senator from Oregon asking for the figures.

Mr. MORSE. Mr. President, we have not brought the figures together under a common chart. The figures are contained in the report. However, the Senator is correct. The amount will be about $14 billion in new obligational authority for fiscal years 1968, 1969, 1970, and 1971 combined.

Are there any further questions?

Mr. BYRD of Virginia. We are rushing into this as if we were spending about $1 million or so.

Mr. MORSE. The difficulty is, let me say most respectfully, that at least I am confused about what the Senator is asking for. He asks for appropriated figures in one question and authorized figures in the other. We have to keep them completely separate.

Mr. BYRD of Virginia. I am talking about authorization. Fourteen billion dollars would be the total authorization.

Mr. MORSE. The Senator is correct. Over the life of the program, $14 billion would be authorized. Is there anything further?

Mr. BYRD of Virginia. I shall have something further to say, but not at the moment.

Mr. LAUSCHE. If the Senator from Oregon is correct and the appropriations are far less than the authorizations, then I would venture to say positively that our authorizations will be 150 percent more than the actual appropriations. They will probably be 200 percent more.

Mr. MORSE. Mr. President, as the manager of the bill, I am not going to let the Bureau of the Budget tell me what the authorization should be. I am going to let the American people tell the administration what the authorization should be. And they will tell them in no uncertain terms, in my judgment. The American people are not going to sacrifice the education of the boys and girls of this country while we build schools everywhere else in the world and waste the taxpayers' money in a shocking foreign assistance program which is far above the $3.2 billion foreign aid program that the administration requests, $3.2 billion. It is a foreign assistance program of $7.8 billion, but they conceal most of it with other supplementary programs.

It is supposed to be all right for us to pour out the money for schools and teachers and aides in education all around the world, but then the argument is made that we ought to postpone it in the United States. The brainpower of this country, in my judgment, happens to be its greatest security weapon.

There will be a live quorum shortly, I understand, and the manager of the bill wants to make certain statements in regard to the committee bill as he takes the bill through the Senate. However, I am not going to do that until I have answered all of the questions first.

I think we ought to know the parliamentary situation that faces the Senate before the live quorum. We must decide what we want to do.

I intend only to present the argument on each section of the bill and answer, as best I can, the arguments against each section, and then call for a vote, if a vote can be obtained.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARLSON. Mr. President, the distinguished Senator from Oregon has been discussing the financial aspects of the pending legislation. I do not intend to get into that field.

I have a telegram from Murle M. Hayden, assistant and acting State superintendent of public instruction, Topeka, Kans., who is concerned. And I think the easiest way to express that concern is to read the telegram.

The telegram reads:

> TOPEKA, KANS.,
> *December 1, 1967.*
>
> Hon. FRANK CARLSON,
> *U.S. Senator,*
> *Senate Office Building,*
> *Washington, D.C.*
>
> We urge enactment of H.R. 7819 with House version of title III and omitting part B of title V. We do not consider part B (title V) to be practical and it would tend toward increased Federal control and supervision. The Senate sub-committee version would certainly not be satisfactory. While seemingly giving the states more control it imposes additional limitations such as State committees reporting to national committees, etc. We believe the States can administer title III satisfactorily if given authority to do so under a State plan and guidelines. No additional strings should be attached if the State plan is approved and followed we hope you can avoid restricting uses of title III funds for specific purposes and dividing authority until it is difficult to determine.
>
> MURLE M. HAYDEN,
> *Assistant and Acting State Superintendent of Public Instruction.*

Mr. President, I would appreciate any comment that the Senator from Oregon might have.

Mr. MORSE. Mr. President, the telegram raises the whole issue of title III. The committee overwhelmingly disagrees with the superintendent who sent the wire to the Senator.

We have worked out what we think is a very fair compromise between those individuals, such as this superintendent, who want to turn title III over to State departments of education completely, and other powerful groups within the American education community who want 100-percent administration of the funds of title III by the Department of Health, Education, and Welfare.

I am the member of the committee who cast the vote that prevented the administration's proposal from being the recommendation of the committee. My vote created a tie; that meant that the administration proposal failed for want of a majority.

I will take a couple of minutes to explain the parliamentary situation. There were three possible solutions before the committee. One was the administration proposal that the Department of Health, Education, and Welfare continue, as now, and would have the final say with regard to title III funds. We had the other point of view, that 100 percent of the control should be turned over to State departments of education. We had the middle approach, which is the approach that the senior Senator from Oregon, as chairman of the subcommittee, has taken.

In a capsule, let me say to the Senator from Kansas that many leading educators of this country testified against the recommendation of the Kansas school superintendent who sent the Senator from Kansas the wire.

Generally speaking, the metropolitan school areas of the country are opposed to 100 percent State control. They had many arguments, but I will mention only two now. In many parts of the country, the State departments of education are not organized on a basis that makes them fully competent to administer title III. Some of them are very loosely organized State departments of education. The argument was that if you turned the money over to them, it would be a shocking waste of the taxpayers' money; and, after all, we are the trustees of the Federal tax money.

The large metropolitan school areas—New York, Philadelphia, Pittsburgh, Cleveland, Detroit, Chicago, San Francisco, Los Angeles, and most of the other large cities of the country—are very much concerned.

They also point out that in many States the State departments of education are rurally controlled. The evidence is undeniable. Legislatures dominated by the rural areas of the country have not always demonstrated an understanding of the educational crisis that exists in our major cities. Title III programs are innovative programs. The States do not have to participate. If they want to try out an experimental, innovative program, then the funds are available.

What did the Senator from Oregon propose as a compromise? I want to hasten the day when the States can take over title III. May I say in behalf of Secretary Gardner that he does, also. It is not a case of the administration wanting control in perpetuity. I proposed the compromise that was adopted: that in the first year, 33⅓ percent of the money will be turned over to the States; in the second year, 50 percent; in the third year, 66⅔ percent; and then you will have to have a new bill. The 3 years will have run out.

This should be an inducement to get the State departments of education to improve their operations.

In another part of the bill—I have seen to it; it was my recommendation—substantial funds are made available to assist State departments of education to strengthen themselves.

So here is the contest involving title III.

Now we are going to conference. The House passed the program for which the Kansas State school superintendent asks—100 percent on the part of the State. The Senator from Kansas is an expert conferee, and he knows that we will attempt to come to an equitable compromise agreement.

With respect to what happened in my committee, let me make very clear that I had two groups in my committee, as I have already explained. When neither side could win, when the one side proposed a greater percentage for the States, the Senator from Oregon voted against the proposal. I got another vote on that issue. We had a majority against that proposal and a tie on the administration's proposal. I was the only Democrat who voted against the administration's proposal. That is par for the course. That should not surprise the Senator from Kansas, because when I believe my party is wrong, I vote against it. They were wrong in this instance. But I brought the compromise to the floor of the Senate with a unanimous vote of those present.

Mr. CARLSON, Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARLSON. Mr President, I want the distinguished Senator from Oregon to know that I know of no one who has worked harder on education bills than he has; and I believe he will agree with me that I have supported him.

Mr. MORSE. The Senator from Kansas has been a great help.

Mr. CARLSON. I want to support him now.

I merely want the RECORD to indicate the facts as to what the difference will be between the House and the Senate when the matter goes to conference—and there will be a conference, as I understand from the telegram.

I am a little concerned about the ever-increasing tendency in the Nation to transfer all educational problems to the Federal Government, when I believe that we have in Kansas a very outstanding State board of education and State school program. I do not agree with the Senator from Oregon that the Kansas school administration could not operate this program.

Mr. MORSE. I believe it is true of many States. It is true of my State. I would be willing to turn it over to the State department of education in my State. My State has a good State department of education. There are others also. I do not mean any invidious comparisons. Although I am satisfied that my State department of education could do it, I must sit here and decide this matter on the basis of what is best for the country as a whole. The Senator from Kansas knows the impossible position we would be in if we tried to include in a bill a differentiation among State departments of education and said that one group can get it and another cannot. We would never get such a bill passed.

Therefore, until we can raise the capabilities of all State departments of education to the point where they can manage the funds as Congress intends, I believe that the compromise I have proposed with the escalating time schedule provides a fair solution.

Mr. CARLSON. I appreciate the comments of the Senator from Oregon, and I agree that the escalating schedule would be helpful. But I would not want the RECORD to indicate that the Kansas State Department of Education could not handle these funds if the Senator from Oregon would be willing to send the funds there.

Mr. MORSE. And I am not so charging.

Mr. President, I have a very difficult statement to make, but it should be made at this point, before the live quorum.

My responsibility as manager of this bill is to my committee and to the administration. After all, I am taking to the Senate today, and seeking to take through the Senate, a bill which, for the most part, is the administration's bill. I was called upon by the administration to introduce it. We have modified it to some extent, but it is still the administration bill. I am in close communication with the administration, both through the Department of Health, Education, and Welfare and through the President's Special Aide on Education, Mr. Douglas Cater—and, when necessary, with the President himself.

I serve notice now that I shall do everything I can to take the administration's bill through the Senate, with whatever modifications we become satisfied, during the course of the debate, should be made.

My second obligation is to my committee. I have checked with most members of the committee. Some have not been available for the check, but I have no doubt as to what their decision would be. As I said last Friday, I have brought to the floor of the Senate a bill that has the unanimous vote of all those who voted on it. One member was absent and did not vote. The remainder voted for it. That does not mean that some members of the committee should not offer amendments which were rejected in committee. As I said on Friday, I assure them that they will have full opportunity to present amendments on the floor, and I will do everything I can to get them a rollcall vote.

However, Mr. President, there is a parliamentary situation that confronts the Senate. It is pretty well known within the Senate that some of our distinguished colleagues seek to propose some amendments to the bill that would deal with the civil rights aspect of it. I have done the very best I could in cooperating with each one of them, as each one of them would testify. We have tried to work out with the Department of Health, Education, and Welfare some system with regard to an improvement in its procedure with respect to carrying out the civil rights law of the country which binds the Department of Health, Education, and Welfare as it does every other department. I am not through seeking to work out improvements. As I have told every Senator who will be talking about proposed amendments, I shall do everything I can to help work out a legislative history on the floor of the Senate that will make the administration of the present law and the new law, if we pass it, fair and equitable.

But, Mr. President, I now must notify my colleagues in the Senate—I have told some of them individually but I have not been able to see all who have been contacting me and trying to get me to accept certain amendments to the bill—that I, in behalf of the committee and the administration, shall oppose every one of the civil rights amendments. We feel that the Department of Health, Education, and Welfare is doing a remarkably good job in administering the law, and that Secretary Gardner can be counted upon to work out with us in individual cases, as he has a procedure that will meet any justifiable claim of any maladministration on the part of any member of the staff of the Department.

When I think of the momentous task the Department has had in the short period of time it has had to work out its procedures, I can do no less than what I now do. That is to commend Secretary Gardner highly as one of the most dedicated, able, and effective of all Federal officers of the administration, a man who believes in fairness, but a man who also does not intend to relinquish in any way his responsibilities just because there are great political demands for him to relinquish them.

Mr. President, I speak for the administration when I make this statement.

I hope we can go ahead, take up these amendments one by one, have a full and adequate debate on each one, and then vote.

There has been expressed to me a great concern on the part of some Senators who hold the view that it would be better to have no bill at all than not to have these amendments. That is a decision for them to make. As to their parliamentary procedure and it is a decision for the Senate to make if it is confronted with the situation in which it is going to be difficult to get a bill passed before adjournment.

As far as I am concerned, and I know many Senators on the committee share my view, I would rather go home at Christmas time without an education bill than walk out on what I think is the clear responsibility of the Senate of the United States to sustain the Civil Rights Act of 1964. In my opinion, the amendments that are being offered would undermine the Civil Rights Act. Therefore, I cannot be a party to it.

I think we have a great responsibility here. I also wish to make clear next that I shall insist on uniformity in the application of the Civil Rights Act, and the Department of Health, Education, and Welfare administrative policies relative thereto. It is just as important that they have the same rule in Chicago, Boston, or Portland, or any other northern school area, as in any southern school area. Therefore, I will be heard to say during the course of debate that a charge that the Department of Health, Education, and Welfare has one policy in the South and another policy in the North is not the case, for I have the assurance of the Secretary of the Department of Health, Education, and Welfare that there will be uniform application of their procedures.

Mr. President, a department cannot handle all the cases that this Department handles and not find that some staff member along the line has made a mistake or has been guilty of some arbitrary conduct. Mr. President, you do not have to worry about what superiors in the Department of Health, Education, and Welfare will do once it is called to the attention of the Secretary, which leads me to my next point.

As the Senate knows, my subcommittee is in the midst of a 2-year surveillance at the request last January of the majority leader of the Senate. It is a 2-year surveillance of the Department of Health, Education, and Welfare in the administration of our education bills that have become law.

There is not a Senator in the Chamber who can cite a single instance in which he asked the chairman of the subcommittee or the counsel for the subcommittee to look into an alleged miscarriage of administrative responsibility on the part of the Department of Health, Education, and Welfare that has not received prompt service from me or from my committee in getting the facts.

In fact, we would have had this bill before the Senate 3 weeks ago were it not for the fact that group of my colleagues in the Senate forewarned me that they were concerned about the matter of administration in some areas of the South. When I heard their complaints, I felt that if the facts they presented were borne out in an investigation, they had a strong case.

Mr. President, I call attention to one type of instance in which it was alleged that the Department of Health, Education, and Welfare in some of the Southern States had failed to lift deferral on new applications within the 90-day period provided for in the Morse conference compromise amendment that was adopted here on the floor of the Senate last year as a substitute for the Fountain amendment in the House bill.

Under that Morse administrative procedure—relating to deferral of new applications—the law now provides that the Department has 60 days, following deferral, to bring an allegedly noncomplying school district, North or South, to formal hearing. At the close of the 60 days, where the hearing has been completed, the independent examiner has an additional 30 days to render a decision. If the hearing examiner finds on the record that the school district is not complying, the deferral continues while the school district has an opportunity to make a further administrative appeal. Then the matter rests before the appropriate committees of Congress for an additional 30 days, and during that period of time the funds also are deferred.

Mr. President, some Senators cited cases in which the Department had apparently extended deferral of new applications far over the 90-day period. I looked into those cases. I have been able to relate that I had the Secretary of Health, Education, and Welfare report on each of these complaints at an informal conference that lasted several hours in our committee room some days ago.

What did we find? We found that the Senators had not been completely informed by their home State educators that in nearly every case, it was the educators who had asked for extensions of their cases beyond the 90-day period. And those requests included their agreements to extend deferral. I wish to say that when the Senators heard about that, they said to me, "We are sorry, WAYNE. We were not told that. That makes an entirely different case out of it." Of course it does. The school superintendents who had asked for the extensions had good reason to ask for it, because they were in the process of trying to work out a policy within the school districts that would permit compliance. We have had other complaints since then. During the course of debate, if they are raised, either on the floor or in conference with me, I will give the Department's position. But I want the RECORD to show that, thus far, I have not found the Secretary of Health, Education, and Welfare and his staff guilty of the "high crimes and misdemeanors" that some of the critics allege in regard to administering the education acts.

We do have a problem—and I want to mention it—which involves a reference to Southern States. I am sure that we will probably find the same cases in the North although they have not been submitted to me. Many school districts in a given Southern State are cooperating wholeheartedly in support of the policy of school desegregation but there are other school districts which obviously are not attempting to do so. Thus, the Department and the administration point out that any amendment offered to the bill which will encourage noncooperation will operate unfairly against those southern school districts which have recognized that the decision of the U.S. Supreme Court means exactly what it says. Desegregation is now a matter of legal right. There is no substitute for it. During the course of debate, we are going to find that some Senator may think that we in the Senate should substitute for the Supreme Court, assuming we could do that constitutionally. I do not think any law which Congress can pass can replace a constitutional right. It would require a constitutional amendment.

Mr. President, in order to save time, I ask unanimous consent to have printed in the Record from part 7, page 2414 of the hearings of the committee, the facts and figures submitted to us which show a great discrepancy in some Southern States among the school districts within each State in respect to compliance and also a table showing the figures. The figures show that integration in the South can still be characterized as "de minimis." I cannot stand here during this debate and support amendments to the bill which, in my judgment, would reward noncooperating southern schools districts to the disadvantage of those school districts who are doing everything they can to make the law work.

There being no objection, the excerpt and table were ordered to be printed in the Record, as follows:

The States showing the smallest percentage of Negro students attending predominantly white schools in the current school year are Alabama, Georgia, Louisiana, Mississippi, and South Carolina. In Alabama, 2.4 percent of Negro students go to schools where they make up less than 95 percent of the student body. The comparable percentage is 2.6 in Mississippi, 2.6 in Louisiana, 4.9 in South Carolina, 6.6 in Georgia, 12.8 in North Carolina, 14.7 in Florida, and 14.5 in Arkansas.

The southern States with the largest percentage of Negro pupils going to school with whites are Texas, Tennessee, and Virginia. Texas has 34.6 percent of its Negro students attending schools where they make up less than 95 percent of the enrollment. In Tennessee, the comparable percentage is 21.9 and in Virginia 20.

Among the border States, Kentucky has 88.5 percent of its Negro students in this category, Delaware 84.8 percent, West Virginia 83.4 percent, Maryland 40.5 percent, Oklahoma 40.5 percent, and Missouri 26.7 percent.

	Negro pupils attending schools less than 95 percent Negro		Negro pupils attending schools 95 to 99.9 percent Negro		Negro pupils attending schools 100 percent Negro	
	Percent	Number	Percent	Number	Percent	Number
Total, 17 States	17.3	589,620	7.1	239,770	75.6	2,571,540
Southern States	12.5	363,290	4.4	126,160	83.1	2,410,000
Alabama	2.4	6,570	2.3	6,300	95.3	260,900
Arkansas	14.5	17,140	2.1	2,480	83.4	98,650
Florida	14.7	41,120	6.1	17,060	79.2	221,550
Georgia	6.6	22,610	3.3	11,300	90.1	308,450
Louisiana	2.6	6,850	.9	2,370	96.5	254,050
Mississippi	2.6	6,840	.6	1,580	96.8	254,700
North Carolina	12.8	44,850	2.8	9,810	84.4	295,650
South Carolina	4.9	12,120	1.1	2,720	94.0	232,550
Tennessee	21.9	40,600	9.8	18,170	68.3	126,550
Texas	34.6	117,050	12.7	42,960	52.7	178,250
Virginia	20.0	47,540	4.8	11,410	75.2	178,700
Border States	45.1	226,330	22.7	113,610	32.2	161,540
Delaware	84.8	20,440	15.2	3,660	0	0
Kentucky	88.5	38,230	0	0	11.5	4,980
Maryland	40.5	88,980	23.5	51,630	36.0	79,150
Missouri	26.7	34,710	37.5	48,750	35.8	46,540
Oklahoma	40.5	24,950	15.2	9,360	44.3	27,290
West Virginia	83.4	19,020	.9	210	15.7	3,580

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the Record—because it bears on the point I am making—excerpts from the material beginning on page 2338 of the hearings, the joint statement of the NAACP legal defense fund, Division of Legal Information and Community Service; and M. Hayes Mizell, AFSC, South Carolina community relations program. It sets forth their legal position in regard to the so-called guidelines and policies of the Department of Health, Education, and Welfare.

There being no objection, the statement was ordered to be printed in the Record, as follows:

JOINT PREPARED STATEMENT OF JEAN FAIRFAX, NAACP LEGAL DEFENSE FUND, DIVISION OF LEGAL INFORMATION AND COMMUNITY SERVICE; AND M. HAYES MIZELL, AFSC, SOUTH CAROLINA COMMUNITY RELATIONS PROGRAM

Mr. Chairman, my name is Jean Fairfax. I am the Director of the Division of Legal Information and Community Service of the NAACP Legal Defense and Educational Fund. Hayes Mizell, Director of the South Carolina Community Relations Program of the American Friends Service Committee and I appreciate the opportunity to present testimony based on the experiences of our two agencies in seeking to secure the right of every child to equal educational opportunity. We are accompanied by Winifred Green, Director of the Alabama Community Relations Program of the American Friends Service Committee.

Our experience represents two important aspects of private agency effort to promote equal educational opportunity and covers more than two decades of concern with the legal and community aspects of this problem. For the past two years our two agencies have cosponsored a School Desegregation Task Force in the South, from which much of the experience we will share today is drawn.

The riots of 1967 have unmasked deep anger and despair among Negroes—anger about being humiliated, rejected and denied access to the riches of America's affluent society which are spread before them and despair about the viability of legal processes for securing full membership in that society. The desperation of a growing number of citizens who have abandoned hope compels urgent assessment of the nation's ability to make good its promise of equality. We would like to make some observations about racial isolation in education which are germane to this problem as well as to the matters which are specifically before this Subcommittee.

The school is the first public institution which the minority group child encounters. At his first entry point into the larger community, he perceives how society defines him and communicates its expectations for him as a person, a citizen and a job-holder. As Judge Minor Wisdom has said:

"Denial of access to the dominant culture, lack of opportunity in any meaningful way to participate in political and other public activities, the stigma of apartheid condemned in the Thirteenth Amendment are concomitants of the dual educational system. The unmalleable fact transcending in importance the harm to individual Negro children is that the separate school system was an integral element in the Southern State's general program to restrict Negroes as a class from participation in the life of the community, the affairs of the State, and the mainstream of American life: Negroes must keep their place. (*United States* v. *Jefferson County Board of Education,* 372 F 2nd 836 (5th Cir. 1966), *aff'd with modifications on rehearing en banc,* Civ. No. 23345, 5th Cir., March 29, 1967."

Equality of educational opportunity is now the law of the land. Yet American education is still largely segregated and unequal. The public school which should be the gateway to dignity, economic opportunity and citizenship is the symbol of apartheid.

Locked into segregated schools and locked out of participation in the mainstream of economic, cultural and civic life, American Negroes have become less inhibited in their expressions of frustration, alienation and despair. Segregated public schools will increasingly become the focus of this despair. While the elimination of segregation in education is no panacea and may, indeed, have more long-run than short-run implications for a racial minority which is overcoming generations of exclusion, resistance by the white majority to equal educational opportunity now, is interpreted as "Never!" There is no single path out of the intermeshed web of segregated schools, jobs and housing, but one thing is sure: to deny equal access to opportunities for the education and training needed for entry into our advanced technological society is to exclude persons from meaningful participation in any part of it. Time is running out. Visible evidence that the nation is committed to racial inclusiveness in public education is urgently needed.

The process of school integration in the South, where we have been working, has been a cycle of great expectations and shattered hopes. The excitement following the Supreme Court's school desegregation decision of 1954 waned during the years of massive resistance. The mandate of Title VI of the Civil Rights Act of 1964 to secure nondiscrimination in all Federally-financed programs generated hope that HEW would make real in the lives of American children the rights which a decade of litigation had won but had failed to achieve in fact. However, there are now more Negro children in segregated schools in the South than in 1954. The ringing affirmation in the Fifth Circuit's monumental decision last winter that there is a clear constitutional mandate to tackle all manifestations of *de jure* segregation in education and that this means conversion to an integrated system, "lock, stock and barrel" must be tempered with the fact that new schools will be opening this fall on a completely segregated basis. Resegregation is occurring even before integration has been accomplished.

To effectuate Title VI HEW issued Guidelines for school desegregation which conform in general to standards established by Federal courts and which have been upheld by them. Progress has taken place under the Guidelines, particularly in the border states, but their implementation in the Deep South has not produced significant results in the elimination of the dual school system. Most southern school districts are desegregating under freedom of choice plans. We commend to you the recent report of the U.S. Commission on Civil Rights, *Southern School Desegregation, 1966–67,* which is a thorough documentation of the ineffectiveness of freedom of choice plans as a device to disestablish dual school structures.

HEW requires substantial progress in pupil desegregation and in moves to end the racial identifiability of schools. Yet HEW has predicted that when schools open this fall, 82% of the Negro children in the Deep South will be in schools which are at least 95% Negro.

We are distressed at the dilution of these Guidelines as they are being implemented locally. HEW's minimum expectations for staff desegregation (the equivalent of two teachers per school) will undoubtedly not be met this year and there is evidence that Negro teachers have been fired, demoted or assigned to nonacademic positions. The regulations clearly call for the equalization of facilities and programs and for the closing of inferior schools. Yet segregated Negro schools will be in operation this year which are overcrowded, unaccredited and inferior in curriculum and facilities to white schools in the district. Some of them have no indoor plumbing. In many districts, contrary to the Guidelines, bus transportation is duplicative and discriminatory and has not been reorganized into a nonracial system. We are concerned about HEW's apparent reluctance to enforce its regulations in majority-Negro districts in the South.

The fact that HEW has been unable to provide adequate protection for families exercising their rights has been a major deterrent to desegregation. Negro families seeking equal educational opportunities have suffered intimidation, physical violence, economic reprisals, evictions and job loss. Courageous children, who have enrolled, nevertheless in desegregated schools, have met indifference, humiliation, hostility and physical abuse from teachers and fellow students. Even where there has been no overt intimidation, fear or rejection and of academic failure has been a limiting factor.

A nation which is unable to secure for its children the rights to which they are constitutionally entitled and which cannot protect them in the exercise of their rights is breeding discontent. We have observed a growing cynicism among Negroes in the South as they have experienced the gap between the law and its implementation.

On the basis of our experience in the South, we believe that the following are needed to secure equality of educational opportunity across the nation:

1. *A clear national commitment and a high priority to the goal of quality, integrated education.*

2. *A vigorous civil rights compliance program* with understanding and strong support from all branches of government.

3. *An effective technical assistance program.* Title IV of the Civil Rights Act is not before you but we hope you will find ways of encouraging greater coordination between programs funded under that title, which provides technical assistance in the solution of problems incident to desegregation, and programs under other Acts, such as ESEA's Titles III and V.

4. *Incentives* to stimulate comprehensive, long-range solutions for the toughest and most challenging problems. In many school districts genuine efforts to eliminate racial isolation will have to anticipate metropolitan plans, school district reorganizations and even interstate structures.

RECOMMENDATIONS

1. We urge you to delete Section 182 of the Elementary and Secondary Education Act as amended by the House of Representatives in HR 7819. HEW's compliance program must be strengthened. Efforts to weaken it, such as the Fountain amendment, must be resisted. The only sanction available to HEW is the termination of Federal funds. We can assure this Subcommittee that HEW has used this sanction with extreme caution. There are over 23,000 school districts in the nation. Since the beginning of the compliance program, enforcement action has been initiated only against 317 (as of July 1, 1967). As of July 31, 1967, funds had been terminated only against 103 school districts; only 74 were being deferred. Most of the school districts against which enforcement action has been initiated are districts in the South which have either refused completely to file compliance agreements or have demonstrated extremely poor performance in student desegregation (0–3%). The small number of districts which have been subject to sanctions must be compared to the overwhelming majority of southern districts which are not fulfilling their constitutional obligation to abolish their dual school systems. No northern districts have been cited in spite of the many complaints which HEW has received about segregation in the North.

The erosion of constitutional rights which is witnessed not only in the attacks against HEW's modest success but also in HEW's failure to develop a vigorous and effective compliance program must be challenged. We urge this Subcommittee in its report to express its concern for a strengthened Title VI compliance program in HEW.

2. We oppose the transfer of the administrative responsibility for Title III of ESEA from the Federal Government to the states. We have carefully studied the statements of Secretary John W. Gardner and Commissioner Harold Howe II concerning the House of Representative's amendments to Title III and share their concern that such a shift would weaken this program which was designed to foster innovation and constructive educational experimentation. The state departments of education in the South have not demonstrated a capacity for innovation, imagination and change. With the possible exception of some border states, we see no evidence that these agencies have provided leadership for school desegregation—the most urgent issue which would indeed have tested their ability to create new structures to meet changing times. Furthermore, there is considerable evidence to the contrary—that southern state educational agencies are using their power to preserve segregation. A three-judge Federal court recently ruled that Alabama officials had "flouted every effort to make the Fourteenth Amendment a meaningful reality to Negro school children" but went on to observe that "the most significant action by these defendant state officials, designed to maintain the dual public school system based on race, is found in the day-to-day performance of their duties in the general supervision and operation of the system." (Lee v. Macon County Board of Education, C.A. No. 604–E, M.D. Ala., March 22, 1967). The extremely low desegregation statistics (for 1966–67: Alabama, 2.4%; Georgia, 6.6%; Louisiana, 2.6%; South Carolina, 4.9%; Mississippi, 2.16%) would seem to indicate that state agencies are unable or unwilling to provide leadership for change.

So long as state agencies are contributing to the preservation of segregation, either through aggressive, deliberate acts or by refusing to play an affirmative role in implementing the law of the land, Federally-funded programs over which they have control are not going to promote equal educational opportunity.

3. We urge you to take whatever steps are needed to ensure that programs such as Title I of ESEA are implemented so that they will not conflict with the mandate to disestablish the dual school system. Our experience corroborates the findings of the Commission on Civil Rights in the abovementioned report that Title I funds in some districts "have been employed in such a manner as to institutionalize and strengthen the dual school structure" and frustrate the constitutional requirement to abolish segregation.

Here are four examples of the kinds of complaints which we hear many times in the South.

North Carolina.—Trailers, purchased with ESEA funds are used to reduce overcrowding at a Negro school although a formerly all-white school just a half-mile away has unused capacity which could have absorbed pupils from the Negro school.

Mississippi.—ESEA funds are apparently being used in a district to cover teachers' salaries which should have been paid out of state and local funds. A district is apparently using ESEA funds to equalize teachers' salaries.

Georgia.—During the month when freedom of choice is exercised, a Negro school begins to serve free lunches with ESEA funds to 400 out of 975 children when only 40 had received free meals previously. Very few Negro pupils have chosen to attend formerly all-white schools in this county.

Alabama.—Equipment purchased with ESEA funds for a target school which is Negro ends up at the white school. In a Georgia district equipment is turned over to a white private segregated school.

Mr. MORSE. Finally, Mr. President, I present the administration's point of view when I present the decision of the Fifth Circuit Court of Appeals in the United States of America and Lynda Stout against the Jefferson County Board of Education. It will be pointed out by some of my colleagues that there is a decision of the Fourth Circuit Court of Appeals in which that court does not share the views expressed by the Fifth Circuit; but the administration stands on the Fifth Circuit Court decision. The legal record is that the Supreme Court denied certiorari in an appeal from the Fifth Circuit case, indicating the best expression to date of the Supreme Court.

I want to read the following paragraphs from that case because they will be the foundation premises for my legal position throughout this debate in respect to certain amendments that I understand will be offered:

> When the United States Supreme Court in 1954 decided *Brown* v. *Board of Education* the members of the High School Class of 1966 had not entered the first grade. *Brown I* held that separate schools for Negro children were "inherently unequal". Negro children, said the Court, have the "personal and present" right to equal educational opportunities with white children in a racially nondiscriminatory public school system. For all but a handful of Negro members of the High School Class of '66 this right has been "of such stuff as dreams are made on".
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> "The *Brown* case is misread and misapplied when it is construed simply to confer upon Negro pupils the right to be considered for admission to a white school". The United States Constitution, as construed in *Brown*, requires public school systems to integrate students, faculties, facilities, and activities. If *Brown I* left any doubt as to the affirmative duty of states to furnish a fully integrated education to Negroes as a class, *Brown II* resolved that doubt. A state with a dual attendance system, one for whites and one for Negroes, must "effectuate a transition to a [single] racially nondiscriminatory system." The two *Brown* decisions established equalization of educational opportunities as a high priority goal for all of the states and compelled seventeen states, which by law had segregated public schools, to take affirmative action to reorganize their schools into a unitary, nonracial system.
>
> *The only school desegregation plan that meets constitutional standards is one that works.* By helping public schools to meet that test, by assisting the courts in their independent evaluation of school desegregation plans, and by accelerating the progress but simplifying the process of desegregation the HEW Guidelines offer new hope to Negro school children long denied their constitutional rights. A national effort, bringing together Congress, the executive, and the judiciary may be able to make meaningful the right of Negro children to equal educational opportunities. The courts acting alone have failed.

We hold, again, in determining whether school desegregation plans met the standards of *Brown* and other decisions of the Supreme Court, that courts in this circuit should give "great weight" to HEW Guidelines. Such deference is consistent with the exercise of traditional judicial powers and functions. HEW Guidelines are based on decisions of this and other courts, are formulated to stay within the scope of the Civil Rights Act of 1964, are prepared in detail by experts in education and school administration, and are intended by Congress and the executive to be part of a coordinated national program. The Guidelines present the best system available for uniform application, and the best aid to the courts in evaluating the validity of a school desegregation plan and the progress made under that plan.

Mr. President, elsewhere in the decision the Court points out that the so-called freedom of choice proposal does not necessarily meet the requirements of the Constitution. The Court points out that the law requires integrated schools, not segregated schools by choice. In fact, it is the view of the senior Senator from Oregon that the argument that seeks to support freedom of choice is but another way of stating the rejected doctrine of separate but equal schools. But what the Supreme Court has held—and I shall never move from this major premise in the course of the debate—is that, as a matter of constitutional law, there shall be integrated schools, and not segregated schools, whether that segregation is by so-called free choice or by simply a refusal on the part of a community to go along with integrated schools.

It is rejected, of course, by some, but the great concern, as a matter of law, about so-called free choice is that there are mores and cultural patterns and past history that inhibit the true meaning of freedom of choice. Furthermore, it is not for a Negro parent to determine, as a matter of public policy, that his boy or girl shall be denied his constitutional rights by going along with the officials of a community or the school directors of a community with a continued separation of the schoolchildren based upon the color of their skin.

Mr. President, there is already in the subcommittee record a legal memorandum supplied me by the Department of Health, Education, and Welfare, on free choice in desegregating public schools, but I ask unanimous consent to put it in the RECORD at this point, because it bears out the general premise of which I have just spoken.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

LEGAL MEMORANDUM SUPPLIED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ON "FREE CHOICE" IN DESEGREGATING PUBLIC SCHOOLS

In 1954, the Supreme Court announced the constitutional principle that Negro children have the right to equal educational opportunities with white children in a racially non-discriminatory public school system. *Brown* v. *Board of Education*, 347 U.S. 483 (1954). The Court made clear the obligation of school officials in school districts maintaining a dual educational system based on race to take whatever steps are necessary to eliminate the dual nature of the system as well as all other distinctions based on race. In a follow-up decision in the same case a year later, the Court recognized that the change to a unitary, non-racial school system could take a period of time, and held that school districts could effect the transition with "all deliberate speed". *Brown* v. *Board of Education*, 349 U.S. 294 (1955).

In these two benchmark decisions, the Court did not discuss what particular devices might be used in disestablishing a dual school system. It made clear that during the transitional period school officials would have to deal with problems of disestablishment relating to "physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis." The development of specific plans was left, however, to local school officials, subject to review by the lower Federal Courts.

Initially, school systems upon being ordered to start desegregation instituted very selective pupil transfer systems which gave only a handful of Negro children the opportunity to transfer to white schools. Later, when a racially segregated school system was forced to take further action, it almost invariably used a "free choice" method of assignment of pupils to particular schools. Under this method, the school officials abdicated the function of assigning students, which they had theretofore exercised on a racial basis, to the students and their parents. Despite the marked departure from prior school administrative practice that was involved in the adoption of this system by school districts facing the duty to desegregate, the lower Federal Courts accepted the system as a legitimate transitional device. See, *e.g.*, *Lockett* v. *Board of Education of Muscogee County*, 342 F. 2d 225 (5th Cir. 1965); *Gaines* v. *Dougherty County Board of Education*, 334 F. 2d 983 (5th Cir. 1964); *Kemp* v. *Beasley*, 352 F. 2d 14 (8th Cir. 1965); *Bradley* v. *School Board of the City of Richmond*, 345 F. 2d 310 (4th Cir. 1965), *rev. in part*, 328 U.S. 103.

As school officials and the courts developed a body of experience in the operation of the "free choice" system, it became apparent that it was far from a "free choice" and in many instances it produced only minimal changes in the traditional dual school system based on race. See, *Report U.S. Comm. on Civil Rights, Survey of School Desegregation in the Southern and Border States—1965–6*. In this connection, the Court of Appeals for the Fifth Circuit in *U.S.* v. *Jefferson Co.*, 372 F. 2d 836, *aff'd en banc*, 380 F. 2d 385, *cert. den.*, —— U.S. —— (1967), said:

"School authorities in this Circuit, with few exceptions, have turned to the freedom of choice method for desegregating public schools. * * * When such plans leave school officials with a broad area of uncontrolled discretion, this method of desegregation is better suited than any other to preserve the essentials of the dual school system while giving paper compliance with the duty to desegregate." (p. 888)

Even where a district granted transfer privileges to Negro students, it placed the full burden of desegregation on them, and for all practical purposes dual school systems remained intact. By and large, faculties remained segregated; athletic events were scheduled on a racial basis;[1] school buses transported Negroes long distances past white schools to attend traditionally Negro schools; and the quality of education in traditionally Negro schools remained so inferior that white students could hardly be expected to enroll in them and many Negro students could hardly be expected to make the transition from them. Community attitudes exerted a substantial influence to assure that the choice of the students would be for the same schools that had been traditionally maintained for them.[2] Instead, there remained clearly a system of schools for Negroes, even though some Negroes attended the schools which previously had been reserved for whites.

The slow pace of desegregation since Brown led the Supreme Court in *Watson* v. *City of Memphis*, 373 U.S. 526, 530 (1963), to say: "*Brown* never contemplated that the concept of 'deliberate speed' would countenance indefinite delay in elimination of racial barriers in school. . . ."

See also, *Griffith* v. *County School Board of Prince Edward Co.*, 377 U.S. 218, 229 (1964); *Goss* v. *Board of Education*, 373 U.S. 683 (1963).

Not only was time running out, but it was also becoming increasingly clear that school officials were not accepting their responsibility to eliminate all aspects and vestiges of the traditional dual school system. For this reason, the lower Federal Courts found it increasingly necessary to spell out in specific terms what had always been inherent in the Supreme Court's decision in *Brown*, and to place limitations on the use of "free choice" plans.

One such limitation was announced by the Fourth Circuit in *Bowman* v. *County School Board of Charles City County*, C.A. #10793 (4th Cir. June 12, 1967). The Court held:

"Freedom of choice is acceptable only if the choice is free in the practical context of its exercise. If there are extraneous pressures which deprive the choice of its freedom, the school board may be required to adopt affirmative measures to counter them." (Opinion, p. 3.)

The majority in the Fourth Circuit has not been as positive as other circuits in requiring results in the operation of a free choice plan. It is worthy of note, however, that the Court in *Bowman* required the lower court to order effective action to end discrimination in teacher assignment; accordingly, the court held that the plan before it was not acceptable.

The views of the Court of Appeals in the *Bowman* case were soon applied by the United States District Court for the Eastern District of North Carolina in the case of *Coppedge* v. *Franklin Co. Board of Education*, C.A. #1796 (E.D. N.C. Aug. 17, 1967). The District Court of Coppedge, after reviewing the evidence of intimidation of and threats to parents of Negro children who had requested transfer to traditionally white schools, held "that community attitudes and pressures in the Franklin County school system have effectively inhibited the exercise of free choice of schools by Negro pupils, and their parents." "So-called 'freedom of choice'", the Court continued, "under such circumstances is an illusion", and as a result is constitutionally impermissible. (Opinion p. 12). Consequently, the Court ordered a plan for the complete elimination of the dual school system upon the "basis of a unitary system of non-racial, geographic attendance zones, or a plan for the consolidation of grades, or schools, or both."

In *U.S.* v. *Jefferson Co.*, 372 F. 2d 836, *aff'd en banc*, 380 F. 2d 385 (5th Cir. 1967), *cert. den.*, — U.S. ——, the Fifth Circuit also saw limits to the use of "free choice" for desegregation. The Court said:

"As *Brown* dictates, the decree places responsibility on the school authorities to take affirmative action to bring about a unitary, non-racial system. As the Constitution dictates, the proof of the pudding is in the eating; the proof of a school board's compliance . . . is the result. Has the operation of the promised plan actually eliminated segregated and token-desegregated schools and achieved substantial integration?" (p. 984.)

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[1] See *St. Augustine High School* v. *Louisiana High School Athletic Association*, C.A. #16341 (E.D. La. July 6, 1967).

[2] See *Rep. U.S. Comm. on Civil Rights, Survey of School Desegregation in the Southern and Border States—1965–66.*

Even more cryptically, the Court added, "The only school desegregation plan that meets constitutional standards is one that works."

The Court of Appeals for the Eighth Circuit in *Kemp* v. *Beasley*, 352 F. 2d 14, 21, (8th Cir. 1965), approved of freedom of choice plans "as a permissible method at this stage", although recognizing that such a plan "is still only in the experimental stage and it has not yet been demonstrated that such method will fully implement the decision of *Brown*. . . ." When, and if, it does fully implement the Brown decision, its use will have ended. "In the long-run", the Court said in *Jefferson*, "it is hardly possible that schools will be administered on any such haphazard basis." (p. 889) See also, *Lee* v. *Macon*, 267 F. Supp. 458 (M.D. Ala. March 22, 1967) (three-judge court). Indeed, in *Moses* v. *Washington Parish School Board*, C.A. #15973 (E.D. La. October 19, 1967), the District Court said, "With all grades desegregated, there is no apparent reason for the continued use of the purely interim and temporary free-choice system." (Opinion p. 19.) The Court added, geographic zoning "is the only reasonable basis for the administration of this, and the vast majority of all school systems." (Opinion p. 20.) "We could imagine no method", the Court went on, "more inappropriate, more unreasonable, more needlessly wasteful in every respect, than the so-called 'free choice' system." (Opinion p. 20.) Free choice, the Court noted, denies all precepts of sound school administration for effective utilization of available resources and for planning for transportation, curricula and other programs. Similarly, the Court in *Corbin* v. *County School Board of Loudon County, Va.*, C.A. #-----, (E.D. Va. Aug. 29, 1967), ordered the school board to adopt a non-racial geographic zoning plan to replace the free choice plan it previously had used.

At the very least, what the courts have made clear is that if "free choice" is to be used by a school district as one means of abolishing the dual school system, it must ultimately offer a choice between schools which are identifiable neither as "white" or "Negro". In *Brown* v. *County School Board of Frederick Co.*, 245 F. Supp. 549, 560 (W.D. Va. 1965), a District Court in the Fourth Circuit said: ". . . [*T*]he presence of all Negro teachers in a school attended solely by Negro pupils in the past denotes that school a 'colored school' just as certainly as if the words were printed across its entrance in six-inch letters."

The same warning was expressed in *Kier* v. *County School Board of Augusta County*, 249 F. Supp. 239, 247 (W.D. Va. 1966), in even stronger terms:

"Freedom of choice, in other words, does not mean a choice between a clearly delineated Negro school (having an all-Negro faculty and staff) and a white school (with an all-white faculty and staff). School authorities who have heretofore operated dual school systems for Negroes and whites must assume the duty of eliminating the effects of dualism before a freedom of choice plan can be superimposed upon the preexisting situation and approved as a final plan of desegregation. It is not enough to open the previously all-white schools to Negro students who desire to go there while all-Negro schools continue to be maintained as such . . . . The duty rests with the school board to overcome the discrimination of the past, and the long-established image of the 'Negro school' can be overcome only by the presence of an integrated faculty."

The Court of Appeals for the Fifth Circuit, in *Jefferson, supra* at 890, similarly emphasized:

"Freedom of choice means the maximum amount of freedom and clearly understood choice in a bona fide unitary system where schools are not white schools or Negro schools—just schools."

If students of all races are found indiscriminantly in the schools, it is clear that a "free choice" system is working. On the other hand, if only a small number of Negroes enroll in the traditionally white schools, and only a small number of whites in the traditionally Negro schools, and there is no other apparent explanation for such a distribution of the students by race, there is reason to believe that the schools have retained their racial identity and that this identity is influencing the choices. In *Davis* v. *Board of Commissioners of Mobile County*, 364 F. 2d 896 (5th Cir. 1966), the Court of Appeals disapproved the school board's desegregation plan, largely as a result of the fact that "less than two-tenths of one percent of the Negro children in the system are attending white schools."

Drawing an inference from the fact that a small number of Negroes were enrolled in traditionally white schools, the Court of Appeals for the Fifth Circuit, in *U.S.* v. *Jefferson Co.*, *supra* at 888, said:

"Common sense suggests that a gross discrepancy between the ratio of Negroes to white children in a school and the HEW percentage guides raises an inference that the school plan is not working as it should in providing a unitary, integrated system."

The principles announced in these Federal Court cases are the same principles applied by the Department of Health, Education, and Welfare in discharging its responsibilities under Title VI of the Civil Rights Act of 1964. At this time, the Department continues to accept free choice desegregation plans, where such plans are proving their efficacy, along with other measures, in eliminating the dual school systems, including removal of the racial identifiability of the schools in the system. Where, however, it is clear that the choice of the children is not in fact free, or where the plan has failed to result in the elimination of the racial identity of the schools, the Department has asked school districts to take additional concrete steps to secure more effective progress toward the elimination of the dual school system within a definite period of time. In some cases, this requires the Department, as it has increasingly required the Courts, to turn to measures other than "free choice".

Mr. MORSE. Mr. President, I finish with this observation. I hope and plead that we can go ahead with this bill, amendment by amendment, debating the amendments and voting on them. I cannot speak for the leadership of the Senate, but the senior Senator from Oregon would much rather have no action taken on this bill in this session of the Congress than take some so-called civil rights and amendments, and let it go to the country and let the Members of Congress hear from the parents and the educators and the people of their States and assume the responsibility under those circumstances for not passing a bill. It will not be my responsibility, for I intend to keep faith with my responsibility, and that is to try to get a vote without any dilatory tactics, on each of the amendments, after reasonable time for debate.

I refuse to believe, in spite of what some of the press said to me this morning, that I do not have a chance of getting action on this bill before adjournment unless I am willing to take some of these so-called civil rights amendments. I refuse to believe that. If it ever comes to pass that I think there is such an attempt, I shall recommend to the leadership that we have an opportunity to let the Senate as a whole vote on whether or not the majority is going to prevail by the filing of a cloture motion. I trust we will not get into that kind of parliamentary hassle.

I close by saying to every Member of the Senate—and every man and woman here is my friend as far as I am concerned—I will lean over backward, as I always have, to make legislative history that will protect any Senator in his home State in respect to any administrative error or maladministration in carrying out the education bill; but we do not have to gut the bill in order to pass a bill, I hope. I say no more about it. I leave it there. The Senate is entitled to know where the chairman of the committee stands, and let me say that, as of this moment, the chairman speaks for the committee.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BYRD of Virginia. Mr. President, first I should like to thank the distinguished Senator from Oregon for his courtesy and kindness in seeking additional information and facts and figures requested by the Senator from Ohio and the Senator from Virginia. Secondly, I should like to say that my interest in this bill is directed along the financial aspects of it, because I am greatly concerned about the fiscal condition of our Nation.

I am not now arguing the merits of the proposal, but I am concerned at a time when we are running a $20 billion deficit—some say it will be more, but I have been using the figure of $20 billion—when the President of the United States, day after day, week after week, and now month after month, has said that unless the American taxpayers are taxed an additional 10 percent, we will face dire and grave consequences in this Nation.

Having said that, I should like to ask the Senator from Oregon on what date this bill was reported to the Senate by his committee.

Mr. MORSE. November 6.

Mr. BYRD of Virginia. It was reported to the Senate on November 6. I thank the Senator from Oregon.

Now, I should like to ask him two other questions. I am frank to say that perhaps the information I have received may not be accurate. So I am asking him for that reason only.

Is there anything in this legislation which says that, in the event of a deadlock over an authorization bill, a 1-year extension of appropriations would be automatic?

Mr. MORSE. I may say to the Senator that that is part of the program in title IV. We felt we had to have provision in order to make it possible for the schools to plan ahead. If we get a deadlock at some future date, it is my understanding that we will proceed then with the same appropriations for an additional year.

Mr. BYRD of Virginia. Then, the answer to my question is in the affirmative, as I understand it.

Mr. MORSE. That is partly the administration and partly the Prouty amendment.

Mr. BYRD of Virginia. It would be automatic. In other words, the Congress is giving the Department the right to spend money that it has not authorized?

Mr. MORSE. Well, we have already done that when we have permitted, through its appropriations process, forward funding in other programs.

Mr. BYRD of Virginia. I am asking about this particular legislation.

Mr. MORSE. The answer is "Yes," but first the money must be appropriated.

Mr. BYRD of Virginia. Another question. Is there anything in the legislation that would give the Commissioner of Education the authority to make grant agreements with the States after May 15 of any year if the appropriation for the education of children in certain areas has not been passed?

Mr. MORSE. This is the essence of the proposal of Senator PROUTY with which I am associated.

Mr. BYRD of Virginia. It appears to me, by way of comment, that what we are doing here is exactly what so many Senators have argued against during this session of Congress, including the distinguished senior Senator from Oregon and the distinguished Senator from Arkansas. We are voluntarily giving to the executive branch more of the authority that belongs to Congress. If that is what we want to do, we have the right to do it, but I think we ought to know what we are doing and be aware of what we are doing. The Senate ought to be aware of the fact that we have continued, year after year, certainly in this area, to give more and more power to the executive branch, and then we come in and complain that the executive has too much power.

Mr. MORSE. I understand that, but I think the Senator goes too far in the application of a principle that he and I agree on. I am opposed to the delegating of blanket authority, but in this instance we know what the facts and figures are that we are expending. We know what the present appropriation is. This is one way of really extending an authorization and appropriation based upon existing figures, rather than giving the executive an authorization to exercise discretion in regard to specific amounts which have not been passed on. That is quite a different thing.

Mr. BYRD of Virginia. How do we know what 535 Members of Congress are going to appropriate and how much they are going to authorize? How do we know that?

Mr. MORSE. We have not delegated anything here as long as the appropriation check remains.

Mr. BYRD of Virginia. The Senator has answered this question affirmatively. In the event of a deadlock on the authorization bill, a 1-year extension of appropriations would be automatic. Certainly, that is giving away that authority to make that 1-year appropriation and making it automatic.

Mr. MORSE. We have not given the administration anything, really. We have retained the congressional check through appropriations.

Mr. BYRD of Virginia. The Senator answered in the affirmative.

Mr. MORSE. This contrasts with giving to the administration blanket authority, where we eliminate all checks. What we really are saying is that we are letting the Appropriations Committee in this instance act as it did before. That is bad policy, but it is not delegating it to the administration without congressional checks.

Mr. BYRD of Virginia. If I understood the Senator's answer to my question correctly a few moments ago, we would not be delegating it to the Appropriations Committee; a 1-year extension of appropriations would be automatic.

Mr. MORSE. But we have already fixed that figure.

Mr. BYRD of Virginia. For the previous year, but the Congress might raise it or lower it.

Mr. MORSE. All I am saying is that if we cannot get out of a parliamentary bind in regard to next year, we are not going to close the schools, as far as Federal programs are concerned; we are just going to extend authorization of what we have already done for one further year. That is not a delegation to the administration.

Mr. BYRD of Virginia. It is a matter of policy and principle with which I do not agree.

Mr. MORSE. I think it is bad policy. That is why I want to get on with this authorization bill. I agree with the Senator that it is bad policy, but it is not delegating to the administration any discretionary policy. We are really saying, in view of the parliamentary plight in which we are finding ourselves, is that we will extend the authority to appropriations until we get the hassle settled.

We must act on that appropriation. That is a congressional act.

Mr. BYRD of Virginia. I might say the Senator from Oregon is very persuasive in his argument, but it indicates to me why this country has gotten into the mess we are in now: Because we have continued to abrogate those principles, and continued to give away more and more authority, to the point where it is now proposed that we say to the executive branch, "If we cannot agree on this, it will be automatic; you can just go ahead and take your appropriation."

Mr. MORSE. I would be against that, too, if we were to pass a bill which said that because we could not agree on an appropriation, we would let the administration spend what it wanted to, based on past appropriation acts. That would be delegating power to the administration.

But that is not what this is. It says at least they can do it in the absence of an authorization bill and subsequent appropriation bill, allowing them to spend what was spent last time.

Mr. BYRD of Virginia. As I understand it, though, the Senator from Oregon feels that it is a bad policy.

Mr. MORSE. I think it is a bad legislative policy. That is why I have taken the time I have, for the last half hour, to plead with my fellow Senators to help me out, to cooperate with me, in an endeavor to get this bill passed. After everybody has had his say, and arguments on every amendment have been made, let us vote. But the Senator knows very well that any group could prevent that if they wanted to do it.

Mr. BYRD of Virginia. Would the Senator be willing, after all the amendments have been taken care of, and just before final passage, when he knows a vote will be taken, to take this section out, and not set a precedent for another bad policy—which the Senator from Oregon says is a bad policy, and I certainly agree with him?

Mr. MORSE. The answer, for now, is "No."

Mr. BYRD of Virginia. I thank the Senator from Oregon.

Mr. HART. Mr. President, will the Senator yield briefly?

Mr. MORSE. I yield to the distinguished Senator from Michigan.

Mr. HART. I had the opportunity to hear much of the Senator's preliminary discussion this morning, and know that all of my fellow Senators, when they have an opportunity to read the RECORD, will join me in expressing appreciation for the kind of presentation the Senator has made of a very complex bill.

The Senator stated—and I support him in it—that we want to pass this bill, but we want to pass it only if we can do so with decent respect for constitutional obligations.

The Senator from Oregon went on to explain that he would be quite willing to accommodate any Senator or Senators in a colloquy that pointed up any administrative malpractice and bad judgment, but that the so-called civil rights amendments were too high a price to pay for the passage of the bill.

Let us get in focus just how much bad administration may have been involved. I ask the Senator from Oregon if I am not correct in my understanding that there have been some 200 completed compliance proceedings under the HEW procedure; and out of those 200 compliance proceedings, in only two or three cases—in fact, the record, as I have it, shows that in only three cases were the school districts found to have been in compliance with title VI of the 1964 Civil Rights Act.

Mr. MORSE. In one case the Secretary reversed the examiner. In the other two, after the examiner's report found noncompliance, and by the time the Secretary got to it, they had worked out an understanding for compliance.

Mr. HART. I see.

Mr. MORSE. So there was really only one case out of the 200 in which the Secretary found it necessary to reverse the trial examiner. Do not form the idea that that was a black and white case, either; but do not forget who the trial examiners are.

Trial examiners are appointed from a roster compiled from civil service lists, and approach the problem as independent minds. I think it is remarkable that we find only one case, really, in which it was found necessary to reverse the trial examiner.

Mr. HART. That was my feeling when I saw those figures. I raise the matter early in the debate, hopeful that it will enable the discussion to remain in focus. This is the record; and to me it is a record which establishes clearly that the Department has not acted arbitrarily or precipitately in carrying out the order of Congress as clearly expressed in title VI of the 1964 Civil Rights Act.

If anybody wishes to argue with that 1964 act of Congress, let him do it; but let us not confuse that debate with the question of passage of this much-needed school bill.

Mr. MORSE. I am so glad that the senior Senator from Michigan raised the issue. I intended to do it in connection with one of the amendments, because I felt that was where it would be most relevant from my standpoint.

Mr. HART. I agree.

Mr. MORSE. But from the standpoint of the whole debate, it is very relevant now, and again I wish to stand before the Senate as a witness, being in charge of the legislative oversight program of the Education Subcommittee, to the willingness of Secretary Gardner to work with us. Imagine the responsibilities of a Cabinet officer. The Secretary of Health, Education, and Welfare does not deal only with education. His responsibilities deal with the whole gamut of the jurisdiction of that Department.

I want to testify here that immediately when we call the attention of Secretary Gardner to a problem that has been raised before the committee concerning an alleged maladministration on the part of some member of his staff, either the Secretary or Under Secretary Wilbur Cohen makes himself available to the committee. The committee asks them for the facts, we then present the basis of our request. The Department makes its reply as rapidly as it can after an investigation of what has happened has taken place.

This is the kind of dedicated servant we are dealing with. And that is why I went into the detail I did about some of these complaints I have received from some Senators about an alleged delay beyond the 90-day deferral period.

In nearly every instance, it was found that the delay was occasioned because of the school authorities of the State. They wanted more time. The Department was ready to proceed to a decision of finality within the 90-day period.

There is another complaint, and we will deal with that later. I think it is apropos of what the Senator from Michigan has contributed to the debate.

We had the charge that these local superintendents of school boards could not get anything in writing from the fieldmen of the Department of Health, Education, and Welfare. The Senator knows the charge, as a lawyer. It was that the Department was not giving them due process.

Imagine my first reaction as a lawyer when I was told by my colleagues—and my colleagues had every reason to believe it, because they had been told—that this was the treatment they were receiving from the Department fieldmen.

We have a transcript of a conference, and I will be glad to show the transcript to any Senator who wants to examine it. It was agreed that I would call the Secretary and his staff members in for an informal conference with the Senators to tell them what HEW was doing in their home States. It was not a public or an official hearing.

Does the Senator think I do not have sympathy for these Senators? Does the Senator think I do not have sympathy for a Senator from a given Southern State, where the racial tensions and the racial feelings are today just about as they were 75 years ago? That Senator has got a very difficult job to see that justice within the law is done the school district in that kind of a community.

I was deeply moved, in fact, when one of my colleagues said to me, and I paraphrase it accurately: "You know what I have got to face here. This generation will never understand the necessity for putting Negro children into the schools in that community."

I understand that situation. HEW officers understand it.

We had better speak hypothetically now, but this hypothetical illustrates the case. A superintendent said to his school board and to his local political officials: "They never gave me anything in writing." That is what the Senator is told. He is told: "We cannot even get something in writing out of that department up there. They are a law unto themselves. We cannot even get a bill of particulars." We went into those cases.

The Senator has discussed the situation with the Secretary.

The Secretary said: "I want to find out." He said: "I do not say it does not happen. But I do not know of a case in which it has happened. You give me any case in which a school superintendent asked for a bill of particulars in writing and was denied it, and I will see that the situation is corrected forthwith."

I intend to make a legislative history later with regard to this particular part of the bill. I intend to give the Senate assurance that I have assurances from the Secretary of Health, Education, and Welfare that they will see to it that there is not any variance from the practice of putting it in writing. In view of the charges which have been made against the Department, school districts have got to request in writing that the Department put its suggestions in writing.

All I say at this point is that when we have a public official, such as Secretary Gardner, doing the magnificent job he is doing with one of the most troublesome problems that has faced the Federal Government on the domestic scene in our time, we should be most grateful.

I do not know of any problem that we have had domestically that is as serious in our time as the attempt to have our society adjust and adapt itself to the new mores involving the 14th amendment vis-a-vis the school system of the country.

The Senator from Michigan, who is our leader, has stood up here with courage and determination to see to it that the Constitution is carried out. He knows whereof I speak when I say that we have no choice as Senators.

I happen to think that the Supreme Court was right in the great 1954 decision. I said 20 years ago that that was what the Constitution meant. I taught it for years before I ever came to the Senate. But that is the law of the land, and so long as it is the law of the land, the senior Senator from Oregon is not going to go along with any scuttling compromise that will be sought to be added to the pending legislation tomorrow or next week or next year that seeks in any way to diminish the full application of constitutional rights to all people in this country and all parts of this country, irrespective of whether they are black or white.

Mr. HART. Mr. President, the Senator from Oregon did not have to add that last point. Everyone realizes that any amendments the Senator from Oregon recommends to us are being recommended by a person who is the first among us to blow the whistle when there is any intrusion on a constitutional right.

I join with the distinguished Senator from Oregon in hoping that before too many days have passed, the Senate will pass the pending bill.

We all remain in the debt of the Senator from Oregon for his great leadership.

Mr. MORSE. Mr. President, I understand that the Senator from South Carolina wishes to discuss some subject matter not germane to the bill.

If so, I am delighted to yield the floor and forego the calling of a quorum at this time.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THURMOND. Mr. President, I wish to inquire of the Senator whether I correctly understood him to say a few moments ago that the law requires integrated schools and that the decision of the Supreme Court in 1954, which opens all schools to all children, known as freedom of choice, is the same as the separate but equal doctrine which was handed down in 1896 in Plessy against Ferguson.

Mr. MORSE. The Senator from Oregon spoke of those who hold to the point of view—and I believe with considerable logic—that the freedom-of-choice doctrine as it is being advanced these days in effect carries out or would carry out the separate but equal policy that was rejected by the Supreme Court.

Mr. THURMOND. The separate but equal doctrine provided that the trustees could have separate schools so long as they were equal. They could send their children of different races to different schools, but the schools did have to be equal. That law as in effect, as the Senator knows, until 1954. Then, the Brown against Board of Education decision of that year provided that that no longer applied, that they could no longer have separate schools, that they had to open the schools to all children of all races, and that was done.

I am wondering how the Senator could say that the separate but equal doctrine is the same as the free choice doctrine because under the separate but equal doctrine children could be kept in different schools if they belonged to different races as long as the facilities were equal. But when you open the schools to all races, as the 1954 decision did, and they no longer can keep children of the same race in a certain school, that is an entirely different question.

In my State of South Carolina today,

all of the schools—I repeat, all of the schools—are now open to children of any race. No one can claim that there is any discrimination in my State.

The Supreme Court decision of 1954, which is the last decision of the Supreme Court on this subject, held that there could not be discrimination and that it would be discrimination if any child of one race was denied admittance to the school of another race. But that was eliminated. The 1896 decision went down.

The 1954 decision is still in force and effect, providing that you cannot deny any child the right to enter any school. That decision is being followed in my State today. Any child of any color can enter any school in South Carolina today. I am not aware of any complaint that this is not being done.

But when HEW takes the position that they are following the freedom-of-choice plan and they say to school trustees, "You do not have enough Negro children in a certain white school, and you have to transfer 25 more or 50 more or a hundred more," then are they not denying the very principle laid down in the 1954 decision, because they are denying the children and the parents who are being forced to move to another school against their wishes the right to make the choice? Are they not compelling children to go to schools they do not wish to attend, which is directly opposite from the holding of the 1954 decision?

Chief Judge Parker of the Fourth Circuit Court of Appeals interpreted that decision, when he said that the Supreme Court held that there shall be no discrimination, that any child can go to any school. But he said that they did not hold—I repeat, that the Supreme Court did not hold—that this meant forced integration. It merely meant you have to prohibit discrimination.

But HEW now is following a plan that brings about forced integration, when they say to a school, "You do not have enough people of a certain race in that school," and they demand that more children of a certain race be put in that school.

Suppose the children and the parents do not wish for the children to go to that school and you force them to go. That is right in the face of the 1954 decision. If they want to go, they have a right to go. They have a right to go, under the 14th amendment, as interpreted by the Supreme Court in the 1954 decision.

I know of no authority in the Constitution, in the 14th amendment, or in the Supreme Court decision, and I know of no statutory authority in the Civil Rights Act or any other act, that permits HEW or any other Federal agency to demand that children be forcibly transferred, against their wishes, from one school to another. That is the effect of what HEW is now doing. They will practically tell you that they are following the freedom-of-choice plan so long as it brings back more integration. Well, if they are following the freedom-of-choice plan, they should follow it, whether it brings more integration or not. That is not the question. But they seem more interested in more integration than in more education.

I was astounded when I heard the distinguished Senator from Oregon, who has a reputation of being a distinguished and outstanding lawyer in this Nation, make the statement that he felt that the freedom-of-choice plan today is similar or practically equivalent to the separate but equal facilities doctrine handed down in the Plessy against Ferguson decision of 1896. I cannot believe that the Senator meant to say that they are even similar, because they are entirely different. The freedom-of-choice plan has changed the entire complexion of this situation.

But we are objecting to the power—the power—that is being exercised by HEW in going further than any constitutional provision requires or any statutory provision requires, in bringing about a forced integration, rather than opening the schools to all children of all races.

What more can we do in South Carolina? What more can the people of Chicago or anywhere else do if they open all the schools to all the children? Does not that meet the Supreme Court decision of 1954? Does not that meet the requirements of the 14th amendment? Does that not meet the requirements of the Civil Rights Act of 1964? I know of no statutory authority and I know of no decision of the Supreme Court that go any further than that. I will concede that a circuit court of appeals handed down a decision that appeared to go further, and I believe that the distinguished Senator from Oregon said he is following that decision. Why is he following that decision instead of following the decision of the Fourth Circuit Court of Appeals? Why is he following that decision instead of following the U.S. Supreme Court decision of 1954, which is the latest decision on this subject?

The 1954 decision decided that there must be freedom of choice. No decision since then has overruled that decision. No decision since then has set that decision aside. It is still the law—some say the law of the land; some say the law of the case. But, regardless, that is the decision. It is applicable. It is recognized and is being followed throughout the Nation.

Again I say that the desire is not to create a subterfuge. There is no subterfuge. There is no subterfuge in South Carolina. Any child may enter any school he desires to enter. But when it is attempted to go further than that and to force him to go to a school he does not want to go to, or that his parents do not want him to go to, merely to bring about integration, that is going further than the Constitution requires. It goes further than the Brown decision requires.

It is going further than the statute requires.

I had hoped that the Senator from Oregon would take the position, in handling the bill, that so long as there was true freedom of choice—and it ought to be true freedom of choice—the requirements of the Constitution and the statute were met.

I feel certain that the able Senator from Oregon, for whom I have great respect, is trying to help the administration. I believe he said he was. But I do not consider that it is our duty to help the administration, regardless of the party to which we belong. Ours is a tripartite system of government. It is our purpose and our duty to act as we think is best for the country. It is our duty to fulfill the requirements placed upon us by the Constitution, as we see them, regardless of the position the President may take, regardless of the position the Department of Health, Education, and Welfare may take, or regardless of the position some other Federal agency may take. Congress has a solemn duty to fulfill the requirements that are laid upon it under the Constitution; that is, to legislate in the way we think is in accordance with the Constitution and is wise and best for the people of the Nation.

Now, there are some zealots who get into government. There are some zealots who get into these agencies, people who were not elected to office, people who never could be elected to office, and some who are more interested in social reforms than they are in education; some who are more interested in furthering their particular pet projects than furthering overall education in the Nation. Because some of these people are determined to put into practice certain of these pet projects, they have been working on and pressing them on the people.

I want to say that they are coercive people; they have brought pressure on the people; they have brought pressure on the trustees of hospitals and schools and various other places in the State. It has been unnecessary and unwise.

It seems to me that now is the time that we should begin to go back to the Constitution and go back to the statute, and not go any further than that.

If the people want to send their children to a certain school and they have a right to do it, they should be allowed to do it. If they do not want to go to a certain school, what right has the Department of Health, Education, and Welfare to try to force them to do it?

The way in which the law has been administered in many places has been entirely unreasonable. In many cases, notices have not been in writing. Trustees of schools and hospitals have been called on the telephone. I have had them tell me so. They have been coerced and threatened into following a certain course or taking steps they were not required to take under the statute or the Constitution.

I would like to know from the Senator why he is pursuing the course of the Department of Health, Education, and Welfare when the Constitution and the statute do not require going any further than freedom of choice, except this Fifth Circuit Court of Appeals decision, which has not overriden the U.S. Supreme Court decision. The Supreme Court decision for the freedom of choice is the law that is now in effect, and it has been so construed by the judges.

I thank the distinguished Senator for his attention to the remarks I have had to make and I would hope that he will reconsider some of the statements he made and reconsider trying to help the administration for the sake of helping the administration because that does not sound like the distinguished Senator from Oregon. I know of no more independent man in this body than the senior Senator from Oregon.

Of course, if he thinks that the administration is right in trying to force children to go to a school they do not want to go to, that is a different matter, but I can hardly believe that he thinks that. I hardly believe that he feels in his heart, the good lawyer that he is, that he can go beyond what the Supreme Court said, and that is that a child cannot be denied the right to go to any school, regardless of race.

Mr. MORSE. Mr. President, the Senator from South Carolina has demonstrated again that he is a very able lawyer and a very able advocate. However, I want to reply to his major arguments because I completely disagree with him.

I wish to say good naturedly, and I want him to know that this is a jocular reply, that if I ever commit a wrong that would cause me to be in court, having a bad case on my hands, I would welcome the Senator from South Carolina coming to my assistance because he just demonstrates he is an advocate for a bad case. I do not think he has a good case.

I disagree with the Senator's interpretation of the 1954 decision. I disagree with what I think is implied in his interpretation of the 14th amendment. I disagree with the interpretation that he makes of the Civil Rights Act of 1964. I answer all of the questions he propounded to me in the negative.

I want the Senator from South Carolina to know that I am not taking the position I take on the floor of the Senate to help the administration because I want to help the administration and just to help the administration. I am glad to help the administration in this case because I think the administration is right in the position it has taken in regard to the bill and the interpretation that it makes of the authority that is being administered by the Department of Health, Education, and Welfare.

Mr. President, let the record be clear, that the administrative policies of the Department of Health, Education, and Welfare in regard to all of the civil rights issues raised by the Senator from South Carolina have been cleared with the Department of Justice. As I said earlier today, it is the policy of the administration to stand on the opinion of the Fifth Circuit Court of Appeals. The Senator speaks about Supreme Court action. The fact is that appeal from the decision of the Fifth Circuit Court of Appeals was denied certiorari by the Supreme Court. The Senator and I know, as lawyers, that you cannot breathe into a certiorari denial meaning beyond the limited meaning of the denial. The denial of that writ means that the court did say in effect it did not intend to disturb that decision, and I only wish to reiterate again that the administration stands upon that decision.

I had said earlier that the Senator from South Carolina had noted the Parker decision of the fourth circuit, but the two cases are not on all fours, for that matter. Let us assume that they were, and one circuit court reached one decision and another circuit court another. The judgment which has to be made by the Department of Justice is which decision is the administration going to stand on? It stands on the decision of the fifth circuit. In that decision, the court said in part:

> The court holds that officials and administrators of public schools in this circuit have the affirmative duty under the 14th Amendment to bring about an integrated unitary school system in which there are no Negro schools and no white schools, just schools.

The court goes on to say:

> 4. Freedom of choice is not a goal in itself. It is a means to an end. A schoolchild has no inalienable right to choose his school. A freedom of choice plan is but one of the tools available to school officials *at this stage* of the process of converting the dual system of separate schools for Negroes and whites into a unitary system. The governmental objective of this conversion is—educational opportunities on equal terms to all. The criterion for determining the validity of a provision in a school desegregation plan is whether the provision is reasonably related to accomplishing this objective.
>
> 5. The percentages referred to in the Guidelines and in this Court's decree are simply a rough rule of thumb for measuring the effectiveness of freedom of choice as a useful tool. The percentages are not a method for setting quotas or striking a balance. If the plan is ineffective, longer on promises than performance, the school officials charged with initiating and administering a unitary system have not met the constitutional requirements of the Fourteenth Amendment; they should try other tools.

Let me add my respectful reply to my good friend from South Carolina that I did say, and I repeat, that when we look at the practical effect of the free choice formula in certain areas, it is not a free choice at all.

As I said earlier this morning, there are a variety of psychological pressures, intangible forces in a community, the interchange of daily relationships between Negro and white, a multitude of ways to manifest a community attitude toward the thought of sending Negro children into a white school, which have a terrific effect on conduct, on whether a parent who is Negro asks to have his children sent to a Negro school and not to a white school. I thought the court, the fifth circuit, and, for that matter, other judicial decisions very subtly—perhaps more professionally than I in the comments I am now making—made clear that freedom of choice can be just as semantic a phrase; but when the court says that, in effect, there are not to be Negro and white schools but public schools, without discrimination, I think they are making the correct interpretation of the 14th amendment.

It is within this framework that I declare that so far as the individual child is concerned, where the decision is made for him by his parents or others as to what school he shall go to, he is living under the old formula, so far as his education is concerned, of equal but separate schools.

In that sense, and only in that sense, do I say that I think the freedom-of-choice doctrine cannot be reconciled with the 14th amendment or, in my judgment, with the Civil Rights Act of 1964. I stress again what the Court said about freedom-of-choice plans, and the decision of 1954 and the Civil Rights Act of 1964, that I think the meaning of the 14th amendment means we have got to have steady progress toward complete integration. That is the objective; namely, complete integration. Any slowing up of the procedures which holds back that integration, in light of the statistics I placed in the RECORD earlier today. I speak respectfully. I am not going to take the time to repeat the background of the statements I made, to show each time that I am not involved in any odious comparisons, nor do I mean to reflect upon the jurisdiction of any State. But, we are mature men and women, and we have to talk about these things in a mature fashion.

The fact is, statistics show there has been very little integration in scores and scores of southern school districts. I am likewise critical, let me say, of de facto segregation in northern school districts as well. I have protested that, too, in carrying out my oversight duties as chairman of the subcommittee. The Secretary of HEW made perfectly clear to them that if they are going to sit by and permit de facto segregation in any northern school area, they are not carrying out the purpose of either the 1954 decision, the 14th amendment, or the 1964 Civil Rights Act. That is my judgment, too. But the statistics show that there has been, relatively speaking, little integration in the South. School districts there show one or two, or perhaps six colored children out of many hundreds in that area, so that obviously the conclusion is that integration is not being carried out.

That is what is involved, gentlemen, in part, in the debate today. That is why I am unhappy about it. If anyone thinks I am happy about taking this bill through, when I know there are sincere and honest differences of opinion among us, he could not be more wrong. I should like to accommodate my southern colleagues in their amendments. I should like to accommodate my good friend from South Carolina when he says that he wishes I would reconsider and accept his amendments, none of which has been offered as yet; but I cannot do it because I do not think that he is right.

I do not think the others are right. I am not going to support an amendment that I think is wrong.

Well, I am not going to say more. I think I have made my position clear.

I think the Senator from Mississippi [Mr. STENNIS] wants the floor.

Mr. STENNIS. Mr. President, I just want to ask a question or two.

Mr. MORSE. Before I yield to the Senator from Mississippi, may I have the attention of the Senator from Virginia [Mr. BYRD]? As soon as I yield to the Senator from Mississippi I want to yield the floor. Then the Senator can go ahead with a quorum, if he wants a quorum, and we can get on with this debate.

I only want to say this. This is December 4. We have a lot of business to do in the Senate. I do not want to limit for one moment full debate on this issue, but I think we know that, after reasonable debate, the Senate as a jury will be ready to cast its verdict, amendment by amendment; and I certainly hope we can dispose of this bill by tomorrow night.

I do not know of any amendment except the one that I hear the Senator from Illinois may offer and these few civil rights amendments that are going to be offered. I have not heard that a single member of my committee intends to press any amendment that he offered in committee. He has a right to do it. I do not know whether the Senator from Ohio [Mr. LAUSCHE] has an amendment or not.

Mr. LAUSCHE. Mr. President, I may have an amendment.

Mr. MORSE. I only want to say I think we owe it to the schoolchildren of this country and we owe it to the school administrators of this country to get on with the business of passing a bill. If my colleagues in support of the civil rights amendments have the votes to pass them, I want the vote. If I have the votes—which I think I have—to defeat them, I want the opportunity to have the rollcall after debate. That is all I am asking for. I think that is the right of any manager of any bill, even though differences develop over what should be done.

I yield now to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator for yielding to me. I want to make it clear I have expressed to the assistant floor leader my objection to any unanimous-consent request limiting debate at this time.

Let us not try to rush this thing. The Senator from Oregon is not inclined to follow that pattern, either. I have plenty of time. I am not in a hurry about this matter. I have been here all year, and have answered at least the average number of rollcalls, and spent the average number of hours on this floor. I am not in a hurry about the matter. We have been to every other forum except the Senate, trying to obtain some relief, and we are not going to rush now. I am not.

I thank the Senator from Oregon for yielding.

Mr. MORSE. I say to the Senator from Mississippi that I appreciate the great fairness with which he always indulges in debate, with me or with any other Senator.

I had implied earlier this morning, or had said earlier this morning, that I had been in conference with a considerable number of my colleagues in the Senate who come from Southern States.

I did not use the name of the Senator, but in view of the colloquy between us, I want to say that he was one of them. And I have always had from him, in this and in every other instance, the fullest and most complete cooperation and courtesy and very frank statements as to what the issue was.

I never have any doubt as to where the Senator stands when I discuss a legislative problem with him.

The Senator has pointed out matters to me. I have taken, to the best of my knowledge, every critical comment he has made concerning the problems he has been faced with in Mississippi to the department.

I have presented them also in a quasi-formal hearing, although I referred to it as an informal conference this morning, in which a record was made.

I want the attention of the counsel for the committee for a comment. Counsel has heard the Senator from Mississippi. And the Senator from Mississippi wanted to be present at the hearing, but he had other Senate duties at the time I had the conference.

The Senator from North Carolina [Mr. ERVIN] was there and presented the point of view of the Southern Senators. And members of the staffs of the individual Southern Senators were there.

I made available to them the opportunity to ask questions and to make, either themselves or through me, the case that they wanted to make on any point. They supplied me and Mr. Forsythe, the general counsel of the committee, with certain information.

I say to my staff, you have heard Senator STENNIS and Senator THURMOND.

I want to include in this RECORD parts of the record at the conference with Secretary Gardner and his staff concerning the statements of the department dealing on the specific criticisms that were raised.

All I can say to the Senator from Mississippi is to repeat to him what they tell me, and that does not mean that we accept it. But it does mean that it places upon us the burden of going further to find out whether the explanations are based upon the facts.

I received a letter from the Secretary of Health, Education, and Welfare following that conference, and I raised in some detail the point that was made not only by the Senator from Mississippi, but also by his other colleagues, that they just could not get in writing a bill of particulars.

When the Senator sees the record, he will see my remarks in colloquy with the Secretary: I said:

> If that is true, I do not think that is due process, and I do not think it is in keeping with the intent of Congress. And it certainly is not in keeping with the intent of my committee.

I read first the letter he wrote to me, and then I will read some of what the Department said in regard to it at the informal hearing.

The letter reads:

> Honorable WAYNE MORSE,
> *Chairman Senate Education Subcommittee,*
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR MR. CHAIRMAN: I wish to thank you and your Subcommittee for the courtesies extended to me and my colleagues at the hearing this past Tuesday. I am grateful to have had the opportunity to explain the Department's policies and procedures for implementing Title VI of the Civil Rights Act, and as I indicated to you we will always attempt to make adjustments and changes in our procedures that appear to be warranted.
>
> With respect to the questions raised by your Committee about the staff's reluctance to put in writing recommended actions to local school districts to come into compliance with Title VI, I would reiterate my statement at the hearing that it is principally the responsibility of local school officials to adopt and implement desegregation plans to meet the local problems. The policy of the Department is to put our recommended steps to secure compliance in writing at the request of the school officials, and we will continue to operate under this policy. We shall immediately investigate any instances brought to our attention where it appears that this policy has not been followed and shall take corrective action.
>
> Should you have additional matters you wish to discuss or have clarified, please do not hesitate to call on me.
>
> Sincerely,
>
> JOHN W. GARDNER,
> *Secretary.*

We pressed the Secretary at our informal conference at some length about this point. We cited some cases that certain Senators had given us, as I reported earlier this morning, in my speech, but not in these terms of reference.

The reply of the Secretary and his assistants was that in the cases we cited the school officials themselves asked that the bill of particulars not be put in writing, that it would be more helpful to them if it were not in writing because of the conferences they had to have in the local community. I think I said earlier today that the record speaks for itself, that the point of view or argument seemed to be that having to put it in writing and then having them read it to the local school board or to the mayor or to other groups would tend to stiffen neck and back muscles and create a controversial attitude of adamacy between the local people and the Department.

He said:

> That is why we have not put it in writing in some of these instances, because they haven't wanted us to. However—

He said—

> let me assure you that the regulations call for putting them in writing, and if any member of my staff is refusing to put the bill of particulars in writing, I want to know about it.

Then, the Secretary, as the transcript will show—and we will put this part in the RECORD, too, may I say to counsel—read the rule, and the rule requires that it be in writing.

Their argument was that if we had any case in which they did not put it in writing, it was because they were really accommodating the local officials by not doing it.

In the course of the hearings, I called upon Mr. Forsythe, our General Counsel, to ask some questions about it, and I quote from the transcript.

> Mr. FORSYTHE. The language which you have just read, I think, could be interpreted to, perhaps, give the Department's position in terms of a number of alternatives.
>
> I am talking about a very narrow situation. Are you prepared, if a school superintendent said, "Look, we have been negotiating for a month. I am all confused. We have talked about this plan. That doesn't suit you. We have talked about that plan. That doesn't suit you. What in the world can I do?"
>
> Are you prepared to say "this is a summary of what we have been trying to tell you will satisfy the guidelines," to put it in writing for him if he asks?

Mr. Libassi, assistant in charge of civil rights enforcement, said:

> Yes, sir. We will make specific suggestions to the district of the basic ingredients of the desegregation plan which, if adopted, would meet the standard of title VI.

There are many problems in carrying out a desegregation plan where the Federal Government simply should not dictate to the local district the specific details of how they carry out their plan.

For instance, if there is a small Negro school which is providing an inadequate education, we will specifically in writing, say that the school should be closed and the children in that school should be integrated in the existing high school.

We will not tell the district what to do with that facility or how to work out the transitional steps they might want to follow, but we will clearly say that, "compliance with title VI requires you to close that school."

Also if a district is transporting children outside of the district to be educated, we will say in writing, "You must stop busing these children out of your district for an education and allow them to attend school in your own district in order to be in compliance with title VI."

So that we will make specific point-by-point recommendations and suggestions.

Now, if the district wants to come back with a modification of the suggestions or with some new ideas of its own, we welcome that, we encourage it.

We do not want to be in a position, though, in which the Federal Government is trying to spell out in every detail how 1,200 districts should desegregate their schools. But we will give them very clear and very precise information as to what they must do to meet the requirements of the law.

Mr. Forsythe. Well, I am not talking about a general guideline which would apply to 1,200 school districts.

Mr. Libassi. No.

Mr. Forsythe. I am talking about a specific plan for a specific school district which is arrived at after a period of negotiation, and the school superintendent is just over his head with all these plans and problems.

Secretary Gardner. That is what Mr. Libassi is talking about.

Mr. Forsythe. If you have a problem of integrating faculty, are you prepared to say what amount of integration is necessary in terms of the 30 Negro schoolteachers and 150 white schoolteachers in eight different schools? What they have to do in order to comply? How do they find out how many they actually have to transfer?

Mr. Libassi. When we are engaged in discussions with the school district that involve closing of Negro schools, we inquire as to what will happen to the Negro teachers in the Negro school; we ask whether they will be integrated into the school with the white and the Negro students.

We also give them some suggestions as to what they might do in terms of the elimination of the dual school system, so far as faculty and students are concerned.

In other words, we want the total system to make progress in eliminating discrimination with regard both to the students and to the faculty.

But I would like to ask Mrs. Martin, if I may, Senator Morse, to give some detailed examples of the instances in which we give school districts guidance on faculty desegregation.

I would also like to introduce for the record some letters which we have sent to districts setting forth our requirements.

Senator Morse. The letters will be included in the record following the insertion of the manual.

Then follows his assurance. My recollection is—and the record, I am sure, will support me—that after we got through with our colloquy with Mr. Libassi, Secretary Gardner again gave me assurance and gave Senator Ervin assurance that these written instructions are a matter of right. They are guaranteed by the regulations of the Department. Secretary Gardner read them to us, and he assured me that if I would present to him any specific case in which there has been a failure on the part of the Department to carry out this written due notice, as I referred to it, he would see that it was corrected.

I am not saying to the Senator—I just do not know—that the explanation we have covers all the cases. But I am telling the Senator what they told us, and I make these statements in order to make this legislative history.

Let the Department take note at this point in the record that the chairman of the committee means exactly what he said in the informal hearing with Secretary Gardner, as I said to them outside of that informal hearing, that I believe that every school district, North and South, is entitled, as a matter of right, to have written instructions as to what they must do at that stage, to use the Fifth Circuit Court of Appeals language, in regard to the stages of getting integration—which is not done overnight, as the Senator knows—what they must do at that stage in respect to that case, in respect to that particular charge of noncompliance, what they must do to comply, and to set it out in a written notification or bill of particulars to the school district.

All I can say for the record is that Secretary Gardner has already assured me that it will be done. I assure the Senate that it will be done to the extent that the oversight activities of my committee can bring it about.

I repeat to the distinguished Senator from Mississippi, as I said this morning, that no one in the Senate, unless he is a member of the committee, has any idea of the amount of time that the staff of my committee devotes to this program. We are on top of them all the time. They will tell you, I am sure, that we sometimes smother them with requests. But that is our duty, and it is their responsibility to respond.

If the Senator from Mississippi will give me any case in which he believes the law is not being followed, he will find that I will give the instructions to my staff to make an immediate report.

I am going to give an assignment to counsel at this time. I want counsel to call the attention of the Department forthwith to the statement made in the early part of the remarks of the Senator from Mississippi, in which he discussed the colloquy between then Senator Humphrey and the Senator from West Virginia [Mr. Byrd].

Counsel can secure from the Official Reporter immediately the remarks of the Senator from Mississippi. I want this put into a memorandum. I want the remarks of the Senator from Mississippi quoted, and I want the Department to proceed at once to give me a memorandum, not later than tomorrow, containing their explanation of the particular set of facts about which the Senator from Mississippi has spoken, bearing upon the colloquy between then Senator Humphrey and the Senator from West Virginia [Mr. Byrd.].

Mr. STENNIS. If the Senator would supply that as part of his remarks, I am sure that he will call it to my attention. I thank the Senator again.

I do not wish to prolong the matter at this time. I will take this matter up later, at a time when the Senator is present, and I shall notify him when I plan to do so.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House disagreed to the amendments of the Senate to the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. King of California, Mr. Boggs, Mr. Karsten, Mr. Herlong, Mr. Byrnes of Wisconsin, Mr. Curtis, Mr. Utt, and Mr. Betts were appointed managers on the part of the House at the conference.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two House thereon, and that Mr. Mills, Mr. King of California, Mr. Boggs, Mr. Karsten, Mr. Herlong, Mr. Byrnes of Wisconsin, Mr. Curtis, Mr. Utt, and Mr. Betts were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 814. An act to establish the National Park Foundation;

S. 1003. An act to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics;

S. 2565. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes;

S. 2644. An act to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended;

H.R. 2154. An act to provide long-term leasing for the Gila River Indian Reservation;

H.R. 2275. An act for the relief of Dr. Ricardo Vallejo Samala and to provide for congressional redistricting;

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.;

H.R. 2828. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets Nos. 138 and 79, and for other purposes;

H.R. 4920. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona; and

H.R. 4983. An act to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona.

LUNG CANCER—A DISEASE OF UNKNOWN CAUSE

Mr. ERVIN. Mr. President, today, I want to discuss an allegation which is becoming more and more frequent—that smoking is all that stands between men and immortality. This proposition is being paraded before the American people with all of the pomp and certitude of Madame Curie's discovery of radium.

When I hear these arguments, I am reminded of a prominent citizen who lived to be 96 years of age:

On his 96th birthday the newspapers sent their reporters out to interview him. One of them asked:

> To what do you attribute your long life?

The old man replied:

> I attribute it to the fact that I have never taken a drink of an alcoholic beverage or smoked a cigarette in all my days.

At that moment they heard a noise in an adjoining room that sounded like a combined earthquake and cyclone. One of the newspaper reporters said, "Good Lord, what is that?"

The old man said:

> That is my old daddy in there on one of his periodic drunks.

Most recently, all of the assertions in support of the argument that smoking causes cancer were collected in Senator Robert F. Kennedy's address to the World Conference on Smoking and Health. When asked for my reaction to that speech, I declined on the basis that any immediate statement by me without careful study could only be superficial and unfair. Since that time, I have studied carefully the charges made by the prohibitionists.

These charges should not stand unchallenged.

In all fairness to the American people, to the tobacco industry, to hundreds of thousands of farmers and tobacco workers and their families, and to the Members of Congress who must consider proposed legislation on this subject, the record should be set straight.

This is what I propose to do today.

I have always believed in freedom of information, whether the news be good or bad.

I believe the American people have the right to know, and in this case, they have a right to know that there is no proof that smoking causes lung cancer and heart disease. By the same token, the Government has a duty to see that the people are supplied with all of the information about this vital subject.

Now, I have no pretense to expert knowledge of cancer and its causes. Indeed, I am as lacking in information as the medical profession whose knowledge of the subject is summarized in this quotation from the "Encyclopedia Britannica":

> Cancer is an autonomous new growth of tissue of an unknown basic cause.

While I do not profess to have any more knowledge of this subject than is set forth in this statement, I do have considerable experience as a lawyer and a judge in weighing the probative value of medical and scientific evidence.

And I agree with the eminent chest disease specialist, Dr. Alvis Green, who told the Senate Commerce Committee:

> My study of lung cancer over the past 50 years as an internist and diagnostician leads me to agree with Dr. Joseph Berkson of the Mayo Clinic that there is no proof of causal relationship between the smoking of cigarettes and lung cancer.

I would say, as he does—

> Without false modesty, and quite frankly, I do not know the cause of cancer. Moreover, I am going to say without the slightest fear of contradiction, that no one else does either.

I have discussed in the past and will discuss again in the future other relevant matters including the illegality of the so-called fairness doctrine regulations of the Federal Trade Commission; the absurdity of labeling cigarettes as harmful, but not, for example, alcohol; and the poverty which cigarette prohibition would bring to thousands of farmers and workers, while at the same time tax income sufficient to pay for the war on poverty would be cut off.

After studying the arguments of the prohibitionists, I am convinced that they contain little more than old platitudes, new hyperbole, and blatant non sequiturs—all based on statistics which are either erroneous, irrelevant, or statistically meaningless. Nevertheless, these statistics are cited again and again to support the thesis that smoking causes cancer.

The truth of the matter is that these people are relying on statistics, not research. And they do not understand their own figures.

Actually it would be far easier to show statistically that smoking cigarettes prolongs life: First, Americans are living 16 years longer today than they did in 1920; second, Americans smoke more cigarettes than they did in 1920; and, third, Ergo, cigarettes prolong life.

Or to cite an example: Great Britain has a higher death rate from cancer than we do. Yet, the British smoke less.

Now, this is not to say tobacco is a health food the equivalent of yogurt. What I am saying is that, from such logic as this, no valid conclusions can be drawn.

It is correct that official statistics show a dramatic increase in lung cancer in recent years. But proponents of prohibition do not mention there has been a corresponding decline in stomach cancer. Are we to assume that tobacco has cleansed the stomach while fouling the lungs? Even more strange, incidence of cancer of the larynx has remained relatively constant over the last 30 years. Yet the smoker's larynx comes in contact with the smoke sooner and more often than the lungs.

The full weight of the prohibitionists' logic seems to rest on this one paragraph from Senator Kennedy's speech:

> Death from lung cancer [is] increasing almost geometrically—from 2,500 in 1930, shortly after smoking started becoming a national habit, to 50,000 now.

This information is, of course, not a figment of someone's imagination. It is derived from Federal vital statistics. But they fail to take into account changes in reporting methods, improvement in diagnosis, and the aging of the population. All these have influenced the increase in numbers of deaths reported from lung cancer.

More important, there is stronger evidence from equally reputable research scientists and statisticians who reject the hypothesis that any relation between cigarette smoking and any disease has been proven. I will place in the Congressional Record expert documentation of this at the conclusion of my statement. For the moment, let me highlight the following facts:

As a national habit, cigarette smoking among the male population dates not from 1930, but from 1883 when Washington Duke & Sons began mass producing cigarettes near Durham, N.C. It is true, however, that it did not become popular for women to smoke until the 1920's; and the number of adult women who smoke has been increasing since that time.

But whether we use 1930 or some earlier date as a base year, it is still clear that a sizable but undeterminable number of cases of lung cancer used to be diagnosed as tuberculosis; and the increase in death from lung cancer parallels the decrease in deaths from respiratory tuberculosis and pneumonia. Since 1930 diagnostic techniques and the science of pathology have developed to the point where lung cancer can be easily identified.

Dr. Joseph Berkson, of the Mayo Clinic, explains the apparent rise in the lung cancer rate and fall in the tuberculosis rate in two ways. He cites the 1961 English study by Dr. Willis to the effect that—

> So many cases of unrecognized lung cancer [were found] in early records as to warrant the conclusion that there was just as much lung cancer in the past, but it wasn't recognized.

Also, according to Dr. Berkson:

> Persons who in former times would have died at an early age, say from tuberculosis, now live to ages at which they are exposed to death from lung cancer.

Incidentally, Dr. Berkson, who the Cancer Bulletin calls the dean of American medical statisticians, has said:

> Personally, all relevant available facts considered, I think it very doubtful that smoking causes lung cancer.

But even if we were to accept the validity of the claim of low lung cancer incidence in 1930, the argument of the antismoking forces seems self-contradictory on several points.

In the first place, increase in the life expectancy of Americans has gone hand in hand with the increase in cigarette consumption. In 1930 the life expectancy of Americans was 59.7 years; by 1965, it was 70.2 years.

Secondly, some people propose economic sanctions on the industry to force a larger share of the market to lower tar and nicotine cigarettes. These cigarettes already constitute a large proportion of those being sold today; however, back in that golden age of 1930 to which cigarette prohibitionists turn with such nostalgia, higher nicotine and tar content cigarettes composed almost 100 percent of the market, and filters were nothing more than a gleam in the eye of two of the smaller manufacturers.

In this connection, the Federal Trade Commission last week released even more statistics to confuse the public. For they have proceeded by sometimes rather dubious methods to grade cigarettes by their tar and nicotine content. Yet, there is no proof that these even affect health. Even in 1950, filter cigarettes composed only .06 percent of total production; 10 years later over half the cigarettes manufactured had filters. Further, mention is seldom made of the fact that although cigars and pipe tobacco are held blameless by the prohibitionists, both contain considerably more tar and nicotine than the average cigarette.

Other facts which go unmentioned are far more relevant than the propaganda which is disseminated.

For instance, although the lung cancer rate among women during the past 40 years has increased slightly, it by no means has kept pace with the increase in the number of women who smoke. For reasons which no one can explain, lung cancer remains largely a disease of the male. And, according to Drs. Rosenblatt and Lisa:

> If cigarette smoking is a potent carcinogenic agent it should have affected lung cancer mortality by this time, resulting in an equalization of the sex ratio which in 1964 was 6.4:1.

It is interesting that the Encyclopaedia Britannica, 1966 edition, in its discussion of percentages of cancer deaths in the United States, reports that 11 percent of the male deaths were from lung cancer, while only 3.1 percent of the female cancer deaths were from lung cancer.

Also, Senator KENNEDY emphasizes that people are beginning to smoke at an earlier age and are smoking more cigarettes per capita. Yet, the average age at which lung cancer occurs has remained the same. If cigarette smoking produced lung cancer, then a lowering of the age of occurrence would be expected.

It is also passing strange that, as Dr. Rheinhard has said:

> The average age at which lung cancer occurs is the same for heavy smokers, light smokers and nonsmokers.

And Drs. Rosenblatt and Lisa note:

> Lung cancer occurs at approximately the same age regardless of whether smoking had been started at 6 years or at 41 years of age. Equally significant was the finding that the number of cigarettes smoked daily did not affect the age at onset; in both the light smokers and the heavy smokers the disease had developed during the same decades of life.

These same doctors, whose paper will be placed in the RECORD, carefully illustrate that lung cancer is primarily a disease of older men, and that cigarettes are therefore not the cause:

> This distinctive age distribution was noted in the nineteenth century in the absence of cigarette smoking and also in recent decades in the era of widespread cigarette consumption. The relation between longevity of the population and the incidence of lung cancer is therefore very significant. . . .
>
> It is very evident that, regardless of any hypothetical etiologic considerations, the total number of potential subjects for lung cancer has increased by many millions during the past half century. The inherent biologic characteristic of the disease to develop in older age groups will therefore result in the occurrence of more cases in future years as proportionately more of the population reaches the later decades of life.

In other words, to reverse the increase in lung cancer, we must either reduce life expectancy or we must find the cause and cure. Cigarette prohibition is no answer.

I would add here that aging is also a primary factor in emphysema, heart disease, and most of the other diseases which the prohibitionists cite as byproducts of smoking. In a most important study of male, identical twins, Dr. Lundman and his colleagues concluded that "cigarette smoking is probably not associated with coronary heart disease."

A substantial number of deaths from lung cancer, especially among women, are the result of cancer spreading to the lung but originating elsewhere in the body. These deaths could not be blamed on cigarettes by the most ardent prohibitionist; yet they are counted in the statistics cited by them.

Most conspicuous of all by its absence from public speeches on this subject is any mention of air pollution or other possible factors being studied. Certainly increased pollution, both from industry and from vehicular traffic, has at least kept pace with, if not outstripped, increased cigarette consumption since 1930. In fact, it was shown that on Staten Island, in New York, lung cancer is far more likely to occur in residents where air pollution is highest. And, according to a 5-year study published in the German Journal for Cancer Research:

> The frequency of lung cancer is not influenced by cigarette smoking but there is a significant correlation between the air pollution problem and the bronchial carcinoma rate.

These facts, I believe, are sufficient in themselves to effectively rebut the hypothesis that a causal relation between cigarette smoking and cancer has been proven. I do not feel I can conclude, however, without challenging certain other allegations about tobacco and the tobacco industry.

The first is from a recent speech on the Senate floor in which it was maintained:

> Between 4,000 and 5,000 children start to smoke each day.

For 2 months, I have searched for statistics to validate this assertion, and I have failed utterly. My only conclusion is that this number is an exaggeration of an equally dubious statement by the Surgeon General to the effect that 4,000 children begin smoking each day. The Surgeon General's statement in turn rests on a limited survey conducted in 1961 in Newton, Mass. With a control group so small, it is a statistically absurd assertion which never even attempts to define the ages of the children to which it refers.

The Surgeon General and others maintain that their conclusions are based on over 5,000 studies. They do not mention that many of the studies are but rehashes of the others in popular magazines and even letters to the editor. Nor do they mention that many of the studies reached opposite conclusions from those of the Public Health Service. And Senator KENNEDY then says:

> No responsible health organization which has examined the problem has disagreed with these important facts.

For an editorial which clearly refutes this conclusion, I suggest "Etiology by Edict" from the March 1966 edition of the Journal of Thoracic and Cardiovascular Surgery.

I take strong exception to charges that—

> Cigarettes would have been banned years ago were it not for the tremendous economic power of their producers. . . . Nearly $300 million a year is spent in the United States alone . . . efforts to start young people smoking and continue others in the habit.

The cigarette industry is less powerful than the liquor interests were in 1918; and prohibition of tobacco would fail as miserably as it did with alcohol. The only effect would be a bonanza for bootleggers dealing in low quality leaf. As for the statement, explicit and implicit, that the industry spends hundreds of millions enticing children to smoke, the charge is patently false.

In the first place, the industry spends no money whatsoever on institutional advertising designed to enlarge its market, as does, for instance, the brewery industry. Yet, beer commercials are as prevalent as cigarette commercials on sports programs; and it is incontrovertible that beer in the hands of an automobile driver can be a killer of young people. Certainly, the cigarette industry has made important strides in self-regulation by voluntarily limiting its advertising during programs aimed at youngsters. In addition, they have voluntarily ended all advertising on college campuses and drafted a code to police its advertising. The truth is that all cigarette advertising is brand advertising and has as its purpose gaining a larger share of the market for the manufacturer; and increasingly this advertising leads to larger markets for the lower tar and nicotine cigarettes. It is clear that human nature being what it is, an absolute ban on advertising is not the answer. In England, television advertising of cigarettes was banned, with the idea that English youth would not be encouraged to smoke. A year after the ban went into effect, however, the percentage of boys 16 to 19 years old who smoke had increased from 51 to 57 percent. For girls the same age, the proportion of smokers increased from 39 to 47 percent.

In Italy, all cigarette advertising is banned. And since the ban, cigarette use has risen steadily.

As to a charge heard at the World Conference that "The cigarette companies have demonstrated a total inattention to public responsibility," the industry has contributed $22 million to independent scientific research on health and smoking, $10 million of which has gone to an American Medical Association research project. It has spent even more in its own research. This is not to say that the manufacturers have completely altruistic motives. Indeed, it is in their own interest to discover the relationship, if any, between smoking and lung cancer so that they can eliminate that ingredient, if any, which is responsible for the disease.

In conclusion, I emphasize two points:

First, I make no claim that cigarettes are a wonder drug. I claim only that which K. A. Brownlee has said in his article in the American Statistical Review. That is, at this time the statistics do not show that cigarettes cause human disease. Or, in the language of the North Carolina South Mountains, "Figgers may not lie, but liars sure do figger." And honest men also "figger" when the crusading spirit burns in their hearts.

Second, it is not my position that Congress should stand idly by in the face of what appears to be mounting deaths from lung cancer. But I do object strenuously to the solutions offered by the prohibitionists. Senator KENNEDY, for instance, advocates impossibly strict self-regulation of the industry. In effect, what he asks of the manufacturers is slow suicide until such time as Congress agrees to give the Federal Government the tools to administer the final execution.

This course can only lead through a blind alley of economic tragedy; and I am not talking about the several hundred executives of a few large manufacturers. I am talking about the several hundred thousand small farmers and tobacco factory workers and their families. Where shall we send them? To the ghettos of New York where it has been estimated even by prohibitionist scientists that residents are breathing heavily polluted air?

It baffles me that some scientists have taken up the crusade for cigarette prohibition with all the religious fervor of a Carrie Nation. How much further we might be today if all of that combined intelligence, dedication, and energy had gone into research rather than propaganda.

PROPOSALS

Which brings me to my three-point proposal for resolving this controversy.

First, I believe the Federal Government should initiate, as soon as possible, a cooperative effort among industry, government, and private, nonprofit organizations to find the cause and cure for lung cancer. Dr. Salk has shown us that there is nothing which is medically impossible. If we can divert all of the financial and human resources now engaged in anticigarette propaganda into a coordinated effort, I am confident we could shorten greatly the time until we reach our goal.

Between now and the time Congress reconvenes in January, Representative GALIFIANAKIS and I will be discussing plans for a definite program with Senator JORDAN and other members of our delegation. It has occurred to me that this may be an excellent opportunity to test Vice President HUMPHREY's plan to apply computer technology to medical research in order to avoid duplication of research by scientists scattered across the country. A data bank could be set up in the Research Triangle Park in North Carolina which would act as a nationwide storehouse for all lung cancer research. As support facilities, we already have the Environmental Health Center, an IBM research facility, and the U.S. Data Processing Laboratory of the National Center for Health Statistics located in the park. There are nationally recognized medical schools at Duke University and the University of North Carolina at Chapel Hill. And the computer experiments being conducted at these two schools and at North Carolina State University—the three institutions which form the angles of the triangle—could make a great contribution to the program, as could the research affiliates of the tobacco companies located nearby. Work of this nature in its embryonic stages is already being done in the area, and expansion of it could take place more easily there than at any other place in the Nation. I am certain the State of North Carolina would cooperate in every way possible. Our legislature has already appropriated money for a biodynamics laboratory at North Carolina State University for agricultural research on tobacco. Much of this research is being devoted to producing better quality leaf with lower tar and nicotine content.

Action along this line is the type which NICK GALIFIANAKIS and I feel Congress and the Surgeon General should contemplate.

Second, I urge a renewed and larger assault on air pollution. The administration is to be congratulated for its work in this area. The landmark Air Pollution Act recently signed into law offers great hope, both in terms of research and in terms of regulation. Still, as President Johnson and Secretary Gardner have recognized, there is more Congress can do. It is true that, as with cigarette smoking, there is no proof that air pollution causes lung cancer. Yet, to the extent it may constitute a health hazard, air pollution is a more insidious threat than smoking. The latter is a voluntary risk, while the former is imposed on everyone against the wishes of everyone. Further, there are esthetic reasons as well as health reasons for an intensified war on air pollution. Until that day when all Americans can once again be assured they can look up in the morning and see the sky and look up at night and see the stars, we need to fight to lift the sick cloud of pollution which hangs so heavy across the face of America. Here again, Representative GALIFIANAKIS and I hope to offer some new ideas.

Lastly, if it is ever proven that there is a causal relation between cigarette smoking and lung cancer, then government, industry, and medicine should be prepared to begin immediately a cooperative search for a safe cigarette—not, however, through the coercive economic sanctions which have been proposed to the Senate, but rather through a program of tax incentives and joint government and industry research. Today's scientists are capable of finding better solutions to problems than by shouting them out of existence.

I conclude now with an editorial from the Raleigh, N.C., News and Observer, which contains more wisdom than all the propaganda of those who would regulate the personal habits of the American people:

HAZARDS APLENTY

In connection with the dire and continuous warnings given us about the supposed dangers of cigarette smoking, a physician passed along a little verse from the New England Journal of Medicine. It goes:

"Cholesterol is poisonous, so never, never eat it.
"Sugar, too, may murder you, there's no way to beat it.
"Some foods were filled with vitamins till processing destroyed it.
"So let your life be ordered by each documented fact
"And die of malnutrition with your arteries intact."

And warily watch every sunny sky for bolts of lightning.

Mr. President, I ask unanimous consent to have printed in the RECORD the following material:

First. A list of the major points raised by Dr. Milton B. Rosenblatt, professor of medicine at New York Medical College, and Dr. James R. Lisa, consultant pathologist, in their paper entitled "Biology, Biometry and Bronchogenic Carcinoma" from the August 1967 edition of Medical Science, followed by the text of that article.

Second. An editorial entitled "Etiology by Edict," by Dr. Hiram T. Langston from the Journal of Thoracic and Cardiovascular Surgery of March 1966.

Third. Excerpts from the study entitled "Smoking in Relation to Coronary Heart Disease and Lung Function in Twins; A Co-twin Control Study, Serum Lipids, Smoking, and Heredity," from Acta Medica Scandinavica, 1966.

Fourth. A news release by the National Research Council of October 26, 1967.

Fifth. An article entitled "Surgeon General's Report Is Inconclusive on Cigarette-Cancer Link, Statistician Says," from the December 13, 1965, edition of Advertising Age, and the article on which this news report is based.

Sixth. An article "The Influence of Cigarette Smoke on Lung Clearance," by Charles W. LaBelle, Ph. D.; Dorothea M. Bevilacqua, M.A.; and Heinrich Brieger, M.D., from the May 1966 edition of Arch. Environ Health.

Seventh. A study, "Distribution of Mortality From Lung Cancer in the County of Los Angeles," from the June 15, 1967, edition of the Bulletin, published by the Los Angeles County Medical Association.

Eighth. A news release entitled "Tobacco Institute Replies to R. F. K. Charge of Industry 'Inattention to Responsibility,' " of September 11, 1967.

Ninth. An address to the Tobacco Growers Information Committee annual meeting of November 6, 1967, by Addison Y. Yeaman of the Brown & Williamson Tobacco Corp.

Tenth. An address to the Burley and Dark Leaf Tobacco Export Association annual convention on October 3, 1967, by Paul D. Smith of Philip Morris, Inc.

Eleventh. Two editorials from Barron's; the first entitled "The Witch Doctors—Pseudo Science Is a Menace to U.S. Health and Welfare," in the May 9, 1966, edition; and "Dangerous Lengths—The Federal Crusade Against Smoking Has Gone Too Far," in the October 2, 1967, edition.

Twelfth. A column by James J. Kilpatrick, entitled "Antismoking Figures Look Flimsy," from the Washington Evening Star of September 28, 1967.

Thirteenth. An article entitled "City Air Pollution Said To Cost $520 Million a Year in Damage," from the June 25, 1965, edition of the New York Times.

Fourteenth. An article entitled "German Physician Denies Smoking Role in Lung Cancer; Blames Air Pollution," from the August 12, 1964, edition of the Medical Tribune.

Fifteenth. An article entitled "Germans Dispute Cigarette-Cancer Link," from the March 24, 1964, edition of the Chicago American.

Sixteenth. An article entitled "Smoking and Lung Cancer: An Untelevised Telecast," by Dr. Joseph Berkson of the Mayo Clinic and professor of biometry at the University of Minnesota, from the Cancer Bulletin, May–June 1963.

Seventeenth. An article entitled "Staten Island Deaths Linked to Air Pollution," by Peter Kihas, from the January 12, 1967, edition of the New York Times.

There being no objection, the material was ordered to be printed in the Record, as follows:

Major Points of Rosenblatt-Lisa Paper

1. Lung cancer afflicts more males than females, and did so before cigarette smoking became widespread. The male-female ratio for lung cancer in the U.S. has been increasing in the past 35 years.
2. The increase in cigarette smoking by U.S. women in the past four decades has not been reflected in a corresponding increase in lung cancer.
3. There is increasing evidence that many female lung cancers described as primary lesions are actually metastases.
4. Lung cancer is a disease of older age and the number of people in the older-age bracket has increased by many millions in the last half century.
5. If cigarettes were carcinogenic, the increased consumption would have resulted in a lowering of the age of occurrence of lung cancer. This has not happened. Neither age at onset of smoking nor the number of cigarettes smoked has appreciably affected the age of distribution of lung cancer.
6. The concept that cigarette smoking causes one type of lung cancer and not another contradicts basic embryologic knowledge. It is now well recognized that lung cancer originates chiefly in the distal bronchi.

[From Medical Science, August 1967]

Biology, Biometry and Bronchogenic Carcinoma

The possible relation between cigarette smoking and the development of lung cancer has been discussed by many authors. In the present work a physician with a world-wide reputation for his scholarly discussions of lung cancer raises some questions that must be answered if we are to understand the origin of lung cancer.

The rise in mortality from lung cancer during recent decades has engendered the specter of a neoteric disease produced by exposure to recently introduced carcinogenic agents. Endeavors to establish a causal relation have emphasized statistical associations and scant attention has been directed to the inherent characteristics of the disease. Current concepts have related the incidence, the sex and age distribution, and even specific histologic types to exogenous influences. The problem of etiology in lung cancer, as in all cancers, is complex and requires a circumspect consideration of many factors. The features of lung cancer attributed to carcinogenic exposure may, in reality, be manifestations of the natural behavior of the disease.

MALE PREDOMINANCE

The affinity of lung cancer for males is a biologic characteristic. Sex predilection is common to a variety of diseases and an excellent illustration is cancer of the breast which occurs preponderantly in females. There were many studies of lung cancer during an era in which cigarette smoking was virtually nonexistent and all showed a remarkable consistency in sex distribution. Hare[1] in a study of lung cancer covering the period 1830 to 1880, found 90 cases in males and 33 cases in females. Adler's[2] collected series spanned the years 1842 to 1911 and included 269 males and 93 females.

In a report of the experiences of the teaching hospitals in Great Britain between 1894 and 1918, Passey[3] found 579 cases of lung cancer in males and 182 cases in females. In 1892, Harris[4] reported on a combined study of St. Bartholomew's Hospital and the City of London Hospital for Diseases of the Chest and found that lung cancer occurred three times as often in males as in females. Similar ratios of 3:1 favoring the male were reported from Germany by Passler,[5] Riechelman,[6] Briese,[7] and Karrenstein[8] during the late nineteeth and early twentieth centuries. In the United States, King[9] found a 4:1 ratio in Boston from 1875 to 1914. Weller[10] who was among the first American pathologists to become interested in lung cancer also found a 4:1 ratio in a collected series of cases between 1878 and 1912.

Despite the variety of the sources of the material studied, there was unanimous agreement on male predilection for the disease before the era of cigarette smoking. It is also of significance that many autopsy reports in the nineteenth and early twentieth centuries revealed sex ratios as high or higher than those found in recent studies. Wolf[11] reported a 6:1 ratio from the Dresden municipal hospitals for the period 1885–1894 Eichengrun[12] found a 6.4:1 ratio in Cologne between 1902 and 1926. Rau[13] found a 6.5:1 ratio in Dresden-Friedrichstadt between 1909 and 1914. Feilchenfeld[14] reported a 10:1 ratio in Berlin between 1894 and 1900 and in Leipzig[15] found a 15:1 ratio.

Inasmuch as lung cancer is predominantly a disease of males, improvements in diagnostic accuracy resulted in proportionately more cases detected in males and a progressive rise in the sex ratio. This phenomenon was already apparent in the early decades of the twentieth century when most cases were diagnosed by autopsy and it became even more obvious when the disease began to be diagnosed clinically. At the Moabit and Urban Hospitals in Berlin, Peters[16] noted a 3:1 ratio between 1905 and 1908 and a 5:1 ratio in the same institutions between 1917 and 1922. Since 1930, lung cancer certification without autopsy has increased manifold. Early reports showed the distribution of the disease to be almost equal between the sexes but, as clinical diagnostic accuracy improved, male predominance became very evident paralleling the autopsy reports of the nineteenth and early twentieth centuries. An excellent illustration of the relation between diagnostic accuracy and the sex ratio was provided by Clemmesen and Busk[17] who observed that in Denmark, between 1936 and 1945, the overall ratio was 2.4:1 whereas in a special chest clinic in Copenhagen, the ratio was 7.2:1.

The effect of diagnostic accuracy on the sex distribution of lung cancer is also emphasized in the observations of Ibrahim[18] who found, in 1954, a sex ratio of 9:1 in noncigarette smokers at the Dacca Medical College in East Pakistan where pulmonary diagnostic facilities had been recently established. Among the lowest sex ratios within the past decade was a report by Farago,[19] from Papau and New Guinea covering the period 1958–1962. In those regions of the world, cigarette smoking is widespread but facilities for the diagnosis of lung cancer are still very limited resulting in a sex ratio of only 4:1.

During the past 35 years there has been a progressive rise in the sex ratio in the United States lung cancer mortality statistics. In 1930, there were 1,818 lung cancer deaths reported in males and 1,019 in females giving a ratio of 1.8:1. During the succeeding decade there was an upsurge of interest in the disease and facilities for diagnosis became more widely available. This was reflected in both an increase in lung cancer mortality and in the sex ratio. In 1940, there were 6,057 male deaths and 2,029 female deaths giving a ratio of 3:1. Between 1940 and 1950, advances in diagnosis were even more striking, particularly, the use of exploratory thoracic surgery as a diagnostic tool and the increasing utilization of the Papanicolaou technic for sputum and bronchial aspirate examination. In 1950, there were 14,922 male lung cancer deaths and 3,391 female lung cancer deaths, giving a sex ratio of 4.4:1. During the next decade it became even more evident that the increase in lung cancer mortality was chiefly confined to males and in 1960, there were 30,800 male deaths and 5,000 female deaths, giving a sex ratio of 6.2:1.

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LUNG CANCER IN FEMALES

The prodigious increase in cigarette consumption by females for more than 4 decades has not been reflected in a corresponding increase of lung cancer. A survey [20] of smoking patterns in 1955 by the United States Bureau of the Census revealed that approximately 46,000,000 persons had been regular cigarette smokers and, of these, 15,000,000 were females over 18 years of age. The survey acknowledged that it had underestimated cigarette consumption by 15% on the basis of tax data and common observation suggests even a greater margin of error. Current estimates point to more than 70,000,000 cigarette smokers with a proportionate increase among females. If cigarette smoking is a potent carcinogenic agent it should have affected lung cancer mortality by this time, resulting in an equalization of the sex ratio which in 1964 was 6.4:1. Diagnostic facilities have been equally available to both sexes for many years.

Deaths from lung cancer in females increased from 1.5 per 100,000 in 1930 to 7.1 per 100,000 in 1964 but still remain far below the rate of 41.4 per 100,000 for males.[21] It is difficult to reconcile such a disparity in lung cancer mortality if cigarette smoking was a significant causal factor. Inasmuch as females have been smoking for more than 40 years it appears that sufficient time has elapsed for the alleged carcinogenic action of tobacco to express itself. Between 1959 and 1964, the total increase in female lung cancer deaths was only 2,400, averaging less than 500 per year for the period. The corresponding increase for male lung cancer deaths was 11,500. With so many millions of persons of both sexes smoking cigarettes regularly, parity in lung cancer mortality would have been reached a long time ago if tobacco was a main causal factor. Observations in both the pre-cigarette and cigarette smoking eras have shown that the female is resistant biologically to lung cancer although vulnerable to other types of malignancy.

There is increasing evidence [22] [23] that many of the lesions diagnosed in females as primary lung cancer are, in actuality, metastatic cancers from the breast and genital organs. The affinity of the lungs for secondary growths from these organs is well established. In 1964, there were approximately 45,000 deaths reported from cancer of the breast, uterus, and ovary of which 26,000 deaths were attributed to cancer of the breast alone. With more than two-thirds of breast cancers and one-third of genital cancers metastasizing to the lung, there is created a vast potential for diagnostic error, particularly in cases of solitary pulmonary metastases with occult tumors in the primary site.[34]

TABLE 1.—LUNG CANCER MORTALITY

[Classification of cases according to 7th revision of international code]

Lung cancer	1959	1960	1961	1962	1963	1964
Code 162.1 (specified as "primary")	17,042	18,342	19,462	18,749	18,868	19,651
Code 163 (unspecified as to whether primary or secondary)	17,139	18,978	19,467	22,510	24,569	26,066

Greater histologic experience in the diagnosis of pulmonary tumors will manifest itself in subsequent years by more discriminatory diagnoses of lung cancer in females. There is already an inclination of this trend in the 1964 lung cancer mortality data. Of the 19,651 cases (Code 162.1) certified as primary lung cancer, there were 17,134 males and 2,517 females, a ratio of 6.8:1. In the 26,066 cases (Code 163) not certified as of primary or secondary origin there were 21,684 males and 4,382 females, a ratio of 5:1. It is evident from table 1 that the major portion of the rise in lung cancer mortality between 1959 and 1964 was in Code 163 which showed an increase of 8,927 cases (52.0%). The increase in Code 162.1 was only 2,609 cases (15.3%). Between 1961 and 1964 the increase in Code 162.1 was negligible whereas, in Code 163, there were 6,599 additional cases. The increase in Code 163 connotes greater awareness by the certifying physicians of the possibility of metastatic lung cancer simulating bronchogenic carcinoma. It has been stated by some officials that the failure to specify primary lung cancer on death certificates is merely an oversight. According to this interpretation the lung cancer mortality figures since 1961 imply a steady increase in laxity in the medical profession inasmuch as the apparent oversight is getting progressively larger.

AGE DISTRIBUTION

Lung cancer occurs predominantly in older age groups with the majority of cases in the fifth, sixth, and seventh decades of life. The disease is unusual below the age of 40 and rare below the age of 30. Simons,[25] in a collected series of more than 5,000 cases found that 80% occurred between 40 and 70 years of age. This distinctive age distribution was noted in the nineteenth century [26-29] in the absence of cigarette smoking and also in recent decades in the era of widespread cigarette consumption.[30-33] The relation between longevity of the population and the incidence of lung cancer is therefore very significant.

During the past 50 years there has been a spectacular increase in life span for all subdivisions of the population.[34] In the period 1900–1902, the life expectancy at birth for white males was 48.23 years; in 1959–1961, the life expectancy had increased to 67.55 years. The life expectancy for white females was 51.08 years in the period 1900–1902 and 74.19 years in the period 1959–1961. This increase in the life span was even more striking in the non-white population. Non-white males had a life expectancy of 32.54 years in 1900–1902 which increased to 61.48 years for the period 1959–1961. During the same interval the life expectancy for non-white females rose from 35.04 years in 1900–1902 to 66.47 years in 1959–1961.

Comparative studies on mortality rates present problems because of the limited number of states in the registration area in the early part of the century. Some degree of accuracy may be ascertained by comparing the life span per 100,000 persons over a period of several decades. In 1900–1902, of every group of 100,000 white males born alive, only 46,452 reached 60 years of age. Sixty years later, the statistical picture was entirely different. In 1959–1961, 75,485 white males out of every 100,000 reached 60 years. The corresponding increase among white females was from 50.752 in 1900–1902 to 86,339 in 1959–1961. Improvements in medical care, greater availability of diagnostic and therapeutic facilities, and higher economic standards of living were reflected in increased longevity of the non-white population. Whereas in 1900–1902, there were only 24,194 non-white males who attained 60 years of age, in 1959–1961, the number had increased to 61,669. The corresponding increase among non-white females was from 27,524 to 69,941.

The population of the United States is now considerably older than that in existence in the first decade of this century. Within 50 years, the average duration of life increased 19.32 years for white males, 23.11 years for white females, 28.94 years for non-white males, and 31.43 years for non-white females. Current statistical reports [35] show no indication of abatement of the trend toward longer life expectancy. For 1965, the estimated expectation of life at birth was 70.2 years for the total population. It is very evident that, regardless of any hypothetical etiologic considerations, the total number of potential subjects for lung cancer has increased by many millions during the past half century. The inherent biologic characteristic of the disease to develop in older age groups will therefore result in the occurrence of more cases in future years as proportionately more of the population reaches the later decades of life.

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AGE AT ONSET

The predilection of lung cancer for the older age groups has a definite relevancy to etiologic considerations. If cigarette smoking produces a cumulative carcinogenic effect over a period of years then the segment of the population that began cigarette smoking in the early teens should develop lung cancer at a far younger age than those persons who began smoking at 30 to 40 years of age. The effect of heavier smoking habits must also be considered. Cigarette consumption per capita was only 50 per year at the turn of the century and by 1960 it had increased to 4,000 per year. It would seem reasonable to expect that if cigarettes were a carcinogenic hazard to health, the increased consumption would have resulted in a lowering of the age of occurrence of lung cancer. The fact is that neither the age at onset of smoking nor the number of cigarettes consumed has had any appreciable effect on the age of distribution of lung cancer which has remained a constant biologic feature since the disease was described 150 years ago.

In 1962, Passey[36] reported an investigation of 415 males witb lung cancer to determine the effect of smoking on onset of the disease. The results showed that lung cancer had been acquired at approximately the same age regardless of whether smoking had been started at 6 years or at 41 years of age. Equally significant was the finding that the number of cigarettes smoked daily did not affect the age at onset; in both the light smokers and the heavy smokers the disease had developed during the same decades of life. In 1965, Pike and Doll[37] studied a group of British doctors with lung cancer equating the consumption of cigarettes with the average age at death. Among the doctors who began to smoke at 17 years of age, the average age at death was 71.8 years for the light smokers and 69.3 years for the heavy smokers. The duration of smoking was also equated with the average age at death. Among those who smoked 15–24 cigarettes daily since the age of 17 years, the average age at death was 70.5 years; among those who consumed the same amount but began to smoke at 32 years of age, the average age at death was 75.0 years; and among those who started to smoke at 42 years, the average age at death was 78.0 years. The differences in age at death between the groups may be statistically significant but have little clinical importance because of the variety of conditions that contribute to mortality in the eighth decade of life.

HISTOGENESIS

In recent years, etiologic considerations have been superimposed on cell classifications and the thesis has been advanced[38-41] that squamous and oat cell carcinomas are the result of cigarette smoking whereas adenocarcinomas are produced by endogenous factors. This concept is contradictory to basic embryologic knowledge. All respiratory epithelium has the same origin from the squamous-lined foregut[42-44] and in the process of embryonic growth, continuous differentiation occurs until ultimately the larger bronchi are lined by pseudo-stratified columnar epithelium and the smaller bronchi by cuboidal epithelium. The types of mature epithelium are derived from a common progenitor and have an equivalent potentiality for production of tumor cells.[45]

It is now well recognized that bronchogenic carcinoma originates predominantly in the segmental bronchi, or distally, and that the cell type of the tumor is related to the site of origin along the bronchial tract.[46-50] The squamous carcinomas arise from bronchi lined by columnar epithelium, not because of smoking, but because the embryonic precursor of columnar epithelium is the squamous epithelium of the foregut and primitive lung buds. The adenocarcinomas arise from the cuboidal epithelium of the bronchioles because, in embryonic differentiation, columnar epithelium precedes the formation of cuboidal epithelium. In both types of bronchogenic carcinoma there occurs metaplastic reversion to the epithelium found at these sites in embryonic life. Oat cell carcinomas originate from the basal layer of bronchial epithelium and may arise from any site down to the respiratory bronchioles where the basal cells apparently disappear.

The common embryologic derivation of all respiratory epithelium supports a monadic concept of bronchogenic carcinoma with the various histologic types and structural features predetermined by site of origin and degree of differentiation. If squamous carcinomas are caused by exposure to tobacco smoke (and adenocarcinomas by endogenous factors) it must also be assumed that the carcinogenic smoke has a preternatural affinity for certain portions of the bronchi and that this malignant effect stops abruptly at the dividing line between the segmental bronchial divisions and the terminal bronchioles. It is of considerable interest, in this regard, that certain studies[51-53] allegedly showing precancerous lesions in the respiratory epithelium of smokers found these lesions distributed in bronchi were lung cancer seldom originates.

[From the Journal of Thoracic and Cardiovascular Surgery, March 1966]

ETIOLOGY BY EDICT

(By Hiram T. Langston, M.D., Chicago, Ill.)

In January, 1964, the Surgeon General's report on Smoking and Health was released to the public in a manner that implied it to be the final word concerning the use of tobacco in general, and the smoking of cigarettes in particular.

It reviewed the statistical material that had accumulated over the years, since a rise in recorded deaths from lung cancer had appeared to parallel a rising consumption of tobacco used as cigarettes.

Whereas inference of etiologic guilt is laid at Cigarette's door, insofar as a whole host of ailments are concerned, responsibility as a causative agent is assigned in this report with increasing vehemence for chronic bronchitis and laryngeal cancer, but finally, with utmost directness, for cancer of the lung.

A review of some features concerning this report, as well as the over-all problem that it discusses, appears to be justified.

It is curious that the Office of the Surgeon General made pronouncements concerning the hazards of smoking on two previous occasions, each time with increasing wordiness and a greater sense of urgency. If the first or even the second statement was correct and unequivocal, why was the third one needed, and why did it require reinforcement by an "advisory" committee? There must have been some doubt in the Surgeon General's mind!

In essence, the 1964 report draws its conclusions of Cigarette's guilt from statistical analyses and associations based on population surveys, ignoring the clinical facets of lung cancer almost totally.

As if carried away with their own image, these statistical associations go on to point out a surprising profusion of disease entities that are influenced, if not caused, by smoking. War, bacteria, and the American highway might find competition difficult. There must be an element of exaggeration here because, if not, why has life expectancy increased so much since the discovery of America and tobacco?

But—is tobacco actually the culprit? One cannot be sure from the report. It appears that tobacco can be smoked with little if any danger to health and longevity when burned in a bowl lined by "cake" (pipe), or when wrapped in tobacco leaf (cigar); yet burning it while wrapped in paper becomes highly lethal.

Thus, the placing of a warning label on cigarette packages, as is requisite by Act of Congress, while at the same time not requiring a similar warning on pipe tobacco or cigars, seems to exonerate the "weed" from blame.

Ultimately it seems odd that a governmental agency should so assiduously undertake to hobble a business that contributes some two billion dollars in yearly taxes without better proof of its stand.

It is also impressive how much emphasis the report placed on histologic changes in the tracheobronchial tree of smokers. These changes are said to indicate various degrees of response to irritation, manifested by a high incidence of metaplasia and even of "precancerous" lesions in those who die of an established and invasive lung cancer at some other point.

If this contention is valid, then where are the cancers of the trachea? the bilateral cancers occurring simultaneously? or, if such changes are in fact "precancerous" lesions on a side opposite and "invasive" cancer, where are the successive cancers in those patients who have survived the excision of the full-blown tumor? If smoking had brought them to form a cancer at one site why would not the "precancerous" lesion elsewhere march on inexorably to form another invasive neoplasm?

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After all is said and done, it still remains that cancer of the lung is predominantly a disease of males. It is surprisingly age-specific, with a sharply defined peak of incidence of approximately sixty years. It was increasing in incidence before cigarettes were popular, as attested to by the meticulous German pathologists. It is a curiosity in the trachea and a rarity on both sides simultaneously or, for that matter, successively. No dosage factor has been demonstrated for amount or length of exposure individually because the lung cancer victim who began smoking heavily at 15 to 20 years of age developed the neoplasm around age 60, just as the one who started 15 or 20 years later in life. Peculiarly enough, other malignant lesions such as cancer of the larynx (which is much closer to the fire) do not seem to have measured up to the increased incidence attributed, rightly or wrongly, to cancer of the lung.

Without any idea of whitewashing the guilt that may rest at the feet of tobacco habit, however practiced, and with a mind kept open for its possible incrimination, I cannot (in light of these many incongruities) consider it established as causative in cancer of the lung.

To bow to the pressure of highly organized emotionalism, or worse yet to the panic engendered by cancerophobia, and agree to close the chapter on the etiology of cancer of the lung by blaming cigarettes is to do so by edict and not by search.

[From Acta Medica Scandinavica, supplement, 955, pp. 1–75, 1966]

Smoking in Relation to Coronary Heart Disease and Lung Function in Twins: A Co-Twin Control Study, Serum Lipids, Smoking, and Heredity

Detailed clinical studies on 196 pairs of like-sexed adult twins (92 monozygous and 104 dizygous), including 119 male and 77 female pairs, 38–77 years of age who were concordant for urban/rural environment but 166 of whom were discordant with respect to smoking habits, demonstrated that "cigarette smoking is probably not associated with coronary heart disease, whether of the overt or of the silent form", "cigarette smoking most probably does not result in persistent hypertension", since "during abstinence the blood pressure is lower for smokers than nonsmokers", and "cigarette smoking seems not to produce any elevation of the serum cholesterol or triglyceride levels. On the contrary, there is some evidence that the levels are lower for smokers than for nonsmokers". The study provided "reliable evidence of a significant genetic component in coronary heart disease" as well as in the tendency to smoke, since "it proved extremely difficult to find enough monozygotes that were discordant with respect to smoking". This "provides a basis for the theory that constitutional differences between smokers and nonsmokers can give rise to excess morbidity and excess mortality from coronary heart disease in smokers". With respect to respiratory disease, however, the authors conclude that "the connection between smoking and respiratory function is most probably causal", since cigarette smoking apparently produced "a significant increase in the respiratory symptoms of chronic bronchitis, an increase in the unevenness of ventilation * * * and an increase of airway resistance" (154 references). The twins included in this study represent 79.5% of a sampling of 247 twin pairs selected from a twin register comprising 12,000 pairs on the basis of residence and smoking history; they were classed as monozygous or dizygous on the basis of photographs, questionnaires, and blood group analysis, a sociological and medical history was taken using a cardiovascular questionnaire designed by the London School of Hygiene and Tropical Medicine, and a respiratory questionnaire designed by the British Medical Research Council.

Each twin was subjected to determinations of blood pressure, anthropometric measurements, chest X ray, lung function tests (dynamic spirometry and nitrogen washout), urinalysis, electrocardiography, and determinations of serum cholesterol, triglycerides and phospholipids. With respect to the smoking history based on lifetime exposure (cigarette years), 30 twin pairs were found to be concordant (15 monozygous and 15 dizygous), while 166 pairs were discordant (177 monozygous and 89 dizygous); of these 166 discordant pairs, 99 (37 monozygous and 62 dizygous) comprised a smoker and a nonsmoker. On the average, the tobacco consumption was found to be lower in female. In both sexes there was a positive correlation between increased exposure to cigarette smoking and increased cough and phlegm, as well as decreased vital capacity and expiratory volume. These respiratory findings are interpreted as indicating that "the cigarette smoking exposure of the twin sample was on a significant level", which could have been expected to be reflected in the cardiovascular morbidity. Asthma and tuberculosis were uniformly distributed among the concordant and discordant twins, as was the incidence of abnormal chest X rays. There was a very low prevalence of cardiovascular symptoms, and the only significant difference between smokers and nonsmokers was in uncharacteristic angina pectoris among the dizygous twins, which can also be ascribed to respiratory symptoms. There was a negative correlation between smoking and impairment of working capacity, which is tentatively explained by the possibility that the smokers stopped exercising earlier (hence, at a lower pulse rate) due to more severe respiratory discomfort. There was a tendency for prolonged smoking to reduce the basal blood pressure, and the frequency of S.T. segment depression was lower among the smokers. It is concluded that the variability of systolic and diastolic blood pressure is largely genetically determined, and that "smoking is not an important factor in the pathogenesis of coronary heart disease". This "lends support to the suspicion expressed by the Surgeon General's Advisory Committee * * * that the association between smoking and coronary heart disease found by other authors might not be causal, but perhaps of constitutional origin."

The number of cases of frank heart disease was too small for analysis, but analysis of the prevalence of silent coronary heart disease among monozygous and dizygous concordant and discordant twin pairs revealed a coincidence frequency which significantly exceeded the expected levels for arcus lipoides corneae and S. T. segment depression, thus indicating a probable genetic basis. In the discussion it is pointed out that the studies by Hammond and Horn, Doll and Hill, Buechley et al., Dorn and Borhani et al., involved only overt coronary heart disease, angina pectoris and myocardial infarction, which has a low prevalence resulting in a low total number of cases; therefore, "no reliable conclusions can be drawn as regards the association between morbidity from coronary heart disease and smoking. The differences between the results of the morbidity and mortality investigations would seem to support the theory that cigarette smoking tends to give rise to acute occlusive or arrhythmic complications in persons already having coronary heart disease". The present study, however, revealed constitutional differences between smokers and nonsmokers which were great enough to account for the association between smoking and mortality due to heart disease. Thus, there was a slightly lower average body weight in smokers (due to decreased subcutaneous fat), a slightly lower serum cholesterol level in smokers and a significantly higher serum phospholipid level in dizygous smokers, leading the authors to conclude that the variability in serum cholesterol is determined by both environmental and genetic factors. There was an association between aging and serum lipid levels in women only. "Since the relationship between cholesterol and coronary heart disease is probably causal", those between smoking and coronary heart disease or smoking and cholesterol "could be a pure coincidence provided that the higher prevalence of coronary heart disease in smokers can be ascribed to constitutional differences". "From the results of the monozygous group it was evident that prolonged smoking has only an insignificant effect on the lipid levels in serum. If there is any correlation at all between the lipids and cigarette consumption it is a negative one as far as cholesterol and triglycerides are concerned". "The phospholipids were, however, elevated in smokers in the dizygotic group. Since the results for the monozygotic group do not indicate the presence of any association with smoking, this would seem to reflect a constitutional difference between smokers and nonsmokers".

News From the National Research Council

October 26, 1967.

(Note.—The National Research Council was organized by the National Academy of Sciences in 1916 in order to provide for a broader participation by American scientists and engineers in the work of the Academy. The Academy was chartered by Congress in 1863 as a private organization with a responsibility for advising the Federal Government in science and technology. Since this responsibility is now shared with the National Academy of Engineering, organized in 1964 under the original NAS charter, the Research Council serves, in effect, as an operating agency for both academies.)

Washington, D.C.—Throughout the United States, 8000 pairs of twins, all men between the ages of 45 and 50, are being asked to participate in a major study of the effects of environment on human health. The research seeks information on the relationship of such environmental factors as tobacco smoking and air pollution to certain cardiovascular respiratory complaints.

Questionnaires mailed in late September ask the twins for information about their general health. Questions cover such respiratory symptoms as coughing and shortness of breath; such cardiovascular symptoms as pain or discomfort in the chest; diet, smoking, and drinking habits; physical exercise and leisure activities; residential and family history.

The study, sponsored by the U.S. Public Health Service and the American Medical Association, is the first to make use of the Nation Research Council's Twin Registry. This roster of 16,000 pairs of male twins was compiled over a 12-year period from the medical and vital statistics records of World War II veterans. The registry is designed as a resource for use by authorized investigators interested in the relative influence of environment and heredity in chronic disease. All projects are carefully evaluated, however, by an NRC advisory committee to protect the twins from unwarranted invasion of privacy.

Conducting the current study are two noted Swedish scientists, visiting scholars this year at the University of Cincinnati's new Center for Study of the Human Environment. They are Dr. Lars Friberg and Dr. Rune Cederlof, colleagues at the Stockholm Karolinska Institute and at the National Institute of Public Health of Sweden. The questionnaire sent to the twins is based on research they have done with twins in their homeland.

The 8,000 pairs of twins were selected from the larger roster on the basis of success in contacting and enlisting the cooperation of both members of the pair. Their existence as twin pairs makes these 16,000 men uniquely useful in the research.

Drs. Friberg and Cederlof point out that not only are twins identical in age and, in this case, sex, but also twins are usually similar in socio-economic factors and habits. Those who are identical (or monozygotes, developed from a single fertilized egg), offer completely controlled genetic factors. Twins are, in other words, humans who come closest to the scientists' ideal research material, that of experimentally defined matched pairs. "In the present research, we shall find among the twins some pairs who have experienced different environmental exposure, but are similar in all other respects," the scientists say. "In this way, the groups will be highly comparable, perhaps to a greater extent than is usual in previous studies into the effects of tobacco smoking and air pollution."

Seven young women are working full time at the University of Cincinnati, coding the answers that arrive daily. Their task will not be completed until Christmas. The coded data will then be punched onto computer cards and put onto tape in Washington by the Medical Follow-up Agency, the group within the National Research Council that established and now maintains the twin registry.

Drs. Friberg and Cederlof, after returning to Sweden at the end of the year, will make the final analysis of the data.

Since 1960, in Sweden, the two have conducted studies of air pollution, including the personal pollution of smoking. Their material came from 7,801 pairs of twins from the more than 10,000 twin pairs born between 1886 and 1926 and listed at the Swedish Twin Registry. Their results verified earlier data that smokers suffer more from respiratory complaints than non-smokers. However, earlier findings that smokers more frequently had heart trouble in the form of angina pectoris could not be verified in the Swedish twin study.

Drs. Friberg and Cederlof believe that the different results probably stem from better comparability within the groups of smokers and non-smokers in the twin study. "Data up to now from the Swedish twin study shows that smoking is not directly connected with angina pectoris"; however, these are questions that will be studied further in the United States material."

Sweden, incidentally, is one of the few countries in the world where it is possible to keep track of individuals throughout their lives. In addition to registers of births and deaths, each parish office in the nation maintains migration registers of persons moving from place to place.

Dr. Friberg is Chief of the Department of General Hygiene in the National Institute of Public Health of Sweden and Chief of the Institute of Hygiene in the Karolinska Institute. Dr. Cederlof is an Associate Professor at the National Institute of Public Health.

[From Advertising Age, Dec. 13, 1965]

Surgeon General's Report Is Inconclusive on Cigarette-Cancer Link, Statistician Says

CHICAGO, December 7.—A University of Chicago professor of statistics, writing in the *Journal of the American Statistical Assn.*, has done some probing into the Surgeon General's report on smoking and health—and found it wanting.

Prof. K. A. Brownlee, in a lengthy, "invited review" of the report of the advisory committee to the Surgeon General, concludes that "the committee has not established the case for causality in lung cancer."

Prof. Brownlee adds, however, that his opinion that the report has failed to offer satisfactory proof of the hypothesis of causality "does not imply that I believe that the causality hypothesis has been proved false. It implies nothing more than that I believe that it is not possible to reach definitive conclusions at this time."

Prof. Brownlee notes that the committee's report states that "recommendations for actions were not to be part of the Phase I committee's responsibility." Yet, the professor says, "the committee did conclude that 'appropriate remedial action' was warranted. I take this as an excuse to append some personal reflections."

"Passing over the question of whether any governmental action is warranted," Prof. Brownlee asserts, "each individual cigaret smoker has to decide whether to make the effort to give up cigaret smoking. To make this decision, he would need to know (a) the change in his expectation of life assuming that lung cancer alone is causally connected with cigaret smoking, and (b) the change in his expectation of life assuming that virtually causes of death are causally connected with cigaret smoking.

"The report does not appear to provide these figures (searching in the report for any particular topic is sometimes difficult as the report has no index), which is rather surprising in view of the fact that an assessment of the magnitude of the health hazard was one of the committee's prime responsibilities."

Prof. Brownlee observes that a "key factor" in whether one accepts the committee's final conclusion is the interpretation of the report's Table 26. This table shows the mortality ratios, individually by separate study and also jointly, for 25 causes of death, ordered from cancer of lung, with a total mortality ratio of 10.8, to cancer of the intestines (0.9).

"In my opinion," Prof. Brownlee declares, "Table 26 raises difficulties which the report totally fails to face up to. If one believes that the observed association between smoking and lung cancer is substantially real, and not an artifact of biased sampling, then one would seem required also to accept the observed association between smoking and almost all causes of death as substantially real.

"If one believes that the observed association between cigaret smoking and virtually all causes of death is substantially real, then one must take one of the following positions: (a) All the associations are due to causation; (b) some of the associations are due to causation and others to correlations, concealed or otherwise; (c) all of the associations are due to correlations, concealed or otherwise.

"If one adopts position (a), then one is under some obligation to provide hypotheses as to possible mechanisms, or to hold out hope that future research will provide these hypotheses. The difficulty with the smoking hypothesis," Prof. Brownlee states, "is that it has not really got to first base on even lung cancer, let alone the other 24 causes of death, even though the matter has been under intensive investigation for 10 years or more."

Prof. Brownlee notes that the fact that cigaret smoking as a cause of cancer appears to be in conformity with the data "does not rule out the possibility that there are other hypotheses also in conformity with the data."

He notes that the main alternative to the smoking-causes-cancer hypothesis is the "genetic hypothesis." "It seems to me that an enormous number of traits are transmitted genetically, from color of skin and tendency to diabetes and tendency to baldness," Prof. Brownlee states, "and it is completely plausible that the tendency to be a cigaret smoker in varying degrees, a pipe or cigar smoker and so on, can be carried by the genetic code."

Prof. Brownlee contends that the committee's conclusion that cigarets cause cancer can only be justified by proving the genetic hypothesis to be false, "and this the committee has failed to do.

"Even if there was no competing hypothesis, the case for causality is, at the present time, significantly weakened by the gross nonspecificity of the association and by the absence of hypothetical physical-chemical mechanisms."

[From Arch Environ Health, vol. 12, May 1966]

The Influence of Cigarette Smoke on Lung Clearance: An Experimental Approach

(By Charles W. LaBelle, Ph. D.[*]; Dorothea M. Bevilacqua, M.A.; and Heinrich Brieger, M.D., Philadelphia)

(Figures referred to in text not included in RECORD)

The removal of inhaled solid particles from the lungs is contingent on the clearance of the upper respiratory tract and of the alveolar spaces. So far, the study of the effect of cigarette smoke on clearance has centered on the upper respiratory tract, specifically on ciliary activity. "Smoking and Health. Report of the Advisory Committee to the Surgeon General of the Public Health Service,"[1] states:

"An important line of investigation was opened up by the report by Hilding that cigarette smoke is capable of inhibiting the transport activity of ciliated cells such as found in the respiratory tract. It has been suggested that failure of ciliary function to provide a constantly moving stream of mucus enables environmental carcinogens to reach the epithelial cells."

Hilding's[2] findings have been confirmed and augmented by many other authors, and Kensler and Battista[3] have, in the words of the Report (p. 61), "established that components of the gas phase are responsible for inhibition of ciliary transport activity." The inhibitory effect on lung clearance, however, has not been convincingly demonstrated by direct investigation of this process. The experimental findings presented in this paper were designed to *measure* the influence of cigarette smoke on pulmonary clearance rates and on the functioning of some of the mechanisms involved.

Solid radioactive particles were deposited in the lungs of rabbits and rats by intratracheal injection. Such particles are cleared either rapidly, with a half-life of hours, or slowly, with a half-life measured in weeks or months.[4, 5] Particles of both types were used; one of them (radioactive silver iodide with a mean diameter of 2_μ to 3_μ) is eliminated rapidly, and the other (radioactive colloidal gold with 80% of the particles between 4mμ and 8mμ) is removed slowly.

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[*] Dr. LaBelle died on Nov. 3, 1963.

[1] Smoking and Health, Report of the Advisory Committee to the Surgeon General of the Public Health Service. US Department of Health, Education, and Welfare, Public Health Service, Public Health Service Publication No. 1103, p. 61.

[2] Hilding, A.C.: On Cigarette Smoking, Bronchial Carcinoma, and Ciliary Action: Experimental Study on the Filtering Action of Cow's Lungs, the Deposition of Tar in the Bronchial Tree and Removal by Ciliary Action, *New Eng J Med* 254:1155–1160, 1956.

[3] Kensler, C.J., and Battista, S.P.: Components of Cigarette Smoke With Ciliary-Depressant Activity, *New Eng J Med* 269: 1161–1166, 1963.

[4] LaBelle, C.W., and Brieger, H.: Basic Physiologic Mechanisms in the Pulmonary Response to Inhaled Particulates, Proceedings 13th International Congress on Occupational Health, New York, pp 730–735, 1960.

[5] LaBelle, C.W., and Brieger, H.: Patterns and Mechanisms in the Elimination of Dust From the Lung, in Davies, C.N. (ed.): *Inhaled Particles and Vapours*, Oxford: Pergamon Press, 1961, pp 356–368.

In this study, an improved version of a scanning device developed by Friberg and Holma[6] was used. The modified instrument differs from the original in that it is a dual unit that permits simultaneous scanning of an experimental and of a control animal (Fig. 1). As the collimator passes over successive organs, the synchronous recorder draws a series of peaks whose areas are proportional to the amount of radioactivity in the corresponding organs of the animal (Fig. 2).

The Surgeon General's Report (p. 189) states correctly that "No animal experiments have thus far been devised to duplicate precisely the act of smoking as it is practiced by man." Smoking machines have been used, however, by several experimenters[3] [7-10]; Kensler and Battista[3] and Dalhamn[7] have reported inhibitions of ciliary function. The smoking machine consists of a diaphragm pump operated through link-work by a solenoid; the solenoid is operated at reduced voltage and is fitted with an oil dash-pot which further slows down its action. It is tripped automatically by a clock-driven switch which can be set for one, two, or three puffs per minute as desired. When the solenoid is tripped, the rubber diaphragm is pulled down, drawing a puff of smoke out of the burning cigarette through the intake side of a Douglass valve; when the solenoid is released, the smoke is expelled through the exhaust side of the Douglass valve. The negative pressure applied to the cigarette rises rapidly to a maximum in about 0.7 seconds, which is the time taken by the solenoid to complete its travel against the resistance of the oil dash-pot; air continues to be drawn through the cigarette at a decreasing rate during the next 2–3 seconds as the rubber diaphragm and the air in the pump, both of which are elastic, gradually expand to equilibrium, at which time the solenoid is released and expels the smoke, in about 0.7 seconds, out of the exhaust side of the valve. Operated in this way, the action on the glowing coal of the cigarette closely approximates that seen in convention smoking. This machine was installed so as to deliver the puffs directly into the air stream flowing through an enclosure around the head of the test animal or through a small exposure chamber.

The action of the machine was tested on both filter cigarettes and nonfilter cigarettes, and the particulate matter contained in the puffs ("tar") was compared with that in puffs produced by human smokers. A reservoir was connected to a conventional sequential tape sampler as used in air pollution studies so that the smoke from a puff could be introduced into the reservoir and subsequently drawn through the tape for analysis. Five cigarettes were smoked through the machine and the individual puffs collected on tape, and, in addition, five cigarettes were smoked by each of two persons in the laboratory, each puff being blown into the reservoir without being inhaled. The weight of particulate matter in each of the puff samples collected was determined from the calibrations of the sampler, and the concentration of particulate matter in the actual puff was obtained by dividing this weight by the estimate of puff volume (wet test meter for the machine and gas burette for the human beings).

Figure 3 shows the concentrations measured in successive puffs by the machine compared with those measured in the puffs generated by the two human subjects (CWL and DMB). The machine delivered puffs of smoke that were good replicates of those generated in natural smoking cycles. The only difference between the puffs generated by a smoker and the puffs generated by the machine is that the machine puffs tend to get richer as the cigarette burns shorter.

By means of the smoking machine, a composite sample of particulate matter was collected from a large number of nonfilter and filter cigarettes. After thorough blending, a portion of this sample was weighed out and dissolved in a known volume of alcohol. The spectral absorption for this solution is plotted in Fig. 4. As expected, the strongest absorption occurs at the violet end of the spectrum, and a wave length of 400 mu was therefore adopted as standard for all subsequent measurements. Dilutions of the original solution were made containing 0, 5, 10, 15, 20, and 30 mg of particulate matter per milliliter, and the optical densities of each dilution were measured in the spectrophotometer; the results are plotted in Fig 5. To calibrate the spectrophotometer in terms of cigarette smoke the smoking machine was set up to deliver smoke into the intake of the sampler. By varying the sampling time, a series of sample spots was prepared whose transmission as read on the photoelectric meter varied from 100% (clean paper) to 31%. The latter is about the largest amount of particulate matter which can be deposited without blocking the air flow.

Each of the 25 sample spots in the series was cut out of the tape and extracted with boiling alcohol, filtered, and made up to 25 ml. These extracts were then read in the spectrophotometer, and the weight of particulate matter present in each spot was determined. In Fig 6 the actual data giving the relationship between weight and percentage transmission are presented. This relationship is reasonably linear when log-log coordinates are used. Two additional calibration curves were derived: one giving the absolute weight of particulate matter in the sample as a function of the percentage transmission of the spot (Fig 7) was used to estimate the weight in individual puffs, and the other to show the concentration in the atmosphere, using a standard sampling time of 30 minutes at the fixed rate of 0.246 cu ft/minute (Fig 8).

CONCENTRATIONS DURING TEST EXPOSURES

The literature dealing with the effects of smoking cigarettes tends to specify smoking rates in terms of the average number of cigarettes smoked per day. In the present experiments, the actual mean concentration of smoke to which a heavy smoker (two to three packs per day) exposes himself in the course of the smoking cycle was estimated, and the test animals were exposed to concentrations that can be related to the human experience. This was accomplished in the following manner: The animal to be exposed to smoke was set up on the scanner in the usual manner, and, as mentioned before, a plastic enclosure similar to an oxygen tent was arranged over its head. The volume of this enclosure was made equal to the mid-volume of the human lung (2.23 liters), and the smoking machine was installed next to the enclosure so as to deliver its puff (36 ml of smoke containing $806 \mu g$ of particulate matter, from Table 1) directly into the enclosure. The peak concentration produced in the enclosure would thus be $806/2.23 = 360 \mu g$/liter. Meanwhile, a continuous stream of air was allowed to flow through the enclosure at a rate equal to the human minute-volume of 7 liters per minute; this air stream lowered the peak concentration by a small amount (to about $340 \mu g$/liter instead of $360 \mu g$/liter) and then washed the smoke out of the enclosure in an exponential manner.

In the fluid and phagocyte studies, the average concentration was monitored by means of the tape sampler. Table 2 records the 30-minute average concentrations measured during the acute smoke-exposures of rabbits and rats, respectively. The concentrations corresponding to smoking rates of 3.0 and 3.9 cigarettes per hour, respectively, are in good agreement with our logged consumption of about four cigarettes per hour of operation.

LUNG CLEARANCE—LaBELLE ET AL

TABLE 1.—CHARACTERISTICS OF CIGARETTE SMOKE WEIGHTS AND CONCENTRATIONS IN INDIVIDUAL PUFFS (FILTER CIGARETTES)

WEIGHT OF TAR (MICROGRAMS)

Puff No.	CWL	Machine	DMB
1	709	672	732
2	828	872	684
3	839	928	759
4	900	944	639
5	850	880	594
6	745	920	624
7	875	960	681
8	749	1,012	702

CONCENTRATION OF TAR (MICROGRAMS PER MILLILITER)[1]

Puff No.	CWL	Machine	DMB
1	19.7	16.8	24.4
2	23.0	21.8	22.8
3	23.3	23.2	25.3
4	25.0	23.6	21.3
5	23.6	22.0	19.8
6	20.7	23.0	20.8
7	24.3	24.0	22.7
8	20.8	25.3	23.4

[1] Based on the following average puff volumes; CWL, 36 ml.; machine, 40 ml.; DMB, 30 ml.

TABLE 2.—CONCENTRATIONS FROM TAPE SAMPLER DURING ACUTE CLEARANCE MEASUREMENTS

RABBITS

12.5	10.2	15.3	17.3	14.1
12.5	11.2	33.0	15.3	15.2
10.8	18.2	30.7	11.3	12.6
10.8	22.0	25.0	24.0	15.2
7.2	17.4	22.1	17.2	10.8
8.1	18.2	25.0	19.6	15.2
7.2	17.4	26.7	15.2	22.0
Mean				16.79
Standard deviation				6.25
Corresponding cigarettes/hour				3.0

RATS

11.8	30.6	20.7	11.8	14.4
15.2	28.4	25.0	9.4	10.3
16.3	28.4	28.4	18.3	21.6
33.0	20.7	28.4	25.0	19.7
23.3	25.0	28.4	22.1	9.2
33.0	28.4	15.2	20.7	21.6
26.3	28.4	11.3	22.1	25.0
29.9	27.2	21.1	26.4	18.7
22.2	16.3	9.4	28.4	15.2
Mean				21.13
Standard deviation				6.97
Corresponding cigarettes/hour				3.9

The subchronic exposures were carried out in a third unit in which rats and rabbits could be exposed simultaneously; in this case, control of the puff cycle was sacrificed in favor of an increase in concentration. The smoking machine was adjusted for a rate of three puffs per minute corresponding to a peak-to-average ratio in the chamber no greater than about five. Concentrations were monitored by means of the tape sampler; the results are shown in Table 3. For convenience, the animals were divided into two groups which were exposed separately; in both cases, the mean concentration approached the maximum that can be achieved (42_{μ}g/liter) by chain-smoking cigarettes. The day-to-day concentrations are shown in Fig. 9.

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[6] Friberg, L., and Holma, B.: Extern mätning av lungclearance med en radioaktiv guldaerosol, *Nord Hyg T* 43:13–20, 1962.

[7] Dalhamn, T.: Studies on Tracheal Ciliary Activity: Special Reference to the Effect of Cigarette Smoke in Living Animals, *Amer Rev Resp Dis* 89–870–877, 1964.

[8] Lorenz, E., et al: The Effects of Breathing Tobacco Smoke on Strain A Mice, *Cancer Res* 3:123, 1943.

[9] Essenberg, J.M.: Cigarette Smoke and the Incidence of Primary Neoplasm of the Lung in the Albino Mouse, *Science* 116:561–562, 1952.

[10] Leuchtenberger, C., et al: A Correlated Histological, Cytochemical, and Cytological Study of the Tracheobronchial Tree and Lungs of Mice Exposed to Cigarette Smoke: I. Bronchitis With Atypical Epithelial Changes in Mice Exposed to Cigarette Smoke, *Cancer* 11:490–506, 1958.

TABLE 3.—CONCENTRATIONS FROM TAPE SAMPLER DURING SUBCHRONIC EXPOSURES OF RATS AND RABBITS

1ST-GROUP EXPOSURE

Day of exposure	Calendar day	Number of samples	Mean concentration
1	1	9	26.4
2	2	10	52.4
3	3	10	26.8
4	4	11	48.9
5	5	10	34.7
	6	0	0
	7	0	0
6	8	10	46.6
7	9	8	21.3
8	10	8	24.1
9	11	10	26.5
10	12	10	39.4
	13	0	0
	14	0	0
11	15	10	47.3
12	16	9	42.4
13	17	10	37.2
14	18	8	22.7
15	19	9	29.4
Mean			[1] 35.0
Standard deviation			[1] 10.2
Corresponding cigarettes/hour			6.2

2D-GROUP EXPOSURE

Mean	[1] 31.7
Standard deviation	[1] 9.6
Corresponding cigarettes/hour	5.6

[1] Micrograms per liter.

RESULTS

Pulmonary Clearance.—The acute effect of cigarette smoke on the clearance of the silver iodide particles from the lung was tested by exposure of the experimental animals for an average of ten hours, starting at the time of administration of the test particles. The control animals received an identical injection of approximately 100_{μ}c of silver iodide particles but breathed laboratory air. Both filter and nonfilter cigarettes were used. Figure 10 shows the results obtained with the smoke of filter cigarettes. There was no demonstrable difference between the clearance of the particles from the lungs of rabbits exposed to the smoke of filter cigarettes and the clearance of particles from the lungs of control animals. A similar clearance pattern results from the exposure to the smoke of nonfilter cigarettes. No significant difference could be detected in the amounts of material retained in the lungs of the experimental and the control animals during 17 to 30 hours of exposure.

The same procedure was used in the experiments with 100μc of colloidal gold. Since larger amounts of particulate matter were noted in puffs drawn from nonfilter cigarettes, only smoke from nonfilter cigarettes was used. When, because of the slowness of clearance, the time of testing was extended from 30 hours to 300 hours, the clearance patterns for exposed and control animals were very similar, with a half-life of 130 to 140 hours in both instances (Fig 11).

Upon completion of the acute clearance studies, the effect of extended exposure to cigarette smoke was investigated. Pairs of female albino rabbits of approximately 2 kg in weight were housed and cared for under identical conditions. One rabbit of a pair was exposed for three weeks (five hours a day, five days a week, for a total of 75 hours) to the smoke from nonfilter cigarettes, while the corresponding control animal breathed laboratory air. The exposure took place in a special chamber designed to give the animals the same exposure on each of the 15 days as the previous group had received in one day. At the end of the three-week exposure period, exposed and control animals were injected with approximately 100μc of colloidal gold particles. A total of ten animals was tested. Figure 12 presents the results of this experiment. There are no consistent differences between the exposed animals and the controls with respect to either slope of clearance curve or half-life.

MECHANISMS OF CLEARANCE

Fluid Retention and Edema.—Under normal conditions, fluid normally generated in the lungs is continually eliminated. Abnormalities in the process of clearance, however, may cause an accumulation of this fluid; minimal pulmonary edema is supposed to result from exposure to cigarette smoke. In order to study such an effect, rats were placed in a small chamber and exposed to smoke concentrations comparable to those applied in the clearance studies.

Acute exposures to the smoke of both filter and nonfilter cigarettes and subchronic exposures to the smoke of nonfilter cigarettes yielded approximately the same lung-weight to body-weight ratios as the controls. The mean ratios were 0.61 for controls, 0.61 for filter cigarettes, and 0.63 for nonfilter cigarettes in acute exposure. In subchronic exposure, the mean ratios were 0.60 for controls and 0.61 for nonfilter cigarettes.

Phagocytosis.—LaBelle and Brieger[11] have discussed in detail the role of phagocytosis in early pulmonary clearance and have published a method of estimating the number of free phagocytic cells in the lungs of rats. It was shown that increase of the initial lung burden by inhalation of carbon particles significantly increases the number of phagocytes in the lungs, and thus clearance. In these experiments, too, all carbon-treated rats differed from control rats in a highly significant manner. Among the groups exposed to carbon, there was no significant difference between the effect of carbon alone and that of carbon and the smoke of filter cigarettes. The increase of phagocytes produced by carbon and the smoke of nonfilter cigarettes is significantly greater than that produced by carbon alone and that by carbon plus the smoke of filter cigarettes (at the 0.01 level). Thus, these experiments did not yield any indication that the phagoctic reaction stimulated by carbon is diminished by exposure to the smoke of filter cigarettes; exposure to the smoke of nonfilter cigarettes resulted in a significant increase of phagocytes (Table 4).

TABLE 4.—PHAGOCYTE COUNTS IN RATS EXPOSED TO CARBON AND CIGARETTE SMOKE[1]

Group	Geometric mean (million cells per cubic millimeter)	Number of rats
Control	1.9	20
Carbon	72.1	40
Carbon plus smoke of filter cigarettes	67.6	30
Carbon plus smoke of nonfilter cigarettes	109.2	30

[1] "Average" standard deviation within groups equals 49 percent of the geometric mean.

All comparisons were made according to Duncan's method as modified by Harter (Harter, H.L.: Critical Values for Duncan's New Multiple Range Test, Biometrics, 16: 671–685 1960).

COMMENTS AND CONCLUSIONS

Human beings smoke intermittently. Hence, animal experiments in which steady-state concentrations are used have been abandoned in favor of experiments with intermittent exposure. Dalhamn et al[12] have developed a procedure that synchronizes the action of a smoking machine with the respiratory cycle of an anesthetized rabbit whose respiratory pattern is generated in an iron lung. In the experiments reported herein, exposure of unanesthetized rabbits was preferred, although some of the accuracy of concentration control had to be sacrificed.

None of the tests reported in the preceding parts of this paper shows interference with the process of pulmonary clearance by the inhalation of cigarette smoke. These results are at variance with the current literature on the subject, but it must be kept in mind that the tendency has been to demonstrate a reduction in ciliary function and only to infer from this that a corresponding reduction in pulmonary clearance takes place. It is true that filtering in the nasal passages was not prevented in the experiments herein described. The significant increase of phagocytes following exposure to the smoke of nonfilter cigarettes indicates, however, that pulmonary imposition of particulate matter took place.

Since the acceptance for publication of this paper, the findings reported herein have been confirmed by Blair and Dilley[13] and supported by the clearance studies of Albert et al.[14]

SUMMARY

Unanesthetized rabbits were exposed intermittently to concentrations of cigarette smoke in such a way as to approximate the pattern of smoking by human beings. The effect of the smoke of filter and nonfilter cigarettes was examined on an acute and a subchronic exposure schedule. Two different radioactive test particulates were used in order to assay rapid and delayed pulmonary clearance following the imposition of insoluble particles. In none of the experiments did interference with pulmonary clearance occur.

Fluid retention and phagocytosis were studied in additional experiments on rats. The lung-weight to body-weight ratios were the same in the experimental and in the control animals. The carbon-induced stimulation of phagocytosis was not mitigated by the inhalation of cigarette smoke; it was actually increased by exposure to the smoke of nonfilter cigarettes.

(This work was supported by a grant from the Tobacco Industry Research Committee (now the Council for Tobacco Research—USA).)

[From the Bulletin, Los Angeles County Medical Association, June 15, 1967]

THE FALLACY OF "ETIOLOGIC" FACTORS—DISTRIBUTION OF MORTALITY FROM LUNG CANCER IN THE COUNTY OF LOS ANGELES

Concerning cancer, most physicians subscribe to the belief that the word is a generic designation for a highly complex, extraordinarily disparate array of disorders of growth, nearly all of which are potentially lethal. There is a comparable consensus on the failure of research and of clinical investigation to identify definitive or proximate factors of causation for most forms of human cancer. Of associated background or "predisposing" items there is a plethora, but none is determinative; cancer arises often in their absence, more often than not is absent in their presence.

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[11] LaBelle, C.W., and Brieger, H.: The Fate of Inhaled Particles in the Early Post-Exposure Period: II. The Role of Pulmonary Phagocytes, *Arch Environ Health* 1:423–427, 1960.

[12] Dalhamn, T., et al: A Machine for Introducing a Regulated Amount of Tobacco Smoke Into an Animal, *Int J Air Water Polut* 7:511–515, 1963.

[13] Bair, W.J., and Dilley, J.V.: Pulmonary Clearance of $^{59}Fe_2O_3$ and $^{51}Cr_2O_3$ in Rats and Dogs Exposed to Cigarette Smoke. Proceedings Second International Symposium on Inhaled Particles and Vapours, Cambridge, 1965, to be published.

[14] Albert, R.E., et al: The Clearance of Radioactive Particles From the Human Lung. Proceedings Second International Symposium on Inhaled Particles and Vapours, Cambridge, 1965, to be published.

A notable exception to the rule of medical skepticism on the etiologic influence of *associated, environmental factors* has developed in the instance of lung cancer. Exposure of the bronchial tree to either, or both of 2 sources of air pollution are regarded widely as causative of carcinoma of the lung:

The self-generated products of the combustion of cigarettes (though not other forms of tobacco smoking);

Air pollution over densely populated areas, especially by emissions from the combustion of hydrocarbons.

In our view, the relationship of both of these to lung cancer is entirely *associative rather than causative,* by all of the evidence with which we are familiar. The general statement cited earlier applies: lung cancer develops in only a small minority of those exposed to either or both pollutants; cancer of the lung does appear in those unexposed to either influence.

The thesis of a tobaccogenic causation has been more fervently and persistently pursued. Those unemployed victims of the conquest of infectious diseases, the epidemiologists, have applied to the biologic enigma of cancer the same techniques which had served them well in the identification of diseases of microbial or viral causation. Many of them seem entirely innocent of any knowledge of the variability in natural history of different types of cancer, even in the same organ-site. It seems self-evident that a calculating machine fed with epidemiologic data is an unlikely tool for the discovery of cancer's cause. And in time, samples of human populations may demonstrate to its exponents the frustration of the attempt to apply Koch's postulates to neoplastic growth.

We had long been curious over the pattern of incidence of lung cancer (L.C.) in this County, with some fragmentary information as a stimulus. For example:

The incidence of L.C. in *Mexican-American women* is as great as in the rate for all males in LA. Yet available information indicates a very low rate of cigarette smoking in women of Mexican origin of the age at which L.C. has occurred;

Our Pueblo seems to have been the birthplace of the inversionary atmospheric setting producing the eye-smarting pall for which the locally coined neologism is *"smog,"* Chemical substances identified in smog are "carcinogenic"—to small animals, and pulmonary neoplasms have been produced in an atmosphere of ozonized gasoline.

As in many other communities, a steep rise in L.C. seems to have occurred since 1930, as gauged, for example, by autopsy data at the Los Angeles County Hospital. In the recent 3 or 4 years, *the number of deaths has leveled off to a plateau.*

In various areas of the County are contrasts of *socioeconomic, ethnic* and *climatic* factors. In several studies, there has been an inverse correlation between economic status and L.C.—the lower the income, the greater the incidence of L.C. (with less cigarette-smoking).

Hence our great interest in the availability, for the first time, *of mortality data for all 27 Districts of the Los Angeles County Health Department, for the year 1964,* categorized by the International Code of causes of death. Through the courtesy of Gerald A. Heidbreder, MD, Los Angeles County Health Officer, and the helpful contribution of effort by J. B. Swayne, the Department's statistician, we were provided with the mortality data for "trachea, bronchus and lung," or categories 162 and 163. Available also was the population of each District, and the deaths from L.C. in both sexes for every District.

The Health Department divides the County into 27 geographic areas, each with a population of significant size. Smallest population is 107,700 (Southeast LA), and the largest 483,100 (West Valley LA, the western porton of the Valley made famous by Crooner Crosby). The estimated population of the entire County as of July 1, 1964 was 6,743,000; total deaths from L.C. were 1,640, for an *overall Mortality Rate (M.R.) per 100,000 of 24.32.* Our first effort was to determine the M.R. for each of the 27 Districts completely tabulated on Page 36. It was apparent on a first survey of these rates that a majority of the Districts would approach the M.R. of the whole County. Equally apparent were several wide departures from this "median" area. Arbitrarily, we adopted a range of 5 points on either side of the all-County M.R. as a "median" area, or M.R. 20–30. As seen in the Figure on Page 1, 15 Districts fell within this "median range." Our immediate interest concerned the Districts *not within* the middle area of lung cancer mortality.

There were 7 Districts in which lung cancer M.R. was lower than for the dominant, "median" group; these were East LA, El Monte, Pomona, Torrance, LA West Valley, Bellflower and, lowest of all, South LA, which includes the Watts area, with an M.R. of but 14.09, more than 10 points lower than the all-County figure.

Four Districts experienced a greater M.R. from L.C. in 1964 than did the middle group of Districts. Two Districts sitting on the ocean's edge, Santa Monica and Long Beach, had M.R.'s of 31.05 and 33.60. The dubious distinction of the greatest lethality from the disease was reserved for the Hollywood-Wilshire District (M.R. 39.75), and the contiguous District on the East, Central LA with a Mortality Rate of 53.36 per 100,000, a level more than twice that of the all-County figure.

Our dominant reaction to these data is a deepening of our prior skepticism of the allegedly contributory, or even "causative" factors. A comparison of these M.R. against long-cherished notions might start with East LA, where the greatest concentration of Mexican-Americans live, often under unfavorable conditions, but their M.R. is only 15.5 and in a tie with the Bellflower (dairy country) District for the second lowest impact of L.C. An even greater denial of the claimed importance of an unfavorable socioeconomic milieu is provided by the "low score" District where L.C. is to be least feared in LA County—the South District which includes Watts. Another pair of low-score Districts are contrasts: Pomona, which is yet laden with citrus groves and the scent of orange blossoms, and is lightly industrialized; and, Torrance, the site of steel mills and an especially heavy concentration of oil wells and refining facilities.

Our confusion is still more obfuscatory when we consider the *highly variable male: female ratio.* In the USA in general the ratio has steadily grown larger as men die of L.C. in an ever greater relative frequency. Thus, in NY Upstate since 1930, the ratio has increased from about 2:1 to 7:1, M:F. An even wider range was present in LA County in 1964 than NY had observed in 3½ decades. The City of the Rose Parade comes nearest to an equality of men and women in deaths from L.C., with a ratio of 2.27, and only 2 others are close, the Pomona & San Fernando Districts, both less than 3.0. At the opposite extreme, East LA (again, the residence of many women of Mexican origin) shows one of the highest preferential rates (7.33) for men, although topped by Torrance with 9.16. This area of widest disparity in M:F rates includes 2 other Districts—Inglewood and Harbor, with 7.50 and 7.60. Again there is a dominant group clustered around the "median" area of the all-County figure; 14 Districts have a male-female ratio of L.C. between 3 and 5. It is obvious that there is little or no correlation of relative incidence by sex with Mortality Rates; the highest M.R. in LA in the Central District is concomitant with a M:F ratio close to the all-County figure, or 5.17.

We admit readily the possibility that observers more astute than we may discern in these data some refulgent lead to a better understanding of the background of lung cancer. For ourself, we are obliged to conclude that these comparative data on large samples of population provide neither support of some beliefs weakly held, or illumination of any new facets.

In this County neither mortality rates, nor the relative frequency in males and females, show any evident association with racial, socioeconomic, (probably) occupational, climatic or atmospheric factors, or exposure to the self-generated but exogenous influence of the smoking of cigarettes.

DEATHS, RESIDENTS, COUNTY OF LOS ANGELES, LUNG CANCER, CALENDAR YEAR 1964

District	Population (estimated July 1, 1964)	Ratio, male/female	Lung cancer deaths			M.R.
			Male	Female	Total	
Entire county	6,743,000	4.36	1,334	306	1,640	24.32
Alhambra	263,306	5.45	60	11	71	22.00
East Los Angeles	160,500	7.33	22	3	25	15.52
El Monte	253,900	6.33	38	6	44	17.32
Glendale	267,700	4.15	54	13	67	25.09
Inglewood	307,800	7.50	60	8	68	22.08
Monrovia	254,800	4.30	47	10	57	22.35
Pomona	271,600	2.78	39	14	53	19.48
San Antonio	320,100	4.57	78	17	95	29.68
San Fernando	114,800	2.88	20	7	27	23.47
Santa Monica	218,600	3.53	53	15	68	31.05
Torrance	339,000	9.16	55	6	61	17.98
Whittier	260,700	4.16	25	6	31	23.37
Los Angeles:						
Central	208,000	5.17	93	18	111	53.36
East Valley	389,200	3.26	62	19	81	20.84
Harbor	121,300	7.66	23	3	26	21.48
Hollywood-Wilshire	327,100	3.64	102	28	130	39.75
Northeast	249,600	4.70	47	10	57	22.80
South	149,200	4.25	17	4	21	14.09
Southeast	107,700	6.50	26	4	30	27.77
Southwest	275,700	3.62	58	16	74	26.88
West	379,300	4.50	72	16	88	23.21
West Valley	483,100	3.94	71	18	89	18.42
Long Beach	366,500	4.35	100	23	123	33.60
Pasadena	122,400	2.27	25	11	36	29.50
Bellflower	271,300	3.20	32	10	42	15.50
Compton	259,800	4.20	42	10	52	20.00
District unallocated	(7)	----------	13	----------	13	----------

[From the Tobacco Institute, Inc., Washington, D.C.]

TOBACCO INSTITUTE REPLIES TO R. F. K. CHARGE OF INDUSTRY "INATTENTION TO RESPONSIBILITY"

In response to Senator Kennedy's charge that the tobacco industry has "demonstrated a total inattention to public responsibility," the Tobacco Institute today issued the following statement:

While the industry has grave doubts about the accuracy of some of the statements and allegations made by Senator Robert F. Kennedy in a speech today, he made one charge which demands immediate answer from the industry.

It is quite surprising that such an astute person as Senator Kennedy would make a charge that the tobacco industry has shown "inattention to public responsibility."

The tobacco industry has not only been attentive to the responsibility, but has invested its time, talent and funds in an effort to meet that responsibility.

It is even more surprising for Senator Kennedy to make such a statement in view of the fact that last Thursday morning, the attached letter was delivered to his office replying to his inquiries regarding advertising.

The letter contains the following paragraphs:

"Response to inquiries posed in your letter is being prepared, and this will be available at an early date.

"Chief executives of the above-named members of The Tobacco Institute consider the matters you discuss to be of such vital importance to the tobacco industry and to the public that they request the opportunity to present this material to you in person at a mutually convenient time and place, and to discuss it in some detail."

Other actions which the industry has taken which demonstrate its good faith and deep concern with the questions which have been raised about smoking and health include:

1. The industry has pledged $10 million—without strings—to the American Medical Association's Educational and Research Fund. In a recent news release on this smoking and health project, the AMA said:

"Much of the support for the research project was furnished by the tobacco industry itself, which pledged $10 million over a five-year period. Industry interest was in settling once and for all the question of whether smoking is or is not the cause of certain diseases. Furthermore the industry wanted to know if smoking was implicated in disease, was it due to some specific agent or agents in the tobacco which could be removed from the smoke."

2. The industry has granted more than $12 million for basic research on smoking and health through the Council for Tobacco Research—USA. Since the Council was formed in 1954, grants have been made to some 300 independent scientists working at more than 150 hospitals, universities and research institutions. To date, nearly 600 scientific papers reporting the research have been published by grant recipients. All of this money, too, is made available to the scientists totally without strings.

3. The voluntary Cigarette Advertising Code has made a major contribution in meeting the industry's responsibility in the area of advertising, charges by Senator Kennedy, notwithstanding. Cigarette advertising is not directed at young people, nor is it directed at persuading anyone to smoke. A careful reading of the Code text would have shown the Senator that the Code is making a useful contribution.

As early as 1963, the industry voluntarily ended promotion and advertising of cigarettes on college campuses.

4. The industry has cooperated with the Federal Trade Commission in the setting up of its laboratory to test the tar and nicotine content of cigarettes. The industry made available to the Commission the tremendous technological know-how of its scientists in order to help make sure that figures are as accurate as possible.

5. In the industry's private laboratories, much effort and funds have gone into the development of new and better filters for cigarettes. In fact, in addition to the more than $22 million made available to independent scientists, the industry has invested much more than an equivalent amount in its own research.

Senator Kennedy's remarks were made before a body of scientists from countries all over the world. He is perhaps unaware that comparable research—both independent and within companies—is being done by tobacco companies in many other nations.

The picture presented by these efforts is scarcely that of an industry which is "inattentive" to its responsibilities.

SEPTEMBER 6, 1967.

Hon. ROBERT F. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I have been asked by the following tobacco companies, members of The Tobacco Institute, to respond to your letter dated August 22, 1967:

Brown & Williamson Tobacco Corporation,
Liggett & Myers Tobacco Company,
Philip Morris Incorporated,
R. J. Reynolds Tobacco Company,
Larus & Brother Company, Inc., and
United States Tobacco Company.

Response to inquiries posed in your letter is being prepared, and this will be available at an early date.

Chief executives of the above-named members of The Tobacco Institute consider the matters you discuss to be of such vital importance to the tobacco industry and to the public that they request the opportunity to present this material to you in person at a mutually convenient time and place, and to discuss it in some detail.

Very truly yours,
EARLE C. CLEMENTS.

ADDRESS BY ADDISON Y. YEAMAN, VICE PRESIDENT AND GENERAL COUNSEL, BROWN & WILLIAMSON TOBACCO CORP., TO THE TOBACCO GROWERS INFORMATION COMMITTEE, ANNUAL MEETING, NOVEMBER 6, 1967, RALEIGH, N.C.

Mr. Chairman, members of the Tobacco Growers Information Committee, guests, and friends: I can think of no better opening than to quote the following statement from the distinguished Governor of this State:

"The American tobacco industry is in a state of uncertainty today because of unwarranted harassment and unnecessary confusion created by headline seekers using biased information."

That statement was made by Governor Dan Moore on October 5 in reply to remarks by U.S. Surgeon General William Stewart at a press conference in Raleigh on September 26.

Let me refresh your memory of the occasion prompting that press conference. Surgeon General Stewart was in Raleigh to accept a deed to a 500-acre tract in the Research Triangle Park as the site for a huge new National Environmental Health Center. I am sure that none of you overlooked the significance of the fact that Dr. Stewart was here as a guest of the State and that his benefactors were the taxpayers of North Carolina. And yet the highest ranking health officer of this country chose to ignore the basic meaning of the gift—that it was a magnificent gesture of the State's commitment to assist research into the basic questions involving tobacco and health.

Incredibly, Dr. Stewart seized on the occasion to launch a vicious attack on the tobacco industry. Here is what your official guest had to say:

"The tobacco industry was unconscionable in introducing the 100 millimeter cigarette—this increases the dose and increases the risk."

It is "no longer debatable," he says whether a connection exists between smoking and health. "The debate now is what we do about it." In other words, Dr. Stewart says the issue is closed—the Government has decided that the debate is over.

Then he said the cigarette companies "are not doing nearly enough" to get to the heart of the health problem. Not a word, you understand, did he utter to indicate that he is aware of the industry's grants of more than $20 million to find the medical facts through scientific research. Not only has he closed off debate but, in addition, has apparently closed his mind!

By virtue of executive appointment, Dr. Stewart is your Surgeon General and mine, and of all the American people. But I refuse to accept him as the *complete* and *final* authority on scientific truth about smoking and health. The reason is that he has obviously either lost the quality of objectivity or is misinterpreting the information available to him. In any case, Dr. Stewart would sound the death knell of the tobacco industry by edict, without respect for conclusive scientific proof—or lack of it. And he got headlines by making his intentions clear.

Now, listen again to Governor Moore's statement in reply to his illustrious guest:

"The American tobacco industry is in a state of uncertainty today because of unwarranted harassment and unnecessary confusion created by headline seekers using biased information."

Those words contain more truth than any I have heard in a long time, and I want to add to them the following expression from the same thoughtful and gracious man:

"I am pleased," Governor Moore said, "that the National Environmental Health Sciences Center to be built by the Public Health Service in the Research Triangle will scientifically and objectively study the smoking and health question. Perhaps then the Public Health Service will be able to furnish concrete evidence on the relationship between normal smoking and lung cancer if any such relationship does exist. Perhaps then the Public Health Service can find what element, if any, in tobacco is harmful."

"I am sure," Governor Moore continued, "the tobacco industry, which is spending millions of dollars in research every year, will appreciate the work of the Public Health Service in this area. All of us, of course, are vitally interested in the health and well-being of our citizens, and we most assuredly want to see eliminated any causes of environmental health problems."

Let Surgeon General Stewart please take note of those comments, because they are what one normally would have expected but did not get from the nation's chief medical officer!

The deplorable reality is that our unseeing Surgeon General is in the vanguard of a formidable coalition of government agencies, legislators, fund-raising organizations, propagandists, and do-gooders—all engaged in a crusade against tobacco.

You know some of their names: The Interagency Council on Smoking and Health, National Clearinghouse, Federal Trade Commission, Federal Communications Commission, National Cancer Institute, American Cancer Society, American Heart Association, Roswell Park Memorial Institute; and then the individuals: Foote, Horn, Terry, Stewart, Guthrie, Moore, Bock, Endicott, Moss and Foley.

Yes, this coalition is formidable, but it is *not* infallible or invulnerable. The various groups and individuals have their own peculiar ambitions for wanting to keep the anti-smoking crusade alive. Some have self-serving reasons for disregarding and even stifling the truth, for doing slight of hand manipulations with statistics, for brashly displaying arrogance of bureaucracy, for subjugating sound judgment to personal sentiment, and for weaving a tangled web of propaganda and deceit.

Lest I be accused of using the tactics of our opponents by making unfounded assertions, let me now substantiate what I have just said:

1. Truth. What is the truth? It is simply that no one—and I mean *no one*—knows whether cigarette smoking causes any human disease. All the statistics that can be amassed cannot prove a cause-and-effect relationship. Figures may prompt suspicion, but they are not proof. Our opponents would have the public believe just the reverse, and they have spoken loudly and written boldly with only assumptions, correlations, extrapolations, and crusading zeal in support of their position. They have chosen to cast aside opinions and data from scientific literature which does not agree with them. They are blind to all but their own position—they even disregard the testimony before the United States Congress of over 30 of this country's most eminent men of medicine and science who said they are unwilling to accept statistical evidence as scientific proof of a causal relationship between cigarette smoking and human disease.

2. Statistical Manipulations. Of all the examples of outright statistical nonsense, a recent Public Health Service report really captures the booby prize. Officially called "Cigarette Smoking and Health Characteristics," and more popularly known as the "Morbidity Study," it claims to show an association between smoking and a variety of chronic and acute illnesses. The fact is that it is based largely on self-diagnosis and second-hand information. It is devoid of ascertained medical facts and abounds with many obvious errors and misrepresentations. Purportedly containing information from 42,000 households, the report admits that 60% of the data on male smokers was obtained, not from the smokers themselves, but from other members of the family. Can you guess what wives, daughters, and mothers-in-law had to say about the old man's smoking habits and what was wrong with his health! And yet Surgeon General Stewart, in issuing the report, would have the public believe that it contained valid medical judgments in relating smoking to loss of work days.

But not all people were fooled. Syndicated columnist James J. Kilpatrick certainly was not taken in. He called the study a "fraud," and said the authors "have perpetrated a shabby piece of propaganda." He continued by pointing out that "the authors . . . in a moment of candor, confess the truth: their figures do not establish any cause-and-effect relationship between smoking and health." In conclusion, he scores the study for its "pick-and-choose technique," and cautions: "The figures are flimsy and the conclusions cannot rise above them . . . Relying upon these statistics may result in your being bamboozled."

The word "bamboozled" is a particularly apt description of what a host of studies, by means of anti-smoking propaganda, have done to the general public—and, even worse, to a large segment of the medical community. Statistics, through repetitious claims and ballyhoo, have now assumed the face of scientific fact.

For example, let me cite briefly how repetition has vastly inflated a totally unfounded claim. Emerson Foote, the advertising man who was the first Chairman of the Interagency Council, apparently originated the statement that each year 125,000 to 300,000 "excess deaths" are caused by smoking. Dr. Daniel Horn, now head of the National Clearinghouse, repeated the claim at the 1965 Congressional hearings, quoting Mr. Foote as *his* authority. Then the present head of the Interagency Council, former Surgeon General Terry, publicized the fallacious figures, and thereby caused them to be recited as fact in public speeches by Surgeon General Stewart, Senators Moss and Robert F. Kennedy, and others. In that incredible manner, repetition added another plank in the shaky statistical platform against smoking.

3. Arrogance of Bureaucracy. Using this statistical platform, the Federal anti-cigarette forces have mounted a crusade of staggering proportions. Where once reasoned action followed due deliberation, now we see evidences of an arrogance which goes far beyond reason and due process. "What began a few years ago as a seemingly well-intentioned, if disturbing, effort to brainwash the citizenry . . . has spiraled into a crusade as menacing and ugly as Prohibition." This statement was made October 2 in a front-page editorial of *Barron's*, one of the country's most respected business and financial weeklies.

The editorial is a courageous, forthright attack on the arrogance of bureaucracy. It is so pertinent to the true understanding of the Federal crusade that The Tobacco Institute has published a reprint of the full text in newspapers in the top 200 markets and in *Life*, *Look*, and *Saturday Evening Post*. There is indication that this effort has had a good impact.

I sincerely hope that the impact turns into a public awakening to the dangers of demagoguery and arbitrary government actions!

The editorial also says: ". . . the anti-smoking forces, putting their worst foot forward, lately have sought to escalate from persuasion to coercion." It points to the Federal Trade Commission's attempt "to foist its own uncompromising slogans on the industry" in calling for a strident health warning on cigarette packages and in advertising.

"Thus," *Barron's* continues, "Senator Robert Kennedy, who yields to no man in his hot pursuit of demagoguery, has introduced a bill that would tax cigarettes on the basis of their tar and nicotine content as measured by the FTC in a laboratory newly equipped with a federal smoking machine."

At this point, I believe it is illuminating to quote FTC Chairman Paul Rand Dixon on the tar and nicotine testing. It seems that not all the FTC Commissioners can agree on the butt length to which the machine is to smoke the test cigarettes. The majority wants a 23mm butt, but Chairman Dixon argues for a 30mm butt. He points out that "of the approximately 120 brands and types available on the market, only 49 can actually be smoked to 23mm." As a result, he says: "Obviously the majority's 23mm butt length test will give no meaningful comparative results . . ." In spite of this objection from its Chairman, the FTC went right ahead and adopted the 23mm butt length. Then came this sharp warning from Mr. Dixon: "Because the results to be reported by the Commission are going to vary in such detail, I think they will be misleading . . ."

Can you top that for inconsistent and unrealistic bureaucratic action!

Well, another Government agency—the Federal Communications Commission—struck it own blow on June 2, when it applied the Fairness Doctrine to cigarette advertising on radio and television. In response to a single complaint of a 28-year-old New York attorney to one television station about cigarette advertising, the FCC summarily ruled that a "significant time for the other viewpoint" would have to be given by all radio and television stations carrying cigarette commercials.

Strenuous objections were immediately voiced by the major networks and numerous individual stations. The news media carried editorial comments calling the ruling "unfair," a "ridculous dogmatic pronouncement," a "dangerous pecedent," "an absurdity in the extreme," etc.

But despite these outcries of protest, the FCC on September 8, 1967, unanimously denied requests from the broadcasters and the tobacco industry to reconsider the ruling of June 2. The agency went even further, by saying that stations carrying cigarette advertising are *"obligated* to provide information pointing out the hazards of cigarette smoking."

Unanimous though the denial was, it is extremely revealing to refer to the opinion of FCC Commissioner Lee Loevinger. He expressed doubts that the ruling "is procedurally and substantially consistent with controlling legal rules." In other words, he questioned the FCC's legal authority to make the ruling in the first place. "I am reluctant," he continued, "because of concern that this action may rerpesent a subjugation of judgment to sentiment." Which is to say, what the FCC wants the FCC gets, and to heck with the due process of law.

A Tangled Web. "Oh what a tangled web we weave, when first we practice to deceive." That is more than an aphorism; it is stark reality in the case of the anti-tobacco forces. The web of propaganda is becoming more dense and sticky. And who is footing the bill for this expensive crusade? In large measure, it is the American taxpayers. From tax revenues from individuals and corporations come the funds to finance agencies such as the Public Health Service, FTC, FCC, the National Clearinghouse, and the Interagency Council on Smoking and Health.

So, you can see, both power and money are against tobacco, and their uses are truly deplorable. Public Health Service officials have acknowledged that they feel a "responsibility for *shepherding* people" with regard to smoking. And Dr. Daniel Horn, who heads the National Clearinghouse, has said: "Smoking . . . give us a good opportunity to explore our ability *to influence behavior change."* Thus, to the attitude of "We know what's best for you, even if you don't" is added the desire to change behavior through thought control.

I say this whole thing has gone far enough! *Medical science has got to be brought back into the picture through basic research*. Unwarranted attacks on tobacco have got to cease. Self-serving bureaucracy must not be tolerated. The people deserve the truth, and must be given it.

I hope in this land of ours there remains a sizable group of independent scientists who aren't obligated to conform to government policy. I fervently trust that they will continue their search for truth and sound their convictions about the smoking and health controversy. I appeal to them not to let the Surgeon General or any one else close off the debate solely on the basis of guilt by statistical association.

I believe the American people are receptive to our side of the controversy. Let me assure you that we intend to speak out more in our defense, to give the public the true facts, not crusading propaganda. We refuse to sit by any longer and be the scapegoat for any group.

We are wholeheartedly and unstintingly committed to the search for truth.

We must and we will defend the tobacco industry against the mounting crusade of unwarranted harassment. The dedicated help of The Tobacco Growers Information Committee is a tremendous asset, for we must have a consolidation of strength to meet this menacing challenge to our integrity and future as an industry.

Thank you.

ADDRESS BY PAUL D. SMITH, VICE PRESIDENT, GENERAL COUNSEL, PHILIP MORRIS INC.

(Address delivered October 3, 1967, to the 18th annual convention of the Burley and Dark Leaf Tobacco Export Assn., at Lexington, Ky.)

Mr. Chairman, distinguished foreign guests and friends in the Burley and Dark Leaf Tobacco Export Association: I appreciate this opportunity to talk with you about the tobacco and health controversy.

To give you a clear idea of how important this issue is to all of us, I invite your attention to an event that occurred last week in North Carolina. Tuesday, Surgeon General William Stewart was the guest of honor at a ceremony during which he received the deed to a new research facility. During the news conference he was asked if the Public Health Service's crusade against smoking could mean the death knell for the tobacco industry in North Carolina. His reply made it very clear that he certainly hoped it would; and I am confident he hopes to abolish tobacco growing everywhere.

The governor of North Carolina was there as Surgeon General Stewart spoke but properly felt constrained, as Dr. Stewart's host, to remain silent. Let it be understood—I am not the Surgeon General's host and I do not feel in any way constrained by his absence from us tonight.

I also do not feel constrained by Dr. Stewart's statement that questions of smoking and health are "no longer debatable". His lack of objectivity is deplorable. More important—what right does even the nation's highest ranking health officer have to close off debate? None that I know of! Scientific truths are not determined by the Surgeon General's fiats.

I do not criticize those who, without evaluating the data, echo his views and support his actions. They are merely relying on the mistaken belief that the Surgeon General has dealt properly with and correctly interpreted the scientific information about tobacco. So, I want to make it quite clear that when I criticize the attackers of our industry, I am referring only to those people whose familiarity with the facts should have led them to more cautious, more temperate and more factual conclusions.

If we had any doubts in the past that the true goal of our enemies is to eliminate tobacco from the agricultural and manufacturing economy, the Stewart statement should dispel them. I could compare their threats to Mr. Khrushchev's bluster in the 1950's: "We will bury you." As you remember, the United States did not reply in the same vein; but we were alerted by that threat and we prepared ourselves. That is exactly what we in the tobacco industry must do.

Our enemies want to cast the battle in terms of good guys and bad guys—to claim a scientific dispute does not exist and that any delay in their crusade will cost human lives. Well—we're not the bad guys and they certainly are not behaving like good guys. We are just as concerned about health as they are. The difference is that we want to talk in terms of scientific proof and they don't.

The truth of the matter is this:

No one knows whether cigarette smoking causes any human disease or in any way impairs human health.

A host of factors, including cigarette smoking, are under suspicion.

The suspicion cast on cigarette smoking is based almost entirely upon statistical studies which allegedly show an association between cigarette smoking and certain diseases. Every one of these studies is subject to criticism on a purely statistical basis as well as on the basis of the inferences drawn from the statistics.

Even valid statistical assocations can only point the finger of suspicion—they can never prove cause and effect.

Cause and effect can only be proved by demonstrating the ingredient by which—and the mechanism by which—the cause leads to the effect.

In the case of the alleged harmful effects of cigarette smoking, tremendous research efforts have never been able to demonstrate either any ingredient or any mechanism needed to show that cigarettes cause any disease.

So we accept that, among other factors, cigarettes are under suspicion. But the case against cigarettes is not proved. And I do not mean that the case is just barely not proved. I mean that the evidence is so weak that, in any court of fair opinion, the case against cigarettes would clearly be found wanting.

This does not mean that I feel we should not do research to determine whether cigarettes are in any way harmful. It means just the opposite. It means that we should do that research to the fullest extent possible. It means that we should exert our utmost energies to that research rather than wasting our energies propagandizing against cigarettes and trying to prohibit cigarette smoking.

One of the great tragedies of our time is that the propaganda machinery of our enemies is brainwashing not only the public but also many, many dedicated scientists. The result is, that instead of searching for the true cause of, for example, lung cancer, many researchers are accepting without investigation the allegation that cigarettes are the cause. They therefore conclude that they need not devote their valuable time to research in the lung cancer field.

If these are the facts, you may say, why are they not known to those of our enemies who claim to have studied the subject? I submit that they are known to them and that in many cases forces other than dedication to truth and to science motivate their actions.

What do our enemies have at stake? Well, remember that the small group who generated this health controversy and are keeping it alive have risked their careers and reputations on the speculation that cigarette smoking will eventually be demonstrated to be a cause of much premature death and disability. Not to be deterred by such a *minor* obstacle as the failure of the scientific proof to arrive, they speak and act as if it had arrived.

A large empire has been built, mainly financed with Federal funds and devoted to eliminating cigarette smoking. This empire, governed and supported principally by the Federal health establishment, has proved to be a good vehicle for ambitious public health officials to obtain funds.

The budget of the Department of Health, Education & Welfare is second only to that of Defense. It supports nearly all of the medical research in this country as well as a good deal of research abroad. The orientation and approach to scientific problems on the part of the research community is strongly influenced by the attitudes and beliefs of those who control the distribution of these funds. Is it any wonder that many doctors and scientists who do not believe the smoking-disease theory are reluctant to speak up, and thereby risk the loss of financing for their research? Is it not likely that Universities and research institutions discourage their members from taking a stand unpopular with the source of most research grants given in this country?

As to the situation in the scientific area, I believe that the anti-tobacco forces now have a strong premonition that adequate scientific facts to convict cigarettes may not be forthcoming. Indeed, one of our most powerful enemies in HEW told me a few months ago that he thought the case against cigarettes could never be proved if it could not be proved by statistics.

My belief was reinforced when I attended a Senate Sub-committee hearing in Washington in August. One purpose of those hearings was to learn from the experts what conclusions they may have reached after more than a decade of research as to what component in cigarette smoke represents a hazard to human health. The remarkable result was that the experts were in almost total disagreement on their theories and none of them could say that any component as found in smoke had been established as a health hazard on the basis of valid scientific evidence. Neither "tar" nor nicotine nor the gas phase of smoke could be incriminated on the basis of this testimony.

I am sure you would have concluded—as did I—that in view of all the disagreement and conflicting ideas, the enemy should feel frustrated. Here were the perfect hearings for them to capitalize on—the witnesses were invited by the Government, not by the industry—scientists had years of research behind them and millions upon millions of dollars had been spent to convict the cigarette in the laboratory.

And what did the witnesses have to say? Well—Dr. George E. Moore of Roswell Park, a vocal public health official, said,

"We simply do not know just what specific agents are involved."

E. Cuyler Hammond of the American Cancer Society said, "I do not think at this time we have any conclusive evidence that the harmful effects as far as cancer in man is in the tar, or is in the nicotine." While Dr. Hammond *guessed* they might be, he said of his own statement: ". . . a guess is no evidence. Again research is required to find out."

And Surgeon General Stewart, in answer to a question on future research, replied: "I don't think there is any question that we need to pursue research on the content of the smoke and it is usually broken down into the gaseous and the solid parts.

"We have done some breakdown of the tar, we are not sure we have everything that is in the tar, we need further pursuit of these avenues. We need a better understanding of the gaseous phase, what happens in that. We are not sure we have everything in there. We need to do more research on what different components are added, when things are added to tobacco, different kinds of tobacco."

If you were a public health official who knew of such uncertainties—and if you also realized that the famous 1964 report on Smoking and Health had concluded that nicotine was probably not a health hazard—and if you also knew that not even animals have developed cancer when exposed to whole smoke—wouldn't you feel frustrated?

In their frustration our enemies are putting an ever-increasing load on their old standby, statistics, which, as I have indicated, is a mighty weak reed.

There are many kinds of statistics. An example of one is found in the United States Census. In order to know how many people there are in the United States, you count them. This is not the kind of statistics I am talking about.

The statistics I am talking about—and the statistics our enemies are relying on—are those used in arriving at statistical associations. For example, the condition of the stock market and the length of women's skirts have been shown to have a statistical association. So have the price of whiskey and salaries paid to ministers. All of these—and the mini-skirt is the latest example—are said to go up during prosperous times. They are associated with one another but, and this should never be forgotten, association does not mean that any one causes any of the others.

Those who use statistics as if they proved cause and effect ignore the statement that appeared in the 1964 Smoking and Health report: "Statistical methods cannot establish proof of a causal relationship in an association." Also ignored by those who only give lip service to this recognized rule is the admission in the recent Public Health Service Report on diseases associated with smoking—the one used by PHS officials when they talk about millions of work days lost—that statistical associations "cannot establish any existing relationship as a causal one."

So whenever you are told that smoking is associated with—or statistically associated with—certain diseases, rest assured that this doesn't prove smoking causes any of these diseases.

Sir Josiah Stamp, a famous statistician, was quoted last week in a letter to Time magazine as having said: "The Government are very keen on amassing statistics. They collect them, raise them to the nth power, take the cube root and prepare wonderful diagrams. But you must never forget that every one of these figures comes in the first instance from the village watchman who just puts down what he damn pleases."

Well, that is a pretty good description of how the PHS uses smoking statistics. They take a group, admittedly not representative of the population as a whole, and observe what happens to the smokers and nonsmokers. Then they raise the figures to the nth power and say that smoking is causing so many "excess deaths" in the population at large.

And, speaking of getting information from the village watchman, look at the recent PHS report which is claimed to show an association between smoking and a variety of chronic and acute illnesses. The report was based on answers given by any one 19 or over to questions about the smoking habits and illnesses of everyone in the household. 60% of the male smokers were never even interviewed. Imagine asked 19 year olds and mothers-in-law about what is wrong with the head of the house. I would prefer to have a doctor diagnose my ailments.

James J. Kilpatrick had this to say in a recent column called, "Where Brainwashing is an Art": "One is inclined to award the blue ribboned bottle cap (for brainwashing) to the Public Health Service for its anti-smoking campaign. The PHS is propagating some of the shakiest statistics since the Literary Digest elected Alf Landon in 1936."

Wouldn't you be frustrated by knowing that practically all your so-called evidence didn't prove anything?

The scientific literature of the past several years includes, of course, opinions and data inconsistent with the PHS position, but this body of material doesn't aid the anti-smoking campaign and is not featured in any of the PHS documentation of the scientific picture.

This material includes, for example, a report recently published by the World Health Organization of a study of lung cancer in Israel. This report found no statistical association between lung cancer and smoking. As a matter of fact—and I hope Surgeon General Stewart will comment on this study—it appeared that the part of the population that smoked more had the lower rate of lung cancer.

I do not have time to tell you about some recent studies which indicate that smokers and former smokers may have less heart disease than non-smokers. You know, of course, that the 1964 Smoking and Health report did not conclude that the relationship between cigarette smoking and heart disease was one of cause and effect. The recent articles indicate that it probably is not—in contrast to what the PHS is now saying.

There is other material, along the same line, concerning other diseases which have been statistically associated with smoking.

So the PHS forces find themselves with an extreme shortage of evidence necessary to nail down the indictment against smoking and a slowly accumulating body of evidence which is beginning to weaken their major statistical premises. This must, I think, result in a feeling of frustration on the part of those who have devoted so much of their working lives to the attempt to establish a case against tobacco.

The fact that the public seems to have sensed the weakness in the scientific foundation for the accusations against tobacco must add greatly to this feeling of frustration. This final ignominy—being ignored—has led to pressure for stronger action to reckless claims.

Our principal opponents are diverting attention from the weakness of their position on the science by overstating their case in headline catching statements. Sometimes they get caught at this game.

Surgeon General Stewart, for example, in a speech delivered last year referred to "at least 125,000 premature deaths and maybe as many as 300,000 deaths in the United States a year *due to* cigarette smoking." When he came before Congress to justify a budget that included a substantial amount of money for research on tobacco, he was asked whether he had meant what he said. Surgeon General Stewart responded, "Did I say 'due to'?"

Well, he certainly did say "due to" and he certainly had no basis for it.

Just last month—Stewart said it "is a flat scentific fact" that smoking causes disease. If asked about this next year, will he respond, "Did I say 'scientific fact'?"

I hope that the Surgeon General's reckless statements are evidence of his emotionalism. They certainly are not indicative of his scientific abilities.

In the speech by Surgeon General Stewart, which I mentioned earlier, he referred to 1,300 studies published since January of 1964 that "further confirm" the 1964 Surgeon General's Report. The tobacco industry is very interested in claims of this sort so we reviewed these studies. Some of them were articles from popular magazines including Saturday Evening Post, Good Housekeeping and Investors Guide (which is published by a brokerage firm). A substantial number of the studies pre-dated the 1964 report and others did not "confirm" its conclusions—for example the studies on cigarette smoke inhalation by animals all reported failure to produce lung cancer. Also among the articles cited to confirm the 1964 Report was a playful piece of evidence which appeared in that recognized journal of anatomical sciences, Playboy magazine. It was called, " Where There's Smoke There's Ire: an Inflammatory Excursion into the Trials of Tobacco Fanciers Beset by Self Appointed Weed Killers."

I might add that studies inconsistent with the party line were omitted or ignored for the most part in the Surgeon General's 1967 report—which was prepared, incidentally, by the National Clearinghouse for Smoking and Health, a PHS agency expressly formed to fight smoking.

The Surgeon General and the PHS lobby have been busy spreading their propaganda in Congress. A review of current legislative proposals involving smoking and health would disclose their handiwork—and a critical review would reveal that all of the proposals are grounded on the PHS party line—and not on valid science.

Our enemies do not know the causes of cancer or heart disease—I do not claim to know—in fact no one knows. Yet their misleading and unfair statements have created an atmosphere, as far as smoking is concerned, that the end justifies the means—"Anything goes."

As the frustration of our enemies grows greater, their voices will grow louder and more shrill. They will devise new tactics to harass the industry. They will seek new allies and incite those who have already joined the battle against tobacco to make more vitriolic attacks.

I read in the paper recently that the Surgeon General said that the tobacco industry is "not doing nearly enough to get to the heart of the health problem." Unable himself to "get to the heart of the health problem" despite the tremendous resources at his command, and the millions of dollars he has spent, the Surgeon General wants to achieve two goals.

First, he wants people to believe that the tobacco industry is not interested in health, which—as Dr. Stewart well knows—is not true. Our industry has furnished financial support for research by independent grantees of the Council for Tobacco Research and the American Medical Association Education and Research Foundation. They have received financial commitments of approximately 22 million dollars from the industry over the past several years. He knows that the results of this research have been the same as the results of government-sponsored research: Nobody has yet been able to find any ingredient as found in tobacco or smoke that causes human disease.

Second, the Surgeon General wants people to believe that his continuing failure to convict cigarette smoking is the fault of the industry. The premonition that supportive scientific evidence will not be forthcoming may be stronger than I have suggested. Is the Surgeon General hedging his bet by trying to set the tobacco industry up as the scapegoat if he cannot find such supportive scientific evidence!

It is no wonder,. in view of the lack of scientific evidence to support them, that our enemies must rely on the numbers game—statistical associations. They seek to divert attention from the fact that statistics do not prove that there is a hazard by referring instead to what they call "the magnitude of the problem." They compensate for their failure in science by employing ballyhoo. They take the position that there is no controversy because, when critically analyzed, their case against tobacco is full of holes.

It is not enough for me to stand here and say that their case is full of holes. I believe that we must all try to do a better job of presenting our side of the controversy. I hope that medical men and scientists will not be taken in by the PHS attempts to close off debate. I hope that legislators will review both sides of the question and not jump to conclusions based on the selected information that may be presented by anti-tobacco zealots.

I was disturbed by an unwarranted attack against the tobacco industry by the junior senator from New York, Robert Kennedy. In his speech last month to the World Conference on Smoking and Health he said many things which cannot be supported on the basis of scientific fact. Whoever advised him concerning tobacco and health did him a profound disservice. I recognize, however, that this should be taken as a warning to all of us who grow, manufacture, or otherwise deal in tobacco that we must not let our enemies become the only source of information for the uncommitted—we must present the facts whenever given an opportunity.

I direct those who would justify the actions of the enemy on the basis of good intentions to the following statement by Daniel Webster. He said, "Good intention will always be pleaded for every assumption of power . . . it is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions."

And I refer those who tend to jump to conclusions on the basis of incomplete returns to this immortal headline from the Chicago Tribune of November 3, 1948—"Dewey defeats Truman".

[From Barron's, May 9, 1966]

THE WITCH DOCTORS—PSEUDO-SCIENCE IS A MENACE TO U.S. HEALTH AND WELFARE

"But actually he thought as he readjusted the Ministry of Plenty's figures, it was not even forgery. It was merely the substitution of one piece of nonsense for another. Most of the material that you were dealing with had no connection with anything in the real world, not even the kind of connection that is contained in a direct lie. Statistics were just as much a fantasy in their original version as in their rectified version . . . For example, the Ministry of Plenty's forecast had estimated the output of boots for the quarter at a hundred and forty-five million pairs. The actual output was given as sixty-two millions. Winston, however, in rewriting the forecast, marked the figure down to fifty-seven millions, so as to allow for the usual claim that the quota had been overfilled . . . Very likely no boots had been produced at all. Likelier still, nobody knew how many had been produced, much less cared. All one knew was that every quarter astronomical numbers of boots were produced on paper, while perhaps half the population of Oceania went barefoot. And so it was with every class of recorded fact, great or small. Everything faded away into a shadow-world in which, finally, even the date of the year had become uncertain."

In contemporary Washington the man from 1984 would feel right at home. With scant adjustment, seasonal or otherwise, he might readily qualify to handle offical projections of the federal budget deficit, the U.S. balance of payments or the gross national product. If he were truly dedicated to statistical manipulation, however, our hero would go to work for the Public Health Service. Ever since the notorious report on Smoking and Health was published over two years ago, PHS devotedly has sought to promote its biased and dubious findings (which lately have come under scholarly attack). With reckless disregard for accuracy, the agency has taken to making extravagant claims about what it's trying to sell. Even without Big Brother watching, in short, this forward-looking body has become a leading exponent of no-speak and doublethink.

Taking a fresh leaf from Orwell's book, the Public Health Service also has begun to dabble in thought control. Specifically, PHS has launched two million-dollar programs—in San Diego, Calif., and Syracuse, N.Y.—designed, through education and indoctrination, to "change adult and community attitudes toward smoking." While the sums, at least to start with, are relatively small, the issues involved loom large. Without a shred of proof—guilt by statistical association simply doesn't count—the medical powers-that-be in Washington have proclaimed, on the basis of "consensus," that cigarets are "causally related to lung cancer in men," as well as to most of the other ills to which the flesh is heir. Armed with doubtful authority, they have set forth to change the nation's way of life. Smoking probably does one no good. But bureaucratic arrogance and pseudoscience are a positive menace to the nation's health and welfare.

In the realm of tobacco, the unholy alliance sprang into being in January 1964, publication date of the Report of the Surgeon-General's Advisory Committee on Smoking and Health. In brief, the august body concluded that "cigaret smoking is a health hazard of sufficient importance in the U.S. to warrant appropriate remedial action." Since then most of the action has concentrated on headline-hunting. Last year the National Inter-Agency Council on Smoking and Health, headed by ex-huckster Emerson Foote, held a highly publicized session in the nation's capital to hail the first anniversary of the Surgeon-General's Report. Next year such non-smokers as the American Temperance Society hope to hold an International Congress on Smoking and Health, for which the taxpayer doubtless will pick up the tab. Between times the witch doctors of the Publice Health Service have made speeches which alternately denounce the filthy weed and boast about how many souls they have saved. With the limited funds which Congress reluctantly has made available, PHS also has launched such experimental ventures as neighborhood smoking clinics and community indoctrination programs.

The zeal of the Public Health Service has been matched by no other federal agency. For the benefit of unenlightened foreigners, the Department of Agriculture still makes films extolling the pleasures of American tobacco. Again, Congress last year ordered the Federal Trade Commission to cease and desist from threatening to compel cigaret manufacturers to place a strong warning against smoking in their advertising messages, settling instead for a mild legend on the package. Finally, the White House, which never formally endorsed the Surgeon-General's Report, recently compounded the official confusion. When the industry sought to raise prices by one cent a pack, the Administration made it settle for half, thereby diluting the effectiveness of a move which, according to the law of supply and demand, might have led at least a few marginal smokers to kick the habit.

Political absurdities aside, qualified observers in the sciences plainly have qualms of their own. Even to a layman's eye, the Public Health Service and its followers have been guilty of outrageous abuse of statistics. Thus, at last year's January jubilee, Emerson Foote, who once made a fortune peddling Lucky Strikes, tried a new pitch on his audience. Although the Surgeon-General's Report specifically disavowed any such estimate, Mr. Foote charged that cigarets cause 125,000–300,000 deaths per year. Despite tax payments which indicate a persistent rise in consumption, Dr. Luther L. Terry, former Surgeon-General, last week announced that "at least 18 million persons have joined the ranks of non-smokers," a figure which, if halfway correct, could only mean that everyone else is smoking appreciably more. The weightiest critique of this official extravaganza has come from Prof. K. A. Brownlee of the University of Chicago. In the Journal of the American Statistical Association, the scholar faults the Surgeon-General's Report for inadequate and possibly biased sampling methods, as well as the arbitrary dismissal of conflicting theories. "You can prove anything by statistics is a common gibe. Its contrary is more nearly true."

Such criticism—none of it inspired by tobacco men—should give the U.S. medicine men pause. Instead, they have pressed their doctrinaire crusade beyond the limits of their doubtful mandate. After a fiasco in Baltimore, where a drive among high-school students proved a failure, the PHS decided to concentrate on junior high and elementary schools. The Service also plans to push "research . . . to determine motives for smoking and reasons for resistance to an anti-smoking program," and to develop "ways to change adult and community attitudes toward smoking." With respect to one segment of the population, wounded GIs, PHS evidently has found a way. According to Alice Widener, noted columnist and editor of USA, the Pentagon, at the agency's behest, has banned the free distribution of cigarets by the Red Cross in military hospitals. The Surgeon-General might call this decree "anti-cigaret education." Mrs. Widener brands it "a measure of economic and social dictation inflicted on the helpless."

With reformers, education frequently seems to turn into coercion. Perhaps it's significant that the first attack on cigarets was launched in Nazi Germany (which grudged the foreign exchange needed to buy tobacco); that it was embraced by Sir Stafford Cripps and his fellow blue-noses of British Labour; and that it has become at least semi-official in the so-called Great Society. Smoking is not the proper concern of public policy. It is, or should be, a matter of private choice.

[From Barron's, Oct. 2, 1967]

DANGEROUS LENGTHS—THE FEDERAL CRUSADE AGAINST SMOKING HAS GONE TOO FAR

"Outdoor activity of an athletic nature, engaged in by youthful, fit and personable appearing models, serves as a positive backdrop to many cigaret advertisements. This activity also suggests that the smoking depicted in the foreground, if not conducive to rousingly good health, is certainly not incompatible with it. The most prevalent outdoor activity in current cigaret advertising is sailboating (Tareyton, Pall Mall, Parliament and Viceroy filters.) To a lesser extent, fishing (Viceroy filters and Camel menthols), tennis (Chesterfield filters), hunting (Camel filters), golf and outdoor cooking (Viceroy filters), and bowling and 'sandbathing' (Winston filters) are all 'in.' . . .

"Some cigaret advertising transcends mere image association and projects its own separate and unique world. Examples include 'Salem Country,' a land in which romantic couples romp and preen through shifting, sylvan settings; the 'Night People,' whose postevening encounters can lead to smoking Parliament filters; and 'Marlboro Country,' where there daily unfolds the simple male heroic virtues of the 'Old West.' Worry over health has been banished from these Shangri-las."

While Barron's tends to disapprove of bureaucracy and all its works, the foregoing passages, taken from a recent Federal Trade Commission Report to Congress, unmistakably smack of talent. If the authors ever decide to seek gainful employment, we urge them to try Madison Avenue. Meanwhile, however, they and their fellow officials in the Federal Communications Commission and the National Interagency Council on Smoking and Health, along with kindred souls on Capitol Hill, are still doing business at the same old doctrinaire stand. Senator Robert F. Kennedy (D., N.Y.) is pushing a bill to tax cigarets according to their tar and nicotine content. The FCC has just reaffirmed a ruling which holds that in order to compete with the blandishments cited above, television broadcasters must give the foes of smoking air time free of charge if not exactly equal. FTC, in turn, relentlessly presses a campaign to force the industry to warn its customers: "Cigaret smoking is dangerous to health and may cause death from cancer and other diseases." Someday it aims to ban all cigaret advertising.

What began a few years ago as a seemingly well-intentioned, if disturbing, effort to brainwash the citizenry into kicking the habit thus has spiraled into a crusade as menacing and ugly as Prohibition. At the time (Barron's, January 18, 1965) regarding the gross exaggerations of Emerson Foote, who headed the movement, we accused the Public Health Service of "placing the strident claims of the pitchman ahead of the unobtrusive quest for truth." Nothing that PHS has said or done since has changed our view. On the contrary, the anti-smoking forces, putting their worst foot forward, lately have sought to escalate from persuasion to coercion. As inveterate non-smokers, we freely concede that cigarets do one no good. As to the body politic, however, the unchecked arrogance of bureaucracy is invariably fatal. When the choice lies between living dangerously or toeing the party line, we (like most Americans, evidently) would rather fight than switch.

Since publication in 1964 of "Smoking and Health," which, through a kind of guilt by statistical association, condemned the use of cigarets (but not cigars or pipes), officialdom has done its best to pick a fight. Armed with such dubious "proof," the Federal Trade Commission promptly sought to foist its own uncompromising slogans on the industry, a move which led a more tolerant Congress to pass the Federal Cigaret Labeling and Advertising Act. The law, which allowed manufacturers to put a milder warning on each pack of cigarets, has merely goaded the anti-smoking zealots to greater lengths. Thus, Senator Robert Kennedy, who yields to no man in his hot pursuit of demagoguery, has introduced a bill that would tax cigarets on the basis of their tar and nicotine content, as measured by the FTC in a laboratory newly equipped with a federal smoking machine. The FCC has gone much further. Last June, upon a complaint by a crusading young lawyer (strange how the breed has multiplied of late), the agency abruptly decided that the so-called fairness doctrine applied not only to the public debate of controversial issues but also to advertising. Specifically, it decreed that cigaret foes were entitled to free air time to criticize Winston's grammar, burn their Lark packs and otherwise lose their Kool. Two weeks ago, the agency unanimously reaffirmed its ruling.

"Oh what a tangled web we weave, when first we practice to deceive." From the outset, as a few bold scientific spirits insisted, "Smoking and Health" failed to prove that cigarets cause lung cancer or any other of the many ills to which the flesh is heir. With the passage of time, its findings have grown increasingly suspect. Last year Barron's cited the critique of Professor K. A. Brownlee of the University of Chicago, who faulted the Surgeon-General's Report for inadequate and possibly biased sampling methods, as well as for the arbitrary dismissal of conflicting views. This year the medicine men have undercut their own dogma. For, contrary to their previous findings, which exonerated nicotine as a health hazard, the witch doctors, in a remarkable if little-noted change of mind, are now pointing the finger of suspicion at it. Meanwhile, the Johnson Administration, which never gave the anti-smoking campaign its seal of approval, quietly continues to support the price of the filthy weed with taxpayers' money, and, for the benefit of foreigners, who presumably neither know better nor care, to extol the virtues of U.S. tobacco.

From a dubious premise the Federal Communications Commission has proceeded grandly to an absurd conclusion. Since the licensee "is presenting commercials urging the consumption of a product whose normal use has been found by the government to represent a serious potential hazard to public health," the public interest requires him "to devote a significant amount of time to informing his listeners of the other side of the matter—that however enjoyable smoking may be, it represents a habit which may cause or contribute to the death of the user." In so ruling the FCC denied that it was setting a dangerous precedent. However, Commissioner Loevinger, the only member with any qualms whatever, offered effective rebuttal. "No matter what the Commission now says about the distinction between cigaret advertising and other types, it is establishing the principle that the Fairness Doctrine applies to commercial advertising, as distinguished from paid political broadcasting. The Commission will be hard pressed to find a rational basis for holding that cigarets differ from all other hazards to life and health."

The agency also doubtless will have trouble defending its stand in the courts (to which the broadcasting industry has appealed). On this score Mr. Loevinger again gives eloquent testimony. "Because the result seems to me to be socially and morally right," he averred, he was willing—albeit with "great doubt and reluctance"—to go along with the rest. However, he added significantly, "I have doubts that the action is procedurally and substantively consistent with controlling legal rules. I am reluctant because of concern that this action may represent a subjugation of judgment to sentiment." Mr. Loevinger may have his qualms, but for him, as well as for his colleagues, the end plainly justifies the means.

This is the classic rationale of tyranny, the perennial cry of the mob. The public interest, as we have said before, covers a multitude of sins, from the venial to the deadly. Smoking may be a minor issue, but contempt for due process of law looms large. Cigaret advertising, however disagreeable, constitutes an exercise in freedom of speech. Big Brother doesn't take over all at once, he closes in step by step. Here's a chance to draw the line.

[From the Washington (D.C.) Evening Star, Sept. 28, 1967]

Antismoking Figures Look Flimsy

(By James J. Kilpatrick)

"Get the facts!" said the authoritative voice on the boob tube. "A quarter of a million extra heart conditions. A million cases of bronchitis and emphysema. Eleven million cases of long-term illness. Write for your free copy of 'Smoking and Illness.'"

This free government leaflet, if you're curious, purports to "present the highlights" of a study released in May by the Public Health Service, "Cigarette Smoking and Health Characteristics." If the really curious viewer pursues the matter, and also obtains a copy of this parent study, he may discover at first hand what is meant by a credibility gap.

In plain words, both the free leaflet and the larger study on which it is based, in terms of the impression they seek deliberately to convey, are frauds. Prevaricators, it is said, are divided among three classes—liars, damn liars, and those who misuse statistics. By picking and choosing among some figures that are shaky to begin with, by glossing over necessary qualifications, and by mixing reasoned inference with pure surmise, the authors of these publications have perpetrated a shabby piece of propaganda.

The PHS study, conducted over 52 weeks in 1964–65, was intended to discover the relationship, if any, between smoking and a variety of chronic and acute illnesses. The raw figures were derived from interviews in a random sample of 42,000 households.

So far, so good. But the key figures, on which all the conclusions are based, are the figures covering smoking habits. How many cigarettes per day? Did the respondent ever smoke? If so, how many cigarettes did he smoke? What was his heaviest rate of smoking? If these figures are not solid, the whole study begins to fall apart. And the astounding fact, glossed over in the report, is that "data on 60 percent of the males who had ever smoked were obtained from other persons." The interviewers simply accepted answers from whoever happened to be at home at the time.

This is a study of smoking and "illness." To get the figures, the interviewers presented a list of chronic and acute conditions, and asked the householder to check appropriate boxes. Bronchitis, sinusitis, upper respiratory infection, emphysema, "heart trouble," "liver trouble," "chronic nervous trouble," "hypertension without heart involvement." The typical layman may be able to answer some of these questions generally; it is unbelievable that he could answer them precisely; but in this study the diagnoses of any 19-year-old who happened to be at home are given the impressive weight, down to two decimal places, of laboratory findings.

The authors of this study kept tripping over the inadequacy of their own data. They were thus reduced to guessing: "It could well be that . . . Had data been available, it might have been found that—

This could indicate that—
This could be affected by—
This could result from . . ."

In a moment of candor, they confess the truth: Their figures do not establish any cause-and-effect relationship between smoking and illness.

Still, their job was to leave precisely that impression—that cigarette smoking does result in illness and lost time. So they carefully bear down on the horrendous figures dealing with men who smoke more than two packs a day. Such smokers are in a small minority. Here they are made to bulk large. It is the pick-and-choose technique.

Two can play that game. With the same validity, on the basis of the PHS statistics, a critic can assure you that pack-a-day smokers spend fewer days in bed than persons who have never smoked; that the pack-a-day man is likely to have less hypertension, less arthritis, and better hearing than the never-smoked man. Amazing, men who are presently smoking even have a lower incidence of upper respiratory conditions than persons who have never smoked. And believe it if you will, from Table 21 of the PHS report: Heavy-smokers over 65—the two-pack-a-day volcanoes—spend 3.5 days sick in bed each year, while their counterparts, men over 65 who never have smoked at all, are sick in bed nearly two weeks. What do you make of that?

Bosh! The figures are flimsy and the conclusions cannot rise above them. Caution, one would say to the curious TV viewer: Relying upon these statistics may result in your being bamboozled.

[From the Congressional Record, June 28, 1965]

Damaging Effects of Air Pollution Cited

Mr. Ervin. Mr. President, on June 16, 1965, this body passed a bill regulating the labeling of cigarette packages and requiring that words of caution regarding the use of tobacco be printed on every package and carton of cigarettes.

I voted for that bill as the best possible legislation that could be realized at this time for the tobacco industry, and because it was preferable to regulation such as that proposed earlier by the Federal Trade Commission.

It is my conviction that the harmful effects of tobacco are still open to question and that there are other factors attributable to lung cancer.

A blanket indictment on any industry such as the one imposed by the Surgeon General on the tobacco industry and 750,000 farm families should not result in legislation without absolute proof of a causal connection between lung cancer and tobacco.

If the Surgeon General and the Congress really want to know the causes of lung cancer, there are many investigations that should be conducted. For instance, it should be determined to what extent carbon monoxide and other noxious gases, which are released into the atmosphere, contribute to the incidence of lung cancer.

Mr. President, a city council committee for the city of New York has recently been studying measures for controlling air pollution. Among the witnesses at a public hearing conducted by the committee was James M. Quigley, Assistant Secretary of Health, Education, and Welfare. Mr. Quigley suggested that "evidence of the harmful effect of air pollution on health" is mounting. He said that "scientists regarded it as an important factor" in lung cancer and other respiratory illnesses.

Mr. President, I ask unanimous consent that a newspaper article from the New York Times of June 25, 1965, entitled "City Air Pollution Said To Cost $520 Million a Year in Damage," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"CITY AIR POLLUTION SAID TO COST $520 MILLION A YEAR IN DAMAGE

"(By Charles Grutzner)

"The national economic loss caused by dirty air was estimated yesterday at $11 billion or more each year, with $520 million damage in New York City. Both estimates were exclusive of the costs of sickness and death attributable to poisons and irritants in the air.

"James M. Quigley, Assistant Secretary of Health, Education, and Welfare, gave the national estimate. The local figure was cited by Arthur J. Benline, the city's commissioner of air pollution control. Both men were among the witnesses at the opening session of 2 days of public hearings in city hall, conducted by a city council committee that is studying measures for controlling air pollution.

"Among the identified elements of damage from polluted air have been deterioration of stone building fronts, rusting of metal, increased consumer costs for cleaning of clothing, disintegration of nylon stockings, crop losses, shortened life of coatings of paint, increased taxes for repairs to public buildings, and a variety of other costs for householders and businessmen.

"Comimssioner Benline, whose yearly departmental budget is $1,337,325, said the fight against pollution was at present only 'a holding action, hoping that we can keep things from getting worse.'

"The department of air pollution control, Mr. Benline declared, made some progress last year against pollution sources within the city. But this was offset, he said, by contaminated air blown here from the New Jersey industrial areas, which have done almost nothing to curb air pollution.

"In answer to a question by Councilman Robert A. Low, the committee chairman, Commissioner Benline estimated that 'anywhere from 20 to 30 percent' of the pollution here come from sources in New Jersey.

" 'And we haven't been able to stop any of that,' he said.

"Federal studies pending

"Mr. Quigley was questioned closely by several committee members on why the Federal Government had failed so far to exercise its powers to hale Jersey pollution offenders into court. He explained that a time-consuming procedure was involved in interstate cases, before his department could turn cases over to the Department of Justice.

" 'Last August,' he said, 'State and local officials from the areas involved met with representatives of the Department of Health, Education, and Welfare to determine whether further steps would be needed in accordance with the abatement provisions of the Federal Clean Air Act. Since that time agencies in both States have furnished the Department technical information, which we have sifted and analvzed.'

"But, Mr. Quigley added, the Department felt it necessary to undertake field studies of its own, because 'knowledge about the sources, extent and effects of air pollution in this metropolitan area is far from adequate.'

"When these studies are completed, he said, the Secretary of Health, Education, and Welfare 'will be able to determine what, if any, additional action is required.' Mr. Quigley said that voluntary cooperation was being sought through conferences and that Federal grants were being made available to communities for air-pollution control.

" 'Big stick' suggested

" 'Don't you think the time has come to use the big stick instead of the carrot?' asked Councilman Robert R. Conner, Republican, of Staten Island, where garden crops have been ruined by chemical fumes reportedly wafted from New Jersey.

"Mr. Quigley replied that he favored 'a balanced approach.' He said that the big stick might be needed occasionally but that cooperation and financial assistance to communities were needed more often.

"In reporting the $11 billion estimate of the nationwide cost of air pollution, Mr. Quigley remarked that 'because the economic burden of air pollution is largely hidden in indirect expenses, which are difficult to pinpoint, it is not unrealistic to suspect that the true figure is even higher.'

"Declaring that evidence of the harmful effect of air pollution on health is mounting, Mr. Quigley said that scientists regarded it as an important factor in asthma, bronchitis, emphysema, lung cancer, 'and perhaps even the common cold.'

"Wagner urges caution

"Mayor Wagner, in a brief message read at the hearing by his executive assistant, Julius C. C. Edelstein, stressed the importance of 'a careful and judicious inquiry into the facts' to find out what more can be done locally, regionally, and on a Federal basis. At the same time he cautioned against 'incitement to fright and panic.'

" 'The figures which have been cited by medical authorities and which I myself have repeated on a number of occasions need to be viewed soberly and not sensationally,' the mayor's message said. 'Air pollution must be a field of action and should not become a political football.'

"Referring to a report made at an air-pollution conference in Toronto earlier this week, of an increase of several hundred deaths in New York City during a 15-day period of atmospheric inversion in 1963, the mayor said it should be noted 'that these deaths occurred primarily among old and severely ill patients with longstanding chronic illnesses.'

" 'The fact is,' Mr. Wagner's message said, 'that these individuals had very brief life expectancies under any circumstances. It is a fact that there was no increase in average mortality in the city during 1963.'

"City progress noted

"Asserting that the city had made progress in the control of air pollution in the last 2 years, the mayor said:

" 'Today, should another inversion episode occur similar to the one which happened in 1963, the city is prepared to take steps on an emergency basis to curtail all sources of pollution and thus prevent a recurrence of what happened in 1963.'

"Although the message did not spell out the emergency steps it was understood that they would include a temporary shutdown of incinerators and of industries and heating plants that burn coal or heavy fuel, as well as a halt to all but essential motor-vehicle operation.

"Councilman Edward L. Sadowsky of Queens drew from Commissioner Benline a statement that his department, in qualifying for a Federal grant of $188,000, had certified that it had a plan for improved control of pollution. Mr. Sadowsky asked Mr. Benline if he would give the committee his proposals for legislative and other measures. Mr. Benline said he was working out the plan but did not have the details ready.

"Legislation promised

" 'This committee hopes to make specific recommendation by the fall,' declared Mr. Sadowsky. 'You can help us by giving us your proposals.'

"Commissioner Benline said he would supply the committee with specific proposals in a month. Asserting that the problems of air pollution 'do not lend themselves to magical, overnight solutions,' Mr. Benline said:

" 'Most of the suggestions we receive would tend to reduce air pollution, but they would also have the effect of returning us to that unruly, pastoral municipality presided over by Peter Stuyvesant. Under these suggested circumstances, all sources of heat and power would be cut off, automobiles and buses banned from our streets, the incineration of refuse would be halted and manufacturing processes would be stopped. In short, we would have a paradise with little reason for existence.

" 'As alternatives,' he said, 'there are innumerable solutions pressed upon us which demand that Rube Goldberg or Buck Rogers devices be utilized forthwith to solve all problems.'

"Linked to deaths

"Dr. George James, commissioner of health, described the functions his department performed for the department of air pollution control.

" 'You never find air pollution on a death certificate?' asked Councilman Leonard Fastenberg of the Bronx.

" 'You can never be sure,' was the reply. 'What we are looking for is clues, and there are pretty strong clues to air pollution as the cause of many deaths.'

"The hearings will resume at 10:30 a.m. today, with 10 experts in fields related to air-pollution problems scheduled to testify.

"There will be another series of hearings in several weeks, with the public invited to testify. Councilman Low said that those wishing to be heard then should send requests for time to him at city hall."

[From the Congressional Record, Apr. 1, 1967]

Other Factors Seen Attributable to Lung Cancer

Mr. Ervin. Mr. President, it has come to my attention that reputable German scientists have questioned the validity of the charge that there is a causal relation between smoking and lung cancer. Findings from seven pathological institutes in the Ruhr State of North Rhine Westphalia suggest that air pollution, rather than smoking, is the chief cause of lung cancer. These scientists criticize the U.S. Surgeon General's report, chiefly on the argument that the proof so far has been statistical, not experimental.

I ask unanimous consent that certain articles from the News Call-Bulletin of January 14, 1964, the Medical Tribune of August 12, 1964, and the Chicago American of March 24, 1964, be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

"[From the News Call-Bulletin of San Francisco, Calif., Jan. 14, 1964]

"GERMAN EXPERT'S DISSENT: BLAME SMOG, NOT SMOKING—AIR POLLUTION CAUSES MOST LUNG CANCER

"Duesseldorf.—A German scientist says a detailed study soon to be published will prove air pollution—not smoking—is the chief cause of lung cancer.

"Prof. Reinhard Poche, of the Duesseldorf Medical Academy, said the study is based on findings from seven pathological institutes in the Ruhr State of North Rhine Westphalia.

" 'On the basis of our examinations covering many years, I am obliged to state that the importance of smoking in causing lung cancer is certainly not as great as has been suggested,' he said.

" 'Of course, tobacco contains substances which cause cancer. But these tiny quantities play a subordinate role compared with the great masses of cancer-causing agents in polluted air.'

"Poche said the seven institutes examined 1,229 cases of acute lung cancer during the last 5 years and also analyzed more than 26,000 autopsy reports filed since 1908.

"He said analysis show that during the last 50 years the overall percentage of cancer among death causes has not increased, although lung cancer has replaced stomach cancer as the most frequent cancerous disease.

"He said lung cancer reaches its highest frequency between the ages of 55 and 60—both for smokers and nonsmokers.

"This, he said, has not changed since 1908.

" 'If one assumes that inhaling of tobacco is responsible for lung cancer, one should also expect that heavy smokers would suffer from bronchial carcinomas at an earlier age than light or nonsmokers,' he stated.

" 'This is not the case.'

"Poche said the highest rate of lung cancer is among people particularly exposed to car exhausts, including traveling salesmen and traffic policemen.

"Office workers and other people least exposed to polluted air had the lowest rate of lung cancer, although these are known to be among the heaviest smokers, Poche said."

"[From the Medical Tribune, Aug. 12, 1964]

"GERMAN PHYSICIAN DENIES SMOKING ROLE IN LUNG CANCER, BLAMES AIR POLLUTION

"DUSSELDORF, GERMANY.—"The frequency of lung cancer is not influenced by cigarette smoking but there is a significant correlation between the air pollution problem and the bronchial carcinoma rate,' says Professor Dr. Reinhard Poche, of the Düsseldorf Medical Academy's Pathology Institute.

"In fact, Dr. Poche asserts, statistical studies indicate the lung cancer rate is lowest among professional groups in which cigarette smoking is heaviest. These professional groups, however, were subject to the least exposure to air containing potentially cancerogenic substances.

"Dr. Poche's views—published in full in the German Journal for Cancer Research—have become the cause of much controversy.

"Although his investigation—based on the study of 1,229 bronchial carcinoma case histories from 12 cities and 26,000 autopsy reports dating back to 1908—revealed a sharp increase in the rate of bronchial carcinoma during the past 50 years, there has been no change since the turn of the century in the peak of the age distribution for lung cancer. This lay just under the 60th year of life in 1908 and is in the same place today.

"When news about Dr. Poche's investigation and observations was first disclosed, one question was raised immediately: Who sponsored the research project?

"Imputations that the tobacco industry was connected were voiced immediately. However, Dr. Poche told Medical Tribune:

" 'Our investigation was jointly sponsored by the North Rhine-Westphalian Society for Pathology and the Cultural Ministry for the State of North Rhine-Westphalia.

" 'It is entirely a statistical investigation begun 4 years ago in which the 12 pathology institutes in the state cooperated. We first reported partial results at a meeting of the society in February, 1962, and the manuscript of our report was submitted to the cancer journal in early December, a month before anything was known about the American report.'

"Dr. Poche sent questionnaires to the state-supported pathology institutes at Dusseldorf, Bonn, Bachum, Essen, Solingen, Dortmund, Wuppertal, Bethel, Duisburg, Steele, Detmold, and Cologne, asking for complete case histories on living and dead bronchial carcinoma patients and information about the patients' professional life, residences, military service, and smoking habits.

"He received 1,229 replies. Of these, 790 dealt with patients already dead and included not only histologic diagnoses but autopsy results. The other 439 cases dealt with patient records at the various institutes but no autopsy reports. The cases covered a period from 1955 to 1960.

"In addition to his observations about smoking and air pollution, Dr. Poche developed two other hypotheses.

"A hypothesis and theory

" 'We call these the equilibration hypothesis and the representation theory.

" 'We noticed that the total rate of malignant tumors is approximately the same in men and women. But if the frequency of an organ cancer, for example bronchial carcinoma, increases sharply in one sex, then the frequency of other organ cancers, for example, gastric carcinoma, decreases in this sex,' Dr. Poche said. 'This is the equilibration hypothesis.'

"This pattern repeated itself in all the statistical evaluations, and Dr. Poche noted that while there is an overall increase in bronchial carcinoma in men, there has also been a steady decline in gastric carcinoma in men.

"Dr. Poche said his study showed that as cases of bronchial carcinoma increase in frequency there is a corresponding percentage increase in the number of squamous cell carcinomas and a decrease in the number of undifferentiated carcinomas. The percentage of adenocarcinomas (which constitutes only about 4 percent of all of Dr. Poche's case histories) does not undergo any significant change. The squamous cell carcinomas, therefore, become representative of the collective group.

" 'This displacement of undifferentiated carcinomas by squamous cell carcinomas is biologically significant,' said Dr. Poche.

"Five occupational groups

"In his evaluation of the statistical material, Dr. Poche established five occupational groups: white-collar workers, tradesmen, sales personnel, and the professions made up the first; artisans employed in small shops comprised the second; people employed in traffic, such as drivers, railwaymen, messengers, and traffic policemen, made up the third; industrial workers and artisans employed in large plants made up the fourth; and outdoor workers, which included construction workers as well as farmers, though primarily the former, made up the fifth group.

"The squamous cell carcinoma rate was lowest among the first group (32 percent), second lowest in the second group (42 percent), highest in the third group (54 percent), second highest in the fifth group, (53 percent), and third highest in the fourth group (51 percent).

"The study was conducted in North Rhine-Westphalia, West Germany's most industrialized area.

"Noting that his study indicated a relationship between bronchial carcinoma and infectious respiratory diseases—to which, incidentally, outdoor workers in the damp, cold climate of North Rhine-Westphalia are especially prone—Dr. Poche commented:

"'While I do not believe that squamous cell metaplasias of the bronchial membrane are a precancerous step, I do feel that they become significant when the individual is forced to breathe in cancerogenic air. In such a case cancerogens which have entered the peripheral bronchial areas are transported to the cell metaplasias and form deposits which can reach a cancer-causing volume quicker than in the ordinary bronchial membrane.

" 'Diseases which lead to squamous cell metaplasias, such as virus influenzas, tend toward bronchial carcinoma whenever the individual concerned must also inhale polluted air.' "

"[From the Chicago (Ill.) American of Mar. 24, 1964].

"GERMANS DISPUTE CIGARET-CANCER LINK

"(By Effie Alley)

"A 5-year study of lung cancer just published in Germany's Journal of Cancer Research presents evidence which conflicts with the conclusion of the U.S. surgeon general that cigaret smoking is a major cause of the disease.

"The German researchers indict air pollution—not smoking—as the chief cause of lung cancer.

"Their report, based on a study of 1,229 lung-cancer cases at 12 Rhine-Westphalia pathological institutes plus case records going back to 1908, lists the following additional findings:

"No significant relationship exists between cigaret smoking and the risk of lung cancer.

"No relationship between the incidence of the disease and the number of cigarets smoked could be demonstrated.

"One-sided survey

"The heaviest smokers were found in an occupational group with the least occurrence of lung cancer.

"The average age at which lung cancer occurs is the same for heavy smokers, light smokers, and nonsmokers.

"Meanwhile, an American medical journal, 'Growth,' criticizes the recent report of the Surgeon General's Committee on Smoking and Health as a 'one-sided statistical survey' which fails to take into consideration the complexities of the lung-cancer problem.

"At the same time an official of the American Medical Association hit back at Dr. Alton Ochsner, a Tulane University surgeon, who declared that the answers on tobacco and health are all in.

"Dr. Ochsner criticized the AMA's program for a long-range study of the effects of smoking on health as 'a delaying tactic' and said the organization is derelict for failing to urge that all cigaret packages carry a warning label.

"Dr. F. J. L. Blasingame, the AMA's executive vice president, answered: 'Dr. Ochsner and those who share his opinion are really advocating that an agency of the Federal Government be granted the power to destroy an $8-billion industry on the extreme theory that the American people need to be protected from themselves.'

"Find occupation link

"The German researchers, headed by Dr. Reinhard Poche, chief physician of the Dusseldorf Medical Academy, made no specific mention of the Surgeon General's report. However, they noted the arguments advanced by American and English researchers in contending that cigarettes are a causative factor in lung cancer and said serious objections have been raised to their validity.

"While they could find no link between cancer and smoking, they stated that the relationship between lung cancer and certain occupations is marked, more cancer occurring among industrial workers, chauffeurs, traffic policemen and others exposed to exhaust fumes, and outdoor workers generally, including those in agriculture, than among domestics, office workers of all kinds, and teachers.

"Declaring that this is an approach which must be followed further, the researchers state that air pollution has the greatest practical importance as a cause of lung cancer.

"Explain farm cases

"In discussing the case of agricultural workers, the researchers note that because of the high degree of industrialization in the North Rhine-Westphalia district outdoor workers there are exposed to polluted air. In addition, they say, diesel motors are being used on farms in increasing numbers and to this must be added the various insecticides and sprays to which such people are exposed.

"Outdoor workers also often suffer from respiratory infections caused by exposure to cold, they state and add:

" 'Viral influenza always predisposes to bronchial carcinoma (a form of lung cancer) when individuals who have had attacks * * * come into contact with atmospheric pollutants.'

"Seek 'trigger' agents

"However, the researchers also state that their work points up the difficulty of finding a specific cause of lung cancer in the environment.

"The fact that the peak incidence of this type of cancer has always occurred at about age 60 indicated that all of the factors blamed for the current increase in the disease are triggering rather than causative agents.

"And none have so far proven powerful enough to shift the peak incidence toward a younger age.

"The findings underscore the objections made by the editorial in Growth to the Surgeon General's report.

"The publication, edited by Dr. Irene Corey Diller, of the Lankenau Research Institute, a noted cancer institution, also stresses the importance of the possible role of infection in lung cancer.

"Stating that this is one of the areas ignored in the Surgeon General's report, the editorial noted that such infection often precedes the appearance of lung cancer in heavy smokers.

"Also criticized is the failure to take into account the part played by certain glands, known to be overactive in many cases of lung cancer; the whole question of individual susceptibility to cancer, and the vast difference in death rates as between men and women.

"Such gaps tend to minimize the significance of the report, and may prevent some scientists from considering its conclusions as final, the editorial said."

[From the CONGRESSIONAL RECORD, June 16, 1965]

Mr. ERVIN. Mr. President, in support of the position taken by both Senators from Kentucky I should like to cite a few figures, and reasons to show the importance of tobacco to the United States, and why we should act in a reasonable manner as we consider S. 599 which is designed to reduce cigarette smoking.

There are 750,000 farm families in 21 States of this Nation, in which there are 3 or 4 children to a family, who grow tobacco—$1,300 million of their income comes from tobacco.

There are 550 factories which manufacture tobacco products. They employ 96,000 people, who have families, in which there are 3 or 4 children, who are dependent on the manufacture of tobacco for their daily bread.

There are 300,000 Americans who have stock invested to the extent of $3 billion in tobacco factories.

The Federal, State, and local governments collect annually in excise taxes on tobacco products more than $3.2 billion.

I ask unanimous consent to have printed at this point in the RECORD a statement of facts showing the critical importance of the growing of tobacco to farm families and the manufacture of tobacco to those engaged in manufacturing tobacco products, and the importance of tobacco to those who are engaged in retail trades in America.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

"SOME FACTS ABOUT TOBACCO

"In 1963, around 70 million Americans, more than half the adult population including overseas Armed Forces, bought over 523 billion cigarettes, 14.9 billion more than in 1962 and 20.3 billion more than in 1961; more than 7.1 billion cigars, up 115 million over 1962; about 69.5 million pounds of smoking tobacco; nearly 64.8 million pounds of chewing tobacco; over 32.5 million pounds of snuff.

"Tobacco users spent $8.08 billion in 1963 for tobacco products. Of this, over $3.3 billion went directly to Federal-State, and local governments in excise taxes.

"Tobacco products pass across sales counters more frequently than anything else—except money.

"Here are some more facts about the agriculture, manufacturing, distribution, taxation, and costs and services of the tobacco industry.

"Farming

"Tobacco Growers

"Tobacco is grown in 21 of our Nation's States by some 750,000 farm families, averaging 3 to 4 workers to a family. Total tobacco acreage exceeds 1.2 million with a total yield of over 2.2 billion pounds.

"Major Crop

"Tobacco is the fifth largest cash crop in the country following cotton, wheat, corn, and soybeans, and ranks third in agricultural exports.

"Farmers' Income

"Farmers received $1.3 billion for the sales of tobacco crops, representing 8 percent of the total for all crops in the United States. The income from tobacco crops of the major States was: North Carolina, $564,015,000; Kentucky, $277,856,000; South Carolina, $116,249,000; Virginia, $100,885,000; Georgia, $86,894,000; Tennessee, $84,043,000.

"Other tobacco-producing States include: Alabama, Connecticut, Florida, Indiana, Louisiana, Maryland, Massachusetts, Missouri, Ohio, Pennsylvania, West Virginia, Wisconsin, and to a minor extent, Kansas, Minnesota, and New York.

"Manufacturing

"Factories

"About 550 tobacco products factories, large and small, operate in 30 States. Cigarette production in 1963 is estimated to exceed 550 billion cigarettes.

"North Carolina leads in cigarette production with an annual rate of about 325 billion. Virginia produces around 115 billion cigarettes annually, and Kentucky puts out over 90 billion.

"Employment and Wages

"Tobacco manufacturers directly employ more than 96,000 men and women. In 1961 employees of U.S. tobacco manufacturers received $379 million in wages.

"Assets and Stockholders

"The net assets of publicly held tobacco companies total over $3 billion and there are over 300,000 stockholders of record of tobacco stocks.

"Number of Businesses

"About 1.5 million businesses share in the tobacco trade supplying equipment, materials, transportation and distributing and merchandising services.

"Farmers' Expense

"Tobacco farmers paid about $155 million for hired labor and about half a billion dollars for other expenses such as: $45 million for fertilizer and lime; $8 million for tobacco plant bed cloth; $2.5 million for twine used in tying tobacco; $1.5 million for tobacco seed; $2.5 million for plastic covers used in plant beds.

"Other Services and Supplies

"In addition to the amounts paid for tobacco, wages, machinery, precision instruments, electronic equipment, wooden hogsheads and cases used for shipping, the tobacco industry spent: $25 million for cigarette paper; $79 million for transportation, mostly by truck, and annually uses: over 40 million pounds of moisture-proof cellophane; more than 7 million pounds of aluminum foil; nearly 27 billion printed packs and 2.7 billion cartons.

"Distribution

"Wholesalers

"Over 4,500 independent wholesalers handle the distribution of tobacco products, buying them directly from the manufacturer.

"Retailers

"Tobacco products are sold by more than 1.5 million outlets in the United States, including thousands of small retailers.

"Exports

"Over 28 percent of the tobacco leaf sold in free world markets in 1963 came from the United States—some 505 million pounds, up 36 million pounds from 1962, and valued at $405 million.

"In addition, the United States continued to be the world's leading exporter of cigarettes—23.2 billion in 1963, valued at over $105 million, compared with $68 million 6 years ago.

"Expenditure

"In 1963, the total consumer expenditure for tobacco products totaled $8.08 billion, a $326 million increase over the previous year.

"More than $7.1 billion of the total expenditure was for cigarettes, up some $312 million over 1962.

"Taxes

"Total Excises

"Federal, State, and local excise taxes on tobacco products in 1963 yielded $3.3 billion, more than three times the amount received by tobacco farmers for their crop. Over 98 percent of this came from excises on cigarettes.

"In 1962, the $3,232,183,000 collected in excises on tobacco products—chiefly cigarettes—went to:

"Federal	$2,030,304,000
State	1,129,379,000
Municipal	72,000,000
Total	3,232,183,000"

Mr. ERVIN. Mr. President, the trouble with drastic action is that there is no evidence to show causal relation between smoking tobacco and lung cancer. The Surgeon General's report and every opinion expressed by those who agree with the Surgeon General's report on this subject are based on nothing but statistics. They are not based on research. They are based upon figures.

The reliability of figures to support conclusions can be illustrated by a story. A North Carolina mountaineer, who had been buying his groceries at the neighborhood grocery store, went into the store to pay his grocery bill, and the grocery told him the amount of the bill. The mountaineer complained that the amount seemed to be larger than it should be The grocer opened his account books and said, "Here are the figures. You know that figures don't lie."

The old mountaineer said, "Figures don't lie, but liars sure do figure."

Not only do liars figure, but honest men figure when they get the crusading spirit in their hearts. One can take figures and prove anything. I can illustrate it by saying this: More people in the United States smoke cigarettes than in any other country on the face of the earth. The longevity of Americans is greater than that of any other people on the face of the earth. That proves that smoking cigarettes prolongs the lives of those who smoke.

I said there was no evidence, but only some statistics showing a causal relationship between smoking and lung cancer. I call attention to the Cancer Bulletin for May-June 1963, in which is printed an article describing the other side of the coin. I call this article to the attention of the charming Senator from Oregon and the able junior Senator from New York. I read from the cover, which is entitled "Smoking and Lung Cancer":

"The other side

"In past years, the Cancer Bulletin has reported studies which suggest that cigarette smoking is an etiological factor in lung cancer. But, most of the evidence for this hypothesis is statistical, and some important statisticians do not subscribe to it. In this article, Dr. Joseph Berkson, the acknowledged dean of American medical statisticians, expresses his doubts and gives his reasons. Dr. Berkson, who holds both an M.D. and a Sc.D., has been head, division of biometry and medical statistics, Mayo Clinic, and professor of biometry at the University of Minnesota, since 1932. He is a member of numerous statistical societies. Dr. Berkson's opinion, therefore, is important, and we recommend that our readers look at 'the other side of the coin' by reading what he has to say."

I do not have time to read the entire article. I ask unanimous consent to have it inserted in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"[From the Cancer Bulletin, May–June 1963]

"SMOKING AND LUNG CANCER: AN UNTELEVISED TELECAST

"(By Joseph Berkson, M.D., Mayo Clinic, Rochester, Minn.)

"The other side

"(NOTE.—In past years, the Cancer Bulletin has reported studies which suggest that cigarette smoking is an etiological factor in lung cancer. But, most of the evidence for this hypothesis is statistical, and some important statisticians do not subscribe to it. In this article, Dr. Joseph Berkson, the acknowledged dean of American medical statisticians, expresses his doubts and gives his reasons. Dr. Berkson, who holds both an M.D. and a Sc. D., has been head, division of biometry and medical statistics, Mayo Clinic, and professor of biometry at the University of Minnesota, since 1932. He is a member of numerous statistical societies. Dr. Berkson's opinion, therefore, is important, and we recommend that our readers look at 'the other side of the coin' by reading what he has to say.)

"Several months ago I received, by telephone, from a representative of one of the major broadcasting systems an invitation to participate in a televised discussion of the question of smoking and health. I replied immediately that I had previously received such invitations but had always refused, and explained that I did not think such complicated scientific problems were clarified by debates on television. I was assured that this particular program was to be on a high plane, that it was my duty to inform the public of my view, that eminent scientists who were named, including the Surgeon General of the U.S. Public Health Service, were to participate. I gave way, mostly because of the participation of the Surgeon General, but only on certain conditions. One was that I have the opportunity to write out some questions and my answers as a basis for the televised interview. All of my conditions were accepted. I mentioned the matter of time. I was told that I would have all the time I needed. I quickly wrote out a series of questions and answers, sent it to the representative of the broadcasting system, and received prompt assurance that it was satisfactory as the basis of the interview. A few days later I had a telepehone conversation about arranging the details of the interview. During this conversation, I again brought up the question of time. It was then that I learned what was meant by my having as much time as needed. This, it was revealed, referred to the taped interview. Then the broadcasting people would select the parts actually to be presented. I will not repeat here the terms in which I rescinded my acceptance of the invitation to appear on the program.

"That is how I came to have on my hands an unused television interview. I have to waste it. So, instead of presenting a formal paper I shall present it in much the same way as I wrote it out, except for some amplifications to make my meaning clear and to allow me to introduce some illustrations that I did not include in my planned presentation.

"Question. We have all heard it said that some statistical studies have shown fairly conclusively that smoking is the chief cause of lung cancer. You have expressed doubt about this. Can you briefly explain why?

"Answer. The way you have put the question reflects a widespread misunderstanding regarding the facts. You have heard the adage that the most misleading sort of untruth is a half-truth. If it is said that these studies showed smokers to have a higher death rate from lung cancer than nonsmokers, this is about a 15-percent truth. What these studies disclosed is that, in the populations under investigation, the smokers have a higher death rate from all causes together—lung cancer, other cancers including, for instance, cancer of the pancreas, of the bladder, and of the prostate; heart disease, and diseases other than any of these—in short, all classes of disease. Lung cancer constituted only about 10 to 15 percent of the total excess deaths. The real problem presented by these findings has been put as well as need be by E. Cuyler Hammond, the senior author of the American Cancer Society's reports (1961), from whom I quote: 'In my opinion, the most important finding in all these studies is that overall death rate increases with the amount of smoking. I want to emphasize that I said "overall death rate," not "lung cancer." The relationship between smoking and lung cancer should be viewed in the light of this broader picture.' The problem in hand is to discover the scientific explanation of these extraordinary findings. In figures 1, 2, and 3 [not printed in the RECORD] are shown statistics from the American Cancer Society study by Hammond and Horn (1958) and from the study by Dorn (1958) on U.S. veterans, illustrating the 'association' of smoking and death rate found in these studies. It is seen that the 'association' affects all classes of disease, and that the number of excess deaths from lung cancer is only 12 to 15 percent of the total; some 85 percent of the excess deaths are from causes other than lung cancer.

"Question. If these studies show the death rate among smokers to be higher from all classes of other disease, as well as from lung cancer, doesn't this indict cigarette smoking even more?

"Answer. We are not concerned with indicting or exonerating smoking—I am, myself, a noncigarette smoker—but with trying to find the scientific explanation of these statistical results. The idea that cigarette smoking causes all these many deaths from all these many causes does, indeed, seem seriously questionable. There is not any scientifically known pharmacologic or physical explanation for so widespread and multifarious an effect. If we extrapolate the results to the general population, we must believe that there are some 250,000 deaths annually from smoking-induced diseases, without any of them individually noted as such from independent clinical or pathologic evidence. Only by their numbers are they known.

"Question. What, then, do you think is the explanation?

"Answer. Of course, I don't pretend to know. The statistical woods are full of curious findings for which we have never found an explanation (Berkson, 1962; Yerushalmy, 1962).[1] But I have suggested several explanations.

"Question. Would you elaborate on this?

"Answer. You may have noted that I said the death rate from all causes was found to be greater among smokers in the population studied. These populations were not a random sample of the U.S. population or any defined segment of it. The studies were made on the men who answered the questionnaires. I showed mathematically long ago that, in such selected samples, just such statistical associations as were found in these inquiries might appear but do not exist in the populations themselves (Berkson, 1946).

"Question. You mean the results stem from a statistical fallacy in the data?

"Answer. I mean this is a distinct and real possibility. The findings, as I remarked, are curious. Surely, it is no secret that huge blunders have been made with the uncritical use of statistics. None of the prospective followup studies have been reported for a long enough period to warrant judgment on this or other critical elements of the questions involved. Experience with followup studies shows that frequently it is the late findings that clarify their correct interpretation. At the Mayo Clinic, followup studies of the mortality of cancer are continued for 25 years, and even longer. The American Cancer Society study was discontinued after a 44-month followup. As respects the study undertaken by the U.S. Public Health Service, it was stated by the then Director of the National Cancer Institute (Heller, 1957) that the investigation would be continued until all the members of the original population were dead. The reports so far issued (which seem to be of a preliminary nature) refer to a followup period of only 2½ years (Dorn, 1959).

"Question. Is this the only explanation you have?

"Answer. No, I have put forward several. One, which has been advanced also by other scientists, is that the difference in death rate from all causes reflects a constitutional difference between smokers and nonsmokers. The idea is that nonsmokers or light smokers are of a constitutional type marked by self-protective habits, and one aspect of this constitutional makeup is that they have lower death rates. Persons who have never smoked constitute only a relatively small proportion of the population. I once put it this way: 'If 85 to 95 percent of a population are smokers, then, the small minority who are nonsmokers would appear, on the face of it, to be of some special type of constitution. If they successfully resist the incessantly applied blandishments and reflex conditioning of the cigarette advertisers, they are a hardy lot, and if they can withstand these assaults, they should have little difficulty in fending off tuberculosis or even cancer.' There are many investigations by psychologists, anthropologists, and others attesting to a constitutional differentiation of smokers and nonsmokers. (Eysenck, 1960; Health, 1958; Lilienfeld, 1959; Seltzer, 1963).

"Question. To return to the question of lung cancer, haven't other later studies corroborated that smoking causes lung cancer?

"Answer. No, indeed. Quite the contrary. Statistical studies, even if they are free of obvious difficulties such as are manifest in the present studies, are not conclusive in questions like the present one. They must be confirmed by experimental studies and other different types of investigation. And this has not happened.

"Question. Would you explain this?

"Answer. The theory as originally set forth was that cigarette smoke contains such carcinogenic chemicals as benzpyrene and arsenic which, in contact with the surface tissues of the lung, initiate the development of what is called squamous cell or epidermoid cancer. This type is cancer of the superficial layers of the lung tubes, and it seemed plausible that smoking could have such an effect. I don't think pathologists would have considered seriously the suggestion that smoking can cause the more deep-seated "adeno" type of lung cancer. In support of this theory, statistics had been published showing that the observed increased incidence of lung cancer was confined pretty much to the squamous cell or epidermoid type. Apparently with the expectation of corroborating this, recently at the Los Angeles County Hospital a study of necropsy specimens dating back to 1927 (Herman and Crittenden, 1961) was made. It was found that the relative proportion of epidermoid cancers is not increasing but is decreasing, while the proportion of "adeno" type is increasing. Finally, Willis (1961) has published a severe critique of the whole idea that lung cancer can be basically differentiated into these classes—the terms are descriptive conveniences. Actually, lung cancers are mixed in these respects and the conclusion of a different etiology for the different types is premature. Hammond and Horn (1958), in reference to this particular question, pointedly emphasized that all types of lung cancer—not just squamous cell cancer—were involved in the higher death rate among the smokers. Other cancers including cancer of the bladder and of the prostate are involved. These last organs surely are not in direct contact with cigarette smoke.

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[1] Experienced practicing statisticians know that data are not infrequently encountered showing impressive correlations that are statistically significant but physically incredible—so they are not published. Francis Bacon observed that we tend to register only our hits.

"Question. Then, the theory that lung cancer is caused by carcinogen in the cigarette smoke is not valid?

"Answer. The suspected carcinogens, like benzpyrene and arsenic, were found to be in such minute concentration in cigarette smoke as to be incapable of producing the cancers.[2] Even strong contenders of the smoking-lung cancer theory no longer believe that the cancer is produced by carcinogens contained in tobacco smoke (Passey, 1962). One hears now about cocarcinogens (Berkson, 1962; editorial, Lancet, 1962). The theory of cocarcinogens has to await future investigations for its corroboration, but the significance of the present advocacy is that the simple theory of a chemical carcinogenic origin of lung cancer has been given up. The whole fabric of the original theory has broken down and virtually been abandoned.

"Efforts which have been made for 50 years and have been intensified recently in response to the challenge of the statistical studies, have failed to produce lung cancer experimentally in animals by smoking (Stewart and Harrold, 1961).

"Question. What, then, is the cause of the increase in lung cancer?

"Answer. The very idea that the real death rate from lung cancer has been on the increase, questioned by a number of students since the start of this controversy, has been thrown into serious doubt in a recent study by Willis (1961), an eminent pathologist and authority on cancer. He reviewed old pathologic records in London, dating back to beginning of the century, and found so many cases of unrecognized lung cancer in the early records as to warrant the conclusion that there was just as much lung cancer in the past, but it wasn't recognized. You know that while the reported death rate from lung cancer has been increasing, the total death rate from all causes has not been increasing, but, instead, has been decreasing (fig. 4, not printed in the Record). The reported rise of death rate from lung cancer can be questioned because of the inaccuracy in the past in stating this cause of death on death certificates, but the decrease of total deaths is indubitable. Persons, who in former times would have died at an early age, say from tuberculosis, now live to ages at which they are exposed to death from lung cancer. The deaths from cancer of the stomach, for example, have decreased as much as, or more than, the deaths from lung cancer have increased (fig. 5, not printed in the Record). In the statistical studies, the death rate from cancer of the stomach is greater for smokers than nonsmokers. If this means that smoking causes cancer of the stomach—and this is what it is said to mean—why have the deaths from gastric cancer decreased while cigarette smoking has increased?

"I could continue for some time to recite the contradictions of the findings in these particular statistical studies which are found in subsequent studies: It is difficult to believe, in these days of stupendous amounts of research, when chemistry and biology have penetrated to the very key of life in relation to inanimate matter (Horsfall, 1962), that it would not have been established, without so much argument, that smoking causes lung cancer—if it were true.

"Question. Then, how would you summarize your opinion?

"Answer. Perhaps I can answer that question by telling about a conversation I had. In the summer of 1961 a meeting on smoking and health was held in Paris at the sessions of the International Statistical Institute. A number of European scientists gave papers, and, from this country, Dr. Harold Stewart, veteran cancer researcher and pathologist of the U.S. Public Health Service, Dr. E. Cuyler Hammond, and I participated. At the end of the meeting, perplexed by the confusion of issues, I privately asked an eminent English statistician this, "Really now, all semantics and subtleties aside, what do you think?" His answer was, "We are not within a thousand miles of understanding the explanation of these complicated findings." That is the opinion of the distinguished English statistician, and it is equally the opinion of this undistinguished American statistician.[3]

"Question. You speak of an English statistician. The Royal College of Physicians of London (1962) has issued a report vigorously condemning smoking as the chief cause of lung cancer. What do you think of it?

"Answer. I have not studied it sufficiently to present an opinion. But there is an incongruous element about this incident. You know, there is a Royal Statistical Society in England also, the most renowned statistical society in the world. It has issued no report. Another point, in advance of the 1961 Paris meeting of the International Statistical Institute to which I referred—and this was before the Royal College of Physicians' report was published, but it had been bruited about—the secretary of the committee of the Royal College of Physicians and every member of it were invited to attend the meeting and participate in the discussion. None accepted. I must emphasize that no professional statistical society has issued any report on this statistical question. Nor has any such society been consulted.

"Question. Do you mean we should do nothing about this, just throw up our hands?

"Answer. No, I do not mean that. I have repeatedly stressed that these findings call for an investigative program of wide scope and intense pursuit to search out their meaning, and I have suggested some such investigations. But compared with the dimensions of the problem, little has been done. As an example I may point to the U.S. Public Health Service. I am told that about a hundred million dollars a year are allocated directly, and perhaps even more indirectly, to investigation of cancer. Since 1954, when the statistical investigations on smoking and lung cancer were proclaimed, perhaps almost a billion dollars have been allocated for cancer research. How much has been expended for the experimental investigation of this particular problem of smoking and lung cancer? So far as I know, little or none. I really don't mean to criticize the Public Health Service. I have another point in mind. Albert Einstein has remarked that if you want to know what a scientist really believes, don't listen to what he says, but observe what he is working on. I suspect that the reason the scientists of the Public Health Institutes are not working on this problem is that they don't see any research gold in 'them thar hills.' Anyone who isolated from tobacco smoke a substance that could be shown, to the satisfaction of scientists generally, to be the cause of lung cancer, let alone all the other cancers that smoking is supposed to induce, would earn not one, but a brace of Nobel prizes. It might be the beginning of an effective attack on the problem, because when we know the real cause of disease this is the beginning of finding amelioration or cure. So maybe the reason scientists in general are not trying to find the cause of lung cancer in tobacco smoke is that they don't really believe it contains the cause. I rest this conjecture on the opinion of Einstein.

"Question. How about trying to induce people not to smoke, especially children?

"Answer. Well, you're getting out of my field as a scientist. I will remind you that I am myself a nonsmoker of cigarettes; I own no tobacco stock, and I am a Fellow of the American Public Health Association. I think it would be salutary, for general reasons, if young people did not smoke—and, for that matter, so far as health is concerned, it would not hurt adults if they did not smoke. I don't want to criticize anybody. Everybody works according to his own lights. But I will say that if a campaign is undertaken, it would be well to consult sociologists and psychologists as to how the campaign should be conducted lest it have more bad than good effects. What has happened to the per capita consumption of cigarettes since the furor of smoking causing lung cancer was launched? It is shown in figure 6. The per capita consumption was going down till 1954—when these investigations were announced. Then it turned and began rising precipitously. When I last plotted it, it had reached the highest point in our history.

"I will not insist that this is an association of cause and effect; but it is probable. The American public has been made cigarette conscious by this discussion as it has never been before, and cigarettes sales have mounted. The tobacco industry and those who own tobacco stock, of whom, unhappily, I am not one, have benefited. But has anyone else? The whole discussion has been conducted in an atmosphere of emotion and recrimination. We ought to cool it off and engage in some sober thought on all aspects of the problem, particularly the research aspects.

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"[2] Roasted coffee beans also contain small amounts of benzpyrene. The natural constituents of our daily diet contain minute amounts of arsenic.

"[3] Personally, all relevant available facts considered, I think it very doubtful that smoking causes lung cancer.

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Mr. Ervin. I wish to read a few statements by Dr. Berkson. He speaks about having attended a meeting on smoking and health at the International Statistical Institute in Paris, France, in 1961. After he had heard physicians express themselves he asked this question of a prominent English statistician: "Really, now, all semantics and subtleties aside, what do you think?"

His answer was:

"We are not within a thousand miles of understanding the explanation of these complicated findings."

Dr. Berkson goes on to say that the opinion of the distinguished English statistician is equally his own.

Dr. Berkson is the medical statistician of the Mayo Clinic. He says:

"All relevant facts considered, I think it very doubtful that smoking causes lung cancer."

Now, I wish to show some of the statistics upon which the report of the Surgeon General was founded.

According to statistics found on page 626 of the Surgeon General's report smokers "have been reported to marry oftener, change jobs more frequently, to be more often hospitalized, and to participate more actively in sports than nonsmokers."

Therefore, Mr. President, on the basis of the Surgeon General's data, if a person wishes to marry often, he must smoke. If he wishes to participate more actively than other people in sports, he must smoke.

That is what it says.

Mr. Kennedy of New York. Mr. President. what page is the Senator reading from?

Mr. Ervin. Page 326. This is what it says. This is the kind of stuff that this proposal is based on. This is the Surgeon General's report, not mine.

I continue to read from the report:

"Thomas—

He is one of the statisticians—

has reported that the parents of medical students who smoke have a significantly higher incidence of arteriosclerotic and hypertensive cardiovascular disease than parents of nonsmokers."

In other words, the report states that if one happens to be the parent of a medical student who smokes, the parent is more likely to have heart disease than the parent of a medical student who does not smoke. That is the kind of claptrap on which the proponents are trying to condemn the livelihood of millions of Americans.

An investigation of the question has been conducted in Germany. I invite the attention of Senators to the committee hearings, part I, starting at page 404. I inserted a statement in the Record when I testified before the committee which referred to the fact that a 5-year study of lung cancer recently published in Germany's Journal of Cancer Research presents evidence which conflicts with the conclusion of the U.S. Surgeon General that cigarette smoking is a major cause of disease. The German researchers have indicated air pollution, not smoking, as the chief cause of lung cancer.

I digress for a moment to ask the following question: Why does not the Surgeon General conduct investigations to ascertain the effect upon people of carbon monoxide, noxious vapors, and gases, which continually are being released into the atmosphere in the urban centers of the United States? Why does not the Surgeon General investigate the reasons more people die of lung cancer in the industrial sections and in the urban centers than in the rural sections of our country?

Why does he not address himself to such studies, instead of assembling statistics such as those about the parents of medical students who smoke and parents of medical students who do not smoke?

I refer again to the German report.

The Presiding Officer. The 10 minutes yielded the Senator from North Carolina have expired.

Mr. Morton. Mr. President, I yield 2 additional minutes to the Senator from North Carolina.

The Presiding Officer. The Senator from North Carolina is recognized for 2 minutes.

Mr. Ervin. The German report on lung cancer and cigarette smoking stated—

"No significant relationship exists between cigarette smoking and the risk of lung cancer. No relationship between the incidence of the disease and the number of cigarettes smoked could be demonstrated. The heavy smokers were found in an occupational group with the least occurrence of lung cancer. The average age at which lung cancer occurs is the same for heavy smokers, light smokers and nonsmokers."

The article points out that the highest incidences of lung cancer in Germany are in those areas which are highly industrialized—where there are many noxious vapors and odors in the atmosphere—whereas, the least incidences of lung cancer in Germany are among the professional men who smoke the most. That is what the German records show.

If we are to permit the Government to rid us of all our bad habits, there will not be much fun left in the world. We shall have a more extended Government than we have now, when the Government already looks after almost everything. The bill before us would provide that the Government would look after our bad habits. One of the worst habits of Americans is overeating. It is said that the platter is more deadly than the sword.

Food is more deadly than the cigarette. Why do we not advocate that the Government tell us how much we shall eat and what we shall eat?

Mr. Kennedy of New York. Mr. President, will the Senator yield?

Mr. Ervin. I shall yield on the Senator's time, if he wishes me to do so.

The Presiding Officer. The Senator's 2 minutes have expired. Does the Senator from Kentucky yield additional time?

Mr. Morton. Mr. President, I yield 1 additional minute to the Senator from North Carolina.

The Presiding Officer. The Senator from North Carolina is recognized for 1 minute.

Mr. Ervin. I cannot yield to the Senator from New York unless he gives me some of his time on which I might yield. We are operating under a time limitation. I would enjoy a colloquy with him, but I do not have the time available.

Some time ago the Wall Street Journal published an editorial entitled, "Can Government Break All Our Bad Habits?" That article points out that more than 40,000 people are killed on the highways by automobiles every year. Do we propose to abolish motor vehicular traffic? More than 22,000 persons every year die of cirrhosis of the liver, which is said to be caused by drinking alcoholic beverages. Yet those who are so concerned about the puffing of a cigarette do not offer any objections to the drinking of alcoholic beverages.

I conclude by reading a portion of that editorial:

"What such a program would do is inject the Federal Government into matters of purely personal behavior and private decisions. Since there is no logical place to stop that sort of thing, some of us may be permitted the view that it is an extremely bad habit to start."

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"CAN GOVERNMENT BREAK ALL OUR BAD HABITS?

"A 3-year, $10 million Government campaign against smoking is one of the lesser recommendations tucked away in the recent report of the President's Commission on Heart Disease, Cancer, and Stroke. The program would include setting up a nationwide network of smoking control clinics to help people quit and mounting a broad educational barrage on the dangers of the habit.

" 'It seems apparent,' says the Commission, 'that the reduction of cigarette smoking offers great possibilities for the prevention of illness, disability and premature death in this country.' Whether or not you agree with that conclusion, some questions immediately arise.

"If Congress approved this program, would it simultaneously agree to stop subsidizing the tobacco farmers? What would be the reaction if it did? And how would this part of the war on smoking fit in with the war on poverty?

"More seriously, the thought might be ventured that smoking is not the only habit that can contribute to shortening life. The number of illnesses, disabilities and premature deaths in the United States annually which are directly traceable to tobacco is not known with any exactness, but there are pretty firm—and grim—figures on other causes, such as the 40,000-plus highway toll every year.

"Nor should anyone be unmindful of the implications of some 22,000 deaths yearly from cirrhosis of the liver, in many cases attributable to excessive drinking, and indulgence in certain ways conspicuously worse than smoking. In truth the list of our sometimes dangerous proclivities is long, and the obstacles to overcoming all of them fairly forbidding.

"In the case of smoking, a lot of exhortation against it has been heard for a good many years and even centuries; more, of an indirect sort, will be forthcoming in the stringent new advertising code of cigarette manufacturers. Local experiments in anti-smoking clinics have also been undertaken. Yet the sales figures suggest that none of this, not to mention innumerable new year's resolutions, has made much of a dent. It is not clear that a Federal program would have better luck.

"What such a program would do is inject the Federal Government into matters of purely personal behavior and private decisions. Since there is no logical place to stop that sort of thing, some of us may be permitted the view that it is an extremely bad habit to start."

[From the New York Times, Jan. 12, 1967]

STATEN ISLAND DEATHS LINKED TO AIR POLLUTION—JERSEY IS CALLED PROBABLE SOURCE AFFECTING LUNG CANCER IN NORTH AREA

(By Peter Kihss)

Higher death rates from respiratory cancer in northern Staten Island probably result, at least in part, from air pollution produced in New Jersey, the interstate air-pollution conference was told here yesterday.

A study financed by the United States Public Health Service was reported by Dr. Leonard Greenburg to show that a death rate for white men 45 years and older was 55.4 per 100,000, as against 40.2 in central and southern Staten Island. The rate for white women was 8.2 in the north and 4.1 in other sections.

Dr. Greenburg, the city's first Air Pollution Control Commissioner from 1952 to 1960, also said that a citywide increase in deaths appeared to have occurred from the Thanksgiving weekend weather inversion, which led to a smog alert.

The city, Dr. Greenburg said, had 268 deaths from all causes on the first day of the inversion, which was Wednesday, Nov. 23, and exceeded 250 deaths a day for the following six days. This was the only month of November with seven consecutive days of 250 daily deaths or more in studies going back to 1961, he added.

The Albert Einstein College of Medicine, where he has been chairman of preventive and environmental medicine since 1960, reported deaths in the borough from all causes and from all cancer-caused deaths averaged close to rates for the rest of the city.

The study covered deaths for 1959, 1960 and 1961, based on whites as 94 per cent of the population.

Newsmen recalled to Dr. Greenburg that all Staten Island had been covered in New York State complaints about air pollution from New Jersey, while his data would imply that the southern area was better off on respiratory cancer death rates. His response was that one factor might be "different types of pollutant."

The northern section along Kill van Kull lies south of the Bayonne and Elizabeth complexes of mixed industry. New York State has also complained of pollution along Arthur Kill from the Linden, Carteret, Woodbridge and Perth Amboy areas.

New Jersey has insisted at the conference at the Statler-Hilton Hotel that each State's pollution affects the other with shifting winds.

William A. Munroe, New Jersey Health Department representative, commented to newsmen that northern Staten Island had "high-density population—more automobiles and more people keeping warm" than the south.

Dr. Greenburg suggested that cancer deaths in the north section might also be linked to lower-income status, indicated by more persons housed in each room than in the south.

INVERSION DEATHS

New York City's Health Department, queried later about the Thanksgiving inversion deaths, reported deaths from all causes in the five boroughs numbered 269 on both Nov. 23 and Nov. 24, followed by 254 on Nov. 25, 255 on Nov. 26, 263 on Nov. 27, 254 on Nov. 28 and 266 on Nov. 29.

This would indicate 80 more deaths than a seven-day average of 250 a day, not quite 5 per cent for the period. Dr. Howard J. Brown, the city's Health Resources Administrator, said:

"During the period of inversion the number of deaths was higher than was expected at this time of year, but the number was not significantly higher in a statistical sense."

Hospitals Commissioner Joseph V. Terenzio had said on Nov. 28 that "almost with certainty that there was no detectable immediate effect on morbidity [illness] and mortality because of the smog."

A spokesman said yesterday, however, that there had been delays in filing death certificates on the holiday weekend.

Dr. Greenburg told the conference that illness records from hospitals indicated a rise in bronchitis, and in one instance in asthma, during the inversion period.

In another report to the conference, Dr. William H. Becker, research director of the Continental Research Institute, told of responses by 2,052 workers on their experiences Nov. 23 through Nov. 27 in the inversion.

Of these, 38 per cent reported one or more of a series of symptoms. Eye irriation was the complaint of 17 per cent of all the respondents; increased coughing, 8.5; difficulty in breathing, 6.8; increased sputum production, 5.2, and wheezing, 3.2.

"There was an ascending positive response each day, which correlated with the ascending level of the air-pollution index and reached a peak on Friday, Nov. 25," Dr. Becker said.

In yesterday's sessions, Dr. Richard A. Prindle, the nation's assistant surgeon general, said most of the country's major sources of sulphur oxide pollution were "still uncontrolled."

He said increased illness had been shown when 24-hour concentrations of the contaminant, produced by fuel burning, exceeded 0.2 to 0.25 parts for each million parts of air. Dr. Prindle added that the Public Health Service recommended a goal that would not exceed a 24-hour average of 0.1 for for than 1 per cent of the time.

SEES "MASS SUICIDE"

Carbon monoxide, deriving mainly from motor vehicles, was growing, Dr. Prindle said, to the point where "we may find ourselves using it to commit mass suicide."

California and New York State have recommended air quality objectives with an eight-hour average of 30 parts per million for carbon monoxide. Dr. Prindle suggested these "may be too high to afford ample protection for anemic, respiratory or cardiac-impaired persons."

George A. Jutze, deputy chief of field investigations for the abatement branch of the National Center for Air Pollution Control, told of Federal steel plate and sulphur dioxide measurements that showed the following:

"The urban New York environments is slightly more corrosive than Chicago, one and a half to two times that of Philadelphia and Detroit, and at least two times that of St. Louis, Washington and Cincinnati.

"The corrosivity of the suburban Staten Island environment is quite severe, equal to or greater than that of Philadelphia and twice as bad as St. Louis."

Roger H. Gilman, director of planning and development for the Port of New York Authority, said the authority had experimented with "platooning"—sending vehicles through its tunnels a group at a time in heavy traffic to minimize stopping and starting—to hold down exhaust pollution.

ORDER OF BUSINESS

Mr. THURMOND. Mr. President, I ask unanimous consent that I be allowed to speak on other subjects, without the time being charged against the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDWARD HUNTER'S PROPAGANDA ANALYSIS OF THE PENTAGON DEMONSTRATIONS

Mr. THURMOND. Mr. President, much has been written about the demonstrations at the Pentagon on October 21 and 22, 1967. Unfortunately, very little of the writing on this subject has been analytical. The news media were content, at the very least, to simply present the events on those 2 days to the public. In fact, had it not been for the news media, those events would have had very little propaganda effect. No spectators came to watch the demonstrations—no spectators, that is, except the reporters and broadcasters.

It is clear that the entire movement was carefully planned and organized for months in advance and that the ultimate aim of the demonstrations was not so much to achieve a practical result as a propaganda victory. Moreover, the new coalition known as "the new left" was flexing its muscle and was testing its ability to interfere with the processes of modern civilization. They wanted to see how far they could go and to what extent they could win cooperation from the authorities whom they ultimately hope to overthrow.

The propaganda aspect of these demonstrators was extremely successful, as well as the logistical training which they hoped to achieve. There is disturbing evidence that the news media did not merely report the events in a minimal fashion, but carefully emphasized only those events which would further the purposes of the demonstrators. The distinguished minority leader of the House of Representatives has pointed out that the White House knows full well that the hard core of the demonstrators was Communist, acting at the direction of an international conspiracy. In view of this fact, the success of the conspiracy in achieving propaganda results is all the more frightening.

However, one analysis has come to my attention that was not sympathetic to the causes of those who organized the demonstration. This was an account written by a professional propaganda analyst who was present at the demonstrations and took notes of what he saw and studied them in the light of the goals of international conspiracy. I refer to the article "What I saw at the Pentagon" by Edward Hunter, the well-known authority on brainwashing in Red China and Korea and who has had a lifetime of experience in studying Communist tactics at home and abroad. This eyewitness account is one of the most significant articles which has not yet appeared concerning the demonstrations. It was published in the November 20 edition of Tactics.

I would like to point out some of the significant aspects which come out of Mr. Hunter's keen analysis:

First. The U.S. demonstrations were definitely coordinated with other demonstrations around the world, including projects organized by Hanoi. I would like to add parenthetically that whatever is organized by Hanoi is planned in Moscow and we must not let ourselves be led astray by the locale chosen for a propaganda movement. Nevertheless, Mr. Hunter points out the announcement by Hanoi of direct propaganda links with the United States. Such propaganda activities included collaboration with Tom Hayden, one of the leaders of "the new left" in the United States.

Second. Mr. Hunter points out that the entire demonstration at the Pentagon was met by the appointed officials with another example of the "no-win" policy. Just as we have a no-win policy with communism abroad, so too, we have a no-win policy with Communist activities at home.

Third. Mr. Hunter relates his amazing experience in discovering that the demonstration area was actually policed and controlled by the Reds themselves, while our own policemen and soldiers stood outside the boundary lines. Mr. Hunter says that his Pentagon press pass was not recognized by the Reds; instead, he had to get a separate pass from the demonstration leaders.

Fourth. Mr. Hunter notes that much of the incendiary speechmaking was directed at Negroes. Yet he said that except for speakers, there were practically no Negroes in the crowd.

Fifth. Mr. Hunter speaks sympathetically about the restraint shown by the young American soldiers who were required to submit to the vilest insults by these supposed peaceful demonstrators.

Sixth. Mr. Hunter was present at the moment when a small group of demonstrators actually charged into the Pentagon. He reports that there appeared to be an opening left purposedly to allow the demonstrators to achieve a token victory. I suggest that my colleagues might be interested in reading this particular part of his account.

Seventh. I would like especially to call attention to the remarkable occurrence which the news media ignored. A dramatic incident which Mr. Hunter reported would have gone far to neutralize the hostile effect of the demonstrations. A group of patriots arrived on the scene with a motorized "cherry picker." This is a truck with a crane which lifts a man up in a basket to pick cherries, prune trees, repair overhead wiring, and the like. In this case, the cherry picker basket was used as a dramatic pulpit for the Reverend Richard Wurmbrand, the courageous Scandinavian pastor who has traveled the world relating his firsthand experience with communism in the concentration camps.

The dramatic appearance of the Reverend Wurmbrand was not unexpected. The news media had been informed in advance of what would happen. Many representatives of the news media were on the scene. It seems hard to conceive that such a dramatic incident of a stanch and religious anti-Communist towering over a mass of screaming, filthy hippies, admonishing them about the true nature of the conspiracy which they were serving, would have been highly dramatic, suitable for extensive treatment and coverage in the Nation's press. To my knowledge, not one line appeared about this incident. Mr. Hunter has reported this incident in extensive detail in a second article entitled "Voluntary Censorship Imposed" from the same issue of Tactics. The magazine contains many photographs of this demonstration which were never published elsewhere. Unfortunately, the photographs cannot be printed in the Congressional Record.

Mr. President, I wish to read both of these articles so that Senators may consider them in depth. I wish to add that Edward Hunter, the author of the articles, is the same Edward Hunter who wrote the book "Brainwashing." Mr. Hunter is an expert on subjects of this nature. He is one of the best-informed men on the Communist question to be found in the United States and probably in the world.

The first article reads:

What I Saw at the Pentagon

(By Edward Hunter)

This editor decided to do a propaganda analysis of the demonstrations and disorders at the Lincoln Memorial and the Pentagon on the weekend of Oct. 21 and 22, 1967. He decided, too, because of the extraordinary circumstances surrounding the affair, that it would have to be based on his personal observations. So, for the occasion, he returned to the reportorial role he had occupied during many years at home and abroad. He was close to the speakers' table by the reflecting pool across the broad, circular highway from the Lincoln Memorial, where the affair began, and was caught in the squeeze at the steps when the reds symbolically invaded the Pentagon through its main entrance. This was the psychological warfare objective of the contest of wills.

What he witnessed was more than ordinary demonstrations or simple rioting, for they were coordinated with a military operation abroad and an international conspiracy, intended to defeat the United States in war and destroy our form of government and way of life. This was a fifth column operation. What I witnessed confirmed that the affair was subversive and treasonable, and that the special consideration given it inside government practically assured it a symbolic victory. It had all the earmarks of being the beneficiary of the sort of things that happened when Hiss and the Philbys were cut into our policy channels, and when policy was frustrated or manipulated by a technique of diversion and paralysis.

VIETCONG ALLIANCE WITH U.S. "PACIFISTS"

Indeed, the coordination channels with the enemy, long obvious, have been formalized publicly. This is both an overt and a covert operation. The formation as part of the Viet Cong of a so-called South Viet Nam People's Committee for Solidarity With the American People was announced by Hanoi's official news agency on Oct. 17, timed to coincide with the symbolic invasion in Washington. This was disclosed by the Baltimore Sun in a dispatch from Edward K. Wu, its Hong Kong correspondent, and was followed two days later by the N.Y. Times in a dispatch by Hedrick Smith from Washington.

One of the announced objectives of this new "psywar" front, as the Baltimore Sun revealed, is "to unite and coordinate with the American people in the struggle for peace, justice, freedom, democracy and civil rights . . . in demanding that the U.S. government put an end to its aggressive war in Viet Nam."

The N.Y. Times reported "one task of the solidarity committee would be to encourage deserters by giving assistance to American servicemen and civilian officials 'who wish to return to their country or go to another place.' "

Hanoi also broadcast a message wishing "brilliant success" to the National Mobilization Committee to End the War in Vietnam, the organization to which our government granted the permit for the Lincoln Memorial and Pentagon demonstrations. "May the Oct. 21 struggle mark a new development in the American people's movement for an end of the U.S. war in Viet Nam," the broadcast concluded.

A graphic illustration of such coordination came on Veterans Day, Nov. 11, when the Viet Cong turned over three captured U.S. sergeants—not to the American authorities—but to Tom Hayden, who took an incendiary role in the Newark riots and is editor of "Liberation," as far out a "new left" magazine as exists. Hayden, in Cambodia, explained he headed a "peace" committee in which Dave Dellinger and Dr. Benjamin Spock, two foremost figures in the Oct. 21 demonstrations, were members. More incontrovertible evidence of the treasonable coordination of the "peace" front with the military front, both aimed at the defeat of the United States, would be hard to find. What is happening is that the participants are becoming more confident of immunity under our crippled legal system, and hence bolder.

WHERE IS FBI, HCUA, AND SISS?

Congressional investigation into the circumstances and ramifications of the tumultuous Oct. 21–22 weekend in Washington, D.C. is a clear responsibility of our legislators. The dangerous extent to which the anti-anticommunist policy of the government has reached is shown by the incomprehensive failure of the House Committee on Un-American Activities and the Senate Internal Security Subcommittee to be engaged deeply in unearthing the details about this conspiracy, with public discloeures, and the obvious inability of the F.B.I. to fulfill its proper responsibilities in this situation.

Officialdom in the national capital was too involved ideologically on both sides for this affair to be written off as just a happening, to be routinely entrusted to normal channels. The Justice Department, that had overall jurisdiction at both the Lincoln Memorial and the Pentagon, to a virtually unprecedented degree, is on record as considering such conduct as I witnessed as merely "eccentric behavior," the term the present attorney general, Ramsey Clark, applied to the Berkeley, Calif. disorders, in a House hearing in mid-August, 1966 (see Tactics of Sept. 20 and Oct. 20, 1966).

What I witnessed was not just treason, even in an outright form, but modern guerrilla warfare waged on a "peace" front that is just as much of the war as the still bloodier military front in Viet Nam. What took place was combat on the domestic or "peace" front, an Orwellian term, coordinated in planning and direction with the military front abroad. This is psychological warfare on U.S. soil, a phase of what is known in red dialectical materialism as "struggle," and which is being fought against us internationally.

When this editor applied for press credentials at the Pentagon, and later in contacting the Justice Department, he frankly explained: "I hope to cover the demonstrations in depth, what the participants and the authorities do, making my report a psychological warfare study, not just a recital of spot news. I intend to see all I can at firsthand, and then talk to some of those involved in the mechanism by which the affair is to be handled." I read all I could lay my hands on that related to the background and planning.

SEE OUR VIETNAM STRATEGY IN CAPSULE FORM

What became evident as the afternoon of Saturday, Oct. 21 wore on was that the control and the decision-making under which our military forces at the Pentagon operated, in their confrontation with the force opposing them, was identical—in capsule form—to the strategy and tactics under which our troops presently are operating in Viet Nam. This is as they had operated, too, during the Korean War, and unless a basic change is forced upon our civilian policymakers, it is exactly as they will have to operate once more in Korea if the fighting there resumes, as is being increasingly threatened, or anywhere the reds decide to embroil and bleed us. This was my initial conclusion.

What I observed was the no-win policy in practice, humiliating and hamstringing out men, while building up the morale and confidence of the opposition. The decision-making process was restricted and slow. The hard core, the demonstration's shock troops, was given a privileged sanctuary at the Pentagon, that it used as a base, from which to achieve its breakthrough. This was the pattern on mainland China, too, as in Korea and Viet Nam. The final push at the Pentagon, onto the mall and inside—the immediate goal set by the reds as their symbolic conquest—took advantage of a gap in our defense lines that was left there invitingly.

Whether due to obsession with negotiations, fear of offending Moscow, ignorance of communist tactics, or intent, an humiliating and impossible tactical situation was imposed upon our men, further handicapped by self-defeating channels for control and instructions. The demonstrators used their negotiated position as a base from which to make an advance. This then became the new base, and the maneuver was repeated. This goes on, under red tactics, until either a shortage or longrange objective is attained. So I saw.

EDITOR'S EYEWITNESS ACCOUNT

Let me relate what I witnessed, chronologically. Saturday mid-morning I started walking through Foggy Bottom toward the Lincoln Memorial. The streets were mostly deserted, except for those going in the same direction as I. There weren't so many of them, but they obviously were demonstrators from out of town, and they were coming out of homes where they had been put up overnight.

Accommodations were supplied generously. In one midtown apartment, as an example, a longtime aide to Hubert Humphrey made himself available as a legal consultant for the demonstrators, and his wife phoned her friends asking them to provide quarters for one or more of the visitors.

As I crossed the grass within sight of the memorial, hippies, beatniks and "new leftist" generally were hawking and distributing tabloids, leaflets and buttons, which differed only in degree of opposition and hate expressed for the United States, and in the amount of obscenity. An article in the Washington Free Press of Oct. 14, on the forthcoming demonstrations, was headlined, "F— the Army," with the foul word spelled out. Details were given of an underground with outlets in Europe to contact American soldiers and subvert them, providing facilities for desertion. This was as much an incitation as a report.

My attention was agreeably caught by a row of young women and men, on the grass beside the memorial steps, holding up patriotic signs. Some distance away, a lone picketer held up a sign with an anti-Semitic slur on it. Reporters and photographers were everywhere about. They played up the nazi line, ignoring the patriotic students, giving exactly the impression the enemy wanted, that the nazis represented the only opposition to the demonstrations.

The inspiring group that stood up for its country marched across the Memorial Bridge, too, and I learned it joined a sensational coup in which the Rev. Richard Wurmbrand, who had been tortured by the reds, went up in a "cherrypicker"—a basket raised by a hydraulic crane on a truck—and told the facts about the communists. So far as the press was concerned, all these were unpersons. Details of this fine counter-demonstration on Pentagon grounds are related in an accompanying article.

A cardboard box, about three feet high, on the pavement to the right of the memorial steps, guarded by two youths, caught my eye. I noticed demonstrators come up, knowingly stretch out a hand, and be given something without paying. So I went up and did the same, and was handed a plastic water pistol, with red dye in it. I repeated the performance to make sure, and was handed another one, this containing purple dye. The only explanation I have is that this was intended for those who would write anti-U.S. slogans and obscenities on monuments and walls. The results later were clearly visible, and could be removed only at high cost. Some of the stains could not be removed.

The police knew of this distribution, but did nothing about it. They were under orders to protect the demonstrators, and not to interfere in any of their activities within the areas alloted to them. One has to be a pro-red to enjoy such privileges, under our double standard in law enforcement.

REDS GIVEN TACIT JURISDICTION OVER RALLY AREA

My Pentagon pass was not recognized by the reds, who gave out their own passes for entry to the area of the reflecting pool, which they closed off. Their permit did not give them permission to exclude the public from a federal park, but they were allowed to do so, apparently by the same sort of tacit agreement that the Phoenix Papers recommends for the Administration as a means of circumventing the Congress on treaties.

A structure built like a belltower, but for loudspeakers, had been erected by the sponsoring group just outside this restricted area. The television networks had their crews and equipment lined up at a right-angle to the speakers' platform, between it and the loudspeakers, but inside the restricted area. They all had received passes from the reds. Reporters gathered here, too. I noticed the iron curtain countries were well represented. Part of the normal duties of communist correspondents, as has been well verified, is to double as espionage agents, which is part of their training, and to be available as channels for the transmission of intelligence and messages for contacts in the countries where they are assigned.

Except for the vast coverage given the demonstrations and disorders by the press and over the air, the affair would have been futile. Only demonstrators and the press attended any of these affairs, or the parade over the Memorial Bridge.

While the loudspeakers roared, I looked over the material I had accumulated, some from the table for cadre close to the speakers' platform. What was obvious was the minute preparation and coordination for the affair, here and abroad, that could have been done only under the direction of an experienced and powerful headquarters, with a well-established network at its disposal.

"CIVIL DISOBEDIENCE" AND "DIRECT ACTION"

One instruction sheet, produced in New York, characteristically declared the intent to be "peaceful," but then gave instructions for "civil disobedience" and "direct action." Confidently, it began: "Permits for the rallies, the march, the picketing and vigiling on the mall of the Pentagon have been assured us. Problems may raise, but serious trouble is unlikely," adding the significant proviso, "especially for those not committing civil disobedience."

Emphasis was put on reliance upon the marshals, and by this was meant the red cadre, not the U.S. marshals. Discipline was stressed, but the reference to civil disobedience and direct action plainly indicated that violence was anticipated. This patently was a communist document, and the organizers wanted the violence to be under their direction and control, for their specific objectives.

"For those planning to participate in civil disobedience," the instruction sheet declared, "direct action will begin at the Pentagon at around 4:00 p.m. following the announcement by Dave Dellinger." He is an admitted communist who was chairman of the so-called Mobilization Committee, and chairman and master of ceremonies for the talks at the reflecting pool.

He, though, took his orders from undesignated superiors, through channels, in the red way. The instruction sheet went on: "A small committee will have surveyed the situation, and depending on the nature of the police preparations, will instruct Dave to give the appropriate directions."

The intent to outmaneuver the government forces and to accomplish their objective could not have been more plainly stated. Certainly the F.B.I. knew all this, but that Ramsey Clark heeds Edgar Hoover is extremely doubtful. The orders continued, in safe doubletalk: "We do not intend to rush police lines, or attempt to enter the Pentagon by force. Nevertheless, we will persist in a determined effort to impede its operations, and to stand our ground for as long as this is feasible—at least until Monday, noon, October 23."

Only a couple of hundred remained past the weekend, and were easily removed before the workday began at the Pentagon on Monday. They had entered the Pentagon, though, what they needed for their international publicity. This writer saw a gap left open, as if for them, and saw them pour through it onto the mall and rush the gateway, putting a half dozen or so of their men through it into the Pentagon. That this would happen was obvious from the preparations minutely made at the spot. I discussed this amazing gap loudly with a friend, while we watched from the wall of the mall, and spoke to a Justice Department man standing next to us, who was communicating with his headquarters. Whether a tacit understanding or operational clumsiness left this space open, an overhaul of channels and direction is required.

The instruction sheet crisply told what to do "in case of attack," to "use the various self-protective techniques that have been developed to blunt the force of physical attack." Arrests could be impeded, it explained, "by going limp . . . its advantage is that, when done en masse, it prolongs the action for hours, sometimes days."

What the instructions could have added was that these prolongations are determined by how long the television cameramen and the reporters are present.

INCENDIARY SPEECHES AT REFLECTING POOL

The loudspeakers changed to a muffled exchange of indistinguishable words and then became silent while Clive Jenkins, who operates in the British labor movement, was declaiming on the coordinated demonstrations taking place around the world, all against the United States. A couple of minutes elapsed before they resumed. Huskies had rushed toward the speakers' table, and formed a protective guard around it. A nazi had slipped in and overturned the rostum.

He was roughed up a bit and with a colleague, dragged outside and handed over to the police. This confirmed the tacit agreement that gave the reds police jurisdiction over the rally areas, there and later at the Pentagon. I saw no police inside any of these areas. Police were plentiful outside at the memorial and U.S. marshals and military police were around the triangular grasslands in front of the Pentagon mall, but none went into these rally areas. This was another concession to worldwide communist tactics, giving the reds another proof of their clandestine influences.

Incendiary speeches were hurled particularly at the Negroes, although the entire audience was white, except for a small group in the distance that did not participate in the Pentagon affair. A young Negro urged colored soldiers to "lay down their arms by the thousands," an appeal made to order for the Hanoi radio. Frequent references were made by speakers to a Negro "nation within the nation" and to the "black colony within the United States." The colored were simultaneously urged to overthrow all "colonialism." Incitation to guerrilla warfare inside the United States hardly could have been plainer.

MEMORIAL BRIDGE CLOSED TO PUBLIC

I decided to see what was happening at the Pentagon, and be there when the demonstrators arrived. As I approached Memorial Bridge, I saw this historic span closed to traffic, given over exclusively to the reds for their march. This is the beautiful approach to the National Cemetery, where lies the Unknown Soldiers and many of the hallowed dead of Korea and Viet Nam. That our government should allow the reds, in effect, to close this route, was a desecration of the dead that lie there.

This tribute to red prestige dislocated traffic through the center of Washington. My taxi could only crawl to the Rochambeau Bridge at 14th St., and seeing this hopelessly packed, go down as far as the Capitol in order to take the George Mason bridge. Once in Virginia, military squads posted on the road all around the Pentagon guided me, once I showed my press pass, to the assigned south parking entrance. This led by a direct, convenient corridor to the press section, but McNamara and his "whiz kids" apparently had decided this was too simple. You had to practically do a semi-circle of the vast structure to reach the mall and the alloted entrance. Extraordinary precautions were taken to keep the press confined when in the building to a small section of one outer ring. That evening, I guided a top, New York reporter to a soldier who would take one's coin and go to another portion of the enormous building where a candy bar could be bought.

My eyes and throat began to smart just noticeably as I walked past the bays on my way to the permissible entrance. This was no time to develop an allergy! The thought crossed by mind, could this be tear gas? Only soldiers were walking about, and I jocularly asked whether it was my imagination. An officer replied: "We've been distributing tear gas to the troops. A bit escaped."

This provided a laugh when I chatted with others later, saying I was the only tear gas casualty of the day. This came to my mind the next day when I heard that some of the demonstrators charged that they had been tear-gassed. Considering the disorders to which the soldiers were exposed, I would not be surprised if one or two had thrown a tear gas bomb. Or one of the eager beaver "legals" or red marshals might have detected some in the air, as I did, and jumped to conclusions. The red tacticians did not hesitate to concoct rumors to affect morale, as when the report was spread that two soldiers had defected and joined the enemy. A special issue of the treasonable, underground tabloid, Washington Free Press, was issued with a headline, "Two GIs Defect at Pentagon." Foreign correspondents frequently pick up stories from such rags, and send them abroad as exclusive dispatches. The Washington Post on Sunday ran a sob story about the rumor, glamorizing the participants, but I am not sure the reporters had their heart in this. They quoted the young people as chanting to the troops, "We love you, we love you, come join us," significantly adding, "while the TV cameras whirred."

THE THEATER ON THE MALL

My first view after I made the turn to the mall side was of U.S. marshals, military police, television crews and reporters, but hardly enough to crowd the broad, concrete walk. The hubbub and ferment were concentrated at one, central point along the outer, walled rim. As I approached it, the scene reminded my of the proscenium of a theatre.

The wide stage was directly opposite the Pentagon steps. The outdoor equivalent of box seats was provided by an enormous, flatbed truck, one on each side at right angles to the stage. The one to the left of me was crowded with television cameras and crewmen, while fewer occupied the one to the right. A pack of photographers and reporters, military officers and Justice Department liaison men constituted the audience. They stood behind lines set by the ushers—U.S. marshals equipped with clubs and a thin line of soldiers holding pointed rifles, their bayonets still sheathed. They had no bullets. As the afternoon wore on, bayonets were exposed, but the rifles constituted at best only clumsy clubs.

The show was going on. The stage was densely packed with a chorus and the cast, along with stagehands. This was vaudeville, a Pirandello phantasmagoria where the lines between actuality and fantasy are blurred and indistinguishable, and change places. One major difference marked this show, though. Every scene conveyed a message, and all the messages conformed to the red maxim that the first responsibility of all art forms is to serve as a weapon on behalf of communist party line and Marxism generally. So it was with the show at the Pentagon mall.

"COME, JOIN US," AND MARBLES TO FALL OVER

Entertainers strummed their guitars and sang folksy songs, others just sang, and the chorus sang, "We love you, we love you; come join us, come join us." Still others, especially girls, couched the most damnable treasons in tender tones, holding forth blossoms. The words, if one caught their meaning instead of being seduced by the rythmic tunes, were full of hate and treason for the U.S., and support of the enemy. This was the counterpart in the U.S. of the red "psywar" and propaganda focused on American troops by enemy loudspeakers and the Hanoi radio in Viet Nam.

This front of naive innocence and peaceful yearnings was cunningly blended into violence as well as subversion. A sudden dash would be made from some portion of the beguiling stage, testing the opposition to a rush into the Pentagon entrance from here, the closest to it. The red shock troops would advance only a short distance before they were met by U.S. marshals and then troops for melodramatic struggles in front of the cameras that could only show the defense forces as if attacking. The same hands that proffered flowers tossed marbles onto the pavement under the boots of the soldiers and marshals, to trip them up. They had been cunningly taught tactics of insurrection and seduction. This is guerrilla warfare strategy.

The reds always have a dual purpose, a shortrange and a longrange objective. Their aims here were to put on a propaganda show for worldwide sympathy as a shortrange objective and to rush the Pentagon entrance as the longrange objective. The former tactic succeeded at this point on the mall, but only with curious cooperation from inside government.

The scene from where the cameras were grinding was a sea of faces, seemingly of demonstrators massed into a great area. Banners, posters and flags made it a vibrating, living drama. I made a wide semi-circle around to where the outer wall of the mall gave a view of the large, triangular-shaped grasslands area reserved for the demonstrators. What to my astonishment, it was very sparsely occupied. The marchers had not yet arrived from the Lincoln Memorial. A preliminary show was being put on for the cameramen and reporters at the top of the steps leading from the grasslands onto the mall. The Pentagon usually has 30 to 35 accredited newsmen. Accreditation for this weekend totaled 884.

This, indeed, was a show put on exclusively for the world press, and it cooperated fully. The Washington Post ran an item boasting it had assigned 39 reporters and photographers to the demonstrations, listing them by name.

The permit to demonstrate set the limit at the grasslands as "the sidewalk . . . at the top of the steps." Why a permit would go out of its way to specify the top of the steps was curious. The only rationalization could be that a stage-like area to facilitate publicity for the demonstrators was intended. The reds got their way by the usual negotiation process. They kept extracting concessions until the cowed Administration bowed to their ultimatum that they would demonstrate without a permit. Two days before the event, a six-page permit was formally signed by the red Mobilization Committee for the one side and the General Services Administration, that normally operates and protects the Pentagon buildings, the National Park Service of the Department of the Interior, the District of Columbia's police department, and Arlington County, Virginia, for the United States.

Certainly, one would have had to be a hermit not to anticipate the series of events that transpired "at the top of the steps." The tactic I witnessed there was to press ahead a wee bit at a time, and then when and if an attempt were made to push them back, engage in a melodramatic struggle and shout the equivalent of "police brutality."

HIPPIES AS A COVER FOR THE HARD CORE

As the marchers began streaming into the grasslands, they first pressed toward the crowded steps. The bulk of them were in a gay, picnicking mood. I made the long walk to the far side of the mall and down a grassy path to this area. A thin line of soldiers was spread here, too, but let me through when they saw the press pass attached to my lapel. The crowd ranged between the 16-year-old girl who was getting a kick out of this permissive atmosphere, her scruples salved by the crusading terminology employed, to the hard-core communist activist.

As everywhere the demonstrators went, I saw men walking about with armbands marked "legal." The Mobilization Committee in a "fact sheet" for participants referred to "a team of 38 lawyers and 110 law students who have researched legal aspects of demonstration," meaning how to twist and exploit the law, taking advantage of every comma and clause in the Supreme Court decisions that they regard as their shield. They were skilled in doubletalk, ready to shout "military brutality" the moment one of the hard core took a poke at a soldier. They were always available to the many newsmen scattered among the demonstrators.

Noticeably on the grasslands, too, was the total lack of any police. This could only have been by tacit arrangement, for civilian and military police were everywhere else. The reds were master here, by Justice Department assent. Out of the side of my face, I noticed a photographer, with a husky bodyguard, take my picture. He obviously was not taking news photos. Someone whom they said they recognized as a nazi was grabbed, and dragged out while red wardens determined how much of a beating he could be given while being removed. Obviously, this was no healthy spot for an opponent of the reds, of any type. Lack of police protection available to anti-communists enabled the reds to present an impression of conformity. Indeed, permits for a patriotic counter-demonstration were not to be obtained.

TACTICAL MANEUVERS SHOW TRAINING

The reds demonstrated highly disciplined and experienced tactical command. They operated as a vanguard of a guerrilla force in an advance. They obviously benefited from a fifth column and an intelligence system. They knew at once whether a unit had been supplied bullets or not. One supposed newsman in my sight on the mall was exposed as a phony. The theft of a press pass presented no insurmountable problem.

The performance at the top of the steps changed its character wth the arrival of the marchers. The red marshals relayed instructions. A large section at the right of the stage—I know no better term to apply to the top of the plaza steps on the mall—was opened up for a contingent that came in military precision, carrying Red Cuban flags and posters glorifying Che Guevara. The tempo of the sporadic fighting became intensified, and a new unit of troops came up on the double, bayonets bared.

The psychological strain imposed on these young soldiers was unprecedented in any demonstration in our land. This was no true demonstration; it was sophisticated, guerrilla warfare, and to deal with it as anything else was as unfair to the soldiers as it was deceitful to the American people. A soldier would be picked as a target for a propaganda attack that would be unlike anything he had been taught. While he stood his ground, a young man or more frequently a girl would be sent up against him. I watched a girl until anger made me turn away, anger and a feeling of frustration for the heroic, young man, for it took heroism to resist this sort of mind attack.

The girl would talk tenderly to him, coaxingly, edging closer and closer to the bayonet, extending perhaps a flower. Her face would assume a look of agony, and she would bring the flower to the very tip of the bayonet, then try to leap backwards leaving it rest there. Her co-demonstrators would alternately join the pleading, shout epithets—or try to unnerve the soldier by such remarks as, "Take her; she's a virgin." The flower just then would be exactly at the tip of the bayonet. The soldier had to stand rigidly.

American soldiers should not be required to stand immobile while picket signs are brought up to their faces with some such reference as an obscenity attached to the President's name. After all, he represents the Presidency as an office, our highest office and symbol of our government. They should not be asked, too, to stand immobile while the flag of the enemy that is killing their buddies is waved in their faces. No, troops need not be summoned to deal with such treasonable behavior. We have ample and ready police, but under Justice Department control, this all is brushed off as "eccentric behavior," apparently just the play of children trying to attract attention.

THE CURIOUS GAP IN OUR LINES

The grasslands were now fairly filled with demonstrators. Still, the plaza steps remained the center of activity. The hard-core contingent was moved away, replaced by other red elements. I detected a shift in emphasis, and moved over to the mall wall at the righ to watch. The Pentagon roof was a favored spot, I noticed, for top officers and high civilians. The sound arose of a detachment coming on the double. These reinforcements were brought to the far right, below the wall, where a rope barrier was quickly raised.

This was in response to a shift by the demonstrators to the right. Indeed, the instructions, "to the right," cried out by red marshals, was heard where I stood. The show continued non-stop on the plaza steps, although on a reduced scale. The main crowd began to collect to the right. I wondered how long this thin line of troops with their rope could hold out. Obviously, it could have been overrun at any moment, but bloodshed would have been unavoidable. The reds obviously were engaging in a deliberate maneuver, but what? Another detachment of soldiers, bayonets naked, came on the double, and stood behind the first line. In a test of strength, the military would dominate. Although we had allowed the situation to reach this critical point, the last thing we wanted was serious bloodshed. Did the red tacticians want a showdown in which they not only would be sure to fail in their announced objectives, but be demonstrably defeated? Did this fit their "psywar" aims?

Obviously not, but just as obviously, this was some form of their manner of negotiating, or the implementation of a concluded, tacit negotiation. But what was happening now, in the massed red ranks, right up against the ropes? Were they fighting between themselves? This is how it looked. At intervals, when the pressure against the ropes became too ominous, these fist fights broke out. Red wardens, against the ropes, took swings at any of their forces that made a dash to the ropes, as if to lead a push in this direction. The obvious orders were not to attack here. Yet the cries, "to the right," were unmistakable.

The detachment of hard-core reds carrying the Castro flags and the Guevara signs caught my eye; it was moving to the right, too, but not in front of the ropes. It was moving just beyond, where there was an open space. At once the tactics became plain. The red intent was to rush the mall at this point, where the incline was easiest to overrun, and where there were no barriers, neither U.S. marshals nor troops.

I couldn't believe it. This was just too raw. Surely, others saw the gap. The chap then with me exclaimed, "I know that tactic; I've seen it work in the House Committee on Un-American Activities, when the communists were planning to break up a meeting or convert it into a melee." The fellow at the other side of me looked up. Eagerly, I mentioned this to him. He was speaking into a radio transmitter. I inquired who he was, and he said a Justice Department man. So it had to know, and it was in charge! I learned that a military man and a Justice Department agent alternated all down the mall walls.

But how were orders transmitted? An operations room to the right of the entrance was occupied by the seconds in command to Clark and McNamara. A military officer on the mall—just one—communicated with the operations room, indirectly through a communications room interspersed between him and it. Obviously, important decision were up to Clark and McNamara, and by agreement, Clark was in authority. This was as strange a chain of command as that under which we are engaged in a no-win war in Asia. The system is the same.

Time dragged on, as the reds methodically went about disposing their forces without impediment. The hole in our lines was as obvious as the nose on one's face. Singing suddenly broke out in front of the roped line. A patriotic song, that brought a thrill to those who heard it on the mall. The singing was by the demonstrators pressing forward at this one sector. "Watch it!" my companion exclaimed. "They are doing it to lull us." "Aren't you being a bit panicky?" I asked but he was sure he was right.

Suddenly, as if worked by a pushbutton, the group that had been singing sat down on the grass. "This is it," the chap now insisted. I wasn't so sure as he, but it was obvious to me that this was a maneuver of some sort. And why was that gap alone being left open? The hard-core group had been moved to the front of it. Red wardens were quietly moving demonstrators toward that spot. This convinced me that something was planned for there. Any moment, I expected to hear men on the double, and to see a detachment move into position to plug the hole.

"GO, GO, GO!"—AND THEN IT HAPPENS

This was hard to believe; it was just too obvious. It couldn't be! Suddenly, shouts arose to the right, from the area of the fist fights to maintain control, the singing and the sitting. "Go! Go! Go!" A hubub filled the air, and actually sooner than it takes to write this paragraph, I saw a group of huskies racing up the mall, followed by hard-core revolutionaries, and just teen-age youths. I raced over, and saw the small vanguard simply shove the military guards aside at the Pentagon entrance, and rush into this symbol of America's military might. The guards leaped forward and shut the heavy doors, too late!

The reds had achieved their objective, the entry and symbolic "capture" of the Pentagon, according to schedule. Their propaganda network around the world would do the rest.

The mall was tightly packed with demonstrators. The doors opened and several of the invaders—or intruders, if you wish to belittle the significance of this incident—were shoved outside. Some apparently were being arrested. The troops elsewhere on the mall simply had been outflanked by this unsurprising surprise. A detachment of troops with bayoneted rifles came through the door, capturing the steps, step by step. The demonstrators withdrew quickly.

Would the troops continue past the bottom of the steps, to clear the mall? The demonstrators were pushing forward. The red monitors, their objectives attained, gave orders to halt the advance. I stood for protection by a bush alongside the steps, in case there would be a clash, and then realized how silly this was. What protection would a bush give? The detachment, on reaching the bottom of the stairs, came to a halt. They filled every square foot of the steps; now that the horse was stolen, the barn door was being tightly shut. Our strategy was critically, suicidally wrong somewhere. If I were searching for symbols, this is what this fantastic battle of the Pentagon would symbolize for me. Heads should roll in our highest places symbolically, of course.

HOSTILE RECEPTION AT THE JUSTICE DEPARTMENT

Several days later, after interviewing others who had been involved, I phoned the Justice Department for an appointment. Everywhere, so far, my reception had been pleasant, although formal. I was asked to call later. The next day, when I did, I was told that a rather long conference had been held on the subject, and it was decided that it would be better to wait a while, so data could be assembled and interpreted. "Please, I'd like to do my own interpreting," I said. Finally, I asked if I might go to the press section to ask some simple questions. "Yes, if you insist," I was told.

What difference does it make exactly whom it was who received me? He was only obeying orders. The only decoration on the otherwise bare, white walls of his small press office was a page ad for the Washington Post, taken from some magazine. The ad was clever enough, and quite significant: "No rule says that USIA appointees must read this newspaper . . . . [a photo of the Washington Post] . . . . (but they all do)." Now I know what it is to feel like an enemy confronted by a government official. "We know your record; we've looked it up," I was informed. From what I had seen, I well understood their attitude.

I told him I would like some data on the mechanism by which the government handled the demonstrations. "The Pentagon is on federal property, so it fell under our jurisdiction," he answered, handing me a press statement. This gives you the law on this, he said I read the single page; all of the law it had was a recital of penalties, and the rest was the declaration that under our form of government, civilian authorities are in charge. He seemed surprised when I said I'd like to read the law, not a handout on it.

Indeed, he became quite angry. Reporters nowadays apparently are supposed to take what they get.

Mr. President, the other article to which I have referred, which was also written by Edward Hunter, is very interesting and is related to this subject. I shall now read that article, as follows:

VOLUNTARY CENSORSHIP IMPOSED

(By Edward Hunter)

A clearcut case of news suppression with clearcut ramifications that violate the principles of our free press has come out of the Lincoln Memorial and Pentagon demonstrations of Oct. 21 and 22, 1967. What makes this case unequivocal is that the news value of the incident was self-evident, yet the suppression was total—every newspaper, radio-television channel and news syndicate that covered the demonstrations failed to report on it. Yet there were no possible adverse elements involved, such as libel, slander, bad taste or obscenity.

The reasons given for the suppression were precisely those that have been recognized hitherto as contrary to the principles of a free press.

What happened was this. The sponsorship and planning for the weekend demonstrations made obvious that they were coordinated with the international communist movement.

A number of concerned citizens in the national capital decided on their own to demonstrate their faith in their nation and in our free society, and to support this with incontrovertible evidence in documentation and in deed. They contacted the Rev. Richard Wurmbrand in Norway. He carries on his body the scars left by red tortures. He testified under oath for the Senate Internal Security Subcommittee ("Communist Exploitation of Religion," May 6, 1966, U.S. Government Printing Office, Washington, D.C. 20402, 15 cents). They found out he was flying to the United States for a speaking engagement in the South. A shift in dates was arranged, so he could participate in the nation's capital as a living witness.

"CHERRYPICKER" PROVIDED FOR WURMBRAND

Something dramatically new was added to his appearance. A "cherrypicker" was hired. This is a truck with a crane that lifts up a basket in which a man can pick cherries, prune trees, repair overhead wiring, and now for the first time, serve as a pulpit.

Youths and young women got together to design picket signs and posters, to express their patriotism and to provide a voice for the overwhelming body of students and other young Americans who were being misrepresented by the highly organized and well-financed pro-red complex.

The Pentagon was contacted for photographs showing the kinds of terror inflicted by the communists upon villagers and American soldiers alike. Some samples, after long persuasion, were obtained of typical atrocities, actually war crimes, and a simple, four-page leaflet was produced. The leaflet was published by Wilson C. Lucom, as the first such activity of his U.S. Anti-Communist Congress, Inc., which he has set up at 1221 Massachusetts Ave., Washington, D.C. 20005, with himself as president and Herbert Philbrick, former F.B.I. agent in the Communist Party, as national director.

On Oct. 21, the group of young people appeared on the grassy knoll at the side of the Lincoln Memorial, holding the picket signs aloft with inspiring affirmations and slogans, proudly displaying a large American flag. This was a clean and invigorating message that everyone saw. They demonstrated by their presence, too, that the few nazis who had showed up were totally unrepresentative of the opposition to the reds. This was a most important factor in their mission. They marched with heads held high across Memorial Bridge. Wurmbrand, who had arrived the day before, came with the "cherrypicker."

CAMERAMEN, NEWSMEN, GATHER ROUND THEM

They proceeded to the Pentagon grounds where a crowd already had gathered. Immediately, they were surrounded by the so-called anti-war demonstrators who showed keen interest, especially in what Wurmbrand said. He went out among them, and then entered the truck, and was excitingly lifted above their heads. He spoke through a bull-horn, giving a prayer and then a sermon on behalf of those under communist persecution. Dick Gregory, comedian, had come to this spot, too, and had started to speak. A number of the more virulent activists among the pro-red demonstrators were preparing to talk, too. They could not stand this competion, and left, leaving the field to the courageous, young patriots.

Newspaper reporters and cameramen gathered round the group, too, taking notes and interviewing Wurmbrand, in particular.

Everyone concerned anticipated that surely some note of this would be taken by the press and over the air. So far as news values are concerned, there was no question that this was "a story." Every newspaper was eagerly gone over that afternoon and the next day, and the radio and television programs monitored. Not a line anywhere, not a word over any radio, not a moment on any television program!

But to make this censorship more scandalous, they all reported opposition to the red demonstrators, crediting it only to the nazis. The only opposition to the symbolic "invasion" of the Pentagon, as presented by the press, was nazi. This was a lie, and conformed to the impression that the communist "psywar" operators wanted to give.

A number of factors contribute to the clearcut character of this censorship issue. The press had ample advance knowledge. A press release even had been distributed. Betty Wolden, of N.B.C. news, phoned Lucom and asked if it were true that a counter-demonstration was planned, to include Wurmbrand, with Georgetown University students, and that a "cherrypicker" would be used. The word had gotten around! "Will you tell this story over N.B.C. news?" she asked. A telecast appointment was set for 4 p.m. the same day, Friday, Oct. 20, to include both Lucom and Philbrick.

About five minutes before 4 p.m., N.B.C. phoned and cancelled the interview "because our camera has broken." As if N.B.C. had only one camera!

In a conversation with William Monroe, N.B.C.'s Washington bureau chief, on Oct. 24, he was asked if, for example, he would consider it news if in the midst of the Pentagon demonstrations, a clergyman were lifted above the crowd, to pray for peace and the victims of communism everywhere, and had bared red-inflicted scars on his body. Certainly this would have been newsworthy, he replied. When told this was exactly what happened, and it was not reported, he said he could not believe it, but would investigate.

When phoned later, he said his staff knew nothing of the affair, and that anyway, it would have been impossible to get a "cherrypicker" onto the Pentagon grounds. He was informed it had happened at the north parking lot, where a rally was held under a permit given the reds. When he still expressed disbelief, he was offered photos to prove it. He refused to see them, saying it was "no longer news."

REAL REASON FOR THE CENSORSHIP

In one of the later conversations over the phone, Monroe is quoted as declaring that N.B.C. would have been criticized by the leaders of the demonstration if it allowed attention to be focused on a counter-demonstration, particularly anti-communist.

Yet these same press channels go out of their way at practically every patriotic or anti-communist parade or demonstration to give a big play to red hecklers, or to focus attention upon one or several unwelcome pro-nazis who had pushed their way into the foreground. I doubt if there is anyone who cannot confirm this double standard from his or her own observation.

N.B.C. and Monroe, who is regarded highly by his colleagues, are mentioned here only to illustrate a dangerous state of affairs into which our channels of communications have fallen. Any of the other networks and bureau chiefs could have provided the same sort of specifics, for this is a prevalent situation.

What this discloses is a sickness in the press generally, a double standard on news values, and a conditioning of staffs in an anti-anti-communist propaganda climate at a time when Moscow and Peking, operating presently through Hanoi, are heating up "psywar" pressures against the United States. The ultimate aim is to set us up for a fall before we wake up as a nation. This is what gives this censorship its crucial, life-or-death character.

News judgment is one thing, but what was equated in this case with balanced, objective selection of news was censorship. No journalist has the right to use editorial judgment to suppress a newsworthy story because it conflicts with what the sponsors of some affair desires. Here we find American news channels adopting the approach voluntarily of the controlled press of totalitarian countries.

Our communications channels, softened up in the anti-anticommunist propaganda climate, has fallen into this red trap. Actually, they did not fall into the trap; they walked into it. Failure to report the important and inspiring counter-demonstrations of Oct. 21 was a matter of omission and selectivity of the news in a form indistinguishable from censorship, all the more sinister because it was "voluntary."

Actually, the proper term is conditioned; it is voluntary only in the doublethink of Marxist dialectical materialism, as a controlled or conditioned Pavlovian reaction. This is what is most sinister about it.

Good and patriotic newspapermen are trapped this way by the pressures of "news management" and pro-red influences. This disorientation endangers national security and threatens the foundations of our free society. This being so, the press itself should set up a procedure to re-examine its basic principles, with one, primary objective. This is to return to objective reporting, so the voting public and Congress may acquire the untarnished information needed for the maintenance of a free society.

Now, Mr. President, those were the articles written by Mr. Edward Hunter, the author of his book entitled "Brainwashing," from his personal report. What I have related is not what someone told him. He was there. He was at the

Lincoln Memorial. He was at the Pentagon. He saw with his own eyes what happened. He reported it. I see nothing in the papers anywhere about it. It will be interesting now to see if any newspaper does carry an account of what Mr. Hunter saw.

Again I say that Mr. Hunter is one of the best informed men in the United States and in the world on the subject of communism. He is an expert on Communist tactics and maneuvers. Mr. Hunter lived in China for a long period of years. He knows communism first hand.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELIZABETH OSTH'S COMMENTARIES ON THE NEW LEFT

Mr. THURMOND. Mr. President, on October 12, 1967, my distinguished colleague from Mississippi [Mr. EASTLAND], spoke at length on the origins of the so-called New Left and its recent activities. A valuable supplement to his speech has been broadcast in my own State over the facilities of WDIX, Orangeburg. This broadcast was entitled "More Bang for a Buck," and was delivered by a distinguished observer of the radical scene, Elizabeth Osth. Mrs. Osth is a formidable and devastating analyst of leftwing causes. She has been dissecting their personalities and activities for many years, and is known as a cautious researcher who studies firsthand source material to get her information. I am proud that WDIX includes her weekly program in its courageous and thought-provoking schedule.

Mrs. Osth shows that the origins of the present New Left lie in position papers prepared by the Institute for Policy Studies, a nonprofit institution maintained by tax-free foundation grants. In other words, tax exemption is being used to support revolution.

I want to repeat that, by giving a tax exemption to an organization like the Institute for Policy Studies, our Government is allowing tax exemptions to support revolution.

Mrs. Osth quotes from unpublished policy papers to show how many so-called respectable foundations are fomenting hate and revolution.

Mrs. Osth also prepared another broadcast for WDIX, which was broadcast on December 3, and it shows yet another facet of this backstage plan to undermine peaceful society. In this broadcast she quotes from a strange document entitled "A Call To Resist Illegitimate Authority," and gives background on some of the signers. Her analysis shows the tie-in of this document with the overall goals of the "New Left."

I feel that both of these broadcasts are so informative and so helpful that I should like for my fellow Senators to have the benefit of them; therefore, I wish to present them to the Senate at this time.

As I have stated, the first is entitled "More Bang for a Buck":

MORE BANG FOR A BUCK

In his outstanding October 12, 1967 Senate speech, James O. Eastland said the National Conference for New Politics grew out of a meeting of militant leftwing leaders at Santa Barbara, California in August of 1965, which was hosted and partially subsidized by the Center for the Study of Democratic Institutions. Then he traced New Politics history next to the Institute for Policy Studies in Washington, a tax-free center run by Arthur Waskow, where control of organizational activity in connection with the National Conference for New Politics was transferred. However, the Senator might also have linked the whole scheme for what purports to be New Politics to even earlier occasions. For in March of 1964 a "Working Paper for the Organizing Committee of (what was then being called) National Coalition for a New Congress" was mailed to interested activists. "A Summary Updating Statement" on "The NCNC Proposal" was issued in April 1964, the very next month. The March paper was prepared by Arthur I. Waskow, David T. Bazelon and Stanley L. Newman. The April 25-page Statement was mailed out by Waskow but was written by David T. Bazelon.

The National Conference for New Politics uses the initials NCNP which are very similar to the initials NCNC used originally in planning New Politics, then under the title of National Coalition for a New Congress.

Where Bazelon, Waskow and Newman conceived of the plan in the first place is anybody's guess, but their proposals fall directly in line with what we now know of as the National Conference for New Politics. We all witnessed its culmination of TV with horror during the Labor Day week activities—that conglomeration of gutter-types merged together at a hotel in Chicago.

As early as 1963 Arthur Waskow was a Trustee of the Washington-based Institute for Policy Studies. Therefore it stands to reason that the first proposals for what was originally called National Coalition for a New Congress, mailed out in early 1964, were prepared while Waskow was already wearing his IPS hat.

In speaking about the National Conference for New Politics and a number of affiliated individuals and groups, Senator Eastland pointed out that, "Their efforts are not uncoordinated. On the contrary, they are very well coordinated, indeed; in part openly coordinated, and to a much greater degree, secretly coordinated."

We find that statement is completely true when we look at yet another report issued by Arthur Waskow on December 20, 1965. Here, he was summarizing to those who attended, and others unable to attend, a "Conference on Strengthening The New Politics," held at the Shoreham Hotel on Washington on November 28, 1965. He discussed "Press coverage in general" at the Conference. He wrote, "Those who were at the Shoreham meeting hoped to be able to talk in reasonable privacy about the issues of American politics over the next few years: where are we, where should we liberals and 'movement' people be going? We hope that all who receive this summary will respect their wish, and will join this conversation on the assumption that no sensible conversation can be carried on in a goldfish bowl."

So even that conference could be labeled "secret," except somehow or other the papers from its revealing conversations and discussions fell into my hands shortly after the occasion took place.

Another statement made by Senator Eastland in his largely unpublicized speech was this one: "The most obvious thread which binds these forces together is the guidance and support which they receive from the world Communist conspiracy."

Eastland added, "In the whole widespread gamut of their activities, mutually helpful one to another, these organizations are operating today in furtherance of the basic Communist purpose of overthrowing the Government of the United States."

This background information is important because in order to operate, to publish plans, to hold their secret conferences and to do their research, it should be understood that Arthur Waskow and his Institute for Policy Studies must have funds. In its annual reports the Institute has stated that it "is a tax-exempt educational institution, and contributions to it are tax-deductible under Federal law." It has published the names of numerous private foundations which have supported the Institute in the past.

But now, late in 1967, after the Institute for Policy Studies has been exposed as one of the centers operating today in furtherance of the basic Communist purpose of overthrowing the Government of the United States, one would think foundations would cease to support it financially, and that its tax-exempt status would be removed by the proper agency of government. After all, Waskow's definition of an "educational institution" and the established definition of an "educational institution" are two very different cups of tea indeed.

Such, however, is not the case. The September, 1967 issue of *Foundation News* reports on page 107 that the Field Foundation has recently granted $15,000 to the Institute for Policy Studies in Washington, D.C. for what is called "general support."

Then we remember that Senator Eastland explained that the original meeting, so far as he knew, was hosted and partially subsidized by the tax-free Center for the Study of Democratic Institutions toward the creation of New Politics. So it is pertinent to see on the same page of *Foundation News* that the Cudahy Fund has recently granted that Center $10,000.

Until these free-flowing funds supporting rebellion leading to outright revolution are dried up, we will continue to see increasing tactics of disruption and new phases of insurrection among what Waskow and others involved call "movement people." One of the more recent such activities involved one Judith Coburn of the Institute for Policy Studies attending the November 11-12, 1967 Chicago Conference on the Military and the University. (1) One purpose of that Conference was "to facilitate the development of new strategies and tactics for confronting campus military and counter-insurgency research." In other words, to disrupt important military research in Universities so necessary to United States security.

The original plan put forth by Arthur Waskow and his co-workers in early 1964 called for a National Coalition for A New Congress. The idea was that if a coalition of "movement people" coordinated their activities and provided a bank by "tithing" $100 a year each or 1% of their annual incomes (which ever was smaller), the complexion of the House of Representatives could be changed in favor of men who would sanction the insurrection we now see running rampant among black power people, peaceniks and radical organizers today. It was planned to accomplish this from the grass roots level upward. Once accomplished, Waskow then planned to change the Senate, and next, the Presidency. As they quaintly put it, they could get "More Bang for a Buck."

The April 1964 updated Summary said, "In an earlier revolution, the slogans were—'Peace, bread and land,' and 'All power to the Soviets!' For our politer local revolution, the slogans will be—'Peace, jobs and freedom,' and 'Everything for the kids!' "

If that isn't admission that the final aims of the present "revolution" may be equated with the Bolshevik Revolution, then what is it?

In April 1964 the then National Coalition for a New Congress existed as a non-profit membership corporation under the laws of the District of Columbia. It was purposely left a shell until negotiations among leaders of the sundry movement groups could be consulted. The original "stand-in directors" were the Rev. Walter Fauntroy, Pastor of the New Bethel Baptist Church and Washington Bureau Director of Martin Luther King's Southern Christian Leadership Conference. Stanley L. Newman, then a legislative assistant to one of the most radical-left Congressmen, and Arthur I. Waskow, who at that time was merely listed as an author of books and articles concerning military affairs and civil rights. The "stand-in board" directed the then officers of the corporation who were Stanley L. Newman, Executive Director, Robert N. Hausman, Secretary and General Counsel and Carolyn Nichols, Treasurer.

These people looked forward to the establishment of an organizing committee to undertake planning, organizing, word-spreading and additional solicitation of funds and other resources. They were already attempting to establish informal groups of what they called civil rights activists, labor people, peaceniks, reformers, active students as well as professionally helpful gatherings of advertising men, lawyers, psychiatrists, academics, freelance intellectuals, show business people, professional politicians and others. They were also arranging for "SNCC and CORE to go in and agitate the Negro community" in order to get people registered to bring organized Negro elements together with liberal whites and to select what they referred to as a thoughtful Negro as a candidate for office. They did not want what they called a ghetto-machine candidate or another educated white man, but a "valuable, dynamic Negro who would honor his white constituency as and while he spoke and acted for his angry, deprived brethren." "Yes," it says in this April 1964 updating summary statement, "We shall overcome."

Waskow, in his Working Paper of March 1964 was ecstatic about the "long anticipated congressional reapportionment decision of the Supreme Court" which, he said, presented movement people with the most immediate opportunity since the great days of the New Deal.

At the time the Workings Papers were written the Vietnam War was not the issue it has now become. Fewer Americans were being drafted so Waskow and company were still using the old propaganda pitches of disarmament so we won't all be killed by "the bomb," detente between East and West, guaranteed annual income and so on. The increased activity in Vietnam has played right into the hands of Waskow because it provided the issue needed to form the coalition between civil rights activists and peaceniks—a coalition most ardently desired and discussed in both Working Papers and at the Shoreham Conference in November of 1965.

Among the activists for disorder at the Shoreham Conference were people from SDS, SNCC, Mississippi Freedom Democratic Party, Massachusetts PAXSANE, N.Y. Reform Democrats, Inter-University Committee for Debate on Foreign Policy, Chicago Committee for Independent Political Action, N.X. CIPA, Stokes campaign in Cleveland, Detroit Wednesday Evening Club, Oregon teach-in movement, Brotherhood of Teamsters, Industrial Union Dept. of AFL–CIO and many others.

So it was from the original Waskow Working Papers, to the Shoreham Conference, then onward to the Center for the Study of Democratic Institutions and next to the Institute for Policy Studies that the National Conference for New Politics evolved.

Congress must act to stop the flow of tax-free funds to such planning centers operating toward the overthrow of the United States Government.

Mr. President, the other article by Elizabeth Osth, the researcher and analyst, which was broadcast over WDIX radio station, Orangeburg, S.C., December 3, 1967, is entitled "A Call To Resist Illegitimate Authority." I believe the article will be of great interest to my colleagues, and I should like to present it to them:

A CALL TO RESIST ILLEGITIMATE AUTHORITY

The October 7, 1967 issue of the *New Republic* magazine published an advertisement financed by a radical-left assemblage issuing "A Call To Resist Illegitimate Authority." Their pitch is that because Congress has not declared war in Vietnam, it is therefore unconstitutional and illegal to conduct that war and to draft men to fight it.

Stating fallacious reasons for what they call the illegality of U.S. participation in the war in Vietnam, the signers of the Call to Resist Illegitimate Authority state that it is therefore a legal right and a moral duty of every free man to exert every effort to end this war, to avoid collusion with it, *and to encourage others to do the same.* They believe that various forms of resistance on the part of men drafted to service and those eligible to be drafted are "courageous" and "justified." Such resistance includes going AWOL applying for conscientious objector status, not on religious grounds, but because of objection to what is termed "American aggression in Vietnam," and outright refusal to be inducted.

To the end that more young men may help the Communist enemy by such activity the signers of the Call stated unequivocally that they "will continue to lend (their) support to those who undertake resistance to this war. (They) will raise funds to organize draft resistance unions, to supply legal defense and bail, to support families and otherwise aid resistance to the war in whatever ways may seem appropriate."

The signers state they believe their actions will be legal and that they should not "Shrink from fulfilling (their) responsibilities to the youth whom many of (them) teach . . . (and) to the ancient traditions of religion and philosophy which (they) strive to preserve in this generation."

Since many signers are professors teaching youth today, is it any wonder their students have been mentally prepared to aid the enemy? These same signers, professors, writers, clergymen and others, say finally, "we call upon the universities to fulfill their mission of enlightenment and religious organizations to honor their heritage of brotherhood. Now is the time to resist."

There is little use in dredging up the reasons why we have come to such a pass in this country that professors, clergymen and others are led to take part in activity that falls under one definition of the word, subversion—for it is subversive of United States efforts to quell the Red tide. But it is interesting to note that as long ago as 1931 Edwin Marshall Hadley wrote this, regarding higher education, in a powerful little book called *T.N.T.* "It is better to keep young Americans home. Maybe they may miss a little science, a little smattering of this or that but, at least, we shall keep them better Americans and happier and sounder citizens." Mr. Hadley said 36 years ago that the crux of the whole educational muddle is just this—these tax supported, tax-exempt, and endowed schools are teaching things diametrically opposed to what the parents of the students stand for. He explained that America was spending hundreds of millions of dollars yearly for education and while paying for loyalty was getting disloyalty; while paying for Patriotic Nationalism, was getting a sickly Internationalism; while paying for culture was getting the manners of the gutter; while paying for respect for the institution of the home, was getting an advocacy of free love and companionate marriage; while paying for the support of our republic and its constitution, was getting a nauseous dose of Red propaganda calculated to overthrow our Republic and nullify our Constitution.

Mr. Hadley wrote in 1931 that radical minorities in our faculties were allowed to rule the roost because they were organized and vocal while the cultured majority in the faculties were unorganized and silent. The same situation obtains today. Remember too, students taught by radicals in 1931 are today the teachers and clergymen of the present generation. This has been allowed to go on for so long that we have an entire generation of radicals and neutrals who see nothing better in our form of government than in collectivist forms. They have studied comparative politics and comparative religion until clever teachers and inaccurate textbooks have led them to believe all religions and all governments are good, and the only question is which form a person or a people prefer in a given locality. Truly, the scum has risen to the top!

An Associated Press dispatch appearing nationwide on October 3, 1967, told about the Call to Resist Illegitimate Authority. Among the 320 signers were 35 clergymen. The news article plainly stated that the Selective Service law makes it illegal for anyone to abet, aid or counsel men to refuse the draft, but the Rev. William S. Coffin, Jr., chaplain at Yale University, said if the protest worked federal agents would have to enter the churches and synagogues to arrest draft resisters. He added that the clergymen would have to be arrested too. The dispatch further stated that this group of 320 was partially behind the civil disobedience in 8 cities beginning October 16th and that draft-age men in the San Francisco Bay area would try on October 17th to disrupt indefinitely the Oakland Induction Center. That is now history and we saw on television the results of the rebellious demonstration. According to the dispatch the same 320 were involved in plans for the October 20th turning over of draft cards to the attorney general in Washington. That is also now history.

Let's look at a few of the 320 signers to the Call to Resist Illegitimate Authority. Among those who are working for the tax-exempt radical left Institute for Policy Studies in Washington, D.C. are Richard J. Barnet, a trustee, Arthur Waskow, and Marcus Raskin, another trustee. Raskin, a consultant for the notorious *Liberal Papers,* had been a Kennedy appointee to the National Security Council and he even turned up at Geneva in the spring of 1962 as an adviser to the U.S. disarmament delegation in its talks with Moscow. Now he calls for hiding draft resisters, aiding and abetting them.

Then there is Inge Powell Bell, a white woman who studied in East Germany. In November of 1965, according to the authoritative Tocsin, she was teaching with her negro husband at the Irvine campus of the University of California. Inge was also a sponsor of the Spring Mobilization Committee, the forerunner of the recent October March on the Pentagon.

Next we might mention W. H. (Ping) Perry and Hallock Hoffman, both involved at the Center for the Study of Democratic Institutions, a tax-exempt leftwing propaganda setup which held a conference in 1965 leading to the New Politics Convention in Chicago this past Labor Day week.

On any of these lists comprising individuals whose tendencies range from socialist to out and out Communist, the name of Otto Nathan is always an intriguing addition. He appears on this list. The Department of State charged in 1955, when it denied him a passport, that he had been a member of the Communist Party in Germany before coming here in 1933. It also charged him with consistent and prolonged adherence to the Communist Party line on a variety of issues and through shifts and changes of that line during a period of many years and said that he had been closely associated with known Communists and had been in contact with officials of Iron Curtain embassies in the United States. He was fired as a member of the Board of Directors of the then planned Brandeis University on the charge that he had tried to give the university a radical, political orientation. He visited Red Poland in 1948 where he granted an interview to a magazine which was the official propaganda publication of the Polish Communist Government. His interview included high praise for the accmplishments of the Communist Polish regime. Since then he has been associated with numerous Communist front organizations, and has lectured on various phases of Marxist economics as applied to the United States, in appearances at Communist Party-endorsed institutions, sharing the platform with open Communist Party officials.[1]

The signing of the Call to Resist Illegitimate Authority is part and parcel of the Communist goal to disrupt the legitimate work of government agencies and lay the groundwork for open revolt. While many believe if the Selective Service is to draft men to fight in Vietnam, that war should be conducted toward complete victory against Communism, instead of merely restraining the enemy, at the same time no law-abiding citizen sanctions draft resistance as advocated in The Call which merely aids and abets the enemy. Congress must overrule Supreme Court decisions beneficial to Marxism so legal action can eradicate treason.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 320. An act to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of North Carolina in order that such land may be used in connection with a proposed water supply lake, and for other purposes;

S. 343. An act to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966; and

S. 2195. An act to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The message also announced that the House agreed to the amendments of the Senate to the bill (H.R. 12638) to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocations of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing programs of education for the handicapped; to improve authority for assistance in schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

Mr. METCALF. Mr. President, H.R. 7819 includes the proposals of the distinguished senior Senator from Montana [Mr. MANSFIELD] and me to help local school districts rebuild, repair, and operate schools destroyed by fire, flood, or other disaster not sufficiently large to qualify for the aid which would come with the presidential disaster area proclamation under present law.

Our proposals took the form of two bills. They are S. 1253, introduced on March 13, 1967, and the subject of discussion beginning in volume 113, part 1, page 6384 of the CONGRESSIONAL RECORD of that date, and S. 1374, introduced on March 23, 1967, when the senior Senator from Montana spoke, beginning in volume 113, part 1, page 7882 of the RECORD.

S. 1253 would amend Public Law 815, under which taxes collected at the Federal level go directly to local districts to help build schools in areas affected by Federal activities. Public Law 815 now includes a section under which schools can be replaced in major disaster areas. We propose to extend that provision to authorize loans to help replace or repair individual schools, damaged or destroyed by natural disaster or malicious action.

S. 1374 would amend Public Law 874, under which Federal aid goes directly to local districts for the operation of schools in the so-called Federal impact areas. We would amend it to provide Federal grants to districts operating individual schools destroyed or badly damaged.

The construction loans would be repaid. The grants, diminishing over a period of 5 years following the "pinpoint disaster," would not.

At all levels of government—local, State and Federal—we share a responsibility for the education upon which democracy rests. We meet that responsibility in many ways. We have State equalization programs, which spread the costs of education among local school districts, some of which have larger tax bases than others. And we have Federal programs aimed at guaranteeing to all American youngsters an equal opportunity for educational excellence.

One of these programs—Public Law 815, 81st Congress—helps local school districts replace and rebuild schools in areas proclaimed by the President to be disaster areas at the request of the Governor of the State. Another—Public Law 874, 81st Congress—helps operate schools in presidentially proclaimed disaster areas. In this way, we meet our responsibility for education in broad areas hit by a flood, a tornado, a hurricane or other major disaster.

But there is no comparable program available for the loss of or damage to an individual school, "pinpoint disaster" to the students and the school district. That is the purpose of this section.

To a student, the loss of his school is a disaster—whether or not that loss can be so classified under existing legislation. He must go to class in makeshift classrooms, with little or no equipment, sometimes without even textbooks. This situation may go on for months, even years, while insurance is collected, plans and specifications are prepared, bids called for, contracts let, and a new school is built or the old one is repaired. During this period, students at that school are being educationally shortchanged.

With the great mobility of population in the United States, we can no longer refer to this as a local problem. Completely apart from the humanitarian reasons that we simply must do everything we can to educate our children, it must be noted that the youngster, educationally shortchanged in one area, will become a worker and citizen of another area.

The effect on the youngster is one problem. Another is that facing the district which operates the school. The insurance carried on most of the schools with which I am familiar is a percentage of the average valuation of the plant. Seldom, if ever, is it enough to replace the structure. And frequently the district is at or near statutory or constitutional bonded debt ceilings which prevent residents of the local district from bonding themselves for enough money to replace their school.

The problem was pinpointed early this spring in Wolf Point, Mont. There fire completely destroyed the high school operated by School District 45 of Roosevelt County. Some 470 youngsters were going to the school, built in 1952 at a cost of $1 million.

The most recent estimate is that is will cost $2 million to replace the structure. Bids have been called for and will be opened next month. The district collected $890,000 on its insurance. Not long before the fire, the residents of the district had voted a $530,000 bond issue to add 10 classrooms to the existing school. That money also is available for rebuilding. In addition, residents of the district recently voted to bond themselves an additional $320,000, which would bring them up to their constitutional debt ceiling. So the district has $1,740,000, or an estimated $260,000 less than it would need to replace the structure which burned—with no provision for the needed enlargement.

This is neither an isolated nor an unusual case. When my office called the Office of Education early in March to discuss the situation, we were told that this was the third such case in a week. Fire, tornadoes, and other storms, and malicious actions regularly damage or destroy school buildings across the Nation.

While working on this legislation, I asked Montana's chief State school officer, Miss Harriet Miller, for a report on the number of schools in Montana which had been seriously damaged by fire in the past 5 years. She reported that between August 1962 and April of 1967, there were seven "very serious" school fires in Montana. They destroyed facilities housing nearly 1,000 students.

I ask unanimous consent that the report of the Montana State Superintendent of Public Instruction be printed at this point in the Record.

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[1] May 3, 1961 Congressional Record, documented speech by ex-Congressman Donald Bruce.

There being no objection, the report was ordered to be printed in the Record, as follows:

State of Montana,
Superintendent of Public Instruction,
Helena, April 26, 1967.

Re School fires since August 1962.
To: Senator Lee Metcalf.
From: Harriet Miller.

There have been seven very serious school fires since August 1962. Of the seven fires, three have been in school districts with a federal impact.

As you are aware, the federal government does not consider the federal impact pupil who has been displaced by a disaster in determining the eligibility of the fire stricken school district. Under P.L. 815, only the federal impact pupil increase over a two year period may be considered to determine eligibility. Thus, financial assistance for reconstruction because of a disaster is not available under P.L. 815. It is only available by reason of an increase in federal impact pupils.

In addition to a pupil increase, the school district must show a financial inability to reconstruct its facilities. In determining such an inability, the insurance settlement proceeds and remaining bond capacity are considered.

One problem which always arises in a disaster, such as a fire, is the length of time necessary to arrive at a settlement with the insurance company. In the majority of fires, the school district has been required to spend a considerable amount of time and effort in this endeavor.

In addition to fire damage to schools, the flood in 1964 damaged or destroyed at least three schools—one building in Great Falls; Heart Butte, Pondera County; and Evergreen, Flathead County. All were covered by the federal disaster financing.

The fires are as follows:

A. Arlee School District No. 8J, Lake County.

An August 30, 1962, fire completely destroyed the Arlee High School and a portion of the elementary facilities. The destruction of the high school facilities displaced 88 high school pupils and caused an overcrowded condition in the elementary school.

Since the Arlee School District has a high concentration of Flathead Indians and they had received P.L. 874 funds, an application was made under P.L. 815 funds for the elementary district and for the high school district. The elementary application resulted in an entitlement of $10,184 for a construction project of $69,575 for four classrooms. The high school application was denied because there was too small an increase in federal impact pupils and financing was available at the local level (insurance settlement and bonding.)

B. Box Elder District No. 13, Hill County.

On April 23, 1964, a fire completely destroyed the high school facilities at Box Elder, displacing 54 high school pupils.

This district has a high concentration of Rocky Boy Indians and was a P.L. 874 applicant. A P.L. 815 application was made and was denied because the federal impact pupil increase requirement was not met and the building funds available from bonding capacity and insurance amounted to *too much*.

C. Sumatra School District No. 33, Rosebud County.

In December 1964, the school facilities of the Sumatra School District burned to the ground. The enrollment at that time was 8 elementary pupils and 13 high school pupils.

The school district was not an eligible district and did not apply for P.L. 815. The housing problem was solved by moving the facilities to the abandoned Ingomar high school building.

D. Florence-Carlton School District No. 15–6, Ravalli County.

During the latter part of the 1964–65 school year, the high school facilities at Florence-Carlton were destroyed by fire. The educational facilities had accommodated 64 high school pupils.

This school district was not an eligible district (P.L. 874 or 815) and funds were raised through the insurance settlement and bonding.

E. Dawson County High School District.

During the fall of 1965, the Dawson County Junior College facilities which were located in the high school building in Glendive (Dawson County High School) were destroyed. Facilities for over 100 full and part-time junior college students were affected.

The federal government did participate in the construction of replacement and additional facilities through the Higher Education Facilities Act. However, this federal participation was not due to the destruction of facilities by fire.

F. Baker School District No. 12, Fallon County.

This past fall an elementary school in Baker housing 159 pupils was destroyed by fire.

The reconstruction of this school will have to be accomplished through the insurance settlement proceeds and/or bonding since the district is not eligible for federal impact funds.

G. Wolf Point School District No. 45, Roosevelt County.

On March 4, 1967, the Wolf Point High School was completely destroyed by fire. This fire displaced 470 high school pupils.

Wolf Point School District is a federally impacted area.

This disaster pin-pointed the problem for which you are seeking a solution.

Mr. METCALF. I then turned to the U.S. Office of Education for information. While the report was less than I would consider adequate from the agency we charge with collecting educational statistics for us, it documented the fact that we are dealing with a national problem.

During the 1966–67 school year, incomplete statistics showed that fire did damage in excess of $250,000 each to 17 schools in 15 States. The total loss for these 17 buildings was more than $8 million, and it is estimated that the school facilities housed more than 8,000 students.

New Jersey and Oregon had two each of these fires. Other States with one each were Louisiana, Michigan, Montana, Iowa, Georgia, Ohio, North Dakota, Massachusetts, Hawaii, Minnesota, Florida, Washington, and Pennsylvania.

These statistics are woefully inadequate, because, as the Office of Education reported to me—

> This Office does not collect data regarding damage to school facilities caused by fire or other catastrophes, and it was necessary to review outside sources. We found very little data available from any source regarding damage to school facilities by fire, flood, wind, etc., except those reported in major disaster areas.

The agency then explained that the information furnished me came from a listing maintained by the National Fire Protection Association and reported in the May issue of their magazine, Fire Journal.

The Office of Education informed me that the National Fire Protection Association has "limited their data collections" and that 1963 was the last year for which the association compiled figures for all school fires.

In the 1963 school year, school property losses to fire alone amounted to $32,800,000 in 4,500 fires. These figures averaged 12 fires per day, with daily losses amounting to $90,000. Looking at them another way, in school year 1963 an average of two classrooms, housing 50 to 60 pupils, were destroyed or damaged by fire each day.

I ask unanimous consent that my request to the Commissioner of Education and his reply be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

May 1, 1967.

Mr. Harold Howe II,
Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

Dear Commissioner Howe: I am preparing to testify in support of these two bills, S. 1253 and S. 1374, which Senator Mansfield and I are cosponsoring to assist school districts in case of certain disasters.

It would be tremendously helpful to me if the Office of Education were to prepare pertinent summaries and tables for my use. From readily available sources, can you have compiled in a reasonable period of time figures covering the years 1965 and 1966 to reflect the following elements in each of the 50 states, using as your definition of disaster those contained in the two enclosed bills:

(1) The name and location of the school[*] and whether elementary or secondary;

(2) The number of pupils enrolled;

(3) The date on which the destroyed or damaged school was built;

(4) The cost of the building and equipment (including textbooks) destroyed or damaged;

(5) If available, the estimated replacement cost at the time the building and/or equipment was destroyed or damaged;

(6) Amount of insurance;

(7) Date of insurance settlement;

(8) Date of reconstruction or repair:

(9) The school district's estimate of additional cost of extra housing and transportation of pupils because of loss or damage of school building and equipment.

Other information that you deem useful would be most welcome.

Would you be good enough to have someone telephone to Mr. Englund of my staff to give me an estimate of the time that will be required to prepare these statistics?

Thank you.

Very truly yours,

Lee Metcalf.

Department of Health, Education, and Welfare, Office of Education,
Washington, D.C., May 25, 1967.

Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.

Dear Senator Metcalf: This is in response to your letter of May 1, 1967, in which you requested information pertaining to disasters which occurred in individual school plants. We are sorry that the reply has taken so long, but this Office does not collect data regarding damage to school facilities caused by fire or other catastrophies, and it was necessary to review outside sources. We found very little data available from any source regarding damage to school facilities by fire, flood, wind, etc., except those reported in major disaster areas. We did, however, find a listing maintained by the National Fire Protection Association (NFPA) and reported in summary form in the May issue of their magazine, "Fire Journal," which bears on the questions you asked. This is a list of those school plants that sustained damage due to fires in which the loss in each case was in excess of $250,000. The list for the 1966–67 school year is enclosed. The total loss for these 17 buildings is reported to be more than $8 million, and it is estimated that the school facilities housed more than eight thousand pupils. This is all the information that is currently available.

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[*] State-by-State.

In earlier years, the NFPA collected and published data on all fire losses which occurred to educational buildings. The organization has since limited their data collection. According to the latest published figures on all school fires (Fires and Fire Losses Classified, 1963 (NFPA, Q. 57–2), Boston; National Fire Protection Association), school property losses amounted to $32,800,000 in 4,500 fires that occurred during the 1963 school year. These figures may be interpreted as an average of 12 fires per day with daily losses amounting to roughly $90,000 because of fire. From another point of view, the equivalent of approximately two classrooms, having about 50–60 pupils, were damaged or destroyed each day during 1963 by fire. We have no information to indicate the extent to which these losses were covered by insurance.

The Division of School Assistance, as you know, administers Public Law 81–815, which authorizes assistance for construction of urgently needed minimum school facilities in school districts which have had substantial increases in school membership resulting from new or increased Federal activities. This Division has over the past 15 years received numerous inquiries from the local educational agencies and members of Congress and others about the possibility of aid being given to local educational agencies where a school plant has been damaged or destroyed by fire. As no assistance was available for these types of catastrophies, the Division did not maintain a record of the inquiries. It is estimated, however, that during any one school year the volume of such requests averages more than one per week. We also believe that these inquiries are only a representative sample of school districts across the Nation in which school facilities were destroyed as a result of individual disasters.

Although the Office of Education has not in the past maintained a file of information or data concerning major losses to school facilities by fire and other disasters, I am requesting that the feasibility of collecting such information be studied by the appropriate groups within the Office. It might be feasible to collect pertinent data on periodic bases (i.e. annually or biannually).

I trust that the information contained herein will provide some assistance to you.

Sincerely yours,

NOLAN ESTES,
Associate Commissioner for Elementary and Secondary Education.

(Enclosure.)

LARGE SCHOOL FIRES, 1966

Name	Location	Date	Estimated amount	Estimated enrollment
McDonough No. 26	Gretna, La	Jan. 8	$401,000	500
Junior high school	Otsego, Mich	..do...	600,000	(1)
Dawson County High	Glendive, Mont	Feb. 5	700,000	800
Roosevelt	Council Bluffs, Iowa	Feb. 14	417,000	600
Cascade Union High	Turner, Oreg	Feb. 19	513,000	500
Senior High School	Warner Robins, Ga	Feb. 27	900,000	1,000
Central Junior High	Lima, Ohio	..do...	450,000	1,400
Junior high school	Long Branch, N.J	Mar. 8	312,000	(1)
Central High School	Fargo, N. Dak	Apr. 19	788,000	1,000
Central Linn High	Halsey, Oreg	Apr. 26	275,000	500
Pilgrim Memorial	Wareham, Mass	July 7	250,000	(1)
Benjamin Parker	Kaneoke, Hawaii	Aug. 1	308,000	(1)
School District No. 455	Granada, Minn	Sept. 19	648,000	400
Public School No. 11	Jersey City, N.J	Oct. 3	750,000	(1)
Wyomina Park	Ocala, Fla	Oct. 7	575,000	600
Geoff-Hilton	Zillah, Wash	Oct. 8	300,000	500
Alta S. Leary	Warminster, Pa	Dec. 28	450,000	(1)

[1] Not available.

Mr. METCALF. Mr. President, these figures are conservative, since they do not include other natural disasters or malicious action.

I submit that any force which wipes out at least two school classrooms a day—and results in shortchanging an additional 50 to 60 youngsters every day of the week—is a national problem.

Mr. PELL. Mr. President, I should like to urge my fellow members of the Senate to fully support the pending amendments to the Elementary and Secondary Education Act of 1965. To my mind, the all-inclusive program of aid to the Nation's elementary and secondary schools, encompassed under the orginal bill, is one of the most important and far reaching legislative attainments of the past decade.

One can take any program engendered by this legislation and see its effect within all the States. My State of Rhode Island, although not large in area, has been, and will continue to be, a great beneficiary under these programs. My mail indicates support of this measure from both public and private citizens. The impacted aid provisions are of special interest to my State, due to the great naval installations clustered around Narragansett Bay. Indeed, many of our local schools would be in dire financial straits if not for the provisions covering Federal dependents.

In another vein, I believe that great credit must be given to Senator WAYNE MORSE of Oregon. In truth, he is the father and shepherd of this concept of aid to education. What greater satisfaction can one have than to know that since the establishment of these programs, approximately 8.3 million educationally deprived children have been reached. The Senator's great dedication is manifested, not only by his great attention to detail, but also his great patience exercised while bringing the legislation to fruition. As a member of the Senate Committee on Labor and Public Welfare, I can inform the Senate that no bills come before us with greater attention to detail than education legislation. And yet the larger goals are always kept in view.

Again, Mr. President, I urge support of this legislation. In these days, when we hear much talk about fiscal economy, the provisions of the Elementary and Secondary Education Act should be looked upon not as an expenditure, but as an investment. An investment in human beings and one that will pay great dividends to the Nation in future generations.

Mr. BYRD of West Virginia and Mr. MORSE suggested the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 368 Leg.]

Aiken
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Utah [Mr. MOSS], and the Senator from Connecticut [Mr. RIBICOFF] are absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Georgia [Mr. RUSSELL], and the Senator from Connecticut [Mr. DODD] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], and the Senator from Idaho [Mr. JORDAN] are absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

The Senator from Pennsylvania [Mr. SCOTT] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. DIRKSEN. Mr. President, I call up an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 43, between lines 7 and 8, insert the following:

PROHIBITION AGAINST USE OF FUNDS TO OVERCOME RACIAL IMBALANCE

SEC. 3. No funds authorized in this or any other Act shall be used to pay any costs of the assignment or transportation of students or teachers in order to overcome racial imbalance.

Mr. DIRKSEN. Mr. President, I shall be rather brief.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator may proceed.

Mr. DIRKSEN. Mr. President, I utter the hope that if Senators can remain, perhaps at an early hour we can have a vote on this amendment.

I have offered the amendment in no narrow partisan or parochial spirit. I offer it, frankly, out of a sense of duty.

In 1964, the Civil Rights Act of 1964 was written in my office, within a stone's throw of this Chamber. For many weeks, Members from both sides of the Senate aisle, together with their staffs, the Attorney General and his staff, the present Vice President of the United States, and staff members from the Civil Rights Commission, met there to hew out an acceptable civil rights bill. I believe, then, and I believe now, that it was a very creditable piece of work.

In section 407 of that act, as amended on the Senate floor, we made it plain in the law itself that no official of the United States or court of the United States is empowered to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another, or one school district to another, in order to achieve such racial balance.

That measure came to the Senate floor and was considered at length. Every part of it was more than adequately debated. I undertook, as best I could, to bring about its enactment. I importuned my Republican colleagues to vote for cloture, and to vote for the bill.

It was enacted into law. It is now the law; but efforts are being made to circumvent it. Only recently, a similar provision was written into the District of Columbia appropriation bill. It, however, applies only to the use of funds which are appropriated for the District. If money can be obtained from other sources—and that is not a very difficult thing to do, with so many roving funds in the Federal establishment—the busing effort continues. But it is in clear violation of the letter and the spirit of the Civil Rights Act of 1964, which we gave to this country.

Do we now sit idly by and watch that act violated with a kind of contemptuous impunity? Every Member of the Senate who supported the Civil Rights Act of 1964 should, by his vote, approve this amendment.

Going back to that act for a moment, to make clear the kind of colloquy that took place on this floor, so that there can be no doubt about what we did, I refer to this colloquy between then Senator HUMPHREY and the Senator from West Virginia [Mr. BYRD]:

> Mr. BYRD of West Virginia. Can the Senator from Minnesota assure the Senator from West Virginia that under title VI school children may not be bussed from one end of the community to another end of the community at the taxpayers' expense to relieve so-called racial imbalance in the schools?
>
> Mr. HUMPHREY. I do.
>
> Mr. BYRD of West Virginia. Will the Senator from Minnesota cite the language in title VI which would give the Senator from West Virginia such assurance?
>
> Mr. HUMPHREY. That language is to be found in another title of the bill, in addition to the assurances to be gained from a careful reading of title VI itself.
>
> Mr. BYRD of West Virginia. In title IV?
>
> Mr. HUMPHREY. In title IV of the bill.
>
> Mr. BYRD of West Virginia. But would the Senator from Minnesota also indicate whether the words (in title IV) would preclude the Office of Education, under section 602, of title VI, from establishing a requirement that school boards and school districts shall take action to relieve racial imbalance wherever it may be deemed to exist?
>
> Mr. HUMPHREY. Yes. I do not believe in duplicity. I believe that if we include the language in title IV, it must apply throughout the act.

Mr. President, that was a colloquy that took place on the floor of the Senate in connection with that bill. And that should be adequate for all purposes, I am sure.

Many arguments can be made in behalf of the pending amendment.

First. This is a school bill, like the School Act of 1965. Busing pupils, students, and teachers from one school to another or from one school district to another to achieve a chromatic balance is not an educational function, and the pronouncement of a Federal court does not make it so.

Second. Congress dealt with this problem in 1964 in language which was clear and specific and which emphatically proclaimed a policy in this field. Do we now ignore it? Do we now permit the Federal bureaucracy to ignore or circumvent it? This issue must be settled, and it must be settled now.

Third. In the long run, seeking racial balance or, to put it another way, seeking to eliminate a racial imbalance could only end as a futile pursuit for the very simple reason that parents of school-age children, can by moving to some other area, produce an imbalance at any time, because our school system is not static. It is always dynamic. This is a mobile age. Population shift is a common experience. How could any balance be long maintained without a constant commotion among the school population?

Fourth. As a matter of reason and commonsense, what difference can it make from an educational standpoint whether an average classroom of 30 pupils or students is made up of all white or whether it be 15 and 15 or whether it be 20 and 10?

I thought that the basic objective of education was to teach the difference between the real and the counterfeit values in life, to make the body and the mind the responsive servants of the individual will, to condition the mind to think clearly and logically on all matters large and small, to teach the individual to adapt himself, to inspire him to keep his eyes on the stars, and to dare in honorable fashion to achieve those heights. And, above all, to make the individual pupil or student mindful of his duties and responsibilities in a free society.

Just how is this purpose and objective served in the slightest way by busing a pupil or student across town, maybe against his will and his desire—and that of his parents—enrolling him in a strange school, making him brave weather hazards and conditions and take a chance on safety and all that goes with it in order merely to get him into another school?

The other morning there were 12 school buses in the ditch in Fairfax County not very far from Route 7 on which I travel to get to work in the morning. That shows that this is not all kidding.

Mr. President, I trust that the Senate will be fully mindful of the policy which we so clearly and unmistakably established in the Civil Rights Act of 1964 and in the District of Columbia Appropriations Act of 1967 and will make it effective by preventing the bureaucracy from ignoring or circumventing it. This is the time to settle this rather vexing matter.

Mr. President, busing is certainly not the final answer to excellence in education which is a fundamental reason for the legislation now before this body. Recently Prof. David J. Fox, of the City University of New York, wrote the report for the Center for Urban Education, a research group which is surveying federally aided school programs for New York City's Board of Education.

Professor Fox's findings raised some new questions about the Coleman report published by the U.S. Office of Education, and he pointed out that the Coleman report found that Negro children in predominantly white classes reach higher levels of achievement than Negro children in predominantly Negro classes; but it also found that this may be due to the fact that the integrated classes attracted more of the best Negro students.

It will be of little assistance to transfer children out of a substandard school for purposes of integration if the school itself remains substandard. What we must do is raise the educational level in each of the schools no matter where located to the highest degree of excellence obtainable. Busing solely for racial balance is merely an anodyne to the basic problem which must eventually be faced and overcome by concentrating on the deficiency which may be found in any substandard school.

I thought it was perhaps not inappropriate to call to the attention of the Senate the colloquy to which I referred a moment ago between the Senator from West Virginia [Mr. BYRD] and the then Senator HUMPHREY which made it so abundantly clear that we meant business in title IV of the Civil Rights Act of 1964.

Frankly, I would feel recreant in my duty as a Senator and as the principal sponsor of the Civil Rights Act of 1964 if I did not take the Senate floor today and offer the pending amendment in the hope of keeping faith with the promises and the assurances that were made around that long table in my office when we concluded that work and came to the floor and offered our handiwork to the U.S. Senate with our blessings and asked it to approve our work.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. DOMINICK. Mr. President, I think the Senator's amendment is not only interesting but also raises some complex questions which I think should be aired.

Perhaps I can start out with a statement, if the Senator does not mind a few comments before the question.

I have been a supporter of every civil rights act since I have been on the political scene—in my State legislature, in the House of Representatives, and in the Senate. So, I do not think I need to worry about my record suffering from this aspect of the problem.

However, in the State of Colorado we adopted an open housing law which I strongly support. By virtue of that law, we had quite a migration of our Negro population in Denver from one area of the city to another. Subsequent to that time, some people stated that they felt the schools in that area of the city were inadequate. By that time, the Negro children comprised approximately 80 percent of the population of the schools in that area. It was argued that children in that area should be bused to other schools so that there could be a racial balance, which is exactly what the Senator from Illinois is talking about.

When the State attorney general was asked about this, in connection with both the school board and the city government, he reported that although he had not had time to do as extensive research as perhaps might be warranted, it was at least his informal opinion that this would be unconstitutional, because it would be discriminating against a neighborhood child who wanted to go to a neighborhood school and who would be sent somewhere else, solely on the ground of color. It does not make any difference whether it is a white child or a colored child. If they are not permitted to go to the neighborhood school and if they are forced into another school solely on the basis of their color, it was the informal opinion of this attorney that it was unconstitutional.

Well, our good city and county of Denver, in an effort to avoid this type of impasse, put up a new proposal under the terms of which in the elementary levels they were going to have grades 4 through 6, I believe, centralized in new schools, where everybody would have to come to them. This was presented in a bond issue proposal and was voted down by the city and county of Denver by approximately a 2½-to-1 margin, indicating that they did not want to give up their neighborhood school system.

My question to the Senator is this: Does the Senator know whether there has been any thorough research into the question of the constitutionality of busing, the question of whether this is discrimination, in violation of the Constitution, solely on the basis of color?

Mr. DIRKSEN. Of course, the logical answer is that there can be no decision as to constitutionality until it is enacted into law, and then, on action by a citizen or a city or a school district or a group, it finally goes to the court system and reaches the Highest Court. And in this day and age, with the shifting decisions that we encounter in the court experience, I have gotten right timid about venturing any opinion as to what a court will do under a given set of circumstances; because I really went through this experience with the Subversive Activities Control Board and a few others. So I venture no opinion.

One could do all the research work of which he is capable, and yet, when he got all through, not know exactly what would be the impact with regard to the thinking of the Court.

Mr. DOMINICK. The 1954 school decision, as I recall, was based upon the fact that a child had the right to go to the public school system, regardless of his color, and to be integrated into the school system as a whole, and not to be segregated. But I do not recall that it ever said that in the process there had to be racial equality in any of these schools.

It would seem to me that if we are saying that Negroes should have the full and equal right to the public school systems, it would be wrong and contradictory for us at the same time to say, "Because of your color, you are going to be deprived of a part of our public school system which is available to other people."

For that reason, I raised this point, which I believe has considerable merit. It could stand some work and perhaps some court action sooner or later.

Mr. DIRKSEN. In that field, I am sure the distinguished Senator is correct.

Mr. DOMINICK. I thank the Senator.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DIRKSEN. I would rather yield the floor, knowing the interest of my friend, the Senator from Nebraksa.

Mr. HRUSKA. This is a question pertaining to the colloquy between the then Senator from West Virginia and the then Senator from Minnesota, which dealt with certain portions of title IV in the civil rights bill.

Mr. DIRKSEN. The Senator is correct.

Mr. HRUSKA. Title IV, if the Senator will bear with me—and this is foundational—reads as follows:

> Nothing herein shall enable any official or court of the United States to issue any order seeking to achieve racial balance in any school by requiring the transportation of pupils from one school to another or one school district to another in order to achieve such racial balance.

That is title IV.

Title VI of the Elementary and Secondary Education Act of 1965 contains this language, and I shall omit irrelevant words and phrases. It was originally section 604:

> Nothing contained in this Act shall be construed to authorize any department, agency, or officer of the United States to exercise any direction, supervision, or control over—

And then there are a number of items, but it includes—

> personnel of any educational system or over the selection of materials and resources—

And so forth. Title IV of the Civil Rights Act of 1964, Mr. President, was the basis for the colloquy between the then Senator from Minnesota and the Senator from West Virginia. That was in 1964.

In 1966, Congress acted to amend section 604, of the Elementary and Secondary Education Act of 1965 including the portion of title VI which I have just read. Among other things, it was renumbered, to be now section 704. The amendment was to change the period to a comma at the end of section 604, and to add these words "or to require the assignment or transportation of students or teachers in order to overcome racial imbalance."

Mr. DIRKSEN. That is the language of the amendment that I offer now.

Mr. HRUSKA. That is now the law insofar as title VI is concerned.

Mr. DIRKSEN. The Senator is correct.

Mr. HRUSKA. And that is the language the Senator used in order to deprive that particular practice from the benefit of any funds appropriated by Congress.

Mr. DIRKSEN. The Senator is correct.

Mr. HRUSKA. So section 704, as amended, reads:

> Nothing contained in this act shall be construed to authorize any department to exercise any direction, supervision or control—

And so forth—

> or to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Is not this the situation: The mandate of Congress—the national policy—is clear, and that these things cannot be done without violating the law?

However, they are being done, Mr. President, by the employment of and reliance upon the very famous guidelines which were first issued in 1966, reissued and reaffirmed in January of this year. That law, likewise, has been violated, in my opinion, in the District of Columbia, where there has been busing of students at a cost of approximately $400,000 for approximately 2,000 students in elementary and secondary schools.

Therefore, the rationale of the amendment of the Senator from Illinois is to put something in the law which will affirmatively grapple with the situation and make an effective law; one that actually will be enforced and applied.

Have I fairly described the situation?

Mr. DIRKSEN. Exactly so.

I want to add to what the distinguished Senator from Nebraska has said.

When we contrived the Civil Rights Act, I felt we had a responsibility to all those who participated, to carry it out to the best of our ability. And so, we brought it to the floor, labored early and late, diligently and earnestly, and by bipartisan support it was finally enacted into law.

Now, either we compel the agencies of Government to treat these things we do with respect, or otherwise apply the kind of discipline that our form of government still makes available.

It was President Monroe who said that the legislative branch of the Government is the central core of our system.

We can abolish any court, including Judge Skelly Wright and his job, if he so desires. There is ony one court we cannot abolish and that is the Supreme Court of the United States. But we can abolish any agency if it treats our pronouncements in our legislation with the kind of contempt that has become a habit of life in some bureaucracies. The time is now to put it in one-syllable words that even a school child can understand and then undertake to see that it is enforced. If we fail to do so this is going to be a vexing problem from here on out. I think the country is entitled to a pronouncement from the Congress now on this difficult subject.

(At this point, Mr. TYDINGS assumed the chair.)

Mr. HRUSKA. Certainly the policy determined by Congress is plain and it is plainly stated. It is also plain that assault after assault has been made on that policy. It is our national policy because the legislation passed by the Congress, signed by the President, and thus enacted is the law. It is our national policy that nothing shall enable any Federal authorities to require assignment or transportation of students or teachers in order to overcome racial imbalance.

Mr. President, it seems to me that the Senator is right in proposing an amendment which will enforce and make effective this national policy.

Mr. COTTON and Mr. JAVITS addressed the Chair.

Mr. DIRKSEN. I yield to the Senator from New Hampshire.

Mr. COTTON. I assume from reading the Senator's amendment that there is obviously nothing in the amendment that would close the doors of any school in any school district, city, or local unit, to any pupil who desired to attend that school and got there himself. Is that right?

Mr. DIRKSEN. The Senator is correct.

Mr. COTTON. My second question is this: There is nothing in the Senator's amendment that would preclude any private association or organization, such as the National Association for the Advancement of Colored People, or any other association, white or colored, from encouraging children to go to a certain school and furnishing the transportation themselves or through charitable and philanthropic means voluntarily?

Mr. DIRKSEN. Precisely.

Mr. COTTON. My third question is this: If the Senator's amendment is agreed to and if a number of children or their parents in any section of a certain school district or unit desired that their children go to a school in another section, and applied to the local school authorities, would the adoption of this amendment make it impossible for the school authorities to furnish transportation to those who have applied to be transported and who wish to go voluntarily to a different school?

Mr. DIRKSEN. If they use funds that are not authorized under the instant act which is before us there is no interdiction on their action.

Mr. COTTON. In other words, they cannot use funds under this act to do that?

Mr. DIRKSEN. The Senator is correct.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. AIKEN. Is the purpose of the Senator's amendment to prohibit the use of the funds for transportation purposes where such transportation is solely for the purpose of providing integration? I can see where the main purpose might be something else, but integration would be incidental to the other purpose. What would be the situation in that respect?

Mr. DIRKSEN. I do not deal with that situation simply because I did not want to complicate this. I read the language of the proposal:

> No fund authorized in this or any other Act shall be used to pay any costs of the assignment or transportation of students or teachers in order to overcome racial imbalance.

It goes to an objective, namely, the question of racial imbalance.

Mr. AIKEN. It seems to me if that were the sole purpose it would be easy to vote for the amendment.

Mr. DIRKSEN. That is the language of the amendment.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. As the Senator from Vermont may recall, this body treated with a similar situation in the appropriation bill for the District of of Columbia.

Mr. DIRKSEN. Exactly.

Mr. HRUSKA. There was the question of transportation of students within the District from the east side to the west side of Rock Creek Park. The amendment and the discussion of the amendment made clear that if the busing was for the purpose of relieving a crowded condition in one school by moving students to a second, third, or fourth school which had room, it was not objectionable; but if the purpose of the busing was overcome racial imbalance it would fall within the prohibition of the amendment.

Mr. AIKEN. Then, I would ask one more question. Was the result satisfactory?

Mr. HRUSKA. We do not know the complete results. We do know, however, that, notwithstanding the prohibition, District of Columbia authorities came to our committee and asked for funds to continue payment for busing and all expenses incident to that busing.

Mr. AIKEN. The President signed the law. Is that correct?

Mr. HRUSKA. The Senator is correct.

Mr. AIKEN. And if there is busing, the main purpose of which is to overcome the racial imbalance, that would be a violation of the law.

Mr. HRUSKA. In my judgment, it would. However, if the purpose was to relieve overcrowding in one school, it would not.

Mr. AIKEN. I thank the Senator.

Mr. DIRKSEN. I should say to the Senator from Vermont that all of this is tied into just one purpose, so that if you skeletonize this amendment, no funds are authorized in this or any other act in order to overcome racial imbalance.

Mr. AIKEN. I would not like to legislate for race, creed, and color, anyway. I would legislate for people.

Mr. DIRKSEN. I do not either.

Mr. JAVITS. Mr. President, will the Senator yield for a series of questions?

Mr. DIRKSEN. I yield.

Mr. JAVITS. Mr. President, first, would the Senator specify what is meant by "any other act"?

Mr. DIRKSEN. I do not know that I can explain "any other act" any better than any other act on the books that has the authority of a statute.

Mr. JAVITS. The difficulty I find is that it is so hard to pursue that concept because we do not know what "any other act" would be or why it would have relevance to school busing, or whether it was wise or unwise.

Mr. DIRKSEN. Let me make one observation here. I would find the same difficulty trying to excavate all of the undertakings where money might be available. There are billions of dollars roving around in this Government and who knows what funds will be taxed—HEW, HUD—and they might even farm them out to a State and then bring them back. I do not know that one finite mind can conceivably cope with that complex.

Is there anything else one can do to keep legislation reasonably simple than to say "this or any other act"? Besides, that is no uncommon concept as far as the Senate is concerned.

Mr. JAVITS. I understand that, but when an amendment is proposed and it has such broad language, I do not think the burden is on us to guess what statutes are referred to. I think the burden is on the amendment itself to have an accounting for what acts are referred to.

I am sure the Senator has in mind, for example, Public Law 874, the impacted areas law, with respect to many of these hundreds of millions of dollars the Senator referred to. This provision would, of course, deal with money under that statute as well.

Mr. DIRKSEN. Why should it not apply in impacted areas?

Mr. JAVITS. I shall tell the Senator, but first I wanted to be specific. The other question I wish to ask is this: Does the proposal refer to voluntary transportation of students who seek to move from school to school, or only to involuntary movement?

Mr. DIRKSEN. It would not apply to students. It applies to the system.

Mr. JAVITS. The amendment states "students or teachers."

Mr. DIRKSEN. Yes, in a secondary sense, but it applies to the use of Federal funds for that purpose.

Mr. JAVITS. Then am I to understand Federal funds may not be used for the transportation of students who voluntarily apply to be transported?

Mr. DIRKSEN. Oh, I think my friend forgets the last part of the amendment, "in order to overcome racial imbalance."

Mr. JAVITS. I do not forget it at all. There are still many students—and parents—who would have a perfect right to go to their school and say, "I do not like to go to this school. It is 98 percent Negro. I do not believe I am learning enough. I should like to see a little more of the world, so will you transport me to some other part of town so that I can get a better look at mankind." Do I understand correctly that the Senator's amendment would prohibit that.

Mr. DIRKSEN. If the Senator can conjure up in his mind a situation like that which would actually obtain, maybe I could come up with an answer; but——

Mr. JAVITS. I conjure it up for my own city.

Mr. DIRKSEN. It is a very extreme example.

Mr. JAVITS. Not at all. All kinds of students in my city are being transported today. They are poor students who want to get the benefit of the Elementary and Secondary Education Act. They have applied and begged on bended knee to be transported precisely on the issue of racial imbalance, because they agree with the Supreme Court that segregated education, de facto or de jure, is only half an education. A segregated education is just as segregated because of housing patterns, or because it is de jure, or because the authorities want to keep them out. I think we should know, before this amendment is adopted, what we would be denying to students who voluntarily want to be transported, where the student and his parents are begging to get the use of Federal education funds to enable that to be done. I gather the answer is "Yes." Then we can argue the consequences from that point. But I ask the Senator whether there is any other answer. In my judgment, the amendment is not susceptible to any other construction.

Mr. DIRKSEN. I just cannot venture into a metaphysical legal argument on this thing where the language is so abundantly clear as to what we are trying to do.

I read it again:

> No funds authorized in this or any other Act—

We stop right there. That is in the bill before us. Second, what has been enacted heretofore where funds may be available can be used for this purpose—

> . . . shall be used—

Someone has to use it. Who is it? A school board, a school agency, a city official—it could be anyone—

> to pay any costs of the assignment.

Assignment is an affirmative act—"or the transportation of students or teachers," also an affirmative act, "in order to overcome racial imbalance." Thus, we are dealing with money, we are dealing with an order, a decree, a ukase, or anything that can be issued by an agency or an individual where the end objective is to overcome racial imbalance. I do not know how we could simplify it, or what we could do to meet at least most situations which may develop.

Mr. JAVITS. I am compelled to assume, therefore, that the answer to my question is in the affirmative, and that the funds from Federal aid statutes could not be used for the transportation of students who voluntarily wished to be transported because they do not want their education in an atmosphere which has racial imbalance. The Senator does not choose to make his answer implicit. I think it is susceptible of no other connotation. Therefore, on my own time, if the Senator is through, I shall argue that point. I just wanted to make sure that I was not wrong.

Mr. DIRKSEN. My friend from New York is free to argue that matter, of course.

Mr. JAVITS. Of course. I shall.

Mr. DIRKSEN. Yes.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. With respect to what the Senator from New York has just asked, my curiosity is aroused. If we have a school which is 98 percent Negro and 2 percent white, and the whites made a voluntary request that, for the purpose of improving their educational services, they would like to be bused across the county to a school 15 miles away, what would happen?

In trying to answer that question, I would say that the normal answer would be "No," stay in the neighborhood school. It is true that it is 98 percent Negro and 2 percent white, but they live in that district, and they should stay there.

Let us assume there is a school in which the Negroes say, "We want to be bused." The query would be, Why would we accord to them a greater right than would be accorded to the white pupil?

I am merely sort of thinking out loud here, wondering what would happen if children were allowed to choose the schools they wanted to go to.

Undoubtedly, if we had a situation with 2 percent white and 98 percent Negro students, the probability would be that some would say, "Well, I want to go to another school." My answer to them would be, "No. Stay in your neighborhood school."

Neighborhood schools have contributed to the building of character. They have developed a sense of responsibility among neighbors. I was reared in a neighborhood school. I knew every boy within a radius of one-half mile of my home. I also knew the parents of all those boys in my neighborhood. When there was distress in the family, the family went to the neighbor to get help. The family went to the grocer and received credit in the buying of groceries, and from the butcher to buy meat. It was all a product of neighborhood character.

In my judgment, destroy the virtue of the local neighborhoods and we will have taken a world of wealth away from the individuals of this country.

I did not ask the Senator from Illinois a question but I do think that this parallel of the white boy in a school 98 percent Negro asking to be transported elsewhere is pertinent. I do not think the school authorities would be justified in moving him.

Mr. HRUSKA. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am happy to yield. The Senator from Nebraska has a question, I know.

Mr. HRUSKA. I have an observation to make concerning the amendment adopted to the fiscal 1968 District appropriations bill. Section 16 states:

> Appropriations under this Act shall not be used for the assignment or transportation of students to public schools in the District of Columbia in order to overcome racial imbalance.

That is tantamount to the language used by the Senator from Illinois. If transportation is for some purpose other than to overcome racial imbalance, it is not tainted nor prohibited in any way.

Mr. DIRKSEN. Precisely.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield further?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. I have read part of the testimony in the Senate hearings on the District of Columbia appropriations. There arose the issue of transporting pupils in the District of Columbia from one school to another.

I may say to the Senator from Nebraska [Mr. HRUSKA] that the issue arose with regard to whether or not they were being transported to achieve a racial balance or whether they were being transported to escape the overabundance of children in one school and the underattendance in numbers in another school.

Is the Senator familiar with that phase of it?

Mr. HRUSKA. Yes. The Senator states the situation properly.

Mr. LAUSCHE. It appears, from this testimony, that children from east of Rock Creek in the District of Columbia were being transported to schools west of Rock Creek. In the questioning, the following appears in the letter contained on page 3571 of the Senate hearings on the District of Columbia appropriations bill:

> Seven hundred and thirty openings west of the park in secondary schools for which volunteering students east of the park can receive free D.C. Transit bus tickets.

I may say to the Senator that I am reading from the bottom of page 3571 of those hearings.

The letter also states:

> There are also available some 1,300 spaces in secondary schools east of the park for which transfer may be requested.

There were vacancies west of the park and vacancies east of the park, but the children were being transported from east of the park past vacancies in schools east of the park over to the west.

Mr. HRUSKA. And the fact is that those schools west of the park to which these students were transported had a much smaller number of Negro students. The schools east of the park were almost 100 percent Negro. So that was a plain indication that the transportation was for the purpose of trying to overcome racial imbalance rather than to lighten the burden of a particular school.

Mr. AIKEN. Mr. President, if the Senator will yield, does the Senator mean these children were given bus tickets and sent on their own?

Mr. HRUSKA. Just the students in high school, but students in junior high school and grade school were transported in chartered or leased buses, with counselors on each bus.

Mr. LAUSCHE. Mr. President, if the Senator will yield further, am I correct in my understanding that, under the amendment of the Senator from Illinois, the busing of students from an overcongested school to an undercongested school would be allowed?

Mr. DIRKSEN. Yes.

Mr. LAUSCHE. But the busing of students solely for the purpose of achieving racial balance would be disallowed. Is that correct?

Mr. DIRKSEN. Yes.

Mr. JAVITS. Mr. President, if the Senator will yield at that point, where does the Senator find the word "solely"?

Mr. LAUSCHE. It is not in the amendment, but the language does state the moneys shall not be expended to transport children from one school district to another to overcome racial imbalance.

Mr. JAVITS. Mr. President, if the Senator will yield further, I do not get any particular joy out of this, but under the Senator's analogy, the money the Senator from Illinois [Mr. DIRKSEN] is talking about could be used to transport 2 percent to another school. If that 2 percent sought transportation out of a 98-percent Negro school, then they would not be seeking to try to overcome racial imbalance, because the school would be more racially imbalanced than it was before, and a tautological school administrator could use this money for that purpose.

We want to understand this clearly, because I think we all understand what we are doing. The important thing is that this is a prohibition against people who want to be bused as well as against people who do not want to. We are preventing them from being bused even if they do not want to, and we are also preventing them if they want to. This is the essence of my argument. I will make my other arguments later.

Mr. HRUSKA. The student who wants to transfer can still transfer if his local school or others provide the funds. This amendment simply says that no funds authorized by this law or any other act of Congress will be used for the purpose of transportation to overcome racial imbalance. They can still be transported.

Mr. JAVITS. Mr. President——

Mr. DIRKSEN. Mr. President, does the Senator want the floor?

Mr. JAVITS. Is the Senator from Illinois through?

Mr. DIRKSEN. Yes.

Mr. JAVITS. I think the Senator from Oregon wants the floor.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. MORSE. Mr. President, I oppose the amendment. Any amendment which would prohibit the use of Federal funds for the transportation of students, if the intent of that transportation is to overcome racial imbalance, would be contrary to a firm policy that the Committee on Labor and Public Welfare and the Senate have held to for many years; and that is that the Federal Government should not interfere with the internal policies of local school districts.

At the present time, the Commissioner has no authority to require the transportation of students in order to overcome racial imbalance.

That is why I am a little at a loss to understand what this discussion is all about.

This was thoroughly discussed last year on October 6, 1966, when we were considering the 1966 amendments. At that time, there was language in the reported bill which would have made Federal funds available to local schools in order to assist them in overcoming racial imbalance. That language was deleted by an amendment offered by the Senator from Arizona [Mr. FANNIN]. I accepted the amendment.

A comment about the colloquy that took place on the floor of the Senate that led to the adoption of the amendment:

At that time the Senator from Arizona, the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Oregon made legislative history. We were joined by the Senator from New York [Mr. JAVITS], by the other Senator from New York [Mr. KENNEDY], and by the Senator from Wisconsin [Mr. NELSON].

We made the legislative history to the effect that the Federal Government stands neutral with regard to the internal policies of local schools respecting racial imbalance insofar as the racial imbalance is not covered by title VI of the Civil Rights Act and the Constitution.

This stance on the part of the Federal Government is the only wise course of action. We do not want the Commissioner of Education telling local schools that they must transport students nor do we want the Commissioner of Education prohibiting the transportation of students to overcome racial imbalance.

If local school districts want to initiate a transportation program to alleviate racial imbalances in their schools they should be permitted to do so.

If that is what they want to do, it is none of the Commissioner's business. I am opposed to any amendment which would make it its business. I happen to think it is none of our business in the Senate.

If the amendment were adopted and the Commissioner of Education is to prohibit the use of Federal funds to transport students when the intent of that transportation is to overcome racial imbalance, each time the Commissioner receives an application which stated that some of the money would be used to transport students he would then have to ask that school district, what is the intent of transporting students?

Moreover, in the case of impacted areas funds, in order to enforce this amendment, the Commissioner would have to get a signed statement from each school district receiving impacted areas money saying that they would not use Federal funds to transport students when the intent is to overcome racial imbalance.

The net effect would be that these schools would have to have two sets of accounts for transportation if they were transporting any students to overcome racial imbalance. In one account, it would say "We are transporting students to get them to school with Federal money," and in the other account "Our intent is to overcome racial imbalance." The Commissioner would literally have to look into the minds of our local school superintendents to ascertain the intent behind every action the local people took with regard to transportation. The sole question would be, what is your intent?

I ask you, do we want the Commissioner of Education putting windows into the minds of all our local school people in order to ascertain the intent behind their actions? In my opinion this would be Federal control of the grossest kind.

I have been in the Senate for 22 years. I have fought for Federal aid ever since I have been here. I have always maintained there would be no Federal control of education accompanying Federal funds. I have never sponsored an education bill which would permit Federal control. I would not.

I served in this body a number of years with the late Senator Robert A. Taft of Ohio. Senator Taft and I had different positions on a number of issues that came before this body, but on one issue we were in complete agreement. That was that the Nation's schools had to be improved and that schools could not be improved without money.

It is for this reason that we advocated Federal aid to education. We are both concerned that, if Federal funds were given to local schools, there might be a tendency either by direction of some Federal official or misconstruction of the law that the Federal Government would get involved in making education decisions and setting local policies.

Senator Taft and I developed what we considered and what I consider right now to be a foolproof guarantee against Federal control. That is, every piece of legislation had a section which specifically prohibited Federal control.

Section 301(a) of Public Law 874, 81st Congress, and section 704 of the Elementary and Secondary Education Act of 1965 contain this guarantee:

> Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

Last year there were concerns voiced about busing students in order to overcome racial imbalance. There was some concern that the Commissioner would make busing a prerequisite for obtaining Federal funds. It is for that reason that we adopted an amendment to the Federal control sections of both Public Law 874 and to the Elementary and Secondary Education Act, which added to the end of the Federal control section the following language: "or to require the assignment or transportation of students or teachers in order to overcome racial imbalance."

I am sure that the late Senator Taft would have been in complete agreement with us last year had he been here. If the issue had been raised while Senator Taft was with us he would probably have urged similar language himself.

I am also sure that the late Senator Taft would oppose the present amendment because it stands in direct contradiction to the policy he set up with the Federal control section. He would not want the Commissioner of Education or any other Federal official pushing into local affairs. And I am sure that he would not have wanted the Commissioner of Education inquiring of our local school superintendents the intent they have in the use of Federal funds.

I have always maintained that the Federal Government should be neutral with regard to local education policies. That is my position and I will hold to it. I will never favor any legislation which gives the Commissioner of Education the power to interfere with local school policies. If we adopt this amendment, I think we will be giving the Commissioner just that kind of power. I urge the the defeat of the amendment.

I direct the attention of the Senate to the colloquy of last year, when we considered the Fannin amendment. The bill we brought to the floor of the Senate last year had the racial imbalance language in it. The Senator from Arizona offered an amendment, I shared his view in committee, I accepted the amendment here on the floor of the Senate, and the record will show the colloquy that took place between the manager of the bill, the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Wisconsin [Mr. NELSON]. How well I remember it.

I said, "If you will just hold your objections until I get through discussing a hypothetical case, then maybe you will support me in my position."

The record will show I paraphrase, but accurately. That hypothetical case—I raise it again today—was this:

I used as an example a school in Boston. I called it a ghetto school. My friend from Massachusetts was not willing to discuss a ghetto school in Boston, but I goodnaturedly said that, "I am talking about a hypothetical case."

So we hypothetically have a ghetto school in Boston. It is an old school; it is overcrowded.

Out in a suburb in the same school district is a new school, with 18 students to the classroom, plenty of teachers, the newest equipment.

The Boston School Board decides it wants to bus students from the ghetto school to the school in the suburbs. I take the position that if that is what the Boston School Board wants to do, that is its local prerogative.

It was said that the adoption of the amendment of the Senator from Arizona would not deny the right of the Boston School Board to establish that as local educational policy. Then I called the attention of the Senate to what I wish to call to its attention today: If you take the total bill, you have various sections that provide funds for various projects and programs. Last year, before we adopted the Fannin amendment, we adopted, in another section of the bill, a special project program, amounting to $50 million. It lists a whole list of special projects that local school boards can involve themselves in, but they are not limited to the suggestions in the list.

I said: "Suppose that in this case, the Boston School Board said, 'We want to bus students from this ghetto school to the suburb school,' are we to take the position that the senate of that State, and its house of representatives, can say to that local school board, 'You cannot run your schools that way.' "

That is what the Dirksen amendment would do. What this Dirksen amendment does is say that any funds that are made available under the education bill to be spent in accordance with the policies of the local school districts cannot be spent for busing.

Who are we to say that? By what right do we say it? To those who say they are against Federal domination of education, I say that is Federal control, That is Federal direction. I remind Senators that the opposite side of that coin is true also. The Senator from Oregon will never support the Commissioner of Education nor any other Federal agency saying, "You have got to bus." That is quite a different thing.

All I wish to say to my fellow Senators is that I think there is a basic principle involved here. If we establish a precedent, which I have always fought for, in which we say that funds which we are going to make available shall be intermingled with State funds and local funds, to be spent by States and local school districts in accordance with their policies, we would put a negative earmark on it. We would say that the step we took last year when we adopted the Fannin amendment, after we authorized the $50 million for special funds, we will take back now, and say, "We are not going to permit you to use any of these moneys, in accordance with your policy and your discretion, for busing."

I think this is a basic principle. We must decide what the authorized amounts are to be and what the general programs will be. We do not spell out these programs by crossing every "t" and dotting every "i." The whole idea is to give wide discretion to local school boards to determine how they can best use these funds with the flexibility I have described.

I have great respect for the objective that the Senator from Illinois [Mr. DIRKSEN] has in mind, but I do not believe that it is an objective that Congress ought to determine. It is for every school board to determine.

There is some interesting busing at the State level. I know, because I was briefed with respect to a certain State in which, in town X, there is a white school, but the nearest Negro school is 6 miles away. What has been done in that town has been to make the Negro youngsters get up much earlier in the morning, pack their lunches, and travel by bus to a segregated school 6 miles away. I do not know of anyone whose hearts are bleeding concerning the policies which affect those Negro children.

If the Supreme Court decision of 1954 is to be carried out, if the act of 1964 is to be carried out, if the 14th amendment is to be carried out, it ought to be recognized, as I said earlier this afternoon in debate, that Negro children have a right to go to a nonsegregated school. In my judgment, we are not going to delegate or resolve this great social problem that confronts the country if we now try to adopt an amendment in which, indirectly, we would tell local school boards that they cannot bus if they use any funds that are authorized by the Federal Government under the education bill.

I hope the amendment will be rejected.

I yield to the Senator from New Jersey.

Mr. CASE. I thank the Senator from Oregon; I share his point of view completely. Speaking as one Senator, I thank him for his leadership in this manner.

Mr. President, the subject of busing raises emotional overtones immediately. We can deal with this problem in one of two ways. We can attempt to improve matters, or we can use emotions for wrong purposes.

In my opinion we will be doing the latter—and I am not charging this is anyone's intent but that will be the effect—if the Federal Government adopts as its policy that no Federal money whatever shall be used for the purpose of busing in order to alleviate racial imbalance in schools. By adopting such a policy the Federal Government would make the situation very much worse whereas all our efforts should be to improve things.

We would be limiting the discretion and impairing the ability of local school boards, the States, and the courts to experiment in different ways of accomplishing the delicate and difficult changes in attitudes that must be changed if we are to make real progress.

Instead of following the low road of the least common denominator, we should be trying to raise our sights in every action we take in the Senate. And this amendment would go directly in the opposite direction.

I had occasion a few weeks ago to speak out against making the question of school busing a political issue in the New Jersey legislature campaign. And what I said then I would like to repeat now.

I think the normal situation, and one we like to think of as the rule, is the neighborhood school. We believe this is right, but busing also has some marginal value, in some cases, in our efforts to bring us to the point where we can have integrated and neighborhood schools.

Certainly, we should never use this emotional issue for any unworthy purpose, partisan advantage or otherwise. And we certainly should not tie the hands of the States or of local school boards or the courts with whom this matter rests in pursuance of their obligation under the Constitution, let alone the 1964 act and other acts. We should not take any step which would be a retrogression, and this amendment would be a great retrogression.

I here testify, as a Member of the Senate over many years, that this matter does not involve any commitment we made when we passed the original Civil Rights Act.

The Senator from Oregon said correctly that all we said then was that that act did not, of itself, require busing.

We have not done anything since to contravene that position. We should not now take a step backward, as we would if we now say that no Federal money can be mingled with local or State funds in any effort to improve racial balance in our schools.

Mr. MORSE. Mr. President, I thank the Senator very much. I appreciate his support. Before I yield the floor, I ask unanimous consent that the debate that took place last year on October 6, 1966, to which I have already alluded in my argument, be printed at this point in the Record.

There being no objection, the debate was ordered to be printed in the Record, as follows:

Mr. Fannin. Mr. President, I send to the desk an amendment and ask that it be stated.

The Presiding Officer. The amendment will be stated.

The legislative clerk read as follows:

On page 34, line 6, strike out "racially imbalanced,".

Mr. Fannin. Mr. President, I yield myself 5 minutes.

The Presiding Officer. The Senator from Arizona is recognized for 5 minutes.

Mr. Fannin. Mr. President, the amendment I am offering is a simple one. It strikes from the bill a provision authorizing the Commissioner of Education to grant funds to local education agencies which have schools that are racially imbalanced. This amendment strikes out the words, "racially imbalanced." The committee authorized the sum of $50 million a year in order to bolster the provision on "racial balance."

Mr. President, this is an education bill and this unsound and unproven idea of racial balance has no place in it.

Under this section the Commissioner of Education would award grants on the basis of what he thought was or was not a proper racial mix. This brings up the interesting question of just what is meant by a proper balance. Is it 50–50, 90–10, or 60–40? There is no definition of racial imbalance in the act and the committee members themselves were not clear as to what was intended. The committee report does not supply the answer and even the supporters of this proposal differ as to what ratio might be an appropriate one. Presumably, however, the whole problem will be resolved by the Commissioner of Education who will make the determination and who has $50 million a year for each of 2 years to spend on this program.

Moreover, it is unclear how this program would operate, how the funds would be used or what measures are contemplated to offset any so-called racial imbalance. Would there, for example, be involved in addition to educational parks, busing, the altering of geographical boundaries, and the erasing of traditional neighborhood lines?

The Civil Rights Acts have not, to date, undertaken to deal with racial imbalance but have been limited to desegregation. Are we to assume that a new policy is now being inaugurated—one calling for racial balance in the schools? If so, it is submitted that such a change should be preceded by thorough study and deliberations following full hearings. There is no constitutional provision nor any Federal statute requiring a balance between the races. Nor is there even a factual showing that racial balance is necessarily a healthy state of affairs from the standpoint of either minority groups or education as a whole. There is only the fuzzy and rather vague notion on the part of some persons that a given ratio between the races is a desirable situation.

I think that the American people disapprove of this type of misguided policy and in my opinion would resent the use of an education bill as a vehicle to advance this unproven concept.

Mr. President, I hope this amendment will be adopted.

Mr. President, what are the problems caused by racial imbalance? I should like to have them answered. What steps would be taken? We have not the answer. It is not in the proposed legislation. Mr. President, is not this truly discrimination in reverse?

The Commissioner of Education, Mr. Howe, has this to say:

"Traditional school boundaries often serve education badly and may have to be changed. . . . We could, for example, alter political boundaries to bring the social, economic, and intellectual strengths of the suburbs to bear on the problems of the city schools."

The Presiding Officer. The Senator's 5 minutes have expired.

Mr. Fannin. I yield myself 2 additional minutes.

I continue with the quotation:

"Building programs for the future could be planned so that new schools break up rather than continue, segregation of both the racial and economic sort. The Office of Education will provide Federal planning funds for such efforts right now, and, if I have my way, the office will provide construction funds before long."

This is from a statement by Mr. Howe.

Mr. President, I think we all recognize the problems that would result if this wording is retained in the proposed legislation. We should give thought to some of the problems that exist.

For instance, I can cite my State of Arizona as an example. We have an Indian school in the city of Phoenix. The proposed legislation would require that we have non-Indian students attend this Indian school. The reservation land area consists of 27.7 percent of our land area, and is greater than the privately owned land within our State. These vast areas have Indian schools upon them. Would we be required to bus students into these areas so that they could have a balance as referred to in the proposed legislation? Just what do we mean by "racial imbalance"?

Mr. President, I reserve the balance of my time.

Mr. Kennedy of Massachusetts. Mr. President——

The Presiding Officer (Mr. Kennedy of New York in the chair). Who yields time?

Mr. Morse. Mr. President, I yield to the Senator from Massachusetts such time as he needs.

Mr. Kennedy of Massachusetts. Mr. President, I should like to describe briefly how this particular provision entered into the bill.

Earlier this session, I proposed legislation that would permit the Commissioner of Education, upon the initiative of local school districts, to make grants to school districts around the country that were honestly attempting to reach some kind of accommodation on the problem of racial concentration in the public school.

We had a series of hearings on my bill, which was cosponsored by other distinguished Members of this body. It was virtually the unanimous opinion of the principal educators of our country, of the representatives of the National Education Association, of the American Association of School Superintendents of various State commissioners of education, and the Secretary of HEW that the problems of racial imbalance did present an extraordinary burden on many young people of this country. Those groups enthusiastically supported my bill, and I think their testimony would be relevant to the language which is in this bill.

The committee agreed to report my bill favorably, but as a separate bill, rather than a part of S. 3046. But to carry through this concept, the committee accepted the language adopted by the House in section 304, which includes the words, as part of section 304 of the Elementary and Secondary Education Act, found on pages 33 and 34 of the printed S. 3046.

Mr. President, my primary concern has always been to attempt to assist various school communities that voluntarily want to make an effort to deal with the problems of racial imbalance.

Mr. President, the committee amendment to title 304 is simply intended to insure that local school agencies whose districts have unusual financial burdens and who lack the resources to meet their needs can receive help in overcoming these problems from the Federal Government, including the problem of racial imbalance.

The hearings demonstrated that many of our local communities are overburdened, and that in many of the areas where communities are facing the greatest financial problems, their schools are most overcrowded, obsolete, or racially imbalanced.

There is no problem over what we mean by the term "racial imbalance." It obviously refers to the existence of an unusually heavy concentration of minority race schoolchildren in a public school.

I would consider that a school has a problem of racial imbalance when the concentration of minority pupils is so heavy as to present a serious obstacles to providing high quality and equal educational opportunity. Some States in consideration of their own situations have defined racial imbalance in their State laws. New York and Massachusetts, for example, find racial imbalance where more than 50 percent of the pupils are of a minority race. But I think it would be a mistake to attempt to define racial imbalance in Federal law by a specific percentage. We know that de facto segregation exists in the public schools in many major cities in the North and West of this country. In my own city of Boston, for example, some 28 schools have from 80 to 100 percent nonwhite enrollment. I would consider these schools severely racially imbalanced—in fact if not in law by color.

But every local community and State has its own unique situation. I believe we should leave it to the community or the State to make the judgment about whether there exists a problem of racial concentration in its schools. It is for the local community to determine if they wish to take action to improve the quality of education in their community by reducing racial concentration. Therefore, all the term racial imbalance in this amendment to title III is meant to connote is plans by local school districts initiated by them alone which attempt to deal with the problem of racial concentration in the schools of their community and to make clear in the statute that such plans would be eligible for Federal assistance.

So there is no problem about what is meant by racial imbalance and there really can be no question that severe racial concentration in public schools is an educational problem. Hearings were held on this question before the Education Subcommittee. The printed hearings of S. 3046, pertaining to my bill, S. 2928, clearly demonstrate that segregated schooling, whether de jure or de facto, is harmful to the Negro child and denies him equal educational opportunity.

And if there remained any doubt, the recent report on equality of educational opportunity submitted in July 1966 to the Congress by HEW should lay those doubts to rest. This report is the most comprehensive of its kind ever compiled. It found that today—

"American public education remains largely unequal in most regions of the country, including all those where Negroes form any significant portion of the population."

It found that in every significant factor related to achievement the Negro was receiving inferior education. He had fewer facilities, fewer books, less access to curricula and extracurricular programs; he was taught by inferior teachers and, in many cases, he left school worse off in relation to his white counterparts than when he entered.

But perhaps the most striking observation of the entire report is that of all the factors which have a strong relation to achievement the most important factor seems to be the psychological or motivational factor and the Negro child will be more strongly motivated in a nonsegregated school than in a segregated school where he tends to have feelings of inferiority and rejection because of the racial isolation he experiences. Small children do not make fine legal distinctions between de jure and de facto segregation, but they know what they see and if they are separated on the basis of color they suffer from it.

Therefore, local communities are certainly justified in considerng the problem of ghetto schools as an educational problem which they desire to deal with. Many communities have made that judgment independently and on their own initiative. They are working on plans to deal with the problem. In Cortez, Colo., two neighboring school districts are making educational plans to promote the integration of Indians and Spanish-American children with other peoples. In Akron, Ohio, seven elementary schools in a ring of average neighborhoods between the rich suburbs and the poor inner city were selected so that children of different environments could mingle in a creative program of outdoor summer education. Conway, Ark., is planning a center of education and training for a model curriculum for grades 10 through 12 in a fully integrated school system. Evanston, Ill., is planning to convert the city's only all-Negro school into an experimental school offering special programs to children from the entire city.

Many cities such as Syracuse and Pittsburgh and East Orange and Albuquerque and Denver and Baltimore are planning educational parks.

I could cite many more examples which have been undertaken by many communities around the country. I would like to say to my colleagues that I have been impressed by the number of communities who on their own initiative are seeking to do something about this problem and by the variety of innovative programs that are being contemplated.

I ask unanimous consent to insert at the end of my remarks a short memorandum listing a number of such projects.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. KENNEDY of Massachusetts. Mr. President, consider a few examples from my own State of Massachusetts. A number of suburban communities—among them Brookline, Newton, Wellesley, and Arlington—got together and the school boards developed a program to send buses into the Roxbury area of Boston and bring students, young Negro children, into their communities to attend their schools, some of the finest schools in the State of Massachusetts, in places where they had a number of vacancies. This experiment has worked admirably well. It has been well accepted in the communities where these young Negro boys and girls have come to participate in the schools, and I have had an opportunity to talk to some of the schoolteachers involved. They talk about the remarkable rise in the educational performance of these young people. This program has also being extremely well received in the city of Boston as well.

We also have another situation in which a small group of Negroes got together voluntarily in "Operation Exodus," which, through private contributions, is attempting to send students out from the Boston ghetto schools to vacancies in other Boston schools which are integrated. They have been doing that and raising the funds themselves, at considerable expense, and they have been doing that successfully as well.

Both of these experiences have been extremely successful. What they demonstrate quite clearly, I think, is a very sincere desire, among many communities, to help these students in a voluntary manner. It has also demonstrated the desire of many of the Negro families, in places where there are vacancies, to send some of their young people into these communities; and that, too, has been well received.

Mr. President, it was hoped, in view of the success of these programs, that we could develop programs that would encourage and permit the various school districts to make direct application to the Commissioner of Education, if it was a determination of the local school board and the local school district, that they desire funds, to help in a host of ways in dealing with problems of racial imbalances, one of which might be busing. The other methods of assistance would be the providing of various curriculum materials, or the construction of educational parks, the additional training of schoolteachers, perhaps the technical assistance on the redistricting of school lines—a whole host of different ways to help and assist the various school communities that honestly want to act to deal with this problem.

I believe the Federal Government should support these initiatives. Title III is designed to provide assistance for innovation and experiment, and it is not for the Federal Government to exclude certain programs from consideration because they involve problems of race, especially when we know that these race problems are serious educational problems.

The committee has made it crystal clear in the committee report that this is not an attempt at Federal control or Federal design. This is not an attempt to achieve some arbitrary concept of racial mix in the public schools. The decision to initiate programs is a local decision. A local school board need not take any action under this title; there is no element of coercion. It can apply for title III money on a variety of grounds, only one of which is the correction of racial imbalance. But racial concentration in public schools does exist and many school districts do consider it a problem they desire to correct. Such programs deserve Federal support.

Under this section development of local control will continue to reside in the local community, not in the Office of Education. The Commissioner of Education is directed to give special consideration to such projects because in the past construction projects have been given a very low priority in the title III program and the hearings made plain that as a result of the planning done by the local communities, a need has arisen for giving greater consideration to the many worthwhile and innovative construction projects which local communities desire to initiate but lack the financial resources to undertake.

There is absolutely no power of compulsion given to the Commissioner of Education in any respect during the implementation of this program.

Mr. President, the only thing we are suggesting is that if a given school community is attempting to make some kind of adjustment, the Federal Government should be willing to assist. The language, I think, speaks clearer than attempting to paraphrase it, so addressing attention to page 33:

"(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1966, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency."

Mr. President, I wish to stress the point that there is no language in this legislation, that in any way implies any compulsion. It is solely a question of voluntary integration from school districts, and it is offering the carrot to the school districts which are really attempting to cope with what all Senators realize is one of the most difficult questions that we face as a nation—the problem of segregation in our public schools.

"EXHIBIT 1

"Two Title III projects in operation in Hartford, Connecticut, and in Newton, Massachusetts, provide for transporting pupils and there may be a few others. However several proposals are attempting to solve racial imbalance problems through other means.

"1. Monticello, Arkansas, is planning a model school for grades 9 through 12 for a fully desegregated and integrated school system of both pupils and teachers in all grades in six counties of southeastern Arkansas where about 43 per cent of the population is Negro.

"2. The school district in Guthrie, Oklahoma, where about 20 per cent of the students are Negro, is planning for the total integration of all pupils in kindergarten through grade six, through the attendance of all children in the same grade at one school and those in each of the other grades in other separate buildings for each grade.

"3. Conway, Arkansas, is planning a center of demonstration, observation, and training for a model curriculum for grades 10 through 12 of a fully integrated school system.

"4. The Junior Explorers Learning Centers in Akron, Ohio, illustrate how many Title III projects encourage integration indirectly while serving primarily other educational needs. Seven elementary schools in a ring of average neighborhoods between the richer suburbs and the poorer inner city were selected so that children from the three different environments could mingle in a creative summer program of outdoor education.

"One of the possible advantages in the educational park concept is the provision of quality education to help maintain social-economic balance in the school population. Transportation would certainly be a significant factor in most instances. Five cities are engaged in such projects with grants of Title III funds. Syracuse, New York is operating a Multiple School Site Plan, and Pittsburgh, Philadelphia, New York City, and East Orange, New Jersey, are planning educational parks. Cities considering educational parks and who may submit proposals include Albuquerque, New Mexico; Baltimore, Maryland; Berkeley, California; Denver, Colorado; Fort Lauderdale, Florida; Los Angeles, California; New Haven, Connecticut; and St. Paul, Minnesota.

"Several integrated neighborhoods in the area of San Francisco in which ghettos are beginning to develop are cooperating in the planning of educational programs to help stabilize their racial composition. In Cortez, Colorado, two neighboring school districts are making educational plans to promote the integration of Indian and Spanish-American children with other pupils. In Springfield, Massachusetts, children from predominately Negro schools are meeting in integrated groups with children from other parts of the city to read and discuss literary classics."

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. MORSE. Mr. President, I yield to the Senator from Wisconsin.

Mr. NELSON. Do I understand the Senator that it is his interpretation of this section that the school district would have to qualify as a financial hardship case and that the school district would be the applicant for the funds?

Mr. KENNEDY of Massachusetts. The Senator is exactly correct.

Mr. NELSON. And that the Commissioner could not direct any school to accept funds for this purpose?

Mr. KENNEDY of Massachusetts. The Senator is correct. I think it is important that we realize that this determination, in the absence of a State law to the contrary, must remain in the local community.

The only thing this amendment would

provide is that once there has been a local determination, then there would be Federal funds to see that the determination is carried through.

The Presiding Officer (Mr. Harris in the chair). Who yields time?

Mr. Morse. Mr. President, I yield myself such time as I may need.

The Presiding Office. The Senator from Oregon is recognized.

Mr. Morse. Mr. President, I wish to tell the Senate, and particularly the Senator from Arizona [Mr. Fannin], because he is a member of my committee, that I could not have had more cooperation than the Senator from Arizona [Mr. Fannin] has always given me; and as he knows, we worked on this matter in committee.

I think that the Senator is entitled to know from me, as the manager of the bill, the history of the language that is now in the bill.

The Senator from Massachusetts [Mr. Kennedy] had introduced a separate bill (S. 2928). That separate bill became title IV of the committee bill. The Kennedy bill raised a considerable amount of controversy in our committee and we moved to strike title IV of the bill. We moved to strike it for various reasons. Let us be frank about it. One of the reasons was that it was subject to interpretation by some members of the committee that it placed the Department of Health, Education, and Welfare in an initiative position—to initiate projects and programs to meet so-called racial imbalance.

The Senator from Arizona [Mr. Fannin] will remember that.

I yield to no one on the committee in my opposition to the Department of Health, Education, and Welfare telling the States or local school districts how to run their schools. I have stood on the floor of the Senate and pledged to you many times over the years that I would not support legislation that placed the Federal Government in the position of controlling local education. Because I was confronted with a situation in the committee where the consensus of opinion was that that particular title would jeopardize our bill. I took the responsibility away from the others of the committee and I moved to strike title IV from the bill.

I felt I owed it to all members of the committee to do that. I did it after we had had a long discussion about it. The language that is now in the bill was taken from the House bill. That is where the section 135 language comes from. It comes from the House bill.

I do not know the reasons given for adopting it over there. I understand this section is going to be debated in the House of Representatives and that an attempt is to be made on the House side to strike it from the House.

The language that seems to be objectionable to many is the language contained in the amendment of the Senator from Arizona [Mr. Fannin], "racially imbalanced," which creates the fear that no matter what we put in the bill the Department of Health, Education, and Welfare will be insistent upon some busing program in local school districts.

All I can say to Senators is that the Senator from Oregon has never proposed, and is not proposing now, that the Federal Government tell the local school districts what schools their youngsters are going to attend, regardless of the problems that may exist in local school districts from the standpoint of overcrowded school A and undercrowded school B, when the local school A wants to send students, irrespective of whether they be white, colored, or mixed, to school B.

I would like to have the attention of the Senator from Massachusetts [Mr. Kennedy] carefully now when I give my feeling about this. I discussed it briefly with the Senator from Arizona. I am inclined to accept the amendment of the Senator from Arizona [Mr. Fannin] and strike the words "racially imbalanced" from the bill. Although I want the Senator to know—and I have the House bill in front of me, but I am sure the Senator will take my word for it—Senators can come over to the desk and look at it—they will find the language in our bill taken directly from the House bill.

The committee unanimously decided that if they accepted my motion to strike title IV, which is the amendment of the Senator from Massachusetts [Mr. Kennedy], there would be agreement to put the following language in the committee report, and I read it.

It is on page 26, beginning with the next to the last paragraph at the bottom of the page:

"It is for this reason that the committee proposes an amendment to section 304 of the Elementary and Secondary Education Act, requiring the Commissioner to give special consideration, beginning in fiscal year 1967, to applications of local educational agencies which are financially overburdened. The amendment provides that any local school district making a reasonable tax effort which is unable to meet critical educational needs because of serious overcrowding, obsolete or unsafe school buildings, racial imbalance, or any other condition imposing a continuing and financial burden shall receive special consideration in title III project approval.

"Among the projects which shall receive special consideration are problems, in both the North and the South, arising out of efforts to overcome racial segregation and related conditions. Thus, projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial segregation or the alleviation of problems resulting from racial concentrations of students. These projects could include, for example, the construction of educational parks and other experimental or demonstration facilities under plans insuring desegregated student attendance, the conduct of teacher inservice training programs in community relations, support of curriculum development projects, and the support of joint academic programs by suburban and core-city school district.

"The committee hopes that this amendment will be of significant importance in overcoming the difficulties confronting many school districts today. These difficulties have been evident in the applications already submitted for project approval. An analysis of the 991 planning projects submitted during the first 2 project periods shows that 234 of them would have culminated in the need for the construction of a center or other facility to house the program being planned. In addition, the Office of Education estimated that, of the 24,000 independent school districts, two-thirds are financially unable to afford viable programs, centralizing vitally needed services for the education program."

Let me say here to the Senator from Arizona that this refers to projects already approved and to projects already on the way to implementation.

Continuing reading from the report:

"Under the proposed amendment, it is possible that large cities, confronted with problems of obsolete core-city school buildings and de facto segregation, might attempt to utilize title III funds for the establishment of educational parks. The first two rounds of project approval resulted in the funding of planning projects for educational parks in Philadelphia, New York, Pittsburgh, and East Orange, N.J. In addition, proposals are currently before the Office of Education for the planning of educational parks in St. Paul, Chicago, Syracuse, and Cleveland. Denver, Baltimore, and Richmond have expressed interest, and are designing proposals for the development of educational parks. Moreover, it is apparent from data on school facilities in rural areas that many multigrade, one-room schools still exist simply because of a lack of local financial resources to provide consolidated facilities. The educational park concept may well offer exciting possibilities in such areas. If such ideas are to be successful, this planning activity will result in an exceedingly large request for operational and construction funds. To support these additions, the committee recommends an authorization of $250 million in fiscal year 1968."

Now let me say to the Senator from Arizona that I think the problem in this whole matter is the language in the bill. There may be members of my committee who do not agree with me; but, unless they reverse me, I want to accept the Senator's amendment. I want to strike the language from the bill. I want it made perfectly clear, however, that in accepting the amendment and striking it from the bill, it will not create Federal interference in reverse—in a negative way.

For example, in Massachusetts, they may have local boards faced with overcrowded schools. This is going back to my hypothetical school A and school B. If school A is overcrowded and school B is underused and the local authorities decide that they will transfer students from school A to school B, I think that is the right of the local authorities. I do not think there should be language in the bill, such as the language the Senator from Arizona seeks to strike, which would give anyone the feeling that the Department of HEW would have authority to direct a program, to initiate a program, or to tell the local authorities what they can or cannot do.

I think it would serve the best interests of the principle of guaranteeing non-Federal interference in the operation of local schools if the amendment of the Senator from Arizona were accepted.

I am willing to accept it.

Mr. Kennedy of Massachusetts. Mr. President, will the Senator from Oregon yield?

Mr. Morse. I am happy to yield to the Senator from Massachusetts.

Mr. Kennedy of Massachusetts. Mr. President, I should like to have a chance, at least, to explore this matter in some greater detail with the Senator from Oregon, for whom I have the greatest regard. Certainly, he has been working in the vineyard of human rights many years before I was even on the face of the earth, and I certainly respect his knowledge and his great interest in the field of education.

The problems are great when any individual goes through the experience of attending a school which is culturally deprived. I have listened for specific explanations going back over the various provisions which have come up in this Chamber this afternoon.

I should like to find out, within the general framework that the Senator has outlined in the report, if a school district makes an application under this section, which really is directing itself and concerning itself with culturally deprived children, that certainly, as an educator, the Senator from Oregon would recognize that anyone who is attending a segregated school, whether de facto or de jure, is being disadvantaged; would he not agree?

Mr. Morse. I made very clear—I said this to the committee—in fact the Senator will recall that in committee the chairman of the subcommittee thought that the language in the report would be sufficient to protect the interests of local school control.

I was in the committee. The opinion was that the reported language was all that was needed in order to protect the local school district. The argument was that the language of the House bill should be the same language in the Senate Bill.

To answer the Senator's question, as I understand it, let us take Boston. Let us say that in Boston——

Mr. Kennedy of Massachusetts. Could I

pose, perhaps, this hypothetical question to the distinguished Senator from Oregon, and at least try to get his reaction to it?

Mr. MORSE. The Senator may, but if he will let me finish this hypothetical point, I think it will save a great deal of time. I hope so, at least.

Mr. KENNEDY of Massachusetts. Fine.

Mr. MORSE. Let us take Boston, school A, an overcrowded school, and also school B which has a somewhat smaller population which could take on say, x number more students. The school board would say, "We will undertake to send x number of students from school A to school B." In my judgment, with this language out of the bill, the Boston School Board could still decide for itself how to distribute the children in schools A and B.

What concerns me is that if we leave the language "racially imbalanced" in the bill, the fear will be created—whether warranted or not—it will mean, somehow, that we have given some direction to the Department of Health, Education, and Welfare to initiate programs for busing students.

I do not want the Department of Health, Education, and Welfare to have any authority to direct and initiate the busing of students; but, in reverse, I do not want it—and I do not think the Senator from Arizona intends it—to have a bill passed here this afternoon that can be interpreted as saying to Boston, "You cannot, on the basis of your educational rights there, take x number of students and bus them to Boston School B." That is their right.

Mr. KENNEDY of Massachusetts. I think the Senator has really clarified to a significant extent his attitude, which I would certainly respect and support, and which reflects my attitude on this difficult question.

If the city of Boston felt that it was in the interest of schoolchildren to bus them; that not being able to bus them would be depriving children in their education, and it was a situation where they had jurisdiction, is there anything which would prohibit or proscribe it, if Boston developed such a program, from receiving assistance?

Mr. MORSE. The answer is "No."

The Senator from Arizona [Mr. FANNIN] and I are the ones on the spot on this. Does the Senator from Arizona agree with the interpretation I have given, backed up by my willingness to take his amendment?

Mr. FANNIN. Mr. President, in the committee, as he has on the floor today, the Senator from Oregon was very much in favor of taking out this language. He felt it would create a problem because it would be an encouragement, in view of the moneys involved and made available to the school districts, to carry out a busing program or whatever else might be involved. For that reason, he was concerned and was instrumental in the changes made. I think it is regrettable that the language was not taken out at that time, although I think that with the change now it will materially improve the bill. I agree with his understanding of what is intended.

Mr. KENNEDY of Massachusetts. In view of the explanation, Mr. President, I have no objection.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY of Massachusetts. May I have 15 seconds?

Mr. MORSE. I yield 1 minute to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Under the explanation of the Senator from Oregon section 304(c) achieves everything that it was hoped would be accomplished.

Mr. MORSE. Mr. President, I accept the amendment.

The PRESIDING OFFICER. Do Senators yield back their time on the amendment?

Mr. FANNIN. Yes.

Mr. MORSE. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I will not endeavor to repeat the arguments made so very ably and nobly by the Senator from Oregon and the Senator from New Jersey.

I have already given a rather clear indication of my position on the question in the course of the debate with the Senator from Illinois and the Senator from Ohio.

There is one thing that I desire to mention. It is a matter that has not been mentioned in the course of the debate. That concerns the funds provided in the bill, largely for poverty-related children.

This is a very critically important matter. It so happens that a large portion of these poor children are Negro. That is very unfortunate for all of us and also for them. However, the fact is that the pending bill is in large part designed to deal with the educational problems of poor children. The best advice we can get is that the educational problems of poor children include the fact that they are in so-called ghettoized schools. Hence we have in the country some very interesting experiments which seek to deal with the problems of the poor who are inhibited and stultified in their education precisely because they are poor by seeking, if it is possible and practicable, to take them out of the neighborhoods in which they have endured endemic poverty, sometimes for generations, and bring them into a neighborhood where they can see a better world and try to get out of the cycle of poverty.

I have a report which states that such an experiment is being carried on in Hartford, Conn. It concerns the daily school attendance of children who are being bused so that they might break out of the cycle of poverty. This is being done voluntarily, pursuant to their wishes and the wishes of their parents. The school attendance of these children is 90 percent, which is much higher than the attendance in general of children in neighborhood schools.

This kind of experiment and contribution to the effort to spring children out of poverty will be very much inhibited by the pending amendment.

My colleagues have made it crystal clear that Congress is very determined that it is not going to allow racial imbalance to be identified with racial segregation. We have dealt with the matter time and again, including in the impacted areas bill.

Here we had an opening in the District of Columbia appropriations bill in which we did the same thing that this measure does. In respect of the District of Columbia, we sit as a city council, really. I thoroughly disagree with what was done, but nonetheless, we did it as a city council for the District of Columbia.

Congress thought it advisable to make that strict provision. It was regrettable, but nonetheless it did.

That is very different from inhibiting a whole country, including many school districts which have their own city councils.

In Massachusetts, as I am sure the Senator from Massachusetts will tell us, the correction of imbalance is part of the State education law. That is what they are seeking to attain as an affirmative thing. That came out in the course of the debate by the Senator from Massachusetts [Mr. KENNEDY] in respect of the amendment last year by Senator FANNIN, to which the Senator from Oregon referred. That State is being inhibited from the use of poverty education funds in a way which it believes will be best conducive to spring those children out of the cycle of poverty and depression and deprivation.

It seems to me that those who are counseling this course had better take very serious counsel in what they are doing. If they are going to talk a great deal about the fact that the hand of the Federal Government should not be used to control education, then really the Dirksen amendment is a very big opening in that regard. And the important thing that opponents of the amendment, myself and other Senators, need to emphasize is the fact that this is a radical departure from the scheme which we had incorporated in the Civil Rights Act of 1964, as well as in the impacted areas bill and other legislation, which sought to prevent us, to use the language of the impacted areas bill, from requiring assignment of pupils or their transportation in order to overcome racial imbalance.

For the first time on a countrywide basis the amendment would propose to inhibit the free use of funds by local and State educational agencies, notwithstanding the fact that what that agency is doing is completely lawful and in accord with our Federal laws as well as with State and local laws where it is thought to be desirable or necessary to relieve racial imbalance or to overcome poverty. And this is a question of poverty-impacted children.

Finally, Mr. President, even in the colloquy with the Senator from West Virginia [Mr. BYRD] in connection with the appropriation bill for the District of Columbia, it was clear that if, as a side effect of an effort to relieve crowding or other conditions in a school, there should be a correction of racial imbalance by virture of the transportation of children from one point to another, it would not be inhibited by the amendment to the District of Columbia appropriation bill.

I have tried very hard in this regard to get some concept of the use of the word "solely" in the Dirksen amendment, or its effect, and this was pointed out by Senator AIKEN as well as by Senator LAUSCHE. But it nowhere appears in this amendment.

Therefore, we must assume that if correction of racial imbalance was a side effect of the perfectly proper transportation of pupils from one place to another to relieve overcrowding, let us say, it would be prohibited by this amendment on a countrywide basis, regardless of whether the efforts were voluntary or involuntary.

So I hope very much that we will not stultify both concepts—the concept of helping the poor children as well as the concept of local freedom in respect of education—by enacting this amendment, which, in my judgment, flies precisely in the face of both of those concepts.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HANSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, I should like to compliment the distinguished senior Senator from Oregon for the great contribution he has made over the years to higher education and to elementary and secondary education. I listened most attentatively this morning when he discussed this bill, some of the facets of it, and the amount of money that would be authorized over a 3-year period.

It is my understanding that the bill contemplates the authorization of $14.2 billion for elementary and secondary education. It is my further understanding that it is the sense of Congress and of those sponsoring the bill that these funds would improve education period; that the objective of the bill is to improve education. We are not trying to accomplish any other purpose. We are trying to improve education.

Because I happen to subscribe to that philosophy, I respectfully suggest that it seems to me to make good sense to try to improve every school, wherever the school is, and not to seek to overcome poor quality education in one school by transferring students from that school to another school for the purpose of achieving a better racial mix.

I suggest that the people of my State of Wyoming would be much better pleased if the funds that are spent for education could go to improve education, period.

If we keep to that type of goal insofar as the support of the bill is concerned, we will better serve the purposes of education, than to try to justify busing children from one school to another in order to achieve, as the Dirksen amendment points out very clearly, a better racial mix. That, in effect, is what the amendment says.

I will support the amendment. I hope that it will be adopted.

I yield the floor.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, we are ready to vote.

Mr. MORSE. Mr. President, I would like to have staff members contact the Senator from Massachusetts [Mr. KENNEDY]. He had said he wanted to speak for a minute or two. If the Senate will oblige me, I would like to have the Senator from Massachusetts [Mr. KENNEDY] called to the floor. He has stepped out to the cloakroom. Then, as far as I am concerned I am ready to vote.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAKER in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, the Senator from Massachusetts [Mr. KENNEDY] has arrived in the Chamber. He wishes to speak briefly.

Mr. KENNEDY of Massachusetts. I thank the Senator.

Mr. President, I understand that earlier in the afternoon the distinguished Senator from Oregon made reference to the colloquy which took place last year when this same matter was before the Senate. It was triggered, at that time, by an amendment I had introduced in connection with the education bill, to permit school districts to work their own wills, by voluntary means, to use certain funds to begin to overcome racial imbalance. Under my proposal, they would not be precluded from that use of the funds.

Mr. President, in Massachusetts the general court has passed a racial imbalance law, which was referred to earlier by the distinguished Senator from New York [Mr. JAVITS]. The communities of Massachusetts and, I think, their sister communities throughout the Northeast, are coping with what is a difficult, complicated, trying, and emotional problem. Nonetheless, they are attempting to meet these needs and they are doing so to an increasing degree.

Many of us in this body, over a period of time, have supported a variety of civil rights bills. We have worked for the great civil rights legislation which has come before this body and which has been debated during the last 6 years. I know that I have done so during the 5 years I have been in the Senate.

We are conscious that many of these bills, and I would say the overwhelming majority of them, have been directed toward trying to bring equality of opportunity to all of our citizens. All of us recognize that in many instances, it appears that this legislation has been pointed or directed to a particular part of our country—to the southern part.

Mr. President, we have in this legislation before us today, the education bill, the authority for States and local school districts to proceed toward racial balance. Many northern States, communities, and cities are anxious to begin to meet and cope with this problem.

In effect, the amendment of the distinguished Senator from Illinois [Mr. DIRKSEN] would prohibit and preclude the action of many of these school districts, as well as those of the various respective States, from going ahead and trying to meet this extraordinarily difficult problem.

In many of these communities, all that is needed are the tools with which to do the job. The distinguished Senator from Oregon earlier this afternoon pointed out that this amendment infringes upon local initiative. The same argument that he used at that time would apply just as readily to the determinations that will be made by the States as to how best to proceed, and how best to meet the educational needs of the respective States.

The amendment of the Senator from Illinois [Mr. DIRKSEN] would preclude Boston, or many other communities, from trying to meet this serious problem of educational disadvantage.

This problem has been a direct issue in my own city of Boston. As a matter of fact, this entire question of busing of students has been a hotbed of political activity in Boston. In many instances, those who have run in recent campaigns, have used it as an issue to garner votes.

But I think that all of us have been impressed by the successes of this program, as small as they have been, in a number of school districts in the northeastern part of our country.

The amendment of the Senator from Illinois, in effect, states that local school districts cannot make determinations on these matters and that States cannot speak on these matters.

Those who have supported civil rights legislation, who have been so quick to rise in the Senate Chamber, realize that, as in the past, what we are being asked to accept now would take away from other parts of the country the opportunity to make the adjustments which, though difficult, are being and will be made in most communities of our country before too long.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. CLARK. Mr. President, I wish to strongly commend the Senator from Massachusetts for what he has just said. My old and dear friend, the Senator from Oregon, is opposing with all of his great parliamentary ability this iniquitous amendment. If ever there was a case where the question of integration of school systems should be left to the determination of the local school board and, indeed, to some extent, the local governing body, this is it. To impose a restriction by Federal law, which in effect is implicitly, if not expressly, a violation of the determination of the Supreme Court in Brown against the Board of Education, is unthinkable to me.

I am concerned that there seems to be some doubt that the Senate will defeat the Dirksen amendment. I feel this is a matter of high principle. I commend the Senator from Massachusetts and the Senator from Oregon, those on the other side of the aisle and those on this side of the aisle who have spoken against the amendment. I pledge my support and my vote against the amendment.

Mr. KENNEDY of Massachusetts. Mr. President, one final word, and I know it is a point made before this afternoon: the question of exactly what communities will be able to do about the problems which face our cities in the North, in the Midwest, in the West, and even in parts of the South.

We have only a limited number of tools to meet the problems, and with which to address ourselves to them. It appears to me that if a local school district makes a local determination how best to provide for the education of its students in that local area, we certainly should give it every opportunity and every tool to do so. Just so, if the States, with their responsibilities in meeting the challenge, feel they wish to proceed in a certain way that is understood, under the education bill, we should also provide them with the opportunity to do so.

It seems to me that we have not had many complaints about these provisions. But we have had about certain individuals. Certainly, if the local communities make a determination that busing is in the local interest, they should not be denied that opportunity. Therefore, I hope that the amendment of the Senator from Illinois [Mr. DIRKSEN] will be defeated.

Mr. KUCHEL. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. KUCHEL. I was detained outside the Senate Chamber for a moment. Would the Senator from Massachusetts kindly indicate again for the Senate what the situation is with respect to his State and to the laws in his State.

Mr. KENNEDY of Massachusetts. Massachusetts is one of the few States which has enacted a law on racial imbalance.

Mr. KUCHEL. What does it do?

Mr. KENNEDY of Massachusetts. The racial imbalance law requires that the school committee of each city, town, and district prepare a plan to eliminate racial imbalance, whenever the State board of education determines that racial imbalance exists. The plan must detail the procedures by which, over a reasonable period of time, the school committee plans to eliminate the imbalance, through pupil placement, school siting, and so forth.

The law sets a figure of 50 percent as determining racial imbalance. If the percent of nonwhite students in any school exceeds 50 percent, then the school is deemed to be imbalanced. The school committee must then draw up plans—and they must be reasonable plans. There is no definite or arbitrary timetable established to provide for the adjustment to reach that 50 percent.

Now, before the plans can receive State assistance, they are reviewed by a State board. An attempt is made to try to work out a plan between the local community and the State board, in order to achieve the purposes of State law.

This matter is one of considerable controversy in the State of Massachusetts. It has been criticized. It is under considerable attack. But we are really not talking so much about that now, as to the particular law in Massachusetts, as we are about the local school areas that wish to apply for State funds, or to use those funds in the best interests of the local community. They would be precluded from doing so, by adoption of the Dirksen amendment—obviously, by the outright preclusion which is my reading of the amendment.

The amendment would eliminate a great many of the activities now beginning to get started in a number of different communities in my State and, generally, in many other communities in other parts of the country.

As I mentioned earlier, we have seen many pieces of legislation passed by the Senate which affect certain sections of the country more dramatically than others. So we must defeat the Dirksen amendment, to keep the discretion of the local school districts, and the States unfettered as they attempt to meet the great educational needs of our country.

What we would be doing, by adopting the Dirksen amendment, would be taking away that opportunity which, in the belief of many outstanding educators, is helpful and useful in providing the educational advantages which are important to the young people of this country.

Mr. TYDINGS. Mr. President, I am extremely disturbed to see this amendment offered at a time when State governments are struggling to try to stop the drift of going to Washington for every problem.

Recently, I had the privilege of attending a national conference of State legislatures, with the majority leaders, minority leaders, the speakers, and presidents of the senate of all the State legislatures across the United States present. They are cognizant of this drift. They are determined to stop it. They realize that some of the problems lie at their doorstep. The fact that they have not moved or taken the initiative in many areas, they are also aware of; but, nevertheless, they are determined to bring the States back into balance with the federal Madisonian concept.

Here in Washington, when we in Congress are beginning to realize some of the problems, when we are discussing the theory of block grants, when we are discussing tax-sharing plans when funds become available, here is an amendment which counters everything the Jeffersonian principle of federalism stands for. The basic concept of federalism is that there are certain areas where the State and local governments are best able to move to take the initiative to meet the problems of the people. There is certainly no other area closer to the people than the area of public education; yet, here we are, in Congress, because of the benefits of the broader tax base, giving some of the tax revenue back to the States to use in the field of education. But we come along with an amendment seeking to drive down their throats how they are going to handle one of the most difficult, one of the most explosive, and one of the most politically sensitive issues facing the Nation today.

I think it goes against every grain of Jeffersonian federalism. It is a step backward. If we adopt this amendment, we might as well agree that every problem that comes before a State government must be settled in Washington. I think that is a pretty dangerous step to take.

For that reason, as well as others which have been advanced in debate today, I shall vote against the amendment.

Mr. GRIFFIN. Mr. President, I send an amendment to the desk to amend the pending amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Michigan will be stated.

The ASSISTANT LEGISLATIVE CLERK. Amendment offered by Senator GRIFFIN to the amendment by Senator DIRKSEN:

> Following the word "imbalance" and before the period at the end of the amendment, insert the following: "unless such use is in accordance with a policy formally and freely made by the affected State or by the affected local educational agency without the exercise of direction, supervision, or control with respect thereto by any Department, agency or officer of the United States".

Mr. GRIFFIN. Mr. President, I think the arguments against the pending Dirksen amendment have been eloquently stated by the distinguished Senator from Oregon [Mr. MORSE], the Senator in charge of the bill, by the Senator from Massachusetts [Mr. KENNEDY], by the Senator from Maryland [Mr. TYDINGS], and others. They have expressed their concern that we should not close the door to a determination by a State or local educational agency that the busing of students might be in the public interest. I, for one, do not want to vote for an amendment that would, here and now, make Federal policy against the busing of students.

It has been stated several times in this Chamber during the course of debate that, at this point, the Federal Government should remain neutral on the question. With adoption of the Dirksen amendment, we would not remain neutral. If Congress desires to maintain a position of neutrality at this point, it would seem to me that adoption of an amendment such as the one I have offered is necessary, and I ask for support by the Senate.

Mr. KUCHEL. Mr. President, I ask for the yeas and nays.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the amendment be stated again.

The PRESIDING OFFICER. Without objection, the amendment will be restated.

The ASSISTANT LEGISLATIVE CLERK. The amendment offered by Senator GRIFFIN to the amendment by Senator DIRKSEN:

> Following the word "imbalance" and before the period at the end of the amendment, insert the following: "unless such use is in accordance with a policy formally and freely made by the affected State or by the affected local educational agency without the exercise of direction, supervision or control with respect thereto by any Department, agency or officer of the United States."

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. GRIFFIN. I yield the floor.

Mr. JAVITS. Mr. President, I have read this amendment with some interest. It seems to me that it would, if adopted, answer the point which the Senator from Oregon [Mr. MORSE] and I have both made. That is, that where the action which is being taken with the use of poverty funds—and that is what they are—is an action which arises out of the control within the affected State or local education agency of its own volition, without representing any Federal control, as, for example, through the control on poverty funds or inhibition on their use, then it should be perfectly lawful, and it is a desirable use of the funds which are at stake.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HRUSKA. Virtually every one—I would venture to say every one—of the poverty or education statutes provides that before a program can become effective, before it can get a nickel of money, it must be approved by the appropriate Secretary.

Would the necessity of that approval be properly construed as some control of the program by the Federal authorities to the extent that it would not fall within the amendment proposed by the Senator from Michigan?

Mr. JAVITS. I would think the Senator from Michigan is right, for the reason that we have within the same statutes that give the secretaries authority to prove or disapprove various programs, a provision against Federal control. Therefore, the criterion which the Secretary would have to apply would require a finding by him that there was no Federal control if he approved the program. As long as he made that finding, it could not be said that it was the result of Federal control; that the decision was made at the local level. So that I think we have built into the Federal aid to education statute a protection against the Secretary's being stultified in that way. He is required to find, when he approves the program, that it is not an exercise of Federal control. Having found that, it would satisfy this proviso.

Mr. HRUSKA. Would not mere approval by him constitute, in effect, control over the agency? It has been so considered by local agencies and other agencies that have tried to make progress under these many statutes. For practical purposes, it is exercising control and would vitiate the amendment.

Mr. JAVITS. I will say that I think the interpretation is aided by the requirement in the Federal aid-to-education statute, under which the Secretary of Health, Education, and Welfare gives approval, that there shall be no Federal control of the program. Therefore, ipso facto, if there is no Federal control of the program, there is no Federal control in one of the elements of the program, to wit, busing, if that is the element.

Mr. GRIFFIN. Mr. President, it should be kept in mind that the courts are going to interpret whether or not control or supervision has been exercised by a Federal officer or agency. So the courts would provide the ultimate interpretation.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. I would like to ask a question or two of the sponsor of the subamendment.

What would the Senator from Michigan feel would be the effect of the amendment in a situation in which the local authorities took their action pursuant to an order of court to desegregate a particular school situation? Would this be still, within the terms of the amendment, in the Senator's opinion, a matter of the exercise of the local will?

Mr. GRIFFIN. The phrasing of my amendment refers to a policy adopted by a State or local education agency. The amendment generally deals with the use of Federal funds. If it is unconstitutional for the Congress to enact or adopt an amendment along the lines offered by the Senator from Illinois, which would prohibit the use of Federal funds for that purpose, and a court would so hold, then, of course, the amendment offered in the language of the Senator from Illinois would not be a bar.

Now, my amendment refers to policy being made by a State or by a local education agency. They are the two entities that we consider to be the policymaking entities for educational policy, in line with the discussion on the Senate floor.

Mr. CASE. I would like to press this a little bit further. Suppose the action is taken by a local school board in regard to setting up a plan for transportation of students, or such a plan is ordered by the State school authorities, but that that action is taken under, in a sense, duress, if you will, of this sort: The matter is pending in a court. The court has given, we will say, the local school board or State school authorities a certain length of time in order to bring about some steps toward desegregation. Would that action of the school board under those circumstances still meet the terms of the Senator's amendment?

Mr. GRIFFIN. It would not have been made as a result of the exercise of the control or supervision by a department, agency, or officer of the U.S. Government. That is the only provision in that particular amendment.

Mr. CASE. So that something that is taken under judicial duress, if you will, would still meet the Senator's amendment as the action of State or local authority?

Mr. GRIFFIN. I believe it would.

Mr. JAVITS. Mr. President, there is no such thing as judicial duress. The fact is that there can only be judicial duress if a writ of prohibition lies against it on the ground that it does not have jurisdiction.

Mr. CASE. The Senator from New York left the practice of law later than the Senator from New Jersey, and the Senator from New Jersey will accept any correction along that line, but he calls attention to the fact that the word "duress" is used in common parlance as well as in legal parlance, and he used it in that sense. But I am serious. We are talking about a situation in which local or State boards move toward desegregation, themselves unwilling, because the State courts or other courts have ordered them to get going. In such circumstances, would the programs include busing?

Mr. GRIFFIN. "Desegregation" is a much broader term than we are considering here.

Mr. CASE. That is correct. This would still not be prohibited by the amendment offered by the Senator from Illinois as amended by the Senator from Michigan?

Mr. GRIFFIN. It seems to me that the Senator from New York [Mr. JAVITS] has the point very well; that, after all, if it is a court order, that is one thing. If it is compliance with the Constitution, that is different from an agency or a bureaucracy taking an action which has not been ordered by a court.

Mr. CASE. These are the words I am trying to get clear in my mind as to the intent: "Unless such use is in accordance with a policy formally and freely made by the affected State or by the local educational agency without the exercise of direction, supervision, or control with respect thereto by any department, agency, or officer of the United States."

First, let us eliminate from the last group, "department, agency, or officer of the United States," the courts.

Mr. GRIFFIN. When we say "freely," we mean——

Mr. CASE. Free of that kind of control?

Mr. GRIFFIN. Yes.

Mr. MORSE. Mr. President, will the Senator yield, so that I may ask a few questions of the Senator from Michigan?

Mr. JAVITS. I yield.

Mr. MORSE. In committee, the Senator from Michigan and I have never varied from a common belief that we must see to it that in the field of education States rights in what I consider to be true sense are not violated by Federal legislation, whereby the Federal Government would seek to tell the States what they must do in the field of education in any way other than in a strictly constitutional way.

The Senator has heard me say many times in committee that I will not support any action by the Federal Government which directs or dictates to the States what their educational policy should be, unless I can be shown in a specific case that a constitutional issue is involved and a State seeks to do something that is unconstitutional.

My first question is: Can the Senator tell me whether he agrees with my interpretation that what he seeks to do by the language of the amendment is to write into the bill, in no uncertain terms, a direction to the Department of Health, Education, and Welfare, or any other Federal agency that it is not in any way, directly or indirectly, to involve itself in seeking to have any local school district involve itself in busing? Is that one of the first intentions that the Senator from Michigan has in mind?

Mr. GRIFFIN. I believe an interpretation of the amendment offered by the Senator from Illinois [Mr. DIRKSEN] is that it indicates that funds shall not be used to pay any costs of assignment or transportation of students or teachers in order to overcome racial imbalance. As I understand the intent and mood of the Senate, it is that we do not want to force—at least, we do not want to take a position at this time—which requires—busing at the State or local level. At the same time, it seems to me that the amendment offered by the Senator from Illinois goes too far; it goes further than that.

It would prohibit the use of Federal funds in cases where a State formally decided that it wanted to adopt such a policy; or, if a local educational agency, for its own reasons, should decide to experiment and try such a policy, it would likewise be prohibited.

It seems to me that Congress wants to maintain neutrality. That is what this amendment seeks to do. I have no brief for the precise words. It may be that they are not the most artful. I have, frankly, written them out as I sat here listening to the debate. But I think the amendment spells out the policy which I understand Senators on both sides to be saying they want; and that is, that we would leave the question, at this time at least, for the decision of the State and local educational agencies.

Mr. MORSE. Will the Senator permit me to put my question in a little different way?

My interpretation of the Dirksen amendment is that it seeks to prohibit the use of any Federal funds by any school district for any busing, even though a school district feels, in determining its local educational policy, that that is the best way to resolve a special situation that confronts that school district.

The Senator from Massachusetts [Mr. KENNEDY] points out that in Massachusetts, that may very well be the need of a particular local school district. We talked about it last year, as I stated in my argument earlier this afternoon, that that is what Massachusetts or some other State might wish to do.

My position is that if a school board decides that is what it wants to do, then, in the name of States' rights, I shall not vote to deny to a school board the right to use the funds for that purpose. I believe that is the right of a State or a local school board. If the Senator from Michigan intends, by his amendment, to say, "We hereby serve notice on you, Mr. Secretary of Health, Education, and Welfare, that if a State or school district wishes to use funds to which it is entitled under the special projects authorization provision of the act, for example, to resolve a special congestion problem that it faces by busing Negro children to a white school, that is its decision to make, and not for us to make for it; and you must not seek to direct it to do it, or to influence it to do it, directly or indirectly. You keep your hands-off policy; you just provide the funds which they ask for the funds under the special projects program, because that is their right and their business, and not yours."

If that is what the Senator from Michigan is seeking to accomplish, it is in complete conformity with what I have been seeking to accomplish; and, on the basis of that interpretation as legislative history, I would accept the amendment and urge the Senate to adopt it.

Mr. GRIFFIN. I thank the Senator from Oregon. I should just like to make this additional point: The great genius of the American educational system springs from its diversity. One of the great concerns of those who have earlier opposed Federal aid to education was the possibility that we would make, more and more, Federal policy determinations on matters affecting education that would apply across the board throughout the 50 States.

I do not believe we want to do that. I have not wanted to do it. If there is a State or local educational agency that has the courage, and thinks it is wise, to launch a policy of this kind, I do not think we should stand here and discourage it. I think we ought at least to permit them to do it. Experimentation and innovation are good for our educational system. They are an important reason why our educational systems are as good as they are.

Several Senators addressed the Chair.

Mr. GRIFFIN. I yield first to the Senator from California.

Mr. MURPHY. As I understand it, what the Senator is seeking to do is revise the Dirksen amendment by protecting States from the imposition of control by the Federal bureaucracy.

In other words, the Senator would permit each State to make its own decision. Once that is made, the amendment is satisfied?

Mr. GRIFFIN. That is essentially correct, yes.

Mr. JAVITS. Mr. President, I think the Senator has added a very fine and useful way in which we can work our will—those of us who have the will to argue in support of our point of view—the Senator from Oregon [Mr. MORSE], the Senator from New Jersey [Mr. CASE], the Senator from Massachusetts [Mr. KENNEDY], myself, and others.

I would join with the Senator from Oregon—and I am the ranking minority member of this subcommittee present, as well as of the full committee—in hoping that the Senate will permit us to work the situation out this way, by agreeing with the amendment of the Senator from Michigan, and then to the amendment of the Senator from Illinois as amended.

Mr. DIRKSEN. Mr. President, the English language is a very facile instrument. Words have crept into it that are very expressive. They are not always elegant words. I am constrained to use one such word now.

What the Griffin amendment proposes to do is gut the amendment that I have offered today. What the Senator from Michigan proposes to do is to let a State determine the busing policy and let the Federal Government pay for it. What he wants to do is have Illinois, or California, or South Carolina, or Kansas pay the bill for Michigan, if Michigan decides it wants busing. They want to use our money with which to do it.

That is what the Senator's amendment says, and it ought to be repudiated and voted down.

One other thing. I listened to the distinguished Senator from Massachusetts. If they want to bus in Massachusetts, in Boston, let them do it, but not with money from Chicago and Peoria; not with money from Montpelier and Omaha. That is what they want to do with this money. That is what BOB GRIFFIN wants to do—I take that back. That is what the distinguished Senator from Michigan wants to do. But he wants to gut this amendment. He seeks to accomplish a polite evisceration of what is before the Senate. It ought to be voted down unanimously, including even the distinguished Senator from Oregon.

If Senators want to gut an amendment that is trying to accomplish something in accordance with the Civil Rights Act of 1964, and the District of Columbia appropriations bill of 1967, then the Senate will repudiate this amendment to the amendment, and vote up the amendment that I offered earlier today.

Now vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan to the amendment of the Senator from Illinois. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RANDOLPH (when his name was called). On this vote I have a pair with the Senator from South Carolina [Mr. HOLLINGS]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. BARTLETT (after having voted in the affirmative). On this vote I have a pair with the Senator from Georgia [Mr. RUSSELL]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Utah [Mr. MOSS], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from New York [Mr. KENNEDY] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Arkansas [Mr. FULBRIGHT] are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii [Mr. INOUYE] and the Senator from New York [Mr. KENNEDY] would each vote "yea."

On this vote, the Senator from Indiana [Mr. BAYH] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Indiana would vote "yea" and the Senator from Louisiana would vote "nay."

On this vote, the Senator from Connecticut [Mr. RIBICOFF] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Alabama would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], and the Senator from Idaho [Mr. JORDAN] are absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

The Senator from Pennsylvania [Mr. SCOTT] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT] would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Idaho would vote "nay."

The result was announced—yeas 38, nays 38, as follows:

[No. 369 Leg.]

YEAS—38

Aiken
Boggs
Brewster
Brooke
Burdick
Case
Church
Clark
Fong
Griffin
Gruening
Harris
Hart
Hatfield
Jackson
Javits
Kennedy, Mass.
Kuchel
Long, Mo.
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—38

Anderson
Baker
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Hansen
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Lausche
Long, La.
McClellan
Miller
Monroney
Morton
Mundt
Smathers
Smith
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—24

Allott
Bartlett
Bayh
Cooper
Dodd
Ellender
Fulbright
Gore
Hartke
Hollings
Inouye
Jordan, Idaho
Kennedy, N.Y.
Magnuson
Mansfield
McCarthy
Moss
Prouty
Randolph
Ribicoff
Russell
Scott
Sparkman
Symington

So Mr. GRIFFIN's amendment to Mr DIRKSEN's amendment was rejected.

Mr. CASE. Mr. President, I move to reconsider the vote.

Mr. LONG of Louisiana. Mr. President, a point of order. A Senator who did not vote with the prevailing side cannot move to reconsider.

The PRESIDING OFFICER. The Chair rules that the Senator from Louisiana is correct, that a Senator not voting on the prevailing side cannot make such a motion. He must be on the prevailing side.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE. Does that mean in the circumstances nobody can move to reconsider? Does it mean that in the circumstances nobody can move to reconsider?

The PRESIDING OFFICER. The Chair rules that in this case, the prevailing side is the side which voted against the amendment. The amendment was rejected.

Mr. CASE. Is it not somewhat unusual to require that this motion be made by someone who prevails?

Mr. JAVITS. Mr. President, am I correct now in the assumption that the vote recurs upon Senator DIRKSEN's amendment?

The PRESIDING OFFICER. The Chair rules that the question now recurs to the original amendment by the Senator from Illinois.

Mr. JAVITS. And is my understanding correct that that amendment remains open to amendment?

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. JAVITS. Mr. President, before we vote, perhaps we would like to say a word about it.

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. Will the Senator from New York suspend? Will the Senate please be in order?

Mr. KENNEDY of New York. Mr. President——

The PRESIDING OFFICER. The senior Senator from New York has the floor. Does the Senator yield?

Mr. JAVITS. I am happy to yield.

Mr. KENNEDY of New York. I should like to offer a motion to reconsider.

The PRESIDING OFFICER. The question is on the motion to reconsider.

Mr. JAVITS. I ask for the yeas and nays.

Mr. HOLLAND. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. That should go to the calendar.

Mr. TYDINGS. I ask for the yeas and nays.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Will the Senator withhold his inquiry momentarily?

Mr. JAVITS. Mr. President, I have the floor, and I will be happy to yield for a parliamentary inquiry.

The PRESIDING OFFICER. The Chair rules that in this case the senior Senator from New York yielded to his colleague, the junior Senator from New York, for the purpose of making a motion to reconsider. The junior Senator from New York, not having voted on this motion, made an eligible motion to reconsider.

Mr. DIRKSEN. I move to table the motion.

Mr. MORSE. I ask for the yeas and nays.

Mr. JAVITS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. I did not yield to the Senator from Illinois. The Senator from Illinois, Mr. President, was recognized irregularly. I shall yield to him. I have the floor, and when I am ready I will yield.

The PRESIDING OFFICER. The Chair rules that the Senator from New York is correct. However, it was the impression of the Chair that a vote was immediate, imminent, and impending; and the Senator from Illinois certainly has the right to make a motion to table, under the circumstances.

Mr. JAVITS. He certainly does.

Mr. DIRKSEN. Mr. President, I made that motion in my own right, and the Senator from New York does not have to yield to me, under the rule.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Since when can a Member be taken off the floor and off his feet by an Member rising in his place and saying, "I move anything," including the tabling motion?

Mr. DIRKSEN. The Senator lost the floor by yielding to his junior colleague from New York, and the motion to table the motion to reconsider was entirely in order and came timely.

Mr. JAVITS. Mr. President, when there was no objection to my yielding, and the Senator, notwithstanding his motion to reconsider, had no objection made to it on the ground that I did or did not yield for that purpose. I regained the floor by recognition of the Chair, which I have now. I am only asserting this not to be contentious, but because this is a right which every Senator is dutybound and honorbound to protect. When you have the floor, you have it, and nobody can take it away from you.

The PRESIDING OFFICER. The Chair has ruled that the Senator has the floor.

Mr. HICKENLOOPER. Mr. President, a point of order.

The PRESIDING OFFICER. Does the Senator yield for a parliamentary inquiry?

Mr. JAVITS. I yield for nothing, except to Senator DIRKSEN, to make his motion to table.

Mr. HICKENLOOPER. I thank the

Senator from New York for his courtesy. I wish to make a parliamentary inquiry.

Mr. JAVITS. I yielded for the parliamentary inquiry.

Mr. DIRKSEN. I move to table the motion.

Mr. JAVITS. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table. On this vote the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. Nelson in the chair). The Chair will not permit the rollcall to proceed until Senators are in their chairs. The Chamber will be cleared of all unauthorized persons. The Sergeant at Arms will carry out the order. Senators will please take their seats.

The clerk will resume the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished Senator from Arkansas [Mr. Fulbright]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. YOUNG of Ohio (when his name was called). On this vote I have a pair with the distinguished Senator from Georgia [Mr. Russell]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. RANDOLPH (when his name was called). On this vote I have a live pair with the Senator from South Carolina [Mr. Hollings]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Tennessee [Mr. Gore], the Senator from South Carolina [Mr. Hollings], the Senator from Hawaii [Mr. Inouye], the Senator from Utah [Mr. Moss], and the Senator from Connecticut [Mr. Ribicoff] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Indiana [Mr. Hartke], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Georgia [Mr. Russell], the Senator from Alabama [Mr. Sparkman], the Senator from Missouri [Mr. Symington] and the Senator from Arkansas [Mr. Fulbright] are necessarily absent.

On this vote the Senator from Alabama [Mr. Sparkman] is paired with the Senator from Connecticut [Mr. Ribicoff].

If present and voting, the Senator from Alabama would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from Hawaii [Mr. Inouye]. If present and voting, the Senator from Louisiana would vote "yea" and the Senator from Hawaii would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from Kentucky [Mr. Cooper], and the Senator from Idaho [Mr. Jordan] are absent on official business.

The Senator from Vermont [Mr. Prouty] is absent because of illness.

The Senator from Pennsylvania [Mr. Scott] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott], would vote "yea."

On this vote, the Senator from Idaho [Mr. Jordan] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting the Senator from Idaho would vote "yea," and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 39, nays 39, as follows:

[No. 370 Leg.]

YEAS—39

Anderson
Baker
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Hansen
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Lausche
Long, La.
McClellan
Miller
Monroney
Morton
Mundt
Murphy
Smathers
Smith
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—39

Aiken
Bartlett
Bayh
Boggs
Brewster
Brooke
Burdick
Case
Church
Clark
Fong
Griffin
Gruening
Harris
Hart
Hatfield
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Tydings
Williams, N.J.
Yarborough

NOT VOTING—22

Allott
Cooper
Dodd
Ellender
Fulbright
Gore
Hartke
Hollings
Inouye
Jordan, Idaho
Magnuson
Mansfield
McCarthy
Moss
Prouty
Randolph
Ribicoff
Russell
Scott
Sparkman
Symington
Young, Ohio

So the motion of Mr. Dirksen to table the motion of Mr. Kennedy of New York to reconsider the motion of Mr. Dirksen was rejected.

The PRESIDING OFFICER. The question now recurs on the motion of Mr. Kennedy of New York, to reconsider.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished Senator from Arkansas [Mr. Fulbright]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. RANDOLPH (when his name was called). On this vote I have a pair with the distinguished Senator from South Carolina [Mr. Hollings]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. YOUNG of Ohio (when his name was called). On this vote I have a pair with the distinguished senior Senator from Georgia [Mr. Russell]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. YOUNG of Ohio. Mr. President, I desire to be recorded. I vote "yea."

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Tennessee [Mr. Gore], the Senator from South Carolina [Mr. Hollings], the Senator from Hawaii [Mr. Inouye], the Senator from Utah [Mr. Moss], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Arizona [Mr. Hayden] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Indiana [Mr. Hartke], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Georgia [Mr. Russell], the Senator from Alabama [Mr. Sparkman], the Senator from Missouri [Mr. Symington], and the Senator from Arkansas [Mr. Fulbright] are necessarily absent.

On this vote the Senator from Connecticut [Mr. Ribicoff] is paired with the Senator from Alabama [Mr. Sparkman].

If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Alabama would vote "nay."

On this vote, the Senator from Hawaii [Mr. Inouye] is paired with the Senator from Louisiana [Mr. Ellender].

If present and voting, the Senator from Hawaii would vote "yea" and the Senator from Louisiana would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from Kentucky [Mr. Cooper], the Senator from Idaho [Mr. Jordan] are absent on official business.

The Senator from Vermont [Mr. Prouty] is absent because of illness.

The Senator from Pennsylvania [Mr. Scott] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott] would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Scott] is paired with the Senator from Idaho [Mr. Jordan]. If present and voting, the Senator from Pennsylvania would vote "yea" and the Senator from Idaho would vote "nay."

The result was announced—yeas 40, nays 38, as follows:

[No. 371 Leg.]

YEAS—40

Aiken
Bartlett
Bayh
Boggs
Brewster
Brooke
Burdick
Case
Church
Clark
Fong
Griffin
Gruening
Harris
Hart

Hatfield
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—38

Anderson
Baker
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Hansen
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Lausche
Long, La.
McClellan
Miller
Monroney
Morton
Murphy
Smathers
Smith
Spong
Stennis
Mundt
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—22

Allott
Cooper
Dodd
Ellender
Fulbright
Gore
Hartke
Hayden
Hollings
Inouye
Jordan, Idaho
Magnuson
Mansfield
McCarthy
Moss
Prouty
Randolph
Ribicoff
Russell
Scott
Sparkman
Symington

Mr. MORSE. Mr. President, a parliamentary inquiry.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. The figures announced do not tally with the announcement made by the clerk during the recapitulation of the rollcall vote, because the tally is kept down here, at the desk and it was 39 to 38. I should like an explanation.

The PRESIDING OFFICER. Does the Senator from Montana desire a recapitulation?

Mr. MANSFIELD. Yes, indeed.

The PRESIDING OFFICER. The Chair will order a recapitulation of the vote.

Mr. STENNIS. Mr. President, if any mistake has been made, perhaps Senators contributed to it, including the Senator from Mississippi. If we can have order in the Chamber and the well cleared, I think we will be able to listen better to the recapitulation.

The PRESIDING OFFICER. The clerk will recapitulate the vote.

The legislative clerk recapitulated the vote, and the vote was again announced as yeas 40, nays 38.

So the motion to reconsider was agreed to.

The PRESIDING OFFICER. The question now recurs on amendment of the Senator from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. GRIFFIN. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. MANSFIELD. Is the call for the yeas and nays automatic?

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. Mr. President, the amendment is still debatable, I take it.

The PRESIDING OFFICER. The amendment is debatable.

Mr. DIRKSEN. Mr. President, I ask for recognition, and in being recognized I would like to ask the distinguished majority leader a question.

Mr. PASTORE. Mr. President, we cannot hear the Senator. I think we are interested.

Mr. President, who has the floor?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Illinois yield for that purpose?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, if it has been allowed.

The PRESIDING OFFICER. Without objection, the order for the quorum call is rescinded.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in view of the situation which has developed, and in response to the question raised by my distinguished colleague, the Senator from Illinois——

Mr. DIRKSEN. Mr. President, can the Senator from Rhode Island hear?

Mr. PASTORE. I can hear it beautifully—beautifully.

Mr. MANSFIELD. It has been a long day, and I ask unanimous consent that when the Senate completes its business—shortly, I hope—it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. For the information of the Senate, there will be no further votes tonight.

The PRESIDING OFFICER. What is the will of the Senate?

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS ACT OF 1967

The Senate resumed the consideration of the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance in schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

Mr. MORSE. Mr. President——

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. Will Senators take their seats or leave the Chamber.

The Senator from Oregon.

Mr. MORSE. Mr. President, as manager of the bill, I want the record to show that the senior Senator from Oregon was ready to vote on a rollcall vote tonight.

Mr. STENNIS. Mr. President, a point of order. The Senator who is handling the bill should be able to be heard. Will the Chair maintain order so we can hear?

The PRESIDING OFFICER. Senators will either take their seats or leave the Chamber. The Senator will not proceed until they do.

The Senator from Oregon.

Mr. MORSE. Mr. President, to repeat, as manager of the bill I want to say that the senior Senator from Oregon was ready to vote by rollcall vote on the reconsideration issue tonight. I was advised that, being subject to debate, there would be debate for some duration. That fact calls upon the manager of a bill at any time to consider the parliamentary realities and to extend courtesies. When the majority leader advised me of the situation, I saw nothing that could be gained by our sitting here shadowboxing when I knew that chances of getting a vote tonight were nil. Therefore, let the record show that I agreed with the leadership, under those circumstances, to have the Senate recess tonight and to convene tomorrow morning at 10 o'clock.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. I wanted to have two colloquies with the Senator from Oregon, and they relate to State education agencies. One is as follows:

Will the floor manager of the bill state the intent of the committee in the language proposed in title III? The State Advisory Council authority of section 305(a)(1)(F) provides that the Council can "obtain such professional, technical and clerical assistance as may be necessary to carry out its functions under this title."

Am I not correct in my understanding that these councils as proposed are purely advisory councils to the State agencies?

Mr. MORSE. I thank the Senator from New York for asking the question. I think it is very important that we make legislative history on the question at the present time. I am pleased to do so in cooperation with the Senator from New York.

The Senator is correctly advised. The Council function is to provide advice to the State educational agency. The State agency is not bound to accept the advice given. Title III requires only that the agency consider the advice given in the same manner as it must consider the advice given by the panel of experts on a particular application. With regard to the other functions performed by the Advisory Council, here, too, the advice or counsel given is not mandatory upon the State educational agency, but since the Council is composed of knowledgeable individuals who are broadly representative of all educational forces within the State, and having been appointed by the State educational agency, in my judgment, the State educational agency will find the advice given most helpful, just as the National Advisory Council will find it helpful and as we will find it indispensable. Because of its value to us in the exercise of our legislative oversight functions, we thought it only fair to provide for the financing of the staff services that the councils will require. I emphasize, however, that the staff serving the Advisory Council, at both the State and the National levels are in no way Federal employees of either the executive or the legislative branches; rather, they are creatures of the councils and their compensation and working conditions will conform to the patterns established by the appointees of the State educational agencies who comprise the councils. It would be perfectly proper, for example, for the staff to be hired on contracts individually negotiated, or by way of reimbursement to a State education agency if the State education agency and the Council so agreed.

Again, I want to thank the Senator from New York for helping me make this legislative history.

Mr. JAVITS. Mr. President, under present law the commissioner of education in New York and the U.S. Commissioner of Education, Harold Howe, operate title III under an agreement whereby 70 percent of the apportionment to the State of New York under title III is subject to final approval by the commissioner of education in New York. Is there anything in the amendment proposed by the committee which would make such an agreement impossible if the committee amendment were to be adopted?

Mr. MORSE. Again I thank the Senator from New York for asking this question, because we are dealing here with questions about which legislative history should be made. We are not only assisting the Senate and House by making the history, but we are assisting the Department, and, more important, we are assisting the courts, because what the Senator and I say, unless it is reversed in the course of the handling of this debate, will be binding on the court as the legislative intent.

The committee amendment is purposefully designed to encourage cooperation between State educational agencies and the U.S. Office of Education. The committee amendment is deliberately flexible on this point in order to facilitate cooperation between the Federal and State levels. The committee report contains language concerning the transition from Federal to State programs which explicitly encourages the Commissioner and the States to work out agreements for joint funding of projects. Agreements as to which projects are to be funded under the proposed amendment, such as the one the Senator from New York has brought to my attention, would be encouraged also.

I might point out that in the opinion of some who have studied the present law carefully there is some doubt as to whether the Commissioner may make an agreement to give final approval to any State. If this doubt has a basis in the present law the agreement of the Commissioner of Education and the New York State educational agency would be on a rather shaky legal foundation. I understand that such an agreement has been made as part of the policy of the Office of Education to transfer the administration of title III to the States. I am firmly in favor of such a policy. That is the reason I sponsored the revision of title III which the committee bill contains. This revision is designed to encourage this transition to the States. Further, this transition by way of legislation would remove any doubt as to the validity of the agreement brought to our attention by the Senator from New York.

Again I thank the Senator for his cooperation with the manager of the bill.

Mr. JAVITS. That relates to the validity of the agreement brought to our attention, and relates to both prospective programs and programs in progress?

Mr. MORSE. The answer is "Yes." It certainly does.

Mr. JAVITS. I thank the Senator.

Mr. MORSE. I say to the majority leader that I am ready to yield the floor for the recess of the Senate, or for whatever else he wishes to take up.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

OMNIBUS HOUSING BILL CONTAINS NEW COLLEGE HOUSING PLAN

Mr. JAVITS. Mr. President, the omnibus housing bill, S. 2700, which was reported out by the Senate Banking and Currency Committee last week and will be considered this week, contains a proposal to meet the chronic college housing shortage which was the subject of S. 2000, which I introduced on June 23, 1967, with Senators PROXMIRE, JORDAN of Idaho, and FANNIN as cosponsors.

This plan is adaptable also for college education facilities, for hospitals, and for other similar construction, and is of great importance to build or modernize such facilities at the same time that it relieves the budget and appropriations of the impact of such capital expenditures.

Under my bill, individual colleges and universities could sell bonds to private investors at the market rate of interest. The Federal Government would then make loan differential payments which would cover the difference between the market rate of interest and 3 percent. It is estimated that the $10 million of loan differential payments which the bill authorizes will support at least $300 or $400 million of bonds sold at a market rate as high as 5½ percent or 6 percent. The plan will allow for maximum utilization of private financing in that the colleges would be dealing with private investors—many their own alumni. The use of loan differential payments will allow the existing direct loan program to be used for the many smaller colleges which may have to pay extremely high interest rates to investors in order to sell bonds in the private market. For these smaller colleges it would be less expensive to the Government to use the direct program than the loan differential payments. Thus, the $10 million in loan differential payments together with the existing direct loan program—$300 million—will make available $700 million to meet the college dormitory shortage.

Mr. President, last year an amendment which I sponsored to relieve the overwhelming load of prospective applications for college housing was passed by a rollcall vote of this body only to be dropped in conference. I am informed that now, a year later, the situation is worse. The $300 million direct-loan program has failed completely to keep up with demand.

Under existing law, $300 million in direct loans are available from the Federal Government at 3 percent interest rate to colleges across the country for building new dormitory facilities. The present amount fails to even come close to meeting current needs. In January 1966, the Department of Housing and Urban Development stopped accepting loan applications because the backlog was over $700 million—more than twice surpassing the funds available. The Department was unable to reopen its doors until this past April and then only for 30 days. As of this morning, HUD is still not accepting applications. It is almost 2 years since the January 1966 date when HUD stopped taking applications with the exception of a brief 30-day period. I think this is ample proof that the existing program is totally dead. This insufficiency may well have serious effects on our educational capabilities in the future.

Together with the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], who has cosponsored S. 2000 and whose assistance in the committee has been invaluable, letters were sent to colleges across the Nation to solicit their views of the proposal and to find out their expected needs for housing. Over 150 responses have come in and with almost no exceptions, the colleges supported the enactment of S. 2000. I have also received unsolicited responses from individuals interested in education across the country and even from the distinguished Governor of the State of Delaware, Charles L. Terry, Jr. The proposal also received the endorsement of the American Council on Education and the National Association of State Universities and Land-Grant Colleges, who testified before the Housing Subcommittee of the Banking and Currency Committee.

I ask unanimous consent to insert in the RECORD at this point some responses from across the country. I hope Members of the Senate will read these letters carefully. Senator PROXMIRE placed in the RECORD last Wednesday a number of other responses. This proposal is really a new innovation in financing quasi-public and public facilities which can have enormous implications for the future of all such financing.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover, September 26, 1967.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: Your interest in providing for an expansion of the College Housing Loan Program is appreciated. I have myself taken a very personal interest in the problems of higher education in the entire country, most recently as the first Chairman of the Education Commission of the States, and more especially in the State of Delaware.

The rapidly increasing costs of higher education are creating financial problems for the students, for the institutions, and for the states. We cannot allow tuition and other fees to increase so substantially that a college education is beyond the reach of many of our citizens. As you are aware, institutional resources are already strained, and the states' sources of revenue are being hard-pressed by financial demands on all fronts. I have been concerned and I am especially concerned that the present inadequate financing of the College Housing Loan Program seems to preclude the University of Delaware from getting a $3 million Federal loan at 3% to complete the financing of a dormitory complex we must have in the Fall of 1968. Your proposal to make additional funds available through a Federal subsidy of interest in excess of 3% on loans placed in the commercial market would seem to be the most desirable solution from every point of view. Please convey to the Senate Banking and Currency Committee my full support of your bill (S. 2000).

Sincerely yours,

CHARLES L. TERRY, Jr.,
Governor.

NEW YORK UNIVERSITY,
New York, N.Y., September 22, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
New Senate Office Building,
Washington, D.C.

DEAR JACK: I was very pleased to learn of the bill that you and Senator Proxmire are sponsoring to subsidize partially the interest on college housing loans.

New York University presently has a substantial need for additional housing of students at Washington Square and will probably need to provide more housing at University Heights in the future. We have delayed construction of additional housing units at the Square because our estimates of project costs including interest would require us to charge students rents substantially above their ability to pay. As you know, as a partial solution, we have purchased neighboring hotels and are housing some students in other commercial hotel space. Passage of Senate Bill No. 2000, or House of Representatives Bill No. 8647, would be a great help in enabling us to construct student housing which could be rented at more reasonable rates.

Your sensitivity to educational needs in this, as in so many other areas, is indeed gratifying.

Sincerely yours,

JAMES M. HESTER.

THE UNIVERSITY OF NORTH DAKOTA,
Grand Forks, September 5, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I appreciate the letter I received from you and Senator Proxmire on August 29 concerning the proposed Senate legislation S. 2000 designed to ease the college shortage. This would be helpful to us in the future for we still need to look forward to building an additional dormitory to accommodate the anticipated enrollment two years from now and following.

I am sure our bill would provide us the relief we need.

Sincerely,

GEORGE W. STARCHER,
President.

SOUTH DAKOTA STATE UNIVERSITY,
Brookings, S. Dak., September 18, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.
Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATORS: I received your letter of August 29, concerning our needs for housing at South Dakota State University. We will need additional housing at this institution for use by prospective students. The only possible way that we can provide such housing is through the issuance of bonds. We have made all the use we possibly can of the current system of the government guaranteeing bond issues through HUD and its predecessor FHA.

We feel that one of the very best investments that society can make in young people is a college education. Our students are of such financial status, in many instances, that they cannot pay as much for their college education as might be true in some states. South Dakota is among the very lowest of the states in individual incomes. The difference in the cost of housing between the 3% interest charge and the going rate would make our housing considerably more expensive than we are now able to provide. Consequently, this will keep many fine young people from attending this university.

We would be interested in working under the kind of arrangement that you have suggested in your Senate Bill 2000. This kind of support would be most helpful to our prospective students.

Sincerely yours,

H. M. BRIGGS,
President.

STATE UNIVERSITY OF NEW YORK,
Albany, N.Y., August 7, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your July 13 letter bringing me up to date on your latest efforts to help ease the critical problem of financing college housing.

We in the State University of New York strongly support your bill, S. 2000, as the most promising method of obtaining an immediate increase in federal support for college housing. Last May, as a member of the Executive Committee of the National Association of State Universities and Land-Grant Colleges, I joined in strongly endorsing the solution you proposed to the college housing problem, which you have now embodied in S. 2000. One reason why we did this is because it was our clear understanding that, if your program is adopted, it would make possible an increase in the funds available for the college housing loan program without additional direct federal expenditure.

I support your efforts to expand financing available to college housing while keeping the interest rate at three percent. The Administration's action in proposing an increase in the interest rate and withholding presently available loan funds are cause for serious concern.

The State University is currently paying as much as 4.4 percent for New York State Dormitory Authority bonds, and we now have applications in for federal funds at the three percent rate. The higher interest costs will result in higher dormitory rental rates, an increase which must be passed on to students and parents. This clearly would be inimical to the best interests of the nation's future educational growth.

Although I was, unfortunately, unable to attend the hearing before the Banking and Currency Committee, July 17–25, when the Administration's bill, Sec. 207 of S. 1445, was under review, I am sending a copy of this letter to Senator John Sparkman, Chairman of the Banking and Currency Committee, with the request that it be entered into the record of the hearing and be considered by the Committee in reaching its decision on this pending legislation.

Again, let me thank you and commend you for your interest and support.

Sincerely,

SAMUEL B. GOULD.

JULY 13, 1967.

Dr. SAMUEL B. GOULD,
President, State University of New York,
Albany, N.Y.

DEAR DR. GOULD: I thought you might be interested in some recent developments since our correspondence last fall on the problems of the availability of low interest loans for college housing.

Two weeks ago I submitted a bill, S. 2000, a copy of which is enclosed, that I believe will help ameliorate this critical situation. In essence, it will enable the federal government to pay the difference between 3% and the going rate of interest on loans which colleges procure in the open market. The cost to the government will be minimal and yet would mean a very appreciable amount of low interest loans—up to $400 million to the colleges. These supplemental federally subsidized loans would be in addition to the $300 million in direct loans already allocated for this purpose.

As I know of your sincere concern, I thought you might be interested in giving the Banking and Currency Committee the benefit of your experience in this area, and perhaps lend your prestige to effectuating passage of this bill. At the same time, you may wish to address yourself to the Administration's bill (Sec. 207 of attached S. 1445) to raise the interest rate of the existing direct loan program from 3% to up to 4⅝%—a proposal which I believe to be inimical to the best interests of the nation's future educational growth.

Hearings will be held from the 17th through the 25th of July. Should you be interested, I would look forward to hearing from you.

With best wishes,

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., September 14, 1967.

Hon. JACOB K. JAVITS,
Member of the U.S. Senate,
Washington, D.C.
Hon. WILLIAM PROXMIRE,
Member of the U.S. Senate,
Washington, D.C.

GENTLEMEN: This is in reply to your letter of August 29, 1967, concerning the University of California's position on S. 2000.

We favor the plan proposed in that legislation and are urging its adoption as a supplement to existing programs. Our advocacy of S. 2000 is being conducted through the American Council on Education, the Association of State Universities and Land Grant Colleges, and the University of California's Washington office.

As a matter of interest, you may wish to know that we estimate residential housing needs for the nine campuses of the University will total approximately $160,000,000 for the period of the next five years.

If further details concerning the University's position on S. 2000 would be helpful, we shall be pleased to have Dr. Mark Ferber of our Washington office meet with you at your convenience. His office is located at 1310 19th Street, N.W., telephone 462–8818.

Yours sincerely,

CHARLES J. HITCH.

UNIVERSITY OF WASHINGTON,
Seattle, Wash., September 14, 1967.
Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: The University of Washington welcomes the opportunity to comment on S. 2000. The shortage of college housing loan funds has been of serious concern to the University of Washington, and the passage of this proposed legislation would be most helpful to the University.

Since World War II, all of the residence halls at the University have been financed through the College Housing Loan Program. The bonds are amortized from student board and room payments. The low interest rates available under this program have helped to keep board and room rates at a reasonable level, thus holding down the total cost of a university education.

The need to provide student housing continues to grow at a rapid rate. Not only is University enrollment increasing, but the availability of private housing for students has decreased substantially in the past year. This shortage of housing in the Seattle area is mainly due to business expansion which has drawn large numbers of new workers to this city in direct competition with college students for low cost housing. At the present time waiting lists for University dormitory space contain more than a thousand names, clearly demonstrating an urgent need for University housing, a need which will continue to grow with enrollment increases.

The University of Washington is hopeful that low interest funds can continue to be made available for urgently needed new dormitories. In the face of rising construction costs, low interest rates can help the University to maintain board and room rates at a level which will help keep the cost of a university education within the means of students from low income families. S. 2000 would be of substantial assistance in accomplishing this aim, and we urge its passage.

I am sending copies of this letter to Senators Jackson and Magnuson so that they may be advised of the importance of S. 2000 to the University of Washington.

Sincerely yours,
CHARLES E. ODEGAARD,
President.

RENSSELAER POLYTECHNIC INSTITUTE,
Troy, N.Y., September 22, 1967.
Senator JACOB JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: We are very much interested in Senate Bill S. 2000 and wish to comment on the need for the passage of this piece of legislation.

The citizen of tomorrow will be living in an America that is difficult to imagine, and it is the responsibility of educational institutions today to develop programs and an environment that will shape his education and his contributions to society. Rensselaer Polytechnic Institute has accepted this responsibility through the years in providing an education centered in science and technology yet including the humanities and social sciences.

Mindful of the need of providing the appropriate environment for a larger number of students, Rensselaer has embarked on a long-range planning and development program of the facilities that will be needed. Included are additional residence halls for undergraduate students, housing units for advanced students pursuing graduate work, and additional apartments for married students. On top of this the need for housing facilities for faculty and research staff confronts not only Rensselaer but a large majority of the institutions of higher education throughout the country.

The provisions of S. 2000, if passed, would enable colleges and universities throughout the land to tackle these immediate pressing problems more promptly as they consider any required increases necessary because of other rising costs of operations.

At the present time the Federal college housing loan program is not helping colleges and universities since no loan applications are being accepted. If the needs of college housing are to be met, action is needed to reopen applications under existing authority.

Sincerely,
R. G. FOLSOM.

UNIVERSITY OF DETROIT,
Detroit, Mich., October 10, 1967.
Hon. JACOB K. JAVITS and
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS and SENATOR PROXMIRE: Thank you for inviting me to comment on Senate Bill 2000.

Like many institutions, the University of Detroit faces a critical need to add college housing facilities. In fact we have just embarked on a new dormitory complex that will cost approximately $3.6 million. Of this amount, a loan from the Department of Housing and Urban Development of some $1.8 million is expected. The balance of $1.8 million has been arranged from a private source and will require interest at prime rate (probably 6%). This addition will increase our student housing by 500 beds (or 50%), and a further 500-bed increase will probably be required in another three years or so.

In addition to the dormitory complex, we plan to construct a food services facility that will cost approximately $1.6 million, and at this time it appears that we must secure the funds from a private source—again at the prime rate.

Obviously, the proposed bill, which would provide an effective interest rate of 3%, would enable us to cut our borrowing costs and thereby allow us to pass the savings on to prospective students in the form of lower room rentals. Likewise, if the bill extended to food services, a similar reduction in interest rates and student food charges would be possible.

Accordingly, we heartily endorse the proposed legislation that would assist importantly by providing student housing funds at lower interest rates. This cost saving would be of great help as we develop our plans to meet the increasing housing demands of higher enrollments in the years ahead.

Sincerely yours,
MALCOLM CARRON, S.J.,
President.

LOS ANGELES, CALIF.,
September 8, 1967.
Senator JACOB K. JAVITS,
U.S. Senate,
Senate Office Building,
Washington, D.C.:

Senate bill 2000 would be of considerable aid to the private universities whose bonds are not tax exempt and therefore bid at a higher rate than tax-exempt general obligation bonds of governmental subdivisions. The University of Southern California is in need of additional student housing and would very likely make application for a bond issue of the order of $5 million. Senate bill 2000 appears to us to have many advantages over a bill which would raise the existing direct loan program to $700 million.

UNIVERSITY OF SOUTHERN CALIFORNIA,
CARL V. FRANKLIN,
Vice President.

TULANE UNIVERSITY,
New Orleans, La., September 27, 1967.
Senator JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: We have reviewed the general approach suggested by S. 2000 recommending a new method of handling the loan applications for colleges and universities. As we understand the legislation, it offers a fine potential which does not now exist for dealing systematically and regularly with an urgent need in our society. As matters stand at the present time the unavailability of funds under the present program is a serious deterrent to the further development of strength in a number of institutions. We believe the program you have proposed in S. 2000 provides much needed flexibility and long term continuity in program development.

Sincerely yours,
HERBERT E. LONGENECKER,
President.

UNIVERSITY OF CINCINNATI,
Cincinnati, Ohio, August 31, 1967.
Hon. JACOB K. JAVITS and
Hon. WILLIAM PROXMIRE,
Members of U.S. Senate,
Washington, D.C.

GENTLEMEN: The University of Cincinnati is vitally interested in legislation which will be helpful in overcoming the critical shortage of student residence halls.

Our enrollment is expanding rapidly and we anticipate an increase of approximately fifty percent in the next five or six years. It will be most difficult, if not impossible, to accept admissions for this large number of young men and women unless substantial additions can be made to our housing facilities.

One of the greatest problems we have in connection with housing is the financing of new structures because of the difficulty in charging rentals sufficient to cover operating and debt service charges, due in considerable measure to rapidly rising construction costs and high interest charges.

Your proposal to use differential payments has great appeal to us. This device plus the possible continuation of the existing direct loan program would be of inestimable value to American colleges and universities.

We urge that you press for favorable action by the Congress on your suggestion.

Very truly yours,
RALPH C. BURSIEK,
Executive Vice President.

CLARKSON COLLEGE OF TECHNOLOGY,
Potsdam, N.Y., August 31, 1967.
Hon. JACOB K. JAVITS,
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATORS: This is in reference to the legislation (S. 2000) which you have introduced concerning the financing of college housing. I wish to go on record as being in support of the objectives of this proposed legislation.

Clarkson College of Technology now houses approximately 1500 students in college dormitories, and has just committed the construction of a 240-man dormitory unit which will be completed next year. The College must construct two additional 240-man units between 1968 and 1971 to accommodate its projected increase in student enrollment in the years immediately ahead. But, at the current market rate for interest (we will have to pay an interest rate of 4.2% on our most recent dormitory), it will be extremely difficult for us to provide new dormitory facilities which are self-supporting and self-amortizing. At the same time, we know that the current Federal program which provides

$300,000,000 in direct loans at 3% interest is completely inadequate to meet the great student housing shortage across the country.

I am hopeful that the Senate Banking and Currency Committee will report favorably to the Senate on your proposed legislation.

Sincerely yours,

John W. Graham, Jr.

University of Louisville,
Louisville, Ky., September 1, 1967.

Senator Jacob K. Javits,
U.S. Senate, Washington, D.C.

Dear Senator Javits: I am delighted to endorse Senate Bill 2000 which you and Senator Proxmire have introduced. The University of Louisville has now in the planning stage four buildings requiring Federal loans. We have not completed the applications because of the fact that no funds are available. These four buildings are:

1. An International House with dormitory rooms for 100 students—approximate cost $500,000.
2. A graduate dormitory for our Southern Police Institute—approximate cost $500,000.
3. A Married Student Apartment Building containing 100 apartments—approximate cost $3,000,000.
4. A men's dormitory for 300 men—approximate cost $2,000,000.

These buildings are in immediate prospect. I shall be glad to give you any other information you may wish in the interests of the rapid passage of your legislation.

Sincerely,

Philip Davidson,
President.

American Council on Education,
Washington, D.C., June 23, 1967.

Hon. Jacob Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: Thank you for sending us a copy of your June 22 news release announcing your introduction of legislation to ease the college housing shortage. Although we have not yet had an opportunity to review the bill, I want you to know that we are tremendously enthusiastic about the approach you are taking. We believe that this could be a significant companion piece to existing college housing legislation.

I am sending you under separate cover a study of college housing needs sponsored by the American Council on Education. You will see that we estimate a need of $1 billion per year in new construction at the very minimum. Since it seems unlikely that the budget for the next few years can stand an annual appropriation level of this magnitude for direct loans, we believe we must find alternatives such as you suggest.

I am taking the liberty also of sending you testimony which we presented before the Housing Subcommittee in the House. This will give you an indication of our position.

Sincerely yours,

John F. Morse,
Director of the Commission.

Seton Hall University,
South Orange, N.J., October 12, 1967.

Hon. Jacob K. Javits,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Javits: I reply to your letter of August 29 advising me of consideration of legislation to ease the chronic college housing shortage (S. 2000) by the Senate Banking and Currency Committee. I am pleased to advise you of the interest of Seton Hall University in this legislation.

We are very much in favor of S. 2000 and the use of loan differential payments. It would allow the direct loan program to be used by many of the smaller colleges. The bill would more than double the amount of money now available and the following advantages would accrue to colleges and universities: low interest rates per annum; long-term finance period; low annual charge of financing; Federal government standards control; design flexibility.

If the bill were not enacted, colleges and universities would be subject to the following disadvantages: high total cost of program; higher interest rate; cash-flow requirements; too long a period of "lead" or planning time; lack of Federal quality control with resultant inferior construction.

The cost of borrowing money is high, and it can add as much as 45% to the cost of a new facility. I do believe that many colleges and universities can pay considerably less interest by observing the quality rating of the bonds; the locality where the bonds are offered for sale; the quality rating of the bonds, and the skill of the persons responsible for selling the bonds.

I am opposed to any increases in interest on loans as proposed by the administration. Any proposed increase would force the universities to increase charges to students.

Sincerely yours,

John Dougherty,
Auxiliary Bishop of Newark, President,
Seton Hall University.

National Association of State
Universities and Land-Grant
Colleges,
Washington, D.C., June 27, 1967.

Hon. Jacob K. Javits,
U.S. Senator from New York,
Senate Office Building, Washington, D.C.

Dear Senator Javits: This is to express appreciation for your introduction of Senate Bill 2000, designed to increase the College Housing Loan Program by $300 million by authorizing a subsidy of the difference in interest rate between the private market and the present Federal direct lending rate of 3 per cent. The Executive Committee of the National Association of State Universities and Land-Grant Colleges, meeting in Washington in May, endorsed this approach as being the most feasible in prospect, in view of current budgetary and related problems. It would, if adopted and implemented, make possible a $600 million College Housing Loan Program for the coming year, and at the same time keep the direct Federal outlay to approximately the $300 million mentioned in the President's budget message. With respect to the subsidy of interest rates involved, I would note that the College Housing Loan Program has in the past returned a net profit to the Treasury above all expenses.

Your proposal has the merit of keeping college costs down for the students and parents who must foot the bill, and at the same time providing for participation in the program by private lending agencies which have in the past played a substantial role in financing college housing.

Sincerely,

Russell I. Thackrey,
Executive Director.

The University of New Mexico,
Albuquerque, October 25, 1967.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: The delay in this response to your letter of August 29, asking for reactions to S. 2000, is in no way indicative of a lack of enthusiasm for the substance of the bill. On the contrary, its provisions would be of great advantage to all institutions which, like this one, have to rely on revenue bonds for housing construction. Some of the reasons are as follows.

1. Bonds would be sold to private investors *as funds were needed.* The direct loan program operates intermittently when it has the necessary authorization. Colleges and universities need to be able to build in time to meet specific student demands. To be sure of housing capacity, an institution may be tempted to overbuild whenever funds are available, with resulting dissipation of loan funds and institutional resources.
2. A guaranteed net interest rate would enable the college to make intelligent plans for new housing, the quality of which is limited by the ability of the student to pay his rental, the availability of other resources than project revenues, and the interest rate.
3. Responsibility for review of the fiscal soundness of college housing ventures would rest with the private investor, rather than with one of the federal agencies, which might be more appropriate.
4. Hopefully, the college might be relieved of some of the elaborate and cumbersome architectural reviews which seem to be a feature of the direct loan program.
5. The availability of alternate methods of finance would no doubt have a beneficial effect on interest rates even when the college borrowed in the open market without the help of either the direct loan program or the interest supplement.

Thank you for your helpful interest in the college housing problem.

Sincerely,

Tom L. Popejoy,
President.

University of Notre Dame,
Notre Dame, Ind., September 28, 1967.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

My Dear Senator Javits: In reply to your letter of August 29, 1967, I am solidly in favor of your plan to have colleges and universities sell bonds to private industries at the market rate of interest; provided, the United States Government would then make loan differential payments which would cover the difference between the market rate of interest and three percent.

I am wondering, Senator Javits, if it would not be possible under your plan to free the Government of the tremendous amount of supervision of plans and construction that is going on at the present time under the present program. It would seem to me that if a University is going to sell bonds to a private investor, the University has to do everything possible to see that the building is soundly built and, yet, not with extravagances. In other words, private investors would want to be assured of all this. Therefore, the Government would be relieved of a tremendous amount of supervision of construction that must be employing a vast army of payroll. For example, all payrolls on housing construction must be forwarded to the District Office of the Department of Housing and Urban Development. This, it seems, is a herculean task for anyone to even look at considering the number of construction jobs that are going on. The great amount of supervision slows down construction tremendously. I would safely say that the provisions of the present Housing Agency hold up construction by at least six months. Therefore, I would urge that your Bill be such that the colleges would proceed on their own to build and to find a private investor, and that if one is successful in doing this, the Government would accept this as a fact and be willing to pick up the subsidy of the difference between three percent and the market rate of interest for such a loan. I cannot urge you too strongly to give this every consideration.

In regard to the existing direct loan program, it would seem to me that many changes could be made to speed up the work and to put more trust and confidence in the universities and colleges. By this time most of them are extremely experienced in such building, and the building would be identical whether the Government processed every step of the way or not.

Anything you can do to help us to construct these buildings and, yet, build them faster will be greatly appreciated.

Very sincerely,

Rev. JEROME J. WILSON, C.S.C.,
Vice President-Business Affairs.

UNIVERSITY OF HOUSTON,
Houston, Tex., September 19, 1967.

Senator JACOB K. JAVITS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: I have been requested to reply to your communication regarding S. 2000 (loan differential payments), now under consideration by the Senate Banking and Currency Committee.

The University of Houston favors this legislation, which in our judgment offers a most practicable means of supporting some $300–400,000,000 in college housing funds to be sold to private investors.

At this institution, as on so many other campuses, there is a critical and growing shortage of dormitory space. Through relatively high priorities which can be clearly established, it has been possible for us to obtain a 3% loan from the Department of Housing and Urban Development in the maximum amount of $3,000,000. Only by combining this with a private gift of $1,000,000 were we able to bridge the gap between proceeds of revenue bonds and the total estimated cost of a complex for 1,200 students. Yet almost before construction begins, we face the need for a similar facility.

Without S. 2000, the University of Houston will have to compete again with our sister institutions (many of them perhaps less able to arrange loans in the private market) for a Government loan. How much simpler and more equitable, as you point out, to provide differential payments for the larger institutions.

You can understand our dilemma still further, and our support for S. 2000, when I report the registration figures for 1967–68 which became available here only today. They indicate that the University of Houston will enroll approximately 22,000 students, or just twice the number registered eight years ago.

Sincerely,

PATRICK J. NICHOLSON,
Vice President, University Development.

THE CATHOLIC UNIVERSITY OF AMERICA,
Washington, D.C., October 4, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Our Rector, the Most Reverend William J. McDonald has referred your letter of August 29, 1967 to me for reply. I am happy to see that the Senate Banking and Currency Committee is considering legislation (S. 2000) to ease the chronic college housing shortage. We appreciate the efforts of you and Senator Proxmire in introducing and sponsoring this legislation.

The fact that the Department of Housing and Urban Development has not been able to accept applications since January, 1966, except for a brief period in April of this year, has worked a particular hardship on the Catholic University of America. We got authorization from our Board of Trustees in January, 1966 to submit an application for a new men's dormitory but have not been able to do anything because of this "freeze" on applications. We are now in a position where we also need to apply for a new women's dormitory. We understand that unless some action is taken it may be two or three years after that before a building can be built; this creates a hopeless situation.

Therefore, we would very much favor any legislation to make more funds available for college housing and related facilities and we would be particularly interested in your proposal which would keep the interest rate for the schools at 3%.

With every best wish, I am,

Very sincerely yours,

Rt. Rev. JAMES A. MAGNER,
Vice Rector for Business and Finance.

MONTANA STATE UNIVERSITY,
Bozeman, Mont., September 26, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Between now and 1970, our University will need approximately six million dollars ($6,000,000) for student housing. In 1966 we financed a dormitory and the construction of 170 apartment units for married students. The interest rate for this loan was 4.6%. In 1965 we borrowed money at 3.7%, and in 1963 at 3.4%. The mounting interest rates and increasing cost of construction are forcing us to raise our charges for room and board. If we could borrow money at 3%, we would obviously effect a considerable saving which we could pass on to the students.

We favor the action you are proposing.

Sincerely,

LEON H. JOHNSON,
President.

WAKE FOREST UNIVERSITY,
Winston-Salem, N.C., September 12, 1967.

Re: Senate Bill 2000.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: The demand that the American economy is making for college graduates has produced a nation-wide shortage in student housing. Virtually every college and university is experiencing the unfortunate situation of refusing admission to qualified applicants because of the lack of available housing.

Senate Bill 2000 seems to hold some prospect for at least partial alleviation of this problem. As a private university, Wake Forest has sought cooperation with the private sector in financing its capital needs. We propose to continue this policy as long as adequate funds are available at reasonable rates; otherwise, our only alternative is to turn to the public resources available through the Department of Housing and Urban Development. In either case, the legislation proposed in Senate Bill 2000 seems to provide for our needs and requirements.

We heartily recommend favorable action at the earliest possible time.

Faithfully yours,

JAMES R. SCALES, *President.*

LE MOYNE COLLEGE,
Le Moyne Heights, Syracuse, N.Y.,
August 16, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: After a series of conferences with my advisors, I am most aware of the effect on our college program of the current standstill in the College Housing Loan Program. We are, ourselves, at a standstill because of the lack of release of fiscal 1968 loan funds. We have filed, with the proper authorities in HUD, a letter of intent for application for a college housing loan of approximately $1,000,000 for the construction of a residence hall for two hundred women students. Our schedule calls for the beginning of construction in March 1968 with occupancy in September 1969. We cannot proceed any further until we are able to process our application. I would ask, therefore, that with your usual concern you look into the release of the funds for the college housing loan program. I make this request with full awareness of the effectiveness of your advocacy in the past.

All at Le Moyne express thanks for your help.

Sincerely yours,

WILLIAM L. REILLY, S.J.,
President.

ROCHESTER INSTITUTE OF TECHNOLOGY,
Rochester, N.Y., August 31, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: I have the letter of August 29th signed by you and The Honorable William Proxmire concerning the new proposal for loans for colleges and universities as far as housing is concerned.

It seems to me that this is a fine and an imaginative way to handle this very critical problem.

Those of us at the Institute would be enthusiastic about this as a new mechanism for solving a critical problem.

Sincerely yours,

MARK ELLINGTON,
President.

SOUTHERN METHODIST UNIVERSITY,
Dallas, Tex., September 1, 1967.

Hon. JACOB K. JAVITS,
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATORS: I greatly appreciate your letter of August 29, 1967, inviting my comments regarding prospective legislation (S. 2000) which you have introduced that might help to ease the chronic college housing shortage. Southern Methodist University is vitally interested in your proposal and would welcome the opportunity to obtain additional government loans for dormitories which it badly needs.

This past year we considered all the avenues open to us through private funding and found that such construction was impossible short of raising room rents to a higher level than we thought warranted. Unfortunately, our application which was submitted during the thirty day open period last spring was denied.

We at this University are dedicated to the role of educating the whole student, both within and outside the classroom. We have benefited from low cost government loans for dormitories, and for other purposes, in past years and we badly need additional facilities for housing at this time. We have ready plans for two additional residential units and a food center, which would house and serve meals to approximately 700 students, at a cost of between $4 and 5 million. We therefore, would encourage the legislation which you have submitted and would hope to benefit from its passage in meeting the needs of the youth who come here for their higher education.

Sincerely yours,

WILLIS M. TATE,
President.

THE UNIVERSITY OF VERMONT,
Burlington, Vt., September 1, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: We received, with interest, your letter concerning the legislation S. 2000, which is currently before the Senate Banking and Currency Committee. Earlier this year we had noted with deep concern the lack of funds for handling the number of loan applications before the Department of Housing and Urban Development.

The University of Vermont is now planning a residence hall facility to house 600 additional students. Our present plan envisioned financing through the Department of Housing and Urban Development. Therefore, we have a very great interest in such a plan as you have presented, which would continue the interest rate at three percent in order to make these buildings feasible and not too expensive in the matter of rental to college students. We commend your efforts to make these funds available.

Sincerely yours,

LYMAN S. ROWELL,
President.

RUTGERS—THE STATE UNIVERSITY,
New Brunswick, N.J., August 31, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your letter of August the twenty-ninth concerning S-2000. There is no doubt whatsoever that we must have a more adequate program for college housing.

I am alarmed at the way in which the general costs of higher education to the student are going up, and if the present 3% rate will be raised, this would put an additional burden on the student.

I, therefore, support most sincerely your efforts to find a way of financing housing without increasing the interest rate.

Yours very sincerely,

MASON W. GROSS.

CLEMSON UNIVERSITY,
Clemson, S.C., September 4, 1967.

Hon. JACOB K. JAVITS,
Old Senate Office Building,
Hon. WILLIAM PROXMIRE,
New Senate Office Building,
Washington, D.C.

GENTLEMEN: We appreciate very much your letter dated August 29 advising that the Senate Banking and Currency Committee is now considering legislation (S. 2000), which you have introduced to ease the chronic college housing shortage.

It is my considered opinion that S. 2000 is one of the most important pieces of legislation currently being considered by the Congress, insofar as federal aid to higher education is concerned. We simply cannot construct the housing and academic facilities required to take care of steadily rising enrollments unless additional loan funds to cover construction costs are made available. The approach to a solution to this problem as contained in S. 2000 is both sound and, in my opinion, represents perhaps the most economical approach the Federal government can take at this time.

We commend you for introducing this legislation and would urge favorable consideration by the Banking and Currency Committee and by the Senate.

Sincerely,

ROBERT C. EDWARDS,
President.

GEORGETOWN UNIVERSITY,
Washington, D.C., September 5, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR JAVITS: I have received your communication of August 29th concerning legislation (S. 2000) which is being considered by the Senate Banking and Currency Committee. You have asked me to indicate our present need for this legislation and my comment on it.

First of all, I must tell you that at the present time we do not feel the need for this legislation because we have in the recent past completed the student housing facilities which are necessary for our present state of development. We are currently concentrating on building other educational facilities which are matters of great urgency. I want to point out, however, that I believe that the legislation which you are presently considering is of very great importance to the academic community in the United States. It is quite possible that in a couple of years we also will be faced with the necessity of having such loan funds available.

It is certainly very clear from talking to representatives of other colleges and universities that many of them are suffering from a critical shortage in housing for new students. The tight money market which has existed for some time has made it extremely difficult to get financing for housing even at substantial interest rates. The necessity of paying high interest rates for this housing means that the institutions and the students in them are very seriously affected by the charges that are levied against them. I think it is very important that Congress pass legislation which will permit loans which have a lower interest rate or that Congress provide for an interest subsidy for loans which are contracted on the commercial market. I think that your efforts on behalf of such legislation will be very advantageous to the cause of higher education in our country.

With gratitude and sentiments of esteem, I am,

Sincerely yours,

GERARD J. CAMPBELL, S.J.,
President.

FINDLAY COLLEGE,
Findlay, Ohio, September 6, 1967.

Senator JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I want to urge you to bring the bills which you have sponsored affecting college housing funds before the Senate and House for final approval. As you doubtlessly know, the need for more and additional college housing funds has now reached a critical point. In fact at the present time, there are no funds at all available for the construction of dormitories.

It was the plan of Findlay College to begin the construction of additional college housing this past spring in order that we may be able to occupy these buildings by September 1, 1968. Since no funds are available this construction has been delayed. If we were to begin construction immediately we would not be able to complete the construction in order to occupy the dormitories on the above mentioned date. I want to indicate that this has developed into a critical situation for the forward planning for Findlay College.

What is the case at Findlay College is undoubtedly the case elsewhere. For these reasons I urge you and your colleagues to complete the work on the college housing program and, where possible, to urge the Bureau of Budget to release funds which presently are being held.

Sincerely yours,

IVAN E. FRICK,
President.

THE UNIVERSITY OF IOWA,
Iowa City, Iowa, September 1, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I should like to express my support of Senate 2000, a bill to ease the chronic shortage of student housing in our colleges and universities. The bill is in my opinion well designed for the purpose and would meet one of the most urgent needs in higher education today. I would strongly endorse the bill and urge its passage.

Yours sincerely,

HOWARD R. BOWEN.

[From the Buffalo (N.Y.) Evening News, Sept. 27, 1967]

JAVITS' LOAN-AID PLAN SPURRED BY D'YOUVILLE'S APPEAL

(By Roland Powell)

WASHINGTON, September 27.—An innovative interest-subsidiary approach to make more college construction money available—conceived as the result of a Buffalo college president's letter—may be included in legislation to be reported out shortly by the Senate Banking & Currency Committee.

The plan is the work of Sen. Javits (R., N. Y.) and his staff, who began considering ways of increasing the amount of college building money after the senator received a letter from Sister Francis Xavier, president of D'Youville College in Buffalo.

The most obvious answer—simply increasing the $300 million a year in direct government loan funds—was eliminated when it became apparent it would not be accepted by Congress this year.

CHANCES APPEAR BETTER

Sen. Javits legislation would authorize a $10 million grant to help colleges pay the difference in interest on non-government loans when the rate is higher than the 3 per cent charged on federal loans.

Chances for success of the Javits plan appear to be increasing daily especially with reports that many colleges have been voicing their support of it to senators and representatives from their respective states.

The matter of college construction loans came to a head in January 1966 when the Department of Housing & Urban Development called a moratorium on applications, pointing out it already had applications totaling $760 million while $300 million was budgeted. Even the moratorium didn't help much because last April, it opened applications for a 30-day period and got 179 requests for $232 million more.

WRITES TO JAVITS

Not only did this discourage colleges, faced with critical housing problems, but the administration proposed boosting the interest rates on the government loans to the current market rate, 4¾ per cent.

On May 5, 1966, Sister Francis Xavier wrote Sen. Javits expressing her "astonishment" at learning all the available loan funds had been expended and her application for $2.4 million to build a badly-needed third dormitory on campus, along with applications of 25 other colleges, were "buried in Washington for lack of resources."

Sen. Javits contacted HUD for an explanation and sent copies of its reply to the college president and Buffalo businessmen who are members of the D'Youville College Council.

CONSIDERED GUARANTEES

Then he introduced legislation to double the amount of available loans to $600 million, though providing that the additional $300 million would be loaned at the market rate. It passed the Senate, 33–31, last year but was eliminated in a Senate-House conference on the housing bill.

He and his legislative assistant, James Grossman, then considered a plan for government guarantees of loans, aimed at trying to induce more private loans, but this too appeared to face little chance of success.

So the interest-subsidy idea was developed and introduced this year. Mr. Javits said the additional $10 million to make up the interest difference could generate another $300 to $400 million in loans from banks and other financial institutions while still holding the colleges' interest payments at 3 per cent.

HUD Secretary Weaver wrote Sen. Sparkman (D., Ala.), chairman of the Senate Committee, to express his opposition to the Javits plan.

Secretary Weaver said the purpose of the Housing Loan Program was to help colleges that were unable to borrow at reasonable terms from the private market and not to subsidize private borrowing.

Another objection raised in committee was that while the $10 million proposed by Sen. Javits constituted a comparatively small increase, it involved money that would not be repaid to the government.

GOULD PRAISES PLAN

Sens. Javits and Proxmire (D., Wis.) carried their case to the colleges and received heavy affirmative response.

For instance, Chancellor Samuel B. Gould of the State University of New York called the Javits plan "the most promising method of obtaining an immediate increase in federal support for college housing."

"The administration's action in proposing an increase in the interest rate and withholding presently available loan funds are cause for serious concern," he added. Dr. Gould said the State University was paying 4.4 per cent on dormitory authority bonds.

Higher interest costs, he pointed out, would mean higher dormitory rental rates.

D'YOUVILLE LOAN APPROVED

The Very Rev. Kenneth F. Slattery, president of Niagara University, wrote that his college had long prided itself on being able to build without government help but, with spiraling costs and increased enrollment "we need help."

Rep. Patsy Mink (D., Hawaii) introduced similar legislation and it has been referred to the House Banking & Currency Committee.

Meanwhile, D'Youville College's application in early 1966 eventually bore fruit. On June 29 of this year, HUD announced approval of a $1.935 million loan to help build a 12-story dormitory.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 1136. An act to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes; and

S.J. Res. 101. A joint resolution amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 2171) to amend the Subversives Activities Control Act of 1950 so as to accord with certain decisions of the courts, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WILLIS, Mr. TUCK, Mr. ICHORD, Mr. ASHBROOK, and Mr. WATSON were appointed managers on the part of the House at the conference.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RIVERS, Mr. HÉBERT, Mr. PRICE of Illinois, Mr. FISHER, Mr. ARENDS, Mr. O'KONSKI, and Mr. BOB WILSON were appointed managers on the part of the House at the conference.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 44 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, December 5, 1967, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate December 4, 1967:

INDIAN CLAIMS COMMISSION

The following-named persons to be Commissioners of the Indian Claims Commission.

John T. Vance, of Montana.

Richard W. Yarborough, of Texas.

Jerome K. Kuykendall, of Virginia, to be a Commissioner of the Indian Claims Commission, vice Arthur V. Watkins, resigned.

IN THE MARINE CORPS

Lt. Gen. Leonard F. Chapman, Jr., U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 4 years from the 1st day of January 1968, in accordance with the provisions of title 10, United States Code, section 5201.

EXTENSIONS OF REMARKS

L. B. J.: A President of Patience and Peace

EXTENSION OF REMARKS
OF
HON. JACK BROOKS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, December 4, 1967

Mr. BROOKS. Mr. Speaker, in a speech on Saturday, marking the 25th anniversary of atomic energy, President Johnson once again reaffirmed the Nation's determination to "dedicate the miraculous power of the atom, not to death, but to life."

The President announced that the United States is willing to permit safeguards to all nuclear activities in the country—excluding national security—that will provide inspection of U.S. nuclear activities.

The President declared:

> This pledge maintains the consistent policy of the United States since the beginning of the nuclear age.

President Johnson is a man of patience and peace. He has worked hard and long to bring to fruition a nonproliferation treaty that will curb the dangerous spread of nuclear weapons in the world. The Senate and the Nation support this proposal. And now the administration is trying to achieve worldwide acceptance of this vital treaty.

On the 25th anniversary of the birth of atomic energy, the record clearly shows that the United States is second to none in the world in the search for peaceful uses of this incredible energy.

In the words of the President, "let us use this anniversary to deepen and reaffirm the search for peace."

The text of President Johnson's remarks follows:

REMARKS OF THE PRESIDENT ON THE 25TH ANNIVERSARY OF ATOMIC ENERGY

President Saragat, Mrs. Fermi, Mayor Daley, Members of the Fermi Team, Dr. Seaborg and Distinguished Guests:

I believe history will record that on this day 25 years ago, mankind reached the turning point of his destiny.

The book of Genesis tells us that, in the beginning, God directed man to:

"Be fruitful, and multiply, and replenish the earth, and subdue it."

But only in our lifetime have we acquired the ultimate power to fulfill all of that command. Throughout history, man has struggled to find enough power—to find enough energy—to do his work in the world. He domesticated animals, he sold his brother into slavery, and enslaved himself to the machine—all in a desperate search for energy.

Desperation ended in the experiment conducted in Chicago, 25 years ago, by Enrico Fermi and his fellow scientists. In a single stroke, they increased man's available energy more than a thousand-fold.

They placed in our hands the power of the universe itself.

Nothing could have been more appropriate than the words used by Dr. Arthur Compton to describe what happened on that day:

"The Italian navigator has just landed in the new world."

This modern Italian navigator was a great man of science. But he was also something more. He was one of millions who, in the long history of the world, has been compelled to leave a beloved native land to escape the forces of tyranny. Like millions before him, Enrico Fermi found here a new home, among free men, in a new world. His life and his career have a very special meaning to all who love freedom.

There are today millions of young Americans with an Italian heritage who feel a deep, personal pride in Enrico Fermi. America was born out of the voyages of a great Italian navigator. In a time of greatest danger, another—equally willing to pursue his dream beyond existing charts—took us again into a new epoch.

Today we commemorate our debt to him. And in doing so, we also honor the historic bond between the old world and the new world.

In a short time, we will be dedicating, in the great State of Illinois, a new National Accelerator Laboratory. This laboratory, with its 200 billion electron volt accelerator, will maintain our country's position in the forefront of nuclear research.

I suggest that we dedicate this great new laboratory to the memory of the modern-day "Italian navigator."

In so honoring Enrico Fermi, we will also honor the immeasurable contributions that have been made, over the centuries, by the people of Italy to the people of the United States.

Much has already happened in that new world which just began 25 years ago.

Giant nuclear reactors, direct descendants of Fermi's first atomic pile, are now producing million of kilowatts of power for peaceful purposes. Other reactors are powering nuclear submarines under the seas of the earth. They are our first line of defense against tyranny, whatever its contemporary doctrine or disguise, which Enrico Fermi dedicated himself to resist.

But it is really the peaceful uses of atomic energy about which Fermi would have wished us to speak—and there are many peaceful uses.

When I became President, nuclear energy was generating about 1 million kilowatts of electric power in the United States.

Today, the atom is giving us more than 2,800,000 kilowatts—almost three times as much. And more than 70 additional nuclear power plants are already planned or are now under construction.

This will equal about 20 percent of the whole electric generating capacity in the United States today. It is enough to meet the total requirements of 45 million people. All this from what was, 25 years ago—before the success of Fermi's experiment—only a scientist's dream.

The dream has been realized. By learning the secret of the atom, we have given mankind—for the first time in history—all the energy that mankind can possibly use.

It took the genius of countless generations of dedicated scientists to find the secret. It remains for us to use that secret wisely.

What began as the most terrible instrument of war that man has ever seen can become the key to a golden age of mankind. But this will not happen unless we make it happen.

We cannot forget that another, darker future also opened on this day 25 years ago.

The power to achieve the promise of Genesis is also the power to fulfill the prophecy of Armageddon. We can either remake life on earth—or we can end it forever.

Let me be specific.

If Enrico Fermi's reactor had operated 10,000 years, it would not have produced enough plutonium for one atomic bomb.

Today, a single reactor, while generating electricity, can produce enough plutonium to make dozens of bombs every year. And scores of these reactors are now being built all over the world.

Their purpose is peaceful. Yet the fact remains that the secret diversion of even a small part of the plutonium that they create could soon give every nation—every nation—the power to destroy civilization—if not life on this earth.

We just cannot permit this to happen.

Nor can mankind be denied the unlimited benefits of the peaceful atom.

We must, some way, somehow, find a way to remove the threat while preserving the promise.

The American people have made their own desires crystal clear when their representatives in the United States Senate voted unanimously to support an effective nonproliferation treaty for nuclear weapons.

We are now engaged in a major effort to achieve such a treaty, in a form acceptable to all nations.

We are trying so hard to assure that the peaceful benefits of the atom will be shared by all mankind—without increasing, at the same time, the threat of nuclear destruction.

We do not believe that the safeguards we propose in that treaty will interfere with the peaceful activities of any country.

And I want to make it clear, very clear, to all the world that we in the United States are not asking any country to accept safeguards that we are unwilling to accept ourselves.

So I am, today, announcing that when such safeguards are applied under the treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance.

Under this offer, the agency will be able to inspect a broad range of United States nuclear activities, both governmental and private, including the fuel in the nuclear power reactors owned by utilities for generating electricity, and the fabrication and chemical reprocessing of such fuel.

This pledge maintains the consistent policy of the United States since the very beginning of the nuclear age.

It was just 14 years ago that a President of the United States appeared before the General Assembly of the United Nations to urge the peaceful use of the atom. President Dwight D. Eisenhower said on that occasion:

". . . The United States pledges . . . before the world . . . its determination to help solve the fearful atomic dilemma—to devote its entire heart and mind to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life."

We renew that pledge today. We reaffirm our determination to dedicate the miraculous power of the atom, not to death, but to life.

We invite the world's nations to join with us.

Let us use this historic anniversary to deepen and to reaffirm the search for peace.

Let us so conduct ourselves that future generations will look back upon December 2, 1942—not as the origin of sorrow and despair—but as the beginning of the brightest, most inspiring chapter in the long history of man.

Report From Representative Clarence D. Long

EXTENSION OF REMARKS

OF

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. LONG of Maryland. Mr. Speaker, in order to keep my constituents informed, I send them periodic reports on the work of Congress and the Federal Government. I should like to place in the RECORD the most recent of these reports:

REPORT FROM REPRESENTATIVE LONG OF MARYLAND, DECEMBER 1967

SURCEASE FROM SURTAX

Federal income taxes will *not* be increased in 1967. The case for higher taxes is clouded by failure to come up with a sound program of spending cuts.

FEDERAL PAY RAISES

Increases for postal, military and civil service employees, just voted by Congress, will be met in part by increasing postal rates; pruning dead wood; keeping—and attracting—more productive workers. Retroactive to October 1, these raises will come in time for Christmas.

Rating (step 1)	Present pay	Increased pay
GS-3	$4,269	$4,466
GS-5	5,531	5,565
GS-7	6,451	6,734
GS-9	7,696	8,054
GS-12	10,927	11,461

SNAIL MAIL?

Mail delivered too late, often delayed a day or more? What can be done to improve service? To find out, your Congressman will meet with postal officials and patrons at 10 A.M., Monday, December 11, Room 301, County Office Building, Towson! *You* are invited!

GOODIES FOR HARFORD

Next Spring, a $4 million building program, just funded by Congress, will break ground at Aberdeen and Edgewood.

LET THEM EAT JETS?

Latin American nations have been squandering more on unnecessary military programs that the economic aid we have provided them. My foreign aid amendments, passed by the House, would stop use of your money to buy jets, missiles and submarines for Latin American and African dictators.

MORE SECURITY

Social Security benefits would rise 12½ to 15 percent under legislation near final passage. Also in prospect: minimum payments of $50 to $70 a month, plus an increase in the amount you can earn without losing benefits.

READ ANY GOOD BOOKS LATELY?

Hunt, fish, ski, camp? Use "Outdoors U.S.A." as your guide . . . Buy a place in Harford County? "Case Study" analyzes land use, population, and the economy . . . Install a bathroom? Shop for freezer foods? Fight pests? Order any of 110 household bulletins from our checklist . . . free!

NEXT VISITS AT DUNDALK AND ABERDEEN

Mr. Andrews, ill with cancer, found his Federal employer had misplaced medical and retirement records. Papers were straightened out the same day, and he got a check for

$970.19. Saturdays, at 10 A.M., see me at these post offices:

Dundalk, December 9; Aberdeen, December 16.

SEASONS GREETINGS

From Susie and Clarence Long, Betty, and 1st Lt. Clarence D. Long, III (back from Vietnam.)

The Kee Report: GI Rights for Vietnam Veterans

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service radio and television newscast, "The Kee Report." The subject discussed in this report is GI rights for Vietnam veterans. The report follows:

GI RIGHTS FOR VIETNAM VETERANS

This is Jim Kee—bringing you the Kee Report.

I believe that the Veterans' Pension and Readjustment Assistance Act of this year, 1967, is one of the most useful and necessary measures enacted by this Congress.

The importance of this legislation may be gauged by the fact that under its provisions, war veterans in our own Fifth Congressional District of West Virginia will be entitled to an additional $414,000 in annual payments. More than half this amount is available for training and educational benefits.

At the present time, there is no country more generous in caring for its war veterans than the United States. But that was not always true. The fact is that the first comprehensive program to care for the sick, needy, and disadvantaged veterans had to wait for enactment until after World War I. An historical overhaul of this program was made after World War II and came to be known as the GI Bill of Rights.

This year's legislation was another periodic adjustment, designed to correct inequities and to authorize increased payments to match increased living costs. Another overriding purpose of this recent legislation is to confer the status of war veteran upon those members of the armed forces now serving in Vietnam, or who saw service in that country on or after the date of August 5, 1964. The conflict in Vietnam is a major war and has been for nearly three years. To give the status of war veteran to those engaged in this war may be looked upon as an act of belated justice.

In the Fifth Congressional District of West Virginia at this time, there is a sizeable group of young men who served in Vietnam and who are now eligible for the same benefits conferred upon other veterans under the GI Bill of Rights. Unfortunately, many are unaware of their newly-acquired rights. I hope that some of these may be alerted by this broadcast. If you know a young veteran of the Vietnam conflict, please remind him that he should inquire about the benefits to which he may be entitled under this recently-enacted legislation. The most important provisions include (1) compensation for disabled veterans at war-time rates; (2) pensions for disabled veterans and (3) death pensions for widows and children. I mention these provisions because most Americans will agree that adequate treatment for the disabled veteran is our prime responsibility.

The original GI Bill of Rights, adopted after World War II, provided additional educational and training benefits for those interested veterans. There were some people who believed this was unwise legislation. But, experience disclosed that it was one of the finest things ever done for returning veterans. Now these same privileges are extended to those members of the armed forces who served in Vietnam.

I strongly urge every Vietnam veteran who feels the need of more education or more job training, to exercise his rights under this Act. The man who is home for a year or more and now has a job and a growing family may shrug off this chance for more education. He should be reminded that thousands of Korean and World War II veterans are now enjoying better jobs and more pay because they took advantage of the original GI Bill of Rights.

This new legislation makes liberal educational allowances both for the veteran who is single and the veteran who is married with one or more dependents. There is adequate provision for additional job training. I hope every returned veteran will inquire about his GI Rights.

Thank you for listening.

Public Opinion Survey in North Carolina's Eighth Congressional District

EXTENSION OF REMARKS

OF

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. JONAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the results of my annual public opinion survey among residents of North Carolina's Eighth Congressional District.

I was gratified that approximately 17,000 individuals returned questionnaires. This is the largest number of people who have participated in these surveys since I began the practice of circulating questionnaires.

The fact that so many people would take the time to complete the questionnaires and return them indicates widespread interest in the issues and approval of this method of sampling opinion.

I was also pleased that many of those who returned questionnaires added supplementary comments elaborating on their reasons for the views they expressed on the questions listed, or calling my attention to matters of interest not included on the questionnaire. This also indicates that people are anxious to have their views solicited, and I might add that it is important for Congressmen to keep up with the thinking of the people back home. This is necessary if they are to receive adequate representation.

The answers were tabulated by Data Management, Inc., of Washington, D.C., by the use of data processing equipment.

Following are the questions listed in the 1967 survey and the responses by percentages:

1. Do you believe our involvement in war in Vietnam was essential to the security of the United States?

Yes	40.8
No	55.2
No answer	4.0

2. Do you believe our involvement in the war, even if you answered the above question NO, was nevertheless desirable to prevent the spread of Communism?

Yes	70.3
No	22.3
No answer	7.4

3. Which of the following courses do you recommend (choose one):

(a) Stopping the bombing of North Vietnam in order to encourage a negotiated settlement?	8.5
(b) Stepping up military pressures to achieve earliest possible military victory?	76.8
(c) Holding military activities to present levels?	4.5
(d) Gradual withdrawal of United States combat troops?	5.9
(e) Immediate withdrawal of our troops?	6.2

(Some answered more than one.)

4. Do you favor withdrawal of a substantial number of our troops from Europe?

Yes	54.1
No	39.5
No answer	6.4

5. Which policy do you favor with respect to our relations with Russia and East European Communist countries?

(a) Present policy of "building bridges" through increased non-military trade and other reciprocal steps such as the Consular Treaty just ratified by the U.S. Senate?

Yes	60.4
No	11.8
No answer	27.8

(b) A "hard line" policy of limited contact with Communist countries?

Yes	34.5
No	22.8
No answer	42.7

6. Which policy do you favor in dealing with Latin American countries:

(a) Adhere strictly to the non-intervention commitment of the Organization of American States Charter?

Yes	30.6
No	20.0
No answer	49.4

(b) Reserve the right to intervene unilaterally whenever the President deems it in our interest to do so, as was done in the Dominican Republic?

Yes	62.6
No	12.6
No answer	24.7

7. Would you favor curbing the power of the President of the United States to commit United States combat troops to war without specific prior approval of the Congress?

Yes	59.2
No	34.6
No answer	6.9

8. Do you favor increasing the amount of money Social Security retirees can earn without losing Social Security benefits?

Yes	84.5
No	13.0
No answer	2.5

9. The President is recommending a 20% overall increase in Social Security payments,

to be financed by increasing payroll taxes and increasing the base against which the tax is calculated from $6,600 gradually to $10,800 by 1974. Do you favor this?

Yes	26.0
No	70.1
No answer	3.9

10. The President has proposed to raise additional money by imposing a 6% surcharge on both corporate and individual income taxes. The proposal would exclude married couples with two children with income up to $5,000 and single people with an income up to $1,900 a year. This proposal is for 2 years. Do you favor it?

Yes	14.5
No	81.4
No answer	4.0

11. The President has again recommended civil rights legislation to, among other things—

(a) Prohibit discrimination in the sale or rental of housing over a two-year period so that by 1969 the prohibition would apply to all housing. Do you favor this?

Yes	11.8
No	84.6
No answer	3.6

(b) Prohibit discrimination on account of race, color, religion, national origin, sex, or economic status, in the selection of state or local juries, and to authorize the Attorney General of the United States to sue states or local jury officials who exclude Negroes or members of other minority groups from juries. Do you favor this?

Yes	46.3
No	48.9
No answer	4.8

(c) To give the Equal Employment Opportunity Commission authority to issue orders, after a fair hearing, to require the termination of discriminatory employment practices. Do you favor this?

Yes	33.1
No	61.9
No answer	5.0

12. The President proposes to fight the rising tide of crime by providing federal grants to state and local governments for the development and implementation of plans to improve police, court and correctional systems. Do you believe this is the best way for the Federal Government to fight crime?

Yes	39.2
No	53.7
No answer	7.1

13. Assuming that the draft law is to be extended, which of the following suggestions do you favor?

(a) Continue the present system which gives local boards wide discretionary power over classification and delivery of men for induction if they have been found acceptable by the Armed Services?

Yes	38.0
No	22.6
No answer	39.4

(b) Adopt uniform, nation-wide classification standards, reduce the 4,100 local boards to approximately 300 and select men for induction at random such as through a lottery?

Yes	40.3
No	22.0
No answer	37.7

(c) Reverse the present procedure under which the older eligibles are taken first and start taking 19-year-olds first?

Yes	26.1
No	27.8
No answer	46.1

14. This year Congress is being requested by the President to appropriate $662 million to inaugurate the new "Model Cities" program. This would be in addition to the regular urban renewal, public housing and other programs of grants in aid to cities. Under this proposal a limited number of cities would be selected to receive the "model cities" grants. Do you recommend that Congress appropriate the requested funds to begin this program?

Yes	13.1
No	83.3
No answer	3.6

Justice Abraham J. Multer

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. EVINS of Tennessee. Mr. Speaker, one of our distinguished and able colleagues, the gentleman from New York [Mr. MULTER] is resigning from the Congress to accept a position as justice of the Supreme Court of the State of New York.

ABE MULTER has been with us in this body for 20 years, Mr. Speaker. We regret very much to lose our friend and colleague—but we congratulate him upon his election to the highest court in his beloved State of New York.

He is going home—and he is to be commended for the great confidence and respect imposed in him by the people of the great State of New York.

Certainly I concur in the sentiment expressed by President Johnson in his message to our colleague from New York on the occasion of a recent reception in his honor.

President Johnson in his message to ABE MULTER said:

> I was delighted by your election to the New York Supreme Court. But as a fellow veteran of Capitol Hill, I must confess that I am also deeply saddened by your departure from the Congress.
>
> For two productive decades, the American people have grown in your debt and advanced along the steady path of progress that bears the marks of your hard work.

And, Mr. Speaker, your eloquent tribute and testimonial to our colleague at the reception adds luster to the President's words.

The House Select Committee on Small Business, on which ABE MULTER has served so ably and so faithfully, presented him with a gavel on this occasion, accompanied by a resolution, which follows:

RESOLUTION

Whereas, the Honorable Abraham J. Multer recently was elected a Justice of the Supreme Court of the State of New York and is about to leave the Halls of Congress to receive the robe of high judicial office, and

Whereas, we, the undersigned, his colleagues on the Select Committee on Small Business of the House of Representatives, desire to express our appreciation to Abe Multer for his dedication, inspiration and counsel which have added greatly to the prestige and effectiveness of our Committee during the nineteen years of his service as a Ranking Majority Member and Subcommittee Chairman: Now, therefore, be it

Resolved, That this gavel be presented to our distinguished colleague and friend, Abe Multer, as a token of our appreciation and in acknowledgment of his accomplishments in furtherance of the well-being of small business in our Nation's economy; and be it further

Resolved, That this expression of our esteem, along with our good wishes to Abe Multer for a successful judicial career, long life, good health and happiness be memorialized by the publication of a copy of this Resolution in the Congressional Record.

Dated at Washington, D.C., November 29, 1967.

JOE L. EVINS, Member of Congress, Chairman; WRIGHT PATMAN, Member of Congress; TOM STEED, Member of Congress; JOHN C. KLUCZYNSKI, Member of Congress; JOHN D. DINGELL, Member of Congress; NEAL SMITH, Member of Congress; JAMES C. CORMAN, Member of Congress; DONALD J. IRWIN, Member of Congress; ARCH A. MOORE, Jr., Member of Congress, Ranking Minority Member; SILVIO O. CONTE, Member of Congress; JAMES T. BROYHILL, Member of Congress; FRANK J. HORTON, Member of Congress; ROGERS C. B. MORTON, Member of Congress; LAURENCE J. BURTON, Member of Congress.

Herald-Telegram Publisher One of Wisconsin's Top Five Young Men

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. O'KONSKI. Mr. Speaker, Saturday evening, December 2, a young man from my congressional district was selected one of 1967's Five Outstanding Young Men for the State of Wisconsin by the Wisconsin Jaycees.

He is John M. Lavine, publisher of the Chippewa Falls, Wis., Herald-Telegram and the Portage, Wis., Daily Register.

I was extremely pleased that John was chosen for this high honor, and would like to share with my colleagues the letter which I wrote supporting his nomination and an article which appeared last week in the Chippewa Herald-Telegram citing this young man's fine accomplishments:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., November 7, 1967.

Mr. CLIFF O'DONNELL,
President, Chippewa Falls Jaycees,
Chippewa Falls, Wis.

MY DEAR CLIFF: It was pleasant news to learn that John Lavine of Chippewa Falls has been nominated for consideration as one of Wisconsin's Five Outstanding Young Men, and I want to take this means and this opportunity to wholeheartedly express my support of this nomination.

I was a personal friend of John's father, Max, whom I respected as one of the most knowledgeable businessmen and outstanding journalists I have ever known. It was through Max that I first met John as a high school student; and when he visited me in my Washington office, I was astounded at the interest John had in the Federal Government. The questions he asked at that young age about the operation of our Government were of an extremely mature nature, and I knew then that John would follow his father's footsteps and himself be a fine businessman and journalist.

The confidence which I had that John would be a tremendous success is well evidenced today by his management of two of Wisconsin's outstanding newspapers in Chippewa Falls and Portage.

John is one of the finest young men that I know. He is a man of the highest integrity and is an asset to not only his community but also the State of Wisconsin and the nation. I have watched with interest his activities in community affairs and know that he has spearheaded many successful endeavors. His participation in the Chamber of Commerce as a member of the Board of Directors has certainly given that organization added impetus. As a leader of the Chippewa Foundation, Inc., he has been one of the most important elements in revitalizing a formerly defunct organization.

Within the scope of his own profession, John has made an indelible mark. An indication of the respect fellow journalists have for him is evidenced by the fact that his editorials are now nationally syndicated and used in many papers around the country. He is an active member of many professional journalists organizations and is in constant demand as a speaker at many newspaper functions.

I can think of no one in my Congressional District or in the entire State of Wisconsin more deserving of the award for which John is being considered. It is my sincere hope that those responsible for making the final decision on the nominees will give every possible consideration to John for this most coveted award.

Sincerely,

ALVIN E. O'KONSKI,
Congressman, 10th District of Wisconsin.

HERALD-TELEGRAM PUBLISHER ONE OF STATE'S TOP FIVE YOUNG MEN

For the second time in as many years, Chippewa Falls has furnished the Wisconsin Jaycees with one of "five outstanding young men in Wisconsin."

Last year, David Hancock, then president of Applied Research and Development Corporation, was named to the select list, and this week it was announced that John M. Lavine, publisher of the Chippewa Herald-Telegram and the Portage Daily Register, was chosen one of 1967's Five Outstanding Young Men of the state.

The state Jaycees annually pick five men from a list comprised of the names and qualifications of nominees from all over Wisconsin. Jaycee judges cut the list to a workable group of the most notable young men, and of these, five are selected as the state's most outstanding.

The FOYM program climaxes with an awards banquet at which the five young men are presented with honoring ceremony.

This year's banquet is slated for Fond du Lac on Saturday night, December 2 with Astronaut James Lovell and U.S. Jaycee President James Antell. Honored guests being Astronaut James Lovell and U.S. Jaycee President James Antell, scheduled to sit at the speakers' table.

Lavine's selection to the list of Five Outstanding Young Men, FOYM, was well-made, according to Chippewa Falls Jaycee officials who submitted his name and qualifications to the judges.

At 26, the young publisher has already carved his name deeply into the record of newspapering and public service. Generous with his time almost to a fault, Lavine has thrown his personal weight and that of his newspapers into almost countless civic and fraternal projects, many times turning certain failure into outstanding success.

Lavine steeped in newspapering by a close association with his father, the late Max Lavine, got his feet wet with printer's ink early in life.

While attending Carlton College, Lavine received an assignment to the White House staff of the Murphy Newspaper (Morgan Murphy of Superior) and despite his tender age (he was only 21), he served as a correspondent in Mexico, covering the late President and Mrs. Kennedy's visit to that country in 1962.

Lavine also served as a Wall Street Journal interim reporter which also added greatly to his store of experience.

After attending graduate school at the University of Minnesota, Lavine—at 23—became publisher of the Herald-Telegram and Daily Register, and at the same time became the youngest publisher of two daily newspapers in the nation.

Presently, Lavine is the Executive Vice President and Treasurer of both the Chippewa and Register Publishing Companies which publish the two related newspapers.

At the age of 25, and after two years directing the operations at Chippewa Falls and Portage, Lavine took on the added work of authoring a daily editorial for King Features, the largest feature and editorial newspaper syndicate in the United States, and today enjoys the distinction of having his work read by an estimated 2,500,000 people. Approximately 250 newspapers across the country subscribe to the King Feature service.

As publisher of the two newspapers, Lavine is almost continually involved in the community affairs of the two cities.

The publisher's involvement in community action was highlighted in 1964 when he became campaign manager for the first Negro—a woman—to ever run for public office in the city of St. Paul, Minnesota.

Locally, Lavine has been exceedingly active in Rehabilitation, Inc., an organization which was formed to help alcoholics. In the words of the Rev. John Wreford, pastor of the First Methodist Church in Chippewa Falls, "John Lavine, through his personal efforts, has negotiated two large grants, for $25,000 and $37,000, to help construct 'WYNOT,' a center for the rehabilitation of alcoholics."

Lavine has also been extremely active in the Chippewa Foundation, and has aided that organization in raising over $100,000 to build an outdoor swimming pool.

In his religion, John Lavine is an instructor in religion at Temple Sholom in Eau Claire, where he is also an officer of the Temple, and of the local B'nai B'rith Lodge and is on the state Executive Committee of the Anti-Defamation League.

Lavine has used his early newspaper training to push himself ahead rapidly in his chosen field.

He is a member of Sigma Delta Chi, the National Journalistic Society, a member of the National Conference of Editorial Writers, and of the Inland Daily Press Association, and its cost and Revenue Committee which includes some 500 daily newspapers in the midwest.

Lavine has also served as a member of seminars on Vietnam and China, with the Council on Religion and International Affairs. He is a member of the American Newspaper Publishers Association and this year was elected to the Committee on Carrier Boys with that organization.

On the local level, Lavine saw the Chippewa Herald-Telegram judged first in the Inland's Local Government News Reporting contest in 1966, and receive first honorable mention in the same contest this year.

Under Lavine's direction, the Portage paper also became the first daily in the state to change from letterpress to offset operation.

The Rev. Wreford, asked to comment on Lavine's selection as one of the state's five outstanding young men, added this to his comments on the publisher's participation in the "WYNOT" project:

"I have worked with John on numerous occasions and on several projects, and can only say that he is enthusiastic, dedicated, and reliable."

"In addition," the Reverend declared "Lavine has great leadership qualities, and a good imagination and a creative mind."

"In my estimation," he concluded, "he is a courageous and deep-thinking newspaper man."

Rev. Wreford's sentiments were echoed by leaders on state and national levels.

Senator William Proxmire, asked to comment from his Washington office, had this to say about John Lavine:

"In my judgment, Lavine has made a brilliant contribution, not only to the two Wisconsin communities in which his daily newspaper operate, but through his syndicated columns, to the entire nation."

Senator Gaylord Nelson added his opinion to that of the others, saying, "From Washington, to Madison, to his home town, this young man is writing an outstanding record that should reflect great credit on himself, and which should benefit our Wisconsin community for many years to come."

"I would," Senator Nelson stated, "like to add my enthusiastic second to this nomination to become one of Wisconsin's five outstanding young men."

Congressman Alvin O'Konski, upon hearing of Lavine's selection to the FYOM, had this to say:

"John is one of the finest men I know. I have watched with interest his activities in community affairs and know he has spearheaded many successful endeavors."

Eugene McGuckin Jr., immediate past president of the Inland Press Association says this: "I have watched and just completed a term as president of the Inland Daily Press Association, where I was intimate with contact of executives from more than 500 midwestern newspapers. I consider John Lavine unquestionably the top young executive in this group."

President Johnson, Howard Samuels, and a Call to Free Enterprise

EXTENSION OF REMARKS
OF
HON. RICHARD D. McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, December 4, 1967

Mr. McCARTHY. Mr. Speaker, in New York State we are proud to call Howard Samuels, the new Under Secretary of Commerce, one of our own.

He represents the best in the American tradition—a man who is successful through his own efforts in every endeavor he ever tried—in business, in the military, and now in Government.

President Johnson has made a wise and thoughtful choice in nominating Howard Samuels as Under Secretary of Commerce. The new Johnson programs for housing and employment need the fullest and most imaginative cooperation of the private sector. Howard Samuels is just the man to bring private enterprise and Government together in a program to strengthen the economy and help rebuild the cities.

We must not lose sight of the recent Johnson proposals to bring free enterprise into the low-priced housing field, and even into the public housing area.

We must not lose sight of the Johnson initiative to help business create new jobs for the hard-core unemployed in urban areas.

We must not overlook the fact that as new as these test programs are, they have already begun to show concrete results. Insurance companies are going to invest at least $1 billion in housing. Industry has already announced plans to expand its efforts for hard-core unemployed in the cities.

We in New York are proud to join the Johnson effort to give every man the opportunity to have a decent job and a decent home in a decent neighborhood. Those have been the goals of the Democratic Party for a long time. And Howard Samuels will help the President achieve them.

Under unanimous consent I insert in the RECORD remarks by President Johnson at the swearing-in ceremony of Howard Samuels as Under Secretary of Commerce on November 30 at the White House:

REMARKS OF THE PRESIDENT AT THE SWEARING-IN CEREMONY FOR HOWARD SAMUELS, THE EAST ROOM, NOVEMBER 30, 1967

Mr. Howard Samuels and family, Secretary Fowler, Mr. Justice Fortas, members of the Congress, ladies and gentlemen, and friends, I am here this morning to hand new challenges to a man who has really made a career of challenges.

Howard Samuels has been facing up to challenges all of his life. In the public schools of upstate New York. In the classes of MIT. In the Army before Pearl Harbor, when he was fighting with Patton across Europe.

Lieutenant Colonel Samuels, age 26, came back from war with an idea and with a dream. He began his own business in an abandoned old schoolhouse. The rent was $35 a month. He and his brother built a corporation from that. It is now this nation's largest producer of plastic packaging.

Howard Samuels leaves this success behind—because another and a larger challenge has brought him to his Nation's Capital.

He takes high office this morning in a department that once spoke only for business. Now it speaks to business about the real business of America—the well-being of all the American people, including the business people.

So Mr. Samuels, your President wants to challenge you—and to challenge American business—to do more to solve the stubborn problems that plague this Nation and that keep us worrying at night.

Let me mention just two of those problems in the brief time this morning:

One is the shame of America. It is the slum of America—the nameless sub-city of the poor that exists in every State. It is a sprawling hovel where 20 million Americans—10 percent of all of our people—today live in tenements, in rural shacks and tar-paper shanties.

There are nearly 6 million of these so-called homes in this, the richest land in the world. Law and decency condemn them. Yet they stand—supported by our inaction, and also supported by, I am afraid, our indifference. They stand 30 years after President Franklin Roosevelt signed our first public-housing act. They stand despite all that the last five Presidents have done to try to wipe this shame from the face and from the conscience of the wealthiest people on earth.

So much for challenge one. The second challenge is to try to hire and to train the half-a-million hardcore unemployed. That is what we are talking about—500,000 hardcore unemployed.

This is our forgotten labor force. It is an unenlisted legion, a neglected resource of a rich and a productive America.

They are the last in line. They do not share in America's abundance because they are the handicapped, they are the unskilled, they are the untrained, and they are the slighted victims of indifference and of discrimination.

Some of us think and hope that all they are asking of us is a chance. We are trying as hard as we know how to give them that chance—a chance to work at a good job at a decent wage.

But we do need help. Government just cannot do it alone. We need the energy, we need the genius, we need the imagination, and we need the initiative of the businessmen of America who have built this great, free enterprise system into the most powerful economy in all the world.

Last month I asked the distinguished Secretary of Commerce, Mr. Sandy Trowbridge, to get our businessmen involved, to get them involved in hiring and training these cast-off Americans. The Secretary turned to our country's 500 largest firms and asked them for help.

Twenty-three of these 500 said they would help.

Twenty-nine said they would not help.

Eighty-five said they were interested.

But the men on the highest levels sometimes just deal with the cream of the crop. That still leaves, after Mr. Trowbridge worked these days, 70 percent for you, Mr. Samuels. They have not committed themselves. We are going to put you in the nose of the cone in the goldfish bowl and we are going to see what you do and what the 70 percent of the 500 -do about helping us do something for these half-million hardcore unemployed.

I believe the businessman can become concerned, if he knows the facts. But the average businessman is, first of all, always concerned first with his own business. He is busy with his own affairs. The pity of that is a terrible, accidental callousness to the greater business of all of us—a very dangerous thing. His business is not going to ultimately be any better than all of our business.

Tomorrow morning, we will begin the 82nd consecutive month of growing prosperity in America. In less than seven years, corporate profits after taxes have increased 93 percent—almost doubled in the last seven years—corporate profits after taxes.

So I summon American business this morning, as I did yesterday at the luncheon here in the White House. I summon them in their surge of prosperity, to try to look back at its wake: to look hard at the nameless slum city of the poor and to look hard at this forgotten labor force—and try to help the leaders of commerce join the leaders of the workers in doing something about it. Government can supplement their efforts but cannot supplant them.

Now, before we administer the oath, I must remark upon your wonderful family of eight children. I think it is right that a man who will help to run the Census Bureau should have such a large and attractive family.

So in the language of commerce, "It gives a man a piece of the action."

Newsletter

EXTENSION OF REMARKS

OF

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. BLACKBURN. Mr. Speaker, as you know, it is the duty of all Members of Congress to keep their constituents informed about the vital issues before Congress.

I am sure that many of my colleagues would appreciate seeing the newsletter which I send to the people of the Fourth Congressional District of Georgia.

Therefore, I respectfully insert my newsletter in the CONGRESSIONAL RECORD:

NEWSLETTER

(From Congressman BEN B. BLACKBURN, Fourth District of Georgia)

My *sincere thanks* to all who turned out recently at the Blackburn Appreciation Dinner at the Regency-Hyatt House! I felt very humble when I looked out over some 500 of the 4th District's leading citizens who came to hear *Congressman Gerald R. Ford (R. Mich.) House Minority Leader,* say that a "return to constitutional government" is very much on everybody's mind. He said the age of irresponsible spending in Washington is near its demise come election time next year. It's not possible to thank all who made the night such a success, but to everyone who worked and gave their support, *I say "Thank You,"* and I gratefully *re-dedicate myself to bringing common sense back* to your federal government.

Congress is entering its final days. (Best guess is between December 15th and 24th). All Americans have determined the pattern of the Johnson Administration's approach to perpetuate its free-spending policies during the 90th Congress. A responsible number of Republicans and Democrats tried vigorously to put integrity back into government again. *But, Administration majorities in the Senate put back all cuts made by the House and added more!* Final decision then lies in conference committees where House has only one vote and Senate one vote. For the most part, the Administration has prevailed, using this system. Next year, the American public will give majorities in both houses to legislators who will not give up their law-making responsibilities. They will also demand a new man in the White House. Examples of above approach to government: O.E.O. program; foreign aid and others.

Past months have been busy ones. *Introduced H.R. 13419, Cuprophane Bill,* upon information from Dr. John Sadler, Atlanta Kidney Center. Removes tariff from vital membranous material used in artificial kidney machines for those with incurable kidney diseases. Produced in W. Germany; no U.S. competition. Removal of tariff (now about 25% of cost of material) will help reduce high costs of such care to hundreds in country.

H.R. 13503, Tax Credit for Higher Education was introduced to reverse the trend of larger grants from federal government to educational institutions, with subsequent control. Promotes *American ideal of helping those who help themselves, without interference from federal government.* Expenses include costs of tuition, fees, books, supplies and equipment required for courses of instruction above twelfth grade at institutions of higher learning. Also, includes expenses at business, trade, technical and other vocational institutions. Provides 100% credit on first $200.00 spent; a 75% credit on next $300.00; and 25% of next $1,000.00; top credit: $675.00. *Does not contribute to inflation. Deficit spending by general government is major cause of inflation!*

H.R. 13753, Gun Control Bill. I joined Congressman Bob Casey (D. Texas) who has brought to everyone's attention that *onus of legislation on guns should be placed upon hardened criminals* who use weapons in major crimes—murder, rape, burglary, kidnapping and homocide other than involuntary—rather than upon twenty million sportsmen who enjoy hunting and other outdoor sports. Bill will make it unattractive for these criminals to use guns in commission of crimes under threat of *long-term mandatory imprisonment for first and second offenses.* F. B. I. facts show that its the hardened criminal who uses guns in most *major* crimes. Also, when stiff penalties are mandatory, incidence of crime goes down. Bill calls for *minimum* of *mandatory sentence of 10 years* for conviction *on first offense; 25-year mandatory sentence upon conviction for second offense.* Pro's shy away from mandatory penalties this stiff.

On October 31st, introduced *House Resolution 961* requesting Johnson "cease and desist" from preventing flow of Highway Trust Funds earmarked for Interstate System to states through edict from White House. Numerous colleagues here co-sponsored this resolution. It states: (1) lives are lost through delay—estimated one life saved for each five miles of interstate system completed; (2) delay would violate intent of Congress for speedy completion when passing Interstate Act; (3) violates the law. Law says highway tax funds must go to Fund and be distributed for construction as they become available. Act by Johnson was *obvious play* to intimidate Congress into granting his 10% tax increase. He's using British devaluation of pound as his latest "gimmick" to get this increase. But, surtax *is* alive again on *Johnson's promise to cut spending,* a gratifying move to those of us who have demanded he show good faith to the American public by reducing spending *before* he tries to take another bite out of the taxpayer's pocket.

Recently, Senate sub-committee reported out omnibus housing bill incorporating many features of *H.R. 9135, my bill establishing a National Home Ownership Foundation.* Bill encourages and assists private participation in solution of nation's housing problems. Will make home ownership by thousands feasible in three years.

Almost every Congressman received letters from constituents following Johnson's radio-t.v. appeal to "write your Congressman and ask him to vote for a 10% tax increase." *All my letters* received the following Monday morning *said, "Phooey."* Excerpts ran like this . . . "I want to let you know my wife and I believe Johnson should devote his energies to reducing the budget." Another said . . . "Between rising prices and high taxes, little people like me are hardly able to manage our finances as it is, and I do not know what we will do if taxes are increased. Nearly everyone I talk to says they are broke most of the time and can hardly make ends meet. . . ." Amen!

First come, first served. Some 250 brand-new books, *Outdoors, U.S.A.,* from the Department of Agriculture, complete with Linda Bird's picture, are available in this office. *Also, some 500 new Vietnam war maps and some 200 Congressional calendars for 1968 are now available.* Just write for your free copies to: Congressman Ben B. Blackburn, Fourth District of Georgia, 1019 Longworth House Office Building, Washington, D.C. 20515.

We welcome visitors to our office in Washington. Recently, we talked with *Mr.* and *Mrs. W. S. Wilson,* Decatur; *Mr.* and *Mrs. Joe Looper,* Mason Mill Road, Atlanta; *Kenneth Healey,* Decatur; *Douglas Craig,* Avondale Estates Georgia; *Barbara B. Banks,* Atlanta; *Mr.* and *Mrs. Walter Scott,* Decatur; *Mr.* and *Mrs. W. J. Strickland,* Decatur; *Mrs. W. A. Godwin,* Decatur; *Mrs. Camille G. Hunt,* Decatur. It's good to see Fourth District folks here in Washington, and I hope that everyone who gets here will come by their Congressional office, say "Hello," and *let us arrange tours or other special events for you.*

A Befuddling Fracas or a Contest of Fundamental Issues

EXTENSION OF REMARKS

OF

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, December 4, 1967

Mr. GUDE. Mr. Speaker, I wish to commend the Public Works Subcommittee on Roads for the launching of their investigation of the the Washington area transportation crisis. The testimony of Secretary of Transportation Boyd should be of particular interest because of the press accounts of the Department's position on the subject.

After conferring with close advisers to the Secretary of Transportation, Mr. Wolf Von Eckardt of the Washington Post reported on these matters on November 26, 1967, and thereby performed a most useful service.

First, he placed the Washington area freeway discussion in its true national perspective by noting that the new Department of Transportation has "shifted a befuddling fracas to new ground and revealed it as a contest of fundamental issues." Second, he exposed the reasoning underlying the Department's position on urban freeways.

The article notes that the proposed freeway system is supported by downtown businessmen. And why not? Their support represents an informed awareness of the urgent need to restore mobility to the downtown area and improve its economic vitality, which is essential to the task of providing jobs and the tax base upon which the city's governmental and social services depend. This certainly must be of interest to the task force on economic development established by Mayor Washington.

The article further notes that the Bureau of Public Roads responded with a letter reaffirming the need for the Three Sisters Bridge within 24 hours after the National Capital Planning Commission requested Secretary Boyd to review the question.

This again confirms my conviction that the position taken by Mr. Boyd does not reflect the considered judgment of professionals in his own Department regarding the area's current and future needs.

Mr. Von Eckardt observed that the area's development patterns have changed, that the suburbs are becoming more self-sufficient, that the Capital Beltway has already cost the central city 10,000 jobs. To the extent that such is the case, does it occur to Mr. Boyd's anonymous advisors that much of the situation is attributable to the lack of adequate access to downtown Washington and that the Capital Beltway's impact stands as a classic example of the economic activity generated by mobility—the same sort of mobility the downtown area so urgently needs?

The Department is further represented as grasping the fact that rapid rail transit cannot fully substitute for the automobile. Given this understanding, it is inconceivable to me that the Department would wish to further isolate the city with a wall of stalled cars to the detriment of both the downtown area and the suburbs. Representing a suburban constituency, I have long been convinced that much of the pressure for suburban sprawl, forcing development contrary to rational planning, flows directly from this lack of access downtown and other problems of mobility.

Mr. Von Eckardt's article makes much of early projections of increased traffic volume that failed to materialize to the extent predicted, doubtless reflecting the emphasis placed upon them by Mr. Boyd's circle of advisers. But the figures which the Secretary's advisers have furnished the press in this instance are off by 700 percent, specifically in the stated figure of 25,000 as the increase between 1959 and 1967 in average daily traffic of vehicular crossings of the Potomac River, when the true increase has been 175,000. Another inaccuracy upon which Mr. Boyd's advisers are relying is the increase in peak-hour river crossing in this period given as 2.9 percent, when the true figure is 61 percent.

Finally, the article discloses the Department's reliance on a totally inadequate purposed solution to traffic congestion that cannot be advised out of existence: A rush-hour parking ban, reversible lanes, bus bays, electronic traffic control, blockage of secondary side streets, vehicular underpasses, and pedestrian overpasses, "all without destroying a single building or a tree."

Unbalanced lanes on Massachusetts Avenue east of Wisconsin Avenue? Or Wisconsin or Connecticut Avenues? The proponents obviously never heard of close-in employment concentrations such as the National Institutes of Health, the Bethesda Naval Hospital, for example. Restriction of access to radial routes would merely subject them to the blighting effects of high-speed traffic—if successful—and residential side streets to the blight of congested, slow-moving through traffic, in effect transplanting the mess and spreading it around. Automobiles from the suburbs would still have no way of avoiding surface street congestion once within the downtown area. And the prospect of little tunnels burrowing under radial routes all over town hardly offers esthetic enhancement to the Capital City.

Certainly we must make the best use of existing facilities. But nothing is solved by eliminating the sole, minimal freeway access between Montgomery County and the District, or conversion of a parkway on the Potomac shoreline to an interstate route, or dumping Virginia traffic into the monument area of the city via the Roosevelt Bridge.

The Washington metropolitan area needs a balanced system of rapid transit and freeways. I have worked for rapid transit since the interstate compact making possible the Transit Authority was before the Maryland Legislature. We need freeways that provide not only access between suburb and city but mobility within the city, to channel traffic and isolate it to the maximum from surface streets, combined with an ample supply of rationally planned parking, including air rights structures at strategic locations along the freeways, coordinated with rail and bus facilities.

The city is here and so is the automobile. They can be accommodated. But not by a programed paralysis that threatens in the years ahead to precipitate a crisis that might create irresistible public pressure for more drastic measures as tomorrow's price for today's irresponsibility.